

WAYZATA CITY COUNCIL MEETING AGENDA
Wayzata City Hall Community Room, 600 Rice Street
Tuesday, December 5, 2017

4:30 p.m. Dinner Available for Wayzata City Council - Conference Room

WORKSHOP TOPICS FOR DISCUSSION:

1. Interviews with Boards & Commissions (5:00 p.m.)

7:00 PM - CITY COUNCIL MEETING

ITEM	DESCRIPTION	PRESENTER	DK	ST	KW	JM	AP	VOTE	PAGE #
1	Call to Order								
2	Pledge of Allegiance								
3	Roll Call								
4	Approve Agenda								
5	Public Forum - 15 Minutes (3 min/person)								
a.									
6	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.									
7	Consent Agenda								3
a.	Approval of City Council Special Workshop Meeting Minutes of November 15, 2017, City Council Workshop Meeting Minutes of November 21, 2017 and City Council Regular Meeting Minutes of November 21, 2017								
b.	Approval of Check Register								
c.	Approval of Municipal Licenses								
d.	Approval of Resolution No. 65-2017, Approving Preliminary and Final Plat Subdivision and Variances at 309 and 349 Ramsey Road								
e.	Approval of Resolution No. 63-2017, Approving Conditional Use Permit at 392 Ferndale Road S								
f.	Approval of Resolution No. 64-2017, Approving Conditional Use Permit at 372 Ferndale Road S								
g.	Approval of Second Reading of Ordinance 777, Amending Chapter 523 of Wayzata City Code (Massage Services)								
h.	Approval of Resolution No. 62-2017, Amending the City of Wayzata 2018 Fee Schedule for Massage Services								
i.	Approval of Second Reading of Ordinance No. 776, Authorizing the Issuance and Sale of \$2,905,000 G.O. Water Revenue Refunding Bonds, Series 2017A								
j.	Approval of Resolution No. 58-2017, Designating Precinct and Polling Place for the 2018 Elections								
k.	Approval of Addendum to Recording Secretary Service Agreement with TimeSaver Off Site Secretarial, Inc., extending the agreement to December 31, 2018								
l.	Approval of Sprint Antenna Monopole Agreement								
8	Public Hearing								
a.	PUBLIC HEARING and CONSIDER APPROVAL of Resolution No. 67-2017, Consenting to and Approving the Issuance by the City of Hopkins of its Revenue Obligations and Taking Other Actions with Respect Thereto	Dahl							193
9	New Business								
a.	Consider Resolution No. 57-2017, Certifying to the County Auditor The Final Property Tax Levy Payable for 2018 and the Final General Fund Budget for Taxes Payable 2018	Dahl							199
b.	Consider Approval of Resolution No. 66-2017, Denying PUD Amendment for Walgreens at 1055 Wayzata Blvd E	Thomson							246
c.	Consider Approval of Resolution No. 61-2017, Appointing Parks & Trails Board Members	Dahl							292
d.	Consider Approval of Resolution No. 59-2017, Suggesting Charter Commission Nominees to Fourth Judicial District Court of the State of Minnesota	Dahl							295
e.	Consider Approval of Resolution No. 60-2017 Appointing Heritage Preservation Board (HPB) Members	Dahl							298
10	City Manager's Report and Discussion Items								
11	Public Forum (as necessary)								
12	Adjournment								

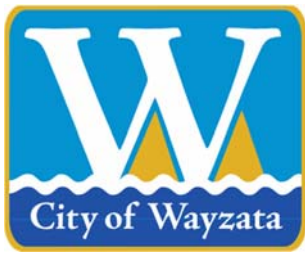
Meeting Rules of Conduct:

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 19, 2017 and January 2, 2018
Planning Commission - December 18, 2017 & TUESDAY, January 9, 2018

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



City of Wayzata City Council Agenda Report

MEETING DATE: December 5, 2017	AGENDA ITEM: 7a
TITLE: Approval of City Council Workshop Meeting Minutes of November 15, 2017, City Council Workshop Meeting Minutes of November 21, 2017, and City Council Regular Meeting Minutes of November 21, 2017	
PROPOSED MOTION: To Approve the City Council Workshop Meeting Minutes of November 15, 2017, City Council Workshop Meeting Minutes of November 21, 2017, and City Council Regular Meeting Minutes of November 21, 2017	
PREPARED BY: Becky Malone, City Clerk	
REVIEWED BY: Jeffrey Dahl, City Manager	

ACTION REQUESTED:

Staff recommends approval of the attached draft minutes.

FINANCIAL OR BUDGET CONSIDERATION:

N/A

BACKGROUND:

N/A

ATTACHMENTS:

1. Draft City Council Workshop Meeting Minutes of November 15, 2017
2. Draft City Council Workshop Meeting Minutes of November 21, 2017
3. Draft City Council Meeting Minutes of November 21, 2017

**SPECIAL WAYZATA CITY COUNCIL MEETING AND
DRAFT -WORKSHOP MEETING MINUTES
November 15, 2017**

5:45 p.m. Closed Special Meeting

Mayor Willcox called the meeting to order at 5:45 p.m. in the Conference Room at Wayzata City Hall. Council Members present: Koch, McCarthy, Plechash and Tyacke. Also present: City Manager Dahl, and City Attorney Schelzel.

Mr. Tyacke made a motion, seconded by Mr. Plechash, to recess to a closed special meeting of the Wayzata City Council to conduct a performance evaluation of Wayzata City Manager Jeffrey Dahl pursuant to Minn. Stat. § 13D.05, Subd. 3. The motion carried 5/0.

Mr. Tyacke made a motion, seconded by Mr. Plechash to adjourn the closed meeting at 6:00 p.m.

6:00 p.m. Joint Workshop Meeting with Parks & Trails Board

Mayor Willcox called the meeting to order at 6:05 p.m. in the Community Room at Wayzata City Hall. Council Members present: Koch, McCarthy, Plechash and Tyacke. Also present: City Manager Dahl, and Director of Public Service Dudinsky. Parks & Trails Board Members Present: Baasen, Borg Babcock, Bader, Cunningham, McWethy, Purdy, and Showalter.

Mr. Dahl stated that at the October 17, 2017 City Council Capital Improvements Plan (CIP) Workshop, the City Council discussed future Parks and Trails Projects with Chair Dan Baasen. While significant time was allocated for discussion pertaining to the Platform Tennis Initiative, time ran out prior giving all of the Council Members a chance to weigh in. As a result, the “next step” given to the Parks and Trails Board was that there would be a need to continue discussion.

Mr. Dahl state that the main objectives of the joint workshop meeting are to:

1. Build “team” and improve working relationships between the Council and Parks and Trails Board;
2. Review Parks and Trails role and the value it provides;
3. Discuss City Council 2017-2020 Strategic Plan as it relates to the Parks and Trails Board;
4. Provide more detail of what a Parks Master Plan could entail;
5. Allow all Council Members a chance to provide feedback on Parks Master Plan and Platform Tennis; and
6. Discuss and Provide Consensus on “Next Steps” for both Master Plan Process and Platform Tennis.

Mr. Dahl provided a history of the Parks and Trails Board. He stated that in 2011, the City commissioned a Parks and Trails Taskforce, which drafted a report that ultimately recommended, among other things, creation of an appointed board that would focus on parks. As a result, the Parks and Trails Board was created in 2012 by the City Council with the overall objective to champion parks and trails in the City and advise the City Council on issues related to park improvements, trail expansion, maintenance needs, and recommendations on allocation of Capital Improvement Funds.

Mr. Dudinsky went over Parks and Trails accomplishments over the past several years.

Mr. Baasen read the Parks and Trails Board self-adopted mission:

To provide recommendations to the City Council for the preservation, protection, enhancement, and promotion of a healthy park and trail system for the benefit and enjoyment of all community members and visitors.

Mr. Baasen read the Parks and Trails Board self-adopted vision:

To be responsible stewards of our parks, trails, lakefront, and natural resources and promote peaceful reflection, invigorating activity, community enrichment, and education for individuals and groups of all ages and abilities.

Mr. Dahl provided an overview of the Parks Master Plan initiative. He stated that the City Council held a Strategic Planning Session over a two-day retreat in April. One of the main strategic initiatives discussed was providing resources to the Parks and Trails Board to put together a Parks Master Plan for parks and trails in Wayzata into the future. He said that while the Platform Tennis Initiative sparked the overall need for a Parks Master Plan at the Strategic Planning Session, the discussion focused on the need for more of a comprehensive road map for the parks and trail system that would address future park and trail improvements, expansions, re-use, etc. In addition, because the importance of parks has seemingly increased over the past decade and as such, the City has designated more resources for park projects, there should be more of a public process to clarify wants and needs of community members. Mr. Dahl said that the Lake Effect went through this process, however, it did not tie in the rest of the park system.

Mr. Dahl reported that ultimately, the City Council voted to approve the attached Strategic Plan with resources dedicated to the Parks and Trails Board in 2018 to launch a Parks Master Plan. The details of the process was left up to the Parks and Trails Board to decide.

The group reviewed an example of a recent Parks and Trails Master Plan that Deephaven completed in 2016.

The Council provided feedback regarding the Platform Tennis Initiative and how it relates to the Master Planning process. Ultimately, after much discussion, the consensus was that the Platform Tennis Initiative could move forward parallel, or along with, the Master Planning Process as long as public feedback is obtained.

Mr. Baasen indicated that the Parks and Trails Board will move forward with the Master Planning process as soon as possible.

Mayor Willcox thanked all for coming and for their hard work in making Wayzata a better place to live.

The workshop meeting was adjourned at 7:00 p.m.

Respectfully submitted,

Becky Malone
City Clerk

WAYZATA CITY COUNCIL
DRAFT - WORKSHOP MEETING MINUTES
November 21, 2017

5:30 p.m. Interviews for Boards & Commissions

Mayor Willcox called the workshop meeting to order at 5:30 pm in the Community Room at Wayzata City Hall. Council Members present: Koch, McCarthy, Plechash and Tyacke. Also present: City Manager Dahl, and Director of Planning & Building Thomson.

The Council conducted interviews for the following finalists:

Time	Applicant	Commission/Board
5:30 PM	Peggy Douglas	Planning Commission
5:40 PM	Steven Fox	HRA
5:50 PM	Daniel Gustafson	1) LMCD Board of Directors; 2) HRA; 3) Planning Commission
6:00 PM	Cathy Iverson	Planning Commission
6:10 PM	Christine Plantan	1) Planning Commission; 2) HPB; 3) Charter Commission
6:20 PM	Elaine Ambrose	Charter Commission

The workshop meeting was adjourned at 6:55 pm.

Respectfully submitted,

Becky Malone
City Clerk

**WAYZATA CITY COUNCIL
DRAFT - MEETING MINUTES
November 21, 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.

Mayor Willcox reported the Council met in a closed meeting on November 15 to clarify and confirm the conclusions of the performance evaluation of Wayzata City Manager Jeffrey Dahl conducted on November 1. The Council is pleased with City Manager Dahl's work and he has been compensated accordingly.

AGENDA ITEM 4. Approve Agenda.

Mr. Plechash made a motion, seconded by Mrs. McCarthy to approve the agenda. There was no further discussion. The motion carried 5/0.

AGENDA ITEM 5. Public Forum.

a. Comprehensive Plan Update – City Consultant Juliana Panetta with Future iQ

Juliana Panetta, Future iQ, reported the visioning process has been going very well. Think Tank Reconvene has been moved to December 4 at 6Smith and December 12 at City Hall. She reported the Think Tank and Visioning Workshops have been successful and the first night of the Think Tank Workshop was recorded and available on the City's website. The Community Profile and Benchmark Analysis and a full report of the Think Tank is also available for download. Today they were at the high school meeting with students and received some great feedback.

Mr. Tyacke noted the students suggested more fast food type of restaurants instead of sit-down restaurants, such as Raising Cane's.

AGENDA ITEM 6. New Agenda Items.

Mr. Tyacke commented he has had some comments and complaints regarding changes to the menu at the Muni and he suggested further discussion on this topic at a Workshop with the management. The Council agreed.

City Manager Dahl agreed a meeting with the management would be helpful.

Mayor Willcox commented success at the Muni is measured by the finances, but the ambiance expectations should be discussed.

AGENDA ITEM 7. Consent Agenda.

Mr. Tyacke recused himself from voting on item No. 7(b) (Approval of Check Register) due to a payment made to his condominium complex. He requested that the Check Register be pulled from the Consent Agenda and voted on separately.

Mrs. McCarthy requested clarification on item No. 7(b) (Approval of Check Register). She inquired about a charge in the amount of \$288.75 for legal fees related to Blake School financing and a charge in the amount of \$369.59 to The Hotel Landing.

City Manager Dahl responded the payment to Blake School was for legal fees related to the financing the City is participating in with them. The fees are for the bond council to review and

1 make sure their interests and not at risk, and will be reimbursed by the entity that is doing the
 2 refinancing. Regarding the charge for The Hotel Landing, he requested an invoice be sent to reflect
 3 the City's pro rata share of the cost of food for its attendees to the Grand Opening event because
 4 he did not want the City to be at legal risk of receiving gifts with free food and beverages that were
 5 provided.

6 Mayor Willcox requested clarification regarding Resolution No. 52-2017, under Consent
 7 Agenda Item H. Mr. Dahl stated the payback plan is consistent with what the Council reviewed at
 8 the CIP discussion a few weeks ago. At the end of the year, there is an opportunity to re-prioritize
 9 the paybacks and allocate excess funds differently.

10 Mrs. McCarthy inquired if they could receive redlines when they discuss revisions to the
 11 code. Mr. Dahl stated when possible, they will provide this in the future.

12 Mayor Willcox referred to item No. 7(g) (Approval of First Reading of Ordinance 777),
 13 and commented the new ordinance gives the police a lot more tools to enforce the code relating to
 14 massage services. Mr. Dahl agreed and stated the amendments also allow accredited massage
 15 schools from outside of the State of Minnesota. The City Clerk worked with the City Attorney,
 16 Police Chief and City staff to draft the ordinance.

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

- 19 a. Approval of City Council Workshop Meeting Minutes of November 1, 2017 and City
- 20 Council Regular Meeting Minutes of November 1, 2017
- 21 ~~b. Approval of Check Register~~
- 22 c. Approval of Municipal Licenses
- 23 d. Police Activity Report
- 24 e. Building Activity Report
- 25 f. Approval of Resolution No. 51-2017 Adopting the 2018 Wayzata City Council Meeting
- 26 Schedule
- 27 g. Approval of First Reading of Ordinance 777 Amending Chapter 523 of Wayzata City Code
- 28 (Massage Services)
- 29 h. Approval of Resolution No. 52-2017 Establishing the Payback of Interfund Loan for
- 30 Advance of Certain Costs in Connection with Tax Increment Financing District No. 5
- 31 There was no further discussion. The motion carried 5/0.

32 Mr. Plechash made a motion, seconded by Mrs. McCarthy, to approve Consent Agenda
 33 Item 7(b) (Approval of Check Register). There was no further discussion. Motion carried 4/0/1
 34 (Tyacke abstained).

35 **AGENDA ITEM 8. New Business.**

- 36 **a. Consider Approval First Reading of Ordinance No 776 and Approval of 53-2017**
- 37 **Authorizing the Issuance and Sale of \$2,905,000 G.O. Water Revenue Refunding**
- 38 **Bonds, Series 2017A**

39 City Manager Dahl reported that every year, the City's Financial Advisor, Ehlers and Associates,
 40 goes through the City's outstanding bonds and makes recommendations on refinancing
 41 opportunities. This year, they recommended a refunding opportunity for the General Obligation
 42 Water Revenue Bonds that were issued in 2009 for construction of the Water Treatment Plant. This
 43 refunding is solely for interest savings and does not extend the duration of the bonds. It will require
 44 a public hearing and the awarding of the bond will be on December 19, 2017.

45 Mrs. McCarthy inquired if this was a simple reissuance of the bond in order to have a lower
 46 interest rate and if the savings includes the fee to reissue the bond. Mr. Dahl confirmed this, and
 47 noted it saves the City about \$20,000 a year with the same terms and includes all administrative
 48 fees.

49 Mr. Koch inquired if there was any interest rate risk over the next year. Mr. Dahl stated
 50 the rate will be set in December of 2017.
 51

1 Stacey Kvilvang, Ehlers and Associates, commented they can complete a tax-exempt
2 advance refunding if it is done before the end of the year. This tax-exempt option is being taken
3 away with the new tax reform bill as a way to pay for other tax cuts. The interest rates will be set
4 on December 19, 2017 and the savings will not be realized until 2019.

5 Mayor Willcox inquired if there were any other provisions in the tax bill they need to be
6 aware of.

7 Ms. Kvilvang stated the House bill is eliminating private activity bonds, which may deter
8 development at the local level. However, the Senate bill has preserved the private activity bond.
9 The property tax deduction is also an issue, it could have an impact on affordable housing, and they
10 expect to see the amount of it available slow down.

11 Mr. Tyacke inquired if the interest rates on the bonds are fixed or floating rates, and if the
12 present value is dependent on rate of the refunding bonds.

13 Ms. Kvilvang responded they are fixed rate bonds. It is based on the estimates they have
14 for true interest cost, which is a little over two percent. Once they sell the bonds and know the
15 actual interest rate, it will be recalculated to see the actual savings.

16 Mr. Koch inquired if there is a limit to the number of times they can go through this process
17 to refinance.

18 Ms. Kvilvang responded they can refinancing on current items anytime, but can only do it
19 once with advance refundings.

20 Mrs. McCarthy made a motion, seconded by Mr. Tyacke, to approve the First Reading of
21 Ordinance No. 776 Authorizing the issuance of General Obligation Water Revenue Refunding
22 Bonds. There was no further discussion. Motion carried 5/0.

23 Mr. Tyacke made a motion, seconded by Mr. Plechash, to adopt Resolution No. 53-2017
24 Providing for the Sale of \$2,905,000 General Obligation Water Revenue Refunding Bonds, Series
25 2017A. There was no further discussion. Motion carried 5/0.
26

27 **b. Consider Approval of Resolution No. 56-2017 Approving Detachment/Annexation of**
28 **649 Ferndale Road West**

29 Director of Planning and Building Thomson reported Matthew and Maria Hemsley own the
30 property at 649 Ferndale Road West and have requested the City annex part of the property from
31 the City of Orono to the City of Wayzata since the two cities boundaries bisect it. The existing
32 single-family home is located on the two lots that are located in the City of Orono. The other two
33 lots are located in the City of Wayzata, one of which contains a carriage house and the other is
34 undeveloped. The Orono City Council has reviewed and approved the detachment. If approved by
35 the City of Wayzata, the application will be submitted to the Chief Administrative Law Judge of
36 the State for final review and approval. Staff recommends approval for annexation of the property
37 into the City of Wayzata because the utilities and street access for the property are already located
38 here, the City is already providing fire services to the lot, and there is a tax benefit to the City.

39 Mr. Tyacke inquired if there is any further action required by the City of Orono. Mr.
40 Thomson confirmed no further action was needed.

41 Mrs. McCarthy noted by approving this resolution, the City is increasing its footprint. She
42 inquired if it would affect voting or school boundaries, and also requested to know more about the
43 future of the property.

44 Mr. Thomson responded this will go through the State process to make the owners eligible
45 to vote in Wayzata, but he does not think it will affect the school boundary. The owners plan to tear
46 down the existing house and build a new one on the site. When the City annexes the property to
47 Wayzata, it will take on the R-1A zoning district and the lot line would need to be adjusted as part
48 of the lot combination request.
49

50 Matt Hemsley, owner of the property at 649 Ferndale Road West, commented he donated
51 the existing home on the property to the Wayzata Fire Department for training, and the house has

1 since been torn down. They plan to build a new home in the same spot and it will be a larger, white
 2 colonial house. They will break ground in the spring and hope to have the house completed 18 to
 3 24 months later. The school district boundary is not a concern to them because their kids will attend
 4 Breck.

5 Mayor Willcox inquired what the process was with Orono.
 6 Mr. Hemsley responded he met with the Mayor who was supportive, and his attorney
 7 worked with the City of Orono to develop the resolution that was then adopted.

8 Mr. Tyacke inquired about the property along the road that is not being annexed.

9 Mr. Hemsley explained that area is an extension of the property from across the street.

10 Mr. Plechash made a motion, seconded by Mrs. McCarthy, to adopt Resolution No. 56-
 11 2017 on the Concurrent Detachment and Annexation of Land. There was no further discussion.
 12 Motion carried 5/0.

13
 14 **c. Consider Approval of Resolution No. 54-2017 Appointing a Housing and**
 15 **Redevelopment Authority Commissioner**

16 Mayor Willcox noted they held interviews for candidates before the City Council meeting.

17 City Manager Dahl reported they had a lot of good quality candidates apply.

18 Mr. Koch made a motion, seconded by Mr. Tyacke, to adopt Resolution No. 54-2017
 19 Appointing Steven Fox as a Housing and Redevelopment Authority Commissioner. There was no
 20 further discussion. Motion carried 5/0.

21
 22 **d. Consider Approval of Resolution No. 55-2017 Appointing Planning Commissioners**

23 City Manager Dahl reported they had four applicants for the three openings on the Planning
 24 Commission, one of which will fill the remaining term of Lynn Gruber and begin in December
 25 2017.

26 Mr. Koch made a motion, seconded by Mrs. McCarthy to adopt No. 55-2017 Appointing
 27 Peggy Douglas, Cathy Iverson, and Christine Plantan as Planning Commissioners, with Peggy
 28 Douglas beginning her term in December 2017. There was no further discussion. Motion carried
 29 5/0.

30 Mayor Willcox thanked everyone who applied for the positions on the Commissions.

31
 32 **AGENDA ITEM 9. City Manager's Report and Discussion Items.**

33 **a. Upcoming Events/Announcements**

- 34 • City Offices will be closed Thursday, November 23 and Friday, November 24.
- 35 • Light Up the Lake will take place on Friday, November 24 at 4:00 p.m. at the Depot. He
 36 provided details on the event and noted they will be accepting toy donations.
- 37 • Small Business Saturday will be on November 25.
- 38 • The Jingle Mingle fundraising event for the Officer Matthews family will take place on
 39 Thursday, November 30 at Wayzata Brew Works.
- 40 • Santa and his reindeer will be at Colonial Square on December 5 and December 16.
- 41 • Shop With A Purpose will be on Friday, December 15.
- 42 • The American Institute of Architects has recognized the Mill Street Parking Ramp as an
 43 Honor Award recipient. The award ceremony will be in December, and information will
 44 be provided when it is available.

45
 46 City Manager Dahl noted they have more competition with their liquor sales, but it did not affect
 47 the sales over the weekend. They will continue to boost their marketing and hope sales are better
 48 than expected through the holiday season.

49
 50 **b. Council Member Updates/Announcements**

1 Mayor Willcox recognized Council Members Tyacke and McCarthy who did a great job while
2 participating on the steering committee for the Mill Street Ramp. He also noted there was a great
3 turnout for the fundraiser on November 17 at the American Legion for the “Wayzata to the Wall”
4 event.

5
6 Mr. Plechash wished everyone a Happy Thanksgiving and stated the people of Wayzata have a lot
7 to be thankful for.

8
9 **AGENDA ITEM 10. Public Forum Continued (if necessary).**

10 There were no comments.

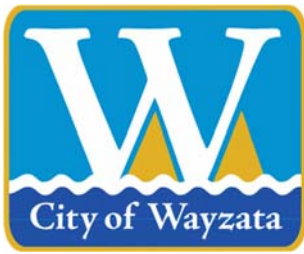
11
12 **AGENDA ITEM 11. Adjournment.**

13 Mr. Plechash made a motion, seconded by Mr. Koch to adjourn. There being no further business,
14 Mr. Willcox adjourned the meeting at 7:58 p.m.

15
16 Respectfully submitted,

17
18
19
20 Becky Malone
21 City Clerk

22
23 Drafted by Shannon Schmidt
24 *TimeSaver Off Site Secretarial, Inc.*



City of Wayzata City Council Agenda Report

MEETING DATE: December 5, 2017	AGENDA ITEM: 7b
TITLE: Approval of Check Register	
PROPOSED MOTION: To Approve the Payment of Checks for October & November 2017	
PREPARED BY: Kathy Ovshak, Senior Accountant	
REVIEWED BY: Jeffrey Dahl, City Manager	

ACTION REQUESTED:

Staff recommends approval of the attached check register for October & November of 2017.

FINANCIAL OR BUDGET CONSIDERATION:

N/A

BACKGROUND:

N/A

ATTACHMENTS:

1. Check Detail Register - October & November 2017

***Check Detail Register©**

November 2017

		Check Amt	Invoice	Comment
10100 Anchor Bank				
Paid Chk#	107811	11/21/2017	A-1 OUTDOOR POWER, INC.	
E 610-40000-240	Small Tools and Minor Equip	\$915.00	412369	CONCRETE SAW
E 620-40000-240	Small Tools and Minor Equip	\$915.00	412369	CONCRETE SAW
Total A-1 OUTDOOR POWER, INC.		\$1,830.00		
Paid Chk#	107812	11/21/2017	AMDAL, JACK	
G 802-20350	1350/1430 LASALLE	\$56.75	REFUND	1350-1430 LASALLE ROW ESCROW REFUND
Total AMDAL, JACK		\$56.75		
Paid Chk#	107813	11/21/2017	B & B PLUMBING LLC	
R 101-00000-32230	Plumbing Permits	\$350.00	REFUND	PLUMBING PERMIT 1022 GARDNER REFUND
Total B & B PLUMBING LLC		\$350.00		
Paid Chk#	107814	11/21/2017	BEST & FLANAGAN	
E 407-40000-304	Legal Fees	\$206.25	468111	CELL TOWER
Total BEST & FLANAGAN		\$206.25		
Paid Chk#	107815	11/21/2017	BIFFS, INC.	
E 101-45200-415	Other Equipment Rentals	\$51.34	W659264	PARKS SERVICE
Total BIFFS, INC.		\$51.34		
Paid Chk#	107816	11/21/2017	BUELL CONSULTING	
G 802-20355	800 WAYZATA BLVD.EAST	\$3,115.97	REFUND	800 WAYZ.BLVD CUP ESCROW REFUND
Total BUELL CONSULTING		\$3,115.97		
Paid Chk#	107817	11/21/2017	CALLINAN, JEFF	
G 802-20350	1350/1430 LASALLE	\$56.75	REFUND	1350-1430 LASALL ROW ESCROW REFUND
Total CALLINAN, JEFF		\$56.75		
Paid Chk#	107818	11/21/2017	CANDLELIGHT FLORAL	
E 101-41100-493	Volunteer program	\$420.00	015227	VOLUNTEER DINNER
Total CANDLELIGHT FLORAL		\$420.00		
Paid Chk#	107819	11/21/2017	COMMERCIAL ASPHALT CO.	
E 430-40000-309	Contractual Services	\$160.36	171031	ASPHALT
E 430-40000-309	Contractual Services	\$52.57	171115	ASPHALT
Total COMMERCIAL ASPHALT CO.		\$212.93		
Paid Chk#	107820	11/21/2017	COOPER, SCOTT	
G 802-20351	128 Broadway Ave.No.	\$2,070.00	REFUND	128 BROADWAY VARIANCE ESCROW REFUND
Total COOPER, SCOTT		\$2,070.00		
Paid Chk#	107821	11/21/2017	COPPIN SEWER & WATER	
G 101-20300	Deposits Payable	\$1,019.00	REFUND	STREET CUT DEPOSIT REFUND
R 101-00000-34190	Charges for Services/Gen Gov	(\$600.00)	REFUND	DEGRADATION FEE
Total COPPIN SEWER & WATER		\$419.00		
Paid Chk#	107822	11/21/2017	COUNTRY CUPBOARD	
E 101-41100-493	Volunteer program	\$760.00	11/15/17	VOLUNTEER DINNER
Total COUNTRY CUPBOARD		\$760.00		
Paid Chk#	107823	11/21/2017	DAVIS REAL ESTATE SERVICES	
G 802-20302	1120 WAYZATA BLVD	\$58.50	REFUND	1120 WAYZ.BLVD DESIGN REVIEW ESCROW REFUND
Total DAVIS REAL ESTATE SERVICES		\$58.50		
Paid Chk#	107824	11/21/2017	EHLERS	
E 401-40000-304	Legal Fees	\$470.00	75441	HRA MEETING

***Check Detail Register©**

November 2017

			Check Amt	Invoice	Comment
Total EHLERS			\$470.00		
Paid Chk# 107825	11/21/2017	HOLIDAY			
G 802-20354	1325 WAYZATA BLVD.EAST		\$4,026.75	REFUND	1325 WAYZ.BLVD. VARIANCE ESCROW REFUND
Total HOLIDAY			\$4,026.75		
Paid Chk# 107826	11/21/2017	JOHN KRAEMER SONS INC.			
G 802-20319	236/240 MINNETONKA		\$1,125.00	REFUND	236-240 MINNETONKA ESCROW REFUND
Total JOHN KRAEMER SONS INC.			\$1,125.00		
Paid Chk# 107827	11/21/2017	KD & COMPANY			
E 101-43100-229	Dirt, Sand and gravel		\$20.00	11946	CONCRETE DISPOSAL
Total KD & COMPANY			\$20.00		
Paid Chk# 107828	11/21/2017	LANO EQUIPMENT, INC.			
E 101-43100-220	Repair/Maint Supply (GENERAL)		\$200.12	03-499753	PARTS
Total LANO EQUIPMENT, INC.			\$200.12		
Paid Chk# 107829	11/21/2017	LUKIS, LAWRENCE			
G 802-20339	320 & 346 FERNDAL RD S		\$1,140.00	REFUND	320-346 FERNDAL SUBDIVISION ESCROW REFUND
Total LUKIS, LAWRENCE			\$1,140.00		
Paid Chk# 107830	11/21/2017	MANSFIELD OIL COMPANY			
E 101-49200-212	Motor Fuels		\$876.45	20511022	FUEL
E 101-49200-212	Motor Fuels		\$1,113.81	20511024	FUEL
E 101-49200-212	Motor Fuels		\$529.98	20511026	FUEL
Total MANSFIELD OIL COMPANY			\$2,520.24		
Paid Chk# 107831	11/21/2017	MEDIACOM			
E 101-41940-321	Telephone		\$376.62		SERVICE
Total MEDIACOM			\$376.62		
Paid Chk# 107832	11/21/2017	MILLER TRUCKING OF BUFFALO			
E 101-43100-229	Dirt, Sand and gravel		\$1,801.81	43918	WINTER MIX DELIVERY/HAULING
Total MILLER TRUCKING OF BUFFALO			\$1,801.81		
Paid Chk# 107833	11/21/2017	MINNESOTA EQUIPMENT			
E 101-45200-210	Operating Supplies (GENERAL)		\$15.75	P63491	SUPPLIES
Total MINNESOTA EQUIPMENT			\$15.75		
Paid Chk# 107834	11/21/2017	OFFICE DEPOT			
E 101-41500-200	Office Supplies (GENERAL)		\$16.99	976575876001	SUPPLIES
E 101-41500-200	Office Supplies (GENERAL)		\$105.40	978673697001	SUPPLIES
E 101-41500-200	Office Supplies (GENERAL)		\$45.72	978673949001	SUPPLIES
E 101-41500-200	Office Supplies (GENERAL)		\$5.99	978673950001	SUPPLIES
Total OFFICE DEPOT			\$174.10		
Paid Chk# 107835	11/21/2017	PAKOR INC.			
E 630-40000-210	Operating Supplies (GENERAL)		\$437.67	8025144	MV SUPPLIES
Total PAKOR INC.			\$437.67		
Paid Chk# 107836	11/21/2017	PFLAUM, PETER			
G 802-20343	630 Bushaway Rd		\$1,972.50	REFUND	630 BUSHAWAY RD VARIANCE ESCROW REFUND
Total PFLAUM, PETER			\$1,972.50		
Paid Chk# 107837	11/21/2017	PIRTEK			
E 101-43100-404	Repairs/Maint - Machin/Equip		\$66.75	S2603629.001	REPAIRS
E 101-43100-404	Repairs/Maint - Machin/Equip		\$72.84	S2604490.001	REPAIRS
Total PIRTEK			\$139.59		

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Paid Chk#	107838	11/21/2017	SIGNS NOW		
E 101-43100-229	Dirt, Sand and gravel		\$1,200.00	30786	NO PARKING SIGNS
	Total SIGNS NOW		\$1,200.00		
Paid Chk#	107839	11/21/2017	SPOK, INC.		
E 101-43100-323	Radio Units		\$14.78	A0318102W	PAGER SERVICE
	Total SPOK, INC.		\$14.78		
Paid Chk#	107840	11/21/2017	STREETER & ASSOCIATES		
G 802-20336	181 HUNTINGTON		\$1,740.00	REFUND	181 HUNTINGTON DEV.APP ESCROW REFUND
	Total STREETER & ASSOCIATES		\$1,740.00		
Paid Chk#	107841	11/21/2017	THE OTHER SIDE		
G 101-20300	Deposits Payable		\$30.00	REFUND	WATER USAGE DEPOSIT REFUND
R 610-00000-37120	Water Usage Permits-Other		(\$16.20)	REFUND	WATER USAGE DEPOSIT REFUND
	Total THE OTHER SIDE		\$13.80		
Paid Chk#	107842	11/21/2017	TIME SAVER		
E 101-41100-302	Consultants		\$346.00	M23366	MTG.MINUTES
	Total TIME SAVER		\$346.00		
Paid Chk#	107843	11/28/2017	AT&T MOBILITY		
E 101-41940-321	Telephone		\$290.25	287250190047	SERVICE
	Total AT&T MOBILITY		\$290.25		
Paid Chk#	107844	11/28/2017	AT&T MOBILITY		
E 101-41940-321	Telephone		\$119.66	287250008232	SERVICE
	Total AT&T MOBILITY		\$119.66		
Paid Chk#	107845	11/28/2017	BACHMAN S		
E 404-40000-227	Plantings		\$396.75	815035	TREE REPLACEMENT
	Total BACHMAN S		\$396.75		
Paid Chk#	107846	11/28/2017	BANK OF AMERICA		
E 101-42200-210	Operating Supplies (GENERAL)		\$400.00		FD SUPPLIES
E 101-42200-212	Motor Fuels		\$42.09		FD FUEL
E 101-42200-240	Small Tools and Minor Equip		\$452.46		FD TOOLS
E 101-42200-331	Mileage & Expense Account		\$795.41		FD CONF.EXP.
E 101-42200-434	Training and schools		\$900.00		FD TRAINING
E 101-42200-499	Miscellaneous		\$161.82		FD MISC.
	Total BANK OF AMERICA		\$2,751.78		
Paid Chk#	107847	11/28/2017	BANYON DATA SYSTEMS		
E 101-41500-433	Dues, Licensing & Seminars		\$1,590.00	00156787	SUPPORT
	Total BANYON DATA SYSTEMS		\$1,590.00		
Paid Chk#	107848	11/28/2017	BARE MANUFACTURING, INC		
E 101-42200-240	Small Tools and Minor Equip		\$396.86	1030	FD TOOLS
	Total BARE MANUFACTURING, INC		\$396.86		
Paid Chk#	107849	11/28/2017	BERRY COFFEE COMPANY		
E 101-41940-499	Miscellaneous		\$148.33	512177	SUPPLIES
	Total BERRY COFFEE COMPANY		\$148.33		
Paid Chk#	107850	11/28/2017	BRAUN INTERTEC		
E 233-40000-302	Consultants		\$221.00	B112248	LAKE EFFECT - ENVIRONMENTAL ASSESSMENT
	Total BRAUN INTERTEC		\$221.00		
Paid Chk#	107851	11/28/2017	COUNTRY CUPBOARD		

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E 101-41100-493	Volunteer program		\$160.00	11/15/17	VOLUNTEER DINNER
	Total COUNTRY CUPBOARD		\$160.00		
Paid Chk# 107852	11/28/2017	DELTA DENTAL OF MINNESOTA			
G 101-21717	Dental Insurance		\$1,677.50	7101006	DENTAL INS.
	Total DELTA DENTAL OF MINNESOTA		\$1,677.50		
Paid Chk# 107853	11/28/2017	DISPLAY SALES			
E 101-45203-220	Repair/Maint Supply (GENERAL)		\$703.00	013589	LIGHTS AT SKATING RINK
	Total DISPLAY SALES		\$703.00		
Paid Chk# 107854	11/28/2017	EMERYS TREE SERVICE, INC.			
E 404-40000-227	Plantings		\$2,845.00	21673	TREE REMOVAL
	Total EMERYS TREE SERVICE, INC.		\$2,845.00		
Paid Chk# 107855	11/28/2017	EMPLOYEE DATA FORMS			
E 101-41500-200	Office Supplies (GENERAL)		\$28.25	18-50936	PAYROLL FORMS
	Total EMPLOYEE DATA FORMS		\$28.25		
Paid Chk# 107856	11/28/2017	FASTENAL			
E 101-43100-210	Operating Supplies (GENERAL)		\$18.91	MNPLY98042	SUPPLIES
	Total FASTENAL		\$18.91		
Paid Chk# 107857	11/28/2017	FLOYD TOTAL SECURITY			
E 401-40000-309	Contractual Services		\$142.50	1215146	PARKING RAMP REPAIR
E 404-40000-499	Miscellaneous		\$256.57	1215348	BATH HOUSE REPAIR
	Total FLOYD TOTAL SECURITY		\$399.07		
Paid Chk# 107858	11/28/2017	FOSTER WILLEY SCULPTOR LLC			
E 404-40000-309	Contractual Services		\$6,000.00	BIG WATER	EAST GATEWAY SCULPTURE
	Total FOSTER WILLEY SCULPTOR LLC		\$6,000.00		
Paid Chk# 107859	11/28/2017	GRAINGER, INC.			
E 620-40000-210	Operating Supplies (GENERAL)		\$5.87	9622078989	SUPPLIES
E 620-40000-210	Operating Supplies (GENERAL)		\$1.24	9622078997	SUPPLIES
E 610-40000-210	Operating Supplies (GENERAL)		\$66.32	9622079003	SUPPLIES
E 620-40000-210	Operating Supplies (GENERAL)		\$66.32	9622079003	SUPPLIES
E 610-40000-242	Well & F.P. Equipment		\$42.80	9622079011	SUPPLIES
	Total GRAINGER, INC.		\$182.55		
Paid Chk# 107860	11/28/2017	HGA			
E 401-40000-309	Contractual Services		\$210.68	182335	PARKING RAMP
	Total HGA		\$210.68		
Paid Chk# 107861	11/28/2017	HOME DEPOT			
E 101-45200-227	Plantings		\$103.09		SUPPLIES
E 101-43100-226	Sign Repair Materials		\$31.89		SUPPLIES
	Total HOME DEPOT		\$134.98		
Paid Chk# 107862	11/28/2017	JAGLO, JEFF			
G 802-20351	128 Broadway Ave.No.		\$2,070.00	REFUND	128 BROADWAY ESCROW REFUND
	Total JAGLO, JEFF		\$2,070.00		
Paid Chk# 107863	11/28/2017	LAMBERT, JEFFREY W.			
E 101-42120-304	Legal Fees		\$4,181.00	11/27/17	LEGAL SERVICES
	Total LAMBERT, JEFFREY W.		\$4,181.00		
Paid Chk# 107864	11/28/2017	LAW ENFORCEMENT LABOR SERVICES			
G 101-21707	Police union dues		\$441.00	NOV.2017	PD UNION DUES-NOV.2017

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al LAW ENFORCEMENT LABOR SERVICES			\$441.00		
Paid Chk#	107865	11/28/2017	LAWSON PRODUCTS		
E 101-45200-210	Operating Supplies (GENERAL)		\$74.65	9305396378	SUPPLIES
E 101-43100-210	Operating Supplies (GENERAL)		\$74.65	9305396378	SUPPLIES
E 610-40000-210	Operating Supplies (GENERAL)		\$74.65	9305396378	SUPPLIES
E 620-40000-210	Operating Supplies (GENERAL)		\$74.66	9305396378	SUPPLIES
Total LAWSON PRODUCTS			\$298.61		
Paid Chk#	107866	11/28/2017	LOFFLER COMPANIES, INC.		
E 401-40000-309	Contractual Services		\$152.00	2667448	PARKING RAMP
E 409-40000-540	Equipment		\$449.00	2670768	ADOBE LICENCE
Total LOFFLER COMPANIES, INC.			\$601.00		
Paid Chk#	107867	11/28/2017	LONG LAKE TRU VALUE		
E 101-43100-210	Operating Supplies (GENERAL)		\$73.23		SUPPLIES
E 101-45200-210	Operating Supplies (GENERAL)		\$57.91		SUPPLIES
E 101-42100-210	Operating Supplies (GENERAL)		\$4.99		SUPPLIES
E 101-42200-210	Operating Supplies (GENERAL)		\$128.93		SUPPLIES
E 610-40000-210	Operating Supplies (GENERAL)		\$44.79		SUPPLIES
Total LONG LAKE TRU VALUE			\$309.85		
Paid Chk#	107868	11/28/2017	MARCO		
E 101-45200-404	Repairs/Maint - Machin/Equip		\$236.91	INV4756130	PW COPIER
E 101-43100-404	Repairs/Maint - Machin/Equip		\$236.91	INV4756130	PW COPIER
E 610-40000-404	Repairs/Maint - Machin/Equip		\$236.90	INV4756130	PW COPIER
E 620-40000-404	Repairs/Maint - Machin/Equip		\$236.90	INV4756130	PW COPIER
E 101-41500-404	Repairs/Maint - Machin/Equip		\$128.99	INV4775409	CH COPIER
Total MARCO			\$1,076.61		
Paid Chk#	107869	11/28/2017	MEDIACOM		
E 101-41940-321	Telephone		\$305.90		SERVICE
Total MEDIACOM			\$305.90		
Paid Chk#	107870	11/28/2017	MILLER, FRED		
E 235-40000-302	Consultants		\$1,600.00	0170175	WCTV
Total MILLER, FRED			\$1,600.00		
Paid Chk#	107871	11/28/2017	MINNESOTA ROADWAYS CO.		
E 407-40000-309	Contractual Services		\$6,474.69	79149	CELL TOWER SITE - ASPHALT REPAIR
Total MINNESOTA ROADWAYS CO.			\$6,474.69		
Paid Chk#	107872	11/28/2017	MN DEPARTMENT OF HEALTH		
E 610-40000-309	Contractual Services		\$2,254.00		WATER CONNECTIONS
Total MN DEPARTMENT OF HEALTH			\$2,254.00		
Paid Chk#	107873	11/28/2017	MN DEPT.OF AGRICULTURE		
E 101-45200-433	Dues, Licensing & Seminars		\$225.00	20184376	CERTIFICATION
Total MN DEPT.OF AGRICULTURE			\$225.00		
Paid Chk#	107874	11/28/2017	MN NCPERS LIFE INSURANCE		
G 101-21715	PERA Term Life		\$48.00	12/2017	LIFE INS.
Total MN NCPERS LIFE INSURANCE			\$48.00		
Paid Chk#	107875	11/28/2017	NORTHERN TOOL & EQUIPMENT		
E 101-45200-210	Operating Supplies (GENERAL)		\$98.96	4062046330	SUPPLIES
Total NORTHERN TOOL & EQUIPMENT			\$98.96		
Paid Chk#	107876	11/28/2017	OFFICE DEPOT		

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E 610-40000-200	Office Supplies (GENERAL)	\$51.96	979007061001	SUPPLIES
E 620-40000-200	Office Supplies (GENERAL)	\$15.39	979007062001	SUPPLIES
Total OFFICE DEPOT		\$67.35		
Paid Chk# 107877	11/28/2017	PAKOR INC.		
E 630-40000-210	Operating Supplies (GENERAL)	\$437.73	8026696	MV SUPPLIES
Total PAKOR INC.		\$437.73		
Paid Chk# 107878	11/28/2017	PILLAR HOMES		
G 101-20831	MWCC (SAC)	\$2,485.00	REFUND	WAC & SAC REFUND - 220 BARRY AVE S
R 610-00000-37155	City s W/S Access Charge	\$2,014.00	REFUND	WAC & SAC REFUND - 220 BARRY AVE S
R 620-00000-37155	City s W/S Access Charge	\$602.00	REFUND	WAC & SAC REFUND - 220 BARRY AVE S
Total PILLAR HOMES		\$5,101.00		
Paid Chk# 107879	11/28/2017	POPP TELECOM		
E 640-47000-321	Telephone	\$100.00		SERVICE
E 640-48000-321	Telephone	\$100.00		SERVICE
E 101-41940-321	Telephone	\$304.38		SERVICE
E 610-40000-323	Radio Units	\$91.42		SERVICE
E 620-40000-323	Radio Units	\$33.34		SERVICE
E 101-42100-309	Contractual Services	\$67.78		SERVICE
Total POPP TELECOM		\$696.92		
Paid Chk# 107880	11/28/2017	RANDY S SANITATION		
E 650-47500-384	Refuse/Garbage Disposal	\$8,643.51		LABOR
E 650-47500-384	Refuse/Garbage Disposal	\$60.45		STICKERS
E 650-47500-384	Refuse/Garbage Disposal	\$1,560.00		KARTS
E 650-47500-384	Refuse/Garbage Disposal	\$1,092.00		DRIVEUP
E 650-47500-386	Other Utilities	\$4,958.25		DISPOSAL
E 101-41940-386	Other Utilities	\$527.31		CH & PW SERVICE
E 650-47600-309	Contractual Services	\$3,935.16		RECYCLING
E 650-47800-384	Refuse/Garbage Disposal	\$6,571.46		ORGANICS
E 650-47800-386	Other Utilities	\$51.00		ORGANICS DISPOSAL
E 640-47000-384	Refuse/Garbage Disposal	\$150.00		STORE
E 640-48000-384	Refuse/Garbage Disposal	\$495.44		BAR
E 650-47500-499	Miscellaneous	\$3,500.00		LEAF PICKUP
Total RANDY S SANITATION		\$31,544.58		
Paid Chk# 107881	11/28/2017	RITEWAY		
E 101-41500-200	Office Supplies (GENERAL)	\$360.38	17-85338	W2, ACA & 1099 FORMS
Total RITEWAY		\$360.38		
Paid Chk# 107882	11/28/2017	SAM S CLUB		
E 101-42200-210	Operating Supplies (GENERAL)	\$115.27		FD SUPPLIES
Total SAM S CLUB		\$115.27		
Paid Chk# 107883	11/28/2017	SHORT ELLIOTT HENDRICKSON INC.		
E 101-42400-309	Contractual Services	\$1,302.18	341343	BLDG.INSPECTION SERVICES
Total SHORT ELLIOTT HENDRICKSON INC.		\$1,302.18		
Paid Chk# 107884	11/28/2017	SOUTHWEST ASSESSING		
E 101-41550-302	Consultants	\$4,033.33	DEC.2017	MONTHLY ASSESSING
E 101-41550-210	Operating Supplies (GENERAL)	\$25.43	DEC.2017	SUPPLIES
Total SOUTHWEST ASSESSING		\$4,058.76		
Paid Chk# 107885	11/28/2017	SRF CONSULTING GROUP, INC.		
E 408-40000-302	Consultants	\$375.00	08758.00-21	PEAVEY BRIDGE
E 408-40000-309	Contractual Services	\$155.69	09397.00-9	BUSHAWAY LANDSCAPE

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Total	SRF CONSULTING GROUP, INC.		\$530.69		
Paid Chk#	107886	11/28/2017	STRUCTURAL TOWER SERVICES		
E 407-40000-309	Contractual Services		\$16,523.65	4	CELL TOWER
Total	STRUCTURAL TOWER SERVICES		\$16,523.65		
Paid Chk#	107887	11/28/2017	VAN PAPER COMPANY		
E 101-41940-210	Operating Supplies (GENERAL)		\$293.39	445185-00	SUPPLIES
Total	VAN PAPER COMPANY		\$293.39		
Paid Chk#	107888	11/28/2017	VISUAL COMMUNICATIONS		
E 401-40000-309	Contractual Services		\$600.00	11557	PARKING RAMP
Total	VISUAL COMMUNICATIONS		\$600.00		
Paid Chk#	107889	11/28/2017	WSB & ASSOCIATES		
E 101-42400-309	Contractual Services		\$700.00	R-010343-000-	BLDG.INSPECTION SERVICES
E 101-41910-302	Consultants		\$3,165.25	R-010853-000-	PLANNING CONSULTANTS
Total	WSB & ASSOCIATES		\$3,865.25		
Paid Chk#	107890	11/28/2017	XCEL ENERGY		
E 640-47000-381	Electric Utilities		\$1,238.19		SERVICE
E 640-48000-381	Electric Utilities		\$2,889.11		SERVICE
Total	XCEL ENERGY		\$4,127.30		
Paid Chk#	107891	11/29/2017	ARTISAN BEER COMPANY		
E 640-47000-253	Beer For Resale		\$739.20	3222926	BEER RESALE
E 640-47000-253	Beer For Resale		\$89.85	3223723	BEER RESALE
Total	ARTISAN BEER COMPANY		\$829.05		
Paid Chk#	107892	11/29/2017	BELLBOY BAR SUPPLY CORP.		
E 640-47000-251	Liquor For Resale		\$416.05	61631100	LIQUOR
E 640-47000-252	Wine For Resale		\$112.00	61631100	WINE
E 640-47000-259	Freight		\$11.48	61631100	FREIGHT
E 640-47000-251	Liquor For Resale		\$642.50	61713700	LIQUOR
E 640-47000-252	Wine For Resale		\$88.00	61713700	WINE
E 640-47000-259	Freight		\$12.30	61713700	FREIGHT
E 640-47000-251	Liquor For Resale		(\$313.30)	61783000	LIQUOR
E 640-47000-210	Operating Supplies (GENERAL)		\$64.00	96762200	SUPPLIES
E 640-47000-259	Freight		\$4.68	96762200	FREIGHT
E 640-47000-254	Soft Drinks/Mix For Resale		\$81.30	96762200	MISC.MIX
E 640-47000-251	Liquor For Resale		\$98.00	96790000	LIQUOR
E 640-47000-259	Freight		\$2.46	96790000	FREIGHT
Total	BELLBOY BAR SUPPLY CORP.		\$1,219.47		
Paid Chk#	107893	11/29/2017	BERNICK'S WINE		
E 640-47000-254	Soft Drinks/Mix For Resale		\$46.35	392786	MISC.MIX
E 640-47000-253	Beer For Resale		\$406.85	392787	BEER
E 640-47000-253	Beer For Resale		\$152.25	394137	BEER
E 640-47000-254	Soft Drinks/Mix For Resale		\$38.00	394138	MISC.MIX
E 640-47000-253	Beer For Resale		\$289.00	394139	BEER
Total	BERNICK'S WINE		\$932.45		
Paid Chk#	107894	11/29/2017	BREAKTHRU BEVERAGE		
E 640-47000-251	Liquor For Resale		\$242.80	1080717593	LIQUOR
E 640-47000-259	Freight		\$2.42	1080717593	FREIGHT
E 640-47000-251	Liquor For Resale		\$464.43	1080718894	LIQUOR
E 640-47000-254	Soft Drinks/Mix For Resale		\$143.00	1080718894	MISC.MIX
E 640-47000-259	Freight		\$6.88	1080718894	FREIGHT
E 640-47000-252	Wine For Resale		\$2,850.00	1080718895	WINE

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E 640-47000-259	Freight	\$58.27	1080718895	FREIGHT
E 640-48000-251	Liquor For Resale	\$229.17	1080719003	LIQUOR
E 640-48000-252	Wine For Resale	\$312.00	1080719003	WINE
E 640-47000-251	Liquor For Resale	\$2,534.63	1080722760	LIQUOR
E 640-47000-259	Freight	\$16.43	1080722760	FREIGHT
E 640-47000-252	Wine For Resale	\$1,179.74	1080722761	WINE
E 640-47000-259	Freight	\$13.17	1080722761	FREIGHT
E 640-47000-254	Soft Drinks/Mix For Resale	\$36.57	1080722762	MISC.MIX
E 640-48000-252	Wine For Resale	\$283.15	1080723057	WINE
E 640-47000-252	Wine For Resale	(\$43.95)	2080167703	WINE
E 640-47000-251	Liquor For Resale	(\$226.30)	2080169880	LIQUOR
E 640-47000-251	Liquor For Resale	(\$172.45)	2080174047	LIQUOR
E 640-47000-252	Wine For Resale	(\$278.82)	2080174670	WINE
E 640-47000-251	Liquor For Resale	(\$104.85)	2080182318	LIQUOR
E 640-47000-252	Wine For Resale	(\$41.45)	2080183539	WINE
E 640-47000-254	Soft Drinks/Mix For Resale	(\$30.89)	2080183742	MISC.MIX
E 640-47000-252	Wine For Resale	(\$56.48)	2080186184	WINE
E 640-47000-251	Liquor For Resale	(\$73.45)	2080186735	LIQUOR
E 640-47000-251	Liquor For Resale	(\$23.60)	2080186927	LIQUOR
E 640-47000-251	Liquor For Resale	(\$680.95)	2080188894	LIQUOR
Total BREAKTHRU BEVERAGE		\$6,639.47		
Paid Chk# 107895	11/29/2017	BREAKTHRY BEVERAGE BEER		
E 640-48000-253	Beer For Resale	\$1,057.00	1090786348	BEER
E 640-47000-253	Beer For Resale	\$4,229.80	1090786437	BEER
E 640-47000-253	Beer For Resale	\$459.00	1090786438	BEER
E 640-47000-253	Beer For Resale	\$117.05	1090786439	BEER
E 640-48000-253	Beer For Resale	\$421.00	1090789201	BEER
Total BREAKTHRY BEVERAGE BEER		\$6,283.85		
Paid Chk# 107896	11/29/2017	CAPITOL BEVERAGE SALES		
E 640-47000-253	Beer For Resale	\$3,332.55	2029475	BEER
E 640-48000-253	Beer For Resale	\$176.00	2029709	BEER
E 640-48000-253	Beer For Resale	\$1,023.00	2032274	BEER
Total CAPITOL BEVERAGE SALES		\$4,531.55		
Paid Chk# 107897	11/29/2017	CITY VIEW PLUMBING & HEATING		
E 640-48000-401	Repairs/Maint Buildings	\$238.80	46856	DRAIN REPAIRS
Total CITY VIEW PLUMBING & HEATING		\$238.80		
Paid Chk# 107898	11/29/2017	CLEAR RIVER BEVERAGE CO.		
E 640-47000-253	Beer For Resale	\$54.00	149-1567	BEER
Total CLEAR RIVER BEVERAGE CO.		\$54.00		
Paid Chk# 107899	11/29/2017	COCA-COLA		
E 640-47000-254	Soft Drinks/Mix For Resale	\$685.76	3609204298	MISC MIX
Total COCA-COLA		\$685.76		
Paid Chk# 107900	11/29/2017	COZZINI BROS., INC.		
E 640-48500-415	Other Equipment Rentals	\$55.91	C4411349	KNIFE EXCHANGE
Total COZZINI BROS., INC.		\$55.91		
Paid Chk# 107901	11/29/2017	DAHLHEIMER DISTRIBUTING CO.		
E 640-47000-253	Beer For Resale	\$657.37	1313198	BEER
E 640-48000-253	Beer For Resale	\$663.00	1313199	BEER
E 640-48000-253	Beer For Resale	\$322.00	1317248	BEER
E 640-47000-253	Beer For Resale	\$828.00	163611	BEER
Total DAHLHEIMER DISTRIBUTING CO.		\$2,470.37		

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Paid Chk#	107902	11/29/2017	DENNYS 5TH AVENUE BAKERY		
E 640-48500-255	FOOD	Ingredients For Resale	\$97.53	684755	FOOD
E 640-48500-255	FOOD	Ingredients For Resale	\$95.38	685052	FOOD
Total	DENNYS 5TH AVENUE BAKERY		\$192.91		
Paid Chk#	107903	11/29/2017	DIRECTV		
E 640-48000-415	Other Equipment Rentals		\$311.53	32908340135	SERVICE
Total	DIRECTV		\$311.53		
Paid Chk#	107904	11/29/2017	ENKI BREWING COMPANY		
E 640-48000-253	Beer For Resale		\$155.00	8210	BEER
E 640-47000-253	Beer For Resale		\$59.94	8211	BEER
Total	ENKI BREWING COMPANY		\$214.94		
Paid Chk#	107905	11/29/2017	FLAHERTY S HAPPY TYME CO.		
E 640-47000-254	Soft Drinks/Mix For Resale		\$57.00	34064	MISC.MIX
Total	FLAHERTY S HAPPY TYME CO.		\$57.00		
Paid Chk#	107906	11/29/2017	G & K SERVICES		
E 640-48500-217	Uniforms		\$146.65	6013772566	KITCHEN UNIFORMS
E 640-48500-210	Operating Supplies (GENERAL)		\$62.33	6013772566	KITCHEN SUPPLIES
E 640-48000-210	Operating Supplies (GENERAL)		\$43.94	6013772566	BAR SUPPLIES
E 640-48500-217	Uniforms		\$146.01	6013783628	KITCHEN UNIFORMS
E 640-48500-210	Operating Supplies (GENERAL)		\$66.54	6013783628	KITCHEN SUPPLIES
E 640-48000-210	Operating Supplies (GENERAL)		\$41.48	6013783628	BAR SUPPLIES
Total	G & K SERVICES		\$506.95		
Paid Chk#	107907	11/29/2017	GRAPE BEGINNINGS, INC.		
E 640-47000-259	Freight		\$6.75	30530	FREIGHT
E 640-47000-259	Freight		\$6.75	30894	FREIGHT
E 640-47000-259	Freight		\$2.25	31071	FREIGHT
E 640-47000-252	Wine For Resale		\$335.90	MN00030530	WINE RESALE
E 640-47000-252	Wine For Resale		\$281.90	MN00030894	WINE RESALE
E 640-47000-252	Wine For Resale		\$720.00	MN00031071	WINE RESALE
Total	GRAPE BEGINNINGS, INC.		\$1,353.55		
Paid Chk#	107908	11/29/2017	HIGHWAY 55 RENTAL		
E 101-41100-493	Volunteer program		\$316.00	516871	VOLUNTEER DINNER
Total	HIGHWAY 55 RENTAL		\$316.00		
Paid Chk#	107909	11/29/2017	HOHENSTEINS INC.		
E 640-47000-253	Beer For Resale		\$1,278.00	930357	BEER RESALE
Total	HOHENSTEINS INC.		\$1,278.00		
Paid Chk#	107910	11/29/2017	JJ TAYLOR DISTRIBUTING OF MN		
E 640-47000-253	Beer For Resale		\$2,115.07	2754798	BEER
E 640-47000-253	Beer For Resale		\$1,904.00	2771032	BEER
E 640-48000-253	Beer For Resale		\$652.00	2777630	BEER
E 640-48000-253	Beer For Resale		\$833.30	2777689	BEER
Total	JJ TAYLOR DISTRIBUTING OF MN		\$5,504.37		
Paid Chk#	107911	11/29/2017	JOHNSON BROS.-ST.PAUL		
E 640-47000-251	Liquor For Resale		\$255.78	5866244	LIQUOR
E 640-47000-259	Freight		\$3.78	5866244	FREIGHT
E 640-47000-251	Liquor For Resale		\$971.61	5870463	LIQUOR
E 640-47000-259	Freight		\$11.34	5870463	FREIGHT
E 640-47000-252	Wine For Resale		\$6,362.86	5870464	WINE
E 640-47000-259	Freight		\$103.35	5870464	FREIGHT

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E 640-47000-251	Liquor For Resale	\$2,862.17	5871843	LIQUOR
E 640-47000-259	Freight	\$17.44	5871843	FREIGHT
E 640-47000-252	Wine For Resale	\$384.00	5871844	WINE
E 640-47000-259	Freight	\$5.04	5871844	FREIGHT
E 640-47000-252	Wine For Resale	\$800.00	5872146	WINE
E 640-47000-251	Liquor For Resale	\$2,312.51	5876145	LIQUOR
E 640-47000-259	Freight	\$19.11	5876145	FREIGHT
E 640-47000-252	Wine For Resale	\$1,164.50	5876146	WINE
E 640-47000-254	Soft Drinks/Mix For Resale	\$36.00	5876146	MISC.MIX
E 640-47000-259	Freight	\$23.94	5876146	FREIGHT
E 640-47000-251	Liquor For Resale	\$1,179.12	5876342	LIQUOR
E 640-47000-259	Freight	\$16.38	5876342	FREIGHT
E 640-47000-252	Wine For Resale	\$10,429.98	5876343	WINE
E 640-47000-259	Freight	\$175.14	5876343	FREIGHT
E 640-47000-251	Liquor For Resale	\$803.40	5877597	LIQUOR
E 640-47000-259	Freight	\$12.60	5877597	FREIGHT
E 640-47000-252	Wine For Resale	(\$79.27)	651435	WINE
E 640-47000-251	Liquor For Resale	(\$14.46)	651436	LIQUOR
E 640-47000-252	Wine For Resale	(\$261.78)	651803	WINE
E 640-47000-252	Wine For Resale	(\$11.75)	651804	WINE
E 640-47000-251	Liquor For Resale	(\$1.48)	652194	LIQUOR
E 640-47000-252	Wine For Resale	(\$66.78)	652596	WINE
E 640-47000-251	Liquor For Resale	(\$141.12)	652943	LIQUOR
E 640-47000-251	Liquor For Resale	(\$205.26)	653409	LIQUOR
Total JOHNSON BROS.-ST.PAUL		\$27,168.15		
Paid Chk#	107912	11/29/2017	KARLSBURGER FOODS, INC.	
E 640-48500-255	FOODIngredients For Resale	\$320.00	000453385	FOOD
Total KARLSBURGER FOODS, INC.		\$320.00		
Paid Chk#	107913	11/29/2017	M.AMUNDSON LLP	
E 640-47000-256	MISC.MDSE.RESALE	\$846.58	248362	CIGARETTES
Total M.AMUNDSON LLP		\$846.58		
Paid Chk#	107914	11/29/2017	MARGRON SKOGLUND WINE IMPORTS	
E 640-47000-252	Wine For Resale	\$120.00	20022003	WINE
E 640-47000-259	Freight	\$5.00	20022003	FREIGHT
tal MARGRON SKOGLUND WINE IMPORTS		\$125.00		
Paid Chk#	107915	11/29/2017	MOOD MEDIA	
E 640-48000-433	Dues, Licensing & Seminars	\$109.10	53635782	OVERHEAD MUSIC
Total MOOD MEDIA		\$109.10		
Paid Chk#	107916	11/29/2017	NEGOCE, LLC	
E 640-47000-252	Wine For Resale	\$183.96	162586	WINE
E 640-47000-259	Freight	\$1.50	162586	FREIGHT
Total NEGOCE, LLC		\$185.46		
Paid Chk#	107917	11/29/2017	NETWORK BUSINESS SUPPLIES	
E 640-48000-210	Operating Supplies (GENERAL)	\$301.06	00108199	SUPPLIES
E 640-48000-210	Operating Supplies (GENERAL)	\$80.63	00108212	SUPPLIES
Total NETWORK BUSINESS SUPPLIES		\$381.69		
Paid Chk#	107918	11/29/2017	NEW FRANCE WINE COMPANY	
E 640-47000-252	Wine For Resale	(\$360.00)	124508	WINE RESALE
E 640-47000-252	Wine For Resale	\$1,250.68	125940	WINE RESALE
E 640-47000-259	Freight	\$21.00	125940	FREIGHT
E 640-47000-252	Wine For Resale	\$952.00	126037	WINE RESALE

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E 640-47000-259	Freight		\$4.50	126037	FREIGHT
E 640-47000-252	Wine For Resale		\$272.00	126179	WINE RESALE
E 640-47000-259	Freight		\$3.00	126179	FREIGHT
E 640-47000-252	Wine For Resale		\$300.00	16320	WINE RESALE
E 640-47000-259	Freight		\$1.50	16320	FREIGHT
Total	NEW FRANCE WINE COMPANY		\$2,444.68		
Paid Chk#	107919	11/29/2017	NORTHWESTERN FRUIT COMPANY		
E 640-48500-255	FOODIngredients For Resale		(\$22.20)	873765	FOOD
E 640-48500-255	FOODIngredients For Resale		\$302.05	873795	FOOD
E 640-48500-255	FOODIngredients For Resale		\$405.00	873956	FOOD
E 640-48500-255	FOODIngredients For Resale		\$442.35	874079	FOOD
E 640-48500-255	FOODIngredients For Resale		\$318.50	874257	FOOD
E 640-48500-255	FOODIngredients For Resale		\$253.00	874385	FOOD
Total	NORTHWESTERN FRUIT COMPANY		\$1,698.70		
Paid Chk#	107920	11/29/2017	PARLEY LAKE WINERY		
E 640-47000-252	Wine For Resale		\$81.00	17224	WINE
Total	PARLEY LAKE WINERY		\$81.00		
Paid Chk#	107921	11/29/2017	PAUSTIS & SONS		
E 640-47000-252	Wine For Resale		\$948.00	8611107	WINE RESALE
E 640-47000-259	Freight		\$10.00	8611107	FREIGHT
E 640-47000-252	Wine For Resale		\$1,239.00	8611648	WINE RESALE
E 640-47000-259	Freight		\$12.50	8611648	FREIGHT
Total	PAUSTIS & SONS		\$2,209.50		
Paid Chk#	107922	11/29/2017	PHILLIPS WINES & SPIRITS		
E 640-47000-252	Wine For Resale		(\$2,318.72)	2248410	WINE RESALE
E 640-47000-251	Liquor For Resale		\$703.89	2263357	LIQUOR
E 640-47000-259	Freight		\$6.83	2263357	FREIGHT
E 640-47000-252	Wine For Resale		\$1,699.65	2263358	WINE RESALE
E 640-47000-259	Freight		\$25.31	2263358	FREIGHT
E 640-47000-252	Wine For Resale		\$112.00	2264327	WINE RESALE
E 640-47000-259	Freight		\$1.26	2264327	FREIGHT
E 640-48000-251	Liquor For Resale		\$438.82	2267097	LIQUOR
E 640-47000-251	Liquor For Resale		\$375.18	2267250	LIQUOR
E 640-47000-259	Freight		\$2.72	2267250	FREIGHT
E 640-47000-252	Wine For Resale		\$1,076.75	2267251	WINE RESALE
E 640-47000-259	Freight		\$12.70	2267251	FREIGHT
E 640-47000-252	Wine For Resale		(\$422.30)	279009	WINE RESALE
Total	PHILLIPS WINES & SPIRITS		\$1,714.09		
Paid Chk#	107923	11/29/2017	PLUNKETT S PEST CONTROL		
E 640-48000-409	Maint services & Improv		\$82.66	5810220	SERVICE
Total	PLUNKETT S PEST CONTROL		\$82.66		
Paid Chk#	107924	11/29/2017	SAVEON		
E 640-47000-340	Advertising		\$3,583.46	2017CI-30725	STORE MAILERS
Total	SAVEON		\$3,583.46		
Paid Chk#	107925	11/29/2017	SHAMROCK GROUP		
E 640-47000-254	Soft Drinks/Mix For Resale		\$128.38	2182557	ICE
Total	SHAMROCK GROUP		\$128.38		
Paid Chk#	107926	11/29/2017	SOUTHERN GLAZER'S OF MN		
E 640-47000-252	Wine For Resale		\$173.84	1614657	WINE RESALE
E 640-47000-259	Freight		\$1.72	1614657	FREIGHT

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E 640-47000-251	Liquor For Resale		\$985.42	1614658	LIQUOR
E 640-47000-254	Soft Drinks/Mix For Resale		\$49.50	1614658	MISC.MIX
E 640-47000-259	Freight		\$11.84	1614658	FREIGHT
E 640-47000-252	Wine For Resale		\$72.00	1614659	WINE RESALE
E 640-47000-259	Freight		\$2.56	1614659	FREIGHT
E 640-47000-252	Wine For Resale		\$804.00	1614660	WINE RESALE
E 640-47000-259	Freight		\$6.40	1614660	FREIGHT
E 640-47000-252	Wine For Resale		\$2,204.00	1614661	WINE RESALE
E 640-47000-259	Freight		\$30.72	1614661	FREIGHT
E 640-47000-252	Wine For Resale		\$1,370.00	1617498	WINE RESALE
E 640-47000-259	Freight		\$12.18	1617498	FREIGHT
E 640-47000-251	Liquor For Resale		\$4,029.91	1617499	LIQUOR
E 640-47000-259	Freight		\$29.55	1617499	FREIGHT
E 640-47000-252	Wine For Resale		\$978.00	1617500	WINE RESALE
E 640-47000-259	Freight		\$19.20	1617500	FREIGHT
Total SOUTHERN GLAZER'S OF MN			\$10,780.84		
Paid Chk# 107927	11/29/2017	STEEL TOE BREWING			
E 640-48000-253	Beer For Resale		\$330.00	18494	BEER
E 640-48000-253	Beer For Resale		\$140.00	18664	BEER
Total STEEL TOE BREWING			\$470.00		
Paid Chk# 107928	11/29/2017	STRATEGIC EQUIPMENT AND			
E 640-48500-210	Operating Supplies (GENERAL)		\$257.82	2934899	KITCHEN SUPPLIES
E 640-48000-210	Operating Supplies (GENERAL)		\$58.05	2986328	BAR SUPPLIES
E 640-48500-210	Operating Supplies (GENERAL)		\$308.69	2986331	KITCHEN SUPPLIES
E 640-48000-210	Operating Supplies (GENERAL)		\$261.39	2986331	BAR SUPPLIES
Total STRATEGIC EQUIPMENT AND			\$885.95		
Paid Chk# 107929	11/29/2017	SUNBURST CHEMICALS, INC.			
E 640-48500-415	Other Equipment Rentals		\$92.58	0010120	DISHWASHER LEASE
Total SUNBURST CHEMICALS, INC.			\$92.58		
Paid Chk# 107930	11/29/2017	T.D. ANDERSON INC.			
E 640-48000-409	Maint services & Improv		\$100.00	345723	BEER LINE SERVICE
Total T.D. ANDERSON INC.			\$100.00		
Paid Chk# 107931	11/29/2017	TOLL GAS & WELDING SUPPLY			
E 640-48000-210	Operating Supplies (GENERAL)		\$145.23	10214529	SUPPLIES
Total TOLL GAS & WELDING SUPPLY			\$145.23		
Paid Chk# 107932	11/29/2017	TRUE BRANDS			
E 640-47000-210	Operating Supplies (GENERAL)		\$142.38	278519	SUPPLIES
E 640-47000-254	Soft Drinks/Mix For Resale		\$47.04	278519	MISC.MDSE
E 640-47000-254	Soft Drinks/Mix For Resale		\$34.80	279612	MISC MDSE
E 640-47000-210	Operating Supplies (GENERAL)		\$67.20	280825	SUPPLIES
E 640-47000-254	Soft Drinks/Mix For Resale		\$20.00	280825	MISC.MDSE
Total TRUE BRANDS			\$311.42		
Paid Chk# 107933	11/29/2017	ULINE			
E 640-47000-210	Operating Supplies (GENERAL)		\$739.23	91824223	SHOPPING CARTS
Total ULINE			\$739.23		
Paid Chk# 107934	11/29/2017	ULTRA-CHEM IN.C			
E 640-48500-210	Operating Supplies (GENERAL)		\$325.82	1197475	SUPPLIES
E 640-48500-210	Operating Supplies (GENERAL)		\$326.73	1201164	SUPPLIES
Total ULTRA-CHEM IN.C			\$652.55		
Paid Chk# 107935	11/29/2017	UPS STORE			

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E 640-48000-210	Operating Supplies (GENERAL)	\$248.40	8701	BAR SUPPLIES - GIFT CARD HOLDERS & ENVELOPES
Total UPS STORE		\$248.40		
Paid Chk# 107936	11/29/2017	US FOODS		
E 640-48500-255	FOODIngredients For Resale	\$2,776.85	5608587	FOOD
E 640-48000-210	Operating Supplies (GENERAL)	\$53.64	5608587	SUPPLIES
E 640-48000-254	Soft Drinks/Mix For Resale	\$69.57	5608587	MISC.BEV
E 640-48500-210	Operating Supplies (GENERAL)	\$270.48	5608587	KITCEHN SUPPLIES
E 640-48000-342	Promotions - Food/Drinks	\$86.23	5608587	PROMO FOOD
E 640-48500-255	FOODIngredients For Resale	\$3,179.78	5647173	FOOD
E 640-48000-210	Operating Supplies (GENERAL)	\$53.64	5647173	SUPPLIES
E 640-48000-254	Soft Drinks/Mix For Resale	\$427.39	5647173	MISC.BEV
E 640-48000-342	Promotions - Food/Drinks	\$125.16	5647173	PROMO FOOD
E 640-48500-210	Operating Supplies (GENERAL)	\$91.04	5647173	KITCHEN SUPPLIES
E 640-48000-251	Liquor For Resale	\$42.89	5647173	LIQUOR
E 640-48000-210	Operating Supplies (GENERAL)	\$52.80	5678230	SUPPLIES
E 640-48500-255	FOODIngredients For Resale	\$4,486.33	5695745	FOOD
E 640-48000-251	Liquor For Resale	\$16.78	5695745	LIQUOR
E 640-48000-210	Operating Supplies (GENERAL)	\$7.25	5695745	BAR SUPPLIES
E 640-48500-210	Operating Supplies (GENERAL)	\$36.34	5695745	KITCHEN SUPPLIES
E 640-48000-254	Soft Drinks/Mix For Resale	\$18.45	5695745	MISC.BEV
E 640-48500-255	FOODIngredients For Resale	\$3,337.34	5744915	FOOD
E 640-48500-210	Operating Supplies (GENERAL)	\$159.68	5744915	KITCHEN SUPPLIES
E 640-48000-254	Soft Drinks/Mix For Resale	\$86.02	5744915	MISC.BEV
E 640-48000-251	Liquor For Resale	\$161.55	5744915	LIQUOR
E 640-48000-342	Promotions - Food/Drinks	\$40.96	5744915	PROMO FOOD
E 640-48500-255	FOODIngredients For Resale	\$547.47	5782441	LIGHT UP THE LAKE PROMO
E 640-48500-255	FOODIngredients For Resale	(\$547.47)	5782441	PROMO
E 640-48500-255	FOODIngredients For Resale	\$6,067.84	5782442	FOOD
E 640-48000-210	Operating Supplies (GENERAL)	\$53.64	5782442	BAR SUPPLIES
E 640-48500-210	Operating Supplies (GENERAL)	\$67.33	5782442	KITCEHN SUPPLIES
E 640-48000-254	Soft Drinks/Mix For Resale	\$489.36	5782442	MISC.BEV
E 640-48000-342	Promotions - Food/Drinks	\$84.20	5782442	PROMO FOOD
E 640-48000-251	Liquor For Resale	\$52.34	5782442	LIQUOR
E 640-48500-255	FOODIngredients For Resale	\$69.33	5797689	FOOD
Total US FOODS		\$22,464.21		
Paid Chk# 107937	11/29/2017	VINOCOPIA		
E 640-47000-251	Liquor For Resale	(\$40.00)	0191409	LIQUOR
E 640-47000-252	Wine For Resale	\$360.00	0193983	WINE RESALE
E 640-47000-251	Liquor For Resale	\$211.58	0193983	LIQUOR
E 640-47000-259	Freight	\$12.00	0193983	FREIGHT
E 640-47000-251	Liquor For Resale	\$710.99	0194698	LIQUOR
E 640-47000-252	Wine For Resale	\$80.00	0194698	WINE RESALE
E 640-47000-259	Freight	\$10.00	0194698	FREIGHT
Total VINOCOPIA		\$1,344.57		
Paid Chk# 107938	11/29/2017	WAYZATA BREW WORKS LLC		
E 640-48000-253	Beer For Resale	\$139.00	MU18	BEER
Total WAYZATA BREW WORKS LLC		\$139.00		
Paid Chk# 107939	11/29/2017	WINE COMPANY		
E 640-47000-252	Wine For Resale	\$32.00	52523	WINE RESALE
E 640-47000-252	Wine For Resale	(\$339.30)	53879	WINE
E 640-47000-252	Wine For Resale	\$1,190.67	54405	WINE RESALE
E 640-47000-259	Freight	\$16.50	54405	FREIGHT
E 640-47000-252	Wine For Resale	\$2,800.00	54750	WINE RESALE

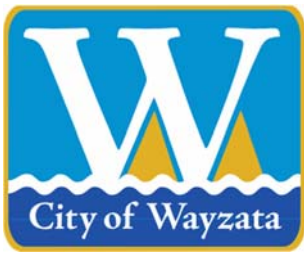
***Check Detail Register©**

November 2017

			Check Amt	Invoice	Comment
E 640-47000-259	Freight		\$9.90	54750	FREIGHT
E 640-47000-252	Wine For Resale		\$840.00	54823	WINE RESALE
E 640-47000-252	Wine For Resale		\$552.66	55345	WINE RESALE
E 640-47000-259	Freight		\$8.25	55345	FREIGHT
Total WINE COMPANY			<u>\$5,110.68</u>		
Paid Chk#	107940	11/29/2017	WINE MERCHANT		
E 640-47000-252	Wine For Resale		\$1,152.00	7158144	WINE
E 640-47000-259	Freight		\$20.16	7158144	FREIGHT
E 640-47000-252	Wine For Resale		\$2,307.00	7158425	WINE
E 640-47000-259	Freight		\$17.64	7158425	FREIGHT
E 640-47000-252	Wine For Resale		\$3,093.00	7159516	WINE
E 640-47000-259	Freight		\$31.50	7159516	FREIGHT
E 640-47000-252	Wine For Resale		\$288.00	7159760	WINE
E 640-47000-259	Freight		\$1.26	7159760	FREIGHT
E 640-48000-252	Wine For Resale		(\$315.66)	716710	WINE
Total WINE MERCHANT			<u>\$6,594.90</u>		
Paid Chk#	107941	11/29/2017	WRS IMPORTS LLC		
E 640-47000-252	Wine For Resale		\$114.00	1449	WINE
Total WRS IMPORTS LLC			<u>\$114.00</u>		
Paid Chk#	107942	11/29/2017	Z WINES USA LLC		
E 640-47000-252	Wine For Resale		\$80.00	18771	WINE RESALE
E 640-47000-259	Freight		\$5.00	18771	FREIGHT
Total Z WINES USA LLC			<u>\$85.00</u>		
10100 Anchor Bank			<u>\$260,258.80</u>		

Fund Summary**10100 Anchor Bank**

101 GENERAL FUND	\$36,871.60
233 LAKFRONT IMPROVE	\$221.00
235 CABLE TV	\$1,600.00
401 PERM IMPROVEMENT	\$1,575.18
404 PARK AND TRAIL CIP	\$9,498.32
407 CELL TOWER	\$23,204.59
408 GENERAL CIP	\$530.69
409 EQUIP REVOLVING	\$449.00
430 STREET CIP	\$212.93
610 WATER FUND	\$5,775.64
620 SEWER FUND	\$1,950.72
630 MOTOR VEHICLE	\$875.40
640 LIQUOR	\$129,689.68
650 SOLID WASTE	\$30,371.83
802 ESCROW PROJECTS	\$17,432.22
	<u>\$260,258.80</u>



City of Wayzata City Council Agenda Report

MEETING DATE: December 5, 2017	AGENDA ITEM: 7c
TITLE: Approval of Municipal Licenses	
PROPOSED MOTION: To approve the Municipal Licenses as attached	
PREPARED BY: Lori Krismer, Office Assistant	
REVIEWED BY: Becky Malone, City Clerk	

ACTION REQUESTED:

Staff recommends approval of the Municipal Licenses.

FINANCIAL OR BUDGET CONSIDERATION:

N/A

BACKGROUND:

N/A

ATTACHMENTS:

1. Humphrey Kennel License Memo
2. LuLu & Luigi Kennel License Memo
3. Parel Kennel License Memo
4. Greer Kennel License Memo
5. Doggett Kennel License Memo
6. List of Municipal Licenses for City Council Approval and Municipal Licenses Which Received Administrative Approval (informational only)



WAYZATA POLICE DEPARTMENT

Proudly Serving Wayzata and Long Lake

600 Rice Street

Wayzata, MN 55391-1734

(952) 404-5340

Fax: (952) 404-5359

TO: Jeff Dahl, Wayzata City Manager

FROM: Lt. Mike Murphy, Wayzata PD

DATE: November 22, 2017

RE: Kennel License

In response to a 2018 kennel license application by Alison Clare Humphrey of 425 Highcroft Road, I conducted an inspection of the premises on the morning of 11/22/17.

Humphrey had licensed three dogs with the city on 02/13/17, so licensing and vaccination requirements had already been verified. I was able to see all three animals during the inspection on 11/2/17, who all appeared healthy. None of the dogs displayed any aggressive behavior.

Humphrey states all dogs are housed inside her residence, which was found to be heated. The feeding area was located in a mud room of the home, an area which was found to be neat and clean. Per city ordinance, the certificate related to issuance of a previous kennel license was found posted on a wall inside this mud room area.

While Humphrey reports the dogs are kept inside the residence, I saw a fenced in area in the rear of the property which she said is used to contain the dogs at times they are allowed outside. Humphrey reports a water dish is kept in the outside location when seasonal conditions allow the animals to be out. No dog house is present in the outside area, as Humphrey states the animals are only allowed in that location for brief periods of exercise and fresh air. As such, an outside structure for shelter should not be required as it relates to this particular application.

Wayzata Police records show no animal related violations associated with Humphrey's three canines which were reported in the previous year.

Based upon the results of the inspection, I would recommend approval of the kennel license for 2018.



WAYZATA POLICE DEPARTMENT

Proudly Serving Wayzata and Long Lake

600 Rice Street

Wayzata, MN 55391-1734

(952) 404-5340

Fax: (952) 404-5359

TO: Jeff Dahl, Wayzata City Manager

FROM: Lieutenant Mike Murphy, Wayzata PD

DATE: 11/22/17

RE: Kennel License

In response to a 2018 kennel license application submitted by store owner Laura Bednarczyk for her business known as Lulu & Luigi, 812 East Lake Street in Wayzata, I conducted an inspection of the business on 11/22/17. As a point of information, the license would be for a business which does not actually have any dogs which reside on site, but which conducts pet grooming services at their location in which three or more dogs may be present at one time, therefore mandating a license pursuant to language included in city ordinance.

During the inspection, I found the grooming facilities located in the rear of the business. The grooming areas were found to be clean and neat. The facility was heated. Individual kennels are present on site for housing of dogs which are temporarily present.

Staff present at the facility at the time of the inspection state that as the animals being serviced are on site for only a brief period of time, no provisions for food are provided, and I was advised that no dogs are ever taken outdoors for purposes of relieving themselves.

A copy of a kennel license which was previously issued to the business was found posted on a bulletin board in the rear grooming area of the facility.

Based on observations made during the 11/22/17 inspection, I would recommend approval of the kennel license for 2018.



WAYZATA POLICE DEPARTMENT

600 Rice Street
Wayzata, MN 55391-1734
(952) 404-5340
Fax: (952) 404-5359

TO: Jeff Dahl, Wayzata City Manager
FROM: Officer Timothy McCarthy, Wayzata PD
DATE: November 27, 2017
RE: Kennel License

I inspected the residence at 243 Glenbrook Rd on 11/27/17, after dog owner Jodi Parel applied for a 2018 Wayzata Residential Kennel License. An enclosed room between the house and garage, where the dogs are kept, was clean, heated, and well lit. Ms. Parel's three dogs had food in three bowls, water in one large bowl, and an ample space that appeared to be primarily for them.

Two of the dogs, a medium sized Gordon Setter and a English setter, are trained hunting dogs. These two each had large clean kennel (cage) to house them while the family was away from the residence. The third dog, a small French bull dog, is kept loose in the kennel room because of issues that incur when it is penned up in a cage. When the family, which includes three children, is present in the home, the dogs roam the house and are let outside in a fenced in backyard for exercise and elimination matters.

Wayzata Police records show one police call from a neighbor in January 2017 concerning two of the Parel dogs that were "at large" in the neighbor's yard. Ms. Parel was warned and subsequently a fence was constructed around the backyard of the residence which eliminated the opportunity for the dogs to roam away from the yard.

The three dogs were clean, healthy, and interacted with the three children present in the house while I was there.

Based on my observations during the inspection, I recommend re-approval of the kennel license for 243 Glenbrook Rd and Jodi Parel for 2018.



WAYZATA POLICE DEPARTMENT

Proudly Serving Wayzata and Long Lake

600 Rice Street

Wayzata, MN 55391-1734

(952) 404-5340

Fax: (952) 404-5359

To: Jeff Dahl

From: Officer Groves

Date: November 21, 2017

Re: Dog Kennel License Renewal

The Wayzata Police Department received a Kennel License Application from Melinda Greer. This application is for a renewal of a current license.

Greer has 4 dogs, all of which are currently licensed in the City of Wayzata. Per city ordinance an inspection of the home and yard was completed. The interior of the home was found to be clean and sanitary and food and water was accessible to the dogs. The yard was clean and free of hazards. I have no areas of concern for approving the application.

There are no previous calls regarding any animals at the residence on file.



WAYZATA POLICE DEPARTMENT

Proudly Serving Wayzata and Long Lake

600 Rice Street

Wayzata, MN 55391-1734

(952) 404-5340

Fax: (952) 404-5359

TO: Jeff Dahl, Wayzata City Manager

FROM: Lt. Mike Murphy, Wayzata PD

DATE: 11/22/17

RE: Kennel License

On 11/22/17, Dallas James Doggett of 312 Barry Avenue North obtained a 2018 kennel license application at Wayzata city hall. Doggett currently has three dogs license by the city, and he currently holds a 2017 kennel license issued to him by the City of Wayzata earlier in 2017. From conversation with Doggett on 11/22/17, his plans were to renew the kennel license for 2018.

I did conduct an inspection of Doggett's residence later that afternoon in relation to the pending license application. I was able to see all three dogs that date, who all appeared healthy and did not display any sign of vicious behavior. The residence was heated, and was clean. A feeding area was found just off the kitchen. A fenced in area was present at the rear of the residence where Doggett reports the dogs can go to be outside, but he reports the animals stay inside almost exclusively. As such, no outdoor structure is present for the dogs at any location on the premises.

Upon receipt of the kennel application and licensing of the dogs for 2018, I would recommend approval of a kennel license for this property.

12/05/2017

**THE FOLLOWING MUNICIPAL LICENSES
WERE APPROVED ADMINISTRATIVELY**

2017 Itinerant Food License for Light Up The Lake - Community Tree Lighting on November 24, 2017	
Wayzata Bar & Grill	Wayzata, MN
2018 Car Wash License	
Gerring's Car Wash	Wayzata, MN
Wayzata Bay Car Wash	Wayzata, MN
Wayzata BP	Wayzata, MN
2018 Food License	
6Smith	Wayzata, MN
Wayzata American Legion 118 DBA "Ernest Aselton Post "	Wayzata, MN
Baja Haus	Wayzata, MN
Bellecour	Wayzata, MN
Benedicts	Wayzata, MN
Ben & Jerry's	Wayzata, MN
Big Bowl Chinese Express	Wayzata, MN
Blake School-Highcroft Campus	Wayzata, MN
Bruegger's	Wayzata, MN
Café by the Bay	Wayzata, MN
Caribou Coffee Company, Inc. #103	Wayzata, MN
Caribou Coffee Company, Inc. #145	Wayzata, MN
Chipotle Mexican Grill #0884	Wayzata, MN
CōV Wayzata	Wayzata, MN
Crisp & Green	Wayzata, MN
D'Amico & Sons	Wayzata, MN
District Fresh Kitchen & Bar	Wayzata, MN
Folkestone Senior Housing	Wayzata, MN
Gianni's Steakhouse	Wayzata, MN
Jade Fountain Chinese Restaurant	Wayzata, MN
Jimmy John's	Wayzata, MN
Maggie's Restaurant	Wayzata, MN
McCormick's	Wayzata, MN
McDonald's	Wayzata, MN
Meridian Manor	Wayzata, MN
ninetwentyfive	Wayzata, MN
Noodles & Company	Wayzata, MN
Punch Neapolitan Pizza	Wayzata, MN
Redeemer Lutheran Church	Wayzata, MN
Redeemer Lutheran School	Wayzata, MN
St. Bartholomew Catholic Church	Wayzata, MN

St. Bartholomew Catholic School	Wayzata, MN
St. Barts (Lake Area Discovery Center)	Wayzata, MN
Sakana Sushi	Wayzata, MN
Starbucks Coffee #2440	Wayzata, MN
Sushi Fix	Wayzata, MN
The McIver Center	Wayzata, MN
The Retreat	Wayzata, MN
Tri's Wok	Wayzata, MN
Wayzata Bar & Grill	Wayzata, MN
Wayzata Community Church	Wayzata, MN
Wayzata Masonic Lodge #205	Wayzata, MN
Wayzata School District #284 @ Wayzata West Middle School	Wayzata, MN
Woodhill Country Club	Wayzata, MN
Yogurt Lab	Wayzata, MN
2018 Seasonal Permanent Food Stand License	
McCormick's Beachside	Wayzata, MN
Wayzata Yacht Club	Wayzata, MN
2018 Food Vehicle License	
Bruegger's	Wayzata, MN
D'Amico & Sons	Wayzata, MN
Gianni's Steakhouse	Wayzata, MN
Maggie's Restaurant	Wayzata, MN
McCormick's Beachside	Wayzata, MN
Tri's Wok	Wayzata, MN
Wayzata Bar & Grill	Wayzata, MN
2018 Gas Fitter's License	
Abel Heating & Cooling	Mound, MN
Air Mechanical, Inc.	Ham Lake, MN
Bonfe's Plumbing & Heating & Air Service, Inc.	South St. Paul, MN
Centraire Heating & Air Conditioning, Inc.	Eden Prairie, MN
Corporate Mechanical Inc.	New Hope, MN
Corval Constructors, Inc.	St. Paul, MN
Countryside Heating & Cooling Solutions	Maple Plain, MN
Fireside Hearth & Home	Lakeville, MN
Genz-Ryan Plumbing & Heating Co.	Burnsville, MN
Linn Star Transfer, Inc.	Eden Prairie, MN
Pronto Heating & Air Conditioning	Edina, MN
Select Mechanical Services	St. Louis Park, MN
Standard Heating & Air Conditioning	Plymouth, MN
Yale Mechanical	Bloomington, MN
2018 Gasoline Filling Station License	
Holiday Stationstore #129	Wayzata, MN
T & T Boatworks Marina	Wayzata, MN
Wayzata Bay Car Wash	Wayzata, MN

Wayzata BP	Wayzata, MN
2018 Lodging Establishment License	
Folkestone	Wayzata, MN
Hotel Landing	Wayzata, MN
The McIver Center	Wayzata, MN
The Retreat	Wayzata, MN
2018 Seasonal Sidewalk Cafe License	
Ben and Jerry's	Wayzata, MN
Caribou Coffee Company, Inc. #103	Wayzata, MN
CōV Wayzata	Wayzata, MN
Gianni's Steakhouse	Wayzata, MN
McCormick's	Wayzata, MN
Starbucks Coffee #2440	Wayzata, MN
Yogurt Lab	Wayzata, MN
2018 Swimming Pool License	
Folkestone Presbyterian Homes	Wayzata, MN
Highcroft Wayzata	Wayzata, MN
Hollybrook Townhomes	Wayzata, MN
Locust Hills Development	Wayzata, MN
Wayzata Villa Condominiums	Wayzata, MN
Wayzata West Middle School	Wayzata, MN
Wayzata Woods Apartments	Wayzata, MN
Woodhill Country Club	Wayzata, MN
2018 Tree Removal and Treatment License	
Maximum Tree Service & Landscaping	New London, MN
Neiberger's Superior Tree Care, Inc.	Wayzata, MN
Ostvig Tree Inc.	Wayzata, MN
Precision Landscape & Tree Inc.	Little Canada, MN
Savatree, LLC	Hopkins, MN
Shadywood Tree Experts	Hopkins, MN
Shorewood Tree Service, LLC	Watertown, MN
The Davey Tree Expert Company DBA S&S Tree and Horticultural Specialists	South St. Paul, MN

LIST OF MUNICIPAL LICENSES FOR CITY COUNCIL APPROVAL

Recommended for approval, pending staff review for completeness of application materials

2018 On-Sale 3.2 Percent Malt Liquor License	
Chipotle Mexican Grill of Colorado, LLC DBA "Chipotle Mexican Grill"	Wayzata, MN
Civitali Restaurant Corp DBA "Punch Neapolitan Pizza"	Wayzata, MN
D'Amico & Sons LLC DBA "D'Amico & Sons"	Wayzata, MN
Homan Corporation DBA "Maggie's Restaurant"	Wayzata, MN
Wang Hua, Inc. DBA "Jade Fountain Chinese Restaurant"	Wayzata, MN
2018 Kennel License	
Alison Humphrey	Wayzata, MN
LuLu & Luigi	Wayzata, MN
Jodi Parel	Wayzata, MN
Todd Pearson/Melinda Greer Residence	Wayzata, MN
Dallas Doggett	Wayzata, MN
2018 Therapeutic Massage Business License	
Läka Spa	Wayzata, MN
2018 Therapeutic Massage Personal License	
Kim Janz - Juut Salon Spa	Wayzata, MN
Stephanie E. Hansen - Juut Salon Spa	Wayzata, MN
Karen Montanez - Läka Spa	Wayzata, MN
Whitney Kavanagh - Juut Salon Spa	Wayzata, MN
Margaret Metz	Wayzata, MN
Kelsey Norgren - Juut Salon Spa	Wayzata, MN
Vollie Sanders III - Läka Spa	Wayzata, MN
Ka Vang - Läka Spa	Wayzata, MN
2018 Tobacco License	
Holiday Stationstore #129	Wayzata, MN
North Shore Vape	Wayzata, MN
Walgreens #15679	Wayzata, MN
Wayzata BP	Wayzata, MN
Wayzata Wine & Spirits	Wayzata, MN



City of Wayzata City Council Agenda Report

MEETING DATE: December 5, 2017	AGENDA ITEM: 7d
TITLE: Approval of Resolution No. 65-2017 approving preliminary and final plat subdivision and variances at 309 and 349 Ramsey Rd	
PROPOSED MOTION: Adopt Resolution No. 65-2017	
PREPARED BY: Jeff Thomson, Director of Planning and Building	
REVIEWED BY: Jeffrey Dahl, City Manager	

ACTION REQUESTED:

City staff recommends that the City Council adopt the resolution approving the preliminary and final plat subdivision and variances, as recommended by the Planning Commission.

FINANCIAL OR BUDGET CONSIDERATION:

The development application does not have any impact on the 2017 City's General Fund Budget.

BACKGROUND:

Application Overview

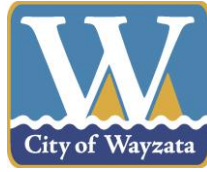
The applicants, Kent and Amanda Adams, and the property owners have submitted a development application to adjust the property line between the two properties at 309 and 341 Ramsey Road. In addition to the property line adjustment, the applicant is proposing to add a garage addition to the existing house at 341 Ramsey Road, which would not meet the rear yard setback requirement. The development application requests approvals of a setback variance, and preliminary and final plat with variances for the property line adjustment.

Planning Commission Review

The Planning Commission reviewed the development application and held a public hearing at its meeting on October 30, 2017. After discussing the application, the Planning Commission voted five (5) in favor and zero (0) opposed to adopt a recommendation for approval of the development application.

ATTACHMENTS:

1. October 30, 2017 Staff Report
2. Applicant's narrative
3. Proposed plans
4. October 30, 2017 Planning Commission meeting minutes
5. Draft Resolution No. 65-2017
6. Planning Commission Report and Recommendation



**Staff Report
October 30, 2017**

Project Name: Harrington Gates
Applicant Kent and Amanda Adams
Addresses of Request: 309 and 341 Ramsey Road
Prepared by: Jeff Thomson, Director of Planning and Building

Development Application

Introduction

The applicants, Kent and Amanda Adams, and the property owners have submitted a development application to adjust the property line between the two properties at 309 and 341 Ramsey Road. In addition to the property line adjustment, the applicant is proposing to add a garage addition to the existing house at 341 Ramsey Road, which would not meet the rear yard setback requirement. The development application requests approvals of a setback variance, and preliminary and final plat with variances for the property line adjustment.

Property Information

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

Address	PID	Owner
309 Ramsey Rd	12-117-23-12-0005	Amanda A & Kent R Adams Trustees
341 Ramsey Rd	12-117-23-12-0026	Harrington Gates, LLC

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

Current zoning:	R-1A/Low Density Single Family Estate District
Comp plan designation:	Estate Single Family Residential
Overlay districts:	Shoreland Overlay District

Project Location

The properties are located at the end of Ramsey Road:

Map 1: Project Location



Application Requests

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

- A. Concurrent Preliminary and Final Plat Subdivision: The proposal requires preliminary and final plat review to subdivide the two existing lots along a new line.
- B. Lot Variances: Although the proposed subdivision does not create any new lots, the reconfigured 341 Ramsey Rd lot would not meet the lot area and lot width requirements, and the 309 Ramsey Rd property would not meet the lot width requirements of the R-1A zoning district.
- C. Rear Yard Setback Variance: The proposed garage addition would be set back 14.2 feet from the rear property line, which does not meet the 50-foot setback requirement of the R-1A zoning district.

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 Home	R-1A/Low Density Single Family Estate District	Estate Single Family Residential
East	Lake Minnetonka	N/A	N/A

South	Single Family Home	R-1A/Low Density Single Family Estate District	Estate Single Family Residential
West	Single Family Home	R-1A/Low Density Single Family Estate District	Estate Single Family Residential

Public Hearing Notice

The public hearing notice was published in the Lakeshore Weekly Newson October 19, 2017. The public hearing notice was also mailed to all property owners located within 350 feet of the subject property on October 20, 2017.

Analysis of Application

City staff has reviewed the pertinent information and City Code requirements for the development application, and provides the following analysis and information:

Proposed Subdivision

The two properties each currently contain a single family residential home. The proposed subdivision would not create any new lots, but would simply adjust the shared property line between the two existing properties. Currently, the 309 Ramsey Road lot is non-conforming in terms of lot area and lot width, and the 341 Ramsey Road property meets all of the R-1A lot requirements. With the adjustment of the lot line, the 309 Ramsey Road lot would have a conforming lot size, but would continue to have a lot width that doesn't meet the R-1A requirements. The reconfigured 341 Ramsey Rd property would not meet the minimum lot area and lot width requirements. Given the total lot size and lot frontage of the two lots, there is not a way to reconfigure the two lots such that both lots meet all of the R-1A lot requirements.

The following tables outlines the R-1A lot requirements, the existing lot information, and proposed lot information:

	R-1A Requirements	309 Ramsey Rd	341 Ramsey Rd
Existing Lot Area	80,000 sq. ft.	51,305 sq. ft.*	95,214 sq. ft.
Existing Lot Width	200 ft.	0 ft.*	281 ft.
Existing Lot Depth	200 ft.	288 ft.	205 ft.
Proposed Lot Area	80,000 sq. ft.	102,953 sq. ft.	43,566 sq. ft.**
Proposed Lot Width	200 ft.	110 ft.**	172 ft.**
Proposed Lot Depth	200 ft.	302 ft.	205 ft.

*The existing 309 Ramsey Rd lot has non-conforming lot area and lot width.

**The reconfigured 341 Ramsey Rd lot would not meet the minimum lot area and lot width requirements, and the reconfigured 309 Ramsey Rd lot would not meet the lot width requirement.

Proposed Garage Addition

In addition to the lot line reconfiguration, the applicant is proposing to construct a garage addition on the 341 Ramsey Rd property. The plans include preliminary concept elevations for the new garage. The proposed plans would not comply with all requirements of the R-1A zoning district, specifically the rear yard setback requirement. The current house and garage were constructed before the current setback requirements were put in place, and the current garage is nonconforming. Construction of the new garage would continue the non-conformity and therefore the applicant is request the variance to allow for the new garage with the same setback as the existing garage.

Setback Requirements

In the R-1A zoning district, a garage not exceeding one thousand (1,000) square feet shall be considered an integral part of the principal building if it is attached to the principal building. The proposed garage will be attached, and is thus subject to setback requirements for principal buildings in this zoning district. The proposed garage would not meet the setback requirements for the R-1A zoning district for single family homes:

	Front Yard	Side Yard	Rear Yard
R-1A Requirements	45 ft.	20 ft.	50 ft.
341 Ramsey Road Garage Setbacks	150+ ft.	20.4 ft.	14.2 ft.

Surrounding Lot Sizes

The following summarizes the lot areas of the single family lots in the area:

Address	Lot area
532 Harrington Rd	181,060 sq. ft.
516 Harrington Rd	79,521 sq. ft.
556 Harrington Rd	245,619 sq. ft.
562 Harrington Rd	62,767 sq. ft.
553 Harrington Rd	94,339 sq. ft.
542 Harrington Rd	110,321 sq. ft.
525 Harrington Rd	30,798 sq. ft.
390 Ferndale Rd W	46,386 sq. ft.
306 Ferndale Rd W	99,654 sq. ft.
308 Ferndale Rd W	83,690 sq. ft.
480 Ferndale Rd S	87,194 sq. ft.
358 Ferndale Rd S	69,955 sq. ft.

Tree Preservation

The proposed garage addition would be constructed over the existing garage. Therefore, there would be no increase in impervious surface, and there would be not tree removal for the proposed garage.

Action Steps

After considering the items outlined in this report and the public hearing held at the meeting, the Planning Commission should direct staff to prepare a *Planning Commission Report and Recommendation*, with appropriate findings, reflecting a recommendation on the application for review and adoption at the next Planning Commission meeting.

Attachments

Applicant's Narrative
Proposed Plans

Applicable Code Provisions for Review

Comprehensive Plan: The City's comprehensive plan includes the following policies for residential land uses:

1. Enhance individual character elements of residential neighborhoods through public improvements and private investment.
2. Protect property values through the consistent relationship of land uses, streets, sidewalks, natural features, and the maintenance of properties.
3. Protect residential neighborhoods from encroachment or intrusion by incompatible uses or incompatible higher densities.
4. Pursue programs to improve housing condition and maintenance, including implementing a rental housing inspection program.
5. Aggressively eliminate violations of property maintenance, outside storage or accessory building regulations which infringe upon residential neighborhood quality, pose public health and safety problems, or threaten neighboring property values.
6. Provide for continuing review, updating and enforcement of zoning, subdivision, and design standards to ensure high standards of planning and design.
7. Identify ecological and water quality impacts on the lake and other water bodies caused by proposed land use developments, for example stormwater runoff, and work to mitigate these impacts.

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.

Variance Standards: Section 801.05.1.C provides the criteria for reviewing variances from the zoning ordinance, which are as follows:

- A. Variances shall only be permitted when they are:
 - (i) in harmony with the general purposes and intent of this Ordinance; and
 - (ii) consistent with the Comprehensive Plan.

- B. Variances may be granted when the Applicant for the variance establishes that there are practical difficulties in complying with this Ordinance.
- C. "Practical difficulties," as used in connection with the granting of a variance, means that:
 - (i) the property owner's proposal for the property is reasonable but not permitted by this Ordinance;
 - (ii) the plight of the landowner is due to circumstances unique to the property, and not created by the landowner; and
 - (iii) the variance, if granted, will not alter the essential character of the locality.
- D. Economic considerations alone do not constitute practical difficulties. Practical difficulties include, but are not limited to, inadequate access to direct sunlight for solar energy systems.
- E. Variances shall be granted for earth sheltered construction as defined in Minnesota Statutes, section 216C.06, subdivision 14, when in harmony with this Ordinance.
- F. The City Council shall not permit as a variance any use that is not allowed under this Ordinance for property in the zoning district where the affected person's land is located, except the City Council may permit as a variance the temporary use of a one family dwelling as a two family dwelling.
- G. The City Council may impose conditions in the granting of variances. A condition must be directly related to and must bear a rough proportionality to the impact created by the variance.
- H. An application for a variance shall set forth reasons that the variance is justified under the criteria of this section in order to make reasonable use of the land, structure or building.

341 and 309 Ramsey Road Lot Line Reassignment and Variance Request

309 and 341 Ramsey Road West ("RRW") are adjacent irregularly shaped lots in the City of Wayzata. The owner of 309 RRW plans to purchase 341 RRW, adjust the lot line between the properties and add a garage to 341 RRW. The City of Wayzata must approve the lot line reassignment because it will change 341 RRW from a conforming lot to a non-conforming lot while changing 309 RRW from a non-conforming lot to a conforming lot. In addition, in order to accomplish the garage addition at 341 RRW, the City of Wayzata must approve a variance to the setback requirement for that lot.

The Wayzata City Ordinance requires that the lot line reassignment be approved because it will cause one of the lots to become non-conforming. The combined lot size of 309 and 341 RRW is not sufficient to create two conforming lots; one of the two lots must be non-conforming. The changing of the lot line will result in 309 RRW becoming a conforming lot so that there is no increase in the number of non-conforming lots. In addition, the lot line reassignment will be beneficial because it will consolidate the lakeshore in the lot at 309 RRW, make it clearer where the private drive to 309 RRW begins and reduce the number of easements that encumber 341 RRW. Further, the owners of 309 RRW intend to reduce the size of the existing tennis court that sits on the current lot line between the properties which will result in a reduction of the hardcover on that lot both as a percentage of lot size and in actual square footage.

The proposed garage addition to the house at 341 RRW requires a variance because it will be built within the existing setback for the property. The proposed variance is reasonable because the existing attached garage can only accommodate [a single vehicle]. 341 RRW has been on the market off and on for 6 years and realtors have stated that the size of the garage relative to the size and location of the house is an important limiting factor in it's marketability. The proposed garage addition would be added to the end of the house where the existing garage is located and add space for 2 vehicles. The need for the variance is due to circumstances unique to the property, and not created by the landowner. 341 RRW was built in 1949 before the current setback requirements were adopted by the City of Wayzata and the house as built does not meet current setback requirements. The additional garage space is will be built in the most practical location because it will be adjacent to the existing garage so that it will require the least amount of additional hardcover to access. The proposed variance will not alter the essential character of the locality because it will will add garage space that is no larger than that which is common for homes of the size and location of the existing home.

BELL FAUTH ADDITION

EXISTING LEGAL DESCRIPTIONS :
 FAULT
 Tract B, Registered Land Survey No. 1532, files of Registrar of Titles, Hennepin County, Minnesota.

○ : denotes iron marker
● : denotes iron marker found
© : denotes Judicial Landmark

Bearings shown are based upon an assumed datum.

NOTE: Some of the information shown for the Adams parcel was taken from a survey drawing by others.

This survey intends to show the boundaries of the above described property, the location of four existing buildings, all visible "hardcover", all easements as listed in Certificate of Title No. 1336144 on the subject property, and the proposed location of a proposed addition, two proposed driveways, and a proposed dividing line thereon. It does not purport to show any other improvements or encroachments.

Total = 23,279 sf = 24.45%

100% = 15.00% = 100%

EXISTING HARDCOVER CALCULATIONS :

WESTERLY PARCEL

Lot area = 95,214	Sq. ft.
House = 5491 sf	
Stone walk, front = 431 sf	
Stone patio & steps = 1400	
Stone walk to north = 260	
A/C pads = 15 sf	
Blacktop driveway = 3266	
Tennis court = 7183 sf	
Pergola = 341 sf	
Guest house = 1785 sf	
Guest house conc. drive =	
Guest house blacktop drive	

EASTERLY PARCEL

Lot area = 51,305	Sq. ft.
Main house = 4671	sf
Brick walks & stoops = 38	sf
Paver walks & patio = 375	sf
Porch = 110	sf
Deck = 821	sf
Patios & steps behind house	
Building at shore = 222	sf
Gen pad = 8	sf
Blacktop drive = 4521	sf
Stepping stones = 8	sf
Tennis court = 141	sf

PROPOSED HARDCOVER CALCULATIONS :

WESTERLY PARCEL

lot area = 43.566 Sq. ft.

House = 5491 sf
Stone walk, front = 431 sf
Stone patio & steps = 1407 sf
Stone walk to north = 260 sf
Proposed Addition = 566 sf
A/C pods = 15 sf
Blacktop driveway = 2100 sf
Total = 10,270 sf = 23.57%

EASTERLY PARCEL

Lot area = 102.953 Sq. ft.

Main house	=	4571 sf	
Guest house	=	1785 sf	
Tennis court	=	1820 sf	
Pergola	=	341 sf	
Brick walks & stoops	=	383 sf	
Pool	=	375 sf	
Prayer walls & patio	=	375 sf	
Deck	=	821 sf	
Patios & steps behind house	=	1245 sf	
Building at store	=	222 sf	
Gen pad	=	8 sf	
Blacktop drive	=	4865 sf	
Concrete drive at guest house	=	1425 sf	
Blacktop to guest house	=	749	
Stepping stones	=	8 sf	
Proposed garage addition	=	+531	
Proposed additional drive	=	+1053 sf	
Prayer wall removed	=	-735 sf	

Total = 20.377 sf = 19.79%

17223A2.SC

17-223A

HARRINGTON GATES

R.T.DOC.NO. _____

Know all persons by these presents that Harrington Gates, LLC, a Minnesota Limited Liability Corporation, fee owner of the following described property situated in the County of Hennepin, State of Minnesota, to wit:

Parcel A:
Tract B, Registered Land Survey No. 1532, files of Registrar of Titles, Hennepin County, Minnesota.

Parcel B:
That part of Lot 47, Auditors Subdivision No. 184 which lies easterly of a line running at right angles southerly from a point in the northerly line of said lot, described as follows: Commencing at the most northerly corner of said Lot 47; thence on a assumed bearing of South 80 degrees 45 minutes East a distance of 617.5 feet; thence South 75 degrees 51 minutes East a distance of 121.6 feet to the point of beginning of said line.

Has caused the same to be surveyed and platted as HARRINGTON GATES, and does hereby dedicate to the public for public use forever the drainage and utility easements as shown on the plat.

In witness whereof said Harrington Gates, LLC, a Minnesota Limited Liability Corporation, has caused these presents to be signed by its proper officer this _____ day of _____, 20____
Harrington Gates, LLC, a Minnesota Limited Liability Corporation,

By _____, its _____
STATE OF _____)
COUNTY OF _____) The foregoing instrument was acknowledged before me
this _____ day of _____, 20____, by _____, its
_____, of Harrington Gates, LLC, a Minnesota Limited Liability Corporation, on behalf of
the corporation.

Notary Public, _____ County _____ Notarys printed name
My commission expires _____

I, Mark S. Gronberg, do hereby certify that this plat was prepared by me or under my direct supervision; that I am a duly Licensed Land Surveyor in the State of Minnesota; that this plat is a correct representation of the boundary survey; that all mathematical data and labels are correctly designated on this plat; that all monuments depicted on this plat have been, or will be correctly set within one year; that all water boundaries and wet lands as defined in Minnesota Statutes, Section 505.01, Subd. 3 as of the date of this certificate are shown and labeled on this plat; and all public ways are shown and labeled on this plat.

Dated the _____ day of, _____ 20____.

Mark S. Gronberg Licensed Land Surveyor and Engineer
Minnesota License Number 12755

STATE OF _____)
COUNTY OF _____) The foregoing instrument was acknowledged before me this
_____ day of _____, 20____, by Mark S. Gronberg, Land Surveyor and Engineer

Notary Public, _____ County _____ Notarys printed name
My commission expires _____

WAYZATA, MINNESOTA

This plat of HARRINGTON GATES was approved and accepted by the City Council of Wayzata, Minnesota, at a regular meeting held this _____ day of _____, 20____. If applicable, the written comments and recommendations of the Commissioner of Transportation and the County Highway Engineer have been received by the City, or the prescribed 30 day period has elapsed without receipt of such comments and recommendations, as provided by Minnesota Statutes, Section 505.03, Subd. 2.

CITY COUNCIL OF THE CITY OF WAYZATA, MINNESOTA

_____, Mayor
_____, Clerk

RESIDENT AND REAL ESTATEE SERVICES, HENNEPIN COUNTY, MINNESOTA

I hereby certify that taxes payable in 20____ and prior years have been paid for land described on this plat.
Dated this _____ day of _____, 20____

MARK V. CHAPIN, HENNEPIN COUNTY AUDITOR

By _____, Deputy

SURVEY DIVISION, HENNEPIN COUNTY, MINNESOTA
Pursuant to MINN. STAT. Sec. 383B.565, (1969), this plat has been approved this _____ day
of _____, 20____.

CHRIS F. MAVIS, HENNEPIN COUNTY SURVEYOR

By _____

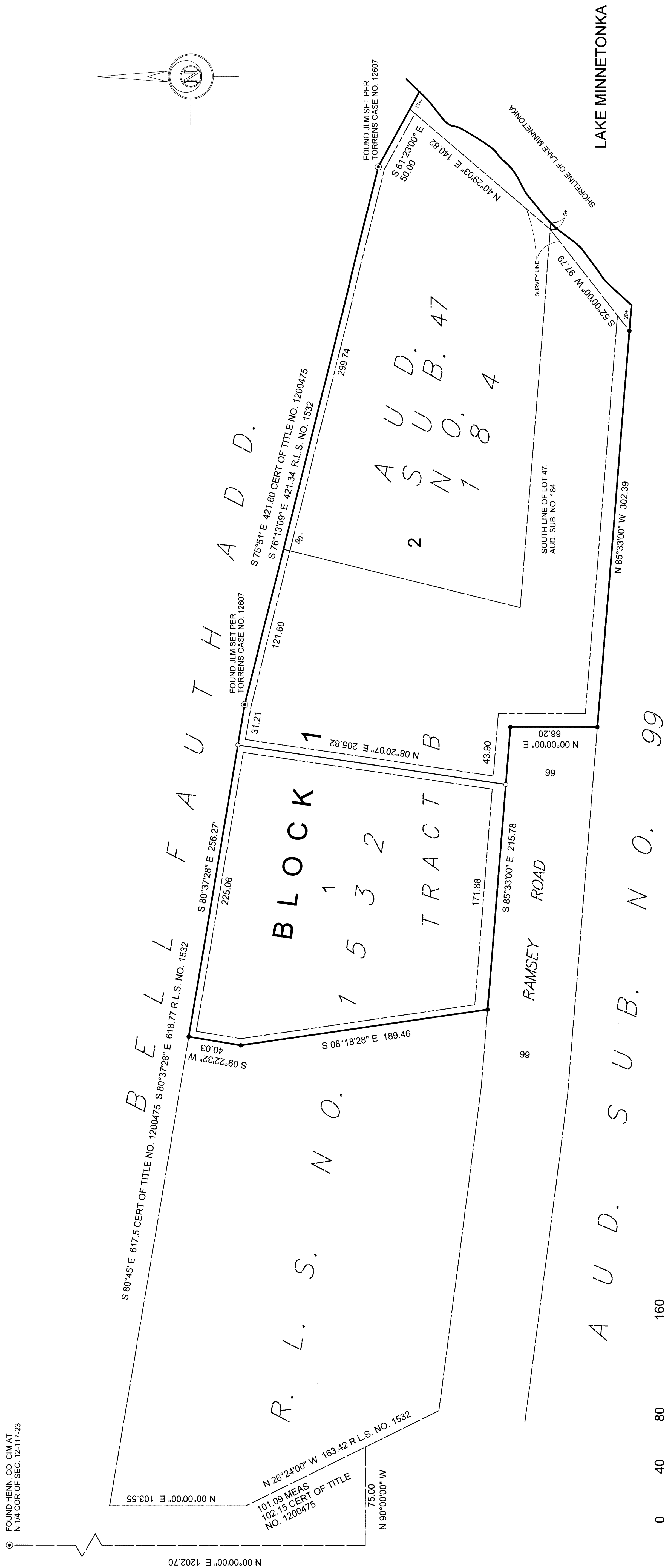
REGISTRAR OF TITLES, HENNEPIN COUNTY, MINNESOTA
I hereby certify that the within plat of HARRINGTON GATES was filled for record in this office this _____
day of _____ 20____, at _____ o'clock _____, M.

MARTIN MCCORMICK, REGISTRAR OF TITLES

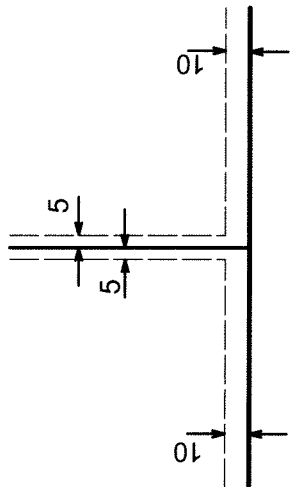
By _____, Deputy

HARRINGTON GATES

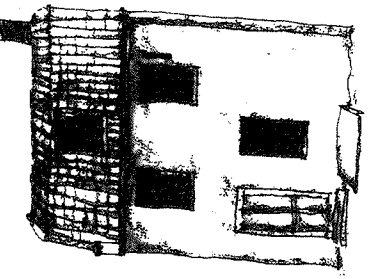
R.T.DOC.NO.



Drainage and utility easements shown thus:



Being 5 feet in width and adjoining lot lines, and
being 10 feet in width and adjoining right of way
lines as shown on the plat.



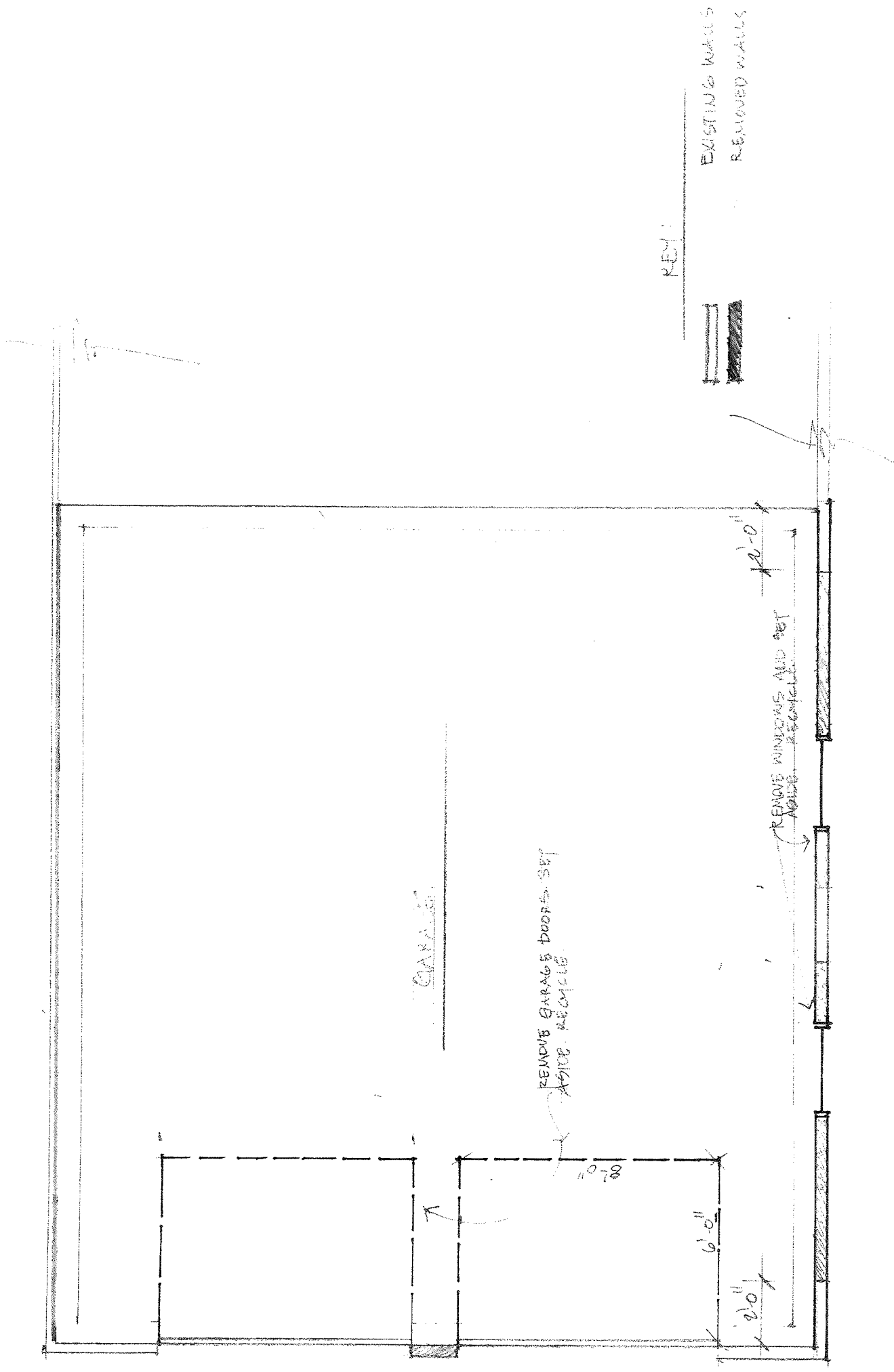
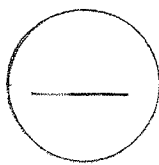
Pamela Vazquez

2720 Gale Road
Woodland, MN 55391
Pam.thereinstudio.com
952-334-0603

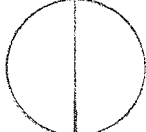
For:

Designed by:

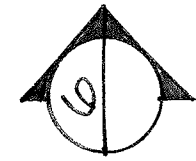
PAV Oct. 16, 2017



The Existing Garage Floor Plan - Demo



1/4" = 1'-0"



MATCH END DETAIL TO
EXISTING END DETAILS

CEILING HT SHIFT

GARAGE
(PROPOSED)
CEILING HT Varies

GARAGE DOOR 18'W X 7'0" TALL

CEILING HT SHIFT

GARAGE
(EXISTING)
CEILING HT: 8'-4" + 1/2"

GARAGE DOOR: 9'-0" W X 7'-0" TALL

22'-6"

4'-0"

9'-0"

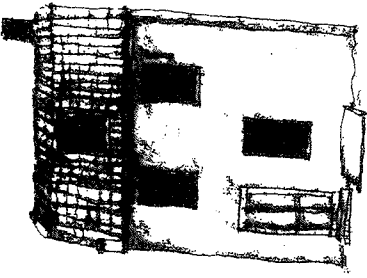
5'-6"

5'-6"

KEY:
= EXISTING WALLS
= new walls

The Garage Floor Plan - Proposed

1/4" = 1'-0"



Pamela Vazquez

2720 Gale Road
Woodland, MN 55391

952-334-0603
Pam@theneighborhood.com

341 RAMSEY ROAD
WAYZATA, MN 55391

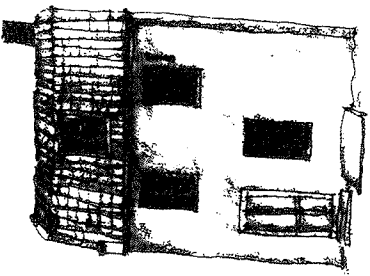
Designed by:

PAV

Aug, 3, 17

Revised: Oct 16, 17

2



Pamela Vazquez

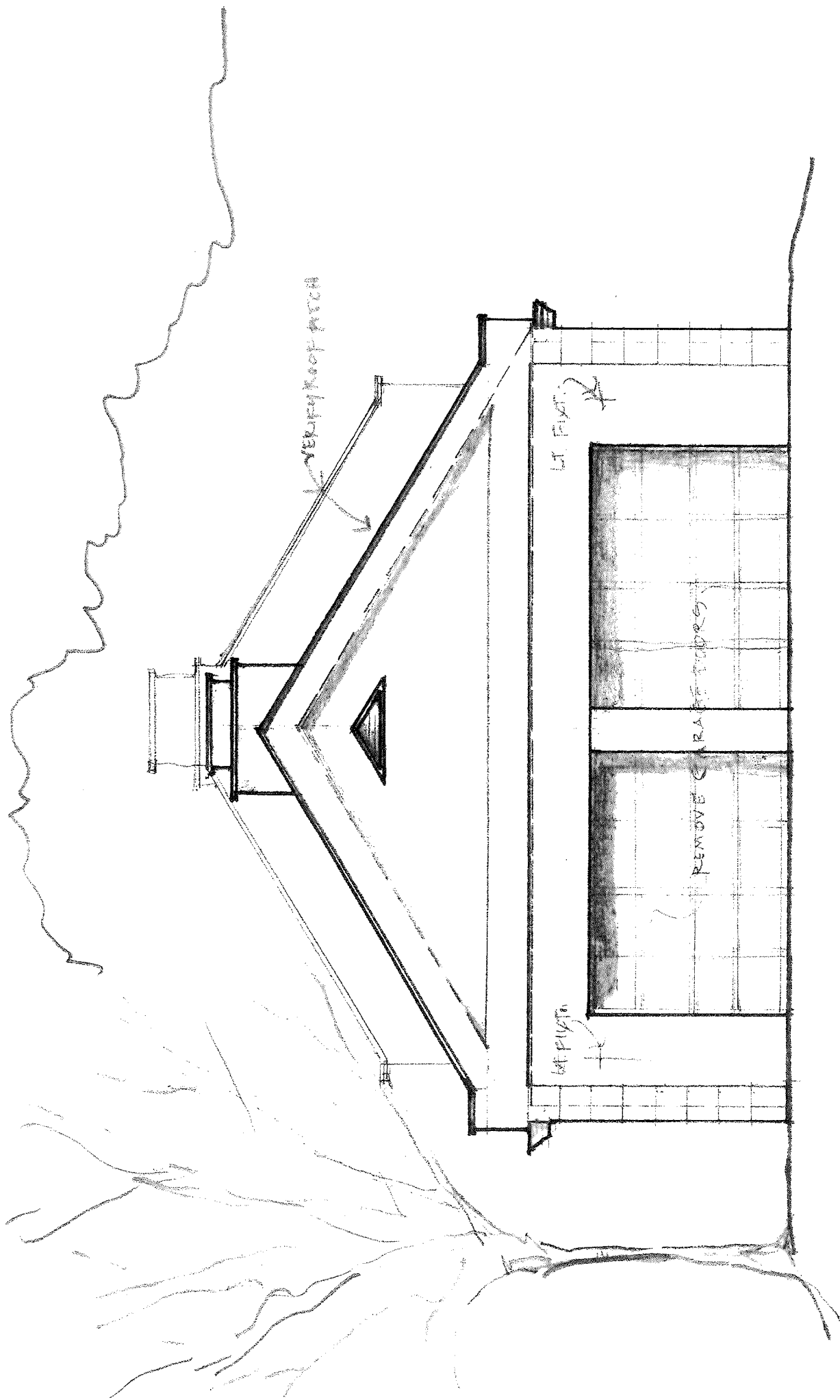
2720 Gale Road
Woodland, MN 55391
Pam.themasterstudio.com
952-334-0603

341 RAMSEY ROAD
WAYZATA, MN 55391

Designed by:

PAN

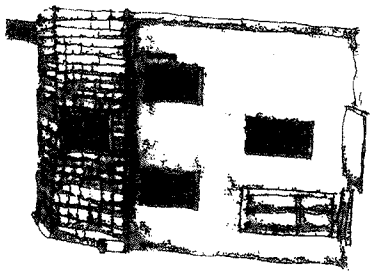
Aug 3, 17



The Existing Garage Exterior Elevation - Demo

Aug 3rd, 2017

1/4" = 1'-0"



Pamela Vazquez

2720 Gale Road
Woodland, MN 55391

Pam.07h.enr@studiodg.com

952-334-0603

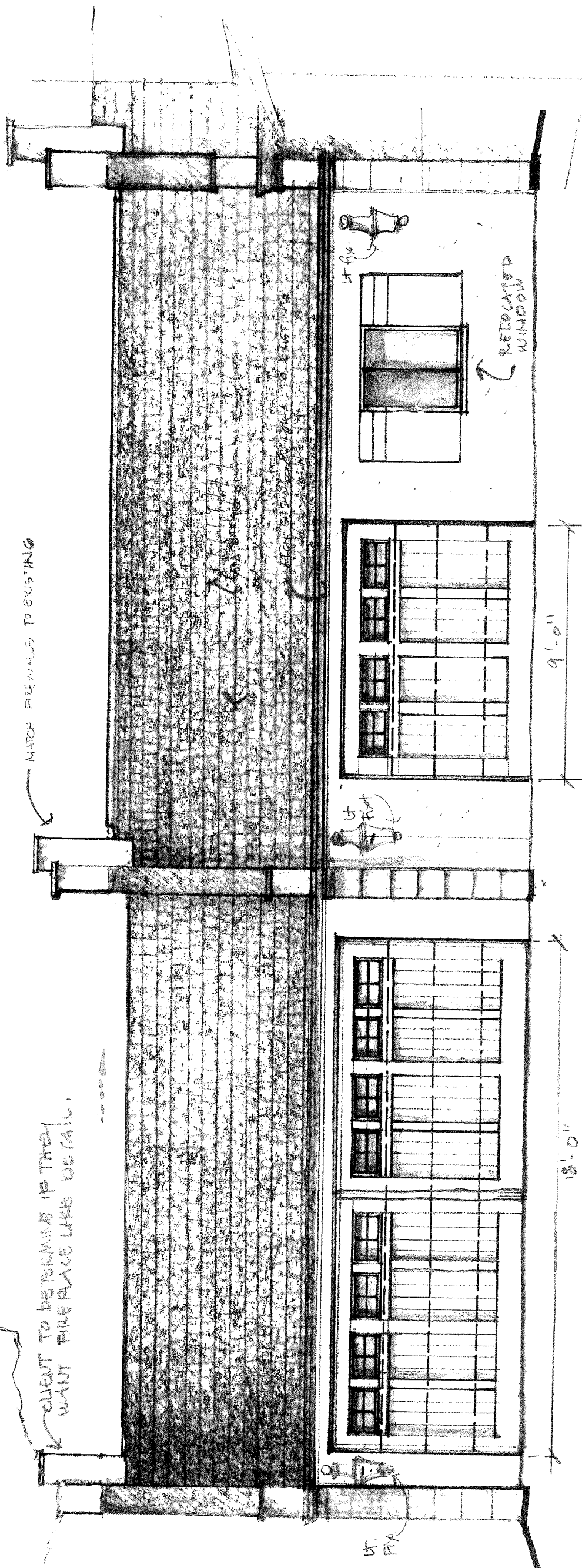
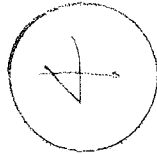
341 RAMSEY ROAD
WAYZATA, MN 55391

For

Design

P 4, Aug 8, 2017

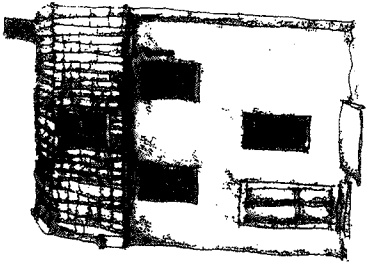
Oct 16, 2017



The Garage - Exterior Elev. Entry Side - Proposed

1/4" = 1'-0"





Pamela Vazquez

2720 Gale Road
Woodland, MN 55391

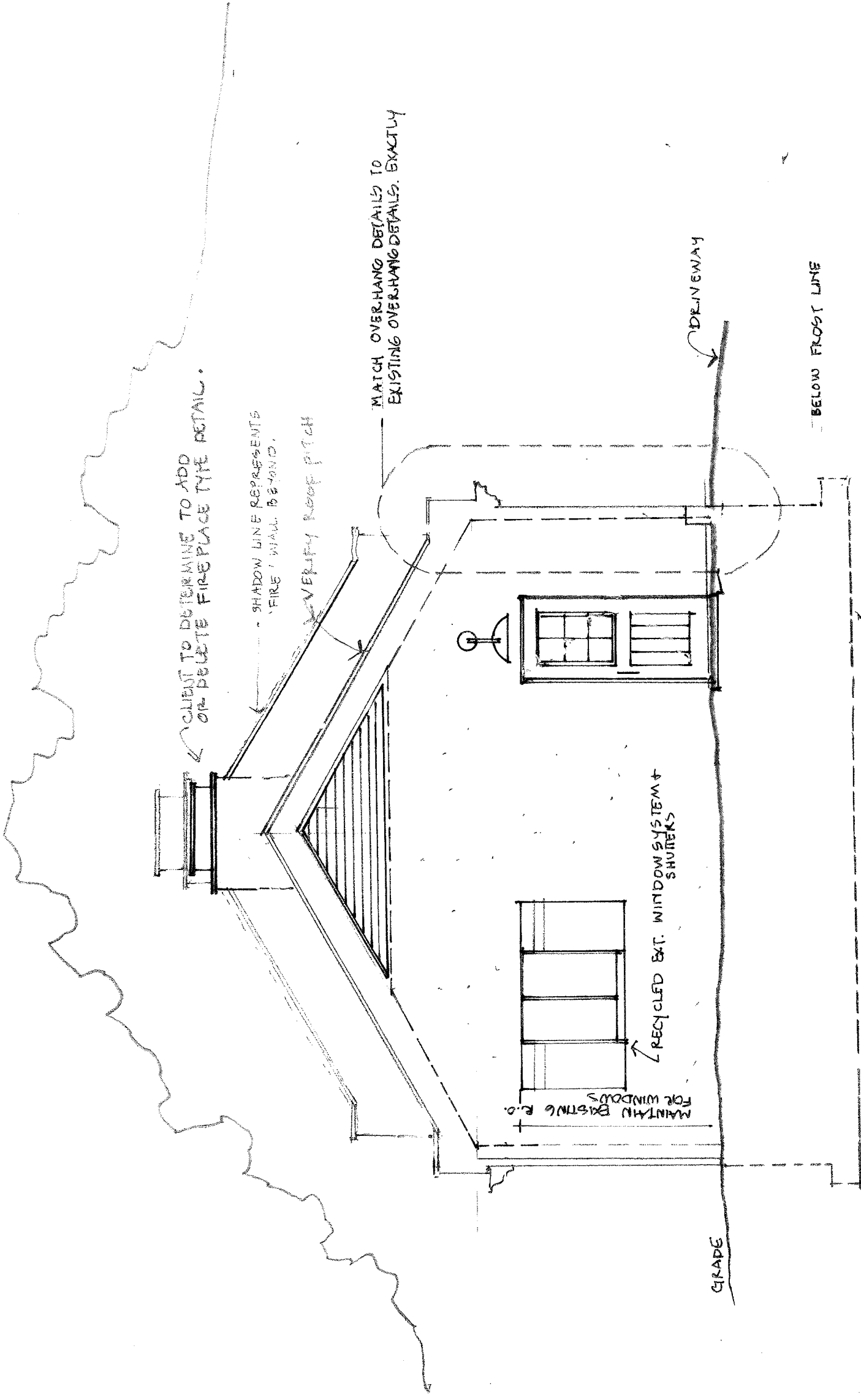
952-334-0603
Pamela Vazquez Studio Design

341 RAMSEY ROAD
WAYZATA, MN 55391

Designed By:

PAV Aug 8th 2017

REVISED Oct 16, 2017

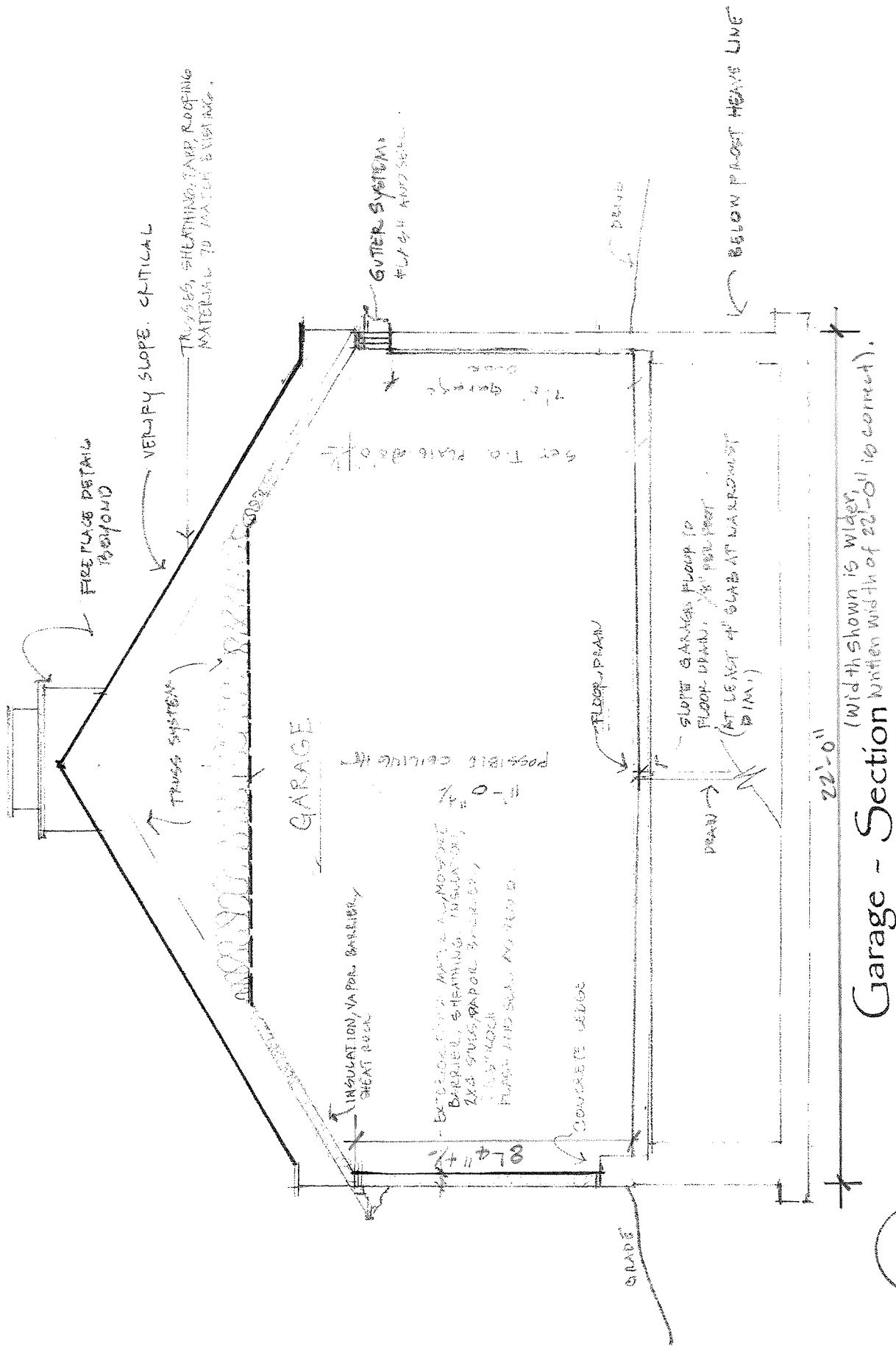


THE GARAGE - EXTERIOR LEFT SIDE ELEV. PROPOSED

1/4" = 1'-0"



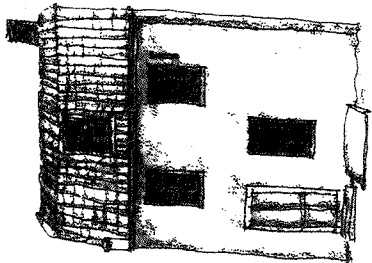
DISCLAIMER: DRAWINGS ARE FOR INSPIRATION, AND INTENT. DISCREPANCIES AND INACCURACIES MAY OCCUR AS NO SITE MEASUREMENTS AND DRAWINGS PROVIDED. DESIGNER DREW DRAWINGS ON PHOTO'S AND VERY LITTLE INFORMATION.



Garage - Section (width shown is wider, width of 22'-0\"/>

Aug. 2nd, 2017

N.T.S.



Pamela Vazquez

2720 Gale Road
Woodland, MN 55391

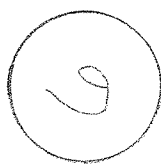
Far, the new studio building, from
952-334-0603

3+1 RAMSEY ROAD
WAYZATA, MN 55391

Designed by

PAN Aug 3, 2017

revised Oct 16, 2017



1 existing operational requirements of the PUD. She stated a 7:00 a.m. delivery once a week could
2 make sense but not 5:00 a.m.

3
4 Commissioner Flannigan stated the condition on hours for initial PUD was reasonable, and there
5 is not a hardship for the applicant in meeting this conditions of approval. He would support a
6 recommendation of denial on both requests.

7
8 Chair Iverson stated there had been long hours of discussion on the hours of operation for
9 Walgreens when the existing PUD was approved, and she would recommend denial of the PUD
10 amendment because of the impact to the neighborhood. She noted that there are drugstores near
11 Wayzata that are open later hours, so the community would still have late access during the
12 holidays.

13
14 Commissioner Young made a motion, seconded by Commissioner Buchanan, to direct staff to
15 prepare a draft Planning Commission Report and Recommendation recommending approval of
16 the PUD amendment as requested. The motion failed 0 ayes and 5 nays (Buchanan, Young,
17 Gonzalez, Iverson, Flannigan)

18
19 Commissioner Gonzalez made a motion, seconded by Commissioner Flannigan, to direct staff to
20 prepare a draft Planning Commission Report and Recommendation, with appropriate findings of
21 fact based on the preceding discussion, recommending denial of the PUD amendment. The
22 motion carried 5 ayes and 0 nays.

23
24 **b.) Harrington Gates – 309 and 341 Ramsey Rd**

25 **i. Preliminary and Final Plat Subdivision, Variances**

26
27 Director of Planning and Building Thomson stated the applicants, Kent and Amanda Adams, have
28 submitted a development application to adjust the property line between the two properties at 309
29 and 341 Ramsey Road and build a garage expansion. At the time the application was submitted
30 to the City, John Fauth was the owner of 341 Ramsey Rd, but this property is now owned by an
31 LLC controlled by the Adams. In addition to a property line adjustment, the applicant is proposing
32 to add a garage addition to the existing house at 341 Ramsey Road, which would not meet the rear
33 yard setback requirement. Thus, the development application requests approval of a setback
34 variance, and preliminary and final plat with variances for the property line adjustment and
35 substandard lot size. The concurrent preliminary and final plat subdivision proposal is to subdivide
36 the two existing lots along a new line. The proposed garage addition would be set back 14.2 feet
37 from the rear property line, which does not meet the 50-foot setback requirement for the R-1A
38 zoning district. The three variances that are requested as part of the subdivision are for the lot
39 width of 309 Ramsey Road, and the lot area and lot width of 341 Ramsey Road.

40
41 Commissioner Buchanan asked and Mr. Thomson confirmed that there were several surrounding
42 properties in this zoning district are non-conforming due to lot area.

43
44 Chair Iverson invited the Applicant to speak about the Application. Ms. Amanda Adams, 309
45 Ramsey Road, stated the home they live in on the property was built in 1905. The property was
46 subdivided in 1949 to create the 341 Ramsey Rd property. The driveway for 309 Ramsey Road is

1 the turnaround for Harrington Road. She explained that the property at 341 Ramsey Road has
2 been on the market for the last 6 years and has not sold due to the lot configuration and the small
3 garage on the existing property. They purchased the property in order to try and reconfigure the
4 road to stop at the carriage house, which is where it legally stops. They would then like to redirect
5 the driveway for 309 Ramsey so that they do not have traffic turning around on their property, in
6 front of their home all day and night.

7
8 Commissioner Gonzalez asked if there would be any trees cut down when the new garage was
9 built.

10
11 Ms. Adams stated they planned to remove the tennis court to lessen the hard cover, and the garage
12 would be built on an existing driveway. She noted that they would also eliminate another section
13 of hard cover. There are no trees in this area, so they would not be removing any trees as part of
14 the proposed work.

15
16 Chair Iverson opened the public hearing at 7:49 p.m.

17
18 There being no one wishing to speak on the Application, Chair Iverson closed the public hearing
19 at 7:50 p.m.

20
21 Chair Iverson asked for comments from the Commissioners.

22
23 Commissioner Flannigan stated the existing condition with driveway being used as a turnaround
24 for traffic is a hardship, and he does not have concerns with the garage addition because it would
25 make the property more marketable. The removal of the hardcover of the tennis court is an added
26 benefit.

27
28 Commissioner Gonzalez stated she agreed with the traffic being a hardship for the property
29 owners. She stated the practical difficulties for these sites were created when the City changed the
30 zoning requirements which the them non-conforming property. She would support a
31 recommendation of approval for the subdivision and variances. She would also support the
32 variance for the garage addition because it is keeping within the character of the neighborhood and
33 the current property.

34
35 Commissioner Young stated he would support a recommendation of approval.

36
37 Commission Buchanan stated he would also support a recommendation of approval.

38
39 Chair Iverson stated she would support approval of the application, and noted that there are several
40 non-conforming properties in this area.

41
42 Commissioner Gonzalez made a motion, seconded by Commissioner Buchanan, to direct staff to
43 prepare a draft Planning Commission Report and Recommendation, with appropriate findings
44 based on the preceding discussion, to recommend approval of the concurrent preliminary and final
45 plat subdivision with variances, and recommend approval of the rear yard setback variance for the
46 addition to the garage. The motion carried unanimously.

Commissioner Flannigan asked what the City would need to do to mark the street so that people were aware that it was a dead end.

Mr. Thomson stated he would review this with Public Works.

c.) 253 Condominiums – 253 Lake St E

i. Rezoning, PUD Concept Plan, Variance, Shoreland Impact Plan/Conditional Use Permit

Director of Planning and Building Thomson stated the applicant, Weber Architects & Planners, and the property owner, Continental Property Group, have submitted a development application to redevelop the property at 253 Lake Street East. He noted that on September 5th, the City Council, Planning Commission, and HRA held a joint workshop to discuss redevelopment plans in the area of the proposed development along Lake Street, west of Manitoba Avenue. The goal of the workshop was to discuss the individual development projects, potential tax increment financing (TIF) and next steps. The subject property is one of the individual development sites in the redevelopment area, and the proposed PUD concept plans are similar to what was presented by the property owner at the workshop meeting. Mr. Thomson explained that the development application contemplates demolition of the existing commercial building and accessory buildings and construction of a new 3-story residential building. The lower level would include 32 enclosed parking stalls and would be partially located above grade. The three stories above the lower level would include a total of 16 residential condominiums. The entrance to the lower level parking garage would be located on the back of the building, and access would be provided from Barry Avenue via an easement from the adjacent Wayzata Blu development. As a consideration of the PUD, the applicant is willing to donate the land behind the proposed building to the City for public parking and parking access. This is consistent with the City's approval of the Wayzata Blu project, which includes a condition requiring an easement to the City for possible public parking on the back of the property to provide additional public parking in the area. With respect to the proposed height of the building, Mr. Thomson noted that under the Zoning Ordinance, building height is measured from the average grade along the building footprint to the top of the flat roof. The proposed building would be 3-stories with an overall height of 40-feet. The proposed building also includes a basement level for underground parking, which would extend 6-feet above grade. The zoning ordinance states that a basement level can extend up to 6-feet above grade before it is considered an additional story. Thus, the proposed building is considered 3-stories with a basement level. Mr. Thomson noted that the Comp Plan states that within the Central Business District, commercial buildings on Lake Street and west of Barry Ave. are encouraged but not required to have a first-floor retail use.

Commissioner Gonzalez noted that page 9 of the Staff Report states that the "transparency requirements under the Lake Street District of the Design Standards remain in effect." She asked Mr. Thomson how this would work with residential uses.

Mr. Thomson stated the transparency requirement applicable to the proposed project is 50% on the first floor. As part of the design review during a later stage of the review process, the City would be looking for compliance with this requirement.

DRAFT RESOLUTION NO. 65-2017

**RESOLUTION APPROVING PRELIMINARY AND FINAL
PLAT SUBDIVISION AND VARIANCES AT 309 AND 341 RAMSEY ROAD**

WHEREAS, Kent and Amanda Adams, and the property owners of 309 and 341 Ramsey Road (collectively, the “Applicant”) have submitted a development application for approval of a subdivision and lot and setback variances (the “Application”) at 309 and 341 Ramsey Road (the “Property” and legally described on Attachment A hereto) to adjust the property line between the two adjacent properties and for an addition to the existing garage that is part of the house at 341 Ramsey Road (the “Subdivision and Variances”); and

WHEREAS, the Wayzata Planning Commission, pursuant to the Zoning and Subdivision Ordinances, has held a public hearing on the Application, made findings of fact on the land use requests in the Application, and delivered a Report and Recommendation to the City Council, attached to this Resolution as Attachment B;

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

A. Based on the Application materials, additional materials submitted by the Applicant, staff reports, public comment and information presented at the public hearing, the standards of the Wayzata Zoning and Subdivision Ordinances, and the Planning Commission Report and Recommendation of Approval of the Application, all of which are incorporated by reference in this Resolution, the City Council of the City of Wayzata hereby finds, confirms and memorializes that the Application meets the applicable requirements of Wayzata’s Zoning and Subdivision Ordinances, as set forth in the Planning Commission Report and Recommendation.

B. Based on the foregoing, the Subdivision and Variances requested in the Application (as defined in the Planning Commission Report and Recommendation) are hereby **APPROVED**, subject to satisfaction and continuing compliance with all of the following:

1. The Applicant must record the Final Plat with the appropriate Hennepin County officials within one hundred twenty (120) days in conformance with Section 805.15.E.7 of the Subdivision Ordinance, and the Applicant must provide a recorded copy of the Final Plat to the City.
2. All expenses of the City of Wayzata, including consultant, expert, legal, and planning fees incurred must be fully reimbursed by the Applicant.

Adopted by the Wayzata City Council this 5th day of December 2017.

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:

Resolution adopted.

I hereby certify that the foregoing is a true and correct copy of a resolution adopted by the City Council of the City of Wayzata, Minnesota, at a duly authorized meeting held on December 5, 2017.

Becky Malone, Deputy City Clerk
SEAL

Attachment A

Legal Description of Property

Attachment B

Planning Commission Report and Recommendation, dated November 20, 2017

Attachment A
Legal Descriptions of Property

Address	309 Ramsey Road
Legal	
PID No.	
A or T	
Certificate No.	

Address	341 Ramsey Road
Legal	
PID No.	
A or T	
Certificate No.	

DRAFT

Attachment B

Planning Commission Report and Recommendation, dated November 20, 2017

DRAFT



WAYZATA PLANNING COMMISSION

November 20, 2017

REPORT AND RECOMMENDATION OF APPROVAL OF PRELIMINARY AND FINAL PLAT SUBDIVISION AND VARIANCES AT 309 AND 341 RAMSEY ROAD

SUMMARY OF RECOMMENDATION

1. **Approval*** of Preliminary and Final Plat Subdivision for property line adjustment between adjacent nonconforming lots
2. **Approval*** of Lot Area and Lot Width Variances for nonconforming lots
3. **Approval*** of Setback Variance for proposed garage addition

** with certain conditions listed at the end of this Report*

REPORT

Section 1. BACKGROUND

- 1.1 **Proposed Land Use.** Kent and Amanda Adams, and the property owners listed below, (collectively, the "Applicant") have submitted a development application (the "Application") to adjust the property line between the two properties at 309 and 341 Ramsey Road (the "Property") and for an addition to the existing garage that is part of the house at 341 Ramsey Road (the "Project").
- 1.2 **Approvals Requested.** The Application requests the following:
 - A. **Preliminary and Final Plat.** Concurrent preliminary and final plats to adjust the lot line between the Property as reflected on Attachment A hereto (the "Proposed Subdivision" and "Preliminary and Final Plats").
 - B. **Lot Variances.** Variance for lot area of 43,566 square feet for Lot 1, Variance for lot width of 172 feet for Lot 1, and Variance for lot width of 110 feet for Lot 2 in the Preliminary and Final Plats that do not meet the requirements of the R-1A zoning district (the "Lot Variances", or collectively with the Setback Variance, the "Variances").
 - C. **Rear Yard Setback Variance.** Variance for the setback of the proposed garage addition of 14.2 feet from the rear property line as depicted in

Attachment B hereto (the “Setback Variance”, or collectively with the Lot Variances, the “Variances”).

- 1.3 Property. The address, property identification numbers and owners of the Property are:

Address	PID	Owner
309 Ramsey Rd	12-117-23-12-0005	Amanda A & Kent R Adams Trustees
341 Ramsey Rd	12-117-23-12-0026	Harrington Gates, LLC

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

Zoning:	R-1A/Low Density Single Family Estate
Comp plan designation:	Estate Single Family Residential
Overlay districts:	Shoreland

- 1.5 Notice and Public Hearing. Notice of a public hearing on the Application was published in the Lakeshore Weekly News on October 19, 2017. A copy of the notice was mailed to all property owners located within 350 feet of the Property on October 20, 2017. The required public hearing was held at the October 30, 2017 Planning Commission meeting.

Section 2. STANDARDS

2.1 Subdivision / Preliminary and Final Plat.

- A. 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.
- B. In reviewing requests for approval under the Subdivision Ordinance, the Planning Commission shall consider possible adverse effects of the proposed subdivision or lot combination reflected in 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.

2.2 Variances. The applicable criteria for granting a variance from the standards of the Zoning Ordinance under Sec. 801.05.1.C. are:

- A. Variances shall only be permitted when they are:

- (i) in harmony with the general purposes and intent of the Zoning Ordinance; and
 - (ii) consistent with the Comprehensive Plan.
- B. Variances may be granted when the Applicant for the variance establishes that there are practical difficulties in complying with the Zoning Ordinance.
- C. "Practical difficulties," as used in connection with the granting of a variance, means that:
 - (i) the property owner's proposal for the property is reasonable but not permitted by the Zoning Ordinance;
 - (ii) the plight of the landowner is due to circumstances unique to the property, and not created by the landowner; and
 - (iii) the variance, if granted, will not alter the essential character of the locality.
- D. Economic considerations alone do not constitute practical difficulties. Practical difficulties include, but are not limited to, inadequate access to direct sunlight for solar energy systems.
- E. The City Council shall not permit as a variance any use that is not allowed under the Zoning Ordinance for property in the zoning district where the affected person's land is located, except the City Council may permit as a variance the temporary use of a one family dwelling as a two family dwelling.
- F. An application for a variance shall set forth reasons that the variance is justified under the criteria of this section in order to make reasonable use of the land, structure or building.

Section 3. FINDINGS

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

3.1 Subdivision / Preliminary and Final Plat.

- A. City review of the Preliminary and Final Plat simultaneously is appropriate under City Code Sec. 805.15.A.
- B. The Planning Commission finds that there would be no significant adverse effects of the proposed Preliminary and Final Plats based upon the following factors found in Section 805.14.E:
 - 1. The Subdivision and Project is consistent with the Wayzata Comprehensive Plan, which guides the Property for Estate Single Family Residential.

2. The building pad for the garage expansion associated with the Project would not impact sensitive areas on the Property, and no other building pads are proposed as part of the Project.
3. The building pad for the garage expansion has been selected and located with respect to natural topography and the existing residence to minimize filing or grading.
4. There are no existing stands of significant trees on the Property impacted by the Project.
5. The Subdivision does not adversely impact the scale, pattern or character of the City, its neighborhoods, or its commercial areas, and would maintain the existing scale, pattern and character.
6. The design of the lots, the building pad, and the site layout responds to and is reflective of the surrounding lots and neighborhood character.
7. The lot sizes resulting from the Subdivision are similar to the existing nonconforming lots and not dissimilar from adjacent lots and lots found in the surrounding neighborhood.
8. The architectural appearance, scale, mass, construction materials, proportion and scale of roof line and functional plan of the garage expansion proposed as part of the Project is similar to the characteristics and quality of existing residence and those in the surrounding neighborhood.
9. The Design Standards outlined in Section 9 of the Wayzata Zoning Ordinance do not apply to the Property.
10. The proposed lot layout and building pad conforms with all performance standards contained in the Subdivision Ordinance with the exception of those for which the Variances are being requested.
11. The Subdivision will not tend to or actually depreciate the values of neighboring properties in the area in which it is proposed.
12. The Subdivision will be accommodated with existing public services, including those related to transportation and utility systems, and will not overburden the City's service capacity.

3.2 Lot Variances. The Lot Variances would not change the current Low Density Single Family Estate use of the Property. The Lot Variances requested are in harmony with the general purposes and intent of the Ordinance and are consistent with the Comprehensive Plan.

- A. The Property is positioned at the end of a public street and between that street and Lake Minnetonka, which create practical difficulties in complying with the lot area and depth requirements.
- B. The Lot Variances requested are reasonable, due to circumstances driven by the existing lot layouts, and a desire to preserve and enhance the existing character of the Property. If granted, the Lot Variances would not alter the essential character of the locality.
- C. The practical difficulties necessitating the Lot Variances are not economic in nature. The existing layout of the Property and a desire to preserve the character of the Property, as well as addressing practical difficulties associated with the current lot line and driveway, are significant factors in the practical difficulty of meeting the ordinance requirements.
- D. The proposed uses for the Property are permitted within the R-1A/Low Density Single Family Estate.
- E. The Applicant has provided the reasons that the Lot Variances are justified under applicable criteria in order to make reasonable use of the land, structures and buildings on the Property.

3.3 Setback Variance. The Setback Variance would not change the current Low Density Single Family Estate use of the Property. The Setback Variance requested is in harmony with the general purposes and intent of the Ordinance and is consistent with the Comprehensive Plan.

- A. The Property is positioned at the end of a public street, and between that street and Lake Minnetonka, which creates practical difficulties in complying with the setback requirements.
- B. The Setback Variance requested is reasonable, due to circumstances driven by the existing lot layouts, and a desire to preserve and enhance the existing character of the Property. If granted, the Setback Variance would not alter the essential character of the locality in that it would be a natural expansion of the existing garage.
- C. The practical difficulties necessitating the Setback Variance are not economic in nature. The existing layout of the Property and a desire to preserve the character of the Property are significant factors in the practical difficulty of meeting the ordinance requirements.
- D. The proposed garage use is permitted within the R-1A/Low Density Single Family Estate.
- E. The Applicant has provided the reasons that the Setback Variance is justified under applicable criteria in order to make reasonable use of the land, structures and buildings on the Property.

Section 4. RECOMMENDATION

- 4.1 Planning Commission Recommendation. Based on the findings in section 3 of this Report, the Planning Commission recommends **APPROVAL** of (1) the Proposed Subdivision and Preliminary and Final Plats, (2) the Lot Variances, and (3) the Setback Variance, subject to the following conditions:
- A. The Applicant must record the Final Plat with the appropriate Hennepin County officials within one hundred twenty (120) days in conformance with Section 805.15.E.7 of the Subdivision Ordinance, and the Applicant must provide a recorded copy of the Final Plat to the City.
 - B. All expenses of the City of Wayzata, including consultant, expert, legal, and planning fees incurred must be fully reimbursed by the Applicant.

Adopted by the Wayzata Planning Commission this 20th day of November 2017.

Voting For Approval Recommendation: Buchanan, Flannigan, Gonzalez, Iverson, Young

Voting Against Approval Recommendation: None

Abstaining: None

Absent: Murray

Attachments:

Attachment A (Preliminary and Final Plats)

Attachment B (Plans showing the Garage Expansion and Setback Variance)

Attachment A
(Preliminary and Final Plats)

Attachment B
(Plans showing the Garage Expansion and Setback Variance)



City of Wayzata City Council Agenda Report

MEETING DATE: December 5, 2017	AGENDA ITEM: 7e
TITLE: Approval of Resolution No. 63-2017 approving conditional use permit at 392 Ferndale Rd S	
PROPOSED MOTION: Adopt Resolution No. 63-2017	
PREPARED BY: Jeff Thomson, Director of Planning and Building	
REVIEWED BY: Jeffrey Dahl, City Manager	

ACTION REQUESTED:

City staff recommends that the City Council adopt the resolution approving the conditional use permit, as recommended by the Planning Commission.

FINANCIAL OR BUDGET CONSIDERATION:

The development application does not have any impact on the 2017 City's General Fund Budget.

BACKGROUND:Application Overview

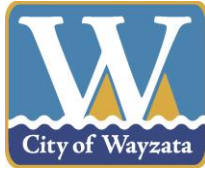
The applicant, TEA2 Architects, and the property owner, Indian Mound, LLC, have submitted a development application to construct a guest house on the property at 392 Ferndale Rd S. The development application requests approval of a conditional use permit for a guest/carriage house.

Planning Commission Review

The Planning Commission reviewed the development application and held a public hearing at its meeting on November 20, 2017. After discussing the application, the Planning Commission voted four (4) in favor and zero (0) opposed to adopt a recommendation for approval of the development application.

ATTACHMENTS:

1. November 20, 2017 Staff Report
2. Applicant's narrative
3. Proposed plans
4. City Council Resolution 23-2013
5. Previous Guest/Carriage House Plans
6. Draft Resolution No. 63-2017
7. Planning Commission Report and Recommendation



**Staff Report
November 20, 2017**

Project Name: Indian Mound, LLC
Applicant TEA2 Architects
Addresses of Request: 392 Ferndale Rd S
Prepared by: Jeff Thomson, Director of Planning and Building
“60 Day” Deadline: January 2, 2018

Development Application

Introduction

The applicant, TEA2 Architects, and the property owner, Indian Mound, LLC, have submitted a development application to construct a guest house on the property at 392 Ferndale Rd S. The development application requests approval of a conditional use permit for a guest/carriage house.

Property Information

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

Address	PID	Owner
392 Ferndale Rd S	01-117-23-44-0025	Indian Mound, LLC

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

Current zoning:	R-1A/Low Density Single Family Estate District
Comp plan designation:	Estate Single Family Residential
Overlay districts:	Shoreland Overlay District

Project Location

The property is located on the east side of Ferndale Rd S, on Wayzata Bay:

Map 1: Project Location



Application Requests

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

- A. Conditional Use Permit: Within the R-1A zoning district, a guest, carriage, or caretaker's house is a conditional use.

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-1A/Low Density Single Family Estate District	Estate Single Family
East	Lake Minnetonka	N/A	N/A
South	Single-family homes	R-1A/Low Density Single Family Estate District	Estate Single Family
West	Ferndale Rd S	N/A	N/A
	Single-family homes	R-1A/Low Density Single Family Estate District	Estate Single Family

Public Hearing Notice

The public hearing notice was published in the *Lakeshore Weekly News* on November 9 2017. The public hearing notice was also mailed to all property owners located within 350 feet of the subject property on November 9, 2016.

Analysis of Application

Background Information

In August 2013, the City Council approved multiple items associated with development of the subject property. The 2013 approvals included: (1) preliminary and final plat to combine two lots into one lot; (2) conditional use permits for the building height of the principal structure; and (3) a conditional use permit for a guest/carriage house. The lot combination was subsequently filed at Hennepin County, and the new house was constructed. Due to the location of the previous house on the lot, which was not removed until after the new house was completed, the approved guest/carriage house has not been constructed.

City Code Section 801.04.6.A states that unless the City Council specifically approves a different time, a conditional use permit shall become null and void twelve months after the date of approval, unless the property owner or applicant has substantially started the construction of any building requested as part of the conditional use permit. Since the City Council resolution did not specify a different time, the conditional use permit for the guest/carriage house expired in August 2014. Therefore, the applicant has submitted a new conditional use permit application for the guest/carriage house.

Proposed Plans

The proposed site plan is generally the same as the previous conditional use permit approved by the City, but the design of the guest house has changed. The proposed guest/carriage would be located on the north side of the lot, adjacent to a proposed tennis court and pool. The guest/carriage house would be one story in height with a tuckunder garage and partial basement. In addition, there would be roof-top terrace on the flat roof of the building. The proposed guest/carriage meets all zoning requirements, including R-1A setbacks, height, lot coverage, and impervious surface coverage, and all shoreland district requirements.

Conditional Use Permit Standards

The zoning ordinance outlines the following conditional use permit standards for a guest, carriage, or caretaker's house in the R-1A zoning district:

1. The structure will not be used for rental purposes.
2. The structure, design, building materials and color are compatible with the principal structure and surrounding land uses.
3. The provisions of Section 801.04.2.F of this Ordinance are considered and satisfactorily met.

Zoning

The guest/carriage house meets all of the accessory building requirements of the R-1A and Shoreland Overlay zoning districts:

	R-1A Requirements	Shoreland Requirements	Proposed
Front yard setback	50 ft. (min)	None	313.8 ft.
Side yard setback	10 ft. (min)	None	44.8 ft.
Rear yard setback	10 ft. (min)	None	260.8 ft.
Shoreland setback	None	75 ft. or line drawn between two adjacent principal structures	260.8 ft.
Lot coverage	10% (max.)	None	4.3%
Impervious surface	20% (max.)	25% 75% with stormwater management 100% with shoreland impact plan/CUP	18.6%
Building height (accessory building)	2 stories / 25 ft. (max.)	35 ft. (max.)	23.3 ft.
Maximum size (accessory building)	No more than 30% of the principal building	None	27.3%

Applicable Code Provisions for Review

Conditional Use Permits: City Code Section 801.04.2.F. states that the Planning Commission and City Council shall consider possible adverse effects of the proposed conditional use. Their judgment shall be based upon (but not limited to) the following factors:

- A. The proposed action in relation to the specific policies and provisions of the official City Comprehensive Plan.
- B. The proposed use's compatibility with present and future uses of the area.
- C. The proposed use's conformity with all performance standards contained herein (i.e., parking, loading, noise, etc.).
- D. The proposed use's effect on the area in which it is proposed.
- E. The proposed use's impact upon property values in the area in which it is developed.
- F. Traffic generated by the proposed use is in relation to capabilities of streets serving the property.
- G. The proposed use's impact upon existing public services and facilities including parks, schools, streets and utilities, and the City's service capacity.

Action Steps

After considering the items outlined in this report and the public hearing held at the meeting, the Planning Commission should consider adoption of the draft *Planning Commission Report and Recommendation*, which recommends approval of the conditional use permit, subject to several conditions.

Attachments

Applicant's Narrative

Proposed Plans

City Council Resolution 23-2013

Previous Guest/Carriage House Plans

Draft Planning Commission Report and Recommendation

Description of Request:

WE ARE RE-APPLYING FOR THE CARRIAGE HOUSE C.U.P.
DUE TO THE 12 MONTH EXPIRATION OF THE ORIGINAL
CONDITIONAL USE PERMIT AND THE CHANGE IN
CARRIAGE HOUSE DESIGN FROM THE ORIGINAL 2013
SUBMITTAL. THE NEW CARRIAGE HOUSE DESIGN MEETS
ALL CURRENT CITY ZONING REQUIREMENTS.

Applicant may attach other letter sized materials.

Additional Information:

Payment of Fees

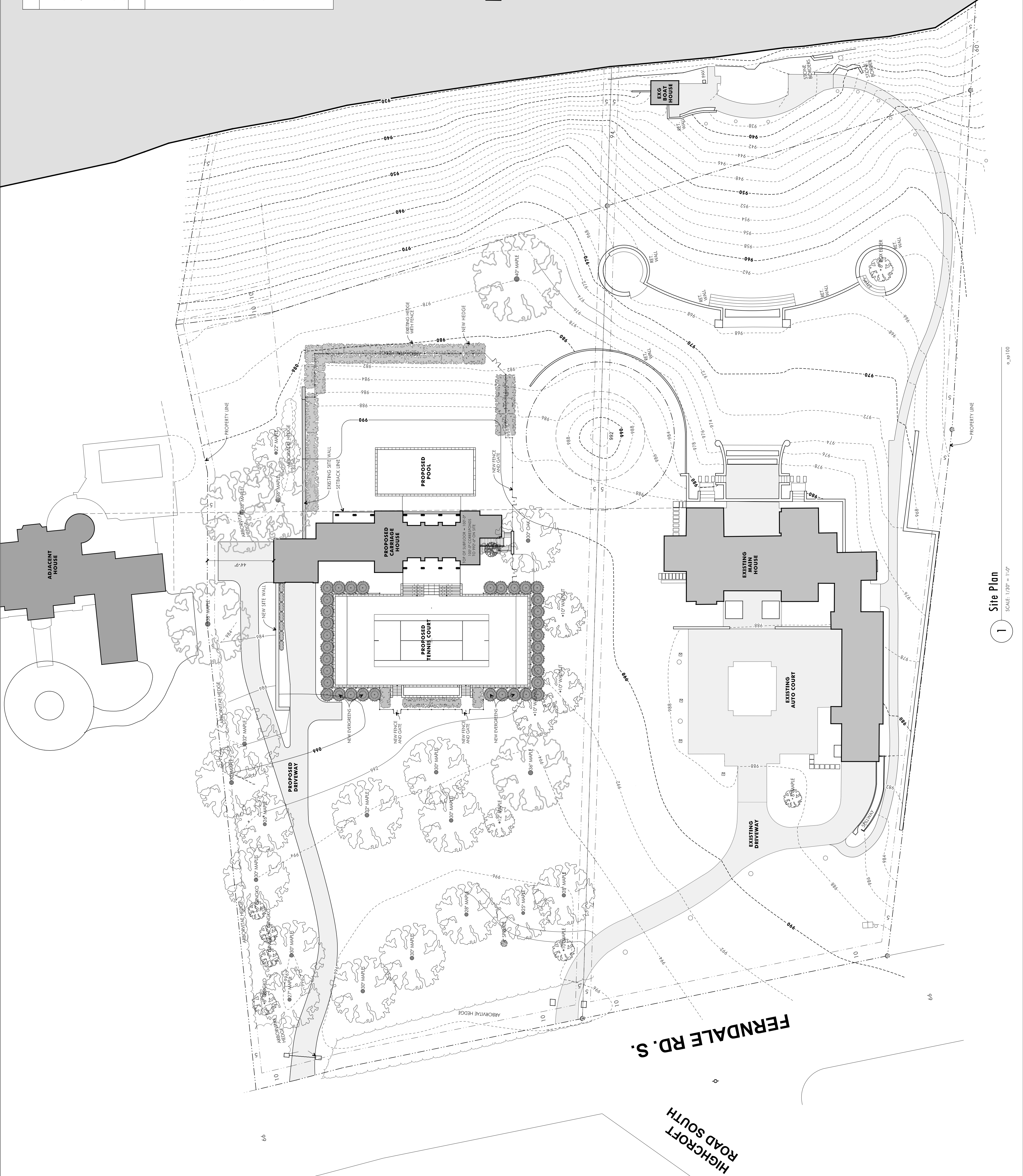
The undersigned acknowledges that before this request can be considered, all required information and fees (including all up front escrow deposits) must be paid to the City. If additional fees are required to cover costs incurred by the City, the City Manager has the right to require additional payment from one or more of the undersigned, who shall be jointly liable for such fees. Such expenses may include (but are not limited to) personnel costs, fees for consultants, legal assistance and other professionals, recording fees, along with other overhead costs. The amount of escrow is determined by the City of Wayzata fee schedule in effect at the time of the application submittal. A current fee schedule is attached to this application form.

The undersigned also acknowledges that it may be required to file, at his or her expense, appropriate resolutions, agreements or other documents evidencing approval of the application.

The undersigned agrees that the City may withhold the issuance of a building permit until all financial matters are resolved. If need be, the City reserves the right to pass outstanding balances from this application to Hennepin County to be assessed with next year's property taxes for the property involved as indicated on page one of this application and the Property Owner agrees to such assessment.

Complete / Incomplete Applications

Placement of any Application on City agendas is at the discretion of the City, including the time of consideration. An application will not be placed on any agenda until City staff has received the appropriate materials and financial matters are in order. The application approval time commences and an application is considered officially filed when City staff has received and examined the application and determined that the application is complete. The application shall be determined by City staff to be complete or incomplete within fifteen (15) business days following submittal of the application.



1 Site Plan
SCALE: 1/320' = 1"=0'

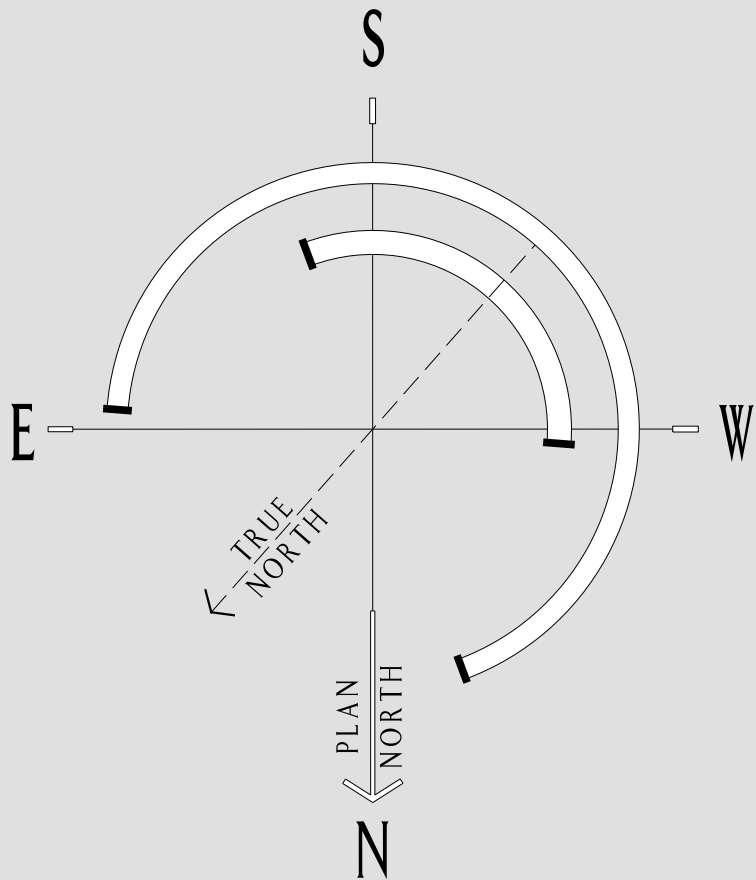
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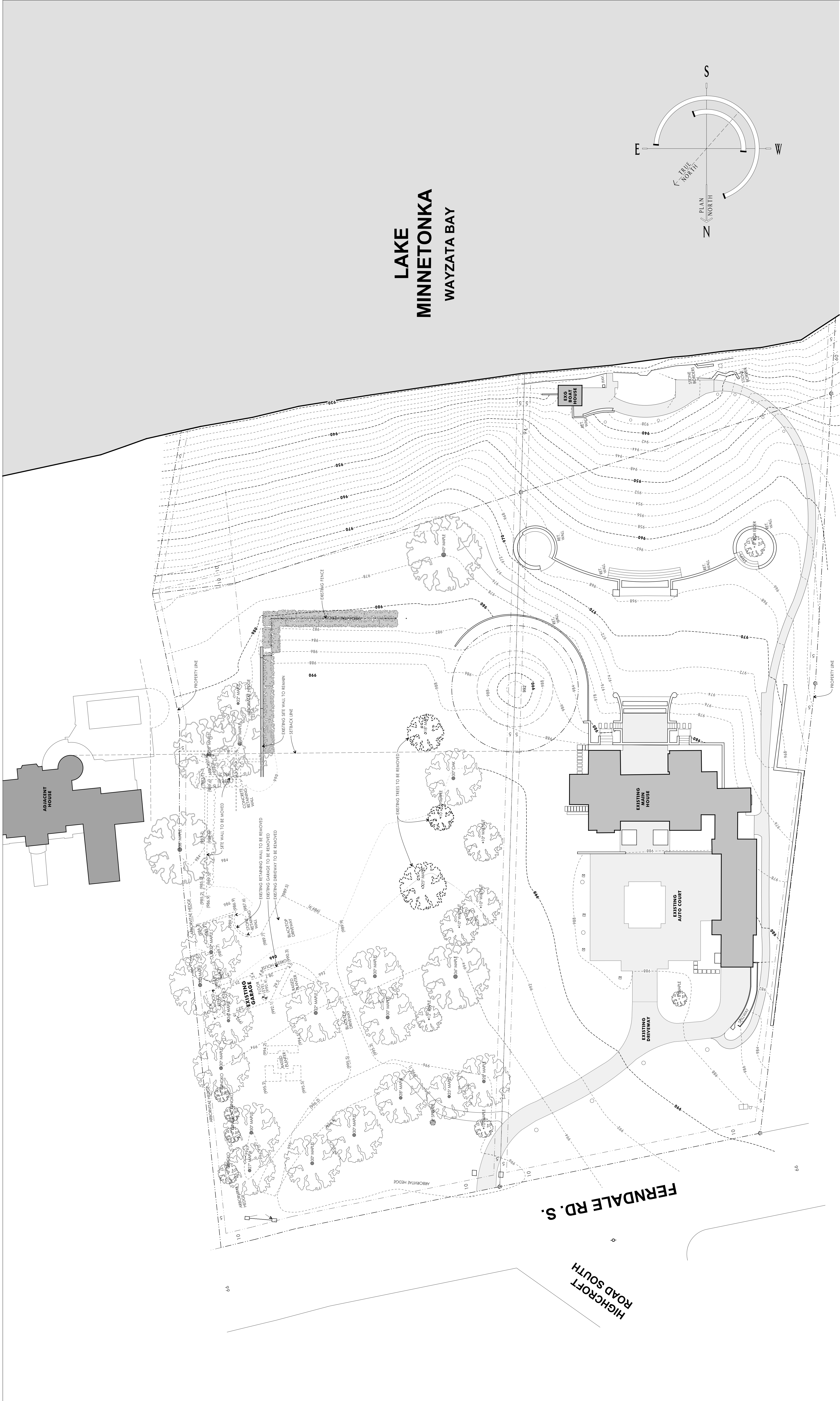
CONTOUR KEYS	
1' EXISTING CONTOURS	---
5' EXISTING CONTOURS	---
ABANDONED	---
1' NEW CONTOURS	---
5' NEW CONTOURS	---

SITE PLAN KEYS	
1. UNDERGROUND UTILITIES	---
UNDERGROUND ELECTRICAL	UE
UNDERGROUND TELEPHONE	UT
SEWER	S
WATER	W
GAS	G
2. PROTECTION FENCE	X
3. TREES	(Tree Symbol)
NEW TREE	(Tree Symbol)
EXISTING TREE	(Tree Symbol)

SITE INFORMATION	
SITE AREA	311,890 SF
LOT 3: 166,835 SF	
LOT 4: 145,055 SF	
ALLOWABLE LOT COVERAGE (10%)	31,189 SF
ALLOWABLE IMPERVIOUS SURFACE COVERAGE (20%)	62,378 SF
PROPOSED LOT COVERAGE	
EXG. HOUSE	9,095 SF
EXG. BOATHOUSE	260 SF
FUTURE CARRIAGE HOUSE	4,250 SF
TOTAL	13,595 SF (4.3%)
IMPERVIOUS SURFACES	
EXG. DRIVEWAY	5,099 SF
PROPOSED SECONDARY DRIVEWAY	7,800 SF
EXG. PATH TO LAKE	2,598 SF
PROPOSED TENNIS COURT	8,300 SF
PROPOSED TERRACES	1,535 SF
EXG. RETAINING WALLS	2,276 SF
EXG. AUTOCOURT	8,145 SF
EXG. TERRACES	6,216 SF
PROPOSED POOL/POOL DECK	2,630 SF
LOT COVERAGE FROM ABOVE	13,595 SF
TOTAL	58,134 SF (18.6%)
GROSS SQUARE FOOTAGE	
MAIN HOUSE	18,420 SF
MAIN HOUSE WITH GARAGE/STORAGE	21,870 SF
ALLOWABLE GROSS SQUARE FOOT FOR ACCESSORY BUILDING (30%)	5,924 SF
30% OF MAIN HOUSE	5,524 SF
30% OF MAIN HOUSE WITH GARAGE/STORAGE	6,570 SF
PROPOSED GROSS SQUARE FOOTAGE	
CARRIAGE HOUSE	3,360 SF
CARRIAGE HOUSE WITH GARAGE/STORAGE	5,960 SF

LAKE MINNETONKA WAYZATA BAY





Site Demolition Plan

SCALE: 1/30" = 1'-0"

$\alpha = 0.10$

RESOLUTION NO. 23-2013

RESOLUTION APPROVING, WITH CONDITIONS, A CONDITIONAL USE PERMIT FOR A CARRIAGE/GUEST HOUSE, A CONDITIONAL USE PERMIT FOR BUILDING HEIGHT, A CONDITIONAL USE PERMIT FOR STRUCTURAL HEIGHT ELEMENT ABOVE FORTY FEET, AND A CONCURRENT PRELIMINARY AND FINAL PLAT LOT COMBINATION AT 392 and 410 FERNDAL ROAD SOUTH

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

Section 1. BACKGROUND

1.1 Development Application. Indian Mound LLC (the "Applicant") has purchased the properties at 392 and 410 Ferndale Road South (collectively, the "Property"), and desires to build a new residence and carriage house on the Property (the "Project"). The Applicant has submitted a development application (the "Application", depicted as Attachment A) requesting approval of a conditional use permit to build a new carriage/guest house (the "Carriage House CUP"), a conditional use permit for a gable roof peak above forty (40) feet (the "Building Height CUP"), a conditional use permit for chimneys above the forty (40) ft height limit in the R-1A District (the "Structural Element CUP"), and a lot combination subdivision to combine Lots 3 and 4 into one lot (collectively the "Lot Combination" or the "Subdivision").

1.2 Application Requests.

As part of the submitted Application, the Applicant is requesting approval of the following items:

- a. Conditional Use Permit for a Carriage/Guest House under Section 801.51.5.A.
- b. Conditional Use Permit for Structural Element Above Forty (40) ft height under Section 801.19.2.B for an additional ten (10) ft in height for chimneys above forty (40) ft.
- c. Conditional Use Permit for Building Height Above Forty (40) ft height under Section 801.19.2.A for 1' 6" of height above forty (40) ft.
- d. Concurrent Preliminary and Final Plat Subdivision for Lot Combination for Lots 3 and 4 under Section 805.

1.3 Property. The address, property identification number and owner of the property included in the Application is:

392 Ferndale Road South	01-117-23-44-0023	Donald C MacMillan Trustee
410 Ferndale Road South	01-117-23-44-0021	Donald C MacMillan Trustee

- 1.4 Land Use. The Property is zoned as R-1A, as defined in Section 801.51 of the Wayzata Zoning Ordinance. The Property falls within the Shoreland Management Overlay District, as defined in Section 801.91. The Property is guided for Estate Single Family in the Wayzata Comprehensive Plan.
- 1.5 Notice. Notice of a public hearing on the Application for the June 3, 2013 Planning Commission Meeting was published in the Lakeshore Weekly on May 21, 2013. A copy of the notice was also mailed to all property owners located within 350 feet of the Property on May 24, 2013. A notice for the July 1, 2013 Planning Commission Meeting was mailed to all property owners located within 350 feet of the Property on June 24, 2013.
- 1.6 Planning Commission Action. A public hearing on the Application was held at the Planning Commission's June 3, 2013 meeting at which the Planning Commission voted seven (7) in favor and zero (0) opposed to continue review of the Application to request additional information from the Applicant. The Planning Commission continued review of the Application on July 1, 2013 and voted five (5) in favor and one (1) opposed adopt findings and recommend that the City Council approve the Application with conditions.

Section 2. STANDARDS

2.1 Carriage/Guest House Conditional Use Permit.

Section 801.51.12.A allows the construction of one (1) guest, carriage, or caretaker's house as an accessory use in the R-1A District, provided that:

- A. The structure will not be used for rental purposes.
- B. The structure, design, building materials and color are compatible with the principle structure and surrounding land uses.
- C. The provisions of Section 801.04.2.F of this Ordinance are considered and satisfactorily met.

2.2 Structural Element Height CUP. Section 801.19.2.B states that the building height limits established in each zoning district shall not apply to the following list of items, except that no such structural element may exceed forty (40) ft in total height or exceed the maximum height of the building by more than five (5) ft, whichever is greater, except by conditional use permit.

- A. Belfries
- B. Chimneys or flues
- C. Church spires
- D. Cooling towers
- E. Communication reception/transmission devices
- F. Cupolas and domes which do not contain usable space
- G. Elevator penthouses
- H. Flag poles
- I. Monuments
- J. Parapet walls
- K. Necessary mechanical and electrical appurtenances

2.3 Building Height CUP. Section 801.19.2.B states that a building which actual height from the foundation to the top peak of any portion of the roof exceeds the allowable building height in the applicable zoning district by more than five (5) feet or roof pitches of more than a 45 degree angle for those structures at the building height limitation may be allowed as a conditional use permit provided that:

- A. The architectural appearance of the building shall not be so dissimilar to the existing neighboring buildings as to cause impairments in property values or constitute a blighting influence within a reasonable distance of the lot.
- B. For each additional five (5) feet in allowable, actual, roof height as calculated by the Building Code, which is above the maximum building height allowed by the respective zoning district; front and side yard setback requirements shall be increased by one (1) foot.
- C. The construction does not limit solar access to abutting and/or neighboring properties.

2.4 General Conditional Use Permit Standards – Section 801.04.2.F

The Planning Commission and City Council shall consider possible adverse effects of the proposed conditional use. Their judgment shall be based upon (but not limited to) the following factors:

- A. The proposed action in relation to the specific policies and provisions of the official City Comprehensive Plan.
- B. The proposed use's compatibility with present and future uses of the area.
- C. The proposed use's conformity with all performance standards contained herein (i.e., parking, loading, noise, etc.).
- D. The proposed use's effect on the area in which it is proposed.
- E. The proposed use's impact upon property values in the area in which it is developed.
- F. Traffic generated by the proposed use is in relation to capabilities of streets serving the property.

- G. The proposed use's impact upon existing public services and facilities including parks, schools, streets and utilities, and the City's service capacity.

2.5 Subdivision / Preliminary and Final Plats. Chapter 805 of the Wayzata City Code, (the "Subdivision Ordinance") sets forth the procedure and substantive review criteria for applications for a subdivision. Before any plat can be recorded or of any validity, it must be referred to the City Planning Commission and approved by the City Council as having fulfilled the requirements of the Subdivision Ordinance. Section 805.03. Section 805.15 of the Wayzata Subdivision Ordinance allows the City to review a proposed preliminary and final plat simultaneously. Under Section 805.14.e of the Subdivision Ordinance, the Planning Commission must consider the possible adverse effects of a preliminary plat and report its findings and recommendation to City Council. Its judgment must be based upon, but not limited to, the following factors:

- A. Goals. Under Section 805.02.b of the Subdivision Ordinance, subdivisions approved under the Subdivision Ordinance must be guided by the following:

1. Preserve and enhance Wayzata's "small town" character (Comprehensive Plan).
2. Respect the existing scale, character and pattern of the City, recognizing existing neighborhoods and commercial areas (Wayzata Physical Plan).
3. Support a pedestrian environment at a human, not automotive scale (Wayzata Physical Plan).
4. Relate development/redevelopment to the natural characteristics of the land to enhance the development through the preservation of attractive natural amenities (i.e., lakes, wetlands, creeks, wooded areas, slopes, etc.) (Comprehensive Plan).

- B. Criteria for Approval. Under Section 805.14.e of the Subdivision Ordinance, the Planning Commission must consider the possible adverse effects of a preliminary plat and report its findings and recommendation to City Council. Its judgment must be based upon, but not limited to, the following factors (Staff's evaluation of each of the factors is included in italics):

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.

2.6 Concurrent Preliminary/Final Plat.

Section 805.15 of the Subdivision Ordinance allows the City to review the preliminary and final plat simultaneously. The final plat shall incorporate all changes, modifications, and revisions required by the City. Otherwise, it shall conform to the approved preliminary plat.

2.7 Conditions of Approval.

Under Section 805.14.F.2 of the Subdivision Ordinance, the City Council may impose such conditions and restrictions as it deems appropriate or require such revisions or modifications in the preliminary plat or final plat as it deems necessary to protect the health, safety, comfort, general welfare and convenience of the City.

Section 3. FINDINGS

The City Council of the City of Wayzata hereby confirms and memorializes that the Carriage House CUP, Building Height CUP, Structural Element CUP, and Lot Combination requested in the Application does meet the applicable requirements of Wayzata's Zoning and Subdivision Ordinances, based upon the following findings of fact made on the record (as well as all Application materials, staff reports, public comment presented at the hearing, and the Report and Recommendation of the Planning Commission):

3.1 Carriage House CUP.

- A. The Applicant is not proposing to utilize the carriage house as a rental house.
- B. The design of the proposed carriage house is comparable to the proposed new residence in terms of design. The Applicant has included building plans for both the new residence and new carriage house for design comparison purposes.
- C. The provisions of Section 801.04.2.F of this Ordinance are considered and satisfactorily met as described below:
 - 1. Granting the Carriage House CUP does not contravene any specific policies and provisions of the official City Comprehensive Plan. The Property is guided for single family estate usage.
 - 2. The proposed single family residential use conforms with present and future land uses in the area. The Property is currently guided for Estate Single Family use in the City Comprehensive Plan.
 - 3. The proposed use conforms will all performance standards, with the exception of the proposed chimneys and gable roof on the main residence, to which the Applicant has included CUP requests as part of the Application.
 - 4. The proposed use will not have a negative effect on the area, as other properties in the area have carriage houses.
 - 5. The proposed use will not have a significant impact upon property values in the area in the adjacent Residential Districts.
 - 6. The proposed use will not generate traffic that would have a negative impact on the surrounding area. Other properties in the area have carriage houses.
 - 7. The proposed use will not have a negative impact upon existing public services and facilities including parks, schools, streets, and

utilities, and the City's service capacity.

3.2 Structural Height CUP.

- A. The provisions of Section 801.04.2.F of this Ordinance are considered and satisfactorily met as described below:
1. Granting the Structural Element CUP does not contravene any specific policies and provisions of the official City Comprehensive Plan. The Property is guided for single family estate usage.
 2. The proposed single family residential use conforms with present and future land uses in the area. The Property is currently guided for Estate Single Family use in the City Comprehensive Plan.
 3. The proposed use conforms with all other performance standards, with the exception of the proposed chimneys and gable roof on the main residence, to which the Applicant has included a CUP request as part of the Application.
 4. The proposed use will not have a negative effect on the area, as it replacing an existing residential house on the property with a new residential house.
 5. The proposed use will not have a significant impact upon property value in the area in the adjacent Residential Districts.
 6. The proposed use will not generate traffic that would have a negative impact on the surrounding area. A single family residence currently exists on the Property. The Project would replace an existing residence with a new residence.
 7. The proposed use will not have a negative impact upon existing public services and facilities including parks, schools, streets, and utilities, and the City's service capacity.

3.3 Building Height CUP.

- A. The architectural appearance of the building shall not be so dissimilar to the existing neighboring buildings as to cause impairments in property values or constitute a blighting influence within a reasonable distance of the lot.
- B. For each additional five (5) feet in allowable, actual, roof height as calculated by the Building Code, which is above the maximum building height allowed by the respective zoning district; front and side yard setback requirements shall be increased by one (1) foot.
- C. The construction does not limit solar access to abutting and/or neighboring properties.
- D. The provisions of Section 801.04.2.F of this Ordinance are considered and satisfactorily met as described below:
1. Granting the Building Height CUP does not contravene any specific policies and provisions of the official City Comprehensive Plan. The Property is guided for single family estate usage.
 2. The proposed single family residential use conforms with present and future land uses in the area. The Property is currently guided

- for Estate Single Family use in the City Comprehensive Plan.
3. The proposed use conforms will all other performance standards, with the exception of the proposed chimneys and gable roof on the main residence, to which the Applicant has included a CUP request as part of the Application.
 4. The proposed use will not have a negative effect on the area, as it replacing an existing residential house on the property with a new residential house. The Property will contain significant setbacks from the front yard property line and the rear yard property line, which will help reduce the visual impact of the additional height.
 5. The proposed use will not have a significant impact upon property value in the area in the adjacent Residential Districts.
 6. The proposed use will not generate traffic that would have a negative impact on the surrounding area. A single family residence currently exists on the Property. The Project would replace an existing residence with a new residence.
 7. The proposed use will not have a negative impact upon existing public services and facilities including parks, schools, streets, and utilities, and the City's service capacity.

3.4 Lot Combination / Preliminary and Final Plat: The following findings are made with respect to the proposed Lot Combination and combined Preliminary and Final Plat identified in the Application and Staff Report on the Application:

- A. Goals. The Lot Combination is not inconsistent with the goals of the Subdivision Ordinance, if the Applicant does not fully modify the existing bluff area on the Property.

If the Applicant were to fully modify the existing bluff area on the Property, the Lot Combination would be inconsistent with the goals of the Subdivision Ordinance and Comprehensive Plan. A full grading of the bluff is inconsistent with the following community goals:

1. Section 805.02.b.5: Relate development/redevelopment to the natural characteristics of the land to enhance the development through the preservation of attractive natural amenities (i.e. lakes, wetlands, creeks, wooded areas, slopes, etc.) (Comprehensive Plan).
2. Section 805.14.e.1: The proposed subdivision or lot combination shall be consistent with the Wayzata Comprehensive Plan.
3. Section 805.14.e.2: Building pads that result from 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.

4. Section 805.14.e.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.
5. City of Wayzata 2030 Comprehensive Plan – Chapter 6: Natural and Community Resources Chapter – Introduction: “Often described as the ‘Gem by the Lake’, Wayzata’s unique character is intimately connected to the wealth of natural and scenic resources that exist within the community. These resources serve an important role in enhancing the high quality of life enjoyed by residents, while also performing vital ecological roles. As part of the community’s commitment to sound land use development decisions, the need for additional infill growth and development must be balanced against preserving and enhancing the natural and community amenities that create Wayzata’s ‘sense of place’”.
6. City of Wayzata 2030 Comprehensive Plan – Chapter 6: Natural and Community Resources Chapter – Natural and Community Resources Objective 1: “Promote sound land use development decisions which protect and enhance Lake Minnetonka and other wetlands as a significant natural resource to the community’s vitality and ‘sense of place’”.
7. City of Wayzata 2030 Comprehensive Plan – Chapter 6: Natural and Community Resources Chapter – Natural and Community Resources Objective 3: “Utilize and support sustainable development practices for public and private developments within the City”.
8. City of Wayzata 2030 Comprehensive Plan – Chapter 6: Natural and Community Resources Chapter – Natural and Community Resources Objective 4: “Promote sound land use decisions which protect and preserve native ecological systems and wildlife habitats within Wayzata”.
9. City of Wayzata 2030 Comprehensive Plan – Chapter 6: Natural and Community Resources Chapter – Natural and Community Resources Objective 6: “Protect important topographical features and views within the community”.

B. Criteria for Approval.

1. The proposed Lot Combination conforms with low density development for the R-1A residential area. The proposed Lot Combination would exceed the 2 acre minimum in the Comprehensive Plan, as it would create one single lot of appropriately 7.16 acres.
2. The proposed building pads depicted in the Application indicate that the Applicant would preserve 187 trees and remove or relocate sixty (60) trees as a result of the Application. The Applicant would

replace the removed trees with 127 new trees. The Application would maintain the twenty (20) ft "No Build" setback around the existing burial mound on the Property, as required by the State Archeologist. The Application would not have a significant impact on existing steep slopes, if the Applicant does not fully modify the existing bluff area on the Property.

3. The Application proposes significant grading for the building pads and on the bluff slope adjacent to the lake, which is at or near the two (2) feet average over the course of the Property that requires City Council approval under Section 801.16.4.D. The Application would not have a significant impact on existing steep slopes, if the Applicant does not fully modify the existing bluff area on the Property.
4. Existing significant trees would be retained where possible on the Property. The proposed landscaping plan in the Application indicates that the Applicant would preserve 187 trees and remove or relocate sixty (60) trees as a result of the Application. The Applicant would replace the removed trees with 127 new trees.
5. The proposed Lot Combination would not adversely impact the scale, pattern or character of the City, its neighborhoods, as it would be consistent with the surrounding area. The proposed lots conform with other lots in the immediate vicinity in terms of lot size and frontage. The Property, after Lot Combination would be approximately 7.16 acres, which exceeds the two (2) acre minimum in the Comprehensive Plan.
6. The design of a lot, the potential building pads, and the site layout of the Subdivision responds to and is reflective of the surrounding lots and neighborhood character. The proposed lot layout and building pads are similar to other larger lots in the immediate vicinity, and meets the required lakeshore setback.
7. The lot size that results from the Lot Combination would exceed the minimum requirements for the R-1A Zoning District and the Comprehensive Plan.
8. The Applicant has submitted building elevations depicting architectural appearance, scale, mass, construction materials, proportion and scale of roof line and functional plan of the proposed buildings to demonstrate similarity to the characteristics and quality of the existing homes in the neighborhood, as required under Section 805.14.e.8.

9. The proposed lot layout and building pads of the Lot Combination would conform will all relevant performance standards of the R-1A District.
10. The Lot Combination would not tend to or actually depreciate the values of neighboring properties in the area in which the Subdivision is proposed.
11. The Lot Combination has access to City water and sanitary sewer services, and would not overburden the systems.

Section 4. CITY COUNCIL ACTION

- 4.1 Based on the Findings in Section 3.1 of this Resolution, the request for approval of the Carriage House CUP, as set forth in the Application is **APPROVED**.
- 4.2 Based on the Findings in Section 3.2 of this Resolution, the request for approval of the Structural Height CUP, as set forth in the Application is **APPROVED**.
- 4.3 Based on the Findings in Section 3.3 of this Resolution, the request for approval of the Building Height CUP, as set forth in the Application is **APPROVED**.
- 4.4 Based on the Findings in Section 3.4 of this Resolution, the request for approval of the Lot Combination/ Preliminary and Final Plat, as set forth in the Application, is **APPROVED** subject to all of the following conditions (failure to comply with any one of these conditions shall result in the revocation of this approval):
 - A. The Applicant must agree to, and file with the County Recorder, a Declaration of Covenant in the form attached to this Resolution as Attachment B which includes provisions for (i) prohibition of future subdivision of the combined lots within five (5) years of the filing date of the Declaration, and (ii) restrictions on the grading of the bluff area on Lot 3, as such bluff area is shown on the Applicant's existing conditions survey, attached in relevant part as Attachment A to this Resolution.
 - B. The Applicant shall conform with all comments from the City of Wayzata, Minnehaha Creek Watershed District (MCWD), and the Minnesota Pollution Control Agency (MPCA) related to the proposed Project, including erosion control and stormwater management.
 - C. The Applicant shall apply for and receive approval of the appropriate building permits from the City Building Official.
 - D. The Applicant must agree in writing with the City to be responsible for the cost of any temporary road repairs (by way of example, repairing damaged curb and patching potholes) caused by the Applicant's

construction traffic during the Project to the extent reasonably necessary to maintain the roadway in its current condition, wear and tear excepted; it being acknowledged that the roadway is in need of replacement and the Applicant will not be required to pay for the cost of upgrading or replacing the road.

Adopted by the Wayzata City Council this 20th day of August, 2013.



Mayor Ken Willcox

ATTEST:



City Manager Heidi Nelson

ACTION ON THIS RESOLUTION:

Motion for adoption: Mullin

Seconded by: Amdal

Voted in favor of: Amdal, Mullin, Tanner, Willcox

Voted against: Anderson

Abstained: None

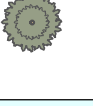
Absent: None

Resolution adopted.

I hereby certify that the foregoing is a true and correct copy of a resolution adopted by the City Council of the City of Wayzata, Minnesota, at a duly authorized meeting held on August 20, 2013.



Becky Malone, Deputy City Clerk
SEAL

LANDSCAPING KEY	
	EXISTING DECIDUOUS TREES 95 TOTAL
	EXISTING EVERGREEN TREES 92 TOTAL
	EXISTING SHORELAND VEGETATION
EXISTING TREES: MIX OF DECIDUOUS AND EVERGREEN, INCLUDING MATURE ARBORVITAE (NO SPECIES IDENTIFIED) TOTAL: 187	
	NEW DECIDUOUS TREE 47 TOTAL
	NEW EVERGREEN TREE 54 TOTAL
	NEW ORNAMENTAL TREE 28 TOTAL
NEW TREES: MIX OF NEW DECIDUOUS TREES AND SAPLINGS TOTAL: 127	
REMOVED TREES: TOTAL: 60	
	NEW SHRUB
	NEW SHORELAND VEGETATION



DRAFT RESOLUTION NO. 63-2017

**RESOLUTION APPROVING CONDITIONAL USE PERMIT FOR
GUEST/CARRIAGE HOUSE AT 392 FERNDAL RD S**

WHEREAS, TEA2 Architects and the property owner Indian Mound, LLC (the “Applicant”), have submitted a development application for a CUP (the “Application”) to construct a guest/carriage house at 392 Ferndale Rd S (the “Property” and legally described on Attachment A hereto) as depicted on the plans submitted with the Application (the “CUP” or “Conditional Use”); and

WHEREAS, the Wayzata Planning Commission, pursuant to the Zoning Ordinance, has held a public hearing on the Application, made findings of fact on the land use request in the Application, and delivered a Report and Recommendation to the City Council, attached to this Resolution as Attachment B;

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

A. Based on the Application materials, additional materials submitted by the Applicant, staff reports, public comment and information presented at the public hearing, the standards of the Wayzata Zoning Ordinance, and the Planning Commission Report and Recommendation of Approval of the Application, all of which are incorporated by reference in this Resolution, the City Council of the City of Wayzata hereby finds, confirms and memorializes that the Application meets the applicable requirements of Wayzata’s Zoning Ordinance, as set forth in the Planning Commission Report and Recommendation.

B. Based on the foregoing, the CUP requested in the Application (as defined in the Planning Commission Report and Recommendation) is hereby **APPROVED**, subject to satisfaction and continuing compliance with all of the following:

1. Built According to Approved Plans. The guest/carriage house must be built and maintained in accordance with the plans submitted with the Application and attached to the Planning Commission Report and Recommendation as Attachment B.
2. Other Permits and Standards. The Applicant must secure all necessary building, construction, and other permits for the Proposed Use.
3. Restriction on Rental. The guest/carriage house may not be used for rental purposes.

4. Costs. All expenses of the City of Wayzata, including consultant, expert, legal, and planning incurred must be fully reimbursed by the Applicant.

Adopted by the Wayzata City Council this 5th day of December 2017.

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:

Resolution adopted.

I hereby certify that the foregoing is a true and correct copy of a resolution adopted by the City Council of the City of Wayzata, Minnesota, at a duly authorized meeting held on December 5, 2017.

Becky Malone, Deputy City Clerk
SEAL

Attachment A

Legal Description of Property

Attachment B

Planning Commission Report and Recommendation, dated November 20, 2017

Attachment A
Legal Descriptions of Property

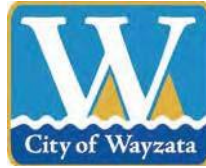
Address	392 Ferndale Rd S
Legal	
PID No.	
A or T	
Certificate No.	

DRAFT

Attachment B

Planning Commission Report and Recommendation, dated November 20, 2017

DRAFT



WAYZATA PLANNING COMMISSION

November 20, 2017

REPORT AND RECOMMENDATION OF APPROVAL OF CONDITIONAL USE PERMIT FOR GUEST/CARRIAGE HOUSE AT 392 FERNDAL RD S

SUMMARY OF RECOMMENDATION

Approval* of CUP for Guest/Carriage House

*subject to certain conditions noted in this Report

REPORT AND RECOMMENDATION

Section 1. BACKGROUND

- 1.1 **Proposed Use.** TEA2 Architects and the property owner Indian Mound, LLC (the “Applicant”), have submitted a development application (the “Application”) to construct a guest/carriage house at 392 Ferndale Rd S (the “Property”) as depicted on the plans submitted with the Application and included as Attachment A to this Report (collectively, “the Proposed Use.)
- 1.2 **Approval Requested.** The Application requests approval of a conditional use permit for a guest/carriage house in the R-1A zoning district (the “Guest/Carriage House CUP”)
- 1.3 **Property.** The street address, property identification number and owner of the Property are:

392 Ferndale Rd S	01-117-23-44-0025	Indian Mound, LLC
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- 1.4 **Land Use Designations.** The Property falls within the following land use districts:

Zoning:	R-1A/Low Density Single Family Estate
Comp plan designation:	Estate Single Family Residential
Overlay districts:	Shoreland

- 1.5 Notice and Public Hearing. Notice of a public hearing on the Application was published in the Lakeshore Weekly News on November 9, 2017. A copy of the notice was mailed to all property owners located with 350 feet of the Property on November 9, 2017. The required public hearing was held at the November 20, 2017 Planning Commission meeting.

Section 2. STANDARDS

- 2.1 Guest, Carriage, or Caretaker's House. Under City Code Section 801.51.5.A a guest, carriage, or caretaker's house is permitted as a conditional use in the R-1A/Low Density Single Family Estate provided that:
- A. The structure will not be used for rental purposes.
 - B. The structure, design, building materials and color are compatible with the principal structure and surrounding land uses.
 - C. The provisions of Section 801.04.2.F of the City Code are considered and satisfactorily met.
- 2.2 CUPs. Under Section 801.04.2.F of the Zoning Ordinance , the Planning Commission and City Council shall consider possible adverse effects of the proposed conditional use. Their judgment shall be based upon (but not limited to) the following factors:
- A. The proposed action in relation to the specific policies and provisions of the official City Comprehensive Plan.
 - B. The proposed use's compatibility with present and future uses of the area.
 - C. The proposed use's conformity with all performance standards contained in the Zoning Ordinance (i.e., parking, loading, noise, etc.).
 - D. The propose use's effect on the area in which it is proposed.
 - E. The proposed use's impact upon property values in the area in which it is developed.
 - F. Traffic generated by the proposed use is in relation to capabilities of streets serving the property.
 - G. The proposed use's impact upon existing public services and facilities including parks, schools, streets and utilities, and the City's service capacity.

Section 3. FINDINGS

Based on the Application materials, staff reports, public comment presented at the public hearing, and Wayzata's Zoning Ordinance, the Planning Commission of the City of Wayzata makes the following findings:

- 3.1 Guest, Carriage, or Caretaker's House. The Proposed Use would meet the criteria for a guest, carriage, or caretaker's house:
- A. The Proposed Use would not be used for rental purposes, which is included as a condition of approval.
 - B. The Proposed Use would be similar in architectural design and would be comprised of the same stone and windows as the principal structure.
 - C. The Proposed Use would meet provisions of Section 801.04.2.F of the City Code as noted in this Report.
- 3.2 CUPs. The Proposed Use would meet the provisions of Section 801.04.2.F of the City Code:
- A. The Proposed Use does not contravene any specific policies and provisions of the official City Comprehensive Plan. The Property is guided for single family estate usage, and the Proposed Use will not change that principal use.
 - B. The Proposed Use conforms to present and future land uses in the area. The Property is currently guided for Estate Single Family use in the City Comprehensive Plan, and guest/carriage houses are a conditional use in the applicable Zoning District.
 - C. The Proposed Use conforms will all performance standards.
 - D. The Proposed Use will not have a negative effect on the area, as other properties in the area have guest/carriage houses.
 - E. The Proposed Use will not have any known impact upon property values in the area in the adjacent residential districts.
 - F. The Proposed Use will not generate traffic that would have a negative impact on the surrounding area. Other properties in the area have guest/carriage houses.
 - G. The Proposed Use will not have a negative impact upon existing public services and facilities including parks, schools, streets, and utilities, and 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 **APPROVAL** of the Guest/Carriage House CUP for the Proposed Use, subject to the following conditions:
- A. Built According to Approved Plans. The guest/carriage house must be built and maintained in accordance with the plans submitted with the Application and attached to this Report as Attachment A.
 - B. Other Permits and Standards. The Applicant must secure all necessary building, construction, and other permits for the Proposed Use.
 - C. Restriction on Rental. The guest/carriage house may not be used for rental purposes.
 - D. Costs. All expenses of the City of Wayzata, including consultant, expert, legal, and planning incurred must be fully reimbursed by the Applicant.

Adopted by the Wayzata Planning Commission this 20th day of November 2017.

Voting In Favor: Buchanan, Flannigan, Iverson, Murray

Voting Against: None

Abstaining: None

Absent: Gonzalez, Young

Attachment A
Plans for Guest/Carriage House
("Proposed Use")



City of Wayzata City Council Agenda Report

MEETING DATE: December 5, 2017	AGENDA ITEM: 7f
TITLE: Approval of Resolution No. 64-2017 approving conditional use permit at 372 Ferndale Rd S	
PROPOSED MOTION: Adopt Resolution No. 64-2017	
PREPARED BY: Jeff Thomson, Director of Planning and Building	
REVIEWED BY: Jeffrey Dahl, City Manager	

ACTION REQUESTED:

City staff recommends that the City Council adopt the resolution approving the conditional use permit, as recommended by the Planning Commission.

FINANCIAL OR BUDGET CONSIDERATION:

The development application does not have any impact on the 2017 City's General Fund Budget.

BACKGROUND:

Application Overview

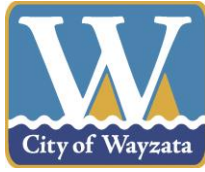
The applicant, Denali Homes, and the property owners, Perry and Anne Schmidt, have submitted a development application to add guest quarters to the detached garage that is currently under construction at 372 Ferndale Rd S. The applicant is proposing to construct the guest quarters within the upper level of the detached garage. The development application requests approval of a conditional use permit for a guest/carriage house.

Planning Commission Review

The Planning Commission reviewed the development application and held a public hearing at its meeting on November 20, 2017. After discussing the application, the Planning Commission voted four (4) in favor and zero (0) opposed to adopt a recommendation for approval of the development application.

ATTACHMENTS:

1. November 20, 2017 Staff Report
2. Applicant's narrative
3. Proposed plans
4. Draft Resolution No. 64-2017
5. Planning Commission Report and Recommendation



**Staff Report
November 20, 2017**

Project Name: Perry and Anne Schmidt
Applicant Denali Homes
Addresses of Request: 372 Ferndale Rd S
Prepared by: Jeff Thomson, Director of Planning and Building
“60 Day” Deadline: February 1, 2018

Development Application

Introduction

The applicant, Denali Homes, and the property owners, Perry and Anne Schmidt, have submitted a development application to add guest quarters to the detached garage that is currently under construction at 372 Ferndale Rd S. The applicant is proposing to construct the guest quarters within the upper level of the detached garage. The development application requests approval of a conditional use permit for a guest/carriage house.

Property Information

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

Address	PID	Owner
372 Ferndale Rd S	01-117-23-44-0024	Perry and Anne Schmidt

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

Current zoning:	R-1A/Low Density Single Family Estate District
Comp plan designation:	Estate Single Family Residential
Overlay districts:	Shoreland Overlay District

Project Location

The property is located on the east side of Ferndale Rd S on Wayzata Bay:

Map 1: Project Location



Application Requests

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

- A. Conditional Use Permit: Within the R-1A zoning district, a guest, carriage, or caretaker's house is a conditional use.

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-1A/Low Density Single Family Estate District	Estate Single Family
East	Lake Minnetonka	N/A	N/A
South	Single-family homes	R-1A/Low Density Single Family Estate District	Estate Single Family
West	Ferndale Rd S	N/A	N/A
	Single-family homes	R-1A/Low Density Single Family Estate District	Estate Single Family

Public Hearing Notice

The public hearing notice was published in the *Lakeshore Weekly News* on November 9 2017. The public hearing notice was also mailed to all property owners located within 350 feet of the subject property on November 9, 2016.

Analysis of Application

Proposed Plans

In September, the City issued a building permit for construction of a detached garage on the property. The proposed detached garage meets all zoning requirements, including R-1A setbacks, height, lot coverage, and impervious surface coverage, and all shoreland district requirements. The plans approved with the building permit include a two-stall garage on the first floor and unfinished storage area on the second level.

The applicant has submitted a development application to finish the second floor of the detached garage as a guest/caretakers quarters. The second floor improvements include a full bathroom, kitchenette, and living area. The second floor guest/caretakers quarters would be accessed by an interal staircase from the first floor garage. The finishing of the second floor into a guest/caretakers quarters requires a conditional use permit.

Conditional Use Permit Standards

The zoning ordinance outlines the following conditional use permit standards for a guest, carriage, or caretaker's house in the R-1A zoning district:

1. The structure will not be used for rental purposes.
2. The structure, design, building materials and color are compatible with the principal structure and surrounding land uses.
3. The provisions of Section 801.04.2.F of this Ordinance are considered and satisfactorily met.

Zoning

The detached garage meets all of the accessory building requirements of the R-1A and Shoreland Overlay zoning districts:

	R-1A Requirements	Shoreland Requirements	Proposed
Front yard setback	50 ft. (min)	None	69.8 ft.
Side yard setback	10 ft. (min)	None	15 ft.
Rear yard setback	10 ft. (min)	None	500+ ft.
Shoreland setback	None	75 ft. (min)	500+ ft.
Lot coverage	10% (max.)	None	6.3%
Impervious surface	20% (max.)	25% 75% with stormwater management 100% with shoreland impact plan/CUP	19.8%
Building height (accessory building)	2 stories / 25 ft. (max.)	35 ft. (max.)	24 ft.

Applicable Code Provisions for Review

Conditional Use Permits: City Code Section 801.04.2.F. states that the Planning Commission and City Council shall consider possible adverse effects of the proposed conditional use. Their judgment shall be based upon (but not limited to) the following factors:

- A. The proposed action in relation to the specific policies and provisions of the official City Comprehensive Plan.
- B. The proposed use's compatibility with present and future uses of the area.
- C. The proposed use's conformity with all performance standards contained herein (i.e., parking, loading, noise, etc.).
- D. The proposed use's effect on the area in which it is proposed.
- E. The proposed use's impact upon property values in the area in which it is developed.
- F. Traffic generated by the proposed use is in relation to capabilities of streets serving the property.
- G. The proposed use's impact upon existing public services and facilities including parks, schools, streets and utilities, and the City's service capacity.

Action Steps

After considering the items outlined in this report and the public hearing held at the meeting, the Planning Commission should consider adoption of the draft *Planning Commission Report and Recommendation*, which recommends approval of the conditional use permit, subject to several conditions.

Attachments

Applicant's Narrative

Proposed Plans

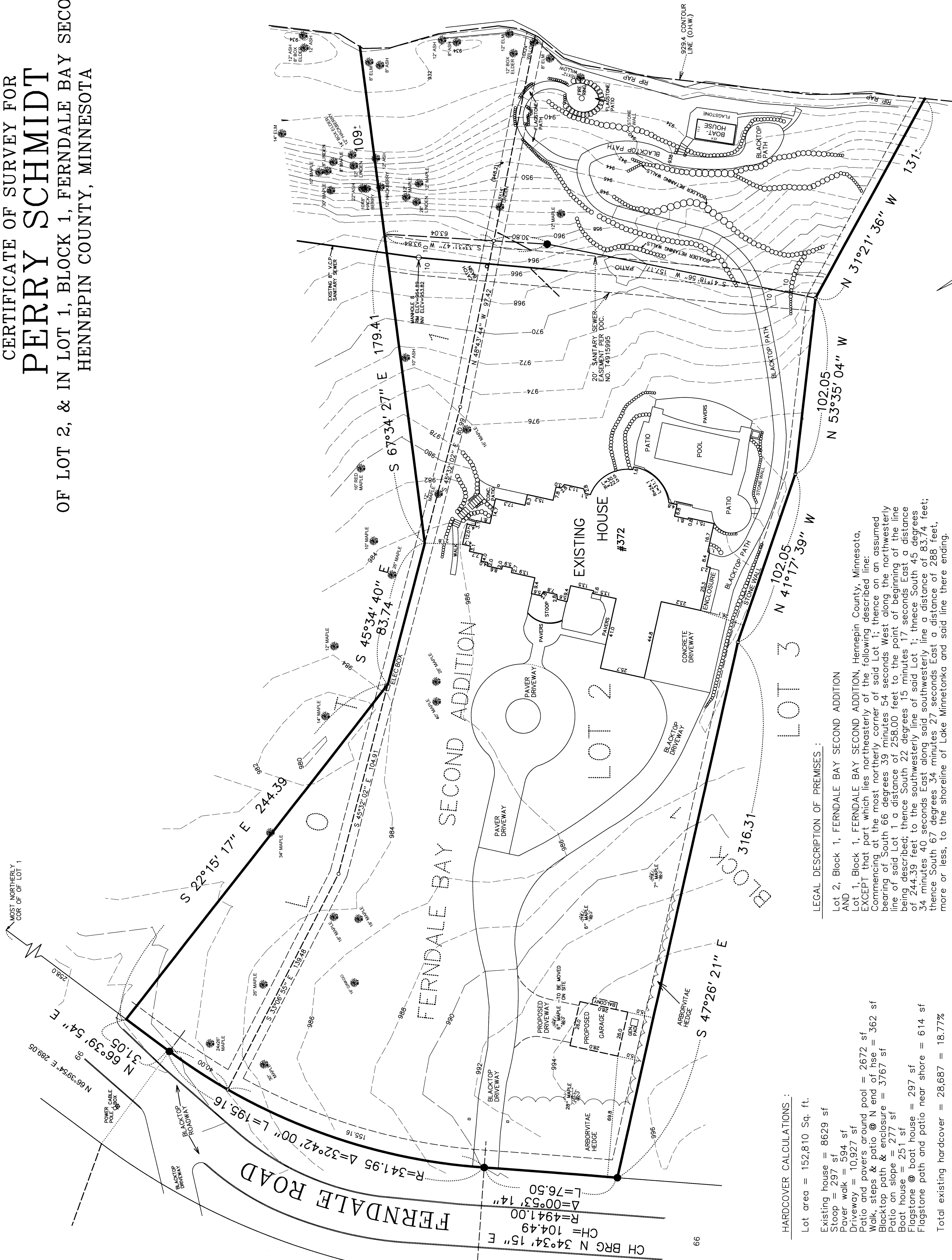
Draft Planning Commission Report and Recommendation

*

We are requesting a Conditional Use Permit for the address: 372 Ferndale Rd. S Wayzata, MN. We are requesting the CUP for a proposed detached accessory garage. This structure will have plumbing for a bath and kitchenette area in the space above the garage. This structure will not be used for rental purposes. The structure, design, building materials and color of the new structure will be compatible with the principal structure and surrounding land uses.

John - Denali Custom Homes 10/4/2017

CERTIFICATE OF SURVEY FOR PERRY SCHMIDT



LEGAL DESCRIPTION OF PREMISES :

Lot 2, Block 1, FERNDALE BAY SECOND ADDITION

AND 1. Block 1, FERNDALE BAY SECOND ADDITION, Hennepin County, Minnesota, EXCEPT that which lies to the northwesterly of the following described line. Commencing at the most northerly corner of said Lot 1, thence along the assumed bearing of South 66 degrees 39 minutes 54 seconds West along the northwesterly line of said Lot 1 a distance of 258.00 feet to the point of beginning of the line being described; thence South 22 degrees 15 minutes 17 seconds East 45 degrees of 244.39 feet to the southwesterly line of said Lot 1; thence South 45 degrees 34 minutes 40 seconds East along said southwesterly line a distance of 83.74 feet; thence South 67 degrees 34 minutes 27 seconds East a distance of 288 feet, more or less, to the shoreline of Lake Minnetonka and said line there ending.

o : denotes iron marker

(908.3): denotes existing spot elevation, mean sea level datum

---917---: denotes existing contour line, mean sea level datum

Bearings shown are based upon an assumed datum.

This survey intends to show the boundaries of the above described property, and the location of an existing house, topography, all visible "hardcover", and the proposed location of a proposed garage, and driveway portion thereon. It does not purport to show any other improvements or encroachments.

HARDCOVER CALCULATIONS :

Lot area = 152,810 Sq. ft.

Existing house = 8629 sf

$$\text{Paver walk} = 59.$$

Patio and pavers around driveway - 10,927 sq ft

Blacktop path & enclosure = 3767 sf

Patio on slope = 77 sf
Boat house = 251 sf

Flagstone @ boat house = 29/ sf
Flagstone path and patio near shore = 614 sf

Total existing hardcover = 28 687 = 18.77%

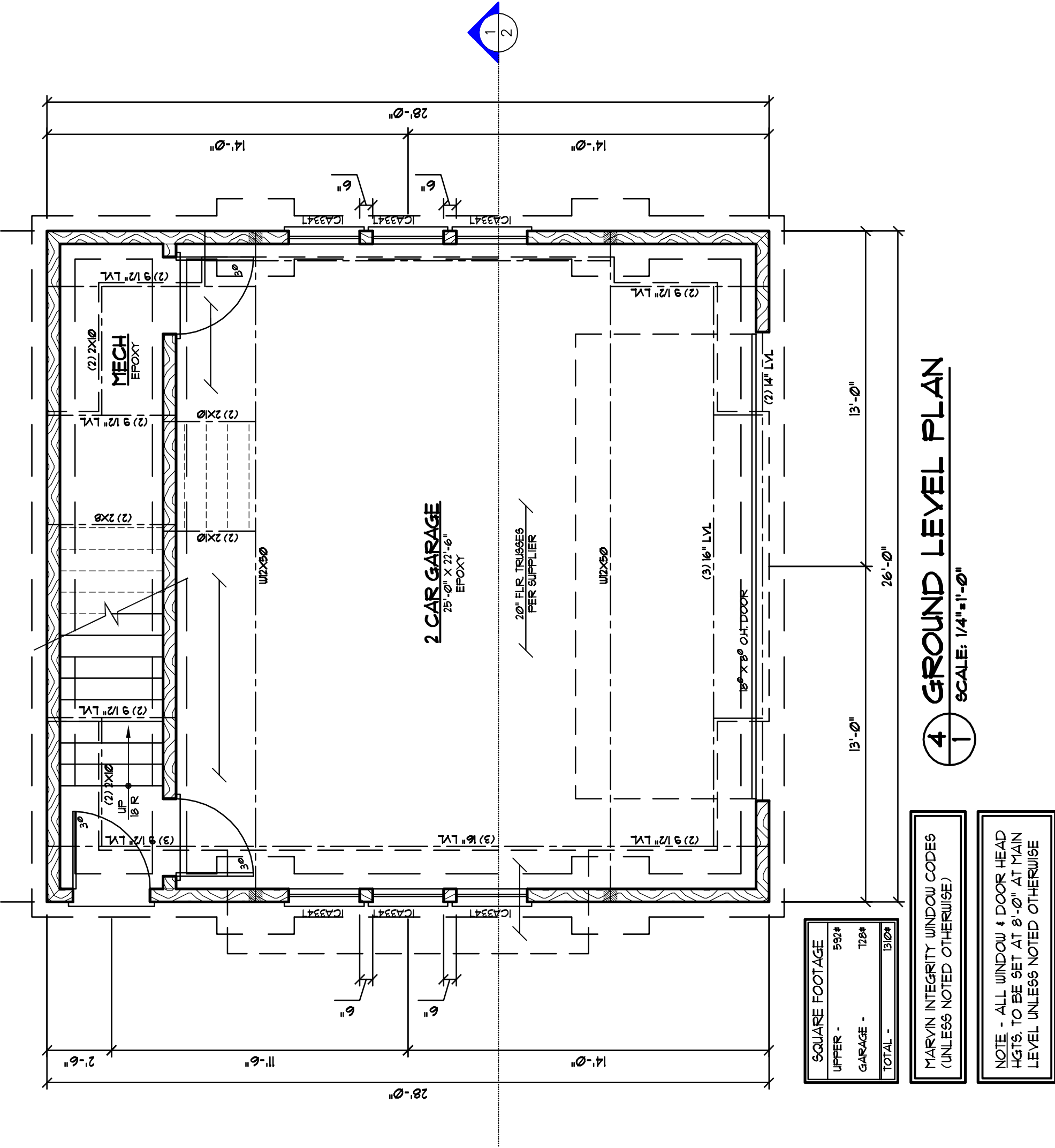
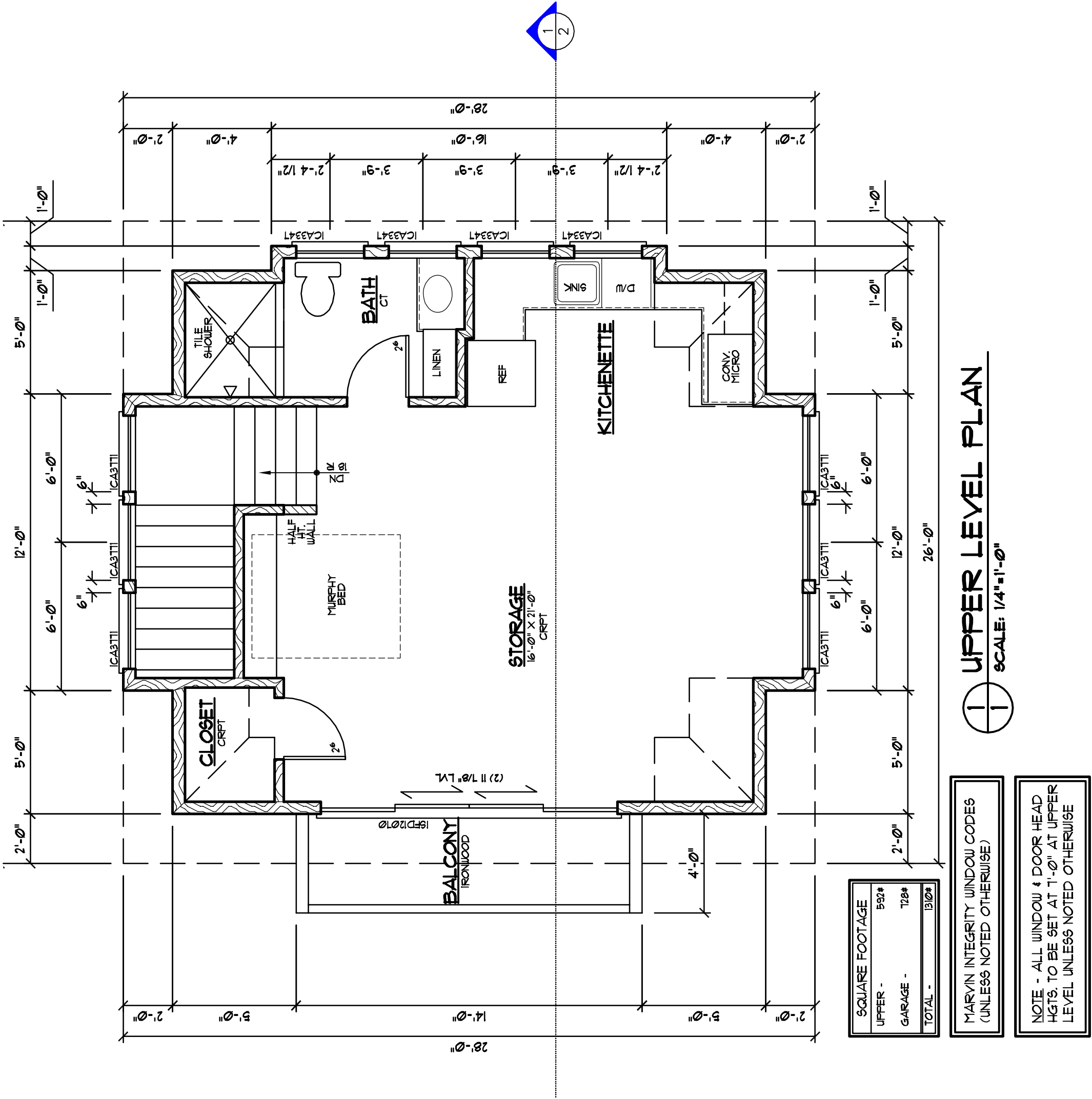
Proposed garage = 728 sf

Proposed generator pad = 16

Total proposed hardcover = 1575

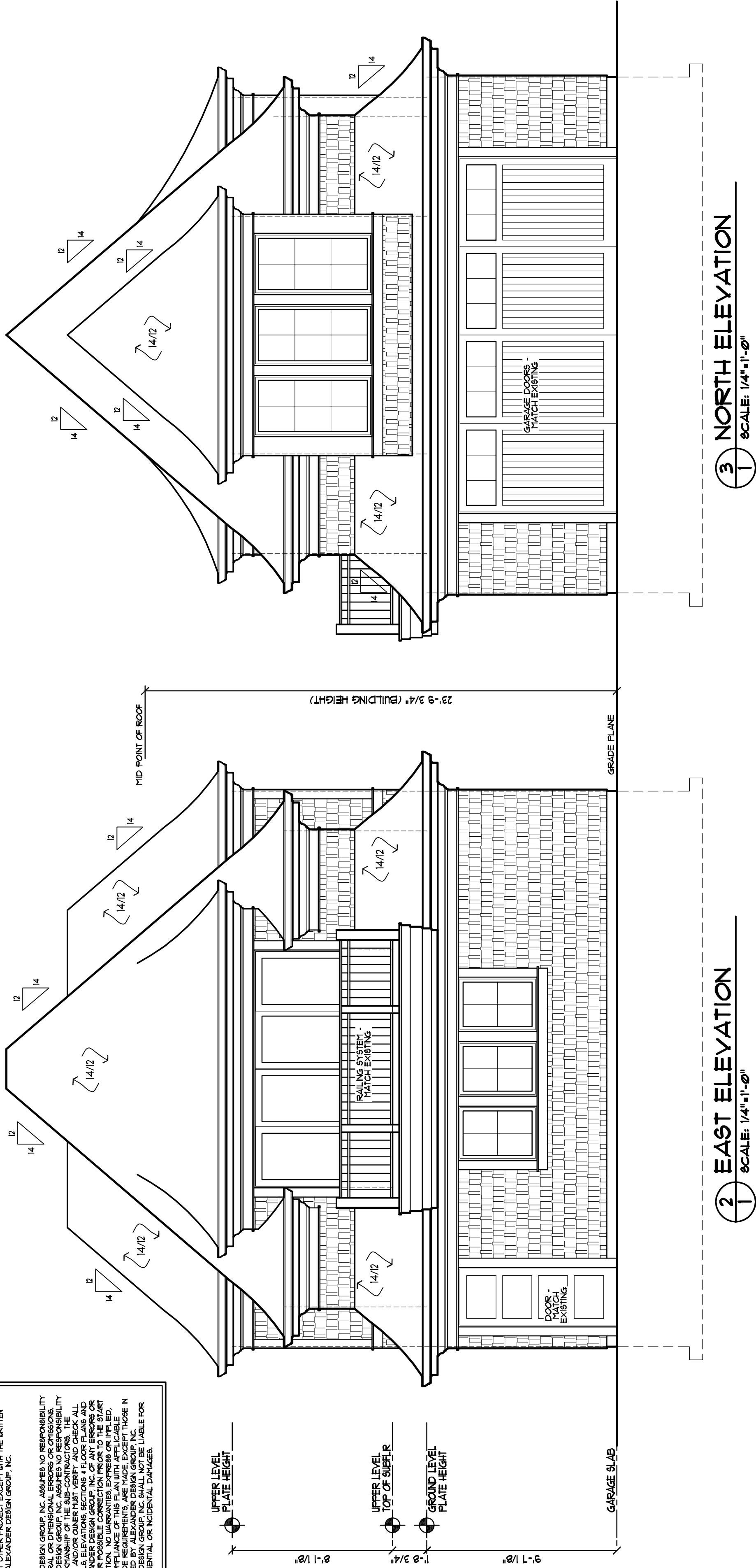
$$1575 + 28.6887 = 30.262 \text{ Sa. ft.}$$
$$30.262 / 152.810 \times 100 = 19.80\%$$

17289REVISED4.SCJ



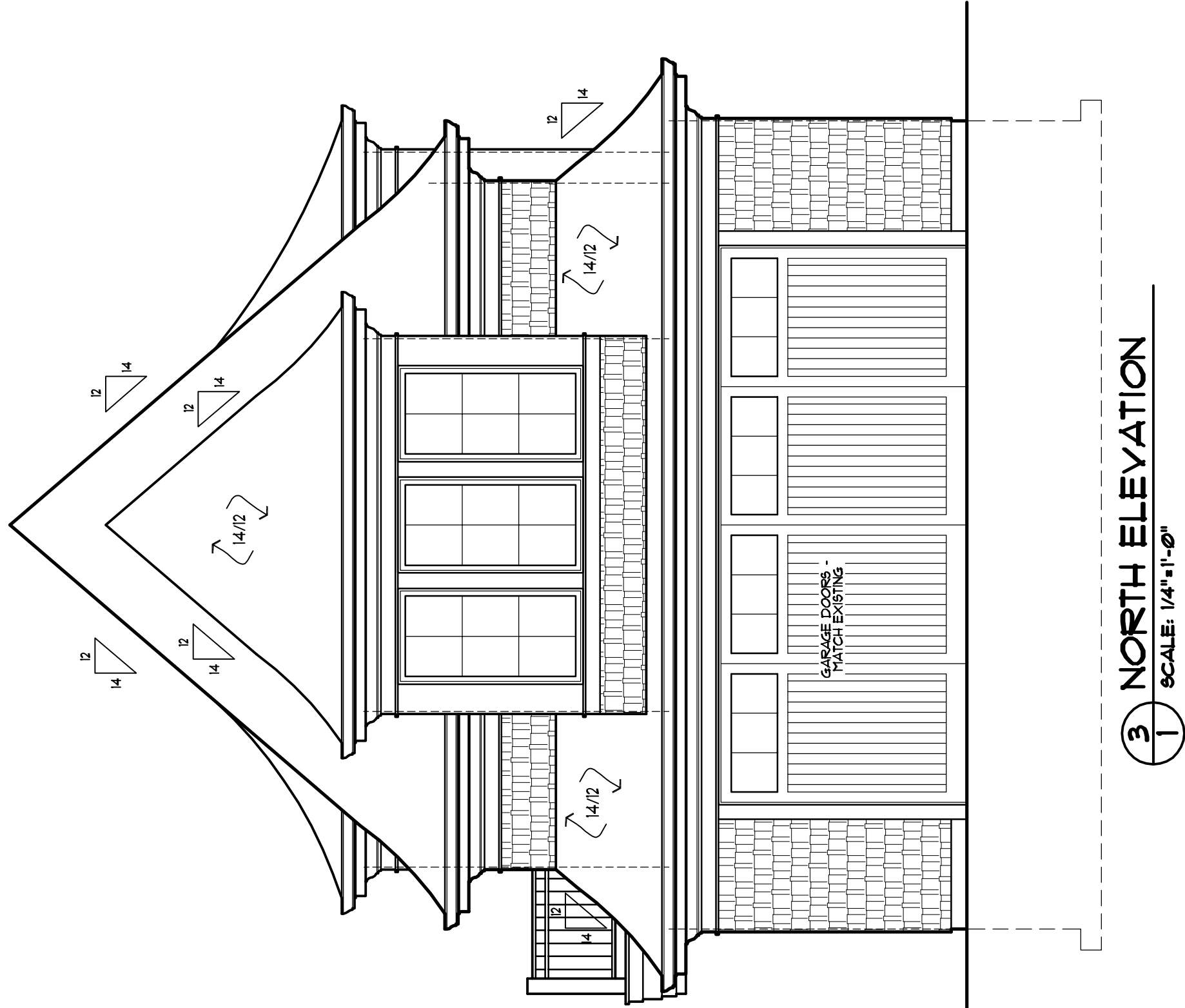
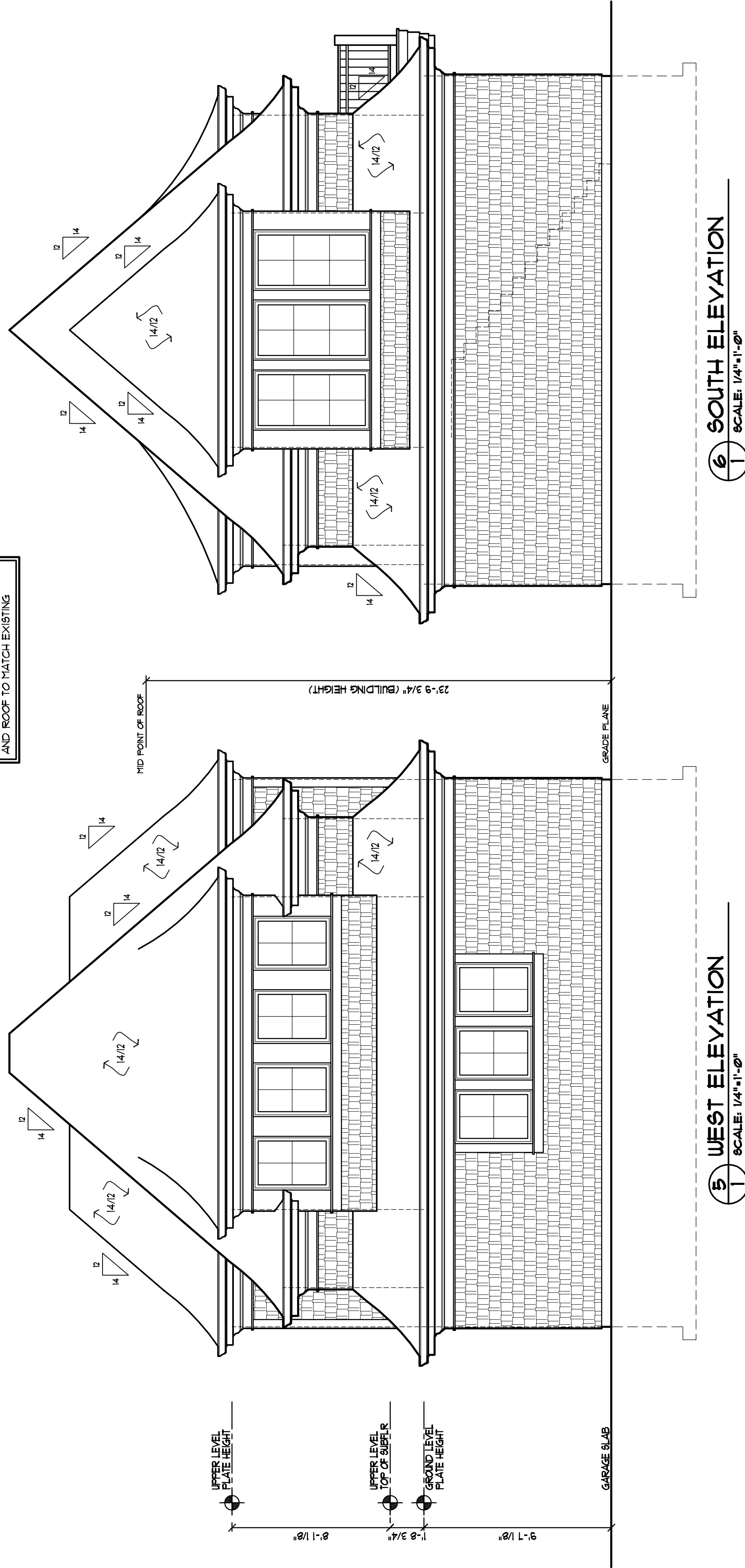
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CEDAR SHINGLES - MATCH EXISTING
SHAKE SIDING PER ELEV. - MATCH EXISTING
6" WINDOW TRIM BOARDS - MATCH EXISTING
BANDS & TRIM BBS PER ELEV. - MATCH EXISTING

NOTE - FASCIA/SOFFIT/TRIM DETAILS AND ROOF TO MATCH EXISTING



DRAFT RESOLUTION NO. 64-2017

**RESOLUTION APPROVING CONDITIONAL USE PERMIT FOR
GUEST/CARRIAGE HOUSE AT 372 FERNDAL RD S**

WHEREAS, Denali Homes, and the property owners, Perry and Anne Schmidt (the “Applicant”), have submitted a development application for a CUP (the “Application”) to add guest quarters to the upper level of a detached garage that is currently under construction at 372 Ferndale Rd S (the “Property” and legally described on Attachment A hereto), as depicted on the plans submitted with the Application (the “CUP” or “Conditional Use”); and

WHEREAS, the Wayzata Planning Commission, pursuant to the Zoning Ordinance, has held a public hearing on the Application, made findings of fact on the land use request in the Application, and delivered a Report and Recommendation to the City Council, attached to this Resolution as Attachment B;

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

A. Based on the Application materials, additional materials submitted by the Applicant, staff reports, public comment and information presented at the public hearing, the standards of the Wayzata Zoning Ordinance, and the Planning Commission Report and Recommendation of Approval of the Application, all of which are incorporated by reference in this Resolution, the City Council of the City of Wayzata hereby finds, confirms and memorializes that the Application meets the applicable requirements of Wayzata’s Zoning Ordinance, as set forth in the Planning Commission Report and Recommendation.

B. Based on the foregoing, the CUP requested in the Application (as defined in the Planning Commission Report and Recommendation) is hereby **APPROVED**, subject to satisfaction and continuing compliance with all of the following:

1. Built According to Approved Plans. The guest/carriage house must be built and maintained in accordance with the plans submitted with the Application and attached to the Planning Commission Report and Recommendation as Attachment B.
2. Other Permits and Standards. The Applicant must secure all necessary building, construction, and other permits for the Proposed Use.
3. Restriction on Rental. The guest/carriage house may not be used for rental purposes.

4. Costs. All expenses of the City of Wayzata, including consultant, expert, legal, and planning incurred must be fully reimbursed by the Applicant.

Adopted by the Wayzata City Council this 5th day of December 2017.

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:

Resolution adopted.

I hereby certify that the foregoing is a true and correct copy of a resolution adopted by the City Council of the City of Wayzata, Minnesota, at a duly authorized meeting held on December 5, 2017.

Becky Malone, Deputy City Clerk
SEAL

Attachment A

Legal Description of Property

Attachment B

Planning Commission Report and Recommendation, dated November 20, 2017

Attachment A
Legal Descriptions of Property

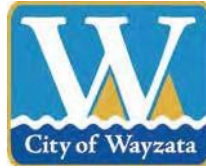
Address	372 Ferndale Rd S
Legal	
PID No.	
A or T	
Certificate No.	

DRAFT

Attachment B

Planning Commission Report and Recommendation, dated November 20, 2017

DRAFT



WAYZATA PLANNING COMMISSION

November 20, 2017

REPORT AND RECOMMENDATION OF APPROVAL OF CONDITIONAL USE PERMIT FOR GUEST/CARRIAGE HOUSE AT 372 FERNDAL RD S

SUMMARY OF RECOMMENDATION

Approval* of CUP for Guest/Carriage House

*subject to certain conditions noted in this Report

REPORT AND RECOMMENDATION

Section 1. BACKGROUND

- 1.1 Proposed Use. Denali Homes and the property owners Perry and Anne Schmidt (the "Applicant"), have submitted a development application (the "Application") to construct a guest/carriage house at 372 Ferndale Rd S (the "Property") as depicted on the plans submitted with the Application and included as Attachment A to this Report (collectively, "the Proposed Use.)
- 1.2 Approval Requested. The Application requests approval of a conditional use permit for a guest/carriage house in the R-1A zoning district (the "Guest/Carriage House CUP")
- 1.3 Property. The street address, property identification number and owner of the Property are:

372 Ferndale Rd S	01-117-23-44-0024	Perry and Anne Schmidt
-------------------	-------------------	------------------------

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

Zoning:	R-1A/Low Density Single Family Estate
Comp plan designation:	Estate Single Family Residential
Overlay districts:	Shoreland

- 1.5 Notice and Public Hearing. Notice of a public hearing on the Application was published in the Lakeshore Weekly News on November 9, 2017. A copy of the notice was mailed to all property owners located with 350 feet of the Property on November 9, 2017. The required public hearing was held at the November 20, 2017 Planning Commission meeting.

Section 2. STANDARDS

- 2.1 Guest, Carriage, or Caretaker's House. Under City Code Section 801.51.5.A, a guest, carriage, or caretaker's house is permitted as a conditional use in the R-1A/Low Density Single Family Estate provided that:
- A. The structure will not be used for rental purposes.
 - B. The structure, design, building materials and color are compatible with the principal structure and surrounding land uses.
 - C. The provisions of Section 801.04.2.F of the City Code are considered and satisfactorily met.
- 2.2 CUPs. Under Section 801.04.2.F of the Zoning Ordinance, the Planning Commission and City Council shall consider possible adverse effects of the proposed conditional use. Their judgment shall be based upon (but not limited to) the following factors:
- A. The proposed action in relation to the specific policies and provisions of the official City Comprehensive Plan.
 - B. The proposed use's compatibility with present and future uses of the area.
 - C. The proposed use's conformity with all performance standards contained in the Zoning Ordinance (i.e., parking, loading, noise, etc.).
 - D. The proposed use's effect on the area in which it is proposed.
 - E. The proposed use's impact upon property values in the area in which it is developed.
 - F. Traffic generated by the proposed use is in relation to capabilities of streets serving the property.
 - G. The proposed use's impact upon existing public services and facilities including parks, schools, streets and utilities, and the City's service capacity.

Section 3. FINDINGS

Based on the Application materials, staff reports, public comment presented at the public hearing, and Wayzata's Zoning Ordinance, the Planning Commission of the City of Wayzata makes the following findings:

- 3.1 Guest, Carriage, or Caretaker's House. The Proposed Use would meet the criteria for a guest, carriage, or caretaker's house:
- A. The Proposed Use would not be used for rental purposes, which is included as a condition of approval.
 - B. The Proposed Use would be similar in architectural design and would be comprised of the same building materials as the principal structure.
 - C. The Proposed Use would meet provisions of Section 801.04.2.F of the City Code as noted in this Report.
- 3.2 CUPs. The Proposed Use would meet the provisions of Section 801.04.2.F of the City Code:
- A. The Proposed Use does not contravene any specific policies and provisions of the official City Comprehensive Plan. The Property is guided for single family estate usage, and the Proposed Use will not change that principal use.
 - B. The Proposed Use conforms to present and future land uses in the area. The Property is currently guided for Estate Single Family use in the City Comprehensive Plan, and guest/carriage houses are a conditional use in the applicable Zoning District.
 - C. The Proposed Use conforms will all performance standards.
 - D. The Proposed Use will not have a negative effect on the area, as other properties in the area have guest/carriage houses.
 - E. The Proposed Use will not have any known impact upon property values in the area in the adjacent residential districts.
 - F. The Proposed Use will not generate traffic that would have a negative impact on the surrounding area. Other properties in the area have guest/carriage houses.
 - G. The Proposed Use will not have a negative impact upon existing public services and facilities including parks, schools, streets, and utilities, and 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 **APPROVAL** of the Guest/Carriage House CUP for the Proposed Use, subject to the following conditions:
- A. Built According to Approved Plans. The guest/carriage house must be built and maintained in accordance with the plans submitted with the Application and attached to this Report as Attachment A.
 - B. Other Permits and Standards. The Applicant must secure all necessary building, construction, and other permits for the Proposed Use.
 - C. Restriction on Rental. The guest/carriage house may not be used for rental purposes.
 - D. Costs. All expenses of the City of Wayzata, including consultant, expert, legal, and planning incurred must be fully reimbursed by the Applicant.

Adopted by the Wayzata Planning Commission this 20th day of November 2017.

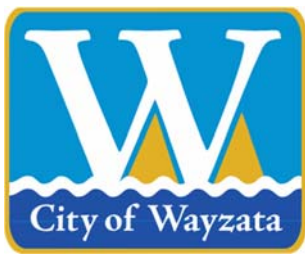
Voting In Favor: Buchanan, Flannigan, Iverson, Murray

Voting Against: None

Abstaining: None

Absent: Gonzalez, Young

Attachment A
Plans for Guest/Carriage House
("Proposed Use")



City of Wayzata City Council Agenda Report

MEETING DATE: December 5, 2017	AGENDA ITEM: 7g
TITLE: Approval of Second Reading of Ordinance No. 777, Amending Chapter 523 of the Wayzata City Code (Massage Services)	
PROPOSED MOTION: To Approve the Second Reading of Ordinance No. 777, Amending Chapter 523 of the Wayzata City Code (Massage Services)	
PREPARED BY: Becky Malone, City Clerk	
REVIEWED BY: Jeffrey Dahl, City Manager	

ACTION REQUESTED:

Staff recommends approval of the second reading of Ordinance No. 777.

FINANCIAL OR BUDGET CONSIDERATION:

N/A

BACKGROUND:

The requested amendments to the City's Massage Services code will provide more clarity for staff and applicants as to the license requirements including:

- Updated definitions;
- Clarity regarding which types of businesses and individuals require a license;
- Clarification of the license fee types as well as other fees;
- Stricter eligibility requirements from applicants; and
- Allowing additional accrediting boards to allow licensure of therapists who attended nationally accredited schools.

The draft ordinance amendments were reviewed by a variety of staff, including Police Chief Risvold, City Attorney David Schelzel, and Planning and Building Director Thomson. The First Reading was approved at the November 21, 2017 City Council Meeting.

ATTACHMENTS:

1. Draft Ordinance 777, Amending Chapter 523 of the Wayzata City Code (Massage Services)

CITY OF WAYZATA
HENNEPIN COUNTY, MINNESOTA

DRAFT - ORDINANCE NO. 777

**AN ORDINANCE AMENDING CHAPTER 523 OF THE WAYZATA CITY CODE
(MESSAGE SERVICES)**

THE CITY OF WAYZATA ORDAINS:

Section 1. Amendment. Chapter 523 of the Wayzata City Code (Message Services) is hereby amended to read in its entirety as follows:

CHAPTER 523

MESSAGE SERVICES

523.01 Definitions.

- A. “Licensed Premises” shall mean the physical location and premises of a Massage Business licensed under this Chapter, where Massage Providers licensed under this Chapter are permitted to administer massage.
- B. “Massage” shall mean any method of applying pressure on the superficial parts of the human body by manual manipulation, including the gliding, pressing, kneading, tapping & vibrating, addressing soft tissue structures (muscles, tendons, ligaments, connective tissues).
- C. “Massage Business” shall mean any business, individual or group which offers massage.
- D. “Massage Provider” shall mean any person who personally administers massage.
- E. “Operate” shall mean to own, manage or conduct.
- F. “Sanitary” shall mean free from pathogenic micro-organisms.

(7-21-81 Code; Ord. 541 [8-15-1991])

523.02 License Required.

- A. Massage Business. No person shall operate or engage in the business of operating a Massage Business within the City without a valid and current Massage Business license issued under this Chapter. Such license shall be issued for one contiguous premises only that meets the standards of section 523.11 of this Chapter.

B. Massage Provider. No person shall engage in the business of personally providing a massage within the City without a valid and current Massage Provider license issued under this Chapter. A Massage Provider that works only for a licensed Massage Businesses under this Chapter shall not be required to hold a Massage Business license.

523.03 License Exceptions. The following persons are hereby expressly excluded from the requirements of this Chapter.

A. Persons duly licensed in the state of Minnesota to practice as a medical doctor, chiropractor, osteopath, nurse, or physical therapist provided the massage is administered in the regular course of a prescribed or authorized medical treatment and not provided as part of a separate and distinct Massage Business;

B. Beauty culturists and barbers licensed by the state of Minnesota who do not hold themselves out to give massages, other than customarily are given in the field and provided such is limited to the face, neck and scalp.

(Ord. 541 [8-15-1991]; Ord. 672 [6-20-2006])

523.04 License Fees and Other Fees. Annual fees shall be established by resolution of the City Council for the following:

A. Massage Business License.

B. Massage Provider License.

C. Massage Background Check/Investigation Fee.

D. Massage Business Establishment Plan Review. (New establishment or remodeling of existing establishment)

E. Re-inspection Fees for Massage Businesses. (New establishment or remodeling of existing establishment)

At the time of an application for any license or renewal under this Chapter, the applicant shall pay to the City the fees noted above. Fees paid for licenses, background checks, investigations, re-inspections and other City review shall not be refundable.

(7-21-81 Code; Ord. 541 [8-15-1991])

523.05 Application Form –Massage Provider License. Every application for a Massage Provider License under this Chapter shall be filed with the City Manager on a form supplied by the City. This application shall provide the following information as well as any other information deemed necessary by the City Manager:

A. Applicant's full name (First, middle and last)

- B. Whether the applicant has ever used or has been known by a name other than his/her true name; if so, what was such name(s) and information concerning the dates and places where used.
- C. Applicant's home address and telephone number
- D. Applicant's driver's license or state ID number
- E. Applicant's place and date of birth
- F. Applicant's home address(es) for the past ten (10) years
- G. The kind, name(s) and address(es) of the applicant's business(es), employer(s) and occupation(s), if any, for the preceding five years.
- H. The name of the licensed Massage Business in Wayzata that the applicant will be administering massages.
- I. A description of any crime or other offense, including the time, place, date, and disposition, for which the applicant has been arrested.
- J. Whether the applicant provides massage services; if so, where.
- K. The applicant's training and experience in performing massage services, including where the applicant has previously held a massage license(s).
- L. Whether the applicant previously has been denied a massage license by any jurisdiction; if so, the details of such denial.
- M. Information evidencing the requirements of Section 523.08.

523.06 Application Form - Massage Business License. Every application for a Massage Business License under this Chapter shall be filed with the City Manager on a form supplied by the City. The application shall provide the following information as well as any other information deemed necessary by the City Manager:

- A. The applicant contact, background and historical information required under Section 523.05 for Massage Providers.
- B. If applicant is a corporation, limited liability company, partnership or other entity, then the applicant shall provide:
 - 1. The information required in Section 523.05, subparagraphs A. – M. above, for each officer, director, partner, manager and/or other agent of the business entity.

2. A list of all parties who control or own an interest in excess of five percent (5%) in the business, the position held by each party, the interest held by each party, and all information concerning each of said person(s) as is required in Section 523.05, subparagraphs A. – M. above.
 3. A true copy of the organizational and operating documents of the entity, including Articles, Bylaws, and Company Agreements.
 4. Address, names, and telephone number of the property owner and property manager for the property upon which the Massage Business is located.
- C. The names of those individuals who provide or will provide massage for the Massage Business.

(Ord. 541 [8-15-1991])

523.07 Licensing Procedures. All applications for a license under this Chapter which have been filed with the City Manager shall also be referred to the Chief of Police and to such other persons as the City Manager deems appropriate for investigation and verification of the facts set forth therein. The Chief of Police and such other persons shall make a written report and recommendations to the City Council as to approval or denial of the requested license based on the background investigation, review of the application materials, and the criteria of this Chapter. The City Council then may consider approval of the license, denial of the license, or order additional investigation as it deems necessary.

523.08 Eligibility for a License.

- A. All Licenses. No license under this Chapter shall be issued to any person:
1. Who is a minor, as defined by State Statute.
 2. Who is not a citizen of the United States, unless the person is a resident alien or holds a valid work permit.
 3. Who has been arrested in connection with, charged with or convicted of prostitution or any other crime or offense involving moral turpitude or sexual misconduct.
 4. Who has been arrested in connection with, charged with or convicted of any violation of this Chapter or any violation of a State Statute or local ordinance, including a violation occurring within a Massage Business licensed under this Chapter.
 5. Who has falsified information or made a willful misstatement of fact on the license application form.
- B. Massage Provider Licenses. To be eligible for a Massage Provider License, the Applicant must provide the following credentials:

1. Documentation showing that applicant is currently in good standing with a national or state recognized professional therapeutic massage organization with a written and enforceable code of ethics such as the American Massage Therapy Association, Associated Bodywork & Massage Professionals, or National Certification Board for Therapeutic Massage and Bodywork.
2. Original transcript documenting that applicant has a minimum of five hundred class credit hours from a massage therapy school or program which is recognized by one of the following national or state professional therapeutic massage organizations:
 - a. MN Office of Higher Education
 - b. Accrediting Bureau of Health Education Schools (ABHES)
 - c. Accrediting Commission of Career Schools and Colleges (ACCSC)
 - d. Accrediting Council for Continuing Education and Training (ACCET)
 - e. Commission on Massage Therapy Accreditation (COMTA)
3. Certification that applicant is covered by liability insurance coverage of at least one million dollars for personal liability in the practice of therapeutic massage.

523.09 **License Restrictions and Obligations.** Every license issued under this Chapter shall be subject to the following provisions, which shall govern the issuance and continued validity of all such licenses. The violation of any of these provisions shall be cause for suspension and/or revocation of any such license, at the discretion of the City Council.

A. It shall be the continuing duty of every license holder under this Chapter to notify the City Manager in writing of any change in the information or facts required to be furnished in the licensee's application form. This duty shall continue throughout the entire period of the license and all renewals thereof.

B. No customers or patrons of a Massage Business shall be allowed to occupy any Licensed Premises after 9:00 P.M. and before 6:00 A.M. daily.

(7-21-81 Code; Ord. 549 [11-27-1991])

C. No person licensed hereunder shall violate any State Statute or local ordinance of the City, nor shall any such violation occur upon any premises licensed hereunder. Any conviction for prostitution or any other crime or offense involving moral turpitude or sexual misconduct shall result in the immediate revocation of any license issued under this Chapter.

D. No person licensed hereunder shall allow any alcoholic beverage, narcotic drug or controlled substance upon any premises licensed hereunder, as such terms are defined by State Statute and local ordinance. Facilities holding a valid liquor license shall not allow alcoholic beverages to be consumed in the Licensed Premises.

E. It shall be unlawful for any person in a Licensed Premises to place hands upon, or to touch with any part of the body, or to fondle in any manner, the anal or genital area of any other person, or breasts of any other person, whether or not the area is clothed.

F. It shall be unlawful for any person in a Licensed Premises to expose breasts, anal or genital area or any portion thereof to any other person, or to expose the female breasts, anal or genital area or any portion thereof of any other person.

G. It shall be unlawful for any person, while in the presence of any other person in a Licensed Premises, to fail to conceal with a fully opaque covering the breasts, anal and genital area of the body.

H. No license shall be issued to an applicant who is under 18 years of age.

I. It shall be unlawful for any person owning, operating or managing a Massage Business knowingly to cause, allow, suffer, or permit in or about the Licensed Premises any agent, employee, independent contractor or any other person under his or her control or supervision to perform or allow such acts prohibited in any section of this Chapter.

(7-21-81 Code; Ord. 549 [11-27-1991])

523.10 Suspension or Revocation. The City Council may suspend or revoke any license issued under this Chapter pursuant to Section 501.09 of Wayzata City Code.

523.11 Construction and Maintenance of Licensed Premises. The Licensed Premises of a Massage Business must conform to the following standards:

A. All massage rooms and restrooms or bathrooms used in connection therewith shall be constructed of materials which are impervious to moisture, bacteria, mold or fungus growth. The floor-to-wall and wall-to-wall joints therein shall be constructed to provide a sanitary cove with a minimum radius of one (1) inch.

B. All restrooms used in connection with massage facilities shall be provided with mechanical ventilation with two (2) cfm per square foot of floor area, a minimum of fifteen (15) foot candles of illumination, a hand washing sink equipped with hot and cold running water under pressure, sanitary towels and a soap dispenser.

C. Each massage establishment shall have a janitor's closet, which shall be provided for the storage of cleaning supplies. Such a closet shall have mechanical ventilation with two (2) cfm per square foot of floor area and a minimum of ten foot candles of illumination. Each such closet shall include a mop sink.

D. Floors, walls and equipment in massage rooms and restrooms or bathrooms used in connection therewith shall be kept sanitary and in a state of good repair at all times. Linens and other materials shall be stored at least six (6) inches off the floor. Sanitary towels, wash cloths, cleaning agents and toilet tissue shall be made available for each customer.

- E. Hooks and/or hangers must be made available for use by patrons.
- F. Doors on massage rooms shall not be locked or be capable of being locked. Locks, latches or other devices intended to secure a door so as to prevent its being opened by any person from either side thereof, with or without a key, shall not be present on any doors on massage rooms.

523.12 Submission of Massage Business Plans and Specifications. Plans and specifications for the proposed layout and arrangement, plumbing and construction schedules of the Licensed Premises, and the location, size and type of equipment and facilities proposed shall be filed by the owner with the City Building Official. This information must also be separately submitted to the City with a Massage Business Establishment Plan Review application and fees for review and approval by the City Health Officer. No Building Permit shall be issued for any such construction, remodeling or alteration until the plans and specifications also have the approval of the City Health Officer.

523.13 Inspection by City Officials. During any hours in which a Massage Business is open for business and/or providing massage services, the area where the service is being performed shall be open to inspection by City inspectors and police officers.

523.14 Locations Ineligible for a Massage Business License. No Massage Business may be located on property that is zoned residential under the Wayzata Zoning Ordinance.

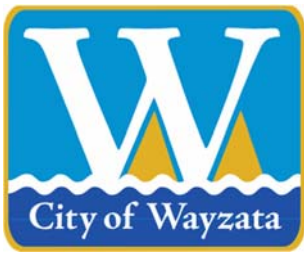
Adopted by the City Council this ____ day of December, 2017.

Ken Willcox
Mayor

ATTEST:

Jeffrey Dahl
City Manager

First Reading: November 21, 2017
Second Reading:
Publication:



City of Wayzata City Council Agenda Report

MEETING DATE: December 5, 2017	AGENDA ITEM: 7h
TITLE: Approval of Resolution No. 62-2017, Amending the City of Wayzata Fee Schedule for Massage Services	
PROPOSED MOTION: To Approve Resolution No. 62-2017, Amending the City of Wayzata Fee Schedule for Massage Services	
PREPARED BY: Becky Malone, City Clerk	
REVIEWED BY: Jeffrey Dahl, City Manager	

ACTION REQUESTED:

Staff recommends approval of Resolution No. 62-2017.

FINANCIAL OR BUDGET CONSIDERATION:

The proposed fees would not generate significant additional revenue and are consistent with the City's general practice to charge fees that cover any costs that the City incurs to process the license applications. The City's costs would include the staff time to process and review the license application, conduct background checks, and may include an inspection of the property, if needed.

BACKGROUND:

At its meetings on November 21, 2017, and December 5, 2017, the City Council approved Ordinance No. 777 establishing a new Massage Services Ordinance with updated fees. This resolution amends the City's 2018 fee schedule to include the updated fees.

ATTACHMENTS:

1. Resolution No. 62-2017, Amending the City of Wayzata Fee Schedule for Massage Services

RESOLUTION NO. 62-2017

**RESOLUTION AMENDING
THE CITY OF WAYZATA FEE SCHEDULE FOR MASSAGE SERVICES**

WHEREAS, the City Council of Wayzata, Minnesota has adopted a Code of Ordinances; and

WHEREAS, Wayzata City Code provides that fees are adopted by reference and are as established by City Council Resolution; and

WHEREAS, on September 5, 2017, the Wayzata City Council adopted Resolution No. 33-2017 adopting municipal fees for 2018; and

WHEREAS, the City Council adopted the second reading of Ordinance 777 on December 5, 2017, establishing a new Massage Ordinance with new fees.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Wayzata, Minnesota that the City's 2018 fee schedule is amended to include the new fees in **Exhibit A**, effective January 1, 2018.

Adopted by the Wayzata City Council this 5th day of December, 2017.

Mayor Kenneth Willcox

ATTEST:

City Manager Jeffrey Dahl

ACTION ON THIS RESOLUTION:

Motion for adoption:

Seconded by:

Voted in favor of:

Voted against:

Abstained:

Absent:

Resolution:

I hereby certify that the foregoing is a true and correct copy of a resolution adopted by the City Council of the City of Wayzata, Minnesota, at a duly authorized meeting held on December 5, 2017.

City Clerk Becky Malone

SEAL

Exhibit A

Massage Business License	\$ 88.00
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Massage Provider License (per individual)	\$ 61.00
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Massage Background Check/Investigation Fee (per individual)	\$ 77.00
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Massage Business Establishment Plan Review:

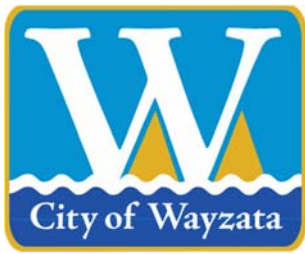
New establishment	\$408.00
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Remodeling of existing establishment	\$408.00
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Re-inspection fees for Massage Businesses:

2nd follow-up is 25% of the license fee for each follow-up

3 or more follow-ups are 50% of the license fee for each follow-up



City of Wayzata City Council Agenda Report

MEETING DATE: December 5, 2017	AGENDA ITEM: 7i
TITLE: Consider Approval of Second Reading of Ordinance 776 , Authorizing the Issuance and Sale of \$2,905,000 G.O. Water Revenue Refunding Bonds, Series 2017A	
PROPOSED MOTIONS: To Approve the Second Reading of Ordinance 776, Authorizing the Issuance of G.O. Water Revenue Refunding Bonds	
PREPARED BY: Jeffrey Dahl, City Manager	
REVIEWED BY: N/A	

ACTION REQUESTED:

Staff recommends approval of the second reading of Ordinance 776.

FINANCIAL OR BUDGET CONSIDERATION:

The estimated total savings through the remaining term of the bond payment are estimated to be approximately \$20,500 per year over 14 years, for a total of \$287,057, or a net present value of \$243,572. These savings include the cost of issuance.

BACKGROUND:

Every year, the City's Financial Advisor and Bond Counsel reviews all outstanding debt and makes recommendations on refinancing opportunities. This fall, Stacie Kvilvang of Ehlers and Associates, recommended a refunding opportunity for the General Obligation Water Revenue Bonds that were issued in 2009 for the purposes of constructing the Water Treatment Plant next to the Bell Courts. This refunding is solely for interest savings and does not extend the duration of the bonds.

At its November 21st Meeting, the Council approved the first reading of the ordinance and approved a resolution to award the sale of bonds at the December 19th City Council Meeting.

ATTACHMENTS:

1. Ordinance 776, Authorizing the Issuance of G.O. Water Revenue Refunding Bonds

**CITY OF WAYZATA
HENNEPIN COUNTY, MINNESOTA**

ORDINANCE NO. 776

**AN ORDINANCE AUTHORIZING THE ISSUANCE
OF GENERAL OBLIGATION WATER REVENUE REFUNDING BONDS**

THE CITY OF WAYZATA ORDAINS:

Section 1. General Obligation Water Revenue Refunding Bonds

By authority of Minnesota Statutes, Chapter 475 and Section 45 of the City Charter, the City may issue its general obligation bonds without an election, if such bonds are authorized by ordinance adopted by 4/5ths of the members of this Council for any purpose authorized by the laws of the State of Minnesota, when such laws permit the issuance of bonds for such purpose without an election. It is hereby determined to be necessary and desirable for the City to issue its General Obligation Water Revenue Refunding Bonds (the "Bonds") without an election. The Bonds are being issued to refund the City's General Obligation Water Revenue Bonds, Series 2009A. The maximum amount of the Bonds is \$3,000,000. Pursuant to Minnesota Statutes, Section 444.075 and Chapter 475, the Bonds may be issued without an election.

Section 2. Further Terms and Provisions of Bonds Herein Authorized.

The further terms and provisions of the Bonds, including the form and details thereof, shall be fixed and established by further resolution or resolutions of the City Council.

Section 3. Effective Date.

This ordinance shall be effective upon its passage by this Council, after its second reading, and its publication in accordance with Sections 23 and 24 of the City Charter.

Passed first reading, November 21, 2017.

Passed and approved on second reading, December 5, 2017.

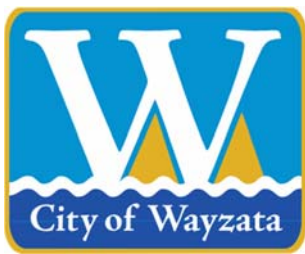
Approved:

Mayor Kenneth Willcox

Attest: _____
City Manager Jeffrey Dahl

First Reading: November 21, 2017
Second Reading: December 5, 2017
Publication:
Effective Date:

Becky Malone, City Clerk
SEAL



City of Wayzata City Council Agenda Report

MEETING DATE: November 21, 2017	AGENDA ITEM: 7j
TITLE: Approval of Resolution No. 58-2017, Designating a Precinct and Polling Place for the 2018 Elections	
PROPOSED MOTION: To Approve Resolution No. 58-2017, Designating a Precinct and Polling Place for the 2018 Elections	
PREPARED BY: Becky Malone, City Clerk	
REVIEWED BY: Jeffrey Dahl, City Manager	

ACTION REQUESTED:

Staff recommends approval of Resolution No. 58-2017, Designating a Precinct and Polling Place for the 2018 Elections.

FINANCIAL OR BUDGET CONSIDERATION:

N/A

BACKGROUND:

Minnesota State Statute 204B.16 requires the Wayzata City Council to designate, by ordinance or resolution, polling places for each election precinct by December 31 for the upcoming year. The City plans to continue with one precinct, "Precinct #1," and continue using Wayzata City Hall as its polling place. By approving the attached resolution, the Council would be reestablishing the same precinct and polling place that we previously have had in place.

ATTACHMENTS:

1. Resolution No. 58-2017 Designating a Precinct and Polling Place for the 2018 Elections
2. MN State Statute 204B.16

CITY OF WAYZATA

RESOLUTION NO. 58-2017

**RESOLUTION DESIGNATING A PRECINCT AND POLLING PLACE
FOR THE 2018 ELECTIONS**

WHEREAS, Minnesota Statute Section 204B.16, subd. 1 requires that municipalities must designate polling places for each precinct by December 31 of each year.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Wayzata hereby designates the boundaries of the voting precinct and polling place for 2018 as follows:

Precinct 1 - Wayzata City Hall, 600 Rice Street E., Wayzata, MN 55391

The entire contiguous boundaries of the City

Adopted by the Wayzata City Council this 5th day of December, 2017.

Mayor Kenneth Willcox

ATTEST:

City Manager Jeffrey Dahl

ACTION ON THIS RESOLUTION:

Motion for adoption:

Seconded by:

Voted in favor of:

Voted against:

Abstained:

Absent:

Resolution:

I hereby certify that the foregoing is a true and correct copy of a resolution adopted by the City Council of the City of Wayzata, Minnesota, at a duly authorized meeting held on December 5, 2017.

City Clerk Becky Malone

SEAL

204B.16 POLLING PLACES; DESIGNATION.

Subdivision 1. **Authority; location.** By December 31 of each year, the governing body of each municipality and of each county with precincts in unorganized territory must designate by ordinance or resolution a polling place for each election precinct. The polling places designated in the ordinance or resolution are the polling places for the following calendar year, unless a change is made:

(1) pursuant to section 204B.175;

(2) because a polling place has become unavailable; or

(3) because a township designates one location for all state and federal elections and one location for all township only elections.

Polling places must be designated and ballots must be distributed so that no one is required to go to more than one polling place to vote in a school district and municipal election held on the same day. The polling place for a precinct in a city or in a school district located in whole or in part in the metropolitan area defined by section 200.02, subdivision 24, shall be located within the boundaries of the precinct or within one mile of one of those boundaries unless a single polling place is designated for a city pursuant to section 204B.14, subdivision 2, or a school district pursuant to section 205A.11. The polling place for a precinct in unorganized territory may be located outside the precinct at a place which is convenient to the voters of the precinct. If no suitable place is available within a town or within a school district located outside the metropolitan area defined by section 200.02, subdivision 24, then the polling place for a town or school district may be located outside the town or school district within five miles of one of the boundaries of the town or school district.

Subd. 1a. **Notice to voters.** If the location of a polling place has been changed, the governing body establishing the polling place shall send to every affected household with at least one registered voter in the precinct a nonforwardable mailed notice stating the location of the new polling place at least 25 days before the next election. The secretary of state shall prepare a sample of this notice. A notice that is returned as undeliverable must be forwarded immediately to the county auditor. This subdivision does not apply to a polling place location that is changed on election day under section 204B.175.

Subd. 2. [Repealed, 1994 c 607 s 7]

Subd. 3. **Designation effective until changed.** The designation of a polling place pursuant to this section shall remain effective until a different polling place is designated for that precinct. No designation of a new or different polling place shall become effective less than 90 days prior to an election, including school district elections or referenda, and no polling place changes may occur during the period between the state primary and the state general election, except that a new polling place may be designated to replace a polling place that has become unavailable for use.

Subd. 4. **Prohibited locations.** No polling place shall be designated in any place where intoxicating liquors or nonintoxicating malt beverages are served or in any adjoining room. No polling place shall be designated in any place in which substantial compliance with the requirements of this chapter cannot be attained.

Subd. 5. **Access by elderly and persons with disabilities.** Each polling place shall be accessible to and usable by elderly individuals and individuals with disabilities. A polling place is deemed to be accessible and usable if it complies with the standards in paragraphs (a) to (f).

(a) At least one set of doors must have a minimum width of 32 inches if the doors must be used to enter or leave the polling place.

(b) Any curb adjacent to the main entrance to a polling place must have curb cuts or temporary ramps. Where the main entrance is not the accessible entrance, any curb adjacent to the accessible entrance must also have curb cuts or temporary ramps.

(c) Where the main entrance is not the accessible entrance, a sign shall be posted at the main entrance giving directions to the accessible entrance.

(d) At least one set of stairs must have a temporary handrail and ramp if stairs must be used to enter or leave the polling place.

(e) No barrier in the polling place may impede the path of persons with disabilities to the voting booth.

(f) At least one parking space for persons with disabilities, which may be temporarily so designated by the municipality for the day of the election, must be available near the accessible entrance.

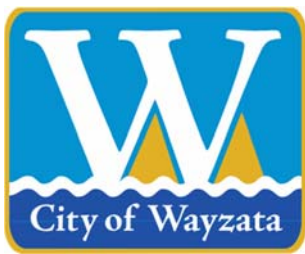
The doorway, handrails, ramps, and disabled parking provided pursuant to this subdivision must conform to the standards specified in the State Building Code for accessibility by persons with disabilities.

A governing body shall designate as polling places only those places which meet the standards prescribed in this subdivision unless no available place within a precinct is accessible or can be made accessible.

Subd. 6. Public facilities. Every statutory city, home rule charter city, county, town, school district, and other public agency, including the University of Minnesota and other public colleges and universities, shall make their facilities, including parking, available for the holding of city, county, school district, state, and federal elections, subject to the approval of the local election official. A charge for the use of the facilities may be imposed in an amount that does not exceed the lowest amount charged to any public or private group.

Subd. 7. Appropriate facilities. The facilities provided in accordance with subdivision 6 shall be sufficient in size to accommodate all election activities and the requirements of subdivision 5. The space must be separated from other activities within the building. The local election official may approve space in two connecting rooms for registration and balloting activities. Except in the event of an emergency making the approved space unusable, the public facility may not move the election from the space approved by the local election official without prior approval. In addition to the requirements of subdivision 5, the public facility must make remaining parking spaces not in use for regularly scheduled activities available for voters.

History: 1981 c 29 art 4 s 16; 1983 c 124 s 4; 1984 c 471 s 5; 1985 c 307 s 1; 1987 c 266 art 1 s 25; 1991 c 227 s 12,13; 1991 c 349 s 36,37; 1992 c 474 s 1; 1993 c 223 s 10; 1997 c 147 s 29,30; 2000 c 467 s 16; 2004 c 293 art 2 s 18; 2005 c 56 s 1; 2005 c 156 art 6 s 35,36; 2008 c 244 art 1 s 11; 2017 c 92 art 1 s 14; art 2 s 8



City of Wayzata City Council Agenda Report

MEETING DATE: November 21, 2017	AGENDA ITEM: 7k
TITLE: Approval of an Addendum to the Recording Secretary Service Agreement with TimeSaver Off Site Secretarial, Inc., extending the agreement to December 31, 2018	
PROPOSED MOTION: To Approve an Addendum to the Recording Secretary Service Agreement with TimeSaver Off Site Secretarial, Inc., extending the agreement to December 31, 2018	
PREPARED BY: Becky Malone, City Clerk	
REVIEWED BY: Jeffrey Dahl, City Manager	

ACTION REQUESTED:

Staff recommends approval of an Addendum to the Recording Secretary Service Agreement with TimeSaver Off Site Secretarial, Inc., extending the agreement to December 31, 2018.

FINANCIAL OR BUDGET CONSIDERATION:

While the addendum does reflect a rate increase, the increase is less than 2.5% and is still within the City's 2017 and 2018 budget.

BACKGROUND:

In 2000, the City entered into an agreement with TimeSaver Off Site Secretarial, Inc. (TOSS) as the recording secretary for meeting minutes. This agreement has been extended annually.

TOSS has submitted the attached Addendum to the Recording Secretary Service Agreement that extends the expiration date of the current agreement to December 31, 2018. The rates reflect an increase of less than 2.5%. I have included a copy of the proposed 2018 agreement, and the original Recording Secretary Service Agreement of March 1, 2000.

ATTACHMENTS:

1. Addendum to the Recording Secretary Service Agreement with TimeSaver Off Site Secretarial, Inc. extending the agreement to December 31, 2018.
2. The original Recording Secretary Service Agreement of March 1, 2000.

**ADDENDUM TO
RECORDING SECRETARY SERVICE AGREEMENT**

.Dated: December 31, 2017

By and between TimeSaver Off Site Secretarial, Inc. and the City of Wayzata, 600 Rice Street, Wayzata, MN 55391.

1. EXTENSION OF RECORDING SECRETARIAL SERVICE AGREEMENT: The term of the existing Recording Secretary Service Agreement dated December 31, 2016 shall be extended under the same terms and conditions to December 31, 2018.
2. TOSS Charges. TOSS shall be paid for its services as recording secretary for each meeting (the highest rate will prevail), as follows:
 - a. Base Rate of One Hundred Forty-Two and 00/100 dollars (\$142.00) for any meeting up to one (1) hour (billable time) plus Thirty-Four and 50/100 dollars (\$34.50) for each thirty (30) minutes following the first one (1) hours; or
 - b. Thirty and 50/100 dollars (\$30.50) per hour for length of meeting, and fifteen (15) minutes prior to Call to Order and fifteen (15) minutes following Adjournment with a one and one-half (1.5) hour minimum; and Thirteen and 35/100 dollars (\$13.35) for each page of minutes prepared from shorthand or machine notes of the recording secretary as draft minutes for submission to and the review and comment of the City of Wayzata for their preparation of final minutes.

At the end of the term of this Addendum or any extension of it, the parties may make a new Agreement or extend or modify the terms of this Agreement.

IN WITNESS WHEREOF, the undersigned have executed this Addendum to the Recording Secretary Service Agreement as of the day and year indicated.

December ____, 2017

CITY OF WAYZATA

By _____
Jeffrey Dahl

Its _____
City Manager

November 9, 2017

TIMESAVER OFF SITE SECRETARIAL, INC.

By Carla Wirth
Carla Wirth

Its _____
President & CEO

#960

RECORDING SECRETARY SERVICE AGREEMENT

THIS AGREEMENT is made between **TIMESAVER OFF SITE SECRETARIAL, INC.** ("TOSS") and the **CITY OF WAYZATA, 600 RICE STREET, WAYZATA, MN 55391-1799** ("Wayzata").

Wayzata wishes to retain the services of TOSS to act as recording secretary for all regular City Council and Planning Commission meetings during the term of this Agreement, and such special meetings as Wayzata shall request of TOSS from time to time.

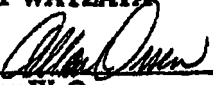
IT IS THEREFORE AGREED AS FOLLOWS:

1. Recording Secretary. TOSS shall provide a competent, experienced and professional recording secretary to appear at and attend, record, transcribe, and submit minutes of all Wayzata City Council and Planning Commission meetings and, as requested of TOSS by Wayzata from time to time, special meetings of its Subcommittees. Minutes of each meeting shall be prepared and submitted via e-mail within seven (7) days after each meeting to such officer as the City Manager may designate from time to time.
2. Equipment. Wayzata shall provide for each meeting at the meeting site all tape recording equipment required to record the minutes of the meeting (if desired). TOSS shall provide all equipment and materials necessary to transcribe and prepare the minutes and to take shorthand/machine minutes at the meeting.
3. TOSS Charges. TOSS shall be paid for its services as recording secretary for each meeting (the highest rate will prevail), as follows:
 - a. Base Rate of One Hundred (\$100.00) dollars for any meeting up to 1.5 hours (billable time) plus Twenty Five (\$25.00) dollars for each thirty (30) minutes following the first 1.5 hours for meeting attendance, fifteen (15) minutes prior to Call to Order and Fifteen (15) minutes following Adjournment, and meeting minutes; or
 - b. Twenty-one (\$21.50) dollars per hour for time attending meetings, and fifteen (15) minutes prior to Call to Order and fifteen (15) minutes following Adjournment with a one and one-half (1.5) hour minimum; and Nine and 50/100 dollars (\$9.50) for each page of minutes prepared from shorthand or machine notes of the recording secretary as draft minutes for submission to and the review and comment of Wayzata for their preparation of final minutes.

4. **Billing.** When TOSS submits the minutes of each meeting, TOSS shall bill Wayzata on its standard invoice form which itemizes time in attendance at each meeting and the number of pages of draft minutes prepared by TOSS of each meeting. Wayzata agrees that it will submit each TOSS invoice with the next bill list or other applicable expense authorization list to be considered by the Wayzata City Council or the authorizing official of the Council.
5. **Term.** This Agreement shall become effective on March 1, 2000, and shall continue in force until December 31, 2000. Either party may cancel this Service Agreement with or without cause upon thirty (30) days written notice; otherwise the contract shall remain in force.
6. **Delegation.** TOSS may, from time to time, appoint one or more persons and delegate its duties as recording secretary hereunder to its employees or contractors.
7. Wayzata agrees that during the term of this Agreement and any extension to it, and for a period of six (6) months thereafter, it will not employ, hire, subcontract with, or otherwise engage as a recording secretary a person or an entity formed by a person who has acted as a recording secretary of TOSS for Wayzata under this Agreement.
8. At the end of the term of this Agreement or any extension of it, the parties may make a new Agreement or extend or modify the terms of this Agreement in writing.
9. **Independent Contractor.** The parties of this Agreement agree that TOSS is an independent contractor. TOSS is not an employee of the City and is not entitled to the benefits provided by the City to its employees, including but not limited to, health, worker's compensation and employment insurance, and pension or employee benefit plans.
10. **Indemnification.** TOSS shall indemnify the City against all liability and loss in connection with, and shall assume full responsibility for, payment of all federal, state and local taxes or contribution imposed or required under employment insurance, social security and income tax laws, with respect to TOSS' employees engaged in performance of the agreement.

Dated: 3-1, 2000.

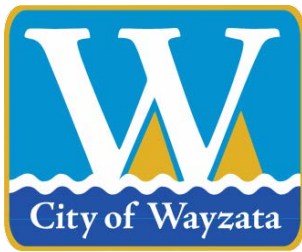
CITY OF WAYZATA

By: 
Allan W. Orsen
Its: City Manager

Dated: March 1, 2000.

TIMESAVER OFF SITE SECRETARIAL, INC.

By: 
Carla Wirth
Its: President & CEO



City of Wayzata City Council Agenda Report

MEETING DATE: December 5, 2017	AGENDA ITEM: 7I
TITLE: Approval of Sprint Antenna Monopole Agreement	
PROPOSED MOTION: To Approve Sprint Antenna Monopole Agreement	
PREPARED BY: David Dudinsky; Director of Public Service	
REVIEWED BY: Jeffrey Dahl, City Manager	

ACTION REQUESTED:

Staff recommends approval of the Antenna Monopole Agreement with Sprint to relocate their telecommunication equipment from the existing water tower site to the new telecommunications monopole that was constructed this summer by the City at the NE corner of the Wayzata West Middle School Property.

FINANCIAL OR BUDGET CONSIDERATION:

Sprint has agreed to the financial terms presented by the City; a one-time Capital Contribution of \$49,309.00 and a first year annual rent of \$69,000.00. Continuing thereafter, the Annual Rent shall be increased yearly by a percentage amount equal to the annual percentage increase in the Consumer Price Index for the prior year.

The initial term of the agreement is five (5) years that includes four (4) additional five (5) year terms automatically extending this agreement unless Tenant gives the City written notice of its intention to terminate.

The terms of this agreement are consistent with previous City Council financial planning meetings and work shops related to telecommunications carriers on the monopole.

BACKGROUND:

The City's Strategic Plan includes the relocation of all telecommunication equipment on the city's water tower and related ground equipment to a new telecommunication monopole tower and compound constructed this summer in the NE corner of Wayzata West Middle School property.

Currently four telecommunication tenants lease space on the existing water tower located at 408 Gardner St E. Sprint's existing telecommunications lease with the City expires on 12/31/2017.

City Attorney Paul Kaminski has been directly involved in the Sprint negotiations and has reviewed the attached Antenna Monopole Agreement signed by Sprint.

Exhibit C is the Antenna/Equipment Plans proposed by Sprint for the new monopole site. The site plans have been reviewed by SEH, the City's telecom consultant firm. A copy of their opinion letter recommending the City approve the Sprint Site Plans is attached for reference.

ATTACHMENTS:

1. Sprint Antenna Monopole Agreement
2. SEH Site Plan Review Letter dated 11/01/2017

ANTENNA MONOPOLE AGREEMENT

THIS ANTENNA MONOPOLE AGREEMENT (“Agreement”) is made and entered in to this ____ day of _____, 20____, by and between the City of Wayzata, municipal corporation under the laws of Minnesota (hereinafter referred to as “**City**”), and Sprint Spectrum L.P., a limited partnership under the laws of Delaware (hereinafter referred to as “**Tenant**”).

RECITALS

- A. The City is the lessee of that certain portion of land and the grantee of certain access and utilities easements located in Hennepin County, Minnesota legally described on **Exhibit A** attached hereto (hereinafter referred to as the “**Property**”).
- B. Located on the Property will be an antenna monopole owned, operated and maintained by the City (hereinafter referred to as the “**Monopole**”). The Monopole will be constructed in accordance with the plans and specifications prepared by Short Elliott Hendrickson, Inc., Wayzata Middle School Mono Pole-Project #139566.
- C. The Tenant desires to install, operate and maintain a facility for the transmission and reception of radio communication signals in such frequencies as may be assigned by the Federal Communication Commission, including but not limited to radio and telecommunication transmitting and receiving antennas, microwave dishes, and appurtenances on the monopole (collectively hereinafter referred to as the “**Antenna**”), and to provide for the installation, operation, maintenance, and storage of related equipment, including but not limited to coaxial cabling, base units, radios and batteries (collectively hereinafter referred to as the “**Equipment**”) in accordance with the terms of this Agreement. The Antenna and Equipment may hereinafter collectively be referred to as the “**Antenna Facilities**”.
- D. The parties desire to enter into this Agreement relating to the use of the Monopole.

AGREEMENTS

NOW, THEREFORE, in consideration of the foregoing recitals and for other good, valuable and fair consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

1. **Leased Premises.** Subject to the terms of this Agreement, the City authorizes the Tenant’s non-exclusive use of, including reasonable access from the public right of way to, a certain portion of the Monopole owned by the City and the Property subject to any and all existing easements and restrictions not inconsistent with the rights granted hereunder for the purposes described in Paragraph 5 of this Agreement. The actual location on the Monopole where the Tenant is authorized to install the Antenna/Equipment and the actual location on the Property where the Tenant is authorized to install its Equipment, together with all access and utility easements necessary therefor, is depicted on **Exhibit B** attached hereto (“**Site Plan**”). The primary purpose of the City’s lease of the Property and ownership of

the Monopole is to operate and maintain a municipal Monopole to provide telecommunication services.

2. Term. The initial five-year term (“**Initial Term**”) of this Agreement shall begin on the first day of the month following Tenant's completion of construction of the Antenna Facilities, testing and the start of commercial operations/service at the Property (the “**Commencement Date**”). The Tenant shall have the right to extend the Initial Term of this Agreement for four (4) additional five (5) year terms (each, a “**Renewal Term**”), which shall automatically extend unless Tenant gives City written notice of its intention to terminate at least ninety (90) days prior to the expiration of the then-existing Initial Term or Renewal Term. Rent during the Initial Term and any Renewal Term shall be paid annually, in advance, by the Tenant to the City for the upcoming lease year.

3. Rent and Capital Contribution.

- A. Capital Contribution. Within sixty (60) days of the full execution of this Agreement, Tenant shall pay the City a one-time capital contribution in the amount of \$49,309.00 to be applied by the City towards the cost of construction of the Monopole and associated facilities (such as access and utility improvements) (“**Capital Contribution**”).
- B. Initial and Renewal Term Rent. The annual rent for the first year of this Agreement shall be delivered to City within 45 days of the Commencement Date. The annual rent for the first year shall be based on a full year amount of Sixty-Nine Thousand and No/100 Dollars (\$69,000.00), and rent shall be paid annually, in advance, by the Tenant to the City for the upcoming lease year, partial years to be pro-rated.

Beginning on the first annual anniversary of the Commencement Date, and continuing thereafter for the entire term of this Agreement, the Annual Rent shall be increased by a percentage amount that is equal to the annual percentage increase in the Consumer Price Index (as defined below) for the prior year. This increase shall be based upon the Consumer Price Index for the month which is three (3) months immediately preceding the month in which the term of this Agreement commences.

“Consumer Price Index” shall mean the Consumer Price Index published by the Bureau of Labor Statistics of the United States Department of Labor for Urban Wage Earners and Clerical Workers for All Items (CPI W) U.S. City average or shall mean the successor thereto. In the event the Consumer Price Index is converted to a different standard reference base or otherwise revised, the determination of the rent for the second year and each succeeding year shall be made with the use of such conversion factor, formula or table for converting the Consumer Price Index as may be published by the Bureau of Labor Statistics, or if the Bureau should fail to publish the same, then with the use of such conversion factor, formula or table for converting the Consumer Price Index as may be published by Prentice Hall, Inc., or any other nationally recognized publisher or similar statistical information. If the Consumer Price Index ceases to be published

and there is no successor thereto, such other index as City and Tenant may agree upon shall be substituted for the Consumer Price Index, and if they are unable to agree, then such matter shall be submitted to arbitration in accordance with the then existing commercial rules of arbitration of the American Arbitration Association at the American Arbitration Association office nearest the Tenant.

- C. Late Fee. Tenant shall pay a late fee of Five Hundred and No/100 Dollars (\$500.00) if the Rent is not paid after thirty (30) days written notice from Landlord regarding failure to make the necessary payment.
- D. Intentionally Omitted.
- E. Equipment Upgrade. As long as tower loading is not increased, upon notice to City, Tenant shall have the right to replace, repair, or modify its utilities, equipment, antennas and/or conduits or any portion thereof and the frequencies over which the equipment operates provided detailed plans are provided to the City showing the modified equipment. If Tenant is utilizing new frequencies, Tenant shall provide an interference study to the City, and should the Tenant require additional equipment to be added to the Monopole or the proposed modifications increase the tower loading, Tenant shall provide a structural analysis along with detailed plans which must be reviewed and approved by the City, the City's consulting engineer ("**Consulting Engineer**") and the City Attorney to be assured the equipment conforms to the terms of this Agreement, including, but not limited to lack of interference with other equipment located on the Monopole and confirmation the proposed equipment is located in the correct leased space. The approval for the increased loading, new frequencies or additional equipment shall not be unreasonably withheld, conditioned or delayed. In the event the City does not either (i) object to the plans in writing or (ii) furnish the Tenant with written approval, within 30 days of the date of submission of the plans, the City will be deemed to have approved them. Tenant shall be responsible for reasonable costs associated with this review, and there shall be no increase in the rent for the additional equipment, increased loading or new frequencies. An itemized invoice showing all accounting for such invoice, including a listing of time spent by billers on the project and a list of any associated costs shall be provided to Tenant. Said invoice shall be provided to Tenant and shall be paid by Tenant within sixty (60) days of receipt.
- F. Removal Bond. Tenant, as part of the site restoration per Paragraph 9 (D) of this Agreement, shall provide a removal performance bond in the amount of \$10,000.00 to insure removal of equipment in compliance with this Lease, including but not limited to, removal of the equipment, shelter, antennas, facilities and related equipment and the repair and restoration of the site to the reasonable satisfaction of the City.
- G. Sublease. The Tenant shall not be allowed to sublease space on the tower to additional telecommunications providers. Separate lease agreements for additional

ground and antenna space for such additional telecommunications providers shall be with the City, not the Tenant.

4. Governmental Approval Contingency. Tenant's right to use the Leased Premises is expressly made contingent upon its obtaining all the certificates, permits, zoning and other approvals that may be required by any federal, state, or local authority. City shall cooperate with Tenant in its efforts to obtain and retain such approval and shall take no action that would adversely affect the status of the Property with respect to the Tenant's proposed use thereof. Tenant shall not consider this Agreement, or the negotiations to enter into this Agreement, as alleviating the Tenant from any and all requirements for Tenant to obtain needed certificates, permits, zoning, and other approvals including conditional use permits or other special approvals required by City, County, State or Federal governments.

5. Use.

A. Use Priority. See Paragraph 11 below.

B. Construction. Tenant may erect and operate the Antenna and Equipment in accordance with its submitted application (as the same may be subsequently amended in order to be approved by the City) which said final approved application is attached hereto as Exhibit C. Tenant agrees that it will install only antennas/equipment that Tenant knows will not interfere with existing antennas located on the Monopole as of the Commencement Date. If Tenant seeks to increase the number of antennas/equipment or modify its equipment, the procedures in Paragraph 3(E) shall be followed.

C. As-Built Construction Plans. For the initial installation of all Antenna and Equipment and for any and all subsequent revisions and/or modifications thereof, or additions thereto, Tenant shall provide the City and the City's Consulting Engineer each with an electronic version of as-built construction plans or construction drawings of the equipment and improvements installed on the Leased Premises consisting of the following:

- 1) Line or CAD drawings showing the actual physical location of all planned installations, all other existing installations on the Monopole, and plus materials and construction methods;
- 2) Specifications for all planned installations;
- 3) Diagrams of proposed Antenna and Equipment;
- 4) A complete and detailed inventory of all equipment and personal property of Tenant actually placed on the Property. The City retains the right to survey the installed Antenna and Equipment.

Construction drawings and construction plans shall be easily readable. To the extent the as-built plans show any material change from the approved plans/specs, than such plans are subject to written approval by the City, which said approval shall not be unreasonably

conditioned or delayed. Tenant shall be responsible for any reasonable costs incurred by the City for the Consulting Engineer to review plans which show a material change from the approved plans, said costs to be detailed in an itemized invoice showing all accounting for such invoice, including a listing of time spent by billers on the project and a list of any associated costs. Said invoice shall be provided to Tenant and shall be paid by Tenant within sixty (60) days of receipt. Like-kind or similar replacements of Antenna Facilities that do not increase the tower loading and modifications made to Equipment located on the Equipment Storage Facility (defined below) shall not be considered a “material change”.

D. [Intentionally Omitted]

E. Contractor Approval. Any contractor chosen by Tenant to carry out construction, installation, maintenance or any other work on the Monopole must be pre-approved by the City, said approval not to be unreasonably withheld, conditioned or delayed. Upon Tenant's request, the City shall provide a list of contractors that are not approved.

F. Inspection. Consulting Engineer inspection will be provided beginning with the preconstruction conference and continuing through installation, construction, punch-list and verification of as-builts at project completion as determined solely by City. City will not arbitrarily require more inspection than is reasonably necessary to insure the continued delivery of service and security of City's property. Tenant shall pay for the Consulting Engineer's costs to be detailed in an itemized invoice showing all accounting for such invoice, including a listing of time spent by billers on the project and a list of any associated costs. Said invoice shall be provided to Tenant and shall be paid by Tenant within sixty (60) days of receipt.

G. Operation. Tenant shall have the right, at its sole expense, to operate and maintain the Antenna and Equipment on the Property in accordance with good engineering practices with all applicable FCC rules and regulations. Tenant's installation of the Antenna and Equipment shall be done according to plans approved by City, which approval shall not be unreasonably withheld, conditioned or delayed, subject to the provisions of Paragraph 3E and this Paragraph 5. In the event the City does not either (i) object to the plans in writing or (ii) furnish the Tenant with written approval, within 30 days of the date of submission of the plans, the City will be deemed to have approved them. Any damage done by Tenant, its employees or agents to the Property land improvements thereon including the Monopole during installation or during operations, shall be repaired by Tenant at Tenant's expense within thirty (30) days after notification of damage. The Antenna and Equipment shall remain the exclusive property of the Tenant, unless otherwise provided in this Agreement.

H. Improvements or Replacements. See Paragraph 3(E).

I. No Interference. Tenant shall, at its own expense, maintain any equipment on or attached to the Property and/or the Monopole, and owned by Tenant in a safe condition, and in good repair and in compliance with Paragraph 11.

- J. Compliance with Statutes, Regulations, and Approvals. Tenant's Antenna and Equipment and any other facilities shall be erected, maintained, and operated in accordance with applicable City codes, site standards, state statutes, rules, and regulations now in effect or that thereafter may be issued by the FCC and related governing bodies.
- K. Use of Monopole. The Tenant may use the Property and the Monopole to install, remove, replace, modify, maintain, and operate the Antenna and the Equipment, subject to such modifications and alterations as may result from changes or improvements in technology. Prior to the Tenant subsequently modifying the Antenna and the Equipment, the procedures in Paragraph 3(E) shall be followed.
- L. Equipment Storage. The Tenant shall store all base station Equipment related to the Antenna at that location on the Property described on attached Exhibit B ("**Equipment Storage Facility**"), as designated by the City. The Equipment Storage Facility shall be designed, constructed, and maintained in accordance with the approved application set forth on attached Exhibit C (as amended) and shall be the personal property of Tenant. The design of the Equipment Storage Facility is subject to City review, permitting and approval prior to construction such approval not to be unreasonably withheld, conditioned or delayed. Upon termination of the Agreement for any reason, the Equipment Storage Facility shall be removed by and at the expense of the Tenant.
- M. City Liability. City will not in any way be responsible for the Antenna, the related Equipment or any personal property actually placed on the Property or at the Equipment Storage Facility or installed on the Monopole by the Tenant, except for damage to the extent caused by the negligence or willful misconduct of City. The City may paint, maintain, repair and alter the Monopole, and in any such event, City will provide Tenant with as much prior notice as reasonably practicable under the circumstances and pursuant to Paragraph 6E. The City is not responsible for any temporary disruption this may cause to Tenant's transmission operations. Any alteration of the Monopole by City will not result in a loss of quality, capacity or coverage provided by Tenant from the Antenna Facilities.
- N. Ownership. The Antenna and the related Equipment shall remain the property of the Tenant, subject to the terms of Paragraph 8 "Removal of Antenna and Equipment" and Paragraph 9 "Termination".
- O. Access. The City shall provide the Tenant with twenty-four (24) hour, seven (7) day a week, year-around access to the Property and to the Monopole, subject to the City's right to limit access to the Monopole in cases of emergency or at times when the City is conducting repairs or maintenance on the Monopole. The City shall use reasonable efforts to minimize the disruption of the Tenant's access to the Property and the Monopole, in responding to any such emergencies and performing such maintenance and repairs. Notwithstanding the foregoing, "access" does not require or impose upon the City an affirmative duty to snowplow in order to provide "access" to the Property or Monopole. If the Tenant damages the Monopole and/or

any other tenant's equipment or utilities and/or the Property at any time during the term of this Lease, it shall, within thirty (30) days, repair the Monopole and/or any other tenant's equipment or utilities and/or Property to the condition it was in prior to the Tenant damaging the same including but not limited to the filling of all ruts or damage to asphalt caused by equipment driving on the Property or installing Tenant's Utilities and reseeding or planting all grass and other vegetation including trees and shrubs.

- P. Mechanic's Liens. The Tenant shall take all steps necessary to prevent any mechanics' or materialmen's liens from being placed on the Property as a result of the Tenant's use of the Monopole, Property and Equipment Storage Facility, and specifically indemnifies the City from such liens.
- Q. Fees The Tenant shall pay, as they become due and payable, all fees, charges, and expenses currently required for licenses and/or permits required for the Tenant's use of the Property.

6. Maintenance of Antenna/Equipment/Equipment Storage Facility; Modification.

- A. The Tenant shall maintain the Antenna and Equipment and Equipment Storage Facility in good condition at all times, at its sole cost and expense.
- B. Before placement of future Antenna and Equipment, the procedures in Paragraph 3(E) shall be followed.
- C. Approximately every calendar year, the City may, but is not required to, have the Antenna, and the portions of the Monopole occupied by the Tenant, inspected by a civil engineer, registered in the State of Minnesota, and a report will be provided to the City. Such inspection shall be at the cost of the City. The inspection report should include a description of the inspection/testing/results, the overall condition of the Antenna and related portions of the Monopole occupied by the Tenant along with any evidence of deterioration of either, and specify if any maintenance or repairs to the Antenna or Tenant-occupied portions of the Monopole are necessary with the appropriate timeframe. The Tenant shall cooperate with the City in allowing such an inspection.
- D. The Tenant shall telephonically notify the City of work to Tenant's Communication Equipment by contacting the City Director of Public Works at (952) 404-5361 at least forty-eight (48) hours in advance of the start of the scheduled work. In the case of emergency work a message will be left explaining the work and associated emergency.
- E. Structure Reconditioning and Repairs. Tenant shall temporarily remove its Antenna Facilities at Tenant's cost, upon reasonable notice to allow maintenance, repair, repainting, restoration or other activity as required by City. There may be scheduled interruptions in use of the Antenna facilities, prior written notice of which will be provided to Tenant at least thirty (30) days prior to such scheduled interruption. Except in the case of an emergency. City shall give Tenant 120 days' notice of

repair, repainting or restoration. In case of emergency, City will provide Tenant with as much prior telephonic notice as reasonably practicable under the circumstances. In the event Tenant does not immediately remove the Antenna Facilities following receipt of such telephonic notice, City may remove Tenant's Antenna Facilities but shall notify Tenant by telephone within a reasonable time thereafter. An "emergency" shall be deemed to exist only in those situations which constitute an immediate threat to the health or safety of the public or immediate danger to the Property. In the event the use of Tenant's Antenna Facilities is interrupted, Tenant shall have the right to maintain mobile cellular equipment on the facility Property. Oldest Tenants will have priority if space is limited. If site will not accommodate mobile equipment, it is Tenant's responsibility to locate auxiliary sites.

7. Utilities.

- A. The Tenant shall separately meter and pay all charges for the consumption of electricity and other utility services associated with the use of the Property, Monopole and Equipment Storage Facility, related thereto. The City agrees to cooperate with the Tenant in its efforts to connect the Antenna and Equipment to existing utility service. The City makes no representation or warranty regarding the availability of electric or other utility service to the Monopole. The Tenant shall have the right to install utilities, at the Tenant's expense, and to improve the present utilities on the Property. The City shall not be liable, and the Tenant waives any and all claims against the City, for any interruption of electrical or other utility services provided to the Antenna or Property, except to the extent caused by the negligence or willful misconduct of City.
- B. All of Tenant's commercial power and communication liens and related equipment ("**Utilities**") and Tenant's coaxial cabling connecting the Antenna on the Monopole with the communications Equipment (hereinafter "**Coaxial Cable**") on the Property shall be located underground, except for the Coaxial Cable on the Monopole according to the City's applicable code, rules and regulations, and all state codes, rules and regulations. Tenant shall, upon request of City, provide City with an as-built plan showing the exact location of all Tenants' Utilities and Coaxial Cable installed on the Leased Premises. Tenant shall furnish City with pertinent information as to the exact type of AC power used by the Tenant. The Tenant agrees that, not more than once per calendar year, upon the request of the City, it will field locate all Utilities and Coaxial Cable at Tenant's expense.

It shall be the responsibility of Tenant, its agents, contractors, and/or subcontractors at Tenant's sole cost and expense to contact Gopher One Call and/or all other parties including, but not limited to, City and all of City's other tenants occupying the Property to locate requests prior to any construction or installation of the Tenant's Antennas and other equipment described in this Agreement, on the Property. City agrees that it will assist with contact information for the other tenants upon the written request of the Tenant. Tenant agrees that Tenant will, upon the

reasonable request of the City or another Tenant of the City, locate all of its Cables, Conduit and Utilities.

8. Removal of Antenna and Equipment.

- A. The Tenant shall remove the Antenna and Equipment at its own cost and expense as provided in Paragraph 9(D) below.
- B. The Tenant shall be required to temporarily remove the Tenant's antenna and equipment from the Monopole to a temporary facility during any Monopole reconditioning by the City as provided in Paragraph 6(E) above. The Tenant shall be responsible for all costs related to such temporary relocation and re-installation onto the Monopole.

9. Termination For Cause.

- A. Except as otherwise provided herein, this Agreement may be terminated upon sixty (60) days' written notice to the other party as follows for only the following reasons:
 - (1) By either party upon default of any covenant or term hereof by the other party, which default is not cured within sixty (60) days of receipt of written notice of default to the other party (without, however, limiting any other rights of the parties pursuant to any other provisions hereof) or, if the failure cannot reasonably be remedied in such time, if the failing party does not commence a remedy within 30 days and diligently pursue the cure to completion;
 - (2) By the Tenant if it is unable to obtain or maintain any license, permit, or other governmental approval necessary for the construction and/or operation or use of the Property and Monopole as a transmission facility in a reasonably timely fashion;
 - (3) By the Tenant if the Property is or becomes unacceptable for technological reasons under the Tenant's design or engineering specifications for its Antenna or related Equipment or Tenant, in its sole discretion, determines its use of the Property is obsolete or unnecessary;
 - (4) By the Tenant for cause if the Property and/or Monopole are or become unusable under Tenant's design or engineering specifications for its facilities or the communications systems for technological reasons;
 - (5) By the Tenant if its transmission is interfered with by the City or the other tenants located on the Property. Such right to termination shall become void if City cures such interference within thirty (30) days of receipt of written notice; or

- (6) By City if it determines that Tenant has failed to comply with applicable ordinances or state or federal law, or any conditions attached to government approvals granted there under after the expiration of the cure period in subpart A(1) above.
- B. Notice of Termination. In accordance with Section 19, the parties shall give notice of termination in writing by certified mail, return receipt requested. Such notice shall be effective upon receipt as evidenced by the return receipt.
- C. Tenant's Liability for Early Termination. If Tenant terminates this Lease other than as provided in this Lease, City may pursue any available legal or equitable remedies. Tenant's Capital Contribution shall not be returned unless Tenant terminates the Lease pursuant to Paragraph 9(A)(1), 9(A)(2), or 9(A)(5) in which case such Capital Contribution shall be returned within thirty (30) days following the date of such termination.
- D. Site Restoration. In the event that this Lease is terminated or not renewed, Tenant shall have ninety (90) days from the termination or expiration date to remove its Antenna and Equipment from the Property, repair the site and restore the surface of the Monopole. Should this situation occur during the winter season, the sixty-day period shall commence at the start of weather permissible to the quality of workmanship required by City. Such time period shall be agreeable to City and Tenant. In the event that Tenant's Antenna and Equipment are not removed to the reasonable satisfaction of the City, the City shall have the right to pursue any available legal or equitable remedies.
- E. Casualty/Repair. If the Monopole is structurally unsound for use as a Monopole, for any reason including but not limited to considerations related to the age of the structure, damage to or destruction of all or part of the Monopole or the Property from any source, or factors relating to the condition of the Property, the City, at its sole cost, shall rebuild or structurally improve the Monopole; during such period of repair, Tenant may install a temporary mobile communications facility on the Property.
10. Non-Exclusive Use. Upon paying the rent as required herein, the Tenant shall have the right to the non-exclusive use of the Monopole, Property and Equipment Storage Facility as permitted in this Agreement. Except as provided below, the City shall not be responsible for any interference which impairs the quality of the communication services being rendered by the Tenant from the Antenna.
11. Interference with Antenna Operations.
- A. Interference Caused by Antenna. The Tenant's Antenna and Equipment shall be installed and operated in a manner in which does not cause interference or otherwise impair the quality of the communication services being rendered by pre-existing equipment that is located on the Monopole as of the Commencement Date, including, but not limited to, the then-existing equipment of the City, other

governmental agencies/entities and other tenants ("Pre-existing Equipment"). If the Tenant's Antenna and/or Equipment cause impermissible interference with this Pre-existing Equipment the Tenant shall take all measures necessary to correct and eliminate the interference. If the interference cannot be eliminated within 48 hours after receiving City's written notice of the interference, the Tenant shall immediately cease operating its Antenna and shall not reactivate operation, except intermittent operation for the purpose of testing, until the interference has been eliminated.

B. Intentionally Omitted.

C. Interference Study. Before adding frequencies, the Tenant shall provide City with an interference study indicating that the Tenant's intended use will not interfere with existing communications facilities. The City in no way guarantees to the Tenant subsequent noninterference with the Tenant's transmission operations, provided, however, that in the event any other party requests permission to place any type of additional antenna or transmission facility on the Property, the procedures of this subsection shall govern to determine whether such antenna or transmission facility will interfere with the Tenant's transmission operations. Upon written notice by City that it has a bona fide request from any other party to lease an area including or in close proximity to the Monopole and Property, the Tenant agrees to provide City, within twenty (20) days, the radio frequencies currently in operation or to be operated in the future of each transmitter and receiver installed and operational on the Monopole and Property at the time of such request. City may then have an independent registered professional engineer of City's choosing perform the necessary interference to determine if the new tenant's/occupant's frequencies will cause harmful radio interference to the Tenant. City shall require the new tenant/occupant to pay for such interference studies. City agrees that it will not grant a future lease in the Monopole and Property to any party, if such party's use is reasonably anticipated to interfere with the Tenant's operation of its Antenna or Equipment.

D. Interference – New Occupants. City agrees that it will not grant a future lease in the Leased Premises Area to any party if such party's use is reasonably anticipated to interfere with Tenant's operation of its Antenna Facilities. City agrees further that any future lease of the Leased Premises Area will prohibit a subsequent user from interfering with Tenant's operation of its Antenna Facilities. City agrees that it will require any subsequent occupants of the Leased Premises Area to provide to Tenant these same assurances against interference. City shall use its best efforts to enforce the terms of other leases to eliminate any interference with the operation of Tenant caused by such subsequent occupants if such interference is not eliminated, Tenant shall have the right to terminate this Lease or seek injunctive relief against the interfering occupant, at Tenant's expense.

12. Indemnity.

- A. General Mutual Indemnification. The Tenant agrees to defend, indemnify and hold harmless City and its elected officials, officers, employees, agents, and representatives, from and against any and all claims, costs, losses, expenses, demands, actions or causes of action, including any and all claims, costs, losses, expenses, demands, actions or causes of action, including reasonable attorneys' fees and other costs and expenses of litigation, which may be asserted against or incurred by the City or for which the City may be liable as a result of the negligence, willful misconduct, or other fault of the Tenant, its officers, employees, agents, and representatives. The City shall defend all claims arising out of its ownership, use or presence on the Property or the Monopole. The City agrees to defend, indemnify and hold harmless the Tenant and its officers, employees, agents, and representatives, from and against any and all claims, costs, losses, expenses, demands, actions or causes of action, including any and all claims, costs, losses, expenses, demands, actions or causes of action, including reasonable attorneys' fees and other costs and expenses of litigation, which may be asserted against or incurred by the Tenant or for which the Tenant may be liable as a result of the negligence, willful misconduct action or other fault of the City, its elected officials, officers, employees, agents, and representatives. Nothing herein shall waive any applicable statutory limits of liability granted to either party.
- B. Hazardous Materials. Without limiting the scope of Subparagraph 12 (A) above, each party will be responsible for and will defend, indemnify, and hold the other party, its officers, agents, and employees harmless from and against any and all claims, costs, and liabilities, including attorneys' fees and costs, arising out of or in connection with the cleanup or restoration of the Monopole and Property caused by the indemnifying parties' use of Hazardous Materials. For purposes of this Agreement, "**Hazardous Materials**" shall be interpreted broadly and specifically includes, without limitation, asbestos, fuel, batteries or any hazardous substance, waste, or materials as defined in any federal, state, or local environmental or safety law or regulations including, but not limited to, CERCLA. Nothing herein shall waive any applicable statutory limits of liability granted to either party. The parties further agree that Tenant shall not be responsible for any contamination at the Property, unless such contamination was caused by Tenant.
- C. The Tenant's Warranty. The Tenant represents and warrants that its use of the Monopole and Property will not generate and the Tenant will not store or dispose of the Property, nor transport to or over the Monopole or Property, any Hazardous Materials, unless the Tenant specifically informs the City thereof in writing twenty-four hours prior to such storage, disposal or transport, or otherwise as soon as the Tenant becomes aware of the existence of Hazardous Materials on the Property. City hereby acknowledges that Tenant shall have the right to maintain tools and equipment commonly used in the telecommunications industry, including, without limitation, cleaning supplies, electronic components, fuel and batteries within Tenant's Equipment cabinets. The obligations of this paragraph 12 shall survive the expiration or other termination of this Agreement.

13. Damage to the Monopole or to the Property. The Tenant's installation, operation, maintenance, modification, and removal of the Antenna and Equipment shall not damage or interfere in any way with the Property or the Monopole operations or related repair and maintenance activities. If the activities of the Tenant, or those of its agents, representative, employees, contractors, or subcontractors, cause such damage or interference, the Tenant will cure damage or interference after receipt of written notice as provided in Paragraph 9(A)(1). If the Tenant fails to cure such damage or interference within the cure period, the City has the right to pursue any available legal or equitable remedies.
14. Quiet Enjoyment. The Tenant, upon paying the rent, shall peaceably and quietly have, hold and enjoy the Property and Monopole as allowed under this Agreement. If, as of the date of execution of this Agreement or hereafter, there is any mortgage, or other encumbrance affecting the City's Property or Monopole, then City agrees to obtain from the holder of such encumbrance an Agreement that the Tenant shall not be disturbed in its possession, use and enjoyment of the Property and Monopole. Tenant shall not cause or permit any use of the Property that interference with or impairs the integrity of the Monopole. Except in cases of emergency, the City shall not have access to the Antenna or Equipment unless accompanied by Tenant's personnel.
15. Insurance. The parties to this Agreement agree that, at their own cost and expense, each will maintain commercial general liability insurance with limits not less than \$2,000,000 per occurrence for bodily injury (including death) and for damage or destruction to property. Each party agrees to include the other party as an additional insured as their interest may appear under this Agreement. The parties hereby waive and release any and all rights of action for negligence against the other which may hereafter arise on account of damage to the Monopole or the Property, resulting from any fire, or other casualty which is insurable under "Causes of Loss – Special Form" property damage insurance or for the kind covered by standard fire insurance policies with extended coverage, regardless of whether or not, or in what amounts, such insurance is now or hereafter carried by the parties, even if any such fire or other casualty shall have been caused by the fault or negligence of the other party. Tenant agrees the insurance policies shall provide a waiver of subrogation in favor of the City.
16. Limits of Liability. Neither party shall be liable to the other, or any of their respective agents, representatives, employees for any lost revenue, lost profits, loss of technology, rights or services, incidental, punitive, indirect, special or consequential damages, loss of data, or interruption or loss of use of service, even if advised of the possibility of such damages, whether under theory of contract, tort (including negligence), strict liability or otherwise.
17. Condition of Property. City covenants that it will keep the Monopole in good repair and as required by all applicable laws. City represents that the Monopole and Property are in compliance with all building and other life/safety codes.
18. Condemnation. In the event the whole of the Property is taken by eminent domain, either party shall have the right to terminate this Agreement as of said date of title transfer, by giving thirty (30) days' written notice to the other party. In the event a portion of the

Property is taken by eminent domain to such an extent that Tenant's use of the Monopole is materially adversely impacted, Tenant shall have the right to terminate this Agreement as of said date of title transfer, by giving thirty (30) days' written notice to the City. In the event of any taking under the power of eminent domain, the Tenant shall not be entitled to any portion of the reward paid for the taking and the City shall receive full amount of such award. The Tenant hereby expressly waives any right or claim to any portion thereof. Although all damages, whether awarded as compensation for diminution in value of the leasehold or to the fee of the Property, shall belong to the City, the Tenant shall have the right to claim and recover from the condemning authority, but not from the City, such compensation as may be separately awarded or recoverable by the Tenant on account of any and all damage to the Tenant's business and any costs or expenses incurred by the City in moving/removing its Antenna, Equipment or personal property.

19. Miscellaneous.

- A. Whole Agreement; Modification: This Agreement contains all of the terms and conditions relating to the rights granted herein, and replaces any oral agreements or other negotiations between the parties relating to the Agreement. No modifications to this Agreement shall be valid unless and until they have been placed in writing and signed by both parties hereto.
- B. Severability: If any term of this Agreement is found to be void or invalid, such finding shall not affect the remaining terms of this Agreement, which shall continue in full force and effect.
- C. Authority: Each party represents and warrants that it has full authority to enter into and to sign this Agreement.
- D. Counterparts: The parties may sign this Agreement in counterparts.
- E. Binding Effect: The terms, conditions, representation and covenants of this Agreement shall extend to and bind the heirs, personal representatives, successors and assigns of the City and the Tenant.
- F. Assignment and Delegation:
 - (1) By the Tenant: Except for the Tenant's affiliates or subsidiaries, or any entity acquiring all or substantially all of Tenant's assets in the market defined by the FCC in which the Property is located, the Tenant may not assign its rights or delegate its duties under this Agreement without the City's prior written consent, which consent the City shall not unreasonably withhold, condition or delay. For purposes of this Paragraph, an "affiliate" means an entity that controls, is controlled by, or is under common control with the Tenant. No assignment or delegation shall release the Tenant from any of its obligations arising under this Agreement.
 - (2) By the City: The City may freely assign its rights and delegate its duties under this Agreement to a joint powers organization of which it is now a

member, or to any such organization to which it may become a member during the term of this Agreement.

G. Tenant Contact Information: Tenant shall provide current contact information for both Agreement and field issues. The contact information should include name, mailing address, phone number, and email address. New contact information should also be sent to the City if contacts changes occur.

H. Notices: Notices shall be in writing and sent by United States Mail, postage prepaid, certified or registered with return receipt requested or by any nationally recognized overnight courier service to the following:

If to the City: City of Wayzata
600 Rice Street
Wayzata, MN 55391
ATTN: Director of Public Works

With a Copy to: David Schelzel, City Attorney
Best & Flanagan, LLP
60 South Sixth Street, Suite 2700
Minneapolis, MN 55402

If to the Tenant: Sprint Spectrum L.P.
Sprint Property Services
Sprint Site ID: _____
Mailstop KSOPHT0101-Z2650
6391 Sprint Parkway
Overland Park, Kansas 66251-2650

With a mandatory
copy to: Sprint Law Department
Sprint Site ID: _____
Mailstop KSOPHT0101-Z2020
6391 Sprint Parkway
Overland Park, Kansas 66251-2020
ATTN: Real Estate Attorney

I. Estoppel Certificate: Each party agrees to furnish to the other, within twenty (20) days after request, such truthful estoppel information as the other may reasonably request.

J. Governing Law: This Agreement shall be construed in accordance with the laws of the State of Minnesota.

K. Attorney's Fees: The substantially prevailing party in any litigation arising hereunder shall be entitled to reasonable attorney's fees and court costs, including appeals, if any.

- L. Broker: If either party is represented by a real estate broker in this transaction, that party shall be fully responsible for any fee due such broker, and shall hold the other party harmless from any claims for commission by such broker.
- M. Memorandum of Lease: City agrees to cooperate with Tenant in executing any documents (including a Memorandum of Lease) necessary to protect Tenant's rights hereunder or Tenant's use of the Monopole, Property or Equipment Storage Facility.
- N. Noise: All wireless service facilities shall be constructed and operated in such a manner as to minimize the amount of noise impacts to residents of nearby homes and the users of recreational areas, such as public parks and trails. Noise attenuation measures shall be required for all air-conditioning units. Backup generators shall only be operated during power outages and for testing and maintenance purposes. At any time, noise attenuation measures may be required by the City when deemed necessary. Testing and maintenance activities of wireless service facilities which generate audible noise shall occur between the hours of eight o'clock (8:00) A.M. and five o'clock (5:00) P.M., weekdays (Monday through Friday, non-holiday) excluding emergency repairs, unless allowed at other times by the City. Testing and maintenance activities that do not generate audible noise may occur at any time, unless otherwise restricted by the City.
- O. Installation of a Generator: Tenant shall not install or replace any generator on the Property without City's prior written approval, which approval will not be unreasonably withheld, conditioned or delayed. Notwithstanding the foregoing, Tenant shall be permitted to place an emergency generator within its Property for a period up to seven (7) days in the event of a power failure to the Antenna. In the event that City grants approval for the placement of a generator on the Property, or Tenant is permitted to place a generator within its Leased Premises due to an emergency power failure, Tenant agrees to maintain or repair any such generator.
- P. Equal Treatment of Tenants. The City will use its best efforts to treat all tenants using the Monopole in a similar fashion. To that end, the City agrees that future leases entered into for use of the Monopole will be upon terms (including, but not limited to, the rent, benefits, terms and conditions) that are not materially more favorable to any future tenant as compared to the terms of this lease, considering the proposed lease in its entirety.
- Q. Compliance with City Code. The parties agree that nothing herein shall supersede any applicable government regulations, including, but not limited to, the Wayzata City Code ("**Applicable Governmental Regulations**"). The parties to this agreement agree to cooperate with each other in complying with all Applicable Governmental Regulations. In addition, the parties agree to cooperate with each other in obtaining any necessary governmental approvals, including, but not limited to any necessary Conditional Use Permit required under the Wayzata City Code.

- R. Prior Agreement. City and Tenant are currently landlord and tenant under that certain Site Lease/Easement Agreement dated April 15, 1997, as amended by First Amendment to Site Lease/Easement Agreement dated September 13, 2013 (collectively, the “Prior Agreement”) related to the lease of a certain portion of property located at 403 Gardner Street East, Wayzata, MN for the installation and operation of Tenant’s communications facility. The current term of the Prior Agreement expires on December 31, 2017. City and Tenant agree that following such expiration the Prior Agreement shall continue on a month to month basis. Notwithstanding the foregoing, City and Tenant hereby agree that the Prior Agreement shall terminate effective as of the Commencement Date of this Lease (“Prior Agreement Termination Date”) as if such date were originally stated to be the termination date of the Prior Agreement. The termination of the Prior Agreement shall be effective without further documentation.

[NEXT PAGES ARE THE SIGNATURE PAGES]

IN WITNESS HEREOF, the parties have executed this Agreement as of the date first above written.

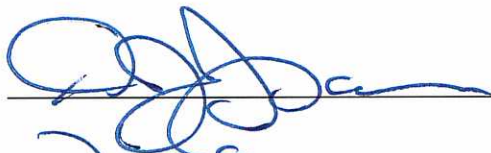
**City of Wayzata, a municipal corporation
under the laws of Minnesota**

By: _____
Its: Mayor

By: _____
Its: City Manager

Date: _____

Sprint Spectrum L.P., a Delaware limited partnership

By:  _____

Name: Dean Spacone

Its: Market Mgr

Date: 11/28/17

000043/313002/2719998_2

EXHIBIT “A”
to
MONOPOLE ANTENNA AGREEMENT

PROPERTY LEGAL DESCRIPTION

PID # 06.117.22.22.0008

That part of Lot 1, Auditor’s Subdivision No. 184, Hennepin County, Minnesota, lying East of a line described as beginning at the Northwest corner of Section 6, Township 117, Range 22, thence on an assumed bearing of South along the West line of said, Section 6 a distance of 90 feet, thence South 32 degrees 56 minutes East, a distance of 936 feet, thence South 12 degrees West to the South line of said Lot 1 and there ending. EXCEPT roads. ALSO EXCEPT that part of said Lot 1 described as beginning at a point on the East line of said Lot 1 a distance of 320 feet South from the Southwesterly Railroad right of way line, thence West 150 feet, thence South 85 feet, thence East 150 feet to the East line of Lot, thence North to the point of beginning, Hennepin County, Minnesota.

UTILITY EASEMENT DESCRIPTION

A 10.00 foot wide Permanent Easement for utility purposes over, under and across that part of the above described property. The centerline of said 10.00 foot wide easement is described as follows;

Commencing at the northwest corner of Section 6, Township 117 North, Range 22 West, thence South 00 degrees 42 minutes 17 seconds West (assumed bearing) along the west line of said Section 6 a distance of 1083.29 feet; thence South 69 degrees 20 minutes 15 seconds East a distance of 883.61 feet; thence North 00 degrees 17 minutes 38 seconds East a distance of 42.67 feet to the northerly right of way line of Wayzata Boulevard and the beginning of the 10.00 foot wide utility easement centerline to be described; thence North 00 degrees 17 minutes 38 seconds East a distance of 306.75 feet; thence North 09 degrees 51 minutes 27 seconds East a distance of 42.23 feet; thence North 14 degrees 04 minutes 50 seconds East a distance of 162.73 feet; thence North 21 degrees 48 minutes 52 seconds East a distance of 111.26 feet; thence North 03 degrees 08 minutes 01 seconds East a distance of 210.74 feet; thence North 18 degrees 25 minutes 52 seconds East a distance of 172.87 feet to a point on the westerly line of the above described lease area, and said centerline there terminating. The sidelines of said easement shall be prolonged or shortened to terminate at the northerly right of way line of Wayzata Boulevard East and the westerly line of the above described lease area.

Permanent Access Easement acquisition encompasses 10115 SF of above described property.

ACCESS EASEMENT DESCRIPTION

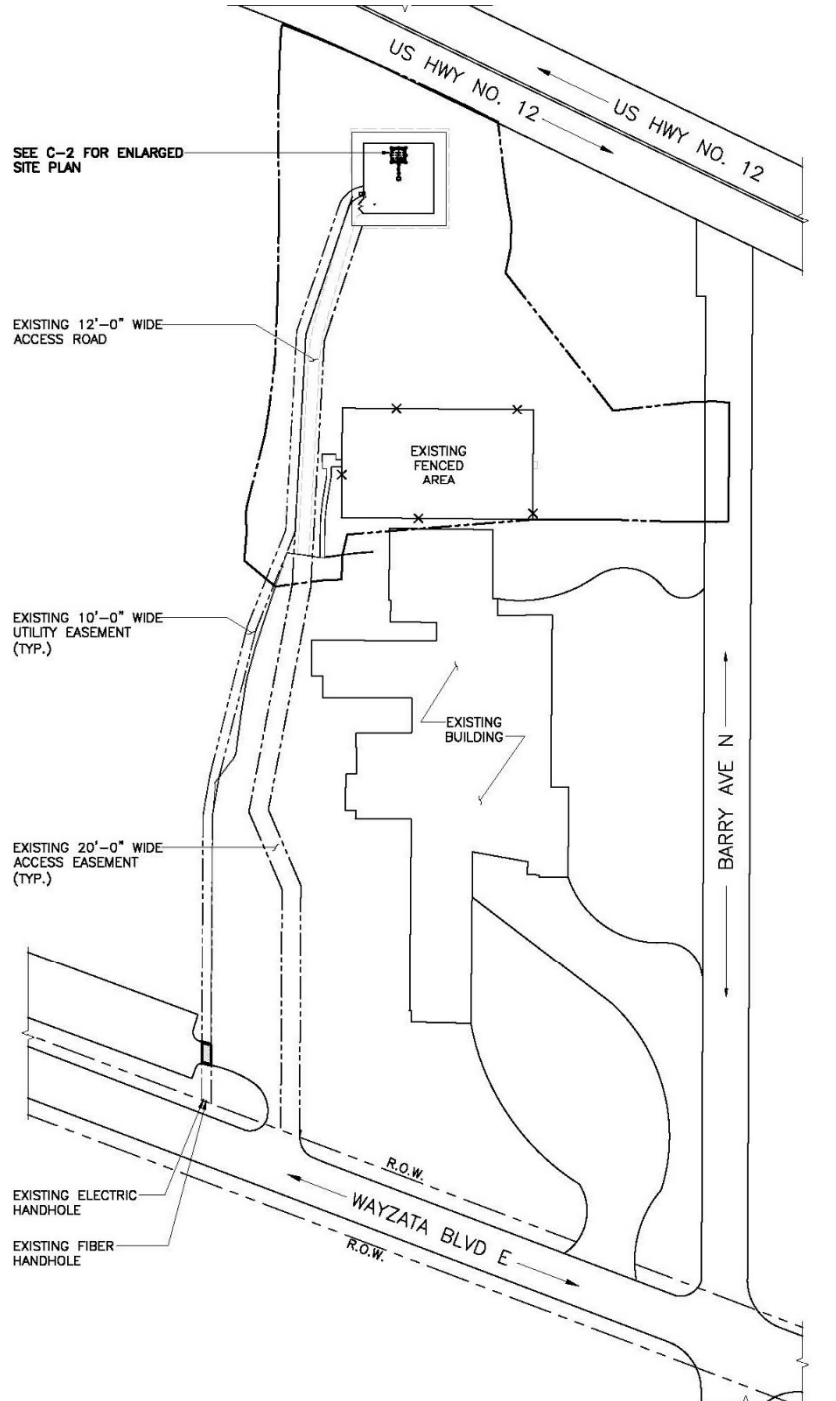
A 20.00 foot wide Permanent Easement for access purposes over, under and across that part of the above described property. The centerline of said 20.00 foot wide easement is described as follows;

Commencing at the northwest corner of Section 6, Township 117 North, Range 22 West, thence South 00 degrees 42 minutes 17 seconds West (assumed bearing) along the west line of said Section 6 a distance of 1083.29 feet; thence South 69 degrees 20 minutes 15 seconds East a distance of 979.24 feet; thence North 00 degrees 17 minutes 38 seconds East a distance of 42.67 feet to the northerly right of way line of Wayzata Boulevard and the beginning of the 20.00 foot wide access easement centerline to be described; thence North 00 degrees 17 minutes 38 seconds East a distance of 263.44 feet; thence North 23 degrees 12 minutes 36 seconds West a distance of 88.77 feet; thence North 10 degrees 48 minutes 21 seconds East a distance of 243.77 feet; thence North 03 degrees 08 minutes 01 second East a distance of 266.74 feet; thence North 18 degrees 25 minutes 52 seconds East a distance of 125.84 feet to a point on the southerly line of the above described lease area, and said centerline there terminating. The sidelines of said easement shall be prolonged or shortened to terminate at the northerly right of way of line Wayzata Boulevard East and the southerly and westerly line of the above described lease area.

Permanent Access Easement acquisition encompasses 20002 SF of above described property.

EXHIBIT "B"
to
MONOPOLE ANTENNA AGREEMENT

SITE PLAN



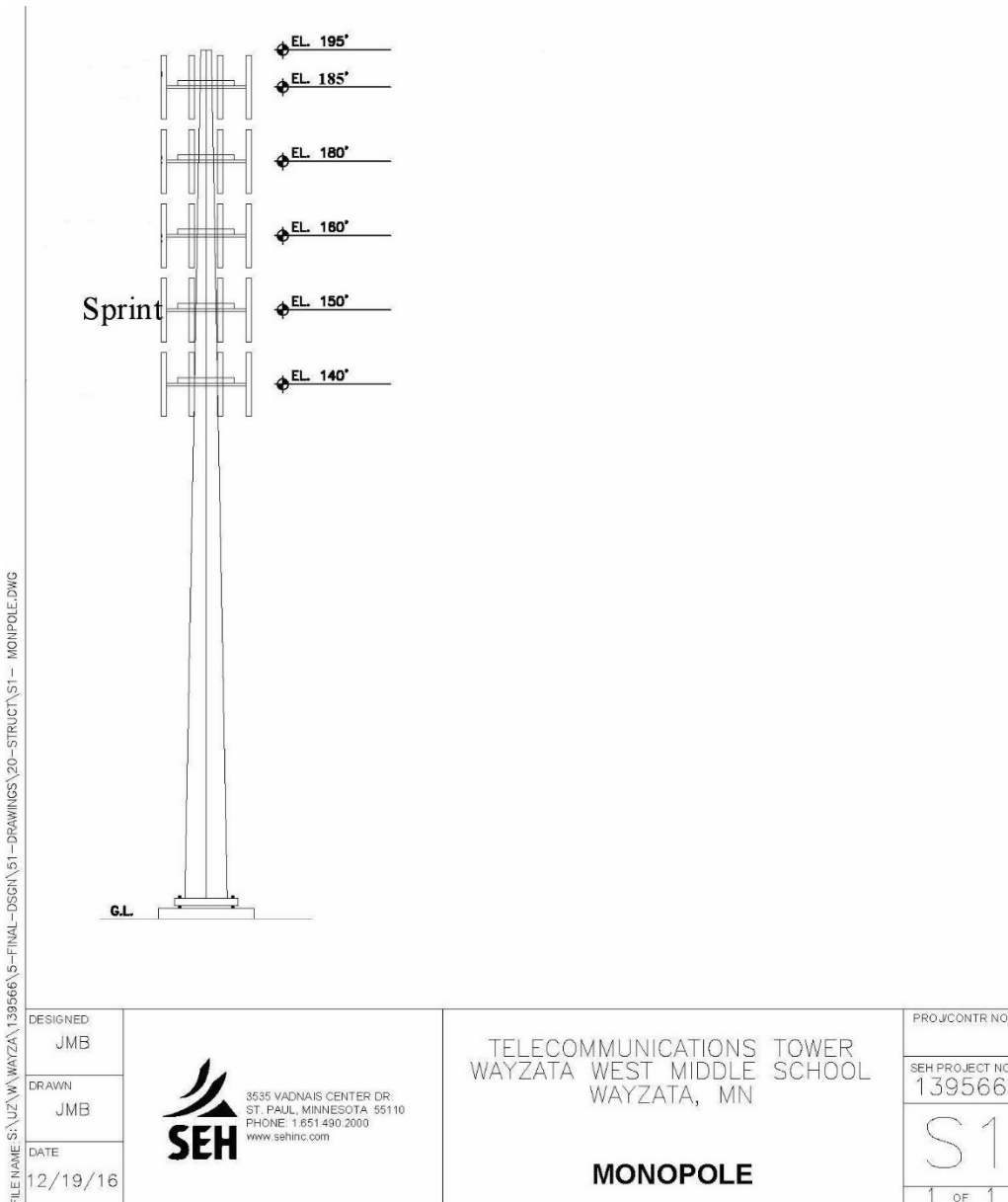
OVERALL SITE PLAN

B-1

EXHIBIT "B"
to
MONOPOLE ANTENNA AGREEMENT

SITE PLAN (MONOPOLE LEASED SPACE DESCRIPTION)

10 contiguous vertical feet of tower space (145 ft to 155 ft) for Antenna / Equipment space, not to exceed 1,100 lbs. of total loading Antenna space at 150 feet level on Monopole



B-2

FINAL, APPROVED ANTENNA/EQUIPMENT PLANS

Sprint

800 / 1900/2.5 EQUIPMENT DEPLOYMENT

SITE NAME: WAYZATA WT-RELO
 SITE NUMBER: MS25XC199
 SITE ADDRESS: 149 BARRY AVE. N.
 WAYZATA, MN 55391
 SITE TYPE: MONOPOLE

PROJECT INFORMATION

WIZATA WT-FIELD
 WIZATA
 MS25XC199
 149 BARRY AVE. N.
 WAYZATA, MN 55391
 MONOPOLE
 CITY OF WAYZATA

SPRINT
 6100 SPRINT PARKWAY
 OVERLAND PARK, KS 66201
 FROM GOOGLE MAP
 44.8789°
 -95.1186°
 985
 CITY OF WAYZATA
 507 831-8151 EAST
 WAYZATA, MN 55391

TELECOMMUNICATIONS FACILITY

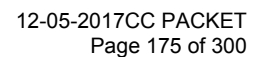
NOTE: DRAWING SCALES ARE 1"=1'-0" UNLESS OTHERWISE NOTED

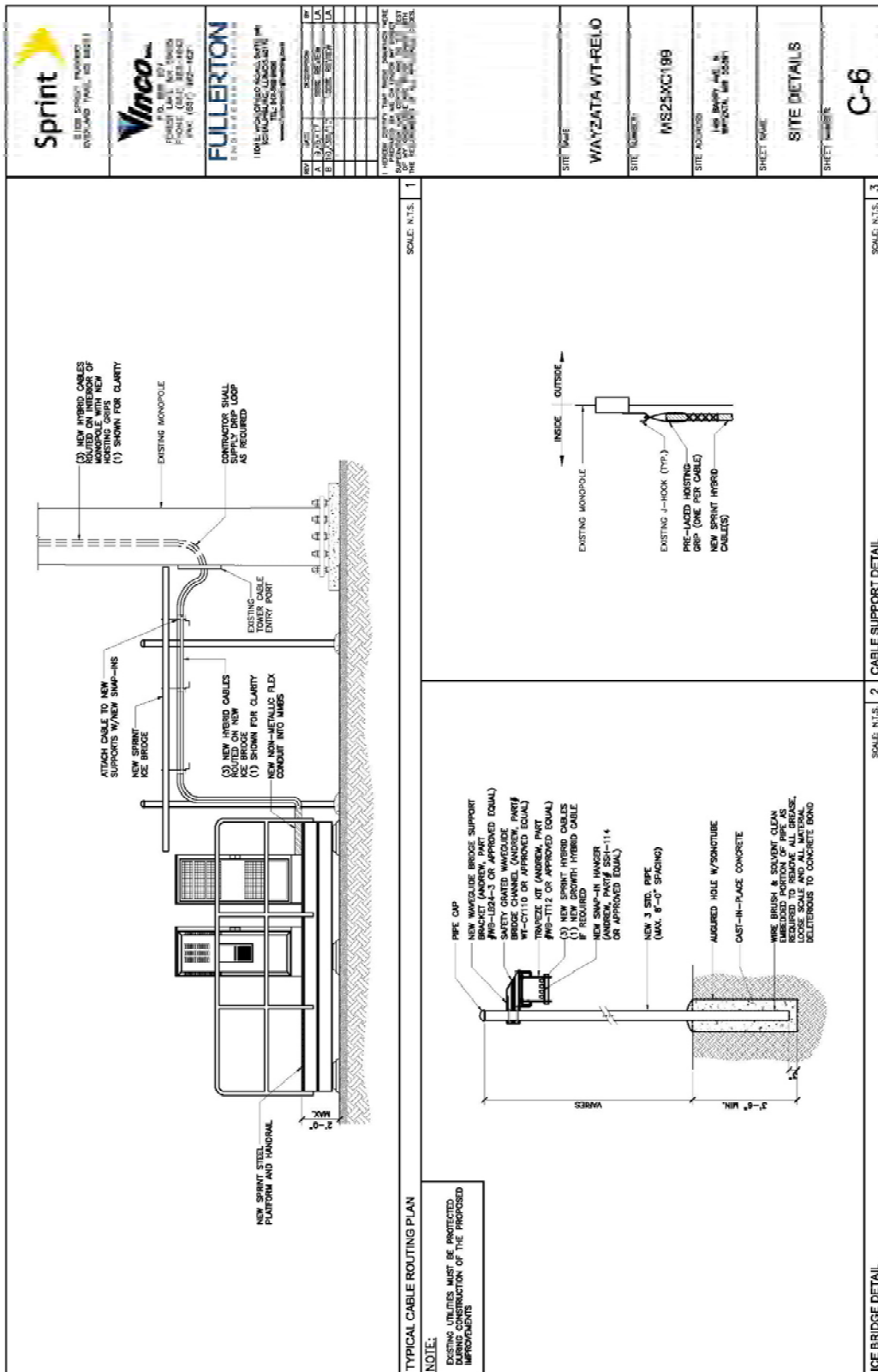
PROJECT CONSULTANTS

PROJECT MANAGER
 VINCO INC.
 149 BARRY AVE. N.
 WAYZATA, MN 55391
 CONTACT: M.BARRY@VINCO-INC.COM
 FULLERTON ENGINEERING, ARCHITECT
 3000 W. 10TH AVE. SUITE 500
 MINNEAPOLIS, MN 55412
 CONTACT: JEFF@FULLERTON-ENG.COM
 MINNEAPOLIS UTILITY
 507 831-8151
 MINNEAPOLIS COMPANY
 507 833-8000

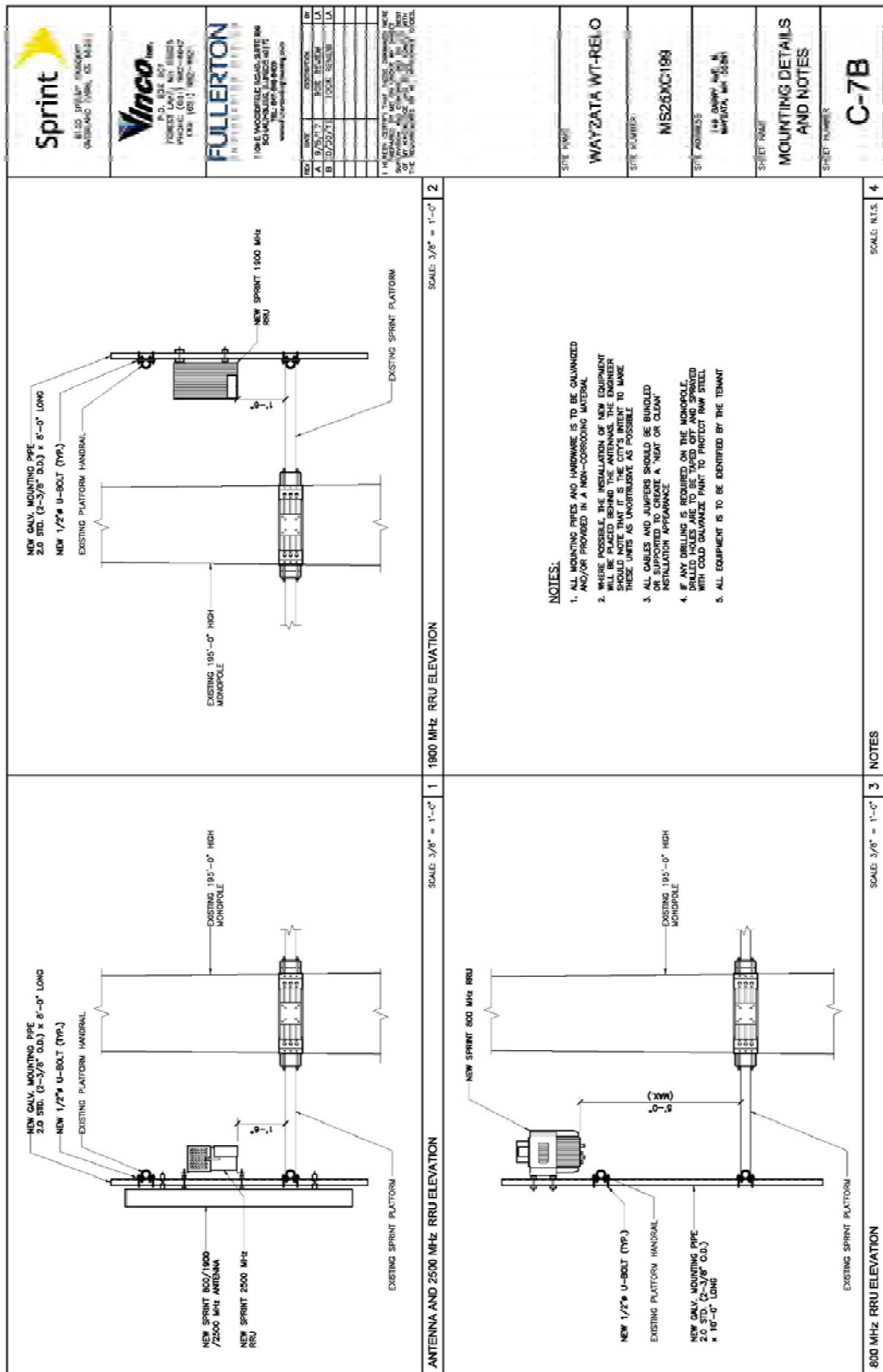
SCOPE OF WORK

THE SCOPE OF WORK CONSISTS OF:
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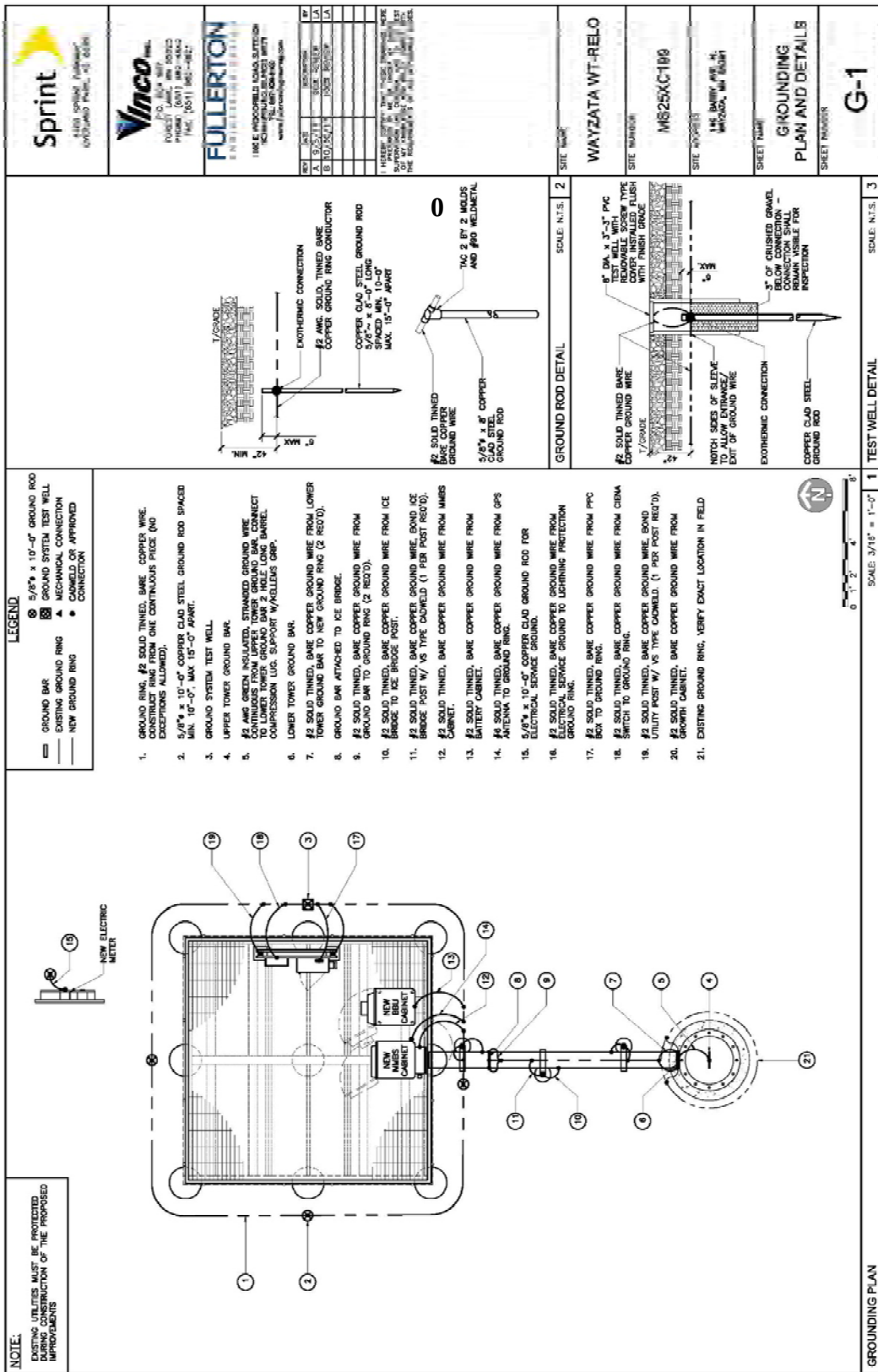


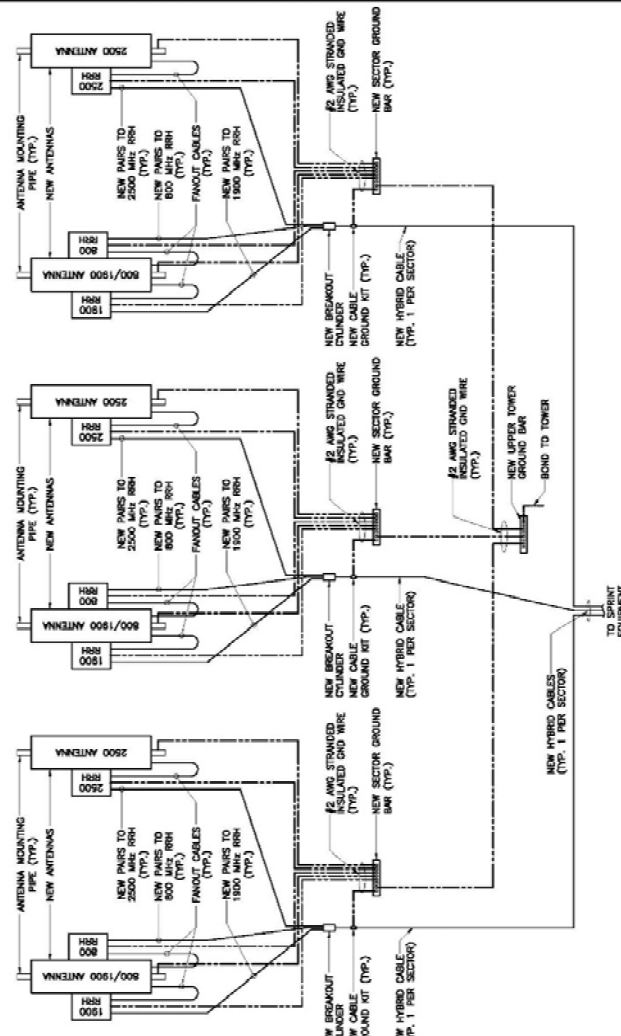
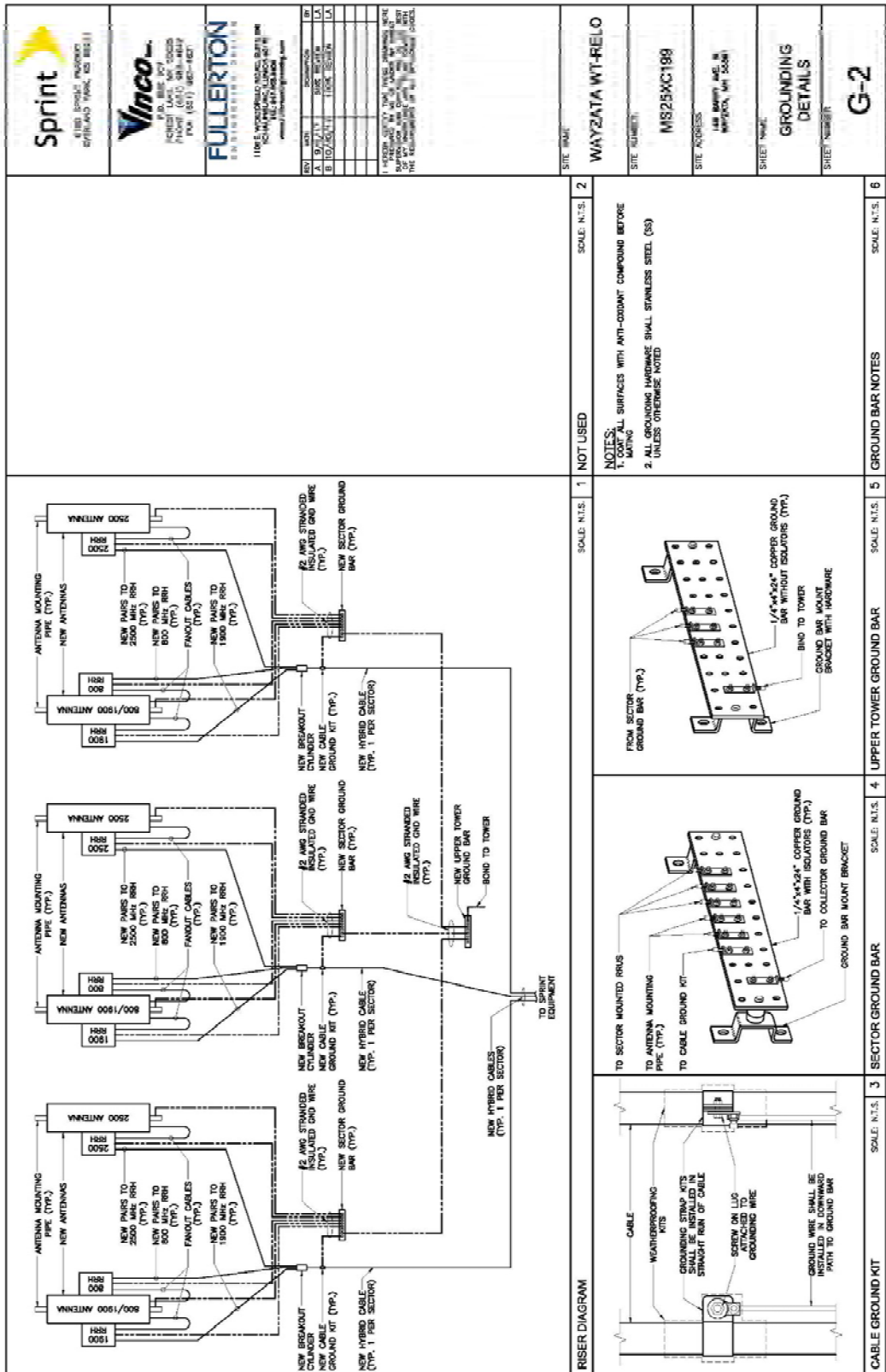
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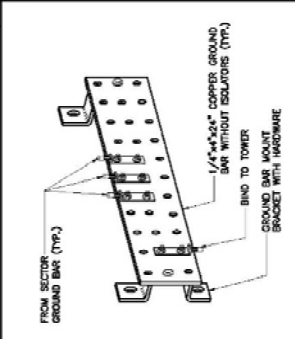
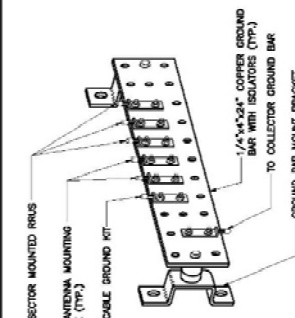
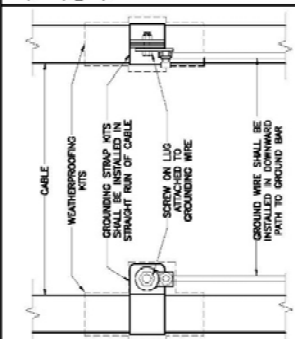
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RISER DIAGRAM		SCALE: N.T.S.	1	NOT USED	SCALE: N.T.S.	2
CABLE GROUND KIT		SCALE: N.T.S.	3	NOT USED	SCALE: N.T.S.	6
SECTOR GROUND BAR		SCALE: N.T.S.	4	NOT USED	SCALE: N.T.S.	5
UPPER TOWER GROUND BAR		SCALE: N.T.S.	5	NOT USED	SCALE: N.T.S.	6



NOTES:
1. ALL SURFACES WITH ANTI-CORROSION COMPOUND BEFORE
2. ALL GROUNDING HARDWARE SHALL STAINLESS STEEL (SS)
UNLESS OTHERWISE NOTED

PROJECT: 10/10/2017

MEMORANDUM OF AGREEMENT

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

City of Wayzata, a municipal corporation under the laws of Minnesota

By: _____ By: _____
 _____, Mayor _____, City Manager

[illegible]

The foregoing instrument was acknowledged by me this ____ day of _____ 2____, by _____ and _____ the Mayor and City Manager of the City of Wayzata, on behalf of the City, and pursuant to authority granted by its City Council.

Notary Public

LESSEE:

Sprint Spectrum L.P., a limited partnership under the laws of Delaware

By: _____

Its: _____

STATE OF MINNESOTA)
)ss.
COUNTY OF HENNEPIN)

The foregoing instrument was acknowledged by me this _____ day of _____, 2____, by _____ the _____ of Sprint Spectrum L.P., a limited partnership under the laws of Delaware, on behalf of the partnership.

Notary Public

OWNER

Independent School District #284

By: _____ By: _____
Its: _____ Its: _____

STATE OF MINNESOTA)
) ss.
COUNTY OF HENNEPIN)

The foregoing instrument was acknowledged by me this _____ day of _____, 2____, by _____ and _____, the _____ and _____ of Independent School District #284, a KL-12 public school district under the laws of Minnesota, on behalf of the District, and pursuant to authority granted by its School Board.



Building a Better World
for All of Us®

November 1, 2017

RE: Sprint Relocate at New Monopole
City of Wayzata, Minnesota
Site No. MS25XC199
SEH No. WAYZA 149210 1.00

Mike Bultsma
Vinco, Inc.
P.O. Box 907
Forest Lake, MN 55025

Dear Mr. Bultsma:

In accordance with the request of the City of Wayzata, Minnesota, we have reviewed the plans submitted by Fullerton Engineering Design dated October 30, 2017, referencing the proposed Sprint relocation project at the City's Middle School Monopole.

Based on our review and the above information as provided by Fullerton Engineering Design, it is our opinion the City of Wayzata can proceed with approval of this phase of the project, as the remaining comments have been addressed to the satisfaction of the City. Following approval by the City, a pre-construction meeting must be scheduled by the tenant to include the City, SEH, the contractor and Sprint's representatives prior to commencement of project construction.

If you have any questions regarding our comments, please contact me directly at 651.765.2971.

Sincerely,

John Cvek
Project Review Administrator
dmk

Attachments

- c: David Dudinsky – City of Wayzata, Minnesota
- Dan Zienty – SEH Saint Paul
- Dale Romsos – SEH Saint Paul

s:\uz\w\wayza\142910\telecom\wayzata monopole\sprint\correspondence\letters\sprint relocate to wayzata monopole to m.bultsma 110117.docx

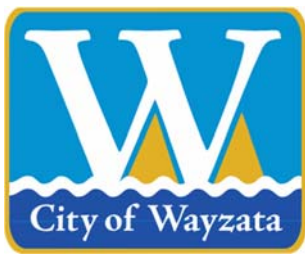
*** Disclaimer - "SEH and the City review plan sets for each Tenant's proposed installations and upgrades in the order that they are received. Each review is independent of any other proposed Tenant modification(s). Any approval of Tenant's proposed installation is conditioned upon Tenant completing its approved improvements prior to another Tenant completing its modifications. If Tenant's proposed improvements are approved but Tenant fails to promptly commence construction such that another subsequent Tenant completes its improvements first, Tenant may need to resubmit its plans and update its structural analysis to reflect the new site conditions."**

Engineers | Architects | Planners | Scientists

Short Elliott Hendrickson Inc., 3535 Vadnais Center Drive, St. Paul, MN 55110-5196

SEH is 100% employee-owned | sehinc.com | 651.490.2000 | 800.325.2055 | 888.908.8166 fax

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City of Wayzata City Council Agenda Report

MEETING DATE: December 5, 2017	AGENDA ITEM: 8a
TITLE: Public Hearing and Consider Approval of Resolution No. 67-2017, Consenting to and Approving the Issuance by the City of Hopkins of its Revenue Obligations and Taking Other Actions with Respect Thereto	
PROPOSED MOTION: To Approve Resolution No. 67-2017, Consenting to and Approving the Issuance by the City of Hopkins of its Revenue Obligations and Taking Other Actions with Respect Thereto	
PREPARED BY: Jeffrey Dahl, City Manager	
REVIEWED BY: N/A	

ACTION REQUESTED:

Once the public hearing has been opened and all comments have been heard, staff recommends adoption of the attached resolution.

FINANCIAL OR BUDGET CONSIDERATION:

There will be no financial impact to the City. More specifically, there will be no impact to the City's debt limit and there will be no impact to the City's AAA Bond Rating. Lastly, the applicant has agreed to pay for City consultant costs in reviewing the information pertaining to the City providing host approval.

BACKGROUND:

At its November 1st Meeting, the City Council called for a Public Hearing on December 5 to consider host approval for revenue bonds issued by the City of Hopkins for the amount of \$15,800,000. This is ultimately a refinancing request from The Blake School regarding previous improvements it made to its Hopkins and Wayzata campuses in 2005 (the Wayzata-portion of the debt was \$2,000,000) and finance new improvements to its Hopkins campus. Please see the attached letter for more detail on behalf of the requestor. Representatives from The Blake School will be in attendance at the meeting.

Staff, along with its legal counsel and financial advising consultants, have reviewed the host approval request and have not identified any concerns.

ATTACHMENTS:

1. Draft Resolution No. 67-2017
2. Letter from Julie Eddington, dated November 22, 2017

CITY OF WAYZATA, MINNESOTA

RESOLUTION NO. 67-2017

**RESOLUTION CONSENTING TO AND APPROVING THE
ISSUANCE BY THE CITY OF HOPKINS OF ITS REVENUE
OBLIGATIONS AND TAKING OTHER ACTIONS WITH
RESPECT THERETO**

WHEREAS, the City of Wayzata, Minnesota (the "City") is a home rule charter city and political subdivision duly organized and existing under its Charter and the laws of the State of Minnesota; and

WHEREAS, pursuant to Minnesota Statutes, Sections 469.152 through 469.1655, as amended (the "Act"), the City is authorized to carry out the public purposes described in the Act by providing for the issuance of revenue bonds to provide funds to finance revenue-producing enterprises located within the City, whether or not operated for profit, or to refund, in whole or in part, bonds previously issued under the authority of the Act; and

WHEREAS, Minnesota Statutes, Section 471.656, as amended, authorizes a municipality to issue obligations to finance or refinance the acquisition or improvement of property located outside of the corporate boundaries of such municipality if the governing body of the city in which the property is located consents by resolution to the issuance of such obligations; and

WHEREAS, The Blake School, a Minnesota nonprofit corporation (the "Borrower"), has proposed that the City of Hopkins, Minnesota (the "City of Hopkins") issue its revenue obligations (the "Bonds"), in one or more series, as taxable or tax-exempt obligations, in an aggregate principal amount not to exceed \$15,800,000, under the provisions of the Act and Minnesota Statutes, Section 471.656, as amended, and loan the proceeds thereof to the Borrower to refinance, among other things, improvements to the Borrower's educational facilities located at 301 Peavey Lane in the City (the "Wayzata Campus") by refinancing the City's Revenue Bonds, Series 2005 (The Blake School Project) (the "Series 2005 Bonds"), issued on June 23, 2005, in the original aggregate principal amount of \$2,000,000; and

WHEREAS, Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code"), and regulations promulgated thereunder require that prior to the issuance of the Bonds, the City Council of the City (the "City Council") consent to the issuance of the Bonds by the City of Hopkins after conducting a public hearing thereon preceded by publication of a notice of public hearing (in the form required by Section 147(f) of the Code and applicable regulations) in a newspaper of general circulation within the City at least fourteen (14) days prior to the public hearing date; and

WHEREAS, a notice of public hearing (the "Public Notice") was published at least fourteen (14) days before the regularly scheduled meeting of the City Council on the date hereof in the *Lakeshore Weekly News*, the official newspaper of and a newspaper of general circulation in the City, with respect to the required public hearing under Section 147(f) of the Code; and

WHEREAS, on the date hereof, the City Council conducted a public hearing at which a reasonable opportunity was provided for interested individuals to express their views, both orally and in writing, on the following: (i) consent to the issuance of the Bonds by the City of Hopkins pursuant to the requirements of Section 147(f) of the Code and the regulations promulgated thereunder; and (ii) approval of the issuance of the Bonds by the City of Hopkins to refinance the Wayzata Campus; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WAYZATA, MINNESOTA, AS FOLLOWS:

1. The City Council finds that it is in the best interest of the City to approve the issuance of the Bonds by the City of Hopkins to refinance the Wayzata Campus by refinancing the Series 2005 Bonds and hereby consents to the issuance of the Bonds by the City of Hopkins for the purposes set forth herein in an amount not to exceed \$15,800,000.

2. The Mayor and the City Manager are hereby authorized and directed to execute and deliver any documents or certificates deemed necessary to fulfill the intentions of this resolution.

3. The Mayor and City Manager and other officers, employees, and agents of the City are hereby authorized and directed to prepare and furnish to bond counsel and the original purchaser of the Bonds certified copies of all proceedings and records of the City relating to the approval of the issuance of the Bonds, including a certification of this resolution.

4. The Borrower will, upon demand, reimburse the City for costs paid or incurred by the City in connection with this resolution.

5. This resolution shall be in full force and effect from and after its passage.

Approved by the City Council of the City of Wayzata, Minnesota this 5th day of December, 2017.

Mayor Kenneth Willcox

ATTEST:

City Manager Jeffrey Dahl

ACTION ON THIS RESOLUTION:

Motion for adoption:

Seconded by:

Voted in favor of:

Voted against:

Abstained:

Absent:

Resolution:

I hereby certify that the foregoing is a true and correct copy of a resolution adopted by the City Council of the City of Wayzata, Minnesota, at a duly authorized meeting held on December 5, 2017.

City Clerk Becky Malone

SEAL



Offices in
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200 South Sixth Street
Minneapolis MN 55402-1458
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JULIE A. EDDINGTON
Attorney at Law
Direct Dial (612) 337-9213
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November 22, 2017

Jeffrey Dahl
City Manager
City of Wayzata
600 Rice Street East
Wayzata, MN 55391

Re: Resolution providing host approval for facilities to be refinanced with the proceeds of revenue obligations to be issued by the City of Hopkins

Dear Jeff,

As you know, The Blake School, a Minnesota nonprofit corporation (the "Borrower"), operates educational facilities in the City of Wayzata (the "City"), the City of Hopkins ("Hopkins"), and the City of Minneapolis. The Borrower has requested that Hopkins issue revenue bonds (the "Bonds") in the maximum principal amount of \$15,800,000 in order to (i) refinance improvements to the Borrower's educational facilities located at 301 Peavey Lane in the City (the "Wayzata Campus") through the refinancing of the Revenue Bonds, Series 2005 (The Blake School Project) (the "Series 2005 Bonds"), issued by the City on June 23, 2005, in the original aggregate principal amount of \$2,000,000; (ii) refinance improvements to the Borrower's educational facilities located at 110 Blake Road South in Hopkins (the "Hopkins Campus") through the redemption and prepayment of the Refunding Revenue Bonds, Series 2007 (The Blake School Project), issued by Hopkins on August 2, 2007, in the original aggregate principal amount of \$5,295,000; and (iii) finance improvements to the Hopkins Campus (the "Improvements").

In order for Hopkins to issue the Bonds, the City must grant "host approval" to the issuance of the Bonds, following a duly noticed public hearing, under Minnesota Statutes, Sections 469.152 through 469.1655, as amended (the "Act"), Minnesota Statutes, Section 471.656, and the Internal Revenue Code of 1986, as amended (the "Code"). In addition, the City must also consent to the refunding of the Series 2005 Bonds by Hopkins pursuant to Section 469.155, subdivision 12 of the Act. Enclosed is a resolution for consideration by the City Council on December 5, 2017, following the public hearing, which grants host approval to the issuance of the Bonds by Hopkins and also consents to the refinancing of the City's Series 2005 Bonds by Hopkins.

If the City Council authorizes Hopkins to issue the Bonds, the Bonds will be issued as conduit revenue bonds of Hopkins secured solely by the revenues derived from the loan or other revenue agreements executed by the Borrower and from other security provided by the Borrower. The Bonds will not constitute a general or moral obligation of the City and will not be secured by or payable from any property or assets of the City and will not be secured by any taxing power of the City. The Bonds will not be subject to any debt limitation imposed on the City and the issuance of the Bonds will not have any adverse impact on the credit rating of the City, even in the event that the Borrower encounters financial difficulties with respect to the Wayzata Campus or the Hopkins Campus. The issuance of the Bonds by Hopkins to refinance the Hopkins

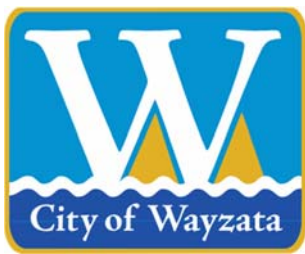
Campus and the Wayzata Campus and to finance the Improvements will not affect the City's ability to issue general obligation or conduit revenue bonds in calendar year 2017. Furthermore, the issuance of the Bonds by Hopkins will not affect the ability of the City to issue and designate bonds as qualified tax-exempt obligations (or "bank qualified") for purposes of Section 265(b)(3) of the Code.

The Borrower will pay the out-of-pocket expenses of the City with respect to this transaction.

Gina Fiorini, another bond attorney in my office, will attend the City Council meeting on December 5, 2017, and can answer any questions that may arise during the meeting. Please contact me if you have questions regarding the foregoing.

KENNEDY & GRAVEN, CHARTERED

Julie Eddington



City of Wayzata City Council Agenda Report

MEETING DATE: December 5, 2017	AGENDA ITEM: 9a
TITLE: Consider Resolution No. 57-2017, Certifying to the County Auditor the Final Property Tax Levy Payable for 2018 and the Final General Fund Budget for Taxes Payable 2018	
PROPOSED MOTION: To Approve Resolution 57-2017, Certifying to the County Auditor the Property Tax Levy for Taxes Payable 2018 and the General Fund Budget for Taxes Payable for 2018	
PREPARED BY: Kathy Ovshak, Senior Accountant	
REVIEWED BY: Jeffrey Dahl, City Manager	

ACTION REQUESTED:

Staff recommends approval of the attached Resolution.

FINANCIAL OR BUDGET CONSIDERATION:

Please see the attached memo from Contracted Finance Director, Steve McDonald from AEM. He will be in attendance with a power point presentation.

BACKGROUND:

After several internal meetings, staff presented a Preliminary 2018 General Fund Budget to Council during a work session on August 2, 2017. With direction from the Council, adjustments were made to achieve a Preliminary General Fund levy that was under 2%. On September 5th, the City Council reviewed and approved the Preliminary Property Tax Levy and Preliminary General Fund Budget that includes an overall levy increase of 1.55%. Staff has made no additional changes since September 5th.

Please note that once the preliminary levy is approved, the City Council cannot increase the levy, rather it can only reduce the levy.

ATTACHMENTS:

1. Memo from Steve McDonald, Contracted Finance Director from AEM Financial Solutions, dated November 27, 2017
2. Resolution 57-2017 Consider Resolution No. 57-2017, Certifying to the County Auditor the Property Tax Levy Payable 2018 and the General Fund Budget for Taxes Payable 2018
3. 2018 General Fund Budget



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

Mayor:
Ken Willcox
City Council:
Dan Koch
Johanna McCarthy
Alex Plechash
Steven Tyacke
City Manager:
Jeff Dahl

Date: November 27, 2017
To: Mayor Willcox and Councilmembers
From: Jeff Dahl, City Manager
Steve McDonald, Contracted Finance Director
Subject: 2018 General Fund Budget

Introduction

Enclosed is the 2018 final general fund budget prepared by City Staff.

A preliminary budget and tax levy was approved and certified to the County in September that included a 1.55 percent levy increase. No changes have been made to the preliminary budget and tax levy. The development of the annual budget, to which the general fund is foundational, is a comprehensive process that includes the Mayor and Council, Staff input, budget work sessions, and ultimately the preparation of a final budget document to be approved by City Council in December. A goal of the General Fund is to continue the implementation of Council goals identified in the strategic plan while minimizing the tax levy increase.

Tax Levy Summary

Overall, the tax levy includes levies for general operations, City infrastructure, and debt service. The levy includes an overall 1.55 percent increase from 2017. The 2017 budgeted and 2018 proposed tax levies are listed below:

	2017	2018 Prelim	Increase (Decrease)	% change
General	\$ 4,155,216	\$ 4,227,429	\$ 72,213	1.74%
City infrastructure	210,000	210,000	-	0.00%
Bonds				
G.O. Street Reconstruction Bonds, Series 2009B (Femdale)	33,240	32,453	(787)	-2.37%
2012 Refunding (2004A Big Woods)	213,728	213,780	52	0.02%
Total City tax levy	\$ 4,612,184	\$ 4,683,662	\$ 71,478	1.55%

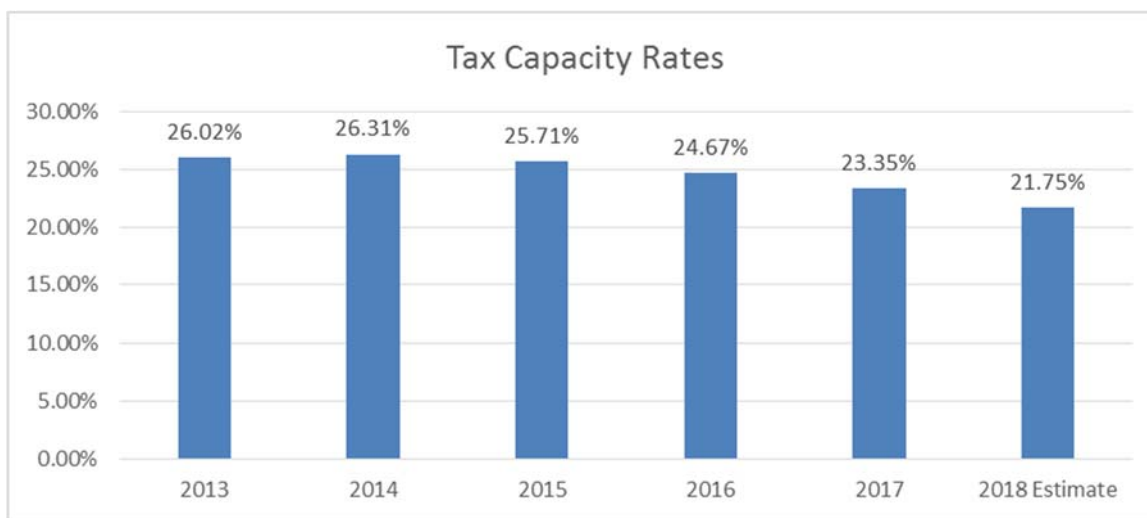
Summary of the City's Tax Capacity and Tax Rate

The past two years with comparison to the average percentage change for Hennepin County is listed below:

	2016 Pay	2017	2017 Pay	2018	% Change (Wayzata)	% Change (Suburban Hennepin)
Commercial	\$	6,453,496	\$	7,042,390	9.13%	4.68%
Industrial		346,346		35,630	-89.71%	4.01%
Apartment		1,856,416		1,998,832	7.67%	12.94%
Residential		14,709,462		16,405,383	11.53%	7.19%
Other		26,160		26,400	0.92%	0.87%
Total	\$	23,391,880	\$	25,508,635	9.05%	6.71%



Following is a summary of Wayzata's tax rate history for the last six years.



Staffing

Data related to the number of full time equivalent positions is noted below:

Summary of FTES by Department	2013	2014	2015	2016	2017	2018
Council	5.00	5.00	5.00	5.00	5.00	5.00
Administration	4.60	4.60	5.60	4.60	5.10	5.60
Streets	5.03	5.03	5.03	5.10	4.90	4.90
Parks	4.96	5.96	5.96	7.00	6.60	6.60
Engineering	1.00	1.00	2.00	1.85	1.85	1.85
Building inspection	2.58	2.58	2.58	2.58	2.50	2.50
Planning	1.00	1.00	1.00	1.00	1.35	1.50
Assessing	-	-	-	-	-	-
Police	13.00	13.60	13.60	14.35	15.00	16.00
Subtotal governmental	37.17	38.77	40.77	41.48	42.30	43.95
Water	2.86	2.86	2.86	2.95	2.95	2.95
Sewer	2.86	2.86	2.86	2.95	2.95	2.95
Storm	0.34	0.34	0.34	0.40	0.40	0.40
Motor Vehicle	2.00	4.75	4.75	5.00	5.00	6.00
Liquor operations	31.41	31.41	31.41	35.00	35.00	35.00
Recycling	-	-	-	-	-	-
Subtotal enterprise	39.47	42.22	42.22	46.30	46.30	47.30
Total	76.64	80.99	82.99	87.78	88.60	91.25
Wage COLA	1.50%	2.00%	2.00%	2.00%	2.50%	2.75%

Summary of Changes

- Governmental buildings increased due to a part time maintenance person
- Police increased due to a records clerk position and an additional ½ time CSO

General Fund Budget Summary

Below are the actual revenues and expenditures for 2015 and 2016, 2017 budget, and 2018 as proposed with comparative figures for 2017 and 2018 budget amounts.

	Actual		Budget		Increase / Decrease From PY	Percent
	2015	2016	2017	2018		Change
REVENUES						
Taxes	3,858,556	4,128,510	4,155,216	4,227,429	72,213	1.74%
Franchise fees	81,215	83,443	82,000	82,000	-	0.00%
Licenses and permits	657,955	769,641	438,375	506,250	67,875	15.48%
Intergovernmental	193,931	200,025	189,600	198,700	9,100	4.80%
Charges for services	857,988	881,184	737,213	708,750	(28,463)	-3.86%
Fines and forfeitures	89,360	77,268	75,500	80,500	5,000	6.62%
Interest	24,559	14,701	25,000	20,000	(5,000)	-20.00%
Miscellaneous	10,266	46,191	5,000	2,000	(3,000)	-60.00%
Transfers in	125,000	150,000	170,000	385,000	215,000	126.47%
TOTAL REVENUES	5,898,830	6,350,962	5,877,904	6,210,629	332,725	5.66%
	Actual		Budget		Increase / Decrease From PY	Percent
	2015	2016	2017	2018		Change
EXPENDITURES						
Mayor and council	\$ 46,946	\$ 50,382	\$ 47,336	\$ 47,336	-	0.00%
Administrative and finance	1,487,664	695,479	708,442	748,331	39,889	5.63%
Assessing	56,442	61,053	62,900	66,000	3,100	4.93%
Planning and zoning	148,662	123,957	142,073	158,462	16,389	11.54%
General government buildings	183,279	176,433	235,100	283,315	48,215	20.51%
Police protection	1,571,060	1,617,896	1,647,883	1,755,172	107,289	6.51%
Fire protection	476,609	299,145	345,560	349,575	4,015	1.16%
Building inspections	249,733	247,126	236,729	234,906	(1,823)	-0.77%
Emergency management	5,186	527	5,350	5,350	-	0.00%
Health inspections	30,877	33,418	32,000	33,000	1,000	3.13%
Streets	711,220	520,616	546,512	553,358	6,846	1.25%
Street lighting	70,086	74,273	78,000	87,500	9,500	12.18%
Engineering	175,771	187,803	200,762	212,105	11,343	5.65%
Parks, recreation and forestry	481,357	469,518	597,783	621,694	23,911	4.00%
Unallocated	170,215	866,407	991,474	1,054,525	63,051	6.36%
TOTAL EXPENDITURES	5,865,107	5,424,033	5,877,904	6,210,629	332,725	5.66%
Excess (Deficient) Revenue	\$33,723	\$926,929	\$ -	\$ -	\$ -	

Revenue changes:

- Licenses and permits increased due to 2 new liquor licenses totaling \$20,000, and other building permit charges adjusted to reflect anticipated activity.
- Charges for services decreased due to project inspection revenue adjustments related to less engineer staffing. This open position limits the opportunity to generate revenue for project inspections.
- Transfers were increased to reflect capturing the projected profit in enterprise funds. This is based on historical trends and anticipated 2018 budget results.

Expenditure changes:

- The wellness program was expanded to \$8,000 and \$3,500 for the purchase of a postage machine.
- Planning and zoning increase is due to its allocation of the administrative assistant noted above.
- General government buildings increased due to the addition of a part time building maintenance person.
- Police increased due to the hire of a full time records clerk. This hire does reduce the budget for part time salaries but results in an overall increase. Additionally, a ½ time CSO was added.
- Street lighting increased due to signal maintenance.
- Unallocated increased mainly due to the capital transfers.
- Wage adjustments include a pay grade market adjustment to 11 positions as well as a 2.75% COLA.

RESOLUTION NO. 57-2017
RESOLUTION CERTIFYING TO THE COUNTY AUDITOR
THE FINAL PROPERTY TAX LEVY PAYABLE FOR 2018 AND THE FINAL
GENERAL FUND BUDGET FOR THE TAXES PAYABLE FOR 2018

WHEREAS, State Statutes require that the final tax levy requirements to meet the annual general fund budget be certified to the County Auditor by December 20, 2017;

NOW, THEREFORE, BE IT RESOLVED by the City Council of Wayzata, Minnesota, that the following preliminary tax levy requirements be and they hereby are adopted for the year payable 2018.

BE IT FURTHER RESOLVED that the Auditor of Hennepin County is hereby authorized to cancel all other levies previously scheduled to be collected in 2018 due to an accumulation of sufficient reserves in each fund:

Description		2017	2018
General Fund Levy		\$ 4,155,216	\$ 4,227,429
	City Infrastructure	210,000	210,000
Total Levy		\$ 4,365,216	\$ 4,437,429
Debt Levy	Levy for Street bonding (Ferndale)	\$ 33,240	\$ 32,453
MV Levy	Big Woods bonding debt service	\$ 213,728	\$ 213,780

BE IT FURTHER RESOLVED that the City Manager is hereby directed to forward a certified copy of this Resolution to the Auditor of Hennepin County.

Adopted by the Wayzata City Council this 5th day of December, 2017.

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 attached and foregoing Resolution is a true and correct copy of the Resolution duly adopted by the City Council of the City of Wayzata, Minnesota, at a duly authorized meeting held on December 5, 2017.

City Clerk Becky Malone

SEAL

CITY OF WAYZATA

2018 BUDGET

Jeffrey Dahl
City Manager

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**CITY OF WAYZATA
2018 CITY OFFICIALS**

Mayor:

Ken Willcox

Term Expires

December 31, 2020

Council Members:

Johanna McCarthy

December 31, 2018

Steven Tyacke

December 31, 2018

Dan Koch

December 31, 2020

Alex Plechash

December 31, 2020

City Manager:

Jeffrey Dahl

Appointed

RESOLUTION NO. 57-2017
RESOLUTION CERTIFYING TO THE COUNTY AUDITOR
THE FINAL PROPERTY TAX LEVY PAYABLE FOR 2018 AND THE FINAL
GENERAL FUND BUDGET FOR THE TAXES PAYABLE YEAR 2018

WHEREAS, State Statutes require that the final tax levy requirements to meet the annual general fund budget be certified to the County Auditor by December 20, 2017;

NOW, THEREFORE, BE IT RESOLVED by the City Council of Wayzata, Minnesota, that the following preliminary tax levy requirements be and they hereby are adopted for the year payable 2018.

BE IT FURTHER RESOLVED that the Auditor of Hennepin County is hereby authorized to cancel all other levies previously scheduled to be collected in 2018 due to an accumulation of sufficient reserves in each fund:

Description		2017	2018
General Fund Levy		\$ 4,155,216	\$ 4,227,429
	City Infrastructure	210,000	210,000
Total Levy		\$ 4,365,216	\$ 4,437,429
Debt Levy	Levy for Street bonding (Ferndale)	\$ 33,240	\$ 32,453
MV Levy	Big Woods bonding debt service	\$ 213,728	\$ 213,780

BE IT FURTHER RESOLVED that the City Manager is hereby directed to forward a certified copy of this Resolution to the Auditor of Hennepin County.

Adopted by the Wayzata City Council this 5th day of December, 2017.

ATTEST:

Mayor Ken Willcox

City Manager Jeffrey Dahl

CITY OF WAYZATA

2018 General Fund Budget Summary

Dept Descr	2016 Amount	2017 Budget	2018 Budget
Act Type R Revenue			
All Departments	\$5,679,796.02	\$5,209,641.00	\$5,540,679.00
Police	\$545,536.52	\$540,550.00	\$557,700.00
Fire	\$125,629.04	\$127,713.00	\$112,250.00
Act Type R Revenue	\$6,350,961.58	\$5,877,904.00	\$6,210,629.00
Act Type E Expenditure			
Mayor and Council	-\$50,382.08	-\$47,336.00	-\$47,336.00
Administration & Finance	-\$695,479.45	-\$708,442.00	-\$748,331.00
Assessing	-\$61,052.57	-\$62,900.00	-\$66,000.00
Planning and Zoning	-\$123,956.95	-\$142,073.00	-\$158,462.00
Building Operations & Maint.	-\$176,433.36	-\$235,100.00	-\$283,315.00
Police	-\$1,570,637.47	-\$1,595,883.00	-\$1,704,172.00
Crime Control and Investigate	-\$47,258.75	-\$52,000.00	-\$51,000.00
Fire	-\$299,144.62	-\$345,560.00	-\$349,575.00
Building Inspection	-\$247,126.21	-\$236,729.00	-\$234,906.00
Emergency Management	-\$527.16	-\$5,350.00	-\$5,350.00
Streets	-\$520,615.92	-\$546,512.00	-\$553,358.00
Health Inspections	-\$33,418.00	-\$32,000.00	-\$33,000.00
Engineering	-\$187,803.12	-\$200,762.00	-\$212,105.00
Parks	-\$469,517.67	-\$597,783.00	-\$621,694.00
Boulevard Maint. And lighting	-\$74,272.57	-\$78,000.00	-\$87,500.00
Unallocated Expenditures	-\$1,495,406.90	-\$991,474.00	-\$1,054,525.00
Act Type E Expenditure	-\$6,053,032.80	-\$5,877,904.00	-\$6,210,629.00
	\$297,928.78	\$0.00	\$0.00

CITY OF WAYZATA

2018 REVENUE BUDGET

Account Descr	2016 Amt	2017 Budget	2018 Budget	Budget Change from PY
FUND 101 GENERAL FUND				
R 101-00000-31010 Property Taxes	\$4,128,509.87	\$4,155,216.00	\$4,227,429.00	\$72,213.00
R 101-00000-32110 Alcoholic Beverages	\$96,588.00	\$100,000.00	\$120,000.00	\$20,000.00
R 101-00000-32120 Health	\$58,530.50	\$36,000.00	\$39,000.00	\$3,000.00
R 101-00000-32140 Cigarette License	\$378.00	\$375.00	\$500.00	\$125.00
R 101-00000-32160 Trade License	\$6,059.00	\$5,000.00	\$5,500.00	\$500.00
R 101-00000-32180 Rental License	\$20,111.00	\$20,000.00	\$25,000.00	\$5,000.00
R 101-00000-32190 Misc License	\$9,767.00	\$5,000.00	\$9,250.00	\$4,250.00
R 101-00000-32210 Building Permits	\$416,970.04	\$190,000.00	\$200,000.00	\$10,000.00
R 101-00000-32222 Heating Permits	\$74,994.87	\$33,000.00	\$40,000.00	\$7,000.00
R 101-00000-32230 Plumbing Permits	\$50,633.18	\$22,000.00	\$35,000.00	\$13,000.00
R 101-00000-32290 Misc Permits	\$32,919.00	\$25,000.00	\$30,000.00	\$5,000.00
R 101-00000-33422 Misc State Aid Grants	\$9,801.00	\$12,000.00	\$10,000.00	-\$2,000.00
R 101-00000-34104 Plan Check Fee	\$235,264.51	\$105,000.00	\$90,000.00	-\$15,000.00
R 101-00000-34105 Copies	\$109.41	\$50.00	\$0.00	-\$50.00
R 101-00000-34106 Project Inspection	\$156,129.00	\$155,000.00	\$140,000.00	-\$15,000.00
R 101-00000-34110 Planning Charges	\$11,558.00	\$12,000.00	\$25,000.00	\$13,000.00
R 101-00000-34190 Charges for Services/Gen Go	\$21,059.75	\$20,000.00	\$25,000.00	\$5,000.00
R 101-00000-34942 Grave Openings	\$11,896.00	\$5,000.00	\$2,000.00	-\$3,000.00
R 101-00000-36210 Interest Earnings	\$14,700.89	\$25,000.00	\$20,000.00	-\$5,000.00
R 101-00000-36211 Blvd. Lights & Maint.	\$83,442.91	\$82,000.00	\$82,000.00	\$0.00
R 101-00000-36221 Library Rent	\$14,812.45	\$16,700.00	\$17,500.00	\$800.00
R 101-00000-36222 Depot Rent	\$10,417.56	\$10,300.00	\$10,500.00	\$200.00
R 101-00000-39101 Sales of General Fixed Asset	\$18,953.45	\$0.00	\$0.00	\$0.00
R 101-00000-39200 Interfund Operating Transfer	\$150,000.00	\$170,000.00	\$385,000.00	\$215,000.00
R 101-00000-39400 Misc.Revenues	\$46,190.63	\$5,000.00	\$2,000.00	-\$3,000.00
R 101-42100-32240 Animal Licenses	\$2,690.00	\$2,000.00	\$2,000.00	\$0.00
R 101-42100-33416 Police Training Reimburseme	\$7,090.19	\$11,000.00	\$7,100.00	-\$3,900.00
R 101-42100-33421 Insurance Premium Tax-Poli	\$99,225.68	\$90,000.00	\$95,000.00	\$5,000.00
R 101-42100-33422 Misc State Aid Grants	\$8,831.88	\$8,600.00	\$8,600.00	\$0.00
R 101-42100-33620 Other County Grants/Aid	\$0.00	\$0.00	\$0.00	\$0.00
R 101-42100-34108 Admin Charges to Other Fun	\$39,858.00	\$50,000.00	\$52,000.00	\$2,000.00
R 101-42100-34109 Police Charges for Services	\$22,884.40	\$15,000.00	\$18,000.00	\$3,000.00
R 101-42100-34211 Accidents Reports	\$88.25	\$100.00	\$100.00	\$0.00
R 101-42100-34212 Fingerprinting	\$1,110.00	\$1,200.00	\$1,200.00	\$0.00
R 101-42100-34213 Impound Fees	\$452.00	\$150.00	\$500.00	\$350.00
R 101-42100-34214 Alarm Charges	\$1,038.00	\$2,000.00	\$2,000.00	\$0.00
R 101-42100-34998 Police Services - Long Lake	\$285,000.00	\$285,000.00	\$290,700.00	\$5,700.00
R 101-42100-35101 Court Fines	\$76,768.12	\$75,000.00	\$80,000.00	\$5,000.00
R 101-42100-35106 Misc Fines	\$500.00	\$500.00	\$500.00	\$0.00
R 101-42200-33420 Insurance Premium Tax-Fire	\$70,435.84	\$65,000.00	\$68,000.00	\$3,000.00
R 101-42200-33422 Misc State Aid Grants	\$4,640.20	\$3,000.00	\$10,000.00	\$7,000.00
R 101-42200-34201 Fire Contracts	\$50,553.00	\$59,713.00	\$34,250.00	-\$25,463.00
R 101-42200-34203 Fire Misc.	\$0.00	\$0.00	\$0.00	\$0.00
FUND 101 GENERAL FUND	\$6,350,961.58	\$5,877,904.00	\$6,210,629.00	\$332,725.00
	\$6,350,961.58	\$5,877,904.00	\$6,210,629.00	\$332,725.00

CITY OF WAYZATA
2018 Budget

Account Descr	2016 Amt	2017 Budget	2018 Budget	%Diff from Cur Yr 2017
FUND 101 GENERAL FUND				
Dept 41100 Mayor and Council				
E 101-41100-103 Part-Time Employees	\$24,000.00	\$24,000.00	\$24,000.00	0.00%
E 101-41100-122 FICA	\$1,835.96	\$1,836.00	\$1,836.00	0.00%
E 101-41100-210 Operating Supplies (GENERAL)	\$212.40	\$200.00	\$200.00	0.00%
E 101-41100-302 Consultants	\$11,923.61	\$12,000.00	\$11,000.00	-8.33%
E 101-41100-331 Mileage & Expense Account	\$2,604.06	\$1,800.00	\$1,800.00	0.00%
E 101-41100-433 Dues, Licensing & Seminars	\$590.00	\$1,000.00	\$1,000.00	0.00%
E 101-41100-493 Volunteer program	\$5,110.30	\$6,000.00	\$7,000.00	16.67%
E 101-41100-499 Miscellaneous	\$4,105.75	\$500.00	\$500.00	0.00%
Dept 41100 Mayor and Council	\$50,382.08	\$47,336.00	\$47,336.00	0.00%

Account Descr	2016 Amt	2017 Budget	2018 Budget	%Diff from Cur Yr 2017
Dept 41500 Administration & Finance				
E 101-41500-101 Full-Time Employees Regular	\$254,448.94	\$318,347.00	\$342,118.00	7.47%
E 101-41500-102 Overtime	\$3,067.82	\$0.00	\$0.00	0.00%
E 101-41500-103 Part-Time Employees	\$19,629.90	\$21,438.00	\$20,100.00	-6.24%
E 101-41500-121 PERA	\$20,584.57	\$25,008.00	\$26,100.00	4.37%
E 101-41500-122 FICA	\$20,639.38	\$26,484.00	\$27,326.00	3.18%
E 101-41500-130 Employer Paid Ins	\$36,470.85	\$45,065.00	\$48,487.00	7.59%
E 101-41500-200 Office Supplies (GENERAL)	\$16,134.67	\$12,400.00	\$12,000.00	-3.23%
E 101-41500-301 Auditing and Acct g Services	\$60,867.51	\$63,000.00	\$65,000.00	3.17%
E 101-41500-302 Consultants	\$48,864.88	\$20,000.00	\$20,000.00	0.00%
E 101-41500-304 Legal Fees	\$123,418.88	\$80,000.00	\$85,000.00	6.25%
E 101-41500-306 Personnel Expense	\$3,867.97	\$8,000.00	\$10,000.00	25.00%
E 101-41500-311 Data Processing	\$34,440.00	\$38,000.00	\$40,000.00	5.26%
E 101-41500-324 Internet/Web Page	\$995.00	\$2,200.00	\$2,200.00	0.00%
E 101-41500-331 Mileage & Expense Account	\$5,180.48	\$3,500.00	\$3,500.00	0.00%
E 101-41500-350 Printing & Publishing	\$5,455.03	\$5,000.00	\$5,000.00	0.00%
E 101-41500-404 Repairs/Maint - Machin/Equip	\$5,003.34	\$8,000.00	\$6,000.00	-25.00%
E 101-41500-433 Dues, Licensing & Seminars	\$27,195.26	\$20,000.00	\$20,000.00	0.00%
E 101-41500-497 Credit Card Fees	\$5,420.06	\$5,000.00	\$5,000.00	0.00%
E 101-41500-499 Miscellaneous	\$3,794.91	\$6,000.00	\$6,000.00	0.00%
E 101-41500-540 Equipment	\$0.00	\$1,000.00	\$4,500.00	350.00%
E 101-41500-720 Operating Transfers - Equip.	\$0.00	\$0.00	\$0.00	0.00%
E 101-41500-721 Operating Transfers - Building	\$0.00	\$0.00	\$0.00	0.00%
Dept 41500 Administration & Finance	\$695,479.45	\$708,442.00	\$748,331.00	5.63%

Account Descr	2016 Amt	2017 Budget	2018 Budget	%Diff from Cur Yr 2017
Dept 41550 Assessing				
E 101-41550-210 Operating Supplies (GENERAL)	\$339.26	\$500.00	\$1,000.00	100.00%
E 101-41550-302 Consultants	\$60,713.31	\$62,400.00	\$65,000.00	4.17%
Dept 41550 Assessing	\$61,052.57	\$62,900.00	\$66,000.00	4.93%

Account Descr	2016 Amt	2017 Budget	2018 Budget	%Diff from Cur Yr 2017
Dept 41910 Planning and Zoning				
E 101-41910-101 Full-Time Employees Regular	\$89,771.09	\$101,178.00	\$111,834.00	10.53%
E 101-41910-121 PERA	\$6,732.82	\$7,588.00	\$8,388.00	10.54%
E 101-41910-122 FICA	\$6,764.66	\$7,740.00	\$8,555.00	10.53%
E 101-41910-130 Employer Paid Ins	\$10,413.90	\$12,567.00	\$13,685.00	8.90%
E 101-41910-210 Operating Supplies (GENERAL)	\$110.61	\$0.00	\$0.00	0.00%
E 101-41910-302 Consultants	\$4,024.50	\$5,000.00	\$8,000.00	60.00%
E 101-41910-309 Contractual Services	\$0.00	\$0.00	\$0.00	0.00%
E 101-41910-331 Mileage & Expense Account	\$157.22	\$500.00	\$500.00	0.00%
E 101-41910-433 Dues, Licensing & Seminars	\$3,157.85	\$4,000.00	\$4,000.00	0.00%
E 101-41910-492 HPB	\$2,824.30	\$3,500.00	\$3,500.00	0.00%
E 101-41910-499 Miscellaneous	\$0.00	\$0.00	\$0.00	0.00%
Dept 41910 Planning and Zoning	\$123,956.95	\$142,073.00	\$158,462.00	11.54%

Account Descr	2016 Amt	2017 Budget	2018 Budget	%Diff from Cur Yr 2017
Dept 41940 Building Operations & Maint.				
E 101-41940-101 Full-Time Employees Regular	\$0.00	\$0.00	\$30,000.00	0.00%
E 101-41940-121 PERA	\$0.00	\$0.00	\$2,250.00	0.00%
E 101-41940-122 FICA	\$0.00	\$0.00	\$2,295.00	0.00%
E 101-41940-130 Employer Paid Ins	\$0.00	\$0.00	\$5,070.00	0.00%
E 101-41940-210 Operating Supplies (GENERAL)	\$5,563.98	\$4,000.00	\$5,300.00	32.50%
E 101-41940-309 Contractual Services	\$4,731.40	\$7,000.00	\$7,000.00	0.00%
E 101-41940-321 Telephone	\$22,157.66	\$25,000.00	\$29,000.00	16.00%
E 101-41940-381 Electric Utilities	\$51,605.81	\$52,500.00	\$54,000.00	2.86%
E 101-41940-383 Fuel, oil and natural gas	\$14,111.58	\$33,600.00	\$25,000.00	-25.60%
E 101-41940-386 Other Utilities	\$803.52	\$5,000.00	\$5,000.00	0.00%
E 101-41940-401 Repairs/Maint Buildings	\$27,749.08	\$50,000.00	\$58,400.00	16.80%
E 101-41940-404 Repairs/Maint - Machin/Equip	\$12,029.52	\$25,000.00	\$25,000.00	0.00%
E 101-41940-409 Maint services & Improv	\$29,384.09	\$32,000.00	\$32,000.00	0.00%
E 101-41940-499 Miscellaneous	\$8,296.72	\$1,000.00	\$3,000.00	200.00%
E 101-41940-721 Operating Transfers - Building	\$0.00	\$0.00	\$0.00	0.00%
Dept 41940 Building Operations & Maint.	\$176,433.36	\$235,100.00	\$283,315.00	20.51%

Account Descr	2016 Amt	2017 Budget	2018 Budget	%Diff from Cur Yr 2017
Dept 42100 Police				
E 101-42100-101 Full-Time Employees Regular	\$1,047,914.77	\$1,070,873.00	\$1,166,522.00	8.93%
E 101-42100-102 Overtime	\$25,259.10	\$21,000.00	\$22,000.00	4.76%
E 101-42100-103 Part-Time Employees	\$23,860.64	\$44,928.00	\$31,200.00	-30.56%
E 101-42100-105 Temporary Employees Overtime	\$6,957.16	\$11,000.00	\$7,000.00	-36.36%
E 101-42100-121 PERA	\$170,208.65	\$163,521.00	\$168,822.00	3.24%
E 101-42100-122 FICA	\$16,300.09	\$22,082.00	\$24,964.00	13.05%
E 101-42100-130 Employer Paid Ins	\$173,324.49	\$156,379.00	\$177,434.00	13.46%
E 101-42100-200 Office Supplies (GENERAL)	\$2,061.84	\$2,200.00	\$2,200.00	0.00%
E 101-42100-210 Operating Supplies (GENERAL)	\$4,014.91	\$3,500.00	\$3,500.00	0.00%
E 101-42100-212 Motor Fuels	\$18,534.38	\$20,100.00	\$18,630.00	-7.31%
E 101-42100-217 Uniforms	\$11,570.47	\$11,000.00	\$11,000.00	0.00%
E 101-42100-240 Small Tools and Minor Equip	\$980.63	\$1,300.00	\$1,300.00	0.00%
E 101-42100-306 Personnel Expense	\$1,882.00	\$1,000.00	\$1,000.00	0.00%
E 101-42100-309 Contractual Services	\$13,751.64	\$14,000.00	\$14,300.00	2.14%
E 101-42100-323 Radio Units	\$17,088.25	\$16,000.00	\$17,200.00	7.50%
E 101-42100-331 Mileage & Expense Account	\$1,554.30	\$2,100.00	\$2,100.00	0.00%
E 101-42100-350 Printing & Publishing	\$1,757.21	\$1,700.00	\$1,800.00	5.88%
E 101-42100-404 Repairs/Maint - Machin/Equip	\$7,669.75	\$10,000.00	\$10,000.00	0.00%
E 101-42100-409 Maint services & Improv	\$0.00	\$700.00	\$700.00	0.00%
E 101-42100-433 Dues, Licensing & Seminars	\$4,061.67	\$2,500.00	\$2,500.00	0.00%
E 101-42100-434 Training and schools	\$17,139.94	\$15,000.00	\$15,000.00	0.00%
E 101-42100-499 Miscellaneous	\$2,496.65	\$2,500.00	\$2,500.00	0.00%
E 101-42100-540 Equipment	\$2,248.93	\$2,500.00	\$2,500.00	0.00%
E 101-42100-720 Operating Transfers - Equip.	\$0.00	\$0.00	\$0.00	0.00%
E 101-42100-721 Operating Transfers - Building	\$0.00	\$0.00	\$0.00	0.00%
Dept 42100 Police	\$1,570,637.47	\$1,595,883.00	\$1,704,172.00	6.79%

Account Descr	2016 Amt	2017 Budget	2018 Budget	%Diff from Cur Yr 2017
Dept 42120 Crime Control and Investigate				
E 101-42120-304 Legal Fees	\$39,999.50	\$45,000.00	\$43,000.00	-4.44%
E 101-42120-308 Prisoner Care	\$6,762.18	\$6,000.00	\$7,000.00	16.67%
E 101-42120-309 Contractual Services	\$497.07	\$1,000.00	\$1,000.00	0.00%
Dept 42120 Crime Control and Investigate	\$47,258.75	\$52,000.00	\$51,000.00	-1.92%

Account Descr	2016 Amt	2017 Budget	2018 Budget	%Diff from Cur Yr 2017
Dept 42200 Fire				
E 101-42200-103 Part-Time Employees	\$86,943.28	\$107,000.00	\$109,800.00	2.62%
E 101-42200-122 FICA	\$6,651.15	\$8,185.00	\$8,400.00	2.63%
E 101-42200-200 Office Supplies (GENERAL)	\$6.82	\$200.00	\$200.00	0.00%
E 101-42200-210 Operating Supplies (GENERAL)	\$6,651.79	\$7,500.00	\$7,500.00	0.00%
E 101-42200-212 Motor Fuels	\$3,007.14	\$4,500.00	\$3,000.00	-33.33%
E 101-42200-217 Uniforms	\$9,804.25	\$12,000.00	\$12,000.00	0.00%
E 101-42200-240 Small Tools and Minor Equip	\$9,644.34	\$9,000.00	\$9,000.00	0.00%
E 101-42200-241 Safety equip/testings	\$8,539.00	\$9,000.00	\$9,000.00	0.00%
E 101-42200-306 Personnel Expense	\$2,556.96	\$8,000.00	\$4,000.00	-50.00%
E 101-42200-323 Radio Units	\$18,065.04	\$20,000.00	\$26,000.00	30.00%
E 101-42200-331 Mileage & Expense Account	\$249.71	\$2,500.00	\$1,000.00	-60.00%
E 101-42200-381 Electric Utilities	\$4,897.48	\$5,000.00	\$5,000.00	0.00%
E 101-42200-383 Fuel, oil and natural gas	\$3,774.11	\$10,000.00	\$8,000.00	-20.00%
E 101-42200-404 Repairs/Maint - Machin/Equip	\$8,285.21	\$15,000.00	\$15,000.00	0.00%
E 101-42200-409 Maint services & Improv	\$1,460.00	\$3,500.00	\$3,000.00	-14.29%
E 101-42200-433 Dues, Licensing & Seminars	\$2,346.00	\$2,500.00	\$2,000.00	-20.00%
E 101-42200-434 Training and schools	\$7,442.04	\$10,000.00	\$10,000.00	0.00%
E 101-42200-437 Payments to Organizations	\$45,675.00	\$45,675.00	\$45,675.00	0.00%
E 101-42200-438 Payment to Fire Relief 2% Aid	\$70,435.84	\$63,000.00	\$68,000.00	7.94%
E 101-42200-499 Miscellaneous	\$2,709.46	\$3,000.00	\$3,000.00	0.00%
E 101-42200-720 Operating Transfers - Equip.	\$0.00	\$0.00	\$0.00	0.00%
E 101-42200-721 Operating Transfers - Building	\$0.00	\$0.00	\$0.00	0.00%
Dept 42200 Fire	\$299,144.62	\$345,560.00	\$349,575.00	1.16%

Account Descr	2016 Amt	2017 Budget	2018 Budget	%Diff from Cur Yr 2017
Dept 42400 Building Inspection				
E 101-42400-101 Full-Time Employees Regular	\$156,471.36	\$140,906.00	\$141,380.00	0.34%
E 101-42400-103 Part-Time Employees	\$32,564.10	\$31,246.00	\$0.00	-100.00%
E 101-42400-121 PERA	\$12,290.55	\$12,649.00	\$10,603.00	-16.18%
E 101-42400-122 FICA	\$12,843.50	\$12,902.00	\$10,815.00	-16.18%
E 101-42400-130 Employer Paid Ins	\$20,560.96	\$23,226.00	\$29,658.00	27.69%
E 101-42400-200 Office Supplies (GENERAL)	\$90.00	\$300.00	\$300.00	0.00%
E 101-42400-212 Motor Fuels	\$474.44	\$800.00	\$450.00	-43.75%
E 101-42400-303 Engineering Fees	\$0.00	\$0.00	\$0.00	0.00%
E 101-42400-304 Legal Fees	\$0.00	\$0.00	\$0.00	0.00%
E 101-42400-309 Contractual Services	\$5,612.50	\$7,000.00	\$34,000.00	385.71%
E 101-42400-331 Mileage & Expense Account	\$0.00	\$500.00	\$500.00	0.00%
E 101-42400-404 Repairs/Maint - Machin/Equip	\$715.74	\$200.00	\$200.00	0.00%
E 101-42400-433 Dues, Licensing & Seminars	\$4,509.41	\$7,000.00	\$7,000.00	0.00%
E 101-42400-499 Miscellaneous	\$993.65	\$0.00	\$0.00	0.00%
Dept 42400 Building Inspection	\$247,126.21	\$236,729.00	\$234,906.00	-0.77%

Account Descr	2016 Amt	2017 Budget	2018 Budget	%Diff from Cur Yr 2017
Dept 43200 Health Inspections				
E 101-43200-309 Contractual Services	\$33,418.00	\$32,000.00	\$33,000.00	3.13%
Dept 43200 Health Inspections	\$33,418.00	\$32,000.00	\$33,000.00	3.13%

Account Descr	2016 Amt	2017 Budget	2018 Budget	%Diff from Cur Yr 2017
Dept 42500 Emergency Management				
E 101-42500-409 Maint services & Improv	\$527.16	\$2,700.00	\$2,700.00	0.00%
E 101-42500-433 Dues, Licensing & Seminars	\$0.00	\$2,650.00	\$2,650.00	0.00%
Dept 42500 Emergency Management	\$527.16	\$5,350.00	\$5,350.00	0.00%

Account Descr	2016 Amt	2017 Budget	2018 Budget	%Diff from Cur Yr 2017
Dept 43100 Streets				
E 101-43100-101 Full-Time Employees Regular	\$283,917.81	\$302,216.00	\$307,557.00	1.77%
E 101-43100-102 Overtime	\$21,532.42	\$20,000.00	\$20,500.00	2.50%
E 101-43100-103 Part-Time Employees	\$10,107.60	\$5,500.00	\$5,700.00	3.64%
E 101-43100-121 PERA	\$22,846.61	\$23,911.00	\$23,704.00	-0.87%
E 101-43100-122 FICA	\$20,751.09	\$24,810.00	\$25,103.00	1.18%
E 101-43100-130 Employer Paid Ins	\$62,096.82	\$66,875.00	\$71,354.00	6.70%
E 101-43100-200 Office Supplies (GENERAL)	\$1,328.25	\$1,300.00	\$1,340.00	3.08%
E 101-43100-210 Operating Supplies (GENERAL)	\$4,216.30	\$4,800.00	\$4,900.00	2.08%
E 101-43100-212 Motor Fuels	\$10,283.45	\$15,300.00	\$11,300.00	-26.14%
E 101-43100-216 Chemicals and Chem Products	\$9,908.91	\$10,600.00	\$10,100.00	-4.72%
E 101-43100-217 Uniforms	\$1,378.83	\$1,700.00	\$1,700.00	0.00%
E 101-43100-220 Repair/Maint Supply (GENERAL)	\$21,603.25	\$13,300.00	\$15,200.00	14.29%
E 101-43100-226 Sign Repair Materials	\$15,833.90	\$15,100.00	\$16,200.00	7.28%
E 101-43100-229 Dirt, Sand and gravel	\$5,519.73	\$8,800.00	\$9,500.00	7.95%
E 101-43100-240 Small Tools and Minor Equip	\$1,957.31	\$2,900.00	\$3,000.00	3.45%
E 101-43100-241 Safety equip/testings	\$901.08	\$1,700.00	\$1,700.00	0.00%
E 101-43100-303 Engineering Fees	\$1,350.11	\$700.00	\$700.00	0.00%
E 101-43100-323 Radio Units	\$2,665.99	\$3,100.00	\$3,100.00	0.00%
E 101-43100-331 Mileage & Expense Account	\$1,238.90	\$1,300.00	\$1,300.00	0.00%
E 101-43100-404 Repairs/Maint - Machin/Equip	\$2,547.60	\$6,300.00	\$5,300.00	-15.87%
E 101-43100-409 Maint services & Improv	\$6,253.87	\$10,600.00	\$8,200.00	-22.64%
E 101-43100-415 Other Equipment Rentals	\$6,679.10	\$2,300.00	\$2,400.00	4.35%
E 101-43100-433 Dues, Licensing & Seminars	\$3,438.21	\$2,800.00	\$2,900.00	3.57%
E 101-43100-499 Miscellaneous	\$2,258.78	\$600.00	\$600.00	0.00%
E 101-43100-720 Operating Transfers - Equip.	\$0.00	\$0.00	\$0.00	0.00%
E 101-43100-721 Operating Transfers - Building	\$0.00	\$0.00	\$0.00	0.00%
E 101-43100-722 Operating Transfers - Streets	\$0.00	\$0.00	\$0.00	0.00%
Dept 43100 Streets	\$520,615.92	\$546,512.00	\$553,358.00	1.25%

Account Descr	2016 Amt	2017 Budget	2018 Budget	%Diff from Cur Yr 2017
Dept 43300 Engineering				
E 101-43300-101 Full-Time Employees Regular	\$143,186.12	\$152,983.00	\$161,329.00	5.46%
E 101-43300-121 PERA	\$10,470.74	\$10,993.00	\$11,619.00	5.69%
E 101-43300-122 FICA	\$10,630.47	\$11,359.00	\$11,997.00	5.62%
E 101-43300-130 Employer Paid Ins	\$18,988.32	\$17,223.00	\$18,755.00	8.90%
E 101-43300-210 Operating Supplies (GENERAL)	\$0.00	\$1,020.00	\$1,020.00	0.00%
E 101-43300-212 Motor Fuels	\$685.55	\$400.00	\$600.00	50.00%
E 101-43300-323 Radio Units	\$0.00	\$500.00	\$500.00	0.00%
E 101-43300-331 Mileage & Expense Account	\$528.96	\$1,000.00	\$1,000.00	0.00%
E 101-43300-404 Repairs/Maint - Machin/Equip	\$32.00	\$400.00	\$400.00	0.00%
E 101-43300-433 Dues, Licensing & Seminars	\$3,255.53	\$4,284.00	\$4,285.00	0.02%
E 101-43300-499 Miscellaneous	\$25.43	\$600.00	\$600.00	0.00%
E 101-43300-720 Operating Transfers - Equip.	\$0.00	\$0.00	\$0.00	0.00%
E 101-43300-721 Operating Transfers - Building	\$0.00	\$0.00	\$0.00	0.00%
Dept 43300 Engineering	\$187,803.12	\$200,762.00	\$212,105.00	5.65%

Account Descr	2016 Amt	2017 Budget	2018 Budget	%Diff from Cur Yr 2017
Dept 45200 Parks				
E 101-45200-101 Full-Time Employees Regular	\$221,930.18	\$276,877.00	\$286,834.00	3.60%
E 101-45200-102 Overtime	\$15,663.04	\$15,600.00	\$15,900.00	1.92%
E 101-45200-103 Part-Time Employees	\$52,095.36	\$67,600.00	\$70,300.00	3.99%
E 101-45200-121 PERA	\$17,443.26	\$21,681.00	\$21,805.00	0.57%
E 101-45200-122 FICA	\$20,839.43	\$27,286.00	\$28,155.00	3.18%
E 101-45200-130 Employer Paid Ins	\$48,454.60	\$55,039.00	\$64,300.00	16.83%
E 101-45200-140 Unemployment Comp (GENERAL)	\$546.90	\$0.00	\$0.00	0.00%
E 101-45200-200 Office Supplies (GENERAL)	\$1,082.53	\$1,000.00	\$1,100.00	10.00%
E 101-45200-210 Operating Supplies (GENERAL)	\$5,000.47	\$5,700.00	\$5,700.00	0.00%
E 101-45200-212 Motor Fuels	\$7,843.92	\$7,100.00	\$7,600.00	7.04%
E 101-45200-216 Chemicals and Chem Products	\$1,162.81	\$4,500.00	\$3,500.00	-22.22%
E 101-45200-217 Uniforms	\$1,992.84	\$1,800.00	\$1,800.00	0.00%
E 101-45200-221 Equipment Parts	\$516.72	\$600.00	\$600.00	0.00%
E 101-45200-222 Repair & Maint - Equip	\$7,583.43	\$7,900.00	\$8,100.00	2.53%
E 101-45200-226 Sign Repair Materials	\$0.00	\$2,300.00	\$2,300.00	0.00%
E 101-45200-227 Plantings	\$9,088.84	\$7,100.00	\$7,400.00	4.23%
E 101-45200-229 Dirt, Sand and gravel	\$2,526.00	\$5,200.00	\$4,800.00	-7.69%
E 101-45200-240 Small Tools and Minor Equip	\$3,062.57	\$2,400.00	\$4,600.00	91.67%
E 101-45200-241 Safety equip/testings	\$1,151.18	\$2,000.00	\$1,700.00	-15.00%
E 101-45200-306 Personnel Expense	\$200.00	\$0.00	\$0.00	0.00%
E 101-45200-309 Contractual Services	\$1,950.00	\$0.00	\$0.00	0.00%
E 101-45200-312 Rec Program Fee/Sr. Serv	\$29,363.02	\$44,200.00	\$43,000.00	-2.71%
E 101-45200-316 Weed Control	\$6,399.30	\$8,100.00	\$7,100.00	-12.35%
E 101-45200-323 Radio Units	\$2,250.46	\$2,600.00	\$2,600.00	0.00%
E 101-45200-324 Internet/Web Page	\$0.00	\$2,200.00	\$2,200.00	0.00%
E 101-45200-331 Mileage & Expense Account	\$281.00	\$3,100.00	\$3,100.00	0.00%
E 101-45200-350 Printing & Publishing	\$0.00	\$4,400.00	\$4,400.00	0.00%
E 101-45200-404 Repairs/Maint - Machin/Equip	\$3,225.77	\$5,900.00	\$5,600.00	-5.08%
E 101-45200-409 Maint services & Improv	\$0.00	\$6,600.00	\$6,600.00	0.00%
E 101-45200-415 Other Equipment Rentals	\$1,051.35	\$1,700.00	\$3,300.00	94.12%
E 101-45200-433 Dues, Licensing & Seminars	\$2,939.22	\$6,700.00	\$6,700.00	0.00%
E 101-45200-499 Miscellaneous	\$3,873.47	\$600.00	\$600.00	0.00%
E 101-45200-720 Operating Transfers - Equip.	\$0.00	\$0.00	\$0.00	0.00%
E 101-45200-721 Operating Transfers - Building	\$0.00	\$0.00	\$0.00	0.00%
E 101-45200-723 Operating Transfers - Parks	\$0.00	\$0.00	\$0.00	0.00%
Dept 45200 Parks	\$469,517.67	\$597,783.00	\$621,694.00	4.00%

Account Descr	2016 Amt	2017 Budget	2018 Budget	%Diff from Cur Yr 2017
Dept 45203 Boulevard Maint. And lighting				
E 101-45203-220 Repair/Maint Supply (GENERAL)	\$13,947.08	\$10,000.00	\$14,700.00	47.00%
E 101-45203-381 Electric Utilities	\$50,917.42	\$63,000.00	\$63,800.00	1.27%
E 101-45203-406 Street lights and Signal Maint	\$9,408.07	\$5,000.00	\$9,000.00	80.00%
Dept 45203 Boulevard Maint. And lighting	\$74,272.57	\$78,000.00	\$87,500.00	12.18%

Account Descr	2016 Amt	2017 Budget	2018 Budget	%Diff from Cur Yr 2017
Dept 49200 Unallocated Expenditures				
E 101-49200-212 Motor Fuels	\$0.00	\$0.00	\$0.00	0.00%
E 101-49200-322 Postage	\$14,630.73	\$12,000.00	\$15,000.00	25.00%
E 101-49200-361 General Liability Ins	\$59,809.05	\$100,000.00	\$105,000.00	5.00%
E 101-49200-365 Workers Comp Ins	\$66,193.12	\$60,000.00	\$70,000.00	16.67%
E 101-49200-437 Payments to Organizations	\$10,000.00	\$10,000.00	\$10,000.00	0.00%
E 101-49200-496 Contigencies	\$0.00	\$50,000.00	\$50,000.00	0.00%
E 101-49200-720 Operating Transfers - Equip.	\$715,774.00	\$759,474.00	\$523,950.00	-31.01%
E 101-49200-721 Operating Transfers - Building	\$499,000.00	\$0.00	\$175,000.00	0.00%
E 101-49200-722 Operating Transfers - Streets	\$0.00	\$0.00	\$97,850.00	0.00%
E 101-49200-723 Operating Transfers - Parks	\$130,000.00	\$0.00	\$7,725.00	0.00%
Dept 49200 Unallocated Expenditures	\$1,495,406.90	\$991,474.00	\$1,054,525.00	6.36%

Account Descr	2016 Amt	2017 Budget	2018 Budget	%Diff from Cur Yr 2017
FUND 101 GENERAL FUND	\$6,053,032.80	\$5,877,904.00	\$6,210,629.00	5.66%

CITY OF WAYZATA
Cable TV Fund Rev/Exp Budget Report 2018

Account Descr	2016 PL Amt	2017 Budget	2017 YTD Amt	2018 Budget
Act Type R Revenue				
R 235-00000-36210 Interest Earnings	\$368.92	\$400.00	\$229.78	\$400.00
R 235-00000-38050 franchise Fees	\$65,825.35	\$65,000.00	\$33,062.27	\$65,500.00
Act Type R Revenue	\$66,194.27	\$65,400.00	\$33,292.05	\$65,900.00
Act Type E Expenditure				
E 235-40000-101 Full-Time Employees Regular	-\$24,552.99	-\$26,370.00	-\$15,558.83	-\$28,075.00
E 235-40000-121 PERA	-\$1,841.31	-\$1,978.00	-\$1,167.14	-\$2,105.00
E 235-40000-122 FICA	-\$1,870.53	-\$2,017.00	-\$1,181.25	-\$2,148.00
E 235-40000-130 Employer Paid Ins	-\$5,613.84	-\$4,655.00	-\$2,753.38	-\$5,069.00
E 235-40000-200 Office Supplies (GENERAL)	-\$102.38	-\$200.00	\$0.00	-\$200.00
E 235-40000-210 Operating Supplies (GENERAL)	-\$1,030.35	-\$500.00	\$0.00	-\$500.00
E 235-40000-302 Consultants	-\$19,800.00	-\$20,000.00	-\$11,750.00	-\$20,000.00
E 235-40000-309 Contractual Services	-\$750.00	\$0.00	-\$3,800.00	\$0.00
E 235-40000-331 Mileage & Expense Account	-\$145.10	-\$200.00	-\$156.00	-\$200.00
E 235-40000-404 Repairs/Maint - Machin/Equip	-\$3,364.72	-\$1,000.00	-\$2,137.05	-\$2,500.00
E 235-40000-433 Dues, Licensing & Seminars	-\$4,576.93	-\$5,300.00	-\$7,331.81	-\$3,000.00
E 235-40000-499 Miscellaneous	-\$50.00	-\$500.00	\$0.00	-\$500.00
E 235-40000-540 Equipment	-\$804.35	\$0.00	-\$2,028.00	-\$4,000.00
E 235-40000-720 Operating Transfers - Equip.	-\$12,000.00	-\$5,000.00	\$0.00	-\$5,000.00
Act Type E Expenditure	-\$76,502.50	-\$67,720.00	-\$47,863.46	-\$73,297.00
	-\$10,308.23	-\$2,320.00	-\$14,571.41	-\$7,397.00

CITY OF WAYZATA

Water Fund Rev/Exp Budget Report

Account Descr	2016 Amt	2017 Budget	2017 YTD Amt	2018 Budget
Act Type R Revenue				
R 610-46127-36101 Spec Assess Principal	\$0.00	\$0.00	\$13,107.66	\$0.00
R 610-00000-36101 Spec Assess Principal	\$32,764.00	\$38,000.00	\$0.00	\$35,000.00
R 610-00000-36102 Spec Assess Penalties & Inte	\$302.66	\$0.00	\$0.00	\$0.00
R 610-00000-36210 Interest Earnings	\$28,837.14	\$70,000.00	\$16,745.41	\$35,000.00
R 610-00000-36220 Water Tower Rental	\$74,084.54	\$83,200.00	\$73,695.60	\$83,200.00
R 610-00000-37110 W/S/Storm Sales	\$503,594.73	\$510,000.00	\$290,128.76	\$520,000.00
R 610-00000-37111 Sprinkling	\$129,362.01	\$145,000.00	\$41,582.32	\$130,000.00
R 610-00000-37120 Water Usage Permits-Other	\$344.50	\$0.00	\$23.40	\$0.00
R 610-00000-37130 Service to Other Cities	\$55,451.72	\$63,000.00	\$20,316.22	\$60,000.00
R 610-00000-37140 Meter Sales	\$0.00	\$10,000.00	\$12,313.00	\$10,000.00
R 610-00000-37150 WS Connect/Reconnect Fee	\$5,769.81	\$1,000.00	\$780.00	\$1,500.00
R 610-00000-37155 City s W/S Access Charge	\$225,568.00	\$50,000.00	\$8,056.00	\$20,000.00
R 610-00000-37160 W/S Penalty	\$2,104.95	\$1,000.00	\$848.26	\$1,200.00
R 610-00000-37190 Other Charge/Revenue	\$4,070.53	\$1,000.00	\$1,434.42	\$2,500.00
R 610-00000-39400 Misc.Revenues	\$5,778.00	\$0.00	\$0.00	\$0.00
R 610-00000-39700 Capital Assets transferred	\$0.00	\$0.00	\$0.00	\$0.00
Act Type R Revenue	\$1,068,032.59	\$972,200.00	\$479,031.05	\$898,400.00
Act Type E Expenditure				
E 610-40000-101 Full-Time Employees Regular	-\$189,186.14	-\$209,757.00	-\$113,729.83	-\$219,942.00
E 610-40000-102 Overtime	-\$7,531.32	-\$7,500.00	-\$2,546.81	-\$7,500.00
E 610-40000-103 Part-Time Employees	-\$1,076.63	-\$2,800.00	-\$1,759.58	-\$2,700.00
E 610-40000-121 PERA	-\$14,430.47	-\$14,797.00	-\$8,746.60	-\$15,344.00
E 610-40000-122 FICA	-\$14,169.90	-\$15,295.00	-\$8,847.89	-\$15,853.00
E 610-40000-129 Pension Expense	-\$9,328.00	\$0.00	\$0.00	\$0.00
E 610-40000-130 Employer Paid Ins	-\$33,822.14	-\$35,264.00	-\$19,840.91	-\$38,037.00
E 610-40000-139 OPEB	-\$1,486.00	\$0.00	\$0.00	\$0.00
E 610-40000-200 Office Supplies (GENERAL)	-\$791.43	-\$800.00	-\$552.40	-\$800.00
E 610-40000-210 Operating Supplies (GENERAL)	-\$2,802.66	-\$3,200.00	-\$2,434.65	-\$3,300.00
E 610-40000-211 Meter supplies	-\$22.05	-\$2,700.00	-\$222.40	-\$2,800.00
E 610-40000-212 Motor Fuels	-\$3,916.16	-\$4,700.00	-\$1,996.96	-\$4,000.00
E 610-40000-216 Chemicals and Chem Products	-\$14,912.28	-\$17,400.00	-\$8,913.00	-\$17,600.00
E 610-40000-217 Uniforms	-\$868.70	-\$1,300.00	-\$901.82	-\$1,100.00
E 610-40000-220 Repair/Maint Supply (GENERAL)	\$0.00	\$0.00	-\$107.01	\$0.00
E 610-40000-224 Repair & Maint - Motor Equip	-\$92.74	-\$1,700.00	-\$317.63	-\$1,700.00
E 610-40000-225 Repair & Maint - System	-\$7,992.60	-\$9,100.00	-\$2,214.60	-\$9,300.00
E 610-40000-240 Small Tools and Minor Equip	-\$1,616.70	-\$3,000.00	-\$293.87	-\$2,400.00
E 610-40000-241 Safety equip/testings	-\$708.81	-\$1,000.00	-\$1,251.32	-\$1,100.00
E 610-40000-242 Well & F.P. Equipment	-\$33,686.41	-\$14,100.00	-\$7,504.40	-\$14,600.00
E 610-40000-301 Auditing and Acct g Services	-\$4,500.00	-\$4,500.00	-\$4,500.00	-\$4,500.00
E 610-49100-302 Consultants	-\$2,475.50	\$0.00	\$0.00	\$0.00
E 610-49100-303 Engineering Fees	\$0.00	\$0.00	-\$17,443.67	\$0.00
E 610-40000-303 Engineering Fees	-\$5,491.01	-\$1,100.00	\$0.00	-\$1,100.00
E 610-49100-307 Project Coordinator	-\$25,510.00	\$0.00	-\$1,050.00	\$0.00
E 610-40000-309 Contractual Services	-\$9,721.00	-\$12,400.00	-\$5,002.36	-\$12,500.00
E 610-49100-309 Contractual Services	-\$17,921.73	\$0.00	-\$35,797.16	\$0.00
E 610-40000-310 Plan Review	-\$4,946.75	-\$4,700.00	-\$1,692.86	-\$4,000.00
E 610-40000-313 Permit Fees/Gopher State	-\$1,724.75	-\$1,400.00	-\$650.07	-\$1,500.00
E 610-40000-322 Postage	-\$2,763.04	-\$5,300.00	-\$4,017.46	-\$5,500.00
E 610-40000-323 Radio Units	-\$1,135.56	-\$1,000.00	-\$1,017.19	-\$1,100.00
E 610-40000-331 Mileage & Expense Account	-\$445.32	-\$900.00	-\$107.48	-\$800.00
E 610-40000-361 General Liability Ins	-\$8,200.00	-\$8,200.00	-\$8,200.00	-\$8,200.00
E 610-40000-365 Workers Comp Ins	-\$6,693.50	-\$7,000.00	-\$7,000.00	-\$7,000.00
E 610-40000-381 Electric Utilities	-\$67,956.94	-\$76,000.00	-\$45,479.72	-\$74,000.00
E 610-40000-383 Fuel, oil and natural gas	-\$933.87	-\$4,100.00	-\$777.68	-\$3,500.00

Account Descr	2016 Amt	2017 Budget	2017 YTD Amt	2018 Budget
E 610-40000-401 Repairs/Maint Buildings	\$0.00	-\$500.00	\$0.00	-\$500.00
E 610-40000-404 Repairs/Maint - Machin/Equip	-\$2,417.25	-\$3,500.00	-\$567.56	-\$2,900.00
E 610-49100-405 Maint/Replac - System	-\$12,256.45	\$0.00	-\$2,150.00	\$0.00
E 610-40000-405 Maint/Replac - System	-\$12,757.74	-\$40,000.00	-\$19,007.52	-\$41,100.00
E 610-40000-415 Other Equipment Rentals	\$0.00	-\$900.00	-\$500.00	-\$900.00
E 610-40000-420 Depreciation	-\$186,760.69	\$0.00	\$0.00	\$0.00
E 610-40000-433 Dues, Licensing & Seminars	-\$2,885.98	-\$2,700.00	-\$1,295.00	-\$2,500.00
E 610-40000-499 Miscellaneous	-\$1,057.66	-\$600.00	-\$164.49	-\$600.00
E 610-49100-499 Miscellaneous	-\$300.81	\$0.00	\$0.00	\$0.00
E 610-49100-601 Debt Srv Bond Principal	\$0.00	-\$220,000.00	\$0.00	-\$230,000.00
E 610-49100-611 Bond Interest	-\$159,797.35	-\$155,000.00	-\$77,171.88	-\$148,395.00
E 610-49100-621 Fiscal Agent s Fees	-\$550.00	-\$550.00	-\$100.00	-\$550.00
E 610-49100-710 Interfund Loan Transfers	-\$300,000.00	\$0.00	\$0.00	\$0.00
E 610-40000-720 Operating Transfers - Equip.	-\$32,900.00	-\$34,300.00	\$0.00	-\$35,800.00
E 610-40000-728 Operating Transfers - General	-\$25,000.00	-\$25,000.00	\$0.00	-\$30,000.00
Act Type E Expenditure	-\$1,235,544.04	-\$954,063.00	-\$415,873.78	-\$975,021.00
	-\$167,511.45	\$18,137.00	\$63,157.27	-\$76,621.00

CITY OF WAYZATA

Sewer Fund Rev/Exp Budget Report

Account Descr	2016 Amt	2017 Budget	2017 YTD Amt	2018 Budget
Act Type R Revenue				
R 620-00000-36101 Spec Assess Principal	\$28,184.00	\$25,000.00	\$0.00	\$25,000.00
R 620-00000-36102 Spec Assess Penalties & Inte	\$131.99	\$0.00	\$0.00	\$0.00
R 620-00000-36210 Interest Earnings	\$5,542.22	\$13,000.00	\$4,510.47	\$10,000.00
R 620-00000-37110 W/S/Storm Sales	\$848,440.37	\$900,000.00	\$479,210.62	\$900,000.00
R 620-00000-37130 Service to Other Cities	\$33,742.28	\$47,000.00	\$21,132.48	\$35,000.00
R 620-00000-37150 WS Connect/Reconnect Fee	\$10,565.68	\$4,000.00	\$2,787.65	\$4,000.00
R 620-00000-37155 City s W/S Access Charge	\$66,822.00	\$15,000.00	\$1,806.00	\$10,000.00
R 620-00000-37160 W/S Penalty	\$3,783.07	\$3,000.00	\$1,595.68	\$3,000.00
R 620-00000-37190 Other Charge/Revenue	\$912.00	\$0.00	\$0.00	\$0.00
R 620-00000-39400 Misc.Revenues	\$48,611.07	\$0.00	\$110.00	\$0.00
Act Type R Revenue	\$1,046,734.68	\$1,007,000.00	\$511,152.90	\$987,000.00
Act Type E Expenditure				
E 620-40000-101 Full-Time Employees Regular	-\$189,185.78	-\$209,757.00	-\$113,729.39	-\$219,942.00
E 620-40000-102 Overtime	-\$7,531.22	-\$7,500.00	-\$2,546.70	-\$7,500.00
E 620-40000-103 Part-Time Employees	-\$1,076.61	-\$2,800.00	-\$1,759.55	-\$2,700.00
E 620-40000-121 PERA	-\$14,429.47	-\$14,797.00	-\$8,746.30	-\$15,344.00
E 620-40000-122 FICA	-\$14,169.17	-\$15,295.00	-\$8,847.49	-\$15,853.00
E 620-40000-129 Pension Expense	-\$9,328.00	\$0.00	\$0.00	\$0.00
E 620-40000-130 Employer Paid Ins	-\$33,822.18	-\$35,264.00	-\$19,840.54	-\$38,037.00
E 620-40000-139 OPEB	-\$1,486.00	\$0.00	\$0.00	\$0.00
E 620-40000-200 Office Supplies (GENERAL)	-\$554.07	-\$800.00	-\$448.43	-\$800.00
E 620-40000-210 Operating Supplies (GENERAL)	-\$2,149.38	-\$3,200.00	-\$1,789.95	-\$3,300.00
E 620-40000-211 Meter supplies	-\$22.05	-\$2,700.00	-\$221.90	-\$2,800.00
E 620-40000-212 Motor Fuels	-\$3,916.15	-\$4,700.00	-\$1,996.95	-\$4,000.00
E 620-40000-217 Uniforms	-\$869.68	-\$1,300.00	-\$912.91	-\$1,100.00
E 620-40000-220 Repair/Maint Supply (GENERAL)	\$0.00	\$0.00	\$0.00	\$0.00
E 620-40000-224 Repair & Maint - Motor Equip	-\$639.90	-\$2,100.00	-\$346.82	-\$1,700.00
E 620-40000-225 Repair & Maint - System	-\$8,598.27	-\$10,200.00	-\$4,324.38	-\$11,300.00
E 620-40000-240 Small Tools and Minor Equip	-\$1,765.90	-\$3,200.00	-\$674.96	-\$2,100.00
E 620-40000-241 Safety equip/testings	-\$708.79	-\$1,000.00	-\$1,251.93	-\$1,100.00
E 620-40000-301 Auditing and Acct g Services	-\$4,500.00	-\$4,500.00	-\$4,500.00	-\$4,500.00
E 620-49100-302 Consultants	\$0.00	\$0.00	\$0.00	\$0.00
E 620-40000-303 Engineering Fees	\$0.00	-\$1,100.00	-\$1,270.08	-\$1,100.00
E 620-49100-307 Project Coordinator	-\$9,855.00	\$0.00	-\$4,760.00	\$0.00
E 620-49100-309 Contractual Services	-\$18,549.36	\$0.00	-\$89,409.25	\$0.00
E 620-40000-313 Permit Fees/Gopher State	-\$1,724.75	-\$1,400.00	-\$650.08	-\$1,500.00
E 620-40000-322 Postage	-\$9,000.00	-\$5,300.00	-\$6,000.00	-\$5,500.00
E 620-40000-323 Radio Units	-\$446.20	-\$1,000.00	-\$613.87	-\$1,100.00
E 620-40000-331 Mileage & Expense Account	-\$178.85	-\$900.00	-\$182.63	-\$600.00
E 620-40000-361 General Liability Ins	-\$8,200.00	-\$8,200.00	-\$8,200.00	-\$8,200.00
E 620-40000-365 Workers Comp Ins	-\$6,693.50	-\$5,600.00	-\$5,600.00	-\$5,600.00
E 620-40000-381 Electric Utilities	-\$11,465.68	-\$16,000.00	-\$9,352.41	-\$16,000.00
E 620-40000-386 Other Utilities	-\$457,993.91	-\$513,700.00	-\$342,459.04	-\$531,192.00
E 620-40000-404 Repairs/Maint - Machin/Equip	-\$4,260.47	-\$3,900.00	-\$567.56	-\$3,400.00
E 620-40000-405 Maint/Replac - System	-\$8,369.49	-\$16,000.00	-\$175.00	-\$16,500.00
E 620-49100-405 Maint/Replac - System	-\$8,331.00	\$0.00	\$0.00	\$0.00
E 620-40000-409 Maint services & Improv	-\$6,051.84	-\$13,900.00	\$0.00	-\$5,600.00
E 620-40000-415 Other Equipment Rentals	\$0.00	-\$400.00	\$0.00	-\$400.00
E 620-40000-420 Depreciation	-\$114,988.52	\$0.00	\$0.00	\$0.00
E 620-40000-433 Dues, Licensing & Seminars	-\$2,877.97	-\$2,800.00	-\$3,036.63	-\$2,500.00
E 620-40000-499 Miscellaneous	-\$117.76	-\$600.00	-\$223.25	-\$600.00
E 620-49100-499 Miscellaneous	-\$254.59	\$0.00	\$0.00	\$0.00
E 620-49100-601 Debt Srv Bond Principal	\$0.00	-\$35,000.00	\$0.00	-\$35,000.00
E 620-49100-611 Bond Interest	-\$12,391.33	-\$11,750.00	-\$5,875.00	-\$11,550.00

Account Descr	2016 Amt	2017 Budget	2017 YTD Amt	2018 Budget
E 620-49100-621 Fiscal Agent s Fees	-\$450.00	-\$550.00	\$0.00	-\$450.00
E 620-40000-720 Operating Transfers - Equip.	-\$44,100.00	-\$46,000.00	\$0.00	-\$47,900.00
E 620-40000-728 Operating Transfers - General	-\$25,000.00	-\$25,000.00	\$0.00	-\$30,000.00
Act Type E Expenditure	-\$1,046,052.84	-\$1,028,213.00	-\$650,313.00	-\$1,056,768.00
	\$681.84	-\$21,213.00	-\$139,160.10	-\$69,768.00

CITY OF WAYZATA
Solid Waste Fund Rev/Exp Budget Report

Account Descr	2016 PL Amt	2017 Budget	2017 YTD Amt	2018 Budget
Act Type R Revenue				
R 650-00000-33495 Henn.Cnty. Grants	\$2,561.00	\$0.00	\$0.00	\$0.00
R 650-00000-33700 HC Recycling Reimb	\$21,452.00	\$10,500.00	\$0.00	\$10,000.00
R 650-00000-36210 Interest Earnings	\$1,621.53	\$2,000.00	\$1,476.60	\$3,000.00
R 650-00000-37160 W/S Penalty	\$1,734.49	\$1,500.00	\$714.23	\$1,200.00
R 650-00000-37510 GARB (TAXABLE)	\$194,392.18	\$192,600.00	\$114,270.72	\$212,000.00
R 650-00000-37520 RECYC (NONTAX)	\$122,639.79	\$130,300.00	\$74,932.65	\$130,000.00
R 650-00000-37530 Additional Can	\$2,441.95	\$2,000.00	\$1,542.16	\$2,500.00
Act Type R Revenue	\$346,842.94	\$338,900.00	\$192,936.36	\$358,700.00
Act Type E Expenditure				
E 650-47600-101 Full-Time Employees Regular	-\$17,813.94	-\$17,735.00	-\$11,693.48	-\$18,744.00
E 650-47600-121 PERA	-\$1,336.81	-\$1,486.00	-\$876.33	-\$1,565.00
E 650-47600-122 FICA	-\$1,287.46	-\$1,516.00	-\$869.68	-\$1,596.00
E 650-47600-129 Pension Expense	-\$2,184.00	\$0.00	\$0.00	\$0.00
E 650-47600-130 Employer Paid Ins	-\$2,993.34	-\$3,254.00	-\$2,042.85	-\$3,510.00
E 650-47600-139 OPEB	-\$132.00	\$0.00	\$0.00	\$0.00
E 650-47500-230 Trash Receptacles	\$0.00	\$0.00	\$0.00	\$0.00
E 650-47700-309 Contractual Services	-\$3,688.00	-\$3,700.00	\$0.00	-\$3,700.00
E 650-47600-309 Contractual Services	-\$47,102.58	-\$47,000.00	-\$27,585.90	-\$47,000.00
E 650-47600-350 Printing & Publishing	-\$1,901.05	\$0.00	\$0.00	\$0.00
E 650-47800-384 Refuse/Garbage Disposal	-\$77,753.76	-\$78,000.00	-\$45,882.69	-\$78,000.00
E 650-47500-384 Refuse/Garbage Disposal	-\$133,340.26	-\$130,000.00	-\$78,876.82	-\$133,000.00
E 650-47800-386 Other Utilities	-\$549.30	-\$500.00	-\$319.65	-\$500.00
E 650-47500-386 Other Utilities	-\$48,754.33	-\$40,000.00	-\$27,608.90	-\$45,000.00
E 650-47500-499 Miscellaneous	-\$19,065.71	-\$16,000.00	-\$9,055.55	-\$12,500.00
Act Type E Expenditure	-\$357,902.54	-\$339,191.00	-\$204,811.85	-\$345,115.00
	-\$11,059.60	-\$291.00	-\$11,875.49	\$13,585.00

CITY OF WAYZATA

Stormwater Fund Rev/Exp Budget Report

Account Descr	2016 Amt	2017 Budget	2017 YTD Amt	2018 Budget
Act Type R Revenue				
R 670-00000-33422 Misc State Aid Grants	\$36,500.00	\$0.00	\$0.00	\$0.00
R 670-00000-36210 Interest Earnings	\$3,816.74	\$4,500.00	\$4,382.94	\$5,000.00
R 670-00000-37110 W/S/Storm Sales	\$273,815.81	\$280,000.00	\$162,437.93	\$290,000.00
R 670-00000-39200 Interfund Operating Transfer	\$50,000.00	\$0.00	\$0.00	\$50,000.00
R 670-00000-39400 Misc.Revenues	\$91.65	\$0.00	\$0.00	\$0.00
R 670-40000-39700 Capital Assets transferred	\$0.00	\$0.00	\$0.00	\$0.00
Act Type R Revenue	\$364,224.20	\$284,500.00	\$166,820.87	\$345,000.00
Act Type E Expenditure				
E 670-40000-101 Full-Time Employees Regular	-\$21,702.04	-\$22,382.00	-\$12,449.02	-\$22,932.00
E 670-40000-121 PERA	-\$1,627.71	-\$1,679.00	-\$912.88	-\$1,720.00
E 670-40000-122 FICA	-\$1,658.70	-\$1,712.00	-\$947.53	-\$1,754.00
E 670-40000-129 Pension Expense	-\$2,962.00	\$0.00	\$0.00	\$0.00
E 670-40000-130 Employer Paid Ins	-\$4,034.99	-\$3,631.00	-\$2,092.93	-\$3,953.00
E 670-40000-139 OPEB	-\$175.00	\$0.00	\$0.00	\$0.00
E 670-40000-210 Operating Supplies (GENERAL)	\$0.00	\$0.00	-\$599.00	-\$400.00
) E 670-49100-302 Consultants	-\$7,904.75	\$0.00	\$274.75	\$0.00
E 670-40000-302 Consultants	-\$10,605.00	\$0.00	-\$17,206.00	-\$15,000.00
E 670-49100-303 Engineering Fees	\$0.00	\$0.00	\$0.00	\$0.00
E 670-40000-303 Engineering Fees	-\$955.50	\$0.00	-\$773.50	-\$1,000.00
E 670-49100-307 Project Coordinator	-\$16,585.00	\$0.00	-\$5,990.00	\$0.00
E 670-49100-309 Contractual Services	-\$1,386.06	\$0.00	\$0.00	\$0.00
E 670-40000-409 Maint services & Improv	\$172.71	-\$5,000.00	-\$2,458.90	-\$5,000.00
E 670-40000-420 Depreciation	-\$100,595.10	\$0.00	\$0.00	\$0.00
E 670-40000-499 Miscellaneous	-\$1,753.65	-\$1,000.00	-\$1,109.68	-\$1,000.00
E 670-40000-722 Operating Transfers - Streets	-\$53,000.00	-\$53,000.00	\$0.00	-\$53,000.00
E 670-40000-728 Operating Transfers - General	-\$10,000.00	-\$10,000.00	\$0.00	-\$10,000.00
Act Type E Expenditure	-\$234,772.79	-\$98,404.00	-\$44,264.69	-\$115,759.00
	\$129,451.41	\$186,096.00	\$122,556.18	\$229,241.00

CITY OF WAYZATA

Motor Vehicle 2018 Budget

Account Descr	2016 PL Amt	2017 Budget	2017 YTD Amt	2018 Budget
Act Type R Revenue				
R 630-00000-34111 Motor Vehicle Commissions	\$456,724.00	\$430,000.00	\$268,370.25	\$400,000.00
R 630-00000-34190 Charges for Services/Gen Go	\$5,221.59	\$6,500.00	\$2,462.69	\$5,500.00
R 630-00000-36210 Interest Earnings	\$877.64	\$500.00	\$1,227.56	\$800.00
R 630-00000-37190 Other Charge/Revenue	\$90,568.00	\$90,000.00	\$57,277.00	\$95,000.00
Act Type R Revenue	\$553,391.23	\$527,000.00	\$329,337.50	\$501,300.00
Act Type E Expenditure				
E 630-40000-101 Full-Time Employees Regular	-\$195,746.24	-\$201,129.00	-\$120,595.22	-\$261,307.00
E 630-40000-102 Overtime	-\$2,549.30	\$0.00	-\$2,250.34	\$0.00
E 630-40000-103 Part-Time Employees	-\$42,322.55	-\$66,043.00	-\$32,366.20	-\$37,700.00
E 630-40000-121 PERA	-\$17,847.68	-\$20,038.00	-\$11,622.09	-\$22,336.00
E 630-40000-122 FICA	-\$17,101.50	-\$20,439.00	-\$11,342.51	-\$22,782.00
E 630-40000-129 Pension Expense	-\$28,303.00	\$0.00	\$0.00	\$0.00
E 630-40000-130 Employer Paid Ins	-\$48,660.48	-\$46,452.00	-\$27,177.78	-\$64,761.00
E 630-40000-139 OPEB	-\$2,138.00	\$0.00	\$0.00	\$0.00
E 630-40000-200 Office Supplies (GENERAL)	-\$1,080.47	-\$1,500.00	-\$1,191.83	-\$2,000.00
E 630-40000-210 Operating Supplies (GENERAL)	-\$2,306.24	-\$2,500.00	-\$1,497.97	-\$2,500.00
E 630-40000-301 Auditing and Acct g Services	-\$1,000.00	-\$1,000.00	-\$1,000.00	-\$1,000.00
E 630-40000-331 Mileage & Expense Account	-\$1,195.85	-\$1,500.00	-\$360.72	-\$1,000.00
E 630-40000-361 General Liability Ins	-\$1,000.00	-\$1,000.00	-\$1,000.00	-\$1,000.00
E 630-40000-365 Workers Comp Ins	-\$500.00	-\$500.00	-\$500.00	-\$500.00
E 630-40000-404 Repairs/Maint - Machin/Equip	-\$410.50	-\$250.00	-\$666.76	-\$250.00
E 630-40000-431 Cash Over/Short	-\$131.58	-\$250.00	-\$536.68	-\$250.00
E 630-40000-433 Dues, Licensing & Seminars	-\$1,152.50	-\$1,000.00	-\$694.65	-\$1,500.00
E 630-40000-498 Payment on Bad Cks	\$1,307.33	-\$200.00	\$320.00	-\$200.00
E 630-40000-499 Miscellaneous	-\$2,749.88	-\$2,500.00	-\$1,596.28	-\$2,500.00
E 630-40000-540 Equipment	-\$1,230.59	-\$4,000.00	-\$2,149.04	-\$3,000.00
E 630-40000-721 Operating Transfers - Building	-\$25,000.00	-\$25,000.00	-\$179,800.00	\$0.00
E 630-40000-728 Operating Transfers - General	-\$30,000.00	-\$30,000.00	\$0.00	-\$55,000.00
Act Type E Expenditure	-\$421,119.03	-\$425,301.00	-\$396,028.07	-\$479,586.00
	\$132,272.20	\$101,699.00	-\$66,690.57	\$21,714.00

CITY OF WAYZATA

Liquor Store Fund Rev/Exp Budget Report

Account Descr	2016 PL Amt	2017 Budget	2017 YTD Amt	2018 Budget
Act Type R Revenue				
R 640-00000-37301 Store Liquor Sales	\$720,995.74	\$756,400.00	\$391,588.96	\$756,400.00
R 640-00000-37302 Store Wine Sales	\$1,488,390.38	\$1,236,000.00	\$805,339.53	\$1,236,000.00
R 640-00000-37303 Store Beer Sales	\$608,382.39	\$566,500.00	\$359,109.93	\$566,500.00
R 640-00000-37304 Store Misc. Sales	\$95,679.64	\$77,200.00	\$61,325.46	\$77,200.00
Act Type R Revenue	\$2,913,448.15	\$2,636,100.00	\$1,617,363.88	\$2,636,100.00
Act Type E Expenditure				
E 640-47000-101 Full-Time Employees Regular	-\$77,436.89	-\$77,365.00	-\$49,179.28	-\$117,842.00
E 640-47000-102 Overtime	\$0.00	-\$1,000.00	-\$43.45	-\$1,500.00
E 640-47000-103 Part-Time Employees	-\$126,203.60	-\$129,792.00	-\$70,349.80	-\$115,000.00
E 640-47000-121 PERA	-\$14,732.65	-\$15,107.00	-\$8,915.23	-\$17,028.00
E 640-47000-122 FICA	-\$15,018.23	-\$15,409.00	-\$9,091.17	-\$17,369.00
E 640-47000-130 Employer Paid Ins	-\$16,017.77	-\$29,221.00	-\$17,061.09	-\$31,170.00
E 640-47000-200 Office Supplies (GENERAL)	-\$905.33	-\$2,000.00	-\$421.27	-\$1,000.00
E 640-47000-210 Operating Supplies (GENERAL)	-\$6,557.09	-\$5,000.00	-\$3,263.13	-\$5,000.00
E 640-47000-212 Motor Fuels	-\$244.03	-\$400.00	-\$124.72	-\$400.00
E 640-47000-251 Liquor For Resale	-\$559,254.01	-\$540,750.00	-\$349,859.40	-\$540,750.00
E 640-47000-252 Wine For Resale	-\$1,037,622.20	-\$865,200.00	-\$606,011.19	-\$865,200.00
E 640-47000-253 Beer For Resale	-\$465,988.64	-\$419,200.00	-\$296,847.41	-\$419,200.00
E 640-47000-254 Soft Drinks/Mix For Resale	-\$29,321.06	-\$30,900.00	-\$22,250.93	-\$30,900.00
E 640-47000-256 MISC.MDSE.RESALE	-\$35,738.83	-\$21,600.00	-\$22,918.77	-\$21,600.00
E 640-47000-259 Freight	-\$19,634.36	-\$19,000.00	-\$11,279.34	-\$19,000.00
E 640-47000-301 Auditing and Acct g Services	-\$8,820.84	-\$9,500.00	-\$6,789.50	-\$9,500.00
E 640-47000-306 Personnel Expense	-\$1,274.17	-\$2,000.00	-\$1,138.71	-\$2,000.00
E 640-47000-321 Telephone	-\$1,200.00	-\$1,200.00	-\$700.00	-\$1,200.00
E 640-47000-331 Mileage & Expense Account	-\$180.25	-\$2,000.00	\$0.00	-\$1,000.00
E 640-47000-340 Advertising	-\$19,200.43	-\$25,000.00	-\$7,287.26	-\$20,000.00
E 640-47000-341 General Promotions	-\$36,790.08	-\$35,000.00	-\$21,773.59	-\$35,000.00
E 640-47000-361 General Liability Ins	-\$8,504.00	-\$6,800.00	-\$10,923.00	-\$10,000.00
E 640-47000-365 Workers Comp Ins	-\$8,000.00	-\$6,900.00	-\$6,900.00	-\$6,900.00
E 640-47000-381 Electric Utilities	-\$16,139.75	-\$18,000.00	-\$11,782.78	-\$18,000.00
E 640-47000-383 Fuel, oil and natural gas	-\$2,191.05	-\$5,500.00	-\$1,857.04	-\$3,500.00
E 640-47000-384 Refuse/Garbage Disposal	-\$1,800.00	-\$2,000.00	-\$900.00	-\$1,600.00
E 640-47000-401 Repairs/Maint Buildings	-\$2,702.60	-\$7,000.00	-\$165.80	-\$7,000.00
E 640-47000-404 Repairs/Maint - Machin/Equip	-\$8,348.10	-\$7,000.00	-\$2,057.13	-\$7,000.00
E 640-47000-409 Maint services & Improv	-\$1,736.72	-\$11,000.00	-\$448.11	-\$7,000.00
E 640-47000-433 Dues, Licensing & Seminars	-\$4,528.49	-\$4,000.00	-\$2,726.51	-\$4,000.00
E 640-47000-497 Credit Card Fees	-\$59,944.62	-\$58,300.00	-\$36,514.94	-\$57,000.00
E 640-47000-499 Miscellaneous	-\$226.31	-\$3,000.00	\$0.00	-\$3,000.00
E 640-47000-601 Debt Srv Bond Principal	\$0.00	-\$85,245.00	\$0.00	-\$55,000.00
E 640-47000-611 Bond Interest	\$0.00	-\$60,490.00	\$0.00	-\$58,840.00
E 640-47000-621 Fiscal Agent s Fees	\$0.00	-\$400.00	\$0.00	-\$450.00
E 640-47000-710 Interfund Loan Transfers	\$0.00	-\$14,208.00	\$0.00	-\$8,733.00
E 640-47000-728 Operating Transfers - General	-\$17,850.00	-\$15,000.00	\$0.00	-\$95,000.00
Act Type E Expenditure	-\$2,604,112.10	-\$2,551,487.00	-\$1,579,580.55	-\$2,614,682.00
	\$309,336.05	\$84,613.00	\$37,783.33	\$21,418.00

CITY OF WAYZATA

Liquor Bar Fund Rev/Exp Budget Report

Account Descr	2016 Amt	2017 Budget	2017 YTD Amt	2018 Budget
Act Type R Revenue				
R 640-00000-36210 Interest Earnings	\$5,479.82	\$0.00	\$6,679.68	\$0.00
R 640-00000-37399 Store Misc. Revenues	\$60.00	\$0.00	\$0.00	\$0.00
R 640-00000-38301 Bar Liquor Sales	\$347,730.67	\$330,000.00	\$218,283.00	\$350,000.00
R 640-00000-38302 Bar Wine Sales	\$169,350.06	\$160,000.00	\$97,212.96	\$185,000.00
R 640-00000-38303 Bar Beer Sales	\$656,357.68	\$632,000.00	\$391,278.99	\$700,000.00
R 640-00000-38304 Bar Beverages	\$107,728.54	\$110,000.00	\$60,108.68	\$125,000.00
R 640-00000-38305 Bar Food Sales	\$1,670,374.77	\$1,630,000.00	\$1,039,671.23	\$1,700,000.00
R 640-00000-38306 Bar Merchandise Sales	\$1,306.62	\$1,500.00	\$1,095.32	\$1,500.00
R 640-00000-38310 2FOR1 Food Coupons	-\$26,941.90	-\$25,000.00	-\$19,460.82	-\$27,500.00
R 640-00000-38320 Rent Income	\$6,000.00	\$6,000.00	\$3,500.00	\$6,000.00
R 640-00000-38362 ATM Fees	\$7,101.47	\$6,000.00	\$5,196.41	\$7,500.00
R 640-00000-38370 Vendor Rebates - BAR	\$2,102.83	\$1,500.00	\$1,120.25	\$1,500.00
R 640-00000-39400 Misc.Revenues	\$4,391.68	\$6,000.00	\$0.00	\$6,000.00
Act Type R Revenue	\$2,951,042.24	\$2,858,000.00	\$1,804,685.70	\$3,055,000.00
Act Type E Expenditure				
E 640-48000-101 Full-Time Employees Regular	-\$180,234.98	-\$191,716.00	-\$99,539.34	-\$199,596.00
E 640-48500-101 Full-Time Employees Regular	\$0.00	\$0.00	\$0.00	\$0.00
E 640-48500-102 Overtime	-\$56,488.49	-\$50,000.00	-\$43,638.48	-\$60,000.00
E 640-48000-102 Overtime	-\$3,470.77	\$0.00	-\$6,436.62	\$0.00
E 640-48500-103 Part-Time Employees	-\$403,060.21	-\$400,000.00	-\$253,263.73	-\$410,000.00
E 640-48000-103 Part-Time Employees	-\$349,968.17	-\$310,000.00	-\$220,668.00	-\$310,000.00
E 640-48500-121 PERA	-\$29,205.11	-\$33,750.00	-\$21,684.25	-\$35,250.00
E 640-48000-121 PERA	-\$34,787.85	-\$37,629.00	-\$21,928.90	-\$38,468.00
E 640-48500-122 FICA	-\$35,321.58	-\$34,425.00	-\$23,210.59	-\$35,955.00
E 640-48000-122 FICA	-\$74,347.22	-\$76,631.00	-\$46,457.04	-\$78,575.00
E 640-48500-130 Employer Paid Ins	-\$33,898.00	-\$27,900.00	-\$10,857.00	-\$44,460.00
E 640-48000-130 Employer Paid Ins	-\$73,754.33	-\$60,435.00	-\$33,049.82	-\$81,084.00
E 640-48000-139 OPEB	-\$4,730.00	\$0.00	\$0.00	\$0.00
E 640-48000-140 Unemployment Comp (GENERAL)	\$0.00	\$0.00	\$0.00	\$0.00
E 640-48000-200 Office Supplies (GENERAL)	-\$1,688.73	-\$4,250.00	-\$716.63	-\$3,000.00
E 640-48000-210 Operating Supplies (GENERAL)	-\$20,949.79	-\$20,000.00	-\$18,652.54	-\$25,000.00
E 640-48500-210 Operating Supplies (GENERAL)	-\$56,436.01	-\$45,000.00	-\$32,170.73	-\$50,000.00
E 640-48000-217 Uniforms	-\$2,016.07	-\$4,000.00	-\$1,164.50	-\$2,000.00
E 640-48500-217 Uniforms	-\$6,623.19	-\$4,000.00	-\$5,592.92	-\$6,000.00
E 640-48000-251 Liquor For Resale	-\$68,730.67	-\$72,600.00	-\$44,569.25	-\$77,000.00
E 640-48000-252 Wine For Resale	-\$38,566.24	-\$35,200.00	-\$21,421.55	-\$40,700.00
E 640-48000-253 Beer For Resale	-\$148,102.78	-\$139,040.00	-\$89,890.73	-\$154,000.00
E 640-48000-254 Soft Drinks/Mix For Resale	-\$15,548.33	-\$27,500.00	-\$16,283.91	-\$17,500.00
E 640-48500-255 FOODIngredients For Resale	-\$581,131.81	-\$570,500.00	-\$392,588.17	-\$606,250.00
E 640-48000-255 FOODIngredients For Resale	-\$7,219.14	\$0.00	\$0.00	\$0.00
E 640-48000-256 MISC.MDSE.RESALE	-\$136.80	\$0.00	\$0.00	\$0.00
E 640-48000-301 Auditing and Acct g Services	-\$8,820.82	-\$15,000.00	-\$6,789.50	-\$15,000.00
E 640-48000-302 Consultants	\$0.00	\$0.00	\$0.00	\$0.00
E 640-48000-306 Personnel Expense	-\$1,015.33	-\$2,500.00	-\$393.54	-\$2,500.00
E 640-48000-321 Telephone	-\$1,200.00	-\$1,200.00	-\$700.00	-\$1,200.00
E 640-48000-331 Mileage & Expense Account	-\$22.06	\$0.00	-\$25.00	\$0.00
E 640-48000-340 Advertising	-\$7,943.02	-\$25,000.00	-\$3,544.63	-\$20,000.00
E 640-48000-341 General Promotions	-\$48,816.09	-\$40,000.00	-\$15,970.24	-\$50,000.00
E 640-48000-342 Promotions - Food/Drinks	-\$5,010.05	-\$8,000.00	-\$4,602.99	-\$7,500.00
E 640-48000-361 General Liability Ins	-\$16,925.00	-\$16,925.00	-\$17,151.00	-\$17,500.00
E 640-48000-365 Workers Comp Ins	-\$34,000.00	-\$34,000.00	-\$34,000.00	-\$34,000.00

Account Descr	2016 Amt	2017 Budget	2017 YTD Amt	2018 Budget
E 640-48000-381 Electric Utilities	-\$37,659.41	-\$40,000.00	-\$27,557.84	-\$37,500.00
E 640-48000-383 Fuel, oil and natural gas	-\$8,764.08	-\$15,000.00	-\$7,428.13	-\$12,500.00
E 640-48000-384 Refuse/Garbage Disposal	-\$5,233.37	-\$5,150.00	-\$3,633.69	-\$5,250.00
E 640-49100-401 Repairs/Maint Buildings	\$0.00	\$0.00	-\$15,589.95	\$0.00
E 640-48000-401 Repairs/Maint Buildings	-\$7,569.86	-\$8,000.00	-\$2,303.23	-\$8,000.00
E 640-48000-404 Repairs/Maint - Machin/Equip	-\$22,271.32	-\$28,000.00	-\$9,688.51	-\$25,000.00
E 640-48500-404 Repairs/Maint - Machin/Equip	-\$8,096.80	-\$5,500.00	-\$7,882.48	-\$5,500.00
E 640-48000-409 Maint services & Improv	-\$39,339.25	-\$34,000.00	-\$29,190.66	-\$40,000.00
E 640-48000-415 Other Equipment Rentals	-\$7,226.43	-\$5,700.00	-\$2,988.70	-\$7,000.00
E 640-48500-415 Other Equipment Rentals	-\$2,760.89	-\$2,575.00	-\$1,259.42	\$0.00
E 640-49100-420 Depreciation	-\$132,726.99	\$0.00	\$0.00	\$0.00
E 640-48000-431 Cash Over/Short	\$106.00	\$0.00	-\$7.03	-\$100.00
E 640-48000-433 Dues, Licensing & Seminars	-\$6,357.25	-\$6,500.00	-\$4,503.22	-\$6,500.00
E 640-48000-497 Credit Card Fees	-\$68,103.46	-\$56,000.00	-\$43,007.53	-\$68,500.00
E 640-48500-499 Miscellaneous	\$0.00	\$0.00	\$0.00	\$0.00
E 640-49100-499 Miscellaneous	\$0.00	\$0.00	\$0.00	\$0.00
E 640-48000-499 Miscellaneous	-\$3,734.62	-\$1,600.00	-\$128.00	-\$5,000.00
E 640-49100-540 Equipment	-\$6,440.53	\$0.00	-\$37,294.77	\$0.00
E 640-48500-540 Equipment	-\$307.41	\$0.00	\$0.00	\$0.00
E 640-48000-540 Equipment	-\$481.24	\$0.00	\$0.00	\$0.00
E 640-49100-560 Furniture and Fixtures	-\$4,857.55	\$0.00	-\$4,128.62	\$0.00
E 640-48000-601 Debt Srv Bond Principal	\$0.00	-\$85,245.00	\$0.00	-\$55,000.00
E 640-49100-611 Bond Interest	-\$123,867.51	\$0.00	-\$60,490.00	\$0.00
E 640-48000-611 Bond Interest	\$0.00	-\$60,490.00	\$0.00	-\$58,840.00
E 640-49100-621 Fiscal Agent s Fees	-\$450.00	\$0.00	-\$450.00	\$0.00
E 640-48000-621 Fiscal Agent s Fees	\$0.00	-\$400.00	\$0.00	-\$450.00
E 640-48000-710 Interfund Loan Transfers	\$0.00	-\$14,208.00	\$0.00	-\$8,733.00
E 640-49100-722 Operating Transfers - Streets	\$0.00	\$0.00	\$0.00	\$0.00
E 640-48000-728 Operating Transfers - General	-\$15,000.00	-\$15,000.00	\$0.00	-\$95,000.00
Act Type E Expenditure	-\$2,851,310.61	-\$2,670,569.00	-\$1,744,493.38	-\$2,861,411.00
	\$99,731.63	\$187,431.00	\$60,192.32	\$193,589.00

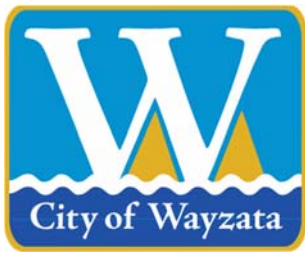
Proposed CIP Projects for 2018

Fund	Project Description	CIP Estimate		Financing Sources					Special Assessment
		General Fund	State	County	Bonds	Development	Misc.	TIF	
General Fund	Street Light Replacement (LK SH Lake Effect) - 11 poles (\$7,000 ea; includes install.)	\$ 81,700.00	-	-	-	-	-	-	-
	Street Light Replacement (LK SH Lake Effect) - 38 poles (\$6,000 each; includes install.)	\$ 258,500.00	-	-	-	-	-	196,800.00	-
	Building Maintenance-All City Buildings-Misc 2018	\$ 26,100.00	-	-	-	-	-	-	-
	Sidewalk Repairs/Replacement-2018	\$ 56,300.00	-	-	-	-	-	-	-
	Replace Wooden Retaining Walls-E & W of Benton on Way, Blvd w/Modular Blocks	\$ 33,400.00	-	-	-	-	-	-	-
	Boiler (1) Replacement-City Hall	\$ 57,100.00	-	-	-	-	-	-	-
	MV-Office Expansion Study	\$ -	-	-	-	-	-	-	-
	LK ST SIDEWALK REPLACEMENT; FERNDALE TO BROADWAY (600 Block Not Done)	\$ 165,000.00	-	-	-	-	-	474,200.00	-
	Replace Office Furniture	\$ 28,200.00	-	-	-	-	-	-	-
	Upgrade Ventilation System in PW Garage-Phase I	\$ 28,200.00	-	-	-	-	-	-	-
Streets Fund	Boiler Pipe Repairs	\$ 17,400.00	-	-	-	-	-	-	-
	Depot-Interior Restoration	\$ 41,700.00	-	-	-	-	-	-	-
	Road Master House-Repainting of Building Exterior	\$ -	-	-	-	-	-	-	-
	Road Master House-Replacement of Furnace	\$ -	-	-	-	-	-	-	-
	Road Master House-Reroof of Building	\$ -	-	-	-	-	-	-	-
	Subtotal:	\$ 793,600	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 671,000	\$ -
Parks and Trails Improvement Fund	2018: Miscellaneous Streets & Sealcoats (Lake Effect)	\$ 430,400.00	-	-	-	-	-	-	-
	Grove Ln (Street Improvements: two way & parking)-2018	\$ 147,700.00	-	-	-	-	-	-	-
	Lake Street-600 Block (Lake Effect)	\$ 336,900.00	-	-	-	-	-	-	-
	Superior Blvd & Lake St Improvement, Superior Blvd, (Rice St to Wayzata Blvd)-Place Holder for now	\$ -	-	-	-	-	-	-	-
	Replace Street Signs Throughout City	\$ 53,100.00	-	-	-	-	-	-	-
	Subtotal:	\$ 968,100	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Lakefront Improvement Fund	Bushway Landscape Maintenance	\$ 28,700.00	-	-	-	-	-	-	-
	Planting, Removal, & Management of City Trees (Including Est. EAB Management) 2018	\$ 63,600.00	-	-	-	-	-	-	-
	Wayfinding Signs-Phase 4 Park Signage	\$ 41,300.00	-	-	-	-	-	-	-
	Adirondack Seating for City Parks-2018	\$ 4,200.00	-	-	-	-	-	-	-
	Parks & Trails Master Plan (In City's Strategic Plan) (including Study of Nature Center)	\$ -	-	-	-	-	-	-	-
	Platform Tennis Paddle Ball Courts (2) @ Klappich Park	\$ 285,300.00	-	-	-	-	140,299.93	-	-
	Sunday Concerts in the Park (Klappich Park)	\$ 6,200.00	-	-	-	-	-	-	-
	Subtotal:	\$ 409,300	\$ -	\$ -	\$ -	\$ -	\$ 140,300	\$ -	\$ -
Stormwater Improvement Fund	Bovey Rd.-South Of Peavey La.: Cul De Sac Ditch Repairs cause of erosion.	\$ 19,800.00	-	-	-	-	-	-	-
	Clean Ditch on N Side of Shoreline Dr. from Box Culvert to west	\$ 20,600.00	-	-	-	-	-	-	-
	Replace Storm Sewer at Klappich Park	\$ 83,600.00	-	-	-	-	-	-	-
	Villa Pond Outlet	\$ 45,400.00	-	-	-	-	-	-	-
	Wetland Bank Site (N. Broadway Site) Phase 2 (from 2011-2017)	\$ 29,800.00	-	-	-	-	-	-	-
	Lakeside Pond Maintenance Excavation	\$ 107,600.00	-	-	-	-	-	-	-
	Hollybrook Rd Pond Maintenance Excavation	\$ 77,200.00	-	-	-	-	-	-	-
	Subtotal:	\$ 384,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Sewer Improvement Fund	REPAINT EXISTING WATER TOWER	\$ 646,700.00	-	-	-	-	-	-	-
	Subtotal:	\$ 646,700	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Liquor Store Enterprise Fund	Repair / Upgrade of Sewer Lines-2018	\$ 16,000.00	-	-	-	-	-	-	-
	Subtotal:	\$ 16,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Library Fund	Audio/Video Systems (TV's)	\$ 45,700.00	-	-	-	-	-	-	-
	Delivery Vehicle	\$ 26,600.00	-	-	-	-	-	-	-
	Munit Network	\$ 24,400.00	-	-	-	-	-	-	-
	Patio Furniture	\$ 7,900.00	-	-	-	-	-	-	-
	Patio Expansion	\$ -	-	-	-	-	-	-	-
	Subtotal:	\$ 104,600	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Cemetery Fund	Boiler (1)-Library	\$ 57,100.00	-	-	-	-	-	-	-
	Subtotal:	\$ 57,100	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Maintenance Fund Fund	Cemetery Expansion	\$ 40,600.00	-	-	-	-	-	-	-
	Subtotal:	\$ 40,600	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
	Circulating Pumps (Group B) - City Hall (2)	\$ 4,600.00	-	-	-	-	-	-	-
	Paint Interior (walls, wood doors, trim)-City Hall	\$ 15,300.00	-	-	-	-	-	-	-
	Unit Heaters (Group A)-City Hall (3)	\$ 5,800.00	-	-	-	-	-	-	-
	PW Facility, Building Equipment Maintenance-2018	\$ 2,400.00	-	-	-	-	-	-	-
	Paint Interior (walls, trim) 6,000 sq ft @ \$1.00 sq ft	\$ 7,000.00	-	-	-	-	-	-	-
	Repair Heave in Porti Road	\$ 2,900.00	-	-	-	-	-	-	-
	Repair of Building, (1,400 SQ. FT @ Per sq ft.)	\$ 14,000.00	-	-	-	-	-	-	-
	Repainting of Exterior of Building-2018	\$ 4,600.00	-	-	-	-	-	-	-
	Upgrade Heaters & Radiators, Mill St. & Road Masters Area-2018	\$ 5,200.00	-	-	-	-	-	-	-
	Upgrade Parks & Trails Brochure including Printing	\$ 1,100.00	-	-	-	-	-	-	-

Proposed CIP Projects for 2018

Fund	Project Description	CIP Estimate										Financing Sources			
		General Fund		State		County		Bonds		Development		Misc.		TIF	Special Assessment
Telecom Fund Fund	RENOVATE (WP#3) HIGH SERVICE PUMP #1	\$	10,400.00	-	-	-	-	-	-	-	-	-	-	-	-
	Replace or Add Hydrants to System-2018	\$	8,000.00	-	-	-	-	-	-	-	-	-	-	-	-
	Implementation of Wellhead Objectives-2018	\$	3,000.00	-	-	-	-	-	-	-	-	-	-	-	-
Downtown Parking District CIP Fund Fund	Ice Machine	\$	3,000.00	-	-	-	-	-	-	-	-	-	-	-	-
	Outdoor Heaters (3)	\$	9,600.00	-	-	-	-	-	-	-	-	-	-	-	-
	Carpet Replacement	\$	7,400.00	-	-	-	-	-	-	-	-	-	-	-	-
	Outdoor Awnings	\$	4,300.00	-	-	-	-	-	-	-	-	-	-	-	-
	Water Heater Replacement	\$	11,600.00	-	-	-	-	-	-	-	-	-	-	-	-
	Water Softener Replacement	\$	2,400.00	-	-	-	-	-	-	-	-	-	-	-	-
	Circulating Pumps (Group B)-Library (3)	\$	6,900.00	-	-	-	-	-	-	-	-	-	-	-	-
	Subtotal:	\$	175,800	\$	175,800	\$	-	\$	-	\$	-	\$	-	\$	-
	Decommission & Cleanup of Gardner Site	\$	16,500.00	-	-	-	-	-	-	-	-	-	-	-	-
	Subtotal:	\$	16,500	\$	16,500	\$	-	\$	-	\$	-	\$	-	\$	-
Mill St Parking Ramp Roof Fund	Admin-2018	\$	5,400.00	-	-	-	-	-	-	-	-	-	-	-	-
	Maintenance-2018	\$	44,600.00	-	-	-	-	-	-	-	-	-	-	-	-
	Marketing-2018	\$	10,700.00	-	-	-	-	-	-	-	-	-	-	-	-
	Parking Services (Valet, etc.)-2018	\$	13,800.00	-	-	-	-	-	-	-	-	-	-	-	-
	Structural Maintenance-2018	\$	13,800.00	-	-	-	-	-	-	-	-	-	-	-	-
Lake Effect CIP Fund	Subtotal:	\$	88,300	\$	88,300	\$	-	\$	-	\$	-	\$	-	\$	-
	Mill Street Parking Ramp Roof	\$	1,180,000.00	-	-	-	-	-	-	-	-	-	-	-	-
Lake Effect CIP Fund	Subtotal:	\$	1,180,000	\$	1,180,000	\$	-	\$	-	\$	-	\$	-	\$	-
	Lake Walk	\$	4,342,300.00	-	-	-	-	-	-	-	-	-	-	-	-
	Depot Park	\$	2,188,500.00	-	-	-	-	-	-	-	-	-	-	-	-
	Urban Park	\$	1,790,300.00	-	-	-	-	-	-	-	-	-	-	-	-
	Eco Park	\$	1,864,600.00	-	-	-	-	-	-	-	-	-	-	-	-
	Lake Street (Lake Effect)	\$	2,706,500.00	-	-	-	-	-	-	-	-	-	-	-	-
	(2) Enhanced Rail Crossings	\$	716,200.00	-	-	-	-	-	-	-	-	-	-	-	-
	Subtotal:	\$	13,608,400	\$	13,608,400	\$	-	\$	-	\$	-	\$	-	\$	-
	TOTAL:	\$	18,489,000	\$	17,986,900	\$	-	\$	-	\$	-	\$	-	\$	671,000

	EXISTING EQUIPMENT DESCRIPTION	COMMENTS	YEAR PURCH.	USEFUL LIFE	ORIG. COST (include. Taxes)	REPLACE- MENT YEAR	CURRENT COST TO REPLACE
Streets	TRAFFIC RADAR SIGNS-SOLAR/BATTERY	Four New Units-Will Purchase in 2017		7	\$1,775	2018	\$20,400
Utilities							
	800MHz Radio Replacement	Update Current Cost to Replace!	2018	10		2018	\$6,416
	POWER GENERATOR-LIFTS: 80kW	Replace Existing Gen.	1986	26	\$16,000	2018	\$55,337
	Floor Sweeper/Scrubber for PW Garage	Funded by four departments	2006	10	\$7,000	2018	\$14,000
Parks							
	John Deer Z910A Ztrak w/48" Deck		2012	6	\$6,933	2018	\$8,037
	Wood Chipper (Brush Bandit 250xp)		2000	10	\$26,194	2018	\$47,689
	Floor Sweeper/Scrubber for PW Garage	Funded by four departments	2006	10	\$7,000	2018	\$14,000
Engineering							
	SURVEY EQUIPMENT		2004	10	2,500	2018	2,732
	1/2 TON PICKUP TRUCK (with box cover)		2005	7	\$13,168	2018	\$23,944
Police							
	132 INVESTIGATOR'S CAR	Grey Ford Taurus (Replace Every 5 Yrs.)	2006	5	\$15,000	2018	\$26,523
	800MHz Radio Replacement	Update Current Cost to Replace!	2003	10		2018	\$6,047
	Police Rifles (1 of 11 Per Year)	Replace 1 Rife per Year		11	\$0	2018	\$1,093
	Replace Tasers (1 of 6 per Year)	Replace 1 Taser Per Year		6	\$0	2018	\$2,185
	Squad Car Cameras (5)	Replace as needed	2011	6	\$0	2018	\$25,750
	SQUAD CAR COMPUTERS X 5 Vehicles		2006	5	\$3,500	2018	\$23,881
	Squad Car Setup		2006	9	\$6,000	2018	\$8,487
	Floor Sweeper/Scrubber for PW Garage	Funded by four departments	2006	10	\$7,000	2018	\$14,000
	Police Rifles (1 of 11 Per Year)	Replace 1 Rife per Year		11	\$0	2018	\$1,160
	Replace Tasers (1 of 6 per Year)	Replace 1 Taser Per Year		6	\$0	2018	\$2,319
	SQUAD 148	Ford SUV	2015	3	\$26,800	2018	\$29,285
	SQUAD 149	Ford SUV	2015	3	\$26,800	2018	\$29,285
	SQUAD 150	Ford SUV	2015	3	\$26,800	2018	\$29,285
	Squad Car Setup		2006	9	\$6,000	2018	\$8,742
	Squad Car Setup		2006	9	\$6,000	2018	\$8,742
	Squad Car Setup		2006	9	\$6,000	2018	\$8,742
Admin.							
	COMPUTER REPLACEMENT Est. 60 (Replace 12 per Yr.)			5		2018	\$21,000
	MS SQL Server Upgrade: Includes licensing and labor		2011	4	\$8,500	2018	\$22,154
	COPY MACHINE: City Hall		2013	5	\$17,000	2018	\$24,597
	PRINTERS, PLOTTER, & MISC. HARDWARE			5		2018	\$8,000
	SOFTWARE-CERTIFICATE UPGRADES-& RENEWALS			5		2018	\$19,319
Fire							
	800MHz Radio Replacement		2003	10		2018	\$6,416



City of Wayzata City Council Agenda Report

MEETING DATE: December 5, 2017	AGENDA ITEM: 9b
TITLE: Consider Resolution No. 66-2017, Denying PUD Amendment for Walgreens at 1055 Wayzata Blvd E	
PROPOSED MOTION: To Approve Resolution No. 66-2017, Denying PUD Amendment for Walgreens at 1055 Wayzata Blvd E	
PREPARED BY: Jeff Thomson, Director of Planning and Building	
REVIEWED BY: Jeffrey Dahl, City Manager	

ACTION REQUESTED:

City staff recommends that the City Council adopt the resolution denying the PUD amendment, as recommended by the Planning Commission. If the City Council wants to consider approval of the development application, the Council should direct staff to prepare a draft resolution of approval for consideration at the next Council meeting.

FINANCIAL OR BUDGET CONSIDERATION:

The development application does not have any impact on the 2017 City's General Fund Budget.

BACKGROUND:

Application Overview

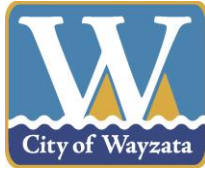
The applicant, Walgreens, has submitted a development application to amend the existing PUD at 1055 Wayzata Blvd E. The proposed PUD amendment is to increase their hours of operation at their store located at 1055 Wayzata Boulevard East. The applicant is proposing to be open for business until 12 midnight from November 24 through and including December 25. Additionally, the applicant is requesting to permanently allow deliveries as early as 5 a.m. on one day a week for the entire year. The proposed amendment would not include any changes to the design, size, footprint, or height of the existing building.

Planning Commission Review

The Planning Commission reviewed the development application and held a public hearing at its meeting on October 30, 2017. After discussing the application, the Planning Commission voted five (5) in favor and zero (0) opposed to adopt a recommendation for denial of the development application.

ATTACHMENTS:

1. October 30, 2017 Staff Report
2. Applicant's narrative
3. Existing site plan
4. Resolution 05-2014 approving Walgreens PUD
5. October 30, 2017 Planning Commission meeting minutes
6. Draft Resolution No. 66-2017
7. Planning Commission Report and Recommendation



**Staff Report
October 30, 2017**

Project Name: Walgreens PUD Amendment
Applicant Walgreens
Address of Request: 1055 Wayzata Blvd E
Prepared by: Jeff Thomson, Director of Planning and Building
“60 Day” Deadline: January 16, 2018

Background Information

On January 21, 2014, the City Council approved a planned unit development (PUD) agreement for Walgreens at 1055 Wayzata Blvd E that included hours of operation. Walgreens is requesting additional evening hours between Thanksgiving and Christmas, as well as the ability to have early deliveries on one day a week during the entire year.

Development Application

Introduction

The applicant, Walgreens, has submitted a development application to amend the existing PUD at 1055 Wayzata Blvd E. The proposed PUD amendment is to increase their hours of operation at their store located at 1055 Wayzata Boulevard East. The applicant is proposing to be open for business until 12 midnight from November 24 through and including December 25. Additionally, the applicant is requesting to permanently allow deliveries as early as 5 a.m. on one day a week for the entire year. The proposed amendment would not include any changes to the design, size, footprint, or height of the existing building.

Property Information

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

Address	PID	Owner
1055 Wayzata Blvd E	06-117-22-14-0081	Pomco LLC

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

Current zoning:	PUD/Planned Unit Development
Comp Plan designation:	Mixed Use Commercial
Overlay districts:	N/A

Project Location

The property is located on the northwest corner of the Wayzata Blvd E/Central Ave S intersection.

Map 1: Project Location



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	Anchor Bank	PUD/Planned Unit Development	Commercial
East	Colonial Square	C-2/Shopping Center Business District	Commercial
South	Commercial building	C-3/Service District	Commercial
West	Residential building	R-3A/Single and Two Family Residential District	Low Density Single Family Residential

Application Requests

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

- PUD Amendment: Any deviation or modification from the terms or conditions of an approved PUD permit or any alteration in a project for which a PUD permit has been approved requires an amendment of the original PUD permit. (City Code Section 801.33 Subd. 9.A)

Public Hearing Notice

The public hearing notice was published in the Lakeshore Weekly News on October 19, 2017. The public hearing notice was also mailed to all property owners located within 350 feet of the subject property on October 20, 2017.

Analysis of Application

City staff has reviewed the pertinent information and City Code requirements for the development application, and provides the following analysis and information:

Hours of Operation

The following summarizes the hours of operation of other commercial business in the area:

Business	Open	Close
Anchor Bank	9 am	5 pm
TCF Bank	9 am	6 pm
Photo King	9 am	6 pm
Eurosport of Wayzata	8 am	5 pm
Bruegger's Bagels	6 am	5 pm
Jimmy John's	11 am	9 pm
Punch Pizza	11 am	9:30 pm
Chipotle Mexican Grill	10:45 am	10 pm
McDonald's	5 am	Midnight
Caribou Coffee	6 am	7 pm
Lunds and Byerlys	6 am	Midnight

Current Conditions

The existing PUD states, "Walgreens may not be open for business between 10:00 p.m. and 6:00 a.m., and deliveries and garbage pickup may only occur between 8:00 a.m. and 8:00 p.m." Walgreens' current operating hours are 7:00 a.m. to 10:00 p.m. on weekdays, and 8:00 a.m. to 10:00 p.m. on weekends.

There is a residential property located directly west of the Walgreens property. The Walgreens loading dock is located on the west side of the building. There is currently a

wooden fence screening the residential property from the loading dock. The fence is approximately 5 feet high.

Action Steps

After considering the items outlined in this report and the public hearing held at the meeting, the Planning Commission should direct staff to prepare a *Planning Commission Report and Recommendation*, with appropriate findings, reflecting a recommendation on the application for review and adoption at the next Planning Commission meeting.

Attachments

Applicant's Narrative

Existing Site Plan

Resolution 05-2014 Approving Walgreens PUD

Applicable Code Provisions for Review

Purpose of PUDs: Section 801.33 of the Zoning Ordinance provides for the establishment of Planned Unit Developments to allow greater flexibility in the development of neighborhoods and/or non-residential areas by incorporating design modifications as part of a PUD conditional use permit or a mixture of uses when applied to a PUD District. The PUD process, by allowing deviation from the strict provisions of the Zoning Ordinance related to setbacks, lot area, width and depth, yards, etc., is intended to encourage:

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

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

- A. Health Safety and Welfare. In reviewing the PUD application, the Council shall evaluate the effects of the proposed project upon the health, safety and welfare of residents of the community and the surrounding area.
- B. Intent and Purpose of PUDs. In reviewing the PUD application, the Council shall evaluate the project's conformance with the overall intent and purpose of Section 33 of the Zoning Ordinance.

- C. Ownership. Applicant/s must own all of the property to be included in the PUD.
- D. Comprehensive Plan. The PUD project must be consistent with the City's Comprehensive Plan.
- E. Sanitary Sewer Plan. The PUD project must be consistent with the City's Sanitary Sewer Plan.
- F. Common Space. The PUD project must provide common private or public open space and facilities at least sufficient enough to meet the minimum requirements established in the Comprehensive Plan, and contain provisions to assure the continued operation and maintenance of such.
- G. Density. The PUD project must meet the density standards agreed upon by the applicant and City, which must be consistent with the Comprehensive Plan.
- H. Utilities. All utilities associated with the PUD must be installed underground and meet the utility connection requirements of Section 801.33.2.A.10.
- I. Roadways. All roadways associated with the PUD must conform to the Design Standards and Wayzata Subdivision Regulations, unless otherwise approved by City Council.
- J. Landscaping. All landscaping associated with the PUD must be according to a detailed plan approved by the City Council. In assessing the plan, the City Council shall consider the natural features of the particular site, the architectural characteristics of the proposed structure and the overall scheme of the PUD plan.
- K. Setbacks. The front, rear and side yard restrictions on the periphery of the PUD shall be the same as imposed in the respective districts.

Comprehensive Plan

The Comprehensive Plan land use designation for the subject property is Mixed Use Commercial. The objective of the Mixed Use Commercial land use category is to maintain and enhance these areas for primarily general retail and other commercial uses, while allowing the integration of a residential component. The Comprehensive Plan includes the follow "1st Tier" priorities for the Mixed Use Commercial areas:

1st Tier Priority Mixed Use Commercial and Mixed Use Residential Policies

- 3.1 Allow for a broad range commercial and residential uses that provide daily goods and services, as well as a variety of housing opportunities.
- 3.2 Increase the walkability of eastern Wayzata Blvd. where possible, through improvements in the public and private realm.

-
- 3.3 Plan development of parking so that it is not a focal point, but rather placed behind buildings with appropriate buffers and landscaping.
 - 3.4 Give particular attention in commercial and services areas to building design and scale, street trees, and extensive use of landscaping to minimize the effects of buildings, parking areas and driveways.
 - 3.5 Consolidate access to streets wherever possible.
 - 3.6 Develop and enforce ordinances to eliminate the visual pollution created by signs and "franchise" architecture.
 - 3.7 Adequately screen or buffer all service and commercial uses from any adjacent residential neighborhoods.
 - 3.8 Create safe and convenient pedestrian movement within all service and commercial districts.
 - 3.9 Strictly regulate and enforce outdoor commercial storage and environmental quality maintenance.
 - 3.10 Enact and enforce a commercial maintenance code to help ensure that commercial development continues to maintain community character.
 - 3.11 Identify ecological and water quality impacts on the lake and other water bodies caused by proposed land use developments, for example stormwater runoff, and work to mitigate these impacts.

Description of Request:

Walgreens is requesting to amend the the existing PUD to modify the operation hours of their existing store.

Walgreens is requesting to be open until 12 midnight from the day after Thanksgiving through and including December 25th as well as to allow deliveries beginning at 5 am one day a week (year round) to allow for the store to restock prior to opening.

Applicant may attach other letter sized materials.

Additional Information:**Payment of Fees**

The undersigned acknowledges that before this request can be considered, all required information and fees (including all up front escrow deposits) must be paid to the City. If additional fees are required to cover costs incurred by the City, the City Manager has the right to require additional payment from one or more of the undersigned, who shall be jointly liable for such fees. Such expenses may include (but are not limited to) personnel costs, fees for consultants, legal assistance and other professionals, recording fees, along with other overhead costs. The amount of escrow is determined by the City of Wayzata fee schedule in effect at the time of the application submittal. A current fee schedule is attached to this application form.

The undersigned also acknowledges that it may be required to file, at his or her expense, appropriate resolutions, agreements or other documents evidencing approval of the application.

The undersigned agrees that the City may withhold the issuance of a building permit until all financial matters are resolved. If need be, the City reserves the right to pass outstanding balances from this application to Hennepin County to be assessed with next year's property taxes for the property involved as indicated on page one of this application and the Property Owner agrees to such assessment.

Complete / Incomplete Applications

Placement of any Application on City agendas is at the discretion of the City, including the time of consideration. An application will not be placed on any agenda until City staff has received the appropriate materials and financial matters are in order. The application approval time commences and an application is considered officially filed when City staff has received and examined the application and determined that the application is complete. The application shall be determined by City staff to be complete or incomplete within fifteen (15) business days following submittal of the application.

FILE NAME: _____
DRAWN BY: SJR _____
DATE: 04.10.14 _____
REVIEWED: _____
SS/NN _____

WALGREENS
1055 WAYZATA BOULEVARD EAST,
WAYZATA, MN 55391

NO.	DATE	BY	DESCRIPTION
3	8/1/14	SJ	APPENDUM #3
	5/6/14	SJ	CONSTRUCTION DOCUMENTS
	4/25/14	SJ	95% REVIEW SET

1220 MARSHALL STREET NE
MINNEAPOLIS, MN 55413
612-677-7100
www.rpsarch.com

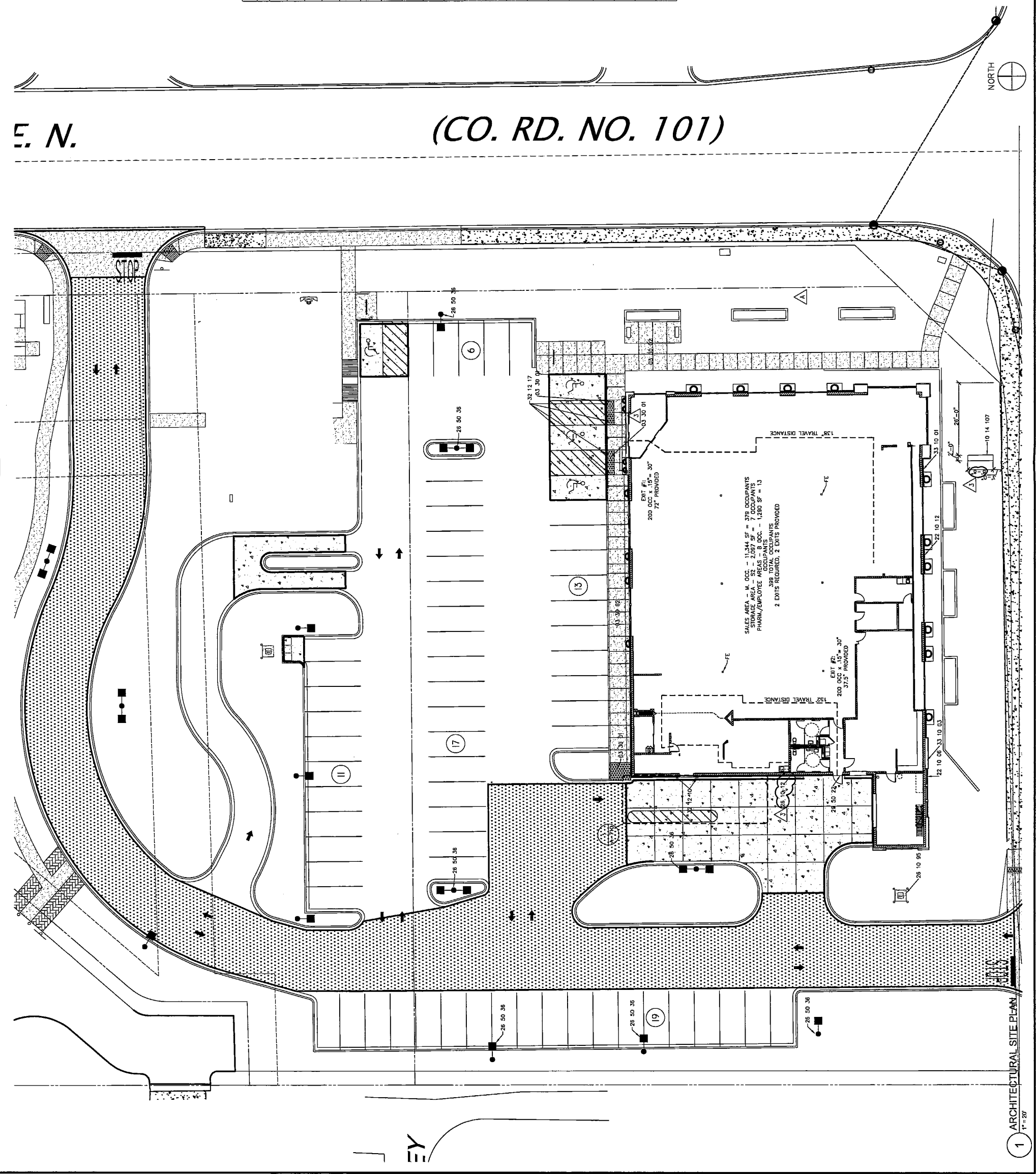
I hereby certify that this plan, specification or report was prepared by me or under my direct supervision and that I am a duly licensed Architect under the laws of the State of Florida.		Name Robert McScott-Lucius
Date	Registration No.	14065

Waldgreen
FACILITIES PLANNING
DESIGN AND ENGINEERING
106 WILMOT ROAD
DEERFIELD, IL 60015-5105

REFERENCED KEYED NOTES	
DIVISION 03-- CONCRETE	
03 30 01	ACCESSIBLE CURB RAMP, SEE CIVIL
03 30 02	CONCRETE WALK WITH TOOLED CONTROL JOINTS (5" MAX EACH WAY), AND BROOM FINISH.
DIVISION 04-- MASONRY	
DIVISION 10-- SPECIALTIES	
10 14 107	MONUMENT SIGN WITH LED READERBOARD, SEE SHEET A-721
DIVISION 08-- OPENINGS 	
DIVISION 22-- PLUMBING	
22 10 06	WATER SERVICE, SEE DETAIL 3/P-810. COORDINATE WITH SITE PLAN FOR CONTINUATION.
22 10 12	WM-1, WALL HYDRANT, SEE PLUMBING DRAWINGS
DIVISION 26-- ELECTRICAL	
26 10 95	GROUND TRANSFORMER
26 50 36	POLE MOUNTED SITE LIGHTING, SEE ELECTRICAL.
26 50 22	WALL MOUNTED SECURITY LIGHT, SEE ELECTRICAL.
DIVISION 32-- EXTERIOR IMPROVEMENTS	
32 12 10	36" HIGH SURFACE-MOUNTED FLEXIBLE DELINCATOR POST BY "PLEASANTAC", FASTEN TO CONCRETE WITH BOLTS (NO ADHESIVE FASTENING).
32 12 17	ENTRY BOLLARDS WITH POLYETHYLENE COVERS 5'-4" CLEAR MAX.
DIVISION 33-- UTILITIES	
33 10 01	GAS SERVICE, GAS METER WITH PULSE, REGULATOR, VALVES AND PHYSICAL PROTECTION OF EQUIPMENT BY GENERAL CONTRACTOR.
33 10 03	ELECTRICAL METER

GENERAL NOTES

1. SITE LAYOUT SHOWN FOR REFERENCE ONLY, SEE DWG. SET FOR COMPLETE SITE INFORMATION.
2. GENERAL CONTRACTOR WILL FURNISH AND INSTALL A MINIMUM AS SHOWN IN PLAN, 5LB MULTIPURPOSE DRY CHEMICAL (2A) 10800 RATED FIRE EXTINGUISHERS, MOUNTING BRACKETS AND ACCESSORIES AT 4'-0" MAXIMUM SPACING, 100' MAXIMUM TRAVEL DISTANCE, 10' MAXIMUM HEIGHT, 90%2 AND 90%3, MINIMUM TRAVEL DISTANCE OF 75'-0" FOR PLACEMENT, PROVIDE LAMINATED WINDY ARROW SIGNAGE AT EACH EXTINGUISHER LOCATION, PROVIDE 10' MAXIMUM TRAVEL DISTANCE TO EACH EXTINGUISHER LOCATION, PROVIDE DATE OF BUILDING RUMNOVER, LOCAL SHOWN ON DRAWINGS FOR GENERAL REPRESENTATION, COORDINATE ACTUAL PLACEMENT AND NUMBER OF FIRE EXTINGUISHERS WITH WALDRENS CONSTRUCTION MANAGER AND FIRE MARSHAL.
3. FIRE SPRINKLER AND FIRE ALARM PLANS ARE TO BE SUBMITTED AND REVIEWED BY THE FIRE MARSHAL'S OFFICE.
4. THE FIRE MARSHAL'S OFFICE WILL INSPECT AND APPROVE THE PROJECT FOR SAFETY PRIOR TO ISSUANCE OF ANY CERTIFICATE OF OCCUPANCY, THE FIRE MARSHAL'S OFFICE AT 432-668-7333 FOR APPOINTMENT SCHEDULING.



RESOLUTION NO. 05-2014

**RESOLUTION APPROVING PUD AMENDMENT, CONCURRENT PRELIMINARY
AND FINAL PLAT, DRIVE-THRU CUPS, PROJECT DESIGN, AND SITE PLAN FOR
1055 WAYZATA BLVD E. AND 141, 155 CENTRAL AVE N**

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

Section 1. BACKGROUND

- 1.1 Project. Anchor Bank and the Leo & Algena Lund Partnership (collectively, the "Applicant") have submitted an application attached hereto as Attachment A (the "Application") for approval of a new development that would include a new 4,012 SF Anchor Bank building with drive-thru at the northeast corner of the site, a new 14,500 SF Walgreens store with drive-thru, a widened Wooddale Ave, and three (3) new single family detached residential lots (collectively, the "Project").
- 1.2 Application Requests. As part of the Application, the Applicant is requesting approval of the following items:
- A. Amendment to existing PUD under Section 801.33.9 to allow two commercial structures on the Property and amendment to applicable provisions in a 1992 PUD Contract that governs the Property (collectively, the "PUD Amendment")
 - B. Concurrent Preliminary and Final Plat Subdivision for approval under Section 805 to adjust lot lines of the Commercial Parcel (the "Commercial Plat") and Preliminary Plat Subdivision approval under Section 805 to create three (3) Residential Parcels (the "Residential Plat") (collectively, "the Proposed Subdivision")(Note: the Final Plat for the Residential Parcels will be formally submitted and reviewed at a later date)
 - C. Drive-thru CUP approval under Sections 801.77.5.C for bank drive-thru and Walgreens drive-thru (the "Drive-thru CUPs")
 - D. Project Design ("Design") approval under Section 801.09 (Design Standards) for two (2) commercial structures
 - E. Site Plan approval under Section 801.22 (the "Site Plan")
- 1.3 Legal Description. The address, property identification number and owners of the property included in the Application (collectively, the "Property") are:

1055 Wayzata Blvd E	06-117-22-14-0077	First National Bank of Wayzata
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141 Central Ave N	06-117-22-14-0005	Leo & Algena Lund Partnership
155 Central Ave N	06-117-22-14-0006	Leo & Algena Lund Partnership

The first parcel above is sometimes referred to in this Resolution as the "Commercial Parcel" and the second and third parcels, as the "Residential Parcels".

1.4 Land Use. The land use designations for the Property are:

	Commercial Parcel	Residential Parcels
Zoning:	Planned Unit Development (PUD)	R-3A Single and Two Family Residential
Comp Plan:	Mixed Use Commercial (MUC)	Low Density Single Family Residential
Design District:	Wayzata Blvd Design District	n/a
Total lot size:	* 142,133 square feet (SF) or 3.26 acres (together with Residential Parcels)	

- 1.5 PUD Agreement. The Commercial Parcel is encumbered by a PUD Contract that was entered into in 1992 and restricts use and further development on the Commercial Property.
- 1.6 Notice. Notice of a public hearing on the Application at the August 5, 2013 Planning Commission Meeting was published in the *Lakeshore Weekly* on July 23, 2013. A copy of the notice was mailed to all property owners located within 350 feet of the Property on July 24, 2013. A notice of the September 16, 2013 Planning Commission Meeting was mailed to all property owners located within 350 feet of the Property on September 10, 2013.
- 1.7 Planning Commission Action. The Planning Commission reviewed the Application and held a public hearing at its August 5, 2013 regular meeting. At the conclusion of that meeting, the Planning Commission moved to continue its review of the Application and requested additional information from the Applicant for the Planning Commission's September 16, 2013 meeting. The Planning Commission continued review of the Application at its September 16, 2013 meeting, received further public comment, and voted four (4) in favor and three (3) opposed to direct City Staff to prepare a draft Planning Commission Report and Recommendation on the Application for review at its October 7, 2013

meeting. The Planning Commission continued review of the Application at its October 7, 2013 meeting. At that meeting, a motion to recommend approval of the Application to the City Council and adopt the draft Planning Commission Report and Recommendation failed on a vote of two (2) in favor and three (3) opposed, with two (2) commissioners absent. The Planning Commission then voted three (3) in favor and two (2) opposed, with two (2) commissioners absent, to adopt findings of fact and a recommendation of denial of all requests in the Application.

Section 2. STANDARDS

2.1 PUD Amendment.

- A. Application Procedures. Any deviation or modification from the terms or conditions of an approved PUD permit or any alteration in a project for which a PUD permit has been approved shall require an amendment of the original permit. An application for amendment of the original PUD permit specifying the proposed variance or alteration shall be submitted to the City, together with a fee established by City Council resolution and such information as is required by the City or as the applicant deems necessary to fully explain his application. Should the applicant request an amendment of a PUD permit to erect an additional building or buildings, the applicant fee therefor shall be established by City Council resolution. In either case, the applicant also shall pay, as an additional fee, any consulting expenses which are incurred by the City in review of the application. The same application and hearing procedure for an amendment of a PUD permit shall be followed as was followed with respect to the applicant's Concept Plan, as outlined in Section 801.33.5.
- B. Action by the Planning Commission and City Council. The same review procedure by the Planning Commission and City Council shall be followed for an amendment of a PUD permit as was followed with respect to the applicant's Concept Plan, outlined in Section 801.33.5 and 801.33.6 of the Zoning Ordinance. The affirmative majority vote (3 of 5) of the City Council shall be required for approval of an amendment of a PUD permit.
- C. Council Discretion. If the Council determines that the proposed PUD project will not be detrimental to the health, safety and welfare of residents of the community and the surrounding area and that the project does conform with the overall intent and purpose of Section 33 of the Zoning Ordinance, it may approve the PUD, although it shall not be required to do so. Section 801.33.2.A.
- D. Intent and Purpose of PUDs. The PUD process, outlined in Section 801.33 of the Zoning Ordinance, allows deviation from the strict provisions

of the Zoning Ordinance related to setbacks, lot area, width and depth, yards, etc., for the purpose of encouraging:

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

E. General Standards. Section 801.33.2.A of the Zoning Ordinance sets forth the general standards for review of any PUD application. These are:

1. Health Safety and Welfare; Intent and Purpose of PUDs. In reviewing the PUD application, the Council shall consider comments on the application of those persons appearing before the Council, the report and recommendations of the Planning Commission, the recommendations on design and any staff report on the application. The Council also shall evaluate the effects of the proposed project upon the health, safety and welfare of residents of the community and the surrounding area and shall evaluate the project's conformance with the overall intent and purpose of Section 33 of the PUD Ordinance.

2. Ownership. Applicant/s must own all of the property to be included in the PUD.
3. Comprehensive Plan Consistency. The PUD project must be consistent with the City's Comprehensive Plan.
4. Sanitary Sewer Plan Consistency. The PUD project must be consistent with the City's Sanitary Sewer Plan.
5. Common Open Space. The PUD project must provide common private or public open space and facilities at least sufficient enough to meet the minimum requirements established in the Comprehensive Plan, and contain provisions to assure the continued operation and maintenance of such.
6. Operating and Maintenance Requirements. Whenever common private or public open space or service facilities are provided within a PUD, the PUD plan must contain provisions to assure the continued operation and maintenance of such open space and service facilities to a predetermined reasonable standard. Common private or public open space and service facilities within a PUD must be placed under the ownership of one of the following, as approved by the City Council: (i) dedicated to the public, where a community-wide use is anticipated, (ii) Landlord control, where only tenant use is anticipated, or (iii) Property Owners Association, provided the conditions of 801.33.2.A.6.c are met.
7. Staging of Public and Common Open Space. When a PUD provides for common private or public open space, and is planned as a staged development over a period of time, the total area of common or public open space or land escrow security in any stage of development shall, at a minimum, bear the same relationship to the total open space to be provided in the entire PUD as the stages or units completed or under development bear to the entire PUD.
8. Density. The PUD project must meet the density standards agreed upon by the applicant and City, which must be consistent with the Comprehensive Plan.
9. Utilities. All utilities associated with the PUD must be installed underground and meet the utility connection requirements of Section 801.33.2.A.10.
10. Utility Connections. All utilities associated with proposed PUD must meet the utility connection requirements of Section 801.33.2.A.10.

11. Roadways. All roadways associated with the PUD must conform to the Design Standards and Wayzata Subdivision Regulations, unless otherwise approved by City Council.
12. Landscaping. All landscaping associated with the PUD must be according to a detailed plan approved by the City Council. In assessing the plan, the City Council shall consider the natural features of the particular site, the architectural characteristics of the proposed structure and the overall scheme of the PUD plan.
13. Setbacks. The front, rear and side yard restrictions on the periphery of the Planned Unit Development site at a minimum shall be the same as imposed in the underlying districts, if a PUD conditional use permit, or the previous zoning district, if a PUD District. No building shall be located less than fifteen (15) feet from the back of the curb line along those roadways which are part of the internal street pattern. No building within the PUD project shall be nearer to another building than one-half (1/2) the sum of the building heights of the two (2) buildings. In PUD Districts for parcels that were zoned commercial prior to PUD and which exceed 13 acres, the allowable setbacks shall be as negotiated and agreed upon between the applicant and the City.
14. Height. The maximum building height to be considered within a PUD District shall be thirty five (35) feet and three (3) stories, whichever is lesser. There shall be no deviation from the height standards applied within the applicable zoning districts for PUD conditional use permits. In PUD Districts for parcels that were zoned commercial prior to PUD and which exceed 13 acres, the maximum allowable height and number of floors shall be as negotiated and agreed upon between the applicant and the City.

- F. PUD Agreement. A 1992 PUD Contract encumbers the Commercial Property, which contains numerous restrictions on further development of the Commercial Property. The City Council would need to approve an amendment to this PUD Agreement in order for the Project to be constructed.

2.2 Preliminary and Final Plat.

Chapter 805 of the Wayzata City Code, (the "Subdivision Ordinance") sets forth the procedure and substantive review criteria for applications for a subdivision. Before any plat can be recorded or of any validity, it must be referred to the City Planning Commission and approved by the City Council as having fulfilled the requirements of the Subdivision Ordinance. Section 805.15 of the Wayzata

Subdivision Ordinance allows the City to review a proposed preliminary and final plat simultaneously.

- A. Goals. Under Section 805.2.b of the Subdivision Ordinance, subdivisions approved under the Subdivision Ordinance must be guided by the following:
1. Preserve and enhance Wayzata's "small town" character (Comprehensive Plan).
 2. Respect the existing scale, character and pattern of the City, recognizing existing neighborhoods and commercial areas (Wayzata Physical Plan).
 3. Support a pedestrian environment at a human, not automotive scale (Wayzata Physical Plan).
 4. Relate development/redevelopment to the natural characteristics of the land to enhance the development through the preservation of attractive natural amenities (i.e., lakes, wetlands, creeks, wooded areas, slopes, etc.) (Comprehensive Plan).
- B. Criteria for Approval. Under Section 805.14.e of the Subdivision Ordinance, the Planning Commission must consider the possible adverse effects of a preliminary plat and report its findings and recommendation to City Council. Its judgment must 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 relevant performance standards.
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.

2.3 Drive-Thru CUPs. A drive through service window is permitted as a conditional use under Sections 801.77.5.C and 801.04.2.F

- A. **Compatibility.** The architectural appearance, scale, construction materials, and functional plan of the building and site shall not be dissimilar to the existing nearby commercial and residential buildings, and shall not cause impairment in property values, or constitute a blighting influence within a reasonable distance of the site.
- B. **Vehicle Access.** Vehicular access points shall be limited, shall create a minimum of conflict with through traffic movements.

- C. Surfacing. The entire area other than that portion occupied by buildings or structures or plantings shall be surfaced with a material which will control dust and drainage and which is subject to the approval of the City.
- D. Drive-through Windows. Service windows shall be allowed if the following additional criteria are satisfied:
1. Stacking. Not less than one hundred eighty (180) feet of segregated automobile stacking lane(s) must be provided for the service window.
 2. Traffic Control. The stacking lane and its access must be designed to control traffic in a manner to protect the pedestrians, buildings and green area on the site.
 3. Use of Street. No part of the public street or boulevard may be used for stacking of automobiles.
 4. Noise. The stacking lane, service intercom, and service window shall be designed and located in such a manner as to minimize automobile and communication noises, emissions, and headlight glare upon adjacent premises, particularly residential premises, and to maximize maneuverability of vehicles on the site. Levels of noise, light, and air quality shall occur and be measured at property lines and shall satisfy established state regulations.
 5. Hours. Hours of operation shall be limited as necessary to minimize the effect of nuisance factors such as traffic, noise and glare upon any existing neighboring residential uses.
 6. Green Strip. At any common boundary shared with a residential district, a strip of not less than five (5) feet shall be landscaped and screened so as to create an effective visual and sound buffer and separation of uses.
 7. The provisions of Section 801.04.2.F of the Zoning Ordinance are considered and satisfactorily met. Section 801.04.2.F requires City Council to consider possible adverse effects of the proposed conditional use. Their judgment shall be based upon (but not limited to) the following factors:
 - A. The proposed action in relation to the specific policies and provisions of the official City Comprehensive Plan.
 - B. The proposed use's compatibility with present and future uses of the area.

- C. The proposed use's conformity with all performance standards contained herein (i.e., parking, loading, noise, etc.).
- D. The proposed use's effect on the area in which it is proposed.
- E. The proposed use's impact upon property values in the area in which it is developed.
- F. Traffic generated by the proposed use is in relation to capabilities of streets serving the property.
- G. The proposed use's impact upon existing public services and facilities including parks, schools, streets and utilities, and the City's service capacity.

2.4 Design Standards.

- A. The design of all new buildings and exterior improvements to the public side of nonresidential and/or multifamily buildings in Wayzata which clearly alter the appearance of a structure are subject to the review and approval of the Wayzata Planning Commission and City Council. City Code Section 801.09.1.5. The relevant design criteria for the "Wayzata Blvd District" which are applicable to the Project are included in the attached Design Critique (Attachment C). There are two (2) deviations requested from the Design Standards for the new buildings that are a part of the Project:
 - 1. Sections 801.09.11.1.A and 801.09.11.1.G – Percent of Accent Materials – More than 10% metal on building facades for the new Anchor Bank and Walgreens buildings
 - 2. Section 801.09.8.4 – Façade Transparency – Less than 50% façade transparency on Wayzata Blvd for new Walgreen building
 - 3. Section 801.09.11.1.H.2 – Parapet Coping at five (5) inches
- B. With the exception of Section 7 of the Design Standards, a deviation from any section of the Design Standards requires a finding by the City Council (after considering the Planning Commission's recommendation) that the negative impact of such deviation is outweighed by one or more of the following factors:
 - 1. The extent to which the project advances specific policies and provisions of the City's Comprehensive Plan.
 - 2. The extent to which the deviation permits greater conformity with other Standards, policies behind the Standards, or with other Zoning Ordinance standards.

3. The positive effect of the project on the area in which the project is proposed.
4. The alleviation of an undue burden, taking into account current leasing, housing and commercial conditions.
5. The accommodation of future possible uses contemplated by the Design Standards, the Zoning Ordinance or the Comprehensive Plan.
6. A national, state or local historic designation.
7. The project is the remodeling of an existing building which largely otherwise conforms to the Design Standards.

2.5 Site Plan.

Site and construction plans must be submitted to and approved by the Building Official prior to the issuance of any building permit. Except in the case of individual single family uses and minor projects, additions or alterations as determined by the Zoning Administrator and all building and site plans as specified by Section 801.09 of this Ordinance shall be subject to review by the Planning Commission and approval by the City Council. All site and construction plans officially submitted to the City shall be treated as a formal agreement between the building contractor and the City. Once approved, no changes, modifications or alterations shall be made to any plan detail, standard or specifications without prior submission of a plan modification request to the Building Official for his review and approval. City Code Section 801.22.2-4.

2.6 Street and Public Easement Vacation.

Section 70 of the Wayzata City Charter provides that the City Council shall have the exclusive power, by ordinance passed by a unanimous vote of all the members thereof, to vacate or discontinue highways, streets and alleys within the city. Such vacations may be made only after notice and hearing of affected property owners and upon such further terms and by such procedure as the council may, by ordinance, prescribe. A record of each such vacation shall be filed in the office of the Register of Deeds of Hennepin County.

Section 3. FINDINGS

The City Council of the City of Wayzata hereby confirms and memorializes that the PUD Amendment, Concurrent Preliminary and Final Plat Subdivision, Drive-Thru CUPs, Design, Site Plan, and Street Vacation depicted in the Application and subsequent submittals by the Applicant, if approved with the conditions set forth in this approval

resolution, would meet the applicable requirements of Wayzata's Design Standards, Wayzata's Zoning Ordinance and Subdivision Ordinance, based upon the following findings of fact made on the record (as well as all Application materials, staff reports, public comment presented at the hearing, and the Recommendation of the Planning Commission):

3.1 PUD Amendment.

- A. Intent and Purpose of PUDs. The PUD Amendment (resulting in the "Amended PUD") conforms with the overall intent and purpose of a PUD as outlined in Section 33 of the Zoning Ordinance and Section 2.1 of this Resolution. Comments of persons appearing before the Planning Commission at the Public Hearing were mixed, with some neighbors favoring the Project and some against. The main concerns of the Planning Commission with the Amended PUD centered on traffic impacts, impacts to the adjacent residential neighborhood, and potential intensification of use the site. The conditions placed on the approval of the Amended PUD in this Resolution are intended to address these concerns.
- B. General Standards. The Amended PUD, as presented, satisfies all of the fourteen (14) general standards listed in Section 801.33.2.A and in Section 2.1 of this Resolution. The following standards are met:
 - 1. Application Complete. The Application contains all of the information and materials required by or requested pursuant to Section 801.33.5.C.
 - 2. Ownership. All of the property to be included in the Amended PUD is owned by Applicant.
 - 3. Comprehensive Plan. The proposed Amended PUD conforms with the applicable guidance of, and is consistent with the goals of the Comprehensive Plan.
 - 4. Common Space. The Amended PUD would provide sufficient common private or public open space and facilities.
 - 5. Landscaping. Landscaping in the Amended PUD would be according to a detailed plan approved by the City Council.
 - 6. Health, Safety, and Welfare. Provided the recommended conditions of approval are met, the Amended PUD would not have a negative effect on the welfare of residents of the community and the surrounding area.

3.2 Preliminary and Final Plat.

- A. Goals. The Proposed Subdivision is consistent with the goals of the Subdivision Ordinance.
- B. Criteria for Approval.
1. The Project associated with the Proposed Subdivision is consistent with the Wayzata Comprehensive Plan. The proposed Subdivision conforms with commercial use and low density single family residential development for this area. The proposed lot combination would provide for the redesign and realignment of Elm Lane to serve as an access point for the commercial components and the platting of two existing residential lots into three single family residential lots which would meet the R-3A District lot area minimums.
 2. The commercial building pads associated with the Project ("Proposed Building Pads") would not negatively impact any sensitive areas. The proposed commercial building pads utilize the existing Anchor Bank site. The Applicant has provided a landscaping plan for the screening of the two commercial new buildings to the adjacent residential neighborhood. The Applicant has provided three conceptual building pads for the three residential lots, however would be required to return to the Planning Commission and City Council for review of final building pad locations prior any construction activity of the Residential Parcels.
 3. The Proposed Building Pads have been selected and located with respect to natural topography to minimize filling or grading. The Project proposes some grading work for the building pad locations and realignment of Elm Lane, but will utilize the existing Anchor Bank site for the location of the new structures.
 4. Existing significant trees would be retained where possible on the Property. As part of the Project, there would be a net reduction of 39 trees on the entire site but additional trees would be planted when the Residential Parcels are developed.
 5. The Proposed Subdivision would not adversely impact the scale, pattern or character of the City, its neighborhoods, or its commercial areas as it would be consistent with the surrounding area. Further review and approval of the building plans for the residential lots of the Project within the Subdivision would be required as a condition of approval.

6. The design of the lots, the proposed building pads, and the site layout of the Proposed Subdivision responds to and is reflective of the surrounding lots and neighborhood character. The residential building pads would be required to come back for additional review and approval, but are similar in size to other properties in the area. The Project proposes to screen the adjacent residential properties from the two commercial uses.
7. The lot sizes that result from the Proposed Subdivision would not be dissimilar from adjacent lots or lots found in the surrounding neighborhood. The proposed lot sizes are similar to other residential properties in the adjacent area. The proposed lot sizes for the Residential Plat are similar to those in the area. The proposed lots conform with and exceed the R-3A District and Comprehensive Plan minimums for lot area. The commercial lots sizes are similar to other commercial lots in the area.
8. The architectural appearance, scale, mass, construction materials, proportion and scale of roof line and functional plan of the buildings for the new residential lots created by the Subdivision is not known at this time but would presumably be similar to the characteristics and quality of existing development in the City and neighborhood. Further review and approval of the building plans for the residential lots within the Subdivision should be required as a condition of approval. The Applicant has provided design review submittals for the two commercial components of the Application in Attachment C of the Staff Report. At this time, the Applicant does not have single family residential design plans completed for the three residential lots, but will provide those plans for review at a future time. As a condition of approval, the Applicant and/or future homeowner shall be required to submit plans for review and approval by the City depicting architectural appearance, scale, mass, construction materials, proportion and scale of roof line and functional plan of the residential structures proposed to demonstrate similarity to the characteristics and quality of the existing homes in the neighborhood as required under Section 805.14.e.8 and 805.14.e.9.
9. The proposed lot layout and Proposed Building Pads of the Proposed Subdivision would conform will all relevant performance standards. The proposed lot layout for the three residential lots meets the performance requirements of R-3A District. As a condition of any approval, the specific building pad design will be reviewed by the Planning Commission and City Council at a future date.

10. The Proposed Subdivision is not likely to tend to or actually depreciate the values of neighboring properties in the area in which the Subdivision is proposed. The Project includes screening of the commercial activity to the adjacent residential properties to the west.
 11. The Proposed Subdivision would be accommodated with existing public services, primarily related to transportation and utility systems, and will not overburden the City's service capacity.
- C. Parkland Dedication. The Applicant shall be required to pay a minimum of two thousand five hundred dollars (\$2,500.00) or ten percent (10%) of the determined land value, whichever is greater, for Parkland Dedication fees, as required under Section 805.37(i)(1) of the Subdivision Ordinance for the creation of each new single-family lot.

3.3 Drive-Thru CUPs.

- A. Compatibility. The architectural appearance, scale, construction materials, and functional plan of the new proposed Anchor Bank building, new proposed Walgreens building, and site would not be dissimilar to the existing nearby commercial and residential buildings, and would not cause impairment in property values, or constitute a blighting influence within a reasonable distance of the site.
- B. Vehicle Access. Vehicular access points would be limited, and create a minimum of conflict with through traffic movements.
- C. Surfacing. The entire area other than that portion occupied by buildings or structures or plantings would be surfaced with a material which will control dust and drainage.
- D. Drive-through Windows. The following criteria for service windows would be satisfied:
 1. Stacking. Not less than one hundred eighty (180) feet of segregated automobile stacking lane(s) must be provided for the service window. The site contains 180 feet of stacking and adjacent drive lanes for vehicle queuing for both drive-thru operations.
 2. Traffic Control. The stacking lane and its access must be designed to control traffic in a manner to protect the pedestrians, buildings and green area on the site.

3. Use of Street. No part of the public street or boulevard may be used for stacking of automobiles.
4. Noise. The stacking lane, service intercom, and service window shall be designed and located in such a manner as to minimize automobile and communication noises, emissions, and headlight glare upon adjacent premises, particularly residential premises, and to maximize maneuverability of vehicles on the site. Levels of noise, light, and air quality shall occur and be measured at property lines and shall satisfy established state regulations.
5. Hours. Hours of operation shall be limited as necessary to minimize the effect of nuisance factors such as traffic, noise and glare upon any existing neighboring residential uses.
6. Green Strip. At any common boundary shared with a residential district, a strip of not less than five (5) feet shall be landscaped and screened so as to create an effective visual and sound buffer and separation of uses.
7. General CUP Criteria:
 - A. The use/s associated with the Drive-thru CUP (the "Proposed Use") does not contravene any specific policies and provisions of the official City Comprehensive Plan.
 - B. The Proposed Use conforms with present and future land uses in the area. The Commercial Parcel is currently guided for Mixed Use Commercial in the City Comprehensive Plan.
 - C. Other than those aspects of the Proposed Use for which a design deviation has been requested, the Proposed Use will not affect performance standards contained in the Zoning Ordinance.
 - D. The Proposed Use will not have a significant impact upon property values in the adjacent Residential and Commercial Districts.
 - E. The Proposed Use will not generate traffic that would have a negative impact on the surrounding area according to traffic studies conducted on the Project by the Applicant and the City.
 - F. The Proposed Use will not have a negative impact on the surrounding area.

- G. The Proposed Use is compatible or will be required to be compatible with all of the performance standards contained in Section 801.77.5.C as a conditional of approval.

3.4 Project Design Review.

- A. The Project Design as proposed in the Application meets the criteria of the applicable Design Standards as described in Attachment C, with the exception of the following Design deviations noted in the Design Critique:
1. Sections 801.09.11.1.A and 801.09.11.1.G – Percent of Accent Materials – More than 10% metal on building facades for the new Anchor Bank and Walgreens buildings
 2. Section 801.09.8.4 – Façade Transparency – Less than 50% façade transparency on Wayzata Blvd for new Walgreen building
 3. Section 801.09.11.1.H.2 – Parapet Coping at five (5) inches
- B. The negative impact of such deviations is outweighed by the positive effect the Project will have on the area in which it is proposed due to the use of high quality materials.

- 3.5 Site Plan. The current Site Plan conforms with the applicable requirements of the Wayzata Zoning Ordinance. As a condition of approval, prior to the issuance of any building permits for the Property, the final Site Plan shall be reviewed and approved by Staff to ensure conformance with the approved PUD Plan.

Section 4. CITY COUNCIL ACTION

Based on the Findings of this Resolution, the City Council takes the following action (failure to comply with any one of the conditions of approval shall result in the revocation of the approval conditioned thereby):

- 4.1 PUD Amendment. The request for approval of the PUD Amendment, as set forth in the Application, is **APPROVED**, subject to the following conditions, which shall be made a part of the PUD Amendment:
- A. Development Agreement. The Applicant must enter into a development agreement, binding it and all future owners of the Property, addressing matters related to the Project, in form and content acceptable to City Staff and the City Attorney, setting forth the approvals granted in this Resolution along with all applicable conditions, the major concerns the conditions are intended to address, the details on the timing and stages of the various phases of the Project, and a requirement that the commercial operations that are part of the Project may not be open for business until a certificate

of occupancy has been issued for the first house constructed on the Residential Parcels that are a part of the Project.

- B. Deed Restriction. The Applicant must agree to and file a deed restriction for the Residential Parcels that are part of the Project, restricting each parcel to single family residential uses.
- C. Construction Times and Timing.
 - 1. All construction and related work on the Project must be limited to normal business hours as defined in City Code. If it is necessary to work on the weekend, work may start no earlier than 9am.
 - 2. Walgreens may not be open for business until a certificate of occupancy has been issued for the first house constructed on the Residential Parcels that are a part of the Project.
- D. PUD Requirements.
 - 1. All new tree plantings shall be at least three (3) caliper inches in diameter.
 - 2. All parking lot lights shall be downward facing, be equipped with shields around the light source, and all illuminated signage shall be equipped with dimmers.
 - 3. HVAC equipment or similar building equipment must be screened from view of adjacent properties.
 - 4. All garbage receptacles within the PUD shall be located within the respective buildings or sufficiently screened so that they are not visible from adjacent properties. Garbage pickup times must occur between 8:00 a.m and 8:00 p.m.
 - 5. The emergency access point depicted on the PUD Plan must be built as specified in the PUD Plan so as not to be obtrusive to the adjacent neighborhood.
 - 6. Lighted exterior signage shall be restricted to the south and east facing exterior walls of the buildings in the PUD. No lighted exterior signage may exist on the north or west sides of the buildings in the PUD. All illuminated signage must be equipped with dimmers and be turned off in the evening at the close of business operation.
 - 7. Outside lighting (other than permitted signage) must be downward facing with shield protection.

8. All reasonable efforts must be made to shield the sounds emanating from the speakers of the Walgreens and Anchor Bank drive-thrus from reaching the adjacent neighborhood, including shielding barriers to the west of the drive-thru windows.
9. Landscaping within the PUD (Attachment D) shall be dense and adequate to screen the buildings and access point from the Benton Avenue neighborhood. Landscaping will include a variety of types of trees, including evergreens and deciduous trees with multiple heights. Responsibility for maintaining and as replacing landscaping shall be the ongoing responsibility of the property tenants and owners.
10. A walking path, as depicted on the PUD Plan, between the adjacent neighborhood and Central Avenue shall be included in the PUD and maintained by the owner of the Commercial Parcels.
11. The drainage plan for the Property must be reviewed and approved by the City Engineer to ensure proper flow away from the adjacent neighborhood and towards Central Ave N.
12. The Applicant must construct the commercial building designs as included in the Application, and depicted on Attachment B.
13. The Applicant must construct the proposed modifications to Wooddale Ave and the private driveway to the Residential Parcels to meet State Fire Code requirements and provide adequate space for snow removal and vehicle traffic.

D. Operational Requirements.

1. Walgreens may not be open for business between 10:00 p.m. and 6:00 a.m., and deliveries and garbage pickup may only occur between 8:00 a.m. and 8:00 p.m.
2. The exterior of Walgreens must remain free of outside storage and product offerings, such as a Redbox dispenser, salt bags, firewood, propane tanks and other store merchandise.
3. No advertisements, banners or similar material may appear on the windows of or exterior walls of the Walgreens or the Anchor Bank buildings.

4. All Walgreens and Anchor Bank signage must be dimmed at night after each business is closed until open for business the following day.
 5. Drive-thru speakers at Walgreens and Anchor Bank must be kept at the lowest decibel volume possible for acceptable operation.
 6. Responsibility for maintaining and as replacing landscaping within the PUD shall be the ongoing responsibility of the property tenants and owners.
 7. Maintenance and upkeep of the walking path between the adjacent neighborhood and Central Avenue shall be the ongoing responsibility of the property tenants and owners.
 8. Garbage and dumpsters must be located within the interior of the Walgreens and Anchor Bank structures or be sufficiently screened from adjacent residential properties.
- E. Recording. The Applicant must record the deed restriction, PUD Amendment and Development Agreement with the appropriate officials at Hennepin County.
- F. City Expenses. All expenses of the City of Wayzata related to the review of the Application and Project, including consultant, expert, legal, and planning fees incurred, must be fully reimbursed by the Applicant.
- G. Other Permits. The Applicant must secure all necessary building, grading or other such permits for construction, and follow all laws and regulations applicable to the Project. The Applicant must also secure any necessary permits required by Hennepin County and comply with their requirements for Right-of-Way dedication and access realignment.
- H. Street Vacation or Alternative: One of the following receiving City Council approval: (a) the Street Vacation; (b) an easement and license from the City to the Applicant to use Elm Lane as necessary for and consistent with the design of the Project; or (c) vacation of Elm Lane coupled with a grant of easement rights in favor of the City to utilize the entrance road to the Project and an enhanced connection with Wooddale Avenue for pedestrian and vehicular traffic, drainage and utilities, such easements exercisable by the City in the future upon terms to be negotiated with the Applicant.
- 4.2 Proposed Subdivision. The request for approval of the Proposed Subdivision (for the Commercial Parcel and the Residential Parcels), as set forth in the

Application and depicted in Attachment E, is hereby **APPROVED**, subject to the following conditions:

- A. The PUD Amendment being approved.
- B. One of the following receiving City Council approval: (a) the Street Vacation; (b) an easement and license from the City to the Applicant to use Elm Lane as necessary for and consistent with the design of the Project; or (c) vacation of Elm Lane coupled with a grant of easement rights in favor of the City to utilize the entrance road to the Project and an enhanced connection with Wooddale Avenue for pedestrian and vehicular traffic, drainage and utilities, such easements exercisable by the City in the future upon terms to be negotiated with the Applicant.
- C. The Applicant and/or future homeowner submit plans for review and approval by the City depicting architectural appearance, scale, mass, construction materials, proportion and scale of roof line and functional plan of the residential structures proposed to demonstrate similarity to the characteristics and quality of the existing homes in the neighborhood as required under Section 805.14.e.8 and 805.14.e.9.
- D. The Applicant and/or future homeowner/s submit a final plat for the Residential Parcels for review by the Planning Commission, and obtain the approval of City Council for that final plat.
- E. The Applicant pay the required parkland dedication fees for the subdivision of the Residential Property.
- F. The Applicant records the Commercial Parcel Final Plat document with the appropriate Hennepin County officials within one hundred twenty (120) days in conformance with Section 805.15.E.7, and provides a recorded copy to the City.
- G. The Final Plat must include easement language for emergency access and pedestrian use.

4.3 Drive-Thru CUPs. The request for approval of the Drive-thru CUPs, as set forth in the Application, is hereby **APPROVED**, provided the PUD Amendment is approved and the Applicant and any future owner of the Commercial Parcel comply with all of the applicable Zoning Ordinance criteria for Drive-thru CUPs.

4.4 Project Design. The request for approval of the Project Design and requested deviations, as set forth in the Application, and depicted in Attachment B, is hereby **APPROVED** subject to the following conditions:

- A. The PUD Amendment being approved.

- B. The Applicant shall incorporate photos of historical Wayzata scenes within the windows facing Wayzata Blvd of the Walgreens building to screen views into the structure.
- C. The Applicant shall use a twelve (12) inch metal architectural cap for the parapet.

4.5 Site Plan. The request for approval of the Site Plan, as set forth in the Application, is hereby **APPROVED** subject to the following conditions:

- A. The PUD Amendment being approved.
- B. One of the following receiving City Council approval: (a) the Street Vacation; (b) an easement and license from the City to the Applicant to use Elm Lane as necessary for and consistent with the design of the Project; or (c) vacation of Elm Lane coupled with a grant of easements in favor of the City to utilize the entrance road to the Project and an enhanced connection with Wooddale Avenue for pedestrian and vehicular traffic, drainage and utilities, such easement rights exercisable by the City in the future, upon terms to be negotiated with the Applicant.
- C. That prior to the issuance of any building permits for the Property, the final Site Plan must be reviewed and approved by City Staff to ensure conformance with the approved PUD Plan.
- D. The Applicant shall modify the site plan to remove four (4) parking spaces adjacent to the Walgreens drive-thru island, and construct a three foot vegetated buffer to screen the drive-thru from adjacent properties.

Adopted by the Wayzata City Council this 21st day of January, 2014.



Mayor Ken Willcox

ATTEST:



City Manager Heidi Nelson

ACTION ON THIS RESOLUTION:

Motion for adoption: Tanner

Seconded by: Amdal

Voted in favor of: Amdal, Tanner, Willcox

Voted against: Anderson

Abstained: None

Absent: Mullin

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 January 21, 2014.



Becky Malone, Deputy City Clerk
SEAL

**WAYZATA PLANNING COMMISSION
MEETING MINUTES
OCTOBER 30, 2017**

AGENDA ITEM 1. Call to Order and Roll Call

Chair Iverson called the meeting to order at 7:00 p.m.

Present at roll call were Commissioners: Young, Flannigan, Gonzalez, Iverson, and Buchanan.
Absent: Murray. Director of Planning and Building Jeff Thomson and City Attorney David Schelzel were also present.

AGENDA ITEM 2. Approval of Agenda

Commissioner Young made a motion, Seconded by Commissioner Gonzalez, to approve the October 30, 2017 meeting agenda as presented. The motion carried unanimously.

AGENDA ITEM 3. Consent Agenda

a.) None

AGENDA ITEM 4. Old Business Items:

a.) None.

AGENDA ITEM 5. Public Hearing Items:

a.) Walgreens – 1055 Wayzata Blvd E
i. PUD Amendment

Director of Planning and Building Thomson stated that on January 21, 2014, the City Council approved a Planned Unit Development (PUD) for property at the intersection of Central Ave and Wayzata Blvd that included a Walgreens store at 1055 Wayzata Blvd E. The PUD includes restrictions on the hours of operation of the store, and restrictions on delivery hours. Walgreens is requesting an amendment to the PUD to allow additional evening store hours between Thanksgiving and Christmas, and the ability to have early deliveries one day a week during the entire year. The proposed PUD Amendment would allow the store to open for business until 12 midnight from November 24 through and including December 25, and allow deliveries to the store as early as 5 a.m. one day a week at all times during the year. The proposed changes would not include any changes to the design, size, footprint, or height of the existing Walgreens building.

1 Commissioner Buchanan asked Mr. Thomson if the request for the expanded hours would be for
2 these dates every year going forward.

3
4 Mr. Thomson stated that the request would be for the same period every year going forward.

5
6 Commissioner Flannigan asked Mr. Thomson what concerns the Council had when the original
7 hours were established for Walgreens in the PUD.

8
9 Mr. Thomson stated the hours of operation reflected the standards for conditional use permits for
10 drive-through windows, and that the PUD condition for Walgreens was intended to reduce
11 negative impacts to surrounding areas, in particular the single-family homes that are in close
12 proximity to the property.

13
14 Commissioner Gonzalez stated there is a home close to the west side of the site.

15
16 Commissioner Flannigan asked and Mr. Thomson clarified that deliveries were made on the west
17 side of the building. Commissioner Flannigan noted that he would like to ask the applicant why
18 5:00 a.m. deliveries are needed once a week.

19
20 Chair Iverson opened the public hearing at 7:09 p.m.

21
22 Mr. Robert Reinhardt, Representative for Walgreens, 412 Wayzata Blvd, stated the Wayzata
23 Walgreens is one of the highest volume stores in their district. Walgreens tries not to interfere
24 with customer service and when they receive deliveries during store hours, the entire back of the
25 store and the entrance to Wayzata Blvd are blocked. The current delivery time also means that
26 employees are putting stock away during peak business hours and not assisting customers. He
27 noted that customers had requested last holiday season to have the hours extended during that
28 time of year.

29
30 Commissioner Flannigan asked Mr. Reinhart what had changed from the time the PUD had been
31 approved to the present that made the permitted hours of operation no longer effective.

32
33 Mr. Reinhardt stated the stores business has increased significantly since opening in 2014. He
34 explained that the deliveries they receive are dependent on the business and the holidays that
35 occur. Currently they receive the warehouse shipment on Friday. This will be changing to
36 Saturday soon, and then eventually to Tuesday.

37
38 Commissioner Gonzalez noted that Item 8 on page 20 of the Staff Report, excerpting the PUD
39 conditions, states that garbage and dumpsters must be located within the interior of the
40 Walgreens and Anchor Bank structures or be sufficiently screened from adjacent residential
41 properties. She pointed out that the Walgreens currently has garbage cans flanking the entrance.
42 The design standards also require planters or flower boxes at the entrance. She asked if
43 Walgreens would comply with all of the requirements if the City approves the PUD amendment.

44
45 Mr. Reinhardt stated the garbage cans would not work inside the building because these are used
46 in an attempt to keep the parking lot clean.

1
2 Commissioner Gonzalez suggested screening these and providing planters to comply with the
3 requirements.

4
5 Mr. Reinhardt stated this would be brought to the property managers attention.
6

7 Chair Iverson asked if the drive-through window would be open until midnight if the holiday
8 hours were approved.
9

10 Mr. Reinhardt stated the pharmacy operates from 8:00 a.m. to 8:00 p.m. so the drive-thru would
11 not be operating after 8:00 p.m.
12

13 Mr. Patrick Joyce, 145 Wooddale, encouraged the Planning Commission to recommend denial of
14 the PUD amendment because the conditions related to permitted hours of operation were
15 established prior to Walgreens opening, and the additional hours of operation will not
16 significantly impact Walgreens' profit. The neighborhood agreed to these conditions and the
17 neighborhood is adversely affected now by the traffic and noise from the site. Extending the
18 hours and allowing earlier deliveries would further impact the neighborhood. Walgreens knew
19 that there were conditions on the deliveries. Allowing earlier deliveries would also present a
20 safety issue because there is pedestrian traffic in this area as well.
21

22 Mr. Gordy Straka, 130 Huntington Avenue, stated there are several dumpsters that are near his
23 home and the pickups are all during the early morning hours. This is something that residents
24 should be aware of and watch. Also, the residents do have the noise of the truck backing up and
25 the headlights from the semi-trucks shining into the neighborhood. He asked the Commission to
26 consider these factors when reviewing the PUD amendment.
27

28 Mr. Jace McLean, 141 Wooddale, urged the Commission to recommend denial of the PUD
29 amendment. The residents do have noise from the Walgreens property that they have to deal
30 with, and adding additional hours of operation would increase the impact on the neighborhood.
31

32 There being no other members of the public wishing to speak on the Application, Chair Iverson
33 closed the public hearing at 7:24 p.m.
34

35 Chair Iverson asked for comments from the Commissioners.
36

37 Commissioner Buchanan stated the early morning delivery would be a problem, and he would
38 not support that part of the request, but he would support the increased hours during the holiday
39 season.
40

41 Commissioner Young stated he agreed with Commissioner Buchanan.
42

43 Commissioner Gonzalez stated she would not support the PUD amendment for earlier and later
44 hours because people go to work and children are attending school and have the right to sleep.
45 Walgreens chose to locate their business close to an existing neighborhood knowing all of the
46 restrictions that would be imposed. She pointed out that the applicant has not met all of the

1 existing operational requirements of the PUD. She stated a 7:00 a.m. delivery once a week could
2 make sense but not 5:00 a.m.

3
4 Commissioner Flannigan stated the condition on hours for initial PUD was reasonable, and there
5 is not a hardship for the applicant in meeting this conditions of approval. He would support a
6 recommendation of denial on both requests.

7
8 Chair Iverson stated there had been long hours of discussion on the hours of operation for
9 Walgreens when the existing PUD was approved, and she would recommend denial of the PUD
10 amendment because of the impact to the neighborhood. She noted that there are drugstores near
11 Wayzata that are open later hours, so the community would still have late access during the
12 holidays.

13
14 Commissioner Young made a motion, seconded by Commissioner Buchanan, to direct staff to
15 prepare a draft Planning Commission Report and Recommendation recommending approval of
16 the PUD amendment as requested. The motion failed 0 ayes and 5 nays (Buchanan, Young,
17 Gonzalez, Iverson, Flannigan)

18
19 Commissioner Gonzalez made a motion, seconded by Commissioner Flannigan, to direct staff to
20 prepare a draft Planning Commission Report and Recommendation, with appropriate findings of
21 fact based on the preceding discussion, recommending denial of the PUD amendment. The
22 motion carried 5 ayes and 0 nays.

23
24 **b.) Harrington Gates – 309 and 341 Ramsey Rd**

25 **i. Preliminary and Final Plat Subdivision, Variances**

26
27 Director of Planning and Building Thomson stated the applicants, Kent and Amanda Adams, have
28 submitted a development application to adjust the property line between the two properties at 309
29 and 341 Ramsey Road and build a garage expansion. At the time the application was submitted
30 to the City, John Fauth was the owner of 341 Ramsey Rd, but this property is now owned by an
31 LLC controlled by the Adams. In addition to a property line adjustment, the applicant is proposing
32 to add a garage addition to the existing house at 341 Ramsey Road, which would not meet the rear
33 yard setback requirement. Thus, the development application requests approval of a setback
34 variance, and preliminary and final plat with variances for the property line adjustment and
35 substandard lot size. The concurrent preliminary and final plat subdivision proposal is to subdivide
36 the two existing lots along a new line. The proposed garage addition would be set back 14.2 feet
37 from the rear property line, which does not meet the 50-foot setback requirement for the R-1A
38 zoning district. The three variances that are requested as part of the subdivision are for the lot
39 width of 309 Ramsey Road, and the lot area and lot width of 341 Ramsey Road.

40
41 Commissioner Buchanan asked and Mr. Thomson confirmed that there were several surrounding
42 properties in this zoning district are non-conforming due to lot area.

43
44 Chair Iverson invited the Applicant to speak about the Application. Ms. Amanda Adams, 309
45 Ramsey Road, stated the home they live in on the property was built in 1905. The property was
46 subdivided in 1949 to create the 341 Ramsey Rd property. The driveway for 309 Ramsey Road is

DRAFT RESOLUTION NO. 66-2017

**RESOLUTION DENYING PUD AMENDMENT FOR WALGREENS
AT 1055 WAYZATA BLVD E**

WHEREAS, Walgreens and the property owner of the property at 1055 Wayzata Blvd E (the “Applicant”) have submitted a development application (the “Application”) for approval of an amendment to an existing Planned Unit Development that encompasses the Walgreens business at 1055 Wayzata Blvd E to provide additional evening hours between Thanksgiving and Christmas, as well as the ability to have early deliveries on one day a week during the entire year, as further described in the Application (the “PUD Amendment”); and

WHEREAS, the Wayzata Planning Commission, pursuant to the Zoning Ordinance, has held a public hearing on the Application, made findings of fact on the land use request in the Application, and delivered a Report and Recommendation to the City Council, attached to this Resolution as Attachment A (the “Planning Commission Report and Recommendation”);

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

A. Based on the Application materials, additional materials and information submitted by the Applicant, staff reports, public comment and information presented at the public hearing, the standards of the Wayzata Zoning Ordinance, and the findings and recommendation of the Planning Commission Report and Recommendation, all of which are incorporated by reference in this Resolution, the City Council of the City of Wayzata hereby confirms and memorializes that the PUD Amendment does not meet the applicable requirements of Wayzata’s Zoning Ordinance.

B. Based on the foregoing, the PUD Amendment requested in the Application is **HEREBY DENIED**.

Adopted by the Wayzata City Council this 5th day of December 2017.

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:

Resolution adopted.

I hereby certify that the foregoing is a true and correct copy of a resolution adopted by the City Council of the City of Wayzata, Minnesota, at a duly authorized meeting held on December 5, 2017.

Becky Malone, Deputy City Clerk
SEAL

Attachment A

Planning Commission Report and Recommendation, dated November 20, 2017

Attachment A

Planning Commission Report and Recommendation, dated November 20, 2017

DRAFT



WAYZATA PLANNING COMMISSION

November 20, 2017

REPORT AND RECOMMENDATION OF DENIAL OF AMENDMENT TO PUD AT 1055 WAYZATA BLVD E

SUMMARY OF RECOMMENDATIONS

1. **Denial** of Amendment to PUD to change hours of operation and deliveries
-

REPORT

Section 1. BACKGROUND

- 1.1 Proposed Land Use. Walgreens, and the property owner listed below, (the "Applicant") have submitted a development application (the "Application") for approval of an amendment to an existing Planned Unit Development (the "Existing PUD") that encompasses the Walgreens business at 1055 Wayzata Blvd E (the "Property") to provide additional evening hours between Thanksgiving and Christmas, as well as the ability to have early deliveries on one day a week during the entire year. Walgreens' current operating hours are 7:00 a.m. to 10:00 p.m. on weekdays, and 8:00 a.m. to 10:00 p.m. on weekends. The Existing PUD provides the following restrictions on Walgreens' hours of operation ("Permitted Hours of Operation"):

Walgreens may not be open for business between 10:00 p.m. and 6:00 a.m., and deliveries and garbage pickup may only occur between 8:00 a.m. and 8:00 p.m.

- 1.2 Application Requests. The Applicant is requesting approval of the following PUD amendment:
 - A. Amendment to Permitted Hours of Operations for Walgreens to (i) allow it to be open for business until 12 midnight from the day after Thanksgiving through and including December 25, and (ii) allow deliveries to the store beginning at 5am one day a week (year round) to allow for the store to restock prior to opening. (the "PUD Amendment").

The PUD Amendment would not include any other changes to the Existing PUD.

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

1055 Wayzata Blvd E	06-117-22-14-0081	Pomco LLC
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- 1.4 Land Use Designations. The Property falls within the following land use districts:

Current zoning:	PUD/Planned Unit Development District
Comp Plan designation:	Mixed Use Commercial
Overlay districts:	None

- 1.5 Notice and Public Hearing. Notice of a public hearing on the Application was published in the *Lakeshore Weekly News* on October 19, 2017. A copy of the notice was mailed to all property owners located within 350 feet of the Property on October 20, 2017. The required public hearing was held at the October 30, 2017 Planning Commission meeting.

Section 2. STANDARDS

2.1 PUD Amendment.

- A. Process. Section 801.33.9 of the Zoning Ordinance provides that the same review procedure is followed by the Planning Commission and City Council for an amendment of a PUD as is followed for a new PUD.
- B. Intent and Purpose of PUDs. Section 801.33 of the Zoning Ordinance provides for the establishment of Planned Unit Developments to allow greater flexibility in the development of neighborhoods and/or non residential areas by incorporating design modifications as part of a PUD conditional use permit or a mixture of uses when applied to a PUD District. The PUD process, by allowing deviation from the strict provisions of the Zoning Ordinance related to setbacks, lot area, width and depth, yards, etc., is intended to encourage:
1. Innovations in development to the end that the growing demands for all styles of economic expansion may be met by greater variety in type, design, and placement of structures and by the conservation and more efficient use of land in such developments.
 2. Higher standards of site and building design through the use of trained and experienced land planners, architects, landscape architects, and engineers.

3. More convenience in location and design of development and service facilities.
 4. The preservation and enhancement of desirable site characteristics such as natural topography and geologic features and the prevention of soil erosion.
 5. A creative use of land and related physical development which allows a phased and orderly development and use pattern.
 6. An efficient use of land resulting in smaller networks of utilities and streets thereby lower development costs and public investments.
 7. A development pattern in harmony with the objectives of the Wayzata Comprehensive Plan. (PUD is not intended as a means to vary applicable planning and zoning principles.)
 8. A more desirable and creative environment than might be possible through the strict application on zoning and subdivision regulations of the City.
- C. General Standards. Section 801.33.2.A of the Zoning Ordinance sets forth the general standards for review of any PUD application. These are:
1. Health Safety and Welfare; Intent and Purpose of PUDs. In reviewing the PUD application, the Council shall consider comments on the application of those persons appearing before the Council, the report and recommendations of the Planning Commission, the recommendations on design and any staff report on the application. The Council also shall evaluate the effects of the proposed project upon the health, safety and welfare of residents of the community and the surrounding area and shall evaluate the project's conformance with the overall intent and purpose of Section 33 of the PUD Ordinance. If the Council determines that the proposed project will not be detrimental to the health, safety and welfare of residents of the community and the surrounding area and that the project does conform with the overall intent and purpose of Section 33 of the PUD Ordinance, it may approve the PUD, although it shall not be required to do so.
 2. Ownership. Applicant/s must own all of the property to be included in the PUD.
 3. Comprehensive Plan Consistency. The PUD project must be consistent with the City's Comprehensive Plan.

4. Sanitary Sewer Plan Consistency. The PUD project must be consistent with the City's Sanitary Sewer Plan.
5. Common Open Space. The PUD project must provide common private or public open space and facilities at least sufficient enough to meet the minimum requirements established in the Comprehensive Plan, and contain provisions to assure the continued operation and maintenance of such.
6. Operating and Maintenance Requirements. Whenever common private or public open space or service facilities are provided within a PUD, the PUD plan must contain provisions to assure the continued operation and maintenance of such open space and service facilities to a predetermined reasonable standard.
7. Staging of Public and Common Open Space. When a PUD provides for common private or public open space, and is planned as a staged development over a period of time, the total area of common or public open space or land escrow security in any stage of development shall, at a minimum, bear the same relationship to the total open space to be provided in the entire PUD as the stages or units completed or under development bear to the entire PUD.
8. Density. The PUD project must meet the density standards agreed upon by the applicant and City, which must be consistent with the Comprehensive Plan.
9. Utilities. All utilities associated with the PUD must be installed underground and meet the utility connection requirements of Section 801.33.2.A.10.
10. Utility Connections. All utilities associated with proposed PUD must meet the utility connection requirements of Section 801.33.2.A.10.
11. Roadways. All roadways associated with the PUD must conform to the Design Standards and Wayzata Subdivision Regulations, unless otherwise approved by City Council.
12. Landscaping. All landscaping associated with the PUD must be according to a detailed plan approved by the City Council. In assessing the plan, the City Council shall consider the natural features of the particular site, the architectural characteristics of the proposed structure and the overall scheme of the PUD plan.

13. Setbacks. The front, rear and side yard restrictions on the periphery of the Planned Unit Development site at a minimum shall be the same as imposed in the underlying districts, if a PUD conditional use permit, or the previous zoning district, if a PUD District. .
14. Height. The maximum building height to be considered within a PUD District shall be thirty five (35) feet and three (3) stories, whichever is lesser.

Section 3. FINDINGS

Based on the Application materials, staff reports, public comment presented at the public hearing, and Wayzata's Zoning Ordinance, the Planning Commission of the City of Wayzata makes the following findings of fact:

3.1 PUD Amendment.

- A. Health Safety and Welfare; Intent and Purpose of PUDs. The PUD Amendment (resulting in the "Amended PUD") does not conform with the overall intent and purpose of a PUD as outlined in Section 33 of the Zoning Ordinance, in that it would negatively affect the welfare of the surrounding neighborhood by increasing noise, light, and traffic in the early morning and late evening hours. The Permitted Hours of Operation for the Existing PUD were carefully considered by the Planning Commission and Council at the time the Existing PUD was approved, and included the review and input of the original applicant, the residents of the surrounding neighborhood, and the general public. The Permitted Hours of Operation were included as part of the Existing PUD to lessen the impacts of traffic, noise, lighting, safety and other potential negative effects of the business on the adjacent and surrounding neighborhood most affected by the new development of the PUD. The proposed extended late night and early morning hours of the Amended PUD would create noise and light issues for the surrounding neighborhood during times when many residents will be sleeping or have a reasonable expectation of quiet.
- B. General Standards. The Amended PUD would negatively impact the health, safety and welfare of the residents of the surrounding neighborhood as noted above in this Report.

Section 4. RECOMMENDATION

Based on the Findings of this Report, the Planning Commission recommends that the PUD Amendment be **DENIED**.

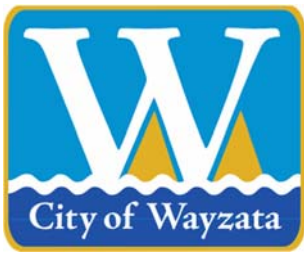
Adopted by the Wayzata Planning Commission this 20th day of November 2017.

Voting For the Findings and Recommendation of Denial: Buchanan, Gonzalez, Iverson,
Flannigan, Young

Voting Against: None

Abstaining: None

Absent: Murray



City of Wayzata City Council Agenda Report

MEETING DATE: December 5, 2017	AGENDA ITEM: 9c
TITLE: Consider Approval of Resolution No. 61-2017, Appointing Parks & Trails Board Members	
PROPOSED MOTION: To Approve Resolution No. 61-2017, Appointing Parks & Trails Board Members	
PREPARED BY: Becky Malone, City Clerk	
REVIEWED BY: Jeffrey Dahl, City Manager	

ACTION REQUESTED:

Staff recommends approval of Resolution No. 61-2017.

FINANCIAL OR BUDGET CONSIDERATION:

N/A

BACKGROUND:

In September and October of 2017, the City solicited applications for vacancies on Boards and Commissions. For the Parks & Trails Board, five (5) applications were received for four (4) vacant seats that that will expire on December 31, 2020.

Applicant interviews with the City Council are scheduled for December 5, 2017, prior to the Council Meeting. After interviews are completed earlier in the evening, the Council should consider a motion to approve the attached resolution with their preferred appointments.

ATTACHMENTS:

1. Resolution No. 61-2017, Appointing Parks & Trails Board Members

CITY OF WAYZATA

RESOLUTION NO. 61-2017

A RESOLUTION APPOINTING PARKS AND TRAILS BOARD MEMBERS

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

Section 1. BACKGROUND

- 1.1 Vacancy. At the end of 2017, the terms of three (3) members of the Parks and Trails Board will expire. Additionally, the term of the Executive Board Chair will expire at the end of 2017 and the Wayzata City Council may appoint one (1) additional Board member to serve as the Executive Board Chair for a period of one year as needed for continuity of the Board. This creates a total of four (4) vacancies on the Parks and Trails Board.
- 1.2 Applicants. In September and October of 2017 the City Council solicited applications from those who wished to be considered by the Council to fill the vacancies on the Parks and Trails Board. A total of five (5) applications were received.

Section 2. STANDARDS

- 2.1 City Council Appointment. Section 18 of the Revised Charter of the City of Wayzata empowers the City Council to create and appoint a Parks and Trails Board.

Section 3. CITY COUNCIL ACTION

- 3.1 The City Council of Wayzata hereby finds the following persons eligible to serve as members of the Parks and Trails Board and appoints them as members of the Board as follows:
 1. _____ shall serve a full three-year term to expire on December 31, 2020.
 2. _____ shall serve a full three-year term to expire on December 31, 2020.
 3. _____ shall serve a full three-year term to expire on December 31, 2020.
 4. _____ shall serve as the Executive Board Chair for a full one-year term to expire on December 31, 2018.

Adopted by the Wayzata City Council this 5th day of December, 2017.

Mayor Kenneth Willcox

ATTEST:

City Manager Jeffrey Dahl

ACTION ON THIS RESOLUTION:

Motion for adoption:

Seconded by:

Voted in favor of:

Voted against:

Abstained:

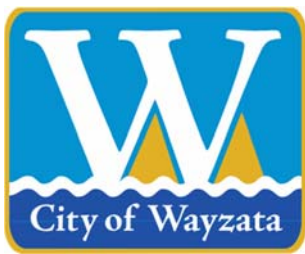
Absent:

Resolution:

I hereby certify that the foregoing is a true and correct copy of Resolution No. 61-2017 adopted by the City Council of the City of Wayzata, Minnesota, at a duly authorized meeting held on December 5, 2017.

City Clerk Becky Malone

SEAL



City of Wayzata City Council Agenda Report

MEETING DATE: December 5, 2017	AGENDA ITEM: 9d
TITLE: Consider Approval of Resolution No. 59-2017, Suggesting Charter Commission Nominees to the Fourth Judicial District Court of the State of Minnesota	
PROPOSED MOTION: To Approve Resolution No. 59-2017, Suggesting Charter Commission Nominees to the Fourth Judicial District Court of the State of Minnesota	
PREPARED BY: Becky Malone, City Clerk	
REVIEWED BY: Jeffrey Dahl, City Manager	

ACTION REQUESTED:

Staff recommends approval of Resolution No. 59-2017.

FINANCIAL OR BUDGET CONSIDERATION:

N/A

BACKGROUND:

In September and October of 2017, the City solicited applications for vacancies on Boards and Commissions. Because a Charter Commission may be comprised of up to 15 members, the Council may recommend up to 11 additional nominees to serve. For the Charter Commission, seven (7) applications were received for the seats that will expire on December 31, 2021.

Applicant interviews with the City Council are scheduled for November 21, 2017 and December 5, 2017, prior to both Council Meetings. After interviews are completed, the Council should consider a motion to approve the attached resolution with their preferred recommendations.

ATTACHMENTS:

1. Resolution No. 59-2017, Suggesting Charter Commission Nominees to the Fourth Judicial District Court of the State of Minnesota

CITY OF WAYZATA

RESOLUTION NO. 59-2017

RESOLUTION SUGGESTING CHARTER COMMISSION NOMINEES TO FOURTH JUDICIAL DISTRICT COURT OF THE STATE OF MINNESOTA

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

Section 1. BACKGROUND

- 1.1 Vacancy. At the end of 2017, the terms of four members of the Wayzata Charter Commission will expire. Because a Charter Commission may be comprised of up to 15 members, the Council may recommend up to 11 additional nominees to serve on the Charter Commission.
- 1.2 Applicants. In September and October of 2017, the City Council solicited applications from those who wished to be considered by the Council to fill the vacancies on the Commission. A total of seven (7) applications were received.

Section 2. STANDARDS

- 2.1 City Council Recommendation. Section 3 of the Revised Charter of the City of Wayzata empowers the City Council to make such provisions as may be necessary to maintain a complete Charter Commission.

Section 3. CITY COUNCIL ACTION

- 3.1 The City Council of Wayzata hereby suggests to the Fourth Judicial District Court of the State of Minnesota the following persons eligible to serve as members of the Wayzata Charter Commission:
 1. _____ shall serve a full four-year term to expire on December 31, 2021.
 2. _____ shall serve a full four-year term to expire on December 31, 2021.
 3. _____ shall serve a full four-year term to expire on December 31, 2021.
 4. _____ shall serve a full four-year term to expire on December 31, 2021.
 5. _____ shall serve a full four-year term to expire on December 31, 2021.
 6. _____ shall serve a full four-year term to expire on December 31, 2021.
 7. _____ shall serve a full four-year term to expire on December 31, 2021.

Adopted by the Wayzata City Council this 5th day of December, 2017.

Mayor Kenneth Willcox

ATTEST:

City Manager Jeffrey Dahl

ACTION ON THIS RESOLUTION:

Motion for adoption:

Seconded by:

Voted in favor of:

Voted against:

Abstained:

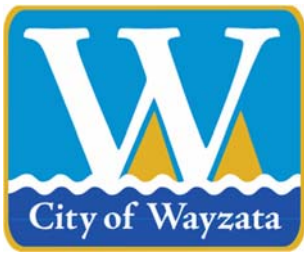
Absent:

Resolution:

I hereby certify that the foregoing is a true and correct copy of Resolution No. 59-2017 adopted by the City Council of the City of Wayzata, Minnesota, at a duly authorized meeting held on December 5, 2017.

City Clerk Becky Malone

SEAL



City of Wayzata City Council Agenda Report

MEETING DATE: December 5, 2017	AGENDA ITEM: 9e
TITLE: Consider Approval of Resolution No. 60-2017, Appointing Heritage Preservation Board (HPB) Members	
PROPOSED MOTION: To Approve Resolution No. 60-2017, Appointing Heritage Preservation Board (HPB) Members	
PREPARED BY: Becky Malone, City Clerk	
REVIEWED BY: Jeffrey Dahl, City Manager	

ACTION REQUESTED:

Staff recommends approval of Resolution No. 60-2017.

FINANCIAL OR BUDGET CONSIDERATION:

N/A

BACKGROUND:

In September and October of 2017, the City solicited applications for vacancies on Boards and Commissions. For the Heritage Preservation Board (HPB), three (3) applications were received for three (3) vacant seats that will expire on December 31, 2019.

Applicant interviews with the City Council are scheduled for November 21, 2017 and December 5, 2017, prior to both Council Meetings. After interviews are completed, the Council should consider a motion to approve the attached resolution with their preferred appointments.

ATTACHMENTS:

1. Resolution No. 60-2017, Appointing Heritage Preservation Board (HPB) Members

CITY OF WAYZATA

RESOLUTION NO. 60-2017

RESOLUTION APPOINTING HERITAGE PRESERVATION BOARD MEMBERS

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

Section 1. BACKGROUND

- 1.1 Vacancy. At the end of 2017, the terms of two (2) members of the Wayzata Heritage Preservation Board (the “HPB”) will expire. In addition, one term was vacant in 2017. This creates a total of three (3) vacancies on the HPB.
- 1.2 Applicants. In September and October of 2017, the City Council solicited applications from those who wished to be considered by the Council to fill the vacancies on the HPB. A total of three (3) applications were received.

Section 2. STANDARDS

- 2.1 City Council Appointment. Section 18 of the Revised Charter of the City of Wayzata empowers the City Council to create and appoint a HPB.

Section 3. CITY COUNCIL ACTION

- 3.1 The City Council of Wayzata hereby finds the following persons eligible to serve as members of the Wayzata Heritage Preservation Board and appoints them as members of the Board as follows:
 1. _____ shall serve a full two-year term to expire on December 31, 2019.
 2. _____ shall serve a full two-year term to expire on December 31, 2019.
 3. _____ shall serve a full two-year term to expire on December 31, 2019.

Adopted by the Wayzata City Council this 5th day of December, 2017.

Mayor Kenneth Willcox

ATTEST:

City Manager Jeffrey Dahl

ACTION ON THIS RESOLUTION:

Motion for adoption:

Seconded by:

Voted in favor of:

Voted against:

Abstained:

Absent:

Resolution:

I hereby certify that the foregoing is a true and correct copy of Resolution No. 60-2017 adopted by the City Council of the City of Wayzata, Minnesota, at a duly authorized meeting held on December 5, 2017.

City Clerk Becky Malone

SEAL