

The Council Meeting was called to order at 7:00 by Mayor John Schaaf at the Community Meeting Room, 100 Village Center Drive, Suite 150, City of North Oaks, Minnesota. Present were Council Members Mike Egelston, Marty Long, Gregg Nelson, Katy Ross and Mayor John Schaaf. City Administrator Michael Robertson, City Attorney David Magnuson, Recording Secretary Linda Hanson and Videographer Maureen Anderson were also present

Pledge of Allegiance

Mayor Schaaf asked for a Moment of Silence for those lost on 9/11.

Approval of Agenda

Mayor Schaaf stated that item 4 under New Business would need a public hearing and that to be implemented in 2015 any changes would have to be made by October 1, 2014 which is not possible. This item will be addressed at another time.

Council Member Katy Ross moved to approve the agenda. The motion was seconded by Council Member Mike Egelston and passed unanimously.

Citizen Comments

Tom Dougherty, President of the North Oaks Company, addressed the Council. He wanted to first thank the Council Members for their support of the West Rec Center. John Murphy, Vice-President of NOHOA updated Council on the new West Rec building. He said it will be completed sometime in December.

Consent Agenda

1. Minutes of the Regular Council Meeting of August 14, 2014 for approval
2. Minutes of the Regular Planning Commission Meeting of August 28, 2014 for approval
3. Minutes of the Natural Resource Commission of August 21, 2014 for approval
4. Variance 14-09, ISTS Setback, 25 Nord Circle Road for approval
5. Variance 14-10; ISTS Setback, 7 Island Road for approval
6. Licenses for Approval:

Mechanical Contractors Plumbing & Heating: E.L.K. Mechanical HVC; Hoffman Refrigeration & Heating; Midwest Maintenance & Mechanical

Claims for Approval: Check numbers 011080-011110

Council Member Marty Long made the motion to approve the Consent Agenda with a second from Council Member Katy Ross. The motion carried unanimously.

Petitions, Requests, & Communication

1. **Update on Cable Negotiations, Commission Chair Steve Bielke**

Steve Bielke, 7 Hawk Lane and Chair of the Cable Commission, represents the City of North Oaks on the Commission. He gave the Council an update on the status of franchise negotiations with Comcast. The agreement with Comcast expires in a few months and the Commission has been working on negotiating a new contract for the

past three years. An administrative appeal has been entered and they are discussing extending the current contract while negotiations are taking place.

Comcast is in process of merging with Time Warner. In order to do this, they need to spin off some of their customers to avoid trust violations. A new company named Midwest Cable is being formed which will serve this area. The Commission will need to review transferring the franchise to the new company. At this time very little is known about the new company. In order to approve the transfer all compliance issues with Comcast must be resolved and that is in process. The transfer will need to be approved by each City Council once the merger is complete. The new company will be bound by the current franchise.

At this time, the City of Shoreview has authorized action to drop out of the Cable Commission. They have until October 15th to give notice and then they would directly negotiate with Comcast.

2. **NOHOA's Request for a Crosswalk on West Pleasant Lake Road**

John Murphy, Vice President of NOHOA, gave a history of the request for a trail to connect the new development of Charley Lake Preserve to the trails around Pleasant Lake. NOHOA did a survey and found that they had very little space for the trail due to wetlands. They worked with the homeowners in the area. The original plan had the trail crossing West Pleasant further south which North Oaks Company objected to. They are proposing to move the crossing further north and feel it's a safer place to cross West Pleasant. Administrator Robertson noted the City Engineer had a concern about south bound traffic at the northern crossing.

Tom Dougherty from the North Oaks Company stated that NOHOA did not have enough room for a trail on their property. The trail would cross the last vacant lot on the lake that North Oaks Company owns. The property has a road easement but not a trail easement. He said he would have liked input with NOHOA before this went to the City. The trail is now suggested to be off the North Oaks Company property and he feels it has better sight lines.

Council Member Nelson moved to table to the October meeting any decision so that more information can be provided and staff has time for a thorough review. Council Member Egelston seconded the motion and it carried unanimously.

Unfinished Business

1. **Assessment Hearing (Continued)**

The Assessment Hearing was reopened at 7:40 P.M.

A. **Lake Gilfillan Augmentation Maintenance Assessment**

Administrator Robertson reported that many of those assessed for the yearly maintenance fee have already paid the assessment. There were no comments. If the assessment is paid by October 1st, there is no interest. If not paid, the assessment will appear on the taxes due in 2015.

Council Member Nelson moved to close the hearing at 7:40 p.m. with a second from Council Member Ross. The motion carried unanimously.

B. Unpaid Services Assessment

Mayor Schaaf opened the public hearing at 7:41 p.m. Administrator Robertson noted that assessments are scheduled for residents that did not mow lawns, remove infected trees, or maintain their septic systems. There were no comments.

Council Member Ross moved to close the hearing at 7:41 p.m. with a second from Council Member Nelson. The motion carried unanimously.

C. Unpaid Code Violations Assessment

Mayor Schaaf opened the public hearing at 7:42 p.m. Administrator Robertson noted that there was one assessment for a code violation ticket. There were no comments.

Council Member Nelson moved to close the hearing with a second from Council Member Ross. The motion carried unanimously.

Council Member Nelson made the motion, seconded by Council Member Long to approve the Assessment Roll dated October 1, 2014. The motion passed unanimously.

Administrator Robertson noted that any assessments can still be paid by October 1, 2014. After that they will be sent to Ramsey County for assessment on taxes payable in 2015.

2. Proposed Charlie Lake Preserves Entrance Monument-Maycomb Road

Administrator Robertson presented the request to put an entrance monument on Maycomb Road at the northern entrance to Charley Lake Preserve. The monument will look similar to the one at the south entrance, but will not have a pillar in the middle. The monument will consist of columns on each side of the road. Building Official Schmit and City Engineer Pearson have all reviewed the plan and stated it meets code.

Mayor Schaaf asked if the Lake Johanna Fire Department had a chance to review the request and was told that they did look at it. The proposed monument also meets the required sight line setback.

Council Member Nelson moved to approve the proposed monument for the North Entrance to Charley Lake Preserves with the following conditions: The motion carried unanimously.

- 1. Approval based on the plan dated 7/31/2013, revision date 7/28/2014 and**
- 2. Work to be completed by 9/30/2014.**

3. Approval of Bid for Culvert Replacement

The City received four bids for replacing culverts. The lowest bid was by Dave Perkins Contracting, Inc. SEH recommends approval and will oversee the work.

Council Member Ross made the motion to approve the lowest bid and direct Administrator Robertson to engage Dave Perkins Contracting, Inc. for

replacement of the culverts. Council Member Nelson seconded the motion which carried unanimously.

New Business

1. Set Preliminary 2015 Tax Levy

Administrator Robertson explained that the preliminary 2015 Tax Levy must be set by the end of September. The final 2015 Tax Levy must be approved by December 20, 2014. Once set the preliminary levy can be decreased but cannot be increased. He suggested a preliminary levy of 5% over 2014, noting that he expects the final levy will be lower. He that reason for his suggested amount was that the City's tax capacity had increased 8.8%.

Administrator Robertson reviewed the preliminary 2015 budget. The final 2015 budget should also be set by December. The major expenses are for fire and police services and those figures are known. The Finance Committee met and reviewed the preliminary figures and recommended that the preliminary 2015 Tax Levy be set at 4.7% over the 2014 levy. The Mayor suggested that some funds should be set aside in a contingency fund to make up for those who do not pay their taxes on time. He also encouraged the Finance Committee to look at budgeting more for capital expenses as the purchase of another fire truck will happen in the next few years.

Council Member Nelson made the motion, seconded by Council Member Ross to set a preliminary 2015 Tax Levy at 4.7% over 2014. The motion carried unanimously.

2. Set Truth in Taxation (TNT) Hearing Date

Since two Councilmembers will be gone on the regular Council date of December 11th, the City Council discussed moving the meeting and having the Truth in Taxation hearing prior to the Council Meeting.

Council Member Nelson moved to change the regularly scheduled meeting on December 11th, 2014 to Monday December 8th at 7:30 P.M. with the Truth in Taxation meeting at 7:00 P.M. the same day. The motion was seconded by Council Member Egelston and it passed unanimously.

3. Review of 2015 Proposed Budget

The proposed 2015 Budget was discussed earlier in the meeting. Council Members Egelston and Nelson will meet with Administrator Robertson to review the budget further later in the month and it will be back before the Council in October and November.

4. Approve Contract for Maureen Anderson

Kevin Scattum, former Videographer for the City, recommended that Maureen Anderson take his place. She currently does the videotaping for Falcon Heights. Administrator Robertson suggested that she have a similar contract to Mr. Scattum. The contract will run until December of 2015.

Council Member Nelson made the motion to approve the Contract Agreement between Maureen Anderson and the City of North Oaks. The motion was seconded by Council Member Ross and passed unanimously.

Council Member Reports

Councilmember Mike Egelston

NOHOA

Council Member Egelston attended the NOHOA meeting. At the meeting, they approved a larger budget so that additional road work can be done. All streets are now on a six year maintenance plan.

Mayor Schaaf, Council Member Nelson, and City Administrator Robertson attended the ground breaking ceremony for the new West Rec Center.

Council Member Katy Ross

Floor Area Ratio (FAR) Committee

Council Members Ross and Nelson met with the City Administrator, Building Official, and ASC Chair Paul Lesieur to review the way the Floor Area Ratio is calculated. They made good progress and will meet again before the next Council meeting.

Council Member Marty Long

NRC

Council Member Long attended the Natural Resource Commission meeting where they revised the proposed Tree Ordinance based on direction from the Planning Commission. They also are working on educational tools for marketing North Oaks and for new residents to learn about the unique characteristics found in North Oaks.

Council Member Gregg Nelson

1. Planning Commission

At the Planning Commission meeting a committee was formed to look at changing the Floor Area Ratio. Increasing the allowed building height was discussed. The builders proposed this as a way of creating a greater variety of roof lines.

2. Finance Committee

The 2015 Budget was the focus of the Finance Committee. They also met with Steve Bielke on the issues with Comcast.

Mayor John Schaaf's Report

Mayor Schaaf attended the ground breaking ceremony at the new West Rec Center and the VLAWMO Board Meeting where they decided to join the Ramsey County League of Local Governments. He drove through Charley Lake Preserve and stated the new homes are worth seeing. He also drove through Rapp Farm and commented on the new no parking signs and was happy to see that parking is being enforced.

Mayor Schaaf also wanted to apologize to Kevin Scattum for not recognizing all the work he had done for the City for many years. He welcomed the new videographer, Maureen Anderson.

Administrative Report

1. Commissioner Hokanson's Resignation from the Natural Resource Commission

The City will look for a replacement for Stan Hokanson who recently resigned from the NRC.

Council Member Nelson made a motion, seconded by Council Member Ross to direct the City Administrator to send a letter to Stan Hokanson thanking him for his contributions to the City. The motion carried unanimously.

City Attorney Reports

No report

The Mayor reminded the public that Hill Farm Days was the upcoming weekend.

Miscellaneous

Next Natural Resource Commission Meeting, September 18, 2014 @ 7:00 pm in the Community Meeting Room

Next Regularly Scheduled Planning Commission Meeting September 25, 2014 @ 7:00 pm in the Community Meeting Room

Next Regularly Scheduled Council Meeting October 9, 2014 @ 7:00 pm in the Community Meeting Room

Adjournment

Council Member Nelson moved, seconded by Council Member Ross, to adjourn at 8:18 p.m. The motion carried unanimously.

Attest:

Respectfully Submitted

Mayor John Schaaf

Linda M. Hanson
Recording Secretary