

The Council Meeting was called to order at 7:00 by Mayor John Schaaf at the Community Meeting Room, 100 Village Center Drive, Suite 150, City of North Oaks, Minnesota. Present were Council Members Mike Egelston, Marty Long, Gregg Nelson, Mayor John Schaaf, City Administrator Michael Robertson, City Engineer Paul Pearson, Recording Secretary Linda Hanson and Videographer Kevin Scattum. Council Member Bruce Ackerman was absent.

### **Pledge of Allegiance**

The Mayor asked for a moment of silence in remembrance of longtime resident Dr. Heberlein who recently passed. He was very active in the Lake Gilfillan project and will be missed.

### **Approval of Agenda**

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

### **Citizen Comments**

None

### **Consent Agenda**

1. Minutes of the Regular Council Meeting of February 13, 2014 for approval
2. Minutes of the Regular Planning Commission Meeting of February 27, 2014 for approval
3. Minutes of the Natural Resource Commission of February 20, 2014 for approval
4. Licenses for Approval:  
**Mechanical Contractors Plumbing & Heating:** Anderson Heating; Dean's Professional Plumbing; Glowing Hearth & Home; Krinkie Heating and A/C; Riccar Heating & Air; River City Sheet Metal  
**General Contractors:** Performance Pool & Spa, Inc.  
**Arborists:** S & S Tree & Horticultural Specialist  
**Sewer/Water Installation:**
5. Claims for Approval: Check numbers 10823-10844

**Council Member Marty Long made the motion to approve the Consent Agenda with a second from Council Member Gregg Nelson. The motion carried unanimously.**

### **Petitions, Requests, & Communication**

#### **1. Jerry Hromatka, Northeast Youth & Family Service**

Jerry Hromatka, President of Northeast Youth & Family Services, presented an overview of their services. This organization helps youth be successful as adults as well as contributors to society. They serve all ages, but the primary ages are youth from 5 to 21. They serve about 4,000 individuals and families and have a \$3.6 million annual budget. Services are provided to 15 municipalities and 3 school districts. If someone wants to contact the service, the website is [www.NYFS.org](http://www.NYFS.org).

Following are the programs they support:

- They are a Rule 29 Mental Health Clinic that provides counseling services and have two clinics: one in White Bear and one in Shoreview. Two thirds of their

clients are youth. They work with youth in context so they include the family, communities, and schools.

- They run a Youth Development Program. The main component is the Diversion Program for first time offenders. They work with the anger that some of the adolescents express by writing a contract with each individual.
- Their Senior Chore Program is growing and this program matches youth with seniors to help with chores so they can stay in their homes longer. They now have 75 in the program.
- They run out of school programs offering post high school training mostly to low income individuals.
- Day treatment programs are also offered for those with serious mental health issues. They have seen up to 80% that can go back into the school setting.

Benefits that their program offers are an effective work force helping students and parents with citizenship development so they can learn to give back to the community. For every dollar invested in youth programs, \$10 comes back in future savings; in early childhood, \$16 comes back. Contributions help bring in more money as some organizations are willing to match contributions. He also stated that problems cross over into other communities.

In 2013 they saw an increase in serving more North Oaks households and the Senior Chore Program has increased. North Oaks received \$66,000 of services for the \$6,000 the City invested. Mental health problems are becoming harder and more frequent. They have a new after school program for middle school students and a day treatment program for high school.

The organization is feeling the cost of recession. They are receiving fewer dollars. They currently are looking at their models since up to 80% of the residents in Mounds View and Roseville do not have children in school. It will be important to keep these residents engaged in the community. NYFS is working with rotaries, churches and businesses such as Land o' Lakes, Infiniti, and St. Jude. They currently have 45 full time staff and half a dozen part-time. Also there are some seasonal workers and interns in addition to 400 volunteers.

Mayor Schaaf thanked Mr. Hromatka for his efforts and passion.

## 2. **2013 Audit, Matt Vos; Abdo, Eick & Meyers**

Matt Voss from the auditing firm of Abdo, Eick & Meyers went over the annual Audit and Management Letter. The purpose of this is to give an opinion on the City's financial statements including internal controls and suggestions for improvements.

With regards to internal controls the issue of limited segregation of duties and financial statements was noted due to the limited size of the staff. He finds this to be true in 90% of the cities that have fewer than 5,000 residents. Having the Council approve checks and review financial statements helps to alleviate some of this issue.

Regarding State requirements, the City is compliant for 2013. He also mentioned that the staff had a high level of commitment to make improvements over last year. Only one item needed correction and it was handled which he noted shows the quality of staff. He complimented Deputy Clerk Stephanie Marty and City Administrator Mike Robertson on their good work.

The fund balance is \$1.46 million or 72% of 2014 expenditures. This fund balance shows a 4.5% increase over last year. He stated this balance is important for paying the bills before taxes are collected or for unexpected expenses. He stated the City's Fund Balance Policy is a good one.

Mr. Voss mentioned that it is good that the Capital Funds are tied into the City's goals. The City Council approved a \$65,000 transfer in February to increase funding to the Fire Fund for future equipment purchases. He also went over a comparison of North Oaks to other cities that have more than 2,500 but less than 10,000 residents. Taxes and expenditures per capita in North Oaks are less than the peer group.

The Mayor complimented Mr. Voss and City staff. Mr. Voss stated he appreciated the opportunity to work with the City.

### **3. Request for Funding-Seedling Tree Re-forestation**

Administrator Robertson on behalf of the Natural Resource Commission asked the Council for \$1,700 to get a start on purchasing tree seedlings to replace the anticipated loss of ash trees. The proposal came from Anne Conroy of the Garden Club. The NRC had recommended approval and is willing to volunteer time to help with this project. The program was done before but ran out of money even though there was great interest. The City is projecting a 15% loss of the forest over the next two decades due to Emerald Ash Borer.

Mayor Schaaf asked if the Council could increase the amount of money so that there could be another seedling give away at the Community Fair as well as at the Garden Club Sale. Administrator Robertson stated that the project is getting a late start so that many seedlings may not be available. The Council discussed spending \$2,500 for the two events if seedlings can be found.

**Council Member Mike Egelston made the motion to authorize the City to spend \$2,500 out of the Natural Resource Commission budget to purchase tree seedlings to be given away at the Garden Club Sale and the Community Fair this spring. Council Member Gregg Nelson seconded the motion and it carried unanimously.**

### **4. Request to proclaim March as Myeloma Awareness Month**

Administrator Robertson presented a request from a North Oaks resident to approve a proclamation making March the Myeloma Awareness Month. This disease is the second most common blood cancer affecting more than 100,000 people in the U.S. Each year

10,000 die because of this disease. Early diagnosis is critical and often difficult and at this time there is no cure. The Proclamation states that the City is committed to finding a cure for myeloma and supports the treatment of its citizens that suffer from it and encourages private efforts to enhance research funding and education programs.

**Council Member Nelson moved to approve the petition. Council Member Egelston seconded the motion and it carried unanimously.**

### **Unfinished Business**

None

### **New Business**

**1. Variance 14-02, Scott Reed, 28 Mallard Road, 8 foot encroachment into the west 30 foot setback for concrete pad and pathway**

Administrator Robertson reviewed the request for a variance at 28 Mallard Road to encroach 8 feet into the 30 foot setback to create a concrete pad and walkway. He stated that the Planning Commission reviewed the request at the February meeting and unanimously recommended that the Council deny the request. This was based on the following facts:

- Sidewalks are prohibited within property setbacks.
- The desired parking and turnaround can be built in an area that conforms to the City code.
- The landowner created the issue based on his decisions about placement of the home on the lot and the configuration of the home.

**Council Member Nelson moved to deny Variance 14-02 based on the findings listed above. Council Member Long seconded the motion and it carried unanimously.**

**2. Conditional Use Permit 14-03, Mattamy Homes, 4 Cunningham Road, two signs**

Mattamy Homes requested a CUP to place two signs in the new Charley Lake Development. One at 2 Cunningham Road to identify the development and the other one at 4 Cunningham Road to identify the sales office. Mr. Robertson explained that there were temporary signs up now at the request of the Fire Chief so that fire fighters could identify the area. The Planning Commission unanimously recommended approval of both signs with the following conditions:

- The signs would be the same as shown on the provided materials.
- The exact sign locations would be subject to staff approval.
- The sign at 2 Cunningham Road would be removed upon development of the park.
- Both signs would be removed upon sale of all lots in the development.

A question came up as to whether or not the sign on Hodgson met the visual setback for the sight triangle. Robertson said the City has final approval of the location and will make certain it is outside of the visual sight triangle.

**Council Member Nelson moved to approve CUP 14-03 with the conditions listed above and with an addition to the second condition that it would be located outside the sight triangle. Council Member Egelston seconded the motion and it carried unanimously.**

**3. Subdivision Approval 14-04, Final Plat Approval, North Oaks Company, Wilkinson Lake, Phase II**

Administrator Robertson presented the request from the North Oaks Company for Subdivision Application 14-04 for the Final Plat Approval for the Villas at Wilkinson Lake, Phase II. He stated that the Planning Commission reviewed the request and has no issues. City Engineer Paul Pearson also reviewed the request and found only minor issues that are listed among the conditions of approval. The request is in compliance with City requirements and the City Forester will do a site visit to make sure there are no issues. The City Attorney also has reviewed the request.

Chris Heim from North Oaks Company stated that there are only two lots left in Phase I and there is interest in the second phase. Ms. Heim explained that the Preliminary approval was for four phases. Presbyterian Homes purchased Phase IV. Phase III was finalized so that the sale for Phase IV could be completed.

Council Member Egelston asked if North Oaks Company was seeing more activity. She stated that since 2012 they definitely are and one builder, Accent Homes, who has completed most of Phase I is anxious to start building in Phase II.

**Council Member Nelson made the motion to approve Subdivision Request 14-04 for Final Plat Approval for Wilkinson Lake Phase II based on the finding of facts and the twelve conditions found in the Staff Report. Council Member Long seconded the motion which carried unanimously.**

**4. Subdivision Approval 14-06, Final Plat Approval, Pentom, Red Pine Farms**

Administrator Robertson presented the request from Pentom for Subdivision Application 14-06 Request for Final Plat Approval for Red Pine Farms. This property consists of twelve lots north of Charley Lake Preserve. He stated that the Planning Commission reviewed the request and found it to be in compliance with the preliminary plat approval. City Engineer Pearson has reviewed the plans and has only minor conditions yet to resolve. The City Forester has found no issues and the City Attorney has reviewed all documents. The Joint Powers Agreements with the Cities of Shoreview and White Bear Township for sewer and water were approved as part of the Charley Lake Preserve and will be extended to this Development. The water will be looped with the Charley Lake Development making a better water system. The Staff Report has 35 conditions of approval.

Dan Blake from Pentom stated that he was happy to report that all issues with the North Oaks Homeowners' Association appear to be resolved and they are excited to begin work. Houses will be started this spring and hopefully be ready midsummer.

Council Member Long asked about the park dedication cash payment. Administrator Robertson said that the applicant has reached an agreement with NOHOA to join the Association and will make a park dedication payment to NOHOA.

**Council Member Egelston made the motion to approve the requested Final Plat Approval for Red Pine Farm based on the findings of fact listed in the report. Furthermore, the recommendations shall include the conditions listed within the Staff Report as may have been amended at this meeting. Council Member Nelson seconded the motion to approve the request and the motion carried unanimously.**

**5. CUP 14-05, NOHOA, 14 West Pleasant Lake Road, Warming House/Restroom Building, Garage and Pavilion**

Administrator Mike Robertson indicated that the Planning Commission tabled action on the request for CUP 14-05 because not all information had been submitted. He confirmed with City Engineer Pearson that they have now received all required information. The Public Hearing will continue at the next Planning Commission meeting on March 27, 2014. The Council also tabled this item and will revisit it at the next Council Meeting.

**6. Ordinance 111, Prohibiting Coal Tar Sealants**

Administrator Robertson explained the League of MN Cities recommended this action and supplied the draft ordinance. It has been reviewed by the City Attorney.

The main reason to ban coal tar sealants is they are classified as a Tier 3 contaminant and have been found in storm water ponds when they are dredged. These contaminants must be disposed of in special landfills. Administrator Robertson does not know if they are currently being used in North Oaks, but the State passed a law making the sale and use of these products illegal as of January 1, 2014. Adding an ordinance at the City level strengthens this law at the municipal level. Mayor Schaaf suggested that this item be tabled so that the Council can review the document as they just received it. Council Member Long suggested the draft ordinance be sent to the NRC as well.

**Council Member Nelson moved to table action on this ordinance until the April Council Meeting. With a second from Council Member Egelston, the motion carried unanimously.**

**Council Member Reports**

**Council Member Mike Egelston**

**NOHOA**

Council Member Egelston attended the NOHOA meeting and reported that NOHOA was pleased that the issues with Charley Lake Preserve and Red Pine Farm have been resolved and both will join the Homeowners' Association. The new NOHOA Board members met

with the City Council members and NOHOA wants to continue to meet to discuss roles, authorities, and responsibilities of each organization.

### **Council Member Bruce Ackerman**

No report due to absence

### **Council Member Marty Long**

#### **Ramsey County Sheriff Report**

Council Member Long and Administrator Robertson have been in discussion with the Ramsey County Sheriff on a new volunteer program that involves high school students who will volunteer at the sheriff's office.

### **NRC**

A draft Tree Preservation Ordinance is almost done and will be presented at the next Planning Commission meeting. It will change what happens during construction to save or plant more trees.

### **VLAWMO**

Council Member Long attended the VLAWMO meeting due to Council Member Ackerman's absence. VLAWMO has monies for things like erosion control or rain gardens, so if a resident is interested they should contact that organization. They will fund up to \$1,000.

### **Council Member Gregg Nelson**

#### **Planning Commission**

Council Member Nelson attended the February 27<sup>th</sup>, 2014 meeting and much of what was discussed at the meeting has been addressed at the Council Meeting. He noted that in regards to the CUP for additional structures at the West Rec area, there were two comments. One disliked the bright lights at the hockey rink and the other was concerned with security especially at night and would like to see this issue addressed.

Because no Conditional Use Permit was applied for when the lights were put in, this issue will be addressed when the new CUP is discussed at the next meeting. Council Member Long stated that lights are an important issue in the City and so a process needs to be followed when adding these in the community.

Council Member Egelston restated that at the Planning Commission meeting the security issue was concerning the late night activity. The resident would like to see this issue addressed. A discussion will continue to come up with some solutions.

### **Mayor John Schaaf**

Mayor Schaaf met with the Finance Committee and discussed the audit. He also attended the Lake Johanna Fire Department Relief Association meeting. It was noted that their retirement fund is 100% funded and they have done an excellent job with this.

Mayor Schaaf met with the auditors and was pleased with the comments on the work of City Staff. He also met with former Mayor Watson and he received an update on the deer program. Mr. Watson also updated the Mayor on water issues concerning ground water run-off and the State law.

The Mayor, Council Member Nelson and City Administrator Robertson met with the four new NOHOA Board members. The City reviewed all of the various laws governing City responsibilities.

Mayor Schaaf attended the Ramsey County Sheriff's Awards at the Vadnais Heights Commons. An impressive ceremony took place and awards were given to outstanding deputies and administrative staff. One was a federal award for homeland security.

### **Administrative Report**

#### **1. Met Council 2040 Population Estimate**

Administrator Mike Robertson gave an update on the Met Council Population Estimate. Originally, they projected that the City would reach a population of 6,200 by 2040. Mr. Robertson sent them a letter stating that all land in North Oaks is currently platted and that an estimate of 5,400 to 5,500 would be more accurate. The Met Council reviewed this information and came back with an estimate of 4,900. This takes any pressure off the City to require higher density housing.

#### **2. Financial Plan**

Administrator Robertson has written a condensed report on the audit that is in English rather "accounting" and will be easier to understand for non-financial people. In the report, he reviewed things like the establishment and uses of certain city funds like the Debt Service, Fire Equipment and Escrow funds. He also noted financial trends and potential issues and options. A cash flow analysis for Lake Gilfillan is also in the report. Robertson invited Council feedback on how to improve the report.

#### **3. A Community Event**

Council Member Long mentioned that the City is considering partnering with the Community Fair to do an evening event. It would involve possibly a bonfire, dance and fireworks at the North Oaks Golf Club. Mr. Robertson discussed this with the interim director of NOHOA. The Golf Course is open that evening but would need a commitment as soon as possible. Mayor Schaaf believes this would be a good compliment to the day time events and would take place the last weekend in May. Individuals would pay a fee for the dance and the City would pay for the fireworks.

**Council Member Nelson made a motion to direct the Staff to move forward in planning this event and put a down payment on the date with the Golf Club. Council Member Egelston seconded the motion and it passed unanimously.**

Mayor Schaaf also complimented NOHOA, Steve Elfstrom and his crew on the good work they did this winter with clearing the roads.

**City Attorney Reports**

No report

**Miscellaneous**

**Next Natural Resource Commission Meeting March 20, 2014 @ 7:00 pm in the Community Meeting Room**

**Next Regularly Scheduled Planning Commission Meeting March 27<sup>th</sup>, 2014 @ 7:00 pm in the Community Meeting Room**

**Next Regularly Scheduled Council Meeting April 10, 2014 @ 7:00 pm in the Community Meeting Room**

**Adjournment**

**On motion duly made by Council Member Nelson, seconded by Council Member Egelston and carried unanimously, the meeting was adjourned at 8:45 pm.**

Attest:

Respectfully Submitted

---

Mayor John Schaaf

---

Linda M. Hanson  
Recording Secretary