



**MINUTES  
CITY COUNCIL MEETING  
January 8, 2019**

**ADMINISTER OATH OF OFFICE TO NEWLY ELECTED OFFICIALS**

City Clerk Moeller administered the Oath of Office to Mayor-elect Charlie Miner, Council member re-elect Jahn Dyvik, and Council member-elect Deirdre Kvale. Upon affirming their oaths, Mayor Miner called the meeting to order.

**CALL TO ORDER**

The meeting was called to order at 6:35 pm.

**Present:** Mayor: Charlie Miner; Council: Deirdre Kvale, Michelle Jerde, Jahn Dyvik, and Tom Skjaret

**Staff Present:** City Administrator: Scott Weske; and City Clerk: Jeanette Moeller

**Absent:** None

**PLEDGE OF ALLEGIANCE**

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

Mayor Miner offered the following comments and updates:

Mayor Miner extended happy new year greetings to everyone, and commented that downtown Long Lake is looking better than ever with new holiday lighting and banners on display. He congratulated all who were involved in decorating downtown; as well as expressed appreciation to businesses and holiday lighting contest participants for their holiday displays.

The Orono Lions Club will be hosting their 32<sup>nd</sup> annual Snowball Open event on Saturday, January 26. For more information or event tickets, details are available on the Orono Lions Club's website at [www.oronolions.org](http://www.oronolions.org).

Mayor Miner thanked the citizens of Long Lake for electing him to his new position. He shared that he has lived in Long Lake for 30 years, he has received a lot from the community, and he is looking forward to giving back. He gave thanks to his family for their presence and their support. Mayor Miner reflected that exciting times are ahead as County Road 112 reconstruction wrapping up next year will bring a lot of opportunities. He noted he is looking forward to working with the new Council and will be looking to fellow Council members for advice. He welcomed fellow Council members to share their comments to kick off the new year.

Council member Kvale stated that she is thankful to be joining the Council and appreciated the support of the community and her family. She noted she expects there to be a steep learning curve, but she is excited for the work.

Council member Jerde commented that she is excited to work with a new Council, adding that the new membership represents different backgrounds that she believes will collaborate well together. She welcomed new Mayor Miner and Council member Kvale.

Council member Dyvik thanked everyone for giving him the opportunity to serve on the City Council for another four year term, and recognized his family members for their support. He, too, expressed excitement for the term ahead; and commented that he believes the Council is sitting at a time of opportunity too see positive changes for the City.

Council member Skjaret shared that he was glad to be a part of the new Council, and reflected that he too sees the City at a transition point. He recalled he had been on the Planning Commission at the time the bypass was under construction, and now, the City is approaching substantial completion of County Road 112 reconstruction through Long Lake. He echoed sentiments voiced by fellow members regarding positive anticipation for the years to come, adding that it will be exciting to see what comes of the recent renewed interest in the Long Lake community.

### **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 December 18, 2018 City Council Meeting
- B. Approve Vendor Claims and Payroll
- C. Adopt Resolution No. 2019-01 Approving Issuance of SEP #S2019-01 for the Orono Lions Snowball Open 2019 to be Held January 26, 2019; Authorize the Hennepin County Sheriff's Office Water Patrol Unit to Permit the Event

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

### **OPEN CORRESPONDENCE**

No one appeared to address the City Council during Open Correspondence.

### **BUSINESS ITEMS**

#### **Presentation: Community Service Awards Recognizing Mayor Marty Schneider and City Council Member Tim Hultmann**

Mayor Miner presented Mayor Schneider with a Community Service Award in appreciation of his dedicated service as a City Council member from January 2015 through December 2016; and his service as Honorable Mayor from January 2017 through December 2018. He also noted that Mayor Schneider's name and term of service had been added to the wall plaque commemorating the City's Mayors that hangs in the Council Chambers. Mayor Miner highlighted Mayor Schneider's many accomplishments during his tenure, and shared his thanks to Schneider for being a great mentor to Mayor Miner as he takes office.

Mayor Miner also presented Council member Tim Hultmann with a Community Service Award in recognition of his dedicated service most recently as a City Council member from July 2017 through December 2018. He expressed appreciation to Hultmann for his many terms of service to the community in a variety of appointed and elected City positions, and reviewed Hultmann's service years extending back to 1998. Mayor Miner commented on Hultmann's experience, wealth of historical knowledge, and noted Hultmann also has been a great mentor.

### **Request by Carbone's Pizza (Neil Heinen) for Reduction in Project City SAC and WAC Charges**

For background, City Clerk Moeller explained that when a residential, commercial, industrial or institutional property first connects to the regional wastewater/sewer system, the Metropolitan Council Environmental Services (MCES) division imposes a Sewer Availability Charge (SAC). MCES reviews plans for projects and issues determinations of SAC units to be charged and paid.

Additionally, the City has a policy of charging one Sewer Availability Charge (City SAC) and one Water Availability Charge (City WAC) per each MCES SAC unit required to be paid. The City Council may make a redetermination of the number of City SAC and City WAC units to be assessed to a property; however, no Building Permit may be issued unless MCES SAC, City SAC and City WAC charges have been paid to the City.

In preparation for the Carbone's Pizza project to be located at 2069 Wayzata Boulevard W (currently Budget Printing), plans were submitted to MCES in order to obtain their required SAC determination. MCES determined that 11 SAC units would be required for the change in use of the property. Accordingly, following City policy, 11 City SAC and 11 City WAC would also be assessed. The result of the MCES determination and corresponding City SAC and City WAC units would culminate in nearly \$67,000 for all applicable SAC and WAC charges.

Staff noted that MCES recently changed the formula for how SAC determinations are made by their office. As an example, in 2015, SAC determinations for the Birch's on the Lake project were made using a different formula that took into account square footage for indoor and outdoor restaurant seating, office space square footage, and restaurant production areas. Taking into account grandparent credits from the pre-existing restaurant use at the Birch's site, ultimately MCES issued a final determination that 8 SAC units would be due for the project (initial determination began at 42 units, reduced to 27, and finally to 8). The City Council took action in November 2015 approving a reduction in City SAC and City WAC charges for the Birch's project from 8 City SAC and 8 City WAC to 4 units of each assigned.

The determination for the Carbone's Project under the new formula was based solely on calculating square footage of the overall space being used for a food and drink establishment.

For an equitable comparison of circumstances, staff and the City's planning consultant reviewed the previous MCES SAC formula to re-estimate how SAC charges would likely have been determined by MCES using 2015 standards. The resulting estimate arrived at 8.93 or 9 SAC charges. A memorandum documenting this estimate was included in Council members' meeting packets.

Neil Heinen, applicant for the Carbone's Pizza, has requested the City consider a reduction in the City SAC and City WAC units that would be assessed to his project. Staff is supportive of Mr. Heinen's request and finds that a reduction in City SAC and City WAC may be more reflective of the project's benefit and impact to the property at 2069 Wayzata Boulevard W.

Referring to the action taken at the time Birch's requested consideration of a reduction in City SAC and City WAC fees applicable to their project, the Council ultimately reduced City SAC and WAC charges to a number that was half of the SAC units required by MCES. Staff suggests following a similar model in this circumstance, and is recommending the City Council consider adoption of a resolution reducing City SAC and City WAC charges to four units for each.

Council member Kvale sought more information regarding the nature of SAC and WAC fees.

Moeller stated that essentially SAC and WAC fees function as impact fees to be reflected of increased usage and impact to water and sewer systems. Weske added that SAC and WAC fees are allocated to the City's water and sewer funds; reducing SAC and WAC charges does not represent a loss to those funds. Moeller and Weske commented on the formula change employed by MCES in calculating their SAC determinations, and noted that staff intends to research SAC fees and policies employed by other cities to potentially bring forth a change to Long Lake's SAC and WAC fee structure, particular in the area of commercial SAC and WAC fees. Weske observed that the City may use renegotiation of its SAC and WAC charges in the interest of positively encouraging economic development.

Moeller clarified as well that the City's SAC and WAC fees are not related to water and sewer utility usage billings – as with all properties, the business would be billed for usage consistent with the current fee schedule for utility billing.

*A motion was made by Jerde, seconded by Skjaret, to adopt Resolution No. 2019-03 approving a reduction in City Sewer Availability Charges and Water Availability Charges for Carbone's Pizza to be located at 2069 Wayzata Boulevard W. Ayes: all.*

Neil Heinen was invited by Council to provide an update on the Carbone's Pizza project. Mr. Heinen explained that while they are getting closer to the project beginning, they are working through some financing hurdles at this time, and the government shutdown has impacted their ability to be considered for an SBA loan. Additionally, the sale of the property located directly to the south of the planned Carbone's site has not yet closed, which has affected their ability to draft a legal document for leasing the necessary parking with the new owners. He informed Council he believes the closing with new ownership may take place at the end of January. He also confirmed that his plans for remodeling consistent with his design as approved by Council remain on track, though minor adjustments may be made particularly with regard to the location of a walk-in cooler and using paneled stone versus cultured stone.

Mayor Miner thanked Mr. Heinen for his interest in bringing Carbone's to the community, and wished him the best of luck as he continues through the process.

### **Resolution Awarding a Landscaping Contract for the Wayzata Boulevard Phase 1 Landscaping Project**

Weske reported that at the direction of the Council, staff entered into direct negotiations with two companies for the Wayzata Boulevard Phase 1 Landscaping Project, and communicated that the deadline for submission of pricing proposals would be December 20. Ultimately, only one company completed the required documents for staff to review by the December 20 deadline. Upon review, staff recommends entering into a contract to complete the project with landscaping contractor Hoffman & McNamara, as their pricing came in below the engineering estimate and is favorable for the City of Long Lake. Weske reviewed exhibits included in Council member meeting packets, pointing out the difference between the engineering estimate versus the actual contractor's estimate.

Council member Dyvik stated that he was glad to have arrived at a point of decision making, and complimented Hoffman & McNamara's experience in working with similar state aid funded projects. He asked whether the plantings would still be on track for spring installation. Weske replied and affirmed his understanding that the project would be on a timeline for spring planting.

*A motion was made by Dyvik, seconded by Skjaret, to adopt Resolution No. 2019-02 accepting the price and awarding the Wayzata Boulevard W (CR 112) Phase 1 Landscaping Project to Hoffman &*

*McNamara and to authorize the Mayor and City Administrator to enter into a contract for said services outlined in the Project Manual.*

Council member Skjaret questioned how managing changes in plantings would take place and how decisions would be handled.

Council member Dyvik responded that Mike McNamara of Hoffman & McNamara had indicated that while they would bid the project according to the project plans, the bid is based on a per unit price and Council will be able to directly negotiate changes with the contractor. He noted that relative to plantings planned for the sloped berm, the contractor will be staking out a six-foot planting distance from the curb for the City to determine whether to plant trees in that location, or to consider further discussion of replacing the trees originally in the plan with sumacs and lilacs. When the staking is complete, Council member Dyvik will recommend the CR 112 Landscaping Subcommittee meet on site in the area for further review. He pointed out that though Hoffman & McNamara has certified planters and a positive reputation with the state, the City will still have to have a certified project engineer sign off that the project was installed correctly.

*Ayes: all.*

### **Consider Approving the Purchase of 34 Hanging Flower Baskets for the Downtown District**

Weske explained that discussion of purchasing hanging flower baskets to be hung seasonally on new light poles throughout the Wayzata Boulevard W project corridor had previously been initiated as a possible item to be funded through the Business District Initiative (BDI) grant; however, the BDI grant is now closed. Staff presented a quote that was received for the purchase of hanging basket hardware and flowers. The basket hardware would be a one-time purchase, with hardware estimated to last 10 years. New flowers would be a yearly expenditure and would need to be ordered in January or February for a spring basket. The funding source for the purchase would be the CSAH 112 fund, Fund 406. He clarified that this fund is unrestricted, however, the fund reserve had been maintained in anticipation of expenses the City could incur associated with the CR 112 reconstruction project. At this time, revenue from cell tower leases is also allocated to the fund.

Council member Skjaret commented that thus far, the fund had also been used for purchases the City would wish not to levy for, including items such as re-doing tennis courts at Hardin Park. Replacing fencing at Nelson Lakeside Park in the spring would be another likely candidate for a project to utilize the fund. He indicated that the funds were a result of leftover monies received by the City in compensation for Highway 12 bypass construction, which ultimately caused the City to lose City facilities and 52 housing units.

Council member Dyvik, who had provided the quote to staff for Council's consideration, stated that the quote from Gregor Farm & Greenhouse represented more favorable pricing than a previous quote received from Otten Bros. He noted that the number of baskets would need to be reduced from 34 to 32, as he had recounted the number of poles on which baskets could be hung. He called attention to the pricing breakdown between the long-term hardware investment versus one year planting cost. He is not suggesting the CSAH 112 fund pay for plantings each year at this time, but rather, would recommend the purchase be made for the current year with options to be evaluated for the following year.

Council and staff discussed the additional labor and equipment that may be necessary to maintain the proposed baskets and other landscaping features to be installed in the corridor.

For the benefit of new members, Council member Dyvik provided background on the history of the now expired BDI grant which had been received from Hennepin County to help the City through the County road construction project. The City may have the opportunity to apply for another BDI grant in the future.

*A motion was made by Skjaret, seconded by Jerde, to approve the purchase of 32 hanging flower baskets from Gregor Farm & Greenhouse for the downtown district with funds from Fund 406 – CSAH 112, in an amount consistent with their Invoice #4183 dated December 27, 2018.*

### **2019 City Appointments**

Moeller provided an overview of the list of appointments to be made for the coming year. Mayor and Council members discussed the varying positions to be filled, and agreed upon the appointments to be made as follows:

- Council member Dyvik to the position of Mayor Pro-Tempore;
- Mayor Miner and Council member Dyvik to the Fire Advisory Committee, with Council member Skjaret as alternate;
- Council member Jerde as the Park Board Liaison;
- Council member Skjaret as the Planning Commission Liaison;
- Council member Kvale as the Chamber of Commerce Liaison;
- Council member Dyvik as the Long Lake Waters Association Liaison;
- Long Lake resident Cary Bacall to the Lake Minnetonka Communications Commission for a term expiring December 31, 2020; and Council member Skjaret to the Lake Minnetonka Communications Commission;
- Mayor Miner and Council member Kvale to the Highway 12 Safety Coalition;
- Council members Skjaret and Dyvik as the CSAH 112 Project Liaisons;
- Council members Dyvik and Jerde to the CR 112 Landscaping Subcommittee; and
- Long Lake resident Tim Hultmann to the Wayzata Crime Prevention Coalition for a term expiring December 31, 2020; and Council member Kvale as the Wayzata Crime Prevention Coalition Liaison.

*A motion was made by Dyvik, seconded by Jerde, to adopt the City of Long Lake 2019 Appointments Worksheet, including the appointments as stated and agreed to. Ayes: all.*

### **Wayzata Boulevard W Reconstruction and Landscaping Project Updates**

Related to the project, as agreed to under the contract for using Public Works as a site for asphalt crushing operations, Weske advised that tree removal and grubbing work had begun on Wurzer Trail. Much had been completed over a two-day period and the trail is looking greatly improved. Council member Skjaret added that while tree and grubbing work was underway now, it was likely that ditch work would take place at a later date. As had been discussed previously, Council member Skjaret had spoken with Public Works Director Diercks about possibly installing butterfly garden plantings which would eliminate a need for mowing. Council member Jerde voiced support for the

butterfly garden idea, and Council member Skjaret noted that Diercks has some ideas on ideas for possible grant opportunities to assist with plantings. Council and staff discussed materials removed from the trail thus far, including dead cottonwood trees, an extensive amount of buckthorn, and debris including old railroad ties, concrete blocks, and refuse.

## **OTHER BUSINESS**

**Applications for City Board and Commission Positions** – City Clerk Moeller reported that with the deadline to apply for the City’s Board and Commission positions recently posted now expired, staff had received one application for each of the three positions advertised. Suzanne Caswell, long time volunteer who has maintained beautiful gardens in Hardin Park, applied for the Park Board vacancy; Tim Hultmann applied for the Economic Development Authority resident member position; and resident Anita Secord applied for the Planning Commission unexpired term vacated by Mayor Miner’s election. Moeller noted that Ms. Secord was in attendance at tonight’s meeting, should the Council wish to meet her informally.

Council invited Ms. Secord to speak and share a little about herself and her interest in the Planning Commission position. Ms. Secord shared that over the years, she has always served in varying capacities in her cities of residence. She described previous experience as an EMT and as a woman firefighter when she resided in Todd County. During her time in Long Lake, she has been on the Orono Police Reserves, was an election judge for the City of Long Lake, and had previously run for City Council. She also was an active Scout Leader for a number of years. Ms. Secord noted she feels she is service oriented, stating that she really enjoys the City and she would like to help plan its future, continue to learn, and she is willing to grasp what she needs to grasp to be a contributing part of Long Lake. She also welcomed new Mayor Miner and Council member Deirdre Kvale to the Council.

Mayor and Council were in agreement to direct staff to prepare the appointments of the candidates for the three open positions for formal action at the Council’s next meeting.

**Birch’s “Sled Dog Sundays”, Parking on Glenmoor Lane** – Council member Skjaret questioned whether Birch’s is required to post the Glenmoor Lane neighborhood with “no parking” signage for their Sled Dog Sundays events. Moeller confirmed that posting “no event parking” signage had been included as a condition of the Council’s prior approval of permit issuance for the events, and she will be following up with the event coordinator if necessary to assure signage is being posted consistent with their permit approval.

**Biomass Removal / Carp Update** – Council member Skjaret asked whether any carp biomass removal was anticipated to take place while the ice was still on the lake. Council member Dyvik noted he had reached out to Cassy Ordway for an update from the Long Lake Waters Association. Administrator Weske confirmed that the Long Lake Waters Association would be invited to share updates at the Council’s next meeting.

**Monument Sign Placement** – Council member Jerde questioned whether fellow Council members felt that the positioning of the new eastern City monument sign is a little awkward. Council member Dyvik agreed. Weske explained that while graphic illustrations prepared by the County had depicted the monument in a certain direction, he believed the actual placement was consistent with plan documents. He noted staff can review plan documents and follow up to confirm placement was consistent to plan.

**Special Goal Setting Work Session** – Council member Skjaret recalled that in past years, the Council held a special meeting to establish goals. Moeller confirmed that staff will be recommending

a goal setting work session be established during a future agenda; however, staff will be suggesting meeting dates that allow for new Mayor and Council members to attend the LMC Newly Elected Officials Conference and gain a little more time in their positions prior to holding the goal setting session.

**ADJOURN**

*Hearing no objection, Mayor Miner adjourned the meeting by general consent at 8:06 pm.*

Respectfully submitted,

Jeanette Moeller  
City Clerk