



**MINUTES
CITY COUNCIL MEETING
August 2, 2017**

CALL TO ORDER

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

Present: Mayor: Marty Schneider; Council: Tim Hultmann, Tom Skjaret, Jahn Dyvik, and Michelle Jerde

Staff Present: City Administrator: Scott Weske; City Attorney: John Thames; Public Works Director: Jason Goehring; and City Clerk: Jeanette Moeller

Absent: None

PLEDGE OF ALLEGIANCE

MAYOR'S COMMENTS - LONG LAKE NEWS, MEETING REVIEW AND UPDATES

Mayor Schneider offered the following comments and updates:

Mayor Schneider expressed appreciation to the many individuals, community groups and businesses involved in this year's SummerFest event and provided a review of the day's events. He also shared the winners of the 1st Annual Long Lake Garden Contest and Bent Wrench Car Show.

On Tuesday, August 1, enjoyable weather and good attendance was experienced at Night to Unite gatherings in Hardin Park, Holbrook Park, and in the Charles Street, Meadow Lane, Bollum Circle, Heather Lane, and Wolf Pointe Trail.

In a work session prior to the regular City Council meeting, the Council began discussion of the concept of altering City Code to include crime-free rental housing provisions. On the subject of ordinance revisions, Mayor Schneider is interested in the Council exploring raising the minimum age for the purchase of tobacco products from age 18 to age 21.

APPROVE AGENDA

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

CONSENT AGENDA

The Consent Agenda consisted of:

- A. Approve Minutes of July 18, 2017 City Council Meeting
- B. Receive Unofficial Draft Minutes of July 25, 2017 Park Board Meeting
- C. Approve Vendor Claims and Payroll
- D. Adopt Resolution No. 2017-32 Approving Issuance of a Special Event Permit for the Lakeview Avenue Block Party

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

OPEN CORRESPONDENCE

Judd Axelson, 1790 Martha Lane – Mr. Axelson appeared to follow up on email correspondence he had sent to the full Council previously regarding personal watercraft regulations applicable to Long Lake. He had recently been approached by Hennepin County Sheriff's Water Patrol while using his personal watercraft on Long Lake and was surprised to learn the personal watercraft regulations for Long Lake differ from MnDNR regulations and are more restrictive for hours of operation. Mr. Axelson observed that Long Lake's curfew of 6:00 pm for personal watercraft usage is restrictive for him personally and negatively impacts his family's ability to enjoy the lake. He asked that the Council consider revising personal watercraft regulations for Long Lake as set forth in City ordinance to be consistent with MnDNR regulations.

Administrator Weske indicated that he had begun researching these regulations and has had communication with City of Orono staff regarding the matter. He is anticipating they will review the subject with their Council and share feedback with City of Long Lake staff following their Council's discussion.

Mayor Schneider affirmed that the Council's direction to staff has been to continue the discussion of this issue, to reach out to the City of Orono for their thoughts, and to further explore opportunity to address the matter.

Council member Dyvik clarified that ordinance language limits use of personal watercraft to ending at 6:00 pm; whereas MnDNR rules limit usage to ending one hour before sunset. Towing rules are also inconsistent with MnDNR regulations.

BUSINESS ITEMS

A motion was made by Jerde, seconded by Skjaret, to move into a closed session for discussion of Agenda Item No. 7. Ayes: all.

Discuss a Counter Offer for Property Located at 455 Willow Drive (American Tower Corporation Lease)

City Attorney Thames reviewed a draft letter prepared for sending to a representative of American Tower Corporation presenting a follow up counter offer as part of ongoing cell tower site lease negotiations. Mayor and Council discussed the terms outlined in the draft counter offer, as well as reviewed possible negotiation scenarios, and gave direction to the City Attorney for modifications to the revised counter offer. The City Attorney also received direction from Council regarding other scenarios to be presented for consideration during ongoing lease negotiations.

A motion was made by Jerde, seconded by Skjaret, to return to Open Session. Ayes: all.

County Road 112 (CSAH 112) Project – Phase 2: Authorize City Engineer to Sign Plans and City Administrator to Negotiate Cooperative Agreement with Hennepin County

Administrator Weske stated that Hennepin County has completed the preparation of the 100% plans for the County Road 112 Phase 2 improvements. With the 100% plans completed by the County's engineer, Hennepin County is requesting that the City of Long Lake sign the title sheet of the project set indicating municipal consent of the plans prior to submission to MnDOT State Aid for final approval.

Hennepin County is also in the process of preparing a preliminary cooperative agreement between Hennepin County and the City of Long Lake for the project. If authorized by the City Council, once the draft is received, Weske as City Administrator would work cooperatively with the City Attorney,

City Engineer, and Hennepin County to finalize the terms of the agreement. Hennepin County is anticipating that the agreement could be ready for City Council review and approval in the fall of 2017.

Staff is recommending the City Council authorize the City Engineer to sign the 100% plans to allow Hennepin County to submit to MnDOT for final approval, and authorize the City Administrator to begin negotiating the cooperative agreement for the County Road 112 Phase 2 project. Weske noted that Kristy Morter, Hennepin County Project Design Engineer; and City Engineer Jason Wedel were both in attendance at the meeting.

Ms. Morter provided an overview of the County Road 112 / Wayzata Boulevard W reconstruction, Phase 2 project. Phase 2 encompasses County Road 112 from Wolf Pointe Trail to the Highway 12 ramps. Morter's presentation reviewed project goals; proposed improvements and design features to include a trail on the north side of the road to the Luce Line Trail, a center left turn lane, narrowed through lanes, realignment of the Old Long Lake Road intersection, storm water treatment measures, sight line improvements, intersection lighting, and retaining walls; and discussed the Phase 2 project schedule. She indicated that the County is seeking authorization for the City Engineer to sign the final plans, as well as authorization to begin negotiation of a draft cooperative agreement.

Council and staff discussed upgrading protective barriers atop retaining walls as proposed near the lake from chain link fence to a more visually appealing railing style; and pedestrian safety measures that could be employed in the east end of the project area to facilitate pedestrian traffic from the neighborhoods in that area. Morter was aware of talk of adding a pedestrian crossing at one of the eastern neighborhood intersections in the corridor. Mayor Schneider commented on the density of the area and communicated that the message the Council would like to share is that the Council and County are looking into what can be done. Council member Hultmann observed that he understands projects have to include trails to receive federal funding, but the bottom line is public safety, and what good is a trail if it cannot be safely accessed. Council member Dyvik questioned whether further discussion of an additional public safety feature would negatively impact the project schedule. Morter responded that the schedule would not be impacted by that particular item.

Morter confirmed that based on conversations with the City of Long Lake and the City of Orono, the Phase 2 final plans would include Old Long Lake Road intersection design Option 4. It is her understanding currently that a 60' segment of the extension would be a public road under the jurisdiction of the City of Orono, to be maintained by the City of Long Lake.

Mayor Schneider sought Public Works Director Goehring's comments regarding maintenance of the extension.

Goehring stated that from his perspective, there would realistically be minimal maintenance needs; however, maintaining an Orono road would be of concern. He would look for direction from the Council on the matter, and if the Council direction is for Public Works to maintain the road segment, it would absolutely be done.

Council member Skjaret commented that he had already stated objection to Option 4, noting that the full cost implications of maintaining the segment were unknown. He indicated Option 3 was more acceptable, as it maintains some of the priorities of the homeowners and removes any potential future concern regarding possible impact of development of the 1070 W Wayzata Boulevard lot. He would support Option 3, and it is his opinion that Option 4 places an unknown liability on the City.

Council member Dyvik expressed concern about that liability being the responsibility of the three most impacted homeowners.

Council member Skjaret noted that everyone in the community has been impacted by the highway construction or turnback project, and reflected on the impacts his neighborhood had personally experienced. In summary, he observed that the community is sharing the burden, but will also share the benefit in five years.

Council member Dyvik respectfully disagreed with Council member Skjaret.

Council and staff further discussed what "maintenance" of the road segment would entail. Morter confirmed that it is her understanding per the City of Orono's discussion and approval that Orono would include the segment as a public road under their jurisdiction, as long as Long Lake was responsible for maintenance and replacement in future. It was noted that the terms of what constituted the City's maintenance responsibility would be addressed later in the cooperative agreement.

A motion was made by Jerde, seconded by Hultmann, to authorize the City Engineer to sign the title sheet of the County State Aid Highway No. 112 – Phase 2 plans to be submitted to MnDOT State Aid for approval; and to authorize the City Administrator to negotiate the terms of the cooperative agreement between Hennepin County and the City of Long Lake for the County State Aid Highway No. 112 – Phase 2 improvement project prior to City Council review and approval. Ayes: Hultmann, Dyvik, Schneider, Jerde. Nay: Skjaret. Motion carried.

Mid-Season Performance Review of Witts End Landscaping Mowing Services

Public Works Director Goehring reported that previously the Council awarded the 2017 Lawn Service Contract to Witts End Landscaping of Maple Lake, MN. Included in their 2017 bid was an additional option to add a second year of mowing services during 2018 for the same contract price as 2017. The Council felt that this offer could be considered after a performance review later in the season.

Witts End Landscaping has received a satisfactory performance review for their services provided to date. The strengths of their services include timely and appropriate mowing of all contracted areas, detailed clean-up work following mowing, and the ability to communicate and follow direction. In addition to staff recognition of their quality services, Witts End Landscaping has also been recognized in the Long Lake Park and Recreation Survey as "better than previous years."

With a satisfactory mid-season performance review, staff is recommending accepting Witts End Landscaping's second year offer for a total contract cost of \$14,500.

Council members commented favorably on the condition of the parks this year. As an aside, it was noted that the bicycle repair station has been installed in Hardin Park and has already been observed to be in use.

A motion was made by Skjaret, seconded by Jerde, to accept Witts End Landscaping's 2018 mowing contract offer maintaining areas A through I as described in the 2017 RFP, including Option #1, for a total contract cost of \$14,500. Ayes: all.

County Road 112 / Wayzata Boulevard W Reconstruction Project and Public Works Updates

Goehring offered the following updates relative to the County Road 112 reconstruction project, and to other Public Works activities:

- Retaining walls have been installed in the downtown area. Paving work has been underway west of Brown Road. The contractor is currently focusing on pavement, curb and gutter work in the project area, as well as completing some storm sewer work. Xcel Energy has also been involved in extensive electric utility work in the corridor.
- Mayor Schneider recalled that at the last meeting, Council directed staff to discuss relocating asphalt crushing to the Public Works property with the contractor, Eureka Construction. Goehring affirmed that he had met with representatives of Eureka Construction and provided them with a tour of the Public Works property and available space. The representatives communicated that it would meet their needs for crushing operations perfectly. Goehring began negotiating park projects as possible compensation for use of the site, and the contractor indicated a willingness to install a water line for a drinking fountain in Dexter Park, as well as to replace the retaining wall at Nelson Lakeside Park with wall materials matching the newly constructed walls in the downtown area. Previous estimates Goehring had received for these two projects were approximately \$10,000 for installation of the water line, and \$40,000 for reconstruction of the Nelson Lakeside Park retaining wall. The contractor also confirmed they would be responsible to repair any damage incurred to the Public Works property. Goehring had stated he would convey the proposal to the Council for their initial consideration. The contractor will be needing to begin crushing work in the third week of August, leaving them with two weeks to determine where crushing operations will take place. Goehring further affirmed that this proposal would be for Phase 1 construction only. Council and staff discussed the proposed compensation to allow asphalt crushing at Public Works, and commented on how best to move traffic to and from the Public Works site during crushing operations. With Council in favor of the proposal and compensation terms, staff received direction to bring back a negotiated contract for review at the next regular City Council meeting.
- Council member Dyvik questioned whether there has been any further consideration of starting earlier on the Phase 1 shoreline work. Weske had heard mention that the contractor may begin tree removal along the shoreline this year. Council member Hultmann observed that they could begin tree removal work once the lane shift has taken place.
- Council member Hultmann noticed that in the area of the Highway 12 emergency access gate, there was currently a big hole in the ground before the gate. Goehring confirmed the hole was temporary while electric utility work is underway. Council and staff discussed recent power outages that had occurred in town, noting in particular that a power outage on Sunday had been the result of a downed power line.

OTHER BUSINESS

Rescheduling August Planning Commission Meeting – City Clerk Moeller stated that although Tuesday, August 8 is not an election day in Long Lake, there are other jurisdictions in Hennepin County that are holding Primary Elections on that day. As state statute stipulates that meetings of governing bodies cannot be held on election days, staff has rescheduled the Tuesday, August 8 Planning Commission meeting to be held instead on Wednesday, August 9.

Lift Station Generators – Goehring updated the Council on the progress of permanent generator installation at both the Apple Glen and Lindawood lift stations, indicating that gas lines have been installed and the work is approaching completion.

Event Recognition – Council member Hultmann expressed appreciation to the City Clerk for communicating news of this year's Night to Unite activities, commenting that participation was

higher than in past years. He also gave thanks to Mayor Schneider for taking the lead in facilitating SummerFest when the Chamber of Commerce scaled back their participation level.

True Champion CrossFit – Council member Dyvik indicated he had met with the new owners of the True Champion CrossFit earlier in the week. They are intending to change the business name and are looking for a property to purchase for renovation or new construction. Moeller noted she had been in communication with representatives on their behalf and offered guidance as to what zoning districts would be compatible with their business use as they look at alternative locations.

Happy Birthday – Council member Dyvik wished his wife, Amy Dyvik, a happy birthday.

Meeting with Metropolitan Council Representative – Mayor Schneider reported that he had been in contact with Metropolitan Council Representative Freya Thammann's staff and will be working to set up a meeting in the next week, in preparation for the Council's further discussion of the Comprehensive Plan update project proposal.

Corn Days Parade – Mayor Schneider offered a reminder that the Corn Days Parade will take place on Sunday, August 13 as part of the Corn Days weekend festival. Mayor Schneider had attended a Chamber of Commerce board meeting earlier in the day, and announced that the Chamber of Commerce has extended their deadline for parade participation registration. In further speaking with the Chamber board, the Chamber of Commerce is looking to revitalize their organization and will be doing some restructuring as well as looking for active participants to get involved in Chamber matters.

ADJOURN

A motion was made by Jerde, seconded by Skjaret, to adjourn the meeting. Ayes: all. Mayor Schneider adjourned the meeting at 8:11 pm.

Respectfully submitted,

Jeanette Moeller
City Clerk