



**MINUTES
CITY COUNCIL MEETING
September 18, 2012**

CALL TO ORDER

The meeting was called to order at 6:32 pm.

Present: Mayor: Tim Hultmann; Council: Tom Skjaret, Brian Carpenter, and Liz Olson

Staff Present: City Administrator: Terrance Post; Public Works Director: Marv Wurzer; City Engineer: Jason Wedel; Planning Consultant: Ann Perry; and City Clerk: Jeanette Moeller

Absent: Council: Donny Chillstrom (with prior notice)

PLEDGE OF ALLEGIANCE

CITY OF LONG LAKE UPDATE

Mayor Hultmann noted that La Bamba Mexican Restaurant intends to open at the former Peppercorn Grill site in mid-October; and Lakeside Wine & Spirits would also be opening October 1 in their new location at the former Kenny's Market site. He reminded the viewing audience to continue to shop local.

Mayor Hultmann also recognized three high school seniors from the Mound Westonka school district in attendance who were fulfilling a requirement to attend a City Council meeting as an assignment for their advanced government class.

APPROVE AGENDA

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

CONSENT AGENDA

The Consent Agenda consisted of:

- A. Approve Minutes of September 4, 2012 City Council Work Session
- B. Approve Minutes of September 4, 2012 City Council Meeting
- C. Receive Unofficial Draft Minutes of September 11, 2012 Planning Commission Meeting
- D. Approve Vendor Claims and Payroll

A motion was made by Carpenter, 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

Planning Case No. 2012-04: Sign Variance Request at 1605 W Wayzata Boulevard, John and Lisa James

Post stated that the variance request is for allowance of roof signage for the strip mall located at 1605 W Wayzata Boulevard. Construction of the building incorporated a mansard roof technique, limiting wall space and the ability to install wall signage. A variance for signage to be installed on the mansard roof was approved years ago; however, signs were removed with changes in tenant load for the property. The applicant is reapplying for a variance to once again allow signage installation on the mansard roof to better accommodate the property's current and future tenant load. Post noted that if approved, conditions recommended would limit the total number of roof-mounted signs to five, with the total area for signage on the building not to exceed 109.55 square feet.

John James, property owner and applicant, clarified that if the variance is approved the Lucky Dog Natural Foods sign currently on the building would be moved up to the roof.

Planning Consultant Perry advised that if the property owner does not install all five roof-mounted signs that would be allowed by the variance within a year, variance approval would lapse for any signs not installed and re-application would be required for additional roof signage. The applicant does have the option of installing and maintaining roof signs with blank copy to assure re-application is not necessary.

A motion was made by Skjaret, seconded by Olson, to adopt Resolution No. 2012-26 approving a variance to allow a roof-top sign for the Lucky Dog Natural Food Business and up to two additional roof signs for future tenants requested by Lisa James for property located at 1605 W. Wayzata Boulevard, Long Lake with the findings of fact noted in this staff report and the following conditions:

- a. There be no more than two signs additional signs (for a total of five roof-mounted signs (for a total of five roof signs - three on the north side and two on the west side of the building).*
- b. Total sign area on the building to not exceed 109.55 sq. ft.*

Ayes: all.

Planning Case No. 2012-05: CUP Amendment and Site Plan Review for Generator Installation at 445 Willow Drive, Verizon Wireless, LLC

Post reported that in 2009, the Planning Commission reviewed and the City Council approved a Land Use Application submitted by Verizon Wireless for the identical request recently submitted to the City - to place a 3' by 7' emergency power generator on property that currently contains a free-standing lattice telecommunications tower and two existing equipment shelters; the City water tower; and a small office building with a detached garage. The need for the proposed generator stemmed from a recent FCC ruling that requires telecommunications companies to install back-up power supplies to use in the event of a power emergency.

Although Verizon representatives obtained a building permit for the generator in 2009, the generator was not installed and the original building permit became invalid. Subsequently, on April 21, 2010, the City approval for the changes to the existing CUP to allow for the generator expired because the proposed work for the generator had not been completed as required by the Conditional Use provisions of the Zoning Ordinance.

Earlier this summer, a new building permit was mistakenly issued for the generator however, a "stop work" order was issued once it was discovered that the 2009 amendments to the CUP had lapsed. The chain link fence, concrete pad and landscaping had been installed on the site before the stop work order was issued, however the generator has not yet been placed within the fence.

Post added that the property abuts the St. George's Church cemetery and a condition not incorporated in the previous approval has been included, requiring that Verizon coordinate test runs of the generator with the Church to assure testing does not conflict with burials or services.

Dave Fisher, Buell Consulting, responded to Council member questions regarding generator fueling and fuel storage.

A motion was made by Carpenter, seconded by Skjaret, to adopt Resolution No. 2012-27 approving an amendment to the conditional use permit (CUP) for Verizon Wireless to allow construction of an emergency generator associated with the existing telecommunications facilities located on property at 445 Willow Drive, with the following conditions:

- 1. No daytime strobe light be installed if not specifically required by FCC;*
- 2. If the lease is terminated for any reason, the then current tower owner will remove the tower and equipment and pay all expenses to return the site to its original condition, within 180 days of termination;*
- 3. The CUP be reviewed annually;*
- 4. The then current tower owner cannot sell or sublease the tower equipment, or space on the tower unless the Long Lake City Council review and approve the agreement; and*
- 5. Verizon coordinate the time of weekly maintenance cycles with St. George Church representatives to avoid potential noise disruptions to church and cemetery activities.*

And, to approve the Site Plan Review for the emergency generator associated with the telecommunications facilities for Verizon Wireless located on property at 445 Willow Drive with the following conditions:

- 1. The site plan is constructed in compliance with the attached plans submitted by the applicant.*
- 2. The applicant submits the required compensation payment to the City within 45 days after commencement of construction activity related to generator installation within the leased premises.*

Ayes: all.

2013 Street Reconstruction Feasibility Report

Post indicated that a street reconstruction project for Brimhall and Tamarack Avenues was originally slated to be a 2012 reconstruction project, but, due to delays, was postponed to 2013. As this project would be Section 429 Special Assessment type, obtaining and approving a project feasibility report is a necessary part of the process. Viable requested revisions to the study will be made and documented before submittal of a final feasibility report to the City Council. Upon acceptance of the of the feasibility report by the City Council, a public improvement hearing will need to be held to

formally decide if all or a portion of this project should proceed to bidding document preparation by early 2013.

Council and staff discussed whether a full or partial feasibility report would need to be prepared again in the future should the Council decide not to proceed with the project in 2013.

Public Works Director Wurzer responded to Council member questions regarding the condition of the Brimhall and Tamarack Avenue roadways and sewer/water infrastructure in the proposed street reconstruction project area.

City Engineer Wedel indicated the feasibility report could be prepared to include data comparing the cost of replacing versus emergency repair of watermain infrastructure for the Council's consideration.

A motion was made by Carpenter, seconded by Skjaret, to accept the Feasibility Report Proposal from WSB & Associates, Inc. for the proposed 2013 Brimhall Avenue and Tamarack Avenue Street Reconstruction Project at a not to exceed engineering fee of \$16,138 and authorize the City Administrator to execute the contract agreement. Ayes: all.

OTHER BUSINESS

LMCC Cable Franchise Meeting – Council member Skjaret noted that during the work session, there had been some discussion of an upcoming LMCC meeting to collect feedback regarding the cable franchise agreement with Mediacom, and questioned whether a Council member should be in attendance at that meeting. Council members discussed their schedules and it was suggested Council member Chillstrom be approached to see if he would be available to attend. Post stated he would contact the City's LMCC resident representative, Paul Mahoney, to ask that he attend if possible as well.

Meeting with Incoming Council Members – Council members discussed scheduling a meeting in a work session format with newly elected Council member(s) following the November General Election to review current projects the Council is involved with, strategic planning efforts, and ongoing goals. Mayor Hultmann suggested that work session meeting be scheduled for the third Tuesday in November prior to the regular Council meeting.

Request to Improve Bus Stop – Council member Olson had received an email requesting improvements to the bus stop located at the intersection of Lake Street and CSAH 112. Noting that the current bus stop situation and location are awkward, she asked that the request be referred to the CSAH 112 turnback planning committees for consideration of improvement through their planning process.

Planning Commission Vacancy – Post advised that a vacancy to fill an unexpired term on the Planning Commission has been advertised.

Absentee Ballots – City Clerk Moeller noted that absentee ballots are processed by Hennepin County and encouraged those who intend to vote by absentee ballot to send in their applications earlier rather than later, allowing adequate time for absentee ballots to be processed by mail.

ADJOURN

A motion was made by Skjaret, seconded by Carpenter, to adjourn the meeting. Ayes: all. The meeting was adjourned at 7:15 pm.

Respectfully submitted,

Jeanette Moeller
City Clerk