

WAYZATA CITY COUNCIL MEETING AGENDA
Wayzata City Hall Community Room, 600 Rice Street
Tuesday, May 17, 2016

OPEN HOUSE TO MEET NEW CITY MANAGER JEFFREY DAHL (5:30 PM - 6:30 PM)

7:00 PM - CITY COUNCIL MEETING

ITEM	DESCRIPTION	PRESENTER	JM	AM	KW	BA	ST	VOTE	PAGE #
1	Roll Call								
2	Approve Agenda								
3	Public Forum - 15 Minutes (3 min/person)								
a.	Swearing in New City Manager Jeffrey Dahl	Willcox							2
b.	Heritage Preservation Board Presentation of the Mayors Best Historic Restoration Award 2016	Willcox							
c.	Recognition of Retiring City Assessor Dan Distel	Willcox							
d.	Mediacom Quarterly Oral Report on Local Service	Sunde							
4	New Agenda Items (3 min/councilmember) - 1. Councilmember suggest item to add; 2. Must be seconded by another Councilmember; 3. Determine staff resources, scheduling & timeframe; 4. Discuss & vote to add to future agenda								
a.									
5	Consent Agenda								3
a.	Approval of City Council Workshop Meeting Minutes of May 3, 2016 and City Council Regular Meeting Minutes of April 19 & May 3, 2016								
b.	Approval of Check Register								
c.	Municipal Licenses Which Received Administrative Approval (Informational Only)								
d.	Police Activity Report								
e.	Building Activity Report								
f.	Consider Resolution #14-2016 Amending the Appointments & Assignments for 2016 to include Jeffrey Dahl								
6	New Business								
a.	Consider UUCM Development Application at 2030 Wayzata Blvd. E.	Thomson							56
b.	2015 Audit Report Presented by Bill Lauer, MMKR	Lauer							262
c.	Consideration of Tree Preservation Ordinance	Thomson							411
7	City Manager's Report and Discussion Items								
8	Public Forum (as necessary)								
9	Adjournment								

Meeting Rules of Conduct:

Turn in white card for public forum and blue card for agenda item
Give name and address
Indicate if representing a group
Limit remarks to 3 minutes

Upcoming Meetings:

City Council - May 24, June 7 & 21, 2016
Planning Commission - June 6 & 20, 2016

Members of the City Council and some staff members may gather at the Wayzata Bar and Grill immediately after the meeting for a purely social event. All members of the public are welcome.



OATH OF OFFICE

State of Minnesota)

S.S.

County of Hennepin)

I, Jeffrey Dahl, do solemnly swear to support the Constitution of the United States, the Constitution of the State of Minnesota, and to discharge faithfully the duties of the office of City Manager of the City of Wayzata, Minnesota, to the best of my judgment and ability, so help me God.

Signature

Subscribed and sworn to before me by Jeffrey Dahl this 17th day of May 2016.

Notary Public

L.S.

Residing at Hennepin County, Minnesota

*My commission expires*_____

WAYZATA CITY COUNCIL
DRAFT-WORKSHOP MEETING MINUTES
May 3, 2016

5:30 PM ASSESSING SERVICES CONSIDERATIONS

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: Interim City Manager Reeder.

Mr. Reeder stated that the resignation of City Assessor Dan Distel is effective on May 31, 2015 and the City Council needs select a new City Assessor to serve Wayzata for the 2016 property valuations. The City currently has the assessment duties split between Dan Distel who performs the residential assessments and Hennepin County which performs the commercial assessments.

Mr. Reeder stated that the position of City Assessor is a very important position and the individual holding this position will have direct contact with many Wayzata residents and commercial property owners. Mr. Reeder said that it will be important that whoever takes over the assessing duties be prepared to convert the residential files to a more computerized system. Mr. Reeder stated that for comparison, the current contract costs with Mr. Distel is:

Dan Distel (current 2015 including County cost for commercial)	\$56,796
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Mr. Reeder stated that after extensive inquiries into who might be interested in performing the duties of Residential City Assessor for the City of Wayzata, proposals/bids were received from the following parties:

Erik Skogquist (proposal not yet submitted)	
Dan Witman (requested small increase over 2015 cost)	\$60,000
Rolf Erickson	\$59,900
Hennepin County	\$73,000

The Council reviewed the proposals submitted and asked that Staff arrange to have Rolf Erickson meet with them at an upcoming workshop meeting.

6:00 PM CAMP CAMBRIA CLASSIC CONCERT SPECIAL EVENT PERMIT REVIEW

Mayor Willcox called the workshop meeting to order at 6:00 pm in the Community Room at Wayzata City Hall. Council Members present: Anderson, McCarthy, Mullin and Tyacke. Also present: Interim City Manager Reeder, Director of Public Service Dudinsky and Police Chief Michael Risvold.

Mr. Dudinsky stated that a Special Event Permit had been received for the 2016 Camp Cambria Classic to be held on July 18, 2016.

A presentation was made by the owner of Cambria, Marty Davis, Event Marketing Manager Liza Hanson, and Sr. Director of Marketing Operations Angela Norton.

The City Council indicated they want the event personnel to send out two mailing notifications to an expanded mailing area that staff recommended. The first mailing well in advance of the of the July 18th event and the second mailing within a couple of weeks of the event.

1
2 Staff stated the city would provide Cambria mailing addresses for the two mailings. Also, staff indicated
3 that Cambria would be mailing the notifications in envelopes with the City letterhead.
4

5 The workshop meetings were adjourned at 6:50 pm.
6

7 Respectfully submitted,
8
9

10 Becky Malone
11 Deputy City Clerk

DRAFT

WAYZATA CITY COUNCIL
DRAFT – REGULAR MEETING MINUTES
April 19, 2016

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: Interim City Manager Reeder, Director of Planning and Building Thomson, Director of Public Service Dudinsky, and City Attorney Schelzel.

Mayor Willcox reported that Council met in a workshop session prior to the meeting to discuss the Mail Center/Gold Mine redevelopment plan, and to discuss concept plans for possible redevelopment of the Meyers Brothers property.

AGENDA ITEM 2. Approve Agenda.

Mrs. McCarthy noted that the agenda had been amended after packets had been distributed. She referred to new item No. 6c on the amended agenda, and stated the public has not had enough notice to know it is on the agenda, and requested it be held until a later time. Mrs. Anderson agreed and stated she has not had time to review the new item.

Mrs. Anderson made a motion, seconded by Mrs. McCarthy, to approve the agenda with the removal of agenda item No. 6c Consideration of Temporary Encroachment Permit for Gianni's Steakhouse.

Mr. Tyacke stated this was put on the agenda because of the early outdoor dining season, and it needs to be reviewed. Mr. Willcox informed the Council it has to do with a pergola structure for Gianni's.

The motion carried 3/2. (Mullin and Tyacke)

Interim City Manager Reeder requested that the agenda be reordered to consider item No. 6b before item No. 3a.

Mrs. Anderson made a motion, seconded by Mrs. McCarthy, to amend the agenda to move item No. 6b before item No. 3a. The motion carried 5/0.

AGENDA ITEM 6. New Business.

b. Consider Approval of Emerald Ash Borer Management Project to Remove 32 Poorly Rated Ash Trees on City Rights-of-Way

Director of Public Service Dudinsky reported that letters have been sent out and signs have been posted regarding the removal of certain ash trees in the City rights-of-way. Staff has received three calls from residents who were in support of the removal, and one from a contractor asking about the tree replacement.

Mr. Dudinsky reported the cost for ash tree removal would be about \$8,000, and would begin on April 25 and last about two days. Staff recommends approval of staff's plan to remove 32 poorly rated ash trees on City rights-of-way.

Mr. Dudinsky commented volunteers are identifying legacy ash trees that will be treated after the Emerald Ash Borer has been identified in the City. Bids are being collected for treating ash trees on private property that are worth saving.

Mr. Tyacke asked if the replacement trees will come from the trees the City planted in the gravel nursery. Mr. Dudinsky replied yes, and they will be planted in the fall.

1 Mrs. Anderson asked if there was an opportunity for residents to select the type of tree they
2 would like planted on the adjacent right of way. Mr. Dudinsky said they are coming up with a plan
3 that lists the varieties that are available, and the residents can select from that list.

4 Mr. Tyacke made a motion, seconded by Mrs. Anderson to approve the Emerald Ash Borer
5 Management Project plan to remove 32 poorly rated ash trees on City rights-of-way as presented.
6 The motion carried 5/0.

7
8 **AGENDA ITEM 3. Public Forum – 15 Minutes (3 minutes per person).**

9 **a. Heritage Preservation Board Annual Report**

10 Kim Anderson, Chair of the Heritage Preservation Board (HPB), presented the 2015 HPB Annual
11 Report and goals for 2016. She reported the HPB's mission is to educate and increase awareness
12 for the preservation of historic sites around Wayzata. She highlighted activities of 2015, which
13 included the preservation of the Wise House, presentation of four Centennial House Awards,
14 awarding the Lynn Gruber home the Mayor's Best Preserved House Award, holding a Kids at the
15 Cabin event, participation in J.J. Hill Days, keeping up with Lake Effect and the Section Foreman's
16 House, as well as other HPB work.

17 Ms. Anderson commented that Sue Sorrentino retired from the HPB and thanked her for
18 all her years of volunteering and passion.

19 The Council congratulated Ms. Anderson on the Wise house, thanked her for securing a
20 grant for the Section Foreman's House, and encouraged others to participate in preservation.

21
22 Pat Broyles announced that the City's "Dig It" spring planting event will take place on Saturday,
23 May 21, at 8:30 a.m. at the Wayzata Public Works building.

24
25 **b. Civitas Presentation on Lake Effect Schematic Design**

26 Mayor Willcox stated that there will be a public forum for the public to speak about the Lake Effect
27 Schematic Design after the presentation from Civitas. He noted that people will be given three
28 minutes to speak. After everyone has spoken, Council will respond to the questions that were
29 raised. There will be no decision made by the Council tonight related to Lake Effect. The Council
30 will look at a possible resolution related to the Schematic Design and next steps at its meeting on
31 May 3.

32 Mayor Willcox gave a background on Lake Effect. A task force of citizens was put together
33 and St. Paul Riverfront was hired to help think through the possibilities. Civitas was hired to help
34 sort through and develop the possibilities presented by St. Paul Riverfront. The report given by
35 Civitas tonight is a reflection of what they have heard from the citizens. The City Council has been
36 a facilitator and participator, but has not driven the final recommendation.

37 Mayor Willcox highlighted the principles of the project: 1) Priority has been the citizens
38 of Wayzata and what would make the lake better for them; 2) Railroad safety; and 3) Ecological
39 restoration. In addition, he commented that outside funding has to be a major part of the Lake
40 Effect effort, that the project is not intended to drive development along Lake Street, and that there
41 will not be fees for the amenities.

42 Mark Johnson, Civitas, presented the Lake Effect Schematic Design to the Council. The
43 recommendations given are a place to start, not a conclusion. He reported the core values of the
44 proposal are: 1) Make it about the lake experience; 2) Make it environmentally sensitive; 3) Make
45 it for local residents; 4) Make it safe and accessible; and 5) Improve the lakefront without changing
46 the character of Wayzata.

47 Mr. Johnson reported on the details of the proposed Eco Park, Lakewalk, enhanced Lake
48 Street, Depot Park, expanded beach, Shaver Park, and potential Walker Street crossing. Phase 1
49 would cover the lakefront area and is estimated to cost \$11,910,000. Phase 1A would cover Lake
50 Street and is estimated to cost \$3,715,000. Phase 2, which includes Shaver Park and Walker Street
51 Crossing, would be an additional estimated \$3,395,000. The entire project is estimated to cost

1 \$19,020,000. Capital funds will require City funding, local, State and Federal grants, and private
2 contributors.

3 Mr. Johnson reported on operations and maintenance of the project once built. He noted
4 that it is easier to build something and harder to maintain it. There are three things to consider: 1)
5 Routine and capital maintenance; 2) Park programming; and 3) Administration. The City is
6 currently spending roughly \$115,000 annually on the lakefront, which includes 11.3 acres at
7 \$10,200 per acre. The proposed park plan is 16.3 acres with a cost of \$27,600 per acre and an
8 annual cost of \$450,000. Potential programming and administration costs could be up to \$25,000
9 to \$35,000 each per acre.

10 Mr. Johnson stated each city uses four sources of revenue in a different balance depending
11 on the character and purpose of the park. These include public contribution, value capture,
12 contributed income, and earned income. The City could generate \$1.9 million to \$2.5 million with
13 these sources of revenue.

14 At the conclusion of Mr. Johnson's presentation, Mayor Willcox opened up the public
15 forum on the Lake Effect Schematic Design presented by Civitas.

16 Dan Kane, 1600 Holdridge Circle, stated he does not like the proposed changes with the
17 marina, and expressed concern with the safety of boats going in and out of the marina and the diving
18 platform.

19 Gordy Straka, 130 Huntington Avenue, asked how Burlington Northern felt about the
20 project. He expressed concern for safety of people around the tracks and felt the project is
21 encouraging more people to cross the tracks. He suggested people come down through Shady Lane.

22 Kathleen Kasprick, 722 Widsten Circle, commented on the connection between the parking
23 garage and Lake Effect budget and does not think the numbers given by Civitas reflect the true cost
24 of the project to the citizens.

25 Tom Tanner, 191 Hunters Glen Road, stated he supports the project, and that he was part
26 of a group that met to create a concept for the community that would vitalize the community. Part
27 of the challenge is to keep business in the community during the winter when people head south,
28 and this project will help do that.

29 Jim McWethy, 1150 Lasalle Street, stated the Wayzata lakefront should be the crown jewel
30 of the community. The lakefront has been neglected too long and needs to be fixed.

31 Eric Brindley, 1809 Crosby Road, thanked everyone for all the work that has been done.
32 He is concerned about the proposed changes to the lagoon area, and asked if filling in the inner
33 lagoon and blacktopping it is a good ecology message. He has concern with the proposed plans for
34 the marina and the \$600,000 diving dock.

35 Terri Huml, 293 Grace Pointe Court, stated the future of Wayzata and the business
36 community is dependent on drawing young families into the area, and it is imperative to have a
37 lakefront that is an asset to the community. She trusts the Council and the decision it will make.

38 Dan Koch, 205 Bushaway Road, stated he supports the proposal and would like to see it
39 move forward to the next phase. The process has been transparent and he has been impressed with
40 the community engagement. The details will be figured out and should not derail the overall plan.

41 Joanie Holst, 121 Bushaway Road, stated her concern is about the scope, size, and cost of
42 the project. She does not want her taxes affected and supports a referendum vote for the project.
43 She is concerned about the proposed changes to the lagoon and the walking bridge, and does not
44 want a lagoon replaced with a parking lot.

45 Bette Hammel, 101 Promenade Avenue Apartment 413, stated she loves the proposed
46 lakewalk, does not want the lagoons changed, Shaver Park is fine the way it is, and does not support
47 the high dive. She supports some improvement to the beach, including benches and bathrooms.

48 Joann Leavenworth, 543 Harrington Road, commended Civitas on the beautiful plans they
49 provided. She is concerned with the marina, the diving platform at the beach, and that the cost of
50 the parking garage should be considered with this plan. She urged the Council to think carefully
51 before committing the residents to any financial obligations.

1 Ann Goodmundson, 373 East Park Street, stated she is opposed to using public money for
2 the cost of the project. She is concerned with the annual maintenance cost, and stated it is essential
3 that a referendum be held.

4 Pat Broyles, 212 Benton Avenue, stated these plans are beautiful, but she has a problem
5 spending TIF money on it or approving anything without a referendum. She expressed concern
6 with the beach surrounded by the boat docks, and is for the two lagoons staying the same. She likes
7 the idea of the boardwalk, but thinks a third crossing is unnecessary.

8 Gretchen Piper, 463 Highcroft Road, stated she was happy to see the issues, that were of
9 concern with the petition that has been going around, have been addressed. There still needs to be
10 an urban plan in place to address issues like congestion, traffic intersections, and signage. She is
11 excited about Lake Effect, but it feels too big and disconnected from the rest of Wayzata. She stated
12 the Council resolution accepting this plan from Civitas will have to be worded carefully.

13 Jane Hall, 398 Waycliffe Road, thanked the Council for their time and care for the Wayzata
14 residents. She stated there are no handicapped spaces anywhere on Lake Street. The residents do
15 not have the money to fund this project, and suggested everyone slow down and learn to live with
16 the changes they already have. She supports the beach improvements and requested a referendum.

17 Barry Petit, 420 Peavey Lane, stated he struggles with the issues yet to come in Wayzata
18 over which there is no control, and how it all weaves together in the big picture.

19 Beth Ulrich, 307 Manitoba, stated she has four children and is not concerned about the
20 safety issues brought up. The proposed spaces and events form community, and she supports
21 moving this project forward.

22 Elliott Randolph, 605 Park Street, commented on the scale, funding, and identity as a City
23 in relation to the project. He likes Phase 1, but suggested to limit programming funding and tone
24 down the scale of the project to match the small town feel of Wayzata.

25 Rima Torgerson, 465 Peavey Road, thanked the Council for their work and stated there is
26 work around safety and traffic that still needs to be done. She asked the Council to continue to
27 involve the community and proceed with the project in phases.

28 Dan Gustafson, 1040 East Circle Drive, supports moving the plan forward, as this project
29 is about the future of the town. He stated the railroad through town should be corrected, and there
30 is a need for more boat slips and a better beach. He asked why the citizens of Wayzata should get
31 to call the shots if they are not willing to pay for the improvements.

32 Carol Prince, 546 Harrington, expressed concern around the scale and scope of Lake Effect.
33 She urged the Council to think about the expense and congestion, and to build something that fits
34 the town.

35 Richard Morris, 16013 Holdridge Road, commented he is retracting his previous support
36 for a referendum. Civitas presented a great plan, but the City does not have to spend \$20 million to
37 make Wayzata a great place to live. There are a few improvements that could be made. He felt the
38 Council should take this plan, decide what needs to be done first, then present it to the residents for
39 a vote.

40 Louise Otten, 646 Indian Mound Street, commented she lives in the special improvement
41 district. She stated she read her property value will be increased five percent in five to ten years
42 and her taxes will go up 10% to 14% over the next 10 years. She believes the quality of life has
43 diminished in her area due to noise, air, and light pollution, and requested the Council look at the
44 bike lanes.

45 Merrily Babcock, 337 Reno Street, commented this project will be expensive to maintain.
46 She felt the Parks and Trails staff can barely take care of the 11 parks currently in Wayzata. If this
47 is a product of the citizens, then the citizens need to make the decision. She requested Council make
48 a decision on what is best for the community, come up with the cost projection, word the
49 referendum language clearly, and take a vote.

50 Cathy Iverson, 220 Central Avenue South, commented she would like to see improvements
51 to the current sidewalks and find ways to support retailers in the winter months. She read an email

1 from Joe McCarthy. It stated the ten-year total for this project could reach over \$35 million. The
 2 project is brilliant but he supports a referendum. He feels the citizens have the right to evaluate
 3 and raise questions.

4 Elissa Madsen, 344 Gardner Street, expressed concern with the proposed maintenance cost
 5 of the Lake Effect proposal. She encouraged staff and Council to think about how the new plan will
 6 be maintained when the current beach is not.

7 Sarah Showalter, 635 Wayzata Boulevard, stated she likes the proposed boardwalk, but has
 8 concern for the cost and future maintenance of the overall project. She does not support the parking
 9 ramp, and sees it as a ramp for people to access Lake Minnetonka, not for use by or the benefit of
 10 the citizens of Wayzata. She suggested putting a pause on the parking ramp, and moving forward
 11 with the boardwalk amenity that is truly for the residents of Wayzata.

12 Councilmember Mullin read a letter from Bob Ambrose, 15803 Holdridge Road East. It
 13 stated he supports moving the plan forward and the top priority should be the Lakewalk and
 14 associated shore enhancements. He likes the idea of making Lake Street more people friendly, the
 15 Eco Park with the restored pond, fishing pier near the Section Foreman's House, and the beach
 16 with a few refinements.

17 Mayor Willcox read a letter from Andrew Humphrey, 875 Lake Street North. It stated he
 18 strongly supports the Lake Effect initiative, and that it is exactly what the community should be
 19 investing in. He strongly urges against a referendum. The Council has studied the initiative with
 20 care and depth, and a referendum would be an easy way out.

21 Mayor Willcox thanked Civitas and volunteers with the project, and the citizens of
 22 Wayzata.

23 At the request of Mayor Willcox, City Attorney Schelzel explained that a referendum on
 24 the Lake Effect Project could be held if the Council decided to authorize one. It would need to be
 25 authorized by a resolution adopted by a four-fifths affirmative vote of the Council. A citizen
 26 initiated referendum cannot be done in Wayzata because the Charter provides exclusive means for
 27 doing a referendum. If Council decided to go forward with a referendum, it would have to be careful
 28 about the specific question on the referendum. The City can have a referendum on anything
 29 permitted by law, but there are only so many types of questions that can be put to a referendum.
 30 For example, the referendum could not be advisory or an opinion poll. State law prohibits public
 31 funds being expended for obtaining an advisory opinion. The City would also need to be careful
 32 that the referendum does not constitute an improper delegation of the authority given to the Council
 33 under State law, for example, to make decisions about public improvements. If public financing
 34 were involved in the project, and the Council wanted to do an additional levy on the citizens, that
 35 may require a referendum, as would issuing bonds for the project.

36 Mrs. Anderson asked if a park improvement district or process was set up to cover some
 37 of the costs that would require a taxpayer financing revision, would that potentially be set up for a
 38 referendum as well. Mr. Schelzel stated if it was an additional levy, a referendum would probably
 39 be required.

40 At the request of Mayor Willcox, Mr. Johnson stated the need for the third railroad crossing
 41 has to do with the distance of the boardwalk and the age of the community. 1,500 feet of walk for
 42 an average healthy person is about a 15-minute walk. The additional crossing would be more
 43 convenient and serve more people if there was an additional railroad crossing to break up the
 44 distance of the boardwalk.

45 Transcribed verbatim at Mrs. Anderson's request:

46 *Mrs. Anderson: I don't have any other questions. I'd like to make some comments on this*
 47 *while we have people here related to it since none of us on the Council never have really openly*
 48 *talked about our thoughts or views related to this. That is, I think part of the whole discussion point*
 49 *on this, or bringing this to the public forum. If people bear with me, I know it's late. It's a quarter*
 50 *to ten and believe it or not, our Council meetings usually run a lot longer than this. So, I'd*
 51 *appreciate you holding on just a little bit more.*

1 I first want to thank everyone that came. A lot of you have left or those watching at home,
 2 thanks for taking part and being involved. It shows that people truly do care around here and
 3 getting up at speaking takes an extra little bit of courage, I realize that, and I appreciate you doing
 4 that.

5 So I wrote down some thoughts and I'll just let it go from there. First of all, I wanted to
 6 address, we have some common ground. I think this topic has made our community become a little
 7 divisive, which is sad to say. But we do have some common ground. No one in the community is
 8 against improving, from what I've heard, what we have along our shoreline. I haven't heard one
 9 people say it shouldn't be improved or we can't do better. Thus, no one is against the Lake Effect
 10 in concept. So when I hear people use language and say so and so is against Lake Effect or the
 11 people who signed the petition are against Lake Effect or Bridget Anderson who sits up here on the
 12 Council is against the Lake Effect, I strongly disagree with the misrepresentation. I think a lot of
 13 everyone in this community truly wants to do something good by the lake.

14 Another area we have common ground in is people in our community care very much about
 15 Wayzata and about the outcome and the direction of this community. We definitely all have that in
 16 common. That is why we are all here.

17 There are differences, and you've heard them here tonight. How much. Where people differ
 18 is to the degree, scale and amount of change that should take place in our community. On one side
 19 of the table you hear people saying we must change, we need to change. While others don't want
 20 any change at all. And balance needs to be found. By no means should we change for change itself,
 21 but rather evolve into something that fits who we are. I think we heard a lot of that from people this
 22 evening. Evolution takes time and it is gradual. Evolution provides time for things to adapt and
 23 respond. When change is forced, it speaks loud and clear it is not part of a community's evolution
 24 and does not take into account its surroundings and those that live within the change. And I think
 25 several people have also stated that. We need to find what our identity is and things just aren't
 26 feeling quite right with what's being proposed so far.

27 The approach. We are differing in the process in which this large-scale project like Lake
 28 Effect is being decided. I think a lot of people are hoping that it becomes even more interactive and
 29 collaborative as we move forward in what's decided. Maybe it's not a referendum, but it's other
 30 ways in which people really get involved. Our citizenry in the 21st century is calling for city
 31 government to open up channels through city charters and governance and allow for dialogue and
 32 hear all the people with what they have to say. The community is calling for factual determined
 33 plans related to financing and sustainability versus approaches where things are flushed out in the
 34 process and monies are to be found along the way.

35 So, I also heard a bunch of people talk about kind of a bigger picture and a bigger scope
 36 and you've heard the ramp brought up. I agree with that. I think we need to look at the fact that we
 37 have this ramp going on and we have Lake Effect going on. Neither should be standalone projects.
 38 They all involve monies that this community has to somehow come up with, find and identify in
 39 order to maintain and operate. There are some proposals on how to do that, but I am not quite
 40 feeling comfortable whether those are sustainable within our community.

41 So, we have precedent already in this community about maintaining things. You heard
 42 Elissa Madson talk about the maintenance currently with our parks and things. Believe it or not,
 43 the last park that was built was called The Nature Center. I don't even know if most people know
 44 where that is or that it's a City park. It's located behind Jimmy Johns. It's the wetland. That was
 45 built with TIF funding and it's a City park. It was never maintained and still is not maintained. The
 46 money is not slotted to maintain it. So I have concerns with where we come up with the money to
 47 maintain what is being proposed. Whether is \$330,000 a year or, at one point we were hearing
 48 over \$3,000,000. Whether its programming or general maintenance, there is going to be a lot of
 49 additional costs that are tied on to things that this community has to somehow figure out and we as
 50 a Council have to be very cautious about.

1 So, with that said, and the scale and things, I would like to propose some sort of
 2 compromise, or at least this Council discuss as a compromise. This initial project many years ago,
 3 and I was part of all those, was about what are we doing with the parking lot on Lake Street sitting
 4 in front of the lake. Well, maybe that is what we should be focusing on once again. We love pilot
 5 programs in this town. Maybe a good compromise would be to take that parking lot and do what
 6 people thought about trying to do. Putting some grass over the top of it and laying down some
 7 really nice chairs that the Parks and Trails Board has already provided and some nice lights. For
 8 a couple of summers, see how we can absorb that sort of change. Can we absorb the lack of parking
 9 spaces that are there? Can we handle more people? What will we do with the traffic? Take some
 10 data points and see how it works out. Maybe it won't and we will learn a lot. Maybe it will and we
 11 will be able to grow bigger and be able to handle it. Will the City staff be able to handle it? I think
 12 this is a way that we can go, move forward without taking that giant leap of massive funding that
 13 we have to find, and the maintenance costs, and figure it out. We have to evolve and we have a lot
 14 of changes going on. To what one of our former mayors said, with uncontrolled development, we
 15 need to make sure we understand what that uncontrolled development will be moving forward, and
 16 let things settle as we go, and take a read on them.

17 So, I am hoping that my colleagues and this community can have future dialogues about
 18 those type of steps as we move forward. Civitas has done a great plan. It is beautiful. It is lovely.
 19 But to many people's point, I'm not sure if it fits quite yet to what this community wants, desires
 20 and can live with. So those are just my thoughts. I appreciate the opportunity to finally be able to
 21 voice those thoughts as a Council member. Hopefully we will be able to discuss those in the future.
 22 Thank you.

23 Mr. Mullin asked if the Council should voice their views on the project. Mayor Willcox
 24 clarified the intent was to absorb what was heard in the public forum and deal with a resolution that
 25 states how the Council wants to proceed at the next Council meeting. At that point, the Council
 26 should debate what was heard during the public forum, what compromises would be appropriate,
 27 and how to structure itself moving forward to consider this project.

28 Mr. Mullin thanked everyone for being at the meeting.

29
 30 Mr. Willcox gave an update on an appeal of a City decision to deny a land use application involving
 31 the pink building on Lake Street, and stated the Court of Appeals upheld the City's decision, finding
 32 in favor of the City.

33
 34 Mayor Willcox recessed at 9:52 p.m. and reconvened at 10:07 p.m.

35 36 **AGENDA ITEM 4. New Agenda Items.**

37 Mrs. Anderson requested an update from staff on the status of the tree ordinance and the
 38 enforcement of the conditions associated with the PUD and art with Walgreens. Director of
 39 Planning and Building Thomson stated the tree ordinance is scheduled for review at the next
 40 Council meeting, and he will follow up with Walgreens and get back to the Council at a later date.

41 42 **AGENDA ITEM 5. Consent Agenda.**

43 Director of Planning and Building Thomson commented in relation to the Parking Ordinance, the
 44 Planning Commission wanted the Council to know it was not their intention to restrict the height
 45 of the landscaping on the sides and rear of parking lots. It was only restricted on the front to be
 46 consistent with the design standard and that is how it is reflected in the meeting packet.

47 Mr. Tyacke commented on the Mediacom report. He is still concerned with the standards
 48 that are being met with local service and requested Mediacom give the quarterly report in person
 49 so the Council can respond and communicate comments from the community that need to be
 50 addressed.

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

- a. Approval of City Council Workshop Minutes of April 5, 2016 City Council Regular Meeting Minutes of March 15 and April 5, 2016
 - b. Approval of Check Register
 - c. Municipal licenses which received administrative approval (informational only)
 - d. Approval of Municipal Licenses
 - e. Police Activity Report
 - f. Building Activity Report
 - g. Mediacom Quarterly Report
 - h. Consider Second Reading of Ordinance No. 758 – Parking Ordinance
- The motion carried 5/0.

AGENDA ITEM 6. New Business - continued.

a. Consider Approval of Contract with HGA for Mill Street Parking Ramp Design

Interim City Manager Reeder reported the City Attorney's office had reviewed the contract proposed by HGA and the changes requested by the Council at the last meeting. The other changes made in the current draft relate to the cost of the architect depending on whether or not there was a roof. The contract reflects a reduced cost in the basic price, which gives more credit to the \$70,000 amount that was spent on predesign. There is also a specific cost outlined for the architect's work for each type of roof that may go on the ramp, including no roof. Staff is still working on securing a City representative to work on this project to ensure the best possible value for the ramp to the City. Council will also meet with the HRA during a work session to talk about the ramp. The approval of this contract is subject to the approval of the HRA allowing the City to move forward on the property with the ramp.

Mr. Tyacke asked about the pricing of the architect's work at \$553,375 and if that includes the credit of the predesign. Mr. Reeder stated that is correct.

Mr. Tyacke referred to wording in the attachment about the issue "the owner intends to follow the procurement of delivery method and competitive bidding as specified" and asked if that still allowed for the City to hire its own agent or owner's representative to work with staff as part of the City's representation on the site. Mr. Reeder stated the language in the contract does not preclude the City from hiring its own representative.

Mr. Tyacke made a motion, seconded by Mr. Mullin, to approve the contract between the City of Wayzata and Hammel, Green and Abrahamson for the design and management of the bidding process and oversight of the construction of a parking ramp on the Mill Street site, subject to the approval of the Wayzata Housing and Redevelopment Authority to allow the City to construct a ramp on this site.

Mrs. Anderson clarified this is a contract for design, not a final vote on financing or design. It allows HGA to move forward to complete a final design. Mr. Willcox stated they will be working on a concept that the steering committee came up with and the roof decision is still forthcoming.

Mr. Reeder stated they have retained the existing steering committee to continue working with HGA on the design as they move forward. The schematic design will be completed in six weeks and will include a decision on cladding and the type of roof or no roof. Construction bids will begin in September with construction beginning in October. The bids are needed in order to understand the financing for the project.

The motion carried 5/0.

Mrs. McCarthy thanked Mr. Tyacke for his role as the liaison on the project, the consultants for their ability to articulate what the Council and community wanted in a ramp, and staff.

b. Consider Approval of Emerald Ash Borer Management Project to Remove 32 Poorly Rated Ash Trees on City Rights-of-Way

This item was considered prior to item No. 3.

1 **AGENDA ITEM 7. City Manager's Report and Discussion Items.**

2 **a. Other**

3 Mayor Willcox announced the Dig-it event on May 21.

6 **AGENDA ITEM 8. Public Forum Continued (as necessary).**

7 There were no comments.

9 **AGENDA ITEM 9. Adjournment.**

10 Mrs. McCarthy made a motion, seconded by Mr. Tyacke to adjourn. There being no further
11 business, Mr. Willcox adjourned the meeting at 10:23 p.m.

13 Respectfully submitted,

17 Becky Malone
18 Deputy City Clerk

20 Drafted by Shannon Schmidt
21 *TimeSaver Off Site Secretarial, Inc.*

WAYZATA CITY COUNCIL
DRAFT - MEETING MINUTES
May 3, 2016

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: Interim City Manager Reeder, City Engineer Kelly, Director of Public Service Dudinsky, Police Chief Risvold, City Attorney Schelzel, and Director of Planning and Building Thomson.

Mayor Willcox reported that Council met in Workshop prior to the meeting to consider alternatives for tax assessing services and a possible special event permit for the Camp Cambria Classic Concert.

AGENDA ITEM 2. Approve Agenda.

Mr. Tyacke made a motion, seconded by Mr. Mullin, to approve the agenda as amended. The motion carried 5/0.

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

a. Heritage Preservation Board Presentation of the Centennial House Award

Kim Anderson, Chair of the Heritage Preservation Board (HPB), described the 2016 Centennial House recognition, and presented an award and cake to the Unitarian Universalist Church of Minnetonka, also known as the Church on Piety Hill, at 605 Rice Street. Rev. Kent Hemmen Saleska accepted the award on behalf of the church and stated for the month of May they will be giving their offering to the Wayzata Historical Society.

Mayor Willcox thanked the HPB for highlighting the properties, to Lunds and Byerlys for the cake, and to Merrily Babcock for sketches of the property.

Ms. Anderson announced on Sunday, May 15, the HPB is hosting a Centennial Open House at the church from 1:00 p.m. to 4:00 p.m.

Elissa Madson, Vice-Chair of the HPB, highlighted three of the most historically significant neighborhoods in Wayzata, which consist of the original plat. These include: the Bluff Neighborhood, the North Neighborhood, and Old Holdridge.

b. Presentation of Chamber Exceptional Service Award to “6 Smith”

Sara Kaelberer, Greater Area Wayzata Chamber of Commerce, and Mayor Willcox presented the Exceptional Service Award to Randy Stanley of 6Smith Restaurant. Mr. Stanley thanked the Chamber for the award. Mayor Willcox acknowledged Mr. Stanley for his work.

c. Yearly Update from Wayzata Volunteers

Lynn McCarthy, Volunteer Coordinator, reported that 365 volunteers gave over 4,000 hours of service to the City last year, saving Wayzata \$80,000. New projects included planting trees at entrance of Public Works building and landscaping the gateway entrance at 394 and 101/Central Avenue. She announced Dig It Day is May 21, Buckthorn Pull is May 14, and the Garlic Mustard Pull is May 6.

Mayor Willcox thanked Ms. McCarthy and the volunteers of Wayzata for their work in the community.

d. Presentation of Arbor Month Proclamation

Mayor Willcox read the proclamation designating May 2016 as Arbor Month in Wayzata.

AGENDA ITEM 4. New Agenda Items.

None.

AGENDA ITEM 5. Consent Agenda.

Mrs. Anderson requested that her comments on page 5, line 50 through page 6, line 13 from the April 19 Regular Meeting Minutes be transcribed verbatim.

Mrs. Anderson also requested Item 5e Consideration of Temporary Encroachment Permit for Gianni's Steakhouse be pulled from the Consent Agenda for discussion. Mayor Willcox moved Item 5e from the Consent Agenda for consideration as Item 6g under New Business.

Mr. Mullin made a motion, seconded by Mr. Tyacke, to approve the following items on the amended consent agenda:

- a. City Council Workshop Minutes of April 12 and April 19, 2016, and Special City Council Meeting of April 12
 - b. Check Register
 - c. Municipal licenses which received administrative approval (informational only)
 - d. Municipal Licenses
 - e. ~~Consideration of Temporary Encroachment Permit for Gianni's Steakhouse~~
- The motion carried 5/0.

AGENDA ITEM 6. New Business.**a. Consider Resolution No. 13-2016 Accepting Schematic Design of Lake Effect Signature Park Project**

Mayor Willcox stated at the last meeting there was a public forum on the Schematic Design of Lake Effect Signature Park Project, and good representation from the citizens of Wayzata on how they feel about Lake Effect. He explained that tonight the Council will express their views on Lake Effect, go over the language of a proposed Resolution on the schematic design and next steps, and vote on the resolution.

Transcribed verbatim at Mrs. Anderson's request:

Mrs. Anderson: You know, I'm fine with starting off, but if there is anyone else that would like to go first. I guess not.

So for those who maybe weren't here from last week, I basically made comments slightly recapping what I felt people were speaking to, and I will do that again tonight. I've kind of prepared things once again. This is a lot of complicated issues that people are dealing with. There are a lot of arguments going on here. There are a lot of different paths of thought. I want to acknowledge what the community came forward and voiced the other night. The message I heard from the community was scale it down, slow it down, and make it financially sound.

First of all, scale it down. What I heard people confirm they would be comfortable with the Lake Effect Signature project is some type of lakewalk or path or something to do with the shoreline if its affordable and the City can afford to maintain without jeopardizing their existing quality of life. Doing something with the shoreline is the common ground I think everybody feels comfortable with. No one that I have talked to in the City has said they are against improving what is there with our community. But a lot of people do feel we already have a great community with great existing things that they do not want to see changed. And as I proposed at the last meeting, maybe a quick, relatively inexpensive low-hanging fruit is to look at something to do with the parking lot by Cōv, in front of that shoreline, because that is where this all started. And to observe what happens there while a larger lakepath/lakewalk process is being figured out from a financial standpoint.

Slow it down. What I heard the community say is that this is going too fast from their perspective and much more needs to be flushed out before any final decision or any acceptance of any plan should be made and the community has an opportunity to give a sign off on what is planned through some type of poll or survey. There are organizations that deal with this type of

1 thing. We've dealt with it before in this community. The Trust For Public Land did larger surveys
 2 and polls for this community dealing with the big woods and they would be helpful and have that
 3 service for us again.

4 The community wants to take baby steps. Pace controlled changes that occur and how
 5 those changes are paid for. They want to maintain balance that is critical to the resident's
 6 comfort level as the community evolves. And I think our former Mayor Barry Petit stated it very
 7 well last meeting when he asked the question that should be continually asked through this
 8 process: What is Wayzata's saturation point? What is enough development and what is enough
 9 development that we as a City should be instigating versus that development we cannot control by
 10 outside development?

11 Make it financially sound. We need confirmed financial sustainability. What I heard our
 12 residents, our voters communicate is that they want to see a financial plan for the construction,
 13 operation and maintenance. For a limited scope of the Lake Effect initiative. Specifically, an
 14 appropriate sized lakepath or lakewalk, for their review prior to any design or plan being
 15 accepted. The community wants a plan to be financially sustainable for not five years or 20 years,
 16 but 100 years from now. Which I think is a very reasonable request. It is common sense. We
 17 should be concerned with operating and maintenance costs. We are not maintaining what we
 18 have now. And that's no offense to our staff, our Public Works staff that work very hard. But, we
 19 need to add additional people, and we don't have that in the budget right now. And as you just
 20 heard as an example, we have volunteers that have spent 4,000 hours just last year alone. That's
 21 an \$80,000 a year savings annually for this community that we don't have in the budget if we had
 22 to maintain our current infrastructure. They were put in place as a temporary, and now they are
 23 maintaining all those beautiful gardens and things we may take for granted. But I feel when we
 24 talk about finances we have to look at the bigger picture. People brought that up last week about
 25 what does this all mean in relation to one another. So I start looking at what this means. I am a
 26 visual person. I need visuals to keep track of things in my mind. So bear with me as Jeff pulls
 27 some thoughts that I've put up that I'd like us as a Council and as a community to think about
 28 and discuss.

29 So you people kind of understand, we have besides Lake Effect, we have some other
 30 projects that we are proposing or in the works or that we are looking at. So, on your left side, we
 31 have some capital outlays, these are just off the top of my head, that we are currently
 32 considering: Lake Effect. A parking structure. We have telecomm relocation that we are moving
 33 ahead on and investigating. There are other landscaping projects such as Bushaway Road, which
 34 we have to maintain and we need money for that. Public Art installations. We have Eastman Lane
 35 landscaping, which we have just done a first layer, which we haven't done the additional phases
 36 for that as well. And there are just things off the top of my head.

37 And then if you go further up on that column, you'll see the maintenance bracket section.
 38 And there are just the things that we will have to maintain in our future that we don't have in our
 39 budget today. So Lake Effect, it is great. It is something that I think we all want to do. But I have
 40 to look at the big picture as I sit in this chair, and wonder how do we maintain this and keep it
 41 going forward with the quality of life and our expectations that we want.

42 So on the right, we have different revenue streams. And I know there are many others, but
 43 I just bucketed the big ones. We work off of property taxes that we get revenue from, sewer and
 44 water. Those are kind of some constants we can control. Then the middle section is some more
 45 revenue, but they vary. It really can depend or it can go away. Telecomm is a technology that
 46 they keep telling us in the future we may not have the way it works today, and a revenue. That's
 47 over \$300,000 or \$350,000 a year that we have for revenue.

48 And then the top bracket are things that we are proposing to have as a revenue to help
 49 pay for some of the maintenance. And those we do not have in effect today. So I look at what we
 50 are trying to do and how do we have money to pay for it. And how do we keep moving forward.

1 So, Jeff, next slide. Thank you Jeff. Those top two brackets for a park district and a
 2 mobility district are things we are proposing. Those probably are two big, big projects we have
 3 going on in the City right now that we are looking to do. Once again, rough concept. I'm sure
 4 others can pick apart and get more nuances, but this is the high-level picture. I look at what are
 5 we going to be doing to our property owners along Lake Street with these big projects. So you see
 6 the black horizontal line. Below that line is basically the bigger buckets of what a commercial
 7 property owner would have for expenses. Property tax, mortgage, and some other maintenance
 8 things. Above that black line is possible, possible proposals of what this City would be putting on
 9 as I deem, a potential burden to the commercial property owners that they don't have today. And
 10 that is if we have a mobility district to help pay for the operation and maintenance of a ramp.
 11 There are two tiers of assessments for that depending upon if they are parked or self-parked.
 12 Then there is the park district which is the operation and maintenance that is proposed to help
 13 pay for the park district. And then for each one of these different districts, and I've spoken to the
 14 principal assessor at Hennepin County, they would be increasing taxes because rents would
 15 increase. Their taxes would go up even more. So then I have concerns of how big do we want to
 16 go. Then I hear the residents say how big do we want to go and maybe we don't want to go that
 17 big. So I take this all into account and see how we can stay balanced. So then I have a problem
 18 with how big with this resolution and how do I want to scale it back and really prioritize and take
 19 baby steps to see how our community can absorb not only the physical changes, but as well as
 20 absorb the financial changes that will occur to our budget, and then sustain those. These are the
 21 things that are going on in my head for this community and I am really concerned about how we
 22 roll them out and do it in a very responsible way so that we can maintain the great quality of life
 23 that we already have without adding some changes and trying to make us a beacon, which I am
 24 not sure that we want to do.

25 So I, with the resolution, want to scale it back. I want a lot more steps in the process with
 26 more dialogue and a community poll. I think we are getting too big and I think the carts ahead of
 27 the horse with the conservancy board. But we can discuss various details of the resolution. And I
 28 want us to follow one of the main value statements that we put forward and adopted as a
 29 community with Lake Effect. It's be Wayzata, and do no harm. First, do no harm. And I think we
 30 have to take that into effect and that is what I hope to do. Because my job here is to represent the
 31 people of this community and not just do what I feel I want to do. So that's my viewpoints. Thank
 32 you for the opportunity for letting me speak on it. It's clearly probably one of the first and only
 33 opportunities we've really had as a Council to let you folks know how we each individually feel.
 34 So thank you.

35 Mr. Tyacke commented he sees Lake Effect as a work in progress. From the beginning it
 36 has been an open process and everyone knew the "wish list" Civitas was directed to work on
 37 would need to be made smaller. He is impressed with the work of Civitas and thanked everyone
 38 who was involved on committees. He found the comments of the residents who participated in the
 39 public forum, at Council meetings and through written letters very helpful.

40 Mr. Tyacke stated he has four assumptions about the project: 1) The conservancy
 41 organization is going to raise 100 percent of the funds needed for the Lake Effect improvements
 42 that are built, through private and public agency contributions. It will be a prerequisite to have
 43 that funding in place before the City proceeds with any decisions on improvements, and he is not
 44 in favor of a tax levy; 2) Some projects that are contemplated will overlap with Capital
 45 Improvement Projects that have already been approved by the Council, like widening of the
 46 sidewalks. They will have to make sure these projects all line up; 3) He agrees the City needs to
 47 come up with a strategy to address operations and maintenance. However, those costs are scalable
 48 based on how much of the projects the City decides to build; and 4) The City will have to work
 49 with the railroad on the safety of the crossings and the actual construction of the proposed
 50 lakewalk. It is unknown what the railroad will permit the City to do, so it is premature to talk
 51 about it until it is clear what can be done.

1 Mr. Tyacke stated he is in support of Design Alternative A in the Civitas report, which he
2 understands would be about \$6,500,000. This alternative will have least impact on existing park
3 spaces, will avoid major approval issues with regulatory agencies, and create a unified lakefront.
4 He is not in favor of relocating or doing a lot of modifications to the existing beach, or including
5 a diving pier, digging a new channel for a new marina, and would like Shaver Park and the small
6 bridge left alone. The operation and maintenance cost of only pursuing Design Alternative A
7 would come down as well, and this design would not disrupt what is already working well in the
8 City.

9 Mr. Tyacke stated at this point, he does not favor a survey or referendum. Going forward,
10 it is important the process continues under typical City planning processes to see how the
11 proposed designs fit in with the comprehensive plan. Once a specific design or element is decided
12 on, and the funding in place, then it should proceed. It is important to have an actual design or
13 element to talk about, and to include public comment on that moving forward from that point.

14 Mrs. McCarthy stated Wayzata is already great, but there are always small areas of
15 improvement to consider. It is the Council's job to break down each element of the proposed
16 design and decide how to move forward. It will be done in a fiscally responsible way. The main
17 question from the residents is how will the project be paid for and maintained, and is scope
18 appropriate. She stated if the conservancy cannot raise the money, the projects will not move
19 forward. If the conservancy does raise the money, but the scope is not appropriate, the Council
20 will need to decide whether and how to proceed. She is focused now on what the proposed
21 resolution before the Council this evening says, what the next step is, and what the City is
22 agreeing to. She sees the resolution as an acceptance of the project that Civitas completed, but it
23 does not mean that the City is going to fulfill every piece of it.

24 Mr. Mullin thanked the citizens, the Council, and previous two Councils, who have
25 participated in the Lake Effect process. In addition, he thanked Jan Callison, Chair of Hennepin
26 County; Jennifer Munt, Commissioner from Met Council; Keith Parker, DNR Regional Director;
27 Sherry White, Chair of Minnehaha Creek Watershed District; Dan Baasen, Former Chair of
28 LMCD; Tom Fisher, Director of Design at U of M Architectural Center; Senator David Osmek,
29 and Brian Sweeney from Burlington Northern Railroad. He thanked residents John Nolan, Terri
30 Huml, Dan Baasen, Lynn Gruber, Rufus Winton, Mick Johnson, Dan Koch, Sharon Lind, Tyler
31 Purdy, Sarah Showalter, Susan Johnson, Sue Sorrentino, Jay Soule, Holly Evans, Clement Wong,
32 and Casey Rosen.

33 Mr. Mullin stated a lakewalk was first proposed for Wayzata 96 years ago, but no plan
34 has ever materialized. Many plans since then fell short because they could not demonstrate an
35 overall agreement and acceptance of an objective. In 2011, the Lake Front Task Force was given
36 the task to initiate a process that could be embraced by the community. This led to working with
37 St. Paul Riverfront and developing a plan, which again prioritized a lakewalk, lake access,
38 improved connectivity, enhanced venues, and better parking and circulations. The City's existing
39 comprehensive plan calls for a connected community, preservation and enhancement of views,
40 improved ecological and water quality, enhanced bicycle trails or street bike trails and
41 preservation of historical assets. It also states the City shall/will continue to monitor as necessary
42 proposed facility upgrades or new parkland areas, and he believes the Lake Effect plan does that.

43 Mr. Mullin stated there has been valuable feedback from community and agrees no taxes
44 or borrowing of money should be used for this plan. A conservancy is the best way to fund this
45 project. In addition to several parks in Minnesota, there are 125 conservancies, foundations and
46 trusts in the United States that follow this model, and it can be researched at the City Park
47 Alliance. He stated there are good options to choose from without adding taxes, and good options
48 for maintenance, including voluntary membership, value capture, and earned income.

49 Mr. Mullin stated he does not support all 11 project elements of the Civitas report. He has
50 a lot of concern with Phase 2, which includes a major reconfiguration of the marina. Also, if the
51 Mill Street Parking Ramp moves forward, the parking lot next to Cōv should be looked at to

1 make it a full park. He supports looking into a bike trailhead at Shaver Park. He does favor most
2 of the elements defined in Phase 1 and Phase 1A.

3 Mr. Mullin stated he has been involved in work on this since 2010 and with a more recent
4 role of serving as a designee to the conservancy. This project will unite disconnected sites in
5 Wayzata, make it easier and safer to reach the lakefront, include long overdue basic amenities,
6 make it more comfortable for the residents, and have a variety of activities for all residents to
7 enjoy. It will open up the waterfront to a much greater range of people, while restoring the
8 ecology of the lake at the same time. It would be the single largest shore restoration project of all
9 time undertaken on Lake Minnetonka to improve water quality. It is socially aware, economically
10 smart, and environmentally responsible, with a landscape that is sensitively handled and
11 beautifully detailed.

12 Mayor Willcox thanked everyone involved in the Lake Effect process. He indicated the
13 Council has not been involved in shaping the schematic design, and the plan that Civitas came up
14 with is a reflection of what the community has asked for. The Council has a good sense of what
15 the people want, and will strive to reach a balance of all those things guided by the following
16 priorities: 1) The residents of Wayzata; 2) Railroad safety; 3) Ecological restoration; and 4)
17 accomplishing the plan without further financial burden to the citizens.

18 Mayor Willcox addressed the concerns that were raised by the residents during the public
19 forum: 1) Cost. The Council will not move forward on any plans unless there is funding in place.
20 2) Crowds. This is not being done to bring more people to Wayzata. The proposal is modest and
21 involves safer and more pleasant walkways and experience, but it is not Coney Island. 3)
22 Railroads. A lot of work needs to be done to coordinate this project with the railroads, and the
23 plans for the crossings remain to be seen. 4) Do no harm. The project should not harm what we
24 love about Wayzata, but is Wayzata all it can be? There is room for improvement, and this project
25 can do that. 5) Marina. It is not part of the initial priority at this time. 6) Referendum. The State
26 Statute does not allow a referendum for a preference type of poll, and referendums are not very
27 reliable. 7) Ploy to benefit businesses. This project was never launched with the single intent to
28 improve the businesses. However, they are core to the City and they are responsible for the City
29 having one of the lowest tax rates in the area. Wayzata needs a healthy business core.

30 Mayor Willcox stated Civitas gave Wayzata world-class recommendations for the
31 lakefront. The proposal restores and revitalizes the lakefront and the ecology of the water, it
32 provides safety for the residents and access to the lake. Each element of the proposal will be
33 tackled individually, and it could take ten years to complete if all the funding comes through. If it
34 is accomplished, the City will have an asset that will be a significant improvement to the
35 lakefront.

36 Mayor Willcox read parts of the draft resolution. He stated by accepting the Schematic
37 Design Plan, it is acknowledging the City has received it, not that it is approved for
38 implementation.

39 Mrs. McCarthy stated she is comfortable with the overall direction of the resolution. She
40 referred to page 102, and said she prefers the language “acknowledges the delivery of the work
41 contained in”. She would also like this reflected in the title at the top of page 101.

42 Mr. Tyacke agreed with Mrs. McCarthy and proposed two additional changes. On page
43 102, the paragraph that talks about the conservancy, he would like to see a specific charter
44 directive included and suggested language “to raise the prerequisite private and public funds, to
45 finance the individual elements of the project”. He would like to see it stated the staff analysis
46 will be of Design Alternative A in the Schematic Design Plan presented by Civitas.

47 Transcribed verbatim at Mrs. Anderson’s request:

48 *Mrs. Anderson: So I agree with Steve related to the scope. I think we need to break this*
49 *up. For me, language is about acknowledging the delivery of the work that Civitas did. That’s the*
50 *title of the resolution. Then we can specifically pull out the component that we would like to focus*
51 *on as a priority. I think we heard from this community. Others that I feel we are comfortable with*

1 which is lakepath and the environmental aspects related to stormwater management, Steve,
 2 maybe that is probably our number one priority. I mean if Lake Minnetonka is our number one
 3 asset, which I don't think it is. I think our residents are our number one asset. But, if it's our
 4 number two asset, then our priority should be to save the lake. So it should be our environmental
 5 concerns and then the lakepath that this community feels comfortable with. If there are additional
 6 phases to this, and money is raised, then we can draft a resolution based on funding and future
 7 projects on what that would be. I am in support of Steve's recommendation. I also am in support
 8 of the language acknowledging versus accepting, both in the title and the top paragraph on page
 9 102. I have a little bit of a problem with the vagueness of the direction to staff with the explore
 10 implementations. I don't know what that means. That can mean many different things. Staff has
 11 been given instruction and has already done so by exploring railroad crossings and having
 12 meetings with individuals with lobbying the railroad and we haven't even accepted the work. So,
 13 I get nervous about how far people may take some of this language. I am not sure if we need to be
 14 a little more definite with that.

15 I also think that the conservancy component needs to be explored in much greater detail.
 16 There are other avenues we can look at without possibly spending taxpayers' dollars on
 17 supporting conservancy. We can have committees, we can have existing parks and trails boards. I
 18 spoke to individuals that are in these fields. There are communities all over the country that use
 19 committees to first raise initial funds and special accounts that cities set aside when monies are
 20 raised just to see if things actually take off and enough money is raised. I think we need to explore
 21 that more and we need to understand what that contract all means. We have designees, we have a
 22 group working on that. I'd like to see a report and feedback from them to see what that structure
 23 actually looks like. And our title of this resolution says nothing about conservancy boards. It says
 24 about acknowledging the work of a lake signature park schematic design. I'd like to see a whole
 25 separate resolution around the conservancy, what that means, what the structure is, what their
 26 mission is, how they'll interact with the City, and have that broken down more. I think we really
 27 need to understand the legalities of it and have that spelled out in a separate resolution. Those
 28 are my recommendations and what I am comfortable with supporting going forward.

29 Mr. Mullin stated he is comfortable with Mr. Tyacke's recommendation to table Phase 2
 30 and bring forward Phase 1 and 1A. A supermajority of the Council already funded the work of
 31 creating the conservancy, and this resolution is simply the authorization to begin the work on that.
 32 The work will bring to the Council more specifics of how the conservancy is going to operate. He
 33 is comfortable with the language changes suggested by Mrs. McCarthy. He would also not want
 34 future Council and community members to believe that Shaver Park will never be touched.

35 Mr. Tyacke stated there is a specific provision in the comprehensive plan that talks about
 36 developing a connector for a regional trail. He sees that as a separate piece that does not mean
 37 you have to modify Shaver Park, but a connector can be developed.

38 Mayor Willcox stated he is comfortable language changes suggested by Mrs. McCarthy
 39 and the other current wording of the resolution. He would also like to see a specific charter
 40 directive included with the conservancy language and is comfortable with moving forward with
 41 Phases 1 and 1A.

42 Mrs. Anderson asked for clarification between 1 and 1A noting that she was not sure if
 43 the audience and others remembered exactly what that is.

44 Mr. Mullin read from the Civitas Report on what was included in Phase 2: Shaver Park,
 45 Shaver Park parking lot and roadway changes, and Walker Street railroad crossing. Phase 1:
 46 Lakewalk from Broadway to Depot Park, Depot Park, Boatworks, beach, ecopark, and enhanced
 47 rail crossings at Broadway and Barry Avenue. Phase 1A: Lake Street, excludes from BOC to rail
 48 tracks at Plaza, and Lake Street Plaza.

49 Transcribed verbatim at Mrs. Anderson's request:

50 Mrs. Anderson: I guess that is not what my comfort level is. I am talking basically of a
 51 lakepath and the environmental factors related to the stormwater management. 1A, I don't think

1 *the community was looking into all of that and they definitely weren't talking about an ecopark*
 2 *and depot. I think the majority of the residents felt that Phase 1 meant a lakepath and lakewalk*
 3 *and they were comfortable with the price point of looking at that. So, we might have to use*
 4 *different wording and language on what is put in the resolution versus Phase 1 or Phase 1A.*

5 Mayor Willcox commented this resolution is not designed to say specifically what the
 6 City is going to complete. It is authorizing staff to work with Council to help determine which
 7 components of the design the Council wants to pursue.

8 Mr. Tyacke stated he was focused on Design Alternative A, which is different than Phase
 9 1 and Phase 2. Alternative A includes: continuous lakewalk between Broadway and the Depot,
 10 enhancing rail crossings at Broadway and Barry, creating an ecopark adjacent to the Section
 11 Foreman's House, providing park enhancements at the beach and depot, and establishing a new
 12 rail crossing at Walker Avenue.

13 Mr. Mullin suggest the resolution read the Council will not pursue Phase 2.

14 Mr. Tyacke stated he supports the Walker Street crossing and that is included in Phase 2.
 15 Transcribed verbatim at Mrs. Anderson's request:

16 *Mrs. Anderson: So what's wrong with the comfort level of basically putting in the*
 17 *resolution a scope area of three to five projects that this community voiced very strongly that they*
 18 *were the most comfortable with and exploring those moving forward and seeing what the*
 19 *feasibility is of those for staff to focus on. We do have a limited staff. So having staff focus on*
 20 *exploration of implementation and the financial feasibility on eight is a lot more difficult than*
 21 *focusing on three to five that this Council could very easily put forth tonight. Then there is*
 22 *nothing stopping this Council and staff coming back and saying, you know, these are a little bit*
 23 *too narrow. Let's broaden it down the road. Because we are asking staff then to spread*
 24 *themselves thinner with everything else that is going on and I think this community has spoken*
 25 *very loudly on the comfort level and the amount of money they are looking for any committee to*
 26 *raise and the feasibility of it in a short time frame versus three to five years. And I think that is the*
 27 *expectation. So what's wrong with just limiting the resolution. I'm a little confused on why we are*
 28 *so uncomfortable with that moving forward.*

29 Mr. Mullin stated he does not support Mrs. Anderson's recommendation.

30 Mrs. McCarthy stated she is not sure why this is being discussed and requested the City
 31 Attorney explain the impact of passing a resolution, the long-term consequences of a resolution
 32 and how that changes the scope of what the Council does at Council meetings. This conversation
 33 about limiting alternatives is not appropriate at this juncture with the limited information that is
 34 available on the scope of the project. She does not want to limit what can be done before the
 35 project even begins. It is the Council's responsibility to carefully evaluate every aspect of the
 36 project proposed by Civitas, to hold the conservancy and each other accountable, and to listen to
 37 the community.

38 City Attorney Schelzel stated the language in this resolution acknowledges the delivery
 39 of the Civitas report and directs staff to go do some groundwork things related to the project. In
 40 that sense, the Council is not making any decision about anything except how it is going to direct
 41 staff tonight. It would be helpful to direct staff where they should begin their review, like Design
 42 Alternative A, rather than saying do not look at a particular part of the proposed design, unless
 43 Council wanted to rule out that part.

44 Mrs. McCarthy asked how passing a resolution is different than if the Council has a
 45 conversation and takes a vote. Mr. Schelzel stated it depends what the vote is being taken on.
 46 Council acts by motion, resolution, or ordinance, so a vote would normally related to one of those
 47 things.

48 Mrs. McCarthy asked what has to happen for a Council to change an action from a
 49 previous Council. Mr. Schelzel stated if the Council action could be changed, a new Council
 50 action could change it. For example, if this resolution did pass, and Council directed staff to look

1 at Design Alternative A only, the Council could at a future meeting direct staff to look at
2 something different.

3 Mr. Tyacke stated Design Alternative A is a good starting point.

4 Mr. Mullin stated given what Mr. Schelzel said, the resolution is good as it is.

5 Director of Planning and Building Thomson asked for clarification on the wording in the
6 resolution around the conservancy. Mr. Tyacke stated “to initiate creating the legal organizational
7 structure of the Lake Effect Conservancy chartered to raise the prerequisite private and public
8 funding to finance the individual elements”.

9 Mr. Schelzel commented the conservancy documents would not be executed or filed until
10 they are brought back to the Council for approval.

11 Mrs. Anderson asked Mr. Schelzel whether the resolution title should reflect that, noting
12 that right now it just talks about Lake Effect Signature Park Design Schematic Acknowledgement
13 and it does not speak to that component. I think that should be added so that people understand.

14 Mr. Schelzel stated there is a lot more covered in the resolution than the title highlights,
15 and it would be fine to say “and directing staff to move forward with the next steps”.

16 Mr. Tyacke and Mrs. Anderson expressed support for stating in the resolution “Design
17 Alternative A” and Mr. Mullin and Mrs. McCarthy related that they do not. Mrs. McCarthy
18 referred to page 102, fifth paragraph, and asked if the Council would support the words “direct
19 City staff to work with the City Council to explore implementation of the schematic design and
20 the priorities and sequencing of...”

21 City Manager Reeder suggested the words, “give priority to Design Alternative A” so
22 that staff focuses on that first, but does not exclude other options.

23 Mr. Mullin made a motion, seconded by Mrs. McCarthy, to adopt Resolution No. 13-
24 2016 Accepting Schematic Design of Lake Effect Signature Park Project, with wording of the
25 title “Acknowledging Delivery of the Work Contained In The Lake Effect Signature Park
26 Schematic Design and Directing Staff on Next Steps”, change to wording in resolution to state
27 “acknowledges delivery of the work contained in”, and in reference to the conservancy,
28 “organized to raise the prerequisite private and public funds for the elements of the project.”

29 Transcribed verbatim at Mrs. Anderson’s request:

30 *Mrs. Anderson: I don’t know if we can bring this up now, but I believe Mayor, there was
31 someone that wanted to speak on this subject and filled out an agenda card.*

32 Mayor Willcox stated last week was when the public forum on this topic and this meeting
33 was for the Council to deliberate.

34 Transcribed verbatim at Mrs. Anderson’s request:

35 *Mrs. Anderson: Wow. Okay. I don’t know if I am comfortable with that. I will have
36 further discussion that I will be denying this resolution based on fact that we are not limiting the
37 scope of this resolution. We do have the power to add on to it with future projects and this
38 community has made it quite clear on the projects they would like focused on. I will be voting
39 against this resolution as well as the inclusion to initiate the creation of the legal organization of
40 the Lake Effect Conservancy since we have not fully explored other avenue, paths, and the
41 structure and the consequences the board and what that means. I will be voting denial of this
42 resolution.*

43 Mr. Tyacke stated he is also voting against the resolution because it does not limit the
44 next steps to Design Alternative A.

45 Upon roll call vote, with McCarthy, Mullin, and Willcox voting yes, and Anderson and
46 Tyacke voting no, the motion passed. (3/2)

47 Mayor Willcox advised staff as discussions continue regarding Lake Effect, staff should
48 focus on Design Alternative A.

49
50 The Council recessed the meeting at 9:00 p.m. and reconvened at 9:07 p.m.
51

b. Consider Speed Hump Petitions at Wise Avenue South and Central Avenue South; Discuss Roundabout at Lake Street

City Engineer Kelly reported on brief history of the roundabout, and the speed hump petitions that have been initiated at Wise Avenue South and Central Avenue South. The concerns continue to be the illegal movements that are being made both into and out of the east neighborhood at the roundabout.

Police Chief Risvold stated all sorts of people get stopped going the wrong way in the roundabout. The one way movements seem to confuse motorists, and it is a good time to have the conversation about speed humps and whether that will slow people down enough to have the one-way roundabout make sense.

Mrs. Anderson requested an update on the additional time and citations the police force have spent at the roundabout site. Mr. Risvold stated this area receives consistent complaints and patrol focuses on the area when they can. A wrong way on a one-way ticket is over \$200.

Mr. Kelly stated online mapping technologies also direct people out of the neighborhoods the wrong way and they have attempted to update those mapping technologies, working with Google to get the problem fixed.

Mr. Kelly reported to make the changes necessary to go from a one-way roundabout to a full-access roundabout would cost about \$75,000 - \$100,000, and everything would be within City right-of-way.

Mr. Kelly reported the request for speed humps is a resident driven process. A petition has been submitted for East Lake Street and Wise Avenue South, with additional petitions going on for the Circle E area and South Central Avenue, and on La Salle Street.

Mrs. McCarthy asked why a roundabout is preferred to a four-way stop. Mr. Kelly stated eight different intersection options were discussed when the intersection was last updated, and the roundabout was chosen among those in part to give people the ability to turn around at the end of Lake Street without using resident's driveways. The restricted access roundabout design was intended to minimize cut through traffic in the neighborhood. What it did instead was divert inbound traffic to Lake Street and outbound traffic to Circle E. Mr. Kelly noted that the majority of citations in 2016 were given in one weekend due to a closure on Lake Street and that is why the citation number is higher.

Mrs. McCarthy stated her concern is there were problems to start with, which was why it was designed a certain way, and it is worth exploring new traffic data based on the changes that have taken place in the City more recently.

Mr. Kelly stated he supports collecting additional data, but not at this time. There are several houses being constructed and traffic counters would give false information due to the construction traffic.

Mr. Kelly stated speed humps in the neighborhood would be beneficial and are less permanent. But he recommended the Council wait and to see what the outcome is for the other petitions and look at the possible speed bumps in the neighborhood as a group, find a good time to do a traffic study after road construction and home construction is done, and then see what changes need to be made to the roundabout.

Mrs. McCarthy stated she supports the speed humps, but would have to see more data before supporting any changes to the roundabout.

Lisa Penningroth, 1030 Lake Street East, stated people are very supportive of speed humps in the neighborhood. The traffic studies were done in 2009 and there have been significant changes since then that have resulted in a lot of traffic through the neighborhoods. People are violating the traffic laws at all times of the day. The issue is larger than traffic, and she supports redoing traffic studies. She recommends better signage into downtown Wayzata and directing traffic to Circle Drive E to the roundabout and continued police enforcement. She expressed concern of additional traffic and taxis going through the neighborhood when the hotel opens.

1 Cathy Iverson, 220 Central Avenue South, commented the traffic study in 2009 showed
2 that 67 percent of the traffic was pass-through traffic. She is concerned about the safety of the
3 children in the neighborhood, especially with the new hotel opening soon. She stated speed
4 humps are a good place to start in addressing this issue.

5 Wendy Shore, 1030 Circle Drive E, commented she wants to sign the petition. Walking
6 in the neighborhood is not safe due to the traffic and some of the signage is blocked by fencing.
7 She was against the idea of the roundabout at first, but it has cut down some of the traffic on
8 Circle E and Circle A. She expressed concern if speed humps are only put on Wise and Central,
9 will it push the traffic back to Circle E and Circle A. She requested the Council wait to
10 reconfigure the roundabout and conduct a traffic study until the hotel is completed, retail is 50
11 percent full, and construction is completed. She is also in favor of completely closing it.

12 Gordy Straka, 130 Huntington Avenue, commented the biggest problem is no one is
13 stopping at stop signs. He supports changing the roundabout, but does not want speed humps.

14 Jon Halverson, 137 Central Avenue South, thanked the Council for their work. He
15 commented traffic has gotten worse, and the neighborhood is not designed to be a pass-through
16 neighborhood. There are elderly people and children in the neighborhood and it is a safety issue.
17 It is important to consider a comprehensive solution for the entire neighborhood, and supports
18 going beyond the speed humps to find a solution.

19 Dan Gustafson, Circle Drive E, commented the East Neighborhood is a popular
20 neighborhood due to the walkability to downtown. He referenced the study done in 2008 and
21 stated the traffic counts in that study are worse now than they were in 2008. He supports creating
22 a policy regarding the commercial and transient traffic through the neighborhood. Once the policy
23 question is answered, then the design becomes easier. He encouraged the Council and
24 neighborhood to work together to come up with a comprehensive plan, and does not support
25 hiring consultants to count cars. He is willing to volunteer to help find a solution.

26 Casey Chermak, 575 Far Hill Road, stated he is in favor of the speed humps, as they are a
27 non-monitored way to reduce traffic, speed, and the number of cars.

28 Mr. Mullin stated the opening of Bushaway Road and the opening of the hotel need to be
29 in place before the Council takes action on the roundabout. He does not support putting speed
30 humps in one area of the neighborhood, only to push traffic to another part of the neighborhood,
31 and supports waiting for all the petitions to be submitted before making decisions on speed
32 humps.

33 Mrs. Anderson stated staff has broken the neighborhoods down because one part may not
34 affect the traffic flow of another. She supports moving forward with the speed humps because she
35 believes the traffic will not move to another neighborhood with the addition of the speed humps.
36 In her own neighborhood, speed humps work very well to slow traffic down and deter some
37 traffic. The roundabout is something that should be addressed after things settle with other
38 projects going on. She stated these are public streets and people have the right to drive and park
39 on them.

40 Mr. Tyacke stated he feels the opening of the hotel and Bushaway will increase the flow
41 of traffic through the neighborhood. He supports discussing a plan in a Workshop session to look
42 at different options.

43 Mrs. McCarthy stated she is in favor of the implementation of speed humps. She
44 expressed concern that addressing the speed humps Wise and Central Avenue only will have an
45 adverse impact on Circle Drive E. These speed humps need to be looked at collectively with
46 Circle Drive E and Circle Drive A. She supports addressing the roundabout when Bushaway
47 Road and the hotel have opened.

48 Mayor Willcox stated he would like to discuss in a workshop session a comprehensive
49 and time phased recommendation from staff on how they want to proceed. He favors speed
50 humps through the neighborhoods. He is not in favor of closing public roads and would want to

1 make the roundabout full access. He noted that the reconfiguration of the intersection at Wayzata
2 Boulevard and Superior may have a positive impact on traffic through the neighborhood.

3 Mr. Mullin clarified that the Council can choose to implement speed humps without a
4 petition and they can choose to reject a petition.

5 Mr. Silikowski, 173 Huntington Ave. S., stated the speed humps also make it miserable
6 for the people who live there and does not support them. If traffic from Highway 101 south could
7 be redirected, it would eliminate a lot of traffic through the neighborhood.

8 Mr. Mullin made a motion, seconded by Mr. Tyacke, to address the speed humps and
9 roundabout in a Workshop for Council to review along with more information on the petition.
10 The motion carried 5/0.

11 12 **g. Consideration of Temporary Encroachment Permit for Gianni's Steakhouse**

13 Director of Planning and Building Thomson reported Gianni's restaurant is requesting an
14 encroachment permit to construct a metal pergola over the seasonal patio that is put in place for
15 outdoor dining on the sidewalk in front of the restaurant. It does not change the footprint or set up
16 of the patio. The only change is for the pergola to go over the patio in lieu of doing umbrellas that
17 have been done in the past.

18 Mrs. McCarthy asked how the pergola will be stabilized. Mr. Thomson stated it will be
19 anchored to the sidewalk, and Gianni's would be responsible for any damage that is caused to the
20 sidewalk. Director of Public Service Dudinsky stated the holes are plugged with flush screws so it
21 is not a tripping hazard.

22 Mrs. Anderson stated she is concerned about the permanent feel of the pergola, the trees
23 and shrubs that are affected, and the extension of the patio on to public right-of-way.

24 Mr. Tyacke stated it looks great and does not see it as an expansion, but as a better way to
25 screen the diners from the sun.

26 Mayor Willcox asked about the curtains on the structure and requested having a condition
27 restricting the curtains from being closed. Director of Planning and Building Thomson stated the
28 intention for the curtains is for them to remain open. The only portion that would potentially be
29 closed would be on the west side due to the afternoon sun.

30 Terri Huml, 293 Grace Point Road, stated the curtains are strictly an aesthetic feature of
31 the design. On the west side, there will be two sheer panels that could be lowered to block the sun
32 for about one hour when it is directly on the diners. She stated she was trying to come up with a
33 structure that would be a little different, but still serve a shading purpose. She noted that other
34 communities are following what Wayzata is doing with its sidewalk seating areas.

35 Mr. Mullin made a motion, seconded by Mr. Tyacke, to approve a Temporary
36 Encroachment Permit for Gianni's Steakhouse.

37 Mrs. Anderson asked about length of time for this Temporary Encroachment and if it is
38 part of the permitting that needs to be looked at every year. Mr. Dudinsky stated the
39 encroachment permit goes from April until October. Mr. Thomson stated one of the conditions
40 for the encroachment permit states it must comply with all the conditions of the conditional use
41 permit for an outdoor sidewalk café that runs with the land.

42 Mrs. Anderson stated she has reservations with the structure, in that it is being anchored
43 in, it does have a footing, and it is on a public right-of-way.

44 The motion carried 5/0.

45 46 **c. Consider Bid Award for 2016 Watermain Project**

47 City Engineer Kelly reported the Public Works Department received three bids for the 2016
48 Watermain Improvements project. The difference in price between the low bid from Valley Rich
49 Co., Inc. and the Engineer's Estimate is mainly due to differences in asphalt prices. The proposed
50 project is scheduled to start in late May or early June and be completed by July 22, 2016. Staff
51 recommends approval of the low bid of \$330,665.00 from Valley Rich Co, Inc.

1 Mr. Mullin made a motion, seconded by Mrs. Anderson, to accept the low bid of
 2 \$330,665.00 from Valley Rich Co., Inc., for the 2016 Watermain Improvements Project. The
 3 motion carried 5/0.

4
 5 **d. Consider Bid Award for 2016 Street Reconstruction Project**

6 City Engineer Kelly reported the Public Works Department received five bids for the 2016 Street
 7 Improvements project. The difference in price between the low bid from Omann Contracting
 8 Companies, Inc. and the Engineer's Estimate is mainly due to differences in asphalt prices. The
 9 proposed project is scheduled to start after July 4 and be completed in late-September. Staff
 10 recommends approval of the low bid of \$625,174.04 by Omann Contracting Companies, Inc.

11 Mr. Tyacke made a motion, seconded by Mr. Mullin, to accept the low bid of
 12 \$625,174.04 by Omann Contracting Companies, Inc. for the 2016 Street Reconstruction Project.
 13 The motion carried 5/0.

14
 15 **e. Consideration of Tree Preservation Ordinance**

16 Interim City Manager Reeder requested this item be tabled and brought back at a future Council
 17 meeting. The Council agreed.

18
 19 **f. Consider Approval of Grant Submission and Funding Agreement with Homestead
 20 Partners LLC for Meyer Bros. Dairy Property Environmental Remediation
 21 (Resolution 09-2016 through 12-2016)**

22 Interim City Manager Reeder reported on the requests made by Homestead Partners for the City's
 23 assistance in environmental remediation of the Meyer Bros. Dairy property. The developers are
 24 requesting the City submit applications on the developer's behalf for grant funds from the
 25 Minnesota Department of Employment and Economic Development, the Metropolitan Council,
 26 and Hennepin County. The grants would be to do environmental remediation on the property to
 27 clean up pollution from a nearby gas station, which had leaky tanks. Even if the proposed
 28 Homestead Partners' development project is never approved, it is in the City's best interest to
 29 have the property cleaned up.

30 Mrs. McCarthy asked what would happen if the grants are approved and the developer
 31 fronts the City's share of the money for remediation, but the project does not go through. Mr.
 32 Reeder stated the City is not tied to anything. The developer will have to make the decision at that
 33 time whether or not to go through with remediation, and the grants can be cancelled.

34 Mr. Tyacke commented there is legal system of pursuing owners of adjacent properties if
 35 there is pollution that has leaked on to your property, and he has a problem with the State paying
 36 for the cleanup when the person responsible for it should be. He also referred to page 163 of the
 37 packet, the fifth paragraph that reads, "the City of Wayzata finds that the required contamination
 38 cleanup will not occur through private or other public investment with the reasonably foreseeable
 39 future without Tax Base Revitalization Account grant funding" and stated he does not have
 40 anything in the record on which to base that finding.

41 Mr. Reeder stated it is a finding required for the grant application, and it is a reasonable
 42 estimate that it would be difficult for someone to clean up the site without the grant.

43 City Attorney Schelzel stated the only thing to base this finding on at this time are the
 44 representations of the applicant and of staff who has looked into the situation and made this
 45 conclusion. It is for the judgement of the Council to determine if there is enough of a reasonable
 46 factual basis to make the required finding.

47 Mr. Reeder stated if the City decided not to proceed with the grant applications, it would
 48 likely cost the developer an additional \$400,000 to go through with the project.

49 The Council asked if the grant were denied, could the developer pursue other grants or
 50 wait until the next grant period.

Mr. Reeder stated it is in the best interest of the City to clean up the property, and the developer would gladly write the City a finding confirming that they cannot afford to do anything on the property without grant funding to clean it up.

Mrs. Anderson referred to page 157 of the packet, the second paragraph that states, “the City if Wayzata supports the cleanup of this site and is in agreement with the redevelopment of this site.” She stated it the word agreement could be misinterpreted. Mr. Schelzel stated a lot of the language of these resolutions is language in the form resolutions provided by the programs that the grants are offered through, and staff tried not to change anything in them unless necessary. This language was acceptable to staff because the comprehensive plan does call for redevelopment of this particular site, and staff was careful to make sure that the agreement language does not tie it to the specific proposal that is being brought forth to redevelop the property by this developer.

Mr. Tyacke stated he has a problem with applying for a grant from the State to pay for this.

Mrs. Anderson made a motion, seconded by Mr. Mullin, to adopt Resolution No. 09-2016 Approving the Submission of a Grant Application to DEED for the Cleanup of the Meyer Property at 105 Lake Street E, Resolution No. 10-2016 Agreement to Provide the Local Match of Funding for a Cleanup Grant for the Meyer Property at 105 Lake Street E., Subject to an Agreement with Homestead Partners, LLC., Resolution No. 11-2016 Approving the Submission of an Environmental Response Fund Grant Application to Hennepin County for Cleanup of the Meyer Property at 105 Lake Street E, Resolution No. 12-2016 Authorizing an Application to the Metropolitan Council for the Tax Base Revitalization Account for the Meyer Property at 105 Lake Street E., and a Funding Agreement with Homestead Partners, LLC. The motion passed 4/1. (Tyacke)

AGENDA ITEM 7. City Manager's Report and Discussion Items.

a. New City Manager Jeff Dahl

Interim City Manager Reeder advised that the new City Manager, Jeff Dahl, assumes his new position with the City of Wayzata on May 16, and there will be an open house for him at City Hall from 5:30 p.m. to 6:30 p.m. that day.

Mayor Willcox thanked Mr. Reeder for his work with Wayzata during this interim period.

AGENDA ITEM 8. Public Forum Continued (as necessary).

There were no comments.

AGENDA ITEM 9. Adjournment.

Mr. Tyacke made a motion, seconded by Mrs. McCarthy to adjourn. There being no further business, Mayor Willcox adjourned the meeting at 11:05 p.m.

Respectfully submitted,

Becky Malone
Deputy City Clerk

Drafted by Shannon Schmidt
TimeSaver Off Site Secretarial, Inc.

***Check Detail Register©**

April 2016 to May 2016

			Check Amt	Invoice	Comment
10100 Anchor Bank					
Paid Chk#	102330	5/3/2016	BELLBOY BAR SUPPLY CORP.		
E 640-47000-251	Liquor For Resale		\$909.45	53343800	LIQUOR
E 640-47000-259	Freight		\$18.38	53343800	FREIGHT
Total	BELLBOY BAR SUPPLY CORP.		\$927.83		
Paid Chk#	102331	5/3/2016	BREAKTHRU BEVERAGE		
E 640-47000-252	Wine For Resale		(\$53.40)	1080454531	WINE
E 640-48000-251	Liquor For Resale		\$65.88	1080462334	LIQUOR
E 640-47000-251	Liquor For Resale		\$67.74	1080463218	LIQUOR
E 640-47000-252	Wine For Resale		\$72.00	1080463218	WINE
E 640-47000-259	Freight		\$1.81	1080463218	FREIGHT
E 640-47000-252	Wine For Resale		\$1,848.00	1080463219	WINE
E 640-47000-259	Freight		\$23.20	1080463219	FREIGHT
E 640-47000-251	Liquor For Resale		\$438.02	1080463220	LIQUOR
E 640-47000-254	Soft Drinks/Mix For Resale		\$75.00	1080463220	MISC.MIX
E 640-47000-259	Freight		\$8.22	1080463220	FREIGHT
Total	BREAKTHRU BEVERAGE		\$2,546.47		
Paid Chk#	102332	5/3/2016	BREAKTHRY BEVERAGE BEER		
E 640-48000-253	Beer For Resale		\$421.00	1090554251	BEER
E 640-47000-253	Beer For Resale		\$79.20	1090554321	BEER
E 640-47000-253	Beer For Resale		\$3,050.65	1090554322	BEER
Total	BREAKTHRY BEVERAGE BEER		\$3,550.85		
Paid Chk#	102333	5/3/2016	CLEAR RIVER BEVERAGE CO.		
E 640-47000-253	Beer For Resale		\$233.00	69-95	BEER
Total	CLEAR RIVER BEVERAGE CO.		\$233.00		
Paid Chk#	102334	5/3/2016	DAHLHEIMER DISTRIBUTING CO.		
E 640-47000-253	Beer For Resale		\$350.60	1198174	BEER
E 640-48000-253	Beer For Resale		\$303.00	1198175	BEER
Total	DAHLHEIMER DISTRIBUTING CO.		\$653.60		
Paid Chk#	102335	5/3/2016	DENNYS 5TH AVENUE BAKERY		
E 640-48500-255	FOODIngredients For Resale		\$133.69	606283	FOOD
E 640-48500-255	FOODIngredients For Resale		\$51.00	606675	FOOD
E 640-48500-255	FOODIngredients For Resale		\$113.17	606851	FOOD
E 640-48500-255	FOODIngredients For Resale		\$68.80	607297	FOOD
Total	DENNYS 5TH AVENUE BAKERY		\$366.66		
Paid Chk#	102336	5/3/2016	DIRECTV		
E 640-48000-415	Other Equipment Rentals		\$360.14	28364902545	SERVICE
Total	DIRECTV		\$360.14		
Paid Chk#	102337	5/3/2016	G & K SERVICES		
E 640-48500-217	Uniforms		\$97.23	1013665634	KITCHEN UNIFORMS & SUPPLIES
E 640-48000-210	Operating Supplies (GENERAL)		\$80.09	1013665634	BAR SUPPLIES
E 640-48500-210	Operating Supplies (GENERAL)		\$71.37	1013665634	KITCHEN UNIFORMS & SUPPLIES
Total	G & K SERVICES		\$248.69		
Paid Chk#	102338	5/3/2016	HOHENSTEINS INC.		
E 640-47000-253	Beer For Resale		\$573.00	823595	BEER
Total	HOHENSTEINS INC.		\$573.00		
Paid Chk#	102339	5/3/2016	HOLIDAY		
E 640-47000-212	Motor Fuels		\$17.35		FUEL
Total	HOLIDAY		\$17.35		

***Check Detail Register©**

April 2016 to May 2016

			Check Amt	Invoice	Comment
Paid Chk#	102340	5/3/2016	JJ TAYLOR DISTRIBUTING OF MN		
E 640-48000-253	Beer For Resale		\$903.00	2526418	BEER
E 640-48000-253	Beer For Resale		\$192.45	2526419	BEER
Total	JJ TAYLOR DISTRIBUTING OF MN		\$1,095.45		
Paid Chk#	102341	5/3/2016	JOHNSON BROS.-ST.PAUL		
E 640-47000-259	Freight		\$3.66	5426361	FREIGHT
E 640-47000-251	Liquor For Resale		\$338.82	5426361	LIQUOR
E 640-47000-252	Wine For Resale		\$504.00	5426362	WINE
E 640-47000-254	Soft Drinks/Mix For Resale		\$213.00	5426362	MISC.BEV.
E 640-47000-259	Freight		\$20.74	5426362	FREIGHT
Total	JOHNSON BROS.-ST.PAUL		\$1,080.22		
Paid Chk#	102342	5/3/2016	JOHNSON, WILLIAM		
E 640-48000-341	General Promotions		\$200.00	5/5/16	BAR MUSIC 5/5/16
Total	JOHNSON, WILLIAM		\$200.00		
Paid Chk#	102343	5/3/2016	NEW FRANCE WINE COMPANY		
E 640-47000-259	Freight		\$15.00	109485	FREIGHT
E 640-47000-252	Wine For Resale		\$640.00	109485	WINE
Total	NEW FRANCE WINE COMPANY		\$655.00		
Paid Chk#	102344	5/3/2016	NORTHWESTERN FRUIT COMPANY		
E 640-48500-255	FOODIngredients For Resale		\$447.60	837319	FOOD
E 640-48000-251	Liquor For Resale		\$44.60	837319	LIQUOR
E 640-48000-251	Liquor For Resale		\$48.50	837520	LIQUOR
E 640-48500-255	FOODIngredients For Resale		\$413.45	837520	FOOD
E 640-48500-255	FOODIngredients For Resale		\$471.60	837657	FOOD
Total	NORTHWESTERN FRUIT COMPANY		\$1,425.75		
Paid Chk#	102345	5/3/2016	PAUSTIS & SONS		
E 640-47000-252	Wine For Resale		\$1,042.57	8545503	WINE
E 640-47000-259	Freight		\$10.00	8545503	FREIGHT
E 640-48000-252	Wine For Resale		\$387.96	8545581	WINE
Total	PAUSTIS & SONS		\$1,440.53		
Paid Chk#	102346	5/3/2016	PHILLIPS WINES & SPIRITS		
E 640-47000-251	Liquor For Resale		\$450.00	2966427	LIQUOR
E 640-47000-259	Freight		\$4.07	2966427	FREIGHT
E 640-48000-251	Liquor For Resale		\$421.36	2968318	LIQUOR
Total	PHILLIPS WINES & SPIRITS		\$875.43		
Paid Chk#	102347	5/3/2016	REEDER, DOUGLAS		
E 101-41500-302	Consultants		\$9,580.00	APRIL 2016	INTERIM CITY MGR.
Total	REEDER, DOUGLAS		\$9,580.00		
Paid Chk#	102348	5/3/2016	RITE		
E 640-49100-540	Equipment		\$1,374.62	4097	CC READER
Total	RITE		\$1,374.62		
Paid Chk#	102349	5/3/2016	SHAMROCK GROUP		
E 640-47000-254	Soft Drinks/Mix For Resale		\$36.00	1995929	ICE
Total	SHAMROCK GROUP		\$36.00		
Paid Chk#	102350	5/3/2016	SOUTHERN WINE & SPIRITS OF MN		
E 640-47000-259	Freight		\$0.64	1401980	FREIGHT
E 640-47000-259	Freight		\$1.28	1401981	FREIGHT
E 640-47000-254	Soft Drinks/Mix For Resale		\$27.00	1401981	MISC.MIX
E 640-47000-251	Liquor For Resale		\$1,505.85	1401982	LIQUOR

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E 640-47000-259	Freight		\$11.52	1401982	FREIGHT
Total	SOUTHERN WINE & SPIRITS OF MN		\$1,546.29		
Paid Chk#	102351	5/3/2016	STRATEGIC EQUIPMENT AND		
E 640-48500-210	Operating Supplies (GENERAL)		\$25.69	2624282	KITCHEN SUPPLIES
E 640-48500-210	Operating Supplies (GENERAL)		\$200.82	2626001	KITCHEN SUPPLIES
E 640-48500-210	Operating Supplies (GENERAL)		\$677.24	2626003	KITCHEN SUPPLIES
Total	STRATEGIC EQUIPMENT AND		\$903.75		
Paid Chk#	102352	5/3/2016	T.D. ANDERSON INC.		
E 640-48000-409	Maint services & Improv		\$115.00	469806	BEER LINES CLEANED
Total	T.D. ANDERSON INC.		\$115.00		
Paid Chk#	102353	5/3/2016	THORPE DISTRIBUTING CO.		
E 640-47000-253	Beer For Resale		\$1,913.00	1071969	BEER
E 640-48000-253	Beer For Resale		\$910.00	1072412	BEER
E 640-47000-253	Beer For Resale		\$19.50	1074733	BEER
E 640-47000-253	Beer For Resale		\$33.00	1074734	BEER
Total	THORPE DISTRIBUTING CO.		\$2,875.50		
Paid Chk#	102354	5/3/2016	TRUSTED EMPLOYEES		
E 640-47000-306	Personnel Expense		\$20.00	04201612035S	BACKGROUND CHECK
Total	TRUSTED EMPLOYEES		\$20.00		
Paid Chk#	102355	5/3/2016	US FOODS		
E 640-48000-404	Repairs/Maint - Machin/Equip		\$136.46	3709093	PARTS/REPAIRS
E 640-48500-255	FOODIngredients For Resale		\$791.69	3791075	FOOD
E 640-48500-255	FOODIngredients For Resale		\$3,246.07	3803146	FOOD
E 640-48000-342	Promotions - Food/Drinks		\$61.39	3803146	PROMO FOOD
E 640-48500-210	Operating Supplies (GENERAL)		\$101.02	3803146	SUPPLIES
E 640-48000-210	Operating Supplies (GENERAL)		\$59.13	3803146	SUPPLIES
E 640-48000-253	Beer For Resale		\$13.43	3803146	BEER
E 640-48000-254	Soft Drinks/Mix For Resale		\$216.60	3803146	MISC.BEV.
E 640-48000-342	Promotions - Food/Drinks		\$19.84	3848524	PROMO FOOD
E 640-48500-255	FOODIngredients For Resale		\$3,214.83	3848524	FOOD
E 640-48500-210	Operating Supplies (GENERAL)		\$16.38	3848524	SUPPLIES
E 640-48000-251	Liquor For Resale		\$63.23	3848524	LIQUOR
E 640-48500-255	FOODIngredients For Resale		\$4,664.89	3896835	FOOD
E 640-48500-210	Operating Supplies (GENERAL)		\$62.07	3896835	SUPPLIES
E 640-48000-251	Liquor For Resale		\$125.43	3896835	LIQUOR
Total	US FOODS		\$12,792.46		
Paid Chk#	102356	5/3/2016	WINE COMPANY		
E 640-47000-259	Freight		\$8.25	423904	FREIGHT
E 640-47000-252	Wine For Resale		\$791.33	423904	WINE
Total	WINE COMPANY		\$799.58		
Paid Chk#	102357	5/3/2016	WINE MERCHANT		
E 640-47000-259	Freight		\$5.19	7078845	FREIGHT
E 640-47000-252	Wine For Resale		\$1,008.00	7078845	WINE
E 640-48000-252	Wine For Resale		\$404.88	7079043	WINE
Total	WINE MERCHANT		\$1,418.07		
Paid Chk#	102358	5/10/2016	AMARA		
E 640-47000-259	Freight		\$3.00	10226	FREIGHT
E 640-47000-252	Wine For Resale		\$184.00	10226	WINE
Total	AMARA		\$187.00		
Paid Chk#	102359	5/10/2016	ARTISAN BEER COMPANY		

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E 640-47000-253	Beer For Resale		\$114.00	3097014	BEER
E 640-48000-253	Beer For Resale		\$252.00	3098345	BEER
E 640-47000-253	Beer For Resale		\$194.25	3098444	BEER
Total	ARTISAN BEER COMPANY		\$560.25		
Paid Chk# 102360	5/10/2016	BAGY JO, INC.			
E 640-47000-306	Personnel Expense		\$54.96	16081	STORE UNIFORM SHIRTS
E 640-47000-306	Personnel Expense		\$47.96	16090	STORE UNIFORM SHIRTS
Total	BAGY JO, INC.		\$102.92		
Paid Chk# 102361	5/10/2016	BELLBOY BAR SUPPLY CORP.			
E 640-47000-259	Freight		\$19.86	53443500	FREIGHT
E 640-47000-251	Liquor For Resale		\$1,202.17	53443500	LIQUOR
E 640-47000-254	Soft Drinks/Mix For Resale		\$35.00	53443500	MISC.MIX
E 640-47000-254	Soft Drinks/Mix For Resale		\$38.65	93869700	MISC.MDSE.
E 640-47000-259	Freight		\$4.93	93869700	FREIGHT
E 640-47000-210	Operating Supplies (GENERAL)		\$160.20	93869700	SUPPLIES
Total	BELLBOY BAR SUPPLY CORP.		\$1,460.81		
Paid Chk# 102362	5/10/2016	BERNICK`S WINE			
E 640-47000-254	Soft Drinks/Mix For Resale		\$162.80	294971	MISC.MIX.
E 640-47000-253	Beer For Resale		\$29.60	294972	BEER
Total	BERNICK`S WINE		\$192.40		
Paid Chk# 102363	5/10/2016	BETH, GERALD O			
E 640-48000-341	General Promotions		\$175.00	5/10/16	BAR MUSIC 5/10/16
Total	BETH, GERALD O		\$175.00		
Paid Chk# 102364	5/10/2016	BETH, GERALD O			
E 640-48000-341	General Promotions		\$175.00	5/17/16	BAR MUSIC 5/17/16
Total	BETH, GERALD O		\$175.00		
Paid Chk# 102365	5/10/2016	BOURGET IMPORTS			
E 640-47000-259	Freight		\$48.00	133673	FREIGHT
E 640-47000-252	Wine For Resale		\$4,424.00	133673	WINE
Total	BOURGET IMPORTS		\$4,472.00		
Paid Chk# 102366	5/10/2016	BOXES & MORE, INC.			
E 640-47000-210	Operating Supplies (GENERAL)		\$125.97	152684	SUPPLIES
Total	BOXES & MORE, INC.		\$125.97		
Paid Chk# 102367	5/10/2016	BREAKTHRU BEVERAGE			
E 640-47000-259	Freight		\$0.48	1080466461	FREIGHT
E 640-47000-251	Liquor For Resale		\$68.82	1080466461	LIQUOR
E 640-47000-259	Freight		\$4.35	1080466462	FREIGHT
E 640-47000-252	Wine For Resale		\$500.00	1080466462	WINE
E 640-47000-259	Freight		\$0.24	1080466463	FREIGHT
E 640-47000-251	Liquor For Resale		\$114.66	1080466463	LIQUOR
E 640-47000-259	Freight		\$45.31	1080466554	FREIGHT
E 640-47000-251	Liquor For Resale		\$5,873.97	1080466554	LIQUOR
Total	BREAKTHRU BEVERAGE		\$6,607.83		
Paid Chk# 102368	5/10/2016	BREAKTHRY BEVERAGE BEER			
E 640-47000-253	Beer For Resale		\$865.65	1090557180	BEER
E 640-48000-253	Beer For Resale		\$755.00	1090557182	BEER
E 640-47000-253	Beer For Resale		\$47.60	1090557241	BEER
Total	BREAKTHRY BEVERAGE BEER		\$1,668.25		
Paid Chk# 102369	5/10/2016	CASTELLANO, KEVIN			

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E 640-47000-433	Dues, Licensing & Seminars		\$641.20	REIMB.	REIMB.FOR TRAINING/SEMINAR
	Total CASTELLANO, KEVIN		\$641.20		
Paid Chk# 102370	5/10/2016	CLEAR RIVER BEVERAGE CO.			
E 640-47000-253	Beer For Resale		\$194.00	69-105	BEER
	Total CLEAR RIVER BEVERAGE CO.		\$194.00		
Paid Chk# 102371	5/10/2016	COZZINI BROS., INC.			
E 640-48500-415	Other Equipment Rentals		\$52.03	C2659086	KNIFE EXCHANGE
	Total COZZINI BROS., INC.		\$52.03		
Paid Chk# 102372	5/10/2016	DAHLHEIMER DISTRIBUTING CO.			
E 640-47000-253	Beer For Resale		\$1,002.90	1200401	BEER
E 640-48000-253	Beer For Resale		\$588.00	1200457	BEER
	Total DAHLHEIMER DISTRIBUTING CO.		\$1,590.90		
Paid Chk# 102373	5/10/2016	DENNYS 5TH AVENUE BAKERY			
E 640-48500-255	FOODIngredients For Resale		\$71.12	607544	FOOD
E 640-48500-255	FOODIngredients For Resale		\$73.22	607842	FOOD
E 640-48500-255	FOODIngredients For Resale		\$63.23	608161	FOOD
E 640-48500-255	FOODIngredients For Resale		\$81.98	608353	FOOD
	Total DENNYS 5TH AVENUE BAKERY		\$289.55		
Paid Chk# 102374	5/10/2016	ENKI BREWING COMPANY			
E 640-47000-253	Beer For Resale		\$497.61	5572	BEER
	Total ENKI BREWING COMPANY		\$497.61		
Paid Chk# 102375	5/10/2016	G & K SERVICES			
E 640-48500-210	Operating Supplies (GENERAL)		\$78.82	1013677050	KITCHEN UNIFORMS & SUPPLIES
E 640-48500-217	Uniforms		\$93.41	1013677050	KITCHEN UNIFORMS & SUPPLIES
E 640-48000-210	Operating Supplies (GENERAL)		\$85.84	1013677050	BAR SUPPLIES
	Total G & K SERVICES		\$258.07		
Paid Chk# 102376	5/10/2016	GRAPE BEGINNINGS, INC.			
E 640-47000-259	Freight		\$6.75	4133	FREIGHT
E 640-47000-252	Wine For Resale		\$355.95	4133	WINE
	Total GRAPE BEGINNINGS, INC.		\$362.70		
Paid Chk# 102377	5/10/2016	JJ TAYLOR DISTRIBUTING OF MN			
E 640-47000-254	Soft Drinks/Mix For Resale		\$40.00	2506541	MISC.BEV.
E 640-47000-253	Beer For Resale		\$2,582.30	2506541	BEER
E 640-47000-253	Beer For Resale		\$2,116.10	2506576	BEER
E 640-48000-253	Beer For Resale		\$494.00	2526508	BEER
	Total JJ TAYLOR DISTRIBUTING OF MN		\$5,232.40		
Paid Chk# 102378	5/10/2016	JOHNSON BROS.-ST.PAUL			
E 640-47000-252	Wine For Resale		\$2,040.00	5428202	WINE
E 640-47000-259	Freight		\$7.32	5432161	FREIGHT
E 640-47000-251	Liquor For Resale		\$876.55	5432161	LIQUOR
E 640-47000-259	Freight		\$32.94	5432162	FREIGHT
E 640-47000-252	Wine For Resale		\$3,182.65	5432162	WINE
E 640-47000-259	Freight		\$3.66	5432354	FREIGHT
E 640-47000-251	Liquor For Resale		\$528.84	5432354	LIQUOR
E 640-47000-259	Freight		\$183.00	5432355	FREIGHT
E 640-47000-252	Wine For Resale		\$13,228.92	5432355	WINE
E 640-47000-259	Freight		\$86.95	5433585	FREIGHT
E 640-47000-251	Liquor For Resale		\$9,845.16	5433585	LIQUOR
	Total JOHNSON BROS.-ST.PAUL		\$30,015.99		

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Paid Chk# 102379	5/10/2016	JORGENSEN, KURT			
E 640-48000-341	General Promotions		\$250.00	5/18/16	BAR MUSIC 5/18/16
	Total JORGENSEN, KURT		\$250.00		
Paid Chk# 102380	5/10/2016	JORGENSEN, KURT			
E 640-48000-341	General Promotions		\$250.00	5/25/16	BAR MUSIC 5/25/16
	Total JORGENSEN, KURT		\$250.00		
Paid Chk# 102381	5/10/2016	KRAUTH, MAX			
E 640-48000-341	General Promotions		\$300.00	5/12/16	BAR MUSIC 5/12/16
	Total KRAUTH, MAX		\$300.00		
Paid Chk# 102382	5/10/2016	KUUSISTO, SAM			
E 640-48000-341	General Promotions		\$300.00	5/19/16	BAR MUSIC 5/19/16
	Total KUUSISTO, SAM		\$300.00		
Paid Chk# 102383	5/10/2016	M.AMUNDSON LLP			
E 640-47000-256	MISC.MDSE.RESALE		\$1,063.10	216318	CIGARS & CIGARETTES
	Total M.AMUNDSON LLP		\$1,063.10		
Paid Chk# 102384	5/10/2016	MN CHILD SUPPORT PAYMENT CENTE			
G 101-21710	County WH		\$235.00	0015104841	WITHHOLDING ORDER
	tal MN CHILD SUPPORT PAYMENT CENTE		\$235.00		
Paid Chk# 102385	5/10/2016	NETWORK BUSINESS SUPPLIES			
E 640-47000-210	Operating Supplies (GENERAL)		\$103.12	102390	SUPPLIES
	Total NETWORK BUSINESS SUPPLIES		\$103.12		
Paid Chk# 102386	5/10/2016	NEW FRANCE WINE COMPANY			
E 640-47000-252	Wine For Resale		\$144.00	109776	WINE
E 640-47000-259	Freight		\$1.50	109776	FREIGHT
	Total NEW FRANCE WINE COMPANY		\$145.50		
Paid Chk# 102387	5/10/2016	NORTHWESTERN FRUIT COMPANY			
E 640-48500-255	FOODIngredients For Resale		\$657.40	837768	FOOD
E 640-48500-255	FOODIngredients For Resale		\$475.85	837987	FOOD
E 640-48500-255	FOODIngredients For Resale		\$568.90	838118	FOOD
E 640-48500-255	FOODIngredients For Resale		\$10.80	838235	FOOD
	Total NORTHWESTERN FRUIT COMPANY		\$1,712.95		
Paid Chk# 102388	5/10/2016	PAUSTIS & SONS			
E 640-48000-252	Wine For Resale		\$188.75	8546581	WINE
E 640-47000-259	Freight		\$16.25	8546586	FREIGHT
E 640-47000-252	Wine For Resale		\$924.26	8546586	WINE
	Total PAUSTIS & SONS		\$1,129.26		
Paid Chk# 102389	5/10/2016	PHILLIPS WINES & SPIRITS			
E 640-47000-251	Liquor For Resale		\$379.95	2970325	LIQUOR
E 640-47000-259	Freight		\$3.66	2970325	FREIGHT
E 640-47000-252	Wine For Resale		\$4,203.15	2970326	WINE
E 640-47000-259	Freight		\$63.04	2970326	FREIGHT
	Total PHILLIPS WINES & SPIRITS		\$4,649.80		
Paid Chk# 102390	5/10/2016	PLUNKETT S PEST CONTROL			
E 640-48000-409	Maint services & Improv		\$82.48	5419927	SERVICE
	Total PLUNKETT S PEST CONTROL		\$82.48		
Paid Chk# 102391	5/10/2016	QUALITY SERVICE, INC.			
E 640-48500-404	Repairs/Maint - Machin/Equip		\$382.42	31646	REFRIGERATOR REPAIRS

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Total QUALITY SERVICE, INC.			\$382.42		
Paid Chk# 102392	5/10/2016	SHAMROCK GROUP			
E 640-47000-254	Soft Drinks/Mix For Resale		\$63.50	1997613	ICE
Total SHAMROCK GROUP			\$63.50		
Paid Chk# 102393	5/10/2016	SMALL LOT MN			
E 640-47000-252	Wine For Resale		\$792.06	7160	WINE
Total SMALL LOT MN			\$792.06		
Paid Chk# 102394	5/10/2016	SOUTHERN WINE & SPIRITS OF MN			
E 640-47000-252	Wine For Resale		\$250.00	1402695	WINE
E 640-47000-259	Freight		\$3.84	1404534	FREIGHT
E 640-47000-252	Wine For Resale		\$470.00	1404534	WINE
E 640-47000-251	Liquor For Resale		\$7,450.24	1404535	LIQUOR
E 640-47000-259	Freight		\$48.64	1404535	FREIGHT
E 640-47000-252	Wine For Resale		\$954.00	1404536	WINE
E 640-47000-259	Freight		\$19.20	1404536	FREIGHT
E 640-47000-259	Freight		\$2.56	1404537	FREIGHT
E 640-47000-252	Wine For Resale		\$1,630.00	1404537	WINE
E 640-47000-259	Freight		\$1.28	1404538	FREIGHT
E 640-47000-251	Liquor For Resale		\$125.95	1404538	LIQUOR
Total SOUTHERN WINE & SPIRITS OF MN			\$10,955.71		
Paid Chk# 102395	5/10/2016	STARY, MARK			
E 640-48000-341	General Promotions		\$300.00	5/26/16	BAR MUSIC 5/26/16
Total STARY, MARK			\$300.00		
Paid Chk# 102396	5/10/2016	STRATEGIC EQUIPMENT AND			
E 640-48500-210	Operating Supplies (GENERAL)		\$461.45	2630497	KITCHEN SUPPLIES
E 640-48000-210	Operating Supplies (GENERAL)		\$277.65	2630497	BAR SUPPLIES
E 640-48000-341	General Promotions		\$76.10	2630497	PROMO SUPPLIES
E 640-48500-210	Operating Supplies (GENERAL)		\$27.89	2630498	KITCHEN SUPPLIES
Total STRATEGIC EQUIPMENT AND			\$843.09		
Paid Chk# 102397	5/10/2016	SUNBURST CHEMICALS, INC.			
E 640-48500-210	Operating Supplies (GENERAL)		\$303.09	0365890	SUPPLIES
Total SUNBURST CHEMICALS, INC.			\$303.09		
Paid Chk# 102398	5/10/2016	THORPE DISTRIBUTING CO.			
E 640-47000-253	Beer For Resale		\$2,898.20	1075800	BEER
E 640-48000-253	Beer For Resale		\$1,017.00	1076273	BEER
Total THORPE DISTRIBUTING CO.			\$3,915.20		
Paid Chk# 102399	5/10/2016	TKO WINES, INC.			
E 640-47000-252	Wine For Resale		\$1,440.00	3395	WINE
Total TKO WINES, INC.			\$1,440.00		
Paid Chk# 102400	5/10/2016	UPS STORE			
E 640-48000-210	Operating Supplies (GENERAL)		\$162.59	7294	MENUS
Total UPS STORE			\$162.59		
Paid Chk# 102401	5/10/2016	US FOODS			
E 640-48500-255	FOODIngredients For Resale		\$56.97	3864040	FOOD
E 640-48000-342	Promotions - Food/Drinks		\$26.30	3930192	PROMO FOOD
E 640-48000-254	Soft Drinks/Mix For Resale		\$177.00	3930192	MISC.BEV.
E 640-48500-255	FOODIngredients For Resale		\$2,165.78	3930192	FOOD
E 640-48500-210	Operating Supplies (GENERAL)		\$89.24	3930192	SUPPLIES
E 640-48000-342	Promotions - Food/Drinks		\$23.00	3977025	PROMO FOOD

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E 640-48500-210	Operating Supplies (GENERAL)		\$58.30	3977025	SUPPLIES
E 640-48000-254	Soft Drinks/Mix For Resale		\$62.38	3977025	MISC.BEV.
E 640-48500-255	FOODIngredients For Resale		\$4,048.51	3977025	FOOD
E 640-48000-251	Liquor For Resale		\$142.14	3977025	LIQUOR
E 640-48500-255	FOODIngredients For Resale		\$281.52	4020627	FOOD
E 640-48000-342	Promotions - Food/Drinks		\$46.20	4020628	PROMO FOOD
E 640-48500-255	FOODIngredients For Resale		\$2,855.35	4020628	FOOD
E 640-48000-254	Soft Drinks/Mix For Resale		\$558.57	4020628	MISC.BEV.
E 640-48000-251	Liquor For Resale		\$64.33	4020628	LIQUOR
E 640-48500-210	Operating Supplies (GENERAL)		\$161.08	4020628	SUPPLIES
E 640-48500-255	FOODIngredients For Resale		\$54.58	5971367	FOOD
Total US FOODS			\$10,871.25		
Paid Chk# 102402	5/10/2016	VINOCOPIA			
E 640-47000-251	Liquor For Resale		\$30.04	0151062	LIQUOR
E 640-47000-254	Soft Drinks/Mix For Resale		\$120.00	0151062	MISC.BEV.
E 640-47000-259	Freight		\$14.00	0151062	FREIGHT
Total VINOCOPIA			\$164.04		
Paid Chk# 102403	5/10/2016	WINE COMPANY			
E 640-47000-259	Freight		\$19.80	424630	WINE
E 640-47000-252	Wine For Resale		\$1,936.00	424630	WINE
Total WINE COMPANY			\$1,955.80		
Paid Chk# 102404	5/10/2016	WINE MERCHANT			
E 640-47000-252	Wine For Resale		\$2,426.72	7079650	WINE
E 640-47000-259	Freight		\$27.85	7079650	FREIGHT
E 640-47000-252	Wine For Resale		\$1,350.00	7079850	WINE
E 640-47000-259	Freight		\$2.44	7079850	FREIGHT
E 640-48000-252	Wine For Resale		\$269.66	7080098	WINE
E 640-47000-252	Wine For Resale		\$1,360.00	7080121	WINE
E 640-47000-259	Freight		\$7.32	7080121	FREIGHT
Total WINE MERCHANT			\$5,443.99		
Paid Chk# 102405	5/12/2016	AEM FINANCIAL SOLUTIONS			
E 101-41500-301	Auditing and Acct g Services		\$1,111.90	366806	PAYROLL PROCESSING
E 101-41500-301	Auditing and Acct g Services		\$4,583.33	366808	FINANCE DIRECTOR SERVICES
Total AEM FINANCIAL SOLUTIONS			\$5,695.23		
Paid Chk# 102406	5/12/2016	AIRTECH			
E 437-40000-404	Repairs/Maint - Machin/Equip		\$1,442.75	00057822	LIBRARY MAINT.
Total AIRTECH			\$1,442.75		
Paid Chk# 102407	5/12/2016	ANCHOR BANK-CARDMEMBER SERV.			
E 101-45200-499	Miscellaneous		\$151.65		EMPL.HOSP.RECOG.
E 610-40000-225	Repair & Maint - System		\$118.66		PARTS
E 640-48000-404	Repairs/Maint - Machin/Equip		\$237.33		REPAIRS
E 640-47000-306	Personnel Expense		\$111.95		STORE EMP.AD
E 640-47000-340	Advertising		\$1,710.26		STORE AD
E 640-48000-340	Advertising		\$210.00		BAR AD
E 640-47000-433	Dues, Licensing & Seminars		\$42.78		EQUIP.SUPPORT
E 101-45200-331	Mileage & Expense Account		\$17.96		MTG.MEALS
E 101-45200-210	Operating Supplies (GENERAL)		\$48.37		PARKS SUPPLIES
E 630-40000-433	Dues, Licensing & Seminars		\$29.95		MV DUES
E 101-41910-433	Dues, Licensing & Seminars		\$98.10		PLANNING CONF.REG.
E 101-41500-433	Dues, Licensing & Seminars		\$300.00		DUES
E 101-41100-331	Mileage & Expense Account		\$73.76		COUNCIL MEALS
E 101-41500-331	Mileage & Expense Account		\$129.44		MTG.MEALS

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			Check Amt	Invoice	Comment
E 610-40000-404	Repairs/Maint - Machin/Equip		\$7.51		VEHICLE MAINT.
E 235-40000-540	Equipment		\$255.29		WCTV EQUIPMENT
Total	ANCHOR BANK-CARDMEMBER SERV.		\$3,543.01		
Paid Chk#	102408	5/12/2016	AT&T MOBILITY		
E 101-41940-321	Telephone		\$249.07	287250190047	SERVICE
Total	AT&T MOBILITY		\$249.07		
Paid Chk#	102409	5/12/2016	AT&T MOBILITY		
E 101-41940-321	Telephone		\$119.14	287250008232	SERVICE
Total	AT&T MOBILITY		\$119.14		
Paid Chk#	102410	5/12/2016	BCA		
E 101-42100-434	Training and schools		\$65.00	17463-031516	PD TRAINING
E 101-42100-434	Training and schools		\$65.00	35727-031516	PD TRAINING
Total	BCA		\$130.00		
Paid Chk#	102411	5/12/2016	BIFFS, INC.		
E 101-45200-415	Other Equipment Rentals		\$62.50	W594776	SERVICE
Total	BIFFS, INC.		\$62.50		
Paid Chk#	102412	5/12/2016	BOLLIG AND SONS		
G 101-20300	Deposits Payable		\$700.00	REFUND	WATER METER REFUND
Total	BOLLIG AND SONS		\$700.00		
Paid Chk#	102413	5/12/2016	BOYER TRUCK PARTS		
E 101-43100-220	Repair/Maint Supply (GENERAL)		\$8.14	1053444	PARTS
E 101-43100-220	Repair/Maint Supply (GENERAL)		\$41.67	1053675	PARTS
E 610-40000-404	Repairs/Maint - Machin/Equip		\$43.58	1055008	PARTS
E 620-40000-404	Repairs/Maint - Machin/Equip		\$36.14	1056637	PARTS
Total	BOYER TRUCK PARTS		\$129.53		
Paid Chk#	102414	5/12/2016	BUDGET PRINTING & AWARDS		
E 101-41500-499	Miscellaneous		\$49.35	1501	SUPPLIES - DISTEL
Total	BUDGET PRINTING & AWARDS		\$49.35		
Paid Chk#	102415	5/12/2016	CASH - ANCHOR BANK		
E 235-40000-331	Mileage & Expense Account		\$14.00		REPLENISH PETTY CASH
E 101-41500-200	Office Supplies (GENERAL)		\$64.00		REPLENISH PETTY CASH
E 101-45200-210	Operating Supplies (GENERAL)		\$21.00		REPLENISH PETTY CASH
G 233-20300	Deposits Payable		\$20.00		REPLENISH PETTY CASH
E 610-40000-322	Postage		\$1.00		REPLENISH PETTY CASH
E 101-41500-331	Mileage & Expense Account		\$63.00		REPLENISH PETTY CASH
E 630-40000-210	Operating Supplies (GENERAL)		\$68.00		REPLENISH PETTY CASH
E 101-42100-499	Miscellaneous		\$11.00		REPLENISH PETTY CASH
E 101-41500-331	Mileage & Expense Account		\$20.00		REPLENISH PETTY CASH
Total	CASH - ANCHOR BANK		\$282.00		
Paid Chk#	102416	5/12/2016	CENTERPOINT ENERGY		
E 640-47000-383	Fuel, oil and natural gas		\$187.91		SERVICE
E 610-40000-383	Fuel, oil and natural gas		\$89.75		SERVICE
E 640-48000-383	Fuel, oil and natural gas		\$751.62		SERVICE
E 101-41940-383	Fuel, oil and natural gas		\$1,288.30		SERVICE
E 101-41940-383	Fuel, oil and natural gas		\$10.04		SERVICE
E 101-42200-383	Fuel, oil and natural gas		\$358.73		SERVICE
Total	CENTERPOINT ENERGY		\$2,686.35		
Paid Chk#	102417	5/12/2016	CITY VIEW PLUMBING & HEATING		
E 408-40000-560	Furniture and Fixtures		\$1,480.00	44494	3 FAUCET REPLACEMENTS

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Total	CITY VIEW PLUMBING & HEATING		\$1,480.00		
Paid Chk#	102418	5/12/2016	CIVITAS INC.		
E 233-40000-302	Consultants		\$16,809.21	23177	LAKE EFFECT
	Total CIVITAS INC.		\$16,809.21		
Paid Chk#	102419	5/12/2016	CLASSIC CLEANING COMPANY		
E 101-41940-409	Maint services & Improv		\$1,829.00	23674	MONTHLY CLEANING
E 101-41940-409	Maint services & Improv		\$360.00	23675	MONTHLY CLEANING
	Total CLASSIC CLEANING COMPANY		\$2,189.00		
Paid Chk#	102420	5/12/2016	CMP ATTACHMENTS LLC		
E 101-43100-240	Small Tools and Minor Equip		\$412.50	1426	BACKHOE TOOL
E 610-40000-240	Small Tools and Minor Equip		\$412.50	1426	BACKHOE TOOL
E 101-45200-240	Small Tools and Minor Equip		\$412.50	1426	BACKHOE TOOL
E 620-40000-240	Small Tools and Minor Equip		\$412.50	1426	BACKHOE TOOL
	Total CMP ATTACHMENTS LLC		\$1,650.00		
Paid Chk#	102421	5/12/2016	COMMERCIAL ASPHALT CO.		
E 430-40000-309	Contractual Services		\$176.95	160430	ASPHALT
	Total COMMERCIAL ASPHALT CO.		\$176.95		
Paid Chk#	102422	5/12/2016	CUBICLES PLUS, INC.		
E 408-40000-560	Furniture and Fixtures		\$14,488.70	2693-1	CARPET & FURNITURE MOVING IN PD
E 408-40000-560	Furniture and Fixtures		\$5,623.00	2693-2	CARPET & FURNITURE MOVING IN PD
	Total CUBICLES PLUS, INC.		\$20,111.70		
Paid Chk#	102423	5/12/2016	CULLIGAN-BOTTLED WATER		
E 101-41940-210	Operating Supplies (GENERAL)		\$63.52	1983602	SUPPLIES
	Total CULLIGAN-BOTTLED WATER		\$63.52		
Paid Chk#	102424	5/12/2016	DISTEL, DANIEL		
E 101-41550-302	Consultants		\$3,566.00	MAY 2016	MONTHLY ASSESSING
	Total DISTEL, DANIEL		\$3,566.00		
Paid Chk#	102425	5/12/2016	DIVERSIFIED ELECTRIC INC.		
E 610-40000-242	Well & F.P. Equipment		\$5,143.00	1380	WTP#3 LIGHTING
	Total DIVERSIFIED ELECTRIC INC.		\$5,143.00		
Paid Chk#	102426	5/12/2016	DORSEY & WHITNEY LLP		
E 316-40000-304	Legal Fees		\$114.30	3276322	DOWNTOWN PARKING
	Total DORSEY & WHITNEY LLP		\$114.30		
Paid Chk#	102427	5/12/2016	EARL F. ANDERSEN, INC.		
E 101-43100-226	Sign Repair Materials		\$238.16	0110921	SIGN PLATES
	Total EARL F. ANDERSEN, INC.		\$238.16		
Paid Chk#	102428	5/12/2016	ECM PUBLISHERS, INC.		
E 101-41500-350	Printing & Publishing		\$57.50	342194	LEGAL NOTICE - ORDINANCE
G 802-20337	529 INDIAN MOUND		\$63.25	344607	LEGAL NOTICE 529 INDIAN MOUND
G 802-20323	1405/1407 HOLD.TERRACE		\$57.50	344608	LEGAL NOTICE 1405/1407 HOLD.TER.
	Total ECM PUBLISHERS, INC.		\$178.25		
Paid Chk#	102429	5/12/2016	EMERGENCY AUTOMOTIVE		
E 101-42100-404	Repairs/Maint - Machin/Equip		\$255.00	24581	PD REPAIRS
	Total EMERGENCY AUTOMOTIVE		\$255.00		
Paid Chk#	102430	5/12/2016	ESS BROTHERS & SONS INC.		
E 620-40000-225	Repair & Maint - System		\$924.00	VV1821	MANHOLE COVERS

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Total ESS BROTHERS & SONS INC.			\$924.00		
Paid Chk#	102431	5/12/2016	EXCEL DOCUMENT MGMT.		
E 101-41500-200	Office Supplies (GENERAL)		\$43.87	42541	SUPPLIES
E 620-40000-210	Operating Supplies (GENERAL)		\$42.32	42548	SUPPLIES
E 610-40000-210	Operating Supplies (GENERAL)		\$42.33	42548	SUPPLIES
E 101-45200-210	Operating Supplies (GENERAL)		\$34.50	42548	SUPPLIES
E 101-43100-210	Operating Supplies (GENERAL)		\$34.50	42548	SUPPLIES
Total EXCEL DOCUMENT MGMT.			\$197.52		
Paid Chk#	102432	5/12/2016	FLEETPRIDE		
E 620-40000-404	Repairs/Maint - Machin/Equip		\$29.60	76990091	PARTS/REPAIRS
Total FLEETPRIDE			\$29.60		
Paid Chk#	102433	5/12/2016	GOPHER STATE ONE CALL		
E 620-40000-313	Permit Fees/Gopher State		\$152.25	6040792	LOCATES
E 610-40000-313	Permit Fees/Gopher State		\$152.25	6040792	LOCATES
Total GOPHER STATE ONE CALL			\$304.50		
Paid Chk#	102434	5/12/2016	GROVE NURSERY		
E 101-45200-229	Dirt, Sand and gravel		\$2,100.00	26310300	MULCH
Total GROVE NURSERY			\$2,100.00		
Paid Chk#	102435	5/12/2016	HAMEL BUILDING CENTER		
E 233-40000-220	Repair/Maint Supply (GENERAL)		\$1,163.88	118673	DOCK REPAIRS
E 233-40000-220	Repair/Maint Supply (GENERAL)		(\$95.82)	X21575	DOCK REPAIRS
Total HAMEL BUILDING CENTER			\$1,068.06		
Paid Chk#	102436	5/12/2016	HD SUPPLY WATERWORKS, LTD		
E 610-40000-225	Repair & Maint - System		\$39.36	F424460	PARTS WTP#2
Total HD SUPPLY WATERWORKS, LTD			\$39.36		
Paid Chk#	102437	5/12/2016	HENN.CNTY.ACCTG.SERVICES		
E 101-42120-308	Prisoner Care		\$150.00	1000076171	PRISONER PROCESSING
Total HENN.CNTY.ACCTG.SERVICES			\$150.00		
Paid Chk#	102438	5/12/2016	HENN.CNTY.INFO.TECH.DEPT.		
E 620-40000-323	Radio Units		\$119.41	1000076349	RADIO CONNECTION
E 610-40000-323	Radio Units		\$119.41	1000076349	RADIO CONNECTION
E 101-43100-323	Radio Units		\$150.00	1000076349	RADIO CONNECTION
E 101-45200-323	Radio Units		\$150.00	1000076349	RADIO CONNECTION
E 101-42100-323	Radio Units		\$900.97	1000076401	RADIO CONNECTION
Total HENN.CNTY.INFO.TECH.DEPT.			\$1,439.79		
Paid Chk#	102439	5/12/2016	HENNEPIN COUNTY TREASURER		
G 650-20818	Garbage Sales Tax		\$1,359.30	APRIL 2016	9% REFUSE TAX - APRIL 2016
Total HENNEPIN COUNTY TREASURER			\$1,359.30		
Paid Chk#	102440	5/12/2016	HOLIDAY		
E 101-42100-212	Motor Fuels		\$14.57		PD FUEL
Total HOLIDAY			\$14.57		
Paid Chk#	102441	5/12/2016	HOME DEPOT		
E 101-43100-210	Operating Supplies (GENERAL)		\$70.11		SUPPLIE/PARTS
E 101-43100-210	Operating Supplies (GENERAL)		\$4.89		SUPPLIE/PARTS
E 670-40000-409	Maint services & Improv		(\$64.22)		SUPPLIE/PARTS
E 670-40000-409	Maint services & Improv		\$225.12		SUPPLIE/PARTS
E 101-45200-210	Operating Supplies (GENERAL)		\$174.27		SUPPLIE/PARTS

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Total HOME DEPOT			\$410.17		
Paid Chk# 102442	5/12/2016	INNOVATIVE FLOORING DESIGN			
E 437-40000-401	Repairs/Maint Buildings	\$2,092.00	1889		COUNTERTOP IN LIBRARY
E 408-40000-520	Buildings and Structures	\$2,749.00	1890		COUNTERTOP IN CITY HALL
Total	INNOVATIVE FLOORING DESIGN	\$4,841.00			
Paid Chk# 102443	5/12/2016	INTEGRATED FIRE & SECURITY			
E 101-41940-309	Contractual Services	\$263.40	65499		MONITORING
Total	INTEGRATED FIRE & SECURITY	\$263.40			
Paid Chk# 102444	5/12/2016	INTOXIMETERS			
E 101-42100-210	Operating Supplies (GENERAL)	\$105.00	529526		PD SUPPLIES
Total	INTOXIMETERS	\$105.00			
Paid Chk# 102445	5/12/2016	J.H. LARSON COMPANY			
E 101-41940-404	Repairs/Maint - Machin/Equip	\$87.44	S101190653.0		PARTS/SUPPLIES
E 101-45203-220	Repair/Maint Supply (GENERAL)	\$102.96	S101195076.0		PARTS/SUPPLIES
Total	J.H. LARSON COMPANY	\$190.40			
Paid Chk# 102446	5/12/2016	JONES, REBECCA			
E 620-40000-499	Miscellaneous	\$24.99	REIMB.		APRIL SUPPLIES
Total	JONES, REBECCA	\$24.99			
Paid Chk# 102447	5/12/2016	KLAPPRICH, KURT			
E 101-45200-210	Operating Supplies (GENERAL)	\$15.96	REIMB.		SUPPLIES FOR BUCKTHORN PULL
Total	KLAPPRICH, KURT	\$15.96			
Paid Chk# 102448	5/12/2016	LEAP MANUFACTURING, LLC			
E 430-40000-309	Contractual Services	\$178.20	565		ASPHALT
Total	LEAP MANUFACTURING, LLC	\$178.20			
Paid Chk# 102449	5/12/2016	LOFFLER COMPANIES, INC.			
E 101-41500-311	Data Processing	\$2,870.00	2230416		NETWORK SUPPORT
Total	LOFFLER COMPANIES, INC.	\$2,870.00			
Paid Chk# 102450	5/12/2016	LONG LAKE TRU VALUE			
E 101-42200-434	Training and schools	\$42.32			SUPPLIES
E 101-43100-210	Operating Supplies (GENERAL)	\$36.84			SUPPLIES
E 101-45200-210	Operating Supplies (GENERAL)	\$118.58			SUPPLIES
E 610-40000-210	Operating Supplies (GENERAL)	\$9.00			SUPPLIES
E 101-42200-210	Operating Supplies (GENERAL)	\$10.99			SUPPLIES
E 620-40000-210	Operating Supplies (GENERAL)	\$8.99			SUPPLIES
Total	LONG LAKE TRU VALUE	\$226.72			
Paid Chk# 102451	5/12/2016	LOU'S GLOVES			
E 101-45200-210	Operating Supplies (GENERAL)	\$87.00	013149		SUPPLIES
E 101-43100-210	Operating Supplies (GENERAL)	\$87.00	013149		SUPPLIES
Total	LOU'S GLOVES	\$174.00			
Paid Chk# 102452	5/12/2016	MANSFIELD OIL COMPANY			
E 101-49200-212	Motor Fuels	\$321.24	373789		FUEL
E 101-49200-212	Motor Fuels	\$1,386.50	373795		FUEL
Total	MANSFIELD OIL COMPANY	\$1,707.74			
Paid Chk# 102453	5/12/2016	MAPLE GROVE, CITY OF			
E 101-42100-434	Training and schools	\$1,290.00	2016-4		PD GUN RANGE RENTAL
Total	MAPLE GROVE, CITY OF	\$1,290.00			

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Paid Chk#	102454	5/12/2016	MARCO		
E 101-43100-404	Repairs/Maint - Machin/Equip		\$67.50	3301695	PW COPIER REPAIRS
E 101-45200-404	Repairs/Maint - Machin/Equip		\$33.75	3307384	PW COPIER REPAIRS
Total MARCO			\$101.25		
Paid Chk#	102455	5/12/2016	MARY DELAITTRE		
E 233-40000-302	Consultants		\$10,482.43	5/2/16	LAKE EFFECT
Total MARY DELAITTRE			\$10,482.43		
Paid Chk#	102456	5/12/2016	MCCARTHY, TIMOTHY		
E 101-42100-331	Mileage & Expense Account		\$28.31	REIMB.	MIELAGE & MEALS
Total MCCARTHY, TIMOTHY			\$28.31		
Paid Chk#	102457	5/12/2016	METROPOLITAN COUNCIL		
E 620-40000-386	Other Utilities		\$37,744.23	0001055054	SEWER SERVICE
Total METROPOLITAN COUNCIL			\$37,744.23		
Paid Chk#	102458	5/12/2016	METROPOLITAN COUNCIL		
G 101-20831	MWCC (SAC)		\$238,560.00	APRIL 2016	APRIL 2016 SAC FEES
R 101-00000-34190	Charges for Services/Gen Gov		(\$2,385.60)	APRIL 2016	APRIL 2016 SAC FEES
Total METROPOLITAN COUNCIL			\$236,174.40		
Paid Chk#	102459	5/12/2016	MICRO CENTER		
E 235-40000-210	Operating Supplies (GENERAL)		\$96.91	6101747	PARTS
E 101-42100-404	Repairs/Maint - Machin/Equip		\$69.98	6105850	PARTS
Total MICRO CENTER			\$166.89		
Paid Chk#	102460	5/12/2016	MINNESOTA EQUIPMENT		
E 101-43100-220	Repair/Maint Supply (GENERAL)		\$3.65	P42396	PARTS
E 101-45200-210	Operating Supplies (GENERAL)		\$63.00	P42435	PARTS
E 101-45200-222	Repair & Maint - Equip		\$90.82	P42660	PARTS
E 101-45200-222	Repair & Maint - Equip		\$262.21	P42661	PARTS
Total MINNESOTA EQUIPMENT			\$419.68		
Paid Chk#	102461	5/12/2016	MN DEPARTMENT OF HEALTH		
E 610-40000-433	Dues, Licensing & Seminars		\$23.00	DUES	2016 LICENSE FOR DUDINSKY
Total MN DEPARTMENT OF HEALTH			\$23.00		
Paid Chk#	102462	5/12/2016	MN POLLUTION CONTROL AGENCY		
E 620-40000-433	Dues, Licensing & Seminars		\$23.00	POIRIER2016	WASTEWATER CERTIFICATION RENEWAL - POIRIER
Total MN POLLUTION CONTROL AGENCY			\$23.00		
Paid Chk#	102463	5/12/2016	MUNICIPAL CLERKS & FINANCE		
E 101-41500-433	Dues, Licensing & Seminars		\$35.00	2016 DUES	2016 DUES - MALONE
Total MUNICIPAL CLERKS & FINANCE			\$35.00		
Paid Chk#	102464	5/12/2016	NAPA AUTO PARTS-WATERTOWN		
E 101-41940-210	Operating Supplies (GENERAL)		\$89.99	453923	PARTS
E 101-45200-222	Repair & Maint - Equip		\$13.04	456693	PARTS
E 101-43100-220	Repair/Maint Supply (GENERAL)		\$86.40	457153	PARTS
E 101-43100-210	Operating Supplies (GENERAL)		\$44.50	457732	PARTS
Total NAPA AUTO PARTS-WATERTOWN			\$233.93		
Paid Chk#	102465	5/12/2016	NEW PIG		
E 620-40000-210	Operating Supplies (GENERAL)		\$52.64	21921974-00	SUPPLIES
E 610-40000-210	Operating Supplies (GENERAL)		\$52.64	21921974-00	SUPPLIES
Total NEW PIG			\$105.28		
Paid Chk#	102466	5/12/2016	OFFICE DEPOT		

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E 101-41500-200	Office Supplies (GENERAL)		\$83.38	835641475001	SUPPLIES
E 630-40000-200	Office Supplies (GENERAL)		\$125.69	835641475001	SUPPLIES
E 640-48000-200	Office Supplies (GENERAL)		\$41.24	835641475001	SUPPLIES
E 101-42100-200	Office Supplies (GENERAL)		\$14.07	835641475001	SUPPLIES
E 640-47000-200	Office Supplies (GENERAL)		\$31.49	835643114001	SUPPLIES
E 101-41500-200	Office Supplies (GENERAL)		(\$16.79)	835857047001	SUPPLIES
E 630-40000-200	Office Supplies (GENERAL)		\$99.99	835910805001	SUPPLIES
E 101-41500-200	Office Supplies (GENERAL)		\$30.79	835910903001	SUPPLIES
E 101-43100-499	Miscellaneous		\$264.30	836572840001	SUPPLIES
E 630-40000-200	Office Supplies (GENERAL)		\$29.42	836911629001	SUPPLIES
E 101-41500-200	Office Supplies (GENERAL)		\$181.46	836911629001	SUPPLIES
E 235-40000-210	Operating Supplies (GENERAL)		\$33.43	836911721001	SUPPLIES
E 101-41500-200	Office Supplies (GENERAL)		\$38.79	836911722001	SUPPLIES
Total OFFICE DEPOT			\$957.26		
Paid Chk# 102467	5/12/2016	PETERSON CEDARWORKS			
E 233-40000-499	Miscellaneous		\$1,820.00	2/18/2016	ADIRONDECK CHAIRS
Total PETERSON CEDARWORKS			\$1,820.00		
Paid Chk# 102468	5/12/2016	PLANT & FLANGED EQUIPMENT CO.			
E 620-40000-225	Repair & Maint - System		\$503.63	0066765	PARTS
E 620-40000-225	Repair & Maint - System		(\$495.00)	0067080-CM	PARTS
E 620-40000-225	Repair & Maint - System		\$875.00	0067117	PARTS
Total PLANT & FLANGED EQUIPMENT CO.			\$883.63		
Paid Chk# 102469	5/12/2016	POPP TELECOM			
E 101-41940-321	Telephone		\$121.10	134967	PHONE PARTS
Total POPP TELECOM			\$121.10		
Paid Chk# 102470	5/12/2016	POST BOARD			
E 101-42100-433	Dues, Licensing & Seminars		\$90.00	GROVES	2016 RENEWAL - GROVES
Total POST BOARD			\$90.00		
Paid Chk# 102471	5/12/2016	PPG ARCHITECTURAL COATINGS			
E 101-45200-210	Operating Supplies (GENERAL)		\$13.78	940602054245	SUPPLIES
E 101-43100-226	Sign Repair Materials		\$65.26	940602054277	SUPPLIES
Total PPG ARCHITECTURAL COATINGS			\$79.04		
Paid Chk# 102472	5/12/2016	PRESTO DYECHEM CO			
E 620-40000-210	Operating Supplies (GENERAL)		\$61.87	35770	SUPPLIES
E 610-40000-210	Operating Supplies (GENERAL)		\$61.88	35770	SUPPLIES
Total PRESTO DYECHEM CO			\$123.75		
Paid Chk# 102473	5/12/2016	REITER, PHILIP			
E 101-42100-331	Mileage & Expense Account		\$80.88	REIMB.	MILEAGE & MEALS
Total REITER, PHILIP			\$80.88		
Paid Chk# 102474	5/12/2016	SCHANKE, SUZIE			
E 101-42200-409	Maint services & Improv		\$145.00	APRIL 2016	FD MONTHLY CLEANING - APRIL 2016
Total SCHANKE, SUZIE			\$145.00		
Paid Chk# 102475	5/12/2016	SECRETARY OF STATE			
E 101-41500-433	Dues, Licensing & Seminars		\$120.00	NOTARY APP.	NOTARY APPLICATION - KAUFMAN
Total SECRETARY OF STATE			\$120.00		
Paid Chk# 102476	5/12/2016	SIGNS NOW			
E 101-45200-499	Miscellaneous		\$75.00	28995	PARKS - WAYZATA LOGO
E 101-41500-499	Miscellaneous		\$41.50	29064	J.DAHL NAMEPLATE

***Check Detail Register©**

April 2016 to May 2016

			Check Amt	Invoice	Comment
Total SIGNS NOW			\$116.50		
Paid Chk# 102477	5/12/2016	SITEONE LANDSCAPE SUPPLY			
E 101-45203-220	Repair/Maint Supply (GENERAL)		\$25.12	75538644	PARTS
Total	SITEONE LANDSCAPE SUPPLY		\$25.12		
Paid Chk# 102478	5/12/2016	SPRINGSTED INC.			
E 101-41500-302	Consultants		\$1,575.00	005250.105-1	COMP & CLASS/PAY EQUITY REVIEW
Total	SPRINGSTED INC.		\$1,575.00		
Paid Chk# 102479	5/12/2016	SPRINT			
E 101-42100-323	Radio Units		\$131.35	134573312-17	PD SERVICE
Total	SPRINT		\$131.35		
Paid Chk# 102480	5/12/2016	STREICHER S			
E 409-42200-540	Equipment		\$789.00	I1206702	RIFLES
E 101-42100-217	Uniforms		\$9.99	I1206903	PD UNIFORMS
Total	STREICHER S		\$798.99		
Paid Chk# 102481	5/12/2016	TIME SAVER			
E 101-41100-302	Consultants		\$473.00	M22099	MTG.MINUTES
Total	TIME SAVER		\$473.00		
Paid Chk# 102482	5/12/2016	TNC INDUSTRIES, INC.			
E 409-42200-550	Vehicles		\$21,831.90	34191	FD EXHAUST SYSTEM
Total	TNC INDUSTRIES, INC.		\$21,831.90		
Paid Chk# 102483	5/12/2016	TOWMASTER, INC.			
E 101-43100-220	Repair/Maint Supply (GENERAL)		\$62.17	380036	PARTS
E 101-43100-220	Repair/Maint Supply (GENERAL)		\$134.93	380060	PARTS
Total	TOWMASTER, INC.		\$197.10		
Paid Chk# 102484	5/12/2016	TRI-CITY			
E 610-40000-309	Contractual Services		\$52.50	4/1-4/30/16	WATER ANALYSIS
Total	TRI-CITY		\$52.50		
Paid Chk# 102485	5/12/2016	TRI-K SERVICES			
E 101-45200-229	Dirt, Sand and gravel		\$264.00	6859	TOPSOIL
Total	TRI-K SERVICES		\$264.00		
Paid Chk# 102486	5/12/2016	TROPHIES BY LINDA			
E 235-40000-499	Miscellaneous		\$50.00	32508	STEVE FOX AWARD
Total	TROPHIES BY LINDA		\$50.00		
Paid Chk# 102487	5/12/2016	UNIFORMS UNLIMITED			
E 101-42100-217	Uniforms		\$43.99	18846-2	PD UNIFORMS
E 101-42100-217	Uniforms		\$480.83	19899-2	PD UNIFORMS
Total	UNIFORMS UNLIMITED		\$524.82		
Paid Chk# 102488	5/12/2016	UPS STORE			
E 404-40000-499	Miscellaneous		\$418.75	7051	EAB EDUCATIONAL MATERIAL
Total	UPS STORE		\$418.75		
Paid Chk# 102489	5/12/2016	US BANK			
E 620-49100-611	Bond Interest		\$6,225.00		CIRCLE A BOND INTEREST
E 315-40000-611	Bond Interest		\$21,675.00		BIG WOOD BOND INTEREST
E 610-49100-611	Bond Interest		\$62,859.38		WATER BOND INTEREST
E 640-49100-611	Bond Interest		\$62,065.00		MUNI BOND INTEREST
E 311-40000-611	Bond Interest		\$3,703.75		STREET RECON.BOND INTEREST

***Check Detail Register©**

April 2016 to May 2016

			Check Amt	Invoice	Comment
E 310-40000-611	Bond Interest		\$37,875.00		SUPERIOR/LAKE BOND INTEREST
E 610-49100-611	Bond Interest		\$17,287.50		HOLDRIDGE WATER BOND INTEREST
Total US BANK			\$211,690.63		
Paid Chk# 102490	5/12/2016	VANDERHEIDEN, ROBERT			
E 101-42100-331	Mileage & Expense Account		\$15.52	REIMB.	MTG.MEAL
Total VANDERHEIDEN, ROBERT			\$15.52		
Paid Chk# 102491	5/12/2016	VIKING INDUSTRIAL CENTER			
E 610-40000-210	Operating Supplies (GENERAL)		\$55.57	3077919	SUPPLIES
Total VIKING INDUSTRIAL CENTER			\$55.57		
Paid Chk# 102492	5/12/2016	WAYZATA CHAMBER OF COMMERCE			
E 101-42100-331	Mileage & Expense Account		\$25.00	7226	LUNCHEON
E 101-42200-331	Mileage & Expense Account		\$25.00	7227	LUNCHEON
Total WAYZATA CHAMBER OF COMMERCE			\$50.00		
Paid Chk# 102493	5/12/2016	WSB & ASSOCIATES			
G 802-20329	173 HUNTINGTON		\$572.00	01204-480-2	173 HUNTINGTON ESCROW PROJECT
E 101-41500-304	Legal Fees		\$401.50	01204-480-2	173 HUNTINGTON ESCROW PROJECT
Total WSB & ASSOCIATES			\$973.50		
Paid Chk# 102494	5/12/2016	XCEL ENERGY			
E 101-45203-381	Electric Utilities		\$4,313.37		SERVICE
E 101-41940-381	Electric Utilities		\$2,660.31		SERVICE
E 101-42200-381	Electric Utilities		\$213.58		SERVICE
E 610-40000-381	Electric Utilities		\$4,947.62		SERVICE
E 640-47000-381	Electric Utilities		\$1,226.68		SERVICE
E 640-48000-381	Electric Utilities		\$2,862.24		SERVICE
E 620-40000-381	Electric Utilities		\$1,279.98		SERVICE
E 101-41940-381	Electric Utilities		\$11.42		SERVICE
Total XCEL ENERGY			\$17,515.20		
Paid Chk# 102495	5/12/2016	ZONE DEFENSE LLC			
E 101-43100-220	Repair/Maint Supply (GENERAL)		\$1,448.54	24540	BACKUP CAMERA FOR LOADER
Total ZONE DEFENSE LLC			\$1,448.54		
10100 Anchor Bank			\$785,541.42		

***Check Detail Register©**

April 2016 to May 2016

Check Amt Invoice Comment

Fund Summary**10100 Anchor Bank**

101 GENERAL FUND	\$288,098.23
233 LAKFRONT IMPROVE	\$30,199.70
235 CABLE TV	\$449.63
310 SUPERIOR/LAKE REALIGNMENT	\$37,875.00
311 STREET BONDS	\$3,703.75
315 BIG WOODS	\$21,675.00
316 BAY CENTER	\$114.30
404 PARK AND TRAIL CIP	\$418.75
408 GENERAL CIP	\$24,340.70
409 EQUIP REVOLVING	\$22,620.90
430 STREET CIP	\$355.15
437 LIBRARY/COMM.ROOM CIP	\$3,534.75
610 WATER FUND	\$91,518.44
620 SEWER FUND	\$48,020.55
630 MOTOR VEHICLE	\$353.05
640 LIQUOR	\$210,050.57
650 SOLID WASTE	\$1,359.30
670 STORMWATER	\$160.90
802 ESCROW PROJECTS	\$692.75
	\$785,541.42

5/17/2016

THE FOLLOWING 2016 MUNICIPAL LICENSES
WERE APPROVED ADMINISTRATIVELY

Seasonal Permanent Food Stand License	
McCormick's Beachside	220 Grove Lane East
Special Event/Itinerant Food License - The Brost Clinic Family Fun Fest - 5/21/16	
Birch's on the Lake	Long Lake, MN
Special Event/Itinerant Food License - Food Truck at Wayzata Brew Works Grand Opening on 5/13-5/14/2016	
My Crazy Wife's Food Truck	Coon Rapids, MN
2016 Gas Fitter's License	
Metro Gas Installers	Andover, MN
2016 Swimming Pool License	
Hollybrook Townhomes	1146 Hollybrook Drive

**WAYZATA POLICE DEPARTMENT
ACTIVITY REPORT – APRIL, 2016**

DWI

Reported: 04-30-2016 2039

39 year old female from Medina arrested for driving while under the influence. Tested .25

Addresses Involved

Hwy 12 & Cty Rd 101 S, Wayzata, MN 55391

Names Involved

(Arrested) Nalls, Jennifer Maria (Age:39)

DWI

Reported: 04-29-2016 2335

40 year old male from Minnetonka arrested for driving while under the influence. Tested .09

Addresses Involved

Wayzata Blvd E & Bushaway Rd, Wayzata, MN 55391

Names Involved

(Arrested) Wheeler, Ryan Troyce (Age:40)

Littering/Dumping

Reported: 04-28-2016 1509

Report of illegal dumping. Advised.

Addresses Involved

600 block of Lake St E, Wayzata, MN 55391

Theft

Reported: 04-28-2016 0354

Theft of a bicycle. Loss \$200.

Addresses Involved

100 block of Glenbrook Rd N, Wayzata, MN 55391

Theft

Reported: 04-27-2016 1945

Report of a theft. Estimated loss less than \$500.

Addresses Involved

1000 block of Wayzata Blvd E, Wayzata, MN 55391

Disturbance

Reported: 04-26-2016 2116

Report of an intoxicated party on a MTC bus. Party located and advised.

Addresses Involved

1300 block of Wayzata Blvd E, Wayzata, MN 55391

Disturbance

Reported: 04-24-2016 2335

Report of noise complaint. Crew was cleaning the parking ramp. Advised. .

Addresses Involved

Superior Blvd & Wayzata Blvd E, Wayzata, MN 55391

Disturbance

Reported: 04-23-2016 2215

Report of loud party. Group of juveniles playing basketball were advised.

Addresses Involved

400 block of Peavey Rd, Wayzata, MN 55391

Suspicious **Reported:** 04-23-2016 0016

Report of a suspicious male in the area. Area checked, unable to locate.

Addresses Involved

200 block of Benton Ave N, Wayzata, MN 55391

Customer Trouble **Reported:** 04-22-2016 2056

Report of a customer causing disturbance. Customer left prior to officer arrival.

Addresses Involved

1800 block of Wayzata Blvd W, Long Lake, MN 55356

Theft **Reported:** 04-22-2016 13541

Report of a theft by swindle. Loss of more than \$12000.

Addresses Involved

1200 block of Wayzata Blvd E, Wayzata, MN 55391

Theft **Reported:** 04-22-2016 1115

Report of identity theft. Unknown loss at this time.

Addresses Involved

100 block of Hunters Glen Rd, Wayzata, MN 55391

Fire **Reported:** 04-21-2016 1349

Report of smoke coming from building. No fire, steam coming from the roof.

Addresses Involved

500 block of Wayzata Blvd E, Wayzata, MN 55391

Domestic **Reported:** 04-20-2016 2239

Report of a domestic disturbance. Unfounded.

Addresses Involved

200 block of Barry Ave S, Wayzata, MN 55391

Financial Transaction Card Fraud **Reported:** 04-20-2016 1320

Report of an unauthorized charge on an account. Loss \$715.

Addresses Involved

2400 block of Wayzata Blvd W, Long Lake, MN 55356

DWI **Reported:** 04-19-2016 1510

48 year old female from Maple Grove arrested for driving while under the influence. Tested .25

Addresses Involved

County Road 101 N & Byrondale Ave, Wayzata, MN 55391

Names Involved

(Arrested) Bloomquist, Jennifer Elizabeth (Age:48)

Suspicious **Reported:** 04-18-2016 1648

Report of juveniles climbing on the roof of the dugout. Officer located the juveniles and advised them on their conduct.

Addresses Involved

300 block of Harrington Dr, Long Lake, MN 55356

Unwanted Person **Reported:** 04-18-2016 1512
Report of an unwanted person at a business. Male advised leave the property.
Addresses Involved
200 block of Grove Lane E, Wayzata, MN 55391

Fire **Reported:** 04-16-2016 1232
Report of a mulch fire. Fire department extinguished the fire.
Addresses Involved
Mill St & Promenade Ave, Wayzata, MN 55391

Fire **Reported:** 04-16-2016 1039
Report of a vehicle fire. Long Lake Fire responded.
Addresses Involved
2100 block of Daniels St, Long Lake, MN 55356

Theft from Vehicle **Reported:** 04-16-2016 0853
Report of a theft from vehicle. Loss \$350.
Addresses Involved
800 block of Wayzata Blvd E, Wayzata, MN 55356

DWI **Reported:** 04-16-2016 0108
38 year old male from Minneapolis arrested for driving while under the influence. Refused to test.
Addresses Involved
100 block of Gleason Lake Road, Wayzata, MN 55391
Names Involved
(Arrested) Moreland, William Roger (Age:38)

Animal **Reported:** 04-15-2016 1929
Report of bird tangled in a cloth in a tree. Long Lake Fire freed the bird.
Addresses Involved
1500 block of Wayzata Blvd W, Long Lake, MN 55356

Fraud **Reported:** 04-14-2016 1655
Report of an attempted scam. No loss on this date.
Addresses Involved
200 block of Minnetonka Ave S, Wayzata, MN 55391

Fire **Reported:** 04-14-2016 1326
Report of a mulch fire. Fire was extinguished prior to officer arrival.
Addresses Involved
Promenade Ave & Mill E, Wayzata, MN 55391

Missing Person **Reported:** 04-12-2016 1014
Report of a missing person. Male was located and transported to home to his family.
Addresses Involved
400 block of Wayzata Blvd E, Wayzata, MN 55391

Theft **Reported:** 04-12-2016 0824
Report of identity theft. Unknown loss at this time.
Addresses Involved
300 block of Hampton St S, Wayzata, MN 55391

Harassment **Reported:** 04-12-2016 0721
Report of harassing phone calls. Female was advised to stop calling.
Addresses Involved
1800 block of Wayzata Blvd W, Long Lake, MN 55356

Theft **Reported:** 04-11-2016 1159
Report of a theft by dishonored check. Loss \$400.
Addresses Involved
1500 block of Holdridge Terr, Wayzata, MN 55391

Warrant **Reported:** 04-11-2016 1021
55 year old female from Mound arrested on an outstanding warrant.
Addresses Involved
1300 block of Wayzata Blvd E, Wayzata, MN 55391
Names Involved
(Arrested) Mittelstaedt, Terri Lynn (Age:55)

Controlled Substance **Reported:** 04-08-2016 1936
While on a traffic stop for brake light violation, officer located marijuana and drug paraphernalia in the vehicle. Citation issued.
Addresses Involved
Superior Blvd & Rice St E, Wayzata, MN 55391

Theft **Reported:** 04-08-2016 1921
Theft of a purse and luggage. Loss approximately \$6000.
Addresses Involved
700 block of Lake St E, Wayzata, MN 55391

Assault **Reported:** 04-08-2016 0833
Report of an assault. Charges pending.
Addresses Involved
1800 block of Wayzata Blvd E, Wayzata, MN 55391

Theft **Reported:** 04-07-2016 1257
Report of a theft by swindle. Loss \$57,000.
Addresses Involved
1200 block of Wayzata Blvd E, Wayzata, MN 55391

Fraud **Reported:** 04-06-2016 1235
Report of an attempted phone scam. No loss.
Addresses Involved
200 block of Barry Ave S, Wayzata, MN 55391

Theft **Reported:** 04-05-2016 1212
Report of a theft by swindle. Loss \$400.
Addresses Involved
100 block of Central Ave N, Wayzata, MN 55391

Damage to Property **Reported:** 04-05-2016 0947

Report of minor damage to vehicle. Information taken.

Addresses Involved

1100 block of Wayzata Blvd E, Wayzata, MN 55391

Fire **Reported:** 04-04-2016 1942

Report of grass fire. Controlled burn.

Addresses Involved

200 block of Harrington Cir, Long Lake, MN 55356

Theft **Reported:** 04-04-2016 1826

Theft of a trailer and construction stones. Loss \$2500.

Addresses Involved

100 block of Huntington Ave S, Wayzata, MN 55391

DWI **Reported:** 04-03-2016 2046

34 year old female from Orono arrested for driving while under the influence of alcohol after being involved in a vehicle accident. Test results pending.

Addresses Involved

Highway 12 W & Carlson Pkwy, Minnetonka, MN

Names Involved

(Arrested) Warzetha, Amy Jo (Age:34)

Suspicious **Reported:** 04-02-2016 2329

Report of items being thrown at vehicles. Area checked, unable to locate.

Addresses Involved

Highway 12 & Central Avenue N, Wayzata, MN 55391

Damage to Property - Criminal **Reported:** 04-02-2016 1927

Report of damage to property. Loss \$500.

Addresses Involved

1100 block of Wayzata Blvd E, Wayzata, MN 55391

TRAFFIC – APRIL, 2016

CITATIONS	133
WRITTEN WARNINGS	28
VERBAL WARNINGS	93

Description	Apr 2016
MISSING PERSON	2
MISSING ANIMAL	1
FOUND PROPERTY	4
SAFEKEEPING & DISPOSAL	1
PIMV	1
PDMV	16
H & R PDMV	1
ANIMAL BITE	1
Other Fire/Smoke	3
Vehicle Fire	1
Grass/Brush Fire	2
FIRE ALARM	7
GENERAL HAZARD	1
HAZ ROAD CONDITION	11
RR Crossing Hazard	1
SUICIDE ATTEMPT	2
SUICIDE THREAT	2
OTHER MEDICAL	41
72 Hour Hold/Emergency Admission	5
WELFARE CHECK - ADULT	9
WELFARE CHECK - JUV	5
INFO REC'D	7
VERBAL DOMESTIC	1
CIVIL MATTER	6
DISTURBANCE/FIGHT/LOUD PARTY/HARASSMENT	15
SUSPICION	24
OPEN DOOR/WINDOW	2
SCAM/FRAUD ATTEMPT	2
BURNING COMPL	1
SHOTS FIRED	1
MISC. JUVENILE PROBLEM	3
LEAKY LOAD/DUMPING	2
DRIVING/TRAFFIC COMPLAINT	28
PARKING COMPL	2
RECORD CHECKS	5
FIREARM PERMIT	1
HC SHERIFFS PERMIT TO CARRY	6
ANIMAL COMPLAINT/CHECK	8
DISPATCH ANIMAL	1
DOG LICENSE ISSUED	4
ADULT PROTECTION ASSIST	2
FINGERPRINTS	3
ASSIST CHILD PROTECTION	2
MOTORIST ASSIST/STALL	4

UTILITY PROBLEM	3
PUBLIC ASSIST	18
LOCKOUT	4
BUSINESS ALARM	15
CO2 ALARM	1
HOME ALARM	18
911 HANG-UP	14
ASSIST OTHER DEPT	16
WARRANT/ATTEMPT/ARREST	2
TRAFFIC CONTROL / DIRECT ENFORCEMENT	19
CASE FOLLOW UP	1
PUBLIC RELATIONS	2
ASLT 5-MS-INFLICT BD HRM-HANDS-ASLT-AC	1
DRUGS-SMALL AMOUNT MARIJUANA-POSESSION	1
DRUGS-SM AMT IN MOT VEH-POSS-MARIJ-UNK	1
DRUGS-DRUG PARAPH-POSSESS-UNK-UNK	1
TRAFFIC-GM-OTHER-MV	1
TRAF-AC-GM-2ND DEG DWI-REFUSAL TO TEST-MV	1
TRAF-AC-GM-3RD DEG DWI-UI ALCOHOL-MV	3
TRAF-ACC-M-4TH DEG DWI-UI ALCOHOL-MV	1
DISTURB PEACE-MS-DISORDERLY CONDUCT	1
PROP DAMAGE-GM-PRIVATE-OTHER INTENT	1
PROP DAMAGE-MS-PRIVATE-OTHER INTENT	1
PROP DAMAGE-MS-PUBLIC-OTHER INTENT	1
LITTER-UNLAWFUL DEPOSIT OF GARBAGE-PRIVATE PRO	1
THEFT-OVER 5000DLRS FE-BLDG-OTHER PROPERTY	1
THEFT-500 OR LESS MS-BLDG-OTH PROP	1
THEFT-500 OR LESS MS-YARDS-OTH PROP	1
THEFT-500 OR LESS MS-MTR VEHICLE-OTH PROP	1
THEFT-UNK LVL-IDENTITY THEFT-UNK LOSS	2
THEFT-FE-THFT BY SWINDLE TRICK-20000 OR MORE	2
FRAUD-FE-FIN-TRAN-CARD-NO CONSENT 501-2500	1
THEFT-GM-ISSUE WORTHLESS CHECK-251-500	1
THEFT-GM-BY SWINDLE OR TRICK-251-500	1
VEH-501-2500-FE-THEFT-OTH-MTRI	1

BUILDING CONSTRUCTION

	2014	2015	2016 Jan	2016 Feb	2016 March	2016 April	2016
NUMBER OF BLDG. PERMITS	197	259	17	17	13	17	64
PROJECT VALUE	\$71,316,194.31	\$50,380,054.75	\$2,332,855.17	\$1,082,874.45	\$617,445.00	\$37,137,225.83	\$41,170,400.45
BUILDING PERMIT FEE	\$398,821.84	\$329,932.64	\$17,071.25	\$10,373.00	\$7,406.75	\$161,004.75	\$195,855.75
PLAN CHECK FEE	\$239,736.80	\$181,911.71	\$10,845.70	\$5,913.28	\$3,973.98	\$98,467.75	\$119,200.71
EXTERIOR REPAIR							
NUMBER OF PERMITS	69	98	0	1	2	5	8
PROJECT VALUE	\$868,852.35	\$1,566,840.36	\$0.00	\$30,000.00	\$9,443.00	\$41,366.00	\$80,809.00
PERMIT FEE	\$15,457.53	\$24,942.50	\$ -	\$ 466.75	\$ 250.75	\$ 811.25	\$ 1,528.75
MECHANICAL							
NUMBER OF PERMITS	213	228	10	17	17	12	56
PROJECT VALUE	\$6,434,508.61	\$3,391,980.96	70,920.70	586,486.50	169,410.25	142,437.52	\$969,254.97
PERMIT FEE	\$108,666.50	\$62,881.44	1,418.42	9,856.24	3,412.42	2,868.56	\$17,555.64
PLUMBING							
NUMBER OF PERMITS	193	240	15	21	14	12	62
PROJECT VALUE	\$4,316,761.00	\$1,895,967.76	\$81,130.00	\$564,395.00	\$1,253,162.00	\$59,670.00	\$1,958,357.00
PERMIT FEE	\$75,280.16	\$38,015.46	\$1,687.60	\$9,726.20	\$19,406.08	\$1,248.60	\$32,068.48
TOTAL # OF PERMITS	672	825	42	56	46	46	190
TOTAL INCOME	\$837,962.83	\$637,683.75	\$31,022.97	\$36,335.47	\$34,449.98	\$264,400.91	\$366,209.33

NUMBER OF INSPECTIONS

BUILDING	1081	1087	50	60	59	54	223
EXTERIOR	88	150	1	1	3	3	8
HVAC	491	466	30	24	29	25	108
PLUMBING	414	508	25	25	34	23	107
OTHER	4	5	0	1	1	0	2
TOTAL # OF INSPECTIONS	2078	2216	106	111	126	105	448

RENTAL HOUSING INSPECTIONS

INSPECTIONS	119	119	1	14	16	21	52
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CITY OF WAYZATA

RESOLUTION NO. 14-2016

**A RESOLUTION REPLACING RESOLUTION NO. 01-2016
AND UPDATING THE CITY APPOINTMENTS AND ASSIGNMENTS FOR 2016**

WHEREAS, on January 5, 2016, the City Council adopted Resolution No. 01-2016 designating the City appointments and assignments for 2016; and

WHEREAS, the City has had a change in personnel and would like to replace Resolution No. 01-2016 to reflect this change in personnel.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the Wayzata, Minnesota that this Resolution replaces Resolution No. 01-2016 and the following appointments and assignments are approved for 2016:

Andrew Mullin	Mayor Pro Tem
2) Bridget Anderson	
3) Steven Tyacke	
4) Johanna McCarthy	
Daniel Baasen	LMCD Board of Directors (Term Expires 01/31/2018)
Johanna McCarthy	Suburban Rate Authority Representative
Best & Flanagan (David Schelzel)	City Attorney
Jeffrey W. Lambert, PA	Prosecuting Attorney
Hennepin County (City of Minnetonka)	Health Officer
<i>Sun- Sailor</i>	Official Newspaper (was <i>Lakeshore Weekly News</i> in 2015)
Kurt Klapprich	Assistant Weed Inspector
Becky Malone	Responsible Authority (for purposes of the Data Practices Act)
Dan Distel	Residential Property Assessor
Hennepin County Assessor's Office	Assessor for Commercial, Industrial, Utility & Apartment & the "Promenade of Wayzata" Properties
Anchor Bank	Official Depositories
UBS Financial Services	
Morgan Stanley Smith Barney	
League of MN Cities 4M Fund & 4M Plus	
Wells Fargo Bank, N.A.	

BE IT FURTHER RESOLVED that all checks drawn against the account of the City of Wayzata at Anchor Bank of Wayzata shall be signed by City Manager Jeffrey Dahl and by either Mayor Ken Willcox or the Mayor Pro-Tem. Said signatures may be affixed to such checks by a signature plate or by hand; and

BE IT FURTHER RESOLVED that the above signatures also shall be considered the official signatures of the City of Wayzata; and

BE IT FURTHER RESOLVED that the Deputy City Clerk and Finance Manager shall have all authority and responsibility as delegated by the City Manager; and

BE IT FINALLY RESOLVED that the City Manager and any City employee designated by the City Manager shall have the ability to make credit card purchases on behalf of the City of Wayzata.

Adopted by the City Council of the City of Wayzata this 17th day of May, 2016.

Ken Willcox, Mayor

Attest: _____
Jeffrey Dahl, City Manager

ACTION ON THIS RESOLUTION:

Motion for adoption:

Seconded by:

Voted in favor of:

Voted against:

Abstained:

Absent:

Resolution:

I hereby certify that the foregoing is a true and correct copy of Resolution No. 04-2016 adopted by the City Council of the City of Wayzata, Minnesota, at a duly authorized meeting held on May 17, 2016.

Becky Malone, Deputy City Clerk

SEAL



**Planning Report
Wayzata City Council
May 17, 2016**

Project Name: Unitarian Universalist Church of Minnetonka (UUCM)
File Number: PR 2016-03
Applicant: Wynne Yelland, Locus Architects
Property Owner: Unitarian Universalist Church of Minnetonka
Addresses of Request: 2030 Wayzata Blvd E
Prepared by: Jeff Thomson, Director of Planning and Building
“60 Day” Deadline: June 28, 2016

Section 1. Development Application

Introduction

The applicant, Locus Architects, and the property owner, Unitarian Universalist Church of Minnetonka (UUCM), have submitted a development application for the property at 2030 Wayzata Blvd E. The development application includes construction of a new 11,000 sq. ft. church building and associated parking. The development application also includes a request to combine the property with the parcel to the east, and subdivide a portion of the east parcel into a single-family residential property. The applicant’s proposed plans are included on Attachments A, B and C.

Project Location.

The property is located on the south side of Wayzata Blvd E between Holdridge Road West and Crosby Road.

Map 1: Project Location



Relevant Property Information

The property identification number and owner of the property are as follows:

Table 1

Parcel	Address	PID	Property Owner
A	2030 Wayzata Blvd E	05-117-22-41-0012	Unitarian Universalist Church of Minnetonka
B	No assigned address	No assigned PID	Unitarian Universalist Church of Minnetonka

The current zoning and comp plan land use designation for the property are as follows:

Table 2

Parcel	Current zoning	Comp Plan Land Use Designation	Lot Area
A	Planned Unit Development (PUD)	Institutional/Public	127,671 sq. ft.
B	No zoning designation	No land use designation	56,933 sq. ft.

Parcel B does not currently have an assigned zoning district because it was previously owned by MnDOT and was used for state highway right-of-way uses. In 2015, the City acquired the parcel from MnDOT and sold the parcel to UUCM under the terms of the Settlement Agreement. The City Council's 2012 approval of the rezoning to PUD included Parcel A and not Parcel B, since it was unknown at the time whether the City would be able to acquire the property from MnDOT. Similar to the current zoning of Parcel B, the parcel does not currently have an assigned land use designation in the City's Comprehensive Plan.

Surrounding Land Uses.

The following table outlines the uses, zoning, and Comprehensive Plan land use designations for adjacent properties:

Table 3

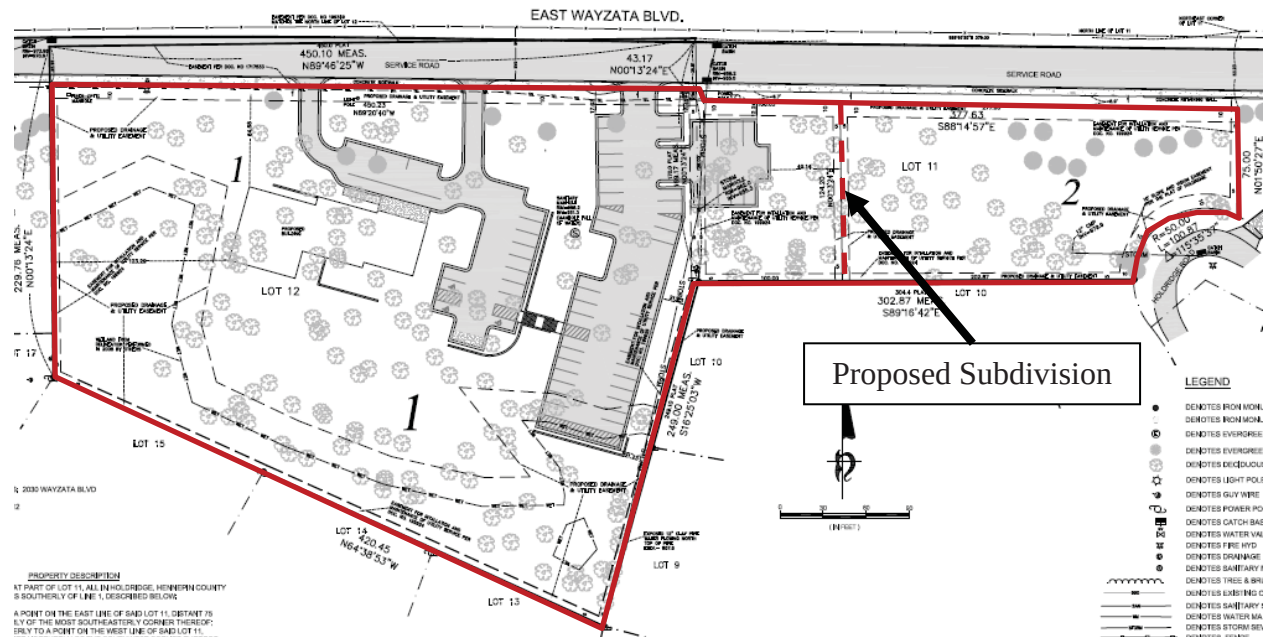
Direction	Adjacent Use	Zoning	Comp Plan Land Use Designation
North	Wayzata Blvd E and U. S. Highway 12	N/A	N/A
East	Single-family homes	R-1/Low Density Single Family Residential District	One Acre Single Family
South	Single-family homes	R-1/Low Density Single Family Residential District	One Acre Single Family
West	Single-family homes	R-1/Low Density Single Family Residential District	One Acre Single Family

Application Requests.

As part of the submitted development application, the applicant is requesting approval of the following items:

- A. Design Review: Construction of a new building requires Design Review by City Code Section 801.09.1.5.
- B. Preliminary Plat Review: The applicant is proposing to combine Parcel A and Parcel B, and subdivide the easterly portion of Parcel B into a separate lot for use as a single-family home. The subdivision requires preliminary plat review by City Code Sections 805.03 and 805.14.

Map 2: Proposed Subdivision



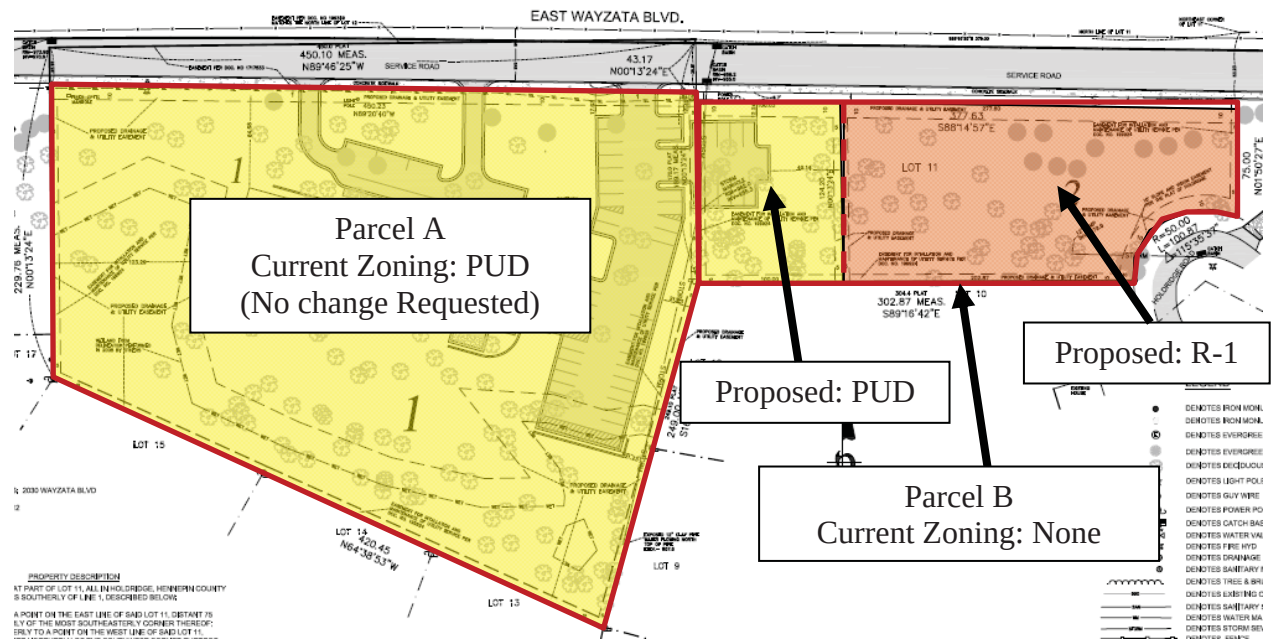
- C. Amendment to the PUD: The proposed site plan varies from the site plan that was approved by the City Council as part of the 2012 PUD development application. The revised site plan requires an amendment to the PUD according to City Code Section 801.33.9.

Map 3: Proposed PUD Amendment



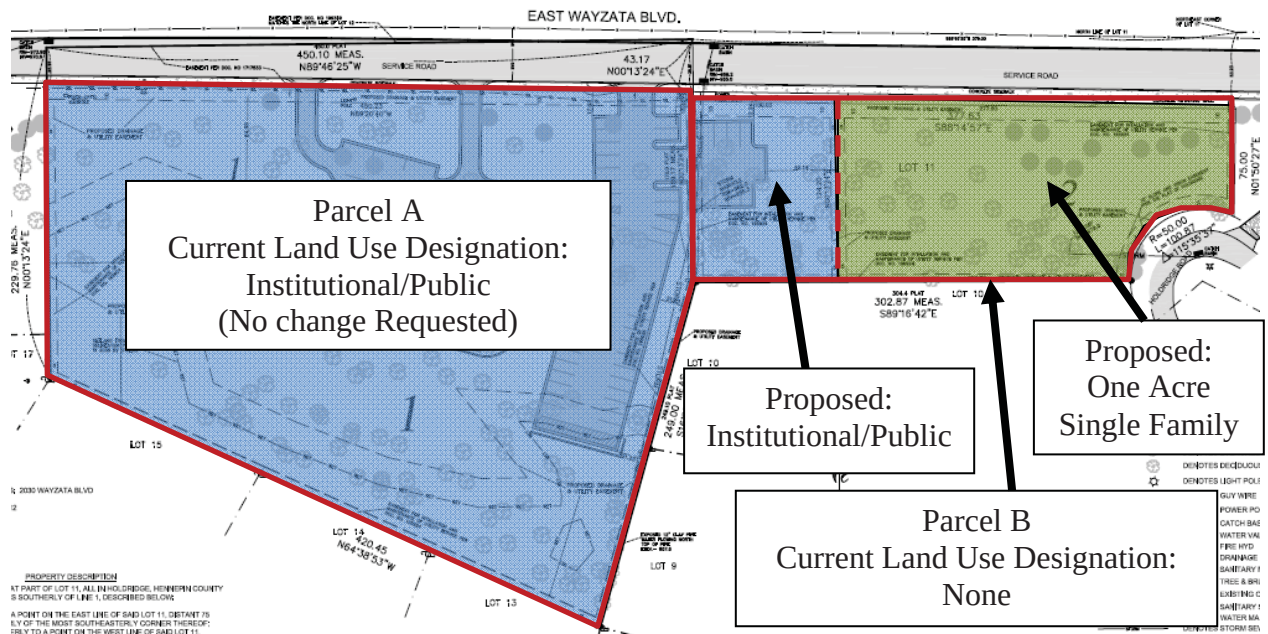
- D. Rezoning of Parcel B: Parcel B does not currently have an assigned zoning district. The applicant is requesting a rezoning of Parcel B to PUD/Planned Unit Development for the westerly portion and R-1/Low Density Single Family Residential District for the easterly portion.

Map 4: Proposed Rezoning



- E. Amendment to the Comprehensive Plan land use designation for Parcel B: Parcel B does not currently have an assigned land use designation in the City's Comprehensive Plan. The applicant is requesting an amendment to the Comprehensive Plan to designate the westerly part of Parcel B to Institutional/Public land use designation, and the easterly part of Parcel B in the One Acre Single Family land use designation.

Map 5: Proposed Comp Plan Amendment



- F. Variances for R-1 Lot: The R-1 zoning district requires a minimum lot area of 40,000 square feet, and a minimum lot depth of 150 feet. The proposed R-1 residential lot would have a lot area of 30,603 square feet and a lot depth of 124 feet. The proposed lot requires variances from the minimum lot area and minimum lot depth requirements.

Section 2. Background Information

2008 Development Application

In 2008, the property owner submitted an application requesting a rezoning of the property from R-1/Low Density Single Family Residential District to INS/Institutional, and an amendment to the Comprehensive Plan land use designation from One Acre Single Family residential to Institutional/Public. The Planning Commission reviewed that application in October 2008 and recommended denial to the City Council on a 5-2 vote. The City Council reviewed the application in December of 2008, voted 3-2 to deny the Application.

Settlement Agreement.

The Applicant commenced litigation against the City in 2010 for denying the 2008 application. On December 22, 2011, the Applicant and the City Council reached a Settlement Agreement on the lawsuit and a framework for approving the project. The Settlement Agreement outlines a three phase review of the project:

1. Comprehensive Plan Amendment, Rezoning, PUD and Site Plan Review: The first phase was a development application for (1) an amendment to the Comprehensive Plan land use designation from One Acre Single Family to

Institutional/Public, (2) Rezoning from R-1 to PUD/Planned Unit Development, (3) Concept Plan and General Plan Stage PUD, and (4) Site Plan Review.

UUCM submitted this development application in 2012 and the City Council approved the application on January 8, 2013. The City Council ordinance and resolution are provided on Attachment D.

2. Design Review and Subdivision: The second phase is a development application for Design Review approval of the design of the new church, and Subdivision to combine UUCM's property with the MnDOT parcel(s).

The applicant and property owner's current application includes both of these requests for Design Review and Subdivision approval outlined in the Settlement Agreement. The current application also includes a request for comp plan amendment, rezoning, PUD amendment, and lot area variance, as outlined in the Development Application section of this report.

3. Final State PUD: The third phase will be an application for Final Plan Stage PUD, which will be reviewed by City staff prior to the start of construction to ensure that the building permit plans conform to the PUD Concept and General Plan approved by the City Council.

Section 3. Staff Analysis of Application

Proposed Building and Site Plan

The applicant is proposing to construct an 11,000 square foot church building and accessory parking lots on the property. The proposed building one would be one story in height with a walkout lower level on the back of the building. The main floor of the church includes the main entry, sanctuary, community room, kitchen, and office space. The lower level includes classrooms, chapel/music room, and additional office space. The site would have two separate parking lots, an upper parking lot adjacent to the building, and a lower parking lot that would have a separate access drive from Wayzata Blvd E.

Wetland Delineation

The previous site plan approved by the City Council in 2013 indicated a wetland location that was based on a wetland delineation that was completed in 2008. In 2015, the applicant completed another wetland delineation which indicated that the wetland edge has receded since the 2008 delineation. The revised delineation was completed at the end of the 2015 growing season. City Staff was not able to confirm the wetland delineation, which must occur during the growing season, prior to the Planning Commission's review of the development application. City Staff was recently able to confirm the wetland delineation and determined that the revised site plan for the proposed building, parking lot, and other site improvements would meet the City's wetland requirements.

Zoning Analysis

A comparison of the PUD district standards and the proposed Project is as follows:

Table 4: PUD Standards

PUD District	Code Requirement	Proposed
Minimum Lot Area	N/A	3.21 acres
Front Yard Setback	50 ft. (min.)	76 ft.
Side Yard Setback	50 ft. (min.)	122 ft. / 191 ft.
Rear Yard Setback	50 ft. (min.)	124 ft.
Lot Coverage	N/A	Undetermined
Impervious Surface Coverage	N/A	Undetermined
Floor Area Ratio	N/A	Undetermined
Building Height	35 ft or 3 stories, whichever is less (max.)	30 ft. / 1 story

The applicant is proposing to rezone the easterly part of Parcel B to R-1/Low Density Single Family Residential District. The following table outlines the lot requirements for the R-1 zoning district.

Table 5: R-1 Standards

R-1 District	Code Requirement	Proposed
Lot Area	40,000 sq. ft. (min.)	30,603 sq. ft.**
Lot Width	150 ft. (min.)	277 ft.
Lot Depth	150 ft. (min.)	124 ft.**
Front Yard Setback	45 ft. (min.)	Undetermined
Side Yard Setback	20 ft. (min.)	Undetermined
Rear Yard Setback	50 ft. (min.)	Undetermined
Lot Coverage	15% (max.)	Undetermined
Impervious Surface Coverage	25% (max.)	Undetermined
Building Height	40 ft or 3 stories, whichever is less (max.)	Undetermined

**Variance required

The applicant has not submitted house plans for the R-1 residential lot, as they intend to sell the residential lot for construction of a home by a future owner. If the City Council approves the R-1 residential lot, a condition of approval could be added that the house plans be submitted by the future owner in order to confirm that the proposed house meets the zoning and subdivision ordinance requirements.

Parking Requirements

For auditorium, theater, and religious institutions, the zoning ordinance requires one space for each three permanent seat in the main assembly hall. The proposed sanctuary has a seating capacity of 116 people, so the zoning ordinance requires a minimum of 39 parking stalls. The proposed site plan provides a total of 67 parking

stalls, 15 in the upper parking lot and 52 in the lower parking lot. The zoning ordinance also requires additional parking if there are additional facilities provided in conjunction with the building or use. There are no other facilities within the building besides the church. The application meets the parking requirements outlined in the zoning ordinance.

Site Access and Internal Circulation.

The proposed site plan includes three access drives from Wayzata Blvd E. The two access drives on in front of the building would provide access to the pick-up/drop-off area in front of the building and to the upper parking lot. The pick-up/drop-off area is designed as a one-way access drive. The westerly access drive would be an entrance and the center access drive would be an exit. The third access drive would be an entrance and exit to the lower parking lot. The number and size of the access drives meet the zoning ordinance requirements.

Design Review

The project is subject to the Design Standards for "All Districts" as it is not located in a specific design district. A Design Review Critique of the proposal is included as Attachment H. The applicant is requesting two deviations from the design standards. The first requested deviation is for the exterior building materials. The primary building material for the non-glass surfaces of the proposed building is prefinished metal panel and exterior insulating finish system (EIFS) in a stucco finish, which are not included as allowable primary building material. The applicant has requested a deviation from this standard, and has provided a written narrative outlining the reason for the proposed material deviations. The applicant is also requesting a deviation from Design Standards pertaining to the roof color. The Design Standards require that a flat roof shall consist of a dark color. The applicant is proposing a light colored membrane for the flat roof of the building.

The Design Standards include the following factors for considering deviations from Design Standards:

1. The extent to which the project advances specific policies and provisions of the City's Comprehensive Plan.
2. The extent to which the deviation permits greater conformity with other Standards, policies behind the Standards, or with other Zoning Ordinance standards.
3. The positive effect of the project on the area in which the project is proposed.
4. The alleviation of an undue burden, taking into account current leasing, housing and commercial conditions.
5. The accommodation of future possible uses contemplated by the Design Standards, the Zoning Ordinance or the Comprehensive Plan.

6. A national, state or local historic designation.
7. The project is the remodeling of an existing building which largely otherwise conforms to the Design Standards.

Stormwater Management

Stormwater runoff from the building and hardsurface parking lot areas would be directed to three separate infiltration basins on the site. The infiltration basins are located on the front of the property between the parking lots, on the south side of the parking lots, and on the east side of the lot.

Tree Inventory

The applicant has completed a tree inventory for the property, and has submitted a tree removal plan for the application. The tree inventory is based on the City's draft tree preservation ordinance. There are a total of 195 trees on the property, of which 20 are considered heritage trees in the draft ordinance. The proposed project would remove a total of 64 trees, 5 heritage trees and 59 significant trees. The proposed plan would remove 33 percent of the number of trees on the site, and also 32 percent of the total caliper inches of trees on the site.

Section 4. Revised Plans

After the Planning Commission review, the applicant submitted revised plans for the project. The revised plans include the following changes:

- Parking Lot: The eastern spur of the parking lot has been changed to future parking, and the stalls have been relocated within the eastern parking lot. Three of the stalls would be relocated to the location of the previous drive-aisle which provided access to the eastern spur, and six additional stalls have been added by expanding the eastern parking lot further to the south. The expanded parking lot would continue to meet the wetland setback requirements from the new delineated wetland edge.
- Exterior Building Materials: A portion of the building exterior, which was previously comprised of the metal shingles, has been revised to an exterior insulating finish system (EIFS) in a stucco finish. The exterior of the sanctuary space is still proposed to be metal shingles. The revised building material, EIFS, would still not meet the Design Standards, and continues to require a deviation.
- Mechanical Equipment Screening: The screening wall for the roof-top mounted HVAC equipment has been revised from a perforated metal panel around the edge of the building façade, to a solid, painted steel enclosure around the equipment.

Section 5. Planning Commission Review

Planning Commission Discussion

The Planning Commission held a public hearing on March 21, 2016, and reviewed the development application at its meetings on March 21st, April 4th, and April 18th. The meeting minutes from the Planning Commission are included as Attachment F. The Planning Commission requested additional information pertaining to the following items:

- Phase 1 Environmental Report: The applicant has submitted a copy of the Environmental Site Assessment (ESA) that was completed in March 2014 for the properties. The ESA found that there were no Recognized Environmental Conditions (REC) identified on the site, and determined that no additional investigations of the site are necessary. A copy of the ESA is provided on Attachment C.
- Grading balance calculations: The applicant has provided cut and fill balancing information for the proposed grading plan. The applicant estimates that there would be 1,250 cubic yards of soil exported from the site, 1,900 cubic yards of sand imported to the site, and 700 cubic yards of rain garden soils imported.
- Exterior lighting hours of operation: The applicant's letter provides additional information related to exterior lighting. The letter states that the congregation plans to limit their lighting usage and work within the code requirements to use exterior lighting for safety and security purposes. The applicant did not provide specific hours of operation for exterior lighting.

The City Code does not provide specific requirements for hours of operation for parking lot lighting. As a PUD application, the City Council has the discretion to include conditions of approval that mitigate impacts on surrounding properties. The Planning Commission Report and Recommendation includes a condition of approval for exterior lighting that would address exterior lighting for parking lots and signage.

- Lighting of exterior signage: The revised plans submitted by the applicant indicate that the monument sign along Wayzata Boulevard East would be externally lit with full cutoff ground fixtures. The UUCM building sign is designed to be opaque letters on a perforated metal screen that would be lit from behind, commonly known as halo lighting. The City's sign ordinance requires that artificially illuminated signs must be shielded to prevent lights from being directed at oncoming traffic or interfere with or obscure an official traffic sign. In addition, the City's design standards state that only the text and/or logo portion of a sign may be illuminated. City staff finds that the proposed lighting of the exterior signs would meet the requirements of the sign ordinance and design standards. The sign ordinance requires that all artificially illuminated signs in non-residential districts adjacent to a residential district must be turned off at the close of

business or by 10:00 p.m., whichever occurs later. The Planning Commission Report and Recommendation includes this as a condition of approval.

- Visibility of the flat roof from surrounding properties: The applicant has provided a cross-section drawing that shows the roof elevation of the church and the elevation of the homes along Holdridge Road West. The applicant also provided additional information on the environmental benefits of light-colored roofs.
- Tree preservation plan: The applicant has updated the tree preservation plan based on the comments by the city's consulting arborists. Based on the revised plan, up to 65 trees would be removed for the proposed project.
- Screening: The previous landscape plan included landscaping along the east and north sides of the parking lots. The applicant has submitted a revised landscape plan which includes Black Hill Spruce trees along the east side of the parking lot, and adds shrubs along the south edge of the east parking lot.
- Parking lot setback requirements: The minimum setback for a parking lot from all property lines is ten feet. The proposed parking lot would be 21 feet from the east property line and 16 feet from the north property line. The proposed parking lot meets the setback requirements.
- Traffic: The applicant has provided a copy of the traffic analysis that was completed by them in July 2008, which is included as Attachment C.

Planning Commission Report and Recommendation

On April 18, 2016, the Planning Commission voted four (4) in favor and one (1) opposed to adopted the Planning Commission Report and Recommendation, included as Attachment G, with the following recommendation:

- Approval of the Design Review, including:
 - o Denial of the requested Design Standards Deviation for the primary exterior building material,
 - o Approval of the requested Design Standards Deviations or the roof color based on the finding that the negative impact of the roof color, which would not be visible from most vantage points, would be outweighed by the overall positive effect of the project on the area in which it is proposed, and greater conformity with the policies behind the Design Standards as they relate to green roof and environmentally sensitive design, subject to further data supporting such findings.

- Approval of the PUD Amendment for the revised site plan, subject to the conditions discussed, including additional language for landscape, security, and safety lighting;
- Approval of the Preliminary Plat Subdivision creating a new PUD lot and residential lot
- Approval of variances for lot depth and minimum lot size
- Approval of rezoning to PUD/Planned Unit Development and R-1/Low Density Single Family Residential
- Approval of the Comprehensive Plan Amendment to designate Parcel B to Institutional/Public and One-Acre Single Family

The Planning Commission Report and Recommendation includes the following conditions of approval:

- The Project must be constructed in compliance with the Architectural Plans dated March 31, 2016 and Civil Engineering Plans dated March 30, 2016.
- The one-way drive lanes in front of the building must a minimum of 18 feet in width.
- All exterior lighting, including parking lot lighting and artificially illuminated signs, must be turned off at the close of business or by 10:00 p.m., whichever occurs later. This condition does not apply to exterior lighting that is used exclusively for safety and security purposes.
- The wetland delineation report must be reviewed and confirmed by the City Engineer prior to issuance of a building permit for construction of the project. The parking lot and all site improvements must meet the setback requirements from the wetland boundary, as confirmed by the City Engineer.
- [P]rior to submitting a building permit application to the City for construction of a new house on the residential lot, the owner of the lot must submit preliminary house plans for review and approval by the Planning Commission and City Council for compliance with the Wayzata Subdivision and Zoning Ordinances.

Section 6. Public Comments

City staff has received two comments submitted by members of the community. The

public comments are included as Attachment E.

Section 7. Applicable Code Provisions for Review

7.1 Design Standards City Code §801.09: The design standards set forth in this Section 9 of the Wayzata City Zoning Ordinance are referred to collectively as the “Design Standards” or the “Standards”. The purpose of the Design Standards is to shape the City’s physical form and to promote the quality, character and compatibility of new development in the City. The Standards function to:

1. To guide the expansion and renovation of existing structures and the construction of new buildings and parking, within the commercial districts of the City;
2. To assist the City in reviewing development proposals;
3. To improve the City’s public spaces including its streets, sidewalks, walkways, streetscape, and landscape treatments.

7.2 Preliminary Plat Criteria (Section 805.14.E): The Planning Commission shall consider possible adverse effects of the preliminary plat. Its judgment shall be based upon, but not limited to, the following factors:

1. The proposed subdivision or lot combination shall be consistent with the Wayzata Comprehensive Plan.
2. Building pads that result from a subdivision or lot combination shall preserve sensitive areas such as lakes, streams, wetlands, wildlife habitat, trees and vegetation, scenic points, historical locations, or similar community assets.
3. Building pads that result from subdivision or lot combination shall be selected and located with respect to natural topography to minimize filing or grading.
4. Existing stands of significant trees shall be retained where possible. Building pads that result from a subdivision or lot combination shall be sensitively integrated into existing trees.
5. The creation of a lot or lots shall not adversely impact the scale, pattern or character of the City, its neighborhoods, or its commercial areas.
6. The design of a lot, the building pad, and the site layout shall respond to and be reflective of the surrounding lots and neighborhood character.
7. The lot size that results from a subdivision or lot combination shall not be dissimilar from adjacent lots or lots found in the surrounding neighborhood or commercial area.

8. The architectural appearance, scale, mass, construction materials, proportion and scale of roof line and functional plan of a building proposed on a lot to be divided or combined shall be similar to the characteristics and quality of existing development in the City, a neighborhood or commercial area.
 9. The design, scale and massing of buildings proposed on a subdivided or combined lot shall be subject to the architectural guidelines and criteria for the Downtown Architectural District, Commercial and Institutional Architectural Districts, and Residential Architectural Districts and the Design Review Board/City Council review process outline in Section 9 of the Wayzata Zoning Ordinance.
 10. The proposed lot layout and building pads shall conform with all performance standards contained herein.
 11. The proposed subdivision or lot combination shall not tend to or actually depreciate the values of neighboring properties in the area in which the subdivision or lot combination is proposed.
 12. The proposed subdivision or lot combination shall be accommodated with existing public services, primarily related to transportation and utility systems, and will not overburden the City's service capacity.
- 7.3 Premature Subdivision (Sections 805.16-18): The Subdivision Ordinance requires the City Council to deny any preliminary plat of a proposed subdivision deemed premature for development. Section 805.16. The burden is on the applicant to show that the proposed subdivision is not premature. Section 805.18. Under Section 805.17 of the Subdivision Ordinance, a subdivision may be deemed premature should any of the conditions listed in Section 805.17 exist, including inadequate drainage, inadequate water supply, inadequate roads, inadequate waste disposal systems, and inconsistency with the Comprehensive Plan, in ability to provide public improvements, and MEQB policies.
- 7.4 Amendment of a PUD Permit (Section 801.33.9): Any deviation or modification from the terms or conditions of an approved PUD permit or any alteration in a project for which a PUD permit has been approved shall require an amendment of the original permit. The same application and hearing procedure for an amendment of a PUD permit shall be followed as was followed with respect to the applicant's Concept Plan, as outlined in Section 801.33.5.
- 7.5 Purpose of PUDs. Section 801.33 of the Zoning Ordinance provides for the establishment of Planned Unit Developments to allow greater flexibility in the development of neighborhoods and/or non-residential areas by incorporating design modifications as part of a PUD conditional use permit or a mixture of uses when applied to a PUD District. The PUD process, by allowing deviation from the

strict provisions of the Zoning Ordinance related to setbacks, lot area, width and depth, yards, etc., is intended to encourage:

- A. Innovations in development to the end that the growing demands for all styles of economic expansion may be met by greater variety in type, design, and placement of structures and by the conservation and more efficient use of land in such developments.
- B. Higher standards of site and building design through the use of trained and experienced land planners, architects, landscape architects, and engineers.
- C. More convenience in location and design of development and service facilities.
- D. The preservation and enhancement of desirable site characteristics such as natural topography and geologic features and the prevention of soil erosion.
- E. A creative use of land and related physical development which allows a phased and orderly development and use pattern.
- F. An efficient use of land resulting in smaller networks of utilities and streets thereby lower development costs and public investments.
- G. A development pattern in harmony with the objectives of the Wayzata Comprehensive Plan. (PUD is not intended as a means to vary applicable planning and zoning principles.)
- H. A more desirable and creative environment than might be possible through the strict application on zoning and subdivision regulations of the City.

7.6 PUD General Standards. Section 801.33.2.A sets forth the general standards for review of a PUD application. These are:

- 1. Health Safety and Welfare. In reviewing the PUD application, the Council shall evaluate the effects of the proposed project upon the health, safety and welfare of residents of the community and the surrounding area.
- 2. Intent and Purpose of PUDs. In reviewing the PUD application, the Council shall evaluate the project's conformance with the overall intent and purpose of Section 33 of the Zoning Ordinance.
- 3. Ownership. Applicant/s must own all of the property to be included in the PUD.
- 4. Comprehensive Plan. The PUD project must be consistent with the City's Comprehensive Plan.

5. Sanitary Sewer Plan. The PUD project must be consistent with the City's Sanitary Sewer Plan.
 6. Common Space. The PUD project must provide common private or public open space and facilities at least sufficient enough to meet the minimum requirements established in the Comprehensive Plan, and contain provisions to assure the continued operation and maintenance of such.
 7. Density. The PUD project must meet the density standards agreed upon by the applicant and City, which must be consistent with the Comprehensive Plan.
 8. Utilities. All utilities associated with the PUD must be installed underground and meet the utility connection requirements of Section 801.33.2.A.10.
 9. Roadways. All roadways associated with the PUD must conform to the Design Standards and Wayzata Subdivision Regulations, unless otherwise approved by City Council.
 10. Landscaping. All landscaping associated with the PUD must be according to a detailed plan approved by the City Council. In assessing the plan, the City Council shall consider the natural features of the particular site, the architectural characteristics of the proposed structure and the overall scheme of the PUD plan.
 11. Setbacks. The front, rear and side yard restrictions on the periphery of the PUD shall be the same as imposed in the respective districts.
- 7.7 Concurrent PUD Plan – 801.33.5. In cases of single stage PUDs or for projects of limited size and scope, the applicant may, at the discretion of the Zoning Administrator, submit the General Plan of Development for the proposed PUD simultaneously with the submission of a Concept Plan. The applicant shall comply with all provisions of this section applicable to submission of General Plan of Development. The Planning Commission and City Council shall consider such plans simultaneously and shall grant or deny a General Plan of Development in accordance with the provisions of Section 801.33.6 hereof.
- 7.8 Zoning Ordinance Amendment: City Council has the discretion and authority under state law and City Code to amend the City's Zoning Ordinance. Minn. Stat. Section 462.357; Wayzata City Code Section 801.03. A zoning ordinance amendment may be initiated by the governing body, the planning agency or by petition of affected property owners. Minn. Stat. Section 462.357, Subd. 4

- 7.9 Amendments to Zoning Ordinance (Section 801.03.2.F): In considering a proposed amendment to the Zoning Ordinance, the Planning Commission and City Council shall consider the possible adverse effects of the proposed amendment. Its judgment shall be based upon (but not limited to) the following factors:
- A. The proposed action in relation to the specific policies and provisions of the official City Comprehensive Plan.
 - B. The proposed use's conformity with present and future land uses of the area.
 - C. The proposed use's conformity with all performance standards contained herein (i.e., parking, loading, noise, etc.).
 - D. The proposed use's effect on the area in which it is proposed.
 - E. The proposed use's impact upon property value in the area in which it is proposed.
 - F. Traffic generation by the proposed use in relation to capabilities of streets serving the property.
 - G. The proposed use's impact upon existing public services and facilities including parks, schools, streets, and utilities, and the City's service capacity.
- 7.10 Comprehensive Plan Amendment. The City's Planning Commission may recommend to the City Council an amendment to the City's comprehensive municipal plan. City Council may also propose amendments to Planning Commission by resolution submitted to the Planning Commission. Before adopting an amendment to the Plan, the Planning Commission must hold at least one public hearing on the proposed amendment. A notice of the time, place and purpose of the hearing must be published once in the official newspaper of the City at least ten days before the day of the hearing. A proposed amendment may not be acted upon by the City Council until it has received the recommendation of the Planning Commission or until 60 days have elapsed from the date an amendment proposed by the City Council has been submitted to the Planning Commission for its recommendation. The City Council may by resolution by a two-thirds vote of all of its members amend the City's comprehensive plan. Minn. Stat. Sec. 462.355, subd. 2 and 3.
- 7.11 Institutional Facilities – 2030 Comprehensive Plan Policies. The City of Wayzata has a number of schools, churches and other institutional uses in areas throughout the community. These institutions are viewed as a positive aspect of the community that serves the good of its residents. Many of these institutional uses are located in or adjacent to established residential neighborhoods. Institutional facilities create impacts and add activity to an area resulting in

parking or increased traffic that is not characteristic of residential neighborhoods. Wayzata needs to plan for facility expansion and potential redevelopment of institutional property to ensure proper preservation of land use compatibility, including:

- Accomplish transitions between differing types of land uses in an orderly fashion to minimize negative impacts on adjoining development.
- Establish sufficient setback requirements for new or expanding institutional development to assure adequate separation of differing land uses.
- Develop all institutional uses according to high levels of design, which are sensitive to the mass and scale of the existing surrounding neighborhood.
- Adequately screen, landscape and buffer institutional facilities to minimize the impact on surrounding uses and enhance the neighborhood and community in which they are located.

7.12 Variance Standards: Section 801.05.1.C provides the criteria for reviewing variances from the Zoning Ordinance. The Variance requested in the Application is a Setback Variance. The variance review criteria are as follows:

- A. Variances shall only be permitted when they are:
 - (i) in harmony with the general purposes and intent of this Ordinance; and
 - (ii) consistent with the Comprehensive Plan.
- B. Variances may be granted when the Applicant for the variance establishes that there are practical difficulties in complying with this Ordinance.
- C. "Practical difficulties," as used in connection with the granting of a variance, means that:
 - (i) the property owner's proposal for the property is reasonable but not permitted by this Ordinance;
 - (ii) the plight of the landowner is due to circumstances unique to the property, and not created by the landowner; and
 - (iii) the variance, if granted, will not alter the essential character of the locality.
- D. Economic considerations alone do not constitute practical difficulties. Practical difficulties include, but are not limited to, inadequate access to direct sunlight for solar energy systems.
- E. Variances shall be granted for earth sheltered construction as defined in Minnesota Statutes, section 216C.06, subdivision 14, when in harmony with this Ordinance.

- F. The City Council shall not permit as a variance any use that is not allowed under this Ordinance for property in the zoning district where the affected person's land is located, except the City Council may permit as a variance the temporary use of a one family dwelling as a two family dwelling.
- G. The City Council may impose conditions in the granting of variances. A condition must be directly related to and must bear a rough proportionality to the impact created by the variance.
- H. An application for a variance shall set forth reasons that the variance is justified under the criteria of this section in order to make reasonable use of the land, structure or building.

Section 8. Action Steps

After considering the items outlined in this report, the City Council should direct staff to prepare an Ordinance and Resolution, with appropriate findings, for review and adoption at the next City Council meeting.

Attachments

- Attachment A:
 - o Applicant's Letter dated February 29, 2016
 - o Applicant's Letter dated March 31, 2016
- Attachment B:
 - o Revised Plans
- Attachment C:
 - o Metal Panel Finish Information
 - o White Roof Documentation
 - o Exterior Lighting Information
 - o Phase 1 Environmental Site Assessment
 - o Traffic Analysis
- Attachment D: City Council 2013 Ordinance and Resolution
- Attachment E: Public Comments
- Attachment F:
 - o March 21, 2016 Planning Commission Meeting Minutes
 - o April 4, 2016 Planning Commission Meeting Minutes
 - o April 18, 2016 Draft Planning Commission Meeting Minutes
- Attachment G: Planning Commission Report and Recommendation
- Attachment H: Design Critique



February 29, 2016

Jeff:

Enclosed are the revised plans for the proposed Unitarian Universalist Church of Minnetonka (UUCM) at 2030 Wayzata Boulevard. These are intended to be reviewed for:

1. PUD amendment to the previously approved PUD.
2. Required site and building design review, including three deviations with the Wayzata design standards.
3. East outlot, previously owned by MnDOT, combination/subdivision.
4. Replat of east outlot. UUCM is requesting the western 100' of that unzoned outlot be combined with 2030 Wayzata Blvd. and zoned PUD, the eastern remainder to be zoned residential, either R-2A or R-1 (City's preference of the two). The Wayzata Comp Plan is guided for Estate Single Family Residential, which is defined as 0.5 - 1.0 units per acre density. R-2A fits that guidance; the majority of adjacent lots are R-1.
5. Comp Plan Amendment to update the guidance of the proposed two portions of the east outlot from "right-of-way" to PUD (institutional) and Estate Single Family Residential.

A couple additional items:

- Any notes on the tree inventory sheets are draft notes only, not proposals, as we are under the impression that the tree preservation ordinance is currently being drafted by the City and has not yet been adopted.
- The proposed parking layout is not a final proposal. We have designed the parking lot to, as much as possible, occupy existing disturbed areas of the site, avoid mature trees, enhance drainage, and leave areas best suited for retention and infiltration of storm water. It is well outside wetland boundaries established by a 2015 wetland determination. That determination has not been accepted by the City. While every other aspect of the site plan is outside of the wetland buffer established by a 2008 wetland determination (more restrictive than 2015), one area of our proposed parking lot is not. We will not be able to finalize the parking plan until spring when the City's wetland consultant can review the 2015 determination on site. If we need to update the parking plan at that time, we will either mitigate wetland and/or buffer disturbance or change the parking lot design in order to leave the wetland undisturbed.

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- The metal shingle siding is currently shown on the included renderings of the Sanctuary as a combination of three shades of white. We are deciding between that, and selecting just one white color. If metal shingles are approved, we will update the City with our color selection if it changes to solid white.

See following sheets for further narrative on specific zoning sections.

Best Regards,

A handwritten signature in black ink, appearing to read 'Wynne Yelland', with a large, stylized flourish at the end.

Wynne Yelland, V.P.
Locus Architecture, AIA, LEED BD+C

Deviations from Design Standards

Wayzata ordinance 801.09.21.1:

With the exception of Section 7 of the Design Standards, a deviation from any section of the Design Standards shall require a finding by the City Council (after considering the Planning Commission's recommendation) that the negative impact of such deviation is outweighed by one or more of the following factors:

- 1 The extent to which the project advances specific policies and provisions of the City's Comprehensive Plan.*
- 2 The extent to which the deviation permits greater conformity with other Standards, policies behind the Standards, or with other Zoning Ordinance standards.*
- 3 The positive effect of the project on the area in which the project is proposed.*
- 4 The alleviation of an undue burden, taking into account current leasing, housing and commercial conditions.*
- 5 The accommodation of future possible uses contemplated by the Design Standards, the Zoning Ordinance or the Comprehensive Plan.*
- 6 A national, state or local historic designation.*
- 7 The project is the remodeling of an existing building which largely otherwise conforms to the Design Standards.*

Note that 6 and 7 are not applicable.

General

The undue burden presented by I-394 hampers development for living, working, or worshipping at 2030 Wayzata Boulevard. We spent time on site collecting sound data, including the morning rush hour. Readings averaged about 80 dB, with some readings exceeding 90dB. 80dB compares to standing next to an alarm clock, garbage disposal, or food blender. We feel we need to mitigate this burden by constructing the exterior of the proposed church in such a way that occupants can expect quiet at a funeral service. We are deviating from Wayzata's design standards, mitigating and/or alleviating the noise created by the highway, while at the same time creating a building benefiting the City, the Holdridge neighborhood, and the members of the Unitarian Universalist Church of Minnetonka (UUCM).

Wayzata ordinance 801.09.3.1.B:

"Street level landscaped courtyards outdoor seating areas and gathering areas shall be incorporated into building and site plan design."

We are providing landscaped courtyards, outdoor seating areas, and gathering areas at the building (south side) where they are protected from interstate noise. We acknowledge the logic of providing these amenities at the sidewalk on Lake St. or Wayzata Blvd. in retail districts, but the interstate noise at this address, right at the street/sidewalk, is not conducive to conversing or sitting.

Wayzata ordinance 801.09.6.2.B:

"The roof material for all flat roofs in all districts shall be treated synthetic membrane or other similar material in dark colors."

We are proposing a treated synthetic material (TPO), a white (high albedo) membrane.

Cool, or light colored roofs, are a common energy-saving and heat-island reducing strategy (required by many municipalities). This is consistent with the "Sustainability" objective of the Wayzata Comp Plan and the congregation's desire to reduce their energy footprint.

Wayzata ordinance 801.09.7.1:

"No mechanical equipment for a building may be located on the roof deck..."

In order to reduce the impact of the highway noise burden, we propose a denser and better-insulated building envelope than otherwise necessitated by building code. These wall systems are intended to keep noise from the interior spaces where funerals are held and solitary prayer takes place. Mitigating sound outside, while being required to bring HVAC equipment noise inside, contradicts the mission of a church. This is another undue burden. We propose locating HVAC equipment on the roof to mitigate equipment noise. Highway noise will exceed the sound of rooftop equipment, thus rooftop equipment creates no additional burden for residents or pedestrians.

The design of the building integrates screening within the design scheme, such that we avoid "rooftop screening" directly around the equipment. The enclosures are part of an architectural whole, including lighting and signage. They also screen the elevator over-run. Equipment will not be visible from "adjacent properties and pedestrian view vantage points from adjacent sidewalks."

Wayzata ordinance 801.09.8.4:

"No less than thirty-five percent (35%) of ground level public facades for buildings containing commercial or office uses shall be transparent glass."

Windows do not provide suitable noise mitigation to address the noise burden created by the highway. The opacity of the north facade is a direct response to controlling noise from the interstate. The STC (Sound Transmission Class) of commercial glazing is roughly 30; the wall composite we are proposing is roughly 60. The glazing on the proposed north facade is shown at locations that can reasonably tolerate more noise, i.e., rooms other than the Sanctuary.

Wayzata ordinance 801.09.11.1.A, G & H:

"...ninety percent (90%) of the non-glass surfaces of each elevation of the exterior building facade shall be composed of one or more of the following materials" and "only the following materials may be used for lintels, sills, cornices, bases, and decorative accent trims, and must be no more than 10 percent (10%) of the non-glass surfaces of each elevation of the exterior building facade" and "only the following materials may be used for parapets, flashing and coping:"

The impact of the highway creates a burden on site which places undue stress on the construction of any proposed project. We have chosen precast concrete as our structural wall in order to mitigate sound. This is a tremendous investment for the church, exceeding "current leasing... and commercial conditions." We are proposing cladding the vast majority of those surfaces with a rain screen of painted metal shingles with an historic embossed pattern, creating an attractive, textured, sustainable, high-quality, and low-maintenance exterior, similar to the qualities of the five approved materials of the design standards. This cladding wraps the entire building. The simplicity of the design and the precast wall assembly necessary for sound mitigation do not lend themselves to detailing that is traditionally used in brick or stone wall construction like lintels, cornices, et cetera. We are proposing prefinished metal copings/fascia that are durable while amenable to the precast wall openings and a comprehensive material palette that uses prefinished metal panels extensively.

Wayzata ordinance 801.09.14.1.D

Streetscaping shall include all of the following:

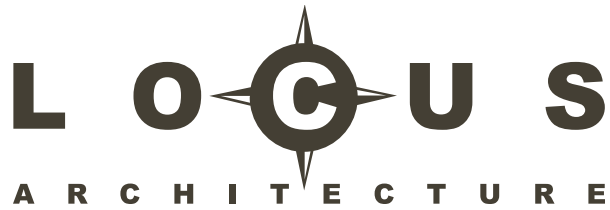
- 1. Boulevard species trees, with at least three (3) caliper inches.*
- 2. Exposed aggregate sidewalks with brick accents*
- 3. Street lights*
- 4. Benches (if building length is 50 feet or greater), which utilize existing city bench designs.*
- 5. Flowers*

There are no boulevards at 2030 Wayzata Blvd., and the front yard already has mature trees. Sidewalks already exist. Given the amount of ambient light from the interstate, street lights are unnecessary. Benches are addressed in our comments above to 801.09.3.1.B. Given the amount of shade and north facing slope, flowers will not thrive along Wayzata Blvd. We plan to landscape the northern edge of the property and think we've tried to comply with the City's landscaping requirements within the constraints of the site's solar access, proximity to a freeway, and existing vegetation.

Deviations from 2012 PUD Submittal

1. **Parking.** The proposed parking lot in 2016 is smaller (67 spots as opposed to 80) than the 2012 proposal, has changed configuration slightly and is split into two sections. The parking area is smaller due to the smaller seating capacity of the Sanctuary. The configuration is similar to one parking alternative submitted in 2012 (B), due to UUCM's inability to purchase the west MnDOT outlot. The parking design also changed to pave within existing open areas in order to save trees, including 3 heritage trees. The lot is split into two sections in order to avoid a steep connecting drive lane at the south end of the two parking spurs, avoid cutting down additional trees, and lessen the impact to the wetland. The main impact to adjacent residents is limited to the east side, Lot 10 and the northwestern corner of Lot 11. In 2012, the parking lot design was within 25' of the shared property line. Our current proposal is 21'-3" from the east/southeast property line. The home on Lot 10 is approximately 270' from the parking lot; the home on Lot 11 is more than 325' from the parking lot - both with dense woods in between.

2. Building size. The proposed building in 2016 has a footprint of 5,500 square feet, as opposed to the 2012 proposal which was 8,500 square feet. It is very close to the original siting of the 2012 building.
3. Driveways/curb cuts. In 2012, we proposed two. The current site plan proposes three. Wayzata zoning ordinance section 801.20.9.E states property owners may have 1 driveway access for each 125' of street frontage as long as they are separated by 40'. We have enough street frontage for three. We have more curb cuts as we are proposing a second drive at the west parking lot to facilitate emergency vehicles being able to drive through and to facilitate easy entering/exiting for elderly people and those with mobility disabilities. We did not connect the east and west lots on site due to the severe grade that would be required to connect them, in addition to the impact it would create on the wetland and/or additional trees.



March 31, 2016

Madame Chair Iverson & Members of the Wayzata Planning Commission:

Please find our written response to the March 21, 2016 hearing of the Wayzata Planning Commission regarding the Unitarian Universalist Church of Minnetonka's submittal for the design and construction of a church at 2030 East Wayzata Boulevard.

Rezoning

The requested rezoning is mutually beneficial for the church, the Holdridge neighborhood and the city of Wayzata. By splitting the lot, the lower, west portion included in the church property, places more of the parking along Wayzata Boulevard rather than deeper into the south end of the lot and closer to more residences. A residential use for the upper portion provides an added residential buffer between the church and the neighborhood. The city of Wayzata will benefit by having this property on the tax base.

There was some discussion about the impact of construction of a new house on the east outlot. The lot was once used for residential purposes, it has been guided for residential use in the past, and the surrounding neighborhood is residential. If UUCM had not sought to acquire part of the lot for subdivision, we see no other likely use than a) the lot returned to residential use if sold or b) it continued to be land designated as right-of-way. 14 of 42 nearby properties are non-compliant to the 40,000 s.f. requirement. It seems punitive to deny a residential zoning. If it doesn't meet R-1 standards, and the City is disinclined to create a non-compliant lot, R-2 zoning would make the lot compliant.

We don't dispute there will be an impact, but the excavation disturbance required to build a house on that lot would not be different from the disturbance on any other residential lot. The residence would be accessed from Holdridge Lane, not Wayzata Blvd., so the lot would not need to be "dug out", as suggested by some neighbors, to provide access from below. There is a wooded western facing slope that would most likely remain both sloped and wooded. There is an open flat space at the top of the site that would be a natural and obvious building pad.

Directly north of this building pad, there is a 8-10' concrete retaining wall which separates Wayzata Blvd. (below, to the north) from the former outlot. This is providing the majority of the sound reduction from the highway to Holdridge Lane's properties, not the site's trees (see below).

Trees & Site

There were some errors in our submitted documentation regarding trees, which we pointed out during the hearing. The staff report noted we plan to remove 57 trees. Based on the Forester's comments, that number should be 63 for certain, and possibly as high as 65 (based on confirmation of the Forester's assumptions).

One of the neighbors inaccurately stated we intended to cut "hundreds of trees." In addition, a member of the Planning Commission inaccurately noted the documentation stated 194 trees were to be cut down. We want to be clear these assertions are false. The accurate number of trees to be cut down is, at most, 65.

We acknowledge trees can be a component of a noise barrier strategy. However, there are facts regarding trees as noise barriers worth noting. Trees are more effective the closer they are placed to the source of the sound. Trees between Wayzata Blvd. and Hwy. 12 would be more effective than trees on the 2030 Wayzata Blvd. site. Mature trees block sound less effectively than younger ones (due to the relative lack of understory), so the removal of taller trees has little impact on noise transmission, while new evergreens can be planted to better noise-blocking effect. Thick "belts" of trees work best. This would be hard to achieve on site as we have a great deal of shade blocking light to shorter trees, and a wetland not to be disturbed. Trees planted at the midway point between source and receiver are least effective to noise transmission. Thus, any trees planted on the site will have the least possible impact to residential neighbors in terms of noise reduction. Trees close to the source, or secondly, close to the receiver, would be most advantageous (i.e., not on the 2030 Wayzata Blvd. property).

One of the neighbors suggested the adjacent wetland was one of the last untouched natural sites in Wayzata. City Engineer Mike Kelly, the person with the most knowledge of that particular wetland, does not agree. In a meeting earlier this year, he stated that wetland was one of the lower quality wetlands within City limits.

Lighting

As a sustainably minded congregation and good steward of the greater Wayzata community, the congregation plans to limit their lighting usage and work within the code requirements to use exterior lighting for safety and security purposes. UUCM is committed to conserving energy, not consuming more of it.

The monument sign at the road is noted as being "externally lit with full cutoff ground fixtures", not backlit. The UUCM sign at the building is designed to be opaque letters on a perforated metal screen. We proposed the screen to be lit from behind, away from the neighborhood, such that the letters are in shadow - not lit in the sense of a backlit plastic sign.

We have seen no documentation that our proposed LED lighting has been shown to "cause cancer" as one neighbor suggested.

White Roof

As a sustainably minded congregation and good steward of the greater Wayzata community, UUCM feels the white roof is the best option to minimize energy consumption and aligns most clearly with the religious beliefs of the congregation and the comprehensive plan of Wayzata.

If a white roof provided a negative impact to a neighbor, the congregation would select a different roof color. The resident from Lot 14 (on the survey) stated he'd be able to see the roof of the lower portion of the building from his living room. With all due respect to his research, we dispute his findings. The site contours suggest a different outcome (see attached drawing). We acknowledge it is possible the roof might be visible, at a very shallow angle, through 400' of dense woods, from the not-yet-existent second floor of a home at that address. Of the 12 homes surrounding the 2030 Wayzata Blvd. parcel, there is one 1-1/2 story and one partial second story that may, theoretically, be able to see some of the low roof in some daylight conditions, during winter months, though 400' + of wooded area. During these months, the roof will likely be covered a majority of the time with snow, which is white.

White Metal Shingles / Building Design

As a sustainably minded congregation and good steward of the greater Wayzata community, UUCM feels the aesthetic quality, recyclability and durability of the proposed shingle best aligns with their religious beliefs. The proposed shingles are substantially similar to painted wood shingles and are in harmony with the general purposes and intent of the governing ordinance. It's our belief that from a distance of 100' or greater, the aesthetic quality of painted wood shingles and the proposed painted steel shingles is indistinguishable. Painted steel shingles are, however, superior to painted wood shingles in their durability and will positively enhance the aesthetic quality of the neighborhood since they will not chip, peel or degrade over time.

Color is not guided by the Wayzata zoning ordinance, so the discussion of the church's color is not explored here other than to state that all five of the approved materials could be used in white, light, or off white shades.

Screening

Screening trees/shrubs along the east and north sides of the parking lots were included in the previous submittal. We are proposing two additions/changes to the plan. The trees along the east parking lot are being changed from Summer Snow Hemlock to Black Hills Spruce. Shrubs have been added to the south end of the east parking lot.

Cut & Fill Balancing

Our current paving subcontractor estimates there will be 1,250 cubic yards of soil exported, 1,900 cubic yards of sand imported (suitable drainage backfill), 700 cubic yards of rain garden soils imported, and 900 tons of Class-5 base gravel brought in for parking lot base.

In summary, we understand many of the neighbors who spoke against the project have personal reasons to oppose the project. That's understandable and part of the civic process. However, we feel we have been unnecessarily asked to respond to exaggerated and frivolous assertions that don't stand up to facts, don't stand up to the intent of the zoning code and don't fully consider the project and the site's conditions.

Sincerely yours,

A handwritten signature in blue ink, appearing to read 'Wynne G. Yelland', with a large, stylized 'Q' at the end.

Wynne G. Yelland, AIA, LEED BD+C
Locus Architecture, Ltd.



1 FROM SOUTHEAST



2 FROM NORTHWEST

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UNITARIAN
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CHURCH OF
MINNETONKA

CONSULTANTS

5/12/16
NOT FOR
CONSTRUCTION

01/29/2016	PUD SUBMITTAL	
02/29/2016	PUD RESUBMIT	
03/31/2016	PC - RESPONSE	
04/14/2016	PROGRESS SET	
05/12/2016	CITY COUNCIL MTG	
MARK	DATE	DESCRIPTION
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SHEET TITLE		

PERSPECTIVES

A-003

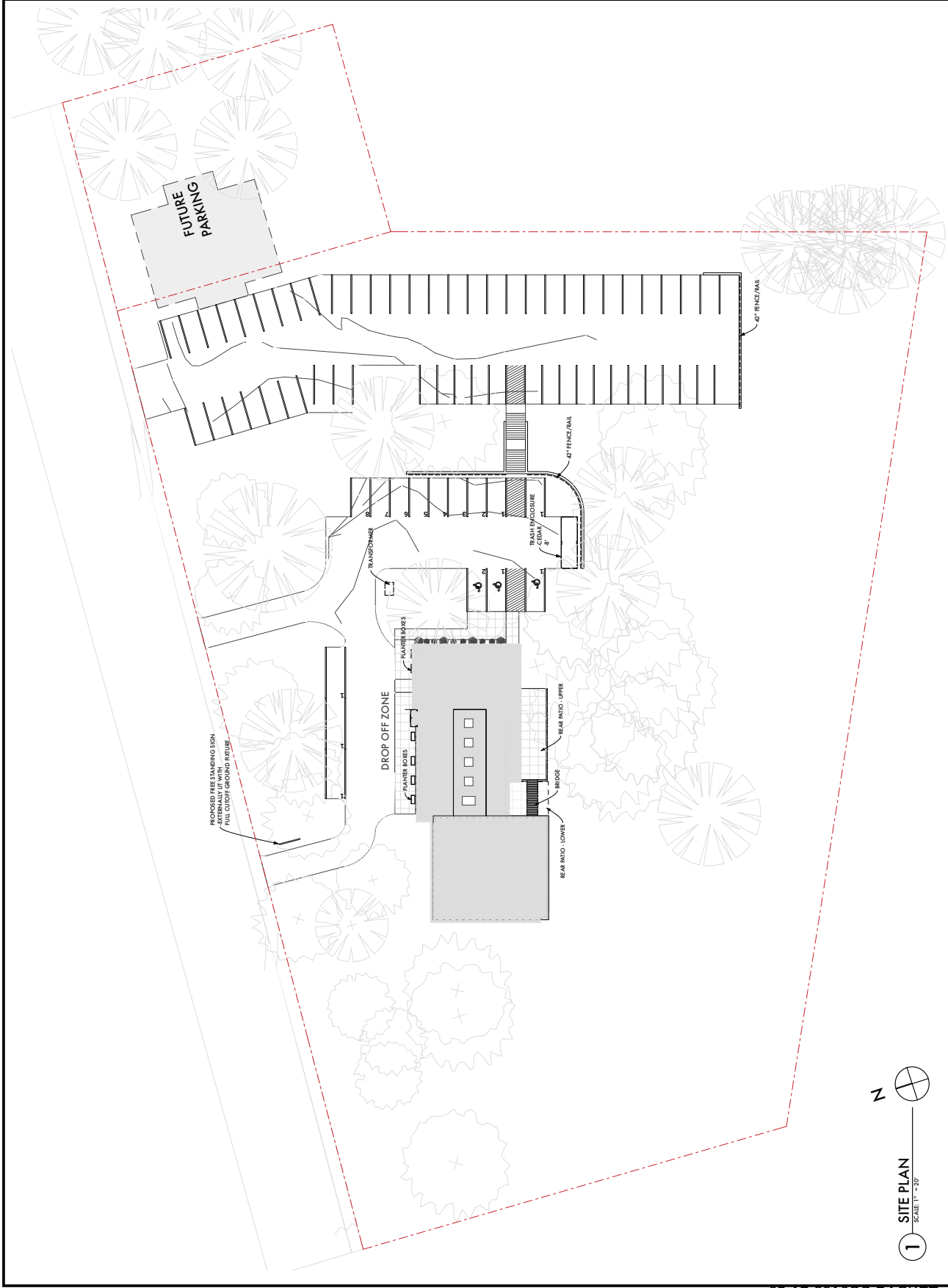
**5/12/16
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CONSTRUCTION**

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02/29/2016	PUD RESUBMIT
03/31/2016	PC RESPONSE
04/29/2016	PROGRESS SET
05/12/2016	CITY COUNCIL #10

MARK	DATE	DESCRIPTION
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SHEET TITLE		

**ARCHITECTURAL SITE
PLAN**

A-S



1 SITE PLAN
SCALE: 1" = 20'

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CHURCH OF
MINNETONKA

CONSULTANTS

05/12/2016
NOT FOR
CONSTRUCTION

[illegible]

CONTEXT

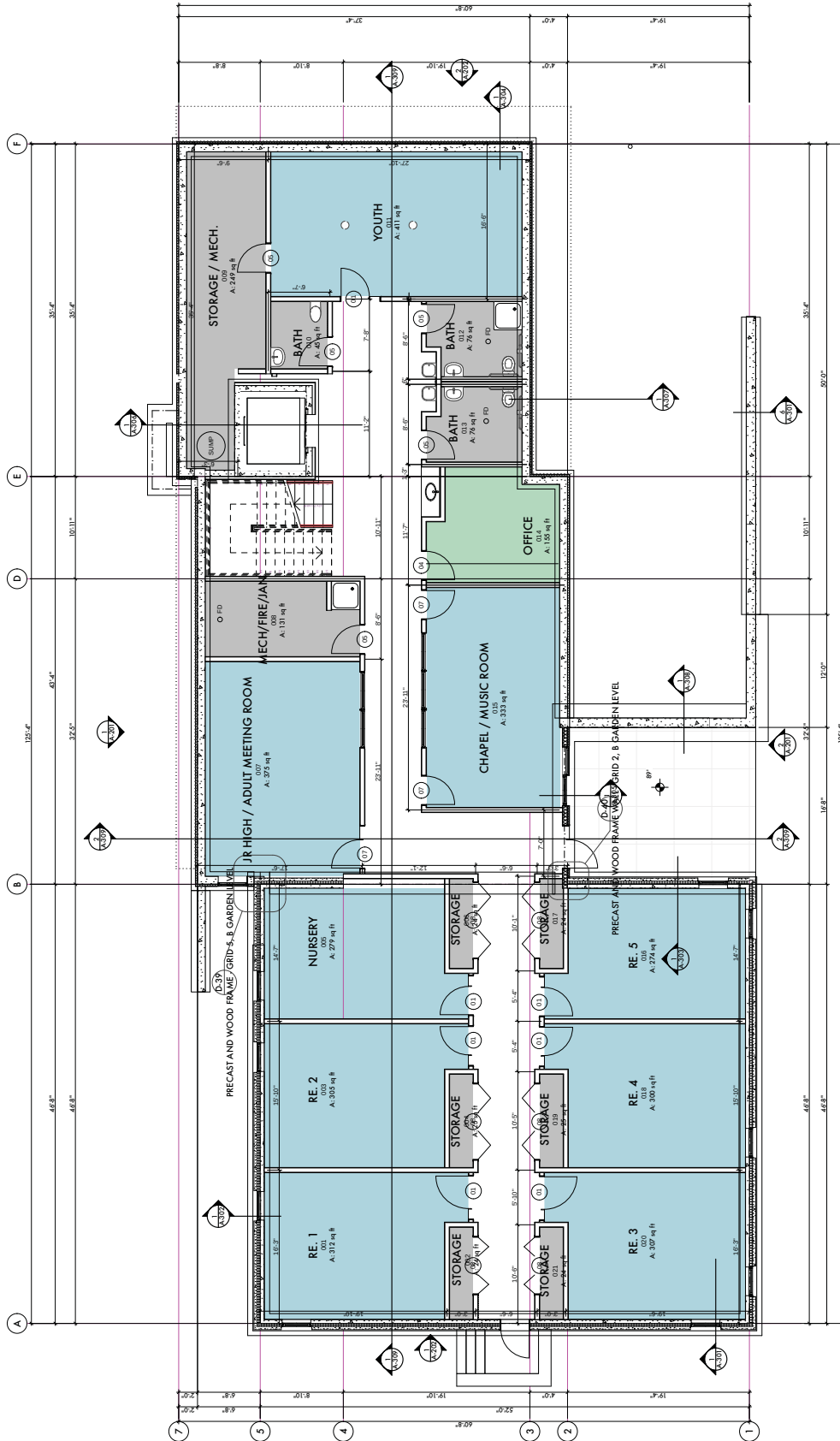
A-S.1



1 CONTEXT
SCALE: 1" = 40'

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02/29/2016	PIU RESPONSE
03/31/2016	PC RESPONSE
04/01/2016	PROGRESS SET
05/12/2016	CITY COUNCIL MFG

MARK	DATE	DESCRIPTION
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SHEET TITLE		



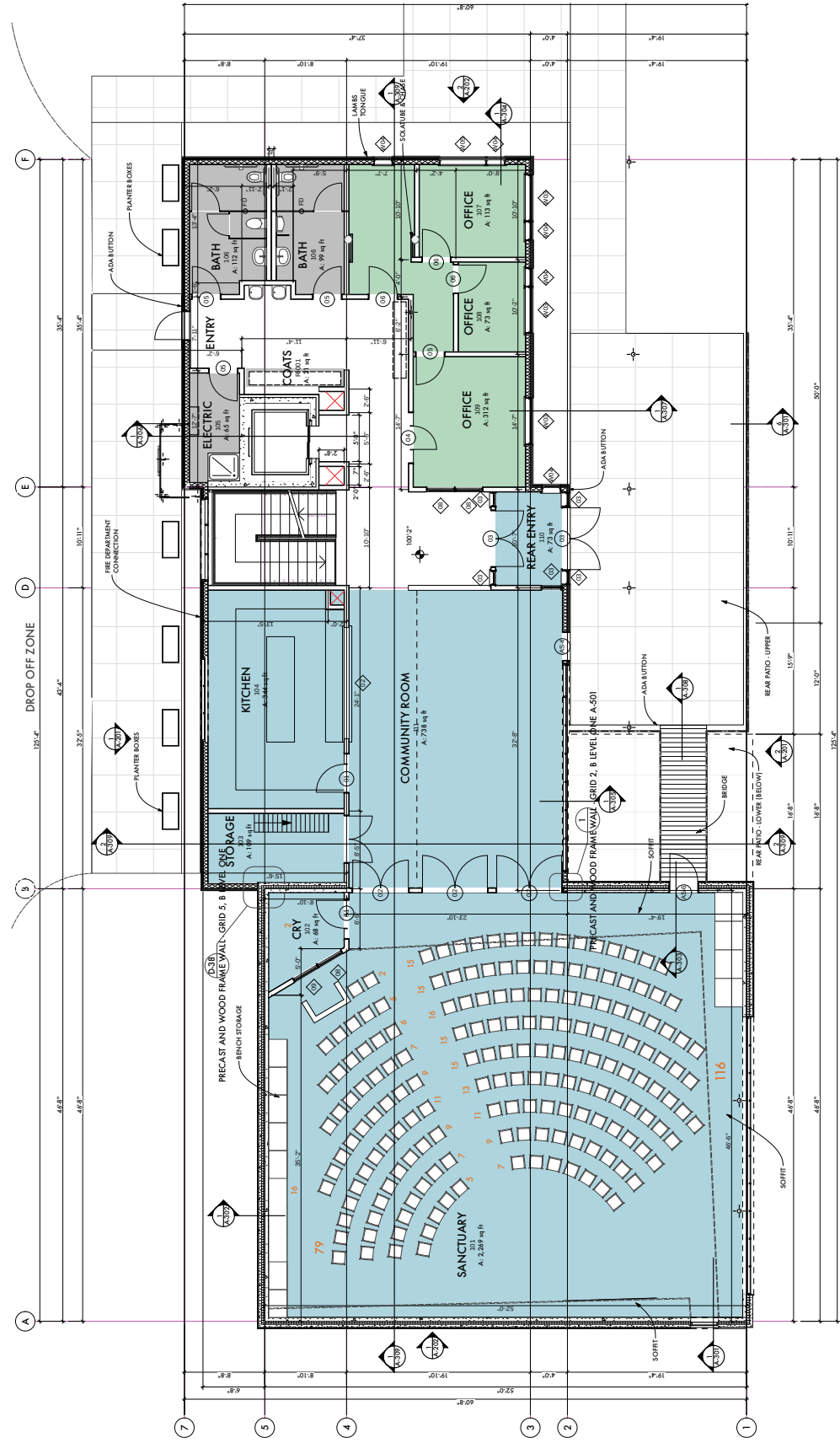
PLAN NORTH



1 GARDEN LEVEL PLAN

SCALE 3/16" = 1'-0"

MARK	DATE	DESCRIPTION
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02/29/2016		PUD RESUBMIT
03/31/2016		PC RESPONSE
04/29/2016		PROGRESS SET
05/12/2016		CITY COUNCIL #10
COPYRIGHT	DATE	DESCRIPTION
2016	Loous Architecture, Ltd.	
SHEET TITLE	FIRST FLOOR PLAN	



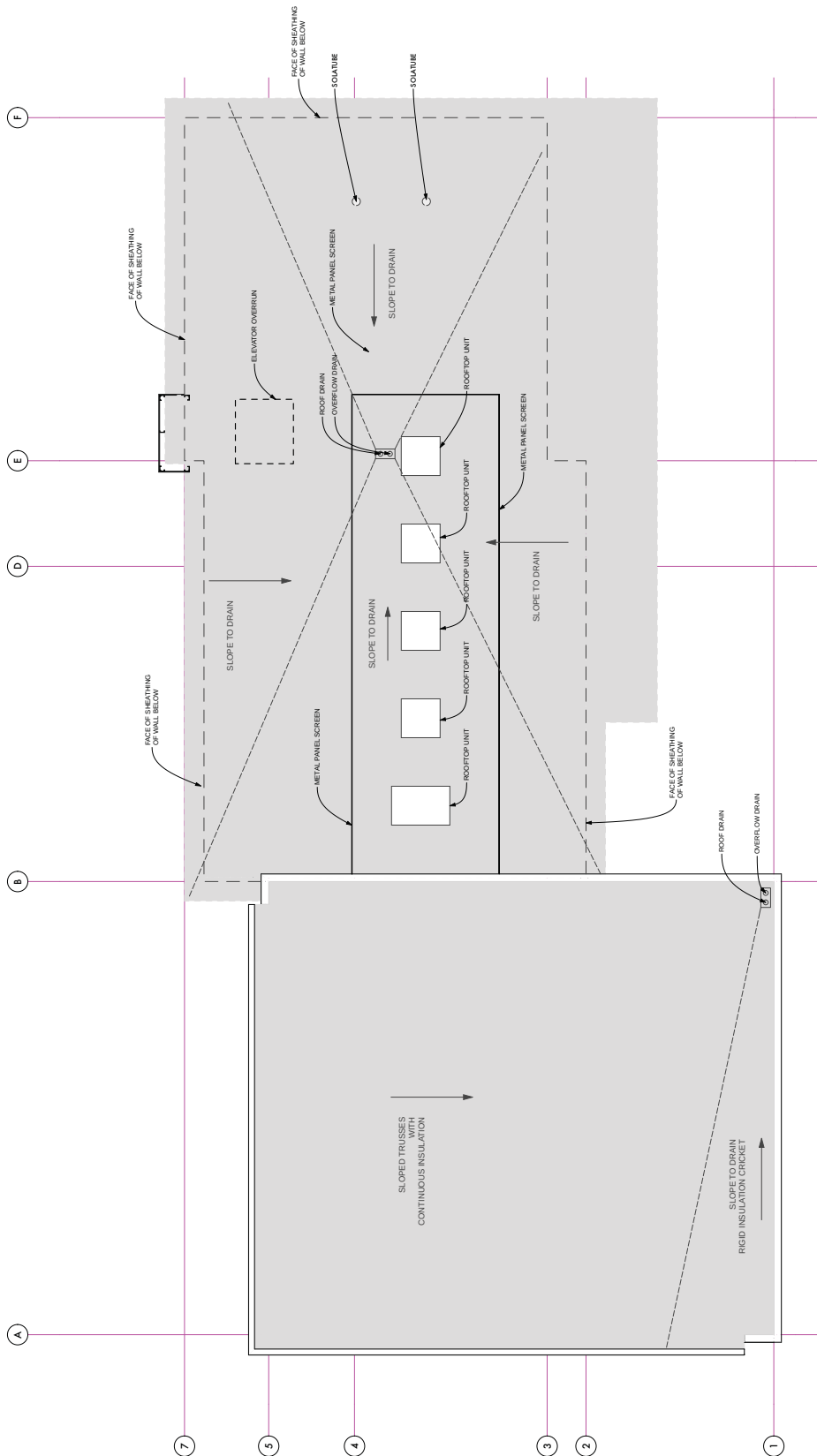
PLAN NORTH
⊕

1 1st FLOOR PLAN
SCALE 3/16" = 1'-0"

01/29/2016	PIUD SUBMITTAL
02/29/2016	PIUD RESUBMIT
03/31/2016	PC RESPONSE
04/27/2016	PROGRESS SET
05/12/2016	CITY COUNCIL #10

MARK	DATE	DESCRIPTION
COPYRIGHT	2016 Locus Architecture, Ltd.	
SHEET TITLE		

PLAN NORTH



3 ROOF PLAN
SCALE: 3/16" = 1'-0"

WEST ELEVATION:
GLAZING CALCULATIONS
LEVEL 1 AND ABOVE:

1551 SF = TOTAL

47 SF = GLASS

3% = GLASS

LOWER LEVEL:

674 SF = TOTAL

28 SF = GLASS

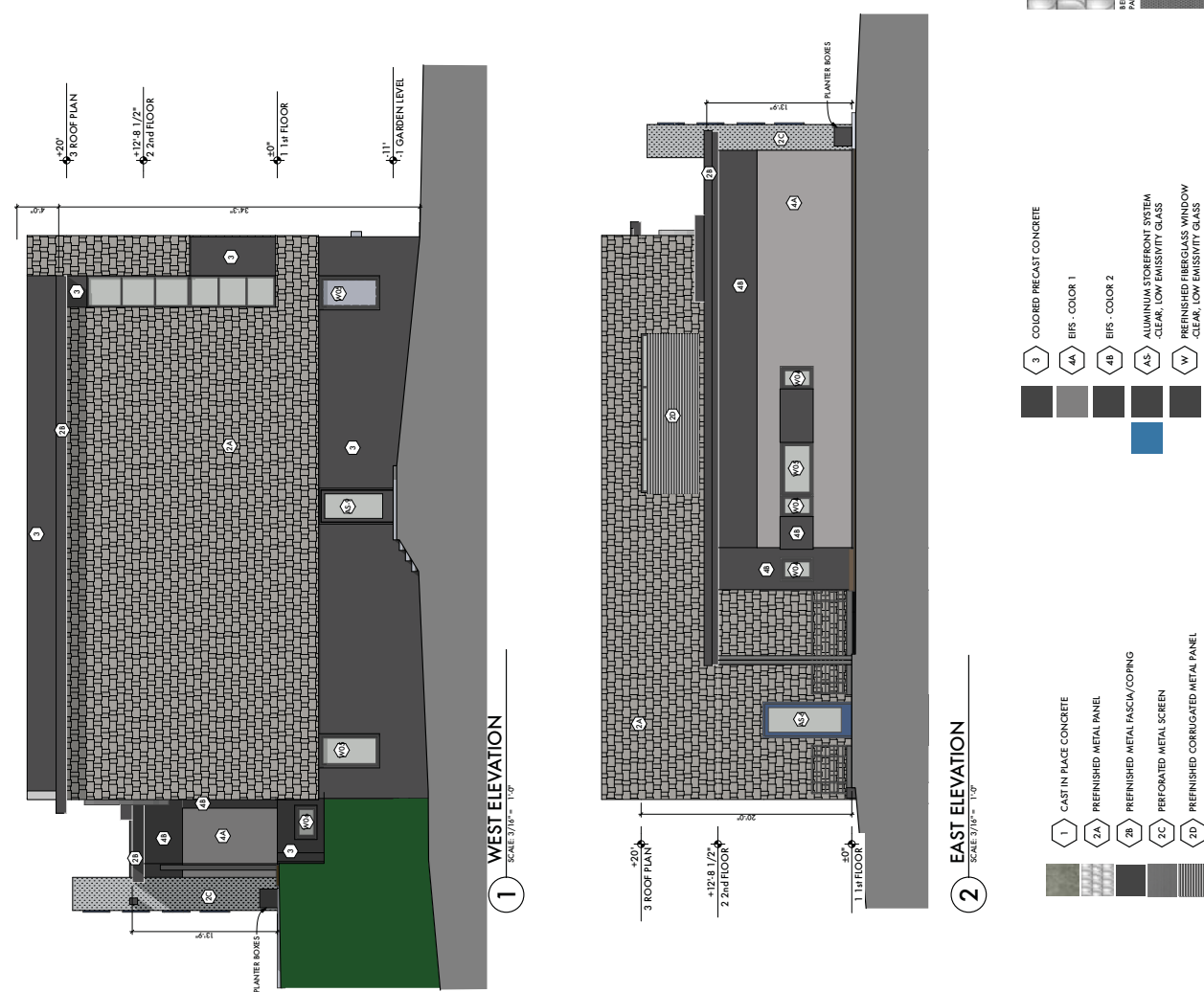
4% = GLASS

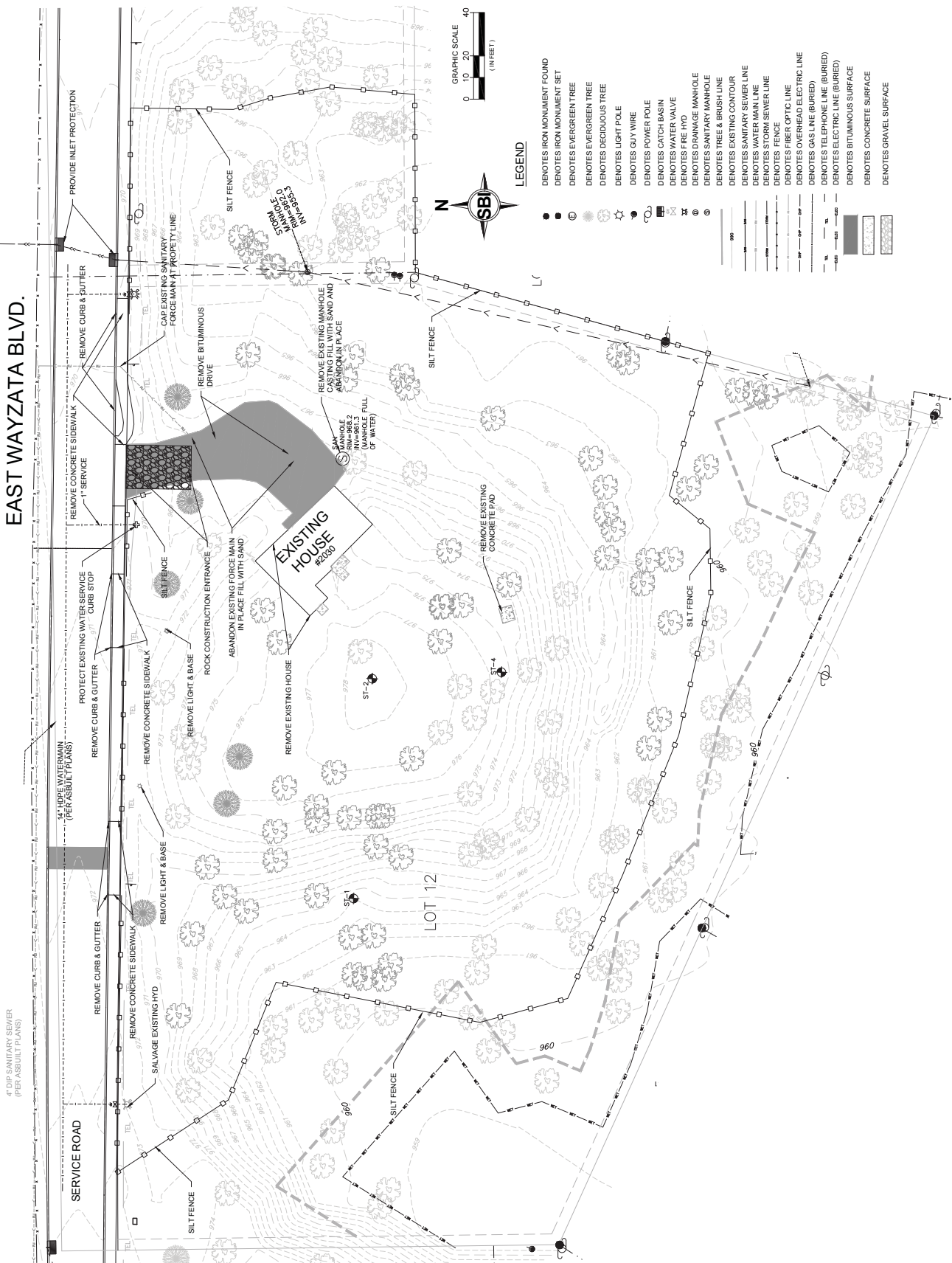
EAST ELEVATION:
GLAZING CALCULATIONS
LEVEL 1 AND ABOVE:

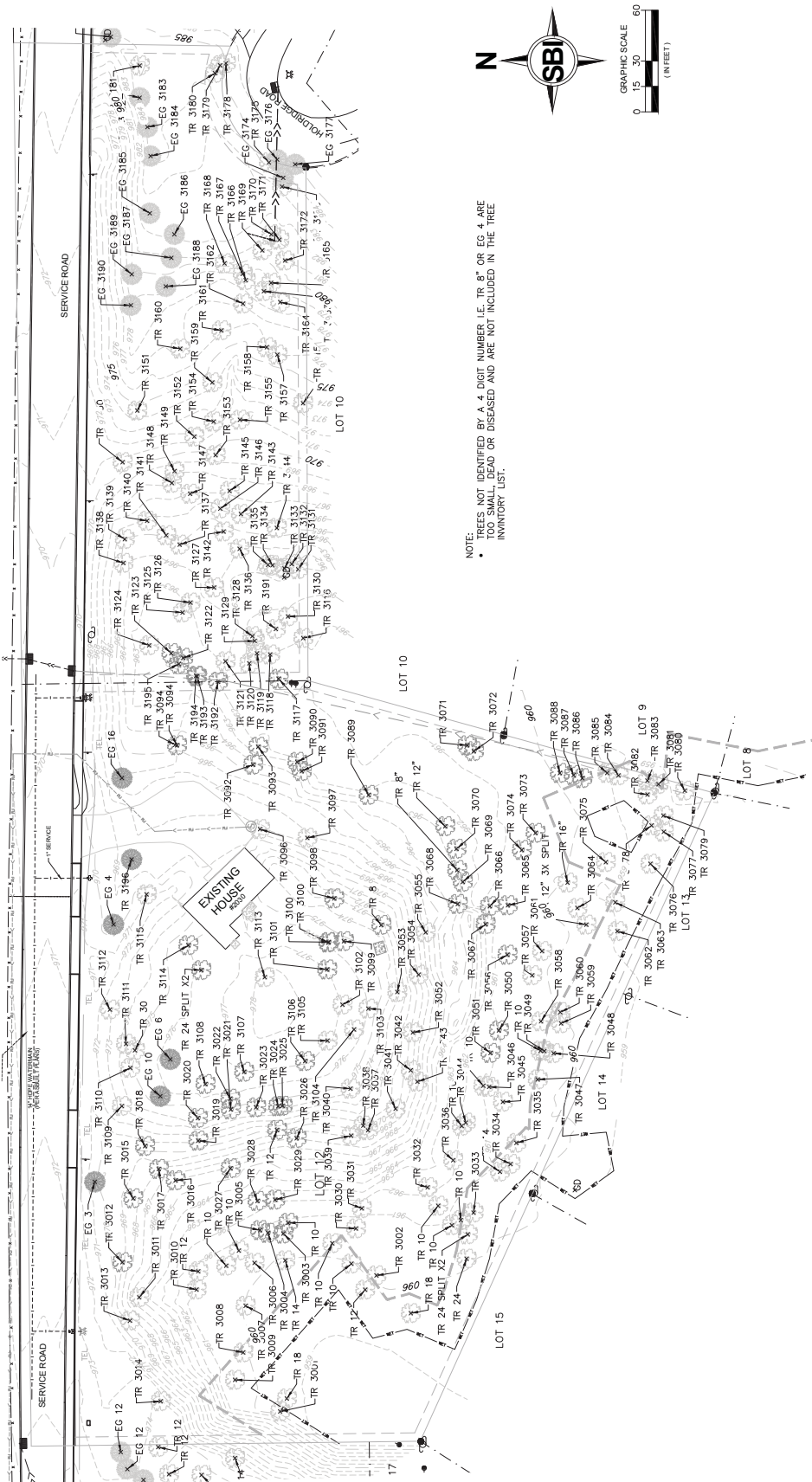
1551 SF = TOTAL

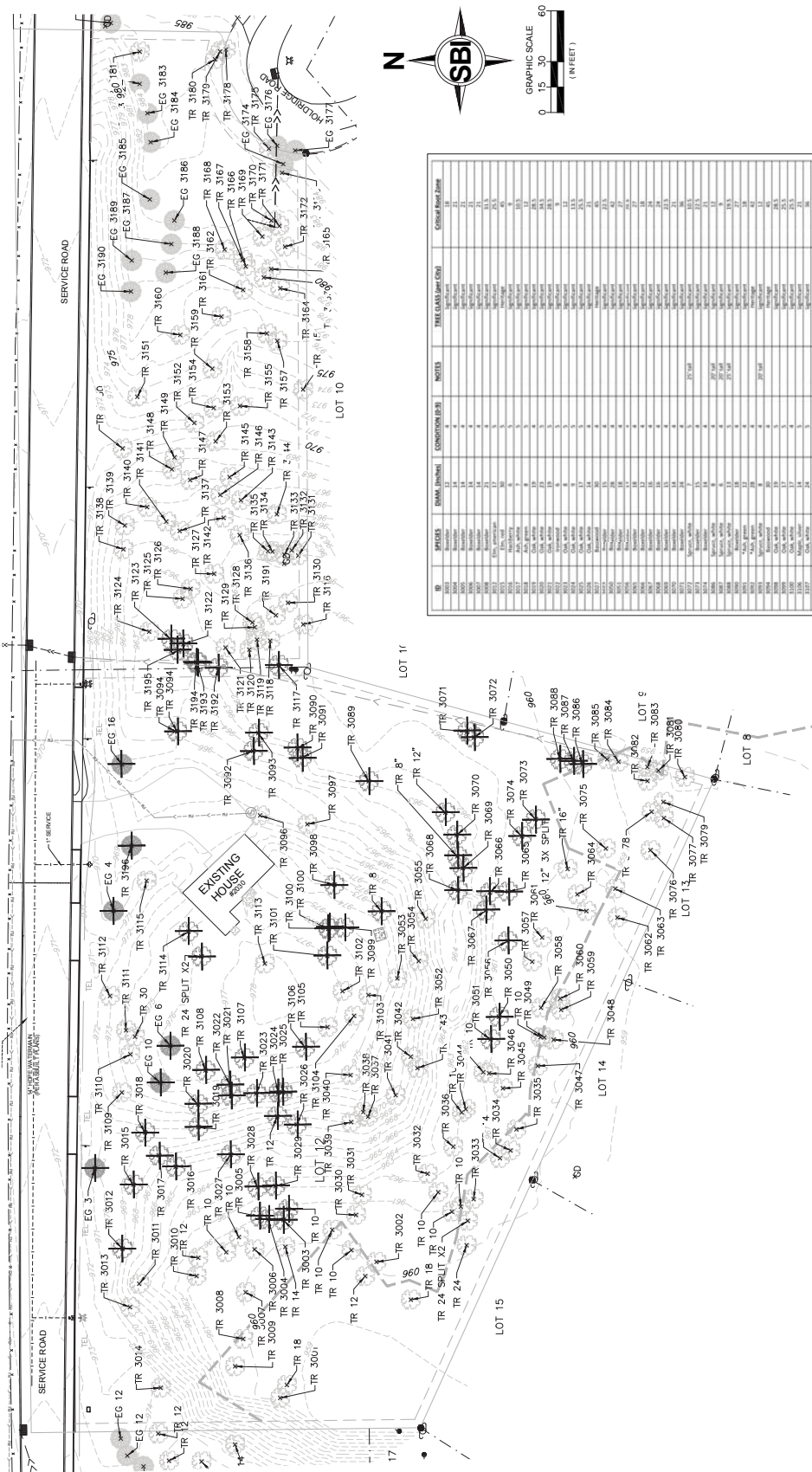
77 SF = GLASS

5% = GLASS





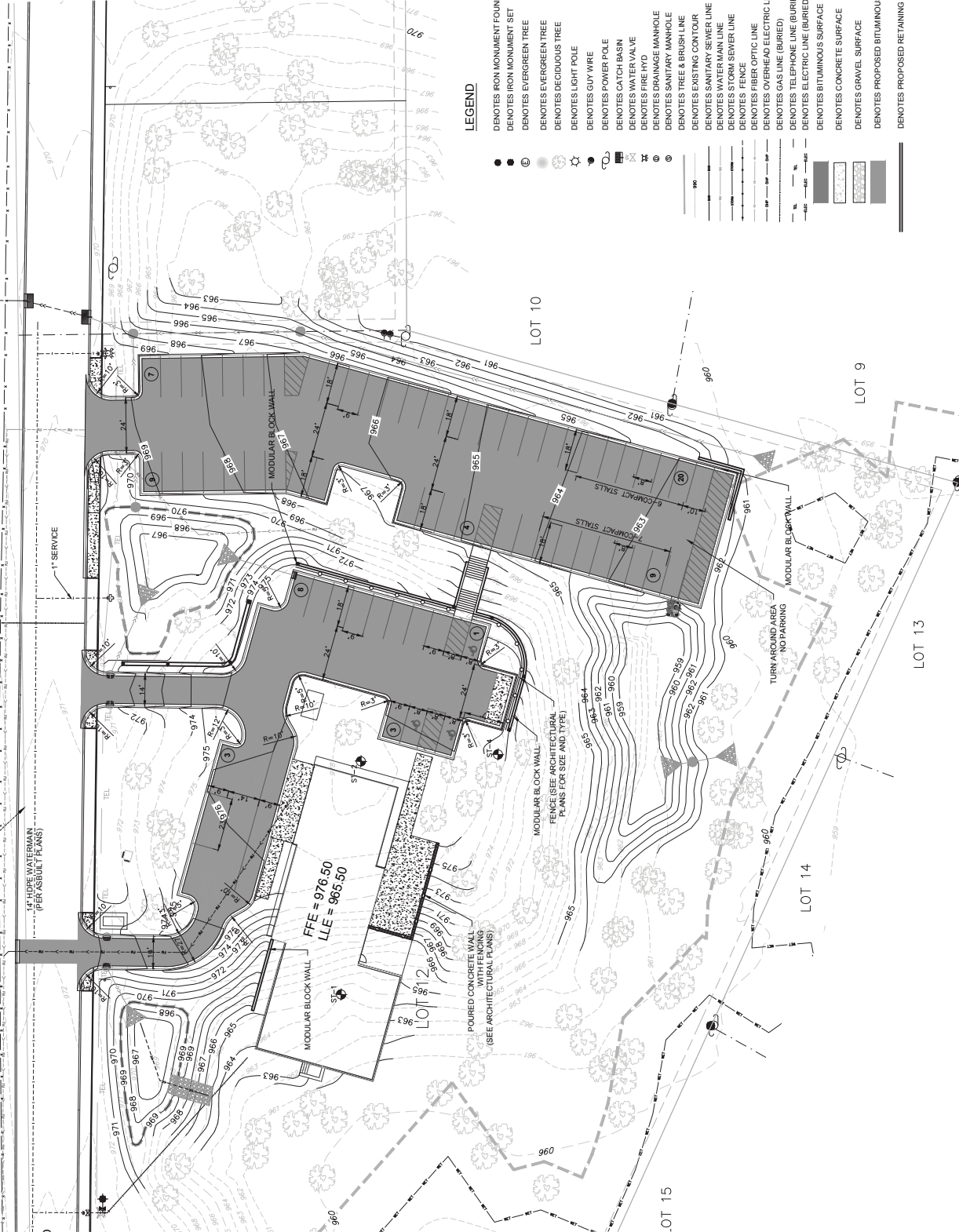




Q	ASSETS	DEAM (Number)	CONCERN (Pct)	NOTES	THE CASE (per Case)	Grand Total (per Case)
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0021	Residential	14	4		36,000.00	36,000.00
0022	Residential	14	4		36,000.00	36,000.00
0023	Residential	14	4		36,000.00	36,000.00
0024	Residential	14	4		36,000.00	36,000.00
0025	Residential	14	4		36,000.00	36,000.00
0026	Residential	14	4		36,000.00	36,000.00
0027	Residential	14	4		36,000.00	36,000.00
0028	Residential	14	4		36,000.00	36,000.00
0029	Residential	14	4		36,000.00	36,000.00
0030	Residential	14	4		36,000.00	36,000.00
0031	Residential	14	4		36,000.00	36,000.00
0032	Residential	14	4		36,000.00	36,000.00
0033	Residential	14	4		36,000.00	36,000.00
0034	Residential	14	4		36,000.00	36,000.00
0035	Residential	14	4		36,000.00	36,000.00
0036	Residential	14	4		36,000.00	36,000.00
0037	Residential	14	4		36,000.00	36,000.00
0038	Residential	14	4		36,000.00	36,000.00
0039	Residential	14	4		36,000.00	36,000.00
0040	Residential	14	4		36,000.00	36,000.00
0041	Residential	14	4		36,000.00	36,000.00
0042	Residential	14	4		36,000.00	36,000.00
0043	Residential	14	4		36,000.00	36,000.00
0044	Residential	14	4		36,000.00	36,000.00
0045	Residential	14	4		36,000.00	36,000.00
0046	Residential	14	4		36,000.00	36,000.00
0047	Residential	14	4		36,000.00	36,000.00
0048	Residential	14	4		36,000.00	36,000.00
0049	Residential	14	4		36,000.00	36,000.00
0050	Residential	14	4		36,000.00	36,000.00
0051	Residential	14	4		36,000.00	36,000.00
0052	Residential	14	4		36,000.00	36,000.00
0053	Residential	14	4		36,000.00	36,000.00
0054	Residential	14	4		36,000.00	36,000.00
0055	Residential	14	4		36,000.00	36,000.00
0056	Residential	14	4		36,000.00	36,000.00
0057	Residential	14	4		36,000.00	36,000.00
0058	Residential	14	4		36,000.00	36,000.00
0059	Residential	14	4		36,000.00	36,000.00
0060	Residential	14	4		36,000.00	36,000.00
0061	Residential	14	4		36,000.00	36,

160715
839

Tree Calculations & Mitigation:
Total inches of Significant + Heritage trees = 3053 inches (25% of 3053 inches = 762.75 inches of Significant tree removal allowed w/ mitigation)
Total inches removed = 859 inches (Significant = 741 + Heritage = 118)
Tree mitigation for City = 236 inches (118 inches x 2:1 for Heritage trees)





LEGEND

- DENOTES IRON MONUMENT FOUND
- DENOTES IRON MONUMENT SET
- DENOTES EVERGREEN TREE
- DENOTES DECIDUOUS TREE
- DENOTES LIGHT POLE
- DENOTES GUY WIRE
- DENOTES POWER POLE
- DENOTES CATCH BASIN
- DENOTES WATER VALVE
- DENOTES FIRE HYD
- DENOTES DRAINAGE MANHOLE
- DENOTES SANITARY MANHOLE
- DENOTES TREE & BRUSH LINE
- DENOTES EXISTING CONTOUR
- DENOTES SANITARY SEWER LINE
- DENOTES WATER MAIN LINE
- DENOTES STORM SEWER LINE
- DENOTES FENCE
- DENOTES FIBER OPTIC LINE
- DENOTES OVERHEAD ELECTRIC LINE
- DENOTES GAS LINE (BURIED)
- DENOTES TELEPHONE LINE (BURIED)
- DENOTES ELECTRIC LINE (BURIED)
- DENOTES BITUMINOUS SURFACE
- DENOTES CONCRETE SURFACE
- DENOTES GRAVEL SURFACE
- DENOTES PROPOSED BITUMINOUS SURFACE
- DENOTES PROPOSED RETAINING WALL
- DENOTES PROPOSED SPOT ELEVATION
- DENOTES PROPOSED CONTOUR LINE
- DENOTES PROPOSED SLOPE

UNITARIAN
UNIVERSALIST
CHURCH OF
MINNETONKA

I HEREBY CERTIFY THAT THIS PLAN OR SPECIFICATION WAS PREPARED BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND I AM A DULY REGISTERED CIVIL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA

CIVIL ENGINEER
DATE: _____ REG. NO. _____

CONSULTANTS

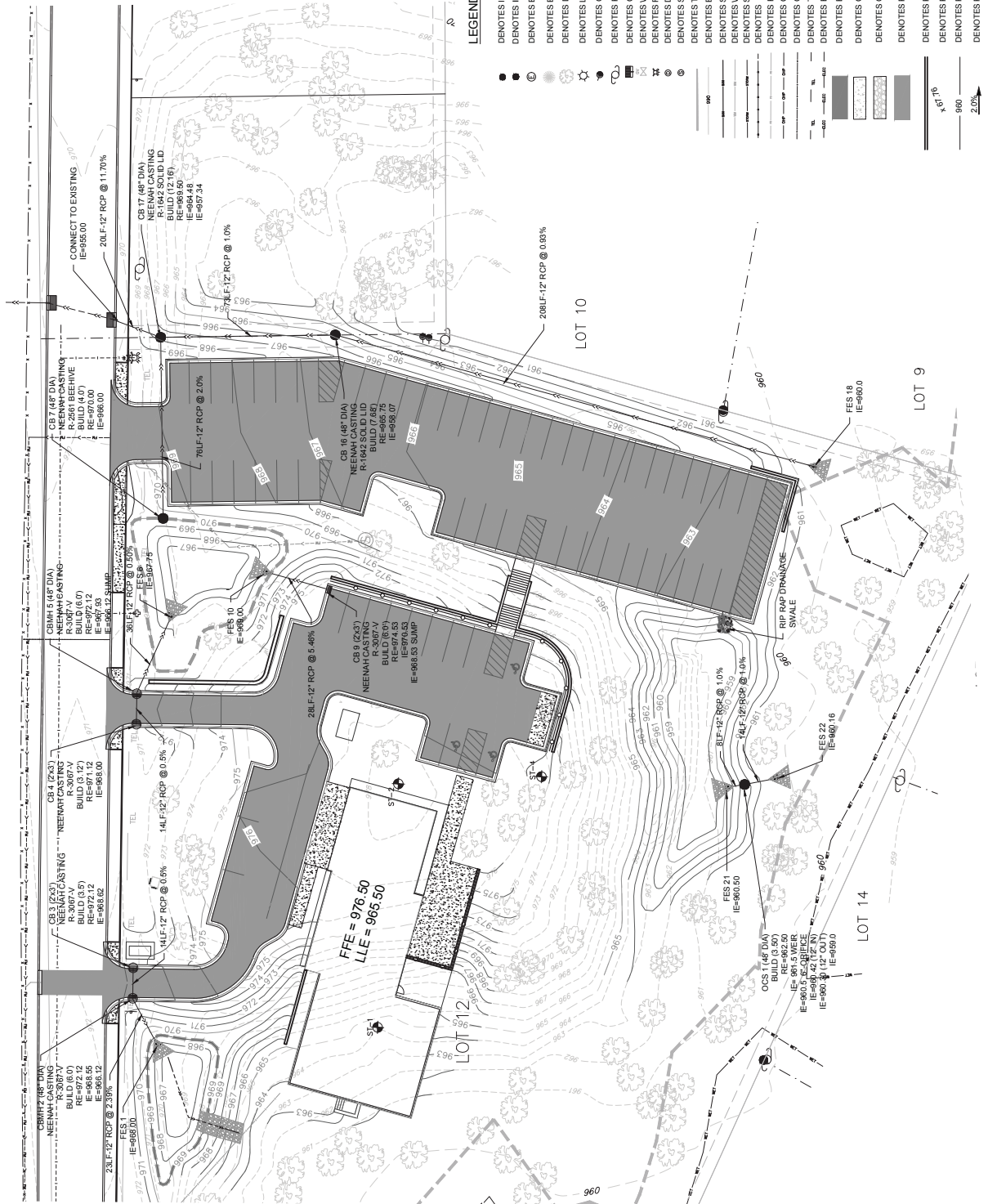
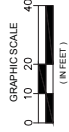


NOT FOR
CONSTRUCTION

05/12/16 REVISE PLAN PARKING AREA
03/20/16 CITY RESUBMITTAL
COPYRIGHT 2015 LOO US ARCHITECTURE, LTD.

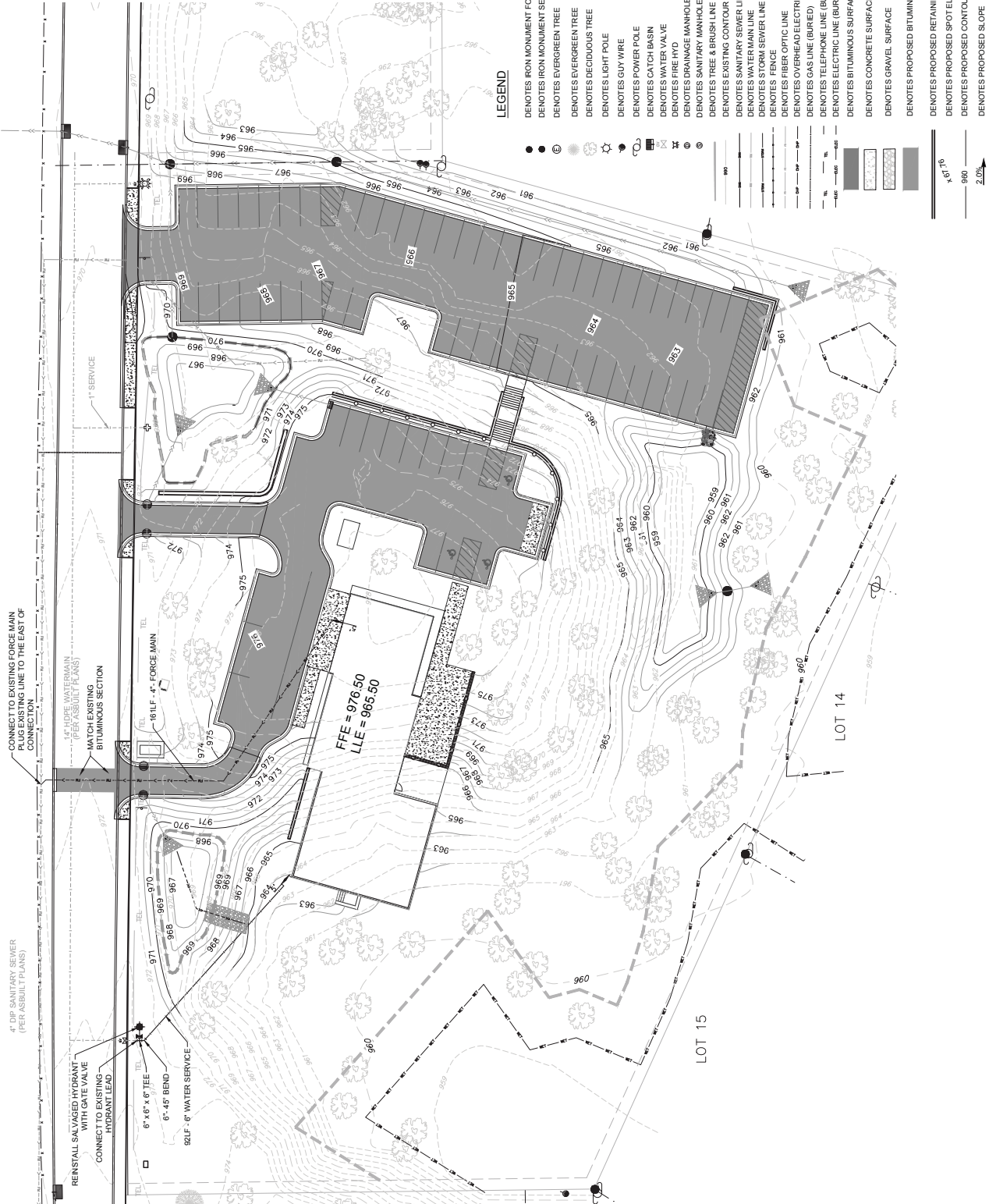
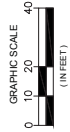
SHEET TITLE
DRAINAGE PLAN

C8



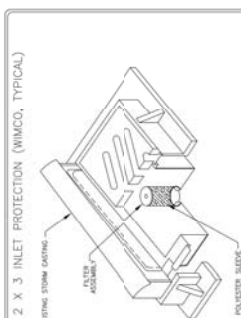
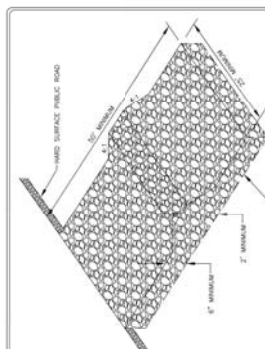
LEGEND

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- DENOTES IRON MONUMENT SET
- DENOTES EVERGREEN TREE
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- DENOTES SANITARY MANHOLE
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- DENOTES PROPOSED SPOT ELEVATION
- DENOTES PROPOSED CONTOUR LINE
- DENOTES PROPOSED SLOPE



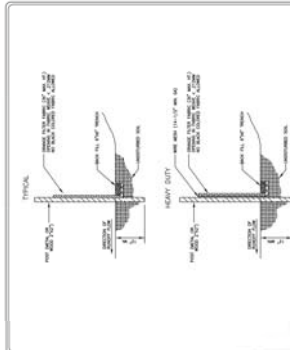
LEGEND

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- DENOTES PROPOSED CONTOUR LINE
- DENOTES PROPOSED SLOPE

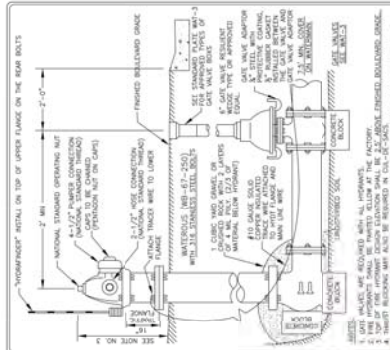
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NOTES:

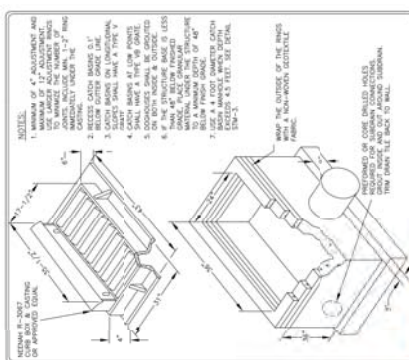
1. ROCK SIZE SHOULD BE 1" TO 2" IN SIZE SUCH AS MA/20T CA-1 (OR CA-2 COURSE AGGREGATE, WASHED)
2. 4" X 8" X 16" FABRIC SHALL BE USED UNDER THE ROCK TO PREVENT MIGRATION OF THE UNDERLYING SOIL INTO THE STONE.
3. ROCK CONFIGURATION ENTRANCE SHALL BE MAINTAINED AND SHALL BE CLEANED OR REPLACED UPON NOTICE BY THE CITY, WATERFORD DISTRICT.



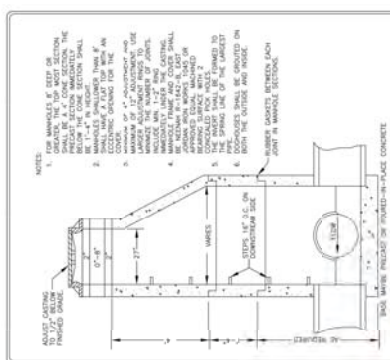
1. Dig a 10-cm trench along the intended fence line.
2. Lay out posts and the shield at the downhill side of the trench.
3. Use one heavy timber (minimum 10-cm diameter) to form a shield 10 cm thick. Concentrate stress on the ends and the corners by using 2x4s to brace the shield.
4. Lay out the 10-cm trench and the 10-cm line along the fence line, and back fill.
5. Add more posts as needed up to a 1-cm space if more mesh is not used.
6. The trench and posts may be spaced up to 1 m apart.



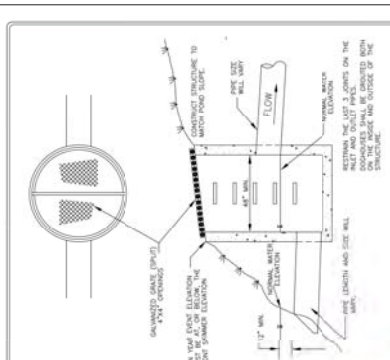
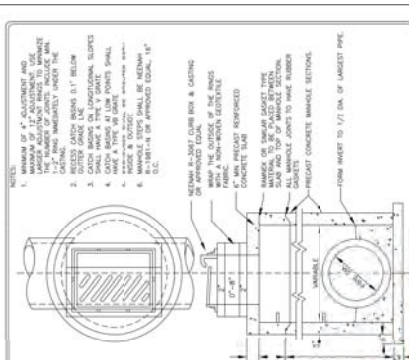
W
STANDARD DETAILS
HYCRANT INSTALLATION
LAST REVISED
Dec. 2009
WAT-2
WYAZATA, MINNESOTA
WYAZATA



	STANDARD DETAILS CATCH BASIN	LATEST EDITION Nov. 2009 LET# 26-512-262 STM-2
	WAYZATA, MINNESOTA WAYZATA ENGINEERING	

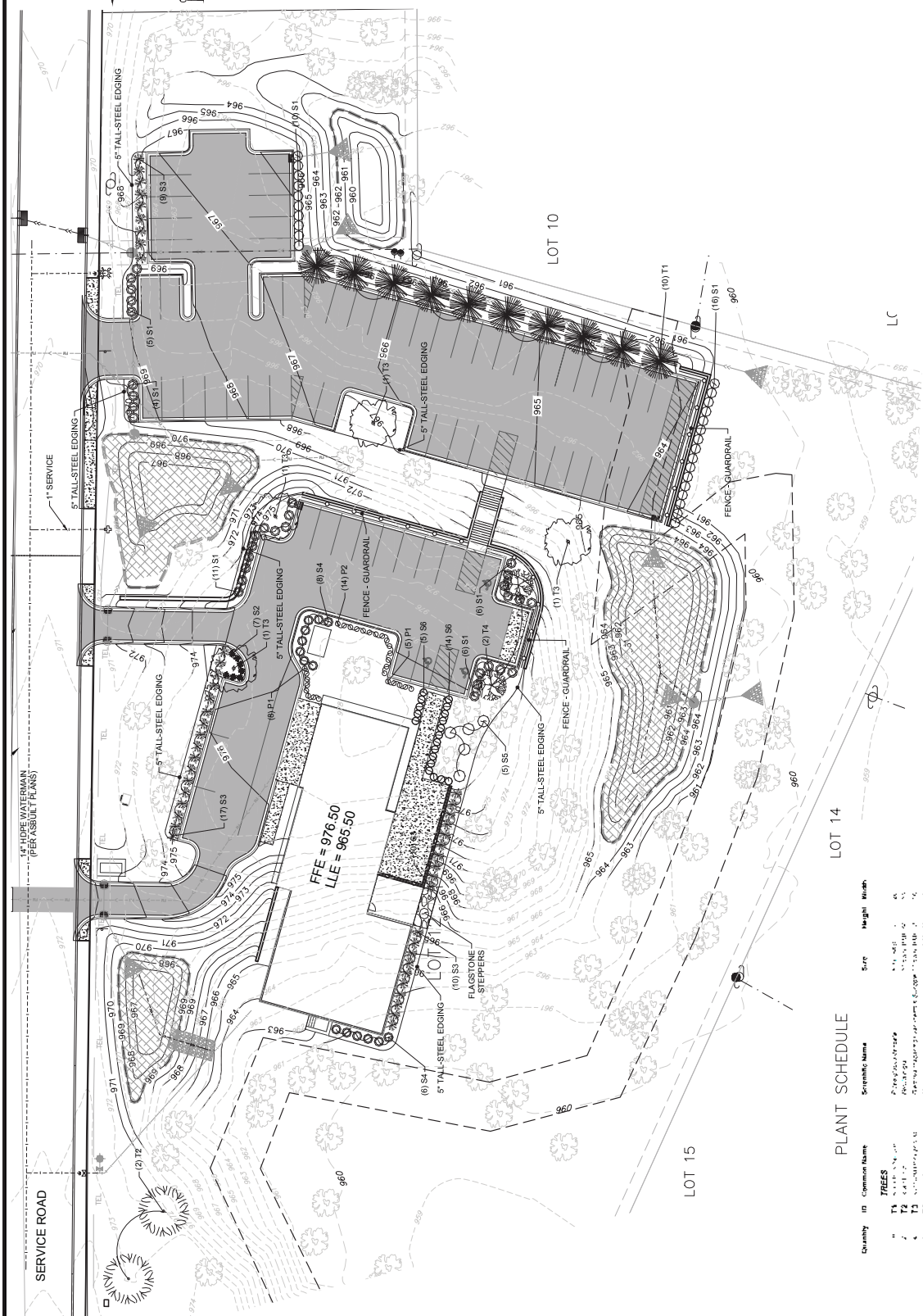


LISTED UNDER Nov. 2009 MARKET VALUE \$TM-1	STANDARD DETAILS STORM SEWER MANHOLE	WAYZATA WAYZATA, MINNESOTA
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	STANDARD DUTAILS	LARGE RAZORS Now 2009 CLOSING SALE STM-5 PAYATA
	SKIMMER STRUCTURE	WAWZATA MINNESOTA



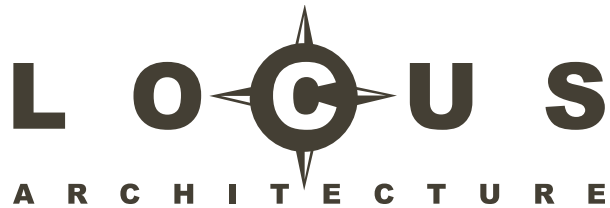


SEED WITH MN TYPE 33-261 (STORMWATER SOUTH & WEST) SEED
MIX AT 40 LBS/ACRE
THEN INSTALL S32 2-SIDED STRAW BLANKETS WITH "U" STAPLES.
AREA = 7,930 SF OR 0.18 ACRES
SEE SHEET L2 FOR LANDSCAPE NOTES AND PLANTING DETAILS



PLANT SCHEDULE

Quantity	ID	Common Name	Scientific Name	Size	Height	Width
TREES						
1	T1	Red Maple	Acer rubrum	12" x 12"	10'	4"
2	T2	White Birch	Betula papyrifera	12" x 12"	10'	4"
2	T3	Black Birch	Betula nigra	12" x 12"	10'	4"
SHRUBS						
5	S1	Red-Twigged Dogwood	Cornus alternifolia	12" x 12"	10'	4"
10	S2	Blackberry	Rubus occidentalis	12" x 12"	10'	4"
40	S3	Blackberry	Rubus occidentalis	12" x 12"	10'	4"
4	S4	Blackberry	Rubus occidentalis	12" x 12"	10'	4"
5	S5	Blackberry	Rubus occidentalis	12" x 12"	10'	4"
10	S6	Blackberry	Rubus occidentalis	12" x 12"	10'	4"
PERENNIALS						
10	P1	Blackberry	Rubus occidentalis	12" x 12"	10'	4"
10	P2	Blackberry	Rubus occidentalis	12" x 12"	10'	4"



Memorandum

Date: 2016/04/14

Purpose: Berridge Metal Panel Finish Information

From: Locus Architecture

Dear Madame Chair and Commissioners,

See below for finish warranty information requested by the Planning Commission.

We would like to reiterate that metal panels that can be refinished as needed and recycled at the end of their life without entering the waste stream is a desirable sustainability goal. We feel this is a strong inducement for using this panel for the UUCM project in fitting with the belief system of Unitarian Universalism.

The paint is not a glossy, metallic or reflective finish. The paint is flat in nature, it will reflect some light but there is no visible sheen. The neutral colors chosen tend to augment the flat nature of the paint.

We are also including some additional information from Berridge regarding the LEED possibilities for their products. While UUCM is not pursuing LEED certification at this time, the use of this product is evidence that UUCM is attempting to be careful stewards of the environment by using such products wherever possible.

Thank you,

Wynne G. Yelland

===

Berridge Warranty Information

Contact: Ben Bradford // bbradford@berridge.com // (913) 227-0855

Quoted from Ben Bradford, the representative from Berridge (April 13, 2016):

"If installation follows the very specific guidelines written by our engineers there should be no issue with reaching a 20-30 year life period for the material. The installation instructions are located under the products tab on our website for each specified material option"

Warranties:

*Warranties come with the purchase of Berridge materials. Each warranty has an individual application to be completed and accepted once the building is complete.

*Berridge Website contains PDF's for more detailed information along with applications for each warranty.

20 YEAR PAINT WARRANTY

Berridge offers a 20-year finish warranty for the Kynar 500® Hylar 5000™ PVDF resin-based coatings which it applies on its continuous coil coating line. Berridge finish warranties are issued upon successful completion of the following requirements:

- Submission & acceptance of paint finish warranty application
- Payment in full of all material invoices
- No warranty is issued unless requested by the customer within one year of material invoice date

WHAT IS LEED®?

Leadership in Energy and Environmental Design (LEED) is an internationally recognized certification system established by the U.S. Green Building Council (USGBC) whose goal is to promote integrated, whole-building design practices and standards for green, sustainable building and community designs emphasizing energy savings, water efficiency, CO2 emissions reductions, improved indoor environmental quality, and stewardship of resources and their impacts on the environment.

LEED® 2009 for New Construction and Major Renovations is one component of LEED v3 and is the latest version of the USGBC's green building certification program. It recognizes seven key areas:

Sustainable Sites (SS) - 26 Possible Points

Materials & Resources (MR) - 14 Possible Points

Water Efficiency (WE) - 10 Possible Points

Energy & Atmosphere (EA) - 35 Possible Points

Indoor Environmental Quality (IEQ) - 15 Possible Points

Innovation in Design (ID) - 6 Possible Points

Regional Priority (RP) - 4 Possible Points

Points are awarded to each category listed above depending on building performance on certain requirements and standards set forth by LEED® 2009. Points are then totaled and LEED® 2009 certification is granted based on the total point levels shown below:

LEED Certified - 40 to 49 points

LEED Silver - 50 to 59 points

LEED Gold - 60 to 79 points

LEED Platinum - 80 points and above

Summary

The use of Berridge Manufacturing metal roofing products can directly contribute up to 3 LEED® 2009 credits for Heat Island Effect and Recycled Content, but when a “whole-building design” approach is implemented, metal roofing combined with other concerted efforts, products and building systems can contribute to other LEED® 2009 credits mentioned herein as well as others credits not listed.

While every effort has been made to provide accurate information, applicants for LEED® Certification should verify compliance with a LEED® expert. For more information on LEED® 2009 certification visit www.usgbc.org.

HOW CAN USING BERRIDGE PRODUCTS CONTRIBUTE TO A LEED® CERTIFICATION ON NEW CONSTRUCTION OR MAJOR RENOVATIONS?

Sustainable Sites - Berridge Manufacturing Company cool metal roofs have Solar Reflectance Index values that meet or exceed LEED® 2009 criteria for the SS Credit 7.2 as detailed below.

SS Credit 7.2: Heat Island Effect - Roof (1 Point)

Intent - To reduce heat islands to minimize impacts on microclimates and human and wildlife habitats.

Requirement - Use roofing materials with a solar reflectance index (SRI) equal to or greater than the values shown below for a minimum of 75% of the roof surface.

For low-sloped roofs ≤ 2:12
SRI must be 78 or greater

For steep-sloped roofs > 2:12
SRI must be 29 or greater

Refer to the chart of SRI values for information on solar reflectance, thermal emittance and Solar Reflectance Index (SRI) values for all Berridge cool metal roof colors.

Berridge SRI Values

For steep-slope roofs greater than 2:12, all Berridge colors (except Award Blue) meet or exceed LEED® 2009 requirements. For low slope roofs less than or equal to 2:12, Almond and Natural White meet or exceed LEED® 2009 requirements.

Disclaimer: Due to different testing methods employed by various laboratories and paint suppliers these values may vary slightly. Refer to www.berridge.com technical bulletins for the most up-to-date information or contact BMC directly.

BERRIDGE COLORS	SOLAR REFLECTIVITY	EMISSIONITY	SRI
Almond	67.10	0.90	82
Aged Bronze	29.66	0.86	30
Antique Copper Cote	29.30	0.85	29
Award Blue	17.20	0.83	12
Bristol Blue	30.30	0.86	31
Buckskin	39.71	0.86	43
Burgundy	30.05	0.85	30
Champagne	34.95	0.85	36
Charcoal Grey	29.64	0.87	30
Colonial Red	33.03	0.85	34
Copper Brown	29.57	0.87	30
Copper-Cote	45.24	0.87	51
Dark Bronze	28.20	0.91	30
Deep Red	38.54	0.84	41
Forest Green	29.08	0.85	29
Hartford Green	28.20	0.90	30
Hemlock Green	30.92	0.83	30
Lead-Cote	32.90	0.90	35
Matte Black	28.70	0.91	30
Medium Bronze	31.39	0.85	32
Natural White	75.93	0.84	93
Parchment	51.72	0.83	58
Patina Green	34.42	0.86	36
Preweathered Galvalume	33.61	0.80	32
Royal Blue	29.90	0.90	32
Shasta White	60.00	0.84	70
Sierra Tan	34.81	0.84	36
Teal Green	28.10	0.89	29
Terra-Cotta	31.66	0.83	31
Zinc-Cote	52.45	0.87	61
Zinc Grey	37.88	0.84	40
Satin Finish Galvalume	74.00	0.14	67
Acrylic Coated Galvalume	67.00	0.06	55

Materials & Resources - Berridge Manufacturing Company's metal products are made from 32.3% recycled content and are 100% recyclable at the end of their life. Reusing, recycling or salvaging Berridge metal products can help contribute to the following LEED® 2009 credits:

MR Credit 1.1: Building Reuse:

Maintain 55%, 75% or 95% of Existing Walls, Floors & Roof (1-3 Points)

Intent - To extend the life cycle of existing building stock, conserve resources, retain cultural resources, reduce waste and reduce environmental impacts of new buildings as they relate to materials manufacturing and transport.

Requirement - Maintain the existing building structure (including structural floor and roof decking) and envelope (the exterior skin and framing, excluding window assemblies and non-structural roofing material). The minimum percentage building reuse for each point threshold is as follows:

Building Reuse 55% (1 Point)

Building Reuse 75% (2 Point)

Building Reuse 95% (3 Point)

Hazardous materials that are remediated as a part of the project must be excluded from the calculation of the percentage maintained. If the project includes an addition that is more than 2 times the square footage of the existing building, this credit is not applicable.

MR Credit 2: Construction Waste Management (1-2 Points)

Intent - To divert construction and demolition debris from disposal in landfills and incineration facilities. Redirect recyclable recovered resources back to the manufacturing process and reusable materials to appropriate sites.

Requirement - Recycle and/or salvage nonhazardous construction and demolition debris. Develop and implement a construction waste management plan that, at a minimum, identifies the materials to be diverted from disposal and whether the materials will be sorted on-site or commingled. Excavated soil and land-clearing debris do not contribute to this credit. Calculations can be done by weight or volume, but must be consistent throughout. The minimum percentage debris to be recycled or salvaged for each point threshold is as follows:

Recycled or Salvaged 50% (1 Point)

Recycled or Salvaged 75% (2 Points)

MR Credit 3: Materials Reuse (1-2 Points)

Intent - To reuse building materials and products to reduce demand for virgin materials and reduce waste, thereby lessening impacts associated with the extraction and processing of virgin resources.

Requirement - Use salvaged, refurbished or reused materials, the sum of which constitutes at least 5% or 10%, based on cost, of the total value of materials on the project. The minimum percentage materials reused for each point threshold is as follows:

Reused Materials 5% (1 Point)

Reused Materials 10% (2 Points)

MR Credit 4: Recycled Content (1-2 Points)

Intent - To increase demand for building products that incorporate recycled content materials, thereby reducing impacts resulting from extraction and processing of virgin materials.

Requirement - Use materials with recycled content such that the sum of post consumer recycled content plus 1/2 of the preconsumer content constitutes at least 10% or 20%, based on cost, of the total value of the materials in the project. The minimum percentage materials recycled for each point threshold is as follows:

Recycled Content 10% (1 Point)

Recycled Content 20% (2 Points)

Berridge Recycled Steel

Total Recycled Content 32.9%

Post-consumer Recycled Content 25.6%

Pre-consumer Recycled Content 6.8%

MR Credit 5: Regional Materials (1-2 Points)

Intent - To increase demand for building materials and products that are extracted and manufactured within the region, thereby supporting the use of indigenous resources and reducing the environmental impacts resulting from transportation.

Requirement - Use building materials or products that have been extracted, harvested or recovered, as well as manufactured, within 500 miles of the project site for a minimum of 10% or 20%, based on cost, of the total materials value. If only a fraction of a product or material is extracted, harvested, or recovered and manufactured locally, then only that percentage (by weight) can contribute to the regional value. The minimum percentage regional materials for each point threshold is as follows:

Regional Materials: 10% (1 Point)

Regional Materials: 20% (2 Points)

Primary Steel Mills:

Processing Location: Indiana Harbor West Plant, East Chicago, IN 46312

Extraction Locations: United Taconite, Ishpeming, MI 49849
Northshore Mine, Silver Bay, MN 55614

Processing Locations: Fairfield Works, Fairfield, AL 35064

Extraction Locations: Minntac, Mt. Iron, MN 55768
Keetac, Keewatin, MN 55753

Manufacturing Locations:

Painted: Berridge Manufacturing Company, San Antonio, TX 78218

Manufactured: Berridge Manufacturing Company, Seguin, TX 78155

Alternate Manufacturing Location: Location of Berridge Portable Roll Former used to site-form panels

All Berridge Manufacturing Company's architectural metal products are made from AZ-50 Galvalume steel extracted, harvested or recovered from various mines in the United States as noted above. Documentation from Berridge's steel providers is inconclusive in regards to the exact extraction locations for all raw materials and recycled content. Therefore it is not possible for Berridge to verify or document a primary extraction, harvesting or recovery location. As such, Berridge recommends verifying compliance with a LEED® expert.

Water Efficiency - Berridge Manufacturing Company cool metal roofs can be used as a surface for non-potable rainwater collection and thus can contribute LEED® 2009 criteria for water efficiency when integrated with rainwater collection systems.

WE Credit 1: Water Efficiency Landscaping (2-4 Points)

Intent - To limit or eliminate the use of potable water or other natural surface or subsurface water resources available on or near the project site for landscape irrigation.

Requirement - Reduce potable water consumption for irrigation by 50% from a calculated midsummer baseline case. Reductions must be attributed to any combination of the following items:

- Plant species, density and microclimate factor
- Irrigation efficiency
- Use of captured rainwater
- Use of recycled wastewater
- Use of water treated and conveyed by a public agency specifically for non-potable uses

Reduce by 50% (2 points)

No Potable Water Used for Irrigation (4 points)

WE Credit 2: Innovative Wastewater Technologies (2 Points)

Intent - To reduce wastewater generation and potable water demand while increasing the local aquifer recharge.

Requirement - Reduce potable water use for building sewage conveyance by 50% through the use of water-conserving fixtures (e.g., water closets, urinals) or non-potable water (e.g., **captured rainwater**, recycled graywater, on-site or municipally treated wastewater).

Indoor Environmental Quality**IEQ Credit 4.1: Low-Emitting Materials—Adhesives and Sealants (1 Point)**

Berridge Manufacturing Company recommends using Tremco Spectrum I, Dow Corning 790, Pecora 890NST, DuraLink or Titebond Metal Roof Sealant with Berridge architectural metal products. When Berridge metal products are used for indoor product applications, the aforementioned sealants meet or exceed LEED® 2009 criteria for IEQ Credits as indicated below.

Intent - To reduce the quantity of indoor air contaminants that are odorous, irritating and/or harmful to the comfort and well-being of installers and occupants.

Requirement - All adhesives and sealants used on the interior of the building (i.e., inside of the weatherproofing system and applied on-site) must comply with South Coast Air Quality Management District (SCAQMD) Rule #1168 stating VOC contents of indoor sealants must be less than the maximum limit of 250 grams/liter.

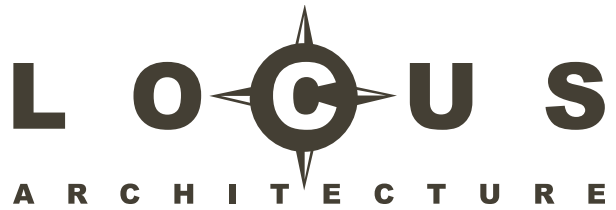
Tremco Spectrum I contains 0 g/L of VOC

Dow Corning 790 contains 50 g/L of VOC

Pecora 890NST contains 98 g/L of VOC

DuraLink contains less than 19 g/L of VOC

Titebond Metal Roof Sealant contains 9 g/L of VOC



Memorandum

Date: 2016/04/14

Purpose: White Roof Documentation

From: Locus Architecture

Dear Madame Chair and Commissioners,

See below for documentation regarding "cool roofs."

The **bold** is the organization/guideline involved followed by the link/citation and a quick view of the details.

This establishes a narrative that LEED calls for a roof with an SRI of 78 on a low slope roof. This is supported by a progressive building code for a cold climate similar to ours (Chicago in this case which has adopted cool roof standards as part of their building code). The City of Chicago building code makes a reference to the "Cool Roof Rating Council" as a body of authority from which they are drawing information (see image for a snapshot). We are also including the full presentation from the Cool Roof Rating Council in PDF supporting their opinion.

Thank you,

Wynne G. Yelland

===

LEED Guidelines for Roofs:

<http://www.usgbc.org/credits/reqss7o13>



4453 NICOLLET AVE. MINNEAPOLIS - MN - 55419
612.706.5600
WWW.LOCUSARCHITECTURE.COM

City of Chicago Building Code (Adopted) Division 13 - Energy Efficiency and Environmental Protection:

[http://library.amlegal.com/nxt/gateway.dll/Illinois/chicagobuilding/buildingcodeandrelatedexcerptsofthemunic?f=templates\\$fn=default.htm\\$3.0\\$vid=amlegal:chicagobuilding_il](http://library.amlegal.com/nxt/gateway.dll/Illinois/chicagobuilding/buildingcodeandrelatedexcerptsofthemunic?f=templates$fn=default.htm$3.0$vid=amlegal:chicagobuilding_il)

18-13-101.5.4 Solar reflectance.

All roof exterior surfaces shall have a minimum solar reflectance as specified in Section [18-13-101.5.4.1](#) through Sections [18-13-101.5.4.3](#) when (i) tested in accordance with ASTM E903 or ASTM E1918, (ii) tested with a portable reflectometer at near ambient conditions, (iii) labeled by the Cool Roof Rating Council, or (iv) labeled as an Energy Star qualified roof product. Any product that has been rated by the **Cool Roof Rating Council** or by Energy Star shall display a label verifying the rating of the product.

(Added Coun. J. 11-5-08, p. 45090, § 2)

18-13-101.5.4.1 Low-sloped roofs.

Roofing materials used in roofs with slopes of a rise of 0 units in a horizontal length of 12 units (0:12 pitch) up to and including roofs with slopes of a rise of 2 units in a horizontal length of 12 units (2:12 pitch) ("low-sloped") shall meet the following requirements:

1. Low-sloped roofs permitted on or after April 22, 2009 in conjunction with a new building or structure shall utilize roofing products that meet or exceed an initial reflectance value of 0.72 or a three-year installed reflectance value of 0.5 as determined by the Cool Roof Rating Council or by Energy Star.

Cool Roof Rating Council:

<http://coolroofs.org>



Cool Roofs in Cold Climates: Effect of snow on roof

Hashem Akbari

Heat Island Group

Concordia University, Montreal, Canada

Tel: 514-848-2424 x3201

E_mail: Hashem@HashemAkbari.com, Hashem.Akbari@Concordia.ca

CRRC Meeting, Reno Arizona

13 June 13



Disclaimer

- “But oh, I'm just a soul whose intentions are good
Oh Lord, please don't let me be misunderstood”
- This presentation is only valid when combined with my comments.
- Please do not quote this presentation.
- Published literature are cited.
- New materials can be quoted after they are published.

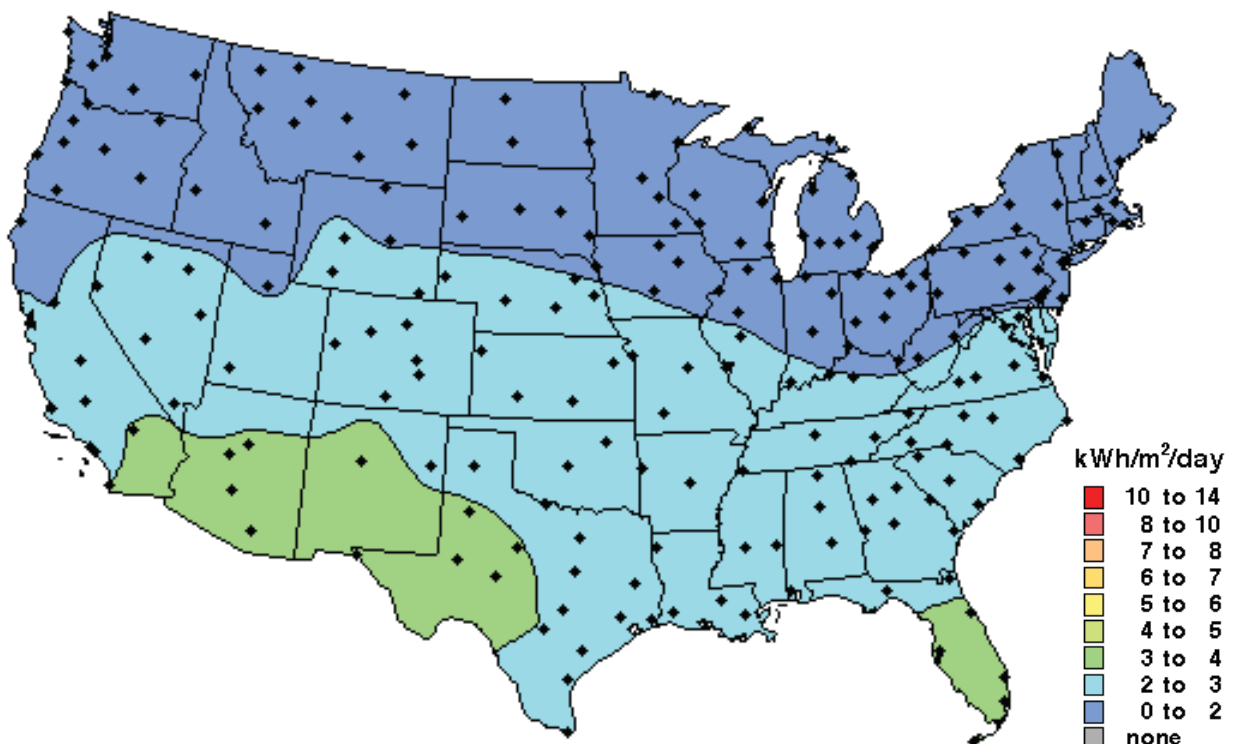


Winter = Little solar availability

- Lower sun angle
- Cloudier sky
- Shorter daytime hours

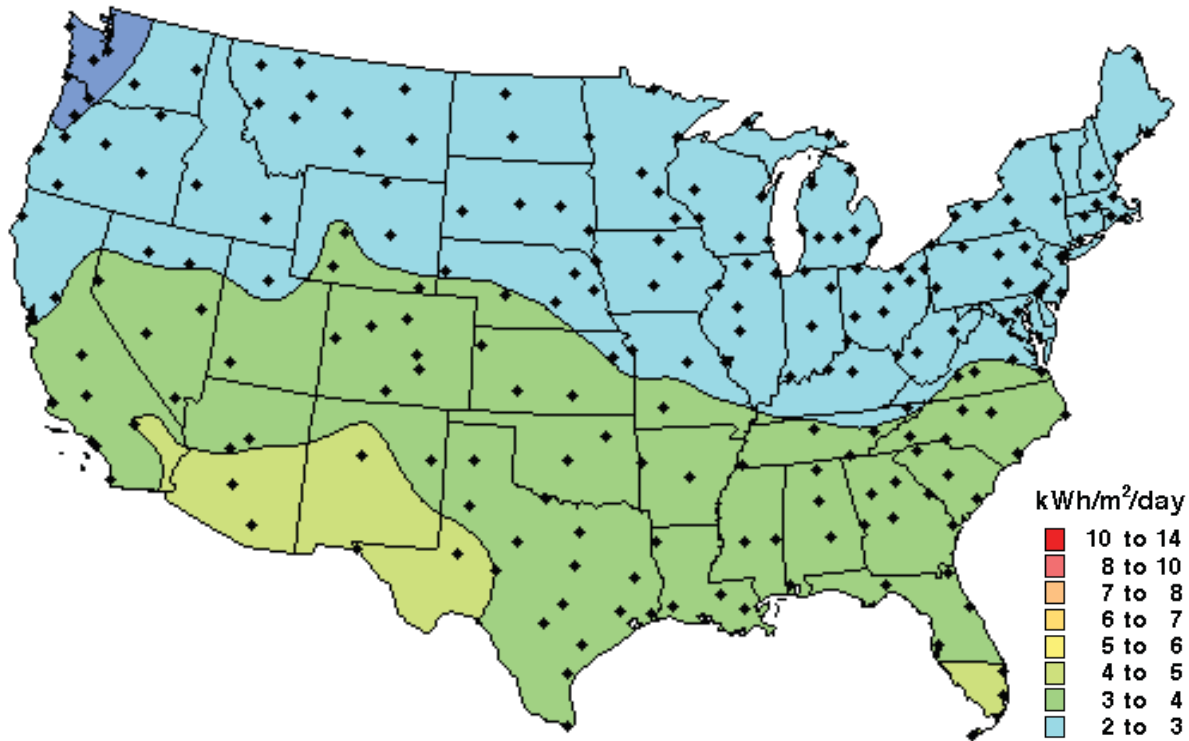


Average daily solar radiation: January



http://rredc.nrel.gov/solar/old_data/nsrdb/1961-1990/redbook/atlas/

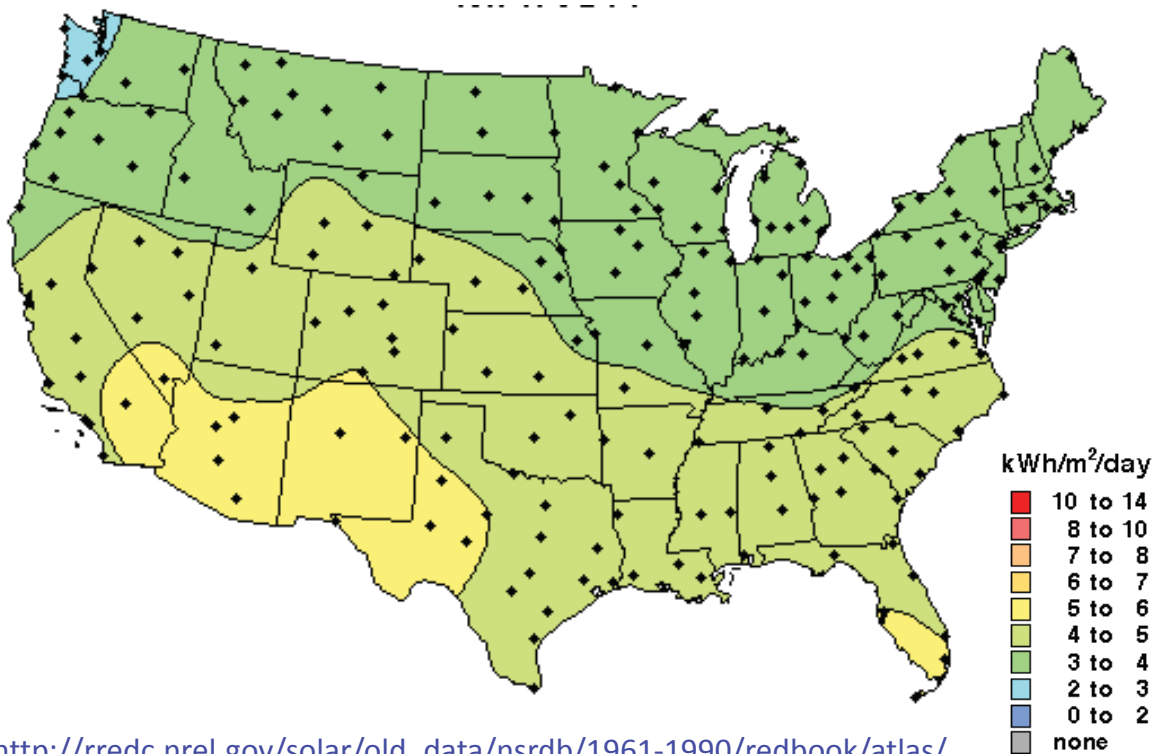
Average daily solar radiation: February



http://rredc.nrel.gov/solar/old_data/nsrdb/1961-1990/redbook/atlas/



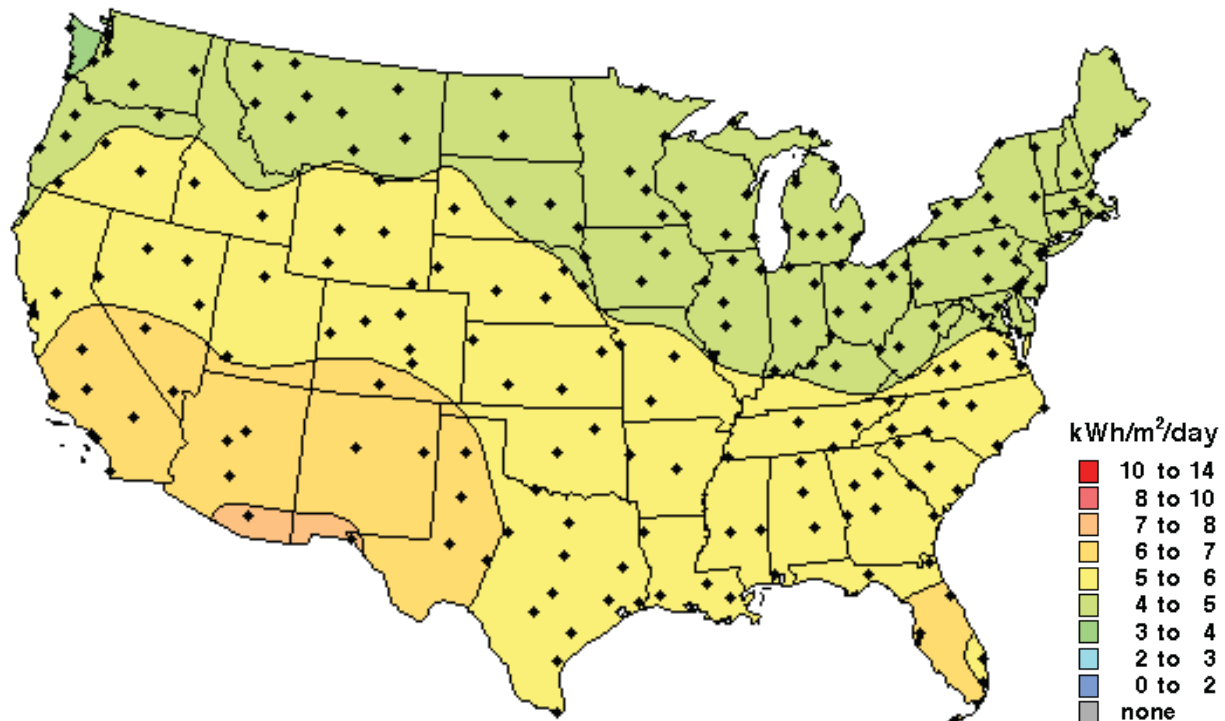
Average daily solar radiation: March



http://rredc.nrel.gov/solar/old_data/nsrdb/1961-1990/redbook/atlas/



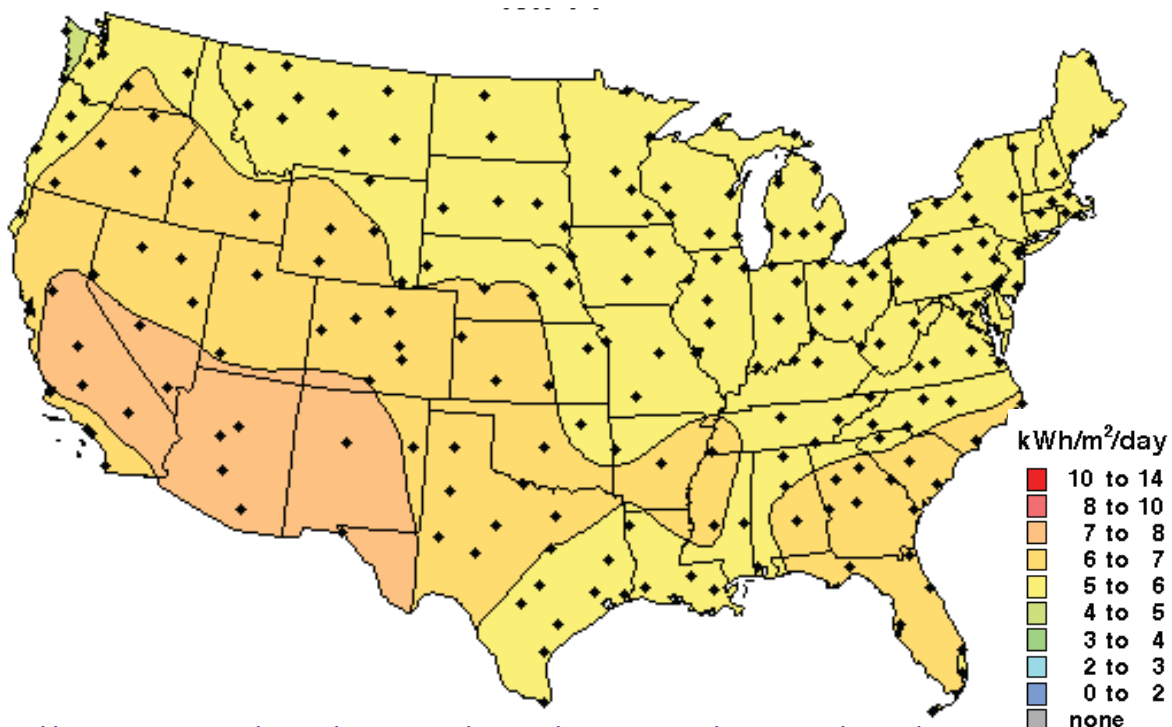
Average daily solar radiation: April



http://rredc.nrel.gov/solar/old_data/nsrdb/1961-1990/redbook/atlas/



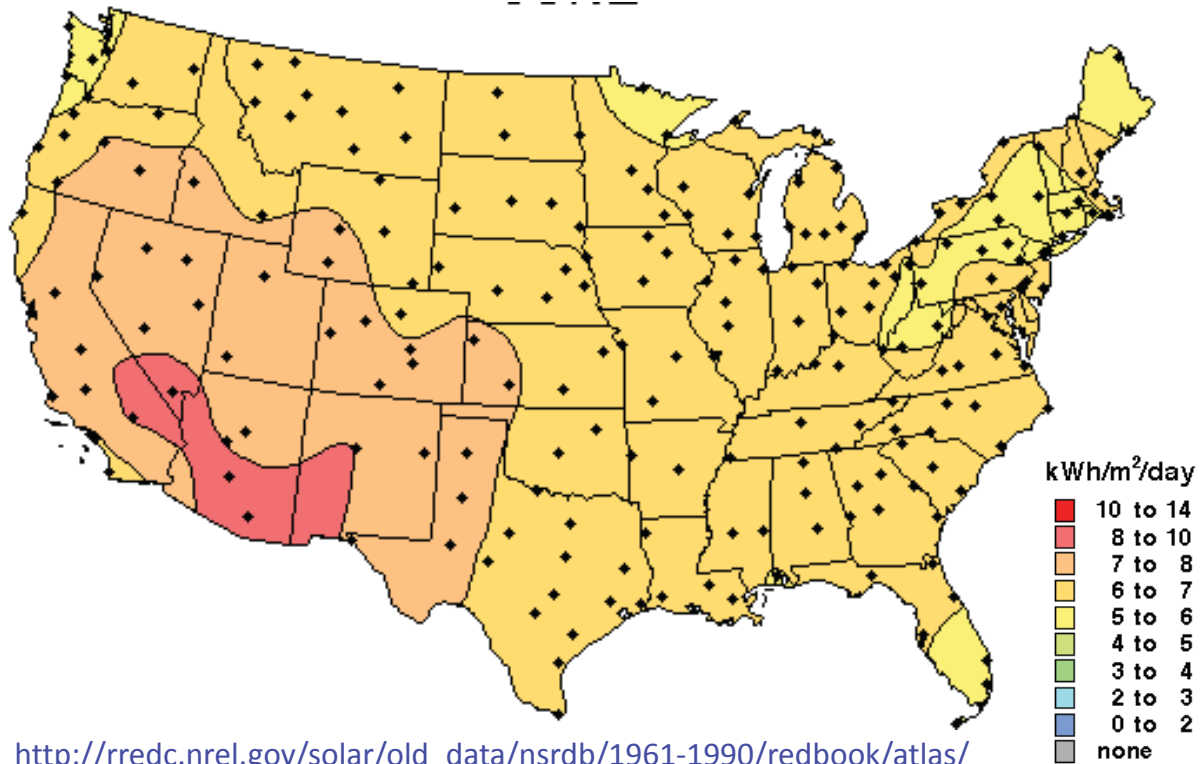
Average daily solar radiation: May



http://rredc.nrel.gov/solar/old_data/nsrdb/1961-1990/redbook/atlas/



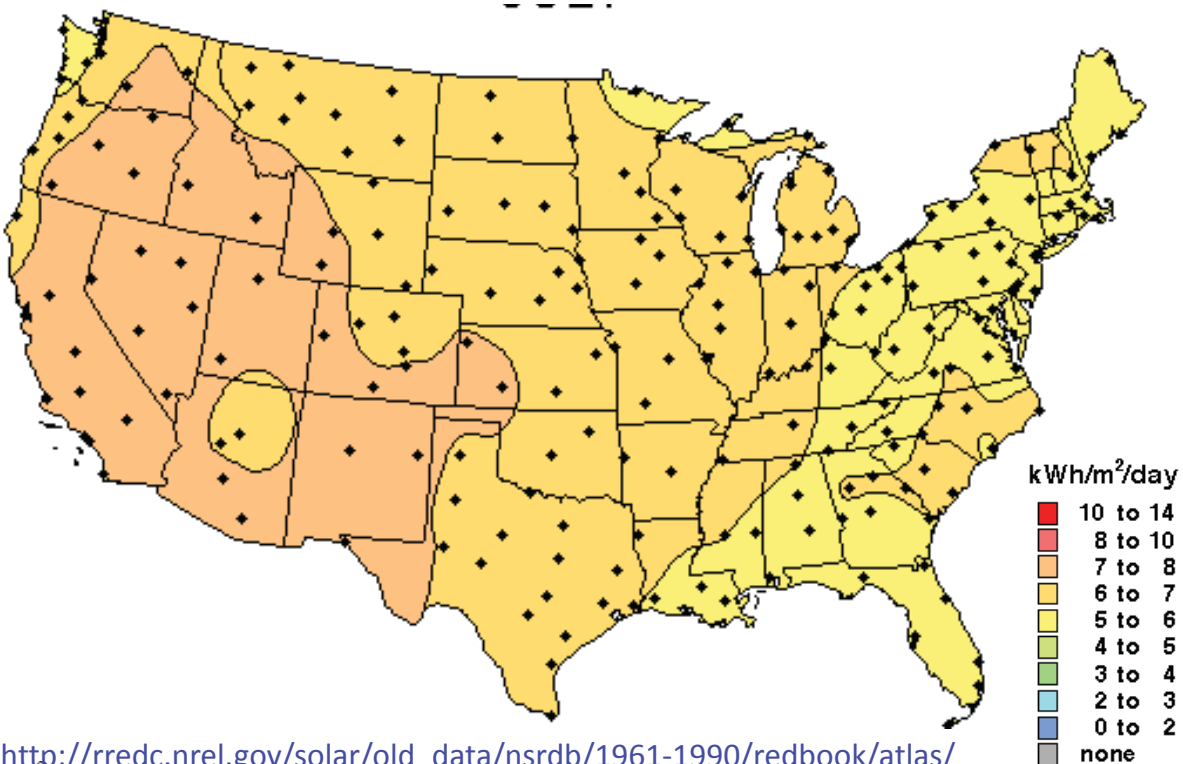
Average daily solar radiation: June



http://rredc.nrel.gov/solar/old_data/nsrdb/1961-1990/redbook/atlas/



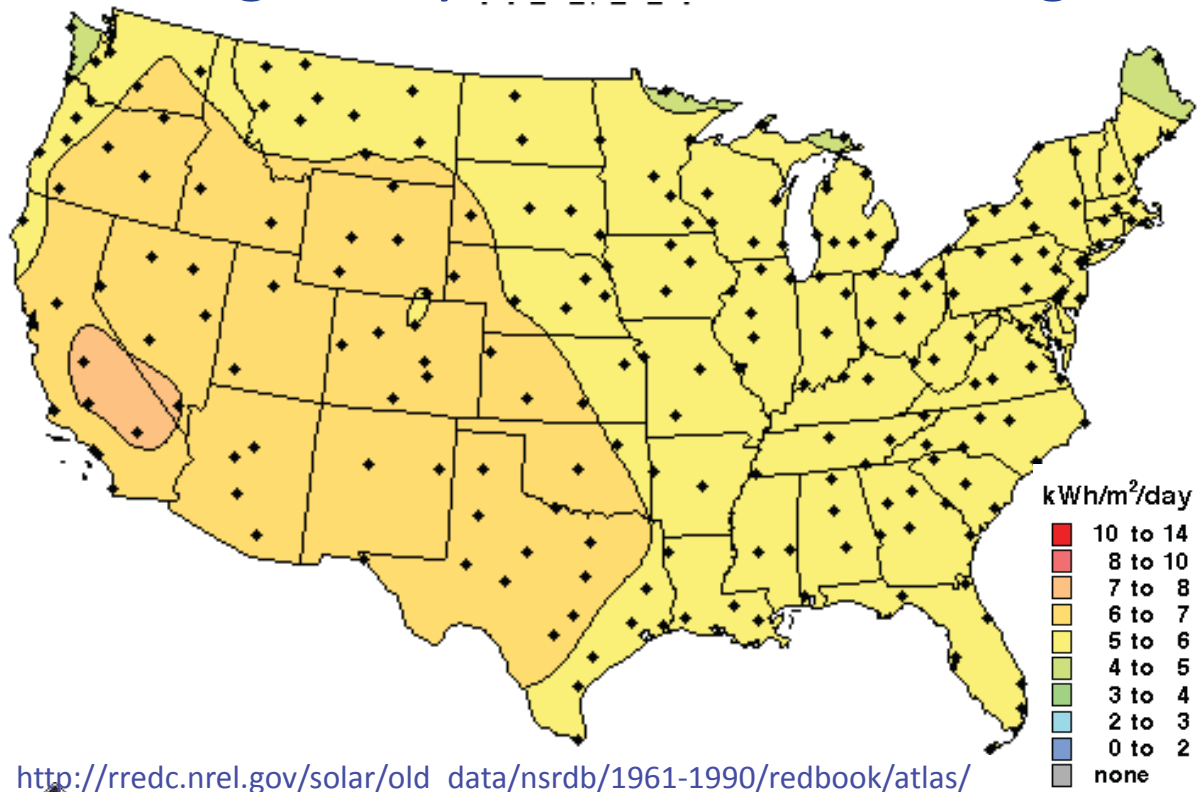
Average daily solar radiation: July



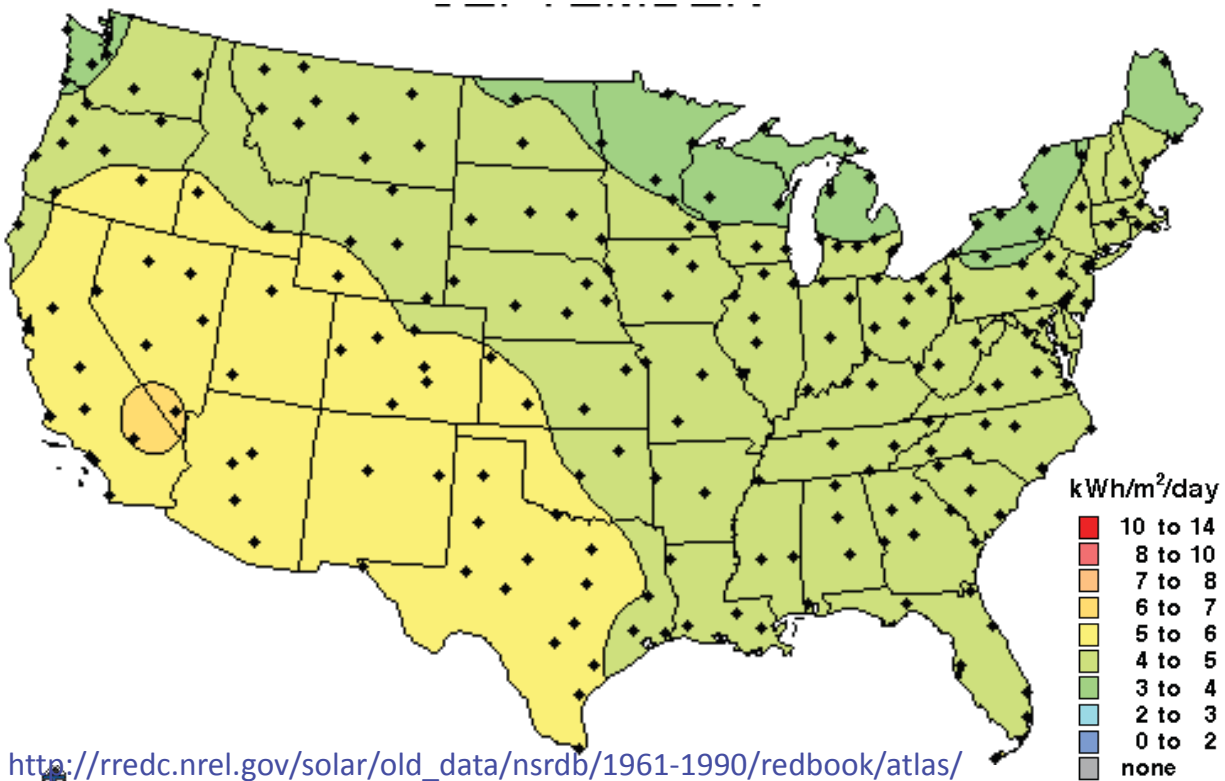
http://rredc.nrel.gov/solar/old_data/nsrdb/1961-1990/redbook/atlas/



Average daily solar radiation: August

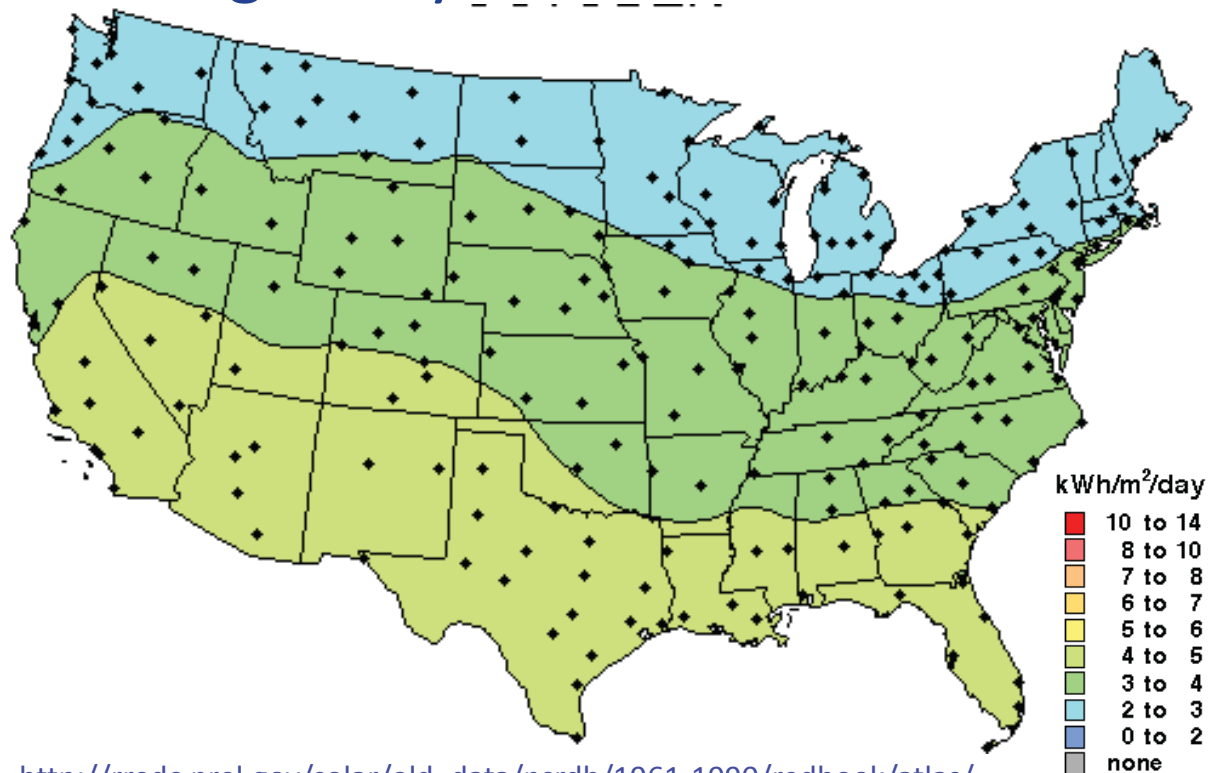


Average daily solar radiation: September



http://rredc.nrel.gov/solar/old_data/nsrdb/1961-1990/redbook/atlas/

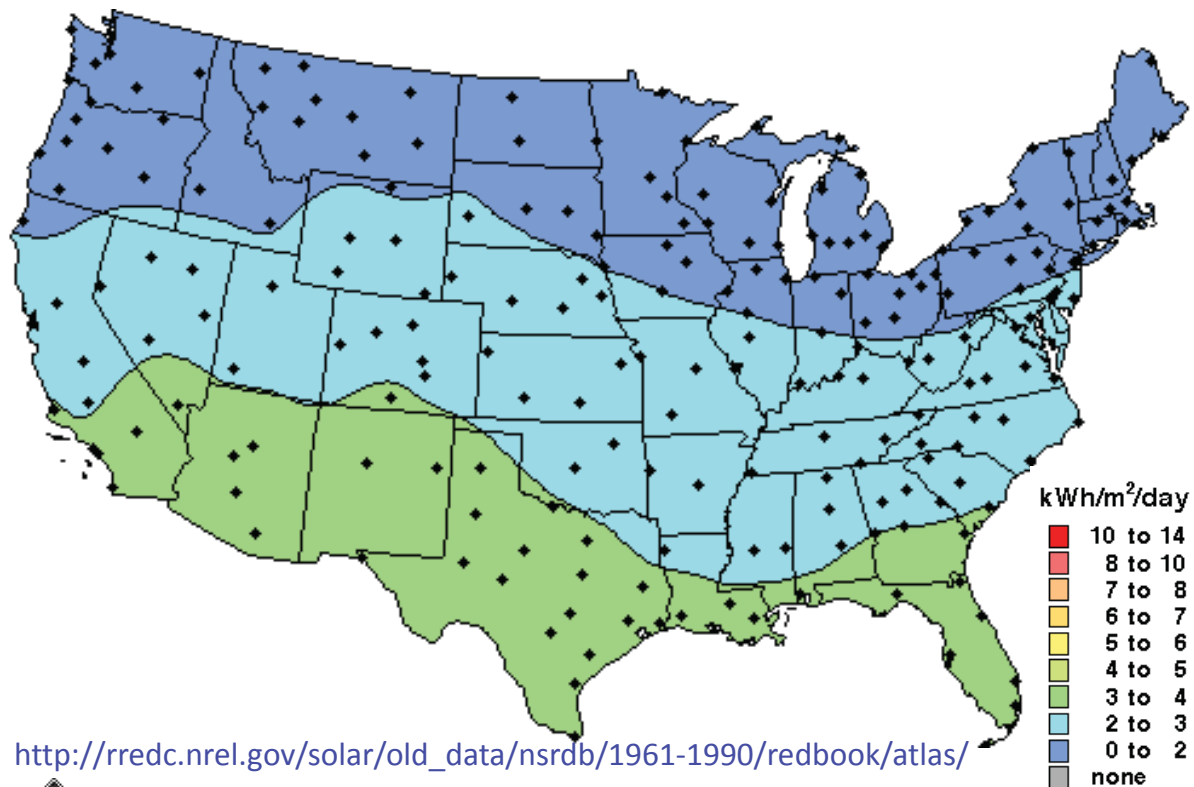
Average daily solar radiation: October



http://rredc.nrel.gov/solar/old_data/nsrdb/1961-1990/redbook/atlas/



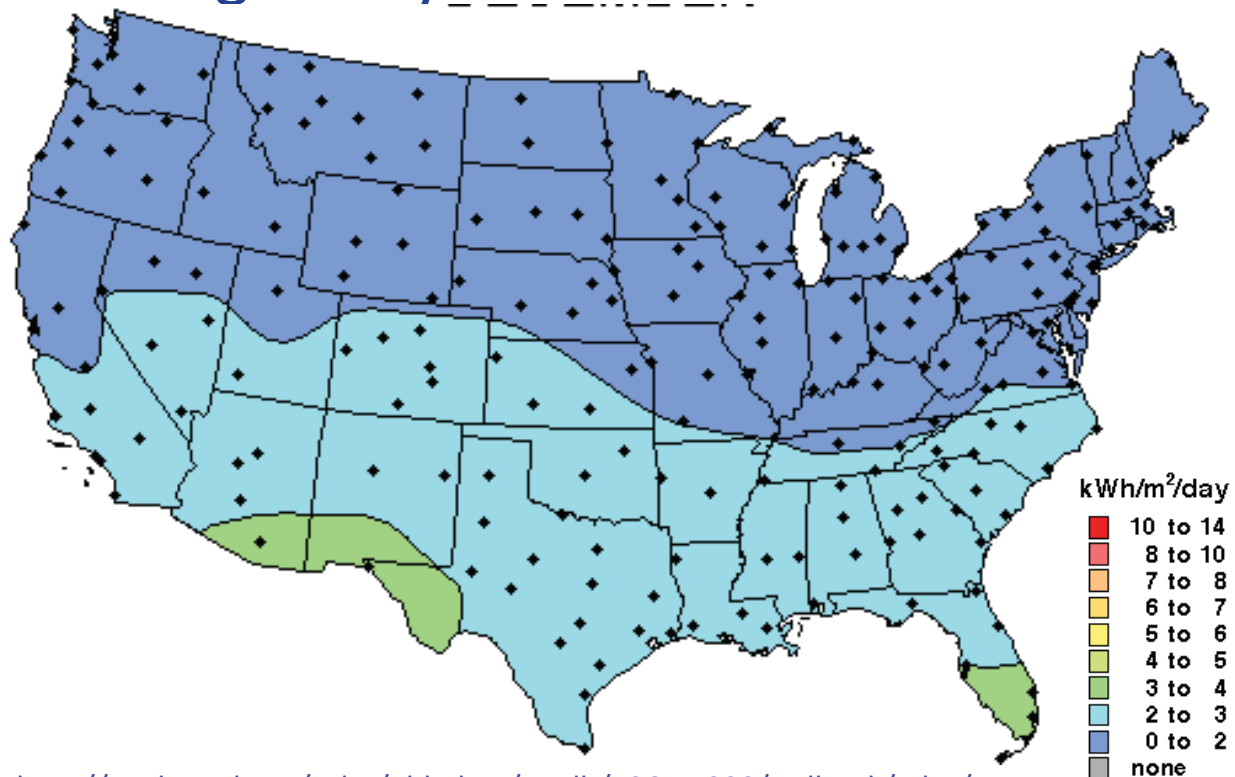
Average daily solar radiation: November



http://rredc.nrel.gov/solar/old_data/nsrdb/1961-1990/redbook/atlas/



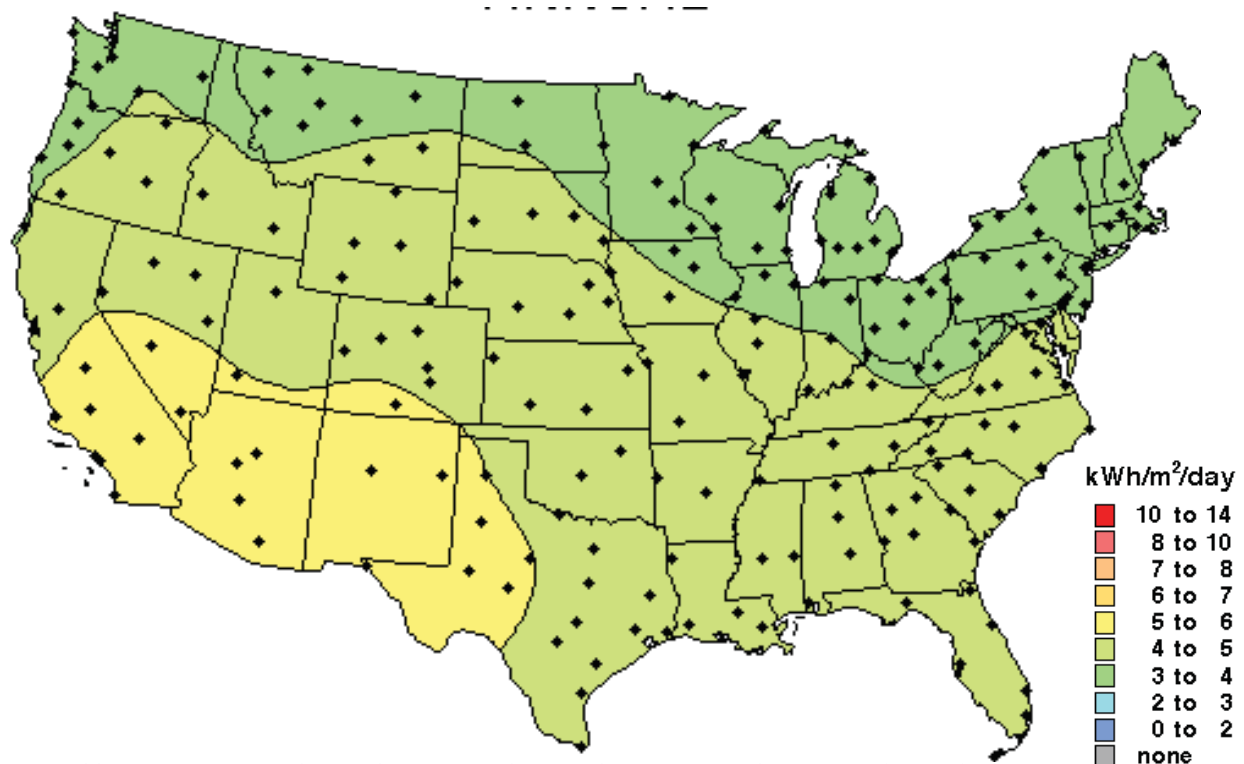
Average daily solar radiation: December



http://rredc.nrel.gov/solar/old_data/nsrdb/1961-1990/redbook/atlas/



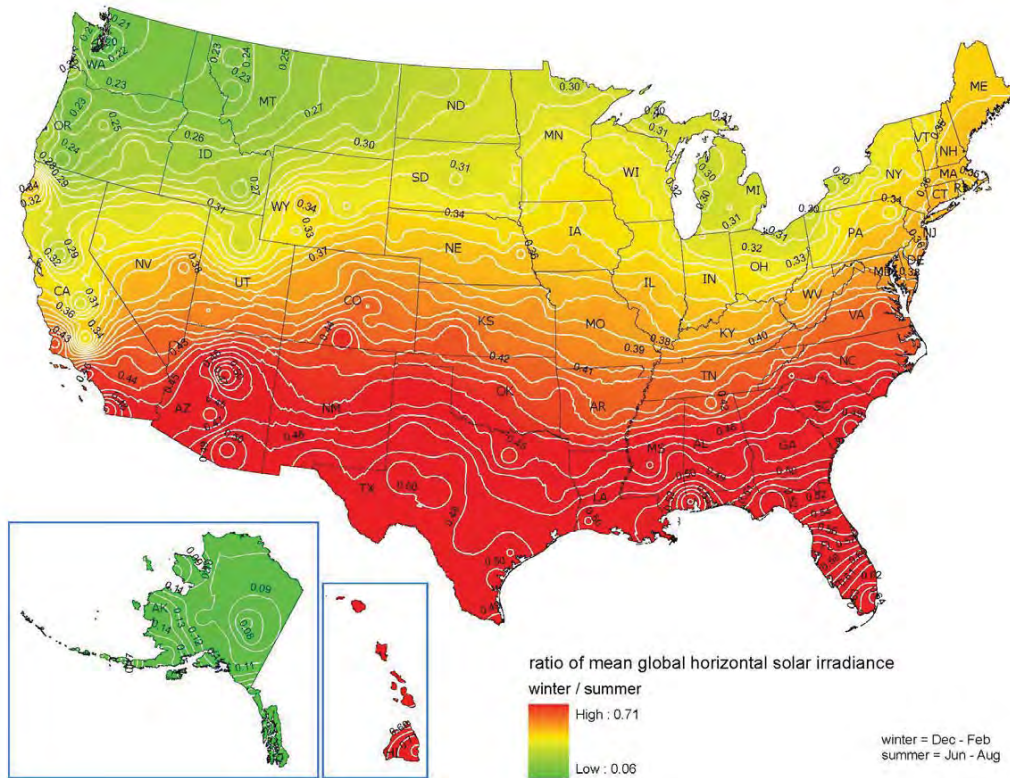
Average daily solar radiation: Annual



http://rredc.nrel.gov/solar/old_data/nsrdb/1961-1990/redbook/atlas/

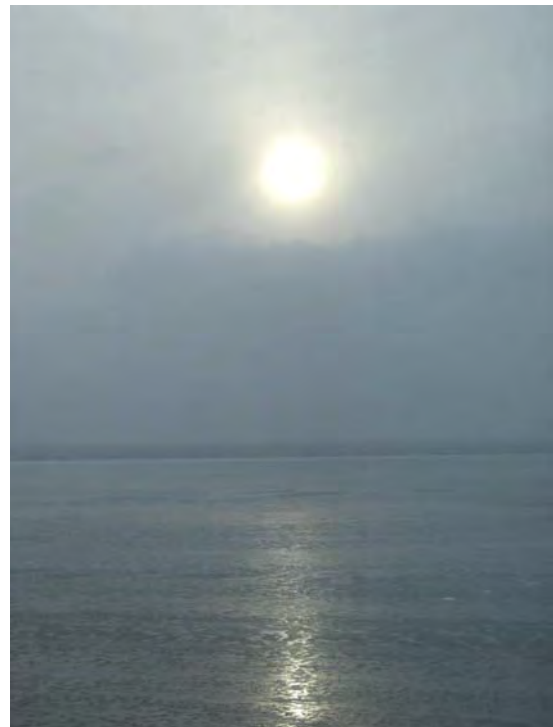


Mean winter/summer solar horizontal irradiance



Source: LBNL Heat Island Group

Winter in Montreal



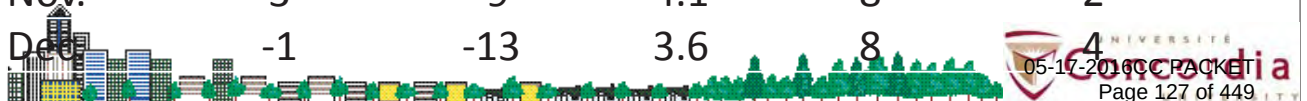
Little heating penalties for cool roofs

- Low sun availability
- Snow on the roof
- Most heating is in early morning and evening
- All colors look black in dark (night)



Calgary, Alberta weather

Month of year	Av. Daily Max. Temp. (°C)	Av. Daily Min. Temp. (°C)	Av. hours Sun (per day)	Av. Days with Snowfall	Av. Depth Snow on Ground (cm)
Jan.	-3	-15	3.8	10	6
Feb.	0	-12	5	8	4
Mar.	4	-8	5.7	9	3
Apr.	11	-2	7.3	6	1
May	16	3	8.2	2	0
Jun.	20	7	9.3	0	0
Jul.	23	9	10.2	0	0
Aug.	23	8	9.1	0	0
Sep.	18	4	6.9	2	0
Oct.	12	-1	5.8	4	0
Nov.	3	-9	4.1	8	2
Dec.	-1	-13	3.6	8	4



Montreal, Quebec weather

Month of year	Av. Daily Max. Temp. (°C)	Av. Daily Min. Temp. (°C)	Av. hours Sun (per day)	Av. Days with Snowfall	Av. Depth Snow on Ground (cm)
					
Jan.	-6	-15	3.3	16	15
Feb.	-4	-13	4.4	12	18
Mar.	2	-7	5.1	9	13
Apr.	11	1	5.8	3	1
May	19	8	7.4	0	0
Jun.	24	13	8.2	0	0
Jul.	26	16	8.8	0	0
Aug.	25	14	7.8	0	0
Sep.	20	9	5.8	0	0
Oct.	13	3	4.5	1	0
Nov.	5	-2	2.9	6	1
Dec.	-2	-10	2.6	13	8



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Toronto, Ontario weather

Month of year	Av. Daily Max. Temp. (°C)	Av. Daily Min. Temp. (°C)	Av. hours Sun (per day)	Av. Days with Snowfall	Av. Depth Snow on Ground (cm)
					
Jan.	-1	-7	2.8	12	7
Feb.	0	-6	3.9	9	7
Mar.	5	-2	5	6	3
Apr.	11	4	6.2	2	0
May	18	10	7.4	0	0
Jun.	24	15	8.3	0	0
Jul.	26	18	8.9	0	0
Aug.	25	17	7.8	0	0
Sep.	21	13	6.3	0	0
Oct.	14	7	4.8	0	0
Nov.	7	2	2.8	3	0
Dec.	2	-4	2.4	10	3



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Ottawa, Ontario weather

Month of year	Av. Daily Max. Temp. (°C)	Av. Daily Min. Temp. (°C)	Av. hours Sun (per day)	Av. Days with Snowfall	Av. Depth Snow on Ground (cm)
					
Jan.	-6	-15	3.3	15	21
Feb.	-4	-13	4.4	11	25
Mar.	2	-7	5.2	8	20
Apr.	11	1	6.3	3	2
May	19	8	7.4	0	0
Jun.	24	13	8.4	0	0
Jul.	26	15	8.9	0	0
Aug.	25	14	8	0	0
Sep.	20	10	5.7	0	0
Oct.	12	4	4.4	1	0
Nov.	5	-2	2.8	5	1
Dec.	-3	-10	2.6	13	11



Winnipeg, Manitoba weather

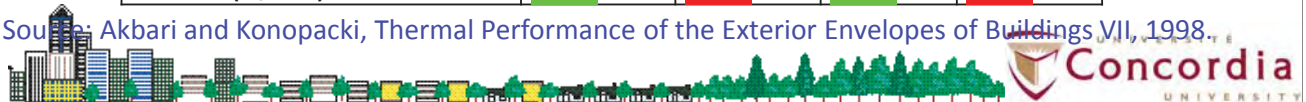
Month of year	Av. Daily Max. Temp. (°C)	Av. Daily Min. Temp. (°C)	Av. hours Sun (per day)	Av. Days with Snowfall	Av. Depth Snow on Ground (cm)
					
Jan.	-13	-23	3.9	12	18
Feb.	-9	-19	4.9	8	20
Mar.	-1	-11	5.8	7	13
Apr.	10	-2	8	3	3
May	19	5	9.2	1	0
Jun.	23	11	9.4	0	0
Jul.	26	13	10.2	0	0
Aug.	25	12	9	0	0
Sep.	19	6	6	0	0
Oct.	11	0	4.7	2	0
Nov.	-1	-10	3.1	9	5
Dec.	-10	-19	3.2	11	10



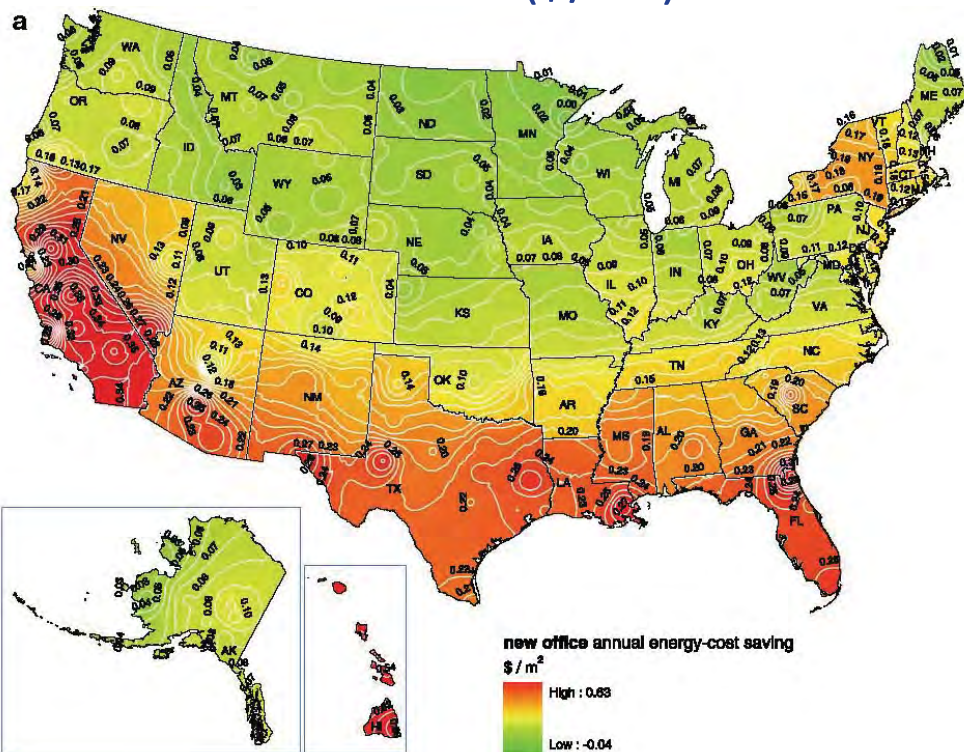
Cooling and heating energy use

	Old office		New office	
	a = 0.5	a = 0.2	a = 0.5	a = 0.2
Chicago				
Elec (kWh/m ²)	33.0	34.8	25.5	26.6
Gas (kBtu/m ²)	342.0	333.9	229.3	224.5
Total (\$/m ²)	4.51	4.62	3.32	3.38
New York City				
Elec (kWh/m ²)	31.4	33.3	24.5	25.6
Gas (kBtu/m ²)	288.4	282.5	194.4	190.9
Total (\$/m ²)	5.75	5.95	4.30	4.41
Philadelphia				
Elec (kWh/m ²)	35.0	37.4	27.0	28.4
Gas (kBtu/m ²)	247.6	239.2	158.4	153.3
Total (\$/m ²)	5.61	5.85	4.14	4.27
Washington DC				
Elec (kWh/m ²)	40.0	42.6	30.8	32.2
Gas (kBtu/m ²)	195.3	188.0	119.1	114.9
Total (\$/m ²)	3.97	4.12	2.88	2.95

Source: Akbari and Konopacki, Thermal Performance of the Exterior Envelopes of Buildings VII, 1998.

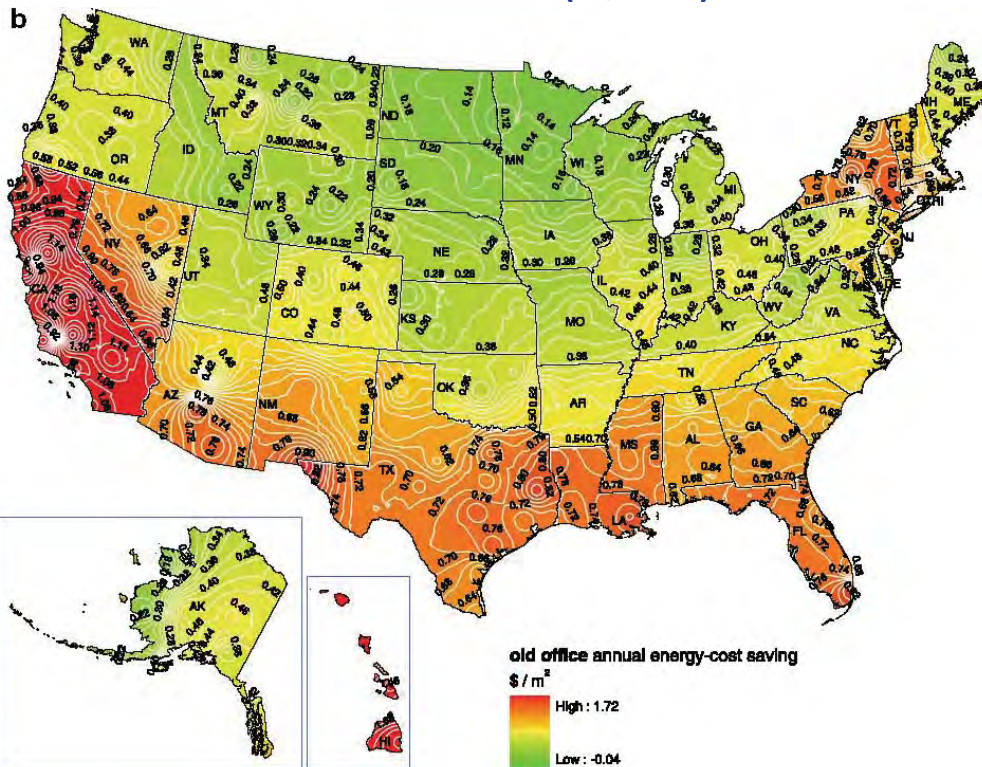


Annual net energy cost saving per unit conditioned roof area (\$/m²) for a new office

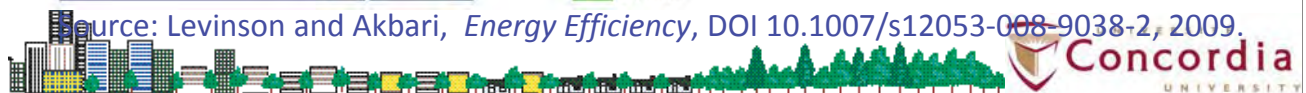


Source: Levinson and Akbari, *Energy Efficiency*, DOI 10.1007/s12053-008-9038-2, 2009.

Annual net energy cost saving per unit conditioned roof area (\$/m²) for an old office



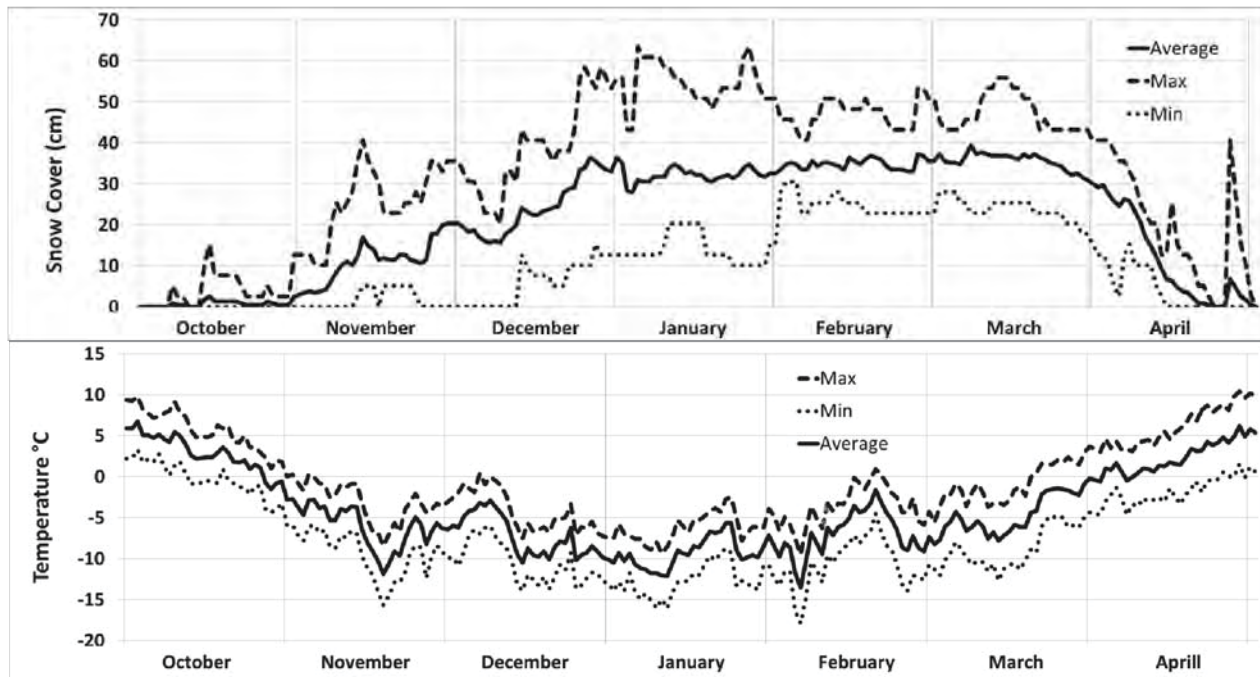
Source: Levinson and Akbari, *Energy Efficiency*, DOI 10.1007/s12053-008-9038-2, 2009.



The effect of snow

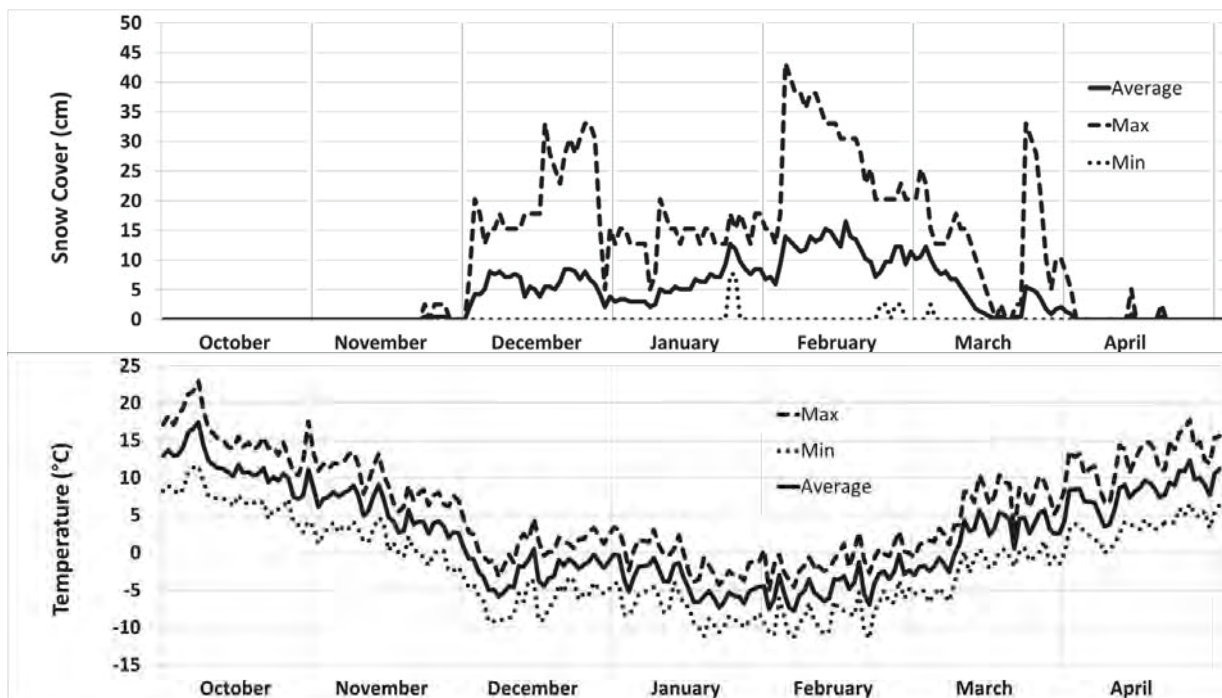
- DOE-2 simulations
- Flat roof office building
 - New vintage
 - Old vintage
- System type
 - Gas heating
 - Electric heat pump
- System efficiency
 - Standard
 - High efficiency
- Snow type
 - Fresh snow
 - Packed snow
- Snow duration
 - By climate
- Snow thickness
 - By climate
- Locations
 - Anchorage
 - Montreal
 - Milwaukee
 - Toronto

Anchorage: Snow cover and temperature



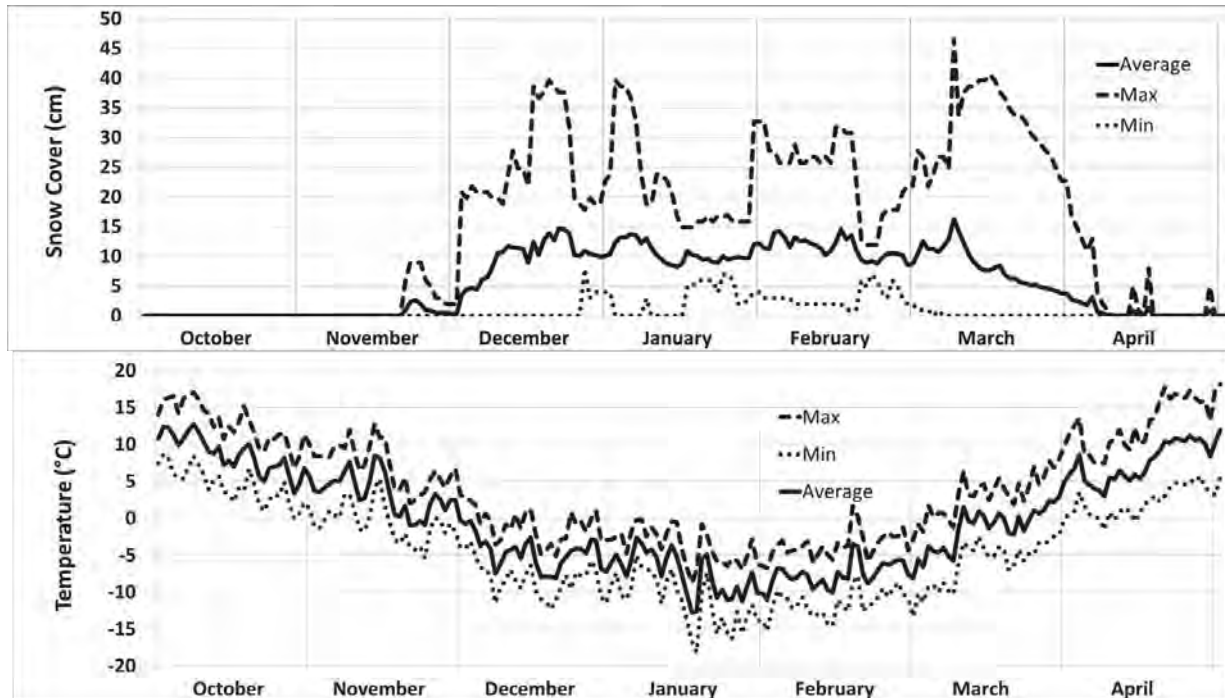
29

Milwaukee: Snow cover and temperature



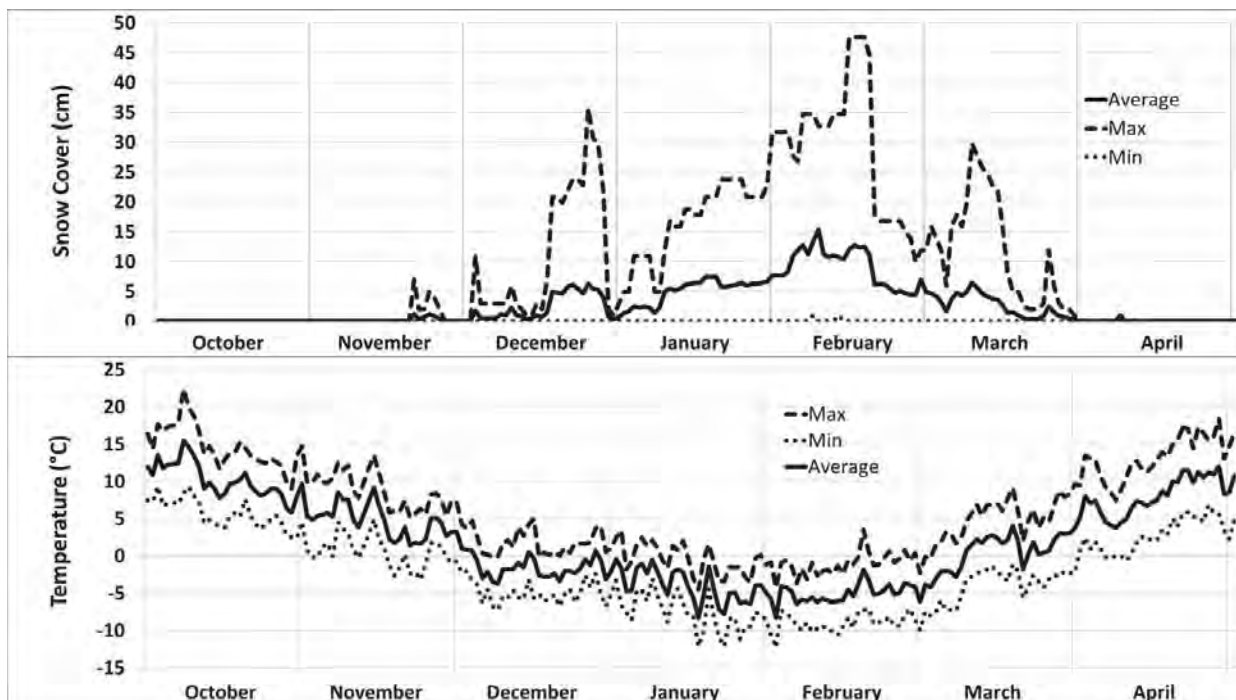
30

Montreal: Snow cover and temperature



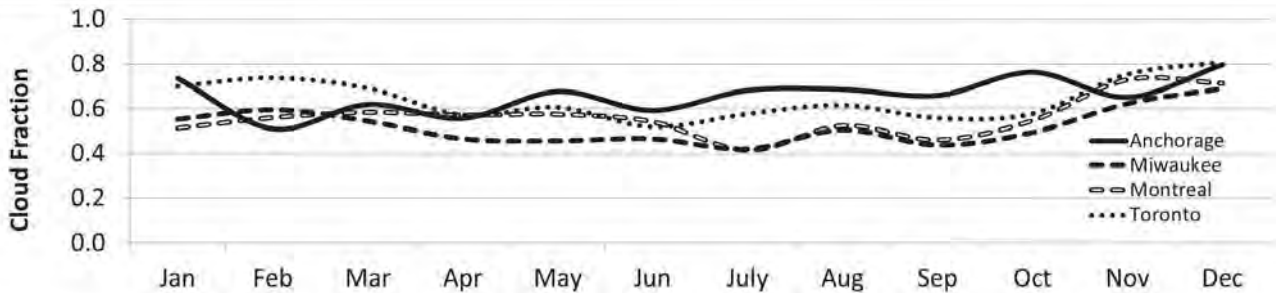
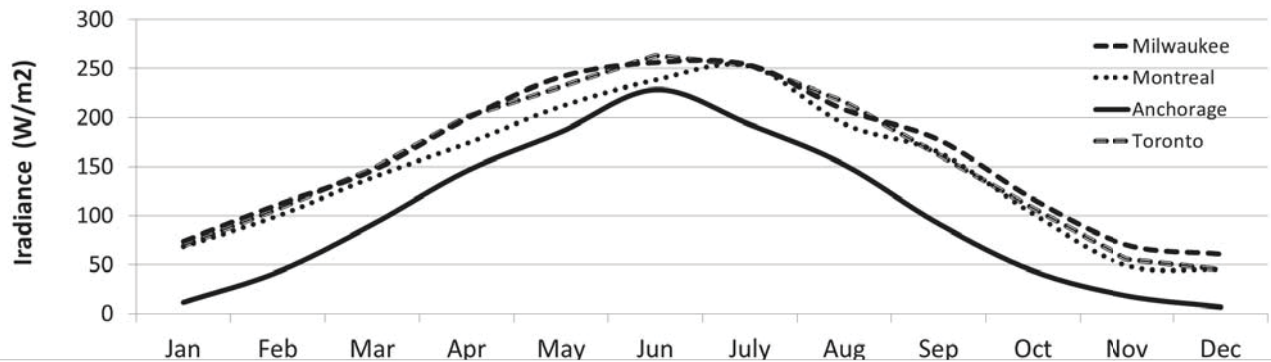
31

Toronto: Snow cover and temperature



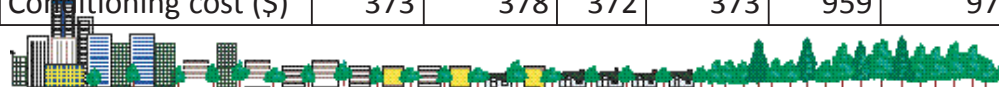
32

TMY irradiance and cloud cover



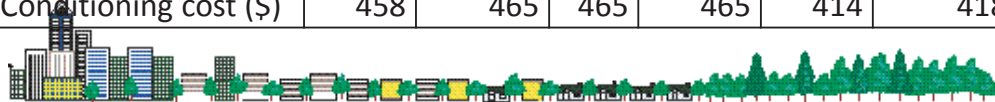
Heating and cooling energy use: Anchorage; Packed snow on roof

Case	Gas heating (heating in GJ/100 m ² , cooling in kWh/100 m ²)				Heat pump (heating and cooling in kWh/100 m ²)			
	No snow on roof		Snow on roof		No snow on roof		Snow on roof	
	Dark	White	Dark	White	Dark	White	Dark	White
Old construction with old systems								
Heating energy use	85.3	88.1	83.0	84.1	12468	12800	11793	11885
Cooling energy use	161	141	161	141	216	135	227	135
Conditioning cost (\$)	520	534	508	512	1471	1501	1394	1394
Old construction with new systems								
Heating energy use	81.4	84.0	79.2	80.2	11545	11874	10916	10990
Cooling energy use	129	113	129	113	176	105	176	105
Conditioning cost (\$)	498	512	487	491	1360	1390	1287	1287
New construction with new systems								
Heating energy use	60.3	61.4	60.2	60.5	8084	8225	8001	8023
Cooling energy use	127	116	127	116	187	148	187	148
Conditioning cost (\$)	373	378	372	373	959	971	950	948



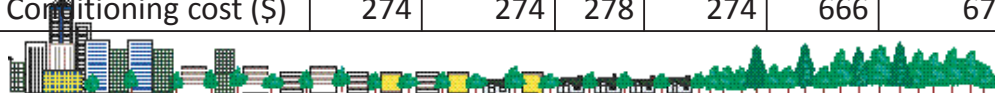
Heating and cooling energy use: Milwaukee; Packed snow on roof

Case	Gas heating (heating in GJ/100 m ² , cooling in kWh/100 m ²)				Heat pump (heating and cooling in kWh/100 m ²)			
	No snow on roof		Snow on roof		No snow on roof		Snow on roof	
	Dark	White	Dark	White	Dark	White	Dark	White
Old construction with old systems								
Heating energy use	54.2	56.7	55.3	56.4	7043	7399	7215	7318
Cooling energy use	1385	1252	1385	1252	1359	1167	1359	1167
Conditioning cost (\$)	654	670	666	670	647	660	660	653
Old construction with new systems								
Heating energy use	51.7	54.1	52.8	53.9	6410	6730	6560	6646
Cooling energy use	1113	1005	1113	1005	1067	913	1067	913
Conditioning cost (\$)	610	626	621	623	576	589	587	582
New construction with new systems								
Heating energy use	37.2	38.3	38.0	38.4	4330	4460	4436	4465
Cooling energy use	1046	994	1046	994	1047	971	1047	971
Conditioning cost (\$)	458	465	465	465	414	418	422	419



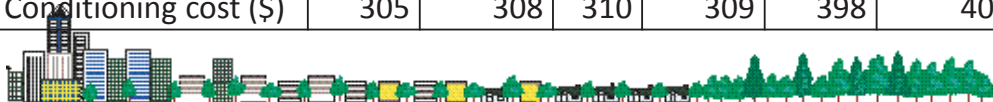
Heating and cooling energy use: Montreal; Packed snow on roof

Case	Gas heating (heating in GJ/100 m ² , cooling in kWh/100 m ²)				Heat pump (heating and cooling in kWh/100 m ²)			
	No snow on roof		Snow on roof		No snow on roof		Snow on roof	
	Dark	White	Dark	White	Dark	White	Dark	White
Old construction with old systems								
Heating energy use	70.0	73.1	71.0	72.2	10053	10492	10194	10289
Cooling energy use	1176	1030	1176	1030	1176	938	1176	938
Conditioning cost (\$)	377	377	381	373	999	1017	1012	999
Old construction with new systems								
Heating energy use	66.8	69.8	67.7	68.9	9319	9712	9357	9516
Cooling energy use	944	827	944	827	918	730	918	730
Conditioning cost (\$)	347	349	351	345	911	929	915	912
New construction with new systems								
Heating energy use	49.9	51.1	50.7	51.1	6623	6798	6760	6788
Cooling energy use	874	819	874	819	854	766	854	766
Conditioning cost (\$)	274	274	278	274	666	673	678	672

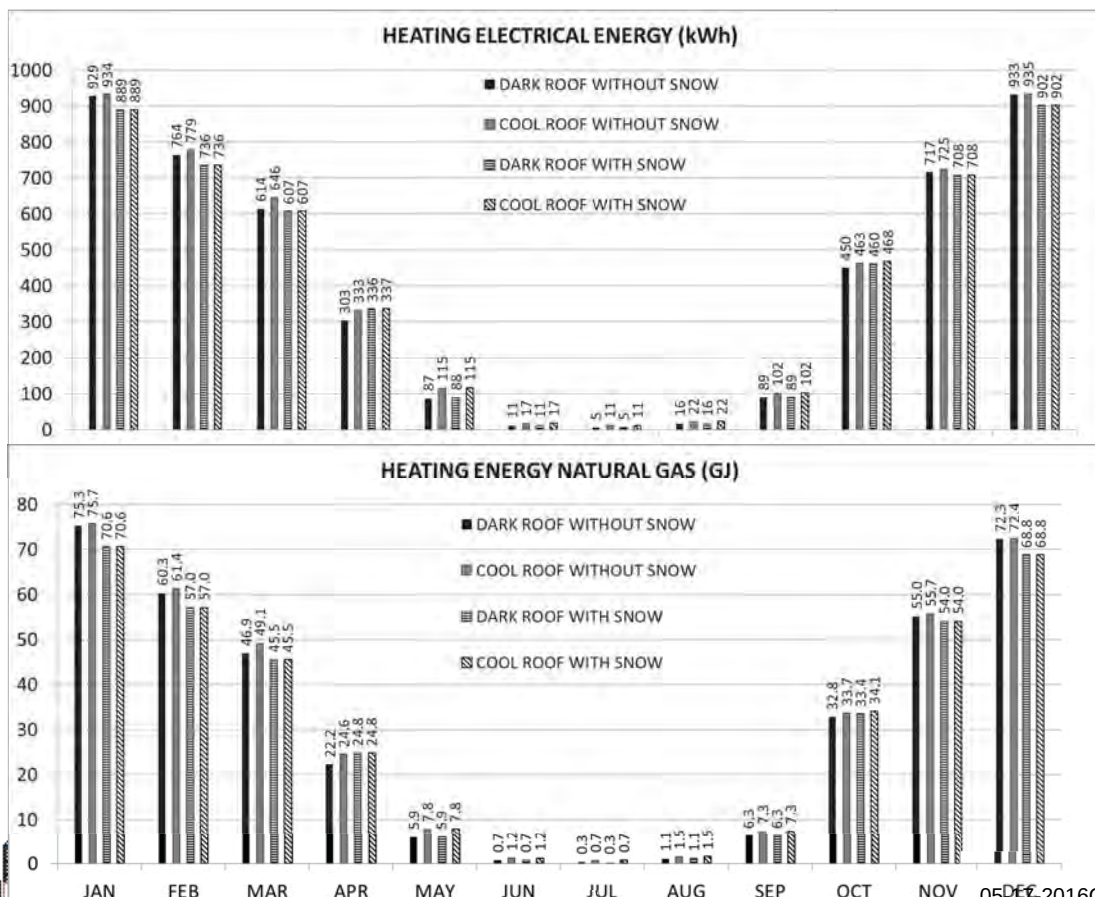


Heating and cooling energy use: Toronto; Packed snow on roof

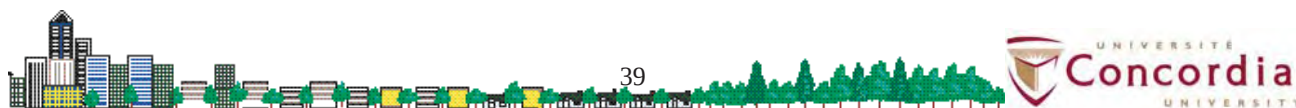
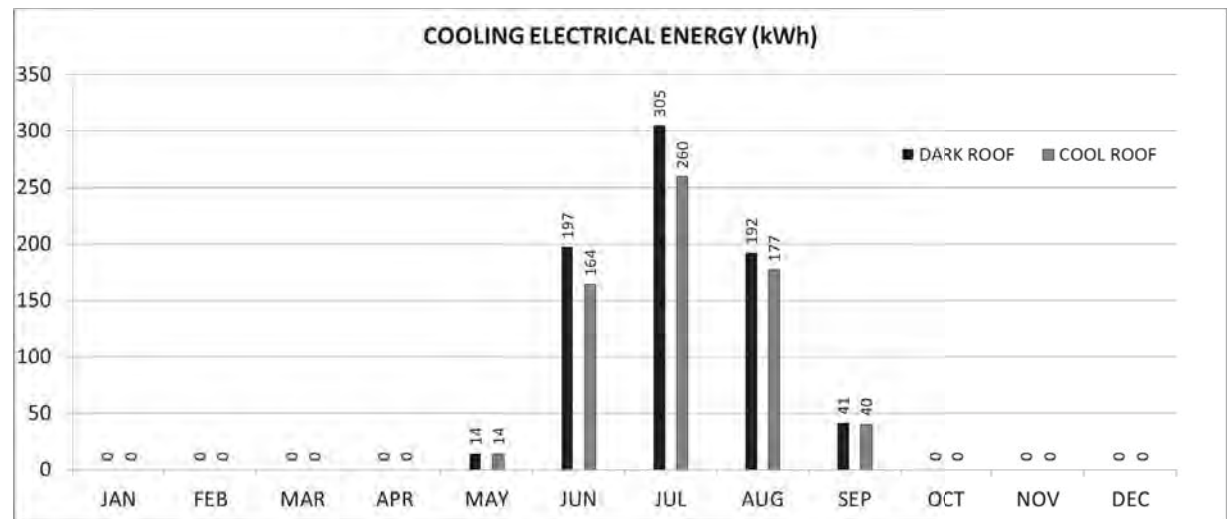
Case	Gas heating (heating in GJ/100 m ² , cooling in kWh/100 m ²)				Heat pump (heating and cooling in kWh/100 m ²)			
	No snow on roof		Snow on roof		No snow on roof		Snow on roof	
	Dark	White	Dark	White	Dark	White	Dark	White
Old construction with old systems								
Heating energy use	54.2	57.1	55.7	57.1	6502	6884	6724.3	6850
Cooling energy use	1365	1204	1365	1204	1436	1182	1436	1182
Conditioning cost (\$)	440	445	449	445	619	629	637	627
Old construction with new systems								
Heating energy use	50.9	53.6	52.3	53.6	5686	6056	5883	6020
Cooling energy use	1109	978	1109	978	1117	891	1117	891
Conditioning cost (\$)	400	406	409	407	531	542	546	539
New construction with new systems								
Heating energy use	36.5	37.8	37.4	37.9	4156	4304	4286	4325
Cooling energy use	1024	963	1024	963	942	867	942	867
Conditioning cost (\$)	305	308	310	309	398	403	408	405



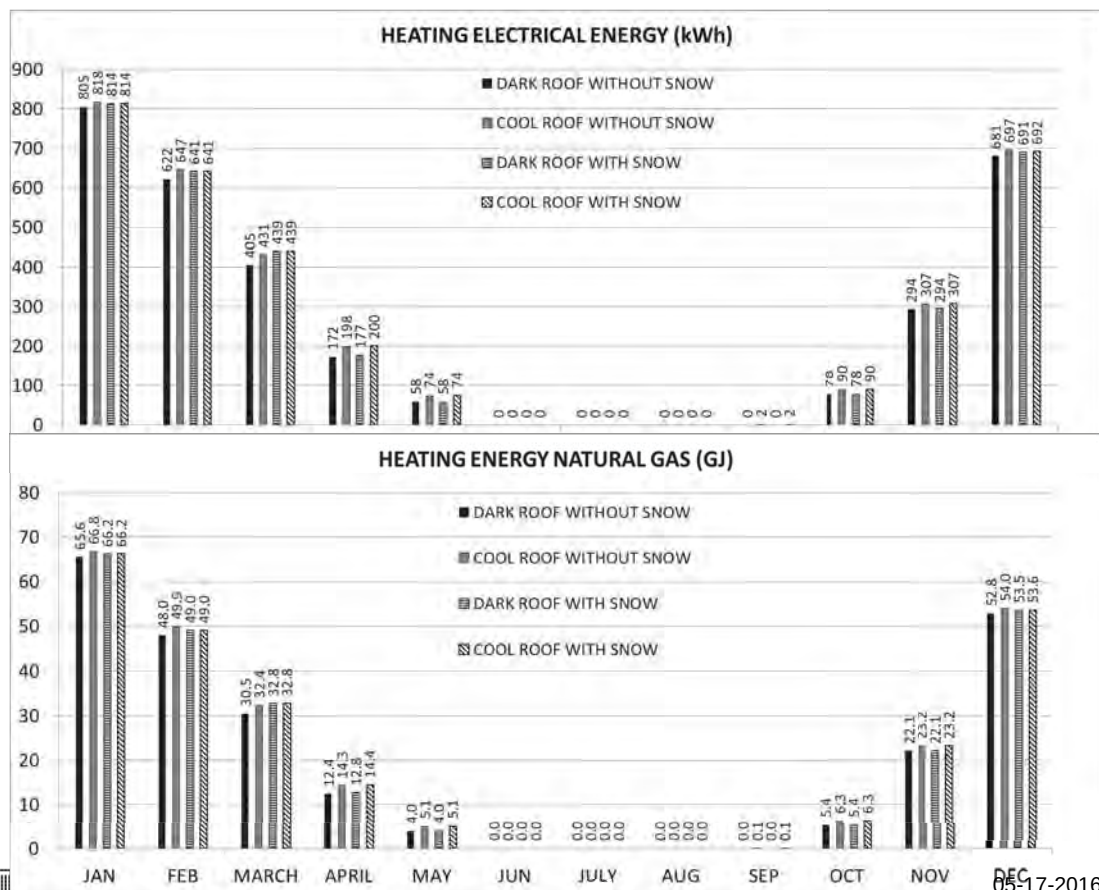
Heating energy use: Anchorage, old office, old VAV system



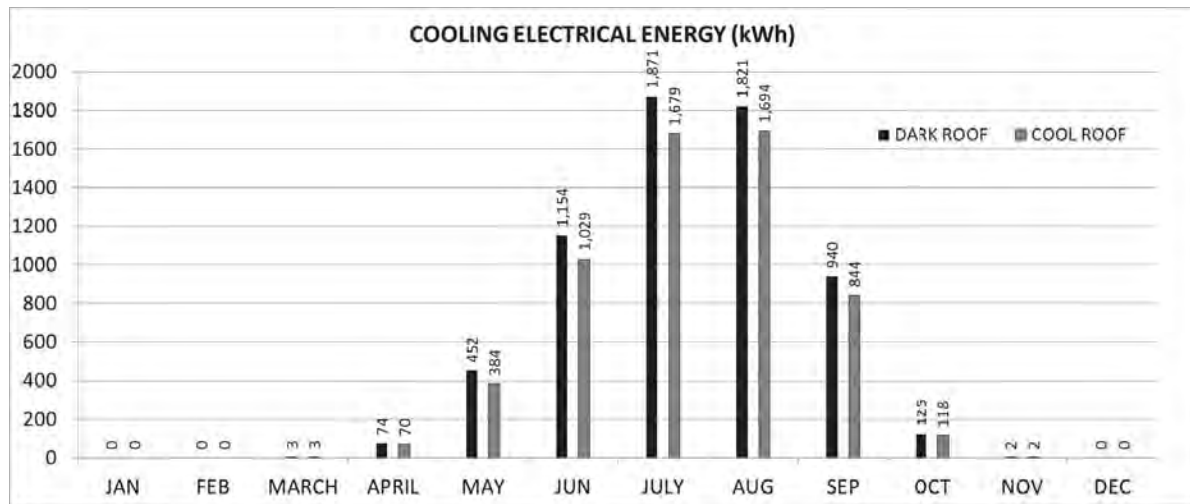
Cooling energy use: Anchorage, old office, old VAV system



Heating energy use: Milwaukee, old office, old VAV system

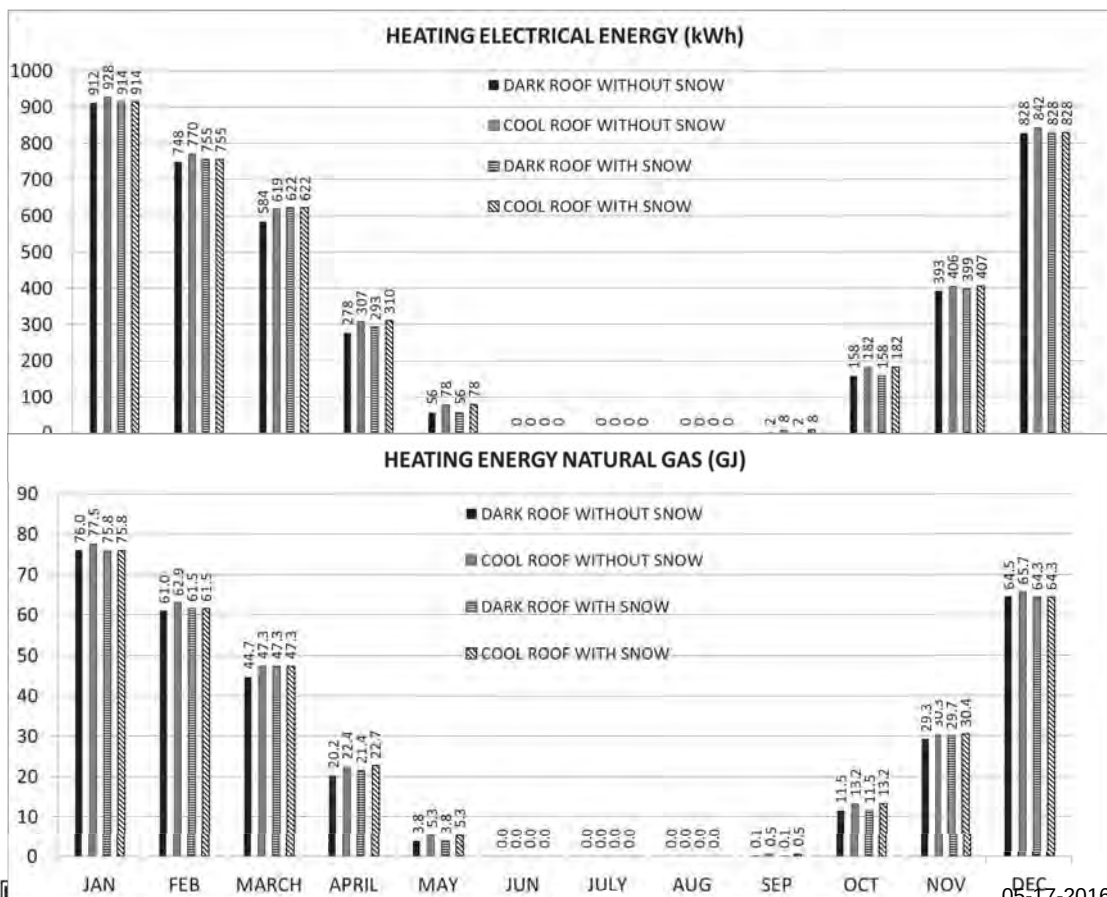


Cooling energy use: Milwaukee, old office, old VAV system

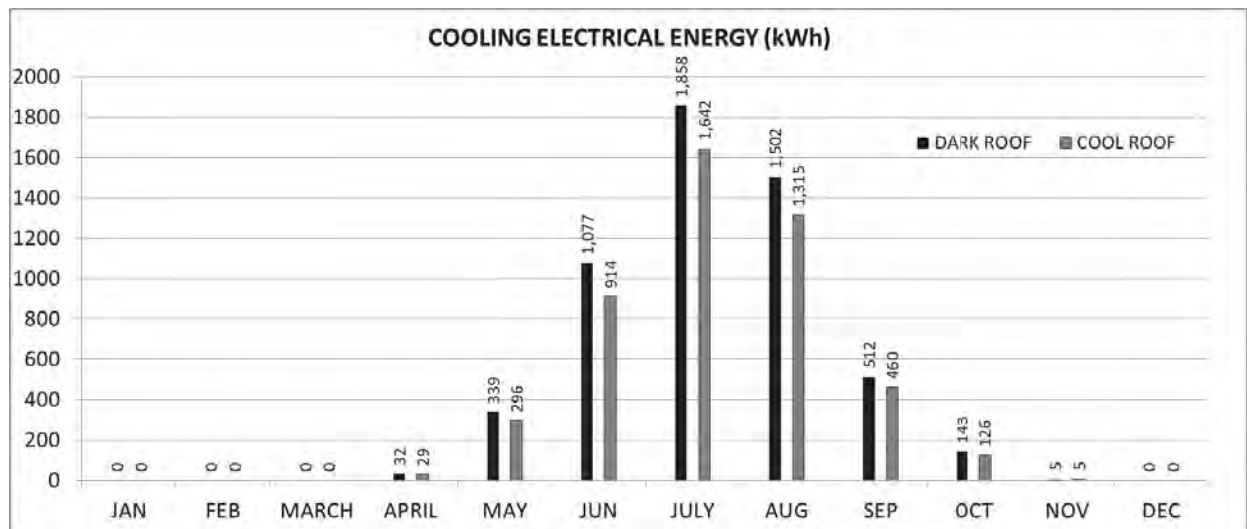


41

Heating energy use: Montreal, old office, old VAV system

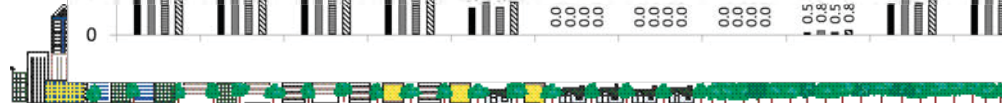
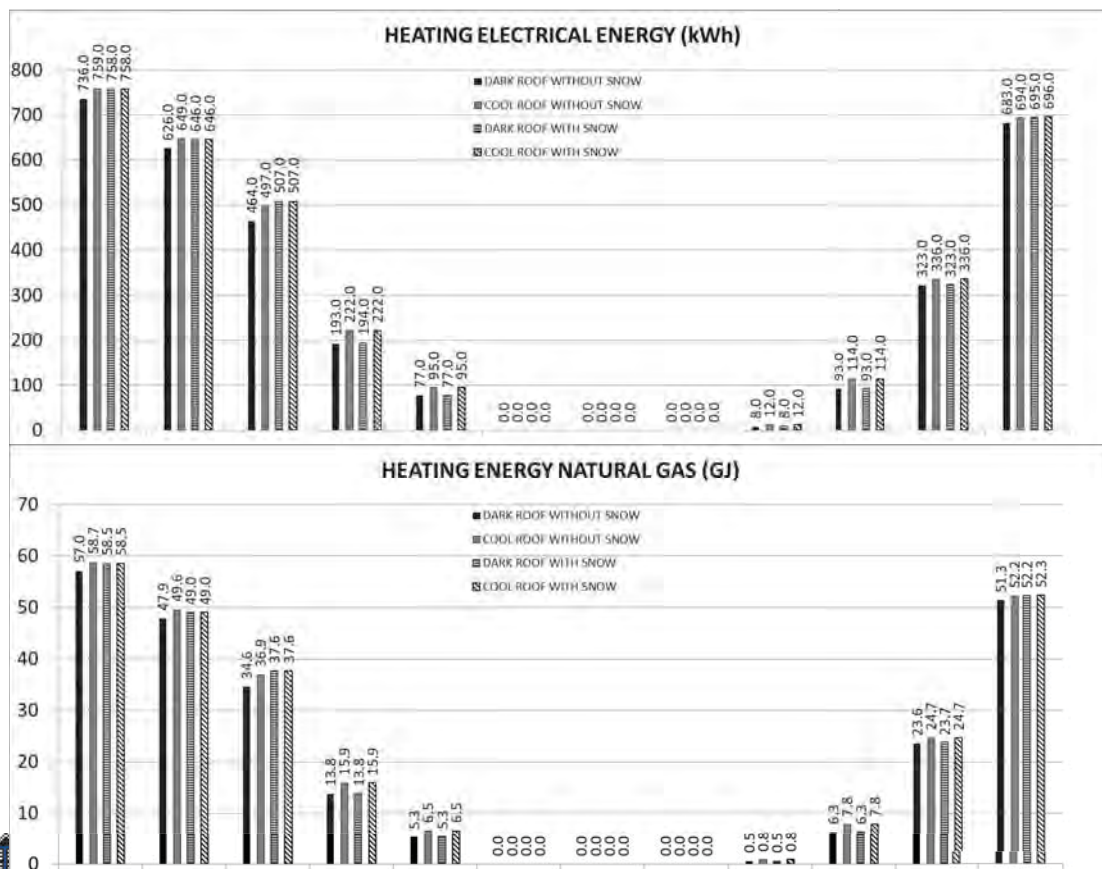


Cooling energy use: Montreal, old office, old VAV system

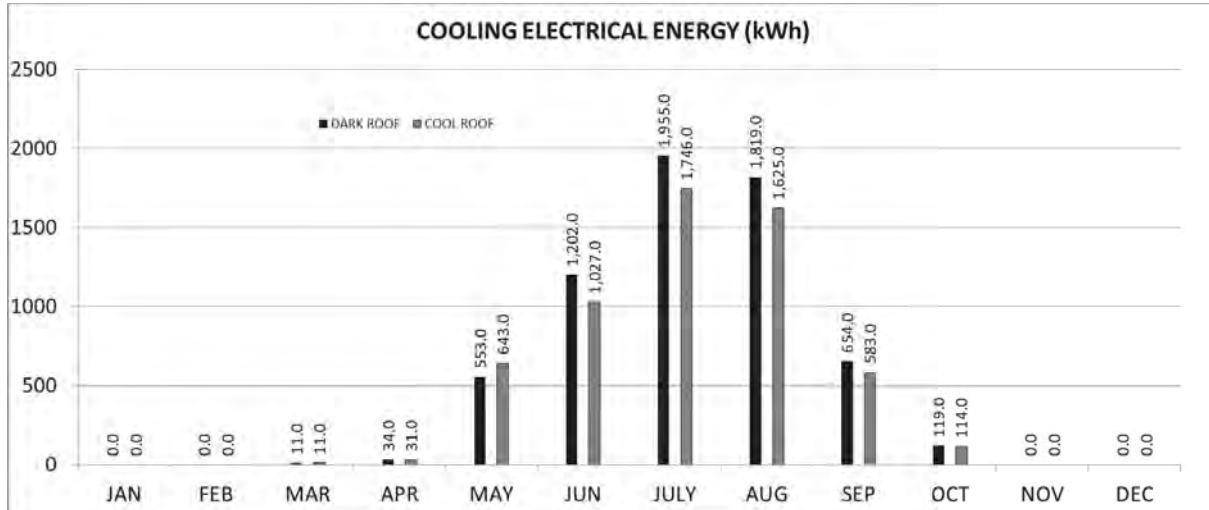


43

Heating energy use: Toronto, old office, old VAV system



Cooling energy use: Toronto, old office, old VAV system



Cool roofs and peak demand

- Demand savings of about 0.25 kW per 100 m²
- Down-sizing of AC systems
 - Most building systems are designed based on summer load
 - Cool roofs allows downsizing of system
 - A downsized systems runs more efficiently, even in winter
- In transitional climates, cool roofs (along with other measures) may eliminate need for AC

Source: Akbari and Konopacki, Energy Policy, 2005.
Levinson et al. Energy Policy, 2005.



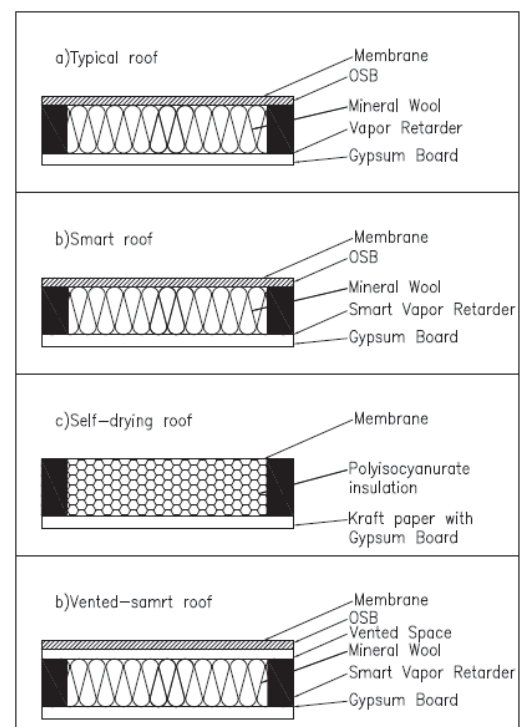
Roof albedo and moisture

- This problem is solved in cold climates
- WUFI simulations
- Various roofing systems
 - Snow on roof
 - No snow
- Several climates
- ASHRAE Standard 160 for indoor environment

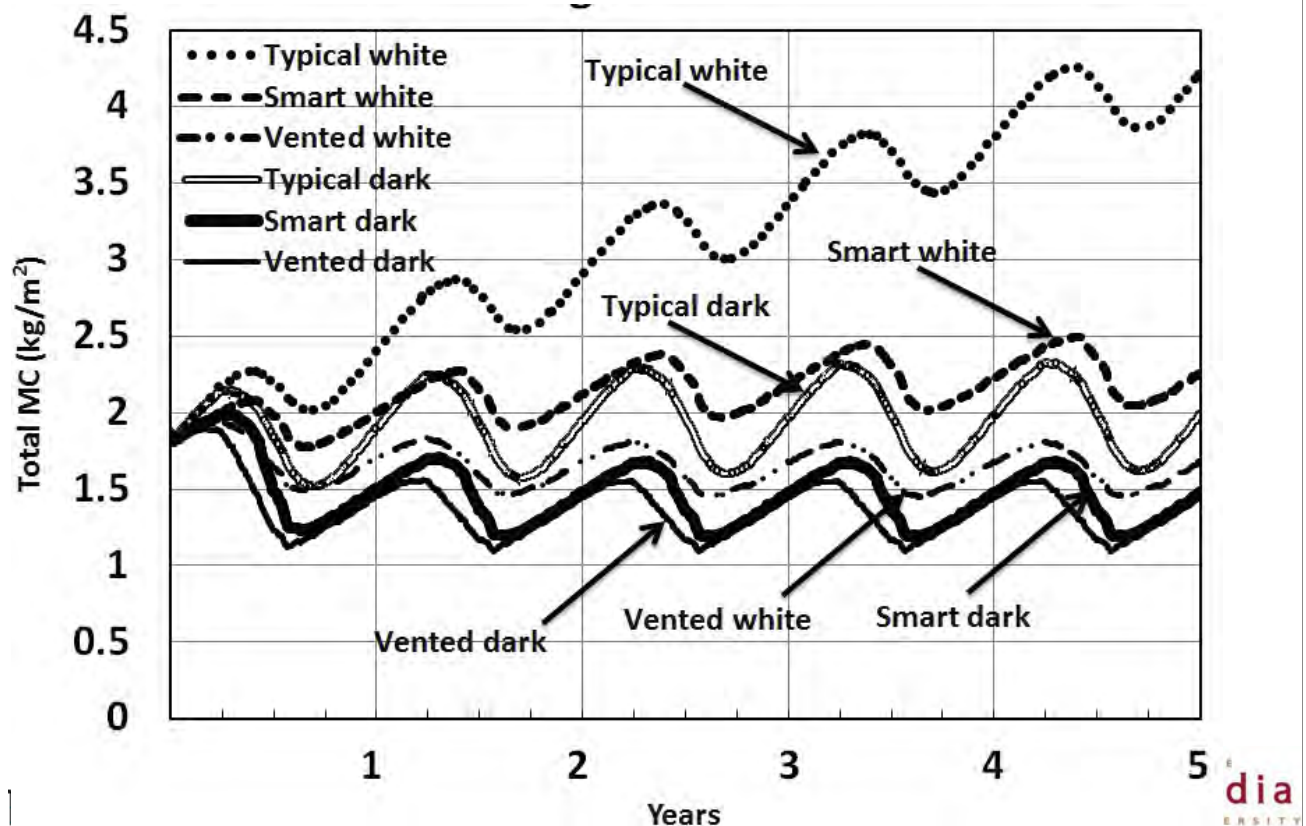
Moghaddaszadeh Ahrab and Akbari. *Building and Environment* (2012).



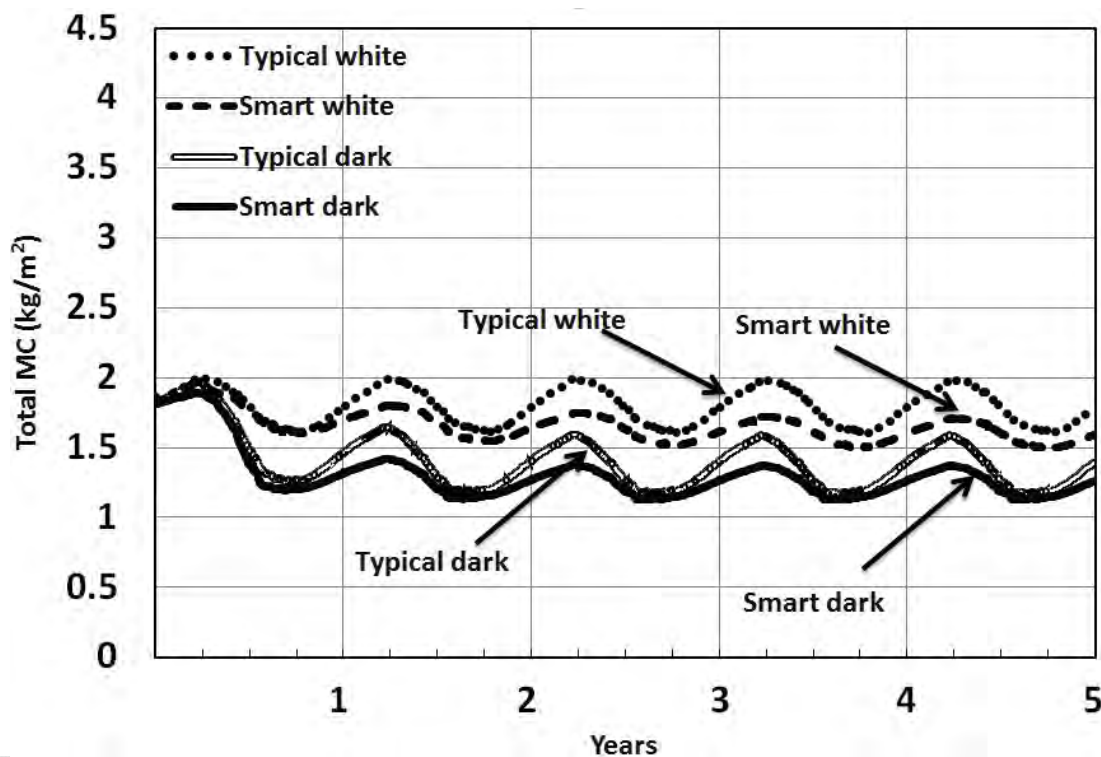
Roofing types and locations



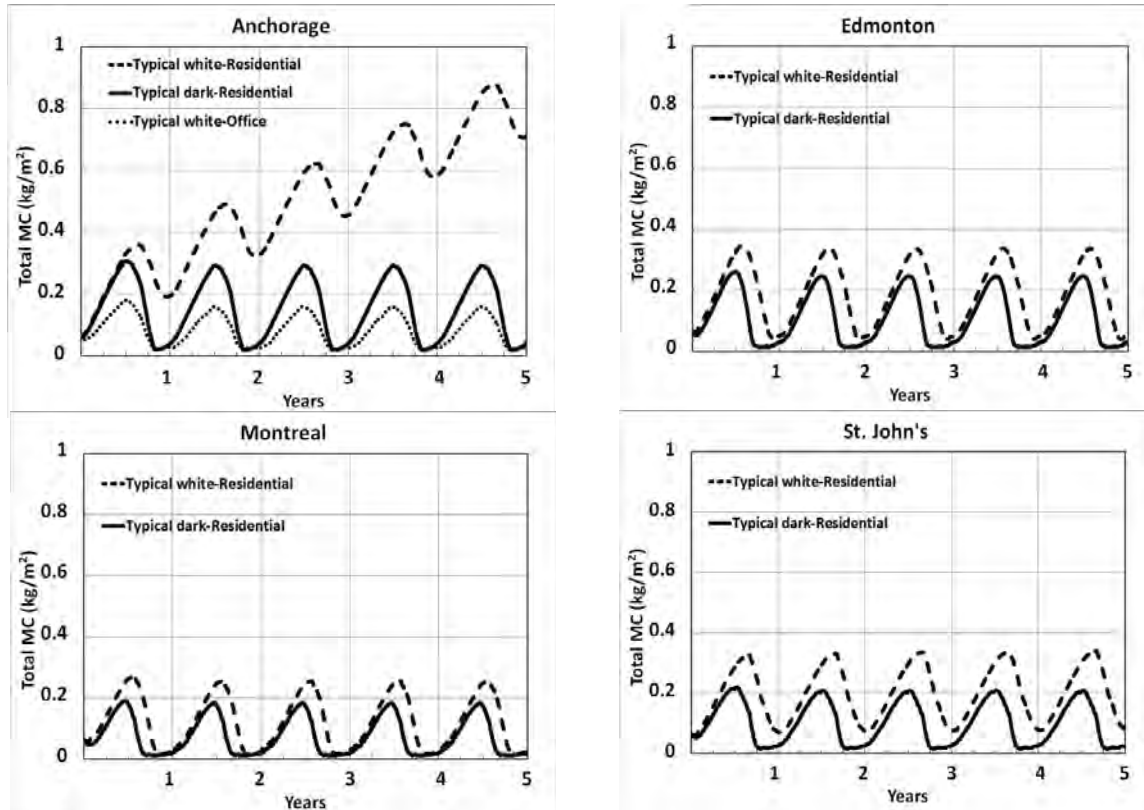
Total moisture content of different roofing assemblies in Anchorage with residential interior condition



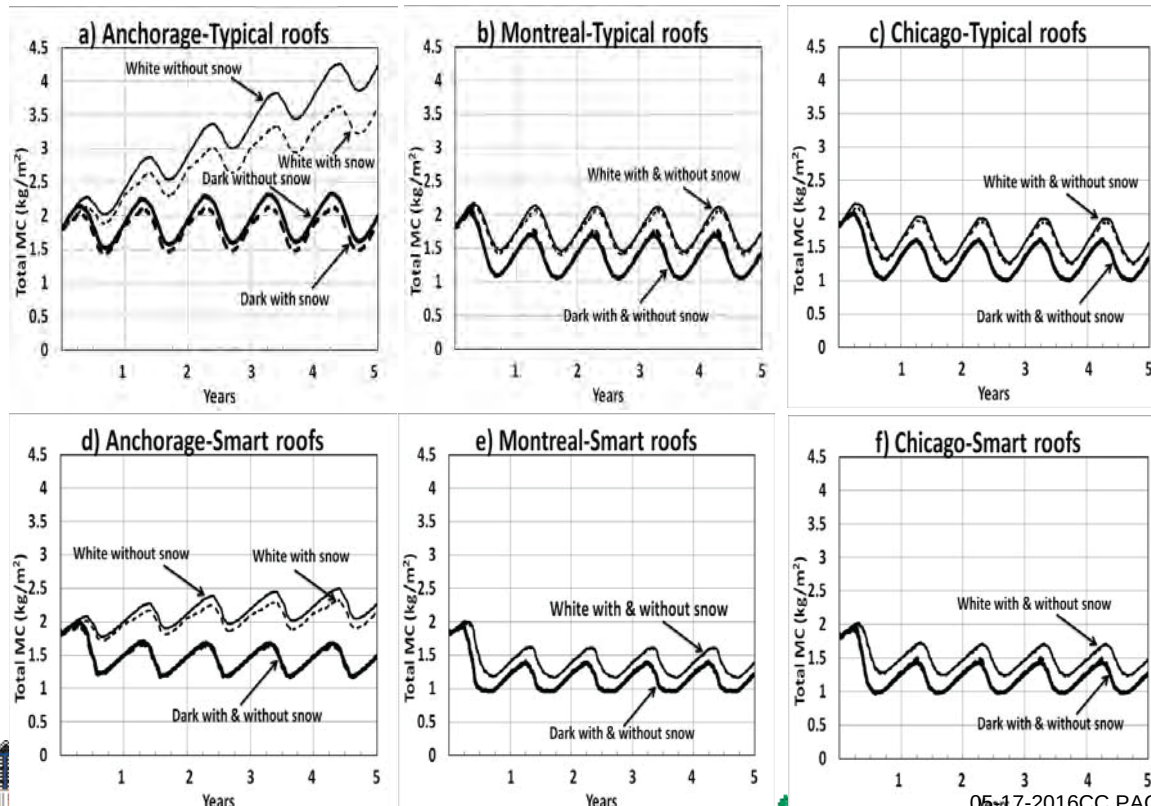
Total moisture content of different roofing assemblies in Anchorage with office interior condition



Total moisture content (kg/m²) of self-drying roofs



Effect of snow on total moisture content of roofs in Anchorage, Montreal (3 mos snow cover), and Chicago (2 mos snow cover)



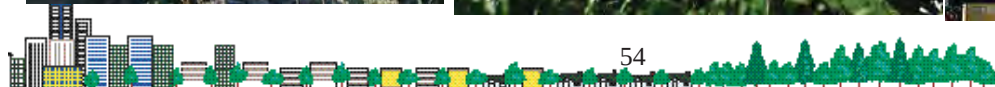
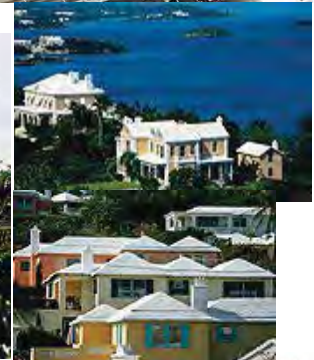
Pointers

- Winter penalties are small
- Anywhere that cooling is required, a cool roof saves \$
- Consider installing cool roof first, then AC
- Cool roofs, cool the globe, reduce heat islands, reduce urban smog, and may last longer
- Cool roofs reduce the effect of heat storms; save life
- Remember for many applications, cool roofs do not incur any incremental cost



100m² of a white roof, replacing a dark roof, offset 25 tonnes of CO₂ emissions

Akbari et al. 2012. *Environ. Res. Lett*



White low-sloped roofs for AC buildings

- Annual AC savings of $\sim 0.5 - 1.0$ $\$/\text{m}^2$; $5 - 10$ kWh/m^2
- Annual CO_2 savings of $3.8 - 7.5$ kg/m^2
- CO_2 savings over 20 years life of roof $75 - 150$ kg/m^2
- NPV of 20 years AC savings of $\sim 7.5 - 15$ $\$/\text{m}^2$
- Maximum incremental cost for most roofs 2.5 $\$/\text{m}^2$

A no brainer



Cool-colored steep-sloped roofs for AC buildings

- Annual AC savings of $\sim 0.3 - 0.5$ $\$/\text{m}^2$; $3 - 5$ kWh/m^2
- Annual CO_2 savings of $2.3 - 3.8$ kg/m^2
- CO_2 savings over 20 years life of roof $45 - 75$ kg/m^2
- NPV of 20 years AC savings of $\sim 4.5 - 7.5$ $\$/\text{m}^2$
- Maximum incremental cost for most roofs 2.5 $\$/\text{m}^2$

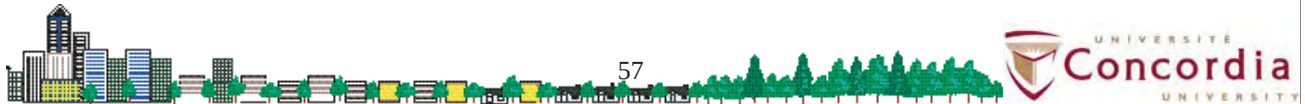
Go for it



White low-sloped roofs for non-AC buildings

- Global cooling offset: 250 kg/m²
- Current value of CO₂ offset: 25 \$/tonne
- **Global cooling value of white roofs: 6.2 \$/m²**
- Incremental cost for most roofs: 0 - 2.5 \$/m²
- Give 2.5 \$/m² rebate every 10 years
- Save the remainder 3.7 \$/m²; see it grow to 6.2 \$/m² in 10 years

Does it work?



DESCRIPTION

The Galleon™ LED luminaire delivers exceptional performance in a highly scalable, low-profile design. Patented, high-efficiency AccuLED Optics™ system provides uniform and energy conscious illumination to walkways, parking lots, roadways, building areas and security lighting applications. IP66 rated and UL/cUL Listed for wet locations.

SPECIFICATION FEATURES

Construction

Extruded aluminum driver enclosure thermally isolated from Light Squares for optimal thermal performance. Heavy-wall, die-cast aluminum end caps enclose housing and die-cast aluminum heat sinks. A unique, patent pending interlocking housing and heat sink provides scalability with superior structural rigidity. 3G vibration tested. Optional tool-less hardware available for ease of entry into electrical chamber. Housing is IP66 rated.

Optics

Patented, high-efficiency injection-molded AccuLED Optics technology. Optics are precisely designed to shape the distribution maximizing efficiency and application spacing. AccuLED Optics create consistent distributions with the scalability to meet customized application requirements. Offered standard in 4000K (+/- 275K) CCT 70 CRI. Optional 6000K CCT and 3000K CCT.

Electrical

LED drivers are mounted to removable tray assembly for ease of maintenance. 120-277V 50/60Hz, 347V 60Hz or 480V 60Hz operation. 480V is compatible for use with 480V Wye systems only. Standard with 0-10V dimming. Shipped standard with Eaton proprietary circuit module designed to withstand 10kV of transient line surge. The Galleon LED luminaire is suitable for operation in -40°C to 40°C ambient environments. For applications with ambient temperatures exceeding 40°C, specify the HA (High Ambient) option. Light Squares are IP66 rated. Greater than 90% lumen maintenance expected at 60,000 hours. Available in standard 1A drive current and optional 530mA and 700mA drive currents.

Mounting

STANDARD ARM MOUNT: Extruded aluminum arm includes internal bolt guides allowing for easy positioning of fixture during assembly. When mounting two or more luminaires at 90° and 120° apart, the EA extended arm may be required. Refer to the arm mounting requirement table.

Round pole adapter included.

For wall mounting, specify wall mount bracket option. 3G vibration rated. **QUICK MOUNT ARM:** Arm is bolted directly to the pole and the fixture slides onto the quick mount arm and is secured via a single fastener, facilitating quick and easy installation. The versatile, patent pending, quick mount arm accommodates multiple drill patterns ranging from 1-1/2" to 4-7/8". Removal of the door on the quick mount arm enables wiring of the fixture without having to access the driver compartment. A knock-out enables round pole mounting.

Finish

Housing finished in super durable TGIC polyester powder coat paint, 2.5 mil nominal thickness for superior protection against fade and wear. Heat sink is powder coated black. Standard colors include black, bronze, grey, white, dark platinum and graphite metallic. RAL and custom color matches available.

Warranty

Five-year warranty.

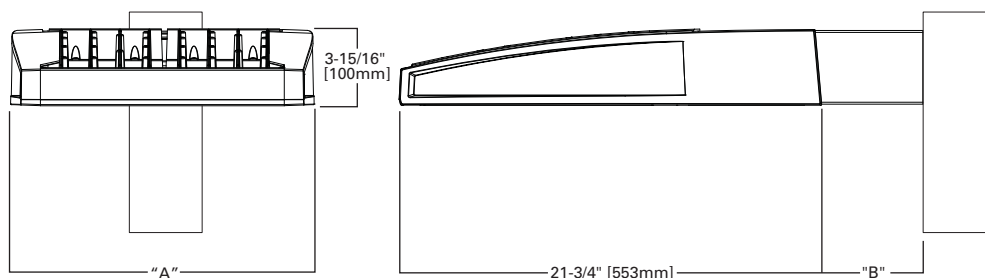


GLEON GALLEON LED

1-10 Light Squares
Solid State LED

AREA/SITE LUMINAIRE

DIMENSIONS

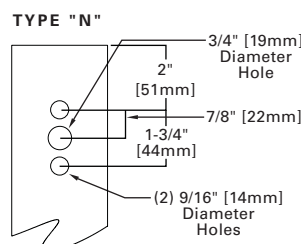


DIMENSION DATA

Number of Light Squares	"A" Width	"B" Standard Arm Length	"B" Optional Arm Length ¹	Weight with Arm (lbs.)	EPA with Arm ² (Sq. Ft.)
1-4	15-1/2" (394mm)	7" (178mm)	10" (254mm)	33 (15.0 kgs.)	0.96
5-6	21-5/8" (549mm)	7" (178mm)	10" (254mm)	44 (20.0 kgs.)	1.00
7-8	27-5/8" (702mm)	7" (178mm)	13" (330mm)	54 (24.5 kgs.)	1.07
9-10	33-3/4" (857mm)	7" (178mm)	16" (406mm)	63 (28.6 kgs.)	1.12

NOTES: 1. Optional arm length to be used when mounting two fixtures at 90° on a single pole. 2. EPA calculated with optional arm length.

DRILLING PATTERN



CERTIFICATION DATA

UL/cUL Wet Location Listed
ISO 9001
LM79 / LM80 Compliant
3G Vibration Rated
IP66 Rated
DesignLights Consortium™ Qualified*

ENERGY DATA

Electronic LED Driver
>0.9 Power Factor
<20% Total Harmonic Distortion
120V-277V 50/60Hz
347V & 480V 60Hz
-40°C Min. Temperature
40°C Max. Temperature
50°C Max. Temperature (HA Option)

DESCRIPTION

The Galleon™ LED Flood luminaire combines the low-profile design of the Galleon with the mounting angle flexibility of a pole or wall-mounted floodlight. With a maximum tilt angle of 60° from horizontal, and patented, high-efficiency AccuLED Optics™ technology, it provides uniform and energy conscious illumination for parking lots, container/ rail yards and highway projects. Mounts direct to pole or to a, bullhorn or pole-top tenon. IP66 rated and UL/cUL Listed for wet locations.

Catalog #		Type
Project		
Comments		Date
Prepared by		

SPECIFICATION FEATURES

Construction

Extruded aluminum driver enclosure thermally isolated from Light Squares for optimal thermal performance. Heavy-wall, die-cast aluminum end caps enclose housing and die-cast aluminum heat sinks. A unique, patent pending interlocking housing and heat sink provides scalability with superior structural rigidity. 3G vibration and IP66 rated up to 60° from horizontal. Optional tool-less hardware available for ease of entry into electrical chamber.

Optics

Patented, high-efficiency injection-molded AccuLED Optics technology. Optics are precisely designed to shape the distribution maximizing efficiency and application spacing. AccuLED Optics create consistent distributions with the scalability to meet customized application requirements. Offered standard in 4000K (+/- 275K) CCT 70 CRI.

Optional 6000K CCT, 5000K CCT and 3000K CCT.

Electrical

LED drivers are mounted to removable tray assembly for ease of maintenance. 120-277V 50/60Hz, 347V 60Hz or 480V 60Hz operation. 480V is compatible for use with 480V Wye systems only. Standard with 0-10V dimming. Shipped standard with our proprietary circuit module designed to withstand 10kV of transient line surge. The Galleon LED Flood luminaire is suitable for operation in -40°C to 40°C ambient environments. For applications with ambient temperatures exceeding 40°C, specify the HA (High Ambient) option. Light Squares are IP66 rated. 90% lumen maintenance expected at 60,000 hours. Available in standard 1A drive current and optional 530mA and 700mA drive currents.

Mounting

Cast aluminum knuckle arm mounts directly to fixture housing, and is available with either commercial pole mount or slipfitter for bullhorn, pipe or tenon mount. Can be tilted up to 60° from horizontal without compromising vibration or IP rating.

Finish

Housing finished in super durable TGIC polyester powder coat paint, 2.5 mil nominal thickness for superior protection against fade and wear. Heat sink is powder coated black. Standard colors include black, bronze, grey, white, dark platinum and graphite metallic. RAL and custom color matches available.

Warranty

Five-year warranty.

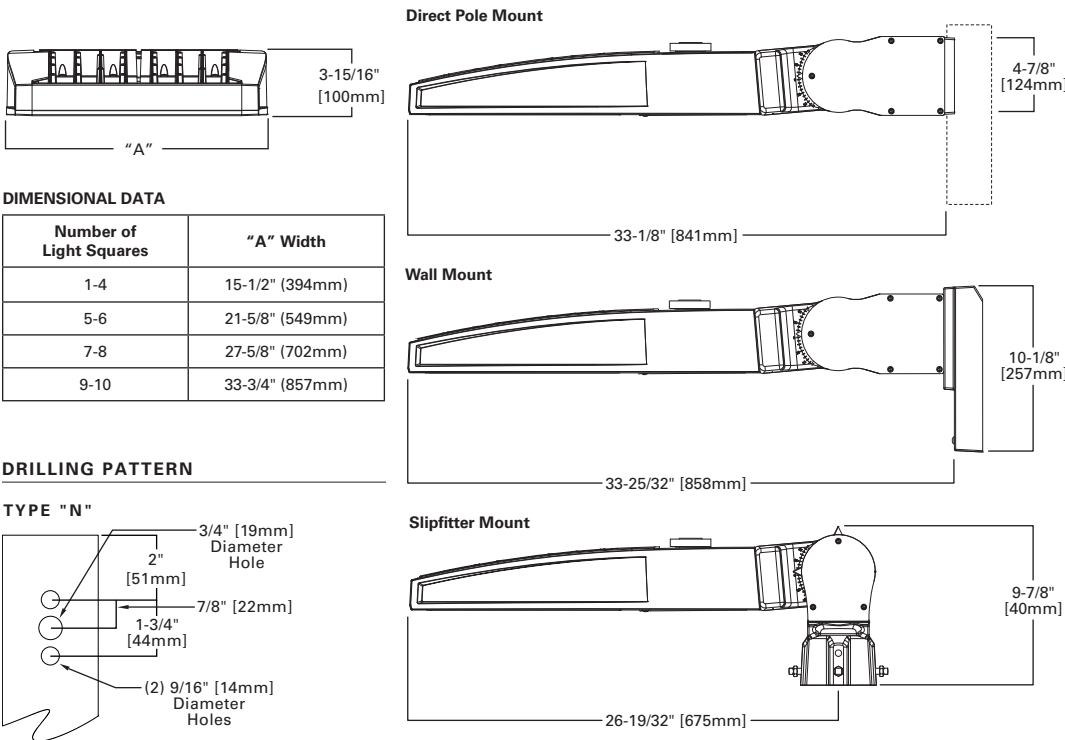


GLEON GALLEON LED FLOOD

1-10 Light Squares
Solid State LED

FLOODLIGHT LUMINAIRE

DIMENSIONS



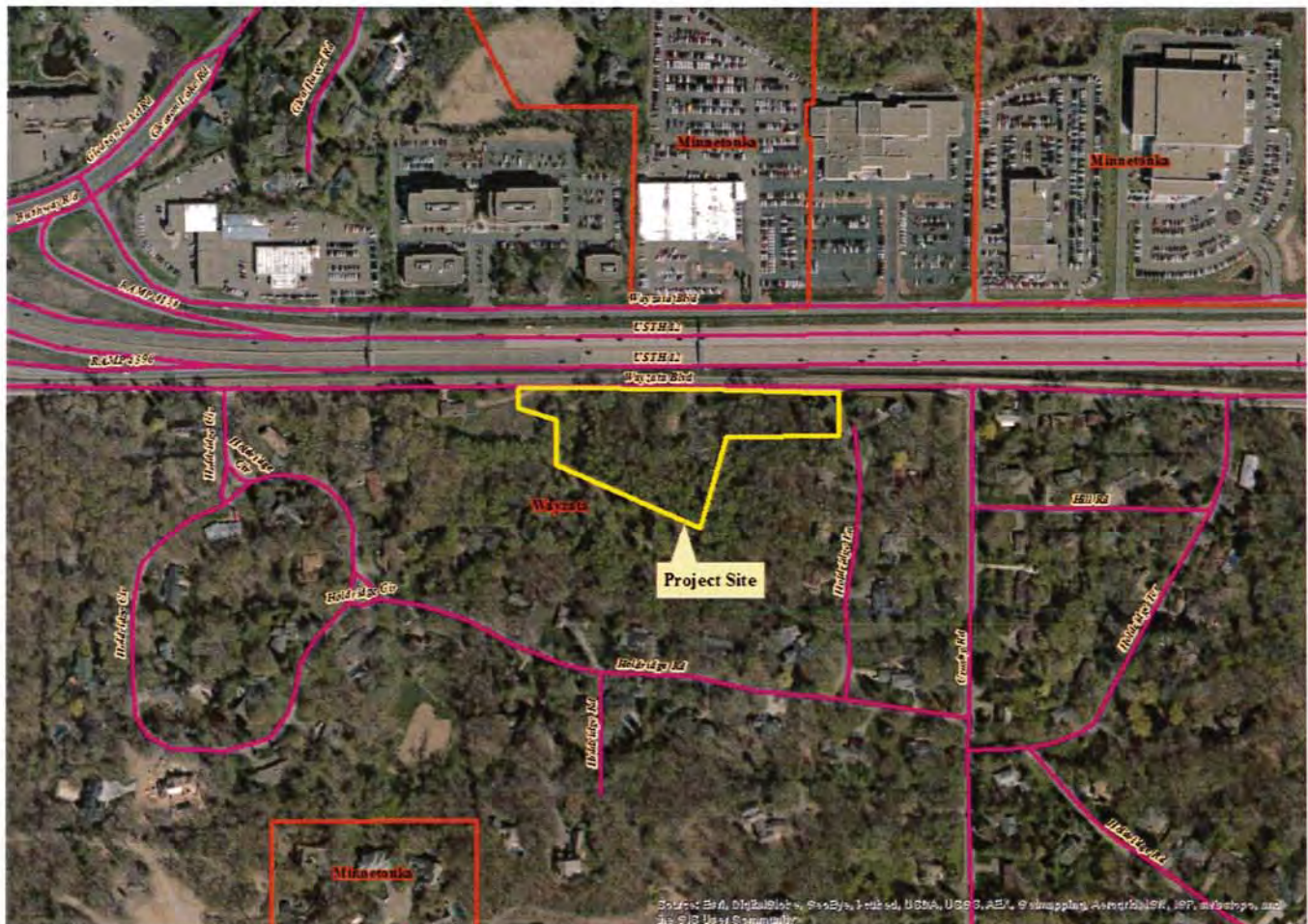
CERTIFICATION DATA

UL/cUL Wet Location Listed
ISO 9001
LM79 / LM80 Compliant
3G Vibration Rated up to 60° from Horizontal
IP66 Rated up to 60° from Horizontal

ENERGY DATA

Electronic LED Driver
>0.9 Power Factor
<20% Total Harmonic Distortion
120V-277V 50/60Hz
347V & 480V 60Hz
-40°C Min. Temperature
40°C Max. Temperature
50°C Max. Temperature (HA Option)

Phase I Environmental Site Assessment
of
2030 WAYZATA BLVD
Wayzata, Minnesota 55391



Prepared for:
Bob Dachelet

Prepared by:
MFRA, Inc.

March 6, 2014

Phase I Environmental Site Assessment
of
Dachelet Property
2030 Wayzata Boulevard and Associated Outlots
Wayzata, Minnesota

Prepared for:
Robert Dachelet

March 6, 2014

Phase I Environmental Site Assessment
Dachelet Property
2030 Wayzata Boulevard and Associated Outlots
Wayzata, Minnesota

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- B. Aerial Photographs
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Phase I Environmental Site Assessment
Dachelet Property
2030 Wayzata Boulevard and Associated Outlots
Wayzata, Minnesota

REPORT SUMMARY

A Phase I Environmental Site Assessment (ESA) to determine if Recognized Environmental Conditions (RECs) exist at the property located at 2030 Wayzata Boulevard and the two adjoining outlots, all of which are located within the City of Wayzata, Minnesota (Site) has been completed. The Site encompasses approximately 4.64 acres within the eastern portion of the City of Wayzata. The Site is currently utilized as a single-family residence and consists of a two-story residential structure with a tuck-under garage, a roll-off container, a canvas-covered storage shed and a wooded yard of which the eastern portion is utilized to store landscaping equipment and materials that are used by the landscaping company that operates out of the residence. The house located on the Site was built in 1950 and is currently rented. The tuck-under garage is utilized as a workshop by the landscaping company. The two outlots, which are located to the east and west of the single-family residence, are unimproved wooded areas. Prior to construction of the residential structure, the Site appears to have been an unimproved, wooded parcel of land. The scope of the Phase I ESA services consisted of an on-site inspection, interview with the current landowner, and the review of federal, state, and local governmental records per ASTM Standards (Practice E 1527-05) standards of care.

A Site reconnaissance was completed by MFRA, Inc (MFRA) on January 31, 2014 to examine the Site for the presence of RECs. The interior and exterior portions of the Site were examined during the Site visit. The Site structure is heated with natural gas and has city sanitary sewer services. A private drinking water well is located on the Site and used by the residence at 2030 Wayzata Boulevard. The City of Wayzata recently provided city water to the Site at Wayzata Boulevard, however the Site owner has not connected to the city service at this time. No underground or aboveground storage tanks are located on the Site.

MFRA interviewed the landowner, Robert Dachelet, regarding the history of the Site during the January 31, 2014 site reconnaissance. Mr. Dachelet indicated that he purchased the Site in September 2007 from Bentley Smith. According to Mr. Dachelet, Bentley Smith's father developed the Site in 1950 as part of the Holdridge development. Mr. Dachelet did not have any knowledge of the Site's use prior to the development in 1950. Mr. Dachelet indicated that there are no aboveground or underground storage tanks or the storage of paints, pesticides, batteries or chemicals on the Site.

A review of state and federal databases was completed by Environmental Data Resources, Inc. (EDR). The Site is not listed on any Federal or State databases. Seventeen facilities, located within a one-mile radius of the Site are listed in the Federal and state databases. Some of the listed facilities may be included in multiple databases. All but two of the listed facilities are either closed or are in compliance with Federal and State regulations. The two facilities that are currently active have been investigated by the relevant Federal and/or State regulatory agencies and are in the process of monitoring the contaminant or waiting for final approval of remedial

actions taken by the facility owner. None of the seventeen identified facilities in the vicinity of the Site are considered a REC to the Site.

Based on the site reconnaissance, interviews with individuals knowledgeable of the Site's current and past uses, and the review of state and federal database records, no RECs were identified on the Site or on neighboring properties. No additional investigations of the Site are necessary.

I. INTRODUCTION

This report presents the results of a Phase I ESA, conducted by MFRA, for the Site (Location Map, Page 3). The Site is located at 2030 Wayzata Boulevard, Wayzata, Minnesota and includes the two adjoining outlots located to the east and west of the Site.

A. *Purpose of the Study*

Due to federal and state legislation, an individual, corporation, or financial institution who owns or operates on a property that is found to be contaminated may be held liable for all appropriate clean-up costs. The purchaser of the property should conduct an appropriate inquiry into the previous ownership and uses of the property in order to minimize liability.

Our investigation is designed to meet ASTM Standards (Practice E 1527-05) and the All Appropriate Inquiries (AAI) requirements for Phase I ESA for property transfers. The ASTM Standards are intended to satisfy one of the requirements of qualifying for the innocent landowner defense to CERCLA liability.

The purpose of this Phase I ESA was to evaluate the subject property for indications of “recognized environmental conditions”. Recognized environmental conditions are defined by ASTM Practice E 1527-05 as: “The presence or likely presence of any hazardous substances or petroleum products on a property under conditions that indicate an existing release, a past release or a material threat of a release of any hazardous substances or petroleum products into structures on the property or into the ground, groundwater or surface water of the property. The term includes hazardous substances or petroleum products even under conditions in compliance with laws. The term is not intended to include *de minimis* conditions that generally do not present a threat to human health or the environment and that generally would not be the subject of an enforcement action if brought to the attention of appropriate governmental agencies.”

The scope of the Phase I ESA includes a visual inspection of the property, a standard series of questions used in discussion with individuals familiar with the property, review of available environmental documents, observations of the property maintenance and upkeep, and contact of regulatory agencies. Our field observations are based upon visual observations only. No warranties of statements on data received are made.

B. *Scope of Work*

The scope of the Phase I ESA includes the following:

1. Contacting applicable federal, state, county, and local government agencies that maintain environmental records for the project area.
2. Review of federal, state, county, and local environmental records of the property and surrounding area (distance defined in ASTM Standards).
3. Research and review of the chain of ownership of the property.
4. Research and review of historical land use data, including aerial photographs beginning in 1937.
5. Conducting a visual site inspection of the subject property and surrounding area.
6. The preparation of a report of findings.



Location Map

Dachelet Property
2030 Wayzata Blvd
Wayzata, Minnesota 55391

0 500 1,000
Scale In Feet



MFRA #19924

Sources: MetroGIS, NRCS, LMIC



This map was created using MFRA's Geographic Information Systems (GIS). It is a compilation of information and data from various sources. This map is not a surveyed map and is intended to be used as a reference. MFRA is not responsible for inaccuracies contained herein.

05-17-2016CC PACKET
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II. HISTORICAL BACKGROUND

A. *Chain of Ownership*

Land title records of the Site were not reviewed. The current landowner, Robert Dachelet, indicated that he purchased the Site in September 2007 from Bentley Smith. Mr. Dachelet also indicated that Bentley Smith's father developed the Site as a single-family residence in 1950 as part of the Holdridge development. Mr. Dachelet had no knowledge of the Site owners or land uses prior to 1950.

Hennepin County Tax records indicate that the current Site structure was built in 1950.

Aerial photographs indicate that the current Site structure was built between 1947 and 1953, which is consistent with the Hennepin County Tax Records and information provided by Mr. Dachelet.

B. *City Directories*

Since the 1700s, city directories have been published for cities and towns across the U.S. Originally as a list of residents, the city directory developed into a sophisticated tool for locating individuals and businesses in a particular urban or suburban area. EDR completed a search of the Cole Information Services city directories for the Site address and adjoining properties addresses at approximately five-year intervals for the period between 1999 and 2013. The Site address is not listed in any of the city directories between 1999 and 2013. The following provides a list of the users that occupied the neighboring properties between 1999 and 2013.

Neighboring Properties

1805 Wayzata Blvd (located north of Highway 12)

1999 – Auto Center Bargain Lot

Lowells Parts

Pronto Auto Parts

Wayzata Auto Center

2003 – Lowells Parts

Pronto Auto Parts

2008 – Car Quest

General Parts, Inc.

Morries Kia, Inc.

2008 – Auto Center Bargain Lot

1907 Wayzata Blvd (located north of Highway 12)

1999 – not listed

2003 – Chamberlain Law Firm, PLLC
Great Lakes Management, Inc.
Prizmsystems, LLC

2008 – 39375 Grand Avenue, LLC
Ameriprise Financial Services, Inc.
Appaloosa Funding Group, LLC
Builders Development & Finance, Inc.
Carlton Financial Corp
Center Insurance Agency, Inc.
Chamberlain Law Firm
Convention Sports & Leisure International
CSL International, Inc.
Custom Intercept Solutions
Great Lakes Management
Hallett Financial Group, Inc.
Machining & Turning, Inc.
Skin Therapease
Skorei, Inc.
Sparboe Agricultural Corp.

2013 – Ameriprise Financial
Center Insurance Agency
Chamberlain Law Firm
Clothes Mentor
Commercial Mortgage Advisors, Inc.
Continental Property Group, Inc.
Group 3 Marketing
Ncell Systems, Inc.
Skin Therapease
Wayzata Law Group

1909 Wayzata Blvd (located north of Highway 12)

1999 – Hammer Residences, Inc.

2003 – not listed

2008 – Hammer Residences

2013 – Hammer Residences, Inc.

16200 Wayzata Blvd (located north of Highway 12)

1999 – Village Chevrolet Geo Company

Wayzata Auto Center
2003 – Village Chevrolet
Wayzata Auto Center Parts
2008 – Village Chevrolet
Wayzata Auto Center Parts
2013 – Village Chevrolet
Wayzata Auto Center Parts
16100 Wayzata Blvd (located north of Highway 12)
1999 – Lexus of Wayzata
Wayzata Auto Center Lexus of Wayzata
2003 – Lexus
Lexus of Wayzata
Occupant Unknown
Village Automotive Group
2008 – Village Automotive Group
Village Luxury Imports, Inc.
2013 – Lexus of Wayzata
16000 Wayzata Blvd (located north of Highway 12)
1999 – Wayzata Mitsubishi
2003 – Wayzata Mitsubishi
2008 – Village Imports Company
2013 – Wayzata Mitsubishi
15906 Wayzata Blvd (located north of Highway 12)
1999 – Marc Allen Incorporated
Wayzata Nissan
2003 – Auto Works Collision of Wayzata
Community Acceptance Corp
Dennis Steele
Nissan Key, Inc.
Wayzata Collision Center
Wayzata Imports
Wayzata Nissan
2008 – Auto Works Collision
Marc Allen, Inc.
Wayzata Nissan
2013 – Auto Works Collision of Wayzata
Community Acceptance Corp.
Marc Allen
Wayzata Nissan
15802 Wayzata Blvd (located north of Highway 12)
1999 – not listed
2003 – not listed

2008 – not listed
2013 – BMW of Minnetonka

Based on the information provided in the City Directories, no REC's are identified within the Site or on neighboring properties. The City Directory Report, provided by EDR is attached as Appendix A.

C. *Aerial Photographs*

ASTM Standards require review of aerial photographs covering at least every five years since 1940. Often times, this criterion cannot be met and missing periods are noted in this report.

Aerial photographs of the Site were obtained from Historical Information Gatherers, Inc. (HIG). Aerial photographs were available for the following years: 1937, 1940, 1947, 1953, 1957, 1964, 1969, 1979, 1984, 1991, 1997, 2003, 2009 and 2013. The aerial photographs are attached as Appendix B. Aerial photographs were not reasonably ascertainable for every 5-year period; however, coverage of this property was generally available approximately every ten years. For each year of an available photograph, a summary of the changes that occurred on the Site and neighboring properties from photo to photo is provided.

1937– The Site appears to be wooded in the 1937 aerial photograph. Highway 12 is present as a two-lane roadway. Based on future aerial photographs, the 1937-depicted roadway appears to be located on the current westbound lanes.

The neighboring properties to the south and west of 2030 Wayzata Boulevard appear to consist mainly of grasses/forbs with a few scattered trees. The neighboring property to the east is wooded. The western portion of the neighboring property to the north is both wooded while the eastern portion of the property is open and vegetated with grasses and/or forbs.

1940 – No significant changes have occurred on the Site or neighboring properties since 1937.

1947 – No significant changes have occurred on the Site since 1940.

Holdridge Lane and Holdridge Road are present to the east and south of the Site, respectively.

1953 – Highway 12 has been expanded from a two-lane roadway to a four-lane highway. The two added lanes are to the south of the previous road alignment,

which encroaches toward the Site. A driveway off of Highway 12 is observed to the west of the residence at 2030 Wayzata Boulevard and a structure is apparent at the current location of the house located at 2030 Wayzata Boulevard.

Single-family residences have been constructed along Holdridge Lane (located to the east) and Holdridge Road (located to the south). The neighboring properties to the north of Highway 12 appear to be utilized as single-family residences and agricultural cropland.

1957 – No significant changes have occurred on the Site or neighboring properties since 1953.

1964 – No significant changes have occurred on the Site since 1957.

The neighboring property immediately north of Highway 12 appears to have been graded, however no structures are observed on the property.

1969 – No significant changes have occurred on the Site since 1964.

The structure that is currently utilized by Village Chevrolet, immediately north of Highway 12, has been constructed since 1964. In addition, the parking lot to the south and east of the structure has been constructed and appears to be occupied by vehicles.

1979 – No significant changes have occurred on the Site since 1969.

Wayzata Boulevard has been constructed to the west of the Site since 1969. The boulevard ends in a cul-de-sac in the vicinity of the western outlot of the Site and the direct access between the Site and Highway 12 has been removed. The parking lot of Village Chevrolet has been expanded to the north of the structure and previous parking lot. The single-family residences to the north of Highway 12 appear to have been replaced by relatively small commercial structures and associated parking lots.

1984 – No significant changes have occurred on the Site since 1979.

Trees have been cleared from the neighboring property located to the west of the Site. The tree-cleared area starts at the cul-de-sac that was constructed at the end of Wayzata Boulevard and extends toward the southwest.

1991 – No significant changes have occurred on the Site since 1984.

Wayzata Boulevard has been constructed as a through street, similar to its current alignment along the south side of Highway 12. A relatively large structure has been built within the previous parking lot area to the east of the Village Chevrolet structure to the north of Highway 12.

1997 – No significant changes have occurred on the Site or neighboring properties since 1991.

2003 – No significant changes have occurred on the Site since 1997.

The smaller commercial structures located to the north of Highway 12 and west of Village Chevrolet have been replaced with larger commercial structures and parking lots.

2009 – No significant changes have occurred on the Site since 2003.

The commercial structure located to the east of the Village Chevrolet structure has been expanded to the east and another structure located to the southeast of this structure has been replaced with a parking lot. The BMW dealership, which is located to the north of Highway 12 and to the northeast of the Site, is currently under construction in 2009.

2013 – No significant changes have occurred on the Site since 2009.

The neighboring property to the west of the Site is absent of vegetation and appears to be a parking area. Construction of the BMW dealership structure is complete and it appears that the property is occupied.

D. Minnesota Soil and Geological Records

MFRA utilized the USDA Natural Resources Conservation Service Soil Survey and the Geologic Atlas of Hennepin County, Minnesota for soils and geological information of the Site.

According to the *Soil Survey of Hennepin County, Minnesota*, the Site soils are mapped as Lester, Houghton and Muskego. The Lester soil series is a loam textured soil that exhibits a well-drained drainage classification and a high permeability rate. The Houghton and Muskego soil series are organic soils (mucky material) that formed in wetland conditions. The Houghton and Muskego soils exhibit a very poorly drained drainage classification and a slow permeability rate. These soils are frequently flooded or ponded, with a seasonal water table between 1 foot below grade to 2 feet above grade.

MFRA utilized the Geologic Atlas of Hennepin County, Minnesota for geological information of the Site. Surficial geology of the northern portion of the Site primarily consists of loamy till, which is primarily loamy in texture with a few beds and lenses of stratified sediment. The southern portion of the Site, which includes the organic soils, is primarily peat and organic-rich sediment. Bedrock underlying the Site is identified as the Platteville and Glenwood Formations, which is described as fine-grained limestone containing thin shale partings near the top and base, underlain by green, sandy shale of the Glenwood Formation. The depth to bedrock at the Site ranges between 100 to 150 feet.

Sensitivity of groundwater to surface pollution at the Site is low.

EDR completed a search of the U.S.G.S. National Water Inventory System (NWIS) and the Minnesota Geological Survey County Water Well Index (CWI) databases, which do not identify a well on the Site. The state inventory identifies eighty-one (81) wells within a one-mile radius of the Site and the federal inventory identifies seventy-five (75) wells within a one-mile radius of the Site. The same well may be included in both inventories. No Public Water System (PWS) wells are identified within a one-mile radius of the Site. The EDR report provides well logs of the privately owned wells within a one-mile radius of the Site. Based on the available well log information, the static groundwater elevation in the vicinity of the Site (within a one-half mile radius of the Site) is approximately 912 feet mean sea level.

E. Local Building or Local Tax Records

MFRA obtained tax records for the Site from the Hennepin County website. In addition, MFRA utilized historical aerial photographs and discussions with individuals knowledgeable about the property's history to determine the Site's past uses.

According to the Hennepin County website, one structure is located on the Site. The county information indicates that the structure was built in 1950.

According to the Wayzata 2030 Comprehensive Plan Existing Land Use Map, the Site is identified as Estate Single-Family Residential in 2008 and is identified on the 2020 Land Use Map as Estate Single-Family Residential.

F. Fire Insurance Maps

EDR searched the Sanborn[®] Library collection of fire insurance maps of the Site. Fire insurance maps covering the Site were not found.

III. CURRENT USE OF THE SITE

A. Description of the Site

The Site is approximately 4.64 acres and includes a two-story structure with a tuck-under garage, a roll-off storage container and a canvas-covered storage shed. The eastern portion of the Site is utilized for storing landscaping equipment and materials. The north-central portion of the Site is maintained as a yard with a few scattered trees. The remainder of the Site is unimproved and wooded. The Site is bordered by Wayzata Boulevard to the north.

Neighboring land uses around the Site are as follows:

North:	commercial beyond Highway 12
East:	single-family residential
South:	single-family residential
West:	vacant (MnDOT outlot)

B. Interview of Landowner

MFRA interviewed the landowner, Robert Dachelet, during the January 31, 2014 site visit. Mr. Dachelet indicated that he purchased the Site in September 2007 from Bentley Smith and that Mr. Smith's father developed the Site as a single-family residence as part of the Holdridge development in 1950. Mr. Dachelet had no knowledge of the Site's use prior to 1950.

Mr. Dachelet indicated that the Site is currently occupied by a renter that also operates a landscaping business at the Site.

Mr. Dachelet indicated that the Site does not contain any aboveground or underground storage tanks. Mr. Dachelet indicated that the Site is served by municipal sanitary sewer and that a private drinking water well is located on the Site. Mr. Dachelet indicated that a recent city water project provided city water services to the Site, but no connections to the Site have been made to date.

C. Visual Inspection of the Site

Methodology and Limiting Conditions

Todd Ullom of MFRA performed a visual site inspection on January 31, 2014. The exterior and interior portions of the Site were examined during the site inspection. In addition, adjacent properties were observed from the Site boundary for indications of RECs.

General Site Setting

The Site is located within the eastern portion of the City of Wayzata, Minnesota. Access to the Site is gained via Wayzata Boulevard, which acts as the northern property boundary. The Site was purchased by Robert Dachelet in September 2007 and is occupied by a renter. The renter also operates a landscaping business from the Site.

The Site exhibits rolling topography and generally slopes toward the south.

The Site consists of a two-story residential structure, a roll-off container, a canvas-covered storage shed, maintained lawn area and wooded areas beyond the residential yard. The residential structure is built of concrete block and exhibits concrete flooring in the lower level. A portion of the lower-level flooring is covered with carpet.

Interior and Exterior Observations

The interior and exterior portion of the residential structure was inspected for indications of RECs. Photographs of the site were taken on January 31, 2014, and are included in Appendix C.

Chemical or Petroleum Storage Tanks

No underground or aboveground storage tanks are observed on the Site.

Miscellaneous Containers (Drums, Cans, Dumpsters, and Bags)

Inside the garage of the residential structure were a number of containers that appeared to contain petroleum products (gasoline, lubricants, acetylene, etc.). These materials appeared to be utilized by the landscaping business that operates from the Site. Furthermore, all of the containers appeared to be 5 gallons or less in size and were of sound condition. No leaks or spills from the containers or in the vicinity of the floor drain were observed during the site visit.

Three trash cans were observed along the north side of the residential structure. No indications of spills or leaks of petroleum products or chemicals were observed in the vicinity of the trash cans.

Spills and Leaks

The interior and exterior areas of the Site were examined for evidence of spills or leaks. No evidence of leaks or spills were observed within the interior or exterior portions of the Site.

Two floor drains were observed inside the residential structure. One floor drain was observed inside the garage and another floor drain was observed in the laundry and mechanical area of the lower-level of the structure. No evidence of spills or leaks was observed in the vicinity of the observed floor drains.

Transformers

One pole-mounted transformer was observed within the eastern portion of the Site. No labels were observed on the transformer. Evidence of leakage was not observed on the transformer.

Wells and Septic Systems

The Site is served by municipal sanitary sewer. According to the landowner, a private drinking water well is located on the Site and serves the residence. Because of the snow cover, the well was not observed during the site visit.

Asbestos Containing Materials

The Site structure was built in 1950. Therefore the presence of asbestos containing materials within the structure is possible. Because the structure was constructed during a period when asbestos containing materials were used, MFRA recommends that an asbestos survey be completed if demolition or remodeling activities are planned. An asbestos survey is not necessary if the structure is intended to stay intact.

The observations conducted during this assessment are not intended to represent an asbestos survey as defined by the Minnesota Department of Health and other regulatory agencies.

Lead Paint

The Site structure was built in 1950. Therefore the presence of lead paint within the residential structure is possible. MFRA recommends that a lead paint survey be completed if demolition or remodeling activities are planned. A lead paint survey is not necessary if the structure is intended to stay intact.

IV. FILE INVESTIGATION RESULTS

A. EDR Report Summary

MFRA contacted EDR for the search of Federal and State regulatory databases pertaining to the Site and surrounding area. The EDR report (Appendix D) is a compilation and summary of facilities listed in the Federal and State databases and located within a one-mile radius of the Site. The identified facilities are depicted on the map on Page 21.

Federal Databases

The Site is not identified on any of the Federal databases. However, eight facilities located within a 1/4-mile radius of the Site are identified in the Federal databases listed in Table 1.

Table 1. Federal databases with a listed facility within 1-mile of the Site

Database	Site	Distance from Site (miles)				Total
		<1/8	1/8 to 1/4	1/4 to 1/2	1/2 to 1 mile	
RCRA - SQG	N	1	0	NR	NR	1
RCRA - CESQG	N	3	4	NR	NR	7

A detailed summary of the federal database and the identified facilities is provided below.

RCRA – Small Quantity Generators (SQG)

The RCRA – SQG database, maintained by the EPA, does not include the Site, but does identify one facility located within 1/4-mile radius of the Site. Small quantity generators are defined as facilities that produce between 100 and 1,000 kg of hazardous waste per month. Table 2 provides a summary of the facility that is identified in the RCRA – SQG database.

Table 2. RCRA – SQG Facility within 1/4-mile of the Site

Site Name	Address	Distance	Direction	Violations
Village Chevrolet Co	16200 Wayzata Blvd	0.091 mile	ENE	None

The database file for the identified RCRA-SQG facility does not list any violations. Based on this information, the listed facility is not a REC to the Site.

RCRA – Conditionally Exempt Small Quantity Generators (CESQG)

CESQGs are defined as facilities that generate 100 kg or less of hazardous waste per calendar month, and accumulates 1,000 kg or less of hazardous waste at any time. The RCRA-CESQG database, which is maintained by the EPA, does not include the Site. However, seven facilities located within a 1/4-mile radius of the

Site are listed in the database. Table 3 provides a summary of the facilities identified in the RCRA-CESQG database.

Table 3. RCRA-CESQG Facilities within 1/4-mile of the Site

Site Name	Address	Distance (mile)	Direction	Violations
Wayzata Auto Center Collision	1755 E Wayzata Blvd	0.050	N	None
Lexus of Wayzata	16100 Wayzata Blvd	0.123	ENE	None
<i>Wayzata Executive Park/Great Lakes Management</i>	<i>1907 E Wayzata Blvd, Suite 110</i>	<i>0.125</i>	<i>NW</i>	<i>None</i>
<i>Key Nissan</i>	<i>1803 Wayzata Blvd</i>	<i>0.192</i>	<i>WNW</i>	<i>None</i>
<i>Lowell's Automotive Specialist</i>	<i>1805 Wayzata Blvd E</i>	<i>0.192</i>	<i>WNW</i>	<i>None</i>
<i>Auto Center & Bargain Lot</i>	<i>1805 Wayzata Blvd E</i>	<i>0.192</i>	<i>WNW</i>	<i>None</i>
Wayzata Nissan LLC Service Dept	15906 Wayzata Blvd	0.223	ENE	None

*Facilities in italics are located at an equal or higher elevation than the Site.

Review of the database files for the identified RCRA-CESQG facilities indicates that no violations were reported at any of the facilities. Based on this information, MFRA concludes that the identified RCRA-CESQG facilities are not a REC to the Site.

State Databases

The State databases do not list the Site. However, twelve facilities located within a one-mile radius of the Site are identified in the State databases listed in Table 4.

Table 4. State databases with a listed facility within 1-mile of the Site

Database	Site	Distance from Site (miles)				Total
		<1/8	1/8 to 1/4	1/4 to 1/2	1/2 to 1 mile	
LUST	N	2	2	4	NR	8
UST	N	2	2	NR	NR	4
AST	N	2	2	NR	NR	4
INST Control	N	0	0	1	NR	1
VIC	N	0	0	2	NR	2

A detailed summary of the State databases and the identified facilities are provided below.

Leaking Underground Storage Tanks (LUST)

The MPCA maintains a list of LUST sites within the State of Minnesota. The data includes piping, tank construction, type of tank, status of the site, contact and owner information. The Site is not included in the LUST database, however eight facilities are identified within a half-mile radius of the Site. Table 5 provides a summary of the identified LUST facilities within a half-mile radius of the Site.

Table 5. LUST Sites located within 1/2-mile of the Site

Site Name	Address	Distance	Direction	Status
Former Wayzata Marina	16602 Wayzata Blvd	0.050 mile	N	Closed (12/18/00)
Village Chevrolet Co	16200 Wayzata Blvd	0.091 mile	ENE	Closed (12/28/89)
<i>Zitco Inc/Lowells Auto</i>	<i>1805 Wayzata Blvd E</i>	<i>0.192 mile</i>	<i>WNW</i>	<i>Closed (7/6/94)</i>
Wayzata Nissan Inc	15906 Wayzata Blvd	0.223 mile	ENE	Closed (9/17/98)
<i>Gleason Lake</i>	<i>155 Gleason Lake Rd</i>	<i>0.287 mile</i>	<i>NW</i>	<i>Closed (12/30/87) (7/24/06)</i>
Dahlen Residence	1410 Holdridge Terrace	0.287 mile	E	Active
<i>Wayzata Amoco</i>	<i>1490 E Wayzata Blvd</i>	<i>0.462 mile</i>	<i>W</i>	<i>Closed (11/7/96)</i>
Hillcrest Health Care Center	15409 Wayzata Blvd	0.486 mile	E	Closed (1/10/92)

*Facilities in italics are located at a higher elevation than the Site.

Review of the database files of the reported LUST facilities indicate that all but one (Dahlen Residence) of the facilities are closed. According to the database report for the Dahlen Residence LUST, a new water main was being installed on November 7, 2012 at the property when an old fuel tank was penetrated by the equipment, which caused a release of Fuel Oil 1 and 2. The released fuel oil was vacuumed and contained by the contractor. The property owner is waiting on additional instructions from the City of Wayzata City Engineer regarding future actions needed. Because the Dahlen Residence is located over 1/4-mile from the Site and at a lower elevation than the Site, the Dahlen Residence LUST is not considered as a REC to the Site. None of the identified LUST facilities are not considered as a REC to the Site.

Underground Storage Tank (UST)

The MPCA maintains a database of UST facilities within the State of Minnesota. The Site is not included in the UST database, however four UST facilities are identified within a 1/4-mile radius of the Site. Details of the identified UST facilities are included in Table 6.

Table 6. UST Facilities located within 1/4-mile of the Site

Site Name	Address	Distance	Direction	Status
Former Wayzata Marina	16602 Wayzata Blvd	0.050 mile	N	Removed
Village Chevrolet Co	16200 Wayzata Blvd	0.091 mile	ENE	Removed & Active
<i>Zitco Inc/Lowells Auto</i>	<i>1805 Wayzata Blvd E</i>	<i>0.192 mile</i>	<i>WNW</i>	<i>Removed</i>
Wayzata Nissan Inc	15906 Wayzata Blvd	0.223 mile	ENE	Removed

*Facilities in italics are located at a higher elevation than the Site.

According to the EDR report, the underground storage tanks located at the three of the four identified facilities have been removed. Based on the database file for Village Chevrolet Co, ten underground storage tanks have been removed from the facility and three underground storage tanks remain at the facility. The three remaining tanks are all in compliance with state regulations. Based on the database files for the reported UST facilities, MFRA concludes that the identified UST facilities are not a REC to the Site.

Aboveground Storage Tanks (AST)

The MPCA maintains a database of AST sites within the State of Minnesota. The Site is not included in the AST database, however four AST facilities are identified within a 1/4-mile radius of the Site. A summary of the identified AST facilities is provided in Table 7.

Table 7. AST Facilities Located within 1/4-mile of the Site

Site Name	Address	Distance	Direction	Compliance
Village Chevrolet Co	16200 Wayzata Blvd	0.091 mile	ENE	Yes (4 tanks)
Lexus of Wayzata	16100 Wayzata Blvd	0.123 mile	ENE	Yes (6 tanks)
Wayzata Mitsubishi	16000 Wayzata Blvd	0.165 mile	ENE	No (3 tanks) Removed from Facility
Wayzata Nissan Inc	15906 Wayzata Blvd	0.223 mile	ENE	Yes (3 tanks)

*Facilities in italics are located at an equal or higher elevation than the Site.

Review of the database files for the identified AST facilities indicates that three of the four facilities have multiple aboveground storage tanks that are in compliance with state regulations. One facility, Wayzata Mitsubishi, had three tanks that were not in compliance with state regulations and have since removed the tanks from the facility. Based on the database files for the reported AST facilities, MFRA concludes that the identified AST facilities are not a REC to the Site.

Institutional Control

The MPCA maintains a database of sites that have an Institutional Control, which includes easements, monitoring programs, etc. The Site is not listed as an Institutional Control facility, however one facility is identified within a 1/2-mile radius of the Site. Table 8 provides a summary of the identified Institutional Control facility located within a 1/2-mile radius of the Site.

Table 8. Institutional Control Facilities Located within 1/2-mile of the Site

Site Name	Address	Distance	Direction
car dealership	15802 Wayzata Blvd	0.280 mile	E

*Facilities in italics are located at an equal or higher elevation than the Site.

Review of the database file for the car dealership located at 15802 Wayzata Boulevard indicates that a passive methane monitoring and mitigation system has been installed underneath the building and parking lot of the facility. The facility is actively monitoring the methane mitigation program established for the property and has the system in place to forcefully remove methane gas should the levels exceed unsafe levels. Based on the fact that the methane monitoring program is currently passive, methane concentrations are below unsafe levels and the facility is located over 1/4-mile from the Site, MFRA concludes that the identified Institutional Control facility is not a REC to the Site.

Voluntary Investigation and Cleanup Program (VIC)

The MPCA maintains a database of Voluntary Investigation and Cleanup Program (VIC) enrollees, which includes properties of both known or suspected environmental contamination. The Site is not listed in the VIC database, however two facilities are identified within a 1/2-mile radius of the Site. Table 9 provides a summary of the identified VIC facilities.

Table 9. VIC Facilities located within 1/2-mile of the Site

Site Name	Address	Distance	Direction	VIC End Date
car dealership	15802 Wayzata Blvd	0.280 mile	E	NA
Twelve Oaks Center	6001-1001 Twelve Oaks Center	0.500 mile	E	4/3/13

*Facilities in italics are located at a higher elevation than the Site.

Review of the database files for the identified VIC sites indicate that one (Twelve Oaks Center) of the two facilities have been closed by the MPCA. The database record for the car dealership located at 15802 Wayzata Boulevard indicates that a passive methane monitoring and mitigation system has been installed underneath the building and parking lot of the facility. The facility is actively monitoring the methane mitigation program established for the property. Based on the information provided in the database records for the VIC facilities, MFRA concludes that the identified VIC facilities are not a REC to the Site.

Orphan Sites

EDR identified five sites as orphan sites because the available data was not specific enough for EDR to plot on the Overview Map (Page 21). Based on the available orphan site information (facility name and address), MFRA plotted the identified sites and found that none of the orphan sites were located within the ASTM search distance for the given database record. Because the orphan sites are located beyond the required search distances, they are not considered as a REC to the Site.

Based on the review of the government database information (EDR Report), the facilities identified in the various federal and state databases are not identified as a REC to the Site.

Please see Appendix D for the complete EDR report.

B. Wayzata Fire Department and City Engineer

Messages were left with the Fire Chief of the Wayzata Fire Department, Kevin Klapprich, and Wayzata City Engineer, Mike Kelly, regarding known environmental incidences at and/or in the vicinity of the Site. A response from either of the city representatives was not received at the time the report was completed. If either city representative responds with information that would change the findings of this report, the information will immediately be forwarded to the report user.

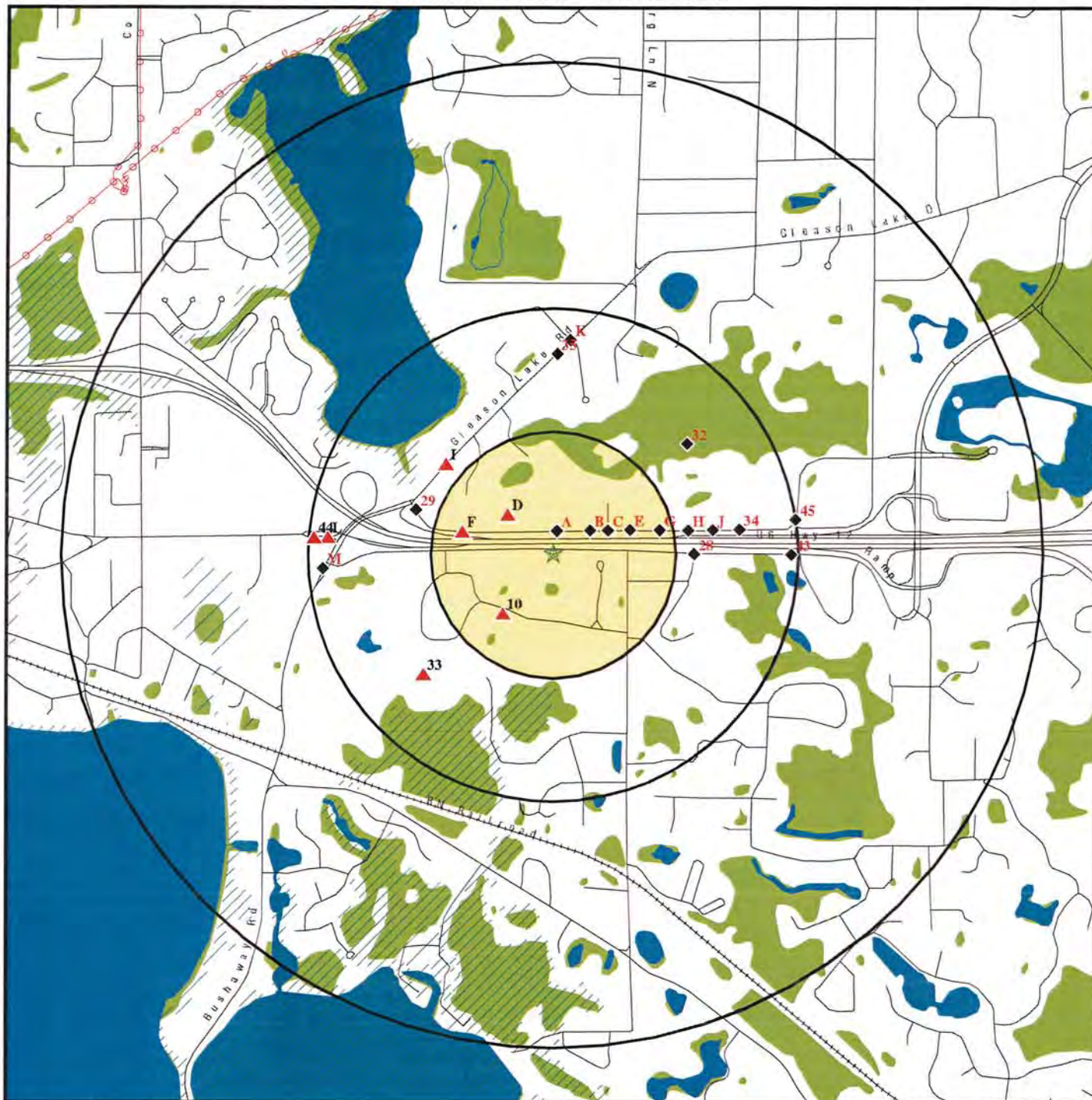
C. Minnesota Department of Health – Indoor Air Quality Section

The EDR report includes indoor air quality information from the Minnesota Department of Health and USGS database files. According to the Minnesota Department of Health database, 1,090 homes within the 55391 Zip Code have been tested for the presence and concentration levels of radon. Of the tested homes, 554 homes or 51% had radon levels in excess of four picocuries/e.

This data indicates that sites within the 55391 Zip Code generally have a potential for elevated radon levels, but no site-specific data is available.

Based upon review of this information, there appears to be a moderate potential environmental threat to the site if appropriate building construction/maintenance is not done to minimize radon hazards.

OVERVIEW MAP - 3804326.2s



★ Target Property

▲ Sites at elevations higher than or equal to the target property

◆ Sites at elevations lower than the target property

▲ Manufactured Gas Plants

■ National Priority List Sites

■ Dept. Defense Sites

■ Indian Reservations BIA

■ Power transmission lines

■ Oil & Gas pipelines from USGS

■ 100-year flood zone

■ 500-year flood zone

■ National Wetland Inventory

0 1/4 1/2 1 Miles

This report includes Interactive Map Layers to display and/or hide map information. The legend includes only those icons for the default map view.

SITE NAME: Dachelet Property
ADDRESS: 2030 Wayzata Blvd
Wayzata MN 55391
LAT/LONG: 44.9706 / 93.4849

CLIENT: McCombs Frank Roos Assoc. Inc.
CONTACT: Todd Ullom
INQUIRY #: 3804326.2s
DATE: December 05, 2013 7:07 pm

V. CONCLUSIONS AND RECOMMENDATIONS

Based on the site visit, interviews, historical background information, and Federal and State regulatory file review that were made available to MFRA, we offer the following comments and recommendations concerning the approximately 4.64-acre Site and adjoining outlots located at 2030 Wayzata Boulevard in the City of Wayzata, Hennepin County, Minnesota, as described in this report:

1. The Site is currently owned by Robert Dachelet. Mr. Dachelet purchased the Site from Bentley Smith in September 2007. According to Mr. Dachelet, Mr. Smith's father developed the Site as a single-family residence as part of the Holdridge development in 1950. Based on aerial photos, it appears that the Site was a wooded, unimproved parcel of land prior to 1950.
2. On January 31, 2014 MFRA interviewed the current landowner, Robert Dachelet, regarding the past uses of the Site and knowledge with respect to chemical and petroleum materials used, stored, or disposed on the Site. Mr. Dachelet indicated that chemical and petroleum products have not been stored or used on the Site. Mr. Dachelet indicated that there are no aboveground or underground storage tanks located on the Site. Mr. Dachelet indicated that the Site is served by city sanitary sewer and that city water is provided at the street (Wayzata Boulevard), but is not connected to the residence. The residence utilizes a private drinking water well for water.
3. A site visit was completed by MFRA on January 31, 2014. One two-story residential structure was observed on the Site. The structure is constructed of concrete block around the lower level with wood frame construction around the upper level. A tuck-under garage is located along the east portion of the residential structure. A floor drain was observed in the garage and another in the lower level of the residence. One pole-mounted transformer was located within the eastern portion of the Site. No evidence of spills or leaks was observed in the vicinity of the floor drains or transformer.
4. The Site is not listed in any of the Federal or State databases. Seventeen facilities within a one-mile radius of the Site are identified in the Federal and State databases. All of the Federal and State listed facilities are either closed, in compliance with Federal and State regulations, or located at a distance from the Site that they are not considered a REC to the Site.

Based upon the data reviewed, the field investigation described herein, and information from the current landowner, no RECs are identified on the Site or on neighboring properties. No additional investigations of the Site are necessary.

II. STANDARDS OF CARE

This Phase I ESA Report was prepared on behalf of Robert Dachelet in accordance with the contract between Robert Dachelet and MFRA. No other party has the right to rely on the contents of this Phase I ESA without the written authorization of MFRA.

This report was prepared in general accordance with ASTM Standard Practices E 1527-05 and 40 CFR 312. No intentional deviations from ASTM Practice E 1527-05 and 40 CFR 312 were made in completion of this Phase I ESA for the site, except the following:

- Aerial maps were not reasonably ascertainable for every 5-year period; however, coverage of the Site was generally available approximately every 10 years.
- A Chain of Title was not available for review. MFRA did not review recorded Chain of Title to document historic use of the Site.
- An Environmental Lien Search was not available for review.

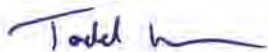
The recommendations contained in this report represent our professional opinions. These opinions are arrived at in accordance with currently accepted Phase I environmental practices used in the State of Minnesota. Other than this, no warranty is implied or intended.

I declare that, to the best of my professional knowledge and belief, I meet the definition of Environmental Professional as defined in §312.10 of 40 CFR 312.

I have the specific qualifications based on education, training, and experience to assess a property of the nature, history, and setting of the Site. I have developed and performed the AAI in conformance with the standards and practices set forth in ASTM 1527-05 and 40 CFR 312.

Sincerely,

MFRA



Todd Ullom
Environmental Scientist

Memorandum

To: Christy Dachelet, Unitarian Universalist Church of Minnetonka

From: Mike Spack, P.E.

Date: 7/28/2008

Re: Unitarian Universalist Church of Minnetonka Traffic Analysis - Wayzata, MN

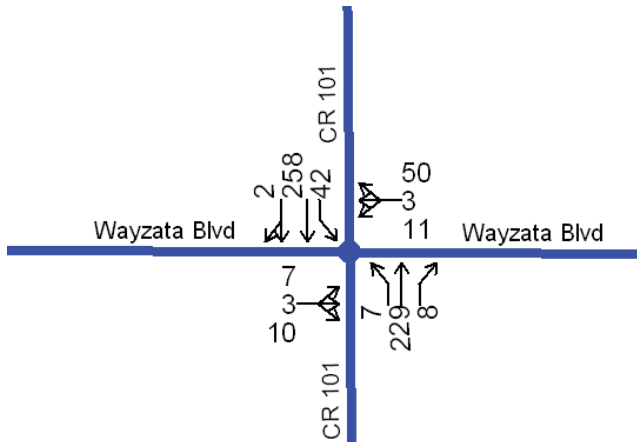
Per the City of Wayzata's request, this memorandum analyzes the traffic impact of the proposed Church on the County Road 101 (Bushaway Road)/Wayzata Boulevard (frontage road) intersection during the Sunday morning peak hour. The proposed Unitarian Universalist Church of Minnetonka site is approximately half a mile east of County Road 101 on the south side of Wayzata Boulevard. The site is currently occupied by one single family home, which will be removed for the Church construction. The Church is proposed to be approximately 16,800 square feet and will have a sanctuary with 240 seats. The Church has choir practices and youth activities during the weekday evenings, however the traffic impact of these events is expected to be negligible. The Church will have a 9:00 a.m. and an 11:00 a.m. service on Sunday morning most of the year, but will likely only have a 9:00 a.m. service during the summer months. The analysis in this memorandum focuses on the 10:00 a.m. to 11:00 a.m. Sunday morning, which captures traffic leaving the 9:00 a.m. service and arriving for the 11:00 a.m. service.

Existing Conditions



Fig. 1 – Existing Conditions

Figure 1 shows the study intersection with its lane configurations and traffic control. The northbound turn lanes have approximately 100 feet of storage and the southbound left turn lane has approximately 70 feet of storage. Manual turning movement counts were conducted at the study intersection per the City Engineer's request. The Sunday morning turning movement volume data from 10:00 a.m. to 11:00 a.m. is shown in Figure 2 and is also contained in a table in 15 minute intervals at the end of this memorandum.



**Fig. 2 – Existing Sunday Volumes
10:00 – 11:00 a.m.**

An intersection capacity analysis was conducted for the study intersection per the *Highway Capacity Manual* based on the existing conditions shown in Figure 1 and the turning movement data shown in Figure 2. The overall intersection as well as each intersection approach is assigned a “Level of Service” letter grade for the peak hour of traffic based on the number of lanes at the intersection, traffic volumes, and traffic control. Level of Service A (LOS A) represents light traffic flow

(free flow conditions) while Level of Service F (LOS F) represents heavy traffic flow (over capacity conditions). LOS D is considered acceptable for the overall intersection in urban conditions. LOS F is considered acceptable for individual approaches controlled by stop signs as long as there is not significant stacking. The study intersection currently operates acceptably at LOS A in the Sunday 10:00 to 11:00 a.m. hour with each movement operating at LOS B or better. The detailed LOS calculations are shown at the end of this memorandum.

Proposed Intersection Operation with Church

A trip generation analysis was performed for the Church based on the methods and rates published in the *ITE Trip Generation Manual, 7th Edition*. Based on the 240 seats in the sanctuary, it is calculated there will be 79 vehicles entering the site and 72 vehicles exiting the site during the Sunday morning peak hour. No reductions will be taken for the existing home on the site because it probably does not generate any traffic during the Sunday morning study hour.

Based on the existing roadway network and the area population centers, the anticipated trip distribution pattern is:

- 60% of traffic will come to/from the Church via County Road 101 north of Wayzata Boulevard.
- 20% of traffic will come to/from the Church via County Road 101 south of Wayzata Boulevard.
- 20% of traffic will come to/from the Church via Wayzata Boulevard east of the site.

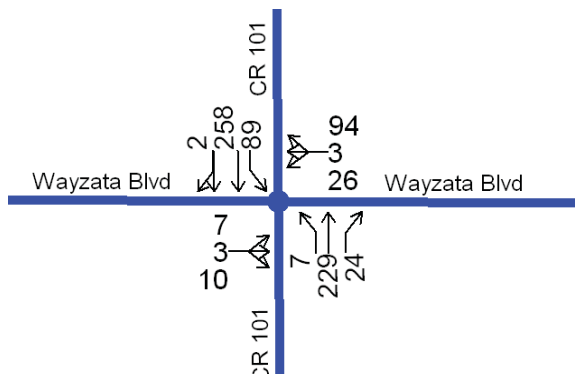
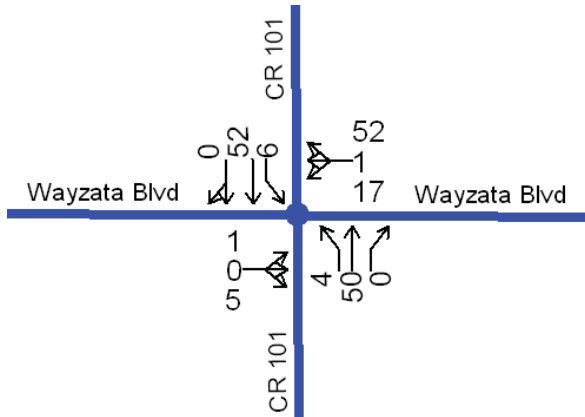


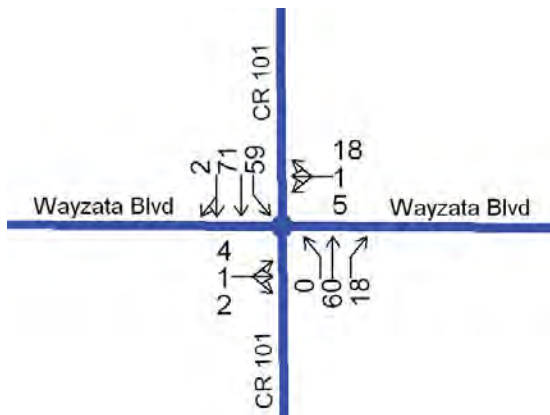
Fig. 3 – Build Volumes 10:00 – 11:00 a.m.

The peak hour trips described above were added to the existing peak hour traffic per the above trip distribution pattern. The resultant “Build Scenario” volumes for the Sunday morning 10:00 to 11:00 a.m. hour are shown in Figure 3. An intersection capacity analysis was conducted for the intersection volumes in Figure 3 with the existing

conditions from Figure 1. The study intersection will operate acceptably at LOS A in the 10:00 to 11:00 a.m. hour with each movement operating at LOS C or better with the additional traffic from the Church. The detailed LOS calculations are shown at the end of this memorandum.



**Fig. 4 – Build Volumes
10:00 – 10:15 a.m.**



**Fig. 5 – Build Volumes
10:45 – 11:00 a.m.**

To analyze the peaking nature of the Church traffic, the exiting traffic was added to the 10:00 to 10:15 a.m. period and the entering traffic was added to the 10:45 to 11:00 a.m. period. These volumes are shown in Figures 4 and 5. An intersection capacity analysis was conducted for the intersection volumes in Figures 4 and 5 with the existing conditions from Figure 1. The study intersection will operate acceptably at LOS A in both the 10:00 to 10:15 a.m. and 10:45 to 11:00 a.m. period with each movement operating at LOS D or better with the additional traffic from the Church. The detailed LOS calculations are shown at the end of this memorandum.

To determine if there will be excessive vehicle stacking caused by the addition of the church traffic, a more detailed traffic analysis was performed with a SimTraffic™ micro-simulation model for the intersection. The intersection traffic control and turn lanes from Figure 1 were used along with the 15 minute volumes from Figures 4 and 5.

These inputs for the roadway network were transferred from SYNCHRO™ to SimTraffic™.

The simulation software was seeded with a random number seed of 0, a seeding duration of 1 minute, and a recording duration of 15 minutes. Then the simulation software was run and recorded five times with random number seeds of 1, 2, 3, 4, and 5; using a seeding duration of 1 minute and a recording duration of 15 minutes.

For the two peak 15 minute periods, a maximum queue of 50 feet (about two vehicles) is predicted at the intersection. Summaries of the micro-simulations are shown at the end of this memorandum.

Conclusions

The County Road 101 (Bushaway Road)/Wayzata Boulevard will operate acceptably at LOS A with each movement operating at LOS D or better with the additional traffic from the Church. An acceptable, maximum queue of two vehicles is expected during the entering and exiting 15 minute peak periods of the Church traffic. The Church can be built as proposed without adversely affecting the study intersection. No mitigation (adding turn lanes, building a traffic signal, or using police officer control) is necessary for the Church.



File Name : 229811 - CR 101 & Wayzata Blvd
Site Code : 00229811
Start Date : 7/27/2008
Page No : 1

CR 101/Bushaway Rd & Wayzata Blvd
Minnetonka, MN

Groups Printed- Unshifted

Start Time	CR 101/Bushaway Rd Southbound						Wayzata Blvd Westbound						CR 101/Bushaway Rd Northbound						Driveway Eastbound					
	Left	Thru	Right	Peds	App. Total		Left	Thru	Right	Peds	App. Total		Left	Thru	Right	Peds	App. Total		Left	Thru	Right	Peds	App. Total	Int. Total
	Factor	1.0	1.0	1.0	1.0		1.0	1.0	1.0	1.0	1.0		1.0	1.0	1.0	1.0	1.0		1.0	1.0	1.0	1.0	1.0	
10:00 AM	6	52	0	1	59		2	1	8	1	12		4	50	0	0	54		1	0	5	1	7	132
10:15 AM	12	71	0	0	83		3	0	13	0	16		2	58	1	0	61		1	2	1	0	4	164
10:30 AM	12	64	0	0	76		1	1	11	1	14		1	61	5	0	67		1	0	2	3	6	163
10:45 AM	12	71	2	2	87		5	1	18	1	25		0	60	2	0	62		4	1	2	3	10	184
Total	42	258	2	3	305		11	3	50	3	67		7	229	8	0	244		7	3	10	7	27	643
Grand Total	42	258	2	3	305		11	3	50	3	67		7	229	8	0	244		7	3	10	7	27	643
Approch %	13.8	84.6	0.7	1			16.4	4.5	74.6	4.5			2.9	93.9	3.3	0			25.9	11.1	37	25.9		
Total %	6.5	40.1	0.3	0.5	47.4		1.7	0.5	7.8	0.5	10.4		1.1	35.6	1.2	0	37.9		1.1	0.5	1.6	1.1	4.2	

Start Time	CR 101/Bushaway Rd Southbound						Wayzata Blvd Westbound						CR 101/Bushaway Rd Northbound						Driveway Eastbound					
	Left	Thru	Right	Peds	App. Total		Left	Thru	Right	Peds	App. Total		Left	Thru	Right	Peds	App. Total		Left	Thru	Right	Peds	App. Total	Int. Total
	Factor	1.0	1.0	1.0	1.0		1.0	1.0	1.0	1.0	1.0		1.0	1.0	1.0	1.0	1.0		1.0	1.0	1.0	1.0	1.0	
10:00 AM	6	52	0	1	59		2	1	8	1	12		4	50	0	0	54		1	0	5	1	7	132
10:15 AM	12	71	0	0	83		3	0	13	0	16		2	58	1	0	61		1	2	1	0	4	164
10:30 AM	12	64	0	0	76		1	1	11	1	14		1	61	5	0	67		1	0	2	3	6	163
10:45 AM	12	71	2	2	87		5	1	18	1	25		0	60	2	0	62		4	1	2	3	10	184
Total Volume	42	258	2	3	305		11	3	50	3	67		7	229	8	0	244		7	3	10	7	27	643
% App. Total	13.8	84.6	0.7	1			16.4	4.5	74.6	4.5			2.9	93.9	3.3	0			25.9	11.1	37	25.9		
PHF	.875	.908	.250	.375	.876		.550	.750	.694	.750	.670		.438	.939	.400	.000	.910		.438	.375	.500	.583	.675	.874

2008 Sunday 10 - 11am
 HCM Unsignalized Intersection Capacity Analysis

Unitarian Universalist Church of Minnetonka
 3: Wayzata Blvd & CR 101

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Sign Control		Stop			Stop			Free			Free	
Grade		0%			0%			0%			0%	
Volume (veh/h)	7	3	10	11	3	50	7	229	8	42	258	2
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	8	3	11	12	3	54	8	249	9	46	280	2
Pedestrians												
Lane Width (ft)												
Walking Speed (ft/s)												
Percent Blockage												
Right turn flare (veh)												
Median type		None			None							
Median storage veh												
Upstream signal (ft)												
pX, platoon unblocked												
vC, conflicting volume	693	646	141	508	638	249	283			258		
vC1, stage 1 conf vol												
vC2, stage 2 conf vol												
vCu, unblocked vol	693	646	141	508	638	249	283			258		
tC, single (s)	7.5	6.5	6.9	7.5	6.5	6.9	4.1			4.1		
tC, 2 stage (s)												
tF (s)	3.5	4.0	3.3	3.5	4.0	3.3	2.2			2.2		
p0 queue free %	97	99	99	97	99	93	99			96		
cM capacity (veh/h)	295	373	881	426	377	751	1277			1304		
Direction, Lane #	EB 1	WB 1	NB 1	NB 2	NB 3	SB 1	SB 2	SB 3				
Volume Total	22	70	8	249	9	46	187	96				
Volume Left	8	12	8	0	0	46	0	0				
Volume Right	11	54	0	0	9	0	0	2				
cSH	463	638	1277	1700	1700	1304	1700	1700				
Volume to Capacity	0.05	0.11	0.01	0.15	0.01	0.04	0.11	0.06				
Queue Length 95th (ft)	4	9	0	0	0	3	0	0				
Control Delay (s)	13.2	11.3	7.8	0.0	0.0	7.9	0.0	0.0				
Lane LOS	B	B	A			A						
Approach Delay (s)	13.2	11.3	0.2			1.1						
Approach LOS	B	B										
Intersection Summary												
Average Delay			2.2									
Intersection Capacity Utilization			29.6%			ICU Level of Service		A				
Analysis Period (min)			15									

2008 Sunday 10 - 11am BUILD
 HCM Unsignalized Intersection Capacity Analysis

Unitarian Universalist Church of Minnetonka
 3: Wayzata Blvd & CR 101

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Sign Control		Stop			Stop			Free				Free
Grade		0%			0%			0%				0%
Volume (veh/h)	7	3	10	26	3	94	7	229	24	89	258	2
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	8	3	11	28	3	102	8	249	26	97	280	2
Pedestrians												
Lane Width (ft)												
Walking Speed (ft/s)												
Percent Blockage												
Right turn flare (veh)												
Median type		None			None							
Median storage veh												
Upstream signal (ft)												
pX, platoon unblocked												
vC, conflicting volume	843	765	141	610	740	249	283			275		
vC1, stage 1 conf vol												
vC2, stage 2 conf vol												
vCu, unblocked vol	843	765	141	610	740	249	283			275		
tC, single (s)	7.5	6.5	6.9	7.5	6.5	6.9	4.1			4.1		
tC, 2 stage (s)												
tF (s)	3.5	4.0	3.3	3.5	4.0	3.3	2.2			2.2		
p0 queue free %	96	99	99	92	99	86	99			92		
cM capacity (veh/h)	207	305	881	348	315	751	1277			1285		
Direction, Lane #	EB 1	WB 1	NB 1	NB 2	NB 3	SB 1	SB 2	SB 3				
Volume Total	22	134	8	249	26	97	187	96				
Volume Left	8	28	8	0	0	97	0	0				
Volume Right	11	102	0	0	26	0	0	2				
cSH	363	587	1277	1700	1700	1285	1700	1700				
Volume to Capacity	0.06	0.23	0.01	0.15	0.02	0.08	0.11	0.06				
Queue Length 95th (ft)	5	22	0	0	0	6	0	0				
Control Delay (s)	15.5	12.9	7.8	0.0	0.0	8.0	0.0	0.0				
Lane LOS	C	B	A			A						
Approach Delay (s)	15.5	12.9	0.2			2.0						
Approach LOS	C	B										
Intersection Summary												
Average Delay			3.6									
Intersection Capacity Utilization			35.4%			ICU Level of Service		A				
Analysis Period (min)			15									

Sunday Build 10:00 - 10:15 am
 HCM Unsignalized Intersection Capacity Analysis

Unitarian Universalist Church of Minnetonka
 3: Wayzata Blvd & CR 101

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Sign Control		Stop			Stop			Free			Free	
Grade		0%			0%			0%			0%	
Volume (veh/h)	1	0	5	17	1	52	4	50	0	6	52	0
Peak Hour Factor	0.25	0.25	0.25	0.25	0.25	0.25	0.25	0.25	0.25	0.25	0.25	0.25
Hourly flow rate (vph)	4	0	20	68	4	208	16	200	0	24	208	0
Pedestrians												
Lane Width (ft)												
Walking Speed (ft/s)												
Percent Blockage												
Right turn flare (veh)												
Median type		None			None							
Median storage veh												
Upstream signal (ft)												
pX, platoon unblocked												
vC, conflicting volume	698	488	104	404	488	200	208			200		
vC1, stage 1 conf vol												
vC2, stage 2 conf vol												
vCu, unblocked vol	698	488	104	404	488	200	208			200		
tC, single (s)	7.5	6.5	6.9	7.5	6.5	6.9	4.1			4.1		
tC, 2 stage (s)												
tF (s)	3.5	4.0	3.3	3.5	4.0	3.3	2.2			2.2		
p0 queue free %	98	100	98	87	99	74	99			98		
cM capacity (veh/h)	236	465	931	508	465	808	1360			1370		
Direction, Lane #	EB 1	WB 1	NB 1	NB 2	NB 3	SB 1	SB 2	SB 3				
Volume Total	24	280	16	200	0	24	139	69				
Volume Left	4	68	16	0	0	24	0	0				
Volume Right	20	208	0	0	0	0	0	0				
cSH	624	700	1360	1700	1700	1370	1700	1700				
Volume to Capacity	0.04	0.40	0.01	0.12	0.00	0.02	0.08	0.04				
Queue Length 95th (ft)	3	48	1	0	0	1	0	0				
Control Delay (s)	11.0	13.5	7.7	0.0	0.0	7.7	0.0	0.0				
Lane LOS	B	B	A			A						
Approach Delay (s)	11.0	13.5	0.6			0.8						
Approach LOS	B	B										
Intersection Summary												
Average Delay			5.8									
Intersection Capacity Utilization			18.1%			ICU Level of Service			A			
Analysis Period (min)			15									

Sunday Build 10:45 - 11:00 am
 HCM Unsignalized Intersection Capacity Analysis

Unitarian Universalist Church of Minnetonka
 3: Wayzata Blvd & CR 101

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Sign Control		Stop			Stop			Free			Free	
Grade		0%			0%			0%			0%	
Volume (veh/h)	4	1	2	5	1	18	0	60	18	59	71	2
Peak Hour Factor	0.25	0.25	0.25	0.25	0.25	0.25	0.25	0.25	0.25	0.25	0.25	0.25
Hourly flow rate (vph)	16	4	8	20	4	72	0	240	72	236	284	8
Pedestrians												
Lane Width (ft)												
Walking Speed (ft/s)												
Percent Blockage												
Right turn flare (veh)												
Median type		None			None							
Median storage veh												
Upstream signal (ft)												
pX, platoon unblocked												
vC, conflicting volume	1074	1072	146	864	1004	240	292			312		
vC1, stage 1 conf vol												
vC2, stage 2 conf vol												
vCu, unblocked vol	1074	1072	146	864	1004	240	292			312		
tC, single (s)	7.5	6.5	6.9	7.5	6.5	6.9	4.1			4.1		
tC, 2 stage (s)												
tF (s)	3.5	4.0	3.3	3.5	4.0	3.3	2.2			2.2		
p0 queue free %	88	98	99	90	98	91	100			81		
cM capacity (veh/h)	133	178	875	206	195	761	1267			1245		
Direction, Lane #	EB 1	WB 1	NB 1	NB 2	NB 3	SB 1	SB 2	SB 3				
Volume Total	28	96	0	240	72	236	189	103				
Volume Left	16	20	0	0	0	236	0	0				
Volume Right	8	72	0	0	72	0	0	8				
cSH	184	453	1700	1700	1700	1245	1700	1700				
Volume to Capacity	0.15	0.21	0.00	0.14	0.04	0.19	0.11	0.06				
Queue Length 95th (ft)	13	20	0	0	0	17	0	0				
Control Delay (s)	28.1	15.1	0.0	0.0	0.0	8.6	0.0	0.0				
Lane LOS	D	C				A						
Approach Delay (s)	28.1	15.1	0.0			3.8						
Approach LOS	D	C										
Intersection Summary												
Average Delay			4.4									
Intersection Capacity Utilization			20.0%			ICU Level of Service		A				
Analysis Period (min)			15									

Summary of All Intervals

Run Number	1	2	3	4	5	Avg
Start Time	9:59	9:59	9:59	9:59	9:59	9:59
End Time	10:15	10:15	10:15	10:15	10:15	10:15
Total Time (min)	16	16	16	16	16	16
Time Recorded (min)	15	15	15	15	15	15
# of Intervals	2	2	2	2	2	2
# of Recorded Intvls	1	1	1	1	1	1
Vehs Entered	40	52	44	45	39	45
Vehs Exited	29	45	39	40	26	36
Starting Vehs	2	7	6	4	0	3
Ending Vehs	13	14	11	9	13	12
Denied Entry Before	0	0	0	0	0	0
Denied Entry After	0	0	0	0	0	0
Travel Distance (mi)	65	96	79	85	62	78
Travel Time (hr)	2.3	3.5	2.8	3.1	2.2	2.8
Total Delay (hr)	0.1	0.1	0.1	0.1	0.1	0.1
Total Stops	13	21	20	21	16	18
Fuel Used (gal)	2.6	4.8	3.6	3.6	2.6	3.4

Interval #0 Information Seeding

Start Time	9:59
End Time	10:00
Total Time (min)	1
Volumes adjusted by Growth Factors.	
No data recorded this interval.	

Interval #1 Information Recording

Start Time	10:00
End Time	10:15
Total Time (min)	15
Volumes adjusted by Growth Factors.	

Run Number	1	2	3	4	5	Avg
Vehs Entered	40	52	44	45	39	45
Vehs Exited	29	45	39	40	26	36
Starting Vehs	2	7	6	4	0	3
Ending Vehs	13	14	11	9	13	12
Denied Entry Before	0	0	0	0	0	0
Denied Entry After	0	0	0	0	0	0
Travel Distance (mi)	65	96	79	85	62	78
Travel Time (hr)	2.3	3.5	2.8	3.1	2.2	2.8
Total Delay (hr)	0.1	0.1	0.1	0.1	0.1	0.1
Total Stops	13	21	20	21	16	18
Fuel Used (gal)	2.6	4.8	3.6	3.6	2.6	3.4

3: Wayzata Blvd & CR 101 Performance by movement

Movement	EBR	WBL	WBT	WBR	NBL	NBT	SBL	SBT	All
Total Delay (hr)	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.1
Delay / Veh (s)	1.7	9.7		8.7	3.1	2.4	1.4	1.1	4.6
Total Stops	2	4	0	12	0	0	0	0	18
Travel Time (hr)	0.0	0.2	0.0	0.7	0.1	0.4	0.0	0.3	1.6
Avg Speed (mph)	29	26	28	27	27	29	27	29	28
Vehicles Entered	2	5	0	13	1	12	1	11	45
Vehicles Exited	2	4	0	12	1	11	1	11	42
Hourly Exit Rate	8	16	0	48	4	44	4	44	168
Denied Entry Before	0	0	0	0	0	0	0	0	0
Denied Entry After	0	0	0	0	0	0	0	0	0

Total Network Performance

Total Delay (hr)	0.1
Delay / Veh (s)	8.3
Total Stops	18
Travel Time (hr)	2.8
Avg Speed (mph)	28
Vehicles Entered	45
Vehicles Exited	36
Hourly Exit Rate	144
Denied Entry Before	0
Denied Entry After	0

Intersection: 3: Wayzata Blvd & CR 101

Movement	EB	WB	NB
Directions Served	LR	LTR	L
Maximum Queue (ft)	29	50	6
Average Queue (ft)	5	27	1
95th Queue (ft)	22	54	10
Link Distance (ft)	3298	7247	
Upstream Blk Time (%)			
Queuing Penalty (veh)			
Storage Bay Dist (ft)			100
Storage Blk Time (%)			
Queuing Penalty (veh)			

Network Summary

Network wide Queuing Penalty: 0

Summary of All Intervals

Run Number	1	2	3	4	5	Avg
Start Time	10:44	10:44	10:44	10:44	10:44	10:44
End Time	11:00	11:00	11:00	11:00	11:00	11:00
Total Time (min)	16	16	16	16	16	16
Time Recorded (min)	15	15	15	15	15	15
# of Intervals	2	2	2	2	2	2
# of Recorded Intvls	1	1	1	1	1	1
Vehs Entered	52	58	61	56	68	58
Vehs Exited	37	44	52	38	55	46
Starting Vehs	3	3	2	0	2	2
Ending Vehs	18	17	11	18	15	14
Denied Entry Before	0	0	0	0	0	0
Denied Entry After	0	0	0	0	0	0
Travel Distance (mi)	82	92	104	83	114	95
Travel Time (hr)	2.9	3.4	3.6	3.0	4.1	3.4
Total Delay (hr)	0.1	0.2	0.1	0.1	0.2	0.1
Total Stops	7	6	12	10	6	8
Fuel Used (gal)	3.3	3.7	5.1	3.5	4.6	4.1

Interval #0 Information Seeding

Start Time	10:44
End Time	10:45
Total Time (min)	1
Volumes adjusted by Growth Factors.	
No data recorded this interval.	

Interval #1 Information Recording

Start Time	10:45					
End Time	11:00					
Total Time (min)	15					
Volumes adjusted by Growth Factors.						
Run Number	1	2	3	4	5	Avg
Vehs Entered	52	58	61	56	68	58
Vehs Exited	37	44	52	38	55	46
Starting Vehs	3	3	2	0	2	2
Ending Vehs	18	17	11	18	15	14
Denied Entry Before	0	0	0	0	0	0
Denied Entry After	0	0	0	0	0	0
Travel Distance (mi)	82	92	104	83	114	95
Travel Time (hr)	2.9	3.4	3.6	3.0	4.1	3.4
Total Delay (hr)	0.1	0.2	0.1	0.1	0.2	0.1
Total Stops	7	6	12	10	6	8
Fuel Used (gal)	3.3	3.7	5.1	3.5	4.6	4.1

3: Wayzata Blvd & CR 101 Performance by movement

Movement	EBL	EBT	EBR	WBL	WBR	NBT	NBR	SBL	SBT	SBR	All
Total Delay (hr)	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.1
Delay / Veh (s)	3.1			17.9	3.7	3.2	3.7	4.1	2.1		3.6
Total Stops	1	0	0	1	5	0	0	1	0	0	8
Travel Time (hr)	0.0	0.0	0.0	0.1	0.3	0.6	0.1	0.3	0.3	0.0	1.7
Avg Speed (mph)	30	27	30	26	29	28	29	28	29	30	28
Vehicles Entered	1	0	0	1	6	18	3	12	15	0	56
Vehicles Exited	1	0	0	1	5	16	2	12	14	0	51
Hourly Exit Rate	4	0	0	4	20	64	8	48	56	0	204
Denied Entry Before	0	0	0	0	0	0	0	0	0	0	0
Denied Entry After	0	0	0	0	0	0	0	0	0	0	0

Total Network Performance

Total Delay (hr)	0.1
Delay / Veh (s)	9.3
Total Stops	8
Travel Time (hr)	3.4
Avg Speed (mph)	28
Vehicles Entered	58
Vehicles Exited	46
Hourly Exit Rate	184
Denied Entry Before	0
Denied Entry After	0

Intersection: 3: Wayzata Blvd & CR 101

Movement	EB	WB	SB
Directions Served	LTR	LTR	L
Maximum Queue (ft)	29	31	18
Average Queue (ft)	6	12	3
95th Queue (ft)	24	37	17
Link Distance (ft)	3298	7247	
Upstream Blk Time (%)			
Queuing Penalty (veh)			
Storage Bay Dist (ft)			70
Storage Blk Time (%)			
Queuing Penalty (veh)			

Network Summary

Network wide Queuing Penalty: 0

**CITY OF WAYZATA
HENNEPIN COUNTY, MINNESOTA
ORDINANCE NO. 734**

**AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY
TO REZONE 2030 WAYZATA BLVD E FROM R-1 LOW DENSITY SINGLE FAMILY
RESIDENTIAL DISTRICT TO PUD PLANNED UNIT DEVELOPMENT DISTRICT**

THE CITY OF WAYZATA ORDAINS:

Section 1. BACKGROUND

- 1.1 Development Application. Robert J. Dachelet, Robert J. Dachelet Revocable Trust, and the Unitarian Universalist Church of Minnetonka (UUCM) (collectively the "Applicant") have submitted a development application (the "Application") requesting approval of a rezoning from an R-1 District to a Planned Unit Development (PUD) District (the "Rezoning"), a concurrent Concept and General Plan PUD (the "PUD") and a Comprehensive Plan Map Amendment to reguide the Property from One Acre Single Family to Institutional/Public (the "Amendment"), and Site Plan Review (the "Site Plan") to allow the construction of a new church facility (the "Project") at 2030 Wayzata Blvd. (the "Property"). As part of the Project, the Applicant will work with the City so that UUCM can purchase, at UUCM's sole expense, two (2) outlots adjacent to the Property, owned by MnDOT to provide extra area for surface parking.

The Applicant will make a subsequent application for design standards review including final and complete construction plans for the building and subdivision approval for the combination of the two outlots with the Property.

- 1.2 Property. The property identification numbers and owners for the Property involved in the proposed PUD are as follows:

2030 Wayzata Blvd	05-117-22-41-0012	Robert J. Dachelet Trustee
-------------------	-------------------	----------------------------

- 1.3 Land Use. The Property is located within the R-1 Low Density Single Family Residential District, as defined in Section 801.52 of the Wayzata Zoning Ordinance, and the Wayzata Blvd District of the Design Standards, as defined in Section 801.09 of the Wayzata Zoning Ordinance. The Property is guided for One Acre Single Family Use in the Wayzata Comprehensive Plan.
- 1.4 Notice. Notice of a public hearing on the Development Application was published in the *Sun Sailor* on November 21, 2012. A copy of the notice was mailed to all property owners located with 350 feet of the Property on November 21, 2012.

- 1.5 Planning Commission Action. The Planning Commission reviewed the Application and held a public hearing at its December 3, 2012 meeting. There, the Planning Commission voted four (4) in favor, zero (0) opposed, with two (2) abstentions, to recommend the City Council approve the application pursuant to the Settlement Agreement with the suggested conditions for discussion as stated in the Planning Commission meeting minutes.

Section 2. SETTLEMENT AGREEMENT

- 2.1 Rezoning from R-1 to PUD. An application for a rezoning is a request for an amendment to the Zoning Ordinance. City Council has the discretion and authority under state law and City Code to amend the City's Zoning Ordinance. Minn. Stat. Section 462.357; Wayzata City Code Section 801.03. A zoning ordinance amendment may be initiated by the governing body, the planning agency or by petition of affected property owners. Minn. Stat. Section 462.357, Subd. 4.
- 2.2 Settlement Agreement. A copy of the Settlement Agreement related to this Application is enclosed as Exhibit A (the "Settlement Agreement"). This Ordinance is not intended to modify Settlement Agreement. If this Ordinance is inconsistent with the Settlement Agreement, the provisions of the Settlement Agreement will control except with respect to the three conditions set forth in below, as to which the Applicant and the City have agreed.
1. The Applicant's landscape plan and tree preservation plans must be reviewed and approved by the City Parks Department for conformance with the requirements of the City Code. The Applicant shall submit the landscape plan and tree preservation plans for review and approval of the Planning Commission and City Council as part of the application for Design Review required in Wayzata City Code Section 801.09 and the Settlement Agreement. The Applicant will seek to minimize removal of older hardwood trees to the extent consistent with the approved site plans. The Applicant will endeavor to remove and minimize the spread of any plants considered to be invasive species that are currently growing on the property.
 2. Before finalizing the acquisition of either of the lots adjacent to 2030 Wayzata Boulevard East that are now owned by the Minnesota Department of Transportation as set forth in the Settlement Agreement, the Applicant shall ensure that a Phase 1 Environmental Review of each lot is conducted and, if a Phase 2 is recommended based on the results of the Phase 1 Review, the Applicant shall ensure that a Phase 2 Environmental Review is conducted. The Applicant will conduct these reviews at the Applicant's expense or, if available, the reviews may be conducted by the State of Minnesota but the City will not be responsible for the cost of any environmental reviews.

3. All site work, such as grading or stormwater management, must comply with the Wetland Conservation Act and the Wayzata City Code. The Applicant shall also obtain any approval or permits required by all regulatory authorities, including but not limited to, the U.S. Army Corps of Engineers, the Minnesota Department of Natural Resources, the Hennepin County Conservation District, the Watershed District, and the Board of Soil and Water Conservation.

Section 3. FINDINGS

- 3.1 The City Council of the City of Wayzata hereby confirms and memorializes that the Application meets the applicable requirements of the agreed to Settlement Agreement made on the record by the parties on December 22, 2011 and confirmed and memorialized by Magistrate Tony N. Leung on July 2, 2012 (as well as all Application materials, staff reports, public comment presented at the hearing, and the recommendation of the Planning Commission).

Section 4. CITY COUNCIL ACTION

- 4.1 Contingent upon City Council approval of each request and component of the Application as set forth in Section 1.1 above, contingent upon the full compliance with all conditions placed on said approvals, the Zoning Amendment is hereby **APPROVED** and the Official Zoning Map of the City of Wayzata shall be amended to change the Zoning District designation of the Property located at 2030 Wayzata Blvd E (PID no. 05-117-22-41-0012) from R-1 Low Density Single Family District to a new PUD as such district is set forth in the PUD General Plan approved by City Council in Resolution No. 62-2012.
- 4.2 This Ordinance will become effective upon passage and publication.

Adopted by the City Council this 8th day of January, 2013.



Ken Willcox
Mayor

ATTEST:



Heidi Nelson
City Manager

First Reading: December 18, 2012
Second Reading: January 8, 2013
Publication: January 15, 2013

RESOLUTION NO. 62-2012

RESOLUTION APPROVING AN APPLICATION BY THE UNITARIAN UNIVERSALIST CHURCH OF MINNETONKA AND THE ROBERT J DACHELET REVOCABLE TRUST FOR A COMPREHENSIVE PLAN MAP AMENDMENT, SITE PLAN REVIEW, AND A NEW PLANNED UNIT DEVELOPMENT AT 2030 WAYZATA BLVD E

BE IT RESOLVED by the City Council of Wayzata, Minnesota as follows:

Section 1. BACKGROUND

- 1.1 Development Application. Robert J. Dachelet, Robert J. Dachelet Revocable Trust, and the Unitarian Universalist Church of Minnetonka (UUCM) (collectively the "Applicant") have submitted a development application (the "Application") requesting approval of a rezoning from an R-1 District to a Planned Unit Development (PUD) District (the "Rezoning"), a concurrent Concept and General Plan PUD (the "PUD") and a Comprehensive Plan Map Amendment to reguide the Property from One Acre Single Family to Institutional/Public (the "Amendment"), and Site Plan Review (the "Site Plan") to allow the construction of a new church facility (the "Project") at 2030 Wayzata Blvd. (the "Property"). As part of the Project, the Applicant will work with the City so that UUCM can purchase, at UUCM's sole expense, two (2) outlots adjacent to the Property, owned by MnDOT to provide extra area for surface parking.

The Applicant will make a subsequent application for design standards review for the building and subdivision approval for the combination of the two outlots with the Property.

- 1.2 Property. The property identification numbers and owners for the Property involved in the proposed PUD are as follows:

2030 Wayzata Blvd	05-117-22-41-0012	Robert J. Dachelet Trustee
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- 1.3 Land Use. The Property is located within the R-1 Low Density Single Family Residential District, as defined in Section 801.52 of the Wayzata Zoning Ordinance, and the Wayzata Blvd District of the Design Standards, as defined in Section 801.09 of the Wayzata Zoning Ordinance. The Property is guided for One Acre Single Family Use in the Wayzata Comprehensive Plan.
- 1.4 Notice. Notice of a public hearing on the Development Application was published in the *Sun Sailor* on November 21, 2012. A copy of the notice was mailed to all property owners located with 350 feet of the Property on November 21, 2012.
- 1.5 Planning Commission Action. The Planning Commission reviewed the Application and held a public hearing at its December 3, 2012 meeting. of the

2011 Applicant at its August 15, 2011 meeting and held a public hearing. The Planning Commission voted four (4) in favor, zero (0) opposed with two (2) abstentions to recommend the City Council approve the application pursuant to the settlement agreement with the suggested conditions for discussion as stated in the meeting minutes.

Section 2. SETTLEMENT AGREEMENT

A copy of the Settlement Agreement related to this Application is enclosed as Exhibit A (the "Settlement Agreement"). This Resolution is not intended to modify Settlement Agreement. If this resolution is inconsistent with the Settlement Agreement, the provisions of the Settlement Agreement will control except with respect to the three conditions set forth in below, as to which the Applicant and the City have agreed.

1. The Applicant's landscape plan and tree preservation plans must be reviewed and approved by the City Parks Department for conformance with the requirements of the City Code. The Applicant shall submit the landscape plan and tree preservation plans for review and approval of the Planning Commission and City Council as part of the application for Design Review required in Wayzata City Code Section 801.09 and the Settlement Agreement. The Applicant will seek to minimize removal of older hardwood trees to the extent consistent with the approved site plans. The Applicant will endeavor to remove and minimize the spread of any plants considered to be invasive species that are currently growing on the property.
2. Before finalizing the acquisition of either of the lots adjacent to 2030 Wayzata Boulevard East that are now owned by the Minnesota Department of Transportation as set forth in the Settlement Agreement, the Applicant shall ensure that a Phase 1 Environmental Review of each lot is conducted and, if a Phase 2 is recommended based on the results of the Phase 1 Review, the Applicant shall ensure that a Phase 2 Environmental Review is conducted. The Applicant will conduct these reviews at the Applicant's expense or, if available, the reviews may be conducted by the State of Minnesota but the City will not be responsible for the cost of any environmental reviews.
3. All site work, such as grading or stormwater management, must comply with the Wetland Conservation Act and the Wayzata City Code. The Applicant shall also obtain any approval or permits required by all regulatory authorities, including but not limited to, the U.S. Army Corps of Engineers, the Minnesota Department of Natural Resources, the Hennepin County Conservation District, the Watershed District, and the Board of Soil and Water Conservation.

Section 3. FINDINGS

The City Council of the City of Wayzata hereby confirms and memorializes that the Application meets the applicable requirements of the agreed to Settlement Agreement made on the record (as well as all Application materials, staff reports, public comment presented at the hearing, and the recommendation of the Planning Commission).

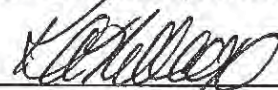
Section 4. CITY COUNCIL ACTION

- 4.1 Based on the Findings in Section 3 of this Resolution, the request for approval of the Comprehensive Plan Map Amendment, Site Plan Review, and Concurrent Concept and General Plan requested in the Application, and defined and described in Exhibit B, is **APPROVED**, subject to all of the following conditions and other standards contained in the Settlement Agreement and Section 2 above (failure to comply with any one of these conditions and other standards contained in the Settlement Agreement may result in the revocation of the approvals):
- A. Prior to issuance of a building permit, the Applicant shall submit applications and required materials for design review and lot combination/subdivision as required in the Settlement Agreement.
 - B. In accordance with the Settlement Agreement, the Property, including any later-acquired MnDOT Outlots, shall be limited as follows:

[I]limited to a Church, as defined in the City Code, including uses that are customarily incidental to a Church, including: a) gatherings or meetings of members of the community or of community or non-profit organizations or groups; and b) charitable activities or services associated with the religious body. For the purpose of emphasis and not limitation of this condition, for profit, commercial activities are not considered customarily incidental to a Church.
 - C. The Applicant shall submit a Project and Development Agreement, in a form acceptable to the City Attorney, is entered into between the Applicant and the City to address matters related to the Project, including, but not limited to:
 - 1. Project Performance and Development Timeline
 - 2. Stormwater Facilities Maintenance
 - 3. Conditions of approval and PUD standards outlined in this Resolution
 - D. The Applicant shall record the Development Agreement with the appropriate officials at Hennepin County.

- E. That all expenses of the City of Wayzata, including consultant, expert, legal, and planning fees incurred be fully reimbursed by the Applicant.
- F. The Applicant must coordinate the implementation of the landscaping plan with the appropriate City Staff, including the City Parks Department.
- G. Prior to the issuance of any building permits for the Property, the final Site Plan shall be subject to review and approval by Staff to ensure the Site Plan and its elements conform with the approved PUD Plan.
- H. The City Council and the Applicant shall discuss and further negotiate the following potential conditions on the PUD, as recommended by the Planning Commission:
 - i. Additional information on locating some of the parking on the service road to minimize the parking area and tree loss.
 - ii. Consider locating parking where there are no trees on the southeast side.
 - iii. A landscaping plan, highlighting replanting with trees of larger scale and mass to screen property, typically 4"-5" diameters.
 - iv. An updated traffic study including Carlson Parkway and Crosby Lane.
 - v. Information on the proposed attendance of the church to better understand the parking demand. What are peak times and estimated parking usage during peak times.
 - vi. Testing for any environmental issues with the outlots
 - vii. Mitigation of any waste found on the outlots
 - viii. Address buckthorn and invasive species plants on the property
 - ix. Mitigation of fill and grading impacts to the site and the wetlands - grading plan and new wetland delineation
 - x. Noise study and noise abatement alternatives
 - xi. A site lighting plan (photometric plan)
 - xii. Detailed stormwater management plan
 - xiii. An alternative stormwater management solution, such as a vaulted structure under the parking lot, to minimize additional tree loss on the site.

Adopted by the Wayzata City Council this 18th day of December, 2012.



Mayor Ken Willcox

ATTEST:


City Manager Heidi Nelson

ACTION ON THIS RESOLUTION:

Motion for adoption: Tanner

Seconded by: Mullin

Voted in favor of: Amdal, Bader, Mullin, Tanner, Willcox

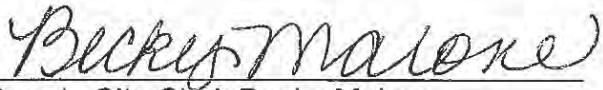
Voted against: None

Abstained: None

Absent: None

Resolution adopted.

I hereby certify that the foregoing is a true and correct copy of a resolution adopted by the City Council of the City of Wayzata, Minnesota, at a duly authorized meeting held on December 18, 2012.


Deputy City Clerk Becky Malone

SEAL

March 21, 2016

Wayzata Planning Commission
600 Rice Street East,
Wayzata, Minnesota

Dear Planning Commissioners,

As a resident of the Holdridge neighborhood I am concerned that the proposed by the Universalist Unitarian Church of Minnetonka to develop the property located at 2030 Wayzata Blvd E would change the look and character of the neighborhood and will be a health, safety, and welfare concern given the narrow roads and nature of the neighborhood. This proposal requires numerous modifications to the city ordinances and physical modifications to the lot. The following items are in response to the Wayzata Planning Commission Meeting Agenda Monday, March 21, 2016.

1. **Wetland Delineation**. The 2015 boundary determination has not been confirmed as accurate and no DNR review has been performed. The beauty of the wetland and the wildlife it contains is one of the focal points of the Holdridge neighborhood and should be preserved at all costs. (Page 7 of Planning Report, Section 3).
2. **R-1 Zoning**. The proposed home does not meet Code requirements for (a) minimum lot size, or (b) lot depth setbacks. Variances would change look and character of the neighborhood. (Page 8 of Planning Report, Table 5).
3. **Parking Requirements, Site Access and Internal Circulation**. 67 parking stalls will generate too much traffic in a neighborhood with narrow streets. Wrong area for dense traffic. Dangerous, a nuisance. (Page 9).
4. **Design Standard**. Project shouldn't be permitted to deviate from the City's Design Standards. Will change look and character of the neighborhood. (Page 9).
5. **Tree Inventory**. Project proposes the removal of too many trees. Will change the look and character of the neighborhood. Devalue surrounding properties. (Page 10).
6. **Preliminary Plat**. The proposed preliminary plat will have a number of adverse effects on the neighborhood and surrounding properties. Most notably the proposal has the inability to meet many factors of the plat criteria. (Page 11).

- a. Building pads that result from a subdivision or lot combination shall preserve sensitive areas such as lakes, streams, wetlands, wildlife habitat, trees and vegetation, scenic points, historical locations, or similar community assets.
 - b. Building pads that result from subdivision or lot combination shall be selected and located with respect to natural topography to minimize filing or grading.
 - c. Existing stands of significant trees shall be retained where possible. Building pads that result from a subdivision or lot combination shall be sensitively integrated into existing trees.
 - d. The creation of a lot or lots shall not adversely impact the scale, pattern or character of the City, its neighborhoods, or its commercial areas.
 - e. The design of a lot, the building pad, and the site layout shall respond to and be reflective of the surrounding lots and neighborhood character.
 - f. The lot size that results from a subdivision or lot combination shall not be dissimilar from adjacent lots or lots found in the surrounding neighborhood or commercial area.
 - g. The architectural appearance, scale, mass, construction materials, proportion and scale of roof line and functional plan of a building proposed on a lot to be divided or combined shall be similar to the characteristics and quality of existing development in the City, a neighborhood or commercial area.
 - h. The design, scale and massing of buildings proposed on a subdivided or combined lot shall be subject to the architectural guidelines and criteria for the Downtown Architectural District, Commercial and Institutional Architectural Districts, and Residential Architectural Districts and the Design Review Board/City Council review process outline in Section 9 of the Wayzata Zoning Ordinance.
 - i. The proposed subdivision or lot combination shall not tend to or actually depreciate the values of neighboring properties in the area in which the subdivision or lot combination is proposed.
7. **Premature Subdivision.** The subdivision should be deemed premature under Section 805.17 of the City Code. Nothing addresses the inadequacy of the roads to service this proposed use, and inconsistencies with the Comp. Plan are not addressed.

8. **PUD General Standards.** The PUD amendment should be denied. Health, safety, and welfare concerns of the residents and community in the surrounding area have not been adequately addressed. Nor have adequacy of road ways to service the proposed use. (Page 13, Section 4.6).
9. **Setback Variance.** No practical difficulties exist to justify granting a variance. Section 4.12, Subp. C items (ii) and (iii) of the Planning Report cannot be answered in the affirmative. The requested variances must be denied. (Page 15, Section 4.12).

In closing we ask that the Wayzata Planning Commission deny the proposed development application and recommend the Universalist Unitarian Church of Minnetonka seek an alternate and more appropriate building site for a development of this scale; one that is more naturally suited and less disruptive to the surrounding neighborhood.

Signed:



Michael Travanty
14218 Holdridge Rd W
Wayzata MN 55391

Jeff Thomson

From: bdachelet@comcast.net
Sent: Wednesday, March 30, 2016 2:10 PM
To: Jeff Thomson
Subject: re planning comm 4-4
Attachments: zoningforreligion.pdf

Jeff

Attached is the one exhibit I would like entered into the records of the planning commission.

Would you be able to have projected images of individual pages available

Thank you

BobD



INFORMATION MEMO

Zoning for Religion

When considering an application for land use involving a religious institution, cities must comply with the federal Religious Land Use and Institutionalized Persons Act (RLUIPA) law. Learn the requirements of this law and read examples of provided by the U. S. Department of Justice of zoning actions and ordinance language that can violate it.

RELEVANT LINKS:

[42 U.S.C. § 2000cc et seq.](#)

*Employment Div.,
Department of Human
Resources of Ore. V. Smith,
42 U.S. 110 S. Ct. 108 L.Ed.
2nd 876 (1990).*

I. Religious Land Use and Institutionalized Persons Act (RLUIPA)

While it probably isn't every day that your city receives a land use application for a religious use, this is still an area of planning and zoning cities need to pay attention to. The way your city handles applications for religious uses must comply with the federal Religious Land Use and Institutionalized Persons Act (RLUIPA).

RLUIPA protects religious institutions from unduly burdensome or discriminatory land use regulations. This law was passed unanimously by Congress in 2000, after congressional hearings revealed that religious organizations were disproportionately affected by local land use decisions. Minority religions and start-up churches were impacted more than most. Congress also found that religious institutions were treated worse than comparable secular institutions and that zoning authorities were placing excessive burdens on the ability of congregations to exercise their faith.

As a result, Congress enacted RLUIPA in an effort to protect religious freedom, houses of worship, and religious schools. However, 10 years after it was passed, RLUIPA remains something of a mystery to those involved in local land use regulation

II. Origins of RLUIPA

A 1990 Supreme Court decision was the first step toward RLUIPA. Smith was fired as a drug counselor for ingesting peyote during a Native American ceremony. He was denied unemployment insurance by the state of Oregon because his termination was due to felony use of a controlled substance. The Supreme Court upheld the denial because the state ban on peyote was neutral and generally applicable. The Smith decision led to an outcry from religious groups that the courts were inadequately protecting the religious practice of individuals from the impact of government programs and policies.

This material is provided as general information and is not a substitute for legal advice. Consult your attorney for advice concerning specific situations.

RELEVANT LINKS:

[42 U.S.C. § 2000bb et seq.](#)

[Department of Justice
RLUIPA Policy Statement,
Sept. 2010.](#)

[42 U.S.C. § 2000cc\(a\).](#)

Congress reacted in 1993 by passing the Religious Freedom Restoration Act (RFRA), which established “strict scrutiny” of any law that substantially burdened a religious individual or institution. A church in Texas challenged a city historic preservation law under RFRA and in 1997 the case went all the way to the Supreme Court. The Court struck down the application of RFRA to state and local government, ruling it was an unconstitutional violation of the limits of federalism. So Congress tried again, and after unsuccessful bills in 1998 and 1999, RLUIPA became law in 2000.

III. RLUIPA prohibitions

There is little guidance for compliance with RLUIPA, causing city officials, planners, and attorneys to puzzle over the language of this law. The following information from the U.S. Department of Justice provides examples of the kinds of zoning actions and ordinance language that might get a city into trouble with RLUIPA.

A. Infringement of religious exercise

RLUIPA bars zoning restrictions that impose a “substantial burden” on the religious exercise of a person or institution, unless the government can show that it has a “compelling interest” for imposing the restriction. In addition, the restriction imposed must be the least restrictive way for the city to further that interest.

Minor costs or inconveniences imposed on religious institutions are not enough to trigger RLUIPA’s protections. The burden must be “substantial.” Once the institution has shown a substantial burden on its religious exercise, the city must show that the reason for imposing a restriction is “compelling.” Because the religious organizations in the following examples have demonstrated a substantial burden on their religious exercise, and the justifications offered by the cities in these cases are not compelling, the cities would likely be in violation of RLUIPA.

Example: A church has applied for a variance to build a modest addition to its building for Sunday school classes. The church demonstrated that the addition is critical to carrying out its religious mission, that there is adequate space on the lot, and that there would be a negligible impact on traffic and congestion in the area. The city denied the variance.

Example: A Jewish congregation has been meeting in various rented spaces that have proven inadequate for the religious needs of its growing membership. The congregation purchased land and seeks to build a synagogue. The city denied the permit, and the only reason given is “we have enough houses of worship in this city already, and we want more businesses.”

RELEVANT LINKS:

42 U.S. C. § 2000cc(b)(1).

B. Comparability to secular institutions

Under RLUIPA, religious assemblies and institutions must be treated at least as well as non-religious assemblies and institutions. This is known as the “equal terms” provision of RLUIPA. On its face, the ordinance below favors nonreligious places of assembly over religious assemblies, so the following example would be a violation.

Example: A mosque leases space in a storefront, but zoning officials deny an occupancy permit since houses of worship are forbidden in that zone. However, fraternal organizations, meeting halls, and places of assembly are all permitted in the same zone.

42 U.S.C. § 2000cc(b)(2).

C. Discrimination among religions

RLUIPA bars discrimination “against any assembly or institution on the basis of religion or religious denomination.” If it were proven that the permit was denied because the applicants are Hindu, the example below would constitute a violation.

Example: A Hindu congregation is denied a building permit despite meeting all of the zoning code requirements for height, setback, and parking. The zoning administrator is overheard making a disparaging remark about Hindus.

42 U.S.C. § 2000cc(b)(3)(A).

D. Exclusion of religious assemblies

RLUIPA provides: “No government shall impose or implement a land use regulation that totally excludes religious assemblies from a jurisdiction.” Exclusions like the example below are explicitly forbidden.

Example: A city, seeking to preserve tax revenues, enacts a law that no new churches or other houses of worship will be permitted.

42 U.S.C. § 2000cc(b)(3)(B).

E. Unreasonable limits on houses of worship

Under RLUIPA: “No government shall impose or implement a land use regulation that unreasonably limits religious assemblies, institutions, or structures within a jurisdiction.” The zoning scheme described below, if proven to be an unreasonable limitation on houses of worship, would constitute a violation.

Example: A city has no zones that permit houses of worship. The only way a church may be built is by having an individual parcel rezoned, a process which in that city takes several years and is extremely expensive.

RELEVANT LINKS:

IV. Impact on zoning

It is important to recognize that RLUIPA does not shield religious institutions from all land use regulation. A zoning ordinance can be enforced as long as it does not discriminate against or exclude religious uses, does not treat religious uses less favorably than comparable nonreligious uses, and does not impose a substantial burden.

Religious land uses include places of assembly for worship such as churches, synagogues, mosques, and temples. But, RLUIPA can also encompass any number of associated religious activities, such as shelters, schools, soup kitchens, and community centers.

Historically, most zoning ordinances have treated religious institutions like any other building. They usually are subject to setbacks, height limits, and lot size requirements. Often the impacts are limited to traffic and parking concerns that occur at the time of regular worship services. However, some ordinances specify zoning districts in which religious buildings are or are not allowed, and require that performance standards be met as to parking and site plan. Like any zoning regulation, the purpose is generally to mitigate the impact of the land use on its neighbors.

Another traditional way of handling zoning ordinances is to treat churches and other places of worship as uses associated primarily with residential districts. Neighborhood churches were viewed as a classic residential use, often located on corner lots near larger streets. But the model has changed over time with new forms emerging. Large mega-churches draw thousands of worshippers to shopping-center sized facilities. Conversely, smaller storefront churches provide youth drop-in centers and religious outreach efforts. Many zoning ordinances have not yet addressed the variety of forms religious institutions can take.

V. Review and plan

Cities that have not reviewed their zoning ordinances for consistency with RLUIPA might start by taking a look at how religious land uses are currently regulated:

- Does the zoning ordinance call them out as specific land uses?
- If so, does the ordinance impose unique requirements or limit their location to certain districts?
- How are religious land uses defined? If the ordinance uses the term “churches” the city should consider changing to a broader definition, as the term church can be viewed as discriminating among religions.

RELEVANT LINKS:

Some ordinances now employ a broad definition of “places of assembly” that include both religious and non-religious uses. This approach may go a long way toward protecting the city from an equal terms challenge under RLUIPA.

Cities should also consider whether the ordinance requires religious uses to undergo any particular approval process. If the ordinance leaves the city with significant discretion over the approval and conditions that may be attached, a city is more likely to face a substantial burden challenge under RLUIPA.

Some ordinances regulate places of religious assembly as a conditional use. While a conditional use may be appropriate and may survive a challenge if applied fairly and judiciously, cities should be wary of this practice. Concerns a city may wish to address through a zoning approval process do not always pertain to all places of assembly but rather are focused on assemblies of a particular size. Consider classifying assemblies based on scale and impact, and have sliding zoning standards that apply accordingly. A small place of assembly may be permitted outright, yet a larger one would be subject to specified performance standards.

While the meaning and impact of RLUIPA continues to be sorted out, cities should remain aware of the possibility that their zoning practices may be alleged to violate RLUIPA. Review of RLUIPA underscores the importance of careful planning, as well as ordinance drafting and administration, whenever a city receives a land use application for a religious use. Cities should work closely with their planners and attorneys to navigate this complex area of land use law.

VI. Further assistance

For questions on the Religious Land Use and Institutionalized Persons Act and other land use situations, contact the League’s Loss Control Land Use Attorney. You can learn more about land use issues in the land use section of the League’s website.

Jed Burkett
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[League of Minnesota Cities.](#)

**WAYZATA PLANNING COMMISSION
MEETING MINUTES
MARCH 21, 2016**

AGENDA ITEM 1. Call to Order and Roll Call

Chair Iverson called the meeting to order at 7:00 p.m.

Present at roll call were Commissioners: Gonzalez, Iverson, Gnos, Murray and Flannigan.
Absent and excused: Commissioners Gruber and Young. Director of Planning and Building Jeff Thomson and City Attorney David Schelzel were also present.

AGENDA ITEM 2. Approval of Agenda

Commissioner Gonzalez made a motion, Seconded by Commissioner Gnos to approve the March 21, 2016 meeting agenda as presented. The motion carried unanimously.

AGENDA ITEM 3. Regular Agenda Public Hearing Items:

a.) Unitarian Universalist Church of Minnetonka – 2030 Wayzata Blvd. E.

i. Design review, preliminary plat, PUD amendment, rezoning, Comprehensive Plan amendment, and variances

Director of Planning and Building Thomson stated the applicant, Locus Architects, and the property owner, Unitarian Universalist Church of Minnetonka (UUCM), have submitted a development application for the property at 2030 Wayzata Blvd. E. The development application includes construction of a new 11,000 square-foot church building and associated parking, a request to combine the property with the parcel to the east, and subdivide a portion of the east parcel into a single-family residential property. He reviewed the 2012 approved application, the proposed preliminary plat, design review, amendment to the PUD, rezoning request for Parcel B, the amendment to the Comprehensive Plan land use designation for Parcel B, and variance requests for R-1 Lot for minimum lot area and minimum lot depth. He reviewed the proposed building and site plan, wetland delineation, zoning analysis, parking requirements, stormwater management, tree inventory, and site access and internal circulation. He clarified that all approvals from 2012 apply to Parcel A only.

Commissioner Gonzalez stated that Section 2.2 of the Staff Report Attachment B, the City Council Ordinance, states that before finalizing the acquisition of any of the former outlots there should be an environmental review conducted. She asked if this had been done.

Mr. Thomson stated the Applicant has stated this has been done and they will provide this report to the City.

1 Commissioner Gonzalez suggested adding a condition of approval that the Environmental
2 Review be submitted to the City Council, if the application moves forward. She stated Section
3 801.09.3.1.b of the Design review discusses sitting areas and gathering areas, and/or landscape
4 courtyard. It looks like this should be at street level but the applicant is proposing to have this in
5 the back of the building below street level. She stated it does make sense if it is facing a
6 freeway. She asked if the Commission would need to recommend or approve a deviation from
7 this design standard.

8
9 Mr. Thomson stated the intention of this section is for the applicant to provide outdoor space and
10 they have met this through the proposal and the City also recognizes that this property is unique
11 in that there is a sidewalk but not a streetscape area. Mr. Thomson stated that the streetscape
12 elements would not meet the character of the neighborhood because it is a residential area.

13
14 It was the consensus of the Commission to accept the location of the outdoor space on the back
15 side of the proposed building.

16
17 Commissioner Gonzalez stated the applicant had referenced a light colored roof but the design
18 standards require a dark color for the roof. She asked if the Commission would need to approve
19 this deviation. Mr. Thomson stated that if the flat roof includes a light colored membrane, a
20 deviation from the Design Standards would be required. Mr. Thomson asked that the applicant
21 clarify what the roof color would be.

22
23 Commissioner Flannigan asked if the proposed R-1 zoning for Parcel B is the only option the
24 Commission can consider.

25
26 Mr. Thomson stated the R-1 is requested because the residential properties around the parcel are
27 currently zoned R-1. There are other zoning districts in the Zoning Ordinance in which the
28 property would comply with the requirements but that would raise the issue of "spot zoning",
29 given there are no other surrounding properties with those designations, and this is something the
30 City should avoid.

31
32 Commissioner Flannigan asked if there would be a lighted sign on Wayzata Boulevard. He
33 asked if this would comply with the City's ordinances for signage.

34
35 Mr. Thomson stated they are allowed to have a freestanding sign, but he would review the
36 Ordinances to verify that the proposed illumination type used in the lighted sign would be
37 allowed.

38
39 Commissioner Gonzalez stated the Lighting Ordinance does not allow backlit signs.

40
41 Chair Iverson asked Staff to review this.

42
43 Commissioner Flannigan asked why the percentage of glass was not included in the reports as a
44 design deviation from 801.09.84, which states no less than 35% of ground level façade shall be
45 transparent glass.

1 Mr. Thomson stated this requirement would apply if the ground level was retail or service use,
2 but he would check into this and verify it.

3
4 Mr. Wynne Yelland, 5214 Hampshire Drive, Minneapolis, from Locus Architects, for the
5 Applicant, stated there had been four (4) plans presented in 2012 that represented different
6 possibilities based on the outlots that were acquired and Scenario B of those plans most closely
7 matches the project proposed. He stated the parking lot has been reconfigured due to the
8 topography and drainage on the property and to save some of the trees. He explained they did
9 not connect the two (2) parking lots due to erosion concerns, how close it would be to the
10 wetlands and the number of trees that would need to be removed. He stated they were proposing
11 to remove 154 caliper inches of Heritage Trees, as defined in the City's proposed new Tree
12 Preservation Ordinance, not the 94 caliper inches listed in the report. They would provide an
13 updated report to the City.

14
15 Commissioner Gonzalez stated that she appreciated the developer making adjustments in the
16 building and parking lot in order to preserve trees. She asked if the Applicant had a plan for
17 replacement trees.

18
19 Mr. Yelland stated there is a landscape plan included, and they would be amending some of the
20 trees they would be using based on the comments from the City's Forester. He stated there may
21 not be enough land on this parcel to plant all of the required replacement trees. They have talked
22 with the City, and it will be at the City's discretion to plant the remaining trees within City
23 limits.

24
25 Commissioner Gonzalez stated she appreciated the Applicant's willingness to comply with the
26 City's proposed Tree Preservation Ordinance even though it has not been adopted yet. She
27 stated she would like to ensure Mr. Jordan, the City Forester,'s questions and concerns are
28 addressed by the Applicant. She asked what color the roof of the building would be.

29
30 Mr. Yelland stated they are proposing a white roof because the Applicant is committed to
31 sustainable topics. He explained that in most commercial buildings, more energy is used cooling
32 than heating, and this particular roof would not be visible by residents, so they decided to go
33 with a white roof.

34
35 Commissioner Gonzalez stated if the Commission approves of the white roof, they would have
36 to make that deviation from the Design Standard part of the recommendation.

37
38 Commissioner Flannigan asked why the Applicant chose to use metal on the exterior of the
39 building.

40
41 Mr. Yelland stated during rush hour, the noise level is 80 decibels to 90 decibels and the best
42 way to reduce this noise was to eliminate glazing, create some dense mass and/or differing levels
43 of density in the wall cavity. He stated that the Design Standards for exterior materials that
44 specify stone and brick are primarily materials targeted at cavity wall construction. He explained
45 that cavity walls would not meet the needs of the church to block the noise. Precast wall panels
46 were the best thing they could find. He stated they knew this would not meet the Design

1 Standards, so they opted to clad this with the metal siding to comply with the Design Standard
2 intent.

3
4 Chair Iverson asked if they had looked at sound proofing insulation behind the brick. She stated
5 that there are products that should be explored further that would work with brick walls.

6
7 Mr. Yelland stated they had not been able to find a wall assembly that would meet the
8 performance of the precast wall. They need this density in order to reflect the sound away from
9 the building and reduce the noise for services such as funerals.

10
11 Commissioner Flannigan asked if the Applicant had looked at how the metal exterior would
12 reflect the noise from the highway to surrounding properties.

13
14 Mr. Yelland stated there is some residual effect but the amount of “soft” materials on the
15 property would be enough to reduce this effect, so there would be no additional impact on
16 surrounding properties.

17
18 Commissioner Gonzalez asked how much fill would be brought onto the site.

19
20 Mr. Yelland stated the intention would be to maintain a balance and not have to remove fill or
21 bring additional fill to the site. They are still working on this and would be able to provide the
22 exact information to the Commission.

23
24 Commissioner Gonzalez asked what the accent materials would be used.

25
26 Mr. Yelland stated there would be wood or fiber cement accents materials.

27
28 Chair Iverson asked if the Applicant would be providing a detailed plan on what steps they
29 would be taking to preserve the large trees on the property during construction.

30
31 Mr. Yelland stated the Applicant’s Civil Engineer would be providing a Tree Preservation Plan
32 and Oak Wilt Prevention Plan with the construction documents.

33
34 Commissioner Gonzalez asked if the Applicant had an alternate plan for the parking lot in case
35 the wetlands delineation changed.

36
37 Mr. Yelland stated they did have an alternate plan that would result in six (6) less spots than
38 what they are proposing.

39
40 Chair Iverson opened the public hearing at 8:00 p.m.

41
42 Mr. Russell Crowder, 1505 Holdrige Circle, Wayzata, stated this project will have an adverse
43 effect on the neighborhood and the Commission has an obligation to be looking at minimizing
44 this effect. He asked if the Applicant had finalized the purchase of Parcel B.

45
46 City Attorney Schelzel stated the Applicant does own Parcel B.

1
2 Mr. Crowder asked if the Applicant was able to develop the property with a residential
3 component, or if this was part of the Settlement Agreement.
4

5 Chair Iverson stated the Applicant currently can develop this parcel as long as the uses on it are
6 consistent with the types of uses associated with a church. If this changes and the parcel is
7 rezoned, then it would become part of the R-1 District and it would have to meet the
8 requirements of that district.
9

10 Mr. Crowder asked if the hill was included in Parcel B because the construction of a home would
11 remove part of this hill and reduce the amount of buffer the neighborhood has from the highway.
12

13 Chair Iverson stated that if it changed to residential, a condition of that approval could be that the
14 future owner of Parcel B would have to come to the Planning Commission with their plan and
15 the Commission could review the impacts to the trees and neighborhood at that time.
16

17 Mr. Crowder stated the Church would be buffering itself from the highway noise but he
18 expressed concerns that the neighborhood would experience more noise due to the amount of
19 trees being removed. The Applicant has not done any studies on the noise impacts. If the noise
20 increases and the highway is more visible to the neighborhood, then the property values will
21 decrease. He wants to know that there will not be adverse noise effects to the neighborhood. He
22 suggested the Applicant build a screen along the south side of the property line to reduce the
23 noise in the neighborhood. He wants the Planning Commission ensure that a meaningful screen
24 is put in because it is owed to the neighborhood. He asked if the parking lot lighting would be
25 on every night. He pointed out a white Church would stand out along the frontage road and the
26 City has worked to make developments blend in with the neighborhoods.
27

28 Mr. Kent Howe, 1600 Holdridge Lane, Wayzata, stated he does like the idea of having a home
29 on Parcel B because this ensures it would not be parking. Parking would be more intrusive on
30 the neighborhood. He would like to see the City do additional staking to show where the
31 property lines would be, and he would like to ensure that people cannot get from the parking lot
32 or the Church to Holdridge Lane.
33

34 Ms. Rachel Brednoy, 16313 Holdridge Road W., Wayzata, stated she does not think the white
35 metal siding should be approved because it is an inappropriate siding for the neighborhood. The
36 Church has windows so they would not be getting the silence they are using as a reason for the
37 metal siding. The building in the current proposal encroaches into the neighborhood more than
38 under the previously approved plan. Unless there is a wall between the proposed parking lot and
39 the neighborhood, there will be lights shining into the neighborhood and this is a health problem.
40 She stated the Church had sued the City in order to remove the R-1 District zoning from the
41 property and now they want to have it changed back to R-1. No one will want to purchase this
42 property, and it will remain a vacant lot. There is a significant amount of trees being removed
43 and this affects the health of the community. There is no sound barrier between where the
44 Church will be built and Highway 12. The current proposal is more intrusive into the
45 neighborhood. She wants the Commission to find out exactly what affects the changes in
46 topography will cause.

1
2 Commissioner Flannigan asked Ms. Brednoy is she would prefer to change the zoning of Parcel
3 B to R-1 for potential residential development or leave it as it is currently for potential parking
4 lot expansion by the Church.

5
6 Ms. Brednoy stated she would prefer areas for parking lots that have the fewest amount of trees
7 to be removed. She does not think anyone would put a house on Parcel B.

8
9 Mr. Morgan Truscott, 16400 Holdridge Road W, Wayzata, stated he would like the applicant to
10 ensure the white roof could not been seen by the neighbors because he believes he would see it
11 from the second story of his home. He also expressed concerns about the metal siding increasing
12 the amount of noise because there would also be a significant amount of trees removed. He
13 asked the Applicant provide the Commission with the exact amount of fill that would be brought
14 to the site. He expressed concerns with the white exterior of the building because this does not
15 meet the Design Standards for the City. He asked what the elevation for Parcel B would be
16 because he does not think a parking lot would work in this area.

17
18 Mr. Mike Travanty, 16218 Holdridge Road W, Wayzata, expressed concerns about the
19 subdivision of the property that would result in a non-conforming lot for the neighborhood, the
20 removal of trees and disturbance of the wetlands, the lighting from the parking lot, and the size
21 of the proposed development compared to the size of the parcel. He presented a letter to the
22 Commission to consider that outlined his concerns and asked that it be made part of the record.

23
24 Mr. Truscott asked how the traffic on the frontage road would be handled.

25
26 Chair Iverson stated part of the request from Hennepin County would be to understand what the
27 increased traffic volume would be. The Applicant will be asked to provide this information.

28
29 Mr. Truscott stated he would like to see a stop sign added on this frontage road.

30
31 Chair Iverson closed the public hearing at 8:27 p.m.

32
33 Commissioner Gonzalez asked what building materials had been proposed in 2012.

34
35 Mr. Thomson stated there had not been a building design submitted in 2012, as that was
36 designated as part of the review for this phase of the project under the Settlement Agreement.
37 He stated the Applicant is requesting a deviation for 801.09.6.2.B because they are proposing a
38 white colored roof rather than a dark color.

39
40 Commissioner Gonzalez asked how visible the roof would be to neighboring homes.

41
42 Chair Iverson asked if the Applicant could perform a study while the leaves are off the trees.

43
44 Mr. Thomson stated the Applicant could look at the elevation of the roof compared to the
45 elevation of the surrounding homes to determine if the roof would be visible.

1 Chair Iverson suggested the elevation information for the surrounding homes, compared to the
2 elevation of the proposed roof, and additional details on the roof design including parapets, be
3 requested from the Applicant.

4
5 Mr. Thomson stated the Applicant is requesting a deviation from 801.09.11.1.A because the
6 primary surfaces of the building are proposed to be a pre-finished metal panel and a concrete
7 base along the lower level exterior elevation. He stated Staff would also look at the glass
8 requirement because this may apply.

9
10 Commissioner Flannigan clarified a reason the Applicant is asking for this deviation is because
11 of the undue burden of dealing with the noise from Highway 394. He asked if this would be
12 considered an undue burden, where the Applicant was aware of the highway prior to purchasing
13 the property.

14
15 City Attorney Schelzel stated whenever there is a request for deviation from the Design
16 Standards, the Commission must decide if the negative impacts of that deviation are outweighed
17 by one or more of the factors listed in Section 9, Part 21.1 of the Design Standards. In this case,
18 if the undue burden articulated by the Applicant does outweigh any negative impacts of the
19 exterior materials proposed.

20
21 Commissioner Flannigan stated the negative impacts presented by the materials for the project
22 would include visual, nonconforming to the neighborhood, potential noise reflection, and the
23 color choices.

24
25 Chair Iverson stated the City has design standards, and the Commission should encourage
26 Applicants to work with these standards. There will a negative visual impact to the
27 neighborhood if the proposed materials are used.

28
29 Commissioner Gonzalez stated the metal siding presented would not be appropriate. If it would
30 be masked in some way, such as a more appropriate color to keep the building from standing out,
31 it may be something the Commission could consider. She stated one of the conditions of
32 approval in 2012 had involved screening with berms, trees, and other plantings to protect the
33 neighborhood. She stated the City's Code for lighting requires downcast lighting, and
34 information on how this lighting would be screened from the neighborhoods. She stated the
35 Applicant would need to submit a lighting plan including information on hours of operation. She
36 stated the City's Ordinance does not allow backlit signs, and the Applicant is proposing a backlit
37 sign.

38
39 Commissioner Flannigan asked Mr. Thomson if the proposed signage on the front of the
40 building, which includes the name and logo of the church, are within the City's size requirements
41 for this type of building.

42
43 Mr. Thomson stated the proposed signage meet the size restrictions in the Sign Ordinance, and
44 Staff would verify the lighting information. He stated the Applicant had provided a photometric
45 plan for the Commission to review. The Applicant also provided information on the fixtures

1 they would use. He does not know at this time the hours of operation for the facility or for the
2 lighting.

3
4 Chair Iverson asked if there would be any landscape lighting.

5
6 Mr. Thomson stated there is no exterior lighting shown on the building. Staff would review this
7 with the Applicant.

8
9 Commissioner Flannigan expressed concerns that the proposed building did not meet the Design
10 Standards because the amount of glass at the street level is not a minimum of 35%.

11
12 Commissioner Gonzalez stated this requirement does not apply to all Districts.

13
14 Mr. Thomson clarified the glazing requirement only applies in the three (3) Design Districts and
15 this project is not located in any of these Districts. Accordingly, there is no glazing minimum
16 requirement for this project.

17
18 Chair Iverson expressed concerns about headlights reflecting into the neighborhood yards and
19 homes. She suggested requiring a solid buffer around the parking lot that would protect the
20 neighborhood from this lighting. She asked if it would be reasonable to the Commission to ask
21 the Applicant for a sound study.

22
23 City Attorney Schelzel stated there is no requirement under City Code that the Applicant provide
24 a sound study, but that this is something that can be discussed with the Applicant.

25
26 Commissioner Gnos stated there was room for improvement on the number of trees being
27 removed, the lighting, and the color of the building being proposed.

28
29 Commissioner Murphy stated the colors and materials used for the building are not conforming,
30 and he would like to see this addressed by the Applicant.

31
32 Chair Iverson requested the Applicant provide a Tree Preservation Plan, including how the
33 remaining trees would be protected during construction. She suggested the Applicant consider
34 adding additional trees to the property.

35
36 Mr. Yelland clarified they would be removing 194 caliper inches of heritage trees, or 65 trees
37 total. They are planting as many replacement trees as they can on the property, but the City
38 Forester would make the determination on how many can be replanted on the property.

39
40 Mr. Thomson stated the City's proposed Tree Preservation Ordinance does require the excess
41 trees to be planted on City property.

42
43 Commissioner Gonzalez stated the screening of the property from the neighborhoods was an
44 important condition in 2012 and is still in effect.

1 Chair Iverson stated she felt the consensus of the Commission was to request the Applicant to
2 bring back a design that is more in line with the City's Design Standards for exterior materials
3 and color.

4
5 Mr. Thomson clarified for the Design Review and Site Plan Amendment portion of the
6 Application, the Commission is requesting Staff and the Applicant to review the Phase 1
7 Environmental Review done on the Property; review the proposed signage for compliance with
8 the Ordinances; review the trees on the Landscape Plan for salt tolerance; review the grading
9 balance and how much fill would be removed or brought to the site; clarify the hours of
10 operation for the exterior lighting; review the parking lot setback requirements; reconsider the
11 color and material of the roof and siding; review traffic dynamics, including the possible addition
12 of stop signs or traffic lights; review the Tree Preservation Plan, including how the remaining
13 trees would be protected; and consider screening from the residential neighborhood, including
14 headlights.

15
16 Chair Iverson requested review of the wetlands in 2008 compared to now, and verification of the
17 delineation for the parking spaces.

18
19 City Attorney Schelzel clarified the Commission would like staff to prepare a draft Planning
20 Commission Report recommending denial of the requested deviations in the Design Standards
21 based on the discussion this evening.

22
23 Commissioner Gonzalez stated the roof color deviation would be acceptable to her if it is not
24 visible from the neighboring properties, but the materials and color of the siding does not fit with
25 the neighborhood or the Design Standards.

26
27 Chair Iverson stated she would want to know how the white roof would fit with the rest of the
28 building design prior to approving it, even if it is not visible for the neighboring properties.

29
30 Mr. Thomson clarified the Commission was moving towards recommending denial on the
31 requested deviations from the Standards, but approving the rest of the proposed design of the
32 building under the Design Standards.

33
34 Mr. Thomson stated prior the Application moving forward there will have to be a land use
35 designation for the Comprehensive Plan.

36
37 Commissioner Flannigan asked why the Church did not want to zone Parcel B as institutional
38 with the rest of the property.

39
40 Mr. Doug Johnson, representative for UUCM, stated there is a large elevation change between
41 the top of the street and the proposed parking lot at the bottom of the street. The parcel
42 subdivision the Church would like to have rezoned to R-1 does not have value to the Church, and
43 it made more sense to sell it as residential than to keep it as a vacant lot.

Commissioner Gonzalez clarified the proposed new residential parcel could potentially meet the width requirement for the R-1 District if the subdivision were reconfigured but it would not be able to meet the depth requirement.

Mr. Thomson stated the Parcel does meet the lot width requirement for the R-1 District but it does not meet the lot depth or lot area requirements. If the property line were to remain as it is currently the lot would meet the area requirements but not the depth requirements. There are other lots in this neighborhood that do not meet the size requirements for the R-1 District.

Mr. Johnson stated there were about 14 parcels of the 40 in the neighborhood that would be considered nonconforming.

Chair Iverson stated the Commission can add a condition of approval that the future property owner must present building plans to the City for approval prior to construction.

Commissioner Gonzalez stated after review of the Preliminary Plat criteria, she does not believe it would be in the best interest of the City to rezone Parcel B to the R-1 District because it would take extensive grading, tree removal and topography change to build on this property. It is currently a buffer for the neighborhood from the highway. The proposed lot size does not match the majority of the neighborhood, and the City should not create nonconforming lots. She would not recommend approval of the preliminary plat as presented.

Commissioner Gnos agreed the City should not create nonconforming parcels.

Commissioner Flannigan stated it appeared the majority of the neighborhood would like to see the lot remain as it is currently.

Commissioner Gonzalez stated she would support changing the Comprehensive Plan to designate both parcels as Institutional and rezone Parcel B to Institutional.

Chair Iverson stated she would recommend denial for designating Parcel B as R-1 Residential.

Commissioner Gonzalez stated the variances requested do not meet the requirements of the Variance Ordinance, Section 801.05.1.c.

Commission Gonzalez made a motion, Seconded by Commissioner Flannigan to direct Staff to prepare a draft Report and Recommendation for the Planning Commission's consideration at its next meeting of:

- Approval of the design requested except denial for the Design Standards Deviations requested for the roof and exterior material and color;
- Approval of the Subdivision to combine the parcels;
- Denial of the Subdivision to create a new residential lot,
- Approval of the PUD Amendment for the Revised Site Plan Subject to the additional information requested and conditions discussed
- Approval of the Comprehensive Plan Amendment to designate the non-designated parcel to Institutional

- Denial of the Comprehensive Plan Amendment to designate the eastern portion of this parcel Residential
- Approval of the Rezoning to PUD for the entire parcel
- Denial of Rezoning the eastern portion of the parcel to R-1 Residential
- Denial of the R-1 Lot Variance Standards

The motion carried unanimously.

b.) Amendment to the City of Wayzata Zoning Ordinance related to Off-Street Parking and Loading (City Code Section 801.20)

Director of Planning and Building Thomson reviewed the revised draft Ordinance Chapter 801 including the changes recommended by the Planning Commission at the March 10, 2016 meeting and additional changes and reorganization recommended by Staff for Sections 801.20.E.12, 801.20.3.B, 801.20.7, 801.20.9.D, 801.20.10.C, 801.20.11.A.2, 801.20.11.B, 801.20.13.A and 801.20.13.B.

Commissioner Gonzalez stated the Design Standards do not allow a fence higher than 4-feet. She recommended adding language to the Landscape Section that limits the height for a wall or fence used for screening the front property line of a parking lot to a maximum of 4-feet in height.

Chair Iverson opened the public hearing at 9:41 p.m.

Mr. Dan Gustafson, 1040 Circle Drive, Wayzata, stated the language for Section 801.20.4 had been deleted but he would like to ensure that the intent is clear in the City's Nonconforming Ordinance.

Chair Iverson closed the public hearing at 9:44 p.m.

Commissioner Gonzalez made a motion, Seconded by Commissioner Murray to Adopt and Approve the Report and Recommendation on an Ordinance Amending Section 20 (Parking) of the Wayzata Zoning Ordinance (Chapter 801) Relating to Off-Street Parking and Loading as presented, with the recommended change for screening landscaping and including Attachment D in the Packet as Attachment A of the Report. The motion carried unanimously.

AGENDA ITEM 4. Regular Agenda Old Business Items:

a.) None.

AGENDA ITEM 5. Other Items:

a.) Review of Development Activities

Director of Planning and Building Thomson stated in April, the City Council would be reviewing the Mill Street Ramp predesign, holding a public forum on The Lake Effect and considering the

**WAYZATA PLANNING COMMISSION
MEETING MINUTES
APRIL 4, 2016**

AGENDA ITEM 1. Call to Order and Roll Call

Chair Iverson called the meeting to order at 7:00 p.m.

Present at roll call were Commissioners: Young, Gonzalez, Iverson, Gruber, Murray and Flannigan. Absent and excused: Commissioner Gnos. Director of Planning and Building Jeff Thomson and City Attorney David Schelzel were also present.

AGENDA ITEM 2. Approval of Agenda:

There were no changes to the Agenda.

AGENDA ITEM 3. Approval of Minutes:

a.) Approval of the March 10, 2016 Planning Commission Minutes

Commissioner Gruber made a motion, Seconded by Commissioner Gonzalez to approve the March 10, 2016 Planning Commission Minutes as presented. The motion carried 5 ayes; 1-abstain (Young).

b.) Approval of the March 21, 2016 Planning Commission Minutes

Commissioner Gonzalez made a motion, Seconded by Commissioner Flannigan to approve the March 21, 2016 Planning Commission Minutes as presented. The motion carried 4-ayes; 2-abstain (Young and Gruber).

AGENDA ITEM 4. Regular Agenda Public Hearing Items:

- i. None.

AGENDA ITEM 5. Regular Agenda Old Business Items:

a.) Universalist Unitarian Church of Minnetonka – 2030 Wayzata Blvd. E.

- i. Design review, preliminary plat, PUD amendment, rezoning, Comprehensive Plan amendment, and variances

Director of Planning and Building Thomson stated the Planning Commission reviewed a development application for the Unitarian Universalist Church of Minnetonka (UUCM) on March 21, 2016. At the meeting, the Planning Commission held a public hearing and discussed

1 the multiple requests in the application. Subsequently, the Applicant submitted a letter and
2 revised plans to the City responding to the Planning Commission's comments. Mr. Thomson
3 reviewed the revised plans and additional information the Commission had asked for, including
4 the Environmental Report, grading balance calculations, exterior lighting hours of operation and
5 sign lighting, visibility of the roof to surrounding properties, the Tree Preservation Plan,
6 additional screening for the parking lot, parking lot setback requirements, and Traffic Analysis.
7 He reviewed a Draft Planning Commission Report and Recommendation for approval of the
8 design except for the requested deviations for the roof color and the exterior building material,
9 approval of the PUD amendment, denial of the preliminary plat creating a new substandard
10 residential lot, zoning Lot B of the property to R-1 Single Family Residential, the
11 Comprehensive Plan Amendment to guide Lot B as one acre single family and the variances for
12 lot depth and minimum lot size. The Commission had stated they would support zoning and
13 guiding the entire outlot as PUD and Institutional, respectively. He reviewed the conditions of
14 approval in the Draft Planning Commission Report and Recommendation, including that the
15 width of the one-way drive being a minimum of 18-feet wide, the exterior lighting must be
16 turned off when the building is not in use or by 10:00 p.m., and the wetland delineation report
17 must be reviewed and confirmed by the City Engineer.

18
19 Mr. Doug Johnson, 4775 Dodd Road, Eagan, Project Manager for UUCM, stated prior to the
20 State taking the outlot property for the highway, there had been a home on the parcel that they
21 are proposing to zone as residential. He stated in the Holdrige neighborhood there are 14
22 properties of the 40 in the neighborhood that are less than the minimum lot size. The lot they are
23 proposing does not deviate from the neighborhood and does contain a flat buildable site. UUCM
24 bought this parcel in order combine some of it with its existing parcel to meet the parking
25 requirements, but they do not have a need for the portion of the property they are requesting be
26 rezoned R-1.

27
28 Commissioner Gonzalez asked if the Church would have enough land to meet their parking
29 needs if the proposed residential parcel were reconfigured to meet the 40,000 square foot lot area
30 minimum.

31
32 Mr. Johnson explained to do so, the southern portion of the parking lot would need extend into
33 the "old" wetland delineation. If the revised wetland delineation is confirmed by the City, the
34 parking lot could move further south and this would allow them to reconfigure the lot lines.
35 They are proposing the property line location at this time based on saving some of the trees on
36 the property. But they could look at this to see if they could reconfigure this.

37
38 Chair Iverson asked what the square footage would be for the flat "buildable" area on proposed
39 Lot B.

40
41 Mr. Johnson stated he would get this information.

42
43 Mr. Paul Neseth, 3617 DuPont Avenue S, Locus Architecture, representing the Applicant, asked
44 if there was room for any deviation from the approved plan.

1 Mr. Thomson stated minor changes to the site design and building design may be permitted but
2 the Applicant would need to make sure that these minor changes would still comply with the
3 Design Standards and what was approved. Any changes impacting the Zoning Standards,
4 including setbacks, cannot be changed at all.

5
6 Chair Iverson stated the exterior building materials could not change, and they would need to
7 stay within the materials permitted under Design Standards.

8
9 Mr. Neseth stated sustainability is important to UUCM and they took this into consideration
10 when they designed the building and selected building materials. The siding was not chosen for
11 sound mitigation but because they had chosen to use precast concrete walls for the building.
12 They could do painted wood shingles that would meet the Design Standards but the metal
13 shingles they are proposing would be a superior product because it will not peel, chip, or degrade
14 as wood shingles would.

15
16 Commissioner Young clarified the Commission could make recommendations to the City
17 Council on the deviations requested and the zoning of Parcel B, but did not make the decisions
18 on these things.

19
20 Commissioner Gonzalez stated the Planning Commission had to look at the Design Standards
21 and the law to determine if the deviations would impact the City negatively. The materials
22 proposed have not historically been approved when considered as part of a deviation request.
23 The Planning Commission can recommend deviations but they must provide a good reason why
24 they are supporting these deviations that is based on the standards. She stated she would support
25 the Applicant having a white roof for environmental reasons, and there would not be significant
26 impact to the neighborhood.

27
28 Commissioner Flannigan clarified the reason the Applicant had presented the need to use the
29 exterior material was that it was associated with the need to use precast concrete to buffer the
30 sound from the Highway.

31
32 Mr. Neseth stated they have not been able to find any information that the white roof would
33 impact the neighborhood. They would like to go with a white roof to lessen the impact on the
34 environment and how much energy they use.

35
36 Chair Iverson opened the meeting to public comment at 7:49 p.m.

37
38 Mr. Robert Dachelet, 4801 Highland Road, Minnetonka, stated he is a member of the Church but
39 not speaking on behalf of the Applicant. He stated that at the last meeting, Commissioner
40 Flannigan had asked one of the residents if they would prefer a parking lot or home on Lot B,
41 and he did not get a response. Mr. Dachelet stated that another resident had requested the
42 Church not have access to Holdridge Terrace, and that a home be constructed on Lot B. Mr.
43 Dachelet pointed out that a home on Lot B would put another property on the City of Wayzata's
44 tax roll. He stated the City's zoning guidelines state "green" roofs would be recommended and
45 the white roof proposed would be considered "green." He explained the values of the Church
46 and Congregation, and their desire to blend into the neighborhood.

1
2 Chair Iverson asked for further public comment, and hearing none, closed the public comment
3 period at 8:00 p.m.
4

5 Commissioner Gonzalez stated the roof of the proposed church building is flat and would not be
6 visible, so the impact to the community of a roof color deviation would be minimal. The sight
7 lines for the homes that surround the property would not be affected and the environmental
8 considerations of UUCM are justified. She would recommend the deviation for the roof color.
9

10 Commissioner Young stated he would support denial of the deviation because he does not
11 believe that this is warranted.
12

13 City Attorney Schelzel stated the draft findings of fact do not include a finding that a white roof
14 is more efficient or energy friendly. He asked if the Commission would recommend approval of
15 the requested roof color deviation if the Applicant provided information that a white roof would
16 be environmentally and energy friendly. He suggested that the provision of this material could
17 be listed as a condition of approval.
18

19 Commissioner Gruber stated she would approve the white roof if there was supporting
20 documentation that this is energy efficient and this project would have a positive effect on the
21 area.
22

23 Commissioner Flannigan stated the Commission could approve the deviation of the roof color
24 based on the extent to which the project advances specific policies and provisions of the City's
25 Comprehensive Plan and the positive effect of the project on the area.
26

27 Commissioner Murray stated he would approve the white roof based on supporting
28 documentation that this would be a "green" roof.
29

30 City Attorney Schelzel stated that if the Commission would like to move forward with this
31 approach, he'd recommend the following language: The negative impact of the deviation on the
32 roof color, which would not be visible from most vantage points, would be outweighed by the
33 positive effect of the project on the area in which it is proposed, and a greater conformity with
34 the policies behind the standards including environmental policies and conservation.
35

36 Commissioner Flannigan asked why the Design Standard lists the specific exterior building
37 materials it does, because the materials presented with the deviation request may not have been
38 considered or available at that time.
39

40 Commissioner Young stated the Design Standards had been created to protect design aesthetics,
41 and the material presented with the deviation request for the exterior was not included in the
42 standards. In order to support a deviation he would need to know that this material would
43 perform aesthetically in a similar manner as the materials that are part of the Design Standards.
44 He expressed concerns about the requested material providing a more reflective surface, and that
45 it would not blend into the neighborhood.
46

1 Commissioner Flannigan pointed out the orientation of the building is such that the entry of the
2 building faces north, and the portion that would be hit by sunlight is covered by trees.

3
4 City Attorney Schelzel clarified the Commission is not looking at recommending a variance
5 from the Design Standards, but rather a deviation from a requirement of the Standards, which
6 involves a different process and factors.

7
8 Commissioner Gonzalez stated the Commission could consider the alleviation of an undue
9 burden factor, taking into account current leasing, housing, and commercial conditions. The
10 Applicant had stated they are considering this material because of the cost, and if this is a
11 component of their application then the Commission should consider it.

12
13 City Attorney stated the cost burden of using the required exterior building materials would need
14 to be quantified because all materials have costs associated with them, and whether there is an
15 undue cost burden in using those materials is another question.

16
17 Commissioner Flannigan stated the noise is an existing factor and this could be considered an
18 undue burden.

19
20 Chair Iverson stated there were no other noise remedies presented to the Commission.

21
22 Commissioner Gonzalez stated the noise barrier is provided by the concrete interior wall, not the
23 exterior covering for which a deviation is requested. She stated the idea behind the Design
24 Standards is to have quality materials, and she is not sure that the material presented as part of
25 the deviation request would meet this standard of quality.

26
27 Commissioner Flannigan stated there is enough within the Standards to allow the City Council to
28 approve the metal exterior, and it would be of interest for the City to look at different types of
29 building materials as they evolve.

30
31 Commissioner Murray stated when the Standards were established the type of metal in use for
32 this kind of exterior building material was different as well.

33
34 Chair Iverson clarified the Commission was leaning towards recommending denial of the
35 deviation pertaining to the exterior building material. She asked the Commission about the
36 lighting condition in the draft Planning Commission Report and Recommendation, and if the use
37 of lighting until 10:00 p.m. was acceptable.

38
39 Commissioner Gonzalez stated there should be some kind of lighting allowed at all times for
40 safety reasons.

41
42 Mr. Thomson stated the language could be written to allow for minimal lighting as needed for
43 safety and security reasons.

44
45 Commissioner Flannigan suggested landscape lighting or walkway lighting. He asked if the
46 signs would need to be turned off since the building faces the Highway.

1
2 Mr. Thomson stated the proposed language pertaining to the signs comes from the Sign
3 Ordinance, and it does apply because this is adjacent to residential property.
4

5 Mr. Neseth stated there should be enough lighting for people to move around safely on the site
6 and this can do done through motion lighting. They would also like to have lighting near the
7 building to deter vandalism.
8

9 Mr. Thomson stated the flexibility to add security and safety lighting would need to be included
10 because this is not specifically called out in the condition.
11

12 Commissioner Gonzalez stated these lights cannot reflect into the neighborhood.
13

14 Chair Iverson stated Condition 4.2.C of the draft PC Report should include language that pertains
15 to landscape lighting and safety and security lighting.
16

17 Commissioner Murray asked if they could reduce the lighting for the south portion of the
18 property at night for the neighborhood.
19

20 Chair Iverson stated the Church could contact the City and let them know whenever the lights
21 would be on later than 10:00 p.m.
22

23 City Attorney Schelzel stated the way the condition in the draft PC Report is written currently is
24 tied to use of the building. Because the Church is not restricted in its times of use, whenever
25 they are using the building, they can have lights on. He recommended looking at a design
26 solution for concerns of the impacts of the lighting on the neighborhood versus, an hours on-off
27 solution.
28

29 Chair Iverson clarified the Commission was asking to modify Condition 4.2.C to include
30 language that the design of the lighting would be effective in protecting the neighborhood and
31 language for landscaping and safety and security lighting.
32

33 Commissioner Gonzalez stated she was concerned that allowing the creation of a substandard
34 residential parcel would set a bad precedent for the City. These are variance requests, and she
35 would defer this matter to the City Council. A single family home in this location may be
36 desirable but it does not meet the requirements of the variance standard or State Statute for
37 variances. She would not recommend creating a substandard lot.
38

39 Commissioner Gruber stated there are lots in the Holdridge neighborhood that are substandard.
40 There are not a lot of options for use for this parcel. She would consider zoning this parcel to
41 residential.
42

43 Commissioner Gonzalez pointed out that the substandard parcels in the Holdridge neighborhood
44 had existed prior to the City establishing the R-1 District and the minimum lot size. The City
45 Council may choose to grant the variance requests.
46

1 Commissioner Murray stated he would support zoning this parcel as residential.

2
3 Commissioner Flannigan stated the comments from residents of the neighborhood were not clear
4 on what they would like to see done with this parcel. He would lean towards making this a
5 usable parcel. He would defer the final decision to the City Council. There is enough to support
6 making it R-1.

7
8 Commissioner Young stated a R-1 zoning would be warranted, and he would recommend this.
9 He would like to see the Planning Commission recommend zoning this parcel as R-1.

10
11 Chair Iverson clarified the Commission would support recommending an R-1 zoning request and
12 letting the City Council make the decision on if this should be allowed. She stated this is a
13 policy decision that the City Council would have to make regardless of the recommendation
14 from the Planning Commission.

15
16 City Attorney Schelzel stated under the Ordinance, the Planning Commission does need to make
17 a Report and Recommendation to the City Council on Zoning amendments and there are criteria
18 in the Staff report to guide this. He stated the Planning Commission can take a vote on the draft
19 Report and Recommendation as presented at this time, with a modification to recommend
20 approval of the roof color deviation as requested. If that vote fails, they could take a vote on
21 directing Staff to come back with a redrafted Report and Recommendation that would
22 recommend approval of the roof color design standard deviation and the residential parcel as
23 requested in the Application. This will allow Staff to draft the final Report and Recommendation
24 with the appropriate findings.

25
26 Commissioner Gonzalez made a motion, Seconded by Commissioner Murray to adopt the Draft
27 Report and Recommendation as presented with the change that the deviation for roof color be for
28 approval based on the finding that the negative impact of the roof color, which would not be
29 visible from most vantage points, would be outweighed by the overall positive effect of the
30 project on the area in which it is proposed and greater conformity with the policies behind the
31 standards as they relate to green roof and environmentally sensitive design, subject to further
32 data supporting such findings and the additional language for landscape, security, and safety
33 lighting. The motion failed 3-ayes and 3-nays (Young, Gruber, Flannigan).

34
35 Commissioner Flannigan made a motion, Seconded by Commissioner Gruber to direct staff to
36 prepare a Report and Recommendation for consideration at the Commission's next meeting
37 recommending:

- 38
39 (1) Approval of Design Review, except for the requested deviation for primary
40 exterior building material, but including approval of the deviation for roof color
41 based on the finding that the negative impact of the roof color, which would not
42 be visible from most vantage points, would be outweighed by the overall positive
43 effect of the project on the area in which it is proposed and greater conformity
44 with the policies behind the standards as they relate to green roof and
45 environmentally sensitive design, subject to further data supporting such findings;
46 and

- (2) Approval of the PUD amendment for the revised site plan, subject to an additional condition for landscape, security, and safety lighting; and
- (3) Approval of Preliminary Plat Sudivision creating new PUD lot and residential lot; and
- (4) Approval of variances for lot depth and minimum lot size; and
- (5) Approval of zoning to PUD/Planned Unit Development and R-1/Low Density Single Family Residential District; and
- (6) Approval of Comprehensive Plan Amendment to designated Parcel B to Institutional/Public and One-Acre Single Family

The motion carried 5 ayes and 1 nay (Gonzalez).

Commissioner Gruber made a motion, Seconded by Commissioner Flannigan, to adjourn the regular Planning Commission meeting and move to a workshop. The motion carried unanimously.

The Planning Commission regular meeting was adjourned at 8:56 p.m.

The Planning Commission workshop was called to order at 9:05 p.m.

AGENDA ITEM 6. Workshop Agenda Items:

a.) Meyer Place on Ferndale – 105 Lake St E

i. Review of concept plans

Mr. Thomson stated Homestead Partners is proposing to redevelop the former Meyer Brothers Dairy building at 105 Lake Street East. The proposed building would be four (4) stories in height and would include 23 residential condominiums with 48 enclosed parking spaces. They have requested a workshop with the Planning Commission to review the proposed building design and receive any preliminary feedback that the Commission has. He provided background on the zoning and comprehensive plan land use designation for the property.

Mr. Jeff Schoenwetter, JMS Custom Homes, stated the Meyer Dairy site has had development issues and they are still working to clean up the chemicals and asbestos on the site. The integrity of the project is about making a difference and doing custom condominiums. After reviewing the comments from the Planning Commission, City Council and surrounding residents, the concept plan was redesigned. This redesign makes for a more visually attractive building and provides a grand statement at the corner of Ferndale Road and Lake Street. He reviewed the changes in the site plan, building, green roof elements, roof top deck, planters, lattices, and trellises.

WAYZATA PLANNING COMMISSION
DRAFT MEETING MINUTES
APRIL 18, 2016

AGENDA ITEM 1. Call to Order and Roll Call

Chair Iverson called the meeting to order at 7:00 p.m.

Present at roll call were Commissioners: Gruber, Gonzalez, Iverson, Murray, and Flannigan. Absent and excused: Commissioners Young and Gnos. Director of Planning and Building Jeff Thomson and City Attorney David Schelzel were also present.

AGENDA ITEM 2. Approval of Agenda

Commissioner Murray made a motion, Seconded by Commissioner Gonzalez, to approve the April 18, 2016 agenda. The motion carried unanimously.

AGENDA ITEM 3. Approval of Minutes

a.) Approval of the April 4, 2016 Planning Commission Minutes

Commissioner Gruber made a motion, Seconded by Commissioner Murray, to approve the April 4, 2016 meeting minutes as presented. The motion carried unanimously.

AGENDA ITEM 4. Regular Agenda Public Hearing Items:

None.

AGENDA ITEM 5. Regular Agenda Old Business Items:

a.) Unitarian Universalist Church of Minnetonka – 2030 Wayzata Blvd. E.

a. Design review, Preliminary Plat, PUD amendment, Rezoning, Comp Plan amendment, and Variances

Director of Planning and Building Thomson stated the Planning Commission reviewed the development application for the Unitarian Universalist Church of Minnetonka at 2030 Wayzata Boulevard East on March 21 and April 4. At the April meeting, the Planning Commission voted five (5) in favor and one (1) opposed to direct staff to prepare a Report and Recommendation for approval of the deviation from the Design Standards for a white roof, denial of the exterior building material deviation from the Design Standards, approval of the PUD amendment for the revised site plan subject to the conditions outlined, approval of the Preliminary Plat Subdivision,

1 approval of variances for lot depth and minimum lot size, approval of rezoning to PUD/Planned
2 Unit Development and R-1/Low Density Single Family Residential, and approval of the
3 Comprehensive Plan Amendment to designate Parcel B to Institutional/Public and One-Acre
4 Single Family. He stated the Applicant had submitted additional information regarding the white
5 roof and exterior building materials for the Commission to review.

6
7 Chair Iverson asked what the City Engineer found when reviewing the wetland delineation
8 request.

9
10 Mr. Thomson stated that the City Engineer and the City's wetland consultant looked at the flags
11 that had been placed last fall to designate the wetland area. After the City Engineer and City's
12 wetland consultant reviewed these, they determined that there were a couple flags that were off.
13 The City Engineer reflagged where the wetlands were and the Applicant will re-survey the
14 property to make the appropriate adjustments to the site plan.

15
16 Commissioner Gruber stated page 94 of the Draft Report states that the settlement agreement
17 would need to be amended if the City Council were to approve the rezoning and Comprehensive
18 Plan amendment for parcel B to allow for residential use. She asked Mr. Thomson to clarify this.

19
20 City Attorney Schelzel stated the City has an agreement with the Church that settled the
21 litigation the Church brought against the City related to their first application. This agreement is
22 very specific about how the outlot was to be used. This outlot was to be used for Church uses
23 and the City would like to ensure that the change in use is included in the settlement agreement.
24 The City would not need to go to court to amend the agreement but the City should get it in
25 writing that the Church agrees to the change in land use.

26
27 Mr. Wynne Yelland, Locus Architecture, 5214 Hampshire Drive, Minneapolis, reviewed the
28 additional information regarding the white roof and exterior building materials. He explained the
29 exterior material would not be any more reflective than other surfaces because this is based on
30 the quality of paint that is used. He stated the material would be a higher quality than the
31 approved wood shingles and last longer.

32
33 Commissioner Gonzalez stated she had seen painted aluminum siding and she would not know
34 the difference between wood and the aluminum unless she was knocking on it. She asked how
35 the proposed product would compare to aluminum siding.

36
37 Mr. Yelland stated the material is painted in a factory to provide a better lifetime out of the paint.
38 The quality of the paint is high and it would last a long time. It would not have all of the
39 texturing of wood but would look like wood from a distance. He cannot say the paint would last
40 50 years but it is likely that it would.

41
42 Mr. Robert Dachelet, 4801 Highland Road, Minnetonka, stated since 2007 the Church had
43 intended to divide off a portion of the eastern lot and the City was aware of this. The
44 neighborhood does not want the church to have access from Holdridge Lane. He does not
45 believe the Settlement Agreement would need to be amended because the Church is following

1 through with including the entire parcel as Church property but they are asking to split off a
2 portion of this to be residential.

3
4 Chair Iverson asked if the City had documentation showing conversations between the Church
5 and the City regarding the outlot.

6
7 Mr. Schelzel stated the City had looked at that portion of the outlot as a potential site for a cell
8 tower but there have been no official City communications on this property.

9
10 Commissioner Gonzalez stated she would consider recommending a deviation for the exterior
11 material if the Applicant could make a good case for the City Council to consider.

12
13 Chair Iverson stated the City Council should make that decision and the Planning Commission
14 should stay with the Design Standards.

15
16 Commissioner Gruber stated she would recommend approving the Report and Recommendation
17 as presented.

18
19 Commissioner Gonzalez stated the subdivision of the property does not meet the requirements of
20 the City Code.

21
22 Commissioner Murray stated he would like to see the City and the Commission keep an open
23 mind for new materials that may be more sustainable but are not included in the approved
24 materials of the Design Standards.

25
26 Commissioner Flannigan stated the Design Standards should be adhered to but he would
27 recommend the City Council consider the exterior material requirements.

28
29 Commissioner Gruber made a motion, Seconded by Commissioner Flannigan to adopt the Draft
30 Report and Recommendation as presented. The motion carried 4 ayes – 1 nay (Gonzalez).

31
32 Commissioner Gonzalez stated she voted nay because the Comprehensive Plan Amendment
33 states that an Institutional facility creates impacts on the neighborhood including more traffic. It
34 is nice to have a buffer between an institutional use and this parcel would be a good transitional
35 parcel. Keeping this portion of the property as green space would be a benefit to the City and
36 residents of the area. The Comp Plan says that the City needs to establish sufficient setback
37 requirements for new or expanding development to ensure adequate separation between differing
38 land uses. The requirements for granting a variance are very strict and should only be granted
39 when they are consistent with the Comp Plan and there are practical difficulties unique to the
40 property and not created by the landowner and economic considerations alone do not constitute
41 practical difficulties. The Applicant bought this parcel knowing that it would not meet the depth
42 requirements of the R-1 District. The Applicant would be profiting from the sale of the property.
43 She stated the City should not create substandard non-conforming lots. The current non-
44 conforming parcels existed prior to the City making changes in the Zoning requirements.

45
46 Mr. Thomson stated the City Council will review the application on May 3.



WAYZATA PLANNING COMMISSION

APRIL 18, 2016

REPORT AND RECOMMENDATION ON APPLICATION FOR APPROVAL OF PROJECT DESIGN, PUD AMENDMENT, PRELIMINARY PLAT, ZONING AMENDMENT, COMPREHENSIVE PLAN AMENDMENT AND VARIANCES FOR 2030 WAYZATA BLVD E

SUMMARY OF RECOMMENDATIONS*

Approval of Design except for Requested Deviation for Exterior Bldg Materials
Approval of PUD Amendment
Approval of Preliminary Plat to Create Larger PUD Lot and New Residential Lot
Approval of Zoning to PUD and R-1/Low Density Single Family Residential District
Approval of Comprehensive Plan Amendment to Guide to Institutional/Public and One
Acre Single Family Residential
Approval of Variances for Lot Depth and Minimum Lot Size

** subject to certain conditions noted in Section 4 of this Report*

REPORT

Section 1. BACKGROUND

- 1.1 Summary. Locus Architects and property owner Unitarian Universalist Church of Minnetonka (UUCM) (the "Applicant") has submitted an application (the "Application") for the construction of a new 11,000 sq. ft. church building and associated parking at 2030 Wayzata Blvd E and adjacent property (the "Project"). The Application includes a request to combine the 2030 Wayzata Blvd E property (Parcel A) with the parcel to the east (Parcel B), and subdivide a portion of that east parcel into a single-family residential property.

1.2 Land Use Requests. As part of the Application, the Applicant is requesting approval of the following items:

- A. Design: Construction of a new building requires review under and compliance with the Design Standards in City Code Section 801.09. The Applicant is requesting approval of several deviations from the Design Standards that pertain to (i) primary exterior building materials; and (ii) roof color (the “Deviations”).
- B. PUD Amendment: The proposed PUD site plan varies from the plan that was approved by the City Council as part of a 2012 PUD approval, and an amendment is required under City Code Section 801.33.
- C. Preliminary Plat: The Applicant is requesting approval of a preliminary plat that reflects a combination Parcel A and Parcel B, and subdivision of the easterly portion of Parcel B into a separate lot for use as a single-family home.
- D. Zoning of Parcel B: Parcel B does not currently have a zoning designation under the Official Zoning Map of the City. The Applicant is requesting a zoning of the westerly portion of Parcel B to PUD/Planned Unit Development and R-1/Low Density Single Family Residential District for the easterly portion of Parcel B.
- E. Comprehensive Plan Land Use Designation for Parcel B: Parcel B does not currently have a land use designation in the City’s Comprehensive Plan Land Use Map. The Applicant is requesting an amendment to the Comprehensive Plan to designate the westerly part of Parcel B as Institutional/Public, and the easterly part of Parcel B as One Acre Single Family in the Comp Plan’s Land Use Map.
- F. Variances for R-1 Lot: The R-1 zoning district requires a minimum lot area of 40,000 square feet, and a minimum lot depth of 150 feet. The proposed R-1 residential lot would have a lot area of 30,603 square feet and a lot depth of 124 feet. Thus, the proposed lot would require variances from the minimum lot area and minimum lot depth requirements.

1.3 Property Description. The address, property identification numbers and owner of the property involved in the Project (the “Property”) are:

1.4

Parcel	Address	PID	Property Owner
A	2030 Wayzata Blvd E	05-117-22-41-0012	Unitarian Universalist Church of Minnetonka
B	No assigned address	No assigned PID	Unitarian Universalist Church of Minnetonka

1.4 Land Use. The land use designations for the Property are:

Parcel	Current zoning	Comp Plan Land Use Designation
A	Planned Unit Development (PUD)	Institutional/Public
B	No zoning designation	No land use designation

1.5 Settlement Agreement. Land uses on the Property are subject to a Settlement Agreement between the City and the UUCM that outlines a three phase review process for the Project:

1. Comprehensive Plan Amendment, Rezoning, PUD and Site Plan Review: The first phase, which was completed in 2012, was the review and approval via Ordinance No. 734 and City Council Resolution No. 62-2012 of (1) an amendment to the Comprehensive Plan land use designation for the 2030 Wayzata Blvd E property from One Acre Single Family to Institutional/Public, (2) Rezoning that property from R-1 to PUD/Planned Unit Development, (3) Concept Plan and General Plan Stage PUD approval, and (4) Site Plan Review.
2. Design Review and Subdivision: The second and current phase is for (1) Design Review of the plans for the new church building, and (2) Subdivision/Plat review and approval to combine the 2030 Wayzata Blvd E property with the adjacent parcel(s).
3. Final State PUD: The third and final phase is for Final Plan Stage PUD, which is to be reviewed by City staff prior to the start of construction to ensure that the building permit plans conform to the PUD Concept and General Plan approved by the City Council.

1.6 Notice. Notice of a public hearing on the Application at the March 21, 2016 Planning Commission Meeting was published in the *Wayzata Sun Sailor* on March 10, 2016. A copy of the notice was mailed to all property owners located within 350 feet of the Property on March 10, 2016.

Section 2. STANDARDS

2.1 Design Standards (Section 801.09). All new nonresidential building construction in the City must comply with the Design Standards found in Section 9 of the Zoning Ordinance. The relevant design standards applicable to the Project are included in the attached Design Critique (Attachment A). Deviations from the Design Standards may be permitted under Sec. 801.09.21 (with the exception of Section 7 of the Design Standards) if City Council (after considering the Planning Commission's recommendation) makes a finding that the negative impact of such deviation is outweighed by one or more of the following factors:

1. The extent to which the project advances specific policies and provisions of the City's Comprehensive Plan.
2. The extent to which the deviation permits greater conformity with other Standards, policies behind the Standards, or with other Zoning Ordinance standards.
3. The positive effect of the project on the area in which the project is proposed.
4. The alleviation of an undue burden, taking into account current leasing, housing and commercial conditions.
5. The accommodation of future possible uses contemplated by the Design Standards, the Zoning Ordinance or the Comprehensive Plan.
6. A national, state or local historic designation.
7. The project is the remodeling of an existing building which largely otherwise conforms to the Design Standards.

2.2 PUD Amendment (Section 801.33).

- A. Process. Any deviation or modification from the terms or conditions of an approved PUD or any alteration in a project for which a PUD has been approved shall require an amendment of the original PUD. The same application and hearing procedure for an amendment of a PUD shall be followed as was followed with respect to the applicant's Concept Plan.
- B. General Standards. Section 801.33.2.A of the Zoning Ordinance sets forth the general standards for review of a PUD application. These are:
 1. Health Safety and Welfare; Intent and Purpose of PUDs. In reviewing the PUD application, the Council shall consider comments on the application of those persons appearing before the Council, the report and recommendations of the Planning Commission, the recommendations on design and any staff report on the application. The Council also shall evaluate the effects of the proposed project upon the health, safety and welfare of residents of the community and the surrounding area and shall evaluate the project's conformance with the overall intent and purpose of Section 33 of the PUD Ordinance. If the Council determines that the proposed project will not be detrimental to the health, safety and welfare of residents of the community and the surrounding area and that the project does conform with the overall intent and purpose of Section 33 of the PUD Ordinance, it may approve the PUD, although it shall not be required to do so.

2. Ownership. Applicant/s must own all of the property to be included in the PUD.
3. Comprehensive Plan Consistency. The PUD project must be consistent with the City's Comprehensive Plan.
4. Sanitary Sewer Plan Consistency. The PUD project must be consistent with the City's Sanitary Sewer Plan.
5. Common Open Space. The PUD project must provide common private or public open space and facilities at least sufficient enough to meet the minimum requirements established in the Comprehensive Plan, and contain provisions to assure the continued operation and maintenance of such.
6. Operating and Maintenance Requirements. Whenever common private or public open space or service facilities are provided within a PUD, the PUD plan must contain provisions to assure the continued operation and maintenance of such open space and service facilities to a predetermined reasonable standard. Common private or public open space and service facilities within a PUD must be placed under the ownership of one of the following, as approved by the City Council:
(i) dedicated to the public, where a community-wide use is anticipated,
(ii) Landlord control, where only tenant use is anticipated, or (iii) Property Owners Association, provided the conditions of 801.33.2.A.6.c are met.
7. Staging of Public and Common Open Space. When a PUD provides for common private or public open space, and is planned as a staged development over a period of time, the total area of common or public open space or land escrow security in any stage of development shall, at a minimum, bear the same relationship to the total open space to be provided in the entire PUD as the stages or units completed or under development bear to the entire PUD.
8. Density. The PUD project must meet the density standards agreed upon by the applicant and City, which must be consistent with the Comprehensive Plan.
9. Utilities. All utilities associated with the PUD must be installed underground and meet the utility connection requirements of Section 801.33.2.A.10.
10. Utility Connections. All utilities associated with proposed PUD must meet the utility connection requirements of Section 801.33.2.A.10.

11. Roadways. All roadways associated with the PUD must conform to the Design Standards and Wayzata Subdivision Regulations, unless otherwise approved by City Council.
12. Landscaping. All landscaping associated with the PUD must be according to a detailed plan approved by the City Council. In assessing the plan, the City Council shall consider the natural features of the particular site, the architectural characteristics of the proposed structure and the overall scheme of the PUD plan.
13. Setbacks. The front, rear and side yard restrictions on the periphery of the Planned Unit Development site at a minimum shall be the same as imposed in the underlying districts, if a PUD conditional use permit, or the previous zoning district, if a PUD District. No building shall be located less than fifteen (15) feet from the back of the curb line along those roadways which are part of the internal street pattern. No building within the PUD project shall be nearer to another building than one-half (1/2) the sum of the building heights of the two (2) buildings. In PUD Districts for parcels that were zoned commercial prior to PUD and which exceed 13 acres, the allowable setbacks shall be as negotiated and agreed upon between the applicant and the City.
14. Height. The maximum building height to be considered within a PUD District shall be thirty five (35) feet and three (3) stories, whichever is lesser. There shall be no deviation from the height standards applied within the applicable zoning districts for PUD conditional use permits. In PUD Districts for parcels that were zoned commercial prior to PUD and which exceed 13 acres, the maximum allowable height and number of floors shall be as negotiated and agreed upon between the applicant and the City.

2.3 Preliminary Plat (Section 805.14.E). Review and approval of lot combinations and subdivisions of property are governed by the City's Subdivision Ordinance, Ch. 805 of City Code. In reviewing such requests, the Planning Commission shall consider possible adverse effects of the preliminary plat reflecting the lot combination or subdivision. Its judgment shall be based upon, but not limited to, the following factors:

1. The proposed subdivision or lot combination shall be consistent with the Wayzata Comprehensive Plan.
2. Building pads that result from a subdivision or lot combination shall preserve sensitive areas such as lakes, streams, wetlands, wildlife habitat, trees and vegetation, scenic points, historical locations, or similar community assets.

3. Building pads that result from subdivision or lot combination shall be selected and located with respect to natural topography to minimize filling or grading.
4. Existing stands of significant trees shall be retained where possible. Building pads that result from a subdivision or lot combination shall be sensitively integrated into existing trees.
5. The creation of a lot or lots shall not adversely impact the scale, pattern or character of the City, its neighborhoods, or its commercial areas.
6. The design of a lot, the building pad, and the site layout shall respond to and be reflective of the surrounding lots and neighborhood character.
7. The lot size that results from a subdivision or lot combination shall not be dissimilar from adjacent lots or lots found in the surrounding neighborhood or commercial area.
8. The architectural appearance, scale, mass, construction materials, proportion and scale of roof line and functional plan of a building proposed on a lot to be divided or combined shall be similar to the characteristics and quality of existing development in the City, a neighborhood or commercial area.
9. The design, scale and massing of buildings proposed on a subdivided or combined lot shall be subject to the architectural guidelines and criteria for the Downtown Architectural District, Commercial and Institutional Architectural Districts, and Residential Architectural Districts and the Design Review Board/City Council review process outline in Section 9 of the Wayzata Zoning Ordinance.
10. The proposed lot layout and building pads shall conform with all performance standards contained herein.
11. The proposed subdivision or lot combination shall not tend to or actually depreciate the values of neighboring properties in the area in which the subdivision or lot combination is proposed.
12. The proposed subdivision or lot combination shall be accommodated with existing public services, primarily related to transportation and utility systems, and will not overburden the City's service capacity.

All proposed subdivisions must conform with the Design Standards of the Subdivision Ordinance, including the lot area and sizes established by the City Zoning Ordinance. Sec. 805.23-28. The R-1 zoning district requires a minimum lot area of 40,000 square feet, and a minimum lot depth of 150 feet.

- 2.4 Zoning Ordinance Amendment (Section 801.03.2.F). In considering a proposed amendment to the Zoning Ordinance, the Planning Commission and City Council shall consider the possible adverse effects of the proposed amendment. Its judgment shall be based upon (but not limited to) the following factors:
- A. The proposed action in relation to the specific policies and provisions of the official City Comprehensive Plan.
 - B. The proposed use's conformity with present and future land uses of the area.
 - C. The proposed use's conformity with all performance standards contained herein (i.e., parking, loading, noise, etc.).
 - D. The proposed use's effect on the area in which it is proposed.
 - E. The proposed use's impact upon property value in the area in which it is proposed.
 - F. Traffic generation by the proposed use in relation to capabilities of streets serving the property.
 - G. The proposed use's impact upon existing public services and facilities including parks, schools, streets, and utilities, and the City's service capacity.
- 2.5 Comprehensive Plan Amendment (Minn. Stat. Sec. 462.355, subd. 2 and 3). The City's Planning Commission may recommend to the City Council an amendment to the City's comprehensive plan, or City Council may propose amendments to Planning Commission by resolution submitted to the Planning Commission. Before adopting an amendment to the Plan, the Planning Commission must hold at least one public hearing on the proposed amendment. Except for amendments to permit affordable housing development, a resolution to amend a comprehensive plan must be approved by a two-thirds vote of all of the members.
- A. Institutional Facilities – 2030 Comprehensive Plan Policies. The City of Wayzata has a number of schools, churches and other institutional uses in areas throughout the community. These institutions are viewed as a positive aspect of the community that serves the good of its residents. Many of these institutional uses are located in or adjacent to established residential neighborhoods. Institutional facilities create impacts and add activity to an area resulting in parking or increased traffic that is not characteristic of residential neighborhoods. Wayzata needs to plan for facility expansion and potential redevelopment of institutional property to ensure proper preservation of land use compatibility, including:
 - Accomplish transitions between differing types of land uses in an orderly fashion to minimize negative impacts on adjoining development.

- Establish sufficient setback requirements for new or expanding institutional development to assure adequate separation of differing land uses.
- Develop all institutional uses according to high levels of design, which are sensitive to the mass and scale of the existing surrounding neighborhood.
- Adequately screen, landscape and buffer institutional facilities to minimize the impact on surrounding uses and enhance the neighborhood and community in which they are located.

2.6 Zoning Ordinance Variance (Section 801.05.1.C). The criteria for granting a variance from these standards are as follows:

- A. Variances shall only be permitted when they are:
 - (i) in harmony with the general purposes and intent of the Zoning Ordinance; and
 - (ii) consistent with the Comprehensive Plan.
- B. Variances may be granted when the Applicant for the variance establishes that there are practical difficulties in complying with this Ordinance.
- C. "Practical difficulties," as used in connection with the granting of a variance, means that:
 - (i) the property owner's proposal for the property is reasonable but not permitted by the Zoning Ordinance;
 - (ii) the plight of the landowner is due to circumstances unique to the property, and not created by the landowner; and
 - (iii) the variance, if granted, will not alter the essential character of the locality.
- D. Economic considerations alone do not constitute practical difficulties. Practical difficulties include, but are not limited to, inadequate access to direct sunlight for solar energy systems.
- E. Variances shall be granted for earth sheltered construction as defined in Minnesota Statutes, section 216C.06, subdivision 14, when in harmony with the Zoning Ordinance.
- F. The City Council shall not permit as a variance any use that is not allowed under the Zoning Ordinance for property in the zoning district where the affected person's land is located, except the City Council may permit as a variance the temporary use of a one family dwelling as a two family dwelling.

- G. The City Council may impose conditions in the granting of variances. A condition must be directly related to and must bear a rough proportionality to the impact created by the variance.
- H. An application for a variance shall set forth reasons that the variance is justified under the criteria of this section in order to make reasonable use of the land, structure or building.

Section 3. FINDINGS

Based on the Application materials, staff reports, Design Critique, public comment presented at the Planning Commission meetings, the Settlement Agreement and Wayzata's Comp Plan, Subdivision Ordinance and Zoning Ordinance, the Planning Commission of the City of Wayzata makes the following findings of fact with respect to requests made in the Application:

- 3.1 Project Design. The Project meets the Design Standards of City Code Section 801.09 with the exception of one of the Deviations requested in the Application and identified in the Design Critique.

- A. Exterior Building Materials Deviation. With respect to the Deviation for exterior building materials, the Applicant has stated that the negative impact of such deviation is outweighed by the alleviation of an undue burden of materials' cost and being required to use materials that will not adequately reduce the noise in the interior of the building from the nearby highway traffic.

The Commission finds that the negative impact of the proposed exterior appearance of metal siding is not outweighed by any additional and quantified financial costs associated with using the exterior materials required by the Design Standards, or in addressing any noise issues by use of other design solutions.

- B. Roof Color Deviation. With respect to the Deviation to finish the roof in white, rather than a dark color, the Applicant has stated there are positive environmental reasons related to reducing cooling demands on the building's air conditioning systems.

Subject to further documentation from the Applicant supporting the positive environmental and/or conservation effects of a white roof, which would not be visible or materially impact the view from most vantage points, the Commission finds that the minimal negative impact, if any, of the proposed white roof is outweighed by the overall positive effect of the Project in the area in which it is proposed, and greater conformity with the policies of the Comprehensive Plan and the policies behind the Zoning Ordinance that seek

to promote the incorporation of sustainable design approaches and “green” roofs.

- 3.2 PUD Amendment. The PUD Amendment requested in the Application meets the applicable standards set forth above in this Report. The only changes to the previously approved PUD that are being requested involve changes to the footprint of the building and parking lots, and associated grading and tree removal.
- A. Health Safety and Welfare; Intent and Purpose of PUDs. The PUD Amendment (resulting in the “Amended PUD”) will not be detrimental to the health, safety and welfare of residents of the community and the surrounding area and generally conforms with the overall intent and purpose of a PUD as outlined in Section 33 of the Zoning Ordinance and the terms of the Settlement Agreement. The Planning Commission is generally supportive of the change in building and parking lot footprints, as depicted in the Application materials, in that they reduce the footprint of the building and parking lot areas and lessen some of the impact to the trees and natural features of the Property. The Planning Commission has concerns with the impacts of lighting for the signage and parking lot areas, and would encourage well-designed landscaping and grading on the west, east and south side of the Property to minimize the impacts on adjacent properties and the neighborhood.
- B. General Standards. The Amended PUD, as presented, satisfies all of the fourteen (14) general standards listed in Section 801.233.2.A and in Section 2.2 of this Report.
1. Application Complete. The Application contains all of the information and materials required by or requested pursuant to Section 801.33.5.C.
 2. Ownership. All of the property to be included in the Amended PUD is owned by the Applicant.
 3. Comprehensive Plan. The proposed Amended PUD conforms with the applicable guidance of, and is consistent with the goals of the Comprehensive Plan, as amended under the Application.
 4. Common Space. The Amended PUD would provide sufficient common private or public open space and facilities.
 5. Landscaping. If approved, landscaping in the Amended PUD would be according to a detailed plan approved by the City Council.
 6. Health, Safety, and Welfare. Provided the recommended conditions of approval are considered and met, the Amended PUD would not

have a negative effect on the welfare of residents of the community and the surrounding area.

3.3 Preliminary Plat. Subject to granting the Zoning Amendment, Comprehensive Plan Amendment and Variances requested in the Application, the Planning Commission finds that the Preliminary Plat meets the applicable standards of the Subdivision Ordinance:

1. The proposed subdivision reflected in the Preliminary Plat is consistent with the Wayzata Comprehensive Plan, as amended in connection with the Application.
2. The building pad on the PUD lot that results from the proposed subdivision reflected in the Preliminary Plat is sensitive to areas such as lakes, streams, wetlands, wildlife habitat, trees and vegetation and scenic points on the Property. The impact of the building pad on the residential lot that results from the proposed subdivision reflected in the Preliminary Plat on sensitive areas such as lakes, streams, wetlands, wildlife habitat, trees and vegetation, scenic points, historical locations, or similar community assets is not known at this time.
3. The location of the PUD building pad that results from the subdivision and its selection relates well to natural topography and seeks to minimize filing or grading. The location of the residential building pad that results from the subdivision or lot combination and their selection as they relate to natural topography to minimize filing or grading is not known at this time.
4. Existing stands of significant trees will be retained where possible, and the building pad that results from the proposed subdivision, on the PUD lot will be sensitively integrated into existing trees. With respect to the residential parcel, the extent to which existing stands of significant trees will be retained where possible is not know at this time, nor whether the building pads that result from the proposed subdivision on the residential parcel will be sensitively integrated into existing trees.
5. The creation of the new lots will not adversely impact the scale, pattern or character of the City, its neighborhoods, or its commercial areas. The new residential lot will fit into the existing neighborhood and be a return to the use that pre-existed the taking of the property for the improvements to Highway 12.
6. The design of the proposed PUD lot, building pad and site layout will respond to and be reflective of the surrounding area. The design of the proposed residential lot will respond to and be reflective of the surrounding lots and neighborhood character; it is not known at this time whether the building pad and the site layout will do so.

7. The lot size that results from the subdivision proposed in the Preliminary Plat will not be dissimilar from adjacent lots or lots found in the surrounding neighborhood. With respect to the residential lot, several lots in the surrounding neighborhood, including an adjacent lot, are of similar substandard depth and area.
8. The building proposed for the PUD lot is being reviewed under the PUD process and Design Standards, and meets the standards of the Subdivision Ordinances. It is not known at this time whether the architectural appearance, scale, mass, construction materials, proportion and scale of roof line and functional plan of a building proposed on the residential lot will be similar to the characteristics and quality of existing development in the City, a neighborhood or commercial area.
9. The standards and review process of Section 9 of the Wayzata Zoning Ordinance would not be applicable to the residential lot.
10. The PUD lot and building pad will conform with all performance standards contained herein. With approval of the Variances requested in the Application, the proposed residential lot layout would conform with all performance standards contained herein; it is not known at this time whether the building pad will do so.
11. The proposed subdivision in the Preliminary Plat will not tend to or actually depreciate the values of neighboring properties in the area.
12. The proposed subdivision in the Preliminary Plat will be accommodated with existing public services, primarily related to transportation and utility systems, and will not overburden the City's service capacity.

The creation of a new residential lot from Parcel B conflicts with the terms of the Settlement Agreement the City has with UUCM, which calls for the combination of Parcel A and Parcel B, and for such combined new parcel to be used only for purposes related to a church. Any approval of the Preliminary Plat requested should be conditioned upon an amendment to the Settlement Agreement allowing such use.

- 3.4 Zoning Ordinance Amendment. The Planning Commission finds that the Zoning Ordinance Amendment ("Proposed Amendment") requested for both the westerly portion of Parcel B to PUD/Planned Unit Development and the requested zoning of R-1/Low Density Single Family Residential District for the easterly portion of Parcel B meet the standards of the Zoning Ordinance.

1. The Proposed Amendment would not allow a use that would contravene any specific policies and provisions of the official City Comprehensive Plan, as amended pursuant to the Application.

2. The Proposed Amendment would only allow uses that conform to land use designations, as amended pursuant to the Application.
3. The Proposed Amendment would not allow uses that do not conform with the performance standards contained in the Zoning Ordinance (parking, loading, noise, etc.).
4. The Proposed Amendment would not allow uses that would have a negative impact on the areas in which they are proposed, as such uses are regulated as a PUD and the residential portion under the zoning district for the area.
5. The Proposed Amendment will not negatively impact property values in the City.
6. The Proposed Amendment will not allow any use that would have a negative impact traffic generation in the City.
7. The Proposed Amendment will not allow a use that would negatively impact existing public services and facilities.

With respect to the easterly portion of Parcel B: The residential zoning designation conflicts with the terms of the Settlement Agreement the City has with UUCM, which calls for the combination of Parcel A and Parcel B, and for such combined new parcel to be used only for purposes related to a church. Any approval of the Zoning requested should be conditioned upon an amendment to the Settlement Agreement allowing such zoning and use.

- 3.5 Comprehensive Plan Amendment. The Planning Commission finds that guiding the westerly portion of Parcel B Institutional/Public would to be consistent with the Comp Plan designation for adjacent Parcel A and the terms of the Settlement Agreement. The Commission believes guiding the easterly portion of Parcel B residential, will also best accomplish the goals of the Comp Plan with respect to Institutional Facilities located adjacent to established residential neighborhoods, and provide an orderly transition between the differing types of land uses that will minimize the impact and enhance the surrounding neighborhood. Because the residential guiding would be in conflict with the Settlement Agreement, any approval in this regard should be conditioned upon an amendment to the Settlement Agreement allowing such guidance and use.

3.6 Lot Area and Depth Variances.

- A. The Variances requested in the Application are: (i) in harmony with the general purposes and intent of the Zoning Ordinance; and (ii) consistent with the Comprehensive Plan, as the foregoing are amended by the Application.

- B. The Applicant has established that there are practical difficulties in complying with this Ordinance, in that (i) the proposed lot is reasonable in relation to other lots of similar dimensions in the immediate area and neighborhood; (ii) depth and area are largely factors of a taking by the state related to highway improvements; (iii) the creation of a residential lot would be a reversion to a previous use and not alter the essential character of the surrounding neighborhood.
- C. Economic considerations alone are not a factor in the request for the Variances.
- E. Neither of the Variances are a use variance.

Section 4. RECOMMENDATION

Based on the Findings of this Report, the Planning Commission makes the following recommendations:

- 4.1 Design Review. The design of the Project, as depicted in the Application and detailed in the Design Critique, be approved with the exception of the requested deviation for exterior materials, which should be denied.
- 4.2 PUD Amendment. The PUD Amendment, as depicted in the Application, be approved, subject to the following conditions:
 - A. The Project must be constructed in compliance with the Architectural Plans dated March 31, 2016 and Civil Engineering Plans dated March 30, 2016.
 - B. The one-way drive lanes in front of the building must a minimum of 18 feet in width.
 - C. All exterior lighting, including parking lot lighting and artificially illuminated signs, must be turned off at the close of business or by 10:00 p.m., whichever occurs later. This condition does not apply to exterior lighting that is used exclusively for safety and security purposes.
 - D. The wetland delineation report must be reviewed and confirmed by the City Engineer prior to issuance of a building permit for construction of the project. The parking lot and all site improvements must meet the setback requirements from the wetland boundary, as confirmed by the City Engineer.
- 4.3 Preliminary Plat. The Preliminary Plat depicted in the Application be approved subject to (i) the Zoning, Comprehensive Plan Amendment and Variances requested in the Application also being approved; (ii) the Settlement Agreement being amended by the parties, in a form acceptable to the City Attorney, to allow for residential uses on Parcel; and (iii) a condition be added to any approval that prior to submitting a building permit application to the City for construction of a new house on the residential lot, the owner of the lot must submit preliminary house

plans for review and approval by the Planning Commission and City Council for compliance with the Wayzata Subdivision and Zoning Ordinances.

- 4.4 Zoning to R-1/Low Density Single Family Residential District. The R-1/Low Density Single Family Residential zoning requested in the Application for the easterly portion of Parcel B be approved, provided the Preliminary Plat, Comprehensive Plan Amendment and Variances requested in the Application are also approved, and provided the Settlement Agreement is amended by the parties, in a form acceptable to the City Attorney, to allow for residential uses on Parcel.
- 4.5 Comp Plan Amendment to One Acre Single Family Residential. The Comprehensive Plan Amendment to guide the easterly portion of Parcel B to One Acre Single Family Residential be approved, provided the Preliminary Plat, Zoning and Variances requested in the Application are also approved, and provided the Settlement Agreement is amended by the parties, in a form acceptable to the City Attorney, to allow for residential uses on Parcel.
- 4.6 Variances. The Variances requested in the Application for Lot Depth and Minimum Lot Size for the proposed new lot comprising the easterly portion of Parcel B be approved, provided the Preliminary Plat, Zoning and Comprehensive Plan Amendment requested in the Application are also approved, and provided the Settlement Agreement is amended by the parties, in a form acceptable to the City Attorney, to allow for residential uses on Parcel.

The Planning Commission further recommends that the Applicant address and meet all conditions of approval listed in City Council Resolution No. 62-2012, that have not been met.

Adopted by the Wayzata Planning Commission this 18th day of April, 2016.

Chair, Planning Commission

Attachment A

(Design Critique)

Attachment H

2030 Wayzata Blvd E. – UUCM Design Critique (Revised Based on 3/31/2016 Submittals) April 1, 2016

Building Recesses		Comments	Compliance
801.09.3.1.A – All Districts			
Building facades shall be articulated through the use of pilasters and/or recesses that create visible shadow lines and dimensions especially on the street level		The proposed building utilizes recesses and changes in materials to break up the façade.	Yes
801.09.3.1.B			
Street level landscaped courtyards, outdoor seating areas and gathering areas shall be incorporated into building and site plan design.		The project proposes landscaping around the exterior of the development and in driveway islands. In addition, the project includes outdoor patios on the back of the building	Yes
Building Width			
801.09.4.1 All Districts – New Buildings			
In order to reduce the scale of longer façades and to eliminate the long horizontal expressions of buildings, divisions or breaks in materials shall be included and at least three of the following design strategies shall be incorporated into the design:		The project incorporates special treatment at the entrances, variations in roof lines, and building setbacks along the front of the building.	Yes
1. Window bays			
2. Special treatment at entrances			
3. Variations in roof lines or parapet detailing			
4. Awnings			
5. Building setbacks or articulation of the facade			
6. Rhythm of elements			

Upper Story Setbacks				
801.09.5.1.A – All Districts – New Buildings	Building height shall conform to the height of the applicable zoning district. Where three (3) story buildings are permitted, the third (3 rd) story must be recessed from all façades fronting public right of ways at least a distance equal to the vertical distance of the 3 rd story height from the second (2 nd) floor footprint, or an average of ten (10) feet across the facade, but no portion of the 3 rd story structure shall be closer than six (6) feet to the 2 nd story façade. The 3 rd story façade shall be designed with railings, pillars, dimensional windows, building recesses or other similar design techniques to break up the 3 rd story façade.	This section is not applicable as the proposed building is one story in height.	Not Applicable	
801.09.5.1.B – All Districts – New Buildings	The façades fronting public right-of-ways of every two and three story building, longer than sixty (60) feet, must have a recessed second story of approximately twenty-five percent (25%) of the façade's length, setting back a minimum of six (6) feet from the face of the first floor façade. The required third floor setback must follow the frontal plane of the second story setback.	This section is not applicable as the proposed building is one story in height.	Not Applicable	
801.09.5.1.C – All Districts – New Buildings	Wintertime sun orientation, solar access, and views of Lake Minnetonka are significant issues within the Design Districts. Building height should not negatively and significantly impact neighboring properties.	The building height of the building is 30 ft to the top of the highest part of the roof. The building is setback more than 70 feet from the street, and more than 100 feet from all surrounding properties. The height would not impact winter sun orientation, solar access or views of Lake Minnetonka.	Yes	

Roof Design			
801.09.6.1 – All Districts “Green” roofs, roof garden terraces, arbors and other similar structures are encouraged on roofs of building.		The project does not include a green roof structure.	Not Applicable
801.09.6.2.A – All Districts – <u>Roof Materials</u> The roof material for all sloped roofs in all districts shall be slate, untreated copper, pre-finished metal, cedar shake or asphalt shingle in dark colors.		The proposed building has a flat roof and the applicant is requesting a deviation to allow for a light colored membrane.	No. The applicant is requesting a deviation from this standard.
801.09.6.2.B – All Districts – <u>Roof Materials</u> The roof material for all flat roofs in all districts shall be treated synthetic membrane or other similar material in dark colors.			
Screening of Rooftop Equipment			
801.09.7.2 – <u>Wayzata Blvd District</u> All mechanical equipment shall be completely screened behind a parapet wall, so as not to be visible from adjacent properties and pedestrian view vantage points from adjacent sidewalks. No enclosure shall be larger than 25% of the roof area.		The roof includes a five foot tall perforated metal screen to screen any roof-top mounted equipment.	Yes

					Compliance
Facade Transparency					
Ground Level Expression					
801.09.9.1 – All Districts					
In multi-story buildings, the ground floor shall be distinguished from the floors above by the use of at least three of the following elements:					Not Applicable
1. An intermediate cornice line 2. A difference in building materials or detailing 3. An offset in the façade 4. An awning, trellis, or loggia 5. Arcade 6. Special window lintels 7. Brick/stone corbels					

Entries				
<u>801.09.10.1 – All Districts</u>				
The front facade of all buildings shall be landscaped with window boxes or planters with seasonally appropriate plantings. The main entries shall face the primary street at sidewalk grade.		The proposed building plan includes six planter boxes along the front of the building adjacent to the front entrance.		Yes

<u>801.09.11.1.A – Primary Opaque Surfaces – All Districts</u> Other than the accent materials listed in 801.09.11.G, ninety percent (90%) of the non-glass surfaces of each elevation of the exterior building façade shall be composed of one or more of the following materials: 1. Brick 2. Stone 3. Cast stone 4. Factory finished and certified wood, including, but not limited to: a. Wood shingles (cedar shingles six (6) inch maximum exposure) b. Lap-siding (six (6) inch maximum width) 5. Stucco	The non-glass surfaces of the building are primarily comprised of pre-finished metal panel. The proposed plans also include a concrete base along the lower level exterior elevation.	No. The applicant is requesting a deviation from this standard.
<u>801.09.11.1.B – Façade Coverage – All Districts</u> The primary opaque surface materials of all free standing buildings must be the same on all façades of the building.	The proposed building elevations utilize the same building materials on all sides of the building.	Yes
<u>801.09.11.1.C – Type of Brick – All Districts</u> On all façades of a free-standing building where brick is used, full course modular, Roman, Norman or other standard size brick must be used.	The proposed exterior building elevations do not include any brick.	Not Applicable
<u>801.09.11.1.D – Façade Detail – All Districts</u> 1. Brick and/or stone façades shall be well detailed and dimensionally designed in order to avoid fractional cuts and odd pieces. All outside brick corners must be full bricks (custom if necessary), with no mitering, forming continuous vertical joints. 2. The narrow face of an exposed stone butt joint, at corners, must be a minimum dimension of two (2) inches. Mitered and quirked stone corners are also acceptable.	The proposed exterior building elevations do not include any brick or stone.	Not Applicable

<u>801.09.11.1.E – Brick Joints – All Districts</u> 1. The mortar for brick must be dark grey or in the color range of the brick. All joints must be concave or 'v' joint. No mortar may be used beyond the face of the brick. 2. All brick walls must be built to avoid efflorescence	The proposed exterior building elevations do not include any brick.	Not Applicable
<u>801.09.11.1.F – Stone Joints – All Districts</u> Stone joints shall be no larger than one-fourth (1/4) inch.	The proposed exterior building elevations do not include any stone.	Not Applicable

<u>801.09.11.1.G – Accent Materials – All Districts</u> Only the following materials may be used for lintels, sills, cornices, bases, and decorative accent trims, and must be no more than 10 percent (10%) of the non-glass surfaces of each elevation of the exterior building façade: 1. Stone 2. Cast stone 3. Copper (untreated) 4. Rock faced stone 5. Aluminum or painted steel structural shapes 6. Fiber cement board 7. Premium grade wood trim with mitered outside corners. Examples of premium grade wood are cedar, redwood, and fir. 8. EIFS	The proposed accent materials would be wood and fiber cement.	Yes.
<u>801.09.11.1.H - Parapets, Flashing, Coping – All Districts</u> 1. Only the following materials may be used for parapets, flashing and coping: a. copper (untreated) b. brick c. stone d. cast stone e. premium grade wood. 2. Pre-finished, painted .032 aluminum may only be used as a standard parapet coping with a maximum exposed edge of five (5) inches.	As indicated above, the primary non-glass exterior building material is prefinished metal panels.	No. The applicant is requesting a deviation from this standard.

<u>801.09.11.1.I – Awnings – All Districts</u> 1. Only the following types of awnings may be used: a. Fabric awnings of a heavy canvas in dark solid colors or other colors that are approved as part of the design review process b. Highly detailed, ornate metal in dark colors c. Glass awnings 2. Backlit awnings are prohibited. 3. Awnings with text or graphic material may be permitted but require approval via the sign permit process of the Zoning Ordinance.	The proposed building plans do not include any awnings.	Not Applicable
<u>801.09.11.1.J – Balconies – All Districts</u> Balconies shall be accessible and useable by persons. Fake or unusable balconies are prohibited. All balconies shall remain within the property line. Metal railings with members painted dark, or glass panels are permitted.	The main level balcony on the back of the building would be usable, and would be include a railing.	Yes
<u>801.09.11.1.K – Glass – All Districts</u> Glass shall not be mirrored, reflective or darkened. Slight green, bronze and grey tints are acceptable. Spandrel glass shall not be counted as transparent glass for the purposes of calculations under the transparency requirements of Section 801.09.8 of the Standards, but may be used for detailing purposes. Environmentally appropriate glass, such as Low-emissivity glass, shall be used in all projects	The glass shall meet the standards of the ordinance.	Yes
<u>801.09.11.1.L – Doors – All Districts</u> Unless there are building security concerns, main entry doors shall be primarily glass. If, for security reasons, a main entry door is not possible or practical, a main entry door must be well detailed. Appropriately designed wood doors may be utilized for retail and office buildings.	The proposed entry doors would be glass.	Yes

Franchise Architecture		Comments	Compliance
801.09.12.1			
A. Typical or standardized franchise architecture (including building design that is the trade dress of, or identified with a particular chain, franchise or business and is repetitive in nature) is prohibited. B. Large, bold or bright signage, trade dress or logos must be altered and scaled down to meet the purpose of these standards as articulated herein, and must not be repeated on the facades of the principal structure more than once. All new, altered and/or proposed signage for buildings must be submitted for review under Section 801.09.18 by the Planning Commission at the time of Design Standards Review application		The proposed building would not be franchise architecture.	Not Applicable.

Landscaping												
801.09.14.1 – All Districts A. Seasonal landscaping shall be used in all Design Districts, including use of window boxes, hanging flowers baskets, vines and/or other similar seasonal landscaping. If feasible, garden areas and ornamental trees shall be used at the street level. B. Window boxes, hanging baskets and planters with seasonally appropriate plantings shall be used around entries to buildings. C. Vines shall be used to cover walls with more than one hundred (100) square feet of uninterrupted surface area. D. Streetscaping shall include all of the following: 1. Boulevard species trees, with at least three (3) caliper inches. 2. Exposed aggregate sidewalks with brick accents 3. Street lights 4. Benches (if building length is 50 feet or greater), which utilize existing city bench designs. 5. Flowers												

Parking Lot Landscaping				Compliance
801.09.15.1 – All Districts A landscaped buffer strip at least five (5) feet wide shall be provided between all parking areas and the sidewalk or street. The buffer strip shall consist of shade trees appropriately spaced for the particular Design District, and a decorative metal fence, masonry wall or hedge. A solid wall or dense hedge shall be no less than three (3) feet and no more than four (4) feet in height.			The proposed landscape plan includes landscaping along the north edge of all parking lot areas to buffer and screen the parking lot from the public sidewalk.	Yes
Surface Parking <u>801.09.16.1 – All Districts</u> A. Off-street parking shall be located to the rear of buildings. When parking must be located in a side yard adjacent to the street, a landscaped buffer shall be provided in accordance with the Design Standards. The street frontage occupied by parking shall not exceed sixty (60) feet per property. B. Side-by-side parking lots creating a parking area frontage longer than sixty (60) feet are prohibited, except where a heavily landscaped buffer of at least twenty (20) feet wide completely separates both lots. C. Side yard parking shall not extend beyond the front yard setback of the primary building on the property. D. Front yard parking is prohibited. E. There shall be no corner parking.			The parking lots are located on the side of the property. The drive-aisle along the front of the building would be used for pick-up and drop-off. The side parking lots do extend in beyond the front the building, but this was previously approved within the PUD site plan.	Yes

		Comments	Compliance
801.09.16.2 – All Districts – Bicycle Parking Commercial developments requiring more than twenty (20) parking spaces shall provide at least four (4) bicycle parking spaces in a convenient, visible, preferably sheltered location.		This section is not applicable to the proposed church.	Not Applicable
Parking Structures			
801.09.17.1 – All Districts Parking structures shall meet the following standards, along with all other applicable building code standards: A. The ground floor façade abutting any public street or walkway shall be architecturally compatible with surrounding commercial or office buildings. B. The parking structure shall be designed in such a way that sloped floors do not dominate the appearance of the façade. C. Windows or openings shall be similar to those of surrounding buildings. D. Vines and other significant landscaping shall be used to minimize the visual impact of the parking structure.		This section is not applicable, as there is no parking ramp associated with the request.	Not Applicable

Signs																																					
801.09.18.1 – All Districts A. Compatibility - Signs shall be architecturally compatible with the style, composition, materials, colors and details of the building, and with other signs on nearby buildings. Signs shall be an integral part of the building and site design. - A sign plan shall be developed for buildings which house more than one (1) business. Signs need not match, but shall be compatible with one another. Franchise or national chains must comply with these Sign Standards to create signs compatible with their context. - When illuminated signs are proposed, only the text and/or logo portion of the sign may be illuminated. Illuminated signs must be compatible with the location. Illumination of the sign to highlight architectural details is permitted. Fixtures shall be small, shielded, and directed towards the sign rather than toward the street, so as to minimize glare for pedestrians and adjacent properties. - Sign plans must be submitted for review as part of an Applicant for Design Approval. Proposed signs must also conform to the requirements of Section 801.27 of the Wayzata Zoning Ordinance.																																					

Parking Lot and Building Lighting	Comments	Compliance
801.09.19.1 – All Districts A. Parking lot lighting shall be designed in such a way as to be in scale with its surroundings, and reduce glare. B. Cutoff fixtures shall be located below the mature height of trees located in parking lot islands so as to minimize ambient glow and light pollution. C. Pedestrian-scale lighting, not exceeding thirteen (13) feet in height, shall be located on walkways and adjacent to store entrances. All sidewalk lighting must be projected downwards. City light standard shall be followed for all public streets. D. Light posts shall be of a dark color. E. Lighting fixtures shall be compatible with the architecture of the building. F. Lights attached to buildings shall be screened by the building's architectural features to eliminate glare to adjacent properties. All façade lighting must be projected downwards. G. All lighting fixtures shall comply with City Code Section 801.16.6 as it relates to glare.	All parking lot lighting would be comprised of down-cast lighting fixtures. The proposed plans do not include any exterior building lighting.	Yes

Management Report
for
City of Wayzata, Minnesota
December 31, 2015

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To the City Council and Management
City of Wayzata, Minnesota

We have prepared this management report in conjunction with our audit of the City of Wayzata, Minnesota's (the City) financial statements for the year ended December 31, 2015. The purpose of this report is to provide comments resulting from our audit process and to communicate information relevant to city finances in Minnesota. We have organized this report into the following sections:

- Audit Summary
- Governmental Funds Overview
- Enterprise Funds Overview
- Government-Wide Financial Statements
- Legislative Updates
- Accounting and Auditing Updates

We would be pleased to further discuss any of the information contained in this report or any other concerns that you would like us to address. We would also like to express our thanks for the courtesy and assistance extended to us during the course of our audit.

The purpose of this report is solely to provide those charged with governance of the City, management, and those who have responsibility for oversight of the financial reporting process comments resulting from our audit process and information relevant to city finances in Minnesota. Accordingly, this report is not suitable for any other purpose.

Malloy, Montague, Karnowski, Radosevich & Co., P.A.

Minneapolis, Minnesota
April 27, 2016

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AUDIT SUMMARY

The following is a summary of our audit work, key conclusions, and other information that we consider important or that is required to be communicated to the City Council, administration, or those charged with governance of the City.

OUR RESPONSIBILITY UNDER AUDITING STANDARDS GENERALLY ACCEPTED IN THE UNITED STATES OF AMERICA AND GOVERNMENT AUDITING STANDARDS

We have audited the financial statements of the governmental activities, the business-type activities, the discretely presented component unit, each major fund, and the aggregate remaining fund information of the City as of and for the year ended December 31, 2015, and the related notes to the financial statements. Professional standards require that we provide you with information about our responsibilities under auditing standards generally accepted in the United States of America and *Government Auditing Standards*, as well as certain information related to the planned scope and timing of our audit. We have communicated such information to you verbally and in our audit engagement letter. Professional standards also require that we communicate the following information related to our audit.

PLANNED SCOPE AND TIMING OF THE AUDIT

We performed the audit according to the planned scope and timing previously discussed and coordinated in order to obtain sufficient audit evidence and complete an effective audit.

AUDIT OPINION AND FINDINGS

Based on our audit of the City's financial statements for the year ended December 31, 2015:

- We have issued an unmodified opinion on the City's basic financial statements. Our report included a paragraph emphasizing that the City implemented Governmental Accounting Standards Board (GASB) Statement No. 68, *Accounting and Financial Reporting for Pensions—an amendment of GASB Statement No. 27*, and GASB Statement No. 71, *Pension Transition for Contributions Made Subsequent to the Measurement Date—an amendment of GASB Statement No. 68*, during the year ended December 31, 2015. Our opinion was not modified with respect to this matter.
- We reported one matter involving the City's internal control over financial reporting that we consider to be a material weakness. Due to the limited size of the City's office staff, the City has limited segregation of duties in certain areas.
- The results of our testing disclosed no instances of noncompliance that are required to be reported under *Government Auditing Standards*.
- We reported two findings based on our testing of the City's compliance with Minnesota laws and regulations:
 1. Minnesota Statutes require the City, before making final settlement with any contractor under a contract requiring wages to be paid to employees by the contractor or subcontractor, to obtain a certificate by the Commissioner of Revenue that the contractor complied with the withholding requirements of Minnesota Statute § 290.92. This requirement was not complied with for one contract tested during 2015.
 2. Minnesota Statutes require the City to pay each vendor obligation according to the terms of each contract or within 35 days after the receipt of the goods or services or the invoice for the goods or services. For 1 of 25 disbursements selected for testing, the City did not pay the obligation within the required time period, and did not pay interest on the unpaid obligation.

OTHER COMMENTS AND RECOMMENDATIONS

During our testing of census data related to City employees participating in pension plans administered by the Public Employees Retirement Association of Minnesota (PERA), we noted several instances where an individual had terminated employment with the City or otherwise changed employment status, and the City had not submitted the necessary paperwork to update the individual's status on PERA's records. We recommend that the City submit the necessary paperwork to update PERA's records for all employee terminations or status changes on a timely basis.

SIGNIFICANT ACCOUNTING POLICIES

Management is responsible for the selection and use of appropriate accounting policies. The significant accounting policies used by the City are described in Note 10 of the notes to basic financial statements.

The City implemented GASB Statement Nos. 68 and 71 during the year ended December 31, 2015. These statements provide new guidance on accounting and financial reporting for pensions accounted for in the financial statements of plan employers. Implementation of these standards resulted in an adjustment to the beginning equity reported in the City's government-wide and enterprise fund financial statements, as described in Note 1 of the notes to basic financial statements. The application of remaining policies was not changed during the year ended December 31, 2015.

We noted no transactions entered into by the City during the year for which there is a lack of authoritative guidance or consensus. All significant transactions have been recognized in the financial statements in the proper period.

ACCOUNTING ESTIMATES AND MANAGEMENT JUDGMENTS

Accounting estimates are an integral part of the financial statements prepared by management and are based on management's knowledge and experience about past and current events and assumptions about future events. Certain accounting estimates are particularly sensitive because of their significance to the financial statements and because of the possibility that future events affecting them may differ significantly from those expected. The most sensitive estimates affecting the financial statements were:

- The City has recorded liabilities and activity for other post-employment benefits (OPEB) and pension benefits. These obligations are calculated using actuarial methodologies described in GASB Statement Nos. 45 and 68. These actuarial calculations include significant assumptions, including projected changes, healthcare insurance costs, investment returns, retirement ages, proportionate share, and employee turnover.
- The depreciation of capital assets involves estimates pertaining to useful lives.

We evaluated the key factors and assumptions used by management to develop these estimates in determining that they are reasonable in relation to the basic financial statements taken as a whole.

The financial statement disclosures are neutral, consistent, and clear.

CORRECTED AND UNCORRECTED MISSTATEMENTS

Professional standards require us to accumulate all known and likely misstatements identified during the audit, other than those that are trivial, and communicate them to the appropriate level of management. Where applicable, management has corrected all such misstatements. In addition, none of the misstatements detected as a result of audit procedures and corrected by management, when applicable, were material, either individually or in the aggregate, to each opinion unit's financial statements taken as a whole.

DIFFICULTIES ENCOUNTERED IN PERFORMING THE AUDIT

We encountered no significant difficulties in dealing with management in performing and completing our audit.

DISAGREEMENTS WITH MANAGEMENT

For purposes of this report, professional standards define a disagreement with management as a financial accounting, reporting, or auditing matter, whether or not resolved to our satisfaction, that could be significant to the financial statements or the auditor's report. We are pleased to report that no such disagreements arose during the course of our audit.

MANAGEMENT REPRESENTATIONS

We have requested certain representations from management that are included in the management representation letter dated April 27, 2016.

MANAGEMENT CONSULTATIONS WITH OTHER INDEPENDENT ACCOUNTANTS

In some cases, management may decide to consult with other accountants about auditing and accounting matters, similar to obtaining a "second opinion" on certain situations. If a consultation involves application of an accounting principle to the City's financial statements or a determination of the type of auditor's opinion that may be expressed on those statements, our professional standards require the consulting accountant to check with us to determine that the consultant has all the relevant facts. To our knowledge, there were no such consultations with other accountants.

OTHER AUDIT FINDINGS OR ISSUES

We generally discuss a variety of matters, including the application of accounting principles and auditing standards, with management each year prior to retention as the City's auditors. However, these discussions occurred in the normal course of our professional relationship and our responses were not a condition to our retention.

OTHER MATTERS

We applied certain limited procedures to Management's Discussion and Analysis and the pension and OPEB-related required supplementary information (RSI) that supplements the basic financial statements. Our procedures consisted of inquiries of management regarding the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We did not audit the RSI and do not express an opinion or provide any assurance on the RSI.

We were engaged to report on the combining and individual fund financial statements and schedules accompanying the financial statements, which are not RSI. With respect to the combining and individual fund financial statements and schedules, we made certain inquiries of management and evaluated the form, content, and methods of preparing the information to determine that the information complies with accounting principles generally accepted in the United States of America, the method of preparing it has not changed from the prior period, and the information is appropriate and complete in relation to our audit of the financial statements. We compared and reconciled the combining and individual fund financial statements and schedules to the underlying accounting records used to prepare the financial statements or to the financial statements themselves.

We were not engaged to report on the introductory section and supplementary information which accompany the financial statements but are not RSI. We did not audit or perform other procedures on this other information and we do not express an opinion or provide any assurance on it.

GOVERNMENTAL FUNDS OVERVIEW

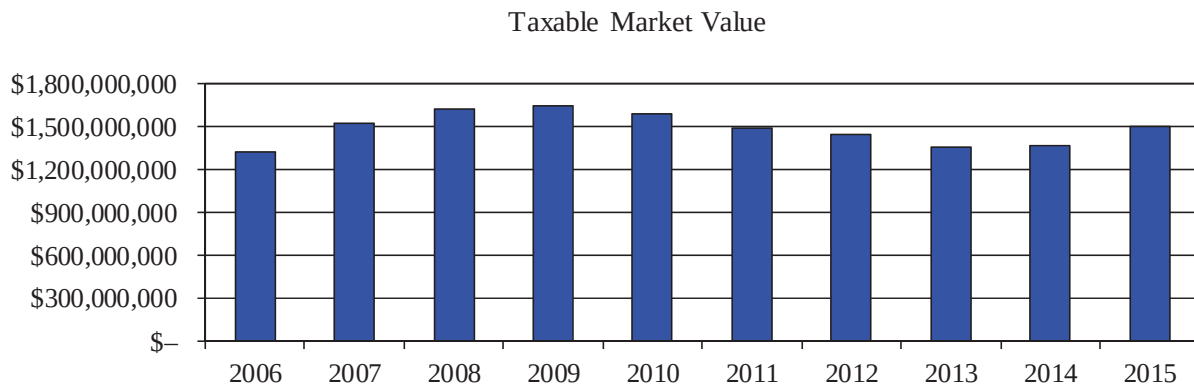
This section of the report provides you with an overview of the financial trends and activities of the City's governmental funds, which includes the General, special revenue, debt service, and capital project funds. These funds are used to account for the basic services the City provides to all of its citizens, which are financed primarily with property taxes. The governmental fund information in the City's financial statements focuses on budgetary compliance, and the sufficiency of each governmental fund's current assets to finance its current liabilities.

PROPERTY TAXES

Minnesota cities rely heavily on local property tax levies to support their governmental fund activities. For the 2014 fiscal year, local ad valorem property tax levies provided 39.0 percent of the total governmental fund revenues for cities over 2,500 in population, and 35.5 percent for cities under 2,500 in population. Property tax levies certified by Minnesota cities for 2015 increased about 4.0 percent over 2014, compared to an increase of 1.6 percent the prior year. A one-year levy limit imposed on cities over 2,500 in population for the 2014 levy year was lifted for the 2015 levy year.

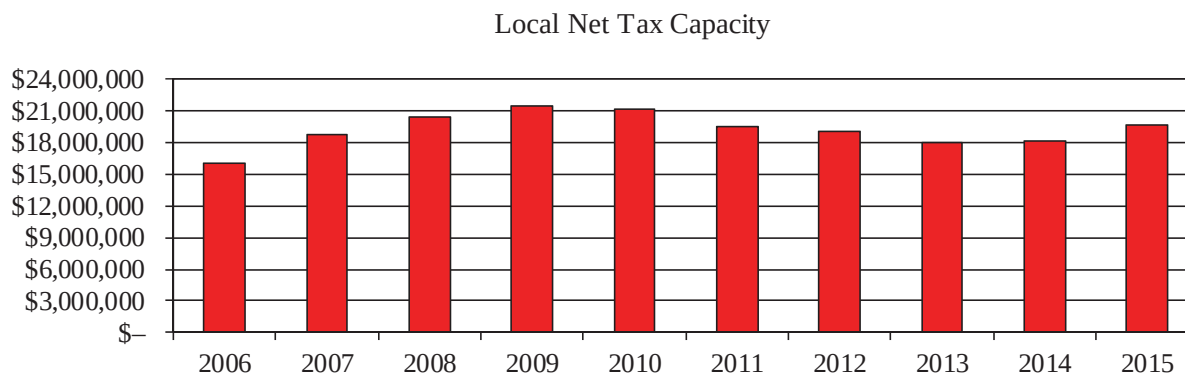
The total market value of property in Minnesota cities increased about 8.5 percent for the 2015 levy year, following a modest increase of 1.1 percent for levy year 2014 and a four-year trend of declining market values for levy years 2010 through 2013. Market values showed increases across all property categories for 2015, with gains in the market values of residential homestead properties (10.0 percent) and non-homestead residential properties (9.7 percent) outpacing the market value gain of commercial/industrial properties (2.2 percent). Because the assessed valuation used for levying property taxes is based on values from the previous fiscal year (e.g., the market value for taxes payable in 2015 is based on estimated values as of January 1, 2014), market value improvement has lagged behind recent upturns in the housing market and the economy in general.

The City's taxable market value increased 0.3 percent for taxes payable in 2014 and 10.1 percent for taxes payable in 2015. The following graph shows the City's changes in taxable market value over the past 10 years:



Tax capacity is considered the actual base available for taxation. It is calculated by applying the state's property classification system to each property's market value. Each property classification, such as commercial or residential, has a different calculation and uses different rates. Consequently, a city's total tax capacity will change at a different rate than its total market value, as tax capacity is affected by the proportion of the City's tax base that is in each property classification from year-to-year, as well as legislative changes to tax rates. The City's tax capacity increased 0.8 percent and 9.1 percent for taxes payable in 2014 and 2015, respectively.

The following graph shows the City's change in tax capacities over the past 10 years:



The improvement in property tax capacities contributed to decreases to the overall state-wide and metro area tax rates for 2015. The following table presents the average tax rates applied to city residents for each of the last two levy years, along with comparative state-wide and metro area rates:

Rates expressed as a percentage of net tax capacity						
	All Cities State-Wide		Seven-County Metro Area		City of Wayzata	
	2014	2015	2014	2015	2014	2015
Average tax rate						
City	48.8	46.9	46.0	43.4	26.3	25.7
County	47.6	44.7	46.6	42.9	50.0	46.4
School	28.9	27.1	30.9	28.3	24.6	26.2
Special taxing	7.3	6.9	9.5	8.8	12.4	11.5
Total	132.6	125.6	133.0	123.4	113.3	109.8

The City's portion of the tax capacity rates for Wayzata residents has historically been well below the average for Minnesota cities state-wide and for cities in the seven-county metro area. This is due to the City's relatively low annual tax levies, coupled with its high property values and strong commercial tax base.

GOVERNMENTAL FUND BALANCES

The following table summarizes the changes in the fund balances of the City's governmental funds during the year ended December 31, 2015, presented both by fund balance classification and by fund:

Governmental Funds Change in Fund Balance			
	Fund Balance as of December 31,		Increase (Decrease)
	2015	2014	
Fund balances of governmental funds			
Total by classification			
Nonspendable	\$ —	\$ 3,157	\$ (3,157)
Restricted	1,469,424	1,632,840	(163,416)
Committed	230,671	217,181	13,490
Assigned	7,185,481	7,581,896	(396,415)
Unassigned	2,261,470	2,224,590	36,880
Total – governmental funds	<u>\$ 11,147,046</u>	<u>\$ 11,659,664</u>	<u>\$ (512,618)</u>
Total by fund			
General	\$ 2,529,396	\$ 2,498,884	\$ 30,512
Debt Service	398,223	340,349	57,874
Street Improvement Capital Project	1,648,357	2,364,909	(716,552)
Nonmajor funds	6,571,070	6,455,522	115,548
Total – governmental funds	<u>\$ 11,147,046</u>	<u>\$ 11,659,664</u>	<u>\$ (512,618)</u>

In total, the fund balances of the City's governmental funds decreased by \$512,618 during the year ended December 31, 2015. The decrease was primarily in restricted fund balances and assigned fund balances. Restricted fund balances decreased \$163,416 mainly in fund balances restricted for economic development. Assigned fund balances decreased \$396,415, mainly due to the utilization of fund balances assigned for future street improvements in the Street Improvement Capital Project Fund.

GOVERNMENTAL FUNDS REVENUE AND EXPENDITURES

The following table presents the per capita revenue of the City's governmental funds for the past three years, along with state-wide averages.

We have included the most recent comparative state-wide averages available from the Office of the State Auditor to provide a benchmark for interpreting the City's data. The amounts received from the typical major sources of governmental fund revenue will naturally vary between cities based on factors such as the City's stage of development, location, size and density of its population, property values, services it provides, and other attributes. It will also differ from year-to-year due to the effect of inflation and changes in the City's operation. Also, certain data on these tables may be classified differently than how they appear on the City's financial statements in order to be more comparable to the state-wide information, particularly in separating capital expenditures from current expenditures.

We have designed this section of our management report using per capita data in order to better identify unique or unusual trends and activities of your city. We intend for this type of comparative and trend information to complement, rather than duplicate, information in the Management's Discussion and Analysis. An inherent difficulty in presenting per capita information is the accuracy of the population count, which for most years is based on estimates.

The per capita information presented in this report excludes the Wayzata Housing and Redevelopment Authority (HRA), the City's discretely presented component unit.

Governmental Funds Revenue per Capita With State-Wide Averages by Population Class						
Year Population	State-Wide			City of Wayzata		
	December 31, 2014			2013	2014	2015
	2,500–10,000	10,000–20,000	20,000–100,000	4,136	4,476	4,476
Property taxes	\$ 427	\$ 396	\$ 427	\$ 1,014	\$ 954	\$ 964
Tax increments	26	37	46	—	—	—
Franchise and other taxes	32	42	37	36	36	33
Special assessments	59	51	64	36	58	59
Licenses and permits	28	27	41	212	215	186
Intergovernmental revenues	298	264	166	144	54	55
Charges for services	105	82	90	273	260	290
Other	66	72	65	50	110	339
Total revenue	<u>\$ 1,041</u>	<u>\$ 971</u>	<u>\$ 936</u>	<u>\$ 1,765</u>	<u>\$ 1,687</u>	<u>\$ 1,926</u>

The City's total governmental funds revenue for 2015 was \$8,614,856, an increase of \$1,061,573 (14.1 percent) from the previous year. On a per capita basis, revenue for 2015 was \$1,926, an increase of \$239 from the prior year. Other revenue was \$229 per capita higher than the prior year due to reimbursements of costs incurred by the City related to wetland mitigation and street improvement projects.

The expenditures of governmental funds will also vary from state-wide averages and from year-to-year, based on the City's circumstances. Expenditures are classified into three types as follows:

- **Current** – These are typically the general operating-type expenditures occurring on an annual basis, and are primarily funded by general sources such as taxes and intergovernmental revenues.
- **Capital Outlay and Construction** – These expenditures do not occur on a consistent basis, more typically fluctuating significantly from year-to-year. Many of these expenditures are project-oriented, which are often funded by specific sources that have benefited from the expenditure, such as special assessment improvement projects.
- **Debt Service** – Although the expenditures for debt service may be relatively consistent over the term of the respective debt, the funding source is the important factor. Some debt may be repaid through specific sources, such as special assessments or redevelopment funding, while other debt may be repaid with general property taxes.

The City's expenditures per capita of its governmental funds for the past three years, together with state-wide averages, are presented in the following table:

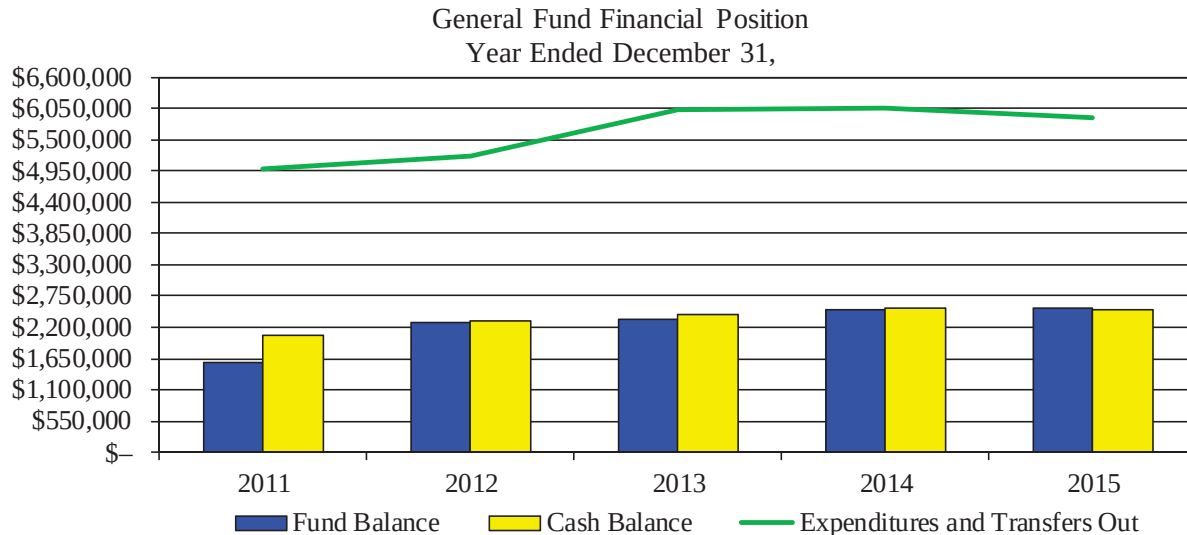
Governmental Funds Expenditures per Capita With State-Wide Averages by Population Class						
Year	State-Wide			City of Wayzata		
	December 31, 2014			2013	2014	2015
Population	2,500–10,000	10,000–20,000	20,000–100,000	4,136	4,476	4,476
Current						
General government	\$ 131	\$ 104	\$ 87	\$ 327	\$ 246	\$ 292
Public safety	248	237	254	475	458	477
Public works	121	119	114	187	168	158
Culture and recreation	86	101	92	169	86	155
All other	69	89	98	54	40	38
	655	650	645	1,212	998	1,120
Capital outlay and construction	357	278	276	280	395	927
Debt service						
Principal	180	163	115	42	66	69
Interest and fiscal	54	40	34	39	32	31
	234	203	149	81	98	100
Total expenditures	\$ 1,246	\$ 1,131	\$ 1,070	\$ 1,573	\$ 1,491	\$ 2,147

The City's total governmental fund expenditures for 2015 were \$9,607,352, an increase of \$2,935,865 (44.0 percent) from the prior year. Current expenditures for 2015 were \$122 per capita higher than the previous year. General government expenditures were \$46 per capita higher than the previous year, primarily due to increased personnel costs. Culture and recreation expenditures were \$69 per capita higher than last year, mainly due to consulting work related to the parks portion of the Lake Effect Design Initiative and scheduled maintenance at the library.

Governmental fund capital expenditures were \$532 per capita higher than last year, due to increases in street construction and equipment purchases.

GENERAL FUND

The City's General Fund accounts for the financial activity of the basic services provided to the community. The primary services included within this fund are the administration of the municipal operation, police and fire protection, building inspection, streets and highway maintenance, and culture and recreation. The graph below illustrates the change in the General Fund financial position over the last five years. We have also included a line representing annual expenditures and transfers out to reflect the change in the size of the General Fund operation over the same period.

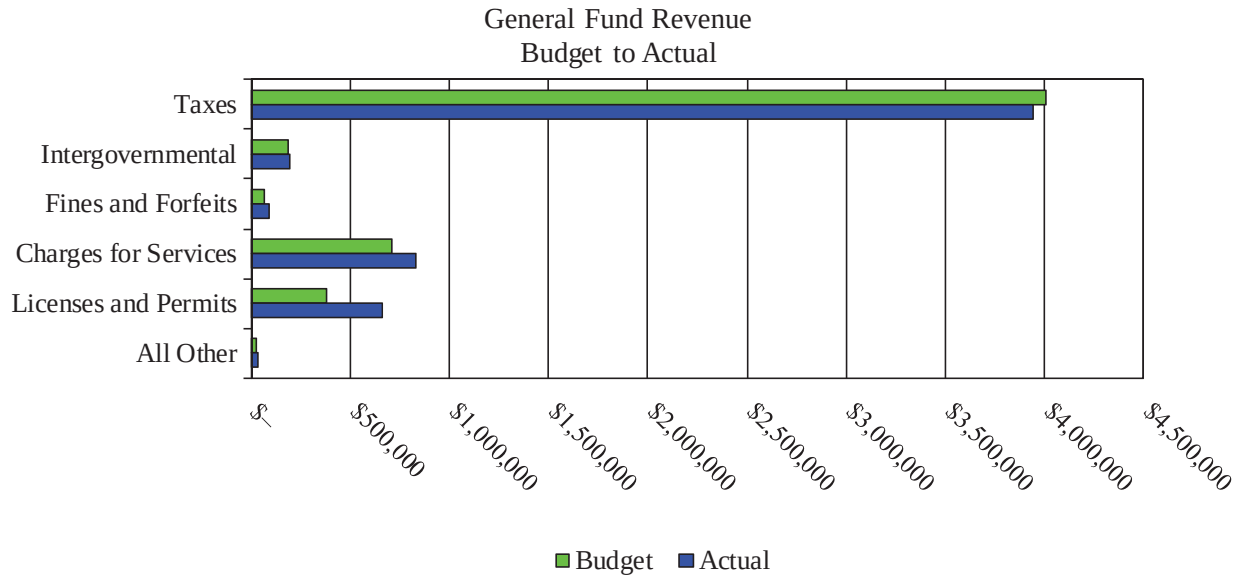


The City's General Fund cash and investments balance at December 31, 2015 was \$2,511,386, a decrease of \$37,941 from the previous year. Total fund balance at year-end was \$2,529,396, which was an increase of \$30,512 from the prior year, as compared to a break-even budget. The unassigned portion of fund balance was \$2,261,470 at year-end, which represents 38.3 percent of the City's annual General Fund expenditures and operating transfers out based on 2015 levels, up from 36.7 percent at the end of the previous year.

The City has generally been able to maintain healthy cash and fund balance levels as the volume of financial activity has grown. This is an important factor because a government, like any organization, requires a certain amount of equity to operate. A healthy financial position allows the City to avoid volatility in tax rates; helps minimize the impact of state funding changes; allows for the adequate and consistent funding of services, repairs, and unexpected costs; and is a factor in determining the City's bond rating and resulting interest costs. Maintaining an adequate fund balance has become increasingly important given the fluctuations in state funding for cities in recent years.

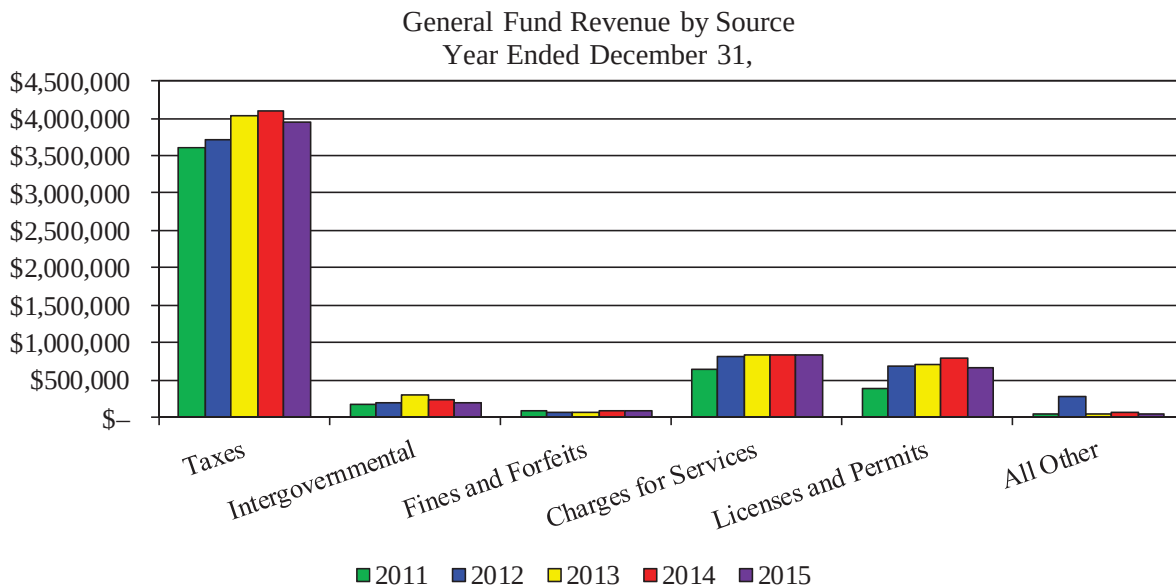
A trend that is typical to Minnesota local governments, especially the General Fund of cities, is the unusual cash flow experienced throughout the year. The City's General Fund cash disbursements are made fairly evenly during the year other than the impact of seasonal services such as snowplowing, street maintenance, and park activities. Cash receipts of the General Fund are quite a different story. Property taxes comprise about 67 percent of the fund's total annual revenue. Approximately half of these revenues are received by the City at mid-year and the rest at year-end. Consequently, the City needs to have adequate cash reserves to finance its everyday operations between these payments.

The following chart reflects the City's General Fund revenue sources for 2015 compared to budget:



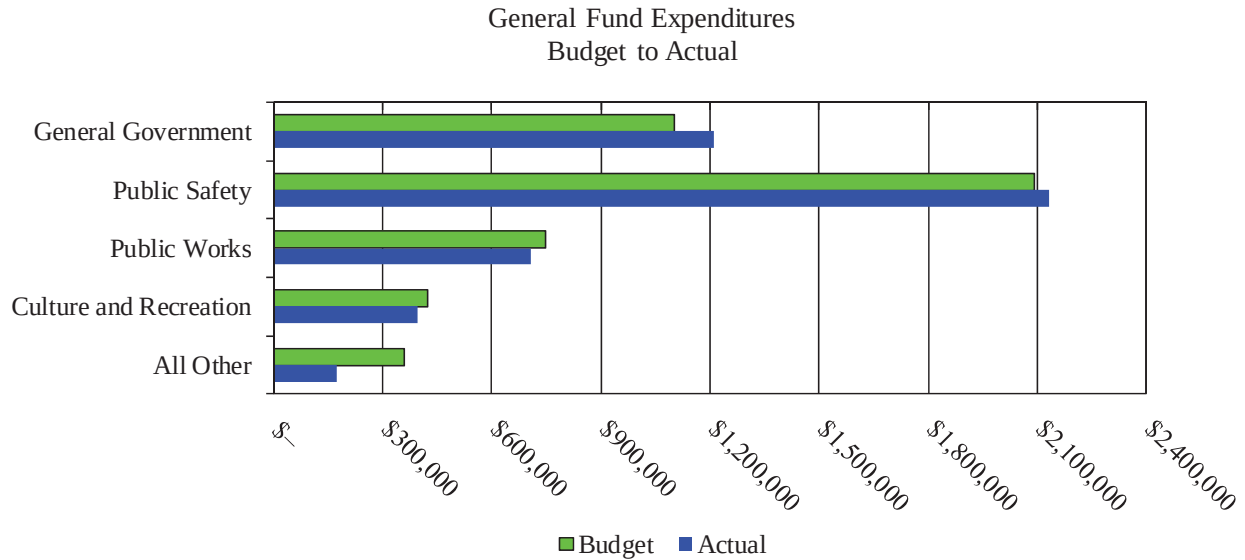
General Fund revenue for 2015 totaled \$5,745,740, which was \$370,130 (6.9 percent) higher than budget. Licenses and permits revenue was \$275,155 higher than projected, as building, heating, and plumbing permits were much higher than the City's conservative budget. Charges for services exceeded budget by \$117,255, as fees for plan checks and project inspections were higher than projected.

The following graph presents the City's General Fund revenues by source for the last five years. The graph reflects the City's reliance on property taxes and other local sources of revenue, and shows the lack of general state-aid revenue in recent years.



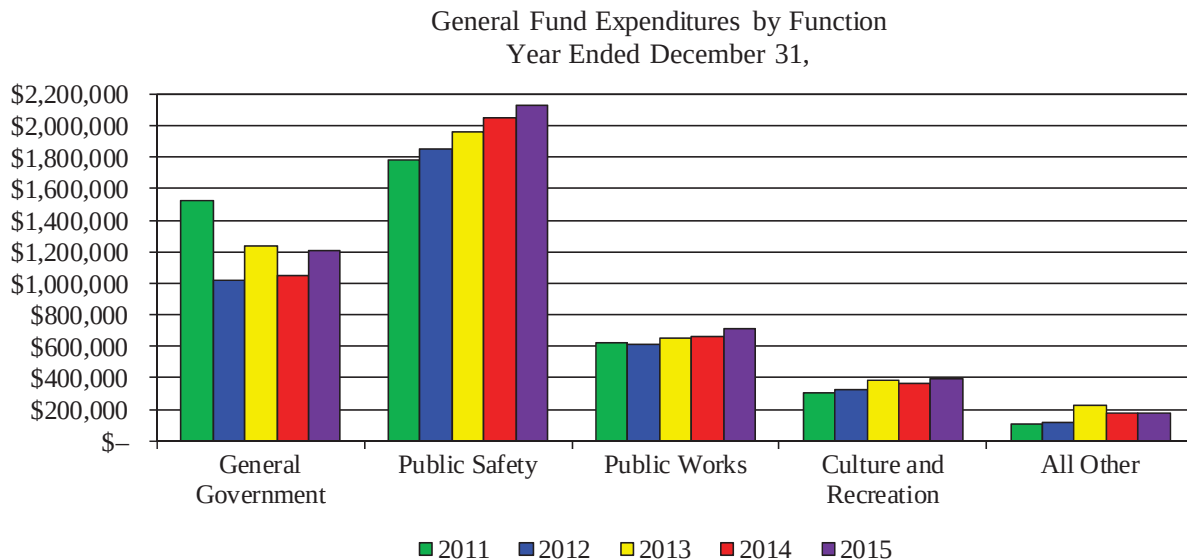
Total General Fund revenues decreased \$334,815 (5.5 percent) from the previous year. Revenue from taxes decreased \$165,141 from the prior year, mainly due to the infrastructure levy being recorded in the Street Improvement Capital Project Fund in the current year instead of the General Fund. Licenses and permits revenue was \$135,465 lower than last year because of decreased construction-related permit revenues.

The following graphs illustrate the components of General Fund spending for 2015 compared to budget:



Total General Fund expenditures for 2015 were \$4,619,401, which was \$110,704 (2.3 percent) under budget. The majority of this variance was in the “All Other” expenditures category above, which was under budget by \$188,033 due to lower than anticipated liability insurance premiums and an unspent budget for contingencies. General government expenditures were over budget by \$110,424, mainly due to higher than expected legal and consulting fees.

The following graph presents the City’s General Fund expenditures by function for the last five years:



Total General Fund expenditures were \$320,191 (7.4 percent) more than the previous year. This increase was spread across various functions, and was primarily due to increased personnel costs from salary adjustments that resulted from the employee compensation and class study completed in the current year.

ENTERPRISE FUNDS OVERVIEW

The City maintains a number of enterprise funds to account for services the City provides that are financed primarily through fees charged to those utilizing the service. This section of the report provides you with an overview of the financial trends and activities of the City's enterprise funds, which include the Water, Sewer, Licensing, Liquor, Solid Waste, and Stormwater Funds.

ENTERPRISE FUNDS FINANCIAL POSITION

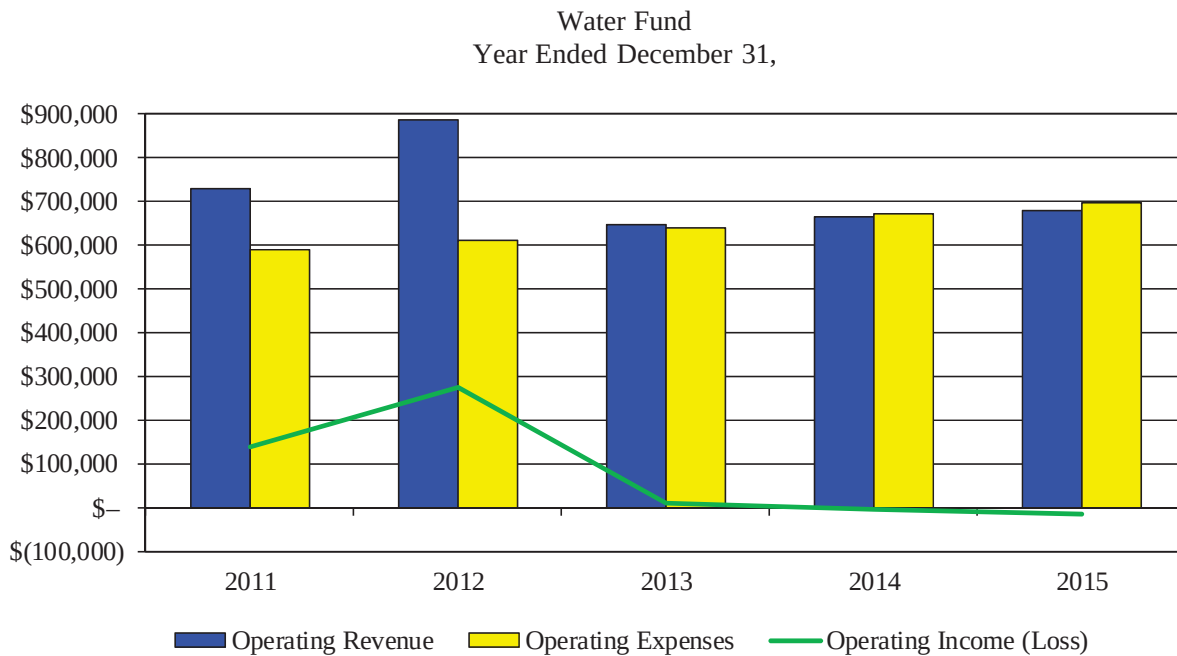
The following table summarizes the changes in the financial position of the City's enterprise funds during the year ended December 31, 2015, presented both by classification and by fund:

Enterprise Funds Change in Financial Position			
	Net Position as of December 31,		Increase
	2015	2014	(Decrease)
Net position of enterprise funds			
Total by classification			
Net investment in capital assets	\$ 11,674,924	\$ 10,422,166	\$ 1,252,758
Restricted	1,819,081	1,906,774	(87,693)
Unrestricted	4,283,663	6,436,113	(2,152,450)
Total – enterprise funds	<u>\$ 17,777,668</u>	<u>\$ 18,765,053</u>	<u>\$ (987,385)</u>
Total by fund			
Water	\$ 8,060,522	\$ 8,149,353	\$ (88,831)
Sewer	3,974,246	4,164,448	(190,202)
Licensing	(175,075)	(101)	(174,974)
Liquor	1,200,654	1,958,392	(757,738)
Solid Waste	231,905	255,591	(23,686)
Stormwater	4,485,416	4,237,370	248,046
Total – enterprise funds	<u>\$ 17,777,668</u>	<u>\$ 18,765,053</u>	<u>\$ (987,385)</u>

In total, the net position of the City's enterprise funds decreased by \$987,385 during the year ended December 31, 2015, which reflects a \$524,224 increase from current year operations and an adjustment to reduce beginning net position by \$1,511,609 due to the change in accounting principle for pensions discussed earlier. Net investment in capital assets increased \$1,252,758 during the year, mainly due to utility infrastructure added through street improvement projects, portions of which were contributed by outside parties or the City's governmental funds. The unrestricted portion of enterprise funds net position decreased \$2,152,450, primarily due to the change in accounting principle and the portions of the utility infrastructure improvements paid for by the enterprise funds.

WATER FUND

The following graph presents five years of operating results for the Water Fund:



The Water Fund ended 2015 with a total net position of \$8,060,522, which was a decrease of \$88,831 from the prior year. The overall decrease consisted of an increase of \$79,953 from 2015 activity and a reduction to beginning net position of \$168,784 from the change in accounting for pensions. The Water Fund had a net investment in capital assets of \$3,619,446, net position restricted for debt service of \$1,326,486, and unrestricted net position of \$3,114,590 at year-end.

Water Fund operating revenues for fiscal 2015 were \$680,803, an increase of \$14,188 (2.1 percent) from the prior year due to the 2 percent increase in city water rates for 2015.

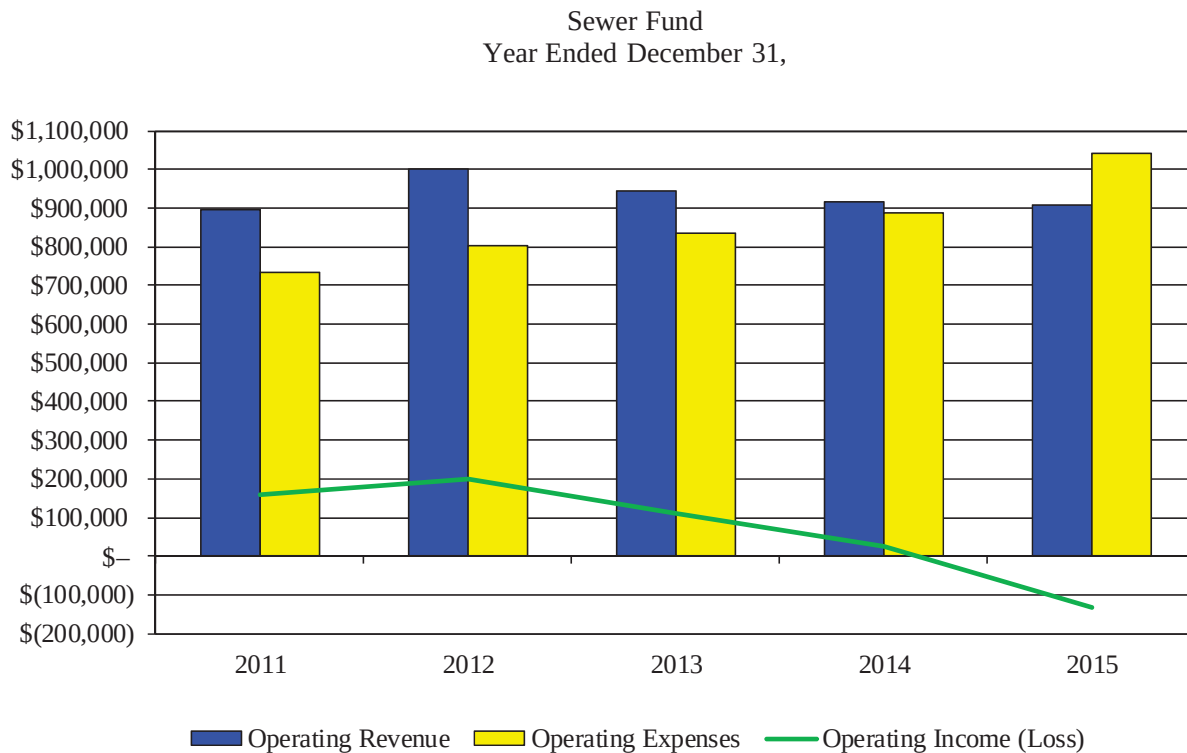
Operating expenses for 2015 were \$697,742, an increase of \$26,527 (4.0 percent), mainly due to higher engineering services related to street reconstruction and increased personnel costs.

After nonoperating revenues and expenses (such as interest revenue, tower rental revenue, and interest expense), the Water Fund had a loss before contributions and transfers of \$104,432.

The Water Fund received capital contributions of \$231,785 from the Metropolitan Council Environmental Services forcemain project, special assessments, and access charges to finance the water portion of street improvement projects.

SEWER FUND

The following graph presents five years of operating results for the Sewer Fund:



The Sewer Fund ended 2015 with a total net position of \$3,974,246, a decrease of \$190,202 from the prior year. The overall decrease consisted of a decrease of \$21,444 from 2015 activity and a reduction to beginning net position of \$168,758 from the change in accounting for pensions. The Sewer Fund had a net investment in capital assets of \$2,790,512, net position restricted for debt service of \$492,595, and unrestricted net position of \$691,139 at year-end.

Sewer Fund operating revenue for fiscal 2015 was \$909,799, a decrease of \$6,025 (0.7 percent) from the prior year.

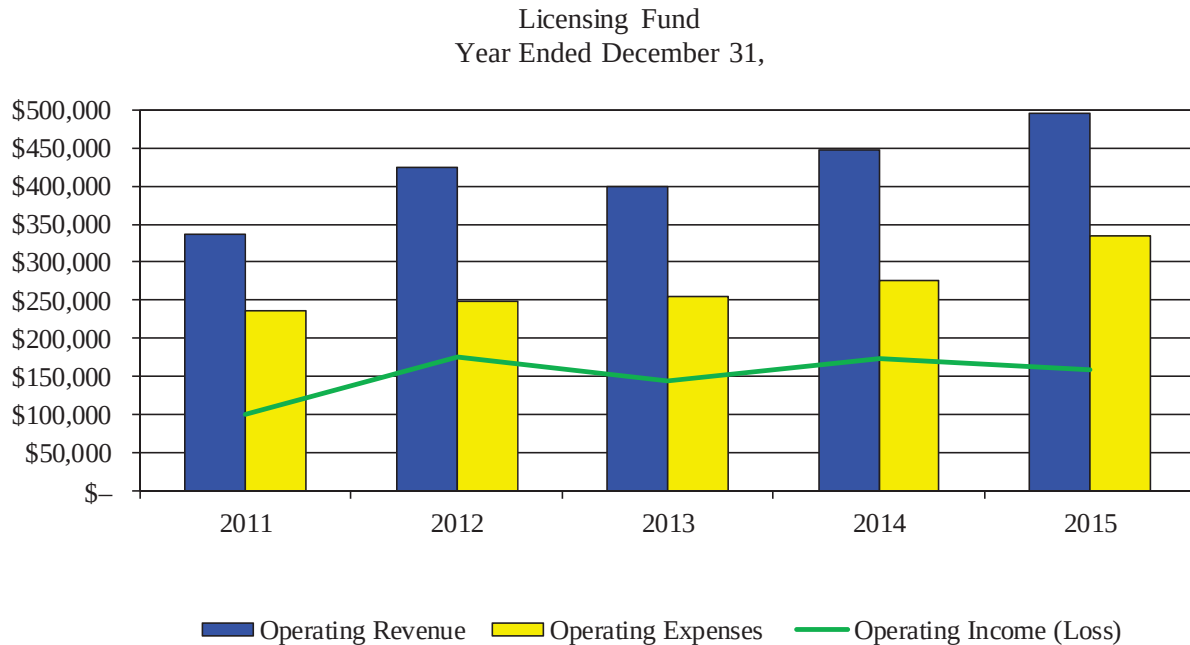
Operating expenses for 2015 were \$1,041,186, an increase of \$152,496 (17.2 percent), with the largest increases in repairs and maintenance (\$104,127), utilities (\$31,233), and personnel services (\$30,701). The increase in repairs and maintenance was due to a 2015 sewer lining project.

After nonoperating revenues and expenses, the Sewer Fund had a loss before contributions and transfers of \$134,407.

The Sewer Fund received \$171,263 of contributed capital from special assessments and access charges to finance the sewer portion of street improvement projects.

LICENSING FUND

The following graph presents five years of operating results for the Licensing Fund:



The Licensing Fund ended 2015 with an unrestricted deficit net position of (\$175,075), a decrease of \$174,974 from the prior year. The overall decrease consisted of an increase of \$6,984 from 2015 activity and a reduction to beginning net position of \$181,958 from the change in accounting for pensions.

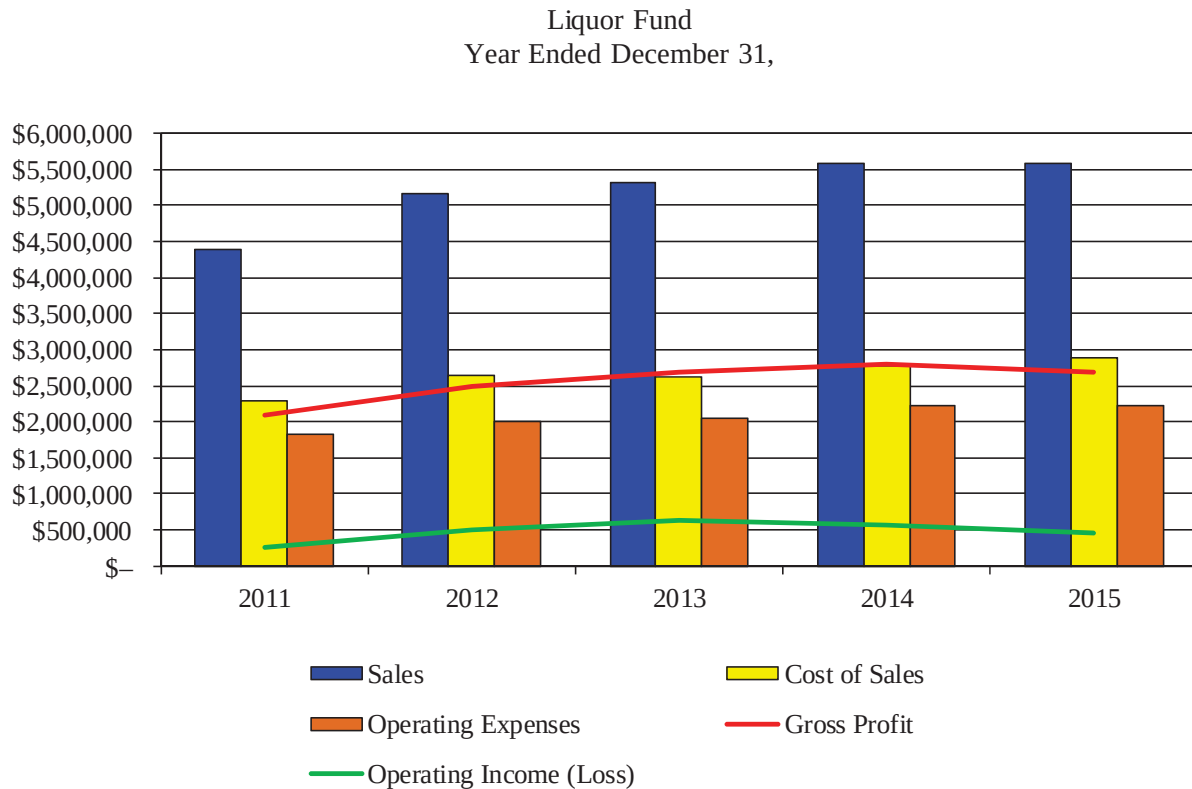
Licensing Fund operating revenues for 2015 were \$494,537, an increase of \$46,652 (10.4 percent) from the prior year, mainly due to passport application activity being accounted for in the Licensing Fund for the entire 2015 fiscal year, whereas it had been accounted for in the General Fund for part of the 2014 fiscal year.

Operating expenses for 2015 were \$335,021, an increase of \$60,011 (21.8 percent) from last year, mainly due to an increase in personnel costs.

The Licensing Fund transferred \$154,000 to other funds to finance general operations and various capital projects.

LIQUOR FUND

The following graph presents five years of operating results for the Liquor Fund:



The Liquor Fund ended 2015 with a total net position of \$1,200,654, a decrease of \$757,738 from the prior year. The overall decrease consisted of an increase of \$202,379 from 2015 activity and a reduction to beginning net position of \$960,117 from the change in accounting for pensions. The Liquor Fund's net investment in capital assets was \$1,230,912 at year-end, leaving a deficit unrestricted net position of (\$30,258) at year-end.

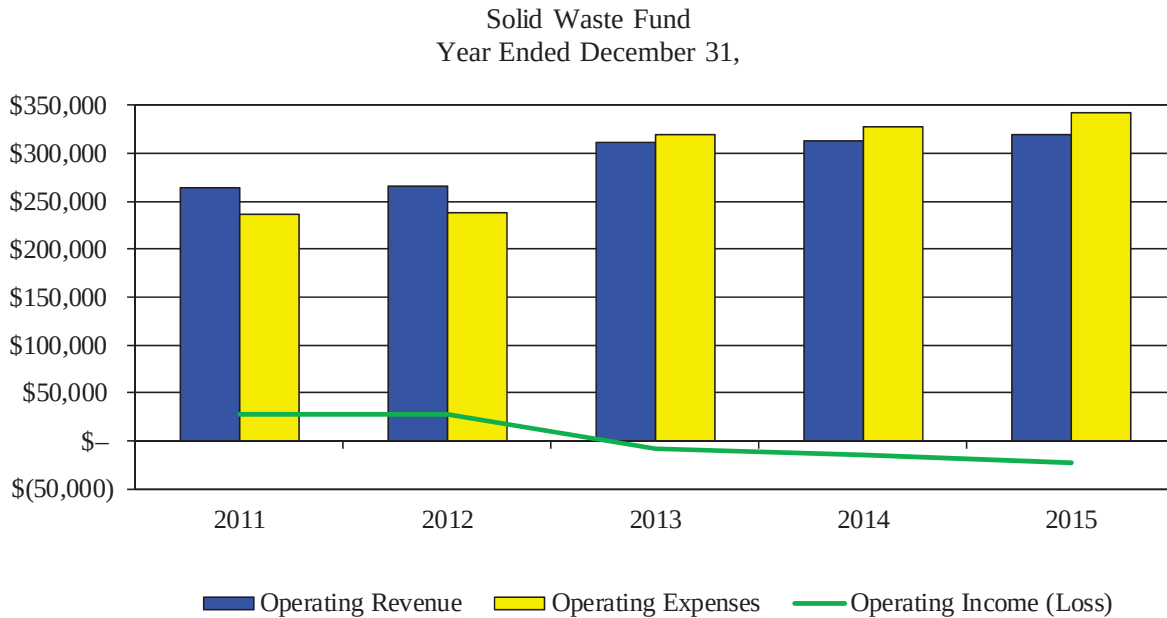
Liquor Fund gross sales for 2015 were \$5,579,188, a decrease of \$2,724 from the prior year. Gross sales for the liquor store increased by \$181,641 (7.4 percent), while the bar and restaurant side of the operation decreased \$184,365 (5.9 percent). Gross profits for 2015 were \$2,689,362, a decrease of \$108,383 (3.9 percent).

Operating expenses were \$2,223,107, a slight increase of \$677 from the prior year.

The Liquor Fund transferred \$150,000 to other funds to finance general operations and various capital projects.

SOLID WASTE FUND

The following graph presents five years of operating results for the Solid Waste Fund:



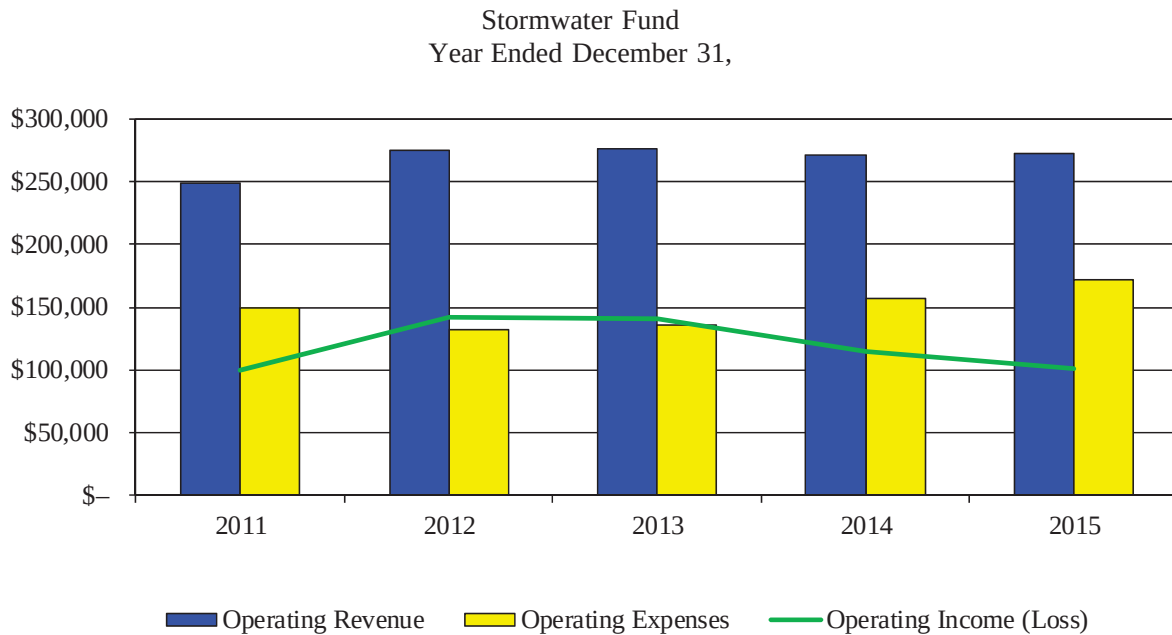
The Solid Waste Fund ended 2015 with an unrestricted net position of \$231,905, a decrease of \$23,686 from the prior year. The overall decrease consisted of a decrease of \$8,920 from 2015 activity and a reduction to beginning net position of \$14,766 from the change in accounting for pensions.

Operating revenues for 2015 were \$319,208, an increase of \$5,332 (1.7 percent) from last year.

Operating expenses for 2015 were \$341,994, an increase of \$14,146 (4.3 percent) from the previous year.

STORMWATER FUND

The following graph presents five years of operating results for the Stormwater Fund:



The Stormwater Fund ended 2015 with a total net position of \$4,485,416, an increase of \$248,046 from the prior year. The overall increase consisted of an increase of \$265,272 from 2015 activity and a reduction to beginning net position of \$17,226 from the change in accounting for pensions. The Stormwater Fund's net investment in capital assets was \$4,034,054 at year-end, leaving an unrestricted net position of \$451,362.

Stormwater Fund operating revenue for 2015 was \$272,355, an increase of \$915 (0.3 percent) from last year.

Operating expenses for 2015 were \$171,579, an increase of \$15,031 (9.6 percent) from last year, mainly in professional service costs.

GOVERNMENT-WIDE FINANCIAL STATEMENTS

In addition to fund-based information, the current reporting model for governmental entities also requires the inclusion of two government-wide financial statements designed to present a clear picture of the City as a single, unified entity. These government-wide statements provide information on the total cost of delivering services, including capital assets and long-term liabilities.

STATEMENT OF NET POSITION

The Statement of Net Position essentially tells you what your city owns and owes at a given point in time, the last day of the fiscal year. Theoretically, net position represents the resources the City has leftover to use for providing services after its debts are settled. However, those resources are not always in spendable form, or there may be restrictions on how some of those resources can be used. Therefore, net position is divided into three components: net investment in capital assets, restricted, and unrestricted.

The following table presents the components of the City's net position as of December 31, 2015 and 2014, for governmental activities and business-type activities:

	As of December 31,		Increase (Decrease)
	2015	2014	
Net position			
Governmental activities			
Net investment in capital assets	\$ 28,962,215	\$ 26,856,168	\$ 2,106,047
Restricted	3,888,882	4,181,523	(292,641)
Unrestricted	6,829,877	9,620,156	(2,790,279)
Total governmental activities	<u>\$ 39,680,974</u>	<u>\$ 40,657,847</u>	<u>\$ (976,873)</u>
Business-type activities			
Net investment in capital assets	\$ 11,674,924	\$ 10,422,166	\$ 1,252,758
Restricted	1,819,081	1,906,774	(87,693)
Unrestricted	4,283,663	6,436,113	(2,152,450)
Total business-type activities	<u>\$ 17,777,668</u>	<u>\$ 18,765,053</u>	<u>\$ (987,385)</u>
Total net position	<u>\$ 57,458,642</u>	<u>\$ 59,422,900</u>	<u>\$ (1,964,258)</u>

The City (excluding the HRA) ended 2015 with a combined total net position of \$57,458,642, a decrease of \$1,964,258 from the prior year. The overall decrease consisted of an increase of \$1,971,584 from 2015 activity and a reduction to beginning net position of \$3,935,842 from the change in accounting for pensions. About 73.4 percent of the current year increase was from governmental activities, and 26.6 percent was from business-type activities. At the end of the current fiscal year, the City is able to present positive balances in all categories of net position, both for the government as a whole, as well as for its separate governmental and business-type activities. The same situation held true for the prior fiscal year.

STATEMENT OF ACTIVITIES

The Statement of Activities tracks the City's yearly revenues and expenses, as well as any other transactions that increase or reduce total net positions. These amounts represent the full cost of providing services. The Statement of Activities provides a more comprehensive measure than just the amount of cash that changed hands, as reflected in the fund-based financial statements. This statement includes the cost of supplies used, depreciation of long-lived capital assets, and other accrual-based expenses.

The following table presents the change in the net position of the City for the years ended December 31, 2015 (excluding the change in accounting principle discussed previously) and 2014:

	2015			2014
	Expenses	Program Revenues	Net Change	Net Change
Net (expense) revenue				
Governmental activities				
General government	\$ 1,707,279	\$ 846,569	\$ (860,710)	\$ (721,503)
Public safety	2,339,712	1,140,713	(1,198,999)	(1,116,687)
Public works	2,294,511	1,585,634	(708,877)	264,569
Culture and recreation	884,040	330,755	(553,285)	(446,733)
Interest on long-term debt	120,935	—	(120,935)	(125,428)
Business-type activities				
Water	861,579	865,254	3,675	596,262
Sewer	1,053,816	1,081,062	27,246	808,005
Licensing	335,021	494,537	159,516	172,896
Liquor	5,247,190	5,591,242	344,052	446,249
Solid waste	341,994	331,054	(10,940)	(3,932)
Stormwater	171,579	401,946	230,367	395,238
Total net (expense) revenue	<u>\$ 15,357,656</u>	<u>\$ 12,668,766</u>	(2,688,890)	268,936
General revenues				
Property taxes			4,309,095	4,250,897
Franchise taxes			146,602	160,429
Unrestricted grants and contributions			20,553	35,619
Investment earnings			166,525	295,409
Other revenues			17,699	—
Total general revenues			<u>4,660,474</u>	<u>4,742,354</u>
Change in net position			<u>\$ 1,971,584</u>	<u>\$ 5,011,290</u>

One of the goals of this statement is to provide a side-by-side comparison to illustrate the difference in the way the City's governmental and business-type operations are financed. The table clearly illustrates the dependence of the City's governmental operations on general revenues, such as property taxes and unrestricted grants. It also shows that, for the most part, the City's business-type activities are generating sufficient program revenues (service charges and program-specific grants) to cover expenses. This is critical given the current downward pressures on the general revenue sources.

LEGISLATIVE UPDATES

Despite the 2015 legislative session beginning with a projected budget excess of \$1.87 billion for the 2016–2017 biennium, the most favorable budget forecast in over a decade, little was accomplished during the regular Legislative session due to partisan disagreement. The regular session adjourned without the Legislature bringing forth a number of significant funding bills, including the Omnibus Legacy Bill (funding for outdoor heritage, clean water, parks and trails, arts, and cultural heritage) and a bonding bill for capital projects. The Governor subsequently vetoed a number of other funding bills, including the Omnibus E–12 Education Bill due to the Legislature not addressing his demand for a universal preschool provision. Eventually, a one-day special session produced funding bills for E–12 education, jobs and energy, Legacy programs, environment and agriculture, and capital investment.

The following is a summary of recent legislation affecting Minnesota cities in 2015 and into the future:

Local Government Aid (LGA) – The Legislature completely overhauled the LGA formula for fiscal year 2014 and thereafter, creating a three-tiered formula that includes separate “need factor” calculations for cities with populations under 2,500, between 2,500 and 10,000, or over 10,000. The new formula simplified the LGA calculation, and reduced the volatility of the LGA distribution by limiting the amount it may decline in a given year. Beginning in 2015, any reduction to a city’s calculated LGA distribution will be limited to the lesser of \$10 per capita, or 5 percent of their previous year net tax levy. For cities that gain under the new formula, the increases will be distributed proportionate to their unmet need, as determined by the new “need factor” calculations. The state-wide LGA appropriation was \$516.9 million for fiscal 2015, and is \$519.4 million for fiscal 2016 and thereafter.

Sales Tax Exemption – Cities (both home-rule and statutory) were exempted from paying sales tax on qualifying purchases, effective for purchases made on or after January 1, 2014. Purchases of goods or services by an exempt local government for a publically provided liquor store, gas or electric utility, golf course, marina, campground, café, laundromat, solid waste hauling or recycling operation, or landfill will remain taxable.

The 2014 Legislature extended the definition of tax exempt local government to include all special district; city, county, or township instrumentalities; economic development authorities; housing and redevelopment authorities; and all joint power boards or organizations. However, the effective date of this expanded exemption list was delayed until January 1, 2017 by the 2015 Legislature.

Omnibus Bonding Bill – The Legislature approved a scaled-down Omnibus Bonding Bill during the special session, authorizing approximately \$370 million in capital improvements. Included in the funding approved was \$172.5 million for transportation infrastructure, \$23.5 million for flood hazard mitigation, \$10 million for Public Financing Agency (PFA) grants to municipalities for wastewater infrastructure, and \$1.5 million to the Metropolitan Council for inflow and infiltration improvement grants to metro area cities.

Legacy Funding – The Legacy bill included \$9.25 million annually to finance grants for city water infrastructure improvements through the PFA. It also included \$17.25 million annually to fund “SCORE” block grants to counties for recycling and waste reduction (a portion of which is passed through to cities) and \$1 million of annual funding for a new grant program to establish or improve recycling programs in non-metro area cities.

Broadband Initiative – The Omnibus Jobs and Energy Bill passed in the special session included \$10.6 million to finance the Border-to-Border Broadband Grant program, a one-time appropriation available until June 30, 2017.

Municipal State Aid Streets – Included in the Omnibus Transportation Bill were annual funding allocations for municipal state-aid streets of \$107.7 million for fiscal 2016 and \$178.1 million for fiscal 2017, which represents an increase of approximately \$41 million over the previous biennium.

Small Cities Assistance Account – A one-time appropriation of \$12.5 million was provided to create a new Small Cities Assistance Account to assist with construction and maintenance of roads located within eligible cities, defined as a statutory or home-rule charter city that does not receive municipal state aid street financing (generally those with a population under 5,000). The aid will be distributed to eligible cities biannually in each year funds are available based on the following formula: 5 percent equally to all eligible cities; 35 percent allocated proportionately on each city's share of lane miles to the total for all eligible cities; 35 percent allocated proportionately on each city's population to the total for all eligible cities; and 25 percent allocated proportionately on each city's state-aid adjustment factor to the total for all eligible cities.

Workforce Housing Grant Program – The Omnibus Jobs and Energy Bill included annual funding of \$2 million for fiscal 2016 and 2017 for a new Workforce Housing Grant Program. Eligible cities can use the grants to develop "market rate residential rental property" to serve employees of businesses located in the eligible project areas. The maximum grant award may not exceed 25 percent of the rental housing development project cost; and awards must be matched by a local unit of government, business, or nonprofit organization with \$1 for each \$2 of grant funding.

Automated License Plate Reader (ALPR) Policy – Law enforcement agencies that utilize ALPRs are required to establish policies governing their use that are consistent with statutory guidelines. The Legislature placed limitations on the type of data that can be collected using ALPRs, and clarified the circumstances under which that data is considered public or private. A limitation of 60 days was established for the retention of data collected by ALPR not related to an active criminal investigation. Standards were established for the sharing of ALPR data between law enforcement agencies.

Elections – The Elections Omnibus Bill made numerous changes to elections administration laws, including requirements for filing fees for statutory cities, ballot formatting and marking, absentee ballots, and election recounts.

Energy Conservation Measures – The Uniform Municipal Contracting Law was amended to add water metering devices that increase efficiency to the definition of energy conservation measures, enabling municipalities to enter into guaranteed energy savings contracts for the use of water metering devices.

Responsible Contractor Requirement – The "responsible contractor" law enacted by the 2014 Legislature became effective on January 1, 2015. Contractors who bid on public contracts in excess of \$50,000 are now required to certify that they are a "responsible bidder" in order to be awarded a contract as the lowest responsible bidder or best value alternative. The 2015 Legislature made several clarifications and modifications to the law, including: exempting design professionals and materials suppliers from the requirements; making motor carriers subject to the requirements and establishing a separate verification standard for them; excluding tax increment financing revenue from the value of a construction contract under the law; and allowing general contractors to submit bids without obtaining verification from all subcontractors that bid on the project (the successful prime contractor must submit a supplemental verification under oath prior to the execution of the contract).

Appraisal Requirements for Eminent Domain – Effective July 1, 2015, the appraisal requirements for the acquisition of property by eminent domain are changed to require the acquiring entity to obtain at least one appraisal for the property proposed to be acquired only if the acquisition value is greater than \$25,000. For acquisitions less than \$25,000, the acquiring entity may obtain a minimum damage acquisition report in lieu of an appraisal.

Firefighter Employment Provisions and Volunteer Benefits – The Omnibus Public Safety Finance and Policy Bill made a number of changes related to firefighters, including: allowing relief association dues as a voluntarily payroll deduction, allowing volunteer firefighters to be paid less frequently than every 31 days, requiring the licensure of all full-time firefighters by the State Board of Firefighter Training and Education, and expanding “continued employer health insurance benefits” to include dependents of volunteer firefighters killed in the line of duty.

Police and Firefighter Retirement Supplemental State Aid – The volunteer firefighter portion of the Police and Firefighter Retirement Supplemental State Aid Program was made permanent. The minimum obligation of municipalities to an associated relief association special fund is now reduced by the amount of both fire state aid and police and firefighter retirement supplemental state aid. Police and firefighter retirement supplemental state aid is also added to the calculation of the exception to municipal ratification requirement for lump-sum plans.

Pensions – A number of changes to the pension plans administered by the Public Employees Retirement Association (PERA) were adopted, effective June 30, 2015, including:

- The future interest rate actuarial assumption for the PERA General Plan and PERA Police and Fire Plan are changed from 8.5 percent to 8.0 percent for actuarial valuations prepared after June 30, 2015.
- The refund repayment interest rate and prior service credit purchase payment determination rate for the PERA General Plan and PERA Police and Fire Plan are also changed from 8.5 percent to 8.0 percent.
- The CPI-based post-retirement adjustment mechanism for the PERA Police and Fire Plan is replaced with a flat 2.5 percent increase when the plan reaches a 90 percent funding level.
- The contribution stabilizer mechanisms applicable to the PERA General Plan are revised, broadening the factors the plan’s Board of Trustees may consider before recommending an increase in the plan contribution rates.
- Definitions of salary, termination of service, allowable service, retirement, and volunteer firefighter were revised for all applicable PERA plans.
- Changes in eligibility, service pension levels, ancillary benefits, and service time calculations were made to the PERA Statewide Volunteer Firefighter Plan, lump sum retirement division. A change was also made to create a “monthly benefit retirement division” within this plan to facilitate the transfer of individual volunteer firefighter association monthly benefit plans to the statewide plan.
- A number of administrative language changes were made to complete the merger of the Minneapolis Employees Retirement Fund into the PERA General Plan, which was effective January 1, 2015.

ACCOUNTING AND AUDITING UPDATES

GASB STATEMENT NO. 72, *FAIR VALUE MEASURE AND APPLICATION*

The primary objective of this statement is to address accounting and financial reporting issues related to fair value measurements. Fair value is the price that would be received to sell an asset or paid to transfer a liability in an orderly transaction between market participants at the measurement date. This statement provides guidance for determining a fair value measurement for financial reporting purposes. It also provides guidance for applying fair value to certain investments and disclosures related to all fair value measurements.

This statement generally requires investments to be measured at fair value. An investment is defined as a security or other asset that (a) a government holds primarily for the purpose of income or profit and (b) has a present service capacity based solely on its ability to generate cash or to be sold to generate cash. This statement is effective for financial statements for fiscal years beginning after June 15, 2015. Earlier application is encouraged.

GASB STATEMENT NO. 73, *ACCOUNTING AND FINANCIAL REPORTING FOR PENSIONS AND RELATED ASSETS THAT ARE NOT WITHIN THE SCOPE OF GASB STATEMENT NO. 68, AND AMENDMENTS TO CERTAIN PROVISIONS OF GASB STATEMENTS 67 AND 68*

The objective of this statement is to improve the usefulness of information about pensions included in financial statements of state and local governments for making decisions and assessing accountability. This statement also clarifies the application of certain provisions of GASB Statement Nos. 67 and 68 regarding 10-year schedules of required supplementary information (RSI) and other recognition issues pertaining to employers and nonemployer contributing entities. These changes will improve financial reporting by establishing a single framework for the presentation of information about pensions, enhancing comparability for similar information reported by employers and nonemployer contributing entities.

The requirements of this statement that address accounting and financial reporting by employers and governmental nonemployer contributing entities for pensions not within the scope of GASB Statement No. 68 are effective for financial statements for fiscal years beginning after June 15, 2016, and the requirements of this statement that address financial reporting for assets accumulated for purposes of providing those pensions are effective for fiscal years beginning after June 15, 2015. The requirements of this statement for pension plans that are within the scope of GASB Statement No. 67 or for pensions that are within the scope of GASB Statement No. 68 are effective for fiscal years beginning after June 15, 2015. Earlier application is encouraged.

GASB STATEMENT NO. 74, *FINANCIAL REPORTING FOR POSTEMPLOYMENT BENEFIT PLANS OTHER THAN PENSION PLANS*

The objective of this statement is to improve the usefulness of information about post-employment benefits other than pensions (other post-employment benefits [OPEB]). This statement replaces GASB Statement Nos. 43 and 57. It also includes requirements for defined contribution OPEB plans that replace the requirements for those OPEB plans in GASB Statement Nos. 25, 43, and 50. GASB Statement No. 75, *Accounting and Financial Reporting for Postemployment Benefits Other Than Pensions*, establishes new accounting and financial reporting requirements for governments whose employees are provided with OPEB, as well as for certain nonemployer governments that have a legal obligation to provide financial support for OPEB provided to the employees of other entities.

This statement will improve financial reporting primarily through enhanced note disclosures and schedules of RSI that will be presented by OPEB plans administered through trusts meeting the specified criteria. The new information will enhance the decision-usefulness of the financial reports of those OPEB plans, their value for assessing accountability, and their transparency by providing information about measures of net OPEB liabilities and explanations of how and why those liabilities changed from year to year. The net OPEB liability information, including ratios, will offer an up-to-date indication of the extent to which the total OPEB liability is covered by the fiduciary net position of the OPEB plan. The comparability of the reported information for similar types of OPEB plans will be improved by the changes related to the attribution method used to determine the total OPEB liability. The contribution schedule will provide measures to evaluate decisions related to the assessment of contribution rates in comparison with actuarially determined rates, if such rates are determined. In addition, new information about rates of return on OPEB plan investments will inform financial report users about the effects of market conditions on the OPEB plan's assets over time and provide information for users to assess the relative success of the OPEB plan's investment strategy and the relative contribution that investment earnings provide to the OPEB plan's ability to pay benefits to plan members when they come due.

This statement is effective for financial statements for fiscal years beginning after June 15, 2016. Earlier application is encouraged.

GASB STATEMENT NO. 75, ACCOUNTING AND FINANCIAL REPORTING FOR POSTEMPLOYMENT BENEFITS OTHER THAN PENSIONS

The primary objective of this statement is to improve accounting and financial reporting by state and local governments for post-employment benefits other than pensions (OPEB). It also improves information provided by state and local governmental employers about financial support for OPEB that is provided by other entities. This statement replaces the requirements of GASB Statement Nos. 45 and 57. GASB Statement No. 74 establishes new accounting and financial reporting requirements for OPEB plans.

This statement establishes standards for recognizing and measuring liabilities, deferred outflows of resources, deferred inflows of resources, and expense/expenditures. For defined benefit OPEB, this statement identifies the methods and assumptions that are required to be used to project benefit payments, discount projected benefit payments to their actuarial present value, and attribute that present value to periods of employee service. Note disclosure and RSI requirements about defined benefit OPEB also are addressed. This statement is effective for fiscal years beginning after June 15, 2017. Earlier application is encouraged.

Similar to changes implemented for pensions, this statement requires the liability of employers and nonemployer contributing entities to employees for defined benefit OPEB (net OPEB liability) to be measured as the portion of the present value of projected benefit payments to be provided to current active and inactive employees that is attributed to those employees' past periods of service (total OPEB liability), less the amount of the OPEB plan's fiduciary net position.

GASB STATEMENT NO. 77, TAX ABATEMENT DISCLOSURES

This statement requires disclosure of tax abatement information about (1) a reporting government's own tax abatement agreements, and (2) those that are entered into by other governments and that reduce the reporting government's tax revenues. Tax abatements are widely used by state and local governments, particularly to encourage economic development. For financial reporting purposes, this statement defines a tax abatement as resulting from an agreement between a government and an individual or entity in which the government promises to forgo tax revenues and the individual or entity promises to subsequently take a specific action that contributes to economic development or otherwise benefits the government or its citizens.

The requirements of this statement improve financial reporting by giving users of financial statements essential information that is not consistently or comprehensively reported to the public at present. Disclosure of information about the nature and magnitude of tax abatements will make these transactions more transparent to financial statement users. As a result, users will be better equipped to understand (1) how tax abatements affect a government's future ability to raise resources and meet its financial obligations, and (2) the impact those abatements have on a government's financial position and economic condition. The requirements of this statement are effective for financial statements for periods beginning after December 15, 2015. Earlier application is encouraged.

GASB STATEMENT NO. 78, *PENSIONS PROVIDED THROUGH CERTAIN MULTIPLE-EMPLOYER DEFINED BENEFIT PENSION PLANS*

The objective of this statement is to address a practice issue regarding the scope and applicability of Statement No. 68, *Accounting and Financial Reporting for Pensions—an amendment of GASB Statement No. 27*. This issue is associated with pensions provided through certain multiple-employer defined benefit pension plans and to state or local governmental employers whose employees are provided with such pensions. Prior to the issuance of this statement, the requirements of GASB Statement No. 68 applied to the financial statements of all state and local governmental employers whose employees are provided with pensions through pension plans that are administered through trusts that meet the criteria in paragraph 4 of GASB Statement No. 68.

This statement amends the scope and applicability of GASB Statement No. 68 to exclude pensions provided to employees of state or local governmental employers through a cost-sharing multiple-employer defined benefit pension plan that (1) is not a state or local governmental pension plan, (2) is used to provide defined benefit pensions both to employees of state or local governmental employers and to employees of employers that are not state or local governmental employers, and (3) has no predominant state or local governmental employer (either individually or collectively with other state or local governmental employers that provide pensions through the pension plan). This statement establishes requirements for recognition and measurement of pension expense, expenditures, and liabilities; note disclosures; and RSI for pensions that have the characteristics described above. The requirements of this statement are effective for reporting periods beginning after December 15, 2015. Early application is encouraged.

GASB STATEMENT NO. 79, *CERTAIN EXTERNAL INVESTMENT POOLS AND POOL PARTICIPANTS*

This statement establishes criteria for an external investment pool to qualify for making the election to measure all of its investments at amortized cost for financial reporting purposes. An external investment pool qualifies for that reporting if it meets all of the applicable criteria established in this Statement. The specific criteria address (1) how the external investment pool transacts with participants; (2) requirements for portfolio maturity, quality, diversification, and liquidity; and (3) calculation and requirements of a shadow price. Significant noncompliance prevents the external investment pool from measuring all of its investments at amortized cost for financial reporting purposes. If an external investment pool meets the criteria in this statement and measures all of its investments at amortized cost, the pool's participants also should measure their investments in that external investment pool at amortized cost for financial reporting purposes. If an external investment pool does not meet the criteria in this Statement, the pool's participants should measure their investments in that pool at fair value.

This Statement establishes additional note disclosure requirements for qualifying external investment pools that measure all of their investments at amortized cost for financial reporting purposes and for governments that participate in those pools. Those disclosures for both the qualifying external investment pools and their participants include information about any limitations or restrictions on participant withdrawals. The requirements of this Statement are effective for reporting periods beginning after June 15, 2015, except for certain provisions on portfolio quality, custodial credit risk, and shadow pricing. Those provisions are effective for reporting periods beginning after December 15, 2015. Earlier application is encouraged.

GASB STATEMENT NO. 80, *BLENDING REQUIREMENTS FOR CERTAIN COMPONENT UNITS*—AN AMENDMENT OF GASB STATEMENT NO. 14

The objective of this statement is to clarify the financial statement presentation requirements for certain component units. This statement amends the blending requirements for the financial statement presentation of component units of all state and local governments. The additional criterion requires blending of a component unit incorporated as a not-for-profit corporation in which the primary government is the sole corporate member. The additional criterion does not apply to component units included in the financial reporting entity pursuant to the provisions of GASB Statement No. 39, *Determining Whether Certain Organizations Are Component Units—an amendment of GASB Statement No. 14*. The requirements of this statement are effective for reporting periods beginning after June 15, 2016. Earlier application is encouraged.

CHANGES TO REQUIREMENTS FOR FEDERAL GRANTS

In December 2013, the U.S. Office of Management and Budget Circular (OMB) released final guidance on administrative requirements, cost principles, and audit requirements for federal awards. The final guidance, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (“Uniform Guidance”), supersedes and streamlines eight existing OMB Circulars into one document that includes OMB Circulars A-21, A-87, A-89, A-102, A-110, A-122, A-133, and the guidance in OMB Circular A-50 on Single Audit Act follow-up.

The Uniform Guidance, which is located in Title 2 of the Code of Federal Regulations (CFR), consolidates previous guidance into a streamlined format that aims to improve both its clarity and accessibility, lessen administrative burdens for federal award recipients, and reduce the risk of waste, fraud, and abuse.

The Following is a Summary of Significant Changes for Grant Recipients:

- Changes time and effort documentation requirements by providing possibilities for alternative methods of accounting for salaries and wages based on achievement of performance outcomes.
- Non-federal entities must have a financial management system that includes, but is not limited to: a comparison of expenditures with budget amounts for each federal award, written procedures to implement the requirements of cash management, and written procedures for determining the allowability of costs in accordance with Subpart E – Cost Principles.
- Governments must comply with the new general procurement standards which include, but are not limited to: written standards covering conflicts of interest of employees engaged in the selection, award, and administration of contracts and documented procurement procedures that include an analysis of lease versus purchase alternatives when appropriate.
- Governments will now be required to follow the five procurement methods which include, at times, more restrictive compliance requirements than Minnesota Statutes. For example: small purchases (over \$3,000 prior to October 1, 2015 and over \$3,500 after October 1, 2015) will require quotes.
- There are new requirements for governments with subrecipients (or those making subawards), which include, but are not limited to: a required written risk assessment of each subrecipient, which may require you to provide training and on-site reviews of their program operations.
- For governments with subrecipients or those that operate as a fiscal host of a federal grant award and thus provide subawards, payments must be made in advance to the subrecipients, unless certain requirements are not met, then the reimbursement method can be used.

Among Other Matters Specifically Applicable to Auditors, Changes to the Uniform Guidance Include:

- Raising both the threshold that triggers a Single Audit and the threshold for Type A/B program determination to \$750,000.
- Changing the high-risk program criteria for Type A programs.
- Reducing the number of high-risk Type B programs that must be tested as major programs.
- Revising the Type B small program floor.
- Reducing the percentage of coverage requirement to 40 percent for normal auditees and 20 percent for low-risk auditees.
- Revising the criteria for low-risk auditee status.
- Increasing the threshold for reporting findings to \$25,000 in questioned costs and requiring more detailed information to be reported.

Effective Dates:

Year beginning January 1, 2015 –

- All administrative requirements and cost principles will apply to new awards made after December 26, 2014.
- Governmental entities are required to comply with the Uniform Guidance once the new regulations are in effect at the Federal government level (December 26, 2014).
- Any funding drawdowns made after January 1, 2015 must comply with the Uniform Guidance.
- Must document whether the entity is in compliance with the old or new procurement standards listed in Subpart D, Sections 200.317–200.326. The federal government has provided a two-year grace period for implementing the new procurement standards.

Year beginning January 1, 2016 –

- All administrative requirements and cost principles will apply to new awards made after December 26, 2014.
- Subpart F – Audit Requirements are applicable.

Year beginning January 1, 2017 –

- Must have implemented the new procurement standards of the Uniform Guidance, if the government initially elected the two-year grace beginning January 1, 2015.
- At this point, all of the new Uniform Guidance at Title 2 CFR 200 is applicable.

Recommended Action Items:

We recommend that award recipients familiarize themselves with the new requirements contained in the Uniform Guidance and develop a plan to become compliant with the new regulations.

Consider the following –

- Attend training on the new uniform administrative requirements.
- Identify needed policy and procedure changes, especially in the areas of:
 - o Financial management
 - o Payment
 - o Procurement
 - o Compensation
 - o Travel costs
- Identify internal controls that might need to be established or modified.
- Determine who within your organization is responsible for each action item.
- Determine the timing of each action item.
- Determine when you will implement the new procurement standards and document in writing.

CITY OF WAYZATA
HENNEPIN COUNTY, MINNESOTA

Special Purpose Audit Reports

Year Ended
December 31, 2015

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CITY OF WAYZATA

Special Purpose Audit Reports
Year Ended December 31, 2015

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INDEPENDENT AUDITOR'S REPORT ON INTERNAL CONTROL
OVER FINANCIAL REPORTING AND ON COMPLIANCE AND OTHER MATTERS
BASED ON AN AUDIT OF FINANCIAL STATEMENTS PERFORMED IN
ACCORDANCE WITH GOVERNMENT AUDITING STANDARDS

To the City Council and Management
City of Wayzata, Minnesota

We have audited, in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States, the financial statements of the governmental activities, the business-type activities, the discretely presented component unit, each major fund, and the aggregate remaining fund information of the City of Wayzata, Minnesota (the City) as of and for the year ended December 31, 2015, and the related notes to the financial statements, which collectively comprise the City's basic financial statements, and have issued our report thereon dated April 27, 2016.

INTERNAL CONTROL OVER FINANCIAL REPORTING

In planning and performing our audit of the financial statements, we considered the City's internal control over financial reporting (internal control) to determine the audit procedures that are appropriate in the circumstances for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the City's internal control. Accordingly, we do not express an opinion on the effectiveness of the City's internal control.

A deficiency in internal control exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, misstatements on a timely basis. A material weakness is a deficiency, or combination of deficiencies, in internal control such that there is a reasonable possibility that a material misstatement of the City's financial statements will not be prevented, or detected and corrected, on a timely basis. A significant deficiency is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies and, therefore, material weaknesses or significant deficiencies may exist that were not identified. We did identify one deficiency in internal control, described in the accompanying Schedule of Findings as item 2015-001, that we consider to be a material weakness.

(continued)

COMPLIANCE AND OTHER MATTERS

As part of obtaining reasonable assurance about whether the City's financial statements are free from material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit and, accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

CITY'S RESPONSE TO FINDING

The City's response to the finding identified in our audit is described in the accompanying Schedule of Findings. The City's response was not subjected to the auditing procedures applied in the audit of the financial statements and, accordingly, we express no opinion on it.

PURPOSE OF THIS REPORT

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the City's internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the City's internal control and compliance. Accordingly, this report is not suitable for any other purpose.

Malloy, Montague, Karnowski, Radosevich & Co., P. A.

Minneapolis, Minnesota
April 27, 2016

INDEPENDENT AUDITOR'S REPORT ON
MINNESOTA LEGAL COMPLIANCE

To the City Council and Management
City of Wayzata, Minnesota

We have audited, in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States, the financial statements of the governmental activities, the business-type activities, the discretely presented component unit, each major fund, and the aggregate remaining fund information of the City of Wayzata, Minnesota (the City) as of and for the year ended December 31, 2015, and the related notes to the financial statements, which collectively comprise the City's basic financial statements, and have issued our report thereon dated April 27, 2016.

MINNESOTA LEGAL COMPLIANCE

The *Minnesota Legal Compliance Audit Guide for Cities*, promulgated by the Office of the State Auditor pursuant to Minnesota Statute § 6.65, contains seven categories of compliance to be tested: contracting and bidding, deposits and investments, conflicts of interest, public indebtedness, claims and disbursements, miscellaneous provisions, and tax increment financing. Our audit considered all of the listed categories.

In connection with our audit, nothing came to our attention that caused us to believe that the City failed to comply with the provisions of the *Minnesota Legal Compliance Audit Guide for Cities*, except as described in the Schedule of Findings as items 2015-002 and 2015-003. However, our audit was not directed primarily toward obtaining knowledge of such noncompliance. Accordingly, had we performed additional procedures, other matters may have come to our attention regarding the City's noncompliance with the above referenced provisions.

CITY'S RESPONSES TO FINDINGS

The City's responses to the legal compliance findings identified in our audit have been included in the Schedule of Findings. The City's responses were not subject to the auditing procedures applied in our audit of the financial statements and, accordingly, we express no opinion on them.

PURPOSE OF THIS REPORT

The purpose of this report is solely to describe the scope of our testing of compliance and the results of that testing, and not to provide an opinion on compliance. Accordingly, this report is not suitable for any other purpose.

Malloy, Montague, Karnowski, Radosevich & Co., P.A.

Minneapolis, Minnesota
April 27, 2016

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CITY OF WAYZATA

Schedule of Findings
Year Ended December 31, 2015

A. FINDINGS – MATERIAL WEAKNESS IN INTERNAL CONTROL OVER FINANCIAL REPORTING

2015-001 SEGREGATION OF DUTIES

Criteria – Internal control over financial reporting.

Condition – The City of Wayzata, Minnesota (the City) has limited segregation of duties in a number of areas, including controls over cash disbursements, investments, and payroll.

Context – This is a current year and prior year finding.

Cause – The limited segregation of duties is primarily caused by the limited size of the City's business office staff.

Effect – One important element of internal accounting controls is an adequate segregation of duties such that no individual has responsibility to execute a transaction, have physical access to the related assets, and have responsibility or authority to record the transaction. A lack of segregation of duties subjects the City to a higher risk that errors or fraud could occur and not be detected in a timely manner in the normal course of business.

Recommendation – We recommend that the City continue to segregate duties as best it can within the limits of what the City considers to be cost beneficial.

Management Response – There is no disagreement with the audit finding. The City reviews and makes improvements to its internal control structure on an ongoing basis and attempts to maximize the segregation of duties in all areas within the limits of the staff available. However, the City does not consider it cost beneficial at this time to increase the size of its staff in order to further segregate accounting functions.

B. FINDINGS – MINNESOTA LEGAL COMPLIANCE AUDIT

2015-002 WITHHOLDING AFFIDAVIT

Criteria – Minnesota Statute § 270C.66.

Condition – Before making final settlement with any contractor under a contract requiring the employment of employees for wages by said contractor or subcontractors, the City must obtain a certificate by the Commissioner of Revenue that the contractor or subcontractor has complied with the withholding requirements of Minnesota Statute § 290.92 (either a Commissioner of Revenue Form IC-134 or a Contractor's Withholding Affidavit). The City did not obtain the required certificate for one contract completed in 2015 prior to the final settlement being paid.

Context – One of two contracts tested was not in compliance. This is a current year finding.

CITY OF WAYZATA

Schedule of Findings (continued)
Year Ended December 31, 2015

B. FINDINGS – MINNESOTA LEGAL COMPLIANCE AUDIT (CONTINUED)

2015-002 WITHHOLDING AFFIDAVIT (CONTINUED)

Cause – This was an oversight by city personnel.

Effect – The City did not obtain the required documentation of either a Contractor's Withholding Affidavit or Commissioner of Revenue Form IC-134 until after the final settlement had been paid to the contractor.

Recommendation – We recommend that the City review purchasing procedures and obtain the required documentation prior to making the final payment on future contracts.

Management Response – There is no disagreement with the finding. The City's staff will review procedures and obtain the required Contractor's Withholding Affidavit or the Commissioner of Revenue Form IC-134 prior to final settlement for all future contracts.

2015-003 PAYMENT OF INVOICES

Criteria – Minnesota Statute § 471.425, Subd. 2.

Condition – Minnesota Statute requires prompt payment of local government bills within a standard payment period of 35 days from the receipt of goods and services for governing boards that meet at least once a month. One disbursement tested was not paid within the statutory time limit.

Context – One of twenty-five disbursements tested was not in compliance. This is a current year finding.

Cause – This was an oversight by city personnel.

Effect – Certain payments made to vendors were not paid within the timeframe as required by state statute.

Recommendation – We recommend that the City review current procedures in place to ensure that all invoices are paid within statutory requirements.

Management Response – There is no disagreement with the finding. The City will review its procedures in place to ensure future compliance with the statute.

CITY OF WAYZATA
WAYZATA, MINNESOTA
ANNUAL FINANCIAL REPORT
FOR THE YEAR ENDED
DECEMBER 31, 2015

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INTRODUCTORY SECTION

CITY OF WAYZATA
WAYZATA, MINNESOTA

FOR THE YEAR ENDED
DECEMBER 31, 2015

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CITY OF WAYZATA, MINNESOTA
ELECTED AND APPOINTED OFFICIALS
FOR THE YEAR ENDED DECEMBER 31, 2015

ELECTED

<u>Name</u>	<u>Title</u>	<u>Term Expires</u>
Kenneth Willcox	Mayor	12/31/16
Bridget Anderson	Council Member	12/31/16
Johanna McCarthy	Council Member	12/31/18
Andrew Mullin	Council Member	12/31/16
Steven Tyacke	Council Member	12/31/18

APPOINTED

<u>Name</u>	<u>Title</u>
Vacant at 12/31/15	City Manager
Kathy Ovshak	Senior Accountant

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FINANCIAL SECTION
CITY OF WAYZATA
WAYZATA, MINNESOTA

FOR THE YEAR ENDED
DECEMBER 31, 2015

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INDEPENDENT AUDITOR'S REPORT

To the City Council and Management
City of Wayzata, Minnesota

REPORT ON THE FINANCIAL STATEMENTS

We have audited the accompanying financial statements of the governmental activities, the business-type activities, the discretely presented component unit, each major fund, and the aggregate remaining fund information of the City of Wayzata, Minnesota (the City) as of and for the year ended December 31, 2015, and the related notes to the basic financial statements, which collectively comprise the City's basic financial statements as listed in the table of contents.

MANAGEMENT'S RESPONSIBILITY FOR THE FINANCIAL STATEMENTS

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

AUDITOR'S RESPONSIBILITY

Our responsibility is to express opinions on these financial statements based on our audit. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the City's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the City's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

(continued)

OPINIONS

In our opinion, the financial statements referred to on the previous page present fairly, in all material respects, the respective financial position of the governmental activities, the business-type activities, the discretely presented component unit, each major fund, and the aggregate remaining fund information of the City as of December 31, 2015, and the respective changes in financial position and, where applicable, cash flows thereof, and the budgetary comparison for the General Fund for the year then ended, in accordance with accounting principles generally accepted in the United States of America.

EMPHASIS OF MATTER

As described in Note 10 of the notes to basic financial statements, the City has implemented Governmental Accounting Standards Board (GASB) Statement No. 68, *Accounting and Financial Reporting for Pensions—an amendment of GASB Statement No. 27*, and GASB Statement No. 71, *Pension Transition for Contributions Made Subsequent to the Measurement Date—an amendment of GASB Statement No. 68*, during the year ended December 31, 2015. Our opinion is not modified with respect to this matter.

OTHER MATTERS

Required Supplementary Information

Accounting principles generally accepted in the United States of America require that the Management's Discussion and Analysis and the required supplementary information (RSI), as listed in the table of contents, be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the GASB who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the RSI in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

Other Information

Our audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise the City's basic financial statements. The introductory section, combining and individual fund financial statements and schedules, and supplementary information, as listed in the table of contents, are presented for purposes of additional analysis and are not required parts of the basic financial statements.

The combining and individual fund financial statements and schedules are the responsibility of management and were derived from and relate directly to the underlying accounting and other records used to prepare the basic financial statements. Such information has been subjected to the auditing procedures applied in the audit of the basic financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the basic financial statements or to the basic financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the combining and individual fund financial statements and schedules are fairly stated, in all material respects, in relation to the basic financial statements as a whole.

The introductory section and supplementary information have not been subjected to the auditing procedures applied in the audit of the basic financial statements and, accordingly, we do not express an opinion or provide any assurance on them.

(continued)

PRIOR YEAR COMPARATIVE INFORMATION

We have previously audited the City's 2014 financial statements, and we expressed unmodified audit opinions on the respective financial statements of the governmental activities, the business-type activities, the discretely presented component unit, each major fund, and the aggregate remaining fund information in our report dated May 8, 2015. In our opinion, the partial comparative information presented herein as of and for the year ended December 31, 2014 is consistent, in all material respects, with the audited financial statements from which it has been derived.

OTHER REPORTING REQUIRED BY GOVERNMENT AUDITING STANDARDS

In accordance with *Government Auditing Standards*, we have also issued our report dated April 27, 2016 on our consideration of the City's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, grant agreements, and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the City's internal control over financial reporting and compliance.

Malloy, Montague, Karnowski, Radosevich & Co., P. A.

Minneapolis, Minnesota
April 27, 2016

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Management's Discussion and Analysis

As management of the City of Wayzata, Minnesota, (the City), we offer readers of the City's financial statements this narrative overview and analysis of the financial activities of the City for the fiscal year ended December 31, 2015.

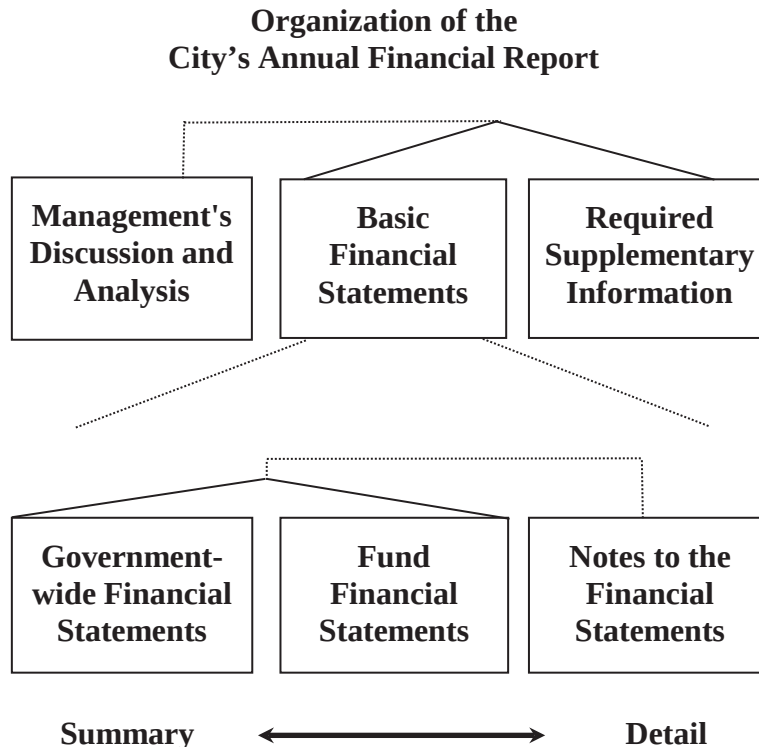
Financial Highlights - Primary Government

- The assets and deferred outflows of the City exceeded its liabilities and deferred inflows at the close of the most recent fiscal year by \$57,458,642 (net position). Of this amount, \$11,113,540 (unrestricted net position) may be used to meet the City's ongoing obligations to citizens and creditors.
- A decrease of \$3,935,842 to beginning net position was recognized due to recognition of long-term pension liabilities and related amounts in accordance with GASB Statement No. 68.
- The City's total net position increased by \$1,971,584. This was primarily a result of the combining factors: combined capital contributions of approximately \$1,887,000 for the governmental and business-type activities, roughly \$328,000 more in revenues than expected for nonbusiness licenses and permits and plan check fees, and approximately \$372,854 in income for the enterprise funds prior to any capital contributions or transfers.
- As of the close of the current fiscal year, the City's governmental funds reported combined ending fund balances of \$11,147,046, a decrease of \$512,618 in comparison with the prior year. Approximately 20.3 percent of this total amount, \$2,261,470 is available for spending at the City's discretion (unassigned fund balance).
- At the end of the current fiscal year, unassigned fund balance for the General fund was \$2,261,470 or 38.3 percent of total General fund 2015 expenditures and transfers out.
- The City's total noncurrent liabilities increased \$3,045,928 or 22.1 percent during the current fiscal year. This was primarily a result of implementing GASB Statement No. 68.

Overview of the Financial Statements

This discussion and analysis is intended to serve as an introduction to the City's basic financial statements. The City's basic financial statements comprise three components: 1) government-wide financial statements, 2) fund financial statements, and 3) notes to the financial statements. This report also contains other supplemental information in addition to the basic financial statements themselves.

The following chart shows how the required parts of this annual report are arranged and relate to one another. In addition to these required elements, we have included a section with combining and individual fund financial statements and schedules that provide details about nonmajor governmental funds, which are added together and presented in single columns in the basic financial statements.



The following chart summarizes the major features of the City's financial statements, including the portion of the City government they cover and the types of information they contain. The remainder of this overview section of management's discussion and analysis explains the structure and contents of each of the statements.

Major features of the Government-wide and Fund Financial Statements

	Government-wide Statements	Fund Financial Statements		
		Governmental Funds	Proprietary Funds	Fiduciary Funds
Scope	Entire City government (except fiduciary funds) and the City's component units	The activities of the City that are not proprietary or fiduciary, such as police, fire and parks	Activities the City operates similar to private businesses, such as the water and sewer system	Instances in which the City administers resources on behalf of someone else, such as developers
Required financial statements	- Statement of Net Position - Statement of Activities	- Balance Sheet - Statement of Revenues, Expenditures and Changes in Fund Balances	- Statements of Net Position - Statements of Revenues, Expenses and Changes in Fund Net Position - Statements of Cash Flows	Statement of fiduciary net position
Accounting Basis and measurement focus	Accrual accounting and economic resources focus	Modified accrual accounting and current financial resources focus	Accrual accounting and economic resources focus	Modified accrual accounting and no measurement focus
Type of asset/liability information	All assets and liabilities, both financial and capital, and short-term and long-term	Only assets expected to be used up and liabilities that come due during the year or soon thereafter; no capital assets included	All assets and liabilities, both financial and capital, and short-term and long-term	Only assets expected to be used up and liabilities that come due during the year or soon thereafter; no capital assets included
Type of deferred outflows/inflows of resources information	All deferred outflows/inflows of resources, regardless of when cash is received or paid	Only deferred outflows of resources expected to be used up and deferred inflows of resources that come due during the year or soon thereafter	All deferred outflows/inflows of resources, regardless of when cash is received or paid	None currently identified
Type of inflow/out flow information	All revenues and expenses during year, regardless of when cash is received or paid	Revenues for which cash is received during or soon after the end of the year; expenditures when goods or services have been received and the related liability is due and payable	All revenues and expenses during the year, regardless of when cash is received or paid	All additions and deductions during the year, regardless of when cash is received or paid

Government-wide financial statements. The *government-wide financial statements* are designed to provide readers with a broad overview of the City's finances, in a manner similar to a private-sector business.

The *statement of net position* presents information on all of the City's assets, deferred outflows, liabilities, and deferred inflows with the difference reported as *net position*. Over time, increases or decreases in net position may serve as a useful indicator of whether the financial position of the City is improving or deteriorating.

The *statement of activities* presents information showing how the City's net position changed during the most recent fiscal year. All changes in net position are reported as soon as the underlying event giving rise to the change occurs, *regardless of the timing of related cash flows*. Thus, revenues and expenses are reported in this statement for some items that will only result in cash flows in future fiscal periods (e.g., uncollected taxes and earned but unused vacation leave).

Both of the government-wide financial statements distinguish functions of the City that are principally supported by taxes and intergovernmental revenue (*governmental activities*) from other functions that are intended to recover all or a significant portion of their costs through user fees and charges (*business-type activities*). The governmental activities of the City include general government, public safety, public works, culture and recreation, and interest on long-term debt. The business-type activities of the City include water, sewer, licensing, liquor, solid waste, and stormwater.

The government-wide financial statements include not only the City itself (known as the primary government), but also a legally separate Housing and Redevelopment Authority (HRA) for which the City is financially accountable. The HRA has been reported as a discretely presented component unit and does not prepare separate financial statements.

The government-wide financial statements start on page 29 of this report.

Fund financial statements. A *fund* is a grouping of related accounts that is used to maintain control over resources that have been segregated for specific activities or objectives. The City, like other state and local governments, uses fund accounting to ensure and demonstrate compliance with finance-related legal requirements. All of the funds of the City can be divided into three categories: governmental funds, proprietary funds, and the fiduciary fund.

Governmental funds. *Governmental funds* are used to account for essentially the same functions reported as *governmental activities* in the government-wide financial statements. However, unlike the government-wide financial statements, governmental fund financial statements focus on *near-term inflows and outflows of spendable resources*, as well as on *balances of spendable resources* available at the end of the fiscal year. Such information may be useful in evaluating a City's near-term financing requirements.

Because the focus of governmental funds is narrower than that of the government-wide financial statements, it is useful to compare the information presented for *governmental funds* with similar information presented for *governmental activities* in the government-wide financial statements. By doing so, readers may better understand the long-term impact by the government's near-term financing decisions. Both the governmental fund balance sheet and the governmental fund statement of revenues, expenditures and changes in fund balances provide a reconciliation to facilitate this comparison between *governmental funds* and *governmental activities*.

The City maintains 17 individual governmental funds, three of which are Debt Service funds. The HRA maintains 3 individual governmental funds. Information is presented separately in the City's governmental fund balance sheet and governmental fund statement of revenues, expenditures and changes in fund balances for the General, Debt Service, and Street Improvement Capital Project funds, all of which are considered to be major funds. Data from the City's other governmental funds are combined into a single, aggregated presentation. Individual fund data for each of the City's nonmajor governmental funds as well as the HRA's individual governmental funds is provided in the form of *combining statements or schedules* elsewhere in this report.

The City adopts an annual appropriated budget for its General fund. A budgetary comparison statement has been provided for the General fund to demonstrate compliance with this budget.

The basic governmental fund financial statements start on page 34 of this report.

Proprietary funds. The City maintains one type of proprietary fund. *Enterprise funds* are used to report the same functions presented as *business-type activities* in the government-wide financial statements. The City uses enterprise funds to account for its water, sewer, licensing, liquor, solid waste, and stormwater operations.

Proprietary funds provide the same type of information as the government-wide financial statements, only in more detail. The proprietary fund financial statements provide separate information for each of the enterprise funds, all of which are considered to be major funds of the City.

The basic proprietary fund financial statements start on page 40 of this report.

Fiduciary fund. The fiduciary fund is used to account for resources held for the benefit of parties outside the City. The fiduciary fund is *not* reflected in the government-wide financial statements because the resources of this fund are not available to support the City's own programs.

The basic fiduciary fund financial statement can be found on page 50 of this report.

Notes to the financial statements. The notes provide additional information that is essential to a full understanding of the data provided in the government-wide and fund financial statements. The notes to the financial statements start on page 51 of this report.

Other information. In addition to the basic financial statements and accompanying notes, this report also presents *required supplementary information* concerning the City's progress in funding its obligation to provide pension and OPEB benefits to its employees. Required supplementary information can be found starting on page 80 of this report.

The combining statements referred to earlier in connection with nonmajor governmental funds and the discretely presented component unit are presented following the notes to the financial statements. Combining and individual fund statements and schedules start on page 84 of this report.

Government-wide Financial Analysis

As noted earlier, net position may serve over time as a useful indicator of a government's financial position. In the case of the City, assets and deferred outflows exceeded liabilities and deferred inflows by \$57,458,642 at the close of the most recent fiscal year.

By far, the largest portion of the City's net position (70.7 percent) reflects its investment in capital assets (e.g., land, buildings, machinery and equipment); less any related debt used to acquire those assets that is still outstanding. The City uses these capital assets to provide services to citizens; consequently, these assets are not available for future spending. Although the City's investment in its capital assets is reported net of related debt, it should be noted that the resources needed to repay this debt must be provided from other sources, since the capital assets themselves cannot be used to liquidate these liabilities.

City of Wayzata's Summary of Net Position

	Governmental Activities			Business-type Activities		
	2015	2014	Increase (Decrease)	2015	2014	Increase (Decrease)
Assets						
Current and other assets	\$ 14,183,030	\$ 14,563,140	\$ (380,110)	\$ 8,016,451	\$ 8,672,535	\$ (656,084)
Capital assets, net of depreciation	33,214,462	31,436,532	1,777,930	19,897,456	18,998,736	898,720
Total assets	47,397,492	45,999,672	1,397,820	27,913,907	27,671,271	242,636
Deferred Outflows of Resources						
Deferred pension resources	437,407	-	437,407	164,994	-	164,994
Liabilities						
Noncurrent liabilities outstanding	6,984,931	5,023,618	1,961,313	9,839,926	8,755,311	1,084,615
Other liabilities	591,111	318,207	272,904	220,969	150,907	70,062
Total liabilities	7,576,042	5,341,825	2,234,217	10,060,895	8,906,218	1,154,677
Deferred Inflows of Resources						
Deferred pension resources	577,883	-	577,883	240,338	-	240,338
Net position						
Net investment in capital assets	28,962,215	26,856,168	2,106,047	11,674,924	10,422,166	1,252,758
Restricted	3,888,882	4,181,523	(292,641)	1,819,081	1,906,774	(87,693)
Unrestricted	6,829,877	9,620,156	(2,790,279)	4,283,663	6,436,113	(2,152,450)
Total net position	\$ 39,680,974	\$ 40,657,847	\$ (976,873)	\$ 17,777,668	\$ 18,765,053	\$ (987,385)

An additional portion of the City's net position, \$5,707,963, represents resources that are subject to external restrictions on how they may be used. The remaining balance of *unrestricted net position* \$11,113,540 may be used to meet the City's ongoing obligations to citizens and creditors.

At the end of the current fiscal year, the City is able to report positive balances in all three categories of net position, both for the City as a whole, as well as for its separate governmental and business-type activities.

Governmental activities. Governmental activities increased the City's net position by \$1,447,360, thereby accounting 73.4 percent of the total growth in net position of the City. Significant changes from the prior year are noted below:

City of Wayzata's Changes in Net Position

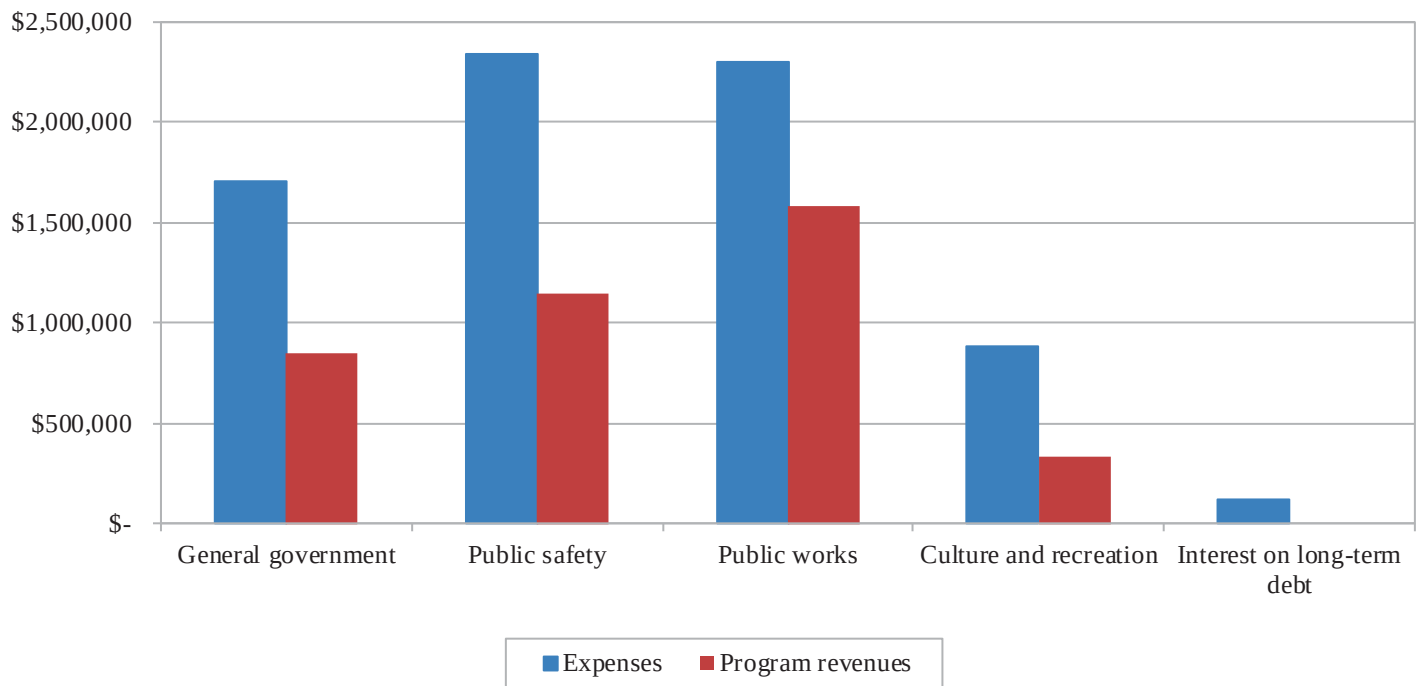
	Governmental Activities			Business-type Activities		
	2015	2014	Increase (Decrease)	2015	2014	Increase (Decrease)
Revenues						
Program revenues						
Charges for services	\$ 2,217,381	\$ 2,203,507	\$ 13,874	\$ 8,308,606	\$ 8,290,723	\$ 17,883
Operating grants and contributions	243,888	278,520	(34,632)	11,846	10,061	1,785
Capital grants and contributions	1,442,402	1,861,723	(419,321)	444,643	1,763,281	(1,318,638)
General revenues						
Taxes						
Property taxes	4,309,095	4,250,897	58,198	-	-	-
Franchise fees	146,602	160,429	(13,827)	-	-	-
Grants and contributions not restricted to specific programs	20,553	35,619	(15,066)	-	-	-
Unrestricted investment earnings	102,944	176,439	(73,495)	63,581	118,970	(55,389)
Gain on sale of capital assets	17,699	-	17,699	-	-	-
Total revenues	8,500,564	8,967,134	(466,570)	8,828,676	10,183,035	(1,354,359)
Expenses						
General government	1,707,279	1,520,619	186,660	-	-	-
Public safety	2,339,712	2,304,603	35,109	-	-	-
Public works	2,294,511	1,948,675	345,836	-	-	-
Culture and recreation	884,040	590,207	293,833	-	-	-
Interest on long-term debt	120,935	125,428	(4,493)	-	-	-
Water	-	-	-	861,579	838,924	22,655
Sewer	-	-	-	1,053,816	902,020	151,796
Licensing	-	-	-	335,021	275,010	60,011
Liquor	-	-	-	5,247,190	5,148,997	98,193
Solid waste	-	-	-	341,994	327,848	14,146
Stormwater	-	-	-	171,579	156,548	15,031
Total expenses	7,346,477	6,489,532	856,945	8,011,179	7,649,347	361,832
Changes in net position before transfers	1,154,087	2,477,602	(1,323,515)	817,497	2,533,688	(1,716,191)
Transfers - capital assets	(129,427)	-	(129,427)	129,427	-	129,427
Transfers - internal activities	422,700	596,564	(173,864)	(422,700)	(596,564)	173,864
Change in net position	1,447,360	3,074,166	(1,626,806)	524,224	1,937,124	(1,412,900)
Net position, January 1 (restated *)	38,233,614	37,583,681	649,933	17,253,444	16,827,929	425,515
Net position, December 31	<u>\$ 39,680,974</u>	<u>\$ 40,657,847</u>	<u>\$ (976,873)</u>	<u>\$ 17,777,668</u>	<u>\$ 18,765,053</u>	<u>\$ (987,385)</u>

* GASB Statement No. 68 was implemented for the year ended December 31, 2015 and a required \$3,935,842 restatement of beginning net position was recorded. Prior year amounts were not restated causing a variance in ending net position at December 31, 2014 and beginning net position on January 1, 2015. See Note 10.

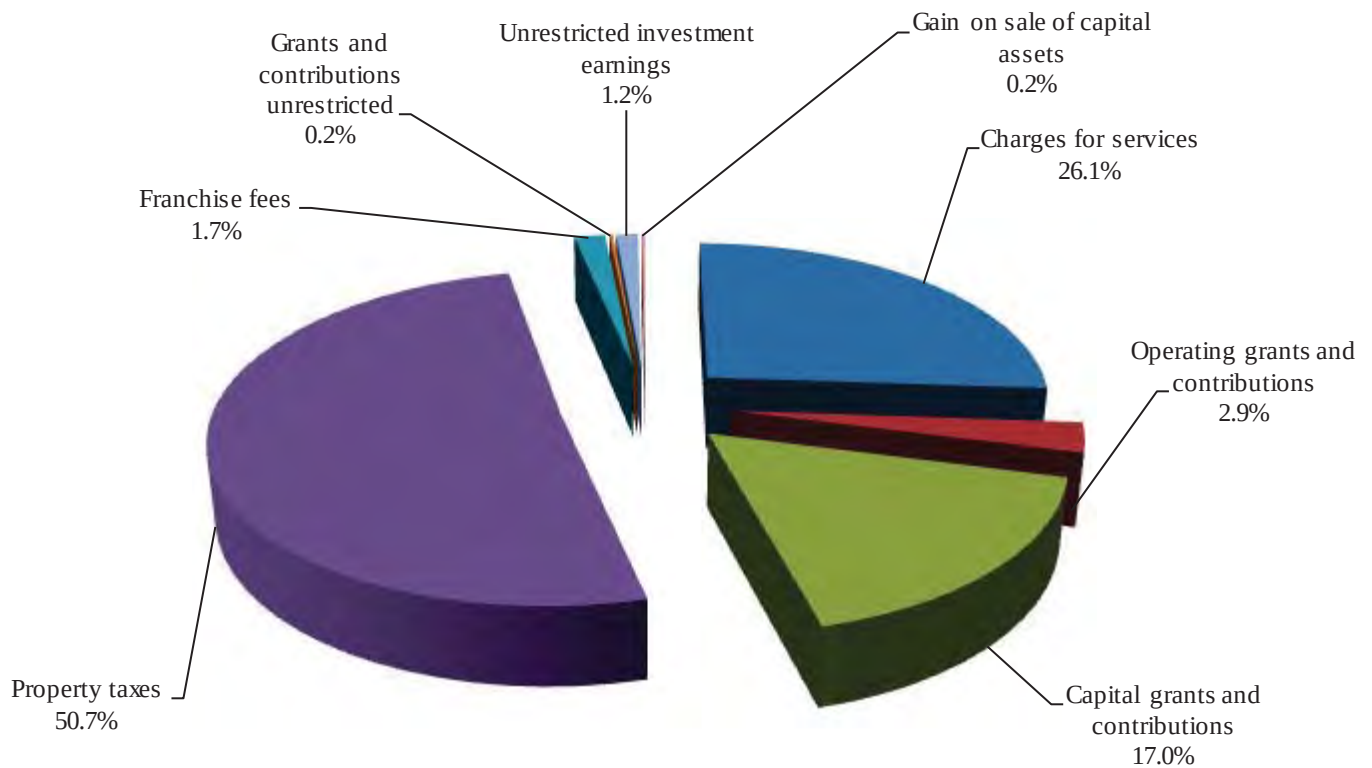
The significant change in capital grants and contributions is due to a \$1.56 million (governmental activities) and \$1.37 million (business-type activities) contribution from a developer in 2014 as part of the Locust Hills development.

The following graph depicts various governmental activities and shows the revenue and expenses directly related to those activities.

Expenses and Program Revenues - Governmental Activities

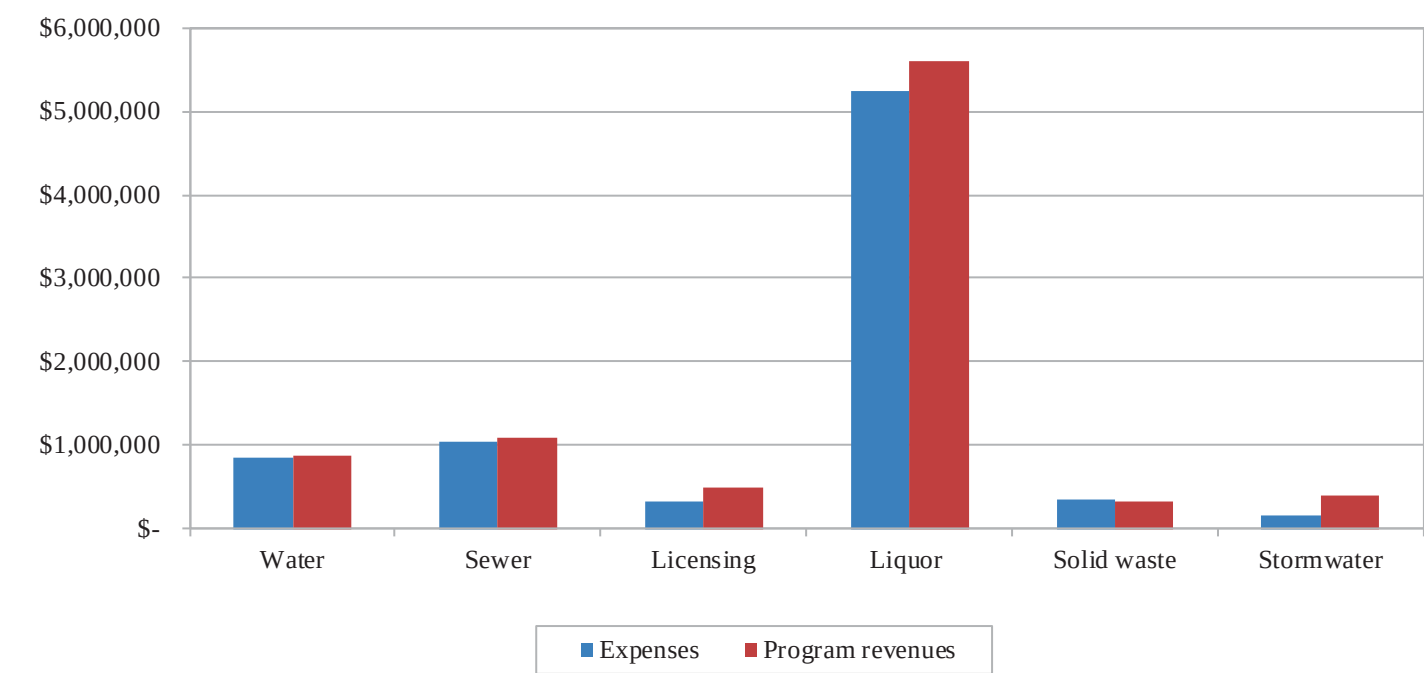


Revenues by Source - Governmental Activities

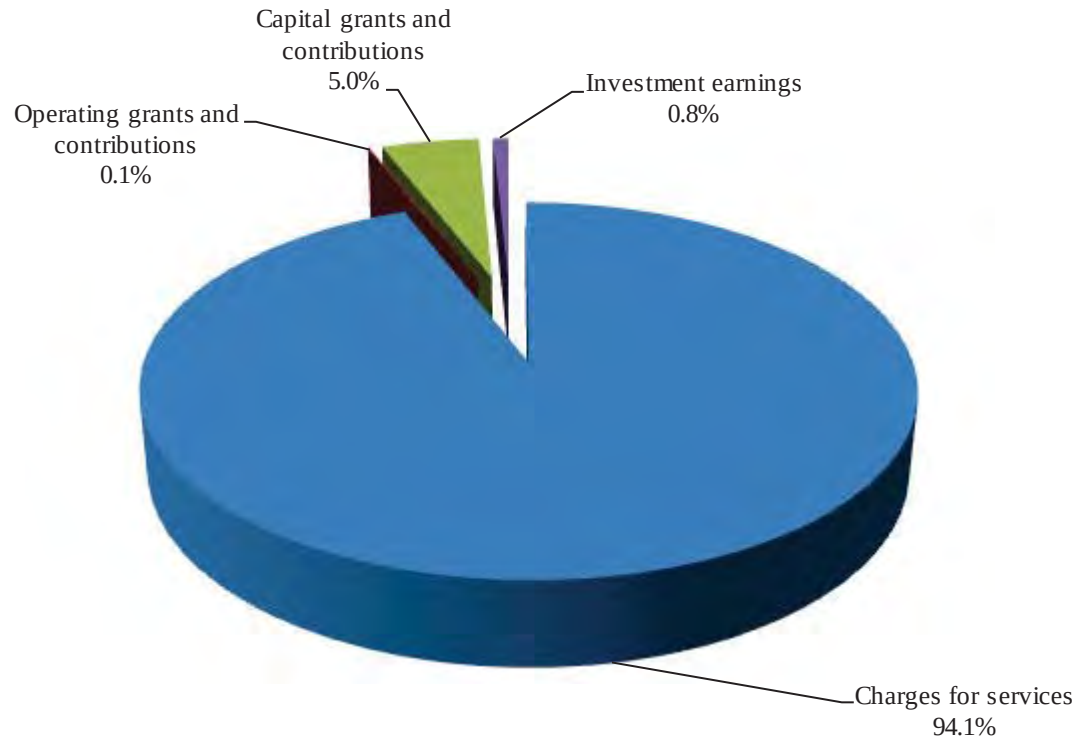


Business-type activities. Business-type activities increased the City’s net position by \$524,224, thereby accounting 26.6 percent of the total growth in net position of the City. This increase was the result of charges for services, WAC/SAC connection charges, and investment earnings in excess of expenses and transfers out.

Expenses and Program Revenues - Business-type Activities



Revenues by Source - Business-type Activities



HRA Component Unit

At the end of the fiscal year, the HRA reported net position of \$3,200,386. This is an increase of \$298,063 from the previous year, which is primarily a result of tax increment received to cover debt payments.

Financial Analysis of the City's Funds

As noted earlier, the City uses fund accounting to ensure and demonstrate compliance with finance-related legal requirements.

Governmental funds: The focus of the City's *governmental funds* is to provide information on near-term inflows, outflows and balances of *spendable* resources. Such information is useful in assessing the City's financing requirements. In particular, *unassigned fund balance* may serve as a useful measure of a government's net resources available for spending at the end of the fiscal year.

As of the end of the current fiscal year, the City's governmental funds had combined ending fund balances of \$11,147,046, a decrease of \$512,618 in comparison with the prior year. Approximately 20.3 percent of this total amount, \$2,261,470 constitutes *unassigned fund balance*, which is available for spending at the City's discretion. The remainder of fund balance (\$8,885,576) is not available for new spending because it is either 1) restricted (\$1,469,424), 2) committed (\$230,671), or 3) assigned (\$7,185,481). For further classification, refer to Note 3F on page 68 of this report.

Activity in the City's major funds is discussed below.

Major Funds	Fund Balance December 31,		Increase (Decrease)
	2015	2014	
General	\$ 2,529,396	\$ 2,498,884	\$ 30,512
The General fund is the chief operating fund of the City. As a measure of the General fund's liquidity, it may be useful to compare fund balance to total fund expenditures and transfers out. Fund balance represents 42.9 percent of total 2015 expenditures and transfers out. Of the fund balance, \$2,261,470 is unassigned and will be used for cash flow for general operations and will be used to support operations until funds are received in June from the first tax settlement.			
Debt Service	\$ 398,223	\$ 340,349	\$ 57,874
The increase in fund balance is primarily due to the collection of taxes and special assessments to cover future debt service requirements.			
Street Improvement Capital Project	\$ 1,648,357	\$ 2,364,909	\$ (716,552)
The decrease in fund balance is primarily a result of significant project activity.			

Proprietary funds. The City's proprietary funds provide the same type of information found in the government-wide financial statements, but in more detail. Unrestricted net position of the enterprise funds at the end of the year amounted to \$4,283,663. Other factors concerning the finances of these funds have already been addressed in the discussion of the City's business-type activities.

General fund Budgetary Highlights

The City's General fund budget was not amended during the year. The budget called for no change in fund balance. Both revenues and expenditures provided positive budget variances. Some of the significant variances provided by revenues and expenditures are briefly summarized as follows:

- Revenues were more than anticipated by \$370,130. The largest positive variances were within licenses and permits and charges for services of \$275,155 and \$117,255, respectively. The variance in licenses and permits was mostly due to more building, heating, and plumbing permits than anticipated, which corresponded to the increase in charges for services related to plan check and project inspection fees.
- Current expenditures were \$106,956 less than budgeted. Significant variances within current expenditures were miscellaneous and general government expenditures. The miscellaneous function was under budget by \$184,285 while general government expenditures were \$110,424 more than anticipated in the budget.
- In consideration of the positive variances with revenues and expenditures, an additional \$507,500 over budget was transferred to capital project funds to finance future projects.

Capital Asset and Debt Administration

Capital assets. The City's investment in capital assets for its governmental and business-type activities as of December 31, 2015, amounts to \$53,111,918 (net of accumulated depreciation). This investment in capital assets includes land, construction in progress, land improvements, buildings, infrastructure, and machinery and equipment. The total increase in the City's investment in capital assets for the current fiscal year was 5.3 percent. Major capital asset activity includes:

- The governmental construction in progress increased \$2,099,157 prior to any completed projects. This increase was primarily related to the Bushaway Road project, 2015 Street Improvements project, and Presbyterian Homes Improvement project, all of which are still outstanding at December 31, 2015.
- Additions in governmental activities included \$676,715 of machinery and equipment. Within machinery and equipment, \$234,873 was spent for the purchase of a new fire truck chassis.
- Additions in business-type activities construction in progress of \$938,561 primarily for the Bushaway project, 2015 Stormwater Improvements project, and Presbyterian Homes Improvement project.
- Disposals included fully and partially depreciated machinery and equipment that was either replaced or no longer in use.

City of Wayzata's Capital Assets (net of depreciation)

	Governmental Activities			Business-type Activities		
	2015	2014	Increase (Decrease)	2015	2014	Increase (Decrease)
Land	\$ 7,563,994	\$ 7,563,994	\$ -	\$ 973,048	\$ 973,048	\$ -
Construction in progress	2,594,818	2,004,920	589,898	1,374,934	2,192,503	(817,569)
Land improvements	72,708	77,049	(4,341)	-	-	-
Buildings	12,233,148	12,493,334	(260,186)	8,034,208	8,224,821	(190,613)
Infrastructure	8,427,858	7,295,887	1,131,971	8,887,395	6,886,991	2,000,404
Machinery and equipment	2,321,936	2,001,348	320,588	627,871	721,373	(93,502)
Total	<u>\$ 33,214,462</u>	<u>\$ 31,436,532</u>	<u>\$ 1,777,930</u>	<u>\$ 19,897,456</u>	<u>\$ 18,998,736</u>	<u>\$ 898,720</u>

Additional information on the City's capital assets can be found in Note 3C starting on page 61 of this report.

Long-term debt. At the end of the current fiscal year, the City had total bonded debt outstanding of \$12,250,000. This amount consists of G.O. bonds, G.O. improvement bonds, and G.O. revenue bonds. While many of these bonds have their own revenue streams, they are all backed by the full faith and credit of the City.

City of Wayzata's Outstanding Long-term Liabilities

	Governmental Activities			Business-type Activities		
	2015	2014	Increase (Decrease)	2015	2014	Increase (Decrease)
G.O. bonds	\$ 1,665,000	\$ 1,845,000	\$ (180,000)	\$ -	\$ -	\$ -
G.O. improvement bonds	2,430,000	2,560,000	(130,000)	1,810,000	1,910,000	(100,000)
G.O. revenue bonds	-	-	-	6,345,000	6,595,000	(250,000)
Unamortized bond premium	157,247	175,364	(18,117)	67,532	71,570	(4,038)
Other postemployment benefits payable	155,318	137,593	17,725	72,969	63,653	9,316
Pension liability	2,265,204	-	2,265,204	1,443,554	-	1,443,554
Compensated absences	312,162	305,661	6,501	100,871	115,088	(14,217)
Total	<u>\$ 6,984,931</u>	<u>\$ 5,023,618</u>	<u>\$ 1,961,313</u>	<u>\$ 9,839,926</u>	<u>\$ 8,755,311</u>	<u>\$ 1,084,615</u>

The City's total long-term liabilities increased \$3,045,928 (22.1 percent) during the current fiscal year. This was primarily a result of implementing GASB Statement No. 68 to report the pension liability.

In accordance with Minnesota statutes, the City may not incur or be subject to net debt in excess of three percent of the estimated market value of taxable property within the City. Net debt is payable solely from ad valorem taxes and, therefore, excludes debt financed partially or entirely by special assessments, enterprise fund revenues, or tax increments. The City's estimated market value of taxable property in 2015 was \$1,500,919,932. The City's legal debt margin was \$45,027,598 and \$1,665,000 of the City's debt is applicable to the limit. Additional information on the City's long-term debt can be found in Note 3E starting on page 64 of this report.

Economic Factors and Next Year's Budgets and Rates

- Preliminary market values for the 2016 tax year continue to be strong and improving over the prior year. Residential valuations have increased approximately 10 percent over 2015. The overall market value increased 10 percent due to the combination of new development and the increase in residential values.
- The Bay Center project will continue into the next few years which will have a positive effect on development related revenue. Plans for the east block have moved forward showing the development of 29 condominium units, an 80-90 room boutique hotel, and approximately 25,000 square feet of retail space. Estimated market value at completion in 2018 is about \$42 million.
- The City will evaluate and continue to enhance the planning for capital related items. This includes a more extensive review of anticipated projects and a complete matching of resources to costs.
- The City Council adopted the Lake Effect Framework in 2014. The intent of this project is to showcase Lake Minnetonka, a significant resource for the City. The City Council will continue to review and incorporate elements of this framework as they become feasible.

All of these factors were considered in preparing the City's budget for the 2016 fiscal year.

Requests for Information

This financial report is designed to provide a general overview of the City's finances for all those with an interest in the City's finances. Questions concerning any of the information provided in this report or requests for additional financial information should be addressed to the Senior Accountant, City of Wayzata, 600 Rice Street East, Wayzata, Minnesota 55391.

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GOVERNMENT-WIDE FINANCIAL STATEMENTS

CITY OF WAYZATA
WAYZATA, MINNESOTA

FOR THE YEAR ENDED
DECEMBER 31, 2015

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CITY OF WAYZATA, MINNESOTA
STATEMENT OF NET POSITION
DECEMBER 31, 2015

	Primary Government			Component Unit
	Governmental	Business-type		Housing and
	Activities	Activities	Total	Redevelopment
				Authority
ASSETS				
Cash and temporary investments	\$ 11,521,105	\$ 6,270,576	\$ 17,791,681	\$ 1,500,347
Receivables				
Accrued interest	42,064	-	42,064	13,757
Taxes	44,811	-	44,811	74
Accounts	37,582	179,119	216,701	-
Notes	-	-	-	38,214
Special assessments	2,437,444	1,296,731	3,734,175	-
Internal balances	95,000	(95,000)	-	-
Due from other governments	5,024	21,748	26,772	-
Inventories	-	343,277	343,277	-
Capital assets				
Land and construction in progress	10,158,812	2,347,982	12,506,794	2,092,900
Depreciable assets, net of accumulated depreciation	23,055,650	17,549,474	40,605,124	-
TOTAL ASSETS	47,397,492	27,913,907	75,311,399	3,645,292
DEFERRED OUTFLOWS OF RESOURCES				
Deferred pension resources	437,407	164,994	602,401	-
LIABILITIES				
Accounts and contracts payable	538,652	88,137	626,789	444,203
Due to other governments	35,224	77,150	112,374	-
Accrued salaries payable	-	12,314	12,314	-
Accrued interest payable	10,542	24,740	35,282	-
Deposits payable	6,693	18,628	25,321	703
Noncurrent liabilities				
Due within one year	474,305	413,763	888,068	-
Due in more than one year	6,510,626	9,426,163	15,936,789	-
TOTAL LIABILITIES	7,576,042	10,060,895	17,636,937	444,906
DEFERRED INFLOWS OF RESOURCES				
Deferred pension resources	577,883	240,338	818,221	-
NET POSITION				
Net investment in capital assets	28,962,215	11,674,924	40,637,139	2,092,900
Restricted for				
Debt service	2,817,681	1,819,081	4,636,762	-
Economic development	910,224	-	910,224	1,150,573
Parks and trails	141,421	-	141,421	-
Public safety police expenditures	19,556	-	19,556	-
Unrestricted	6,829,877	4,283,663	11,113,540	(43,087)
TOTAL NET POSITION	\$ 39,680,974	\$ 17,777,668	\$ 57,458,642	\$ 3,200,386

The notes to the financial statements are an integral part of this statement.

CITY OF WAYZATA, MINNESOTA
STATEMENT OF ACTIVITIES
FOR THE YEAR ENDED DECEMBER 31, 2015

Functions/Programs	Expenses	Program Revenues		
		Charges for Services	Operating Grants and Contributions	Capital Grants and Contributions
Primary government				
Governmental activities				
General government	\$ 1,707,279	\$ 830,060	\$ 16,509	\$ -
Public safety	2,339,712	913,334	227,379	-
Public works	2,294,511	225,143	-	1,360,491
Culture and recreation	884,040	248,844	-	81,911
Interest on long-term debt	120,935	-	-	-
Total governmental activities	<u>7,346,477</u>	<u>2,217,381</u>	<u>243,888</u>	<u>1,442,402</u>
Business-type activities				
Water	861,579	721,465	-	143,789
Sewer	1,053,816	909,799	-	171,263
Licensing	335,021	494,537	-	-
Liquor	5,247,190	5,591,242	-	-
Solid waste	341,994	319,208	11,846	-
Stormwater	171,579	272,355	-	129,591
Total business-type activities	<u>8,011,179</u>	<u>8,308,606</u>	<u>11,846</u>	<u>444,643</u>
Total primary government	<u>\$ 15,357,656</u>	<u>\$ 10,525,987</u>	<u>\$ 255,734</u>	<u>\$ 1,887,045</u>
Component unit				
Housing and Redevelopment Authority	<u>\$ 1,139,185</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>

General revenues

Taxes

Property taxes, levied for general purposes

Property taxes, levied for debt service

Tax increment

Franchise fees

Grants and contributions not restricted to specific programs

Unrestricted investment earnings

Gain on sale of capital assets

Transfers - capital assets

Transfers

Total general revenues and transfers

Change in net position

Net position, January 1, as restated (Note 10)

Net position, December 31

The notes to the financial statements are an integral part of this statement.

Net (Expenses) Revenues and Changes in Net Position

Primary Government			Component Unit
Governmental Activities	Business-type Activities	Total	Housing and Redevelopment Authority
\$ (860,710)	\$ -	\$ (860,710)	\$ -
(1,198,999)	-	(1,198,999)	-
(708,877)	-	(708,877)	-
(553,285)	-	(553,285)	-
(120,935)	-	(120,935)	-
(3,442,806)	-	(3,442,806)	-
-	3,675	3,675	-
-	27,246	27,246	-
-	159,516	159,516	-
-	344,052	344,052	-
-	(10,940)	(10,940)	-
-	230,367	230,367	-
-	753,916	753,916	-
(3,442,806)	753,916	(2,688,890)	-
-	-	-	(1,139,185)
4,061,130	-	4,061,130	-
247,965	-	247,965	-
-	-	-	1,426,307
146,602	-	146,602	-
20,553	-	20,553	-
102,944	63,581	166,525	10,941
17,699	-	17,699	-
(129,427)	129,427	-	-
422,700	(422,700)	-	-
4,890,166	(229,692)	4,660,474	1,437,248
1,447,360	524,224	1,971,584	298,063
38,233,614	17,253,444	55,487,058	2,902,323
<u>\$ 39,680,974</u>	<u>\$ 17,777,668</u>	<u>\$ 57,458,642</u>	<u>\$ 3,200,386</u>

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FUND FINANCIAL STATEMENTS

CITY OF WAYZATA
WAYZATA, MINNESOTA

FOR THE YEAR ENDED
DECEMBER 31, 2015

CITY OF WAYZATA, MINNESOTA
BALANCE SHEET
GOVERNMENTAL FUNDS
DECEMBER 31, 2015

	101	300's	430		
	General	Debt Service	Street Improvement Capital Project	Other Governmental Funds	Total Governmental Funds
ASSETS					
Cash and temporary investments	\$ 2,511,386	\$ 398,223	\$ 1,715,324	\$ 6,896,172	\$ 11,521,105
Receivables					
Accrued interest	42,064	-	-	-	42,064
Taxes	44,811	-	-	-	44,811
Accounts	21,132	-	-	16,450	37,582
Special assessments	-	2,430,000	-	7,444	2,437,444
Due from other funds	-	-	14,500	-	14,500
Due from other governments	4,924	-	-	100	5,024
Advances to other funds	-	-	80,500	-	80,500
TOTAL ASSETS	<u>\$ 2,624,317</u>	<u>\$ 2,828,223</u>	<u>\$ 1,810,324</u>	<u>\$ 6,920,166</u>	<u>\$ 14,183,030</u>
LIABILITIES					
Accounts and contracts payable	\$ 38,566	\$ -	\$ 161,902	\$ 338,184	\$ 538,652
Due to other governments	35,159	-	65	-	35,224
Deposits payable	3,225	-	-	3,468	6,693
TOTAL LIABILITIES	<u>76,950</u>	<u>-</u>	<u>161,967</u>	<u>341,652</u>	<u>580,569</u>
DEFERRED INFLOWS OF RESOURCES					
Unavailable revenue - delinquent taxes	17,971	-	-	-	17,971
Unavailable revenue - special assessments	-	2,430,000	-	7,444	2,437,444
TOTAL DEFERRED INFLOWS OF RESOURCES	<u>17,971</u>	<u>2,430,000</u>	<u>-</u>	<u>7,444</u>	<u>2,455,415</u>
FUND BALANCES					
Restricted	-	398,223	-	1,071,201	1,469,424
Committed	-	-	-	230,671	230,671
Assigned	267,926	-	1,648,357	5,269,198	7,185,481
Unassigned	2,261,470	-	-	-	2,261,470
TOTAL FUND BALANCES	<u>2,529,396</u>	<u>398,223</u>	<u>1,648,357</u>	<u>6,571,070</u>	<u>11,147,046</u>
TOTAL LIABILITIES, DEFERRED INFLOWS OF RESOURCES, AND FUND BALANCES	<u>\$ 2,624,317</u>	<u>\$ 2,828,223</u>	<u>\$ 1,810,324</u>	<u>\$ 6,920,166</u>	<u>\$ 14,183,030</u>

The notes to the financial statements are an integral part of this statement.

CITY OF WAYZATA, MINNESOTA
RECONCILIATION OF THE BALANCE SHEET
TO THE STATEMENT OF NET POSITION
GOVERNMENTAL FUNDS
DECEMBER 31, 2015

Amounts reported for the governmental activities in the statement of net position are different because

Total fund balances - governmental funds	\$ 11,147,046
Capital assets used in governmental activities are not financial resources and therefore are not reported as assets in governmental funds.	
Cost of capital assets	41,268,991
Less: accumulated depreciation	(8,054,529)
Noncurrent liabilities, including bonds payable, are not due and payable in the current period and, therefore, are not reported as liabilities in the funds.	
Noncurrent liabilities at year-end consist of	
Compensated absences payable	(312,162)
Other postemployment benefits payable	(155,318)
Pension liability	(2,265,204)
Bond principal payable	(4,095,000)
Plus: unamortized bond premium	(157,247)
Some receivables are not available soon enough to pay for the current period's expenditures, and therefore are reported as unavailable revenue in the funds.	
Delinquent taxes receivable	17,971
Special assessments receivable	2,437,444
Governmental funds do not report long-term amounts related to pensions.	
Deferred outflow of resources	437,407
Deferred inflow of resources	(577,883)
Governmental funds do not report a liability for accrued interest until due and payable.	<u>(10,542)</u>
Total net position - governmental activities	<u><u>\$ 39,680,974</u></u>

The notes to the financial statements are an integral part of this statement.

CITY OF WAYZATA, MINNESOTA
STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES
GOVERNMENTAL FUNDS
FOR THE YEAR ENDED DECEMBER 31, 2015

	101	300's	430	Other	Total
	General	Debt Service	Street Improvement Capital Project	Governmental Funds	Governmental Funds
REVENUES					
Taxes					
Property taxes	\$ 3,858,556	\$ 247,965	\$ 210,000	\$ -	\$ 4,316,521
Franchise fees	81,215	-	-	65,387	146,602
Licenses and permits	657,955	-	-	172,612	830,567
Intergovernmental	193,931	-	51,103	-	245,034
Charges for services	827,582	-	220,811	249,061	1,297,454
Fines and forfeitures	89,360	-	-	11,055	100,415
Special assessments	-	257,491	-	4,540	262,031
Investment earnings	26,875	2,245	17,985	55,839	102,944
Miscellaneous					
Contributions and donations	-	-	-	66,465	66,465
Refunds and reimbursements	-	-	697,774	538,783	1,236,557
Other	10,266	-	-	-	10,266
TOTAL REVENUES	5,745,740	507,701	1,197,673	1,163,742	8,614,856
EXPENDITURES					
Current					
General government	1,211,694	-	-	93,341	1,305,035
Public safety	2,131,961	-	-	968	2,132,929
Public works	707,177	-	-	-	707,177
Culture and recreation	396,102	-	-	298,061	694,163
Miscellaneous	170,215	-	-	-	170,215
Capital outlay					
General government	1,049	-	-	112,427	113,476
Public safety	1,203	-	-	469,884	471,087
Public works	-	-	2,062,225	1,146,046	3,208,271
Culture and recreation	-	-	-	355,172	355,172
Debt service					
Principal	-	310,000	-	-	310,000
Interest and other	-	139,827	-	-	139,827
TOTAL EXPENDITURES	4,619,401	449,827	2,062,225	2,475,899	9,607,352
EXCESS (DEFICIENCY) OF REVENUES OVER (UNDER) EXPENDITURES	1,126,339	57,874	(864,552)	(1,312,157)	(992,496)
OTHER FINANCING SOURCES (USES)					
Transfers in	125,000	-	148,000	1,522,705	1,795,705
Sale of capital assets	30,406	-	-	-	30,406
Insurance recovery	26,772	-	-	-	26,772
Transfers out	(1,278,005)	-	-	(95,000)	(1,373,005)
TOTAL OTHER FINANCING SOURCES (USES)	(1,095,827)	-	148,000	1,427,705	479,878
NET CHANGE IN FUND BALANCES	30,512	57,874	(716,552)	115,548	(512,618)
FUND BALANCES, JANUARY 1	2,498,884	340,349	2,364,909	6,455,522	11,659,664
FUND BALANCES, DECEMBER 31	\$ 2,529,396	\$ 398,223	\$ 1,648,357	\$ 6,571,070	\$ 11,147,046

The notes to the financial statements are an integral part of this statement.

CITY OF WAYZATA, MINNESOTA
RECONCILIATION OF THE STATEMENT OF REVENUES, EXPENDITURES AND
CHANGES IN FUND BALANCES TO THE STATEMENT OF ACTIVITIES
GOVERNMENTAL FUNDS
FOR THE YEAR ENDED DECEMBER 31, 2015

Amounts reported for governmental activities in the statement of activities are different because

Total net change in fund balances - governmental funds	\$ (512,618)
Capital outlays are reported in governmental funds as expenditures. However, in the statement of activities, the cost of those assets is allocated over the estimated useful lives as depreciation expense.	
Capital outlays	2,972,654
Depreciation expense	(1,052,590)
Governmental funds report a gain (loss) on sale of capital assets to the extent of cash exchanged, whereas the disposition of the assets book value is included in the total gain (loss) in the statement of activities.	
Disposals	(154,240)
Depreciation on disposals	141,533
Governmental fund report projects in capital project funds. Some of the capital assets constructed in the project will be maintained from business-type activity funds. The assets are reported as a transfer from the government-activities to the business-type activities.	(129,427)
The issuance of long-term debt provides current financial resources to governmental funds, while the repayment of principal of long-term debt consumes the current financial resources of governmental funds. Neither transaction, however, has any effect on net position. Also, governmental funds report the effect of premiums, discounts and similar items when debt is first issued, whereas these amounts are deferred and amortized in the statement of activities. The amounts below are the effects of these differences in the treatment of long-term debt and related items.	
Principal repayments	310,000
Amortization of bond premium	18,117
Interest on long-term debt in the statement of activities differs from the amount reported in the governmental funds because interest is recognized as an expenditure in the funds when it is due, and thus requires the use of current financial resources. In the statement of activities, however, interest expense is recognized as the interest accrues, regardless of when it is due.	775
Some expenses reported in the statement of activities do not require the use of current financial resources and therefore are not reported as expenditures in the governmental funds.	
Compensated absences	(6,501)
Other postemployment benefits	(17,725)
Long-term pension activity is not reported in governmental funds	
Pension revenue from state contributions	9,180
Pension expense	9,373
Certain revenues are recognized as soon as they are earned. Under the modified accrual basis of accounting, certain revenues cannot be recognized until they are available to liquidate liabilities of the current period.	
Property taxes	(7,426)
Special assessments	(133,745)
Change in net position - governmental activities	<u>\$ 1,447,360</u>

The notes to the financial statements are an integral part of this statement.

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CITY OF WAYZATA, MINNESOTA
STATEMENT OF REVENUES, EXPENDITURES AND
CHANGES IN FUND BALANCES - BUDGET AND ACTUAL
GENERAL FUND
FOR THE YEAR ENDED DECEMBER 31, 2015

	Budgeted Amounts		Actual	Variance with
	Original	Final	Amounts	Final Budget
REVENUES				
Taxes				
Property taxes	\$ 3,926,983	\$ 3,926,983	\$ 3,858,556	\$ (68,427)
Franchise fees	82,000	82,000	81,215	(785)
Licenses and permits	382,800	382,800	657,955	275,155
Intergovernmental	183,000	183,000	193,931	10,931
Charges for services	710,327	710,327	827,582	117,255
Fines and forfeitures	65,500	65,500	89,360	23,860
Investment earnings	22,000	22,000	26,875	4,875
Miscellaneous	3,000	3,000	10,266	7,266
TOTAL REVENUES	5,375,610	5,375,610	5,745,740	370,130
EXPENDITURES				
Current				
General government	1,101,270	1,101,270	1,211,694	(110,424)
Public safety	2,094,017	2,094,017	2,131,961	(37,944)
Public works	749,860	749,860	707,177	42,683
Culture and recreation	424,458	424,458	396,102	28,356
Miscellaneous	354,500	354,500	170,215	184,285
Capital outlay				
General government	1,000	1,000	1,049	(49)
Public safety	5,000	5,000	1,203	3,797
TOTAL EXPENDITURES	4,730,105	4,730,105	4,619,401	110,704
EXCESS OF REVENUES OVER EXPENDITURES	645,505	645,505	1,126,339	480,834
OTHER FINANCING SOURCES (USES)				
Transfers in	125,000	125,000	125,000	-
Sale of capital assets	-	-	30,406	30,406
Insurance recovery	-	-	26,772	26,772
Transfers out	(770,505)	(770,505)	(1,278,005)	(507,500)
TOTAL OTHER FINANCING SOURCES (USES)	(645,505)	(645,505)	(1,095,827)	(450,322)
NET CHANGE IN FUND BALANCES	-	-	30,512	30,512
FUND BALANCES, JANUARY 1	2,498,884	2,498,884	2,498,884	-
FUND BALANCES, DECEMBER 31	\$ 2,498,884	\$ 2,498,884	\$ 2,529,396	\$ 30,512

The notes to the financial statements are an integral part of this statement.

CITY OF WAYZATA, MINNESOTA
STATEMENT OF NET POSITION - CONTINUED ON THE FOLLOWING PAGES
PROPRIETARY FUNDS
DECEMBER 31, 2015

	Business-type Activities - Enterprise Funds			
	610	620	630	640
	<u>Water</u>	<u>Sewer</u>	<u>Licensing</u>	<u>Liquor</u>
ASSETS				
CURRENT ASSETS				
Cash and temporary investments	\$ 3,939,867	\$ 770,506	\$ 55,301	\$ 829,931
Receivables				
Accounts	44,828	80,143	-	-
Special assessments	53,782	83,542	-	-
Due from other governments	13,131	8,617	-	-
Inventories	9,235	-	-	334,042
	<u>4,060,843</u>	<u>942,808</u>	<u>55,301</u>	<u>1,163,973</u>
TOTAL CURRENT ASSETS				
NONCURRENT ASSETS				
Special assessments	643,149	516,258	-	-
Capital assets				
Land	3,975	8,495	-	679,550
Buildings	6,077,906	30,830	-	3,439,095
Infrastructure	2,771,394	3,672,781	-	73,210
Machinery and equipment	163,884	373,071	-	797,088
Construction in progress	803,784	-	-	-
Less: accumulated depreciation	<u>(1,575,761)</u>	<u>(809,414)</u>	<u>-</u>	<u>(646,486)</u>
	<u>8,245,182</u>	<u>3,275,763</u>	<u>-</u>	<u>4,342,457</u>
TOTAL NONCURRENT ASSETS				
	<u>8,888,331</u>	<u>3,792,021</u>	<u>-</u>	<u>4,342,457</u>
TOTAL ASSETS				
	<u>12,949,174</u>	<u>4,734,829</u>	<u>55,301</u>	<u>5,506,430</u>
DEFERRED OUTFLOWS OF RESOURCES				
Deferred pension resources	<u>19,014</u>	<u>19,013</u>	<u>21,697</u>	<u>101,714</u>

The notes to the financial statements are an integral part of this statement.

CITY OF WAYZATA, MINNESOTA
STATEMENT OF NET POSITION - CONTINUED
PROPRIETARY FUNDS
DECEMBER 31, 2015

	Business-type Activities - Enterprise Funds		
	650 Solid Waste	670 Stormwater	Total
ASSETS			
CURRENT ASSETS			
Cash and temporary investments	\$ 229,461	\$ 445,510	\$ 6,270,576
Receivables			
Accounts	29,088	25,060	179,119
Special assessments	-	-	137,324
Due from other governments	-	-	21,748
Inventories	-	-	343,277
TOTAL CURRENT ASSETS	258,549	470,570	6,952,044
NONCURRENT ASSETS			
Special assessments	-	-	1,159,407
Capital assets			
Land	-	281,028	973,048
Buildings	-	-	9,547,831
Infrastructure	-	4,577,524	11,094,909
Machinery and equipment	-	-	1,334,043
Construction in progress	-	571,150	1,374,934
Less: accumulated depreciation	-	(1,395,648)	(4,427,309)
Total capital assets (net of accumulated depreciation)	-	4,034,054	19,897,456
TOTAL NONCURRENT ASSETS	-	4,034,054	21,056,863
TOTAL ASSETS	258,549	4,504,624	28,008,907
DEFERRED OUTFLOWS OF RESOURCES			
Deferred pension resources	1,618	1,938	164,994

The notes to the financial statements are an integral part of this statement.

CITY OF WAYZATA, MINNESOTA
STATEMENT OF NET POSITION - CONTINUED
PROPRIETARY FUNDS
DECEMBER 31, 2015

	Business-type Activities - Enterprise Funds			
	610 Water	620 Sewer	630 Licensing	640 Liquor
LIABILITIES				
CURRENT LIABILITIES				
Accounts and contracts payable	\$ 18,171	\$ 52,476	\$ -	\$ 17,490
Due to other governments	3,616	81	10,827	51,451
Accrued salaries payable	-	-	-	12,314
Accrued interest payable	13,358	1,038	-	10,344
Deposits payable	6,017	-	(3,176)	15,787
Due to other funds	-	-	-	14,500
Compensated absences payable, current portion	15,433	15,433	7,065	15,832
Bonds payable, current portion	220,000	35,000	-	105,000
TOTAL CURRENT LIABILITIES	276,595	104,028	14,716	242,718
NONCURRENT LIABILITIES				
Advances from other funds	-	-	-	80,500
Other postemployment benefits payable	14,515	14,511	11,607	30,396
Pension liability	166,357	166,345	189,829	889,910
Compensated absences payable	16,766	16,766	4,316	9,260
Unamortized bond premium	20,736	10,251	-	36,545
Bonds payable	4,385,000	440,000	-	2,970,000
TOTAL NONCURRENT LIABILITIES	4,603,374	647,873	205,752	4,016,611
TOTAL LIABILITIES	4,879,969	751,901	220,468	4,259,329
DEFERRED INFLOWS OF RESOURCES				
Deferred pension resources	27,697	27,695	31,605	148,161
NET POSITION				
Net investment in capital assets	3,619,446	2,790,512	-	1,230,912
Restricted for debt service	1,326,486	492,595	-	-
Unrestricted	3,114,590	691,139	(175,075)	(30,258)
TOTAL NET POSITION	\$ 8,060,522	\$ 3,974,246	\$ (175,075)	\$ 1,200,654

The notes to the financial statements are an integral part of this statement.

CITY OF WAYZATA, MINNESOTA
STATEMENT OF NET POSITION - CONTINUED
PROPRIETARY FUNDS
DECEMBER 31, 2015

	Business-type Activities - Enterprise Funds		
	650	670	
	Solid Waste	Stormwater	Total
LIABILITIES			
CURRENT LIABILITIES			
Accounts and contracts payable	\$ -	\$ -	\$ 88,137
Due to other governments	11,175	-	77,150
Accrued salaries payable	-	-	12,314
Accrued interest payable	-	-	24,740
Deposits payable	-	-	18,628
Due to other funds	-	-	14,500
Compensated absences payable, current portion	-	-	53,763
Bonds payable, current portion	-	-	360,000
TOTAL CURRENT LIABILITIES	11,175	-	649,232
NONCURRENT LIABILITIES			
Advances from other funds	-	-	80,500
Other postemployment benefits payable	571	1,369	72,969
Pension liability	14,159	16,954	1,443,554
Compensated absences payable	-	-	47,108
Unamortized bond premium	-	-	67,532
Bonds payable	-	-	7,795,000
TOTAL NONCURRENT LIABILITIES	14,730	18,323	9,506,663
TOTAL LIABILITIES	25,905	18,323	10,155,895
DEFERRED INFLOWS OF RESOURCES			
Deferred pension resources	2,357	2,823	240,338
NET POSITION			
Net investment in capital assets	-	4,034,054	11,674,924
Restricted for debt service	-	-	1,819,081
Unrestricted	231,905	451,362	4,283,663
TOTAL NET POSITION	\$ 231,905	\$ 4,485,416	\$ 17,777,668

The notes to the financial statements are an integral part of this statement.

CITY OF WAYZATA, MINNESOTA
STATEMENT OF REVENUES, EXPENSES AND
CHANGES IN NET POSITION - CONTINUED ON THE FOLLOWING PAGE
PROPRIETARY FUNDS
FOR THE YEAR ENDED DECEMBER 31, 2015

	Business-type Activities - Enterprise Funds			
	610	620	630	640
	Water	Sewer	Licensing	Liquor
OPERATING REVENUES				
Sales	\$ -	\$ -	\$ -	\$ 5,579,188
Cost of Sales	-	-	-	(2,889,826)
GROSS PROFIT	-	-	-	2,689,362
Charges for services	680,803	909,799	494,537	-
TOTAL OPERATING REVENUES	680,803	909,799	494,537	2,689,362
OPERATING EXPENSES				
Personnel services	269,454	269,463	320,407	1,441,426
Supplies	60,651	29,331	3,892	107,617
Professional services	81,273	17,185	1,451	134,516
Utilities	76,968	459,090	-	72,271
Other services and charges	18,842	18,152	6,561	216,973
Repairs and maintenance	35,549	151,007	2,710	105,801
Depreciation	155,005	96,958	-	144,503
TOTAL OPERATING EXPENSES	697,742	1,041,186	335,021	2,223,107
OPERATING INCOME (LOSS)	(16,939)	(131,387)	159,516	466,255
NONOPERATING REVENUES (EXPENSES)				
Investment earnings	35,682	9,610	1,468	8,327
Grants	-	-	-	-
Other income	40,662	-	-	12,054
Interest expense and other	(163,837)	(12,630)	-	(134,257)
TOTAL NONOPERATING REVENUES (EXPENSES)	(87,493)	(3,020)	1,468	(113,876)
INCOME (LOSS) BEFORE CONTRIBUTIONS AND TRANSFERS	(104,432)	(134,407)	160,984	352,379
TRANSFERS IN	-	-	-	-
CAPITAL CONTRIBUTIONS FROM OTHER FUNDS	87,996	-	-	-
CAPITAL CONTRIBUTIONS	143,789	171,263	-	-
TRANSFERS OUT	(47,400)	(58,300)	(154,000)	(150,000)
CHANGE IN NET POSITION	79,953	(21,444)	6,984	202,379
NET POSITION, JANUARY 1, AS RESTATED (NOTE 10)	7,980,569	3,995,690	(182,059)	998,275
NET POSITION, DECEMBER 31	<u>\$ 8,060,522</u>	<u>\$ 3,974,246</u>	<u>\$ (175,075)</u>	<u>\$ 1,200,654</u>

The notes to the financial statements are an integral part of this statement.

CITY OF WAYZATA, MINNESOTA
STATEMENT OF REVENUES, EXPENSES AND
CHANGES IN NET POSITION - CONTINUED
PROPRIETARY FUNDS
FOR THE YEAR ENDED DECEMBER 31, 2015

	Business-type Activities - Enterprise Funds		
	650	670	
	Solid Waste	Stormwater	Total
OPERATING REVENUES			
Sales	\$ -	\$ -	\$ 5,579,188
Cost of Sales	-	-	(2,889,826)
GROSS PROFIT	-	-	2,689,362
Charges for services	319,208	272,355	2,676,702
TOTAL OPERATING REVENUES	319,208	272,355	5,366,064
OPERATING EXPENSES			
Personnel services	21,934	27,022	2,349,706
Supplies	5,151	-	206,642
Professional services	259,905	35,498	529,828
Utilities	44,127	-	652,456
Other services and charges	10,877	948	272,353
Repairs and maintenance	-	11,188	306,255
Depreciation	-	96,923	493,389
TOTAL OPERATING EXPENSES	341,994	171,579	4,810,629
OPERATING INCOME (LOSS)	(22,786)	100,776	555,435
NONOPERATING REVENUES (EXPENSES)			
Investment earnings	2,020	6,474	63,581
Grants	11,846	-	11,846
Other income	-	-	52,716
Interest expense and other	-	-	(310,724)
TOTAL NONOPERATING REVENUES (EXPENSES)	13,866	6,474	(182,581)
INCOME (LOSS) BEFORE CONTRIBUTIONS AND TRANSFERS	(8,920)	107,250	372,854
TRANSFERS IN	-	50,000	50,000
CAPITAL CONTRIBUTIONS FROM OTHER FUNDS	-	41,431	129,427
CAPITAL CONTRIBUTIONS	-	129,591	444,643
TRANSFERS OUT	-	(63,000)	(472,700)
CHANGE IN NET POSITION	(8,920)	265,272	524,224
NET POSITION, JANUARY 1, AS RESTATED (NOTE 10)	240,825	4,220,144	17,253,444
NET POSITION, DECEMBER 31	\$ 231,905	\$ 4,485,416	\$ 17,777,668

The notes to the financial statements are an integral part of this statement.

CITY OF WAYZATA, MINNESOTA
STATEMENT OF CASH FLOWS - CONTINUED ON THE FOLLOWING PAGES
PROPRIETARY FUNDS
FOR THE YEAR ENDED DECEMBER 31, 2015

	Business-type Activities - Enterprise Funds			
	610 Water	620 Sewer	630 Licensing	640 Liquor
CASH FLOWS FROM OPERATING ACTIVITIES				
Receipts from customers and users	\$ 687,478	\$ 909,287	\$ 494,537	\$ 5,579,188
Other operating receipts	40,662	-	-	12,054
Receipts from (payments to) customer deposits	(4,631)	-	1,000	(3,716)
Payments to suppliers	(259,100)	(642,306)	(11,192)	(3,386,194)
Payments to employees	(257,884)	(257,880)	(299,196)	(1,487,053)
NET CASH PROVIDED (USED) BY OPERATING ACTIVITIES	<u>206,525</u>	<u>9,101</u>	<u>185,149</u>	<u>714,279</u>
CASH FLOWS FROM NONCAPITAL FINANCING ACTIVITIES				
Transfers from other funds	-	-	-	-
Transfers to other funds	(47,400)	(58,300)	(154,000)	(150,000)
NET CASH PROVIDED (USED) BY NONCAPITAL FINANCING ACTIVITIES	<u>(47,400)</u>	<u>(58,300)</u>	<u>(154,000)</u>	<u>(150,000)</u>
CASH FLOWS FROM CAPITAL AND RELATED FINANCING ACTIVITIES				
Acquisition of capital assets	(279,415)	(434,740)	-	-
Special assessments	142,174	59,514	-	-
Connection fees	104,728	31,304	-	-
Contribution for capital assets	-	5,750	-	-
Receipt from (payment on) interfund loan	-	-	-	(197,000)
Interest paid on long-term debt	(165,519)	(13,600)	-	(136,340)
Principal paid on long-term debt	(215,000)	(35,000)	-	(100,000)
NET CASH PROVIDED (USED) BY CAPITAL AND RELATED FINANCING ACTIVITIES	<u>(413,032)</u>	<u>(386,772)</u>	<u>-</u>	<u>(433,340)</u>
CASH FLOWS FROM INVESTING ACTIVITIES				
Investment earnings	<u>35,682</u>	<u>9,610</u>	<u>1,468</u>	<u>8,327</u>
NET INCREASE (DECREASE) IN CASH AND CASH EQUIVALENTS	<u>(218,225)</u>	<u>(426,361)</u>	<u>32,617</u>	<u>139,266</u>
CASH AND CASH EQUIVALENTS, JANUARY 1	<u>4,158,092</u>	<u>1,196,867</u>	<u>22,684</u>	<u>690,665</u>
CASH AND CASH EQUIVALENTS, DECEMBER 31	<u><u>\$ 3,939,867</u></u>	<u><u>\$ 770,506</u></u>	<u><u>\$ 55,301</u></u>	<u><u>\$ 829,931</u></u>

The notes to the financial statements are an integral part of this statement.

CITY OF WAYZATA, MINNESOTA
STATEMENT OF CASH FLOWS - CONTINUED
PROPRIETARY FUNDS
FOR THE YEAR ENDED DECEMBER 31, 2015

	Business-type Activities - Enterprise Funds		
	650	670	
	Solid Waste	Stormwater	Total
CASH FLOWS FROM OPERATING ACTIVITIES			
Receipts from customers and users	\$ 318,422	\$ 272,054	\$ 8,260,966
Other operating receipts	11,846	-	64,562
Receipts from (payments to) customer deposits	-	-	(7,347)
Payments to suppliers	(321,316)	(52,666)	(4,672,774)
Payments to employees	(21,666)	(26,236)	(2,349,915)
NET CASH PROVIDED (USED) BY OPERATING ACTIVITIES	(12,714)	193,152	1,295,492
CASH FLOWS FROM NONCAPITAL FINANCING ACTIVITIES			
Transfers from other funds	-	50,000	50,000
Transfers to other funds	-	(63,000)	(472,700)
NET CASH PROVIDED (USED) BY NONCAPITAL FINANCING ACTIVITIES	-	(13,000)	(422,700)
CASH FLOWS FROM CAPITAL AND RELATED FINANCING ACTIVITIES			
Acquisition of capital assets	-	(529,718)	(1,243,873)
Special assessments	-	-	201,688
Connection fees	-	-	136,032
Contribution for capital assets	-	129,591	135,341
Receipt from (payment on) interfund loan	-	-	(197,000)
Interest paid on long-term debt	-	-	(315,459)
Principal paid on long-term debt	-	-	(350,000)
NET CASH PROVIDED (USED) BY CAPITAL AND RELATED FINANCING ACTIVITIES	-	(400,127)	(1,633,271)
CASH FLOWS FROM INVESTING ACTIVITIES			
Investment earnings	2,020	6,474	63,581
NET INCREASE (DECREASE) IN CASH AND CASH EQUIVALENTS	(10,694)	(213,501)	(696,898)
CASH AND CASH EQUIVALENTS, JANUARY 1	240,155	659,011	6,967,474
CASH AND CASH EQUIVALENTS, DECEMBER 31	\$ 229,461	\$ 445,510	\$ 6,270,576

The notes to the financial statements are an integral part of this statement.

CITY OF WAYZATA, MINNESOTA
STATEMENT OF CASH FLOWS - CONTINUED
PROPRIETARY FUNDS
FOR THE YEAR ENDED DECEMBER 31, 2015

	Business-type Activities - Enterprise Funds			
	610 Water	620 Sewer	630 Licensing	640 Liquor
RECONCILIATION OF OPERATING INCOME (LOSS) TO NET CASH PROVIDED (USED) BY OPERATING ACTIVITIES				
Operating income (loss)	\$ (16,939)	\$ (131,387)	\$ 159,516	\$ 466,255
Adjustments to reconcile operating income (loss) to net cash provided (used) by operating activities				
Other income related to operations	40,662	-	-	12,054
Depreciation	155,005	96,958	-	144,503
(Increase) decrease in assets				
Accounts receivable, net	(749)	2,821	-	-
Special assessments receivable	(3,355)	(3,766)	-	-
Due from other governments	10,779	433	-	-
Prepaid items	-	-	-	27,793
Inventories	(1,893)	-	-	96,792
(Increase) decrease in deferred outflows of resources				
Deferred pension resources	5,426	5,423	4,650	37,309
Increase (decrease) in liabilities				
Accounts and contracts payable	16,187	32,478	-	12,023
Due to other governments	(111)	(19)	3,422	4,202
Accrued salaries payable	(233)	(233)	(200)	(1,931)
Deposits payable	(4,631)	-	1,000	(3,716)
Compensated absences payable	3,989	3,989	1,392	(23,587)
Other postemployment benefits payable	1,558	1,558	2,240	3,651
Pension liability	14,236	14,248	25,835	24,581
Increase (decrease) in deferred inflows of resources				
Deferred pension resources	(13,406)	(13,402)	(12,706)	(85,650)
NET CASH PROVIDED (USED) BY OPERATING ACTIVITIES	<u>\$ 206,525</u>	<u>\$ 9,101</u>	<u>\$ 185,149</u>	<u>\$ 714,279</u>
SCHEDULE OF NONCASH CAPITAL AND RELATED FINANCING ACTIVITIES				
Capital assets purchased on account	\$ -	\$ 18,809	\$ -	\$ -
Capital contributions from other funds	87,996	-	-	-
Amortization of bond premium	(1,293)	(912)	-	(1,833)

The notes to the financial statements are an integral part of this statement.

CITY OF WAYZATA, MINNESOTA
STATEMENT OF CASH FLOWS - CONTINUED
PROPRIETARY FUNDS
FOR THE YEAR ENDED DECEMBER 31, 2015

	Business-type Activities - Enterprise Funds		
	650 Solid Waste	670 Stormwater	Total
RECONCILIATION OF OPERATING INCOME (LOSS) TO NET CASH PROVIDED (USED) BY OPERATING ACTIVITIES			
Operating income (loss)	\$ (22,786)	\$ 100,776	\$ 555,435
Adjustments to reconcile operating income (loss) to net cash provided (used) by operating activities			
Other income related to operations	11,846	-	64,562
Depreciation	-	96,923	493,389
(Increase) decrease in assets			
Accounts receivable, net	(786)	(301)	985
Special assessments receivable	-	-	(7,121)
Due from other governments	-	-	11,212
Prepaid items	-	-	27,793
Inventories	-	-	94,899
(Increase) decrease in deferred outflows of resources			
Deferred pension resources	520	556	53,884
Increase (decrease) in liabilities			
Accounts and contracts payable	-	(5,032)	55,656
Due to other governments	(1,256)	-	6,238
Accrued salaries payable	-	-	(2,597)
Deposits payable	-	-	(7,347)
Compensated absences payable	-	-	(14,217)
Other postemployment benefits payable	136	173	9,316
Pension liability	851	1,429	81,180
Increase (decrease) in deferred inflows of resources			
Deferred pension resources	(1,239)	(1,372)	(127,775)
NET CASH PROVIDED (USED) BY OPERATING ACTIVITIES	<u>\$ (12,714)</u>	<u>\$ 193,152</u>	<u>\$ 1,295,492</u>
SCHEDULE OF NONCASH CAPITAL AND RELATED FINANCING ACTIVITIES			
Capital assets purchased on account	\$ -	\$ -	\$ 18,809
Capital contributions from other funds	-	41,431	129,427
Amortization of bond premium	-	-	(4,038)

The notes to the financial statements are an integral part of this statement.

CITY OF WAYZATA, MINNESOTA
STATEMENT OF FIDUCIARY NET POSITION
FIDUCIARY FUND
DECEMBER 31, 2015

	<u>802</u> Agency
ASSETS	
Cash and temporary investments	\$ 53,021
Accounts receivable	<u>27,252</u>
TOTAL ASSETS	<u>\$ 80,273</u>
LIABILITIES	
Accounts payable	\$ 2,975
Deposits payable	<u>77,298</u>
TOTAL LIABILITIES	<u>\$ 80,273</u>

The notes to the financial statements are an integral part of this statement.

CITY OF WAYZATA, MINNESOTA
NOTES TO THE FINANCIAL STATEMENTS
DECEMBER 31, 2015

Note 1: SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

A. Reporting entity

The City of Wayzata, Minnesota (the City) operates under the "Optional Plan A" form of government as defined in the State of Minnesota statutes. Under this plan, the government of the City is directed by a City Council composed of an elected Mayor and four elected City Council members. The City Council exercises legislative authority and determines all matters of policy. The City Council appoints personnel responsible for the proper administration of all affairs relating to the City.

As required by accounting principles generally accepted in the United States of America, these financial statements include all funds, departments, agencies, boards, and commissions of the City (the primary government) and any component units. The City has considered all potential units for which it is financially accountable, and other organizations for which the nature and significance of their relationship with the City are such that exclusion would cause the City's financial statements to be misleading or incomplete. The Governmental Accounting Standards Board (GASB) has set forth criteria to be considered in determining financial accountability. These criteria include appointing a voting majority of an organization's governing body, and (1) the ability of the primary government to impose its will on that organization or (2) the potential for the organization to provide specific benefits to, or impose specific financial burdens on the primary government. The City has one component unit.

Discretely presented component unit

The Wayzata Housing and Redevelopment Authority (HRA) assists the City Council in addressing the City's housing and redevelopment goals and objectives in accordance with the Comprehensive Plan. It is a legally separate entity, of which the governing body consists of a five member board of commissioners approved, but not selected, by the City Council. With the exception of the City Council approving board members and the HRA's budget, the HRA has complete control over its own duties. However, all HRA administrative and financial functions are performed by City staff, and the HRA is fiscally dependent upon the City. It is these criterion that result in the HRA being reported as a discretely presented component unit. The HRA does not prepare separate financial statements. Information on the HRA's governmental funds is presented as supplementary schedules elsewhere in this report.

B. Government-wide and fund financial statements

The government-wide financial statements (i.e., the statement of net position and the statement of activities) report information on all of the nonfiduciary activities of the primary government and its component units. *Governmental activities*, which normally are supported by taxes and intergovernmental revenues, are reported separately from *business-type activities*, which rely to a significant extent on fees and charges for support. Likewise, the *primary government* is reported separately from certain legally separate *component units* for which the primary government is financially accountable.

The statement of activities demonstrates the degree to which the direct expenses of a given function or segment are offset by program revenues. *Direct expenses* are those that are clearly identifiable with a specific function or segment. Amounts reported as program revenues include 1) charges to customers or applicants for goods, services, or privileges provided, 2) operating grants and contribution, and 3) capital grants and contributions, including special assessments. Internally dedicated resources are reported as general revenues rather than as program revenues. Likewise, general revenues include all taxes.

Separate financial statements are provided for governmental funds, proprietary funds, and the fiduciary fund, even though the latter are excluded from the government-wide financial statements. Major individual governmental funds and major individual enterprise funds are reported as separate columns in the fund financial statements.

C. Measurement focus, basis of accounting and financial statement presentation

The government-wide financial statements are reported using the *economic resources measurement focus* and the *accrual basis of accounting*, as are the proprietary fund financial statements. Revenues are recorded when earned and expenses are recorded when a liability is incurred, regardless of the timing of related cash flows. Property taxes are recognized as revenues in the year for which they are levied. Grants and similar items are recognized as revenue as soon as all eligibility requirements imposed by the provider have been met.

CITY OF WAYZATA, MINNESOTA
NOTES TO THE FINANCIAL STATEMENTS
DECEMBER 31, 2015

Note 1: SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES - CONTINUED

Governmental fund financial statements are reported using the *current financial resources measurement focus* and the *modified accrual basis of accounting*. Revenues are recognized as soon as they are both measurable and available. Revenues are considered to be *available* when they are collectible within the current period or soon enough thereafter to pay liabilities of the current period. For this purpose, the City considers revenues to be available if they are collected within 60 days of the end of the current fiscal period. Expenditures generally are recorded when a liability is incurred, as under accrual accounting. However, debt service expenditures, as well as expenditures related to compensated absences, pensions, other postemployment benefits, and claims and judgments, are recorded only when payment is due.

Property taxes, franchise taxes, licenses and interest associated with the current fiscal period are all considered to be susceptible to accrual and so have been recognized as revenues of the current fiscal period. Only the portion of special assessments receivable due within the current fiscal period is considered to be susceptible to accrual as revenue of the current period. All other revenue items are considered to be measurable and available only when cash is received by the City.

Revenue resulting from exchange transactions, in which each party gives and receives essentially equal value, is recorded on the accrual basis when the exchange takes place. On a modified accrual basis, revenue is recorded in the year in which the resources are measurable and become available.

Non-exchange transactions, in which the City receives value without directly giving equal value in return, include property taxes, grants, entitlement and donations. On an accrual basis, revenue from property taxes is recognized in the year for which the tax is levied. Revenue from grants, entitlements and donations is recognized in the year in which all eligibility requirements have been satisfied. Eligibility requirements include timing requirements, which specify the year when the resources are required to be used or the year when use is first permitted, matching requirements, in which the City must provide local resources to be used for a specified purpose, and expenditure requirements, in which the resources are provided to the City on a reimbursement basis. On a modified accrual basis, revenue from non-exchange transactions must also be available before it can be recognized.

Unearned revenue arises when assets are recognized before revenue recognition criteria have been satisfied. Grants and entitlements received before eligibility requirements are met are also recorded as unearned revenue.

The preparation of financial statements in conformity with accounting principles generally accepted in the United States of America requires management to make estimates and assumptions that affect certain reported amounts and disclosures. Accordingly, actual results could differ from those estimates.

Proprietary funds distinguish *operating* revenues and expenses from *nonoperating* items. Operating revenues and expenses generally result from providing services and producing and delivering goods in connection with a proprietary fund's principal ongoing operations. The principal operating revenues of the City enterprise funds are charges to customers for sales and services. Operating expenses for enterprise funds include the cost of sales and services, administrative expenses and depreciation on capital assets. All revenues and expenses not meeting this definition are reported as nonoperating revenues and expenses.

The City reports the following major governmental funds:

The *General fund* is the City's primary operating fund. It accounts for all financial resources of the City, except those required to be accounted for in another fund.

The *Debt Service fund* accounts for the resources accumulated and payments made for principal and interest on long-term general obligation debt of governmental funds.

The *Street Improvement Capital Project fund* accounts for the resources accumulated and payments made for street capital project activity.

CITY OF WAYZATA, MINNESOTA
NOTES TO THE FINANCIAL STATEMENTS
DECEMBER 31, 2015

Note 1: SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES - CONTINUED

The City reports the following major proprietary funds:

The *Water fund* accounts for the activities of the City's water distribution operations.

The *Sewer fund* accounts for the collection and pumping of sanitary sewage through a system of sewer lines and lift stations. Sewage is treated by the Metropolitan Council of Environmental Services.

The *Licensing fund* accounts for the City's licensing service center.

The *Liquor fund* accounts for the City's on and off-sale liquor operations.

The *Solid Waste fund* accounts for the City's solid waste collection programs.

The *Stormwater fund* accounts for the activities of the City's stormwater system.

Additionally, the City reports the following fund types:

Fiduciary fund accounts for assets held by the City in a trustee capacity or as an agent on behalf of others.

The *agency fund* is custodial in nature and does not present results of operations or have a measurement focus. Agency funds are accounted for using the modified accrual basis of accounting. This fund is used to account for assets that the City holds for others in an agency capacity.

As a general rule, the effect of interfund activity has been eliminated from government-wide financial statements.

D. Assets, deferred outflows of resources, liabilities, deferred inflows of resources, and net position/fund balance

Deposits and investments

The City's cash and cash equivalents are considered to be cash on hand, demand deposits and short-term investments with original maturities of three months or less from the date of acquisition. The proprietary funds' portion in the government-wide cash and temporary investments pool is considered to be cash and cash equivalents for purposes of the statement of cash flows.

Cash balances from all funds are pooled and invested, to the extent available, in certificates of deposit and other authorized investments. Investments for the City are reported at fair value. Earnings from such investments are allocated on the basis of applicable participation by each of the funds.

CITY OF WAYZATA, MINNESOTA
NOTES TO THE FINANCIAL STATEMENTS
DECEMBER 31, 2015

Note 1: SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES - CONTINUED

The City may invest idle funds as authorized by Minnesota statutes, as follows:

1. Direct obligations or obligations guaranteed by the United States or its agencies.
2. Shares of investment companies registered under the Federal Investment Company Act of 1940 and received the highest credit rating, rated in one of the two highest rating categories by a statistical rating agency, and have a final maturity of thirteen months or less.
3. General obligations of a state or local government with taxing powers rated "A" or better; revenue obligations rated "AA" or better.
4. General obligations of the Minnesota Housing Finance Agency rated "A" or better.
5. Obligation of a school district with an original maturity not exceeding 13 months and (i) rated in the highest category by a national bond rating service or (ii) enrolled in the credit enhancement program pursuant to statute section 126C.55.
6. Bankers' acceptances of United States banks eligible for purchase by the Federal Reserve System.
7. Commercial paper issued by United States banks corporations or their Canadian subsidiaries, of highest quality category by at least two nationally recognized rating agencies, and maturing in 270 days or less.
8. Repurchase or reverse repurchase agreements and securities lending agreements with financial institutions qualified as a "depository" by the government entity, with banks that are members of the Federal Reserve System with capitalization exceeding \$10,000,000, a primary reporting dealer in U.S. government securities to the Federal Reserve Bank of New York, or certain Minnesota securities broker-dealers.
9. Guaranteed Investment Contracts (GIC's) issued or guaranteed by a United States commercial bank, a domestic branch of a foreign bank, a United States insurance company, or its Canadian subsidiary, whose similar debt obligations were rated in one of the top two rating categories by a nationally recognized rating agency.

The Minnesota Municipal Money Market (4M) fund is regulated by Minnesota statutes and the Board of Directors of the League of Minnesota Cities and operates in accordance with appropriate state laws and regulations. The reported value of the pool is the same as the fair value of the pool shares. The 4M fund is an external investment pool not registered with the Securities and Exchange Commission (SEC); however, it follows the same regulatory rules of the SEC under rule 2a7. Financial statements of the 4M fund can be obtained by contacting RBC Global Asset Management at 100 South Fifth Street, Suite 2300, Minneapolis, MN 55402-1240.

Property taxes

The City Council annually adopts a tax levy in December and certifies it to the County for collection in the following year. The County is responsible for collecting all property taxes for the City. These taxes attach an enforceable lien on taxable property within the City on January 1 and are payable by the property owners in two installments. The taxes are collected by the County Auditor and tax settlements are made to the City during January, June, and November each year.

Delinquent taxes receivable include the past six years' uncollected taxes. Delinquent taxes have been offset by a deferred inflow of resources for taxes not received within 60 days after year end in the governmental fund financial statements.

Accounts receivable

Accounts receivable include amounts billed for services provided before year end. Unbilled utility enterprise fund receivables are also included for services provided in 2015. The City annually certifies delinquent utility accounts to the County for collection in the following year. Therefore, there has been no allowance for doubtful accounts established for the delinquent water and sewer accounts.

Special assessments

Special assessments represent the financing for public improvements paid for by benefiting property owners. These assessments are recorded as receivables upon certification to the County. Special assessments are recognized as revenue when they are annually certified to the County or received in cash or within 60 days after year end. All governmental special assessments receivable are offset by a deferred inflow of resources in the fund financial statements.

CITY OF WAYZATA, MINNESOTA
NOTES TO THE FINANCIAL STATEMENTS
DECEMBER 31, 2015

Note 1: SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES - CONTINUED

Interfund receivables and payables

Activity between funds that are representative of lending/borrowing arrangements outstanding at the end of the fiscal year are referred to as either “due to/from other funds” (i.e., the current portion of interfund loans) or “advances to/from other funds” (i.e., the non-current portion of interfund loans). All other outstanding balances between funds are reported as “due to/from other funds.” Any residual balances outstanding between the governmental activities and business-type activities are reported in the government-wide financial statements as “internal balances.”

Inventories

All inventories are valued at the lower of first-in, first-out (FIFO) cost or replacement market. Proprietary fund inventories consist of water meters, licenses, and liquor. Inventories of governmental funds are recorded as expenditures at the time the inventory items are used (consumption method).

Capital assets

Capital assets, which include property, plant, equipment and infrastructure assets (e.g., roads, bridges, sidewalks, and similar items) are reported in the applicable governmental or business-type activities columns in the government-wide financial statements. Capital assets are defined by the City as assets with an estimated useful life of more than one year and an initial individual cost of more than \$5,000.

The City reports infrastructure assets on a network and subsystem basis. Accordingly, the amounts spent for the construction or acquisition of infrastructure assets are capitalized and reported in the government-wide financial statements regardless of their amount.

In the case of initial capitalization of general infrastructure assets (i.e., those reported by governmental activities) the City elected to report only those infrastructure assets added since January 1, 2004. As the City constructs or acquires capital assets each period, including infrastructure assets, they are capitalized and reported at historical cost. The reported value excludes normal maintenance and repairs which are essentially amounts spent in relation to capital assets that do not increase the capacity or efficiency of the item or extend its useful life beyond the original estimate. In the case of donations the City values these capital assets at the estimated fair value of the item at the date of its donation.

Interest costs incurred on the construction of capital assets for business-type activities are included as part of the capitalized value of the assets constructed. No amount of interest was capitalized in 2015.

Property, plant and equipment of the primary government, as well as the component units, are depreciated using the straight-line method over the following estimated useful lives:

Assets	Useful Lives in Years
Land improvements	5 to 30
Buildings	20 to 50
Infrastructure	5 to 50
Machinery and equipment	2 to 20

Deferred outflows of resources

In addition to assets, the statement of financial position will sometimes report a separate section for deferred outflows of resources. This separate financial statement element, deferred outflows of resources, represents a consumption of net position that applies to a future period(s) and so will not be recognized as an outflow of resources (expense/expenditure) until then. The City has only one item that qualifies for reporting in this category. Accordingly, the item, deferred pension resources, is reported only in the statements of net position. This item results from actuarial calculations and current year pension contributions made subsequent to the measurement date.

CITY OF WAYZATA, MINNESOTA
NOTES TO THE FINANCIAL STATEMENTS
DECEMBER 31, 2015

Note 1: SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES - CONTINUED

Pensions

For purposes of measuring the net pension liability, deferred outflows/inflows of resources, and pension expense, information about the fiduciary net position of the Public Employees Retirement Association (PERA) and additions to/deductions from PERA's fiduciary net position have been determined on the same basis as they are reported by PERA except that PERA's fiscal year end is June 30. For this purpose, plan contributions are recognized as of employer payroll paid dates and benefit payments and refunds are recognized when due and payable in accordance with the benefit terms. Investments are reported at fair value.

Compensated absences

The City policy permits certain employees to accumulate a limited amount of earned, but unused vacation and sick leave. The accrued compensated absences will be paid upon termination or when used. Compensated absences are recognized when they mature in the governmental fund financial statements, and accrued when earned in government-wide and proprietary fund financial statements. The General fund is typically used to liquidate governmental compensated absences payable.

Other postemployment benefits (OPEB) payable

Under Minnesota statute 471.61, subdivision 2b., public employers must allow retirees and their dependents to continue coverage indefinitely in an employer-sponsored health care plan, under the following conditions: 1) Retirees must be receiving (or eligible to receive) an annuity from a Minnesota public pension plan, 2) Coverage must continue in group plan until age 65, and retirees must pay no more than the group premium, and 3) Retirees may obtain dependent coverage immediately before retirement. All premiums are funded on a pay-as-you-go basis. The liability was actuarially determined, in accordance with GASB Statement 45, at January 1, 2014.

Long-term obligations

In the government-wide financial statements, and proprietary fund types in the fund financial statements, long-term debt and other long-term obligations are reported as liabilities in the applicable governmental activities, business-type activities, or proprietary fund type statement of net position. The recognition of bond premiums and discounts are amortized over the life of the bonds using the straight-line method. Bonds payable are reported net of the applicable bond premium or discount. Bond issuance costs are reported as an expense in the period incurred.

In the fund financial statements, governmental fund types recognized bond premiums and discounts, as well as bond issuance costs, during the current period. The face amount of debt issued is reported as other financing sources. Premiums received on debt issuances are reported as other financing sources while discounts on debt issuances are reported as other financing uses. Issuance costs, whether or not withheld from the actual debt proceeds received, are reported as debt service expenditures.

Deferred inflows of resources

In addition to liabilities, the statement of financial position and fund financial statements will sometimes report a separate section for deferred inflows of resources. This separate financial statement element, *deferred inflows of resources*, represents an acquisition of net position that applies to a future period(s) and so will *not* be recognized as an inflow of resources (revenue) until that time. The City has only one type of item, which arises only under a modified accrual basis of accounting that qualifies for reporting in this category. Accordingly, the item, *unavailable revenue*, is reported only in the governmental funds balance sheet. The governmental funds report unavailable revenues from two sources: delinquent taxes and special assessments. These amounts are deferred and recognized as an inflow of resources in the period that the amounts become available.

The City has an additional item which qualifies for reporting in this category. The item, deferred pension resources, is reported only in the statements of net position and results from actuarial calculations.

CITY OF WAYZATA, MINNESOTA
NOTES TO THE FINANCIAL STATEMENTS
DECEMBER 31, 2015

Note 1: SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES - CONTINUED

Net position

Net position represents the difference between assets and deferred outflows of resources and liabilities and deferred inflows of resources. Net position is displayed in three components:

- a. Net investment in capital assets - Consists of capital assets, net of accumulated depreciation reduced by any outstanding debt attributable to acquire capital assets.
- b. Restricted net position - Consist of net position restricted when there are limitations imposed on their use through external restrictions imposed by creditors, grantors, laws or regulations of other governments.
- c. Unrestricted net position - All other net position that do not meet the definition of “restricted” or “net investment in capital assets”.

When both restricted and unrestricted resources are available for use, it is the City’s policy to use restricted resources first, then unrestricted resources as they are needed.

Fund balance

In the fund financial statements, fund balance is divided into five classifications based primarily on the extent to which the City is bound to observe constraints imposed upon the use of resources reported in the governmental funds. These classifications are defined as follows:

Nonspendable - Amounts that cannot be spent because they are not in spendable form, such as prepaid items.

Restricted - Amounts related to externally imposed constraints established by creditors, grantors or contributors; or constraints imposed by state statutory provisions.

Committed - Amounts constrained for specific purposes that are internally imposed by formal action (resolution) of the City Council, which is the City’s highest level of decision-making authority. Committed amounts cannot be used for any other purpose unless the City Council modifies or rescinds the commitment by resolution.

Assigned - Amounts constrained for specific purposes that are internally imposed. In governmental funds other than the General fund, assigned fund balance represents all remaining amounts that are not classified as nonspendable and are neither restricted nor committed. In the General fund, assigned amounts represent intended uses established by the City Council itself or by an official to which the governing body delegates the authority. The City Council has adopted a fund balance policy which delegates the authority to assign amounts for specific purposes to the Senior Accountant or City Manager.

Unassigned - The residual classification for the General fund and also negative residual amounts in other funds.

The City considers restricted amounts to be spent first when both restricted and unrestricted fund balance is available. Additionally, the City would first use committed, then assigned, and lastly unassigned amounts of unrestricted fund balance when expenditures are made.

The City has formally adopted a fund balance policy for the General fund. The City’s policy is to maintain an unassigned fund balance of 40 percent of the next year’s budgeted expenditures.

CITY OF WAYZATA, MINNESOTA
NOTES TO THE FINANCIAL STATEMENTS
DECEMBER 31, 2015

Note 2: STEWARDSHIP, COMPLIANCE AND ACCOUNTABILITY

A. Budgetary information

An annual budget is adopted on a basis consistent with accounting principles generally accepted in the United States of America for the General fund. All annual appropriations lapse at fiscal year end. The City does not use encumbrance accounting.

Prior to January 1st of each year, a budget for the General fund is adopted by the City Council after holding a public meeting to hear taxpayer comments.

The legal level of budgetary control is at the fund level. This means that management may alter the budget within and between departments, but cannot exceed the greater of the total budgeted expenditures or the total actual revenue for the year without City Council approval. Budgeted expenditures may not exceed estimated revenues. During the year the City Council may increase the budget to the extent an accumulated surplus exists from previous years. No budget amendments were made during 2015.

B. Deficit fund equity

The Licensing fund had a deficit net position at December 31, 2015 of \$175,075. This deficit will be eliminated through future charges for services.

The Bay Center Tax Increment fund of the Housing and Redevelopment Authority discretely presented component unit had a deficit fund balance at December 31, 2015 of \$43,087. This deficit will be eliminated through future tax increment revenues.

Note 3: DETAILED NOTES ON ALL FUNDS

A. Deposits and investments

Deposits

Custodial credit risk for deposits and investments is the risk that in the event of a bank failure, the City's deposits and investments may not be returned or the City will not be able to recover collateral securities in the possession of an outside party. In accordance with Minnesota statutes and as authorized by the City Council, the City maintains deposits at those depository banks, all of which are members of the Federal Reserve System.

Minnesota statutes require that all City deposits be protected by insurance, surety bond or collateral. The market value of collateral pledged must equal 110 percent of the deposits not covered by insurance, bonds, or irrevocable standby letters of credit from Federal Home Loan Banks.

Authorized collateral in lieu of a corporate surety bond includes:

- United States government Treasury bills, Treasury notes, Treasury bonds;
- Issues of United States government agencies and instrumentalities as quoted by a recognized industry quotation service available to the government entity;
- General obligation securities of any state or local government with taxing powers which is rated "A" or better by a national bond rating service, or revenue obligation securities of any state or local government with taxing powers which is rated "AA" or better by a national bond rating service;
- General obligation securities of a local government with taxing powers may be pledged as collateral against funds deposited by that same local government entity;
- Irrevocable standby letters of credit issued by Federal Home Loan Banks to a municipality accompanied by written evidence that the bank's public debt is rated "AA" or better by Moody's Investors Service, Inc., or Standard & Poor's Corporation; and
- Time deposits that are fully insured by any federal agency.

CITY OF WAYZATA, MINNESOTA
NOTES TO THE FINANCIAL STATEMENTS
DECEMBER 31, 2015

Note 3: DETAILED NOTES ON ALL FUNDS - CONTINUED

Minnesota statutes require that all collateral shall be placed in safekeeping in a restricted account at a Federal Reserve Bank, or in an account at a trust department of a commercial bank or other financial institution that is not owned or controlled by the financial institution furnishing the collateral. The selection should be approved by the City.

Deposit and investments for the primary government and component unit are pooled and as a result they are not separately identified. At year end, the City's carrying amount of deposits was \$5,186,326 and the bank balance was \$5,455,403. Of the bank balance, \$318,760 was covered by federal depository insurance and the remaining was covered by collateral held in the City's name.

Investments

As of December 31, 2015, the City had the following investments:

Types of Investments	Credit Quality/ Rating (1)	Segmented Time Distribution (2)	Fair Value and Carrying Amount
Non Pooled investments			
Brokered Certificates of Deposit	N/A	less than 1 year	\$ 1,887,020
Brokered Certificates of Deposit	N/A	1 - 5 years	5,865,432
Brokered Certificates of Deposit	N/A	more than 5 years	479,580
Municipal Securities	A-1	1 - 5 years	707,977
Municipal Securities	AA	1 - 5 years	792,246
U.S. Government Securities	AA	1 - 5 years	2,401,115
U.S. Government Securities	AA	more than 5 years	994,990
Total non pooled			<u>13,128,360</u>
Pooled investments			
Minnesota Municipal Money Market Fund	N/A	less than 6 months	1,502
Minnesota Municipal Money Market Fund - Plus	N/A	less than 6 months	3,263
Broker Money Market	AAA	less than 6 months	<u>1,016,890</u>
Total pooled			<u>1,021,655</u>
Total investments			<u><u>\$ 14,150,015</u></u>

- (1) Ratings are provided by various credit rating agencies where applicable to indicate associated credit risk.
(2) Interest rate risk is disclosed using the segmented time distribution method.
N/A Indicates not applicable or available.

CITY OF WAYZATA, MINNESOTA
NOTES TO THE FINANCIAL STATEMENTS
DECEMBER 31, 2015

Note 3: DETAILED NOTES ON ALL FUNDS - CONTINUED

The investments of the City are subject to the following risks:

- *Credit Risk.* Credit risk is the risk that an issuer or other counterparty to an investment will not fulfill its obligations. Ratings are provided by various credit rating agencies and where applicable, indicate associated credit risk. Minnesota statutes limit the City's investments. The City's investment policies do not further address credit risk.
- *Custodial Credit Risk.* The custodial credit risk for investments is the risk that, in the event of the failure of the counterparty to a transaction, a government will not be able to recover the value of investment or collateral securities that are in the possession of an outside party. The City does not have a formal investment policy addressing this risk, but typically limits its exposure by purchasing insured or registered investments, or by the control of who holds the securities.
- *Concentration of Credit Risk.* The concentration of credit risk is the risk of loss attributed to the magnitude of a government's investment in a single issuer, excluding U.S. guaranteed investments (such as treasuries), investment pools, and mutual funds. The City's investment policies do not limit the concentration of investments. As of December 31, 2015, the City had 16.9 percent of its total investment portfolio invested in Federal Home Loan Bank securities, and 5.6 percent invested in Sacramento, CA municipal securities.
- *Interest Rate Risk.* The interest rate risk is the risk that changes in interest rates will adversely affect the fair value of an investment. The City's investment policy limits the duration of investments to no more than ten years.

A reconciliation of cash and temporary investments as shown on the financial statements for the City follows:

Carrying amount of deposits	\$ 5,186,326
Investments	14,150,015
Cash on hand	<u>8,708</u>
Total	<u><u>\$ 19,345,049</u></u>
Cash and temporary investments	
Statement of net position	
Primary government	
Unrestricted	\$ 17,791,681
Component unit - HRA	
Unrestricted	1,500,347
Statement of fiduciary net position	<u>53,021</u>
Total	<u><u>\$ 19,345,049</u></u>

B. Note receivables

Discretely presented component units

The Housing and Redevelopment Authority has several loans receivable from local businesses. As of December 31, 2015, the total outstanding balance of these loans is \$38,214. The terms and interest rates vary and all are secured by the assets of the business.

CITY OF WAYZATA, MINNESOTA
NOTES TO THE FINANCIAL STATEMENTS
DECEMBER 31, 2015

Note 3: DETAILED NOTES ON ALL FUNDS - CONTINUED

C. Capital assets

Primary government

Capital asset activity for the year ended December 31, 2015 was as follows:

	Beginning Balance	Increases	Decreases	Ending Balance
Governmental activities				
Capital assets not being depreciated				
Land	\$ 7,563,994	\$ -	\$ -	\$ 7,563,994
Construction in progress	2,004,920	2,099,157	(1,509,259)	2,594,818
 Total capital assets not being depreciated	 9,568,914	 2,099,157	 (1,509,259)	 10,158,812
 Capital assets being depreciated				
Land improvements	86,816	-	-	86,816
Buildings	16,110,967	67,355	-	16,178,322
Infrastructure	8,636,370	1,509,259	-	10,145,629
Machinery and equipment	4,176,937	676,715	(154,240)	4,699,412
 Total capital assets being depreciated	 29,011,090	 2,253,329	 (154,240)	 31,110,179
 Less accumulated depreciation for				
Land improvements	(9,767)	(4,341)	-	(14,108)
Buildings	(3,617,633)	(327,541)	-	(3,945,174)
Infrastructure	(1,340,483)	(377,288)	-	(1,717,771)
Machinery and equipment	(2,175,589)	(343,420)	141,533	(2,377,476)
 Total accumulated depreciation	 (7,143,472)	 (1,052,590)	 141,533	 (8,054,529)
 Total capital assets being depreciated, net	 21,867,618	 1,200,739	 (12,707)	 23,055,650
 Governmental activities capital assets, net	 <u>\$ 31,436,532</u>	 <u>\$ 3,299,896</u>	 <u>\$ (1,521,966)</u>	 <u>\$ 33,214,462</u>

Depreciation expense was charged to functions/programs of the governmental activities of the City as follows:

General government	\$ 193,251
Public safety	218,468
Public works	575,915
Culture and recreation	64,956
 Total depreciation expense - governmental activities	 <u>\$ 1,052,590</u>

CITY OF WAYZATA, MINNESOTA
NOTES TO THE FINANCIAL STATEMENTS
DECEMBER 31, 2015

Note 3: DETAILED NOTES ON ALL FUNDS - CONTINUED

	Beginning Balance	Increases	Decreases	Ending Balance
Business-type activities				
Capital assets not being depreciated				
Land	\$ 973,048	\$ -	\$ -	\$ 973,048
Construction in progress	2,192,503	938,561	(1,756,130)	1,374,934
Total capital assets not being depreciated	3,165,551	938,561	(1,756,130)	2,347,982
Capital assets being depreciated				
Buildings	9,547,831	-	-	9,547,831
Infrastructure	8,885,231	2,209,678	-	11,094,909
Machinery and equipment	1,342,878	-	(8,835)	1,334,043
Total capital assets being depreciated	19,775,940	2,209,678	(8,835)	21,976,783
Less accumulated depreciation for				
Buildings	(1,323,010)	(190,613)	-	(1,513,623)
Infrastructure	(1,998,240)	(209,274)	-	(2,207,514)
Machinery and equipment	(621,505)	(93,502)	8,835	(706,172)
Total accumulated depreciation	(3,942,755)	(493,389)	8,835	(4,427,309)
Total capital assets being depreciated, net	15,833,185	1,716,289	-	17,549,474
Business-type activities capital assets, net	<u>\$ 18,998,736</u>	<u>\$ 2,654,850</u>	<u>\$ (1,756,130)</u>	<u>\$ 19,897,456</u>

Depreciation expense was charged to functions/programs of the business-type activities of the City as follows:

Water	\$ 155,005
Sewer	96,958
Liquor	144,503
Stormwater	96,923
Total depreciation expense - business-type activities	<u>\$ 493,389</u>

CITY OF WAYZATA, MINNESOTA
NOTES TO THE FINANCIAL STATEMENTS
DECEMBER 31, 2015

Note 3: DETAILED NOTES ON ALL FUNDS - CONTINUED

The City has active construction projects as of December 31, 2015. At year end, the City's commitments with the contractors are as follows:

Project	Spent to date	Remaining Commitment
Bushaway Project	\$ 1,949,432	\$ 203,512
2015 Street & Stormwater Improvements	1,531,488	45,209
Fire Department Remodel	28,000	25,750

Discretely presented component unit - HRA

Capital asset activity for the year ended December 31, 2015 was as follows:

	Beginning Balance	Increases	Decreases	Ending Balance
Component unit activities				
Capital assets not being depreciated				
Land	\$ 2,092,900	\$ -	\$ -	\$ 2,092,900

D. Interfund receivables, payables and transfers

The composition of internal balances as of December 31, 2015 is as follows:

Receivable Fund	Payable Fund	Purpose	Amount
Due from/to other funds			
Governmental	Business-type		
Street Improvement Capital Project	Liquor enterprise	Finance capital purchase	\$ 14,500
Advance to/from other funds			
Governmental	Business-type		
Street Improvement Capital Project	Liquor enterprise	Finance capital purchase	80,500
Total internal balances government-wide statements			\$ 95,000

In 2011, various funds loaned an accumulated balance of \$600,000 to the Liquor enterprise fund for the Municipal liquor store project. The interfund loans will be paid back over 10 years and have an interest rate of 3 percent. Several of the funds were paid off in advance in 2014 and 2015.

CITY OF WAYZATA, MINNESOTA
NOTES TO THE FINANCIAL STATEMENTS
DECEMBER 31, 2015

Note 3: DETAILED NOTES ON ALL FUNDS - CONTINUED

Interfund transfers

The composition of interfund transfers for the year ended December 31, 2015 is as follows:

Fund	Transfer in				Total
	General	Street Improvement Capital Project	Nonmajor Governmental	Stormwater Enterprise	
Transfer out					
General	\$ -	\$ 95,000	\$ 1,183,005	\$ -	\$ 1,278,005
Nonmajor governmental	30,000	-	15,000	50,000	95,000
Water enterprise	15,000	-	32,400	-	47,400
Sewer enterprise	15,000	-	43,300	-	58,300
Licensing enterprise	25,000	-	129,000	-	154,000
Liquor enterprise	30,000	-	120,000	-	150,000
Stormwater enterprise	10,000	53,000	-	-	63,000
		-			
Total transfers	<u>\$ 125,000</u>	<u>\$ 148,000</u>	<u>\$ 1,522,705</u>	<u>\$ 50,000</u>	<u>\$ 1,845,705</u>

The City annually budgets transfers for specific purposes. Annual transfers include transfers made to cover costs of operation, and transfers made as part of capital improvement plans.

E. Long-term debt

Primary government

General obligation (G.O.) bonds

The City issues general obligation bonds to provide funds for the acquisition and construction of major capital facilities and projects. G.O. bonds have been issued for both governmental and business-type activities. These bonds are reported in the proprietary funds if they are expected to be repaid from proprietary fund revenues. In addition, bonds have been issued to refund G.O. bonds.

Description	Authorized and Issued	Interest Rate	Issue Date	Maturity Date	Balance at Year End
G.O. Street Reconstruction					
Bonds, Series 2009B	\$ 370,000	3.00 - 3.87 %	05/19/09	12/01/23	\$ 220,000
G.O. Refunding Bonds, Series 2012A	1,885,000	2.00 - 3.00	09/05/12	12/01/23	<u>1,445,000</u>
Total G.O. bonds					<u>\$ 1,665,000</u>

CITY OF WAYZATA, MINNESOTA
NOTES TO THE FINANCIAL STATEMENTS
DECEMBER 31, 2015

Note 3: DETAILED NOTES ON ALL FUNDS - CONTINUED

Annual debt service requirements to maturity for the G.O. bonds are as follows:

Year Ending December 31,	Governmental Activities		
	Principal	Interest	Total
2016	\$ 185,000	\$ 50,758	\$ 235,758
2017	190,000	45,208	235,208
2018	195,000	39,508	234,508
2019	200,000	33,658	233,658
2020	215,000	27,608	242,608
2021-2023	680,000	42,320	722,320
Total	<u>\$ 1,665,000</u>	<u>\$ 239,060</u>	<u>\$ 1,904,060</u>

G.O. revenue bonds

The following bonds were issued to finance capital improvements in the enterprise funds. Along with g.o. special assessment bonds, they will be repaid from future net operating revenues pledged from enterprise funds and are backed by the taxing power of the City. Annual net operating revenues, principal and interest payments, and percentage of revenue required to cover the principal and interest payments are as follows:

	Water	Sewer	Liquor
Net operating revenues	\$ 680,803	\$ 909,799	\$ 2,689,362
Principal and interest	380,519	48,600	236,340
Percentage of revenues	56 %	5 %	9 %

Description	Authorized and Issued	Interest Rate	Issue Date	Maturity Date	Balance at Year End
G.O. Water Revenue					
Bonds, Series 2009A	\$ 3,870,000	2.00 - 4.37 %	05/19/09	12/01/31	\$ 3,270,000
G.O. Liquor and Restaurant					
Bonds, Series 2011A	3,375,000	2.00 - 4.40	03/01/11	12/01/35	<u>3,075,000</u>
Total G.O. revenue bonds					<u>\$ 6,345,000</u>

Annual debt service requirements to maturity for G.O. revenue bonds are as follows:

Year Ending December 31,	Business-type Activities		
	Principal	Interest	Total
2016	\$ 260,000	\$ 249,849	\$ 509,849
2017	265,000	242,049	507,049
2018	270,000	234,099	504,099
2019	285,000	224,299	509,299
2020	295,000	213,961	508,961
2021-2025	1,650,000	896,338	2,546,338
2026-2030	2,035,000	538,825	2,573,825
2031-2035	1,285,000	147,940	1,432,940
Total	<u>\$ 6,345,000</u>	<u>\$ 2,747,360</u>	<u>\$ 9,092,360</u>

CITY OF WAYZATA, MINNESOTA
NOTES TO THE FINANCIAL STATEMENTS
DECEMBER 31, 2015

Note 3: DETAILED NOTES ON ALL FUNDS - CONTINUED

G.O. improvement (special assessment) bonds

The following bonds were issued to finance various improvements and will be repaid from special assessments levied on the properties benefiting from the improvements and future net revenues pledged from the Water and Sewer funds. G.O. improvement bonds have been issued for both governmental and business-type activities. All special assessment debt is backed by the full faith and credit of the City.

Description	Authorized and Issued	Interest Rate	Issue Date	Maturity Date	Balance at Year End
G.O. Improvement Bonds, Series 2010A	\$ 2,695,000	3.00 - 3.50 %	09/01/10	12/01/30	\$ 2,430,000
G.O. Improvement Bonds, Series 2012B	1,520,000	2.00 - 3.00	09/05/12	12/01/32	1,335,000
G.O. Improvement Bonds, Series 2012C	545,000	2.00 - 3.00	09/05/12	12/01/27	<u>475,000</u>
Total G.O. improvement bonds					<u><u>\$ 4,240,000</u></u>

Annual debt service requirements to maturity for G.O. improvement bonds are as follows:

Year Ending December 31,	Governmental Activities			Business-type Activities		
	Principal	Interest	Total	Principal	Interest	Total
2016	\$ 130,000	\$ 75,750	\$ 205,750	\$ 100,000	\$ 47,025	\$ 147,025
2017	135,000	71,850	206,850	100,000	45,025	145,025
2018	140,000	67,800	207,800	105,000	43,025	148,025
2019	145,000	63,600	208,600	105,000	40,925	145,925
2020	150,000	59,250	209,250	110,000	38,825	148,825
2021-2025	800,000	227,250	1,027,250	580,000	153,575	733,575
2026-2030	930,000	96,100	1,026,100	520,000	71,375	591,375
2031-2032	-	-	-	190,000	8,550	198,550
Total	<u>\$ 2,430,000</u>	<u>\$ 661,600</u>	<u>\$ 3,091,600</u>	<u>\$ 1,810,000</u>	<u>\$ 448,325</u>	<u>\$ 2,258,325</u>

CITY OF WAYZATA, MINNESOTA
NOTES TO THE FINANCIAL STATEMENTS
DECEMBER 31, 2015

Note 3: DETAILED NOTES ON ALL FUNDS - CONTINUED

Changes in long-term liabilities

Long-term liability activity for the year ended December 31, 2015 was as follows:

	Beginning Balance	Increases	Decreases	Ending Balance	Due Within One Year
Governmental activities					
Bonds payable					
G.O. bonds	\$ 1,845,000	\$ -	\$ (180,000)	\$ 1,665,000	\$ 185,000
G.O. improvement bonds	2,560,000	-	(130,000)	2,430,000	130,000
Unamortized premium on bonds	175,364	-	(18,117)	157,247	-
Total bonds payable	4,580,364	-	(328,117)	4,252,247	315,000
Other postemployment benefits payable	137,593	33,872	(16,147)	155,318	-
Pension liability					
GERF	-	1,147,872 *	(41,627)	1,106,245	-
PEPPF	-	1,404,563 *	(245,604)	1,158,959	-
Total pension liability	-	2,552,435	(287,231)	2,265,204	-
Compensated absences payable	305,661	232,583	(226,082)	312,162	159,305
Governmental activity long-term liabilities	<u>\$ 5,023,618</u>	<u>\$ 2,818,890</u>	<u>\$ (857,577)</u>	<u>\$ 6,984,931</u>	<u>\$ 474,305</u>
Business-type activities					
Bonds payable					
G.O. revenue bonds	\$ 6,595,000	\$ -	\$ (250,000)	\$ 6,345,000	\$ 260,000
G.O. improvement bonds	1,910,000	-	(100,000)	1,810,000	100,000
Unamortized premium on bonds	71,570	-	(4,038)	67,532	-
Total bonds payable	8,576,570	-	(354,038)	8,222,532	360,000
Other postemployment benefits payable	63,653	15,670	(6,354)	72,969	-
Pension liability					
GERF	-	1,494,327 *	(50,773)	1,443,554	-
Compensated absences payable	115,088	87,067	(101,284)	100,871	53,763
Business-type activity long-term liabilities	<u>\$ 8,755,311</u>	<u>\$ 1,597,064</u>	<u>\$ (512,449)</u>	<u>\$ 9,839,926</u>	<u>\$ 413,763</u>

* Includes January 1, 2015 pension liability balance related to GASB Statement No. 68 implementation. See Note 10 for further details.

CITY OF WAYZATA, MINNESOTA
NOTES TO THE FINANCIAL STATEMENTS
DECEMBER 31, 2015

Note 3: DETAILED NOTES ON ALL FUNDS - CONTINUED

Discretely presented component unit - HRA

Changes in long-term liabilities

Long-term liability activity for the year ended December 31, 2015 was as follows:

	Beginning Balance	Increases	Decreases	Ending Balance	Due Within One Year
Component unit - HRA					
Bonds payable					
G.O. tax increment bonds	\$ 270,000	\$ -	\$ (270,000)	\$ -	\$ -
Unamortized premium on bonds	8,211	-	(8,211)	-	-
Component unit - HRA long-term liabilities	<u>\$ 278,211</u>	<u>\$ -</u>	<u>\$ (278,211)</u>	<u>\$ -</u>	<u>\$ -</u>

F. Components of fund balance

At December 31, 2015, portions of the City's fund balance are not available for appropriation due to not being in spendable form (Nonspendable), legal restrictions (Restricted), City Council action (Committed), policy and/or intent (Assigned). The following is a summary of the components of fund balance:

Purpose	General	Debt Service	Street Improvement Capital Project	Other Governmental Funds	Total
Restricted for					
Debt service	\$ -	\$ 398,223	\$ -	\$ -	\$ 398,223
Economic development	-	-	-	910,224	910,224
Parks and trails	-	-	-	141,421	141,421
Public safety					
police expenditures	-	-	-	19,556	19,556
Total restricted	<u>\$ -</u>	<u>\$ 398,223</u>	<u>\$ -</u>	<u>\$ 1,071,201</u>	<u>\$ 1,469,424</u>
Committed to					
Cemetery	\$ -	\$ -	\$ -	\$ 47,523	\$ 47,523
Cable TV	-	-	-	62,385	62,385
Comprehensive Plan	-	-	-	120,763	120,763
Total committed	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 230,671</u>	<u>\$ 230,671</u>
Assigned to					
Insurance	\$ 267,926	\$ -	\$ -	\$ -	\$ 267,926
Lakefront improvement	-	-	-	736,950	736,950
Capital equipment	-	-	-	1,461,489	1,461,489
Parks and trails	-	-	-	881,658	881,658
Street improvement	-	-	1,648,357	-	1,648,357
Community room/ library improvements	-	-	-	431,922	431,922
Cell tower improvements	-	-	-	475,551	475,551
Other capital projects	-	-	-	1,281,628	1,281,628
Total assigned	<u>\$ 267,926</u>	<u>\$ -</u>	<u>\$ 1,648,357</u>	<u>\$ 5,269,198</u>	<u>\$ 7,185,481</u>

CITY OF WAYZATA, MINNESOTA
NOTES TO THE FINANCIAL STATEMENTS
DECEMBER 31, 2015

Note 4: DEFINED BENEFIT PENSION PLANS - STATEWIDE

A. Plan description

The City participates in the following cost-sharing multiple-employer defined benefit pension plans administered by the Public Employees Retirement Association of Minnesota (PERA). PERA's defined benefit pension plans are established and administered in accordance with Minnesota statutes, chapters 353 and 356. PERA's defined benefit pension plans are tax qualified plans under Section 401 (a) of the Internal Revenue Code.

General Employees Retirement Fund (GERF)

All full-time and certain part-time employees of the City are covered by the General Employees Retirement Fund (GERF). GERF members belong to either the Coordinated Plan or the Basic Plan. Coordinated Plan members are covered by Social Security and Basic Plan members are not. The Basic Plan was closed to new members in 1967. All new members must participate in the Coordinated Plan.

Public Employees Police and Fire Fund (PEPFF)

The PEPFF, originally established for police officers and firefighters not covered by a local relief association, now covers all police officers and firefighters hired since 1980. Effective July 1, 1999, the PEPFF also covers police officers and firefighters belonging to a local relief association that elected to merge with and transfer assets and administration to PERA.

B. Benefits provided

PERA provides retirement, disability and death benefits. Benefit provisions are established by Minnesota statute and can only be modified by the state legislature.

Benefit increases are provided to benefit recipients each January. Increases are related to the funding ratio of the plan. Members in plans that are at least 90 percent funded for two consecutive years are given 2.5 percent increases. Members in plans that have not exceeded 90 percent funded, or have fallen below 80 percent, are given 1 percent increases.

The benefit provisions stated in the following paragraphs of this section are current provisions and apply to active plan participants. Vested, terminated employees who are entitled to benefits but are not receiving them yet are bound by the provisions in effect at the time they last terminated their public service.

GERF benefits

Benefits are based on a member's highest average salary for any five successive years of allowable service, age, and years of credit at termination of service. Two methods are used to compute benefits for PERA's Coordinated and Basic Plan members. The retiring member receives the higher of a step-rate benefit accrual formula (Method 1) or a level accrual formula (Method 2). Under Method 1, the annuity accrual rate for a Basic Plan member is 2.2 percent of average salary for each of the first ten years of service and 2.7 percent for each remaining year. The annuity accrual rate for a Coordinated Plan member is 1.2 percent of average salary for each of the first ten years and 1.7 percent for each remaining year. Under Method 2, the annuity accrual rate is 2.7 percent of average salary for Basic Plan members and 1.7 percent for Coordinated Plan members for each year of service. For members hired prior to July 1, 1989, a full annuity is available when age plus years of service equal 90 and normal retirement age is 65. For members hired on or after July 1, 1989, normal retirement age is the age for unreduced Social Security benefits capped at 66.

PEPFF benefits

Benefits for the PEPFF members first hired after June 30, 2010, but before July 1, 2014, vest on a prorated basis from 50 percent after five years up to 100 percent after ten years of credited service. Benefits for PEPFF members first hired after June 30, 2014, vest on a prorated basis from 50 percent after ten years up to 100 percent after twenty years of credited service. The annuity accrual rate is 3 percent of average salary for each year of service.

For PEPFF who were first hired prior to July 1, 1989, a full annuity is available when age plus years of service equal at least 90.

CITY OF WAYZATA, MINNESOTA
NOTES TO THE FINANCIAL STATEMENTS
DECEMBER 31, 2015

Note 4: DEFINED BENEFIT PENSION PLANS - STATEWIDE - CONTINUED

C. Contributions

Minnesota statutes, chapter 353 sets the rates for employer and employee contributions. Contribution rates can only be modified by the state legislature.

GERF contributions

Basic Plan members and Coordinated Plan members were required to contribute 9.10 percent and 6.50 percent, respectively, of their annual covered salary in calendar year 2015. The City was required to contribute 11.78 percent of pay for Basic Plan members and 7.50 percent for Coordinated Plan members in calendar year 2015. The City's contributions to the GERF for the years ending December 31, 2015, 2014 and 2013 were \$221,233, \$198,357, and \$194,818, respectively. The City's contributions were equal to the contractually required contributions for each year as set by Minnesota statute.

PEPFF contributions

Plan members were required to contribute 10.80 percent of their annual covered salary in calendar year 2015. The City was required to contribute 16.20 percent of pay for PEPFF members in calendar year 2015. The City's contributions to the PEPFF for the years ending December 31, 2015, 2014 and 2013 were \$153,685, \$141,677, and \$127,766, respectively. The City's contributions were equal to the contractually required contributions for each year as set by Minnesota statute.

D. Pension costs

GERF pension costs

At December 31, 2015, the City reported a liability of \$2,549,799 for its proportionate share of the GERF's net pension liability. The net pension liability was measured as of June 30, 2015, and the total pension liability used to calculate the net pension liability was determined by an actuarial valuation as of that date. The City's proportion of the net pension liability was based on the City's contributions received by PERA during the measurement period for employer payroll paid dates from July 1, 2014 through June 30, 2015 relative to the total employer contributions received from all of PERA's participating employers. At June 30, 2015, the City's proportionate share was 0.0492 percent which was a decrease of 0.0017 percent from its proportion measured as of June 30, 2014.

For the year ended December 31, 2015, the City recognized pension expense of \$251,172 for its proportionate share of GERF's pension expense.

At December 31, 2015, the City reported its proportionate share of GERF's deferred outflows of resources and deferred inflows of resources, and its contributions subsequent to the measurement date, from the following sources:

	Deferred Outflows of Resources	Deferred Inflows of Resources
Differences between expected and actual experience	\$ 24,463	\$ 128,553
Changes in actuarial assumptions	157,975	-
Net difference between projected and actual earnings on plan investments	-	226,979
Changes in proportion	-	68,983
Contributions to GERF subsequent to the measurement date	108,996	-
Total	<u>\$ 291,434</u>	<u>\$ 424,515</u>

CITY OF WAYZATA, MINNESOTA
NOTES TO THE FINANCIAL STATEMENTS
DECEMBER 31, 2015

Note 4: DEFINED BENEFIT PENSION PLANS - STATEWIDE - CONTINUED

Deferred outflows of resources totaling \$108,996 related to pensions resulting from the City's contributions to GERF subsequent to the measurement date will be recognized as a reduction of the net pension liability in the year ended December 31, 2016. Other amounts reported as deferred outflows and inflows of resources related to GERF pensions will be recognized in pension expense as follows:

2016	\$ (70,400)
2017	(70,400)
2018	(161,620)
2019	60,343

PEPFF pension costs

At December 31, 2015, the City reported a liability of \$1,158,959 for its proportionate share of the PEPFF's net pension liability. The net pension liability was measured as of June 30, 2015, and the total pension liability used to calculate the net pension liability was determined by an actuarial valuation as of that date. The City's proportion of the net pension liability was based on the City's contributions received by PERA during the measurement period for employer payroll paid dates from July 1, 2014 through June 30, 2015 relative to the total employer contributions received from all of PERA's participating employers. At June 30, 2015, the City's proportionate share was 0.102 percent which was an increase of 0.001 percent from its proportion measured as of June 30, 2014.

For the year ended December 31, 2015, the City recognized pension expense of \$121,662 for its proportionate share of PEPFF's pension expense. The City also recognized \$9,180 for the year ended December 31, 2015 as grant revenue for its proportionate share of the State of Minnesota's on-behalf contributions to the PEPFF. Legislation passed in 2013 required the State of Minnesota to begin contributing \$9 million to the PEPFF each year, starting in fiscal year 2014.

At December 31, 2015, the City reported its proportionate share of PEPFF's deferred outflows of resources and deferred inflows of resources, and its contributions subsequent to the measurement date, from the following sources:

	Deferred Outflows of Resources	Deferred Inflows of Resources
Differences between expected and actual experience	\$ 1,221	\$ 187,945
Changes in actuarial assumptions	220,295	-
Net difference between projected and actual earnings on plan investments	-	205,761
Changes in proportion	11,178	-
Contributions to PEPFF subsequent to the measurement date	78,273	-
Total	<u>\$ 310,967</u>	<u>\$ 393,706</u>

Deferred outflows of resources totaling \$78,273 related to pensions resulting from the City's contributions to PEPFF subsequent to the measurement date will be recognized as a reduction of the net pension liability in the year ended December 31, 2016. Other amounts reported as deferred outflows and inflows of resources related to PEPFF pensions will be recognized in pension expense as follows:

2016	\$ (65,389)
2017	(65,389)
2018	(65,389)
2019	70,508
2020	(35,353)

CITY OF WAYZATA, MINNESOTA
NOTES TO THE FINANCIAL STATEMENTS
DECEMBER 31, 2015

Note 4: DEFINED BENEFIT PENSION PLANS - STATEWIDE - CONTINUED

E. Actuarial assumptions

The total pension liability in the June 30, 2015 actuarial valuation was determined using the following actuarial assumptions:

Inflation	2.75% per year
Active member payroll growth	3.50% per year
Investment rate of return	7.90%

Salary increases were based on a service-related table. Mortality rates for active members, retirees, survivors and disabilitants were based on RP-2000 tables for males or females, as appropriate, with slight adjustments. Cost of living benefit increases for retirees are assumed to be: 1 percent effective every January 1st until 2034, then 2.5 percent for GERF and PEPFF.

Actuarial assumptions used in the June 30, 2015 valuation were based on the results of actuarial experience studies. The experience study in the GERF was for the period July 1, 2004 through June 30, 2008, with an update of economic assumptions in 2014. The experience study for PEPFF was for the period July 1, 2004, through June 30, 2009. Experience studies have not been prepared for PERA's other plans, but assumptions are reviewed annually.

There were no changes in actuarial assumptions in 2015.

The long-term expected rate of return on pension plan investments is 7.9 percent. The State Board of Investment, which manages the investments of PERA, prepares an analysis of the reasonableness of the long-term expected rate of return on a regular basis using a building-block method in which best-estimate ranges of expected future rates of return are developed for each major asset class. These ranges are combined to produce an expected long-term rate of return by weighting the expected future rates of return by the target asset allocation percentages. The target allocation and best estimates of arithmetic real rates of return for each major asset class are summarized in the following table:

<u>Asset Class</u>	<u>Target Allocation</u>	<u>Long-term Expected Real Rate of Return</u>
Domestic stocks	45.00 %	5.50 %
International stocks	15.00	6.00
Bonds	18.00	1.45
Alternative assets	20.00	6.40
Cash	<u>2.00</u>	0.50
Total	<u><u>100.00 %</u></u>	

F. Discount rate

The discount rate used to measure the total pension liability was 7.9 percent. The projection of cash flows used to determine the discount rate assumed that employee and employer contributions will be made at the rate specified in statute. Based on that assumption, each of the pension plan's fiduciary net position was projected to be available to make all projected future benefit payments of current active and inactive employees. Therefore, the long-term expected rate of return on pension plan investments was applied to all periods of projected benefit payments to determine the total pension liability.

CITY OF WAYZATA, MINNESOTA
NOTES TO THE FINANCIAL STATEMENTS
DECEMBER 31, 2015

Note 4: DEFINED BENEFIT PENSION PLANS - STATEWIDE - CONTINUED

G. Pension liability sensitivity

The following presents the City's proportionate share of the net pension liability for all plans it participates in, calculated using the discount rate disclosed in the preceding paragraph, as well as what the City's proportionate share of the net pension liability would be if it were calculated using a discount rate 1 percentage point lower or 1 percentage point higher than the current discount rate:

	City Proportionate Share of NPL		
	1 Percent Decrease (6.90%)	Current (7.90%)	1 Percent Increase (8.90%)
GERF	\$ 4,009,191	\$ 2,549,799	\$ 1,344,566
PEPFF	2,258,823	1,158,959	250,279

H. Pension plan fiduciary net position

Detailed information about each defined benefit pension plan's fiduciary net position is available in a separately-issued PERA financial report that includes financial statements and required supplementary information. That report may be obtained on the Internet at www.mnpera.org; by writing to PERA at 60 Empire Drive #200, St. Paul, Minnesota, 55103-2088; or by calling (651) 296-7460 or (800) 652-9026.

Note 5: DEFINED CONTRIBUTION PENSION PLAN - FIRE DEPARTMENT RELIEF ASSOCIATION

A. Plan description

The City contributes to the Wayzata Fire Department Relief Association (the Association), a single-employer defined contribution lump sum service pension plan. Volunteer firefighters of the City are members of the Association and its pension plan. Partial vesting of retirement benefits occurs at year 10 and continues based on years of service up to 20 years of service, at which time participants are 100 percent vested for retirement benefit purposes. On termination of service, a vested participant receives a single, lump sum distribution.

The City passes through state aids allocated to the plan in accordance with Minnesota statutes. The City's payroll for members of the Association for the year ended December 31, 2015 was \$85,023 compared to a total City payroll of \$4,302,420. The Association issues a publicly available financial report which may be obtained at Wayzata City Hall.

B. Pension benefits

Minnesota statutes, chapters 424 and 424A authorize pension benefits for volunteer fire relief associations. A firefighter who completes at least 20 years as an active member of the Fire Department and Association, after age 50, is entitled to a full service pension upon retirement.

C. Funding and allocation policy

Total contributions to the Association pension fund for 2015 amounted to \$110,522 of which \$64,847 (59 percent) was paid by the state to the City for the Association and \$45,675 (41 percent) was paid directly by the City. The City's contribution and state aid are apportioned to the accounts of active members in equal shares.

CITY OF WAYZATA, MINNESOTA
NOTES TO THE FINANCIAL STATEMENTS
DECEMBER 31, 2015

Note 6: POSTEMPLOYMENT BENEFITS OTHER THAN PENSIONS

A. Plan description

The City's defined benefit healthcare plan ("the Retiree Health Plan") provides healthcare insurance for eligible retirees and their spouses. The Retiree Health Plan is affiliated with the healthcare plan administered through LOGIS, an agent multiple-employer postemployment healthcare plan. LOGIS is a consortium of Minnesota local government units controlled by its members. LOGIS' Board of Directors is composed of one representative from each agency. LOGIS issues a publicly available financial report that includes financial statements and required supplementary information for the health plan. That report may be obtained by writing to LOGIS, 5750 Duluth Street, Golden Valley, MN 55422, or by calling (763) 543-2600.

B. Funding policy

The contribution requirements of plan members and the City are established and may be amended by LOGIS' Board of Directors. The required contributions are based on projected pay-as-you-go financing requirements. For fiscal year 2015, the City contributed \$22,501 to the plan. As of December 31, 2015, there were two former employees on leave with disability receiving health benefits from the plan. Retirees receiving benefits contribute 100 percent of their premium costs.

C. Annual other postemployment benefit cost

The City's annual other postemployment benefit (OPEB) cost (expense) is calculated based on the *annual required contribution of the employer* (ARC) of the City, an amount actuarially determined in accordance with the parameters of GASB Statement No. 45. The ARC represents a level of funding that, if paid on an ongoing basis, is projected to cover normal cost each year and to amortize any unfunded actuarial liabilities (or funding excess) over a period not to exceed thirty years. The following table shows the components of the City's annual OPEB cost for the year, the amount actually contributed to the plan, and changes in the City's net OPEB obligation:

Annual required contribution	\$ 48,084
Interest on net OPEB obligation	9,056
Adjustment to annual required contribution	<u>(7,598)</u>
Annual OPEB cost (expense)	49,542
Contributions made	<u>(22,501)</u>
Increase in net OPEB obligation	27,041
Net OPEB obligation - January 1, 2015	<u>201,246</u>
Net OPEB obligation - December 31, 2015	<u><u>\$ 228,287</u></u>

The City's annual OPEB cost, the percentage of annual OPEB cost contributed to the plan, and the net OPEB obligation for fiscal year 2015, 2014 and 2013 follows:

Year Ending	Three Year Trend Information		
	Annual OPEB Cost	Percentage Annual OPEB Contributed	Net OPEB Obligation
12/31/15	\$ 49,542	45.4 %	\$ 228,287
12/31/14	48,021	33.8	201,246
12/31/13	57,023	32.0	169,445

CITY OF WAYZATA, MINNESOTA
NOTES TO THE FINANCIAL STATEMENTS
DECEMBER 31, 2015

Note 6: POSTEMPLOYMENT BENEFITS OTHER THAN PENSIONS - CONTINUED

D. Funded status and funding progress

As of January 1, 2015, the most recent actuarial valuation date, the actuarial accrued liability for benefits was \$494,331, all of which was unfunded. The covered payroll (annual payroll of active employees covered by the plan) was \$2,761,742 and the ratio of the unfunded actuarial accrued liability to the covered payroll was 17.9 percent.

Actuarial valuations of an ongoing plan involve estimates of the value of reported amounts and assumptions about the probability of occurrence of events far into the future. Examples include assumptions about future employment, mortality, and the healthcare cost trend. Amounts determined regarding the funded status of the plan and the annual required contributions of the employer are subject to continual revision as actual results are compared with past expectations and new estimates are made about the future. The Schedule of Funding Progress for the Postemployment Benefit Plan, presented as required supplementary information following the notes to the financial statements, presents multi-year trend information about whether the actuarial value of plan assets is increasing or decreasing over time relative to the actuarial accrued liabilities for benefits.

E. Actuarial methods and assumptions

Projections of benefits for financial reporting purposes are based on the substantive plan (the plan as understood by the employer and plan members) and include the types of benefits provided at the time of each valuation and the historical pattern of sharing benefit costs between the employer and plan members to that point. The actuarial methods and assumptions used include techniques that are designed to reduce the effects of short-term volatility in actuarial accrued liabilities and the actuarial value of assets, consistent with the long-term perspective of the calculations.

In the January 1, 2014 actuarial valuation, the projected unit credit actuarial cost method was used. The actuarial assumptions include a 4.5 percent discount rate and a 3.0 percent inflation rate. The initial healthcare trend rate was 9.0 percent, reduced by decrements to an ultimate rate of 5.0 percent after 12 years. The unfunded actuarial accrued liability (UAAL) is being amortized as a level percentage of projected payroll on an open basis. The remaining amortization period at December 31, 2015, was 30 years.

Note 7: OPERATING LEASES

A. Antenna and ground space lease

The City leases space on its water tower and the ground surface located under the water tower to five companies that use the space for their antennas and equipment. The leases are five-year leases with three additional five-year renewal periods and are cancelable by either party by giving 60 days written notice. For 2015 the rent is \$842 per month, per antenna, and \$421 per month for the ground space, which is adjusted each January 1 by the greatest of five percent or the percentage increase of the Consumer Price Index (CPI). Antenna and ground space rent received in 2015 totaled \$442,625.

B. Library lease

The City leases space to Hennepin County on a five-year lease that terminates on April 30, 2018. The lease is cancelable by either party by giving 180 days written notice. The cost of the building being leased is \$4,253,125 and the accumulated depreciation is \$1,105,813 as of December 31, 2015. The base rent of \$56,830 is adjusted each December 1 by the percentage increase in the CPI. A portion of the base rent (25 percent) reimburses the City for building and grounds operating costs. The library pays for its own utility services. Library rent of \$58,393 was received in 2015.

CITY OF WAYZATA, MINNESOTA
NOTES TO THE FINANCIAL STATEMENTS
DECEMBER 31, 2015

Note 8: OTHER INFORMATION

A. Risk management

The City is exposed to various risks of loss related to torts; theft of, damage to and destruction of assets; errors and omissions; injuries to employees; and natural disasters for which the City carries insurance. The City obtains insurance through participation in the League of Minnesota Cities Insurance Trust (LMCIT), which is a risk sharing pool with approximately 800 other governmental units. The City pays an annual premium to LMCIT for its workers compensation and property and casualty insurance. The LMCIT is self-sustaining through member premiums and will reinsure for claims above a prescribed dollar amount for each insurance event. Settled claims have not exceeded the City's coverage in any of the past three fiscal years.

Liabilities are reported when it is probable that a loss has occurred and the amount of the loss can be reasonably estimated. An excess coverage insurance policy covers individual claims in excess of \$1,000,000. Liabilities, if any, include an amount for claims that have been incurred but not reported (IBNRs). The City's management is not aware of any incurred but not reported claims.

The City also carries commercial insurance for certain other risks of loss, including liquor liability. Settled claims resulting from these risks have not exceeded insurance coverage in any of the past three fiscal years. In 2015, there was a reduction in other property coverage over \$25,000 by approximately \$107,000.

B. Legal claims

The City has the usual and customary type of miscellaneous legal claims pending at year-end. Although the outcome of these lawsuits is not presently determinable, the City's management believes that the City will not incur any material monetary loss resulting from these claims. No loss has been recorded on the City's financial statements relating to these claims.

C. Legal debt margin

In accordance with Minnesota statutes, the City may not incur or be subject to net debt in excess of three percent of the estimated market value of taxable property within the City. Net debt is payable solely from ad valorem taxes and, therefore, excludes debt financed partially or entirely by special assessments, enterprise fund revenues, or tax increments. The City's estimated market value of taxable property in 2015 was \$1,500,919,932. The City's legal debt margin was \$45,027,598 and \$1,665,000 of the City's debt is applicable to the limit.

D. Tax increment financing districts

The City's tax increment districts are subject to review by the State of Minnesota Office of the State Auditor (OSA). Any disallowed claims or misuse of tax increments could become a liability of the applicable fund. Management has indicated that they are not aware of any instances of noncompliance which would have a material effect on the financial statements.

E. Jointly governed organizations

The Lake Minnetonka Conservation District (LMCD) is a jointly governed organization, established by the state, which is made up of a representative appointed by the City Councils of each of the 14 Cities surrounding Lake Minnetonka. The purpose of the LMCD is to uniformly regulate docks, promote public access, and protect the environmental quality of the lake. The City contributed \$41,866 and \$39,326 in 2015 and 2014, respectively.

CITY OF WAYZATA, MINNESOTA
NOTES TO THE FINANCIAL STATEMENTS
DECEMBER 31, 2015

Note 8: OTHER INFORMATION - CONTINUED

F. Conduit debt

The City entered into a Cooperative Agreement with the City of Minnetonka to issue a Housing Revenue Note for \$6,250,000. Conduit debt obligations are certain limited-obligation revenue bonds or similar debt instruments issued for the express purpose of providing capital financing for a specific third party. The City of Minnetonka has issued revenue bonds to provide financial assistance to private-sector entities for projects deemed to be in the public interest. Although these bonds bear the name of the City of Minnetonka, the City of Minnetonka, the City of Wayzata, the State, nor any political subdivision thereof is obligated in any manner for repayment of the bonds. Accordingly, the bonds are not reported as liabilities in the accompanying financial statements.

In addition, the City entered into a Cooperative Agreement with Hammer Residences to issue a Housing Revenue Note for \$5,500,000. The outstanding balance at December 31, 2015 is \$4,683,119. The City of Wayzata, the State, nor any political subdivision thereof is obligated in any manner for repayment of the bonds. Accordingly, the bonds are not reported as liabilities in the accompanying financial statements.

Note 9: TRANSACTIONS BETWEEN THE PRIMARY GOVERNMENT AND ITS COMPONENT UNIT

The City conducts routine transactions with its component unit for services provided. The City provides administrative and financial services for the HRA activities; however, there were no contributions between the City and HRA during 2015 for these administrative services and operating costs.

Note 10: CHANGE IN ACCOUNTING STANDARDS

During 2015, the City implemented several new accounting pronouncements issued by the Governmental Accounting Standards Board (GASB), including Statement No. 68, *Accounting and Financial Reporting for Pensions - an Amendment of GASB Statement No. 27* and Statement No. 71, *Pension Transition for Contributions Made Subsequent to the Measurement Date - an Amendment of GASB Statement No. 68*, for the year ended December 31, 2015. These standards required a retroactive implementation which resulted in the restatement of beginning balances in the December 31, 2014 financial statements. Changes related to these standards are reflected in the financial statements and schedules and related disclosures are included in Note 4.

As a result of the restatement of beginning balances, the following schedule reconciles the previously reported December 31, 2014 balances to the December 31, 2015 financial statements:

Fund	December 31, 2015		
	Net Position January 1, 2015 as Previously Reported	Prior Period Restatement (1)	Net Position January 1, 2015 as Restated
Governmental activities	<u>\$ 40,657,847</u>	<u>\$ (2,424,233)</u>	<u>\$ 38,233,614</u>
Business-type activities			
Water	\$ 8,149,353	\$ (168,784)	\$ 7,980,569
Sewer	4,164,448	(168,758)	3,995,690
Licensing	(101)	(181,958)	(182,059)
Liquor	1,958,392	(960,117)	998,275
Solid Waste	255,591	(14,766)	240,825
Stormwater	<u>4,237,370</u>	<u>(17,226)</u>	<u>4,220,144</u>
Total business-type activities	<u>\$ 18,765,053</u>	<u>\$ (1,511,609)</u>	<u>\$ 17,253,444</u>

- (1) To record beginning net pension liability, deferred inflows of resources and deferred outflow of resources at December 31, 2014.

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REQUIRED SUPPLEMENTARY INFORMATION

CITY OF WAYZATA
WAYZATA, MINNESOTA

FOR THE YEAR ENDED
DECEMBER 31, 2015

CITY OF WAYZATA, MINNESOTA
REQUIRED SUPPLEMENTARY INFORMATION
FOR THE YEAR ENDED DECEMBER 31, 2015

Schedule of employer's share of PERA net pension liability - General Employees Retirement Fund

Fiscal Year Ending	City's Proportion of the Net Pension Liability	City's Proportionate Share of the Net Pension Liability (a)	State's Proportionate Share of the Net Pension Liability Associated with the City (b)	Total (a+b)	City's Covered Payroll (c)	City's Proportionate Share of the Net Pension Liability as a Percentage of Covered Payroll ((a+b)/c)	Plan Fiduciary Net Position as a Percentage of the Total Pension Liability
06/30/15	0.0492 %	\$ 2,549,799	\$ -	\$ 2,549,799	\$ 2,891,715	88.2 %	78.2 %

Schedule of employer's PERA contributions - General Employees Retirement Fund

Year Ending	Statutorily Required Contribution (a)	Statutorily Required Contribution (b)	Contribution Deficiency (Excess) (a-b)	City's Covered Payroll (c)	Contributions as a Percentage of Covered Payroll (b/c)
12/31/15	\$ 221,233	\$ 221,233	\$ -	\$ 2,949,773	7.5 %

Schedule of employer's share of PERA net pension liability - Public Employees Police and Fire Fund

Fiscal Year Ending	City's Proportion of the Net Pension Liability	City's Proportionate Share of the Net Pension Liability (a)	State's Proportionate Share of the Net Pension Liability Associated with the City (b)	Total (a+b)	City's Covered Payroll (c)	City's Proportionate Share of the Net Pension Liability as a Percentage of Covered Payroll ((a+b)/c)	Plan Fiduciary Net Position as a Percentage of the Total Pension Liability
06/30/15	0.1020 %	\$ 1,158,959	\$ -	\$ 1,158,959	\$ 936,063	123.8 %	86.6 %

Schedule of employer's PERA contributions - Public Employees Police and Fire Fund

Year Ending	Statutorily Required Contribution (a)	Statutorily Required Contribution (b)	Contribution Deficiency (Excess) (a-b)	City's Covered Payroll (c)	Contributions as a Percentage of Covered Payroll (b/c)
12/31/15	\$ 153,685	\$ 153,685	\$ -	\$ 948,673	16.2 %

CITY OF WAYZATA, MINNESOTA
REQUIRED SUPPLEMENTARY INFORMATION - CONTINUED
FOR THE YEAR ENDED DECEMBER 31, 2015

Schedule of funding progress for the postemployment benefit plan

Actuarial Valuation Date	Actuarial Value of Assets	Actuarial Accrued Liability	Unfunded Actuarial Accrued Liability (UAAL)	Funded Ratio	Covered Payroll	UAAL as a Percentage of Covered Payroll
01/01/15	\$ -	\$ 494,331	\$ 494,331	- %	\$ 2,761,742	17.9 %
01/01/14	-	460,130	460,130	-	2,661,920	17.3
01/01/13	-	520,112	520,112	-	2,550,437	20.4

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**COMBINING AND INDIVIDUAL FUND
FINANCIAL STATEMENTS AND SCHEDULES**

CITY OF WAYZATA
WAYZATA, MINNESOTA

FOR THE YEAR ENDED
DECEMBER 31, 2015

CITY OF WAYZATA, MINNESOTA
NONMAJOR GOVERNMENTAL FUNDS
COMBINING BALANCE SHEET
DECEMBER 31, 2015

	Special Revenue	Capital Projects	Total Nonmajor Governmental Funds
ASSETS			
Cash and temporary investments	\$ 233,777	\$ 6,662,395	\$ 6,896,172
Receivables			
Accounts	16,450	-	16,450
Special assessments	-	7,444	7,444
Due from other governments	-	100	100
	<u> </u>	<u> </u>	<u> </u>
TOTAL ASSETS	<u><u>\$ 250,227</u></u>	<u><u>\$ 6,669,939</u></u>	<u><u>\$ 6,920,166</u></u>
LIABILITIES			
Accounts and contracts payable	\$ -	\$ 338,184	\$ 338,184
Deposits payable	-	3,468	3,468
	<u> </u>	<u> </u>	<u> </u>
TOTAL LIABILITIES	<u> -</u>	<u>341,652</u>	<u>341,652</u>
DEFERRED INFLOWS OF RESOURCES			
Unavailable revenue - special assessments	-	7,444	7,444
	<u> </u>	<u> </u>	<u> </u>
FUND BALANCES			
Restricted	19,556	1,051,645	1,071,201
Committed	230,671	-	230,671
Assigned	-	5,269,198	5,269,198
	<u> </u>	<u> </u>	<u> </u>
TOTAL FUND BALANCES	<u>250,227</u>	<u>6,320,843</u>	<u>6,571,070</u>
	<u> </u>	<u> </u>	<u> </u>
TOTAL LIABILITIES, DEFERRED INFLOWS OF RESOURCES AND FUND BALANCES	<u><u>\$ 250,227</u></u>	<u><u>\$ 6,669,939</u></u>	<u><u>\$ 6,920,166</u></u>

CITY OF WAYZATA, MINNESOTA
NONMAJOR GOVERNMENTAL FUNDS
COMBINING STATEMENT OF REVENUES, EXPENDITURES AND
CHANGES IN FUND BALANCES
FOR THE YEAR ENDED DECEMBER 31, 2015

	Special Revenue	Capital Projects	Total Nonmajor Governmental Funds
REVENUES			
Taxes			
Franchise fees	\$ 65,387	\$ -	\$ 65,387
Licenses and permits	-	172,612	172,612
Charges for service	1,943	247,118	249,061
Fines and forfeitures	11,055	-	11,055
Special assessments	-	4,540	4,540
Investment earnings	1,921	53,918	55,839
Miscellaneous			
Contributions and donations	16,509	49,956	66,465
Refunds and reimbursements	-	538,783	538,783
	<u>96,815</u>	<u>1,066,927</u>	<u>1,163,742</u>
TOTAL REVENUES	<u>96,815</u>	<u>1,066,927</u>	<u>1,163,742</u>
EXPENDITURES			
Current			
General government	57,145	36,196	93,341
Public safety	968	-	968
Culture and recreation	-	298,061	298,061
Capital outlay			
General government	-	112,427	112,427
Public safety	-	469,884	469,884
Public works	-	1,146,046	1,146,046
Culture and recreation	-	355,172	355,172
	<u>58,113</u>	<u>2,417,786</u>	<u>2,475,899</u>
TOTAL EXPENDITURES	<u>58,113</u>	<u>2,417,786</u>	<u>2,475,899</u>
EXCESS (DEFICIENCY) OF REVENUES OVER (UNDER) EXPENDITURES	<u>38,702</u>	<u>(1,350,859)</u>	<u>(1,312,157)</u>
OTHER FINANCING SOURCES (USES)			
Transfers in	-	1,522,705	1,522,705
Transfers out	<u>(15,000)</u>	<u>(80,000)</u>	<u>(95,000)</u>
TOTAL OTHER FINANCING SOURCES (USES)	<u>(15,000)</u>	<u>1,442,705</u>	<u>1,427,705</u>
NET CHANGE IN FUND BALANCES	23,702	91,846	115,548
FUND BALANCES, JANUARY 1	<u>226,525</u>	<u>6,228,997</u>	<u>6,455,522</u>
FUND BALANCES, DECEMBER 31	<u><u>\$ 250,227</u></u>	<u><u>\$ 6,320,843</u></u>	<u><u>\$ 6,571,070</u></u>

CITY OF WAYZATA, MINNESOTA
NONMAJOR SPECIAL REVENUE FUNDS
COMBINING BALANCE SHEET
DECEMBER 31, 2015

	232	235	236/240	239	
	Cemetery	Cable TV	Police Forfeiture	Comprehensive Plan	Total
ASSETS					
Cash and temporary investments	\$ 47,523	\$ 45,935	\$ 19,556	\$ 120,763	\$ 233,777
Accounts receivable	-	16,450	-	-	16,450
TOTAL ASSETS	<u>\$ 47,523</u>	<u>\$ 62,385</u>	<u>\$ 19,556</u>	<u>\$ 120,763</u>	<u>\$ 250,227</u>
FUND BALANCES					
Restricted	\$ -	\$ -	\$ 19,556	\$ -	\$ 19,556
Committed	47,523	62,385	-	120,763	230,671
TOTAL FUND BALANCES	<u>\$ 47,523</u>	<u>\$ 62,385</u>	<u>\$ 19,556</u>	<u>\$ 120,763</u>	<u>\$ 250,227</u>

CITY OF WAYZATA, MINNESOTA
NONMAJOR SPECIAL REVENUE FUNDS
COMBINING STATEMENT OF REVENUES, EXPENDITURES AND
CHANGES IN FUND BALANCES
FOR THE YEAR ENDED DECEMBER 31, 2015

	232	235	236/240	239	
	Cemetery	Cable TV	Police Forfeiture	Comprehensive Plan	Total
REVENUES					
Taxes					
Franchise fees	\$ -	\$ 65,387	\$ -	\$ -	\$ 65,387
Charges for services	1,943	-	-	-	1,943
Fines and forfeitures	-	-	11,055	-	11,055
Investment earnings	402	450	125	944	1,921
Miscellaneous					
Contributions and donations	-	-	-	16,509	16,509
TOTAL REVENUES	2,345	65,837	11,180	17,453	96,815
EXPENDITURES					
Current					
General government	331	56,814	-	-	57,145
Public safety	-	-	968	-	968
TOTAL EXPENDITURES	331	56,814	968	-	58,113
EXCESS OF REVENUES OVER EXPENDITURES	2,014	9,023	10,212	17,453	38,702
OTHER FINANCING USES					
Transfers out	-	(15,000)	-	-	(15,000)
NET CHANGE IN FUND BALANCES	2,014	(5,977)	10,212	17,453	23,702
FUND BALANCES, JANUARY 1	45,509	68,362	9,344	103,310	226,525
FUND BALANCES, DECEMBER 31	<u>\$ 47,523</u>	<u>\$ 62,385</u>	<u>\$ 19,556</u>	<u>\$ 120,763</u>	<u>\$ 250,227</u>

CITY OF WAYZATA, MINNESOTA
NONMAJOR CAPITAL PROJECTS FUNDS
COMBINING BALANCE SHEET
DECEMBER 31, 2015

	233	237	401	404
	Lakefront Improvement	Fire Department Pull Tabs	Internally Financed Capital Project	Parks and Trails Capital Project
ASSETS				
Cash and temporary investments	\$ 838,032	\$ 53,976	\$ 732,192	\$ 1,028,611
Special assessments receivable	-	-	5,150	-
Due from other governments	100	-	-	-
TOTAL ASSETS	<u>\$ 838,132</u>	<u>\$ 53,976</u>	<u>\$ 737,342</u>	<u>\$ 1,028,611</u>
LIABILITIES				
Accounts and contracts payable	\$ 97,714	\$ -	\$ -	\$ 5,532
Deposits payable	3,468	-	-	-
TOTAL LIABILITIES	<u>101,182</u>	<u>-</u>	<u>-</u>	<u>5,532</u>
DEFERRED INFLOWS OF RESOURCES				
Unavailable revenue - special assessments	-	-	5,150	-
FUND BALANCES				
Restricted	-	-	-	141,421
Assigned	736,950	53,976	732,192	881,658
TOTAL FUND BALANCES	<u>736,950</u>	<u>53,976</u>	<u>732,192</u>	<u>1,023,079</u>
TOTAL LIABILITIES, DEFERRED INFLOWS OF RESOURCES AND FUND BALANCES	<u>\$ 838,132</u>	<u>\$ 53,976</u>	<u>\$ 737,342</u>	<u>\$ 1,028,611</u>

407	408	409	437	
Cell Tower	General Improvement Capital Project	Equipment Revolving	Community Room/Library Improvement	Total
\$ 475,776	\$ 1,486,077	\$ 1,615,809	\$ 431,922	\$ 6,662,395
-	2,294	-	-	7,444
-	-	-	-	100
<u>\$ 475,776</u>	<u>\$ 1,488,371</u>	<u>\$ 1,615,809</u>	<u>\$ 431,922</u>	<u>\$ 6,669,939</u>
\$ 225	\$ 26,417	\$ 208,296	\$ -	\$ 338,184
-	-	-	-	3,468
225	26,417	208,296	-	341,652
-	2,294	-	-	7,444
-	910,224	-	-	1,051,645
475,551	549,436	1,407,513	431,922	5,269,198
475,551	1,459,660	1,407,513	431,922	6,320,843
<u>\$ 475,776</u>	<u>\$ 1,488,371</u>	<u>\$ 1,615,809</u>	<u>\$ 431,922</u>	<u>\$ 6,669,939</u>

CITY OF WAYZATA, MINNESOTA
NONMAJOR CAPITAL PROJECTS FUNDS
COMBINING STATEMENT OF REVENUES, EXPENDITURES AND
CHANGES IN FUND BALANCES
FOR THE YEAR ENDED DECEMBER 31, 2015

	233	237	401	404
	Lakefront Improvement	Fire Department Pull Tabs	Internally Financed Capital Project	Parks and Trails Capital Project
REVENUES				
Licenses and permits	\$ 172,612	\$ -	\$ -	\$ -
Charges for services	-	-	-	9,275
Special assessments	-	-	1,595	-
Investment earnings	7,041	510	6,853	7,946
Miscellaneous				
Contributions and donations	100	23,500	-	26,356
Refunds and reimbursements	-	-	-	55,455
	<u>179,753</u>	<u>24,010</u>	<u>8,448</u>	<u>99,032</u>
TOTAL REVENUES				
EXPENDITURES				
Current				
General government	-	-	-	-
Culture and recreation	242,931	-	-	7,801
Capital outlay				
General government	-	-	-	-
Public safety	-	53,291	-	-
Public works	-	-	247,199	-
Culture and recreation	113,351	-	-	155,995
	<u>356,282</u>	<u>53,291</u>	<u>247,199</u>	<u>163,796</u>
TOTAL EXPENDITURES				
EXCESS (DEFICIENCY) OF REVENUES OVER (UNDER) EXPENDITURES	<u>(176,529)</u>	<u>(29,281)</u>	<u>(238,751)</u>	<u>(64,764)</u>
OTHER FINANCING SOURCES (USES)				
Transfers in	-	-	511,500	27,500
Transfers out	<u>(80,000)</u>	<u>-</u>	<u>-</u>	<u>-</u>
TOTAL OTHER FINANCING SOURCES (USES)	<u>(80,000)</u>	<u>-</u>	<u>511,500</u>	<u>27,500</u>
NET CHANGE IN FUND BALANCES	(256,529)	(29,281)	272,749	(37,264)
FUND BALANCES, JANUARY 1	<u>993,479</u>	<u>83,257</u>	<u>459,443</u>	<u>1,060,343</u>
FUND BALANCES, DECEMBER 31	<u>\$ 736,950</u>	<u>\$ 53,976</u>	<u>\$ 732,192</u>	<u>\$ 1,023,079</u>

407	408	409	437	
Cell Tower	General Improvement Capital Project	Equipment Revolving	Community Room/Library Improvement	Total
\$ -	\$ -	\$ -	\$ -	\$ 172,612
181,152	4,332	-	52,359	247,118
-	2,945	-	-	4,540
1,455	13,512	12,843	3,758	53,918
-	-	-	-	49,956
-	483,328	-	-	538,783
<u>182,607</u>	<u>504,117</u>	<u>12,843</u>	<u>56,117</u>	<u>1,066,927</u>
36,196	-	-	-	36,196
-	-	-	47,329	298,061
-	-	112,427	-	112,427
-	35,084	381,509	-	469,884
-	798,358	100,489	-	1,146,046
-	60,791	25,035	-	355,172
<u>36,196</u>	<u>894,233</u>	<u>619,460</u>	<u>47,329</u>	<u>2,417,786</u>
<u>146,411</u>	<u>(390,116)</u>	<u>(606,617)</u>	<u>8,788</u>	<u>(1,350,859)</u>
200,000	233,500	550,205	-	1,522,705
-	-	-	-	(80,000)
<u>200,000</u>	<u>233,500</u>	<u>550,205</u>	<u>-</u>	<u>1,442,705</u>
346,411	(156,616)	(56,412)	8,788	91,846
<u>129,140</u>	<u>1,616,276</u>	<u>1,463,925</u>	<u>423,134</u>	<u>6,228,997</u>
<u>\$ 475,551</u>	<u>\$ 1,459,660</u>	<u>\$ 1,407,513</u>	<u>\$ 431,922</u>	<u>\$ 6,320,843</u>

CITY OF WAYZATA, MINNESOTA
GENERAL FUND
SCHEDULE OF REVENUES, EXPENDITURES AND
CHANGES IN FUND BALANCES - BUDGET AND ACTUAL - CONTINUED ON THE FOLLOWING PAGES
FOR THE YEAR ENDED DECEMBER 31, 2015
(With comparative actual amounts for the year ended December 31, 2014)

	2015			2014	
	Budgeted Amounts		Actual Amounts	Variance with Final Budget	Actual Amounts
	Original	Final			
REVENUES					
Taxes					
Property taxes	\$ 3,926,983	\$ 3,926,983	\$ 3,858,556	\$ (68,427)	\$ 4,025,293
Franchise fees	82,000	82,000	81,215	(785)	79,619
Total	4,008,983	4,008,983	3,939,771	(69,212)	4,104,912
Licenses and permits					
Business	153,800	153,800	188,239	34,439	182,240
Nonbusiness	229,000	229,000	469,716	240,716	611,180
Total	382,800	382,800	657,955	275,155	793,420
Intergovernmental					
State					
Other	143,000	143,000	193,931	50,931	201,188
Local					
Other	40,000	40,000	-	(40,000)	23,648
Total	183,000	183,000	193,931	10,931	224,836
Charges for services					
General government	271,350	271,350	378,943	107,593	405,269
Public safety	422,577	422,577	434,041	11,464	412,385
Culture and recreation	16,400	16,400	14,598	(1,802)	14,378
Total	710,327	710,327	827,582	117,255	832,032
Fines and forfeitures	65,500	65,500	89,360	23,860	78,985
Investment earnings	22,000	22,000	26,875	4,875	40,734
Miscellaneous					
Other	3,000	3,000	10,266	7,266	5,636
TOTAL REVENUES	5,375,610	5,375,610	5,745,740	370,130	6,080,555

CITY OF WAYZATA, MINNESOTA
GENERAL FUND
SCHEDULE OF REVENUES, EXPENDITURES AND
CHANGES IN FUND BALANCES - BUDGET AND ACTUAL - CONTINUED
FOR THE YEAR ENDED DECEMBER 31, 2015
(With comparative actual amounts for the year ended December 31, 2014)

	2015				2014
	Budgeted Amounts		Actual Amounts	Variance with Final Budget	Actual Amounts
	Original	Final			
EXPENDITURES					
Current					
General government					
Mayor and Council					
Personnel services	\$ 25,836	\$ 25,836	\$ 25,836	\$ -	\$ 17,762
Supplies	200	200	672	(472)	544
Other services and charges	19,000	19,000	20,438	(1,438)	18,424
Total	45,036	45,036	46,946	(1,910)	36,730
Administration and finance					
Personnel services	474,974	474,974	465,757	9,217	415,649
Supplies	11,000	11,000	12,402	(1,402)	13,381
Other services and charges	220,760	220,760	320,706	(99,946)	242,919
Total	706,734	706,734	798,865	(92,131)	671,949
Assessing					
Supplies	500	500	-	500	-
Other services and charges	52,000	52,000	56,442	(4,442)	51,607
Total	52,500	52,500	56,442	(3,942)	51,607
Planning and zoning					
Personnel services	102,985	102,985	113,547	(10,562)	100,388
Supplies	-	-	90	(90)	41
Other services and charges	11,500	11,500	35,025	(23,525)	8,411
Total	114,485	114,485	148,662	(34,177)	108,840
General government buildings					
Supplies	4,000	4,000	3,004	996	4,944
Other services and charges	178,515	178,515	157,775	20,740	173,131
Total	182,515	182,515	160,779	21,736	178,075
Total general government	1,101,270	1,101,270	1,211,694	(110,424)	1,047,201
Public safety					
Police protection					
Personnel services	1,330,975	1,330,975	1,368,718	(37,743)	1,328,752
Supplies	50,614	50,614	36,655	13,959	44,477
Other services and charges	120,400	120,400	140,183	(19,783)	100,400
Total	1,501,989	1,501,989	1,545,556	(43,567)	1,473,629

CITY OF WAYZATA, MINNESOTA
GENERAL FUND
SCHEDULE OF REVENUES, EXPENDITURES AND
CHANGES IN FUND BALANCES - BUDGET AND ACTUAL - CONTINUED
FOR THE YEAR ENDED DECEMBER 31, 2015
(With comparative actual amounts for the year ended December 31, 2014)

	2015				2014
	Budgeted Amounts		Actual Amounts	Variance with Final Budget	Actual Amounts
	Original	Final			
EXPENDITURES - CONTINUED					
Current - continued					
Public safety - continued					
Fire protection					
Personnel services	\$ 110,880	\$ 110,880	\$ 91,527	\$ 19,353	\$ 103,507
Supplies	39,894	39,894	40,579	(685)	38,944
Other services and charges	172,475	172,475	168,503	3,972	175,254
Total	323,249	323,249	300,609	22,640	317,705
Building inspections					
Personnel services	212,829	212,829	226,721	(13,892)	217,895
Supplies	900	900	743	157	944
Other services and charges	17,700	17,700	22,269	(4,569)	5,953
Total	231,429	231,429	249,733	(18,304)	224,792
Emergency management					
Other services and charges	5,350	5,350	5,186	164	2,599
Health inspections					
Supplies	-	-	-	-	49
Other services and charges	32,000	32,000	30,877	1,123	28,394
Total	32,000	32,000	30,877	1,123	28,443
Total public safety	2,094,017	2,094,017	2,131,961	(37,944)	2,047,168
Public works					
Streets					
Personnel services	394,332	394,332	387,537	6,795	376,266
Supplies	87,400	87,400	71,937	15,463	84,821
Other services and charges	26,800	26,800	14,546	12,254	17,681
Total	508,532	508,532	474,020	34,512	478,768
Street lighting					
Supplies	10,000	10,000	14,617	(4,617)	13,777
Other services and charges	59,000	59,000	55,469	3,531	54,768
Total	69,000	69,000	70,086	(1,086)	68,545
Engineering					
Personnel services	167,728	167,728	158,700	9,028	109,089
Supplies	900	900	1,221	(321)	495
Other services and charges	3,700	3,700	3,150	550	3,131
Total	172,328	172,328	163,071	9,257	112,715
Total public works	749,860	749,860	707,177	42,683	660,028

CITY OF WAYZATA, MINNESOTA
GENERAL FUND
SCHEDULE OF REVENUES, EXPENDITURES AND
CHANGES IN FUND BALANCES - BUDGET AND ACTUAL - CONTINUED
FOR THE YEAR ENDED DECEMBER 31, 2015
(With comparative actual amounts for the year ended December 31, 2014)

	2015				2014
	Budgeted Amounts		Actual Amounts	Variance with Final Budget	Actual Amounts
	Original	Final			
EXPENDITURES - CONTINUED					
Current - continued					
Culture and recreation					
Parks, recreation, and forestry					
Personnel services	\$ 338,858	\$ 338,858	\$ 318,371	\$ 20,487	\$ 290,074
Supplies	48,100	48,100	42,239	5,861	41,111
Other services and charges	37,500	37,500	35,492	2,008	34,551
Total culture and recreation	424,458	424,458	396,102	28,356	365,736
Miscellaneous					
Unallocated					
Other services and charges	354,500	354,500	170,215	184,285	177,391
Total current expenditures	4,724,105	4,724,105	4,617,149	106,956	4,297,524
Capital outlay					
General government	1,000	1,000	1,049	(49)	190
Public safety	5,000	5,000	1,203	3,797	1,496
Total capital outlay	6,000	6,000	2,252	3,748	1,686
TOTAL EXPENDITURES	4,730,105	4,730,105	4,619,401	110,704	4,299,210
EXCESS OF REVENUES OVER EXPENDITURES	645,505	645,505	1,126,339	480,834	1,781,345
OTHER FINANCING SOURCES (USES)					
Transfers in	125,000	125,000	125,000	-	125,000
Sale of capital assets	-	-	30,406	30,406	-
Insurance recovery	-	-	26,772	26,772	9,681
Transfers out	(770,505)	(770,505)	(1,278,005)	(507,500)	(1,756,626)
TOTAL OTHER FINANCING SOURCES (USES)	(645,505)	(645,505)	(1,095,827)	(450,322)	(1,621,945)
NET CHANGE IN FUND BALANCES	-	-	30,512	30,512	159,400
FUND BALANCES, JANUARY 1	2,498,884	2,498,884	2,498,884	-	2,339,484
FUND BALANCES, DECEMBER 31	<u>\$ 2,498,884</u>	<u>\$ 2,498,884</u>	<u>\$ 2,529,396</u>	<u>\$ 30,512</u>	<u>\$ 2,498,884</u>

CITY OF WAYZATA, MINNESOTA
DEBT SERVICE FUND
COMBINING BALANCE SHEET
DECEMBER 31, 2015

	310	311 2009	315	
	Superior/Lake Realignment	Street Improvements	Big Woods	Total
ASSETS				
Cash and temporary investments	\$ 200,092	\$ 17,161	\$ 180,970	\$ 398,223
Special assessments receivable	<u>2,430,000</u>	<u>-</u>	<u>-</u>	<u>2,430,000</u>
TOTAL ASSETS	<u>\$ 2,630,092</u>	<u>\$ 17,161</u>	<u>\$ 180,970</u>	<u>\$ 2,828,223</u>
DEFERRED INFLOWS OF RESOURCES				
Unavailable revenue - special assessments	\$ 2,430,000	\$ -	\$ -	\$ 2,430,000
FUND BALANCES				
Restricted	<u>200,092</u>	<u>17,161</u>	<u>180,970</u>	<u>398,223</u>
TOTAL DEFERRED INFLOWS OF RESOURCES AND FUND BALANCES	<u>\$ 2,630,092</u>	<u>\$ 17,161</u>	<u>\$ 180,970</u>	<u>\$ 2,828,223</u>

CITY OF WAYZATA, MINNESOTA
DEBT SERVICE FUND
COMBINING SCHEDULE OF REVENUES, EXPENDITURES AND
CHANGES IN FUND BALANCES
FOR THE YEAR ENDED DECEMBER 31, 2015

	310	311	315	
	Superior/Lake	2009		
	Realignment	Street	Big Woods	Total
		Improvements		
REVENUES				
Taxes				
Property taxes	\$ -	\$ 34,815	\$ 213,150	\$ 247,965
Special assessments	257,491	-	-	257,491
Investment earnings	873	99	1,273	2,245
TOTAL REVENUES	258,364	34,914	214,423	507,701
EXPENDITURES				
Debt service				
Principal	130,000	25,000	155,000	310,000
Interest and other	80,100	8,258	51,469	139,827
TOTAL EXPENDITURES	210,100	33,258	206,469	449,827
NET CHANGE IN FUND BALANCES	48,264	1,656	7,954	57,874
FUND BALANCES, JANUARY 1	151,828	15,505	173,016	340,349
FUND BALANCES, DECEMBER 31	\$ 200,092	\$ 17,161	\$ 180,970	\$ 398,223

CITY OF WAYZATA, MINNESOTA
HOUSING AND REDEVELOPMENT AUTHORITY
(DISCRETELY PRESENTED COMPONENT UNIT)
COMBINING BALANCE SHEET
DECEMBER 31, 2015

	<u>Debt Service</u> 314 Widsten Tax Increment	<u>Capital Projects</u> 316 Bay Center Tax Increment	<u>Special Revenue</u> 440 Housing	<u>Total</u>
ASSETS				
Cash and temporary investments	\$ 762,905	\$ 451,816	\$ 285,626	\$ 1,500,347
Receivables				
Accrued interest	-	-	13,757	13,757
Delinquent taxes	74	-	-	74
Notes	-	-	38,214	38,214
Due from other funds	63,087	-	-	63,087
	<u>63,087</u>	<u>-</u>	<u>-</u>	<u>63,087</u>
TOTAL ASSETS	<u><u>\$ 826,066</u></u>	<u><u>\$ 451,816</u></u>	<u><u>\$ 337,597</u></u>	<u><u>\$ 1,615,479</u></u>
LIABILITIES				
Accounts payable	\$ 12,387	\$ 431,816	\$ -	\$ 444,203
Deposits payable	-	-	703	703
Due to other funds	-	63,087	-	63,087
	<u>-</u>	<u>63,087</u>	<u>-</u>	<u>63,087</u>
TOTAL LIABILITIES	<u>12,387</u>	<u>494,903</u>	<u>703</u>	<u>507,993</u>
FUND BALANCES				
Restricted for economic development	813,679	-	336,894	1,150,573
Unassigned	-	(43,087)	-	(43,087)
	<u>-</u>	<u>(43,087)</u>	<u>-</u>	<u>(43,087)</u>
TOTAL FUND BALANCES	<u>813,679</u>	<u>(43,087)</u>	<u>336,894</u>	<u>1,107,486</u>
TOTAL LIABILITIES AND FUND BALANCES	<u><u>\$ 826,066</u></u>	<u><u>\$ 451,816</u></u>	<u><u>\$ 337,597</u></u>	<u><u>\$ 1,615,479</u></u>
Total fund balances reported above				\$ 1,107,486
Amounts reported for the Housing and Redevelopment Authority in the statement of net position are different because				
Capital assets used in the Housing and Redevelopment Authority are not financial resources and therefore are not reported as assets in the funds.				
Cost of capital assets				<u>2,092,900</u>
Total net position - Housing and Redevelopment Authority				<u><u>\$ 3,200,386</u></u>

CITY OF WAYZATA, MINNESOTA
HOUSING AND REDEVELOPMENT AUTHORITY
(DISCRETELY PRESENTED COMPONENT UNIT)
COMBINING STATEMENT OF REVENUES, EXPENDITURES AND
CHANGES IN FUND BALANCES
FOR THE YEAR ENDED DECEMBER 31, 2015

	<u>Debt Service</u> 314 Widsten Tax Increment	<u>Capital Projects</u> 316 Bay Center Tax Increment	<u>Special Revenue</u> 440 Housing	<u>Total</u>
REVENUES				
Tax increment	\$ 425,129	\$ 1,001,178	\$ -	\$ 1,426,307
Investment earnings	6,429	141	4,371	10,941
	<u>431,558</u>	<u>1,001,319</u>	<u>4,371</u>	<u>1,437,248</u>
TOTAL REVENUES				
EXPENDITURES				
Current				
Housing and economic development	43,396	1,021,726	76,874	1,141,996
Debt service				
Principal	270,000	-	-	270,000
Interest and other	5,850	-	-	5,850
	<u>319,246</u>	<u>1,021,726</u>	<u>76,874</u>	<u>1,417,846</u>
TOTAL EXPENDITURES				
NET CHANGE IN FUND BALANCES	112,312	(20,407)	(72,503)	19,402
FUND BALANCES, JANUARY 1	<u>701,367</u>	<u>(22,680)</u>	<u>409,397</u>	<u>1,088,084</u>
FUND BALANCES, DECEMBER 31	<u><u>\$ 813,679</u></u>	<u><u>\$ (43,087)</u></u>	<u><u>\$ 336,894</u></u>	<u><u>\$ 1,107,486</u></u>

CITY OF WAYZATA, MINNESOTA
HOUSING AND REDEVELOPMENT AUTHORITY
(DISCRETELY PRESENTED COMPONENT UNIT)
RECONCILIATION OF THE COMBINING STATEMENT OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCES TO THE STATEMENT OF ACTIVITIES
FOR THE YEAR ENDED DECEMBER 31, 2015

Amounts reported for the Housing and Redevelopment Authority in the statement of activities are different because

Total net change in fund balances	\$ 19,402
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The issuance of long-term debt provides current financial resources to the funds, while the repayment of principal of long-term debt consumes the current financial resources of the funds. Neither transaction, however, has any effect on net position. Also, the funds report the effect premiums, discounts and similar items when debt is first issued, whereas these amounts are deferred and amortized in the statement of activities.

The amounts below are the effects of these differences in the treatment of long-term debt and related items.

Principal repayments	270,000
Amortization of bond premium	8,211

Interest on long-term debt in the statement of activities differs from the amount reported in the funds because interest is recognized as an expenditure in the funds when it is due, and thus requires the use of current financial resources. In the statement of activities, however, interest expense is recognized as the interest accrues, regardless of when it is due.

	450
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Change in net position - Housing and Redevelopment Authority	\$ 298,063
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CITY OF WAYZATA, MINNESOTA
 AGENCY FUND
 COMBINING STATEMENT OF CHANGES IN ASSETS AND LIABILITIES
 FOR THE YEAR ENDED DECEMBER 31, 2015

	<u>12/31/2014</u>	<u>Additions</u>	<u>Deletions</u>	<u>12/31/2015</u>
<u>Escrow</u>				
ASSETS				
Cash and temporary investments	\$ 77,242	\$ 76,165	\$ (100,386)	\$ 53,021
Accounts receivable	<u>15,445</u>	<u>27,252</u>	<u>(15,445)</u>	<u>27,252</u>
TOTAL ASSETS	<u>\$ 92,687</u>	<u>\$ 103,417</u>	<u>\$ (115,831)</u>	<u>\$ 80,273</u>
LIABILITIES				
Accounts payable	\$ 6,075	\$ 2,975	\$ (6,075)	\$ 2,975
Deposits payable	<u>86,612</u>	<u>60,720</u>	<u>(70,034)</u>	<u>77,298</u>
TOTAL LIABILITIES	<u>\$ 92,687</u>	<u>\$ 63,695</u>	<u>\$ (76,109)</u>	<u>\$ 80,273</u>

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SUPPLEMENTARY INFORMATION (UNAUDITED)

CITY OF WAYZATA
WAYZATA, MINNESOTA

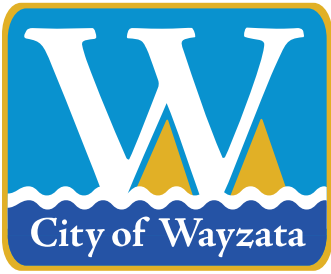
FOR THE YEAR ENDED
DECEMBER 31, 2015

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CITY OF WAYZATA, MINNESOTA
SUMMARY FINANCIAL REPORT
REVENUES AND EXPENDITURES FOR GENERAL OPERATIONS
GOVERNMENTAL FUNDS
FOR THE YEARS ENDED DECEMBER 31, 2015 AND 2014

	Total		Percent Increase (Decrease)
	2015	2014	
REVENUES			
Taxes	\$ 4,463,123	\$ 4,432,375	0.7 %
Licenses and permits	830,567	962,533	(13.7)
Intergovernmental	245,034	242,886	0.9
Charges for services	1,297,454	1,161,586	11.7
Fines and forfeitures	100,415	88,433	13.5
Special assessments	262,031	259,705	0.9
Investment earnings	102,944	176,439	(41.7)
Miscellaneous	1,313,288	229,326	472.7
TOTAL REVENUES	<u>\$ 8,614,856</u>	<u>\$ 7,553,283</u>	14.1 %
Per Capita	<u>\$ 1,925</u>	<u>\$ 1,826</u>	5.4 %
EXPENDITURES			
Current			
General government	\$ 1,305,035	\$ 1,098,901	18.8 %
Public safety	2,132,929	2,051,538	4.0
Public works	707,177	750,434	(5.8)
Culture and recreation	694,163	384,457	80.6
Miscellaneous	170,215	177,391	(4.0)
Capital outlay			
General government	113,476	100,604	12.8
Public safety	471,087	348,819	35.1
Public works	3,208,271	1,026,268	212.6
Culture and recreation	355,172	293,917	20.8
Debt service			
Principal	310,000	295,000	5.1
Interest and other	139,827	144,158	(3.0)
TOTAL EXPENDITURES	<u>\$ 9,607,352</u>	<u>\$ 6,671,487</u>	44.0 %
Per Capita	<u>\$ 2,146</u>	<u>\$ 1,613</u>	33.1 %
Total Long-term Indebtedness	\$ 4,095,000	\$ 4,405,000	(7.0) %
Per Capita	915	1,065	(14.1)
General Fund Balance - December 31	\$ 2,529,396	\$ 2,498,884	1.2 %
Per Capita	565	604	(6.5)

The purpose of this report is to provide a summary of financial information concerning the City of Wayzata to interested citizens. The complete financial statements may be examined at City Hall, 600 Rice Street East, Wayzata, MN 55391. Questions about this report should be directed to Kathy Ovshak, Senior Accountant at (952) 404-5300.



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

Mayor:
Ken Willcox

City Council:
Bridget Anderson
Johanna McCarthy
Andrew Mullin
Steven Tyacke

**Interim City
Manager:**
Doug Reeder

Date: May 13, 2016
To: Mayor Willcox and City Councilmembers
From: Jeff Thomson, Director of Planning and Building
Subject: Tree Ordinance Amendment

Introduction

On November 4, 2015, the City Council reviewed a draft amendment to the tree preservation ordinance. The proposed ordinance amendment includes two separate sections of the city code. The maintenance and removal of trees chapter (Chapter 710) addresses maintenance and removal of trees throughout the community, and applies to tree removal on existing properties where no construction, development, or redevelopment is occurring. Chapter 710 also includes the tree pathogen control program (dutch elm disease and emerald ash borer) and abatement procedures. The tree preservation chapter (Chapter 801 Section 36) would be a new section of the zoning ordinance, and addresses the preservation of trees during development, such as construction, subdivision, or redevelopment. The staff report and draft ordinance from the November 4th Council meeting are included on Attachment A and Attachment B.

City Council Discussion

The following summarizes the areas of the ordinance that were the primary focus of the Council's discussion on November 4th, and includes discussion questions for the Council's consideration.

Tree Removal Thresholds and Replacement Requirements

The draft tree preservation ordinance includes two preservation objectives. The first and primary objective of the draft ordinance is to minimize impacts to trees as development occurs. The draft ordinance includes mandatory and discretionary protection requirements that could be required to minimize tree impacts during development.

The second goal of the draft tree preservation ordinance is to require mitigation when tree removal does occur for a development project. The mitigation requirements vary based on the size and species of the trees, and the type of development being proposed. The following table summarizes the allowable tree removal thresholds:

Type of Project	Heritage Trees	Significant Trees
Constructing or expanding	0% removal threshold	10% removal threshold for

a dwelling unit or commercial property	for inches of heritage trees removed before mitigation is required	inches of significant trees removed before mitigation is required
Subdivision or site improvement that requires a grading permit	0% removal threshold for inches of heritage trees removed before mitigation is required	25% removal threshold for inches of significant trees removed before mitigation is required

In addition, the draft ordinance requires mitigation based on the type of tree removed. The following table summarizes the tree mitigation requirements:

Type	Definition	Mitigation Requirement
Heritage Tree	Softwood deciduous tree that is 30 inches in dbh or greater; Hardwood deciduous tree that is 25 inches in dbh or greater; or Coniferous evergreen tree that is 25 inches in dbh or greater	2 inches of replacement trees for every one inch of heritage tree removed
Significant Tree	Hardwood deciduous tree that is at least 6 inches in dbh Softwood deciduous tree that is at least 12 inches in dbh; or Coniferous tree measuring at least 12 feet in height or 12 inches in dbh	1 inch of replacement tree for every one inch of significant tree removed beyond the allowable removal threshold

During the City Council review, some members of the City Council indicated that they thought certain provisions of the draft ordinance were too restrictive. City staff has identified a couple of options for the Council to consider which could address these concerns. The first option is to modify the tree removal thresholds to increase the amount of tree removal that could occur before mitigation is required. The second option is to modify the tree replacement requirements by modifying or reducing the inch for inch mitigation requirements.

Included on Attachment D is a comparison to other metro area communities' standards for tree removal thresholds and tree replacement requirements. The tree removal thresholds in the comparison communities range from no allowance for tree removal prior to mitigation to up to 75 percent removal before mitigation is required. For tree replacement, some communities require replacement on a tree for tree basis, where one to three trees must be planted for every one tree removed. Other communities require inch for inch mitigation, which vary from one inch of replacement for each inch of tree removed, up to 1.25 inches for every inch removed.

Discussion Question: Does the City Council want to modify the tree removal thresholds or the tree replacement ratios in the draft tree ordinance?

Acceptable Tree Replacement Species

The draft tree preservation ordinance provides specific requirements for types and species of trees that are allowed to be planted to meet the mitigation requirements. The draft ordinance states that heritage tree replacement must be of the same species. Significant trees must consist of at least 25 percent coniferous trees and 25 percent deciduous hardwood trees. The ordinance also provides a list of 17 acceptable tree replacement species. The feedback from the City Council was that the draft ordinance was too prescriptive and did not provide enough variety and flexibility for tree replacement.

City staff thinks there is value in providing a diverse tree canopy in the community, and providing for more diverse tree species through tree mitigation requirements helps in achieving this goal. To that end, the draft tree ordinance could be amended to address the Council's concern by including the 17 specific species as *recommended* species for replacement, but not a strict requirement. In addition, the Minnesota Department of Natural Resources' terrestrial invasive species list could be referenced as specific tree and landscaping species that are not permitted to be planted.

Discussion Question: Does the City Council support changing the acceptable tree replacement species in the draft ordinance to a list of recommended tree species?

County and State Construction Projects

As currently drafted, the draft tree preservation ordinance would not require mitigation for trees removed for (1) collector or arterial roads, (2) regional recreational trails, (3) storm water infrastructure serving a regional drainage area, and (4) installation and maintenance of trunk utility infrastructure. The reason these are exempt from the ordinance requirements is that, as part of the regional infrastructure, the projects benefit a regional area beyond just the location of where the trees are being removed. The City Council review included discussion on whether the ordinance should apply to county and state construction projects. The draft ordinance requirements for tree removal thresholds and mitigation requirements could be applied to these projects. The question as to whether they should be applied to other agencies is a policy decision for the Council to consider.

Discussion Question: Does the City Council want to amend the draft ordinance to apply the tree removal thresholds and mitigation requirements to regional infrastructure?

Other City Council Comments

In addition to the previous items, the Council provided comments on two other sections of the draft tree preservation ordinance.

Pruning and Other Impacts to Trees

The City Council review included questions about how the draft ordinance addresses pruning of trees, and other impacts that do not directly result in the removal of a tree, but which would

impact the long term health and survivability of a tree. The City's existing tree ordinance (Chapter 710 – Planting, Maintenance and Removal of Trees) includes language on adversely impacting trees. The draft tree preservation ordinance could be amended to include a more refined and expanded definition of tree removal, which could include excessive pruning or impacts to the critical root zone of a tree which significantly impacts the health of the tree.

City Forester

The Council also discussed the qualifications for the City Forester. There was some discussion by the Council that the qualifications were too restrictive. The revised language requiring the forester to meet the qualifications of the International Society of Arboriculture could be removed, if desired by the Council.

Other Items for the Council's Consideration

In addition to the City Council comments from its November 4th review of the ordinance, City staff has identified additional sections of the ordinance that may warrant additional discussion and potential changes:

- Removal of trees on existing properties: The existing tree ordinance (Chapter 710) provides restrictions on the removal of trees from privately owned land. The restriction has been interpreted by City staff to state that a property owner can remove up to 32 inches of trees per acre in any twelve month period. The language in the existing ordinance is difficult to interpret, and staff thinks it should be re-worded to provide more clear language on the amount of tree removal allowed on existing properties. If the Council finds that the maximum tree removal of 32 inches per acre per twelve month period is appropriate, the language would be amended to make that clear. If the Council provides different direction, a change could be made to the existing ordinance language. In addition, the existing ordinance does not state when trees in excess of 32 inches per acre can be removed. For example, it is not clear in the existing ordinance if trees removed for a building addition or other site improvement count towards the 32 inches per acre threshold.
- Tree removal permit: The existing ordinance includes a requirement to obtain a tree removal permit from the City when trees are to be removed from a property. However, the tree removal permit requirements and standards have been removed. A revised ordinance amendment should add permit requirements and standards if a tree removal permit continues to be required.
- Diseased, dead, dying or hazard trees: The tree preservation requirements in the draft ordinance would not apply to diseased, dead, dying or hazard trees. However, there is not a clear definition of these conditions in the draft ordinance for the proper administration and enforcement of the ordinance. City staff thinks that the draft ordinance should be amended to provide a clear definition of these terms.

- Administration of the ordinance: The draft ordinance provides different standards for developers and property owners for certain sections of the ordinance. For example, developers are allowed to remove more significant trees than property owners before mitigation is required. In addition, tree preservation plans which outline the tree preservation techniques, tree removal, and mitigation plans, would only be reviewed and approved by the City Council for preliminary plat applications. All other applications would be reviewed and approved by the City Forester. City staff thinks that the ordinance applicability for other land use applications (such as variances and conditional use permits) should be reviewed prior to the Council's final consideration of the draft ordinance.

City Council Action

Based on the number of outstanding items on the draft tree ordinance, City staff has not drafted a revised ordinance for the Council's consideration. City staff requests feedback on the sections of the draft tree ordinance outlined in this report, as well as on any other sections of the draft ordinance. Based on the Council feedback on these items, City staff will bring back a revised draft of the tree preservation ordinance for the Council's consideration at a future meeting.

Attachments

- Attachment A: November 4, 2015 Staff Report
- Attachment B: November 4, 2015 Draft Ordinance Amendment
- Attachment C: November 4, 2015 City Council Meeting Minutes
- Attachment D: City Ordinance Comparison Chart



**Planning Report
Wayzata City Council
November 4, 2015**

File Case No:	PR 2015-16
Applicant:	City of Wayzata
Address of request:	N/A
PID number:	N/A
Prepared By:	Eric Zweber, Interim City Planner
Project Summary:	Amend existing City Code Chapter 710 regarding the Planting, Maintenance and Removal of Trees and adding City Code § 801.36 regarding Tree Preservation

PROJECT SUMMARY

Section 1. Ordinance Amendment

- 1.1. General. One of the City's goals for 2015 is to adopt an Ordinance that protects old and important trees and requires replacement of trees removed. This Ordinance is called the Tree Preservation Ordinance. While creating the Tree Preservation Ordinance, the City has also reviewed an amendment to City Code Chapter 710 Planting, Maintenance and Removal of Trees to maintain the abatement procedure for diseased or hazardous tree while moving any tree preservation requirement to the new Section 801.36 within the Zoning Code.

During workshops on September 8 and September 21, the Planning Commission has reviewed the draft Tree Preservation Ordinance. A number of changes were recommended to the draft Ordinance to address local issues to Wayzata and a request was made for Manuel Jordan, the City's tree consultant, to review and make recommendations to the Ordinance. Both the changes based on Planning Commission workshop comments and the comments from Manuel Jordan are incorporated in the proposed Ordinance (Attachment A).

On October 19, the Planning Commission conducted a public hearing for the Tree Preservation Ordinance. The Planning Commission approved the Planning Commission Report and Recommendation (Attachment B) recommending

approval of the Tree Preservation. The discussion at the Planning Commission meeting is described in more detail below.

- 1.2 Tree Abatement versus Tree Preservation. The proposed Ordinance will separate tree regulations into two different Chapters: tree abatement will remain in Chapter 710 Maintenance and Removal of Trees and tree preservation will be moved into the Zoning Ordinance in Section 801.36 Tree Preservation. The simplest explanation for this separation is that the purpose of tree abatement is when the City would order a property owner to remove a tree (such as when it is a hazard) and the purpose of tree preservation is when a property owner wants to remove a healthy tree (often due to construction) and the City wants to either adjust the owner's plans to protect a Heritage Tree or require replacement for the lesser trees. Chapter 710 allows the City to use its police powers to protect its residents' health, safety and welfare to require removal of hazardous trees while the Zoning Ordinance allows the City to preserve or replace trees to implement the goals of the Comprehensive Plan.
- 1.3 Public Hearing Notice. A Notice of Public Hearing regarding the addition of Chapter 801 Section 36 "TREE PRESERVATION" was published in the Lakeshore Weekly on October 6, 2015.
- 1.4 October 19, 2015 Planning Commission Meeting Summary. The Planning Commission reviewed the Application and held a Public Hearing on October 19, 2015. The draft Planning Commission minutes are provided in Attachment C. Merrily Babcock testified that she is generally supportive of the proposed Ordinance and asked about how the Ordinance would have been implemented if it was in place for recent developments. Ms. Babcock asked if the Ordinance includes consideration for trees off the site of the development. Staff stated that the Tree Preservation Plan must include consideration for any off site tree in which the tree's Critical Root Zone is on the property being development. The Ordinance could require adjustments to the development to protect those trees' roots.

After the Public Hearing was closed, the Planning Commission discussed five elements of the Ordinance: who can be a City Forester; what agency provides guidance on the Emerald Ash Borer; ensuring that the Critical Root Zone has replaced the Drip Line of a tree; ensuring that staff is pro-active in inspecting and releasing financial securities after trees are installed; and the proper amount of tree replacement. These five issues are discussed in greater detail in Section 2 below. The Planning Commission approved a Report and Recommendations to approve Tree Preservation Ordinance with a criteria for who can be a City Forester; identifying an agency that provides the guidance for an Emerald Ash Borer investigation; that utilities must protect the Critical Root Zone when trenching; and a requirement for staff to review and release the financial securities on a timely manner on a 6-0 vote. Commissioner Gonzalez was absent. The tree replacement ratio was not changed.

- 1.5 Effective Date and Implementation of the Ordinance. The Ordinance will become effective the day of its publication in the newspaper. Once the Ordinance is in effect, any development requesting a grading permit would need to meet these standards. This means that developments that may have received a zoning approval (such as Design Review, a Conditional Use Permit or a Planned Unit Development) before the Ordinance's adoption would need to submit a tree preservation plan and meet the Ordinance requirement when they apply for their grading permit.

Section 2. Summary of Issues

- 2.1 Zoning Analysis. Both the Maintenance and Removal of Trees (Chapter 710) regulations and the Tree Preservation (Section 801.36) will apply to the entire City regardless of zoning district. Chapter 710 is a part of the overall City Code and Section 801.36 will become part of the Zoning Ordinance.

While the Tree Preservation applies to the entire City, it has different standards for land developers (individuals or companies that subdivide land) and homeowner or commercial property owners. The two standards apply because development has a greater impact on the surrounding land (through the installation of utilities and the creation of roads and stormwater infrastructure) than homeowner would if they were construct and addition or otherwise improve their property.

- 2.2 How the Ordinance Works. As stated above, the Tree Preservation Ordinance applies to the removal of any healthy tree that is not a hazard. The standards are broken into two categories: Developers and Residential or Commercial Property Owners. Developers are allowed a greater removal without replacement (25% of the total inches on site due to the expectation that mass grading would require more removal) but the developer's tree replacement plan needs to be approved by the City Council during the zoning approval. Property owners are allowed a lower removal allowance (10% because of development of the property has already removed a number of trees during mass development) but the property owner's tree replacement plan can be administratively approved by the City Forester.

The Ordinance divides trees into three categories: Heritage Trees (the largest and most special), Significant Trees (important but not Heritage) and all other trees. Heritage Trees must be avoided (preserved) if possible and if it must be removed, there is not removal allowance and the replacement ratio is twice that of Heritage Trees. Significant Trees do not need to be preserved and any removal over the allowance within the Ordinance will require replacement at half the rate of a Heritage Tree. All other trees (the smallest trees) may be removed without replacement. The table below describes the tree categories and there replacement requirement.

How are the Trees categorized?

Tree Category	Size of Tree	Removal without Replacement	Replacement Ratio	Size of Replacement Trees
Heritage Trees	Softwoods 30 Caliper Inches or Larger	None	2 Caliper Inch per 1 Caliper Inch Removed.	Minimum of 2.5 Inches Deciduous Trees or 6 Foot Tall Conifers.
	Hardwoods or Conifers 24 Inches or Larger			
Significant Trees	Hardwoods or Conifers between 6 and 24 Caliper Inches	25% of Total Caliper Inches for Developers; 10% for Home/Business Owners	1 Caliper Inch per 1 Caliper Inch Removed.	
	Softwoods between 12 and 30 Caliper Inches			
Non-Significant Trees	Hardwoods or Conifers less than 6 Caliper Inches	All	No Replacement Required.	
	Softwoods less than 12 Caliper Inches			

Dead, unhealthy or hazardous trees are exempt from the replacement requirements, as are trees that were part of a commercial business (nursery or tree farm), tree that are transplanted elsewhere or trees that are removed to install regional infrastructure identified in a City infrastructure plan.

- 2.3 City Forester. The Planning Commission required a criteria or certification for an individual being appointed as the City Forester. Currently, the City Manager can appoint anyone a City Forester. Upon consultation with Manuel Jordan, the City's tree consultant, the criteria has been added that the City Forester must be qualified to be a Certified Arborist by the International Society of Arboriculture.
- 2.4 Emerald Ash Borer Investigation. Section 710.05(e) describes the ability of the City Forester to declare an ash tree a nuisance. The Planning Commission felt uncomfortable leaving this determination solely to the Forester, particularly since the other nuisances cite some State agency for guidance. Since the Minnesota Department of Agriculture is in charge of the State's response to Emerald Ash Borer, staff has added the nuisance declaration must be based on the Department of Agriculture guidance.
- 2.5 Discretionary Protections for Utilities. At the Planning Commission review, Section 801.36.07(b) required utility companies to protect the Drip Line of a tree, while the Drip Line had been replaced with the Critical Root Zone in all other places in the Ordinance. This was simply an oversight by staff. The Critical Root Zone is preferred because the diameter of the zone increases as the tree grows, while the Drip Line does not grow much once a tree reaches maturity. This Section has been changed to the Critical Root Zone.
- 2.6 Financial Guarantee. Section 801.36.14 addresses the financial security that would need to be deposited with the City to ensure that the trees are replaced and healthy three years after they have been installed. The Ordinance that the Planning Commission reviewed did not have an affirmative requirement that staff

maintain and check these financial securities. The Ordinance has been amended to require that the Zoning Administrator review the financial securities at least once during the growing season and perform inspections and release the securities when warranted.

- 2.7 Tree Replacement Formula. The Planning Commission discussed the replacement ratio. The Planning Commission Chair observed that a homeowner removing one 30 inch cottonwood tree would require the planting of 24 trees (at 2.5 inches) or the payment of approximately \$6,000 in fee-in-lieu of replacement (based on the value of \$100 per inch of tree). Additionally, that homeowner would need to deposit \$6,000 with the City in addition to paying a nursery \$6,000 to deliver and install the trees. The majority of the Planning Commission stated that large trees (Heritage Trees) are important to the City and that this dollar value would require both developer and property owner to consider the financial obligation to removing important trees.

For reference, Edina and Minnetonka requires replacement at a ratio of 1 inch for each 1 inch removed; Plymouth requires replacement at a ratio of 1.25 inches for each 1 inch removed; and Rosemount requires replacement of 1 inch for each 1 inch of Heritage Tree removed and ½ inch for each 1 inch of Significant Tree of removal. It should be noted that Edina, Minnetonka and Plymouth allow a greater percentage of removal before replacement is required than the proposed Ordinance. The Planning Commission also reviewed Oakdale's Ordinance, but their replacement is based on the number of trees planted, not the total inches of the tree planted.

Section 3. Action Steps.

After considering the items outlined in this Report, the City Council should pursue one of the following options as an action step:

1. Adopt the First Reading of Ordinance 757 included as Attachment A of this Report.
2. If the Council wishes to significantly modify the Ordinance, the Council should direct staff to prepare a revised Ordinance for review and adoption at the next Council meeting.

Attachments:

Attachment A: Tree Preservation Ordinance

Attachment B: Planning Commission Report and Recommendation

Attachment C: Draft October 19 Planning Commission Meeting Minutes

**CITY OF WAYZATA
HENNEPIN COUNTY, MINNESOTA
ORDINANCE NO. 757**

**AN ORDINANCE AMENDING CHAPTER 710 (PLANTING, MAINTENANCE AND
REMOVAL OF TREES) OF THE WAYZATA CITY CODE, AND AMENDING
CHAPTER 801 (ZONING ORDINANCE) OF THE WAYZATA CITY CODE TO
INCLUDE NEW SECTION 36 ON TREE PRESERVATION**

THE CITY OF WAYZATA ORDAINS:

Section 1. Amendment to Ch. 710 of City Code. Chapter 710 of the Wayzata City Code (Planting, Maintenance and Removal of Trees) is hereby amended to read in its entirety as set forth in Exhibit A attached hereto (~~struck~~ text deleted; underlined text added).

Section 2. Amendment to Ch. 801 of City Code. Chapter 801 of the Wayzata City Code (Zoning Ordinance) is hereby amended to add a new Section 36, which shall read in its entirety as set forth in Exhibit B attached hereto.

Section 3. Findings. The amendments made hereby are based upon the findings set forth in the Report and Recommendation of the Wayzata Planning Commission, dated October 19, 2015.

Section 4. Effective Date. This Ordinance will become effective upon passage and publication.

Adopted by the City Council this ____ day of _____, 2015.

Ken Willcox
Mayor

ATTEST:

Heidi Nelson
City Manager

First Reading:
Second Reading:
Publication:

EXHIBIT A

Amendment of Ch. 710 of City Code

CHAPTER 710

~~PLANTING, MAINTENANCE AND REMOVAL OF TREES~~

710.01. Purpose. The Wayzata City Council has determined the preservation of trees growing on public and private property are necessary to maintain the general welfare of the public and is set forth more fully in Section 710.13 of this Chapter, and Section 801.36 of the Zoning Ordinance. In order to maintain and enhance the quantity and quality of trees growing within the City, this Chapter is adopted to regulate the ~~planting,~~ maintenance and removal of trees within the City of Wayzata by: (1) Defining the duties and responsibilities of the City Forester as the agent enforcing regulations relating to the planning, ~~planting,~~ maintenance and removal of trees within the City of Wayzata; (2) Providing for the issuing of permits and/or licenses for any maintenance and/or removal of trees within the City of Wayzata; (3) Providing for the pruning and removal of trees on private property that endanger public safety; (4) Providing for standards and specifications of all policy concerning trees on public property; and ~~(5) Providing for standards and specifications of a care protection policy concerning trees in subdivision properties; and (56)~~ Providing for standards and specifications for care protection policy concerning trees within project construction limits.

(Ord. ~~xxxx 614 / 5-27-1999~~)

710.02. Definitions. The following words and terms, when used in this Chapter, shall have the following meanings, unless the context clearly indicates otherwise:

a. "Applicant" shall mean any person applying for any City permit or approval that would result in the construction or improvements on land within the City that contains Significant Trees.

b. "Forester" shall mean that person appointed as City Forester by the Wayzata City Manager and meets the qualifications of the International Society of Arboriculture.

~~c. "Preservation Plan" shall mean a plan which is prepared for a proposed development or redevelopment project by a Minnesota registered surveyor which sets forth the project area, locates proposed improvements and locates all Significant Trees located in the project area. It shall indicate which Significant Trees are to be preserved and which are to be removed as a result of the construction of the project. Significant Trees' diameters, heights (where applicable) and species shall be noted in the Preservation Plan.~~

~~cd.~~ "Code Enforcement Officer" shall mean the City Manager or designee.

~~de.~~ "Significant Trees" shall mean healthy trees (as determined by the City Forester) which are six (6) inches in diameter (DBH) for a hardwood deciduous trees, twelve (12) inches DBH or greater than ~~twelveeight (128)~~ feet in height for coniferous trees.

f. "Preservation" shall mean maintaining in its natural condition and location any tree.

g. "DBH" shall mean diameter of trees at breast height. It is that point 4½ feet (54 inches) above the ground at which the diameter of a tree shall be measured. Trees that branch near or below 4 ½ feet from the ground will be measured at the narrowest point below 4 ½ feet. Trunks that originate from the ground shall be considered separate trees. The City Forester shall have the final say in the DBH calculation if there is a question of how it is to be measured.

h. "Critical Root Zone" shall mean the minimum area around a tree that must remain undisturbed. The critical root radius is calculated by measuring the tree's diameter at breast height. For each inch of tree diameter, 1.5 feet of root zone radius must be protected. For example, if a tree's DBH is 10 inches, then its critical root zone radius is 15 feet (10 x 1.5 = 15).

(Ord. ~~xxxx 614~~ [5-27-1999])

710.03. Duties and Qualifications of the Forester.

a. **Duties.** The Forester, as appointed by the City Manager, for the purposes of this Chapter shall identify diseased and hazardous trees that threaten the health and safety of the public and coordinate all activities of the City relating to the control and prevention of tree-~~pathogens/diseases.~~ -It shall further be the duty of the Forester and the City Manager and/or his/her designee to identify and describe significant trees in any proposed subdivision or development project and to assist planners, developers, and architects in the development of a tree preservation plan for each construction development project.

b. **Qualifications of the Forester.** The qualifications of the Forester shall be, as a minimum, those qualifications prescribed for certified arborists by the Minnesota Society of Arboriculture or by the Commissioner of Agriculture.

(Ord. ~~xxxx614~~ [5-27-1999])

710.04. Disease-Pathogen Control Program. It is the intent of the City to conduct a program of plant pest control pursuant to the authority granted by Minn. Stat. §18.022. This Chapter provides full power and authority over all trees, plants and shrubs located within the street rights-of-way, parks and public places of the City; and to trees located on private property that constitute a hazard or threat as described herein; ~~and trees that fall under the tree protection policy as described in Section 710.17 of this Chapter.~~

(Ord. ~~xxxx614~~ [5-27-1999])

710.05. Nuisances Declared. The following things hereby are declared to be public nuisances whenever they may be found within the City:

- a. Any living or standing elm tree or part thereof infected to any degree with the Dutch Elm disease fungus (as defined by the Minnesota Department of Agriculture) ~~Ceratoeystis Ulmi (Buisman) Moreau~~ or which harbors any of the elm bark beetles known by the Minnesota Department of Agriculture to transmit the disease. ~~Scolytus Multistriatus (Eichh.) or Hylurgopinus Rufipes (Marsh).~~
- b. Any dead elm tree or part thereof, including logs, branches, stumps, firewood or other elm material from which the bark has not been removed or sprayed with an effective Dutch Elm insecticide, or disposed of in a manner prescribed by the Commissioner of Agriculture.
- c. Any living or standing oak tree or part thereof infected to any degree with the Oak Wilt disease fungus, as defined by the Minnesota Department of Agriculture ~~Ceratoeystis Fagacearum.~~
- d. Any infected oak tree or part thereof, including logs, branches, stumps, firewood or other oak material unless all bark material is removed and disposed of in a manner prescribed by the Commissioner of Agriculture.
- e. Any ash tree at risk infestation of the Emerald Ash Borer (EAB) as determined by the City Forester after considering Minnesota Department of Agriculture guidance.
- f. Any living or standing tree or shrub or part thereof infected to any degree by any organism to be controlled as set forth and described by the Commissioner of Agriculture.
- g. Any dead, dying, decaying or living tree, shrub or parts thereof that interferes with the public use of any public thoroughfare or right-of-way.

It shall be unlawful for any person to permit any public nuisance as defined in this Section to remain on any property owned or controlled by him within the City. Such a nuisance shall be abated in the manner prescribed by this Chapter. Abatement shall be at the discretion of the City Forester in accordance with all State Law and City Code.

(Ord. ~~xxxx 614 [5-27-1999]~~)

710.06. Inspection and Investigation. The City Forester shall inspect all premises and places within the City as often as practicable to determine whether any nuisances as described in this Chapter exist thereon. The Forester shall investigate all reported incidents of diseased trees within the City. The Forester or duly authorized representative(s) may enter upon private premises at any reasonable time for the purpose of carrying out any of the duties assigned under this Chapter. However, except for cases of emergencies or the imminent threat of personal or

property damage, the City shall first notify the property owner at least five (5) days prior to such entry by certified mail sent to the address of the property listed on the Hennepin County tax records. Such entry may occur after five (5) days even if the certified letter is undeliverable or returned. The City Forester ~~shall~~may, upon finding conditions indicating disease infestation is suspected and unconfirmed by a field diagnosis, immediately send appropriate specimens or samples to the Commissioner of Agriculture for analysis or take such other steps for diagnosis as may be recommended by the Commissioner. Except as provided in Section 710.08, or in the case of a positive field diagnosis, no action to remove infected trees or wood shall be taken until positive diagnosis of the disease has been made.

(Ord. ~~xxx614~~ [5-27-1999])

710.07. Abatement of Nuisances. In abating the nuisances defined in Section 710.05, the Forester shall cause the infected tree or wood to be sprayed, removed, burned or otherwise effectively treated so as to destroy and prevent as fully as possible spread of the disease. Such abatement shall be carried out in accordance with current technical and expert opinions and plans as may be designated by the Commissioner of Agriculture.

(Ord. 614 [5-27-1999])

710.08. Abatement Procedure. Whenever the Forester finds with reasonable certainty that an infestation defined in this Chapter exists in any tree or wood on any public or private property within the City, he shall proceed to abate said nuisance as follows:

- a. If the Forester finds that the danger of infestation of other trees is not imminent the Forester shall notify in writing the person(s) owning or controlling the property upon which the nuisance is located that the nuisance must be abated within ~~fifteen-twenty one~~ (21+5) days from the date of the mailing. If no action to abate the nuisance is taken within this period the Forester then shall make a written report of findings to the City Council. The Council shall take action to abate the nuisance, and it may proceed to recover the costs of such abatement as provided in Section 710.09.
- b. If the Forester finds that the danger of infestation of other trees is imminent the Forester shall notify in writing the person(s) owning or controlling the property upon which the nuisance is located that the nuisance must be abated within ~~five-seven~~ (75) days from the date of the mailing, and shall report findings to the City Manager. If no action to abate the nuisance is taken within this period the Forester then shall make a written report of actions to the City Council, which may proceed to recover the costs of such abatement as provided in Section 710.09.
- c. If the Forester finds that the danger of infestation of other trees is imminent the Forester shall notify in writing all persons owning or controlling property upon which is located trees in danger of becoming infested. Within this notice the Forester shall state

that action, if any, which should be taken to protect the trees in danger of becoming infested and the period within which such action must be taken. If no such action is taken within this period the Forester then shall take appropriate action to protect these trees as an emergency measure and shall make a written report of this action to the City Council, which may proceed to recover the costs of such action as provided in Section 710.09.

(Ord. ~~xxxx614~~ [5-27-1999])

710.09. Special Assessment Procedure. Upon receipt of a report from the Forester required by Section 710.08, subsections a. through c., the City Council may pass a resolution to provide for recovering the costs of abatement of a nuisance and/or for recovering the costs of protecting threatened trees by a special assessment procedure. Before such a resolution may be approved the City Manager shall notify all affected property owners by mail that such a procedure is under consideration prior to the meeting thereon. This notice shall state the time and place of the meeting, the abatement action proposed to be taken or already taken, the estimated or actual cost of such abatement and the proposed basis of assessing such cost. At this meeting all affected property owners shall have the right to be heard with reference to the proposed assessments and assessment procedure. The Council thereafter by resolution may approve such special assessments for the purposes specified herein.

The Forester shall keep a record of all abatement activities and all abatement costs for which special assessments are to be made or may be made, stating the description of the properties involved and the amounts chargeable to each property. On or before October 10th of each year the City Manager shall list the total unpaid charges for such abatement activities against each separate property to which they are attributable under this Chapter. The City Council then may spread the charges or any portion thereof against the property involved as a special assessment for certification to the Hennepin County Auditor and for collection the following year along with current taxes.

(Ord. 614 [5-27-1999])

710.10. Transporting Diseased Wood. It shall be unlawful for any person to transport within the City any diseased wood without first having obtained a permit therefore from the Forester. The Forester may grant such a permit only when the purposes of this Chapter will be served thereby. The transporting of diseased wood out of the City shall be governed by current State Statutes related to transportation of infected material.

(Ord. ~~xxxx614~~ [5-27-1999])

710.11. Interference Prohibited. It shall be unlawful for any person to prevent, delay or interfere with the Forester or duly authorized representative(s) while they are engaged in the performance of duties imposed by this Chapter.

(Ord. 614 [5-27-1999])

710.12. License Required. No person shall conduct as a business, the cutting, trimming, pruning, removal, spraying or other treatment of trees within the City without first having been issued a license therefore. Refer to Chapter 519, Section .01 of the City Code.

(Ord. 614 [5-27-1999])

~~**710.13. Establishment of Tree Preservation Zone.** A tree preservation zone is hereby established and applies to all property within the City of Wayzata in order to aid in the stabilization of soil by the prevention of erosion and sedimentation; reduce storm water runoff and the costs associated therewith and replenish ground water supplies; aid in the removal of carbon dioxide and generation of oxygen in the atmosphere; provide a buffer and screen against noise pollution; provide shade and the significant environmental benefit of counteracting the so-called "heat island" effect; provide protection against severe weather; aid in the control of drainage and restoration of denuded soil subsequent to construction or grading; protect and increase property values; conserve and enhance the City's physical and aesthetic environment; provide a haven for birds, animals and flora to thrive; and generally protect and enhance the quality of life and the general welfare of the City.~~

~~(Ord. 614 [5-27-1999])~~

710.134. Application. The provisions of this Chapter shall apply to the entire Tree Preservation Zone as defined in City Code Section 801.36.03.

~~A tree preservation zone shall be applied to and superimposed upon all property contained herein existing or amended by the text and map of the Wayzata Zoning Ordinance. The regulations and requirements imposed by the Tree Preservation Zone shall be in addition to flood plain, shoreland and wetland regulations and requirements, and will all jointly apply to the property. If a conflict is created by the joint application of zones, the more restrictive requirements shall apply.~~

~~(Ord. xxx-614 [5-27-1999])~~

~~**710.15. Restrictions.** Within the Tree Preservation Zone, it shall be unlawful for any person or groups of persons to remove from privately owned land any tree or trees in excess of thirty two (32) inches diameter at breast height (DBH) per acre (43,560 square feet) in any twelve (12) month period without having first obtained a valid tree removal permit from the City. The removal rate for parcels which are less than one (1) acre or more than one (1) acre shall be mathematically proportionate (subject, however, to the maximum density of thirty two (32) inches diameter (DBH) for each acre). For example, up to sixteen (16) inches may be removed from a parcel which is one half (1/2) acre in size without a permit or up to sixty four (64) inches (but only up to thirty two (32) inches) diameter at breast height (DBH) for each acre) may be~~

~~removed from a parcel which is two (2) acres in size without a permit. The removal of dead, diseased or hazardous trees from privately owned land shall not require a tree removal permit.~~

~~(Ord. 614 [5-27-1999])~~

710.146. Tree Removal Permit and Tree Preservation Plan.

~~a. — Any person with due authority desiring a permit to remove a tree must first obtain a permit for such, if needed under City Code Section 710.15, and if applicable, submit a tree preservation plan in accordance with City Code Section 801.36, as provided in Section 710.15 shall submit a written application to the Code Enforcement Officer. The application shall include the following information:~~

- ~~(1) — Name and address of applicant.~~
- ~~(2) — Status of the applicant with respect to the land.~~
- ~~(3) — Written consent of the owner of the land, if the applicant is not the owner.~~
- ~~(4) — Name of the person preparing any map, drawing or diagram submitted with the application.~~
- ~~(5) — Location of the property, including a street address or legal description.~~
- ~~(6) — Diagram of the parcel of land, specifically designating the area or areas of proposed tree removal and the existing and proposed use of such area.~~
- ~~(7) — Location of all proposed or existing structures, driveways or other hard surfaces on the site.~~
- ~~(8) — Location of all trees and identification of size (DBH) and species.~~
- ~~(9) — Designation of all diseased or damaged trees.~~
- ~~(10) — Designation of any tree(s) obstructing any roadway, pavement, walkway or utility.~~
- ~~(11) — Any proposed grade changes that might adversely affect or endanger any tree(s) on the site and plans to protect them.~~
- ~~(12) — Designation of trees to be removed and trees to be maintained.~~
- ~~(13) — Purpose of tree removal (construction, driveway, recreation area, patio, building addition etc.).~~
- ~~(14) — All materials to be planted as replacement trees, indicating size, species and method of planting.~~

~~b. — Upon receipt of the application, the Code Enforcement Officer may visit and inspect the site and adjoining lands. If it is determined that the plan set forth in the application outlined in this Section will minimize the loss of Significant Tree(s) and will destroy no more trees than are necessary to achieve a proposed development or purpose, and will comply with the Standards for Preservation of Trees in New Construction or Redevelopment of Property set forth in Section 710.17.a. and Section 710.17.e., the permit application may be approved. If the Code Enforcement Officer determines otherwise, the application shall be denied.~~

~~e. — The applicant may appeal the Code Enforcement Officer's decision by providing written notice to the City Council, with the City Council's decision to be made by the first City Council meeting to be held on or after 30 days of the written notice to the Council.~~

(Ord. ~~xxxx 614~~ [5-27-1999])

~~710.17. — Standards for Preservation of Trees in New Construction or Redevelopment.~~

~~a. — Owners, Contractors, Developers, Builders and Applicants shall exert their best good faith efforts, as outlined in the Development Agreement, to avoid damage to or the destruction of Significant Trees when designing, locating or grading for and building improvements. This requirement shall be set forth in any development agreement and construction contracts entered into regarding the project.~~

~~b. — The applicant shall submit a Preservation Plan if improvements are to be constructed on property containing Significant Trees. The Preservation Plan shall be submitted along with all other materials required for the permit. The Preservation Plan shall be officially filed when the Code Enforcement Officer has received and examined the application and determined that all required information has been submitted and that the application is complete. Following the determination of "completeness," the Preservation Plan shall be approved or denied by the Code Enforcement Officer within ten (10) business days unless the Preservation Plan is being submitted in conjunction with a land use application, in which case the City of Wayzata shall approve or deny the application within sixty (60) days from the date of its official submission unless notice of an extension is provided by the City or a time waiver is granted by the applicant.~~

~~e. — The Code Enforcement Officer's review of the Preservation Plan shall be based upon the following criteria:~~

~~(1) — The applicant's legal right to use the property.~~

~~(2) — The Preservation Plan minimizes the loss of Significant Trees and will destroy no more trees than are necessary to achieve a proposed development or purpose.~~

~~(3) — The ease with which the applicant can alter or revise a proposed improvement to accommodate existing trees.~~

~~(4) — The density of trees in the area and the effect of tree removal on property values of the neighborhood and on other existing vegetation.~~

~~(5) — Impact upon the urban and natural environment including:~~

~~(a) — Whether tree removal would substantially alter the water table or affect the stabilization of ground and surface water.~~

~~(b) — Whether tree removal would create susceptibility to erosion and siltation.~~

~~(c) — Whether tree removal would cause substantial damage to the existing biological and ecological systems.~~

~~(d) — Whether tree removal would affect noise pollution by increasing source noise levels to such a degree that a public nuisance may be anticipated or a violation of noise control ordinances will occur.~~

~~(e) — Whether tree removal will affect air quality by significantly affecting the natural cleansing of the atmosphere by vegetation.~~

~~(f) — Whether tree removal will affect wildlife habitat by significantly reducing the habitat available for wildlife existence and reproduction or causing the migration of wildlife from adjacent or associated ecosystems.~~

~~(g) — Whether tree removal will increase the possibility of tree disease, wind damage and the loss of windbreak effect.~~

~~(6) — The heightened desirability of preserving tree cover in densely developed or densely populated areas.~~

~~(7) — The need for visual screening in transitional areas or relief from glare, blight, commercial or industrial ugliness or any other visual affront.~~

~~(8) — Whether the removal of the tree(s) is for the purpose of thinning a heavily wooded area where seventy five (75) percent of the trees will still remain.~~

~~d. — If it is determined that the Preservation Plan complies with the criteria as set forth in part c. above, the Preservation Plan may be approved. If the Code Enforcement Officer determines otherwise, the Preservation Plan shall be denied.~~

~~e. — The applicant may appeal the Code Enforcement Officer's decision by providing written notice to the City Council, with the City Council's decision to be made by the first City Council meeting to be held on or after 30 days of the written notice to the Council.~~

~~f. — If a Preservation Plan is approved, a copy of that approved Preservation Plan shall be attached to any issued permit and a copy shall be retained at City offices.~~

~~g. — Prior to commencing construction of the improvements, applicant must implement some form of barricade such as snow fence or plastic fence, which is easily visible to a height of three feet (36") above ground to protect all trees to be preserved under the Preservation Plan. The barricade must incorporate 100% plus ten (10) feet of the tree(s) at the drip line or area to be preserved. No equipment or materials may be stored, parked, driven, moved or deposited within the area to be preserved. The positive protective measure such as fencing shall not be removed until all phases of construction have been completed and removal of protective measure has been approved by the Forester.~~

~~h. — Upon completion of grading and all construction, the Forester or Designee shall inspect the construction site for damage to trees that were to be preserved under the Preservation Plan. A report "Damage Report" shall be submitted to the Applicant as to any trees required to be preserved under the Preservation Plan which have been destroyed or severely damaged because of the grading or construction activity.~~

~~i. — If the damage report identifies destroyed or severely damaged trees which were required to be preserved under the Preservation Plan, the applicant will be required to pay to the City of Wayzata the sum of two hundred (200) dollars per diameter inch or such greater amount as may be determined by the City Council for each such destroyed or damaged tree. Alternately, the City Council may, at its discretion, agree to tree replanting equaling the total caliper inches lost, species and quality, in lieu of a fine, or in conjunction with a reduced fine. Any such agreement shall specify the replacement tree(s) species and diameter. Applicant shall have the right to appeal the damage, report conclusions and resulting fine or replanting requirements in the same manner as set forth in part e. above.~~

~~j. — A certificate of occupancy shall not be issued until a final inspection of the property by the Code Enforcement Officer demonstrates compliance with the Preservation Plan and until such time as all levied fines have been paid or Security, subject to approval of the City Manager, has been posted by the applicant to secure~~

performance. The Code Enforcement Officer may postpone the final inspection of the property if the Code Enforcement Officer determines that seasonal conditions prevent the determination of whether or not there has been compliance with the Preservation Plan. If the applicant appeals pursuant to part i. above, a Certificate of Occupancy may be issued prior to completion of the appeals process, so long as Security is posted.

k. — A tree will not be deemed to have been damaged under part h. above where the City verifies the applicant implements positive measures such as fencing, or other City approved methods, during the entire period of grading and construction and where there is no evidence of physical damage to the trees, including their root structure.

l. — The applicant's responsibility for the loss of trees on site subject to a Preservation Plan shall cease once the site grading and construction have been completed, the preservation has been verified, or any penalty fees have been paid or approved, replacement trees have been planted, and their growth has been well established for two (2) growing seasons. All monies collected pursuant to this Chapter shall be placed in the plant maintenance fund.

(Ord. 614 [5-27-1999])

710.158. Intentional or Deliberate Damage (Maximum Allowable Tree Removal). In addition to the regulations under City Code Section 801.36, it shall be unlawful for any person(s) to intentionally damage, destroy or adversely alter any living tree, deciduous or coniferous, on private land within the limits of the City of Wayzata any tree or trees in excess of thirty-two (32) inches diameter at breast height (DBH) per acre (43,560 square feet) in any twelve (12) month period without first having obtained a tree removal permit from the City as set forth in Section 710.146 of this Chapter. The removal rate for parcels which are less than one (1) acre or more than one (1) acre shall be mathematically proportionate (subject, however, to the maximum density of thirty-two (32) inches diameter (DBH) for each acre.) This shall pertain to manual, mechanical, chemical, abiotic or biotic (fire, water, insects or inoculation) methods of any kind. Minn. Stat. §561.04 strictly prohibits intentional damage to trees on public property in any form and provides that whoever willfully and without lawful authority injures any tree, timber or shrub on City property is liable for treble the amount of damages which may be assessed therefore. The removal of dead, diseased or hazardous trees, once established and documented as such by the City Forester, from privately-owned land shall not require a tree removal permit under Section 710.14. The City Forester and other City Staff shall not make any claims related to the structural integrity of any tree, and any assessments made related to a tree may not be relied upon by the property owner.

(Ord. xxxx 627 [2-6-2001])

710.169. Violation. Unless expressly provided otherwise, it shall be a misdemeanor for any person to violate any provision of the City Code including this Chapter, any rule or regulation adopted in pursuance of any such provision, or any order lawfully enforcing the City Code or this Chapter. The term "misdemeanor" shall be as defined in Minn. Stat. §609.02, Subd. 3.

It shall also be a misdemeanor for any person to attempt to commit a misdemeanor or to cause, aid, assist, counsel or advise another to commit misdemeanor. Any person who commits a misdemeanor, upon conviction, shall be subject to the penalties therefore established by State Statute. Unless expressly provided otherwise, each act in violation of the City Code, including this Chapter, shall constitute a separate offense, and each and every day that such a violation occurs or continues shall constitute a separate offense.

(Ord. ~~xxx 627 [2-6-2001]~~)

710.1720. Severability. It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of the City Code, including this Chapter are severable, and if any phrase, clause, sentence, paragraph, or section of the City Code, including this Chapter, shall be declared unconstitutional, invalid or unenforceable, such unconstitutionality, invalidity, or unenforceability shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of the City Code, including this Chapter.

(Ord. ~~xxx 627 [2-6-2001]~~)

(7-21-81 Code; Chapter repealed and replaced by Ord. 574 [2-21-1995]; Ord. 588 [2-27-1997]; Chapter repealed and replaced by Ord. 614 [5-27-1999]; Ord. ~~xxx [xx-xx-2015]~~)

EXHIBIT B

Amendment of Ch. 801 of City Code

000043/204032/2240685_1

**CITY OF WAYZATA
ZONING ORDINANCE
CHAPTER 801
SECTION 36
TREE PRESERVATION**

SECTION 36:

- 801.36.01: Purpose**
- 801.36.02: Definitions**
- 801.36.03: Establishment of Tree Preservation Zone**
- 801.36.04: Process**
- 801.36.05: Tree Preservation Plan**
- 801.36.06: Mandatory Protection**
- 801.36.07: Discretionary Protection**
- 801.36.08: Significant Tree Removal**
- 801.36.09: Tree Replacement Formula**
- 801.36.10: Size, Type and Diversification of Replacement Trees**
- 801.36.11: Acceptable Tree Replacement Species**
- 801.36.12: Other Replacement Tree Requirements**
- 801.36.13: Fee-in-Lieu of Tree Replacement or Replacement Trees Planted in Public Areas**
- 801.36.14: Financial Guarantee**

801.36.01 Purpose. The Wayzata City Council finds it is in the best interest of the City to protect, preserve, and enhance the natural environment of the community and to encourage a resourceful and prudent approach to the development and alteration of wooded areas. In the interest of achieving these objectives, the City has established the comprehensive tree preservation regulations herein to promote the furtherance of the following:

- a. Protection and preservation of the environment and natural beauty of the city;
- b. Assurance of orderly development within wooded areas to minimize tree and habitat loss;
- c. Evaluation of the impacts to trees and wooded areas resulting from development;
- d. Establishment of minimal standards for tree preservation and the mitigation of environmental impacts resulting from tree removal;
- e. Provision of incentives for creative land use and environmentally compatible site design which preserves trees and minimizes tree removal and clear cutting during development; and
- f. Enforcement of tree preservation standards to promote and protect the public health, safety and welfare of the community.

801.36.02: Definitions: For purposes of this section, the following definitions shall apply:

- a. "Canopy Of Tree" shall mean the horizontal extension of a tree's branches and foliage in all directions from its trunk and upper layer of green crown.
- b. "City Forester" shall mean that person appointed as City Forester by the Wayzata City Manager and meets the qualifications of the International Society of Arboriculture.
- c. "Coniferous Tree" shall mean a woody plant bearing seeds and cones oftentimes, but not always, retaining foliage throughout the year.
- d. "Construction Area" shall mean any area in which movement of earth, alteration in topography, soil compaction, disruption of vegetation, change in soil chemistry, or any other change in the natural character of the land occurs as a result of site preparation, grading, building construction or any other construction activity.
- e. "Critical Root Zone" shall mean the minimum area around a tree that must remain undisturbed. The critical root radius is calculated by measuring the tree's DBH. For each

inch of tree DBH, 1.5 feet of root zone radius must be protected. For example, if a tree's DBH is 10 inches, then its critical root zone radius is 15 feet ($10 \times 1.5 = 15$).

f. "Deciduous Tree" shall mean a woody plant which has a defined crown, and which loses leaves annually.

g. "Developer" shall mean any person or entity who undertakes to improve or redevelop a parcel of land which involves creating one (1) or more dwelling units, or which requires a grading permit.

h. "Diameter of Tree at Breast Height or 'DBH'" shall mean tree diameters shall be measured at a point $4\frac{1}{2}$ feet (54 inches) above the ground at which the diameter of a tree shall be measured. Trees that branch near or below $4\frac{1}{2}$ feet from the ground will be measured at the narrowest point below $4\frac{1}{2}$ feet. Trunks that originate from the ground shall be considered separate trees. The City Forester shall have the final say in the DBH calculation if there is a question of how it is to be measured.

i. "Drip Line of a Tree" shall mean an imaginary vertical line which extends from the outermost branches of a canopy to the ground.

j. "City Forester" shall mean a person appointed as City Forester by the Wayzata City Manager and meets the qualifications of the Minnesota Association of Consulting Forester.

k. "Hardwood Deciduous Tree" shall mean a deciduous trees recognized as hardwoods by the City Forester; includes ironwood, catalpa, oak, maple (hard), walnut, ash, hickory, birch, black cherry, hackberry, locust and basswood.

l. "Healthy Tree" shall mean the average or better condition and vitality for area as may be determined by the forester or City Forester.

m. "Heritage Tree" shall mean a healthy softwood deciduous tree measuring equal to or greater than thirty inches (30") in DBH, a healthy hardwood deciduous tree measuring equal to or greater than twenty five inches (25") in DBH or a healthy coniferous evergreen tree greater than 25 inches (25") in DBH.

n. "Landscape Architect" shall mean a person licensed by the state of Minnesota as a landscape architect.

o. "New Development" shall mean a piece of property that is being platted for the

purpose of establishing urban residential use with two (2) or more dwelling units or is being improved by grading which requires a grading permit. This definition does not apply to public street/utility projects.

p. "Nursery Stock Dealer" or "Nursery Stock Grower" shall mean a person licensed by the state of Minnesota as a nursery stock dealer or a nursery stock grower.

q. "Property Owner" shall mean the owner of a buildable property who is constructing or expanding a dwelling or a commercial property on that property.

r. "Significant Tree" shall mean a healthy deciduous hardwood tree measuring a minimum of six (6) inches DBH, a healthy softwood deciduous tree measuring a minimum of twelve (12) inches DBH, or a healthy coniferous tree measuring a minimum of twelve feet (12') in height or twelve (12) inches DBH.

s. "Softwood Deciduous Tree" shall mean a deciduous trees recognized as softwoods by the City Forester; includes cottonwood, poplars/aspen, box elder, willow, silver maple and elm.

t. "Tree Preservation Zone" shall mean the tree preservation zone established and described in this Chapter.

801.36.03: Establishment of Tree Preservation Zone. A tree preservation zone is hereby established and applies to all property within the City of Wayzata in order to aid in the stabilization of soil by the prevention of erosion and sedimentation; reduce storm water runoff and the costs associated therewith and replenish ground water supplies; aid in the removal of carbon dioxide and generation of oxygen in the atmosphere; provide a buffer and screen against noise pollution; provide shade and the significant environmental benefit of counteracting the so-called "heat-island" effect; provide protection against severe weather; aid in the control of drainage and restoration of denuded soil subsequent to construction or grading; protect and increase property values; conserve and enhance the City's physical and aesthetic environment; provide a haven for birds, animals and flora to thrive; and generally protect and enhance the quality of life and the general welfare of the City.

The tree preservation zone shall be applied to and superimposed upon all property contained herein existing or amended by the text and map of the Wayzata Zoning Ordinance. The regulations and requirements imposed within the Tree Preservation Zone shall be in addition to flood plain, shoreland and wetland regulations and requirements. In cases where there is a conflict between regulations applicable within such zones, the more restrictive requirements shall apply.

801.36.04: Process.

a. For Developers: Unless otherwise determined by the City Council, the following process for preserving trees shall be required from a Developer:

- (1) Prepare a tree preservation plan which shall be incorporated on the grading plan.
- (2) Implement the tree preservation plan prior to and during site development.
- (3) Submit a performance bond or similar financial guarantee for compliance with the approved tree preservation plan.
- (4) Comply with the City's tree replacement procedure and requirements set forth in this section.

The tree preservation plan shall be submitted with preliminary plat plans or as part of the application for a grading permit. The tree preservation plan must be certified by a Forester, Landscape Architect, Nursery Stock Dealer or a Nursery Stock Grower retained by the developer.

The plat and grading plans will not be approved by the City without an approved tree preservation plan. In the case of plats, the tree preservation plan will be approved by the City Council. In the case of grading permit applications, the tree preservation plan must receive the approval of the City Forester. Any disapproval of a tree preservation plan may be appealed to the City Council.

b. For Residential And Commercial Property Owners: The following process for preserving trees shall be required from a residential or commercial property owner who is not a Developer prior to any proposed tree removal:

- (1) Identify the Significant Trees and Heritage Trees on the property.
- (2) Identify the Significant Trees and/or Heritage Trees removed due to grading or construction.
- (3) Identify the protection measures used to protect the preserved trees during grading or construction.
- (4) Comply with the City's tree replacement procedure and requirements set forth in this section.

The tree preservation plan shall be submitted before any Healthy Tree is removed. The tree preservation plan may be prepared by the property owner, but must receive the approval of the City Forester prior to any tree removal on the property. Any disapproval of a tree preservation plan may be appealed to the City Council.

801.36.05: Tree Preservation Plan. Developers shall be responsible for implementing an approved tree preservation plan prior to and during site grading and plan development. Residential and Commercial property owners shall be responsible for implementing an approved tree replacement plan prior to any healthy tree removal. The tree preservation plan will be reviewed by the City Forester and any other relevant City staff to assess the best overall tree design for the project involved, taking into account the preservation, renewal and health of Heritage and Significant Trees, and ways to enhance the efforts of the Developer to mitigate damage to the trees on the property and the natural environment. The Developer is encouraged to meet with City staff prior to submission of a preliminary plat application or prior to application for the grading permit, whichever is sooner, to determine the placement of buildings, parking, driveways, streets, storage and other physical features which result in the fewest Significant Trees being destroyed or damaged. The tree preservation plan shall include the following items:

- a. The name(s) and address(es) of property owners and/or Developers.
- b. Delineation of the buildings, structures, or impervious surfaces situated thereon or contemplated to be built thereon.
- c. Delineation of all areas to be graded and limits of land disturbance.
- d. Size, species, location and condition of all Heritage and Significant trees located within the area to be platted or the parcel of record as well as on adjacent tracts where their critical root zones are within the proposed construction limits.
- e. Identification of all Heritage and Significant Trees on all individual lots. (The Developer shall be required to submit a list of all lot and block numbers identifying those lots.)
- f. Measures to protect Heritage and Significant Trees.
- g. Identification of all Heritage and Significant Trees proposed to be removed within the construction area, including the contouring of all areas to be clear cut.
- h. Size, species, and location of all replacement trees to be planted on the property in accordance with the tree replacement schedule.

- i. Signature of the person preparing the plan and statement which includes acknowledgment of the fact the trees to be used as replacements are appropriate species with respect to survival of the replacement trees.

801.36.06: Mandatory Protection. Measures to protect Heritage and Significant Trees shall include:

- a. Installation of snow fencing, silt fence, or polyethylene laminate safety netting placed at the critical root zone of Significant Trees to be preserved on or adjacent to the property being developed.
- b. Identification of any oak trees requiring pruning between April 1 and July 15; any oak trees so pruned shall be required to have any cut areas sealed with an appropriate, non-petroleum based tree wound sealant, such as shellac.

801.36.07: Discretionary Protection. Measures to preserve or protect significant trees, which may be required by the City, include, but are not limited to:

- a. Installation of retaining walls or tree wells to preserve trees by eliminating the filling or cutting of soil within critical root zones of Significant Trees on or adjacent to the lot being developed.
- b. Placement of utilities in common trenches outside of the Critical Root Zone of Significant Trees, or use of tunneled installation.
- c. Prevention of change in soil chemistry due to concrete washout and leakage or spillage of toxic materials, such as fuels or paints.
- d. Use of tree root aeration, fertilization, and/or irrigation systems when appropriate.
- e. Transplanting of Significant Trees into a protected area for later moving into permanent sites within the construction area.
- f. Safety pruning for people working within the construction limits and for the trees involved.

801.36.08: Tree Removal.

- a. Heritage Trees: Heritage Trees are valued and special trees for the City of Wayzata due to their size and age. All possible measures shall be taken to preserve these trees. Heritage Tree removal may occur only when there is not a practical alternative, such as infrastructure of a regional nature. There shall be a zero percent (0%) removal threshold on Heritage Trees, meaning every DBH inch of Heritage Tree removed shall

require full replacement in accordance with the standards within subsection 801.36.09 in addition to any other requirements hereunder.

b. Significant Tree Removal by Developers: Although the City encourages preservation of the maximum amount of trees possible, the City recognizes that a certain amount of Significant Trees and tree cover removal is sometimes required in connection with development. Accordingly, twenty-five percent (25%) of the existing DBH inches of trees can be removed during development by a Developer pursuant to a tree preservation plan without obligation of replacement. Any removal beyond twenty-five percent (25%) will require replacement in accordance with the standards of subsection 801.36.09.

c. Significant Tree Removal By Residential And Commercial Property Owners: The City recognizes that additional tree removal may occur after the construction of new houses or commercial property, or the expansion of existing homes or commercial property, but to a lesser degree than the original development. Therefore, ten percent (10%) of the existing DBH inches of trees can be removed during home or commercial property construction or redevelopment without obligation of replacement. Any removal beyond ten percent (10%) will require replacement in accordance with the standards within subsection 801.36.09.

d. Trees Exempt From Replacement Requirements: The following types of trees shall not be included as part of the tally of tree removals for purposes of calculating replacement in accordance with the standards within subsection 801.36.09:

- (1) Dead, diseased, or dying trees as determined by the City Forester; or
- (2) Trees that are transplanted from the site to another appropriate area within the City as approved by the City Forester; or
- (3) Trees that were planted as part of a commercial business such as a tree farm or nursery; or
- (4) Trees that are structurally unstable and pose a risk to people or permanent structures, as deemed by a certified arborist with a Tree Risk Assessment Qualification and the City Forester; or
- (5) Any tree needed to be removed to construct or maintain one of the following:

- (a) Collector or arterial roads as defined by the City Transportation Plan.
- (b) Regional recreational trails.
- (c) Stormwater infrastructure serving a regional drainage area.
- (d) Installation or maintenance of trunk utility infrastructure as described in the Comprehensive Sewer or Water Plans.

801.36.09: Tree Replacement Formula. Replacement of removed or disturbed trees in excess of the percentage allowed by this section shall be according to the following ratios:

- a. For any removal that exceeds the percentage of allowable removal of significant trees as set in subsection 801.36.08, all Significant Trees shall be replaced at the ratio of one (1) caliper inch per one (1) caliper inch removed.
- b. All Heritage Trees shall be replaced at the ratio of two (2) caliper inch per one (1) caliper inch removed.

801.36.10: Size, Types and Diversification Of Replacement Trees. Unless an approved tree preservation plan sets forth a different requirement, all replacement trees required under subsection 801.36.09 shall be of a similar species to those that are removed, but also shall be a minimum of twenty five percent (25%) conifers and twenty five percent (25%) deciduous hardwoods. Required Heritage Tree replacement must be of the same species as the Heritage Tree removed. Replacement trees must be no less than the following sizes:

- a. Deciduous Trees shall be no less than two point five (2.5") caliper inches; and
- b. Coniferous Trees shall be no less than six feet (6') high.

801.36.11: Acceptable Tree Replacement Species. The following list of trees are acceptable for tree replacement species. The City Forester may approve additional species if circumstances such as soil conditions, hydrology, topography, or recent tree pathogens warrant.

Arborvitae
Black cherry
Butternut
Cedar

Elm (disease resistant)
Fir
Hackberry
Hickory
Hemlock
Kentucky Coffee
Linden/Basswood
Maple (except Silver Maples)
Oak
Pine
Spruce (except Colorado Blue)
Tamarack
Walnut

801.36.12: Other Replacement Tree Requirements. Choice of replacement trees species and location of the trees should also take into account the following information:

- a. Soil Composition: Comparisons should be made between soil conditions and the ecology of the proposed species to make sure they are compatible.
- b. Spatial Requirements: The potential height and crown spread of the proposed replacement trees should be known. Generally, half of the adult tree crown diameter is the amount of distance a tree should be planted from any aboveground objects.
- c. Pathogen Problems: Appropriate replacement choices shall also consider insect and disease problems that may be common with particular species in the part of the state in which the City of Wayzata is located.

801.36.13: Fee-In-Lieu Of Tree Replacement Or Replacement Trees Planted In Public Areas. The City recognizes that there may be instances where the total amount of tree replacement required under this section cannot occur on site. In those instances, the City may, at its option, accept a fee-in-lieu of tree replacement or allow the planting of replacement trees in public areas. Tree replacement is encouraged to happen on site as much as possible and fee in lieu-of-tree replacement should be used only when replacement cannot occur on site. The amount of fee-in-lieu of tree replacement will be determined annually by the City Council through the City fee schedule.

801.36.14: Financial Guarantee. The City shall, at its option, withhold a certificate of occupancy or require cash, a letter of credit or a bond satisfactory to the City in the amount of

one hundred ten percent (110%) of the value of the landscaping and tree replacement, securing the full performance of tree preservation plan and the tree replacement schedule. The amount of such security shall be calculated by the fee-in-lieu of tree replacement schedules. The financial security shall be sufficient to cover the costs of the replacement trees planted, including any needed replacement of the trees over a three (3) year period.

At least once annually, the Zoning Administrator shall review the financial securities, inspect the applicable trees and release the financial securities as necessary. The financial security shall be released based on the following schedule:

- a. Upon installation of a healthy tree: 50% of the financial guarantee for that tree shall be released.
- b. First year inspection determining the installed tree is still healthy: 15% of the financial guarantee for that tree shall be released.
- c. Second year inspection determining the installed tree is still healthy: 15% of the financial guarantee for that tree shall be released.
- d. Third year inspection determining the installed tree is still healthy: 20% of the financial guarantee for that tree shall be released.

1
2 The Council recessed at 8:20 p.m. and reconvened at 8:26 p.m.
3

4 **c. Consider Resolution No. 39-2015 240 Manitoba Avenue South Variance**

5 Interim Planner Zweber reported on a variance request by applicant, David Frey, 240 Manitoba
6 Avenue South, to install a second stall on his garage. This proposed second stall would require
7 two variances: 1) a 20-foot rear yard setback requirement decreased to 10.2 feet; and, 2) a 30
8 percent lot coverage requirement increased to 31.4 percent for a residential structure in the C-1
9 Office and Limited Commercial District. The Planning Commission recommends approval of the
10 proposed Resolution.

11 Mr. David Frey, 240 Manitoba Avenue, stated the reason for his request is to have a place
12 to park in the winter.

13 The Council stated they support this variance request.

14 Mr. Tyacke made a motion, seconded by Mrs. McCarthy, to adopt Resolution 39-2015
15 approving a rear yard setback variance and a lot coverage variance at 240 Manitoba Avenue
16 South. The motion carried 5/0.
17

18 **b. Consider First Reading of Ordinance No. 757 – Tree Preservation**

19 Interim Planner Zweber reported the purpose of this proposed Ordinance is to update the City's
20 existing regulations on abatement of diseased trees and to create a new section of the zoning
21 ordinance that would protect and preserve the most valued trees in Wayzata, and provide a
22 framework for replacing such trees removed by developers and property owners.

23 Mr. Zweber reported on the differences between diseased tree abatement and healthy tree
24 preservation, when the proposed Tree Preservation Ordinance would go into effect and how the
25 Ordinance works. The Planning Commission recommended the following additions to the
26 Ordinance as drafted by staff: 1) To require the City Forester be a Certified Arborist by the
27 International Society of Arboriculture; 2) The removal of trees due to the Emerald Ash Borer
28 must be based on the Department of Agriculture guidance; 3) Under Protections for Utilities, the
29 phrase Critical Root Zone would replace Drip Line throughout the Ordinance; and, 4) Require the
30 Zoning Administrator review the financial securities at least once during the growing season and
31 perform inspections and release the securities when warranted.

32 The Council asked if there are guidelines about what the tree replacement formula should
33 be, and what would happen if a tree that is not slated to be removed is damaged during
34 construction. Mr. Zweber stated the Ordinance allows the City to negotiate with the developer
35 when trees are damaged and the City could also use Code enforcement, if needed. The tree
36 replacement formula is included in the Ordinance.

37 The Council asked what happens if homeowners want to replace trees that are damaged
38 during a storm with the same kind of tree but they are not on the list. Mr. Zweber stated because
39 they are dead or damaged due to a storm, the Ordinance does not require replacement. If the
40 homeowner damaged the trees during construction, they would then need to meet the criteria in
41 the Ordinance.

42 The Council asked about homeowners who are re-landscaping their property. Mr. Zweber
43 stated if the landscaping requires a grading permit, then the homeowner would have to meet the
44 criteria in the Ordinance. There are conditions in the Ordinance that would allow the City
45 Forester to approve a different type of tree that is not listed within the Ordinance.

46 A majority of the Council indicated they are not comfortable limiting the type of trees
47 homeowners are allowed to put on their property.

48 The Council noted that the City's Forester, Manuel Jordan, is working with other lake
49 communities to draft standards that contractors cannot exceed when trimming trees within the
50 community. Mr. Zweber stated that utility companies are not exempt from this Ordinance. Mr.
51 Schelzel stated anyone using land in Wayzata has to follow this Ordinance but that pruning and

1 maintenance of the tree canopy is different, and this Ordinance would not apply unless an entire
2 tree was removed.

3 Mrs. Anderson stated she does not see a formula for tree replacement that would be
4 applicable to County and State construction projects and suggested it be looked at more closely.
5 She also asked about the critical root zone and if it applies only to private property. Mr. Zweber
6 stated this Ordinance applies to any critical root zone, including public parks and adjacent
7 properties.

8 The Council asked how this Ordinance would apply to a commercial landowner that
9 wanted to remove trees for a lift station that benefitted the commercial property. Mr. Zweber
10 stated if that lift station was in the City's sewer plan as a piece of trunk infrastructure, it would be
11 exempt from replacement. If the lift station was not part of the City's sewer plan, it would not be
12 exempt.

13 The Council asked how this Ordinance would apply if the Lake Effect requests the
14 removal of trees for the purpose of view scape. Mr. Zweber stated it would require tree
15 replacement somewhere in the City, not necessarily on that site. It is up to the City Manager
16 where there is a need for trees.

17 Mr. Mullin stated he cannot support the Ordinance as drafted. It has many unintended
18 consequences for home and commercial construction and redevelopment. He does favor
19 landowners providing trees when they are removed.

20 Mrs. McCarthy stated the definitions of developer versus property owner seem to be
21 interchangeable. Mr. Zweber stated using the term developer assumes they are creating a new lot.
22 Mrs. McCarthy requested more clarity with these definitions within the Ordinance.

23 Mrs. McCarthy asked if a person is allowed to cut down all their trees under this
24 Ordinance. Mr. Zweber stated some removal is allowed and it is outlined in the Ordinance.

25 Mr. Willcox stated he does not agree with requiring the Forester qualifications in the
26 Ordinance, and would like it to state the qualifications are preferred. He also stated the potential
27 cost of removing large trees is expensive and he does not agree with the tree replacement formula
28 as it would impose a huge financial burden to a homeowner. Mr. Zweber replied there could be
29 two standards for replacement, one for homeowners and one for developers.

30 Ms. Nelson stated staff will need to address the definition of homeowner versus
31 developer.

32 Mr. Zweber summarized the concerns raised by the Council and the changes that Council
33 would like to see made to the proposed Ordinance.

34 Mrs. McCarthy made a motion, seconded by Mr. Tyacke, to direct staff to prepare a
35 revised Ordinance addressing the following four items: 1) the possibility of a formula for tree
36 replacement with County and State Construction projects; 2) Change list of trees allowed to trees
37 that are not allowed; 3) Provide more information on replacement ratios in other cities; and, 4)
38 Qualifications for Arborist possibly be preferred, but not required. The motion carried 5/0.
39

40 **d. Consider Proposal from Forecast for Public Art located in Circle A/Lake Street**
41 **Roundabout and Review Draft Citywide Public Art Policy**

42 Management/Planning Intern Peters reported Forecast Public Arts submitted a proposal to assist
43 the City in developing strategies, formulating the call for artists, contracting with selected artists,
44 overseeing design/construction projects, and preparing documentation in regard to the Circle
45 A/Lake Street Roundabout public art project. Staff is requesting approval to enter into a
46 consulting contract with Forecast Art, based on the Consulting Services Scope.

47 Management/Planning Intern Peters reported on a draft of the Public Art Policy for the
48 City of Wayzata. The intent of this policy is to guide the City in the Circle A/Lake Street
49 Roundabout project as well as future projects as needed.

50 The Council requested clarification on some of the language under list of tasks provided
51 by Forecast Public Art. Ms. Nelson reported there is about \$75,000 available for the project.

	Edina	Minnetonka	Oakdale	Plymouth	Rosemount
Is there a tree removal threshold before replacement is required?	No, but refer to mitigate rate below	Can be removed within 10 ft. of driveways, parking areas & accessory structures w/o mitigation Can be removed within 20 ft of existing home w/o mitigation	Developments = Up to 25% can be removed with additional 5% administratively Building = 20% but possibility of the above 25% + 5% & and additional 5% administratively for total of 55%	Development in Residential Districts = up to 50% of total in. of Significant Trees Development in Non-Residential = 75% of total in. of Significant Trees Mixed Use Districts 50% of total in. of significant trees on a solely residential lot & up to 75% of significant trees on remainder of site	Heritage Trees = No Significant Trees = 25% for Developers 10% for Homeowners
What is the replacement rate or method?	Protected Tree = 1 for 1 per protected tree removed	Significant trees = replace with each w/ 2 in. dbh tree High Priority Deciduous = 1 in. / 1 in. removed High Priority Conifer = 1 foot / 1 foot removed	Hardwood deciduous 8 in. – 20 in. diameter = replaced with 1 Deciduous not less than 3 in. in diameter Hardwood deciduous > 20 in. diameter = replaced with 2 Deciduous not less than 3 in. in diameter Softwood deciduous 12 in. – 24 in. diameter = replaced with 1 Deciduous not less than 3 in. in diameter Softwood deciduous > 24" diameter = replaced with 2 Deciduous not less than 3 in. in diameter Conifers – 12 ft. – 24 ft. high = replaced with 1 Conifers not less than 10 ft. in height Conifers – 24ft or higher = replaced with 2 Conifers not less than 10 ft. in height	1.25 in. / in. removed beyond threshold	Significant Trees = .5 in. / 1 in. of significant trees removed Heritage Trees = 1 in. / 1 in. of heritage trees removed