



**MINUTES
CITY COUNCIL MEETING
July 16, 2013**

CALL TO ORDER

The meeting was called to order at 6:35 pm.

Present: Mayor: Tim Hultmann; Council: Kurt Kaminski, Tom Skjaret, Donny Chillstrom, and Liz Olson

Staff Present: City Administrator: Terrance Post; Public Works Director: Marv Wurzer; Wayzata Police Chief: Mike Risvold; and City Clerk: Jeanette Moeller

Absent: None

PLEDGE OF ALLEGIANCE

LONG LAKE NEWS UPDATE

Mayor Hultmann reported:

- The last of the four late June storm debris pickup dates took place the week prior to the meeting, and street sweepers have removed the remaining leaves and sticks from city streets.
- Staff and Council will be pursuing development of a no wake ordinance to protect Long Lake shoreline from erosion during future periods of high water levels.
- Work will begin in earnest on the Brimhall Avenue and Tamarack Avenue Street Improvement Project later in the week, with the contractor beginning asphalt removal the next day.
- Participation in Night to Unite activities on August 6 in Long Lake is encouraged. Visits by Police and Fire vehicles will take place in Hardin Park at 6:00 pm, and in Holbrook Park at 6:30 pm.

Lastly, Mayor Hultmann reminded everyone of the importance of shopping locally and supporting local businesses as often as possible.

APPROVE AGENDA

Mayor Hultmann requested Item J be removed from the Consent Agenda for discussion as regular Agenda Item No. 10.

*A motion was made by Chillstrom, seconded by Kaminski, to approve the Agenda as amended.
Ayes: all.*

CONSENT AGENDA

The Consent Agenda consisted of:

- A. Approve Minutes of July 2, 2013 City Council Work Session
- B. Approve Minutes of July 2, 2013 City Council Meeting
- C. Receive Unofficial Draft Minutes of July 9, 2013 Planning Commission Meeting
- D. Receive Unofficial Draft Minutes of June 25, 2013 Park Board Meeting

- E. Approve Vendor Claims and Payroll
- F. Accept Resignation of Seasonal Public Works Employee Courtney Hanberg
- G. Adopt Resolution No. 2013-29 Approving Issuance of Special Event Permit #S2013-10 for Lakeview Block Party 2013
- H. Adopt Resolution No. 2013-30 Approving Issuance of Special Event Permit #S2013-08 for the 2013 Tour de Tonka
- I. Adopt Resolution No. 2013-31 Approving Issuance of Special Event Permit #S2013-09 for 2013 Corn Days Parade
- ~~J. Adopt Resolution No. 2013-32 Approving Issuance of Special Event Permit #S2013-07 for the 2013 10,000 Lakes Wake Surf Open~~
- K. Authorize Administrator to Extend a Land Purchase Offer to MnDOT for Excess Right-of-Way Behind Daniels Street

A motion was made by Skjaret, seconded by Chillstrom, to approve the Consent Agenda as amended. Ayes: all.

OPEN CORRESPONDENCE

No one appeared to address the City Council during Open Correspondence.

BUSINESS ITEMS

Quarterly Police Protection Services Update – Wayzata Police Chief Mike Risvold

Police Chief Risvold presented a comparison of year-to-date Police activities for the period of January through June 2013 to the previous year; updated the Council regarding Hennepin County's success in achieving a federal disaster declaration through FEMA and storm damage reimbursement efforts; discussed the Police Department's success in investigating robberies in the Wolf Pointe Woods neighborhood; complimented the City's liquor license holders for once again passing compliance checks without any failures; commented on upcoming Night to Unite activities; and touched on recent and future special events in Long Lake.

Council members complimented Chief Risvold on the Police Department's presence in town. The Council also requested more aggressive enforcement of illegal boat trailer parking along streets in the vicinity of Nelson Lakeside Park.

Post advised that the Police services agreement is a three-year rolling contract that auto renews annually, unless either party informs the other in writing of their intent to withdraw.

Planning Case No. 2013-03: Sign Variance for Tonka Auto & Marine, 2305 Daniels Street

Post reported that this Planning Case previously appeared before the Council at their June 18 meeting, and was subsequently remanded back to the Planning Commission for establishment of findings of fact to support their earlier recommendation to approve the application. The applicant was notified the Planning Commission would be reviewing their recommendation at their July 9 meeting. Upon further review and consideration, the Planning Commission revised their earlier recommendation for approval and now unanimously recommends denial of the sign variance request, finding no practical difficulties exist at the site warranting granting of a variance for the sign requested. As part of the Planning Commission's motion to recommend denial, they also recommend the Council consider refunding land use application fees paid to the applicant. Post presented Council members with a photo example of a Napa Auto Care sign with changeable lettering currently located at the intersection of County Road 15 in Navarre in the exact style requested by the applicant. The size of the example sign is 28 square feet, which would be compliant with sign ordinance requirements applicable to the Tonka Auto & Marine site.

Council members discussed the sign example provided, and debated the issue of whether or not any refund of application fees is warranted given the staff time, legal publication and consultant expenses already spent in reviewing the sign variance application. Ultimately Council reached agreement that a refund to the applicant was unwarranted.

A motion was made by Kaminski, seconded by Skjaret, to adopt Resolution No. 2013-26 denying a variance for sign area from 30 sq. ft. to approximately 44 sq. ft. to place a freestanding sign on property located at 2305 Daniels Street for Tonka Auto and Marine as requested by Kelli Gillespie with the findings of fact noted in the resolution. Ayes: all.

Approve Visu-Sewer Pay Application No. 2 (Final) for 2012 I&I Project

Post indicated that at the May 15, 2012 regular meeting, the City Council approved the Phase I work plan scope of the 2012 inflow and infiltration District 3 improvements project. The proposal from project contractor Visu-Sewer was accepted on June 1, 2012. The project was anticipated to be completed in 2012; however, delays at other contractor job sites and the winter construction season lull did not allow this project to be completed until late spring of this year.

Staff recommends the approval of the final invoice payment to Visu-Sewer in the amount of \$17,900. Public Works Director Marv Wurzer has inspected the work performed and is satisfied the project was accurately completed to specifications.

A motion was made by Chillstrom, seconded by Skjaret, to approve Pay Application No. 2 (final) represented by invoice No. 23948 payment in the amount of \$17,900.00 to Visu-Sewer Clean & Seal, Inc. for 2012 I&I Project Phase I work plan. Ayes: all.

Adopt Resolution No. 2013-32 Approving Issuance of Special Event Permit #S2013-07 for the 2013 10,000 Lakes Wake Surf Open

City Clerk Moeller stated that the 10K Surf organization has applied for a Special Event Permit application to hold the annual 10,000 Lakes Wake Surf Open wakesurfing tournament at Nelson Lakeside Park and using Long Lake from 8:00 am to 5:00 pm on Friday, August 16, and between 8:00 am and 5:00 pm on Saturday, August 17, 2013.

Wakesurfing is a sport whereby a participant surfs without a rope while performing tricks behind a boat moving at 11 miles per hour. The 2013 10,000 Lakes Wake Surf Open tournament would consist of wakesurfers competing in amateur, professional, junior and masters divisions during the two-day competition. Approximately 55 participants will enter the wakesurfing contest, and as many as 300 spectators may attend over the two-day period. The sponsoring organization has received commitments from professional wakesurfers who will be coming from around the country to participate in the event. Pro division competitors will be vying for cash prizes, while amateurs will compete for boards and other giveaways provided by sponsors. Sponsor tents, food and beverages will be located in the park for the two-day event.

Staff is recommending approval of a Special Event Permit for the 10,000 Lakes Wake Surf Open with conditions as specified in the permit.

Roger Adams, 1130 Underhill Circle, indicated that while he is in favor of special events in general, he is concerned about high lake water levels and the impact of wake generating activities on his lakeshore property. He discussed the history of shoreline repairs he has had to make due to erosion and questioned whether avenues are available to compensate him for shoreline erosion and damages incurred over the years.

Jenny Hand, resident of Tealwood Place, also expressed her concern regarding high water levels and shoreline erosion along the Tealwood Place neighborhood.

Council members discussed the desired timeframe for completion of a no wake ordinance, and the need to learn more about what party is responsible for the dam currently impacting water levels on Long Lake. It was noted that denying the two-day event would not address high water and shoreline erosion issues, and the variety of lake users including waterskiers are generating wake activity on a daily basis.

Marty Schneider, 1176 Wayzata Boulevard W, commented that he has watched this event in past years and in addition to the one boat and one jetski operating during the competition as noted by the applicant, other wake surfers have been on the lake simultaneously practicing for their runs. He indicated in his opinion it would not be beyond reason to deny a permit for the event this year, recognizing that water levels are extraordinarily high.

Council members further discussed the application and suggested a condition be added that practice by participants may only take place in a designated area beginning east of the intersection of Martha Lane and Wayzata Boulevard W, and ending west of the Wolf Pointe Woods neighborhood dock, thereby limiting practice to an area of the lake not bordered by residential lakeshore properties. Staff will need to emphasize with the applicant the need to be sensitive to lakeshore concerns and to adhere to the conditions of the permit. It was also noted that in future years a limit will likely be established for the number of special events permitted to utilize Long Lake.

A motion was made by Chillstrom, seconded by Skjaret, to adopt Resolution No. 2013-32 approving issuance of Special Event Permit #S2013-07 for the 2013 10,000 Lakes Wakesurf Open to be held August 16 and 17, 2013, adding a condition that a designated practice area be established in the lake beginning at a point east of the intersection of Martha Lane and Wayzata Boulevard W, and ending west of the Wolf Pointe Woods neighborhood dock. Ayes: Skjaret, Chillstrom, Hultmann, and Olson. Nay: Kaminski. Motion carried.

OTHER BUSINESS

Council Meeting Date Change – *A motion was made by Chillstrom, seconded by Kaminski, to reschedule the August 6, 2013 regular City Council meeting to be held on Wednesday, August 7, 2013 due to Night to Unite activities. Ayes: all.*

Joint Meeting of Long Lake and Wayzata City Councils – *A motion was made by Chillstrom, seconded by Skjaret, to establish a joint meeting of the Long Lake and Wayzata City Councils to take place on August 13, 2013 at Wayzata City Hall beginning at 7:00 am. Ayes: all.*

I&I Update – Council member Skjaret questioned whether Public Works staff is anticipating a significant reduction in the City's I&I now that I&I project work has been completed in the downtown area. Wurzer responded that Administrator Post will be receiving updated readings from Metropolitan Council prior to their next billing cycle.

No Wake Please Signage – Council member Kaminski asked about the possibility of installing temporary "no wake please" signage. Wurzer indicated in lieu of a no wake ordinance, "no wake please" signs could be ordered for posting during high water level periods requesting lake users be considerate and minimize wake activity.

Street Improvement Project Completion – Council member Kaminski inquired what the anticipated completion date is at this time for the Brimhall Avenue and Tamarack Avenue Street Improvement Project. Post advised that substantial project completion is expected by September 27.

Nelson Lakeside Park Signage – Council member Chillstrom indicated the Park Board is continuing to move forward with recommendations to Public Works Director Wurzer regarding a redesign of lake park signage, including a bulletin board component.

CSAH 112 Project Open House – Post informed that Council that the recent CSAH 112 project open house had been lightly attended by the public, with attendees numbering in the low thirties. The Project Advisory Committee will be meeting on the coming Thursday.

Street Sign Sale Program – City Clerk Moeller indicated that as advertised in the recent City newsletter, old City street signs are available for purchase at a cost of \$5.00 each, subject to availability.

ADJOURN

A motion was made by Skjaret, seconded by Kaminski, to adjourn the meeting. Ayes: all. The meeting was adjourned at 8:03 pm.

Respectfully submitted,

Jeanette Moeller
City Clerk