

TITLE XV: LAND USAGE

Chapter

150.GENERAL PROVISIONS

151.ZONING CODE

152.SUBDIVISION REGULATIONS

153.SHORELAND MANAGEMENT AREA

154.EROSION AND SEDIMENT CONTROL

155.BUILDING CODE

156.STORMWATER MANAGEMENT

CHAPTER 150: GENERAL PROVISIONS

Section

Telecommunications Tower and Antennas

- 150.001 Title
- 150.002 Purpose
- 150.003 Definitions
- 150.004 Antenna structure limited to LI Limited Industrial District
- 150.005 Analysis/proof of need
- 150.006 Co-location requirements
- 150.007 Antenna structure requirements
- 150.008 Accessory structures
- 150.009 Antenna structure and antenna height
- 150.010 Setbacks
- 150.011 Antenna structure lighting
- 150.012 Signs and advertising
- 150.013 Security fencing
- 150.014 On-site vegetation
- 150.015 Abandoned or unused antenna structure or portions of antenna structure
- 150.016 Additional submitted requirements
- 150.017 Antenna attachment
- 150.018 Costs and fees
- 150.019 Inspections
- 150.020 Effective date

Setbacks From Pipelines

- 150.035 Definitions
- 150.036 Purpose
- 150.037 Applicability
- 150.038 Setback
- 150.039 Variances
- 150.040 Effective date

Swimming Pools and Spas

- 150.055 Definitions
- 150.056 Permit required
- 150.057 Application for permit
- 150.058 Construction setback requirements
- 150.059 Safety fence required
- 150.060 Miscellaneous requirements
- 150.061 Nuisance
- 150.062 Effective date

Planning Commission

- 150.075 Establishment
- 150.076 Composition
- 150.077 Organization, meetings, and the like
- 150.078 Preparation of comprehensive city plan
- 150.079 Procedure for adoption of plan
- 150.080 Procedure for plan effectuation
- 150.081 Zoning ordinance
- 150.082 Plats
- 150.083 Procedure for amendments

TELECOMMUNICATIONS TOWER AND ANTENNAS

§ 150.001 TITLE.

This subchapter regulating the location, construction, screening, and use of a telecommunications tower and antennas within the City of North Oaks shall hereafter be known, cited, and referenced to as the Telecommunications Tower and Antennas Ordinance of the City of North Oaks, except as referred to herein, where it shall be known as this subchapter.
(Ord. 90, passed 5-14-1998)

PLANNING COMMISSION

§ 150.075 ESTABLISHMENT.

(A) A City Planning Commission for the City of North Oaks is hereby established.

(B) The Commission shall be the city planning agency.

(Ord. 56, passed 11-4-1971; Am. Ord. passed 12-29-1976; Am. Ord. passed 12-24-1981; Am. Ord. passed 12-8-1994; Am. Ord. passed 4-13-1995)

§ 150.076 COMPOSITION.

(A) (1) The Planning Commission shall consist of 7 members each appointed by the City Council for a term not greater than 3 years and not less than 1 year.

(2) All members shall be residents of the city and at least 1 member shall be a member of the City Council.

(3) Each member shall hold office until the member's successor is appointed and qualified. Any member may be removed during a term by a 4/5 vote of the City Council.

(B) (1) Vacancies which occur during a member's term shall be filled by the City Council for the unexpired portion of the term.

(2) Each member, before entering upon the discharge of the member's duties, shall take an oath to faithfully discharge the duties.

(3) All members shall serve without compensation.

(Ord. 56, passed 11-4-1971; Am. Ord. passed 12-29-1976; Am. Ord. passed 12-24-1981; Am. Ord. passed 12-8-1994; Am. Ord. passed 4-13-1995)

§ 150.077 ORGANIZATION, MEETINGS, AND THE LIKE.

(A) (1) The City Council shall appoint a Chairperson of the Planning Commission from among the appointed members for a term of 1 year and shall appoint a Secretary of the Commission to serve at the will of the City Council who need not be a member, a city official or a resident of the city.

(2) The City Council may create and fill the other offices as the Council may determine.

(B) (1) Meetings of the Commission shall be called by the Chairperson upon 7-days' written notice thereof, unless the notice is waived by all members of the Commission.

(2) Four members shall constitute a quorum.

(3) The Commission shall adopt the other rules for the transaction of business as it deems necessary and shall keep a record of its resolutions, transactions, and findings, which record shall be a public record.

(4) On or before January 1 of each year, the Commission shall submit to the City Council a report of its work during the preceding year.

(5) Expenditures of the Commission shall be amounts appropriated for that purpose by the City Council.

(Ord. 56, passed 11-4-1971; Am. Ord. passed 12-29-1976; Am. Ord. passed 12-24-1981; Am. Ord. passed 12-8-1994; Am. Ord. passed 4-13-1995)

§ 150.078 PREPARATION OF COMPREHENSIVE CITY PLAN.

(A) It shall be the function and duty of the Planning Commission to prepare and adopt a comprehensive city plan for the physical, economic, and social development of the city.

(B) The plan may address itself to the subjects as proposed public buildings, public utility services, all forms of recreational facilities, and other matters relating to the development of the city.

(C) The comprehensive plan may go beyond those subjects listed hereto so long as the plan relates to the general statement of policy contained in M.S. § 462.351, as it may be amended from time to time.

(D) The plan may be prepared in sections, each of which shall relate to a major subject of the plan or to a major geographical section of the city.

(E) Adoption of the first section, as provided in § 150.079, shall mean that there is in existence in the City of North Oaks a comprehensive plan.

(F) The Commission may from time to time amend or add to the city plan or section thereof as herein provided for the adoption of the original plan whenever changed conditions or further studies by the Commission indicate that the amendment or addition is necessary.

(G) An attested copy of the plan or of any section, amendment, or addition to the city plan adopted by the Planning Commission shall be certified to the City Council.

(Ord. 56, passed 11-4-1971; Am. Ord. passed 12-29-1976; Am. Ord. passed 12-24-1981; Am. Ord. passed 12-8-1994; Am. Ord. passed 4-13-1995)

§ 150.079 PROCEDURE FOR ADOPTION OF PLAN.

(A) (1) Before adopting the city plan or any section of it or any substantial amendment thereof, the Commission shall hold at least 1 public hearing thereon, notice of the time, place, and purpose of which shall be given by publication in the official city newspaper at least 10 days before the day of the hearing.

(2) The adoption of the city plan or any section or amendment thereof shall be by resolution of the Commission, approved by a majority of all the members of the Commission.

(B) (1) Until the City Council adopts the plan certified to it by the Commission, it shall constitute only the recommendation of the Commission.

(2) Adoption by the City Council shall be by resolution of the Council passed by a vote consisting of a majority of the members of the Council.

(Ord. 56, passed 11-4-1971; Am. Ord. passed 12-29-1976; Am. Ord. passed 12-24-1981; Am. Ord. passed 12-8-1994; Am. Ord. passed 4-13-1995)

§ 150.080 PROCEDURE FOR PLAN EFFECTUATION.

(A) Upon the adoption of the comprehensive city plan or any section thereof, it shall be the duty of the Planning Commission to recommend to the City Council reasonable and practicable means for putting into effect the plan or section thereof in order that the same will serve as a pattern and guide for the orderly physical, economic, and social development of the city and as a basis for the efficient expenditure of the funds thereof relating to the subjects of the city plan.

(B) The means may include, at the discretion of the Commission, but are not limited to, zoning regulations, regulations for the control of subdivision plats, an official map, coordination of the normal public improvements of the city, a long-term program of capital expenditures, and any other matters as will accomplish the purpose of this section.

(Ord. 56, passed 11-4-1971; Am. Ord. passed 12-29-1976; Am. Ord. passed 12-24-1981; Am. Ord. passed 12-8-1994; Am. Ord. passed 4-13-1995)

§ 150.081 ZONING ORDINANCE.

(A) No zoning ordinance shall be hereafter be adopted or amended by the Council until a public hearing has been held thereon by the Planning Commission upon notice as provided in M.S. § 462.357, Subdivision 3, as it may be amended from time to time.

(B) (1) The City Council shall act as the Board of Appeals and Adjustments as provided in M.S. § 462.354, Subdivision 2, as it may be amended from time to time.

(2) The Board of Appeals and Adjustments shall function as an appellate forum for any person adversely affected by the Zoning Ordinance of the City of North Oaks.

(3) Decisions of the Board of Appeals and Adjustments on matters within its jurisdiction shall be final subject to the right of judicial review.

(4) Hearings by the Board of Appeals and Adjustments shall be held upon written notice 10 days prior to the hearing date to the interested parties.
(Ord. 56, passed 11-4-1971; Am. Ord. passed 12-29-1976; Am. Ord. passed 12-24-1981; Am. Ord. passed 12-8-1994; Am. Ord. passed 4-13-1995)

§ 150.082 PLATS.

(A) (1) Every proposed plat of land within the city shall be submitted to the City Council before being filed, and no plat of land shall be filed unless and until the same shall first have been approved by the City Council.

(2) The City Council shall constitute the platting authority for the purposes of M.S. § 462.358 and M.S. Ch. 505, as they may be amended from time to time.

(B) Any person who violates this provision or who sells land or offers land for sale or contracts for the sale of land by reference to or by other use of any plat before the plat has been approved by the City Council in accordance with the provisions of this section is guilty of a misdemeanor, and is subject to § 10.99.

(C) Before approving a plat, the City Council may submit the same to the Planning Commission for its recommendations. The Planning Commission, within 60 days after any such plat has been referred to it by the City Council, shall act on the same and shall make its recommendations with respect thereto. The recommendations may consist of:

(1) Recommendation that the City Council approve the plat;

(2) Recommendation that the City Council disapprove the plat, in which case the recommendation shall include a statement of the specific reasons for the recommendation; or

(3) Recommendation that the City Council approve the plat after specified changes or revisions are made therein, which recommendations may include the condition that a revised plat, containing the changes or revisions, be submitted to the Planning Commission, in which case the revised plat shall be so submitted to the Planning Commission for its further consideration and recommendations before action thereon by the City Council.

(Ord. 56, passed 11-4-1971; Am. Ord. passed 12-29-1976; Am. Ord. passed 12-24-1981; Am. Ord. passed 12-8-1994; Am. Ord. passed 4-13-1995)

§ 150.083 PROCEDURE FOR AMENDMENTS.

(A) No change shall be made in the comprehensive city plan or any portion thereof or regulations governing the platting of land after the plans or regulations have been adopted by the City Council, until the proposed change has been referred to the Planning Commission for report therein and an attested copy of the report has been filed with the Council; and no ordinance or resolution establishing any such plans or regulations shall be adopted by the City Council until the ordinance or resolution has been referred to the Planning Commission for a report thereon an attested copy of the report has been filed with the Council.

(B) Failure of the Planning Commission so to report within 40 days or the longer period as may be designated by the Council after the reference shall be deemed to be approval of the proposed change.

(Ord. 56, passed 11-4-1971; Am. Ord. passed 12-29-1976; Am. Ord. passed 12-24-1981; Am. Ord. passed 12-8-1994; Am. Ord. passed 4-13-1995)

CITY OF NORTH OAKS

Regular Council Meeting
Monday, April 22, 2019
NOTE REVISED MEETING DATE & TIME
8:00 P.M., Community Meeting Room
100 Village Center Drive

COUNCIL MEETING AGENDA

Call to Order

Roll Call

Pledge of Allegiance

Approval of Agenda

Citizen Comments - *Individuals may address the City Council about any item not included on the regular agenda. Speakers are requested to come to the podium, state their name and address for the record, and limit their remarks to three minutes. Generally, the City Council will not take official action on items discussed at this time, but may typically refer the matter to staff for a future report or direct that the matter be scheduled on an upcoming agenda.*

Consent Agenda - *These are items considered to be routine and will be enacted by one motion. There will be no separate discussion, unless requested for separate consideration at which point the item will be removed from the Consent Agenda and placed as a separate item on the agenda.*

1. Minutes of the Regular Council Meeting of March 14, 2019 for approval
2. Minutes of the Natural Resources Commission meeting of March 21, 2019 for approval
3. Minutes of the Planning Commission meeting of March 28, 2019 for approval
Licenses for Approval: Boehm Heating Company; Creative Air LLC; Glowing Hearth & Home, Heating & Cooling Two, Inc.; Metro Heating & Cooling; Pronto Heating and Cooling; River City Sheet Metal; Standard Heating and Air; Summit Heating & Air

Approval of Claims: Check#: 13059–13091

Petitions, Requests & Communications

1. Deputy Mike Burrell Report

New Business

1. Twenty Year Review of 1999 East Oaks PUD
2. Consider Taking Traffic Counts at Main Entrances to North Oaks
3. Consider & Set Public Hearing for Ordinance 129 Amending City Code Related to Planned Unit Development Processing
4. Discussion of Ordinance 130 Amending City Code Related to Planning Commission Composition and Organization
5. Consider Need for Staff Assistance
6. Establish Committee to Review City Attorney Applications

Council Member Reports

- Kara Ries
- Katy Ross
- Marty Long
- Rick Kingston
- Mayor Gregg Nelson

City Administrator Reports

1. League of Minnesota Cities Workshop, Thursday, May 9, 2019 at 5:00 p.m.

City Attorney Reports

Miscellaneous

Next Natural Resource Commission Meeting is Thursday, April 18, 2019 @ 7:00 pm
Next Planning Commission Meeting is Thursday, April 25, 2019, @ 7:00 pm
Next Regularly Scheduled Council Meeting is Thursday, May 9, 2019 @ 7:00 pm
Next Tick Task Force Meeting is Tuesday, April 16, 2019 @ 7:00 pm

Adjournment

DRAFT 4/10/2019

ORDINANCE NO. 130

CHAPTER 34: PLANNING COMMISSION

§ 34.01. ESTABLISHMENT. A Planning Commission is hereby established. The Planning Commission shall be and is the planning agency for the City of North Oaks, as authorized by M.S. 462.354, subd. 1, as it may be amended from time to time. Except as otherwise provided in the City of North Oaks ordinances, the Planning Commission shall be advisory directly to the City Council of the City of North Oaks.

§ 34.02. COMPOSITION. The Planning Commission shall consist of seven (7) members, who must be residents of the City of North Oaks [and Minnesota][, and members of the North Oaks Homeowners Association]. All members shall be appointed by the City Council. One (1) of the members may be a member of the City Council. Such City Council liaison member shall be a non-voting member of the Planning Commission and shall not be counted in determining quorum.

§ 34.03. TERMS, OATH, AND VACANCIES. Subject to the removal provisions in this chapter, the term of each member shall be three (3) years, which shall commence on January 1 of the applicable first year, and end on December 31 of the third year. At the start of the applicable term and before exercising any authority or duties, each member shall take an oath that he or she will faithfully discharge the duties of the office. Members shall be and are automatically removed without vote of the City Council when they no longer meet the residential eligibility requirement; fail to meet the attendance requirement in § 34.07; or die. Members may also be removed during a term for any reason by a majority vote of the City Council. Each member shall hold office until a successor is appointed and qualified. If a member of the Planning Commission subsequently becomes a member of the City Council, such individual shall automatically cease to be a member of the Planning Commission as the date he or she is sworn into the City Council. In the event of a vacancy, the term of an appointed successor shall be for the remainder of the departing member's term.

§ 34.04 COMPENSATION. Members serve without compensation; except that the City Council may, in its discretion and by a vote of at least [$\frac{2}{3}$] [$\frac{3}{4}$] [$\frac{4}{5}$], establish compensation for the Planning Commission members.

§ 34.05. ORGANIZATION, STAFF, AND ADVISORS.

(A) Organization. The City Council shall appoint the chairperson of the Planning Commission from among the members. The chairperson may hold office for a term of one (1) year. The chairperson shall not be the City Council liaison. The City Council may create and fill other offices as it determines necessary.

(B) Staff. The staff of the City of North Oaks shall provide reasonable support and information as requested by the Planning Commission. The city administrator for the City shall attend official Planning Commission meetings. City staff shall be responsible for attending the meetings and keeping the minutes and records of the Planning Commission.

(C) Advisors. The city attorney, city planner, city engineer, building inspector and/or any other representatives that are engaged by the City of North Oaks, are available as advisors and resources to the Planning Commission. They shall attend Planning Commission meetings upon request, and may be compensated for such attendance in accordance with their [agreements] [contracts] with the City of North Oaks.

§ 34.06 MEETINGS, MINUTES AND EXPENDITURES.

(A) Meetings. The Planning Commission shall hold regular meetings, at least once each month, at the time and place as they may fix by resolution filed with the city clerk, and upon at least seven (7) days' written notice, unless notice is waived by all Planning Commission members. Regular meetings shall be held at least once per month, unless circumstances such as lack of agenda, severe, inclement weather or absences, prevent them. Special meetings may be called at any time by the chairperson, or in the chairperson's absence, the acting chairperson, or as directed by the City Council or Mayor, upon ___ days' written notice, unless notice is waived by all Planning Commission members. Meetings may proceed when a quorum is present. Attendance by four (4) voting members is necessary for a quorum. The City Council liaison member is not a voting member and does not count in determining a quorum.

(B) Rules of Order. Subject to approval by the City Council, the Planning Commission shall adopt rules of order for the transaction of business, ordering meetings, adopting findings of fact and holding public hearings.

(C) Minutes, Records and Reports. The Planning Commission shall keep written minutes of its regular and special meetings, and shall keep a record of its motions, resolutions, transactions, and findings. The minutes of each meeting (official or unofficial) shall be promptly filed with the city clerk prior to the next regularly scheduled City Council meeting. If the minutes are unofficial, they remain subject to approval at the next Planning Commission meeting. On or before January 1 of each year, the Planning Commission shall submit a written report of its work during the preceding calendar year, to the City Council.

(E) Expenditures. The Planning Commission may make expenditures subject to and only within the amounts appropriated by the City Council. The Planning Commission shall submit a written report of its expenditures for a calendar year, to the City Council, on or before January 1 of the following calendar year.

§ 34.07 ATTENDANCE. Planning Commission members are required to attend at least half of the Planning Commission's official regular [and special] meetings in each calendar year, unless specifically excused by the Planning Commission chairperson because of unforeseeable circumstances. Excused absences shall be so noted in the minutes of the applicable meeting.

Failure to meet this attendance requirement in a given calendar year, shall result in automatic removal from the Planning Commission as of December 31 of that calendar year.

§ 34.08. POWERS AND DUTIES. The Planning Commission shall have the powers and duties given to city planning agencies generally by law, including the authority to conduct public hearings as directed by City Council or city policy. The Planning Commission also shall perform its duties as set forth in these City ordinances, including as set forth in Chapter 150.

§ 34.09. EFFECTIVE DATE. This ordinance, Chapter 34, is effective on the date it is published (or a summary of the ordinance is published pursuant to M.S. § 412.191, subd. 4) in a manner that meets the requirements of Minnesota Statutes § 331A.01, subd. 10.

Passed by the City Council of North Oaks, Minnesota, this ___ day of May, 2019.

Mayor

Attested:

City Clerk

CITY OF NORTH OAKS

**Regular Council Meeting
Thursday, May 9, 2019
7 P.M., Community Meeting Room
100 Village Center Drive**

COUNCIL MEETING AGENDA

Call to Order

Roll Call

Pledge of Allegiance

Approval of Agenda

Citizen Comments - *Individuals may address the City Council about any item not included on the regular agenda. Speakers are requested to come to the podium, state their name and address for the record, and limit their remarks to three minutes. Generally, the City Council will not take official action on items discussed at this time, but may typically refer the matter to staff for a future report or direct that the matter be scheduled on an upcoming agenda.*

Consent Agenda - *These are items considered to be routine and will be enacted by one motion. There will be no separate discussion, unless requested for separate consideration at which point the item will be removed from the Consent Agenda and placed as a separate item on the agenda.*

1. Minutes of the Regular Council Meeting of April 22, 2019 for approval
2. Minutes of the Natural Resources Commission meeting of April 18, 2019 for approval
3. Minutes of the Planning Commission meeting of April 25, 2019 for approval
4. Approve Expenditure of \$8,493.91 for Body Cameras for Sheriff's Deputies
Licenses for Approval: Sedgwick Heating;

Approval of Claims: Check#:

Petitions, Requests & Communications

1. Review of Highway 96 Superfund Site
2. Dana Healy, CTV Executive Director-Workshop on CTV Services
3. Deputy Mike Burrell Report

New Business

1. Proposed Preliminary Subdivision – Nord Parcel
2. Proposed Preliminary Subdivision – Wilkinson Parcel
3. Set Council Workshop

Unfinished Business

1. Public Hearing for Ordinance 129 Related to Planned Unit Development Processing
2. Chapter 34 Related to Planning Commission Structure
3. Twenty Year Review of 1999 East Oaks PUD

Council Member Reports

- Kara Ries
- Katy Ross
- Marty Long
- Rick Kingston
- Mayor Gregg Nelson

City Administrator Reports

City Attorney Reports

Miscellaneous

Next Natural Resource Commission Meeting is Thursday, May 16, 2019 @ 7:00 pm

Next Planning Commission Meeting is Thursday, May 30, 2019, @ 7:00 pm

Next Regularly Scheduled Council Meeting is Thursday, June 13, 2019 @ 7:00 pm

Next Tick Task Force Meeting is Tuesday, July 16, 2019 @ 7:00 pm

Adjournment

CHAPTER 34: PLANNING COMMISSION

§ 34.01. ESTABLISHMENT. A Planning Commission is hereby established. The Planning Commission shall be and is the planning agency for the City of North Oaks, as authorized by M.S. 462.354, subd. 1, as it may be amended from time to time. Except as otherwise provided in the City of North Oaks ordinances, the Planning Commission shall be advisory directly to the City Council of the City of North Oaks.

§ 34.02. COMPOSITION. The Planning Commission shall consist of seven (7) members, who must be residents of the City of North Oaks and residents of the State of Minnesota. All members shall be appointed by the City Council. In addition, one member of the City Council may serve as a liaison member. The City Council liaison shall be a non-voting member of the Planning Commission and shall not be counted in determining quorum.

§ 34.03. TERMS, OATH, AND VACANCIES. Subject to the removal provisions in this chapter, the term of each member shall be three (3) years, which shall commence on January 1 of the applicable first year, and end on December 31 of the third year. At the start of the applicable term and before exercising any authority or duties, each member shall take an oath that he or she will faithfully discharge the duties of the office. Members shall be and are automatically removed without vote of the City Council when they no longer meet the residential eligibility requirement; fail to meet the attendance requirement in § 34.07; or die. Members may also be removed during a term for any reason by a majority vote of the City Council. Each member shall hold office until a successor is appointed and qualified. If a member of the Planning Commission subsequently becomes a member of the City Council, such individual shall automatically cease to be a member of the Planning Commission as of the date he or she is sworn into the City Council. In the event of a vacancy, the term of an appointed successor shall be for the remainder of the departing member's term.

§ 34.04 COMPENSATION. Members serve without compensation.

§ 34.05. ORGANIZATION, STAFF, AND ADVISORS.

(A) Organization. The City Council shall appoint the chairperson of the Planning Commission from among the members. The chairperson may hold office for a term of one (1) year. The chairperson shall not be the City Council liaison. The City Council may create and fill other offices as it determines necessary.

(B) Staff. The staff of the City of North Oaks shall provide reasonable support and information as requested by the Planning Commission. The city administrator for the City shall attend official Planning Commission meetings. City staff shall be responsible for attending the meetings and keeping the minutes and records of the Planning Commission.

(C) Advisors. The city attorney, city planner, city engineer, building inspector and/or any other representatives that are engaged by the City of North Oaks, are available as advisors and resources to the Planning Commission. They shall attend Planning Commission meetings upon

request, and may be compensated for such attendance in accordance with their agreements with the City of North Oaks.

§ 34.06 MEETINGS, MINUTES AND EXPENDITURES.

(A) Meetings. The Planning Commission shall hold regular meetings, at least once each month, at the time and place as they may fix by resolution filed with the city clerk, and upon at least seven (7) days' written notice, unless notice is waived by all Planning Commission members. Regular meetings shall be held at least once per month, unless circumstances such as lack of agenda, severe, inclement weather or absences, prevent them. Special meetings may be called at any time by the chairperson, or in the chairperson's absence, the acting chairperson, or as directed by the City Council or Mayor, upon statutory written notice, unless notice is waived by all Planning Commission members. Meetings may proceed when a quorum is present. Attendance by four (4) voting members is necessary for a quorum.

(B) Rules of Order. Subject to approval by the City Council, the Planning Commission shall adopt rules of order for the transaction of business, ordering meetings, adopting findings of fact and holding public hearings.

(C) Minutes, Records and Reports. The Planning Commission shall keep written minutes of its regular and special meetings, and shall keep a record of its motions, resolutions, transactions, and findings. The minutes of each meeting (official or unofficial) shall be promptly filed with the city clerk prior to the next regularly scheduled City Council meeting. If the minutes are unofficial, they remain subject to approval at the next Planning Commission meeting. On or before January 1 of each year, the Planning Commission shall submit a written report of its work during the preceding calendar year, to the City Council.

(E) Expenditures. The Planning Commission may make expenditures subject to and only within the amounts appropriated by the City Council. The Planning Commission shall submit a written report of its expenditures for a calendar year, to the City Council, on or before January 1 of the following calendar year. The City Council and staff will keep an accounting of Planning Commission expenditures.

§ 34.07 ATTENDANCE. Planning Commission members are required to attend at least half of the Planning Commission's official regular and special meetings in each calendar year, unless specifically excused by the Planning Commission chairperson because of unforeseeable circumstances. Excused absences shall be so noted in the minutes of the applicable meeting. Failure to meet this attendance requirement in a given calendar year, shall result in automatic removal from the Planning Commission as of December 31 of that calendar year.

§ 34.08. POWERS AND DUTIES. The Planning Commission shall have the powers and duties given to city planning agencies generally by law, including the authority to conduct public hearings as directed by City Council or city policy. The Planning Commission also shall perform its duties as set forth in these City ordinances, including as set forth in Chapter 150.

§ 34.09. EFFECTIVE DATE. This ordinance, Chapter 34, is effective on the date it is published (or a summary of the ordinance is published pursuant to M.S. § 412.191, subd. 4) in a manner that meets the requirements of Minnesota Statutes § 331A.01, subd. 10.

Passed by the City Council of North Oaks, Minnesota, this __ day of May, 2019.

Mayor

Attested:

City Clerk



NORTH OAKS
C O M P A N Y L L C

April 5, 2019

Mr. Mike Robertson
City Administrator
City of North Oaks
100 Village Center Drive, Suite 230
North Oaks, Minnesota 55127

Re: East Oaks PDA – Decennial Review

Dear Mike,

Thank you for assisting with a review of the Concept Plan, Sheets 1-3, dated December 2018, for development of Gate Hill (Site G), Island Field (Site H), North Black Lake (Site K), aka Red Forest Way Nord (Site C), and Anderson Woods (Site F). Based on the feedback received at the recent Planning Commission meetings, North Oak Company LLC (Company) has withdrawn this Concept Plan. The intent was to share the Concept Plan as a part of the 2nd Decennial Review, 20 years after the execution of the East Oaks Planned Unit Development Agreement (PDA).

Please provide a summary of questions and concerns about the Concept Plan, and clarification whether or not the City desires a road into North Oaks from Centerville Road, through Island Field and Red Forest Way, connecting to either Black Lake Road or Catbird Lane. It was our understanding the City desired a road to improve response times for fire and ambulance calls, provide another means of egress for the convenience of residents, and to relieve traffic congestion at the intersection of East Oaks Road and Centerville Road. The Company is open to incorporating a road if desired by the City.

The event center concept has been withdrawn. Please let us know if the City would like us to pursue this further. If so, we would need an amendment to the PDA to allow for it to be considered at any of the three parcels along Centerville Road.

You will find an updated copy of Exhibit B5 – Generalized Plan for Phasing Development, dated 04.05.19 (Phasing Plan) attached. The Phasing Plan outlines the number of housing units designated for each area, Sites A – L, number of housing units platted as of April 5, 2019, and the remaining housing units available for development. It also identifies the number of commercial acres designated for development, number of acres developed, and the remaining acres for future development. You will find a column added that references the Register Land Survey (RLS) number for each development area. There are three areas that may need clarification, as follows:

- Site E2—of the 90 units shown 76 are encompassed in the Mews Buildings and 14 remain to be platted on the parcel owned by Waverly Gardens, west of Wilkinson Lake Boulevard.

PLANNING COMMISSION

§ 150.075 ESTABLISHMENT.

~~— (A) A City Planning Commission for the City of North Oaks is hereby established.~~

~~— (B) The Commission shall be the city planning agency.~~

~~(Ord. 56, passed 11-4-1971; Am. Ord. passed 12-29-1976; Am. Ord. passed 12-24-1981; Am. Ord. passed 12-8-1994; Am. Ord. passed 4-13-1995)~~

§ 150.076 COMPOSITION.

~~— (A) (1) The Planning Commission shall consist of 7 members each appointed by the City Council for a term not greater than 3 years and not less than 1 year.~~

~~— (2) All members shall be residents of the city and at least 1 member shall be a member of the City Council.~~

~~— (3) Each member shall hold office until the member's successor is appointed and qualified. Any member may be removed during a term by a 4/5 vote of the City Council.~~

~~— (B) (1) Vacancies which occur during a member's term shall be filled by the City Council for the unexpired portion of the term.~~

~~— (2) Each member, before entering upon the discharge of the member's duties, shall take an oath to faithfully discharge the duties.~~

~~— (3) All members shall serve without compensation.~~

~~(Ord. 56, passed 11-4-1971; Am. Ord. passed 12-29-1976; Am. Ord. passed 12-24-1981; Am. Ord. passed 12-8-1994; Am. Ord. passed 4-13-1995)~~

§ 150.077 ORGANIZATION, MEETINGS, AND THE LIKE.

~~— (A) (1) The City Council shall appoint a Chairperson of the Planning Commission from among the appointed members for a term of 1 year, and shall appoint a Secretary of the Commission to serve at the will of the City Council who need not be a member, a city official or a resident of the city.~~

~~— (2) The City Council may create and fill the other offices as the Council may determine.~~

~~— (B) (1) Meetings of the Commission shall be called by the Chairperson upon 7 days' written notice thereof, unless the notice is waived by all members of the Commission.~~

~~— (2) Four members shall constitute a quorum.~~

~~— (3) The Commission shall adopt the other rules for the transaction of business as it deems necessary and shall keep a record of its resolutions, transactions, and findings, which record shall be a public record.~~

~~— (4) On or before January 1 of each year, the Commission shall submit to the City Council a report of its work during the preceding year.~~

~~— (5) Expenditures of the Commission shall be amounts appropriated for that purpose by the City Council.~~

~~(Ord. 56, passed 11-4-1971; Am. Ord. passed 12-29-1976; Am. Ord. passed 12-24-1981; Am. Ord. passed 12-8-1994; Am. Ord. passed 4-13-1995)~~

~~§ 150.078 PREPARATION OF COMPREHENSIVE CITY PLAN.~~

~~—(A) It shall be the function and duty of the Planning Commission to prepare and adopt a Comprehensive city Plan for the physical, economic, and social development of the city.~~

~~—(B) The plan may address itself to the subjects as proposed public buildings, public utility services, all forms of recreational facilities, and other matters relating to the development of the city.~~

~~—(C) The Comprehensive Plan may go beyond those subjects listed hereto so long as the plan relates to the general statements of policy contained in M.S. § 462.351, as it may be amended from time to time.~~

~~—(D) The plan may be prepared in sections, each of which shall relate to a major subject of the plan or to a major geographical section of the city.~~

~~—(E) Adoption of the first section, as provided in § 150.079, shall mean that there is in existence in the City of North Oaks a Comprehensive Plan.~~

~~—(F) The Commission may from time to time amend or add to the city Comprehensive Plan or section thereof as herein provided for the adoption of the original plan whenever changed conditions or further studies by the Commission indicate that the amendment or addition is necessary.~~

~~—(G) An attested copy of the plan or of any section, amendment, or addition to the city Plan adopted by the Planning Commission shall be certified to the City Council.~~

~~(Ord. 56, passed 11-4-1971; Am. Ord. passed 12-29-1976; Am. Ord. passed 12-24-1981; Am. Ord. passed 12-8-1994; Am. Ord. passed 4-13-1995)~~

~~§ 150.079 PROCEDURE FOR ADOPTION OF PLAN.~~

~~—(A) (1) Before adopting the city plan or any section of it or any substantial amendment thereof, the Commission shall hold at least 1 public hearing thereon, notice of the time, place, and purpose of which shall be given by publication in the official city newspaper at least 10 days before the day of the hearing.~~

~~—(2) The adoption of the city plan or any section or amendment thereof shall be by resolution of the Commission, approved by a majority of all the members of the Commission.~~

~~—(B) (1) Until the City Council adopts the plan certified to it by the Commission, it shall constitute only the recommendation of the Commission.~~

~~—(2) Adoption by the City Council shall be by resolution of the Council passed by a vote consisting of a majority of the members of the Council.~~

~~(Ord. 56, passed 11-4-1971; Am. Ord. passed 12-29-1976; Am. Ord. passed 12-24-1981; Am. Ord. passed 12-8-1994; Am. Ord. passed 4-13-1995)~~

~~§ 150.080 PROCEDURE FOR PLAN EFFECTUATION.~~

~~—(A) Upon the adoption of the Comprehensive city Plan or any section thereof, it shall be the duty of the Planning Commission to recommend to the City Council reasonable and practicable means for putting into effect the plan or sections thereof in order that the same will serve as a pattern and guide for the~~

orderly physical, economic, and social development of the city and as a basis for the efficient expenditure of the funds thereof relating to the subjects of the city plan.

~~—(B) The means may include, at the discretion of the Commission, but are not limited to, zoning regulations, regulations for the control of subdivision plats, an official map, coordination of the normal public improvements of the city, a long term program of capital expenditures, and any other matters as will accomplish the purpose of this section.~~

~~(Ord. 56, passed 11-4-1971; Am. Ord. passed 12-29-1976; Am. Ord. passed 12-24-1981; Am. Ord. passed 12-8-1994; Am. Ord. passed 4-13-1995)~~

~~§ 150.081 ZONING ORDINANCE.~~

~~—(A) No zoning ordinance shall be hereafter be adopted or amended by the Council until a public hearing has been held thereon by the Planning Commission upon notice as provided in M.S. § 462.357, Subdivision 3, as it may be amended from time to time.~~

~~—(B) —(1) The City Council shall act as the Board of Appeals and Adjustments as provided in M.S. § 462.354, Subdivision 2, as it may be amended from time to time.~~

~~—(2) The Board of Appeals and Adjustments shall function as an appellate forum for any person adversely affected by the Zoning Ordinance of the City of North Oaks.~~

~~—(3) Decisions of the Board of Appeals and Adjustments on matters within its jurisdiction shall be final subject to the right of judicial review.~~

~~—(4) Hearings by the Board of Appeals and Adjustments shall be held upon written notice 10 days prior to the hearing date to the interested parties.~~

~~(Ord. 56, passed 11-4-1971; Am. Ord. passed 12-29-1976; Am. Ord. passed 12-24-1981; Am. Ord. passed 12-8-1994; Am. Ord. passed 4-13-1995)~~

~~§ 150.082 PLATS.~~

~~—(A) (1) Every proposed plat of land within the city shall be submitted to the City Council before being filed, and no of land shall be filed unless and until the same shall first have been approved by the City Council.~~

~~—(2) The City Council shall constitute the platting authority for the purposes of M.S. § 462.358 and M.S. Ch. 505, as they may be amended from time to time.~~

~~—(B) Any person who violates this provision or who sells land or offers land for sale or contracts for the sale of land by reference to or by other use of any plat before the plat has been approved by the City Council in accordance with the provisions of this section is guilty of a misdemeanor, and is subject to § 10.99.~~

~~—(C) Before approving a plat, the City Council may submit the same to the Planning Commission for its recommendations. The Planning Commission, within 60 days after any such has been referred to it by the City Council, shall act on the same and shall make its recommendations with respect thereto. The recommendations may consist of:~~

~~—(1) Recommendation that the City Council approve the plat;~~

~~—(2) Recommendation that the City Council disapprove the plat, in which case the~~

~~recommendation shall include a statement of the specific reasons for the recommendation; or~~

~~———— (3) Recommendation that the City Council approve the plat after specified changes or revisions are made therein, which recommendations may include the condition that a revised plat, containing the changes or revisions, be submitted to the Planning Commission, in which case the revised plat shall be so submitted to the Planning Commission for its further consideration and recommendations before action thereon by the City Council.~~

~~(Ord. 56, passed 11-4-1971; Am. Ord. passed 12-29-1976; Am. Ord. passed 12-24-1981; Am. Ord. passed 12-8-1994; Am. Ord. passed 4-13-1995)~~

~~§ 150.083 PROCEDURE FOR AMENDMENTS.~~

~~———— (A) No change shall be made in the Comprehensive city Plan or any portion thereof or regulations governing the platting of land after the plans or regulations have been adopted by the City Council, until the proposed change has been referred to the Planning Commission for report therein and an attested copy of the report has been filed with the Council; and no ordinance or resolution establishing any such plans or regulations shall be adopted by the City Council until the ordinance or resolution has been referred to the Planning Commission for a report thereon an attested copy of the report has been filed with the Council.~~

~~———— (B) Failure of the Planning Commission so to report within 40 days or the longer period as may be designated by the Council after the reference shall be deemed to be approval of the proposed change.~~

~~(Ord. 56, passed 11-4-1971; Am. Ord. passed 12-29-1976; Am. Ord. passed 12-24-1981; Am. Ord. passed 12-8-1994; Am. Ord. passed 4-13-1995)~~

1. Public Hearing for Ordinance 129 Related to Planned Unit Development Processing

Proposed changes to Ordinance 129 change the word “may” to “shall” (“an applicant ~~may~~ shall submit a concept plan for review and comment by the Planning Commission and City Council.”) and a sentence is removed (“Submission of a concept plan is optional for phase”) and replaced with the following: “The submitted concept plan shall depict development intentions for all phases of the PUD.” An additional stipulation is added: “Concept Plan review shall not activate the sixty (60) day application action requirement pursuant to Minnesota Statutes 15.99, as may be amended.”

The public hearing was opened at 9:15 p.m.

Franny-Skanser Lewis, 3 Red Maple Lane, spoke in favor of the wording changes to Ordinance 129.

With no further comments the public hearing was closed at 9:16 p.m.

Councilmember Ries moved to approve language changes to Ordinance 129. The motion was seconded by Councilmember Ross and passed unanimously.

2. Chapter 34 Amending City Code 150 Related to Planning Commission Structure, Composition and Authority

Councilmember Ross moved set a public hearing for the June 13 City Council meeting to consider amending City Code 150 Relating to the Planning Commission. The motion was seconded by Councilmember Long and passed unanimously.

3. Twenty-Year Review of 1999 East Oaks PUD

This item will be addressed at a later date at an open workshop.

Citizen Comments

Rich Dujmovic, 15 Black Lake Road, spoke about future proposals of development from NOC. He suggested a formal statement be drafted by the Council that specified developments will only be approved if they conform the 1999 PUD, the EAW and City ordinances.

Councilmember Reports

Kara Ries

- The Cable Commission sent a letter against the 621 proposed amendment, which would increase the cable franchising fees.
- Councilmember Ries is working with City staff on quotes for redoing the website.
- Coyotes are a concern among residents. The University of Minnesota is studying coyotes and North Oaks could be part of this study. If you have a coyote encounter, please call the City; they are collecting data on where these incidents are happening in North Oaks.
- Planning Commission has worked hard reviewing the development plans as of late and she commended them for that.

CITY OF NORTH OAKS

**Regular Council Meeting
Thursday, June 13, 2019
7 P.M., Community Meeting Room
100 Village Center Drive**

COUNCIL MEETING AGENDA

Call to Order

Roll Call

Pledge of Allegiance

Approval of Agenda

Citizen Comments - *Individuals may address the City Council about any item not included on the regular agenda. Speakers are requested to come to the podium, state their name and address for the record, and limit their remarks to three minutes. Generally, the City Council will not take official action on items discussed at this time, but may typically refer the matter to staff for a future report or direct that the matter be scheduled on an upcoming agenda.*

Consent Agenda - *These are items considered to be routine and will be enacted by one motion. There will be no separate discussion, unless requested for separate consideration at which point the item will be removed from the Consent Agenda and placed as a separate item on the agenda.*

1. Minutes of the Regular Council meeting of May 9, 2019 for approval
2. Minutes of the Natural Resources Commission meeting of May 16, 2019 for approval
3. Minutes of the Planning Commission meeting of May 30, 2019 for approval
4. Proposed Variance 19-03 - ISTS – 1 Wishbone Lane - 30 Feet into the 30 Foot Setback on the West Side of the Property
5. Approve Resolution 1349 Amending the 2017 Joint Powers Agreement with Vadnais Lake Water Management Organization (VLAWMO) Adding Language to Clarify Liability and Extent of Insurance Coverage
Licenses for Approval: **Binder Heating & Air Conditioning, Inc.; Dok's Heating and Air Conditioning; Home Energy Center; Select Mechanical Services;**

Approval of Claims: Check#:

Petitions, Requests & Communications

1. Appoint Andrew Hawkins to the Natural Resources Commission
2. Presentation of 2018 Audit – Justin Nilson – Abdo, Eick & Meyers
3. Deputy Mike Burrell Report

Unfinished Business

1. Approve Resolution 1350 Approving Submission of Comprehensive Plan to the Met Council
2. Public Hearing for Proposed Ordinance Chapter 34 Related to Planning Commission Structure, Composition and Authority

New Business

1. Pleasant Lake Weed Removal
2. Set Workshop for City Attorney Interviews
3. Discussion of CTV Social Media Proposal
4. Discussion of Cesspools
5. Consider Draft Policy for Citizen Comments at Public Hearings

Council Member Reports

- Kara Ries
- Katy Ross
- Marty Long
- Rick Kingston
- Mayor Gregg Nelson

City Administrator Reports

1. League of Minnesota Cities City of Excellence Award

City Attorney Reports

Miscellaneous

Next Natural Resource Commission Meeting is Thursday, June 20, 2019 @ 7:00 pm

Next Planning Commission Meeting is Thursday, June 27, 2019, @ 7:00 pm

Next Regularly Scheduled Council Meeting is Thursday, July 11, 2019 @ 7:00 pm

Next Tick Task Force Meeting is Tuesday, July 16, 2019 @ 7:00 pm

Adjournment

DRAFT 4/10/2019

ORDINANCE NO. 130

CHAPTER 34: PLANNING COMMISSION

§ 34.01. ESTABLISHMENT. A Planning Commission is hereby established. The Planning Commission shall be and is the planning agency for the City of North Oaks, as authorized by M.S. 462.354, subd. 1, as it may be amended from time to time. Except as otherwise provided in the City of North Oaks ordinances, the Planning Commission shall be advisory directly to the City Council of the City of North Oaks.

§ 34.02. COMPOSITION. The Planning Commission shall consist of seven (7) members, who must be residents of the City of North Oaks [and Minnesota][, and members of the North Oaks Homeowners Association]. All members shall be appointed by the City Council. One (1) of the members may be a member of the City Council. Such City Council liaison member shall be a non-voting member of the Planning Commission and shall not be counted in determining quorum.

§ 34.03. TERMS, OATH, AND VACANCIES. Subject to the removal provisions in this chapter, the term of each member shall be three (3) years, which shall commence on January 1 of the applicable first year, and end on December 31 of the third year. At the start of the applicable term and before exercising any authority or duties, each member shall take an oath that he or she will faithfully discharge the duties of the office. Members shall be and are automatically removed without vote of the City Council when they no longer meet the residential eligibility requirement; fail to meet the attendance requirement in § 34.07; or die. Members may also be removed during a term for any reason by a majority vote of the City Council. Each member shall hold office until a successor is appointed and qualified. If a member of the Planning Commission subsequently becomes a member of the City Council, such individual shall automatically cease to be a member of the Planning Commission as the date he or she is sworn into the City Council. In the event of a vacancy, the term of an appointed successor shall be for the remainder of the departing member's term.

§ 34.04 COMPENSATION. Members serve without compensation; except that the City Council may, in its discretion and by a vote of at least [$\frac{2}{3}$] [$\frac{3}{4}$] [$\frac{1}{2}$], establish compensation for the Planning Commission members.

§ 34.05. ORGANIZATION, STAFF, AND ADVISORS.

(A) Organization. The City Council shall appoint the chairperson of the Planning Commission from among the members. The chairperson may hold office for a term of one (1) year. The chairperson shall not be the City Council liaison. The City Council may create and fill other offices as it determines necessary.

(B) Staff. The staff of the City of North Oaks shall provide reasonable support and information as requested by the Planning Commission. The city administrator for the City shall attend official Planning Commission meetings. City staff shall be responsible for attending the meetings and keeping the minutes and records of the Planning Commission.

(C) Advisors. The city attorney, city planner, city engineer, building inspector and/or any other representatives that are engaged by the City of North Oaks, are available as advisors and resources to the Planning Commission. They shall attend Planning Commission meetings upon request, and may be compensated for such attendance in accordance with their [agreements] [contracts] with the City of North Oaks.

§ 34.06 MEETINGS, MINUTES AND EXPENDITURES.

(A) Meetings. The Planning Commission shall hold regular meetings, at least once each month, at the time and place as they may fix by resolution filed with the city clerk, and upon at least seven (7) days' written notice, unless notice is waived by all Planning Commission members. Regular meetings shall be held at least once per month, unless circumstances such as lack of agenda, severe, inclement weather or absences, prevent them. Special meetings may be called at any time by the chairperson, or in the chairperson's absence, the acting chairperson, or as directed by the City Council or Mayor, upon ___ days' written notice, unless notice is waived by all Planning Commission members. Meetings may proceed when a quorum is present. Attendance by four (4) voting members is necessary for a quorum. The City Council liaison member is not a voting member and does not count in determining a quorum.

(B) Rules of Order. Subject to approval by the City Council, the Planning Commission shall adopt rules of order for the transaction of business, ordering meetings, adopting findings of fact and holding public hearings.

(C) Minutes, Records and Reports. The Planning Commission shall keep written minutes of its regular and special meetings, and shall keep a record of its motions, resolutions, transactions, and findings. The minutes of each meeting (official or unofficial) shall be promptly filed with the city clerk prior to the next regularly scheduled City Council meeting. If the minutes are unofficial, they remain subject to approval at the next Planning Commission meeting. On or before January 1 of each year, the Planning Commission shall submit a written report of its work during the preceding calendar year, to the City Council.

(E) Expenditures. The Planning Commission may make expenditures subject to and only within the amounts appropriated by the City Council. The Planning Commission shall submit a written report of its expenditures for a calendar year, to the City Council, on or before January 1 of the following calendar year.

§ 34.07 ATTENDANCE. Planning Commission members are required to attend at least half of the Planning Commission's official regular [and special] meetings in each calendar year, unless specifically excused by the Planning Commission chairperson because of unforeseeable circumstances. Excused absences shall be so noted in the minutes of the applicable meeting.

Failure to meet this attendance requirement in a given calendar year, shall result in automatic removal from the Planning Commission as of December 31 of that calendar year.

§ 34.08. POWERS AND DUTIES. The Planning Commission shall have the powers and duties given to city planning agencies generally by law, including the authority to conduct public hearings as directed by City Council or city policy. The Planning Commission also shall perform its duties as set forth in these City ordinances, including as set forth in Chapter 150.

§ 34.09. EFFECTIVE DATE. This ordinance, Chapter 34, is effective on the date it is published (or a summary of the ordinance is published pursuant to M.S. § 412.191, subd. 4) in a manner that meets the requirements of Minnesota Statutes § 331A.01, subd. 10.

Passed by the City Council of North Oaks, Minnesota, this __ day of May, 2019.

Mayor

Attested:

City Clerk

PLANNING COMMISSION

~~§ 150.075 ESTABLISHMENT.~~

~~— (A) A City Planning Commission for the City of North Oaks is hereby established.~~

~~— (B) The Commission shall be the city planning agency.~~

~~(Ord. 56, passed 11-4-1971; Am. Ord. passed 12-29-1976; Am. Ord. passed 12-24-1981; Am. Ord. passed 12-8-1994; Am. Ord. passed 4-13-1995)~~

~~§ 150.076 COMPOSITION.~~

~~— (A) (1) The Planning Commission shall consist of 7 members each appointed by the City Council for a term not greater than 3 years and not less than 1 year.~~

~~— (2) All members shall be residents of the city and at least 1 member shall be a member of the City Council.~~

~~— (3) Each member shall hold office until the member's successor is appointed and qualified. Any member may be removed during a term by a 4/5 vote of the City Council.~~

~~— (B) (1) Vacancies which occur during a member's term shall be filled by the City Council for the unexpired portion of the term.~~

~~— (2) Each member, before entering upon the discharge of the member's duties, shall take an oath to faithfully discharge the duties.~~

~~— (3) All members shall serve without compensation.~~

~~(Ord. 56, passed 11-4-1971; Am. Ord. passed 12-29-1976; Am. Ord. passed 12-24-1981; Am. Ord. passed 12-8-1994; Am. Ord. passed 4-13-1995)~~

~~§ 150.077 ORGANIZATION, MEETINGS, AND THE LIKE.~~

~~— (A) (1) The City Council shall appoint a Chairperson of the Planning Commission from among the appointed members for a term of 1 year, and shall appoint a Secretary of the Commission to serve at the will of the City Council who need not be a member, a city official or a resident of the city.~~

~~— (2) The City Council may create and fill the other offices as the Council may determine.~~

~~— (B) (1) Meetings of the Commission shall be called by the Chairperson upon 7 days' written notice thereof, unless the notice is waived by all members of the Commission.~~

~~— (2) Four members shall constitute a quorum.~~

~~— (3) The Commission shall adopt the other rules for the transaction of business as it deems necessary and shall keep a record of its resolutions, transactions, and findings, which record shall be a public record.~~

~~— (4) On or before January 1 of each year, the Commission shall submit to the City Council a report of its work during the preceding year.~~

~~— (5) Expenditures of the Commission shall be amounts appropriated for that purpose by the City Council.~~

~~(Ord. 56, passed 11-4-1971; Am. Ord. passed 12-29-1976; Am. Ord. passed 12-24-1981; Am. Ord. passed 12-8-1994; Am. Ord. passed 4-13-1995)~~

~~§ 150.078 PREPARATION OF COMPREHENSIVE CITY PLAN.~~

~~—(A) It shall be the function and duty of the Planning Commission to prepare and adopt a Comprehensive city Plan for the physical, economic, and social development of the city.~~

~~—(B) The plan may address itself to the subjects as proposed public buildings, public utility services, all forms of recreational facilities, and other matters relating to the development of the city.~~

~~—(C) The Comprehensive Plan may go beyond those subjects listed hereto so long as the plan relates to the general statements of policy contained in M.S. § 462.351, as it may be amended from time to time.~~

~~—(D) The plan may be prepared in sections, each of which shall relate to a major subject of the plan or to a major geographical section of the city.~~

~~—(E) Adoption of the first section, as provided in § 150.079, shall mean that there is in existence in the City of North Oaks a Comprehensive Plan.~~

~~—(F) The Commission may from time to time amend or add to the city Comprehensive Plan or section thereof as herein provided for the adoption of the original plan whenever changed conditions or further studies by the Commission indicate that the amendment or addition is necessary.~~

~~—(G) An attested copy of the plan or of any section, amendment, or addition to the city Plan adopted by the Planning Commission shall be certified to the City Council.~~

~~(Ord. 56, passed 11-4-1971; Am. Ord. passed 12-29-1976; Am. Ord. passed 12-24-1981; Am. Ord. passed 12-8-1994; Am. Ord. passed 4-13-1995)~~

~~§ 150.079 PROCEDURE FOR ADOPTION OF PLAN.~~

~~—(A) (1) Before adopting the city plan or any section of it or any substantial amendment thereof, the Commission shall hold at least 1 public hearing thereon, notice of the time, place, and purpose of which shall be given by publication in the official city newspaper at least 10 days before the day of the hearing.~~

~~—(2) The adoption of the city plan or any section or amendment thereof shall be by resolution of the Commission, approved by a majority of all the members of the Commission.~~

~~—(B) (1) Until the City Council adopts the plan certified to it by the Commission, it shall constitute only the recommendation of the Commission.~~

~~—(2) Adoption by the City Council shall be by resolution of the Council passed by a vote consisting of a majority of the members of the Council.~~

~~(Ord. 56, passed 11-4-1971; Am. Ord. passed 12-29-1976; Am. Ord. passed 12-24-1981; Am. Ord. passed 12-8-1994; Am. Ord. passed 4-13-1995)~~

~~§ 150.080 PROCEDURE FOR PLAN EFFECTUATION.~~

~~—(A) Upon the adoption of the Comprehensive city Plan or any section thereof, it shall be the duty of the Planning Commission to recommend to the City Council reasonable and practicable means for putting into effect the plan or sections thereof in order that the same will serve as a pattern and guide for the~~

orderly physical, economic, and social development of the city and as a basis for the efficient expenditure of the funds thereof relating to the subjects of the city plan.

~~(B) The means may include, at the discretion of the Commission, but are not limited to, zoning regulations, regulations for the control of subdivision plats, an official map, coordination of the normal public improvements of the city, a long term program of capital expenditures, and any other matters as will accomplish the purpose of this section.~~

~~(Ord. 56, passed 11-4-1971; Am. Ord. passed 12-29-1976; Am. Ord. passed 12-24-1981; Am. Ord. passed 12-8-1994; Am. Ord. passed 4-13-1995)~~

~~§ 150.081 ZONING ORDINANCE.~~

~~(A) No zoning ordinance shall be hereafter be adopted or amended by the Council until a public hearing has been held thereon by the Planning Commission upon notice as provided in M.S. § 462.357, Subdivision 3, as it may be amended from time to time.~~

~~(B) (1) The City Council shall act as the Board of Appeals and Adjustments as provided in M.S. § 462.354, Subdivision 2, as it may be amended from time to time.~~

~~(2) The Board of Appeals and Adjustments shall function as an appellate forum for any person adversely affected by the Zoning Ordinance of the City of North Oaks.~~

~~(3) Decisions of the Board of Appeals and Adjustments on matters within its jurisdiction shall be final subject to the right of judicial review.~~

~~(4) Hearings by the Board of Appeals and Adjustments shall be held upon written notice 10 days prior to the hearing date to the interested parties.~~

~~(Ord. 56, passed 11-4-1971; Am. Ord. passed 12-29-1976; Am. Ord. passed 12-24-1981; Am. Ord. passed 12-8-1994; Am. Ord. passed 4-13-1995)~~

~~§ 150.082 PLATS.~~

~~(A) (1) Every proposed plat of land within the city shall be submitted to the City Council before being filed, and no of land shall be filed unless and until the same shall first have been approved by the City Council.~~

~~(2) The City Council shall constitute the platting authority for the purposes of M.S. § 462.358 and M.S. Ch. 505, as they may be amended from time to time.~~

~~(B) Any person who violates this provision or who sells land or offers land for sale or contracts for the sale of land by reference to or by other use of any plat before the plat has been approved by the City Council in accordance with the provisions of this section is guilty of a misdemeanor, and is subject to § 10.99.~~

~~(C) Before approving a plat, the City Council may submit the same to the Planning Commission for its recommendations. The Planning Commission, within 60 days after any such has been referred to it by the City Council, shall act on the same and shall make its recommendations with respect thereto. The recommendations may consist of:~~

~~(1) Recommendation that the City Council approve the plat;~~

~~(2) Recommendation that the City Council disapprove the plat, in which case the~~

~~recommendation shall include a statement of the specific reasons for the recommendation; or~~
~~———— (3) Recommendation that the City Council approve the plat after specified changes or revisions are made therein, which recommendations may include the condition that a revised plat, containing the changes or revisions, be submitted to the Planning Commission, in which case the revised plat shall be so submitted to the Planning Commission for its further consideration and recommendations before action thereon by the City Council.~~
~~(Ord. 56, passed 11-4-1971; Am. Ord. passed 12-29-1976; Am. Ord. passed 12-24-1981; Am. Ord. passed 12-8-1994; Am. Ord. passed 4-13-1995)~~

~~**§ 150.083 PROCEDURE FOR AMENDMENTS.**~~

~~———— (A) No change shall be made in the Comprehensive city Plan or any portion thereof or regulations governing the platting of land after the plans or regulations have been adopted by the City Council, until the proposed change has been referred to the Planning Commission for report therein and an attested a copy of the report has been filed with the Council; and no ordinance or resolution establishing any such plans or regulations shall be adopted by the City Council until the ordinance or resolution has been referred to the Planning Commission for a report thereon an attested copy of the report has been filed with the Council.~~

~~———— (B) Failure of the Planning Commission so to report within 40 days or the longer period as may be designated by the Council after the reference shall be deemed to be approval of the proposed change.~~
~~(Ord. 56, passed 11-4-1971; Am. Ord. passed 12-29-1976; Am. Ord. passed 12-24-1981; Am. Ord. passed 12-8-1994; Am. Ord. passed 4-13-1995)~~

CITY OF NORTH OAKS
Notice of Proposed Amendment to Replace Sections 150.075,
150.076, 150.077, 150.078, 150.079, 150.080, 150.081, 150.082
and 150.083 of City Ordinances Related to Planning
Commission Structure, Composition, and Authority with
Chapter 34

Notice is hereby given that the North Oaks City Council will hold a public hearing Thursday, June 13, 2019 at 7:00 p.m. at 100 Village Center Drive, Room 150 to review a proposed amendment to Ordinances 150.075 through 150.083 by replacing them with a new Chapter 34. The public is invited to attend.

Michael Robertson
City Administrator

The Council Meeting was called to order at 7:05 p.m. by Mayor Gregg Nelson at the Community Meeting Room, 100 Village Center Drive, Suite 150, City of North Oaks, Minnesota. Present were Mayor Gregg Nelson, Councilmembers Rick Kingston, Marty Long, and Kara Ries; City Administrator Mike Robertson, City Attorney David Magnuson, City Planner Bob Kirmis, Recording Secretary Deb Breen, and Videographer Maureen Anderson. Councilmember Katy Ross was absent.

Pledge of Allegiance

Approval of Agenda

Council Kingston moved to remove Meeting Rules for Decorum in favor of doing this another time. Councilmember Long seconded and passed unanimously.

Councilmember Ries moved to approve the revised Agenda. Councilmember Kingston seconded and passed unanimously.

Citizen Comments

Lisa Dujmovic -15 Black Lake Road. She requested that residents be allowed to discuss items that are on the agenda. She understands that Council may not take action on new topics brought up by residents the same evening they were voiced.

Don Nightingale – 11 Nord Circle. He would like the Mayor to explain the reason for the new policy regarding the Planning Commission composition.

Franny Skamser-Lewis – 3 Red Maple Lane. She asked for confirmation that Rules of Decorum was dropped from agenda and received it. She would like explanation on how Rules of Decorum are different than Ordinances. Attorney Magnuson stated that no public hearing is required for approval of Rules, but a public hearing is required for Ordinance changes.

Steve Elias – 5 Sunset Lane. He read a letter regarding changes in membership regarding Planning Commission composition. He asked that both sides deescalate the rhetoric. He feels that both sides need to pay attention and prevent words from escalating issues.

Bill Ecklund – 15 Larkspur Lane. Mr. Ecklund read from a document titled the Rules of the City of North Oaks regarding Agenda and Conduct for City Council meetings dated November 5th, 1992. These rules were adopted after the ordinance was adopted that created rules for City Council meetings and feels those rules should still govern City Council meetings.

Consent Agenda

1. Minutes of the Regular Council Meeting of May 9, 2019 for approval.
2. Minutes of the Natural Resources Commission meeting of May 16, 2019 for approval.
3. Minutes of the Planning Commission meeting of May 30, 2019 for approval.
4. Proposed Variance 19-03 –ISTS 1 Wishbone Lane - 30 feet into the 30 foot setback on the West side of the Property

use 50.42 should be changed to 48.92. Table 20 should add to the label “ Non-public and private”. Councilmember Kingston asked for clarification that the changes were not ones that needed to be approved again by Planning Commission. Robertson agreed they were non-material.

Councilmember Long moved to approve Resolution 1350 to forward the current Comprehensive plan to the Met Council for their review. The motion was seconded by Councilmember Ries and passed unanimously.

2. Public Hearing for Proposed Ordinance Chapter 34 Related to Planning Commission Structure, Composition and Authority

Mayor Nelson reviewed the reasons for proposing a change to the language regarding the Planning Commission. The proposed ordinance would repeal ordinance 150.075-150.077 and replace it with the new Title 3, Chapter 34. He believes the current ordinance was poorly drafted, is laid out in an unusual order and needs to be tightened up to ensure the Planning Commission is independent from the Council. The proposed changes do not change the Planning Commission’s responsibilities. The changes include: allowing 1 City Councilmember to serve on the Planning Commission as a Liaison, outlining an attendance requirement, and allowing the City Council to remove a Planning Commission appointee with or without cause with a majority vote. He feels these guidelines are consistent with neighboring cities and that Planning Commission representatives should be separate from the City Council to ensure unbiased votes at both levels and not take up a seat that another interested resident could hold. The Planning Commission is a 7 member body that is a valued advisory body that takes on the hard work of vetting land use applications and evaluating the merits using their expertise and experience.

The Public Hearing was opened at 8:05.

John Murphy – 6 Evergreen Road. He is opposed to changing the ordinance to remove Planning Commission members with 3 votes instead of 4 votes. Mayor Nelson mentioned that other votes to appoint Commissioners are a majority vote and asked Mr. Murphy his opinion on this.

Dave Plummer – 14 North Deep Lake Road. He asked why a change to the ordinance is needed now if the system is not broken. This comes on heels of contentious meetings in which residents were well represented by members of the Planning Commission that provided valued input. It’s worked well in past and he believes a decision should be made based on our unique circumstances, not what neighboring communities do.

Joanne Hanson – 5 Sumac Lane. She is opposed to the proposed ordinance and asked for her previous written comments be submitted into the record. She believes we are not like other communities. This ordinance permits just 3 Councilmembers out of 5 to remove Planning Commission members for any reason. She questioned why a resident would agree to a 3 year appointment to Planning Commission knowing they can be removed at any time. She believes it actually removes much needed checks and balances and allows

just 3 people to have the ability and power to shape every decision of the City Council and Planning Commission.

Franny Skamser Lewis – 3 Red Maple Lane

She is pleased that the North Oaks News article provided information and clarification on this topic. She has done some research and spoke with Richard Painter who is a University of Minnesota law school professor. He believes the purpose of any government committee is to review and act as an advisory. She believes eliminating the “cause” requirement can allow potential for corruption.

Rich Dujmovic – 15 Black Lake Road. He is opposed to the ordinance. In regards to the topic of potential bias of having Councilmembers also on Planning Commission he sees the Commission working together respectfully as a team right now. The City will have opportunity to appoint several new Commissioners when terms are up at the end of the year and questions why it must be done now. He feels we have a great Planning Commission in place now.

Cheryl Blackford– 7 North Deep Lake Road. She is opposed to changing the ordinance. Per the Mayor’s article in the North Oaks News she is concerned about Council interference in the Planning Commission process. The 3 out of 5 vote seems to be City Council interference. This proposed ordinance seems unnecessary when the Planning Commission process has served us well in the past.

Bill Ecklund – 15 Larkspur Lane. He believes there are basic structural problems with the ordinance and asked the Mayor to clarify if this is a repeal or change. He asked if Chapter 150.078 regarding Comprehensive plan is still in place. Mayor Nelson indicated that 150.078 – 150.083 should be left unaffected. Mr. Ecklund thinks that the Council shouldn’t take any action until the ordinance is revised.

Jeff Zinn – 51 East Pleasant Lake Road. He is concerned with Section 34.03 Terms, Oaths and Vacancy. He has reviewed other City ordinances and he believes the sentence “will be removed the effective date they were sworn into the City Council” should be removed from the proposed ordinance.

Susan Hinrichs – 55 East Pleasant Lake Road. She asked if approved when the ordinance would take effect. Administrator Robertson stated it would be when it was published, which would be approximately 30-40 days after it was approved. She asked the Mayor to describe the conflict of interest. Mayor Nelson stated that the 2 members of City Council that are also on the Planning Commission have the potential to vote in two different ways. Ms. Hinrichs doesn’t believe the members have a conflict of interest.

With no further comments the Public Hearing was closed at 8:36 p.m.

Administrator Robertson and City Attorney Magnuson stated they do not believe that members of Planning Commission need to be members of NOHOA. Mayor Nelson agreed this change in wording is a good idea.

Mayor Nelson asked Attorney Magnuson if he has any input on the “removal without cause” wording. Magnuson sees the opportunity to be heavy handed and there is a danger in having power to remove without cause. He believes it should state removal is with cause only. Mayor Nelson agreed to this change, and mentioned that every ordinance currently requires a 3-2 vote to pass. Councilmember Kingston doesn’t have an issue if the vote to remove a Commissioner requires less than four votes as long as Councilmembers cannot be on the Commission. He is concerned if Planning Commissioners were also on the City Council then we could never get to a 4/5 vote to remove them.

Councilmember Kingston stated the current ordinance does not give a limit to the number of Planning Commissioners that can be on the City Council. With an election coming up, he wants to ensure lots of resident input and the inclusion of new residents. He believes we have lots of talented individuals to appoint to the Planning Commission and would like to see advice from an independent Planning Commission and then let the City Council make the final decision. He stated the last time we had Planning Commission openings there were 9 very qualified applicants, some of which we didn’t have positions available to appoint. He is concerned with having too much power in the City Council and prefers to have a completely independent Planning Commission. He is supportive of having 1 or 2 Councilmembers assigned to the Planning Commission as non-voting liaisons. He would prefer wording that there could be a transition period to appoint new Planning Commissioners with a newly elected Councilmember staying on the Commission for a maximum of 6 months to help in training and assisting the new commissioners.

Councilmember Long said when NRC was formed they looked at the Planning Commission as a model. He would like to see the Planning Commission be able to make their own rules, have bylaws for attendance and to appoint its own Chair. He doesn’t want two Councilmembers on the Commission.

Councilmember Ries feels the Planning Commission is an important body in the City and they do time consuming work to come to an independent evaluation of each application. She doesn’t see any concerns with the current structure. She feels that valid reasons for ordinance changes include: address something wrong, comply with state law, or reduce City risk. She feels it has been valuable for her to be part of the Planning Commission, have ability to review the detail and then come to Council with valued input. She indicated that at one time Gregg Nelson was on both the Planning Commission and Council and voted on both during that time. She believes Councilmember Katy Ross has been doing a great job as Commission Chair and feels the Council should just focus on the structure of Planning Commission, and who is eligible to be elected chair instead of changing the entire ordinance. She hasn’t seen any type of misuse of the current structure. This is a unique community, with no full time City Council, Mayor or Commissioners and she feels our ordinances should remain in place to reflect the possible benefits of having overlap of these volunteers. She noted that as the two Councilmembers that are on the Planning Commission, Councilmembers Ross and Ries called residents last fall and asked if they might be interested in joining the Commission. This led to 11 applicants with these personal outreach efforts.

Currently the same person is appointed as both Chair and Council Liaison, however the terms for both Councilmembers Ross and Ries expire at end of year so this will become a moot point. She reminded everyone that there are many important events taking place now including review of the Comp Plan, North Oaks Company development plans, and the East Oaks PUD. There are lots of things to focus on right now except the structure of the Planning Commission. It is currently functioning with well-prepared people and she believes the Council needs to redirect its focus to other long term planning.

Attorney Magnuson stated there are 2 types of conflict of interest: 1. Personal conflicts of interest such as voting on your own projects, and 2) Financial conflict such as voting for financial gain. He sees the issue as members of the City Council who are on the Planning Commission are being paid for being on the Commission and therefore Councilmembers Ross and Ries shouldn't be allowed to vote or there could be potentially a conflict. Councilmember Ries stated that both herself and Councilmember Ross have waived any compensation so this shouldn't apply. Attorney Magnuson thought it still may be a conflict of interest since the issue directly affects them. Councilmember Long wants to get back to business and just vote. Councilmember Ries would like to look into the potential conflict of interest further.

Councilmember Long made a Motion to approve the new Chapter 34 Ordinance with the following changes: retaining a 4-1 vote to remove a member of the Planning Commission, no requirement of NOHOA membership, removal of Planning Commission members for cause only, there to be one non-voting City Council liaison on the Planning Commission, that the Chair needs to be a member of Planning Commission, any Planning Commission compensation changes would require majority Council vote, the Planning Commission nominate their own Chair and present it to the City Council for the formal appointment, and that a 3 day notice is required for special meetings of the Planning Commission.

Councilmember Ries believes this ordinance change is a waste of time and it is shameful to be talking about this right now. She feels it is only fair to wait to have Councilmember Ross in attendance to have the opportunity to speak on this issue since she is directly affected. **The motion was amended by Councilmember Kingston with Councilmember Long's consent, to remove the provision for the Planning Commission to nominate its own Chair. Councilmember Kingston seconded the revised motion. Motion was approved 3-1, Councilmember Ries opposed.**

Process for Reviewing Subdivision Application. Councilmember Ries feels that the process for reviewing subdivision applications can be improved to help new Planning Commissioners be trained and ready to review applications and track documents as they come in. Ries has put together a flow chart that outlines a process for reviewing applications and to check them against appropriate ordinances. It doesn't reach any legal conclusions but helps remind Commissioners to check the various key documents while reviewing applications coming to the Planning Commission. She will give it to staff, Council and Planning Commission to review for input. The goal is to streamline the process and use

CITY OF NORTH OAKS

ORDINANCE NO. 130

AMENDING CITY CODE 150 RELATING TO PLANNING COMMISSION

COMPOSITION AND ORGANIZATION

CHAPTER 34: PLANNING COMMISSION

§ 34.01. ESTABLISHMENT. A Planning Commission is hereby established. The Planning Commission shall be and is the planning agency for the City of North Oaks, as authorized by M.S. 462.354, subd. 1, as it may be amended from time to time. Except as otherwise provided in the City of North Oaks ordinances, the Planning Commission shall be advisory directly to the City Council of the City of North Oaks.

§ 34.02. COMPOSITION. The Planning Commission shall consist of seven (7) voting members, who must be residents of the City of North Oaks. All members shall be appointed by the City Council. One (1) of the members may be a member of the City Council. Such City Council liaison member shall be a non-voting member of the Planning Commission and shall not be counted in determining quorum.

§ 34.03. TERMS, OATH, AND VACANCIES. Subject to the removal provisions in this chapter, the term of each member shall be three (3) years, which shall commence on January 1 of the applicable first year, and end on December 31 of the third year. At the start of the applicable term and before exercising any authority or duties, each member shall take an oath that he or she will faithfully discharge the duties of the office. Members shall be and are automatically removed without vote of the City Council when they no longer meet the residential eligibility requirement; fail to meet the attendance requirement in § 34.07; or die. Members may also be removed during a term for cause by a supermajority vote of the City Council. Each member shall hold office until a successor is appointed and qualified. If a member of the Planning Commission subsequently becomes a member of the City Council, such individual shall automatically cease to be a member of the Planning Commission as the date he or she is sworn into the City Council. In the event of a vacancy, the term of an appointed successor shall be for the remainder of the departing member's term.

§ 34.04. COMPENSATION. Members serve without compensation; except that the City Council may, in its discretion and by a majority vote establish compensation for the Planning Commission members.

§ 34.05. ORGANIZATION, STAFF, AND ADVISORS.

(A) Organization. The City Council shall appoint the chairperson of the Planning Commission from among the members. The chairperson may hold office for a term of one (1) year. The chairperson shall not be the City Council liaison. The City Council may create and fill other offices as it determines necessary.

(B) Staff. The staff of the City of North Oaks shall provide reasonable support and information as requested by the Planning Commission. The City Administrator for the City shall attend official Planning Commission meetings. City staff shall be responsible for attending the meetings and keeping the minutes and records of the Planning Commission.

(C) Advisors. The City Attorney, City Planner, City Engineer, Building Inspector and/or any other representatives that are engaged by the City of North Oaks, are available as advisors and resources to the Planning Commission. They shall attend Planning Commission meetings upon request, and may be compensated for such attendance in accordance with their contracts with the City of North Oaks.

§ 34.06 MEETINGS, MINUTES AND EXPENDITURES.

(A) Meetings. The Planning Commission shall hold regular meetings, at least once each month, at the time and place as they may fix by resolution filed with the City Clerk, and upon at least seven (7) days' written notice, unless notice is waived by all Planning Commission members. Regular meetings shall be held at least once per month, unless circumstances such as lack of agenda, severe, inclement weather or absences, prevent them. Special meetings may be called at any time by the chairperson, or in the chairperson's absence, the acting chairperson, or as directed by the City Council or Mayor, upon three (3) days' written notice, unless notice is waived by all Planning Commission members. Meetings may proceed when a quorum is present. Attendance by four (4) voting members is necessary for a quorum. The City Council liaison member is not a voting member and does not count in determining a quorum.

(B) Rules of Order. Subject to approval by the City Council, the Planning Commission shall adopt rules of order for the transaction of business, ordering meetings, adopting findings of fact and holding public hearings.

(C) Minutes, Records and Reports. The Planning Commission shall keep written minutes of its regular and special meetings, and shall keep a record of its motions, resolutions, transactions, and findings. The minutes of each meeting (official or unofficial) shall be promptly filed with the city clerk prior to the next regularly scheduled City Council meeting. If the minutes are unofficial, they remain subject to approval at the next Planning Commission meeting. On or before January 1 of each year, the Planning Commission shall submit a written report of its work during the preceding calendar year, to the City Council.

(E) Expenditures. The Planning Commission may make expenditures subject to and only within the amounts appropriated by the City Council. The Planning Commission shall submit a written report of its expenditures for a calendar year, to the City Council, on or before January 1 of the following calendar year.

§ 34.07 ATTENDANCE. Planning Commission members are required to attend at least half of the Planning Commission's official regular and special meetings in each calendar year, unless specifically excused by the Planning Commission chairperson because of unforeseeable circumstances. Excused absences shall be so noted in the minutes of the applicable meeting. Failure to meet this attendance requirement in a given calendar year, shall result in automatic removal from the Planning Commission as of December 31 of that calendar year.

§ 34.08. POWERS AND DUTIES. The Planning Commission shall have the powers and duties given to city planning agencies generally by law, including the authority to conduct public hearings as directed by City Council or city policy. The Planning Commission also shall perform its duties as set forth in these City ordinances, including as set forth in Chapter 150.

§ 34.09. EFFECTIVE DATE. This ordinance, Chapter 34, is effective on the date it is published (or a summary of the ordinance is published pursuant to M.S. § 412.191, subd. 4) in a manner that meets the requirements of Minnesota Statutes § 331A.01, subd. 10.

Passed by the City Council of North Oaks, Minnesota, this 13th day of June, 2019.

Gregg Nelson, Mayor

Attested:

Michael Robertson, City Administrator

Published one time in the Shoreview Press on July 9, 2019.

CITY OF NORTH OAKS

Regular Council Meeting
Thursday, July 11, 2019
7 P.M., Community Meeting Room
100 Village Center Drive

COUNCIL MEETING AGENDA

Call to Order

Roll Call

Pledge of Allegiance

Approval of Agenda

Citizen Comments - *Individuals may address the City Council about any item not included on the regular agenda. Speakers are requested to come to the podium, state their name and address for the record, and limit their remarks to three minutes. Generally, the City Council will not take official action on items discussed at this time, but may typically refer the matter to staff for a future report or direct that the matter be scheduled on an upcoming agenda.*

Consent Agenda - *These are items considered to be routine and will be enacted by one motion. There will be no separate discussion, unless requested for separate consideration at which point the item will be removed from the Consent Agenda and placed as a separate item on the agenda.*

1. Minutes of the Regular Council meeting of June 13, 2019 for approval
2. Minutes of the Natural Resources Commission meeting of June 20, 2019 for approval

Licenses for Approval: Legacy Mechanical Services; Kramer Mechanical; Faircon Service Company; Rivard Companies (Arborist);

Approval of Claims: Check#:

Petitions, Requests & Communications

1. Tick Task Force Presentation
2. Resolution 1347 Endorsing Pollinator Protection and Protecting Pollinator Habitat
3. Jim Bowyer-American Promise
4. Deputy Mike Burrell Report

Unfinished Business

1. Final Plan Approval-Wilkinson Lake Villas
2. Discussion of Septic Ordinance

New Business

1. Approve 2nd Amendment to JPA – VLAWMO
2. Discussion of Ordinance 130 Restructuring the Planning Commission
3. Approve Appointment of New Planning Commissioners
4. Approve Revised City Council Responsibilities
5. Approve Appointment of New City Attorney
6. Review of Potential Changes to Trespassing Ordinance
7. Discussion of East Oaks PDA Decennial Review

Council Member Reports

- Kara Ries
- Katy Ross
- Marty Long
- Rick Kingston
- Mayor Gregg Nelson

City Administrator Reports

City Attorney Reports

Miscellaneous

Next Natural Resource Commission Meeting is Thursday, July 18, 2019 @ 7:00 pm
Next Planning Commission Meeting is Thursday, July 25, 2019, @ 7:00 pm
Next Regularly Scheduled Council Meeting is Thursday, August 8, 2019 @ 7:00 pm

Adjournment

MEMO

Date: July 8, 2019
To: City Council
From: City Administrator Mike Robertson
Re: Appointment of New Planning Commissioners

Councilmember Rick Kingston recommends the appointment to the Planning Commission of Jim Hara, 8 Lost Rock Lane and Nick Sandell, 6 Monarch Court. They had interviewed for the Planning Commissioner positions back in December and had been highly thought of by the interview committee.



State of Minnesota)
County of Ramsey) ss
City of North Oaks)

**RESOLUTION NUMBER 1351
APPOINTING PLANNING COMMISSION MEMBERS**

WHEREAS, pursuant to Ordinance 130, passed by the North Oaks City Council June 13, 2019 and published July 9, 2019 in the official paper of the City of North Oaks, the Planning Commission of the City of North Oaks is hereby reorganized.

NOW THERE, BE IT RESOLVED BY THE CITY COUNCIL OF NORTH OAKS, MINNESOTA, AS FOLLOWS:

1. That the following Planning Commissioners are appointed to the following terms.
 - a) Mark Azman, Temporary Chair, term ends December 31, 2020
 - b) Nancy Reid, term ends December 31, 2019.
 - c) Jim Hara, term ends December 31, 2019.
 - d) Joyce Yoshimura-Rank, term ends December 31, 2020.
 - e) Stig Hauge, term ends December 31, 2021
 - f) Sara Shah, term ends December 31, 2021.
 - g) Nick Sandell, term ends December 31, 2021.
2. Planning Commissioners, including the City Council Liaison, shall be compensated \$30 per meeting attended unless they waive compensation. The Planning Commission Chair shall receive \$45 per meeting.

PASSED BY THE COUNCIL of the City of North Oaks this 11th day of July, 2019.

APPROVED:



Gregg Nelson, Mayor

ATTEST:

Michael Robertson
City Administrator