

CITY OF WACONIA
March 7, 2022

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 Bloudek at 6:00 p.m. The following members were present: Kent Bloudek, Nicole Waldron, Randy Sorensen, Pete Leo

Staff Present: Shane Fineran, Lane Braaten, Nicole Meyer, Craig Eldred, Ann Meyerhoff

- 1) [CALL MEETING TO ORDER AND ROLL CALL](#)
- 2) [PLEDGE OF ALLEGIANCE](#)
- 3) [ADOPT AGENDA](#)
- 4) [VISITOR'S PRESENTATIONS, PETITIONS, CORRESPONDENCE](#)

4.1 [Safari Island Update](#)

Dan Montague, General Manager, Kristi Sherlock, Program Manager – Fitness and Craig Sherlock, Program Manager - Aquatics gave updates on programing at Safari Island.

- 5) [PUBLIC HEARING](#)

5.1 [Repeal of Chapter 243 and Precinct Boundaries](#)

[Ord 748 Ordinance_Dissolving_Election_Wards.docx](#)

[2265res_Polling_Places_Precincts.doc](#)

[Waconia 2022 Proposed Precincts](#)

Shane Fineran stated that following the 2020 national Census, federal, state and local government election boundaries are re-drawn. Recently, the State of Minnesota has released the new federal and state level legislative districts that will govern the election process for the next 10 years.

Cities across the state, following the redistricting effort, are required to reestablish voting precinct and/or ward boundaries prior to the next election cycle. Voting precincts define which polling location a voter will cast their ballot at. In recently held elections, the cities precinct boundaries have followed the ward boundaries, resulting in tow polling locations within the community. As the population grows, the city will need to establish additional voting precincts across the community to ensure that election day administration is conducted efficiently and effectively as possible.

As part of a review of the duties assigned to local cities in the redistricting process, the City Council evaluated the existing election ward system as defined by Waconia City

Code. This system creates two geographical areas of the community, with two elected city council members serving staggered terms. In evaluation of the limitations and challenges of the ward boundary, voting precinct boundary, and legislative district boundary systems, the city council is considering the repeal of Chapter 243 of Waconia City Code which defines the election ward system.

Repeal of this chapter would create an at large representative system in which all city council seats, like that of the Mayor are elected by the entire community, rather than by a geographical area of the community. Elimination of ward boundaries will also allow for flexibility as voting precincts are added to better serve voters on election day and support consistency in future legislative district changes at the state and county level as the community grows.

City Staff has verified local ordinance and its history, conferred with the Secretary of State's office. Attorneys general office and County election staff as a course of due diligence and the action considered by the Council to repeal Chapter 243 would be within the City Council's authority.

If the ordinance passes the City Council would then need to establish new precinct boundaries for polling location purposes. As previously stated, the precinct boundaries followed the existing ward boundaries. It is the guidance of the Secretary of State that precinct boundaries serve approximately 1,500 registered voters. In the last election cycle, each ward location served over 4,000 registered voter each. Adding an additional precinct and polling location will serve voters better on election day, reducing wait times and allow for more efficient verification of election results. Staff has been given permission by leadership at Faith Lutheran Church to utilize their site as a 3rd polling location in the community for the 2022 election cycle. The precinct boundaries were based on 2020 census data for individuals over the age of 18.

Mayor Bloudek stated that it seems to be a better flow and process and is very comfortable with this change.

Council Member Sorensen said his initial concern was that all council would come from one area of the City but feels comfortable as well to move forward.

Mayor Bloudek opened the public hearing.

Marc Carrier, 1049 Sugarbush Lane, shared that he thinks this is a great idea. As a former council member he would take calls from residents no matter what ward they were in. He fully supports this change.

Motion by Sorensen, seconded by Leo to close public hearing. **MOTION carried.**

Motion by Leo, seconded by Waldron to Adopt Ordinance 748, Repealing Chapter 243 of Waconia City Code Establishing Ward Boundaries. **MOTION carried.**

Motion by Waldron, seconded by Leo to Adopt Resolution 2022-65, Establishing Precincts and Polling Places. **MOTION carried.**

5.2 Establishment of TIF District No. 5, TIF Plan, and Interfund Loan

[2280res_Approving_Mod_to_DP_Estab_TIF_5_and_Interfund_Loan.Waconia_TIF_5.docx](#)

[TIF Plan.Waconia TIF 5.pdf](#)

Shane Fineran explained that City Council is requested to hold a public hearing and approve a resolution establishing the TIF District and adopting the Modification to the Development Program and adopting the Interfund Loan Resolution for the City. A letter was received on January 24 by the County Commissioner giving notice thirty days prior to publication of the public notice. The taxing jurisdictions received a copy of the proposed TIF Plan on February 4, thirty days prior to the public hearing. No comments have been received.

The Public hearing notice appeared in the local newspaper on February 24, at least 10 days prior to the public hearing, for compliance with Minnesota Statutes.

Todd Hagen from Ehlers gave an overview outlining the project description and required findings of the Council. The district is located on four parcels in downtown Waconia. Initial development is expected to occur on the American Legion site at 233 Olive Street South and the Old National Bank site at 53 Main Street West. The Olive Street project is expected to increase the local tax base by \$93,765 annually upon completion of the new 44 unit apartment building to be undertaken by Waconia Investment Partnership LLC. The main Street project is expected to increase the local tax base by \$139,092 annually upon completion of the new 67 unit apartment building with 4,370 SF of retail bank space to be undertaken by North Shore Development Partners LLC. The TIF District is a redevelopment district with a maximum life of 25 years from receipt of the first tax increment. The projects are consistent with the long-term economic development objectives of the City. After review, the Development Program and TIF Plan it was determined that it follows the City's Comprehensive Plan.

Mayor Bloudek opened the public hearing.

Marc Carrier, 1049 Sugarbush, commented that TIF is a really valuable tool to finance projects. Responsibility with a lot of complexity. When dealing with TIF the City needs to make sure that there is to be a positive public impact. It is not simply to help the financing of a project. He encourages Council to press hard with the developers to really make good in the community long term.

Motion by Sorensen, seconded by Leo to close the Public Hearing. **MOTION carried.**

Motion by Leo, seconded by Waldron to Adopt Resolution 2022-80, Modification to the Development Program for the Waconia Development District; establishing TIF District No 5 and adopting a TIF Plan and adopting an Interfund Loan Resolution. **MOTION carried.**

6) [ADOPT CONSENT AGENDA](#)

6.1 February 22, 2022 City Council Meeting Minutes

[Minutes 2-22-22.docx](#)

6.2 March 7, 2022 Expenditures

[Council List-Expenditures 03.07.2022.pdf](#)

6.3 Contractor Pay Request #4 - Everson New Storage Shed

[Payment Application #04.pdf](#)

6.4 Use of Streets - Walk On Waconia

[City of Waconia Street Request - 2022.doc](#)

[Walk On Waconia Map - 2022.pdf](#)

6.5 League of Minnesota Cities Insurance Trust - Tort Liability Waiver - 2022-2023 Policy Renewal

[Liability-Coverage-Waiver-Form \(1\).pdf](#)

6.6 Use of Streets/Trails/Parking Lot, Don't Worry Be Hoppy 5K, 10K and Kids Run

[Don't Worry be Hoppy Attachment.pdf](#)

[Dont Worry be Hoppy Map.pdf](#)

6.7 Temp. On-Sale Liquor License and Use of Parking Lot - Waconia Brewing Company

[2266res Don't Worry Be Hoppy Temp License Use of Parking Lot res.docx](#)

6.8 Approve Temporary Liquor License for Lions Club

[2267res Temp On Sale Waconia Lions.doc](#)

6.9 Authorize Hire for Accountant

[2268res Accountant_-_Resolution.docx](#)

- 6.10 Christopher & Diana Reeve Foundation Grant
[2269res_Reeve_Foundation_Grant.doc](#)
- 6.11 Establishing Municipal State Aid Highway
[2271res MSA-establish_resolution_2022.docx](#)
[2022-02-22 System Revision Request.pdf](#)
- 6.12 Approve Execution of Carver County Water Management Grant Agreement
[2272res Turf_to_Native_Resolution_7_02_22.doc](#)
[Turf to Native Site Images.pdf](#)
- 6.13 Authorize Preparation of Regional Solicitation Application for Trunk Highway Five, Phase II Improvements
[2273res 2022_Regional_Solicitation_Application_Resolution.doc](#)
[2021_10_28_Layout.pdf](#)
- 6.14 Ordinance Amendment - Section 900.04 Definitions
[Public Hearing Notice Ordinance Amendment for Principal Structure Definition.pdf](#)
[Ord745 Ordinance_Amendment_No_Principal_Structure_Definition.docx](#)
[2274res_Approving_Summary_Publication_of_Ordinance_Amendment.docx](#)
- 6.15 The Fields 2nd Addition - Early Grading Agreement & Permit - Tamarack Land, LLC
[2275res_Approving_Early_Grading_Permit.docx](#)
[Early Grading Agreement_The Fields 2nd Addition.docx](#)
- 6.16 Acceptance of Grand Proceeds for 2021 Solid Waste Grant from Carver County Environmental Services
[2276res_Acceptance_of_Grant_Funds_-_Compost_Grant.doc](#)
- 6.17 Approve Floor Coating Projects for Public Services Facilities

[2277res WTF___PS_Facilities_Floor_Coating_Resolution.doc](#)

[1Proposal.waconiaMN.rebid.01jh \(003\).pdf](#)

[City of Waconia Main Garage 2022.docx](#)

[City of Waconia Mechanics Shop 2022.docx](#)

[City of Waconia Water Treatment 2022.docx](#)

Motion by Sorensen, seconded by Waldron to Adopt the Consent Agenda. **MOTION carried.**

7) COUNCIL BUSINESS

7.1 Commercial/Industrial Small Area Plan

[2278res_WSB_Small_Area_Plan.doc](#)

[WSB_Submittal_Waconia_SAP \(002\).pdf](#)

[BMI Hartman Drive Plan Proposal Waconia 013122 \(002\).pdf](#)

[Small Area Plan Focus.pdf](#)

Shane Fineran explained that the city is effectively without any developable heavy commercial or industrial lots within the community. The vacant lots within the Pine Industrial Park are privately held awaiting to be developed by the land owners. The city has additional areas outside of the current municipal boundaries that are guided for industrial or heavy commercial use that are in the growth area as defined by the 2040 Comprehensive Plan.

One of these areas is bounded by Hwy 5 to the north, CSAH 59 to the east, CSAH 10 to the south and Hartmann Drive to the west. The majority of the 60 plus acres is currently in Waconia Township and would need to be annexed into the community for development. This is the next logical area guided for industrial and commercial use in the community. In an effort to create a vision and plan for how this area could develop and probably layout and connection to existing transportation and utility infrastructure based on proposed layouts it is recommended that the city engage with planning consultants to develop a small area plan. Staff see this effort as a tool that could be utilized by the city and property owners in the development process. This would not constrain the ultimate development, but rather create a vision of what ideally could be accomplished based upon the guided use, municipal zoning, and desired uses or layouts.

Fineran indicated that staff has received two proposals from two consultant firms that provide planning and engineering services in the public sector, one from the city's consultant engineer Bolton & Menk and one from WSB. Both proposals would deliver a

plan with two development scenarios which include potential land uses, lot sizes and configuration, detailing utility and access needs. The difference in work scope between the two is that the Bolton & Menk proposes a little more public engagement with the use of surveys and/or open houses. The WSB proposal is \$27,000 and the Bolton & Menk proposal is \$47,000.

Staff feels that the limited engagement proposed with land owner(s), City Council and Planning Commission members is sufficient as detailed in the WSB proposal and thus delivers a similar product at a lower cost. Therefore staff is recommending approval of the engagement with WSB for this effort and funds held by the city for economic development purposes would be utilized.

Mayor Bloudek stated that it makes it simple. Well worth the investment.

Council Member Sorensen said that it lets the City be proactive. Existing businesses may be able to benefit and let a new business use that space.

Motion by Waldron, seconded by Sorensen to Adopt Resolution 2022-78, Approving Engagement with WSB for Small Area Plan. **MOTION carried.**

[7.2 Snow Removal Fees](#)

[Ord.746_Amendment_to_Chapter_320.docx](#)

Shane Fineran said that at the February 22nd meeting the City Council heard concerns from a resident regarding the fees charged for violation of municipal code section 320 for failure to remove ice and snow from public sidewalks adjacent to private property. This code sections requires that property owners remove ice and snow from sidewalks adjacent within 12 hours of deposit, and failure to do so can result in city staff undertaking the removal and charging back the actual costs for such effort as noted in Subd. 4.

In response to the direction of the City Council to evaluate the meaning of the language versus the intent to secure compliance with this section, staff recommends the following edits to subdivision 4 which clarifies that property owners will be subject to the actual costs while onsite plus administrative fee of \$40. This would reduce the time allocated for loading and travel consistent with the existing language as well as encompass the inspection, documentation, and notification associated with follow up necessary to enforce this section with the administrative fee.

The fee schedule will be updated to add the \$40 administrative fee while keeping all other fees intact as it relates to staff and equipment time. Allocated only staff and equipment time while only onsite will reduce the fees assessed for a typical residential lot to under \$200 while protecting the city in the event that an offending property that maybe larger in size, such as a commercial, industrial, or one that has been longer neglected for ice and snow removal and requiring additional effort by city staff.

Mayor Bloudek asked how this will be addressed in the future. Fineran responded that the fee schedule gets looked at annually.

Council Member Sorensen indicated that he wants the public to be compliant with ordinance, when not it takes staff time that should be doing other things.

Council Member Leo stressed how important it is to hear from the public. That resident complaint shows that it works to talk to council.

Motion by Sorensen, seconded by Leo to Adopt Ordinance 746, Amending Section 320.06 Regulating Snow, Ice, Dirt, and Rubbish from Public Sidewalks. **MOTION carried.**

[7.3 Ordinance Amendment - Section 900.06, Subd. 9 Architectural Design Standards](#)

[Public Hearing Notice 900.09 Subd. 9.pdf](#)

[Ord 747 Ordinance_Amendment_No_Arch_Design_Standards.docx](#)

[2279res_Approving_Summary_Publication_of_Ordinance_Amendment \(1\).docx](#)

Lane Braaten stated that in recent years staff and the Planning Commission have found a number of consistent variance requests associated with the City's Architectural Design Standards. As such, the Planning Commission requested staff review the standard and provide possible options to consider that would allow improvements consistent with the intent of the City Code, while allowing the materials and uses without the need for a variance. Braaten went through the amendments to Section 900.06, Subd. 9. Architectural Design Standards which include:

Design Standards, Downtown District

5. Ground level Expansion – includes an exception for multiple family dwellings that do not include retail or service area on the ground floor.

8. Ground – Floor Windows – includes architectural metal panels as a permitted material in the Highway District.

Design Standards, Highway District

10. Building Materials – includes architectural metal panels as a permitted material in the Highway District.

Design Standards, Industrial District

4. Permitted Materials – allow additions to existing buildings with no-conforming building materials without the need for a variance if the material used is substantially the same as the existing structure and the proposed addition does not exceed 50% of the existing footprint of the structure.

Notice was published in the Waconia Patriot and at City Hall. Additionally, the proposed Ordinance Amendment was posted on the City Website. There have no been any public comments received.

The Planning Commission, at their regular meeting on February 3rd, held a public hearing to discuss the proposed draft ordinance language. The Planning Commission recommended approval of the proposed revisions via a 5-0 vote.

Motion by Leo, seconded by Sorensen to Adopt Ordinance No. 747, amending Section 900.06, Subd. 9, Architectural Design Standards. **MOTION carried.**

Motion by Waldron, seconded by Sorensen to Adopt Resolution 2022-79, approving Summary Publication of Ordinance. **MOTION carried.**

8) ITEMS REMOVED FROM CONSENT AGENDA

9) STAFF REPORTS

10) BOARD REPORTS

Council Member Sorensen – Christine Fenner from the Chamber was at the School board Meeting speaking about a program to expose kids to different trades. COVID cases in the schools had dropped dramatically. The District sent 10 wrestlers to state. Community Ed Brochures will be coming out.

New dermatology clinic was in front of the Planning Commission and there are some concerns about the set backs that need to be addressed. A representative for the VFW building was in attendance at the meeting and shared rendering of the project. The application for 711 Pine Street was withdrawn. As of the date of the meeting there have been 45 new home permits issued.

Council Member Waldron – Followed up with that there will be a Career Fair on April 8th which will include the trades that Council Member Sorensen mentioned. Last year they had a signing day for the students who sign up to train in those trades much like a signing day for sports.

Council Member Leo – Nothing to report

Mayor Bloudek – Nothing to report

11) ANNOUNCEMENTS

12) ADJOURN REGULAR MEETING

Motion by Waldron, seconded by Sorensen to adjourn the meeting at 7:07 p.m.
MOTION carried.

Work Session: Downtown Reconstruction Business Assistance

UPCOMING CALENDAR OF EVENTS/MEETINGS:

Kent Bloudek, Mayor

ATTEST: _____

Ann Meyerhoff, Office Assistant