



**MINUTES
CITY COUNCIL MEETING
July 21, 2015**

CALL TO ORDER

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

Present: Mayor: Donny Chillstrom; Council: Kurt Kaminski, Jahn Dyvik, Marty Schneider, and Liz Olson

Staff Present: City Administrator: Scott Weske; Planning Consultant: Addison Lewis; Public Works Director: Marv Wurzer; and City Clerk: Jeanette Moeller

Absent: None

PLEDGE OF ALLEGIANCE

LONG LAKE NEWS UPDATE AND WORK SESSION REVIEW

Mayor Chillstrom offered the following updates:

- In an EDA meeting prior to the regular City Council meeting, the EDA learned more about tax increment financing and its uses.
- Many thanks to everyone who pitched in following recent storms to help their neighbors and work together to clean up after storm damage. It is great that we live in a community where people help one another.

APPROVE AGENDA

Council members discussed changing the agenda to move Item 11, Resolution Approving CSAH 112 Trail Redesign and Reimbursement, up for discussion as Item 7 immediately following Open Correspondence, and renumbering the remaining agenda items to follow in order.

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

CONSENT AGENDA

The Consent Agenda consisted of:

- A. Approve Minutes of July 7, 2015 City Council Work Session
- B. Approve Minutes of July 7, 2015 City Council Meeting
- C. Approve Vendor Claims and Payroll
- D. Adopt Resolution No. 2015-28 Approving Issuance of Special Event Permit #S2015-05 for the 2015 Corn Days Parade to be Held August 9, 2015
- E. Adopt Resolution No. 2015-32 Approving the Master Subscriber Agreement to Minnesota Government Access and Directing the Administrator to Execute Said Agreement

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

OPEN CORRESPONDENCE

Brad Erickson, Owner of Orono Station at 2260 W Wayzata Boulevard – Mr. Erickson extended apologies to the Council in follow up to his appearance at their last meeting, and read aloud a prepared statement regarding the business community's concerns about the future CSAH 112 improvement project construction plans and the impact to Long Lake and area businesses. In his statement, he reflected that he feels it would be irresponsible for any options to be considered for construction that would not include maintaining two lanes of traffic open.

BUSINESS ITEMS

Resolution Approving CSAH 112 Trail Redesign and Reimbursement

Weske reported that Hennepin County is in the process of completing construction documents for Phase 1 of the C.S.A.H. 112 Improvement Project which includes a trail on the south side of the roadway from Martha Lane to the eastern project limits. Through discussions at the Phase 1 project PAC meetings the City has expressed interest in having this proposed trail on the north side of the roadway from Martha Lane to Old Long Lake Road.

To modify the Phase 1 construction documents to reflect this change, the County is requesting the City commit to reimburse the County for up to \$133,000.98 in engineering fees. Reimbursement payment terms would be incorporated into a future agreement between the City and the County. The County has indicated that they will accommodate the trail design on the north side of the roadway in Phase 2 construction documents at no additional costs to the City. A resolution has been prepared by Hennepin County for the Council's consideration should the City Council desire to proceed with the project re-design.

Council members reflected that the trail relocation would allow for more ample space to keep a lane or lanes of traffic open on CSAH 112 during future project construction.

Nathan Will, SRF Consulting Group, indicated that they are currently exploring the feasibility of maintaining two lanes of traffic open taking the relocated trail into consideration. Moving the trail alongside the lake opens up opportunities; however, alternatives need to be explored to keep construction costs down.

Kristy Morter, Hennepin County Project Engineer, discussed how the trail relocation would impact trail connections and crossings, and indicated that no additional right of way acquisition would be needed though acquisition of some construction easements may be necessary.

A motion was made by Kaminski, seconded by Olson, to adopt Resolution No. 2015-33 supporting modifications to the final design of the Phase 1 CSAH 112 Improvements relocating the proposed trail to the north side of CSAH 112 from Martha Lane to the easterly project limit and committing to reimburse Hennepin County for redesign costs associated with said relocation. Ayes: all.

Planning Case #2015-06 / Variance From Perimeter Tree Planting Requirements for Parking Areas, 1310 Wayzata Boulevard W, Brennan Greene (Birch's on the Lake)

Planning Consultant Lewis explained that the applicant is requesting a variance from a provision of Section 21 of the Zoning Ordinance which requires that the perimeter of parking areas for commercial properties be planted with deciduous shade trees at least 3" in diameter at a number equal to 1 tree per 4 parking spaces, and spaced to provide the maximum shading of the parking area. Birch's is proposed to have 132 parking spaces upon completion of the parking area which equates to 33 trees being required.

The applicant has proposed to plant a total of 17 new trees, nine of which are proposed within a planting area directly in front of the building, along with other various flowers and shrubs. In discussions with City staff, the applicant was asked to revise their submitted landscaping plan to show additional trees within the bluff impact zone and has agreed to plant an additional eight trees in this area. Other landscaping improvements proposed by the applicant include erosion control bushes adjacent to the newly constructed elevator and two rain garden areas with an extensive list of plantings. The applicant has stated that the boulevard area adjacent to CSAH 112 will be landscaped with woodchips and some shrubs, but expressed a desire not to make significant landscaping improvements in this area due to the eventual road reconstruction project. In addition, the boulevard area is located within a drainage and utility easement that contains utilities and the City Engineer has recommended this area not be used for new tree planting. The east and west perimeter of the lot contains five feet between the property line and the parking lot curb. This area is also within a drainage and utility easement and may not be ideal for tree planting. There appear to be few other areas around the parking lot that could accommodate the number of trees required. In addition, the applicant has stated that there are over 100 existing trees on the lot.

Lewis reviewed the ordinance requirements for a finding for "practical difficulties" and discussed how approval of the application would comply with these requirements. At the July 14, 2015 Planning Commission meeting, the Commission held a public hearing, considered the request, and voted 5-0 to recommend approval of the requested variance. No members of the public spoke on the request.

Council members voiced no objections to the application as proposed.

A motion was made by Schneider, seconded by Dyvik, to adopt Resolution No. 2015-29 approving a variance to the perimeter tree planting requirements for parking areas in order to allow for the proposed landscaping plan. Ayes: all.

Planning Case #2015-05 / Variance to Allow for Wall Signage Exceeding Maximum Area and Height Permitted in PUD District, 1786 and 1810 Wayzata Boulevard W, Jan Guenther (Gear West)

Lewis stated that Gear West is requesting two variances to Chapter 8, Article 5 of the City Code relating to signs for properties located at 1786 and 1810 West Wayzata Boulevard.

1786 West Wayzata Boulevard (Phase 1 Building)

The applicant wishes to install a wall sign in the gable on the south side of the Phase 1 building that exceeds the permitted area and height allowed in the PUD zoning district. In the district, City Code permits up to 45 square feet in area of wall signage and a maximum height of 14 feet for wall signs. The newly proposed business identification sign is approximately 93.5 square feet in area and 37.5 feet in height. A sign permit was previously obtained for two existing wall signs on the building – one 14.17 sq. ft. in area and another 29.25 sq. ft. in area. In addition, there is wall signage on the east side of the building advertising various merchandise for which a permit was not obtained which is estimated to be approximately 40.00 sq. ft. in area. The proposed sign would give the Phase 1 building a total of 136.92 sq. ft. of permitted signage, 91.92 square feet over the amount permitted in the PUD district. A variance is needed for the proposed sign area and height of the new sign. Staff is recommending that the Applicant be required to remove the signage that was installed without a permit.

1810 West Wayzata Boulevard (Phase 2 Building)

The applicant wishes to install six separate wall signs on the Phase 2 building - three on the east side of the building and three on the west side of the building. On the east side of the building, the business identification sign for "Gear West Adrenaline" would be located in the gable. The

applicant's proposal was originally for a 48 square foot sign; however, the Planning Commission's recommendation was that this sign be revised to be no larger than 45 square feet, to which the applicant was agreeable. The "Gear West Adrenaline" sign would be 31.5 feet in height.

In addition the applicant has proposed two individual sport signs located lower on the building ("Downhill Skis" and "Snowboards"), within the height requirement and totaling 13.33 square feet each in area. The Planning Commission recommended that these signs be relocated to the south façade adjacent to CSAH 112.

On the west side of the building, the business identification sign "Gear West" would be located in the gable with an area of 22.21 sq. ft. and 30.17 feet in height. The two individual sport signs are proposed lower on the building ("Lacrosse" and "Soccer") within the height requirement and totaling 13.33 square feet each in area. The Planning Commission recommended that these signs be relocated to the south façade adjacent to CSAH 112.

Assuming the "Gear West Adrenaline" sign is reduced to 45 square feet, the total area of all proposed wall signage on the Phase 2 building is 120.54 sq. ft., 75.54 sq. ft. over the amount permitted in the PUD district. A variance would be needed for the proposed sign area and height of the two gable signs.

A variance may be granted by a 4/5 vote of the City Council when the applicant for the variance establishes that there are practical difficulties in complying with ordinance requirements.

For both the Phase 1 and Phase 2 buildings, Lewis reviewed the ordinance requirements for a finding for "practical difficulties" and staffs' comments regarding the compliance of this application to meet these requirements. "Phase 1" was used to refer to the property at 1786 W Wayzata Boulevard and "Phase 2" used to refer to the property at 1810 W Wayzata Boulevard. Ultimately staff found that variance criteria were met for the Phase 1 signage proposal, but that the signage proposed and variance request for the Phase 2 building does not fully meet all of the criteria for issuance of a variance at this time.

At the July 14, 2015 Planning Commission meeting, the Commission held a public hearing, considered the requests, and voted 5-0 to recommend that the City Council approve all of the requested variances as outlined in the attached resolutions. The Planning Commission's recommendation was subject to the following conditions:

- The signage on the east façade of the Phase 1 building, for which no sign permit was obtained, be removed.
- The proposed "Gear West Adrenaline" sign on the east façade of the Phase 2 building be reduced to be no larger than 45 square feet.
- The proposed individual sport signs on the Phase 2 building be relocated to the south façade adjacent to CSAH 112.

All other signage was recommended to be approved as proposed. There was one member of the public who spoke at the public hearing in support of the requests.

Applicant Jan Guenther of Gear West, with assistance from Tom Steinke of Edison Signs, stressed the importance of the signage requested to the operation of Ms. Guenther's business and responded to Council member concerns and questions regarding the extensive signage proposed.

While Mayor and Council were unanimously supportive of the variance request and the sign proposal for the Phase 1 building at 1786 W Wayzata Boulevard; some members voiced concerns about and

objection to the degree of variance being requested and the number, type and location of signs proposed for the Phase 2 building at 1810 W Wayzata Boulevard.

A motion was made by Schneider, seconded by Kaminski, to adopt Resolution No. 2015-30 approving variances to wall sign area and sign height for property located at 1786 West Wayzata Boulevard subject to the condition that all wall signage for which a sign permit was not obtained be removed prior to the issuance of a sign permit for the newly proposed sign. Ayes: all.

A motion was made by Dyvik to adopt Resolution No. 2015-31 approving variances to wall sign area and sign height for property located at 1810 West Wayzata Boulevard subject to conditions. Motion failed due to lack of a second.

Mayor and Council continued to discuss alternative sign location options with the applicant. Council member Schneider suggested tabling the application for action at the next Council meeting to allow the applicant to prepare visual aids showing different signage scenarios for the Council to consider. The applicant expressed a willingness to provide the requested visual aids and sought some clarification from the Council as to the examples they would like to see.

A motion was made by Schneider, seconded by Kaminski, to table action on the variance request for sign area and height for the property located at 1810 West Wayzata Boulevard pending the submittal of revised signage scenarios. Ayes: all.

Award Contract for 2015 Seal Coating Project

Wurzer indicated that staff is in the process of updating the existing City Pavement Management Plan and will present a draft for review this fall. The current plan was updated and reviewed by City Council in 2011, and calls for the continued maintenance and improvement of the City roadway system within an acceptable budget. Part of the plan includes using a pavement seal coat process to protect and extend the life of select street surfaces.

In an effort to contain costs City staff prepared the technical specifications and solicited quotes through the RFP process for streets identified in the Pavement Management Plan for sealcoat this year, and two additional bid alternates. Two quotes were received on July 3, 2015 for the 2015 seal coat program with the low quote submitted by Pearson Brothers Inc. of Hanover, Minnesota. After reviewing the quotes and considering the contractor's ability to perform, staff is recommending the City Council award the 2015 Seal Coat Project, "Base Bid – Miscellaneous Streets" and "Bid Alternate Option 2" using the dresser trap rock aggregate option to Pearson Brothers Inc., for the estimated cost of \$60,911.88.

Wurzer noted that the proposed cost reflects a unit price bid. The contractor is paid for actual quantities provided – as such, a final payment request could be somewhat higher or lower. Square yard measurements are accurate based upon the experience with past road projects. Some additional costs will be incurred for parking lot striping, and restriping lane markers, directional arrows and crosswalks. The project would be funded through the \$50,000 budgeted for the work, along with County Aid to Municipalities funds for eligible streets.

Mayor Chillstrom asked whether the lower cost of dresser trap rock at this time should warrant consideration of completing the work identified in Bid Alternate 1 of the RFP, seal coating of the Public Works parking lot area. Wurzer responded that he believes the material cost will continue to trend low and would recommend reconsidering seal coating the lot during the 2017 cycle.

Council member Schneider referenced a recent email received from the State regarding small town funding aid available for roadway improvements.

Wurzer replied that at this time, staff is thinking those funds could best be utilized for the upcoming Watertown Road Improvement Project.

A motion was made by Schneider, seconded by Kaminski, to award the 2015 Seal Coating project to Pearson Brothers Inc. of Hanover Minnesota and to authorize the City Administrator to execute an agreement for completion of the project labeled as "Base Bid – Miscellaneous Streets" and "Bid Alternate Option 2" using the Dresser Trap Rock aggregate option and to authorize the project for an estimated cost of \$60,911.88. Ayes: all.

Authorization of Public Works Dump Truck and Plow Purchase

Wurzer reported that the City owns and maintains two single axle dump trucks that are used for snow removal and material hauling. According to truck condition and the Capital Improvement Program replacement schedule, the 1994 Ford single axle dump truck is due for replacement. The 1994 Ford has low miles (39,000) but is seriously deteriorated due to salt action. Public Works now has a wash bay which will extend the life of future equipment.

The proposed Freightliner cab and chassis is a quality truck that is recommended by the City of Eden Prairie as a reasonably priced durable vehicle. The proposed truck components - box, sander, hydraulics, plow etc. – are proposed to be supplied and installed by Truck Bodies and Equipment International, Inc. (TBEI) of Lake Crystal, Minnesota. Public Works had the opportunity to demo a similarly equipped truck and had an overall positive review of the truck equipment. Discussions with neighboring cities including Chanhassen and Orono confirmed that the TBEI equipment is durable and performs well.

The prices quoted are obtained through the State Cooperative Purchasing Venture. The Freightliner Medium Duty 106 provides a cost savings of nearly \$9,000.00 over the previously proposed Freightliner Heavy Duty 108 model before taxes. The truck equipment proposed by TBEI (stainless option) provides a cost savings of approximately \$3,900.00 over the previously proposed Towmaster equipment. If Council would option for painted steel versus stainless there would be additional savings of approximately \$3,027.00. Public Works strongly recommends the stainless steel proposed, as it will provide some assurance that the components exposed to salt will last the 30 year expected life.

The 2015 budget has \$140,000.00 allocated towards the purchase of a replacement dump truck. The "dealer offer" trade in value of the 1994 single axle dump truck is \$9,600.00. It is possible the City could receive a better offer on the open market, and staff would like to explore this option further. In the meantime, staff is seeking Council approval of the new truck and equipment purchase. If approved at this time, staff is anticipating the truck would be ready in time for the upcoming winter's plowing activities.

Staff and Council expressed their appreciation to Council member Schneider for his efforts in negotiating equipment prices and alternatives for Public Works to review and consider.

A motion was made Schneider, seconded by Kaminski, to authorize the purchase of a 2016 Freightliner truck cab and chassis from Istate Truck Center at a cost of approximately \$78,792.00 and truck equipment from Truck Bodies and Equipment International, Inc., at a cost of \$69,619.00 for a combined total of \$148,411.00. Ayes: all.

Discuss Wayzata Police Services Contract Proposal

Weske reported that each year the current Police contract stipulates that the contract be reviewed by mid-August. The contract is a three-year rolling one and would end in 2017 should Long Lake decide to cancel the current contract.

Wayzata has provided Police services to Long Lake for the last five years. While preparing the 2016 budget, it was expressed that the cost of service is increasing 3% every year per the contract and it is putting stress on the City's budget. In 2016 the contract amount owed would be \$321,000 for the year.

Wayzata has prepared and submitted amendments to the current contract and it includes restructuring of price and extending the contract. In a previous work session, Council and staff reviewed Wayzata's proposal, and discussed countering with a nine-year contract that could potentially result in a cost savings of \$80,000 during the first year.

Weske indicated that the motion requested by staff authorizes submittal of a counter-proposal from Long Lake only and does not constitute approval of contract changes. Further action by Council would be warranted in the future.

A motion was made by Kaminski, seconded by Olson, to submit a proposal from the City of Long Lake to City of Wayzata Police Department with amendments to the current contract including a nine-year term and adjusting compensation and increases proposed. Ayes: all.

Reschedule August 4, 2015 Regular City Council Meeting (Night to Unite)

A motion was made by Schneider, seconded by Kaminski, to reschedule the August 4 City Council meeting to be held on Monday, August 3, 2015 beginning at 6:30 pm. Ayes: all.

Storm Emergency Services and Damage Update

- (a) Proclamation Declaring a Local Emergency
- (b) Resolution Authorizing Contracting for Storm Debris Removal During a Local Emergency

City Clerk Moeller stated that the Proclamation proposed for the Mayor's consideration and the draft resolution prepared follow the same process as was recommended by the City Attorney following significant City-wide tree and other damage resulting from strong storms back in 2013. With the Proclamation declaring a local emergency in place for a set period of time, a resolution can be adopted authorizing contracting for tree debris removal without requiring that multiple bids be obtained for the work in the interest of expedient assistance to residents.

Wurzer added that the contractor staff would propose be retained to provide a curbside tree debris pickup is Emery's Tree Service, the same contractor who worked in town following the storms in 2013. Emery's has indicated they would provide the curbside pickup service at the same rate as was offered two years ago.

With that, Mayor Chillstrom adopted a proclamation declaring a local emergency pursuant to Minnesota Statute Sections 12.29 and 12.37, and Long Lake City Code Chapter 14.

A motion was made by Schneider, seconded by Dyvik, to adopt Resolution No. 2015-34 authorizing contracting during a declared local emergency and employment of contingency funds. Ayes: all.

OTHER BUSINESS

Night to Unite – Moeller noted that Police and Fire will be making stops at Hardin Park and Holbrook Park for Night to Unite at 6:00 pm and 6:30 pm, respectively. Residents are encouraged to bring a picnic and their lawn chairs to join in the fun. Mayor Chillstrom added that he hopes everyone that is able participates in Night to Unite activities, and commented that the cooperation between neighbors witnessed in times such as severe storms is a part of what makes Long Lake a great little town. Council member Schneider thanked former Mayor Tim Hultmann for donning the McGruff costume once again for this year's Night to Unite events.

Power Outages – Council member Olson reflected on the power outages experienced after the recent storms and questioned where there is anything the City can do to improve the stability of the power system. Wurzer noted that before NSP became Xcel Energy, NSP used to be more proactive about keeping power lines clear of trees. Council members discussed encouraging all residents who notice possible tree hazards in proximity to power lines in their yards to contact Xcel and request they trim trees around the lines. Resident Dan MacDonald, 335 Russell Lane, also spoke up and encouraged writing a letter to the Public Utilities Commission. He had a positive experience with their agency in the past in mitigating a utility issue.

CSAH 112 Updates – Council member Olson suggested that a quarter of one page in future City newsletters be dedicated to providing updates regarding the future CSAH 112 improvement project. On that note, Council member Schneider stated that he, Mayor Chillstrom, and Administrator Weske will be presenting at the Wednesday, August 12 Chamber of Commerce luncheon beginning at 12:00 noon to discuss the timeline of the CSAH 112 project from the early planning stages back in 2012 through the present, and to discuss what is known for the future at this time. There will also be information available at the meeting on grants available through the County to assist businesses through construction.

Generator Issues – Mayor Chillstrom noted that during the recent storms, Public Works staff were experiencing some difficulties in operating the older generator equipment used to power lift stations in the event of a power outage. He indicated that the generator equipment is over 30 years old, and mentioned that he would encourage Wurzer to look into some options for generator improvements as necessary.

ADJOURN

Hearing no objection, Mayor Chillstrom adjourned the meeting by general consent at 8:43 pm.

Respectfully submitted,

Jeanette Moeller
City Clerk