

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, and Mayor John Schaaf. City Administrator Michael Robertson, City Attorney David Magnuson, Recording Secretary Linda Hanson and Videographer Kevin Scattum were present.

### **Pledge of Allegiance**

Mayor Schaaf announced that City Council Member Bruce Ackerman resigned from the City Council effective immediately. **Council Member Nelson moved, seconded by Council Member Long, to accept the resignation of Bruce Ackerman effective at 12:00 pm, April 10, 2014; to direct Staff to create a Remembrance Plaque to recognize his contribution to the City of North Oaks; and to appoint Council Members Nelson and Egelston to begin the search for his replacement for the remainder of his term. The candidate should be selected by May 2<sup>nd</sup> and the City Council will vote on May 8<sup>th</sup>. Motion carried unanimously.**

### **Approval of Agenda**

**Council Member Long moved to approve the Agenda, seconded by Council Member Nelson. Motion carried unanimously.**

### **Citizen Comments**

Mayor Schaaf introduced Ramsey County Watch Commander Jay Maher. He has been with the Ramsey County Sheriff's Department for almost 25 years and has served in a number of positions. His current duties include giving guidance to other officers. Council Member Long thanked him for the work he does. Mayor Schaaf stated that the City is very pleased with the work done by the Ramsey County Sheriff's Department.

### **Consent Agenda**

1. Minutes of the Regular Council Meeting of March 13, 2014 for approval
2. Minutes of the Regular Planning Commission Meeting of March 27, 2014 for approval
3. Minutes of the Natural Resource Commission of March 20, 2014 for approval
4. Approve Addendum I-J to Joint Powers Agreement with White Bear Township for Red Pine Farm Sewer and Water Line Maintenance
5. Licenses for Approval:
  - Mechanical Contractors Plumbing & Heating:** Appliance Connections, Inc.; Little Igloo HVAC Inc.; River City Sheet Metal
  - General Contractors:**
  - Arborists Sewer/Water Installation:**
6. Claims for Approval: Check numbers 10857-10890

**Council Member Mike Egelston moved to approve the Consent Agenda, seconded by Council Member Nelson. Motion carried unanimously.**

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

None

### **Unfinished Business**

#### 1. Ordinance 111, Ordinance to Prohibit Coal Tar Sealants

Administrator Mike Robertson presented a draft ordinance created by the League of MN Cities that prohibits the sale and use of coal tar sealants. In 2013, the State of MN passed a law to do so, but a local ordinance makes it easier to enforce. City Attorney David Magnuson stated that a suggestion to pass this ordinance coming from the League of MN Cities should be taken seriously.

**Council Member Long moved, seconded by Council Member Nelson to adopt Ordinance 111 Prohibiting the Use and Sale of Coal Tar Sealant Products within the City of North Oaks. Motion passed unanimously.**

### **New Business**

#### 1. Charley Lake Preserve Entrance Monument

Administrator Robertson presented the application for the Entrance Monument. The monument follows the criteria established in the ordinance that originally approved the development. Staff recommended approval with two conditions.

Rick Packer from Mattamy Homes said that North Oaks Homeowners Association asked for a few modifications and he described them. Council Member Long asked if the monument is similar to others in the community and if it would be difficult to maintain by NOHOA's road maintenance department. Mr. Packer explained that he was meeting with the maintenance department to discuss this but that the monument is made out of brick and wrought iron and will be adequately set back from the road. Council Member Nelson wanted to make sure the wording was consistent to other monuments.

Mayor Schaaf stated that he thought the design would be one of the nicest in North Oaks. Mayor Schaaf also asked if the fire department had looked at the design to make sure they have enough room to maneuver their large trucks. Administrator Robertson stated he would check this out with the fire department.

**Council Member Nelson made the motion, seconded by Council Member Egelston, to approve the application for the Charley Lake Preserve Entrance Monument with the following conditions: Motion carried unanimously.**

1. A building permit will be required before installation as the monument exceeds 6 feet.
2. Actual placement of the monument is subject to City review so that it does not block any portion of the site triangle at the intersection of Hodgson Road and Cunningham Road.
3. A review by the NOHOA maintenance department.

4. **A review by the Lake Johanna Fire Department to make sure there is enough space for large trucks to turn around.**

### **Council Member Reports**

#### **Council Member Mike Egelston**

1. **NOHOA**

Council Member Egelston said NOHOA is looking at a drainage plan as well as a revision to the ASC procedures.

2. **VLAWMO**

Council Member Egelston attended the VLAWMO meeting. Lakes Gilfillan and Wilkinson were on the list of impaired lakes but the augmentation of Lake Gilfillan has changed the conditions. It will require 2 to 4 years of continued good measurements for Gilfillan to be removed from the impaired list.

#### **Council Member Marty Long**

1. **Ramsey County Sheriff Department**

Council Member Long met with Ramsey County to discuss a pilot program that works with honor students from the high schools in the area. Students will do 12 hours of volunteer community service.

2. **VLAWMO**

Council Member Long attended a VLAWMO Board meeting. They are working on fixing bank erosion in the channel between Pleasant Lake and Deep Lake.

3. **NRC**

The NRC has been focused on creating a tree ordinance. It is designed for saving or replacing heritage trees. Mayor Schaaf mentioned that he met with the City of Shoreview and discussed the idea of teaming up with Shoreview to deal with the Emerald Ash Borer.

#### **Council Member Gregg Nelson**

1. **Planning Commission**

Council Member Nelson said the Planning Commission discussed the CUP and Variance requested by NOHOA and determined that they needed additional information in order to take action. Changing the height restriction in a recreational area was also discussed with the suggestion that the Ordinance be changed to accommodate the 23 feet requested for the new warming house.

#### **Mayor John Schaaf's Report**

Mayor Schaaf attended the meeting to discuss water issues in the area. Both Gilfillan Lake and Lake Wilkinson have had problems due to lack of water. This is no longer true for Lake Gilfillan.

Mayor Schaaf met the new NOHOA Executive Director, Kimberly Murray. The Mayor reviewed some of the ordinances and responsibilities of the City.

Mayor Schaaf announced that the Cable Commission public hearing will be on April 17<sup>th</sup> at Shoreview to discuss the ongoing negotiations with Comcast. The contract will be acted on by the City Council in June or July if all goes well.

Mayor Schaaf sat in on a Shoreview City Council Meeting. He stated that Shoreview is an example of a great local government. He stated that Shoreview seems to be ahead of North Oaks in dealing with the Emerald Ash Borer and he would like the City to work with Shoreview on this problem.

### **Administrative Report**

#### **1. Approve budget for City Festival**

Administrator Robertson presented a memo by Administrative Assistant Kathy Laur showing the budget for hosting a City Community dance, bonfire, and firework display. This dance would be in the evening and feature a D.J. and hors d' oeuvres.

Mayor Schaaf suggested that \$4,500 be set aside for the firework display with an additional \$5,500 for use of the North Oaks Golf Club and costs associated with the event. Residents would purchase tickets for around \$20 per person for adults and some of the cost would be recovered depending on attendance. The cost not recovered would come out of this budget.

Council Member Egelston asked if this event would be open to families as in the past the dances tended to be adult affairs. Mayor Schaaf stated that this is intended to be a family event. Children under a certain age would have free admittance. Council Member Long stated that final details have not all been worked out and weather would be a contributing factor as to how many would actually attend.

Council Member Nelson asked if a live band could be used. Administrator Robertson stated that a D.J. would be able to play a broader range of music and it is rather late to look for a band at this time.

**Council Member Nelson made the motion to approve a budget of \$10,500 to \$11,000 and direct Staff to move forward to plan the dance, bonfire, and firework display. Council Member Long seconded the motion and it passed unanimously.**

#### **2. Date for Emergency Management Update for Ramsey County**

Administrator Robertson stated that the County Emergency Manager would like to meet with the City. Mayor Schaaf said that it should be in June or July so that the new Council Member could also attend. The meeting will take place before the actual Council Meeting.

### **3. Museum Loan Agreement with Hill Farm Society**

Currently the City houses an 1892 hand colored map of the City valued at \$4,000. This map is the property of the Hill Farm Historical Society. They are requesting a Museum Loan Agreement to officially document this. City Attorney Magnuson suggested that the City send a letter to the League of MN Cities adding it specifically for coverage.

**Council Member Egelston moved, seconded by Council Member Nelson, to approve the Museum Loan Agreement with the Hill Farm Historical Society. Motion carried unanimously.**

### **4. Set May 8, 2014 as a Public Hearing for the MS4 Annual Report**

Administrator Robertson explained that the MS4 Annual Report must be presented at a Public Hearing as established by MN statute. He asked the Council to set the public hearing for the City Council meeting on May 8<sup>th</sup>, 2014.

**Council Member Long moved, seconded by Council Member Nelson to set the Public Hearing for the MS4 Annual Report at the City Council Meeting on May 8<sup>th</sup>, 2014. Motion carried unanimously.**

### **5. Establish Investment Policy Committee**

Administrator Robertson stated that the Finance Committee would like to establish an Investment Policy Committee to look at the possibilities for investing City Funds. Mayor Schaaf explained that the Finance Committee has been doing this in the past, but that a committee consisting of the Finance Committee and 3 or 4 North Oaks residents that are knowledgeable in this area would take this responsibility over. Any suggestions would need to come back to the City Council for final approval. This Committee would probably meet 3 or 4 times a year.

**Council Member Nelson moved to direct staff to organize an Investment Policy Committee with members approved at a later Council Meeting. Council Member Long seconded the motion and it passed unanimously.**

### **6. Request for CSO Vehicle Upgrade**

Administrator Robertson received a request from the Community Service Officer to purchase a newer vehicle. The current car is 6 years old and has difficulty maneuvering on some of the narrow roads. Ramsey County could provide a vehicle but would need around \$5000 to purchase the equipment needed for this type of vehicle.

Mayor Schaaf said that having a CSO in Ramsey County is unique to the City of North Oaks. He believes that a vehicle that can maneuver in the City is an expense that the City may want to take on. Council Member Nelson requested that the City continue to try to negotiate with Ramsey County. Mayor Schaaf said that the car must say CSO and be equipped in a unique way.

**Council Member Nelson moved, seconded by Council Member Long, to direct the City Administrator to explore replacement of the CSO vehicle and to contact the Sheriff's Department to define the terms of this agreement. In addition the motion gives authorization to spend up to \$5,500 on an upgrade for a suitable vehicle. Motion carried unanimously.**

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

Administrator Robertson gave an update on the status of CUP 14-05. The Planning Commission members are asking for additional information.

Council Member Long wanted to make it clear that the items requested were necessary to follow required procedures and City code. Council Member Nelson stated that some of the professional reports were not included with the application. The Planning Commission expects standardized plans done by professionals.

**8. Variance 14-07, Request for a Height Variation for a Recreational Building**

NOHOA requested a variance for a height of 23 feet rather than the current 20 foot restriction in a Recreational District. Administrator Robertson explained that the Planning Commission did not see that it met the criteria for practical difficulties as required by City Code, but they were not against the three foot additional height.

Administrator Robertson reviewed the action that could take place to move this variance forward. Council Members Long and Egelston stated support for a variance. Mayor Schaaf said that Ordinance changes are usually not done in the midst of an open item, but in this case he believed this issue should be reviewed. He would like to see the Variance withdrawn and then change the Ordinance to allow a higher height. Council Member Nelson stated that NOHOA is trying to create a style and the higher roof line is needed for a more contemporary look. An ordinance would establish the height and would be a stronger way to keep the consistency in the Community. City Attorney Magnuson stated that it would require only one sentence to be changed in the ordinance and then it could go to the Planning Commission meeting and be back at the Council in May. The City Council was in consensus that changing the ordinance was the best option.

**9. Other Issues**

Mr. Robertson stated that all signs point to increased building in the city. There are five new homes being built in Rapp Farms and Mattamy is moving forward with Charley Lake Preserve.

**City Attorney Report**

Once a year, the League of MN Cities gives cities an opportunity to waive the statutory liability tort limit of \$1.5 million. Mr. Magnuson recommended that the City not waive the tort limit.

**Council Member Long moved to not waive the tort liability limit with a second from Council Member Egelston. The motion passed unanimously.**

Mayor Schaaf announced that there will be a Community Improvement Event on April 13 from 2-5 pm at the Club House. The Cable TV Public Hearing is on April 17, 2014 in Shoreview City Hall. The Garden Club Sale is scheduled for May 10<sup>th</sup>, 2014.

**Miscellaneous**

**Next Natural Resource Commission Meeting April 17, 2014 @ 7:00 pm in the Community Meeting Room**

**Next Regularly Scheduled Planning Commission Meeting April 24, 2014 @ 7:00 pm in the Community Meeting Room**

**Next Regularly Scheduled Council Meeting May 8, @014 @ 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 8:50 pm.**

Attest:

Respectfully Submitted

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Mayor John Schaaf

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Linda M. Hanson  
Recording Secretary