



**MINUTES  
CITY COUNCIL WORK SESSION  
August 2, 2017**

**CALL TO ORDER**

The meeting was called to order at 5:30 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; and City Clerk: Jeanette Moeller

**Absent:** None

**APPROVE AGENDA**

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

**BUSINESS ITEMS**

**Overview of Crime-Free Rental Housing Program – Officer Rose Lee, Wayzata Police**

Officer Lee presented Wayzata's Crime-Free Rental Housing Program and its relationship to their rental housing licensing ordinance. Their Crime-Free Rental Housing Program follows a national program standard and enables trained enforcers to teach an eight-hour program to residential rental property landlords regarding leasing and business practices. Wayzata's program requires that every rental property employ a drug-free, crime-free lease addendum; whereby if a rental unit has three or more qualifying drug or crime related enforcement calls to the unit, the tenant would be evicted. If evidence of drug usage is found, a tenant may be automatically evicted. Officer Lee noted that Wayzata's program has worked well for them, and commented on other communities which have implemented similar programs. She observed that a lot of recurring issues with rental housing involve building inspection or code enforcement related concerns, which are not related to the Police Department's Crime-Free Rental Housing Program, but are a part of Wayzata's rental licensing ordinance. Lee suggested that as Long Lake is more limited than Wayzata in size and staffing, elements of the Crime-Free Rental Housing Program could be incorporated in the City's current rental registration ordinance or in a future rental licensing ordinance update. She responded to Council member questions regarding how Wayzata handles vacation rentals, administrative fines, and whether there are any known rentals of concern at this time. Although Officer Lee did not have the statistics for current calls to rental properties, when her work was as a patrol officer, there were frequent calls to Dexter Drive properties at that time. She added that a lot of the City's rental housing properties are owned by owners who hold properties in Wayzata as well, so they have received the training through Wayzata's program.

Council member Hultmann distributed copies of a recent news article reporting that rental housing rules as employed by Golden Valley recently survived a legal challenge on privacy rights.

Officer Lee expressed a willingness to continue to work with Long Lake in exploring crime-free rental housing initiatives, including those that may work for a community of Long Lake's size.

### **Discuss County Road 112 / Old Long Lake Road Intersection Final Design**

Administrator Weske advised that the Orono City Council had met on July 24 and took action to authorize their City Engineer to sign the final CSAH 112 Phase 2 plan set when it is available and ready for signatures. Their motion also included the following:

- The project should include driveway Option 4 at Old Long Lake Road which would include dedicating a segment as public road and include a bump-out/turnaround. The new public road would be maintained by the City of Long Lake.
- The project should include no outlet and no parking signs on the new public road.
- The project should add \$20,000 to the landscape budget in this area.

Weske emphasized that some of the terms outlined in the Orono City Council's action motion would need to be further visited and addressed during cooperative agreement negotiations between the parties. The focus of current action is to authorize signature of the Phase 2 project plan set incorporating the desired design for the Old Long Lake Road/CR 112 intersection.

Kristy Morter, Hennepin County Project Design Engineer, indicated that the County is seeking final input from the cities regarding resolving the design of the Old Long Lake Road intersection. The current design under consideration is a revised Option 4 to include a turnaround. The 95% plan set has been submitted to the cities with comment received, and the only outstanding item remaining is implementing a driveway option for this particular intersection. The County has currently begun the right of way acquisition process in preparation for Phase 2 construction, and once the design plans are final, the County will begin working with the cities to prepare the cooperative agreement for Phase 2. Morter affirmed that her understanding of Orono's action taken was that the driveway extension would become a public road under their jurisdiction, to be maintained by the City of Long Lake according to their action.

Council and staff held extensive discussion on the ownership of the Old Long Lake Road drive extension under the current Option 4 design plan; ongoing and future maintenance obligations for the extension that would be incurred by Long Lake, if agreed to; future potential impacts on the proposed extension should the 1070 W Wayzata Boulevard be subdivided and developed possibly including conversion of the extension to a private road; and the cooperative agreement negotiation process and timeline. Council member Skjaret voiced objection to the City of Long Lake being financially responsible for all maintenance of the extension. Discussion continued regarding the neighbors' preferred design options.

Jane Davidson, 1020 Old Long Lake Road, stated her understanding of neighboring Orono's action taken and indicated during their meeting, they had also clarified that enforcement of parking and road signage requests were understood to be under Orono's jurisdiction. She also emphasized that she and her neighbors are concerned about comments that the drive extension may not remain a public road in future at the time the 1070 W Wayzata Boulevard property may be developed, and indicated that neither she nor her neighbors wish to have their driveway tied to a future development. Their desire is for the drive extension to remain a public road in perpetuity. Ultimately she conveyed that it is the consensus of the affected neighbors that if the drive extension is to become a public road, they prefer Option 4. If the drive extension would not be maintained by a City, then they would prefer a separated driveway option. She reiterated that the homeowners were bothered by references that the road ownership and arrangement may change in future, and asked that she be permitted to review the cooperative agreement once available.

Mike Feldmann, 1010 Old Long Lake Road, confirmed that Ms. Davidson's comments were reflective of his position as well.

Mayor Schneider observed that regardless of the outcome, a lot of time and resources have been spent focusing on the Old Long Lake Road intersection, and added that the time for discussion and review of a cooperative agreement would be once a document has been prepared for presentation and consideration at a future Council meeting.

### **Update on Collection of Delinquent Utility Bills**

Weske reported that in June, staff posted notices on the doors of 33 households that had longstanding delinquent balances. Notices requested that payments be made by July 28 to avoid service disruption. Weske provided an updated spreadsheet of those accounts remaining past due, and reviewed payment collection efforts, including negotiation of payment plans with some responding residents. Staff continues to work towards reducing the number of past due balances to minimize the need to certify accounts to property tax rolls in November.

Council and staff discussed the status of some of the past due properties, the disconnection process, and the process of certifying delinquent utilities to property taxes.

Mayor Schneider sought City Attorney Thames' feedback regarding the issue of service disconnection to properties.

City Attorney Thames advised that the best policy for disconnection of delinquent properties would be to follow objective criteria such as "oldest bills" consistently. In the case of rental properties, he added that there is an obligation to provide notification of a potential disconnection in landlord/tenant situations and to allow for the landlord to resolve the delinquency.

Mayor and Council were in agreement that staff could proceed to resolve delinquencies by disconnection or other means, in consultation with the City Attorney as appropriate.

Weske clarified that in most of the City's rental situations, account statements are mailed to both property owner and tenant. Statute and City ordinance do permit service disconnections for non payment of accounts. Staff will work with the City Attorney to assure notice requirements have been met prior to any disconnections.

### **OTHER BUSINESS**

**Temporary Office Assistance** – Weske confirmed that he had interviewed candidates from a temporary staffing firm to provide temporary office assistance to City Hall, and he intends to select a candidate soon.

**Meeting Absence** – Council member Jerde informed the Council that she would be out of town and unable to attend the next City Council meeting on August 15.

### **ADJOURN**

*Hearing no objection, Mayor Schneider adjourned the work session meeting at 6:23 pm by general consent.*

Respectfully submitted,

Jeanette Moeller  
City Clerk