



CITY OF NORTH OAKS

**Regular City Council Meeting
Thursday, November 14, 2019
7 PM, Community Meeting Room
100 Village Center Drive**

MEETING AGENDA

Call to Order

Roll Call

Pledge of Allegiance

Approval of Agenda

Citizen Comments - *Individuals may address the City Council about any item not included on the regular agenda. Speakers are requested to come to the podium, state their name and address for the record, and limit their remarks to three minutes. Generally, the City Council will not take official action on items discussed at this time, but may typically refer the matter to staff for a future report or direct that the matter be scheduled on an upcoming agenda.*

Consent Agenda - *These are items considered to be routine and will be enacted by one motion. There will be no separate discussion, unless requested for separate consideration at which point the item will be removed from the Consent Agenda and placed as a separate item on the agenda.*

Minutes of the Regular Council Meeting of October 10, 2019 for approval

[10-10-2019 Council Minutes.pdf](#)

Minutes of the Natural Resources Commission Meeting of October 17, 2019 for approval

[10-17-19 NRC Minutes_Draft.pdf](#)

Minutes of the Special City Council Meeting of October 9, 2019 for approval

[10-9-2019 Special City Council Meeting - DRAFT.pdf](#)

Minutes of the Special City Council Meeting of October 15, 2019 for approval

[10.15.19 Special CC Workshop.pdf](#)

Resolution 1362 Approving Final Subdivision of 42 Mallard Road Lot Split

[1362. Approving Final Lot Split - 42 Mallard.docx](#)

[42 Mallard Survey & Septic Sites.pdf](#)

Resolution 1363 Approving Transfer of \$50,000 from General Fund Balance to the Fire Capital Expense Fund

[1363 Approving Fund Transfer.docx](#)

Licenses for approval: Air America Heating & Cooling, Inc.; Culpepper Heating and Cooling LLC; Genz-Ryan Plumbing and Heating; Farr Plumbing and Heating LLC; Lewis Heating and Air; Midland HVAC; Swift Heating & Air Conditioning

Approval of Claims: Check #013322 - 013358

Petitions, Requests & Communications

Deputy Mike Burrell's Report

Unfinished Business

East Oaks PDA Review - (moved to December 12, 2019 Council Meeting)

Determine Interview Process for Appointing New Planning Commissioners

[MEMO-CC-PC Applicants.docx](#)

Discussion of Comp Plan Revision Process

[MEMO-2040 Comp Plan Timeline.docx](#)

Review Preliminary 2020 Budget

[MEMO-CC-2020 Budget November.docx](#)

[Proposed 2020 Budget V1.xls](#)

New Business

Approve Revised Staff Responsibilities

[MEMO-Revised Staff Responsibilities.docx](#)

[1361. Approving Kevin Kress as City Clerk-City Administrator.docx](#)

[2019 CityCouncilResponsibilities.docx](#)

Workshop for Wednesday, November 20, 2019???

Council Member Reports -

Commissioner Long

Commissioner Kingston

Commissioner Ries

Commissioner Ross

Mayor Nelson

City Attorney Reports

Decision to Not Waive/Waive Liability Tort Limits

[Liability Waiver Form.pdf](#)

City Administrator Reports

Miscellaneous - *Next Natural Resources Commission Meeting is Thursday, November 21, 2019 at 7 pm*

Next Planning Commission Meeting is Tuesday, December 3, 2019 at 7 pm

Next regularly scheduled City Council Meeting is Thursday, December 12, 2019 at 7 pm

Adjournment

The Council Meeting was called to order at 7:00 p.m. by Mayor Nelson. Present were Councilmembers Marty Long, Kara Ries, and Katy Ross; Mayor Gregg Nelson; City Administrator Mike Robertson; City Attorney Korine Land; City Planner Kirmis; City Septic Inspector Brian Humpal; Recording Secretary Gretchen Needham; and Videographer Maureen Anderson. Absent: Councilmember Rick Kingston.

Pledge of Allegiance

Approval of Agenda

Councilmember Ross made a motion to approve the agenda, with a second from Councilmember Ries. The agenda passed unanimously.

Citizen Comments - *Individuals may address the City Council about any item not included on the regular agenda. Speakers are requested to come to the podium, state their name and address for the record, and limit their remarks to three minutes. Generally, the City Council will not take official action on items discussed at this time, but may typically refer the matter to staff for a future report or direct that the matter be scheduled on an upcoming agenda.*

Rich Dujmovic, 15 Black Lake Road: At the special Council meeting the day before, Councilmember Long brought up potential conflicts of interest regarding choosing a Planning Commissioner; Attorney Land counseled that “disapproval of something” wouldn’t necessarily be a conflict of interest but that predetermining a decision on an application before reviewing it would deny the applicant his/her due process. Mr. Dujmovic expressed that he is not against development in North Oaks as long as the rules support due process. He pointed out that unlike the previous five appointments to the Planning Commission, this next appointment would be from a new batch of candidates rather than the candidate list created earlier in the year. He asks Council why he or anyone else who had made critical comments at previous meetings would be not qualified to sit on the Planning Commission.

Jim Peyton, 4 Catbird Lane: Mr. Peyton thanked Rich Dujmovic for articulating what is going on with the developments in North Oaks. Through his efforts and those and others, he feels the community has been educated. He doesn’t feel there is a conflict of interest for Mr. Dujmovic or any other resident to be on the Planning Commission. He would support Mr. Dujmovic as a member of the Planning Commission.

Consent Agenda:

1. Minutes of the Regular Council meeting of September 12, 2019 for approval
2. Minutes of the Planning Commission meeting of September 26, 2019 for approval
3. Minutes of the Special City Council Meeting of September 9, 2019 for approval
4. Minutes of the Special City Council Meeting of October 2, 2019 for approval
5. Approve 2020 NSAC Contract
6. Approve 2019-2020 USDA-Aphis Deer Removal Contract
7. Approve 2019-2020 Laughlin Deer Removal Contract

8. Approve Resolution 1352 Changing Designation of County Road 4 to County Road 87 Licenses for Approval: B & D Plumbing, Heating & Air; Warners' Stellian Co. Inc.; Tree Top Clearing

Approval of Claims: Check#: 13291–13321

Councilmember Ries made a motion to approve the consent agenda, which was seconded by Councilmember Long. The consent agenda passed unanimously.

Petitions, Requests, and Communications

1. Public Hearing—Proposed 2020 Assessment Roll

Administrator Robertson reviewed the proposed assessments. They include the assessment for maintenance of Lake Gilfillan which is \$54.64 for each property owner on the lake. There are also assessments for the Journey Home on 5320 Hodgson Road, which is in bankruptcy court, and 24 Hay Camp Road, which is a rental home that did not acquire a rental license.

Councilmember Long made a motion to open a public hearing at 7:13 p.m. to discuss the 2020 Assessment Roll, which was seconded by Councilmember Ries and approved unanimously. There were no comments from the public regarding the assessments. Councilmember Ross made a motion to close the public hearing at 7:13 p.m. which was seconded by Councilmember Ries and approved unanimously. The public hearing was closed.

Councilmember Ries made a motion to approve the 2020 Assessment Roll, which was seconded by Councilmember Ross. The motion passed unanimously.

2. There was no one present to give the Mounds View School District Referendum Presentation.

3. Deputy Mike Burrell was not present to give his report.

Councilmember Ross talked about recent mail thefts in North Oaks. Hill Farm Circle, Evergreen Road, Evergreen Lane, and East Pleasant Lake Road were recently targeted. She reminded residents: please pick-up mail expediently and report any suspicious activity to the Ramsey County Sheriff's Department. Mayor Nelson asked if the postal service could be asked to investigate these claims. Administrator Robertson suggested residents also contact the City to let them know of any missing mail.

Unfinished Business

1. Consider Revised Septic Ordinance

Councilmember Ries asked to set up a subcommittee to research septic issues that would inform the potential changes to the Septic Ordinance. All of Council agreed that more discussion and input would be valuable. The subcommittee may include realtors and residents.

Councilmember Ross made a motion to create a subcommittee to research septic issues to better inform any revisions to the Septic Ordinance, with Councilmember Ries as chair of the subcommittee, which was seconded by Councilmember Long. The motion passed unanimously.

2. Consider Resolution 1354—Approving Request for Conditional Use Permit, Garage Space over 1,500 Square Feet, Fady Daw at 33 Mallard Road

City Planner Kirmis said this application was considered by the Planning Commission at their July and August meetings. The homeowners wish to convert an exercise room to additional garage space. The total garage space would exceed 1500 square feet, and thus needs a conditional use permit (CUP). Planning Commission recommended approval with conditions. Councilmember Ries wants to make sure building codes are met for garage space as per state building code; Administrator Robertson said he would ask Building Official Kevin White to submit assurance of building code regulations to Council. Administrator Robertson reported that exterior lights were re-directed to stay on the property and so met City code.

Karl Yeager, representing Fady Daw, was present to answer any questions from Council. **Councilmember Ross made a motion to approve Resolution 1354, for a CUP at 33 Mallard Road, with the contingency that a memo from the Building Inspector be included, which was seconded by Councilmember Ries. The motion passed unanimously.**

3. Consider Resolution 1357—Sarah Kudebeh at 42 Mallard Road, Preliminary Subdivision Approval

City Planner Kirmis reported that the property is a vacant, 3-acre lot, which the owner wishes to subdivide into two single-family lots. The lot is within the shoreland of South Mallard Pond. The North Oaks Company has provided a letter approving the lot split. The effect on South Mallard Pond was brought up as a concern, as well as the homeowner association requirements, during a previous Planning Commission meeting. Another condition that would have to be met would be for the primary and secondary septic drain field sites to be located before any building could take place. Each lot must be a minimum of 1.45 acres.

Councilmember Ries made a motion to approve Resolution 1357 for preliminary subdivision of 42 Mallard Road, which was seconded by Councilmember Long. The motion passed unanimously.

4. Consider Resolution 1358—Approving NOHOA Request for Conditional Use Permit for Forest Management Activities in the Shoreland District

City Planner Kirmis noted the application was to remove and treat ash trees in the shoreland area owned by NOHOA and to also remove invasive species as defined by the Minnesota DNR, such as buckthorn. Though NOHOA asked for a five year permit, staff is recommending that this be treated like any other CUP but with a requirement of periodic reporting to the Council and Natural Resources Commission. Fourteen conditions, including that annual reporting take place in January of each year, are included. The Planning Commission held a public hearing at their September 26 meeting regarding this application; a similar application was approved in the fall of 2015. Council could terminate this CUP at any time if NOHOA does not live up to the conditions.

Mikeya Griffin, Executive Director of NOHOA, spoke regarding the application and asked if there were any questions; Councilmember Ross asked when the work would start, and Director Griffin stated that work is currently under way.

Diane Gorder, 24 North Deep Lake Road, a NOHOA Board of Directors member, wanted to make sure the detailed proposal of 15 pages was duly reviewed and understood by the Council. Council affirmed that they did indeed read the entire application.

Councilmember Ross made a motion to approve Resolution 1358 for a CUP for Forest Management Activities in the Shoreland District, which was seconded by Councilmember Ries. The motion passed unanimously.

5. East Oaks PDA Review is tabled until November's meeting.

New Business

1. Review Preliminary 2020 Budget

No feedback was received from Council to Administrator Robertson. The budget will have to be approved at the December Council meeting.

2. Update on City Administrator Hiring

Mayor Nelson noted a contract is in negotiation with the candidate for City Administrator. The Council discussed when they could hold a special meeting to finalize the contract.

Councilmember Ries made a motion to hold a special meeting at 5pm on Tuesday, October 15 to authorize the final contract for a City Administrator, which was seconded by Councilmember Long. The motion passed unanimously.

3. Review Interview Process for Appointing New Planning Commissioner

Administrator Robertson said there are five applicants for the open seat on the Planning Commission. Mayor Nelson suggested a subcommittee of Planning Commission Chair Mark Azman, Councilmember Long, and Mayor Nelson, to interview the applicants.

Councilmember Ries suggested instead an open interview by all of Council that is televised. Councilmember Ross suggested that the same questions be asked to all candidates; she said it will be a hard choice because there are strong candidates and only one opening. Her concern is that there are still remaining candidates from the list when she and Councilmember Kingston previously interviewed candidates for Planning Commission; she feels the interview process should be consistent. The term of the open seat expires at the end of the year; Mayor Nelson would suggest the term be extended.

Councilmember Long made a motion to create a subcommittee of Planning Commission Chair Mark Azman, Councilmember Long and Mayor Nelson to interview candidates for the Planning Commission opening, which was seconded by Mayor Nelson. Councilmember Long and Mayor Nelson voted yea; Councilmember Ries and Ross voted no. The motion failed.

4. Instead of Wednesday, October 16 for a Council Workshop, a Special Meeting will be held on 5pm on Tuesday, October 15.

5. Comprehensive Plan Update

Administrator Robertson said that the Met Council sent an eight-page letter with requests for changes to the City's submitted Comprehensive Plan. City staff, including City Planner Kirmis, City Engineer John Mazzitello, Planning Commission Chair Mark Azman, and Administrator Robertson, will meet with Met Council staff next week to review the issues in

the letter. The City Attorney may also attend the meeting with Met Council. Councilmember Ross asked why the Comp Plan has to go back to the Planning Commission for a review of changes since Council already approved the Comp Plan. Attorney Land doesn't think the Comp Plan needs to go back to Planning Commission unless significant changes are being made. Councilmember Ross' concern is that the current Planning Commission only has one member that's served for over a year; all the other members are relatively new to the Commission. Councilmember Ries also feels that with the new turnover on the Planning Commission, it would make more sense to have the Comp Plan revisions go to the Council. Mayor Nelson said any Comp Plan revisions should go back to the Planning Commission. Councilmember Ries asked permission to attend the meeting with Met Council next week, and Administrator Robertson did not think it would be helpful for her to attend; he would like to keep the meeting at the City staff level.

Councilmember Ries made a motion to send Comp Plan revisions to the City Council, which was seconded by Councilmember Ross. The motion was canceled.

Administrator Robertson feels the controversy will be around future development, otherwise 85% or so of the changes are rudimentary. Mayor Nelson asked Attorney Land if the Planning Commission has jurisdiction over the Comp Plan and she agreed that they do. She had not seen a situation when the revisions go back to the Planning Commission unless there are major changes.

This issue will be on the November Council agenda.

Councilmember Reports

Councilmember Ries:

- A CenturyLink franchise free settlement results in a share of about \$200 to North Oaks.
- CTV Audited Comcast and some money may be coming back to North Oaks.
- CTV's monthly review of watched meetings and workshops shows that the coyote workshop is being watched frequently.
- Another coyote workshop will be set for January.
- A safety video with Mike Burrell was put on Facebook and is getting positive feedback.

Councilmember Long:

- No VLAWMO meeting.
- For a new station for fire department an Arden Hills property is being looked at.

Mayor Nelson:

- Working on negotiations with the new City Administrator; December 2 is the proposed start date.

City Attorney Report:

- Zoning and Subdivision Ordinances are being reviewed. There will be a repeal of the old and an adoption of the new. The ordinances will be renumbered; they can then be more easily codified. Mayor Nelson suggested the codification process be included in the budget and Administrator Robertson will do that.

Miscellaneous

Next Special Council Meeting is Tuesday, October 15, 2019 @ 5:00 pm
Next Natural Resource Commission Meeting is Thursday, October 17, 2019 @ 7:00 pm
Next Planning Commission Meeting is Thursday, October 24, 2019 @ 7:00 pm
Next Regularly Scheduled Council Meeting is Thursday, November 14, 2019 @ 7:00 pm

Adjournment

On motion duly made by Councilmember Long, seconded by Councilmember Ries and carried unanimously, the meeting was adjourned at 8:34 p.m.

Attest:

Respectfully Submitted

City Administrator Mike Robertson

Gretchen Needham
Recording Secretary

Natural Resources Commission Minutes
October 17, 2019
7 P.M.

Call to Order:

Chair Bob Larson called the meeting to order at 7:00 p.m.

Roll Call:

Present: Chair Bob Larson, Vice Chair Kate Winsor, Commissioners Andrew Hawkins, Damien LePoutre, Dan McDermott, David White, NOHOA Liaison Diane Gorder, and City Council Liaison Mayor Gregg Nelson

Staff: Recording Secretary Gretchen Needham

Absent: City Administrator Mike Robertson

Approval of Agenda:

Vice Chair Winsor moved to approve the agenda, which was seconded by Commissioner White. The motion was approved unanimously.

Approval of Minutes:

Liaison Gorder and Commissioner White pointed out clerical errors from the August minutes.

Vice Chair Winsor moved to approve the amended August 15, 2019 minutes, which was seconded by Commissioner Hawkins. The motion was approved unanimously.

New Business:

Discussion of Coyote Management Plan

City Staff proposed adopting a coyote management plan, and asked the NRC for their feedback. NRC asked that City Staff work on a draft to show the NRC for next month. The coyote experts that gave the April 2019 workshop will also be asked to review and give their feedback for the proposed policy. Chair Larson recommended that the policy mention reducing food sources for coyotes.

Commissioner McDermott made a motion, which was seconded by Commissioner LePoutre, to have City Staff draft a Coyote Management Plan and run it by the coyote experts who ran the workshop in April 2019 for review by the NRC at their next meeting. The motion was approved unanimously.

Update on Oriental Bittersweet Removal

Woodland Restorations submitted a bid to the City to remove oriental bittersweet. Removal costs vary from \$12,400 to \$500 per property. The grant given to the City is for \$2,700. Liaison Gorder mentioned that it is convenient to treat and both oriental bittersweet and buckthorn at the same time. Now is the best time of year to treat and remove both invasive species.

Discussion of Open Meeting Law

The NRC is subject to the open meeting law. They cannot discuss business of the commission as a quorum outside of the open meetings.

Update on the Septic Ordinance discussion

Mayor Nelson summarized the discussion at the last City Council meeting, which included creation of a subcommittee to investigate and research how to amend the septic ordinance to possibly include a point of sale contingency. Commissioner Hawkins offered to be a liaison on the Council's subcommittee; he will reach out to Councilmember Ries, who is chairing the subcommittee.

A motion was made by Mayor Nelson, which was seconded by Vice Chair Winsor, for Commissioner Hawkins to contact Chair Ries about his offer to join the septic subcommittee. The motion was approved unanimously.

Tick Task Force Report

Commissioner White stated that the TTF meeting on Tuesday, October 15 focused on the TTF Survey results being down in numbers. TTF would like to get the word out through advertising and education to encourage residents to fill out the survey. Vice Chair Winsor suggested that community events would be a good place to get surveys done; there could be a laptop at the event and people can fill out a survey then and there for a small incentive.

There was also a discussion at the TTF meeting about how to capture real results if there are multiple cases within a home because the survey is one per household.

Kate Winsor's Report

Vice Chair Winsor submitted an article about landscape best practices for the November issue of the North Oaks News.

City Update

Mayor Nelson reported that 35 applicants applied for the open City Administrator position, which was narrowed down to four candidates to interview, and of those four candidates, all in the Council subcommittee agreed on one candidate, Kevin Kress. The contract was negotiated by Mayor Nelson and was finalized and approved by the City Council at a special meeting on Tuesday, October 15. Mr. Kress is slated to start on December 2 as the City's Administrator.

NOHOA/NEST Update

- Liaison Gorder mentioned the NOHOA conditional use permit (CUP) for treatment and removal of ash trees and invasive species and noxious weeds was approved at the latest City Council meeting.
- There will be a hands-on buckthorn removal event on Friday, October 18 and Saturday, October 19 at the North Oaks Golf Club.
- On November 6, Carp Solutions will give a presentation about their carp study.
- There is a NOHOA community Survey that is open through the end of the month.
- Vice Chair Winsor complimented NEST on their recent educational events, and Liaison Gorder suggested spring and fall events that could be jointly hosted by NRC and NEST.

Other Business

- The Conservation Award was applied for; City Staff will follow up with the homeowner and report back to the NRC.
- Vice Chair Winsor attended the VLAWMO technical committee meeting. City Staff will forward the VLAWMO plan to the NRC when they get it.
- Deer management was brought up by Commissioner LePoutre. He suggested that there be a varying approach, so that some years there are deer removed but not automatically every year.

Adjournment:

Commissioner White made a motion to adjourn. Commissioner McDermott seconded. The motion was approved unanimously. The meeting ended at 8:13 p.m.

Next Meeting: November 21, 2019

DRAFT

The Special City Council Meeting was called to order at 7:00 p.m. by Mayor Gregg Nelson. Present were Councilmembers Rick Kingston, Marty Long, Kara Ries, and Katy Ross; City Attorney Korine Land; and Recording Secretary Gretchen Needham. Absent: City Administrator Mike Robertson and City Attorney Bridget Nason.

1. Review of City Attorney Report regarding Ordinance 130 (Chapter 34) relating to Planning Commission composition and organization

City Attorney Korine Land summarized the September 11, 2019 memorandum from their law firm to the Mayor and Members of the North Oaks City Council. In the Attorneys' opinion, the intent of the majority of the Council to repeal Chapter 150 and adopt Ordinance 130 was clear even though there were some flaws in the process during the June 13 and July 11, 2019 City Council meetings.

Councilmember Ries asked Attorney Land to clarify the issue of "grandfathering in" members of the Planning Commission. She asked if there should be language written into Ordinance 130 to reflect those currently sitting on Planning Commission versus newly appointed members of the Planning Commission. Attorney Land stated that changing the criteria by which Planning Commissioners are appointed accomplishes the same thing but that the wording for grandfathering in could be looked at more closely, along with the ordinance's wording in general, at a subsequent meeting, in order to clarify specific elements.

Councilmember Long voiced concern with the cost of billing attorneys to continue to look into the ordinance. Councilmember Ries agreed that costs should be kept in mind and the situation should be moved forward.

Councilmember Long asked Attorney Land if she believed having Planning Commissioners also on City Council is a conflict of interest. Attorney Land does not believe one or two members of Planning Commission also being on the City Council is inherently a conflict of interest. Councilmember Kingston pointed out that if a Council decides that their criteria for Planning Commission includes not also sitting on Council, that is how Council can structure their Planning Commission.

Councilmember Ries brought up the super majority (4 out of 5 must agree) that was part of Chapter 34 wording, which is also part of Ordinance 130; she is concerned that amending ordinances where the determining criteria is changed could create a dangerous precedent.

Councilmember Long asked Attorney Land if she and her firm reviewed former Attorney Magnuson's counsel to the City Council. Attorney Land thought the process of bringing about Ordinance 130 could have been done cleaner and better, but that she couldn't determine Attorney Magnuson's mindset versus what he was asked to take on and not to take on on behalf of the City Council.

2. Consideration and potential adoption of Ordinance 133 repealing Sections 150.075 through 150.083 of Chapter 150, Title XV of the North Oaks City Code

A motion was made by Councilmember Long to repeal City Code Title XV, Chapter 150, sections 150.075 through 150.083 regarding the Planning Commission. The motion was seconded by Councilmember Kingston. Mayor Nelson and Councilmembers Long and Kingston voted yea. Councilmember Ries and Councilmember Ross abstained. The motion passed.

3. Consideration and potential adoption of Resolution 1355 authorizing republication of Ordinance 130 with inclusion of language related to Council approval of ordinance

A motion was made by Councilmember Long to adopt Resolution 1355 authorizing a republication of Ordinance 130 enacting Chapter 34 of the North Oaks City Code with inclusion of language related to Council approval of the ordinance. The motion was seconded by Councilmember Kingston. Mayor Nelson and Councilmembers Long, Kingston, and Ries voted yea. Councilmember Ross abstained. The motion passed.

4. Consideration and potential adoption of Resolution 1356 reaffirming membership of the North Oaks Planning Commission

A motion was made by Councilmember Kingston to adopt Resolution 1356 reaffirming membership of the North Oaks Planning Commission. The motion was seconded by Councilmember Long. Mayor Nelson and Councilmembers Long and Kingston voted yea. Councilmembers Ries and Ross voted nay. The motion passed.

Adjournment

A motion was made by Councilmember Long to adjourn the meeting at 8:00 pm. The motion was seconded by Councilmember Kingston and passed unanimously.

Attest:

Respectfully Submitted

Mayor Gregg Nelson

Gretchen Needham
Recording Secretary

The meeting was called to order at 5:00 p.m. by Mayor Gregg Nelson. Present were Councilmember Kara Reis, Marty Long, Rick Kingston, City Attorney Korrine Land, Deputy Clerk Stephanie Marty, and Recording Secretary Debbie Breen. Councilmember Katy Ross was absent. City Administrator Candidate Kevin Kress was also in attendance.

Consideration and potential approval of City Administrator Contract with Kevin Kress

Mayor Nelson opened the meeting and thanked Mr. Kress and Attorney Land for working together on the details of the contract. He mentioned that significant compromises had been made on both sides of the contract negotiations. A summary of the contract includes:

- Employment start date will be December 2, 2019. Annual base salary will start at \$103,000 with a review in April 2020. Upon completion of a satisfactory performance evaluation the base salary will increase to \$105,000.
- Mayor Nelson has asked Kevin to propose a STEP plan for City staff as he moves forward into the City Administrator position.
- Full Health, Dental, and Life Insurance will be provided, with the benefits not exceeding \$20,000 pursuant to MN PEIP Program. Life Insurance policy shall not exceed \$50,000.
- PTO as outlined in Addendum A. Mr. Kress will be credited with 80 hours at start of employment and accrue 40 hours each quarter, not to accrue more than 160 hours per year.
- Claw Back Clause is outlined in the agreement stating that money already paid to an employee must be paid back to the employer under certain conditions. Discussion was also had on the language under Termination for Cause.
- Severance pay for termination other than defined under Termination for Cause will provide a lump sum equal to 4 months of base salary if before 12/2020, and 6 months base salary after December 2020, along with Cobra.
- A yearly allowance of \$4,000 for use of personal auto and cell phone.
- Professional Development – Mr. Kress is encouraged to participate in 3 Management Associations per year (ex. MCMA, MAMA, and LMC). Councilmember Reis asked if they can put a dollar limit on education funding. Attorney Land suggested that the amount could just be set in the yearly budget. Mr. Kress stated he currently has \$3,000 - \$5,000 in budget for education development, and typically includes conferences in areas such as Rochester, Duluth, and St. Cloud.

Councilmember Long asked if this is pretty standard contract for this position. Attorney Land indicated that she has worked on contracts for 5-10 administrators, and generally starts with this type of template and makes revisions from there. The only section that is sometimes more beefed up would be the language in the Termination for Clause. Councilmember Reis asked if they could change verbiage if they wanted to. Attorney Land stated that during the performance reviews with the City Administrator, Council could renegotiate certain terms of the contract.

MINUTES OF SPECIAL COUNCIL WORKSHOP

October 15, 2019

Mayor Nelson stated Mr. Kress has experience developing STEP plans, which include COLA (Cost of Living Adjustment). Administrator Kress stated the importance of increasing employee longevity with a STEP performance based system. COLA program helps retain salary based employees that are maxed out to have an incentive to stay. Mr. Kress would prefer semi-annual review so he has more performance feedback on what he can do better and improve. He would also like to reach out to each of the Councilmembers every week to see if there is anything he can do.

Councilmember Reis asked if the contract recommended would motivate him to stay long term. Mr. Kress responded that he would like to develop a STEP plan. He is comfortable with salary but would have liked more PTO hours since he currently receives 240 hours at the start of each year. This contract has a quarterly release of 40 PTO hours. He also mentioned that his former job had work from home flexibility as needed and would eventually like to have this option as well.

Councilmember Reis mentioned that Section 3.2 of the contract states that the position is exempt with the City Administrator expected to attend meetings and a 40 hour work week, even if office staff is 35 hours.

Mr. Kress stated that his hours are currently 8 – 4:30 p.m., and prefers to stack meetings if possible to save Council and committee time, and keep information fresh.

PTO is the only section in which he wishes he could carry over more hours. Mayor Nelson mentioned they would discuss this issue in future performance reviews.

Motion to approve the City Administrator Contract was made by Councilmember Long and seconded by Commissioner Kingston. All in favor. The motion passed unanimously.

Mr. Kress mentioned he looks forward to learning how to interact with the Councilmembers, and increase positive public perception. His focus is being upfront with entire council. Mr. Kress mentioned that he would like to have access to a laptop for use, and Mayor Nelson confirmed they would work on that.

At 5:45 p.m. Councilmember Reis motioned to adjourn, with Councilmember Long as second. All unanimously agreed.

Mayor Gregg Nelson

Recording Secretary

**CITY OF NORTH OAKS
RAMSEY COUNTY, MINNESOTA
RESOLUTION NO. 1362**

**A RESOLUTION APPROVING FINAL SUBDIVISION OF PROPERTY
LOCATED AT 42 MALLARD ROAD**

**THE CITY COUNCIL OF THE CITY OF NORTH OAKS ORDAINS AS
FOLLOWS:**

WHEREAS, applicant Sarah Kudebeh (Owner) owns the real property located at 42 Mallard Road in the City of North Oaks, Ramsey County, Minnesota, (Property) and legally described as follows:

Tract J, Registered Land Survey Number 552, Ramsey County, Minnesota.

WHEREAS, Owner has applied to the City for final approval to subdivide the Property, which consists of approximate 2.97 acres, into two parcels, as described in the Subdivision Application on file with the City and as shown on the Certificate of Survey by Acre Land Surveying, dated 2-20-19 and revised on 8-20-19 which is attached hereto as Exhibit A (Final Plan Approval); and,

WHEREAS, pursuant to the applicable provisions of City Code Chapter 152. Owner has requested approval of the Final Plan for a major subdivision and has provided the City with all documents and information required for an application for Final Plan approval; and,

WHEREAS, the Preliminary Plan application was reviewed and considered by the City of North Oaks Planning Commission at its August 29, 2019, meeting, at which meeting the Planning Commission held a public hearing on the Preliminary Plan application following notice and publication of the Public Hearing Notice pursuant to the provisions of City Code Section 152.021(D); and,

WHEREAS, following the public hearing, the Planning Commission voted 5-0 to recommend approval of the Preliminary Plan, subject to the following conditions:

1. Driveway access to proposed Parcel A shall be from Mallard Drive and shall be at least 100 feet south of East Oaks Road. Driveway access to proposed Parcel B shall be at least 100 feet south of the driveway access to Parcel A.
2. Homes upon the two lots shall satisfy the maximum 12 percent floor area ratio requirement for structures within the RSL zoning districts.

3. Dock construction, if proposed, shall comply with applicable regulations of the Shoreland Management Ordinance (water-oriented accessory structures - Section 153.110.D.3).
4. The certificate of survey (preliminary subdivision plan) shall be modified to illustrate primary and secondary drain field sites for both proposed lots.
5. Individual sewage treatment systems shall comply with applicable Minnesota Department of Health requirements.
6. The location of the wet tap(s) into the watermain shall be subject to approval of the City Engineer.
7. Comments of other City Staff

WHEREAS, having reviewed the application, City Staff recommends approval of the Final Plan application, subject to the seven conditions listed above as well as the following additional conditions:

8. The subdivision shall comply with all private restrictions placed upon the land by deed, covenant, or other private agreements or with restrictive covenants running with the land.
9. Prior to the use, occupancy, sale, or the execution of contracts for sale of the individual parcels, a declaration of covenants, conditions, and restrictions, or an equivalent document, shall be filed with the City. Such filing shall be made prior to the filing or recording of the declaration or document with the County.

NOW THEREFORE BE IT RESOLVED, that the City Council of City of North Oaks:

1. Approves the Final Plan submitted by the Owner for the real property located at 42 Mallard Road and legally described above, subject to the following conditions:
 - a) Driveway access to proposed Parcel A shall be from Mallard Drive and shall be at least 100 feet south of East Oaks Road. Driveway access to proposed Parcel B shall be at least 100 feet south of the driveway access to Parcel A.
 - b) Homes upon the two lots shall satisfy the maximum 12 percent floor area ratio requirement for structures within the RSL zoning districts.
 - c) Dock construction, if proposed, shall comply with applicable regulations of the Shoreland Management Ordinance (water-oriented accessory structures - Section 153.110.D.3).

- d) The certificate of survey (preliminary subdivision plan) shall be modified to illustrate primary and secondary drain field sites for both proposed lots.
- e) Individual sewage treatment systems shall comply with applicable Minnesota Department of Health requirements.
- f) The location of the wet tap(s) into the watermain shall be subject to approval of the City Engineer.
- g) The subdivision shall comply with all private restrictions placed upon the land by deed, covenant, or other private agreements or with restrictive covenants running with the land.
- h) Prior to the use, occupancy, sale, or the execution of contracts for sale of the individual parcels, a declaration of covenants, conditions, and restrictions, or an equivalent document, shall be filed with the City. Such filing shall be made prior to the filing or recording of the declaration or document with the County.

Approved by the City Council of the City of North Oaks on the 14th day of November, 2019.

CITY OF NORTH OAKS

By: _____
 Gregg Nelson
 Its: Mayor

Attested:

By: _____
 Mike Robertson
 Its: City Administrator/City Clerk

EXHIBIT A CERTIFICATE OF SURVEY

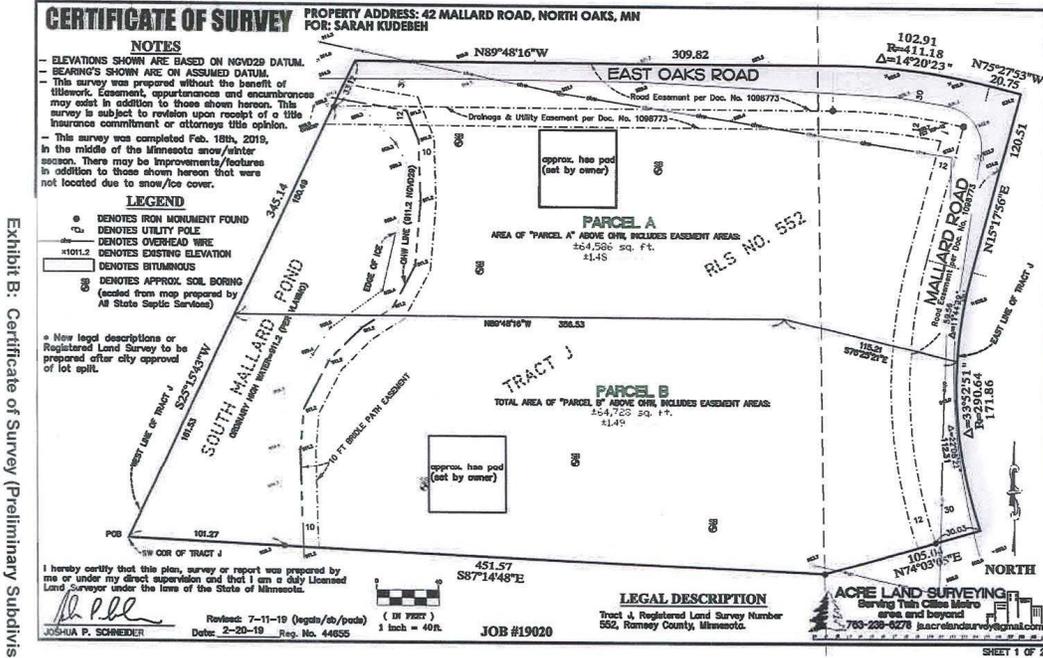


Exhibit B: Certificate of Survey (Preliminary Subdivision Plan)

CERTIFICATE OF SURVEY

PROPERTY ADDRESS: 42 MALLARD ROAD, NORTH OAKS, MN
FOR: SARAH KUDEBEH

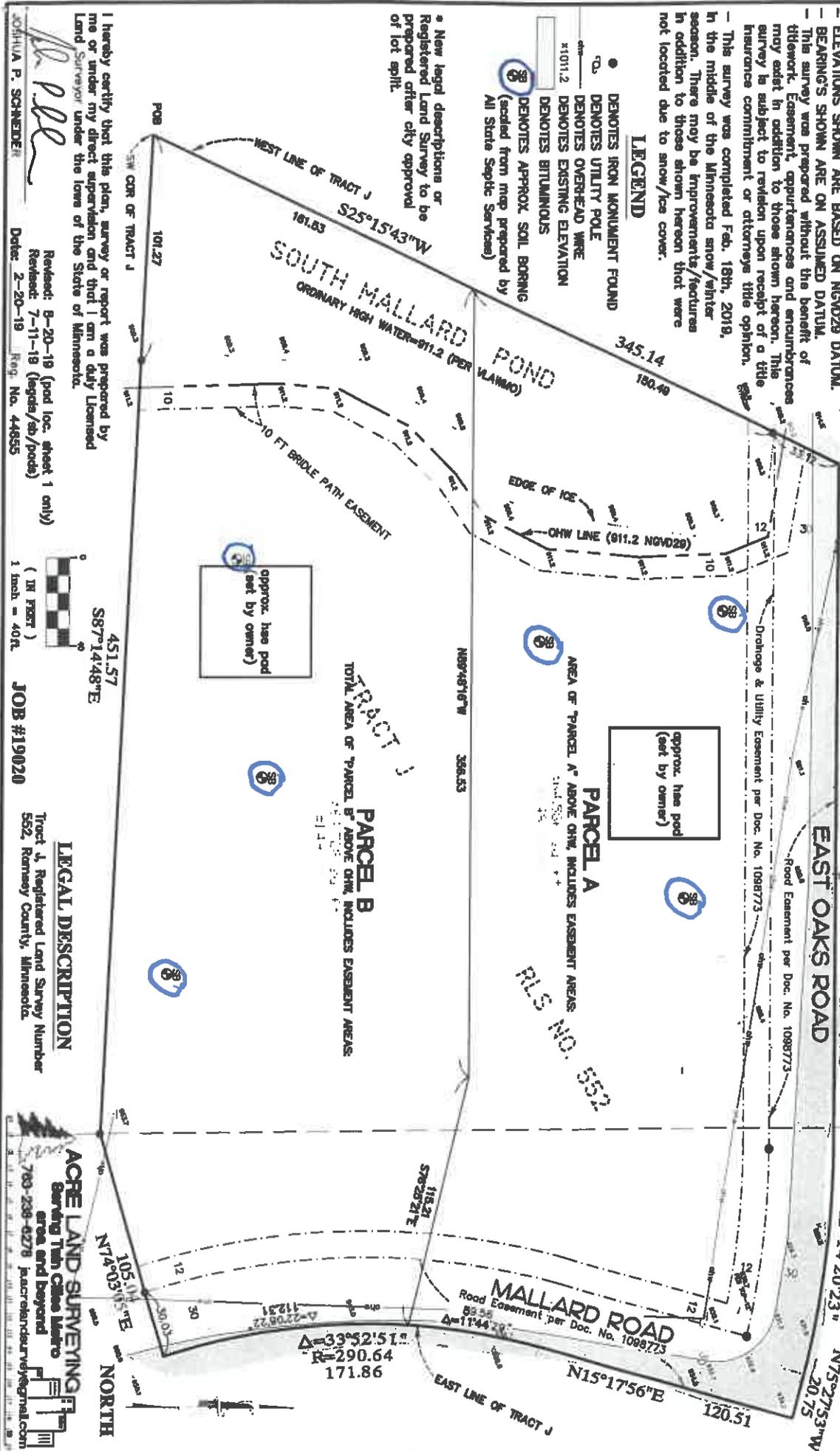
NOTES

- ELEVATIONS SHOWN ARE BASED ON NGVD29 DATUM.
- BEARING'S SHOWN ARE ON ASSUMED DATUM.
- This survey was prepared without the benefit of titlework. Easement, opportunities and encroachments may exist in addition to those shown hereon. This survey is subject to reversion upon receipt of a title insurance commitment or attorney's title opinion.
- This survey was completed Feb. 18th, 2019, in the middle of the Minnesota snow/white season. There may be improvements/features in addition to those shown hereon that were not located due to snow/ice cover.

LEGEND

- DENOTES IRON MONUMENT FOUND
- DENOTES UTILITY POLE
- DENOTES OVER-HEAD WIRE
- 11011.2 DENOTES EXISTING ELEVATION
- DENOTES BITUMINOUS
- 38 DENOTES APPROX SOIL BORING (excised from map prepared by All State Septic Services)

* New legal descriptions or Registered Land Survey to be prepared after city approval of lot split.



I hereby certify that this plan, survey or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

Revised: 8-20-19 (pod loc. sheet 1 only)
Revised: 7-11-19 (log/sk/pods)
Date: 2-20-19 Reg. No. 44855



LEGAL DESCRIPTION

Tract J, Registered Land Survey Number 552, Ramsey County, Minnesota.

ACRE LAND SURVEYING

Burning Tree C&S Metro
area and beyond
763-238-6279 jacob@burningtreec&s.com

CERTIFICATE OF SURVEY

PROPOSED LEGAL DESCRIPTION

Parcel A:

That part of Tract J, Registered Land Survey Number 552, Ramsey County, Minnesota lying northerly of the following described line:

Commencing at the Southwest Corner of said Tract J, thence North 25 degrees 15 minutes 43 seconds East, assumed bearing along the west line of said Tract J, 161.53 feet to the point of the beginning of the line to be described; thence South 89 degrees 48 minutes 16 seconds East, 356.53 feet; thence South 76 degrees 25 minutes 21 seconds East, 115.21 to the East line of said Tract J and said line there terminating.

PROPOSED LEGAL DESCRIPTION

Parcel B:

That part of Tract J, Registered Land Survey Number 552, Ramsey County, Minnesota lying southerly of the following described line:

Commencing at the Southwest Corner of said Tract J, thence North 25 degrees 15 minutes 43 seconds East, assumed bearing along the west line of said Tract J, 161.53 feet to the point of beginning of that line to be described; thence South 89 degrees 48 minutes 16 seconds East, 356.53 feet; thence South 76 degrees 25 minutes 21 seconds East, 115.21 to the East line of said Tract J and said line there terminating.

JOB #19020



10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30

**CITY OF NORTH OAKS
RAMSEY COUNTY, MINNESOTA
RESOLUTION NO. 1363**

**A RESOLUTION APPROVING A TRANSFER OF \$50,000 FROM THE CITY'S
GENERAL FUND BALANCE FOR THE FIRE CAPITAL EXPENSE FUND**

**THE CITY COUNCIL OF THE CITY OF NORTH OAKS ORDAINS AS
FOLLOWS:**

WHEREAS, the City of North Oaks (the "City") prudently manages its fund accounts for the betterment of the community; and

WHEREAS, at its September 12, 2019 meeting, the City Council, by unanimous vote, approved the transfer of fifty thousand dollars (\$50,000.00) from the City's General Fund to the Fire Capital Expense Fund; and

WHEREAS, the Council seeks to memorialize the authorization of this fund transfer.

NOW THEREFORE BE IT RESOLVED, that the City Council of City of North Oaks:

1. Hereby ratifies and memorializes its decision on September 12, 2019 to transfer fifty thousand dollars (\$50,000.00) from the City's General Fund to the Fire Capital Expense Fund.

CITY OF NORTH OAKS

By: _____
Gregg Nelson
Its: Mayor

Attested:

By: _____
Mike Robertson
Its: City Administrator/ City Clerk

MEMO

Date: November 7, 2019

To: City Council

From: City Administrator Mike Robertson

Re: Planning Commission Applications

I have received the following applications for the Planning Commission opening. You have received their information as the emails came in. You need to set up a process to interview the applicants.

1. Rich Dujmovic, 15 Black Lake Road
2. Bill McNee 11 Sunset Lane
3. David Cremons, 22 Raven Road
4. Paul Lesieur, 31 East Pleasant Lake Road
5. Jey Carlson, 15 Raven Road.

MEMO

Date: November 5, 2019
To: City Council & Planning Commission
From: City Administrator Mike Robertson
Re: 2040 Comprehensive Plan Review Timeline

Since I occasionally hear misunderstandings about the development of the Comprehensive Plan I thought I would layout the review timeline in a memo for the new Planning Commissioners. All of the meetings of the Planning Commission were noticed on the City web site. All of the public hearings on the Comprehensive Plan were noticed in the Shoreview Press and well as the City web site. All minutes of the Planning Commission's review of the Comprehensive Plan were posted on the City's web site.

July 28, 2016. Administrator Robertson tells the Planning Commission that it is time to begin the review and development of the 2040 Comprehensive Plan.

August 25, 2016. City Planners Ben Gozola and Jim Robinson begin review of the Comp Plan with the Planning Commission. The general direction from the Planning Commission to staff is that the 2030 Comp Plan was fine and they expect minimal changes. Gozola & Robinson note they met with Met Council staff to review in general what issues the Met Council wanted added to cities' comp plans. They also reviewed the East Oaks PUD with the Met Council and Met Council staff acknowledged that all remaining vacant land in North Oaks was already master planned. The Planning Commission reviews Chapter 1-Community Background of the Comp Plan.

September 29, 2016. The Planning Commission continues their review of the Comp Plan with Chapter 2-Land Use.

October 27, 2016. The Planning Commission continues their review of the Comp Plan with Chapter 2-Land Use.

February 23, 2017. The Planning Commission continues their review of the Comp Plan with Chapter 3-Transportation.

March 30, 2017. The Planning Commission continues their review of the Comp Plan with Chapter 3-Parks & Recreation.

April 27, 2017. The Planning Commission continues their review of the Comp Plan with Chapter 3-Utilities.

July 27, 2017. The Planning Commission completes their review of the Comp Plan with Chapter 4-Implementation. The preliminary Comp Plan is sent to the Met Council for review.

August 24, 2017. The Planning Commission sets a Public Hearing for the preliminary Comp Plan on October 26, 2017.

October 26, 2017. The Planning Commission holds a public hearing on the preliminary Comp Plan. There are no comments. City Planner Gozola describes the changes in the Plan. The Public Hearing is continued until November 30, 2017.

November 30, 2017. The continued public hearing is held. There are no public comments. The hearing is closed.

February 24, 2018. The Draft Comp Plan is sent to surrounding communities and the Met Council triggering the formal 6-month review period.

April 26, 2018. Planning Commission Chair Katy Ross said she was meeting with NOHOA to review the Draft Comp Plan.

May 31, 2018. Administrator Robertson discussed with the Planning Commission a recent meeting with Met Council staff. Planning Commission Chair Katy Ross, Administrator Robertson and City Planners Ben Gozola and Jim Robinson met with Met Council staffer Eric Wojchik to review the Draft Comp Plan. The only thing Wojchik seemed to be concerned about with the Draft Comp Plan was increasing housing density. Wojchik said that North Oaks had to meet the “suburban” standard of 5 housing units per acre for future growth. Robertson said they suggested that when the office area redevelops that housing could be allowed to be built on the upper floors. Wojchik was fine with that suggestion.

July 26, 2018. Chair Ross describes the recent meeting with the Met Council. Administrator Robertson reviewed possible changes to the Zoning Ordinance to accommodate the Met Council’s request. He recommended requiring the first floor of any mixed-use structure to remain commercial. The Planning Commission decided not take any action until the Comp Plan was finalized.

August 27, 2018. The Planning Commission reviewed all the comments received about the Draft Comp Plan and incorporated them into a Revised Comp Plan. This included the response to the

Met Council's request for greater future housing density. The Commission set a public hearing on the Revised Comp Plan for September 27, 2018.

September 20, 2018. NOHOA requested a current copy of the Comp Plan. A copy of the current Revised Comp Plan was emailed to NOHOA staff and to the NOHOA subcommittee September 20 at 10:18 a.m.

September 24, 2018. Planning Commission Chair Katy Ross and Administrator Robertson met with the NOHOA subcommittee to review the Revised Comp Plan. Robertson noted in the meeting that the subcommittee was using the old Draft version of the Comp Plan that did not include the comments on the Met Council's requirements for greater housing density in the future. This passes without comment.

September 27, 2018. The Planning Commission holds a public hearing on the Revised Comp Plan. There are no public comments. Chair Ross and Robertson describe the meeting with NOHOA and note that there was no time to add NOHOA's comments to the Revised Comp Plan so they will be reviewed at the next meeting. The public hearing is continued until November 7, 2018.

November 7, 2018. The public hearing on the Revised Comp Plan is continued. Joanne Hanson of the NOHOA subcommittee is present. Robertson reviews the changes requested by the NOHOA subcommittee. Almost all of them are agreed to. The public hearing is closed. Robertson notes that City Planners Gozola and Robinson have left Sambatek. He introduces new City Planners Bob Kirmis and Ryan Gritman of Northwest Associated Consultants.

November 26, 2018. The final revisions to the Revised Comp Plan approved on November 7, 2018 by the Planning Commission are completed by Robertson. Copies are sent to NOHOA Executive Director Mikeya Griffin and to Joan Brainerd at her request.

December 20, 2019. The Planning Commission unanimously approves sending the Revised Comp Plan to the City Council for approval.

January 10, 2019. The City Council briefly discusses the Revised Comp Plan and tables it until the next meeting.

February 14, 2019. Residents attend the Council meeting objecting to the Met Council's demand for higher density housing growth in the future. The Council votes unanimously to send the Revised Comp Plan back to the Planning Commission for review.

February 28, 2019. The Planning Commission agrees unanimously to take the Revised Comp Plan back. They discuss some of the options used in 1999 and 2008 to convince the Met Council to accept previous Comp Plans.

March 13, 2019. The Planning Commission reviews the Revised Comp Plan.

March 27, 2019. Mayor Nelson, Deputy Mayor Kingston and Administrator Robertson met with new Met Council area representative Peter Lindstrom, Mayor of Falcon Heights. They discuss the uniqueness of North Oaks and seek his support for when the Revised Comp Plan comes before the Met Council. They find that both North Oaks and Falcon Heights are similar with a lot of unique characteristics.

March 28, 2019. The Planning Commission reviews the Revised Comp Plan.

April 25, 2019. The Planning Commission reviews the Revised Comp Plan.

May 30, 2019. The Planning Commission reviews the Revised Comp Plan and approves by 5-0 vote with two abstentions to send the Plan to the City Council.

June 13, 2019. The City Council approves the Revised Comp by a 5-0 vote.

August 13, 2019. The Revised Comp Plan is submitted to the Met Council.

September 9, 2019. The Met Council sent an 8 page letter of requested changes to administrator Robertson.

October 17, 2019. Planning Commission Chair Mark Azman, Administrator Robertson, City Planner Bob Kirmis, City Engineer John Mazzitello and City Attorney Korine Land met with Met Council staffers Eric Wojchik and Michael Larson to review the Revised Comp Plan. The following was discussed at the meeting.

- City staff agreed to change some of the tables in the Comp Plan to fit templates that will be supplied by Met Council staff.
- Much of the discussion revolved around future development of the East Oaks area and that the terms of the 1999 PDA mandates that land cannot be developed at higher densities (5 or more units per acre). Met Council staff stated that they understand the City's legal obligations and accept the requirements of the 1999 PUD.
- Met Council staff stated that they accept the City's objection to designating any areas in the City for redevelopment at higher residential densities. They also stated however, that their bosses could overrule them on this issue.

- While Met Council staff accepts the terms of the East Oaks PDA, they raised question regarding the possibility of PDA term expiration (2029) prior to final subdivision approval of the various development phases. In this regard, Met Council staff indicated that, should the PDA expire prior to such approvals, the “suburban community density requirement” of 5 units per acre would be imposed upon undeveloped phases which are intended to receive sanitary sewer service. To be noted is that “final subdivision approval” relates to the creation of lots for development and not actual subdivision buildout.
- After Met Council staff left, City staff said they expect Met Council bosses to overrule any attempt to avoid designating any areas for future higher density redevelopment. Staff’s opinion is that the best way to achieve the City of North Oak’s development objectives is to continue working with Met Council staff.

MEMO

Date: November 7, 2019

To: City Council

From: City Administrator Mike Robertson

Re: 2020 Budget

I have revised the proposed 2020 budget (attached) based on Kevin Kress's contract, to provide additional money for the upgrade of the City web site and to provide additional money for the upgrade and recodification of the City's Zoning and Subdivision ordinances.

CITY OF NORTH OAKS PROPOSED 2020 BUDGET

Version 1

PROPOSED 2020 EXPENDITURES

ActCode	DEPT Descr	OBJ Descr	2018 Final	2019 Budget	6/30/19	UnderLine	2020 Budget
101-41100-103	LEGISLATIVE -	WAGES - PART TIME/TEMP	\$10,999.59	\$12,200.00	\$5,700.00	Council Pay	\$12,200
101-41100-311	LEGISLATIVE -	CONFERENCES/SEMINARS	\$870.00	\$1,500.00	\$203.99		\$1,500
101-41100-350	LEGISLATIVE -	PUBLISHING & ADVERTISING	\$1,115.45	\$3,500.00	\$890.26		\$3,500
101-41100-433	LEGISLATIVE -	DUES AND SUBSCRIPTIONS	\$15,376.53	\$16,700.00	\$11,221.13		\$17,200
101-41300-101	CITY	WAGES - FULL TIME	\$122,289.81	\$179,310.00	\$58,489.76		\$181,113
101-41300-103	CITY	WAGES - PART TIME/TEMP	\$92,357.82	\$46,763.00	\$61,821.19		\$48,515
101-41300-122	CITY	FICA CONTRIBUTIONS	\$17,640.28	\$17,662.00	\$9,854.14		\$17,567
101-41300-127	CITY	DEFERRED COMP	\$0.00	\$0.00	\$0.00		\$0
101-41300-131	CITY	HEALTH, DENTAL, LIFE, LTD INS	\$48,190.63	\$56,508.00	\$23,822.56		\$60,484
101-41300-210	CITY	OPERATING SUPPLIES	\$14,347.66	\$15,000.00	\$15,667.30		\$27,000
101-41300-309	CITY	COMPUTER/INTERNET/GIS	\$26,581.82	\$23,912.00	\$15,398.66	IT & Software Fees	\$18,348
101-41300-310	CITY	TRAINING	\$9,590.40	\$9,800.00	\$2,078.42	League/MCMA/MAMA	\$9,800
101-41300-321	CITY	TELEPHONE SERVICES	\$2,248.36	\$2,284.00	\$1,022.00		\$1,742
101-41300-322	CITY	MAILBOXES	\$0.00	\$0.00	\$13,213.00		\$0
101-41300-360	CITY	INSURANCE	\$16,223.24	\$18,500.00	\$16,535.00		\$20,000 *****
101-41300-381	CITY	ELECTRIC UTILITIES	\$870.43	\$1,000.00	\$436.89		\$1,000
101-41300-410	CITY	RENTALS	\$100,098.08	\$110,500.00	\$66,720.93	Office Rent	\$130,000
101-41300-435	CITY	MISCELLANEOUS EXPENSE			\$198.20	Web Site Upgrade	\$40,000
101-41300-435	CITY	BANK SERVICE CHARGE	\$20.00	\$300.00	\$0.00		\$0
101-41400-300	ELECTIONS	PROFESSIONAL SERVICES	\$14,683.00	\$15,000.00	\$8,948.00	County Contract	\$18,000
101-41420-210	CABLE TV	OPERATING SUPPLIES	\$12,711.32	\$3,000.00	\$23,829.90	New Equipment	\$3,000
101-41420-300	CABLE TV	PROFESSIONAL SERVICES	\$23,358.92	\$28,693.00	\$7,450.23		\$35,000
101-41420-313	CABLE TV	CONTRACT SERVICES	\$8,428.00	\$3,000.00	\$0.00	Maureen Andrews	\$3,000
101-41500-301	FINANCE	AUDIT SERVICES	\$14,000.00	\$14,000.00	\$15,000.00	Abdo & Eick	\$16,000
101-41600-304	LEGAL	LEGAL FEES - GENERAL	\$31,200.00	\$38,000.00	\$18,425.00	LeVander/Codification	\$57,000
101-41600-315	LEGAL	LEGAL FEES - PROSECUTION	\$13,199.22	\$13,500.00	\$6,587.42	Kelly & Lemmons	\$13,500
101-41900-300	ENGINEERING	PROFESSIONAL SERVICES	\$0.00	\$1,500.00	\$2,053.08	Wenck	\$2,500
101-41900-303	ENGINEERING	ENGINEERING SERVICES	\$49,957.48	\$40,000.00	\$14,100.95	Sambatek	\$18,000
101-41910-300	PLANNING	PROFESSIONAL SERVICES	\$3,990.36	\$7,500.00	\$6,519.95	Bob Kirmis	\$12,000
101-42100-313	POLICE	CONTRACT SERVICES	\$758,097.87	\$758,931.00	\$411,052.56		\$798,201
101-42200-313	FIRE	CONTRACT SERVICES	\$301,910.24	\$325,475.00	\$325,475.38	LJFD	\$353,061
101-42300-300	EMERGENCY	PROFESSIONAL SERVICES	\$17,666.96	\$2,000.00	\$633.10		\$1,000
101-42300-313	EMERGENCY	CONTRACT SERVICES	\$0.00	\$0.00	\$0.00		
101-42400-300	BUILDING	PROFESSIONAL SERVICES	\$168.00	\$1,000.00	\$0.00	Other Inspections	\$1,000
101-42400-313	BUILDING	CONTRACT SERVICES	\$258,632.75	\$110,000.00	\$128,300.67		\$120,000
101-42400-451	BUILDING	BUILDING PERMIT SURCHARGE	\$12,847.24	\$6,000.00	\$5,803.23		\$5,000
101-43100-381	STREETS	ELECTRIC UTILITIES	\$2,608.00	\$2,500.00	\$737.28		\$2,500
101-43100-408	STREETS	STREETS/SIDEWALK/CURB	\$16,665.48	\$22,000.00	\$108.97	Mel's Service	\$2,500

101-43200-384	RECYCLING	RECYCLING	\$229,855.92	\$230,000	\$135,038.50		\$275,000
101-43200-384	RECYCLING	RECYCLING (Clean Up Day)		\$15,000	\$9,911.77	Clean Up/Recycle Day	\$12,000
101-45100-470	RECREATION-	COMMUNITY FUNCTIONS	\$500.00	\$5,000.00	\$0.00	Fireworks?	\$500
101-46100-316	NATURAL	TREE PRESERVATION	\$38,798.00	\$46,000.00	\$13,520.39	City Forester	\$45,000
101-46100-317	NATURAL	DEER MANAGEMENT	\$15,620.25	\$55,000.00	\$7,065.92	Depends on # of deer	\$25,000
101-46100-318	NATURAL	NATURAL RESOURCES	\$4,501.50	\$6,500.00	\$199.00	NRC	\$6,500
101-46100-319	NATURAL	WEED MANAGEMENT	\$20,000.00	\$30,000.00	\$0.00	Lake Weed Management	\$0
101-49450-313	SEWER	CONTRACT SERVICES	\$13,627.50	\$12,500.00	\$6,177.50	Septic Inspector	\$13,000
101-49990-720	UNALLOCATED	TRANSFER OUT	\$0.00	\$0.00	\$0.00		\$0
306-47000-601	DEBT SERVICE	BOND PRINCIPAL	\$45,000.00	\$55,000.00	\$55,000.00	Lake Gilfillan Bond	\$55,000
306-47000-611	DEBT SERVICE	BOND INTEREST	\$7,192.50	\$3,593.00	\$3,592.50	Lake Gilfillan Bond	\$2,974
306-47000-620	DEBT SERVICE	PAYING AGENT FEES	\$425.00	\$425.00	\$500.00	Lake Gilfillan Bond	\$500
400-41910-300	PLANNING	PROFESSIONAL SERVICES	\$0.00	\$0.00	\$6,886.24	Comprehensive Plan	\$10,000
400-41910-303	PLANNING	ENGINEERING SERVICES	\$10,851.99	\$0.00	\$1,231.50	Comprehensive Plan	\$1,000
400-43100-408	STREETS	STREETS/SIDEWALK/CURB	\$0.00	\$0.00	\$0.00		\$0
400-46100-318	NATURAL	MISC. NATURAL RESOURCES	\$0.00	\$0.00	\$0.00		\$0
401-42200-500	FIRE	CAPITAL OUTLAY	\$94,523.90	\$41,672.00	\$3,059.51		\$38,366
406-43000-381	PUBLIC WORKS	ELECTRIC UTILITIES	\$2,293.16	\$1,000.00	\$480.09	Lake Gifillan Maintenance	\$1,000
601-41000-420	DEPRECIATION	DEPRECIATION	\$15,363.00	\$0.00			
601-49400-127	WATER	DEFERRED COMP	\$0.00	\$0.00		Water & Sewer	
601-49400-210	WATER	OPERATING SUPPLIES	\$0.00	\$0.00		In Separate Budget	
601-49400-255	WATER	WATER METERS	\$2,014.29	\$0.00	\$11,977.92		
601-49400-330	WATER	SEWER & WATER MISC	\$17,265.67	\$0.00	\$1,975.81		
601-49400-381	WATER	ELECTRIC UTILITIES	\$702.38	\$0.00	\$246.02		
601-49400-382	WATER	WATER - SHOREVIEW	\$142,723.20	\$0.00	\$25,264.14		
601-49400-383	WATER	WATER - WBT	\$133,470.00	\$0.00	\$57,837.00		
602-41000-420	DEPRECIATION	DEPRECIATION	\$66,210.00	\$0.00	\$0.00		
602-49450-313	SEWER	CONTRACT SERVICES	\$0.00	\$0.00	\$0.00		
602-49450-381	SEWER	ELECTRIC UTILITIES	\$3,300.67	\$0.00	\$1,402.98		
602-49450-385	SEWER	SEWER	\$64,074.38	\$0.00	\$44,755.33		
602-49450-400	SEWER	REPAIRS AND MAINTENANCE	\$51,208.20	\$0.00	\$41,165.56		
602-49450-430	SEWER	MISCELLANEOUS EXPENSE	\$2,550.00	\$0.00	\$1,096.17		
602-49450-455	SEWER	SAC FEES	\$72,007.50	\$0.00	\$39,411.80		

\$3,073,026.17 \$2,409,228.00

\$2,537,071.00

PROPOSED 2020 REVENUES

Act Code	Department	SOURCEDescr	2018 Final	2019 Budget	2019 YTD	UnderLine	2020 Budget
101-31010	COUNCIL	GENERAL PROPERTY TAXES	\$1,550,911.19	\$1,692,700.00	\$0.00		\$1,860,000
101-31810	COUNCIL	CABLE T.V. FEES	\$88,536.38	\$95,000.00	\$21,379.24		\$65,000
101-32110	COUNCIL	ALCOHOLIC BEV LICENSE	\$4,800.00	\$6,150.00	\$6,150.00		\$6,150
101-32160	COUNCIL	CONTRACTOR LICENSES	\$13,072.00	\$8,500.00	\$4,670.00		\$8,000
101-32210	COUNCIL	BUILDING PERMIT	\$368,159.63	\$215,000.00	\$189,244.67		\$145,000
101-32230	COUNCIL	HEAT/PLUMB PERMIT	\$48,563.24	\$33,000.00	\$15,731.09		\$22,000
101-32240	COUNCIL	ANIMAL LICENSE	\$1,980.00	\$1,500.00	\$915.00		\$1,500
101-32260	COUNCIL	STATE SURCHARGE	\$12,741.44	\$10,500.00	\$7,042.92		\$7,000
101-32261	COUNCIL	ISTS PERMIT	\$3,993.00	\$4,000.00	\$2,547.50		\$4,000
101-32262	COUNCIL	RENTAL LICENSE FEE	\$1,150.00	\$1,000.00	\$1,000.00		\$1,000
101-32263	COUNCIL	SHORELAND/FORESTRY PERMIT	\$400.00	\$500.00	\$300.00		\$500
101-32264	COUNCIL	ISTS PUMPING RECORDS	\$10,214.00	\$7,000.00	\$3,220.00		\$5,000
101-33429	COUNCIL	PERA RATE INCREASE AID	\$308.00	\$308.00	\$0.00		\$308
101-33440	COUNCIL	SCORE GRANT	\$12,079.00	\$14,695.00	\$0.00		\$12,000
101-34103	COUNCIL	VARIANCE, PUD, PLAT FEES, CUP	\$1,800.00	\$2,400.00	\$2,700.00		\$2,400
101-34120	COUNCIL	CERTIFICATE OF OCCUPANCY FEE	\$775.00	\$500.00	\$425.00		\$500
101-34403	COUNCIL	RECYCLING FEES	\$846.66	\$0.00	\$0.00		\$0
101-35100	COUNCIL	FINES AND FORFEITS	\$6,536.21	\$2,500.00	\$1,706.13		\$2,500
101-35104	COUNCIL	LATE FEES/NSF FEES	\$1,325.00	\$350.00	\$700.00		\$500
101-36100	COUNCIL	SPECIAL ASSESSMENTS	\$180,775.16	\$225,000.00	\$0.00	Recycling Assessment	\$275,000
101-36101	COUNCIL	SPECIAL ASSESSMENTS - PMC	\$2,067.36	\$2,067.36	\$1,033.68	Peace Methodist Church	\$2,067
101-36200	COUNCIL	MISCELLANEOUS REVENUES	\$886.28	\$2,000.00	\$17,431.15	Conduit Bond & Misc	\$2,000
101-36210	COUNCIL	INTEREST EARNINGS	\$18,301.18	\$7,500.00	\$15,121.46		\$20,000
101-36220	COUNCIL	RENTS	\$50,649.59	\$58,000.00	\$33,847.82	NOHOA Rent	\$60,000
101-36222	COUNCIL	COMMUNITY FUNCTIONS	\$1,400.00	\$1,000.00	\$935.00	Community Mtg Room	\$1,000
101-36240	COUNCIL	REFUNDS AND REIMBURSEMENT	\$15,720.69	\$1,300.00	\$4,941.87	LMC & Other Rebates	\$5,000
306-36100	COUNCIL	SPECIAL ASSESSMENTS	\$52,263.56	\$47,691	\$0.00	LGWA Bond Assessments	\$28,500
306-36210	COUNCIL	INTEREST EARNINGS	\$0.00	\$0.00	\$0.00		
400-33418	COUNCIL	MNDOT STATE AID STREETS	\$23,483.00	\$23,483	\$0.00		\$0
400-36210	COUNCIL	INTEREST EARNINGS	\$266.25	\$0.00	\$0.00	Special Project Interest	
400-36240	COUNCIL	REFUNDS AND REIMBURSEMENT	\$0.00	\$0.00	\$0.00		
400-39200	COUNCIL	TRANSFER IN	\$0.00	\$0.00	\$0.00		
401-36210	COUNCIL	INTEREST EARNINGS	\$1,622.17	\$0.00	\$417.18		
401-39200	COUNCIL	TRANSFER IN	\$0.00	\$0.00	\$0.00		
402-36210	COUNCIL	INTEREST EARNINGS	\$646.66	\$0.00	\$0.00		

406-36100	COUNCIL	SPECIAL ASSESSMENTS	\$258.39	\$0.00	\$0.00		
406-36200	COUNCIL	MISCELLANEOUS REVENUES	\$458.53	\$1,000.00	\$0.00	LGWA Maint Assessments	\$1,500
406-36210	COUNCIL	INTEREST EARNINGS	\$0.00	\$0.00	\$0.00		
601-36200	COUNCIL	MISCELLANEOUS REVENUES	\$1,176.00	\$0.00	\$0.00		
601-36210	COUNCIL	INTEREST EARNINGS	\$5,271.69	\$0.00	\$0.00		
601-37100	WATER	WATER USAGE	\$126,241.58	\$0.00	\$28,024.40		
601-37150	WATER	WATER HOOK-UP - WBT	\$115,674.00	\$0.00	\$53,388.00		
601-37151	WATER	WATER HOOK-UP - CLP	\$7,580.00		\$7,580.00		
601-37155	WATER	WATER METER	\$1,300.00		\$0.00		
601-37180	WATER	MAINTENANCE/ESCROW FEE	\$28,013.04		\$7,671.40		
601-37500	WATER	CAPITAL CONTRIBUTION	\$0.00	\$0.00	\$0.00		
601-39200	WATER	TRANSFER IN	\$0.00	\$0.00	\$0.00		
602-36200	WATER	MISCELLANEOUS REVENUES	\$0.00	\$0.00	\$0.00		
602-36210	WATER	INTEREST EARNINGS	\$2,309.17	\$0.00	\$0.00		
602-37170	WATER	WBT WATER SYSTEM MAINTENA	\$31,319.36	\$0.00	\$0.00		
602-37180	WATER	MAINTENANCE/ESCROW FEE	\$7,297.55		\$3,810.29		
602-37200	SEWER	SEWER USAGE	\$62,978.80	\$0.00	\$36,411.82		
602-37250	SEWER	SEWER HOOK-UP	\$72,065.00	\$0.00	\$42,245.00		
602-37500	SEWER	CAPITAL CONTRIBUTION	\$11,424.14	\$0.00	\$0.00		
			\$2,949,639.90	\$2,464,644.36			\$2,538,425.36
						Proposed Budget Surplus	\$1,354.36

MEMO

Date: November 7, 2019

To: City Council

From: City Administrator Mike Robertson

Re: Revised Staff Responsibilities

I have attached a Resolution per Bridget's suggestion appointing Kevin Kress as City Administrator-City Clerk effective December 1, 2019. I've also revised and attached the staff responsibilities with an effective date of December 1, 2019 so that Kevin Kress will be fully established as City Administrator with my same committee assignments when he starts on December 2, 2019. If you wish to revise any of the assignments I suggest waiting until the December or January council meetings when Kevin will be the City Administrator to discuss them.

Motion.

“I move we approve Resolution 1360 and the revised staff assignments to be effective as of December 1, 2019.”

**CITY OF NORTH OAKS
RAMSEY COUNTY, MINNESOTA
RESOLUTION NO . 1361**

**RESOLUTION APPOINTING KEVIN KRESS AS CITY ADMINISTRATOR-
CITY CLERK**

WHEREAS, upon the announced retirement of City Administrator Mike Robertson effective on November 27, 2019 the City of North Oaks initiated a process to hire a new City Administrator; and

WHEREAS, following the completion of this recruitment and hiring process, the City has entered into an Employment Agreement with Kevin Kress to serve as the City Administrator-City Clerk of the City of North Oaks commencing on December 2, 2019.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of North Oaks hereby:

1. Appoints Kevin Kress as City Administrator-City Clerk of the City of North Oaks effective December 2, 2019.
2. Appoints Kevin Kress as the Responsible Authority for data practices for the purposes of meeting all requirements of Minnesota Statutes, Chapter 13 as amended, and with rules as lawfully promulgated by the commissioner of Administration. of the City of North Oaks effective December 2, 2019.
3. Appoints Kevin Kress to all positions and committee assignments and grants him all the authority currently held by City Administrator Mike Robertson as reflected in the attached document effective December 2, 2019.

Adopted by the City Council of North Oaks this 14th day of November, 2019.

By: _____
Gregg Nelson
Its: Mayor

Attested:

By: _____
Michael Robertson
Its: City Administrator/City Clerk



City Responsibilities – 2019 (Effective December 1, 2019)

Description	2019 Appointments	2019 Alternates
Office of the Mayor (Gregg Nelson)		
1. Acting Mayor	R. Kingston	N/A
2. Council Executive Committee	G. Nelson, R. Kingston, K. Kress & S. Marty	N/A
Planning and Zoning Services		
3. Planning Commission Chair	M. Azman	
4. Planning Commission Members	J. Yoshimura-Rank, S Hauge, S. Shah, N. Sandell and J. Hara	N/A
5. Planning Commission Liaison from City Council		G. Nelson
6. Zoning Administrator	K. Kress	N/A
7. Code Enforcement Officer	K. White	K. Kress
8. I-35E Corridor Management	K. Kress	
9. Responsible Govt. Unit (Wetland Conservation Act)	VLAWMO	N/A
10. VLAWMO Board Representative	M. Long	K. Ries
Tech Committee	Bob Larson	M. Long
Police Services		
11. Police Liaison to Ramsey C. Sheriff's Dept.	R. Kingston	G. Nelson
12. Representatives, Sheriff's Contract Communities Committee	K. Kress	
Fire Protection Services		
13. LJVFS Relief Association Representative	K. Ries	R. Kingston
14. Member, Lake Johanna Fire Dept. Board of Directors	M. Long	K. Ries
Communication and Public Information		
15. North Suburban Cable Commission Representative	K. Ries	R. Kingston
16. NSCC Technical Advisory Committee Representative	M. Anderson	N/A
Associations and Relationships		
17. Council Liaison/Home Owners' Associations (NOHOA & ASC)	R. Kingston	
18. Ramsey Co. League of Local Governments Board of Directors	K. Ross	N/A
19. Ramsay Co. League of Local Governments	All	N/A
20. Responsible Authority (Data Practices)	K. Kress	S. Marty





	2019 Appointments	2019 Alternatives
Commissions/Task Forces		
21. Natural Resources Commission Chair	Bob Larson	Kate Winsor
22. Natural Resources Commission Members	B. Larson, K. Winsor, D. White, D. McDermott, D. Lepoutre, A. Hawkins, D. Gorder	N/A
23. City Council Representative	G. Nelson	K. Ries
24. Wildlife Manager	G. Nelson	K. Kress
25. Tick Borne Disease Task Force	R. Kingston	
26. Tick Borne Disease Chair	Brooke Moore	R. Kingston
27. Recycling Task Force	K. Ross	
28. NOHAAP	K. Ries	
Citations		
2019		
Authorized to issue citations and cease and desist orders:	K. White (Building Official) K. Kress (City Administrator) Animal Control Officers B. Nason (City Attorney) Deputy Mike Burrell, RCS	
Contract Services		
2019		
1. City Civil Attorney	Bridget Nason, Levander, Gillen & Miller	
2. City Prosecuting Attorney	Kelly and Lemmons	
3. City Building Official	Kevin White	
4. City Sanitary Inspector	Brian Humpal	
5. City Cable TV Operator	Maureen Anderson	
6. City Engineer	John Mazzitello, Sambatek	
7. City Forester	Mark Rehder, Rehder Forestry	
8. City Planner	Bob Kirmis, Northwest Consultants	
9. City Weed Inspector	G. Nelson, K. Kress (assistant)	
10. City Police	Ramsey County Sheriff's Department	
11. City Fire Protection	Lake Johanna Fire Department	
12. Legal Newspaper	Shoreview Press and St. Paul Pioneer Press	
13. City Auditor	Abdo, Eick & Meyers, LLP	
14. City Emergency Management Director	Matt Sather, Lake Johanna Fire, K. Kress-alternate	
15. City Official Depositories	4M Fund, US Bank Shoreview	

11/07/19 (Source MR)

LIABILITY COVERAGE – WAIVER FORM

Members who obtain liability coverage through the League of Minnesota Cities Insurance Trust (LMCIT) must complete and return this form to LMCIT before the member's effective date of coverage. Return completed form to your underwriter or email to psstech@lmc.org.

The decision to waive or not waive the statutory tort limits must be made annually by the member's governing body, in consultation with its attorney if necessary.

Members who obtain liability coverage from LMCIT must decide whether to waive the statutory tort liability limits to the extent of the coverage purchased. The decision has the following effects:

- *If the member does not waive the statutory tort limits, an individual claimant could recover no more than \$500,000 on any claim to which the statutory tort limits apply. The total all claimants could recover for a single occurrence to which the statutory tort limits apply would be limited to \$1,500,000. These statutory tort limits would apply regardless of whether the member purchases the optional LMCIT excess liability coverage.*
- *If the member waives the statutory tort limits and does not purchase excess liability coverage, a single claimant could recover up to \$2,000,000 for a single occurrence (under the waive option, the tort cap liability limits are only waived to the extent of the member's liability coverage limits, and the LMCIT per occurrence limit is \$2,000,000). The total all claimants could recover for a single occurrence to which the statutory tort limits apply would also be limited to \$2,000,000, regardless of the number of claimants.*
- *If the member waives the statutory tort limits and purchases excess liability coverage, a single claimant could potentially recover an amount up to the limit of the coverage purchased. The total all claimants could recover for a single occurrence to which the statutory tort limits apply would also be limited to the amount of coverage purchased, regardless of the number of claimants.*

Claims to which the statutory municipal tort limits do not apply are not affected by this decision.

LMCIT Member Name: _____

Check one:

The member **DOES NOT WAIVE** the monetary limits on municipal tort liability established by [Minn. Stat. § 466.04](#).

The member **WAIVES** the monetary limits on municipal tort liability established by [Minn. Stat. § 466.04](#), to the extent of the limits of the liability coverage obtained from LMCIT.

Date of member's governing body meeting: _____

Signature: _____ Position: _____