

The Council Meeting was called to order at 7:00 p.m. by Mayor Gregg Nelson at the Community Meeting Room, 100 Village Center Drive, Suite 150, City of North Oaks, Minnesota. Present were Mayor Gregg Nelson, Councilmembers Rick Kingston, Katy Ross, Marty Long and Kara Ries; City Administrator Mike Robertson, City Attorney Bridget Nason, Sanitary Inspector Brian Humpal, Recording Secretary Gretchen Needham, and Videographer Maureen Anderson.

Pledge of Allegiance

Approval of Agenda

Mayor Nelson made a motion, seconded by Councilmember Kingston, to amend the agenda: items 1 and 3 in the Consent Agenda (minutes of the July 11, 2019 Council meeting and minutes of the July 25 Planning Commission meeting) were moved to New Business, and item 6 under New Business (close Special Meeting of July 23, 2019) was deleted from the Agenda. The motion passed unanimously.

Consent Agenda

1. ~~Minutes of the Regular Council meeting of July 11, 2019 for approval~~ Moved to New Business
2. Minutes of the Natural Resources Commission meeting of July 18, 2019 for approval
3. ~~Minutes of Planning Commission meeting of July 25, 2019 for approval~~ Moved to New Business
4. Minutes of the City Council Workshop of July 8, 2019 for approval
5. Minutes of the City Council Workshop of July 10, 2019 for approval
6. Approve Gambling Permit Application for Common Bond Communities—North Oaks Golf Club
7. Approve Hill Farm Historical Society One Day Liquor License for 2019 Farm Fest Licenses for Approval: DJ's Companies, Inc.
Approval of Claims: Checks#13175-13208

Councilmember Kingston made a motion to approve the Consent Agenda, which was seconded by Councilmember Long. The motion was approved unanimously.

Citizen Comments

Cheryl Blackford of 7 North Deep Lake Road asked why there was a rush to push through the Planning Commission Ordinance 130 in replacement of Ordinance 150. She asked if Ordinance 150 was legally rescinded? Mayor Nelson said it was. She also wanted to know if Commissioners Ries and Ross were removed from the Planning Commission legally. She asked if it is a conflict of interest for the Mayor and Councilmembers to socialize with an executive of the North Oaks Golf Club, when the Golf Club is considering changes that Council will have to approve in the near future.

Rich Dujmovic of 15 Black Lake Road provided written comments that had been emailed to the Council on July 11 for inclusion in the record.

Petitions, Requests, & Communication

1. Approve City Attorney Contract with LeVander, Gillen & Miller

Councilmember Kingston made a motion to approve the City Attorney contract with LeVander, Gillen & Miller. Councilmember Ross seconded. The motion was approved unanimously.

Councilmember Ries had a question about potential continued billing of Dave Magnuson, the previous City Attorney. She asked that the files Mr. Magnuson has in his possession be passed on to LeVander, Gillen & Miller as soon as possible. Administrator Robertson said the billing from Magnuson's firm should be minimal as it would be for any consulting City Attorney Nason may need to do with him. He expects the files will be turned over to Bridget as soon as she meets with Dave Magnuson.

2. Fire Chief Tim Boehlke—Presentation of Fire Department Needs Study

Fire Chief Tim Boehlke made a presentation highlighting the history as well as the current needs of the Lake Johanna Fire Department. The study was done to show how the needs of the fire department could be met for the next 50 years. Station 1 was decommissioned in 2017. Station 2 was rebuilt in 1996; Station 3, the current headquarters, was built in 1986; and Station 4 was built in 1988. Next steps include designing and building a new fire station and closing the Victoria St. station. A site of at least three acres off a secondary roadway would be ideal to enhance safety and allow for a building designed for 24/7 use. One potential site would be near Flaherty's Bowling on land owned by Bethel University.

Councilmember Ross asked when the fire department would like to purchase the land, and Chief Boehlke said as soon as possible, with the Bethel University land the best option.

Administrator Robertson mentioned that a capital improvement bond would be used to fund the City's share when the time came to purchase property and build the new station.

3. Deputy Mike Burrell Report

- There has been an increase in solicitors, some of these spurred by the recent hail storms. Solicitors will be ticketed. Councilmember Ries asked if there could be language added to the Trespassing Ordinance to more strongly protect against solicitors, especially the seasonal ones that are storm chasers. Councilmember Kingston mentioned that citations can be issued retroactively, but Deputy Burrell needs to have the identity of the person, from a business card or driver's license, in order to issue citations retroactively.
- Last week two contractors were arrested that had been in North Oaks to do work. One of the contractors claimed a resident allowed him to ride on the resident's ATV; another contractor was speeding without a driver's license. Deputy Burrell asks that residents are careful with who they choose to do work at their homes.
- A homeless person was trespassing in the Village Center Drive plaza.
- Deputy Burrell attended four Night to Unite events in North Oaks and found them all well attended. A total of 13 events were held in town.

Unfinished Business

1. Public Hearing—Revised Septic Ordinance

Brian Humpal, North Oaks' Sanitary Inspector, spoke about a point of sale provision that was discussed four years ago for North Oaks' Septic Ordinance. Approximately 14% of homes in North Oaks have cesspools, and an estimated 25% of homes have noncompliant septic systems. Having a point of sale element to the Septic Ordinance would be recommended in his opinion as it would improve water quality. Most of the Metro communities with septic systems have point of sale provisions in their ordinances.

The public hearing was opened at 8:08 p.m. With no comments the public hearing was closed at 8:08 p.m. The City Attorney will provide a revised Septic Ordinance for consideration of adoption at the September City Council meeting.

2. Review of Potential Changes to Trespass Ordinance

Attorney Nason reviewed proposed changes to the Trespass Ordinance that would clarify what constitutes trespassing. Councilmember Ries would like more clarification and definition of private land within this ordinance.

Councilmember Long made a motion to set a public hearing to discuss proposed changes to the Trespass Ordinance at the September 12, 2019 City Council meeting. Councilmember Ross seconded. The motion was approved unanimously.

3. CTV—Social Media Proposal

Administrator Robertson suggested the City accept a contract with CTV for social media. The contract will cost \$110/week for four weeks.

Councilmember Ries made a motion to approve the contract with CTV for social media. Councilmember Long seconded. The motion was approved unanimously.

4. Discussion of East Oaks PDA Decennial Review

A workshop was scheduled for August 21, 2019.

New Business

1. Discussion of Minute Taking

Administrator Robertson reviewed different styles of meeting minutes taking. The paraphrase style used by the City of North Oaks is standard. Attorney Nason mentioned that the recording of minutes is required by state statute, but the format of those minutes is left up to individual Councils and cities. Mayor Nelson suggested the minutes be shortened to just motions and votes taken with little other description; no other councilmembers voiced to change to this style. The notes will continue to be taken in paraphrase/summary style until further notice.

2. Resolution 1352 Re: Citizens United Decision

Attorney Nason noted that this is a non-binding resolution to be sent to the United States Congress. Councilmembers Ries and Ross, as well as Mayor Nelson, asked for more comments or feedback from the community before they decide. Councilmember Kingston suggested the resident get a petition.

A motion was made by Councilmember Long to table the discussion regarding Resolution for Citizens United until a public hearing at the September 12, 2019

Council meeting, which was seconded by Councilmember Ries. Motion carried unanimously.

3. Request for Review of recently passed Ordinance No. 130 Amending Planning Commission Composition

Councilmember Ries made a motion to have the Ordinance 130 reviewed by the City Attorney, as well as the validity of the currently sitting Planning Commissioners, which was seconded by Councilmember Long. Councilmembers Kingston, Long, Ries, and Ross voted for; Mayor Nelson voted against. The motion carried 4-1.

4. Discussion of Council Responsibilities

Councilmember Ries is concerned that the Councilmember responsibilities are not equally allocated. She suggested a different assignment of responsibilities.

Councilmember Ries made a motion to table discussion of the Council Responsibilities until the September Council meeting, which was seconded by Councilmember Ross. Carried unanimously.

5. Preliminary 2020 Budget

Administrator Robertson said that a preliminary tax levy has to be set at September's meeting. There will be less new homes built next year as there are very few lots available. The sewer and water fees will need to go up. The fee schedule is not anticipated to increase.

6. ~~Close Special Meeting of July 23, 2019~~ Removed from agenda

7. Approval of July 11, City Council Meeting Minutes

Mayor Nelson pointed out that the July 11 City Council minutes incorrectly stated the adoption date of Ordinance 130 and asked that it be corrected. Mayor Nelson asked that a word for word transcript of Councilmember Ries' statement from the July 11 City Council meeting be added to the official minutes. Councilmember Ries asked that City staff make a summary. Councilmember Long asked why the transcript was being asked for in the first place. Mayor Nelson said that he wanted an accurate recording of what was said by Councilmember Ries at the July 11 meeting to protect against future litigation.

Councilmember Ross questioned why a transcript was needed if a video recording is already in existence. Councilmember Kingston saw no downside to a transcript being added to the official minutes.

Mayor Nelson moved, seconded by Councilmember Kingston, that a transcript of Councilmember Ries' speech be added to the July 11, 2019 minutes. Mayor Nelson and Councilmember Kingston voted for; Councilmembers Long, Ries, and Ross voted against. The motion failed 2-3.

A friendly amendment was made by Councilmember Ries to attach a summary of her statement and Councilmember Ross' statements to the July 11 City Council minutes. No vote was taken and the motion did not carry.

Councilmember Ries made a motion to postpone the approval of the July 11 City Council minutes until the September Council meeting, giving City staff time to

summarize the minutes as usual. Motion seconded by Councilmember Long. The motion was approved unanimously.

Council Member Reports

Kara Ries

- The Cable Commission meeting included a review of Dana Healy, president of CTV.
- A meeting with a Maplewood staffer was helpful toward planning a future website overhaul.
- Night to Unite was a great event; Councilmember Ries thanked the community members who hosted and attended.
- Councilmember Ries is making videos with Deputy Burrell for posting on Facebook about community concerns.

Katy Ross

- Mailboxes are in and will start to be distributed.
- A recycling tour was given last week at Eureka Recycling.

Marty Long

- He made it to all 13 Night to Unite events and really enjoyed them.
- The Fire Department is being transparent with their request for a new building.
- Ramsey County is proposing a 6% increase in County taxes.

Rick Kingston

- Tick Task Force survey results are in.
- Night to Unite events were attended and he was impressed at how many folks came out.
- A Polco Survey could be put out about a Maintenance Ordinance.

Mayor Gregg Nelson

- Night to Unite was a tremendous event and the Sheriff's Department did a good job.
- Welcomed Bridget Nason and the LeVander firm to the City's Attorney position.

City Administrator Reports

1. Request to Purchase an Electric Bike for Deputy Burrell
Councilmember Kingston made a motion to approve \$850 (which is 50% of the total cost) toward an electric bike for Deputy Burrell to use on patrol. Mayor Nelson seconded. The motion was approved unanimously.
2. Annual Data Practices Report
 Administrator Robertson gave the report saying most data requests are perfunctory.
3. Set Standard Date for Council Workshop of the 3rd, 4th Tuesday/Wednesday of every month
 Council tentatively set the third Wednesday of every month for a potential Workshop if needed. A Council Workshop was set for Wednesday, August 21, 2019 for discussion of the East Oaks PDA.
4. City Administrator Retirement and Replacement
 Administrator Robertson noted he had announced his retirement this past Monday. He

thanked the Council for the time he has spent working for North Oaks. Robertson reviewed the proposed ad and job description. The Council agreed the salary range will be \$83K to \$120K.

A motion was made by Councilmember Long to post the ad and job description for the City Administrator position, which was seconded by Councilmember Kingston. The motion passed unanimously.

Miscellaneous

Next Natural Resource Commission Meeting is Thursday, August 15, 2019 @ 7 pm

Next Planning Commission Meeting is Thursday, August 29, 2019, @ 7 pm

Next Regularly Scheduled Council Meeting is Thursday, September 12, 2019 @ 7 pm

Adjournment

On motion duly made by Councilmember Ries, seconded by Councilmember Ross, and carried unanimously, the meeting was adjourned at 9:38 p.m.

Attest:

Respectfully Submitted

Mike Robertson
City Administrator

Gretchen Needham
Recording Secretary