



**MINUTES  
CITY COUNCIL MEETING  
September 17, 2024**

**CALL TO ORDER**

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

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

**Staff Present:** City Administrator: Scott Weske; City Attorney: John Thames (partial attendance); City Planner: Hannah Rybak; City Engineer: Jeff Oliver; Finance Director: Amanda Nowezki; and City Clerk: Jeanette Moeller

**Absent:** None

**PLEDGE OF ALLEGIANCE**

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

Mayor Miner offered the following comments and updates:

The Council had met in a work session prior to the regular meeting at which they had discussed the Preliminary 2025 Budget and Levy.

Last Thursday, Mayor Miner and Council member Kvale had attended an event held at the Red Rooster sponsored by the Long Lake Waters Association which featured a speaker from University of Minnesota Extension Service who presented information on plantings along waterways and things that can be done to help preserve the shorelines.

This past Sunday, Mayor Miner and Council member Feldmann had attended the Wayzata Fire Department annual pancake breakfast.

**APPROVE AGENDA**

Mayor Miner indicated that he would like to amend the agenda to add an item regarding the Metropolitan Council's Imagine 2050 Comment Period as a new item 7B, and renumber the agenda accordingly.

*A motion was made by Kvale, seconded by Joyce, to approve the agenda as amended. Ayes: all.*

**CONSENT AGENDA**

The Consent Agenda consisted of the following:

- A. Approve Minutes of September 3, 2024 City Council Work Session Meeting
- B. Approve Minutes of September 3, 2024 City Council Meeting
- C. Approve Vendor Claims and Payroll

- D. Approve an Application for Exempt Permit for the Church of St. George to Conduct Gambling Activities Including a Raffle at the 'Annual Holiday Boutique' Event
- E. Approve a Temporary On Sale Liquor License and Application for Exempt Permit for the 2024 Day of the Dead Celebration at the Church of St. George

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

## OPEN CORRESPONDENCE

**Anita Secord, 114 Brown Road N** – Ms. Secord asked if, when the agenda was sent out, there could be a citizen's level communication of it with bullet points that outlined exactly what is happening and explained in layman's terms.

## BUSINESS ITEMS

### **Review of Development Application for 'Wilds on Wayzata' Proposed Subdivision, 925 Wayzata Boulevard W - Flip and Gina Carlson, Wilds on Wayzata, LLC/Property Owners: Dylan Carlson and Alex Martinez**

City Planner Rybak provided background on the Wilds on Wayzata subdivision application which was initially submitted in April 2023; the many plan iterations that have been reviewed; lack of compliance with City Code; feedback staff had already given in review of the application; and the applicants' disregard for most of the staff feedback that had been given. Ultimately the applicants had submitted an incomplete application for a PUD, Preliminary, and Final Plat for their proposed subdivision. Rybak reviewed the project location, current zoning of the property, Comprehensive Plan guidance, existing conditions, proposed site plan details, evaluation of the proposal under the current R-1 zoning, and PUD eligibility criteria. She reported that staff and the Planning Commission found that because the PUD eligibility criteria had not been met, the project would not be eligible to be processed through a PUD. She outlined details of the lot and building requirements, tree preservation and replacement plans that had been received the day before the meeting, and reviewed comments from Fire Chief Heiland about the proposal.

City Engineer Oliver introduced himself to the Council and shared some details about his background and experience. He expanded upon the fire vehicle related comments and the lack of access or ability to maneuver for a fire engine; and outlined the overall engineering comments and issues found related to the survey, Preliminary Plat, Final Plat, Grading and Utility Plans, and tree preservation plans. He noted that he did not believe that there would one square foot of the site that would not be impacted by earth moving activities and in his professional opinion, there would not be much of a chance that any trees would survive the grading operations. He highlighted concerns with the proposed plans related to stormwater runoff, snow melt, drainage, utilities, and erosion control.

Rybak reviewed the criteria for a PUD Master Development Plan and indicated that staff felt that none of the criterion were met. Staff strongly recommended denial of the proposed Master Development Plan, rezoning to PUD, as well as the Preliminary and Final Plats, and the Planning Commission had also recommended denial. The Planning Commission had not had the opportunity to consider the new plans provided the previous day by the applicant, but staff had concerns about their feasibility and did not believe that those plans would have changed anything about the review by the Planning Commission. She listed some possible alternative actions if the Council were to make a decision different than what was being recommended by the Planning Commission and staff.

Council member Kvale asked if the adjacent property owners had attended the Planning Commission meeting.

Rybak confirmed that adjacent property owners were in attendance and had voiced concerns about the plans related to the trees, the grading, and how the proposed project may affect their properties. She added that Planning Commission Chair Adams was present tonight should the Council have any questions about the public hearing.

Council member Kvale asked if Chair Adams had any information to share with the Council.

Planning Commission Chair Adams stated that he has served on the Planning Commission for about 20 years and as Chair for the last 10 years. He commented that never, in his entire time on the Commission, had he seen an application with so many instances of the words 'criterion not met' or 'incomplete'. He observed that changing a property's classification to a PUD is a significant zoning change, this application did not even meet the first criteria for a PUD, and that was why the Planning Commission could not see any way to support approval of the request. He indicated that he had great concerns about the proposed sewer system configuration because everything would have to go uphill to Lindawood Lane, and the plans had not included anything related to lift stations or grinders. He listed off other criteria that were not submitted or met and noted that the Fire Chief's comments also expressed concern. Adams concluded that he did not feel that the health, safety, and welfare of the community would be positively impacted by this proposal.

Council member Kvale asked about the possibility of just having two homes on the property and not four.

Chair Adams confirmed that the City had approved a subdivision of a property into two lots for one of the neighbors to the south and that proposal hadn't required a lot of variances. He did not believe that the lot under consideration supported having four lots, and reiterated that the words used by staff in their analysis was 'criterion not met'.

Gina Carlson, representing Wilds on Wayzata, explained that she wanted to address the concerns that had been raised regarding their proposal. She stated that they had talked about a turn lane and there is a turn lane in the center of the road and the recommendation of Hennepin County was to move the entrance of the property to the center of the property.

Council member Kvale asked if the entrance of the property would line up with the turn lane.

Ms. Carlson confirmed that the entrance to the property would line up with the turn lane to allow for more stacking room in order to turn into the property.

City Clerk Moeller and Rybak mentioned that it appeared what Ms. Carlson was referring to as a 'turn lane' was actually the shoulder for Wayzata Boulevard W.

Ms. Carlson stated that when they designed the development with the entrance moved to the middle of the property, they tried different iterations and the most conducive was the creation of their own neighborhood enclave. She recalled that she had spoken with Planner Rybak about having a private road and noted that in order to have that, they would need to have a PUD. She referenced language from Section 5 of the Zoning Ordinance which says the property 'can be 2 acres or meet other criteria'

and one of those other criteria would be to have two uses. She referenced compliance with the two uses criteria because the two uses they were proposing would be the private road and four R-1 residential single-family homes.

Planner Rybak clarified that a private road would not be considered a 'use' and would be a driveway serving the homes.

Ms. Carlson stated that according to what she read within Section 5, in her view it would be an acceptable second use. She suggested that they review the configuration approved for the Landings on Long Lake subdivision, which included a road that is 15 feet wide, runs parallel with Wayzata Boulevard W, is not a fire lane, and has no signage. She pointed out that they are proposing their road be 20 feet wide. She referenced the 2020 Fire Code, Appendix D, related to turnarounds and read aloud the criteria about the width and length required. She felt their plans met the criteria of the fire code she had referenced. She added there is a property across the way that has a 12-foot wide roadway that goes down to three homes on Long Lake, which is also not posted with fire lane signage. The applicants have concluded that their proposal is compliant and meets Fire Code, but added that they would be happy to work with staff in order to make sure that the configuration works for everybody. She reviewed their tree plan to remove 24 of the existing boxelder trees and two pine trees. She mentioned that some of the trees included in the overall count were actually located on the neighboring properties. She commented that it was very important to her that they do everything they can to preserve the trees and explained that the building pads shown on the plan set were not necessarily where they would be actually built and were meant to be a placeholder. The homes would be custom homes, so she believed that they may be able to save some of the trees and would plan to get an arborist to come and take a look at the trees. She shared that they had designed and built other homes in Long Lake, displayed photos of homes she had designed, and assured the Council that they would design and build quality homes on the parcel. She displayed renderings of what she felt the proposed homes would look like on this parcel. With regard to landscaping, tonight was the first she had heard that there was an area that they should not landscape that would be allocated to County right of way, and indicated that they were planning to install rain gardens on either side of the road that would have swales coming down the sides of the road, and they may also have ponding near the rain gardens. She reviewed the current location for the hook ups/easement for sewer and water but added that they could be moved. She stated that sewer and water lines make right-angled turns all the time and she wished there had been better communications about their plans. She assured the Council that while not on the plan set, there would be grinders and also lift stations. She reiterated that where they had the building pads located on the plans were just placeholders and when the lots were sold, the grading would be adjusted to accommodate the custom homes. She explained that from her perspective, the purpose of a PUD was to create a community of single-family homes where every home owner belongs to the homeowner's association and that would happen with their proposal. The homeowners would be responsible for maintenance of the road and snow removal. She added that they would love to be able to have a connection to the Luce Line within the right-of-way on their property's side of the road. As far as garbage vehicles, for garbage truck pick up, they planned on doing what they currently do which is put their carts down at Wayzata Boulevard W, but she felt that a garbage truck or delivery truck could easily come up the road. With regard to an earlier statement having been made that the proposed development was not conducive to the neighborhood, she advised there are lots on Lindawood Lane that are similar in size to their proposed development and a nearby three-lot development with a private road, so she felt it was conducive with the neighborhood.

Flip Carlson, Wilds on Wayzata, made a comment from the audience.

Mayor Miner stated that if Mr. Carlson had additional comments to make he would need to come up to the microphone because it was difficult to hear him from the audience.

Ms. Carlson recalled that one concern she heard from the neighbors was worries related to the sewer backing up into their basements and she believed that would not happen. They would make sure that the site is developed properly so they did not have to be concerned.

Mr. Carlson indicated that their engineer would work with the City's engineer to ensure that utilities and the development would be done properly. He shared that they have developed in cities such as Golden Valley, they work with cities all the time, and reiterated that their engineer and surveyor would work with the City.

Ms. Carlson showed a photo of the trees that appeared to be dying or dead and explained that she was not sure they would be salvageable but added that they would look into it more closely. She commented that they were excited about this development because they really feel that it will contribute to the overall value of the community and will create a nice entrance to the City and serve as a transition from Wayzata into Long Lake. She explained that they understood that their plans did not have staff support but noted that she believed that they could work together with the City.

Mayor Miner thanked the Carlsons for presenting their additional information.

Council member Kvale asked staff if the City had any PUD developments outside the downtown that were under two acres.

Ms. Carlson stated that the Aava Vetta townhomes would be.

Council member Kvale mentioned that Aava Vetta was located in a different area and had not been zoned R-1.

City Administrator Weske added that Aava Vetta was located on a mixed use/downtown block area which was why it had qualified for a PUD.

Rybak stated that the Aava Vetta development was on the border of the Downtown Village Mixed Use area. The property is a similar sized parcel and was guided for medium density residential use, so the townhome style development was consistent with that guidance, and the townhomes are situated between a commercial use and a park. She explained that a higher density development met the criterion for a PUD because it was a unique area that required flexibility in order to create something that would fit in well with the diverse uses in the area.

Ms. Carlson indicated that Aava Vetta has 11 condos.

Mayor Miner pointed out that options for Council action had been laid out by staff on page 41-42 of the meeting packet.

Council member Kvale voiced that she felt this proposal was for a property well below the two-acre requirement for a PUD, and noted that the site was in a residential area and this proposal would kind of make it high density.

Rybak clarified that the PUD designation did not necessarily affect the density and noted that all the lots meet the minimum size requirement, but explained that it was a matter of whether the proposed project meets the criteria to utilize a PUD, and if it warrants the flexibility that was being requested. She advised that the applicants were essentially attempting to utilize the PUD process so they did not have to request any variances and also to have a private road. The intent of the PUD district in the Code is to allow for flexibility in certain areas for projects that warrant it, respect the natural environment, further the goals of the Comprehensive Plan, and concluded that her findings on this were reflected in her presentation.

Mayor Miner also had served on the Planning Commission and agreed with the comment made by Planning Commission Chair Adams that there were a lot of criteria that had not been met. He felt the Council was in support of development in the City as long as it meets the criteria of the ordinances. He voiced his surprise to have seen an application with many items that had not met the criterion and was also surprised that it was brought before the Planning Commission and the Council without those criterion being met.

Council member Kvale asked if the applicant could go back and propose a subdivision with less lots in order to comply.

Moeller noted that would need to be a new application.

Rybak stated that if the Council found that the request was ineligible to be utilized under a PUD, the applicant's options would be to propose a project that meets all of the zoning ordinance requirements under the current zoning and subdivision requirements or request variances for the areas of the project that do not conform to the Code.

Moeller mentioned that with the variance criteria being what it is, that may also be a difficult standard to meet and explained that the essential core of a variance is that it was due to unique circumstances and not conditions that were created by the applicant. She stated that desiring a larger subdivision would be a desire and not a unique circumstance.

Ms. Carlson commented that they received notice on Thursday before the Tuesday Planning Commission meeting of the report prepared by staff. She had wanted to table their review until they were able to have further interaction with staff, but City Clerk Moeller had informed her that notice had already been delivered to the neighbors, so it had to move forward and it was up to the Planning Commission to determine whether to table or proceed with the review. When the vote from the Planning Commission last week was 'no', she thought it was dead in the water and did not realize that it would then move forward to the City Council. She reiterated that they want to work with staff and present a project that will be wonderful for everyone, and they do not feel as though they have had that opportunity yet.

*A motion was made by Miner, seconded by Kvale, to adopt Resolution No. 2024-44 denying the request for a Planned Unit Development Master Development Plan, rezoning to Planned Unit Development District, and Preliminary and Final Plats for Wilds on Wayzata at 925 Wayzata Boulevard W. Ayes: all.*

#### **Discussion of Metropolitan Council's Imagine 2050 Comment Period**

Rybak advised that Metropolitan Council was in the process of adopting their Imagine 2050 document which will be the guiding document for all cities during the next Comprehensive Plan process. Earlier in the spring, the City had received their preliminary forecasts and now had received the second forecast.

She explained that their forecasts were showing an increase of four households between 2020 and 2030, and 90 households between 2030 and 2040. With the addition of The Stax, Aava Vetta, and Zvago, the City is already at an additional 130 units since 2020, and Rybak had sent an email to the forecaster so this information can be corrected because she would like to begin with accurate conditions.

Council member Dyvik agreed that the City should be credited for the 130 units that have already been added.

Chair Adams pointed out that their information also says that the City's population would be decreasing.

Rybak said that their forecasting also showed that household size would be going down, which meant that population was less of a concern. They show the population increasing but at a small rate in the Imagine 2050 plan, which probably makes sense because the household size was decreasing and would mean that there'd be less people within a standard household. The number of households is really the important thing as far as the land use portion of the Comprehensive Plan goes. If the City is already up over 100 households from what Metropolitan Council is showing, and those parcels were the City's last large bits of land available for redevelopment, it will affect the City's ability to add new households. She reiterated that she had emailed the forecaster to request this information be corrected and will provide an update to the Council when she hears back.

Moeller noted that the amount of registered voters between the last voting cycle two years ago and the current election cycle has increased by over 100.

Rybak communicated that something else that she wanted to discuss with the Council was the designation of Long Lake for the 2050 round as being an 'Urban Edge' community, and gave a brief explanation of their definition of Urban Edge.

Planning Commission Chair Adams observed that Long Lake did not have any of the things listed in their definition.

Rybak mentioned that Excelsior and Anoka had also been given the Urban Edge designation without being anywhere near the other Urban Edge communities. She intends to try to get to the bottom of why Metropolitan Council was making these assertions and would make a request to return to the 2040 designation of 'Suburban' because that would be more consistent with their geographic location.

Council member Dyvik suggested that Planner Rybak contact Excelsior and try to combine forces.

Rybak responded that she was actually attending a planning conference later in the week and expects that this will be a hot topic of the conversation amongst the planners.

Council member Kvale highlighted that the Imagine 2050 plan lists Wayzata as a Suburban community and Long Lake as an Urban Edge community.

Moeller confessed that she wished that Metropolitan Council had been watching tonight's meeting when the giggle spread throughout the room as the map was displayed depicting Long Lake being so far away from urban areas and yet labeled as Urban Edge.

Planning Commission Chair Adams added that by the Metropolitan Council's own definition of Urban Edge, the City did not meet any of their criteria.

Rybak shared her plans to continue to coordinate efforts with her coworkers at WSB and also planners across the metro area later this week. She also has a meeting scheduled with the Metropolitan Council later in the month in order to try to understand what they were thinking. She recommended that the Council authorize her to prepare comments to the Metropolitan Council on behalf of the City that identified the areas of the plan that are in direct conflict with the character of the City and their current ordinances/policies. Another glaring issue is the Land Use Policy in Imagine 2050 requiring cities to allow for more than one housing type in land use categories with residential uses. She clarified that this would mean that R-1, R-1A, R-2, and R-3 are all districts that are currently only single-family homes, and that policy would require the City to fundamentally change how it handles zoning. The Urban Edge designation requires new development and redevelopment to occur at a minimum density of 14 units/acre. The Suburban designation requires an average of five units/acre but they were adjusting it up to seven units/acre. The current expectation would be for the City to go from five units/acre to 14 units/acre.

Moeller confirmed whether her understanding was correct that under Metropolitan Council's Land Use Policy, somewhere in the middle of single-family homes on Harrington Drive or Inglewood Street, a developer could put up an apartment building in the middle of the block.

Rybak confirmed that is what the Urban Edge requirements would mean. She voiced that in her opinion, the draft policy was an over-reach into local zoning control and should not be placed into effect because it would fundamentally change communities - especially a small community like Long Lake. There are a few weeks remaining to better understand what is going on and for Rybak to meet with Metropolitan Council to try to understand what they are thinking, and to ascertain whether there may be any exemptions. She indicated that City Clerk Moeller had sent the Council an email with a link to the full plan and encouraged Council members to find time to read through all of it, especially the land use and housing sections. She stated that there is a feedback feature so they could also leave feedback from an individual standpoint, but reiterated that she would also be happy to draft a letter on behalf of the City as well.

Council member Kvale questioned whether there was a formal process to object to the plan or an appeal process.

Rybak explained that Metropolitan Council is currently in the public comment period of the process. The Metropolitan Council plans to formally adopt the plan in February and would be holding an in-person public hearing on October 16, 2024.

Council member Kvale asked why things were moving so quickly.

Rybak replied that the plan had been quietly released a few weeks ago.

Planning Commission Chair Adams encouraged residents and the Council to contact their state representatives.

Council member Dyvik inquired what would happen if this version was adopted and the City did not meet the new goals in areas like households and population.



Rybak believed that may be the reason for the heavy-handedness this cycle, as Metropolitan Council may have observed that handling guidance the way it was done in 2040 with more of an aspirational approach did not yield the density that their organization was looking for. Essentially Metropolitan Council has stated that cities within the MUSA that are close to the metro area benefit greatly from the regional services provided by the Metropolitan Council so, in return, they expect more density.

Council member Dyvik reiterated that the City had already met the 2040 goals related to households and it comes across as if Metropolitan Council was penalizing Long Lake because other communities did not meet their goals.

Rybak added that it also appears as though Metropolitan Council has the opinion that the policies that have been put into place by the legislature related to sustainability cannot happen without more dense development.

Council member Joyce inquired whether this only impacted the Twin Cities metro area or if it was a state-wide effort.

Rybak responded that this was for the seven-county metro area that the Metropolitan Council covers. She noted that there will be a lot for her to do in the weeks ahead and offered to provide the Council with updates along the way. She repeated that from a local control aspect, she felt this was an over-reach by the Metropolitan Council.

Council member Dyvik suggested that the City should have a strong response to the situation and emphasized that he was strenuously opposed to what the Metropolitan Council was proposing.

Council member Joyce was in agreement.

Anita Secord, 114 Brown Road N, shared that the reason she moved to the City was because it has a small town flavor next to the big town and she desired to see it remain that way. Trying to cram more people into the City when they have no more available property or to give up single-family homes in order to provide more density was absurd. She added that Metropolitan Council was not an entity that was voted in but was appointed and, in her eyes, they simply do whatever they want. She encouraged the City to do what they could to keep Long Lake's small town flavor because it is a little piece of heaven.

Rybak noted that she felt she had enough input from the Council to draft a letter on behalf of the City.

Moeller suggested that after Planner Rybak drafts the letter, it may also be a good idea for the Council and staff to make personal revisions to the letter and send individual letters in addition to the official letter from the Council, as a whole.

Rybak reiterated that the feedback feature on their website was pretty easy to use and stated that they could provide feedback as a Council, but also individually, as suggested by City Clerk Moeller.

Council member Dyvik suggested that this information could also be broadcast to residents along with a brief description of what it all means, in order to give them the opportunity of giving feedback to the Metropolitan Council as well.

Rybak indicated that as soon as she receives clarification on whether or not the plan is as bad as it currently sounds, she will begin navigating the process in order to get the City's comments submitted prior to the deadline.

Council member Dyvik repeated his suggestion to reach out to Excelsior.

**Request to Reconsider Adoption of a Resolution Approving the Participation of the Hennepin County Housing and Redevelopment Authority in an Affordable Housing Project with Homes Within Reach**

Brenda Lano-Wolke, Executive Director of West Hennepin Affordable Housing Land Trust also known as Homes Within Reach, introduced herself. She mentioned that City Clerk Moeller had let her know in advance that the Council had a very full agenda, so she had shortened her presentation a bit. She explained that Community Land Trusts (CLTs) are a way to provide affordable homeownership opportunities that can last for generations, and Homes Within Reach is a community based non-profit organization that has a goal of helping buyers at 80% or below with home ownership. Their organization does not underwrite mortgages or provide rent-to-own options, and they were truly an affordable home ownership program.

Council member Kvale asked if the home owners just owned the structure and not the land.

Ms. Lano-Wolke confirmed that was correct.

Council member Kvale expressed her thought that she viewed the program as sort of a rental hybrid because people would be renting the land from Homes Within Reach.

Ms. Lano-Wolke clarified that it was home ownership because people need to get a traditional mortgage for the home, and then they would lease the land from Homes Within Reach.

Council member Kvale asked how much people would pay for that lease.

Ms. Lano-Wolke responded that the program cost is \$30/month to lease the land. There are over 350 land trusts across the nation with 14 CLTs located in Minnesota. There are currently about 150 homes in trust throughout the state, and there have been 780 resales. She presented how a CLT works, what they felt were the benefits for the homebuyer and the community, and gave brief details about forgivable loans/deferred interest loans compared to their model of perpetual affordability. She outlined what she felt were the common myths about CLTs.

Moeller asked if properties owned by the CLT were taxed at the same rate as a residential homestead property or if there was a tax break.

Ms. Lano-Wolke replied that last year, the state statute was changed to allow land trusts to be categorized as 4DB so they could have a rate of .75% rather than 1%, and noted that this was something that each land trust had to certify every year.

Ms. Secord asked if the homes would have the same tax rate as a single family home in the City.

Ms. Lano-Wolke reiterated that she was talking about at the state level.

Planning Commission Chair Adams interjected that there were no state level property taxes.

Ms. Lano-Wolke explained that she was referring to all of the things that are layered on.

Chair Adams stated that with the .75%, CLT home owners would be getting a break on their property taxes.

Ms. Lano-Wolke confirmed that they would be getting a slight break in their taxes.

Council member Kvale questioned what would happen if the taxes were not paid, because her understanding was that the land trust would not be responsible for paying any of the taxes.

Ms. Lano-Wolke replied that they do not allow their home owners not to escrow their property taxes, so property taxes would be included in mortgages and paid by banks. In the event an owner is in default, the trust has the ability to step in and remove them from the property and buy the property back.

Council member Kvale asked if they could ever offer a contract for deed for the land because in perpetuity, the land and the house will never match up.

Ms. Lano-Wolke clarified that program participants will never own the land and it would always remain in the trust. If there were a situation where the property was no longer affordable and it could not be sold to another family at 80% AMI, then they would be able to sell the land out.

Council member Kvale recalled that property values have been increasing and asked how it would work when taxes increase too much, because they would be paying property taxes for both the structure and the land. She gave the example of land value increasing significantly and reiterated her question about what would happen in that situation.

Ms. Lano-Wolke stated that it would be similar to what would happen if hers or Council member Kvale's taxes increased.

Council member Kvale pointed out that she owns her whole parcel and can sell the whole parcel.

Ms. Lano-Wolke responded that typically, their home owners do not stay at this income because it is increasing and have been able to continue to pay their property taxes. She noted that they have not had anyone default or sell their home because they could not pay their property taxes.

Council member Dyvik inquired if all banks offered mortgages on structure only loans.

Ms. Lano-Wolke answered that not all banks offered mortgages for structures only because they also have to approve the ground lease. Fannie Mae and Freddie Mac both underwrite their mortgages, any lender that does Minnesota Housing can also be approved to do it, and she listed off a few other banks that offer this type of mortgage.

Council member Kvale stated that someone who improved a basement, for example, would not get the same type of equity as someone who owned everything would get because there would be an affordability limit. She asked if refinishing the basement would be considered part of the equity.

Ms. Lano-Wolke explained that would be a capital improvement that 'they' (the home owner) did, so they would get 100% of the value of that improvement.

Council member Feldmann asked how the value would be determined.

Ms. Lano-Wolke indicated that value would be determined by completing a fee-simple appraisal at the time of sale. She noted that they do a lot of counseling around not over-improving.

Council member Kvale asked about improvements made to land that these individuals would not own.

Ms. Lano-Wolke stated that those improvements sort of go to an overall increase in value.

Council member Kvale stated that meant that they would get about one-third of that value.

Ms. Lano-Wolke responded that they would get 35% of that.

Weske advised that the Council had been asked if they wanted to support Homes Within Reach operating in Long Lake in order to allow them to be eligible for Hennepin County funding assistance. He clarified that the organization would still be in Long Lake because there is already a home that has been sold. He reiterated that this was something that the Council was being asked to take a look at in order to see if they wanted to sign off on for the Hennepin County funds.

Council member Kvale commented that she did not know why the City should sign off on this because Long Lake was not involved in their business. Their organization can buy the homes and she questioned why they needed the City's approval. She added that Ms. Lano-Wolke had stated that their model was home ownership, but she would say that it was a place to live and not true home ownership because the program participants would own a structure but rent the rest of it. She reflected that this arrangement does not have all the risks or rewards of home ownership.

Ms. Lano-Wolke explained that it was a shared equity model of home ownership. She shared a fictional example of a teacher who grew up in Long Lake who really wanted to stay here but could not afford an entry level home in the City on a teacher's salary. The program can give buyers a hand-up, not a hand-out. She clarified that the only reason they were asking for the City's approval was because of one pot of funds that they are eligible to receive from Hennepin County, and this would be a way to get some of the taxpayer money that the Long Lake residents have paid to the County back into the community. State statute sets forth that if the Hennepin County HRA spends money in a community, the City has to sign a resolution that says they are okay with it. She added that they were not asking Long Lake to provide any funding to the program, but were asking for the City to allow the program to use the money that can be used here.

Council member Kvale reiterated that she did not understand why it was a requirement for the City to say that Long Lake agreed to it.

Ms. Lano-Wolke referred back to it being a provision in state statute.

Council member Kvale reflected that she understood that, but she did not feel that the City should have to approve it when they are not actually involved. She observed that she did not feel comfortable with being told that the City had to approve this.

Ms. Lano-Wolke clarified that the City did not have to approve it, and that would just mean that there is one pot of money that they will not use in the City.

Council member Joyce asked why this agenda item was being revisited when the Council had already voted not to take any action on it at their August 7 meeting.

Weske replied that at that time, the Council conveyed that they had more questions than they had answers, and had expressed a willingness to listen to a presentation by Homes Within Reach.

Moeller added that the applicant had also reapproached the City with the desire to present additional information and to be physically present at the meeting.

Ms. Lano-Wolke shared that she had watched the previous Council meeting and observed that there were a lot of assumptions made about the land trust model that were incorrect. Regardless of whether the City wants them to use money in the community or not, she wanted to come and dispel any myths and misinformation there may be.

Moeller mentioned that one question she had was if the Council were to once again vote to deny their request, she wondered whether it would really change anything for Homes Within Reach. Homes Within Reach already owns one property in the City and she asked if they would be acquiring others with the available funds through the land trust without the pot of money from Hennepin County.

Ms. Lano-Wolke recalled that in the example from her presentation, there was someone who had asked them to look in Long Lake who had been seeking home ownership assistance because they already lived here and wanted to stay.

Council member Dyvik observed that the City was in part subsidizing their ownership because the City would be getting less tax revenue from that property.

Ms. Lano-Wolke admitted that was technically true, but they do have to certify, so if a community says that they do not want them to certify homes within the community at a lower tax rate, she would honor that request.

Council member Kvale communicated that, fundamentally, she had a hard time with the trust's home ownership model being in perpetuity because they are divorcing the land from the structure. She felt that divorcing them from each other was kind of like playing a game because it is very difficult to pick up the structure and actually move it elsewhere. She asked what would happen when Ms. Lano-Wolke's organization was dissolved, what problems could arise, and referenced the City's current situation with the Long Lake Fire Department. She pointed out that it appears as though Homes Within Reach receives a lot of donations and grant money, and she believed it would be better for the home owner to be able to have the entire property. She noted that she appreciated the intent to provide a hand-up, but if owners could purchase the entire property, the organization would be helping to create generational wealth for that family because they would be able to sell it and make money.

Ms. Lano-Wolke responded that their funders would not fund them at the level in the scenario described by Council member Kvale. She explained that their operating budget is only about \$400,000, and the money they receive from grants actually goes into the properties for rehabilitation and improvements. She repeated that they only receive \$30/month for the land lease at properties, which would not be enough to run the program. When a property is sold, the land is never sold and they would just sell the structure to another family. She emphasized that their organization never takes money out of the transaction or profits from it. The value that increases in homes is often tied to the community and not the structure, as values go up because of the amenities and the desire to live in a

community. The value of Long Lake is, as mentioned earlier by a resident, that it is a small community that is close to everything and provides a safe and wonderful environment.

Council member Joyce asked if the homes can only be sold to other participants in their program.

Ms. Lano-Wolke indicated that homes will go to other buyers that would be at 80% AMI. Owners can sell to a friend or family member if they qualify for the 80% AMI, but Homes Within Reach has first right of refusal. If a home is not in good repair, they will buy it back, fix it up, and then sell it to the next home owner.

Moeller wondered whether there was some type of deed restriction that addresses that any new home owners would have to enter into a ground lease with Homes Within Reach.

Ms. Lano-Wolke confirmed that there was.

Moeller asked who received the tax statements for the properties. For example, do home owners receive a statement for the home only, and would Homes Within Reach receive a different statement for only the land value.

Ms. Lano-Wolke replied that the homeowners receive the entire tax statement and pay the taxes for both the structure and the land as part of their ground lease, which also gives them the right to apply for property tax refunds.

Mayor Miner noted that the Council had asked questions that interrupted Ms. Lano-Wolke's original presentation and asked if she had additional slides that she wanted to present to the Council.

Ms. Lano-Wolke indicated that she would like to go through a few more things for the Council. She shared that they currently have 213 homes in their portfolio located in 16 suburban communities, and they had also helped 253 families via resales. She reviewed examples of what a working family making 80% or 60% could afford and reviewed a specific example of family interested in home ownership in Long Lake that had been long-time renters in the City. She gave a very brief explanation of the resale formula.

Council member Dyvik asked what would happen if there was a drop in the real estate market.

Ms. Lano-Wolke responded that the subsidy would end up taking a hit and that would not be passed on to the home owner. Ms. Lano-Wolke also provided clarification on their purchasing formulas and calculation of returns for home owners on capital improvements at the request of Council member Feldmann.

Mayor Miner asked if Ms. Lano-Wolke had any examples from nearby cities that have approved this action.

Ms. Lano-Wolke shared that they currently have homes in Wayzata, Deephaven, Orono, Edina, Bloomington, Minnetonka, Maple Grove, Plymouth, St. Louis Park, Richfield, St. Bonifacius, and Bloomington. They are looking to expand in the area because they were hearing from more people that were interested in their program that are coming from this area and do not want to move farther in to the metro area.

Council member Feldmann observed that nothing was actually in perpetuity because everything eventually ends, and asked how the program would ultimately terminate and how there would be a separation from the house/land partnership.

Ms. Lano-Wolke explained that the trust should survive in perpetuity. Their governing documents say that if they were no longer able to sustain, then they would look at another land trust organization, but they have been around for almost 25 years. In Carver County, the City of Chaska had started a land trust right before the foreclosure crisis and their educational partner was the Carver County CDA. When the City found that they could not sustain it, they reached out to the CDA and asked them to take over its stewardship. She reiterated that their governing documents outline that their first endeavor would be to find a like-minded entity to take over the stewardship. If that were not possible, it would require each organization to go back to the funding organizations that put money in and repay the loans and sell properties outside of the land trust. Existing home owners at that point would have the opportunity to purchase the land with the caveat that all of the declarations and covenants attached are paid in full.

Council member Feldmann stated that in the event there is somebody who cannot afford to buy the land, they could be put in a situation that they would be living in a house and would be forced to buy the land or move out. He asked whether any house that is purchased and becomes part of this type of land grant would ever be subdivided.

Ms. Lano-Wolke replied that their properties would not be subdividable, but in terms of meeting the City's affordable housing goals, the Metropolitan Council likes the land trust model and it would count towards their housing goals.

Council member Dyvik had noticed that the participating cities listed were all larger cities better able to afford to absorb the lower tax revenue that would occur for the trust's properties. He voiced concern about doing so for a small city like Long Lake. He asked if the trust had any homes in communities where the City had not approved the County funds.

Ms. Lano-Wolke stated that had not happened during the time she was been with the program which has been three years.

Moeller recalled that technically the trust has a home in Long Lake already.

Ms. Lano-Wolke reminded the Council that the question that should be asked is whether the City would like to see some of Hennepin County's money spent in the community for affordable home ownership.

Council member Joyce commented that she felt that Homes Within Reach could still buy properties in Long Lake if they wanted to regardless of what the City decides.

Ms. Lano-Wolke conveyed that they have one property in the City and would not plan to go out and buy 20 other properties in Long Lake because it is a small community. In larger communities, they end up acquiring more homes.

Council member Dyvik appreciated the work that Homes Within Reach was doing, but there are people in this community that have trouble paying their property taxes as it is; in fact, the Council was having a conversation earlier tonight about how Long Lake receives \$0 in local government aid.

Council member Kvale stated that she also felt what they were doing was great, but the fix of taking the land apart from the structure was of concern to her, and she would like to see there be a way for them to be rejoined. She added that it almost feels like it is a gimmick to make something affordable without giving someone the entirety, and explained that she would favor a solution that would give someone the entire rights over their property.

Ms. Lano-Wolke mentioned that there are a few models out there that are like what Council member Kvale was describing, but they only benefit limited families and take a lot of resources.

Council member Kvale observed that it almost looks like a rent control scheme.

Ms. Lano-Wolke communicated that she took offense to their program being referred to as a scheme or a gimmick. She added that theirs is a proven model that has been around for many years. Nobody is forced to participate in the program because they have a choice, and they make sure that individuals fully understand what they give up in order to gain what they would be getting.

Moeller asked if the proposed resolution of consent had to be voted up on as a simple yes or no, or whether the Council could consider approving it subject to the land trust buying no more than a certain amount of homes in the community.

Ms. Lano-Wolke stated that they could make that work.

Council member Joyce stated that this was already denied on August 7, and her understanding was that there was no action to be taken tonight unless the Council had changed their mind since that meeting.

Moeller explained that staff was not requesting any action because this was a decision that was solely for the Council; however, if they chose to, the Council could consider approving the resolution adding language about not purchasing, for example, more than 1 or 2 homes in the City.

Ms. Lano-Wolke noted that they could also add the language that would state that they cannot reduce the taxes.

Mayor Miner reflected that he was sensing opposition from the Council and asked if they had any appetite for the suggestion by City Clerk Moeller to add some stipulations.

Moeller clarified that she was not advocating in any direction, but noted that she would suspect that the kind of home purchased by the program on Inglewood Street was exactly the kind of home that would be otherwise be purchased by corporations and then turned into rental housing. She suggested that similar properties would more likely be invested in by the land trust than one of the rental corporations. She reiterated that she was not advocating in any direction for the Council and recognized this was completely their decision to make.

Council member Dyvik asked how the program's homes may impact the adjacent property values.

Moeller replied that anytime there is a property that was improving its condition, it actually can raise property values.

Finance Director Nowezki added that what the City is seeing right now is a change in housing because many of the homes are older. Of the homes being sold each month, there have been a multitude of



corporations coming in to buy them as rentals, and those corporations often are not local or have any idea about the conditions of the properties they acquire. She indicated that she had spoken with the new resident who had purchased the Homes Within Reach house, had welcomed them to the community, and there had not been issues with paying utilities because they set up autopay right away.

Moeller observed that in the situation proposed, the City would essentially have an insurance program because if they don't pay their bills or violate City Code, they are in trouble with the land trust.

Council Member Dyvik asked when Ms. Lano-Wolke had gone before the Orono City Council.

Ms. Lano-Wolke responded that the item had been placed on the Orono Council's Consent Agenda and they had no questions.

Council member Joyce noted that she liked the idea of putting guardrails on this program.

Ms. Secord raised her hand to speak.

Mayor Miner explained that the Council would not be taking public comment on this item as it was not a public hearing.

Ms. Secord spoke from the audience and stated that the Council had heard from staff and felt that they should also hear from a resident. She communicated that for her, this request was a 'no' because they bought a property already, and the City does not need to bless them because they are getting their grant money from her tax money. She objected that she does not approve of this action at all and explained that she was a single-parent who earned her home and had improved her home. She added that nobody gave her a hand out, she felt that it was not the American Dream to simply buy a structure without any land, and indicated she did not want to see this in her City.

Mayor Miner thanked Ms. Secord for her input. He stated that his initial concerns with this had been the possible tax implications so if that could be addressed as suggested he would not be as concerned about it.

Council member Kvale stated that for her, she understood that Ms. Lano-Wolke doesn't like the word 'scheme', but there is an effect on other people who are trying to buy those properties. She indicated her belief that home ownership is the American Dream and involves the home and the land, but this situation creates a pseudo-rental scenario. She repeated that fundamentally she did not care for this approach to affordable housing, and mentioned Habitat for Humanity as an alternative.

Ms. Lano-Wolke outlined how Habitat for Humanity worked as a shared equity model and what happens when the property is sold.

Council member Dyvik suggested that this item be tabled and with direction given to staff to come up with some options.

Moeller added that staff could prepare a resolution that included the guardrails that had been discussed as an option for review.

Council member Kvale stated that she would not agree to that.

Council member Dyvik noted that he was not sure he would agree to it either.

Moeller confirmed that she understood their positions, but was suggesting that she prepare something that has the language so the Council can make an informed decision on whether to adopt it or deny it.

Shannon Bruce, 7500 Fielding Trail, Minnetrista, came to the podium and shared that she was a former Council member from Minnetrista and had also served on their Economic Development Board. She recalled that they had heard affordable housing proposals such as this and she strongly urged the Council to reject the proposition because it is not a right to live in an upscale suburban community like Long Lake, but rather a privilege that was earned by hard work and sacrifice. The organization is going to go to other communities and will say that Long Lake signed onto this, but would not tell them that the City put caveats in place, and could create a snowball effect going through other communities. She stated that this scenario would not be good for the other people that worked hard, bought their properties, and earned their way to buy in Long Lake. She voiced her belief that the City will have higher crime rates when they let affordable housing projects like this into the City, and encouraged the Council to think long and hard about letting a trust come in and buy land because it would end up spreading throughout the suburbs.

City Attorney Thames mentioned that in listening to this conversation, one point he was considering was the fact that the status quo right now is that a property has already been purchased and there is a lease agreement that is held by the trust. He commented that nothing the Council does regarding the approval of the resolution will change that except allow them to access some financing for the existing resident. With the guardrail example, the authorization could be limited to one home, which would be the property already purchased so that any discouragement of having to split ownership that Council member Kvale had expressed concern about is accomplished, but they would be able to help the resident who was already here.

Council member Feldmann reflected that if they approve this, they are endorsing it, but the reality is that the trust can come in and buy whatever they want anyway.

Ms. Lano-Wolke communicated that she felt that the City had made their point loud and clear that they do not want workforce housing in the City and explained that she was worried about the current home owner being accepted in the community.

Council member Kvale replied that was not the case and clarified that it was the model of separating the land from the structure that she had issues with.

Ms. Lano-Wolke stated that Council member Kvale had made it very clear how much she disliked their model but noted that she did not have the ability to bring another model to the City. She added that they do would not want to move forward and acquire anymore homes in Long Lake because of the fear of retaliation to the home owners.

Council member Dyvik asked if Ms. Lano-Wolke felt that the Council had demonstrated that there would be retaliation.

Council member Joyce felt that comment was not fair and stated that this has nothing to do with the individual or family that lives here.

Ms. Lano-Wolke indicated it is a cause for concern when a resident stands up and says that their home owners were going to bring crime to the City.

Council member Dyvik stated that was not a statement made by the Council.

Ms. Lano-Wolke noted that one Council member had made it very clear that she did not like their model.

Council member Dyvik added that was also just one Council Member out of five.

Ms. Lano-Wolke commented that if they can set this aside and the Council says that this is enough and will consider revisiting this years down the road after they see how it works, that would be acceptable. She reiterated that this is a proven model that does work, and she cannot bring the City another model even though this was not the only way to achieve workforce housing.

Council member Dyvik shared that he needs more information and would like to see how they have operated across the Twin Cities.

Ms. Lano-Wolke mentioned that she would be more than happy to meet someone for coffee and share additional information with them.

Moeller suspected that what may answer some of the Council's questions was for them to communicate with their counterparts in other cities and learn from them about their experiences with this organization. She summarized that the consensus from the Council at the moment is that there would be no further direction for staff tonight.

Mayor Miner thanked Ms. Lano-Wolke for her presentation, acknowledged that it had been a challenging situation, and indicated that the Council may talk about it again in the future.

Mayor Miner recessed the meeting for a brief break at 9:09 pm and reconvened at 9:17 pm.

**Adoption of Preliminary 2025 Payable Levy; Establish Truth in Taxation Public Meeting Date to Discuss Levy and Proposed Budget**

Weske gave an overview of the 2025 Preliminary Budget and reminded the Council that the Preliminary Levy needed to be formally adopted by the end of the month, with the Final Levy required to be adopted at the end of December. He outlined the budget factors contributing to the recommended levy, stated that the proposed levy increase would result in no change for the local City tax rate, and presented a brief history of the City's tax levy dating back to 2017. He outlined budget considerations including an allocation for Fire Department legal fees; an amount for removal of Emerald Ash Borer infected ash trees from the City's parks and rights-of-way; reviewed other major general capital items for Council consideration; and noted that staff was looking for some feedback from the Council regarding the utility/rescue vehicle purchase commitment request that had been discussed at the Fire Advisory Board.

Council member Dyvik clarified that the matter before the Council was adoption of the preliminary levy and budget. He reminded the Council that the numbers can always go down from this point, but could not be increased once the preliminary levy is adopted. To him, that meant that the Council didn't need to tackle all the challenges that exist right now.

Weske agreed and added that the hope is that when certain final numbers come in, they will provide further clarity; for example, what the City's health insurance premium expense will be. He acknowledged that right now there are still some unknowns.

Mayor Miner pointed out that the proposed Fire Department legal fees line item is money that the City would have to pay up front, but there is a possibility that a portion of that money would be reimbursed to the City following the trial.

*A motion was made by Feldmann, seconded by Dyvik, to adopt Resolution No. 2024-42 establishing the Preliminary Property Tax Levy Payable in 2025 for the City of Long Lake. Ayes: all.*

*A motion was made by Feldmann, seconded by Kvale, to adopt Resolution No. 2024-43 establishing the Truth in Taxation public meeting date as December 3, 2024 to discuss the proposed levy and budget for taxes payable 2025 for the City of Long Lake. Ayes: all.*

Council member Dyvik reported that at the last Fire Advisory Board meeting, the Board had discussed inclusion of the utility/rescue truck on the CIP. They had communicated with the Board that it had been a need for a number of years, the vehicle had already been ordered, and they had asked if all three cities would participate in that purchase per the contract terms. Orono had indicated that they would participate if the City would commit to buying the vehicle back at the end of the contract.

*A motion was made by Dyvik, seconded by Miner, to communicate to the City of Orono that Long Lake would buy the utility/rescue truck outright at the end of the current fire services agreement/contract. Ayes: all.*

### **Approve Contract Proposal from Waste Management of Minnesota, Inc. for 2025-2029 Residential and Organics Collection Services**

Moeller reminded the Council that the City's recycling contract was ending at the end of 2024, and with that in mind, the City had issued an RFP for recycling services. She outlined some of the key items that had been included in the RFP that had not been included in past contracts. She explained that staff was recommending moving forward with the proposal received from Waste Management of Minnesota, Inc. and reviewed details of the services, including organics collection, and rates that were included in their proposal. She noted that Jason Hartman with Waste Management was present in the audience tonight if the Council had any questions.

Nowezki indicated that she had worked closely with City Clerk Moeller on this from a rate perspective and noted that she felt that there would need to be some education component involved in order to let the residents know about this change, and that it should result in a savings in their garbage hauling services. She noted that the inclusion of the City's trash services at no cost will save the City a bit of money as well.

Jason Hartman, Waste Management of Minnesota, Inc., stated that one thing that will be needed when they start the program is to get a list from other haulers that have organic customers.

Moeller noted that the City had based their organics and solid waste ordinance in part on Maple Grove's, and mentioned that Maple Grove was also making this exact same type of transition to a City-wide contract right now.

Mr. Hartman noted that most cities in Hennepin County that have subscription trash with organized recycling are switching to a City-wide organics program because it makes more sense and is more cost effective for the haulers and the residents.

Council member Joyce confirmed that garbage would still be separate.

Moeller clarified that the City was not proposing to go to a closed hauler system for garbage, and explained that this would be implementation of a City-wide organics contract rather than requiring the garbage haulers to provide it at their own pricing choice.

Mayor Miner asked if it would be done by the same truck or if two trucks would be used.

Mr. Hartman explained that there would be a second truck coming through for the organics.

Mayor Miner stated that he felt that this would still help reduce the overall numbers of trucks coming through the City.

Council member Kvale asked how people would opt in for this service.

Mr. Hartman responded that typically people need to call in and request service and they will deliver a smaller cart to them and put them on one of their routes.

Moeller stated that they will start by working to obtain a list of people that were already participating and take care of them first, then communicate to everyone else about how they can opt in.

*A motion was made by Feldmann, seconded by Dyvik, to accept the Recycling Services Contract Proposal from Waste Management of Minnesota, Inc. for residential and organics collection services for years 2025 through 2029, per the terms of their Recycling Services Contract Proposal Form and the Request for Proposals (RFP) Recycling Services & City Facility Refuse Collection approved by the City Council on August 7, 2024, and to authorize the City Administrator to execute any necessary documentation. Ayes: all.*

*A motion was made by Feldmann, seconded by Dyvik, to direct staff to prepare an amendment to the City Code of Ordinances to reflect that the City will contract for residential organics collection services versus the service being provided by licensed residential refuse haulers. Ayes: all.*

### **Updates Regarding Fire Department Matters**

Mayor Miner stated that the next Fire Advisory Board meeting was scheduled for October.

Council Member Feldmann recalled that a few meetings ago, Council member Dyvik had mentioned addressing some of the issues and comments that the Orono Mayor had made related to the Long Lake City Council. Council member Feldmann had mentioned that he had planned for some time to review response time data he'd looked at previously, and reported that he had put together a presentation that brought a bunch of different information together in what he called his 'Due Diligence Study' related to Emergency Response Times/Cost Effectiveness. He added that his goals and motivation for gathering the information were to address disparaging comments that have been directed at the Long Lake Fire Department related to response times, and also to address those comments that were directed at the Council for their management of the Long Lake Fire Department. He had wanted to make sure he understood the service performance and the cost effectiveness of the differing Long Lake Fire and

Orono Fire models and ensure that an informed decision was being made, but also to seek truth and transparency of this data. Council member Feldmann gave a detailed presentation providing a thorough analysis of response time data; describing flaws in the methodology and data filters used by Orono in calculating LLFD Station 2 response times; highlighting discrepancies within the data set; addressing a wide variety of inaccurate statements and claims made by Orono's Mayor Walsh at public meetings and on social media; reviewing actual call response time data to provide an accurate analysis and comparison of performance by the two departments, and calculating average response times; and provided a comparison of the cost per call between the two departments. He concluded that the facts establish that the Long Lake Fire Department has demonstrated superior performance to the Orono Fire Department model, and also superior cost effectiveness. He stated that he wanted to make sure he placed an emphasis on the word 'model' when discussing the Orono Fire Department, because the firefighters are very good and, in fact, half of them are Long Lake firefighters and Long Lake knows that they are trained and are excellent at what they do. He felt that the performance issues identified in his study must be based on how the Orono Fire Department was modeled and how it was being managed in responding. He reiterated that the potential variable of quality firefighters was off the table because both departments have excellent people, so any issues with the Orono Fire Department's response must relate to how things are operating. The response times from the Long Lake Fire Department, in every single metric reviewed, had been superior in every single way. He noted that one other thing he had discovered in reading through a series of Mayor Walsh's comments had been a statement he'd made that 'Orono has demonstrated the ability to better manage the budget of the Fire Department.' Council member Feldmann countered that position and stated that managing a budget for a business means that typically you look to spend less money to get better service. Orono is actually spending more money to get worse service, which he would find to be the opposite of demonstrating good business acumen and management skills. He referenced the numerous social media claims about the Orono Fire Department providing better service and response times and indicated that all of these claims were completely unsubstantiated. He shared examples of their call response times around the time that the posts were made where Orono Mayor Walsh claimed that the Orono Fire Department 'had the best service times ever', and indicated that there appeared to be a pretty massive disconnect between Orono Mayor Walsh and what the reality is with their Fire Department's actual response times. Council member Feldmann voiced that he found that concerning and would question whether this is something that Long Lake, as a potential contract City, would want to be exposed to. He emphasized that every single one of the social media posts by Orono Mayor Walsh were based in fiction and have been proven to be false because the Long Lake Fire Department has demonstrated that they have superior performance to the Orono Fire Department. He concluded that Orono's analysis of response time data and the allegations in their needs assessment were completely invalid, and he outlined some of the demonstrated issues and concerns he has with this situation especially in considering becoming a contract City. He reiterated that when you look at the data and provide a consistent metric, the Long Lake Fire Department response times and cost efficiency are superior to those of the Orono Fire Department, and his recommendation would be that Long Lake not pursue becoming a contract city of the Orono Fire Department at the end of the contract.

Council member Kvale thanked Council member Feldmann for his presentation because she had found it to be very informative. She noted that looking at the apparatus alone did not really look at how many people were responding.

Council member Feldmann explained that the responding apparatus is important because, for example, the Command vehicle will be one person, but in an engine there are typically four. He added that the Excelsior Fire District and their duty crews will run an engine with two, but that can become tough if they are responding to a fire. He commented that you would want to ensure that those two people that

are rolling were extremely qualified and when he had talked to Chief Heiland about how they would run over there, he said depending on the event, the two duty crew people would hop in the truck and they would wait for a third or fourth person to show up. He stated that there is a column in the data set that depicts the number of people responding; however, sometimes that data can get a bit funky because it depends on the type of event, though he agreed that it was really important information.

Mayor Miner shared that he felt that Council member Feldmann's presentation was fabulous. He observed that Council member Feldmann's PhD and his career are all about data, so he had the facts behind what he had just shared and portrayed. He agreed that the information was not saying anything against any particular firefighters but rather was focused at looking at the model that Orono had set up, and he indicated that all the firefighters, including the seven from the Long Lake Fire Department, were doing the best they can under their circumstances. He noted that he did not feel that the Orono Fire model was set up to succeed and commented that as he looked at the data and the response times they are experiencing, he thinks that issue most likely has a lot to do with where the Orono Fire Department is responding from. He acknowledged that there have been reports about their duty crew firefighters driving through Long Lake, being parked at the Town Center, Caribou, or in front of the Liquor Barn, which he suspected had to factor into their response times because for certain calls they are responding from way up in the Long Lake area. He stated that the Orono City Council had promised their citizens that they would build the temporary fire garage for around \$200,000 in Navarre, and that Orono Fire Department would be responding from there. From what he has heard thus far, the Orono Fire Department is very seldomly down there.

Council member Dyvik asked if he could receive a copy of Council Member Feldmann's presentation and information.

Council member Joyce suggested that they post it on the City's website as well.

Mayor Miner confirmed that they would put it on the website and asked Council member Feldmann if he was open to answering any questions that people may have.

Council member Feldmann encouraged anyone interested to reach out to the Council with questions. He stated that if anyone, including the Council, wanted him to present the analysis a different way, he could also do that. He communicated that his goal was that when people were speaking on the issue, it would be coming from a place of fact rather than what someone 'wants' to be true or to feed a narrative, because that is not useful.

Council member Kvale asked if the City may be able to parse out some of the video of tonight's meeting because she felt that Council member Feldmann had explained things really well in his presentation.

Moeller noted that she would be out of the office on Thursday and Friday this week, but would be looking into that possibility before she leaves.

Council member Feldmann also offered to screen record a new presentation if that would be easier to post.

**OTHER BUSINESS**

**Meeting Reminders** - Mayor Miner noted that there was a slight change for their next meeting on October 1, 2024, with the regular Council meeting beginning at 5:30 pm with the intent that they would be able to wrap up by 6:30 pm in order to allow Council members to attend the Orono Candidate Forum that evening. He stated that there would also be an EDA meeting on October 15, 2024, followed by the regular Council meeting.

**ADJOURN**

*Hearing no objection, Mayor Miner adjourned the meeting by general consent at 10:27 pm.*

Respectfully submitted,

Scott Weske  
City Administrator