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**WAYZATA CITY COUNCIL
MEETING MINUTES
May 21, 2019**

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 and McCarthy. Also present: City Manager Dahl, Director of Public Works/City Engineer Kelly, and Attorney Ross.

Council Members excused: Buchanan and Plechash.

AGENDA ITEM 4. Approve Agenda.

Mrs. McCarthy made a motion, seconded by Mr. Koch, to approve the agenda, as presented. The motion carried 3/0.

AGENDA ITEM 5. Public Forum.

a. Swearing in of Police Officer Erik Peterson

Mr. Dahl administered the oath of office for Officer Peterson.

Police Chief Risvold shared Officer Peterson's biography and welcomed him. Officer Peterson appreciated the opportunity to work in the community and was excited to get started.

b. Recognition of Life Saving Awards for Police Officers Anders Seeland, Brandon Haapoja, and Retired Sergeant Phil Reiter

Chief Risvold talked about the accident that they responded to and presented the award.

c. Introduction of Sharon McGowan as a Full-Time Employee

Ms. Leervig introduced Ms. McGowan and explained that she was moving from part-time to full-time on the support staff.

Ms. McGowan thanked the City for the opportunity and hoped to be around for a long time.

d. Recognition of Wayzata High School Science Bowl Team as National Champions

Mr. Dahl introduced the winning team including Aayush Gupta, Matthew Qu (not present), Stephen Chen, Benjamin Weiner, and Geoffrey Chen. They were coached by Amanda Laden.

The team each talked about the competition. They had hoped to place in the top 16 so winning was a dream come true. It was a great culmination of all the hard work put forth.

Mayor Willcox read a statement from Council Member Plechash congratulating the team. Mayor Willcox, Mrs. McCarthy, and Mr. Koch each offered their congratulations.

1
2 **e. Recognition of Volunteers Nancy and Jerry Johnson**

3 Lynn McCarthy, Wayzata Volunteer Coordinator, said that Mr. and Mrs. Johnson had been
4 part of the Wayzata tribe for 47 years. They also, for the past many years, had provided a
5 vital communication function for the City. Mr. and Mrs. Johnson delivered the Portal
6 Newsletter to all the residents who did not receive it with their water bill. The City wanted
7 to honor them for their years of service in the rain, sleet, or snow.

8 Mayor Willcox presented the certificate of appreciation. Mr. and Mrs. Johnson
9 talked about their history in Wayzata and thanked the Council.

10
11 **f. Volunteer Committee Annual Update**

12 Mrs. McCarthy shared the highlights from the 2018 volunteer season and the plans for the
13 2019 season. She thanked the Mayor for creating the volunteer force in 2009.

14 Mayor Willcox thanked Mrs. McCarthy for her management and hard work over
15 the years.

16
17 **g. Heritage Preservation Board Centennial Home Award Presentations for 601
18 Bushaway Road and 16215 Holdridge Road West**

19 Chair Nate Leding said May was Preservation Month. The Heritage Preservation Board
20 was celebrating two 100-year old homes.

21 Dan Gustafson, Board member, talked about the home and history at 601 Bushaway
22 Road. Judy Starkey, Board member, talked about the home and history at 16215 Holdridge
23 Road. The owners were unable to attend. Mr. Leding read the awards.

24
25 **h. Tree Preservation**

26 Cathy Iverson, 220 Central Avenue South, declined to comment.

27
28 **AGENDA ITEM 6. New Agenda Items.**

29 None.

30
31 **AGENDA ITEM 7. Consent Agenda.**

32 Mr. Koch asked a question concerning Item 7.c. He noted that Polar Builders Inc. had a
33 prior conviction listed for conspiracy and was curious what the current practice was for
34 background checks. Mr. Dahl answered that there was either not a conviction or it was
35 expunged so the police had given a green light in the case of Polar Builders Inc.
36 Background checks were conducted for in state people or companies. The City did not do
37 background checks for out of state because it was cost prohibitive.

38 Mayor Willcox noted there were a lot of Peddler, Solicitor, Transient Merchant
39 Licenses and asked if there were any concerns. Mr. Dahl explained that the majority were
40 from Aptive Environmental. Aptive had been here previously and there had not been any
41 issues.

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

- 44 a. Approval of City Council Workshop and Regular Meeting Minutes of May 7, 2019
45 b. Approval of Check Register
46 c. Approval of Municipal Licenses

- 1 d. Police Activity Report
- 2 e. Building Activity Report
- 3 f. Approval of First Amendment to Cooperative Easement Agreement with Three
- 4 Rivers Park District for the Funding of the Dakota Regional Trail Construction
- 5 between Broadway Avenue and Barry Avenue
- 6 g. Approval of Development Agreement with Swans Corner, LLC at 305 and 309
- 7 Lake Street East
- 8 h. Approval of Joint Powers Agreement for Lake Minnetonka Area SWAT Team
- 9 i. Approval of 2019 Outdoor Sidewalk Café Permit for The Dough Room
- 10 j. Approval of 2019-2020 Assessing Contract with Southwest Assessing
- 11 The motion carried 3/0.

12

13 **AGENDA ITEM 8. New Business.**

14 **a. Consider Approval of the Special Event Permit for Bellecour Bastille Day**

15 **Event 2019**

16 Mr. Kelly presented the request from Bellecour restaurant to host a Bastille Day celebration

17 on Saturday, July 13, 2019 from 11:00 a.m. to 4:00 p.m. The applicant was requesting to

18 close a portion of Mill Street, behind the restaurant, to hold the event. In addition to the

19 permit fee, the applicant was responsible to cover the costs of any traffic control devices

20 and City personnel needed to safely conduct the event.

21 Mrs. McCarthy asked for more clarity on whether there would be any traffic around

22 the tent area. Mr. Kelly answered no; the road would be closed off with concrete

23 barricades. Mrs. McCarthy asked about the entrances. Gavin Kaysen, owner and Kylie

24 Purtell, representative for Bellecour, replied that there would be one through the front door

25 of the restaurant and one through the tent area. They also described the activities.

26 Mrs. McCarthy made a motion, seconded by Mr. Koch, to approve the Special

27 Event Permit by Bellecour for the Bastille Day event to be held on Saturday, July 13, with

28 the conditions stated on the permit. The motion carried 3/0.

29

30 **b. Consider approval of the Special Event Permit for McCormick's St. Patrick's**

31 **Day Event 2020**

32 Mr. Kelly presented the request from McCormick's restaurant to modify their event that

33 was annually held around St. Patrick's Day. The applicant requested to close a portion of

34 Broadway Avenue South, between Mill Street and Lake Street, to hold the event. The

35 closure would be put in place on Friday at noon and picked up on Monday by 8:00 a.m.

36 The applicant would be required to provide insurance, finalize a detailed traffic plan, and

37 provide notice to the impacted properties at least two weeks prior to the event.

38 Mrs. McCarthy was concerned about impeding traffic on a work day and wanted

39 the road to be opened up on Sunday evening. Michael Simpson, Manager, explained that

40 even though St. Patrick's Day fell on Tuesday, March 17, 2019, the event would be held

41 on Saturday, March 14, 2019. Set up would take place on Friday; however, take down had

42 been changed to Sunday morning.

43 Mayor Willcox asked about the size of the larger tent. Mr. Simpson answered that

44 the previous tent was 40 feet by 70 feet. The new tent would be moved off the curb and

45 out into the street. He was unsure of the exact dimensions and would send that information

46 to staff. All of the activities would be contained within the restaurant, patio, and tent.

1 Mr. Kelly asked if the applicant was amenable to leaving an emergency lane open
2 on Broadway. Mr. Simpson agreed.

3 Mr. Koch voiced his support for the request based on the shorter time frame. He
4 noted that it was a fun event in a slower time of year.

5 Mrs. McCarthy agreed and liked the addition of the emergency lane.

6 Mayor Willcox said McCormick's did a fine job each year, but because Broadway
7 was a main road, he wanted to view this an experiment and see how it went.

8 Mr. Koch made a motion, seconded by Mrs. McCarthy, to approve the Special
9 Event Permit by McCormick's for their St. Patrick's Day event to be held in March of 2020
10 subject to any recommended conditions by staff. The motion carried 3/0.

11
12 **AGENDA ITEM 9. City Manager's Report and Discussion Items.**

13 **a. Upcoming Events/Announcements**

- 14 • The Comprehensive Plan would be ready to submit to the Metropolitan Council by
15 the end of June. The Planning Commission held a public hearing and planned to
16 address some of the questions raised at a future workshop.
- 17 • The Circle E Neighborhood Open House would be held on Thursday, May 23 from
18 5:30 – 7:30 p.m. at City Hall concerning street and sidewalk reconstruction.
- 19 • Mr. Kelly noted that it was National Public Works Week and wanted to publicly
20 thank the City's crew.

21
22 **b. Council Member Updates/Announcements**

23 Mrs. McCarthy mentioned that City Hall did not have building numbers prominently
24 displayed and suggested staff look into adding signage. She was also concerned about a
25 local restaurant hosting a Cinco de Mayo celebration without the appropriate permit. Mr.
26 Dahl confirmed that Baja Haus hosted an event and did not apply for a permit. The Police
27 department was aware and had been in contact with the owner. They discussed the
28 consequences. Mrs. McCarthy also asked about a developer who instructed its tree
29 trimming service to cut trees in a city right-of-way. Mr. Dahl confirmed that trees and
30 brush had been cut at the corner of La Salle Street and Central Avenue on a public right-
31 of-way. Staff was aware and had contacted the builder. This was a repeat issue and staff
32 was speaking to the Police Chief and prosecutor to move forward with enforcement of
33 penalties. Mrs. McCarthy communicated her disappointment with the developer especially
34 because he was a resident of Wayzata and wanted to move forward with the strictest
35 penalty. She also wanted to revisit the tree ordinance. Mayor Willcox agreed this was a
36 pattern of behavior and any future permits from the developer needed to be scrutinized.
37 Mr. Dahl agreed that a fine sent a clear message, but the best way to handle this situation
38 in the future would be permitting.

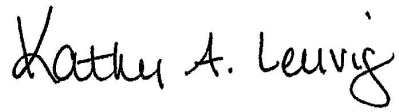
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40 **AGENDA ITEM 10. Public Forum Continued (if necessary).**

41 There were no comments.

42
43 **AGENDA ITEM 11. Adjournment.**

44 Mrs. McCarthy made a motion, seconded by Mr. Koch to adjourn. There being no further
45 business, Mr. Willcox adjourned the meeting at 8:32 p.m.

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 letter 'i' in "Leervig".

3
4
5 Kathy Leervig
6 City Clerk

7
8 Drafted by Sarah Peterson
9 *TimeSaver Off Site Secretarial, Inc.*