

Call to Order

Meeting called to order at 7 p.m.

Roll Call - Mayor Gregg Nelson, Councilmember Kingston, Councilmember Long, Councilmember Ries, Councilmember Ross, City Administrator Mike Robertson, City Planner Bob Kirmis, City Attorney Bridget Nason, incoming City Administrator Kevin Kress, Recording Secretary Debbie Breen

Approval of Agenda

Motion made by Councilmember Kingston, seconded by Councilmember Reis. Meeting agenda unanimously approved.

Citizen comments:

Joanne Hanson of 5 Sumac Lane wanted to know if the Council will be scheduling a workshop to discuss the City's 2020 Budget in more detail and review any significant changes to the proposed budget in terms of expense and anticipated revenue. Administrator Robertson stated on December 12th there is a truth in taxation meeting, and council could also discuss the budget at that time. Councilmember Ries inquired if they could go ahead and schedule a council budget meeting. Mayor Nelson had no objective to having a separate meeting to review budget, and suggested possibly an hour before the December council meeting.

Consent Agenda Approval:

Council member Kingston reviewed the consent item agenda items:

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

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

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

North Oaks North Oaks City Council November 14, 2019

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

Resolution 1362 Approving Final Subdivision of 42 Mallard Road Lot Split

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

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

Councilmember Ross motioned to approve the Consent Agenda; Councilmember Kingston seconded.

Councilmember Reis wanted to make sure the Minutes reflect the Resolution regarding 33 Mallard Road is worded so that final inspection must include adherence to proper fire code. Administrator Robertson confirmed Inspector White will review this as part of the final inspection.

All Councilmembers voted in favor of Approval of the Consent agenda.

Deputy Burrell Report:

- Low level thefts have occurred over last 2 months near entrances. Mailboxes stolen and items stolen from unsecured vehicles. Mail theft in a few parts of city near North Oaks Road and Mallard and in one instance a witness saw suspect vehicle. None of the mail theft was from locking mailboxes, and nothing of value was stolen. There continues to be a low crime rate in North Oaks.
- Continues to be out of squad car after a crash on Highway 96 two months ago and anticipates getting it back next week. The accident also took out the bike rack, so hoping insurance will cover.
- The trespassing ordinance was approved several months and a few tickets have been written based on new ordinance. To date, he hasn't heard any legal challenges based on the ordinance.
- Councilmember Reis asked Officer Burrell for any recommendations to minimize package theft for residents. He mentioned concerned residents could work with UPS as a drop off location for added security. Enforcement is also easier when there are door cameras in place.

Unfinished business:

East Oaks PDA Review:

Review has been postponed to the December 12, 2019 Council meeting. Mayor Nelson thanked Attorney Nason for her in depth and thorough review of the 7th Amendment concerns.

Determine Interview Process for new Planning Commissioner openings:

Mayor Nelson recommended Planning Commissioner Azman and Councilmember Long as a subcommittee to review the applicants. This was brought to a vote at the prior meeting and the vote was 2 to 2, so no action was taken.

Councilmember Kingston made a motion for Planning Commissioner Chair Mark Azman, Councilmember Long, and Mayor Nelson to be the subcommittee to interview applicants and bring recommendation to council. Councilmember Long seconded. Councilmember Ries asked if this would become the policy going forward, having subcommittee review all applicants. Mayor Nelson mentioned he favors doing it this way, allowing a private interview process without the stress of being on camera. Councilmember Ross is also in favor of this process going forward, which would allow potential applicants to know what to expect.

Councilmembers Long, Councilmember Kingston, and Mayor Nelson voted in favor. Councilmembers Ries and Ross abstained.

Discussion of Comp Plan Revision Process:

Mayor Nelson reviewed the history of the Comp plan process. Density issue was in to satisfy Met Council requirement, then taken out based on feedback from residents when submitted for review. The Met Council rejected, so now the City must complete updates to address the concerns brought forth by Met Council.

Administrator Robertson stated that Council must decide whether the Planning Commission is going to review again or if Council wants to do this work. Option 1 is to reject the density request and go in front of Met council to plead our case, or 2) add some density in knowing that ordinances are in place to make this unlikely to implement. Mayor Nelson is in favor of staying under the radar since Met Council has the resources and funding to wage a battle. He would like to send back to Planning Commission for consideration, as the density issue feels like it falls into the significant issue category.

Commissioner Ross asked about the timeline summary included in the meeting packet, and feels she has items that should be added. Administrator Robertson indicated he put this together to based on Meeting minutes to try to highlight what has happened to help guide the new planning commissioners.

Commissioner Ries feels that some of the detail of density discussion may not be accurately captured in the Notes in regard to the land, density, and whether Met council has the power to force us to change. Administrator Robertson stated in May, June, August 2018 there was some discussion of zoning. In September of 2018 there was much discussion of density. Commissioner Ries believes the language regarding density was in January 2018, whereas Robertson stated he believes it to be after May 2018.

Mayor Nelson asked Councilmembers Ross and Ries to provide Administrator Robertson any additions / updates they feel are pertinent. Met Council is aware that we must follow PDA and that they can't force development on private land. Councilmember Ries would prefer that we let the market dictate the needs as opposed to Met Council. The age of the buildings in Village center are newer, so likely no redevelopment by owner. With the PDA in place for 10 more years, North Oaks should be secure on what is outlined. Once PDA expires, the Met council can have more pull in deciding what happens. Both NOC and City have interest in getting land developed within 10 years.

Councilmember Kingston asked if the other Met Council issues have been incorporated. Robertson indicated the other changes aside from density are minor. They aren't trying to dictate high density in East Oaks section because they know they can't. He feels there are other projects in the area such as TCAAP would be better suited for more density. Mayor Nelson stated that suburban communities are 5 units per acre.... therefore not necessarily same as affordable housing. Councilmember Long mentioned that we are not a normal city and don't fit into their template based on our private roads, septic, PDA, large lots, etc. Administrator Robertson suggested meeting with former Mayor of Falcon Heights, who is now on Met Council to gauge his sense on whether we might win an argument with them based on our unique circumstances. Mayor Nelson & Councilmember Kingston would like the Planning commission to review the possible options and get them involved, and suggested that Councilmembers Ross and Ries share their prior knowledge with Planning Commission. Councilmember Ries asked if former Mayor Tom Watson could come share his knowledge on the topic again. Mayor Nelson was not in favor of this. Councilmembers Ries and Ross would like to go directly to the Met council first and see if can save time. Mayor Nelson mentioned that the City has lost the Home of Good Shepherd since last Comp plan was completed, so our circumstances and arguments could be looked at differently.

Administrator Robertson stated that when the Comprehensive plan was previously reviewed there was a Republican council with different priorities. Today it is a Democrat based council with different priorities.

Councilmember Long motioned to send the Comprehensive Plan back to Planning commission for further review. Councilmember Kingston seconded. Councilmembers Long and Kingston, and Mayor Nelson voted in favor. Councilmembers Ries and Ross opposed. Motion passed. Administrator Robertson stated it would be put on the Agenda for the January Planning Commission meeting.

Joanne Hanson – 5 Sumac Lane

In October 2019, NOHOA sent letter asked to be included in any new discussions regarding changes to Comp Plan and developing the response. Mayor Nelson encouraged NOHOA to come speak in front of the Planning Commission and be part of that process. Administrator Robertson stated City staff is currently working with Planner Bob Kirmis to make the minor changes to Comp Plan, and NOHOA will be provided a redlined copy.

Review of Preliminary 2020 Budget

Administrator Robertson stated the budget has been increased to accommodate Permit works integration into new website initiatives. That leaves a \$2,000 surplus.

Mayor Nelson asked if Legal fee line item is adequate to accommodate codification process, as it was last done in 2003, but wasn't done well. Administrator Robertson received input on anticipated legal fees from Attorney Corrine Land and this was used as basis for the budget item. The 2020 Fee schedule includes changes to Subdivision fee and now includes Massage license fee. Monday, December 2nd at 7 p.m. will be a Special Council meeting to review the Budget in more detail.

New Business

Approve / Revise Staff Responsibilities:

Resolution 1361 was presented naming Kevin Kress as City Administrator / City Clerk. Councilmember Ross would like to put discussion of City Responsibilities on the January Council agenda for review in hopes of a better balance among council members.

Councilmember Ross made a Motion to approve Resolution 1361 and the City Responsibilities effective Dec. 1st, Councilmember Kingston seconded. Motion passed unanimously.

Council member reports:

Councilmember Long:

- VLAMO has camera's on river otters for tracking wildlife as it relates to health of waters. They are also almost finished working with the Ski Otters looking at improving Goose Lake and the treatment used there. They continue to look at Water Gremlin issues found in our watershed.
- The Fire Board has received favorable input from the school regarding new firehouse. They are moving forward with new process for new firehouse.

Councilmember Kingston:

- The Tick Task force will be featured in new MN cities Magazine with Brooke Moore.
- Following the meeting with NOC, several residents asked if we can do more proactively on Buckthorn removal. He suggested the City take fresh look it into 2020.

Councilmember Ries:

- Reviewed Civic plus platform for website and excited about opportunity to move forward with this. Will finalize quote and get it for approval.
- North Oaks will begin to receive money from Comcast for fees it had paid in.
- Had first cesspool/septic committee meeting. The take away was that all are in agreement that this topic is a major consideration and trying to resolve without hindering older residents needs to be handled carefully. The next committee meeting is Dec. 17th at 6:30 p.m.

Councilmember Ross:

- Attended meeting regarding Green step city program and whether it might work in North Oaks.

Mayor Nelson:

- Thanked Administrator Robertson for his service to North Oaks and 30 years of service to municipal governments.

City Attorney Report:

- Planned Development Agreement analysis was provided this week to the city, taking longer to complete than expected.
- She recommends for Insurance Liability coverage to not waive statutory tort limits.
Councilmember Long made a motion to not waive Statutory tort limits.
Councilmember Ries seconded, with all voting in favor. Motion unanimously passed.

City Administrator Report:

- There are three properties for Oriental bittersweet removal ready to go, but weather needs to be over 40 degrees to be effective. The Grant paperwork is ready to go, but weather a problem. State has agreed to delay due date until Spring of 2020.
- Hoping there may be money from state to address Buckthorn removal.
- Suggest a committee work with staff to generate new Polco survey question and put them out periodically. Councilmembers Kingston and Ries will work with City staff to

generate questions. **Motion made by Councilmember Long for Councilmembers Kingston and Ries to work to develop Polco questions with staff. Councilmember Ross seconded, with all voting in favor.**

- Administrator Robertson thanked the City Council and community for the opportunity to work on behalf of the City of North Oaks, and he is encouraged by skillset of the incoming Administrator Kevin Kress.

The next meetings are: Natural Resources Committee on November 21, 2019, Planning Commission on December 3rd, 2019, and Special City Council budget meeting on December 2, 2019, with the next City Council meeting on December 12, 2019.

Motioned to adjourn made by Councilmember Long, seconded by Councilmember Ries.

Motion unanimously passed. Meeting adjourned at 8:15 p.m.