

CITY OF WACONIA

August 7, 2023

1) CALL MEETING TO ORDER AND ROLL CALL

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 Waldron at 6:00 p.m. The following members were present: Nicole Waldron, Randy Sorensen, Steve Yetzer, Nick Gleason

Staff Present: Lane Braaten, Craig Eldred, Nicole Meyer, Justin Sorensen, Ann Meyerhoff.

2) PLEDGE OF ALLEGIANCE

3) ADOPT AGENDA

Motion by Sorensen, seconded by Gleason 3) ADOPT AGENDA

MOTION carried

4) VISITOR'S PRESENTATIONS, PETITIONS, CORRESPONDENCE

Stephanie Schnedler, 1692 Lenox Drive, addressed the Council asking that Waconia's noise ordinance be amended to mirror other surrounding communities due to one residence in the neighborhood that continually plays loud music all hours of the day which the current ordinance allows. She asked for an amendment to the wording to make the ordinance more inclusive.

Carol Laleman, 1330 Mockingbird Drive, Spoke to Council about receiving a water usage citation while her kids were playing in the sprinklers. She indicated that no one addressed the issue with her. She asked for clarification on why she received it and would like it removed.

Joe Wheatley, 1680 Lennox Drive, addressed Council to show support in amending the noise ordinance to update it to mirror surrounding communities.

5) PUBLIC HEARING

5.1 Adult Use Cannabis Moratorium and Use of Cannabis in Public Spaces

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Ord 761 Interim Ordinance for Cannabis

Ord 762 CHAPTER 515

Christophe Morsschen of Melchert, Hubert, Sjodin explained that earlier this year the Minnesota State Legislature legalized cannabis use, possession, and manufacture to be effective on August 1, 2023. In the legislation the regulatory framework and the

participation of local governments in that framework is to be further developed by the Office of Cannabis Management of the State of Minnesota as it pertains to licensing and businesses participating in the cannabis market. The City will need to study the regulatory framework contained in the legislation as well as the guidance provided by the Office of Cannabis Management prior to enacting any other local ordinances or regulations as it pertains to the legalization of cannabis, businesses that are created to support the cannabis market, land use impacts, and the impacts to the health and well being of the community. Therefore, it is recommended that the City Council adopt a moratorium to last no later than January 1, 2025, unless rescinded by the City Council, in which time the City will study the topic and any ordinances it sees fit under the legislation.

Additionally, the recently passed legislation made the use of cannabis legal throughout the state unless otherwise prohibited lawfully locally. The City currently regulates the use of alcohol in public spaces such as parks, streets, and alleyways. Similar to those regulations, a proposed ordinance is provided that would prohibit the use of cannabis products in public places within the city and on private property where it is prohibited by the property owner. A violation of the adopted ordinance would be a petty misdemeanor.

Motion by Yetzer, seconded by Sorensen to Open the Public Hearing.

Motion by Sorensen, seconded by Gleason to Close the Public Hearing.

Motion by Yetzer, seconded by Gleason Adopt Ordinance 761 Prohibiting the sale, testing, manufacturing, cultivating, growing, transporting, delivery, and distribution of cannabis products in the City of Waconia

MOTION carried

Motion by Yetzer, seconded by Sorensen Adopt Ordinance 762 Creating Chapter 515 and prohibiting the use of cannabis products in public places in the City of Waconia

MOTION carried

6) [ADOPT CONSENT AGENDA](#)

6.1 July 17, 2023 City Council Meeting Minutes

[Cover Page](#)

[Minutes 7-17-2023.pdf](#)

6.2 August 7, 2023 Expenditures

[Cover Page](#)

[Council List - Expenditures 08.07.23_Regular.pdf](#)

[Council List - Expenditures 08.07.23_Purchasing Cards.pdf](#)

6.3 Contractor Pay Request #11 - Waconia Parkway South Improvements

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[2023-07-20 WPS Payment #11.pdf](#)

6.4 Contractor Pay Request #10 - New Fire Station

[Cover Page](#)

[Waconia - Pay App #10 - June 2023.pdf](#)

6.5 Contractor Pay Request #3 - Waconia Downtown Reconstruction - Phase 1

[Cover Page](#)

[2023-08-01 Downtown Ph 1 Payment #3.pdf](#)

6.6 Approve Temporary Liquor License for Chumly's Bar

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[23178res Temp On Sale Chumly's.doc](#)

6.7 Joint Powers Agreement - Minnesota BCA Criminal Justice Data Network

[Cover Page](#)

[23179res_BCA_CJDN_JPA.doc](#)

[Waconia Prosecution Attorney Master JPA.pdf](#)

[Waconia Prosecution Attorney Amendment.pdf](#)

6.8 Special Event Permit - Nickle Dickle Day

[Cover Page](#)

[23180res_Special_Event_Permit_NDD.doc](#)

[Special-Event-Permit-Application.NDD.pdf](#)

6.9 Authorize Obtain Quotes Well #5

[Cover Page](#)

[23181res_Quotes_Remove_Inspect_Well__5.doc](#)

6.10 Approval of High Service Pump Repair Invoice

[Cover Page](#)

[23182res_High_Service_Pump__2.doc](#)

[Final Invoice With Mark-ups HSP #2 2023.pdf](#)

Motion by Sorensen , seconded by Yetzer 6) ADOPT CONSENT AGENDA
MOTION carried

7) COUNCIL BUSINESS

7.1 Award of Construction Contract for 2023 Infrastructure Improvement Project

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[23183res Award_Res_2023_Infrastructure_Improvements.doc](#)

[2023-08-01 2023 Infrastructure Improvements Award.pdf](#)

Craig Eldred stated that staff has been working with the City Engineer on three Capital Improvement Projects related to pavement resurfacing of Burandt Boulevard and Farmline Road, pedestrian and sidewalk link of Somerwood Drive and Interlaken Parkway North adjacent CSAH 10, and culvert crossings of Waconia Parkway North in advance of pavement resurfacing scheduled for Fiscal Year 2024.

August 1, 2023 Bids were received virtually. The lowest bid came in at \$891,066.10 from GMH Asphalt Corporation. Eldred shared that the bids received were 4% greater than the Engineer estimate. However, the bidding process was competitive with a high bid of \$1,332,847.91 and the low of \$891,066.10 or 33% less than the highest bid provided.

Each improvement was funded separately in the Capital Improvement Plan. Each improvement is funded through the following methods:

1. Re-surfacing Improvement by State Aid Funds since the payment segments are part of the City's Municipal State Aid Roadway System.
2. Highway 10 Interlaken Trail and Sidewalk was to be PIR Cash. However, it will be funded by State Aid Funds since it is within a Trunk Highway Corridor saving funds for future PIR Improvements.
3. Culvert Crossings are funded by Storm Water Cash.

Staff and City Engineer recommend approval of awarding a Construction Contract with GMH Asphalt Corporation for these much-needed improvements guided upon improving

the communities transportation systems and advanced sub-surface improvements for programmed asphalt re-surfacing improvements for 2024.

Council Member Yetzer questioned Eldred on why this was bid in the middle of summer verses spring. Discussion followed.

Motion by Sorensen, seconded by Waldron Adopt Resolution 2023-183; Authorizing Award of Construction Contract For 2023 Infrastructure Improvement Project to GMH Asphalt Corporation In The Amount of \$891,066.10

MOTION carried

7.2 Approve Temporary Liquor License for American Legion

Cover Page

23176res Temp On Sale American Legion.doc

23177res Temp On Sale American Legion.doc

Lane Braaten stated that the City received two applications for a Temporary Liquor License. One is for an event being held Labor Day weekend and the other for Nickle Dickle Day.

Motion by Yetzer, seconded by Gleason Adopt Resolution 2023-176, Approving Temporary On-Sale Liquor License Applications for American Legion

MOTION carried Council Member Sorensen abstained.

Motion by Gleason, seconded by Yetzer Adopt Resolution 2023-177, Approving Temporary On-Sale Liquor License Applications for American Legion

MOTION carried Council Member Sorensen abstained.

8) ITEMS REMOVED FROM CONSENT AGENDA

9) STAFF REPORTS

Sargent Tyler Stahn reported on June and July offenses.

Nicole Meyer shared Water Conservation reminders. Ordinance 410, Section 29.

Craig Eldred gave an update on the Downtown Improvement Project.

10) BOARD REPORTS

Council Member Sorensen: CIP meeting on August 15th and Park Board meeting on August 17th.

Council Member Yetzer: Gave a recap of the last Planning Commission meeting.

Council Member Gleason: Attended the School Board meeting in July.

Mayor Waldron: Will be attending the CIP meeting on the 15th.

Music in the Park the 10th and 17th.

11) ANNOUNCEMENTS

Music in the Park on August 10th and 17th.

12) ADJOURN REGULAR MEETING

Motion by Gleason, seconded by Yetzer 12) ADJOURN REGULAR MEETING at 6:52 p.m.

MOTION carried.

Work Session:

UPCOMING CALENDAR OF EVENTS/MEETINGS:

Nicole Waldron, Mayor

ATTEST: _____

Ann Meyerhoff, Office Assistant