

The Council Meeting was called to order at 7:00 p.m. by Deputy Mayor Rick Kingston, present were Deputy Mayor Rick Kingston and Councilmembers Katy Ross, Kara Ries, and Marty Long; City Administrator Mike Robertson, City Attorney Bridgette Nason, City Planner Bob Kirmis, City Septic Inspector Brian Humpal, Recording Secretary Deb Breen, and Videographer Maureen Anderson. Absent: Mayor Gregg Nelson.

Pledge of Allegiance

Approval of Agenda

Acting Mayor Kingston suggested moving Septic Ordinance discussion up to the first item of unfinished business. Councilmember Reis motioned to approve the amended agenda. Councilmember Ross seconded. Amended agenda passed unanimously.

Citizen Comments

Marc Asch – 34 North Oaks Road

Concerned about sign ordinance and urged Council to review it. Wants a sign ordinance that is more enforceable. An open house sign was up for 4 weeks with no homeowner present. He believes the Sign ordinance should be reviewed to ensure permission is needed from property owner to place signs in yard. Our current ordinance states one sign, he wants to make sure it is enforceable.

Ken Klein - 12 Meadowlark Road

He would like more enforcement on speeding including signage, possible faux speed bumps and more enforcement. He would like more education for teens and is asking Council to take some action.

Kathy Emmons – 10 Duck Pass Road

She thanked the Council for reviewing the no trespassing ordinance at NOHOA's request. NOHOA is very appreciative and hopeful it has the same impact that the no parking ordinance has had as Officer Burrell's enforcement has been fantastic.

Bob Ostlund – 7 North Mallard Road

In the August North Oaks News, Mayor referred to the City Administrator as the City Manager. In September he also referred to him both ways. He would like to see this corrected in the future.

Consent Agenda:

1. Minutes of the Regular Council meeting of August 8, 2019 for approval
2. Minutes of the Natural Resources Commission meeting of August 15, 2019 for approval
3. Minutes of the Planning Commission meeting of August 29, 2019 for approval
4. Minutes of the City Council Workshop of August 5, 2019 for approval
5. Minutes of the City Council Workshop of August 21, 2019 for approval
6. Minutes of the Regular Council meeting of July 11, 2019 for approval
7. Approve Gambling Permit Application for Children's Hospital Association - North Oaks Guild 1 @ North Oaks Golf Club
8. Approve Gambling Permit for MVHS Boys Hockey Boosters

Licenses for Approval; Erickson Plumbing Heating Air Electrical, Schwantes Heating & Air; West Air, Inc.; A & A Tree & Landscaping LLC,
Approval of Claims: Check#: 013210-013248

Councilmember Long Motioned to approve, Councilmember Ries seconded. Deputy Mayor Kingston requested to update the August 8, 2019 minutes to clarify that the Council agreed to pay for 50% of the total \$1,700 cost of Deputy Burrell's electric bike. Administrator Robertson said the \$850 amount has been communicated to Ramsey County Sheriff's office. **Motioned to amend the Minutes as noted by Deputy Mayor Kingston was made by Councilmember Ries, with Councilmember Ross second and unanimously approved.**

Deputy Mayor Kingston also commented that while the July 11th minutes were a more complete summary of Councilmember Ries remarks, he feels it still doesn't fully capture the criticisms that Councilmember Ries levied against other councilmembers and former City Attorney Magnuson. In lieu of a requesting a full transcript of the meeting, he is satisfied that the full video of the meeting is available to view online by interested parties. No revision was requested to the July 11, 2019 minutes.

Deputy Mike Burrell Report

- Burglary took place August 8th in Rapp Farm. Suspects were apprehended shortly. Suspects are still in jail.
- Several Incidents at Walgreens – more recently in which cigarettes were stolen by a 300 pound, 6'5, one eyed suspect.
- Church on Hodgson had a theft by swindle. Two suspects provided a fake story and church gave them \$2,000 worth of goods. It has been referred to the prosecuting attorney for prosecution.
- Complaints of vehicles going through bus stop sign arms on Don Bush/Meadowlark. He will reach out to the transportation bus safety, and if bus drivers can get license plates he can cite the drivers.
- On September 11 there was a stolen vehicle that came through North Oaks on Highway 96 and going west 70 mph before it crashed at 96 and Route 61. State patrol is the controlling party on the case.
- Multiple bear reports in East, West and North parts of North Oaks. Making its way around lots of pictures taken by residents. The DNR is the authority agency and they will not relocate the bear. If it doesn't have aggressive tendencies we are asked to leave it alone. If it does cause a problem they would just shoot it which most do not want to happen.
- Light green Porsche has been reported speeding through North Oaks roads at upwards of 70 mph. He is working on identifying the driver.
- Councilmember Ries asked if he had received calls about the scam calls from persons pretending to be a realtor asking to sell their home and trying to gain information from them. Officer Burrell will follow up. She also asked Officer Burrell to continue to follow up and sit at key bus stop locations, and areas that may be hidden by blind corners.

Deputy Mayor Kingston encouraged any residents to report areas that may need additional clearing per Operation Clearview.

Unfinished Business

Proposed Revised Septic Ordinance

Brian Humpal – City Septic Inspector

Inspector Humpal reviewed the Septic fact sheet provided to Council and attendees. City records show 1258 septic systems, with an estimated 170 being cesspool type systems which have open bottoms. Of the 68 homes that were sold in 2018 with septic system, the City received 19 compliance inspection reports which represents about 28% of home sales. Of those, only 2 were found to be non-compliant. The typical cost of a compliance inspection is \$400-500. Over the last two years, a septic contractor working in North Oaks indicated the average replacement septic system costs between \$22,000 to \$42,000. The approximate life of a septic system is 30 years. 85% of North Oaks is located within a shoreland or wellhead protection district which recharge the aquifer. Most of North Oaks gets water from private wells and St. Paul Regional water services come through our community. There is currently no point of sale compliance requirement, however other counties have found that this is the best way to address aging and failed septic systems while minimizing impacts to current homeowners. Data shows that 71% of counties, 77% of cities and 84% of townships in Minnesota have some form of point of sale compliance inspection requirement.

Deputy Mayor Kingston asked him to describe the types of systems and what a compliance inspection report details. Humpal stated compliance report inspects three key areas: tank integrity, imminent health threats, and soil borings adjacent to drain field to ensure enough soil to allow proper separation between drain field and water table. Sealed or watertight tanks may still have a drain field without adequate separation. Non-compliant means it is failing to protect groundwater. The compliance report form comes directly from the Minnesota Pollution Control Agency. Both cesspool systems and inadequate drain fields can fail to protect groundwater. Cesspools are easier to visualize in that it is an open hole in the ground. Deputy Mayor Kingston asked about a 3rd option of those that currently don't meet code but are still working. Humpal responded there may be older systems that may be smaller than today's requirements but they wouldn't be able to call them noncompliant if it is still treating the groundwater properly. Some systems as old as 1957 passed and met minimum compliance.

Inspector Humpal was asked when the changes to code have occurred. He responded that the major code changes occurred in 1973 or 76, which required precast tanks, drain fields to have separation from water table, and standards as to system size. Average life expectancy of a septic system is 30 years, however newer technology could last longer.

Tom Ryans – 6 Chickadee Lane

Mr. Ryans asked if you have a cesspool if it is possible it would not be in violation. Inspector Humpal responded that cesspool systems are an automatic failure based under State code, however someone has to notify us that they have a noncompliant inspection as a standard routine maintenance pumping doesn't trigger it.

Councilmember Long asked if all parties that have a cesspool system would have to replace it before they sold their home. Inspector Humpal responded that the ordinance as proposed would become part of the negotiation and would trigger upgrade of the system. This would not hold up the sale but would trigger a 2 year timeline to bring it into compliance. Currently you can sell a house with a cesspool to a new buyer without any knowledge to the new buyer. Any tank that is not water tight is the same as cesspool.

Inspector Humpal said that currently the North Oaks ordinance requires maintenance pumping every 2 years. A pumping report is different from a full compliance inspection. If the City receives a notice of non-compliance, they issue a letter and require the homeowner to replace the system within 2 years. The chosen septic installer then applies for septic permit, which is reviewed and approved by the Septic inspector.

Gil Hartley – 5 Sparrow Lane

Believes that the inspections are not completely foolproof and feels that there may be circumstances in play in which a resident may wish to file an appeal. Humpal responded that the homeowner may certainly ask for a 2nd compliance report from a different inspector. If the result is different than the first, then both inspectors would meet on site to discuss how they formed their opinion. If still unresolved a soil scientist would get involved. In his experience, there has been only 1 time in which a soil scientist had to get involved.

Councilmember Ries asked Humpal to describe some of the problems he sees. He responded that many North Oaks homeowners buy into the area without any septic knowledge and then find out they are stuck with a problem. Humpal mentioned it would be difficult to revise the ordinance to just apply to cesspool systems.

Stig Hauge – 1 Willow Road

He asked if a person has a leaking tank, but drain field is fine, if it's possible to just fix the tank. Inspector Humpal responded that a repair on any noncompliant system requires replacement of the noncompliant part. So as long as it is corrected and found compliant that would be fine but most times it is more practical to replace the whole system.

Kathy Hartley – 5 Sparrow Lane

She wondered if there is a conflict of interest with compliance inspectors also being designers and installers. Inspector Humpal responded per State regulations a septic compliance inspector can also design a system and do the installation. However they cannot inspect their own work. The way the proposed ordinance is drafted all systems being sold would need a compliance inspection. A good compliance report is valid for 3 years. Newly installed septic systems are valid for 5 years. Humpal said that he personally does not have a conflict of interest because he does not do private work in the City.

Matt Anderson – 20 Spring Farm Lane

He had a non-compliant system and then did further research, pulling in a designer and another inspector to review the system. It was deemed human error in reading the results, and they ended up reverting to a compliant result. He is a Realtor who does work in Isanti, where they have a point of sale requirement. He is against it because he sees buyers afraid to purchase the homes. He sees inspector, designer, installers all working together frequently and is concerned about the complicated burden it places on the point of sale. In North Oaks it is also much more difficult to put in a new system. Deputy Mayor Kingston mentioned that home buyers could do a compliance report at any time on their own and feels that at some point we've got to figure out how to address these cesspools. Mr. Anderson feels that a buyer's agent should be helping guide them through the process, recommending inspection where needed without City involvement triggering timelines. He believes that if about 12% of all City septic systems are cesspools then the City should focus on those and not the other systems that may be working fine.

Councilmember Ries pointed out that the appeal process worked in Mr. Anderson's situation, and feels that there could be clearer verbiage in the ordinance that details the appeal process to be able to show the evidence of compliance. Overall, she believes there must be something in place that protects both new buyers and our groundwater and is reasonable for North Oaks sellers. Inspector Humpal mentioned if there are reports from inspectors that are consistently found wrong, they would be referred to MPCA to give them additional training. Administrator Robertson stated we have a lot of inspectors that will do septic inspections in this area so residents have options so there is less concern for conflict of interest.

Inspector Humpal indicated that the City is aware of cesspools from original City documents and maintenance reports. Any resident is welcome to come into the City offices to review their septic file, and to see what type system they have. If there is a health issue or contamination, it is a requirement that they must be in compliance with state requirements. City Attorney Nason stated that the current code mandates a septic compliance report must be completed under 3 instances: 1) Prior to the issuance of a building permit when altering an existing structure to add a bedroom, 2) In Shoreland areas, prior to the issuance of a building permit that will result in increased lot coverage, 3) when a parcel having an existing system undergoes development,

redevelopment, or subdivision. There are existing triggers in the code but they would not be as frequent at a point of sale could be. Washington County states that newly installed septic systems would not require compliance inspection for another 5 years, regardless if there was a sale during that time. We could pick our own number of years if that seemed reasonable to put into our new code.

Councilmember Long mentioned he worries residents are going to have a failed inspection when they have had no problems in the past. Deputy Mayor Kingston stated he's heard resident's concerns that new systems could fail because standards have changed. Inspector Humpal responded that this shouldn't happen unless there were major flaws in design, installation, or oversight of the new system.

Gil Hartley – 5 Sparrow Lane:

Mr. Hartley mentioned he had spoken with Ian Harrison at MPCA and the last major change was 1996 at which time the soil separation to water table went from 2' feet to 3'. He was told that state said systems prior to then would be grandfathered in for 2' feet code. Inspector Humpal said that a properly 1985 designed system should still be in compliance today unless it is failing to perform.

Mackenzie Anderson – 20 Spring Farm Lane

Ms. Anderson asked for clarification whether soil samples are used as a factor in determining the amount of separation required, or just distance of separation. Inspector Humpal said that 36 inches of separation is now required between soil and drain field but those systems installed prior to April 1, 1996 are only required to have 2 feet of separation unless it is within a shoreland district, wellhead protection, or commercial restaurant/lodging.

Councilmember Long asked what our obligation as a City is and if we are currently out of compliance. Attorney Nason clarified that cities and counties are left to regulate on their own, and we have adopted Chapter 51 addressing septic systems on our books. The question is whether the City wants to add this point of sale requirement to our ordinance in order to enhance water quality.

Administrator Robertson stated that in most cases, the County regulates septic systems because they manage both rural and urban areas. Here in Ramsey it is mostly urban, so they have left it to cities to regulate septic. North Oaks is the most concentrated area in Ramsey County with septic systems.

Dale Dissmeyer – 77 E. Pleasant Lake Road

He feels like the proposed revision to the ordinance is taking is a big leap. He agrees that we need to address the issue, especially the cesspools which are most likely to be noncompliant. He

asked if the maintenance pumpers could do the additional compliance inspection. Inspector Humpal responded that the maintenance pumpers are not licensed to do compliance inspections. They report on sludge measurements and any visible problems with surfacing materials or caving tanks. Mr. Dissmeyer is concerned about the additional costs involved on top of regular maintenance pumping's such as the potential of multiple inspection reports ending with a required new septic system. He hopes the issue can be tabled for further discussion and clarification.

Krista Wolter – 7 Skillman Lane

Ms. Wolter is a North Oaks resident and realtor. She has fielded many phone calls from residents about septic systems this week. She indicated that the State of Minnesota does not require a point of sale inspection and many mortgage companies also do not require it. The biggest thing she fears is inconsistency in compliance inspections. She gave two examples of North Oaks residents: One had to put in a new \$68,000 mound system on top of the old drain field which required a retaining wall and removal of trees that the new homeowners did not like. Another resident put in a new septic system in 1999 when they purchased their home. In 2001 they remodeled, and in 2006 they remodeled again without adding any bedrooms. A compliance inspection was still required and the system was found not to be up to code. The new mound system was put in place on their .8 acre lot. She is concerned that they would have to redo it again. She believes that many homes in North Oaks are now in need of remodeling and the City needs to let that happen. Adding a septic requirement could be another roadblock where septic systems are already a drawback for buyers.

Inspector Humpal mentioned that if there were errors, then installers and designers could be liable. He indicated that in 2008 state code changed to require the City to verify soil separation. Before that time soil samples only verified by system designer, but the State found this to be a problem and asked the cities to verify.

Ms. Wolter is most concerned about inconsistency. People just don't want to be replacing things unnecessarily. She gives all prospective buyers pumping reports and suggests they complete due diligence with pumpers. Councilmember Ries asked about what information the pumping report reflects. Inspector Humpal responded that it is simply a maintenance report to show the amount pumped, unless pumper identifies a visual health threat.

Deputy Mayor Kingston mentioned that seems like all can agree that cesspools are not a good thing and he feels without anything in place how are we ever going to stop polluting our ground.

Councilmember Ries mentioned a document that Cross Lake, Minnesota uses that contains additional language about what would happen if the septic system was deemed non-compliant, which helps people to understand how it could be negotiated between buyers. She asked

Attorney Nason to take a look at it, and possibly use it to enhance the language in the proposed ordinance. Administrator Robertson agreed that recommending 2 years for replacement and having compliance inspections valid for 5 years is reasonable. Four years ago, there was extensive discussion on this and it came down to costs vs. increased water quality.

Mark Asch – 34 North Oaks Road

Feels City Council is the defender of our property values and that we have two biggest threats: 1) if roads become public or 2) if we start having septic failures then Met Council could step in. He is concerned that realtors may be advising buyers not to have compliant checks because it may lead to realtors feeling a financial impact. He believes the Council's duty is to the community to protect water and our investments and he urged Council to move forward in a prudent and reasonable fashion. This community deserves to know that it will stay safe, healthy, and while catching it at sale could take 2 decades to correct all failed systems it will eventually correct all problems.

Erich Young – 10 Sunset Lane

He is both as a resident and realtor with concern over the ordinance. He mentioned that sellers are required by the State to disclose that they have a septic system, although the buyer's agent may color what they tell the buyer. He is curious why the State has passed control on the issue to the cities. He would also like proof of water contamination.

Mr. Young asked Inspector Humpal what type of system would solve the majority of the problems. Humpal responded that every property is unique and North Oaks has variable soil conditions and difficult topography, requiring sometimes regular systems, sometimes mounds, and sometimes newer technologies. He clarified that the average inground system is about \$22,000 and mound systems cost about \$42,000.

Deputy Mayor Kingston stated they will be tabling the issue, but he's grateful to have heard lots of comments on resident concerns. Councilmember Ries' take is the ordinance is too lean on detail, and may need more verbiage outlining how the process is done. She also restated that the Council's intention is not to stop property sales but to ensure that non-compliant septic systems are being addressed. At the next meeting on this topic, she would like to hear about the water aspects as we address this. She would also like Attorney Nason to look into adding additional language to the proposed ordinance as they keep the issue open to additional resident concerns.

Deputy Mayor Kingston agreed to proceed with caution, do more research and take time to do it right. Councilmember Ross also received lots of calls this week regarding the issue, most concerned that City would get involved in property negotiations. She feels there is a balance. People want to live in a healthy place so they are trying to figure out the best way to handle it. Deputy Mayor Kingston and Councilmember Long asked Attorney Nason to take a look at other

similar ordinances and how they have handled it. Councilmember Long asked Inspector Humpal for additional guidance from staff. **Councilmember Ries made a motion to table the issue with direction to staff, seconded by Councilmember Ross, with all in favor.**

Proposed Trespass Ordinance:

Attorney Nason reviewed the addition into our current ordinance a definition of private land and what that means. Some highlights from the revised ordinance include Subpart C: which makes it a crime trespassing if on private land without direct permission of the homeowner; if you been instructed not to come back; if it's a locked gate or signs indicate no trespassing; and if a public officer has asked you to leave.

Councilmember Ries asked if this ordinance would address soliciting by contractors. Attorney Nason stated that this ordinance does not directly address this type of solicitors but indirectly in that a person cannot enter your property without your permission. If you ask them to leave, they must leave. Attorney Nason states that she has reviewed the current provisions in the prior ordinance and State statutes in drafting the ordinance. Councilmember Long asked for confirmation that NOHOA has been in the discussion, and NOHOA President Emmons confirmed they were in support. NOHOA member Mark Asch clarified that NOHOA requested the ordinance revision and is pleased to see action.

Attorney Nason confirmed the revised Ordinance was posted with adequate 10 day notice on the City website and electronic notification, therefore Council can entertain a motion.

Councilmember Ries motioned to pass the Trespassing ordinance, Councilmember Ross seconded. Motion passed unanimously.

Public Hearing on Citizens United Decision

Administrator Robertson stated that since regulations prohibit persons from going door to door to receive signatures, Mr. Boyer indicated was difficult to do a standard petition. Mr. Boyer has asked friends and colleagues to send feedback to Council. Since Council has only received a few comments, Deputy Mayor suggested there not enough interest to move forward.

Jim Boyer - 13 Anemone Circle

He originally brought up the issue and feels this is critical issue to everyone in the community and the core foundation of our constitution. He believes he did not have adequate time to obtain signatures. He asked everyone to consider whether we are a democracy or on the brink of an autocracy and feels it is an error to make this a trivial issue.

Deputy Mayor Kingston mentioned at that at the last meeting, Council wanted more information on where residents stand on this topic but has received very little feedback. He feels that since we are a democracy the Council needs to truly know how passionate the community is on this

issue. He encouraged Mr. Boyer to keep up his efforts and see if he can gather more interest. If he can get 100 residents to sign on, then Council can come back to discuss it. Councilmember Ries agreed that if we at City level want to take action on a Federal issue that we must know that residents feel strongly on it.

Bill McNee – 11 Sunset Lane

He feels that this topic is not the business of the City Council as it is a federal matter. He believes changes to the U.S. Constitution and corporate designation is risky. He agrees that there is a lot of contributions, but they do allow for advertising that inform voters to be more educated on who is running for office and gain name recognition.

Council Responsibilities:

Councilmember Ries requested to be the NOHAAP committee representative instead of the NOHOA rep because the timing of NOHOA meetings is in direct conflict with her existing CTV responsibilities. Deputy Mayor Kingston agreed to this swap in Council responsibilities, and welcomed Councilmember Ries's offer to have him work with her on various NOHAP initiatives.

East Oaks PDA Review

Deputy Mayor Kingston stated this topic was tabled until the October Council meeting, after Attorney Nason completes her review of all the PDA documentation.

New Business

Request for Conditional Use Permit (CUP) – Garage Space over 1,500 Square feet - Fady Daw

City Planner Kirmis presented information on the project which consists of 1,826 square feet of accessory garage space, exceeding the allowed 1,500. It was discussed at two Planning Commission meetings. At the first meeting there were concerns of a lack of a detailed map and the applicant wasn't there to respond to questions over steepness of driveway and exterior lighting. There were also comments over NOHOA ASC landscaping ongoing discussions. It was tabled until August 29th Planning Commission meeting in which the applicant responded to questions. The applicant stated that the driveway slope is a non-issue as it would not be used in the winter but for summer only vehicles. He mentioned that it would also continue to be used as an exercise room and that a previously installed bi-fold door would be replaced with standard garage doors. The Planning Commission recommended approval with conditions that the Building Official approves plan and all fees are paid. Planner Kirmis noted there is no expansion to existing building footprint, so it still meets the floor area ratio (FAR).

Councilmember Long confirmed that fire code would be part of final building inspection. Councilmember Ries indicated that it is a short steep driveway and feels even in summer it could be slippery. Administrator Robertson said he had asked Deputy Burrell to review the home in

the evening and Officer Burrell confirmed that a lighting issue still had not been addressed. As a result, Robertson recommended that the application be tabled until the October 12 Council meeting in order that Mr. Daw could come into compliance with the lighting ordinance.

Motion to table the request to ensure the light issue had been addressed was made by Councilmember Ries, with Councilmember Ross as second. All voted unanimously in favor.

2020 Preliminary Tax Levy

Administrator Robertson stated that as part of the Truth in Taxation requirements of the State of MN we have to set a preliminary tax levy at this time. The levy can be reduced at the hearing in December but not increased. Our tax base has increased 5.67% since last year. Next year we expect less revenue since less lots and homes are left to be built. Therefore, he recommends a 4% tax increase on top of valuation as a buffer as the City continues to work on the 2020 budget items. The current budget shows a \$46,000 budget surplus, and he feels this will be reduced by December. Each 1% reduction in the proposed levy would be \$18,600. The Truth in Taxation public hearing would be set for Thursday, December 12th 2019. **Councilmember Ross motioned to approve the preliminary 2020 Tax Levy, Councilmember Long seconded, with all voting in favor.**

Councilmember Ross motioned to set Truth in Taxation hearing to take place at 7:00 p.m. at the Thursday, December 12, 2019 City Council meeting. Councilmember Long seconded, with all voting in favor.

Polco Survey Tool:

Administrator Robertson stated that City staff has reviewed common questions and put together suggested survey topics and questions. Staff was unable to find existing questions on housing maintenance ordinances and so drafted their own. The survey would be published via all communication channels including web, Facebook, eblast, newspaper, etc. We currently have 278 people on the email list which is a solid starting point for getting residents to sign up for the survey tool.

Deputy Mayor Kingston requested feedback from Council on the potential survey topics. He would like to see a dedicated mailing with Housing Maintenance as the first topic to gain interest. Councilmember Ries suggested just two questions to start.

Gretchen Needham – 12 Sunset Lane

As editor of North Oaks news, Ms. Needham requested something as specific as possible to put in the newspaper with both the question and how to access it. Councilmember Ries mentioned that Maplewood recommended starting with an easy non-controversial survey to get reliable data.

All Councilmembers agreed that we need to get Polco rolled out and that both Recycling and Housing Maintenance would provide good questions. The survey technology will only allow users to vote once. An article will be put in the paper to announce what is going on and encourage residents to sign up.

Resident Marc Asch also encouraged that council start with easy straightforward questions to gain non-controversial feedback. He was concerned that answers might be skewed by those residents that are effected by a certain topic and cautioned Council how results are interpreted. Deputy Mayor Kingston and Councilmember Ries will work with City staff to kick off questions to publish in eblast and North Oaks newspaper. Council agreed to use previously allocated funds for a newsletter to get a mailer out promoting the survey.

Transfer from General Fund into Fire Fund

Administrator Robertson requested a transfer of \$50,000 from the general fund to the fire fund. This will fund remaining anticipated expenses for this year and projected expected capital expenses for 2020.

Councilmember Long made a Motion to transfer funds, with Councilmember Ross as second. All voted in favor.

2020 Budget Review:

Administrator Robertson asked Council to review the budget and get feedback to him by next month's meeting. It will be added to the October Council agenda.

Councilmember reports:

Councilmember Ries:

- Councilmember Ries is working with CTV on drafting a social media plan, as well as troubleshooting problems with viewing and access to Council meetings. A prior issue may be due to a security issue with Comcast. These problems have prevented some residents from seeing meetings live.
- She also volunteered with Children's Guild, and thanks the women's Guild for their dedicated efforts prepping for the upcoming rummage sale this weekend to support Children's Hospital.

Councilmember Ross:

- The last round of mailboxes has been completed for the year. In total 4 orders of mailbox have been placed and given to residents. Only 4-5 resident are on the pending list when 18 needed to place an order. She will hold off another order until spring and try to transfer to City staff to manage order process going forward.

Councilmember Long:

- Fire Board meets next week so will have information next Council meeting.
- VLAMO selected as one of the top 5-10 watersheds in the state which means it may receive additional grant money.
- Asked the City Staff to provide information regarding North Oaks Company town hall meeting at next meeting.

Deputy Mayor Kingston:

- Speeding continues to be an issue and we will continue to address offenders.
- Septic issue continues to move forward and he's hearing from many residents.
- Farm fest was a great gathering with good food and attendance by the Community.

City Administrator Report

1. Administrator Robertson asked Council to set an Assessment Hearing to be placed on the agenda of the October 10, 2019 Council meeting. **Motion made by Councilmember Ross, with Councilmember Long as second. All voted in favor.**
2. Commissioner Nancy Reid has moved out of North Oaks and resigned as Planning Commissioner. He asked the Council how long to leave the Planning Commissioner vacancy open for applicants. Councilmember Ries suggested that we get on it right away since we could potentially now have a tie on the Planning commission. Council agreed to take applications through October 2nd.
3. Update on City Administrator Search. Attorney Nason stated a special Council meeting is needed to take action to name the finalists. A subcommittee can do the initial fact finding and interviews but when it's ready to suggest final candidates the Council must come together to approve the finalists. Mentioned it is important to have the timeline set when speaking with potential applicants to make sure they know when their name could become public. Councilmember Ries asked if the Council should interview all ten semi-finalists but Deputy Mayor Kingston is concerned that getting all Councilmembers together would slow up process. Attorney Nason stated any meeting of 3 Councilmembers needed to be noticed so Council should have both meeting times planned out, and possibly be ready to discuss what makes a great candidate. The subcommittee should have a set timeline in place to communicate to candidates and recommended to avoid Monday for interviews as most councils meet on Monday and Tuesdays. It was decided that:
 - a. October 7th is scheduled for the subcommittee to have interviewed and narrowed down the list of initial candidates. This will be a public meeting for the Council to approve finalists for interviews.
 - b. October 9th - Public meeting at 6 p.m. to interview the final candidates.

City Attorney Reports

- Attorney Nason is working on projects directed by Council. She discussed potential revisions to the zoning ordinance today with the City Administrator, City Planner and Attorney Kori Land. They are also looking at the subdivision ordinance. Attorney Land is coming up with plan for tackling this and it will be taken to Planning Commission for initial

review.

- She will not be at the October meeting therefore Attorney Land will be attending in her place. Attorney Land will be well versed and brought up to speed prior to that meeting.
- Going through and working on review of the East Oaks PDA. It will be presented a week before October Council meeting so it can be included in packet.
- Completed analysis of Ordinance 130 with recommendations given to the City Administrator for distribution to Council.
- She said she is open for any conversations during the Administrator hiring process regarding contract negotiations, contingencies, background checks, etc. Deputy Clerk Stefanie Marty will be the City staff to work with Attorney Nason.

Miscellaneous

Next Natural Resource Commission Meeting is Thursday, September 19, 2019 @ 7:00 pm

Next Planning Commission Meeting is Thursday, September 26, 2019 @ 7:00 pm

Next Regularly Scheduled Council Meeting is Thursday, October 10, 2019 @ 7:00 pm

Adjournment

On motion duly made by Councilmember Ross, seconded by Councilmember Ries and carried unanimously, the meeting was adjourned at 10:11 p.m.

Attest:

Respectfully Submitted

City Administrator Mike Robertson

Debbie Breen
Recording Secretary