



**MINUTES
CITY COUNCIL MEETING
October 15, 2024**

CALL TO ORDER

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

Present: Mayor: Charlie Miner; Council: Jahn Dyvik, Mike Feldmann, Gina Joyce, and Deirdre Kvale

Staff Present: City Administrator: Scott Weske; Finance Director: Amanda Nowezki; 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:

The Fire Department had held their annual Fire Prevention Open House on October 7, 2024 and it had been well attended. The firefighters put a lot of work into planning the event, and there was a special visit from Chief Chip Lohmiller from the Cross Lake Fire Department who'd put on a demonstration about how to put out a car fire. Mayor Miner thanked the LLFD for their hard work and efforts for this community event.

Mayor Miner reported that a bit of an architectural find had been discovered within the last week. He displayed a picture of the side of the Long Lake Dental building and asked City Clerk Moeller to share more details. City Clerk Moeller indicated that a contractor had come in to pull a building permit to remove the stucco on the building and replace it with board and batten siding. The gentleman had come back to City Hall the day after the permit was issued and told her that he may have opened up a rat's nest because he had uncovered a mural that appeared to be from the 1950s. With help from Liz Olson and Sam Rettinger, she'd learned that Ted's Pharmacy was located in this building in the 1950s. She'd since spoken with Bob Gasch of the Pioneer Museum and had learned that the mural came from the pharmacy that had preceded Ted's Pharmacy, called Long Lake Pharmacy, which was there from 1948 to 1956. The Rock Spring Bottling Company featured on the ad had been a local bottling company based out of Shakopee. The mural was covered up when Ted bought the pharmacy. Her understanding is that the contractor's intent now is to cover the mural with some clear protectant and to keep a bit of the City's history on display. She thanked the Pioneer Museum for researching and sharing information on the mural and history of the building with staff.

Mayor Miner played a brief video that had been released about a month ago by the Lake Minnetonka Communications Commission called 'Utopic Tales: Long Lake, Minnesota – Author: Liz Olson'. He stated that Ms. Olson used to be a Long Lake City Council member, has done a lot of research on the history of

the City, and had recently written a book about it. He thanked LMCC for their video and Ms. Olson for writing the book, which is available for purchase at the Pioneer Museum.

Prior to the Council's meeting, the Economic Development Authority (EDA) had met and the main topic of discussion was proposals that had been received from two local parties who would like to develop the City-owned property at 1905 Wayzata Boulevard W. The EDA voted to proceed with discussions and negotiations with the Sundial Café proposal.

APPROVE AGENDA

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

CONSENT AGENDA

The Consent Agenda consisted of the following:

- A. Approve Minutes of October 1, 2024 City Council Meeting
- B. Approve Vendor Claims and Payroll

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

OPEN CORRESPONDENCE

Bryan Miller, 295 Lakeview Avenue – Mr. Miller thanked Council member Feldmann for running for re-election because he felt his work for the City had been invaluable. He also expressed his appreciation to Mayor Miner for also running for re-election; and to retired firefighter Todd Newcomer for stepping up to run for the Council seat being vacated by Council member Joyce. He stated that he felt Mr. Newcomer's background and education would be invaluable to serving on the Council.

Jacqueline Ricks, Orono City Council Candidate – Ms. Ricks introduced herself and stated that she was running for a seat on the Orono City Council, along with fellow candidates Steve Persian and Bob Tunheim. She explained that one of the reasons she'd decided to run for office was the lack of civility that they have been accustomed to seeing at their Council meetings as well as in some of the behavior of their Mayor and Council members. She shared that she felt it would be valuable to reestablish the relationship between Orono and Long Lake and make sure that they are working together as a community and not just as separate cities. She noted that if she was elected, she hoped to work together with Long Lake to move things forward.

Steve Persian, Orono City Council Candidate – Mr. Persian introduced himself as a candidate running for Orono City Council and shared that his number one priority was related to fire services. He stated that he felt that Orono spinning up their own independent fire department was nonsense that needed to be stopped. He observed that Orono needed to reestablish and rebuild a relationship with Long Lake and he believed that Ms. Ricks, himself, and Mr. Tunheim all have that same goal. He added that he also had the mindset that, as a Council, they needed to be more kind to the citizens of Orono, but also to each other as a Council; and what he has continued to see over a period of time has not been the kind of behavior that he felt leaders should have. He reflected that he understood at times there would be differences in opinion, but there should also be mutual respect. He noted that he was a firm believer that you need to invest in your community, but in a very open and transparent way. He felt that over time, that has gone by the wayside in the City of Orono. If elected, Mr. Persian stated that he would look forward to sitting down with Long Lake as soon as possible to return to the table and talk about fire

services in both the short and long term, rebuild their relationship, and work together as one community while being two different cities.

BUSINESS ITEMS

Public Hearing: Certification of Unpaid Delinquent City Utility Accounts and Services Invoices for Assessment/Collection

Finance Director Nowezki reported that on an annual basis, cities have the opportunity to certify to the County all unpaid delinquent utility accounts and unpaid general services charges for collections with the following year's property taxes. Impacted delinquent account holders were notified of this process and at this time, there is only one remaining unpaid utility account to be certified.

Mayor Miner opened the public hearing at 6:48 pm. There being no comment, he closed the public hearing.

Mayor Miner asked if the remaining unpaid utility account was for a unit in an apartment complex.

Nowezki clarified that it was actually an individually owned townhome; however, the specific situation is that the entire block of townhomes is individually metered, but shares a service line with only one shut-off valve, meaning that shut-off for delinquency isn't possible without shutting off service to all the homes that share the line. In that situation, the unpaid bill tends to just continue to climb.

Mayor Miner sought confirmation that the other properties that were originally listed on the delinquency list had already taken care of their unpaid bills.

Nowezki replied that the other three accounts had paid their bills in full.

A motion was made by Miner, seconded by Feldmann, to adopt Resolution No. 2024-47 for the certification and collection of delinquent 2024 water and sewer utility service charges, recycling program fees, storm water charges, and legal pass through charges. Ayes: all.

Receive 3rd Quarter 2024 Revenues and Expenditures

Nowezki gave an overview of third quarter revenues and expenditures as of September 30, 2024. She advised that each of the City's funds were currently at 54-82% of expenses and overall she felt that the City was doing a good job. She pointed out that the account that was at 82% was Fund 101. The fund that was at 54% was the Fire Department, and she commended them for doing a good job of being fiscally responsible in 2024. She noted that she had also included the overall fund balances as of September 30, 2024 in her report.

Council member Kvale referenced page four of the financial reports. She asked about disbursement for playground equipment and noted that it appeared to be in a negative balance for what the City had budgeted.

Nowezki clarified that Public Works had replaced a lot of the playground surfacing, with City Administrator Weske explaining that the playground resurfacing expense was for wood chip replacement.

Council member Kvale questioned if the City had also gotten some new playground equipment.

Nowezki stated that staff had ordered a replacement merry-go-round for Nelson Lakeside Park. Staff also realized that they could use the City's charitable gambling proceeds for that purchase, which is a separate fund.

Council member Feldmann referenced the 112 Capital Fund and asked if that was related to the County and the seven-year-old bills the City had received.

Nowezki replied that the City had not made a payment on that invoicing yet because they were waiting until the County could actually provide the City factual data showing that the money was still owed. She noted that the 112 Capital Fund represented the City's portion of Phase 3 of the CSAH 112 project, and explained that it was negative right now because the auditors had actually closed out the CSAH 112 project and distributed it into other funds when they finished Phase 2. Her intent would be to leave that line item negative in order to draw the auditors' attention to it so they can reallocate those funds back to 112 in order to make it whole and close it out.

Mayor Miner referenced the building permit escrow balance and asked for more details on that line item.

Nowezki commented that the building permit escrow balance was due to one of the developers having submitted their required development escrow in \$255,000 cash which the City is still holding.

Moeller added that the cash escrow was for the Zvago project. They are in the punch list phase of finalizing the project, and once the City has accepted the final improvements, there will be an agenda item for the City to either take a maintenance bond or just reduce the cash amount being held.

Nowezki stated that she had recently billed the other two developments that are looking to close out their projects and escrows. She highlighted that in Fund 101, the Building and Maintenance Repairs line item is over budget, but explained that was a strategic move on her part. She mentioned that \$70,000 of that amount was for the Public Works window replacements. Her goal in having that expense allocated there was to reflect that the City's buildings are aging and the City should begin budgeting for larger repairs and maintenance into the future. There is a possibility for the window replacement expense could be reallocated to come out of capital funds at the end of the year if necessary.

Council member Dyvik asked about the playground reference made earlier by Council member Kvale.

Nowezki reiterated that the wood chips in the playgrounds had been replaced. She noted that the Parks line item as a whole was only at 62% for the year, so even though that particular item was over budget, the fund was running under in many other areas which was why Public Works Director Diercks felt it was a good idea to move forward with the wood chips this year. She added that they had also replaced 20 US flags and for the street light poles.

Mayor Miner asked if the Long Lake Garden Club expenses showed up under Public Works.

Nowezki replied that they were allocated under Parks and separated under Landscaping Materials.

A motion was made by Feldmann, seconded by Miner, to receive the 3rd Quarter 2024 revenues and expenditures as of September 30, 2024, as presented. Ayes: all.

Updates Regarding Fire Department Matters

Mayor Miner reported that the next Fire Advisory Board meeting would be held October 23, 2024. With regard to the ongoing legal case, depositions had just finished up and were a pre-cursor to the court trial scheduled for early in 2025. He commented that there continues to be a lot of misinformation on social media and other places regarding Fire Department matters, which appear to mostly be from the Mayor of Orono.

Council member Dyvik reflected that he doesn't often respond to the Orono Mayor's comments, but he did want to address a few of them. Orono Mayor Walsh had stated something repeatedly at the candidate forum and at their Council meetings indicated that Long Lake had demanded or said that they had to have veto power over Orono in a fire services agreement, and that this had been communicated by Long Lake during the negotiations process. When someone had questioned Mayor Walsh about his statement, his response was that 'he was in the room when it was said'. Council member Dyvik indicated that he wanted to respond to Mayor Walsh's comment as clearly as possible that Long Lake has never made that statement, either written or verbally, or communicated in any other way that Long Lake would have to have veto power over Orono in an agreement.

Council member Dyvik recalled that he had been watching Orono's Coffee with the Mayor and one of the attendees had asked about the Navarre area and the previous fire services. Essentially, Orono Mayor Walsh was asked a question about whether the response times for the Navarre services area were previously inadequate. His response to that question was 'yes' and something to the effect of 'and Orono has solved that'. He referenced the analysis done by Council member Feldmann which showed that Orono had not solved that because Long Lake's response times in Navarre were faster than Orono's during the same time period the previous year.

Council member Feldmann stated that when the narrative is targeting the suburban standard, that means that they also have to actually meet it. He stated that if you look at the data, you have to get 10 people there in 10 minutes, 80% of the time, so it is a staffing issue. He has found this kind of commentary very frustrating when he watches some of the meetings.

Council member Dyvik stated that regarding the comment made that Long Lake wanted to have veto power over Orono, Long Lake wanted to be in a district with Orono, Minnetonka Beach, and Medina where everyone would have representation on an independent fire board, but in that, Orono would have the most representation and Long Lake would not be able to veto Orono. He reiterated that it had never been proposed or suggested.

Council member Joyce emphasized that the hypocrisy is that Orono has actually had veto power all along within the contract and she felt that they had intentionally, and repeatedly, exercised that power to turn down every request for capital.

Mayor Miner agreed that had been done over the last couple of years.

Council member Joyce stated that now Orono appears to be using that as an excuse for Long Lakes' supposed inabilities, which are false.

Mayor Miner recalled that he had been in attendance at most of the negotiation meetings and agreed with Council member Dyvik that phrase or term was not one that was ever used nor was it something that they were advocating for. They'd had a nice framework laid out with the representatives from Orono and he did not understand where this statement had come from, yet he has heard it repeated several times.

OTHER BUSINESS

Parking on Lake Street - Mayor Miner asked why there weren't parking signs on Lake Street across from the funeral home on the Town Center side. He noted that Lake Street was a wide street and asked if on street parking there was something that the City would reevaluate. Moeller responded that the first step would be to look at what the current Code says regarding 'no parking' zones. She added that she was aware that it is likely that the City will need to completely rewrite the parking and vehicles section of Code and the project is on her list of things to do. She stated that after they take a look at current Code, if there was nothing included that specifically said things needed to be a certain way, the Council could have the City Engineer look at it and make some recommendations. Weske clarified that, at this point, the Code was just old and he believed that Lake Street was actually referred to as the Daniels Street Extension.

Park Board Liaison Report - Council member Joyce gave an overview of the Park Board's meeting held the prior evening. The Board is planning their annual tree lighting event in Holbrook Park on December 6, 2024 from 5:30 pm to 7:30 pm, and she reminded everyone that it was a free community event. Moeller noted that they had not submitted a complete permit application for the event yet, and she could follow up with the Park Board member who was working on that process to make sure that it was done. Council member Joyce reported that the City did not receive the grants that they had applied for this year, but they were planning to reapply for a few of them next year. She added that there will be two Park Board seats opening at the end of the year and suggested that the Council start putting out feelers for community members who may want to fill those seats. She reminded the Council that her term on the Council would be ending at year-end as well, so they would also need to find someone to take over as the Park Board Liaison. Council member Dyvik asked if staff could put out a posting regarding the two openings on the Park Board. Moeller replied that she could put out a posting to communicate those openings, and Council member Joyce suggested that perhaps some of the new Zvago residents may be interested in serving.

Downtown Banner Project - Nowezki recalled that at a previous meeting, Council member Dyvik had raised the subject of new banners for the downtown and explained that in her research for the merry-go-round, she discovered that if the City ended up going the route of using artwork for the banners that was created by locals, the banners could also be paid for out of the charitable gambling fund. She noted that if they did something not art-related, then it would not qualify for use of those funds. Council member Dyvik stated that he was hoping that the local graphic designer that was used for the previous banners would be able to come present some information to the Council in the future. Moeller mentioned that she'd found a few examples of art contest programs that she had saved for possible future reference, and was excited that the charitable gambling funds may be able to be used for this purpose. Nowezki added that she had talked to Public Works Director Diercks about the current banners and he mentioned that there had been a sizing issue with them. She suggested that whatever direction the City chooses to go for new banners, they may need to be a bit more careful with their next order as far as banner size.

Election Updates - Moeller indicated had wrapped up equipment testing earlier today in preparation for the upcoming election and everything is in good working order. The City has a great team of election judges, and the General Election will actually be the fifth election of the year. She highlighted that early voting hours have been posted on the City's website as well as on the building doors, and there would be no early voting on Friday, October 18 because she would be out of the office that day. Council member Dyvik asked what percentage of voters vote prior to election day. Moeller responded that as of what

had been accepted through the day of the meeting, it is under 10%, which also included mail-in ballots. Council member Dyvik commented that he was not a big fan of having such an extended voting period because things can happen to candidates prior to election day. Moeller shared that she also struggled with the extended early voting period because Long Lake is a small city and throughout the early voting period, she has to handle everything without the election judges. It was her opinion that this creates quite a burden, especially for small cities within Hennepin County, because the expectations are very high. Mayor Miner mentioned that he had attended a meeting last week with area Mayors and District 6 County Commissioner Adelson. One of their discussion topics was elections and how much work it was for small cities to put on five elections in one calendar year. There had been some talk about the County offering some assistance to the smaller cities for their elections. Moeller expressed her frustration that Hennepin County has failed in taking a scaled approach to things like organics collections and elections because it has made it very difficult for the smaller cities, and noted that she felt it had gotten more and more unfair over the last 20 years.

Imagine 2050 Comment Period - Council member Joyce asked if the City had heard anything about the letter they had sent to the Metropolitan Council regarding being designated as 'urban edge'. Nowezki noted that the public comment period had just ended late last week, so if there would be any kind of response from them, she expected that it would still be a while. Moeller believed that they would likely just factor in the comments received. Council member Joyce asked how the City would find out if the proposed designation was changed. Nowezki wondered whether WSB would be notified.

Next Council Meeting Date - Mayor Miner reminded the Council that their next meeting would be November 12, 2024.

ADJOURN

Hearing no objection, Mayor Miner adjourned the meeting by general consent at 7:29 pm.

Respectfully submitted,

Scott Weske
City Administrator