



**MINUTES
CITY COUNCIL MEETING
November 8, 2017**

CALL TO ORDER

The meeting was called to order at 6:33 pm.

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

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

In a work session prior to the regular meeting, the Council received updates from Hennepin County Senior Project Engineer Paul Backer regarding the status of Phase 1 and Phase 2 County Road 112 construction, with emphasis on reviewing work to take place in the vicinity of the lake. He encouraged anyone interested in ongoing updates to visit the City's website and the County Road 112 reconstruction project website to sign up and receive emailed updates regularly.

A recognition event will be held in Nelson Lakeside Park on Veterans Day, November 11, beginning at 4:00 pm to honor local and area veterans. Mayor Schneider will be participating in the program, with the national anthem and patriotic music to be provided by Long Lake resident Adam Bestler. Mayor Schneider gave thanks to Dave Shaughnessy of Orono Rotary for organizing this year's Veterans Day activities. In addition to the presentation at the Veterans Memorial in the park, following the ceremony the Red Rooster restaurant will begin offering a \$4.95 prime rib dinner special for any veteran through the remainder of the day.

Mayor Schneider had recently spoken with James Wisker and Katherine Sylvia of the Minnehaha Creek Watershed District (MCWD) and had learned the MCWD is in the final stages of their Comprehensive Plan update project. MCWD staff would be happy to come to a future Council work session and update the Council relative to areas of their plan pertinent to the Long Lake subwatershed.

Kelley & Kelley Nursery, Otten Bros. Nursery, and the Country Cake Cupboard Café are organizing and sponsoring a multi-jurisdictional holiday decorating contest, anticipated to be inclusive of Medina, Orono, Long Lake, and possibly Wayzata entries. Mayor Schneider is expecting further details to be available for the next Council meeting.

Mayor Schneider reported that a partnership between the Long Lake Area Chamber of Commerce, Orono Rotary, local businesses and individuals is working to organize a first-ever Super Bowl hot dish contest in Long Lake to be held on Saturday, February 3.

APPROVE AGENDA

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

CONSENT AGENDA

The Consent Agenda consisted of:

- A. Approve Minutes of October 17, 2017 City Council Meeting
- B. Approve Minutes of October 26, 2017 City Council Special Work Session Meeting
- C. Approve Vendor Claims and Payroll
- D. Rescind a Conditional Appointment Offer for Employment as a Firefighter

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

OPEN CORRESPONDENCE

Antoinette Beenders, North Farm Road (Orono) – Ms. Beenders resides in Orono and expressed concern that the removal of shoreline trees in the Wayzata Boulevard W reconstruction project area had considerably altered the view from her property directly across the lake. Since the removal of the trees, all she now sees in her view is light. She asked that consideration be given to returning some vegetation to the area, and particularly requested that the angle of lighting currently in use by businesses along the corridor be changed to lessen the impact from across the lake. She also asked that the angle of new streetlights proposed in the vicinity be designed to limit the spread of light.

Brad Erickson, Owner of Orono Station at 2168 W Wayzata Boulevard (Orono) – Mr. Erickson read aloud a prepared statement addressing two points. In his first point, he advocated for the first amendment rights of individuals, described his experiences as he had expressed concerns that his contractor renters who are African immigrants were not being included on the County Road 112 work project, and indicated his appreciation to Mayor Schneider for following up on his concerns with the Hennepin County project team resulting in his contractor renters having work with the project. Secondly, Mr. Erickson presented the Council with a copy of a petition he had started requesting a crosswalk be added to facilitate safe crossing of County Road 112 somewhere in the vicinity of his property or the strip mall across the street from his location. He noted that the removal of the center medians in that area of the corridor has removed a safe haven for children crossing the street from the retail mall. He emphasized that a crosswalk needs to be installed somewhere between Willow Drive and Brown Road or someone will die. He has been working with Hennepin County to request a crosswalk in this area, and has retained a local attorney to help facilitate their request. It is his understanding the crosswalk request has been forwarded to the County's safety review panel and a study may take place in the spring. In the meantime, he presented a copy of the signed petition to the Council, and asked for the Council's acknowledgment and support of the need for a safe crossing.

John Stavig, 780 Brown Road N (Orono) – Mr. Stavig has been living on the lake for about 15 years. He indicated that although he had been on Orono's email subscriber list for some years, he had been shocked on October 10 to arrive home and see the destruction of trees that had taken place along the Long Lake shoreline and subsequently spent the next few weeks trying to find out why that had occurred. Though he had corresponded with the MCWD and Hennepin County staff, as well as reviewed meeting minutes and information on the project website, he continued to feel the tree removal was a shock. Mayor Schneider observed that in his recollection from beginning a term on the Council in 2015, it had been clearly understood that the trees referenced were going to be removed in order to stabilize the lakeshore and the action was not taken unexpectedly. Mr.

Stavig inquired as to the process and policies for tree removal of this scale and questioned whether there were disclosure requirements. Mayor Schneider reaffirmed that whatever the County is doing as part of the project, ultimately the City of Long Lake and the City of Orono had to agree with their plans before the first day of construction, and that did take place. He encouraged Mr. Stavig to reach out to project design manager Kristy Morter of Hennepin County. Council member Skjaret added that in public discussions as far back as 2012 or 2013, the County had explained that the trees were past their prime, contributing to the pollution of the lake, and needed to be removed in order for the shoreline to be stabilized adjacent to the roadway. Council member Dyvik directed Mr. Stavig to view artist renderings available on the County's project website from as far back as 2014 which included renderings of the shoreline restoration plan. Mr. Stavig questioned whether additional trees would be removed through the corridor as construction continues. Mayor Schneider responded that some additional trees in right of way will be removed as Phase 2 construction continues to the east end of town.

BUSINESS ITEMS

Review Vacant Building Registration Appeal for Property at 2073-A W Wayzata Boulevard

Administrator Weske reported that in February 2016, the Vacant Building Registration Ordinance went into effect. In July 2016, staff sent a letter to Moen Management informing them that their building has been determined vacant. Correspondence or a check for fee payment was never received for the one year amount for \$1,000, and the property was subsequently registered for a year by administration.

On August 23, 2017, staff mailed Moen Management an invoice for \$3,100 reflecting their total fees due for 2016 and 2017. The total of \$3,100 was arrived at due to the first year of vacancy fee being \$1,000, the administrative registration fee for failure to register being \$100, and the second year fee for continued vacancy status being \$2,000.

On October 18, staff received an appeal form to be reviewed by the City Council. The email letter accompanying their appeal form indicated the company does not agree with the vacant determination and believe the building should be treated like any other vacant suite for lease in their adjacent separate retail mall. They feel the owners of this property - Cliff Otten, Mike Leuer, and Bradley Moen - have done a great job with this development and its maintenance. Their email letter requests the Council consider Stone Ridge Plaza as having a space for lease within the development and "cancel this excessive charge. It is not warranted."

Weske clarified that the 2073-A W Wayzata Boulevard building is the vacant freestanding building adjacent to Stone Ridge Plaza, and referenced the photo examples included in the Council's meeting packets depicting the building's current unfinished status. He stated the criteria that define a vacant building as set forth in the ordinance, and noted that the building is not served by any utilities, does not have a complete floor, and would require substantial work prior to any occupancy. He also responded to Council member questions and confirmed that the building was constructed as a TIF project, and the property owner continues to receive a financial benefit upwards of \$30,000 annually in relationship construction of this building and the retail strip mall.

Council member Skjaret stated that the owners have done a great job maintaining the subject building and of keeping the retail mall occupied; but the Council did pass a vacant buildings ordinance specifically to encourage moving buildings like this along to occupancy.

Weske added that if they decide not to pay the vacant building registration fees, they can ultimately be certified to property taxes for collection.

Council member Hultmann noted he would be recusing himself from any voting, as he is employed as a consultant for building owner Cliff Otten.

A motion was made by Skjaret, seconded by Jerde, to deny the vacant building registration appeal by Moen Management for the property at 2073 A West Wayzata Boulevard. Ayes: Skjaret, Jerde, Dyvik. Nay: Schneider. Abstaining: Hultmann. Motion carried.

Mayor Schneider stated he had voted nay due to his position that the building is a part of the strip mall and is being meticulously maintained.

Update and Action Regarding Honoring Officer William Mathews

Mayor Schneider questioned whether Council member Hultmann had received any updates from Hennepin County Commissioner Callison's office regarding the City's interest in commemorating Officer Bill Mathews' legacy.

Council member Hultmann reported that he had received a call from Commissioner Callison earlier in the day, and she said she believes it is very unlikely the County would be able to take action renaming the Brown Road bridge or other County infrastructure as requested. She did convey that she had heard Senator Osmeck and Representative Hertaus plan to go to session and suggest that County Road 112 from the golf course west to County Road 6 be named something like William Mathews Memorial 112. If that is the case and it comes to fruition, it would be wonderful.

Mayor Schneider had learned that the City of Wayzata had passed a resolution of support for renaming the section of Highway 12 where Officer Mathews was tragically killed in his honor, subject to state approval. Mayor Schneider felt that Officer Mathews was integrated in Long Lake, with his beat centered in the vicinity of City Hall and the Brown Road bridge. With that, he felt it would be a positive gesture to take action supporting renaming the Brown Road bridge in Officer Mathews' honor.

A motion was made by Schneider, seconded by Hultmann, to rename the Brown Road bridge in honor of Officer Bill Mathews. Ayes: all.

Council member Jerde suggested that if park benches are installed along the future lake walk area, perhaps one could be dedicated to Officer Mathews as well.

Update Regarding Veterans Day Commemorative Activities

Mayor Schneider repeated that a recognition event will be held in Nelson Lakeside Park on Veterans Day, November 11, beginning at 4:00 pm to honor local and area veterans. In addition to the commemorative ceremony at the Veterans Memorial in the park, after the program, the Red Rooster restaurant will begin offering a discounted \$4.95 prime rib dinner special for any veteran through the remainder of the day.

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

Goehring offered the following updates relative to the County Road 112 reconstruction project and to Public Works operational information:

- Goehring affirmed that in the next few weeks, the complete roadway between Willow Drive and the Red Rooster will open to traffic.

- Mayor Schneider observed he had heard compliments were given to Goehring and the Public Works staff for their record keeping throughout construction, and asked whether there is a continuity plan in place for that record keeping. Goehring responded that he will have documents saved and a detailed file put together for continuity of record keeping.
- Council member Dyvik indicated that as the tree planting and landscape plan for the roadway corridor is intended to be a City driven initiative, he would like more information regarding how that process should get underway. Mayor and Council discussed the idea of forming a subcommittee to prioritize and influence plantings through the project area, and directed staff to include this as a discussion item on the next November meeting agenda. Further discussion was held as to the types of plantings that could be used in the shoreline restoration area; shoreline erosion in the vicinity of Union Cemetery and past efforts undertaken by Council member Olson to evaluate the condition of the Union Cemetery shoreline and opportunities for improvements; and lighting planned through the shoreline restoration area.

Accept Resignation of Public Works Director Jason Goehring

Weske stated that Public Works Director Goehring had emailed a letter of resignation to Council and staff on October 24, 2017. His letter is being presented for formal acceptance by the City Council.

Council member Hultmann reflected that Goehring had done a great job in the position in the short time he had worked for Long Lake, and thanked him particularly for his efforts in negotiating permanent park improvements in exchange for a site for asphalt crushing operations with the County Road 112 project contractor.

Mayor Schneider noted that while he was under no obligation after his last day of employment, he hoped staff could continue to reach out to Goehring for any information needed. Goehring confirmed staff could absolutely do so.

Mayor and Council expressed appreciation to Goehring, shared their collective reluctance to have to accept his resignation, but wished him well in his new position.

A motion was made by Dyvik, seconded by Skjaret, to accept the resignation of Public Works Director Jason Goehring. Ayes: all.

OTHER BUSINESS

Shop Local – Council member Hultmann also reminded everyone to continue to shop local and support the community's businesses and restaurants as often as possible, and especially through the upcoming holidays.

Pedestrian Crossings – Council member Hultmann indicated he continues to support a safe crosswalk for the east end of town. Mayor Schneider responded that the County has looked at three options for pedestrian crosswalks – one by Greenhill Lane, one by Heather Lane, or one near Russell Lane. He would expect that the County will be coming before the Council to discuss the three options, as they had actively received the Council's observations and have been working to address the Council's concerns. Council member Jerde suggested the County also give consideration to a crosswalk in the west end of Long Lake, adding that she too had observed lots of kids crossing the street from the karate studio in the retail mall. Mayor Schneider further pointed out that as resident Dan MacDonald had pointed out a year ago now, there are some statutes stating that a City has the ability to have more control over speed limits in residential sections of County roadways. There is some further investigation of whether the residential area of County Road 112 qualifies, which would thus enable Long Lake to have more control over the established speed limit. Later under Other

Business, Council discussed a variety of pedestrian crossing equipment and visual options that could potentially be installed for safe crosswalk areas in the project corridor.

Nelson Lakeside Park Enclosure – Council member Skjaret questioned the status of construction of the replacement portable restroom enclosure at Nelson Lakeside Park. Goehring indicated the framing is as complete as possible, and his goal is for the concrete work to be completed next week if weather conditions permit doing so.

Delinquent Water Bills – Council member Skjaret sought an update on the collection of delinquent utility bills. Weske replied that having a temporary office assistant had been of great help in this area, facilitating regular sending of past due notices. Some longstanding delinquencies have been resolved.

Snow Plowing Operations – Council member Skjaret asked what plans may be in place with regard to snow plowing operations and the absence of a Public Works Director. Weske indicated that the City could post for short term seasonal help if necessary, but former Public Works Director Marv Wurzer may be willing to assist as an on call backup for snow removal functions. Of bigger concern at this time is determining the correct equipment to remove snow from new concrete and aggregate surfaces through the County Road 112 corridor. Goehring indicated that equipment previously used for clearing sidewalks and trails in downtown will no longer be a good choice as a result of the change in paved surface dimensions versus new green space areas. Council and staff discussed possible alternative snow removal equipment that could be effectively used, or perhaps equipment could be borrowed from a neighboring community.

LMCC Meeting – Council member Skjaret indicated he would not be able to attend this coming Thursday's LMCC meeting as it falls on the date of his anniversary, but he was aware that resident representative Cary Bacall plans to be in attendance.

Metropolitan Council Representatives at Work Session – Administrator Weske reported that he had contacted Freya Thammann of Metropolitan Council and had scheduled Ms. Thammann and District 3 Representative Jennifer Munt to come to the December 5 City Council work session for a discussion of the Comprehensive Plan update process.

Thank You to LMCC Employee – Mayor Schneider thanked "AJ" for recording this, and the next few meetings, while the usual recorder was temporarily unavailable to do so.

ADJOURN

A motion was made by Jerde, seconded by Skjaret, to adjourn the meeting. Ayes: all. Mayor Schneider adjourned the meeting at 7:48 pm.

Respectfully submitted,

Jeanette Moeller
City Clerk