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WAYZATA CITY COUNCIL
MEETING MINUTES
April 17, 2018

AGENDA ITEM 1. Public Meeting.

a. Open Local Board of Appeal and Equalization Meeting

Mayor Willcox opened the Local Board of Appeal and Equalization Meeting at 5:30 p.m.
Members present: Koch, McCarthy, Plechash, Tyacke and Willcox.

Rolf Erickson, Residential Property Assessor, provided an overview of property values in the area and reported the City of Wayzata's property values increased by 1.2 percent. He provided on the following steps involved in the appeal process: The resident must first speak with the assessor. If the issue is not resolved, they must have their appeal heard at this meeting or in writing. If the issue is still not resolved, they can file an appeal with the County Board of Equalization by May 16.

Mayor Willcox requested an explanation as to why other properties in Hennepin County had increased exponentially but Wayzata's had remained flat.

Assessor Erickson replied Wayzata does not have a lot of lakeshore. Due to high increases in value last year, four of the five sales that took place on the lake sold for less than they were valued at last year. The values this year fell right in line with where they should be based on the increases that took place last year.

City Manager Dahl noted more affordable communities that took more of a hit during the recession are seeing their values skyrocket while Wayzata's are remaining the stable.

Mayor Willcox inquired about the commercial market in the City.

Chris Bennett, Commercial Property Assessor, reported the commercial market in the City continues to improve with an overall increase, including new construction, at a little over 9 percent. The City saw a little over \$18 million in new construction, with most it on the Promenade east block. The CenturyLink building remained unchanged and rent for apartments continues to go up with an average increase in value of 3.6 percent.

Mr. Tyacke inquired how long it takes for the value to be noticed for improvements to made to a property.

Assessor Erickson responded they value as of January 2 each year. Whatever is there at that time will be considered in the value. They are having an epidemic of older condos and houses being updated without needing a permit.

b. Hear Appeals

The Board of Appeal and Equalization considered a request from Ann Marie Janke appealing the valuation of 121 Peavey Lane. She would like to know why her property value has significantly increased. There have not been any improvements made to the property, but improvements have been made to other properties on her street. She wonders if the neighboring property improvements have affected her value.

Assessor Erickson stated they will look at Ms. Janke's house on Thursday.

Judith Fansler, 502 Shoreline Drive, commented that she does not disagree with the valuation of her property, but just does not understand why the value increased. She stated the lot is a wetland, the value increased approximately 25 percent, and she requested more information as to why the value increased so significantly.

Assessor Erickson responded they will take a look at this property.

The Board of Appeal and Equalization considered the request for Audrey Miller appealing the valuation at 615 Waycliffe North. (PID #05-117-22-21-0022)

Assessor Erickson explained this valuation was in error. The assessor's office had actually been called to a house that is next to this property. These properties sit close to the

1 Hollybrook townhouses and look at the back of them. The assessor's office had made a change to
 2 the assessed value of a neighboring property due to a view line. They thought Ms. Miller's
 3 property had the same view line and felt they had to decrease her property value to be fair. They
 4 have since determined that Ms. Miller's property does not have a problem with the view line, and
 5 the property value should not have been reduced to \$665,000. Mr. Erickson stated that the value
 6 of this property should actually be increased to \$696,000.

7 Mr. Tyacke made a motion, seconded by Mr. Plechash, to accept the revaluation of 615
 8 Waycliffe North (PID #05-117-22-21-0022) at \$696,000. There was no further discussion. The
 9 motion carried 5/0.

10 Mr. Dahl recommended this meeting be continued to May 1, 2018 at 5:30 p.m. and noted
 11 no new appeals will be taken at that meeting.

12 Mr. Plechash made a motion, seconded by Mr. Tyacke, to continue the Board of Appeal
 13 and Equalization until May 1, 2018 at 5:30 p.m. to consider the assessed value for 121 Peavey
 14 Lane, 502 Shoreline Drive, 398 Waycliffe North, 205 Gleason Lake Road, and 205 Ferndale
 15 Road South. There was no further discussion. The motion carried 5/0.

16
 17 The meeting was recessed at 5:52 p.m.

18
 19 **AGENDA ITEM 1. Call to Order.**

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

21
 22 **AGENDA ITEM 2. Pledge of Allegiance.**

23
 24 **AGENDA ITEM 3. Roll Call.**

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

28
 29 **AGENDA ITEM 4. Approve Agenda.**

30 Mr. Tyacke made a motion, seconded by Mrs. McCarthy, to approve the agenda. The motion carried
 31 5/0.

32
 33 **AGENDA ITEM 5. Public Forum – 16 Minutes (3 minutes per person).**

34 **a. Volunteer Committee Update**

35 Lynn McCarthy, Volunteer Coordinator, commented that in 2017, they participated in Dig It Day,
 36 Adopt a Garden Program, Pull It Day, Garlic Mustard and Buckthorn Pulls, James J. Hill days
 37 booth, Bushaway Earth and Arbor Day Celebration, senior activities at the Boardwalk, Public
 38 Works Administrative duties, the Portal newsletter delivery, and Phase One of the Gateway
 39 Entrance Initiative. She reported that in partnership with Mn/DOT and Public Works, they have
 40 started preliminary planning for Phase 2 of the Gateway Entrance Initiative, which will consist of
 41 additional plantings in the fall. In addition, the City will receive a \$5,000 grant from Cargill to
 42 help Cargill personnel celebrate Earth Day on May 12. On this day, Cargill employee volunteers
 43 and family members will have an option of three activities in the Big Woods: Buckthorn Busting,
 44 Garlic Mustard Pulling or Native Wildflower Planting, all of which will enhance the Big Woods.
 45 They continue to initiate resident involvement. She stated that Dig It Day will take place at 8:15
 46 a.m. on May 19. She said they are close to having 400 volunteers in Wayzata that have put in over
 47 4,200 hours of service over the past year which saves the City \$100,000 in equivalent volunteer
 48 hours. She thanked Mayor Willcox for his vision of having volunteers help out in the City.

49 Mayor Willcox stated people take great pride in helping out in the City and enjoy being
 50 out in the community. He thanked Ms. McCarthy for her leadership and noted Cargill has been a
 51 wonderful partner with the City.

1 Ms. McCarthy introduced Lindsey Kaufman from Cargill. Ms. Kaufman reported they
2 had a huge turnout to plant 2,000 bushes and trees along a two-mile stretch of Bushaway Road.
3 They currently have 40 volunteers signed up for the Earth Day event on May 12 and she thanked
4 the City for the partnership with them.

5 Mayor Willcox thanked Ms. Kaufman for all of Cargill's volunteer efforts in the City.

6 Mr. Dahl noted agenda item No. 7(m) includes a resolution to accept a donation of
7 \$5,000 from Cargill for the Earth Day event in the Big Woods on May 12th.

8
9 **b. Step to It Initiative by Hennepin County**

10 Anne Nelson, from Hennepin County, commented the Step To It Initiative is a physical activity
11 challenge they provide to communities in Hennepin County. They have 24 participating
12 communities, including Wayzata. There are prizes to be won for the most active community, the
13 most active residents, and the most engaged community. Participants are also eligible for prizes of
14 Twins tickets or t-shirts. This is a four-week program that begins in May and people can register
15 at www.steptoit.org.

16 Mr. Dahl noted this is looked at as a wellness opportunity for the entire community. The
17 County supplies all the promotional items and they will relay that information to the Wayzata
18 community.

19 In response to questions from the Council, Ms. Nelson stated this contest only takes place
20 during the month of May and a pedometer is not required. Participants can submit their activity
21 and the amount of time spent doing it and it will be converted into steps. Residents can see how
22 their community is doing compared to others.

23
24 Peter Hitch, commented on an event where the Parks and Trails Board brought families to the Big
25 Woods and tapped a bunch of maple trees. He provided a slide show that demonstrated the process
26 of reducing the sap to syrup and noted it takes 40 gallons of sap to produce one gallon of syrup.
27 He presented Council Member McCarthy with a jar of syrup, since her family brought in the most
28 sap.

29 Mrs. McCarthy commented Wayzata makes the best maple syrup compared to anywhere
30 else. She acknowledged Merrily Babcock for her work in teaching them how to reduce the sap into
31 syrup.

32 Mr. Hitch presented Merrily Babcock with a label for next year's syrup stock as well as a
33 photo of her helping out in the process. He also introduced Jim McWethy and Dan Baasen from
34 the Parks and Trails Board.

35
36 **AGENDA ITEM 6. New Agenda Items.**

37 None.

38
39 **AGENDA ITEM 7. Consent Agenda.**

40 Mrs. McCarthy referred to item 7(f) Accept Mediacom Quarterly Customer Service Report. She
41 recalled that Mediacom representatives were supposed to present the report, and this has not been
42 done for a while. She also noted the service report appears to be getting thinner and it contains
43 information that is not accurately represented. She suggested they have another meeting with
44 Mediacom.

45 Mr. Dahl stated they have relayed comments made regarding the last few reports to
46 Mediacom's government relations team and will ask Mediacom to attend a future meeting. They
47 have discussed concerns with the accuracy of some of the numbers relating to internet issues with
48 Mediacom. Mediacom responded by stating the agreement is for the cable franchise, not internet
49 services, and they did remove items from the report that they thought were redundant.

1 Mrs. McCarthy explained her biggest concern is with the level of service and reverting
2 back to old ways. Mediacom may not be capable of getting the right fixes in place, or they are not
3 attempting to do so.

4 Mayor Willcox indicated that he had read in the report that one individual had two
5 questions. He said that although we have dealt with them before, he asked for clarification about
6 why there is not more competition for cable in Wayzata and if cable subscribers could demand rate
7 reductions due to poor service experienced.

8 Mr. Dahl responded that we do allow competition in Wayzata; however, from a market
9 perspective it may not make sense for another provider to install the infrastructure to provide the
10 same product that Mediacom has already implemented in the City. The City has tried to encourage
11 competition and are hopeful it will happen. He added that we cannot dictate what the cable rates
12 are.

13 City Attorney Schelzel stated that this has been an issue that the Council has wrestled with
14 for some time. If we could attract another provider to Wayzata, he is sure we would welcome that
15 proposition. In the meantime, we have an existing agreement that we have to operate with, and one
16 provider that is willing to come here.

17 Mayor Willcox commented on the Municipal License list on the consent agenda. He noted
18 that solicitors are generally approved based on a criminal background check and inquired if they
19 have a profile on the types of solicitors they would prefer not to have.

20 Mr. Dahl responded that based on the ordinance, a solicitor's license requires passing a
21 criminal background check before a license is issued. They do exempt applications for religious
22 purposes.

23 Mayor Willcox stated that he had a second question regarding what remedy there is for
24 noise and nuisance complaints if there are issues with the new cell tower or ground equipment.

25 Mr. Dahl responded the agreement refers back to the ordinance, which contains a provision
26 regarding noise. They could test the noise with a decibel meter and determine if it is breaking the
27 noise ordinance. They are hopeful noise will not be an issue since the monopole is located in an
28 area away from residential and they are working with additional landscaping.

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

- 30 a. Approval of City Council Workshop Minutes of April 3, 2018, and City Council Regular
- 31 Meeting Minutes of April 3, 2018
- 32 b. Approval of Check Register
- 33 c. Approval of Municipal Licenses
- 34 d. Police Activity Report
- 35 e. Building Activity Report
- 36 f. Accept Mediacom Quarterly Customer Service Report
- 37 g. Approval of Verizon Antenna Monopole Agreement
- 38 h. Approval of Second Reading of Ordinance No. 779 Amending the Official Zoning Map to
- 39 Rezone Properties at 259, 269, 275 Lake Street East and 339 Barry Avenue South to PUD
- 40 i. Approval of Resolution No. 18-2018 Re-Approving the Final Plat for Harrington Gates at
- 41 309 and 341 Ramsey Road
- 42 j. Approval of Resolution No. 21-2018 and 22-2018 in Support of Grant Applications to
- 43 Hennepin County and the Metropolitan Council for Clean UP of 253 Lake Street
- 44 k. Approval of Second Amendment to Sprint's Site Lease/Agreement
- 45 l. Approval of Award of Quote to Keys Well Drilling Company for Rehabilitation of Well
- 46 #4
- 47 m. Approval of Resolution No. 20-2018 to Accepting Donations from Cargill
- 48 The motion carried 5/0.

49
50 **AGENDA ITEM 8. Public Hearing.**

1 **a. Public Hearing and Consider Approval of Resolution No. 19-2018 Vacating Sanitary**
 2 **Sewer Easement at 1330 Wayzata Boulevard**

3 Director of Planning and Building Thomson reported the building located at 1330 Wayzata
 4 Boulevard East is under construction and as part of the construction, the sanitary sewer service line
 5 has been reconfigured to run directly from the building into a manhole along the west property line.
 6 The property owner is requesting the City vacate the easement over the sanitary sewer main, so
 7 they can reclaim that portion of the property. City staff has reviewed the application and
 8 recommends approval.

9 Mr. Plechash inquired if there was any remediation involved in vacating this easement.

10 City Engineer Kelly responded the sewer line has been abandoned in place.

11 Mrs. McCarthy inquired if there was a need for this in the future if the property to the west
 12 were to be developed.

13 Mr. Kelly responded the property to the west is already served by a sanitary sewer line that
 14 goes as far west as the US Bank and David Lee funeral home property and then connects into
 15 Wayzata Boulevard. The McDonalds and BP property to the east are served by new sewer mains
 16 installed along Wayzata Boulevard and Bushaway Road.

17 Mr. Tyacke inquired if this is only intended to clear up the titles or if it will be used for
 18 something related to the business.

19 Mr. Kelly responded it covers a portion of the parking lot located in the back and there is
 20 no need for the easement to remain across the property.

21 Mayor Willcox noted it is indicated that the City Charter does not refer to these types of
 22 requests, so they refer to State Statute. He inquired if the Charter Commission should look at this
 23 and add direction to the City Charter.

24 Mr. Schelzel responded this could be considered at the next Charter Commission meeting.

25 Mayor Willcox opened the public hearing at 7:45 p.m.

26 Mayor Willcox closed the public hearing at 7:46 p.m.

27 Mr. Plechash made a motion, seconded by Mr. Koch, to adopt Resolution No. 19-2018
 28 Vacating Sanitary Sewer Easement at 1330 Wayzata Boulevard. There was no further discussion.
 29 The motion carried 5/0.

30
 31 **AGENDA ITEM 9. New Business.**

32 **a. Approval of Survey Proposal and Authorize Staff to Execute a Professional Services**
 33 **Agreement with Sathre-Bergquist, Inc. for the Lake Effect Design Area**

34 Mr. Kelly reported Sathre-Bergquist had previously provided a survey to the City for use as a base
 35 map in 2012. Due to this knowledge of the area, they are requesting a proposal from them to
 36 provide the design for the area of the proposed Lake Effect improvements. The proposal is broken
 37 into four phases and title work, and the proposed cost of \$37,250 will be funded through both the
 38 Street and Lake Front Capital Improvement Programs. Portions of the Lake Effect project will
 39 benefit from this survey as well as the dredging of the marina.

40 Mayor Willcox inquired about the amount of money that was quoted and what would
 41 happen if they opened it up for additional bids.

42 Mr. Kelly responded other bids would be higher than the proposed amount because Sathre-
 43 Bergquist has existing data from a previous survey. The previous survey will be verified, and
 44 another firm would have to come in and gather all the data.

45 Mr. Tyacke made a motion, seconded by Mrs. McCarthy, to approve the survey proposal
 46 and authorize staff to execute a professional services agreement with Sathre-Bergquist. There was
 47 no further discussion. The motion carried 5/0.

48
 49 **AGENDA ITEM 10. City Manager's Report and Discussion Items.**

50 **a. Upcoming Events/Announcements**

- 51 • He showed an image provided by HGA of the City's parking ramp.

- 1 • Chief Risvold and the widow of Officer Mathews have dedicated an initiative called
2 Toward Zero Deaths to Officer Mathews in an effort to address distracted driving.
3 • They will be at the State Capital on Thursday to support memorializing Highway 12 after
4 Officer Mathews
5 • Capital Improvement Plan Workshop will take place on April 23 at 4:30 p.m.
6 • Minnesota Chiefs Conference will take place on April 24 in Duluth and he and the entire
7 City Council will attend. There will also be a recognition for Officer Mathews and his
8 family.
9 • On April 26, the Officer Mathews memorialization of Highway 12 goes to the House.
10 • On April 26 at 4:30 p.m., they will celebrate the retirement of Dave Dudinsky at City Hall,
11 with a brief presentation at 6:00 p.m.
12 • He thanked the Public Works crew for their work with snow removal.

13
14 **b. Council Member Updates**

15 Mayor Willcox thanked the Public Works department for their plowing efforts, as well as the fire
16 and police departments for their work during the recent blizzard. He also encouraged the public to
17 attend the retirement party for Dave Dudinsky.

18
19 **AGENDA ITEM 10. Public Forum Continued (as necessary).**

20 There were no comments.

21
22 **AGENDA ITEM 11. Adjournment.**

23 Mrs. McCarthy made a motion, seconded by Mr. Tyacke to adjourn. There being no further
24 business, Mr. Willcox adjourned the meeting at 7:58 p.m.

25
26 Respectfully submitted,

27
28 *Becky Malone 05-01-2018*

29
30 Becky Malone
31 City Clerk

32
33 Drafted by Shannon Schmidt
34 *TimeSaver Off Site Secretarial, Inc.*