



**MINUTES  
CITY COUNCIL MEETING  
April 19, 2016**

**CALL TO ORDER**

The meeting was called to order at 6:37 pm.

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

**Staff Present:** City Administrator: Scott Weske; Planning Consultant: Addison Lewis; Fire Chief: James Van Eyll; Public Works Director: Marv Wurzer; and City Clerk: Jeanette Moeller

**Absent:** Council: Kurt Kaminski (with prior notice)

**PLEDGE OF ALLEGIANCE**

**LONG LAKE NEWS UPDATE AND WORK SESSION MEETING REVIEW**

Mayor Chillstrom offered the following updates:

- Spring street sweeping/vacuuming is ongoing in town. Public Works Director Wurzer indicated the sweeping and vacuuming is now largely complete.
- In an EDA meeting prior to the regular meeting, the EDA began review of a draft request for proposals to solicit development proposals for the Virginia Avenue.
- In a work session prior to the regular meeting, the City Council received an update from staff regarding radio read water meter equipment and equipment testing findings.

Lastly, Mayor Chillstrom encouraged shopping local as often as possible.

**APPROVE AGENDA**

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

**CONSENT AGENDA**

The Consent Agenda consisted of:

- A. Approve Minutes of April 5, 2016 City Council Work Session
- B. Approve Minutes of April 5, 2016 City Council Meeting
- C. Approve Minutes of April 12, 2016 City Council Special Meeting
- D. Receive Minutes of March 15, 2016 EDA Meeting
- E. Approve Vendor Claims and Payroll
- F. Award Areas #1 Through #3 of the 2016 Trail and Parking Area Seal Project to Allied Blacktop Company of Maple Grove, MN; Award Area #4 of the 2016 Trail and Parking Area Seal Project to Pearson Bros. Inc. of Hanover, MN

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

## OPEN CORRESPONDENCE

**Dan MacDonald, 335 Russell Lane** – Mr. MacDonald mentioned that he had heard Todd Allen was applying for licensing to provide garbage hauling services in Long Lake, and he wanted to offer his endorsement of Mr. Allen's application. Mr. MacDonald indicated he couldn't say enough good things about Mr. Allen, and he hopes the Council will approve his application. City Clerk Moeller confirmed Mr. Allen's application for licensure under the business name Empty Can Sanitation will be on the Council's next meeting agenda.

**Michael Pan, 1272 Tealwood Place** – Mr. Pan noted that he was a Vintage Waste Systems customer and with Vintage Waste now under the ownership of Randy's Sanitation, Randy's has sent out three-year contracts for former Vintage Waste customers for their consideration.

Mr. Pan also spoke to his concerns regarding the following matters involving Birch's on the Lake:

The recent lift station alarm triggered by a grease backup generated by Birch's on the Lake required workers to be undertaking repairs for hours and past 5:00 pm on the day of the backup. He added that the lift station alarm signaling a backup had not gone off once in the time the Birch's (formerly Billy's Lighthouse) site was unoccupied.

On Friday, April 15, Mr. Pan stated he had observed there were 33 patrons out on the deck at Birch's on the Lake, not including service workers coming and going. He questioned who would be responsible for monitoring the 28 person occupancy limit of the deck at Birch's, and what action will be taken to address the occupancy load for the future.

He expressed concern about the Council's recent approval of a wakeboarding event to take place on Long Lake in front of Birch's on the Lake, and felt the event would have an undue adverse effect on lakeshore owners. He stated that rules are made for lake usage, but it appears no one follows up. He referenced Lake Minnetonka as an example of a lake with enforcement and more stringent permitting requirements.

Mayor Chillstrom responded that the City of Long Lake did not technically approve an event permit, as Hennepin County Sheriff's Water Patrol is the permitting and enforcing authority in these event circumstances. The City Council authorized Water Patrol to issue a permit but imposed conditions to any permit issuance by their office. He noted that in hindsight, perhaps additional conditions may have been appropriate; but ultimately Long Lake is a public waterway and the City is limited in its ability to restrict what goes on in the middle of the lake.

Council member Dyvik shared an email he had written in response to resident concerns emailed to staff and Council, and indicated he continued to support the event taking place on the lake as wakeboarding waves generated are less substantial than those generated by wakesurfing, and only one towboat would be active in the event. He also conveyed support for the event being a fundraiser for the Brains Together for a Cure program. He appreciates resident concerns about proximity of event activities to shoreline, and has contacted event organizer Jay Fogelson to work with him to try and set guidelines for pushing event activities closer to the center of the lake. He noted he would strive to find a balance between protecting shoreline and supporting multi-recreational use of the lake.

**Jennifer Bengston, 1272 Tealwood Place** – Ms. Bengston stated that she believes multi-recreational use of the lake is already well taken care of, and encouraged establishing restrictions for sporting use of certain areas of the lake to protect natural resources. She shared photos she

had brought depicting examples of erosion impacted areas and questioned how allowing sporting lake usage permits protects the lake.

**Cindy Adams, 1130 Underhill Circle** – Ms. Adams reflected on the property maintenance she and her husband have had to undertake regularly to protect their shoreline, and noted that boat wake wave activity can be quite forceful on shore in addition to natural wave activity. She stated that these types of events should only be permitted in the dead center of the lake, and that residents in the more densely populated area around Birch's will be unduly affected by lake use events permitted to take place there. She also commented on the difficulties in proving damages are caused by these events and activities for insurance purposes.

Council member Schneider stated that he had been one of the opposing votes to the motion that carried by a vote of 3:2, and reaffirmed that he does not believe these types of events help the lake as a resource, and that every little action that can be taken to protect the lake should be. He reflected that with the sponsor located in Rogers and the benefiting organization being based out of Rochester; he continues to feel that the event is unnecessary for the lake, the environment, and the community.

**Roger Adams, 1130 Underhill Circle** – Mr. Adams stated that the role of a good judge is often to make sure that everyone walks away a little unhappy. He indicated he feels a little saddened because he was hearing a strong sense of "not in my backyard" going on, and emphasized that the lake is a shared resource and everyone needs to consider what the true effect of one boat for two days would really be. From the conversations he's heard it sounds as if the goal for many is really a ban on this sporting type of activity on the lake. His family has been on the lake for 80 years, and has been protecting shoreline for 80 years. The water level forced by the dam at the east end is indeed a problem; but ultimately the lake is a shared common resource that everyone gets to use, and when there's a problem, private owners do bear the loss. He encouraged making sure conditions are in place for permitted events to best prevent harm.

## **BUSINESS ITEMS**

### **2015 Year End Long Lake Fire Department Annual Report**

Fire Chief Van Eyll made a presentation to the Council which summarized Fire Department operations during the year 2015, discussed trends in fire service calls, reviewed Fire Department staffing levels and retirements, and included goals from both personnel and training perspectives from 2015 and for the coming year. During his presentation, Van Eyll also thanked all those who participated in the Long Lake Fire Relief Association's recent annual all you can eat pancake breakfast. The breakfast saw record attendance of nearly 1400 participants this year. He also discussed recent station paint and carpet work; and upcoming events including Kids Day in October, a possible joint event in September partnering with the Chamber of Commerce, and the Slow Burn Brigade food and toy drive in December. Lastly, he discussed other organizations that use the Fire Station for their events and meetings, and talked about community outreach programs the Fire Department is engaged in.

### **Planning Case #2016-03 / Request to Amend the Minimum Number of Off-Street Parking Spaces Required for Animal Hospitals and Kennels**

Planning Consultant Lewis reported that applicant Kathryn Newman Bornhofen previously applied for, and the City Council approved, an amendment to the zoning ordinance to allow for Commercial Kennel Facilities as a permitted use in the I-2 Industrial zoning district. The applicant is seeking to open a Commercial Kennel Facility business at 2250 Daniels Street located in the I-2 district.

The current parking requirement for animal hospitals and kennels is one space per 200 s.f. of floor area. Upon working with the applicant, it was found that the minimum number of parking stalls could not be provided on site at her desired location. After additional analysis and review of other city ordinances, it was recommended to the applicant by staff to seek an ordinance amendment, rather than a variance, as it appears the parking requirement is higher than necessary for this type of use. Staff believes that requiring one parking space per 500 s.f. of floor area, rather than one space per 200 s.f. of floor area, is sufficient and is more in line with what other cities in the area require.

Staff is proposing an amendment to the minimum number of parking spaces required for animal hospitals and kennels (Section 21, Subd. 7, A) to state that the number of spaces required for Animal Hospitals or Kennels would be one space per 500 s.f. of floor area, versus the current one space per 200 s.f. of floor area.

After review, it was found that the existing parking requirement is likely higher than necessary for this type of use, which is primarily based on customers dropping off and picking up their pets. A review of the City of Orono's ordinance found the parking requirement for kennels is at least one space for each 500 s.f. in excess of the first 500 s.f. of floor area in the principal structure. The City of Wayzata requires at least six spaces plus one for each 200 s.f. of gross floor area over 10,000 s.f.

The applicant's facility is 10,000 s.f. Under the existing ordinance, 50 parking spaces would be required. The proposed ordinance would require 20 off-street parking spaces, which is how many exist on the site today, and avoids the applicant's need for a variance. Staff believes that requiring one parking space per 500 s.f. of floor area, rather than one space per 200 s.f. of floor area, is sufficient and is more in line with what other cities in the area require. Staff recommends approval of the proposed ordinance.

At the April 12, 2016 Planning Commission meeting, the Planning Commission reviewed the request, held the public hearing and voted 4-0 to recommend that the City Council adopt the proposed ordinance. There were no members of the public present to comment on the request.

Lewis clarified that the ordinance and parking requirement proposed would apply to Animal Hospital or Kennel facilities city-wide, not just the applicant's proposed facility in the I-2 district.

*A motion was made by Dyvik, seconded by Olson, to adopt Ordinance No. 2016-04 amending the minimum number of parking spaces required for Animal Hospitals and Kennels from one space per 200 s.f. of floor area to one space per 500 s.f. of floor area. Ayes: all.*

### **Request for a Commercial Kennel Permit at 2250 Daniels Street**

Lewis indicated that the property at 2250 Daniels St is zoned I-2 Industrial and Commercial Kennels are now a permitted use in the I-2 district. Applicant Kathryn Newman Bornhofen has stated that her proposed business would include dog daycare, grooming, obedience training, overnight care for dogs, and retail. An employee would remain at the facility 24 hours a day. Commercial Kennels require a permit that must be renewed annually and are subject to conditions stated in ordinance.

Council member Schneider questioned whether businesses are allowed to have people staying overnight. Mayor and fellow Council members pointed out examples of other businesses in town that were open for 24 hour or late night shifts.

*A motion was made by Dyvik, seconded by Schneider, to approve the requested Commercial Kennel Permit at 2250 Daniels Street. Ayes: all.*

### **Resolution Appointing Jason Goehring to the Position of Public Works Director**

Weske stated that the retirement of long time Public Works Director Marv Wurzer anticipated in summer 2016 created a need to hire a new Public Works Director to step into and train for the position prior to Wurzer's retirement.

In response to the position announcement advertising applications were being accepted for Public Works Director, resumes were received from nine applicants. The pool was then narrowed to three qualified candidates. A panel comprised of the City Administrator, Fire Chief, Public Works Director, Mayor Chillstrom, and Council member Olson interviewed the three candidates and unanimously agreed one candidate in particular, Jason Goehring, stood out as having the potential to be a good fit for the position and for working in the Long Lake community. The full City Council met in a special meeting on Tuesday, April 12, 2016 and interviewed Mr. Goehring as a candidate for the Public Works Director position. Upon completion of his interview, the Council authorized staff to negotiate a job offer to chosen candidate Jason Goehring.

Mr. Goehring has been employed in the Parks Department for the City of Maple Grove since January 2009. He also worked as an Assistant Superintendent for the Orono Public Golf Course during their 2014 season. Mr. Goehring holds a Bachelors of Science in Parks and Recreation Management; and a non-commercial pesticide applicators license. He has expressed a devotion to education and ongoing professional development, and stated he is confident in his ability to earn the Class D Water and Wastewater Operator certificates and licensure required for the position within his first year of employment.

Mr. Goehring was given excellent professional references who praised his talent, reliability, dependability, and growing leadership skills. His combination of experience, personality, enthusiasm, interests, and desire to grow into a position of this nature makes him a candidate well-suited to the position of Public Works Director for the City of Long Lake.

Following negotiation, an offer letter was extended to, and accepted by Mr. Goehring, contingent upon final action by the City Council at their April 19, 2016 regular meeting. If the appointment is approved by Resolution of the City Council, it is expected that Mr. Goehring would begin work on May 9, 2016.

Council member Schneider welcomed Mr. Goehring, and encouraged him to use whatever resources he will need to obtain the certificates required for the position.

Mayor and Council extended welcome wishes to Mr. Goehring.

Mr. Goehring indicated he is excited to begin employment and follow Wurzer's lead, noting that Wurzer will be a great example to learn from.

*A motion was made by Schneider, seconded by Dyvik, to adopt Resolution No. 2016-13 appointing Jason Goehring to the position of full-time Public Works Director for the City of Long Lake. Ayes: all.*

### **Update Regarding Status of Hennepin County Grant Awards**

Council member Schneider summarily reviewed the grant awards recently approved by Hennepin County for both park equipment replacement and a business district initiative to provide assistance through the upcoming CR 112 reconstruction project. Grant contracts have not yet been received by the city.

Administrator Weske clarified that the Council will need to take action formally approving the grant agreements in the future, once notification of the awards has been sent for the City's acceptance.

## **OTHER BUSINESS**

**Park Equipment Design Choices** – City Clerk Moeller noted that examples of color samples and sail design options had been sent to Park Board and City Council members for their feedback and choices. So far, the majority of respondents had preferred the lighter blue color sample in combination with the gray and butterscotch colors. Opinions about sail design – schooner style versus kite style – had varied. She presented color and sail design samples for the Council's consideration, and sought the Council's preferences in preparation for finalizing the order. Council members discussed the samples provided.

*A motion was made by Olson, seconded by Dyvik, to utilize the lighter blue with gray and butterscotch for colors, and to include three of the triangular "kite style" sails in the final order.  
Ayes: all.*

Wurzer indicated that the Park Board can discuss their recommendations regarding whether to reuse the existing playground equipment at an alternate site or to re-sell it at their next meeting.

**Spring Cleanup Information** – Moeller stated that spring curbside leaf pickup for residents will be on Tuesday, April 26 and Tuesday, May 3. Also, the annual Spring Cleanup Day held at the Orono Public Works facility will take place on Saturday, April 23. Detailed information about these events is posted on the City's website.

**Sign Ordinance Draft** – Lewis reported that the Planning Commission had discussed a first draft of a revised sign ordinance at their April 12 meeting, and work continues on reviewing sign provisions in preparation for a second draft reading. Staff would anticipate the Council may receive a draft for consideration in June at the earliest.

**Business Parking on Glenmoor Lane** – Council member Schneider asked that staff provide an update following up on an email inquiry submitted by a Glenmoor Lane resident regarding Birch's patrons parking along the roadway. Weske responded that he and Lewis had researched what may be allowed or effective to respond to the neighbor's concerns, and in consultation with the Police Chief, it was his recommendation that the best solution would be to establish a section of the street as being "parking by permit only". At this time it is unknown whether the proposed solution would be desired by the neighborhood residents.

**Open Book Meeting** – In response to questioning by Council member Dyvik, Moeller indicated that the Open Book meeting for review of property valuation and classification issues would be held on Wednesday, April 20 from 5:30 pm to 7:00 pm. Representatives of the City Assessor's office will be present to meet with anyone interested in asking questions or requesting a review of their property.

**Garage Sale** – Council member Schneider questioned whether Moeller would be posting a garage sale event similar to last year. Moeller replied that she would like to do so, and sought feedback regarding the best time of year to post a city wide garage sale.

**Grease Trap and Lift Station Alarm** – Wurzer provided a more detailed explanation of the recent grease buildup that led to the recent lift station alarm, and noted that while a need to break up grease buildups had been a regular occurrence when Billy's was in operation, Birch's is supposed to have a significantly larger grease trap. There is concern either the grease trap isn't being adequately maintained or that perhaps it may be undersized. Staff and Council discussed the need

for additional information on the maintenance and capacity of the grease trap, ordinance provisions that may apply to the situation, and identified a need to assure financial responsibility for repairs is not borne by the city. Further information will be provided to the Council as it becomes available.

**ADJOURN**

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

Respectfully submitted,

Jeanette Moeller  
City Clerk