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**WAYZATA CITY COUNCIL
MEETING MINUTES
April 6, 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, Assistant Planner Kieser, City Clerk Leervig, and City Attorney Schelzel.

AGENDA ITEM 4. Approve Agenda.

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

AGENDA ITEM 5. Public Forum.

There were no comments.

AGENDA ITEM 6. New Agenda Items.

None.

AGENDA ITEM 7. Consent Agenda.

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

Mr. Dahl noted the City Council was sent a letter from Kaplan, Strangis and Kaplan, P.A. regarding Item 7.e. and wanted to make that part of the record.

Ms. Iverson requested to pull Item 7.e. for further discussion. Mr. Buchanan thought the Second Reading was just a formality. Mr. Schelzel explained that the Consent Agenda included items that were more routine in nature. He said Council Members always have the option to pull an item for discussion at the discretion of the Mayor; however, because it was a Second Reading the wording could not be changed without starting over. Mayor Mouton asked Ms. Iverson if she had a specific question. Ms. Iverson said she was concerned the minimum clear passage zone of five feet was not adequate. Mayor Mouton said she was willing to pull the item for a separate vote, but she was not in favor of further discussion. Mr. Plechash said he thought the concern was valid and worth having the discussion. He added that five feet was the minimum. As permits come before the Council, they could require it to be wider. Mr. Buchanan was not in favor of pulling the item because

1 the Council had a lengthy discussion at the previous meeting. Ms. MacDonald said
2 knowing that the Council could consider it on a case-by-case basis made her comfortable.

3 Mayor Mouton said Item 7.e. would be pulled from the Consent Agenda for a
4 separate vote. She asked for a motion to approve the remainder of the Consent Agenda.
5 Mr. Plechash made a motion, seconded by Mr. Buchanan, to approve the consent agenda,
6 as amended to remove Item 7.e.:

- 7 a. Approval of City Council Workshop and Regular Meeting Minutes of March 16,
8 2021
- 9 b. Approval of Check Register
- 10 c. Approval of Municipal Licenses
- 11 d. Approval of Professional Services Agreement with AEM Financial Solutions for
12 RFP Development and Financial Software Evaluation Services
- 13 ~~e. Adoption of Second Reading of Ordinance 804 Amending City Code Chapter 315~~
14 ~~related to Outdoor Sidewalk Cafes in City Right of Way~~
- 15 f. Acceptance of Withdrawal Letter from COV Restaurant at 700 Lake Street East
- 16 g. Acceptance of Greg Flannigan's Resignation from the Planning Commission
- 17 h. Approval of Professional Service Contract with Rapp Consulting Group for
18 Strategic Planning Services
- 19 i. Approval of Professional Services Contract with ETM Associates, LLC for Public
20 Safety Management and Planning Purposes
- 21 j. Award Contract for 2021 Street Mill & Overlay Project to GMH Asphalt
22 Corporation
- 23 k. Award Contract for the Hollybrook Road and Circle A Drive Trail Project to G.L.
24 Contracting, Inc.

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

26
27 **e. Adoption of Second Reading of Ordinance 804 Amending City Code Chapter**
28 **315 related to Outdoor Sidewalk Cafes in City Right of Way**

29 Ms. Iverson thanked the Council for pulling the item and appreciated Council Member
30 Plechash's comments that it would be considered on a case-by-case basis. She was
31 concerned that five feet would become the standard.

32 Mr. Buchanan made a motion, seconded by Mr. Plechash, to Adopt the Second
33 Reading of Ordinance No. 804 Amending Wayzata City Code Chapter 315 Related to
34 Outdoor Sidewalk Cafes in City Right of Way. Upon roll call vote, the motion carried 4/1
35 (Iverson).

36
37 **AGENDA ITEM 8. Public Hearings.**

38 **a. Consider Approval of On-Sale Intoxicating and Sunday On-sale Intoxicating**
39 **Liquor License for Z&H 739 Restaurant LLC (dba Josefina) at 739 Lake Street**

40 Mr. Dahl presented the application from Z&H 739 Lake Restaurant LLC for On-Sale
41 Intoxicating and Sunday On-Sale Intoxicating Liquor License for a restaurant at 739 Lake
42 Street. He discussed the background, requirements, and requested actions.

43 Mayor Mouton opened the public hearing at 7:32 p.m. No one raised their hand to
44 speak. There being no one wishing to speak, Mayor Mouton closed the public hearing at
45 7:32 p.m.

1 Mayor Mouton asked if the applicant wished to speak. Mikael Asp, one of the
2 owners, thanked the Council for entertaining the application. He said the restaurant would
3 be Italian focused with craft cocktails and a full wine list. He noted the application included
4 the hours of operations of 3:00 – 7:00 p.m. seven days a week. They were considering
5 offering a brunch service in the future and asked if the paperwork needed to be changed.

6 Mayor Mouton asked for clarification on the executive order that allowed
7 restaurants to sell alcohol with takeout orders. She wondered if it affected the licensing.
8 Ms. Leervig said most patrons did not take advantage, but it was allowed as long as the
9 Governor's order was in effect. Mayor Mouton asked if the Council needed to address the
10 question about the hours of operation. Ms. Leervig explained that it was noted in the
11 application as the restaurant's standard operating hours, but it did not impact the liquor
12 license. The license was valid every day.

13 Mr. Plechash said he was looking forward to visiting.

14 Ms. MacDonald said she highly recommended it.

15 Mr. Buchanan welcomed the new restaurant to Wayzata.

16 Ms. Iverson also welcomed them and thanked the applicant for investing in
17 Wayzata. She asked about the noise ordinance as it pertained to the back patio and
18 residents up the hill. Mr. Dahl said generally the noise ordinance applied to specific
19 activities such as construction. Ms. Iverson asked staff to look into it.

20 Mr. Plechash asked if anything needed to be changed to allow the restaurant the
21 ability to serve alcohol at brunch. Mr. Schelzel answered no. He explained the liquor
22 license authorized them to serve liquor any time that City ordinances allowed them to
23 operate.

24 Mayor Mouton shared her support. She noted that Wayzata had become a City
25 revered for its dining.

26 Mr. Buchanan made a motion, seconded by Mr. Plechash, to Approve the On-Sale
27 Intoxicating and Sunday On-Sale Intoxicating Liquor License for Z&H 739 Restaurant
28 LLC (dba Josefina) at 739 Lake Street for 2021 and Renew the On-Sale Intoxicating and
29 Sunday On-Sale Intoxicating Liquor License for Z&H 739 Restaurant LLC (dba Josefina)
30 at 739 Lake Street for the upcoming year 2021-2022. Upon roll call vote, the motion
31 carried 5/0.

32
33 **AGENDA ITEM 9. New Business.**

34 **a. Consider Adoption of Resolution 13-2021 Approving a Preliminary and Final**
35 **Plat for a Lot Combination at 522 & 530 Harrington Road**

36 Mr. Kieser presented the development application from Streeter and Associates Inc. to
37 combine two lots into one lot. He discussed the surrounding neighborhood zoning, 2040
38 Comprehensive Plan land use, existing lots, proposed plat, Planning Commission
39 recommendation, and requests and questions for consideration.

40 Mayor Mouton invited the applicant to speak. Nate Wissink, Streeter and
41 Associates, thanked the Council for consideration and welcomed questions.

42 Mayor Mouton opened the floor for Council discussion. Mr. Plechash said it was
43 a wonderful plan. He did not see any issues and thought the Planning Commission did a
44 great job.

45 Ms. Iverson agreed that the Planning Commission did a great job and voiced her
46 support of the project.

1 Mr. Buchanan supported the Planning Commission's recommendation.

2 Ms. MacDonald agreed and supported the application.

3 Mayor Mouton concurred and though the lot combination made sense.

4 Mayor Mouton asked for a motion on the draft resolution. Mr. Plechash made a
5 motion, seconded by Mr. Buchanan, to Adopt Resolution No. 13-2021 Approving
6 Combined Preliminary and Final Plat Residential Lot Combination at 522 & 530
7 Harrington Road. Upon roll call vote, the motion carried 5/0.

8

9 **b. Consider Adoption of Resolution 12-2021 Accepting Panoway Donations and**
10 **Approving Dedication, Naming, and Educational Recognition, and Related**
11 **Signage**

12 Ms. Goellner explained that consistent with the recently adopted Naming and Dedication
13 Policy, the Wayzata Conservancy was excited to submit three unique requests which were
14 all encompassed in the draft resolution. She discussed the three exhibits, public comment,
15 and the proposed motion.

16 Andrew Mullin, Wayzata Conservancy Chair, thanked the Council for considering
17 the request. He said he had some exciting news to share. The Section Foreman House
18 received unanimous support to be moved to the national registry. It still needed action
19 from the national office, but this step formalized the decision.

20 Mayor Mouton said that was really exciting. She asked if the name, Sandvold
21 Learning Center, was in addition to not in lieu of the Section Forman House. Mr. Mullin
22 said that was correct.

23 Mr. Plechash commended Mr. Mullin and his team for all the work they had done
24 for the City.

25 Mayor Mouton asked a question about the Native American Educational Signage.
26 She asked if the conversations with the Native American community to ensure accuracy
27 had happened. Mr. Mullin said yes, the local tribe approved the current location and
28 wording.

29 Ms. Iverson noted a map that showed the location of the signage in the Council's
30 packet. She said it would be very helpful to have a map with current location of signage
31 and the proposed location to see how they were spread through the City.

32 Mayor Mouton asked for a motion on the draft resolution. Ms. Iverson made a
33 motion, seconded by Mr. Plechash, to Adopt Resolution No. 12-2021 Accepting Panoway
34 Donations and Approving Dedication, Naming, and Educational Recognition, and Related
35 Signage for Each. Upon roll call vote, the motion carried 5/0.

36

37 **c. Consider Approval of Outdoor Sidewalk Café Permit for The Grocer's Table**
38 **at 326 Broadway Avenue South**

39 Mr. Kieser presented the permit application from Jason Stiefel, Shea Design, for Outdoor
40 Sidewalk Café Permit. He discussed the proposed sidewalk café area and action steps.

41 Mayor Mouton asked if the Council had questions for staff.

42 Ms. Iverson said the sidewalk could get crowded when there was a wait. She asked
43 if there was anything that could be done to alleviate some of the overflow such as benches.
44 Mr. Kelly said as you turn north the sidewalk was wider, about seven feet. He was not sure
45 if it would accommodate benches. Ms. Iverson asked if there was potential anywhere in

1 the open area to put something. Mr. Kelly said he would be happy to look into it, but
2 thought it might be challenging.

3 Mayor Mouton asked if the proposal met current social distancing guidelines. Mr.
4 Kieser said it was in conformance with current regulations.

5 Mayor Mouton invited the applicant to speak. Lindsay Pohlad, Restaurant Owner,
6 said it was a tricky sidewalk and appreciated the work by the Engineering Department and
7 Planning Commission. She said they had tried to make it look better than just staring at a
8 parking lot. She thought it was minimally invasive, but hopefully equally attractive as
9 Broadway.

10 Mr. Plechash said it was well thought out and he did not have any issues.

11 Ms. Iverson supported the permit as well.

12 Mr. Buchanan looked forward to seeing how it dressed up that side.

13 Ms. MacDonald agreed and thought it would be a big improvement.

14 Mayor Mouton also agreed. She said it had been incredibly successful despite the
15 Pandemic and Lake Street reconstruction.

16 Mayor Mouton asked for a motion on the application. Mr. Buchanan made a
17 motion, seconded by Mr. Plechash, to Approve an Outdoor Sidewalk Café Permit for The
18 Grocer's Table. Upon roll call vote, the motion carried 5/0.

19
20 **AGENDA ITEM 10. City Manager's Report and Discussion Items.**

21 **a. Upcoming Events/Announcements**

22 Mr. Dahl thanked everyone for their patience with the technical difficulties. He thanked
23 Greg Flannigan for his many years of service on the Planning Commission. And last, he
24 thanked the community for wishing Police Chief Risvold well. Mr. Dahl also congratulated
25 Interim Police Chief Schultz.

26
27 **b. Council Member Updates/Announcements**

28 Mayor Mouton said she was excited about the upcoming podcast celebrating International
29 Women's Day. She also asked if there was an update regarding Comcast and the placement
30 of their equipment. Mr. Kelly said he was not aware of any work happening by the water
31 tower. Comcast was providing business internet in the middle of a residential
32 neighborhood.

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

35 There were no comments.

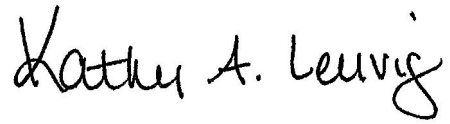
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37 **AGENDA ITEM 12. Adjournment.**

38 There being no further business, Mayor Mouton asked for a motion to adjourn. Ms. Iverson
39 made a motion, seconded by Mr. Buchanan to adjourn. Mayor Mouton adjourned the
40 meeting at 8:49 p.m.

41

42

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.*