

**WAYZATA CITY COUNCIL
MEETING MINUTES
May 2, 2017**

AGENDA ITEM 1. Call to Order.

Mayor Willcox called the meeting to order at 7:00 p.m.

AGENDA ITEM 2. Pledge of Allegiance.

AGENDA ITEM 3. Roll Call.

Council Members present: Koch, McCarthy, Plechash and Tyacke. Also present: City Manager Dahl, Director of Planning and Building Thomson, and City Attorney Schelzel.

AGENDA ITEM 4. Approve Agenda.

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

AGENDA ITEM 5. Public Forum – 16 Minutes (3 minutes per person).

a. Heritage Preservation Board Presentation of Centennial House Award

Elissa Madson, Vice Chair of the Heritage Preservation Board (HPB), reported on the history of 110 Minnetonka Avenue South, the 2017 Centennial House Award recipient. She presented an award, a sketch of home, and a cake to Haley Stone, current owner of the property. She noted the sketch was done by Merrily Babcock and the cake was donated by Lund's and Byerlys. Mayor Willcox thanked the HPB for their work in highlighting the property.

b. Mill Street Parking Ramp Update

Nate Pearson, TEGRA Group, reported they had the last elevated deck pour last week and the ramp project is still on schedule. The top ramp will be opened on July 1, and the remainder of the ramp will be opened in August. The utilities are being installed on Mill Street and a crane will be installed to hang the precast panels. Mill Street will be closed now until mid-June for the crane to move around. They are working with the businesses to let them know of the closures and where parking is available.

Mr. Tyacke inquired about the Mill Street Ramp budget. Mr. Pearson reported there is about \$285,000 remaining of the \$630,000 contingency. The biggest expense dealt with contaminated soils. There are still a couple of things that may dip into the remaining amount, but they hope to have about one third remaining at the end of the project.

Mrs. McCarthy stated she noticed some contractors parked along Broadway and inquired how the closing of Mill Street will be coordinated with the businesses and residents. Mr. Pearson commented the contractors are parking off site and there is some room on the site in the gated area. When the contractor anticipates disruption on Mill Street, they have received a disruption avoidance plan that is then delivered to the businesses.

City Manager Dahl commented that the contractors park on Broadway if they need to do a quick drop off or in rainy weather. The Mill Street closure has been addressed in email blasts and will be closed in segments.

c. Presentation of Wayzata Chamber of Commerce Exceptional Service Award to Schuler Shoes

Becky Pierson, President of the Wayzata Chamber of Commerce, reported Schuler Shoes was nominated because of their great customer service and support to other businesses. She presented

the Exceptional Service Award to the managers Kasana Davies and Andy Schulz, of Schuler Shoes. Mayor Willcox thanked them for their work in the community.

d. Summer Kick Off Picnic

Sarah Showalter, 635 Wayzata Boulevard, member of the Wayzata Parks and Trails Board, invited everyone to a Summer Kick Off Picnic for the summer recreation program on Thursday, May 11, from 5 to 7 p.m. at Bell Courts, across from Klapprich Park. Summer recreation programs offer a variety of programs for all ages along with a Bocce Ball league that was started last year. The programs offered can be found in their catalog as well as on the City website. Mayor Willcox thanked McCormick's for catering the picnic event.

d. Mediacom

Bob Dachelet, 263 Bushaway Road, requested the City provide additional information regarding Mediacom and consumer privacy laws in light of recent legislative changes. City Manager Dahl stated they will follow up on this request.

AGENDA ITEM 6. New Agenda Items.

None.

AGENDA ITEM 7. Consent Agenda.

City Attorney Schelzel requested some changes to the April 18 City Council Regular Meeting Minutes. On page six of the meeting packet, lines six and seven, he requested the words "open" and "opened" be replaced with "resume" and "resumed". On page ten of the meeting packet, line 33, he requested the word "adjourn" be replaced with the word "recess". The Council agreed.

Mr. Plechash referred to item 7(e), and inquired why the contract is not made evergreen instead of year to year, which is automatically renewed. City Manager Dahl stated the annual renewal was requested from the City of Long Lake because of potential changes in Council and it also provides the opportunity to make any necessary changes. It provides an out if there were issues.

Mr. Schelzel pointed out the language in the contract states it is automatically renewed each year and also has a short 30-day termination notice. They can approve the agreement subject to feedback from the Council and changes requested by the City Manager and City Attorney.

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

- a. Approval of City Council Workshop Minutes of April 18, 2017, and City Council Regular Meeting Minutes of April 18, 2017, and Strategic Planning Retreat Meeting Minutes of April 20 and 21, 2017
- b. Approval of Check Register
- c. Approval of Municipal Licenses
- d. Acceptance of Mediacom Quarterly Customer Service Report
- e. Approval of Shared Services and Equipment Agreement with the City of Long Lake

The motion carried 5/0.

AGENDA ITEM 8. Public Hearing.

a. Public Hearing and Consider Approval of an On-Sale Intoxicating Liquor License and Sunday On-Sale Intoxicating Liquor License for Bohland Hotel Group LLC DBA "Hotel Landing" and "ninetyfive" Restaurant at 925 Lake Street East

City Manager Dahl reported Bohland Hotel Group, LLC has applied for an on-sale intoxicating liquor license and Sunday on-sale intoxicating liquor license for Hotel Landing, a hotel, and ninetyfive, a restaurant, both of which are located at 925 Lake Street East. The licensed premises will include areas on the lower level, street level, mezzanine level, second level, third level and fourth level of the Hotel Landing, and the ninetyfive restaurant on the street level and mezzanine level. The outdoor patios must have approved control measures in place prior to

1 opening. Consumption of alcoholic beverages will not be permitted in the great lawn area without
2 additional licensure or additional City approval. A background investigation has been conducted
3 and was found to be in satisfactory order. The Council recently amended an ordinance to allow a
4 hotel to have a liquor license, and this allows them to move forward with the liquor license process.

5 Mrs. McCarthy inquired if the liquor license allows the sale of liquor via a minibar within
6 the hotel rooms. She expressed concern that there would be no one to verify that the person
7 consuming the alcohol would be of legal drinking age. Mr. Dahl responded minibars are considered
8 on-sale liquor and they would be allowed; however, the applicant has not indicated there will be
9 any minibars for sale. They have talked about having wine room-service, but the bottle must be
10 opened so it is considered on-sale. As part of this application, minibars can be addressed as a
11 condition of approval.

12 Mr. Schelzel advised State law does authorize hotels to have minibars and the hotel owners
13 would not need to come back to the Council to request a new license to allow minibars unless it
14 was a condition made during the approval.

15 Mrs. McCarthy inquired if they are working with the applicant to ensure that there is
16 minimal disruption to the surrounding businesses and residents with the opening and ongoing
17 operations at the hotel. Mr. Dahl responded they are working with the applicant on this issue and
18 with the layout of the hotel, there are several staging areas that are on private streets within the
19 Promenade development.

20 Mr. Tyacke inquired if staff has reviewed the application for completeness. Mr. Dahl
21 commented it has been completed and everything is in order.

22 Steve Bohl, owner of Hotel Landing, introduced Owner's Representative Terry Schneider,
23 General Manager Katie Neufeld, Food and Beverage Director Dawnette Meadows, and Chef Ryan
24 Lund. Mr. Bohl stated they are respectful of how the City of Wayzata operates. There will not be
25 stocked minibars in rooms, but they will offer wine bottle service in rooms upon request. When a
26 bottle of wine is delivered to a guest room, they will check the guest's identification and make sure
27 the room is not filled with minors. Mr. Bohl stated they have reviewed the overall master
28 association and addressed issues with parking and drop-off areas. The details are still being worked
29 out, there may be some details to iron out, but they will make sure it runs smoothly.

30 Mr. Bohl announced they will have their soft opening June 8 through June 10. He invited
31 the Council to a ribbon cutting ceremony on June 16 at 10:30 a.m.

32 At the requested of the Council, Mr. Bohl gave an overview of the restaurant and hotel. He
33 stated the management and hospitality are topnotch. The restaurant has outdoor seating during the
34 summer months with radiant heating to allow the season to extend outdoors longer. There will be
35 a small music venue available, and the restaurant will have an emphasis on wine. The banquet
36 facilities can seat up to 220 people.

37 Chef Ryan Lund provided sample menus to the Council. He commented the type of food
38 they serve is New American and he utilizes local farmers.

39 Mr. Bohl explained the first floor of the restaurant will be vibrant and a little noisier. The
40 hallway along Lake Street will be quieter and the upstairs will offer additional quiet, intimate
41 seating. They spent a lot of time and money on acoustical paneling to allow for all these different
42 types of seating.

43 Mr. Tyacke inquired if a condominium owner has to go outside to get to the bar. Mr. Bohl
44 commented there is internal access. Hotel services such as housekeeping, room service, and valet
45 service are available to condominium owners, but not liquor service.

46 Mayor Willcox opened the public hearing at 8:03 p.m.

47 Dan Gustafson, 1040 East Circle Drive, on behalf of the surrounding neighborhood,
48 commented he is looking for a commitment from the City to ensure that Hotel Landing will be a
49 good neighbor today and in years to come.

50 There being no further input, Mayor Willcox closed the public hearing at 8:05 p.m.

1 Mr. Plechash made a motion, seconded by Mr. Tyacke to approve On-Sale Intoxicating
 2 Liquor License and Sunday On-Sale Intoxicating Liquor License for Bohland Hotel Group LLC
 3 DBA "Hotel Landing" and "ninetyfive" Restaurant at 925 Lake Street East. The motion
 4 carried 5/0.

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 6 **AGENDA ITEM 9. New Business.**

7 **a. Consider Resolution No. 16-2017 Approving an Impervious Surface Coverage**
 8 **Variance at 128 Broadway Avenue North**

9 Director of Planning and Building Thomson presented the development application for property
 10 owners, Scott Cooper and Jeff Jaglo located at 128 Broadway Avenue North. They are proposing
 11 to demolish an existing home on the property and construct a new single-family home with a
 12 detached garage.

13 Mr. Thomson reported the proposal requires an impervious surface variance from 35
 14 percent to 38 percent. This request is mainly due to the new location of the garage and a longer
 15 driveway. To help mitigate runoff, a proposed rain garden will be on the back of the lot and drain
 16 tile will be located along the side of the property to direct drainage to the rain garden.

17 Mr. Thomson reported the Planning Commission reviewed the application and had two
 18 residents speak at the public hearing. They expressed support for the house design and discussed
 19 the stormwater management plan. They Planning Commission recommended approval for the
 20 impervious surface variance and noted the following: 1) Practical difficulties are due to the size
 21 and width of the lot; 2) Design is consistent with nearby properties; and, 3) Stormwater
 22 management would address additional runoff.

23 Mrs. Plechash commented he is in favor of this application and inquired what the current
 24 hard surface percentage is on the home. Mr. Thomson reported it is 19.7 percent.

25 Mr. Tyacke inquired if pervious pavers will be used for the apron area. Mr. Thomson
 26 responded they have been considered for the driveway. In this case, the property is not in the
 27 Shoreland District and does not receive credit for pervious pavers. The Watershed District is
 28 currently updating their rules regarding allowing credit for pervious pavers. Mr. Tyacke agreed it
 29 would make sense to allow credit for pervious pavers.

30 Mr. Koch inquired about the requirements for the rain garden. Mr. Thomson explained
 31 the stormwater management is a condition of the variance approval and it could not be removed
 32 in the future without complying with the impervious surface requirement.

33 Mrs. McCarthy inquired if the installation of the drain tile is part of the official
 34 application, if there is any proposed drainage for the garage pad, and if the downspouts will be
 35 buried. Mr. Thomson stated the drain tile is officially proposed as part of the plan. There was no
 36 plan for buried downspouts, but they could be connected to the drain tile on the south side of the
 37 house and garage. Mrs. McCarthy requested the downspouts be addressed.

38 Mr. Willcox inquired about the total square footage of living space. Mr. Thomson
 39 reported the first floor is 1,200 square feet, the second floor is 1,400 square feet, and the
 40 basement is 1,200 square feet.

41 Mr. Willcox pointed out on page 76, it states this application is a setback variance, and it
 42 should state it is an impervious surface variance.

43 Mr. Plechash commented he likes that a rain garden was made part of the plan.

44 Mrs. McCarthy commented it is a tough lot and the applicant has been thoughtful in
 45 keeping with the character of the neighborhood. They have found a way to put a home and garage
 46 within the confines of the setbacks and she is pleased with the design. She supports this
 47 application with the condition that the downspouts on the garage and house be tied in with the
 48 drain tile.

49 Jeff Jaglo, 16890 80th Place North, Maple Grove, owner, commented there is a collector
 50 at the ground level, six inches below each downspout that would then tie into the drain tile system
 51 and run to the rain garden. The driveway will be fairly flat, but the parking area in front of the

garage can be sloped to the east to prevent runoff onto the neighboring property. A swale can also be created to assist in directing runoff, as approved by the City.

Mrs. McCarthy commented the applicant has given the runoff great consideration and there is no need to add additional stipulations to the motion regarding the downspouts.

Mr. Tyacke commented he supports this application based on the recommendations of the Planning Commission. Mr. Koch agreed with Mr. Tyacke and commented Planning Commission did a good job with applying realistic standards with the uniqueness of this lot.

Mr. Willcox commented this is a non-conforming lot with a reasonable amount of living space, the neighbors are pleased with the plan, and the garage is in the back of the home. He supports the application.

Mr. Tyacke made a motion, seconded by Mr. Koch, to approve Resolution No. 16-2017 Approving an Impervious Surface Coverage Variance at 128 Broadway Avenue North. The motion carried 5/0.

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

a. Update on Prescription Drop-Off Event update

City Manager Dahl reported the Fire Department held a successful prescription drug drop off day. Prescription drugs can also be dropped off at Ridgedale Hennepin County District Court during business hours.

b. Upcoming Dates

- Spring Clean-up will be held Saturday, May 6. Items need to be on the curb in the morning and a list of allowable items is on the City website.
- Council Walk-Through/Tour of the Mill Street Ramp will be on June 6.

c. Council Updates

Mayor Willcox reported the Bushaway planting event was successful. There were 330 volunteers in attendance from Cargill and BNSF, as well as Wayzata residents.

Mayor Willcox announced Dig It will be held on May 20 at 8:15 a.m., and information can be found on the City's website.

AGENDA ITEM 10. Public Forum Continued (as necessary).

There were no comments.

AGENDA ITEM 11. Adjournment.

Mrs. McCarthy made a motion, seconded by Mr. Plechash to adjourn. There being no further business, Mr. Willcox adjourned the meeting at 8:32 p.m.

Respectfully submitted,

Becky Malone 05-16-2017

Becky Malone
Deputy City Clerk

Drafted by Shannon Schmidt
TimeSaver Off Site Secretarial, Inc.