



MINUTES
CITY COUNCIL MEETING
December 1, 2009

CALL TO ORDER

The meeting was called to order at 6:33 pm.

Present: Mayor: Randy Gilbert; Council: Sam Rettinger, Sharon Henderson, Brian Carpenter, and Liz Olson

Staff Present: City Administrator: Terrance Post; Public Works Director: Marv Wurzer; City Engineer: Dan Boxrud; and City Clerk: Jeanette Moeller

Absent: None

PLEDGE OF ALLEGIANCE

APPROVE AGENDA

Mayor Gilbert requested that the agenda be amended to add Item No. 8, Legal Action Regarding Barbarossa & Sons / Travelers Insurance Claim.

*A motion was made by Carpenter, seconded by Henderson, to approve the Agenda as amended.
Ayes: all.*

CONSENT AGENDA

The Consent Agenda consisted of:

- A. Approve Minutes of November 17, 2009 City Council Work Session
- B. Approve Minutes of November 17, 2009 City Council Meeting
- C. Approve Vendor Claims and Payroll
- D. Approve Agreement for 2010 Recording Secretary Services with Timesaver Off Site Secretarial, Inc.

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

OPEN CORRESPONDENCE

Jim Gulbranson, Long Lake Area Chamber of Commerce

Mr. Gulbranson appeared on behalf of the Chamber of Commerce to report on a recent meeting of local business owners and other interested individuals to discuss the Chamber of Commerce's requests made at November 17 City Council meeting.

- The group had decided to back away from their original request for a city wide "zoning amnesty", agreeing that in their opinion it would be better to concentrate on zoning code changes that could positively affect the Willow Drive corridor in terms of future development.
- After some preliminary discussions with the local Qwest hub, Mr. Gulbranson anticipated that positive news would be coming soon regarding making high-speed internet service available to Long Lake.
- At the group meeting, there had been some discussion that at the Council's previous goal setting session, Mayor Gilbert and Council member Carpenter had volunteered to develop a fact sheet

for developers. The Chamber of Commerce would be interested in assisting if there is anything the Chamber can do to help or facilitate development of such a document.

Council member Olson questioned whether the fact sheet project and promotion of redevelopment would be more appropriate for the EDA to pursue. Mayor Gilbert reported on the status of the fact sheet project.

Craig Riedl, 269 Inglewood Street

Mr. Riedl had received Mn/DOT decibel noise level test data and other documentation from Administrator Post following his last appearance before the Council. Although noise levels due appear to fall within Mn/DOT's standards of acceptable limits, Mr. Riedl expressed continuing concern with the noise level. As this is a complaint other affected residents share, Mr. Riedl asked that the Council consider pursuing additional noise mitigation measures and that the matter be discussed further as a regular agenda item during an upcoming Council meeting. He also requested City staff provide him copies of the November 20, 2001 and February 5, 2002 City Council meeting minutes.

BUSINESS ITEMS

2009 Truth in Taxation Public Hearing: Discuss 2010 Budget and Levy

Post reported that purpose of the meeting was to hold the Truth in Taxation public hearing to present the proposed budget and levy for the following year to the public. The public hearing provides an opportunity for the public to ask questions and make comments related to the following year's budget and levy.

Post provided a presentation discussing 2010 budget factors; projected general fund reserves; the 2010 recommended levy versus levy history; a summary of the proposed 2010 budget; major general fund expenditures by department/function; and major services and benefits provided. He indicated that the Council would be taking action on the proposed 2010 budget and levy at their December 15 meeting.

Mayor Gilbert opened the public hearing at 6:57 pm.

No one from the public addressed the Council.

Mayor Gilbert closed the public hearing at 6:58 pm.

Post responded to Council member questions regarding the potential for and impact of future LGA reductions.

Application for Payment No. 4 from Sunram Construction, Inc. for 2009 DT SWM Improvements Project

Post reported staff received Application for Payment No. 4 from Sunram Construction Inc. for the 2009 Downtown Surface Water Improvements Project in the amount of \$9,063.89. Payment No. 4 represents total contract earnings through November 20, 2009 of \$406,040.97, less previous Payments No. 1 through No. 3 and less 5% contract retainage of \$20,302.05. The contractor has completed 100% of the total amount due under the contract. With the project being completed this year, the City has complied with the Metropolitan Council grant conditions. Remaining release of project retainage to the contractor during 2010 will be reimbursed to the City as the work was completed during 2009. Staff recommends approval of the payment request.

Post and City Engineer Boxrud responded to Council member questions regarding completion of punch list items, project repairs, and plantings.

Boxrud clarified that the project retainage would be withheld until after the plantings come up in spring, and that the project warranty extends one year from final payment of the retainage.

A motion was made by Henderson, seconded by Carpenter, to approve Application for Payment No. 4 from Sunram Construction, Inc. in the amount of \$9,063.89 for the 2009 Downtown Surface Water Improvements Project. Ayes: all.

Legal Action Regarding Barbarossa & Sons / Travelers Insurance Claim

Post stated that earlier in the evening during a work session the Council had discussed the status of the City's claim with Travelers Insurance in relationship to the Highway 12 Watermain Repair Project. Letter exchanges with Travelers Insurance continue to meet with claim denial in each case. Per discussion at the work session, staff recommends that the Council entertain a motion to authorize the City Attorney to bring legal action against Barbarossa & Sons and Travelers Insurance.

A motion was made by Carpenter, seconded by Olson, to authorize the City Attorney to file action against Barbarossa & Sons and Travelers Insurance in relationship to the Highway 12 Watermain Repair Project. Ayes: all.

OTHER BUSINESS

October Tax Settlement – Post had received the City's October tax settlement from Hennepin County and reported there was not an amount reduction from July's collection to October.

Scheduling of EDA Meeting – Post suggested scheduling an EDA meeting prior to the December 15 City Council meeting to discuss the role of the EDA. Mayor Gilbert requested the EDA meeting start at 5:45 pm.

Orono Lions and LLFD Blood Drive – City Clerk Moeller noted that the Orono Lions Club and Long Lake Fire Department would be sponsoring an American Red Cross blood drive at Fire Station 1 on Tuesday, December 8 from 2:00 pm to 7:00 pm.

Accepting Applications for Park Board and Planning Commission – City Clerk Moeller indicated that the City is currently accepting applications for the positions of Park Board and Planning Commission member. The deadline to apply is Wednesday, December 9, and applications are available on the City's website or by contacting City staff.

Toys for Tots Drive – Mayor Gilbert encouraged participation in the Slow Burn Brigade's food and Toys for Tots Drive. Donation bins are currently available at area businesses, and a food and toy drive event will be held at Long Lake Fire Station 1 on Saturday, December 5.

ADJOURN

Hearing no objection, Mayor Gilbert adjourned the meeting by general consent at 7:10 pm.

Respectfully submitted,

Jeanette Moeller
City Clerk