



**MINUTES
CITY COUNCIL MEETING
November 9, 2010**

CALL TO ORDER

The meeting was called to order at 6:30 pm.

Present: Mayor: Randy Gilbert; Council: Sam Rettinger, Sharon Henderson, Brian Carpenter, and Liz Olson

Staff Present: City Administrator: Terrance Post; Public Works Director: Marv Wurzer; City Engineers: Dan Boxrud, Toby Muse; City Clerk: Jeanette Moeller

Absent: None

PLEDGE OF ALLEGIANCE

APPROVE AGENDA

Mayor Gilbert asked that the agenda be amended to place discussion of Agenda Item No. 10, Other Business, before Agenda Item No. 9.

A motion was made by Olson, seconded by Carpenter, to approve the Agenda as amended. Ayes: all.

CONSENT AGENDA

The Consent Agenda consisted of:

- A. Approve Minutes of October 19, 2010 City Council Meeting
- B. Approve Vendor Claims and Payroll
- C. Approve Renewal of the Contract with Embedded Systems, Inc. for Siren Maintenance Through 2011
- D. Accept Use of the Piper Residence at 1500 Tamarack Drive for Live Burn Training at an Equivalent Training Value of \$3,000.00

A motion was made by Henderson, seconded by Carpenter, to approve the Consent Agenda as presented. Ayes: all.

OPEN CORRESPONDENCE

Tim Hultmann, 280 Lakeview Avenue

Mr. Hultmann stated that when Elite Auto came before the Planning Commission to discuss their zoning compliance issues, the Planning Commission voted unanimously to recommend the City Council work with the business to allow them to continue to operate in the community. As a member of the Planning Commission he encouraged the Council to consider the advice of the Planning Commission. From a Long Lake taxpayer perspective, he emphasized that he does not believe the City's money would be well spent on litigation with Elite Auto, and recalled that \$80,000 had been lost in litigation with ISS for similar issues historically.

BUSINESS ITEMS

Attorney Hiring – 2011 Civil and Prosecutorial Legal Services

Post stated that an awareness of potential contract issues arising from the City's current civil legal services firm representing both the cities of Long Lake and Orono prompted the Council to approve issuance of a Request for Proposals for attorney services, with submissions due by July 2, 2010. Unfortunately, the review and interview process was delayed because of time requirements associated with the Police services RFP evaluation and selection process. At the September 21, 2010 Council work session, the topic of the attorney selection process was discussed. Consensus was to name Mayor Gilbert, Councilmember Carpenter, and Administrator Post to an interview committee that was tasked with making a selection recommendation to the full Council.

On the afternoon of October 14, 2010 interviews were conducted with all of the RFP responding firms in addition to the Wayzata Prosecutor, Jeff Lambert. The interview schedule was as follows: Ken Potts (current Long Lake Prosecutor); Paula Callies, Callies Law Firm; Bill Clelland, Carson, Clelland, & Schroeder; Bob Ruppe and Mike Couri, Couri, MacArthur & Ruppe, P.L.L.P.; Corrine Heine & Mary Tietjen, Kennedy & Graven Chartered; and Mr. Lambert. A subsequent interview was given to Mr. Clelland's partner Jeff Carson on October 19, 2010. The attorneys responded to a common set of interview questions.

While all of the interview candidates clearly possessed the qualifications to provide quality civil or prosecution legal services to the City of Long Lake, the consensus of the interview committee was that the Carson, Clelland & Schreder firm be recommended to the full Council be hired for both civil and prosecutorial services as being the best fit for the City. Post noted that Mr. Clelland made a modification to his firm's proposal regarding the fees for criminal prosecution services to additionally offer a \$10,000 annual retainer fee for service option as an alternative to the previously proposed initial four month hourly rate of \$95 per hour followed by an annual retainer.

Mayor Gilbert and Council member Carpenter discussed their impressions of the firms interviewed and their rationale for the selection of the Carson, Clelland & Schroeder firm to represent the City. It was noted that it would be advantageous to have a relationship with one firm for both civil and prosecutorial services.

Bill Clelland, Carson, Clelland & Schroeder, thanked the Council for the opportunity to represent Long Lake and informed the Council of his firm's background and current practice.

A motion was made by Carpenter, seconded by Henderson, to appoint Jeff Carson as 2011 City Attorney for civil matters and Bill Clelland as 2011 City Prosecutor and to authorize the Mayor and/or City Administrator to enter into a contract for City Attorney services with the law firm of Carson, Clelland & Schreder. Ayes: all.

Approve CEL Phase II Strategic Plan Development Recommendations

Post stated that final Phase II strategic plan recommendations were presented to the Long Lake EDA on October 19, 2010 by Cindy Leines of CEL Public Relations. A recommendation passed on a unanimous basis to consider Phase II services complete. Although it was not relevant to the recommendation to accept the Phase II strategic plan recommendations, much of the EDA discussion centered on Phase III implementation issues including prioritization and funding. The purpose of this agenda item is for the Council to consider acceptance of the final Phase II Rebranding Strategic Plan Recommendations as prepared by CEL Public Relations.

Council member Olson reflected that as she reviewed the statements and challenges reflected in the plan, it was important to respect the businesses that are thriving and to view the state of the city in

a more positive and optimistic manner. She also commented she would like to see the Planning Commission review parking related zoning issues in the downtown.

Council members, staff, and consultant Cindy Leines discussed at length the importance of cooperation and collaboration in order to put Long Lake on the map as a destination.

Mayor Gilbert emphasized that while it was great to hear Ms. Leines applaud Long Lake as a leader, the process the City's now undertaking would not have begun without the efforts of the Chamber of Commerce. The greater community should be thanking Chamber of Commerce representatives Roxie Albers, April Wysocki, and others for their work.

A motion was made by Henderson, seconded by Carpenter, to accept the Phase II Rebranding Strategic Plan Recommendations deliverable from C.E.L. Public Relations. Ayes: all.

2010 City Mapping Update Professional Services Proposal

Post indicated that the TH 12 bypass project had rendered many of the infrastructure maps primarily used by the Public Works Department obsolete. The intention has always been to update these City maps once MnDOT mapping information became available to the Hennepin County system. This information is now available.

In addition to the need for current information, Public Works Director Wurzer and his crew worked closely with City Engineer Muse to specifically identify the project output deliverables they required. It is anticipated that the results of this exercise will also provide the basis of a more robust portable GIS system in the future.

City Engineer Muse noted that both infrastructure maps and maps used more typically such as the zoning, trail and street maps would be updated; reviewed the technological scope of the map update project and responded to Council member questions regarding how the GIS data could be accessed by staff and the public.

Public Works Director Wurzer discussed his department's need for updated infrastructure map data and how the mapping project could long range lead to the department being able to access utility infrastructure on laptops in their vehicles by entering in an address. This would be a significant timesaver versus the current method of travelling back to the shop to view paper maps and tie cards to verify infrastructure locations.

Council members were in agreement that it would be beneficial if a map could be made available showing the TH 12 bypass interchanges to provide navigational assistance for drivers unfamiliar with the area.

A motion was made by Carpenter, seconded by Rettinger, to accept the Proposal from Short Elliott Hendrickson (SEH) to provide professional services in conjunction with a 2010 City Mapping Project at a fee not to exceed \$10,091 without prior approval and to authorize the City Administrator sign the Agreement. Ayes: all.

OTHER BUSINESS

True Value Store Update – Council member Carpenter reported he had learned the individuals interested in locating a True Value store in Long Lake had received approval from the corporation to do so. Subject to addressing some zoning related issues and working out business details, the True Value store hopes to move forward towards opening a Long Lake location in March.

Meeting Absence – Post informed the Council that he will not be in attendance at the November 23, 2010 City Council meeting.

City Listserv Update – City Clerk Moeller indicated she had completed migration of the City Listserv email notification list to Constant Contact, a program which will offer greater privacy, security, and ease of use for subscribers.

Chamber of Commerce Meeting – Mayor Gilbert stated that the guest speakers at the following day's Chamber of Commerce membership meeting would be Senator Gen Olson and Wayzata Police Chief Mike Risvold. The meeting is to be held at Long Lake Fire Station 1 beginning at 12:00 noon.

BUSINESS ITEM

Closed Executive Session with Attorney Arlo VandeVegte to Discuss Elite Auto Zoning Compliance Issues

Mayor Gilbert temporarily adjourned the regular meeting at 7:16 pm into a closed executive session for the purpose of discussing Elite Auto zoning compliance matters with Attorney Arlo VandeVegte.

The closed executive session was adjourned at 8:09 pm.

The regular meeting was reconvened at 8:11 pm.

A motion was made by Carpenter, seconded by Olson, to preparatory to potential litigation, direct special counsel Arlo Van de Vegte to notice a Public Hearing to the following businesses: Elite Automotive, Perry's Truck Repair, and possibly Insurance Salvage Services depending on prior litigation status, to be held December 7, 2010 at 5:00 pm in the Long Lake City Council Chambers to make findings of fact regarding the following questions, 1) Does the business meet the zoning ordinance definition of a automobile wrecking or junkyard?; 2) If so, does the business have grandfathered status?; and 3) If so, has the business exceeded its grandfather status by expansion? Ayes: all.

ADJOURN

Hearing no objection, Mayor Gilbert adjourned the meeting by general consent at 8:11 pm.

Respectfully submitted,

Jeanette Moeller
City Clerk