



**MINUTES
CITY COUNCIL MEETING
October 17, 2023**

CALL TO ORDER

The meeting was called to order by Mayor Pro-Tempore Dyvik at 6:30 pm.

Present: Council: Deirdre Kvale, Mike Feldmann, Jahn Dyvik, and Gina Joyce

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

Absent: Mayor: Charlie Miner (with prior notice)

PLEDGE OF ALLEGIANCE

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

Mayor Pro-Tempore Dyvik advised that Mayor Miner's absence from the meeting was due to illness and being cautious about being in a public setting; however, Mayor Miner had passed along a few items that he wanted to be shared with the public including thanking the Long Lake Fire Department for their successful Fire Prevention Open House last week. Mayor Pro-Tempore Dyvik had attended the Open House with his nine year old daughter and they both had a lot of fun and learned lots of new things.

He reported that the Council held a work session prior to the regular meeting that included a celebration for City Clerk Moeller's 20 years of service to the City. He thanked Council member Joyce for handling the details of the surprise celebration and for making the treats. There was a round of applause given for City Clerk Moeller.

Moeller expressed her sincere thanks to the Council for their surprise celebration. She shared that she felt very grateful and blessed to work for a community like Long Lake.

APPROVE AGENDA

A motion was made by Feldmann, 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 3, 2023 City Council Work Session Meeting
- B. Approve Minutes of October 3, 2023 City Council Meeting
- C. Approve Vendor Claims and Payroll
- D. Adopt an Application for Exempt Permit for the Church of St. George to Conduct Gambling Activities Including a Raffle During the Saturday, November 18, 2023 'Annual Holiday Boutique' Event
- E. Adopt Resolution No. 2023-43 Approving Promotion of Amanda Nowezki from Finance/Utilities Officer to Finance Director and Approving a Salary Step Increase

Mayor Pro-Tempore Dyvik stated that he wanted to point out Consent Agenda Item E and the promotion of Amanda Nowezki from Finance/Utilities Officer to Finance Director. He commented that she is a valued employee that the Council thinks very highly of and noted that he felt this promotion was well deserved.

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

OPEN CORRESPONDENCE

Brian Miller, 295 Lakeview Avenue – Mr. Miller stated that in light of recent developments related to the negotiations with Orono regarding the Fire Department, he wanted to say that he was more inclined to believe a sworn affidavit of a firefighter than a Mayor who, in his opinion, continually berates and bullies anyone who opposes his actions. He indicated that he was not surprised that a firefighter felt they were threatened based on what he had personally seen at Orono City Council meetings. He shared his appreciation to the firefighter for stepping forward and saying something as he is a believer in ‘if you see something, say something’. He committed to fully support the firefighter in any way and had heard the same feedback from others in the community. He observed that bullying by an elected official should not and will not be tolerated by the community. He challenged the others on the Orono Council as well as Orono City staff to do something about this issue and take back their city.

BUSINESS ITEMS

Consider Approving the Purchase of a 2021 Hyundai HL940AXT Wheel Loader for Public Works

Public Works Director Diercks recalled that the Council had a discussion at a recent budget session about how the City was falling behind on some of their bigger equipment purchases. He explained some of the difficulties Public Works has been experiencing during snow removal operations with the current under powered equipment and the challenges they have in turning around in some of the cul-de-sacs. He reported that staff found a gently used wheel loader for sale in St. Paul, he had gone to see it last week, and the equipment was being sold at a better price than what the City could obtain one for through the State bid contract. He indicated he believed the wheel loader had the potential to last at least 20 years and noted that the specs between this machine and the new one they had considered were pretty much identical, but this one is about \$65,000 cheaper even with the addition of an extended warranty. There are still two years left on the current warranty, but there is an option to add additional years for a small fee. Diercks displayed photos depicting the machine’s excellent condition.

Mayor Pro-Tempore Dyvik asked who had originally purchased this vehicle.

Diercks replied that it had been bought by a huge farmer in southwest Minnesota who used it for 16 months. He stated that they liked it so much that they traded it in for a larger one.

Mayor Pro-Tempore Dyvik questioned whether the vehicle could meet the City’s needs and would address the issues with being underpowered on the hills during plowing.

Diercks confirmed that it would indeed meet the City’s needs in those areas and would also be able to be used in a variety of other ways throughout the City.

Council member Kvale inquired about the Hyundai brand versus John Deere.

Diercks joked that he breathes green so for him to walk away from a John Deere product would typically take a miracle, but he had been assured that with the warranties and parts availability on these machines, he will never have an issue servicing it. As part of his research on the vehicle, he had learned that Hyundai is the largest construction equipment company in the world.

Mayor Pro-Tempore Dyvik asked about the lead time to pick up a similar John Deere.

Diercks indicated that the lead time for that machine would be about six months, whereas the Hyundai could be picked up tomorrow. He reiterated that he was very confident in recommending the City purchase the used Hyundai wheel loader machine from Universal Truck Sales.

Council member Kvale asked what else may be coming down the pike as a want or a need for Public Works outside of the vehicle proposed.

Diercks advised that there may be some repairs related to wells, furnaces, windows, and shop upgrades.

Mayor Pro-Tempore Dyvik asked if Public Works Director Diercks could give a quick run down of the existing equipment.

Diercks briefly listed off the equipment used by the Public Works Department.

Mayor Pro-Tempore Dyvik questioned whether there was a lease option for purchase of the vehicle being considered.

Diercks responded that he had not explored that option because he felt the purchase price was fair. He noted that he believed the City may have to pay sales tax on top of the pricing quoted because the laws related to city vehicle purchases have been changed in the last few years.

A motion was made by Kvale, seconded by Joyce, to approve the purchase of a 2021 Hyundai HL940AXT Wheel Loader as quoted by Universal Truck Sales of St. Paul, MN, along with applicable taxes. Ayes: all.

Consider Approval of the Proposal for a Job Classification and Compensation Study to be Completed by DDA Human Resources, Inc.

Mayor Pro-Tempore Dyvik mentioned that the Council had discussed this agenda item at length during their earlier work session meeting.

Weske reported that with changes coming to the City and the outside economic factors that will continue to impact City operations, staff felt it was time for a full compensation and position classification review. He believed some of the City's job descriptions and wages may have fallen behind the market standards and should be reviewed and updated. The Council had discussed a do not exceed dollar amount of \$8,900 for the proposed vendor to complete a study versus the possibility of undertaking parts of the study in house and bringing some findings back to the Council. At that point, the Council could determine whether they desire to move forward with additional efforts related to the job classification and compensation study proposal.

Kvale indicated that her understanding of the earlier conversation the Council had on this topic during their work session was to first take a look at information to be generated by Weske in-house before spending \$8,900 with a consultant and conveyed her belief in staff's abilities. She referenced the recent example of how the City was able to transition Finance Director Nowezki from her previous position into

the new position with a commensurate salary. She voiced support for seeing what the Council and staff could accomplish in house without spending the additional funds.

Mayor Pro-Tempore Dyvik echoed that he thinks the Council is in agreement with Council member Kvale's understanding; that the Council fully supports the staff at the City; and agrees that staff should be compensated appropriately.

Weske gave an overview of the method he would be able to use to gather salary data via a third party associated with the League of Minnesota Cities.

Council member Feldmann offered to assist City Administrator Weske in reviewing the data.

Council member Kvale pointed out that from their earlier conversation during the work session, it appears as though staff have taken on additional responsibilities outside of their job descriptions, such as human resources duties for Finance Director Nowezki.

Moeller agreed and stated that the city's position descriptions had not been updated in some time.

Weske noted that this may be where things get a bit weird because on paper, there may appear to be gaping holes in operations. For example, human resources is not even listed on any of the job descriptions, but in reality, he, City Clerk Moeller, and Finance Director Nowezki are all doing some HR duties.

Council member Kvale urged Weske to include those duties in their job descriptions.

Moeller suggested that during the next City goals review, one of the goals should be an update of the City's position descriptions. She reflected on the importance of position descriptions describing what the current staff are actually doing versus simply showing their past roles.

Mayor Pro-Tempore Dyvik stated how proud he was of the City staff and how they work together to get things done.

Council member Joyce encouraged staff to include information on job information that may be a next step for various career paths in the City when reviewing the available salary data.

OTHER BUSINESS

LLFD Response Time Data Issue – Council Feldmann reported that he had been interacting with Orono Council member Veach regarding LLFD response time data; however, she indicated she has been advised not to have any additional conversations while the litigation was underway. He remains willing to look at the data further, but it will come down to Orono being willing to open up that conversation again. He noted that he had not received any messages from Long Lake that he should not have any communication with Orono regarding response time data. He opined that the data is very important and should be understood. Mayor Pro-Tempore Dyvik commented that he believes that if there are further conversations to be had on the response times matter, he did not recall there having been anything said during the legal process thus far that they cannot have them.

Holiday Tree Lighting – Council member Joyce mentioned that the Park Board had met the previous evening and the Board is continuing planning for the upcoming Holiday Tree Lighting event scheduled to take place on December 8, 2023 from 5:30 to 7:30 pm.

Long Lake Waters Association – Council member Joyce commented that the Long Lake Waters Association had held a recent board meeting that she was unable to attend due to a scheduling issue, but the Board had passed along a message of appreciation for the City’s support and participation in assisting them with funding for various things like the carp management project. She shared that an updated estimate of the carp population indicated it had been reduced to close to the threshold at which they no longer impose an environmental concern, and the LLWA has opted to take no action this year for that reason. They intend to continue to monitor the carp population over the next few years. Additionally, the Minnehaha Creek Watershed District has completed their road map for Long Lake and there is a report that can be accessed. She reviewed the three areas that the MCWD felt were high priority areas to address.

Fire Department Updates - Mayor Pro-Tempore Dyvik reported that regarding the Fire Department, he was hopeful that they would be able to reach an approved Long Lake Fire Department budget. Long Lake representatives had worked with Orono at the last Fire Advisory Board meeting, came to some compromises, and thought they had left the meeting with a crystal clear understanding that they all approved of the proposed budget. Orono Council members Crosby and Veach were there and indicated that they would vote in favor of it at Orono’s Council meeting; however, that did not happen when the budget went before the Orono City Council. In subsequent conversations with them, it appears as though they desire some additional discussion and conditions. He pointed out that there are two separate issues going on: one with the Long Lake Fire Department budget through the Fire Advisory Board; and the second being everything else going on with the future of fire services between the cities; and he does not want the two issues to be mixed, but apparently, they have been. Orono has requested another Fire Advisory meeting and he believed both he and Mayor Miner would be willing to hold another meeting. He voiced concern that an additional meeting will still not result in an approved budget, but emphasized that this issue was very important to him because it is reflective of what the firefighters deserve and need. The Fire Department needs to know what they have available for 2024 operations. He indicated he plans to attempt to schedule another Fire Advisory Board meeting and see if they can make an agreed upon budget happen. Mayor Pro-Tempore Dyvik noted that Orono Mayor Walsh had recently commented that Fire Chief Heiland had been absent from two of the three Fire Advisory Board meetings at which the budget had been discussed, and clarified that Mayor Walsh’s statement was incorrect. Fire Chief Heiland had only missed one of the meetings due to a personal issue that came up at the last minute.

Mayor Pro-Tempore Dyvik stated that last Friday, the City of Long Lake had filed a motion with the Hennepin County courts for an order to show cause. He explained that this action was taken because Long Lake felt that Orono had continued to recruit Long Lake firefighters in opposition to the injunction, and because Orono appears to be planning to expand or add facilities on the Station 2 property. There will be a hearing on November 8, 2023 where the motion will be brought to the District Court.

Council member Kvale asked if the idea would be to request that Orono be held in contempt.

Mayor Pro-Tempore Dyvik confirmed Council member Kvale was correct and the request would be for Orono to be found in contempt due to their continuing actions against the recent injunction that had been issued during the summer.

Feldmann commented that he had heard people say that the fire services will be separated in 2025, so he thinks there is some confusion on the contract expiration. He explained that the contract goes through the end of 2025, which means separation would be effective beginning in 2026.

Mayor Pro-Tempore Dyvik observed that in the actions that Orono has been taking, they keep referencing July of 2024. Some of what they are planning around that timeframe would be allowed per the contract, but the idea of them operating out of Station 2 would not be allowed. He agreed with the comments made at one point by Orono Council member Veach that she would like the conversations to continue; though she has now communicated that she cannot continue those discussions, but perhaps that is just related to the response time issues and not the other items. He believed she wants to talk about the duty crew situation and indicated that Long Lake has always said that they would happy to share all of that data.

Council member Kvale inquired whether Orono's difficulty with the Fire Department budget was because they felt it was too high due to the duty crew funding.

Mayor Pro-Tempore Dyvik stated that was his understanding, but reiterated that when they had left the last Fire Advisory Board meeting, he thought the parties had made compromises that they would all agree to. Now Orono is saying they have more questions, and they did not vote to approve the budget as anticipated. He added that he is willing to listen to their questions regarding the budget and see if they can arrive at an approval.

Council member Kvale asked what would happen if the budget were not approved.

Mayor Pro-Tempore Dyvik responded that there is a backup procedure outlined in the contract that it defers to the member cities' general levy increases from the previous year. He continues to hope that despite all their differences they will be able to come together and Orono will recognize that they have to support the Long Lake Fire Department and its budget for the near term.

Council member Joyce noted that she felt that they should lean into the contract and work to get what is needed for the Department.

Mayor Pro-Tempore Dyvik concluded that he is planning to reach out to Orono, but based on the feedback Council member Feldmann had recently gotten regarding the response time issue, their willingness to discuss the budget further may have changed.

Technology Changes - Moeller stated that staff had been very busy over the past week working on pursuing technology updates for City Hall and Public Works for phone and internet services. She noted that right now it looks as though when the changes have been implemented, the City will be paying the same or a bit less than they are currently paying for internet and phone, but will have better and faster service in both areas. She added that the City is getting closer to the new City website launch which should happen in a few weeks. She noted that she had her first two-hour training session earlier in the day and would be attending another course likely next week. Mark Hodges, the City's meeting videographer from the LMCC, has also been out taking drone photos of the City for potential website use.

November 14 Legislative Bonding Tour – Moeller stated that Mayor Miner had asked her to pass along some words of encouragement for the Council to attend, if possible, the Tuesday, November 14, 2023 meeting at Excelsior for the House bonding committee presentation at which they will be discussing a Long Lake road reconstruction project for possible inclusion. She committed to posting a quorum notice for that meeting so any and all Council members can attend.

The Stax Project Update – Moeller reported that the first two buildings next door at The Stax project have received their Certificates of Occupancy, and City Hall officially has neighbors there now. The

developer is close to receiving Certificates of Occupancy on two other buildings and installation of landscaping is underway.

Boat Launch Improvements - Mayor Pro-Tempore Dyvik expressed his appreciation to Public Works Director Diercks for improving the ramp situation at the boat launch.

Fall Hydrant Flushing and Street Sweeping - Diercks advised that Public Works staff will begin hydrant flushing sometime in the next few days, and hydrant flushing will continue over the next few weeks. He added that staff had also started street sweeping operations. Mayor Pro-Tempore Dyvik questioned whether people should run their water for a bit when the hydrant flushing starts. Diercks replied that residents can and should go ahead and run their water to let any discoloration dissipate.

Curbside Leaf Pickup Dates – Moeller mentioned that residential curbside leaf pickup dates are scheduled for November 7 and 14.

ADJOURN

Hearing no objection, Mayor Pro-Tempore Dyvik adjourned the meeting by general consent at 7:51 pm.

Respectfully submitted,

Scott Weske
City Administrator