

The Council Meeting was called to order at 7:06 p.m. by Councilmember Mayor Gregg Nelson at the Conference Room, 100 Village Center Drive, Suite 150, City of North Oaks, Minnesota. Present were Mayor Gregg Nelson; Councilmembers Rick Kingston, Marty Long, Kara Ries, and Katy Ross; City Administrator Mike Robertson, City Attorney Dave Magnuson, City Planner Bob Kirmis, City Engineer Mike Kuno, Recording Secretary Gretchen Needham, and Videographer Maureen Anderson.

Pledge of Allegiance

Approval of Agenda

Councilmember Long moved to approve the Agenda. The motion was seconded by Councilmember Kingston and passed unanimously.

Consent Agenda

Councilmember Ross moved to approve the Consent Agenda. The motion was seconded by Councilmember Long and passed unanimously.

Licenses for Approval: Sedgwick Heating; Metro Gas Installers; Metropolitan Mechanical Contractors

Approval of Claims: Check#: 13101–13135

New Business

1. Proposed Preliminary Subdivision - Nord Parcel

City Planner Kirmis gave an overview of the Nord Parcel subdivision application submitted by the North Oaks Company (NOC). Areas of concern raised by the Planning Commission are the access point into the subdivision being inconsistent with the original Planned Development Agreement (PDA) and ambiguity as to where the trail would be located. The Planning Commission recommended denial of this application unanimously at their April 25 meeting. Mayor Nelson asked if the access point being different is a valid point on which to deny the application; Planner Kirmis stated that it was.

Councilmember Kingston suggested a straw vote be taken. The result of the straw vote was all Councilmembers being in favor of denying the application.

Councilmember Kingston moved to deny the proposed preliminary subdivision of the Nord Parcel by the North Oaks Company. The motion was seconded by Councilmember Ross and passed unanimously.

2. Proposed Preliminary Subdivision - Wilkinson Parcel

City Planner Kirmis gave an overview of Phase 1A of the Wilkinson Villas Subdivision submitted by NOC. Areas of concern raised by the Planning Commission are access from the north being inconsistent with the original Planned Development Agreement (PDA), the hammerhead turnaround not being adequate for snow removal or safe for large vehicles to turn around, and a concept plan not being provided for the south section of the site; this last element could be made a condition for approval. The Planning Commission recommended denial of this application by a 4-2 vote at their April 25 meeting.

Mark Hauge of NOC said a cul-de-sac could be added as a condition of approval of the application. He also provided a concept plan for the south side of the parcel. Councilmember Ries asked if he would put in a trail connection to an existing trail. Hauge said he would. Councilmember Ries asked if there were any wetland impacts. Hauge said there were not.

Administrator Robertson noted that once a preliminary subdivision plan is approved, the developer typically will do some field work at their own risk before submitting a final subdivision plan which would need to be approved by the City.

Councilmember Long moved to approve the proposed preliminary subdivision of the Wilkinson Villas Phase 1A by the North Oaks Company. The motion was seconded by Councilmember Kingston and passed unanimously.

3. Set Council Workshops

Administrator Robertson asked the Council to send him available dates for the following workshops: Decennial Review of East Oaks PDA, Review of the City Administrator, Meeting with the Fire Chief, City Attorney Interviews, City Council and NOHOA Joint Meeting, Goal-Setting Workshop, Workshop with the League of Minnesota Cities.

Petitions, Requests & Communications

1. Review of Highway 96 Superfund Site

Sarah Illi of GHD Services Inc., a representative of the responsible party, gave a presentation about the site and the proposed changes to well testing they are suggesting to their mandate. The Highway 96 Superfund Site is an old landfill site located in White Bear Town near the border with North Oaks. Some wells near that area were contaminated with vinyl chloride due to groundwater pollution. Waste was removed from the site in 1989. The responsible party put in an extraction system to remove pollutants and try and keep contaminated groundwater from spreading. In 1993-94, a municipal water system was extended to some of the homes on the east side of Lake Gilfillan from White Bear Town. A monitoring program has been in place since the late 1980s to sample certain homes' wells. Over the last decade, there has been no new contamination found. GHD recommends reducing the sampling frequency in most of these homes' wells. Some from twice a year to once a year; some from once a year to once every five years.

Andri Dahlmeier of the Minnesota Pollution Control Agency (MPCA) said she is the one who monitors this site for the MPCA. Mayor Nelson asked what their position was on the proposed changes. She stated that the MPCA supports the proposed changes to the monitoring program. Comments on this proposal should be received by May 31, 2019.

David Jones of the Minnesota Department of Health talked about the criteria used to set the frequency of sampling and testing.

Michelle Hosfield of Wenck Associates represents the City of North Oaks on the Hwy 96 Superfund Site. She suggests that concerned citizens send comments to the MPCA or Wenck for submission to the MPCA.

Councilmember Long asked Sarah Illi what their costs savings would be by reducing testing. She said approximately \$500 a well. Councilmember Long reminded her that that her company was surprised when the pollutant plume went west of Lake Gilfillan. He does not favor reduced testing.

Judy Ohannesian, 1 West Shore Road, is concerned that the sampling on her home's well will stop under the proposed changes. She asks that the City write a letter to the MPCA asking that the current level of monitoring be maintained.

Cindy Chua, 45 Robb Farm Road, would also like the monitoring to remain as it is.

Kathie Emmons, 20 Duck Pass Road, would also like the monitoring to remain as it is.

Councilmember Kingston commented that testing seems a small price to pay for peace of mind for those residents within the testing parameters. He would suggest the Council recommend to the MPCA to deny a change in monitoring frequency. Mayor Nelson said the City will write a letter on behalf of the effected residents to be sent to MPCA and GHD asking that testing monitoring frequency remain the same.

Kristi Elfring, 7 West Shore Road, asked that the City set a time table for when it will send their letter to the MPCA and GHD. Administrator Robertson will collect comments from residents over the next two weeks before a letter is sent to MPCA and GHD.

2. Dana Healy, CTV Executive Director — Workshop on CTV Services

She described their services. Meetings are webcast and are available live on channel 16. The dedicated video producer for North Oaks is Maureen Anderson but there are five other producers who can back her up. Key equipment upgrades were recently installed. CTV would like to be an asset to the City and facilitate communication with the public and residents. She offered to do quarterly update videos for the City web site of up to five minutes in length. She noted that North Oaks Council meetings are watched more often than any other city they serve.

Report from Deputy Mike Burrell

- The Newport cigarette thief was arrested again. Enough arrests have occurred that he will be charged as a felony.
- Rapp Farm had a suspicious vehicle call; the driver had trouble finding an exit from the subdivision. The vehicle was later found on County Road J and the driver was found to be intoxicated and arrested for DUI.
- A person with warrants out against him was taken into custody on Hay Camp Road.
- A solicitor in North Oaks who had warrants out against him was arrested for trespassing.
- Speeding tickets are being issued; slow down in North Oaks.

Unfinished Business

1. Public Hearing for Ordinance 129 Related to Planned Unit Development Processing

Proposed changes to Ordinance 129 change the word “may” to “shall” (“an applicant ~~may~~ shall submit a concept plan for review and comment by the Planning Commission and City Council.”) and a sentence is removed (“Submission of a concept plan is optional for phase”) and replaced with the following: “The submitted concept plan shall depict development intentions for all phases of the PUD.” An additional stipulation is added: “Concept Plan review shall not activate the sixty (60) day application action requirement pursuant to Minnesota Statutes 15.99, as may be amended.”

The public hearing was opened at 9:15 p.m.

Franny-Skanser Lewis, 3 Red Maple Lane, spoke in favor of the wording changes to Ordinance 129.

With no further comments the public hearing was closed at 9:16 p.m.

Councilmember Ries moved to approve language changes to Ordinance 129. The motion was seconded by Councilmember Ross and passed unanimously.

2. Chapter 34 Amending City Code 150 Related to Planning Commission Structure, Composition and Authority

Councilmember Ross moved set a public hearing for the June 13 City Council meeting to consider amending City Code 150 Relating to the Planning Commission. The motion was seconded by Councilmember Long and passed unanimously.

3. Twenty-Year Review of 1999 East Oaks PUD

This item will be addressed at a later date at an open workshop.

Citizen Comments

Rich Dujmovic, 15 Black Lake Road, spoke about future proposals of development from NOC. He suggested a formal statement be drafted by the Council that specified developments will only be approved if they conform the 1999 PUD, the EAW and City ordinances.

Councilmember Reports

Kara Ries

- The Cable Commission sent a letter against the 621 proposed amendment, which would increase the cable franchising fees.
- Councilmember Ries is working with City staff on quotes for redoing the website.
- Coyotes are a concern among residents. The University of Minnesota is studying coyotes and North Oaks could be part of this study. If you have a coyote encounter, please call the City; they are collecting data on where these incidents are happening in North Oaks.
- Planning Commission has worked hard reviewing the development plans as of late and she commended them for that.

Katy Ross

- Recycling and shredding event will be June 22 at Southpoint from 9 a.m. to 1 p.m.
- 107 locking mailboxes were sold. Some have already been installed.
- Planning Commission has done a tremendous job lately on the development plans, both in terms of researching and contributing.
- The Comprehensive Plan is almost complete.

Marty Long

- No report.

Rick Kingston

- Letter for an award for the Tick Task Force was sent to the Minnesota League of Cities.
- The Polco survey tool will be used soon to communicate and collect data with residents.

Mayor Gregg Nelson

- He thanked Planner Kirmis, Engineer Kuno, Attorney Magnuson, and Administrator Robertson for their efforts during deliberations on development matters. He thanked the Planning Commission for their ongoing hard work.
- The meeting with the League of Minnesota Cities earlier this evening was helpful.

City Administrator Report

Friday May 24 will be brush pick. Residents should call the City for a waiver and to be added to the list if they are interested in participating.

Miscellaneous

Next Natural Resource Commission Meeting is Thursday, May 16, 2019 @ 7:00 pm

Next Planning Commission Meeting is Thursday, May 30, 2019, @ 7:00 pm

Next Regularly Scheduled Council Meeting is Thursday, June 13, 2019 @ 7:00 pm

Next Tick Task Force Meeting is Tuesday, July 16, 2019 @ 7:00 pm

Adjournment

On motion duly made by Councilmember Long, seconded by Councilmember Ross and carried unanimously, the meeting was adjourned at 9:30 p.m.

Attest:

Respectfully Submitted

City Administrator Mike Robertson

Gretchen Needham
Recording Secretary