

CITY OF NORTH OAKS

**Regular Council Meeting
Thursday, June 13, 2019
7 P.M., Community Meeting Room
100 Village Center Drive**

COUNCIL 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.*

1. Minutes of the Regular Council meeting of May 9, 2019 for approval
2. Minutes of the Natural Resources Commission meeting of May 16, 2019 for approval
3. Minutes of the Planning Commission meeting of May 30, 2019 for approval
4. Proposed Variance 19-03 - ISTS – 1 Wishbone Lane - 30 Feet into the 30 Foot Setback on the West Side of the Property
5. Approve Resolution 1349 Amending the 2017 Joint Powers Agreement with Vadnais Lake Water Management Organization (VLAWMO) Adding Language to Clarify Liability and Extent of Insurance Coverage
Licenses for Approval: **Binder Heating & Air Conditioning, Inc.; Dok's Heating and Air Conditioning; Home Energy Center; Select Mechanical Services;**

Approval of Claims: Check#:

Petitions, Requests & Communications

1. Appoint Andrew Hawkins to the Natural Resources Commission
2. Presentation of 2018 Audit – Justin Nilson – Abdo, Eick & Meyers
3. Deputy Mike Burrell Report

Unfinished Business

1. Approve Resolution 1350 Approving Submission of Comprehensive Plan to the Met Council
2. Public Hearing for Proposed Ordinance Chapter 34 Related to Planning Commission Structure, Composition and Authority

New Business

1. Pleasant Lake Weed Removal
2. Set Workshop for City Attorney Interviews
3. Discussion of CTV Social Media Proposal
4. Discussion of Cesspools
5. Consider Draft Policy for Citizen Comments at Public Hearings

Council Member Reports

- Kara Ries
- Katy Ross
- Marty Long
- Rick Kingston
- Mayor Gregg Nelson

City Administrator Reports

1. League of Minnesota Cities City of Excellence Award

City Attorney Reports

Miscellaneous

Next Natural Resource Commission Meeting is Thursday, June 20, 2019 @ 7:00 pm

Next Planning Commission Meeting is Thursday, June 27, 2019, @ 7:00 pm

Next Regularly Scheduled Council Meeting is Thursday, July 11, 2019 @ 7:00 pm

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

Adjournment

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

Natural Resources Commission Minutes

May 16, 2019

7:00 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, Commissioner Dan McDermott, City Council Liaison Mayor Gregg Nelson and NOHOA Liaison Diane Gorder

Staff: City Administrator Mike Robertson and Recording Secretary Debbie Breen

Absent: Commissioners Damien Lepoutre and David White

Approval of Agenda:

Commissioner McDermott moved to approve the agenda. Commissioner Winsor seconded. Motion approved unanimously.

Approval of Minutes:

Commissioner McDermott moved to approve the April 18, 2019 minutes as amended. Commissioner Winsor seconded. Motion approved unanimously.

Pollination resolution

NOHOA Liaison Gorder has some suggested changes to the draft of the proposed Pollinator Resolution 1347, along with some input from the Hill Farm Society and Golf Club which could be incorporated. Gorder asked if there was funding to give grants to establish pollinator friendly areas. Administrator Robertson stated there is \$7,000 that is budgeted for the NRC. That has been the source of funding for tree seedlings and other similar expenditures. Commissioner McDermott was concerned about how much behind the scenes work would be needed to set up guidelines for a grant process. Gorder said the Resolution doesn't need to refer specifically to a North Oaks Grant, it could just be encouraging residents to be part of any grant program. Council Liaison Nelson suggested that on page 3 we just leave it a bit more general stating "The City shall encourage establishing and protecting pollinator habitat." - removing "through awards and grant programs". He also recommended taking out the sentence regarding playing fields on page 2 which begins "In order to preserve the quality of the playing surface on high value sports field" as that is NOHOA's responsibility.

Robertson asked everyone to send him any further changes. NOHOA Liaison Gorder asked for him to be sure to include the date within the name of the next version, so the draft version process is clear. The NRC will review this again in July.

Review of NRC mission statement:

Administrator Robertson has reviewed the NRC files looking for any record of an NRC Mission Statement already in existence to help clarify their role within our community. He found a

Natural Resources Task Force document that outlines an extensive executive summary. Both Winsor and Gorder recall working on a recent concise mission statement for the NRC. They will look in their files. Commissioner McDermott thought it should be short and sweet. Chair Larson mentioned that it was probably something along the lines of “Preserving our Natural Resources along with Education”.

Discussion of NRC role in Development:

Administrator Robertson asked Commissioners how they felt about wanting to weigh in as a collective Commission on developments. Council Liaison Nelson recommend the Commission could review proposed developments and then issue a short letter to Council with items of concern or support. Chair Larson mentioned that he believes the NRC should focus on natural preservations, not get into the weeds of detail. Commissioner McDermott believes residents are more sensitive now to environmental concerns than 20 years. Robertson said that currently VLMAO, the Planning Commission, City Council and others get into the details of proposed development and conditions. If NRC wants to be involved, City could share information at the same time as Planning commission, and they could issue a letter indicated any concerns they would hope be addressed. An official vote would be taken to establish the official opinion of the NRC. Commissioners agreed that was a good idea.

Tick Task Force Report

Chair Larson communicated that North Oaks Tick Task force is the winner of the League of Minnesota Cities 2019 City of Excellence Award for the category of cities with populations of 5,000 – 19,999. This is an important and valued recognition that will establish a precedence, and good guidelines to use as a reference by other cities. The Award winners will be recognized at the Minnesota Cities Awards Show & Dinner on Thursday, June 27 in Duluth.

Kate Winsor’s Report

The June issue of North Oaks News will feature an article on Garlic Mustard. It is a reprint of a prior article from a few years ago, but it’s very active in our community right now. The North Oaks Garden Sale went well with giving out tree seedlings. The bulletin board wasn’t too visible behind the tree seedlings so we may wish to try to feature this in a different location or manner in future. About 50 Red Maples are left and the NRC will inquire about having a booth at Summerfest to give away the remaining trees.

City Update—Administrator Robertson

Last month it was shared that we won a grant for removal of oriental bittersweet. The City is in the process of replacing City Attorney Dave Magnuson, and there are 10 applicants being interviewed next Friday May 24th. Another topic to be addressed with NOHOA includes clarity on what role they play in reviewing developments, as they are a signatory on the East Oaks Master Plan.

NOHOA/NEST Update

- NOHOA Liaison Gorder stated that Emerald Ash Borer has been found by the Pump house. NOHOA is removing as many ash trees as they can within their given budget, and 40 trees

are also being injected for treatment. She encourages all to come to the Frog and Toad event taking place on Friday May 31st. Dawn Tanner will be sharing how to recognize the various frog sounds within our unique North Oaks habitat. They are also planning a buckthorn education removal program in the fall on a Saturday morning to educate residents on how to eradicate this invasive species. There may be a request to the City to do a fall brush pick up after they talk about how to remove. Administrator Robertson mentioned only 6 signed up so far for Spring brush pick up. Fall is the best time to do pruning work, so this may give better results.

Other Business

- Coyotes were discussed in the monthly meeting with Sheriff meeting. Mario Lee mentioned that he'd be glad to go out and meet with concerned residents. He will also be promoting the video from experts on living with coyotes and encouraging residents to harass and make noise to make them unwelcome on resident property.
- Robertson mentioned that there was a report of possible repeat trespasser from a year ago back wandering North Oaks. City has put out on Facebook page warnings to call 911 or City Hall for trespassers, solicitors or any unusual activity, and Officer Burrell and Ramsey county will come issue tickets. McDermott inquired about the higher number of bicycles coming through our roads this time of year. Administrator Robertson stated Deputy Burrell can't stop a bicycle without cause, just like a car. If there is even 1 biker in the group that is a resident, then they are considered valid guests. Deputy Burrell will also start looking for people out fishing around our lakes.
- Andrew Hawkins, new resident in Rapp as of November, introduced himself as being interested in the NRC Commissioner opening. He is a Scientist and a Biologist by day. He moved here from Colorado after working with a company in environment fuels. Currently he works in the Animal Health industry. Environmental stewardship is his biggest focus, and he would want to encourage other residents to become involved.

Winsor indicated to Mr. Hawkins that NRC Commissioners would be expected to volunteer at several community events including Garden Club sale, Hill Farm fest, and Summerfest to help staff a booth and share environmental awareness. Council Liaison Nelson also mentioned that attendance at monthly NRC meetings is important. Mr. Hawkins inquired about the application process, and indicated he will formally reach out to Administrator Robertson to apply for the open position.

Adjournment:

Commissioner Winsor made a motion to adjourn. McDermott seconded. The motion was approved unanimously. The meeting ended at 8:01 p.m.

Next Meeting: June 20, 2019

**Planning Commission Meeting
May 30, 2019
7:00 PM**

Call to Order:

Chair Ross called the meeting to order at 7:00 pm.

Roll Call:

Present: Chair Katy Ross, Commissioners Mark Azman, Stig Hauge, Nancy Reid, Kara Ries, Sara Shah, and Joyce Yoshimura-Rank.

Staff: City Administrator Mike Robertson, Recording Secretary Gretchen Needham, City Planner Bob Kirmis, and Sanitary Inspector Brian Humpal

Approval of Agenda:

Commissioner Reid moved to approve the amended agenda. Commissioner Yoshimura-Rank seconded. Motion approved unanimously.

Approval of Minutes:

Commissioner Ries asked that the comments she had made at the April 25 Planning Commission meeting be added back into the official minutes. Commissioner Hauge moved to approve the amended April 25, 2019 meeting minutes. Commissioner Shah seconded. Motion approved unanimously.

Commissioner Ries moved to approve the April 10, 2019 workshop minutes. Commissioner Azman seconded. Motion approved unanimously.

Consider Variance 19-03 – ISTS, 30 Feet into the Required 30-foot Setback at 1 Wishbone Lane
Sanitary Inspector Humpal said this lot has not been built upon yet and the area available for installation of an ISTS is limited due to adjacent roads, property setbacks, impervious areas, the well, slopes, and wetlands. A previous application for a variance was granted in 2013. Since the time frame to do the work has lapsed, the applicant needed to reapply for the variance.

Humpal said staff recommends granting the variance as there is no other area for the septic to be constructed. City Planner Kirmis recommended that findings be included in the report.

Commissioner Hauge moved to approve Variance 19-03 with the conditions that the work be completed by January 1, 2020, and that the system be located per the design dated April 23, 2019 by Ashley Krause. Commissioner Azman seconded. Motion approved unanimously.

Chair Ross abstained from voting.

Consideration of Variance 19-04- ISTS 98 West Pleasant Lake Road

The applicant requested this item be tabled.

Commissioner Shah moved to table the application. Commissioner Yoshimura-Rank seconded. Motion approved unanimously.

Sanitary Inspector Humpal gave an overview of types of septic systems.

- Type I is a drain field/trench system, which is considered a standard system. This system is the most common found in North Oaks, and maintenance is performed every two years.
- Type II is designed for a flood plain.
- Type III is a mound or drain field/trench system that may have a very wet soil profile.
- Type IV uses a recirculating filter to remove waste; this is ideal for closer situation to a well or water source. The service interval for this system will be 6 months to a year.
- A multiflow system requires an air pump and other technologies to treat the waste; the maintenance on this system will be determined by the installer.

For all types of systems, Inspector Humpal does not suggest adding additives.

Discussion of Cesspools

Commissioner Ries asked Septic Inspector Humpal about cesspools. He said these are older systems which are open bottom ISTS tanks. There is no treatment of the waste and as they are typically deep systems that may touch the water table they are potentially a pollution risk. They can no longer be constructed under state law. An existing cesspool is allowed until it is deemed an eminent health risk or the system fails a compliance test.

2040 Comprehensive Plan Update

Commissioner Reid attended a Washington County district meeting and learned that resiliency is a topic often addressed in cities' comprehensive plans because of increased stormwater the difficulty of current infrastructure to accommodate increased precipitation amounts.

Commissioner Reid provided information which staff used to put together a section for the 2040 Comp Plan to address this concern. Planner Kirmis added a section to the Comp Plan about solar resources to meet the Met Council requirements which the City Engineer added a section from the City's stormwater plan.

The Commission asked that the City Engineer update the sewage tables based on the revised housing counts. Commissioner Ries asked staff to check if the Met Council had sewage REC's for individual properties.

Franny Skamser Lewis, 3 Red Maple Lane, gave a definition of climate resiliency: "absorb stresses and maintain function in the face of external stresses imposed upon it by climate change and adapt, reorganize, and evolve into more desirable configurations that improve the sustainability of the system, leaving it better prepared for future climate change impacts." JoAnn Hanson, Treasurer of NOHOA Board of Directors, 5 Sumac Lane, explained why specific details about the trail off Nord were removed from page 83 of the Comp Plan. Rich Dujmovic, 15 Black Lake Road had a concern about the housing count numbers.

The Comp Plan edits were reviewed and an updated version will be ready for City Council's June meeting. Count numbers in many tables need to be vetted further.

Commissioner Yoshimura-Rank moved to approve the 2040 Comp Plan for City Council's review with a notation that count numbers in many tables still need to be vetted.

Commissioner Ries seconded. The motion passed with Commissioners Hauge, Reid, Ries, Shah and Yoshimura-Rank voting yea. Chair Ross and Commissioner Azman abstained from voting.

City Update:

- North Oaks Recycling and Shredding Event is Saturday, June 22.
- A tour of Eureka Recycling is being scheduled for June 19 at 2 p.m.
- NOHOA's Summer Fest is Sunday, June 2.
- Another round of locking mailboxes will be ordered in August of this year.
- North Oaks was awarded the City of Excellence Award for the work of the Tick Task Force.
- Commissioner Ries is going to send a draft of a process of review checklist to Administrator Robertson for use in future developments.

Next Planning Commission Meeting: Thursday, June 27, 2019

Adjournment:

Commissioner Reid made a motion to adjourn. Commissioner Azman seconded. The motion was approved unanimously. The meeting ended at 9:58 pm.

MEMO

Date: June 5, 2019
To: City Council
From: City Administrator Mike Robertson
Re: Variance 19-03, ISTS 1 Wishbone Lane

Mike Konobeck, owner of a vacant lot at 1 Wishbone Lane requested a variance from the side yard and street setbacks in order to construct a septic system. The requested system would encroach 30 feet into the required 30-foot west property line setback. This would be part of constructing a home on the property.

The existing lot at the corner of Wishbone Lane and South Deep Lake Road has some elevation and wetland issues and streets front two thirds of it. This limits the area available for a septic system. That's probably why a home was not constructed there in the past. The applicant obtained a previous variance from the setback in December, 2013 in order to construct a septic system as part of new home construction. However, the applicant did not construct a new home and the variance lapsed.

The Planning Commission met on May 30, 2019 and found in favor of the variance for the following reasons.

The site limitations imposed by the irregularly shaped lot, property lines, well, slopes and wetlands. The proposed septic location would require the minimum necessary variance.

The Planning Commission recommended that Variance 19-03 be approved with the following two conditions;

1. Completion date by January 1, 2020.
2. System to be located per the design dated April 23, 2019 by Ashley Krause.



State of Minnesota)
County of Ramsey) ss
City of North Oaks)

RESOLUTION NUMBER 1349
FIRST AMENDMENT TO THE JOINT POWERS AGREEMENT
TO PROTECT AND MANAGE THE VADNAIS LAKE AREA WATERSHED

This First Amendment (“Amendment”) to the Joint Powers Agreement to Protect and Manage the Vadnais Lake Area Watershed (“Joint Powers Agreement”) is entered into by and among the Cities of Gem Lake, Lino Lakes, North Oaks, Vadnais Heights, and White Bear Lake and the Township of White Bear (collectively, the “Members”), all of which are parties to the Joint Powers Agreement.

WHEREAS, the Vadnais Lake Area Water Management Organization (“VLAWMO”) is interested in obtaining insurance coverage through the League of Minnesota Cities Insurance Trust; and

WHEREAS, certain amendments are needed to the Joint Powers Agreement to facilitate obtaining the insurance coverage, to ensure VLAWMO and its Members have full access to the coverage offered, and to expressly address liabilities.

NOW, THEREFORE, the parties hereto hereby agree as follows:

1. Amendments. Subdivision 14 of the Joint Powers Agreement is hereby amended by adding the underlined material as follows:

Subdivision 14. Insurance and Liability. VLAWMO may contract for or purchase such insurance as the Board deems necessary for its protection. The Members agree as follows with respect to liability of VLAWMO and the Members:

- 1) VLAWMO is a separate and distinct public entity to which the Members have transferred all responsibility and control for action taken pursuant to this Agreement.
- 2) VLAWMO shall defend and indemnify the Members, and their officers, employees, and volunteers, from and against all claims, damages, losses, and expenses, including attorney fees, arising out of the acts or omissions of the Board of Directors in carrying out the terms of this Agreement. This Agreement does





not constitute a waiver on the limitations of liability set forth in Minnesota Statutes, section 466.04.

- 3) Nothing herein shall be construed to provide insurance coverage or indemnification to an officer, employee, or volunteer of any member for any act or omission for which the officer, employee, or volunteer is guilty of malfeasance in office, willful neglect of duty, or bad faith.
 - 4) To the fullest extent permitted by law, action by the Members to this Agreement are intended to be and shall be construed as a “cooperative activity,” and it is the intent of the Members that they shall be deemed a “single governmental unit” for purposes of liability, as set forth in Minnesota Statutes, section 471.59, subd. 1a, and provided further that for purposes of that statute, each part to this Agreement expressly declines responsibility for the acts and omissions of another Member. The Members are not liable for the acts or omissions of another Member to this Agreement except to the extent they have expressly agreed in writing to be responsible for the acts or omissions of the other Members.
 - 5) Any excess or uninsured liability shall be borne equally by all the Members, but this does not include the liability of any individual officer, employee or volunteer that arises from his or her own malfeasance, willful neglect of duty, or bad faith.
2. **Limited.** No other changes to the Joint Powers Agreement are intended as a result of this Amendment.
 3. **Authorizations.** Once this Amendment is approved and executed by all of the Members, VLAWMO is authorized to do each of the following:
 - a) Incorporate the amendments into the Joint Powers Agreement, which shall serve as the official Joint Powers Agreement between the Members;
 - b) Provide each Member a copy of the fully executed Amendment and of the updated Joint Powers Agreement; and
 - c) Post a copy of the updated Joint Powers Agreement on VLAMO’s website.





IN WITNESS WHEREOF, the parties, by action of their governing bodies, have agreed and entered into this Amendment effective as of _____, 2019.

CITY OF GEM LAKE

Dated ___/___/___

By _____
Mayor
Attest _____
City Clerk

CITY OF LINO LAKES

Dated ___/___/___

By _____
Mayor
Attest _____
City Clerk

CITY OF NORTH OAKS

Dated ___/___/___

By _____
Mayor
Attest _____
City Clerk

CITY OF VADNAIS HEIGHTS

Dated ___/___/___

By _____
Mayor
Attest _____
City Clerk

CITY OF WHITE BEAR LAKE

Dated ___/___/___

By _____
Mayor
Attest _____
City Clerk

WHITE BEAR TOWNSHIP

Dated ___/___/___

By _____
Chair
Attest _____
Town Clerk



Mike Robertson

From: Mike Robertson
Sent: Wednesday, May 22, 2019 12:02 PM
To: Andrew C Hawkins
Cc: Robert Larson (boblaron444@earthlink.net)
Subject: RE: Natural Resources Commission

Andrew,

I'm going to put your appointment on the Council agenda for the next Council meeting on Thursday, June 13 at 7:00 p.m. I'm going to put it on the Consent Agenda which is typically reserved for routine, non-controversial items. Feel free to reach out to Councilmembers before that meeting to let them know you are a candidate for the open position on the NRC.

Mike

From: Andrew C Hawkins <andrewchawkins@gmail.com>
Sent: Wednesday, May 22, 2019 11:00 AM
To: Mike Robertson <MRobertson@cityofnorthoaks.com>
Cc: Robert Larson (boblaron444@earthlink.net) <boblaron444@earthlink.net>
Subject: Re: Natural Resources Commission

Dear Mike and Bob,

I wanted to follow up with you both to see if you had any further information on my application to the NRC. If I understand correctly, the Commissioner position must be appointed by City Council. I met Mayor Nelson at the NRC meeting. Do you need me to reach out to any of the other Council members regarding my application?

Thank much and hoping to serve with you soon,

Andrew

On Thu, May 16, 2019 at 9:06 PM Andrew C Hawkins <andrewchawkins@gmail.com> wrote:

Dear Mike and Bob,
It was a pleasure meeting you this evening at the Natural Resources Commission Meeting.

I would like to formally apply for the open Commissioner position in the North Oaks NRC.

I appreciate the opportunity to visit the meeting and speak briefly this evening. I hope you will consider my application and hope to be selected for the Commission.

If you or Town Council would like to learn more about my qualifications, I'll include a link to my LinkedIn page below.

Thanks and best regards,
Andrew Hawkins

<http://linkedin.com/in/andrewchawkins>



Search



Try Premium Here
See 1 Month

Vehicles are Waiting.... - Connected vehicle technology is ready for deployment, get started today. Ad ...



Andrew C. Hawkins • 3rd
Director, Laboratory Services at Phibro Animal Health
Greater Minneapolis-St. Paul Area

Message ...

- Phibro Animal Health
- Caltech
- See contact info
- 500+ connections

Eager, intuitive, critical thinking scientist with diverse training in scientific methods, leadership, teamwork, logistics, professional development, people management and development, community building, visual arts, creative thinking, and problem solving. I want to leverage my skill set to solve environmental problems and generate solutions that advance renewable materials and products for industrial and consumer use.

Specialties: Problem solving, project management, people management, scientific specialties include: microbial physiology and metabolism, fermentation, genetic engineering, metabolic engineering, phenotypic characterization, fermentation process development.

Show less ^

Experience



Director, Laboratory Services
Phibro Animal Health

Jun 2018 – Present · 1 yr 1 mo
Greater Minneapolis-St. Paul Area

- Responsible for all functions of the St. Paul Technical Center
- R&D projects, customer diagnostic services, QA/QC function

Board Trustee
Gold Prospectors of Colorado

Jan 2017 – Jun 2018 · 1 yr 6 mos
Colorado Springs, Colorado Area

As a Trustee on the GPOC Board, I'm responsible for being a member advocate, volunteer for events, outings, and club business, and attending monthly GPOC Board and General Meetings in Colorado.

<http://gpoc.club/>



GPOC Logo.png

Gevo, Inc.

Michael, unlock your full potential with LinkedIn Premium



See the full list of Who's Viewed Your Profile

Try for Free

People Also Viewed

Ralph Corley
Director of Gasification Technology
Caskata

Shih-Peng Tsai
Technical Consultant - Renewable Water



Martin Sow • 3rd
Operations Manager at SafBio We Technology



Chris Smith • 3rd
Director of Strain Development



Matthew Peters • 3rd
Entrepreneur in Biotechnology and Chemistry



Amy Kathleen Collins • 3rd
Small Business Owner at Village Sc Shop



Peter Mainhold • 3rd
Co-Founder & CTO at ProviVI, Inc.



Shawn Nelson • 3rd
Technical Service Manager - Process Lesaffre Fermentation Nutrients



Alex Tkachenko • 3rd
Better lives through new medicine



Robert Conrado
VP of Engineering Design and Development at LanzaTech

Learn the skills Andrew C. has



De-Escalating Intense Situations
Viewers: 4,084



Project Management: Preventing Scope Creep
Viewers: 9,474

Messaging

Creating Personal Connections



12 yrs 4 mos

Director, Fermentation, Facilities, & IT
Aug 2013 – Jun 2018 · 4 yrs 11 mos
Englewood, CO and Luverne, MN

- Leads a group that closely interacts with the metabolic engineering, analytical, process engineering, and fermentation development teams to build a fundamental understanding of biocatalyst metabolic processes.
- Enables improvements to be made and optimal fermentation conditions to be identified.
- Works to identify, assess, and execute the best strategies to quantitatively characterize strains in various fermentation systems. See more

Project Director, NARA Gevo
Aug 2011 – Mar 2017 · 5 yrs 8 mos
Englewood, CO

- NARA = Northwest Advanced Renewables Alliance and is one of the largest USDA funded grants in the history of the USDA
- Administration of Gevo's scope in a multi-party, collaborative USDA-funded project
- Coordinate cross-team interactions within NARA
- Manage Gevo's multi-million dollar budget for the NARA-Gevo subcontract. See more



NARA Logo

Show 2 more roles



Commissioner, Parker Cultural and Scientific Commission

Town of Parker, Colorado
Jun 2013 – Jun 2018 · 5 yrs 1 mo
Parker, Colorado

The Commission fosters, implements and participates in providing opportunities for the cultural and scientific experiences for the community of Parker. Members also advise on cultural planning for the Town and make recommendations regarding cultural and scientific issues, including the Scientific & Cultural Facilities District (SCFD) grant. Members are appointed by the Town Council.



Parker Arts Logo



Town of Parker - Official Website



Postdoctoral Scholar
California Institute of Technology

Aug 2004 – Mar 2006 · 1 yr 8 mos

Summary:

Trained with Professor Dr. Jared Leadbetter in environmental microbiology in the Environmental Science and Engineering department. Studied and engineered regulatory proteins involved in bacterial communication (quorum sensing). Applied directed evolution in collaboration with Professor Dr. Frances Arnold (ChemE). Engineered components of genetic circuits. See more

Show 5 more experiences

Education



Postdoc, Environmental Microbiology
2004 – 2006

Activities and Societies: Caltech Biotechnology Club, Caltech Postdoc Association, Caltech Geobiology Seminar Series, Caltech Microbiology Journal Club



Universidad Autónoma de Madrid
Molecular Biology for the Environment
2003 – 2003

Participant in Molecular Biology for the Environment: A European Union-United States Task Force on Environmental Biotechnology Short Course.

In February 2003, the National Center for Biotechnology in Madrid (CSIC) hosted an international course on bioremediation at the Autonomous University of Madrid, under the auspices of the EU-US

Me Views: 2,128
See more courses

Promoted

Save time with online ads

Get help with advertising on LinkedIn, Facebook, Instagram, and Google.

Learn more

Show Me! Guide | Teach Me

It's like training wheels for your enterprise applications! Epiplex

Learn more

Messaging





Search

Task Force on Biotechnology Research. Co-funded by the US Department of Energy and a European grant issued under the Accompanying Measures of the 5th Framework Programme, the course, entitled "Molecular Biology for the Environment", brought together world experts on bioremediation to teach a select group of 24 postdoctoral researchers.

2

Me

Work

My Network Page for University



University of Iowa
Ph.D., Microbiology
1997 – 2003

Activities and Societies: Iowa Microbiology Graduate Student Organization President, University of Iowa Graduate Student Senate Senator for Department of Microbiology, American Society for Microbiology Member, Iowa Microbiology Graduate Student Journal Club Presenter, Iowa Microbiology Graduate Student Organization Member

Studied Microbial Physiology with a focus on bacterial environmental responses and metabolism. Chemotaxis and signal transduction, membrane transport, degradation of anthropogenic carbon sources (2,4-D).

Show 2 more education ~

Licenses & Certifications

Certification of Qualification - Hemocytometer Validation
Gevo
Issued Jun 2014 · No Expiration Date
Credential ID 7/9/2014

Volunteer Experience

Chair, Parker Art in Public Places Committee
Town of Parker, Colorado
Feb 2014 – Feb 2017 · 3 yrs 1 mo
Arts and Culture

Responsible for recruiting members of the Art in Public Places Committee, a committee comprised of Parker Arts staff, local volunteers, and professional artists; regular meetings of the Art in Public Places Committee; drafted Town of Parker Public Art policy and presented to the Parker Cultural and Scientific Commission, Parker Arts staff, and Parker Town Council for approval and acceptance by the Town of Parker; created an inventory of Public Art in the Town; managed and selected public art according to the guidelines within the Parker Public Art Policy; interfaced with Douglas County, Colorado towns and art committees to select rotating public art that was displayed in Parker and the County (Douglas County Art Encounters).

Editor, The Prospector's Quill Monthly Newsletter
Gold Prospectors of Colorado
Jun 2015 – Aug 2018 · 3 yrs 3 mos
Science and Technology

As the Editor for the official monthly newsletter of the GPOC, The Prospector's Quill or the Quill for short, I am responsible for creating content; plan, organize, edit and write parts of the content of each month's newsletter; final edit on newsletter; graphic design, layout, and aesthetics; use of Microsoft Publisher; Solicit information and materials from the members; Send print-ready PDF copy to the printer for publishing; send print-ready PDF copy to the webmaster for addition to the web site; coordinate with Board members on publishing.

Co-Chair, Historical Committee
Town of Parker, Colorado
Sep 2017 – Jun 2018 · 10 mos
Arts and Culture

Co-Founded the Historical Committee, a part of the Parker Cultural and Scientific Commission.

The Historical Committee of the Cultural and Scientific Commission seeks to preserve, protect and make accessible the history and heritage of the Parker area. It endeavors to foster collaboration among existing entities, such as Douglas County Libraries and the Parker Area Historical Society, promote digitization of historical information, and develop community interest in area history. Areas

Messaging





of focus include written and oral history as well as archaeological artifacts and buildings. Furthermore, the committee supports and encourages historical education, events and the centralization of information to be made freely available to the citizens of Parker.



Try Premium Plus for 1 Month

Skills & Endorsements

Microbiology - 49

Endorsed by Stephen Hughes and 5 others who are highly skilled at this

Endorsed by 17 of Andrew C.'s colleagues at Gevo, Inc.

Biotechnology - 42

Endorsed by Cathy Asleson Dundon and 6 others who are highly skilled at this

Endorsed by 15 of Andrew C.'s colleagues at Gevo, Inc.

Molecular Biology

Endorsed by Stephen Hughes and 3 others who are highly skilled at this

Endorsed by 11 of Andrew C.'s colleagues at Gevo, Inc.

Show more



Messaging





State of Minnesota)
County of Ramsey) ss
City of North Oaks)

RESOLUTION NUMBER 1350 APPROVING 2040 COMPREHENSIVE PLAN UPDATE

WHEREAS, Minnesota Statutes section 473.864 requires each local governmental unit to review and amend its Comprehensive Plan and its fiscal devices and official controls at least once every ten years to ensure its Comprehensive Plan conforms to metropolitan system plans and ensure its fiscal devices and official controls do not conflict with the Comprehensive Plan or permit activities that conflict with metropolitan system plans; and,

WHEREAS, Minnesota Statutes sections 473.858 and 473.864 require local governmental units to complete their “decennial” reviews by December 31, 2018; and,

WHEREAS, the Planning Commission and City staff and consultants have prepared a proposed Comprehensive Plan intended to meet the requirements of the Metropolitan Land Planning Act and Metropolitan Council guidelines and procedures; and,

WHEREAS, pursuant to Minnesota Statutes section 473.858, the proposed Comprehensive Plan was submitted to adjacent governmental units and affected special districts and school districts for review and comment on February 24, 2018 and the statutory six-month review and comment period has elapsed; and,

WHEREAS, the Planning Commission has considered the proposed Comprehensive Plan and all public comments, and thereafter submitted its recommendations to the City Council; and,

WHEREAS, the Planning Commission conducted public hearings on 10/26/17, 11/30/17, 9/27/18, 11/7/18 and 2/28/19 relative to the adoption of the proposed Comprehensive Plan; and,

WHEREAS, the City Council has reviewed the proposed Comprehensive Plan and those recommendations, public comments, and comments from adjacent jurisdictions and affected districts; and,

WHEREAS, Minnesota Statutes section 473.858 requires a local governmental unit to submit its proposed Comprehensive Plan to the Metropolitan Council following recommendation by the Planning Commission; and,



CITY OF
NorthOaks
Building on a tradition of innovation

WHEREAS, based on its review of the proposed Comprehensive Plan and Planning Commission and staff recommendations, the City Council is ready to submit its proposed plan to the Metropolitan Council for review pursuant to Minnesota Statutes section 473.864.

NOW THERE, BE IT RESOLVED BY THE CITY COUNCIL OF NORTH OAKS, MINNESOTA, AS FOLLOWS:

1. The City Administrator is directed to distribute said Comprehensive Plan to the Metropolitan Council by pursuant to Minnesota Statutes section 473.864.

PASSED BY THE COUNCIL of the City of North Oaks this 13th day of June, 2019.

APPROVED:

Gregg Nelson, Mayor

ATTEST:

Michael Robertson
City Administrator

DRAFT 4/10/2019

ORDINANCE NO. 130

CHAPTER 34: PLANNING COMMISSION

§ 34.01. ESTABLISHMENT. A Planning Commission is hereby established. The Planning Commission shall be and is the planning agency for the City of North Oaks, as authorized by M.S. 462.354, subd. 1, as it may be amended from time to time. Except as otherwise provided in the City of North Oaks ordinances, the Planning Commission shall be advisory directly to the City Council of the City of North Oaks.

§ 34.02. COMPOSITION. The Planning Commission shall consist of seven (7) members, who must be residents of the City of North Oaks [and Minnesota][, and members of the North Oaks Homeowners Association]. All members shall be appointed by the City Council. One (1) of the members may be a member of the City Council. Such City Council liaison member shall be a non-voting member of the Planning Commission and shall not be counted in determining quorum.

§ 34.03. TERMS, OATH, AND VACANCIES. Subject to the removal provisions in this chapter, the term of each member shall be three (3) years, which shall commence on January 1 of the applicable first year, and end on December 31 of the third year. At the start of the applicable term and before exercising any authority or duties, each member shall take an oath that he or she will faithfully discharge the duties of the office. Members shall be and are automatically removed without vote of the City Council when they no longer meet the residential eligibility requirement; fail to meet the attendance requirement in § 34.07; or die. Members may also be removed during a term for any reason by a majority vote of the City Council. Each member shall hold office until a successor is appointed and qualified. If a member of the Planning Commission subsequently becomes a member of the City Council, such individual shall automatically cease to be a member of the Planning Commission as the date he or she is sworn into the City Council. In the event of a vacancy, the term of an appointed successor shall be for the remainder of the departing member's term.

§ 34.04 COMPENSATION. Members serve without compensation; except that the City Council may, in its discretion and by a vote of at least $[\frac{2}{3}]$ $[\frac{3}{4}]$ $[\frac{1}{2}]$, establish compensation for the Planning Commission members.

§ 34.05. ORGANIZATION, STAFF, AND ADVISORS.

(A) Organization. The City Council shall appoint the chairperson of the Planning Commission from among the members. The chairperson may hold office for a term of one (1) year. The chairperson shall not be the City Council liaison. The City Council may create and fill other offices as it determines necessary.

(B) Staff. The staff of the City of North Oaks shall provide reasonable support and information as requested by the Planning Commission. The city administrator for the City shall attend official Planning Commission meetings. City staff shall be responsible for attending the meetings and keeping the minutes and records of the Planning Commission.

(C) Advisors. The city attorney, city planner, city engineer, building inspector and/or any other representatives that are engaged by the City of North Oaks, are available as advisors and resources to the Planning Commission. They shall attend Planning Commission meetings upon request, and may be compensated for such attendance in accordance with their [agreements] [contracts] with the City of North Oaks.

§ 34.06 MEETINGS, MINUTES AND EXPENDITURES.

(A) Meetings. The Planning Commission shall hold regular meetings, at least once each month, at the time and place as they may fix by resolution filed with the city clerk, and upon at least seven (7) days' written notice, unless notice is waived by all Planning Commission members. Regular meetings shall be held at least once per month, unless circumstances such as lack of agenda, severe, inclement weather or absences, prevent them. Special meetings may be called at any time by the chairperson, or in the chairperson's absence, the acting chairperson, or as directed by the City Council or Mayor, upon ___ days' written notice, unless notice is waived by all Planning Commission members. Meetings may proceed when a quorum is present. Attendance by four (4) voting members is necessary for a quorum. The City Council liaison member is not a voting member and does not count in determining a quorum.

(B) Rules of Order. Subject to approval by the City Council, the Planning Commission shall adopt rules of order for the transaction of business, ordering meetings, adopting findings of fact and holding public hearings.

(C) Minutes, Records and Reports. The Planning Commission shall keep written minutes of its regular and special meetings, and shall keep a record of its motions, resolutions, transactions, and findings. The minutes of each meeting (official or unofficial) shall be promptly filed with the city clerk prior to the next regularly scheduled City Council meeting. If the minutes are unofficial, they remain subject to approval at the next Planning Commission meeting. On or before January 1 of each year, the Planning Commission shall submit a written report of its work during the preceding calendar year, to the City Council.

(E) Expenditures. The Planning Commission may make expenditures subject to and only within the amounts appropriated by the City Council. The Planning Commission shall submit a written report of its expenditures for a calendar year, to the City Council, on or before January 1 of the following calendar year.

§ 34.07 ATTENDANCE. Planning Commission members are required to attend at least half of the Planning Commission's official regular [and special] meetings in each calendar year, unless specifically excused by the Planning Commission chairperson because of unforeseeable circumstances. Excused absences shall be so noted in the minutes of the applicable meeting.

Failure to meet this attendance requirement in a given calendar year, shall result in automatic removal from the Planning Commission as of December 31 of that calendar year.

§ 34.08. POWERS AND DUTIES. The Planning Commission shall have the powers and duties given to city planning agencies generally by law, including the authority to conduct public hearings as directed by City Council or city policy. The Planning Commission also shall perform its duties as set forth in these City ordinances, including as set forth in Chapter 150.

§ 34.09. EFFECTIVE DATE. This ordinance, Chapter 34, is effective on the date it is published (or a summary of the ordinance is published pursuant to M.S. § 412.191, subd. 4) in a manner that meets the requirements of Minnesota Statutes § 331A.01, subd. 10.

Passed by the City Council of North Oaks, Minnesota, this __ day of May, 2019.

Mayor

Attested:

City Clerk

PLANNING COMMISSION

~~§ 150.075 ESTABLISHMENT.~~

~~— (A) A City Planning Commission for the City of North Oaks is hereby established.~~

~~— (B) The Commission shall be the city planning agency.~~

~~(Ord. 56, passed 11-4-1971; Am. Ord. passed 12-29-1976; Am. Ord. passed 12-24-1981; Am. Ord. passed 12-8-1994; Am. Ord. passed 4-13-1995)~~

~~§ 150.076 COMPOSITION.~~

~~— (A) (1) The Planning Commission shall consist of 7 members each appointed by the City Council for a term not greater than 3 years and not less than 1 year.~~

~~— (2) All members shall be residents of the city and at least 1 member shall be a member of the City Council.~~

~~— (3) Each member shall hold office until the member's successor is appointed and qualified. Any member may be removed during a term by a 4/5 vote of the City Council.~~

~~— (B) (1) Vacancies which occur during a member's term shall be filled by the City Council for the unexpired portion of the term.~~

~~— (2) Each member, before entering upon the discharge of the member's duties, shall take an oath to faithfully discharge the duties.~~

~~— (3) All members shall serve without compensation.~~

~~(Ord. 56, passed 11-4-1971; Am. Ord. passed 12-29-1976; Am. Ord. passed 12-24-1981; Am. Ord. passed 12-8-1994; Am. Ord. passed 4-13-1995)~~

~~§ 150.077 ORGANIZATION, MEETINGS, AND THE LIKE.~~

~~— (A) (1) The City Council shall appoint a Chairperson of the Planning Commission from among the appointed members for a term of 1 year, and shall appoint a Secretary of the Commission to serve at the will of the City Council who need not be a member, a city official or a resident of the city.~~

~~— (2) The City Council may create and fill the other offices as the Council may determine.~~

~~— (B) (1) Meetings of the Commission shall be called by the Chairperson upon 7 days' written notice thereof, unless the notice is waived by all members of the Commission.~~

~~— (2) Four members shall constitute a quorum.~~

~~— (3) The Commission shall adopt the other rules for the transaction of business as it deems necessary and shall keep a record of its resolutions, transactions, and findings, which record shall be a public record.~~

~~— (4) On or before January 1 of each year, the Commission shall submit to the City Council a report of its work during the preceding year.~~

~~— (5) Expenditures of the Commission shall be amounts appropriated for that purpose by the City Council.~~

~~(Ord. 56, passed 11-4-1971; Am. Ord. passed 12-29-1976; Am. Ord. passed 12-24-1981; Am. Ord. passed 12-8-1994; Am. Ord. passed 4-13-1995)~~

~~§ 150.078 PREPARATION OF COMPREHENSIVE CITY PLAN.~~

~~—(A) It shall be the function and duty of the Planning Commission to prepare and adopt a Comprehensive city Plan for the physical, economic, and social development of the city.~~

~~—(B) The plan may address itself to the subjects as proposed public buildings, public utility services, all forms of recreational facilities, and other matters relating to the development of the city.~~

~~—(C) The Comprehensive Plan may go beyond those subjects listed hereto so long as the plan relates to the general statements of policy contained in M.S. § 462.351, as it may be amended from time to time.~~

~~—(D) The plan may be prepared in sections, each of which shall relate to a major subject of the plan or to a major geographical section of the city.~~

~~—(E) Adoption of the first section, as provided in § 150.079, shall mean that there is in existence in the City of North Oaks a Comprehensive Plan.~~

~~—(F) The Commission may from time to time amend or add to the city Comprehensive Plan or section thereof as herein provided for the adoption of the original plan whenever changed conditions or further studies by the Commission indicate that the amendment or addition is necessary.~~

~~—(G) An attested copy of the plan or of any section, amendment, or addition to the city Plan adopted by the Planning Commission shall be certified to the City Council.~~

~~(Ord. 56, passed 11-4-1971; Am. Ord. passed 12-29-1976; Am. Ord. passed 12-24-1981; Am. Ord. passed 12-8-1994; Am. Ord. passed 4-13-1995)~~

~~§ 150.079 PROCEDURE FOR ADOPTION OF PLAN.~~

~~—(A) (1) Before adopting the city plan or any section of it or any substantial amendment thereof, the Commission shall hold at least 1 public hearing thereon, notice of the time, place, and purpose of which shall be given by publication in the official city newspaper at least 10 days before the day of the hearing.~~

~~—(2) The adoption of the city plan or any section or amendment thereof shall be by resolution of the Commission, approved by a majority of all the members of the Commission.~~

~~—(B) (1) Until the City Council adopts the plan certified to it by the Commission, it shall constitute only the recommendation of the Commission.~~

~~—(2) Adoption by the City Council shall be by resolution of the Council passed by a vote consisting of a majority of the members of the Council.~~

~~(Ord. 56, passed 11-4-1971; Am. Ord. passed 12-29-1976; Am. Ord. passed 12-24-1981; Am. Ord. passed 12-8-1994; Am. Ord. passed 4-13-1995)~~

~~§ 150.080 PROCEDURE FOR PLAN EFFECTUATION.~~

~~—(A) Upon the adoption of the Comprehensive city Plan or any section thereof, it shall be the duty of the Planning Commission to recommend to the City Council reasonable and practicable means for putting into effect the plan or sections thereof in order that the same will serve as a pattern and guide for the~~

orderly physical, economic, and social development of the city and as a basis for the efficient expenditure of the funds thereof relating to the subjects of the city plan.

~~(B) The means may include, at the discretion of the Commission, but are not limited to, zoning regulations, regulations for the control of subdivision plats, an official map, coordination of the normal public improvements of the city, a long term program of capital expenditures, and any other matters as will accomplish the purpose of this section.~~

~~(Ord. 56, passed 11-4-1971; Am. Ord. passed 12-29-1976; Am. Ord. passed 12-24-1981; Am. Ord. passed 12-8-1994; Am. Ord. passed 4-13-1995)~~

~~§ 150.081 ZONING ORDINANCE.~~

~~(A) No zoning ordinance shall be hereafter be adopted or amended by the Council until a public hearing has been held thereon by the Planning Commission upon notice as provided in M.S. § 462.357, Subdivision 3, as it may be amended from time to time.~~

~~(B) (1) The City Council shall act as the Board of Appeals and Adjustments as provided in M.S. § 462.354, Subdivision 2, as it may be amended from time to time.~~

~~(2) The Board of Appeals and Adjustments shall function as an appellate forum for any person adversely affected by the Zoning Ordinance of the City of North Oaks.~~

~~(3) Decisions of the Board of Appeals and Adjustments on matters within its jurisdiction shall be final subject to the right of judicial review.~~

~~(4) Hearings by the Board of Appeals and Adjustments shall be held upon written notice 10 days prior to the hearing date to the interested parties.~~

~~(Ord. 56, passed 11-4-1971; Am. Ord. passed 12-29-1976; Am. Ord. passed 12-24-1981; Am. Ord. passed 12-8-1994; Am. Ord. passed 4-13-1995)~~

~~§ 150.082 PLATS.~~

~~(A) (1) Every proposed plat of land within the city shall be submitted to the City Council before being filed, and no of land shall be filed unless and until the same shall first have been approved by the City Council.~~

~~(2) The City Council shall constitute the platting authority for the purposes of M.S. § 462.358 and M.S. Ch. 505, as they may be amended from time to time.~~

~~(B) Any person who violates this provision or who sells land or offers land for sale or contracts for the sale of land by reference to or by other use of any plat before the plat has been approved by the City Council in accordance with the provisions of this section is guilty of a misdemeanor, and is subject to § 10.99.~~

~~(C) Before approving a plat, the City Council may submit the same to the Planning Commission for its recommendations. The Planning Commission, within 60 days after any such has been referred to it by the City Council, shall act on the same and shall make its recommendations with respect thereto. The recommendations may consist of:~~

~~(1) Recommendation that the City Council approve the plat;~~

~~(2) Recommendation that the City Council disapprove the plat, in which case the~~

~~recommendation shall include a statement of the specific reasons for the recommendation; or~~
~~———— (3) Recommendation that the City Council approve the plat after specified changes or revisions are made therein, which recommendations may include the condition that a revised plat, containing the changes or revisions, be submitted to the Planning Commission, in which case the revised plat shall be so submitted to the Planning Commission for its further consideration and recommendations before action thereon by the City Council.~~
~~(Ord. 56, passed 11-4-1971; Am. Ord. passed 12-29-1976; Am. Ord. passed 12-24-1981; Am. Ord. passed 12-8-1994; Am. Ord. passed 4-13-1995)~~

~~**§ 150.083 PROCEDURE FOR AMENDMENTS.**~~

~~———— (A) No change shall be made in the Comprehensive city Plan or any portion thereof or regulations governing the platting of land after the plans or regulations have been adopted by the City Council, until the proposed change has been referred to the Planning Commission for report therein and an attested a copy of the report has been filed with the Council; and no ordinance or resolution establishing any such plans or regulations shall be adopted by the City Council until the ordinance or resolution has been referred to the Planning Commission for a report thereon an attested copy of the report has been filed with the Council.~~

~~———— (B) Failure of the Planning Commission so to report within 40 days or the longer period as may be designated by the Council after the reference shall be deemed to be approval of the proposed change.~~
~~(Ord. 56, passed 11-4-1971; Am. Ord. passed 12-29-1976; Am. Ord. passed 12-24-1981; Am. Ord. passed 12-8-1994; Am. Ord. passed 4-13-1995)~~

MEMO

Date: June 5, 2019
To: City Council
From: City Administrator Mike Robertson
Re: Set Workshops for City Business

The following subjects have been suggested for Council workshops. Please let me know if you would like to add any additional topics. Staff has been working to try and set up some workshop dates. Please bring your schedules to the Council meeting as it has proved difficult to find dates that all Councilmembers are free.

Subject	Estimated Time
1. Decennial Review of East Oaks PDA	2-3 hours
2. Interview of City Attorney Finalists	2-2.5 hours
3. Goal Setting	1-2 hours
4. City Administrator Review	1-2 hours

All workshops would be open to the public except the City Administrator Review would be a closed meeting.

After discussion with Mikeya Griffin, we suggest that subcommittees be established by the Council and NOHOA to continue discussion of how we can better work together on a variety of topics.



NorthOaks

Building on a traditional presence

Minnesota

Social Media Proposal

2019

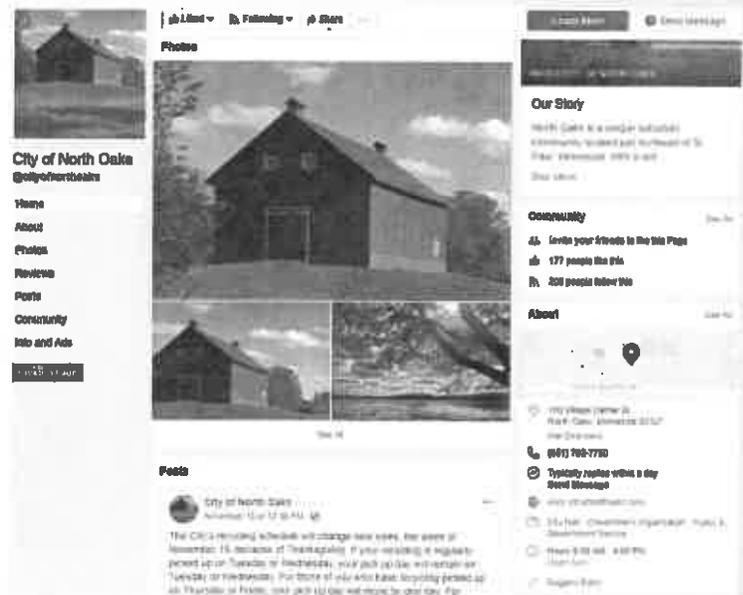
What We Love

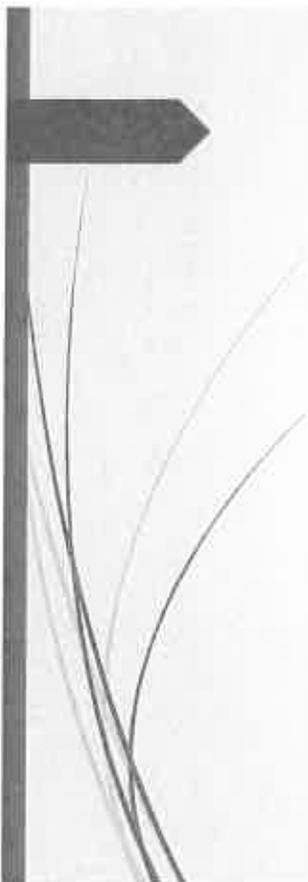
- Landscape photos showcasing North Oaks
- Eye catching word/photo post combos
- Speed of message responses

What Can Be Improved

- Consistent posting of 1x a day
- Mix of text, text/photo, and video
- Call to actions
- More content variety to encourage engagement

Facebook



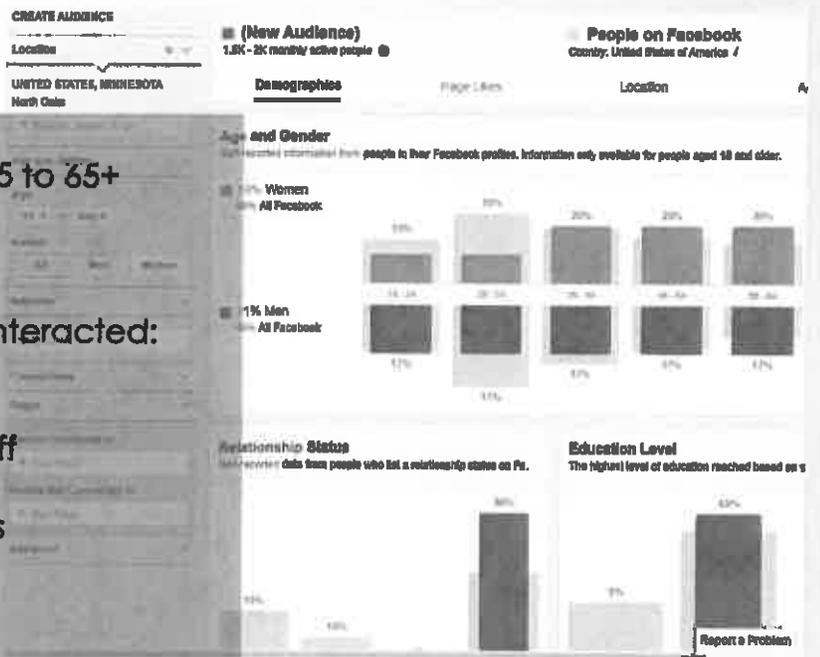


Competitive Landscape

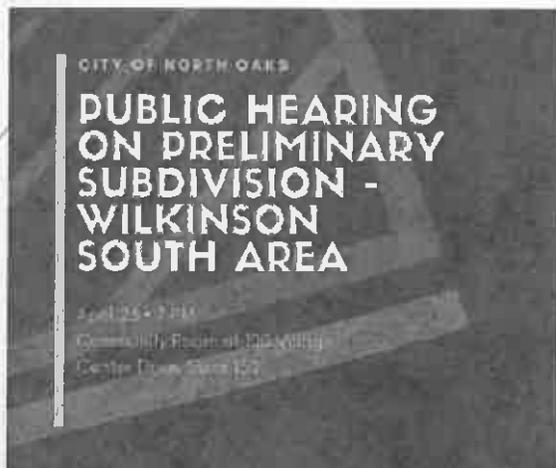
	Population	Facebook Followers	Percent of Pop.
Wayzata	4,522	1,443	31%
Oak Park Heights	4,845	382	7%
Circle Pines	4,955	444	8%
North Oaks	5,099	245	4.8%
Becker	5,320	1,173	22%
Dayton	5,387	685	12%

Demographics

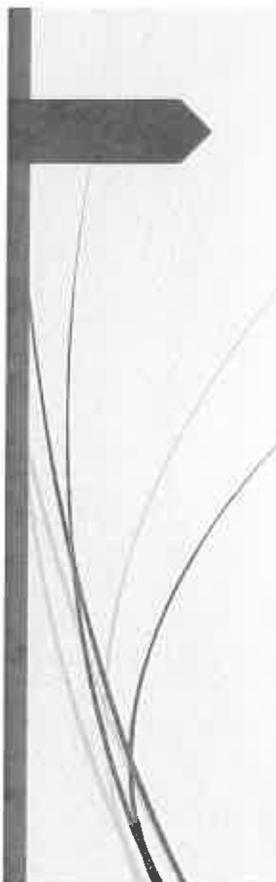
- Equal users within ages 35 to 65+
- Mostly female users
- 80% married
- Highly educated
- Most North Oaks Pages Interacted:
 - Panino's North Oaks
 - City of Shoreview
 - Ramsey County Sheriff
 - Trla Resturant
 - Mounds View Schools
 - The Tavern Grill
- Democratic
- Golf – preferred hobby



Content Examples



- Maintain consistent theme and feel
- Combining visual elements with information
- Inform and engage



Challenges

- Users utilizing the HOA Facebook page as primary information source.
- Professionals with busy schedules don't have much time on social.
- Developing enough unique and engaging content to keep followers interested.
- Getting the content in front of the user.



Objectives

- Increase followers and likes by 1 new like bi-weekly, resulting in 25 new followers in 2019, a 14% increase.
- Post a minimum of 3 times a week.
- Curate original content once a week related to city events, notices, and upcoming events.
- Provide a dashboard with analytics.
- Follow all copyright laws for photos on social media.
- Increase engagement (need insight access).



Cost

\$110/week

- 3 Custom-made posts per week.
 - A content execution calendar with up to 12 planned posts per month, with creative content.
 - Quarterly analytics
-

\$140/week

- 4 Custom-made posts per week.
- A content execution calendar with up to 16 planned posts per month, with creative content.
- Monthly analytics
- Implementation of Stories
- \$10 per month in targeted ad campaigns to reach NO residents.

North Suburban Access NSAC Professional and Technical Services Agreement

This contract is between the North Suburban Access Corporation, a Minnesota Municipal Corporation, (herein “the NSAC”) and the City of North Oaks, Minnesota (herein “the City”).

Recitals

1. Under Minnesota law, the NSAC is empowered to provide such professional and technical services as are desired by the City.
2. The City desires to engage the NSAC for social media services (herein “the Services”).
3. The City represents that it is empowered to engage the NSAC.

Agreement

1. Term of Contract

- 1.1. **Duration.** This Agreement will become effective July 1st, 2019 and will remain in effect for a trial period of one (1) month. At the expiration of the one (1) month period, the Agreement will automatically renew per month for the remainder of 2019, unless notice to terminate this Agreement is provided no less than ninety (10) days prior to the end of the current term. If this Agreement is terminated prior to the completion of a one (1) month period, the NSAC will be entitled to payment, determined on a *pro rata* basis, for Services satisfactorily performed.
- 1.2. **Survival of Terms.** The following clauses will remain in effect after the termination of the Agreement: Section 5. Liability, Section 6. Government Data Practices and Intellectual Property, Section 8. Governing Law, Jurisdiction, and Venue; and Section 9. Disclosure.

2. Services Provided

- 2.1. **Services.** The NSAC will provide the Services described in Schedule A (attached).
- 2.2. **Additional Services.** The City may also request additional services during the term of the Agreement (see Section 1.1. Duration). If accepted by the NSAC, Schedule A will be amended to include a description of the

additional services and according compensation. Unless otherwise specified, all terms of this Agreement will apply to any amendments to Schedule A.

- 2.3. **Standard of Care.** To the extent any property, such as camera or computer equipment, is loaned by the NSAC to the City, the City will exhibit a standard of care consistent with Minnesota law.
- 2.4. **City Assistance.** Depending on the nature of the Services, the NSAC may from time to time require access to public and private lands or property. To the extent the City is legally and reasonably able, the City will provide access to and make provisions to enable the NSAC or its agents or employees to enter upon public and private land and property as required for the NSAC to perform the Services.

The City will furnish the NSAC with a copy of any special standards or criteria promulgated by the City relating to the Services, including, but not limited to, design and construction standards, that is necessary for the NSAC to prepare for its performance of the Services.

3. Payment

- 3.1. **Compensation.** The City will pay for all Services to be performed by the Contractor as specified in Schedule A (attached).
- 3.2. **Fee Adjustment.** The NSAC reserves the right to annually adjust the fees associated with the Services specified in Schedule A. Such adjustments, if any, will be enacted on January 1 of a given year. Prior to enacting any fee adjustments, the NSAC must provide written notice of such to the City at least thirty (30) calendar days prior to the effective date of the fee adjustment.
- 3.3. **Invoices.** The City must promptly pay the NSAC after the NSAC presents an invoice for those Services that have been actually performed. The NSAC must timely submit invoices.

4. Assignment, Amendments, Waiver, and Completeness

- 4.1. **Assignment.** The City may not assign, license, or transfer any rights or obligation under this Agreement without prior written consent of the NSAC and a fully executed Assignment Agreement, executed and approved by the same parties who executed and approved this Agreement, or their successors in office.
- 4.2. **Amendments.** Any amendments to this contract must be made in writing and will not be effective until executed and approved by the same

parties who executed and approved this Agreement, or their successors in office.

- 4.3. **Waiver.** If the NSAC fails to enforce in a timely manner any provision of this Agreement, that failure does not waive the provision or the NSAC's right to enforce the provision.
- 4.4. **Completeness.** This Agreement contains all negotiations and agreements between the NSAC and the City. No other understanding regarding this Agreement, whether written or oral, may be used to bind either party.

5. Liability

The City must indemnify and hold harmless the NSAC, its agents, and its employees from any claims or causes of action, including attorney's fees incurred by the NSAC arising from performance of this Agreement by the City, its agents, or its employees. The clause must not be construed to preempt any legal remedies the NSAC may have for the City's failure to fulfill its obligations under this Agreement.

6. Government Data Practices and Intellectual Property

- 6.1. **Government Data Practices.** To the extent applicable, the City and NSAC must comply with the Minnesota Government Data Practices Act, Minn. Stat. Ch. 13. The civil remedies of Minn. Stat. § 13.08 apply to the release of the data referred to in this Clause by either the City or the NSAC.

Each Party shall notify the other of any Data Practices Act request for video recordings created pursuant to this Agreement. All requests for the release or sale of video recordings created pursuant to this Agreement shall be directed to and fulfilled by the NSAC.

7. Endorsement

The City must not claim that the NSAC endorses its products or services.

8. Governing Law, Jurisdiction, and Venue

Minnesota Law governs this Agreement. Venue for all legal proceedings arising from this Agreement shall be in the appropriate state or federal court with competent jurisdiction in Ramsey County, Minnesota.

9. Disclosure

The City consents to disclosure of its social security number, federal employer tax identification number, and Minnesota tax identification number, to the Commission as is necessary for compliance with Minnesota and other applicable law.

10. Severability

If any section or clause of this Agreement is held to be invalid or unenforceable, then the meaning of that section or clause shall be construed so as to render it enforceable to the extent feasible. If no feasible interpretation would save the section or clause, it shall be severed from this Agreement with respect to the matter in question, and the remainder of the Agreement shall remain in full force and effect. However, in the event that such a section or clause is essential or substantially alters the Agreement, the Parties shall negotiate a replacement section or clause that will achieve the intent of such unenforceable section or clause to the extent permitted by law.

11. Employment

Employees of the NSAC performing work pursuant to this Agreement shall remain at all times employees only of the NSAC. The NSAC will be responsible for worker's compensation, salary, and training.

[REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK]

Dated: _____

North Suburban Access Corporation

By: _____

Its: _____

Attest

By: _____

Its: _____

North Oaks, City Administrator

Dated: _____

By: _____

Its: _____

Schedule A. Services (North Oaks).

Service	Quote	
<p>Social Media Coordination - Lite: The NSAC agrees to provide the following:</p> <ul style="list-style-type: none"> • 3 Custom-made posts per week. • A content execution calendar with up to 12 planned posts per month, with creative content. • Quarterly analytics <p>The City agrees to provide the following: A monthly newsletter and items of upcoming interest.</p>	<p>\$110 per week</p> <p>Total - \$440 for trial month</p>	<p>-</p>
<p>Social Media Coordination - Mid: The NSAC agrees to provide the following:</p> <ul style="list-style-type: none"> • 4 Custom-made posts per week. • A content execution calendar with up to 16 planned posts per month, with creative content. • Monthly analytics • Implementation of weekly Stories • \$10 per month in targeted ad campaigns to reach NO residents. <p>The City agrees to provide the following: A monthly newsletter and items of upcoming interest.</p>	<p>\$140 per week (\$20 per moth allocated to ads)</p> <p>Total - \$560 for trial month</p>	<p>-</p>
<p>Total</p>		

MEMO

Date: June 4, 2019
To: City Council
From: City Administrator Mike Robertson
Re: Discussion of Cesspools

Councilmember Reis asked that this item be added to the Council agenda. Cesspools can no longer be constructed for sewage treatment under State law. However, the City has no mechanism to make someone replace a cesspool with a compliant system. The City also has no mechanism to make someone replace a cesspool with a compliant system when they sell or buy a property.

Rules of Decorum for City of North Oaks City Council and Committee/Commission Meetings

May 2019

To ensure that meetings are conducted in a professional and courteous manner which enables the orderly conduct of business, all attendees of the city's meetings shall behave in a manner that does not interfere with the ability of others to observe or participate without disruption or fear of intimidation.

More specifically, these rules are intended to avoid situations in which residents who have views that differ from those of a vocal group feel intimidated from voicing their opinions, as well as to avoid threatening or intimidating behavior toward city council, committee and commission members, city staff and city consultants.

A. Residents' Comment Period. Attendees who make public comments during this period are subject to the following:

1. Individuals may address the city council about any item not included on the regular agenda during the citizen comments portion of a meeting.
2. Attendees may speak only after being recognized by the presiding officer.
3. Speakers shall speak from the podium, and shall state their name and address for the record.
4. Speakers shall limit their remarks to three (3) minutes, unless the presiding officer, in his or her discretion, permits a longer period.
5. Speakers shall address their comments to the council members, and not to other attendees.
6. Speakers shall refer to all elected officials by their proper title and surname.
7. Speakers shall avoid personal accusations, profanity, and other content that is improper for a public meeting.

Note: Generally, the city council will not take official action on comments made during this period, but may refer the matter to staff for potential future consideration.

B. General Conduct. All attendees are subject to the following:

1. Intimidating behaviors and threats of hostility are not allowed.
2. Physical attacks, assaults or other violence are not allowed.
3. Audible demonstrations of approval or disapproval that may be intimidating, threatening or disrespectful to others should be avoided.

C. Discipline, Removal from Meetings. The presiding officer shall request anyone who disrupts, interferes with or disturbs the orderly conduct of a meeting to stop the behavior. If the individual persists, the presiding officer may have the individual(s) removed or, under appropriate circumstances, temporarily clear the meeting room. If the presiding officer fails to take such action, a majority vote of the convened body (council, committee or commission) may be substituted for action by the presiding officer to maintain order and decorum over the proceedings.