

## **MINUTES OF THE REGULAR COUNCIL MEETING      February 14, 2013**

The Council Meeting was called to order at 7:02 pm by Mayor John Schaaf at the Community Meeting Room, 100 Village Center Drive, Suite 150, City of North Oaks, Minnesota. Present were Council Members Gregg Nelson, Marty Long, Mike Egelston and Mayor John Schaaf. Council Member Bruce Ackerman was absent. City Administrator Melinda Coleman was also absent. City Attorney Dave Magnuson, Recording Secretary Linda Hanson, and Videographer Kevin Scattum were present.

### **Pledge of Allegiance**

### **Approval of Agenda**

A change was made to New Business to move Item #1 (the Amendment to Fee Schedule) to the March Council Meeting.

Council Member Gregg Nelson moved to approve the Agenda. The motion was seconded by Council Member Marty Long and passed unanimously.

### **Citizen Comments**

None

### **Consent Agenda**

1. Minutes of the Regular Council Meeting of January 10<sup>th</sup>, 2013 for approval
2. Licenses for Approval:
  - Mechanical Contractors:** Affordable Comfort Mechanical dba Apollo Heating & Air, Centerpoint Energy Resource Corp., Condor Fireplace and Stone, Glowing Hearth & Home, Massman Geothermal & Mechanical, Master Gas Fitters, St. Paul Plumbing & Heating Co., Westair
  - General Contractors:**
  - Arborists:** Mark Primeau Tree & Lawn Service, Morgan's Tree Service, Pioneer Tree & Landscape Precision Landscape & Tree Inc., S & S Tree & Landscaping Specialists: Central Minnesota Tree Service
  - Sewer/Water Installation:**
3. Gambling License for Church of St. Odelia: Event at No. Oaks Golf Course, April 19, 2013
4. Claims for Approval: Check numbers 10382-10423

Council Member Long moved to accept the Consent Agenda. The motion was seconded by Council Member Nelson and passed unanimously.

### **Petitions, Requests & Communications**

1. **Fire Chief Tim Boehlke- 2012 Annual Fire Report**

Fire Chief Tim Boehlke presented his 2012 Annual Fire Report, but first gave a little history. He has been with the Lake Johanna Fire Department for 28 years and has been the Chief going on his eleventh year. The Lake Johanna Fire Department serves Arden Hills, Shoreview, and North Oaks out of four stations. Most are paid on call

part time, but they are now transitioning a six year implementation plan to have their part time workers doing more shifts at the stations. This leads to a better response time and the ability to go on more types of calls.

Last year the Lake Johanna Fire Department responded to 1,814 calls in which North Oaks had 11.4% or 207 fire or emergency medical calls. The fire loss for 2012 was 2.8 million dollars but no significant fires were in North Oaks. The previous year there was 1.1 million dollars of damage in North Oaks alone.

The response time when staffed is 3 minutes faster than when non-staffed. An average fire doubles in size every two minutes. The average response time is 6.13 minutes whether staffed or not. The North Oaks response time on average is 6.2 minutes for day calls and 4.5 minutes for evening calls. It takes the fire department a little longer to navigate the roads in North Oaks. The day shift receives 59% of the calls, the evening 30%, and when not staffed 11% of the calls. They are expanding their Sunday staff hours both day and evenings. The peak hours are in the morning and by 9 to 10 at night calls decline. Last year January through March were really slow months, but this year January has been busier.

The fire fighters are professionally trained but are paid a fraction of the cost of full time fire fighters. When at home and called in, a fire fighter gets \$16.00 an hour and when on shift they get \$13.00 an hour. A career fire fighter starts around \$25 an hour.

The significant structure fires are handled much better when the response time is lessened because more shift hours are now staffed. They were able to get on scene faster which resulted in a lower dollar loss.

There were 53 actual fires last year. Rescue or EMS calls were about 69% of their calls. All of the fire fighters are trained to be first responders or EMT's, but they do not transport. Allina transports, but the fire fighters often will ride with the critical patients freeing up the police deputies to go on other calls.

Council Member Nelson mentioned that he went on a tour of the Turtle Lake Fire Station and Chief Boehlke mentioned that any Council Member could take a tour.

The Chief also went over the ISO (Insurance Service Office) which is a for profit business that rates communities for fire protection about once every ten years. They look at the dispatch center, handling and receiving calls, training, the equipment, the location of the equipment, and the water supply. In North Oaks there are not as many fire hydrants. The rating goes from 1 to 10 with 1 being the best. Insurance premiums can be based on this ISO score. Previously, North Oaks was rated a Class 4. Three is as good as it gets in our state. Now they are using a new software program. New scores were given to North Oaks using two calculations: one for a protected area where there are fire hydrants and one for an area where there is fire department supplied water (which is the greater part of

North Oaks). The commercial area and those homes close to a fire hydrant are now rated a 3. Those that are further than 1,000 feet from a hydrant will be rated a 5. For residential, increases in insurance premiums is very little. For commercial, the premium is impacted much greater if they have a higher score. The City's commercial is now a lower score which will be good for business.

The Mayor mentioned that 30-35% of the homes are close to a hydrant and the number will go up with each new development. He also asked about the greater loss in Arden Hills in 2012. The Chief mentioned that they had significant structure fires last year including a large fire on Lake Johanna that was about a \$900,000 loss. The Mayor asked if there were any fire videos that could be put on the City cable channel. The Chief agreed to supply some of these. The Mayor also mentioned that North Oaks and the sister cities of Arden Hills and Shoreview spent \$700,000 on a new fire truck.

The Mayor thanked Chief Boehlke for his service.

## **2. Turtle Lake Elementary Playground Project**

### **Jen Sprain Turtle Lake Parent and Playground Project Chair**

Ms. Sprain presented the Playground Project vision for a new playground that is intended to transform play for everyone. The current playground was built in the 1990's. They now want to update it and make it an inclusive design for all families. They have been working on the design, planning and infrastructure. They are now implementing a financial campaign in support of their vision and are hoping funds will be secured by the summer of 2014 so that the new playground would be ready for the 2014-5 school year.

In Ramsey County there are an estimated 8,200 people who have developmental disabilities. They are hoping this playground will enhance the quality of life of all local residents by demonstrating the value of inclusiveness and be a place to play without boundaries.

### **Darin Johnson, Turtle Lake Principal**

Mr. Johnson has worked in Mounds View Schools for 16 years and has been the principal of Turtle Lake for six years. He offered the City Council a tour of his school. Turtle Lake has a little over 1,000 students that serve 720 families. Seventeen percent are from North Oaks. Many from North Oaks use the Mounds View facilities including the playground outside Turtle Lake School.

He would like to maximize the opportunity for all students to play side by side not just work side by side while in school. He would like all equipment to be available for all children and would include a safe, solid surface for those with mobility

challenges, equipment with graduated levels of play using a ramp system, and equipment offering sensory stimulating activity. This playground would be unique to the metro area. He believes they have an excellent school but would like to bring this excellence to the outdoors. The Parent Group is very active and willing to bring this to the community. Half of the Playground Committee leadership are residents in North Oaks. He stated they are now just trying to get the word out and the design will be unveiled at Turtle Lake Elementary on February 26, 2013.

They are looking at using a solid surface of tiles that will last approximately ten to fifteen years and by using tiles, they may be able to replace just worn parts when needed.

**Heather Meyer, Resource Development Chair, 4 Otter Lane**

Ms. Meyer stated that this evening is just for educating the public and more information will be coming.

**Unfinished Business**

None

**New Business**

**1. Amendment to Fee Schedule: EAB Site Inspection Fee**

This item has been moved to the March Meeting due to the absence of Council Member Ackerman as he has an interest in this item.

**2. Schedule Special Council Meeting for Review of Charley Lake Project**

(Suggested date March 6<sup>th</sup>, 2013)

Mayor Schaaf stated that a special Council Meeting will be needed to review the Charley Lake Project. The process to review the Preliminary Plan will take about 2.5 hours. This is the last undeveloped piece of land in North Oaks. All Council Members agreed that they could attend the March 6<sup>th</sup> meeting.

City Attorney David Magnuson reviewed the process. Once the Preliminary Plan is approved and the format is set by the City Council, the Developer has a chance to complete plans, costs, and a feasibility study. Then a Development Agreement would be negotiated between the Developer and the City. This takes a month to six weeks to complete this part of the process. Currently there are at least 20 conditions as part of the Preliminary Plan.

Council Member Long mentioned that a lot of work has taken place between the Developer and the neighbors and it appears to be a win/win situation. City Attorney Magnuson agreed that this was very helpful to the process.

Council Member Long made a motion, seconded by Council Member Nelson to set a Special Council Meeting to review the Charley Lake Project on March 6<sup>th</sup>, 2013 at 7:00 pm. The motion carried unanimously.

## **Council Member Reports**

### **1. Mike Egelston**

#### **NOHOA**

Council Member Egelston expressed NOHOA's gratitude for setting a special meet and greet meeting with the City.

NOHOA is developing a Comprehensive Plan that will include special projects and capital improvements. They are looking at escalating fine schedules for ASC violations and will share this with the City.

NOHOA is looking for a new tennis pro for next year.

### **2. Bruce Ackerman**

#### **VLAWMO**

No report (due to his absence)

### **3. Marty Long**

#### **Planning Commission**

Council Member Long expressed his appreciation for being back on the Planning Commission.

He stated that the presentations by MFRA and Pentom were well done and the major issue appears to be the traffic issue. With fewer homes proposed with this proposal Ramsey County does not seem to be concerned. He also appreciated the Mayor and two Council Members' attendance at the Planning Commission meeting.

#### **NRC**

2012 was a strong year. They have been working for three years. Several publications appeared in the North Oaks News and their support was appreciated. For 2013 they are looking strategically at a longer timeframe to preserve the City's forestry, wildlife, water, and air resources. They hope to have a stronger connection with the University of Minnesota and will continue to work with the DNR.

The "Walk on the Wild Side" January walks were successful and more will likely be scheduled. These will be shown on Channel 16.

A vote of the Council will take place for NRC co-chairs and also they will be asking for more leadership from the City Council. Currently they are interviewing to fill the vacancies. If interested, contact City Administrator Melinda Coleman.

#### **4. Gregg Nelson**

##### **Lake Johanna Fire Department**

Council Member Nelson attended his first meeting with the Lake Johanna Fire Department and met with Chief Tim Boehlke. They discussed the new ISO changes in ratings for the City and also the small impact if any this should have on residential insurance rates. Finances were also discussed at the meeting. They have a construction project going on at this time. Council Member Nelson was elected the Chair of this Committee.

##### **Finance Committee**

Council Member Nelson also attended the Finance Committee meeting but did not have anything new to report.

#### **Mayor John Schaaf**

Mayor Schaaf attended the Financial Committee meeting. The income statements are reviewed at these meetings. The Mayor also met with the auditors and everything seems to be in order. This is the first time North Oaks has had to add an asset to their accounting for the Lake Gilfillan Project. The auditors will complete their preliminary report by late April and will present it to the Council in May.

Mayor Schaaf also attended the January Planning Commission meeting and he stated that Chair Campbell ran a very good meeting. Good information and a good give and take took place.

The Mayor also attended a meeting with two DNR representatives: Keith Parker, District Director of District #1 and Molly Shodeen, the hydrologist. The subject was Phase II of the Gilfillan Water Augmentation to see if it is possible to flood Lake Gilfillan so that it will flow into the ponds north of the Lake. Maps and a study paid for by North Oaks resident Bruce VanDeWalker were given to the DNR with the hopes that they could give the City advice on how to prepare the ponds and conduits for transfer of water if the City is granted authority to do so.

Mayor Schaaf also mentioned that White Bear Lake residents have filed a lawsuit against the Department of Natural Resources relative to the low level of water in White Bear Lake. Other lakes may get an allocation for water augmentation as well and this may or may not affect the City. The allocation of water for the pond project begins in Charley Lake so it is in the confines of North Oaks. Ponds are protected by a set of rules that would need to be followed and a permit would be needed from the DNR. This could take months.

## **Administrator Reports**

### **1. 2013 Planned Budget vs. Actual Expenditures**

The Council was given a copy of the 2013 finances, but since only one month into the year, there was little to report. The Finance Committee is looking at tax delinquent properties as this affects income coming into the City. The next tax payment due to the City comes in July. Reserved dollars are in the budget if taxes are not paid in full.

### **2. Report on Status of 2012 Audit**

This was covered earlier in the meeting.

### **3. Update on Highway 96 Re-surfacing Project**

City Administrator Coleman will be meeting with Ramsey County on February 21<sup>st</sup> to look at resurfacing Highway 96 to make the road less noisy. This will involve grinding off the surface. Council Member Long is working with residents on this issue and is hoping to get a project approved. Council Member Nelson or the Mayor will also attend the meeting on the 21<sup>st</sup>.

An additional note; In April Shane Waterman, Hydrology Engineer, will visit with the Council to present the latest data on the Highway 96 Water Samples done in October. The full report can be found on the City website. Neighbors in the Lake Gilfillan area and west of Lake Gilfillan will be notified of the Public Hearing. Samples are taken twice a year and have been done so for the past nine or ten years.

## **City Attorney Reports**

City Attorney David Magnuson reported that the Court of Appeals would be making their decision today on the pool fence litigation. The decision will be made public next Tuesday, the 19<sup>th</sup> of February.

## **Miscellaneous**

Next Regularly Scheduled Planning Commission Meeting – Thursday, March 28<sup>th</sup> @ 7:00 pm in the Community Meeting Room (since cancelled)

Next Natural Resource Commission Meeting – will probably not take place until April as the Council needs to appoint potentially three new members.

Joint NOHOA/City Council Meeting March 7<sup>th</sup>, 2013 @ 5:30 pm

Next City Council Meeting – Wednesday, March 6, 2013 @ 7:00 pm in the Community Meeting Room to review the Charley Lake application.

Next Regularly Scheduled City Council Meeting – Thursday, March 14, 2013 @7:00 pm in the Community Meeting Room

**Adjournment**

On motion duly made by Council Member Long, seconded by Council Member Nelson and carried unanimously, the meeting was adjourned at 8:08 p.m.

Attest:

Respectfully submitted,

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Acting Mayor Gregg Nelson

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Linda M. Hanson  
Recording Secretary