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**WAYZATA CITY COUNCIL
MEETING MINUTES
February 19, 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: 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. The motion carried 5/0.

AGENDA ITEM 5. Public Forum.

a. Charter Commission Update

Dan Day introduced himself as the new Charter Commission Chair and discussed the annual meeting held on November 26, 2018. The Commission was asked to research and determine why the Council required a four-fifths or super majority vote for some actions and not others. The research proved to be challenging and the Commission was unable to find a definitive answer.

Mayor Willcox asked if the Commission had a recommendation for the Council. Mr. Day explained that the Commission wanted direction from the Council on how to proceed.

Mr. Schelzel clarified that the instances were in the City Code and not in the City Charter. He explained that some were required by state law, but the rest were policy decisions and up to the Council. Mayor Willcox commented it was probably time to review the instances that were required because of previous policy decisions.

Mrs. McCarthy noted that the instances that required a super majority vote were significant such as bonding or vacating streets. Mr. Day agreed that six out of ten instances surrounded the budget.

Mr. Plechash said he would like a chance to review the ten instances and let the Council debate if any should be changed. The Council agreed.

b. Presentation of Officer Bill Matthews Memorial Highway (US Highway 12) Signs

Mayor Willcox talked about one of Wayzata's worst tragedies that occurred in September of 2017 when a police officer was lost in an unnecessary accident due to distracted or impaired driving. He wanted to remember, learn from the accident, and focus on the sacrifice. This culminated in the dedication of Officer Bill Matthews Memorial Highway.

Police Chief Risvold thanked Senator David Osmek, Senator Paul Anderson, and Representative Jerry Hertaus for their committed work to accomplish this highway dedication. Chief Risvold discussed distracted and impaired driving.

1 Mr. Hertaus was very honored to author the bill in the House. Officer Matthews
2 couldn't be replaced, but this was a token of gratitude. Mr. Hertaus asked Officer
3 Matthews' son, Wyatt, to promise to honor his Father and stay away from drugs and
4 alcohol.

5 Mr. Anderson thanked everyone involved and commented on the special
6 community of Wayzata.

7 Mr. Osmek noted that distracted driving would be a priority during the next session.

8 Chief Risvold presented a replica of the sign that would be on the highway and
9 presented it to Officer Matthews' wife, Shawn.

10
11 **c. Swearing in of Police Officer Corinn Jimenez**

12 Mr. Dahl administered the oath of office for Officer Jimenez.

13 Chief Risvold shared Officer Jimenez's biography and congratulated her.

14 Officer Jimenez was grateful to have a chance to give back to the community as
15 law enforcement was one of her life long goals.

16
17 **d. Recognition of 40 Years of Service for City Prosecuting Attorney Jeff Lambert**

18 Mayor Willcox said Mr. Lambert was so much more than a contract prosecutor. He had
19 served on the Chamber and the Crime Prevention Board, was moderator for candidate
20 forms, was heavily involved in crime prevention, and more. Mayor Willcox thanked him
21 for his years of service and read the certificate.

22 Mr. Lambert thanked the Council.

23
24 **AGENDA ITEM 6. New Agenda Items.**

25 None.

26
27 **AGENDA ITEM 7. Consent Agenda.**

28 Mayor Willcox pulled Item 7.g. for discussion. He voiced a concern that of the 350 people
29 who made use of the programming in the park only about 100 were Wayzata residents. He
30 suggested that the fee be renegotiated.

31 Mr. Dahl shared that the goal for Minnetonka Community Education (MCE) was
32 to see an increase in Wayzata residents. Additional dollars would be allocated if that goal
33 was achieved. The City is partnering with MCE because if Wayzata provided the services,
34 it would not be cost effective. Mr. Kelly added the programming was in its third year and
35 each year the goals were becoming more specific.

36 Mrs. McCarthy asked staff to provide the specific numbers for the past three years
37 and was interested in building an incentive program. Mr. Kelly replied that he did not have
38 the specific numbers with him; however, he explained that for this year Wayzata requested
39 that a quarter of the total participants be Wayzata residents. He also noted that \$7,000 goes
40 toward marketing in Wayzata and \$4,000 was available for park improvements. Mrs.
41 McCarthy asked for the historical information going forwards so the Council could decide
42 if it should renegotiate.

43 Mr. Koch made a motion, seconded by Mr. Buchanan, to approve the consent
44 agenda:

- 45 a. Approval of City Council Workshop Minutes of February 5, 2019 and City Council
46 Regular Meeting Minutes of February 5, 2019

- 1 b. Approval of Check Register
- 2 c. Approval of Municipal Licenses
- 3 d. Police Activity Report
- 4 e. Building Activity Report
- 5 f. Acceptance of Mediacom Quarterly Customer Service Report
- 6 g. Approval of 2019 Recreation Programming Contract with Minnetonka Community
- 7 Education

8 The motion carried 5/0.

9

10 **AGENDA ITEM 8. New Business.**

11 **a. Consider Approval of Resolution No. 07-2019 Urban Hennepin County**

12 **Community Development Block Grant (CDBG) Program Funds on Behalf of**

13 **Hammer Residences**

14 Mr. Dahl presented the request from Hammer Residences for the City to sponsor an

15 application for improvements needed for two of its group homes in Wayzata. Every year

16 the Federal Government distributed funds for CDBG Programs. The programs were

17 typically for public services and capital improvements that benefited low and moderate-

18 income families and individuals. The grant application would have no impact on the City's

19 General Fund Budget.

20 Mr. Plechash asked if an approved grant could diminish other grants the City might

21 apply for or receive. Mr. Dahl answered that it would not in this case because it was the

22 grant was for a very specific program.

23 Mrs. McCarthy made a motion, seconded by Mr. Plechash, to Adopt Resolution No.

24 07-2019, Approving City of Wayzata Application on Behalf of Hammer Residences for

25 2019 Urban Hennepin County Community Development Block Grant (CDBG) Program

26 Funds and Authorizing Execution of Subrecipient Agreements. The motion carried 5/0.

27

28 **b. Update of Verizon Wireless Telecommunication Facility at 1000 Superior**

29 **Boulevard**

30 Mr. Dahl discussed delays to the construction of a telecommunications facility on the Edina

31 Realty building by Verizon Wireless. The City issued a building permit on July 30, 2018

32 and the permit was still valid. The antenna arrays had been constructed and were

33 operational. However, the screening walls that were required by the City Council were

34 still missing. Staff had been in contact with representatives of Verizon and a representative

35 had agreed to attend the meeting to provide an update, present options, and receive

36 direction from the Council.

37 Rebecca Roesler, Vertical Limit Construction Manager, explained that an error had

38 occurred from the very beginning when only one panel was ordered. The second panel

39 was currently being fabricated and was expected to ship the last week in March. She hoped

40 Mr. Plechash asked if the unscreened antennas posed a health risk. Ms. Roesler

41 responded that they did not.

42 Mrs. McCarthy stated her preference was for Vertical Limit to install the one panel

43 it already had. She was disappointed in the long delay and spoke of being a good neighbor.

44 Mr. Dahl suggested setting a deadline and administering a citation if the project

45 was not complete.

1 Mr. Buchanan asked if they were in violation of the ordinance currently. Mr.
2 Schelzel confirmed that Verizon was in violation of the zoning ordinance as well as the
3 Conditions of Approval for the Conditional Use Permit.

4 The Council discussed whether the contractor should be required to proceed with
5 installation of the one panel it had and whether to cite Verizon immediately or if they miss
6 the next agreed upon deadline. The consensus was to cite Verizon for the violation of the
7 zoning ordinance and require the contractor to install the panel as soon as possible.
8

9 **c. Consider Approval of Resolution No. 06-2019 Supporting an Application to**
10 **the Hennepin County Business District Initiative**

11 Mr. Dahl explained that Hennepin County had funding available to support municipal
12 initiatives to strengthen priority small business districts and main streets through its
13 Business District Initiative. Due to the significant negative impact the community would
14 endure during 2019 because of three substantial road construction projects, staff suggested
15 initiating a comprehensive marketing and communication plan to help mitigate those
16 impacts. Applying for matching funds through the Business District Initiative would help
17 enhance the City's marketing and communication plan. If the County granted the City
18 \$50,000, the City and its partners would have to fund at least \$50,000 as well.

19 Mr. Plechash asked about the matching requirements. Mr. Dahl explained that the
20 City had already allocated the funds and the County would match what the City spent up
21 to \$50,000.

22 Mr. Koch could not see any downside.

23 Mr. Plechash made a motion, seconded by Mr. Buchanan, to Adopt Resolution No.
24 06-2019, Supporting an Application from the City of Wayzata for a Grant Funding to the
25 Hennepin County Corridor Planning Program. The motion carried 5/0.
26

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

28 **a. Upcoming Events/Announcements**

- 29 • League of Minnesota Cities 2019 Annual Conference on June 26-28, 2019
30

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

32 Mayor Willcox announced the winners of the Chilly Open Chili Competition.
33

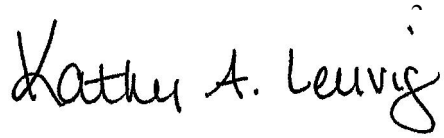
34 **AGENDA ITEM 10. Public Forum Continued (if necessary).**

35 There were no comments.
36

37 **AGENDA ITEM 11. Adjournment.**

38 Mrs. McCarthy made a motion, seconded by Mr. Koch to adjourn. There being no further
39 business, Mr. Willcox adjourned the meeting at 8:12 p.m.
40
41

1 Respectfully submitted,

A handwritten signature in black ink that reads "Kathy A. Leervig". The signature is written in a cursive style with a small flourish at the end.

6 Kathy Leervig
7 City Clerk

8

9 Drafted by Sarah Peterson

10 *TimeSaver Off Site Secretarial, Inc.*