



**MINUTES
CITY COUNCIL MEETING
February 20, 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; Planning Consultant: Will Harris; and City Clerk: Jeanette Moeller

Absent: None

PLEDGE OF ALLEGIANCE

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

Mayor Miner opened by expressing his heartfelt condolences for the tragic situation that occurred in Burnsville last Sunday that had resulted in the loss of life of two Police officers and one firefighter.

He indicated that last Saturday he had attended the 'Everyone Can Save a Life' CPR event at the Long Lake Fire Station which offered training put on by the Fire Department.

Additionally, prior to the City Council meeting, he had attended a ribbon cutting ceremony sponsored by the Wayzata Area Chamber of Commerce for 'The Stax of Long Lake' project, which is the City's new 70-unit apartment complex.

APPROVE AGENDA

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

CONSENT AGENDA

The Consent Agenda consisted of the following:

- A. Approve Minutes of February 6, 2024 City Council Work Session Meeting
- B. Approve Minutes of February 6, 2024 City Council Meeting
- C. Approve Vendor Claims and Payroll
- D. Appointment of Park Board Chair and Secretary Officer Positions for 2024
- E. Adoption Resolution No. 2024-09 Conditionally Appointing Aidan J. Gregg to the position of Paid On-Call Firefighter for the City of Long Lake
- F. Accept the Resignation of Firefighter Caleb Thunberg from the Long Lake Fire Department
- G. Approve Amending Lease Between the City and the Lake Minnetonka Communications Commission (LMCC) for Use of Office Space in the City's Public Works Building and Authorize the City Administrator to Execute Said Amended Lease
- H. Resolution Appointing Noah Mackey to the position of Full-time Public Works Maintenance Worker I

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

OPEN CORRESPONDENCE

No one was in attendance to address the City Council during Open Correspondence.

BUSINESS ITEMS

Ordinance Amending Certain Parking Requirements by Use and Updating Parking Regulations for the Storage of Boats, Trailers, and Recreational Vehicles

City Clerk Moeller introduced Will Harris of WSB who has been working with Planning Consultant Hannah Rybak on this item, and was attending the Council meeting on her behalf.

Planning Consultant Harris gave a presentation that reviewed proposed amendments to the parking regulations for storage of boats, trailers, and recreational vehicles and outlined the Planning Commission's recommendations.

Council member Dyvik sought clarification on what constituted an interior side yard.

Harris explained that on a corner lot, the interior side yard would be the yard that abuts the neighboring property rather than abutting the street.

Council member Kvale questioned what would be considered a driveway and if it had to be paved.

Harris stated that typically the driveway is the hard surface that leads to the garage area and noted that the proposed amendment does allow for the parking of recreational vehicles on the sides of the principal structure, on any material, including grass.

The Council inquired about various recreational vehicle scenarios and what would be allowed.

Moeller offered to draw a picture to help provide a visual and then described various property scenarios and where parking would be allowed.

Council member Kvale suggested that the City more clearly define 'driveway' in this Code.

Moeller believed that language could be included in the amendment to address 'driveway'. Her understanding of current code is that recreational vehicles are permitted to be in the driveway or on a gravel or paved surface that is attached or immediately adjacent to the driveway.

Council member Feldmann asked about how close a vehicle on the street side could be to the street before there is an issue.

Moeller read aloud the draft language which stated that 'storage in the corner side yard is permissible only when the item is stored along the wall of the structure'. She clarified that corner lots essentially have two front yard setbacks on the sides abutting roadways, and the front yard setback is typically 25 feet. No matter what, if a property stores a recreational vehicle against the wall of the structure, that location should be 25 feet back from the street.

Mayor Miner asked if there was a definition of what a 'principal structure' would be.

Moeller responded that the principal structure would be the house.

Mayor Miner asked about a situation with an attached garage.

Harris clarified that an attached garage would also be considered the principal structure because it is attached to the house.

Moeller noted that a detached garage would be an accessory structure.

Mayor Miner mentioned that he felt this may open up some ambiguity and asked if staff believed something was needed in order to better establish that a principal structure does not include a detached garage.

Moeller observed that a detached garage is already defined in code as an accessory structure.

Council member Kvale questioned whether 'principal structure' was defined in code since 'accessory structure' was.

Moeller looked up and reviewed definitions in zoning code in response to Council member inquiries.

Mayor Miner reiterated that he thinks the issue of structure type needed to be clearly defined.

Council member Feldmann questioned how a recreational vehicle was defined and highlighted the example of the trailer for a Sea-Doo which would be the recreational vehicle.

Harris clarified that a trailer that has two jet skis or snowmobiles on it would be considered one recreational vehicle.

Council member Kvale suggested that explanation be specifically defined within the code.

Weske noted that during their discussion of the matter, the Planning Commission felt that a trailer with multiple items on it should be considered one recreational vehicle.

Council member Joyce asked where something like a large motorcoach would fall into the definition.

Harris replied that it could be up to 400 square feet in size and would be considered one recreational vehicle.

Moeller read aloud and reviewed the recreational vehicle definition currently in code.

Mayor Miner asked for clarification on the terminology 'recreational vehicles and equipment'. He commented that he felt the 'equipment' portion was loosely defined and shared an example of someone having a Bobcat parked by itself on their property. He pointed out that the term 'equipment' can mean a lot of things and asked what the intent was of this language.

Weske gave the example of a kayak with the 'equipment' like the oars or life jackets being stored inside of it. He added that the MnDNR does not put a Bobcat within the recreational vehicle category when the vehicle is registered.

Moeller suggested that to be very clear, the language could reference recreational/non-commercial vehicles and equipment.

Council member Dyvik clarified that the term equipment in this case was intended to refer to the equipment related to the recreational vehicle as City Administrator Weske had described.

Moeller indicated that staff will look at making clarifications on 'equipment' being related to a recreational vehicle. She shared that the reason the issue of recreational vehicle storage was brought to the Planning Commission for consideration was because the single biggest code enforcement complaint that staff deals with is related to recreational vehicles. What has burdened staff in addressing resident complaints is that the existing code is not very clear, and anything would be an improvement even though it is difficult to find language that might cover every situation. She added that she sensed from the evening's discussion that further review and changes were needed rather than the proposed recreational vehicle language being an easy amendment to move forward tonight.

Weske explained that the theme behind the Planning Commission's discussion was to focus on allowing people to use their properties in a realistic manner without interfering with their neighbors. He stated that putting in too many limitations and definitions in place may bring the tone back to eliminating people's rights to use their property. The Planning Commission wanted to reduce the burden of the 'red tape'.

Council member Kvale asked about the complaints that have come in and asked if staff would be able to address many of them with these proposed amendments.

Moeller confirmed that what is being proposed would be a vast improvement and would allow for addressing a significant portion of the complaints that have come in.

Harris commented that he handles code enforcement for three other municipalities. The proposed code section is very similar to what they use. He added that there would likely be some subjectivity to recreational vehicle code for any city.

Moeller reported that one area that she receives a fair amount of complaints about that could be more clearly addressed relates to people storing mass quantities of business trailers and trailers with equipment for trades at their residence.

Council member Kvale observed that the term 'equipment' could arguably be what Moeller had described, and not just the kayak oars as noted by Administrator Weske. She suggested that issue be more clearly defined.

Moeller wondered aloud whether it may be easier to say recreational vehicles and 'related' equipment and then also state that vehicles for business and construction use do not qualify as recreational vehicles.

Council member Joyce pointed out though that if someone has a private business, they need to park their trailer somewhere, which would obviously be at their house.

Mayor Miner asked if the City cared what the trailers were for if they just determined that there would be a maximum number allowed.

Moeller indicated that staff was struggling more with the backyards with construction equipment and yards with a bunch of trailers with business logos on the side parked all over. The proposed amendments would reducing the maximum number of vehicles down to three would be better than the current language and would help in addressing locations where there are seven or eight vehicles and trailers at properties. She noted that she would also like to consider the addition of some language about the vehicles needing to be current on all registrations.

Harris added that typically with code enforcement, if someone has a trailer that is not in compliance, the owner is given notice as well as time to bring it into compliance.

Mayor Miner reflected that he likes the concept of the proposed recreational vehicle storage amendments but agreed that the language may need a bit more tweaking. He asked if they had already taken a look at what nearby cities were doing, especially Wayzata, because the Police Department would be doing code enforcement for both cities.

Moeller confirmed that the Planning Commission had taken a look at other cities.

Harris advised that they had taken a look at code provisions in the cities of Orono, Maple Plan, Wayzata, Excelsior, Spring Park, Minnetrista, and Independence for comparison.

Mayor Miner suggested that they move the discussion onto the next section of the draft ordinance.

Harris reviewed proposed amendments for parking space requirements for different types of restaurants and outlined the recommendations from the Planning Commission.

Moeller clarified that the Planning Commission is essentially recommending a simplification of this portion of code and has simply recommended requiring one parking space for every three seats for restaurant uses.

Mayor Miner asked if these changes would apply to existing restaurants or just future restaurants.

Moeller confirmed that this would apply to future parking calculations and, as it is proposed, any new restaurant coming into the City would need a bit less parking than the existing restaurants were required to have.

Council member Kvale asked if there could be additional language added that would say that they have to have a certain number of parking spaces; or could have some accommodations nearby or something like street parking, understanding that the required parking wouldn't necessarily be on their property but would be available for customers to use.

Moeller responded that there is language related to that question within the code allowing for a Conditional Use Permit to be applied for to permit a joint parking arrangement subject to a set of criteria.

Council member Feldmann reviewed some of the Planning Commission points of discussion and the thought that some of the people living in the new residential units in town will be taking up some of the seats, but in most instances may be likely to walk and not take up a parking space.

Weske agreed and reminded the Council that one of their goals is to foster walkability and have businesses that residents can walk up to.

Council member Joyce asked about the proposed language requiring stacking spaces for drive-thru restaurant lines. She mentioned the example of the former BP property and questioned whether there would be space for stacking.

Weske stated he was doubtful that there would be enough space.

Council member Joyce found that the proposed amendments to restaurant parking requirements make sense, especially if they align with what nearby cities are also doing and would be an improvement over the current language.

Mayor Miner voiced that he also liked the direction of the proposed restaurant parking requirements and noted that they can always change in the future if need be. He felt that perhaps the City may have been somewhat restrictive in the past.

Council and staff discussed perceived parking issues in the downtown area and the City's various business zoned districts; ideas for areas that could accommodate municipal parking; and reviewed past examples of projects that were short on parking including Birch's and Carbone's. It was noted that in the example of Birch's, the Council had voted to approve a parking variance against staff's recommendation at that time. With regard to Carbone's, the building and parking lot were constructed to accommodate a small printing office and the property had not been built or intended for a restaurant use; therefore, Carbone's would always have needed more parking for than the site alone could offer, creating the necessity for a CUP for joint parking at the adjacent building.

Harris reviewed proposed amendments to parking requirements for service establishments.

Council member Feldmann suggested that they make sure the definitions for service versus retail establishments are well defined. While everyone present at the meeting may understand the intent, he would want the difference between the two to also be clear to someone from the outside coming into the City.

Council member Dyvik asked where a company that had offices would fall in these guidelines.

Moeller clarified that the amendments being proposed were just for areas of the City's parking requirements where staff felt some changes may be warranted. She noted that office uses have their own requirements of 1 space per 250 square feet of floor area.

Mayor Miner thanked Planning Consultant Harris for his presentation.

Moeller indicated that staff will bring the draft ordinance back with some of the adjustments that the Council had recommended.

Approval of T-Mobile Lease Extension

Weske reviewed the background and history of the lease with T-Mobile and its predecessor which expired at the end of 2021. Staff has been negotiating with T-Mobile on the lease terms for an extended period of time and a draft version of a final updated lease was included in Council members' meeting packets. He highlighted certain lease terms and noted that City Attorney Thames had also reviewed the lease and presented the final draft in a work session prior to the meeting.

A motion was made by Kvale, seconded by Feldmann, to adopt Resolution No. 2024-11, A Resolution Approving First Amendment and Restatement of Tower Lease with T-Mobile Central, LLC, subject to any minor revisions by the City Attorney. Ayes: all.

Updates Regarding Fire Department Matters

Mayor Miner advised that there was not a lot to report regarding the ongoing litigation with the City of Orono. The cities are currently awaiting a ruling from Judge Miller that has not yet come in, though Mayor Miner anticipated that the ruling might be issued within the next week or two.

He indicated that the Future Fire Services meetings for both January and March have been cancelled because other cities that are included in that group have been meeting as a side group to talk about possible consolidation options as well fire district options. He noted that he believes it is good that those cities are trying to figure something out for their communities.

Mayor Miner reiterated that he had attended the Fire Department's 'Everyone Can Save a Life' event last Saturday which had experienced great participation despite it being held on Presidents' Day weekend. He mentioned that they are going to look at changing the date of the event for next year due to the holiday.

Council member Kvale commented that another conflict impacting attendance may have been the Stifel Loppet Cup - World Cup cross country skiing event which was also held last weekend.

OTHER BUSINESS

Planter Plans for Former BP Lot – Council member Kvale reported that Anita Secord is excited to see what the Long Lake Garden Club may be able to do for a project at the former BP property and to learn what the budget may be from the City to support that effort. Council member Dyvik confirmed that the City would still be putting up the hanging baskets in the City, and asked that staff follow up with Ms. Secord to request a plan for what the Garden Club may have in mind. Weske responded that in his last communication with Ms. Secord, he had asked her to send a simple plan so that everyone may be on the same page. Moeller added that the EDA will be meeting in March to review an application for a concept review for the former BP lot.

Redesign of Banners for the Downtown Area – Council member Dyvik had spoken with the local designer with Hard at Work Design who had done the summer banners about an idea for a refresh, and one of her ideas was to incorporate artwork from local youth that would represent what the City is about. He circulated some examples of some banner designs she had shared. The designer had spoken to the art teachers at the Orono Schools about the possibility of having students submit artwork and they are really excited about the idea. He had asked Hard at Work Design to put together a proposal for the City to consider, including cost information. Moeller asked if the artwork submission would be open to any Orono student or just residents of Long Lake. Council member Dyvik replied that ideally it would be nice to say that it was a Long Lake resident who'd submitted artwork, but noted that his wife's opinion was that it should not just be limited to residents of the City because they are in the area and

should represent the broader community. He asked if the Council had any thoughts about this concept. *Council and staff agreed that they liked the concept of using artwork/student artwork for a refresh of the City banners, as long as parameters were put in place to assure that artwork would be Long Lake inspired and would represent the City.*

Meeting With the Mayor of Minnetonka Beach - Mayor Miner shared that he'd had coffee with the Mayor of Minnetonka Beach last week which they have done once in while to get caught up with what the two communities are doing. He reported that Minnetonka Beach has a lot of nice little community events that he was not aware of and that were interesting to hear about. They have about 50 events per year that are more neighborhood based and put together by a group of volunteers.

Closed Session Planning – Mayor Miner inquired what the next potential date was for a possible Closed Session for the Council to discuss the impending City of Long Lake v. City of Orono ruling. Moeller replied that the Council had identified February 27, 2024 as a back-up date for a Closed Session, contingent upon the timing of the Judge's ruling.

ADJOURN

Hearing no objection, Mayor Miner adjourned the meeting by general consent at 8:00 pm.

Respectfully submitted,

Scott Weske
City Administrator