

MINUTES OF THE REGULAR COUNCIL MEETING

September 8th, 2011

The Council meeting was called to order by Mayor John Schaaf at 7:03 p.m. at the Community Meeting Room, 100 Village Center Drive, Suite 150, City of North Oaks, Minnesota. Present were Council Members Gregg Nelson, Marty Long, Bruce Ackerman., Tim Dunleavy and Mayor John Schaaf. Also present were City Administrator Melinda Coleman, City Attorney Dave Magnuson, Recording Secretary Linda Hanson and Videographer Kevin Scattum.

The Mayor announced that the Council had just completed a work session on Version 4.1 of the budget for 2012 with more versions coming.

Pledge of Allegiance

Approval of Agenda

Mayor Schaaf noted a few minor additions in the agenda in the revised version. Tim Dunleavy moved to approve the agenda. The motion was seconded by Gregg Nelson and passed unanimously.

Citizen Comments: None

Consent Agenda

1. Minutes of the Regular Council Meeting August 11, 2011 for approval
2. Planning Commission Minutes for approval (No meeting in August)
3. Licenses for Approval: **Mechanical Contractors:**
General Contractors: T & J Concrete & Masonry, Magney Construction, LLC
Sewer/Water Installation:
Arborists:
4. Fireworks Display Application- Friends of Hill Farm Historical Society
Mayor Schaaf noted that the fee was waived for this event which is the customary policy and that the document had been signed by the Sheriff.
5. Claims for Approval: Check # 9683- 9715.
City Administrator Coleman noted that there would be additional checks written for the Lake Gilfillan project once the Council approved these expenditures. Once the City closes on the loan with US Bank, checks will be written following approval by the Council.

Bruce Ackerman moved to accept the Consent Agenda and Claims for Approval for checks 9683 -9715. The motion was seconded by Tim Dunleavy and passed unanimously.

Petitions, Requests & Communications

1. Ramsey Commissioner, Tony Bennett

The Mayor introduced Ramsey Commissioner, Tony Bennett who gave the City an update on Ramsey County. Budget hearings for Ramsey County have been completed with a 2.7% increase in the levy with a reduction in spending. The County has kept its AAA bond rating.

He reviewed two road projects that will take place close to North Oaks. One will likely not start construction until next spring; Highway 96 and Highway 10 and secondly, a project is planned by the State of MN and will encompass 694 from Victoria Street to 35W.

The Commissioner also gave an update on the old arsenal property. Currently, there are a number of buildings in use on the property including a new armory for the National Guard, a maintenance facility for training and storage of equipment, a Ramsey County Public Works facility, and the City offices for Arden Hills. The remaining 430 acreage is up for sale. Interested parties have included the U.S. Postal Department, NASCAR Speedway, and the MN Vikings. Commissioner Bennett addressed the concern for proper clean up on this property. The US Army is responsible to bring this land up to industrial standards in areas not suitable for housing but would be acceptable for parking, stadiums and other structures. However, if a home developer purchases some of the land, it will be the developer's responsibility to bring the land up to a higher standard for housing. The Vikings are interested in purchasing 170 acres of this land to be located along Highway 10 to County Road H. This is still in negotiations and will involve several new road enhancements. None of the money will go to the owners of the Vikings. The land will be leased to the Vikings. If the team moves, the money will need to be paid to the County for the cost of the Stadium. At this time the County is not sure if a referendum will be held. They are looking at options.

Discussion on how the county plans to handle traffic was also discussed. Currently, they are hoping to assign parking spaces so that people traveling to and from the stadium would use separate entrances. This would spread out the traffic so that it would flow more smoothly. Other stadium location options were discussed, but the County feels that the old arsenal land would be the best location. It is large enough to allow tailgating and would be a great tax asset. The plans include a stadium that could be used year round and they are hopeful that it would be used similarly to the current Dome which is used almost 300 days a year. The plan is for a permanent roof stadium costing around \$168 million. A retractable roof would cost an additional 30 to 32 million and may not be a viable option. Governor Dayton does seem to be in support of a new stadium. Council Member Nelson expressed concern about adequate roadways. Commissioner Bennett assured him that this was one of his priorities. Mr. Bennett also expressed two other reasons that he supported this project: job creation and pollution clean-up. He reminded the City that if the Vikings do not use this land, it will go up for sale to the highest bidder. Council Member Nelson wanted to know if this was an issue that normally would be voted on by the public. The Commissioner stated that often voting is not necessary depending on how it is funded.

The Mayor noted that based on the plans of where the new stadium would be placed, the residents of North Oaks would not be able to see it because of the land structures on this property. The mayor expressed two concerns from a resident as to why the need to do the stadium now and why the federal government does not clean it up completely. Commissioner Bennett explained that because the Vikings' lease at the Dome is up at the end of this season and California is quite interested in gaining another team, this is the time to secure a stadium rather than wait. The Mayor also reminded the Council that this land has not been taxed since 1941, so it would be a good source of revenue for the schools, City, and County. The Mayor also stated that a new stadium could increase interest in living in North Oaks which is good for the City.

Tony Bennet introduced the next speaker, Ramsey County Sheriff, Matt Bostrom.

2. Ramsey County Sheriff, Matt Bostrom

Sheriff Bostrom gave a short history of his journey from growing up in the Lake Phalen area to his current position as the Sheriff. Besides earning his doctorate in public administration at Hamline University, he received many promotions as a St. Paul Police Officer before becoming the Sheriff. He also graduated from the FBI Academy. His interest in the Sheriff's position centered on his strong belief that the future of great public safety is in cooperation with other agencies and individuals. The Sheriff's Office was founded in 1849. He sees the task today is to collaboratively work with each of the cities in Ramsey County.

Sheriff Bostrom gave an update on what has recently taken place. He has been working on an electronic department manual based on National Best Practices as well as involving all cities in the County in intensive Active Shooter Training.

Sheriff Bostrom stated that he and his staff enjoy serving the community and Mayor Schaaf expressed that the Sheriff and staff do a great job and thanked him for his work. Council Member Dunleavy also thanked him and asked him about the current communication system. The Sheriff explained that the county now has an excellent communication system with a new radio system considered the best in the business. He stated that when in doubt, call 911 as the system can handle additional calls. The threat of terrorism was also addressed and the Sheriff advised that the best homeland security is proper vigilance (if something does not look right, let the authorities know), but that the government is doing better and better monitoring of these threats.

Finally, Council Member Gregg Nelson questioned the budget increase of 3.5% for the Ramsey County Sheriff's Department. Sheriff Bostrom stated that the increase could be explained by three things: employee step increases, fuel costs and the price of new cars. He has worked to keep the budget increases down by not filling 9 positions in his department.

Bob Schulz, 41 Pheasant Lane, outgoing chair of the Safety and Security Committee recognized the work that Matt has done.

Council Member Joe Murphy from the City of Vadnais Heights also came to the podium. Mayor Schaaf expressed the City's concern for one of the Vadnais Heights fire fighters who was injured during a training exercise at Pleasant Lake. She has returned to work. Mayor Schaaf also thanked the City of Vadnais Heights for being one of the first at the scene of the Cliffe residence fire.

Unfinished Business: None

New Business

1. **Resolution #1248 in Support of Minnesota Vikings Stadium, Arden Hills Site**

Council Member Nelson read the resolution to support the construction of a stadium on the Arden Hills Site. Council Member Ackerman and Council Member Long both stated they would abstain from voting on this as this would be a conflict of interest based on

the work their firms do with the Vikings or stadium construction. Council Member Long did state that he thought this would be the best reuse of this property from an environmental standpoint. Mayor Schaaf again stated how he felt this would be a good use of the land without having a negative impact on the City. Council Member Nelson whom has been somewhat sceptical in the past regarding funding for this project now feels that this is a very good use of the property and is a known rather than an unknown. He was pleased to hear there would be a lot of infrastructure improvements.

Council Member Nelson moved to approve this resolution and Council Member Dunleavy seconded it. The resolution passed with the remaining three votes of Council Members Nelson and Long and Mayor Schaaf.

2. Joint Powers Agreement- Bureau of Criminal Apprehension

City Administrator Coleman stated that a new requirement from the State of MN requests the City to sign the Joint Powers Agreement. It allows the City to tap into the BAC services if needed and is meant to prevent misuse of the data bases for background checks etc. A concern about who could access this information was discussed. A motion was made by Council Member Dunleavy and seconded by Council Member Nelson to approve this agreement with the understanding that no one from the city would have access to this service until Council approval to access it is obtained. The motion passed unanimously.

3. Resolution # 1249 Authorizing Issuance and Sale of Bonds for LGWA

Mike Egelston (28 Duck Pass Road), President of LGWA, expressed thanks to Commissioner Bennett, Mayor Schaaf, the Council, the Golf Club and their board, City Attorney Magnuson and City Administrator Coleman for all the support he has received and gave an update on the current project. The pipe that will be used is now on the West Shore Road and will be going in starting on September 19th. It will take two weeks to run the pipe. He assured the City that it is a well-made pipe not likely to leak. The filtration system is 2 weeks ahead of schedule. Work along Highway 96 will take only a few weeks and the filtration house will also take about two weeks to complete. They may not be able to pump this year but should be able to start using the system this spring. He also wanted to thank the residents around Lake Gilfillan for their support.

City Attorney Dave Magnuson recommended that the Council adopt the proposal from US Bank presented in August, 2011 for the loan up to \$900,000, allowing the city to draw on it and the charges that would ensue. It also includes the simple construction loan agreement. Once the construction is done and assessments are made, the loan would be paid. Any funds drawn out will need City Council approval. The City is hoping for funds to be available Sept. 9th, 2011. Council Member Long restated that all payments due would come to the Council for approval and Council Member Dunleavy asked for a monthly accounting of the bills to be paid.

Council Member Dunleavy read the resolution. Council Member Long made the motion to approve Resolution #1249 and Council Member Ackerman seconded the motion. It passed unanimously.

4. Resolution # 1250 Setting Preliminary 2012 Property Tax Levy

City Administrator Coleman presented Version 4.1 of the Preliminary 2012 Budget that was earlier presented at a workshop. She stated that there will be additional opportunities for comments. There are no longer levy limits in place so it is possible to raise the property tax levy. The City will see increases in Public Safety. The preliminary budget shows a 2% increase in the General Tax Levy and a 3% overall increase in expenses over 2011 for the total budget. The recycling assessment has also gone up while at the same time the City has experienced less revenue from building permits. Ms. Coleman expects another slow year. The City does not want to look at increases in fees if possible. A separate recycling assessment will be approximately 3% over last year. The budget document shows a 12% increase but that is because all costs associated with the recycling program have been shifted to this account and they had not been in past years. Property taxes amount to \$1,220,270 with an additional \$139,964 recycling assessment. The budget does include projected revenue from NOHOA rent and expense reimbursements, including rental fees for the Community Room and fees for monitoring septic system compliance. Under expenses there is a substantial increase due to the purchase of a new fire truck for Lake Johanna Fire Department. The city will use reserve funds to contribute to the fire capital need and although stated in the budget document does not have an impact on the general fund or tax levy for 2012. Tax and assessments represent 73% of the total budget with an additional 27% coming from licenses and permit fees for service. On the expense side, the Public Safety budget will see a 9% increase over 2011 but this part of the budget is being looked at more carefully. The Public Safety budget is 73% of the Property Tax Levy or 48% of the total budget. The City may need to update some computers and/or software and may be able to access the Building Fund for this. The budget still needs work and may involve increases in fees or spending cuts or a combination of both. The budget does not include any funds for the NRC which may need additional planning funds or funding for capital expenses such as the Fire Fund.

The Mayor reminded the Council other than the new Lake Gilfillan Project, the community is debt free. However, a lot of work is still needed on next year's budget. Currently the City is looking at approximately a 30 dollar increase on the average home. Kept in the budget are funds for the Northwest Youth Center, League of MN Cities, Ramsey County League of Local Government, and Vadnais VLAWMO. No travel or education funds are allocated in the Council budget.

Ms. Coleman presented a guideline of dates for upcoming finance obligations. She suggested the following meeting dates (meeting time 7:00 PM): Budget review on October 13th, 2011; Truth and Taxation on November 28th, and the Final Budget Meeting on December 8th, 2011. The budget must be approved by December 29th, 2011.

Council Member Dunleavy read the resolution. Council Member Bruce Ackerman made the motion to pass Resolution #1250 establishing the 2011 Tax Levy collectible in 2012 and set the date for the Truth and Taxation meeting at 7:00 Monday, November 28th, 2011 and Gregg Nelson seconded the motion. Passage was unanimous.

Council Member Reports

1. Tim Dunleavy
 - Finance Committee
They have been working on finances and the work will continue.

 - Lake Johanna Fire Board
A meeting will be held on October 5th to discuss finances as well.

2. Bruce Ackerman:
 - NOHOA –
Mr. Ackerman attended the NOHOA meeting on 9/1/2011.
A Shoreland Policy was discussed including regarding repairs to stairs going to the lake to the trails in North Oaks. It was agreed that prior approval is necessary from NOHOA and the City.
A Consent Agenda was adopted and a new member was approved for the Architectural Supervisory Committee.
A discussion of the length of the meetings was discussed and it was decided to end the meetings at 9:30 necessitating a limit in resident comments, Director comments, discussions and reports. Prioritizing of items was also suggested. It was agreed that Directors could extend the meeting beyond 9:30 if necessary.
A 2012 budget discussion was held and will be finalized October 20, 2011 with presentation to the members in November.
The new NOHOA website is up and running.
Operation Clear View was also discussed. It was clarified that the City will be responsible for monitoring this City Ordinance in the future. The Safety and Security Committee at one time took responsibility for this program, but have since turned it over. Homeowners who have questions about this ordinance, should contact the City in the future.

3. Marty Long:
 - NRC
At the Sept.6th meeting, Dr. Gary Johnson from the University of MN spoke about the need to create a focus for what North Oaks wants their forest to look like in the future. He explained that diversity is important and a good plan looks at a plan that encompasses a number of years. The committee may want to hire a consultant in the future to create a sound plan. The City currently has a forester who focuses on the diseased trees in the area and consults with residents about planting. A comprehensive plan may need additional expertise to prepare for a long range healthy forest. Mr. Johnson's presentation can be found on the City webpage.

 - VLAWMO
They are looking at 2% increase to the VLAWMO assessment (40-60 cents per household).

4. Gregg Nelson:
The Planning Commission did not meet in August.

Mayor John Schaaf

The Mayor thanked the neighboring fire departments for the help with the Cliffe fire and also the training that was done by the various fire houses.

The Mayor congratulated the Mayor of Shoreview, Sandy Martin, for being awarded the C.C. Ludwig Award 2011.

Mayor Schaaf will be attending a meeting with the Mounds View Schools on October 6th to hear about long range plans.

Administrator Reports

1. Operation Clear View Update

The City is now actively engaged in this project. Operation Clear View began with the City agreeing to have the CSO assist. It now is taking a lot of the CSO and City's time. In 2007 the City began writing the letters for the Safety and Security Committee. The recent letter sent out included information that residents should contact city offices. The second batch of letters indicated that residents should contact City offices for questions or clarifications. More discussion will be needed on how to handle this additional workload. In the past NOHOA/Safety and security Committee had been driving this program so clarification is needed on how NOHOA, the Safety and Security Committee and the City will proceed.

2. 2011 Budget vs. Actual Expenditures

A Year to Date Differential column between 2010 and 2011 has been added. On the income side, it appears that the City is short funds. Ms. Coleman explained that this is because the City has not received property taxes and special assessments that will be coming at the end of the year.

3. City Personnel Policies

City Administrator Coleman will be creating personnel policies and would work with any Council Member who is interested. Council Members Nelson and Ackerman expressed an interest in doing so.

City Attorney Reports

1. Update on Pool Fence Lawsuit- Confidential Letter in Packet

A letter is in the packets and the League has chosen Pete Regnier from Jardine and Logan to represent the City in this case.

Miscellaneous

Next Planning Commission Meeting – September 29th, 2011, 7:00 PM

Next Natural Resource Commission Meeting – October 4th, 2011, 6:00 PM

Next Regularly Scheduled Council Meeting – October 13, 2011, 7:00 PM

Adjournment

Council Member Ackerman made a motion to adjourn the meeting and Council member Tim Dunleavy seconded and it carried unanimously; the meeting was adjourned at 9:30 p.m.

Attest:

Respectfully submitted,

John Schaaf, Mayor

Linda Hanson
Recording Secretary