



**MINUTES
CITY COUNCIL MEETING
August 16, 2016**

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; Fire Chief: James Van Eyll; Public Works Director: Jason Goehring; Planning Consultant: Addison Lewis; City Engineer: Chris LaBounty; City Attorney: John Thames; and City Clerk: Jeanette Moeller

Absent: None

PLEDGE OF ALLEGIANCE

LONG LAKE NEWS UPDATE AND WORK SESSION MEETING REVIEW

Mayor Chillstrom offered the following updates:

- Prior to the regular City Council meeting, the EDA met and discussed options for the former BP station property, and continued discussion of implementing the Business District Initiative (BDI) grant recently awarded to the City. A second BDI grant informational meeting will be held on Wednesday, August 17 at Fire Station 1.

APPROVE AGENDA

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

CONSENT AGENDA

The Consent Agenda consisted of:

- A. Approve Minutes of August 1, 2016 City Council Work Session
- B. Approve Minutes of August 1, 2016 City Council Meeting
- C. Receive Minutes of July 19, 2016 EDA Meeting
- D. Approve Vendor Claims and Payroll
- E. Adopt Resolution No. 2016-35 Accepting the Donation of \$100.00 to the City of Long Lake and the Long Lake Fire Department from Minnetonka School District No. 276 on Behalf of the Tour De Tonka

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

OPEN CORRESPONDENCE

No one appeared to address the City Council during Open Correspondence.

BUSINESS ITEMS

Appointment of New Firefighters to the Long Lake Fire Department

Fire Chief Van Eyll stated that with an application process and interviews completed, staff is recommending that conditional job offers for the position of paid on call firefighter be made to Joshua Grady, Blair Mileski, Neil Runions and Ryan deVereaux (who was not present at the meeting). The conditions of the offer would be that each new firefighter passes a physical exam, physiological exam, agility test and probationary period. The interview panel consisted of Fire Lieutenants, a District Captain and the Assistant Chief. Van Eyll added that one candidate would be a responder to Station 2, while the other three candidates would be responding to Station 1.

A motion was made by Schneider, seconded by Kaminski, to adopt Resolution No. 2016-32 conditionally appointing the following candidates to the position of paid on-call Firefighter for the City of Long Lake Fire Department: Joshua Grady, Blair Mileski, Neil Runions and Ryan de Vereaux. Ayes: all.

Following the Council's motion, Fire Chief Van Eyll administered the firefighter's oath to candidates Joshua Grady, Blair Mileski, and Neil Runions.

Presentation of Bond Sales Results and Resolution Providing for the Issuance and Sale of General Obligation Bonds, Series 2016A

Jason Aarsvold of Ehlers & Associates presented the results of the August 16, 2016 morning bond sale. This was the first time the City received a bond rating for a sale, with the Standard & Poors rating assigned as AA. The high rating was a factor in the sale, resulting in three competitive bids being received. The most favorable bid, United Bankers Bank out of Bloomington, ultimately also reduced the borrowing amount from \$925,000 to \$915,000. If awarded by the Council, the sale would close in a few weeks and funds would become available.

A motion was made by Kaminski, seconded by Olson, to adopt Resolution No. 2016-34 providing for the issuance and sale of \$915,000 General Obligation Bonds, Series 2016A. Ayes: all.

Proposed Ordinance Amendment to Chapter 8, Article V: Sign Regulations

Planning Consultant Lewis indicated that the proposed sign ordinance amendments have been brought forth before the Council at the last few meetings. At the last review, Council directed staff to amend the draft increasing the maximum number of days allowed for temporary signage in a calendar year from 60 to 90 days, as well as to update references of Highway 12 to the current County Road 112. Lewis clarified that if adopted, a business that has already used their 60 days during calendar year 2016 would now have an additional 30 days available to use before end of year.

Council members reflected that the proposed updated sign regulations may have the benefit of reducing the number of variance requests for signage; and noted that options for some leniency may need to be explored in the future should signage become an issue during the County Road 112 construction project.

A motion was made by Dyvik, seconded by Olson, to adopt Ordinance No. 2016-05 approving an amendment to Chapter 8, Article V: Sign Regulations. Ayes: all.

Opting Out of the Requirements of Minnesota Statute 462.3593 Relating to Temporary Family Health Care Dwellings

Lewis reported that back in May, Governor Mark Dayton signed into law a bill that will require cities to allow landowners to place mobile residential dwellings on their property to serve as a temporary

family health care dwelling. The intent behind the law is to provide transitional housing for those with mental or physical impairments and the increased need for short term care for aging family members. The law outlines specific requirements for how cities are to permit and regulate temporary family health care dwellings. The new law alters the city's level of zoning authority for these types of structures in that it requires cities to allow temporary family health care dwellings in ways that may not be consistent with local zoning regulations.

The bill includes a provision that allows cities to opt out of the law by ordinance. Many cities are choosing to opt out of the law because it does not comply with existing zoning regulations. The law goes into effect September 1, 2016. As a result, cities must adopt an ordinance opting out of the law prior to this date or will be required to accept applications for temporary family health care dwellings consistent with the new law.

The new temporary family health care dwelling law attempts to address an emerging issue of providing more convenient and affordable transitional housing for those with mental or physical impairments and the increased need for short term care for aging family members. Approving the proposed ordinance to opt out of the law would essentially result in no change in the way accessory dwellings are regulated. If the city wishes to further explore ways to offer increased housing options for sick or aging family members, staff recommends opting out of the requirements of Minnesota Statute 462.3593 and adopting local regulations in the zoning ordinance that are more appropriate and specific to Long Lake.

A copy of the language in Minnesota Statute 462.3593, as well as an informational handout provided by the League of Minnesota Cities regarding the law, were distributed to the Council in their meeting informational packets. Staff also included a copy of Section 19, Subdivision 6 which currently regulates accessory dwelling units. Staff is recommending that the following language be added to Section 19, Subdivision 6 (Accessory Dwelling Units) of the Long Lake Zoning Ordinance:

viii. Pursuant to authority granted by *Minnesota Statutes, Section 462.3593, Subd. 9*, the City of Long Lake opts-out of the requirements of *Minnesota Statutes, Section 462.3593*, which defines and regulates Temporary Family Health Care Dwellings.

At their regular meeting on August 11, 2016 the Long Lake Planning Commission voted 4-0 to recommend that the City Council approve the proposed ordinance to opt out of the requirements of Minnesota Statute 462.3593, which defines and regulates Temporary Family Health Care Dwellings.

Council and staff discussed "granny pods" and other types of temporary structures that would qualify under the new law; and agreed that opting out was advisable at this time, noting that should a need for accessory dwellings be identified that cannot be met with current zoning regulations, changes could be made in the future.

A motion was made by Schneider, seconded by Kaminski, to adopt Ordinance No. 2016-07 opting out of the requirements of Minnesota Statute 462.3593 relating to temporary family health care dwellings. Ayes: all.

County Road 112 (CSAH 112) Project – Phase 2 Authorize Final Design and Preparation of Plans and Specifications

City Engineer LaBounty indicated that Phase 2 of the CR 112 (CSAH 112) Improvements project is scheduled to begin construction in 2018 and is proposed to include roadway and utility improvements to CR 112 from Wolf Pointe Trail to the intersection of Wayzata Boulevard and the ramp to/from Highway 12. At their June 7 regular meeting, the City Council authorized preliminary design services for this project.

Based on the age and location of the existing sanitary sewer and watermain within Hennepin County right-of-way, staff is recommending full replacement of these facilities. Currently, existing watermain and sanitary sewer facilities parallel CR 112 on both the north and south side of the roadway, with crossings at select intersections. The majority of the existing facilities are original construction (cast iron watermain and clay sanitary sewer pipe). Based on conversations with Public Works, the original watermain on the south side of the roadway has a long history of breaks. Sanitary sewer televising tapes identified cracks and sags throughout the entire sanitary sewer in the corridor. A portion of the existing watermain on the north side of the roadway was reconstructed in the late 2000, but at this time it is unknown if the existing watermain can be salvaged while the sanitary sewer main is replaced in its current location. Once the topographic survey is completed by Hennepin County, we will review if alternative construction techniques can be used to salvage the existing watermain on the north side of the roadway. It should be noted that the engineer's estimate includes directional drilling for all watermain proposed to be replaced to minimize traffic impacts to the extent feasible.

The engineer's estimate for utility improvements with this project is \$846,000 with funding proposed to be from the City's utility enterprise funds. It is estimated that the City's water fund expenditure will be \$558,700 and the City's sewer fund expenditure will be \$287,300.

Council and staff discussed known I/I data for the area; I/I grant opportunities likely available through Metropolitan Council for both Phase 1 and Phase 2 utility improvements; the status of Birch's grease trap maintenance and whether further improvements could facilitate preventing future backups; and the timeline for preparation of cooperative agreements for both phases of construction.

A motion was made by Dyvik, seconded by Schneider, to authorize final design and preparation of plans and specifications for the CSAH 112 - Phase 2 utility improvements in the City of Long Lake. Ayes: all.

County Road 112 (CSAH 112) Project Phase 2 – No Parking Resolution

LaBounty stated that Hennepin County is currently preparing plans and specifications for the CR 112 Improvements – Phase 2 project which includes roadway improvements to Wayzata Boulevard through the City of Long Lake. Hennepin County is proposing to use State Aid dollars to fund portions of the project, and thus the geometric alignment requirements must meet State Aid requirements unless specially approved. The preliminary CR 112 geometrics approved by the City Council include parking restrictions on both sides of the roadway through this phase.

Resolutions restricting parking have been requested by Hennepin County for the following portions of Wayzata Boulevard (CR 112) in the City of Long Lake:

1. North side of Wayzata Boulevard, from Tealwood Place to Old Long Lake Road (eastern municipal boundary).
2. South side of Wayzata Boulevard, from Wolf Pointe Trail to the Luce Line Trail Bridge (eastern municipal boundary).

Staff is recommending that the City Council adopt a resolution that restricts parking on both sides of Wayzata Boulevard (CR 112) from Wolf Pointe Trail to the Luce Line Trail bridge at the eastern municipal boundary.

In response to Council member questions, LaBounty clarified that the resolution is needed by the County for project funding purposes. Should the Council wish to further explore on street parking in the area and elect not to approve the prepared resolution at the meeting, it is likely the County would be asking the City again to adopt the resolution in order to facilitate project funding. A similar request has been made to the City of Orono for adoption of a no parking resolution in their portion of the project corridor.

A motion was made by Kaminski, seconded by Olson, to adopt Resolution No. 2016-33 restricting parking on both sides of Wayzata Boulevard (CR 112). Ayes: all.

Discuss Appointment of LMCC City Council Member Representative Position

Administrator Weske reported that recent issues with Mediacom and broadcasting nodes preventing viewing of local LMCC cable access channels led to Jim Lundberg, LMCC Operations Manager, contacting both Mayor Chillstrom and Council member Dyvik seeking a Council representative to participate in an upcoming vote to try and resolve the node broadcasting issue. Resident representative Paul Mahoney is the only Long Lake representation appointed at this time.

City Clerk Moeller added that under the terms of the LMCC Joint Powers Agreement, member cities are able to appoint one resident and one Council member to represent their city. In previous years, the City Council had opted not to appoint a Council member representative as the LMCC meeting schedule conflicted with the Council's meeting schedule; however, their meeting schedule has changed.

Mayor Chillstrom indicated he would be willing to attend LMCC meetings on the Council's behalf.

OTHER BUSINESS

Public Works Updates – Public Works Director Goehring offered the following updates:

- The construction crew arrived and began work to install the new playground equipment at Nelson Lakeside Park; however, as they drilled footings for the installation, the holes filled with water. This setback will result in some alternate planning for pouring footings and setting them on posts. At this time it will likely be a few weeks before installation is complete. Public Works also will be working on moving the swingset to the shelter area as well.
- The new Hardin Park shelter is complete and soil/sod restoration work will be underway.
- Long Lake is currently experiencing high water and is under a no wake restriction at this time. Council member Dyvik noted that Water Patrol had been enforcing the no wake zone, perhaps a few days early. He expressed appreciation for the new gauge installed by Public Works over by the dam as well. Mayor Chillstrom added that the no wake restriction was announced to participants in the recent carp fishing contest.
- Public Works has been preparing a tally of all water meters city wide, not including irrigation meters, in order to submit meter numbers to the vendor who will be providing the new AMR meter equipment.

Corn Days Weekend – Council member Kaminski stated that the annual Corn Days festival and Parade had gone well over the weekend. The Carp Fishing Contest didn't experience quite the turnout as in past years, so it is likely the Orono Lions will be making changes for next year's event.

Long Lake Waters Association – Council member Schneider reported that the Long Lake Waters Association had met at the Long Lake Fire Station 1 on August 10. He was at the meeting, along with about 20 other individuals including facilitators from the Freshwater Society and MCWD. The group will be working to establish community goals that would be reasonable to achieve rather than focusing on long-term studies. The group will hopefully be meeting again in September to discuss some steps that can be used from a best practices standpoint to help improve water quality. Also, EDA member Lori Goodsell had referred Council member Schneider to Pete Willenburg, one of the founders of WSB & Associates. WSB has their own water resources group and Mr. Willenburg offered to share some advice on what other communities have done in similar situations.

BDI Grant Meeting – Council member Schneider indicated he would be hosting a second meeting regarding the Business District Initiative Grant at Long Lake Fire Station 1 on Wednesday, August 17 beginning at 6:00 pm. Meeting information was distributed to all Council and EDA members, and a quorum notice was posted to allow any members to attend. Mayor Chillstrom and Council member Kaminski had attended the first meeting held two weeks earlier.

Upcoming Discussion Items – Weske stated that the City's 2017 preliminary levy and budget are required by certified by September 30. In preparation for adopting a preliminary levy, the September 6 City Council work session will be focusing on 2017 budget considerations. Additionally, he indicated he is working with City Attorney Thames on reviewing cell tower leases. Work will continue to review contract language and work towards achieving more revenue from lease sites.

Accessory Structures in R2 Lakeshore District – Lewis reported that at their last meeting, the Planning Commission recognized some potential for difficulty to lakeshore owners in the R2 Lakeshore Single Family Residential zoning district regarding their ability to install accessory structures due to the more unique lot configurations. The Planning Commission's recommendation was that R2 zoning district regulations be amended to allow accessory structures in front of the principal building as long as the structure's location meets setback requirements. Lewis sought direction from the Council as to whether to prepare an ordinance that would amend R2 zoning district requirements for accessory structures based on the Planning Commission's recommendation. Council were in favor of the proposal and discussed whether any other residential districts were being similarly negatively impacted at this time.

A motion was made by Olson, seconded by Kaminski, to direct staff to prepare an ordinance amending R2 zoning district requirements to allow accessory structures that meet setbacks to be installed in front of the principal structure. Ayes: all.

City Clerk Updates – Moeller offered the following updates:

- Moeller recognized head election judge Sherrill Michel, and election judges Jim Gulbranson, Kenny Duke, Ann Webster, and (for a short time) Pat King for their work and patience on Primary Election Day.
- The candidate filing period for local offices has closed, and a complete list of candidates for the city offices of Mayor and the two Council member seats is available on the City's website.
- The Nelson Lakeside Park swimming beach is closed due to high bacterial counts in water samples taken through Hennepin County's beach monitoring program. Regular sampling will continue and the beach will be reopened once test results return to safe limits.

Watertown Road Project Update – LaBounty indicated that the contractor has completed watermain replacement work and spot replacements on areas east of Inglewood Street. They are now preparing to work on the sanitary forcemain at Harrington Drive. The contractor hopes to complete all utility work in the next three weeks, then move on to the roadway surface work. LaBounty and staff will be meeting with the property owners impacted by Bid Alternate 1 and will report back to the Council.

Carp Fishing Contest – Mayor Chillstrom noted that in past years the carp fishing contest had pulled as much as 700-900 pounds of carp from the lake, but this year’s event totaled under 100 pounds. The Orono Lions Club will likely look to sponsor next year’s event earlier than August.

Upcoming October Event – Mayor Chillstrom indicated that work continues on an October “fall festival” type event that would be held at Fire Station 1, and would include a fireworks display.

ADJOURN

Hearing no objection, Mayor Chillstrom adjourned the meeting by general consent at 8:02 pm.

Respectfully submitted,

Jeanette Moeller
City Clerk