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**WAYZATA CITY COUNCIL  
MEETING MINUTES  
January 16, 2018**

**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, and Plechash. Council Members absent and excused: Mrs. McCarthy and Mr. Tyacke. Also present: City Manager Dahl, Director of Planning and Building Thomson, and City Attorney Schelzel.

**AGENDA ITEM 4. Approve Agenda.**

Mr. Plechash made a motion, seconded by Mr. Koch to approve the agenda. There was no further discussion. The motion carried 3/0.

Mayor Willcox noted the Council met in Workshop prior to the meeting to discuss Lake Effect financing, recycling, and the Parks and Trails Board expansion, which they decided not to do.

**AGENDA ITEM 5. Public Forum.**

Mayor Willcox suggested they begin with item 5(b), as they wait for Chief Risvold to arrive at the meeting.

**b. Presentation of HPB & Planning Commissioner Service Awards**

Director of Planning and Building Thomson recognized former Planning Commission Member Graciela Gonzalez, and former Heritage Preservation Board members Kim Anderson and Elissa Madson, and presented each of them with an award for their service. Ms. Gonzales urged people in the community to step up and serve. Ms. Anderson and Ms. Madson thanked the Council for their partnership with the Heritage Preservation Board, and encouraged them to keep it as a focus moving forward.

The Council thanked them for their contributions to the community.

**AGENDA ITEM 6. New Agenda Items.**

None.

**AGENDA ITEM 7. Consent Agenda.**

Mr. Plechash referred to item 7(f), Mediacom Quarterly Customer Service Report. He inquired how they could claim 100 percent approval when there is series of complaints from one address that clearly did not receive installation service within seven business days.

City Manager Dahl explained the issue with the resident had to do with internet service, and this report is only required for cable and television.

City Attorney Schelzel stated they could request internet issues also be included in the quarterly report, but contractually it is not required.

Mr. Plechash suggested they consider including it in the future.

Mayor Willcox noted they require this report because of previous issues with the cable provider.

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

- 1 a. Approval of City Council Workshop Meeting Minutes of January 2, 2018, and City Council  
 2 Regular Meeting Minutes of January 2, 2018  
 3 b. Approval of revised Check Register  
 4 c. Approval of Municipal Licenses  
 5 d. Police Activity Report  
 6 e. Building Activity Report  
 7 f. Mediacom Quarterly Customer Service Report  
 8 g. Approval of Intergovernmental Cooperative Agreement with the City of Bloomington (for  
 9 Public Safety Needs Related to Super Bowl LII)  
 10 h. Approval of House Plans at 1058 Circle Drive E  
 11 i. Approval of 2018 Lease Agreement with the Wayzata Historical Society (for Wayzata  
 12 Depot, 402 Lake Street E)  
 13 j. Approval of 2018 Use Agreement and License Agreement with the Lake Minnetonka  
 14 Conservation District  
 15 There was no further discussion. The motion carried 3/0.

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17 The Council recessed at 7:17 p.m. and reconvened at 7:20 p.m.

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19 **AGENDA ITEM 5. Public Forum (continued).**20 **a. Swearing in Ceremony for Police Officer Anders Seeland**21 Mayor Willcox stated the people who work in public safety are valued in the City and swearing in  
 22 a new police officer is a momentous time.

23 City Manager Dahl introduced Officer Anders Seeland and administered the oath of office.

24 Chief Risvold commented Officer Seeland has been a member of the fire department for  
 25 10 years, fits the important criteria for a police officer and he is proud to have him as a member of  
 26 the department.27 Officer Seeland thanked everyone and stated he looks forward to being a part of the team  
 28 for many years to come. In response to a question from Mayor Willcox, he noted he was previously  
 29 with the Wright County Sheriff's Department for 10 months.

30 Mayor Willcox thanked Officer Seeland and wished him a long career in Wayzata.

31

32 **AGENDA ITEM 8. New Business.**33 **a. Presentation of 2017 City of Wayzata Annual Report**34 City Manager Dahl provided a 2017 Annual Report on areas of Administration, Communications,  
 35 Finance, Motor Vehicle, Planning, Building and Inspections, Public Works, Police, Fire, Wayzata  
 36 Wine and Spirits, and Wayzata Bar and Grill. He thanked City staff for all that was accomplished  
 37 in 2017.

38 Mr. Plechash noted Firefighter Reb Bowman also retired at the end of 2017.

39 Mayor Willcox stated he is always amazed at what is accomplished each year in Wayzata  
 40 and thanked City staff for their work.

41

42 **b. Consider Resolution No. 05-2018 AND First Reading of Ordinance No. 778**  
 43 **Approving Rezoning, PUD Concept and General Plan, and Preliminary Plat**  
 44 **Subdivision at 350 Gardner St E**45 Director of Planning and Building Thomson reported the applicant is requesting to subdivide the  
 46 property at 350 Gardner Street East into two single-family residential lots. The existing home would  
 47 be demolished, and two new homes would be constructed with access from a private driveway.  
 48 The application requests approval of rezoning from R-3A to PUD, PUD concept and general plan  
 49 review, and preliminary plat subdivision. He noted earlier in 2017, the City Council denied a three-  
 50 lot subdivision due to concerns with the lot sizes and impacts on natural resources.

51

1 Mr. Thomson reported the applicant is requesting a PUD to allow the use of a private street  
2 to access the proposed lots. The applicant is proposing to widen the existing driveway for this use.  
3 New sewer and water services will need to be provided to service both homes. Of the 13 trees on  
4 the property, 6 would be removed and 54 inches of new trees would have to be planted as part of  
5 the project. The lot area, width and depth meet the R-3A minimum requirements.

6 Mr. Thomson reported after review by the Planning Commission, the updated plan shows  
7 no removal of trees in the City's right-of-way, and the Planning Commission unanimously  
8 recommend approval of the application.

9 Mr. Koch inquired if the benefit of going with a PUD is to minimize the impact and limit  
10 grading. He also inquired if the homes would be constructed within 150 feet of a fire hydrant or if  
11 sprinklers would be required in the homes.

12 Mr. Thomson stated the public street option would create significant impact to the natural  
13 resources in the right-of-way. The Fire Marshall recommends sprinklers in the homes due to the  
14 width of the driveway. The Fire Marshall recommends a 20-foot wide driveway and the proposed  
15 driveway will be 14 feet without an adequate turn around. The Fire Marshall recommends that the  
16 homes have fire sprinklers given the reduced driveway width.

17 Mr. Koch inquired if there are other homes in the City where the water supply is public  
18 and the sewer outflow is private.

19 Mr. Thomson noted it is unique to have the utility mains be private. There is a significant  
20 amount of enhanced maintenance required for a lift station that serves two homes and that is why  
21 they recommend it be privately maintained. The private lift station will require a battery backup  
22 system or generator.

23 Steve Bohl, 550 Far Hill Road, commented he has seen other instances where homes are  
24 the same distance from the hydrant as this one with narrower streets, but do not require a sprinkler  
25 system in the home. He requested sprinkler systems not be required for the two proposed homes  
26 because hydrant is in close proximity to the homes. A sprinkler system will cost about \$8,000 to  
27 \$10,000 and he is unsure when else it has required for single-family homes in Wayzata.

28 Joe Madson, 344 Garner Street East, commented he appreciates this new proposal and how  
29 it impacts their home. He supports the Planning Commission's recommendation regarding the  
30 private sewer and private driveway maintenance, and how it does not require them to maintain any  
31 part of it or provide a potential hardship on them. Also, in the event the buffer between Highway  
32 12 and his property is negatively impacted, he supports the tree preservation plan noted in the  
33 recommendations. During construction, he requested the City continue to allow them to have  
34 reasonable access to their home during construction. He confirmed the resolution addresses his  
35 concerns.

36 Mr. Plechash stated he was present when this was reviewed by the Planning Commission  
37 and was satisfied that all the points of view were taken into account. He agrees with the builder  
38 that sprinklers may not be necessary and that the fire department could provide service quickly.

39 Mr. Thomson stated the Fire Marshall would prefer to have a 20-foot-wide fire lane and no  
40 sprinklers in the home. Since that cannot be accomplished, he recommends sprinklers be installed  
41 in the home.

42 Mr. Plechash made a motion, seconded by Mr. Koch to adopt Resolution No. 05-2018  
43 Approving Rezoning, PUD Concept and General Plan of Development, and Preliminary Plat  
44 subdivision at 350 Gardner Street East, and first reading of Ordinance No. 778.

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46 Mr. Thomson confirmed the requirement of fire sprinklers is a condition of the resolution.

47  
48 Mayor Willcox stated the width of the driveway is what is requiring the sprinklers in the home.

49  
50 Mr. Koch noted he is not an expert and supports the Fire Marshall's recommendation.

1 Mr. Plechash commented it is his personal opinion that sprinklers are not needed, but he will not  
2 overrule the Fire Marshall's recommendation.

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4 There was no further discussion. The motion carried 3/0.

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

7 **a. Upcoming Events/Announcements**

- 8 • Staff will meet with Farmer's Market vendors on how to create a more dynamic market.
- 9 • The next City Council meeting will be held on Wednesday, February 7 due to precinct  
10 caucuses for the 2018 election. The Workshop prior to the meeting will be focused on the  
11 Minnetonka Food and Health Department and their inspections.
- 12 • In 2019, Council members will need to be retrained and additional Council Members will  
13 need to be trained in the Board of Appeal and Equalization process.

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

16 There were no comments.

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18 **AGENDA ITEM 11. Adjournment.**

19 Mr. Koch made a motion, seconded by Mr. Plechash to adjourn. There being no further business,  
20 Mayor Willcox adjourned the meeting at 8:20 p.m.

21  
22 Respectfully submitted,

23  
24 *Becky Malone 02-07-2018*

25  
26 Becky Malone  
27 City Clerk

28  
29 Drafted by Shannon Schmidt  
30 *TimeSaver Off Site Secretarial, Inc.*