

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

Pledge of Allegiance

Approval of Agenda

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

Public Hearing for Proposed Housing Maintenance Ordinance

Councilmember Kingston described the process by which the ordinance had been developed. He said that no decision will be made tonight and that they want to hear comments from the public.

Councilmember Long moved to open the Public Hearing at 7:02 p.m. The motion was seconded by Councilmember Ross and carried unanimously.

Comments opposed to the proposed Housing Maintenance Ordinance were made by residents Bob Medwid of 29 Pheasant Lane, Evan Schnell of 10 Charles Lake Road, Jack Anderson of 3 Oak Hill Drive, Patricia Orud of 4 Hay Camp Road, JoAnn Hanson of 5 Sumac Lane, Teri Moore of 31 East Oaks Road, and Mark Miller of 4 Bent Tree Lane. Those comments included that they felt that the proposed ordinance did not reflect the tenor of the community, that it was too subjective and that standards should be better defined, that it duplicated the Countryman deed and the Architectural Standards Committee, that feuding neighbors could use it to set the City on each other and that it would be used mainly against older homes. It was suggested that a community group could be formed that would help maintain older homes. It was also suggested that the City and NOHOA could work together on this issue. Written comments opposing the proposed ordinance were received from Carol Bergeson of 15 Pheasant Lane and JoAnn Hanson of 5 Sumac Lane.

Comments in approval of the proposed ordinance were made by residents Corinne Olson, 21 Hay Camp Road, Mark Azman, 1 Hay Camp Road, and David Pfuhl, 14 Skillman Lane. They felt there problem houses in the city and that something needed to be done about them. Several mentioned a home near them that was an issue.

Councilmember Long made the motion to continue the Public Hearing to next month's meeting on October 12 with a second from Councilmember Ross. Motion carried unanimously.

Unfinished Business

1. Variance 17-05, 30 East Pleasant Lake Road — ISTS in the setback

Sanitary Inspector Brian Humpel explained the process of choosing a septic system site. There are setback requirements from wells and structures. He noted that this will be the third septic system on the site. The current septic is non-compliant and the proposed plan is the only one available in order for the septic to be in compliance. Once installed the new septic system will improve ground water quality in the area. Councilmember Ross asked how this will affect drainage in the area. Humpal said there would be no increase in runoff.

Anna Burgett, 32 East Pleasant Lake Road, objected to the proposed variance. She lives next door and said that since 30 East Pleasant is at a higher elevation she will be able to see the mound and feels this will devalue her property. The installation will require the removal of some trees on her neighbors' property which she also feels will have a negative impact on her. She fears that the installation will cause erosion because it is adjacent to a drainage swale and that it will affect the pond in her back yard. She feels there is no hardship and that she should have received a notice of the Planning Commission meeting where this was first discussed.

Councilmember Ross said that when the Planning Commission reviews septic installation variances they focus on where the septic can be located with the least amount of variance.

City Attorney Magnuson said what is proposed is not a standard Zoning Ordinance variance. It's more an exception to a health and safety regulation. The question the Council should consider is whether there are any feasible alternatives.

Councilmember Ross moved to table action until the October Council meeting in order to seek further feedback from the City Engineer and City Attorney with a second from Councilmember Long. Motion carried unanimously.

Citizen Comments

None

Consent Agenda

1. Minutes of the Regular Council Meeting of August 10, 2017 for approval
2. Minutes of the Natural Resource Commission meeting of August 17, 2017 for approval
3. Minutes of the Regular Planning Commission Meeting of August 24, 2017 for approval
4. Licenses for Approval:
Mechanical Contractors: Hamlin Installations; Jake the Plumber LLC; K&S Heating A/C & Plumbing Inc.; Steve's Heating and Service Inc.

Approval of Claims: #012407-012437

Councilmember Kingston made a motion to approve the consent agenda, with a second from Councilmember Long. The motion carried unanimously.

Petitions, Requests, & Communication

1. Deputy Mike Burrell's Report
 - Two different contractors were pulled over for speeding recently—one did not have a driver's license and had a warrant out for his arrest, and his passenger was in possession of marijuana; the other speeder did not have a business license or

business insurance. Deputy Burrell reminded residents to check for business licenses before hiring contractors.

- A contractor's materials and equipment were stolen in Rapp Farm.
- A Golf Club member had his unlocked car broken into at the Golf Club. Deputy Burrell reminded residents to lock their vehicles.
- There was an arrest of a nonresident for drugs on Dove Lane.
- Tickets for fishing at Charley Lake were issued.
- Solicitors will be ticketed if a complaint is made to the police.

Councilmember Ross asked if additional signage would help deter speeding. Deputy Burrell said that speeding occurs primarily on the main roads which he feels are well signed.

New Business

1. Proposed Preliminary 2018 Tax Levy

Administrator Robertson reviewed the 2018 proposed budget and property tax levy. The preliminary tax levy has to be established by State law. The final tax levy can only be decreased, it cannot be increased. He proposed a preliminary tax increase of 6%.

Councilmember Kingston made a motion to approve Resolution 1331 setting a preliminary 2018 property tax levy. With a second from Councilmember Long the motion carried unanimously.

Councilmember Kingston made a motion to set a Truth-in-Taxation public hearing for Thursday, December 14, 2017 at 7:00 p.m. With a second from Councilmember Long the motion carried unanimously.

2. Amendment to JPA with White Bear Town for Sewer & Water System Administration

Robertson reviewed the proposed amendment. This will establish quarterly charges for maintenance of the City owned sewer and water systems. Currently White Bear Town bills on time and materials. This will assist the City with its budgeting and planning for sewer costs.

Councilmember Ross made a motion to approve the amendment to the Joint Powers Agreement with White Bear Town with a second from Councilmember Long. The motion carried unanimously.

3. Preliminary Assessment Hearing

Administrator Robertson reviewed the proposed assessments. One group was the assessment of maintenance charges for the operation of the Lake Gilfillan water augmentation system. The other was assessments for tickets received for non-compliance with the City's nuisance ordinances.

Councilmember Kingston said he was willing to waive assessments for nuisance properties that have come into compliance. Councilmember Ross was not willing to do this, afraid that it would be set a bad precedent and encourage properties to delay compliance.

Councilmember Long moved, seconded by Councilmember Kingston, to waive the fines for Eric Halvorson and Shannon Dullum for having undriveable cars on their

properties for over 30 days, based on their current compliance. Motion carried 2-1, Councilmember Ross voting no.

4. Request for Slow Children Sign

Administrator Robertson said that he had received a request from NOHOA that “Slow Children Playing” signs be installed for both northbound and southbound traffic on the Peterson Place cul-de-sac. Robertson reviewed figures from a recent speed study done on the road by NOHOA which showed the lack of a speeding problem. Traffic at the 95th percentile was still under the speed limit.

Layna Peltier, 16 Wildflower Place said that she thought the study was done on a bad week because a large number of the residents on the cul-de-sac were absent on vacation.

Councilmember Kingston said that if that was the case the traffic would have been disproportionately contractors and it still showed there was no speeding.

Councilmember Long said he was not in favor of installing signs and asked Deputy Burrell to patrol the area a little more and let the Council know whether he observed any speeding, cut through traffic or trespassing.

Councilmember Long made a motion to take no action pending Deputy Burrell’s review of the situation with a second from Councilmember Ross. The motion carried unanimously.

5. Trail Crossings

Layna Peltier, 16 Wildflower Place asked that crosswalks be installed where a trail from her neighborhood crosses Wildflower Lane and where a trail from Charley Lake Preserve crosses West Pleasant Lake Road. Lacking crosswalks a pedestrian crossing sign would help.

Administrator Robertson reviewed the discussion a previous Council had on the West Pleasant Lake Road crossing. That Council had concluded that the location was not safe and that a crosswalk would have given a false sense of security to anyone using it.

Councilmember Kingston suggested a sign be considered for the roads, which is the City’s responsibility, and a sign be on the trail warning walkers before they enter the road, which is NOHOA’s responsibility.

Councilmember Kingston made a motion for the City to contact NOHOA to work out a solution, with a second from Councilmember Ross. The motion carried unanimously.

6. Set Public Hearing for Comcast Franchise Ordinance

Councilmember Long made the motion to set the Public Hearing for next month’s meeting on October 12 with a second from Councilmember Ross. The motion carried unanimously.

Councilmember Reports

● **Councilmember Katy Ross**

- September 26 for next Eureka Recycling Tour
- House heights will be discussed at the September 26 Planning Commission meeting
- A preliminary Public Hearing for the City's Comprehensive Plan update will be held at the October 26 Planning Commission meeting

● **Councilmember Marty Long**

- VLAWMO collaboration with North Oaks is under way
- A meeting regarding the augmentation of Lake Gilfillan and its effect on nearby ponds will be set
- The NRC is working on conservation awards

● **Councilmember Rick Kingston**

- Tick Task Force is gearing up for their next meeting
- Fire Department closed on the sale of Fire Station 1
- A Shoreview resident experiencing a cardiac event on September 11, 2017 was saved by the combined efforts of the Ramsey County police and Lake Johanna Fire Department; Councilman Kingston commended the quick action of our law enforcement and fire protection professionals.

City Administrator Report

1. Discussion of Sewer & Water Feasibility Study

Administrator Robertson presented a report regarding the cost of installing municipal sewer and water systems that could serve the North Oaks Golf Club while providing possible lateral extensions to several hundred individual homes. Preliminary cost estimates suggest that individual hookup costs could reach \$50,000 per home just for sewer.

Councilmember Kingston requested more information from the Sanitary Inspector and City Engineer regarding an estimate of the number of homes running out of possible septic sites in the city.

Miscellaneous

Next Natural Resource Commission Meeting is Thursday, September 21, 2017 @ 7:00 pm in the Community Meeting Room

Next Regularly Scheduled Planning Commission Meeting is Tuesday, September 26, 2017 @ 7:00 pm in the Community Meeting Room

Next Regularly Scheduled Council Meeting is Thursday, October 12, 2017 @ 7:00 pm in the Community Meeting Room

Next Tick Task Force Meeting is Tuesday, October 17, 2017 @ 7:00 pm in the Community Meeting Room

Adjournment

On motion duly made by Councilmember Long, seconded by Councilmember Ross and carried unanimously, the meeting was adjourned at 9:34 p.m.

Attest:

Respectfully Submitted

City Administrator Mike Robertson

Gretchen Needham
Recording Secretary