

WACONIA CITY COUNCIL
MEETING AGENDA



MONDAY, NOVEMBER 21, 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: KENT BLOUDEK, VICE MAYOR
COUNCILMEMBER, WARD II: CHARLES ERICKSON

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: Consider Assessment Roll for 2016 Improvement Project 1-10**
1. Open Public Hearing
2. Adopt a Motion to Close the Public Hearing
3. Adopt Resolution 2016-226, Adopting Assessment Roll for the 2016 Improvement Project
6. **PUBLIC HEARING: Certification of Delinquent Charges for Payment with Taxes-Pay 2017..... 11-12**
1. Open Public Hearing
2. Adopt a Motion to Close the Public Hearing
3. Adopt Resolution No. 2016-225, Adopting Certification of Delinquent Utility and Other Charges for Services for Payment with Taxes in 2017
7. **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 October 17, 2016 City Council Meeting Minutes.....13-15
- 2) Approve November 7, 2016 City Council Meeting Minutes.....16-20
- 3) Approve November 10, 2016 City Council Meeting Minutes.....21
- 3) Authorize Payment of November 21, 2016 Expenditures22-25
- 4) Adopt Motion to Authorize Use of Streets/Trails/Parking Lot.....26-28
- 5) Adopt Motion to Approve Payment for 2017 Infrastructure Improvement Easements for Pipe, Ponding, and Roadway to Brian Koch & Gary Meuwissen29-32
- 6) Adopt Resolution No. 2016-224, Approving the Variance request by Philip Hazel33-44

8. COUNCIL BUSINESS

- 1) Motion to Amend Resolution No. 2016-178, Approving the Outdoor Area Application for Chumly’s Bar located at 112 Main Street West with the original 11 conditions of approval and an additional condition limiting the number of outdoor seats to a maximum of 19 at the request of the property owner45-50

9. ITEMS REMOVED FROM CONSENT AGENDA

10. STAFF REPORTS

11. RECESS REGULAR MEETING

- 12. CLOSED SESSION** – Consideration of Employee Performance and Allegations of Misconduct in accordance with Minnesota Statutes 13D.05, Subd. 2b.

13. RESUME REGULAR MEETING

14. BOARD REPORTS

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

15. ANNOUNCEMENTS

16. ADJOURN REGULAR MEETING

.....OFFICE OF THE CITY ADMINISTRATOR
Susan Arntz

WORK SESSION: 2017 Proposed Budget Review – All Funds

CALENDAR OF EVENTS/MEETINGS:

November 21	Monday	6:00 p.m.	City Council
November 21	Monday	After CC Mtg	Work Session: 2017 Proposed Budget –All Funds
December 5	Monday	6:00 p.m.	Public Info Mtg. RE: 2017 Levy & Budget/City Council
December 5	Monday	After CC Mtg	Work Session: TBD
December 12	Monday	6:00 p.m.	City Council
December 12	Monday	After CC Mtg.	Work Session: TBD



REQUEST FOR CITY COUNCIL ACTION

Meeting Date:	November 21, 2016
Item Name:	Public Hearing and Consider Assessment Roll for 2016 Improvement Project
Originating Department:	Administration
Presented by:	Susan Arntz, City Administrator

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

ADOPT RESOLUTION NO. 2016-226, Adopting Assessment Roll for the 2016 Improvement Project

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

On October 17, 2016, the City declared the final costs for the 2016 Infrastructure Rehabilitation Project. Mailed notice to the affected property owners was completed on November 3, 2016.

The final cost for the 2016 Infrastructure Rehabilitation Project is \$4,097,133, which is \$630,467 (13.3%) below the Feasibility Study estimate. The proposed final assessed amount of this portion of the project is \$973,246, which is \$109,861 (10.1%) below the estimates mailed to property owners. A copy of the memo from the City’s Engineer that describes the final costs is attached.

The proposed final assessment roll is attached and on file for public inspection in the City Clerk’s Office, during regular business hours. There are three sections to this year’s project and three pages of the assessment roll. The assessment roll has a 10 year repayment at 3% interest.

As part of our policy, we assess the amount determined by our policy or by the special benefit appraisal, whichever was **less**. We have made adjustments to the proposed final assessment roll to take that into consideration.

Funding Sources & Uses: PIR Debt Fund	<i>ADVISORY BOARD RECOMMENDATIONS:</i> Planning Commission Parks and Recreation Board Safari Island Advisory Board Other
Budget Information:	
<input checked="" type="checkbox"/> Budgeted <input type="checkbox"/> Non Budgeted <input type="checkbox"/> Amendment Required	

**CITY OF WACONIA
RESOLUTION NO. 2016-226**

**RESOLUTION ADOPTING ASSESSMENT
2016 INFRASTRUCTURE IMPROVEMENT PROJECT**

WHEREAS, the City Council (the “**Council**”) of the City of Waconia (the “**City**”) adopted Resolution 2016-41 on February 1, 2016 authorizing an advertisement for bids for a public improvement project consisting of, but not limited to:

Street & Utility Improvement Areas

Street	From	To
Maple Street	Fourth Street	Fifth Street
Maple Street	Fifth Street	Terminus of TH 5 Work on Maple Street
Fifth Street	Maple Street	Southwest Radius of Cherry Street
Cherry Street	First Street	Second Street
Interlaken Crossing (Old Airport Road Gravel)	CSAH 59/Main Street	Airport Road

Street Overlay/Resurfacing Areas

Street/Area	From	To
Cherry Street	Southwest Radius of Cherry Street	TH 5 Project Terminus
Industrial Boulevard	TH 284	CSAH 10
Wildhurst Road	TH 284	CSAH 10
Deerfield Road	Wildhurst Road	Cul-de-sac
Sunset Boulevard	Second Street	Cul-de-sac North and South
Airport Road	Old Airport Road	Current East Terminus

Other Capital Outlay Improvement Projects

Project or Area	Detail of Scope
Hilks Lake Park Equipment Replacement	Replace Outdated Play System to Meet ADA & Safety Compliant System for Neighborhood of Willowbrooke and Sterling Hills
Trail Connections and Intersection Pedestrian Access Improvement	Connect Hilks Development/Waconia Parkway North Bituminous Trail with Waconia Parkway North & CSAH 10 Intersection Providing Connection to CSAH 10 Shoulder for Pedestrian Access to Regional Trail System
First Street Storm Water Reuse	50% of Phase III of Reuse Collection System Improvement
Vista Boulevard	Median and Entrance Improvements

(collectively, the “**Improvement Project**”); and

WHEREAS, the total costs of the portion of the project related to the area to be specially assessed are \$973,246, (the “**Project Cost**”); and

WHEREAS, the Council finds that a portion of the Project Cost should be specially assessed against properties benefited by the Improvement Project; and

WHEREAS, a proposed assessment roll has been prepared and filed in the office of the City Clerk for public inspection; and

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WACONIA, MINNESOTA:

1. Such proposed assessment, a copy of which is attached hereto and made a part hereof, is hereby accepted and shall constitute the special assessment against the lands named therein, and each tract of land therein included is hereby found to be benefited by the proposed improvement in the amount of the assessment levied against it.
2. Such assessment shall be payable in equal annual installments extending over a period of ten (10) years, the first of the installments to be payable on or before the first Monday in January 2017, and shall bear interest at the rate of three percent (3%) per annum from the date of the adoption of this assessment resolution. To the first installment shall be added interest on the entire assessment from the date of this resolution until December 31, 2016. Each subsequent installment, when due, shall be added interest for one year on all unpaid installments.
3. The owner of any property so assessed may, at any time prior to certification of the assessment to the county auditor, pay the whole of the assessment on such property, with interest accrued to the date of payment, to the City Clerk, except that no interest shall be charged if the entire assessment is paid within 30 days from the adoption of this resolution; and he/she may, at any time thereafter, pay to the City Clerk the entire amount of the assessment remaining unpaid, with interest accrued to December 31 of the year in which such payment is made. Such payment must be made before November 15 or interest will be charged through December 31 of the next succeeding year.
4. The City Clerk shall forthwith transmit a certified duplicate of this assessment to the County Auditor to be extended on the property tax lists of the county. Such assessments shall be collected and paid over in the same manner as other municipal taxes.

Adopted by the City Council of the City of Waconia this 21st day of November, 2016.

James P. Sanborn, Mayor

ATTEST: _____
Susan MH Arntz, City Administrator

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



City of Waconia 2016 Infrastructure Improvement Project Assessment Hearing



November 21, 2016

Public Hearing Format

- Presentation
 - Project Scope
 - Project Schedule
 - Final Project Cost Summary
 - Assessments
- Questions / Comments / Discussion



Project Scope

- Street Reconstruction
 - Cherry Street, Maple Street, and Fifth Street
 - Sanitary Sewer, Watermain, & Storm Sewer Installation / Replacement
 - Sidewalk Construction / Reconstruction
- Interlaken Crossing Construction
- Airport Road Overlay and Street / Utility Extensions



- Mill & Overlay with Drainage Improvements
 - Cherry Street, Sunset Blvd, Industrial Boulevard, and the Wildhurst Development
- CSAH 10 Trail Connection
- Hills Lake Park / Trail Improvements



Project Schedule

- ☑ City Council Authorized Project & Feasibility Study (September 2015)
- ☑ Conducted Public Open House No. 1 (November 2015)
- ☑ Completed Feasibility Study & Amendment (October 2015)
- ☑ Conducted Public Hearing (November 2015)
- ☑ Conducted Public Open House No. 2 (January 2016)
- ☑ Completed Final Plans & Specifications (February 2016)
- ☑ Advertised Project and Opened Bids (February / March 2016)
- ☑ Awarded Project (March 2016)
- ☑ Constructed Project (May – November 2016)
- ☐ Assessment Hearing (Tonight)
- ☐ Close-Out Project (2017)



Final Project Cost Summary

- Total Final Project Cost for the Project is \$4,097,133
- Total Final Assessed Amount of the Project is \$973,246 (Reduced ≈ \$9,000 Due to Appraisal Process)
- Final Street Reconstruction Assessable Cost Per Front Foot is \$98.89 (Residential Area) and \$98.25 (Medical Area)
- Final Sanitary Sewer Assessable Cost Per Unit is \$2,623 (Residential Area) and \$428 (Medical Area)
- Final Watermain Assessable Cost Per Unit is \$5,690 (Residential Area) and \$1,216 (Medical Area)
- Final Interlaken Crossing Total Assessment = \$331,903
- Final Assessment Rate is 3.00% (Feasibility Study Estimate Was 4.5%)



	Preliminary Costs	Final Project Costs	+ / (-) From Prelim. Costs	% +/- From Prelim. Costs
TOTAL PROJECT COST:	\$4,727,600	\$4,097,133	(\$630,467)	-13.3%
STREET RECONSTRUCTION - RESIDENTIAL AREA (CHERRY STREET):				
Total Project Cost	\$350,000.00	\$215,264	(\$134,736)	-38.5%
Standard Street Section Cost	\$128,400	\$108,680	(\$19,720)	-15.4%
Extra Depth & Width Of Punt (City Cost)	\$77,600	\$25,061	(\$52,539)	-67.7%
Sanitary Sewer Improvements (City Cost)	\$73,600	\$22,037	(\$51,563)	-70.1%
Sanitary Sewer Improvements (Assessed)	\$34,700	\$22,037	(\$12,663)	-36.5%
Sanitary Per Unit Assessment	\$4,130.66	\$2,623.42	(\$1,507.24)	-36.5%
Watermain Improvements (City Cost)	\$26,500	\$28,344	\$1,751	6.6%
Watermain Improvements (Assessed)	\$9,107	\$9,105	(\$2)	0.0%
Watermain Per Unit Assessment	\$5,691.88	\$5,690.63	(\$1)	0.0%
Total Standard Street Section	\$128,400	\$108,680	(\$19,720)	-15.4%
Assessable Cost Per Front Foot	\$116.83	\$98.89	(\$17.94)	-15.4%
Street/Storm Improvements (City Cost)	\$85,873	\$72,684	(\$13,189)	-15.4%
Street/Storm Improvements (Assessed)	\$42,527	\$35,956	(\$6,572)	-15.4%
STREET RECONSTRUCTION - MEDICAL AREA:				
Total Project Cost	\$2,760,400.00	\$2,250,848.00	(\$509,552)	-18.5%
Standard Street Section Cost	\$1,018,500	\$796,409.60	(\$222,090)	-21.8%
Extra Depth & Width Of Punt (City Cost)	\$768,300	\$565,680.40	(\$202,620)	-26.4%
Sidewalk (City Cost)	\$380,600	\$343,616	(\$36,984)	-9.7%
Sanitary Sewer Improvements (City Cost)	\$123,048	\$99,320	(\$23,728)	-19.3%
Sanitary Sewer Improvements (Assessed)	\$78,251	\$61,220	(\$17,031)	-21.7%
Sanitary Per Unit Assessment	\$53.22	\$408.11	(\$105)	-19.7%
Watermain Improvements (City Cost)	\$196,850	\$192,300	(\$4,550)	-2.3%
Watermain Improvements (Assessed)	\$196,850	\$192,300	(\$4,550)	-2.3%
Watermain Per Unit Assessment	\$1,244.31	\$1,215.55	(\$29)	-2.3%
Total Standard Street Section	\$1,018,500	\$796,410	(\$222,090)	-21.8%
Assessable Cost Per Front Foot	\$125.65	\$98.25	(\$27.40)	-21.8%
Street/Storm Improvements (City Cost)	\$608,378	\$475,724	(\$132,655)	-21.8%
Street/Storm Improvements (Assessed)	\$410,122	\$320,686	(\$89,436)	-21.8%
AIRPORT ROAD / INTERLAKEN CROSSING				
Total Project Cost	\$810,400.00	\$989,294	\$178,894	22.1%
Airport Road Construction	\$186,300	\$225,549	\$39,249	21.1%
Interlaken Crossing (City Cost)	\$313,550	\$331,903	\$18,353	5.9%
Interlaken Crossing (Assessed)	\$313,550	\$331,903	\$18,353	5.9%
100% CITY COST PROJECT COMPONENTS:				
Street Milling & Bituminous Overlays	\$674,400	\$611,873	(\$62,527)	-9.3%
CSAH 10 Trail Connection	\$92,600	\$96,048	\$3,448	3.7%
Hike Lake Park Improvements	\$36,800	\$33,708	(\$3,092)	-8.4%
TOTAL ASSESSED AMOUNT (PER POLICY):	\$1,083,107	\$973,246	(\$109,861)	-10.1%
TOTAL ASSESSED AMOUNT (ADJUSTED):	\$3,644,493	\$3,132,833	(\$511,660)	-14.0%
TOTAL CITY COST:	\$4,727,600	\$4,097,133	(\$630,467)	-13.3%

Final Cost Apportionment Summary



Assessments

- 56 Properties Proposed to be Assessed
- 14 Residential Area Properties
- 41 Medical Area Properties
- 1 School Area Property
- Payment Options Include:
 - Pre-Pay Without Interest for 30-Days After the Hearing
 - In Any Year, Thereafter, Prior to November 15th of that Year, the Remaining Balance May be Paid to the City with Only Interest Due for the Payment Year
 - Assessments Not Paid in Full Will be Paid Through Tax Statements at Bond Term (10 Years) and Assessment Interest Rate = 3.0%



Questions / Comments / Discussion?



**FINAL ASSESSMENT ROLL - MEDICAL AREA
2016 INFRASTRUCTURE IMPROVEMENT PROJECT
10/12/2016**

PROP. NO.	OWNER	PROPERTY ADDRESS	OWNER ADDRESS	CITY/STATE	P.I.D.	F/F	*STREET ASSESSMENT	WATERMAIN UNITS	WATERMAIN ASSESSMENT	SANITARY SEWER UNITS	SANITARY SEWER ASSESSMENT	ASSESSMENT AMOUNT BASED ON POLICY	ASSESSMENT AMOUNT BASED ON APPRAISAL	LESSER OF POLICY OR ASSESSMENT AMOUNT	**ANNUAL ASSESSMENT PAYMENT
1	WALTER M BAKER	309 4TH ST W	5300 THREE POINTS BLVD	MOUND, MN	754200050	60.00	\$5,895.00		\$0.00		\$0.00	\$5,895.00	\$36,000.00	\$5,895.00	\$691.07
2	MAPLE COURT TOWNHOUSES ASSN		9420 OAK AVE	WACONIA, MN	750522500	455.00	\$44,703.75		\$0.00		\$0.00	\$44,703.75	\$66,000.00	\$44,703.75	\$5,240.64
3	BRENDA J GRAMS	300 5TH ST W	300 5TH ST W	WACONIA, MN	750522400		\$0.00	0.3	\$364.67		\$0.00	\$364.67	\$2,750.00	\$364.67	\$42.75
4	KATHERINE E TILLEY	302 5TH ST W	302 5TH ST W	WACONIA, MN	750522300		\$0.00	0.3	\$364.67		\$0.00	\$364.67	\$2,750.00	\$364.67	\$42.75
5	HOWARD D & LUNDA L LEE	304 5TH ST W	304 5TH ST W	WACONIA, MN	750522200		\$0.00	0.3	\$364.67		\$0.00	\$364.67	\$2,750.00	\$364.67	\$42.75
6	CARMEN L SOLIS ONA	306 5TH ST W	306 5TH ST W	WACONIA, MN	750522100		\$0.00	0.3	\$364.67		\$0.00	\$364.67	\$2,750.00	\$364.67	\$42.75
7	CHERYL A MORGAN	308 5TH ST W	308 5TH ST W	WACONIA, MN	750522000		\$0.00	0.3	\$364.67		\$0.00	\$364.67	\$2,750.00	\$364.67	\$42.75
8	AMY B DYKSTRA	310 5TH ST W	1083 108TH AVE NW	COON RAPIDS, MN	750521900		\$0.00	0.3	\$364.67		\$0.00	\$364.67	\$2,750.00	\$364.67	\$42.75
9	SWEENEY PROPERTIES LLC	312 5TH ST W	2078 FEATHER CIR	WACONIA, MN	750521800		\$0.00	0.3	\$364.67		\$0.00	\$364.67	\$2,750.00	\$364.67	\$42.75
10	MELODY ZUNKER	314 5TH ST W	314 5TH ST W	WACONIA, MN	750521700		\$0.00	0.3	\$364.67		\$0.00	\$364.67	\$2,750.00	\$364.67	\$42.75
11	VICKI M WEBER	324 5TH ST W	324 5TH ST W	WACONIA, MN	750521600		\$0.00	0.3	\$364.67		\$0.00	\$364.67	\$2,750.00	\$364.67	\$42.75
12	SANDRA J HASTINGS	326 5TH ST W	326 5TH ST W	WACONIA, MN	750521500		\$0.00	0.3	\$364.67		\$0.00	\$364.67	\$2,750.00	\$364.67	\$42.75
13	LAURA M BERGMANN	328 5TH ST W	328 5TH ST W	WACONIA, MN	750521400		\$0.00	0.3	\$364.67		\$0.00	\$364.67	\$2,750.00	\$364.67	\$42.75
14	HOME SWEET HOME RENTAL LLC	330 5TH ST W	7416 80TH ST	GLENCOE, MN	750521300		\$0.00	0.3	\$364.67		\$0.00	\$364.67	\$2,750.00	\$364.67	\$42.75
15	HELEN A RADDE	332 5TH ST W	332 5TH ST W	WACONIA, MN	750521200		\$0.00	0.3	\$364.67		\$0.00	\$364.67	\$2,750.00	\$364.67	\$42.75
16	JOHN HALL	334 5TH ST W	334 5TH ST W	WACONIA, MN	750521100		\$0.00	0.3	\$364.67		\$0.00	\$364.67	\$2,750.00	\$364.67	\$42.75
17	GLENDIA F NOBLE	336 5TH ST W	336 5TH ST W	WACONIA, MN	750521000		\$0.00	0.3	\$364.67		\$0.00	\$364.67	\$2,750.00	\$364.67	\$42.75
18	ERIN M PETERMAN	338 5TH ST W	11000 GRANWALD AVENUE SW	HOWARD LAKE, MN	750520900		\$0.00	0.3	\$364.67		\$0.00	\$364.67	\$2,750.00	\$364.67	\$42.75
19	CR RENTALS LLC	344 5TH ST W	133 1ST ST W	WACONIA, MN	750520800		\$0.00	0.3	\$364.67		\$0.00	\$364.67	\$2,750.00	\$364.67	\$42.75
20	GREGORY RONALD WAGENER	346 5TH ST W	346 5TH ST W	WACONIA, MN	750520700		\$0.00	0.3	\$364.67		\$0.00	\$364.67	\$2,750.00	\$364.67	\$42.75
21	GLENN A SCHMIDT	348 5TH ST W	18980 COUNTY ROAD 40	BELLE PLAINE, MN	750520600		\$0.00	0.3	\$364.67		\$0.00	\$364.67	\$2,750.00	\$364.67	\$42.75
22	LUETTA SANDMEYER	350 5TH ST W	2050 RIVER ROAD	WINDOM, MN	750520500		\$0.00	0.3	\$364.67		\$0.00	\$364.67	\$2,750.00	\$364.67	\$42.75
23	CRAIG TIMMERMAN	352 5TH ST W	352 5TH ST W	WACONIA, MN	750520400		\$0.00	0.3	\$364.67		\$0.00	\$364.67	\$2,750.00	\$364.67	\$42.75
24	MICHAEL S & MAY G DEBNER	354 5TH ST W	354 5TH ST W	WACONIA, MN	750520300		\$0.00	0.3	\$364.67		\$0.00	\$364.67	\$2,750.00	\$364.67	\$42.75
25	KATHLEEN A HAERING	356 5TH ST W	356 5TH ST W	WACONIA, MN	750520200		\$0.00	0.3	\$364.67		\$0.00	\$364.67	\$2,750.00	\$364.67	\$42.75
26	GEORGE A SCHMITT	358 5TH ST W	358 5TH ST W	WACONIA, MN	750520100		\$0.00	0.3	\$364.67		\$0.00	\$364.67	\$2,750.00	\$364.67	\$42.75
27	CARVER COUNTY AG ASSN	501 3RD ST W	14580 COUNTY ROAD 33	NVA, MN	750231100	187.50	\$18,421.88		\$0.00		\$0.00	\$18,421.88	\$79,000.00	\$18,421.88	\$2,159.61
28	IND SCHOOL DIST 110	225 4TH ST W	512 INDUSTRIAL BLVD	WACONIA, MN	750230500	309.50	\$30,408.38		\$0.00	6	\$2,568.66	\$32,977.04	\$52,000.00	\$32,977.04	\$3,865.91
29	MICHAEL HOWARD LLC	501 MAPLE ST S	415 LAKEVIEW TERRACE BLVD	WACONIA, MN	750230700	165.00	\$16,211.25	1	\$1,215.55	1	\$428.11	\$17,854.91	\$92,500.00	\$17,854.91	\$2,093.14
30	BECK PROPERTIES LLC	511 MAPLE ST S	316 4TH ST W	WACONIA, MN	750231600	45.00	\$4,421.25	1	\$1,215.55	1	\$428.11	\$6,064.91	\$43,000.00	\$6,064.91	\$710.99
31	MARYANNE K & JOHN J FISCHER	240 HIGHWAY 5 W	47265 BENNY LN	PERHAM, MN	750231400	117.50	\$11,544.38	4	\$4,862.20	4	\$1,712.44	\$18,119.02	\$40,000.00	\$18,119.02	\$2,124.10
32	CITY OF WACONIA	550 MAPLE ST S	500 MAPLE ST S	WACONIA, MN	754300020	41.50	\$4,077.38		\$0.00		\$0.00	\$4,077.38	\$74,000.00	\$4,077.38	\$477.99
33	WACONIA CITY	500 MAPLE ST S	201 VINE ST S	WACONIA, MN	750231200	199.00	\$19,551.75	131	\$159,237.05	131	\$56,082.41	\$234,871.21	\$194,000.00	\$234,871.21	\$27,534.07
34	RIDGEVIEW MEDICAL CENTER	490 MAPLE ST S	500 MAPLE ST S	WACONIA, MN	754220010	293.00	\$28,787.25	5	\$6,077.75		\$0.00	\$34,865.00	\$125,000.00	\$34,865.00	\$4,087.24
35	EVANGELICAL LUTHERAN GOOD	333 5TH ST W	333 5TH ST W	WACONIA, MN	754220020	267.00	\$26,232.75	5	\$6,077.75		\$0.00	\$32,310.50	\$68,800.00	\$32,310.50	\$3,787.78
36	EVANGELICAL LUTHERAN GOOD	333 5TH ST W	333 5TH ST W	WACONIA, MN	754220021	75.00	\$7,368.75		\$0.00		\$0.00	\$7,368.75	\$17,200.00	\$7,368.75	\$863.84
37	EVANGELICAL LUTHERAN GOOD	433 5TH ST W	333 5TH ST W	WACONIA, MN	754220030	228.00	\$22,401.00	4	\$4,862.20		\$0.00	\$27,263.20	\$41,500.00	\$27,263.20	\$3,196.08
38	EVANGELICAL LUTHERAN GOOD	433 5TH ST W	333 5TH ST W	WACONIA, MN	754220040	273.00	\$26,822.25		\$0.00		\$0.00	\$26,822.25	\$41,500.00	\$26,822.25	\$3,144.39
39	HEALTH CARE REIT INC	500 CHERRY ST S	4500 DORR ST	TOLEDO, OH	751150050	337.00	\$33,110.25		\$0.00		\$0.00	\$33,110.25	\$86,000.00	\$33,110.25	\$3,881.53
40	WACONIA CITY	478 CHERRY DR	201 VINE ST S	WACONIA, MN	750590060	37.00	\$3,635.25		\$0.00		\$0.00	\$3,635.25	\$18,000.00	\$3,635.25	\$426.16
41	RIDGEVIEW MEDICAL CENTER	510 MAPLE ST S	500 MAPLE ST S	WACONIA, MN	754240020	174.00	\$17,095.50		\$0.00		\$0.00	\$17,095.50	\$45,000.00	\$17,095.50	\$2,004.11
NA	CITY OF WACONIA (NON-ASSESSABLE)					789.00									
NA	ALL (CORNER LOT CREDIT)					1147.00									

*Cost per FF = \$98.25 (Assessment Eligible Portion Divided by the Assessment Basis FF of 4053.0).
**Based on a 3.0% Interest Rate and a 10 Year Term.

Totals:
TOTAL FRONT FOOTAGE: 5,200.00
CORNER LOT CREDIT: 1,147.00
ASSESSMENT BASIS FRONT FOOTAGE: 4,053.00
NON-ASSESSABLE FRONT FOOTAGE: 789.00
ASSESSMENT FRONT FOOTAGE: 3,264.00

	Amount	Total Assessment
Street Assessable Cost Per Front Foot	\$98.25	\$320,688.00
Watermain Assessment per Unit	\$1,215.55	\$196,849.92
Sanitary Sewer Assessment per Unit	\$428.11	\$76,250.46

**FINAL ASSESSMENT ROLL - SCHOOL AREA
2016 INFRASTRUCTURE IMPROVEMENT PROJECT
10/12/2016**

PROP. NO.	OWNER	PROPERTY ADDRESS	OWNER ADDRESS	P.I.D.	*STREET ASSESSMENT	TOTAL ASSESSMENT	**ANNUAL ASSESSMENT PAYMENT
1	IND SCHOOL DISTRICT 110	960 AIRPORT ROAD	512 INDUSTRIAL BLVD	750190200	\$331,903.00	\$331,903.00	\$38,909.16

*In Accordance with the Approved Developer's Agreement, 50% of the Total Project Cost for the Interlaken Crossing Improvements are to be Charged to ISD #110.

\$331,903.00 \$331,903.00

**Based on a 3.0% Interest Rate and a 10 Year Term.

**FINAL ASSESSMENT ROLL - RESIDENTIAL AREA
2016 INFRASTRUCTURE IMPROVEMENT PROJECT
10/12/2016**

PROP. NO.	OWNER	PROPERTY ADDRESS	OWNER ADDRESS	CITY/STATE	P.I.D.	F/F	*STREET ASSESSMENT	WATERMAIN UNITS	WATERMAIN ASSESSMENT	SANITARY SEWER UNITS	SANITARY SEWER ASSESSMENT	ASSESSMENT AMOUNT BASED ON POLICY	ASSESSMENT AMOUNT BASED ON APPRAISAL	LESSER OF POLICY OR ASSESSMENT AMOUNT	**ANNUAL ASSESSMENT PAYMENT
34	BARBARA STORMS	636 2ND ST W	636 2ND ST W	WACONIA, MN	752840020	0.00	\$0.00	0.0	\$0.00	0.2	\$524.69	\$524.69	\$1,200.00	\$524.69	\$61.51
35	ROMAN & JANICE R SINNEN	132 REDWOOD ST S	16225 74TH ST NEW GERMANY, MN	NEW GERMANY, MN	752840030	0.00	\$0.00	0.0	\$0.00	0.2	\$524.69	\$524.69	\$1,200.00	\$524.69	\$61.51
36	JANICE R SINNEN	124 REDWOOD ST S	16225 74TH ST NEW GERMANY, MN	NEW GERMANY, MN	752840040	0.00	\$0.00	0.0	\$0.00	0.2	\$524.69	\$524.69	\$1,200.00	\$524.69	\$61.51
37	JOHN W BEVERLY	624 2ND ST W	624 2ND ST W	WACONIA, MN	752840050	0.00	\$0.00	0.0	\$0.00	0.2	\$524.69	\$524.69	\$1,200.00	\$524.69	\$61.51
38	THOMAS G EIDEN	628 2ND ST W	117 2ND ST E	WACONIA, MN	752840060	0.00	\$0.00	0.0	\$0.00	0.2	\$524.69	\$524.69	\$1,200.00	\$524.69	\$61.51
39	KELLEY BAHR	632 2ND ST W	632 2ND ST W	WACONIA, MN	752840010	0.00	\$0.00	0.0	\$0.00	0.2	\$524.69	\$524.69	\$1,200.00	\$524.69	\$61.51
40	DENISE COOK	612 2ND ST W	612 2ND ST W	WACONIA, MN	752840080	0.00	\$0.00	0.0	\$0.00	0.2	\$524.69	\$524.69	\$1,200.00	\$524.69	\$61.51
41	GENE WALTER HOPPENRATH	616 2ND ST W	616 2ND ST W	WACONIA, MN	752840090	0.00	\$0.00	0.0	\$0.00	0.2	\$524.69	\$524.69	\$1,200.00	\$524.69	\$61.51
42	YVONNE J MELWISSEN	620 2ND ST W	620 2ND ST W	WACONIA, MN	752840100	0.00	\$0.00	0.0	\$0.00	0.2	\$524.69	\$524.69	\$1,200.00	\$524.69	\$61.51
43	CHRISTY HAASKEN	124 CHERRY ST S	413 CHESTNUT ST N CHASKA, MN	CHASKA, MN	752830010	100.00	\$9,889.00	0.4	\$2,276.25	0.4	\$1,049.38	\$13,214.63	\$10,500.00	\$10,500.00	\$1,230.92
44	RICHARD LUNDBERG	608 2ND ST W	608 2ND ST W	WACONIA, MN	752840070	28.50	\$2,818.37	0.2	\$1,138.13	0.2	\$524.69	\$4,481.18	\$5,250.00	\$4,481.18	\$525.33
46	CARVER COUNTY	609 1ST ST W	602 4TH ST E CHASKA, MN	CHASKA, MN	752830070	78.50	\$7,762.87		\$0.00	5	\$13,117.25	\$20,880.12	\$20,000.00	\$20,000.00	\$2,344.61
53	BRYAN G KARLSON	540 2ND ST W	540 2ND ST W	WACONIA, MN	752800150	78.50	\$7,762.87	1	\$5,690.63		\$0.00	\$13,453.50	\$8,000.00	\$8,000.00	\$937.84
58	CARVER COUNTY	555 1ST ST W	602 4TH ST E CHASKA, MN	CHASKA, MN	752800160	78.50	\$7,762.87		\$0.00	1	\$2,623.45	\$10,386.32	\$19,000.00	\$10,386.32	\$1,217.59
NA	CITY OF WACONIA (NON-ASSESSABLE)			WACONIA, MN		185.50									
NA	ALL (CORNER LOT CREDIT)					78.50									
Totals:							\$35,995.96	1.6	\$9,105.01	8.4	\$22,036.98	\$67,137.95		\$58,089.71	

*Cost per FF = \$98.89 (Assessment Eligible Portion Divided by the Assessment Basis FF of 549.5).

**Based on a 3.0% Interest Rate and a 10 Year Term.

	Amount	Total Assessment
Street Assessable Cost Per Front Foot	\$98.89	\$35,995.96
Watermain Assessment per Unit	\$5,690.63	\$9,105.01
Sanitary Sewer Assessment per Unit	\$2,623.45	\$34,699.98

TOTAL FRONT FOOTAGE:	628.00
CORNER LOT CREDIT:	78.50
ASSESSMENT BASIS FRONT FOOTAGE:	549.50
NON-ASSESSABLE FRONT FOOTAGE:	185.50
ASSESSMENT FRONT FOOTAGE:	364.00



REQUEST FOR CITY COUNCIL ACTION

Meeting Date:	November 21, 2016
Item Name:	Certification of Delinquent Charges for Payment with Taxes – Pay 2017
Originating Department:	Finance
Presented by:	Nicole Lueck

Previous Council Action (if any):						
Item Type (X only one):	<input type="checkbox"/> Consent	<input type="checkbox"/>	<input type="checkbox"/> Regular Session	<input checked="" type="checkbox"/> <u>X</u>	<input type="checkbox"/> Discussion Session	<input type="checkbox"/>

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

Adopt Resolution No. 2016-225, Resolution Adopting Certification of Delinquent Utility and Other Charges for Services for Payment with Taxes in 2017

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

Under Minnesota law, the City may certify for payment with tax collections, delinquent utility accounts and other charges for service that have not been paid during the course of normal collection procedures throughout each year.

A public hearing is required prior to certification of delinquent charges. Property owners have been notified of the past due amounts for goods or services that have benefited their property and have been notified of the public hearing opportunity.

A list of delinquent accounts will be provided for the hearing.

<p><i>FINANCIAL IMPLICATIONS:</i> Funding Sources & Uses: All City Funds</p> <p>Budget Information:</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 10%; 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><i>ADVISORY BOARD RECOMMENDATIONS:</i></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. 2016-225**

**RESOLUTION ADOPTING CERTIFICATION OF DELINQUENT UTILITY AND OTHER
CHARGES FOR SERVICES FOR PAYMENT WITH TAXES IN 2017**

WHEREAS, Pursuant to notice duly given as required by law, the City Council has met, heard, and passed upon all objections to the proposed certification with taxes for delinquent utility charges and charges for services as provided by the City, and has amended such proposed certification as it deems just:

NOW, THEREFORE, BE IT RESOLVED, By the City Council of the City of Waconia, Minnesota, as follows:

1. Such proposed certification, a copy of which is attached hereto and made a part hereof is hereby accepted and shall constitute the certification for payment with taxes against the lands named therein, and each track of land therein is hereby found to be benefited by the proposed certifications.
2. Such Certification shall be as follows:
 - a. The certification for payment with taxes shall be payable in one annual installment to be collectible with real estate taxes payable in 2017.
 - b. To the installment shall be added interest at the rate of six percent (6.0%) per annum on the entire principal amount of the assessment from the date of this resolution until December 30 of the year in which such installment is payable.
 - c. The owner of any property so certified may at any time prior to the certification to the County Auditor, pay the whole of the principal amount of the certification on such property with interest accrued to the date of payment to the Finance Director, except that no interest shall be charged if the entire assessment is paid within 30 days from the date hereof.
3. The Finance Director shall forthwith transmit a certified duplicate copy of this certification to the County Auditor to be extended on the tax list of the County.

Adopted by the City Council of the City of Waconia this 21st day of November, 2016.

James P. Sanborn, Mayor

ATTEST: _____
Susan MH Arntz, City Administrator

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

CITY OF WACONIA
October 17, 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, Marc Carrier. Absent: Charles Erickson. Staff Present: Susan Arntz, Lane Braaten, Craig Eldred, Ann Meyerhoff, Nicole Lueck, Mike Melchert, Kelly Dohm. Visitors: David Van Dongen, Nic Voelker, Danielle Mahlum, David Wabbe, Mithchell Johnson.

Pledge of Allegiance was led by Mayor Sanborn.

ADOPT AGENDA: Addition of Attorney Client Privilege meeting after closed session and add item #3 under Council Business, Review of declaration of Easements related to the Grandstand Project. Motion by Carrier, seconded by Ayers to adopt the agenda as amended. All present voted aye. **MOTION CARRIED.**

ADOPT CONSENT AGENDA

- 1) Approve October 3, 2016 City Council Meeting Minutes.
- 2) Authorize Payment of October 17, 2016 Expenditures.
- 3) Adopt a Motion Approving Contractor Pay Requests for Lion's Field Grandstand Project.
- 4) Adopt Resolution No. 2016-197, Approving a Minor Subdivision for Property located at 1200 Oak Avenue.
- 5) Adopt Resolution No. 2016-198, Authorizing Negotiation of Private Property & Temporary & Utility Easement Acquisitions.
- 6) Adopt Resolution No. 2016-199, Calling Hearing on Proposed Certification of Delinquent Utility and other Charges.
- 7) Motion to Approve Use of Parks Request from Chamber of Commerce.

Item No. 1 on Consent Agenda was amended to reflect in the Minutes that Lynn Ayers was absent and meeting was adjourned at 6:04 p.m. Motion by Bloudek, seconded by Carrier to Adopt the Consent Agenda as amended. All present voted aye. **MOTION CARRIED.**

COUNCIL BUSINESS

Denying the Variance Request by Leland Otto: Lane Braaten came forward and reminded the City Council that at their regular meeting on September 19th, 2016, considered and continued the Variance request by Leland Otto for the property located at 509 Pine Street South. Specifically, the agenda item was tabled to allow City staff some time to work with the applicant to remedy the concerns of the City Council regarding the poly-sided, 170 sq. ft. accessory building proposed on the rear side of his home. The details of the Variance request were included in the September 19th, 2016 City Council packet.

Braaten stated that staff had an opportunity to discuss the City Council concerns with Mr. Otto and he indicated that he would be considering a compliant shed structure for his property that would conform to the setback and sizing requirements stated in City Code. Further, he requested that the Variance Application Fee of \$125 be refunded as he will not be using the requested Variance. Mr. Otto was made aware that the fee was non-refundable, but staff indicated that his request would be forwarded to the Council for consideration.

.A brief discussion was had by the Council in regards to refunding the variance fee. It was decided not to refund the fee as to not set a precedent.

Motion by Carrier, seconded by Ayers to adopt Resolution 2016-196, Denying the Variance Request by Leland Otto. All present voted aye. **MOTION CARRIED.**

Declaring Costs to be Assessed, Receiving Proposed Assessment & Calling for a Public Hearing: Susan Arntz stated that the final costs for the 2016 Infrastructure Rehabilitation Project for the various improvements that have been worked on have been determined. The purpose of tonight's meeting is to finalize the cost for the project, assemble the assessment roll, and call for the public hearing on the special assessments. For the work that is part of the assessment areas, we have final cost of \$4,097,133, which is \$630,467 (13.3%) below the Feasibility Study estimate. The proposed final assessed amount of this portion of the project is \$973,246, which is \$109,861 (10.1%) below the estimates mailed to property owners.

CITY OF WACONIA
October 17, 2016

A hearing notice will be published and mailed notice will be provided to affected property owners a minimum of two weeks in advance of the public hearing. The proposed hearing is scheduled for 6:00 p.m. on Monday, November 21, 2016.

A copy of the proposed final assessment roll is attached and on file for public inspection in the City Clerk's Office, during regular business hours. There are three sections to this year's project and three pages of the assessment roll. The assessment roll has a 10 year repayment at 3% interest.

In accordance with our policy, the amount determined to be assessed is the lesser of the amount determined by our policy or by the special benefit appraisal. We have made adjustments to the proposed final assessment roll to take that into consideration.

Motion by Ayers, seconded by Bloudek to Adopt Resolution No. 2016-200, Declaring Costs to be Assessed, Receiving Proposed Assessment & Calling for a Public Hearing. All present voted aye. **MOTION CARRIED.**

Declaration of Easements and Covenants: Mike Melchert reviewed the easements and covenants in regards to the Grandstand Project. The two properties affected are the Ice Arena Parcel and Baseball Park Parcel. The Consent and Subordination is needed as part of the Financing for the Grandstand.

Motion by Carrier, seconded by Bloudek to Approve the Proposed Declaration of Easements and Covenants. Authorize City Administrator in conjunction with the City Attorney to make revisions to the document as they deem appropriate and in the best interest of the City, Authorize the Mayor and City Clerk the execute and deliver the document as it may be revised. All present voted aye. **MOTION CARRIED.**

Mayor Sanborn recessed the Regular meeting at 6:26 p.m. to meet in Closed Session in regards to consideration of employee performance and allegations of misconduct in accordance with Minnesota statues 13D.05, Subd. 2b.

The City Council reconvened the Regular meeting at 8:11 p.m. Mayor Sanborn asked for a motion to continue the Closed Session at a later date. Motion by Carrier, seconded by Bloudek to continue the Closed Session on Monday, October 24th at 7:00 a.m. All present voted aye. **MOTION CARRIED.**

Mayor Sanborn recessed the Regular meeting at 8:15 p.m. to meet in Closed Session for the purposes of Attorney Client Privileged Communication at 8:15 p.m.

The City Council reconvened the Regular meeting at 9:22 p.m.

BOARD REPORTS:

Councilmember Erickson – Absent

Councilmember Bloudek – No Report

Councilmember Carrier – No Report

Councilmember Ayers – Provided an update on Art Wander, Nickle Dickle Day, next week will be attending the CCL meeting where an update on the Ryder Cup/Greater MSP presentation are the topics.

Mayor Sanborn –Planning Commission meets tomorrow and the County will be hosting a Medicine Take Back Day.

ADJOURN:

Motion by Bloudek, seconded by Erickson to recess the meeting to Monday, October 24 at 7:00 a.m. All present voted aye. **MOTION CARRIED**

The recessed Regular Meeting of the City Council was reconvened in the Council Chambers of Waconia City Hall at 7:04 a.m. n Monday, October 24, 2016. Present: Jim Sanborn, Lynn Ayers, Marc Carrier, Charles Erickson, Kent Bloudek. Staff: Susan Arntz and Attorney Kelly Dohm. Others: Waconia High School Girls Soccer Team, Coaches, and Family.

CITY OF WACONIA
October 17, 2016

The Mayor greeted the Waconia High School Girls Soccer Team read the Proclamation declaring October 27, 2016 as Waconia High School Girls Soccer Day in Waconia.

Mayor Sanborn recessed the Regular meeting to meet in Closed Session for the purposes of Attorney Client Privileged Communication at 7:10 a.m.

The City Council reconvened the Regular meeting at 8:31 p.m.

Arntz updated a request for authorization for the City to execute a Letter of Support for Metropolitan Council Regional Classification Changes to CSAH 10 and changed in designation for CSAH 110.

Motion by Bloudek, second by Carrier to adopt Resolution 2016-201, Authorizing Approval of City Administrator to Sign Letter of Support for Metropolitan Council Regional Classification Changes to CSAH 10 Ring Road Project. **Motion Carried.**

Motion by Bloudek, second by Carrier to adopt Resolution 2016-202, Concurring with the Establishment of a Portion of Waconia Parkway South in the City of Waconia. **Motion Carried.**

Motion by Bloudek, second by Carrier to adopt Resolution 2016-203, Concurring with the Designation of a Portion of Waconia Parkway South in the City of Waconia. **Motion Carried.**

Motion by Erickson, second by Bloudek to recess the meeting to Saturday, October 29, 2016 at 7:30 a.m.

The recessed Regular Meeting of the City Council was reconvened in the Council Chambers of Waconia City Hall at 7:30 a.m. on Saturday, October 29, 2016.

Mayor Sanborn recessed the Regular meeting to meet in Closed Session for the purposes of Attorney Client Privileged Communication at 7:31 a.m.

The City Council reconvened the Regular meeting at 7:42 a.m.

Motion by Erickson, second by Bloudek to approve Resolution 2016-204, Approving Severance Agreement. **Motion Carried.**

Arntz reviewed the request from Luke and Shonda Vettel for detachment. This matter was previously reviewed in a work session with the City Council.

Motion by Carrier, second by Ayers to approve Resolution 2016-205 Concerning Detachment of Certain Land Pursuant to Minnesota Statutes §414.06.

Motion to Adjourn by Ayers, second by Carrier at 7:53 a.m.

Jim Sanborn, Mayor

ATTEST: _____
Ann Meyerhoff, Office Assistant

CITY OF WACONIA
November 7, 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, Marc Carrier, Charles Erickson.

Staff Present: Susan Arntz, Lane Braaten, Craig Eldred, Nicole Lueck.

Visitors: Cole Dans, Brent Davis, Katie Schroeder, Bruce & Alice minor, Tom Ryan, Michelle Ridel, Donald Mack, Sam Mack, Kellie Sites.

Pledge of Allegiance was led by Mayor Sanborn.

ADOPT AGENDA: Motion by Carrier, seconded by Ayers to adopt the agenda as presented. All present voted aye.
MOTION CARRIED.

VISTOR'S PRESENTATION: None

ADOPT CONSENT AGENDA

- 1) Authorize Payment of November 7, 2016 Expenditures.
- 2) Adopt a Motion to Approve Pay Estimate No. 2 to Ellingson Drainage.
- 3) Adopt a Motion to Approve Pay Request No. 4 to Shaw Construction.
- 4) Adopt a Motion to Approve Pay Estimate No. 3 to Minger Construction.
- 5) Adopt a Motion to Approve Multiple Contractor Payment Requests for the Lion's Field Grandstand Project.
- 6) Adopt a Motion to Approve Pay Estimate No. 4 to GMH Asphalt.
- 7) Adopt a Motion to Approve Request for Lodging Tax Reimbursement.
- 8) Adopt Resolution No. 2016-206, Approving Forgiveness of Remaining Principal Balance for Building Code Compliance Revolving Loan for BIG Athletics.
- 9) Adopt Resolution No. 2016-207, Approving Mutual Agreement for 2016-2017 Winter Towing Services provided by Colony Plaza of Waconia.
- 10) Adopt Resolution No. 2016-208, Accepting Donation of Cash for Construction of Community Garden Planter Box Water Feature at Brook Peterson Park.
- 11) Adopt Resolution No. 2016-209, Approving Modification to Interfund Loan from the Sanitary Sewer Fund to the Capital Project Fund for Clearwater Shores.
- 12) Adopt Resolution No. 2016-210, Approval of Property Transfers from Waterford Master Association to the City of Waconia.
- 13) Adopt Resolution No. 2016-211, Authorize Public Services Director to Sign Operations and Maintenance Agreement for in Towne Marina Sediment Reduction Project.
- 14) Adopt Resolution No. 2016-212, Authorize Public Services Director to Prepare Requests for Proposals.
- 15) Adopt Resolution No. 2016-213, Authorize Public Services Director to Authorize Revised Project Change Orders for Lion's Field Grandstand.
- 16) Adopt Resolution No. 2016-219, Authorizing Disposal of Abandoned Vehicle.
- 17) Adopt Resolution No. 2016-221, Approving 2016 4th Quarter Budget Amendments.
- 18) Adopt Resolution No. 2016-222, Approving Surplus Equipment & Sale.

Council Member Erickson requested that item #8 be removed from the Consent Agenda for further discussion. Motion by Ayers, seconded by Carrier to Adopt the Consent Agenda as amended. All present voted aye. **MOTION CARRIED.**

COUNCIL BUSINESS

New 2016 Winter Maintenance Policy: Craig Eldred did an overview of the new Winter Maintenance Policy stating that the City of Waconia has had a written policy since 1999. In the past updates to the policy have occurred including roadway additions, service level changes due to practices and needs.

Eldred explained that this year we're providing a new Winter Maintenance Policy with enhancements guided to protect the City further if liability issues were to occur as Public Services delivers winter maintenance services to

CITY OF WACONIA
November 7, 2016

Public Facilities, Roadways, Trails, Sidewalks. A core group of winter maintenance professionals gathered with an Attorney, and established a Technical Advisory Committee to review legal issues in relation to winter maintenance of public and private sites.

From this TAC group a new draft Winter Maintenance Policy was established which supports the activities taken by Public/Governmental, and Private Contractors who provide winter services.

The new policy details more information and provisions of Public Safety, Personal Safety, Environmental, Technical and Adaptability for winter maintenance services. Service levels, based upon priorities, training, record keeping, and delegation of authority support the services provided by the different providers. In addition to these critical items we were able to include pertinent information subjective to the city in regards to Parking, Operations, and Customer Service Response.

Motion by Bloudek, seconded by Carrier to Adopt Resolution No. 2016-214, Approving the New 2016 City of Waconia Winter Maintenance Policy. All present voted aye. **MOTION CARRIED.**

Sudheimer Retail Preliminary and Final Plat Applications: Lane Braaten stated that the City has received a preliminary and final plat application from Tom Ryan, on behalf of KTJ 290, LLC, for the properties located at 10590 & 10594 10th Street West. The preliminary and final plat, titled Sudheimer Retail Addition, is proposed to include three (3) commercial parcels and one (1) outlot, along with the dedication of right-of-way.

The subject parcels, located at 10590 and 10594 10th Street West, are currently undeveloped and located within the Waconia City Limits. Specifically, the properties are located south and east of the intersection of Hwy. 5 and County Road 10. Most recently the properties were used as a staging area for construction equipment and materials during the Hwy. 5, Cherry Street and 10th Street road construction projects.

The applicant is proposing three main accesses to the development, two full accesses off of 10th Street West and a right in only access off of Cherry Street. Staff finds the proposed accesses off of 10th Street to be in compliance with the City Standards. The final Cherry Street Access will be subject to the final review and approval of the City Engineer and the Public Services Director.

The landscaping plans for the properties will be reviewed and approved as part of the Site Plan and Design Review Applications for each of the subject parcels at the time of development.

Braaten mentioned that the City has installed the sidewalk along the 10th Street West and trail along the remainder of the parcel as a part of the highway 5 project last year. The applicant is also proposing internal sidewalks linking the existing sidewalk and trails to the three parcels.

Braaten explained the requirements for parks, schools, playgrounds and open space requiring at least 10% of the gross land in a subdivision be dedicated unless cash in lieu of land is approved. After reviewing the plat the Park and Recreation Board recommended the City Council accept cash in lieu of land as the area is not desirable for any of the immediacies mentioned. This amount will be \$5,000 per acre, not including the land occupied by wetlands and the right of ways.

Motion by Erickson, seconded by Bloudek to Adopt Resolution No. 2016-215, Approving the Sudheimer Retail Addition Preliminary and Final Plat Applications. All present voted aye. **MOTION CARRIED.**

Site Plan and Design Review for Proposed Retail Multi-Tenant Building: Braaten stated that Tom Ryan, the applicant for KTJ 290, LLC has submitted an application for the Site Plan and Design Review for the parcel described as Lot 1, Block 1 Sudheimer Retail Addition. The applicant is proposing the construction of a freestanding 9,300 sq. ft. retail building, a 7,500 sq. ft. multi-tenant building and other site improvements on the property.

CITY OF WACONIA
November 7, 2016

This parcel is located in the B-1 Highway Business Zoning District. The proposed retail uses are permitted in the B-1 Zoning District. The drive through business is a permitted use with special restriction. There are proposed to be two buildings on this lot, one being a multi-tenant building along highway 5 and the building along County Road 10 being a Dollar Tree. Braaten pointed out on the map locations of trash enclosures, drive thru, shared access onto the parcel and the loading dock. Braaten also gave an overview on the floor plan, exterior materials of the building window glazing, and landscape plan. Parking requirements have been met and the developer will come back and propose signage for the entire development.

The lighting plan as well as trash enclosures appear to conform to the City ordinance standards. The applicant is proposing 24 trees, which when considered as part of the whole is in compliance with City Ordinance requirements. Braaten clarified that the 17 additional trees required for the frontage of the entire development along Hwy 5 are required to meet the 3 inch/8ft standard rather than the typical 2.5 inch deciduous and the 6 ft coniferous tree standards. The landscape plans shall be modified to clarify where the 17 larger trees shall be planted throughout the development.

Braaten explained that the landscaping, lighting and signage are the same for all three applications.

Site Plan and Design Review for the Proposed Culvers Restaurant: Braaten stated that the applicant, Tom Ryan has submitted an application for Site Plan and Design review for Lot 2, Block 1, Sudheimer Retail Addition. The applicant is proposing the construction of a freestanding Culvers Restaurant. Braaten stated that there were four style of building materials for Culvers and the developer/owner shoes their preferred option which Braaten walked the Council through.

Braatens presentation included:

- Lot size is conforming to our requirements
- Maximum hard coverage is compliant with our standards
- Culvers is meeting all set back requirements
- Proposing a shared entrance
- The parking requirements are met
- A shared parking agreement will be needed between the two property owners
- Landscaping – same comments stated in the previous application
- Signage application statement is the same as the other application
- Lighting and trash enclosure comments are the same comments as previous application
- Grading, drainage and utilities are addressed in the memo and are part of the 17 conditions of approval
- Braaten described the floor plan and exterior materials chosen for Culvers restaurant

Site Plan and Design Review for the Proposed Holiday Station: Braaten stated that the applicant, Tom Ryan submitted an application for Site Plan and Design Review for the parcel described as Lot 3, Block 1, Sudheimer Retail Addition. The applicant is proposing the construction of a free standing Holiday Gas Station and car wash located on the corner of Highway 5, Cherry Street and County Road 10. Hard coverage area, height and set back requirements are compliant with the design standards.

Braaten described in detail the layout and the floor plan of Lot 3, Block 1, the Holiday Station location. Landscape plan, parking spaces, signage requirements, lighting plans, trash enclosure, grading, drainage, utility and exterior finishes are compliant with the design standards.

Council Member Erickson asked what the time frame was on these properties.

Tom Ryan came forward and stated that they are expecting next fall. They would like to get started as soon as possible this spring.

Motion by Erickson, seconded by Bloudek to Adopt Resolution No. 2016-216, Approving the Site Plan and Design Review for the Proposed Retail Building, Multi-Tenant Building and Site Improvements for Lot 1, Block 1. All present voted aye.

MOTION CARRIED.

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Motion by Ayers, seconded by Carrier to Adopt Resolution No. 2016-217, Approving the Site Plane and Design Review for the Proposed Culver's Restaurant and Site Improvements for Lot 2, Block 1. All present voted aye. **MOTION CARRIED.**

Motion by Carrier, seconded by Bloudek to Adopt Resolution No. 2016-218, Approving the Site Plan and Design Review for the Proposed Holiday Station and Site Improvements for lot 3, Block1. All present voted aye. **MOTION CARRIED.**

Use Agreement with Waconia Baseball Association and ISD 110: Susan Arntz explained that as part of the Grandstand Project, the City has been working with the Baseball Association on a new agreement for the use of the Baseball Park. Attached is a copy of the proposed agreement. Upon execution, this agreement will replace the 1996 Agreement and includes a new partner, ISD 110. The salient points of the agreement include:

- ISD 110 shall have priority over all other uses of the Park during the Spring MSHSL Baseball Season.
- ISD 110 shall have signage installed that says "Home of the Wildcats"
- WBA retains the rights to make determinations regarding field conditions and ability to play and use the field.
- Entrance fees belong to the user of the field at the time (for ISD 110 games, ISD 110 keeps the entrance fees; for WBA games and events, WBA keeps entrance fees).
- WBA retains the ability to sell concessions.
- As partial consideration for use and signage, ISD 110 shall pay the City \$400,000 over a 20 year period of time.
- As partial consideration for use rights, WBA shall pay the City \$474,754 over a 10 year period of time, some of these funds have already been paid to the City.
- WBA agrees to maintain the fields and grandstand and pay all costs as described in Exhibit C of the proposed agreement including:
 - Maintain the Baseball Park in a clean, safe and sanitary condition and pay all janitorial expenses associated therewith;
 - Coordinate refuse removal with the City and reimburse the City for the WBA's proportionate share of refuse removal costs (based upon refuse generated by the Baseball Park in relation to refuse generated by the City's adjacent park facilities);
 - Provide electricity, gas, water, sewer, and to the Baseball Park;
 - Provide lighting for night games;
 - Mow and fertilize all turf;
 - Rake and level all gravel;
 - Keep all portions of the Baseball Park in good condition and repair;
 - Replace, as reasonably necessary, any elements of the Baseball Park that break or wear out during the Term of the agreement.

At all times maintain the baseball field, turf, and ancillary elements so as to have safe playing conditions.

Council Member Ayers asked for Arntz to recap what the agreement states about default.

Arntz replied that if the School District fails to make a payment they can be found to be in default. They have a time period to correct before the Council can take action. The main piece that we have is if they go into default they lose their access to the facility. The same goes for the Baseball Association although they have more provisions concerning up keep.

Motion by Bloudek, seconded by Erickson to Adopt Resolution No. 2016-220, Approving Use Agreement with Waconia Baseball Association and ISD 110. All present voted aye. **MOTION CARRIED.**

ITEMS REMOVED FROM CONSENT AGENDA:

Approving Forgiveness of Remaining Principal Balance for Building Code Compliance Revolving Loan for BIG Athletics: Nicole Lueck came forward and explained that on September 6, 2011, the City Council approved two revolving

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loans for BIG Athletics. BIG Athletics was approved for a traditional revolving loan totaling \$61,450 and a building code compliance revolving loan totaling \$20,500. Both loans were approved for tenant space improvements including restrooms and a sprinkler system for their location on Marketplace Drive. Both loans were originally secured with a mortgage on property owned by BIG Athletics. When the traditional revolving loan was paid off early (May 2014), the owner switched the security for the building code compliance loan to a letter of credit.

The building code compliance revolving loan was amortized for 10 years according to the revolving loan fund policy and is eligible for forgiveness after 5 years of on time payments and full compliance with the policy. BIG Athletics has met these requirements and is eligible to have the rest of the principal due on the loan forgiven as of October 2, 2016. Their final payment due was on October 1, 2016.

After the October 1, 2016 payment posted, the remaining principal due on the loan is \$10,767.79. Over the course of the last 5 years, BIG Athletics has paid repaid \$9,732.21 in principal and \$1,548.80 in interest.

Staff recommends forgiveness of the remaining principal due on the building code compliance loan as of October 2, 2016 and release of the letter of credit being held for repayment of the loan. The outstanding principal written off will be shown as a 2016 expense in the revolving loan fund.

Lueck stated that we no longer issue this time of loan because they City had only one applicant. Staff has been following and the applicant has been really good to work with and always paid on time. The conditions of this particular loan was written as to if the applicant made all payments for the first five years the second half of the loan would be forgiven.

Motion by Erickson, seconded by Carrier to Adopt Resolution 2016-206, Approving Forgiveness of Remaining Principal Balance for Building Code Compliance Revolving Loan for BIG Athletics. All present voted aye. **MOTION CARRIED.**

STAFF REPORTS: Susan Arntz gave a reminder that Elections are tomorrow. Ward 1 votes at the Waconia Ice Arena and Ward 2 votes at Trinity Lutheran Church.

BOARD REPORTS:

Councilmember Erickson – No Report

Councilmember Bloudek – No Report

Councilmember Carrier – No Report

Councilmember Ayers – Attended the Carver County Elected Leaders meeting where they did a recap of the Ryder Cup and had a presentation from the greater MSP. Next meeting is January to talk about Housing and Homelessness

Mayor Sanborn – No Report

ANNOUNCEMENTS: Winter Parking is in effect

ADJOURN:

Motion by Erickson, seconded by Bloudek to adjourn the meeting at 7:09 p.m. All present voted aye. MOTION CARRIED

Jim Sanborn, Acting Mayor

ATTEST: _____
Ann Meyerhoff, Office Assistant

CITY OF WACONIA
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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 7:00 a.m. The following members were present: Jim Sanborn, Marc Carrier, Lynn Ayers Kent Bloudek, and Charles Erickson.

Staff Present: Susan Arntz

Mayor Sanborn led the Pledge of Allegiance.

Motion by Erickson, seconded by Ayers to adopt the Agenda. **MOTION CARRIED.**

COUNCIL BUSINESS:

In all 5,509 residents in the City of Waconia voted on Election Day at our two polling locations. This represents a 96% voter turn-out.

Canvass November 8, 2016 Election Results

At the General Election held on November 8th, 2016 the following votes were cast for City office:

Ward I		Ward II	
Mayor 2 year term		Mayor 2 year term	
Jim Sanborn	2215	Jim Sanborn	2538
Write-In	47	Write-In	70
Ward I		Ward II	
Councilmember 4 year term		Councilmember 4 year term	
Marc Carrier	2077	Noah McCourt	1121
Write-In	29	Charles Erickson	1462
		Write-In	22

Special recognition was given by Arntz to Ann Meyerhoff who assisted in coordinating the election, all of our election judges who work hard at delivering an accurate and transparent election process, City maintenance staff for assisting with the set-up, take down, and facility preparations, Trinity Lutheran, and Hopper's and D'Vinci's who delivered meals for the election judges.

Motion by Carrier, seconded by Bloudek to adopt Resolution 2016-223, Certifying November 8, 2016 General Election Results. All present voted aye. **MOTION CARRIED.**

ADJOURN:

Motion by Erickson, seconded by Carrier to adjourn the meeting at 7:19 a.m. All present voted aye. **MOTION CARRIED.**

James P. Sanborn, Mayor

ATTEST: _____
Susan MH Arntz, City Administrator

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

11/16/2016
Date

Nicole Lueck, Finance Director

CITY OF WACONIA
Council List-Expenditures
Meeting: November 21, 2016

Vendor Name	Description	Amount	Fund/Department
A-1 ELECTRIC SERVICE	CH Generator Conduit	\$1,049.37	Capital Equipment
A-1 ELECTRIC SERVICE	CH Generator Conduit Fittings	\$3.12	Capital Equipment
A-1 ELECTRIC SERVICE	SI Light Upgrades	\$261.25	Central Facilities
A-1 ELECTRIC SERVICE	CSP Receptacle Repair	\$425.59	Parks
A-1 ELECTRIC SERVICE	Hwy 5 Lighting Conduit Repair	\$961.07	PIR
A-1 ELECTRIC SERVICE	284 LS Grinder Fuses	\$89.10	Sewer
A-1 ELECTRIC SERVICE	Sunset LS Receptacle Rpr Part	\$17.13	Sewer
A-1 ELECTRIC SERVICE	SE LS Receptacle Install	\$162.07	Sewer
A-1 ELECTRIC SERVICE	PR LS Control Panel Install	\$3,665.69	Sewer
A-1 ELECTRIC SERVICE	Pheasant Ridge LS Fuses	\$62.19	Sewer
A-1 ELECTRIC SERVICE	L52 Meter Pump Repair	\$111.78	Sewer
A-1 ELECTRIC SERVICE	WTP Cable PVC	\$4.98	Water
ADVANTAGE IRRIGATION	Irrigation Repair - Interlaken	\$379.20	PIR
AMERICAN ENGINEERING TESTING INC	BPP Grandstand Inspection Svc	\$4,106.60	PIR
AMERICAN LEGION POST 150	Senior Dining 12/2016	\$600.00	Central Facilities
ARNTZ, JONATHAN	General Election Judge 11/8/16	\$174.25	Administration
BORKA, MARILYN	General Election Judge 11/8/16	\$140.00	Administration
CARLSON, DANIEL	General Election Judge 11/8/16	\$145.00	Administration
CARVER COUNTY TREASURER	2016 Assessment Contract	\$56,217.50	Finance
CARVER COUNTY TREASURER	2nd Half 2016 Police Contract	\$313,221.50	Law Enforcemen.
CARVER COUNTY TREASURER	Phone/Internet Service 11/2016	\$1,852.04	Split: Bill Back Receivable, Central Facilities, Water, Sewer, Storm Water, Ice Arena
CARVER COUNTY TREASURER	GIS Shared Position Qtr 3-2016	\$3,870.67	Technology
CITY OF BLOOMINGTON	Water Testing 10/2016	\$105.00	Water
COMMERCIAL ASPHALT COMPANY	Asphalt - Street Patching	\$214.72	Streets
CREEKSIDE SOILS	Compost Disposal 11/9/16	\$460.00	Streets
CREEKSIDE SOILS	Compost Disposal 11/3/16	\$460.00	Streets
CUMMINGS, VICKI	General Election Judge 11/8/16	\$150.00	Administration
DANIEL SCHMIDT LIGHTING INC	Library Lighting Supplies	\$210.00	Central Facilities
DEVRIES, CHARLES	General Election Judge 11/8/16	\$140.00	Administration
DIAMOND MUNICIPAL SOLUTIONS	Utility Bill E-Send Upgrade	\$328.13	Split: Water, Sewer
EBERT, ELIZABETH	General Election Judge 11/8/16	\$150.00	Administration
FORTIN CONSULTING INC.	Winter Maintenance Training	\$1,000.00	Streets
GIESEN, SHARRON	General Election Judge 11/8/16	\$150.00	Administration
HAMILTON, NORMA	General Election Judge 11/8/16	\$160.00	Administration
HAWKINS, ANNE	General Election Judge 11/8/16	\$150.00	Administration
HENNEPIN COUNTY FIRE CHIEFS	Incident Command Training	\$1,275.00	Fire
HILDEBRANDT, ROBERT	General Election Judge 11/8/16	\$130.00	Administration
JOHNSON, CHERYL	General Election Judge 11/8/16	\$194.75	Administration
KALIHAR, ELDA	General Election Judge 11/8/16	\$152.50	Administration
KALUZA, ALOYSIUS	General Election Judge 11/8/16	\$170.00	Administration
KARKI, VIRGINIA	General Election Judge 11/8/16	\$170.00	Administration
KATHERMAN, JEFFREY D	General Election Judge 11/8/16	\$157.50	Administration
KILIAN, JESSICA	General Election Judge 11/8/16	\$150.00	Administration
KOCH, JUDITH	General Election Judge 11/8/16	\$170.00	Administration
KRIS ENGINEERING, INC.	#52/#54 Cutting Edges	\$7,857.08	Capital Equipment
KUNTZ, WENDY	General Election Judge 11/8/16	\$184.50	Administration
LARAWAY ROOFING	CH Roof Repairs	\$15,875.00	PIR
LARSON, RON	General Election Judge 11/8/16	\$150.00	Administration
MANLEY, DAVID	General Election Judge 11/8/16	\$169.13	Administration
MARCO INC	WTP Network Switch Repair	\$1,040.00	Technology
MCMAHON, DANIEL	General Election Judge 11/8/16	\$145.00	Administration
MENZEL, SANDRA	General Election Judge 11/8/16	\$150.00	Administration
MET COUNCIL ENVIRON SRV	Sewer Flow Charge 12/2016	\$66,827.33	Sewer
MET COUNCIL ENVIRON. - SAC	SAC Report 10/2016	\$46,742.85	Sewer
MONTAGUE, SHARON	General Election Judge 11/8/16	\$160.00	Administration
MOREHOUSE, TERRY	General Election Judge 11/8/16	\$150.00	Administration
MUELLER & SONS, INC.	Asphalt - HLP Trail	\$3,045.04	PIR
MUELLER & SONS, INC.	BPP Grandstand Trail Replacement	\$228.42	PIR
MUELLER & SONS, INC.	Asphalt - Sewer Dig	\$1,176.23	Sewer
MUELLER & SONS, INC.	Red Rock - I & I Sewer Repair	\$533.55	Sewer
MUELLER & SONS, INC.	In-Town Marina Stormwater Prj	\$9,172.69	Storm Water
MUELLER & SONS, INC.	Red Rock - CSAH 10 Trail	\$2,624.38	Streets
MUELLER & SONS, INC.	Asphalt - Street Patching	\$141.00	Streets
MUNICIPAL ASSET MANAGEMENT, INC.	SI Exercise Equip Lease 12/16	\$1,826.41	Safari Island
MYERS, RACHEL	General Election Judge 11/8/16	\$145.00	Administration
PEITZ, PATRICIA	General Election Judge 11/8/16	\$150.00	Administration
PEITZ, THOMAS	General Election Judge 11/8/16	\$170.00	Administration
PERA	2016 Fire Pension Contribution	\$10,000.00	Fire
QUEST00001	Data Export - Capital Project Reporting	\$277.50	Technology

**Council List-Expenditures
Meeting: November 21, 2016**

Vendor Name	Description	Amount	Fund/Department
READING, JOLYN	General Election Judge 11/8/16	\$170.00	Administration
ROLF, DELORA	General Election Judge 11/8/16	\$160.00	Administration
SCHUTZ, NICHOLAS	General Election Judge 11/8/16	\$150.00	Administration
SIEVERS, SHARON	General Election Judge 11/8/16	\$145.00	Administration
SUDHEIMER, JOAN	General Election Judge 11/8/16	\$180.00	Administration
SYMANIETZ, PATRICIA	General Election Judge 11/8/16	\$160.00	Administration
TK LAWN & LANDSCAPE	Lawn Mowing 09/2016	\$180.00	Streets
US BANK CORPORATE PAYMENT SYSTEMS	09/13/16 - 10/10/16 Purchasing Card Transactions	\$75,097.70	
ACTIVE NETWORK, LLC	CH CC Paper/Ink Ribbons	\$140.80	Finance
AMERICAN WATER WORKS ASSOC	Water Education Handouts - NDD	\$260.00	Water
ANCOM TECHNICAL CENTER	Pager Repairs	\$118.00	Fire
ANCOM TECHNICAL CENTER	Pager Repairs	\$118.00	Fire
ANCOM TECHNICAL CENTER	Pager Repairs	\$130.00	Fire
ARNOLDS OF GLENCOE, INC.	Kubota Mower Spindle Replacmnt	\$155.76	Parks
ARROWWOOD RESORT & CNF CNT	Conference Lodging - Kloempken	\$247.24	Sewer
ARROWWOOD RESORT & CNF CNT	Conference Lodging - Lueck	\$370.83	Finance
ARROWWOOD RESORT & CNF CNT	Refund-Lodging Overcharge	-\$13.24	Finance
ASPEN MILLS	Command Operations Clip Boards	\$247.92	Fire
ASSOCIATED MECHANICAL CONTRACTORS, INC.	CH Roof Repair	\$355.00	Central Facilities
BEST WESTERN	Conference Lodging - Braaten	\$204.52	Planning
BEST WESTERN	Conference Lodging - Nelson	\$204.52	Planning
BIFFS, INC.	Portable Sanitation 09/2016	\$1,450.00	Parks
BOYER TRUCKS	#28 Brake Chamber Replacement	\$87.79	Streets
CANAL PARK LODGE	Conference Lodging - Bode	\$609.51	Water
CANAL PARK LODGE	Conference Lodging - Eldred	\$609.51	Water
CAR-CO AUTO PARTS CO.	#1016 Oil Filters	\$53.55	Fire
CAR-CO AUTO PARTS CO.	#1022 Head Lamp Replacement	\$7.90	Fire
CAR-CO AUTO PARTS CO.	#157 Mirror Replacement	\$9.49	Parks
CAR-CO AUTO PARTS CO.	#159 Oil Filter	\$6.46	Parks
CAR-CO AUTO PARTS CO.	#163/#160 Oil Filters	\$10.85	Parks
CAR-CO AUTO PARTS CO.	#42 Oil Filter	\$15.11	Streets
CAR-CO AUTO PARTS CO.	#44 Oil Filter	\$4.51	Sewer
CAR-CO AUTO PARTS CO.	#51/53 Lock Ring	\$113.96	Sewer
CAR-CO AUTO PARTS CO.	Station Man Lift Battery	\$102.99	Fire
C-D PRODUCTS INC	Boat 11 Decals	\$108.00	Capital Equipment
C-D PRODUCTS INC	Loader Graphics	\$172.00	Capital Equipment
CINTAS	PW First Aid Supplies 08/2016	\$109.48	Streets
CITY OF WACONIA	BPP Grandstand Plumbing Permit	\$511.21	PIR
COLONY PLAZA	Non-Oxygenated Fuel	\$20.21	Fire
CONCRETE CUTTING & CORING	Grinder Replacement Supplies	\$128.00	Streets
DELTA AIRLINES	VCOS Conference Flight - Morse	\$381.20	Fire
DROP-N-GO SHIPPING	UB Processing Fees 09/2016	\$118.72	Split: Water, Sewer
ECM PUBLISHERS INC	Waconia Chamber Map	\$315.00	Administration
ELECTRIC PUMP, INC.	Lift Station Repair Supplies	\$8,328.69	Sewer
ELECTRIC PUMP, INC.	LS Inspections/Transducer Rpr	\$4,190.10	Sewer
EMERGENCY AUTOMOTIVE TECH INC	Tower 11 Light Supply Repair	\$377.04	Fire
EMERGENCY MEDICAL PRODUCTS INC	Medical Supplies	\$328.35	Fire
EMERGENCY MEDICAL PRODUCTS INC	Oxygen Tank Wrenches	\$30.95	Fire
ESS BROTHERS & SONS INC.	Flange/Truncated Domes/Lids	\$4,444.50	Split: Sewer, Parks, Storm Water
EVERSON HARDWARE HANK	#35 Supplies	\$5.85	Sewer
EVERSON HARDWARE HANK	BPP Irrigation Repair Parts	\$4.74	Parks
EVERSON HARDWARE HANK	Drain Tile Supplies-Ravenwood	\$10.98	Storm Water
EVERSON HARDWARE HANK	Irrigation Repair Parts	\$19.98	Parks
EVERSON HARDWARE HANK	Keys - Reuse System	\$7.50	Water
EVERSON HARDWARE HANK	Water Display Unit Frames	\$74.12	Water
FASTENAL INDUSTRIAL & CONST	#44 Files	\$34.61	Sewer
FASTENAL INDUSTRIAL & CONST	#53 Hand Tools	\$113.02	Split: Water, Sewer
FASTENAL INDUSTRIAL & CONST	Anchor Bolts - TH 5 Lighting	\$376.95	PIR
FASTENAL INDUSTRIAL & CONST	Locator Batteries	\$23.03	Sewer
FASTENAL INDUSTRIAL & CONST	Return Street Signs Nuts/Bolts	-\$4.13	Streets
FASTENAL INDUSTRIAL & CONST	Screws - Meter Installs	\$5.22	Water
FASTENAL INDUSTRIAL & CONST	Sign Posts Nuts/Bolts	\$20.97	Streets
FASTENAL INDUSTRIAL & CONST	Vending Safety Equipment 09/16	\$291.94	Parks
FEDEX KINKOS	Vehicle Tactical Worksheets	\$74.09	Fire
FERGUSON WATERWORKS #2516	Resale Meter Parts	\$4,969.53	Water
FERGUSON WATERWORKS #2516	Resale Meters	\$9,327.92	Water
FRANKLIN PRINTING	Economic Dev Program Printing	\$89.00	Economic Developmen
FRANKLIN PRINTING	Notary Stamp - Lucas	\$40.92	Streets
G&K SERVICES	CH Restrooms/Mats 09/2016	\$157.50	Central Facilities
G&K SERVICES	PW Uniforms 09/2016	\$357.40	Split: Streets, Parks, Water, Sewer, Storm Water, Street Light
GAMETIME	BPP Play Equipment Spring Rpr	\$1,335.70	Parks
HD SUPPLY WATERWORKS, LTD.	Drain Tile Supplies-Ravenwood	\$210.84	Storm Water
IDC-STORE, DIVISION OF CASE-POLYTECH, INC.	Chemical Feed Pump Bearings	\$99.39	Water
INTERNATIONAL ASSOC OF FIRE CHIEFS	IAFC Membership - Hillstrom	\$259.00	Fire
KALKOMEY ENTERPRISES LLC	Boat Safety Training - 6 FF's	\$135.00	Fire
KNIFE RIVER CONCRETE PRODUCTS	Curb/Sidewalk Repair-Wtr Dlg	\$670.91	Water

Council List-Expenditures
Meeting: November 21, 2016

Vendor Name	Description	Amount	Fund/Department
LANO EQUIPMENT	#163 Blades	\$50.85	Parks
LANO EQUIPMENT	#2004 Repair Parts	\$268.38	Streets
LANO EQUIPMENT	Box Broom Repair Parts	\$283.02	Streets
LANO EQUIPMENT	Rental Skid Repair	\$186.29	Storm Water
LANO EQUIPMENT	Return - Box Broom Bearings	-\$163.32	Streets
LAWSON PRODUCTS INC	Shop Equipment Repair Supplies	\$529.18	Parks
LENZEN CHEVROLET-BUICK, INC.	U-11 Floor Mats	\$106.82	Capital Equipment
MACKENHUN'S COUNTY MARKET	Hydration Supplies	\$52.90	Fire
MAYER LUMBER COMPANY	Clearwtr Shore Garage Material	\$6,197.79	Clearwater Shores HIA
MAYER LUMBER COMPANY	Concrete Forms	\$49.50	Streets
MAYER LUMBER COMPANY	Concrete Framing Material	\$52.90	Streets
MAYER LUMBER COMPANY	Drywall/Drywall Screws	\$41.10	Water
MAYER LUMBER COMPANY	Education Supplies - NDD	\$16.01	Water
MAYER LUMBER COMPANY	Return-Concrete Framing Materi	-\$52.90	Streets
MELCHERT HUBERT SJODIN, PLLP	City Legal Fees 08/2016	\$4,795.45	Split: Administration, PIR, Clearwater Shores HIA, Fire, Streets
MILLS FLEET FARM	Drain Tile Supplies-CSAH 10	\$40.94	Parks
MILLS FLEET FARM	HLP Drain Tile Supplies	\$159.99	PIR
MILLS FLEET FARM	Waders - Storm Water Pond Use	\$277.85	Storm Water
MN DEPARTMENT OF PUBLIC SAFETY	FF Licensure - Hillsstrom	\$25.00	Fire
MN DEPT OF LABOR & INDUSTRY	CH Boiler License	\$20.00	Central Facilities
MN DEPT OF LABOR & INDUSTRY	FS Boiler License	\$10.00	Central Facilities
MN DEPT OF LABOR & INDUSTRY	WTP Boiler License	\$20.00	Water
MN DEPT OF LABOR & INDUSTRY	WTP Boiler License	\$20.00	Water
MN PIPE & EQUIP	Grandstand Water Svc Supplies	\$1,132.84	PIR
MN PIPE & EQUIP	Water Covers/Sewer PVC	\$727.06	Split: Water, Sewer
MN RURAL WATER ASSOCIATION	Sewer Training - Menth	\$255.00	Sewer
MN VALLEY ELECTRIC COOP	Electric Service 09/2016	\$1,777.37	Split: Sewer, Street Light
MN VALLEY TESTING LABS	Brewery Water Testing	\$83.00	Water
MTI DISTRIBUTING INC	Lawn Mower Blade Replacements	\$32.05	Parks
MTI DISTRIBUTING INC	Mower Rubber Latch/Catchment	\$48.43	Parks
NORTHLAND METAL INDUSTRIES INC.	File Brackets	\$79.05	Streets
PAUL'S TWO-WAY RADIO REPAIR	Fire Radio Install Repairs	\$118.50	Fire
PAUL'S TWO-WAY RADIO REPAIR	Tower 11 Radio Repairs	\$1,175.00	Fire
PINE PRODUCTS	Hilks Lake Park Top Soil	\$180.00	PIR
POWER SYSTEMS	#144 Drive Motor	\$615.00	Streets
PRECISE MRM LLC	Vehicle Data Charge 08/2016	\$97.81	Parks
RANDY'S SANITATION	Shredding Service 10/2016	\$18.77	Central Facilities
ST. BONI MOTOR SPORTS	Personal Watercraft Battery	\$144.81	Fire
STAPLES OFFICE SUPPLIES	Mapping Printer Paper Stock	\$44.47	Parks
STAPLES OFFICE SUPPLIES	PW Batteries/Postcard Stock	\$116.03	Water
STAPLES OFFICE SUPPLIES	Toner/Highlighters/Bus Cards	\$224.48	Administration
STORMS WELDING & MFT INC	Lifting Device - Hwy 284 LS	\$161.80	Sewer
TARGET	Coloring Contest Prizes NDD	\$4.28	Administration
TIMBERWALL LANDSCAPING, INC.	2016 Recon-Retain Wall Supply	\$6,213.84	PIR
TMS JOHNSON, INC.	Exhaust Fan - 10th St Reuse	\$465.00	Storm Water
TMS JOHNSON, INC.	Louver - 10th St Reuse	\$203.82	Storm Water
U.S. HEALTH WORKS MEDICAL GROUP OF MN	Medical Testing - 1 FF	\$464.00	Fire
U.S. HEALTH WORKS MEDICAL GROUP OF MN	Medical Testing - 2 FF's	\$131.00	Fire
U.S. HEALTH WORKS MEDICAL GROUP OF MN	Medical Vaccination - 1 EE	\$110.00	Parks
UNITED FARMERS COOP - WACONIA FARM SUPPLY	Aera-Vator Rental - Sudheimer	\$61.90	Storm Water
UNITED FARMERS COOP - WACONIA FARM SUPPLY	Aera-Vator Rental - Sudheimer	\$143.10	Storm Water
UNITED FARMERS COOP - WACONIA FARM SUPPLY	Chalk Reel - Parks Maintenance	\$14.99	Parks
UNITED FARMERS COOP - WACONIA FARM SUPPLY	Drain Tile Supplies-Ravenwood	\$1.58	Storm Water
UNITED FARMERS COOP - WACONIA FARM SUPPLY	Excavator Rental - Drain Tile	\$265.00	Storm Water
UNITED FARMERS COOP - WACONIA FARM SUPPLY	Forklift LP	\$25.99	Water
UNITED FARMERS COOP - WACONIA FARM SUPPLY	Garden Sprayer	\$16.99	Street Light
UNITED FARMERS COOP - WACONIA FARM SUPPLY	Hand Fork	\$35.98	Parks
UNITED FARMERS COOP - WACONIA FARM SUPPLY	Hand Pickup Tool	\$37.98	Parks
UNITED FARMERS COOP - WACONIA FARM SUPPLY	Hand Tools - Streets Trucks	\$69.50	Streets
UNITED FARMERS COOP - WACONIA FARM SUPPLY	HLP Mini Excavator Rental	\$212.00	PIR
UNITED FARMERS COOP - WACONIA FARM SUPPLY	HLP Retaining Wall Cap Glue	\$44.95	PIR
UNITED FARMERS COOP - WACONIA FARM SUPPLY	Light Bulb/Power Cords	\$52.94	Fire
UNITED FARMERS COOP - WACONIA FARM SUPPLY	Light Bulbs/Hardware	\$38.96	Fire
UNITED FARMERS COOP - WACONIA FARM SUPPLY	PVC Caps	\$2.48	Water
UNITED FARMERS COOP - WACONIA FARM SUPPLY	Refund - HLP Excavator Rental	-\$53.00	PIR
UNITED FARMERS COOP - WACONIA FARM SUPPLY	Restroom Cleaning Broom	\$9.58	Parks
UNITED FARMERS COOP - WACONIA FARM SUPPLY	Reuse Irrigation Repair Parts	\$2.37	Storm Water
UNIVERSITY OF MINNESOTA	Traffic Sign Training-Geyen	\$70.00	Streets
UNIVERSITY OF MINNESOTA	Traffic Sign Training-Kennitz	\$70.00	Streets
UNIVERSITY OF MINNESOTA	Traffic Sign Training-LaPlant	\$60.00	Parks
UNIVERSITY OF MINNESOTA	Traffic Sign Training-McCarthy	\$70.00	Streets
UNIVERSITY OF MINNESOTA	Traffic Sign Training-Rolf	\$70.00	Streets
UNIVERSITY OF MINNESOTA	Traffic Sign Training-Zattera	\$60.00	Streets
UPS STORE	Mailing - AVL Truck Install	\$11.35	Streets
UPS STORE	Mailing - Brine Calibration	\$15.85	Streets

**Council List-Expenditures
Meeting: November 21, 2016**

Vendor Name	Description	Amount	Fund/Department
USPS	Postage-Grandstand/Dept Health	\$7.35	PIR
USPS	UB Add Svc Req 08/2016	\$5.13	Water
VARITECH INDUSTRIES INC.	Brine Maker Supply Parts	\$124.74	Streets
VERIZON WIRELESS	City Air Card Service 08/2016	\$769.18	Split: Administration, Technology, Fire, Water, Sewer, Streets, Storm Water
VERIZON WIRELESS	City Cell Service 08/2016	\$1,186.78	Split: Fire, Water, Sewer, Parks, Streets, Storm Water, Street Light, Administration, Planning, Technology, Ice Arena, Safari Island
WACONIA CHAMBER OF COMMERCE	Chamber Luncheon 10/16	\$50.00	Administration
WACONIA DODGE	Outsourced Vehicle Service	\$36.46	Sewer
WENTLAND, CAROLYN	General Election Judge 11/8/16	\$150.00	Administration
WERNER, JOANN	General Election Judge 11/8/16	\$150.00	Administration
		<u>\$639,251.51</u>	

The above bills have been approved for payment at the regular City Council Meeting on November 21, 2016
Authorized and ordered for payment:

Mayor

City Administrator



REQUEST FOR CITY COUNCIL ACTION

Meeting Date:	November 21, 2016
Item Name:	Use of Streets/Trails/Parking lot, Don't Worry Be Hoppy 5K and Kids Run
Originating Department:	Parks and Recreation
Presented by:	Susan Arntz, City Administrator

Previous Council Action (if any):						
Item Type (X only one):	<input checked="" type="checkbox"/> Consent X	<input type="checkbox"/>	<input type="checkbox"/> Regular Session	<input type="checkbox"/>	<input type="checkbox"/> Discussion Session	<input type="checkbox"/>

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

Motion to Authorize use of streets/trails/parking lot for Don't Worry Be Hoppy 5k and Kids Run, April 8, 2017

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

The 3rd annual Don't Worry Be Hoppy 5K & Kids Run has requested the ability to use streets and trails as part of their event. They plan to donate part of the proceeds to Back Yard Wishes located in Waconia. The event will take place on April 8, 2017. Race day set-up will start at 6:30 a.m. with registration at 7:30 a.m. The 5K starts at 10:00 a.m. and the Kids Run starts at 11:00 a.m. Awards will be presented and 11:15 a.m. and it is anticipated that they will be completed by Noon.

AMPLIFIED NOISE: They will have a small sound system at the Start/Finish area. We have advised that they will need a temporary noise permit.

ALCOHOL OUTSIDE: Waconia Brewing Company will be responsible for alcohol on site, and will obtain their permits. They have indicated they will submit a temporary license and a request for use of the parking lot in the next couple months.

ROUTE SAFETY MEASURES:5K: They plan to have 14 course marshals along the 5K route. The course marshals will wear bright safety vest and carry a bright flag. They will hire a Carver County Sheriff Deputy for traffic control and crowd control. Last year, the Carver County Deputy was staged at the intersection of First St & Maple St. to direct traffic and ensure safety. They will also have two lead bikers to help ensure the safety of the participants.

KIDS RUN: The kid's route will be on sidewalks. They will have 8 course marshals along the route to ensure safety.

COURSE MARKING: They will have directional arrows placed in the ground and will use little or no spray chalk this year.

START & FINISH AREA: We will block off the area just in front of the Waconia Brewing Company to ensure the safety of all participants.

PARKING: We will communicate to participants via Facebook & an email to all pre-registered participants to park on the streets if at all possible.

Staff recommends approval.

<p>FINANCIAL IMPLICATIONS:</p> <p>Funding Sources & Uses:</p> <hr/> <p>Budget Information:</p> <p>_____ Budgeted</p> <p>_____ Non Budgeted</p> <p>_____ Amendment Required</p>	<p>ADVISORY BOARD RECOMMENDATIONS:</p> <p>Planning Commission</p> <p>Parks and Recreation Board</p> <p>Safari Island Advisory Board</p> <p>Other</p>
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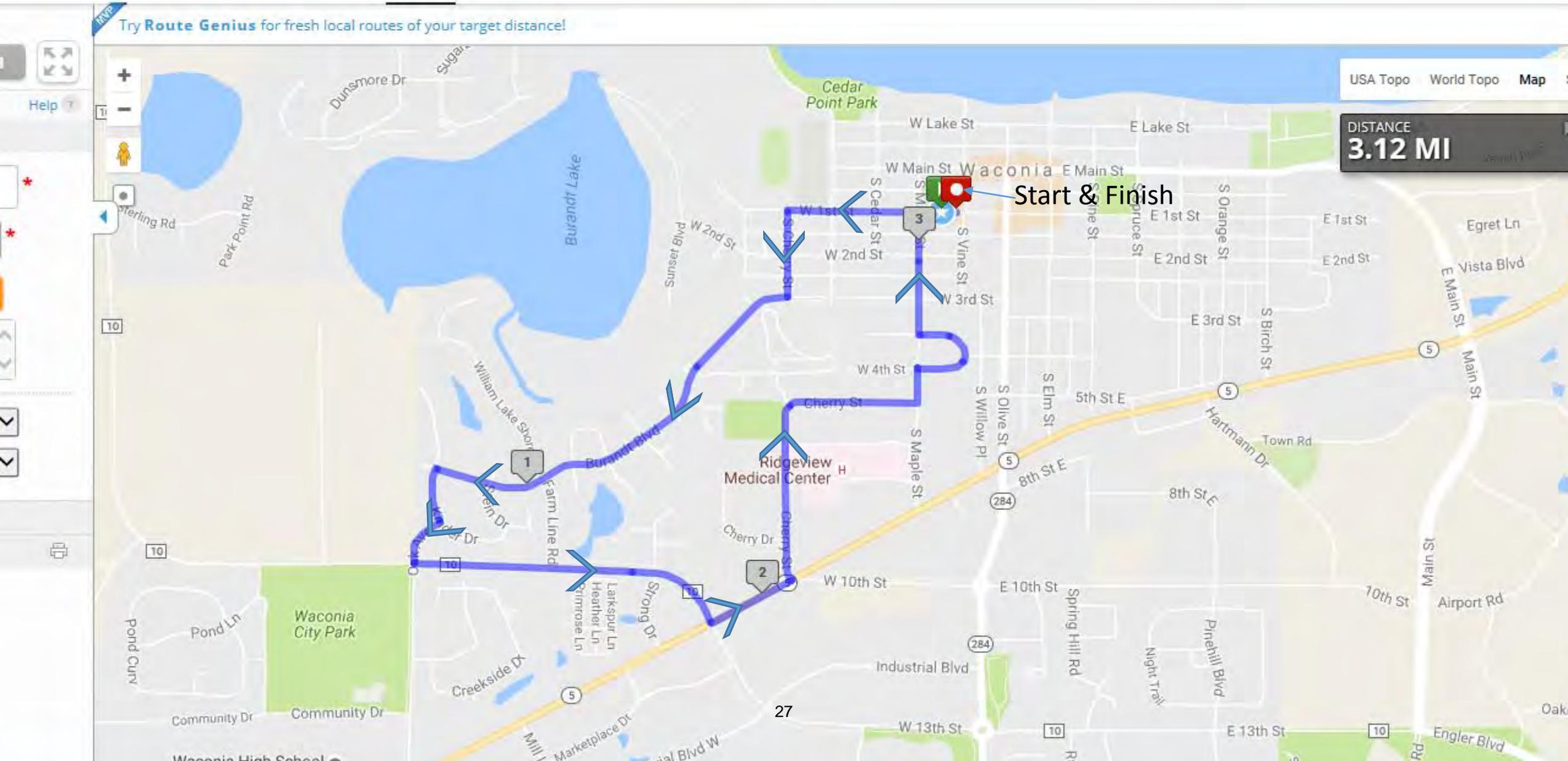


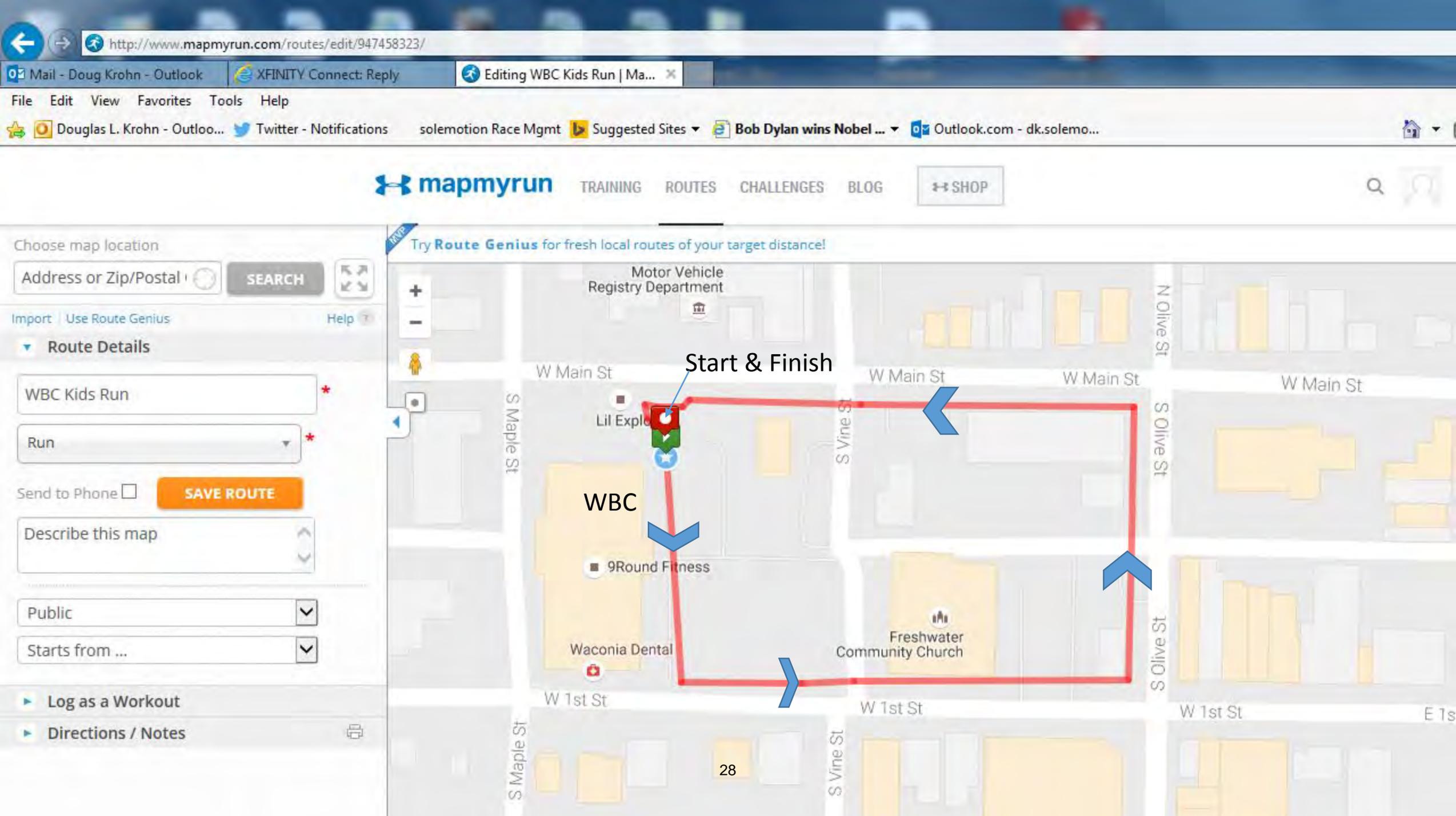
Try Route Genius for fresh local routes of your target distance!

USA Topo World Topo Map

DISTANCE 3.12 MI

Start & Finish





http://www.mapmyrun.com/routes/edit/947458323/

Mail - Doug Krohn - Outlook XFINITY Connect: Reply Editing WBC Kids Run | Ma...

File Edit View Favorites Tools Help

Douglas L. Krohn - Outloo... Twitter - Notifications solemotion Race Mgmt Suggested Sites Bob Dylan wins Nobel ... Outlook.com - dk.solemo...

mapmyrun

TRAINING ROUTES CHALLENGES BLOG

SHOP

Search icon



Choose map location

Address or Zip/Postal

SEARCH



Import Use Route Genius

Help

TRVP

Try Route Genius for fresh local routes of your target distance!

Route Details

WBC Kids Run

Run

SAVE ROUTE

Describe this map

Public

Starts from ...

Log as a Workout

Directions / Notes

Start & Finish

WBC

Motor Vehicle Registry Department

W Main St

Lil Explorers

9Round Fitness

Waconia Dental

W 1st St

W Main St

W Main St

W Main St

S Vine St

N Olive St

S Olive St

S Olive St

W 1st St

W 1st St

E 1st St

28



REQUEST FOR CITY COUNCIL ACTION

Meeting Date:	November 21, 2016				
Item Name:	2017 Infrastructure Improvements – Easement Acquisition Payment for Storm Pipe, Ponding, and Roadway				
Originating Department:	Finance				
Presented by:	Nicole Lueck, Finance Director				
Previous Council Action (if any):	Resolution 2016-154: Resolution Authorizing Approval of City Administrator to Sign Memorandum of Understanding for Utility Easements, Right of Entry Easement and Acquisition Regarding Drain Tile & Storm Sewer Installations – Approved July 11, 2016				
Item Type (X only one):	<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.)

Motion to Approve Payment for 2017 Infrastructure Improvement Easements for Pipe, Ponding ,and Roadway to Brian Koch & Gary Meuwissen

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

On July 11, 2016, the City Council approved resolution 2016-154; a memorandum of understanding (MOU) with Brian Koch and Gary Meuwissen for utility easements related to piping, ponding, and roadway. These easements are required as part of the 2017 infrastructure improvement project. The parties involved in the MOU have requested payment from the City.

As outlined in the agreement, the total payment due to the parties for easement and crop damage items is \$17,368.50. The parties have asked for two separate payments. One payment for the easement items and one for the crop damage expenditures. The total payment due for easement acquisition is \$17,020. Crop damages as outlined in the attached MOU total 0.41 acres or 17,860 square feet. The total due for crop damages is \$348.50. The parties involved in this agreement have asked that the crop damage payment be made directly to the family that farms this parcel. Staff is working to put together an acknowledgement of both parties to satisfy this request.

The City has not yet bonded for this project and will need to use cash reserves in the storm water utility fund to pay this expenditure.

<p><i>FINANCIAL IMPLICATIONS:</i></p> <p>Funding Sources & Uses: Storm Water Utility Fund</p> <hr/> <p>Budget Information:</p> <p style="padding-left: 40px;">Budgeted</p> <hr/> <p style="padding-left: 40px;">Non Budgeted</p> <hr/> <p style="padding-left: 40px;">Amendment Required</p>	<p><i>ADVISORY BOARD RECOMMENDATIONS:</i></p> <p>Planning Commission</p> <p>Parks and Recreation Board</p> <p>Safari Island Advisory Board</p> <p>Other</p>
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Storm Pipe & Ponding & Roadway Easements Easement Acquisition Memorandum of Understanding

Property Owner: Brian Koch & Gary Meuwissen
Property Description: PID 090270100
Date: June 27, 2016

Easement Acquisition Agreement Framework and Special Provisions:

Mr. Brian Koch & Mr. Gary Meuwissen are in agreement with plan as detailed in attachment 4 & 5 dated June 21, 2016 as it pertains to the listed property.

The purpose of this document is to outline the general understandings between the Property Owner, City of Waconia, and Waconia Independent School District 110 regarding the acquisition of the required easements.

Construction Items and Special Conditions:

1. Use of 1.56 Acres of said property a cost of .20 per-square foot with a total of \$13,600.00 for the purpose of Temporary Construction not limited to storm pipe installations including 54-inch, 21-inch, 12-inch storm pipes and roadway grading of 94th Street.
2. Installation of two commercial type entrance from 94th Street to Koch/Meuwissen property. One directly across (south) from west entrance of Waconia High School site, and a second adjacent the cul-de-sac at 94th Street.
3. Crop damages sustained as part of the previously mentioned construction improvements would be payable at a rate of \$850.00 Per-Acre for installation costs and loss of commodity value. Any additional Crop Damages due to construction will be commensurate to the same pre-determined rate.
4. Permanent Easements over 21 & 54-inch storm pipes to allow inspection and maintenance in an estimated width of 30 lineal feet by 230 lineal feet. (6,900 SF/.16 Ac.) Cost Per-Square-Foot .36 cents, or a total of \$2,484.00
5. Permanent Easement over 12-inch storm pipe to allow inspection and maintenance in an estimated width of 20 lineal feet by 130 lineal feet. (2,600 SF/.06 Ac.) Cost Per-Square-Foot .36 cents, or a total of \$936.00.
6. Use of said property for Water Quality Basins for surface water run-off estimated at 27,000 SF of area, or approximately .62 Ac.
7. Use of said property for Surface Water Rate Control as shown on attachment 5 consistent of estimated 100 year rain event calculation are at an estimated total square-foot area of 533,607 SF, or approximately 12.25 Ac. servicing current property, roadways and surface areas designated in current drainage study.

8. Allowance for discussion of temporary construction and permanent access easements to construct rate control structure adjacent TH 5. Area to be determined and approved based upon MnDOT approval.
9. Restoration of all temporary and permanent easement areas to meet storm water requirements and property owner's approval.
10. Property Owner is waived all costs associated with storm water and surface water study paid for by Carver County, City of Waconia, and Waconia Independent School District 110.
11. Property Owner is waived all costs associated with roadway construction of 94th Street to become main access of property. Construction Costs to be paid by City of Waconia and Waconia Independent School District 110.
12. Since no construction work has yet been completed on said property impacts to property held by the owner if deemed utilized or impacted to a degree outside of the foresaid uses, or easements; temporary, or permanent may be subject to future compensation by the City of Waconia and Waconia Independent School District.

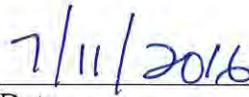
Acceptance:

The conditions, understandings and methodologies outlined herein are acceptable. Moreover, it is agreed these understandings will form the basis of all the forthcoming actions required regarding property and easement acquisition, construction and compensation. Finally, should it be necessary to modify the conditions, understandings or methodologies contained herein due to circumstances yet unforeseen, such modifications will be completed by mutual agreement of the parties hereto through an agreement instrument of mutually agreed upon form.

City of Waconia:



Susan Arntz, City Administrator



Date

Mr. Patrick Devine, Superintendent ISD 110

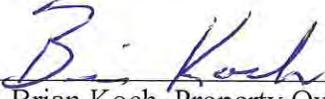


Mr. Patrick Devine, Superintendent ISD 110



Date

Mr. Brian Koch, Property Owner One

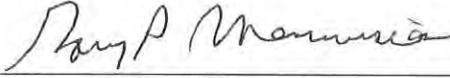


Mr. Brian Koch, Property Owner One

7.7.16

Date

Mr. Gary Meuwissen, Property Owner Two



Mr. Gary Meuwissen, Property Owner Two

7/7/16

Date



REQUEST FOR CITY COUNCIL ACTION

Meeting Date:	November 21 st , 2016
Item Name:	Variance Request by Philip Hazel to Construct a Deck at Reduced Setbacks for the property located at 70 Point Drive
Originating Department:	Community Development
Presented by:	Ethan Nelson, Assistant Planner

Previous Council Action (if any):

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

Adopt Resolution 2016-224 Approving the Variance request by Philip Hazel to Construct a Deck 28.5 feet from the Ordinary High Water Line (OHWL) versus the 50 ft. minimum stated in City Code for the property located at 70 Point Drive.

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

BACKGROUND:

Applicant: Philip Hazel
Owner: Philip Hazel
Address: 70 Point Drive, Waconia MN
PID# 752960310
Zoning: R-2, Single-Family Residential District
Special District: Shoreland Overlay District

REQUEST:

The City has received a Variance Application from Mr. Philip Hazel (the “applicant”) to construct a new deck for the existing home on the property located at 70 Point Drive. The variance is necessary as the applicant is proposing a setback of 28.5 ft. from the OHWL of Lake Waconia, versus the 50 ft. required in the Shoreland Overlay District.

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 900.12 – Administration, Enforcement and Procedures, Subd. 4 - Variances

VARIANCE REVIEW CRITERIA:

Waconia City Code Section 900.12, Subd. 4 and Minnesota State Statute 462.357, Subd. 6 establish 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 and PLANNING CONSIDERATIONS:

The applicant is proposing the reconstruction and expansion of a new deck on the property located at 70 Point Drive. Table 1.1 below indicates the existing, required, and proposed lot requirements for the property as indicated in the R-2, Single-Family Residential District and the Shoreland Overlay District. The analysis of this variance submittal is based on the existing and proposed variance survey provided with the application as well as the full set of building plans that were submitted.

Table 1.1

	Lot Requirements – R-2 & Shoreland	Existing Conditions	Proposed Conditions
Lot Area	7,850 sq. ft. min.	11,302*	11,302*
Lot Width	50 ft. min.	86.38 ft.	86.38 ft.
Hardcover Surface	25% max.	26.8%**	26.8%**
Front Yard Setback	25 ft. min.	36.3ft.***	36.3 ft.***
Side Yard Setback	10 ft. min.	6.5 ft.	6.5 ft.
OHWL Setback	50 ft. min.	28.1 ft.	28.5 ft.

* The total area of the parcel, including the Point Drive easement area, is 13,091 sq. ft. as indicated on the attached Certificate of Survey.

** For purposes of this review the easement area for the location of Point Drive was removed from the hardcover calculations.

*** For purposes of this review staff has interpreted the edge of the Point Drive easement area as right-of-way and requiring typical setbacks from the edge of said easement.

1. The table above indicates that the lot area and lot width are conforming and the applicant is proposing to reduce the existing encroachment into the 50 ft. setback requirement from the ordinary high water level (OHWL) of Lake Waconia. The closest point of the current deck to the OHWL is 28.1 feet and the applicant is proposing an expanded deck at a setback of 28.5 feet from the OHWL, which is more conforming than the existing deck structure.
2. The principal structure is located 6.5 ft. from the side lot line versus the minimum 10 ft. requirement stated in City Code. The landing for the proposed deck structure is proposed to be located as close as 8.1 ft. from the side lot line. The deck structure proper is proposed to meet the required 10 feet setback requirement.
3. The current hardcover calculation of 26.8% is non-conforming as the Shoreland Overlay District allows a maximum impervious surface of 25%. Deck structures are not currently counted as impervious surfaces for the purposes of this review, which results in no additional hardcover being proposed on the property.

PUBLIC NOTICE/COMMENT:

The notice was published in the Waconia Patriot on October 20th, 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, and reviewed the application on November 3rd, 2016 and recommended approval of the variance request submitted by Mr. Philip Hazel via a 5-0 vote.

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

- 1) The deck 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 building plans shall be reviewed by City staff prior to building permit issuance to insure compliance with all other applicable City Code requirements and the new deck shall not extend outside the approved building envelope.
- 4) Land disturbance caused by construction shall require installation of silt fence or bio-rolls to prevent sediment runoff.

ATTACHMENTS:

1. Draft Resolution (2 Pages)
2. Variance Application (3 pages)
3. Public Hearing Notice (1 page)
4. Statement of Variance (1 page)
5. Location Map (1 page)
6. Certificate of Survey - Existing (1 page)
7. Certificate of Survey - Proposed (1 pages)

**CITY OF WACONIA
RESOLUTION NO. 2016-224**

**RESOLUTION APPROVING A VARIANCE FOR A DECK AT A REDUCED SETBACK
FROM THE OHWL OF LAKE WACONIA
FOR THE PROPERTY
LOCATED AT 70 POINT DRIVE**

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

WHEREAS, the subject parcel is located at 70 Point Drive and identified at PID# 752960310 (the “**Property**”); and

WHEREAS, the Property is located in the R-2, Single-Family Residential District and the Shoreland Overlay District; and

WHEREAS, the existing home is located within the required setback and the closest point is the existing deck which is located 28.1 feet from the Ordinary High Water Level (OHWL) of Lake Waconia; and

WHEREAS, the Applicant has requested a variance to construct a larger deck 28.5 ft. from the OHWL vs. the minimum 50 ft. setback required in the Shoreland Overlay District; and

WHEREAS, the City Council has reviewed the variance information provided in the staff report dated November 21st, 2016; and

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

WHEREAS, the Planning Commission held a public hearing on November 3rd, 2016 and received all public comment; and

WHEREAS, the Planning Commission, at their regular meeting on November 3rd, 2016, voted 5-0 to recommend approval of the variance request to allow construction of a new, enlarged deck at a setback of 28.5 ft. from the OHWL of Lake Waconia for the property located at 70 Point Drive with the following conditions:

- 1) The deck 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 building plans shall be reviewed by City staff prior to building permit issuance to insure compliance with all other applicable City Code requirements and the new deck shall not extend outside the approved building envelope.
- 4) Land disturbance caused by construction shall require installation of silt fence or bio-rolls to prevent sediment runoff.

WHEREAS, the City Council further finds and concludes:

1. There is an existing deck located 28.1 feet from the OHWL of Lake Waconia and the Applicant is proposing a new deck with a greater setback of 28.5 ft., which makes the

structure more conforming and more in harmony with the purpose and intent of the City Code.

2. The City's Comprehensive Plan designates the use of the property as residential and the proposed deck indicated on the Certificate of Survey titled Proposed Survey, date drafted August 1, 2016, is reasonable for a residential home constructed prior to the Shoreland Overlay District setback regulations.
3. The proposed deck size and placement is consistent with other homes in the neighborhood.
4. The Council finds that the variance will not alter the essential character of the locality because the use to which the property is put will remain consistent with applicable zoning ordinances.
5. The property and request are unique in that the home and existing deck were constructed prior to the Shoreland Overlay District regulations and the applicant is proposing a greater setback from Lake Waconia while expanding the deck to a reasonable final dimension.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Waconia hereby approves the Variance request submitted by Philip Hazel to construct a new deck 28.5 ft. from the Ordinary High Water Line of the property located at 70 Point Drive subject to the findings and the conditions of approval stated above.

Passed and adopted by the City Council of the City of Waconia this 21st day of November, 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

VARIANCE

APPLICANT INFORMATION

1. Owner's Name: Philip B. Hazel
2. Address of Property: 70 point Dr, Waconia MN 55387
3. Legal Description: residential
4. Applicant's Name: Philip B Hazel
5. Mailing Address: 70 point Dr. Waconia, MN 55387
6. Daytime Phone(s): 952-215-6364
7. Email Address: Phil.Hazele@theBernardgroup.com

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

OFFICE USE ONLY

Date Received: _____

Fee: \$ _____

Receipt #: _____



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: _____
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.**

****Additional information may be requested by staff, based on the proposal. Additional consulting review fees may apply, such as civil engineering and legal counsel.**

4. Scaled site plan with north arrow indicating existing structures and proposed additions or modification to structures.
5. Show all distances of buildings and structures from property lines.
6. Show any unique features to property associated with variance request (i.e. trees, ravines, steep slopes, etc.).

The Planning Commission may or may not hold a public hearing on the request (based on the amount of the variance requested). The Planning Commission should make a recommendation to the City Council within sixty (60) days. If they do not, the City Council may proceed without the Planning Commission's recommendation.

The City Council may approve, approve with conditions, or deny the variance. If a variance is denied the applicant cannot resubmit a variance request for that same property until six (6) months has lapsed. If a variance is approved, it should be made use of within one (1) year or it will become void.

A violation of any condition set forth in the granting of the variance shall be a violation of the zoning ordinance and automatically terminate the variance.

Applicant's Signature: _____

Date: 10-6-16

Printed Name: Philip HAZEL

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, November 3rd, 2016 at 6:30 p.m., at the Waconia City Hall, 201 South Vine Street, Waconia, MN, to consider a Variance request to construct a deck within the required 50 ft. setback from the Ordinary High Water Level (OHWL) of Lake Waconia for the property located at 70 Point Drive (PID# 75.2960310), which is zoned R-2, Single-Family Residential District and located within the Shoreland Overlay District.

The applicant, Philip Hazel, is requesting approval of a variance to construct a new deck for the existing home on the subject parcel at a setback of 28.5 ft. from the OHWL of Lake Waconia versus 50 ft. minimum setback required in the Shoreland Overlay District

Pertinent information pertaining to this request is available at the 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, November 3rd, 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: Ethan Nelson, 201 South Vine Street, Waconia, MN 55387
Email: enelson@waconia.org

By: WACONIA PLANNING COMMISSION
ATTEST: Ethan Nelson, Assistant Planner

(Published in the October 20th, 2016 Waconia Patriot newspaper)

City of Waconia

Regarding Variance For 70 Point Drive

To whom it may concern:

My wife Kim and I are humbly asking for consideration to tear down what is already a rickety and rotting deck and expand it to the width of the home as well as expand the depth in the middle of the deck from 8' to 10' in order to accommodate a table and chairs for our big family. Without the 10' depth in some area of the deck we simply cannot accommodate our large family.

Kim and I bought 70 Point Drive as a retirement home for us. Two summers ago we stopped by one of the antique shops in Waconia and fell in love with the town. The following spring we closed on 70 Point Drive. Our goal with the home was to replace the windows that look out to the lake with two 10' sliding glass doors. This would give us the view that we were looking for and it would allow our family to come over and easily move out onto the deck to enjoy the lake view. In order to fully use those two doors we needed the width of the deck expanded across the back of the home vs. just half the home as it currently is.

The deck we intend to build will be a first class deck using top materials and will look quite nice from the lakeside. For whatever it's worth, my wife and I are also meticulous with our lawn care and we feel that this deck will only bring value and curb appeal to all who happen to view it. Not having the deck and being able to accommodate the doors and our family will only cause us to have to sell the home. Having the outdoor space to expand was part of our reason for buying the home. In hindsight I may have been naive to think that it wouldn't be a problem to replace the deck without issue but I guess I just don't have experience dealing with lake properties. Our hope is you'll approve this variance as per our drawing.

Kind Regards,



Phil Hazel
952-215-6364



LEGAL DESCRIPTION:

Lot 13, Replat of Outlot "A" Harms Lake View Terrace First Addition, Carver County, Minnesota.

SCOPE OF WORK & LIMITATIONS:

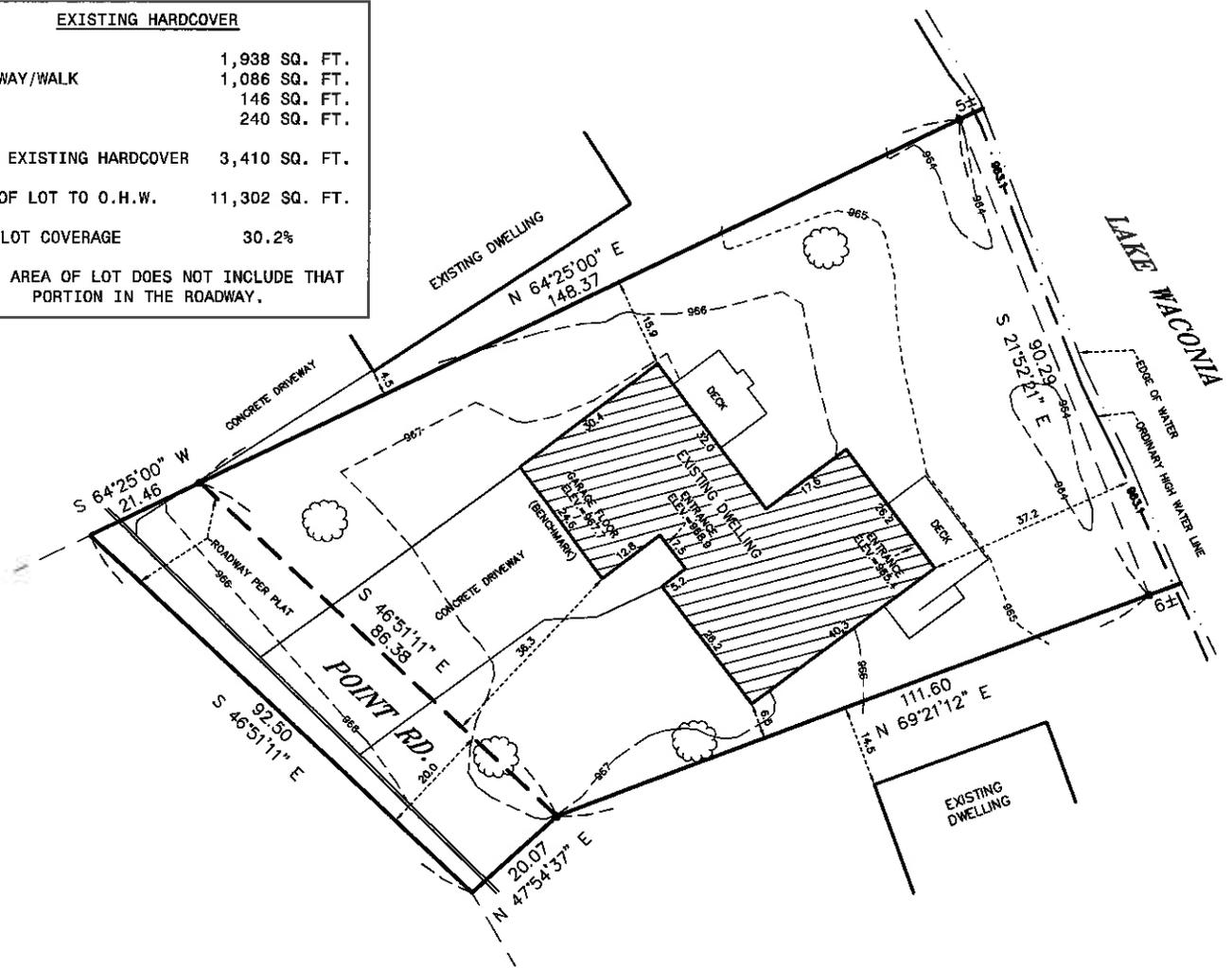
1. Showing the length and direction of boundary lines of the legal description listed above. The scope of our services does not include determining what you own, which is a legal matter. Please check the legal description with your records or consult with competent legal counsel, if necessary, to make sure that it is correct and that any matters of record, such as easements, that you wish to be included on the survey have been shown.
2. Showing the location of observed existing improvements we deem necessary for the survey.
3. Setting survey markers or verifying existing survey markers to establish the corners of the property.
4. Existing building dimensions and setbacks measured to outside of siding or stucco.
5. Showing and tabulating impervious surface coverage of the lot for your review and for the review of such governmental agencies that may have jurisdiction over these requirements to verify they are correctly shown before proceeding with construction.
6. Showing elevations on the site at selected locations to give some indication of the topography of the site. We have also provided a benchmark for your use in determining elevations for construction on this site. The elevations shown relate only to the benchmark provided on this survey. Use that benchmark and check at least one other feature shown on the survey when determining other elevations for use on this site or before beginning construction.

STANDARD SYMBOLS & CONVENTIONS:

"●" Denotes iron survey marker, found, unless otherwise noted.

EXISTING HARDCOVER	
HOUSE	1,938 SQ. FT.
DRIVEWAY/WALK	1,086 SQ. FT.
DECK	146 SQ. FT.
DECK	240 SQ. FT.
TOTAL EXISTING HARDCOVER	3,410 SQ. FT.
AREA OF LOT TO O.H.W.	11,302 SQ. FT.
LOT COVERAGE	30.2%

NOTE: AREA OF LOT DOES NOT INCLUDE THAT PORTION IN THE ROADWAY.



DATE	REVISION DESCRIPTION	DRAWING ORIENTATION & SCALE	CLIENT/JOB ADDRESS	Advance Surveying & Engineering, Co.	I HEREBY CERTIFY THAT THIS PLAN, SURVEY OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY REGISTERED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA.	DATE SURVEYED:	SHEET TITLE	SHEET NO.
			PHIL HAZEL 70 POINT ROAD WACONIA, MN	5300 South Hwy, No 101 Minnetonka, Minnesota 55345 Phone (852) 474-7964 Web: www.advanceur.com	<i>Wayne W. Probst</i> #43503 LICENSE NO.	7/28/2018	EXISTING SURVEY	S1
					Wayne W. Probst #43503 LICENSE NO.	8/1/2016 DATE	160642 WP DRAWING NUMBER	SHEET 1 OF 1

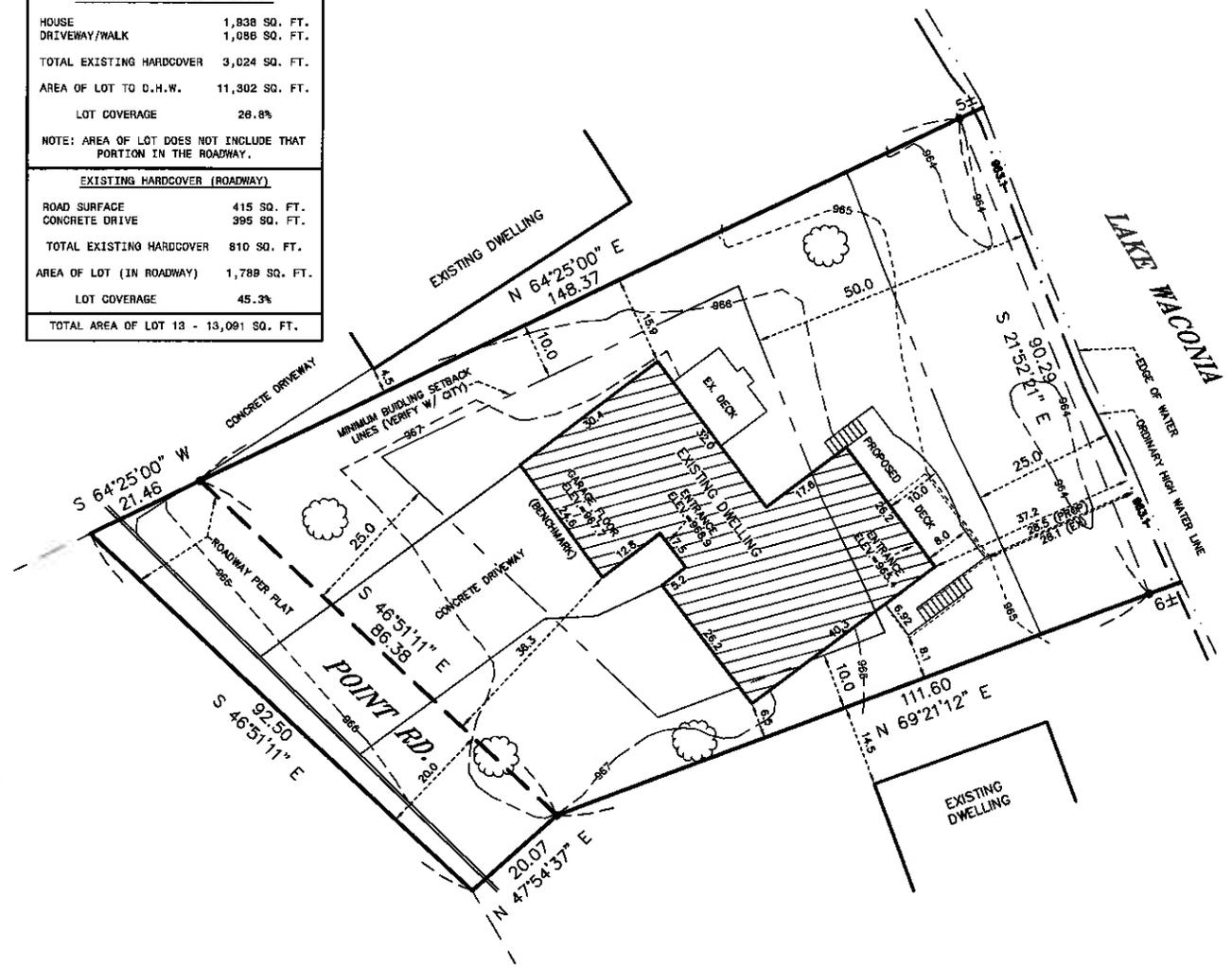
LEGAL DESCRIPTION:

Lot 13, Replat of Outlot "A" Harms Lake View Terrace First Addition, Carver County, Minnesota.

SCOPE OF WORK & LIMITATIONS:

- Showing the length and direction of boundary lines of the legal description listed above. The scope of our services does not include determining what you own, which is a legal matter. Please check the legal description with your records or consult with competent legal counsel, if necessary, to make sure that it is correct and that any matters of record, such as easements, that you wish to be included on the survey have been shown.
- Showing the location of observed existing improvements we deem necessary for the survey.
- Setting survey markers or verifying existing survey markers to establish the corners of the property.
- Existing building dimensions and setbacks measured to outside of siding or stucco.
- Showing and tabulating impervious surface coverage of the lot for your review and for the review of such governmental agencies that may have jurisdiction over these requirements to verify they are correctly shown before proceeding with construction.
- Showing elevations on the site at selected locations to give some indication of the topography of the site. We have also provided a benchmark for your use in determining elevations for construction on this site. The elevations shown relate only to the benchmark provided on this survey. Use that benchmark and check at least one other feature shown on the survey when determining other elevations for use on this site or before beginning construction.
- While we show proposed improvements to your property, we are not as familiar with your plans as you are, nor are we as familiar with the requirements of governmental agencies as their employees are. We suggest that you review the survey to verify that the proposed improvements we show are what you intend to build and submit the survey to such governmental agencies that may have jurisdiction over your project. You should gain their approval, if you can, before beginning construction or planning improvements to the property.

EXISTING & PROPOSED HARDCOVER	
HOUSE	1,838 SQ. FT.
DRIVEWAY/WALK	1,086 SQ. FT.
TOTAL EXISTING HARDCOVER	3,024 SQ. FT.
AREA OF LOT TO D.H.W.	11,302 SQ. FT.
LOT COVERAGE	28.8%
NOTE: AREA OF LOT DOES NOT INCLUDE THAT PORTION IN THE ROADWAY.	
EXISTING HARDCOVER (ROADWAY)	
ROAD SURFACE	415 SQ. FT.
CONCRETE DRIVE	395 SQ. FT.
TOTAL EXISTING HARDCOVER	810 SQ. FT.
AREA OF LOT (IN ROADWAY)	1,789 SQ. FT.
LOT COVERAGE	45.3%
TOTAL AREA OF LOT 13 -	13,091 SQ. FT.



STANDARD SYMBOLS & CONVENTIONS:

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DATE	REVISION DESCRIPTION	DRAWING ORIENTATION & SCALE	CLIENT/JOB ADDRESS	 17917 Highway No. 7 Minnetonka, Minnesota 55345 Phone (952) 474-7954 Web: www.avsaur.com	I HEREBY CERTIFY THAT THIS PLAN, SURVEY OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY REGISTERED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA.	DATE SURVEYED:	SHEET TITLE	SHEET NO.
10/05/16	TO SHOW PROPOSED DECK AND PORCH		PHIL HAZEL 70 POINT ROAD WACONIA, MN		Wayne W. Preuss	7/28/2016	PROPOSED SURVEY	S1
10/10/16	TO SHOW ONLY PROPOSED DECK			#43503	8/1/2016	DRAWING NUMBER		
10/10/16	TO SHOW EX. DECK AND DETAILED HARDCOVER			160642 WP PROPOSED	DATE	SHEET 1 OF 1		



REQUEST FOR CITY COUNCIL ACTION

Meeting Date:	November 21 st , 2016
Item Name:	OUTDOOR AREA – 112 Main Street West – Chumly’s Bar – AMENDMENT REQUEST
Originating Department:	Community Development
Presented by:	Lane Braaten, Community Development Director

Previous Council Action (if any):

Item Type (X only one):	Consent		Regular Session	<input checked="" type="checkbox"/>	Discussion Session	
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RECOMMENDATIONS/COUNCIL ACTION/MOTION REQUESTED (Include motion in proper format.)

Motion to Amend Resolution 2016-178 approving the Outdoor Area Application for Chumly’s Bar located at 112 Main Street West with the original 11 conditions of approval and an additional condition limiting the number of outdoor seats to a maximum of 19 at the request of the property owner.

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

The City Council, at their regular meeting on September 6th, 2016, adopted Resolution No 2016-178 approving an outdoor patio area for Chumly’s Bar located at 112 Main Street West. The approval required the applicant to submit the patio plans to the Metropolitan Council for review and consideration to determine if any additional Sewer Availability Charges (SAC) would be charged for the proposed outdoor seating area, which included 34 additional seats.

Based on multiple conversations with the Metropolitan Council and the applicant Mr. Paul Scheuble, staff has received an amendment request that would limit the number of seats allowed in the outdoor patio space to 19 seats maximum. The Metropolitan Council, based on their calculations, have indicated that 19 seats for the outdoor patio space would not require any additional SAC units charged and therefore no additional City trunk fees would be due for the project. Further, the Metropolitan Council requires a formal restriction by the City limiting the number of seats on said patio and therefore this request has been placed on this evening’s agenda.

The applicant requests City Council amend Resolution 2016-178 to include a twelfth condition of approval limiting the number of outdoor seats to a maximum qty. of 19 at any one time. If the Council finds this condition amenable the maximum seating allowed would be enforceable by City Staff and if the applicant were to exceed the maximum number of seats allowed he would be in violation of City approval.

Staff has attached a draft resolution with the 12 conditions requested by the applicant for City Council consideration. Because we are amending a resolution that was previously adopted, the individual making the original motion (Bloudek) will need to bring the item back for re-consideration, with the person seconding the original motion (Erickson) being in agreement.

ATTACHMENTS:

Attachment 1: Draft Amended Resolution (2 pages)

**CITY OF WACONIA
RESOLUTION 2016-178**

**A RESOLUTION APPROVING AN OUTDOOR AREA
FOR CHUMLY'S BAR
LOCATED AT 112 MAIN STREET WEST**

WHEREAS, Paul Scheuble (the “**Applicant**”), has submitted an Outdoor Area application for the properties located at 112 and 116 Main Street West (the “**Properties**”) pursuant to Chapter 580 of the City Code; and

WHEREAS, the Property at 112 Main Street West is identified as PID# 750503620 and the Property at 116 Main Street West is identified as PID# 750503640; and

WHEREAS, the Outdoor Area application includes the construction of a 920 sq. ft. outdoor patio with a wood fence enclosure and a retaining wall and landscaping on the north side; and

WHEREAS, the Property is zoned B-3, Central Business District and any future proposed uses shall conform to said zoning district; and

WHEREAS, the Outdoor Area application complies with all City Ordinance requirements; and

WHEREAS, the Outdoor Area application was discussed at the City Council meeting on September 6th, 2016 and again on November 21st, 2016 in the Council Chambers at Waconia City Hall, 201 South Vine Street, Waconia, Minnesota; and

WHEREAS, the City staff recommend approval of the Outdoor Area 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 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.
11. The plans shall be revised so as to accommodate the entirety of the gate swing area within the property boundary of 116 Main Street West. No portion of the gate or gate swing shall extend out into the City right-of-way/sidewalk area along Main Street West.
12. The outdoor patio area associated with Chumly's Bar shall be limited to a maximum quantity of 19 seats at any one time.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Waconia hereby approves the amended Outdoor Area application for Paul Scheuble to construct a 920 sq. ft. outdoor patio space to be associated with Chumly's Bar and located at 116 Main Street West subject to the conditions, findings and recommendations stated above.

Adopted by the City Council of the City of Waconia this 21st day of November, 2016.

James P. Sanborn, Mayor

ATTEST: _____
Susan MH Arntz, City Administrator

M/ _____

Ayers _____

S/ _____

Bloudek _____

Carrier _____

Erickson _____

Sanborn _____

CHUMLY'S BAR
112 West Main St
Waconia, MN 55387
Paul Scheuble – Owner
612.237.6809
Chumlysbar@gmail.com

Waconia City Council

Dear Honored Council:

I am requesting that you please add a resolution/provision to my liquor license for Chumly's Bar located at 112 West Main Street in Waconia that restricts the maximum seating capacity on my patio to 19 seats. This will comply with the requirements provided by Metropolitan Council/ SAC Program. This will allow for me to move forward with the implementation of my patio without incurring an additional SAC charge for my property.

Thank you for your consideration.

Regards,

Paul Scheuble

**CITY OF WACONIA
RESOLUTION 2016-178**

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FOR CHUMLY'S BAR
LOCATED AT 112 MAIN STREET WEST**

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WHEREAS, the Outdoor Area application includes the construction of a 920 sq. ft. outdoor patio with a wood fence enclosure and a retaining wall and landscaping on the north side; and

WHEREAS, the Property is zoned B-3, Central Business District and any future proposed uses shall conform to said zoning district; and

WHEREAS, the Outdoor Area application complies with all City Ordinance requirements; and

WHEREAS, the Outdoor Area application was discussed at the City Council meeting on September 6th, 2016 in the Council Chambers at Waconia City Hall, 201 South Vine Street, Waconia, Minnesota; and

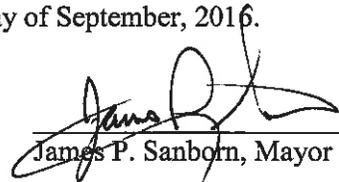
WHEREAS, the City staff recommend approval of the Outdoor Area application with the following conditions:

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NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Waconia hereby approves the Outdoor Area application for Paul Scheuble to construct a 920 sq. ft. outdoor patio space to be associated with Chumly's Bar and located at 116 Main Street West subject to the conditions, findings and recommendations stated above.

Adopted by the City Council of the City of Waconia this 6th day of September, 2016.



 James P. Sanborn, Mayor

ATTEST: 

 Susan MH Arntz, City Administrator

M/ Bloudek

S/ Erickson

Ayers	<u>Aye</u>
Bloudek	<u>Aye</u>
Carrier	<u>Absent</u>
Erickson	<u>Aye</u>
Sanborn	<u>Aye</u>