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**WAYZATA CITY COUNCIL
MEETING MINUTES
October 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, McCarthy, Plechash and Tyacke. Also present: City Manager Dahl, Director of Planning and Building Thomson, Public Works Director/City Engineer Kelly, Bar and Grill Manager Pientrini, and City Attorney Schelzel.

AGENDA ITEM 4. Approve Agenda.

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

AGENDA ITEM 5. Public Forum.

a. Introduce Elijah Renn, Kitchen Manager

Bar and Grill Manager Pientrini introduced Kitchen Manager Elijah Renn.

Kitchen Manager Elijah Renn summarized his background.

Mrs. McCarthy asked what he hoped to accomplish in his position. Mr. Renn responded he hoped to make interpersonal connections with the customers and maintain the niche already established with consistent quality.

b. Lake Effect Update

Mr. Andrew Mullin presented an update on the Lake Effect project; how community engagement lead to the design; the plans for parking and what has been impacted; the projected timetable for construction; and, ways people could get involved.

Mrs. McCarthy stated she had received feedback from people who suggested putting benches along the boardwalk, the ability to use it in the winter, and that handicapped spots be located as close as possible to the project.

AGENDA ITEM 6. New Agenda Items.

None.

AGENDA ITEM 7. Consent Agenda.

Mr. Koch requested Item 7.g be pulled from the Consent Agenda.

With respect to Item 7b, Plechash requested the charge of \$300 on page 30 be recategorized to Council expense.

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

a. Approval of Workshop Minutes of October 2, 2018 and Minutes of October 2, 2018

b. Approval of Check Register

c. Approval Municipal licenses

d. Police Activity Report

e. Building Activity Report

f. Approval of Second Reading of Ordinance No. 785 Rezoning the Property at 235 and 239 Lake St E

~~g. Approval of Resolution 60-2018 Amending the Fee in Lieu of Parking (FILOP) Policy~~

The motion carried 5/0.

1
2 **g. Approval of Resolution 60-2018 Amending the fee in Lieu of Parking (FILOP) Policy**
3 Mr. Koch stated his biggest concern was related to striking the financing from the policy. He
4 indicated he did not like 30-year financing, but he believed it made sense to assist developers to
5 accomplish what they needed to with redevelopment. He suggested the term be 5 or 10 years instead
6 of 30 years. Mr. Dahl recommended if changes were made, that staff bring the policy back again
7 at one time. He indicated staff's concern that the City was subsidizing the financing so as long as
8 the terms were reevaluated, and the interest rate accommodated the cost of borrowing money as
9 well as the staff and administrative costs involved, it would be more appropriate than what the
10 current terms were right now.

11 Mrs. McCarthy believed the intent of the policy originally was to have prime plus
12 financing. She stated she was not open to financing on a long-term basis if they were talking one
13 to two spots.

14 Mr. Plechash believed requiring a developer to give a cash up front check on day one for
15 some number of stalls was overly burdensome and did not give them the benefit of financing. He
16 would not be in favor of a policy where the developer paid up front regardless. He also wanted to
17 make sure the interest rate charged was a reasonable market rate at that time. He believed going
18 forward, they needed a metric that would determine how many parking spots were theoretically
19 available for FILOP assignment.

20 Mr. Willcox noted the Council had concern about the length of time with financing between
21 5 and 10 years; market rate interest rate plus to cover administrative costs; and, a recommendation
22 of finite numbers of stalls that activate the policy or not.

23
24 Mr. Plechash made a motion, seconded by Mr. Koch to direct staff to come back with a revised
25 policy for consideration at the next Council meeting. The motion carried 5/0.

26
27 **AGENDA ITEM 8. Public Hearing.**

28 **a. Public Hearing on Special Assessment Roll for Unpaid Delinquent Utility Bills and**
29 **Consider Approval of Resolution No. 58-2018 Certifying to the County Auditor**
30 **Assessments for Unpaid Delinquent Utility Bill Charges**

31 City Manager Dahl noted the delinquent utility bill charges are more than thirty days past due and
32 have remained unpaid despite attempts at collection. He stated to ensure the City had enough time
33 to get the assessment roll to the County for taxes payable in 2019, action must be made now. He
34 indicated to cover City costs, a service fee of \$35 would be applied to each account and shall bear
35 an interest rate of five percent (5%).

36 Mr. Plechash inquired about the service fee being too low and if it covered the
37 administrative costs. Mr. Dahl responded generally he believed it did, but staff could go back and
38 look at it to see if it should be increased.

39 Mr. Plechash noted some of the properties involved repeatedly came back every year and
40 he asked if they could increase the fees to an amount where it would not be an incentive to write
41 them off on their taxes. Mr. Dahl stated he did not believe they could increase the fees alone on
42 creating this incentive and they would need to have justification as to where the fees would cover
43 the costs.

44 Mrs. McCarthy stated some of the properties appeared to be licensed rental properties and
45 in order to get renewed on a rental property they needed to be in good standing and this would not
46 be in good standing with a delinquent utility bill owed to the City. She asked what staff has done
47 to look at this to make sure they were aligning the rental policy and the renewals to the payment of
48 the utility bills. Mr. Dahl responded staff had looked at that and by the time the rental inspections
49 were done, they were back in good standing.

1 Mrs. McCarthy suggested they move the rental inspections to March, so the taxes were
2 paid up for the year. She indicated she had an issue with issuing a license and kept seeing the same
3 people coming back time and time again with delinquent utility bills.

4 Mayor Willcox opened the public hearing at 7:51 p.m.

5 There were no comments.

6 Mayor Willcox closed the public hearing at 7:52 p.m.

7
8 Mr. Tyacke made a motion, seconded by Mr. Plechash, to approve Resolution No. 58-2018
9 Certifying to the County Auditor Assessments for Unpaid Delinquent Utility Bill Charges and that
10 staff will look at the administrative fee prior to next year. The motion carried 5/0.

11
12 **AGENDA ITEM 9. New Business.**

13 **a. Approval of Development and Fee in Lieu of Parking (FILOP) Agreement for**
14 **Broadway Place at 326 and 332 Broadway Avenue South**

15 Director of Planning and Building Thomson presented the financial and background for the
16 development and Fee in Lieu of Parking (FILOP) Agreement for Broadway Place at 326 and 332
17 Broadway Avenue South.

18 Mr. Koch requested on page 63, a dangling sentence at the end should be removed.

19 Mr. Plechash asked for clarification on page 66, paragraph 10 under warranty, and
20 paragraph 11 which had different time periods. Mr. Thomson responded the language in the letter
21 of credit was the standard language and it automatically extended beyond the one-year expiration
22 until such time the City deemed the warranty had been completed.

23
24 Mr. Tyacke made a motion, seconded by Mr. Plechash, to Approve Development and Fee in Lieu
25 of Parking (FILOP) Agreement for Broadway Place at 326 and 332 Broadway Avenue South. The
26 motion carried 5/0.

27
28 **b. Consider Agreement and Authorization for Services with Civitas to Explore Design**
29 **Alternatives for Lake Street**

30 Mr. Dahl presented the financial consideration and background to allow Civitas to proceed with
31 exploration of alternatives designs for Lake Street.

32 Mr. Plechash inquired about the pricing of the \$20,000 lump sum fee for the design
33 alternative work as well as a \$2,000 charge per rendering. He asked if this was standard to the
34 design industry. Mr. Dahl responded that was a standard charge, but he was not it would be needed
35 because they were looking at the width and the surface, which the renderings would not show.
36 However, they might need one for the lights out front.

37 Mrs. McCarthy noted in the staff summary it said it was an amount not to exceed, but in
38 the agreement, it said it was a fixed fee. Mr. Dahl responded it was a fixed fee.

39 Mr. Willcox stated he had a concern regarding the light poles. Mr. Dahl responded Civitas
40 would try and accommodate those concerns.

41
42 Mr. Plechash made a motion, seconded by Mrs. McCarthy, to Approve Agreement and
43 Authorizations for Services with Civitas to Explore Design Alternatives for Lake Street. The
44 motion carried 5/0.

45
46 **c. Consider Adoption of Resolution 59-2018 Supporting the Wayzata Community**
47 **Sailing Center (WCSC) in their Grant Request to Hennepin County Youth Sports**
48 **Program**

49 Mr. Dahl presented the financial consideration and background for supporting the Wayzata
50 Community Sailing Center (WCSC) in their Grant Request to Hennepin County Youth Sports
51 Program.

1 Mrs. McCarthy indicated she was pleased with what the Wayzata Community Sailing
2 Center offered to the community.

3
4 Mr. McCarthy made a motion, seconded by Mr. Tyacke, to Adopt Resolution 59-2018 Supporting
5 the Wayzata Community Sailing Center (WCSC) in their Grant Request to Hennepin County Youth
6 Sports Program. The motion carried 5/0.

7
8 **AGENDA ITEM 10. City Manager's Report and Discussion Items.**

9 **a. Upcoming Events/Announcements**

- 10 • This will be the last Council meeting before the election and there would be an update at
11 the November 7 Council meeting. Approximately a week after the election there will be a
12 brief Council meeting to certify the election results.
13 • October 20 at 8:30 a.m. at the Post Office Park will be a bulb planting.
14 • Commissions, Boards, and Authority openings deadline is November 16.

15
16 **b. Council Member Updates/Announcements**

17 Mrs. McCarthy stated Pull it Day was successful with a great turnout.

18 Becky Pierson announced Boo Blast from 11 a.m. - 3 p.m. and Boo Bash Dash from 9 - 11
19 a.m. on October 27. She stated Dr. Barbro Brost was the 2018 Person of the Year and would be
20 recognized this coming Thursday.

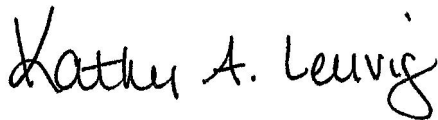
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22 **AGENDA ITEM 11. Public Forum Continued (if necessary).**

23 There were no comments.

24
25 **AGENDA ITEM 12. Adjournment.**

26 Mrs. McCarthy made a motion, seconded by Mr. Tyacke to adjourn. There being no further
27 business, Mr. Willcox adjourned the meeting at 8:23 p.m.

28
29 Respectfully submitted,
30



31
32
33 Kathy Leervig
34 City Clerk

35
36 Drafted by Kathy Altman
37 *TimeSaver Off Site Secretarial, Inc.*
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