

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.

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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.

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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