



**MINUTES  
CITY COUNCIL MEETING  
September 19, 2023**

**CALL TO ORDER**

The meeting was called to order at 6:31 pm.

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

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

**Absent:** Council: Gina Joyce (with prior notice)

**PLEDGE OF ALLEGIANCE**

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

Mayor Miner offered the following comments and updates:

The City Council had met in a work session prior to the regular meeting at which they had discussed the proposed 2024 Preliminary Budget and Levy.

Mayor Miner and Council member Feldmann had attended the Wayzata Fire Department's Pancake Breakfast event over the weekend and noted that the French toast was actually made by members of the Long Lake Fire Department using the rotating griddles made by former Long Lake Fire Chief Rick Perry.

On September 8, 2023, Mayor Miner attended events sponsored by Representative Dean Phillips including a breakfast with area Mayors and a Vietnam Veterans Memorial ceremony in Maple Plain.

Additionally, Mayor Miner reported that the Northwest League of Hennepin Municipalities meetings have restarted after taking a break over the summer.

**APPROVE AGENDA**

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

**CONSENT AGENDA**

The Consent Agenda consisted of the following:

- A. Approve Minutes of September 5, 2023 City Council Meeting
- B. Approve Minutes of September 5, 2023 City Council Meeting
- C. Approve Vendor Claims and Payroll
- D. Adopt Resolution No. 2023-36 Approving Issuance of Special Event Permit #S2023-11 for the Gear Western Half Marathon and 5K Event to be held October 14, 2023; and Approve the Issuance of a Noise Variance Permit

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

## **OPEN CORRESPONDENCE**

**Bryan Miller, 295 Lakeview Avenue** – Mr. Miller commended the Council for doing what he felt has been a remarkable job handling the current situation with the Fire Department and explained that he believed they have worked hard to maintain the City's dignity and the rights of everyone within the community. Looking back over the last year, he has found the statements currently being made by Orono officials to be ironic and observed that he felt it had become clear that Orono's whole plan the entire time has been to simply take over the Long Lake Fire Department in a hostile attempt. He voiced that he also felt their conduct has been mean and rotten to their neighbors and it appears as though a lot of attempted trickery had occurred under the guise of 'doing what is best for their residents'. He reflected that more and more Orono residents are starting to ask questions. As Long Lake prepares to enter into mediation with Orono, he asked that Long Lake not offer anything that is not in the form of a Joint Powers Agreement because Orono simply cannot just take control of the Long Lake Fire Department. He wished the City well in their mediation efforts with Orono next week and reiterated his appreciation for all the work and effort they have put into the situation already.

## **BUSINESS ITEMS**

### **Greater Wayzata Area Chamber of Commerce Presentation of Exceptional Service Award to City View Plumbing of Long Lake**

Sarah Kaelberer, B&E Investment Advisors, explained that the community is able to nominate businesses to the Wayzata Chamber for recognition of their exceptional service, and announced that City View Plumbing from Long Lake had been nominated for and recently won the Greater Wayzata Area Chamber of Commerce's Exceptional Service Award. She introduced Carl Milow who accepted the award on behalf of City View Plumbing. She read aloud the statements made within the nomination about City View Plumbing related to their quick response, and their workers' respect for the home.

A round of applause for City View Plumbing followed the announcement, and photos were taken of the award presentation to Mr. Milow.

City Clerk Moeller mentioned examples during which the City had also had very positive experiences with City View Plumbing.

### **Public Hearing: Consider Adoption of an Ordinance Amending Chapter 6 – Animals (Repeal and Replace) of the City Code of Ordinances**

Moeller recalled that the Council had already reviewed the ordinance proposed for Council's consideration while in its rough draft form. Moeller indicated that staff had prepared two versions of the ordinance, and highlighted the differences in language between the two with relation to permitting leashing only versus allowing leashing, e-collars and clicker training devices as effective restraint methods. She also pointed out language changes that were contributed by the City Attorney and Police Chief Schultz through their reviews.

The Council discussed the proposed changes, suggested a few additional layout and language changes, and reviewed the differences between Option A and Option B.

Mayor Miner opened the public hearing at 7:03 pm.

*Bryan Miller, 295 Lakeview Avenue* – Mr. Miller stated that he felt that anyone who owns a dog should be required to train the dog before they can be an owner. He indicated he supported the Option B version of the ordinance which would allow the use of an e-collar or clicker device as a

form of leashing, and added that he did not believe having a physical leash requirement is necessary.

There being no additional public comment, Mayor Miner closed the public hearing at 7:06 pm.

Mayor Miner asked if there was any further information about the recent incident involving a dog injuring a resident.

Moeller replied that her understanding was that it involved a dog at large. The proposed language will be a significant improvement over the current chapter and may have helped address this recent situation had it been in place.

Council member Kvale referred to the provisions regarding cancellation of a license and questioned whether there would be a possible remedy rather than revoking licensing and having to get rid of a dog, if a family came to the City and explained how important that dog was to their family. She gave the example of installing a fence and asked if there would be some sort of appeals process in that situation.

Moeller responded to clarify that an individual has the ability, at any time, to petition the Council for a waiver from any provision of City Code.

*A motion was made by Dyvik, seconded by Miner, to adopt Ordinance No. 2023-03 under the Option B version repealing and replacing Chapter 6 – Animals of the City Code of Ordinances, with the following amendments:*

- Under Section 6-1, add language updating the definition of 'under restraint' to include by use of 'e-collar or clicker training device so as to be effectively restrained';
- Under Section 6-27 (3), clarify that a dog would be the control and direction of the owner or the owner's custodian versus 'immediate family member; and
- Under Section 6-3, Public Nuisance Animals, rearrange the language to say, 'Citations may be issued by the animal control officer and/or peace officer for individual occurrences of any of the following, and the animal(s) may be impounded at the expense of the owner. Any animal which has been the subject of citations for doing any of the following three or more times in any 12-month period will be declared a public nuisance.'

*and direct staff to publish an Ordinance Publication Summary notice. Ayes: all.*

**Public Hearing: Consider Adoption of Ordinance Amending Chapter 36 – Utilities (Repeal and Replace) of the City Code of Ordinances**

Moeller reported that the Council had reviewed the proposed ordinance amending City Code, Chapter 36 – Utilities in a recent work session; and the current language had also been reviewed by the City Attorney, the City Engineer, the Public Works Director, the Finance/Utilities Officer, and the City Administrator. She highlighted some of the changes that had been made as part of the review process.

Council member Kvale inquired about the section that references I&I and asked about a scenario in which property owners experiencing a violation are out of town or unable to make prompt repairs.

Moeller explained that the section mentioned by Council member Kvale had been reworded by City Attorney Thames and read aloud proposed language changes that may help clarify the situation

raised by Council member Kvale. She added that if someone is actively working with staff on any given situation, the intent is that staff would have discretion to work with the resident.

Council member Kvale expressed concern with the difficulty a resident may have in finding a plumber to address the issue as quickly as possible.

Moeller suggested changing the word 'will' to 'may' regarding imposing penalties; however, she cautioned against providing too much wiggle room because the City needs the ordinance to have strong language for a reason.

Mayor Miner opened the public hearing at 7:29 pm. There being no public comment, he closed the public hearing.

*A motion was made by Feldmann, seconded by Dyvik, to adopt Ordinance No. 2023-04 repealing and replacing Chapter 36 – Utilities of the City Code of Ordinances, with the following amendments:*

- Under Section 36-29, changing 'will not be turned on' to 'will' to 'may'; and
- Under Section 36-50, replace the word 'division' in the first paragraph with the word 'section' to read 'any owner to be found in violation of this section shall make the necessary changes to comply'; and
- Under Section 36-50, paragraph three, update language to read 'it shall be unlawful for any person to maintain a condition which violates the provisions of this section and each day that a person so maintains such a condition, having failed to comply within 30 calendar days of notification by the City, shall amount to a separate violation'.

*and direct staff to publish an Ordinance Publication Summary notice. Ayes: all.*

### **Adoption of Preliminary 2024 Payable Levy; Establish Truth in Taxation Public Meeting Date to Discuss Levy and Proposed Budget**

City Administrator Weske reminded the Council that they will be able to reduce the budget and levy at final adoption at the end of the year, but cannot increase the levy once the Preliminary Levy has been adopted. He reviewed the proposed levy increase of 12.145% and highlighted 2024 budget factors including employee wages, the annual Police contract amount, Fire Department related items, health insurance premiums, and the CIP.

Council member Dyvik noted that the Council had reviewed the levy and budget in detail during their work session. He asked what contribution projects like Zvago and Aava Vetta would be making to the levy for future years.

Weske noted that he felt it is a bit early at this point to be able to tell and indicated he believed that once the buildings start reaching occupancy, that will change how quickly valuations are reflected on the tax rolls. He shared current values for the various projects and reiterated that the expectation is that those will increase with occupancy.

Council member Dyvik commented that he understands the current levy is preliminary and the Council can decrease it in December, but noted that he felt that the 'hurt' may be more evenly distributed because of these up and coming projects.

Mayor Miner called out that the Fire Advisory Board had met last week and per Orono's request, they had made a reduction in the amount budgeted for duty crew operations. He reviewed some of

the budget items related to the Fire Department that were discussed at the most recent Fire Advisory Board meeting.

Council member Dyvik stated that he wanted to keep working towards bringing the tax rate down and not just be content with keeping it flat. He added that he understands the City is facing increased costs for many things and will support the preliminary budget and levy, but reflected that he would like to see an attempt to continue to bring the tax rate down.

*A motion was made by Dyvik, seconded by Miner, to adopt Resolution No. 2023-37 establishing the Preliminary Property Tax Levy Payable in 2024 for the City of Long Lake. Ayes: all.*

*A motion was made by Dyvik, seconded by Feldmann, to adopt Resolution No. 2023-38 establishing the Truth-in-Taxation public meeting date as December 5, 2023 to discuss the Proposed Levy and Budget for taxes payable 2024 for the City of Long Lake. Ayes: all.*

### **Schedule September 27, 2023 City Council Special Work Session**

Mayor Miner indicated that the intent of this agenda item would be to schedule a Special City Council Work Session following the September 26 initial mediation meeting with Orono regarding the Fire Department issues.

Moeller reminded the Council that this would be a Closed Session meeting.

*A motion was made by Miner, seconded by Feldmann, to approve scheduling a Special City Council Work Session meeting for September 27, 2023 at 5:00 pm. Ayes: all.*

### **Update Regarding Fire Department Matters**

Mayor Miner reiterated that mediation between Long Lake and Orono will occur on September 26, 2023. He and Council member Dyvik will be attending on behalf of the Council, supported by staff and the City's legal team.

Mayor Miner also summarized that the Fire Advisory Board had met yesterday and had come to an agreement on the proposed budget for 2024.

Council member Dyvik observed that he thought the last Fire Advisory Board meeting had been a good one and the cities' representatives were able to share opinions and concerns and have a very civil discussion. Despite some disagreement on the specific items, they were able to come to mutual agreement on support of the overall budget. Fire Chief Heiland had also given an update to the Board on how the duty crew pilot program was progressing. Council member Dyvik felt that the program has had a really good start because they have had 50% participation for Monday through Friday and 25% on Saturdays.

Mayor Miner encouraged everyone to mark their calendars for October 9, 2023 at 5:30 pm for the Fire Department's annual Fire Prevention Open House at Station 1.

### **OTHER BUSINESS**

**Appreciation for Boat Launch Improvements** - Council member Dyvik voiced his appreciation to Public Works Director Diercks and the Public Works Department for their initiative in working with the pavement contractor currently working in the park to improve the boat launch ramp at Nelson Lakeside Park.

**Bonding Tour, Grand Avenue** - Mayor Miner shared that Representative Andrew Myers had communicated with the City about an upcoming bonding opportunity for the City and noted that he had asked that Long Lake's Grand Avenue project be included in the legislative bonding tour.

**Code Enforcement Update** – Mayor Miner requested an update from City Administrator Weske about the code enforcement discussions with Wayzata. Weske responded that the last conversation they'd had was about helping the City on a case by case basis, but there were no current issues reported for enforcement, so they have not yet worked on any together. During the meeting, Moeller received acknowledgement from Weske to allow her to contact Wayzata Police and move forward with establishing procedures.

**ADJOURN**

*Hearing no objection, Mayor Miner adjourned the meeting by general consent at 8:03 pm.*

Respectfully submitted,

Scott Weske  
City Administrator