CITY OF NORTH OAKS

Regular City Council Meeting
Thursday, September 10, 2020
7 PM, Via Teleconference or Other Electronic Means Only

MEETING AGENDA

Remote Access: - *City Council members will participate by telephone or other electronic means pursuant to Minn. Stat. §13D.021. Any person wishing to monitor the meeting electronically from a remote location may do so by calling the following Zoom meeting videoconference number: 1-312-626-6799, Meeting ID: 872 3578 1053 or by joining the meeting via the following link: https://us02web.zoom.us/j/87235781053. Individuals wishing to monitor the meeting remotely may do so in real time by watching the livestream of the meeting on North Oaks Channel 16 and on the City's website. Due to the existing COVID-19 Health Pandemic, no more than five (5) members of the public may be in Council Chambers (Community Room, 100 Village Center Drive, MN) during the meeting. Once room capacity is met, anyone wishing to attend the meeting above the five (5) members of the public who may be present in the room during the meeting will be required to monitor the meeting remotely.*

1. Call to Order

2. Roll Call

3. Pledge of Allegiance

4. Approval of Agenda

5. Citizen Comments - *Individuals may address the City Council about any item not included on the agenda. Speakers are requested to come to the podium, state name and address for the clerk's record, and limit their remarks to three minutes. During the pandemic, when meetings are held virtually, speakers will be able to call in to the meetings to make remarks, or request that submitted comments are read by a member of Council or the City Staff. Generally, the Council will not take official action on items discussed during the citizen comment period, but Council members may refer the matter to City Staff for a future report or direct that the matter be scheduled on an upcoming agenda.*

6. Consent Agenda - *These are items that are considered routine and can be acted upon with one vote.*

6a. Mechanical Licenses for Approval: Majestic Custom Heating & Air; Professional Mechanical Services; Riccar Heating & Air; Woodland Way, Inc.

6b. Pollinator Award - Eslinger Family
Award_Application Eslinger.docx (1).pdf

6c. Approval of Resolution 1395 LJFD Land Purchase agreement
REQUEST_FOR_COUNCIL_ACTION_9-10-2020 LJFD agreement.pdf

LJFD Cities Agreement for New Station 9-10-20.pdf

Resolution approving LJFD agreement land purchase.pdf

6d. Approval of Meeting minutes of August 13, 2020
City Council Minutes 08.13.2020.docx

6e. Approval of JPA with CTV
8a_RACA_JPA Resolution.docx

8c_Support_JPA Resolution_v3.pdf

7. Petitions, Requests & Communications - *Deputy Mike Burrell Report*

8. Unfinished Business

8a. Discussion on CARES Funding
_CARES Act Tiers_081220.pdf

9. New Business

9a. Proposed Ordinance - Minor Lot Line Adjustment
FINAL NO Lot Line Adj Ordinance 9.01.2020.pdf

Memo re Lot Line Adjustment Ordinance (2020).pdf

9b. Discussion on Civic Plus Website Roll Out and Live Date Proposal/Process

9c. Approve Resolution 1396 Setting Preliminary 2021 Budget and Levy
1396. Approving Prelim 2021 Tax Levy.pdf

Preliminary 2021 Budget.pdf

2021 Tax levy and rate worksheet.pdf

9d. Wilkinson Villas 1A Developers Agreement

9e.Discussion and Possible Action on City Office Hours

10. Council Member Reports

11. City Administrator Reports

11a. Pollinator Resolution - Annual Report
Pollinator Resolution Summary Report to Council 8.2020.pdf

12. City Attorney Reports

13. Miscellaneous

13a. August 2020 Forester Report

August 2020 in Review.pdf

14. Adjournment - *The next meeting of the City Council is Thursday, October 8, 2020.*

North Oaks Conservation Award

Award Application

Submissions are welcomed for the 2019/20 North Oaks Conservation Award. You may nominate yourself or others.

Projects and activities are sought that:

- Demonstrate excellence in habitat management and wildlife conservation on your property, using best practices
- Promote ecosystem awareness and best conservation practices in North Oaks.

Applications are due on August 31, 2019. All entries are reviewed by an assessment committee. Finalists are evaluated and selected by the North Oaks City Council.

Directions: Complete entire application; attach additional sheets if necessary to fully answer questions. Photographs, maps, or drawings are helpful, but must be no larger than 8-1/2"x 11" and must be reproducible.

Applicant Information
Name: Chad Eslinger, Michelle, Emmalee and Brooklyn
Address: 1 Island View Ln, North Oaks
Primary Phone: 701-721-6875
Secondary Phone: 612-231-9223
E-mail Address: chadmeslinger@yahoo.com

Summary of Project

We expanded the bee habitat on our 1.5 acre property to support both the honey bee and bumblebee population. We achieved this by increasing pollinator coverage by 450 sq. ft. We also rejuvenated and cleaned 250 sq. ft of existing bee habitat and started new two-week mowing practices in the spring to allow for expansion of Dutch white clover and creeping thyme within the lawn which are both recommended by the University of Minnesota.

Under which category (or categories) does your project or activity fall? Check all that apply:
_____ Wetland and Shoreland Conservation
_____ Woodland Conservation
_____ Prairie Conservation
____X __ Pollinator Conservation
_____ Water Conservation
_____ Invasive Species Control
_____ Tick Habitat Control
_____ Wildlife Habitat Management
_____ Other (please describe)

Project Narrative
Provide a more detailed description of the project, including budget and timeline.

- **What was the goal or purpose of your project?**

  Our primary purpose was to facilitate additional habitat for bees. We did this in a way to hopefully make the overall grounds easier to maintain while being aesthetically pleasing. The current landscaping also gives us the opportunity to expand the bee habitat in 2020.

- **How does your project or activity directly or indirectly benefit wildlife, natural resource conservation, or environmental protection?**

  Both the honey bee and bumble bee have limited supplies of food in the early spring. By adding an additional 150 sq. ft of Japanese spurge it allows the bees to utilize the plant blossoms in those critical first few weeks after the spring melt. Additionally, we added over 150 sq. ft through the combination of Kolmagira and Bokrashine Weigela, Pink drift rose, Pee Gee Hydrangea and Little Princess Spirea, Patriot and purple sensation flowering hostas. We additionally turned an existing 150 sq. ft barren area into a wildflower garden in which a variety of daisy's and coneflowers took hold the first year. We also attempted to plant 50 sq. ft of raspberry bushes but they largely died out in the early summer. See drafts of executed plans (2019 plans with attached PDF).

  250 sq. ft of flowers was cleaned to give space to additional blooming flowers. This has seen an increase (25%+) of flowers within that same space. See the 'rejuvenated picture' below.

  2020 plans are to increase pollinators by an additional 300-600 sq. ft. Along with redesigning an additional 300-400 sq. ft of additional flower garden space with a focus on adding better pollinators. Please see rough drafts of landscape design plans (2020 plans within attached PDF). My daughter, Emmalee Eslinger, age 16, will be running point on the 2020 plans.

- **What are the most specific results of your efforts?**

  We have a large population of bumble bees and seemingly growing population of honey bees. We were not able to measure any appreciable growth in either population in the first year but the habitat should allow for additional support to the dwindling bee populations.

- **What steps were taken to implement resource conservation best practices into your project?**

  No types of fertilizers or pesticides were used for the expansions or maintenance. Additionally, well water was only used in dry conditions where there was concern for the growth of new plants.

- **Did you receive grant money or professional advice for your project (such as involvement by VLAWMO or the North Oaks City Forester)? If yes, please elaborate.**

  We did not receive grant money or professional advice.

  Chad Eslinger, father and Emmalee Eslinger, daughter – age 16, completed this submission and appreciated the opportunity of North Oaks to submit for such an important reward.

  Please see additional PDF pages that give various exhibits to support the application.

Send completed application to:
City of North Oaks, 100 Village Center Drive, #230, North Oaks, MN 55127
or email noaks@cityofnorthoaks.com

Japanese Spurge. The early blooms are an early food source for bees while providing excellent ground cover with little moisture needed.

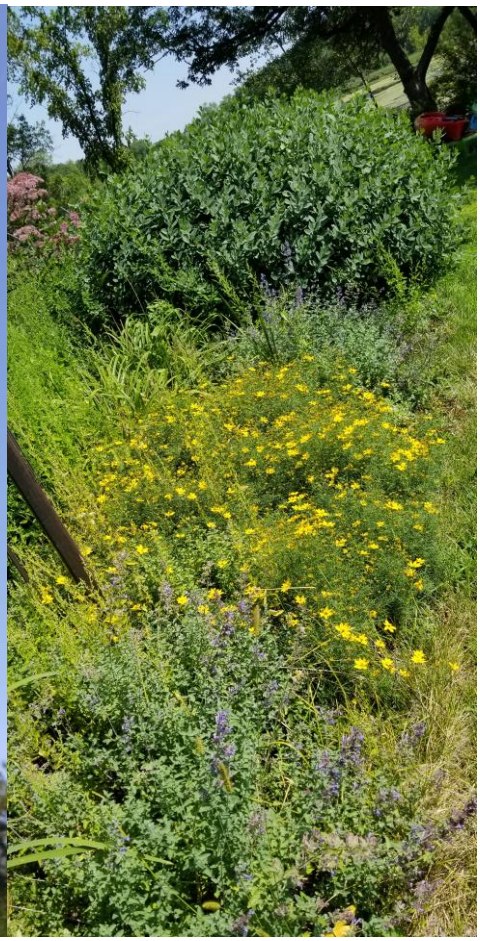
Rejuvenated cleaned out wild flower area

Next page for additional pictures

Some newly planted flower bushes taking hold in late summer

Trying something new from Something old 'Hollyhocks for bees'

New expansion of sedum, siberian iris, nepeta, hemerocallis



For more information about the North Oaks Conservation Award, please call the City of North Oaks at 651-792-7750.

CITY OF NORTH OAKS

REQUEST FOR COUNCIL ACTION

Requested Date of Council Consideration: 9-10-2020 **Flexibility:** ☐ YES ■ NO	**Originating Department:** ADMINISTRATION
Agenda Item: Consent Agenda LJFD land purchase agreement and Resolution 1395	**Presenter: KEVIN KRESS**
	Estimated Time: ☐Consent Agenda ■ 5 Min. ☐15 Min. ☐ 30 Min. ☐ 45 Min. ☐ 1 Hour

Council Action Requested:

■ Information/Review ☐ Motion to approve... ☐ Motion to deny... ☐ Other ☐ Budget Change

Background:

<u>Council Should Consider</u>

The Council should consider approving Resolution 1395 approving the three cities agreement regarding the purchase of vacant land for a future fire station and authorizing the City to pay the Lake Johanna Fire Department for its proportional share of the land purchase and future road relocation cost.

<u>Background</u>

Following a needs assessment and direction from the Lake Johanna Fire Department (LJFD) Board of Directors, the City of Shoreview, the City of North Oaks, and the City of Arden Hills, the LJFD is in the final stages of purchasing land on Pine Tree Drive to be used as a future fire station (note: there are no current plans or timeline on moving forward with the construction of a new station). An in-depth background on the needs assessment and the fire department can be found on the LJFD's website at www.ljfd.org. In short, the needs assessment reviewed the fire department's current operating structure and looked forward to the department's needs over the next fifty years. The assessment concluded that the current station model was not sufficient and recommended closing Station 4 (3615 Victoria St, Shoreview) and constructing a new Head Quarters with additional training, administrative, and equipment space. The recommended location was between Lexington Ave and Snelling Ave along County Road E. Following the fire department's review of potential locations, it identified property adjacent to Bethel University's Anderson Center on Pine Tree Drive as the ideal location. The ideal location was brought forward to both the Board of Directors and the three cities for consideration. Both the board of directors and the three cities gave direction to engage with Bethel University on acquiring the land. The City of Arden Hills has one vote on the board of directors while North Oaks and Shoreview have one and two, respectively. It should also be noted that as discussions were ongoing with the fire department and the University, the University also moved forward to subdivide their existing Anderson Center parcel creating two additional parcels, one for the proposed fire station and one for other development. The other parcel created is currently being

pursued by a private developer for senior housing units. The development of these two lots will not have an impact on the Crepeau Nature Preserve to the south of the Anderson Center.

Following discussions with Bethel University, a tentative agreement was reached between the fire department and the University, and the fire department followed through with a purchase agreement. The purchase agreement allows the fire department a due diligence period through August 21, 2020, and a closing date of no later than September 21, 2020. Following its due diligence, the fire department is intending to move forward with the purchase of the land. The purchase of the land includes two costs: the first being the cost of the land at $1,350,000 and the second being the department's share of the cost to relocate the existing access road not to exceed $325,000. The fire department is also contributing $300,000 of its General Fund money towards the land acquisition; this leaves the cost to the cities at $1,375,000 ($1,350,000 + $325,000 - $300,000), assuming the road relocation cost comes in at the maximum amount. Traditionally, the three cities, Arden Hills, North Oaks, and Shoreview fund the fire department's operating and capital expenses. Each City will be responsible for its respective share of the land acquisition and road relocation at the following amounts: Arden Hills $341,000, North Oaks $193,875, and Shoreview $840,125.

In-order to move forward with the land acquisition and outlining future obligations, the attached agreement (see Attachment A) will need to be approved by all three cities. The agreement outlines each city's responsibility with respect to the land acquisition, future construction timing and financing, and language should the fire station not be constructed or if the LJFD ceases to serve the cities. This agreement has been reviewed by the City Attorney, and he is comfortable with the proposed language. The City Council has reviewed this document on multiple occasions. A few of the highlights to the agreement are:

-Section 2.3: One city will bond for the station construction, and the other two cities will annually reimburse the financing city in-accordance with the cost share formula.

-Section 2.5: The construction of the station will have a start date of no later than June 30, 2026, unless otherwise mutually agreed upon.

-Section 2.7: The City of Arden Hills shall have the option to acquire the property and buildings should the LJFD no longer serve the cities and if a suitable successor organization cannot be identified to utilize the property.

-Section 2.8: Should the station construction not move forward; the City will have the option to acquire the land. If the City does not exercise this option and two-thirds of the cities agree to sell the land, then the land will be sold and each city will receive its proportional share of the proceeds.

Prior to construction of the station, a Joint Powers Agreement (JPA) will be needed by the three cities which will further outline and identify responsibilities, operations, and ownership of the new station. This JPA will also allow the cities to utilize bond funding for the project. This agreement is not needed at this time, and will be developed prior to the commencement of construction of the new station.

The attached resolution will authorize the Mayor to enter into the three cities agreement to move forward with the land acquisition and authorize the City to fund its share of the land acquisition and the future road relocation.

Budget Impact

The city's cost to acquire the land of $193,875 is not currently included in the City's budget for 2020; however, the Council has previously discussed using a portion of the previous year's General Fund balance to fund this expenditure so as not to negatively impact the Fire Capital Fund. For the future station construction, the City will need to begin putting aside additional money into the Fire Capital budget; the first installment of this additional money ($50,000) was proposed by staff in the preliminary 2021 budget.

Supporting Documents: ☐ Attached ☐ None

Department Head Signature/Date:

Administrator Signature/Date:

ACTION TAKEN

☐ Approved ☐ Denied ☐ Tabled ☐ Accepted Report ☐Other

Date of Action: _____

Comments:

AGREEMENT BETWEEN
CITY OF SHOREVIEW, MINNESOTA,
CITY OF ARDEN HILLS, MINNESOTA,
AND
CITY OF NORTH OAKS, MINNESOTA
FOR
THE LAKE JOHANNA FIRE DEPARTMENT FIRE STATION PROJECT

THIS AGREEMENT is made and entered into the 10th day of September, 2020 by and between THE CITY OF SHOREVIEW, a municipal corporation and political subdivision of the State of Minnesota, THE CITY OF ARDEN HILLS, a municipal corporation and political subdivision of the State of Minnesota, and THE CITY OF NORTH OAKS, a municipal corporation and political subdivision of the State of Minnesota (hereinafter jointly referred to as the "Parties" and individually as each "City") (the "Agreement").

RECITALS

WHEREAS, each City is responsible for providing fire protection and prevention services for the people and institutions within its boundaries; and

WHEREAS, each City contracts with Lake Johanna Fire Department to provide each City's fire protection and preventions services; and

WHEREAS, the costs of said fire protection and prevention services are allocated pursuant to contracted service agreements between the Parties and Lake Johanna Fire Department; and

WHEREAS, Lake Johanna Fire Department conducted a needs analysis that reviewed the adequacy of Fire Station number 4 and identified future department facility needs; and

WHEREAS, the needs analysis concluded that the existing Fire Station number 4 located at 3615 Victoria Street in the City of Shoreview, MN, was undersized and had many deficiencies; and

WHEREAS, the needs analysis concluded that it would not be feasible to expand the station, due to the limited lot size and subpar access to Victoria Street on the north of the railroad tracks, and this location may impact response times; and

WHEREAS, Lake Johanna Fire Department reviewed potential property locations in southern Shoreview and Arden Hills; and

WHEREAS, Lake Johanna Fire Department identified vacant property owned by Bethel University on Pine Tree Drive in the City of Arden Hills, MN ("the Property") as a potential site for a new fire station; and

WHEREAS, the Property is large enough to accommodate headquarters for Lake Johanna Fire Department and has improved access ideally situated to cover southern Arden Hills and Shoreview as well as the entire service area for Lake Johanna Fire Department; and

WHEREAS, Lake Johanna Fire Department's Board of Directors authorized the Fire Chief to negotiate and execute a letter of intent to purchase the property from Bethel University; and

WHEREAS, in early April 2020, Lake Johanna Fire Department and Bethel University executed a letter of intent to purchase the Property for a purchase price of $1.35 million; and

WHEREAS, the letter of intent also requires Lake Johanna Fire Department to contribute one third of the cost, up to a maximum of $325,000, to relocate an access road on the Property;

WHEREAS, the purpose of this agreement is to define each City's responsibilities for the Lake Johanna Fire Department's purchase of the Property and the construction of improvements on the Property ("the Project"); and

WHEREAS, the new fire station would be owned and operated by the Lake Johanna Fire Department to serve the three contract cities of Arden Hills, North Oaks, and Shoreview, the Parties.

AGREEMENT

NOW, THEREFORE, in consideration of the mutual undertakings herein expressed, the City of Shoreview, the City of Arden Hills, and the City of North Oaks agree as follows:

1 Term of Agreement

1.1 ***Effective date:*** This Agreement and any amendments thereto shall be in full force and effect upon the filing of a certified copy of the resolution approving this Agreement by each City. Said resolutions shall be filed with the Shoreview City Attorney who shall notify each City in writing of its effective date.

1.2 ***Expiration date:*** This Agreement expires upon the Bond, issued pursuant to paragraph 2.3, being repaid in full.

2 Agreement between the Parties

2.1 Cost. The cost of the land purchase, access road relocation, and property improvements of the Property will be funded by a $300,000 contribution from the Lake Johanna Fire Department and by contributions from each City allocated proportionally through the current cost share agreement for fire department operations and capital costs.

2.2 Cost share formula. The cost share formula will be used to allocate each City's contribution for the land acquisition, and is currently defined as 25% population, 25% households, 40% fire calls, and 10% assessed value.

2.3 Bond issuance. At the time financing is needed for the construction of a new station, the financing will be provided by the following method:

Unless otherwise unanimously agreed upon, one of the Parties will provide financing for the cost to construct a station (the "Financer City"), including any costs associated with the financing, and each of the other Parties will annually reimburse t the Financer City for its portion of the debt service payment based on the cost formula. Should a station be constructed in the allotted timeline for reimbursement of the land acquisition costs, the Financer City will include the land acquisition costs in the financing and each Party will be repaid via the financing proceeds for their portion of the land acquisition. If the Station is not constructed in the time frame that is necessary to include the property acquisition costs as part of the financing, each Party will be responsible for their proportionate share of the property acquisition costs in accordance with the cost share formula in effect at the time.

2.4 Bond repayment. The bond issue will be repaid through annual appropriations by each Party consistent with the cost share formula calculated and adjusted annually to account for growth and development in each respective City.

2.5 Station Construction. Station construction will begin no later than June 30, 2026, unless an alternative date is unanimously agreed upon by the Parties.

2.6 Development Approvals. The City of Arden Hills will review the proposed project as part of its normal development process.

2.7 Option to Acquire. Should the Lake Johanna Fire Department no longer serve the City of Arden Hills or no longer use, occupy, or otherwise cease to operate in the fire station, the fire station, at the discretion of the JPA, may be used by a successor organization that provides fire protection to the Parties. Should no acceptable successor organization be identified the City of Arden Hills will have the option to reimburse the other two Parties, the Cities of Shoreview and North Oaks, for their respective contributions to the purchase of the Property, construction of the fire station, and any applicable capital improvements to the station plus inflation as measured by the Consumer Price Index (CPI) and take ownership of the land and associated buildings.

2.8 Project Abandonment, Option. If the project does not move forward and the station is not constructed, the City of Arden Hills will have the option to reimburse the other Parties for their direct cost to acquire the land and take ownership of the land. Should the City of Arden Hills not exercise this option, the land shall be sold if 2/3 of the parties agree and the proceeds will be divided amongst the Parties and fire department based on their initial direct cost for the land purchase of the Property.

3 Assignment, Amendments, Waiver, and Contract Complete

3.1 ***Assignment.*** The Parties may not assign or transfer any rights or obligations under this Agreement.

3.2 ***Amendments.*** Any amendment to this Agreement must be in writing and will not be effective until it has been signed and approved by the signatories of each City who signed and approved the original Agreement, their successors in office, or other individual duly authorized.

3.3 ***Waiver.*** If any party fails to enforce any provision of this Agreement, that failure does not waive the provision or the right to enforce it in the future.

3.4 ***Contract Complete.*** This Agreement contains all negotiations and agreements between the Parties. No other understanding regarding this Agreement, whether written or oral, may be used to bind the Parties.

4 Liability

Each City will be responsible for its own acts and behavior and the results thereof and shall not be responsible or liable for the other Party's actions and consequences of those actions. The Minnesota Municipal Tort Claims Act, Minn. Stat. Ch. 466, governs the municipality's liability.

5 Venue

Venue for all legal proceedings involving this Agreement, or its breach, must be in the appropriate state or federal court with competent jurisdiction in Ramsey County, Minnesota.

6 Signatures

This Agreement may be executed in several counterparts, and all so executed shall constitute one Agreement, binding the Parties notwithstanding that each City may not be a signatory to the original of the same counterpart.

IN WITNESS WHEREOF, the Parties have hereunto set their hands the day and year first above written.

CITY OF SHOREVIEW

By: _____
Mayor

SEAL

DATED: _____, 2020

ATTEST:

_____
City Clerk

CITY OF ARDEN HILLS

By: _____
Mayor

SEAL

DATED: _____, 2020

ATTEST:

_____
City Clerk

CITY OF NORTH OAKS

By: _____
Mayor

SEAL

DATED: _____, 2020

ATTEST:

_____
City Clerk

CITY OF NORTH OAKS
COUNTY OF RAMSEY
STATE OF MINNESOTA

RESOLUTION NO. 1395

RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO THE LAKE JOHANNA FIRE DEPARTMENT THREE-CITIES AGREEMENT AND AUTHORIZE THE EXPENIDTURE OF FUNDS FOR THE CITY'S SHARE OF LAND ACQUISTION

WHEREAS, the City of North Oaks is one of three cities that receives fire protection from the Lake Johanna Fire Department; and

WHEREAS, the Lake Johanna Fire Department underwent a needs assessment in 2018 that highlighted deficiencies in their current station operating model; and

WHEREAS, the needs assessment recommended the closure of Station 4 (3615 Victoria St., Shoreview) and a new station be constructed to better serve the three cities over the next fifty years; and

WHEREAS, the fire department identified a site on Pine Tree Drive as the ideal location and received direction from their board of directors and the three cities to enter into negotiations with Bethel University on acquiring the site; and

WHEREAS, the fire department entered into a purchase agreement for the site and has completed their due diligence; and

WHEREAS, the three cities, North Oaks, Arden Hills, and Shoreview, have drafted an agreement outlining the land acquisition and future responsibilities for the construction of the station; and

WHEREAS, each city has reviewed the agreement and will need to formally approve it to move forward with the land acquisition.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of North Oaks, Minnesota, authorizes the Mayor to enter into the three-cities agreement presented to the City Council on September 10, 2020 regarding the land acquisition for a future fire station and authorizes City Staff to make payment to the Lake Johanna Fire Department for the City of North Oaks proportional share as outlined in the agreement not to exceed $193,875.

ADOPTED BY THE CITY COUNCIL OF THE CITY OF NORTH OAKS THIS 10th DAY OF September, 2020.

_____
Gregg Nelson, Mayor

ATTEST:

_____
Kevin Kress, City Administrator

North Oaks City Council
Meeting Minutes
North Oaks City Council Chambers
August 13, 2020

CALL TO ORDER
Mayor Nelson called the meeting to order on August 13, 2020 at 7:00 p.m.

OATH OF OFFICE
Mayor Nelson stated they are pleased to welcome Sara Shah to the City Council.

Administrator Kress shared his screen and asked Sara Shah to raise her right hand and read the Oath of Office out loud.

Ms. Shah stated, "I, Sara Shah, do solemnly swear or affirm that I will support the Constitution of the United States and the Constitution of the State of Minnesota and that I will discharge faithfully the duties of the office of City of North Oaks Councilmember in the County of Ramsey, the State of Minnesota to the best of my judgment and ability."

ROLL CALL
City Councilmembers were present in the City Council Chambers or participated **by telephone or other electronic means** pursuant to Minn. Stat. § 13D.021. Residents can view the meeting on the cable access channel and through the website portal just like other public meetings.

Present: Mayor Gregg Nelson, Councilmembers Rick Kingston, Marty Long, Kara Ries, and Sara Shah.

Staff Present: Administrator Kevin Kress, Attorney Bridget Nason and Administrative Assistant Gretchen Needham.

Others Present: Videographer Maureen Anderson, Officer Mike Burrell.
A quorum was declared present.

PLEDGE OF ALLEGIANCE
Mayor Nelson read the Pledge of Allegiance.

APPROVAL OF AGENDA
Administrator Kress asked for one addition, New Business Item 10c, Discussion on Resolution 1395 Revising the Year 2020 Appointments and City Responsibilities. This relates to the previously held position by former Councilmember Ross.

MOTION by Kingston, seconded by Long to approve the agenda as amended. Motion carried unanimously by roll call.

CITIZEN COMMENTS

None

CONSENT AGENDA

a. **Licenses to Approve**
   Angell Air, Inc.; Sedgwick Heating

   Checks for Approval: 013634 – 013667

b. **Approval of Auditor Contract**
c. **Approval of Previous Month's Minutes—Special Meeting of the City Council on July 16, 2020 at 5:30 p.m.**
d. **Approval of Previous Month's Minutes—Special Meeting of the City Council on July 16, 2020 at 6 p.m.**
e. **Approval of Minutes from Special City Council Appointment Interviews - July 27, 2020**
f. **Approval of Minutes from Special City Council Meeting - NOC Complaint July 27, 2020**
g. **Resolution 1392 approving variance for 2 Island Road septic system**
h. **Resolution 1393 approving variance for 4 Buffalo Road septic system**
i. **Resolution 1394 approving variance for 31 S. Long Lake Trail septic system**

Administrator Kress asked that Councilmember Shah recuse herself from this vote.

MOTION by Kingston, seconded by Nelson to approve the Consent Agenda. Motion carried by roll call; Councilmember Shah abstained.

PETITIONS, REQUESTS AND COMMUNICATIONS

a. Deputy Mike Burrell Report

Deputy Burrell said the past month has been fairly busy. There were a string of burglaries along the Village Center shopping complex and they caught two people, which he mentioned previously. There was an investigator assigned to that case and he was able to get the situation charged, noting there were a total of three places in North Oaks that were hit by these two career criminals, and they also hit several places in Shoreview. In total, there was a string of charges from their huge crime spree. He updated the Council, noting there have been a lot of crimes across the City with a lot of thefts, and several vehicles have been broken into throughout the City in various spots. In the Village Center neighborhood there have been some cars with windows smashed and thieves have grabbed bags or purses and there have also been instances, one in particular at the golf club, where there was an unlocked door and a wallet was stolen. He said there have also been some sheds broken into overnight, noting that some sheds have locking mechanisms and other do not. Deputy Burrell said in a few cases they have received decent video via doorbell cameras or video surveillance of a few of the suspects and that helps with these types of cases, although it seems that most people do not have doorbell cameras in front of

the house. He noted the Ring doorbells are not super expensive and in some instances those can help identify the suspects. He stated there have also been some construction sites that have been broken into and normally on those sites the victims are usually contractors rather than residents, and know the risks and know they should be locking their belongings up. He said the contractors are quite deep into North Oaks and the thought is that crime is low in North Oaks so they don't have to lock their stuff up, but they should be. Deputy Burrell has talked to many people in the last few months regarding the Sherriff Department's role in the City and wants to let people know he has been working with the City, North Oaks Home Owners' Association (NOHOA) and residents, responding to their concerns. He stated he does policing in a way that is essentially community-oriented and noted that all police should be doing constitutional policing. He said there has been some question on what Officer Burrell's role should be or what they should be doing and he would like to say that when it comes to policing, there are certain things that may be a NOHOA role, and certain things that may be a police role, and he has no doubt they can work together on the issues that plague North Oaks to come up with good solutions on law enforcement.

Mayor Nelson thanked Officer Burrell and said he had a chat with his boss and they will be getting together to talk about some of the recent law enforcement crisis and make sure they know where they are on those issues.

b. CTV Year End Update by Dana Healy

Ms. Healy shared her screen and noted they would do a 2019 look-back. She stated the COVID-19 pandemic shifted them out a bit, but the benefit is, now they get a 2020 sneak-peak. She said today's points of discussion would include looking at purpose, core services, statistics, hard numbers and the benefits and communication tools of being part of the North Suburban Communications Commission Joint Powers Agreement (JPA) and ways to increase engagement.

Ms. Healy touched on the paid-for services which include Municipal Meeting coverage, Webcasting, Social Media, creating content for the City, and community engagement videos. In 2019, CTV produced 93 hours of City meeting services, which is more than two hours of time savings for City Staff per week. She said the North Oaks meeting landing page received over 1800 site visits, which is a cumulative viewing of over 111 hours. There were over 144 original social media posts and are excited to continue working with the City on those, which saves approximately 24 hours of City Staff's time.

Ms. Healy noted the social media audience and explained how North Oaks has benefitted from the expanded audience they've been gaining, as CTV's audience is more than just cable, they take the City content to where the audience member is, and that is on social media. They are building audiences in four locations: Facebook (61% increase in followers in the past year), Instagram (12% increase in followers in the past year), LinkedIn (39% increase in followers in the past year), and their own weekly newsletter (61% increase in growth). She stated part of their strategy is to bring the content to where the attention is and then to measure the effectiveness of that particular content.

Ms. Healy then presented some case studies and examples of ways CTV reaches the community, noting first they would design an objective, identify the audience, develop the content around that audience, construct a timeline to time-release the content, and finally analyze data. She noted they can tailor an objective wherever the City needs are, for example regarding a strategic plan or initiative.

Ms. Healy stated CTV has specialized staff that are storytellers and communication experts who are here to help the City by reviewing messaging, offering feedback or being a sounding board. She said related to tacticals, anything that is coming up that seems timely, she asked the City to let CTV know, as they would like to be there with a camera and inform people of what is happening, and she also acknowledged that North Oaks respects its privacy and CTV understands that.

Councilmember Shah told Ms. Healy she is very intrigued by the Community Engagement Videos and thinks it's a huge opportunity and asked if the City of North Oaks has a limited amount of videos they can create per year.

Ms. Healy answered that those videos fall under production for hire, noting that member cities receive a reduced rate compared to outside cities or non-profits. She said CTV would be happy to hold a discovery meeting to walk through some options and there is no charge for that.

Mayor Nelson said a couple of years ago there was a short montage of different scenes of the City Council functioning. He said it was very well done and effective and asked the reason they put that video together and asked if they'd done any for other cities since then.

Ms. Healy answered they did a piece for New Brighton reviewing their IT department and they walked through, interviewed employees, talked about different initiatives and showcased the different types of technology.

Councilmember Ries thanked CTV for all of their great production work and noted they've done an amazing job transitioning from a cable service provider to more of a production company, and social media experts and have been wonderful with equipment installs and troubleshooting. She said it's been great working with the team and she looks forward to working with them in the future.

c. St. John's Coronavirus Relief Funding Request of North Oaks

Administrator Kress said there was a request from St. John's for the City of North Oaks to provide them some funding out of the City's CARES monies, noting there will be a discussion on it later in the Agenda.

Mayor Nelson said they received a call from Fairview early on after the CARES funding was received by the City and noted the hospital has a substantial financial difficulty as a result of the

pandemic relative to St. John's Northeast, so they made a pitch for some sharing of the CARES funding which will be discussed later.

UNFINISHED BUSINESS

a. Review, discussion, and potential action on complaint from North Oaks Company regarding expert recommendation presented to City Council at June 11, 2020 Council meeting related to development plan approval for North Oaks Developments, including the Nord parcel, and related Council communications and interactions regarding the same.

Mayor Nelson reviewed the item, noting Councilmember Ries provided a new bit of evidence at the June 11, 2020 City Council Meeting at which they were discussing the preliminary plan submitted by the North Oaks Company (NOC). He stated after some discussion a vote was taken, the Council then submitted the plan from the Planning Commission with a unanimous vote and eventually the preliminary plan was approved. Subsequent to that the NOC, being alarmed at what had happened at that meeting, filed a complaint with the City of North Oaks relative to Councilmember Ries' conduct at the June 11, 2020 Meeting. Mayor Nelson said the Council began the review of the complaint and had a Special Meeting on July 27, 2020 devoted to the complaint where they pieced together the facts. During that meeting, Councilmember Ries offered to provide some alternative facts to the Council that she thought would be exculpatory or provide them with more information. He said what they knew at the July 27, 2020 Meeting is that based upon the Councilmember Ries' representation to the Council during the June 11, 2020 Meeting was also based upon conversations held subsequently with Dr. Magner and the NOC and Dr. Magner and Administrator Kress. Mayor Nelson noted that Administrator Kress has provided a summary of his conversation with Dr. Magner and what he had learned in the meeting packet and that Attorney Nason provided a summary of the facts and has provided some thoughtful legal discussion regarding the ramifications of Councilmember Ries' actions at the June 11, 2020 Meeting and prior to. Councilmember Ries provided a timeline of alternative facts to Administrator Kress, which are also included in the packet, and include some facts that are different than her representations during the June 11, 2020 Meeting, at which time she was directing her efforts to derailing the consideration of the proposed development by introducing new information at the last minute. Mayor Nelson said they now know that Councilmember Ries' presentation during that meeting came under a false flag of credibility, at least from his perspective. He said her statement based on what has been presented to date was not accurate and is in fact contraindicated by her own re-statement of the facts and was designed to interrupt the development plan.

Mayor Nelson noted since that time, Councilmember Kingston and Administrator Kress tried to elicit more facts to find out what was going on. Mayor Nelson asked Administrator Kress if what is included in the packet is the sum and substance of what he determined from his discussions with Dr. Magner.

Administrator Kress answered to the affirmative that it is, noting there are a couple of different emails in the packet and he was planning on Attorney Nason explaining her memo as he'd turned over all of his materials to the City Attorney.

Attorney Nason gave a summary of her memo, which was also attached in the packet. She noted Section 1 is a timeline of relevant events at question, Section 2 discusses what occurred at the July 27, 2020 Meeting, and it is her understanding that after she left the meeting the conversation was tabled and at that time Councilmember Ries had volunteered to provide some additional information and clarification to the City prior to this meeting (August 13, 2020), which was subsequently provided. Attorney Nason noted she added comments in Section 3 about some of the follow-up questions and discussion items. First, there was discussion regarding Council site visits, and Attorney Nason clarified there is no specific legal prohibition on visiting a site with a developer, but the Council is cautioned that decisions made in a quasi-judicial proceeding should be made based on the information in the record and presented to all members of the body. She said there are a number of different opportunities to have site visits and the Council can always consider scheduling a site visit at a Special Meeting so that the group can go together to the site, noting that is not how the City has done it in the past. She said there were also some questions regarding Section 19.10 of the PDA which authorizes the City and its Staff and Consultants a limited irrevocable license for access to the subject property, which is the development property within the East Oaks PDA area. She said there was a question regarding the scope of that language, and Attorney Nason noted the specific language in the PDA is commonly found in development agreements and it does typically occur as the Staff need to go on site to inspect the installation of improvements. Typically with a development there are public improvements such as public utilities, public streets, and public sidewalks, so Staff needs to have that right of access to go and inspect those. Attorney Nason said the Council can go onto any of the privately-owned property with the explicit permission of the property owners, however, they do need to have explicit permission of the property owner if they are going on for any reason other than the purpose of the limited license. In the memo, Attorney Nason also talked about due process considerations and a reminder regarding the importance of avoiding any potential or alleged due process violations. With respect to Section 3d, representations made during Council meeting and time of interactions, the attached timeline was provided by Councilmember Ries, who volunteered to provide that information. Finally Section 4 summarizes the Council's options:

Option 1) Accept Information and Explanations Offered and Determine No Further Action or Response is Warranted.
Attorney Nason noted the Council had some questions and concerns, this is the second meeting in which the Council has discussed the matter and they could simply choose to take no action and move on to the next agenda item tonight.

Option 2) Vote of No Confidence/Reprimand.
Attorney Nason said alternatively, a Councilmember could consider making a motion for a vote of no confidence or reprimand based on any particular actions or statements

identified by the maker of the motions that are viewed as violating standards of Council conduct or otherwise unbecoming of a Councilmember.

Mayor Nelson thanked Attorney Nason for providing a very detailed memo of options and for a short summary of the facts, noting the facts are more convoluted than in the summary but he appreciates it. He said they've already discussed this at length.

Councilmember Long said he'd like to make a motion, and said he started on his own and Staff helped him finish it, noting it's a bit long and legal but he wanted to make sure it was done right as this is very serious. Councilmember Long read the following statement:

> "I move that this Council find that Councilmember Ries' representations with respect to her interactions made at the June 11, 2020 City Council Meeting related to a research of environmental matters related to the Nord Development Site, and as further described in the Council packet materials included in the meeting packet lack transparency, they were not truthful nor forthcoming and misrepresented how she came to have that contact with Dr. Magner and that such representation failed to live up to the conduct and standards expected of Councilmembers for the City Council of North Oaks, and further that her individually solicited opinion of an expert regarding questions related to environmental aspects of a proposed development without first advising Staff or fellow Councilmembers of her request for such additional information or expert opinion and without working through Staff to obtain the additional requested information to be shared with the Council in a timely manner, likewise failed to comply with the expectations for Council communications and methods of obtaining additional information. Furthermore, Councilmember Ries' comments relative to our Staff and Consultants being qualified at their level is abrasive, disparaging and unbecoming of a Councilmember. In addition, emailing our City Administrator directly following the June 11, 2020 Meeting demanding a new delineation report to be conducted immediately without direction to do so from the whole Council is entirely inappropriate and shows a pattern of intimidation and harassment towards City Staff and Consultants. Moreover, sending a subsequent email to our City Administrator about receiving critical plan documents just a couple hours prior to the meeting is being negligent and unprepared when Councilmember Ries was informed a week prior that certain information wouldn't be available as action from the Planning Commission was required, shows further acts of harassment, intimidation and abrasiveness that is intolerable. Therefore, I declare a vote of no confidence."

Councilmember Shah said she may have Administrator Kress speak on her behalf, but she has been advised from Staff to abstain from this discussion.

Councilmember Ries said she'd like to present a discussion item and noted she thinks the motion in and of itself has not established that there is actually requirement she violated for asking for Staff's permission, and she also thinks the language is accusatory because it states that she did things at the last minute when she had 48 hours to gather information after a Planning Commission meeting. She also believes that the way in which this is brought forth into the Community has not been clearly described, particularly as the motion was just presented. For

example, there have been comments suggested during meeting minutes that it is odd that she would have entered a site and reviewed it. She noted she has an engineering background, she is on the tech Vadnais Lakes Area Water Management Organization (VLAWMO) committee and the technical information that she was seeking is definitely within the realm of not only her education but also the work that she does on the Council. She said it has also been established that going out and seeking information from an expert is odd during Council Meetings, when they have done so when they updated the septic committee, addressed coyote issues in the community, and have addressed geese issues in the community and they've also gone to the University of Minnesota –she noted she had to be careful on how she rephrased this – that they have sought out people at the University of Minnesota who have expertise to help educate them on issues, for example, the coyotes, geese, septic, etcetera. In addition, she has sought out information from the University of Minnesota legal ethics professor to clear up what is a conflict of interest. She stated in the last meeting she was accused of a conflict of interest and that was the main concern raised against her, and that she had knowledge of a conflict of interest between Dr. Magner and a resident of North Oaks and that she did not report that duty. Councilmember Ries said as a result of bringing those allegations to Commissioner Hara on the Planning Commission, there is an opinion from their legal counsel that it's clear that conflicts of interest don't exist with family members, and this was presented to the Council and the Planning Commission, yet she was accused of knowing of a conflict of interest when she knew that there was not one that existed between Dr. Magner and resident Gary Magner in the community. Councilmember Ries said that was a false accusation that was brought against her that people had actual knowledge of on the Council. This conflict of interest issue is very important because it maintains integrity on the Council and it's very important that they maintain integrity and professionalism on this Council. Councilmember Ries noted what she presented to Administrator Kress in an email on June 11, 2020 to introduce the issue and introduce Dr. Magner's letter was a link to Dr. Magner's presentation for the Minnesota State House and also a link to his February 2020 data, in which he had included information about Shoreview waters and some measuring data he had done. She said all of it was presented to Administrator Kress prior to the meeting. In addition, Councilmember Ries was also questioned about transparency in working with Dr. Magner, which was cleared up as she re-watched those meetings, noting she had clearly articulated on record that she worked with Dr. Magner and she believes that was misrepresented during the meeting against her. She also stated when she re-watched the meeting, it became clear to her that the timeline was not clearly represented, either, and she believes when accusations are made such as a conflict of interest, or any ill-work that a Councilmember is doing, they need to represent the facts accurately and with integrity. Councilmember Ries said most of the information brought to attention during the meetings, the timeline was not clarified, the conversations that supported "misinformation from Ms. Ries" or "misstatements from Ms. Ries" about how she came to know Dr. Magner or if she knew of a conflict of interest, many of those conversations happened 2-4 weeks after the June 11, 2020 Meeting. She said there is no evidence that establishes that she misrepresented facts, these are only mere allegations made against her. She noted there have been representations made in the record that showed that Councilmembers actually did know there was no conflict of interest during this time and during these meetings. Councilmember Ries said she had asked for a

delineation study and also later on in the meeting, she had asked to get the wetland designation study done. The delineation study was to collect information about the area of development so they could understand it better for responsible development and that was her ask of the Council, to look into it. She stated she followed up with Administrator Kress to see if a delineation study could be done and she believes a wetland designation could be done afterwards. Councilmember Ries said she believes that was in a phone call and she doesn't have the exact wording and perhaps Administrator Kress has more information on that. She noted her follow up was asking if it could be done with the Council, could they ask the Council to do it. She noted that understanding the area is part of responsible development and they are at a point in time where delineation information is expiring and they are also at a point in time where they have a lot of rain in the area which has been documented. She noted at the Natural Resources Commission (NRC) meeting the night before on August 12, 2020 had different experts, not Dr. Magner, and basically suggested the same thing that Dr. Magner had suggested in his letter that they are seeing a lot of rainfall. Councilmember Ries' ask of the Council, that she is now being subject to two meetings about, was simply to get the information and to fulfill her duty, to collect information, to properly review sites and understand what is going on. She reiterated she is an engineer, a technical person and this is completely within what she understands doing and part of a responsible process. She doesn't believe that giving the North Oaks Company (NOC) such a platform to complain against a Councilmember is a sufficient representation - she rephrased that it's not professional, and the letter was "I believe, I believe…" and there was no evidence presented. The evidence that was later talked about in meetings and followed up on was from subsequent conversations, not establishing that Councilmember Ries did anything wrong on June 11, 2020, particularly 48 hours after a Planning Commission decision, which she was responding to. She said she worked diligently and she is proud of going to Dr. Magner to seek further information and she thinks that all Councilmembers should seek information when they have questions, when they want to learn about hydrology and surface water management, and she thinks Planning Commissioners should also feel that they have the right and the ability to seek information. She said that is the unfortunate consequence of what is going on, noting they are de-motivating people from asking good, hard questions, and de-motivating people from fully understanding situations such as hydrology and very difficult, complex subjects and they should be encouraging people to be asking these questions, to gather data, to question what they see and to get a better understanding of plans. Therefore, Councilmember Ries thinks it is wholly inappropriate to bring this against her and she also finds the irony of Councilmember Long making the motion against her when two complaints and a police report have been filed against him.

Mayor Nelson called a point of order as he doesn't want attacks on other people, and wants Councilmember Ries to stay on task.

Councilmember Long stated he did not commit any crimes.

Mayor Nelson said Councilmember Ries tried to claim that he golfs with Mark Houge at the last meeting and now she is going after Councilmember Long.

Councilmember Long said he doesn't believe Councilmember Ries anymore.

Mayor Nelson said he's heard these things before, Councilmember Ries lashes out when she's in trouble and she is doing it again and he asked her to stay on point.

Councilmember Ries said she feels that this is unfair and is a misrepresentation of fact.

Councilmember Long said she is out of order.

Councilmember Ries said she would turn the floor over to Ms. Kensy who is joining the meeting to counter some of the points that have been made.

Councilmember Long asked who Ms. Kensy is.

Mayor Nelson said Ms. Kensy can speak in a bit and he said he would comment on some of Councilmember Ries' representations and then Ms. Kensy can address anything that she actually knows. He stated he is amazed and continually confounded by Councilmember Ries' lack of understanding of the basic processes of City Council, it's breathtaking, she has been on the City Council for two years and still doesn't work in front of the TV and in front of the City Council, she works around the edges and she is constantly doing that. He said this is the time that she was caught, but she has done it over and over again. Mayor Nelson stated what is supposed to happen: if someone has a concern about an issue, they bring it up with Staff and ask for it to be placed on the City Council Agenda, then ask for an expert to be hired if they feel City Staff lacks the expertise, rather than claiming that the Staff lacks expertise once they are caught doing things they shouldn't do. He noted Councilmember Ries said it was odd that people commented that is was odd that she visited the site, when actually the comments were that it was odd that she had never visited the site in two years; she should have asked to visit the site, it's granted every time by the developer, noting he has been there twice, once with the Planning Commission and once with a City Council tour specifically because he requested it. He said that is what she is supposed to do and the fact that she hasn't visited the site in two years in the odd thing – no one said it was odd for her to visit the site. He said she did not request permission and she took someone with her without the developer's permission, as well, so her statements at the June 11, 2020 Meeting are completely inconsistent with the facts as they now know them and he said that is the problem, she lied at that time.

Councilmember Ries said she'd like to correct some of the things stated.

Mayor Nelson said he has the floor and Councilmember Ries will wait for a while, noting they just listened to her for twenty minutes. He continued and said her attempt to change the facts after the meeting by sending in a new set of facts, even those are inconsistent with her statements during the June 11, 2020 Meeting, so it's just amazing to him that her representations are inconsistent with the information they have, with the record she created herself and accuracy and

integrity is the problem here, she was lying and the bigger problem is by doing that she was trying to provide an unfair hearing and an unfair opportunity for the developer's plan to be considered. He said that is a huge problem. He welcomed Councilmember Ries' attorney Ms. Kensy to speak.

Councilmember Ries stated before Ms. Kensy speaks she would like to correct a couple of things that were put on record. First of all, she said she has visited the site before.

Mayor Nelson noted at the June 11, 2020 Meeting she denied that and asked which one is true.

Councilmember Ries answered the site visit with Dr. Magner, walking on easements and trails around the neighborhood.

Mayor Nelson again said Councilmember Ries said she'd never been there before, so which is true?

Councilmember Ries said she has been in the area before.

Mayor Nelson said those are alternative facts that she is presenting today.

Councilmember Ries said she is correcting some things that Mayor Nelson said, noting actually it was pointed out in a previous meeting that it was odd that she called up Dr. Magner and that is what she was pointing to.

Mayor Nelson stated Councilmember Ries said it was odd for her to walk on the property, and for her to quit making stuff up.

Councilmember Ries called a point of order, saying they do not respect *Robert's Rules* in this meeting.

Mayor Nelson said she's already had an opportunity to tell her story about three different times and this is not her opportunity. He noted Councilmember Ries gave the floor to her lawyer and he thinks Ms. Kensy should talk.

Councilmember Ries said the other thing she thinks is wholly disgusting is that Mayor Nelson is claiming that she has done something wrong, when Dr. Magner's letters simply recommended a couple of things, it did not stop development, it simply said "let's collect data" and what she said during the meeting was "let's collect data." She stated that is all that has ever been presented.

Mayor Nelson said Councilmember Ries once again misstated the facts, they were having a meeting at the end of the 120-day period, she voted against the development, as did her cohort who has now resigned [former Councilmember Katy Ross], and neither of them offered any explanation for that vote, other than Dr. Magner's new presentation that Councilmember Ries

had slipped in two hours before that meeting. He said now they would hear from Councilmember Ries' attorney.

Attorney Kensy thanked Mayor Nelson and said first of all, she is rather appalled at the way this discussion began from the very beginning when Councilmember Ries was accused of derailing the application, which obviously from the facts on record was not her intent at all, she was simply trying to obtain information and be prudent and exercise her rights and obligations to represent the City of North Oaks accurately and correctly. Secondly, Attorney Kensy thinks the motion fails to identify specific allegations that Councilmember Ries can even respond to that allows her to accurately respond to the motion and the allegations. She said if there is a complaint that has been raised, that should be raised under the Code of Conduct and the specific paragraphs of the Code of Conduct that she has violated should be identified and the specific allegations or violations should be identified. Attorney Kensy said she's gone through every single meeting and through the statements that were made and the conflict of interest was clearly a red herring and there was clearly no conflict of interest, and everyone knew that. The allegation against Councilmember Ries that there is a conflict of interest for contacting an expert to learn some information is outrageous. Dr. Magner is employed by the University of Minnesota and the letter that he provided clearly stated that it was his own independent activities, not activities on behalf of the University of Minnesota. From what Attorney Kensy saw, the allegation was that Councilmember Ries represented that the University of Minnesota came out and that was clearly not represented that way, everyone understood that Dr. Magner was acting on his own and Councilmember Kingston in fact made a point of stating that in the June 11, 2020 Meeting where he said the Regents of the University of Minnesota did not sanction this, it's clearly Dr. Magner's own, personal opinion, which he [Kingston] said was fine. Attorney Kensy noted that is what happened, that is what was represented and there is nothing in the record that suggests that Councilmember Ries represented that the University of Minnesota had some sanctioned study on this issue. Councilmember Ries clearly stated in the June 11, 2020 Meeting that the letter wasn't a report and it didn't offer an opinion, she said she just wanted to make sure that they had accurate, current, up-to-date data, especially in light of the recent changes to the hydrology in the area and she had retained an expert so that she could understand – Attorney Kensy noted she did not retain the expert, he acted pro bono – and she noted she should say Councilmember Ries obtained an expert to provide information so that she could understand the hydrology and the issues being presented by the application so that she could perform her due diligence duties owed to the citizens of North Oaks. Attorney Kensy said Councilmember Ries did not misrepresent how Dr. Magner came to be involved in this matter, and said if you look at Administrator Kress' email and conversation with Dr. Magner, there is nothing in that email that suggests that Councilmember Ries and Dr. Magner had a conversation about conflicts of interest prior to the June 11, 2020 Meeting. The fact is, there was no conversation with Dr. Magner prior to that meeting and Councilmember Ries clarified that and put that into her memo to Administrator Kress following the meeting where she was asked to provide a timeline. Councilmember Ries learned about the relationship between Dr. Magner and Gary Magner weeks after, actually she learned about it at the June 11, 2020 Meeting and then she followed up with Dr. Magner after that meeting to inquire about any alleged conflict of interest, and Attorney

Kensy noted it was all a joke anyway, because there wasn't a conflict of interest and everybody knew that. With respect to the other allegations, Attorney Kensy understood there was a conflict of interest allegation which was disputed by the April 14, 2020 memo from the City Attorney, in which it's also disputed by Councilmember Ries' timeline that she provided to Administrator Kress that clearly showed she discussed conflict of interest after June 11, 2020. The other misrepresentation that Attorney Kensy saw was about Dr. Magner working on his own versus a University of Minnesota sanctioned report, and clearly everyone understood that he was doing this on his own and Councilmember Ries represented in the meeting that he was acting pro bono and doing it as some community service and he in fact sent an email later to Administrator Kress where he said he was acting on his own behalf, doing community service and he wishes he would've never gotten involved because it's clear that there is a political pawn being made out of him and the services that he provided. With respect to the motion at issue, the allegations and Attorney Nason's August 10, 2020 memo, Attorney Kensy wrote an August 10, 2020 letter to Administrator Kress and copied Attorney Nason on it, which is not included anywhere in the public record or within the packet of information for the Agenda today and she thinks that due process and fairness would require that the letter be included in this packet as well. She thinks failing to include that letter is further harassment and intimidation against Councilmember Ries' attempts to exercise her freedom of speech and rights as a Councilmember to act on behalf of the citizens of North Oaks. Attorney Kensy noted the alleged trespass issue has not been addressed and she is not sure if that was part of Councilmember Long's motion, she didn't hear anything about that, but clearly based on Attorney Nason's memo, there was no trespass. She finds it very suspicious, as she stated in her August 10, 2020 letter, that the North Oaks Company was at the June 11, 2020 Meeting and didn't identify any concerns or issues and in fact invited Dr. Magner to come to their office to discuss the issues after the June 11, 2020 Meeting and it wasn't until a month later that the North Oaks Company wrote a July 8, 2020 complaint letter which was written after having apparent discussions with certain City officials and that letter was pretty low-key and didn't really raise too many complaints. Then two weeks later, apparently after further discussions with City officials, the North Oaks Company decided that it had to beef up its complaint a bit and write another letter about issues that were already being addressed and had already been raised. Attorney Kensy thinks that the intimidation and the harassment is being driven not by Councilmember Ries, but by this Council in the way that they treat her, they don't allow her to exercise her freedom of speech rights and frankly, the comments that have been made at this very meeting that are so disparaging and personal attacks against her are not becoming of City Councilmembers.

Mayor Nelson thanked Attorney Kensy and made a note that her August 10, 2020 letter is on the front page of the City website, where it is published for the public to read.

Attorney Kensy replied and said thank you.

Councilmember Ries noted it is on the City website at her request.

Mayor Nelson asked Councilmember Kingston if he made an effort to contact Dr. Magner after the July 27, 2020 Meeting.

Councilmember Kingston answered yes he did.

Mayor Nelson asked for the result of those efforts to contact Dr. Magner.

Councilmember Kingston said after the last meeting, he understood that Councilmember Ries was going to work with Administrator Kress to reach out to Dr. Magner to address some of the open issues. Councilmember Kingston subsequently contacted Administrator Kress to see if he had contacted Dr. Magner and was advised that Dr. Magner had cut off all communications with him after Dr. Magner had communicated with Councilmember Ries. Councilmember Kingston decided to reach out to Dr. Magner on a colleague-to-colleague basis asking to visit with him and those efforts were also unsuccessful.

Mayor Nelson asked when Councilmember Kingston says colleague-to-colleague, he means both of them are at the University of Minnesota.

Councilmember Kingston answered that is correct. He said the main issue is that Dr. Magner failed to come forth and give the Council any information and all they've asked is that he come through and tell the truth of what happened. He said all of these statements that Attorney Kensy and Councilmember Ries are saying don't have any information from Dr. Magner about this. He said if they look back, when Administrator Kress had the opportunity to ask Dr. Magner about the conflict of interest, he asked if Administrator Kress had any indication that Dr. Magner was talking about a disclosure or discussion about a conflict of interest after he should have disclosed it as opposed to before.

Councilmember Ries stated there is no conflict of interest.

Councilmember Kingston said wait a minute, he doesn't think she understands what conflict of interest is, neither she nor her attorney seem to understand it. He stated conflict of interest is about disclosure, it's about potential conflict; there may be no conflict, but the point is that you disclose it so that people can judge for themselves. He said she doesn't get the right to make the determination that there is no conflict, it's the people that have the concern about it that want to know if there is a potential conflict, and that they can sort that out themselves and Councilmember Ries did not disclose that, even after Dr. Magner pointed this out, neither one of them has ever acknowledged that there is a potential conflict of interest.

Councilmember Ries said there is a legal definition for conflict of interest that is not being addressed here.

Councilmember Kingston stated they are talking about disclosure, that there doesn't have to have an actual conflict of interest, they are talking about disclosure and the requirement that she be

honest, upfront and transparent and just disclose it. He said if Councilmember Ries would've disclosed this before Dr. Magner made his comments or if he would've made the disclosure and said "oh by the way, I have somebody out here that is a relative who is very active in this and not very happy about this, but these are my opinions," Councilmember Kingston didn't think there would be any issue. However, neither one of them did that and still haven't.

Councilmember Ries stated Dr. Magner works with VLAWMO and does research in Shoreview.

Councilmember Kingston said so what? That is why he's out, if they're talking about North Oaks, they're talking about their particular City issue, and Dr. Magner has an ethical obligation to disclose potential conflict of interest.

Councilmember Ries said it appears that Councilmember Kingston knew about some relationship, which does not create a conflict of interest, before she did.

Councilmember Kingston said it wasn't that difficult to find, noting you go on the Facebook page and with two clicks you find Magner and you have Gary Magner and Councilmember Ries communicating back-and-forth and she is trying to tell the Council that she contacted a Magner at the University of Minnesota - interesting that it's the same last name - and she didn't have a question as to whether or not there might be some relationship? He said she must think they're dumb as rocks.

Councilmember Ries said the reason why Dr. Magner wasn't, first of all, from what she understands, Dr. Magner tried to talk to Administrator Kress and Administrator Kress was just fishing for information that doesn't exist and Dr. Magner was getting sick of it. When Councilmember Kingston started accusing Dr. Magner and saying he was going to file an ethics complaint at the University of Minnesota.

Councilmember Kingston said he absolutely will, the guy is not forthcoming, they've asked him multiple time simply to tell the truth and tell them what happened and he has not done anything and has thwarted every opportunity, and Councilmember Ries has interfered with their ability to get to the truth. That is the bottom line.

Councilmember Ries said she has not interfered with anything and she thinks that whenever there is a lack of information, Councilmember Kingston says that somebody is lying.

Councilmember Kingston stated he has the floor. He asked Administrator Kress what his impression was in his conversation with Dr. Magner, especially after the last meeting, he reached out and said he'd like to talk to Dr. Magner, and as Councilmember Kingston understands it, Dr. Magner came back and said this is getting time-consuming, we need to talk about a contract and then he followed up and said he needs $150 an hour and he will research the issue. Then Administrator Kress said, let's talk and then he gets another email saying Dr. Magner believes he's been a political pawn, and Councilmember Ries has already indicated that she had talked to

him and shut him up. He asked Administrator Kress to tell the Council everything that happened with the communication he had with Dr. Magner.

Administrator Kress stated those interactions are included with Attorney Nason's memo. His interactions with Professor Magner were a series of, he believes three different emails, one of which is included in Attorney Kensy's letter, which was before he even sent it out to their own City Attorney, so to him it was clear there was communication between Councilmember Ries and Dr. Magner during the same time Administrator Kress had emailed Dr. Magner for additional information on the presentation that he was supposed to present yesterday (August 12, 2020). From there, Dr. Magner asked for no further communication, which Administrator Kress obliged, noting he thanked Dr. Magner for his time and moved on.

Councilmember Kingston asked to say one more thing, and would like to talk about Attorney Kensy's statement that he made the point that Dr. Magner was acting on his own, noting Dr. Magner didn't make that point, Councilmember Ries didn't make that point, if you go back, exactly what she said word for word is: "I began to inquire into this and contacted the University of Minnesota and they were kind enough not only to take my call, but to inspect the site." If Councilmember Kingston hadn't said anything, there's a good chance that this would've been defeated and asked the other Councilmembers, Councilmember Long and Mayor Nelson, when they heard that Councilmember Ries had contacted the University and that they had issued an opinion, what was their thought, did they think that was an issue?

Mayor Nelson noted he'd already mentioned it before, and will mention it again, that Councilmember Ries came into the June 11, 2020 Meeting under a false flag and represented to the Council that she had a University of Minnesota Professor who had been directed to her by the University and had conducted this investigation. He said that's exactly what she did because she was trying to misrepresent the nature of the situation when she was found out, when the facts started to become known, she has backpedaled as fast as she can and she's literally presented them with three different set of facts and that is what he is personally irritated with. In addition to that, Councilmember Ries' intentions were dishonorable, she was attempting to derail, based on inaccurate information, a development project that had been unanimously approved by the Planning Commission and had been sent to the Council for a final vetting process just days before the 120-day rule would've been applied. He said that is what was going on here, it's bad behavior, she didn't follow City Council processes, she didn't follow her good judgment, she misrepresented and lied, and it was all with an intent to make sure a fair hearing was not afforded to this developer. He said that is his view of the situation.

Councilmember Kingston asked Councilmember Long's interpretation of Councilmember Ries' statement that she had a University of Minnesota opinion and asked if that carried any weight or would that have carried any weight with Long if Kingston hadn't been there to correct the record?

Councilmember Long answered absolutely; the University of Minnesota is respected.

Attorney Kensy asked to give the quotes from Dr. Magner's letter, noting it said "I explored the site…I observed evidence of high water…what became clear to me…I suspect…my current

work and proposed research…before approving any new development in North Oaks, I would urge…I would be willing to come and speak…" She said if the clear language [inaudible] letter clearly suggests that it's Dr. Magner acting in his own individual capacity as a professor at the University of Minnesota, there was no misrepresentation and everyone understood what was going on and if they didn't, then they're just looking for things to nit-pick and pick apart to try and put Councilmember Ries on the defensive and retaliate and harass her for trying to do her due diligence. She stated Councilmember Ries wasn't derailing anything, she was asking questions and learning.

Mayor Nelson asked Attorney Kensy if she was reading from the letter with the letterhead of the University of Minnesota.

Attorney Kensy answered yes.

Mayor Nelson asked if Attorney Kensy agreed and if she has looked at the June 11, 2020 Meeting video where Councilmember Ries introduced this subject by saying she had called the University of Minnesota and they were kind enough to take her call and send someone over. He asked if Attorney Kensy heard that.

Attorney Kensy answered she heard Councilmember Ries' statement to the effect and she also heard Councilmember Ries clarify that later, noting the Council has that letter in front of them.

Councilmember Long asked to finish and said yes, he was concerned about the University but sitting on VLAWMO for twelve years and being Vice-Chair currently, he made sure that they did their due diligence on this development in North Oaks, in his community. He noted he didn't need someone outside to second-guess VLAWMO.

Attorney Nason noted there is a motion and a second on the floor and she asked if the Council wants further discussion or if they're ready to call the question at this point.

Mayor Nelson called the question.

Administrator Kress took a roll-call vote.

MOTION by Long, seconded by Nelson, for a vote of no confidence. Motion carried by roll call as Members Long, Kingston and Nelson voted for; Member Ries voted against; Member Shah abstained.

Mayor Nelson noted for the reasons he has stated before, both the misrepresentations as well as the intention of diverting the City Council from its proper considerations of this development, he votes aye.

Administrator Kress requested a friendly five-minute recess from Mayor Nelson.

Mayor Nelson answered in the affirmative.

MOTION by Long, seconded by Shah to take a five-minute recess. Motion carried unanimously by roll call.

Mayor Nelson reconvened the meeting on August 13, 2020 at 8:33 p.m.

b. Update on Lake Johanna Fire Department Agreement with Shoreview and Arden Hills
Administrator Kress noted this is on the Agenda as a reminder, there were some minor edits from Councilmember Ries as she worked with Shoreview City Attorney and a few of the language items they had looked at during the last Council meeting, it's likely they will have a final draft prepared for a vote at the September meeting.

Mayor Nelson said to Administrator Kress, this agreement basically dictates the process by which they will get to the decision about whether to build a fire station, and asked if that is correct.

Administrator Kress answered this is specific to the purchase of land for the fire station.

Mayor Nelson said the description of the timeline for the fire station is that is must be built no later than 2026 but that is with the approval of all the cities.

Administrator Kress answered in the affirmative.

NEW BUSINESS
a. Discussion on CARES Funding
Administrator Kress said for the sake of time, he wants to keep this at a pretty high level, and noted he's been working with some of the other contract cities on what their intentions are with the CARES funding. He noted there has been some discussion about spending the money as a kind of reimbursement to themselves for the Lake Johanna Fire Department expenditures as well as Ramsey County expenditures. The reason is because it goes into the City's General Fund and they don't run the risk of having to return it to Ramsey County come November. He said there have been a few cities that have done some business incentive plans, most of which have an EDA, noting he hasn't found one yet that has been direct city funding to, say, a hospital as they were requested earlier. He opened it up to the Council for any observations or direction they would like Administrator Kress to take regarding the CARES funding.

Councilmember Ries asked if Administrator Kress could give some background about what the City had to show and present regarding the CARES Funding Act and how the City came to acquire the money. She stated that she sat in on the educational session regarding the CARES Act and the eligibility of certain things that cities could pursue in seeking the money under the act and she thought it was very educational, noting that North Oaks did not qualify for a lot of things like other cities because they do not have some of the issues that some other cities face. She asked Administrator Kress to explain what they had generally applied for and how they got the money and to clarify from a tax perspective if the money they had spent includes taxpayer dollars or if this is indeed money coming from the government and not out of taxpayers' pockets.

Administrator Kress answered that this is direct from the government, it's not included in the City's tax levy or any other funding that the City has available. The City received nearly $400,000 in CARES funding that is intended to be used mainly for reimbursements directly related to COVID-19, which in North Oaks' case is very challenging because they do not have their own police department, public works department or fire department, noting those are all contracted services. He said for North Oaks, as far as initial spending, there is a little bit of Staff overtime and other things like that, which traditionally would've been much higher had the City had a police or public works or anything health-related. He noted some other criteria and said honestly, they weren't very happy with the way it was presented to the cities, it was kind of just here you go, roll with it, here's some of the criteria, but at the end of the day you're on the hook if you don't spend it appropriately. Administrator Kress said that has been the main discussion in the contract cities, what do they do with it? How do they spend it? Where should they spend it? He noted they must spend it before November 14, 2020 or they forfeit the money.

Mayor Nelson asked where the forfeiture goes, so that people know.

Administrator Kress answered the forfeiture goes to Ramsey County and then he believes it's distributed through the Fairview Health System.

Mayor Nelson said that may be what prompted Fairview to talk to the City in the first place, as that was an unsolicited contact from them. He noted there is a forfeiture provision and they would certainly like to find a way to spend this money to benefit the City of North Oaks and its residents, businesses and appropriate parties if they can and they are working on that. Mayor Nelson said another hindrance is that they do not have an Economic Development Commission.

Administrator Kress said that is correct.

Mayor Nelson asked Mr. Kress to explain the significance of that.

Administrator Kress said an Economic Development Authority is like a separate City Council that has its own levying authority and some other criteria as far as obtaining property that the general City Council does not have.

Mayor Nelson noted that is the group that typically handles the CARES Act money.

Administrator Kress said they are usually the entity responsible for doing any business or economic development grants, loans, or anything along those lines.

Mayor Nelson said Administrator Kress is doing a good job contacting North Oaks' sister cities, they have the resources and one thing they discussed today was that perhaps they could contract with Shoreview's experts on this issue, once they become experts, to help them through this process. He asked if that sounded like a good idea to Administrator Kress or the Council.

Administrator Kress answered the various City Administrators, Managers and Finance Directors have been in pretty constant contact to see which road, generally, the seven contract cities want to go down with the CARES Act funding. The thought process on that is, if they were to use it to reimburse and put in the General Fund, it would be a lot less likely to see an audit finding for seven cities. He noted they are looking into it further and unfortunately there really isn't any guidance, especially from the League of Cities, on the spending expectations here.

Councilmember Shah looked at it when it came through and just like Administrator Kress said, the verbiage is so buttoned up and can be vague. She spent a lot of time looking at the three-part test on eligible expenses and it's pretty obvious that expenditures must be used for actions taken to respond to the public health emergency. Councilmember Shah noted she spent a lot of time thinking about the second half, which is expenditures incurred to respond to second-order effects, and it got her thinking about those second-order effects for North Oaks residents. She said a clear ongoing and future consequence of COVID-19 is the necessity of social distance, and said look at the Council right now on Zoom. She said for workers, they have to perform all their employment activities remotely now, so there is another obvious need for telecommuting. She also noted an impact for parents and students to move to online, with distance learning and it's also meant moving all government structures remotely from courts to City Council meetings. In addition, people are moving to telehealth services. She said a direct consequence of remote interaction and social distancing is an increase in the need of reliable, high-speed, low latency data infrastructure. Councilmember Shah noted they are a semi-rural community in terms of geographic footprint and population density, and she said North Oaks lacks high-quality high-speed data infrastructure for many of their residents. Councilmember Shah said she'd like to propose using the CARES Act funding to improve community infrastructure and upgrade their high-speed data infrastructure so that residents and businesses have an improved capability to work with their employers, complete online distance learning, to connect with governing structures and medical providers, all with high fidelity. She stated she knows it's a big concept, and noted she spoke with Administrator Kress and Councilmember Kingston about this because she wanted to run it up the flagpole and obviously they must look at it and think about it but she thinks it may be possible to approach the City's two leading providers, Xfinity and CenturyLink to facilitate these discussions of installation of additional fiber and moving the fiber optic trunk and pedestal lines into the City. She said it's a rebuild of the City's infrastructure and she frankly thinks it's a direct consequence of the pandemic is the heavy, heavy need on social distancing and a necessity to upgrade their infrastructure and she is just going to throw the idea out there.

Councilmember Kingston noted one of the thoughts they'd had was whether or not there was a possibility of engaging in a contract and escrowing the money by November 13, 2020 as being committed. He doesn't know if that is an option and asked Administrator Kress.

Administrator Kress answered no, you must spend the funding quite literally before the November deadline.

Mayor Nelson said the caveat to that, as Mr. Kress noted, is what Shoreview is thinking about, to spend the funding by spending it into their General Fund, at which point they could rededicate it and asked if that was correct.

Administrator Kress answered that is correct.

Mayor Nelson said he thinks it's a great idea to look at what Councilmember Shah is talking about and noted perhaps the first thing they should do is ask Attorney Nason if her firm is looking into the CARES Act issue of how the money should generally be spent for other municipalities.

Attorney Nason answered yes they are and noted that every city is doing it differently; some cities are engaging financial consultants to help advise them, those are primarily the ones that are having large programs or looking to set up business grants or things along those lines. She said they can look into it, she thinks the challenge is that there is limited guidance that's been provided by the federal government, which limits the guidance put out by the League of Cities and she noted that is not a fault to them. Attorney Nason said she can certainly look into it and work with Administrator Kress on that. The big concern is that there is a potential for a federal audit and if the City is found to have used the CARES Act funding for an ineligible expense, there is the requirement to repay it, so it is really incumbent upon the City to feel confident that whatever it chooses to spend the money on is an eligible expense. She noted she has not looked into the question of the expansion of fiber optic or internet services but she can look into that if directed.

Mayor Nelson asked for a sense of the Council or perhaps they need a motion to approve the little bit of work on that. He said since the timeline is so short, while he is loathe to spend lots of money on lawyers, he does think they need to figure this out before mid-November.

Councilmember Ries said she thinks it's worth looking into and exploring options, she would also like to have Administrator Kress look into whether two meetings ago (she asked not to quote her on this), they had already approved upgrading the cable with a cable provider to a higher speed. She said she thinks they should compare it to what they just did a few months ago in allocating the money. She would like to hear what other cities are doing and other projects and look at police, fire, other things that North Oaks needs to allocate resources to, because they will run through the $400,000 allocation quite quickly with a number of projects they could allocate the money to. Councilmember Ries said having everything possible in front of them in order to make a decision and then prioritizing the decisions would be very helpful.

Councilmember Shah agreed with Councilmember Ries that they would need to do more homework and as a Council decide what the highest priority is. Until they have more data and research done, at this point they're not even sure if it would clear audit, so there are a lot of

outstanding questions, but they couldn't direct Staff without support on this because if the rest of the Council doesn't support it, they're not going to go forward.

MOTION by Ries, seconded by Kingston, to instruct Attorney Nason to further look into how the City can best allocate the money and what is allowed under the CARES Act.

Administrator Kress asked Attorney Nason is they could reimburse themselves for the time spent investigating how to spend the CARES Act funding.

Attorney Nason answered probably yes, because legal and consulting fees that are related specifically to pandemic matters are reimbursable. She said she thinks this would probably also be reimbursable under that same hat but she would need to confirm that.

Councilmember Shah put forth another idea to consider for the CARES Act Funding, noting she started to think about how they communicate with their residents and obviously they have many tools, but she thinks the email blast has been a big use during the pandemic. She said they will also be talking about Civic Ready and her concern is that not enough people in the City know about these communication tools, and it would be more important now than never to educate residents and encourage them to sign up and subscribe to them so their user adoption rates go up. She suggested perhaps it's a good opportunity to use the CARES Act Funding to create and send a direct mail piece to residents outlining the two communication pieces or add even more if they think it's fruitful for residents.; not only telling them the benefits of these communication tools, but also how to sign up and she thinks it's vital information and it's more important than ever to get people lined up with opportunities to communicate with them.

Administrator Kress said that they could add that to their list for discussion at the next meeting.

Councilmember Ries said that could be part of what Attorney Nason researches, whether marketing or communication is reimbursable.

Motion carried unanimously by roll call.

b. Discussion on Planning Commission vacancy, calling for applications, process for filling vacancy

Administrator Kress stated they need to declare a vacancy on the Planning Commission for a previously held seat by Commissioner Shah who is now on the City Council. He stated that the process for filling the vacancy and the City's policy is that himself, the Chair and the Mayor meet to interview however many applicants apply and suggest a recommended motion to the Council, similar to when they brought Mr. Cremons to the table in January. Administrator Kress noted the information he needs is a motion to declare the vacancy and a motion declaring how long it can be open, and then they will build a resolution for recommendation to the City Council and they vote on it.

MOTION by Long, seconded by Shah, to declare a vacancy and hold the application process open for two weeks with the intention of filling the vacant position for the Planning Commission which expires in December 2021, in time for the next Planning Commission Meeting on September 24, 2020. Motion carried unanimously by roll call.

c. Discussion on Resolution 1395 Revising the Year 2020 Appointments and City Responsibilities

Administrator Kress shared his screen and said he typically works with the Mayor who gives recommendations for the seats and the Council has the opportunity to discuss and decide what they want to do with the appointments. He stated for reference, there were four different subcommittees that former Councilmember Ross was on: Police, Fire, Natural Resources and Recycling.

1) Police Liaison: there and there are no Councilmembers listed, so the suggested member is Administrator Kress as Primary and Secondary.
2) Lake Johanna Fire Department Relief Association Primary is Councilmember Ries (secondary is Councilmember Shah).
3) Natural Resources Commission Primary is Councilmember Shah (secondary is Councilmember Ries).
4) Recycling Task Force Primary is Councilmember Ries (secondary is Councilmember Shah).

Mayor Nelson commented that Administrator Kress made an observation about the Police Liaison and he is not disparaging anyone, but apparently that position has some political ramifications and persons running for office can use that position as a springboard to make law enforcement arguments. He said during the last few months and during the election cycle it's appropriate just to simply have Mr. Kress serve as the Police Liaison and there is no secondary for the rest of this term.

Administrator Kress said part of that perspective is, he found it quite non-traditional to even have a Sherriff's Liaison, because typically any interactions through the Police Department should be done through the City Administration and the City Manager. He said his concerns were giving too much authority to anyone on the Council to direct anything related to the Sherriff's Department and he'd rather see that done on a Council level.

Councilmember Ries had an alternative recommendation, noting that Councilmember Shah is new on the Council and traditionally some interest in the Fire Department is given to new members. She stated she had been next in line since she was the second on the Natural Resources Commission (NRC), and she would be willing to flip-flop the Relief Association so Councilmember Shah could have fire experience. She noted another concern with the Recycling Committee, noting that former Councilmember Katy Ross had done such a great job with that project and it is really given to Staff at this point, which is now basically reviewing and contracting, setting up recycling day, which Councilmember Ries is happy to do, but she just wanted to make the comment that it's really more of an Administrative task, as it was organized and transferred over so well that it doesn't really need to be a task right now.

Mayor Nelson noted she is talking about the Relief Association, not the Fire Department Board of Directors and asked if that was correct, as she had said fire experience.

Councilmember Ries answered and said she likes working on the Fire Board, she found it very informative and it's great to work with other cities on that, and she thinks they've done a huge step in getting the land purchase agreement finalized, so if Councilmember Shah wanted to have fire experience, she could take that over as well. Councilmember Ries stated she does love it and would like to hang on to it but she'd like to get more involved with the Natural Resources Commission in North Oaks, so if Councilmember Shah is willing and wants more work with fire and surrounding cities she would be willing to trade. She said she is specifically talking about the Relief Association, noting that is where new members like to start, but she would be willing to do both the Relief Association and the Fire Board if Councilmember Shah didn't want to dive into the entire fire department right away.

Mayor Nelson noted it is interesting to be on the Lake Johanna Fire Department Board of Directors and you get to know the firefighters if you're on the Relief Association, he said it doesn't matter to him and he doesn't know what Councilmember Shah thinks, he was just trying to create an equitable distribution.

Councilmember Shah said she is open to that and she can dive into learning about Lake Johanna Fire Department and if it makes sense to do both with the Relief Association, she will gladly jump on board.

Mayor Nelson told her to be aware that if she goes to the Board of Directors meeting, they will probably make her the Chairperson right away, as that's what they usually do, just to embarrass her. He noted the change that Councilmember Shah would be the primary for the Relief Association (secondary Councilmember Long) and the Lake Johanna Fire Department Board of Directors, (secondary Councilmember Ries) and that Councilmember Ries would be the primary of the Natural Resources Commission (secondary Councilmember Shah).

Administrator Kress said they discussed Recycling at a Staff level and he thinks they are fine handling that.

Councilmember Shah asked Administrator Kress if they could scroll through the onscreen spreadsheet to see how many assignments each of the Councilmembers have.

Administrator Kress noted it looks like it's fairly evenly distributed from what he can tell.

MOTION by Long, seconded by Nelson, to approve Resolution 1395 Revising the Year 2020 Appointments and City Responsibilities. Motion carried unanimously by roll call.

11.Council Member Reports

Councilmember Shah took the opportunity to thank the Council for supporting her and allowing her to be appointed at the Council, noting it's an honor to serve the community and she hopes she can hit the ground running and make an impact in the few months she is there. She reported she is getting up to speed as quickly as she can with issues that she had no prior knowledge on, and stated the good news is she had two prior years on the Planning Commission so she is well aware of the developments that are currently in progress and in the pipeline. In addition, she thinks it's good that she was on the City Council two years ago, because she already knows everyone on Staff for the most part and knows the go-to people, so that is allowing her to get up to speed pretty quickly. She said now that they have their assignments and appointments, she will go forward with that.

Councilmember Ries said she's been working on the fire station agreement for the land purchase and revising contract language and that has taken a bit of time, as it does any time you review a contract for specific language. She also helped to cohost the Natural Resources Commission seminar on water quality, noting that was a great success and they had a lot of great feedback from the community on how much they appreciated the information. She said hopefully now that she's on the Natural Resources Commission, she can help to organize more events like that, as she thinks the public generally appreciates bringing in experts, listening to their expertise and being able to ask questions directly.

Councilmember Long had no report.

Councilmember Kingston stated he continues to look into methods of a citywide buckthorn removal project as a long-term goal with the City. He's been talking with a number of people, including the North Oaks Company to see who might be able to or willing to contribute to that initiative and hopefully he can bring something to the Council in the next couple of meetings to discuss it further.

Mayor Nelson echoed Councilmember Ries, he thought the water symposium held via video was very informative and thanked Mr. Hawkins, the Chair of the Natural Resource Commission, for moderating that very nicely.

12. City Administrator Reports

a. Discuss Civic Ready Emergency Alert System

Administrator Kress noted the Civic Ready Emergency Alert System is the fancy button at the top of the potentially new website that would alert residents when there are issues throughout the City, and noted some of the common uses for other cities outside of North Oaks are water main breaks, road repairs, and other things like that. He said this would be an add-on to the City's existing website platform and he's seen that a lot of the neighboring cities have it and he is looking to see if the Council found value in the alert system and if they think the platform should be added as part of the existing proposal.

Councilmember Ries said regarding their current website, they chose a mid-level package, and she noted she's helping to finalize the redesign and they are almost done with the second phase, and they are doing a structured format, which means you cannot quickly go in and update things and they have to work with the software developer to do that. She said one nice feature about the alert messaging at the top is it allows the City to go in and actually identify emergencies or quick announcements to the community.

Administrator Kress pulled up Maplewood's website to give an example of the Civic Ready Alert System.

Councilmember Ries said for example, the City could give an alert regarding a road closure or a curfew, things of that nature, they could quickly implement themselves on the website rather than going through the process of changing something through the developer, noting this is a great feature that the City controls and allows them to contact and inform residents right away of things that are happening. She thinks it's a good feature and many cities are implementing things like this, particularly because of everything that has happened in 2020, for example, the pandemic and the Minneapolis riots.

Councilmember Shah asked if the current functionality was deployed in May.

Administrator Kress answered yes, that was a trial period.

Councilmember Shah asked if there is any data on whether people have been signing up.

Administrator Kress noted Administrative Assistant Needham probably knows if she is still online tonight.

Councilmember Shah said it's on the front page for users to sign up and she could take it offline with Councilmember Ries, but the button you click to get emails from City Hall, could potentially be changed to something like "stay informed" and underneath they could have both sign up for the City Email Blast as well as the Emergency Alert System with Civic Plus.

Administrator Kress showed an example of what the Civic Plus website looks like using North St. Paul's website, noting the updates including garbage, power outage, road updates would be the things you'd typically see with that hot button.

Councilmember Ries asked if they are generally interested in the hot button, because the other features of the website and how people sign up is a different issue. She said the question now is are they interested in adding this feature and taking on the additional costs.

Administrator Kress agreed that is correct.

Councilmember Ries said she thinks it's a great feature to have, it immediately draws attention to the emergency situations and noted Administrator Kress could briefly explain the costs, noting it wasn't too terribly expensive.

Administrator Kress shared his screen and said he thinks those costs are CARES Act Fundable as well, because they would be implementing it to try to update people on emergency pandemics first. He showed two different tiers for Year 1 ($1,198.25) and Year 2 ($2,396.53). He noted generally he would've approved this himself, but being it is a new item he didn't have that comfort level and preferred to go to the Council first.

Councilmember Ries asked if they can confirm that the CARES Act would cover the funding.

Administrator Kress said unfortunately no, because of the ambiguity of the whole funding section, but he thinks it does qualify, just like purchasing laptops or TVs to better suit the City would qualify.

Councilmember Shah said she supports the tool and thinks it's great, she just has interest in user adoption, which is why she brought up the point tonight, noting they can't just purchase tools without having a plan to ensure they get people on board.

Councilmember Ries told Councilmember Shah they can take that discussion offline as the second phase of the approval they've already designed, noting there is a feature where the website has two different buttons for people to sign up for information and one is dedicated to notifications and they could show Councilmember Shah where it would be located on the screen.

MOTION by Ries, seconded by Shah, to direct the City Administrator to make the purchase for the Civic Ready Emergency Alert System. Motion carried unanimously by roll call.

b. Monthly Forestry Report

Administrator Kress noted Mayor Nelson, Chair Hawkins and himself interviewed a few members for the Natural Resources Commission, noting they are still short two members. He proposed extending out a new application period to reopen it and stated they didn't get as many applications as they had hoped. He said they would follow the same process at the Planning Commission level, bringing the recommendation(s) to the Council. He noted this one might take a bit longer and it sounds like the Chair was generally comfortable running with a five person Commission at this time, but he wanted to advise the Council that they will reopen it and go through the process again.

Mayor Nelson noted it met with Chair Hawkins' approval as well as Mr. Kress' and his own.

Administrator Kress also shared they've been working on the budget and trying to figure out the CARES Act Funding and the Fire Department land purchase, so most likely they would send

some draft budgets to the Council by email and potentially have a work session in September, followed by some kind of Special Meeting to approve the preliminary levy that needs to be done before September 30, 2020.

Mayor Nelson asked if the City's budget and financial status looks appropriate and reasonably good.

Administrator Kress answered yes and the things he'll be focusing on is building some funding for the land purchase to potentially bring the reserve balance up and after that he will start picking away at some of the enterprise funds like water and sewer that aren't tied to the City's levy.

Mayor Nelson noted they'd had a meeting with Mr. Mark Houge that has not been fully resolved and they will keep working on that relative to some of his billings, but they also have non-recoverable expenses associated with the development. He asked if by the time of the next meeting in September, Administrator Kress could do an accounting both of the expenses that have been covered and reimbursed by the North Oaks Company relative to the development process thus far this year, and also the expenses that will not be reimbursed.

Administrator Kress answered he thinks that's possible, although some of the numbers he might not have complete accuracy on if they've recently sent an invoice and have not yet received payment.

13. City Attorney Reports
Attorney Nason had no report.

Councilmember Kingston noted they had talked about changing the day of the week of the Council Meetings.

Administrator Kress said he is glad Councilmember Kingston brought that up, noting several months ago he had brought it up to the Council that he was interested in both the Planning Commission and the City Council hosting two regular meetings per month. He has noticed there are a lot of Special Meetings and trying to rearrange schedules to accommodate, especially for development applications, so he wanted to gauge the Council's interest on different nights. He said then he and Attorney Nason could propose an ordinance amendment for the times.

Councilmember Kingston asked if they could do that administratively or if they needed to vote on it.

Administrator Kress answered it would have to be part of an ordinance amendment, he'd have to give ten-days' notice and the Council would have to act on it.

Councilmember Kingston noted they've been talking about this for quite a while and it seems like if they could expedite this, other people would be interested in seeing that change come through.

Administrator Kress said they could always hold a Special Meeting to consider the ordinance amendment, but he has to post it ten days in advance.

Councilmember Kingston suggested Mr. Kress get started with the posting and then they could set up a Special Meeting to discuss it.

After a discussion, the Council decided a Tuesday may work best and they would look at putting some proposed language together based on the Council & Attorney's availability.

14. Miscellaneous

Administrator Kress noted the Miscellaneous section is where he would put the Natural Resource Commission (NRC)and Planning Commission Minutes, however they were so large that they had to put the City Council packet on the website and link it. He said they have since removed them as both the NRC and Planning Commission Minutes are already on the City's website, so the Councilmembers won't see those in the future but they will still be available on the website.

Mayor Nelson again welcomed Councilmember Shah and said they appreciate her being here.

ADJORNMENT

MOTION by Kingston, seconded by Ries, to adjourn the Council meeting at 9:29 p.m. Motion carried unanimously by roll call.

_____ _____

Kevin Kress, City Administrator Gregg Nelson, Mayor

Date approved_____

REQUEST FOR ACCESS CORPORATION ACTION (RACA)

Meeting Date: -
Agenda Item No.: -

Department Approval	Executive Director Approval
-	-

Item Description: JPA Resolution to Include Non-geographically Contiguous Cities

BACKGROUND

On July 16, 2020, the North Suburban Communications Commission voted to update the Joint Powers Agreement to include the following:

Under section II, General Purpose, "public, educational, and governmental" was spelled out to explain PEG. Also added in section II was "local community media, including cable television" programming. The purpose of this was to broaden the language to include beyond cable programming.

Section V.1, "geographically contiguous to any of these named municipalizes and" was removed.

Section V.4 "a majority of the members" was added, and "five" was removed. This makes the document more evergreen as membership changes. This change was also done in section 6 and 8. Section V.8 "Unless otherwise required herein, all official actions of the Commission must receive two-thirds (2/3) of all the authorized votes cast on that issue at a duly constituted meeting of the Commission and the affirmative vote of a majority of the appointed directors present and voting. Abstentions shall not be considered authorized votes cast.

POLICY OBJECTIVE

To adopt the recently updated Joint Powers Agreement that will make it possible to include non-geographically contiguous cities.

BUDGET IMPLICATIONS

NA

STAFF RECOMMENDATION

NA

REQUESTED ACCESS CORPORATION ACTION

To vote to bring the resolution as presented to each member city for approval on the consent agenda.

Prepared by: Dana Healy, Executive Director
Attachments: A: 7c_Support_JPAResolution

Revised 2020

AMENDED
NORTH SUBURBAN COMMUNICATIONS COMMISSION
JOINT AND COOPERATIVE AGREEMENT
FOR THE ADMINISTRATION OF CABLE COMMUNICATIONS FRANCHISES

I. PARTIES

The parties to this Agreement are governmental units of the state of Minnesota. This Agreement is made pursuant to Minnesota statutes Section 471.59, as amended.

II. GENERAL PURPOSE

The general purpose of this Agreement is to establish an organization to administer and enforce the respective cable franchises of the parties; to administer the procedure for the renewal of the existing cable franchises and the procedure for the award of new cable franchises; to promote, coordinate, administer and develop public, educational, and governmental (PEG) access cable television channels and local community media, including cable television programming; and to conduct such other activities authorized herein as may be necessary to establish and enforce consumer protection standards for cable subscribers of the members of the organization.

III. NAME

The name of the organization is the North Suburban Communications Commission (NSCC).

IV. DEFINITION OF TERMS

Section 1. For the purposes of this Agreement, the terms defined in this Article shall have the meanings given to them.

Section 2. "Commission" means the Board of Directors created pursuant to this Agreement.

Section 3. "Council" means the governing body of a member.

Section 4. "Franchise" means that cable communications franchise granted by all cities listed in Article V, section 1.

Section 5. "Grantee" means any person or entity to whom a franchise has been granted by a member.

Section 6. "Member" means a municipality which enters into this Agreement.

Section 7. "System" means that cable communications system more specifically defined in the Franchise Ordinance of the Member.

V. MEMBERSHIP

Section 1. The municipalities of Arden Hills, Falcon Heights, Little Canada, Lauderdale, Mounds View, New Brighton, North Oaks, Roseville, and St. Anthony are eligible to be the Members of the Commission. Any served by a cable communications system through the same Grantee may become a Member pursuant to the terms of this Agreement.

Section 2. Any municipality desiring to become a Member shall execute a copy of this Agreement and conform to all requirements herein.

Section 3. The initial Members shall be those municipalities listed in Section 1 of this Article V.

Section 4. Municipalities desiring to become Members after the date specified in Article V; Section 3, may be admitted by an affirmative vote of two-thirds (2/3) of the votes of the Members of the Commission, with at least a majority of the Members voting in the affirmative. The Commission may, by resolution, impose conditions upon the admission of additional members.

VI. DIRECTORS; VOTING

Section 1. Each Member shall be entitled to one (1) director to represent it on the Commission. Each director is entitled to vote in direct proportion to the percent of annual revenues attributable to the municipality represented by the director to the total annual revenues of the system for the prior year rounded to the nearest whole number, provided, however, that each director shall have at least one vote. For the purposes of this section, the annual revenues for each Member and the total annual system revenues as of December 31 of each year shall be determined by the records of the cable operator filed with the Commission with the annual franchise fee. Prior to the first Commission meeting in March of each year, the Secretary/Treasurer of the Commission shall determine the number of votes for each Member in accordance with this section and certify the results to the Chair.

Section 2. A director shall be appointed by resolution of the Council of each Member. A director shall serve until a successor is appointed. Directors shall serve without compensation from the Commission.

Section 3. Each Member may appoint an alternate director or directors. The Commission, in its By-Laws, may prescribe the extent of an alternate's powers and duties.

Section 4. A vacancy in the office of director will exist for any of the reasons set forth in Minnesota Statutes Section 351.02 or upon a revocation of a director's appointment duly filed by a Member with the Commission. Vacancies shall be filled by appointment for the unexpired portion of the term of director by the Council of the Member whose position on the Commission is vacant.

Section 5. There shall be no voting by proxy, but all votes must be cast by the director or the duly authorized alternate at a Commission meeting.

Section 6. The presence of a majority of the appointed directors representing a majority of the total authorized votes of all directors shall constitute a quorum, but a smaller number may adjourn from time to time.

Section 7. A director shall not be eligible to vote on behalf of the director's municipality during the time said municipality is in default on any contribution or payment to the Commission. During the existence of such default, the vote or votes of such Member shall not be counted for the purposes of this Agreement.

Section 8. Unless otherwise required herein, all official actions of the Commission must receive two-thirds (2/3) of all the authorized votes cast on that issue at a duly constituted meeting of the Commission and the affirmative vote of a majority of the appointed directors present and voting. Abstentions shall not be considered authorized votes cast.

VII. EFFECTIVE DATE

Section 1. A municipality may enter into this Agreement by resolution of its council and the duly authorized execution of a copy of this Agreement by its proper officers. Thereupon, the clerk or other appropriate officer of the municipality shall file a duly executed copy of this Agreement, together with a certified copy of the authorizing resolution, with the Commission.

Section 2. This Agreement and any amendments thereto are effective on the date when executed agreements and authorizing resolutions of all of the members named in Article V, Section 1, have been filed as provided in this Article.

VIII. POWERS AND DUTIES OF THE COMMISSION

Section 1. The powers and duties of the Commission shall include the powers set forth in this Article.

Section 2. The Commission may make such contracts, grants, and take such other action as it deems necessary and appropriate to accomplish the general purposes of the organization. The Commission may not contract for the purchase of real estate without the prior authorization of the member municipalities. Any purchases or contracts made shall conform to the requirements applicable to Minnesota statutory cities.

Section 3. The Commission shall assume all authority and undertake all tasks necessary to coordinate, administer, and enforce the Franchise of each Member except for that authority and those tasks specifically retained by a Member.

Section 4. The Commission may provide for the prosecution, defense, or other

participation in actions or proceedings at law in which it may have an interest, and may employ counsel for that purpose. It may employ such other persons as it deems necessary to accomplish its powers and duties. Such employees may be on a full time, part-time or consulting basis, as the Commission determines, and the Commission may make any required employer contributions which local governmental units are authorized or required to make by law.

Section 5. The Commission may conduct such research and investigation and take such action as it deems necessary including participation and appearance in proceedings of State and Federal regulatory, legislative or administrative bodies, or on any matter related to or affecting cable communication franchises.

Section 6. The Commission may obtain from Grantee and from any other source such information relating to the cable communications franchises as any member is entitled to obtain from Grantee or others.

Section 7. The Commission may accept gifts, apply for and use grants, enter into agreements required in connection therewith and hold, use and dispose of money or property received as a gift or grant in accordance with the terms thereof.

Section 8. The Commission shall make an annual, independent audit of the books of the Commission and shall make an annual financial accounting and report in writing to the Members. Its books and records shall be available for examination by the Members at all reasonable times.

Section 9. The Commission may delegate authority to its executive committee. Such delegation of authority shall be by motion of the Commission and may be conditioned in such a manner as the Commission may determine.

Section 10. The Commission shall adopt By-Laws which may be amended from time to time.

Section 11. The Commission shall be responsible for the PEG access channels and local community media, including cable television programming within or for the geographic area of the Member cities of the Commission Should any Member withdraw from the Commission as of the date of any renewal of the Cable Television Franchise Ordinance, or in any year thereafter, the withdrawing Member shall assume all responsibility for PEG access cable television channels and programming within or for the geographic boundaries of the withdrawing municipality, as more specifically delineated in Article XI, Section 3, of this Agreement.

Section 12. The Commission may designate an entity or entities to perform any functions the Commission deems necessary relative to the Commission's responsibility for community programming. The Commission may provide funds, support services, and the use of equipment and property to the designated entity, provided that title to all equipment and property shall not pass to the designated entity without the prior approval of all directors.

IX. OFFICERS

Section 1. The officers of the Commission shall consist of a chair, a vice-chair, and a secretary/treasurer. Officers of the Commission shall be elected annually for one-year terms. Officers shall be limited to two consecutive one-year terms in a given office.

Section 2. A vacancy in the office of chair, vice-chair, or secretary/treasurer shall occur for any of the reasons for which a vacancy in the office of a director shall occur. Vacancies in these offices shall be filled by the Commission for the unexpired portion of the term.

Section 3. The three officers shall all be members of the executive committee.

Section 4. The chair shall preside at all meetings of the Commission and the executive committee. The vice-chair shall act as chair in the absence of the chair.

Section 5. The secretary/treasurer shall be responsible for keeping a record of all of the proceedings of the Commission and executive committee and shall be responsible for custody of all funds, for the keeping of all financial records of the Commission and for such other matters as shall be delegated by the Commission. The Commission may require that the secretary/treasurer post a fidelity bond or other insurance against loss of Commission funds in an amount approved by the Commission, at the expense of the Commission. Said fidelity bond or other insurance may cover all persons authorized to handle funds of the Commission.

Section 6. The Commission may appoint such other officers as it deems necessary. All such officers shall be appointed from the membership of the Commission.

X. FINANCIAL MATTERS

Section 1. The fiscal year of the Commission shall be the calendar year.

Section 2. Commission funds may be expended by the Commission in accordance with the procedures established by law for the expenditure of funds by Minnesota Statutory Cities. Orders, checks and drafts must be signed by any two of the officers. Other legal instruments shall be executed, with authority of the Commission, by the chair and secretary/treasurer. Contracts shall be let and purchases made in accordance with the procedures established by law for Minnesota Statutory Cities.

Section 3. The financial contributions of the Members in support of the Commission shall be in direct proportion to the percent of annual franchise fee revenues of each Member to the total franchise fee revenues of the System for the prior year multiplied by the Commission's total annual assessment to the Members.

Section 4. A proposed budget for the ensuing calendar year shall be formulated by the Commission and submitted to the Members on or before October 15. Final action adopting a budget for the ensuing calendar year shall be taken by the Commission on or before December 15 of each year.

Section 5. Any Member may inspect and copy the Commission books and records at any and all reasonable times. All books and records shall be kept in accordance with normal and accepted accounting procedures and principles used by Minnesota Statutory cities.

XI. DURATION

Section 1. The Commission shall continue for an indefinite term unless the number of Members shall become less than five. The Commission may also be terminated by mutual agreement of all of the Members at any time.

Section 2. In order to prevent obligation for its financial contribution to the Commission for the ensuing year, a Member shall withdraw from the Commission by filing a written notice with the Commission by July 1 of any year giving notice of withdrawal effective at the end of that calendar year; and membership shall continue until the effective date of the withdrawal. Prior to the effective date of withdrawal, a notice of withdrawal may be rescinded by October 15 by a Member. If a Member withdraws before dissolution of the Commission, the Member shall have no claim against the assets of the Commission. A Member withdrawing after October 15 shall be obligated to pay its entire contribution for the ensuing year as outlined in the budget of the Commission for the ensuing year.

Section 3. Should any Member withdraw from the Commission, the withdrawing member shall assume the responsibilities for PEG access cable television channels and programming within and for the geographic boundaries of the withdrawing municipality as described in Article VIII, section 11, herein.

Section 4. In the event of dissolution, the Commission shall determine the measures necessary to affect the dissolution and shall provide for the taking of such measures as promptly as circumstances permit, subject to the provisions of this Agreement. Upon dissolution of the Commission, all remaining assets of the Commission, after payment of obligations, shall be distributed among the then existing Members in proportion to the most recent Member-by-Member breakdown of the franchise fee as reported by the Grantee. The Commission shall continue to exist after dissolution for such period, no longer than six months, as is necessary to wind up its affairs but for no other purpose.

IN WITNESS WHEREOF, the undersigned municipality has caused this Agreement to be signed on its behalf this _____ day of _____, 2020.

WITNESSED BY:

_____of _____

_____by: _____

Its: _____

Filed in the office of the NSCC this _____ day of _____, 2020.

Prepared by:

Michael R. Bradley
Bradley Law, LLC
2145 Woodlane Drive, Suite 106
Woodbury, MN 55125
(651) 379-0900
mike@bradleylawmn.com

CARES Act Tier I - Lake Johanna Fire Dept.

TOTAL: $53,415

Category:	Line:	Item/Description:	Quantity:	Price Ea:	Labor Est.	Estimate:	Notes:
PPE	1	Gowns	300	$3.00		$900	
	2	N-95 Masks (flat)	8000	$4.41		$35,280	
	3	Surgical Masks w/ Eye Shield	3500	$2.00		$7,000	
	4	Safety Glasses	300	$3.00		$900	
	5				PPE Total:	$44,080	
Equipment	1	Decon Sprayers	3	$799.00		$2,397	
	2	Vital Oxide (15 Gallon)	3	$521.00		$1,563	
	3	Thermometers	15	$125.00		$1,875	
	4	Training Video A/V	1	$2,500.00		$2,500	
	5	Acrylic Barrier - Office Manager	2	$500.00		$1,000	
	6				Equipment Total:	$9,335	

CARES Act Tier II - Lake Johanna Fire Dept.

TOTAL: $104,805

Category:	Line:	Item/Description:	Quantity:	Price Ea:	Labor Est.	Estimate:	Notes:
PPE	1	Gowns	300	$3.00		$900	
	2	N-95 Masks (flat)	10000	$4.41		$44,100	
	3	Surgical Masks	3500	$0.60		$2,100	
	4	Surgical Masks w/ Eye Shield	4000	$2.00		$8,000	
	5	Face Shields	50	$35.00		$1,750	Reusable
	6	Safety Glasses	300	$3.00		$900	
	7	Cloth Masks	250	$20.00		$5,000	1 per ff per quarater
	8				PPE Total:	$62,750	
Equipment	1	Decon Sprayers	3	$799.00		$2,397	
	2	Vital Oxide (15 Gallon)	3	$521.00		$1,563	
	3	Thermometers	15	$125.00		$1,875	
	4	Hand Sanitizer Stands	8	$150.00		$1,200	
	5	Hand Sanitizer (Gel)	20	$21.00		$420	20 gallons coming
	6	Hand Sanitizer (Eco-Lab) (case)	5	$145.00		$725	Sanitizing Hand Foam w/ Bracket
	7	Lysol Bleach Wipes (package of 4)	300	$7.00		$2,100	
	8	Training Video A/V	1	$2,500.00		$2,500	
	9	Washer/Dryer (sets)	5	$3,479.00	$2,800	$20,195	
	10	Faucets - Touchless	17	$250.00	$1,700	$5,950	
	11	Paper Towel Dispensers - Touchless	22	$65.00	$700	$2,130	
	12	Acrylic Barrier - Office Manager	2	$500.00		$1,000	
	13				Equipment Total:	$42,055	

CARES Act Tier III - Lake Johanna Fire Dept.

TOTAL: $158,029

Category:	Line:	Item/Description:	Quantity:	Price Ea:	Labor Est.	Estimate:	Notes:
PPE	1	Gowns	300	$3.00		$900	
	2	N-95 Masks (flat)	12000	$4.41		$52,920	
	3	Surgical Masks	3500	$0.60		$2,100	
	4	Surgical Masks w/ Eye Shield	4000	$2.00		$8,000	
	5	Face Shields	50	$35.00		$1,750	Reusable
	6	Safety Glasses	300	$3.00		$900	
	7	Cloth Masks	250	$20.00		$5,000	1 per ff per quarater
	8				PPE Total:	$71,570	
Equipment	1	Decon Sprayers	3	$799.00		$2,397	
	2	Vital Oxide (15 Gallon)	3	$521.00		$1,563	
	3	Thermometers	15	$125.00		$1,875	
	4	Hand Sanitizer Stands	8	$150.00		$1,200	
	5	Hand Sanitizer (Gel)	20	$21.00		$420	20 gallons coming
	6	Hand Sanitizer (Eco-Lab) (case)	5	$145.00		$725	Sanitizing Hand Foam w/ Bracket
	7	Lysol Bleach Wipes (package of 4)	300	$7.00		$2,100	
	8	Effecticide	0			$0	
	9	St. 130 EOC Updates (A/V)	1	$20,572.52		$20,573	
	10	St. 120 Poly Studio (A/V)	1	$11,915.85		$11,916	SMART
	11	St. 140 Poly Studio (A/V)	1	$11,915.85		$11,916	SMART
	12	Training Video A/V	1	$2,500.00		$2,500	
	13	Washer/Dryer (sets)	5	$3,479.00	$2,800	$20,195	
	14	Faucets - Touchless	17	$250.00	$1,700	$5,950	
	15	Paper Towel Dispensers - Touchless	22	$65.00	$700	$2,130	
	16	Acrylic Barrier - Office Manager	2	$500.00		$1,000	
	17				Equipment Total:	$86,459	

CITY OF NORTH OAKS
RAMSEY COUNTY, MINNESOTA

ORDINANCE NO. ____

AN ORDINANCE AMENDING CITY CODE TITLE XV, CHAPTER 152, REGARDING LOT LINE ADJUSTMENTS

THE CITY COUNCIL OF THE CITY OF NORTH OAKS ORDAINS AS FOLLOWS:

Section One. Title XV, Chapter 152, Section 152.005 Amendment: Title XV, Chapter 152, Section 152.005 of the North Oaks City Code is hereby amended as follows. The underlined text shows the proposed additions to the City Code:

Lot Line Adjustment: The division of property resulting in the adjustment of lot lines between two or more contiguous lots of record, other than between multi-family dwellings or townhomes after construction thereof, resulting in the same number of lots.

Section Two. Title XV, Chapter 152, Section 152.040: Title XV, Chapter 152, Section 152.005 of the North Oaks City Code is hereby amended to include sections 152.040 and 152.041 as follows. The underlined text shows the proposed additions to the City Code:

LOT LINE ADJUSTMENT PROCEDURE

§ 152.040 GENERAL APPLICATION.

This subchapter shall apply to the following applications: subdivision necessary to adjust common boundary or lot lines between contiguous lots of record other than between multi-family dwellings or townhomes after construction thereof, resulting in the same number of lots.

§ 152.041 LOT LINE ADJUSTMENT PROCESS.

(A) *Administrative Approval Permitted.* It is acknowledged by the city that certain forms of property subdivision do not result in the creation of additional parcels or lots of record. In these instances, it is deemed appropriate to permit administrative approval of property division requests resulting in the adjustment of lot lines between two or more lots of record, other than between multi-family dwellings or townhomes after the construction thereof.

(B) *Type of Permitted Property Divisions.* Property line adjustments that do not result in the creation of an additional parcel of land shall require only administrative approval. All parcels involved must continue to meet all applicable dimensional, area, setback, and other requirements of the zoning district in which the properties are located and must comply with the provisions of City Code Section 152.065.

(C) *Application Requirements*. Applicants must submit the same documents and information required for a Minor Subdivision application required by City Code Section 152.036 and must also submit the legal descriptions for the parcels to be created as a result of the lot line adjustment.

(D) *Conditions of Approval.* The City Administrator may impose reasonable conditions of approval upon the lot line adjustment request.

(E) *Approval.* Upon receipt of the completed application, and after review thereof, the City Administrator shall either approve or deny the application for lot line adjustment. The City Administrator's approval or denial of the property division resulting in a lot line adjustment shall be in writing.

Section Three. Effective Date. This Ordinance shall be in full force and effect upon its adoption and publication as provided by law.

Passed in regular session of the City Council on the ____day of _____, 2020.

CITY OF NORTH OAKS

By: _____

Gregg Nelson

Its: Mayor

Attested:

By: _____

Kevin Kress

Its: City Administrator/City Clerk

(Published in the Shoreview Press on _____, 2020)

LEVANDER, GILLEN & MILLER, P.A.
ATTORNEYS AT LAW

TIMOTHY J. KUNTZ
DANIEL J. BEESON
ANGELA M. LUTZ AMANN
KORINE L. LAND
DONALD L. HOEFT
BRIDGET McCAULEY NASON
PETER J. MIKHAIL
TONA T. DOVE
AARON S. PRICE
DAVID L. SIENKO
CASSANDRA BAUTISTA
SCOTT LUCAS
AMANDA JOHNSON

MEMO

TO: **Kevin Kress, City Administrator**
FROM: **Bridget Nason, City Attorney**
DATE: **September 2, 2020**
RE: **Ordinance Adding Lot Line Adjustment Process to City's Subdivision Ordinance**

Section 1. Background. City Code Chapter 152, Subdivision Regulations establishes procedures for the subdivision of land, including major and minor subdivisions. A "minor subdivision" is defined as "any subdivision necessary to adjust common boundary or lot lines between multi-family dwellings or townhomes after construction thereof." The City's existing subdivision ordinance provides no process for the adjustment of common lot lines between contiguous parcels that do not contain multi-family dwellings or townhomes. Following an inquiry by a resident regarding adjusting a lot line with a neighboring property, it was determined that in order for the City to accommodate the requested property line adjustment, the City's subdivision ordinance should be revised to establish an administrative review process for such lot line adjustments.

Section 2. Proposed Ordinance Revisions. The attached ordinance establishes an administrative procedure for the adjustment of common lot lines which does not result in the creation of any additional lots. Lot lines may not be adjusted unless the resulting lot reconfigurations comply in all respect with the existing standards for lots, including lot size, building setbacks, and other zoning ordinance requirements.

Section 3. Requested Council Action. The Council is requested to consider adoption of the attached Ordinance establishing an administrative lot line adjustment process for the adjustment of common lot lines which do not contain multi-family dwellings or townhomes.

633 SOUTH CONCORD STREET • SUITE 400 • SOUTH SAINT PAUL, MINNESOTA 55075 • 651-451-1831 • FAX 651-450-7384
OFFICE ALSO LOCATED IN SPOONER, WISCONSIN

CITY OF
NorthOaks
Building on a tradition of innovation

STATE OF MINNESOTA
COUNTY OF RAMSEY
CITY OF NORTH OAKS

RESOLUTION NUMBER 1396

A RESOLUTION APPROVING A PRELIMINARY 2020 TAX LEVY, COLLECTIBLE IN 2021

BE IT RESOLVED by the City Council of the City of North Oaks, County of Ramsey, Minnesota, that the following sum of money is levied for the current year, collectible in 2021, upon the taxable property in the City of North Oaks, for the following purposes:

Total levy $1,974,877

The City Clerk is hereby instructed to transmit a certified copy of this resolution to the County Auditor of Ramsey County, Minnesota.

PASSED BY THE COUNCIL of the City of North Oaks this 10th day of September, 2020.

APPROVED:

_____
Gregg Nelson, Mayor

ATTEST:

I hereby certify that the foregoing Resolution is a true and correct copy of a Resolution presented to and adopted by the City Council of the City of North Oaks on September 10, 2020.

By:_____
Title:_____

CITY OF NORTH OAKS PROPOSED 2021 BUDGET

Updated 09/03/20

PROPROSED 2021 EXPENDITURES

ActCode	DEPT Descr	OBJ Descr	2019 Final	2020 Budget	9/3/20	UnderLine	2021 Budget
101-41100-103	LEGISLATIVE - CO	WAGES - PART TIME/TEMP	$11,160.00	$12,200	$6,480.00	CC/PC wages 675/mayor; 450	$13,950.00
101-41100-311	LEGISLATIVE - CO	CONFERENCES/SEMINARS	$320.19	$1,500	$0.00		$1,500.00
101-41100-313	LEGISLATIVE - CO	CONTRACT SERVICES			$5,160.89	Timesavers	$12,000.00
101-41100-350	LEGISLATIVE - CO	PUBLISHING & ADVERTISING	$1,798.51	$3,500	$1,012.95	Legal/P.H	$2,500.00
101-41100-433	LEGISLATIVE - CO	DUES AND SUBSCRIPTIONS	$6,805.13	$17,200	$10,798.60	NWYFS/LMC/MCMA	$15,000.00
101-41300-101	CITY ADMINISTRA	WAGES - FULL TIME	$116,835.95	$181,113	$117,651.64		$188,000.00
101-41300-103	CITY ADMINISTRA	WAGES - PART TIME/TEMP	$117,451.66	$48,515	$35,689.86		$48,500.00
101-41300-122	CITY ADMINISTRA	FICA CONTRIBUTIONS	$18,647.35	$17,567	$12,807.33		$18,666.00
101-41300-127	CITY ADMINISTRA	DEFERRED COMP CONTRIBUTION	$0.00	$0	$0.00		
101-41300-131	CITY ADMINISTRA	HEALTH, DENTAL, LIFE, LTD INS	$48,932.05	$60,484	$31,797.98	Car/PERA/Health	$82,519.00
101-41300-210	CITY ADMINISTRA	OPERATING SUPPLIES	$22,531.96	$27,000	$11,186.38	Office/IT/Software	$30,000.00
101-41300-309	CITY ADMINISTRA	COMPUTER/INTERNET/GIS SUPP	$26,427.82	$18,348	$22,443.39	Granicus/Polco/Comcast	$30,000.00
101-41300-310	CITY ADMINISTRA	TRAINING	$2,993.96	$9,800	$562.46	League/MCMA/MAMA	$9,800.00
101-41300-321	CITY ADMINISTRA	TELEPHONE SERVICES	$3,846.00	$1,742	$0.00		
101-41300-322	CITY ADMINISTRA	MAILBOXES	$17,238.00	$0	$9,038.00	passthrough	$10,000.00
101-41300-350	CITY ADMINISTRA	PUBLISHING & ADVERTISING	$0.00	$0.00	$92.00	CUP Filings	
101-41300-360	CITY ADMINISTRA	INSURANCE	$16,535.00	$20,000	$17,755.00		$20,000.00
101-41300-381	CITY ADMINISTRA	ELECTRIC UTILITIES	$1,043.26	$1,000	$621.15		$1,200.00
101-41300-410	CITY ADMINISTRA	RENTALS	$108,526.62	$130,000	$70,891.60	Office Rent	$110,000.00
101-41300-430	CITY ADMINISTRA	MISCELLANEOUS EXPENSE	$198.20	$40,000	$27,441.55	Website/Domain/OPG	$15,000.00
101-41300-435	CITY ADMINISTRA	BANK SERVICE CHARGE	$0.00	$0	$0.00		$0
101-41400-300	ELECTIONS	PROFESSIONAL SERVICES	$15,276.00	$18,000.00	$12,112.07	Election Contracts	$18,000.00
101-41420-300	CABLE TV	PROFESSIONAL SERVICES	$27,762.92	$41,000.00	$10,184.90		$30,000.00
101-41500-301	FINANCE	AUDIT SERVICES	$15,000.00	$16,000.00	$16,000.00	AEM - 3 year contract	$16,400.00
101-41600-304	LEGAL	LEGAL FEES - GENERAL	$43,048.50	$57,000.00	$28,789.00	Levander	$60,000.00
101-41600-315	LEGAL	LEGAL FEES - PROSECUTION	$13,140.42	$13,500	$7,644.00	Kelly & Lemmons	$13,500.00
101-41900-300	ENGINEERING	PROFESSIONAL SERVICES	$8,663.68	$2,500	$0.00	Wenck	
101-41900-303	ENGINEERING	ENGINEERING SERVICES	$35,736.30	$18,000	$8,220.89	Sambatek	$18,000.00
101-41910-300	PLANNING	PROFESSIONAL SERVICES	$10,228.95	$12,000	$9,363.40	Bob Kirmis	$12,000.00
101-42100-313	POLICE PROTECTI	CONTRACT SERVICES	$777,015.40	$798,201	$526,218.82	Police Contract	$838,796.00
101-42200-313	FIRE PROTECTION	CONTRACT SERVICES	$325,475.38	$353,061	$353,060.84	LJFD	$381,389.00
101-42300-300	EMERGENCY MAN	PROFESSIONAL SERVICES	$1,251.01	$1,000	$611.25	Gopher State	$1,000.00
101-42300-313	EMERGENCY MAN	CONTRACT SERVICES	$669.06		$0.00		

PROPROSED 2021 EXPENDITURES (CONTINUED)

101-42400-300	BUILDING INSPEC	PROFESSIONAL SERVICES	$171.00	$1,000	$0.00	Other Inspections	$1,000.00
101-42400-313	BUILDING INSPEC	CONTRACT SERVICES	$283,028.33	$120,000	$136,164.94		$120,000.00
101-42400-451	BUILDING INSPEC	BUILDING PERMIT SURCHARGE	$13,372.24	$5,000	$6,582.98		$5,000.00
101-43100-381	STREETS	ELECTRIC UTILITIES	$1,761.66	$2,500	$1,483.00		$2,500.00
101-43100-408	STREETS	STREETS/SIDEWALK/CURB REPAI	$21,782.99	$2,500	$0.00	Mel's Service	$15,000.00
101-43200-384	RECYCLING	RECYCLING	$273,016.64	$275,000	$176,583.95		$300,000.00
101-43200-384	RECYCLING	RECYCLING (Clean Up Day)	$9,911.77	$12,000	$11,440.60	Clean Up/Recycle Day	$12,000.00
101-45100-470	RECREATION-CUL	COMMUNITY FUNCTIONS	$0.00	$500	$0.00		
101-46100-316	NATURAL RESOUI	TREE PRESERVATION	$44,061.95	$45,000	$27,785.63	City Forester	$45,000.00
101-46100-317	NATURAL RESOUI	DEER MANAGEMENT	$9,935.43	$25,000	$25,132.62	Depends on # of deer	$25,000.00
101-46100-318	NATURAL RESOUI	NATURAL RESOURCES	$2,295.50	$6,500	$2,297.98	NRC	$6,500.00
101-46100-319	NATURAL RESOUI	WEED MANAGEMENT	$20,000.00	$0	$0.00	Lake Weed Management	
101-49450-313	SEWER	CONTRACT SERVICES	$13,937.50	$13,000	$3,680.00	Septic Inspector	$13,000.00
101-49990-720	UNALLOCATED	TRANSFER OUT	$50,000.00	$0.00	$0.00	Fire Capital	$50,000.00
101-49990-720	UNALLOCATED	TRANSFER OUT	$50,000.00	$0.00	$0.00	Police Capital	$50,000.00
101-49990-720	UNALLOCATED	TRANSFER OUT	$50,000.00	$0.00	$0.00	General Capital	
			$2,707,834.29	$2,428,231.00	$1,744,787.65		$2,642,720.00

306-47000-601	DEBT SERVICE	BOND PRINCIPAL	$55,000.00	$55,000.00	$55,000.00	LGWA Bond	
306-47000-611	DEBT SERVICE	BOND INTEREST	$3,592.50	$2,974.00	$2,973.75		
306-47000-620	DEBT SERVICE	PAYING AGENT FEES	$500.00	$500.00	$500.00		
400-41910-300	PLANNING	PROFESSIONAL SERVICES	$16,882.70	$10,000.00	$154.30	Comp Plan	
400-41910-303	PLANNING	ENGINEERING SERVICES	$11,879.04	$100.00	$3,812.63	Comp Plan	
400-43100-408	STREETS	STREETS/SIDEWALK/CURB REPAI	$0.00	$0.00	$0.00		
400-46100-318	NATURAL RESOUI	NATURAL RESOURCES	$0.00	$0.00	$0.00		
401-42200-500	FIRE PROTECTION	CAPITAL OUTLAY	$38,583.24	$38,366.00	$4,391.31	Fire Expenses	
402-49450-430	SEWER	MISCELLANEOUS EXPENSE	$0.00	$0.00	$0.00		
403-47000-720	DEBT SERVICE	TRANSFER OUT	$0.00	$0.00	$0.00		
403-49450-430	SEWER	MISCELLANEOUS EXPENSE	$0.00	$0.00	$0.00		
404-42100-500	POLICE	CAPITAL OUTLAY				Police Expenses	**NEW FUND**
406-43000-381	PUBLIC WORKS	ELECTRIC UTILITIES	$935.42	$1,000.00	$474.22		
WATER & SEWER							
601-41000-420	DEPRECIATION EX	DEPRECIATION	$15,363.00	$0.00	$0.00		
601-49400-255	WATER	WATER METERS	$14,552.50	$0.00	$0.00		
601-49400-330	WATER	SEWER & WATER MISC	$9,600.48	$0.00	$10,272.09		
601-49400-381	WATER	ELECTRIC UTILITIES	$661.83	$0.00	$280.29		
601-49400-382	WATER	WATER - SHOREVIEW	$108,552.03	$0.00	$25,252.39		
601-49400-383	WATER	WATER - WBT	$88,980.00	$0.00	$26,699.00		
602-41000-420	DEPRECIATION EX	DEPRECIATION	$67,107.00	$0.00	$0.00		
602-49450-381	SEWER	ELECTRIC UTILITIES	$3,226.70	$0.00	$1,785.75		
602-49450-385	SEWER	SEWER	$73,335.35	$0.00	$49,972.00		
602-49450-400	SEWER	REPAIRS AND MAINTENANCE	$90,317.30	$0.00	$20,506.00		
602-49450-430	SEWER	MISCELLANEOUS EXPENSE	$5,993.47	$0.00	$4,204.77		
602-49450-455	SEWER	SAC FEES	$64,013.30	$0.00	$19,681.20		
			$3,376,910	**$2,536,171**	**$1,970,747**		**$2,642,720.0**

Updated 9/3/20

PROPOSED 2021 REVENUES

Act Code	Department	SOURCEDescr	2019 Final	2020 Budget	8/4/2020	UnderLine	2021 Budget
101-31010	COUNCIL	GENERAL PROPERTY TAXES	$1,689,840.22	$1,860,700	$1,463,781.40		$1,974,877.00
101-31810	COUNCIL	CABLE T.V. FEES	$88,178.02	$65,000	$65,761.29		$66,950.00
101-32110	COUNCIL	ALCOHOLIC BEV LICENSE	$6,150.00	$5,650	$6,150.00		$5,650.00
101-32111	COUNCIL	TOBACCO LICENSE		$600			$600.00
101-32112	COUNCIL	MESSAGE THERAPY LICENSE	$15.00	$50	$15.00		$50.00
101-32160	COUNCIL	CONTRACTOR LICENSES	$9,151.00	$8,000	$8,826.00		$8,240.00
101-32210	COUNCIL	BUILDING PERMIT	$382,351.47	$145,000	$351,277.39		$149,350.00
101-32230	COUNCIL	HEAT/PLUMB PERMIT	$42,393.09	$22,000	$40,278.09		$22,660.00
101-32240	COUNCIL	ANIMAL LICENSE	$1,665.00	$1,500	$1,605.00		$1,545.00
101-32260	COUNCIL	STATE SURCHARGE	$13,886.41	$7,000	$12,546.26		$7,210.00
101-32261	COUNCIL	ISTS PERMIT	$5,545.00	$4,000	$5,545.00		$4,120.00
101-32262	COUNCIL	RENTAL LICENSE FEE	$1,000.00	$1,000	$1,000.00		$1,030.00
101-32263	COUNCIL	SHORELAND/FORESTRY PERMIT	$800.00	$500	$800.00		$515.00
101-32264	COUNCIL	ISTS PUMPING RECORDS	$12,874.00	$5,000	$11,714.00		$5,150.00
101-33429	COUNCIL	PERA RATE INCREASE AID	$308.00	$308	$154.00		$308.00
101-33440	COUNCIL	SCORE GRANT	$14,695.00	$12,000	$14,695.00		$12,360.00
101-34103	COUNCIL	VARIANCE, PUD, PLAT FEES, CUP	$6,006.50	$2,400	$4,500.00		$2,472.00
101-34120	COUNCIL	CERTIFICATE OF OCCUPANCY FEE	$700.00	$500	$650.00		$500.00
101-34403	COUNCIL	RECYCLING FEES	$634.37	$0	$634.37		$416.00
101-35100	COUNCIL	FINES AND FORFEITS	$6,558.63	$2,500	$5,193.63		$2,500.00
101-35104	COUNCIL	LATE FEES/NSF FEES	$1,350.00	$500	$1,200.00		$500.00
101-36100	COUNCIL	SPECIAL ASSESSMENTS	$223,195.85	$275,000	$115,788.70	Recycling Assessment	$283,250.00
101-36101	COUNCIL	SPECIAL ASSESSMENTS - PMC	$2,067.36	$2,067	$1,722.80	Peace Methodist Church	$2,067.00
101-36200	COUNCIL	MISCELLANEOUS REVENUES	$21,247.27	$2,000	$19,624.46	Conduit Bond & Misc	$2,000.00
101-36210	COUNCIL	INTEREST EARNINGS	$35,907.30	$20,000	$32,752.51		$20,600.00
101-36220	COUNCIL	RENTS	$58,720.86	$60,000	$53,203.09	NOHOA Rent	$61,800.00
101-36222	COUNCIL	COMMUNITY FUNCTIONS	$1,820.00	$1,000	$1,820.00	Community Mtg Room	$1,000.00
101-36240	COUNCIL	REFUNDS AND REIMBURSEMENT	$7,816.87	$5,000	$7,069.87	LMC & Other Rebates	$5,000.00
			$2,634,877	$2,509,275	$2,228,308		$2,642,720.00

306-36100	COUNCIL	SPECIAL ASSESSMENTS	$54,957.50	$28,500	$35,534.60	LGWA Bond Assessments	
306-36210	COUNCIL	INTEREST EARNINGS	$0.00		$0.00		
400-33418	COUNCIL	MNDOT STATE AID STREETS	$0.00	$0	$0.00		
400-36210	COUNCIL	INTEREST EARNINGS	$0.00		$0.00	Special Project Interest	
400-36240	COUNCIL	REFUNDS AND REIMBURSEMENT	$0.00		$0.00		
400-39200	COUNCIL	TRANSFER IN	$0.00		$0.00		
401-36210	COUNCIL	INTEREST EARNINGS	$588.68		$529.84		
401-39200	COUNCIL	TRANSFER IN	$50,000.00		$50,000.00		
402-36210	COUNCIL	INTEREST EARNINGS	$0.00		$0.00		
R 403-36210	403-36210	INTEREST EARNINGS	$0.00	$0.00	$0.00		
R 403-37180	403-37180	MAINTENANCE/ESCROW FEE	$0.00	$0.00	$0.00		
R 403-39200	403-39200	TRANSFER IN	$0.00	$0.00	$0.00		
R 404-39200	R 404-39200	TRANSFER IN				Police	NEW FUND
406-36100	COUNCIL	SPECIAL ASSESSMENTS	$228.81		$122.96		
406-36200	COUNCIL	MISCELLANEOUS REVENUES	$1,766.44	$1,500	$1,711.84	LGWA Maint Assessments	
406-36210	COUNCIL	INTEREST EARNINGS	$0.00		$0.00		
601-36200	COUNCIL	MISCELLANEOUS REVENUES	$11,727.25		$0.00		
601-37100	WATER	WATER USAGE	$109,108.11		$85,723.94		
601-37150	WATER	WATER HOOK-UP - WBT	$88,980.00		$84,531.00		
601-37151	WATER	WATER HOOK-UP - CLP	$7,580.00		$7,580.00		
601-37155	WATER	WATER METER	$1,300.00		$1,300.00		
601-37180	WATER	MAINTENANCE/ESCROW FEE	$12,275.65		$18,024.96		
601-37500	WATER	CAPITAL CONTRIBUTION	$0.00		$0.00		
601-39200	WATER	TRANSFER IN	$0.00		$0.00		
602-36200	WATER	MISCELLANEOUS REVENUES	$0.00		$0.00		
602-37170	WATER	WBT WATER SYSTEM MAINTENA	$36,631.95		$0.00		
602-37180	WATER	MAINTENANCE/ESCROW FEE	$17,821.04		$7,521.13		
602-37200	SEWER	SEWER USAGE	$121,301.86		$77,836.22		
602-37250	SEWER	SEWER HOOK-UP	$62,125.00		$59,640.00		
602-37500	SEWER	CAPITAL CONTRIBUTION	$0.00		$0.00		
			$3,211,270	$2,539,275	$2,658,364		$2,642,720

Property Tax Levy Amounts										
Payable in 2018	% increase		Payable in 2019	% increase		Payable in 2020	% increase		Payable in 2021	% increase
$ 1,557,082.00	7.94%		$ 1,697,200.00	9.00%		$ 1,860,700.00	9.63%		$ 1,974,877.00	6.14%
Tax Capacity										
$ 14,076,494.00			$ 14,757,520.00	4.84%		$ 15,585,881.00	5.61%		$ 16,457,512.00	5.59%
Tax Rate										
Total City Levy/City Tax Capacity = city tax rate										
11.06%			11.50%			11.94%			12.00%	

City of North Oaks Pollinator Resolution Annual Report
July 2019 - July 2021 - DRAFT

City of North Oaks

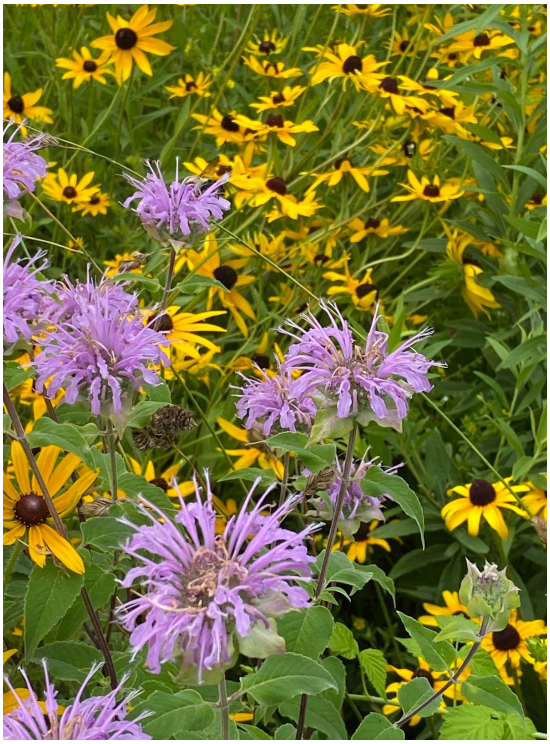
- Informational email blasts were sent to residents in celebration of World Bee Day and National Pollinator Week.
- The City hosted a movie night for residents: the theme was planting for wildlife, including for pollinators.
- The Natural Resources Commission submitted articles to the North Oaks News to raise awareness about pollinators:
    - “Pollinator Resolution Passes” - celebrating the passing of the resolution
    - “Best Practices in Your Yard” - included information on planting for pollinators
    - “Hometown Habitat” - movie event invitation
    - “Creating a Resilient Yard With Buzz” - how to convert suburban yards to pollinator habitat
    - “National Pollinator Week is June 22-28, 2020” - included tips on how to be pollinator friendly at home

North Oaks Homeowners’ Association (NOHOA)

- Charley Lake homeowners continue to manage a prairie on the east end of Anemone Circle.
- A pollinator garden located next to Lake Gilfillan, planted 4-5 years ago, is maturing nicely.
- A site near Larkspur Lane was recently prepped and planted with native plants.
- An area along Pleasant Lake next to Mary Hill Park was cleared and planted with native plants.

Hill Farm Historical Society

The Hill Farm Historical Society, in partnership with adjacent property owners Bruce Carlson and Peter Dahlberg, planted a one acre area with native prairie grasses in July and August, 2020. Native wildflowers will be planted in subsequent years.



North Oaks Garden Club

Due to COVID-19, the club’s annual plant sale was scaled down. Residents were still given the opportunity to purchase neonicotinoid-free plants. However, the native plants were unavailable.

North Oaks Golf Club

North Oaks Golf Club has taken important steps to promote and protect pollinators. With over 166 acres of land, much of the golf course is already a beneficial environment for pollinators. Many of the areas on the golf course are natural environments with different flowering plants such as clover, aster, milkweed, and many other types of wildflowers. In addition to the natural areas, the golf club planted over 260 trees, flowering plants, and flowers just this year. The club only uses trained and licensed pesticide applicators when pesticides are required. Their Integrated Pest Management program does not rely solely on chemicals; they incorporate mechanical, biological, and cultural practices to reduce the amount of chemicals applied. The golf club is committed to doing their part in making a positive impact on the environment and for pollinators of all types.

Residents

One resident submitted an application for a Natural Resources Award in the Pollinator Habitat category. The resident converted a large portion of their yard to pollinator habitat.

August Month in Review

Rehder Forestry Consulting

July 2020

- Working with NRC members to draft a tree preservation policy with guidance from the Woodland Subcommittee (WSC). Have reached out to professionals in the field.
- Emerald Ash Borer Resident letter has been well received. Sent out 185 letters to homeowners and have consulted on 60. Providing valuable information to homeowners on how to manage for EAB on their property. Have only identified a few sites as positive for EAB but can sense the wave is coming as more trees die along Hwy. 96.
- Created "How to Manage EAB on your Property" for North Oaks residents with CTV. Will be available soon.
- Meet with North Oaks Company on site at Nord to assess working around individual trees during construction.
- Both Dutch Elm Disease and Oak Wilt inspections are in full swing. Have identified 84 oak wilt sites and numerous DED sites.
- Working with 6 residents, through grant program, on Oriental Bittersweet eradication in what is the worst area in the City. Will be completed by end of year.
- County volunteer employee Sarah Zellmar is surveying the rest of the community for Japanese Knotwood and Oriental Bittersweet.
- Continue using a mask and practicing social distancing during homeowner calls. Completed 12 homeowners' visits to answer tree questions and educate on woodland stewardship.
- Attended NRC and WSC meetings
- Sent letters requesting vegetation around certain intersections be pruned back to remove site obstructions and provided input on Operation Clearview