



**MINUTES**  
**CITY COUNCIL MEETING**  
**December 21, 2010**

**CALL TO ORDER**

The meeting was called to order at 6:36 pm.

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

**Staff Present:** Public Works Director: Marv Wurzer; City Administrator: Terrance Post; and City Clerk: Jeanette Moeller

**Absent:** Council: Sam Rettinger (with prior notice)

**PLEDGE OF ALLEGIANCE**

**CITY OF LONG LAKE UPDATE**

Mayor Gilbert reported that a True Value store would be coming to town. He further stated that the Long Lake Area Chamber of Commerce is planning a lot of new events for Long Lake, and asked that any citizens planning a community event contact City staff or a Council member. Lastly, he noted that the Public Works crew has been working very hard and Holbrook Park winter skating facilities would be opening on Christmas Eve.

**APPROVE AGENDA**

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

**CONSENT AGENDA**

The Consent Agenda consisted of:

- A. Approve Minutes of December 7, 2010 City Council Public Hearing
- B. Approve Minutes of December 7, 2010 City Council Meeting
- C. Approve Vendor Claims and Payroll
- D. Adopt Resolution No. 2010-39 Approving the Issuance of 2011 Liquor Licenses
- E. Adopt Resolution No. 2010-38 Approving the Issuance of 2011 Tobacco Licenses
- F. Adopt Resolution No. 2010-37 Approving the Issuance of 2011 Residential and Commercial Refuse Hauler Licenses
- G. Approve the Engagement Letter with Abdo Eick & Meyers LLP for 2010 Audit Services
- H. Approve the Addendum to Recording Secretary Service Agreement for 2011 Recording Secretary Services with TimeSaver Off Site Secretarial, Inc.
- I. Approve Partial Pay Estimate No. 1 to Penn Contracting, Inc. for Work on the Chemical Fill Station/Generator Receptacle Scope for the Well House No. 2 Rehabilitation Project
- J. Adopt Resolution No. 2010-43 Adopting the Hennepin County All-Hazard Mitigation Plan

Council member Carpenter made the following comments regarding Consent Agenda items:

- Item G – Council member Carpenter questioned why the consultant's fees were increasing, and asked that the consultant include a one hour session for the Council on government

accounting in their contract. Post responded that he would follow up with the firm and ask them to attend a work session to provide information about the basics of fund accounting.

- Item J – Council member Carpenter stated that the plan (page 187) should reflect Wayzata Police Department as the City's Police service in the future.

*The Council voted to approve the Consent Agenda as presented. Ayes: all.*

## **OPEN CORRESPONDENCE**

### **Donny Chillstrom, 267 Charles Street**

Mr. Chillstrom thanked the Council for their service, and said that he hoped outgoing Mayor Gilbert and Council members Rettinger and Henderson would stay active in the community. As a newly elected Council member himself, he indicated he would welcome hearing from outgoing officials in the future.

Mr. Chillstrom also stated the Orono Lions Club annual Snowball Open would be held in Nelson Lakeside Park on January 29, 2011.

## **BUSINESS ITEMS**

### **Ordinance Amending the City Zoning Ordinance to Allow Seasonal Outside Display and Sales of Retail Merchandise in the B-2 District**

Post reported that previously staff was contacted by the owner of a True Value hardware store regarding zoning regulations for outside retail display and sales of seasonal retail materials to be available for purchase by a consumer. The hardware store would occupy the former Snyder drugstore space in the Long Lake Town Center shopping center. The site is located within the B-2 zoning district but while a hardware store is a permitted use, the zoning ordinance does not permit exterior sales or display of materials within the B-2 zoning district unless the area is fully screened.

The Planning Commission heard a presentation regarding the hardware store proposal and discussed options for amending the Zoning Ordinance pertaining to outside display and sales of retail items at their October 12, 2010 meeting. Subsequently, at their November 9 meeting, the City Council directed the Planning Commission to consider utilizing various zoning approaches that would allow outdoor sales and display of retail merchandise in the commercial and industrial zoning districts in addition to the B-2 district.

On November 16 the Planning Commission met and directed staff to prepare the necessary amendments to the B-2 district that would allow a "sliding scale" of the amount of seasonal outside display and sales of materials in the B-2 district. Further, the Commission directed that the amendments to the B-2 district be drafted to be potentially applicable to other appropriate zoning districts in the future.

The Planning Commission held a public hearing on December 14, 2010 to consider the necessary amendments to the B-2 district allowing seasonal outside display and sales of retail merchandise. After receiving public testimony, the Commission voted to recommend that the City Council adopt the ordinance amendments with certain changes. The changes included deleting language in the draft ordinance amendments pertaining to the need for an administrative permit, adding the phrase that "a covered permanent roof area" is part of the principal building and therefore not counted as part of the outside retail display and sales area, and referencing compliance with the City (MPCA) noise standards if exterior noise equipment is used in the outside retail display and sales area.

Post reviewed the new definitions and performance standards criteria included in the draft ordinance proposed for the Council's consideration, and clarified that inability to meet the performance standards set forth would require a Conditional Use Permit application for seasonal outside display and sales of retail merchandise.

Council and staff discussed how Christmas tree sales would be impacted by the ordinance changes; and whether additional language was necessary to the ordinance clarifying the provision that building area includes covered exterior space, to be sure businesses would not seek to extend their outside display and sales allowable square footage by adding a covered roof to their building.

Mayor Gilbert commented that the owners of the Long Lake True Value were in attendance at the Planning Commission's last meeting and seemed very enthusiastic.

*A motion was made by Henderson, seconded by Olson, to adopt Ordinance No. 2010-03 amending the City of Long Lake Zoning Ordinance to allow seasonal outside display and sales of retail merchandise in the B-2 District. Ayes: all.*

### **Adoption of Final Payable 2011 Levy, Budget, and CIP Resolutions**

Post reported that since the December 7 levy and budget discussion, staff incorporated the direction from Council at that meeting to reduce the 2011 levy to reflect both the further reduction in prosecution legal services and the elimination of funding for the open Administrative Assistant position. Additionally staff completed one final review of budget assumptions for revenues and expenditures.

The current 2011 final budget presented to the City Council this evening reflects a total levy decrease of 2.69% created by an operating levy decrease of 3% and a debt service levy decrease of 0.89%. The levy supports total General Fund revenues of \$1,372,500 and General Fund expenditures of \$1,372,500 resulting in a balanced budget. The 2010 estimated year-end General Fund fund balance of approximately \$780,000 represents approximately 57% of proposed 2011 General Fund expenditures.

Unlike 2010, which was characterized by several large CIP projects (Streets and Fire Stations Lot Seal Coating, Willow Drive Water Main Replacement and Well House No. 2 Rehabilitation Project), the 2011 CIP, which totals \$109,100, includes the following major items: 1) Fire Department replacement of rescue vehicle R-11 (\$35,000); 2) paved trails seal coating (\$22,500); and 3) continuation of the ongoing sanitary sewer inflow and infiltration (I & I) mitigation project (\$33,600).

Post reviewed the attachments to the staff report he had prepared for the Council to consider and pointed out that the operating levy for 2011 is very close to the City's 2007 levy. Over a four year period the levy average remained fairly flat while the City experienced the loss of local government aid (LGA).

Post discussed how city levies were trending in the area and also commented on how Long Lake and other communities may be impacted by increases in tax court petitions.

*A motion was made by Olson, seconded by Henderson, to adopt Resolution No. 2010-40 establishing the final 2010 tax levy collectible in 2011. Ayes: all.*

*A motion was made by Henderson, seconded by Carpenter, to adopt Resolution No. 2010-41 establishing the final 2011 total City budget. Ayes: all.*

*A motion was made by Carpenter, seconded by Henderson, to adopt Resolution No. 2010-42 establishing the 2011 Capital Improvement Plan (CIP). Ayes: all.*

## **OTHER BUSINESS**

**Thank You to Council** - Council member Henderson stated that her experience as a member of the Council was invaluable and expressed gratitude to fellow City Council members and City staff. Council member Carpenter noted that the Council had worked exceedingly well together and while members hadn't always agreed, it had been a very productive body, and he had enjoyed working with the Council.

**Upcoming Meetings** – Mayor Gilbert suggested the January 11 Planning Commission meeting be cancelled as there were no pending items for the Commission to discuss.

*A motion was made by Olson, seconded by Carpenter, to cancel the January 11, 2011 Planning Commission meeting. Ayes: all.*

**Applicants for Planning Commission and Park Board** – Post advised the Council that staff has received two applications thus far for the open Planning Commission positions, but none yet for Park Board. City Clerk Moeller added that this was a golden opportunity for community members to become involved because there were no incumbents applying for Planning Commission or Park Board openings. Post stated that a work session would be scheduled for January 4 to conduct interviews of applicants.

**Thank You From Mayor** – Mayor Gilbert discussed his history of community involvement and changes that had occurred within the City during his nine years of service to Long Lake, six of those years as Mayor. He commented that he had learned so much, had grown as a person, and thanked fellow City officials and City staff. He said he looks forward to seeing what happens in the City moving forward and would always be available for any questions about the actions and events that had taken place during his time of service. He thanked the Long Lake community for allowing him to serve.

## **ADJOURN**

Hearing no objection, Mayor Gilbert adjourned the meeting by general consent at 7:16 pm.

Respectfully submitted,

Jeanette Moeller  
City Clerk