



**MINUTES  
CITY COUNCIL MEETING  
September 2, 2025**

**CALL TO ORDER**

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

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

**Staff Present:** City Administrator: Scott Weske; Finance Director: Amanda Nowezki; Public Works Director: Sean Diercks; and City Clerk: Jeanette Moeller

**Absent:** None

**PLEDGE OF ALLEGIANCE**

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

Mayor Miner reported that the City Council met in a work session prior to the regular meeting at which they had discussed the hiring process for the City Administrator position, as City Administrator Weske would be leaving the City as of September 19. Council had also reviewed staff's proposed 2026 preliminary budget and levy, which would be more thoroughly discussed at the September 16 City Council meeting.

**APPROVE AGENDA**

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

**CONSENT AGENDA**

The Consent Agenda consisted of the following:

- A. Approve Minutes of August 19, 2025 City Council Meeting
- B. Approve Vendor Claims and Payroll
- C. Adopt Resolution No. 2025-26 Approving Issuance of a Special Event Permit for the Birch's on the Lake Fun Run 5K and 10K on September 14, 2025
- D. Approve the Lake Minnetonka Communications Commission's (LMCC) 2026 Budget

Councilmember Kvale inquired about the vendor payment to WSB for a Zvago cost estimate and driveway replacement item.

Finance Director Nowezki explained that WSB had been preparing a final estimate for how much the City should be retaining in the cash letter of credit for the Zvago project until such time as the driveway repairs were completed.

Commissioner Kvale asked about the Red Rooster emails with MCWD and the project team.

City Clerk Moeller noted that the City has an escrow for that project.

Nowezki explained that when the Council sees an account in the detail report that starts with 700, that indicates that there are escrow funds available.

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

## **OPEN CORRESPONDENCE**

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

## **REGULAR BUSINESS**

### **A. Final Acceptance of Developer Improvements for the Zvago Cooperative at Long Lake**

Moeller recalled that the City had previously entered into a development agreement with OneTwoOne Development, LLC for their Zvago Cooperative at Long Lake project. She reported that the City Engineer has completed a final review of the project site and determined that the improvements had been installed in accordance with the plans and specifications. If the proposed resolution accepting the improvements is adopted by Council as recommended, the City would be retaining \$8,000 of their cash letter of credit deposit to serve as the maintenance bond for the next 24 months, and staff would be issuing a refund in the amount of \$184,225.

*A motion was made by Feldmann, seconded by Dyvik, to adopt Resolution No. 2025-27 approving site development improvements and accepting developer-installed public improvements for the Zvago Cooperative at Long Lake development. Ayes: all.*

### **B. Direction to Staff Regarding Removal of Ash Trees in Right-of-Way**

Moeller advised that while the City was anticipating budgeting for ash tree removals over the next few years, limited funds had been allocated for 2025. Finance Director Nowezki had spent some time reviewing line items to explore the possibility of allocating additional funds to allow the City to contract for removals of a few of the more 'heavy-hitter' right-of-way trees this year. She noted that following the last conversation between staff and Council regarding the removal of ash trees, staff had felt some uncertainty as to whether the Council wanted staff to move forward with some tree removals this year, and Public Works in particular would appreciate clearer direction from the Council on what they would like to do.

Councilmember Kvale asked if staff had a map of where the right-of-way trees were located.

Public Works Director Diercks replied that the map would be just a map of Long Lake.

Councilmember Dyvik questioned how many ash trees were located within the right-of-way.

Diercks believed that there may be approximately 200 trees.

Councilmember Dyvik asked City Clerk Moeller what she meant when she said 'heavy-hitters' and how many she was talking about.

Moeller replied that she would defer to Public Works Director Diercks for the number, and explained that in using the term 'heavy-hitters', she was referring to the trees that were most likely to be a danger.

Diercks added that the term could also be applied to the trees that are more difficult to remove within the right-of-way that posed a risk of hitting houses, buildings, or presented other safety issues.

Councilmember Dyvik asked how many trees Public Works Director Diercks would put into that category.

Diercks responded that it would be about 20 trees.

Moeller suggested that, rather than getting an estimate for each individual tree removal, staff may want to approach contractors and request a collective estimate to see if that may impact the overall cost.

Mayor Miner asked if the contractor would take away the tree material.

Diercks stated that the contractor could, or the City could haul it away.

Moeller informed Council that she had reached out to the City Attorney regarding right-of-way and City responsibility, and she read aloud his description and response. Additionally, she had polled neighboring cities to learn how they were handling trees in the right-of-way, and had learned that each of the neighbor cities she'd reached out to were taking on responsibility for removals. This ongoing situation has presented lessons about trees in the right-of-way, and potential City Code deficiencies that can and will be addressed in the future.

Councilmember Kvale asked for a copy of the information submitted by the City Attorney, which Moeller immediately provided.

The Council discussed trees within the right-of-way that should be removed, the difficulties with removal of some of the trees, and possible ways the City may be able to get the tree removal process started in 2025.

Nowezki commented that she had reviewed the Streets and Parks budgets for 2025 and could potentially set aside up to about \$18,500 for ash tree removals.

Moeller suggested that they may want to explore how many trees could be removed for \$12,000 to \$15,000 in 2025.

Diercks indicated that he would not plan to spend the entire \$18,500 and suggested that instead he go up to \$10,000.

Dyvik stated that he wouldn't want to shortchange the parks in order to pull money to take down ash trees, but he would support pulling \$10,000 from other funds for this purpose.

Diercks believed that Public Works staff should be able to handle many of the park's trees on their own, but there will be a few that they will need help with.

Councilmember Kvale agreed because it was important that nobody be at risk.

Diercks added that his crew was also very green.

Dyvik clarified that he wasn't referring to taking down trees in the parks but rather was referring to other park needs that there may be, because there are park concerns that cannot be ignored.

Councilmember Kvale read aloud a portion of the communication with the City Attorney that stated that the City could remove the trees with a contractor, charge the benefited properties, and assess any unpaid costs to the properties. She emphasized that the property owners are responsible for their trees, and noted that the City Attorney stated that there was not a consistent approach to tree removal among area cities.

Mayor Miner recalled that City Clerk Moeller had done research and found that the area cities were paying for the costs of the tree removals for those located within the right-of-way.

The Council discussed how to determine right-of-way versus public property; determination of the order in which trees would be removed; concerns related to the final cost for tree removals; that the tree removal process was likely going to last for several years; and the possible assessment process for tree removals in the right-of-way.

Bryan Miller, 295 Lakeview Avenue, shared that he had an excellent arborist that had cut down trees on his property. He described an example of a black walnut tree he had removed that was close to power lines, so Xcel had come out and lowered the tree at their expense. At that point his arborist handled the rest of the tree removal which had saved him some money, and Mr. Miller suggested that the City may be able to take the same approach.

Councilmember Newcomer asked what the City's responsibility was in maintaining the right-of-way, in general.

Moeller suggested that they have the City Attorney give an overview of that at the next Council meeting.

Mayor Miner stated that it was kind of a gray area.

The Council discussed right-of-way responsibilities; who handled clearing of sidewalks and trails; the possibility that if the City pays for these removals it will set a precedent that the City would pay for removal of any dead trees within the right-of-way; the possibility of the City amending their rules to prohibit planting anything within the right-of-way; possible assessment for tree removal costs; and the feasibility of trying to connect and partner with neighboring cities to reduce the removal costs.

*A motion was made by Miner, seconded by Dyvik, to authorize up to \$10,000 of the funds identified by Finance Director Nowezki to be reallocated for certain ash tree removals within the right-of-way, at the discretion of Public Works Director Diercks. Ayes: Dyvik, Feldmann, Newcomer, and Miner. Nay: Kvale. Motion carried.*

### **C. Fire Department Transition/Future Fire Services News and Updates**

Mayor Miner reported that last week, the City received the latest version of the draft Joint Powers Agreement from the City of Orono, which was currently being reviewed. Long Lake representatives would be meeting with their counterparts from the City of Orono sometime in the next few weeks to review the draft. Mayor Miner was hopeful that they may be able to bring the draft JPA to the full Councils within the next month.

Additionally, last Monday, a ruling had been issued from the Minnesota Court of Appeals based on the City of Orono appealing the verdict and orders of contempt previously issued by Judge Miller over the last few years. The Court of Appeals ruled in Judge Miller's favor in all but one aspect of the case. Mayor Miner noted that the details were available on the Court of Appeals website and suggested that the information also be added to the City's website.

Lastly, Mayor Miner advised that a fundraiser was being held this evening for Weston Paszkiewicz, who is the son of one of the City's Deputy Fire Chiefs and is battling leukemia.

#### **OTHER BUSINESS**

**TIF District Decertification** – Nowezki informed Council that a representative from Ehlers would be attending their next meeting to discuss decertifying TIF District 1-6, and encouraged the Council to reach out to her with any questions they may have before the meeting.

**Meeting Visit by Senator Ann Johnson Stewart** - Mayor Miner noted that City Clerk Moeller had been working on scheduling their State Senator to come before the Council within the next few months. Moeller confirmed a date had been selected for a Council meeting in October.

#### **ADJOURN**

*Hearing no objection, Mayor Miner adjourned the meeting by general consent at 7:19 pm.*

Respectfully submitted,

Scott Weske  
City Administrator