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**WAYZATA CITY COUNCIL  
MEETING MINUTES  
August 10, 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 1<sup>st</sup> 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, Planner Kieser, Public Works Director/City Engineer Kelly, and City Attorney Schelzel.

**AGENDA ITEM 4. Approve Agenda.**

Mr. Buchanan 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.**

**a. Swearing in of Police Officer Tyler Datzman**

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

Mayor Mouton welcomed Officer Datzman to the City and the Police Department. Interim Police Chief Schultz shared Officer Datzman's biography and welcomed him.

Officer Datzman thanked his wife and family. He appreciated the opportunity to work in the community and planned to be there for a long time.

**~~b. Introduction of Public Works Employee Casey Staniger~~**

**~~c. Introduction of Public Works Employee Quinton Dornisch~~**

Mr. Dahl explained that Items 5.b. and 5.c. were postponed in order to reduce the number of people in the room.

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

Ms. Iverson proposed a Council Workshop to consider amending the ordinance regarding trailer and boat storage on streets. She said a loophole had been identified that needed correcting.

Mayor Mouton asked if the Council was amenable. The Council was supportive. Mayor Mouton asked staff to add the item to a future workshop.

**AGENDA ITEM 7. Consent Agenda.**

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

3 Ms. Iverson, regarding Item 7.f., asked for clarification on Page 92 of the Council's  
4 packet. She asked if IV.B.3, regarding the City's Roles and Responsibilities, included  
5 additional employees. Mr. Dahl said the intent of that component was not funding, but it  
6 was the City's property. Ms. Iverson said it did discuss public funding and asked to what  
7 degree was the City responsible for public fundraising. Mr. Dahl answered the public  
8 funding referred to the City's portion of the project and working with partner entities.

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

- 11 a. Approval of City Council Workshop and Regular Meeting Minutes of July 20, 2021
- 12 b. Approval of Check Register
- 13 c. Approval of Municipal Licenses
- 14 d. Adoption of Second Reading of Ordinance 807 Amending Wayzata City Code  
15 Sections 802, 901, 903, 904, 909, 911, 933, 1000, 1003, and 1009
- 16 e. Approval of Professional Services Agreement with Alpha Video & Audio Inc. for  
17 City Council Chambers Videoconferencing Services
- 18 f. Approval of Amended and Restated Agreement by and between the City of  
19 Wayzata and the Wayzata Conservancy to Financially Support and Advocate for  
20 Panoway on Wayzata Bay
- 21 g. Acceptance of Resignation of Chrissie Olson from the Energy and Environment  
22 Committee
- 23 h. Adoption of Resolution 31-2021 Approving Donations in honor of Bill Nelson for  
24 Wayzata Parks and Trails

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

26  
27 **AGENDA ITEM 8. New Business.**

28 **a. Consider Adoption of Resolution 32-2021 Authorizing the City of Wayzata to**  
29 **Participate in the Minnesota GreenStep Cities Program**

30 Mr. Buchanan introduced the topic and thanked the residents for all of the comments that  
31 were submitted and provided some background information.

32 Polly Andersen, Energy and Environment Committee Chair, talked about  
33 GreenStep Cities expectations, examples, and the plan going forward. She requested the  
34 Council adopt the draft resolution.

35 Mr. Kieser discussed the process, public comments, and action steps.

36 Mr. Dahl noted that the Council had received all of the emails submitted.

37 Mayor Mouton asked who implemented the program. Mr. Kieser said there was  
38 not an agreement. If the resolution were adopted, the City would be officially participating  
39 in the program. Mayor Mouton said the Council had received comments about tracking  
40 and measuring data. She asked what was tracked. Mr. Kieser said that was up to the City.  
41 The City was starting to lead the way by benchmarking City buildings, etc. to see what  
42 changes could be made. Mayor Mouton asked if it would be possible to disclose energy  
43 use of private households. Mr. Kieser said it would not without consent.

44 Mayor shared rules for speaking during public forum and called residents to the  
45 podium one at a time.

1 Larissa Stockton, 208 Byrondale Avenue, shared that she was a member of the  
2 Planning Commission. She talked about the uniqueness of Wayzata. She shared her  
3 concern that participating in the program may result in unintended consequences. The City  
4 already had a number of initiatives. She thought the City could achieve those initiatives  
5 without the competition aspect.

6 Mike Palm, 128 Grove Lane E, said he had served on the Planning Commission at  
7 Minnetonka Beach so he was looking at the program from a Planning Commission  
8 perspective. He thought best practices should be driven by the Planning Commission and  
9 not the City Council. He recommended pausing on this significant decision. He thought  
10 Wayzata was small and unique; and was smart enough to accomplish the same purposes  
11 without participating in the program.

12 Mark Andersen, 230 Chicago Ave N, was supportive and thought the Energy and  
13 Environment Committee had done a wonderful job explaining the program. He enjoyed  
14 living in a community that prioritized making the City better.

15 Ken Willcox, 128 Westwood Lane, former Wayzata Mayor, appreciated the  
16 opportunity to address the Council. He discussed the possible ramifications of signing onto  
17 a program like this. He said it sounded good and well intentioned, but it had some real  
18 risks. Bureaucracies tend to grow in size, in costs, and in control. He thought it could also  
19 suck up significant staff time. He shared an example in the Metropolitan Council. He said  
20 the City was a good steward and did not need another bureaucracy telling it how to operate.

21 Mayor Mouton opened the floor for Council discussion.

22 Mr. Plechash said he had thought about this a lot. The Council had received a lot  
23 of emails. He noted that the comments that were against the program were very well  
24 researched. He then read prepared comments discussing how he sought to live “green”  
25 himself and concerns about the program. He said the City did not need to take part in the  
26 program to take part in the common-sense measures. His biggest concern was that the  
27 steps in the program would create onerous regulations.

28 Mr. Buchanan stated that he was hearing a colossal misunderstanding of  
29 GreenSteps Cities. The 29 best practices were guidelines. The intent was to study the 29  
30 and present to the Council in the work plan for 2022 those that were most appropriate for  
31 Wayzata. GreenStep Cities would not dictate anything and the Council would always have  
32 the last say. The main benefit was being able to move quicker to accomplish goals. He  
33 strongly urged the Council to adopt the draft resolution.

34 Ms. MacDonald was supportive of GreenStep Cities. She thought it was important  
35 for the City to be sustainable. She said it would be silly to not use resources that were  
36 available.

37 Ms. Iverson thought it was a complex situation. She said additional staff was  
38 needed to implement the program. She was concerned about the impacts to development  
39 and financial impacts. She thought the City should write its own policy. She said the  
40 Energy and Environment Committee had the skill set to develop and implement really  
41 strong programs for the City without needing to be involved in the program.

42 Mayor Mouton commended the Energy and Environment Committee for all of its  
43 hard work. She said it was important things did not expand beyond the original scope. She  
44 thought it would be great to have free resources, but noted the Council had just struggled  
45 over the levy to fund the staff that was requested. She was concerned about the privacy

1 issues and the increased costs to development that would result in higher density request.  
2 She said she was not comfortable making a decision based on what had been presented.

3 Mayor Mouton asked for a motion on the draft resolution. Mr. Buchanan made a  
4 motion, seconded by Ms. MacDonald, to Adopt Resolution No. 32-2021 Authorizing the  
5 City of Wayzata to participate in the Minnesota GreenStep Cities Program. Upon roll call  
6 vote, the motion failed 2/3 (Iverson, Plechash, Mouton).

7  
8 **b. Consider Approval of Proposed Scope of Work for Section Foreman House**  
9 **Architectural Design Services**

10 Ms. Goellner asked the Council to consider approval of the proposed scope of work for the  
11 Section Foreman House architectural design services.

12 Quinton Collette, New History, presented the background, online community  
13 survey, rehabilitation, plan for reuse, budget, and schedule.

14 Ms. Goellner talked about the next steps.

15 Mayor Mouton asked what was the percentage for design out of the total anticipated  
16 build out of \$600,000 to \$900,000. Mr. Collette said it was typically between 10 – 15%.

17 Mr. Buchanan said he was confused about the total cost noting the summary  
18 mentioned \$250,000 to \$300,000. Mr. Collette said those numbers referred to the hard  
19 costs. The total project cost included the hard and soft costs.

20 Ms. MacDonald asked if the total included any of the outdoor features. Mr. Collette  
21 said the architect would coordinate with the landscape architect of Panoway Phase 2.

22 Ms. Goellner talked about the scope of work.

23 Ms. Iverson asked if the Request for Proposal would look at local landscaping  
24 companies so that native plants would be included. She also asked if staff had reached out  
25 to community garden clubs. Ms. Goellner said she would look into reaching out to the  
26 local garden clubs. She said it was best practice to reach out to local firms.

27 Mr. Plechash said he thought the original dollars were lower and asked about scope  
28 creep. Ms. Goellner said the last plan was presented in February 2020 which included  
29 construction cost between \$200,000 and \$400,000. Staff had narrowed it to \$250,000 to  
30 \$300,000 which was still on track with what was last discussed.

31 Mayor Mouton said the parking ramp as an example included a base and then  
32 options. She asked if the Request for Proposal would include options. Ms. Goellner said  
33 the primary goals included renovating the home to meet various standards of historical  
34 integrity, ADA accessibility for the first floor, and addressing water infiltration for the  
35 basement.

36 Ms. Iverson asked if a contingency factor was built in. Mr. Collette said a  
37 contingency was included.

38 Mayor Mouton opened the floor for Council discussion.

39 Ms. Iverson always found great value in keeping historical buildings. She favored  
40 restoring the home back to original state, but was supportive. She thought the City would  
41 have to be creative with funding.

42 Mr. Plechash agreed and also wanted to see the home restored to its original state.  
43 He was sensitive to the fact that there was a non-profit tasked with raising the money and  
44 did not want to give them an order that was too tall.

1 Ms. MacDonald also supported a restoration. Her biggest concern was that the  
2 project was trying to be too many things for too many people, but she did support the  
3 proposal.

4 Mr. Buchanan also supported the Request for Proposal. He said the original intent  
5 was to be a learning center and part of the Eco-Park, but the Request for Proposal was  
6 needed to understand what the City was dealing with.

7 Mayor Mouton was also supportive of moving forward. She wanted to stay as close  
8 to the renderings as possible and wanted to be cautious with how the money was spent.

9 Mayor Mouton asked for a motion. Ms. MacDonald made a motion, seconded by  
10 Ms. Iverson, to Approve the Proposed Scope of Work for Section Foreman House  
11 Architectural Design Services. The motion carried 5/0.

12 Mayor Mouton apologized for missing a blue card and invited Mr. Mike Palm to  
13 speak.

14 Mike Palm, 128 Grove Lane E, said he built a replica of the C.F. Haglin home. He  
15 said the property after restoration would be great.

16 Ms. Iverson requested a meeting recess.

17  
18 Mayor Mouton recessed the meeting at 8:55 p.m.

19  
20 Mayor Mouton reconvened the meeting at 9:03 p.m.

21  
22 **c. Consider Approval of the Special Event Permit for James J. Hill Days**

23 Mr. Kelly presented a special event permit request for James J. Hill Days. He discussed  
24 the schedule, road closures, traffic control, and preliminary activity map.

25 Becky Pierson, Wayzata Chamber of Commerce President, said she was grateful  
26 and looking forward to the event.

27 Mr. Kelly asked if the Chamber was following the new guideline from the Centers  
28 for Disease Control and Prevention. Ms. Pierson said they had not been given any new  
29 guidelines, but would follow any guidelines required. She said there were a few things in  
30 their favor. The event was outside and pretty spread out.

31 Mr. Buchanan thought they were looking to expand all the way to Superior  
32 Boulevard. Ms. Pierson said they were finding that they potentially only needed just into  
33 the one block.

34 Mayor Mouton said it was exciting especially since the event had not happened for  
35 a couple of years. She asked about needing additional police officers. Mr. Kelly said it  
36 was being coordinated. Mayor Mouton asked if the dog park was the green space adjacent  
37 to the 911 memorial. Ms. Pierson said it was not, it was the west green space. Mayor  
38 Mouton asked about providing signage. Mr. Kelly said he would look into it.

39  
40 Mayor Mouton asked for a motion on the permit. Ms. Iverson made a motion,  
41 seconded by Mr. Plechash, to Approve the Special Event Permit for James J. Hill Days.  
42 The motion carried 5/0.

43  
44 **d. Consider Approval of the Special Event Permit for SISU Bombshell Bash**

45 Mr. Kelly presented the special event permit request for SISU Bombshell Bash. He  
46 discussed the event schedule, beach layout, run route, and requested action. He added that

1 this request was a little bit unique because the City would not usually approve of requests  
2 like this, but because it was outside of normal hours, he recommended approval.

3 Thomas Richards, CrossFit SISU, said the event was an all-female competition. He  
4 discussed the event and said they were looking to the Police Department to help direct  
5 traffic.

6 Mayor Mouton asked if the beach would be shut down completely. Mr. Kelly said  
7 yes, but it was towards the end of September and outside of normal operating hours. Mayor  
8 Mouton asked if someone would be in the water for emergencies. Mr. Richards said there  
9 would be lifeguards on paddle boards as well as boats.

10 Ms. Iverson was supportive and said Pat Crosby ran very good events.

11 Mr. Buchanan asked about playground installation. Mr. Kelly said they were still  
12 looking for a delivery date, but it should not conflict.

13 Mayor Mouton asked about parking. Mr. Kelly said they were looking at some  
14 alternatives and would work through that if approved.

15 Mayor Mouton opened the floor for Council discussion, hearing none she asked for  
16 a motion on the permit. Ms. MacDonald made a motion, seconded by Mr. Buchanan, to  
17 Approve the Special Event Permit for a SISU Bombshell Bash. Upon roll call vote, the  
18 motion carried 5/0.

19  
20 **e. Consider Adoption of Resolution 30-2021 Appointing Planning**  
21 **Commissioners**

22 Mr. Dahl said the Council had received two resignations from the Planning Commission  
23 earlier this summer. The City advertised for the vacancies in July and received six  
24 applications. Thursday, August 5<sup>th</sup>, the Council conducted interviews. Staff had prepared  
25 a draft resolution appointing Jennifer Severson and Bonnie Schwalbe.

26 Ms. Iverson said all of the applicants were very qualified. She encouraged the  
27 others to continue to apply as there were lots of opportunities to volunteer.

28 Mayor Mouton agreed it was a great pool of candidates. She asked for a motion on  
29 the draft resolution. Mr. Plechash made a motion, seconded by Ms. MacDonald, to Adopt  
30 Resolution No. 30-2021 Appointing Jennifer Severson to a term expiring December 31,  
31 2023 and Bonnie Schwalbe to a term expiring December 31, 2022. Upon roll call vote, the  
32 motion carried 5/0.

33  
34 **AGENDA ITEM 9. City Manager's Report and Discussion Items.**

35 **a. Upcoming Events/Announcements**

36 Mr. Dahl said there was a lot on the Planning Commission's agenda and there would be  
37 more spots open in a couple of months when the City advertised for all of its Boards and  
38 Commissions.

39 Mr. Dahl, referencing Item 7.h., noted that Mr. Bill Nelson had been a good steward  
40 of the community for a very long time. He also noted the 911 event on September 11<sup>th</sup> at  
41 10:00 a.m.

42  
43 **b. Council Member Updates/Announcements**

44 None.

45

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

2 There were no comments.

3

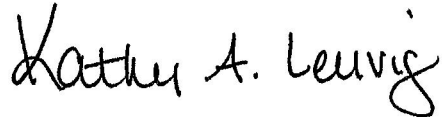
4 **AGENDA ITEM 11. Adjournment.**

5 There being no further business, Mayor Mouton asked for a motion to adjourn. Ms. Iverson  
6 made a motion, seconded by Mr. Plechash to adjourn. Mayor Mouton adjourned the  
7 meeting at 9:37 p.m.

8

9 Respectfully submitted,

10



11

12

13 Kathy Leervig

14 City Clerk

15

16 Drafted by Sarah Peterson

17 *TimeSaver Off Site Secretarial, Inc.*