

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, Katy Ross and Mayor John Schaaf. City Administrator Michael Robertson, City Attorney David Magnuson, Recording Secretary Linda Hanson and Videographer Maureen Anderson were present.

Pledge of Allegiance

Mayor Schaaf asked Ramsey County Sheriff Matt Bostrom to lead the Council in the Pledge of Allegiance.

Canvas November 4, 2014 Election Results

Council Member Long made a motion to accept the Abstract of the Votes for November 4th, 2014 certifying the results. Mayor Schaaf seconded the motion which carried unanimously.

Mayor Schaaf congratulated Mayor Elect Mike Egelston and Council Members Gregg Nelson and Katy Ross on their next term on the Council. He also congratulated Sheriff Bostrom. Mayor Schaaf stated that the Council met before the Council Meeting to discuss staff reviews and salary changes for 2015.

With a few additions to the agenda, Council Member Egelston moved to approve the Agenda. The motion was seconded by Council Member Ross and passed unanimously.

Citizen Comments

Layna Peltier, 16 Wildflower Place. Ms. Peltier gave an update on the progress of the West Rec Center. The roof and shingles are on and they will begin working on the inside next week. Landscaping began this fall and will be completed in the spring along with the painting. The opening date is planned for December 25th or before if possible. The existing building will be used until the new building is completed. Fundraising with the North Oaks Community Foundation for the playground and picnic shelter is going well. Hopefully the playground equipment will go in next week. There is still an opportunity to fund a table or bench as fundraising continues.

Council Member Egelston asked if the hockey rinks would be ready soon. Ms. Peltier explained that they are waiting for Xcel to hook up the electricity, so the pumps can be run to flood the rink. She is hopeful that this will happen the week of November 17th.

Consent Agenda

1. Minutes of the Regular Council Meeting of October 9, 2014 for approval
2. Minutes of the Natural Resource Commission Meeting of October 16, 2014 for approval
3. Minutes of the Regular Planning Commission Meeting of October 30, 2014 for approval
4. Licenses for Approval:

Mechanical Contractors Plumbing & Heating: Binder Heating & Air; SR Mechanical, Inc.

General Contractors: Class Construction of Cedar, MN, Inc.

Arborists

Sewer/Water Installation: Class Construction of Cedar, MN, Inc.

5. Claims for Approval: Check numbers 11148-11184

Council Member Ross made a motion to approve the Consent Agenda with a second from Council Member Egelston. The motion carried unanimously.

Petitions, Requests, & Communications

1. Matt Bostrom, Ramsey County Sheriff

Sheriff Bostrom explained the four areas that the Ramsey County Sheriff's Department serves for public safety. First, they have the authority to arrest citizens as needed. He clarified the difference between a police officer and a sheriff's deputy. A police officer has arrest authority in one city; whereas a sheriff's deputy has arrest authority in all cities in the County. This makes the department the 6th largest population that is served by a police department. Second, they handle detention including all presentencing. Holding the person until they are heard in court, the average stay is between 2 to 5 days. In winter they process 300-350 people a day and in summer 450-500. Third, they provide the infrastructure for all court procedures. They deliver all court orders issued by judges and make the court rooms safe. They have hired 18 new sheriff deputies and 10 new correction officers. Fourteen more correction officers are in training. He was proud of their hiring standards and was asked to present their procedures at the National Sheriffs' Association Conference. And finally, they collaborate on traffic enforcement. They work together with other agencies on traffic corridors. By doing this they have seen a dramatic drop in property damage and injury accidents.

He also wanted to give an update on the issues he is seeing. There is an alarming increase in meth and heroin use. Many users started with prescription drugs. The heroin today is very pure causing more overdosing. He reminded the community that there are drop off sites for old prescription drugs. One is at 96 and Hamline and the other is at 425 Grove Street in St. Paul. They do have a drop off slot.

In spring, they are planning to have a day to address warrants for lower level misdemeanor issues. It will be a "Take Care of your Warrant Day" helping to de-clog the system.

At the end of January a new computer dispatch system will be in place for 911 calls. It will be able to detect the location of a caller if they are using a cell phone. This will reduce the time to dispatch the correct emergency vehicle for faster response. The new system will also help them to see patterns by using the data. Citizens will also be able to see what is going on in their neighborhoods.

Council Egelston asked if the Sheriff has seen an increase in crime focusing on prescription drugs. Sheriff Bostrom stated that they are seeing more users who are skimming drugs from friends or family and then moving on to buying from street dealers.

Mayor Schaaf asked about the vehicles used since the Crown Victoria is no longer made. Sheriff Bostrom explained that they are going to Ford Taurus and Explorers as both meet their needs. Mayor Schaaf thanked Sheriff Bostrom and Sargent Eastham for their fine work.

Unfinished Business

1. None

New Business

1. Approve Ordinance 112 Amending the Cable TV Franchise to Extend the Franchise Term from December 31, 2014 to December 31, 2016

Administrator Robertson explained that this document extends the Cable TV franchise for two years until a new company takes over from Comcast. Fees will remain the same.

Attorney Mike Bradley representing the North Suburban Cable Commission and resident Steve Beilke, the Chair of the Commission, addressed the Council. Mr. Bradley explained that he is looking for the Council to extend the franchise term and approve the transfer of the Cable contract to Midwest Cable. The other nine cities in the Commission have approved this at this time.

Attorney David Magnusson checked the grant of the rights of way. In 1998 both NOHOA and the North Oaks Company consented to the use of the right away and this would continue under the extension. Mr. Magnusson recommended the Council approve this Ordinance.

Council Member Nelson moved to approve Ordinance 112 Amending the Cable TV Franchise to extend the franchise terms from December 31, 2014 to December 31, 2016 (see attachment). The motion was seconded by Council Member Long and passed unanimously.

2. Approve Resolution 1288 Conditionally Granting Consent to the Transfer of the Cable TV Franchise from Comcast to Midwest Cable, dba GreatLand Connections, Inc.

This document is part of the extension agreement granting consent to transfer the Cable franchise from Comcast to the new company, Midwest Cable, dba GreatLand Connections, Inc. Before this can be done, Comcast needs to complete its merger with Time Warner and get the new company established. The transfer date is not set yet but would probably happen early in 2015. Charter Communications will continue to manage the new company services.

Council Member Nelson moved to approve Resolution 1288 conditionally granting consent to the transfer of the Cable TV Franchise from Comcast to

Midwest Cable, dba GreatLand Connections, Inc. Council Member Ross seconded the motion and it carried unanimously.

3. Approve Ordinance 113 Amending the Zoning Ordinance Definitions of Building Height and Grade

Administrator Robertson said that the Planning Commission has been reviewing the issues of residential building height and grade. A request came from the ASC and the builders working in North Oaks who would like to see greater variety in designs. The Planning Commission recommended two changes: one, a change in the grade definition to reflect the current state building code and two a change in how building height is measured.

The recommendation to change the grade definition would be worded, “the lowest point of the finished surface of the ground as measured on each building elevation”. The allowed building height definition recommended would read, “the vertical distance from grade as defined herein to the average height of the highest roof surface.”

These changes would allow for greater variety of residential designs and looks. The Planning Commission did not want to change the current allowed residential building height of 35 feet, but instead changed how that height is defined. A person could still request a Conditional Use Permit for greater height, but for every additional foot higher, there would still need to be an additional two foot setback from the property lines.

Paul Lesieur, 31 East Pleasant Lake Road

Mr. Lesieur stated that he works with the Architectural Advisory Committee and had been seeing a number of homes with similar designs. As a resident, he would like to see more diversity in home designs as has seen in the past. Council Member Egelston asked if the builders would agree with the changes. Mr. Lesieur stated that they would.

Council Member Nelson stated that the building height did not change, but that this language simplifies the code and is more flexible. Council Member Nelson also wanted to thank Paul Lesieur for his work on changing the Building Height definition.

Council Member Nelson made the motion to recommend changing Section 151.005 Definitions (Grade) to read “the lowest point of the finished surface of the ground as measured on each building elevation” and Section 151.005 Definitions (Building Height) to read, “the vertical distance from grade as defined herein to the average height of the highest roof surface”. With a second from Council Member Ross, the motion passed unanimously.

Council Member Nelson made the motion to deny Section 151.050 (D) (7) changing the building height from 35 feet to 42 feet, Section 151.050 (D) (7) (b) changing other elevations from 45 feet to 52 feet and Section 151.005 Definitions (Grade) using the lowest point of the finished surface of the ground at the garage slab. Council Member Ross made a second and the motion to deny passed unanimously.

4. Approve CUP 14-15, 5 Red Forest Heights, Mary Anne Kowalski for Additional Building Height

Administrator Robertson said that no Conditional Use Permit is now needed for the proposed home because of the change of the definition of allowed building height.

Council Member Nelson made a motion to make clear that no Conditional Use Permit is required for this proposed home and the application fee will be returned to the applicant. Council Member Ross seconded the motion which carried unanimously.

5. Appoint Tom Watson as Deer Management Program Coordinator

Mayor Schaaf stated that former Mayor Tom Watson has been doing this work for the City for a number of years. By appointing him, he can become part of the City's liability insurance program. Administrator Robertson said that he would like direction to send a letter to the DNR requesting a permit for the hunt. Council Member Long stated that Mercer Englund has been doing the deer removal, but may want to leave at some point. He has committed to doing the hunt in 2015. Administrator Robertson agreed to begin a conversation with the DNR to discuss his possible replacement at some point.

Council Member Long made the motion to appoint Tom Watson as the Deer Management Program Coordinator and to direct Administrator Robertson to write the letter to the DNR to request a permit. The motion was seconded by Council Member Egelston and passed unanimously.

The Mayor thanked Tom Watson for his work.

Council Member Reports

Councilmember Mike Egelston

1. NOHOA

No report

Councilmember Katy Ross

1. LJFD

Council Member Ross attended the Firefighter's Pension Fund meeting.

Council Member Marty Long

1. NRC

Due to the retirement of Becky Orttel and Stan Hokanson from the Commission, there are two openings. The NRC meets once a month. The Commission is welcoming names for the positions if interested.

The Tree Ordinance is still in process. The original intent was to preserve the heritage trees and to prevent clear cutting. The NRC is now thinking of taking a more educational approach to preserve the forest.

2. Ramsey County Sheriff

No additional report

Council Member Gregg Nelson

1. Planning Commission

The Planning Commission met on October 30th, 2014 and discussed the building height issues addressed earlier in this meeting and the Commissioners' terms. Commissioner Bob Wilson stated that he will be retiring, so there will be one vacancy for sure. Two others have not yet decided if they would like to stay on the Commission.

Mayor John Schaaf's Report

Mayor Schaaf attended his last VLAWMO Board Meeting. He stated this is a well-run Committee.

Mayor Schaaf represented the City at the Newcomers event held at the North Oaks Country Club. Forty five to fifty people attended. The concerns that were voiced most were ISTS systems and trees. Council Member Ross and City Forester Mark Rehder both attended.

Administrative Report

1. Update on Emergency Manager

After 15 years Emergency Manager Jim Daly has decided to resign at the end of the year. Administrator Robertson will consult with Jim Freed, Ramsey County Emergency Manager, to find a replacement. Retired police officers are often candidates, and the City offers a stipend of \$3,000 a year. Requirements for this position keep growing each year.

Council Member Long made the motion to direct Administrator Robertson to thank Jim Daly personally and order a plaque to thank Jim Daly. Council Member Ross made the second which passed unanimously.

2. Holiday Schedule

Christmas and New Year's Day fall on a Thursday this year. NOHOA will be closed Wednesday through Friday for Christmas. The Finance Committee recommended that staff work part time on the Wednesdays and have Thursday and Friday off.

Council Member Long with a second from Council Member Egelston moved to approve the Holiday schedule recommendation for Christmas and New Year's, 2015. The motion carried unanimously.

3. Staff Salaries

Council Member Nelson mentioned that the annual review for the City Administrator was completed as well as a review of comparable salaries in the surrounding cities. Council Member Nelson stated that the three part time staff do not get benefits, but each will receive a raise along with the City Administrator.

Council Member Ross made a motion, seconded by Council Member Long to provide direction to City Administrator Robertson to put the Finance Committee recommendations for staff increases into the 2015 Budget. The motion carried unanimously.

4. Office Equipment

The replacement of some of the office equipment, furniture, and technology was discussed.

Council Member Egelston made the motion to direct the City Administrator to add these items to the 2015 Capital Budget. The motion was seconded by Council Member Ross and passed unanimously.

The preliminary tax levy will be set following the Truth in Taxation Hearing on December 8th, 2014.

City Attorney Reports

No report

Miscellaneous

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

Next Regularly Scheduled Planning Commission Meeting Tuesday, December 2, 2014 @ 7:00 pm in the Community Meeting Room

Next Regularly Scheduled Council Meeting Monday, December 8, 2014 @ 7:30 pm in the Community Meeting Room

Truth in Taxation Meeting, Monday, December 8, 2014 @ 7:00 pm in the Community Meeting Room

Adjournment

On motion duly made by Council Member Egelston, seconded by Council Member Ross and carried unanimously the meeting was adjourned at 8:27 pm.

An exit video as a tribute to Veterans was shown at the conclusion of the meeting.

Attest:

Respectfully Submitted

Mayor John Schaaf

Linda M. Hanson
Recording Secretary