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**WAYZATA CITY COUNCIL  
MEETING MINUTES  
April 7, 2020**

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

Mayor Willcox 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 Willcox 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, Koch, McCarthy, and Plechash. Also present: City Manager Dahl, Public Works Director/City Engineer Kelly, and City Attorney Schelzel.

**AGENDA ITEM 4. Approve Agenda.**

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

**AGENDA ITEM 5. Public Forum.**

Mr. Dahl shared he had not received any correspondence. Also, no one joined the meeting to participate.

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

Mr. Koch noted the Council had discussed a Panoway Business Impact Mitigation Plan during its Workshop. He was interested in exploring the topic further and possibly setting aside a fund to provide for businesses during the Panoway project especially now due to the pandemic. The Council agreed.

Mr. Dahl said staff would bring it before the Housing & Redevelopment Authority later this month and then bring it back to the Council.

**AGENDA ITEM 7. Consent Agenda.**

Mayor Willcox read the items on the consent agenda and asked if any Council member wished to pull an item for further discussion. Mr. Plechash, regarding Item 7.h., said there was no impact to the budget, but bonding would be used to retroactively pay expenses. He asked how much the City was anticipating those prepaid expenses to be. Mr. Dahl said by the time the City received the money, it would have spent \$3-4 million on construction. Approximately \$1 million was reimbursable.

Mr. Buchanan, regarding Item 7.f., asked if the City was obligated to take the lowest bid. Mr. Kelly said the City was obligated to take the lowest, responsible bidder. He said the contractor had done good work for the City in the past.

Mayor Willcox asked for a motion to approve the Consent Agenda as presented. Mr. Koch made a motion, seconded by Mr. Buchanan, to approve the consent agenda:

- a. Approval of City Council Special Meeting Minutes of February 27, 2020

- 1 b. Approval of Check Register
- 2 c. Approval of Municipal Licenses
- 3 d. Receipt of Police Activity Report
- 4 e. Receipt of Building Activity Report
- 5 f. Award Bid for 2020 Bituminous Seal Coat and Authorize Staff and Mayor to
- 6 Execute Contract
- 7 g. Award Bid for 2020 Sanitary Sewer Lining Project and Authorize Staff and Mayor
- 8 to Execute Contract
- 9 h. Approval of Resolution 12-2020 Relating to Financing of Certain Proposed Project
- 10 to be Undertaken by the City and Establishing Compliance with Reimbursement
- 11 Bond Regulations Under the Internal Revenue Code
- 12 i. Adoption of the Second Reading of Ordinance 797 Amending Chapter 302
- 13 Pertaining to Parking Regulations
- 14 Upon roll call vote, the motion carried 5/0.

15

16 **AGENDA ITEM 8. Public Hearings.**

17 **a. Consider Approval of the First Reading of Ordinance 798 to Provide for**

18 **Extended Hours of Construction for Phase I of Panoway on Wayzata Bay**

19 **Project**

20 Mr. Dahl explained how members of the public should call in if they wanted to participate

21 in the Public Hearing.

22 Mr. Kelly said in an effort to provide the contractors with all opportunities to

23 complete construction within or before the prescribed schedules for the project, staff felt it

24 would be beneficial to offer the option to work extended hours during the work week. The

25 extension of hours to 6:00 a.m. to 8:00 p.m., Monday – Friday, would only pertain to the

26 Panoway Phase I project during 2020.

27 Mayor Willcox asked if there were significant financial concerns such as overtime.

28 Mr. Kelly explained that it would be up to the contractor, but he did not foresee any

29 financial impacts.

30 Mayor Willcox opened the public hearing at 7:17 p.m. Mr. Dahl confirmed no one

31 called in to speak. There being no one wishing to speak, Mayor Willcox closed the public

32 hearing at 7:17 p.m.

33 Mr. Plechash added the City Manager had the authority to change the hours back

34 to the original hours if warranted.

35 There being no further discussion, Mayor Willcox asked for a motion. Mr.

36 Plechash made a motion, seconded by Mrs. McCarthy, to Approve the First Reading of

37 Ordinance No. 798, To Provide for Extended Hours of Construction for Lake Street Phase

38 of Panoway on Wayzata Bay Project. Upon roll call vote, the motion carried 5/0.

39

40 **AGENDA ITEM 9. New Business.**

41 **a. Consider Awarding of Electrical Bids for Phase I of Panoway on Wayzata Bay**

42 Mr. Kelly shared on Thursday, March 26<sup>th</sup>, the City received three bids for electrical

43 contract for Panoway Phase I construction of Lake Street, Lake Street Plaza, and the

44 Dakota Rail Regional Trail project. He updated the Council explaining that the current all-

45 in estimated construction cost was 3.7% under the most recent estimate. Staff

1 recommended the Council award the contract to Laketown Eclectic Corp. in the amount of  
2 \$596,000 and neither alternate should be accepted.

3 Mayor Willcox asked if the Earthwork utilities quote was still \$1 million over. Mr.  
4 Kelly said the change order at the end of February reduced that amount by \$250,000.

5 Mayor Willcox asked for a motion. Mr. Koch made a motion, seconded by Mrs.  
6 McCarthy, to award the Contract to Laketown Electric Corp. in the amount of \$596,000  
7 and authorize staff and Mayor to execute Contract; and, to reject both alternates. Upon roll  
8 call vote, the motion carried 5/0.

9  
10 **b. Consider Adoption of Resolution 13-2020 Providing for the Sale of \$3,710,000**  
11 **in General Obligation Tax Increment Financing Bonds, Series 2020A**

12 Mr. Dahl shared that in addition to utilizing allocated funds from the Capital Improvements  
13 Plan and contributions from the State of Minnesota and Three Rivers Park District, a  
14 significant component of funding of Panoway on Wayzata Bay was through future  
15 increment the City would receive via its active Tax Increment Financing Districts.

16 Stacy Kvilvang, Ehlers and Associates, highlighted a couple of details for the  
17 Council. She said \$2,245,000 was coming from TIF 5 Pooling, \$1,095,000 from TIF 6,  
18 and \$354,000 from TIF 6 Pooling. There was still additional tax revenue available and the  
19 City still had a Triple A rating.

20 Mayor Willcox asked if the City's bond rating was affected by a shaky economy.  
21 Ms. Kvilvang said it was not. He asked if this sale put any limitations on the City's ability  
22 to borrow in the future. Ms. Kvilvang said the revenues being generated were in excess of  
23 the debt service requirements even if the values declined significantly due to the pandemic.  
24 Mr. Dahl said the only other potential bond was the City parking ramp in 2021, but that  
25 still would not hit the \$10 million limit.

26 Mayor Willcox asked for a motion on the draft resolution. Mr. Buchanan made a  
27 motion, seconded by Mr. Plechash, to Adopt Resolution No. 13-2020, Providing for the  
28 Sale of \$3,710,000 General Obligation Tax Increment Bonds, Series 2020A. Upon roll  
29 call vote, the motion carried 5/0.

30  
31 **c. Consider Approval of First Reading or Ordinance 799 Authorizing the**  
32 **Issuance of General Obligation Tax Increment Financing Bonds, Series 2020A**

33 Mr. Dahl explained this item was related to the previous item. He asked if the Council had  
34 questions. No one spoke.

35 Mayor Willcox asked for a motion. Mr. Plechash made a motion, seconded by Mr.  
36 Buchanan, to Approve the First Reading of Ordinance No. 799, Authorizing the Issuance  
37 of General Obligation Tax Increment Financing Bonds, Series 2020A. Upon roll call vote,  
38 the motion carried 5/0.

39  
40 **d. Consider Adoption of Resolution 14-2020 Approving Public Works Mutual**  
41 **Aid Agreements**

42 Mr. Kelly explained the purpose of the agreements was to provide a process for  
43 governments to share public works personnel and equipment with other agencies within  
44 the State of Minnesota. There were no membership or other fixed costs.

1 Mayor Willcox if there was potential for a burden for the City. Mr. Kelly explained  
2 if the City needed its personnel or equipment it had the first right to it. This enabled the  
3 City to ask or say yes.

4 Mayor Willcox asked for a motion on the draft resolution. Mr. Buchanan made a  
5 motion, seconded by Mrs. McCarthy, to Adopt Resolution No. 14-2020, Approving Public  
6 Works Mutual Aid Agreements. The motion carried 5/0.

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

9 **a. Upcoming Events/Announcements**

10 Mr. Dahl said the City added a COVID-19 webpage with all the latest information. The  
11 City had also scaled down operations to essential operations only. He mentioned that many  
12 essential services were available online.

13 Mr. Dahl also updated the Council on Panoway construction which started last  
14 week. He shared the most recent closures and encouraged everyone to continue using  
15 [navigatewayzata.com](http://navigatewayzata.com) for more information.

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

18 Mayor Willcox asked for an update on the City Hall remodel. Mr. Dahl said it was  
19 underway, but because City Hall was closed the project was moving quickly.

20 Mayor Willcox mentioned that once a month he would be interviewing Jessie  
21 Houlihan, Stahl Construction, to keep residents up to speed on construction on the Panoway  
22 project.

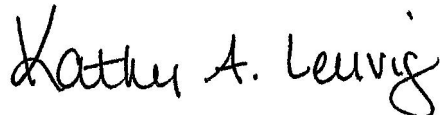
23  
24 **AGENDA ITEM 11. Public Forum Continued (if necessary).**

25 There were no comments.

26  
27 **AGENDA ITEM 12. Adjournment.**

28 There being no further business, Mayor Willcox asked for a motion to adjourn. Mrs.  
29 McCarthy made a motion, seconded by Mr. Koch to adjourn. Mayor Willcox adjourned  
30 the meeting at 8:04 p.m.

31  
32 Respectfully submitted,

33  


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35  
36 Kathy Leervig  
37 City Clerk

38  
39 Drafted by Sarah Peterson  
40 *TimeSaver Off Site Secretarial, Inc.*