

The Council Meeting was called to order at 7:00 by Mayor Michael Egelston at the Community Meeting Room, 100 Village Center Drive, Suite 150, City of North Oaks, Minnesota. Present were Mayor Mike Egelston and Councilmembers Marty Long, Rick Kingston, Gregg Nelson and Katy Ross. City Administrator Michael Robertson, City Attorney David Magnuson, Recording Secretary Kathy Laur, City Planner Ben Gozola and Videographer Maureen Anderson were present.

Pledge of Allegiance

Approval of Agenda

Councilmember Nelson moved to approve the Agenda; the motion was seconded by Councilmember Ross and passed unanimously.

Citizen Comments: None.

Consent Agenda

1. Minutes of the Regular Council Meeting of February 9, 2017 for approval
2. Minutes of the Natural Resource Commission of February 16, 2017 for approval
3. Minutes of the Regular Planning Commission Meeting of February 23, 2017 for approval
4. Approve Holiday Schedule
5. Add Processing Fee to Building Permits
6. Licenses for Approval:

Mechanical Contractors Plumbing & Heating: Blue Ox Heating & Air; Construction; Massmann Geothermal & Mechanical, LLC; Riccar Heating and Air; S&R Appliance Repair Inc; Twin City Fireplace and Stone

General Contractors: Classic Construction of Cedar MN, Inc;

Arborists

Sewer/Water Installation: Classic Construction of Cedar MN, Inc;

Claims for Approval: #012197 - 012230

Councilmember Long made the motion to approve the Consent Agenda with a second from Councilmember Nelson. The motion carried unanimously.

Petitions, Requests, & Communication

1. Jerry Hromatka – Northeast Youth and Family Services
Jerry spoke to the Council about what the organization does for the community. The City of North Oaks has partnered with NYFS for 40 years. They serve 5-21 year olds in the areas of mental health, community services and day treatment. There are 4000 youth, adults and families being served. They have an annual budget of \$3.2 million. Council asked that the history of their contributions be on the next Council agenda.
2. Deputy Mike Burrell Report
The Parade of Homes went much smoother this year than last. The North Oaks Company worked really hard at traffic control. There were no reported issues by residents in Rapp Farm. The residents have given positive feedback to the deputy.

Two thieves were caught in North Oaks a few months ago stealing mail. Theft from the Vadnais Heights post office also occurred. There were dozens of victims all over the metro area. Based on the case police were able to combine the thefts to aggregate the charges. Substantial jail time for the thieves is forthcoming.

He has been working on two nuisance homes on Hodgson Road. Progress is slow. He's hoping next month the properties will be completely cleaned up. Back in June things were far worse than they are now.

There have been speeding complaints on North Oaks Road and some of the other main stretches of North Oaks. Residents should let the deputy know if they have speeding concerns on certain streets and he will monitor those roads.

Residents who walk, run and bike on North Oaks roads are encouraged to wear reflective clothing especially as the sun goes down. Drivers can't see you otherwise.

Unfinished Business: None.

New Business

1. Approve Conditional Use Permit #17-02 – 6 Lake Court – Request for greater than allowable building height

City Planner Gozola noted that the request is from Gonyea Homes for the Red Pine Farms subdivision. There is a provision in City ordinances that allows a home to be higher than the 35 foot maximum on the sides and rear of the home as long as the applicant can provide two additional feet of setback over the 30 minimum for each additional foot in height of the home. The home is proposed to be 39 feet high in the back and sides due to the walkout design. They have provided 38 feet for a setback which is in compliance with the city ordinance. The CUP was recommended for approval by the Planning Commission.

Councilmember Long the motion to approve Conditional Use Permit #17-01 allowing a building height greater than 35 feet based on the Findings of Fact in the staff report and with the three conditions stated, with a second from Councilmember Nelson. The motion carried unanimously.

Administrator Robertson said that there was a lot of discussion about the proposed rule at the Planning Commission meeting. The Council directed the Planning Commission to take a look at the rule but also expressed concerns about putting too many limits on redevelopment in the community.

2. Approve Subdivision #17-01 - Red Forest Way Phase 2B – 15 Lot Subdivision
Administrator Robertson said that the overall subdivision plan was approved back in 2008. It was on the Planning Commissions agenda in February to re-familiarize them with the request. City Planner Gozola said there were only minor changes from the 2008 plan, mainly due to changed stormwater regulations. He saw no reason not to approve the subdivision provided the conditions are met. Councilmember Long asked that an additional condition be that the trails are in place before building homes in that area.

Councilmember Nelson made the motion to approve the proposed final plans with ten conditions, including the additional one about the trails, with a second from Councilmember Kingston. The motion carried unanimously.

Mayor Egelston said that he had heard some concerns about the condition of Catbird Lane due to construction and asked that the North Oaks Company look into it.

3. Approve Revised Ordinance 93 Governing Garbage Pickup
Administrator Robertson noted that the last update to this ordinance was 60 years ago and reviewed some proposed revisions. Councilmember Ross said that yard waste cannot go in with garbage per state statute. Mayor Egelston said the requirement that people can't put their garbage containers out the night before should be removed. This item will be carried over to the April Council meeting.
4. Approve Resolution 1326 Setting a Public Hearing for St. Odilia Conduit Bond
Councilmember Long made the motion to set the public hearing April 13, 2017 with a second from Councilmember Nelson. The motion carried unanimously.
5. Discussion of Constant Contact Email System
Mayor Egelston said that he would like the City to consider having its own email system and that he had asked Kathy Laur to look into it. Laur reported that she had reviewed Constant Contact as she had used to use the program at another job. The costs would be less than a \$1,000 a year. Administrator Robertson said that the system could also be used for public safety warnings. Councilmember Ross asked if this would be duplicating the NOHOA email system and wondered if this was the best system to use. Councilmember Kingston said this was a good idea because the City had different issues and content than NOHOA. Councilmember Long agreed. Mayor Egelston said that consensus seemed to be that the City should establish its own system but that the best way to do this needed to be decided. He directed staff to look at what other cities were doing in this area. The issue was tabled to the next City Council meeting.

Councilmember Reports

- **Councilmember Katy Ross**
Routing for residents who use Waste Management for their garbage pickup along with recycling pickup day has synced up. 1652 carts have been delivered to residents. The City now has 75-100 new recycling customers. The City also has replacement wheels for the carts in case they are damaged.

Dave Pfuhl started as new member of the Planning Commission

- **Councilmember Marty Long**
Dan Jones of White Bear Lake is a new board member of VLAWMO.

Marty along with Mark Houge of the North Oaks Company got together to talk about the gatehouse.

Water utility infrastructure will come under the city slowly. Current areas of town need to bring their infrastructure up to code before the City takes them over.

- **Councilmember Rick Kingston**

Ticks are already out. This season will be early and heavy with significant cases of Lyme Disease reported. The Lyme Disease survey is still available to be taken and can be found on the City website and Facebook page. Signs will be at the entrances encouraging residents to take the survey. It's a really quick survey. Deer management has had a successful season.

Councilmember Kingston has reached out to new executive management at NOHOA and it's been a positive experience.

- **Councilmember Gregg Nelson**

The North Suburban Communications Commission went over the Comcast agreement; the discussion was tabled for later.

Deer traps have been pulled because they weren't trapping anymore deer. 121 deer have been taken so far.

- **Mayor Michael Egelston's Report**

The Mayor and Administrator Robertson met with the US Army. The Army is looking at other smaller communities and what they do because they will be taking that information and using it when they deploy to other parts of the world.

He talked with NOHOA with regard to the changes occurring in their organization.

He talked with St. Paul Water and is looking for more assistance with regard to concerns about weed growth and shoreline erosion.

He was happy to see that some people are really cleaning up their properties.

City Council members will be at the Home Improvement Fair March 12.

Brush pickup day will happen again this spring. A date hasn't been set yet. Downed brush and trees on properties are encouraged to be picked up by homeowners and to take advantage of the brush pickup day.

Administrative Report

1. Resolution 1325 Approving No-Fault Sewer/Water Backup Policy

Administrator Robertson asked that this item be tabled until the next meeting.

2. Application of Noise Ordinance

Administrator Robertson said that he had received a complaint about a homeowner doing construction on their home on the weekend. The complainant asked if the regulations governing construction company noise applied to homeowner's as well.

Robertson said that he had not interpreted them that way. Council asked how many complaints he had received. Robertson said one in over three years. Council consensus was to not change the current interpretation of the ordinance.

Robertson noted that road restrictions will increase to 5 tons per axle on Friday, March 3, 2017.

City Attorney Reports

1. Review of VRBO

City Attorney Magnuson said that Vacation Rental by Owner (VRBO) refers to a short term rental of one's home. It's an issue in some communities like San Francisco and New York City. He asked if the Council thought it was an issue in North Oaks. Councilmember Ross said that she thought it was an issue as there were rentals in North Oaks. Magnuson noted that there were over 50 web sites specializing in home rental and that it would require hundreds of hours to monitor them all. He said that the ordinance as written would prohibit renting a room in a home to someone who was not a relative. Mayor Egelston asked that Council review the information provided by Magnuson and the issue was tabled until April.

Miscellaneous

Next Natural Resource Commission Meeting is Thursday, March 16, 2017 @ 7:00 pm in the Community Meeting Room

Next Tick Task Force Meeting is Tuesday, March 21, 2017 @ 7:00 pm in the Community Meeting Room

Next Regularly Scheduled Planning Commission Meeting is Thursday, March 30, 2017 @ 7:00 pm in the Community Meeting Room

Next Regularly Scheduled Council Meeting is Thursday, April 13, 2017 @ 7:00 pm in the Community Meeting Room

Adjournment

On motion duly made by Councilmember Long, seconded by Councilmember Nelson and carried unanimously, the meeting was adjourned at 9:10 p.m.

Attest:

Respectfully Submitted

Mayor Michael Egelston

Kathy Laur
Recording Secretary