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**WAYZATA CITY COUNCIL
MEETING MINUTES
March 2, 2021**

AGENDA ITEM 1. Call to Order.

Mayor Mouton called the meeting to order at 7:00 p.m. Pursuant to Minnesota Statute Sec. 13D.015 and because of the COVID-19 pandemic, the City Council Meeting was being held remotely by electronic means using the audio and video conferencing platform, Zoom. Mayor Mouton shared the multiple options for members of the public to submit comments or questions.

AGENDA ITEM 2. Pledge of Allegiance.

AGENDA ITEM 3. Roll Call.

Council Members present: Buchanan, Iverson, MacDonald, and Plechash. Also present: City Manager Dahl, Community Development Director Goellner, Public Works Director/City Engineer Kelly, and City Attorney Schelzel.

AGENDA ITEM 4. Approve Agenda.

Mr. Buchanan made a motion, seconded by Ms. Iverson, to approve the agenda, as presented. Upon roll call vote, the motion carried 5/0.

AGENDA ITEM 5. Public Forum.

a. Swearing in of Police Officer Tom Gunderson

Mr. Dahl welcomed everyone in attendance and administered the oath of office for Officer Gunderson.

Police Chief Risvold shared Officer Gunderson's biography and welcomed him. Officer Gunderson thanked everyone for coming out. He said the Police Department had been very welcoming and appreciated the opportunity.

Mayor Mouton welcomed Officer Gunderson and thanked him for his service.

b. Update of Panoway on Wayzata Bay Fundraising and Advocacy

Andrew Mullin, Wayzata Conservancy Chair, explained that the Conservancy was a 501 (c)3 non-profit who sat alongside the City in a joint partnership agreement. It had three roles: advocacy for the Panoway project, raising funds from the private sector and supporting the City's efforts in securing public sources of financing, and project coordination. Mr. Mullin provided introductions and a review of 2021 key initiatives.

Blake Sandvold, Conservancy Vice Chair talked about the \$5 million capital campaign.

Jodi Glasser, the Conservancy's consultant, talked about her experience and the plan she's developing to help the Conservancy.

Kevin Peterson, Conservancy Board Member, talked about the grass roots campaign.

Mr. Mullin talked about community engagement and asked the Council for feedback on the materials. Mr. Plechash said they were outstanding and thought the Conservancy was doing great work.

1 Mayor Mouton thought the materials were wonderful and showcased the project
2 very well. She thanked everyone for their presentations.

3
4 **AGENDA ITEM 6. New Agenda Items.**

5 Mr. Plechash stated that last fall he had brought up the concept of allowing chickens or
6 bees in backyards. It was sent over to the zoning and design committee. He proposed it
7 was pulled from the committee and considered as a separate item to be considered at a
8 future workshop.

9 Mr. Dahl said he would talk with Ms. Goellner. He proposed two possible
10 scenarios. One was keeping it in house depending on staff time and involvement or
11 creating a proposal for a consultant to assist. Mr. Dahl said staff would come back at a
12 future workshop to talk about those two options.

13
14 **AGENDA ITEM 7. Consent Agenda.**

15 Mayor Mouton read the items on the consent agenda and asked if any Council member
16 wished to pull an item for further discussion.

17 Mr. Dahl provided a brief update on Item 7.d. which was added to the agenda earlier
18 that day.

19 Mayor Mouton asked for a motion to approve the Consent Agenda as presented.
20 Mr. Buchanan made a motion, seconded by Mr. Plechash, to approve the consent agenda:

- 21 a. Approval of City Council Workshop and Regular Meeting Minutes of February 16,
22 2021
- 23 b. Approval of Check Register
- 24 c. Approval of Municipal Licenses
- 25 d. Adoption of Resolution 08-2021 Authorizing an Increased Interfund Loan for
26 Advance of Certain Costs in Connection with TIF District 6

27 Upon roll call vote, the motion carried 5/0.

28
29 **AGENDA ITEM 8. New Business.**

30 **a. Consider Adoption of Resolution 07-2021 City-wide Naming and Dedication
31 Policy**

32 Mr. Dahl explained that staff had drafted a policy with four primary objectives: allow
33 residents, community groups, civic organizations, businesses, philanthropic organizations,
34 and individual donors, to make requests and suggestions for the naming of City-owned
35 land and facilities; provide a clear process for reviewing and approving the naming and
36 dedication of City-owned land and facilities, and for reviewing and approving signage and
37 other features that commemorate events, honor individuals, recognize donors, and educate
38 and inform the public; provide standards for the shape, form, context, design, language,
39 and other visual aspects of any approved naming, honoring, informing and educating
40 associated with City-owned land and facilities; and provide opportunities for valuable
41 public and private support for City projects, programs, facilities, and spaces that benefit
42 the public, visitors, and residents of Wayzata. He appreciated the collaboration of all
43 parties involved.

44 Ms. Goellner said she was very thankful for the assistance of the City Attorney and
45 the Conservancy. She thought the policy was in a good place, but noted that tweaks could
46 be made as needed.

1 Mr. Schelzel said this was one of two big pieces determining how the City would
2 handle naming rights and donation recognition. Another important document on design
3 standards for Panoway was coming before the Council in a couple of weeks. The two
4 documents were meant to work hand in hand.

5 Mayor Mouton asked if there would be an agreement between the City and the
6 donor. Mr. Schelzel said his advice was that the City should not accept any donation
7 without the understanding that all donations were subject to the City's policy. He said it
8 was the City's goal to be completely transparent with donors.

9 Ms. Iverson asked if there were any public comments regarding the policy. Mr.
10 Dahl said no; however, it had been a public process where people could provide feedback.

11 Mr. Mullin said practically speaking any request for naming or dedication would
12 be subject to the City's approval. The first request would come before Council at its next
13 meeting.

14 Mayor Mouton asked for a motion on the draft resolution. Mr. Plechash made a
15 motion, seconded by Mr. Buchanan, to Adopt Resolution No. 07-2021 Adopting Naming
16 and Dedication Policy.

17 Ms. Iverson thought naming rights were a really big issue for any City. She wished
18 the City would have sought out public input. She was concerned about using private land,
19 materials, or benches to support private fundraising. Ms. Iverson said she did not
20 participate in any discussion on this topic until last week's workshop and she was
21 uncomfortable supporting it. She also cautioned the City to be very careful with the visual
22 pollution.

23 Upon roll call vote, the motion carried 4/1 (Iverson).

24
25 **b. Consider Approval of Final Design of 9/11 Memorial at Panoway on Wayzata**
26 **Bay**

27 Mr. Dahl explained in 2018, a group of community members requested that the City
28 Council create a reflection/memorial space at the northwest corner of Superior Boulevard
29 and Lake Street and offered to assist with funding. As a result of this request, a committee
30 was established to explore the objectives of a memorial community space and look at
31 appropriate locations. In 2019, the committee, led by Council Member Alex Plechash,
32 recommended that a 9/11 Memorial be incorporated in to the new Panoway Plaza. The
33 Council subsequently approved the Panoway Plaza design with space allocated for a
34 memorial. Since 2019, the Wayzata Conservancy had led efforts to design and fund a
35 world-class memorial that accomplished three objectives: tributed Wayzata-resident
36 Gordon McCannel Aamoth Jr.; acknowledged all persons who were impacted by 9/11; and
37 complimented the surroundings of the plaza as a quiet place of peace and reflection. Based
38 on feedback from a Council workshop in the fall of 2020 and continued dialogue from the
39 Aamoth family and the Wayzata Conservancy, Civitas had drafted the final design of the
40 space for Council consideration.

41 Scott Jordan, Civitas, shared the Memorial site plan, research, considerations,
42 design, artifacts, and flag pole placement.

43 Mayor Mouton asked if the monoliths would be lit and about the proper etiquette
44 for storing a flag. Mr. Jordan said the monoliths would not be lit. He said the lighting that
45 currently existed would be the majority of the lighting. Some of the uplights would be
46 replaced with flush inground lights to light the trees. As to flag storage, he said a flying

1 flag needed to be lit, but a folded flag needed to be stored in a way that was honoring. Mr.
2 Jordan said he would speak with the museum director who was advising them on displaying
3 the artifacts about lighting the artifacts.

4 Mr. Mullin said this was the most meaningful part of the work he had completed so
5 far on Panoway. He wanted to acknowledge Mr. Plechash for his leadership. He
6 mentioned that he had known the Aamoth family for 40 years and also noted that the
7 youngest son, Peter, had helped with the design.

8 Ms. Iverson said Mr. Jordan and his team did a beautiful job.

9 Mr. Plechash thanked Mr. Mullin for the acknowledgement. He appreciated that
10 the Aamoth artifacts were in the South monolith and that attention to detail.

11 Ms. MacDonald complimented everyone involved. She thought it was beautiful
12 and moving.

13 Mr. Buchanan added his compliments to Mr. Jordan and his team. He thought it
14 was subtle and offered a contemplative space that was different than the rest of the plaza.

15 Mayor Mouton said this was so meaningful to the City. She thought it was
16 important to do everything the City could to pay tribute in a respectful way so the events
17 of 9/11 would be remembered long after they were gone. She thanked Mr. Plechash for
18 his leadership through the process.

19 Mayor Mouton asked for a motion on the proposed final design. Mr. Plechash made
20 a motion, seconded by Ms. MacDonald, to approve the final design of the 9/11 Memorial.
21 Upon roll call vote, the motion carried 5/0.

22
23 **c. Consider Approval of Contract for Professional Services with Minnesota**
24 **Wisconsin Playgrounds for Playground Replacement Projects at Klapprich**
25 **Park and the Wayzata Beach**

26 Mr. Kelly shared that in late November, a Request for Proposal for Design Services was
27 sent to six playground vendors. The vendors included Playlsi/Landscape Structures,
28 Natural Playgrounds Store, St. Croix Recreation, MN/WI Playgrounds, Midwest
29 Playscapes, and Ultimate Playgrounds. Three vendors responded by the December 11,
30 2020 deadline. Proposals were reviewed by the Parks and Trails Board at their December
31 16, 2020 meeting. Interviews were held prior to their January 20, 2021 meeting. Following
32 the interviews, additional information was requested from the vendors. This information
33 was presented at a special meeting held on February 8, 2021. The Board ultimately voted
34 on a recommendation at their regular meeting on February 17, 2021. Minnesota Wisconsin
35 Playgrounds was selected to provide design services by a vote of 5-1. Mr. Kelly talked
36 about the design criteria for Klapprich Park and the beach, financial information, site plans
37 for both playgrounds, and the proposed motion.

38 Mayor opened the floor for questions from the Council.

39 Mr. Buchanan asked if the design was being approved tonight. Mr. Kelly answered
40 no, just the contract. He noted the Parks and Trails Board felt the preliminary design was
41 approximately 60% ready.

42 Mr. Plechash asked about the old equipment. Mr. Kelly said the Board had
43 discussed that. Unfortunately, the reason behind the replacement was based on the
44 condition of the equipment and current safety standards. It would be hard for another
45 community to use it. There were some opportunities to send the equipment overseas for
46 use. Also, Minnesota Wisconsin Playgrounds used recycled material in their equipment

1 and could take as much material out of the equipment as possible to be recycled and reused.
2 Mr. Plechash asked about offering it to residents. Mr. Kelly said he would need to have a
3 conversation with the City Attorney about liability, etc. Mr. Schelzel confirmed they could
4 look into it.

5 Ms. Iverson asked how much excavation would be required at Klapprich Park. Mr.
6 Kelly said there was a survey, but the survey had not been married to the design to see how
7 much impact there would be.

8 Mayor Mouton thought the City had the best Boards and Commissions and that was
9 why the City's parks were so special. She thought the renderings were darling. She asked
10 about the possibility of adding a water element at the beach playground for those who
11 might not be able to get to the water. Mr. Kelly said there was not currently a water feature,
12 but the design was not complete and they could look into it if the Council desired.

13 Ms. MacDonald said she lived across the street from Klapprich Park and saw how
14 the park was used daily. She said it was busy, but quiet with a lot of multi-generational
15 people. She hated to lose that aspect. Mr. Kelly said it had been very important to the
16 Parks and Trails Board to fit the playground into the Parks natural feel. No trees would be
17 removed.

18 Mayor Mouton asked for a motion on the proposed contract. Mr. Buchanan made
19 a motion, seconded by Mr. Plechash, to approve the Contract for Professional Services
20 with Minnesota Wisconsin Playgrounds for Playground Replacement Projects at Klapprich
21 Park and the Wayzata Beach. Upon roll call vote, the motion carried 5/0.

22
23 **d. Consider Adoption of Resolution 06-2021 Approving Fee-in-Lieu of Parking**
24 **Conditional Use Permit Amendment for Additional Parking Spaces at 235 and**
25 **239 Lake Street East**

26 Ms. Goellner presented the development application from Patrick Hughes of Melvin's 235
27 LLC for 235 and 239 Lake Street E. The applicant was requesting approval of an
28 amendment to the Conditional Use Permit approved in May 2020 to add two parking stalls
29 to the permitted shortfall. The existing Conditional Use Permit approved the project's
30 parking requirement shortfall of up to 73 parking stalls. The amendment request would
31 increase the shortfall to 75 parking stalls. Ms. Goellner discussed the 2040 Comprehensive
32 Plan land use, zoning, project history, and parking demand study. The Planning
33 Commission recommended approval on a 5-0 vote.

34 Mayor opened the floor for questions from the Council.

35 Mr. Plechash asked if the three landowners who donated land received any sort of
36 benefit. Mr. Schelzel said he did not know the extent of the tax implications, but the City
37 acknowledged the receipt of those gifts and provided acknowledgement that they could use
38 that for tax purposes such as a write off. Mr. Plechash said it would cost the applicant to
39 put in the elevator which benefited the tenants and the City. And then the applicant would
40 also be required to pay \$20,000 to the City's Downtown Parking Fund. He was unsure if
41 the fee was appropriate because of the land donation. Mr. Dahl said all planning applicants
42 were required to meet parking requirements. The Fee in Lieu of Parking Policy was a tool
43 for when there was capacity to spare that could be utilized. Ms. Goellner added that when
44 the Fee in Lieu of Parking policy was approved for the property, it was charged a smaller
45 fee to account for the land donation. Mr. Schelzel agreed. He said the City looked at the
46 parking required under the Ordinance for the proposed project and deducted for spaces on

1 the land being donated. The applicant would not have been able to do the project without
2 taking advantage of the Fee in Lieu of Parking Policy. He said a policy like this one must
3 be applied consistently to all property owners. The City appreciated the donation of the
4 land for public purposes, but the applicant also benefited. The donation allowed them to
5 do a project that they otherwise could not do.

6 Mayor Mouton invited the applicant to speak.

7 Pat Hughes, applicant, said he was super excited about the project. He had been on
8 top of the building earlier today. He said as much as he would like to not part with \$20,000,
9 he did think the way staff worked through the amount of parking needed through the Fee
10 in Lieu of Parking Policy was fair.

11 Mayor Mouton said she was glad to finally be at this point, it had been a long
12 process.

13 Mr. Plechash said after exploring that concern, he was in favor.

14 Ms. Iverson said the Planning Commission asked a lot of good questions and she
15 was comfortable moving forward.

16 Mr. Buchanan and Ms. MacDonald also supported the Planning Commission
17 recommendation.

18 Mayor Mouton asked for a motion on the draft resolution. Mr. Buchanan made a
19 motion, seconded by Ms. Iverson, to Adopt Resolution No. 06-2021 Approving FILOP
20 CUP Amendment for 2 Additional Parking Spaces for Planned Unit Development at 235
21 and 239 Lake St E. Upon roll call vote, the motion carried 5/0.

22
23 **AGENDA ITEM 9. City Manager's Report and Discussion Items.**

24 Mayor Mouton communicated that the Council held a Workshop prior to the meeting where
25 it received an update on the zoning study, had a discussion on the draft Panoway Naming
26 and Dedication Policy, and heard a presentation on Emergency Management Operations
27 by Police Chief Risvold.

28 Mr. Dahl said the next activity planned for the plaza was curling. Staff hoped to
29 have it ready by March 5th. He also mentioned the Mayor Minutes Podcast which hosted
30 a special guest each month. Next month would be Police Chief Risvold as he nears
31 retirement. Mayor Mouton said the podcasts were out of her comfort zone, but had been
32 fun.

33 Mayor Mouton said the City received a letter from the Chicago Regional Director
34 of the Department of Commerce commending the region for having the highest response
35 rate of all regions in the country at 69.8%. She thanked everyone who participated and
36 helped.

37
38 **AGENDA ITEM 10. Public Forum Continued (if necessary).**

39 There were no comments.

40
41 **AGENDA ITEM 11. Adjournment.**

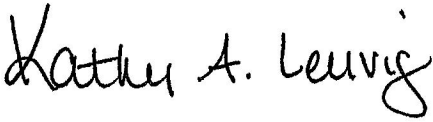
42 There being no further business, Mayor Mouton asked for a motion to adjourn. Mr.
43 Plechash made a motion, seconded by Ms. Iverson to adjourn. Upon roll call vote, Mayor
44 Mouton adjourned the meeting at 9:28 p.m.

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46

1 Respectfully submitted,

2

A handwritten signature in black ink that reads "Kathy A. Leervig". The signature is written in a cursive style with a distinct dot over the 'i' in "Leervig".

3

4

5 Kathy Leervig

6 City Clerk

7

8 Drafted by Sarah Peterson

9 *TimeSaver Off Site Secretarial, Inc.*