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**WAYZATA CITY COUNCIL
MEETING MINUTES
July 20, 2021**

AGENDA ITEM 1. Call to Order.

Mayor Mouton called the meeting to order at 7:00 p.m. Due to expiration of the State of Emergency on July 1st by Governor Tim Walz, the City is now complying with the State of Minnesota's "Open Meeting Law" in which in person public meetings shall resume. The public will be allowed to participate in the meetings in person or remotely. Mayor Mouton shared the multiple options 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, Parks Planner Kieser, and City Attorney Schelzel.

AGENDA ITEM 4. Approve Agenda.

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

AGENDA ITEM 5. Public Forum.

a. Proclamation of Buck Doran, American Legion Post 118

Mayor Mouton read the proclamation and congratulated Mr. Buck Doran on his service to the community and the country.

Mr. Doran thanked everyone from the bottom of his heart. He said it had been a good run in the community, but he definitely didn't do it alone.

b. Introduction of Nick Kieser, Parks Planner

Mr. Dahl said everyone already knew Mr. Kieser as Assistant Planner Kieser, but from now on he was Parks Planner Kieser.

Ms. Goellner said Mr. Kieser had been excellent to work with. She was excited for him to move into this new position as staff liaison for the Parks and Trails Board as well as Panoway District Committee. He would focus on community engagement, grant writing, and continue to do environmental planning.

Mr. Kieser said his main goal in coming to Wayzata was to be part of a close-knit community. The new roll combined everything he'd done in the past as far as education and experience with that goal. He was excited to start the new roll and stay in Wayzata.

Mr. Buchanan said congratulations and asked him what his first task was. Mr. Kieser said learning what the Parks and Trails Master Plan was all about.

Ms. Iverson congratulated Mr. Kieser and said she looked forward to seeing him in his new role. She also looked forward to working with him on Parks and Trails.

Mayor Mouton said it was a pleasure to see the transition and was excited about the new work he would be taking on.

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

2 None.

3
4 **AGENDA ITEM 7. Consent Agenda.**

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

7 Ms. Iverson, referencing Items 7.j. and 7.k., said Ms. Bashioum and Ms. Plantain
8 would be greatly missed on the Planning Commission. They each brought a unique
9 approach and came very prepared. She asked, in reference to Item 7.g., for a clarification
10 on the increase. Mr. Dahl said it was a reimbursement resolution. By State Statute, the
11 City had to consider a resolution in order to temporarily borrow funds from another capital
12 fund. The cost of the project had not changed.

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

- 15 a. Approval of City Council Workshop and Regular Meeting Minutes of June 1 and
16 June 15, 2021
- 17 b. Approval of Check Register
- 18 c. Approval of Municipal Licenses
- 19 d. Receipt of Police Activity Report
- 20 e. Receipt of Building Activity Report
- 21 f. Adoption of Resolution 24-2021 Accepting the Coronavirus Local Fiscal Recovery
22 Fund Established Under the American Rescue Plan Act
- 23 g. Adoption of Resolution 25-2021 Authorizing an Increased Interfund Loan for
24 Advance of Certain Costs in Connection with TIF District 6
- 25 h. Approval of the 2021 Community Room and Cable Studio Prorated License
26 Agreement with Lake Minnetonka Conservation District (LMCD)
- 27 i. Approval of 2021-2022 Community Room & Cable Studio License Agreements
28 with Wayzata Independent School District #284
- 29 j. Acceptance of Resignation of Lindsay Bashioum from the Planning Commission
- 30 k. Acceptance of Resignation of Christine Plantan from the Planning Commission
- 31 l. Acceptance of Resignation of Dan Gustafson from the Heritage Preservation Board
- 32 m. Adoption of Resolution 28-2021 Approving an Amended and Restated Approval of
33 a Final and Preliminary Plat with a Drainage and Utility Easement Vacation at 522
34 & 530 Harrington Road

35 The motion carried 5/0.

36
37 **AGENDA ITEM 8. New Business.**

- 38 a. **Consider Adoption of Resolution 26-2021 Approving a Sign Area Variance at**
39 **16100 Wayzata Boulevard for the Lexus of Wayzata Dealership**

40 Mr. Kieser presented the development application for a sign variance from the owner and
41 applicant, EFN Wayzata Properties, LLC. He discussed the surrounding neighborhood
42 zoning, 2040 Comprehensive Plan land use, sign variance requirements, background, aerial
43 images, proposed signs, existing verses proposed comparisons, practical difficulties, public
44 comment, Planning Commission discussion and recommendation, and questions for
45 consideration.

1 Mr. Plechash asked how staff measured the sign area if it was just letters on a wall.
2 Mr. Kieser said staff would draw a rectangle around the wording and measure it. Mr.
3 Plechash asked if the 150-foot restriction was related to the scale of the building. Mr.
4 Kieser said 150 feet was the maximum. For a smaller building, staff would use 10% of the
5 total façade width. However, most of the buildings in Wayzata were at the 150-foot
6 maximum.

7 Ms. Iverson said thank you for clarifying that the request was at least partially
8 driven by the franchise.

9 Mayor Mouton invited the applicant to speak. Robert Katz, General Manager,
10 thanked the Council for its consideration and talked a little more about the lighting.

11 Mayor Mouton opened the floor for Council discussion. Mr. Plechash said what he
12 had seen of the renovation looked nice. He thought the request was reasonable.

13 Mr. Buchanan agreed. He supported the Planning Commission's report and
14 findings.

15 Ms. MacDonald also agreed and was in favor of the request.

16 Ms. Iverson was also in support and thought the renovations were coming along
17 beautifully.

18 Mayor Mouton thanked the applicant for addressing the lighting for the neighbors
19 and also thought it was a reasonable request.

20 Mayor Mouton asked for a motion on the draft resolution. Mr. Plechash made a
21 motion, seconded by Mr. Buchanan, to Adopt Resolution No. 26-2021 Approving Sign
22 Area Variance for Lexus Auto Dealership at 16100 Wayzata Blvd. The motion carried 5/0.
23

24 **b. Consider Adoption of Resolution 27-2021 Approving Side Yard Setback**
25 **Variences, Shoreland Setback Variance, and a Conditional Use Permit at 900**
26 **Shady Lane East**

27 Mr. Kieser presented the proposed project from property owners, Chris and Lynn Astrup,
28 and applicant, Alexander Design Group. He discussed the surrounding neighborhood
29 zoning, 2040 Comprehensive Plan land use, variance requests, background, zoning and
30 shoreland requirements, proposed survey, proposed floodplain mitigation plan, tree
31 preservation plan, proposed renderings, Planning Commission discussion and
32 recommendation, and questions for consideration.

33 Mayor Mouton opened the floor for questions from Council. Ms. Iverson asked
34 about the grade change. Mr. Kieser said most of the grading work was completed along
35 with the 2019 plans. He said it did not look like there would be much of a grade change
36 for the current project. Ms. Iverson asked what the setback would be if the pool was
37 removed. Mr. Kieser said 26.6 feet. Ms. Iverson asked if the big tree near the driveway
38 would stay. Mr. Kieser suggested the applicant answer the question.

39 Mayor Mouton invited the applicant to speak. Kathryn Alexander, Alexander
40 Design Group, said the plan was to leave the tree.

41 Mayor Mouton asked about the boat house. Ms. Alexander said in Wayzata you
42 could do a water-oriented structure. The "boat house" was 248 square feet and would be
43 used mostly for storing boat accessories.

44 Kevin Hilgers, John Kraemer & Sons, clarified that the tree to the right of the
45 driveway was a large cottonwood and they planned to leave it.

1 Mayor Mouton opened the floor for Council discussion. Ms. Iverson said it was a
2 very difficult piece of land. She thought it was a lovely location and was glad the property
3 was being restored.

4 Mr. Plechash agreed. He said it was possibly the most unique parcel of land in
5 Wayzata. He thought it would be a nice addition to the shoreline.

6 Mr. Buchanan supported the application. He said it would be a beautiful home.

7 Ms. MacDonald agreed. She thought it was a unique property and would be a
8 lovely home.

9 Mr. Dahl noted that as the resolution was worded, it did not tie the plans to the
10 resolution. Ms. Goellner clarified that some times variance resolutions required that
11 exactly what was in the plan was built. She said it could have strong implications.

12 Mr. Schelzel explained further that some times a condition of approval was
13 included that specified the applicant must build the home in accordance with the plans
14 presented. As written, the resolution would allow the applicant to modify the plans as long
15 as those modifications were within parameters of the approval and City Code. He felt like
16 it was not necessary.

17 Mayor Mouton asked Council if it felt the plans should be tied to the draft
18 resolution. Mr. Buchanan was fine with the resolution as written.

19 Mr. Plechash agreed.

20 Ms. Iverson asked if the draft resolution included grading and tree preservation.
21 Mr. Schelzel said yes, one of the conditions of approval was that the grading plan needed
22 the approval of the City Engineer.

23 Ms. MacDonald supported the draft resolution as written.

24 Mayor Mouton also supported the application and resolution as written.

25 Mayor Mouton asked for a motion on the draft resolution. Ms. MacDonald made
26 a motion, seconded by Mr. Plechash, to Adopt Resolution No. 27-2021 Approving
27 Variances and Conditional Use Permit for 900 Shady Lane East. The motion carried 5/0.
28

29 **c. Consider Adoption of Resolution 29-2021 Neighborhood Notification and**
30 **Meeting Policy and Approval of First Reading of Ordinance 807 Amending**
31 **Wayzata City Code Sections 802, 901, 903, 904, 909, 911, 933, 1000, 1003, and**
32 **1009**

33 Ms. Goellner explained the goal of this item was to increase community awareness of
34 development activity in the neighborhoods. She talked about the purpose, current
35 practices, proposed policy, mailing radius, ordinance amendments, notification to residents
36 who rent, letters regarding construction, review process, and summary of requests.

37 Mayor Mouton asked if a public hearing was needed. Ms. Goellner said the public
38 hearing was held at the Planning Commission meeting so the Council was not legally
39 required to hold a hearing. Mayor Mouton said a large portion of people did not live in
40 Wayzata year-round and had their mail forwarded. She asked about the ten days advance
41 notification. Ms. Goellner said the Wayzata Weekly publication was the best place to
42 monitor for those who did not live in Wayzata year-round.

43 Mayor Mouton asked the Council for thoughts and/or discussion. Ms. Iverson
44 thanked staff for all of their hard work. She thought the community would greatly
45 appreciate the larger radius.

1 Mr. Plechash said it was nice to see that staff was responsive to the Council and the
2 community.

3 Mayor Mouton agreed and thought it was really great.

4 Mayor Mouton asked for a motion on the draft resolution. Mr. Plechash made a
5 motion, seconded by Ms. Iverson, to Adopt Resolution No. 29-2021 Adopting
6 Neighborhood Notification and Meeting Policy. The motion carried 5/0.

7 Mayor Mouton asked for a motion on the first reading. Ms. Iverson made a motion,
8 seconded by Mr. Buchanan, to Approve First Reading of Ordinance No. 807 Amending
9 Wayzata City Code Sections 802, 901, 903, 904, 909, 911, 933, 1000, 1003, and 1009
10 Related to Neighborhood Notification and Meeting Policy. The motion carried 5/0.

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

13 **a. Upcoming Events/Announcements**

- 14 • Thank you to Dan Gustafson for his service on the Heritage Preservation Board
- 15 • Thank you to Police Officer Jim Groves for his years of service
- 16 • Extended application deadline for the Planning Commission to July 23rd
- 17 • Strategic Planning meeting – Final Phase on August 2nd
- 18 • Night to Unite on August 3rd
- 19 • City Council meeting on August 10th

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

22 Mayor Mouton echoed thanks and admiration to the resigning Planning Commission and
23 Heritage Preservation Board members. She said the Council and staff could not do the
24 work without every single person serving on the Boards and Commissions.

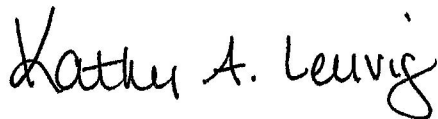
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26 **AGENDA ITEM 10. Public Forum Continued (if necessary).**

27 Daniel Drotning, 120 Westwood Lane, thought the extended radius for notifications was
28 helpful. He suggested asking construction companies to create longer windows for
29 neighbors to attend meetings.

30
31 **AGENDA ITEM 11. Adjournment.**

32 There being no further business, Mayor Mouton asked for a motion to adjourn. Ms. Iverson
33 made a motion, seconded by Mr. Plechash to adjourn. Mayor Mouton adjourned the
34 meeting at 8:35 p.m.

35
36 Respectfully submitted,

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39
40 Kathy Leervig
41 City Clerk

42
43 Drafted by Sarah Peterson
44 *TimeSaver Off Site Secretarial, Inc.*