

MINUTES OF THE REGULAR COUNCIL MEETING

January 13, 2011

The Council meeting was called to order by Mayor John Schaaf at 7:00 p.m. at the Community Meeting Room, 100 Village Center Drive, Suite 150, City of North Oaks, Minnesota. Present were Council members Gregg Nelson, Marty Long, Tim Dunleavy, Bruce Ackerman and Mayor John Schaaf. Also present were City Administrator Melinda Coleman, City Attorney Dave Magnuson, Building Official Greg Schmit, Recording Secretary Donna Osterbauer, Videographer Kevin Scattum.

Oaths of Office

City Administrator, Melinda Coleman administered the Oath of Office to Council Member Gregg Nelson, Council Member Bruce Ackerman and Mayor John Schaaf.

Pledge of Allegiance

Approval of Agenda

Gregg Nelson moved to approve the agenda. The motion was seconded by Tim Dunleavy and passed unanimously.

Proclamations, Recognitions & Appearances

None

Citizen Comments

Mike Egelston, President of LGWA (Lake Gilfillan Water Association), updated Council on the status of the Lake Gilfillan project. The group is trying to save the water they have and to get more water into Lake Gilfillan. They have been trying to find ways to do this and they think that they can accomplish getting water from Pleasant Lake out of the Sucker Creek conduits from the St. Paul water services and bring it into Gilfillan. They have spoken with the St. Paul Regional Water Service who said they will sell them the water. They're talking with the North Oaks Golf Club Board, Ramsey County, VLAWMO and they are currently in the process of talking with the DNR on the permitting process. If everything goes according to plan, they hope to start pumping water into Lake Gilfillan by late summer or September. Tentatively, the engineering firm, SEH, who created the system filling Snail Lake, is working with LGWA. SEH thought that they could have the Gilfillan water level back to 911 feet in as early as 90 days.

Mayor Schaaf clarified what the city's involvement would be:

1. The DNR will be issuing the licenses from the movement of the water to the city and then the city will need to make certain that all arrangements for maintenance are taken care of by White Bear Township.
2. Residents who would be paying for this would probably be paying for it through a municipal bond. That bond could be a city issued bond, or a LID (Lake Improvement District Bond). If it has anything to do with the city, the city would have to enter into the bonding agreement which would place the general obligation of the bond on those 39 affected properties around the lake. This would be a March-April time frame. DNR

permitting process would be in two stages: 1. Put water into Gilfillan 2. Move water northbound into the ponds.

Consent Agenda

1. Licenses for approval: **Mechanical Contractors:** 2010 License: KB Service Co.
2011 Licenses: Air Mechanical; Associated Mechanical Contractors, Inc; Bonfe's Plumbing & Heating; Fireside Hearth & Home; Genz-Ryan Plumbing & Heating; Heated Floor Systems; Hoffman Corner Heating & AC; Horizon Contractors, Inc; Hugo Plumbing & Pump Service; Kath HVAC; Master Gas Fitters; Metropolitan Mechanical Contractors; Northern Air Corporation; Riccar Heating; Saylor Heating and Air Conditioning; Sedgwick Heating and Air Conditioning, LLC; Schulties Plumbing, Inc.; The Snelling Company; Standard Heating and Air Conditioning; Woodland Stoves & Fireplaces; Yale Mechanical
General Contractors: Kraus-Anderson Construction Company
Arborists: Bartlett Tree Experts; Budget Tree Service Inc; Davey Tree Expert Company; Hugo's Tree Care, Inc; Langer's Tree Service, LLC; Moga Tree Service; Northern Arborists: Ostvig Tree Inc; Rainbow Treecare; Roger's Tree Service; Shorewood Tree Service, LLC; St. Croix Tree Service, Inc; Terra's Canopies Tree Service; Mel's Services
2. Minutes of the Regular Council Meeting of December 9, 2010 for approval
3. Claims for Approval: Check #9389-9432
4. Administrative Variance 10-12 9 Hay Camp Road – ISTS in setback
5. Animal Control Contract
6. City Forester Contract
7. City Attorney Contract
8. City Building Official Contract
9. Approval of Official City Calendar – Closure Dates (Holiday Schedule)
10. Staff PTO Adjustments
11. Abdo, Eick and Meyers/Engagement of Services, 2011

Bruce Ackerman moved to approve the Consent Agenda. The motion was seconded by Gregg Nelson and passed unanimously.

Petitions, Requests & Communications

None

Unfinished Business

1. Address Identification Ordinance – Tabled

New Business

1. Resolution 1239: 2011 City Council & staff assignments tasks

Marty Long moved to approve Resolution #1239: 2011 City Council & staff assignments as read by members of Council. The motion was seconded by Tim Dunleavy and passed unanimously.

2. Resolution 1240 – Naming Check Signatories

This resolution added the newly appointed Acting Mayor, Tim Dunleavy, to the signatory list. Checks, drafts, or other withdrawal orders shall be signed by two persons including Mayor John Schaaf or Acting Mayor Tim Dunleavy and City Administrator or Deputy City Clerk.

Gregg Nelson moved to approve Resolution #1240 – Naming Check Signatories. The motion was seconded by Marty Long and passed unanimously.

Staff Reports

1. Greg Schmit – Building Official

Greg Schmit presented his 2010 Annual Report. There were five new homes this year versus two in 2009. The valuations are 50% better this year. A total of 160 building permits were issued, with a total valuation of \$9,809,869.00. The city also processed 217 mechanical and plumbing permits. Sewage treatment permits were down this year by 5 or 6; 15 permits were issued for replacement ISTS systems. We issued 5 or 6 citations in 2010 for failure to pump systems.

Marty Long moved to accept the Building Official's 2010 Annual Report. The motion was seconded by Bruce Ackerman and passed unanimously.

2. Mark Rehder – City Forester

Mark Rehder presented an update of the 2010 season as well as a look ahead to 2011. Oak wilt and Dutch elm disease levels in 2010 were fairly consistent with the last few years. There were about 250 trees marked as part of the shade tree disease program.

They generally receive about 1,000 calls a year from North Oaks residents or city officials ranging in everything from specific tree questions to shoreline ordinances.

Came in close to budget again this year.

- 80% of the budget is for the shade tree disease program
- 9% of the budget goes for the Homeowner Request portion of the program
- 11% special city projects

2010

- Participated in new resident meetings
- Worked with the garden club and had a tree seedling sale – sold over 1,000 seedlings
- Tree contest
- Wrote tree articles for the local newspaper to keep people informed

2011

- Continue to do demonstration sites
- Continue to do the tree sale

- May need to look at some ordinance review in regard to Emerald Ash Borer
- Continue to look for grant opportunities
- Budget increased from \$41,000 in 2010 to \$51,500

Gregg Nelson moved to approve the City Forester's 2010 Annual Report. The motion was seconded by Marty Long and passed unanimously.

3. Melinda Coleman, City Administrator 2011 Budget Adjustments

The auditors will be out to work with the City by mid February. All of the budget reconciliations will be done at the February City Council Meeting.

Half of the expenses on the billed list are in 2010 and half are in 2011, so this is not a good representation of what the budget is going to end up for 2010. Currently, we are to the good about \$65,000; we have about \$60,000 coming in yet for 2010 payments, so it's going to be really close to where we need to be for 2010. Some of the checks that were approved tonight will be 2010 and some 2011, so this document will be changing tomorrow.

At the February meeting, the City Administrator will be recommending a couple of minor budget adjustments:

1. Line item 151 – the Score Grant - In early December, we were notified by Ramsey County that our Score Grant award was increased from \$8,000 to \$9,707 based on information that they get from the city on how much recycling is being done in the community. Due to an increase in recycling activity, the grant went up \$1,707.
2. The document management program – the software was purchased and installed last week. It was about \$1,000. Roseville IT said the City offices will need a new server to support that document management program at a cost of \$600.00. Every year there will be an increase of \$1,600 to the Roseville joint powers agreement. This new software will allow scanning of documents and keeping files electronically. A more comprehensive report will be forthcoming in February.

No motion necessary

Council Member Reports

1. Bruce Ackerman – No report
2. Marty Long :
 - Natural Resource Committee
There will be 7 members; Marty Long will be the liaison to City Council and former Mayor Tom Watson will also be on the committee. The group will meet the third Thursday of the month and the meetings will eventually be televised. The Natural Resource Commission will serve as an advisory board to City Council. The stipend amount they will receive has not been set. The

commission members need to make a recommendation to the council of what that stipend would be.

The commission stature of the group will afford the new commission members protection under the city as being a formal charter to commission of the city.

○ VLAWMO:

* The monitoring of the lakes in North Oaks will be stepped up * There will be a new system that St. Paul Water is installing that increase oxygen aeration in Pleasant Lake.

3. Tim Dunleavy:

- Ramsey County Sheriff – a lot of false alarms, suspicious activity and animal complaints. New Sheriff in town (Matt Bostrom)
- Finance Committee - finished off 2010 strong and discussed bonding power

4. Gregg Nelson:

No report

5. Mayor John Schaaf

- LGWA Augmentation Project Update
Mike Egelston is at the forefront of this project
- St. Paul Regional Water
Met with St. Paul Regional Water Authority and they plan to pull the aerators out of Pleasant Lake in June/July, 2011. There will be boats with motors and barges on Pleasant Lake to pull the hoses out. The new system that will go back in the lake will be designed in 2011 and installed in 2012.
The new system will run 100% oxygen instead of a blend. There will be oxygen tanks and possibly a new building will need to be built on the south end of the lake to hold these oxygen tanks.
- DNR – Met with the DNR and expectations are that the city would receive two permits relative to the transferring of water underground into Lake Gilfillan. It would take the city to add on to current reciprocal agreements they have with White Bear Township. It would be a requirement of the permitting application to have all that worked out. It is also expected that NOHOA would also be involved with the recycling of the zebra mussels that get trapped in this pump. They get ground up and thrown back down into the conduit which is where they came from.
More on this at the February meeting.
- Mayor signed the 2011 – 2012 City Administrator Agreement as per City Council direction.
- NOHOA
- NOHOA is considering removing 150-170 trees at Mary Hill Park and turning it into an Oak Savannah. They will be working with the city on permitting.

-NOHOA is eventually going to migrate off of the City of North Oaks website. NOHOA.org is a trial website that is password protected for viewing by residents only.

-There was a resident complaint that a tow truck had tried to enter the city and the Ramsey County Deputy turned the truck away for weight restrictions. After some investigating, it was discovered that the tow truck driver did not want to make the call into North Oaks and did not contact Ramsey County as indicated. The city does have an ordinance relative to weight restrictions. It is ordinance # 70.15. The state of MN informs the city when the frost is coming out of the ground. It is the responsibility of the Mayor to post the weight restrictions. This will take place in late March or April.

Administrator Report

1. Update on the CSO position – Created a sub committee to determine if t the CSO is a good fit for our community. The group felt it is, if we have the right person. We have a new Sheriff so right now the Sheriffs department is in transition. What they currently are doing is having a Deputy Sherriff that works the night shift stay on and work 7 a.m. – 11 a.m., but these hours don't really fit the needs of the city. Sheriff Bostrom is meeting with Ramsey County Human Resources to discuss getting Bob Parrot back. If that's not possible, then the city would like to be more involved in the selection of the CSO.
2. DNR Wildlife Management Permit – The City did receive the permit from the DNR and within the next couple of weeks they will be doing their fly over animal counts.
3. Closing out the city expenses versus NOHOA expenses. The City split the community meeting room and the office space, with NOHOA, at a 45 /55 percent split. The city has the 55% since that is the bigger of the spaces.
4. Voided Checks – At the December meeting the council approved checks #9343-9388. In that sequence, checks #9344-9351 were put into the printer the wrong way and they were printed on the back side. Motion is made to authorize the City Administrator to correct the check sequence and to destroy check numbers 9344-9351. Motion made by Mayor Schaaf and seconded by Tim Dunleavy. Motion carried.
5. Tree License for Mel's Service - They will be doing a restoration project at Mary Hill Park. Mary Hill Park is in the Shoreline district so it will require a Conditional Use Permit. It is the staffs' recommendation that the city council take action to waive the \$100 application forestry permit for Mel's Service. It is common to waive these fees if NOHOA is doing work in the city. The motion is made by Tim Dunleavy. The motion was seconded by Marty Long and passed unanimously.

City Attorney Report

1. Sarpal Case has been briefed but the argument date has not been set by the Supreme Court.
2. There were some plantings done by The Pines Homeowners Association that appear to be in the area of a setback. City Administrator and City Attorney have a meeting with Larry Bell who is acting as the lawyer for the Pines Association as a volunteer. He is out of town until February 1. There will be a meeting prior to the next council meeting and will have a report at that time.
Mayor John Schaaf added that the folks who put the trees in were notified that the trees were put in the setback and that they were in violation of the city ordinance, but they went ahead and did it anyway.
3. There are a couple of properties on the western border that have had a flurry of activities around those properties during December. Gathering information and will do a status report for the Council and offer a suggestion at the next meeting.
4. The lake improvement district - A brief one page will be sent out with the nature of this thing and how it is set up - the ability to assess against peoples will and peoples rights to appeal. It will be general information on this because it is something that the Council is probably going to have deal with in a couple of months.

Miscellaneous

6. Next Council Meeting – Thursday, February 10, 2011
7. Next Planning Commission Meeting – Thursday, January 27, 2011

Adjournment

On motion duly made, seconded and carried unanimously, the meeting was adjourned at 9:07 p.m.

Attest:

Respectfully submitted,

John Schaaf, Mayor

Donna Osterbauer
Recording Secretary