

WAYZATA CITY COUNCIL MEETING AGENDA
Wayzata City Hall Community Room, 600 Rice Street
Tuesday, November 15, 2016

4:00 PM Dinner Available for Wayzata City Council - Conference Room

WORKSHOP TOPICS FOR DISCUSSION:

- 1. Closed Special Meeting of the Wayzata City Council to Conduct a Six (6) Month Performance Evaluation of the Wayzata City Manager Jeffrey Dahl Pursuant to Minn. Stat. Sect. 13D.05, Subd. 3 - Conference Room (4:30 PM)**
- 3. Interviews for Boards & Commissions (5:30 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.	Update on Light Up The Lake Celebration	Becky Pierson							
b.	Proclamation for Restorative Justice Week								
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								2
a.	Approval of City Council Special Workshop Meeting Minutes of October 31, 2016, City Council Workshop Meeting Minutes of November 1, 2016 and City Council Regular Meeting Minutes of November 1, 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.	Approval of 2017 Liability Insurance Coverage Waiver Form								
6	Canvass Election Results								37
a.	Consider Approval of Resolution #51-2016 Canvassing the Returns and Declaring the Results of the November 8, 2016 City General Election	Dahl							
7	New Business								
a.	Consider Resolution No. 50-2016 Calling for a Public Hearing for Sale of Bonds for Mill Street Parking Ramp Financing	Dahl							43
b.	Review Parking Mitigation Plan and Consider Approval of Contract with Unparalleled Parking for Vale Services	Dahl							58
c.	Consider Approval of Fee-in-Lieu-of-Parking (FILOP) Policy	Dahl							71
d.	Consider Resolution No. 47-2016 Adopting Fee-in-Lieu of Parking Policy and Setting Fee Per Stall	Dahl							74
e.	Consider Resolution No. 49-2016 Denying Preliminary & Final Plat Subdivision at 15610 Holdridge Road E	Thomson							76
f.	Discuss Addendum to CIP for Mill Street Parking Ramp	Dahl							113
8	City Manager's Report and Discussion Items								
9	Public Forum (as necessary)								
10	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 - December 6 & 20, 2016
Planning Commission - November 21 & December 5, 2016

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WAYZATA CITY COUNCIL
DRAFT – SPECIAL WORKSHOP MEETING MINUTES
October 31, 2016

12:00 NOON Capital Improvement Plan Discussion

Mayor Willcox called the special workshop meeting to order at 12:00 noon in the Community Room at Wayzata City Hall. Council Members present: Anderson, McCarthy, Mullin and Tyacke. Also present: City Manager Dahl, Public Services Director Dave Dudinsky, City Engineer Mike Kelly, Planning and Building Director Thomson, and City Consultant Steve McDonald with AEM.

Mr. McDonald reviewed the 2017 preliminary enterprise fund budgets, fee schedule and capital improvement plan. He stated that this draft reflects updates for current activity and planned future projects. It also reflects proposed changes to the rate and fee schedule.

The Council initially focused discussion on the impacts the new park projects would have on the CIP. Following that, the Council discussed the new Downtown Parking fund, the latest updates of the Mill Street Parking Ramp project, and the add-alternate of the roof. Staff indicated that the discussion was helpful given that the City Council would consider awarding the bid at the following Council Meeting and would therefore have to ensure it has the funds to pay for the project.

The special workshop meeting was adjourned at 1:45 pm.

Respectfully submitted,

Becky Malone
Deputy City Clerk

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WAYZATA CITY COUNCIL
DRAFT - WORKSHOP MEETING MINUTES
November 1, 2016

6:00 PM Wayzata Blvd/Superior Blvd Intersection

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: City Manager Dahl, Public Services Director Dave Dudinsky, and City Engineer Kelly.

City Engineer Kelly and Emily Gross and Matt Hansen from SRF Consulting Group provided a brief presentation regarding a proposed Wayzata Blvd/Superior Blvd intersection realignment project.

The presentation described historical and current traffic patterns as well as two potential intersection design options.

The Council asked staff to arrange for an open house to review the proposed design options and solicit feedback from the neighborhood and adjacent property owners.

The workshop meeting was adjourned at 6:55 pm.

Respectfully submitted,

Becky Malone
Deputy City Clerk

**WAYZATA CITY COUNCIL
DRAFT - MEETING MINUTES
November 1, 2016**

AGENDA ITEM 1. Call to Order and Roll Call.

Mayor Willcox called the meeting to order at 7 p.m. Council Members present: McCarthy, Mullin, Anderson, and Tyacke. Also present: City Manager Dahl, City Attorney Schelzel, City Engineer Kelly, Director of Public Service Dudinsky, and Director of Planning and Building Thomson.

AGENDA ITEM 2. Approve Agenda.

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

Mr. Willcox advised the Council met in Workshop prior to the meeting and discussed the potential designs for the Wayzata Boulevard and Superior Boulevard intersection.

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

None.

AGENDA ITEM 4. New Agenda Items.

None.

AGENDA ITEM 5. Consent Agenda.

Mr. Tyacke inquired if the City Attorney had reviewed the two contracts that are part of the Consent Agenda. City Attorney Schelzel responded they have both been reviewed.

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

- a. Approval of City Council Workshop Meeting Minutes of October 18, 2016 and City Council Regular Meeting Minutes of October 18, 2016
 - b. Approval of Check Register
 - c. Approval of Resolution No. 45-2016 and Contract for The Open for Business Program with Hennepin County
 - d. Approval of Contract with Urban Works for Creation of Special Services District
- The motion carried 5/0.

AGENDA ITEM 6. Public Hearing.

- a. **Public Hearing on Senior Multifamily Housing Developments and Issuance of Revenue Bonds and Consider Approval of Resolution 46-2016 Giving Approval to a Proposed Housing Program and the Issuance by the City of Apple Valley, MN of its Senior Living Bonds, Series 2016**

City Manager Dahl reported the City Council authorized a public hearing for the purpose of considering “host approval” to the issuance of revenue bonds by the City of Apple Valley in order to finance the purchase of several assisted living facilities, including Meridian Manor in Wayzata.

Jennifer Hanson, Dorsey and Whitney, Minneapolis, advised Presbyterian Communities Northwest is the member of the LLC that is purchasing Meridian Manor and not related to Presbyterian Homes.

City Attorney Schelzel stated this has been reviewed by the Bond counsel and it has no impact on the City’s legal liability or ability to raise future financing.

Mayor Willcox opened the public hearing at 7:07 p.m. There being no comment, Mayor Willcox closed the public hearing at 7:08 p.m.

Mrs. Anderson made a motion, seconded by Mr. Tyacke, to adopt Resolution No. 46-2016 Giving Approval to a Proposed Housing Program and the Issuance by the City of Apple Valley,

Minnesota of Its Senior Living Revenue Bonds (Minnesota Senior Living LLC Project), Series 2016.

Mr. Tyacke inquired how this will impact the residents. Mark Mullin, Presbyterian Homes Northwest, stated there will be no impact to the residents. Their main office is in Seattle and they are expanding to this area.

The motion carried 5/0.

AGENDA ITEM 7. New Business.

a. Consider Resolution No. 48-2016 Accepting Bids and Authorizing the Execution of Contract for Construction of Mill Street Parking Ramp

City Manager Dahl provided a background on the Mill Street Parking Ramp project. He reported the City received two bids for the construction of the Mill Street Parking Ramp. The total project costs, soft costs, and contingency with the lowest bidder, Adolfson and Peterson Construction, are: 1) Base Ramp (no roof) plus enhanced landscaping, entrance portal, and retaining wall treatment: \$10,050,400; and, 2) Base Ramp with roof: \$11,230,000.

Nate Pearson, TEGRA group, stated the reason the project came in over budget is because of the retaining wall that is needed to build the parking ramp and the schedule implications related to it. It will take longer to build the retaining wall than originally proposed. The top deck of the ramp would be open on July 1, 2017 with the entire project completed on August 11, 2017.

Mr. Mullin inquired what was missed that caused the delay in completion. Mr. Pearson stated the contractors are not pricing any risk into the bid. The bids were very similar and competitive.

Mr. Willcox inquired how disruptive the construction will be in the summer. Mr. Pearson stated it will look less chaotic than in the earlier stages of construction, but the site will be under construction and not available to the public for safety reasons.

In response to Mr. Mullin, Mr. Pearson outlined what they learned during the bidding process. They did not know the full implication of the tiebacks for the retaining wall before it went out to bid. After the design was looked at and finalized in the last couple weeks, they learned the tieback system needs to be shorter and requires more labor and time, which then affects the cost.

Mr. Tyacke commented he thought the design of the retaining wall for the parking ramp was based on the design of the retaining wall behind the Muni. Mr. Pearson stated this retaining wall is different because it is 500 feet long and retaining 28 feet above grade which makes it a much different retaining wall.

Mrs. Anderson summarized this contractor is covering the risks, they have the warranties, and this is what the City must choose from.

Mr. Mullin inquired what risk mitigation measures are in the contract and who assumes the liability that the wall is going to hold up and for how long. Mr. Pearson stated they have a professional engineer who has submitted the design and TEGRA has hired Braun Engineering to do a peer review. Contractually, the ultimate responsibility goes to A & P, Veit, and Lowell Engineers.

Mr. Dahl advised there is still an 8% contingency in the bid until the wall is completed.

Mr. Willcox inquired if there was any point in rebidding the project. Mr. Pearson stated he believes they would receive the same results with some material escalation.

Mrs. McCarthy stated to gain more spaces on Mill Street, the ramp had been pushed back and now requires an expensive retaining wall. She inquired if there was a better design that would not have this expensive trade off. City Engineer Kelly stated if the ramp is redesigned and moved back towards the street, there would be more utility impacts and the price could potentially be about the same.

Mrs. Anderson stated the retaining wall is still needed and if it is redesigned, it will potentially be about the same price. The contractors know the City wants this ramp and the engineers have to guarantee the retaining wall and the ramp.

1 Mr. Willcox inquired if the current design is better from a cost perspective than the grade
2 plus two ramp at this point.

3 Mr. Kelly commented the retaining wall is needed with either ramp design. The contractor
4 has provided a conservative bid and the City wanted minimal impact. If the project was done in
5 two phases, it could potentially cost more. Mr. Dahl advised the grade plus two design was
6 \$9,700,000 including the contingency, but not soft costs. Mrs. McCarthy reminded the Council
7 there was a height issue with the properties to the north with the grade plus two design.

8 Mr. Willcox inquired of the Council their thoughts on the proposed schedule.

9 Mrs. McCarthy inquired if poor weather days has been worked into the schedule. Mr.
10 Pearson stated there is allowance for some poor weather days.

11 Mr. Mullin asked Mr. Pearson how confident he was in the completion dates given by the
12 contractor. Mr. Pearson stated he has had multiple meetings with the contractors and while the
13 schedule is tight, he believes it can be done if it gets started this week.

14 Mr. Tyacke asked if there have been discussions with the surrounding building owners and
15 the impact to their parking. Mr. Dahl stated they have been talking with them and will work with
16 them to retain as many spaces as possible. There is some initial communication that needs to take
17 place right away and some longer-term issues that will be addressed as they come up.

18 At the request of Mr. Willcox, Becky Pierson, Chamber of Commerce President, stated the
19 completion date is not ideal, but the alternative of not having a ramp is a bigger issue.

20 Mrs. McCarthy requested more information about the phased approach for the ramp. Mr.
21 Kelly stated it would have to be rebid. Phase 1 could start this winter, and impact the north
22 parking area to give the contractor space to build a retaining wall. When the wall is complete, the
23 parking lot could then be available for use for the summer. Phase 2 could begin in September 2017,
24 which would include construction of the parking ramp and would be completed by spring 2018.

25 Mr. Pearson pointed out a major part of the cost is being put at risk because it is being
26 delayed for a season, and it could potentially cost \$250,000 more to do the project in phases.

27 Mrs. Anderson commented the business owners have been through some tough years of
28 construction in the City, this will be another season of construction, and the phase option should be
29 considered.

30 Mr. Dahl asked if the project could still be rebid this winter. Mr. Pearson stated he would
31 have to consider whether they use a change order or if they would have to reject all current bids.
32 City Attorney Schelzel stated it would be a huge change and it could not be done with a change
33 order.

34 Mr. Dahl stated the City can finance the basic ramp and outlined the financing as follows:

- 35 • Financing for Ramp: \$9,440,000 allocated
- 36 • Gap of: \$610,000 for base ramp with add-ons and \$1,790,000 for ramp with roof
- 37 • Other Revenue Sources to fill gap: \$191,000 in ramp contingency and \$400,000 to
- 38 \$500,000 in year-end transfers

39 Mrs. Anderson stated the payment-in-lieu-of parking, Broadway Place policy and their
40 landscape contribution are included in the fund that would cover some of the capital costs. Mr.
41 Dahl stated these fees would primarily fund future parking related improvements.

42 Mr. Willcox commented the timing is unfortunate, but not a reason to stop the project. The
43 prospect of not having a ramp at all would be worse. He suggested a roof be added to the CIP so
44 that it can be funded in the future.

45 Mr. Tyacke stated this has been in the Comprehensive Plan for many years and the decision
46 to build it now will accommodate development and growth in the future. He agrees the roof should
47 be included in a CIP and is still interested in exploring a solar roof in the future.

48 Mrs. McCarthy commented she is sensitive to the financial situation and sees the need for
49 increase parking. They have worked very hard to come up with a ramp that meets their parking
50 needs, is aesthetically pleasing, and is sensitive to budgets. She has faith that TEGRA will push to
51 have the ramp done on schedule, but is less optimistic it will be done in July. She supports moving

forward with the base ramp, and supports additional discussion for a roof in the future. She expressed concern that if the roof will get lost in all the other projects the City and suggested putting aside money immediately, add to it continuously, and possibly set a timeline as to when it would get done.

Mr. Mullin commented he remains supportive of moving ahead with the base ramp and is open to further specific discussion regarding the roof. Regarding the financing of the project, most of it will be paid for through TIF. The burden of maintenance has been placed on the commercial property owners. Regarding the intent of the roof, if appropriate funding became available, he would encourage future policy makers to do the following to close the funding gap: 1) look at the annual budget process for additional money; 2) explore assessing direct property owners that would benefit from the roof; 3) explore solar options and a full roof; and, 4) explore public/private partnerships.

Mr. Willcox stated he agrees with Mr. Mullin, but added money should be shifted from CIP's into this account so that it is more than just a thought process.

Mrs. Anderson thanked the design team and TEGRA for their work. She stated covering the additional costs are a lot for the community and there is already a lot to do in the community. This ramp is about future development and big development for Lake Effect, but she has a lot of reservations because the City cannot afford it. She does not support taking money from various funds to come up with the original shortfall amount, and now the City must come up with more money to cover the difference. The community already has a lot going on and there are other alternatives to see what would work best. The ramp is using taxpayer dollars through TIF. She is concerned with the burden this will put on commercial property owners and does not support awarding bids and any future financing.

Mrs. McCarthy inquired if they should proceed with the retaining wall treatment if they are committed to putting on a roof in a couple of years. Mr. Dahl commented he would recommend moving forward with the recommended alternatives because there is no guarantee when the City can come up with the financing for the roof. Even for a few years, the alternatives will have some value.

Victor Pechaty, HGA, commented the retaining wall extends significantly above the upper deck and is slated to receive the decorative pattern under the alternatives. It will be very visible until the roof is installed.

Mr. Schelzel suggested the intent of the roof be addressed separately.

Mr. Tyacke made a motion, seconded by Mr. Mullin, to adopt Resolution No. 48-2016 Accepting Low Bid and Awarding and Approving a Contract with Lowest Responsible Bidder for the Mill Street Parking Structure Project, including Alternatives 2, 3, and 4. The motion carried 4/1 (Anderson).

Mrs. McCarthy requested the roof discussion be part of the next Council meeting agenda. If the ramp comes in under budget, she suggested the excess funds could be used for the roof.

Mr. Dahl outlined the next steps with the ramp project and hoped to present a concrete plan at the November 15 Council meeting.

The Council recessed at 8:28 p.m. and reconvened at 8:34 p.m.

b. Consider Approval of Payment-in-Lieu-of-Parking (PILOP) Policy

City Manager Dahl reported PILOP is an effort to create a downtown parking district that maximizes both public and private parking stalls in downtown and increase economic development activity. He reported on the background and provided an update on PILOP.

Mr. Dahl provided more detail on the proposed fee of \$10,000 per stall. It should be based on a combination of the construction cost of stalls, value to the property owner, what other cities are doing, future capital improvement needs of the City, and what the City previously charged.

1 Mr. Dahl pointed out this is a policy to guide for future use and development. It will be
2 used in drafting future development agreements and there may be unique variables for every
3 development.

4 Mrs. McCarthy inquired if the per stall fee and interest rate would be part of the annual fee
5 schedule review, and how interest rate was decided. Mr. Dahl responded the fee would be reviewed
6 annually, but perhaps should be tied to prime instead of having it in the fee schedule. Regarding
7 the interest rate, he spoke with Steve McDonald and Stacey Kvilvang about an appropriate interest
8 rate.

9 Mr. Tyacke inquired if the \$10,000 fee per stall follows the recently adopted ordinance.
10 Director of Planning and Building Thomson stated staff believes it is consistent with the ordinance.
11 The policy only applies to properties within draft mobility district area. They want flexibility to
12 approve other projects outside of the mobility district area.

13 Mr. Tyacke inquired if the amount the City is subsidizing of the parking stalls falls under
14 the City's subsidy policy that requires statutory authorization. Mr. Dahl stated they do not see it as
15 a business subsidy. City Attorney Schelzel stated they looked at the definition of a business subsidy
16 under the statute, and they are confident this policy would not fit the definition and trigger
17 regulatory requirements.

18 Mr. Mullin commented the policy text is confusing as it refers to "future" downtown
19 parking and not the ramp, and the term of the fee is not specific enough. He suggested a 30-year
20 term that is tied with the land, not the owner, and a more specific rate since it is for future parking
21 improvements.

22 Mr. Dahl confirmed the intent of the policy is related to all things parking in the future, not
23 outstanding debts. He agreed there should be a more solid term and fee and a 30-year term would
24 be appropriate.

25 Mr. Schelzel stated tying the term to the life of the facility was recognizing those spaces as
26 available for the use and the money coming in will pay for future things. The drawback to setting
27 a specific schedule is in the future and there may be other facilities where the capital life is longer
28 or shorter. This policy will be implemented through a CUP process. A developer will make a
29 request and as a condition of approval of the CUP, all the details will be finalized and staff will
30 have a recommendation.

31 Mr. Willcox summarized cash is needed to operate, yet they do not want to penalize a
32 potential developer. A 30-year term seems generous, and does not require the developer to come
33 up with a lot of cash. However, it does not produce a lot of needed cash flow.

34 Mrs. McCarthy suggested they develop a sliding scale. If a developer requests up to 20
35 stalls, they have a 20-year term. If they request 20 to 50 stalls, it would trigger a 30-year term. She
36 requested clarification on how the policy works if a developer tears down their building after 20
37 years versus selling their land. Mr. Schelzel referred to page 77, Section C, and commented the
38 policy does say the obligation to pay the fee in lieu of parking runs with the property and the
39 development agreement shall be recorded against the property.

40 Mrs. McCarthy inquired if a new agreement would be triggered if the use changed, but the
41 property did not change owners. City Attorney Schelzel stated if the change in use could not be met
42 with the number of parking stalls on the property, then the property owner would have to apply for
43 a CUP under this policy. If there was a reduction in use, the obligation to pay would still be there.

44 Mr. Tyacke stated he is not comfortable going any higher than a 24-year term. Mr. Schelzel
45 stated the policy itself states the term can be agreed to, but cannot exceed the term of financing for
46 the capital costs.

47 Mr. Willcox stated it would be simpler to just pick a term length and go with it.

48 Mrs. Anderson inquired if it is more of a burden for the land owner if they were ever to sell
49 if the agreement was tied to the property versus the owner. Mr. Schelzel stated it is typical for the
50 City to record development agreements with any large projects. A lot of times there is one entity

1 that comes in, gets approval, and signs it over to another entity and that is why it should be tied to
2 the land. The details would be worked out in the sale of the property.

3 Mr. Willcox inquired what terms other cities used. Mr. Dahl commented the term was
4 usually lower and a lot of cities did not even accept a finance term.

5 Mr. Mullin, Mr. Willcox, and Mrs. McCarthy stated they supports a tiered structure. Mr.
6 Willcox supports a 20-year term. Mrs. McCarthy supports either a 20 or 30-year term. Mr. Tyacke
7 supports the agreement as is and supports one uniform term and price.

8 Mr. Mullin stated this will provide a tool to negotiate an outcome for smaller scale
9 development. It is not a subsidy to try and get larger developers in.

10 Mrs. Anderson commented the purpose of the policy states it is “to propose higher density
11 projects in the downtown area.” She suggested the language and purpose be looked at and discussed
12 further.

13 Mr. Willcox stated the idea is to assist current development, not drive bigger, more dense
14 development.

15 Mr. Schelzel advised the tiered system refers to the term of financing. After discussion, the
16 Council recommended a 20-year terms for up to 49 stalls and a 30-year term for over 50 stalls.

17 Mr. Dahl recommended staff discuss the terms and come back to the Council with a
18 recommendation. Staff will discuss the rate, proposal language and a tiered system.

19 Mrs. McCarthy made a motion, seconded by Mr. Tyacke, to table Resolution No. 44-2016
20 Adopting Fee In Lieu Of Parking Policy until the next Council meeting. The motion carried 5/0.

21 Mr. Tyacke inquired if the rate should be reflected on a market based rate or a reflection of
22 City funds. Mr. Dahl advised they move to a market based rate that would fluctuate, depending on
23 the market.

24
25 **c. Consider Resolution No. 47-2016 Adopting Fee-in-Lieu-of-Parking Policy and**
26 **Setting Fee per Stall**

27 City Attorney Schelzel advised by tabling Agenda Item 7(b), this item is also tabled until the next
28 Council meeting.

29
30 **d. Consider Authorizing Final Plans/Specifications and Ad for Bid for Construction of**
31 **Telecommunication Tower**

32 Director of Public Service Dudinsky reported the feasibility report concluded the project was
33 feasible. The overall relocation cost estimate is \$826,867. The funding for the project will come
34 from new leases with the tenants and the Telecommunication CIP Fund. If the proposed resolution
35 is approved, the bids will come before the Council in February.

36 Mr. Tyacke inquired about the cables on the tower and why the City is paying for the
37 cleanup and decommissioning of the old site. Mr. Dudinsky stated the cables will be on the inside
38 of the monopole. The City is the landowner of the old site and it will be put back to its original
39 state.

40 Mrs. Anderson commented she thought the vendor contract stated the vendor must cover
41 the cost of removal of their materials. Mr. Dudinsky stated the vendors are removing their own
42 materials but the City is responsible for what it owns, like the fencing and land.

43 Mrs. Anderson made a motion, seconded by Mr. Tyacke, to authorize Final
44 Plans/Specifications and Ad for Bid for Construction of Telecommunication Tower. The motion
45 carried 5/0.

46 Director of Planning and Building Thomson advised the zoning approval process will begin
47 with this site. Mr. Dudinsky commented the land lease will go before the school board in
48 November.

49
50 **e. Gianni’s Steakhouse Request to Extend Temporary Right-of-Way Permit**

1 City Manager Dahl reported Gianni's is requesting the previously approved pergola structure be
 2 allowed to remain year-round. Staff is concerned with snow removal with the structure being at the
 3 curb as well as the structure being a liability to parked cars. The owner, Terri Huml, has offered to
 4 do the snow removal. Staff recommends denial of this request.

5 Terri Huml, 293 Grace Point Court, Gianni's owner, commented the pergola structure will
 6 have to come down when the City tears up the sidewalks in 2018. The burden of taking it down
 7 and storing it is intensive. She suggested the Council use the pergola structure as an example to
 8 define how to work with semi-permanent structures in the City. The structure was originally going
 9 to be removable, but after the design that the City felt comfortable with was approved, it is a very
 10 sturdy structure. She requested a one-year extension and offered to take it down in the winter if it
 11 becomes too burdensome. She plans to decorate it for the holidays and make it a beautiful structure
 12 for the winter.

13 Mrs. McCarthy inquired about the hold/harmless agreement and if a new agreement is
 14 needed with the extension of the dates. City Attorney Schelzel stated they would need to revisit
 15 that agreement, the right-of-way permit, and the CUP for the use to make sure the request could be
 16 granted. Ms. Huml commented she put decking around the trees and the hold/harmless agreement
 17 was extended to cover year-round.

18 Mr. Tyacke inquired if there are other businesses that have sidewalk furniture that does not
 19 need to be removed. Mr. Dahl commented he did not know of any on public right-of-way. Director
 20 of Planning and Building Thomson advised the zoning ordinance states all the items must be
 21 removed when the patio is not in use.

22 Mr. Willcox inquired if there are any other seasonal structures authorized on the City's
 23 right-of-way. Mr. Thomson explained temporary encroachment in the zoning ordinance does not
 24 have a specified duration associated with it.

25 Mr. Mullin pointed out Cōv has a wall that sits on the right-of-way, but they remove all
 26 their furniture for the winter.

27 Mrs. Anderson commented she originally did not support this as a temporary structure and
 28 now it has become a permanent structure. She is not comfortable with the use the public right-of-
 29 way, there are safety concerns with parking, and staff liability with snow removal. She supports
 30 staff recommendation for denial of this request.

31 Mr. Tyacke commented everyone should be treated uniformly and recommends denial of
 32 this request.

33 Mr. Mullin commented the structure adds to the charm of the City, there is a demonstrated
 34 hardship, and with Lake Effect, a wider streetscape will be provided and more merchants will
 35 benefit from it. He supports extending the permit.

36 Mrs. McCarthy commented the pergola is a great structure, but there is not enough space
 37 for it at this time. She expressed concern for the accessibility for cars and stated the rules need to
 38 be enforced uniformly.

39 Mr. Willcox commented Gianni's has been a great benefit to the City, but the agreement
 40 was clear that it needed to come down at the end of the season. He supports staff recommendation
 41 for denial of the request.

42 Mrs. Anderson made a motion, seconded by Mrs. McCarthy, to deny the extension of the
 43 temporary encroachment permit. The motion carried 4/1. (Mullin)
 44

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

46 **a. Discussion of Parking Mitigation Plan for Mill Street**

47 City Manager Dahl reported he will present this item at the next Council meeting.
 48

49 **b. Lake Effect Update**

50 City Manager Dahl reported the Conservancy is in the process of hiring an Executive Director and
 51 is actively cultivating potential donors. Staff is moving forward with the EAW and has received a

1 maintenance and operations report that will be presented to Council. Discussions continue with the
2 railroad and there is a lot of work going on.

3
4 Mr. Dahl advised Bushaway has opened and there will be a celebration tomorrow on the northeast
5 corner at 9:00 a.m. He thanked the Council and staff for their work on the project, the businesses
6 and residents for their patience, and Becky Pierson at the Chamber for her work.

7
8 **c. City Boards and Commissions**

9 City Manager Dahl stated today was the last day for submission of applications and there are many
10 to choose from.

11
12 **d. Chamber of Commerce Update**

13 Becky Pierson, Chamber of Commerce President, commented Boo Blast was a great event. She
14 thanked everyone for their work on the event. She announced the following events:

- 15 • Tree Lighting on November 25
- 16 • Small Business Saturday on November 26
- 17 • Jingle Mingle on December 1
- 18 • Santa and Reindeer on some Saturdays in December
- 19 • Shop With a Purpose in December

20
21 **AGENDA ITEM 9. Public Forum Continued (as necessary).**

22 Cathy Carlson, 226 Minnetonka Avenue North, thanked the Council and staff for their work on the
23 telecom project.

24
25 **AGENDA ITEM 10. Adjournment.**

26 Mr. Tyacke made a motion, seconded by Mrs. McCarthy to adjourn. There being no further
27 business, Mayor Willcox adjourned the meeting at 10:05 p.m.

28
29 Respectfully submitted,

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31
32
33 Becky Malone
34 Deputy City Clerk

35
36 Drafted by Shannon Schmidt
37 *TimeSaver Off Site Secretarial, Inc.*

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			Check Amt	Invoice	Comment
10100 Anchor Bank					
Paid Chk#	104032	11/4/2016	ARTISAN BEER COMPANY		
E 640-47000-253	Beer For Resale		\$193.00	3134505	BEER
E 640-48000-253	Beer For Resale		\$270.00	3135888	BEER
E 640-47000-253	Beer For Resale		\$193.45	3135983	BEER
E 640-48000-253	Beer For Resale		(\$30.00)	352805	BEER
E 640-48000-253	Beer For Resale		(\$60.00)	352935	BEER
E 640-48000-253	Beer For Resale		(\$150.00)	362564	BEER
Total ARTISAN BEER COMPANY			\$416.45		
Paid Chk#	104033	11/4/2016	BELLBOY BAR SUPPLY CORP.		
E 640-47000-251	Liquor For Resale		\$628.17	56000000	LIQUOR
E 640-47000-259	Freight		\$5.93	94781200	FREIGHT
E 640-47000-210	Operating Supplies (GENERAL)		\$107.80	94781200	SUPPLIES
E 640-47000-251	Liquor For Resale		\$98.00	94781200	LIQUOR
E 640-47000-259	Freight		\$4.55	94819700	FREIGHT
E 640-47000-254	Soft Drinks/Mix For Resale		\$53.65	94819700	MISC.MIX
E 640-47000-210	Operating Supplies (GENERAL)		\$63.40	94819700	SUPPLIES
Total BELLBOY BAR SUPPLY CORP.			\$961.50		
Paid Chk#	104034	11/4/2016	BERNICK'S WINE		
E 640-47000-254	Soft Drinks/Mix For Resale		\$92.60	326011	MISC.MIX
E 640-47000-253	Beer For Resale		\$29.50	326012	BEER
Total BERNICK'S WINE			\$122.10		
Paid Chk#	104035	11/4/2016	BREAKTHRU BEVERAGE		
E 640-48000-252	Wine For Resale		\$374.50	1080542143	WINE
E 640-47000-259	Freight		\$16.07	1080545389	FREIGHT
E 640-47000-252	Wine For Resale		\$956.58	1080545389	WINE
E 640-47000-251	Liquor For Resale		\$1,627.72	1080545390	LIQUOR
E 640-47000-259	Freight		\$17.64	1080545390	FREIGHT
E 640-48000-251	Liquor For Resale		\$226.39	1080545513	LIQUOR
E 640-48000-252	Wine For Resale		\$216.00	1080545513	WINE
E 640-47000-251	Liquor For Resale		(\$35.00)	2080151250	LIQUOR
Total BREAKTHRU BEVERAGE			\$3,399.90		
Paid Chk#	104036	11/4/2016	BREAKTHRY BEVERAGE BEER		
E 640-48000-253	Beer For Resale		\$527.00	1090627240	BEER
E 640-47000-253	Beer For Resale		\$2,564.75	1090630221	BEER
E 640-47000-253	Beer For Resale		\$60.00	1090630222	BEER
E 640-47000-253	Beer For Resale		\$106.40	1090630223	BEER
Total BREAKTHRY BEVERAGE BEER			\$3,258.15		
Paid Chk#	104037	11/4/2016	CINTAS CORPORATION		
E 640-48500-210	Operating Supplies (GENERAL)		\$91.82	5006330287	FIRST AID SUPPLIES
Total CINTAS CORPORATION			\$91.82		
Paid Chk#	104038	11/4/2016	COCA-COLA		
E 640-47000-254	Soft Drinks/Mix For Resale		\$148.88	3601201353	MISC.BEV
Total COCA-COLA			\$148.88		
Paid Chk#	104039	11/4/2016	COZZINI BROS., INC.		
E 640-48500-415	Other Equipment Rentals		\$52.03	C3171085	KNIFE EXCHANGE
Total COZZINI BROS., INC.			\$52.03		
Paid Chk#	104040	11/4/2016	CULLIGAN-METRO		
E 640-48500-210	Operating Supplies (GENERAL)		\$106.74	101X29410209	SUPPLIES
Total CULLIGAN-METRO			\$106.74		

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Paid Chk#	104041	11/4/2016	DAHLHEIMER DISTRIBUTING CO.		
E 640-47000-253	Beer For Resale		\$1,506.12	1220361	BEER
E 640-47000-253	Beer For Resale		\$894.60	1223220	BEER
E 640-48000-253	Beer For Resale		\$423.00	1223221	BEER
E 640-48000-253	Beer For Resale		\$245.00	133664	BEER
Total	DAHLHEIMER DISTRIBUTING CO.		\$3,068.72		
Paid Chk#	104042	11/4/2016	DENNYS 5TH AVENUE BAKERY		
E 640-48500-255	FOODIngredients For Resale		(\$7.40)	630039	FOOD
E 640-48500-255	FOODIngredients For Resale		\$94.56	631292	FOOD
E 640-48500-255	FOODIngredients For Resale		\$208.67	631475	FOOD
E 640-48500-255	FOODIngredients For Resale		\$56.84	632201	FOOD
E 640-48500-255	FOODIngredients For Resale		\$190.65	632443	FOOD
Total	DENNYS 5TH AVENUE BAKERY		\$543.32		
Paid Chk#	104043	11/4/2016	DIRECTV		
E 640-48000-415	Other Equipment Rentals		\$319.54	29787342265	SERVICE
Total	DIRECTV		\$319.54		
Paid Chk#	104044	11/4/2016	ENKI BREWING COMPANY		
E 640-48000-253	Beer For Resale		\$205.00	6354	BEER
Total	ENKI BREWING COMPANY		\$205.00		
Paid Chk#	104045	11/4/2016	G & K SERVICES		
E 640-48500-217	Uniforms		\$585.14	1013148128	KITCHEN UNIFORMS & SUPPLIES
E 640-48500-210	Operating Supplies (GENERAL)		\$246.49	1013159266	KITCHEN UNIFORMS & SUPPLIES
Total	G & K SERVICES		\$831.63		
Paid Chk#	104046	11/4/2016	GRAPE BEGINNINGS, INC.		
E 640-47000-259	Freight		\$11.25	11640	FREIGHT
E 640-47000-252	Wine For Resale		\$703.00	11640	WINE
Total	GRAPE BEGINNINGS, INC.		\$714.25		
Paid Chk#	104047	11/4/2016	HOHENSTEINS INC.		
E 640-47000-253	Beer For Resale		\$832.50	855753	BEER
Total	HOHENSTEINS INC.		\$832.50		
Paid Chk#	104048	11/4/2016	JJ TAYLOR DISTRIBUTING OF MN		
E 640-47000-253	Beer For Resale		\$2,061.68	2597033	BEER
E 640-47000-253	Beer For Resale		\$1,329.90	2597069	BEER
E 640-47000-253	Beer For Resale		\$843.00	2597074	BEER
E 640-48000-253	Beer For Resale		\$838.00	2608249	BEER
E 640-48000-253	Beer For Resale		\$209.00	2608271	BEER
E 640-48000-253	Beer For Resale		\$657.00	2608323	BEER
E 640-48000-253	Beer For Resale		\$95.40	2608324	BEER
Total	JJ TAYLOR DISTRIBUTING OF MN		\$6,033.98		
Paid Chk#	104049	11/4/2016	JOHNSON BROS.-ST.PAUL		
E 640-47000-251	Liquor For Resale		\$11.96	5563576	LIQUOR
E 640-47000-251	Liquor For Resale		\$695.69	5571556	LIQUOR
E 640-47000-259	Freight		\$6.52	5571556	FREIGHT
E 640-47000-252	Wine For Resale		\$6,047.30	5571557	WINE
E 640-47000-259	Freight		\$71.99	5571557	FREIGHT
E 640-47000-251	Liquor For Resale		\$655.32	5572917	LIQUOR
E 640-47000-259	Freight		\$3.66	5572917	FREIGHT
E 640-47000-252	Wine For Resale		(\$27.73)	596528	WINE
Total	JOHNSON BROS.-ST.PAUL		\$7,464.71		

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			Check Amt	Invoice	Comment
Paid Chk#	104050	11/4/2016	KARLSBURGER FOODS, INC.		
	E 640-48500-255	FOODIngredients For Resale	\$425.65	000421584	FOOD
	Total	KARLSBURGER FOODS, INC.	\$425.65		
Paid Chk#	104051	11/4/2016	LIBATION PROJECT		
	E 640-47000-252	Wine For Resale	\$932.00	5974	WINE
	E 640-47000-259	Freight	\$10.50	5974	FREIGHT
	Total	LIBATION PROJECT	\$942.50		
Paid Chk#	104052	11/4/2016	M.AMUNDSON LLP		
	E 640-47000-256	MISC.MDSE.RESALE	\$1,287.11	226351	CIGS
	Total	M.AMUNDSON LLP	\$1,287.11		
Paid Chk#	104053	11/4/2016	MN DEPT.OF PUBLIC SAFETY		
	E 640-47000-433	Dues, Licensing & Seminars	\$20.00	6723	BUYERS CARD
	Total	MN DEPT.OF PUBLIC SAFETY	\$20.00		
Paid Chk#	104054	11/4/2016	NORTHWESTERN FRUIT COMPANY		
	E 640-48500-255	FOODIngredients For Resale	(\$73.90)	848297	FOOD
	E 640-48500-255	FOODIngredients For Resale	\$323.55	849338	FOOD
	E 640-48500-255	FOODIngredients For Resale	\$500.75	849490	FOOD
	E 640-48500-255	FOODIngredients For Resale	\$456.15	849623	FOOD
	E 640-48500-255	FOODIngredients For Resale	\$350.05	849792	FOOD
	E 640-48500-255	FOODIngredients For Resale	\$668.60	849948	FOOD
	Total	NORTHWESTERN FRUIT COMPANY	\$2,225.20		
Paid Chk#	104055	11/4/2016	PAUSTIS & SONS		
	E 640-47000-252	Wine For Resale	\$811.61	8567326	WINE
	E 640-47000-259	Freight	\$10.00	8567326	FREIGHT
	Total	PAUSTIS & SONS	\$821.61		
Paid Chk#	104056	11/4/2016	PEPSI -COLA		
	E 640-47000-254	Soft Drinks/Mix For Resale	\$247.50	28927005	MISC. BEV
	Total	PEPSI -COLA	\$247.50		
Paid Chk#	104057	11/4/2016	PHILLIPS WINES & SPIRITS		
	E 640-47000-251	Liquor For Resale	\$313.80	2063700	LIQUOR
	E 640-47000-259	Freight	\$1.21	2063700	FREIGHT
	E 640-47000-252	Wine For Resale	\$931.20	2063701	WINE
	E 640-47000-259	Freight	\$17.08	2063701	FREIGHT
	Total	PHILLIPS WINES & SPIRITS	\$1,263.29		
Paid Chk#	104058	11/4/2016	PROFORMA		
	E 640-48000-340	Advertising	\$1,461.26	90P6602857	BAR MDSE
	Total	PROFORMA	\$1,461.26		
Paid Chk#	104059	11/4/2016	REYCRAFT, TOM		
	E 640-48000-341	General Promotions	\$300.00	11/10/16	BAR MUSIC 11/10/16
	Total	REYCRAFT, TOM	\$300.00		
Paid Chk#	104060	11/4/2016	SOUTHERN GLAZER'S OF MN		
	E 640-47000-251	Liquor For Resale	\$3,436.49	1468539	LIQUOR
	E 640-47000-259	Freight	\$27.20	1468539	FREIGHT
	E 640-47000-252	Wine For Resale	\$1,502.00	1468540	WINE
	E 640-47000-259	Freight	\$25.81	1468540	FREIGHT
	E 640-47000-252	Wine For Resale	\$1,435.54	1468541	WINE
	E 640-47000-259	Freight	\$19.41	1468541	FREIGHT
	E 640-47000-254	Soft Drinks/Mix For Resale	\$28.28	1468542	MISC.MIX
	E 640-47000-259	Freight	\$3.84	1468543	FREIGHT

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E 640-47000-251	Liquor For Resale		\$77.92	1468543	LIQUOR
E 640-47000-252	Wine For Resale		\$80.00	1468543	WINE
Total SOUTHERN GLAZER'S OF MN			\$6,636.49		
Paid Chk# 104061	11/4/2016	STARY, MARK			
E 640-48000-341	General Promotions		\$300.00	11/17/16	BAR MUSIC 11/17/16
Total STARY, MARK			\$300.00		
Paid Chk# 104062	11/4/2016	STRATEGIC EQUIPMENT AND			
E 640-48000-210	Operating Supplies (GENERAL)		(\$160.53)	155378	BAR SUPPLIES
E 640-48500-210	Operating Supplies (GENERAL)		\$4.83	2735258	KITCHEN SUPPLIES
E 640-48500-210	Operating Supplies (GENERAL)		\$298.59	2735264	KITCHEN SUPPLIES
E 640-48000-210	Operating Supplies (GENERAL)		\$188.94	2735264	BAR SUPPLIES
E 640-48000-342	Promotions - Food/Drinks		\$56.78	2735264	PROMO FOOD
E 640-48500-210	Operating Supplies (GENERAL)		\$324.55	2739258	KITCHEN SUPPLIES
E 640-48000-342	Promotions - Food/Drinks		\$56.78	2739258	PROMO FOOD
E 640-48000-210	Operating Supplies (GENERAL)		\$258.46	2739258	BAR SUPPLIES
E 640-48000-210	Operating Supplies (GENERAL)		\$90.81	2739263	BAR SUPPLIES
E 640-48500-210	Operating Supplies (GENERAL)		\$15.96	2739410	KITCHEN SUPPLIES
Total STRATEGIC EQUIPMENT AND			\$1,135.17		
Paid Chk# 104063	11/4/2016	T.D. ANDERSON INC.			
E 640-48000-409	Maint services & Improv		\$115.00	941445	BEER LINES CLEANED
Total T.D. ANDERSON INC.			\$115.00		
Paid Chk# 104064	11/4/2016	THORPE DISTRIBUTING CO.			
E 640-47000-253	Beer For Resale		\$854.21	1158081	BEER
E 640-48000-253	Beer For Resale		\$295.00	1158584	BEER
E 640-47000-253	Beer For Resale		\$1,744.95	1161534	BEER
E 640-48000-253	Beer For Resale		\$1,086.00	1162033	BEER
E 640-47000-253	Beer For Resale		\$20.45	1164905	BEER
Total THORPE DISTRIBUTING CO.			\$4,000.61		
Paid Chk# 104065	11/4/2016	TRUE BRANDS			
E 640-47000-254	Soft Drinks/Mix For Resale		\$34.30	161094	MISC.MDSE.
Total TRUE BRANDS			\$34.30		
Paid Chk# 104066	11/4/2016	TRUSTED EMPLOYEES			
E 640-48000-306	Personnel Expense		\$60.00	10201612035S	BACKGROUND SERVICE
Total TRUSTED EMPLOYEES			\$60.00		
Paid Chk# 104067	11/4/2016	US FOODS			
E 640-48500-255	FOODIngredients For Resale		\$4,657.58	4094220	FOOD
E 640-48000-254	Soft Drinks/Mix For Resale		\$321.46	4094220	MISC.BEV
E 640-48000-210	Operating Supplies (GENERAL)		\$163.14	4094220	SUPPLIES
E 640-48000-342	Promotions - Food/Drinks		\$59.75	4094220	PROMO FOOD
E 640-48000-251	Liquor For Resale		\$17.72	4094220	LIQUOR
E 640-48500-210	Operating Supplies (GENERAL)		\$195.34	4138331	SUPPLIES
E 640-48000-251	Liquor For Resale		\$206.32	4138331	LIQUOR
E 640-48000-342	Promotions - Food/Drinks		\$54.18	4138331	PROMO FOOD
E 640-48500-255	FOODIngredients For Resale		\$2,138.03	4138331	FOOD
E 640-48500-255	FOODIngredients For Resale		\$3,760.29	4177356	FOOD
E 640-48500-255	FOODIngredients For Resale		\$233.25	4225676	FOOD
E 640-48000-251	Liquor For Resale		\$71.24	4225680	LIQUOR
E 640-48500-255	FOODIngredients For Resale		\$3,936.39	4225680	FOOD
E 640-48000-254	Soft Drinks/Mix For Resale		\$390.53	4225680	MISC.BEV
E 640-48500-210	Operating Supplies (GENERAL)		\$173.16	4225680	SUPPLIES
E 640-48000-342	Promotions - Food/Drinks		\$59.75	4225680	PROMO FOOD

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E 640-48500-255	FOOD	Ingredients For Resale	\$37.71	4227178	FOOD
E 640-48500-255	FOOD	Ingredients For Resale	\$2,052.31	4261553	FOOD
E 640-48000-255	FOOD	Ingredients For Resale	\$4,013.15	4305632	FOOD
E 640-48500-210	Operating Supplies (GENERAL)		\$145.49	4305632	SUPPLIES
E 640-48000-254	Soft Drinks/Mix For Resale		\$324.69	4305632	MISC.BEV
E 640-48000-342	Promotions - Food/Drinks		\$42.32	4305632	PROMO FOOD
E 640-48000-251	Liquor For Resale		\$135.34	4305632	LIQUOR
E 640-48500-255	FOOD	Ingredients For Resale	\$205.09	4354642	FOOD
E 640-48500-255	FOOD	Ingredients For Resale	\$3,493.59	4354645	FOOD
E 640-48500-255	FOOD	Ingredients For Resale	\$74.99	4355942	FOOD
E 640-48500-255	FOOD	Ingredients For Resale	(\$4,118.10)	ON ACCT	FOOD
Total US FOODS			\$22,844.71		
Paid Chk# 104068	11/4/2016	VINOCOPIA			
E 640-47000-259	Freight		\$14.00	0164816	FREIGHT
E 640-47000-252	Wine For Resale		\$490.67	0164816	WINE
E 640-47000-251	Liquor For Resale		\$303.41	0164816	LIQUOR
Total VINOCOPIA			\$808.08		
Paid Chk# 104069	11/4/2016	WINE COMPANY			
E 640-47000-252	Wine For Resale		\$654.67	18252	WINE
E 640-47000-259	Freight		\$8.40	18252	FREIGHT
Total WINE COMPANY			\$663.07		
Paid Chk# 104070	11/4/2016	WINE MERCHANT			
E 640-47000-252	Wine For Resale		\$762.44	709612	WINE
E 640-47000-252	Wine For Resale		(\$458.44)	709818	WINE
E 640-47000-252	Wine For Resale		\$912.00	7098646	WINE
E 640-47000-252	Wine For Resale		\$360.00	7103975	WINE
E 640-48000-252	Wine For Resale		\$565.76	7103975	WINE
E 640-47000-252	Wine For Resale		(\$456.00)	710471	WINE
E 640-47000-259	Freight		\$6.10	7105036	FREIGHT
E 640-47000-252	Wine For Resale		\$1,151.00	7105036	WINE
E 640-47000-252	Wine For Resale		\$198.58	7105321	WINE
E 640-47000-259	Freight		\$1.53	7105321	FREIGHT
Total WINE MERCHANT			\$3,042.97		
Paid Chk# 104071	11/5/2016	AEM FINANCIAL SOLUTIONS			
E 101-41500-301	Auditing and Acct g Services		\$4,583.33	374211	FINANCE DIR. SERVICES
Total AEM FINANCIAL SOLUTIONS			\$4,583.33		
Paid Chk# 104072	11/5/2016	AIRTECH			
E 437-40000-404	Repairs/Maint - Machin/Equip		\$1,442.75	00058904	LIBRARY MAINT
Total AIRTECH			\$1,442.75		
Paid Chk# 104073	11/5/2016	ALLEGRA PRINT & IMAGING			
E 101-41500-200	Office Supplies (GENERAL)		\$187.00	116889	FORMS
Total ALLEGRA PRINT & IMAGING			\$187.00		
Paid Chk# 104074	11/5/2016	ASHLAND COUNTY			
E 101-42100-499	Miscellaneous		\$16.25	319	PD RECORDS REQUEST
Total ASHLAND COUNTY			\$16.25		
Paid Chk# 104075	11/5/2016	AT&T MOBILITY			
E 101-41940-321	Telephone		\$69.52		SERVICE
Total AT&T MOBILITY			\$69.52		
Paid Chk# 104076	11/5/2016	AT&T MOBILITY			
E 101-41940-321	Telephone		\$248.89		SERVICE

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Total AT&T MOBILITY			\$248.89		
Paid Chk# 104077	11/5/2016	BACHMAN S			
E 101-45200-227	Plantings		\$267.00	854445/50	PLANTINGS
Total BACHMAN S			\$267.00		
Paid Chk# 104078	11/5/2016	BANYON DATA SYSTEMS			
E 620-40000-433	Dues, Licensing & Seminars		\$397.50	00154997	UTILITY BILLING SUPPORT
E 610-40000-433	Dues, Licensing & Seminars		\$397.50	00154997	UTILITY BILLING SUPPORT
Total BANYON DATA SYSTEMS			\$795.00		
Paid Chk# 104079	11/5/2016	BARCO MUNICIPAL PRODUCTS			
E 620-40000-210	Operating Supplies (GENERAL)		\$111.60	222414	UTILITY PAINT
E 610-40000-210	Operating Supplies (GENERAL)		\$111.60	222414	UTILITY PAINT
Total BARCO MUNICIPAL PRODUCTS			\$223.20		
Paid Chk# 104080	11/5/2016	BERRY COFFEE COMPANY			
E 101-43100-499	Miscellaneous		\$282.24	404407	SUPPLIES
E 101-41500-499	Miscellaneous		\$137.50	404407	SUPPLIES
Total BERRY COFFEE COMPANY			\$419.74		
Paid Chk# 104081	11/5/2016	BRAUN INTERTEC			
E 401-40000-309	Contractual Services		\$1,650.00	B074852	PARKING RAMP
Total BRAUN INTERTEC			\$1,650.00		
Paid Chk# 104082	11/5/2016	BROYLES, PAT			
E 101-41100-493	Volunteer program		\$72.21	REIMB	VOLUNTEER EXPENSES
Total BROYLES, PAT			\$72.21		
Paid Chk# 104083	11/5/2016	CANDLELIGHT FLORAL			
E 101-41500-499	Miscellaneous		\$100.00	014048	SHAVAR FUNERAL
Total CANDLELIGHT FLORAL			\$100.00		
Paid Chk# 104084	11/5/2016	CENTERPOINT ENERGY			
E 640-47000-383	Fuel, oil and natural gas		\$148.28		SERVICE
E 640-48000-383	Fuel, oil and natural gas		\$593.10		SERVICE
E 101-41940-383	Fuel, oil and natural gas		\$538.62		SERVICE
E 610-40000-383	Fuel, oil and natural gas		\$101.96		SERVICE
Total CENTERPOINT ENERGY			\$1,381.96		
Paid Chk# 104085	11/5/2016	CENTRAL LANDSCAPE			
E 101-45200-216	Chemicals and Chem Products		\$159.95	269314	CHEMICALS & SUPPLIES
E 404-40000-499	Miscellaneous		\$70.00	269314	CHEMICALS & SUPPLIES
Total CENTRAL LANDSCAPE			\$229.95		
Paid Chk# 104086	11/5/2016	CREATE CONSTRUCTION			
E 408-40000-402	Sidewalk Replacement		\$13,750.00	72546	SIDEWALK REPAIRS
Total CREATE CONSTRUCTION			\$13,750.00		
Paid Chk# 104087	11/5/2016	CUSTOMIZED FIRE RESCUE TRAININ			
E 101-42200-434	Training and schools		\$600.00	906	FD TRAINING
Total CUSTOMIZED FIRE RESCUE TRAININ			\$600.00		
Paid Chk# 104088	11/5/2016	ECM PUBLISHERS, INC.			
E 101-41500-350	Printing & Publishing		\$276.00	424410	ELECTION
E 101-41500-350	Printing & Publishing		\$57.50	424411	LAKE STREET
E 101-41500-350	Printing & Publishing		\$74.75	424412	ORDINANCE 764
E 101-41500-350	Printing & Publishing		\$46.00	424413	TREE PRESERVATION
Total ECM PUBLISHERS, INC.			\$454.25		

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October 2016 to November 2016

			Check Amt	Invoice	Comment
Paid Chk#	104089	11/5/2016	ESS BROTHERS & SONS INC.		
	E 610-40000-225	Repair & Maint - System	\$1,258.50	VV8657	PARTS
	Total	ESS BROTHERS & SONS INC.	\$1,258.50		
Paid Chk#	104090	11/5/2016	FASTENAL		
	E 101-43100-210	Operating Supplies (GENERAL)	\$37.45	88716	SUPPLIES
	Total	FASTENAL	\$37.45		
Paid Chk#	104091	11/5/2016	FORMS & SYSTEMS OF MINNESOTA		
	E 101-42100-350	Printing & Publishing	\$106.75	150699	PD FORMS
	Total	FORMS & SYSTEMS OF MINNESOTA	\$106.75		
Paid Chk#	104092	11/5/2016	FREY, DAVID		
	G 802-20301	240 MANITOBA	\$1,006.50	REFUND	DEV.ESCROW REFUND
	Total	FREY, DAVID	\$1,006.50		
Paid Chk#	104093	11/5/2016	GARELICK STEEL CO.		
	E 101-43100-210	Operating Supplies (GENERAL)	\$55.00	362449	SUPPLIES
	Total	GARELICK STEEL CO.	\$55.00		
Paid Chk#	104094	11/5/2016	GOPHER STATE ONE CALL		
	E 610-40000-313	Permit Fees/Gopher State	\$170.10	6100798	LOCATES
	E 620-40000-313	Permit Fees/Gopher State	\$170.10	6100798	LOCATES
	Total	GOPHER STATE ONE CALL	\$340.20		
Paid Chk#	104095	11/5/2016	HOLIDAY		
	E 101-42100-210	Operating Supplies (GENERAL)	\$6.43		PD SUPPLIES
	Total	HOLIDAY	\$6.43		
Paid Chk#	104096	11/5/2016	HOLIDAY		
	E 640-47000-210	Operating Supplies (GENERAL)	\$36.89		STORE FUEL
	Total	HOLIDAY	\$36.89		
Paid Chk#	104097	11/5/2016	HOME DEPOT		
	E 101-43100-210	Operating Supplies (GENERAL)	\$104.81		SUPPLIES
	E 610-40000-242	Well & F.P. Equipment	\$70.66		SUPPLIES
	E 101-41940-210	Operating Supplies (GENERAL)	\$134.69		SUPPLIES
	E 610-40000-210	Operating Supplies (GENERAL)	\$41.32		SUPPLIES
	Total	HOME DEPOT	\$351.48		
Paid Chk#	104098	11/5/2016	HP HOLDINGS, LLC		
	R 101-00000-34110	Planning Charges	(\$600.00)	REFUND	MEYER BROS ENVIRON GRANT ESCROW REFUND
	G 802-20338	Grant Funding Agreement-Meyer	\$9,175.00	REFUND	MEYER BROS ENVIRON GRANT ESCROW REFUND
	Total	HP HOLDINGS, LLC	\$8,575.00		
Paid Chk#	104099	11/5/2016	ICMA		
	E 101-41500-433	Dues, Licensing & Seminars	\$20.00	185206-1	CONF.REG.
	Total	ICMA	\$20.00		
Paid Chk#	104100	11/5/2016	INTOXIMETERS		
	E 101-42100-210	Operating Supplies (GENERAL)	\$152.00	546042	PD SUPPLIES
	Total	INTOXIMETERS	\$152.00		
Paid Chk#	104101	11/5/2016	JONES, REBECCA		
	E 101-45200-499	Miscellaneous	\$29.97	REIMB	SUPPLIES
	Total	JONES, REBECCA	\$29.97		
Paid Chk#	104102	11/5/2016	KEENAN & SVEIVEN, INC		
	G 802-20334	426 FERNDAL	\$2,872.50	REFUND	VARIANCE ESCROW REFUND

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October 2016 to November 2016

			Check Amt	Invoice	Comment
Total KEENAN & SVEIVEN, INC			\$2,872.50		
Paid Chk# 104103	11/5/2016	KEEPSR			
E 101-42100-217	Uniforms		\$972.50	315221	PD UNIFORMS
Total KEEPRS			\$972.50		
Paid Chk# 104104	11/5/2016	KENNETH N. POTTS, PA			
E 101-42120-304	Legal Fees		\$332.50	10/27/16	LEGAL SERVICES
Total KENNETH N. POTTS, PA			\$332.50		
Paid Chk# 104105	11/5/2016	KIRVIDA FIRE, INC.			
E 101-42200-404	Repairs/Maint - Machin/Equip		\$445.93	5815	FIRE TRUCK INSPECTIONS
E 101-42200-404	Repairs/Maint - Machin/Equip		\$52.98	5816	FIRE TRUCK INSPECTIONS
E 101-42200-404	Repairs/Maint - Machin/Equip		\$96.00	5817	FIRE TRUCK INSPECTIONS
E 101-42200-404	Repairs/Maint - Machin/Equip		\$195.38	5818	FIRE TRUCK INSPECTIONS
E 101-42200-404	Repairs/Maint - Machin/Equip		\$408.94	5856	FIRE TRUCK INSPECTIONS
E 101-42200-404	Repairs/Maint - Machin/Equip		\$740.70	5857	FIRE TRUCK INSPECTIONS
Total KIRVIDA FIRE, INC.			\$1,939.93		
Paid Chk# 104106	11/5/2016	LAKEWEST DEVELOPMENT CO., LLC			
G 802-20323	1405/1407 HOLD.TERRACE		\$8,172.50	REFUND	1405 HOLD.TER.SUBDIVISION ESCROW REFUND
Total LAKEWEST DEVELOPMENT CO., LLC			\$8,172.50		
Paid Chk# 104107	11/5/2016	LOFFLER COMPANIES, INC.			
E 409-40000-540	Equipment		\$315.00	2357725	COMPUTER EQUIP.
Total LOFFLER COMPANIES, INC.			\$315.00		
Paid Chk# 104108	11/5/2016	LONG LAKE TRU VALUE			
E 101-45200-210	Operating Supplies (GENERAL)		\$28.72		SUPPLIES
E 101-45203-220	Repair/Maint Supply (GENERAL)		\$23.08		SUPPLIES
E 101-43100-210	Operating Supplies (GENERAL)		\$14.53		SUPPLIES
E 101-41940-210	Operating Supplies (GENERAL)		\$7.99		SUPPLIES
E 610-40000-242	Well & F.P. Equipment		\$59.55		SUPPLIES
Total LONG LAKE TRU VALUE			\$133.87		
Paid Chk# 104109	11/5/2016	MANSFIELD OIL COMPANY			
E 101-49200-212	Motor Fuels		\$587.64	20128585	FUEL
E 101-49200-212	Motor Fuels		\$371.42	20128609	FUEL
Total MANSFIELD OIL COMPANY			\$959.06		
Paid Chk# 104110	11/5/2016	MARY DELAITTRE			
E 233-40000-302	Consultants		\$12,429.27	11/3/16	OCTOBER LAKE EFFECT
Total MARY DELAITTRE			\$12,429.27		
Paid Chk# 104111	11/5/2016	MCCARTHY, LYNN			
E 101-41100-493	Volunteer program		\$328.21	REIMB	VOLUNTEER EXPENSES
Total MCCARTHY, LYNN			\$328.21		
Paid Chk# 104112	11/5/2016	MCCARTHY, TIMOTHY			
E 101-42100-331	Mileage & Expense Account		\$24.58	REIMB	MILEAGE & WORK BOOTS
E 101-42100-217	Uniforms		\$114.99	REIMB	MILEAGE & WORK BOOTS
Total MCCARTHY, TIMOTHY			\$139.57		
Paid Chk# 104113	11/5/2016	MEDIACOM			
E 610-49100-309	Contractual Services		\$1,620.00		SERVICE
Total MEDIACOM			\$1,620.00		
Paid Chk# 104114	11/5/2016	METROPOLITAN COUNCIL			
R 101-00000-34190	Charges for Services/Gen Gov		(\$99.40)	SAC OCT2016 SAC FEES OCT 2016	11-15-2016 CC PACKET

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October 2016 to November 2016

			Check Amt	Invoice	Comment
G 101-20831	MWCC (SAC)		\$9,940.00	SAC OCT2016	SAC FEES OCT 2016
	Total METROPOLITAN COUNCIL		\$9,840.60		
Paid Chk# 104115	11/5/2016	MILLER, FRED			
E 235-40000-302	Consultants		\$1,900.00	143	WCTV
	Total MILLER, FRED		\$1,900.00		
Paid Chk# 104116	11/5/2016	MINNESOTA EQUIPMENT			
E 101-45200-222	Repair & Maint - Equip		\$70.26	P51021	PARTS
	Total MINNESOTA EQUIPMENT		\$70.26		
Paid Chk# 104117	11/5/2016	MN BATTERY LLC			
E 101-45200-221	Equipment Parts		\$89.75	16889	PARTS
	Total MN BATTERY LLC		\$89.75		
Paid Chk# 104118	11/5/2016	MN POLLUTION CONTROL AGENCY			
E 620-40000-433	Dues, Licensing & Seminars		\$40.00	CERT.APP.	WASTEWATER CERTIFICATION APP.
	Total MN POLLUTION CONTROL AGENCY		\$40.00		
Paid Chk# 104119	11/5/2016	MURPHY, MICHAEL			
E 101-42100-499	Miscellaneous		\$185.00	REIMB	PD SUPPLIES
E 101-42100-404	Repairs/Maint - Machin/Equip		\$24.00	REIMB	PD SUPPLIES
	Total MURPHY, MICHAEL		\$209.00		
Paid Chk# 104120	11/5/2016	NEWMAN TRAFFIC SIGNS			
E 101-43100-226	Sign Repair Materials		\$202.08	0303785	STREET SIGNS
	Total NEWMAN TRAFFIC SIGNS		\$202.08		
Paid Chk# 104121	11/5/2016	OFFICE DEPOT			
E 101-43100-200	Office Supplies (GENERAL)		\$52.17	871261234001	SUPPLIES
E 101-41500-200	Office Supplies (GENERAL)		\$50.21	871503810001	SUPPLIES
	Total OFFICE DEPOT		\$102.38		
Paid Chk# 104122	11/5/2016	OPG-3, INC.			
E 409-40000-540	Equipment		\$2,495.00	1468	ADDITIONAL LASERFICHE USERS
	Total OPG-3, INC.		\$2,495.00		
Paid Chk# 104123	11/5/2016	PRINTERS SERVICE, INC.			
E 101-45200-210	Operating Supplies (GENERAL)		\$120.00	278722	SUPPLIES
	Total PRINTERS SERVICE, INC.		\$120.00		
Paid Chk# 104124	11/5/2016	RISVOLD, MICHAEL			
E 101-42100-331	Mileage & Expense Account		\$89.95	REIMB	MTG.MEALS
	Total RISVOLD, MICHAEL		\$89.95		
Paid Chk# 104125	11/5/2016	SPRINT			
E 101-42100-323	Radio Units		\$357.08	134573312-17	PD SERVICE
	Total SPRINT		\$357.08		
Paid Chk# 104126	11/5/2016	SPRINT			
E 101-42200-323	Radio Units		\$309.08	523093316-17	FD SERVICE
	Total SPRINT		\$309.08		
Paid Chk# 104127	11/5/2016	STREICHER S			
E 101-42100-217	Uniforms		\$219.99	I1232076	PD UNIFORMS
E 101-42100-217	Uniforms		\$113.96	I1232757	PD UNIFORMS
	Total STREICHER S		\$333.95		
Paid Chk# 104128	11/5/2016	TIME SAVER			

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October 2016 to November 2016

			Check Amt	Invoice	Comment
E 101-41100-302	Consultants		\$475.00	M22488	MTG. MINUTES
	Total TIME SAVER		\$475.00		
Paid Chk# 104129	11/5/2016	UNIFORMS UNLIMITED			
E 101-42100-217	Uniforms		\$409.95	31702-2	PD UNIFORMS
	Total UNIFORMS UNLIMITED		\$409.95		
Paid Chk# 104130	11/5/2016	UPS STORE			
E 101-41500-499	Miscellaneous		\$23.42	1292	POSTERS
E 101-41500-499	Miscellaneous		\$33.20	1658	POSTERS
	Total UPS STORE		\$56.62		
Paid Chk# 104131	11/5/2016	US BANK			
E 620-49100-611	Bond Interest		\$6,225.00		CICLE A SEWER INT.
E 610-49100-611	Bond Interest		\$62,859.38		WATER INT.
E 610-49100-601	Debt Srv Bond Principal		\$155,000.00		WATER
E 311-40000-611	Bond Interest		\$3,703.75		STREET RECON. INT.
E 311-40000-601	Debt Srv Bond Principal		\$25,000.00		STREET RECON.
E 640-49100-611	Bond Interest		\$62,065.00		MUNI INT.
E 310-40000-601	Debt Srv Bond Principal		\$130,000.00		SUP./LAKE
E 610-49100-601	Debt Srv Bond Principal		\$65,000.00		HOLDRIDGE
E 620-49100-601	Debt Srv Bond Principal		\$35,000.00		CICLE A SEWER
E 315-40000-611	Bond Interest		\$21,675.00		BIG WOODS INT.
E 315-40000-601	Debt Srv Bond Principal		\$160,000.00		BIG WOODS
E 310-40000-611	Bond Interest		\$37,875.00		SUP/LAKE INT.
E 610-49100-611	Bond Interest		\$17,287.50		HOLDRIDGE INT.
E 640-49100-601	Debt Srv Bond Principal		\$105,000.00		MUNI
	Total US BANK		\$886,690.63		
Paid Chk# 104132	11/5/2016	VERIZON WIRELESS			
E 101-42200-323	Radio Units		\$12.71	9773978520	FD SERVICE
	Total VERIZON WIRELESS		\$12.71		
Paid Chk# 104133	11/5/2016	VILLAGE CHEVROLET			
E 620-40000-224	Repair & Maint - Motor Equip		\$56.69	296408	PARTS
E 620-40000-224	Repair & Maint - Motor Equip		\$5.37	297235	PARTS
	Total VILLAGE CHEVROLET		\$62.06		
Paid Chk# 104134	11/5/2016	WAYZATA BREW WORKS LLC			
G 802-20303	BREW WORKS		\$171.10	REFUND	ESCROW REFUND
	Total WAYZATA BREW WORKS LLC		\$171.10		
Paid Chk# 104135	11/5/2016	WAYZATA CHAMBER OF COMMERCE			
E 101-42200-499	Miscellaneous		\$50.00	7581	FD LUNCHEON REG.
	Total WAYZATA CHAMBER OF COMMERCE		\$50.00		
Paid Chk# 104136	11/5/2016	WAYZATA COMMUNITY CHURCH			
G 802-20315	125 WAYZATA BLVD		\$7,000.00	REFUND	PUD APP. ESCROW REFUND
	Total WAYZATA COMMUNITY CHURCH		\$7,000.00		
Paid Chk# 104137	11/5/2016	WILLCOX, WINNIE			
E 101-41100-493	Volunteer program		\$115.25	REIMB.	VOLUNTEER EXPENSES
	Total WILLCOX, WINNIE		\$115.25		
Paid Chk# 104138	11/5/2016	XCEL ENERGY			
E 620-40000-381	Electric Utilities		\$636.18		SERVICE
E 101-41940-381	Electric Utilities		\$4,748.86		SERVICE
E 101-42200-381	Electric Utilities		\$539.11		SERVICE
E 610-40000-381	Electric Utilities		\$6,111.31		SERVICE

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October 2016 to November 2016

		Check Amt	Invoice	Comment
E 640-47000-381	Electric Utilities	\$1,298.33		SERVICE
E 640-48000-381	Electric Utilities	\$3,029.45		SERVICE
E 101-41940-381	Electric Utilities	\$11.42		SERVICE
E 101-45203-381	Electric Utilities	\$436.83		SERVICE
Total XCEL ENERGY		<u>\$16,811.49</u>		
10100 Anchor Bank		<u>\$1,073,901.81</u>		

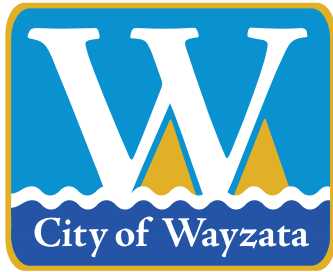
Fund Summary

<u>10100 Anchor Bank</u>	
101 GENERAL FUND	\$31,089.83
233 LAKFRONT IMPROVE	\$12,429.27
235 CABLE TV	\$1,900.00
310 SUPERIOR/LAKE REALIGNMENT	\$167,875.00
311 STREET BONDS	\$28,703.75
315 BIG WOODS	\$181,675.00
401 PERM IMPROVEMENT	\$1,650.00
404 PARK AND TRAIL CIP	\$70.00
408 GENERAL CIP	\$13,750.00
409 EQUIP REVOLVING	\$2,810.00
437 LIBRARY/COMM.ROOM CIP	\$1,442.75
610 WATER FUND	\$310,089.38
620 SEWER FUND	\$42,642.44
640 LIQUOR	\$249,376.79
802 ESCROW PROJECTS	\$28,397.60
	<u>\$1,073,901.81</u>

11/15/2016

THE FOLLOWING 2016 MUNICIPAL LICENSES
WERE APPROVED ADMINISTRATIVELY

2017 Seasonal Outdoor Sidewalk Café License	
Ben and Jerry's	Wayzata, MN
COV-Wayzata	Wayzata, MN
Gianni's Steakhouse	Wayzata, MN
McCormick's	Wayzata, MN
Yogurt Lab	Wayzata, MN
2016 Gas Fitter's License	
Little Igloo HVAC, Inc	Andover, MN



City of Wayzata
600 Rice Street
Wayzata, MN 55391-1734

Mayor:
Ken Willcox

City Council:
Bridget Anderson
Johanna McCarthy
Andrew Mullin
Steven Tyacke

City Manager:
Jeffrey Dahl

MEMORANDUM

TO: City Council Members

FROM: Julie Kaufman, Admin Assistant/Payroll Clerk

DATE: November 9, 2016

RE: Application for Solicitors License

Marie Claude Berry from The Window Store submitted an application for door-to-door Solicitors License within the city limits of Wayzata for the purpose of selling windows, siding and roofing services.

The Wayzata Police Department conducted a background check and have recommended issuance of the Solicitors License. Wayzata City Code Section 520.03(b) stipulates that all such applications require City Council approval.

Where the applicant has submitted all requested and required information; and whereas the background check has been found to be satisfactory; therefore, staff recommends approval of Marie Clade Berry from The Window Store a Solicitors License.

Respectfully submitted,

Julie Kaufman

**2016 MUNICIPAL LICENSES
FOR CITY COUNCIL APPROVAL ON 11/15/2016**

(Recommended for approval, pending staff review for completeness of application materials.)

Solicitors License for the Purpose of Selling Windows, Siding & Roofing	
The Window Store - Marie Claude Berry	St. Anthony, MN

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

Disturbance **Reported:** 10-31-2016 2242

Report of an unknown person knocking over garbage/recycle bins.
Area checked, located knocked over bins. No suspects.

Addresses Involved

Brown Rd N & Orchard Lane, Long Lake, MN 55356

Order Violation **Reported:** 10-31-2016 2156

49 year old male from Shakopee arrested for violation of a
domestic abuse no contact order.

Addresses Involved

400 block of Wayzata Blvd E, Wayzata, MN 55391

Names Involved

(Arrested) Dupont, Troy Allan (Age:49)

Forgery **Reported:** 10-31-2016 2022

Report of two forged checks. Loss \$960.

Addresses Involved

100 block of Peavey Lane, Wayzata, MN

Alcohol **Reported:** 10-31-2016 1038

Report of an intoxicated male sleeping in the lobby. Male was transported to the
bus stop and provided bus fare.

Addresses Involved

700 block of Lake St E, Wayzata, MN 55391

Disturbance **Reported:** 10-29-2016 2059

Loud music complaint. Advised to close the doors and keep noise down.

Addresses Involved

800 block of Lake St E, Wayzata, MN 55391

Disturbance **Reported:** 10-29-2016 0339

Officers responded to a loud party over the weekend in the 200 block of Wayzata Boulevard.
The homeowner rented out the home using Vacation Rental By Owner (VRBO). The Renter held
a large party and damaged the home. Officers from several agencies assisted in breaking up the
party. One partygoer was hospitalized after running from the party and becoming impaled on an
object in the back yard of the residence.

Addresses Involved

200 block of Wayzata Blvd E, Wayzata, MN 55391

Fleeing **Reported:** 10-28-2016 1447

Officer attempted to stop motorcycle for careless/exhibition driving. Pursuit began,
going for approximately 1.2 miles until reaching a heavily populated area. Officer
terminated pursuit for public safety.

Addresses Involved

Highway 12 E & Central Ave N, Wayzata, MN 55391

Customer Trouble **Reported:** 10-28-2016 1436

Report of a customer causing a disturbance. All parties were advised.

Addresses Involved

200 block of Minnetonka Ave S, Wayzata, MN 55391

Suspicious **Reported:** 10-28-2016 1120
Report of possible card skimmers on gas pumps. Officers checked the pumps and did not find any skimmers. Unfounded.
Addresses Involved
2400 block of Industrial Blvd W, Long Lake, MN 55356

Domestic **Reported:** 10-27-2016 2206
Report of a domestic dispute. Male half was transported home.
Addresses Involved
1800 block of Wayzata Blvd W, Long Lake, MN 55356

DWI **Reported:** 10-27-2016 1448
48 year old male from Wayzata arrested for driving while under the influence of alcohol. Tested .25
Addresses Involved
100 block of Lake St E, Wayzata, MN 55391
Names Involved
(Arrested) Tearse, Christiaan Daniel (Age:48)

Theft from Vehicle **Reported:** 10-27-2016 1100
Theft of both catalytic converters from SUV. Loss \$1,000.
Addresses Involved
300 block of Wayzata Blvd E, Wayzata, MN 55391

Warrant **Reported:** 10-27-2016 1001
29 year old female from Savage arrested on an outstanding warrant.
Addresses Involved
1200 block of Wayzata Blvd E, Wayzata, MN 55391
Names Involved
(Arrested) Nguyen, Mary Kate (Age:29)

Theft of Vehicle **Reported:** 10-27-2016 0833
Report of a theft of a vehicle.
Addresses Involved
100 block of Peavey Lane, Wayzata, MN 55391

Theft from Vehicle **Reported:** 10-27-2016 0044
Theft of a backpack and books from a vehicle. Loss \$480.
Addresses Involved
200 block of Barry Ave N, Wayzata, MN 55391

Theft from Vehicle **Reported:** 10-25-2016 1644
Report of a theft of a wallet from a vehicle. Credit card was subsequently used in another city.
Addresses Involved
400 block of Ferndale Rd, Wayzata, MN

Theft from Vehicle **Reported:** 10-24-2016 1206
Theft of dealer plate from unlocked vehicle.
Addresses Involved
200 block of Barry Ave S, Wayzata, MN 55391

Suspicious **Reported:** 10-23-2016 1826
Suspicious vehicle near construction site. Driver was taking pictures of construction progress for the historical society.
Addresses Involved
1100 block of Eastman Lane, Wayzata, MN 55391

Theft**Reported:** 10-23-2016 1236

Theft of a tackle box. Loss \$60.

Addresses Involved200 block of Grove Lane E, Wayzata, MN 55391

Harassment**Reported:** 10-22-2016 0943

Report of harassing text messages. Female advised to discontinue sending text messages.

Addresses Involved1400 block of Wayzata Blvd E, Wayzata, MN 55391

Theft**Reported:** 10-21-2016 1845

Report of a theft by swindle. Loss \$2970.

Addresses Involved600 block of Ridgeview Dr E, Wayzata, MN 55391

Health & Welfare**Reported:** 10-21-2016 0332

Noise complaint. Male transported to the hospital on a hold. Cited for unnecessary noise and possession of drug paraphernalia.

Addresses Involved700 block of Wayzata Blvd E, Wayzata, MN 55391

Damage to Property - Criminal**Reported:** 10-20-2016 1457

Report of a window being broken by a small projectile. Loss approximately \$400.

Addresses Involved15700 block of Holdridge Rd E, Wayzata, MN 55391

Warrant**Reported:** 10-20-2016 0933

44 year old male from Long Lake arrested on two outstanding warrants.

Addresses Involved

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

Names Involved(Arrested) Berres, Gregory Jerome (Age:44)

Burglary-Residential**Reported:** 10-19-2016 1747

Report of a residential burglary. Loss \$3500.

Addresses Involved100 block of Walker Ave S, Wayzata, MN 55391

Warrant**Reported:** 10-19-2016 1427

23 year old male from Wayzata arrested on an outstanding warrant.

Addresses Involved

600 block of Wayzata Blvd E, Wayzata, MN 55391

Names Involved(Arrested) Stringer, Shaquille Lavontae (Age:23)

Theft**Reported:** 10-19-2016 1349

Theft of reflective snow markers from lawn. Estimated Loss less than \$50.00.

Addresses Involved100 block of Huntington Ave S, Wayzata, MN 55391

Fire**Reported:** 10-18-2016 2055

Report of smoke in the area. Officers observed smoke but could not locate the source.

Addresses InvolvedCo Rd 101 & Harmony Cir, Wayzata, MN

Theft from Vehicle**Reported:** 10-18-2016 0802

Theft of a hood from a vehicle. Loss \$50.

Addresses Involved500 block of Brimhall Ave, Long Lake, MN 55356

Suspicious**Reported:** 10-17-2016 2224

Suspicious vehicle. Driver playing a game similar to Pokémon Go. Advised.

Addresses InvolvedWillow Dr & Glendale Ave, Long Lake, MN 55356

Disorderly Conduct**Reported:** 10-17-2016 1225

Two juvenile males cited for disorderly conduct.

Addresses Involved100 block of Barry Ave N, Wayzata, MN 55391

DWI**Reported:** 10-16-2016 0248

21 year old male from Hayward, Wisconsin arrested for driving while under the influence. Tested .19

Addresses Involved

300 block of Peavey Lane , Wayzata, MN 55391

Names Involved(Arrested) Barber, Anang Goo Inini (Age:21)

Disturbance**Reported:** 10-14-2016 1450

Dispute between a male and female over a borrowed vehicle. Both parties advised.

Addresses Involved200 block of Glenmoor Lane, Long Lake, MN 55356

Theft**Reported:** 10-14-2016 1059

46 year old male from Mound arrested for theft. He was issued a citation and released from the scene. Loss \$6.48

Addresses Involved

1300 block of Wayzata Blvd E, Wayzata, MN 55391

Names Involved(Arrested) Chatman, Donald Victor (Age:46)

Disturbance**Reported:** 10-14-2016 0231

Noise complaint. Officers could hear noise in hallway. Resident was advised of complaint.

Addresses Involved800 block of Rice St E, Wayzata, MN 55391

Domestic**Reported:** 10-13-2016 2216

Verbal dispute. Male half agreed to leave for the night.

Addresses Involved100 block of Gleahaven Rd, Wayzata, MN 55391

Theft from Vehicle**Reported:** 10-13-2016 1355

Report of catalytic converters being stolen from vehicles. Loss approximately \$1100.

Addresses Involved500 block of Brimhall Ave, Long Lake, MN 55356

Open Door**Reported:** 10-12-2016 2322

Open door on business. Employee on site cleaning.

Addresses Involved2000 block of Wayzata Blvd W, Long Lake, MN 55356

Unwanted Person**Reported:** 10-12-2016 1833

Called to residence for intoxicated son who was arguing with parents.
He was unable to care for himself. Transported to detox.

Addresses Involved

400 block of Dexter Dr, Long Lake, MN 55356

Domestic Assault**Reported:** 10-12-2016 1735

Domestic assault between two male family members. One male left prior to police arrival.

Addresses Involved

100 block of Broadway Ave, Wayzata, MN 55391

Littering/Dumping**Reported:** 10-12-2016 1241

Report of a bicycle being illegally dumped. Owner was advised to pick up bicycle and complied.

Addresses Involved

1700 block of Wayzata Blvd W, Long Lake, MN 55356

Suspicious**Reported:** 10-11-2016 2001

Two juvenile males and one adult male detained for trespassing on a business roof/balcony. Released to parents.

Addresses Involved

700 block of Lake St E, Wayzata, MN 55391

Theft**Reported:** 10-10-2016 1200

Report of a theft by swindle. Loss \$114,012.

Addresses Involved

700 block of Lake St E, Wayzata, MN 55391

Domestic**Reported:** 10-10-2016 1038

Report of a juvenile having a temper tantrum. Verbal only.

Addresses Involved

2100 block of Grand Ave, Long Lake, MN 55356

Utility/Public Works Issue**Reported:** 10-09-2016 1913

Gas odor in residence. Fire Department checked the residence, no gas leak located.

Addresses Involved

200 block of Greenhill Lane, Long Lake, MN 55356

DWI**Reported:** 10-09-2016 0933

45 year old female from Arkansas was arrested for driving while under the influence of alcohol. Tested .18

Addresses Involved

100 block of Gleason Lake Road, Wayzata, MN 55391

Names Involved

(Arrested) Elliott, Kimberly Lynn (Age:45)

Alcohol**Reported:** 10-08-2016 2326

Two males cited for underage alcohol consumption.

Addresses Involved

800 block of Lake St E, Wayzata, MN

Railroad Issue**Reported:** 10-08-2016 1736

Railroad crossarm malfunction. BNSF technician responded to repair the issue.

Addresses Involved

Ferndale Rd S & Railroad, Wayzata, MN

Disorderly Conduct**Reported:** 10-08-2016 1133

Report of a disorderly conduct. Victim did not wish to pursue charges.

Addresses Involved1300 block of Wayzata Blvd E, Wayzata, MN 55391

Unwanted Person**Reported:** 10-07-2016 2117

Report of an unwanted male. Uncooperative male was escorted off the property by officers.

Addresses Involved400 block of Wayzata Blvd E, Wayzata, MN 55391

Suspicious**Reported:** 10-04-2016 1738

Suspicious vehicle parked at the end of the callers driveway. Officers spoke with driver who lived down the road.

Addresses Involved1600 block of Hollybrook Rd, Wayzata, MN 55391

Disturbance**Reported:** 10-04-2016 1201

Report of two males arguing in the street. Males were on a break from work and were joking around with each other.

Addresses Involved1100 block of Hollybrook Dr, Wayzata, MN 55391

Forgery**Reported:** 10-04-2016 0903

Report of a theft of a check and subsequent forgery of the check. Loss \$1500.

Addresses Involved1900 block of Wayzata Blvd W, Long Lake, MN 55356

Order Violation**Reported:** 10-03-2016 1334

Report of a violation of an order for protection.

Addresses Involved1100 block of Hollybrook Dr, Wayzata, MN 55391

Death**Reported:** 10-03-2016 0712

Report of an unconscious male. Officers attempted life saving measures were unsuccessful.

Addresses Involved100 block of Wayzata Blvd E, Wayzata, MN 55391

Disturbance**Reported:** 10-01-2016 2311

Loud music complaint. Nothing heard upon officer arrival. Business in the area stated they had music going until 10 minutes prior.

Addresses Involved1300 block of Wayzata Blvd W, Long Lake, MN 55356

Unwanted Person**Reported:** 10-01-2016 1535

Report of an unwanted person. Female left prior to officer arrival.

Addresses Involved600 block of Harmony Cir, Wayzata, MN 55391

TRAFFIC – OCTOBER, 2016

CITATIONS	128
WRITTEN WARNINGS	25
VERBAL WARNINGS	96

Description	Oct 2016
MISSING PERSON	1
MISSING ANIMAL	2
MISSING/LOST PROPERTY	1
FOUND PROPERTY	12
SAFEKEEPING & DISPOSAL	2
PIMV	1
PDMV	17
H & R PDMV	4
PDMV & DEER	1
Grass/Brush Fire	2
FIRE ALARM	7
GAS LEAK/SMELL	1
GENERAL HAZARD	1
HAZ ROAD CONDITION	12
RR Crossing Hazard	1
SUICIDE	1
SUDDEN DEATH	2
OTHER MEDICAL	44
72 Hour Hold/Emergency Admission	2
WELFARE CHECK - ADULT	9
WELFARE CHECK - JUV	2
MENTAL HEALTH ISSUE	1
INFO REC'D	15
VERBAL DOMESTIC	3
CIVIL MATTER	6
DISTURBANCE/FIGHT/LOUD PARTY/HARASSMENT	20
RECEIVE COURT ORDER/OFP	3
SUSPICION	31
OPEN DOOR/WINDOW	4
MISC. JUVENILE PROBLEM	2
DRIVING/TRAFFIC COMPLAINT	28
PARKING COMPL	6
HOUSE/BUSINESS CHECKS	5
RECORD CHECKS	13
FIREARM PERMIT	3
HC SHERIFFS PERMIT TO CARRY	9
LIQUOR LICENSE CHECKS/PERMIT	1
PARKING PERMIT	4
NOISE VIOLATION - Citation	1
ANIMAL COMPLAINT/CHECK	16
PATROL REQUEST	3
ADULT PROTECTION ASSIST	2
FINGERPRINTS	2
ASSIST CHILD PROTECTION	4
MOTORIST ASSIST/STALL	11
UTILITY PROBLEM	4
PUBLIC ASSIST	21
LOCKOUT	5
BUSINESS ALARM	13

CO2 ALARM	1
HOME ALARM	8
911 HANG-UP	17
ASSIST OTHER DEPT	14
WARRANT/ATTEMPT/ARREST	3
TRAFFIC CONTROL / DIRECT ENFORCEMENT	13
TRANSPORT	1
ATTEND TRAINING/MEETING	1
CASE FOLLOW UP	2
PUBLIC RELATIONS	2
SPECIAL DETAIL	1
CRIME PREV/OID	1
VOID	10
Sex Offender/POR Info/Checks	1
TERR THREATS-THRT CRM VIOL-FIREARM-ADLT-FAM	1
ASLT-DOMESTIC-MS-INFLT BODLY HRM-HNDS-ADLT-AC	1
BURG 2-UNOCC RES FRC-D-UNK WEAP-COM THEFT	1
FORGERY-FE-MAKE-ALT-DEST-CHK-201-2500-BUS	1
FORG-FE-UTT-POSS-PLACE-CHK-251-2500-PERSON	1
DRUGS-DRUG PARAPH-POSSESS-UNK-UNK	2
ESC-FE-FLEE AN OFFICER	1
TRAFFIC-GM-OTHER-MV	1
TRAF-ACC-MS-UND AGE DRINK DRIVE-UNK-MOTOR VEH	1
TRAF-AC-GM-2ND DEG DWI-UI ALCOHOL-MV	2
TRAF-AC-GM-3RD DEG DWI-UI ALCOHOL-MV	1
JUVENILE-ALCOHOL OFFENDER-UNDER 18 YRS	1
LIQUOR-UNDERAGE CONSUMPTION 18-21	2
JUVENILE-RUNAWAY	2
DISTURB PEACE-UNK LVL-DISORDERLY CONDUCT	1
DISTURB PEACE-FE-VIOL DOM ABUSE NO CONTACT	1
DISTURB PEACE-MS-DISORDERLY CONDUCT	4
MS-VIOL ORDER FOR PROTECTION	2
PROP DAMAGE-MS-PRIVATE-OTHER INTENT	1
LITTER-UNLAWFUL DEPOSIT OF GARBAGE-MS	1
THEFT-1001-5000 DLRS FE-MTR VEHICLE-OTH PROP	1
THEFT-501-1000 DLRS GM-VEHICLE-OTHER	1
THEFT-500 OR LESS MS-BLDG-OTH PROP	2
THEFT-500 OR LESS MS-YARDS-OTH PROP	2
THEFT-500 OR LESS MS-MTR VEHICLE-OTH PROP	4
THEFT-FE-THFT BY SWINDLE TRICK-20000 OR MORE	1
THEFT-FE-THFT BY SWINDLE TRICK-2501-19999	1
THEFT-FE-AUTO-MORE THAN 2500	1

2015	2016 May	2016 June	2016 July	2016 August	2016 Sept	2016 Oct	2016
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BUILDING CONSTRUCTION

NUMBER OF BLDG. PERMITS	259	20	14	18	17	23	15	171
PROJECT VALUE	\$50,380,054.75	\$3,301,920.40	\$2,216,062.00	\$1,813,184.52	\$5,720,625.68	\$1,769,380.00	\$4,117,919.56	\$60,109,492.61
BUILDING PERMIT FEE	\$329,932.64	\$21,697.25	\$16,002.00	\$10,189.25	\$34,395.75	\$16,775.50	\$25,080.75	\$319,996.25
PLAN CHECK FEE	\$181,911.71	\$12,449.86	\$9,229.39	\$2,726.36	\$20,956.03	\$9,308.65	\$14,382.89	\$188,253.89

EXTERIOR REPAIR

NUMBER OF PERMITS	98	12	11	7	9	47	7	101
PROJECT VALUE	\$1,566,840.36	\$228,276.00	\$282,790.00	\$236,323.49	\$158,605.00	\$1,359,822.00	\$233,953.00	\$2,580,578.49
PERMIT FEE	\$24,942.50	\$ 3,693.25	\$ 4,071.50	\$ 2,906.25	\$ 2,600.50	\$ 21,025.50	\$ 2,925.00	\$38,750.75

MECHANICAL

NUMBER OF PERMITS	228	14	11	15	16	19	18	149
PROJECT VALUE	\$3,391,980.96	138,775.51	130,924.00	251,778.00	1,864,345.50	201,982.75	240,125.10	\$3,797,185.83
PERMIT FEE	\$62,881.44	2,808.52	2,618.48	4,413.56	28,601.09	3,808.31	4,630.73	\$64,436.33

PLUMBING

NUMBER OF PERMITS	240	16	12	12	11	19	8	140
PROJECT VALUE	\$1,895,967.76	\$91,697.88	\$75,939.00	\$90,617.00	\$182,368.00	\$140,663.00	\$71,929.31	\$2,611,571.19
PERMIT FEE	\$38,015.46	\$1,952.93	\$1,618.78	\$1,871.68	\$3,506.76	\$2,909.88	\$1,468.60	\$45,397.11

TOTAL # OF PERMITS	825	62	48	52	53	108	48	561
TOTAL INCOME	\$637,683.75	\$42,601.81	\$33,540.15	\$22,107.10	\$90,060.13	\$53,827.84	\$48,487.97	\$656,834.33

NUMBER OF INSPECTIONS

BUILDING	1087	72	104	35	74	57	80	645
EXTERIOR	150	11	24	19	7	9	40	118
HVAC	466	29	62	29	20	22	38	308
PLUMBING	508	23	51	27	27	20	32	287
OTHER	5	1	0	0	0	0	0	3
TOTAL # OF INSPECTIONS	2216	136	241	110	128	108	190	1361

RENTAL HOUSING INSPECTIONS

INSPECTIONS	119	15	9	2	9	0	0	95
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EROSION CONTROL INSPECTIONS

INSPECTIONS	165							
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City of Wayzata
600 Rice Street
Wayzata, MN 55391-1734

Mayor:
Ken Willcox
City Council:
Bridget Anderson
Johanna McCarthy
Andrew Mullin
Steven Tyacke
City Manager:
Jeffrey Dahl

TO: Mayor Willcox and Councilmembers

FROM: Jeff Dahl, City Manager

DATE: November 7, 2016

RE: 2017 Liability Insurance Coverage Waiver Form (tort limits)

As part of the annual renewal process with the League of MN Cities for general liability insurance, the City is required to elect whether or not to waive the monetary liability limits a claimant would be able to recover. By not waiving this limit an individual claimant would be able to recover no more than \$500,000 and all claimants for a single occurrence would be limited to \$1,500,000. By waiving the statutory tort limits the insurer would not be able to use the tort limit as a defense. The increased exposure/liability coverage would increase the premium and the individual claimant could recover up to the limit of coverage purchased by the City.

Staff recommends not waiving the statutory tort limits.

City Council Action Required: Approval of the attached form not waiving the statutory tort limits.



CONNECTING & INNOVATING
SINCE 1913

LIABILITY COVERAGE - WAIYER FORM

LMCIT members purchasing coverage must complete and return this form to LMCIT before the effective date of the coverage. Please return the completed form to your underwriter or email to psstech@lmc.org

This decision must be made by the member's governing body every year. You may also wish to discuss these issues with your attorney.

League of Minnesota Cities Insurance Trust (LMCIT) members that obtain liability coverage from LMCIT must decide whether to waive the statutory tort liability limits to the extent of the coverage purchased. The decision has the following effects:

- oo *If the member does not waive the statutory tort limits*, an individual claimant would be able to recover no more than \$500,000 on any claim to which the statutory tort limits apply. The total all claimants would be able to recover for a single occurrence to which the statutory tort limits apply would be limited to \$1,500,000. These statutory tort limits apply regardless of whether the city purchases the optional excess liability coverage.
- iii *If the member waives the statutory tort limits and does not purchase excess liability coverage*, a single claimant could potentially recover up to \$2,000,000 for a single occurrence. (Under this option, the tort cap liability limits are waived to the extent of the member's liability coverage limits, and the LMCIT per occurrence limit is \$2 million.) The total all claimants would be able to recover for a single occurrence to which the statutory tort limits apply would also be limited to \$2,000,000, regardless of the number of claimants.
- iii *If the member waives the statutory tort limits and purchases excess liability coverage*, a single claimant could potentially recover an amount up to the limit of the coverage purchased. The total all claimants would be able to recover for a single occurrence to which the statutory tort limits apply would also be limited to the amount of coverage purchased, regardless of the number of claimants.

Claims to which the statutory municipal tort limits do not apply are not affected by this decision.

LMCIT Member Name _____

Check one:

D The member **DOES NOT WAIVE** the monetary limits on municipal tort liability established by Minnesota Statutes, Section 466.04.

D The member **WAIVES** the monetary limits on municipal tort liability established by Minnesota Statutes, Section 466.04 to the extent of the limits of the liability coverage obtained from LMCIT.

Date of city council/governing body meeting _____

Signature. _____ Position. _____

RESOLUTION NO. 51-2016

RESOLUTION CANVASSING THE RETURNS AND DECLARING THE RESULTS OF THE NOVEMBER 8, 2016 CITY GENERAL ELECTION

WHEREAS, the results of the City General Election held on November 8, 2016 have been tabulated and have shown the following number of votes cast:

For the Office of Mayor (four-year term):

Ken Willcox	2226		
Write-Ins:			
George Norgren	1	Andy Mullin	1
Henry Miles	1	Parker W. Smith	1
David J. Plantan	1	Carol Prince	1
Jack Amdal	2	Micke! Mouse	1
Ann Cosgrove	1	Mandy Adams	1
Andrew Mullin	3	Charles F. Little	1
Anybody Else	1	Gail Wilson	1
Kimberly Walsh	1	Eric Fortrey	1
Keep Wayzata quaint	1	Laura Pyne	1
James Richter	1	Rick Mason	1
Brad Hoyt	1	Daffy Duck	2
Bridget Anderson	4	Elliot Johnson	1
Daniel Gustafson	1	Pete Ice	1
Kris Peterson	1	Nancy Tessmer	1
Barry Petit	3	Larry Coughenour	1
J.R John Boisclair	1	Gracieia Gonzeles	1
Jason Rudolph	1	Michael Fink	1
Jerry Lee	1	Tim Nesvold	1
Anyone else	1	Bob Gisvold	1
(blank)	13	Bruce Wayne	1
John Karos	1	Jared Johnson	2
Keith Painter	2	Peter Ice	1
Charles Gustafson	1		

For the two Offices of Council Member (four-year terms):

Dan Koch	1718		
Alex Plechash	1715		
Write-Ins:			
Jon Sabes	1	Cathy Iverson	2
Dawn Minnick	1	Anders Seeland	1
Joanie Holst	1	Ken Bone	1
Anyone Else	2	Anne M. Johnson	1
Flannery Daley	1	(blank)	11
JoAnn Birkholz	1	Jack Amdal	1
Gretchen Piper	1	Anybody Else	1
Mark Ferry	1	Sarah Showalter	2
James Richter	2	Leigh Larson	1
Marilyn Richter	1	Irene Stemmer	1
Neil Weber	1	Bruce Wayne	1
Bob Bodine	1	Jim Corwin	1
Bridget Anderson	6	Nan Corwin	1
Jack Amdahl	2	Chris Gondere	1
James Wilson	1	Lavent Frecan	1
Daniel Gustafson	2	Larry Coughenour	1
None	1	Jeff Thompson	1
Andrew Mullin	1	Matt Winterer	1

Randy Gilbert	1	Christopher Macomber	1
Kurt Klapprich	1	Kevin Klappich	1
Laurie Busyn	1	P. Gary Peterson	1
Kristina Bjorke	1	Art Ahlstrom	1
Morgan Truscott	1	Barry Petit	1
Dixie Weeks	1	Steve Young	1
Andrew Oare	1	William F. Smith	1
Phil Soran	1	Barry Pettit	1
Mary Bader	1	MariLee Babcock	1

NOW, THEREFORE, BE IT RESOLVED by the City Council of Wayzata, Minnesota, that at the 2016 General Election, Ken Willcox is hereby declared to have been duly elected to the Office of Mayor for a four-year term and Dan Koch and Alex Plechash are hereby declared to have been duly elected to the Offices of Council Member for a four-year term.

Adopted by the Wayzata City Council this 15th day of November 2016.

ATTEST:

Mayor Kenneth Willcox

City Manager Jeffrey Dahl

CERTIFICATION:

Motion for adoption:

Seconded by:

Voted in favor of:

Voted against:

Abstained:

Absent:

Resolution:

I hereby certify that the foregoing Resolution is a true and correct copy of the resolution adopted by the City Council of the City of Wayzata, Minnesota, at a duly authorized meeting held on November 15, 2016.

Deputy City Clerk Becky Malone

SEAL

**RETURNS
AND
RESULTS
OF
2016 GENERAL ELECTION**

With 1 of 1 precincts reporting (100.00%)

Mayor City of Wayzata (Elect 1)	Votes	Percent
Ken Willcox	2226	97.04%
Write-In	68	2.96%

Write-In Votes for Mayor:

George Norgren	1	Andy Mullin	1
Henry Miles	1	Parker W. Smith	1
David J. Plantan	1	Carol Prince	1
Jack Amdal	2	Micke! Mouse	1
Ann Cosgrove	1	Mandy Adams	1
Andrew Mullin	3	Charles F. Little	1
Anybody Else	1	Gail Wilson	1
Kimberly Walsh	1	Eric Fortrey	1
Keep Wayzata quaint	1	Laura Pyne	1
James Richter	1	Rick Mason	1
Brad Hoyt	1	Daffy Duck	2
Bridget Anderson	4	Elliot Johnson	1
Daniel Gustafson	1	Pete Ice	1
Kris Peterson	1	Nancy Tessmer	1
Barry Petit	3	Larry Coughenour	1
J.R John Boisclair	1	Gracieia Gonzeles	1
Jason Rudolph	1	Michael Fink	1
Jerry Lee	1	Tim Nesvold	1
Anyone else	1	Bob Gisvold	1
(blank)	13	Bruce Wayne	1
John Karos	1	Jared Johnson	2
Keith Painter	2	Peter Ice	1
Charles Gustafson	1		

Council Member City of Wayzata (Elect 2)	Votes	Percent
Dan Koch	1718	48.97%
Alex Plechash	1715	48.89%
Write-In	75	2.14%

Write-In Votes for City Council:

Jon Sabes	1	Bruce Wayne	1
Dawn Minnick	1	Jim Corwin	1
Joanie Holst	1	Nan Corwin	1
Anyone Else	2	Chris Gondere	1
Flannery Daley	1	Lavent Frecan	1
JoAnn Birkholz	1	Larry Coughenour	1
Gretchen Piper	1	Jeff Thompson	1
Mark Ferry	1	Matt Winterer	1
James Richter	2	Randy Gilbert	1
Marilyn Richter	1	Kurt Klapprich	1
Neil Weber	1	Laurie Busyn	1
Bob Bodine	1	Kristina BJORKE	1
Bridget Anderson	6	Morgan Truscott	1
Jack Amdahl	2	Dixie Weeks	1
James Wilson	1	Andrew Oare	1
Daniel Gustafson	2	Phil Soran	1
None	1	Mary Bader	1
Andrew Mullin	1	Christopher Macomber	1
Cathy Iverson	2	Kevin Klappich	1
Anders Seeland	1	P. Gary Peterson	1
Ken Bone	1	Art Ahlstrom	1
Anne M. Johnson	1	Barry Petit	1
(blank)	11	Steve Young	1
Jack Amdal	1	William F. Smith	1
Anybody Else	1	Barry Pettit	1
Sarah Showalter	2	MariLee Babcock	1
Leigh Larson	1		
Irene Stemmer	1		

General Election Voting Statistics

	<u>2016</u>	<u>2014</u>	<u>2012</u>	<u>2010</u>	<u>2008</u>
Registered Voters @ 7 AM	3153	2836	2579	2626	2706
Election Day Registrations	310	149	392	252	486
Absentee Ballots Cast	1391	458	489	286	
Election Day Ballots Cast	<u>1468</u>	<u>1561</u>	<u>2051</u>	<u>1680</u>	
Total Ballots Cast	2859	2019	2540	1966	2507
Voter Turnout Percentage	82.56%	67.64%	85.49%	68.31%	78.54%

State Senator District 33

David Osmek
 Sherrie Pugh
 Jay Nygard
 Write-In

District

30175
 17335
 3080
 44

City of Wayzata

1572
 1042
 100
 8

State Representative District 33A

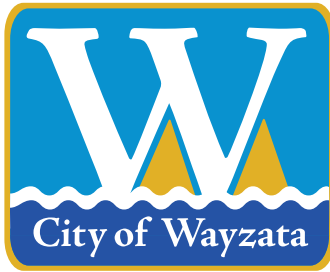
Jerry Hertaus
 Norrie Thomas
 Write-In

District

17162
 8117
 47

City of Wayzata

1602
 1075
 6



City of Wayzata
600 Rice Street
Wayzata, MN 55391-1734

Mayor:
Ken Willcox

City Council:
Bridget Anderson
Johanna McCarthy
Andrew Mullin
Steven Tyacke

City Manager:
Jeffrey Dahl

DATE: November 10, 2016

TO: The Honorable Mayor and Members of the City Council

FROM: Jeffrey Dahl, City Manager

SUBJECT: Adopt Resolution Providing for the Sale of \$7,925,000 General Obligation Tax Increment Bonds, Series 2016A on December 20, 2016 for the Purposes of Financing the Construction of the Mill Street Parking Ramp

Update

Please see the attached presale report and draft resolution from Stacie Kvilvang, of Ehlers and Associates, the City's bond consultant. Ms. Kvilvang will be in attendance at the November 15 meeting to go over the report and financing process.

Highlights of the report are:

1. Total bonding amount will be \$10,295,000;
2. 24-year term;
3. \$2.370M in Cash Allocation from the City;
4. City is rated AA+; and
5. Starting 2019, there is \$490K in TIF available. At 105% coverage, there will be not be any need for a general fund levy.

Approximately \$1,680,000 was previously allocated for the purposes of the parking ramp. The balance of the additional cash needed, as mentioned per the November 1 Council Meeting, would come from the \$191,000 Ramp Contingency Fund as well the 2016 year-end transfers. Moving forward with the bonding process will memorialize use of those funds for this purpose.

Staff proposes a public hearing to be held on December 20, 2016 for the purpose of considering proposals for and awarding the sale of the bonds.

Staff Recommendation

In order to fund the construction of the Mill Street Parking Ramp Construction, staff recommends adoption of the attached resolution.

City Council Action Requested

Motion to approve 50-2016----Resolution Providing for the Sale of \$7,925,000 General Obligation Tax Increment Bonds, Series 2016A.



Memo

To: Jeffrey Dahl – City Manager
From: Stacie Kvilvang
Date: November 15, 2016
Subject: Financing of New Mill Street Parking Ramp

Over the past two (2) years, the City has been discussing the financing of a new publicly owned parking ramp near Broadway Avenue South and Mill Street, on the HRA's existing parking lot. The City has approved bids for the project, with costs estimated at \$10,050,000.

The City has identified the following “up-front” cash resources to bring to the project to reduce the City's borrowing costs:

Source	Action Steps Needed to Secure	Timing of Source	Cash Available in 2016	Subtotal of Funds
CARD TIF	None	Available today	\$ 285,000	\$ 1,680,000
Widsten TIF	None	Available Today	\$ 192,000	
Bay Center TIF - 2016 Admin	None	90% of 1st Half received in June	\$ 25,000	
Bay Center TIF - 2016 Admin	None	90 % of 2nd Half available in December	\$ 25,000	
Water Fund	None	Available Today	\$ 300,000	
Internally Financed Capital Projects	None	Available Today	\$ 200,000	
General Fund CIP	None	Available Today	\$ 300,000	
Excess Transfer in 2015	None	Available Today	\$ 353,000	\$ 690,000
Ramp Contingency	Council Approval	Available Today	\$ 191,000	
General Fund Year End Transfer	Council Approval	Available December 31, 2016	\$ 499,000	
TOTAL	N/A	N/A	\$ 2,370,000	\$ 2,370,000

Based upon this, the City needs an additional \$7,680,000 in funding to pay for the project. The City will be issuing General Obligation TIF Bonds in an amount of approximately \$7,925,000 to provide the needed cash to pay for the construction of the ramp, cost of issuance of the bonds (including underwriter discount) and for capitalized interest for a 6-month period. The TIF revenues to repay the debt service on the bonds will be coming from TID District No. 5 (Bay Center TIF).

In 2015, the City and HRA entered into an Amended and Restated Contract with Presbyterian Homes. The Agreement provides the City with 5% of the TIF generated from the overall project (all blocks) in 2015 - 2018. Beginning in 2019, when the property is over 50% for tax valuation purposes, the HRA will then receive 100% of the TIF generated from the East Block (hotel, condos & retail) to pay debt service on the TIF bonds.

Even though the HRA will receive 100% of this TIF, they are still limited in how much can be utilized for paying debt service on the bonds. Since the parking ramp is located outside of the

TIF district, the HRA is limited to utilizing 25% of the overall TIF generated from the entire district (all blocks). This 25% includes any administrative costs the HRA charges to the TIF district (i.e. TIF reporting, county admin fees, etc.). To project the amount of TIF generated in 2019 we assumed:

1. Valuations on the east block condos at the average value of the Regatta condos
2. Assumed valuation of the retail space similar to the existing retail today
3. Assumed valuation of the hotel based upon discussions with the County Assessor
4. Assumed a 3% annual decrease in overall tax rate
5. Assumed 0% inflation in annual growth from 2019 through the end of the TIF District

Based upon current projections, it is estimated that approximately \$490,000 in TIF will be generated from the East Block (starting in 2019) and we are of the opinion that this amount is within the overall 25% pooling threshold. Therefore 100% could be utilized for debt service on the bonds. As noted on the attached bond runs, the annual debt service starting in 2019 is approximately \$460,000. When we add required debt service coverage at 105%, the annual debt service is approximately \$483,000, thus leaving approximately \$7,000 in annual TIF to pay administrative costs. It should be noted that the 5% coverage is truly only needed in the first year so in reality, based upon future TIF, the City could have \$7,000 to \$30,000 plus available in the future for administrative costs or to pool to other areas within the CARD Project Area (TIF Project Area where TIF can be expended).

Several action items need to be completed in order for the City to proceed with the sale of the bonds. Following is a timeline of action needed:

November 15, 2016:	City Council Call for sale of bonds
November 29, 2016:	HRA approves pledge agreement of TIF revenues from TIF District No. 5 with the City and approves amendment to TIF Plan for District No. 5
December 6, 2016:	City Council approval of ordinance authorizing issuance of bonds
December 20, 2016:	City Council holds public hearing on approval of amendment to the TIF Plan for TIF District No. 5 City Council Award sale of bonds and approves pledge agreement with HRA City Council approval of ordinance on sale of bonds
December 22:	Submit publication of ordinance approving sale of bonds to local paper
December 29:	Publication of ordinance approving sale of bonds
December 30:	Closing on bonds

Please contact me at 651-697-8506 with any questions.

CITY OF WAYZATA

Resolution No. 50-2016

Council Member _____ introduced the following resolution and moved its adoption:

**Resolution Providing for the Sale of
\$7,925,000 General Obligation Tax Increment Bonds, Series 2016A**

A. WHEREAS, the City Council of the City of Wayzata, Minnesota has heretofore determined that it is necessary and expedient to issue the City's \$7,925,000 General Obligation Tax Increment Bonds, Series 2016A (the "Bonds"), to finance for the construction of a public parking facility in the downtown area of the City; and

B. WHEREAS, the City has retained Ehlers & Associates, Inc., in Roseville, Minnesota ("Ehlers"), as its independent municipal advisor for the Bonds in accordance with Minnesota Statutes, Section 475.60, Subdivision 2(9);

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Wayzata, Minnesota, as follows:

1. Authorization; Findings. The City Council hereby authorizes Ehlers to assist the City for the sale of the Bonds.
2. Meeting; Proposal Opening. The City Council shall meet at 7:00 p.m. on December 20, 2016, for the purpose of considering proposals for and awarding the sale of the Bonds.
3. Official Statement. In connection with said sale, the officers or employees of the City are hereby authorized to cooperate with Ehlers and participate in the preparation of an official statement for the Bonds and to execute and deliver it on behalf of the City upon its completion.

The motion for the adoption of the foregoing resolution was duly seconded by City Council Member _____ and, after full discussion thereof and upon a vote being taken thereon, the following City Council Members voted in favor thereof:

and the following voted against the same:

Whereupon said resolution was declared duly passed and adopted.

Dated this 15th day of November, 2016.

ATTEST:

Mayor Kenneth Willcox

City Manager Jeffrey Dahl

CERTIFICATION:

Motion for adoption:

Seconded by:

Voted in favor of:

Voted against:

Abstained:

Absent:

Resolution:

I hereby certify that the foregoing Resolution is a true and correct copy of the resolution adopted by the City Council of the City of Wayzata, Minnesota, at a duly authorized meeting held on November 15, 2016.

Deputy City Clerk Becky Malone

SEAL

Wayzata, Minnesota

\$7,925,000 General Obligation TIF Bonds, Series 2016A

Assumes Current Market BQ AA+ rates plus 15bps

24 Years

Sources & Uses

Dated 12/29/2016 | Delivered 12/29/2016

Sources Of Funds

Par Amount of Bonds	\$7,925,000.00
Planned Issuer Equity contribution	2,370,000.00
Total Sources	\$10,295,000.00

Uses Of Funds

Total Underwriter's Discount (1.000%)	79,250.00
Costs of Issuance	64,000.00
Deposit to Capitalized Interest (CIF) Fund	97,000.00
Deposit to Project Construction Fund	10,050,000.00
Rounding	4,750.00
Total Uses	\$10,295,000.00

Wayzata, Minnesota

\$7,925,000 General Obligation TIF Bonds, Series 2016A

Assumes Current Market BQ AA+ rates plus 15bps

24 Years

Debt Service Schedule

Date	Principal	Coupon	Interest	Total P+I	Fiscal Total
12/29/2016	-	-	-	-	-
08/01/2017	-	-	101,917.53	101,917.53	-
02/01/2018	-	-	86,533.75	86,533.75	188,451.28
08/01/2018	-	-	86,533.75	86,533.75	-
02/01/2019	190,000.00	1.100%	86,533.75	276,533.75	363,067.50
08/01/2019	-	-	85,488.75	85,488.75	-
02/01/2020	290,000.00	1.200%	85,488.75	375,488.75	460,977.50
08/01/2020	-	-	83,748.75	83,748.75	-
02/01/2021	290,000.00	1.250%	83,748.75	373,748.75	457,497.50
08/01/2021	-	-	81,936.25	81,936.25	-
02/01/2022	295,000.00	1.350%	81,936.25	376,936.25	458,872.50
08/01/2022	-	-	79,945.00	79,945.00	-
02/01/2023	300,000.00	1.450%	79,945.00	379,945.00	459,890.00
08/01/2023	-	-	77,770.00	77,770.00	-
02/01/2024	305,000.00	1.550%	77,770.00	382,770.00	460,540.00
08/01/2024	-	-	75,406.25	75,406.25	-
02/01/2025	310,000.00	1.650%	75,406.25	385,406.25	460,812.50
08/01/2025	-	-	72,848.75	72,848.75	-
02/01/2026	315,000.00	1.750%	72,848.75	387,848.75	460,697.50
08/01/2026	-	-	70,092.50	70,092.50	-
02/01/2027	320,000.00	1.850%	70,092.50	390,092.50	460,185.00
08/01/2027	-	-	67,132.50	67,132.50	-
02/01/2028	325,000.00	1.950%	67,132.50	392,132.50	459,265.00
08/01/2028	-	-	63,963.75	63,963.75	-
02/01/2029	330,000.00	2.050%	63,963.75	393,963.75	457,927.50
08/01/2029	-	-	60,581.25	60,581.25	-
02/01/2030	340,000.00	2.150%	60,581.25	400,581.25	461,162.50
08/01/2030	-	-	56,926.25	56,926.25	-
02/01/2031	345,000.00	2.250%	56,926.25	401,926.25	458,852.50
08/01/2031	-	-	53,045.00	53,045.00	-
02/01/2032	355,000.00	2.350%	53,045.00	408,045.00	461,090.00
08/01/2032	-	-	48,873.75	48,873.75	-
02/01/2033	360,000.00	2.450%	48,873.75	408,873.75	457,747.50
08/01/2033	-	-	44,463.75	44,463.75	-
02/01/2034	370,000.00	2.550%	44,463.75	414,463.75	458,927.50
08/01/2034	-	-	39,746.25	39,746.25	-
02/01/2035	380,000.00	2.600%	39,746.25	419,746.25	459,492.50
08/01/2035	-	-	34,806.25	34,806.25	-
02/01/2036	390,000.00	2.650%	34,806.25	424,806.25	459,612.50
08/01/2036	-	-	29,638.75	29,638.75	-
02/01/2037	400,000.00	2.700%	29,638.75	429,638.75	459,277.50
08/01/2037	-	-	24,238.75	24,238.75	-
02/01/2038	410,000.00	2.750%	24,238.75	434,238.75	458,477.50
08/01/2038	-	-	18,601.25	18,601.25	-
02/01/2039	425,000.00	2.800%	18,601.25	443,601.25	462,202.50
08/01/2039	-	-	12,651.25	12,651.25	-
02/01/2040	435,000.00	2.850%	12,651.25	447,651.25	460,302.50
08/01/2040	-	-	6,452.50	6,452.50	-
02/01/2041	445,000.00	2.900%	6,452.50	451,452.50	457,905.00
Total	\$7,925,000.00	-	\$2,738,233.78	\$10,663,233.78	-

Yield Statistics

Bond Year Dollars	\$112,094.44
Average Life	14.144 Years
Average Coupon	2.4427917%
Net Interest Cost (NIC)	2.5134910%
True Interest Cost (TIC)	2.5007360%
Bond Yield for Arbitrage Purposes	2.4145419%
All Inclusive Cost (AIC)	2.5712162%

IRS Form 8038

Net Interest Cost	2.4427917%
Weighted Average Maturity	14.144 Years

Series 2016A GO TIF Bonds | SINGLE PURPOSE | 11/9/2016 | 8:29 AM



Wayzata, Minnesota

\$7,925,000 General Obligation TIF Bonds, Series 2016A

Assumes Current Market BQ AA+ rates plus 15bps

24 Years

Net Debt Service Schedule

Date	Principal	Coupon	Interest	Total P+I	CIF	Net New D/S	Fiscal Total
12/29/2016	-	-	-	-	-	-	-
08/01/2017	-	-	101,917.53	101,917.53	(97,000.00)	4,917.53	-
02/01/2018	-	-	86,533.75	86,533.75	-	86,533.75	91,451.28
08/01/2018	-	-	86,533.75	86,533.75	-	86,533.75	-
02/01/2019	190,000.00	1.100%	86,533.75	276,533.75	-	276,533.75	363,067.50
08/01/2019	-	-	85,488.75	85,488.75	-	85,488.75	-
02/01/2020	290,000.00	1.200%	85,488.75	375,488.75	-	375,488.75	460,977.50
08/01/2020	-	-	83,748.75	83,748.75	-	83,748.75	-
02/01/2021	290,000.00	1.250%	83,748.75	373,748.75	-	373,748.75	457,497.50
08/01/2021	-	-	81,936.25	81,936.25	-	81,936.25	-
02/01/2022	295,000.00	1.350%	81,936.25	376,936.25	-	376,936.25	458,872.50
08/01/2022	-	-	79,945.00	79,945.00	-	79,945.00	-
02/01/2023	300,000.00	1.450%	79,945.00	379,945.00	-	379,945.00	459,890.00
08/01/2023	-	-	77,770.00	77,770.00	-	77,770.00	-
02/01/2024	305,000.00	1.550%	77,770.00	382,770.00	-	382,770.00	460,540.00
08/01/2024	-	-	75,406.25	75,406.25	-	75,406.25	-
02/01/2025	310,000.00	1.650%	75,406.25	385,406.25	-	385,406.25	460,812.50
08/01/2025	-	-	72,848.75	72,848.75	-	72,848.75	-
02/01/2026	315,000.00	1.750%	72,848.75	387,848.75	-	387,848.75	460,697.50
08/01/2026	-	-	70,092.50	70,092.50	-	70,092.50	-
02/01/2027	320,000.00	1.850%	70,092.50	390,092.50	-	390,092.50	460,185.00
08/01/2027	-	-	67,132.50	67,132.50	-	67,132.50	-
02/01/2028	325,000.00	1.950%	67,132.50	392,132.50	-	392,132.50	459,265.00
08/01/2028	-	-	63,963.75	63,963.75	-	63,963.75	-
02/01/2029	330,000.00	2.050%	63,963.75	393,963.75	-	393,963.75	457,927.50
08/01/2029	-	-	60,581.25	60,581.25	-	60,581.25	-
02/01/2030	340,000.00	2.150%	60,581.25	400,581.25	-	400,581.25	461,162.50
08/01/2030	-	-	56,926.25	56,926.25	-	56,926.25	-
02/01/2031	345,000.00	2.250%	56,926.25	401,926.25	-	401,926.25	458,852.50
08/01/2031	-	-	53,045.00	53,045.00	-	53,045.00	-
02/01/2032	355,000.00	2.350%	53,045.00	408,045.00	-	408,045.00	461,090.00
08/01/2032	-	-	48,873.75	48,873.75	-	48,873.75	-
02/01/2033	360,000.00	2.450%	48,873.75	408,873.75	-	408,873.75	457,747.50
08/01/2033	-	-	44,463.75	44,463.75	-	44,463.75	-
02/01/2034	370,000.00	2.550%	44,463.75	414,463.75	-	414,463.75	458,927.50
08/01/2034	-	-	39,746.25	39,746.25	-	39,746.25	-
02/01/2035	380,000.00	2.600%	39,746.25	419,746.25	-	419,746.25	459,492.50
08/01/2035	-	-	34,806.25	34,806.25	-	34,806.25	-
02/01/2036	390,000.00	2.650%	34,806.25	424,806.25	-	424,806.25	459,612.50
08/01/2036	-	-	29,638.75	29,638.75	-	29,638.75	-
02/01/2037	400,000.00	2.700%	29,638.75	429,638.75	-	429,638.75	459,277.50
08/01/2037	-	-	24,238.75	24,238.75	-	24,238.75	-
02/01/2038	410,000.00	2.750%	24,238.75	434,238.75	-	434,238.75	458,477.50
08/01/2038	-	-	18,601.25	18,601.25	-	18,601.25	-
02/01/2039	425,000.00	2.800%	18,601.25	443,601.25	-	443,601.25	462,202.50
08/01/2039	-	-	12,651.25	12,651.25	-	12,651.25	-
02/01/2040	435,000.00	2.850%	12,651.25	447,651.25	-	447,651.25	460,302.50
08/01/2040	-	-	6,452.50	6,452.50	-	6,452.50	-
02/01/2041	445,000.00	2.900%	6,452.50	451,452.50	-	451,452.50	457,905.00
Total	\$7,925,000.00	-	\$2,738,233.78	\$10,663,233.78	(97,000.00)	\$10,566,233.78	-

Series 2016A GO TIF Bonds | SINGLE PURPOSE | 11/ 9/2016 | 8:29 AM

Wayzata, Minnesota

\$7,925,000 General Obligation TIF Bonds, Series 2016A

Assumes Current Market BQ AA+ rates plus 15bps

24 Years

Pricing Summary

Maturity	Type of Bond	Coupon	Yield	Maturity Value	Price	Dollar Price
02/01/2019	Serial Coupon	1.100%	1.100%	190,000.00	100.000%	190,000.00
02/01/2020	Serial Coupon	1.200%	1.200%	290,000.00	100.000%	290,000.00
02/01/2021	Serial Coupon	1.250%	1.250%	290,000.00	100.000%	290,000.00
02/01/2022	Serial Coupon	1.350%	1.350%	295,000.00	100.000%	295,000.00
02/01/2023	Serial Coupon	1.450%	1.450%	300,000.00	100.000%	300,000.00
02/01/2024	Serial Coupon	1.550%	1.550%	305,000.00	100.000%	305,000.00
02/01/2025	Serial Coupon	1.650%	1.650%	310,000.00	100.000%	310,000.00
02/01/2026	Serial Coupon	1.750%	1.750%	315,000.00	100.000%	315,000.00
02/01/2027	Serial Coupon	1.850%	1.850%	320,000.00	100.000%	320,000.00
02/01/2028	Serial Coupon	1.950%	1.950%	325,000.00	100.000%	325,000.00
02/01/2029	Serial Coupon	2.050%	2.050%	330,000.00	100.000%	330,000.00
02/01/2030	Serial Coupon	2.150%	2.150%	340,000.00	100.000%	340,000.00
02/01/2031	Serial Coupon	2.250%	2.250%	345,000.00	100.000%	345,000.00
02/01/2032	Serial Coupon	2.350%	2.350%	355,000.00	100.000%	355,000.00
02/01/2033	Serial Coupon	2.450%	2.450%	360,000.00	100.000%	360,000.00
02/01/2034	Serial Coupon	2.550%	2.550%	370,000.00	100.000%	370,000.00
02/01/2035	Serial Coupon	2.600%	2.600%	380,000.00	100.000%	380,000.00
02/01/2036	Serial Coupon	2.650%	2.650%	390,000.00	100.000%	390,000.00
02/01/2037	Serial Coupon	2.700%	2.700%	400,000.00	100.000%	400,000.00
02/01/2038	Serial Coupon	2.750%	2.750%	410,000.00	100.000%	410,000.00
02/01/2039	Serial Coupon	2.800%	2.800%	425,000.00	100.000%	425,000.00
02/01/2040	Serial Coupon	2.850%	2.850%	435,000.00	100.000%	435,000.00
02/01/2041	Serial Coupon	2.900%	2.900%	445,000.00	100.000%	445,000.00
Total	-	-	-	\$7,925,000.00	-	\$7,925,000.00

Bid Information

Par Amount of Bonds	\$7,925,000.00
Gross Production	\$7,925,000.00
Total Underwriter's Discount (1.000%)	\$(79,250.00)
Bid (99.000%)	7,845,750.00
Total Purchase Price	\$7,845,750.00
Bond Year Dollars	\$112,094.44
Average Life	14.144 Years
Average Coupon	2.4427917%
Net Interest Cost (NIC)	2.5134910%
True Interest Cost (TIC)	2.5007360%

Wayzata, Minnesota

\$7,925,000 General Obligation TIF Bonds, Series 2016A

Assumes Current Market BQ AA+ rates plus 15bps

24 Years

Proof Of Bond Yield @ 2.4145419%

Date	Cashflow	PV Factor	Present Value	Cumulative PV
12/29/2016	-	1.0000000x	-	-
08/01/2017	101,917.53	0.9859656x	100,487.18	100,487.18
02/01/2018	86,533.75	0.9742043x	84,301.55	184,788.73
08/01/2018	86,533.75	0.9625833x	83,295.94	268,084.67
02/01/2019	276,533.75	0.9511010x	263,011.51	531,096.19
08/01/2019	85,488.75	0.9397556x	80,338.53	611,434.71
02/01/2020	375,488.75	0.9285455x	348,658.39	960,093.10
08/01/2020	83,748.75	0.9174692x	76,836.89	1,036,930.00
02/01/2021	373,748.75	0.9065249x	338,812.56	1,375,742.56
08/01/2021	81,936.25	0.8957113x	73,391.22	1,449,133.78
02/01/2022	376,936.25	0.8850266x	333,598.61	1,782,732.39
08/01/2022	79,945.00	0.8744694x	69,909.46	1,852,641.85
02/01/2023	379,945.00	0.8640381x	328,286.96	2,180,928.81
08/01/2023	77,770.00	0.8537313x	66,394.68	2,247,323.49
02/01/2024	382,770.00	0.8435474x	322,884.62	2,570,208.12
08/01/2024	75,406.25	0.8334849x	62,849.97	2,633,058.09
02/01/2025	385,406.25	0.8235426x	317,398.45	2,950,456.54
08/01/2025	72,848.75	0.8137188x	59,278.39	3,009,734.93
02/01/2026	387,848.75	0.8040122x	311,835.11	3,321,570.04
08/01/2026	70,092.50	0.7944213x	55,682.98	3,377,253.02
02/01/2027	390,092.50	0.7849449x	306,201.13	3,683,454.15
08/01/2027	67,132.50	0.7755816x	52,066.73	3,735,520.88
02/01/2028	392,132.50	0.7663299x	300,502.85	4,036,023.73
08/01/2028	63,963.75	0.7571886x	48,432.62	4,084,456.34
02/01/2029	393,963.75	0.7481563x	294,746.46	4,379,202.80
08/01/2029	60,581.25	0.7392318x	44,783.58	4,423,986.38
02/01/2030	400,581.25	0.7304137x	292,590.03	4,716,576.41
08/01/2030	56,926.25	0.7217008x	41,083.72	4,757,660.13
02/01/2031	401,926.25	0.7130918x	286,610.33	5,044,270.46
08/01/2031	53,045.00	0.7045856x	37,374.74	5,081,645.20
02/01/2032	408,045.00	0.6961808x	284,073.09	5,365,718.30
08/01/2032	48,873.75	0.6878763x	33,619.09	5,399,337.39
02/01/2033	408,873.75	0.6796708x	277,899.55	5,677,236.94
08/01/2033	44,463.75	0.6715632x	29,860.22	5,707,097.16
02/01/2034	414,463.75	0.6635523x	275,018.39	5,982,115.55
08/01/2034	39,746.25	0.6556370x	26,059.11	6,008,174.66
02/01/2035	419,746.25	0.6478161x	271,918.39	6,280,093.05
08/01/2035	34,806.25	0.6400885x	22,279.08	6,302,372.14
02/01/2036	424,806.25	0.6324531x	268,670.03	6,571,042.17
08/01/2036	29,638.75	0.6249088x	18,521.51	6,589,563.68
02/01/2037	429,638.75	0.6174544x	265,282.34	6,854,846.02
08/01/2037	24,238.75	0.6100890x	14,787.79	6,869,633.82
02/01/2038	434,238.75	0.6028114x	261,764.08	7,131,397.89
08/01/2038	18,601.25	0.5956207x	11,079.29	7,142,477.18
02/01/2039	443,601.25	0.5885157x	261,066.29	7,403,543.48
08/01/2039	12,651.25	0.5814955x	7,356.64	7,410,900.12
02/01/2040	447,651.25	0.5745590x	257,202.04	7,668,102.16
08/01/2040	6,452.50	0.5677052x	3,663.12	7,671,765.28
02/01/2041	451,452.50	0.5609332x	253,234.72	7,925,000.00
Total	\$10,663,233.78	-	\$7,925,000.00	-

Derivation Of Target Amount

Par Amount of Bonds \$7,925,000.00

Original Issue Proceeds \$7,925,000.00

Series 2016A GO TIF Bonds | SINGLE PURPOSE | 11/9/2016 | 8:29 AM

Wayzata, Minnesota

\$7,925,000 General Obligation TIF Bonds, Series 2016A

Assumes Current Market BQ AA+ rates plus 15bps

24 Years

Derivation Of Form 8038 Yield Statistics

Maturity	Issuance Value	Price	Issuance Price	Exponent	Bond Years
12/29/2016	-	-	-	-	-
02/01/2018	-	100.000%	-	1.0888889x	-
02/01/2019	190,000.00	100.000%	190,000.00	2.0888889x	396,888.89
02/01/2020	290,000.00	100.000%	290,000.00	3.0888889x	895,777.78
02/01/2021	290,000.00	100.000%	290,000.00	4.0888889x	1,185,777.78
02/01/2022	295,000.00	100.000%	295,000.00	5.0888889x	1,501,222.22
02/01/2023	300,000.00	100.000%	300,000.00	6.0888889x	1,826,666.67
02/01/2024	305,000.00	100.000%	305,000.00	7.0888889x	2,162,111.11
02/01/2025	310,000.00	100.000%	310,000.00	8.0888889x	2,507,555.56
02/01/2026	315,000.00	100.000%	315,000.00	9.0888889x	2,863,000.00
02/01/2027	320,000.00	100.000%	320,000.00	10.0888889x	3,228,444.44
02/01/2028	325,000.00	100.000%	325,000.00	11.0888889x	3,603,888.89
02/01/2029	330,000.00	100.000%	330,000.00	12.0888889x	3,989,333.33
02/01/2030	340,000.00	100.000%	340,000.00	13.0888889x	4,450,222.22
02/01/2031	345,000.00	100.000%	345,000.00	14.0888889x	4,860,666.67
02/01/2032	355,000.00	100.000%	355,000.00	15.0888889x	5,356,555.56
02/01/2033	360,000.00	100.000%	360,000.00	16.0888889x	5,792,000.00
02/01/2034	370,000.00	100.000%	370,000.00	17.0888889x	6,322,888.89
02/01/2035	380,000.00	100.000%	380,000.00	18.0888889x	6,873,777.78
02/01/2036	390,000.00	100.000%	390,000.00	19.0888889x	7,444,666.67
02/01/2037	400,000.00	100.000%	400,000.00	20.0888889x	8,035,555.56
02/01/2038	410,000.00	100.000%	410,000.00	21.0888889x	8,646,444.44
02/01/2039	425,000.00	100.000%	425,000.00	22.0888889x	9,387,777.78
02/01/2040	435,000.00	100.000%	435,000.00	23.0888889x	10,043,666.67
02/01/2041	445,000.00	100.000%	445,000.00	24.0888889x	10,719,555.56
Total	\$7,925,000.00	-	\$7,925,000.00	-	\$112,094,444.44

IRS Form 8038

Weighted Average Maturity = Bond Years/Issue Price	14.144 Years
Total Interest from Debt Service	2,738,233.78
Total Interest	2,738,233.78
NIC = Interest / (Issue Price * Average Maturity)	2.4427917%
Bond Yield for Arbitrage Purposes	2.4145419%

Wayzata, Minnesota

\$7,925,000 General Obligation TIF Bonds, Series 2016A

Assumes Current Market BQ AA+ rates plus 15bps

24 Years

Operation Of Project Construction Fund

Date	Principal	Rate	Receipts	Disbursements	Cash Balance
12/29/2016	10,050,000.00	-	10,050,000.00	10,050,000.00	-
Total	\$10,050,000.00	-	\$10,050,000.00	\$10,050,000.00	-

Investment Parameters

Investment Model [PV, GIC, or Securities]	GIC
Default investment yield target	Unrestricted

Cost of Investments Purchased with Bond Proceeds	10,050,000.00
Total Cost of Investments	\$10,050,000.00

Target Cost of Investments at bond yield	\$10,050,000.00
--	-----------------

Yield to Receipt	-
Yield for Arbitrage Purposes	2.4145419%

Wayzata, Minnesota

\$7,925,000 General Obligation TIF Bonds, Series 2016A

Assumes Current Market BQ AA+ rates plus 15bps

24 Years

Primary Purpose Fund Proof Of Yield @ 0.0000000%

Date	Cashflow	PV Factor	Present Value	Cumulative PV
12/29/2016	10,050,000.00	1.0000000x	10,050,000.00	10,050,000.00
Total	\$10,050,000.00	-	\$10,050,000.00	-

Composition Of Initial Deposit

Cost of Investments Purchased with Bond Proceeds	10,050,000.00
Adjusted Cost of Investments	10,050,000.00

Wayzata, Minnesota

\$7,925,000 General Obligation TIF Bonds, Series 2016A

Assumes Current Market BQ AA+ rates plus 15bps

24 Years

Detail Costs Of Issuance

Dated 12/29/2016 | Delivered 12/29/2016

COSTS OF ISSUANCE DETAIL

Municipal Advisor	\$34,000.00
Bond Counsel	\$14,500.00
Rating Agency Fee (Moody's)	\$14,500.00
Miscellaneous	\$1,000.00
TOTAL	\$64,000.00

Wayzata, Minnesota

\$7,925,000 General Obligation TIF Bonds, Series 2016A

Assumes Current Market BQ AA+ rates plus 15bps

24 Years

Debt Service Schedule

Date	Principal	Coupon	Interest	Total P+I	CIF	Net New D/S	105% of Total	Revenue	Levy/(Surplus)
02/01/2017	-	-	-	-	-	-	-	-	-
02/01/2018	-	-	188,451.28	188,451.28	(97,000.00)	91,451.28	96,023.84	101,200.00	(5,176.16)
02/01/2019	190,000.00	1.100%	173,067.50	363,067.50	-	363,067.50	381,220.88	386,000.00	(4,779.13)
02/01/2020	290,000.00	1.200%	170,977.50	460,977.50	-	460,977.50	484,026.38	490,000.00	(5,973.63)
02/01/2021	290,000.00	1.250%	167,497.50	457,497.50	-	457,497.50	480,372.38	490,000.00	(9,627.63)
02/01/2022	295,000.00	1.350%	163,872.50	458,872.50	-	458,872.50	481,816.13	490,000.00	(8,183.88)
02/01/2023	300,000.00	1.450%	159,890.00	459,890.00	-	459,890.00	482,884.50	490,000.00	(7,115.50)
02/01/2024	305,000.00	1.550%	155,540.00	460,540.00	-	460,540.00	483,567.00	490,000.00	(6,433.00)
02/01/2025	310,000.00	1.650%	150,812.50	460,812.50	-	460,812.50	483,853.13	490,000.00	(6,146.88)
02/01/2026	315,000.00	1.750%	145,697.50	460,697.50	-	460,697.50	483,732.38	490,000.00	(6,267.63)
02/01/2027	320,000.00	1.850%	140,185.00	460,185.00	-	460,185.00	483,194.25	490,000.00	(6,805.75)
02/01/2028	325,000.00	1.950%	134,265.00	459,265.00	-	459,265.00	482,228.25	490,000.00	(7,771.75)
02/01/2029	330,000.00	2.050%	127,927.50	457,927.50	-	457,927.50	480,823.88	490,000.00	(9,176.13)
02/01/2030	340,000.00	2.150%	121,162.50	461,162.50	-	461,162.50	484,220.63	490,000.00	(5,779.38)
02/01/2031	345,000.00	2.250%	113,852.50	458,852.50	-	458,852.50	481,795.13	490,000.00	(8,204.88)
02/01/2032	355,000.00	2.350%	106,090.00	461,090.00	-	461,090.00	484,144.50	490,000.00	(5,855.50)
02/01/2033	360,000.00	2.450%	97,747.50	457,747.50	-	457,747.50	480,634.88	490,000.00	(9,365.13)
02/01/2034	370,000.00	2.550%	88,927.50	458,927.50	-	458,927.50	481,873.88	490,000.00	(8,126.13)
02/01/2035	380,000.00	2.600%	79,492.50	459,492.50	-	459,492.50	482,467.13	490,000.00	(7,532.88)
02/01/2036	390,000.00	2.650%	69,612.50	459,612.50	-	459,612.50	482,593.13	490,000.00	(7,406.88)
02/01/2037	400,000.00	2.700%	59,277.50	459,277.50	-	459,277.50	482,241.38	490,000.00	(7,758.63)
02/01/2038	410,000.00	2.750%	48,477.50	458,477.50	-	458,477.50	481,401.38	490,000.00	(8,598.63)
02/01/2039	425,000.00	2.800%	37,202.50	462,202.50	-	462,202.50	485,312.63	490,000.00	(4,687.38)
02/01/2040	435,000.00	2.850%	25,302.50	460,302.50	-	460,302.50	483,317.63	490,000.00	(6,682.38)
02/01/2041	445,000.00	2.900%	12,905.00	457,905.00	-	457,905.00	480,800.25	490,000.00	(9,199.75)
Total	\$7,925,000.00	-	\$2,738,233.78	\$10,663,233.78	(97,000.00)	\$10,566,233.78	\$11,094,545.47	\$11,267,200.00	(172,654.53)

Significant Dates

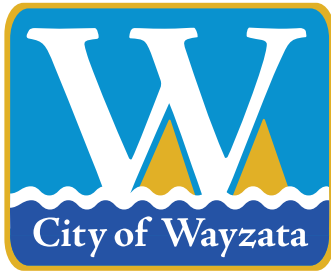
Dated	12/29/2016
First Coupon Date	8/01/2017

Yield Statistics

Bond Year Dollars	\$112,094.44
Average Life	14.144 Years
Average Coupon	2.4427917%
Net Interest Cost (NIC)	2.5134910%
True Interest Cost (TIC)	2.5007360%
Bond Yield for Arbitrage Purposes	2.4145419%
All Inclusive Cost (AIC)	2.5712162%

Series 2016A GO TIF Bonds | SINGLE PURPOSE | 11/9/2016 | 8:29 AM





City of Wayzata
600 Rice Street
Wayzata, MN 55391-1734

Mayor:
Ken Willcox

City Council:
Bridget Anderson
Johanna McCarthy
Andrew Mullin
Steven Tyacke

City Manager:
Jeffrey Dahl

DATE: November 10, 2016

TO: The Honorable Mayor and Members of the City Council

FROM: Jeffrey Dahl, City Manager

SUBJECT: Review of Parking Mitigation Plan and Consider Approval of Contract for Valet Services with Unparalleled Parking

Update

At its November 1 meeting, the City Council accepted the bid of Adolfson and Peterson Construction to build the Mill Street Parking Ramp, which includes 385 parking stalls on two levels at the corner of Mill Street and Broadway Avenue. A main objective of the construction is to complete the project as soon as possible in order to deliver parking stalls back to downtown Wayzata as soon as possible.

Analysis

The existing Mill Street Parking Lot consists of four rows of parking that are situated horizontally. As of November 7 mobilization of the site commenced with the northern half of the Mill Street Parking Lot being closed, taking away 90 parking stalls. The site is planned to be fully enclosed on or before Wednesday, November 16, 2016 which will take an additional row of parking. The south row of parking stalls along Mill Street will be available for use throughout the majority of the project. So, the total number of impacted stalls during construction will be 130 parking stalls. Looking ahead, the first phase of the ramp is anticipated to open by July 1, 2017 (upper deck) and final completion by mid-August of 2017.

The City has reached out with all adjacent property and businesses to put together a Parking Mitigation Plan to combat parking-related congestion during this project. Components of the Parking Mitigation Plan include:

- A map and other wayfinding mechanisms, such as sandwich board signs, clearly indicating the available public parking lots in close proximity to Mill Street (See attached).
- Public Valet Service during prime business hours available at the 701 Lake Street building.
- City-employees of Wayzata Wine and Spirits and Wayzata Bar and Grill ("The Muni") have been directed to park off-site versus at the parking lot in front of The Muni.

- Additional striped stalls have been added at both on-street and off-street public parking areas.
- The City has partnered with “Open to Business” to assist businesses in dealing with the impacts of construction.
- Contractors must park at an approved location “off-site.”
- Consistent and up to date communication through the City’s Website, Wayzata Weekly, The Portal, Facebook, Twitter, and on-site signage, and brochures that will be provided to businesses and adjacent residents.

Request

This item is on the agenda for two reasons. One, to serve as an update on the actions in place to mitigate parking issues in downtown and, two, because offering free valet parking services, not including tips, is expected to cost approximately \$4,000 to \$5,000 per month, and requires an approved contract.

Staff has prepared the attached draft contract based on the attached draft proposal from Unparalleled Parking, the same vendor who provided valet parking services for the City’s Pilot Parking Project during the summer of 2015.

Please note that given the dynamic nature of the parking, there is significant flexibility written into the contract to decrease or increase the amount of parking based upon the parking demand. We expect demand to decrease after the holidays and pick up significantly late in the Spring.

Staff Recommendation

Success in mitigating negative impacts caused by the construction of the Mill Street Parking Ramp will depend on a variety of factors, including, but not limited to valet parking services. Staff recommends approval of the attached draft agreement with Unparalleled Parking to give customers and employees another parking options and to maximize stalls with the downtown area. The service should be paid out of the ramp construction fund.

City Council Action Requested

Motion to approve the attached draft Agreement between the City of Wayzata and Unparalleled Parking for Valet Parking Services.



DIRECTIONS

to available public parking
during construction

	BIKE RACK		CONSTRUCTION
	PARKING		PARKING RAMP
	PUBLIC VALET		ON-STREET PARKING 3-HR RESTRICTIONS
	ON-STREET PARKING NO TIME RESTRICTIONS		ON-STREET PARKING 2-HR RESTRICTIONS



Public Parking Lots Available

City Hall/Library Lot

- Entrance to parking lot off Rice Street
- 80+ stalls (no restrictions/valet can park cars here)

Marquee Place Ramp (3rd Level)

- Entrances to ramp off of Walker and Broadway
- 80+ stalls (no restrictions/valet can park cars here)

Mill Street/Municipal Parking Lot

- Entrances to parking lot off of Lake Street, Mill Street and Superior Blvd
- 130+ stalls (some restrictions)

Broadway/Lake Municipal Lot

- Entrance off south side Broadway and Lake Street
- 45+ stalls (no restrictions/valet can park cars here)

Municipal Lot behind CoV

- Behind 700 block of Lake Street
- 30+ stalls (no time restrictions/valet can park cars here)

Lunds/Byerlys Kitchen Parking Ramp

- Entrance to ramp off of Mill Street, east of Superior
- 100+ stalls (no time restrictions)

Quayside Parking Ramp

- Entrance to ramp off of Mill Street, east of Superior
- 100 + stalls (no time restrictions)

Kosatta Block Parking Ramp

- Entrance to ramp off of Engel Street in Promenade
- 100+ stalls (no time restrictions)

11-15-2016 MCC PACKET
Page 61 of 116

What is the City doing to help?

In order to mitigate parking congestion during construction, the City will be:

- Striping spaces on Broadway and Indian Mound.
- Re-striping existing lots to maximize spaces.
- Offering free valet parking.
- Mandating all "Muni" employees park remotely.
- Directing traffic to available public parking areas through social media, wayfinding signage, print media, and other methods.

Public Valet Parking

The City is offering free public valet service to reduce parking congestion.

- Located at the 701 Lake Street building next to Chico's, Yogurt Lab, and Sun & Slope.
- Hours of operation will be during the day from mid-morning to mid-evening seven days a week--dependent on traffic.
- Cost of Public Valet Service: Free.

On Street Parking

Increased striping of stalls on city streets to maximize existing parking to accommodate more cars and add more spots. Enforcement of on-street 2-hour and 3-hour parking spaces will promote high turnover of parking stalls for customers and businesses nearby prime central parking areas.

On Street Parking Areas

- Broadway Ave. - No time restrictions between Mill Street and Rice Street
- Broadway Ave.- 2-hour restrictions by McCormick's
- Indian Mound - No time restrictions
- Lake Street - 3-hour parking restrictions
- Walker - No time restrictions

Resources for Businesses

Wayzata has partnered with the Metropolitan Consortium of Community Developers (MCCD) to offer the Open to Business program. This program provides FREE one-on-one assistance from MCCD's expert staff, customized to meet the specific needs of each entrepreneur. This can include creating a business plan, suggestions on financial management and bookkeeping practices, assisting with marketing, and referrals for financing. MCCD also administers a small business loan fund, which provides capital to expand local businesses. Visit <http://www.opentobusinessmn.org/> for more details.

DOWNTOWN PARKING MITIGATION PLAN

Mill Street Parking Ramp Construction

The City of Wayzata is building a 385-stall public parking ramp in the parking lot at Mill Street east of Broadway Avenue to provide for current and future parking needs in the downtown area. Here are the key points of the construction:

- Site preparation starts Monday, November 7, 2016 with the northern half of the Mill Street Parking Lot being closed. This closing will impact approximately 90 parking stalls.
- The site is planned to be fully enclosed on Monday, November 14, 2016.
- First Phase of the Ramp is anticipated to open by July 1, 2017 (upper deck) and Final Completion by mid-August 2017.
- South row of parking stalls along Mill Street will be available for use throughout the majority of the project. So, the total number of impacted stalls during construction will be 130 parking stalls.
- Project will be primarily financed by development funds.



Questions or Comments?

Contact: city@wayzata.org

More Information: www.wayzata.org/DowntownParking

September 29,2016



Business Proposal for The City of Wayzata

Prepared for:
City of Wayzata

Prepared by:
Unparalleled Parking,
1624 Harmon Place suite 300H
Minneapolis, Minnesota 55403

Description: Unparalleled Parking is seeking partnership with City of Wayzata for Valet Parking Services. The funding request is included in this Proposal.

Executive Summary

The purpose of this proposal is to forge a strategic relationship between Unparalleled Parking and City of Wayzata to leverage the customer base for Unparalleled Parking's extensively developed service.

Partnering with Unparalleled Parking will have multiple advantages over similar providers in the industry:

-  What you will see when partnering with Unparalleled Parking is top notch presentation, supervision and execution.
-  Customizable Valet Parking systems:
 - o This means that you can at anytime communicate with our management team to customize our service.

Days and hours of operation

Monday-Friday (1 valet)

 9am-7pm

 .

Saturday-Sunday (November and December based on need)

 10am-6pm Saturday (2 valet)

 10am-5pm Sunday (2 valet)

September 29,2016



Estimated costs:

Month of December (Range of \$4,500-\$5,250)
All months after Jan 1 (Range of \$4,000-\$5,000)

Project Description

The project will be completed as follows:

Hiring/Training:

Unparalleled Parking has a very highly selective hiring/training system to ensure top quality staff.

Presentation:

We understand the crucial importance of presentation and will ensure we maintain that throughout the duration of our partnership.

Execution:

Day in and day out execution with every guest **WILL** be accomplished.

Financial Summary

Hourly Rate with Management Fee:

-  Unparalleled Parking will provide valet parking services for City of Wayzata at a rate of (\$18/hr per valet on staff), with a 3 hour minimum for each valet on staff each shift.
 - o All curb side generated revenue will be held by City of Wayzata.
 - Unparalleled Parking will request to invoice weekly with a Net-14 on all payments.

September 29,2016



Closing Section

Future growth prospects are extremely positive for the new business venture. The strategic partnership between Unparalleled Parking and City of Wayzata will ensure a large increase in guest satisfaction.

On behalf of Unparalleled Parking we would like to thank you for your time and consideration. We look forward to our future!

Best regards,

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

Christopher P. Forest-CEO
Christopher@YourValetGuys.com
Office (651)300-1515
Direct (218)428-0832
YourValetGuys.com

CONTRACT FOR PUBLIC VALET OPERATIONS for City of Wayzata

THIS VALET SERVICE AGREEMENT (this “Agreement”), effective _____, 2016 (the “Effective Date”), is made by and between **Unparalleled Parking LLC**, a Minnesota limited liability company, (“Unparalleled Parking”), and the **City of Wayzata**, a municipal corporation (the “City of Wayzata” or “City”).

AGREEMENT

Unparalleled Parking will provide public valet services in the area of Mill Street and Broadway in Wayzata, as defined by the City, during the construction of the City’s planned Mill Street Parking Ramp (the “Services”), all according to the following terms and conditions.

ARTICLE I: OPERATIONS OF PUBLIC VALET SERVICE

SECTION 1. KEY OPERATING PRINCIPLES FOR THE SERVICES

- A.** Unparalleled Parking represents and warrants that it is fully insured for all Services with Century Surety and shall be fully liable for all such Services. A certificate of insurance will be provided to the City of Wayzata upon execution of this Agreement.
- B.** City of Wayzata assumes and shall have no liability for any liability associated with the Services, and Unparalleled Parking shall defend, hold harmless and fully indemnify the City for any such liability.
- C.** Upon request by the City, updated renewed license and insurance policy copies can be provided to the City.
- D.** Unparalleled Parking shall have in place at all times (i) a preventable accident policy to discipline or remove attendants providing Services that are considered poor drivers, and (ii) a “no tolerance” policy for preventable accidents.
- E.** Unparalleled Parking shall ensure that all vehicle keys are always secured in an area that is out of sight and accessible only to the parking attendants to prevent theft and vandalism.
- F.** Unparalleled Parking shall ensure that all incidents associated with the Services will be reported to the City and will be investigated as appropriate to determine preventability and any remedial actions.

- i. Unparalleled Parking will immediately address any incident. All guests using the Services will be given the upmost guest service if there is ever an incident, including appropriate remedial measures.
- G. VEHICLE INSPECTION
 - i. All vehicles using the Service shall be given a 4 point inspection upon delivery to the valet; which means a complete walk around. Any damage shall be noted on the valet ticket. Each valet ticket will have a vehicle diagram to easily note any damage.
 - ii. Upon the vehicle being returned to the guest, the same 4 point inspection shall be done to ensure the vehicle is returned in same condition as when the valet received it.
- H. Neither the City nor Unparalleled Parking shall be liable for theft, losses, or damages occurring to items left or carried along in a vehicle. Unparalleled Parking shall ensure that guests are so notified, and shall defend and indemnify the City for any such claims by guests.
- I. If a customer makes a claim, they must indicate the obvious damage before leaving the premises. Otherwise, claims are excluded.
- J. The Services will be under direct supervision of, and operations will be monitored daily by, an Unparalleled Parking Shift Control Manager.
- K. Tickets/receipts for vehicles will be provided to guests and will be required back when guests reclaim their vehicles. Tickets could be provided by the venues being visited by guests or could be provided by Unparalleled Parking.
- L. Intentionally Omitted
- M. Unparalleled Parking shall provide the Services and use the designated parking lot/s for the Services (collectively, the "Parking Lot") in a professional, businesslike manner and in strict accordance with the terms of this Agreement. The Parking Lot shall be used by Unparalleled Parking for vehicle parking and related purposes, and for no other use or purpose. The "Parking Lot" for the purposes of this Agreement and providing the Services is defined as:
 - i. City Hall Lot
 - ii. 3rd Level of Marquee Place Ramp
 - iii. Broadway/Lake Municipal Lot
 - iv. Municipal Lot behind CoV

Only available parking stalls may be used for valet parking. Coning or designating stalls only for valet parking is not permitted. No parking is permitted on Mill Street.

- N. Unparalleled Parking employees shall be responsible for receiving, parking and delivering the vehicles belonging to the guests and visitors.
- O. Unparalleled Parking thrives on customer service and professional appearance and will uphold this throughout the duration of this Agreement.
- P. Upon request by the City, references for all Unparalleled Parking employees shall be provided to the City.

SECTION 2. EMPLOYEES OF THE VALET COMPANY

Unparalleled Parking shall maintain the following standards for all employees providing the Services:

- A. Unparalleled Parking thrives on extensive training of employees. Every employee of Unparalleled Parking is required to successfully pass Unparalleled Parking's training course and driving test prior to parking any customer vehicle.
- B. Background checks are done on all potential employees.
- C. Unparalleled Parking provides orientation for each establishment to all new employees and provides regular safety training to all attendants on a routine basis. Unparalleled Parking employees must observe and follow all traffic laws, placing special emphasis on controlling speed at all times and yielding to pedestrians at all times.
- D. All employees of Unparalleled Parking shall be at least 18 years of age or more.

SECTION 3. CONSULTATIONS WITH THE OWNER

- A. The City and its representatives may consult with the owner of Unparalleled Parking as needed, and in any event within one (1) day advance notice by the City.

SECTION 4. CONDITIONS

- A. Public Valet Parking the Services hereunder will begin on the **Effective Date or such other time as agreed to by the City Manager.**
- B. **Hours of operation for the Services will generally be 9 AM through 7 PM; Monday through Friday, 10 AM to 6 PM Saturday and Sunday, however these times are subject to change based on demand.**
- C. One valet stand will be provided beginning on the **Effective Date** at a location approved by the City of Wayzata.

D. Valet Parking is permitted only in the Parking Lot.

E. Cost of Valet Service will be: Free

F. Unparalleled Parking will provide signage promoting the Public Valet Parking. The design of the signs, number of signs and locations must be in accordance with City sign regulations and meet with the approval of the Wayzata City Manager.

G. Unparalleled Parking will collect the following data (daily):

- i. Number of cars parked daily, by the hour, peak stacking, etc.
- ii. Date/Time and length of stay
- iii. Demographics of user
- iv. Destination of user
- v. Where valet parked car (which lot)
- vi. Comments from valet users and valet employees

H. Unparalleled Parking will submit a summary of the data collection to the City at the end of each week. All data will be submitted to the City by Friday the week following collection.

ARTICLE II. RATES AND PAYMENTS

SECTION 1. RATES.

- A. Unparalleled Parking will be guaranteed an hourly rate of \$18 per valet working hereunder as follows:
- a. Unparalleled Parking will take an aggressive approach to ensure accurate staffing throughout each day to ensure the most affordable/efficient service.
 - b. Unparalleled Parking will provide completed and accurate documentation (ticket pad system approved by, or supplied by, the City of Wayzata) of the number of cars parked each week by Friday the week following collection.

ARTICLE III. DURATION/AMENDMENTS OF THE CONTRACT AND TERMINATION RELATED PROVISIONS

SECTION 1. DURATION AND AMENDMENTS OF THE CONTRACT

- A. The term of this Agreement shall be from the Effective Date until the Mill Street Ramp is fully open for public parking. Modifications and amendments of the Agreement shall only become effective when approved in writing by Unparalleled Parking and the City. At any time this Agreement may be terminated by either party by giving the other no less than 30-day written notice.

ARTICLE IV. NOTIFICATION POLICY

Any notice by either party to the other shall be deemed to have been duly given, if either delivered personally or via post mail addressed:

To Unparalleled Parking at:

1624 Harmon Place 300L, Minneapolis, MN 55403

Telephone: (651)300-1515

Email: UpValet@Gmail.com

To the City:

Wayzata City Hall
600 East Rice Street
Wayzata, MN 55391
Attention: City Manager

ARTICLE V. OTHER

This Agreement represents the entire integrated agreement between Unparalleled Parking and the City, and supersedes all prior negotiations, representations, or agreements, either written or oral. Unparalleled Parking shall comply with all applicable federal, state, regional, and local laws, ordinances and regulations applicable to the Services. The rights and obligations of Unparalleled Parking under this Agreement shall not be assignable or transferable without the prior written approval of the City. Unparalleled Parking shall be solely and entirely responsible for its acts and for the acts of its employees, agents, and subcontractors in connection with the Services. The City and Unparalleled Parking agree that the relationship created by this Agreement is that of independent contractor, and not of employer and employee, a joint venture or a partnership. Unparalleled Parking shall be responsible for the compensation and benefits of Unparalleled Parking's employees and for payment of all federal, state and local taxes payable with respect to any amounts paid to Unparalleled Parking under this Agreement. This Agreement shall be construed in accordance with governed by the laws of the State of Minnesota. The parties agree to submit to the jurisdiction of the courts of the State of Minnesota, and that any litigation regarding this Agreement will be brought in the state or federal courts that lie in Hennepin County, Minnesota. This Agreement may be executed in multiple counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same document.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the day and year first above written.

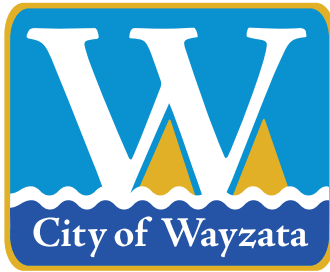
UNPARALLELED PARKING, LLC

Christopher P. Forest - Owner

CITY OF WAYZATA

By: _____
Kenneth Willcox, Mayor

By: _____
Jeffrey Dahl, City Manager



City of Wayzata
600 Rice Street
Wayzata, MN 55391-1734

Mayor:
Ken Willcox

City Council:
Bridget Anderson
Johanna McCarthy
Andrew Mullin
Steven Tyacke

City Manager:
Jeffrey Dahl

DATE: November 10, 2016

TO: The Honorable Mayor and Members of the City Council

FROM: Jeffrey Dahl, City Manager

SUBJECT: Consider Adoption of Fee-in-Lieu-of-Parking Policy and Adoption of Resolution Setting Fee Per Stall in City's Fee Schedule

Update

This item was tabled at the November 1, 2016 Council Meeting. Based on the feedback received at the Council Meeting, staff has made the following changes:

1. Took out all references to "higher density" development in both the resolution and policy.
2. Added clarifying language in the policy regarding both the term and interest rate.
 - Term is now 20 years for projects requiring 25 parking spaces or less and 30 years for projects requiring 26 or more spaces.
 - Interest Rate is set by referring to the current Federal Prime Rate (currently is 3.5%).

Staff Recommendation

As a result of the previously discussed rationale, staff recommends adoption of the attached draft FILOP Policy and adoption of the Resolution 47-2016. Fee Schedule of FILOP Fee per Stall.

City Council Action Requested

Motion to approve the attached draft FILOP Policy and another separate motion to approve the attached draft Resolution No. 47-2016.

Please note that the owner of the Broadway Place development is waiting for this policy to be adopted prior to determining whether their project can move forward.

CITY OF WAYZATA

_____, 2016

FEE-IN-LIEU OF PARKING POLICY

Background and Purpose

To address the need for additional parking and parking-related services, and make both on and off street parking improvements in the downtown area, the City is pursuing the construction of a municipal parking ramp at Mill Street (the "Mill Street Ramp"), the establishment of a new designated capital improvement plan for future downtown parking improvements ("Downtown District CIP"), and the establishment of a downtown parking and mobility district (the "Mobility District"), a special services district under Minn. Stat. Ch. 428A. The City has also amended its parking ordinance to reduce the minimum amount of parking stalls required for uses in the downtown area to recognize (i) changes in parking demands associated with certain uses, (ii) differing parking demands for different days and hours, (iii) consolidated and shared parking opportunities, and to maximize the overall efficiency of available parking spaces.

The purpose of this policy is to provide greater flexibility to developers and property owners proposing ~~higher density~~ projects in the downtown area that would further the City's goals for the area but not fully meet the City's minimum parking requirements, and thereby reduce the number of variance applications, encourage consolidated and shared parking, and promote a well-designed and efficient parking system downtown.

Paying a fee in lieu of parking under this policy would not sell spaces or grant exclusive rights to parking spaces in the Mill Street Ramp or other parking facilities in the Mobility District, but would allow uses on property in the Mobility District that would otherwise fail to meet the City's parking requirements.

Criteria for Considering a Fee in Lieu of Parking

If warranted by the standards outlined in this policy, the City Council may, but shall not be required to, grant approval of a reduction in the number of parking spaces actually constructed at the time of site development or occupancy of a building under the following criteria:

A. Eligible Properties and Projects. Any new use on a property (a "Project") that cannot meet the applicable on-site minimum parking requirements of City Code may be permitted if: (1) a fee-in-lieu of parking is paid as specified in Section B of this policy; and (2) a conditional use permit is approved based upon the requirements of Section 801.04 of the City Code and the following additional criteria:

1. The Project is located within the "Mobility District" as established by City Council.
2. The City Council finds that the Project would enhance the accessibility, functionality, density and vitality of the Downtown Business District.
3. The parking impact of the Project does not exceed the available capacity of the City's parking facilities.

For purposes of this policy, "available capacity" shall be the number of parking spaces available for use by applicants for new fee-in-lieu of parking conditional use permits. This number shall be determined by the City Council based on an analysis of the use of the City's parking facilities. The City's "parking facilities" shall be the Mill Street Ramp and any other public parking facility in the Mobility District.

B. Fee. The amount of the fee-in-lieu of parking paid under this policy shall be established by a resolution of the City Council, based on its projection and/or calculation of the costs of constructing the parking facilities, improvements identified in the Downtown District CIP, and the value to applicants of satisfying the City's minimum parking requirements. The fee may be paid in full as a one-time payment, or over a period of time in the manner of an assessment, with a term of ~~such not to exceed twenty (20) years for projects paying fees for twenty-five (25) or less parking spaces, and thirty (30) years for projects paying fees for more than twenty-five (25) parking spaces~~the term for the financing of the capital costs of construction of the applicable parking facilities, and ~~set subject to an interest rate of four percent (4%) equivalent to the Federal Prime Rate. [market rate paid by the City].~~

C. Development Agreement. As a condition of approval of a conditional use permit issued pursuant to this policy, the applicant must enter into a development agreement with the City that includes an agreement to fully participate in and not contest the Mobility District and obligations thereof, and to pay the fee-in-lieu of parking. The development agreement shall be executed no later than the date on which a building permit for the Project is issued (or if no building permit is required, the date on which a certificate of occupancy is issued) and also include an agreement by the owner of the property for which the conditional use permit is issued authorizing the City to assess any unpaid fee-in-lieu of parking against the property as a special assessment and include a waiver of any right to object or appeal said assessment. The obligation to pay the fee-in-lieu of parking shall run with the property, and the development agreement shall be recorded against the property.

D. Expiration. A conditional use permit issued pursuant to this policy shall expire 12 months after being granted unless a development agreement (or amendment thereto) containing a fee-in-lieu of parking provision as described in subsection (C) above is executed by the permit holder.

E. Previous Obligations to Pay for Future Parking. Obligations in development agreements with the City, and conditions in previously granted land use approvals, that were agreed to or imposed prior to the adoption of this policy, that require a financial contribution to future City parking facilities to make up for parking shortfalls in Projects, may be satisfied upon (i) payment of the fee specified in Section B of this policy, and (ii) an amendment to the applicable development agreement as required by this policy.

CITY OF WAYZATA

RESOLUTION NO. 47-2016

RESOLUTION ADOPTING FEE IN LIEU OF PARKING POLICY AND SETTING FEE

WHEREAS, the City recognizes the need for additional parking and parking-related services, and making both on and off street parking improvements, in the downtown area; and

WHEREAS, the City is pursuing the construction of a municipal parking ramp at Mill Street (the “Mill Street Ramp”), the establishment of a downtown parking and mobility district (the “Mobility District”), a special services district under Minn. Stat. Ch. 428A, and the establishment of a new designated capital improvement plan for future downtown parking improvements (“Downtown District CIP”); and

WHEREAS, the City has amended its parking ordinance to reduce the minimum amount of parking stalls required for uses in the downtown area to recognize (i) changes in parking demands associated with certain uses, (ii) differing parking demands for different days and hours, (iii) consolidated and shared parking opportunities, and to maximize the overall efficiency of available parking spaces; and

WHEREAS, the City wishes to further provide greater flexibility, via a uniform policy, to developers and property owners proposing projects in the downtown area that would not fully meet the City’s minimum parking requirements, and thereby reduce the number of variance applications, encourage consolidated and shared parking, and promote a well-designed and efficient parking system downtown.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Wayzata, Minnesota, that the Fee In Lieu of Parking Policy attached to this Resolution (“FILOP Policy”) is hereby adopted.

BE IT FURTHER RESOVLED, that based on the analysis and information presented by the City Manager at City Council workshops and meetings, the fee referenced in the FILOP Policy shall be ten thousand dollars (\$10,000) per parking space.

Adopted by the Wayzata City Council this _____ day of _____ 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 Adopted

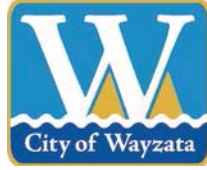
I hereby certify that the foregoing is a true and correct copy of a resolution adopted by the City Council of the City of Wayzata, Minnesota, at a duly authorized meeting held on _____, 2016.

Becky Malone, Deputy City Clerk

ATTACHMENT:

Fee In Lieu of Parking Policy (“FILOP Policy”)

000043/203879/2490078_1



**Planning Report
City Council
November 15, 2016**

Project Name: Ovsyannikova Addition
Applicant Anna Ovsyannikova and Yengeni Ogranovich
Addresses of Request: 15610 Holdridge Rd E
Prepared by: Jeff Thomson, Director of Planning and Building
“60 Day” Deadline: January 17, 2017

Development Application

Introduction

The property owners, Anna Ovsyannikova and Yengeni Ogranovich, have submitted a development application to subdivide the property at 15610 Holdridge Rd E into two single-family residential lots. The existing house would remain and one new home would be constructed on the new lot. The proposal requires preliminary and final plat review.

Property Information

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

Address	PID	Owner
15610 Holdridge Rd E	04-117-22-33-0043	Anna Ovsyannikova and Yengeni Ogranovich

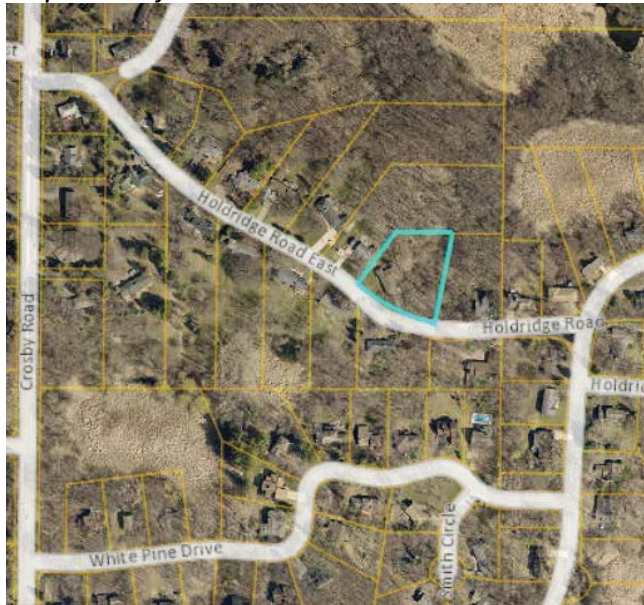
The current zoning and comprehensive plan land use designation for the property are as follows:

Current zoning:	R-2/Medium Density Single Family Residential District
Comp plan designation:	Low Density Single Family
Total site area:	43,797 sq. ft. (1.0 acres)

Project Location

The property is located on Holdridge Road East:

Map 1: Project Location



Application Requests

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

- A. Concurrent Preliminary and Final Plat Subdivision: The proposal requires preliminary and final plat review to subdivide the one existing lot into two lots. (City Code Sections 805.14 and 805.15)

Adjacent Land Uses.

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

Direction	Adjacent Use	Zoning	Comp Plan Land Use Designation
North	Single-family homes	R-2/Medium Density Single Family Residential District	Low Density Single Family
East	Single-family home	R-2/Medium Density Single Family Residential District	Low Density Single Family
South	Single-family homes	R-2/Medium Density Single Family Residential District	Low Density Single Family
West	Single-family homes	R-2/Medium Density Single Family Residential District	Low Density Single Family

Public Hearing Notice

The public hearing notice was published in the *Wayzata Sun Sailor* on October, 6, 2016. The public hearing notice was also mailed to all property owners located within 350 feet

of the subject property on October 7, 2016, and the public hearing was held at the October 17, 2016 Planning Commission meeting.

Analysis of Application

Lot Requirements

The proposed lots would meet the minimum lot requirements for the R-2 zoning district:

	Lot area (sq. ft.)	Lot width	Lot depth
R-2 Requirements	15,000 (min.)	100 ft. (min.)	100 ft. (min.)
Lot 1	26,821 sq. ft.	149 ft.	175 ft.
Lot 2	16,976 sq. ft.	100 ft.	153 ft.

Surrounding Lot Sizes

The following summarizes the lot areas of the R-2 lots located within 350 feet of the property and within the City of Wayzata:

Address	Lot area
15714 Holdridge Rd E	50,533 sq. ft.
15706 Holdridge Rd E	103,197 sq. ft.
15700 Holdridge Rd E	87,758 sq. ft.
15600 Holdridge Rd E	40,305 sq. ft.
15601 Holdridge Rd E	27,824 sq. ft.
15607 Holdridge Rd E	36,789 sq. ft.
15611 Holdridge Rd E	38,419 sq. ft.
15709 Holdridge Rd E	49,030 sq. ft.
15803 Holdridge Rd E	58,029 sq. ft.

Proposed Houses:

The applicant has submitted house plans for the new home on Lot 2. The proposed house would be two stories in height with a walk-out basement on the back of the house. The proposed subdivision plans also provide the location and footprint of the proposed house, which would meet the requirements of the R-2 zoning district:

	R-2 Requirement	Lot 1 (Existing House)	Lot 2 (Proposed House)
Front yard setback	25 ft. (min.)	32 ft.	34 ft.
Side yard setback	10 ft. (min.)	12 ft.	10 ft.
Rear yard setback	20 ft. (min.)	92 ft.	71 ft.
Lot coverage	20% (max.)	7.7%	13.1%
Impervious surface	30% (max.)	17.1%	22.2%
Building height	30 ft. (max.)	N/A (no changes)	30 ft.

Tree Preservation

There are 45 total trees located on the property, of which, 41 are designated as significant trees in the City's tree preservation ordinance, and 4 are designated as heritage trees. The proposed plans include the removal of 12 total trees, 11 significant trees and 1 heritage trees. The tree preservation ordinance allows the removal of up to 25% of the inches of significant trees for a subdivision before mitigation is required. The removal of any heritage trees requires 2 inches of tree replacement for every 1 inch of heritage tree removed. The proposed plans would remove 24.8% of the inches of significant trees, and 23.1% of the inches of heritage trees. The plans would not require mitigation for the significant tree removal, but would require replacement of 81 inches of trees for the one heritage tree that would be removed.

Planning Commission Review

The Planning Commission reviewed the development application and held a public hearing at its meeting on October 17, 2016. After discussing the application, the Planning Commission generally commented that the proposed subdivision would not be consistent with the character of the neighborhood. The Commission specifically stated that:

- The proposed lots would be smaller than existing lots in the neighborhood
- Building pads do not preserve sensitive areas because of the removal of trees and potential for additional tree impacts, and amount of grading and fill needed to construct on the slope
- Significant stands of trees would be removed

On November 7th, the Planning Commission voted four in favor and three opposed to adopt a report and recommendation for denial of the development application.

Applicable Code Provisions for Review

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 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.

Action Steps

The City Council should consider one of the following action steps:

1. Adopt draft Resolution No. 49-2016 denying the preliminary and final plat subdivision at 15610 Holdridge Rd E, as recommended by the Planning Commission.

2. If the Council wishes to pursue an approval motion, the Council should direct staff to prepare a revised Resolution reflecting approval of the development application for consideration at the next Council meeting.

Attachments

- Applicant's narrative
- Proposed plans
- Planning Commission Report and Recommendation
- October 17, 2016 draft Planning Commission meeting minutes
- Draft City Council Resolution 49-2016

We have recently appeared in front of the Planning Commission for approval of subdivision of our lot (15610 Holdridge Rd East, Wayzata, MN) and building a new house on a second lot.

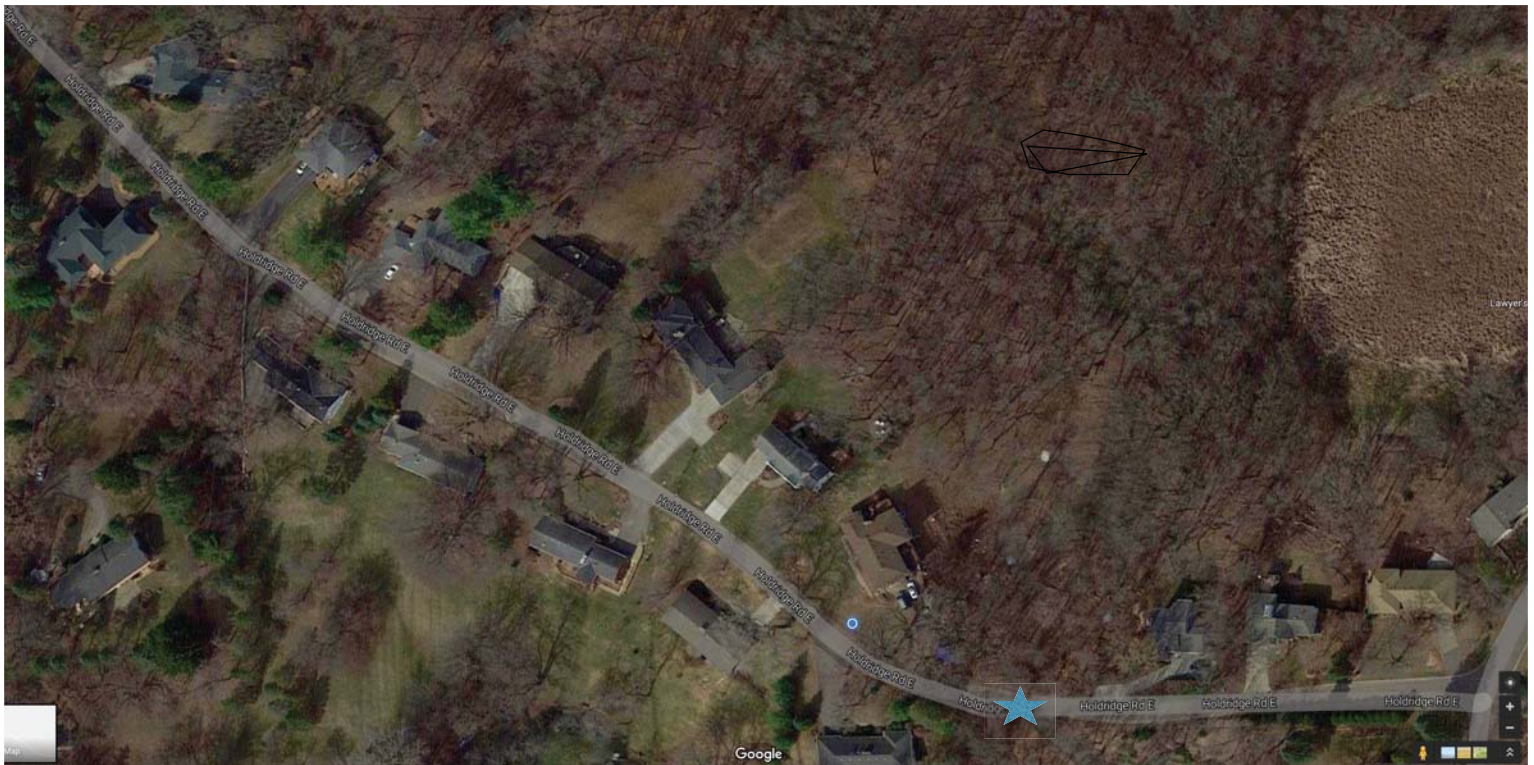
We would like to take an opportunity to comment on the remarks made by the commissioners and some neighbors during the hearing.

The main concern that we heard during the hearing was that the smaller lot will break the character of the neighborhood and the density will be changed.

This subdivision will not negatively affect the character of the neighborhood as it will provide frontage consistency. In our immediate neighborhood, there are no properties with such long frontages and such large distances between houses. The smaller lot size would not change the look and feel of the area as the neighboring larger lots are elongated and acreage is in the back, invisible from the street. This subdivision will complement the neighborhood character. We believe a house will fit very naturally on this empty spot.

Another concern that we would like to address is a possibility of influencing more subdivisions in the area.

Most of the properties in our area do not meet City Ordinance subdivision standards. Our plan meets all the measurement requirements.



^
Wooded area above
is a proposed "Lot 2"

Another concern was that it is hard to imagine how a house can be built on a hill like that. Two of our immediate neighboring houses are built on the hills with one of them being built on this exact hill. This type of construction is very popular in Minnesota due to its natural landscape characteristics.



There was also a concern that safety of wetlands during construction may be compromised. What if trees' roots get damaged during construction and trees die?

There are a number of ways to ensure wetland will remain safe during construction. There will be a large buffer and a temporary fence installed. Inspectors will monitor the work site. We submitted wetland delineation report made by professional Ecologist/Wetland Specialist which was approved by a City engineer. Being so close to a large lake, wetlands are typical, and many homes were built near water beds and wetlands successfully through the years without disturbing natural habitats.

Wetland is a very small area on a side. You cannot see it with a naked eye.

We are going to make sure no trees get damaged. Typically a tree gets damaged, it is replaced with ordinance approved new tree. We were planning to plant many new trees in the back next year regardless of this project.

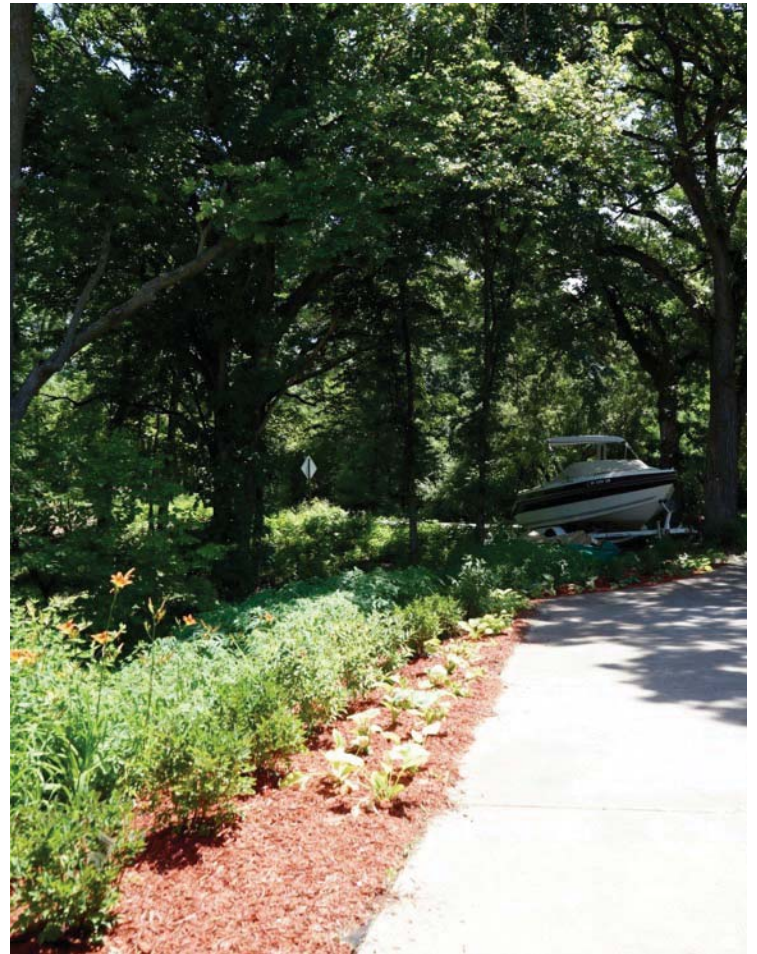


Delineation report produced by:
Ben Carlson, WDC
Ecologist/Wetland Specialist
Kjolhaug Environmental Services Company
26105 Wild Rose Lane
Shorewood, MN 55331
Office: 952-401-8757
Cell: 612-237-5996
ben@kjolhaugenv.com

There was a number of inaccurate and misleading remarks from the neighbors about the number of trees removed on our property.

When we acquired the property, we inherited the yard that was neglected for a very long time. There were a lot of dead, sick and dangerous trees on the property. We hired professional company to clean up the property from those trees.

During the hearing, we confirmed the removal of one large damaged oak tree. There are plenty of healthy trees left on the property after the cleanup.



BEFORE and AFTER.
Pile of wood on driveway alone.



Buckthorn can also be misleading creating visual density of the woods.
Pictures taken during buckthorn removal. Left cleaned side of this picture looks empty, right side is
“woody”.

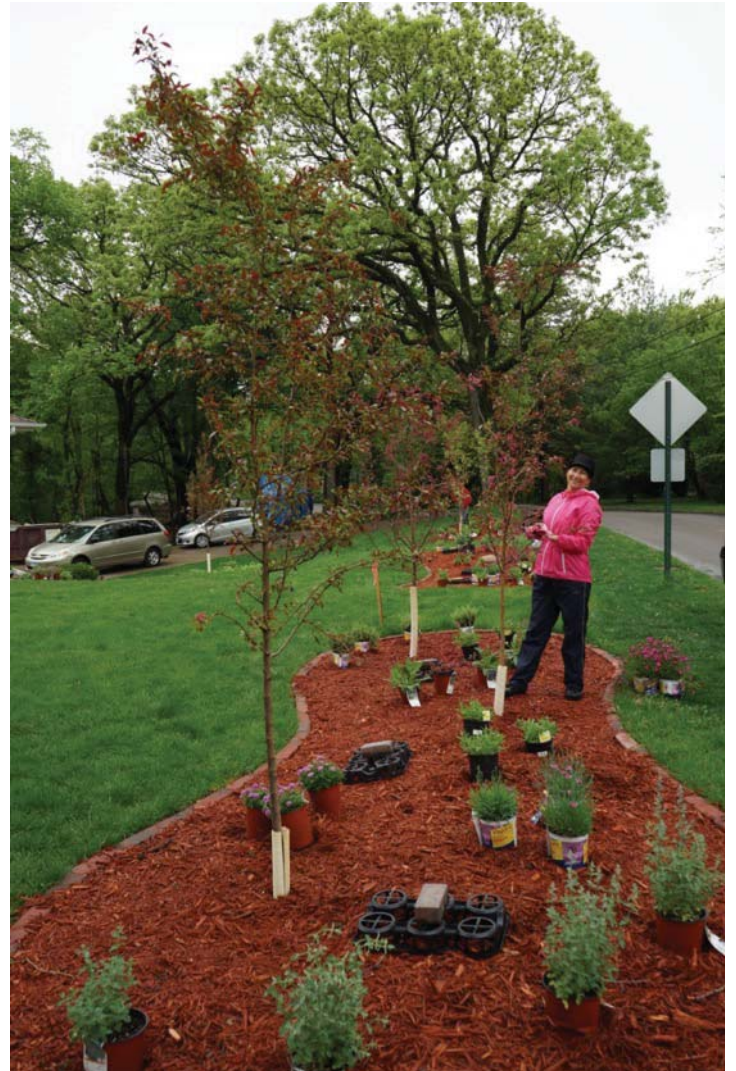


All healthy trees remain. After cleanup:



We professionally landscaped our yard and planted hundreds of perennial flowers, trees and shrubs. After cutting 3 old crab apples in the front that were tangled in power lines, we planted 6 new ones, etc.

We purchased the most distressed property on the street. It was completely transformed and we have received numerous complements from close and distant neighbors. We are certain that a new house will be a beautiful and a cohesive addition to our neighborhood.



DESCRIPTION OF PROPERTY SURVEYED
That part of Lot 15, Block 3, Holdridge Second Addition Reurangement, lying West of the following described line: Commencing at the Northwest corner of said lot; thence East along the North line of said lot a distance of 157.88 feet to the point of beginning of said line; thence deflecting right 99 degrees 46 minutes to the Southern line of said lot, and there ending.

Site Address: 15610 Holdridge Road East, Wayzata, Minnesota, 55391

Flood Zone Information: This property appears to lie in Zone X (area determined to be outside the 0.2% annual chance floodplain) per Flood Insurance Rate Map, Community Panel No. 27053C0328E, effective date of September 2, 2004.

Parcel Area Information:
 Gross Area: Parcel 1 26,821 s.f. ~ 0.616 acres
 Parcel 2 16,976 s.f. ~ 0.390 acres

Benchmark: Elevations are based on MN/DOT Geodetic Station Name: ROGGER MN053 ~ Elevation=993.879 feet (NAVD88).

Information: The current Zoning for the subject property is R-2 (Medium Density Single Family Residential District) per the City of Atlanta's zoning map dated 04-28-2015. The setback, height, and floor space area restrictions for said zoning designation were obtained from the Wayzata found on their web site on the date of 03-21-2016 and are as follows:

Principal Structure Setbacks - Front: 25 feet; Side: 10 feet; Rear: 20 feet
Height: 2 $\frac{1}{4}$ stories and 30 feet

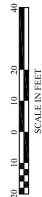
Impervious surface: 30 percent of lot area
Lot Coverage: 20 percent of lot area

Accessory Structure Setbacks - Front: 30 feet; Side: 5 feet; Rear: 5 feet
Height: 20 feet

Please note that the general restrictions for the subject property may have been amended through a city process. We could be unaware of such amendments if they are not in a recorded document provided to us. We recommend that a zoning letter be obtained from the Zoning Administrator for the current restrictions for this site.

Utilities: We have shown the location of utilities on the surveyed property by observed evidence only. There may be underground utilities encumbering the subject property we are unaware. Please note that we have not placed a Gopher State One Call for this survey. There may or may not be underground utilities in the mapped area, therefore extreme caution must be exercised before any excavation takes place on or near this site. Before digging, you are required by law to notify Gopher State One Call at least 48 hours in advance at 001-454-0002.

Parcel 1 Info		Parcel 2 Info	
Lot Area	26,821 Sq Ft	Lot Area	16,976 Sq Ft
Imperv. Area	2,977 Sq Ft	Imperv. Area	2,276 Sq Ft
Lot Coverage	7.7%	Lot Coverage	13.1%
Concrete Area	1,928 Sq Ft	Driveway Area	541 Sq Ft
Deck Area	459 Sq Ft	Total Impervious Area	17,672 Sq Ft = 22.2%
Driveway Area	4,389 Sq Ft = 17.1%		



- ## SURVEY LEGEND
- | | | |
|-------------------------|---------------------------|-------------------------|
| ① CAST IRON MONUMENT | ⑩ A/C UNIT | ① TELEPHONE UNDERGROUND |
| ② CATCH BASIN | ⑪ FIBER OPTIC UNDERGROUND | ② TELEPHONE UNDERGROUND |
| ③ ELEVATION | ⑫ UTILITY UNDERGROUND | ③ TELEPHONE UNDERGROUND |
| ④ DATE VALVE | ⑬ WELL | |
| ⑤ DAY WIRE | | |
| ⑥ HYDRANT | | |
| ⑦ MONUMENT SET | | |
| ⑧ SURVEY MONUMENT FOUND | | |
| ⑨ SURVEY CONTROL POINT | | |
| ⑪ LIGHT POLE | | |
| ⑫ SANITARY MANHOLE | | |
| ⑬ SANITARY CLEANOUT | | |
| ⑭ SEWER | | |
| ⑮ STORM ELEVATION | | |
| ⑯ STORM MANHOLE | | |
| ⑰ STORM MANHOLE | | |
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PRELIMINARY PLAT

PREPARED FOR:

ANNA OVSYANNIKOVA

FLIFNO

68445-001

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Page 88 of 116

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Area Schedule

Finished Basement	1412 sf
Main Level	1609 sf
Upper Level	1789 sf
Garage	648 sf
Front Porch	138 sf



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Email: prohomeexterior@yahoo.com

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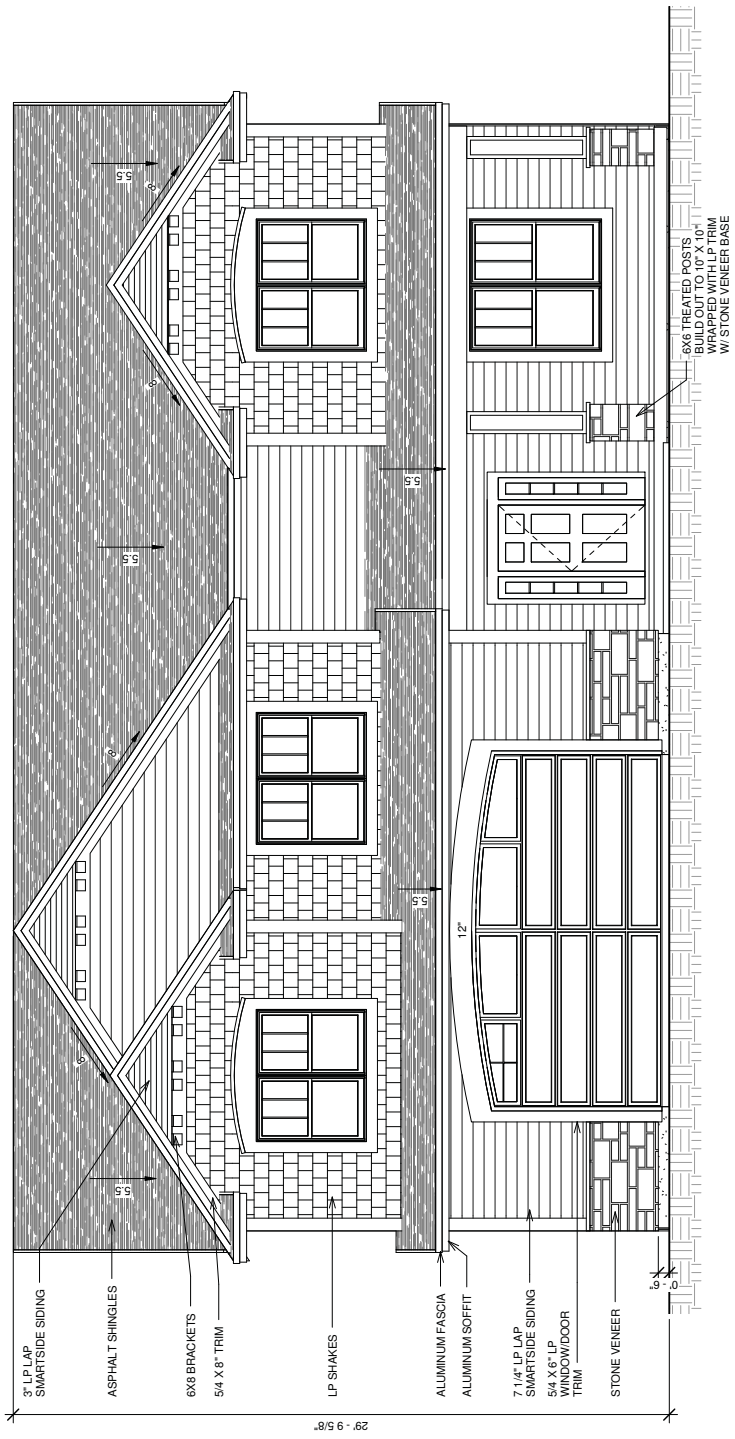
15610 Holdridge Rd

Wayzata

Front Elevation

Project number	15022
Date	8/3/2016
Drawn by	Alexander Bocharnikov
Checked by	
Scale	1/4" = 1'-0"

A01



1 Front Elevation
1/4" = 1'-0"



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15610 Holdridge Rd

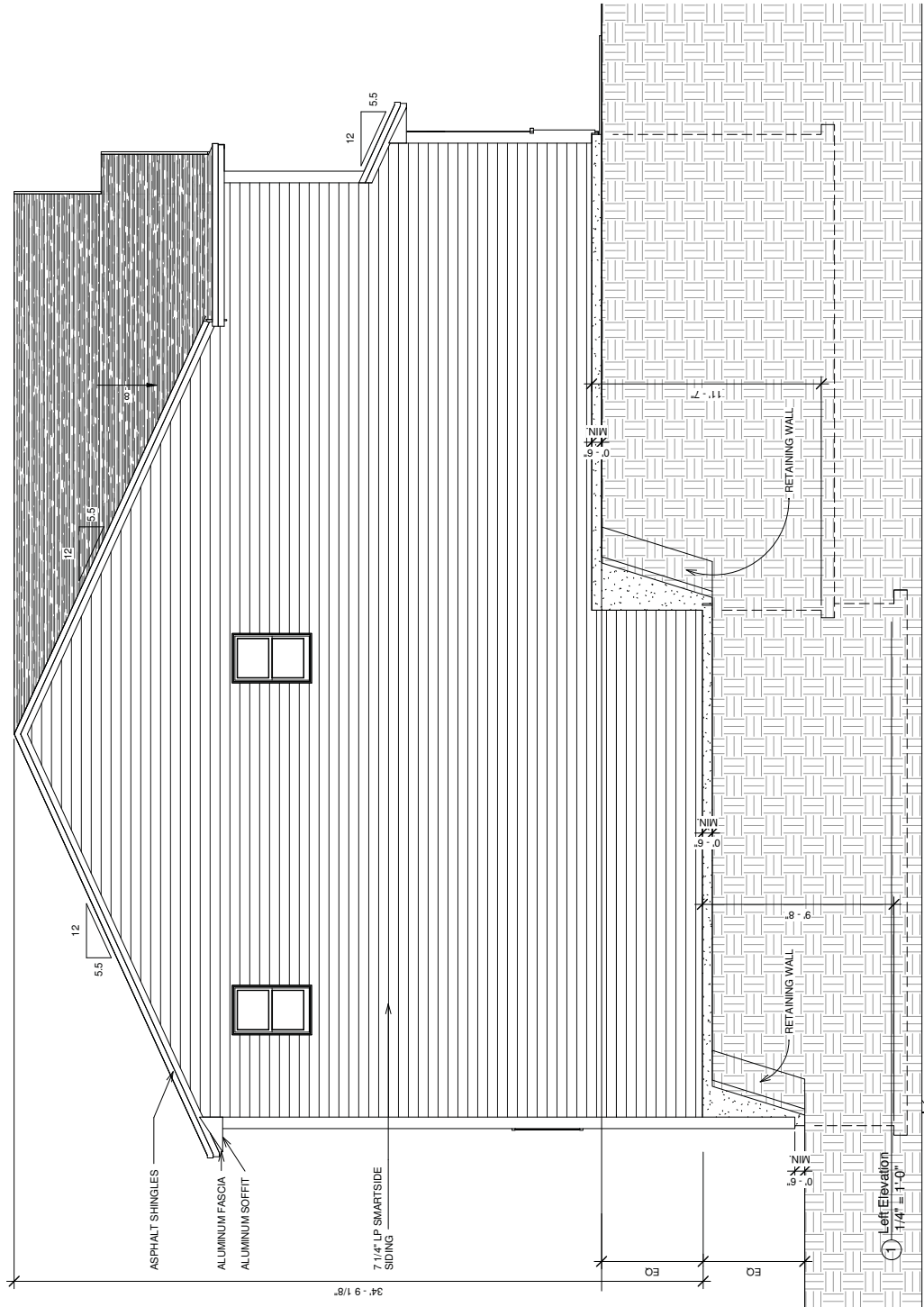
Wayzata

Left Elevation

Project number 15022
Date 8/3/2016
Drawn by Alexander Bocharnikov
Checked by

A02

Scale 1/4" = 1'-0"





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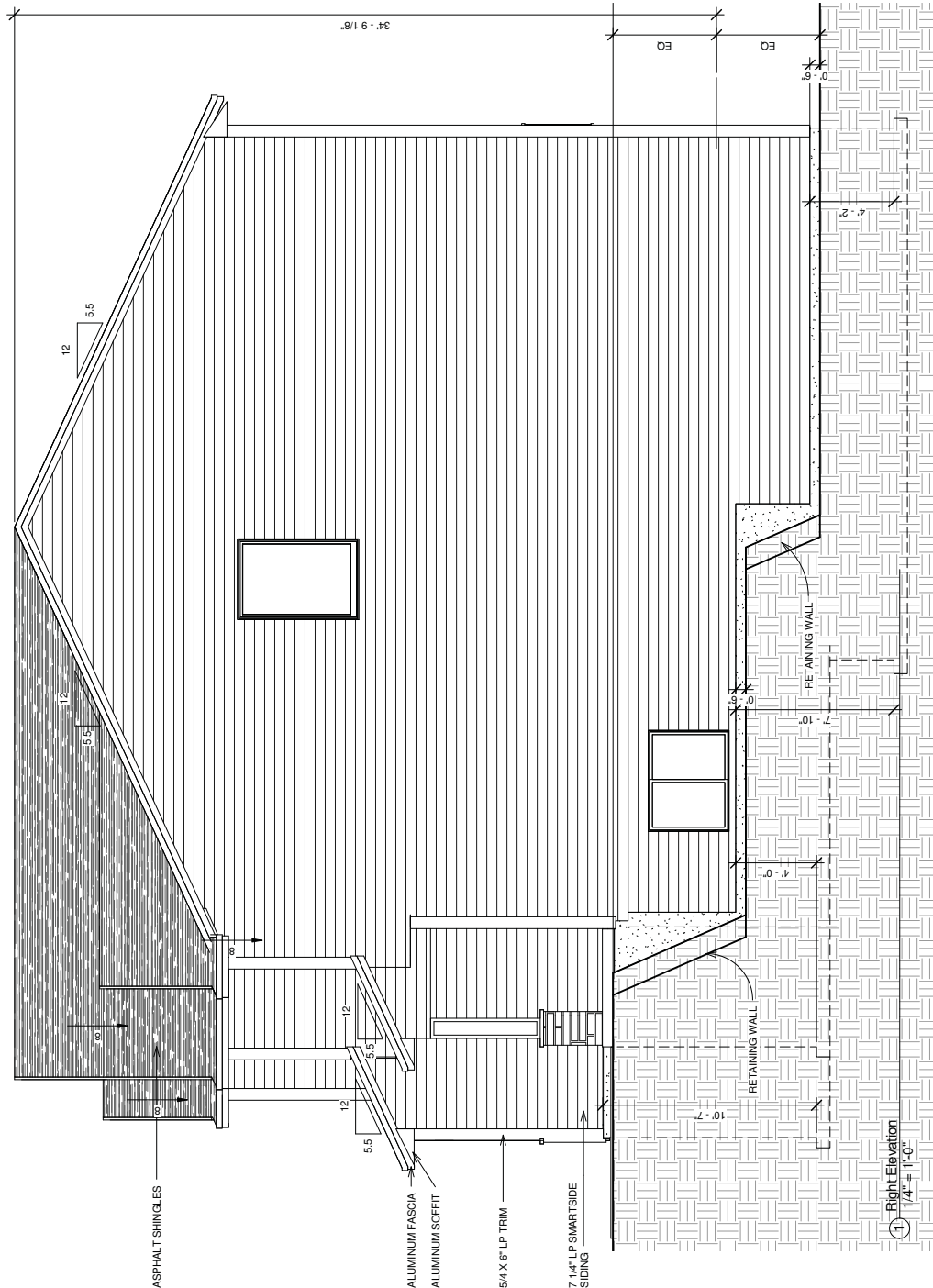
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15610 Holdridge Rd Wayzata Right Elevation

Project number 15022
Date 8/3/2016
Drawn by Alexander Bocharnikov
Checked by

A03

Scale 1/4" = 1'-0"





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15610 Holdridge Rd

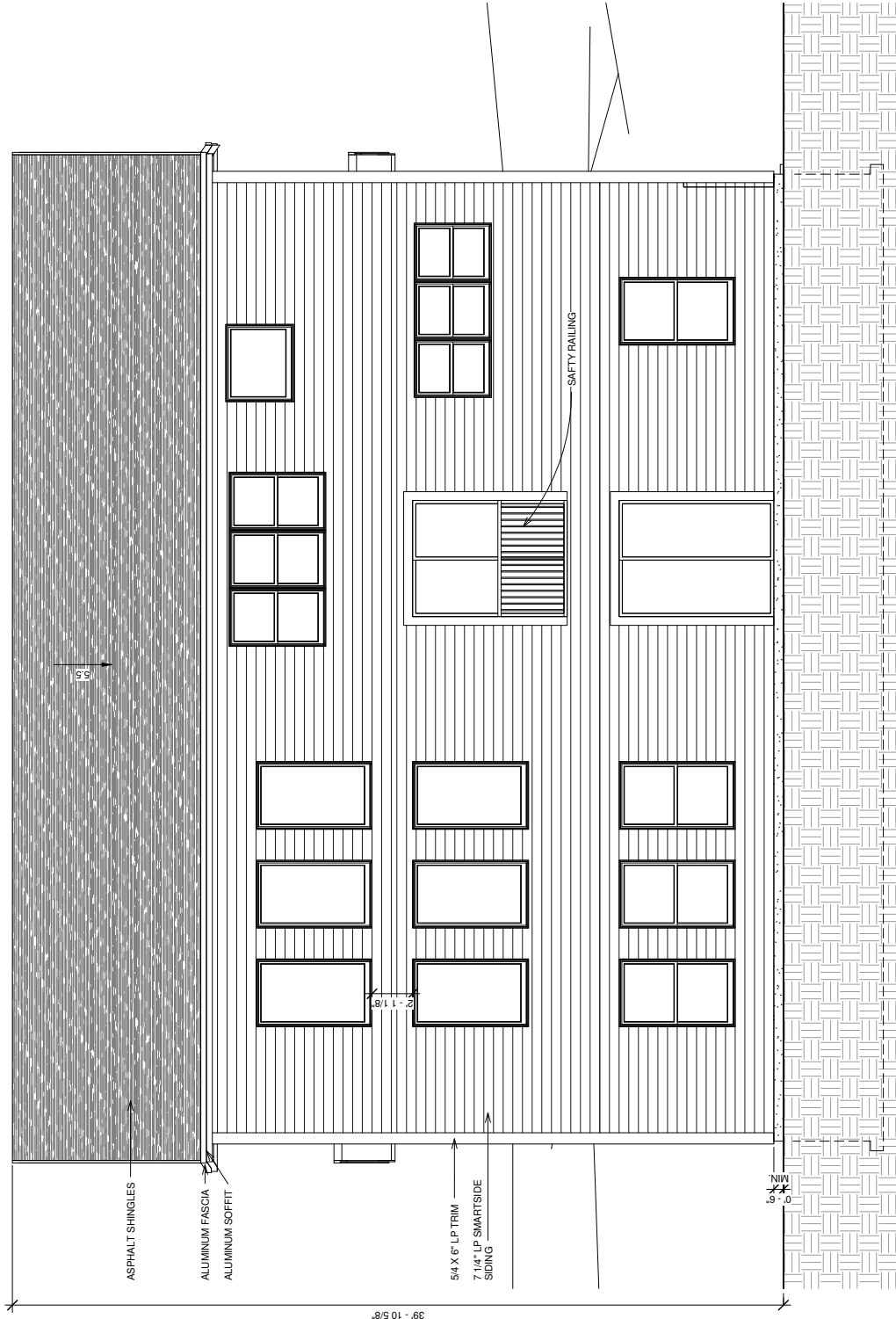
Wayzata

Rear Elevation

Project number	15022
Date	8/3/2016
Drawn by	Alexander Bocharnikov
Checked by	

A04

Scale	1/4" = 1'-0"
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① Rear Elevation
1/4" = 1'-0"



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CONSENT OF THE DESIGNER (AVA STUDIO)

15610 Holdridge Rd

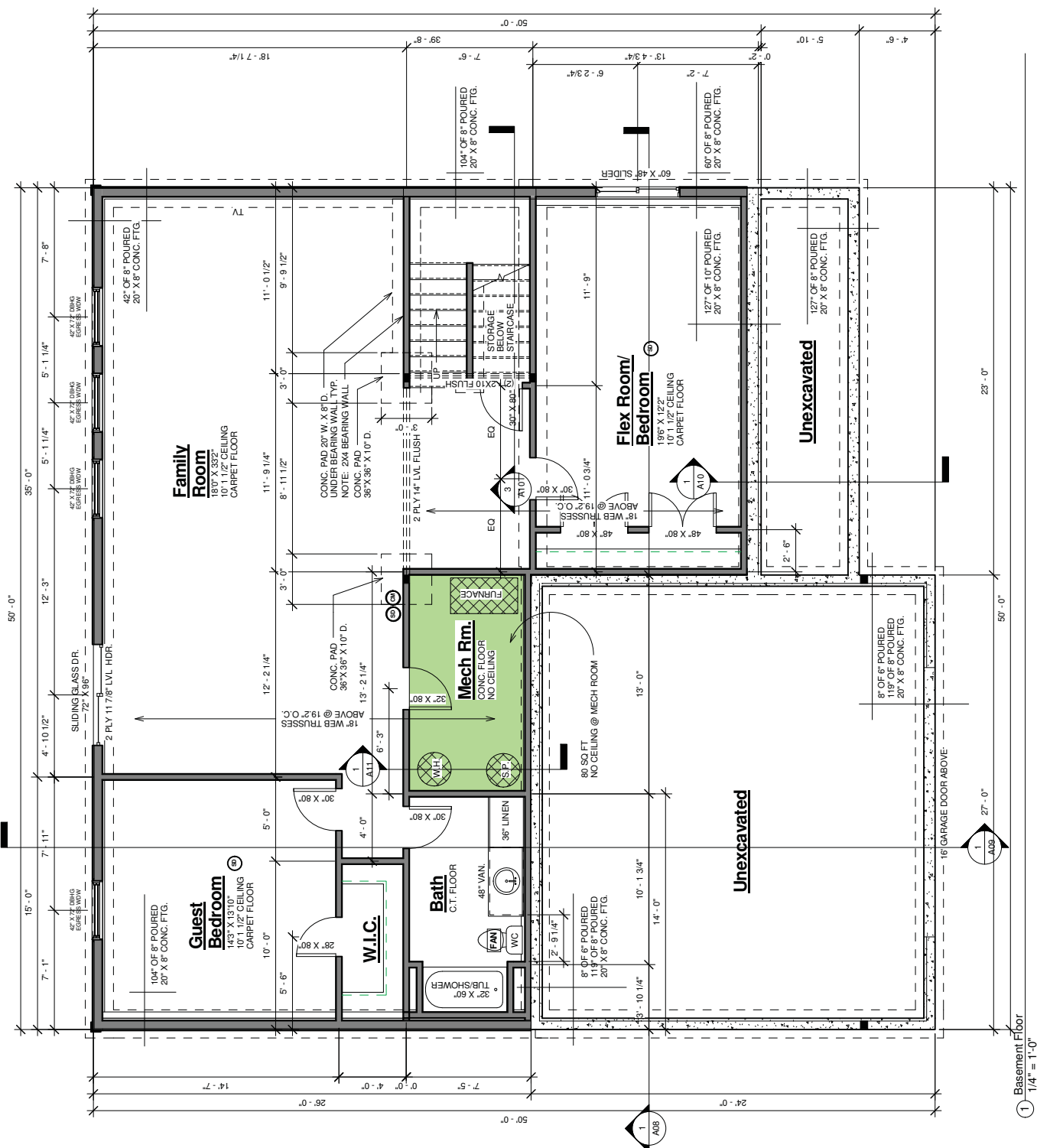
Wayzata

Foundation /
Basement

Project number	15022
Date	8/3/2016
Drawn by	Alexander Bocharnikov
Checked by	

A05

Scale $1/4" = 1'-0"$





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15610 Holdridge Rd

Wayzata

Main Level

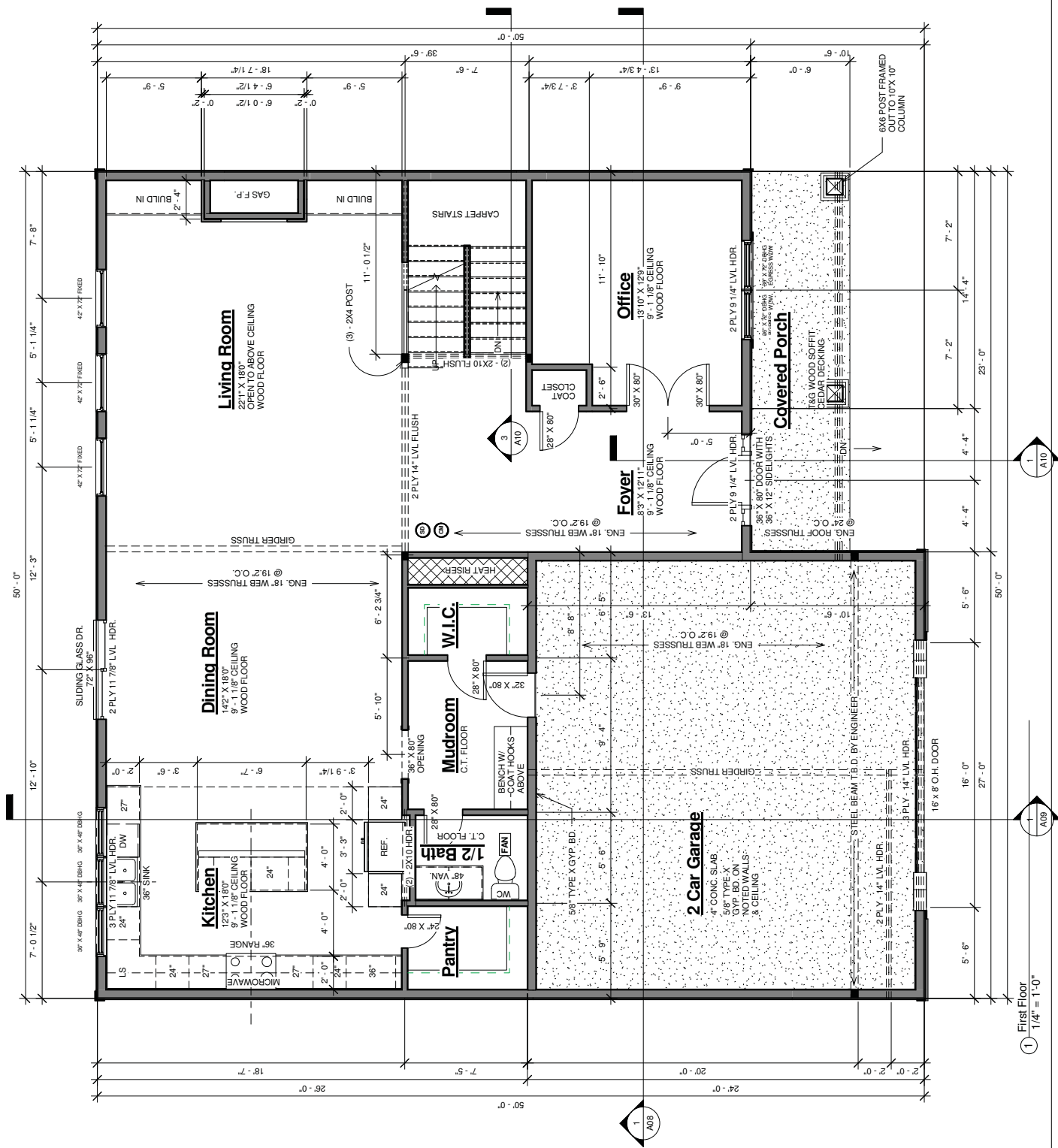
Project number	15022
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Date	8/3/2016
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Drawn by	Alexander Bocharnikov
Checked by	

A06

Scale $1/4" = 1'-0"$





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15610 Holdridge Rd

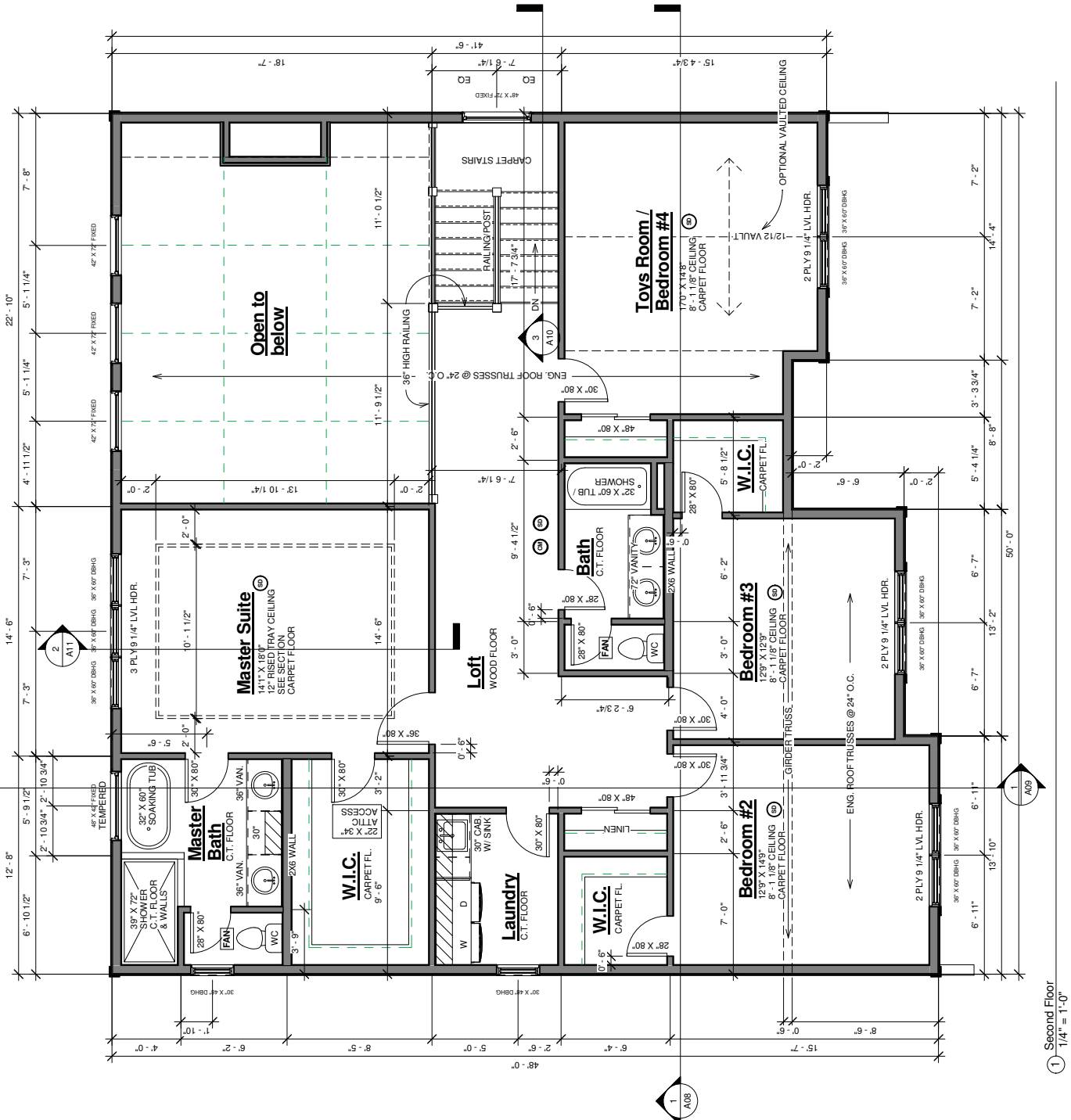
Wayzata

Upper Level

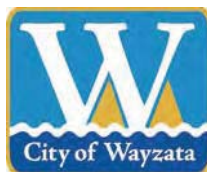
Project number 15022
Date 8/3/2016
Drawn by Alexander Bocharnikov
Checked by

A07

Scale 1/4" = 1'-0"



1 Second Floor
1/4" = 1'-0"



WAYZATA PLANNING COMMISSION

November 7, 2016

REPORT AND RECOMMENDATION OF DENIAL OF PROPOSED SUBDIVISION / PRELIMINARY AND FINAL PLAT AT 15610 HOLDRIDGE RD E

SUMMARY OF RECOMMENDATION

1. **Denial** of Preliminary and Final Plat subdividing existing lot into two lots
-

REPORT AND RECOMMENDATION

Section 1. BACKGROUND

- 1.1 **Project.** Anna Ovsyannikova and Yengeny Ogranovich (the "Applicant") have submitted a development application (the "Application") to subdivide the property at 15610 Holdridge Rd E into two single-family residential lots. The existing house would remain and one new home would be constructed on the new lot. The Application requires preliminary and final plat review, and requests simultaneous preliminary and final plat review and approval.
- 1.2 **Application Requests.** As part of the Application, the Applicant is requesting approval of a Preliminary and Final Plat to subdivide the Property into two lots (the "Subdivision" and "Preliminary and Final Plats").
- 1.3 **Property.** The address, property identification number and owner of the parcel comprising the subject property (the "Property") are:

15610 Holdridge Rd E	04-117-22-33-0043	Anna Ovsyannikova and Yengeny Ogranovich
----------------------	-------------------	---

- 1.4 **Land Use Designations.** The Property falls within the following land use

districts:

Current zoning:	R-2/Medium Density Single Family Residential
Comp plan designation:	Low Density Single Family

- 1.5 Notice and Public Hearing. Notice of a public hearing on the Application was published in the *Wayzata Sun Sailor* on October, 6, 2016. A copy of the notice was mailed to all property owners located with 350 feet of the Property on October 7, 2016. The required public hearing was held at the October 17, 2016 Planning Commission meeting.

Section 2. STANDARDS

2.1 Subdivision / Preliminary and Final Plat

Review and approval of lot combinations and subdivisions of property are governed by the City's Subdivision Ordinance, Ch. 805 of City Code. The City may agree to review the preliminary and final plat simultaneously. Sec. 805.15.A.

In reviewing such requests, 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 found in Section 805.14.E:

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.

Section 3. FINDINGS

Based on the Application materials, additional materials submitted by the Applicant, staff reports, public comment and information presented at the public hearing, and the standards of the Wayzata Subdivision Ordinance, the Planning Commission of the City of Wayzata makes the following findings of fact:

3.1 Preliminary / Final Plat

1. The Subdivision is consistent with the guidance of the Wayzata Comprehensive Plan for the area in which is proposed.

2. The building pad that results from the Subdivision would have negative impacts on sensitive areas of the Property and surrounding neighborhood, including wetlands, trees and vegetation, scenic points and a distinctive wooded area of the neighborhood.
3. The building pad that results from the Subdivision would require significant alteration of natural topography, and require significant filing and grading.
4. Existing stands of significant trees will be lost if the Subdivision is approved, and the building pad that would result from the Subdivision could be more sensitively integrated into existing trees.
5. The Subdivision would adversely impact the scale, pattern or character of the Holdridge neighborhood as noted in this Report.
6. The design of the lot, the building pad, and the site layout reflected in the Preliminary and Final Plat does not respond to and nor is it reflective of the surrounding lots and neighborhood character, which are significantly larger, wooded lots.
7. The lot sizes resulting from the Subdivision are dissimilar from adjacent lots and lots found in the surrounding neighborhood, which average 54,656 sq. ft. within the 350 feet of the Property.
8. The architectural appearance, scale, mass, construction materials, proportion and scale of roof line and functional plan of the building proposed is not similar to the characteristics and quality of existing development in the City and surrounding neighborhood, which are predominantly, lower profile ranch and rambler style homes.
9. The architectural guidelines and criteria in Section 9 of the Wayzata Zoning Ordinance are not applicable to this Application.
10. The proposed lot layout and building pad conforms with all performance standards contained in the Subdivision Ordinance.
11. The Subdivision would not tend to or actually depreciate the values of neighboring properties in the area in which it is proposed.
12. The Subdivision could be accommodated with existing public

services, including those related to transportation and utility systems, and would not overburden the City's service capacity.

Section 4. RECOMMENDATION

- 4.1 Planning Commission Recommendation. Based on the findings in section 3 of this Report, the Planning Commission recommends **DENIAL** of the Subdivision and the Preliminary and Final Plat.

Adopted by the Wayzata Planning Commission this 7th day of November 2016.

Voting In Favor: Flannigan, Gonzalez, Gruber, Iverson

Voting Against: Gnos, Murray, Young

Abstaining: None

a.) Ovsyannikova Addition – 15610 Holdridge Rd E
i. Preliminary and Final Plat Subdivision

Director of Planning and Building Thomson stated the property owners, Anna Ovsyannikova and Yengeny Ogranovich, have submitted a development application to subdivide the property at 15610 Holdridge Rd E into two (2) single-family residential lots. The existing house would remain and one (1) new home would be constructed on the new lot. The proposal requires preliminary and final plat review. The proposed lots would meet the minimum lot requirements for the R-2 Zoning District. The proposed subdivision plans also provide the location and footprint of the proposed house, which would meet the requirements of the R-2 Zoning District for setbacks, lot coverage, and impervious surface. The applicant has submitted house plans for the new home on Lot 2. The proposed house would be 2-stories in height but would exceed the building height limit of the R-2 Zoning District due to the significant topography change from the front of the home to the rear of the home. To be approved, the home plans would need to be adjusted to meet the height requirements for this district. The proposed plans show the removal of 12 total trees, 11 significant trees and 1 heritage tree, with 24.8% of the inches of significant trees and 23.1% of the inches of heritage trees being removed. Under the City's Tree Preservation Ordinance, the plans would not require mitigation for the significant tree removal, but would require replacement of 81-inches of trees for the 1 heritage tree that would be removed.

Commissioner Gonzalez stated there is a large oak tree along the road and driveway that is marked to be removed but it is not being considered as a heritage tree. She asked why this tree was not being replaced.

Commissioner Flannigan asked what the grade change was from the street level to the back of the proposed home.

Mr. Thomson stated the street is at an elevation of 977-feet and the garage floor is at 969-feet and the basement walkout is at 959-feet and the yard continues to slope downward from this point.

Commissioner Flannigan asked if the rear yard would be usable or if it would be filled.

Mr. Thomson stated the only grading proposed is in the one corner in the rear of the home. They are not proposing to fill or grade the back of the property.

The Applicant, Ms. Anna Ovsyannikova, 15610 Holdridge Road E, Wayzata, stated they have removed all of the buckthorn from the property, and the present property is too large for them to maintain. They would not use this portion of the property. The proposed grading and retaining walls will address the runoff problems that affect neighboring properties. She explained the wider cement board used for the exterior of the proposed home is also used in two (2) of the neighboring homes.

1 The Applicant, Mr. Yengeny Ogranovich, 15610 Holdridge Road E, Wayzata stated this would
2 be a good opportunity for the neighborhood to have this portion of the lot maintained as a new
3 single family lot and kept clean.

4
5 Ms. Ovsyannikova stated the driveway is laid out in the proposed plat to preserve the three (3)
6 large oak trees that are in this area of the property.

7
8 Mr. Thomson clarified the trees Commission Gonzalez referenced earlier as being removed are
9 not going to be removed, but are marked as being in the City's right-of-way.

10
11 Commissioner Gonzalez asked if the applicant had removed any trees from the property that
12 were not buckthorn.

13
14 Ms. Ovsyannikova stated they had removed a large oak tree that was very close to the existing
15 home in March of this year. This particular tree was damaged and cracked down the middle.
16 This made the tree dangerous and unstable.

17
18 Commissioner Gruber asked how much fill would be brought onto the property.

19
20 Ms. Ovsyannikova stated based on the comments from the general contractor and architect, they
21 would use the dirt that would be removed for the walkout home for fill on the property. She
22 explained they had evaluated the property and the house location to ensure they would not need
23 to excavate too much or bring in too much fill.

24
25 Mr. Ogranovich stated they may have a need for 1-2 loads of fill.

26
27 Commissioner Gonzalez stated the proposed home does not meet the height requirements for the
28 District. She asked if this would be changed.

29
30 Ms. Ovsyannikova stated she had not been aware the height did not meet the requirements, and
31 she would be meeting with the architect and would ask him to adjust the height to meet the
32 requirements.

33
34 Mr. Thomson stated the height requirement is 30-feet to the mid-point and 35-feet to the peak.
35 The proposed home is 42-feet to the peak.

36
37 Commissioner Flannigan asked why the lot was "L" shaped. He also asked what had gone into
38 the design of the home because it does not look interesting.

39
40 Ms. Ovsyannikova stated they decided to split the property and create a second lot in such a way
41 as to meet the required lot size and leave a portion of the flat part of the property with the
42 existing structure, so there would be usable back yard space for both properties. She stated that
43 most of the homes on the Wayzata side are 1950s ranch style homes with straight lines. The
44 proposed home was designed to keep with this concept and blend with the neighborhood. They
45 would be creating interest by using different siding colors, white trim and accents, and stone.
46 The windows are located in the back of the home so that they could enjoy the wooded property

1 and there is nothing to look at on the sides of the property so they did not put windows in these
2 areas. They could put in additional windows to add architectural interest.

3
4 Chair Iverson asked how high the retaining walls were.

5
6 Ms. Ovsyannikova stated the retaining walls would be approximately 2-3 feet in height and
7 would be needed to support the driveway.

8
9 Commissioner Gonzalez asked if there would be a patio attached to the proposed home because
10 the property is almost at the maximum for hard cover.

11
12 Ms. Ovsyannikova stated they were considering a small one off the kitchen.

13
14 Mr. Ogranovich stated they are planning to have a patio on the back of the home by the walk out.

15
16 Chair Iverson asked Mr. Thomson if the property were sold, and the new owners would want to
17 bring in fill for the backyard, if this would come back to the Planning Commission for review.
18 There are several open questions regarding the lot.

19
20 Commissioner Flannigan asked if the owner would have to build the home proposed.

21
22 Mr. Thomson stated if there is a change to the grading in the backyard, it would require
23 administrative review of a grading permit. There are standards in the City's Ordinances
24 regarding drainage, grading, storm water management and the amount of fill that can be brought
25 onto a property before it would require Council approval. Mr. Thomson stated that adding the
26 home design as a condition of approval to the subdivision is a policy and practice question, and
27 the Planning Commission could include a recommendation to the Council regarding that.

28
29 Ms. Ovsyannikova stated they would like to have the Commission consider allowing them to do
30 a small amount of grading to make the backyard of both lots a little flatter.

31
32 Commissioner Gonzales stated that if there is additional dirt moved this would affect the trees on
33 the property and the City does have a Tree Preservation Ordinance in effect.

34
35 Ms. Ovsyannikova stated they would work with their landscape specialist to see what they could
36 do and work with the Watershed District to find out what can be planted in this area. She
37 provided building material samples for the Commission to consider.

38
39 Chair Iverson opened the public hearing at 7:40 p.m.

40
41 Mr. Alex Clingaert, 15804 Holdridge Road E, Wayzata, stated he had concerns about how this
42 project would affect the character of the neighborhood. Part of the character of the neighborhood
43 is the large lots with space between homes. Subdividing this property would not meet the City's
44 goal of low density housing in this area, because it would be adding housing.

1 Mr. Tony Shink, 15600 Holdridge Road E, Wayzata, stated he is also concerned about this
2 subdivision setting precedent for other properties in the neighborhood to subdivide and create
3 more housing in the neighborhood. More housing in the neighborhood would impact the streets
4 and the plumbing in this neighborhood as well. He asked if there was adequate infrastructure to
5 support these properties subdividing.

6
7 Ms. Suzanne Candell, 15804 Holdridge Road E, Wayzata, stated the proposed lot was 70%
8 smaller than the average lot size for the surrounding properties. She stated based on the
9 inventory there would be two (2) heritage trees removed, not one as suggested. This would
10 change the character of the neighborhood as well. It appears that there have been several other
11 trees removed from the site prior to the application. Because of the wetlands, she would like to
12 see a more comprehensive environmental study performed before there are any decisions
13 regarding this project. According to Hennepin County Natural Resources map there is an
14 Ecological Significant area noted on this property.

15
16 Ms. Ann Glad, 15611 Holdridge Road E, Wayzata, stated the notice letter she had received from
17 the City had stated there would be a lot width variance requested as part of the Application, and
18 she has not heard any discussions on this.

19
20 Chair Iverson stated there had been a miscalculation on the lot width, and a variance was not
21 needed for the lot width.

22
23 There being no one further who wished to speak, Chair Iverson closed the public hearing at 7:49
24 p.m.

25
26 Commissioner Gonzalez stated she had received an email from Bob Ambrose, 15803 Holdridge
27 Road E, and he expressed concerns about the number of trees that have been removed from the
28 property prior to this application.

29
30 Commissioner Gruber stated there is environmental significance that the City was not aware of.
31 She asked if Staff was aware of this significance.

32
33 Mr. Thomson stated the City had reviewed this aspect of the Application, and the wetland
34 referenced has been delineated. Based on this, there is a 30-foot buffer between the wetland and
35 the proposed redevelopment. He would check with the City Engineer to ensure the buffer is
36 accurate, but can confirm that the City Engineer has reviewed the plans and does not see any
37 problems with this aspect of the plans.

38
39 Commissioner Gonzalez asked what requirements the City had for the wetlands when there
40 would be a lot of grading and fill brought to the site.

41
42 Mr. Thomson stated as part of any building permit application, the City requires an erosion
43 control plan that indicates measures that would be used to prevent erosion onto surrounding
44 properties and into the wetland during construction. The City monitors the erosion controls
45 throughout construction to ensure that they are functioning properly. If there are problems with
46 any of the erosion controls, the contractor or homeowner is required to fix the problem.

1
2 Commissioner Gruber stated the subdivision would create two (2) smaller lots, and based on the
3 surrounding properties these smaller lots may not be in the character of the neighborhood.
4

5 Commissioner Gonzalez stated she had reviewed the requirements of the Subdivision Ordinance
6 and this proposal does not meet several of the requirements. Item 2 of the requirements states
7 building pads that result from a subdivision or lot combination shall preserve sensitive areas such
8 as lakes, streams, wetlands, wildlife habitat, trees and vegetation. She is not convinced that the
9 trees that are to be preserved would survive redevelopment given the topography of the lot. She
10 expects there would be a lot of grading and a lot of fill, and the Commission does not have this
11 information. Item 4 states existing stands of significant trees shall be retained where possible,
12 and Item 5 stated the creation of a lot or lots shall not adversely impact the scale, pattern or
13 character of the City, its neighborhoods, or its commercial areas. The proposal has a significant
14 impact on the significant trees on the property because these will not be replaced, and the smaller
15 lots created would change the character of the neighborhood. She would not recommend
16 approval of this project because it does not meet the letter or the spirit of the Ordinance.
17

18 Commissioner Flannigan stated just because the property can be divided to make two (2)
19 conforming lots does not mean that it should be done. The remaining lot would be awkward.
20 There is a reason the property is set up the way it is with the existing home located in the front
21 corner of the property. He does not believe the proposed home would fit with the character of
22 the neighborhood, and the project does not meet the requirements of the Ordinance.
23

24 Commissioner Murray stated this project would not fit with the character of the neighborhood,
25 even though it meets all the lot zoning requirements. He would not recommend approval of the
26 project.
27

28 Commissioner Gnos stated the applicant has worked hard on this project and is not economically
29 driven. The neighbors do not support the project, and they are the ones that are directly
30 impacted. His feeling is that this project does not make sense for this neighborhood.
31

32 Chair Iverson stated she would not recommend approval of the project because the lot sizes do
33 not meet the aesthetics and character of the neighborhood.
34

35 Commissioner Gonzalez made a motion, Seconded by Commissioner Flannigan to direct Staff to
36 prepare a Planning Commission Report and Recommendation recommending denial of the
37 Preliminary and Final Plat Subdivision to subdivide the property 15610 Holdridge Road E based
38 on the findings discussed at the meeting. The motion carried unanimously.
39
40

41 **AGENDA ITEM 6. Other Items:**
42

43 **a.) Review of Development Activities**
44

DRAFT RESOLUTION NO. 49-2016

RESOLUTION DENYING SUBDIVISION / PRELIMINARY AND FINAL PLAT AT 15610 HOLDRIDGE RD E

BE IT RESOLVED by the City Council of Wayzata, Minnesota as follows:

Section 1. BACKGROUND

1.1 Project. Anna Ovsyannikova and Yengeny Ogranovich (collectively, the “Applicant”) have submitted a development application (the “Application”) to subdivide their property at 15610 Holdridge Rd E into two single-family residential lots. The existing house would remain and one new home would be constructed on the new lot.

1.2 Application Requests. The Application requests approval of a Preliminary and Final Plat that would subdivide the existing property into two lots (the “Subdivision” and “Preliminary and Final Plats”).

1.3 Property. The address, property identification number and owner of the parcel comprising the subject property (the “Property”) are:

15610 Holdridge Rd E	04-117-22-33-0043	Anna Ovsyannikova and Yengeny Ogranovich
----------------------	-------------------	---

1.4 Land Use Designations. The Property falls within the following land use districts:

Current zoning:	R-2/Medium Density Single Family Residential
Comp plan designation:	Low Density Single Family

1.5 Notice and Public Hearing. Notice of a public hearing on the Application was published in the *Wayzata Sun Sailor* on October, 6, 2016. A copy of the notice was mailed to all property owners located within 350 feet of the Property on October 7, 2016. The required public hearing was held at the October 17, 2016 Planning Commission meeting.

1.6 Planning Commission Action. The Planning Commission reviewed the Application at its October 17 and November 7, 2016 meetings. At its November 7, 2016 meeting, the Planning Commission adopted a Report and Recommendation recommending denial of the requested Subdivision and Preliminary and Final Plats in the Application based on the findings in the Report.

Section 2. STANDARDS

2.1 Subdivision / Preliminary and Final Plat

Review and approval of lot combinations and subdivisions of property are

governed by the City's Subdivision Ordinance, Ch. 805 of City Code. The City may agree to review the preliminary and final plat simultaneously. Sec. 805.15.A.

In reviewing such requests, 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 found in Section 805.14.E:

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.

Section 3. FINDINGS OF FACT

The City Council of the City of Wayzata hereby confirms and memorializes that the Preliminary and Final Plat Subdivision requested in the Application does not meet all of the applicable requirements of Wayzata's Subdivision Ordinances, based upon the following findings of fact made on the record (as well as all Application materials, Applicant's additional submittals, staff reports, public comment presented at the hearing, and the Report and Recommendation of the Planning Commission):

3.1 Preliminary / Final Plat. The adverse effects of the proposed Preliminary Plat include:

1. The building pad that results from the Subdivision would have negative impacts on sensitive areas of the Property and surrounding neighborhood, including wetlands, trees and vegetation, scenic points and a distinctive wooded area of the neighborhood.
2. The building pad that results from the Subdivision would require significant alteration of natural topography, and require significant filing and grading.
3. Existing stands of significant trees will be lost if the Subdivision is approved, and the building pad that would result from the Subdivision could be more sensitively integrated into existing trees.
4. The design of the lot, the building pad, and the site layout reflected in the Preliminary and Final Plat does not respond to and nor is it reflective of the surrounding lots and neighborhood character, which are significantly larger, wooded lots.
5. The lot sizes resulting from the Subdivision are dissimilar from adjacent lots and lots found in the surrounding neighborhood, which average 54,656 sq. ft. within the 350 feet of the Property.

6. The architectural appearance, scale, mass, construction materials, proportion and scale of roof line and functional plan of the building proposed is not similar to the characteristics and quality of existing development in the City and surrounding neighborhood, which are predominantly, lower profile ranch and rambler style homes.

Section 4. CITY COUNCIL ACTION

- 4.1 Based on the findings in section 3 of this Resolution, the Preliminary and Final Plats requested as part of the Application are hereby **DENIED**.

Adopted by the Wayzata City Council this 15th day of November, 2016.

Mayor Ken Willcox

ATTEST:

City Manager Jeffrey Dahl

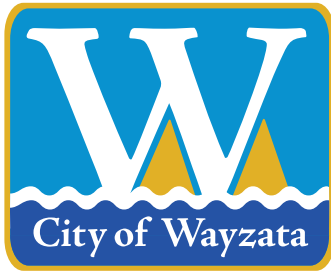
ACTION ON THIS RESOLUTION:

Motion for adoption:
Seconded by:
Voted in favor of:
Voted against:
Abstained:
Absent:

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 November 15, 2016.

Becky Malone, Deputy City Clerk
SEAL

DRAFT



City of Wayzata
600 Rice Street
Wayzata, MN 55391-1734

Mayor:
Ken Willcox

City Council:
Bridget Anderson
Johanna McCarthy
Andrew Mullin
Steven Tyacke

City Manager:
Jeffrey Dahl

DATE: November 10, 2016

TO: The Honorable Mayor and Members of the City Council

FROM: Jeffrey Dahl, City Manager

SUBJECT: Discuss Capital Improvement Program (CIP) Update regarding Mill Street Parking Ramp

Background

At its November 1 meeting, the City Council accepted the bid of Adolfson and Peterson Construction to build the Mill Street Parking Ramp with no roof component due to cost considerations. The roof, without soft costs and contingency, was bid at \$1,180,000, approximately 30% more than budgeted.

Staff was directed at the meeting to update the City's CIP to show the parking ramp roof as an "add-on" in the future, at which, funding would still need to be procured. In addition, there was discussion about transferring funds from the "Library Fund" as seed funding for the roof.

Update

Staff has reviewed the long term capital and maintenance needs of the library and due to a healthy reserve amount is comfortable transferring \$150,000 from the Library Fund to help fund the roof.

Please see the attached updated CIP that shows:

- Updated cost of the roof;
- The roof as a capital expenditure in 2018; and
- \$150,000 transferred from the Library Fund to the Parking District Fund, which is where the roof is programmed.

As a result of the roof's lack of funding as of now, the Parking District Fund is significantly underfunded starting in 2018. It does not assume any funds received from the Fee-in-Lieu-of-Parking Policy. Other future funding options that the City could explore for the roof are assessments to adjacent property owners, solar, etc.

Please note that the CIP is a dynamic financial planning mechanism that is reviewed by the Council twice per year. Given the uncertainty of funding for the roof, staff expects that the key variables, such as uses, sources, and timing, could change significantly over time.

City Council Action Requested

No action on this item is needed.

Downtown Parking District CIP Fund Fund

Downtown Parking District CIP Fund Fund

Projected Balance	2016	2017	2018	2019	2020	2021
BEGINNING ENDING RESERVE BALANCE	-	65,000.00	(24,100.00)	(1,356,400.00)	(1,365,700.00)	(1,375,219.00)
Receipts	-	-	-	-	-	-
Investment Earnings	-	-	-	-	-	-
Disbursements	(85,000.00)	(10,434,100.00)	(1,422,300.00)	(102,000.00)	(105,000.00)	(107,900.00)
Other Financing Sources (Uses)	-	-	-	-	-	-
Transfer from Library CIP	150,000.00	-	-	-	-	-
Developer Landscaping Contribution for Broadway Place	-	50,000.00	-	-	-	-
Payment in Lieu of Parking	-	-	-	-	-	-
TIF Financing	-	7,925,000.00	-	-	-	-
Allocated Cash for Parking Ramps	-	2,370,000.00	-	-	-	-
Special Service District Assessments	-	-	90,000.00	92,700.00	95,481.00	98,345.43
Ramp-Reef	-	-	-	-	-	-
YEAR ENDING RESERVE BALANCE	65,000.00	(24,100.00)	(1,356,400.00)	(1,365,700.00)	(1,375,219.00)	(1,384,773.57)

Downtown Parking District CIP Fund Fund

Actual Balance	2015	2014	2013	2012	2011
BEGINNING ENDING RESERVE BALANCE	-	-	-	-	-
Receipts	-	-	-	-	-
Investment Earnings	-	-	-	-	-
Disbursements	-	-	-	-	-
Other Financing Sources (Uses)	-	-	-	-	-
Transfer from Library CIP	-	-	-	-	-
Developer Landscaping Contribution for Broadway Place	-	-	-	-	-
Payment in Lieu of Parking--Broadway Place	-	-	-	-	-
TIF Financing	-	-	-	-	-
Allocated Cash for Parking Ramps	-	-	-	-	-
Special Service District Assessments	-	-	-	-	-
Roof Optoris (Other Finance Sources Credit)	-	-	-	-	-
YEAR ENDING RESERVE BALANCE	-	-	-	-	-

City of Wayzata - Downtown Parking District CIP Fund Fund

Capital Projects Summary

Downtown Parking District CIP Fund Fund Capital Project Summary Table (Fund #299)																	
Project Description	Estimated Year Needed	Project Costs			Type of Project		Other Sources						Fully Financed?	Notes			
		Current Project Cost	Dollars Spent to Date	Total Cost (with Initiation)	New	Maintenance	Status	Downtown Parking District CIP Fund	State	County	Bonds	Development			Misc.	TIF	Special Assessment
Maintenance and Operations:																	
Marking-2017	2017	5,000	-	5,000	5,200	5,200	-	Ongoing	5,200	-	-	-	-	-	-	-	✓
Parking Services (Valet, etc.) 2017	2017	20,000	-	20,000	20,600	20,600	-	Ongoing	20,600	-	-	-	-	-	-	-	✓
Admin-2018	2018	5,000	-	5,000	5,400	5,400	-	Ongoing	5,400	-	-	-	-	-	-	-	✓
Marking-2018	2018	10,000	-	10,000	10,700	10,700	-	Ongoing	10,700	-	-	-	-	-	-	-	✓
Parking Services (Valet, etc.) 2018	2018	13,000	-	13,000	13,800	13,800	-	Ongoing	13,800	-	-	-	-	-	-	-	✓
Structural Maintenance-2018	2018	13,000	-	13,000	13,800	13,800	-	Ongoing	13,800	-	-	-	-	-	-	-	✓
Admin-2019	2019	5,000	-	5,000	5,500	5,500	-	Ongoing	5,500	-	-	-	-	-	-	-	✓
Marking-2019	2019	10,000	-	10,000	11,000	11,000	-	Ongoing	11,000	-	-	-	-	-	-	-	✓
Parking Services (Valet, etc.) 2019	2019	13,000	-	13,000	14,300	14,300	-	Ongoing	14,300	-	-	-	-	-	-	-	✓
Structural Maintenance-2019	2019	13,000	-	13,000	14,300	14,300	-	Ongoing	14,300	-	-	-	-	-	-	-	✓
Admin-2020	2020	5,000	-	5,000	5,700	5,700	-	Ongoing	5,700	-	-	-	-	-	-	-	✓
Marking-2020	2020	42,000	-	42,000	47,200	47,200	-	Ongoing	47,200	-	-	-	-	-	-	-	✓
Parking Services (Valet, etc.) 2020	2020	10,000	-	10,000	11,300	11,300	-	Ongoing	11,300	-	-	-	-	-	-	-	✓
Structural Maintenance-2020	2020	13,000	-	13,000	14,700	14,700	-	Ongoing	14,700	-	-	-	-	-	-	-	✓
Admin-2021	2021	5,000	-	5,000	5,900	5,900	-	Ongoing	5,900	-	-	-	-	-	-	-	✓
Marking-2021	2021	42,000	-	42,000	48,700	48,700	-	Ongoing	48,700	-	-	-	-	-	-	-	✓
Parking Services (Valet, etc.) 2021	2021	10,000	-	10,000	11,600	11,600	-	Ongoing	11,600	-	-	-	-	-	-	-	✓
Structural Maintenance-2021	2021	13,000	-	13,000	15,100	15,100	-	Ongoing	15,100	-	-	-	-	-	-	-	✓
Admin-2022	2022	5,000	-	5,000	5,700	5,700	-	Ongoing	5,700	-	-	-	-	-	-	-	✓
Marking-2022	2022	42,000	-	42,000	50,200	50,200	-	Ongoing	50,200	-	-	-	-	-	-	-	✓
Parking Services (Valet, etc.) 2022	2022	10,000	-	10,000	12,000	12,000	-	Ongoing	12,000	-	-	-	-	-	-	-	✓
Structural Maintenance-2022	2022	13,000	-	13,000	15,600	15,600	-	Ongoing	15,600	-	-	-	-	-	-	-	✓
Admin-2023	2023	5,000	-	5,000	5,600	5,600	-	Ongoing	5,600	-	-	-	-	-	-	-	✓
Marking-2023	2023	42,000	-	42,000	51,700	51,700	-	Ongoing	51,700	-	-	-	-	-	-	-	✓
Parking Services (Valet, etc.) 2023	2023	10,000	-	10,000	12,300	12,300	-	Ongoing	12,300	-	-	-	-	-	-	-	✓
Structural Maintenance-2023	2023	13,000	-	13,000	16,000	16,000	-	Ongoing	16,000	-	-	-	-	-	-	-	✓
Admin-2024	2024	5,000	-	5,000	5,800	5,800	-	Ongoing	5,800	-	-	-	-	-	-	-	✓
Marking-2024	2024	42,000	-	42,000	53,300	53,300	-	Ongoing	53,300	-	-	-	-	-	-	-	✓
Parking Services (Valet, etc.) 2024	2024	10,000	-	10,000	12,700	12,700	-	Ongoing	12,700	-	-	-	-	-	-	-	✓
Structural Maintenance-2024	2024	13,000	-	13,000	16,500	16,500	-	Ongoing	16,500	-	-	-	-	-	-	-	✓
Admin-2025	2025	5,000	-	5,000	5,900	5,900	-	Ongoing	5,900	-	-	-	-	-	-	-	✓
Marking-2025	2025	42,000	-	42,000	54,900	54,900	-	Ongoing	54,900	-	-	-	-	-	-	-	✓
Parking Services (Valet, etc.) 2025	2025	10,000	-	10,000	13,100	13,100	-	Ongoing	13,100	-	-	-	-	-	-	-	✓
Structural Maintenance-2025	2025	13,000	-	13,000	17,000	17,000	-	Ongoing	17,000	-	-	-	-	-	-	-	✓
Subtotal:		689,000.00	0.00	689,000.00	810,700.00	810,700.00	0.00			810,700.00	0.00	0.00	0.00	0.00	0.00	0.00	
Capital Improvements:																	
Parking Lot Improvements (Behind COV)	2016	75,000	-	75,000	75,000	75,000	-	Ongoing	75,000	-	-	-	-	-	-	-	✓
Parking Lots Striping 2016	2016	10,000	-	10,000	10,000	10,000	-	Ongoing	10,000	-	-	-	-	-	-	-	✓
Mill Street Parking Ramp	2017	10,295,000	-	10,295,000	10,295,000	10,295,000	-	Ongoing	10,295,000	-	-	-	-	-	-	-	✓
Mill Street Parking Ramp Road Option	2018	1,180,000	-	1,180,000	1,180,000	1,180,000	-	Ongoing	1,180,000	-	-	-	-	-	-	-	✓
Mill Street Sidewalk & Landscaping Improvements	2017	100,000	-	100,000	103,000	103,000	-	Ongoing	103,000	-	-	-	-	-	-	-	✓
Parking Lots Striping 2017	2017	10,000	-	10,000	10,300	10,300	-	Ongoing	10,300	-	-	-	-	-	-	-	✓
Depot Parking Lot (Mill & Overlay)	2018	18,000	-	18,000	19,100	19,100	-	Ongoing	19,100	-	-	-	-	-	-	-	✓
Mill Street Adding Parking South of Main	2018	100,000	-	100,000	106,100	106,100	-	Ongoing	106,100	-	-	-	-	-	-	-	✓
Municipal Parking Lot (Mill & Overlay)	2018	17,000	-	17,000	18,100	18,100	-	Ongoing	18,100	-	-	-	-	-	-	-	✓
Parking Lots Striping 2018	2018	10,000	-	10,000	10,700	10,700	-	Ongoing	10,700	-	-	-	-	-	-	-	✓
Parking Lots Striping 2019	2019	10,000	-	10,000	11,000	11,000	-	Ongoing	11,000	-	-	-	-	-	-	-	✓
Parking Lots Striping 2020	2020	10,000	-	10,000	11,300	11,300	-	Ongoing	11,300	-	-	-	-	-	-	-	✓
Parking Lots Striping 2021	2021	10,000	-	10,000	11,600	11,600	-	Ongoing	11,600	-	-	-	-	-	-	-	✓
Parking Lots Striping 2022	2022	10,000	-	10,000	12,000	12,000	-	Ongoing	12,000	-	-	-	-	-	-	-	✓
Parking Lots Striping 2023	2023	10,000	-	10,000	12,300	12,300	-	Ongoing	12,300	-	-	-	-	-	-	-	✓
Parking Lots Striping 2024	2024	10,000	-	10,000	12,700	12,700	-	Ongoing	12,700	-	-	-	-	-	-	-	✓
Parking Lots Striping 2025	2025	10,000	-	10,000	13,100	13,100	-	Ongoing	13,100	-	-	-	-	-	-	-	✓
Subtotal:		11,885,000.00	0.00	11,885,000.00	11,911,300.00	11,911,300.00	0.00			11,911,300.00	0.00	0.00	0.00	0.00	0.00	0.00	
TOTAL:		12,574,000.00	0.00	12,574,000.00	12,722,000.00	12,722,000.00	0.00			12,722,000.00	0.00	0.00	0.00	0.00	0.00	0.00	

Projected Cash Balances at Year End: for October 31st, 2016 Workshop							
CIP Fund		2016	2017	2018	2019	2020	2021
General		910,065	845,708	707,533	540,933	268,442	401,754
Streets		1,101,620	620,286	161,554	547,414	784,636	1,061,980
Parks Improvement		840,374	791,154	509,336	449,771	135,128	(15,313)
Lakefront Improvement		429,688	416,515	529,407	649,090	619,624	752,048
Stormwater Improvement		686,088	(328,500)	(203,061)	82,231	293,095	595,647
Water Improvement		2,098,652	1,991,947	1,371,398	1,405,234	1,426,998	697,085
Sewer Improvement		539,479	411,206	377,361	305,549	(189,523)	(310,041)
Liquor		1,125,498	1,274,648	1,357,610	1,518,789	1,691,065	1,657,610
Library		463,181	523,360	489,830	553,659	525,323	593,095
Cemetery		47,801	8,682	8,769	8,857	8,946	9,035
Equipment		1,184,186	877,082	186,264	344,568	743,131	1,215,305
Telecom		466,244	387,552	411,428	415,542	419,698	423,895
Down Town Parking Dist		435,000	(572,494)	(724,794)	(734,094)	(743,613)	(753,168)
TOTALS:		10,327,876	7,247,146	5,182,635	6,087,543	5,982,950	6,328,932
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Projected Cash Balances at Year End: for October 31st, 2016 Workshop; Updated November 9th, 2016							
CIP Fund		2016	2017	2018	2019	2020	2021
General		910,065	845,708	707,533	540,933	268,442	401,754
Streets		1,101,620	620,286	161,554	547,414	784,636	1,061,980
Parks Improvement		840,374	791,154	509,336	449,771	135,128	(15,313)
Lakefront Improvement		429,688	416,515	529,407	649,090	619,624	752,048
Stormwater Improvement		686,088	(328,500)	(203,061)	82,231	293,095	595,647
Water Improvement		2,098,652	1,991,947	1,371,398	1,405,234	1,426,998	697,085
Sewer Improvement		539,479	411,206	377,361	305,549	(189,523)	(310,041)
Liquor		1,125,498	1,274,648	1,357,610	1,518,789	1,691,065	1,657,610
Library		332,781	369,144	365,764	428,352	355,163	372,834
Cemetery		47,801	8,682	8,769	8,857	8,946	9,035
Equipment		1,184,186	877,082	186,264	344,568	743,131	1,215,305
Telecom		466,244	387,552	411,428	415,542	419,698	423,895
Down Town Parking Dist		65,000	(24,100)	(1,356,400)	(1,365,700)	(1,375,219)	(1,384,774)
TOTALS:		9,827,476	7,641,324	4,426,963	5,330,630	5,181,184	5,477,065
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