



**MINUTES
CITY COUNCIL MEETING
August 15, 2023**

CALL TO ORDER

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

Present: Mayor: Charlie Miner; Council: Mike Feldmann and Jahn Dyvik

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

Absent: Council: Deirdre Kvale and Gina Joyce (both 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 Corn Days festival took place last weekend and experienced perfect weather. He thanked Marty Schneider and the Long Lake Area Chamber of Commerce for organizing the parade, and recognized the Church of St. George for putting in all the work to host this event for the community.

Mayor Miner also reported that he and Fire Chief Heiland had attended the Minnetonka Beach City Council meeting last night to provide them with an update on Fire Department issues.

APPROVE AGENDA

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

CONSENT AGENDA

- A. Receive Minutes of August 2, 2023 City Council Work Session Meeting
- B. Receive Minutes of August 2, 2023 City Council Meeting
- C. Approve Vendor Claims and Payroll

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.

BUSINESS ITEMS

Review Rough Draft of Ordinance Amending Chapter 36 – Utilities (Repeal and Replace)

City Clerk Moeller presented an overview of a rough draft ordinance proposing amendments to Chapter 36 – Utilities. The ordinance has been prepared to entirely repeal and replace the existing Utilities section of City code. She highlighted some of the differences between the existing language and the proposed amendments, and noted that staff's intent is to be able to notice a hearing for ordinance consideration of adoption at a meeting in September. She observed that the ordinance

update is a necessary step regardless of what the Council decides to do about utility billing rates because the new language will ultimately add clarity and simplify procedures.

Council member Feldmann read aloud provision from the I&I section in the draft and asked if the language about a repeat offender getting jail time was fairly standard.

Moeller responded that this language is a little new, but the City would not be the only ones doing it. She mentioned that City Administrator Weske had asked about the idea of declaring intentional I&I a public nuisance and they ran the idea by City Attorney Thames who confirmed that it would be possible to do so. She had looked at some other codes and found other examples where other communities had done that. She added that she expected City Attorney Thames to massage the language a bit more, but with the overall intent for the new ordinance to have some real 'teeth'.

Mayor Miner inquired about the language that says that all properties must have a properly functioning water meter and asked if anything in the new ordinance would impact the current connections by Orono residents.

Moeller clarified that nothing in the ordinance changes anything for Long Lake residents other than assuring that the City has the right to access meter and utility related equipment, more clearly stating what property owners are responsible for versus what the City owns, and establishing the right or requirement to make repairs. One thing included in the code is a section about outside connections being 'by agreement', and she read aloud the proposed language. She indicated that she has a list of points that she wants to review with City Attorney Thames and this was one of them. Once the new ordinance has been adopted, it would not impact anything with the fee schedule and billing changes which would still need to be enacted by resolution of the Council, but implementation of the new code would allow the discussion of new utility rates and a monthly billing cycle change to move forward.

Mayor Miner questioned whether there had ever been any enforcement for someone who had illegally tapped into the water without a meter.

City Administrator Weske replied that he was not aware of that ever happening in the City. He added that it would have been much easier to get away with in the olden days, but it would be much more difficult to do so now.

Moeller highlighted some of the areas in the draft that have missing information that she was still researching.

Mayor Miner thanked staff for the work they had already put into the document because he was aware it had taken a lot of work to get it to this point.

Council member Dyvik stated that he had gotten a question the other day about where the water comes from that goes into the City's water tower.

Moeller believed that it may come from the Prairie Du Chien-Jordan aquifer.

Council member Dyvik asked if the City treats the water before it goes into the tower.

Weske confirmed that the water is treated but noted that it isn't usually too bad.

Moeller reiterated that she was hopeful the ordinance would be back before the Council in September with a public hearing for adoption, and again reiterated that this issue is separate from establishing a new billing schedule.

Establish Special Work Session for Tuesday, August 29, 2023 at 5:00 p.m.

Moeller explained that City Attorney Thames and Special Counsel Yetka were lined up to attend an August 29 special work session meeting. The purpose for the proposed special work session would be to hold a closed session related to enforcement activities on the fire services contract. She noted that there is not another meeting scheduled directly after that special work session as there usually is on Council meeting nights, so the Council could take as much time as they need to work through matters of discussion.

A motion was made by Feldmann, seconded by Dyvik, to schedule a Special Work Session for Tuesday, August 29, 2023 at 5:00 pm. Ayes: all.

Updates and Discussion Regarding Fire Department Matters

Mayor Miner advised that there is a mediation session with Orono scheduled for September 26, 2023.

A Fire Advisory Board meeting was held on August 8, 2023 at which they primarily discussed budget items. Much of their discussion revolved around wages and increases for the firefighters. Wayzata had put together a study of comparable data from surrounding cities and firefighter wages that they had shared with the Department just prior to the meeting, so there had not been time to include it in Fire Advisory Board's meeting packet. He reflected that he felt the information Wayzata had collected made it even more clear that the firefighter wages needed to be increased even more and believes that the Board had landed on about \$15/hour. He noted that he had reviewed the Orono City Council meeting from August 14, 2023 and felt that there may have been some information regarding the pay increase that was not fully portrayed. Long Lake has started recording the Fire Advisory Board meetings and having minutes transcribed from an outside vendor as a way to have a historical record. If anyone is interested in what is discussed at those meetings, staff can pass along the minutes and a link to be able to access the audio recording as well.

Council member Dyvik reported that Long Lake had submitted the Fire Department budget per the terms of the contract, incorporating feedback received from Orono at the two previous Fire Advisory Board meetings. He agreed with Mayor Miner that there were some things that were represented inaccurately at the August 14, 2023 Orono City Council meeting. At the Fire Advisory Board meeting, the initial idea had been to raise the hourly call pay from \$13/hour to \$13.50/hour. Mayor Miner had received the compensation data from Wayzata just prior to the Board meeting and a review of call pay around the area showed that most hourly call pay rates were closer to \$15/hour. While it is a big jump from \$13/hour to \$15/hour, Long Lake felt it was warranted and would put the Department in the top half of the surrounding departments. This had support from Orono Fire Chief Van Eyll because he shared it had been the plan in 2024 to raise pay rates to \$15/hour. The Orono City Council members were not sure about this big of a pay jump and one of them in particular voiced that he did not want to go above \$13.50; but following the Board meeting, that individual was apparently 'enlightened' and came up with the higher number of \$15.65, which they sent in an email to the City. That number was based on a mistake on one of the averages for the surrounding communities, so it should have been a bit lower, and Council member Dyvik had suggested that they make it \$15.50. Council member Dyvik indicated that it was suggested at the recent Orono City Council meeting that Long Lake wanted to 'roll back' the wages to \$15.50, but he explained that the \$15.50 amount was only to correct the data for accuracy. He clarified that what Long Lake has included in the budget right now is \$15.50/hour, and he expressed his appreciation to Orono for supporting that wage for the firefighters. The budget includes planning to increase officer pay by an equivalent percentage increase and includes the duty crew cost estimate. He observed that it was unfortunate Fire Chief Heiland was unable to attend the most recent Fire Advisory Board meeting because there was some information that the Board had wanted to get from him. From the previous Fire Advisory Board meeting, the Chief had described a Monday through Friday duty crew

model, but the current duty crew implementation is a pilot program that will be adjusted as it evolves. Chief Heiland has undertaken a duty crew change in the past with the Excelsior Fire District, and he's indicated that so far, the response has been very positive from Long Lake's Fire Department. The duty crew shifts were originally intended to be Monday through Friday, but Chief Heiland has added a Saturday shift because some of the firefighters were not available to participate in duty crew shifts during weekdays due to their work schedules, and Chief Heiland wanted to open up opportunities for other firefighters as well. The question was raised at the Board meeting about whether they really needed a duty crew on Saturday, and Administrator Weske shared data showing that Saturdays were the second or third busiest day of the week on average. He reiterated that during a pilot program, things can and will change as needed. Council member Dyvik had left the Fire Advisory Board meeting with the feeling that they were all in support of the pay increase for the firefighters and the duty crews; although for some, this agreement apparently took place following the Fire Advisory Board meeting.

Mayor Miner provided a brief overview of the duty crew staffing model. He added that the next Fire Advisory Board meeting would be held September 18, 2023.

OTHER BUSINESS

Orono Football Association Fundraiser - Council member Dyvik shared that the Orono Football Association held a cornhole fundraiser event the day after Corn Days on Sunday at Carbone's that was also highly successful. He thanked Carbone's for being involved and noted that the Association is hoping to do it again next year.

Investment Updates – Council member Dyvik asked if the City was capturing the higher interest rates as investments are being rolled over and questioned when the Council could see a presentation with this information. Weske responded that another presentation could be made whenever the Council would like it, and added that he can get an updated report to the Council anytime. Council member Dyvik requested that staff pull a recent report together so he could take a look at the information, including the interest rates. Council member Feldmann asked that this information be sent to the full Council.

Nelson Lakeside Park Beach Closure - Council member Dyvik had observed a beach closure was in effect and asked if it was from all the rain they had experienced following a long dry spell. Moeller replied that it may have been possible that rain was a contributor, but based on the elevated numbers she had seen, she felt there may have been more to it than just the recent rain. She reported that the County will be resampling the beach for testing so she will have more results on Thursday.

Tree Trimming - Council member Dyvik questioned whether Public Works trimmed the City trees or if there was a tree service that was called in for the parks. Weske confirmed that Public Works would typically trim the trees in parks. Council member Dyvik shared that he had received feedback commenting that there were a lot of trees that had low hanging branches in Nelson Lakeside Park. He offered to take a look and see if he can figure out what specific area the comments were pointing towards.

Vehicle Crimes - Mayor Miner had received word from the Wayzata Police Chief, the Crime Prevention Coalition, and the Orono Police Chief that there have been a lot of thefts and car break-ins happening in the area. He reminded residents not to leave their keys in their vehicles and to keep vehicles locked.

ADJOURN

Hearing no objection, Mayor Miner adjourned the meeting by general consent at 7:25 pm.

Respectfully submitted,

Scott Weske
City Administrator