

WACONIA CITY COUNCIL  
MEETING AGENDA



MONDAY, September 19, 2016  
6:00 P.M.

**VISION STATEMENT**

**“Waconia is a free-standing growth center that is friendly, self-reliant and well managed.”**

**MISSION STATEMENT**

**“We are committed to providing an ideal mix of housing, commerce, health care, recreation, downtown vitality, natural resources, transportation planning, inter-generational charm and life-long learning.”**

*MAYOR: JIM SANBORN*  
*COUNCILMEMBER, WARD I: LYNN AYERS*  
*COUNCILMEMBER, WARD I: MARC CARRIER*  
*COUNCILMEMBER, WARD II: CHARLES ERICKSON*  
*COUNCILMEMBER, WARD II: KENT BLOUDEK*

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**NOTE: AGENDA TIMES ARE APPROXIMATE AND SUBJECT TO CHANGE ACCORDING TO LENGTH OF DISCUSSION. TO ENSURE THAT YOU ARE PRESENT FOR ITEMS OF INTEREST, PLEASE BE PRESENT AT 6:00 P.M.**

**PAGE NO.**

- 6:00 P.M. 1. **CALL MEETING TO ORDER AND ROLL CALL**
- 2. **PLEDGE OF ALLEGIANCE**
- 3. **ADOPT AGENDA**
- 4. **VISITOR’S PRESENTATIONS, PETITIONS, CORRESPONDENCE**
- 5. **PUBLIC HEARING: Lion’s Field Grandstand Project Bonds**
  - 1) Call Public Hearing to Order and Accept Comment
  - 2) Adopt a Motion to Close the Public Hearing
  - 3) Adopt Resolution No. 2016- Providing for Issuance of \$1,220,000 Lease with Option to Purchase Agreement for the Construction of the Lion’s Field Grandstand Project, Levying a Tax for the Payment Thereof ..... 1
- 6. **ADOPT CONSENT AGENDA**

The items listed on the Consent Agenda are considered routine and non-controversial by the Council and will be approved by one motion. There will be no separate discussion of these items unless a Councilmember, City Staff, or Citizen so requests; in which case, the item will be removed from the Consent Agenda and considered at the end of the Regular Agenda.

  - 1) Approve September 6, 2016 City Council Meeting Minutes ..... 2-6
  - 2) Authorize Payment of September 19, 2016 Expenditures ..... 7-9
  - 3) Motion to Approve Pay Request no. 2 to Shaw Construction for the Lion’s Field Grandstand Construction Management Contract ..... 10-11

- 4) Motion to allow Use of Parking Lot for Waconia Brewing Co., September 25th ..... 12-13
- 5) Adopt Resolution No. 2016-185, Authorizing Staff to Prepare and Submit for Internship Grant with the Minnesota Government Finance Officers Association for 2017 Budget Year..... 14-15
- 6) Adopt Resolution No. 2016-186, Approving the Steep Slope Permit Request for Property located at 211 Lakeview Terrace Blvd ..... 16-34
- 7) Adopt Resolution No. 2016-187, Approving Variance request by Leland Otto ..... 35-55
- 8) Adopt Resolution No. 2016-188, Accepting the Resignation of Firefighter Michael Schnedler and Authorizing Recruitment ..... 56-57

**7. COUNCIL BUSINESS**

- 1) Adopt Resolution No. 2016-190, Approving Reversal of Utility Bill Penalty Fees for 16 1<sup>st</sup> Street West ..... 58-60
- 2) Adopt Resolution No. 2016-189, Adopting the 2017 Preliminary Levy..... 61-62

**8. ITEMS REMOVED FROM CONSENT AGENDA**

**9. STAFF REPORTS**

- 1) Review of Work by Summer Staff – Nicole Lueck
- 2) Update on Public Safety Efforts – Sgt. James Clark

**10. BOARD REPORTS**

- 1) Councilmember Erickson
- 2) Councilmember Bloudek
- 3) Councilmember Carrier
- 4) Councilmember Ayers
- 5) Mayor Sanborn

**11. ANNOUNCEMENTS**

**12. ADJOURN REGULAR MEETING**

.....OFFICE OF THE CITY ADMINISTRATOR

**Susan Arntz**

**WORKSESSION: Project Updates**

**CALENDAR OF EVENTS/MEETINGS:**

September 19	Monday	6:00 p.m.	City Council Meeting
September 19	Monday	After CC	Work Session – Project Updates
October 3	Monday	6:00 p.m.	City Council Meeting
October 3	Monday	After CC	Work Session – Safari Island/Ice Arena Budget Review
October 17	Monday	6:00 p.m.	City Council Meeting
October 17	Monday	After CC	Work Session – Utilities Budget Review



## REQUEST FOR CITY COUNCIL ACTION

<b>Meeting Date:</b>	September 19, 2016				
<b>Item Name:</b>	Consider the Issuance of \$1,220,000 Lease with Option to Purchase Agreement for the Construction of the Lion's Field Grandstand Project				
<b>Originating Department:</b>	Finance				
<b>Presented by:</b>	Nicole Lueck				
<b>Previous Council Action</b> (if any):	Resolution 2016-174: Resolution Providing for the Issuance of a \$1,220,000 Lease with Option to Purchase Agreement – 2016 Construction of Lion's Field Grandstand				
<b>Item Type (X only one):</b>	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 25%; border: 1px solid black;">Consent</td> <td style="width: 25%; border: 1px solid black;"></td> <td style="width: 25%; border: 1px solid black;">Regular Session</td> <td style="width: 25%; border: 1px solid black;"><input checked="" type="checkbox"/> Discussion Session</td> </tr> </table>	Consent		Regular Session	<input checked="" type="checkbox"/> Discussion Session
Consent		Regular Session	<input checked="" type="checkbox"/> Discussion Session		

***RECOMMENDATIONS/COUNCIL ACTION/MOTION REQUESTED (Include motion in proper format.)***

Hold Public Hearing Regarding Proposed Lease with Option to Purchase Agreement to Finance the Lion's Field Grandstand Project

Adopt Resolution No. 2016-xxx, Providing for the Issuance of \$1,220,000 Lease with Option to Purchase Agreement for the Construction of the Lion's Field Grandstand Project, Levying a Tax for the Payment Thereof

***EXPLANATION OF AGENDA ITEM (Include a description of background, benefits, and recommendations.)***

On August 15, 2016 the City Council approved resolution 2016-174 providing for the issuance of a lease with option to purchase totaling \$1,220,000 for the construction of a baseball grandstand at Lion's Field. The City budgeted to issue debt for approximately 87% of the total estimated project costs of \$1,410,122. The project costs not being paid with the lease with option to purchase are being paid with donations and contributions paid in advance of the project from the Waconia Baseball Association and Waconia Lion's Club. The lease with option to purchase will be repaid with a combination of continued donations and contribution from these two parties along with a special debt levy that will start being assessed to taxpayers in 2017.

With the Council's approval for the issuance of the lease, Ehlers, Inc. the City's consulting financial advisors, assisted staff in the next steps in the issuance process which included a request for proposal. In addition, City staff, engineers, and legal counsel are working on subdivision of the parcel as well as ground lease and other documents that will need to be finalized and approved when the lease closes on or about October 14<sup>th</sup>.

Todd Hagen with Ehlers, Inc. will attend the council meeting and make a formal presentation to the Council of the outcome of the bank proposals received for a lease with option to purchase agreement. A copy of the resolution will be provided under separate cover at the meeting. The resolution will include the lowest bid proposal. Banks have until Friday, September 16<sup>th</sup> to bid on the lease agreement.

***FINANCIAL IMPLICATIONS:***

Funding Sources & Uses: PIR Capital Project Fund, Donations & Contributions

Budget Information:

<input checked="" type="checkbox"/>	Budgeted
<input type="checkbox"/>	Non Budgeted
<input type="checkbox"/>	Amendment Required

***ADVISORY BOARD RECOMMENDATIONS:***

- Planning Commission
- Parks and Recreation Board
- Safari Island Advisory Board
- Other

**CITY OF WACONIA**  
**September 6, 2016**

Pursuant to due call and notice thereof, the regular meeting of the City Council of the City of Waconia was called to order by Mayor Jim Sanborn at 6:00 p.m. The following members were present: Jim Sanborn, Kent Bloudek, Lynn Ayers, Charles Erickson. Absent: Marc Carrier.

Staff Present: Susan Arntz, Lane Braaten, Ann Meyerhoff, Nicole Lueck, Mike Melchert, Craig Eldred.

Visitors: Paul & Vici Scheuble, Dave Zelinsky, Kellie Sites, Tom Kaliher.

Pledge of Allegiance was led by Mayor Jim Sanborn.

**ADOPT AGENDA:** Susan Arntz stated that there were 3 additions to the consent agenda and 1 addition to Council Business. Motion by Erickson, seconded by Ayers to adopt the agenda as amended. All present voted aye. **MOTION CARRIED.**

**VISTOR'S PRESENTATION:** Kellie Sites from the Chamber of Commerce came forward and spoke about Nickle Dickle day on September 17<sup>th</sup>.

**ADOPT CONSENT AGENDA**

- 1) Approve August 15, 2016 City Council Meeting Minutes.
- 2) Authorize Payment of September 6, 2016 Expenditures.
- 3) Adopt a Motion Approving Pay Estimate No. 6 to GMH Asphalt for the 2016 Infrastructure Improvement Project.
- 4) Adopt Resolution No. 2016-175, Accepting Cash Donation from Tour de Tonka.
- 5) Adopt Resolution No. 2016-176, Authorizing Staff to Apply for Source Water Protection Grant with Minnesota Department of Health.
- 6) Adopt Resolution No. 2016-177, Accepting Bike Rack Donation from Waconia VFW.
- 7) Adopt Resolution No. 2016-179, Authorizing Execution of Contract for Joint Assessment.
- 8) Adopt Resolution No. 2016-180, Support for Carver County's 2016 Capital Appropriation Request for Public Boat Access at Lake Waconia Regional Park.
- 9) Adopt Resolution No. 2016-181, Approval of Request of Support for "Imagine a Day Without Water" Campaign for September 15, 2016.
- 10) Adopt Ordinance 698, Amending Chapter 580 Regarding Alcoholic Beverages.
- 11) Adopt Ordinance 630, Amending Chapter 630 Regarding Parking Regulations.
- 12) Adopt Resolution No. 2016-183, Granting Exhibition License.
- 13) Adopt Resolution No. 2016-182, Approving Appointment of Travis Esler to Regular Status.
- 14) Adopt a Motion Authorizing Use of Streets for Gravel Fondo 25 & 50 Bike Rides Within and Near Waconia.

Motion by Bloudek, seconded by Erickson to Adopt the Consent Agenda as amended. All present voted aye. **MOTION CARRIED.**

**COUNCIL BUSINESS**

**Reversal of Utility Bill Charges & Penalty Fees:** Nicole Lueck stated that the City recently received a request for the reversal of the utility bill charges and penalty fees for the property located at 16 1<sup>st</sup> Street West (formally Waconia Lanes). The State Bank of Hamburg has requested the bills be put in their name as they are the party that will be taking over the property due to foreclosure. The effective date of the foreclosure is August 22, 2016.

The last payment made in November 2015 on the utility billing account was by the previous property owner. This paid for service through October 31, 2015. Since then, there have been no payments for service. Water service was terminated at the property per the City's shut off policy in February 2016. There was regular water use at the property up until service was terminated in February; this including a leak at the property in the month of February that resulted in 92,000 gallons of water use. Since water service was terminated in February, there has been 4,000 gallons of use at the property. In confirmation with utility staff and the fire chief, this use is likely due to the fire suppression system in the building. Charges that have accumulated on the account are base rate fees for all City

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utility services including water, sewer, storm water, and street lighting. The total balance due on the utility billing account for service and penalties is \$3,890.83 as of August 31, 2016. Service for each month is listed below:

November 2015 - \$298.30 – 29,000 gallons of water use	April 2016 - \$64.57 – 1,000 gallons of water use
December 2015 - \$332.93 – 33,000 gallons of water use	May 2016 - \$64.57 – 1,000 gallons of water use
January 2016 - \$234.71 – 20,000 gallons of water use	June 2016 - \$71.85 – 2,000 gallons of water use
February 2016 - \$939.14 – 92,000 gallons of water use	July 2016 - \$57.29 – 0 gallons of water use
March 2016 - \$57.29 – 0 gallons of water use	August 2016 - \$64.57 – 0 gallons of water use

The total penalties for door hanger notices, shut off fees, and monthly penalties is \$1,705.61.

The State Bank of Hamburg has made a request to have all the fees forgiven on the account up to the date they took position of the property. They have made this request to quickly restore water service at the property and get the property on the market for sale.

Council Member Ayers asked what the past practice has been on a foreclosure. Lueck responded by saying that normally the city would receive a call from the bank or foreclosure company and because the water bill stays with the property they normally assume the debt. We have never had anyone ask for forgiveness in a foreclosure process.

Council Member Erickson asked why there are still charges when there is zero usage. Lueck explained that the city charges base rates for water, sewer, street lighting and storm water. When the balance is unpaid there is a 10% penalty each month.

Mayor Sanborn went over the four options which were to forgive the fees, add the fees as a special assessment, negotiate some kind of middle ground with a settlement or not alter the bill at all.

Council Member Bloudek stated that he would lean to not alter the bill because we have set a precedent over time. We have been asked this in the past and we did not do it at that time. Water has been used and with that comes a cost.

Council Member Ayers asked if the penalties represented actual costs. Lueck responded saying it was looked at what it costs to dispatch someone to go out to the property, print the door hangers, monitor the list etc. That cost came out to \$40 which is what we charge. The monthly fee was established in our fee schedule.

Dave Zelinsky from the State Bank of Hamburg came forward and expressed that he understood that water had been used. He is asking for forgiveness of the penalties since it was before they acquired the property. He said that there are a lot of issues with the building that need to be addressed. They have paid the back taxes and are now trying to get the utilities back on so that they can put the property on the market.

Council Member Ayers expressed concern about setting a precedent in waiving fees.

Susan Arntz added that the city has not dealt with a request like this from a business in her tenure here. What the council decides to do here definitely set a precedent.

Council Member Erickson suggested that they could possibly reduce or eliminate the penalties since they are not actual cost.

Council Member Bloudek and Ayers agreed that the council is setting a precedent and ordinances are set in place for a reason.

Arntz shared some thoughts saying that the council could direct that the State Bank of Hamburg pay for the water used and then the water can be turned on. The issue of the penalties and fees could be brought back on the 19<sup>th</sup> when there will be 5 Council Members in attendance.

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Motion by Erickson, seconded by Ayers to collect \$2185.22 before water is turned on, Council will forward discussion of remaining \$1,705.61 to the September 19<sup>th</sup> Council meeting for consideration and penalties will remain on account pending action by the Council.. All present voted aye. **MOTION CARRIED.**

**Outdoor Area of Chumly's Bar:** Lane Braaten stated that Paul Scheuble (dba. Chumly's Bar), has submitted an application for an Outdoor Area pursuant to Chapter 580 of the City Code for the property located at 116 Main Street West (PID# 750503640). Mr. Scheuble is proposing the construction of a 23 ft. x 40 ft. (920 sq. ft.) outdoor patio space directly adjacent to the west side of Chumly's Bar, which is located at 112 Main Street West. Braaten went through the outdoor area analysis and planning considerations which included:

1. Pursuant the requirements of Chapter 580, Alcoholic Beverages, the applicant is requesting review and consideration of a 920 sq. ft. concrete patio to be located and used in association with Chumly's Bar. The outdoor area would include 9 tables, 34 seats total, and a 12 inch bar rail along the entire western fence/wall (42 ft. in overall length).
2. The applicant is proposing 1 ft. x 6 ft. natural dog ear fencing along the east and west walls. The north wall is proposed to be a solid plywood wall faced with the same 1 ft. x 6 ft. dog ear fencing, with the intent to paint the plywood surface black, which will show through the small gaps between the fence boards. The south fence, adjacent to Main Street, is proposed to be constructed of the same materials, but only be 3 ft. in overall height and include a gate for access to Main Street from the outdoor space. The proposed fencing is compliant with the requirements stated in Chapter 580.
3. The applicant has not indicated any improvements with this application that, pursuant to Minn. Stats. 144.413 would constitute an enclosed space. Any future improvements of the outdoor space shall require review by City staff and possibly the City Council prior to improvement to insure compliance with the City Code and State Statute.
4. The outdoor area, as proposed, would be approximately 132 feet from the closest residentially zoned property to the north. As the outdoor area is within 200 feet, as designated by City Code, the area is required to be screened in a manner approved by the City Council to prevent viewing of the outdoor area from the residential properties and dampen/deflect noise. The applicant is proposing a solid north wall to dampen/deflect noise, but is also requesting the opportunity to install three windows along the north wall. The Council should discuss if the proposed north windows meet the requirements of the City Code and if operable or fixed inoperable windows would be appropriate (see condition #7).
5. The proposed lighting would include 6 lights mounted on the west façade of the existing Chumly's Bar structure. The applicant is proposing a galvanized, 13 inch, round, down lit wall lantern (see attachment #3). Further the applicant is proposing a 60W dimmable LED bulb. The proposed height of 7-8 ft. causes staff concerns as the fencing/wall height is only 6 feet. Staff recommends a condition of approval requiring a dimmer switch for all of the proposed/installed outdoor area light fixtures to help mitigate any future lighting concerns as this outdoor space is in such close proximity to the residential properties to the north.
6. The Council should determine if the proposed outdoor space and proposed landscaping complements the Chumly's Bar building as required by Chapter 580. The outdoor space is comprised of a concrete patio surface and dog ear fencing (3 ft. and 6 ft.). The proposed landscaping consists of a retaining wall, or walls, on the north side of the building, grass, and bushes. The outdoor patio plans indicate tiered block retaining walls with each tier at a 30 inch (max.) height and 36 inch (min.) depth with 12 landscape plantings, six in each tier. The Outdoor Patio Description (see Attachment #3) provided by the applicant indicates a boulder retaining wall with the installation of natural grass and bushes. It is staff's understanding, based on a conversation with the applicant, that Mr. Scheuble is proposing the installation of the boulder wall and that, based on the grade, he will only need one wall which will not exceed 4 ft. in height. The spacing between the proposed retaining wall and the north wall of the patio should be clarified as well as the number of plantings proposed in said area and the plans updated to reflect said improvements. The improvement of the outdoor patio space shall require a submittal to the Metropolitan Council for a SAC determination as the application includes additional seating for Chumly's Bar, which is an intensification of the use. The applicant has been made aware of the possibility that additional SAC and City Trunk Fees may be due upon a response from the Metropolitan Council. The determination from the Metropolitan Council is required before a building permit may be issued.

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7. The applicant is not proposing any additional outdoor signage as part of this application. Any proposed future outdoor signage shall comply with City Code requirements.
8. The improvement of the outdoor patio space shall require a submittal to the Metropolitan Council for a SAC determination as the application includes additional seating for Chumly's Bar, which is an intensification of the use. The applicant has been made aware of the possibility that additional SAC and City Trunk Fees may be due upon a response from the Metropolitan Council. The determination from the Metropolitan Council is required before a building permit may be issued.

Braaten stat that if the City Council determines that the proposed outdoor space meets the City Ordinance criteria stated in Chapter 580, City staff would recommend approval of said application with the following conditions:

1. The proposed improvements shall be completed as approved and as conditionally revised by the City Council.
2. All indirect costs with the building permit, review, and final plans associated with engineering and administrative costs shall be paid by the applicant/owner.
3. The applicant shall work with City staff to re-describe the liquor license premises for Chumly's Bar and the outdoor area shall not be used until such time as the applicant has received final confirmation from the City Administrator that this process has been completed.
4. The applicant shall submit the patio plans to the Metropolitan Council for review and consideration to determine if any further SAC units will be charged to the property. If the Metropolitan Council determines further additional SAC payments are due the applicant will be responsible to pay for the applicable SAC and City Trunk Fees associated with the project.
5. The outdoor area shall not be enclosed in such a manner that the space becomes an indoor area as defined by Minn. Stats. 144.413.
6. The applicant shall provide a written acknowledgement from the licensee's dram shop liability carrier indicating that the outdoor area is covered by dram shop insurance prior to any use of the proposed outdoor area.
7. The north fence/wall barrier shall not include any windows as they are not compliant with the City Code **OR** The north fence/wall shall be allowed to include fixed inoperable windows as they cannot be opened and still provide for noise mitigation while allowing minimal view of the outdoor area from the residentially zoned properties.
8. A dimmer switch shall be installed for all of the proposed outdoor area light fixtures to help mitigate any future lighting concerns as this outdoor space is in such close proximity to the residential properties to the north.
9. The plans shall be updated to reflect the proposed boulder retaining wall and the number of bushes proposed. Installation of a retaining wall with a height of 4 ft. or more shall be designed by a licensed engineer and require a building permit through the City.
10. The applicant shall contact the Community Development Department for a final site inspection when all conditions of approval regarding this application have been completed.

After discussion it was suggested that the gate going out to the sidewalk be moved back 3 feet so that it doesn't swing out on to the sidewalk. The windows on the north side of the wall were also brought up and Paul Scheuble explained that they will be inoperable and put in to make it not feel as though patrons were in a cave with the four walls surrounding them. He also addressed the concern about how the patio would be monitored as far as the liquor licensing aspect and said he would be hiring another person to monitor the patio at all times.

Motion by Ayers, seconded by Bloudek to Adopt Resolution No. 2016-178, Approving an Outdoor Area for Chumly's Bar with the amendment on #7 including the fixed inoperable windows and adding the 11<sup>th</sup> point reflecting the gate swing to be within the property line. All present voted aye. **MOTION CARRIED.**

**Contract with Ethical Leaders in Action:** Susan Arntz stated that as part of the Fire Department Strategic Plan, that was adopted earlier this year, some of the key work items included:

- Developing a staffing plan to meet community needs, consistent with national standards.

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- Leadership succession planning.
- Aligning the training program with continuous professional development.

Arntz and the Fire Chief have meet with an organization named, Ethical Leaders in Action (ELA). This group does similar consulting and training work with public safety professionals from a wide variety of organizations. As part of this work, they will partner with members of the department, Council, and rest of organization in studying and developing recommendations for our future structure. In addition, they will work to identify and provide recommendations regarding the current culture. That may need to be fostered or addressed.

Arntz explained that the work that they are recommending has a fixed fee of \$18,500, with a payment up front and a final payment after the final work product is received. In reviewing the current budget, there are funds available within the existing Fire Department operating budget that can be allocated to this work as well as some funds within the Administration budget that can be made available if needed. Upon approval of the contract, the Fire Chief and I will commence working with ELA to start their work in the next 30 days.

Motion by Erickson, seconded by Ayers to Adopt Resolution No. 2016-184, Approving Contract with Ethical Leaders in Action. All present voted aye. **MOTION CARRIED.**

**ITEMS REMOVED FROM CONSENT AGENDA:** None

**STAFF REPORTS:** None

**BOARD REPORTS:**

Councilmember Erickson – No Report

Councilmember Bloudek – No Report

Councilmember Carrier – Absent

Councilmember Ayers – Attended a learning seminar titled “The Dirt on Sediment Polution”.

Mayor Sanborn – Nickle Dickle day on September 17<sup>th</sup>, Candidate Forum on September 20<sup>th</sup> and State wide forum on September 22<sup>nd</sup>.

**ANNOUNCMENTS:** None

Mayor Sanborn recessed the Regular City Council meeting to meet in Closed Session to consider the purchase of real property in accordance with the Minn. Statute 13D.05. The property identified is located at 136 Elm Street South, 75.0501450.

**ADJOURN:**

Motion by Erickson, seconded by Bloudek to adjourn the meeting at 7:40 p.m. All present voted aye. MOTION CARRIED

\_\_\_\_\_  
James P Sanborn, Mayor

ATTEST: \_\_\_\_\_  
Ann Meyerhoff, Office Assistant

I have reviewed the list of claims for council approval and recommend payment.

Nicole Lueck, Finance Director

9/14/2016

Date

**CITY OF WACONIA  
Council List-Expenditures  
Meeting: September 19, 2016**

<b>Vendor Name</b>	<b>Description</b>	<b>Amount</b>	<b>Fund/Department</b>
A1 JANITORIAL SUPPLY	Powdered Drain Sewer Opener	\$824.77	Sewer
ABDEL-KHALIQ, HA-KEEM	Refund Utility Overpayment	\$175.79	Water
ABM EQUIPMENT & SUPPLY	#53 Equipment/Installation	\$22,031.00	Split: Water, Sewer
ALLSTATE	Premiums 08/2016	\$135.64	Personnel Liabilities
AMERICAN LEGION POST 150	Senior Dining Program 10/2016	\$600.00	Central Facilities
AMERICAN MAILING MACHINES	Postage Machine Refill 8/2016	\$500.00	Split: Administration, Planning, Water, Sewer
AMERICAN PUBLIC WORKS ASSOCIATION	Utility Inspection Training-McCarthy	\$495.00	Split: Water, Sewer
ARCHITECTURAL LIGHTING DESIGNS, INC.	2016 Street Recon Banner Poles	\$11,093.61	PIR
AUTOMATIC SYSTEMS CO	Submersible Cable Replacement	\$1,187.40	Water
AUTOMATIC SYSTEMS CO	Well #6/7 Repair Parts	\$2,927.99	Water
BOLTON & MENK, INC	2015 Infrastructure Project	\$1,109.50	Split: PIR, Storm Water, Sewer, Water
BOLTON & MENK, INC	2016 Infrastructure Project	\$40,137.62	Split: PIR, Water, Sewer, Storm Water
BOLTON & MENK, INC	2018 Comp Plan Update	\$78.00	Split: PIR, Storm Water, Water, Sewer
BOLTON & MENK, INC	Baseball Grandstand	\$5,201.00	PIR
BOLTON & MENK, INC	Cartograph	\$1,293.00	Streets
BOLTON & MENK, INC	Community Dr/94th St	\$12,367.00	PIR
BOLTON & MENK, INC	Crosswinds	\$1,177.50	PIR
BOLTON & MENK, INC	Crosswinds 2nd Addition	\$675.50	PIR
BOLTON & MENK, INC	Interlaken - Ryland Homes	\$95.00	PIR
BOLTON & MENK, INC	Interlaken Woods	\$156.00	PIR
BOLTON & MENK, INC	ISD #110 Expansion	\$20,262.50	PIR
BOLTON & MENK, INC	Met Council I & I Surcharge Program	\$592.27	Sewer
BOLTON & MENK, INC	Miscellaneous Engineering	\$1,171.00	Split: Streets, PIR, Storm Water, Administration
BOLTON & MENK, INC	Pheasant Ridge Lift Station	\$211.00	Sewer
BOLTON & MENK, INC	Somerwood Addition of Interlaken	\$566.50	PIR
BOLTON & MENK, INC	Stonegate Development	\$17,077.50	PIR
BOLTON & MENK, INC	Sudheimer Homestead Addition	\$2,168.00	Administration
BOLTON & MENK, INC	TH 5 Corridor Improvements	\$6,645.00	Split: PIR, Storm Water, Sewer, Water
BOLTON & MENK, INC	TH 5 Stormwater Reuse	\$3,757.00	Storm Water
BOLTON & MENK, INC	Waterford Stormwater LS	\$3,405.00	Storm Water
BOYD'S OIL DISTRIBUTING	Coolant/Grease/Diesel Fuel Additive	\$874.25	Sewer
CARVER COUNTY TREASURER	Phone/Internet Service 09/2016	\$1,867.05	Split: Bill Back Receivable, Safari Island, Central Facilities, Water, Sewer, Storm Water, Ice Arena
CENTERPOINT MINNEGASCO	Natural Gas Service 06/2016	\$912.78	Split: Central Facilities, Water, Sewer, Storm Water, Street Light, Ice Arena
CENTRAL FIRE PROTECTION INC	CO2 Extinguisher Recharge	\$35.00	Fire
CET FIRE PUMPS MFG	Portable Pump Repair	\$50.00	Fire
CITY OF BLOOMINGTON	Water Testing 08/2016	\$105.00	Water
COVERALL OF THE TWIN CITIES	CH Cleaning 09/2016	\$882.00	Central Facilities
COVERALL OF THE TWIN CITIES	FS Cleaning 09/2016	\$165.00	Central Facilities
COVERALL OF THE TWIN CITIES	Library Cleaning 09/2016	\$454.00	Central Facilities
COVERALL OF THE TWIN CITIES	PW Cleaning 09/2016	\$621.00	Central Facilities
DEM-CON LANDFILL, INC	PW Waste Disposal	\$233.24	Streets

**Council List-Expenditures  
Meeting: September 19, 2016**

<b>Vendor Name</b>	<b>Description</b>	<b>Amount</b>	<b>Fund/Department</b>
EFTPS	Federal Taxes - Fire Pay 07/2016	\$1,323.18	<i>Personnel Liabilities</i>
EFTPS	Federal Taxes - Pay 17-2016	\$19,091.11	<i>Personnel Liabilities</i>
EFTPS	Federal Taxes - Pay 16-2016	\$20,002.05	<i>Personnel Liabilities</i>
GJERDINGEN, DONALD & LINDA	Refund Utility Overpayment	\$47.17	<i>Water</i>
GOPHER STATE ONE-CALL, INC.	Utility Locate Tickets 08/2016	\$442.80	<i>Split: Water, Sewer</i>
HANSON & VASEK CONSTRUCTION	Refund Utility Overpayment	\$15.53	<i>Water</i>
HEALTH PARTNERS	EAP Fees 08/2016	\$102.00	<i>Administration</i>
HEALTH PARTNERS	Medical/Dental Premiums 9/2016	\$25,642.18	<i>Personnel Liabilities</i>
HEIL, SUSAN	Hotel Reimbursement - I&I Work	\$43.95	<i>Sewer</i>
J&J TOOL, LLC	Flag Pole Repair Bushings	\$216.00	<i>Streets</i>
KIRVIDA FIRE, INC.	#19 Pumper Repair Parts	\$320.16	<i>Fire</i>
KLEIN BANK	ER HSA Liability - Pay 16-2016	\$1,523.04	<i>Personnel Liabilities</i>
KLEIN BANK	ER HSA Liability - Pay 17-2016	\$1,649.96	<i>Personnel Liabilities</i>
KLEIN BANK	EE HSA Liability - Pay 16-2016	\$1,766.15	<i>Personnel Liabilities</i>
KLEIN BANK	EE HSA Liability - Pay 17-2016	\$1,766.15	<i>Personnel Liabilities</i>
LAKE ASSAULT BOATS	WFD Rescue Boat 25%/Chg Ord	\$29,328.00	<i>Capital Equipment</i>
LEAGUE OF MN CITIES	LMC Dues 2016/2017	\$10,912.00	<i>Administration</i>
LEAGUE OF MN CITIES	Mayors Association Dues 2016/2017	\$30.00	<i>Administration</i>
LEAGUE OF MN CITIES INS TRUST	Liability Insurance 2016/2017	\$156,305.00	<i>Split: Finance, Fire, Streets, Parks, Central Facilities, Safari Island, Water, Sewer, Storm Water, Street Light, Ice Arena</i>
MARCO INC	SI/PW/FS Printer Fees Q3/2016	\$1,285.94	<i>Split: Safari Island, Central Facilities</i>
MARCO INC	CH Printer Lease 07/2016	\$593.64	<i>Central Facilities</i>
MCKINNEY, THOMAS & MORKRID, KAREN	Refund Utility Overpayment	\$58.94	<i>Water</i>
MET COUNCIL ENVIRON SRV	Sewer Flow Charge 10/2016	\$66,827.33	<i>Sewer</i>
MET COUNCIL ENVIRON. - SAC	SAC Report 08/2016	\$108,246.60	<i>Sewer</i>
METRO WEST INSPECTION SERVICES, INC.	Building Inspections 07/2016	\$43,288.74	<i>Building Inspections</i>
MN DEPT OF REVENUE	State Taxes - Fire Pay 07/2016	\$80.17	<i>Personnel Liabilities</i>
MN DEPT OF REVENUE	Sales Tax Liability 07/2016	\$1,355.00	<i>Sales Tax Liability</i>
MN DEPT OF REVENUE	State Taxes - Pay 17-2016	\$3,142.58	<i>Personnel Liabilities</i>
MN DEPT OF REVENUE	State Taxes - Pay 16 - 2016	\$3,313.58	<i>Personnel Liabilities</i>
MUELLER & SONS, INC.	Asphalt - 2016 Street Recon	\$1,186.09	<i>Split: PIR, Storm Water</i>
MUELLER & SONS, INC.	Asphalt - I&I Rpr/Sewer Dig	\$564.00	<i>Sewer</i>
MUELLER & SONS, INC.	Asphalt - Street Patching	\$1,482.19	<i>Streets</i>
MUELLER & SONS, INC.	BPP Grandstand Prj Materials	\$182.55	<i>PIR</i>
MUELLER & SONS, INC.	BPP Grandstand Prj Materials	\$370.45	<i>PIR</i>
MUELLER & SONS, INC.	BPP Grandstand Prj Materials	\$633.95	<i>PIR</i>
MUELLER & SONS, INC.	BPP Grandstand Prj Materials	\$1,214.35	<i>PIR</i>
MUELLER & SONS, INC.	BPP Grandstand Prj Materials	\$1,492.09	<i>PIR</i>
MUELLER & SONS, INC.	BPP Grandstand Prj Materials	\$2,384.10	<i>PIR</i>
MUELLER & SONS, INC.	BPP Grandstand Prj Materials	\$2,390.22	<i>PIR</i>
MUELLER & SONS, INC.	BPP Grandstand Prj Materials	\$5,977.40	<i>PIR</i>
MUELLER & SONS, INC.	BPP Grandstand Prj Materials	\$6,429.80	<i>PIR</i>
MUELLER & SONS, INC.	BPP Grandstand Prj Materials	\$11,098.95	<i>PIR</i>
MUELLER & SONS, INC.	First St Reuse Asphalt	\$1,552.02	<i>Storm Water</i>
MUELLER & SONS, INC.	Granular Borrow - Water/Sewer	\$128.08	<i>Split: Water, Sewer</i>
MUELLER & SONS, INC.	Tower #1 Disconnect Materials	\$1,212.20	<i>Water</i>
NATIONWIDE RETIREMENT SOLUTION	EE Retirement - Pay 16-2016	\$105.00	<i>Personnel Liabilities</i>
NATIONWIDE RETIREMENT SOLUTION	EE Retirement - Pay 17-2016	\$105.00	<i>Personnel Liabilities</i>

**Council List-Expenditures**  
**Meeting: September 19, 2016**

<b>Vendor Name</b>	<b>Description</b>	<b>Amount</b>	<b>Fund/Department</b>
NATIONWIDE RETIREMENT SOLUTION	EE Retirement - Pay 16-2016	\$1,345.00	<i>Personnel Liabilities</i>
NATIONWIDE RETIREMENT SOLUTION	EE Retirement - Pay 17-2016	\$1,345.00	<i>Personnel Liabilities</i>
NCPERS GROUP LIFE INSURANCE	Premiums 09/2016	\$64.00	<i>Personnel Liabilities</i>
NORDIC MECHANICAL SERVICES	CH HVAC Maintenance Contract	\$1,375.00	<i>Central Facilities</i>
NORDIC MECHANICAL SERVICES	FS HVAC Maintenance Contract	\$850.00	<i>Central Facilities</i>
NORDIC MECHANICAL SERVICES	PW HVAC Maintenance Contract	\$1,750.00	<i>Central Facilities</i>
NORDIC MECHANICAL SERVICES	WTP HVAC Maintenance Contract	\$850.00	<i>Water</i>
NORDIC MECHANICAL SERVICES	WTP HVAC Repairs	\$775.30	<i>Water</i>
OPTUM HEALTH FINANCIAL SERVICES, INC.	Refund Overpayment Error	\$60.60	<i>Bill Back Receivable</i>
PASKEY, SHANE	Refund Utility Overpayment	\$27.33	<i>Water</i>
PERA	EE/ER Retirement - Pay 17-2016	\$10,211.22	<i>Personnel Liabilities</i>
PERA	EE/ER Retirement - Pay 16 - 2016	\$10,265.20	<i>Personnel Liabilities</i>
RELIANCE STANDARD	Premiums 09/2016	\$722.66	<i>Personnel Liabilities</i>
RETTKE, JASON	Refund Utility Overpayment	\$192.52	<i>Water</i>
RINK MANAGEMENT	SI AP/AR Reimbursement 07/2016	\$17,144.33	<i>Safari Island</i>
ROCK, MARY CHRISTINE	CC Commercial Broker Event Fee	\$233.48	<i>Administration</i>
SIR LINES-A-LOT	Pavement Symbol Markings - JPA	\$3,530.10	<i>Streets</i>
SOUTHWEST CORRIDOR TRAN COALITION	2016 SWCTC Membership Dues	\$2,000.00	<i>Administration</i>
ST. CROIX RECREATION CO, INC.	Play Equipment Replacements	\$458.00	<i>Parks</i>
TITLEMARK	Title Insurance - 1300 Sparrow	\$305.00	<i>PIR</i>
TITLEMARK	Title Insurance - Outlot C Legacy	\$305.00	<i>PIR</i>
USPS	UB Mailing 08/2016	\$1,083.09	<i>Split: Water, Sewer</i>
VANCO SERVICES	SI Insurance Reimbursement Fees 07/2016	\$58.25	<i>Safari Island</i>
VOGT, DAVID & JOYCE	Refund Utility Overpayment	\$15.00	<i>Water</i>
WAGENER, PHYLLIS	Refund Utility Overpayment	\$45.90	<i>Water</i>
WELLS FARGO	CH/SI/PW Printer Lease 07/2016	\$447.66	<i>Split: Central Facilities, Safari Island</i>
XCEL ENERGY	Electric Services 06-07/2016	\$49,864.44	<i>Split: Public Safety, Central Facilities, Water, Sewer, Storm</i>
ZIEGLER, INC.	Caterpillar Wheel Loader	\$208,840.00	<i>Water, Street Light, Ice Arena</i>
		<u>\$1,015,707.88</u>	<i>Capital Equipment</i>

The above bills have been approved for payment at the regular City Council Meeting on September 19, 2016  
Authorized and ordered for payment:

\_\_\_\_\_

\_\_\_\_\_

City Administrator



**REQUEST FOR CITY COUNCIL ACTION**

<b>Meeting Date:</b>	September 19, 2016						
<b>Item Name:</b>	Contractor Pay Request #2 – Lion’s Field Grandstand						
<b>Originating Department:</b>	Finance						
<b>Presented by:</b>	Nicole Lueck, Finance Director						
<b>Previous Council Action (if any):</b>							
<b>Item Type (X only one):</b>	<table border="1"> <tr> <td>Consent</td> <td>X</td> <td>Regular Session</td> <td></td> <td>Discussion Session</td> <td></td> </tr> </table>	Consent	X	Regular Session		Discussion Session	
Consent	X	Regular Session		Discussion Session			

***RECOMMENDATIONS/COUNCIL ACTION/MOTION REQUESTED (Include motion in proper format.)***

Motion to approve Pay Request No. 2 to Shaw Construction for the Lion’s Field Grandstand Construction Management Contract

***EXPLANATION OF AGENDA ITEM (Include a description of background, benefits, and recommendations.)***

Staff reviewed the contractor’s pay request for construction management of the Lion’s Field Grandstand project and recommends total payment of \$16,477.00. This payment represents approximately 17% of the total approved contract.

***FINANCIAL IMPLICATIONS:***

Funding Sources & Uses: PIR Capital Project Fund

**Budget Information:**

**X** Budgeted

Non Budgeted

Amendment Required

***ADVISORY BOARD RECOMMENDATIONS:***

Planning Commission  
 Parks and Recreation Board  
 Safari Island Advisory Board  
 Other



August 31, 2016

City of Waconia  
Attn: Craig Eldred  
201 South Vine Street  
Waconia, MN 55387

Re: Lion's Field Grandstand

Job #1609

Dear Mr. Craig Eldred:

The following is a Partial Invoice for work completed as defined by the Contract Agreement between the City of Waconia and Shaw Construction, Inc., dated July 11, 2016, for the above referenced project.

**INVOICE NO. 1609-002**

Original Contract Amount:	\$	119,236
Plus Change Orders:	\$	<u>-</u>
Total Contractt to Date:	\$	119,236
Less Balance to Complete:	\$	<u>(98,859)</u>
Completed to Date:	\$	20,377
Less Previous Invoices:	\$	<u>3,900</u>
<b>TOTAL AMOUNT DUE THIS INVOICE:</b>	<b>\$</b>	<b><u>16,477</u></b>

Due September 15, 2016

Thank you.

1609

*General Contractors &  
Construction Services*

7685 Corporate Way  
Eden Prairie, MN 55344-2021  
952-937-8214  
952-934-9433 Fax  
www.shawconstruct.com



## REQUEST FOR CITY COUNCIL ACTION

<b>Meeting Date:</b>	September 19, 2016				
<b>Item Name:</b>	Request for Use of Parking Lot for Waconia Brewing Company, September 25				
<b>Originating Department:</b>	Administration				
<b>Presented by:</b>	Susan Arntz, City Administrator				
<b>Previous Council Action (if any):</b>					
<b>Item Type (X only one):</b>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 25%;">Consent</td> <td style="width: 25%; text-align: center;">X</td> <td style="width: 25%;">Regular Session</td> <td style="width: 25%;">Discussion Session</td> </tr> </table>	Consent	X	Regular Session	Discussion Session
Consent	X	Regular Session	Discussion Session		

***RECOMMENDATIONS/COUNCIL ACTION/MOTION REQUESTED (Include motion in proper format.)***

Adopt a Motion to Allow Use of Parking Lot for Waconia Brewing Company, September 25

***EXPLANATION OF AGENDA ITEM (Include a description of background, benefits, and recommendations.)***

Waconia Brewing Company has requested permission to use approximately 3 parking spaces in Municipal Lot #1, adjacent to their outdoor patio area to rope off an area for the Gravel Fondo Ride event and beer sales from 7:00 a.m. to 3:00 p.m.

Staff is recommending approval of the request, subject to the following conditions

- No permanent marking shall be made on the pavement.
- Nothing shall be adhered to or screwed into the pavement surface or sidewalks adjacent.
- If music is planned in conjunction with our temporary noise permit requirements. A permit and fee shall be paid.

Staff is recommending approval of the request.

***FINANCIAL IMPLICATIONS:***

Funding Sources & Uses: **None**

Budget Information:

\_\_\_\_\_ Budgeted

\_\_\_\_\_ Non Budgeted

\_\_\_\_\_ Amendment Required

***ADVISORY BOARD RECOMMENDATIONS:***

Planning Commission

Parks and Recreation Board

Safari Island Advisory Board

Other

bike. paddle. ice cream



## SPOKES

September 12, 2016

To whom it may concern:

On behalf of the Gravel Fondo Ride benefiting the Waconia Cross Country Team, we would like to submit a request to utilize a section of the municipal parking lot adjacent to Waconia Brewing Company. We would like to use the 5 spots across from the existing patio for overflow for the event. This space will be used for registration/food and will continue to enforce that no alcoholic beverages leave the current defined area. The space would be utilized from 7:00 AM to approximately 3:00 PM on September 25th. Thank you for your consideration and don't hesitate to let me know if there are any additional questions.

Sincerely yours,

Justin Ratzlaff

Justin Ratzlaff, owner

shop 95244461666 cell 6128160735

Justin@spokesmn.com

8850 Glacier Road Saint Bonifacius, MN 55375



**REQUEST FOR CITY COUNCIL ACTION**

<b>Meeting Date:</b>	September 19, 2016						
<b>Item Name:</b>	Internship Grant for Summer 2017 Finance Internship – Minnesota Government Finance Officers Association (MNGFOA)						
<b>Originating Department:</b>	Finance						
<b>Presented by:</b>	Nicole Lueck						
<b>Previous Council Action (if any):</b>							
<b>Item Type (X only one):</b>	<table border="1"> <tr> <td>Consent</td> <td>X</td> <td>Regular Session</td> <td></td> <td>Discussion Session</td> <td></td> </tr> </table>	Consent	X	Regular Session		Discussion Session	
Consent	X	Regular Session		Discussion Session			

***RECOMMENDATIONS/COUNCIL ACTION/MOTION REQUESTED (Include motion in proper format.)***

Adopt Resolution 2016-185, Authorizing Staff to Prepare and Submit for Internship Grant with the Minnesota Government Finance Officers Association for 2017 Budget Year

***EXPLANATION OF AGENDA ITEM (Include a description of background, benefits, and recommendations.)***

In the 2017 preliminary budget, Staff has budgeted for a finance intern for the summer months of 2017. This internship would provide support for the finance department and provide experience to a finance or accounting college student in the world of local government finance. Staff plans to again provide an array of experience and activity in the summer internship. Below are some areas identified by the department that would provide needed assistance and experience for the student:

1. Daily cash receipting and balancing deposits from all City departments
2. Utility billing – establish work order priorities and analyze annual usage reports
3. Monthly reconciliation – pull reports and reconcile financial information to ensure proper journal entry posting
4. Budgeting – assist Finance Director with analysis tools to simplify budget review and create historical comparison charts/graphs

The City received a grant from MNGFOA for the summer finance intern in 2015. Annually, MNGFOA offers this grant. The grant is a matching grant up to \$3,000. Applications must be completed by September 30, 2016 and if awarded, can be used in the next budget year. Staff budgeted a total of \$6,000 for part time wages for the internship. An award of this grant would help to off-set these expenditures in the City’s general fund.

Staff is requesting authorization to prepare and submit an application for the grant and will notify the Council if the grant is awarded.

<p><b><i>FINANCIAL IMPLICATIONS:</i></b>  Funding Sources &amp; Uses: General Fund (101)</p> <p>Budget Information:</p> <table border="0"> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td>Budgeted</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Non Budgeted</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Amendment Required</td> </tr> </table>	<input checked="" type="checkbox"/>	Budgeted	<input type="checkbox"/>	Non Budgeted	<input type="checkbox"/>	Amendment Required	<p><b><i>ADVISORY BOARD RECOMMENDATIONS:</i></b></p> <p>Planning Commission  Parks and Recreation Board  Safari Island Advisory Board  Other</p>
<input checked="" type="checkbox"/>	Budgeted						
<input type="checkbox"/>	Non Budgeted						
<input type="checkbox"/>	Amendment Required						

**CITY OF WACONIA  
RESOLUTION NO. 2016-185**

**RESOLUTION AUTHORIZING STAFF TO PREPARE AND SUBMIT FOR  
INTERNSHIP GRANT WITH THE MINNESOTA GOVERNMENT FINANCE  
OFFICERS ASSOCIATION FOR 2017 BUDGET YEAR**

**WHEREAS**, City Staff has budgeted for a summer internship in the finance department in the 2017 preliminary budget; and

**WHEREAS**, the internship will provide support to the department and experience to a finance or accounting college student; and

**WHEREAS**, experience will be provided to the student in the areas of cash receipting, utility billing, general ledger reconciliation, and budgeting; and

**WHEREAS**, the Minnesota Government Finance Officers Association is offering a matching grant up to \$3,000 to a local government for a finance internship in 2017; and

**WHEREAS**, if awarded, the grant would offset the total cost of \$6,000 budgeted for in part time salaries in the City's 2017 general fund budget.

**NOW, THEREFORE, BE IT RESOLVED** the City Council of the City of Waconia hereby authorizes the Finance Director to prepare and submit the grant application to the Minnesota Government Finance Officers Association on behalf of the City of Waconia for an internship grant for the 2017 budget year.

Adopted by the City Council of Waconia, Minnesota this 19<sup>th</sup> day of September, 2016.

\_\_\_\_\_  
James P. Sanborn, Mayor

ATTEST: \_\_\_\_\_  
Susan MH Arntz, City Administrator

M/ _____	Erickson	_____
	Bloudek	_____
S/ _____	Carrier	_____
	Ayers	_____
	Sanborn	_____



## REQUEST FOR CITY COUNCIL ACTION

<b>Meeting Date:</b>	September 19 <sup>th</sup> , 2016					
<b>Item Name:</b>	Steep Slope Land Alteration Permit, Colorscares by Design, 211 Lakeview Terrace Blvd.					
<b>Originating Department:</b>	Community Development					
<b>Presented by:</b>	Lane L. Braaten, Community Development Director					
<b>Previous Council Action</b> (if any):						
<b>Item Type (X only one):</b>	Consent	X	Regular Session		Discussion Session	

**RECOMMENDATIONS/COUNCIL ACTION/MOTION REQUESTED** (Include motion in proper format.)

**Adopt Resolution 2016-186 approving the Steep Slope Land Alteration Permit Request by Colorscares by Design (on behalf of the property owner Chad Stiernagle) to allow landscape improvements within a steep slope at 211 Lakeview Terrace Blvd.**

**EXPLANATION OF AGENDA ITEM** (Include a description of background, benefits, and recommendations.)

**BACKGROUND:**

**Applicant:** Colorscares by Design

**Owner:** Chad Stiernagle

**Address:** 211 Lakeview Terrace Blvd.

**PID#** 752960030

**Zoning:** R-2, Single-Family Residential District

**Special District:** Shoreland Overlay District

**REQUEST:**

The City has received a Steep Slope Alteration Permit Application from Colorscares by Design, on behalf of Chad Stiernagle, (the “applicant”) to allow landscape improvements within a steep slope on the property located at 211 Lakeview Terrace Blvd. Specifically, the applicant is requesting approval to install retaining walls, approximately 150 c.y. of fill material, and a 220 sq. ft. paver patio within the steep slope on the lake side of the existing home. The permit is necessary as the City Ordinance requires a Steep Slope Land Alteration Permit for all Shoreland properties which are developing within a slope of 12% or greater and the approximate slope on the lake side of the property is 26%.

**APPLICABLE ORDINANCE PROVISIONS:**

1. Section 900.05 – District Regulations, Subd. 2.B – R-2, Single-Family Residential District
2. Section 900.06 – Supplementary Regulations, Subd. 7 – Shoreland Overlay District
3. Section 900.06 – Supplementary Regulations, Subd. 8 – Environmental Protection Regulations
4. Section 900.12 – Administration, Enforcement and Procedures, Subd. 11 – Land Alterations

**DEFINITIONS:**

**Sensitive Resource Management** – The preservation and management of areas unsuitable for development in their natural stage due to constraints such as shallow soils over groundwater to bedrock, highly erosive or expansive soils, steep slopes, susceptibility to flooding or occurrence of flora or fauna in need of special protection.

**Shore Impact Zone** – Land located between the ordinary high water level of a public water and a line parallel to it at a setback of 50% of the structure setback.

**Shoreland** – Land located within the following distances from public water; 1,000 feet from the ordinary high water level of a lake, pond, or flowage; and, 300 feet from a river or stream, whichever is greater. The limits of shorelands may be reduced whenever the waters involved are bounded by topographic divides which extend landward from the waters for lesser distances and when approved by the Commissioner.

**Steep Slope** – Land where agricultural activity or development is either not recommended or described as poorly suited due to slope steepness and the site’s soil characteristics, as mapped and described in available county soil surveys or other technical reports, unless appropriate design and construction techniques and farming practices are used in accordance with the provisions of these regulations. Where specific information is not available, steep slopes are lands having average slopes over

12% as measured over horizontal distances of 50 feet or more, that are not bluffs.

### **STEEP SLOPE ALTERATION PERMIT PROCEDURES:**

The City Code requires, prior to the commencement of any development on a steep slope, an application for a permit shall be made to the City for review and approval by the Planning Commission and City Council. Steep Slopes, as defined in the Shoreland Overlay District, are slopes exceeding 12% over a distance of 50 feet or more, which are not bluffs. Properties outside of the Shoreland area are also required to get approval of a Steep Slope Permit prior to commencement of any work for slopes of 18% or more.

The Shoreland Overlay District states *“Local government officials must evaluate the possible soil erosion impacts and development visibility from public waters before issuing a permit for construction of sewage treatment systems, roads, driveways, structures or other improvements on steep slopes. When determined necessary, conditions must be attached to issued permits to prevent erosion and to preserve existing vegetation screening of structures, vehicles, another facilities as viewed from the surface of the public waters, assuming summer, leaf-on vegetation.”*

Further, Section 900.06, Subd. 7. Shoreland Overlay District, F. Shoreland Alterations has been attached to this report for your review. In summary, Shoreland alterations are allowed as long as the applicant is not intensively clearing the vegetation on the steep slope, the structures on the property are reasonably screened as viewed from the water, pesticide use is minimized on the property, grading and/or filling done in way so as not to detrimentally affect the lake or neighboring properties, exposure of bare ground is limited and methods to control soil erosion are put in place (see attached).

### **ENVIRONMENTAL PROTECTION REGULATIONS**

*“Land alteration is the process of changing the existing landscape by excavating, filling, or grading.....no land shall be altered, excavated, filled or graded and no vegetation removed without first obtaining a permit from the City.”*

### **PLANNING CONSIDERATIONS:**

1. The applicant is proposing landscape improvements within the steep slope on the property, which will require fill material in the amount of approximately 150 cubic yards. Therefore, consideration of the Steep Slope Land Alteration Permit request also includes consideration of a Grading Permit for the project.
2. The applicant is proposing the construction of retaining walls on the lakeside of the property at a maximum height of 3 ft. Any retaining walls constructed at 4 ft., or higher will require the issuance of a building permit prior to installation.
3. The property is located in the Shoreland Overlay District and therefore the maximum hardcover allowed on the parcel is 25%. The applicant is not proposing to exceed the 25% hardcover maximum with the improvement of a 220 sq. ft. paver patio.
4. All landscape improvements are proposed to be located outside of the Shore Impact Zone.
5. The Shoreland Alteration section of the City Code states that no intensive clearing of vegetation on a steep slope is allowed. The applicant is not proposing to remove any trees as part of the project.
6. City staff, specifically the City Engineer and Public Services Director, have reviewed the application and are recommending approval of the Steep Slope Alteration Permit subject to the conditions stated in Attachment 6.
7. The existing lake side slope rises approximately 23 ft. from the ordinary high water level (OHWL) to the top of the slope and the existing slope is approximately 26%. Based on this information the slope does not meet the requirements of a bluff, which would not allow any improvement in the slope at all. For reference purposes a bluff is defined as a slope draining toward a water body that has at least 25 ft. of rise and a 30% or greater slope.
8. Approval of the Steep Slope Land Alteration Permit request shall also serve as approval for the grading and filling to be done in conjunction with the proposed improvements. The grading shall be completed per the requirements stated in City Code and as summarized below:
  - a. All operations shall be conducted within the property lines. Grading that extends over the property lines shall require easements from adjacent property owners.
  - b. Upon completion of filling operations the disturbed areas shall be restored with topsoil or other approved cover material and shall be reseeded to establish approved vegetation.
  - c. Finished grades shall not adversely affect adjacent properties.
  - d. Drainage facilities shall be provided to effectively divert or convey storm water run-off.
  - e. Provisions of effectively controlling fire, rodents, and dispersal of material by wind or by hauling to and from the site, and for general maintenance of the site shall be made.
  - f. The excavation or filling permit shall run for six (6) months unless a lesser or greater period is requested and approved by the City Council.

**RECOMMENDATION:**

The Planning Commission, at their regular meeting on September 1<sup>st</sup>, 2016, reviewed the Steep Slope Land Alteration request submitted by Colorscares by Design based on the Steep Slope Alteration Procedures and recommended approval via a 4-0 vote.

The Planning Commission recommended approval of the Steep Slope Permit for Mr. Chad Stiernagle with the following conditions:

- 1) The Site Plan/Erosion Control Plan submitted with the application be followed as approved and revised by the Planning Commission and City Council.
- 2) All applicable permits are applied for by the applicant with all supporting documentation and issued prior to the start of construction.
- 3) The applicant shall comply with the Bolton and Menk memo dated August 16<sup>th</sup>, 2016, which is attached to this report as Attachment #6.
- 4) All retaining walls exceeding 4 ft. in height shall require a permit and shall be designed by a licensed engineer.
- 5) Approval of the Steep Slope Land Alteration Permit request shall also serve as approval for the grading and filling to be done in conjunction with the proposed improvements.
- 6) The excavation or filling permit shall run for six (6) months unless a lesser or greater period is requested and approved by the City Council.
- 7) The bare ground shall be exposed for the shortest time possible.
- 8) Altered areas must be stabilized to acceptable erosion control standards consistent with the field office technical guides of the local soil and water conservation districts and the United States Soil Conservation Service.

**ATTACHMENTS:**

1. Draft Resolution (1 page)
2. Land Alteration Permit Application (2 pages)
3. Location Map (1 page)
4. Site Plan/Erosion Control Plan (1 page)
5. Project Description (2 pages)
6. August 16<sup>th</sup>, 2016 City Engineer Memo (1 page)
7. Section 900.06, Subd. 7. Shoreland Overlay District, F. Shoreland Alterations (3 pages)
8. Property Photographs (5 pages)

**CITY OF WACONIA**  
**RESOLUTION NO. 2016-186**

**RESOLUTION APPROVING A STEEP SLOPE ALTERATION PERMIT & GRADING PERMIT  
FOR THE PROPERTY  
LOCATED AT 211 LAKEVIEW TERRACE BLVD.**

**WHEREAS**, Colorscapes by Design (the “**Applicant**”), on behalf of the property owner Chad Stiernagle, has submitted a Steep Slope Land Alteration Permit application to the City of Waconia (the “**City**”) pursuant to Section 900.12, Subd. 11 of the Waconia City Code; and

**WHEREAS**, the subject parcel is located at 211 Lakeview Terrace Blvd. and identified as PID# 752960030; and

**WHEREAS**, City Code requires a Steep Slope Alteration Permit be made to the City for review and approval by the Planning Commission and City Council prior to any work commencing on a steep slope; and

**WHEREAS**, the Planning Commission, at their regular meeting on September 1<sup>st</sup>, 2016, voted 4-0 to recommend approval of the Steep Slope Land Alteration Permit for the property located at 211 Lakeview Terrace Blvd. with the following conditions:

- 1) The Site Plan/Erosion Control Plan submitted with the application be followed as approved and revised by the Planning Commission and City Council.
- 2) All applicable permits are applied for by the applicant with all supporting documentation and issued prior to the start of construction.
- 3) The applicant shall comply with the Bolton and Menk memo dated August 16<sup>th</sup>, 2016.
- 4) All retaining walls exceeding 4 ft. in height shall require a permit and shall be designed by a licensed engineer.
- 5) Approval of the Steep Slope Land Alteration Permit request shall also serve as approval for the grading and filling to be done in conjunction with the proposed improvements.
- 6) The excavation or filling permit shall run for six (6) months unless a lesser or greater period is requested and approved by the City Council.
- 7) The bare ground shall be exposed for the shortest time possible.
- 8) Altered areas must be stabilized to acceptable erosion control standards consistent with the field office technical guides of the local soil and water conservation districts and the United States Soil Conservation Service.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Waconia hereby approves the Steep Slope Land Alteration Permit and Grading Permit request submitted by Colorscapes by Design for the installation of retaining walls, fill material and a 220 sq. ft. paver patio at 211 Lakeview Terrace Blvd. based on the findings and conditions stated above.

Passed and adopted by the City Council of the City of Waconia this 19<sup>th</sup> day of September, 2016.

\_\_\_\_\_  
James P. Sanborn, Mayor

ATTEST: \_\_\_\_\_  
Susan MH Arntz, City Administrator

M/ _____	Bloudek _____
	Carrier _____
S/ _____	Erickson _____
	Ayers _____
	Sanborn 19 _____



CITY OF WACONIA  
201 South Vine Street  
Waconia, MN 55387  
Phone: (952) 442-2184 Ext. 2  
Fax (952) 442-2135  
[www.waconia.org](http://www.waconia.org)

### APPLICANT INFORMATION

1. Owner's Name: CHAD STIERNAGLE
2. Address of Property: 211 LAKEVIEW TERRACE
3. Legal Description: HOUSE HAS NO SURVEY
4. Applicant's Name: COLORSCAPES BY DESIGN
5. Mailing Address: 968 EARLEY LAKE CRUIE
6. Daytime Phone(s): 612-366-5000 - CELL BOB
7. Email Address: BOULDERBOB23@GMAIL.COM

\*The City will distribute copies & appropriate information to applicant via email\*

### OFFICE USE ONLY

Date Received: \_\_\_\_\_

Fee: \$ \_\_\_\_\_

Receipt #: \_\_\_\_\_



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**STEEP SLOPE ALTERATION PERMIT** X

**LAND ALTERATION/GRADING PERMIT** \_\_\_\_\_

(Check One)

Present zoning classification: SINGLE FAMILY HOME

Existing use of property: SECOND HOME - CABIN

**THE FOLLOWING INFORMATION MUST BE SUBMITTED  
IN ORDER TO PROCESS THE APPLICATION**

1. Site plan showing locations of excavation on property and location of any adjacent structures.
2. Show existing grade elevations prior to alteration and finished grade elevations after alterations are completed (FINISHED GRADES SHALL NOT ADVERSELY AFFECT ADJACENT PROPERTIES).
3. During excavation, proper erosion control measures shall be implemented to prevent eroding of topsoil. Show plans for erosion control.
4. Provide plans for restoration of disturbed area after excavation is completed. Specify whether area will be seeded, sodded, etc. to prevent run-off of excavated material.
5. If applicable, show plans for controlling dispersal of material by wind or by hauling to and from the site.
6. Payment of application fee (As determined in Chapter 70 of the Uniform Building Code + \$50 deposit). Additional consulting review fees may apply, such as civil engineering and legal counsel.

Applicant's Signature: Bob Schroeder

Date: 8-2-16

Printed Name: BOB SCHROEDER



ATT. CRAIG

FROM BOULDER BOB

612-366-5000-CELL

211 LAKEVIEW TERRACE BLVD.

LOT LINE

LOT LINE

SILT FENCE AND SWADLES

FLATTEN YARD SPACE

3" HIGH BOULDER WALL

39' FLAT WHEN FINISHED

SILT FENCE - SWADLES

3" HIGH BOULDER WALL

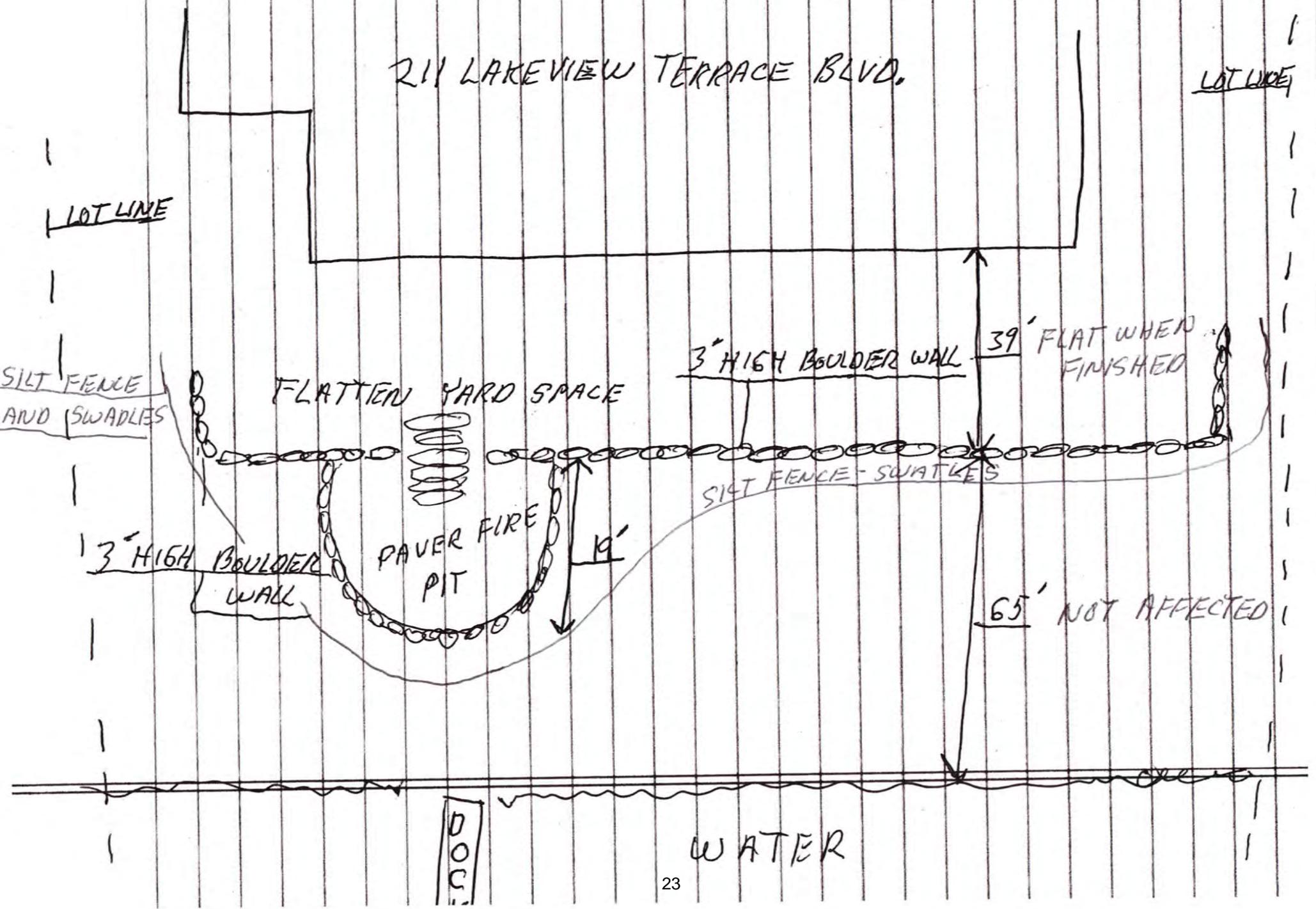
PAVER FIRE PIT

19'

65' NOT AFFECTED

DOC

WATER



## Lane Braaten

---

**From:** Florence Ratliff <florence.ratliff@yahoo.com>  
**Sent:** Tuesday, August 02, 2016 10:12 PM  
**To:** bob schroeder; Lane Braaten  
**Subject:** Re: Fwd: Steep Slope Land Alteration Permit - 211 Lakeview Terrace Blvd  
**Attachments:** IMG\_20160802\_0006.pdf; Steep Slope Permit App\_City of Waconia\_2016.pdf; 900.06\_Subd 7\_Shoreland Overlay District.pdf; 900.12 Admin\_Enf\_Procedure.pdf

CURRENT GRADE FLAT FOR 25 FEET FROM BACK OF HOUSE. 3.5 TO 1 SLOPE TO LAKE.

FINISH GRADE FLAT TO 39 FEET MAIN WALL FIRE PIT AREA FLAT ADDITIONAL 19 FEET TO 20 FEET FLAT.

REST OF GRADE UNALTERED.

SILT FENCE AND SWATLES BELOW WALL , WE ALSO WILL USE THE WALL ITSELF TO STOP ANY RUNOFF BY NOT BACKFILLING WALL AT THE END OF EACH DAY, FABRIC BEHIND WALL WILL STOP ANY SOIL FROM REACHING SWATLES AND SILT FENCE.

3-4 DAYS TO BUILD WALLS. WE WILL USE PLYWOOD FROM STREET TO WALL SITE SO NO DAMAGE TO SOD.

WE WILL BRING IN 10 - 12 LOADS BLACK SOIL AND SOD EVERYTHING IN 1 DAY.

NOTE TO EVERYONE... WE ARE THE SAME PEOPLE THAT BUILT WALLS AND LANDSCAPED THE GREG MEYER HOME ON OLD BEACH LANE WITH A MUCH STEEPER SLOPE AND HAS LASTED A YEAR WITH A TON OF RAIN THE ENTIRE TIME WE HAVE NOT HAD ONE BIT OF SOIL REACH THE LAKE AND WILL FINISH FRI. AUGUST 5TH.

On Tuesday, August 2, 2016 9:11 PM, bob schroeder <boulderbob23@gmail.com> wrote:

----- Forwarded message -----

**From:** Lane Braaten <[LBraaten@waconia.org](mailto:LBraaten@waconia.org)>  
**Date:** Wed, Jul 20, 2016 at 9:30 AM  
**Subject:** Steep Slope Land Alteration Permit - 211 Lakeview Terrace Blvd  
**To:** "[boulderbob23@gmail.com](mailto:boulderbob23@gmail.com)" <[boulderbob23@gmail.com](mailto:boulderbob23@gmail.com)>

Bob,

As I indicated on the phone, if you are planning to do any work on a slope that exceeds 12% within the Shoreland Area (w/in 1,000 ft. of a waterbody) you will need the approval of the City Council via our Steep Slope Land Alteration Permit. I have attached the following information:

1. Steep Slope Land Alteration Application
2. Shoreland Overlay District of the City Code
3. Administration Section of the City Code – SEE SUBD. 11 Land Alterations regarding permit procedures, etc.

Our next Planning Commission meeting is on Thursday, August 4<sup>th</sup>, 2016. I will need your application and application materials submitted by July 26<sup>th</sup> in order to get you on said agenda. If you cannot make this deadline your application cannot be heard by the Planning Commission and City Council until the September meetings.

If you have any questions please don't hesitate to give me a call or drop me an email.

Regards,

**Lane L Braaten**

Community Development Director

City of Waconia

201 South Vine Street

Waconia, MN 55387

Office: [952-442-2184](tel:952-442-2184)

Direct: [952-442-3106](tel:952-442-3106)

[www.waconia.org](http://www.waconia.org)





# BOLTON & MENK, INC.<sup>®</sup>

Consulting Engineers & Surveyors

2638 Shadow Lane, Suite 200 • Chaska, MN 55318-1172

Phone (952) 448-8838 • Fax (952) 448-8805

www.bolton-menk.com

## \*\*\* MEMO \*\*\*

DATE: August 16, 2016  
TO: Lane Braaten, City of Waconia  
CC: Craig Eldred, Public Services Director  
FROM: Jake Saulsbury, Bolton & Menk  
SUBJECT: Steep Slope Land Alteration Permit Application  
211 Lakeview Terrace Blvd

---

As requested, we have reviewed the submittal for the proposed grading and retaining wall work located at 211 Lakeview Terrace Blvd. The property is located on Lake Waconia and contains a steep slope from the rear of the home to the lake.

The following items should be considered as part of the project:

- Any wattles or temporary log rolls installed on site shall be staked to the slope and monitored throughout the project.
- The proposed silt fence should be extended up gradient approximately 10' along each side yard lot line.
- Disturbed turf areas shall be restored with sod or seed and mulch within 5 days of inactivity.
- The proposed height of the retaining walls are 3 feet. It is difficult to determine if this is accurate without having a site survey. Please note the project will require a building permit if the final retaining wall heights meet or exceed a height of 4 feet.

Please contact our office with any questions you may have.

- b. The deck encroachment toward the ordinary high water level does not exceed 15% of the existing shoreline setback of the structure from the ordinary high water level or does not encroach closer than 30 feet, whichever is more restrictive; and
- c. The deck is constructed primarily of wood, and is not roofed or screened.

F. Shoreland Alterations

- 1. Intensive vegetation clearing within the shore and bluff impact zones and on steep slopes is not allowed.
- 2. Limited clearing of trees and shrubs and cutting, pruning and trimming of trees to accommodate the placement of stairways and landings, picnic areas, access paths, livestock watering areas, beach and watercraft access areas and permitted water-oriented accessory structures or facilities, as well as providing a view to the water from the principal dwelling site, in shore and bluff impact zones and on steep slopes is allowed, provided that:
  - a. The screening of structures, vehicles, or other facilities as viewed from the water, assuming summer, leaf-on conditions, is not substantially reduced;
  - b. Along rivers, existing shading of water surfaces is preserved; and
  - c. The above provisions are not applicable to the removal of trees, limbs or branches that are dead, diseased, or pose safety hazards.
- 3. Use of fertilizer and pesticides in the shoreland management district must be done in a way as to minimize runoff into the shore impact zone or public water by the use of earth, vegetation, or both.
- 4. Grading or Filling: Before any grading or filling activities take place on steep slopes or within shore or bluff impact zones involving the movement of more than ten (10) cubic yards of material or anywhere else in a shoreland area involving movement of more than 50 cubic yards of material, it must be established by local official permit issuance that all of the following conditions will be met. The following conditions must also be considered during subdivision, variance, building permit, and other conditional use permit reviews:
  - a. Before authorizing any grading or filling activity in any type 2 through 8 wetland, local officials must consider how extensively the proposed activity would affect the following functional qualities of the wetland:
    - 1. Sediment and pollutant trapping and retention;

2. Storage of surface runoff to prevent or reduce flood damage;
3. Fish and wildlife habitat;
4. Recreational use;
5. Shoreline or bank stabilization; or
6. Noteworthiness, including special qualities such as historic significance, critical habitat for endangered plants and animals, or others.

This evaluation must also include a determination of whether the wetland alteration being proposed requires permits, reviews or approvals by other local, state or federal agencies such as a watershed district, the Minnesota Department of Natural Resources or the United States Corps of Engineers.

- b. Alterations must be designed and conducted in a manner that ensures only the smallest amount of bare ground is exposed for the shortest time possible.
- c. Mulches or similar materials must be used, where necessary, for temporary bare soil coverage, and a permanent vegetation cover must be established as soon as possible.
- d. Methods to minimize soil erosion and to trap sediments before they reach any surface water feature must be used.
- e. Altered areas must be stabilized to acceptable erosion control standards consistent with the field office technical guides of the local soil and water conservation districts and the United States Soil Conservation Service.
- f. Fill or excavated material must not be placed in bluff impact zones.
- g. Any alterations below the ordinary high water level of public waters must first be authorized by the commissioner under Minnesota Statutes, Section 103.
- h. Alterations of topography must only be allowed if they are accessory to permitted or conditional uses and do not adversely affect adjacent or nearby properties.

- i. Placement of natural rock riprap, including associated grading of the shoreline and placement of a filter blanket, is permitted if the finished slope does not exceed three feet horizontal to one foot vertical, the landward extent of the riprap is within ten (10) feet of the ordinary high water level, and the height of the riprap above the ordinary high water level does not exceed three (3) feet.
5. Connection to Public Waters. Excavations where the intended purpose is connection to a public water, such as boat slips, canals, lagoons and harbors must be controlled by local shoreland controls. Permission for excavations may be given only after the commissioner has approved the proposed connection to public waters.
  6. Placement of Roads, Driveways, Parking Areas. Public and private roads, driveways and parking areas must be designed to take advantage of natural vegetation and topography to achieve maximum screening from view from public waters. They must be designed and constructed to minimize and control erosion to public waters consistent with the field office technical guides of the local soil and water conservation district, or other applicable technical materials.
    - a. Roads, driveways and parking areas must meet structure setbacks and must not be placed within bluff and shore impact zones, when other reasonable and feasible placement alternatives exist. If no alternatives exist, they may be placed within these areas and must be designed to minimize adverse impacts.
    - b. Public and private watercraft access ramps, approach roads and access related parking areas may be placed within shore impact zones provided the vegetative screening and erosion control conditions in this subpart are met. For private facilities, the grading and filling provisions of this section must be met.

G. Stormwater Management.

1. When possible, existing natural drainageways, wetlands and vegetated soil surfaces must be used to convey, store, filter and retain stormwater runoff before discharge to public waters.
2. Development must be planned and conducted in a manner that will minimize the extent of disturbed areas, runoff velocities, erosion potential and reduce and delay runoff volumes. Disturbed areas must be stabilized and protected as soon as possible and facilities or methods used to retain sediment on the site.













**REQUEST FOR CITY COUNCIL ACTION**

**Meeting Date:** September 19<sup>th</sup>, 2016

**Item Name:** Variance Request, Leland Otto, 509 Pine Street South

**Originating Department:** Community Development

**Presented by:** Lane L. Braaten, Community Development Director

**Previous Council Action** (if any):

<b>Item Type (X only one):</b>	Consent	X	Regular Session		Discussion Session	
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**RECOMMENDATIONS/COUNCIL ACTION/MOTION REQUESTED** (Include motion in proper format.)

**Adopt Resolution 2016-187 approving the variance request by Leland Otto to locate a 170 sq. ft. utility shed/accessory building 9 feet from the side lot line versus the 10 ft. minimum requirement stated in City Code and placement of an accessory structure exceeding 144 sq. ft. without constructing an improved driveway access for the property located at 509 Pine Street South.**

**EXPLANATION OF AGENDA ITEM** (Include a description of background, benefits, and recommendations.)

**BACKGROUND:**

**Applicant:** Leland Otto  
**Owner:** Leland Otto  
**Address:** 509 Pine Street South, Waconia MN  
**PID#** 755000420  
**Zoning:** R-5, High Density Residential District

**REQUEST:**

The City has received a Variance Application from Mr. Leland Otto (the “applicant”) to locate a 170 sq. ft. utility shed/accessory building 9 ft. from the side (north) lot line of his property located at 509 Pine Street South without constructing an improved driveway access required by City Code. The variance request is necessary as Section 900.06, Subd. 1.C. Accessory Structures, Recreational Vehicles and Other Matters requires that any accessory structure exceeding 144 square feet provide an improved driveway access to a public street. Further, the applicant is requesting a reduced side yard setback of 9 ft. versus the 10 ft. minimum requirement stated in City Code.

**APPLICABLE ORDINANCE PROVISIONS:**

1. Section 900.04 – Definitions
2. Section 900.05 – District Regulations, Subd. 2.E – R-5, High Density Residential District
3. Section 900.06 – Supplementary Regulations, Subd. 1.C – Accessory Structures, Recreational Vehicles, and Other Matters
4. Section 900.12 – Administration, Enforcement and Procedures, Subd. 4 - Variances

**DEFINITIONS:**

1. Accessory Structure: A structure subordinate to, and serving the principal structure on the same lot and customarily incidental thereto.
2. Utility Building: An accessory building which is not usable for the storage of vehicles; is one-story in nature; is used or intended for the storage of hobby tools, garden equipment, etc.; is detached from the principal structure; and which is naturally and normally incidental to, subordinate to, and auxiliary to the principal dwelling structure.

**VARIANCE REVIEW CRITERIA:**

Waconia City Code Section 900.12, Subd. 4 and Minnesota State Statute 462.357, Subd. 6 establishes criteria to be considered when contemplating the issuance of a variance in terms of “practical difficulty” as follows: Variances

shall only be permitted when they are in harmony with the general purposes and intent of the ordinance and when the terms of the variance are consistent with the comprehensive plan.” So a city evaluating a variance application should make findings as to:

1. Is the variance in *harmony with* the purposes and intent of the ordinance?
2. Is the variance *consistent with* the *comprehensive plan*?
3. Does the proposal put property to use in a *reasonable manner*?
4. Are there *unique circumstances* to the property not created by the landowner?
5. Will the variance, if granted, alter the *essential character* of the locality?

State statute specifically notes that economic considerations alone cannot create practical difficulties. Whereas, practical difficulties exist only when the three statutory factors are met (1. reasonableness, 2. uniqueness, and 3. essential character).

**VARIANCE ANALYSIS:**

The R-5, High Density Residential District dictates that utility sheds/accessory buildings are a Permitted Accessory Use: “*Same as R-1 District.*” As such, seeing as there are no specific standards in the R-5 zoning district applying to utility buildings, is it staff’s interpretation that the utility building setbacks indicated in the R-1 section of the City Code would apply to this application as the current use of the property is single-family residential. The setbacks are indicated below.

**Utility Shed Setback Requirements:**

Rear Yard Setback = 10 ft. minimum

Interior Side Yard Setback (North Side) = 10 ft. minimum

Street Side Yard Setback (South Side) = 25 ft. minimum

The applicant is proposing to locate the shed 9 ft. from the north/side lot line within the backyard of the property. It appears all other setbacks will be met for said structure.

**Accessory Structure/Utility Building Requirements:**

Lot Area: *Lots less than 10,500 sq. ft. are allowed a total floor area for all accessory structures of 1,000 sq. ft.*

Location Requirement: *Accessory structures, detached from the principal structure shall not be located in any front or side yard, except that a detached garage may be located in a side yard if it meets required setbacks.*

Utility Building: *Utility buildings shall not exceed 144 square feet.*

Utility Building Materials: *Structures constructed of metal are prohibited.*

Height Requirement: *No accessory structure detached from the principal structure shall exceed 20 ft. in height.*

The proposed 170 sq. ft. utility shed/accessory building is in compliance with the height stated in the City Code. A variance is necessary as the applicant plans to exceed 144 sq. ft. without providing a driveway access to a public street.

The subject parcel is approximately 6,534 sq. ft. in total area, which allow for a maximum accessory structure floor area of 1,000 sq. ft. Currently the applicant has a 96 sq. ft. utility shed in the rear yard. The addition of another 170 sq. ft. of accessory building would be in compliance with the accessory structure lot area requirements stated in City Code.

The applicant is proposing a poly-covered shed/accessory structure with metal internal framing. The relevant sections of the City Code only prohibit metal utility buildings and make no further comment regarding other acceptable or prohibited materials, so the proposed poly material is compliant with City Code requirements.

Photographs of the subject property have been included with the packet material indicating the approximate size and location of the shed/accessory structure (see Attachment# 8). The shed/accessory structure footprint is represented by the placement of logs on the ground.

**PUBLIC NOTICE/COMMENT:**

The notice was published in the WACONIA PATRIOT on July 21<sup>st</sup>, 2016 and posted at Waconia City Hall. Individual notices were mailed to property owners within 350 feet of the subject parcel. As of the time and date of this report staff has not received any comments regarding this application.

**RECOMMENDATION:**

The Planning Commission held the required public hearing on August 4<sup>th</sup>, 2016 and further reviewed the application on September 1<sup>st</sup>, 2016 and recommended approval of the variance request submitted by Mr. Leland Otto via a 4-0 vote.

If the City Council chooses to approve the shed variance submitted by Mr. Otto, the Planning Commission and City staff would recommend the approval upon the following conditions:

- 1) The utility shed/accessory building be constructed as proposed and as conditionally revised by the Planning Commission and City Council.
- 2) All applicable permits are applied for by the applicant with all supporting documentation and issued prior to the start of construction.
- 3) The utility shed shall be located a minimum of 9 ft. from the north property line and meet all other setback requirements.
- 4) The applicant contact City staff upon completion of the project to verify all conditions set forth in the granting of the variance have been met.
- 5) The variance request shall become void unless acted up within one year of the date of formal approval by the City Council.

**ATTACHMENTS:**

1. Draft Resolution (2 pages)
2. Variance Application (2 pages)
3. Public Hearing Notice (1 page)
4. Statement of Variance and Project (1 page)
5. Location Map (1 page)
6. Site Plans (2 pages)
7. Utility Building Elevation (2 pages)
8. Property Map with Pictures (7 pages)

**CITY OF WACONIA**  
**RESOLUTION NO. 2016-187**

**RESOLUTION APPROVING A SHED/ACCESSORY STRUCTURE VARIANCE  
FOR THE PROPERTY  
LOCATED AT 509 PINE STREET SOUTH**

**WHEREAS**, Leland Otto (the “**Applicant**”) has submitted a Variance application to the City of Waconia (the “**City**”) pursuant to Section 900.12, Subd. 4 of the Waconia City Code; and

**WHEREAS**, the subject parcel is described as Lot 2, Block 8, Volkenants Addition and identified at PID# 755000420; and

**WHEREAS**, the Applicant has requested a variance to locate a 170 sq. ft. utility shed/accessory structure 9 ft. from the side/north lot line vs. the 10 ft. minimum setback required; and

**WHEREAS**, the Applicant has requested a variance to install an accessory structure exceeding 144 sq. ft. without improving a driveway access; and

**WHEREAS**, the City Council has reviewed the variance information provided in the staff report dated September 19<sup>th</sup>, 2016; and

**WHEREAS**, Section 900.12, Subd. 4 of the Waconia City Code and Section 462.357, Subd. 6 of the Minnesota Statutes provide specific criteria for the City Council to consider when either in approval or denial of a variance application; and

**WHEREAS**, the City Council further finds and concludes:

1. The requested variance is in harmony with the purpose and intent of applicable zoning ordinance provisions of the Waconia City Code and the City’s Comprehensive plan in that the location of a shed on the property is a permitted use in the residential district.
2. The location of a 170 sq. ft. utility shed/accessory structure within the side yard setback and without improvement of a driveway is reasonable as the 25 ft. setback required from the Hwy. 5 right-of-way is limiting in the area possible for location of said structure. Further, there is no conforming location on said parcel for placement of said structure without the need for a variance.
3. The existing lot configuration and structure locations on the subject parcel does not allow for an area to develop a driveway access to said accessory structure. Further, the applicant does not intend to use the structure for storage of automobiles and therefore an improved driveway surface is not necessary.
4. The utility shed/accessory structure location within the side yard will not change the essential character of the neighborhood as properties throughout this neighborhood also have utility sheds/accessory structures on said properties.

**WHEREAS**, the Planning Commission held a public hearing on August 4<sup>th</sup>, 2016 and received all comments regarding this application and further discussed this application at their regular meeting on September 1<sup>st</sup>, 2016 and voted 4-0 to recommend approval of the variance request to allow the location of a 170 sq. ft. shed/accessory structure within the side yard of the

property at 509 Pine Street South without improvement of a driveway with the following conditions:

- 1) The utility shed/accessory building be constructed as proposed and as conditionally revised by the Planning Commission and City Council.
- 2) All applicable permits are applied for by the applicant with all supporting documentation and issued prior to the start of construction.
- 3) The utility shed shall be located a minimum of 9 ft. from the north property line and meet all other setback requirements.
- 4) The applicant contact City staff upon completion of the project to verify all conditions set forth in the granting of the variance have been met.
- 5) The variance request shall become void unless acted up within one year of the date of formal approval by the City Council.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Waconia hereby approves the Variance request submitted by Leland Otto to locate a 170 sq. ft. utility shed/accessory structure within the side yard of the property located at 509 Pine Street South without improvement of a driveway based on the findings and conditions stated above.

Passed and adopted by the City Council of the City of Waconia this 19<sup>th</sup> day of September, 2016.

\_\_\_\_\_  
Jim Sanborn, Mayor

ATTEST: \_\_\_\_\_  
Susan MH Arntz, City Administrator

M/ _____	Bloudek	_____
	Carrier	_____
S/ _____	Erickson	_____
	Ayers	_____
	Sanborn	_____



CITY OF WACONIA  
201 South Vine Street  
Waconia, MN 55387  
Phone: (952) 442-2184 Ext. 2  
Fax (952) 442-2135  
[www.waconia.org](http://www.waconia.org)

## VARIANCE

### APPLICANT INFORMATION

1. Owner's Name: Leland Ott
2. Address of Property: 509 So Pine Waconia MN
3. Legal Description: \_\_\_\_\_
4. Applicant's Name:     "        "
5. Mailing Address:     "        "
6. Daytime Phone(s): 952-442-5853 Home / Cell 952-952-8603
7. Email Address: LELANDS ENERGY @ YAHOO.COM.

**\*The City will distribute copies & appropriate information to applicant via email\***

### OFFICE USE ONLY

Date Received: 6/23/16

Fee: \$ 125.00 pd  
Receipt #: #250034



CITY OF WACONIA  
201 South Vine Street  
Waconia, MN 55387  
Phone: (952) 442-2184 Ext. 2  
Fax (952) 442-2135

## VARIANCE APPLICATION

1. Present Zoning: R5
  2. Existing use of Property: Residential
  3. Has request for a variance on this property been sought previously? If so, when? No
- 

### IMPORTANT

#### Subd. 4. Variances

- A. No variance shall be granted to allow a use not permitted under the terms of this Ordinance in the district involved. In granting a variance the Board may prescribe appropriate conditions in conformity with this Ordinance. When such conditions are made part of the terms under which the variance is granted, violation of the conditions is a violation of this Ordinance. A variance shall not be granted by the Board unless it conforms to the following standards:
1. Special conditions and circumstances exist which are peculiar to the land, structure, or building involved and do not result from the actions of the petitioner.
  2. Literal interpretation of the provisions of this Ordinance would deprive the petitioner of rights commonly enjoyed by other properties in the same district under the terms of this Ordinance.
  3. Granting the variance requested will not confer on the applicant any special privilege that is denied by this Ordinance to other lands, structures, or buildings in the same district.
  4. The proposed variance will not impair an adequate supply of light and air to adjacent property, or unreasonably diminish or impair established property values within the surrounding area, or in any other respect impair the public health, safety, or welfare of the residents of the City.
  5. FINANCIAL SAVINGS WILL NOT CONSTITUTE A HARDSHIP.

### THE FOLLOWING INFORMATION MUST BE FURNISHED IN ORDER TO PROCESS THE APPLICATION

1. A letter from the applicant(s) which should address the following:
  - Explain (in detail) the variance you are requesting (giving distances where appropriate).
  - Conditions or peculiar difficulties to the structure or land, which makes a variance necessary.
  - Why do you feel a variance should be granted in this instance?
2. Payment of application fee (**\$125 residential; \$275 non-residential**)
3. **Non-residential variance requests are required to submit an escrow payment in the amount of \$1,000.00.**

CITY OF WACONIA, MN  
NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Planning Commission of the City of Waconia, MN, will hold a public hearing on Thursday, August 4<sup>th</sup>, 2016 at 6:30 p.m., at the Waconia City Hall, 201 South Vine Street, Waconia, MN, to consider a Variance request to allow a utility shed within the side yard setback and to allow said structure to exceed 144 sq. ft. without providing a driveway access to a public street for the property located at 509 Pine Street South (PID# 755000420), which is zoned R-5, High Density Residential District.

The applicant, Leland Otto, is requesting approval of a variance to construct a 10 ft. x 17 ft. (170 sq. ft.) shed 9 feet from the side lot line without constructing an improved driveway access to the structure versus the City Code Section 900.06, Subd. 1, C. subpart e. which states: *“Any accessory structure in excess of 144 square feet that is detached from the principal structure shall provide driveway access to a public street”* and the minimum 10 foot side yard setback required by City Code.

Pertinent information pertaining to this request is available at City Hall. Interested persons may submit written or oral comments pertaining to this matter any time prior to the hearing, or at the hearing on Thursday, August 4<sup>th</sup>, 2016. Written comments will be distributed to the Planning Commission for review and consideration. Please submit written comments by mail, email or in person as follows:

Mail/in person: Attention: Lane L. Braaten, 201 South Vine Street, Waconia, MN 55387

Email: [lbraaten@waconia.org](mailto:lbraaten@waconia.org)

By: WACONIA PLANNING COMMISSION

ATTEST: Lane L. Braaten, Community Development Director

(Published in the July 21<sup>st</sup>, 2016 Waconia Patriot newspaper)

Leland

There will be 2x10 Green Treated  
Boards on BOTTOM ANKERS every 4'  
Will BRING ANKERS ENDS will be 2x8 Treated  
ANKERED WITH IRON TOGETHER

DOOR will be made to a Roll up like  
TRACKS use to Tarp Load.

I will REINFORCE the THUSSES FOR SNOW  
LOAD

The 9' variance DOES NOT COME NEAR

I will look very nice when DONE

I will use FOR ~~them~~ ~~ANAKERS~~ Lawnmower  
and weed eater etc SNOW BLOWER FOR  
SUMMER.

I DO NOT ~~NEED~~ NEED ROAD TO GET THERE WITH  
LAWNMOWERS

Leland

P.S I WAS AN ENGINEER IN  
MILITARY FOR 6 YEARS  
6-23-16

LOCATION MAP—509 PINE STREET SOUTH—LELAND OTTO



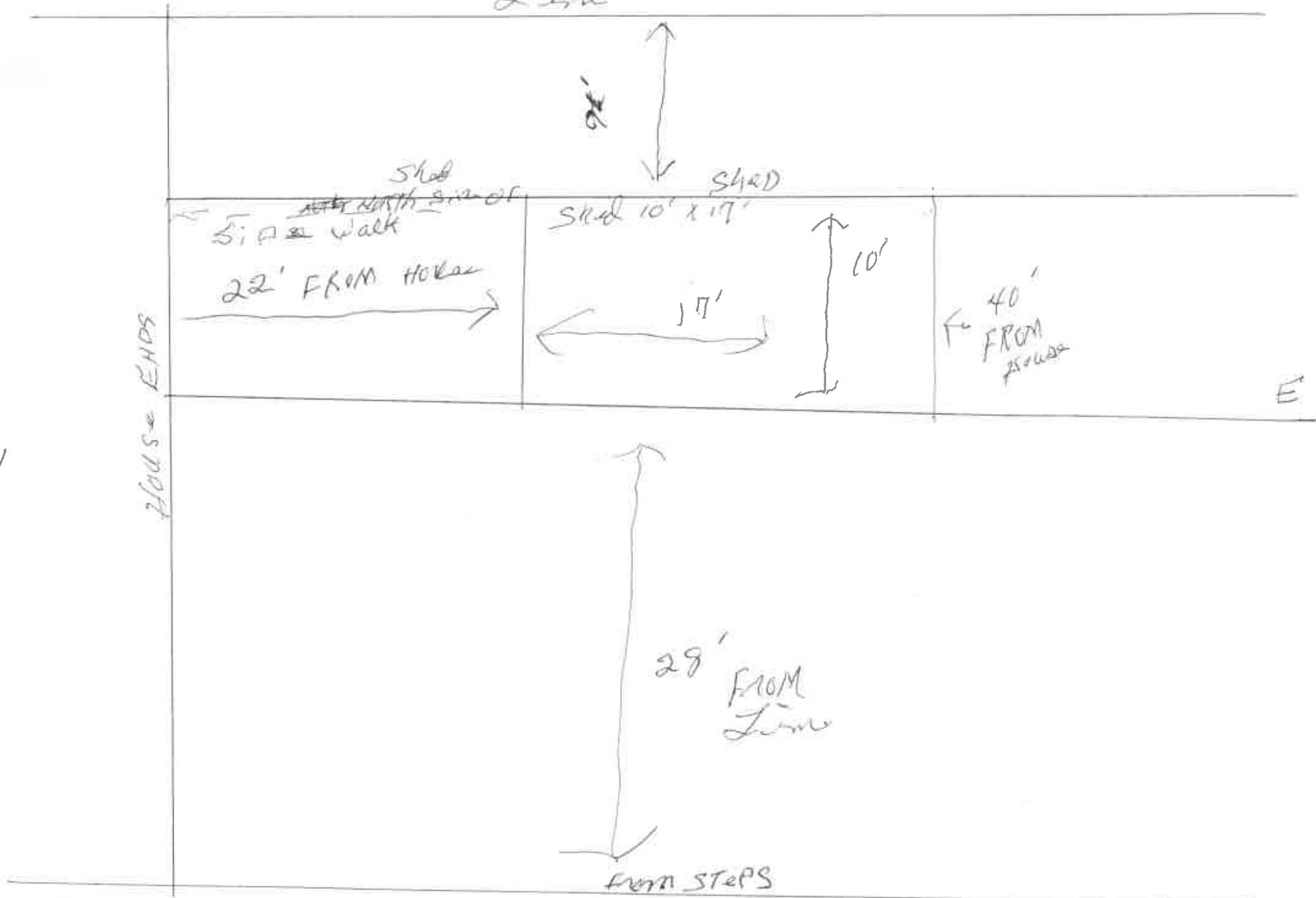
Lelands

7



6-27-16

Line N



HOUSE

SHED  
NORTH SIDE OF  
SIDE WALK

SHED 10' x 17'

22' FROM HOUSE

17'

10'

40' FROM ROAD

29' FROM Line

FROM STEPS

Leland A. H.  
6-28-16

S

509, SO. Pine  
Wagon

Le Land Otto  
5095 Pine St  
75-5000420

WEST

4 Rafters  
Could Be 5

BRACES ARE FOR  
SNOW LOAD.

3 1/2 pitch

HOME MADE  
BRACES

BRACE  
NEEDS  
HOIST

10' wide

HOME MADE  
BRACES

17' LONG

ROLL UP ~~THE~~ TARP

CRACK  
FOR DOOR  
DARK

E  
IA Package

7 OR 8' SIDE WALL

7 OR 8' SIDE WALL

5

**10 FT. x 17 FT.  
PORTABLE GARAGE**



For Harbor Freight Tools

**SAVE  
\$111**



**LOT 60727/62286 Customer Rating**  
**62860/62859** ★★★★★  
**63055/69039 shown**

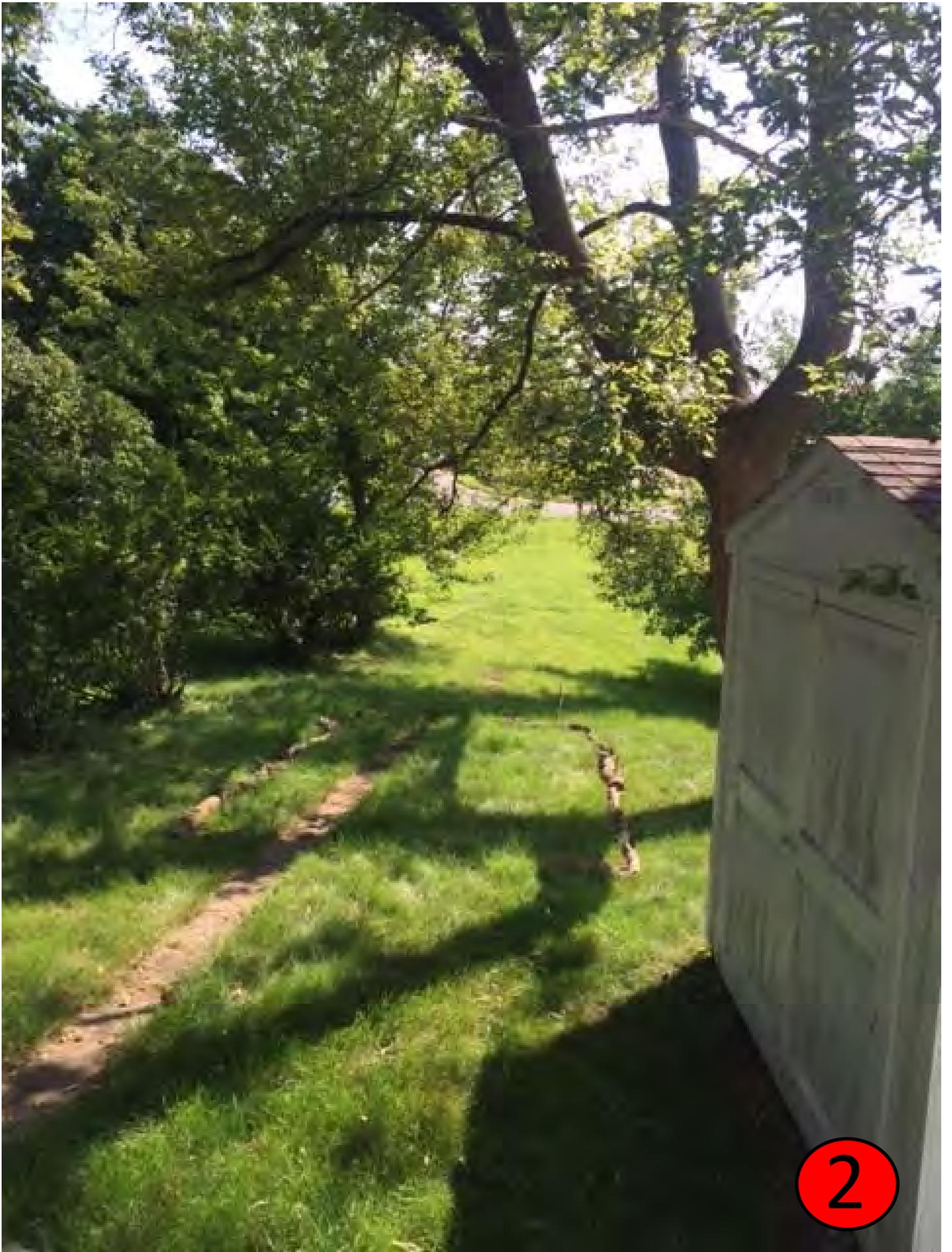


**comp at \$311**

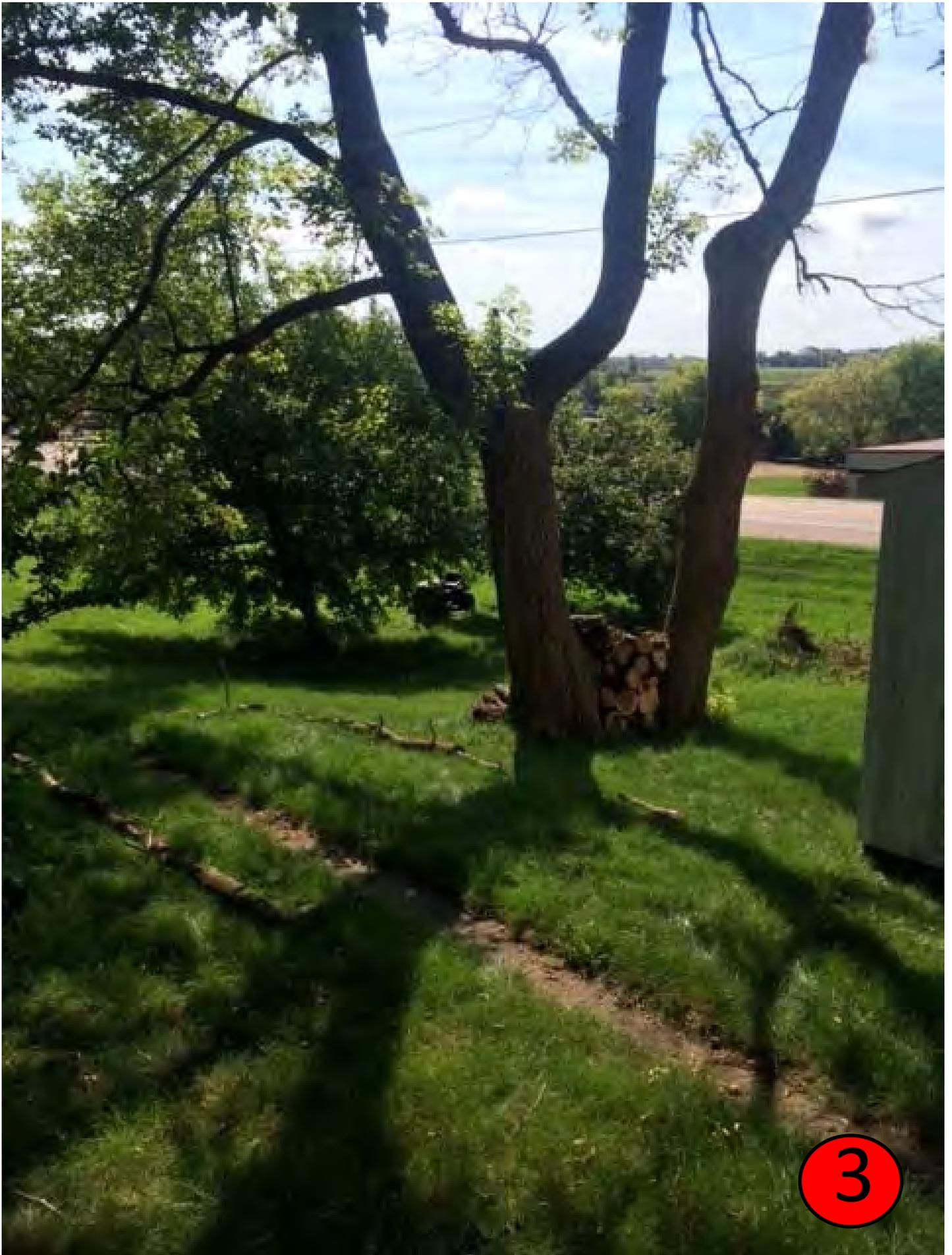




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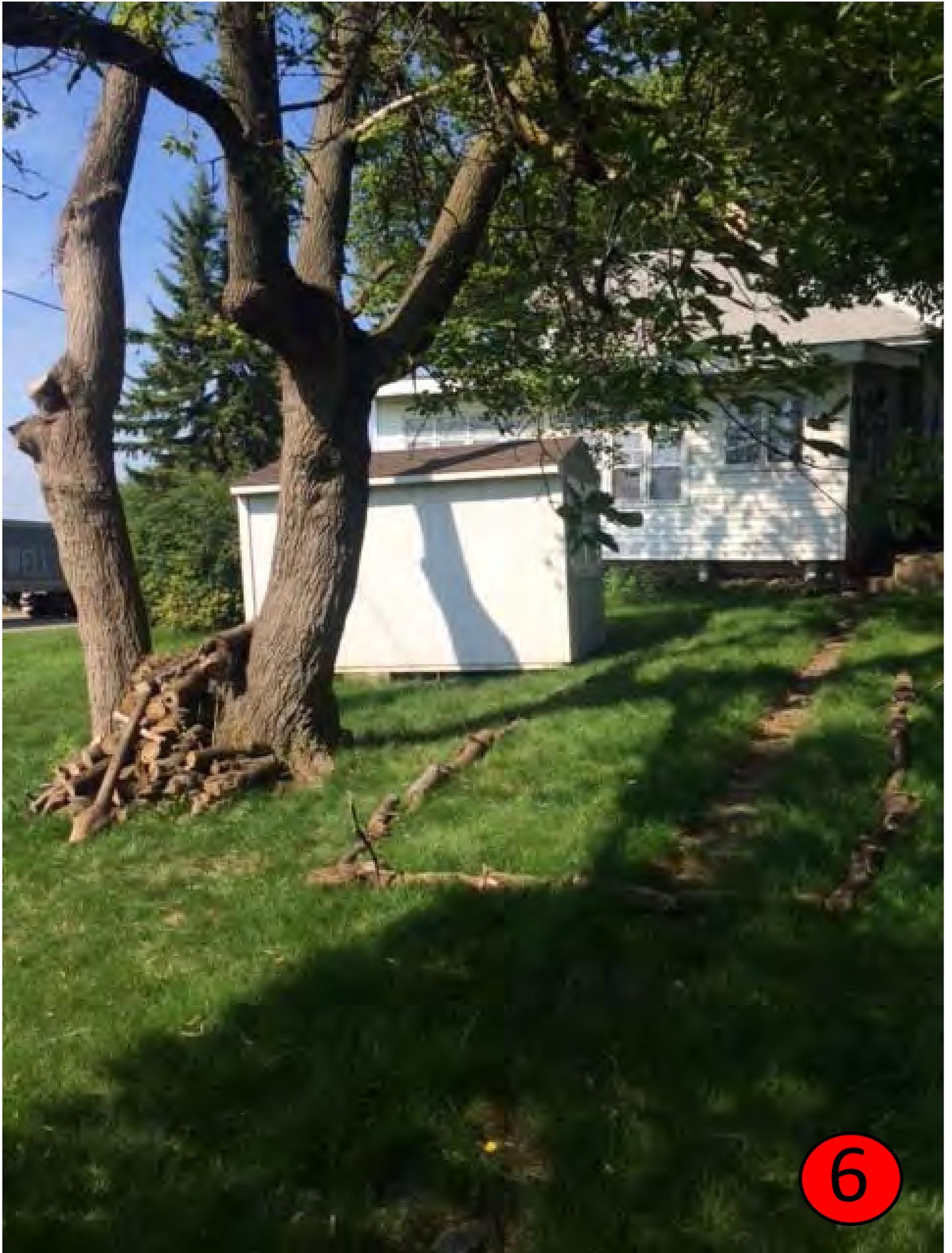
2





4







## REQUEST FOR CITY COUNCIL ACTION

<b>Meeting Date:</b>	September 19, 2016				
<b>Item Name:</b>	Firefighter Resignation				
<b>Originating Department:</b>	Administration				
<b>Presented by:</b>	Angel Smith, Assistant City Administrator				
<b>Previous Council Action (if any):</b>	none				
<b>Item Type (X only one):</b>	Consent	X	Regular Session	Discussion Session	

***RECOMMENDATIONS/COUNCIL ACTION/MOTION REQUESTED (Include motion in proper format.)***

Adopt resolution 2016-188 accepting the resignation of Firefighter Michael Schnedler and authorizing recruitment.

***EXPLANATION OF AGENDA ITEM (Include a description of background, benefits, and recommendations.)***

On September 8, 2016 Michael Schnedler submitted his letter of resignation from the Waconia Fire Department effective the 30<sup>th</sup> of September. The reason given for the resignation is to spend more time with family. Firefighter Michael Schnedler joined the department in March of 2011. Staff recommends the City Council accept Michael's request for resignation effective September 30, 2016 and authorize recruitment for this vacancy.

<p><b><i>FINANCIAL IMPLICATIONS:</i></b></p> <p>Funding Sources &amp; Uses:      n/a</p> <p>Budget Information:</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 15%; border-bottom: 1px solid black;"></td> <td style="width: 15%; border-bottom: 1px solid black;">Budgeted</td> <td style="width: 70%; border-bottom: 1px solid black;">n/a</td> </tr> <tr> <td style="border-bottom: 1px solid black;"></td> <td style="border-bottom: 1px solid black;">Non Budgeted</td> <td style="border-bottom: 1px solid black;"></td> </tr> <tr> <td style="border-bottom: 1px solid black;"></td> <td style="border-bottom: 1px solid black;">Amendment Required</td> <td style="border-bottom: 1px solid black;"></td> </tr> </table>		Budgeted	n/a		Non Budgeted			Amendment Required		<p><b><i>ADVISORY BOARD RECOMMENDATIONS:</i></b></p> <p>Planning Commission</p> <p>Parks and Recreation Board</p> <p>Safari Island Advisory Board</p> <p>Other</p> <p style="text-align: right;"><b>Personnel Committee Reviewed and Approved</b></p>
	Budgeted	n/a								
	Non Budgeted									
	Amendment Required									

**CITY OF WACONIA  
RESOLUTION NO. 2016-188**

**RESOLUTION APPROVING THE RESIGNATION  
OF FIREFIGHTER MICHAEL SCHNEDLER  
AND AUTHORIZING RECRUITMENT**

**WHEREAS**, Michael Schnedler has submitted a request to terminate his active firefighting status with the Waconia Fire Department effective September 30, 2016, and

**WHEREAS**, Michael joined the department in March of 2011 and served as a firefighter, and

**WHEREAS**, Michael's performance as a firefighter has been performed in accordance with the policies and standards of the department and the City of Waconia favorably, and

**NOW, THEREFORE, BE IT RESOLVED** That the City Council of the City of Waconia, Minnesota, hereby accepts the resignation of Michael Schnedler as a Waconia Firefighter and authorizes recruitment for this vacancy.

**Further**, the City Council acknowledges Michael's contributions to the City of Waconia and the Waconia Fire Department and expresses their sincere appreciation and best of luck with future endeavors.

Adopted by the City Council of the City of Waconia this 19<sup>th</sup> day of September, 2016.

\_\_\_\_\_  
James P. Sanborn, Mayor

ATTEST: \_\_\_\_\_  
Susan MH Arntz, City Administrator

M/ _____	Carrier	_____
	Ayers	_____
S/ _____	Erickson	_____
	Bloudek	_____
	Sanborn	_____



## REQUEST FOR CITY COUNCIL ACTION

<b>Meeting Date:</b>	September 19, 2016				
<b>Item Name:</b>	Reversal of Utility Bill Penalty Fees – 16 1 <sup>st</sup> Street West				
<b>Originating Department:</b>	Finance				
<b>Presented by:</b>	Nicole Lueck, Finance Director				
<b>Previous Council Action (if any):</b>	September 6, 2016 - Motion for Payment of Utility Use Fees and Continue Discussion of Penalty Fees Due				
<b>Item Type (X only one):</b>	Consent	<input type="checkbox"/>	Regular Session	X	Discussion Session

***RECOMMENDATIONS/COUNCIL ACTION/MOTION REQUESTED (Include motion in proper format.)***

Motion to Deny Resolution 2016-190; Approving Reversal of Utility Bill Penalty Fees for 16 1<sup>st</sup> Street West, Property Owner: State Bank of Hamburg

***EXPLANATION OF AGENDA ITEM (Include a description of background, benefits, and recommendations.)***

At the City Council meeting on Tuesday, September 6<sup>th</sup>, the City Council made a motion requesting the State Bank of Hamburg pay for the usage charges for utility service at 16 1<sup>st</sup> Street West (formally Waconia Lanes). When the total utility service bill was paid in full (total due \$2,185.22), the water service could be reconnected. The remaining balance on the utility account for penalties and fees would still be due until the Council could have additional discussion regarding reversal of the fees. The total penalty and fees is \$1,705.61; this including \$140 for shut off and door hanger fees along with \$1,565.61 for penalties due to non-payment.

The City has been faced with foreclosures and termination of service due to nonpayment in the past. In most instances, City staff is able to work with the property owner on a payment arrangement and fees are not forgiven. City staff is not statutorily able to remove penalties and fees set by City ordinance unless they were charged in error or not accordingly to ordinance. Only the City Council is able to remove or amend established charges for services.

The City Council inquired how recent cases were handled where the property owner asked for forgiveness of utility fees. Listed below are the two most recent cases where a property owner approached the City Council for forgiveness of fees. Both cases were residential properties.

**1356 Pond Circle**

**Situation:** Property owners had a leak in their irrigation system that resulted in 206,000 gallons of use with 4<sup>th</sup> tier water rates being charged for all water use. The total water bill for the month of September 2013 was \$1,116.08. The property owner asked that the City Council not charge him 4<sup>th</sup> tier rates or forgive some of the water bill due to the mechanical issue and excessive use that resulted.

**Resolution:** The City Council offered the resident a payment arrangement for the total balance and did not forgive or recalculate any fees. The account was penalty exempt while the resident made regular payments to pay the bill in full. The bill was paid by the customer over a 6 month period of time along with other regular utility charges.

**40 Lakeview Terrace Boulevard**

**Situation:** Service at the property had been terminated due to non-payment. Customer requested shut off fees be forgiven so service could be restored.

**Resolution:** At this time, the City charged the \$40 door hanger fee and \$100 shut off fee for service terminated due

to delinquency. In addition, the City charged a \$250 deposit that was applied to the account in case the account went delinquent again.

In this matter, the City Council required the customer to pay all the charges due on the account following a monthly payment plan. They forgave the deposit due and asked City staff to update the ordinance so that a deposit was no longer due when service was terminated due to delinquency. This action was completed by City staff in 2013.

The State Bank of Hamburg has made the request to have the penalties and fees forgiven on the account so they can quickly get the property cleaned and on the market. They are also looking to minimize their financial lose with this property foreclosure. They recently took over the property on August 22<sup>nd</sup> and are just starting the property rehabilitation work.

Staff has prepared the request for action to deny reversal of the utility bill penalty fees in accordance with City ordinance.

<p><b><i>FINANCIAL IMPLICATIONS:</i></b> Funding Sources &amp; Uses: Utility Funds – Water</p>	<p><b><i>ADVISORY BOARD RECOMMENDATIONS:</i></b></p> <p>Planning Commission Parks and Recreation Board Safari Island Advisory Board Other</p>
<p>Budget Information:</p> <p>_____ Budgeted</p>	
<p><input checked="" type="checkbox"/> Non Budgeted</p> <p>_____ Amendment Required</p>	

**CITY OF WACONIA  
RESOLUTION NO. 2016-190**

**RESOLUTION APPROVING REVERSAL OF UTILITY BILL PENALTY FEES  
FOR 16 1<sup>ST</sup> STREET WEST, PROPERTY OWNER: STATE BANK OF HAMBURG**

**WHEREAS**, the State Bank of Hamburg (the “Bank”) took over the property at 16 1<sup>st</sup> Street West (formally Waconia Lanes) in a foreclosure situation on August 22, 2016; and

**WHEREAS**, the City Council has reviewed the penalty fees and charges due on the utility account; and

**WHEREAS**, the total fees due for services and penalties through August 31, 2016 is \$3,890.83. This including \$2,185.22 for utility services and \$1,705.61 for penalties and fees; and

**WHEREAS**, the Bank has requested the utility bill penalties and fees be reversed; and

**WHEREAS**, reversal of the fees will assist the bank in minimizing financial loss on the property and facilitate a quick turn-around for resale of the property.

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council of the City of Waconia, Minnesota, hereby approves the reversal of utility bill penalties and fees for the property located at 16 1<sup>st</sup> Street West totaling \$1,705.61.

Adopted by the City Council of the City of Waconia this 19th day of September, 2016.

\_\_\_\_\_  
James P. Sanborn, Mayor

ATTEST: \_\_\_\_\_  
Susan MH Arntz, City Administrator

M/ _____	Erickson	_____
	Bloudek	_____
S/ _____	Carrier	_____
	Ayers	_____
	Sanborn	_____



## REQUEST FOR COUNCIL ACTION

<b>Meeting Date:</b>	September 19, 2016				
<b>Item Name:</b>	2017 Budget & Preliminary Levy				
<b>Originating Department:</b>	Finance				
<b>Presented by:</b>	Nicole Lueck				
<b>Item Type (X only one):</b>	Consent	<input type="checkbox"/>	Regular Session	X	Discussion Session

***RECOMMENDATIONS/COUNCIL ACTION/MOTION REQUESTED (Include motion in proper format.)***

Adopt Resolution No. 2016-189, Adopting the 2017 Preliminary Levy

***EXPLANATION OF ITEM (Include a description of background, benefits, and recommendations.)***

Staff has prepared the preliminary 2017 budgets for all departments in the general fund. The City is required to set a preliminary levy by September 30<sup>th</sup> each year. The preliminary levy may not be increased. To date, the City Council has worked through most of the general fund and debt service funds in a series of work sessions in August and September. Additional work sessions are scheduled to review those budgets not affected by the general fund preliminary levy. Budgets that are still being reviewed in work sessions this fall include the PIR Capital Project, Capital Equipment, Safari Island, Ice Arena, Water, Sewer, Storm Water, and Street Light utility budgets. A final general fund review will be scheduled for a work session in November. At that time, the City Council will need to establish the final budget and levy for 2017. The final budget and levy is scheduled for approval at the City Council meeting on Monday, December 12, 2016.

The City Council reviewed the latest updates to the City’s financial model and preliminary general fund budgets for 2017 at a work session on Tuesday, September 6, 2016. Staff reviewed with the Council the property market value and tax capacity information determined by Carver County. From last year, the overall taxable market value has increased approximately \$32,261,200 or 2.71% and subsequent tax capacity increased approximately \$442,737, or 4%. Carver County has reported that the average home in Waconia is seeing an approximate decrease in market value of 1.02%.

For the preliminary levy, staff has recommended an increase in the general property tax levy of \$500,000 or 13.2% from the 2016 level for a total levy of \$4,280,068, with a strong focus in the following areas: review of future staffing needs for fire service, continued contributions for replacement of capital projects and equipment, and maintaining the 2016 fund balance levels in the general fund. The preliminary general property tax levy amount does not include \$5,539 in local government aid payable to the City in 2017. The City’s local government aid allocation significantly decreased from the amount received in 2016. The total amount received in 2016 was \$95,780.

The special debt levy is increasing from the 2016 level due to the issuance of the 2016A general obligation bonds issued for the 2016 infrastructure improvements and equipment purchases in addition to the lease bonds to be issued for the construction of the baseball grandstand at Lion’s Field. The total special debt levy is increasing from \$2,727,466 to \$3,245,609.

The overall net levy to tax payers is preliminarily increasing from 2016 levels by 16.0%.

A resolution is attached for consideration of the 2017 preliminary levy.

<p><b><i>FINANCIAL IMPLICATIONS:</i></b> Funding Sources &amp; Uses: General Fund</p>	<p><b><i>ADVISORY BOARD RECOMMENDATIONS:</i></b></p>
<p>Budget Information:</p> <p><input type="checkbox"/> Budgeted</p> <p><input type="checkbox"/> Non Budgeted</p> <p><input type="checkbox"/> Amendment Required</p>	<p>Planning Commission</p> <p>Parks and Recreation Board</p> <p>Safari Island Advisory Board</p> <p>Other</p>

**CITY OF WACONIA**

**RESOLUTION NO. 2016-189**

**RESOLUTION APPROVING A PRELIMINARY TAX LEVY  
COLLECTIBLE IN 2017**

**BE IT RESOLVED**, by the City Council, of the City of Waconia, County of Carver, Minnesota, that the following sum of money is proposed to be levied for the current year, collectible in 2017 upon the taxable property in said City of Waconia for the following purposes:

**GENERAL LEVY:**

General Fund \$4,280,068  
(Not including Local Government Aid (LGA) as determined by the Minnesota Department of Revenue)

**SPECIAL LEVIES:**

2015C Improvement-Public Works (Refunded 2007C)	\$415,013
2010A Improvement-City Hall	\$255,150
2011A Improvement-Birch St/SE Area/Lake St	\$1,251,561
2014A Improvement-1 <sup>st</sup> St W/Main St/Maple St	\$123,808
2015A Improvement-1 <sup>st</sup> St W/2 <sup>nd</sup> St W/Vine St/Maple St & Highway 5	\$679,658
2015B Improvement-Highway 5 Temp	\$15,275
2016A Improvement-5 <sup>th</sup> St W/Maple St/Cherry St	\$312,679
2016 Lease –Construction of Baseball Grandstand	\$88,569
Capital Equipment Certificate of Indebtedness	\$103,896

**TOTAL 2017 PRELIMINARY LEVY \$7,525,677**

The City Treasurer is hereby authorized to transmit a certified copy of this Resolution to the County Auditor of Carver County, Minnesota.

Adopted by the City Council of the City of Waconia this 19th day of September, 2016.

\_\_\_\_\_  
James P. Sanborn, Mayor

ATTEST: \_\_\_\_\_  
Susan MH Arntz, City Administrator

M/ _____	Erickson	_____
	Bloudek	_____
S/ _____	Carrier	_____
	Ayers	_____
	Sanborn	_____