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**WAYZATA CITY COUNCIL
MEETING MINUTES
October 20, 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, Community Development Director Goellner, Administrative Services Director Yager, Assistant 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. Representative Jerry Hertaus – 2020 Legislative Update

Mayor Willcox introduced State Representative Jerry Hertaus. Mr. Hertaus was happy to report progress that had been made for the City of Wayzata. The 2020 legislation began with high hopes due to the \$2.54 billion budget reserve in the State Treasury. However, COVID-19 had disrupted everything. Mr. Hertaus talked about the bonding bill and the history of his work. He thought Wayzata had been the biggest recipient. Wayzata was going to receive \$4 million of the \$1.8 billion bonding bill. He congratulated the City on its hard work to develop a plan that was feasible.

Mr. Hertaus also said it had been a pleasure working with Mayor Willcox, acknowledging his last term in office.

Mayor Willcox thanked Mr. Hertaus and the City Manager for organizing the tour.

Mr. Plechash appreciated all the work Mr. Hertaus had done at the Minnesota House of Representatives.

Mr. Koch also appreciated all Mr. Hertaus had done for the City of Wayzata and the District.

Mr. Dahl said Mr. Hertaus was a pleasure to work with and treated everyone as equals.

b. Forecast Public Art – Hennepin County Business District Recovery Program

Ms. Goellner said Hennepin County had been supportive through COVID-19 and dedicated \$28 million to business assistance through the CARES Act. Wayzata was a recipient of a program called the Business District Recovery Program and Lake Street was chosen specifically. Hennepin County hired Forecast Public Art through a competitive process.

1 Jenn Krava, Forecast Public Art, talked about the non-profit company and past
2 work in Wayzata. Their role was to identify district wide strategies to create public spaces.
3 She said through a public process they had found that people were interested in outdoor
4 seating areas, outdoor art exhibits, and outdoor events. She discussed the timeline, goals,
5 and strategies. The plan involved domes, wayfinding, and outdoor seating and heating.
6 The goal was to have everything installed by Monday, November 23, 2020.

7 Mayor Willcox said the tree lighting was on Friday, November 27, 2020 so people
8 would be able to enjoy the amenities. He asked who was providing the maintenance. Ms.
9 Krava said someone would be hired.

10 Mr. Plechash asked if everything was covered by funds not from the City. Ms.
11 Krava said everything except for the tear down. Mr. Plechash asked why the Council had
12 not been able to weigh in on this before. Ms. Krava said the funding was passed in June.
13 The applications to cities came out in July and the Request for Proposal to consultants soon
14 after. She said there had been meetings with the City Manager, Community Development
15 Director, and the Chamber of Commerce. However, the project was still in the planning
16 phase.

17 Ms. Goellner said the project had been very abstract and staff wanted to have
18 visuals to present to the Council. She said the City was not formally committed.

19 Mr. Dahl said the project was previously discussed with the Council. He also said
20 the Council would need to decide tonight.

21 Mr. Koch said the Council looked at the domes at the last Workshop. The only
22 concern at the time was to make sure they did not overtake the City. He asked where the
23 locations would be. Ms. Krava said there would be five to six domes split between two of
24 the three locations on the map. Mr. Koch loved the idea of making the domes unique with
25 artistic design, but wondered who set the theme. Ms. Krava said a theme of Winter
26 Wonderland had been discussed, but they would set guidelines for the artist and the artist
27 would submit sketches.

28 Mr. Buchanan asked about the size of the domes and how the City would police
29 social distancing. Ms. Krava said the domes were 12-feet with four chairs inside.
30 Guidelines would be posted.

31 Mayor Willcox asked how it would be promoted. Ms. Krava said the other
32 consultant was MOD, a marketing and communication company. They would be working
33 on the marketing for this and also community events. Mayor Willcox thought this would
34 be a fun thing in an otherwise bleak time of year.

35
36 **AGENDA ITEM 6. New Agenda Items.**

37 None.

38
39 **AGENDA ITEM 7. Consent Agenda.**

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

42 Mr. Buchanan, referencing Item 7.h., said he would like to be more mindful of how
43 the grant money for the organics program was used and suggested the Energy &
44 Environment Committee put together a recommendation to the Council.

1 Mayor Willcox said historically Wayzata was the first Hennepin County city to
2 start organic recycling and had funding ever since. He did think the awareness had waned
3 and thought it should be kept more prominent.

4 Mr. Dahl thought it was a good idea for the Committee to look it over and make a
5 recommendation.

6 Mrs. McCarthy said she would like to know where the money had been allocated
7 in the past as part of the recommendation.

8 Mr. Koch agreed.

9 Mr. Plechash also supported the Committee looking at alternative ways to use the
10 funds.

11 Mr. Buchanan said the Committee would look at past history. He also said the
12 document made it clear that it could be used for education and marketing.

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

- 15 a. Approval of City Council Workshop and Regular Meeting Minutes of October 6,
16 2020
- 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. Approval of Proposal by WSB for Zoning Study Assistance
- 22 g. Approval of Agreement with Van Meter Williams Pollack, LLP for Architectural
23 and Planning Services to Update the City's Design Standards
- 24 h. Adoption of Resolution 45-2020 Approving 2021 Contract Amendment for
25 Residential Recycling Grant with Hennepin County

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

27
28 **AGENDA ITEM 8. Public Hearings.**

29 **a. Consider Adoption of Resolution 43-2020 Certifying to the County Auditor**
30 **Assessments for Unpaid Delinquent Utility Bill Charges**

31 Mr. Dahl presented the background, financial impacts, and increased fees.

32 Mayor Willcox opened the public hearing at 8:04 p.m. No one came forward to
33 speak. There being no one wishing to speak, Mayor Willcox closed the public hearing at
34 8:05 p.m.

35 There being no further discussion, Mayor Willcox asked for a motion on the draft
36 resolution. Mrs. McCarthy made a motion, seconded by Mr. Koch, to Adopt Resolution
37 No. 43-2020, Certifying to the County Auditor Assessments for Unpaid Delinquent Utility
38 Bill Charges. Upon roll call vote, the motion carried 5/0.

39
40 **AGENDA ITEM 9. New Business.**

41 **a. Consider Adoption of Resolution 47-2020 Related to General Obligation**
42 **Refunding Bonds, Series 2020B, Authorizing the Issuance, and Awarding the**
43 **Sale**

44 Ms. Yager presented the action requested, background, and an update.

45 Stacie Kvilvang, Ehlers, said the sale was held that morning and announced the
46 results. There were five bidders with the lowest true interest cost of 1.018%. The issue

1 size was decreased by \$260,000 to \$4,100,000. As part of the bond rating process the
2 City's AAA rating was maintained.

3 Mr. Plechash asked about the spread. Ms. Kvilvang answered the spread was
4 1.0180% to 1.2649%. Ms. Kvilvang said that was comparable to other bonds around the
5 State of Minnesota. Mr. Plechash asked if she'd ever seen the numbers this low. Ms.
6 Kvilvang said never.

7 Mr. Koch asked about the refinancing cost to the City. Ms. Kvilvang said the cost
8 of issuance was rolled into the savings.

9 Mayor Willcox thanked Ms. Kvilvang for her work and presentation.

10 Mr. Dahl clarified that the updated numbers were added to the amended agenda.

11 Mayor Willcox asked for a motion on the draft resolution. Mr. Plechash made a
12 motion, seconded by Mr. Buchanan, to Adopt Resolution No. 47-2020, Authorizing
13 Issuance, Awarding Sale, Prescribing the Form and Details and Providing for the Payment
14 of \$4,100,000 General Obligation Refunding Bonds, Series 2020B. Upon roll call vote,
15 the motion carried 5/0.

16
17 **b. Consider Adoption of Resolution 44-2020 Approving the Design of a New**
18 **Accessory Structure at 230 and 240 Central Avenue North**

19 Mr. Kieser presented the development application from Wayzata Woods Apartments, LLC,
20 owner, for design approval of a new one-story accessory structure at 230 and 240 Central
21 Avenue N. Mr. Kieser discussed the surrounding neighborhood zoning, the 2040
22 Comprehensive Plan land use, the proposed site plan, renderings, design deviation
23 requested, Planning Commission discussion and unanimous recommendation to approve,
24 and questions for consideration.

25 Mayor Willcox asked if Wayzata Woods had any affordable units. Mr. Kieser said
26 no, not by definition. However, it was naturally occurring affordable housing based on
27 density and location. Mayor Willcox asked if it qualified the City for affordable housing
28 unit requirements from the Metropolitan Council. Ms. Goellner said the Metropolitan
29 Council was looking for affordability at levels closer to 60% area median income. This
30 property was probably around 80% area median income. She said it was part of an ongoing
31 assessment done with the Metropolitan Council.

32 Mayor Willcox invited the applicant to speak. David Holland, UrbanWorks
33 Architecture, said he did not have anything to add, but was available for questions.

34 Mayor Willcox asked for a motion on the draft resolution. Mr. Buchanan made a
35 motion, seconded by Mr. Koch, to Adopt Resolution No. 44-2020, Approving Design of
36 New Accessory Building at 230 & 240 Central Ave N (Wayzata Woods Apartments).
37 Upon roll call vote, the motion carried 5/0.

38
39 **c. Consider Adoption of Resolution 46-2020 and Approval of First Reading of**
40 **Ordinance 803 Approving PUD Amendment for Promenade of Wayzata at 801**
41 **Lake Street East**

42 Ms. Goellner said the objective of the Planned Unit Development Amendment was to
43 clarify and expand the list of permitted uses on the ground floor of several buildings in the
44 Promenade of Wayzata. Ms. Goellner presented the surrounding neighborhood zoning,
45 2040 Comprehensive Plan land use, site map, Council Workshop discussion, Planning

1 Commission discussion and unanimous recommendation to approve, conditional uses,
2 public comments, and action steps.

3 Mayor Willcox said the reflects reality, but also represents a surrender. He said the
4 reason that Presbyterian Homes was approved was to get retail because retail was dying.
5 He said the current state was partly due to the changes happening in retail, but he had also
6 heard of potential leaser complaining about working with Mid-America Real Estate.

7 Mr. Dahl asked Ms. Goellner to update the Council on public feedback. Ms.
8 Goellner said she had received letters from the Regatta Homeowners Association President
9 and two other residents. They supported uses that caused little to no noise such as offices,
10 clinics, and retail.

11 Mayor Willcox thought it was important to try to keep the vibrancy on the ground
12 floor along Superior Boulevard and Lake Street.

13 Mr. Koch said theaters were an allowed use in C-4 and wondered if a small theater
14 might have noise impacts. He suggested adding theaters to the list that required a
15 Conditional Use Permit.

16 Mr. Dahl asked if the applicant was on board with the changes. Ms. Goellner said
17 yes.

18 Mayor Willcox asked for a motion on the draft resolution. Mr. Plechash made a
19 motion, seconded by Mr. Buchanan, to Adopt Resolution No. 46-2020, Approving
20 Amendment to the Promenade of Wayzata PUD at 801 Lake Street East.

21 Mr. Koch asked about amending the list of Conditional Uses to add Theaters. Mr.
22 Plechash, seconded by Mr. Buchanan, accepted the amendment.

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

24 Mayor Willcox asked for a motion on the First Reading. Mr. Buchanan made a
25 motion, seconded by Mr. Plechash, to Approve the First Reading of Ordinance No. 803,
26 Amending the Permitted and Conditional Uses within the Promenade of Wayzata PUD
27 District. Upon roll call vote, the motion carried 5/0.

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

30 **a. Upcoming Events/Announcements**

- 31 • Commissions, Authorities & Boards were soliciting applicants. The deadline was
- 32 Friday, November 13, 2020.
- 33 • Plan currently underway for Light up the Lake. Scheduled for Friday, November
- 34 27, 2020.
- 35 • City Hall open for absentee voting. The final day was November 2, 2020.

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

38 There were no comments.

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

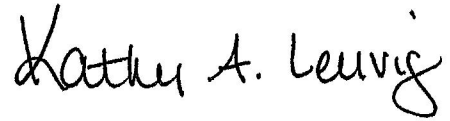
41 There were no comments.

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43 **AGENDA ITEM 12. Adjournment.**

44 There being no further business, Mayor Willcox asked for a motion to adjourn. Mr.
45 Plechash made a motion, seconded by Mrs. McCarthy to adjourn. Upon roll call vote,
46 Mayor Willcox adjourned the meeting at 8:57 p.m.

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Respectfully submitted,

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".

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Kathy Leervig
City Clerk

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Drafted by Sarah Peterson
TimeSaver Off Site Secretarial, Inc.