



**CITY OF NORTH OAKS**

**Regular City Council Meeting**  
**Thursday, May 13, 2021**  
**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, Webinar ID: 846 7767 6171 or by joining the meeting via the following link: <https://us02web.zoom.us/j/84677676171>. 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. Citizen Comments** - Members of the public are invited to make comments to the Council during the public comments section. Up to four minutes shall be allowed for each speaker. No action will be taken by the Council on items raised during the public comment period unless the item appears as an agenda item for action.

**5. Approval of Agenda**

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

6a. Approval of Licenses

Mechanical: All Pride Plumbing; Architect Mechanical Inc.; Hero Home Services, Inc; KB Service; Master Gas Fitters, Inc.; Prescription Heating & Cooling, LLC; Pronto Heating & Air Conditioning; Titan Mechanical, Inc.;

Arborist: Clean Cut Outdoor Services; Rainmaker Outdoor Services

6b. Approval of April 2021 Financials:

EFT: 000421E-000432E

Check #: 013956-013993

[Check Summary & Detail.pdf](#)

[2020 Financial Charts.pdf](#)

[2021 Financial Charts.pdf](#)

[YTD Budget.pdf](#)

6c. Approval of April 8, 2021 City Council Meeting Minutes

[4.8.2021 City Council Minutes.pdf](#)

6d. Approval of Meeting Minutes of Special City Council Meeting April 21, 2021, 5 p.m.

[4.21.21 City Council Minutes Sp 5pm.pdf](#)

6e. Discussion on Gambling Permit Mounds View MVI Hockey

[Mounds View Irondale Hockey Foundation.pdf](#)

6f. Approval of Closest Unit Agreement Vadnais Heights, LJFD

[Closest Unit .pdf](#)

[Closest Unit approval kk 5-7-21.pdf](#)

## **7. Petitions, Requests & Communications -**

*Deputy Mike Burrell Report*

*NYFS Presentation*

## **8. Unfinished Business**

8a. Discussion and Possible Action 2040 Comprehensive Plan and Acceptance of Surface Water Management Plan

[Resolution Approving 2040 Comprehensive Plan.pdf](#)

[North Oaks 2040 CPU 5-12-21 kkfinal.pdf](#)

[North Oaks SWMP 5-13-21kk.pdf](#)

8b. Discussion and Possible Action on Minute Taking

8c. Discussion of Peterson Waddle Recycling Contract

[Peterson Waddle Signed Recycling Contract.pdf](#)

[Lonnie new contract draft v3.pdf](#)

## **9. New Business**

9a. Consider Resolution XXXX Approving a Conditional Use Permit for a Garage Exceeding 1500 Square Feet at the Property Located at 17 Evergreen Road

[Resolution Approving 17 Evergreen Rd CUP.pdf](#)

10. **Council Member Reports**

11. **City Administrator Reports**

12. **City Attorney Reports**

13. **Miscellaneous**

13. City Forester Report  
[April in Review.pdf](#)

14. **Adjournment** - *The next meeting of the City Council is Thursday, June 10, 2021.*

**\*Check Summary Register©**

Cks 4/9/2021 - 5/13/2021

**Name Check Date Check Amt**

**10100 Checking**

Paid Chk# 000421E ADP	4/12/2021	\$119.31	CC PC 1st Qtr 21
Paid Chk# 000422E PAYROLL	4/12/2021	\$9,825.25	Full time staff
Paid Chk# 000423E P E R A	4/12/2021	\$1,332.18	PP 04/154/21
Paid Chk# 000426E ADP	4/19/2021	\$108.17	PR 04/15/21
Paid Chk# 000427E PAYROLL	4/26/2021	\$8,981.19	Full time staff
Paid Chk# 000428E P E R A	4/26/2021	\$1,240.25	PP 04/29/21
Paid Chk# 000429E ADP	5/4/2021	\$108.17	PR 04/29/21
Paid Chk# 013958 Peterson-Waddle Recycling	4/19/2021	\$400.00	Additional Fuel Charge
Paid Chk# 013957 Abdo Eick & Meyers LLP	5/13/2021	\$9,000.00	Audit Services
Paid Chk# 013958 Accent Homes	5/13/2021	\$4,450.00	Reimburse for City Water (on w
Paid Chk# 013959 Alpha Video and Audio, Inc.	5/13/2021	\$2,031.34	Portable TV Equipment
Paid Chk# 013960 City of Roseville	5/13/2021	\$1,678.24	May IT Services
Paid Chk# 013961 COMCAST	5/13/2021	\$454.27	Dark Fiber May
Paid Chk# 013962 Connexus Energy	5/13/2021	\$7.77	5919 Centerville
Paid Chk# 013963 Gopher State One-Call, Inc.	5/13/2021	\$90.45	Monthly Services - April
Paid Chk# 013964 Granicus, Inc.	5/13/2021	\$3,472.88	Peak Agenda Mgmnt
Paid Chk# 013965 Kate Winsor	5/13/2021	\$121.99	Mosquito Doorknob Hangers
Paid Chk# 013966 Leonard Carl Prof Services	5/13/2021	\$16,793.20	20.5 hours @ \$70/hour
Paid Chk# 013967 LeVander, Gillen & Miller, P.A	5/13/2021	\$12,563.50	East Oaks Developments
Paid Chk# 013968 Madlson National Life	5/13/2021	\$170.94	LTD & STD
Paid Chk# 013969 Marco, Inc.	5/13/2021	\$702.81	Copier Rental
Paid Chk# 013970 Metro Council Envir Srvc-Sewer	5/13/2021	\$5,952.76	Monthly Sewer
Paid Chk# 013971 MN PEIP	5/13/2021	\$1,795.73	Coverage 6/1/21 - 6/30/21
Paid Chk# 013972 MN Secretary of State - Notary	5/13/2021	\$120.00	Notary Application
Paid Chk# 013973 North Oaks Village Center LLC	5/13/2021	\$10,112.53	Rent & Operating Expenses
Paid Chk# 013974 North Suburban Access Corp	5/13/2021	\$1,064.10	March Cablecasting
Paid Chk# 013975 North Suburban Communications	5/13/2021	\$5,725.49	Q1 2021 City Contribution
Paid Chk# 013976 NAC	5/13/2021	\$8,504.80	Nord Final Plan - April
Paid Chk# 013977 Peterson-Waddle Recycling	5/13/2021	\$25,790.94	Cart Delivery & Repair
Paid Chk# 013978 Press Publications	5/13/2021	\$87.92	Legal Notice
Paid Chk# 013979 Quality Flow Systems, Inc.	5/13/2021	\$13,597.00	Liftstation Hardware/Replaceme
Paid Chk# 013980 Ramsey County Sheriff	5/13/2021	\$72,729.63	Police & CSO - May
Paid Chk# 013981 Ramsey County-Emergency Comm	5/13/2021	\$1,377.25	911 Dispatch - April
Paid Chk# 013982 REHDER FORESTRY CONSULTI	5/13/2021	\$1,895.72	April 2021 Forestry
Paid Chk# 013983 ROADKILL ANIMAL CONTROL	5/13/2021	\$238.00	April 2021 Deer - 2 @ \$119
Paid Chk# 013984 Timesaver Off Site Secretarial	5/13/2021	\$770.25	April CC Meeting
Paid Chk# 013985 Xcel Energy	5/13/2021	\$649.22	Liftstation #9, 304097091
<b>Total Checks</b>		<b>\$223,833.25</b>	

\_\_\_\_\_  
Mayor Kara Ries

\_\_\_\_\_  
Jim Hara

\_\_\_\_\_  
Sara Shah

\_\_\_\_\_  
Thomas Watson

\_\_\_\_\_  
Rich Dujmovic

FILTER: None



**\*Check Detail Register©**

Cks 4/9/2021 - 5/13/2021

Check Amt Invoice Comment

**10100 Checking**

<b>Paid Chk# 000421E 4/12/2021 ADP</b>					
E 101-41300-131	HEALTH, DENTAL, LIFE, LTD IN	\$119.31			CC PC 1st Qtr 21
<b>Total ADP</b>		<b>\$119.31</b>			

<b>Paid Chk# 000422E 4/12/2021 PAYROLL</b>					
E 101-41300-101	WAGES - FULL TIME	\$7,321.18	041521		Full time staff
E 101-41300-103	WAGES - PART TIME/TEMP	\$2,194.62	041521		Part time Staff
E 101-41300-131	HEALTH, DENTAL, LIFE, LTD IN	\$713.66	041521		PERA (7.5%)
E 101-41300-122	FICA CONTRIBUTIONS	\$727.97	041521		FICA
G 101-21701	FEDERAL TAXES PAYABLE	\$1,093.08	041521		FWH
G 101-21701	FEDERAL TAXES PAYABLE	(\$1,093.08)	041521		FWH
E 101-41300-131	HEALTH, DENTAL, LIFE, LTD IN	(\$1,332.18)	041521		PERA
G 101-21702	STATE TAXES PAYABLE	\$459.81	041521		SWH
G 101-21702	STATE TAXES PAYABLE	(\$459.81)	041521		SWH
<b>Total PAYROLL</b>		<b>\$9,625.25</b>			

<b>Paid Chk# 000423E 4/12/2021 P E R A</b>					
E 101-41300-131	HEALTH, DENTAL, LIFE, LTD IN	\$1,332.18	PP 04/15/21		PP 04/15/21
<b>Total P E R A</b>		<b>\$1,332.18</b>			

<b>Paid Chk# 000426E 4/19/2021 ADP</b>					
E 101-41300-131	HEALTH, DENTAL, LIFE, LTD IN	\$108.17			PR 04/15/21
<b>Total ADP</b>		<b>\$108.17</b>			

<b>Paid Chk# 000427E 4/26/2021 PAYROLL</b>					
E 101-41300-101	WAGES - FULL TIME	\$7,321.18	041521		Full time staff
E 101-41300-103	WAGES - PART TIME/TEMP	\$1,538.11	041521		Part time Staff
E 101-41300-131	HEALTH, DENTAL, LIFE, LTD IN	\$664.42	041521		PERA (7.5%)
E 101-41300-122	FICA CONTRIBUTIONS	\$677.73	041521		FICA
G 101-21701	FEDERAL TAXES PAYABLE	\$1,034.50	041521		FWH
G 101-21701	FEDERAL TAXES PAYABLE	(\$1,034.50)	041521		FWH
E 101-41300-131	HEALTH, DENTAL, LIFE, LTD IN	(\$1,240.25)	041521		PERA
G 101-21702	STATE TAXES PAYABLE	\$424.45	041521		SWH
G 101-21702	STATE TAXES PAYABLE	(\$424.45)	041521		SWH
<b>Total PAYROLL</b>		<b>\$8,961.19</b>			

<b>Paid Chk# 000428E 4/26/2021 P E R A</b>					
E 101-41300-131	HEALTH, DENTAL, LIFE, LTD IN	\$1,240.25	PP 04/29/21		PP 04/29/21
<b>Total P E R A</b>		<b>\$1,240.25</b>			

<b>Paid Chk# 000429E 5/4/2021 ADP</b>					
E 101-41300-131	HEALTH, DENTAL, LIFE, LTD IN	\$108.17			PR 04/29/21
<b>Total ADP</b>		<b>\$108.17</b>			

<b>Paid Chk# 013958 4/19/2021 Peterson-Waddle Recycling</b>					
E 101-43200-384	RECYCLING	\$400.00			Additional Fuel Charge
<b>Total Peterson-Waddle Recycling</b>		<b>\$400.00</b>			

<b>Paid Chk# 013957 5/13/2021 Abdo Eick &amp; Meyers LLP</b>					
E 101-41500-301	AUDIT SERVICES	\$9,000.00	442865		Audt Services
<b>Total Abdo Eick &amp; Meyers LLP</b>		<b>\$9,000.00</b>			

NORTH OAKS

**\*Check Detail Register©**

Cks 4/9/2021 - 5/13/2021

Check Amt Invoice Comment

Check Amt Invoice Comment					
<b>Paid Chk# 013958 5/13/2021 ACCENT HOMES</b>					
E 601-49400-383	WATER - WBT	\$4,450.00	2020-888		Reimburse for City Water (on well)
<b>Total ACCENT HOMES</b>		<b>\$4,450.00</b>			
<b>Paid Chk# 013959 5/13/2021 ALPHA VIDEO AND AUDIO INC.</b>					
E 101-41300-210	OPERATING SUPPLIES	\$2,031.34	INV104099		Portable TV Equipment
<b>Total ALPHA VIDEO AND AUDIO INC.</b>		<b>\$2,031.34</b>			
<b>Paid Chk# 013960 5/13/2021 City of Roseville</b>					
E 101-41300-309	COMPUTER/INTERNET/GIS SU	\$1,678.24			May IT Services
<b>Total City of Roseville</b>		<b>\$1,678.24</b>			
<b>Paid Chk# 013961 5/13/2021 COMCAST</b>					
E 101-41300-309	COMPUTER/INTERNET/GIS SU	\$454.27			Dark Fiber May
<b>Total COMCAST</b>		<b>\$454.27</b>			
<b>Paid Chk# 013962 5/13/2021 Connexus Energy</b>					
E 101-43100-381	ELECTRIC UTILITIES	\$7.77			5919 Centerville
<b>Total Connexus Energy</b>		<b>\$7.77</b>			
<b>Paid Chk# 013963 5/13/2021 Gopher State One-Call, Inc.</b>					
E 101-42300-300	PROFESSIONAL SERVICES	\$90.45			Monthly Services - April
<b>Total Gopher State One-Call, Inc.</b>		<b>\$90.45</b>			
<b>Paid Chk# 013964 5/13/2021 Granicus, Inc.</b>					
E 101-41300-309	COMPUTER/INTERNET/GIS SU	\$3,472.88	139029		Peak Agenda Mgmt
<b>Total Granicus, Inc.</b>		<b>\$3,472.88</b>			
<b>Paid Chk# 013965 5/13/2021 KATE WINSOR</b>					
E 101-46100-318	NATURAL RESOURCES	\$121.99			Mosquito Doorknob Hangers
<b>Total KATE WINSOR</b>		<b>\$121.99</b>			
<b>Paid Chk# 013966 5/13/2021 LEONARD CARL PROF SERVICES</b>					
E 101-42400-313	CONTRACT SERVICES	\$15,358.20			April Permits & Plan Review
E 101-42400-313	CONTRACT SERVICES	\$1,435.00			20.5 hours @ \$70/hour
<b>Total LEONARD CARL PROF SERVICES</b>		<b>\$16,793.20</b>			
<b>Paid Chk# 013967 5/13/2021 LEVANDER, GILLEN &amp; MILLER, P.A</b>					
E 101-41600-304	LEGAL FEES - GENERAL	\$2,075.50	39000-01000		Mayor & Council
G 801-22020	NORD ESCROW	\$738.00	39000-04001E		East Oaks Site C/Nord
G 801-22018	EAST OAKS PUD ESCROW	\$3,300.50	39000-04002E		East Oaks/Andersonville
G 801-22018	EAST OAKS PUD ESCROW	\$1,025.00	39000-04004E		East Oaks Site H/Island Field
G 801-22018	EAST OAKS PUD ESCROW	\$1,189.00	39000-04006E		East Oaks Developments
G 801-22019	WILKINSON VILLAS 1A	\$1,250.50	39000-04007E		Wilkinson Villas 1A
E 101-41600-304	LEGAL FEES - GENERAL	\$164.00	39000-04009E		Golf Course Sewer Connection
E 101-41600-304	LEGAL FEES - GENERAL	\$341.00	39000-06000E		Planning Commission
E 101-41600-304	LEGAL FEES - GENERAL	\$1,007.50	39000-06002E		Zoning Ordinance Amendments
E 400-41910-300	PROFESSIONAL SERVICES	\$1,023.00	39000-06004E		2040 Comp Plan
E 101-41600-304	LEGAL FEES - GENERAL	\$31.00	39000-08013E		Charley Lake Assoc. Water Connection
E 101-41600-304	LEGAL FEES - GENERAL	\$418.50	39000-06020E		17 Evergreen Lane
<b>Total LEVANDER, GILLEN &amp; MILLER, P.A</b>		<b>\$12,563.50</b>			
<b>Paid Chk# 013968 5/13/2021 Madison National Life</b>					

NORTH OAKS

**\*Check Detail Register©**

Cks 4/9/2021 - 5/13/2021

			Check Amt	Invoice	Comment
E 101-41300-131	HEALTH, DENTAL, LIFE, LTD IN		\$170.94		LTD & STD
	<b>Total Madison National Life</b>		\$170.94		
<hr/>					
Paid Chk# 013969	5/13/2021	Marco, Inc.			
E 101-41300-210	OPERATING SUPPLIES		\$702.81		Copler Rental
	<b>Total Marco, Inc.</b>		\$702.81		
<hr/>					
Paid Chk# 013970	5/13/2021	Metro Council Envir Srvc-Sewer			
E 602-49450-385	SEWER		\$5,952.76	June 2021	Monthly Sewer
	<b>Total Metro Council Envir Srvc-Sewer</b>		\$5,952.76		
<hr/>					
Paid Chk# 013971	5/13/2021	MN PEIP			
E 101-41300-131	HEALTH, DENTAL, LIFE, LTD IN		\$1,795.73		Coverage 6/1/21 - 6/30/21
	<b>Total MN PEIP</b>		\$1,795.73		
<hr/>					
Paid Chk# 013972	5/13/2021	MN SECRETARY OF STATE - NOTARY			
E 101-41300-210	OPERATING SUPPLIES		\$120.00		Notary Application
	<b>Total MN SECRETARY OF STATE - NOTARY</b>		\$120.00		
<hr/>					
Paid Chk# 013973	5/13/2021	North Oaks Village Center LLC			
E 101-41300-410	RENTALS		\$10,112.53		Rent & Operating Expenses
	<b>Total North Oaks Village Center LLC</b>		\$10,112.53		
<hr/>					
Paid Chk# 013974	5/13/2021	NORTH SUBURBAN ACCESS CORP			
E 101-41420-300	PROFESSIONAL SERVICES		\$1,054.10		March Cablecasting
	<b>Total NORTH SUBURBAN ACCESS CORP</b>		\$1,054.10		
<hr/>					
Paid Chk# 013975	5/13/2021	North Suburban Communications			
E 101-41420-300	PROFESSIONAL SERVICES		\$5,725.49	2021-509	Q1 2021 City Contribution
	<b>Total North Suburban Communications</b>		\$5,725.49		
<hr/>					
Paid Chk# 013976	5/13/2021	NORTHWEST ASSOCIATED CONSULTAN			
E 101-41910-300	PROFESSIONAL SERVICES		\$1,233.00	25243	General Services - March
G 801-22020	NORD ESCROW		\$32.20	25244	Nord Final Plan
G 801-22018	EAST OAKS PUD ESCROW		\$3,059.00	25244	East Oaks
E 101-41910-300	PROFESSIONAL SERVICES		\$1,356.30	25286	General Services - April
G 801-22020	NORD ESCROW		\$644.00	25287	Nord Final Plan - April
G 801-22018	EAST OAKS PUD ESCROW		\$1,980.30	25287	East Oaks - April
E 101-41910-300	PROFESSIONAL SERVICES		\$200.00	25288	Meetings
	<b>il NORTHWEST ASSOCIATED CONSULTAN</b>		\$8,504.80		
<hr/>					
Paid Chk# 013977	5/13/2021	Peterson-Waddle Recycling			
E 101-43200-384	RECYCLING		\$22,790.94	043021	Monthly services
E 101-43200-384	RECYCLING		\$350.00	043021	Cart Delivery & Repair
E 101-43200-384	RECYCLING		\$700.00	043021	Fuel Charge
E 101-43200-384	RECYCLING		\$150.00	043021	Storage Rent
E 101-43200-384	RECYCLING		\$1,800.00	043021	COVID 19 Volume Surcharge
	<b>Total Peterson-Waddle Recycling</b>		\$25,790.94		
<hr/>					
Paid Chk# 013978	5/13/2021	Press Publications			
E 101-41100-350	PUBLISHING & ADVERTISING		\$87.92	697576	Legal Notice
	<b>Total Press Publications</b>		\$87.92		
<hr/>					
Paid Chk# 013979	5/13/2021	QUALITY FLOW SYSTEMS, INC.			

NORTH OAKS

**\*Check Detail Register©**

Cks 4/9/2021 - 5/13/2021

			Check Amt	Invoice	Comment
E 602-49450-430	MISCELLANEOUS EXPENSE		\$13,597.00	40839	Liftstation Hardware/Replacement
	<b>Total QUALITY FLOW SYSTEMS, INC.</b>		<b>\$13,597.00</b>		
<hr/>					
Paid Chk# 013980	5/13/2021	Ramsey County Sheriff			
E 101-42100-313	CONTRACT SERVICES		\$72,729.63		Police & CSO - May
	<b>Total Ramsey County Sheriff</b>		<b>\$72,729.63</b>		
<hr/>					
Paid Chk# 013981	5/13/2021	Ramsey County-Emergency Commun			
E 101-42100-313	CONTRACT SERVICES		\$1,203.09		911 Dispatch - April
E 101-42100-313	CONTRACT SERVICES		\$184.80		CAD Services - April
E 101-42100-313	CONTRACT SERVICES		\$9.36		Fleet Support - April
	<b>Total Ramsey County-Emergency Commun</b>		<b>\$1,377.25</b>		
<hr/>					
Paid Chk# 013982	5/13/2021	REHDER FORESTRY CONSULTING			
E 101-46100-316	TREE PRESERVATION		\$1,895.72		April 2021 Forestry
	<b>Total REHDER FORESTRY CONSULTING</b>		<b>\$1,895.72</b>		
<hr/>					
Paid Chk# 013983	5/13/2021	ROADKILL ANIMAL CONTROL			
E 101-46100-318	NATURAL RESOURCES		\$238.00		April 2021 Deer - 2 @ \$119
	<b>Total ROADKILL ANIMAL CONTROL</b>		<b>\$238.00</b>		
<hr/>					
Paid Chk# 013984	5/13/2021	TIMESAVER OFF SITE SECRETARIAL			
E 101-41100-313	CONTRACT SERVICES		\$770.25	M26404	April CC Meeting
	<b>Total TIMESAVER OFF SITE SECRETARIAL</b>		<b>\$770.25</b>		
<hr/>					
Paid Chk# 013985	5/13/2021	Xcel Energy			
E 101-41300-381	ELECTRIC UTILITIES		\$91.13	723836871	City 303585928 & 302708070
E 101-43100-381	ELECTRIC UTILITIES		\$83.07	723836871	Signals 303740120 & 303839695
E 101-43100-381	ELECTRIC UTILITIES		\$54.57	723836871	Street Lighting
E 406-43000-381	ELECTRIC UTILITIES		\$12.10	723836871	8 Poplar Ln Aeration
E 406-43000-381	ELECTRIC UTILITIES		\$35.81	723836871	7 Willow Rd 51-0572815-6
E 601-49400-381	ELECTRIC UTILITIES		\$44.54	723836871	24 Maycomb, 304471197
E 602-49450-381	ELECTRIC UTILITIES		\$40.11	723836871	Liftstation #3, 302368925
E 602-49450-381	ELECTRIC UTILITIES		\$28.10	723836871	Liftstation #1, 302660004
E 602-49450-381	ELECTRIC UTILITIES		\$36.99	723836871	Liftstation #5, 302894636
E 602-49450-381	ELECTRIC UTILITIES		\$49.78	723836871	Liftstation #2, 302953888
E 602-49450-381	ELECTRIC UTILITIES		\$56.70	723836871	Liftstation #9, 304097091
E 602-49450-381	ELECTRIC UTILITIES		\$30.54	723836871	Liftstation #11, 304464164
E 602-49450-381	ELECTRIC UTILITIES		\$64.25	723836871	Wilkinson Blvd, 304097283
E 602-49450-381	ELECTRIC UTILITIES		\$21.53	723836871	28 Osprey Ct, 304097160
	<b>Total Xcel Energy</b>		<b>\$649.22</b>		
	<b>10100 Checking</b>		<b>\$223,833.25</b>		

**\*Check Detail Register©**

Cks 4/9/2021 - 5/13/2021

Check Amt Invoice Comment

**Fund Summary**

**10100 Checking**

101 GENERAL	\$185,171.54
400 SPECIAL PROJECTS	\$1,023.00
406 LGWA	\$47.91
601 WATER	\$4,494.54
602 SEWER	\$19,877.76
801 ESCROWS	\$13,218.50
	<b>\$223,833.25</b>

\_\_\_\_\_  
Mayor Kara Ries

\_\_\_\_\_  
Jim Hara

\_\_\_\_\_  
Sara Shah

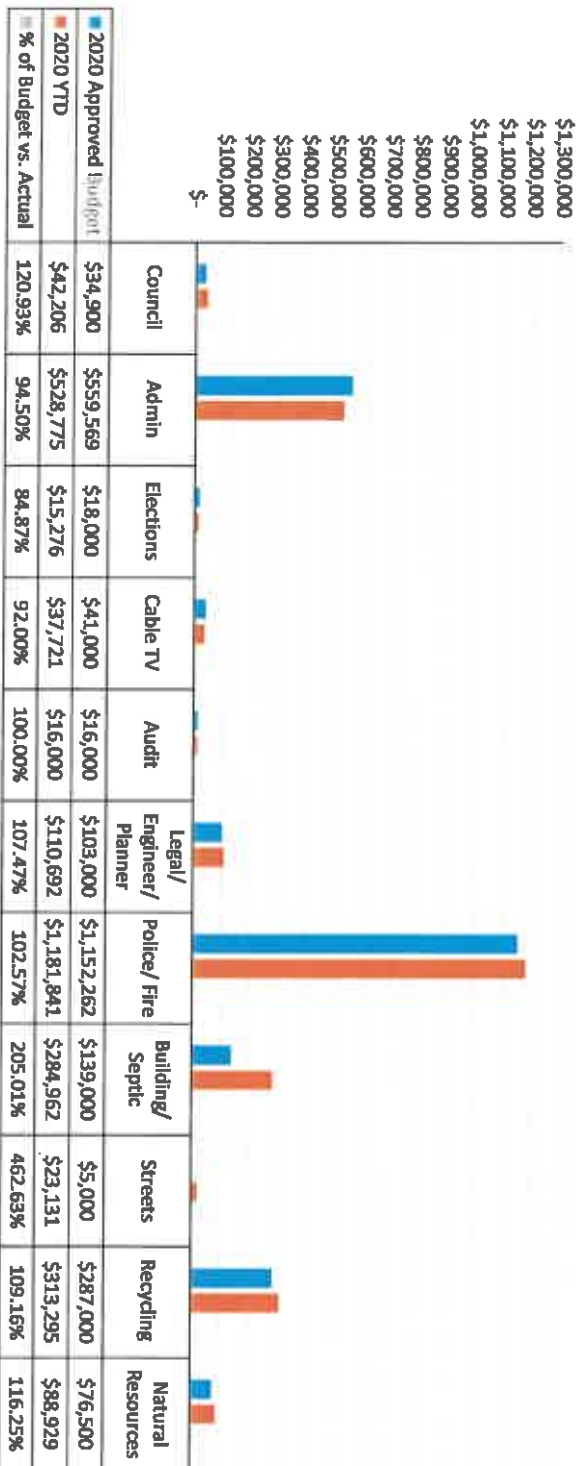
\_\_\_\_\_  
Thomas Watson

\_\_\_\_\_  
Rich Dujmovic

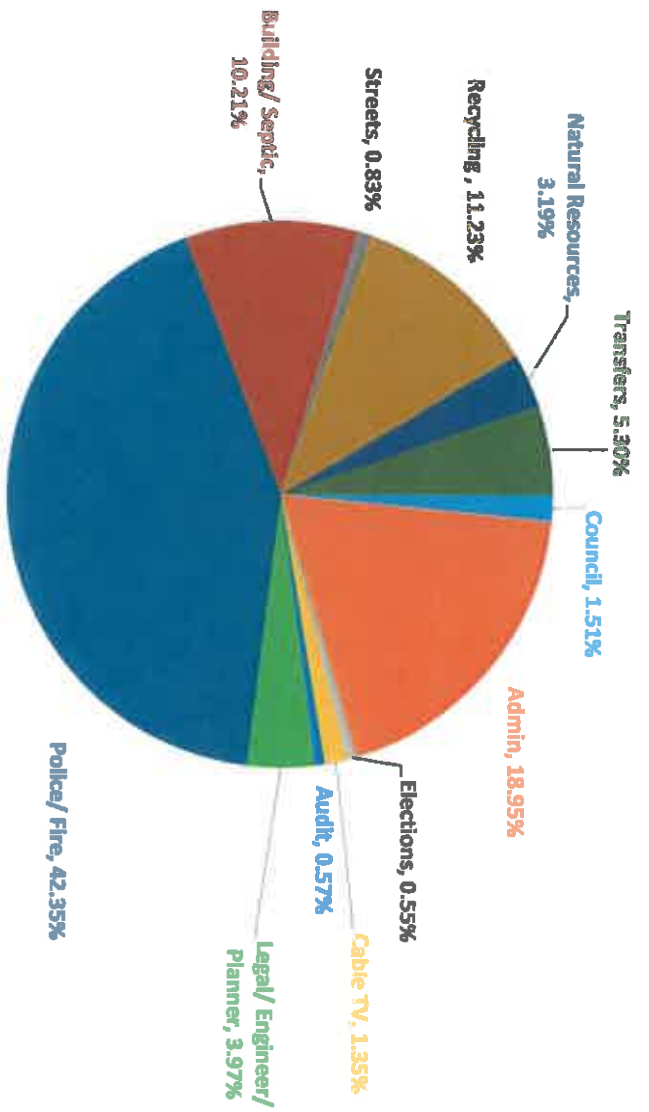
**2020 Approved Budget with 2020 YTD/ % Of Budget vs. Actual/ Actual Expenses with % of Budget**

	2020 Approved Budget	2020 YTD Actual	% of Budget vs. Actual	2,790,877.85
Council	\$ 34,900	\$ 42,206	120.93%	1.51%
Admin	\$ 559,569	\$ 528,775	94.50%	18.95%
Elections	\$ 18,000	\$ 15,276	84.87%	0.55%
Cable TV	\$ 41,000	\$ 37,721	92.00%	1.35%
Audit	\$ 16,000	\$ 16,000	100.00%	0.57%
Legal/ Engineer/ Planner	\$ 103,000	\$ 110,692	107.47%	3.97%
Police/ Fire	\$ 1,152,282	\$ 1,181,841	102.57%	42.35%
Building/ Septic	\$ 139,000	\$ 284,962	205.01%	10.21%
Streets	\$ 5,000	\$ 23,131	462.63%	0.83%
Recycling	\$ 287,000	\$ 313,295	109.16%	11.25%
Natural Resources	\$ 76,500	\$ 88,929	116.25%	3.19%
Transfers		\$ 148,050		5.30%

**2020 Actual Budget with Percentages**



## 2020 - PERCENT OF YTD EXPENSES

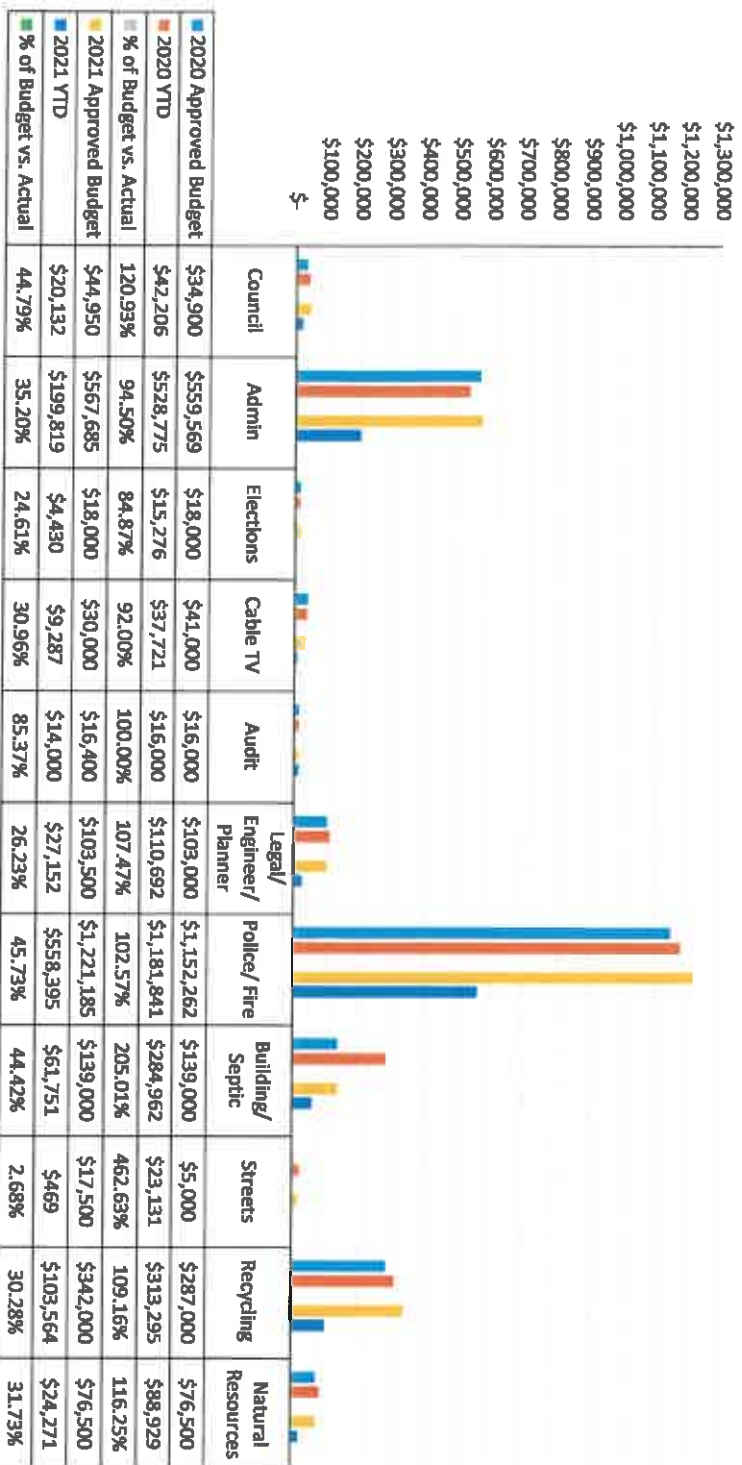




2021 Approved Budget with 2021 YTD/ % Of Budget vs. Actual/ Actual Expenses with % of Budget

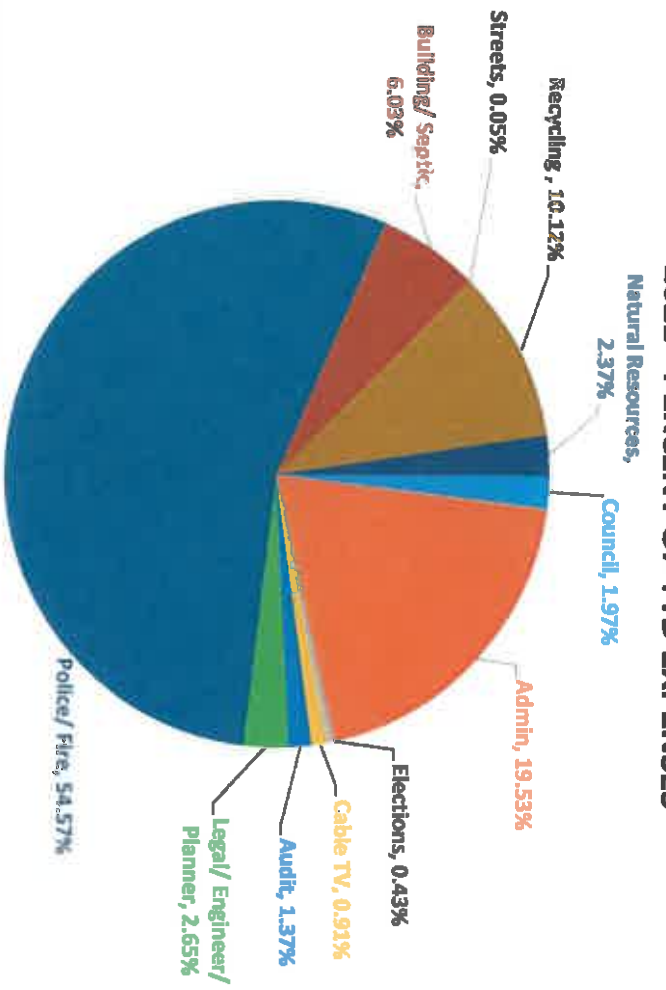
	2021 Approved Budget	2021 YTD	% of Budget vs. Actual	1,023,289,411
Council	\$ 44,950	\$ 20,132	44.79%	1.97%
Admin	\$ 567,685	\$ 199,819	35.20%	19.53%
Elections	\$ 18,000	\$ 4,430	24.61%	0.43%
Cable TV	\$ 30,000	\$ 9,287	30.96%	0.91%
Audit	\$ 16,400	\$ 14,000	85.37%	1.37%
Legal/ Engineer/ Planner	\$ 103,500	\$ 27,152	26.23%	2.65%
Police/ Fire	\$ 1,221,185	\$ 558,395	45.73%	54.57%
Building/ Septic	\$ 139,000	\$ 81,751	44.42%	6.03%
Streets	\$ 17,500	\$ 469	2.68%	0.05%
Recycling	\$ 342,000	\$ 103,564	30.28%	10.12%
Natural Resources	\$ 76,500	\$ 24,271	31.73%	2.37%
Transfers	\$ -	\$ -	-	0.00%

2020 & 2021 Actual Budget with Percentages





# 2021 - PERCENT OF YTD EXPENSES



**CITY OF NORTH OAKS APPROVED 2021 BUDGET**

Updated 5/06/21

**APPROVED 2021 EXPENDITURES**

ActCode	DEPT Descr	OBJ Descr	2020 Budget	12/31/20	% of Budget	UnderLine	2021 Budget	5/6/2021	% of Budget
101-41100-103	LEGISLATIVE -	WAGES - PART TIME/TEMP	\$12,200	\$12,645.00	103.65%	CC/PC wages 675/mayor;	\$13,950.00	\$2,160.00	15.48%
101-41100-311	LEGISLATIVE -	CONFERENCES/SEMINARS	\$1,500	\$224.00	14.93%		\$1,500.00	\$573.85	38.26%
101-41100-313	LEGISLATIVE -	CONTRACT SERVICES	\$0.00	\$10,636.41		Timesavers	\$12,000.00	\$5,003.25	
101-41100-350	LEGISLATIVE -	PUBLISHING & ADVERTISING	\$3,500	\$2,018.72	57.68%	Legal/P.H	\$2,500.00	\$1,417.30	56.69%
101-41100-433	LEGISLATIVE -	DUES AND SUBSCRIPTIONS	\$17,200	\$16,681.60	96.99%	NWYFS/LMC/MCMA	\$15,000.00	\$10,978.00	73.19%
101-41300-101	CITY	WAGES - FULL TIME	\$181,113	\$173,037.70	95.54%		\$188,000.00	\$65,677.38	34.93%
101-41300-103	CITY	WAGES - PART TIME/TEMP	\$48,515	\$50,838.28	104.79%		\$48,500.00	\$15,802.23	32.58%
101-41300-122	CITY	FICA CONTRIBUTIONS	\$17,567	\$18,751.45	106.74%		\$18,666.00	\$6,500.47	34.83%
101-41300-127	CITY	DEFERRED COMP	\$0	\$0.00				\$0.00	
101-41300-131	CITY	HEALTH, DENTAL, LIFE, LTD INS	\$60,484	\$43,028.08	71.14%	Car/PERA/Health	\$82,519.00	\$17,300.06	20.96%
101-41300-131	CITY	CAR ALLOWANCE	\$4,000	\$3,999.96	100.00%	Car Allowance	\$4,000.00	\$1,333.32	33.33%
101-41300-210	CITY	OPERATING SUPPLIES	\$27,000	\$16,645.19	61.65%	Office/IT/Software	\$30,000.00	\$8,155.96	27.19%
101-41300-309	CITY	COMPUTER/INTERNET/GIS	\$18,348	\$56,586.87	308.41%	Granicus/Polco/Comcast	\$30,000.00	\$15,295.54	50.99%
101-41300-310	CITY	TRAINING	\$9,800	\$742.46	7.58%	League/MCMA/MAMA	\$9,800.00	\$0.00	0.00%
101-41300-321	CITY	TELEPHONE SERVICES	\$1,742	\$0.00	0.00%			\$0.00	
101-41300-322	CITY	MAILBOXES	\$0	\$11,312.00		passthrough	\$10,000.00	\$0.00	
101-41300-350	CITY	PUBLISHING & ADVERTISING	\$0.00	\$92.00		CUP Filings		\$0.00	
101-41300-360	CITY	INSURANCE	\$20,000	\$17,755.00	88.78%		\$20,000.00	\$18,613.00	93.07%
101-41300-381	CITY	ELECTRIC UTILITIES	\$1,000	\$1,178.46	117.85%		\$1,200.00	\$284.04	23.67%
101-41300-410	CITY	RENTALS	\$130,000	\$106,167.56	81.67%	Office Rent	\$110,000.00	\$44,780.99	40.71%
101-41300-430	CITY	MISCELLANEOUS EXPENSE	\$40,000	\$28,639.81	71.60%	Website/Domain/OPG	\$15,000.00	\$6,075.68	40.50%
101-41300-435	CITY	BANK SERVICE CHARGE	\$0	\$0.00			\$0	\$0.00	
101-41400-300	ELECTIONS	PROFESSIONAL SERVICES	\$18,000.00	\$15,276.07	84.87%	Election Contracts	\$18,000.00	\$4,430.00	24.61%
101-41420-300	CABLE TV	PROFESSIONAL SERVICES	\$41,000.00	\$37,721.37	92.00%		\$30,000.00	\$9,286.69	30.96%
101-41500-301	FINANCE	AUDIT SERVICES	\$16,000.00	\$16,000.00	100.00%	AEM - 3 year contract	\$16,400.00	\$14,000.00	85.37%
101-41600-304	LEGAL	LEGAL FEES - GENERAL	\$57,000.00	\$44,682.00	78.39%	Levander	\$60,000.00	\$14,714.50	24.52%
101-41600-315	LEGAL	LEGAL FEES - PROSECUTION	\$13,500	\$13,130.52	97.26%	Kelly & Lemmons	\$13,500.00	\$2,862.51	21.20%
101-41900-300	ENGINEERING	PROFESSIONAL SERVICES	\$2,500	\$0.00	0.00%	Wenck		\$0.00	
101-41900-303	ENGINEERING	ENGINEERING SERVICES	\$18,000	\$37,411.39	207.84%	Sambatek	\$18,000.00	\$3,539.00	19.66%
101-41910-300	PLANNING	PROFESSIONAL SERVICES	\$12,000	\$15,468.00	128.90%	Bob Kirmis	\$12,000.00	\$6,036.20	50.30%
101-42100-313	POLICE	CONTRACT SERVICES	\$798,201	\$827,606.77	103.68%	Police Contract	\$838,796.00	\$369,157.15	44.01%
101-42200-313	FIRE	CONTRACT SERVICES	\$353,061	\$353,060.84	100.00%	LFD	\$381,389.00	\$189,043.42	49.57%
101-42300-300	EMERGENCY	PROFESSIONAL SERVICES	\$1,000	\$1,173.05	117.31%	Gopher State	\$1,000.00	\$194.45	19.45%
101-42300-313	EMERGENCY	CONTRACT SERVICES		\$0.00				\$0	

**APPROVED 2021 EXPENDITURES (CONTINUED)**

101-42400-300	BUILDING	PROFESSIONAL SERVICES	\$1,000	\$171.00	17.10%	Other Inspections	\$1,000.00	\$0.00	0.00%
101-42400-313	BUILDING	CONTRACT SERVICES	\$120,000	\$256,379.73	213.65%		\$120,000.00	\$58,626.89	48.86%
101-42400-451	BUILDING	BUILDING PERMIT SURCHARGE	\$5,000	\$11,217.19	224.34%		\$5,000.00	\$3,123.78	62.48%
101-43100-381	STREETS	ELECTRIC UTILITIES	\$2,500	\$2,932.38	117.30%		\$2,500.00	\$469.12	18.76%
101-43100-408	STREETS	STREETS/SIDEWALK/CURB	\$2,500	\$20,198.99	807.96%	Mel's Service	\$15,000.00	\$0.00	0.00%
101-43200-384	RECYCLING	RECYCLING	\$275,000	\$301,854.22	109.77%		\$330,000.00	\$103,563.76	31.38%
101-43200-384	RECYCLING	RECYCLING (Clean Up Day)	\$12,000	\$11,440.60	95.34%	Clean Up/Recycle Day	\$12,000.00	\$0.00	0.00%
101-45100-470	RECREATION-	COMMUNITY FUNCTIONS	\$500	\$0.00	0.00%			\$0.00	
101-46100-316	NATURAL	TREE PRESERVATION	\$45,000	\$60,140.27	133.65%	City Forester	\$45,000.00	\$7,554.55	16.79%
101-46100-317	NATURAL	DEER MANAGEMENT	\$25,000	\$25,170.93	100.68%	Depends on # of deer	\$25,000.00	\$16,356.33	65.43%
101-46100-318	NATURAL	NATURAL RESOURCES	\$6,500	\$3,617.98	55.66%	NRC	\$6,500.00	\$359.99	5.54%
101-46100-319	NATURAL	WEED MANAGEMENT	\$0	\$0.00		Lake Weed Management		\$0.00	
101-49450-313	SEWER	CONTRACT SERVICES	\$13,000	\$17,194.00	132.26%	Septic Inspector	\$13,000.00	\$0.00	0.00%
101-49990-720	UNALLOCATED	TRANSFER OUT	\$0.00	\$148,050.00		Fire Capital	\$50,000.00		
101-49990-720	UNALLOCATED	TRANSFER OUT	\$0.00	\$0.00		Police Capital	\$50,000.00		
101-49990-720	UNALLOCATED	TRANSFER OUT	\$0.00	\$0.00		General Capital			
			\$2,432,231.00	\$2,790,877.85			\$2,676,720.00	\$1,023,269.41	

ActCode	DEPT Descr	OBJ Descr	2020 Budget	12/31/20	% of Budget	UnderLine	2021 Budget	5/6/2021	% of Budget
306-47000-601	DEBT SERVICE	BOND PRINCIPAL	\$55,000.00	\$55,000.00		LGWA Bond		\$55,000.00	
306-47000-611	DEBT SERVICE	BOND INTEREST	\$2,974.00	\$2,973.75				\$1,315.00	
306-47000-620	DEBT SERVICE	PAYING AGENT FEES	\$500.00	\$500.00				\$500.00	
400-41910-300	PLANNING	PROFESSIONAL SERVICES	\$10,000.00	\$154.30		Comp Plan		\$1,657.50	
400-41910-303	PLANNING	ENGINEERING SERVICES	\$100.00	\$3,812.63		Comp Plan			
400-43100-408	STREETS	STREETS/SIDEWALK/CURB	\$0.00	\$0.00					
400-46100-318	NATURAL	NATURAL RESOURCES	\$0.00	\$0.00					
401-42200-500	FIRE	CAPITAL OUTLAY	\$38,366.00	\$184,177.97		Fire Expenses		\$0.00	
402-49450-430	SEWER	MISCELLANEOUS EXPENSE	\$0.00	\$0.00					
403-47000-720	DEBT SERVICE	TRANSFER OUT	\$0.00	\$0.00					
403-49450-430	SEWER	MISCELLANEOUS EXPENSE	\$0.00	\$0.00					
404-42100-500	POLICE	CAPITAL OUTLAY				Police Expenses	NEW FUND	NEW FUND	
406-43000-381	PUBLIC WORKS	ELECTRIC UTILITIES	\$1,000.00	\$665.17				\$303.49	
<b>WATER &amp; SEWER</b>									
601-41000-420	DEPRECIATION	DEPRECIATION	\$0.00	\$0.00					
601-49400-255	WATER	WATER METERS	\$0.00	\$0.00					
601-49400-313	WATER	CONTRACT		\$6,250.00					
601-49400-330	WATER	SEWER & WATER MISC	\$0.00	\$10,272.09				\$420.24	
601-49400-381	WATER	ELECTRIC UTILITIES	\$0.00	\$445.30				\$155.45	
601-49400-382	WATER	WATER - SHOREVIEW	\$0.00	\$134,623.82				\$11,945.56	
601-49400-383	WATER	WATER - WBT	\$0.00	\$40,049.00				\$17,800.00	
602-41000-420	DEPRECIATION	DEPRECIATION	\$0.00	\$0.00					
602-49450-313	SEWER	CONTRACT		\$6,250.00				\$236.32	
602-49450-381	SEWER	ELECTRIC UTILITIES	\$0.00	\$2,876.48				\$1,094.50	
602-49450-385	SEWER	SEWER	\$0.00	\$74,664.26			\$71,433.00	\$29,763.80	
602-49450-400	SEWER	REPAIRS AND MAINTENANCE	\$0.00	\$29,977.80				\$9,471.80	
602-49450-430	SEWER	MISCELLANEOUS EXPENSE	\$0.00	\$16,209.95				\$41,335.90	
602-49450-455	SEWER	SAC FEES	\$0.00	\$19,681.20				\$4,920.30	
			<b>\$2,540,171</b>	<b>\$3,379,462</b>			<b>\$2,676,720.00</b>	<b>\$1,023,269.41</b>	

Updated 05/08/21

## APPROVED 2021 REVENUES

ActCode	DEPT Descr	OBJ Descr	2020 Budget	12/31/20	% of Budget	UnderLine	2021 Budget	5/6/2021	% of Budget
101-31010	COUNCIL	GENERAL PROPERTY TAXES	\$1,860,700	\$1,868,883.77	100.44%		\$1,974,877.00	\$0.00	0.00%
101-31810	COUNCIL	CABLE T.V. FEES	\$65,000	\$90,171.39	138.73%		\$65,000.00	\$4,085.02	6.28%
101-32110	COUNCIL	ALCOHOLIC BEV LICENSE	\$5,650	\$12,950.00	229.20%		\$5,650.00	\$0.00	0.00%
101-32111	COUNCIL	TOBACCO LICENSE	\$600	\$1,000.00	166.67%		\$600.00	\$0.00	0.00%
101-32112	COUNCIL	MESSAGE THERAPY LICENSE	\$50	\$50.00	100.00%		\$50.00	\$0.00	0.00%
101-32160	COUNCIL	CONTRACTOR LICENSES	\$8,000	\$14,063.00	175.79%		\$8,052.00	\$3,515.00	43.65%
101-32210	COUNCIL	BUILDING PERMIT	\$145,000	\$336,279.27	231.92%		\$145,000.00	\$90,500.40	62.41%
101-32230	COUNCIL	HEAT/PLUMB PERMIT	\$22,000	\$50,725.30	230.57%		\$22,000.00	\$9,868.85	44.86%
101-32240	COUNCIL	ANIMAL LICENSE	\$1,500	\$1,185.00	79.00%		\$1,500.00	\$270.00	18.00%
101-32260	COUNCIL	STATE SURCHARGE	\$7,000	\$11,715.56	167.37%		\$7,000.00	\$3,475.65	49.65%
101-32261	COUNCIL	ISTS PERMIT	\$4,000	\$10,695.00	267.38%		\$4,000.00	\$2,000.00	50.00%
101-32262	COUNCIL	RENTAL LICENSE FEE	\$1,000	\$900.00	90.00%		\$1,000.00	\$100.00	10.00%
101-32263	COUNCIL	SHORELAND/FORESTRY PERMIT	\$500	\$650.00	130.00%		\$500.00	\$0.00	0.00%
101-32264	COUNCIL	ISTS PUMPING RECORDS	\$5,000	\$12,488.00	249.76%		\$5,000.00	\$597.00	11.94%
101-33429	COUNCIL	PERA RATE INCREASE AID	\$308	\$0.00	0.00%		\$308.00	\$0.00	0.00%
101-33440	COUNCIL	SCORE GRANT	\$12,000	\$15,224.00	126.87%		\$12,000.00	\$0.00	0.00%
101-33600	COUNCIL	OTHER GOVT GRANTS/AID	\$0.00	\$399,605.00		CARES FUNDING		\$9,487.38	
101-34103	COUNCIL	VARIANCE, PUD, PLAT FEES, CUP	\$2,400	\$9,047.50	376.98%		\$2,400.00	\$1,800.00	75.00%
101-34110	COUNCIL	ELECTION FILING FEE	\$0.00	\$4.00				\$0.00	
101-34120	COUNCIL	CERTIFICATE OF OCCUPANCY FEE	\$500	\$350.00	70.00%		\$500.00	\$100.00	20.00%
101-34403	COUNCIL	RECYCLING FEES	\$0	\$0.00			\$416.00	\$1,553.24	
101-35100	COUNCIL	FINES AND FORFEITS	\$2,500	\$1,781.25	71.25%		\$2,500.00	\$2,426.50	97.06%
101-35104	COUNCIL	LATE FEES/NSF FEES	\$500	\$1,670.00	334.00%		\$500.00	\$150.00	30.00%
101-36100	COUNCIL	SPECIAL ASSESSMENTS	\$275,000	\$273,580.63	99.48%	Recycling Assessment	\$330,000	\$0.00	0.00%
101-36101	COUNCIL	SPECIAL ASSESSMENTS - PMC	\$2,067	\$2,067.36	100.00%	Peace Methodist Church	\$2,067	\$689.12	33.33%
101-36200	COUNCIL	MISCELLANEOUS REVENUES	\$2,000	\$10,304.29	515.21%	Conduit Bond & Misc	\$2,000.00	\$1,262.00	63.10%
101-36210	COUNCIL	INTEREST EARNINGS	\$20,000	\$8,324.57	41.62%		\$12,000	\$196.77	1.64%
101-36220	COUNCIL	RENTS	\$60,000	\$47,868.72	79.78%	NOHOA Rent	\$61,800.00	\$9,657.80	15.63%
101-36222	COUNCIL	COMMUNITY FUNCTIONS	\$1,000	\$545.00	54.50%	Community Mtg Room	\$1,000.00	\$0.00	0.00%
101-36240	COUNCIL	REFUNDS AND REIMBURSEMENT	\$5,000	\$12,610.97	252.22%	LMC & Other Rebates	\$5,000.00	\$9,556.92	191.14%
			\$2,509,275	\$3,194,740			\$2,672,720.36	\$151,291.65	



ActCode	DEPT Descr	OBJ Descr	2020 Budget	12/31/20	% of Budget	UnderLine	2021 Budget	5/6/2021	% of Budget
306-36100	COUNCIL	SPECIAL ASSESSMENTS	\$28,500	\$33,664.32	118.12%	LGWA Bond Assessments		\$0.00	
306-36210	COUNCIL	INTEREST EARNINGS		\$0.00					
400-33418	COUNCIL	MNDOT STATE AID STREETS	\$0	\$0.00					
400-36210	COUNCIL	INTEREST EARNINGS		\$0.00		Special Project Interest			
400-36240	COUNCIL	REFUNDS AND REIMBURSEMENTS		\$0.00					
400-39200	COUNCIL	TRANSFER IN		\$0.00					
401-36210	COUNCIL	INTEREST EARNINGS		\$51.06					
401-36240	COUNCIL	REFUNDS AND REIMBURSEMENT	\$0.00	\$1,390.00					
401-39200	COUNCIL	TRANSFER IN		\$148,050.00					
402-36210	COUNCIL	INTEREST EARNINGS		\$0.00					
R 403-36210	403-36210	INTEREST EARNINGS	\$0.00	\$0.00					
R 403-37180	403-37180	MAINTENANCE/ESCROW FEE	\$0.00	\$0.00					
R 403-39200	403-39200	TRANSFER IN	\$0.00	\$0.00					
R 404-39200	R 404-39200	TRANSFER IN				Police	NEW FUND	NEW FUND	
406-36100	COUNCIL	SPECIAL ASSESSMENTS		\$466.81				\$1,273.00	
406-36200	COUNCIL	MISCELLANEOUS REVENUES	\$1,500			LGWA Maint Assessments			
406-36210	COUNCIL	INTEREST EARNINGS		\$0.00					
601-36200	COUNCIL	MISCELLANEOUS REVENUES		\$4,460.84					
601-37100	WATER	WATER USAGE		\$141,034.26				\$9,818.51	
601-37150	WATER	WATER HOOK-UP - WBT		\$44,498.00				\$8,900.00	
601-37151	WATER	WATER HOOK-UP - CLP		\$0.00					
601-37155	WATER	WATER METER		\$650.00					
601-37180	WATER	MAINTENANCE/ESCROW FEE		\$19,885.09				\$2,460.80	
601-37500	WATER	CAPITAL CONTRIBUTION		\$0.00					
601-39200	WATER	TRANSFER IN		\$0.00					
602-36200	WATER	MISCELLANEOUS REVENUES		\$0.00					
602-37170	WATER	WBT WATER SYSTEM MAINTENANCE		\$38,493.04					
602-37180	WATER	MAINTENANCE/ESCROW FEE		\$12,654.32				\$2,530.24	
602-37200	SEWER	SEWER USAGE		\$85,746.12				\$15,925.97	
602-37250	SEWER	SEWER HOOK-UP		\$29,820.00				\$4,970.00	
602-37500	SEWER	CAPITAL CONTRIBUTION		\$0.00					
			\$2,539,275	\$3,755,603			\$2,672,720	\$197,170	

**North Oaks City Council  
Meeting Minutes  
North Oaks City Council Chambers  
April 8, 2021**

**1. CALL TO ORDER**

Mayor Ries called the meeting to order on April 8, 2021 at 7:00 p.m.

**2. ROLL CALL**

City Councilmembers participated **by telephone or other electronic means** pursuant to Minn. Stat. § 13D.021. Residents can view the meeting on our cable access channel and through the website portal just like other public meetings. 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 as noted above. Please note that one (1) of the public spots will be reserved for individuals wanting to make a presentation during the citizen comment portion of the meeting.

Present: Mayor Kara Ries. Councilmembers Rich Dujmovic, Jim Hara, Sara Shah, Tom Watson  
Staff Present: Administrator Kevin Kress, Attorney Bridget Nason, Engineer Tim Korby  
Others Present: Deputy Mike Burrell, North Oaks Company President Mark Houge  
A quorum was declared present.

**3. PLEDGE OF ALLEGIANCE**

Mayor Ries led the Council in the Pledge of Allegiance.

**4. CITIZEN COMMENTS**

Jim Howard, 58 Rapp Farm, noted he emailed the Mayor and is on the Rapp Farm HOA and is inquiring about the potential or process to change the speed limit if they wanted to. He noted they took a poll of neighbors and it was an overwhelming vote of over 100 votes for the speed limit to be under 30 mph – the only contention was whether it should be 15 or 20 mph.

Mayor Ries noted they would take in the comments and the Council will discuss whether they will set that as an agenda item for a future meeting or how they should go forward. She noted she received Mr. Howard's email and forwarded it to Administrator Kress who had discussions with Officer Burrell.

Mr. Howard thanked the Council.

**5. APPROVAL OF AGENDA**

Administrator Kress asked to move 9a (the rate study being presented by Mr. Nelson) after item 7, Petitions, Requests and Communications.

Mayor Ries is okay with that.

Member Watson would like to add an item 9e City Attorney services.

Mayor Ries stated they can amend the agenda to include item 9e. She noted they have Island Field and Gate Hill addendums or joint powers agreements; she recommended removing those from the agenda because they have discussion of the Nord parcel and consideration for the Council for scheduling coming up. She asked to remove them from the agenda and include them into the other discussion rather than as separate items. There is not a deadline on the items but rather they must check off a box to approve; the other cities have already reviewed and commented and it is just for the Council to review.

Member Shah hears that it is technically part of 8d which is slightly different than removing it.

Mayor Ries noted on the agenda right now they have planned scheduling for items regarding the upcoming development, so it is a bit premature to approve development agreements when they are planning on scheduling meetings with the Council and talking about schedules. For expediency of tonight's meeting, Mayor Ries simply wants to remove these (she does not want to table because they must set a specific date and time) from the agenda and handle those during future meetings.

Member Watson suggested that 8a and 8b be scheduled at the time the Council is considering final plan approval for Gate Hill and Island Field.

Mayor Ries clarified that would be a tabling of the items.

Member Watson said it would just be rescheduled at that time.

Mayor Ries said under *Robert's Rules* the Council could either remove them from the agenda or table them; Member Watson is recommending tabling them until final plan approvals and asked if that is correct.

Member Watson defers to the Council to find where *Robert's Rules* fits – he is just suggesting they do not have a date-certain on the Gate Hill and Island Field approval and he would do it at that time.

Member Shah has some concerns and noted the item has been on the agenda for almost 3 months. By bundling it with the larger discussion about timelines, she has concerns that the Council is losing the details. She does not see the benefit of lumping them together. She feels there is benefit in some of the things suggested and the Council should debate that; at that time when they get to 8a and 8b and the Council feels it should be sent down with final approval they can take action at that time. Member Shah said now is not the time because they are not debating it and they need to have that discussion. She recommended they keep those on the agenda tonight.

Member Dujmovic said when they get to flow to interceptors in the Comprehensive (Comp) Plan and the future flow to interceptors – right now for Island Field the Comp Plan states there are 35 units in Island Field and 68 units in Gate Hill. Associated with those numbers of units is a gallon



per day of flow to the interceptors in the future. He said there is something in there that talks about future residential units and speaks to it. He eventually wants to have a conversation about these numbers because they are different than what is in the Comp Plan and how that relates to the documents the Council is talking about. Member Dujmovic does not know the right time to have it but they do need to have the conversation.

Mayor Ries agrees. For expediency of the evening, they could leave them on the agenda but it has been sort of problematic because the Council has been tabling where they have to set a definite time and date under *Robert's Rules* to have the agenda items. She noted they should have just removed them from the agenda and put them back on the agenda at the appropriate time for the Council to discuss it. She agreed with Member Dujmovic that they could bring these in at final plan approval and she noted regarding the Comp Plan they need to have these discussions, also. She said the Council is aware that these two items are outstanding and they need to address them; she noted they will get to them when it is the correct time but she does not think it is the correct time this evening because of the items they have coming tonight and in future Council discussions.

Member Hara said to Member Dujmovic's point, if there is a document that shows a certain engineered size of a pipe that feeds these and is different than what it is, does the Council want to put the cart before the horse. He noted it may seem that they are routine things that do not take a lot of discussion and it would be part of the overall discussion on these developments. He does not have a preference either way but it would make more sense while the Council is talking about each of the developments that they include them in the discussion and approve them at that time.

Mayor Ries agreed and said it would be more related to the overall issues for every site as they go through. She noted this could be one item the Council discusses and then address the language of the agreement during that time. If they have it in conjunction with the discussion of the development sites, she suggested removing it from the agenda this evening as it seems like the Council wants to talk about this and they want to talk about other issues and do not want to isolate it alone. Mayor Ries agreed with Member Shah that the Council needs to talk about this at some point but they want to have the conversation in the greater context of the discussion. She asked to remove 8a and 8b from the discussion this evening.

Member Shah thinks for transparency reasons the Council should be talking about it right now, but it seems that it has already been removed. She noted she does not agree.

Mayor Ries stated they have not removed it yet as they have not voted on the agenda.

Member Watson commented that everything that has been said is germane to this particular topic. To Member Shah's comment, he is not unsupportive of that but he thinks it would be much more focused - especially now as they have seen some dates and plans from the Company - and when they are talking about Gate Hill it gives an opportunity to really focus on that, and make sure the documents with Met Council and everything are appropriate. He noted he is not interested in giving short shrift because it is really their issue with Met Council and less the

concern with White Bear Township. They know the capacity at 645 units back from 20 years ago and that has not changed.

Mayor Ries agreed and said they want to have discussions about these agreements but want to dive into the details rather than just piecemealing some of these issues. She is okay removing it only because the Council will address this in the near future; it is not that they are not being transparent but that they are trying to organize the issues better so they flow with the other issues.

Member Dujmovic said perhaps the Council can all get on board if they make a commitment that if they remove it from this agenda they will not remove it from the next agenda; it will be addressed no later than the May Council meeting.

Member Watson suggested it be considered in conjunction with any discussion the Council has. Once they receive the report on the completeness of the final plan for (first) Island field and (next) Gate Hill. He noted it may not be May but might be June.

Mayor Ries agreed it would be in conjunction with those items when they come on the agenda.

Member Shah said by doing this it is creating interdependencies all over the board and the Council does not have dates on. This is her greater concern – it is just going to snowball.

Member Watson said it really is not as the Company will remind the Council that they need water and sewer as part of final plan approval.

Mayor Ries agrees they will be on top of this as it is part of the procedure for approving the plans and getting it platted – it will have to be done.

**MOTION by Watson, seconded by Hara, to approve the Agenda as amended. Motion carried by roll call as Councilmembers Dujmovic, Hara, Ries, and Watson voted for; Councilmember Shah voted against.**

## **6. CONSENT AGENDA**

### **a. Financials and Checks for Approvals**

**EBT: 0410E-0420E, Check #013925- 013955**

**b. Approval of Licenses Arborist: Davey Tree Service, Sorenson Tree Service 1 City Council April 08, 2021 2 Mechanical: Forced Air Inc. dba Wenzel Heating & Air; Tim's Quality Plumbing; General Contractor: Sparkle Pool Service**

**c. Approval of HR Green Engineering Contract executed City of North Oaks**

**d. Approval of City Council meeting minutes of March 11, 2021**

Administrator Kress noted 6c, the engineering contract is contingent upon Attorney review and any changes. He noted Member Shah and Member Watson worked with him on it and the final piece is review and approval by City Attorney Nason.

Member Watson said on the HR Green engineering contract, they have been exchanging information over the last – he thinks even the last hour. The contract the Council has in front of them is missing one provision in section 3.0 which he thinks is titled reports and deliverables. Today Member Watson asked Mr. Korby if they could get a monthly report from him in somewhat of a high-level on activities performed under section 2.0. 2.1 is general engineering where Mr. Korby is working on administrative and matters of interest such as the Pollution Control Agency; the other would be 2.2, for example, if they are working on a variance matter. He is asking Mr. Korby to give a monthly report that tells the Council the status and what he is working on. Mr. Korby agreed to that and it has to be added to the document. Member Watson noted they would get that taken care of and off to Attorney Nason for review. He also has four modifications to the minutes of March 11 he would like to offer.

Mayor Ries asked if they are substantive to the discussion or if they are corrections.

Member Watson thinks one is actually kind of humorous and would like to touch on it on page 9. The transcription on the motion is that the City of North Oaks was going to adopt HR Green and Tim Korby – he thinks they are going to like Tim Korby but is not sure they are ready to adopt him. He thinks the intended word is to be “approve” him.

Administrator Kress noted they can make that change.

Member Watson said on page 21 there are two references; in paragraph 4 Mayor Ries is talking about Seth Colton as the mayor and indicates it pre-dates Member Watson when actually it included Member Watson back in 1999. In the fifth paragraph it refers to East Oaks in the second line and noted square table was in the Eastern Rec Center. The last item is on page 28 paragraph 1 where it indicates Member Watson responded and he has a list of attendees – what he indicated was that he noticed there was a list of attendees watching the meeting.

Mayor Ries said for accuracy on the correction of her comment to say that Seth Colton’s mayorship pre-dated Member Watson’s.

Member Watson said then they can leave it.

**MOTION by Watson, seconded by Dujmovic, to approve the Consent Agenda. Motion carried unanimously by roll call.**

## **7. PETITIONS, REQUESTS & COMMUNICATIONS**

### **a. Deputy Mike Burrell Report**

Deputy Burrell stated crime has been fairly low with only a few instances this month. There was a contractor arrested – as has happened numerous times in the past – and this contractor had a pretty lengthy criminal history. He said the City is still under the 3-ton and axle road restrictions and there has been more enforcement of that this year. They have had about half a dozen tickets

issues thus far; there have been numerous speed complaints and he and the traffic deputy are hoping to make a focus of that this month and the following month. Deputy Burrell has been in contact with the DNR and will be doing some fishing enforcement this year. There have already been some complaints and this weekend he and the DNR plan to make some rounds at Pleasant Lake.

Mayor Ries asked if, because of the warmer weather and the ground thawing early, the road restrictions will still be lifted at the same time or earlier?

Administrator Kress stated they received a letter today and he will pull it up as the Deputy is talking.

Deputy Burrell thinks Monday is when the restrictions end. He was told it was April 12<sup>th</sup>.

Administrator Kress agreed and said it is Monday, April 12. They will put that in the e-blast the following day.

Member Watson encouraged Deputy Burrell to nail the speeders.

Deputy Burrell stated he will try. He noted they have lots of complaints on North Oaks Road and that is one of the streets they will enforce.

#### **b. Dana Healy - NineNorth Report/Presentation**

Dana Healy shared a presentation on screen. She noted the points of discussion would be “Knowing Us” (purpose, big milestones, and core services), “Measuring Up” (statistics applicable for North Oaks), “Adding Value” (the benefits of being part of the Joint Powers Authority or JPA and the tools available to North Oaks), and “Moving Forward” (tangible action items to get more value from the partnership with NineNorth and the JPA. She said NineNorth produces community-focused digital media to educate and engage; essentially all the content created in North Oaks is important to the Council and residents. This also includes for-hire projects. Ms. Healy noted some milestones and that NineNorth recently moved into their new space, redesigning the old space and reducing it by half. The result has been a 33% reduction in overhead expenses and will continue to serve the community better. The Annual Report is now available and is a deeper dive into the value they are bringing to stakeholders. Ms. Healy noted NineNorth has installed Zoom’s to all of the cities to ensure that they are ready for virtual meetings. The Compass Programs introduce timely subjects important to the community such as news deserts, human trafficking, broadband access, and land use. Moving on to Core Services, she noted municipal meeting coverage; while the Council focuses on policymaking, NineNorth captures and airs all of the meetings behind the scenes. Web Streaming brought in the audience keeping more people informed. Regarding video production, NineNorth produces videos and if the City has a message for residents, they can create a video and get that message out. She said they save City staff time by creating and coordinating social media content for the City. Ms. Healy stated they playback all of the meetings and programs on the cable channels. New to 2020 NineNorth became the production team to produce high-end virtual events. She put those services in context for North Oaks and said in the past year North Oaks has received 52 streaming events, translating to approximately 6,000 meeting views and over 2,100 landing page views on

the NineNorth website. They produced 37 meetings in 2020 including a coyote presentation, environmental and natural resources presentation, and truth in taxation, to name a few. By NineNorth producing the 37 meetings, they were able to save City staff time approximately 2 hours a week. North Oaks received over 1,000 cable playbacks on their channels. Cable playbacks are very important to reach the older demographic that is used to seeing City meetings on TV. North Oaks had a great educational video about the danger of the Emerald Ash Borer and how residents can protect their trees which was presented by the City Forester. Ms. Healy noted they also offer social media coordination which North Oaks participates in. North Oaks received 156 original posts to add to the City social media content; many are informational providing residents with resources and safety tips and all have backlinks to the City page for more information. NineNorth uses a graphic design platform and subtle animation to give the posts a solid brand feel and always abide by copyright regulations. The goal is to bolster City staff with content and make the social media account robust under the staff purview; to keep organized and communicate effectively, NineNorth uses things like Air Table and Google Drive. Ms. Healy noted they were able to save City staff time 26 hours over the course of the year. She noted the services are more than just cable and they are developing it in four locations: Facebook (100% increase in followers from 2019), Instagram (22% increase over the previous year), LinkedIn (33% increase in followers), and the newsletter (99% growth). Ms. Healy noted they really focus on the newsletter because social media platforms and algorithms can change making it hard to reach people. In the past year, NineNorth's open rate is 38% and industry standard is 8%. What that is telling them is that NineNorth is delivering the content that people want to see. Over the weekends, NineNorth shares 115 City-specific posts that help people stay informed about safety things in their communities. Ultimately this has reached about 38,000 people in 2020. Ms. Healy noted when the pandemic hit all of the cities needed to pivot to virtual meetings. March 19, 2020 was the last North Oaks meeting before the pandemic cancellations and NineNorth's job was to get the City operational as fast as possible and make sure they had all options available. With equipment on hand, NineNorth temporarily installed equipment by March 26, 2020; on March 19 they were holding Zoom trainings using other platforms to get staff and others up to speed on the equipment. By April 9, NineNorth was testing the equipment to go live and by April 9 the City was ready to execute a virtual meeting. She noted NineNorth engineers outfitted North Oaks as well as 8 other cities in 21 days; their value was measured on a very different metric the previous year as the pandemic really stressed their cities. Therefore NineNorth's value was in really being able to help and partner with the City in a variety of ways including: software, access to hardware, expertise, content. When the pandemic hit, cameras, equipment, everything was backordered for months; due to the equipment NineNorth had on hand they were able to outfit the City quickly with little downtime. When the equipment came back in stock, they outfitted the facility with newly purchased equipment, never missing a beat on any meeting or video coverage. Ms. Healy said throughout the year software and infrastructure was needed to keep the cities running. Regarding the Cassandar platform where meetings and agendas are streamed and stored, the nearest competitor provides the service for \$10,000 per year; being part of the JPA, there is no reoccurring cost to house those meetings. Ms. Healy noted they have begun testing Closed Captioning and subtitles and hope to make it available to their cities. They are working to make content more accessible to the communities. She noted they have dedicated Zoom rooms and access to Wowza server that makes streaming the meetings possible and would be difficult for a single city to maintain on their own. All the content produced at NineNorth brings value to their 9 stakeholders. The Speak Out events saw 69 candidate interviews, Chamber Check-in

highlights north suburbs businesses every Friday, City Speaks podcast boasted 52 interviews throughout 2020 many of them legislators and community leaders. Working with the League of Women Voters they also hosted many forums for voters to learn more about candidates. Regarding North Oaks specifically, the Emerald Ash Borer series was an excellent use of quarterly report series, it provided value to residents, was visual and engaging with clear actions to take. This type of content is included as part of North Oaks' relationship with NineNorth and is no additional cost to the City. She noted they are looking at 136 years of expertise, legacy knowledge, engineering, coding, and programming to serve the City. North Oaks can leverage their talents and continue to connect through communication technology. Ms. Healy stated NineNorth has reviewed North Oaks equipment and provided proactive recommendations to avoid failures and make sure the life of the equipment is up-to-date. The last system update was in October 2019, and the approximate cost was \$66,000. Recommendations: NineNorth recommends an audio-only recording and adding software to control the computer to allow backups of audio-only recordings which is another safeguard to be sure the City has record for accurate minute recordings. She noted they have five backups for every meeting and are recommending audio-only recordings for all cities as another precaution. She also recommends a presentation system update which is just a software update on the equipment that is already there, the cost is about \$200 and would resolve some issues related to the touch panel and user-friendliness of the equipment. They are prioritizing that as a medium. The last recommendation is additional dais microphones; purchasing two more microphones would maximize the coverage when the Council and Mayor come back into the Chambers. The cost for that is approximately \$800 and the timeline would be 1-2 weeks, and is also a medium priority. Ms. Healy said moving forward the City can maximize quarterly reports, be a guest on City Speaks; she noted she would love to have the Council come on the podcast and let the community know who they are and the initiatives they are excited about. She suggested signing up for NineNorth's e-blast, sitting down with the team to identify video opportunities, and review the full audit and provide feedback.

Mayor Ries thanked Ms. Healy and appreciates the work NineNorth is doing, they are doing a really great job.

Member Hara asked if the audio-only option would be for Planning Commission, Council, and Natural Resources Commission (NRC) – all of the meetings that the City has presently.

Ms. Healy would recommend that, yes.

Member Hara asked if the \$400 is not per meeting but is for the whole year.

Ms. Healy replied yes, the cost is for the equipment and hardware costs; there would be no additional cost to use the equipment as it would be the City's.

Member Hara asked if there is an ability to transcribe that to written documents with that software.

Ms. Healy said not with that particular hardware. NineNorth is actually working on that with the Cassander platform to do it internally. Right now, there are plenty of external vendors the City can have transcripts developed from it which could help for their minutes, as well.

Member Hara thinks that might be an alternative to look at versus TimeSavers in terms of what the cost might be relative to TimeSavers.

Member Shah thanked Ms. Healy and is interested in the video content. She thinks it is a great possibility for the community to have that avenue of outreach, education, and alerting them to a change. She would like to see the Council carve out some time and be more proactive with some of these opportunities to brainstorm and prioritize some of the video pieces. She would like to see that added to the agenda rather soon.

Mayor Ries stated they would put that on the May agenda.

Member Dujmovic said the timeline from March to April, NineNorth worked really hard and the City was able to get people access to their leaders and meetings. He has been working on a video for new residents to North Oaks and would like to share it with the Council soon. He noted they will be adding a bunch of new residents over the next couple of years. The idea would be a welcome message from Council and perhaps NOHOA, a brief history of the community, and talking about the unique governance structure in the City and how the responsibilities are broken up between the City and NOHOA, and how new members can get involved in the community. He thinks a 5-6 minute video would be great to welcome new members.

Mayor Ries thinks that is a great idea and she likes getting NOHOA involved with a joint message for new residents. She noted they would take their ideas and go through a production meeting with NineNorth; they are great and professional in helping to outline what the City wants. Under the current contract with NineNorth the City has the opportunity to produce two events and the quarterly report that Ms. Healy noted. She said this would be a special project and NineNorth is offering special opportunities to produce short videos like this where the City would pay a flat fee based on the content and video length. The City could then hire NineNorth to produce these short, contained projects that would fall outside of their contract. It is a wonderful way to work with staff and put engaging content out there to residents.

Administrator Kress asked if the Council wants to approve any of the recommendations tonight.

Mayor Ries noted the recommendations were the audio recording would be a \$435 technology install, the presentation system update, and the microphones.

Member Dujmovic supports the high priority audio recording but he is not sure about the second or third.

Member Hara agrees with the audio-only, especially if there is a potential that it can be transcribed makes sense to him, it does not seem like a lot of money, but a one-time fee and it would give a lot of access to written documents that might in the long-run save the City some money.

Member Shah said on that note, the audio-only recordings is tied to another discussion they will have tonight regarding TimeSavers. She asked if they should have that full conversation before they make any action on these recommendations.

Member Hara agrees with that.

Mayor Ries noted they could discuss the audio-only recording along with the discussion about TimeSavers.

Member Watson said his suggestion is to defer anything until they get through the TimeSavers piece.

### **c. Presentation by Abdo, Eick, & Meyers (AEM), Discussion and Possible Action on Utility Rate Study**

Administrator Kress has Justin Nelson from AEM, who is also the auditor, and he will give a presentation on water and sewer current rates versus proposed new rates.

Justin Nelson said doing the rate study was to get in-depth knowledge of the entire utility rate picture in the City. He noted there are a number of different moving parts (Met Council, NOHOA, White Bear Township) so getting a good understanding of that is something he tried to do as part of the study. The goal is to give some tangible recommendations on things that could be changed or adjusted as part of the rates to make sure the City has a positive cash flow in the future. Mr. Nelson said AEM recommends simplifying the current fee structure on water to bill users a fixed fee. Currently there are a number of different fees that are meant for a number of different things – one is administrative, one is availability, another is escrow – he thinks perhaps they had a use at one point and the knowledge of those just does not exist. For simplicity of billing, AEM suggests figuring out what that fee is and just charge the one fee rather than multiple different fees. On the sewer side there are similar fees, so AEM's recommendation is very similar, mainly in the commercial or Village Center billings. Mr. Nelson noted they recommend a rate increase in the sewer and this is one of the areas that he thinks needs some action based on cash flow projections. AEM recommends a 3% overall usage fee for those commercial and residential customers. The final recommendation on the sewer – there is a component billed through White Bear Township from the residential side. Part of the study that came to light was the fact that the revenue from those escrow fees related to the sewer have not been increased and are not matching or meeting the costs being paid to White Bear Township for maintenance and other things. That is where a bigger part of the increase came in as part of AEM's recommendation – about 20% per year for the next five years for those escrow fees. He noted it may sound like a lot. The escrow fee currently sits at \$12.50 per quarter so the 20% increase would get that fee to \$15 per quarter in 2021. Mr. Nelson recommended developing a clear water and sewer fund in the City. Currently in the audited financial statements there is one fund called "Utilities" where all resources from water and sewer are kept. As part of the long-term goals, making sure that each fund has its own separate reserves for its needs is important, as well as making sure they get separated. The second thing to consider is creating a budget for those future revenue expenditures within both the water and sewer funds. Mr. Nelson does not know that there is an official budget adopted and he thinks it is best practice for cities to have a budget for those water and sewer funds. Third is cash flow positive for both utility funds. AEM



has included in the recommendations a way for the City to get to that cash flow positive. The fourth point is to really understand the future infrastructure needs, potentially completing an assessment of the infrastructure that the City owns and has taken over in the past few years to determine what those long-term needs are. A common recommendation from an audit perspective is to tie those reserves to a capital improvement plan. Mr. Nelson suggested they review the maintenance escrow fee charge to determine their use in the future; he noted the 20% increase recommended earlier and said this is a fee that is passed down through White Bear Township. AEM had a meeting with White Bear Township to understand what the fee is, what it is to be used for in the future, and what it was in the past. Overall, increasing that fee would get North Oaks to the point of being cash flow positive in the next five years. The City should consider the cost of service White Bear Township is providing; the City is contracting with them to provide a number of different services and one billing the residents that receive water and sewer services through the Township and Shoreview. Overall, that relationship with White Bear Township is something to look at in the future. Finally, Mr. Nelson said determining where there is a water loss in the City of Shoreview a currently the City is paying about \$2,000 per quarter for water that is not currently being billed through the City and is more of a loss revenue or water that is not being captured in the billing.

Mayor Ries is glad they decided to do this rate study as it sounds like there are some key areas where the City might be losing concerning amounts of money. It is great for future planning to get this in perspective and get ahead of it before it becomes a problem. She noted Mr. Nelson's comment on the 20% increase and making sure the escrow would be at an appropriate quarterly level, but that is only for the fee collection and would not be considered if there were some issues with the actual installation and hardware that is existing.

Mr. Nelson thinks knowing exactly what the escrow fee is for is part of that understanding; right now he thinks it is for anything in the City, whether it is maintenance that White Bear Township provides, repairs, other bills, etcetera. AEM's goal to put that 20% in there is mainly to gather resources and pay those future costs as they continue to go up with the Township.

Mayor Ries asked about the \$2,000 amount mentioned at the end of the report. She noted there is an unknown reason why the City is paying the \$2,000 and asked Administrator Kress if they can find out why they are paying that amount.

Administrator Kress replied this has been an ongoing problem that was reviewed by engineers and staff at Shoreview. What is happening is the water is going through the main meter but it is not hitting the other meters; they are losing water somewhere through the system and he thinks it has been leak-tested a number of times. He has it on his list to talk to Mr. Korby about it. For some reason there is a mysterious loss of water and it will take some time to figure that out. Often it is the meter over- or under-recording before it reaches a residential house or someone is leaching off the system.

Mr. Korby asked how often the meters are calibrated; sometimes a meter could be off 10-30% if it is not done annually.

Administrator Kress knows they pulled several meters over in the Charley Lake area that are fairly new and they have tried all kinds of things and are coming up cold. He noted maybe it was hydrant pulling as there is loss there and they are not metering off the hydrant; there is a possibility someone is hooking up to a hydrant to fill a pool. He has seen a lot of things and it takes time to figure out.

Member Hara thinks it is a good idea to separate water and sewer and they should know what those costs are so they can make the determination about what they should charge. He noted it looks like White Bear bills the residents directly for the water usage and Shoreview bills the City who in turn bills the residents. He said it looks like the City charges a 25% premium to what the residents pay and then a 7.5% additional billing or processing charge. Hara stated said they are charging their residents 32.5% over what Shoreview is charging the City and asked if he is interpreting that correctly.

Administrator Kress replied Shoreview is charging the City 25%; the only thing the City is charging in addition to that is the 7.5% which covers staff time to send out the bills, and things associated with utility billing. He noted the City does not make much money on it and the Shoreview side is the much more expensive side.

Member Hara has heard complaints from people in the Preserve that their water bills are kind of ridiculous. He asked if any of the water is coming out of Pleasant Lake and out of the waterworks, rather it is all well water from the City.

Administrator Kress stated that is correct; it is from a JPA and he thinks it originally started with the Charley Lake Preserve.

Member Watson said that is true.

Administrator Kress believes it was 2010 or so that the JPA was established with Shoreview for water services.

Member Hara asked if there is any negotiating ability on the 25% fee as it seems kind of high.

Member Dujmovic noted that is exactly what he was going to say. He thinks they need a focused session on this and that they have an opportunity to negotiate as 25% seems high. He understands that North Oaks fell behind in not raising some fees and now they are in a position to recommend raising it 20% per year to catch up and reviewing that is important. A 3% annual charge to everyone at least for one year – he asked if that is in perpetuity and do they think the City would have to do that every year. They now have Mr. Korby's expertise and it will be great to plan some of these things for the future, as with the complexities of their ecosystem it will look a lot different in a few years with all the water and sewer coming in. Now is the time to negotiate. He likes the idea of separate sewer and water funds and sees in the report that not having a capital improvement fund puts them behind as they plan for all the infrastructure and development coming up.

Member Watson noted on page 5 item 3 indicates the City has no current capital improvement plan and in looking at the recommendation on page 6 the fifth bullet – he is more concerned about those two items than everything else in the report. This is because there is a company that is trying to work itself out of business and he can assure them where they think the deep pockets are starting in 2030. Member Watson said when they talk about this, what is the extent of the infrastructure, how old is that infrastructure, what is a replacement cost of that infrastructure, what is the life of the infrastructure. He noted several things throughout the City are 15-20 years old; he thinks there was an intent that North Oaks would simply be there one day hand open, waiting to receive this gift of assets that are 30 and 40 years old and no escrow, no capital improvement, no money comes with it. Member Watson noted that is why his report coming up is critical to look at the next 3-5 developments. They need to talk about what their legacy is in terms of capital resources to take care of these things.

Mayor Ries agrees and her question is trying to understand what the escrow includes and how much was considered to determine that dollar amount for capital improvements. This is an area they must be sure they are planning appropriately and considering everything that could break that the City will be managing and taking over. She noted it is the old stuff and the new stuff that is coming down the pipeline and they must plan appropriately with the escrow and the rates. If the Council would like to do a work session on this item, she would be willing to call a meeting for that.

Member Watson stated in the file should be a report prepared by McCombs, Frank, Roos done in the late 2000's which placed a value on the infrastructure that the City may be inheriting, its age, and other things. It was a fairly comprehensive piece of work and he does not know if Administrator Kress has encountered that. He assumes the work Mr. Nelson has done to date in looking at the current capital structure is minimal in comparison to what he does not know about the entire infrastructure the City may be inheriting.

Mr. Nelson said he has been the auditor of North Oaks for about 9 years and has been involved in a lot of different discussions. To answer Member Watson's question, he really does not have any knowledge of it. The goal in recommending those fees be increased is not necessarily starting from ground zero, but it is the intent to start somewhere, to start now to build things. Escrow fee, future capital fee, fixed fee, whatever they want to call it – the goal overall is to start building.

Mr. Korby said most cities that have an industrial user or are selling water to another community – he has found it is usually 10%.

Administrator Kress's understanding of the agreement at the time was that Shoreview was very hesitant to provide the service and that is why it is up-charged so much.

Mr. Korby said doing a survey of what, for example, St. Paul charges to their communities so North Oaks could have some negotiating powers. He asked if they have utility maps that show all of the sewer, water, and storm lines.

Administrator Kress replied yes and spoke to Member Watson's comments; he was talking about the utility master plan which he had asked the previous year to be updated by the engineer at that time. It did not happen. Administrator Kress would look to Mr. Korby to upgrade the utility master plan to do exactly what Member Watson just asked. One of the first things Administrator Kress noticed was they did not have a good handle on what was coming in now and in the future to be able to forecast their rates.

Mr. Korby is in agreement with building up an operation, maintenance, and replacement (O, M, and R) which is kind of what the escrow is for. He agrees with Mr. Nelson that they need to build up that escrow. He would also be in agreement with increasing their rates, whether for the next five years. Mr. Korby gave an example for replacement and said a brand new lift station could cost as much as \$200,000 and there are quite a few lift stations in the City of North Oaks. He noted that gives perspective on how expensive infrastructure is and that is why they need this escrow account or replacement fund.

Administrator Kress said now within the agreement is a surcharge that was intended to replenish the City's funding if a lift station pump went down, or a grinder blew; lately it is not keeping up with the amount of maintenance coming through the pipeline. This is in part why they wanted to do the rate study because they were getting overwhelmed with the amount of maintenance on the table.

Member Hara asked regarding the lift station, most North Oaks residents are served with their own subsurface treatment system on property and are individually responsible for the cost to maintain and keep those in compliance. When a lift station goes out, is that expense borne by the entire community or just those people that are utilizing the lift station.

Administrator Kress said it is typically just the people utilizing the system – he broadened that to anyone who is on the sewer or water system. If they contribute to the sewer fund, essentially they are paying for it, unless they are doing some kind of special assessment to upgrade the lift station or lines along certain properties, anyone that contributes to the fund pays for it.

Member Dujmovic said the community has a history where individual homeowners are responsible for the water they have – if they need a new well, pump, storage reservoir, they pay for that. It is the same with septic. He stated now they are shifting into a much different ecosystem and they need to plan for that. There will be a significant change in the nature and character of the community, and they will have a lot more in the years ahead. He again stated they need a focused session on this; they are not a huge community so when they spread that expense around there are not that many people and septic's they need to get ahead of it.

Mayor Ries noted it sounds like the Council wants to have a focus session to discuss further.

Administrator Kress said the Council could make a motion to accept the rate study and ultimately they would have to change their fee schedule. He would like to see the utility master plan updated as part of that as it may change the rates even more if it is determined certain systems are getting to the end of their useful life. He noted the City can change their rates essentially at any time as long as they change the fee schedule.

**MOTION by Watson, seconded by Dujmovic, to approve the rate study.**

Member Watson would like an estimate from Mr. Korby of time and cost to get the utility master plan updated. As part of this motion, he would like the Council to agree to get their hands on what it would cost to get an update and the time. They will need that information for two things: the subject matter they are talking about, and he does not want to go too far down the path of three more development sites with East Oaks without having a conversation about the future capitalization and obligations that the Company thinks they are passing on to the community.

Mayor Ries agrees.

**Motion carried unanimously by roll call.**

Mayor Ries will reach out to schedule the focus session and asked Administrator Kress to work with Mr. Korby on assessing time and cost.

Administrator Kress asked if there is a certain amount the Council wants to authorize. Typically when he sees something like this it is anywhere from \$5,000-\$15,000 to upgrade. He asked if Mr. Korby should present a proposal for the work or if Administrator Kress should do it on his own.

Mayor Ries said Mr. Korby could present at the work session.

Administrator Kress would recommend an actual meeting rather than a work session as the Council cannot take action in a work session.

Mr. Korby noted it depends on what he would have to do and the current stage. Administrator Kress mentioned it was done in 2015 so he assumes there is a document that has the existing form. He would lean more towards the \$15,000 and not towards the \$5,000.

Member Hara thinks Mr. Korby would have to see what is already in place and try to see what has been added since 2015 to even give a fee structure on that. He suggested moving this forward by Mr. Korby looking at those documents and giving an idea of the cost range on that. He thinks it is unfair to Mr. Korby to try and give an idea without knowing what he is looking at.

Mr. Korby will work with Administrator Kress and bring it back to the Council.

**8. UNFINISHED BUSINESS**

**a. Island Field Joint Powers Agreement** – *this item was removed from the agenda.*

**b. Gate Hill Joint Powers Agreement** - *this item was removed from the agenda.*

**c. Discussion and possible action on TimeSavers Minute Taking Services**

Mayor Ries noted this item has appeared on previous agendas. To give background, last year TimeSavers was hired to take the automatically transcribed minutes for the City Council and Planning Commission meetings. The City pays \$500 per meeting.

Administrator Kress said it is anywhere from around \$600-\$1,000 per meeting depending on the length of the meeting.

Mayor Ries stated that is a cost just to do the minutes. The service is relatively new as in the past they hired a Staff member to do the minutes; last year they started this automated service. The City also has video recordings of their meetings, and she noted the additional item to talk about adding the audio recordings of the meetings at an additional cost of \$435. Mayor Ries wants to be sure they understand the cost associated with keeping track of the minutes.

Member Dujmovic said TimeSavers does a remarkable job, a very good job; he said they are extraordinarily expensive as they just went over the numbers. In the report it says \$150 for the first hour, \$36 for the next 30 minutes. His thought is if they have recordings of this, are there people in the community who might be high school or even adults at home looking for additional revenue opportunities that the City could pay significantly less than this but still have an appealing income for someone. The minutes do not come out the day after the meeting, the Council looks at them roughly three weeks after so there is plenty of time. He stated there are all sorts of technology and software they can buy that is actually pretty inexpensive that can take written notes from verbal. Then someone could go through and correct it.

Member Hara agrees if they are looking at \$600-\$1,000 per meeting and start thinking about the special meetings, regular meetings, and Planning Commission meetings; that is a huge number. He is certain there is transcription software available to take an audio recording and transcribe it – he is not certain how accurate that is – but he has been in meetings where that has been done. That could be a huge savings.

Member Watson stated in the early years they did in fact have individuals hired by the City for one purpose only: the recording secretary for the Planning Commission or the City Council. Some cases had a recording device that picked up what was happening at the Council table and they typically received the minutes back within a week or 10 days. He is not so sure they weren't more accurate than the ones he has seen more recently. He noted if they were to make a switch, they had 20 candidates for the part-time administrative position and asked if there is Staff that can handle this in the interim and whether there is value in going that direction from an Administrator standpoint.

Administrator Kress asked if the Council would continue on with the verbatim style minutes or go to a shortened version with a bit of an intro to each item with mainly just the motions included in the minutes.

Member Watson said the in all his volunteer and City work, this is the only place he has seen transcribed minutes verbatim. He thinks the level of trust the Council has with each other, they do not need verbatim.

Member Shah also questions whether they want verbatim; are 400 page meeting minutes useful for really useful for the Council or the community? She does not think that output is productive for anyone. In her opinion, meeting minutes should be a representation of the arguments put forth by the Council, the question called, and the outcome of the votes. That is ultimately most important and what she thinks should be captured. There is value in verbatim and she recalls the residents asking for this about a year or year-and-a-half ago because from an administrative standpoint they were having trouble capturing everything and it got political. The prior Council did move to this solution, but she thinks they need to pull back and ask what they are trying to achieve. Do they want a full transcription or a representation of key arguments. She thinks that is what they are debating right now, not whether they should use TimeSavers or not. Then they can maneuver and try to find solutions.

Mayor Ries agrees that 400 pages of minutes is honestly a lot of time for the Council to review, and for the community members trying to sift through. She noted they have video recordings and are talking about additional audio recordings – they have other ways to capture the conversation. When one is looking back to those minutes for some larger text of information when things are political but then they have the ability to go back to the video footage. She said the technology is better today and is only going to become better with other software packages and options. Mayor Ries sees TimeSavers as more of a luxury, they are maybe saving time with someone not doing the notes but then it is taking up more of the Council's time having to go through the notes. She would like to have a happy medium where they are reducing their minutes, they have a video recording available for the community if there is ever a question, and the minutes are basically a summary with clear context of the voting, the motions, some of the argumentation around it. That way it does not take so long to go through all of that. One benefit is saving Council's time. Mayor Ries does appreciate TimeSavers and having these type of software packages where the automatically transcribe everything because there were situations in the past where if there was a political issue certain Staff members were put under a microscope about how they had transcribed a particular conversation. Again, now they have the video recording to double-check if there is an issue and look back at the record. With TimeSavers, Mayor Ries sees this as a huge expense, and sifting through 400 pages of minutes, almost a time consumer of hers.

**MOTION by Watson to terminate the relationship with TimeSavers.**

Member Watson asked Administrator Kress to advise whether they do it immediately or at the end of April; there is Staff that can cover for a month until they can come up with another body or way to handle the minutes.

Administrator Kress prefers the end of the month to buy some time and discuss internally. He mentioned that it is up to the Council to tell TimeSavers what kind of minutes they want. If they went to a lower scale it would be much less money than what they are spending right now.

Member Shah said before they just cut this out as an option, should they look at the feasible options on the table. It sounds like they could use TimeSavers but in a different way to solve the problem; maybe they don't do verbatim but could just do what the key arguments were and the vote.

Member Watson commented on his motion, he wants to eliminate TimeSavers because he thinks if Administrator Kress indicated that there were 20 applicants for a part-time job, Member Watson would be interested in using the next 30 days to see if any one of those is interested in a part-time job. Number two would continue this through the end of April and get the Planning Commission meeting taken care of and then they will be on their own for a more concise set of minutes as they do not need a verbatim set of minutes whatsoever.

Member Dujmovic said in the past there were sometimes mischaracterizations as to what people in the community said when they were recorded in the minutes because they were manipulated and not verbatim. As far as citizen comments, he supports that either they are verbatim or if they are a summary that someone reviews them against what was actually said and that it was not manipulated or key elements left out as that was rather disappointing to see in the past.

Member Shah thinks Member Dujmovic has a good suggestion. If they remove the current solution of TimeSavers, they really need to understand how they will capture these. Whoever is writing these needs to be impartial and she thinks the entire Council can agree on that. She heard some ideas that perhaps an existing Planning Commissioner could potentially write the minutes and she has grave concerns that a Planning Commissioner fully engaged in their meeting will have difficulty writing the meeting notes. These are all solutions but they need to come to an agreement on how they want to see meeting notes and how they solve the problem. She does not know if they are ready to do that tonight.

Member Hara agrees with Member Shah on that. He just googled transcription software and there are a lot of choices. He recalled a meeting not long ago that was recorded and transcribed and was pretty accurate. The voice technology is not quite there but it is not bad; he agrees with Member Shah that one of them cannot be interpreting what someone said as that is a recipe for disaster. Before they decide on hiring somebody to do this, he suggested looking at the technology available that might get them pretty close to what they want to do with perhaps a one-time cost that can be an add-on to the audio-only recording. Since they have video recordings of these meetings, if it was difficult to determine what was said they can always go back and look.

Mayor Ries agrees they do not want the Council to take their own notes but rather they want a service or person to do a shortened version of notes. She spoke with Chair Azman and told him this would be on the agenda with a brief background about why and he agrees that this is costly and they should be considerate as to the financial payment to this particular service. Mayor Ries said if they shorten the minutes, they could go back to TimeSavers but she thinks it will be cheaper to pay an hourly person, especially if they agree that the only thing verbatim is the public citizen comment section. If it is a very political, controversial item, it will take longer to transcribe the minutes but if they do a shortened version it is not that long to transcribe. She does not know the fees that TimeSavers would charge for transcription services but she knows they looked at this before and there are many, many more services out there than TimeSavers.

Member Watson has a motion on the table and wants to answer Member Shah's two questions. There are three City Staff working here tonight and he understands the newest employee is being trained in. He can say that up until 18 months ago, he thinks Deb was primarily a minute-taker



and did a very nice job of it, and the persons that served this community before Deb did the very same thing. One of Member Shah's questions to what they would do immediately, he is sure they can work with Administrator Kress to get through the month of April with one of his Staff members to get through the month of May. Other than the last 18 months when they were dealing with disastrous interpersonal relationships that did not exist in North Oaks, they used TimeSavers as a way to make peace. He is not sure they accomplished a damn thing. What is their plan? Revert to what they survived with for the previous 40 years prior to 18 months ago. Second, Member Watson suggests pursuing Member Dujmovic's argument to pursue some of these individuals who have already applied for the part-time job and advertise for a couple more people that would work for 6-8 hours. Most of those people, several in the past, were retired people simply looking for something to do for a few hours as the recording secretary. There are plenty of solutions, this is not a new story to use Staff people to take minutes and they have historically done a really good job of it. He renewed his motion.

Mayor Ries asked if there is a second to the motion to go through May and cancel the contract with TimeSavers.

Member Watson clarified he said through the month of April but if May is a compromise he is happy to do that.

Member Hara would second it and suggested through May to give them time to vet this and figure out if there is software available and what person might be willing to take on the charge of transcribing the minutes.

**Motion seconded by Member Hara.**

Member Watson deferred to Administrator Kress on whether there are any candidates among the pool they looked at recently.

Administrator Kress would be interested to see what software is out there to give the current staff a shot at taking the minutes if they are interested. If they are not, they could go ahead and possibly post for a recording secretary. It would be interesting to see what the software does and at least give it a try with the Council and show a first round in May. He suggested the Council authorize him to test out some software in the interim. If that does not work, which they will probably know in June, they would need a motion to authorize hiring for a secretary.

Member Watson asked to amend his motion subject to Member Hara's agreement. He would like to defer this until the end of May and have Administrator Kress bring an update as to how they will handle the recording secretary matters for Council, Planning Commission, and NRC at the May meeting.

**AMENDED MOTION by Watson, seconded by Hara, to terminate the relationship with TimeSavers at the end of May and direct Kress to update the Council at the May meeting about recording secretary matters.**

Mayor Ries agrees as she wants to see the costs associated with the software packages before approving anything.

Member Shah said it sounds like they will defer and explore all available technology options as well as potential recording secretaries as options.

Mayor Ries said they will table it then to the next meeting.

Member Dujmovic asked Administrator Kress to talk to cities and find out best practices, what they are using, etcetera.

Administrator Kress replied that is how they ended up with TimeSavers, he spoke with the neighboring cities and they were using TimeSavers but are not doing verbatim-style. He thinks North Oaks is probably one of the only cities that went with verbatim but it was mainly because they wanted that extra dialogue. He would have to even explore with TimeSavers, if it came back and was ¼ of the cost it might make sense to do that. He does not know until they explore all of the other options.

Mayor Ries asked if Member Watson would remove the motion.

Member Watson would actually like to see the motion out there at the end of May and they will have the opportunity with Administrator Kress's information and reaffirm the decision. He would not table it because they have been talking about this subject since January 1 and by pushing it this way they have another month through May for Administrator Kress to bring back information at the May meeting. At that point the Council can decide whether they want to extend it, change it, modify it, or renew a contract with TimeSavers with a different proposal. He stated this particular approach to TimeSavers is to be terminated. Hopefully Member Hara agrees as seconder.

Member Hara agrees that is a good approach.

**Motion carried unanimously by roll call.**

**d. Continued Discussion on Nord Parcel**

Member Watson noted this morning they received a letter (also posted on the website) from North Oaks Home Owners' Association (NOHOA) indicating they had started some conversation with the North Oaks Company (NOC). He does not know the extent of that and noted they requested a 60 day extension as the two parties work on a solution to the Nord conflict. He suggests they accept that and not pursue further discussion on Nord until the June meeting.

**MOTION by Watson to extend the discussion on the Nord Parcel for 60 days until the June meeting) pursuant to the letter received from North Oaks Home Owners' Association.**

Member Dujmovic is not sure he understands what the motion would actually execute.

Member Watson made a comment in January, February, and March minutes that absent any movement as of this evening, he was prepared to debate with the Council about removing the decisions on Nord. That would be to remove the development agreement on Nord simply because there had been no effort on the part of either party to work on the matters of disagreement. He is not prepared and interested in this laboring forever. Since he understands as stated in the NOHOA letter that there has been some communication, he wants to take their suggestion for a 60 day extension. He noted the NOHOA Board has indicated that they are on board with that. There is some indication in a communication from late today from Mr. Houge that there is an apparent desire to get these issues resolved. He suggests giving 60 days and getting these resolved or he will renew his motion in June to cancel the approval on the development agreement for Nord.

Mayor Ries noted there is a new engineer and that would be an opportunity for him to continue working on items, get experience with the community, and do what he needs to do.

**Motion seconded by Dujmovic.**

Member Dujmovic would second the motion and would like to participate in any meeting and he assumes that other Councilmembers would like to participate as well. There are Open Meeting Law considerations but he asked Administrator Kress if they could work through that as he thinks this is important and does not want to kick the can down the road indefinitely. He would second the motion with the agreement that the Council is able to participate in the discussions. He does not want to get a couple letters the day before the Council meeting without having seen, heard, or participated in it at all. He noted they are all together, they should behave that way and have this discussion instead of communicating one-off via letters. He'd like to bring it all together for a more holistic conversation.

Member Watson added some clarity to his motion. Back in March regarding the question about the City possibly serving as a mediator with the Company and NOHOA, the minutes reflect the fact that if they want the Council to participate in the discussions, the Council said they would be available. Second, there is a matter coming up on item 9d and Member Watson thinks the Council needs to get their arms around what the open issues are, that gives an opportunity to look at it and decide what actions the Council may want to take. He is fully aware that there is urgency on the part of the Company to move this along – some may have heard there is interest in certain lots. This does not have to mean they sit there for 60 days or that they do anything, he is letting 9d help the Council figure out what their role might be in that period of time. Whether that means two or three of the Councilmembers are involved, or there are some special meetings along the way, all of it is possible.

Member Shah said it sounds like the resolution is to defer the City discussion and debate on Nord until the Company and NOHOA discuss the remaining issues on Nord and asked if that is correct.

Member Watson replied along with their request to do it, the Council would extend any discussion or action they would have for 60 days.

Member Shah asked if deferring City action includes the fact that the Council has already sent the engineer out to re-review Nord. She asked does that stop, too?

Member Watson said they can do any number of things within 60 days. Attorney Nason answered his question on two different occasions in February and March; the Company is sitting there today with a number of lots they cannot convey to anyone. He thinks there is probably urgency on the Company's part to get some of this behind them so they can do so. NOHOA has asked for 60 days to work with the Company in bringing to closure those issues that would allow the Council to presumably sign off on all the remaining conditions, including transferring the easement for the trail, agree on the roadway issue, agree on the Home Owners' Association, etcetera. He wants to give them the opportunity. If Mr. Korby goes over there and takes a look at the road it is not going to stop a thing for 60 days. He does not want the City to be in a position where they are thinking about taking action to rescind a development agreement or whatever else. Member Watson wants to give them the opportunity to get this done and done now.

Mayor Ries said it is just allowing NOHOA to continue to talk and the Council will not do anything prematurely.

Member Watson said if they want the Council to participate and invite Member Dujmovic in as a resource, terrific.

Mayor Ries noted she does not want to limit the City's actions, they still want the engineer to be able to review questions and look into that so that will continue. She asked suggested calling a special meeting before June with the Council and Nord is part of the discussion.

Member Watson said that is not a problem. They all received memos from NOHOA and NOC and both indicated some effort to move this along and get those open issues resolved. Attorney Nason has given a seven page document on open issues that need to be resolved on Nord and he wants throw that into the puzzle to consider. When June comes, the Council can check off all of those conditions as being fully satisfied, easements are being transferred, etcetera.

Member Shah asked if it is possible to have the Company chime in on this.

Mayor Ries thinks they are just voting on 60 day approval for NOHOA so she does not see why the Company would need to chime in.

Member Shah said seeing as they are a party that is highly impacted with this timeline she thinks it would be prudent to have them speak to it.

Mayor Ries thinks this is a Council decision if they want to allow NOHOA the extra time or not.

Member Hara asked Mr. Korby given his workload, is 60 days enough time to finish the review of what they had asked at the last meeting.

Mr. Korby said yes it would be and would actually be greatly appreciated. Trying to review five developments at once is time-consuming so he would appreciate 60 days.

**Motion carried unanimously by roll call.**

## **9. NEW BUSINESS**

**a. Presentation by AEM, Discussion and Possible Action on Utility Rate Study** (*this item was moved to item 7c.*)

### **b. Discussion and Possible Action 2040 Comprehensive Plan**

Mayor Ries asked Administrator Kress to put this on the agenda as they have received remarks back from the Met Council, an entity that the City needs to work with and to pay attention to their concerns. The Comprehensive Plan is quite a comprehensive, lengthy document and they need to consider the changes they make carefully. She would like more time with this document but wanted it presented to the community and the packet is the best way to do that so everyone has the information in the public domain for full transparency. Mayor Ries recommends a special meeting to go through the Comp Plan and changes with the Council before approval; she announced she will be calling a special meeting to dive in to the Comp Plan for final changes coming up.

Administrator Kress would look to the week of April 19-23 and target the 21<sup>st</sup> or 22<sup>nd</sup>. Mayor Ries may also want to invite Mike Larson if there are questions specific to Met Council. Based off of what Member Dujmovic asked, Administrator Kress thinks there are questions that staff cannot really answer without that backing from Met Council. Administrator Kress can coordinate with Mike Larson on those dates to see if he is available.

Mayor Ries agreed that will give the Council more time to go through the comments and final changes to the Comp Plan.

Member Watson asked if he would be referring to pages 198 – 200 as the substance of the remaining review so the Council does not have to go through the other 200 pages.

Administrator Kress replied those were the comments received from Met Council. The understanding is if the City makes those implementations they are essentially done; he takes it as if the City makes those changes Met Council will accept it. Administrator Kress continued saying or the City can verbalize their stature on it because there are some things in there that the City has already told Met Council they acknowledge it but will not do it because they do not have to.

Member Watson raised the question because he would like the focus in the special meeting to be limited to those 3 pages of items and not the other 200 pages.

Mayor Ries said unless there is something of major concern that just does not jive with the rest of the document, but she agrees they need to keep it a focused conversation. If there is a substantive concerning issue, it could be briefly raised as this is their final chance to review the document. If there is a major problem it is best to voice it now to get the problem done and finalized so they can move it forward.

Member Hara said some of the items seemed to just be different presentations of information that has already been done and seems clerical and administrative.

Administrator Kress noted yes, there are a number of those unsubstantial adjustments.

Member Shah agrees with Member Watson, they need to focus on the incremental edits as they are very close to finishing this and there have been a ton of civil servants across the City, including NOHOA that have reviewed this document. She thinks just focusing on the delta they will get this through the finish line. Member Shah does not want to open up the prior items they have hashed out.

### **c. Discussion and Possible Action on Opening City Hall**

Mayor Ries discovered in the monthly mayor's meeting that many other cities have opened with the exception of 1-2 cities. She spoke with Administrator Kress and they now have an opportunity where vaccines are becoming more available and people 16 and older can get the vaccine. The City is open to people that need to come in and do business – they can knock on the door, come in and drop off checks or set up appointments with Staff – so they are still working with the community. Mayor Ries thinks it is important as they go into the summer season and people start getting out a bit more to look to the future and get something on the calendar.

Administrator Kress suggested May 3, 2021 (the first Monday in May). He has talked to Staff about it and they are on board and the majority of Staff is vaccinated or will be soon. Administrator Kress noted they talked about retaining some type of remote work capability because there are times that is needed and is typically authorized by Administrator Kress. Generally it is only Stephanie Marty and Administrator Kress, on occasion it could be the front desk for a few hours if someone needs to be home with the kids while they are getting on the bus, it does not mean they are not working, but they have to physically be there or the kids will not get picked up. He does not foresee it happening a lot but if someone needed to cool off and wanted to work from home, Administrator Kress really does not have a problem with that. He noted they have full VPN access and he would like to keep that flexibility on the table as it is an advantage and a lot of cities are taking advantage of that.

Mayor Ries stated in her years involved with City business it has been flexible with Staff as things come up, doctors' appointments, it is life. She noted the Staff has done a good job of addressing those things amongst themselves and dealing with it on a daily or weekly basis. They also have vacations and the option where people can work from their cabin. She suggested simplifying the vote to open the office on May 3, 2021 and then they can see how things are going and it will naturally work itself out.

**MOTION by Watson, seconded by Hara, to reopen City Hall on May 3, 2021 and to give Administrator Kress the ability to modify some in-house or remote opportunities over the next couple months while school is in session.**

Member Shah asked from a community standpoint, does anyone know NOHOA's plan for reopening? Perhaps they can get in sync and ease the confusion for the public.

Mayor Ries does not know as they run on their own separate schedule and their Board handles it.

Administrator Kress has a feeling now that NOHOA knows the City's date they will probably follow up shortly. He does not know their vaccination timeline. Administrator Kress will call NOHOA Executive Director Griffin.

**Motion carried unanimously by roll call.**

**d. East Oaks and Land Use Matters**

Member Watson said over the last couple of months the Council has talked about this topic more than once. He started writing this in late February – early March out of frustration about what he did not know regarding all of the different developments in North Oaks. Each day he would learn something new and noted some Councilmembers knew things while other did not. At the March meeting he asked about the proposed schedule and Administrator Kress included it on page 1; Member Watson looked at that and said there is no chance he can get his arms around these five developments on that schedule. He asked Administrator Kress point-blank what the capacity of the City of North Oaks is to do the business in a thorough, legal, complete, ethical, professional, analytical manner with the proposed schedule. Administrator Kress answered that they do not have the capacity. They spoke about whether they had the capacity if they did these things somewhat more sequentially than concurrent. The answer was yes. Member Watson's point on the backside is simply to get his arms around the status of all of the remaining, unfinished pieces of business in the five developments in the PDA – nothing more, nothing less. He is not preparing this to judge it or to help make decisions. He noted Attorney Nason has been kind enough to give Member Watson time in the matter in which he can foresee having a 3-ring binder and 6 tabs to make sure they have the current documents relative to the plan itself and any modifications (such as the 7<sup>th</sup> amendment, etcetera). The other five tabs would be one for each site: Nord, Gate Hill, Anderson Woods, Island Field, Red Forest Way South. He would like to see a document, such as Attorney Nason prepared for the Council regarding Nord, for each of the sites and have it kept current. He suggests that Administrator Kress keep that up-to-date, and that the Council gets a monthly engineer report; he would like the Council to all have the same, current information so they can understand exactly what commitments they are making as they accept final plans, and indicate documents are there to satisfy all conditions in the preliminary plans. They are looking to the City Attorney, Engineer, Planner, to indicate they have the capacity to help do that in addition to Administrator Kress. He said to keep in mind this in addition to the ordinary business of a City. He would like a motion to accept the report.

Mayor Ries agrees it would be a good idea to get organized and get the documentation updated and together. She said it is hard with Open Meeting Laws to deal with things, discussions, emails coming in, and disclosures. She would like to have a collaborative meeting with the Council and NOHOA and talk about scheduling, plans, approvals, what is outstanding, and have an open discussion with the Engineer once he gets up to speed. Mayor Ries wants to understand what has

been done and what the Council needs to review and double-check. She asked Member Watson if a collaborative meeting would make sense.

Member Watson replied he wants to see this information put together with Administrator Kress and Staff to lead the Council through a work session so they know what Staff knows. Second, he wants a work session with NOHOA, and third, he wants a work session with the North Oaks Company (NOC). He wants those done as soon as possible because the Council's need to look at these applications rushing through the door – North Oaks does not have a huge capacity as they are not Shoreview, etcetera – they need to sit down and do a thorough job. He is embarrassed by the way the City has done its work over the last year-and-a-half; screwing around for months and weeks and all of a sudden rushing things through the door in November and December. He noted that is not how to do business in this community or any other community. Member Watson wants to get ahead of the curve on these and get everyone in the same place to move forward together and get this done in a timely way, thoroughly, responsibly, and working together.

**MOTION by Watson, seconded by Dujmovic, to compile a packet of working documents on the five developments in North Oaks for each of the Councilmembers.**

Member Shah did not agree with everything in Member Watson's memo, as there are some things she does not think are accurate. However, the whole concept of doing a high-level timeline did resonate with Member Shah, as the project manager in her sees the value of making a roadmap of the remaining East Oaks developments as that would be helpful. Perhaps some sort of conceptual timeline as there are many, many work-streams for the City right now and they need to stay on top of them. She suggested mapping out each development, understanding the critical timelines, deadlines, and open items pertaining to them. She believes this could be a useful tool or communication vehicle to help with collaboration. She thinks they should also add an additional three work-streams under Nord: the checklist tied to the final approval from last December with outstanding items, the new work-stream having Mr. Korby doing a re-review, and the new NOHOA issues evolving with the Company. Finally, Member Shah said they must respect the timeline as they have no legal means to hold back the work from the Company at this point in time.

Mayor Ries noted Member Shah is getting off the issue. The issue is whether the Council agrees to put a work binder together of the sites.

Member Hara said in the 2040 Comprehensive Plan on page 11, it says specific to North Oaks: lot development is planned in stage so that new subdivisions are not open until most of the lots in the adjacent subdivisions are sold to developers or individual lot owners. Regarding Cherrywood, which opened up 12-13 years ago, he thinks the first phase is finally sold; in the second phase he thinks 8 of the 15 lots have been sold. The fact that now there are five developments that seemingly have to be done in the next 30 days or 60 days is ridiculous. Member Hara agrees with Member Watson there are some things that he had not necessarily considered such as infrastructure – as Member Dujmovic pointed out most of the new developments will require sewer and water access – which comes back to the citizens. If the Council is going to do the job properly and not burden the City down the road, they need the



time to look at this stuff. He does not see why they need to have five developments happening at the same time.

Mayor Ries said in hearing Member Shah's concerns about Nord and the outstanding issues, and regarding the future developments and applications coming, she thinks it would be a great opportunity to do what Member Watson is recommending, sitting down with NOHOA and talking through this issue, looking at where they are and getting organized, putting together schedules. She would like this Council to take back control of the development, as far as a City is in control of a development and working with a developer. She feels this is getting out of balance and wants this Council to come together and look at the overall organization of the development. She noted they still have a DNR letter they must look at, to work with the new City Engineer, and the Council's time is very valuable so a working session to hash out all of these remaining issues would be very beneficial. She can call a special meeting with a very focused discussion of the development; this really needs time and bringing it up in a Council meeting where they are working on lots of other things - she suggested having a dedicated meeting to go through these things.

Member Shah asked Member Watson to repeat the motion.

Member Watson restated the motion to accept his proposal to get the Council organized as he has outlined on page 2. Member Watson said this is focused on "us" the City. The last he checked, five of them raised their hands and took an oath of office to follow the laws of the State of Minnesota, the ordinances of the City of North Oaks (which implies things about plans and various other matters); he challenges the five Councilmembers to tell him that they understand exactly what their commitments to the City are going to be given the Company's document with the dates they saw again today as well as four weeks ago. Does the Council understand fully what the commitment is, what their schedules are, and how much time they will have to do a thorough, complete, accurate, analytical job that they raised their hands to say they would follow those laws. He said they do not have a nickel's worth of information on those things and all he is trying to do is get everyone on the same page. Contrary to Member Shah's questions and concerns, this is not to slight anyone, or to fail doing their work. Member Watson said the next item on the agenda is the fact that they have a City Attorney who is leaving.

Member Shah feels they are rushing this and would like to speak again.

Member Watson replied Member Shah has had this for a week and he asked her to provide comment and review.

Member Shah stated they provide comment during City Council meetings – she does not do it over email because it must be transparent to the public.

Mayor Ries called a point of order. She thinks they have had a very great discussion up to this point and she thinks there is a substantial amount of documentation that needs to be updated. She would appreciate time, and she thinks Engineer Korby has also suggested he would like to time review this, too. The vote is to get organized with this, one example Member Watson provided was updated documentation provided to the Council, and she asked for a roll call vote.

Member Shah noted Member Watson also added page 2. She said she was on board to provide some of this high-level documentation until he added page 2. There are items in there that are not accurate.

Mayor Ries said Member Shah may appreciate the fact that a motion is on the table and already seconded to simply get organized at this point.

Member Shah replied Member Watson added page 2.

Mayor Ries clarified under *Robert's Rules*, one cannot simply say "page 2." The motion has been presented on the table and has been seconded. She asked for a roll call vote for the original motion presented and seconded. Mayor Ries will call a special meeting to discuss the development and other issues. She believes the Council can further discuss the contents of page 2 at a special meeting and go into this in more depth. There are a lot of viewpoints on this and she would appreciate the time be granted to all Councilmembers to equally weigh in.

Member Shah asked Member Watson to repeat the motion they are voting on.

Member Watson stated the motion was to adopt the memo he prepared dated March 26, 2021.

**Motion carried by roll call as Councilmembers Dujmovic, Hara, Ries, and Watson voted for; Councilmember Shah voted against.**

Mayor Ries intends to invite NOHOA to the meeting and have a full and complete discussion and noted it will take some time.

#### **e. Discussion of the City Attorney**

Member Watson asked to have this added as the Council is aware of a resignation from LeVander, Gillen, and Miller (the City Attorney) and Attorney Nason in particular, effective April 30, 2021. The City will need to find legal counsel ASAP. Thinking about the discussion they just had and the timeline involved, it is even more urgent. Member Watson suggests appointing Councilmembers to identify firms and individuals that would serve the community. He is happy to be one of those Councilmembers. Member Watson tried to get Attorney Nason to stick around longer, and to her credit, she gave some consideration and indicated the firm is not willing to do that. Attorney Nason is willing to provide some continuing help to the City on some of the development matters. He appreciates Attorney Nason and thanked her for her work to the community.

Mayor Ries asked when the resignation would be effective, as there is a 30 day notice.

Member Watson replied April 30, 2021 and the letter was dated March 31, 2021.

Mayor Ries asked Administrator Kress to circulate a list of attorneys from over a year ago.

**MOTION by Watson, seconded by Hara, to accept the resignation of LeVander, Gillen, and Miller.**

Member Dujmovic asked if they have a choice to accept the resignation or not.

Attorney Nason replied not really, the contract does provide the City and the law firm the opportunity or option to terminate the relationship with notice period.

Mayor Ries clarified that Attorney Nason would be willing to stay on and provide the Council advice in certain areas where appropriate.

Attorney Nason replied yes, she is more than willing and wants to ensure a good, smooth transition to whoever the next City Attorney is. When that person and firm in on-boarded, she is happy to provide some transition work and additional services to make sure that the institutional knowledge she has gets downloaded and passed along. The effective date of the termination is April 30, 2021 but they can figure something out if there is a need for a slightly longer transition period.

**Motion carried unanimously by roll call.**

Mayor Ries noted as an attorney with legal background she was on the original committee that selected LeVander and she would also be willing to be on a committee.

**MOTION by Dujmovic, seconded by Hara, to form a committee formed of Mayor Ries, Member Watson, and Administrator Kress to secure legal services for the City of North Oaks. Motion carried unanimously by roll call.**

**10. COUNCIL MEMBER REPORTS**

**a. 319 Watershed Grants**

Member Watson included a handout in the packet and said the federal Environmental Protection Agency (EPA) has a small watershed 319 grant program and Vadnais Lakes Water Area Management Organization (VLWAMO) has submitted applications through the State of Minnesota to do that. At this point, Member Watson thinks they are among some that have been selected for more detailed proposals. This would be in an area they are currently working on in looking at water clarity improvements from water that flows out of Mallard Pond. There was a story in the newspaper recently about a meandering project they were finishing on Lambert Lake (south of Hwy 96 and East of 35E). That is what this particular proposal is all about in the area and another is Tamarack Lake and Birch Lake still within the VLAWMO Watershed. Member Watson thinks the interest in this item is twofold, one is that most of them have not had a lot of experience in working with small watershed programs through the EPA and this is that opportunity and they bring with them grants – this particular proposal is potentially to be funded at around \$530,000 of which 60% comes from the federal government and 40% has to be matched. Member Watson clarified that 40% means that VLAWMO must come up with \$212,000. The total of the project has been increased in recent times. Representing North Oaks on the VLAWMO Board, they acted on the adoption of a document referred to as the Nine Key

Element Plan. They were going to be faced with approving the proposal at the April or June meeting. Member Watson talked with Administrator Kress and Dr. Andrew Hawkins (Natural Resources Commission Chair) about spending ½ hour or more on this topic the following Thursday at 7:00 p.m. and they have agreed to do that. Phil Belfiori (Director of VLAWMO) and Dawn Tanner (aquatic environmental engineer) will be there representing VLAWMO to make that presentation. Mayor Ries and Member Watson have talked with Chair Hawkins about the City's NRC adopting a bit more of a planning focus to the work they do. Member Watson has asked Mr. Belfiori and Ms. Tanner about where this project begins and ends; they have East Oaks developments going on nearby, one is Island Field and one is Red Forest Way South. They assured him it does not impact any of those things but he thinks people ought to know that these two things are happening in that same relative area. He thinks it is pretty exciting stuff given what they did with Lambert Landing.

Member Shah asked hasn't the North Oaks Company been highly involved in this effort?

Member Watson noted they paid for some of the early feasibility but now they will need to raise the 40% match.

Mayor Ries asked if this Council has ever been asked for a conflicts check or to waive conflicts. She asked if there would be a conflict if they are hiring one of the contractual or an entity created in the Joint Powers Agreement (JPA).

Member Watson does not know and said the matters on the 319 grant are being run through the governing body of VLAWMO and representatives of the six communities have been involved in formulating the plans. From his experience with VLAWMO dating to around 2000, this is exactly how they have done business, they live on grants and he thinks that part has been handled properly. He thinks Member Shah is raising the question – he hopes she is not trying to bait him – the Company did underwrite with Barr Engineering to take a look at some feasibility on Wilkinson and what they could do to clean it up and now it has manifested in this particular application. Some have asked the question why Wilkinson rather than Pleasant Lake or Black Lake, Deep Lake, etcetera. The answer provided by Ms. Tanner was that they had a lot more data on Wilkinson and Pleasant and considered both of them.

Administrator Kress noted Mark Houge has his hand raised.

Mayor Ries noted they are doing reports right now and this is not an opportunity for feedback from community members.

Member Hara reported that he attended the NRC meeting and continues to work on developing a deer management program to be implemented this fall.

Member Dujmovic said they all know if they have had the experience of having a sick child it can be overwhelming and if they have a very sick child it is devastating. As they all know, the Guilds, particularly Guild II has contributed for years and years and noted the rummage and estate drop-off date is Saturday, May 15 from 9 a.m. to 2 p.m. at North Oaks West Rec Center and the sale itself is scheduled for September 18-19 at the Shoreview Ice Arena. There will be an

article in May for this and said they are looking for sorted, boxed, labeled, gently-used items and they would be so appreciated. Member Dujmovic noted there literally could not be a better cause to give to - these people do an incredible job. He thanked the NOC for a tour of the Nord site between the last City Council meeting and this one to view some of the plans there; it was really helpful to see firsthand with his eyes as he had previously only viewed it on paper. Member Dujmovic noted there was a Safe Roads Safe Communities meeting with NOHOA and talked about speed enforcement and expanding where resources focus, trespass enforcement, best practices, parking citations as a means to assist in enforcing trespass enforcement, and camera and additional precautions with some of the North Oaks businesses. There is another meeting on April 21<sup>st</sup>. Member Dujmovic thanked Administrator Kress, Member Watson, and Member Shah for the HR Green contract and welcomed Mr. Korby to his first official meeting; he also thanked Dana Healy and NineNorth for the great work they have done. He took note of Jim Howard's citizen comments at the beginning with the speed limit at Rapp Farms and he will bring that to the Safe Roads Safe Communities discussion with NOHOA and get their perspective on it. Member Dujmovic also thanked Attorney Nason for her service.

Member Shah will be joining the VLAWMO Tech meeting the following morning. The RCLLG (Ramsey County League of Local Governments) had their first meeting last month and they will probably see some fruitful items come of that. Per direction of Council, Member Shah was asked to work with Mayor Ries and Administrator Kress about assessing the current City staff jobs and understanding exactly what each employee does. She has lots of ideas on this, recommendations on the process, as well as templates ready to go. They had the first meeting but per Mayor Ries they will table this until further direction as they are currently concentrating on getting Lauren, the new staff member, up to speed. Member Shah had one final thing to address. She has been concerned about a number of email communications where she believes Council is not following protocol and going through proper channels. She will ask Attorney Nason to weigh in on this and Member Shah said she finds herself on certain emails that she sees more than two Councilmembers are included and she is deeply concerned that the Open Meeting Laws are being violated. Member Shah noted it has not happened once or twice, but probably five or six times with this Council in the last four months, including the memo they spoke about with the East Oaks Developments where everyone on the Council was copied on it. She asked Attorney Nason if she is off-base and noted she is just trying to be honest, forthright, and do the right thing and asked for her legal opinion on if she is seeing Open Meeting Law violations.

Attorney Nason said when it comes to email communications, her recommendation is that one-way communication is acceptable but one reply-all can run the risk of potentially leading to an Open Meeting Law violation. One-way communications happen when information is sent from one person to the whole Council. She noted there is a split in legal authority, so there is an unpublished (meaning not precedential) Court of Appeals decision on this matter that said that email communication is not a meeting. There is also an opinion from the Department of Administration which is the entity tasked with interpreting and providing guidance on the Open Meeting Law that says serial email communications – where a quorum or more of a Council replies in a serial fashion to an email – does constitute an Open Meeting Law violation. Attorney Nason's recommendation is to have an email go out, and it can go out to the full Council, but not to have a situation where anyone hits reply-all to avoid any risk that it could be constituted an Open Meeting Law violation.

Mayor Ries reiterated, this is not the first time people have talked about the Open Meeting Law violation, and they can talk amongst the whole Council about scheduling items and setting agendas and they are able to talk about those things without violating the Open Meeting Law and asked if that is correct.

Attorney Nason said the reality is that Councilmembers do talk to each other; there is just a threshold where if they have a serial conversation it could constitute a violation. Many times the communication is best routed back through the City Administrator as the point person because then they do not run that risk of a potential concern.

Mayor Ries stated one or two times in the past when she has seen this issue come up, they usually put it to Kelly and Lemmons, the prosecuting attorney, and they do have a process in place to ask them to look into it and weigh in. That way, the City Attorney is not conflicted in potentially dealing with the situation. She hears Member Shah's concerns and there is a process to look at this. She does not want the Open Meeting Law violation to be used against them because the Council needs to encourage working together, schedule, and communicate in an appropriate manner. She encouraged Councilmembers to reach out to her if there are items they would like to put on the agenda, and said entertaining any type of Open Meeting Law conversation that may prevent them from setting agendas and scheduling things. She thinks everyone on the Council understands that they cannot discuss the substance of the items sent out but receiving them one-way is understandable. She told Administrator Kress to contact Kelly and Lemmons to look at any issues that come up. This Council needs to move forward, not be handicapped, and be able to have meetings going forward.

Member Shah is recommending they follow chain-of-command, just as Attorney Nason recommended, and follow the protocol and send items to Administrator Kress and he can distribute accordingly. That would mitigate the risk for the City.

Mayor Ries noted Attorney Nason stated the case law said one-way communication is okay, however the Council cannot reply at all and discuss the issue. She asked if that is correct.

Attorney Nason replied that is correct and one-way communication happens frequently in cities. If there is one-way communication by, among, or to the Council it is just fine. It is just the reply-all that she always advises against.

Member Watson does not know if Member Shah was accusing him of violating the Open Meeting Law, but he can assure them that he received no response to his March 26, 2021 email. He did include Administrator Kress. There is no prohibition of a Councilmember circulating – as Attorney Nason just said – including the Administrator, etcetera, because his intent is also a factor in there. The intent is not to make a decision outside of a public forum; that is also part of the description from the State of Minnesota on numerous occasions. When he saw Member Dujmovic going into the grocery store the other day, Member Dujmovic went right and Member Watson went left so their paths would not cross as he did not want someone to see them in the same grocery store at the same hour.

Mayor Ries thanked LeVander, Gillen and Miller and Attorney Nason for their work with the City, noting long hours, much research, and much consideration to the issues and in helping the City. She appreciates the legal support they have provided to North Oaks. Mayor Ries welcomed Tim Korby with HR Green as the new engineer and said they are very excited to have him with the City as they embark on these plans going forward. Mayor Ries also welcomed Lauren Kavan with City Staff and said they are excited to have her in the office to help manage the day-to-day work. Mayor Ries announced that June 26, 2021 is planned to be the Green Lights Recycling Day where everyone can bring in things they would like to get rid of. There is a list of items allowed to be recycled and fees that will be made public when all is finalized.

## **11. CITY ADMINISTRATOR REPORTS**

Administrator Kress spoke to the building official about remote access for Permit Works (remoting in to the back desk which Permit Works is loaded on) and it is about a \$60 annual license per person, right now they have two, the building inspector and his assistant. They were talking about whether the City should pay for it or the building official should pay for it; they are bringing it to the Council to see what they would prefer.

Mayor Ries proposed the City paying that \$120 annual fee because it is their software package that is being required to log in to access.

Member Hara and Member Shah supported that. The Council directed Administrator Kress to pay the fee.

Administrator Kress stated Lonnie's is eating some additional charges for the high price of diesel. He asked the Council if there is any opposition to supporting Lonnie with an additional \$300-\$500 per month given the increase in diesel costs.

Mayor Ries stated Lonnie is providing a service to pick up the City's recycling. She noted the City is billed from him regularly and in the past they had to up the charges because with COVID he has been picking up a substantially increased volume of recycling. Mayor Ries would not be opposed and would recommend approving the additional diesel costs because it is something the City is creating for him to do on their behalf. Mayor Ries suggested getting the receipts and proper documentation from Lonnie regarding the diesel charges for bookkeeping.

Member Dujmovic is interested in seeing the math that gets to \$300-\$400 per month in incremental diesel costs and when does the Council revisit it.

Mayor Ries clarified it is \$300-\$500 and it is her understanding that it is based on the consumption he has been filling up his trucks.

Member Dujmovic asked if that is incremental.

Mayor Ries said it is based on diesel rates, how much per gallon and the amount of times he fills up the different trucks.

Administrator Kress stated Staff planned to revisit this in a couple of months to see if it flattened out at all. He thinks part of it is that people are still at home so there is more pick up throughout the community than there typically would be.

Member Hara noted the quick math he did on it is if it is \$.50 a gallon premium over what they were paying for their diesel and a \$500 deal, that is 1,000 gallons of additional fuel multiplied by 15 miles per gallon is 15,000 miles which seems like a lot in a month.

Member Watson said diesel engines will not go 15 miles per gallon. He assumes this is for the big recycling trucks. He noted in his industry he works with lots of people buying fuel in public sector organizations. What they usually do is set an index price and then they split the cost of anything purchased over that index price, and that would include the City looking at options to set up a credit program. For example, with Gary up at Amoco, he would dispense the fuel minus the excise tax which is 24.3 cents per gallon. Bottom line, Member Watson would look at an index price with or without the federal excise tax, and he knows diesel is around \$2.80 or \$2.85 at the pump. He likes Lonnie a lot, but then they would split the cost over that index price – Lonnie would pay half and the City would pay half. Therefore the index price stays fixed and if the price of diesel goes to \$3.25 the City will pay half of the increase over \$2.75 or \$2.60 or whatever the number is. He would like Administrator Kress to find out what he is doing with the excise tax.

Administrator Kress thinks that is something he and Member Watson can talk with Lonnie about.

Mayor Ries knows they have to eventually look at Lonnie's contract, as well. Right now, she thinks Lonnie has had to pay for all of these overages so he wanted to ask the Council because the price went up so shockingly high – she thinks more than \$.50.

Member Watson clarified he would be agreeing to pay Lonnie an indexed compensation for an additional price of fuel as that price goes up. He just wants to address Member Dujmovic's question. If they set an index price it takes care of itself regardless of what that fuel price is, they will be paying half of whatever it is.

Mayor Ries agreed and said that type of reasoning balances out because if they are below the index or above it, it balances out in the long-run. She said perhaps they can meet in the middle to help Lonnie now and then look at getting this under control so it is a more fluid system and Lonnie does not have to constantly come back to the City and ask when he is being hit with additional fees.

Administrator Kress asked about establishing a subcommittee as with other contracts to take a look at that with him.

Member Watson suggested they look at it with Lonnie and can be done with it in under an hour.

Mayor Ries is on the recycling committee and asked if she can help get the index price language of the contract sorted out.



Member Watson noted he would just be taking care of it over a period of time so they don't have to revisit it every month or quarter.

Mayor Ries asked if the Council can improve a slight increase for Lonnie in the interim with the understanding that they will put in some more flexible language with the excess pricing.

Administrator Kress thinks they could do either, knowing that Lonnie is somehow going to be reimbursed for the additional charges.

Member Watson said with that in mind, why don't they write him a check for \$400 for the month of April and then they can set up the indexed arrangement starting in May.

**MOTION by Watson, seconded by Hara, to pay Lonnie \$400 for the additional diesel price increase and to visit the contract with language for excess pricing. Motion carried unanimously by roll call.**

Administrator Kress updated the Council that he has been working with the NOHOA Executive Director on co-hosting the recycling event and/or the brush pickup. He asked if there is any opposition to having the City and NOHOA's names on those two events.

The Council was not opposed.

Member Watson asked if they can get a 30-second update from Mr. Korby.

Engineer Korby thanked the Mayor, Council, and Staff for giving him the honor to be the City Engineer and said it is truly one of the highlight of his 34 year career. He has started his review of most of the developments to familiarize himself. In particular they are doing a deep dive in to Anderson Woods, and doing a detailed review of the final plans. He spoke about the MS4 General Permit, which is a Minnesota Pollution Control Agency (MPCA) permit. Some years ago the City volunteered to enter into this program administered by the MPCA and it is sort of an arduous program – for example, some cities are probably spending \$100,000 to meet the MPCA storm water requirements. One requirement North Oaks has right now to meet the total maximum daily load (TMDL), they are supposed to be reducing the phosphorous output from the City by 75%. That alone would be very expensive; Engineer Korby, Administrator Kress, and Shawn Tracy have met with the MPCA as the City's permit is due April 15, 2021. The City is required to do this permit application and for a typical City it takes about 80 hours to complete, so he has asked for an extension. That request has been granted and he and Administrator Kress are recommending to the Council that once they have submitted the MS4 Storm Water application by May 15, 2021, they recommend the Council petition out of this program. As a City, and especially Engineer Korby, they want to be great environmental stewards, but they also do not want to be "handcuffed" to the regulations that the MPCA would put on the City. As an example, by having to reduce the phosphorous levels by 75%; they could put in a very expensive mechanical treatment plan that the City would have to maintain. As they can see it is a very convoluted system and Administrator Kress and Engineer Korby do not know how they got into the program, because they all know the City does not own or maintain the storm water facilities.

He said getting out of this program would potentially save the City \$50,000 - \$100,000 per year. Many cities will often hire one full-time staff just to administer the MS4 program for a city.

Mayor Ries thanked Engineer Korby and said when she first heard about this she thought it was very interesting, particularly with how the governmental structure of the City is set up. As mentioned, the City does not own any land and would have limited ability to change anything, yet they would be fined for not changing anything. She is grateful that Engineer Korby is spending time looking into this. The minimal costs they pay to apply for these applications to get the City updated so they are not fined and then hopefully get them out of the program would prevent likely fines in the near future and additional engineering costs. She clarified it is not that they do not want to be environmental stewards, but she believes working with the NRC on water quality, and working with other entities would be more effective time and money for the community.

## **12. CITY ATTORNEY REPORTS**

Attorney Nason reported Staff has been working to create the internal checklist documents related to all of the different applications received for final plan approval, specifically Island Field and Anderson Woods. Those will be circulated to everyone on the Council so they all have the same documentation and can see what Staff is doing to provide some transparency there. The final plan review checklist looks at what the requirements are for the PDA, the subdivision ordinance, and also the requirements from the preliminary plan approval related to final plan approval. She noted the Anderson Woods final plan application has been submitted and appears to be complete, so there will be a deadline for Council action, from whenever that date of completeness is, for 60 days. She noted they may wish to consider a special meeting between now and the May meeting to have a preliminary discussion and to see that application so the first time they look at it is not close to the 60 day deadline that may exist.

Administrator Kress said they are doing the deep dive which involves heavy engineering memos, and until those are ready they will not present it to the Council.

Mayor Ries noted Engineer Korby mentioned he would like more time to go into that and she thinks that is reasonable for him to have a chance and opportunity to look at that. In terms of accepting the application as complete, will that come to Council for that vote to approve it as a complete application.

Administrator Kress replied Council will approve or deny the actual final plan.

Member Dujmovic asked who determined it was complete and when?

Attorney Nason replied the determination of completeness is made by the City Clerk, which is the City Administrator, for a final plan submittal. This is different than a preliminary plan submittal and there is a different process in the code. The process involved in determining completeness on the preliminary plan flows through Planning Commission. This final plan application process is different; one item included in the documents to be shared is the language from the code in Section 152.022 that says after the City Clerk has determined division (B)

above has been complied with, the Clerk shall present the plat and accompanying information to the City Council at its next/following meeting. At that time the Council may at its discretion decide to submit the plat to Planning Commission, if so, the Planning Commission has 30 days; then there is a process whether it has gone to the Planning Commission or the Council. Attorney Nason does not think a final determination has been made by the City Clerk regarding completeness approval as they are trying to work through all of those details. She noted for Anderson Woods and Island Field they have prepared a final plan submission requirement document that outlines what a final plan is per the PDA, what the developer is required to provide per the PDA related to final plan approval. She noted the language is different; in the PDA there is not a reference to a final plat but a reference to a final plan and is defined a bit differently. In the code there is no reference to a final plan but a final plat. For all of this, they have prepared the requirements, as well as final plan review checklists that incorporate both the PDA and the code requirements.

Member Watson asked Attorney Nason if there would be any inconsistency with the ordinance or State law if Administrator Kress were to make a report to the Council about the completeness prior to that being communicated anywhere else first.

Attorney Nason replied no, the Council can amend the process however it wants. They have to follow the code meaning that the person that determines whether it is complete or not is Administrator Kress based on the code; however they can amend the process to have Administrator Kress present to Council if there is a different way they want to go about it. Ultimately the relevant date is the date that all the required application components are received by the City. They will remember from the preliminary plan process, the Planning Commission was adopting a series of resolutions so they might have a meeting on February 27 and there is a resolution saying “we hereby deem the plans complete as of February 20” (the date all the information was presented to the City). There is a State statute - she believes it is 462.358 - that governs subdivision approval. There is automatic approval language in there if the Council does not act. She noted there is a completeness piece and an approval piece which are two very separate things. She recommends the Council consider having more than one meeting regarding these final plan applications so they do not have any issues with any potential deadlines.

Member Watson understands the way the code has been, he has been going through that as well as Minnesota statute 15.99 and 462.458 and nowhere in any of those, short of the City’s own code, indicates the City Clerk/Administrator makes the determination. It does not indicate how it gets communicated – does he do it at midnight, in the bathroom, at a Council table, while he is eating breakfast – it is very unclear about when that communication occurs. One piece Member Watson thinks has been troublesome for North Oaks over the last two years is the fact that when these things aren’t working like some presume they should, people like the Administrator or otherwise are going to be beaten up. Unfortunately, Member Watson hopes that does not happen any longer, and to resolve that, one point in his memo was to suggest that Administrator Kress do everything he is supposed to do by code but the formal presentation and ultimately the concurrence with his agreement to note this is complete would be done at a Council meeting where Administrator Kress has the concurrence of five other people. He asked if there is any reason why that cannot be done.

Attorney Nason said they have to comply with what the code says which is that the City Clerk or Administrator makes that determination. However, the Council can be involved in that process, reviewing it, and bringing information out. If the Council wants to be more involved in the process and wants to have a review meeting scheduled to look at the application that is fine.

Member Watson stated that gives Administrator Kress an opportunity to vet his recommendation at a public meeting called by a Council for a special meeting.

Attorney Nason replied they can do that and there are two pieces here. First, the City Clerk has to determine the information has been complied with and everything is in order. Then the City is to present everything to the Council. Certainly the Council could then take a vote, make a motion, to articulate that they agree or they do not think it is complete. Her only word of caution to the City is that the statute says what the statute says. The relevant language in the statute is found in 462.359 subdivision 3b, and 15.99 comes into play because if an application is submitted and something is incomplete then the City does have to advise the applicant of that within a specific timeframe. She read the language that says: following preliminary approval the applicant may request final approval and upon such request the municipality shall certify final approval within 60 days if the applicant has complied with all conditions and requirements of applicable regulations and all conditions and requirements upon which the preliminary approval is expressly conditioned either through performance or execution of appropriate agreements assuring performance. Failure to certify as so required, if the applicant has complied with all conditions and requirements, shall result in the application being deemed as finally approved. Attorney Nason wants the Council to be aware of this operative statute.

Member Watson stated the document that the Council accepted that he prepared addressed this very matter and it is trying to avoid the kind of conflict and confusion that have prevailed in this community for the last 18 months, by simply saying when the City Clerk is prepared to do that, he would notify the Council that there needs to be a special meeting to accept the report and have it vetted in a public environment and then it gets communicated to the developer.

Member Shah is hearing that Member Watson is suggesting they need to amend a process and that means they have to redo the ordinance which also requires a public hearing. She has concerns – if they redo the ordinance it affects the general practicing document such as the PUD – they will have to get the Company to sign off on this, it is a modification to the governing documents if they touch that ordinance. The way it reads right now is that the Staff deems it is complete and this is how municipalities go along with final approval.

Member Watson does not think Member Shah listened to Attorney Nason's response and perhaps she should listen

Member Shah did thoroughly listen.

Mayor Ries asked Attorney Nason if the Council could add the extra level of review by asking when City Staff approves the application that the approval be done through the City Council meeting. Could they add that in a motion or would they have to do that in an ordinance.

Attorney Nason replied they can add in extra layers of process if they want, informally. The formal specific language in the code says that the City Clerk is to make a determination of completeness and then advise the Council and present the plans at the next meeting. She noted it is not unusual to have staff in that position as in many cities that is how it is done. If they want to have additional process and review by the Council, which is what she heard earlier, that they want the documents and information rather than getting them after 4 weeks through staff process. She stated Staff can absolutely accommodate that and provide the information to Council who can then have special meetings to discuss.

Mayor Ries clarified it is something that they could handle informally on their own.

Attorney Nason replied that is correct and the City code says the City Clerk determines that completeness. If they want to add in extra layers of process that is okay. However, if the question becomes who makes that determination, she has to look at what the code says at this time.

Member Watson is not advocating that they deviate from that whatsoever.

Mayor Ries said it sounds like an additional informal layer to the process; they would just require that the full application come to Council so they have a chance to review and weigh in.

Member Watson would prefer to have it presented in a public environment. He thinks there are some people involved in these transactions that do not seem to understand the law. In looking at the feedback he received to his two page memo, there are some people that want to tell him how the developer gets to determine when the application is complete. He thinks Attorney Nason took care of that matter as being totally untrue. He just wants to put everything right out in front and be transparent about everything in a public forum. He would rather learn about things sooner than 48 hours before a 60 day deadline.

Attorney Nason noted the 15.99 statute says if there is something that is incomplete about an application it needs to be communicated to the developer within 15 business days of the date of submission of that application. For example, if on Island Field, the Council wants to review and have discussion about it, they would need to have a special meeting the following week, based on the date that the information was provided.

Member Shah stated that is her concern, they are adding a lot of process and making it cumbersome by adding another touchpoint when no other city does this – it is not best practice at all. She trusts their City Staff, the Administrator, Attorney, Planner, Engineer...this is exactly what they are hired to do. She said this is the process they have had in place for 50-some years.

Member Dujmovic is confused as when this conversation started about 15-20 minutes ago, he thought in the first or second sentence out of Attorney Nason's mouth was this is complete. He thought he heard that and if it is true, is that Administrator Kress's determination and has that completeness already been communicated.

Attorney Nason said there are two different applications, Anderson Woods and Island Field. Anderson Woods appears to be complete.

Member Dujmovic asked what does “appears to be complete” mean? That means nothing to him. Is it complete or is it not complete? It seems like Administrator Kress makes that decision and when he does he kicks off a timeline. He asked to clarify what is being said.

Attorney Nason replied she thinks Anderson Woods is complete and they were trying to work through some of these details earlier in the day. It appears to be complete, meaning it appears that the City has received all of the components that were requested of the developer. Island Field was received on March 26<sup>th</sup> and Staff have not completed reviewing that yet.

Mayor Ries cautioned Attorney Nason on the comments she is providing in response to Member Dujmovic’s comment. They had clear and specific words by the new engineer Mr. Korby that he would like extra time to review the plans to ensure that they are complete. Therefore, they have not made a determination. Staff, nor the Attorneys, nor the consultants at this time should be making comments on public record that plans are complete when they have a new engineer who has said multiple times during the meeting that he has not had sufficient time to review the plans of Anderson Woods and he would appreciate additional time to review them. She said she is going to caution Attorney Nason and ask that she retract what she just stated on public record that the plans are complete.

Attorney Nason believes what she stated is that from Staff review so far, they appear to be complete. That was the statement she made, she does not think she speaks for the City Clerk/Administrator who is charged in the code with making that determination.

Administrator Kress thinks they are confusing some of this because a lot of the final plan completeness is they are sending documents which are essentially the drawings, declarations, and minor things. This is not like the preliminary plan where there are a lot of conditions that need to be met. He thinks there is some confusion on the Council’s end about what they are actually looking at. When looking at completeness that literally means do they have the document that is required as part of either the ordinance or the PDA. The answer is a yes or no.

Mayor Ries said there are also conditions that were previously posed that are being reviewed as well and would be part of the continuing application process. In all of that there is a new engineer and she wants to make sure he has the proper amount of time to do his due diligence. She does not want to get ahead of themselves as they want to respect the multiple times that Staff has made comments about how things were done previously and there was not enough time to review some things. She wants to ensure they are doing this responsibly and they have enough tie.

Administrator Kress said if they need the full 60 days, they use the full 60 days. They have made it a point – especially on the engineering side – to do a deep dive of not only the previous conditions but also the final plan that is often similar but most changes are made from the conditions within the preliminary plan, those that can be. There will still be a number of conditions that cannot be satisfied until they actually start doing the build.

Member Watson added that they have 15 days to determine that they have all the documents. 15 days is not a lot of time. If 15 days would indicate that they trigger another 60 days it starts all over again by communicating that they do not have all the proper documentation. It appears to him that it includes satisfaction on the conditions in the preliminary plan approval in addition to the drawings Administrator Kress is talking about. If he hears what he heard, although not out of Administrator Kress' mouth, Attorney Nason is saying all the conditions are done, all the final plans are in, it is a matter of putting a bow on it and it is good to go. He is concerned about the 15 days because if they are faced with that – and they have two more rushing through the door 30 days apart – Engineer Korby better bring a tent and put it up in the backyard.

Member Shah said they do have work to do and she is prepared to put her sleeves up and get it done. Attorney Nason is just following the City ordinance, as are all the rest of the consultants; she is following a supported, legal basis to get this done and right now the ordinance says the City Staff will deem it complete. In adding further complexity they are just making it bigger and harder to get done.

Member Watson said Member Shah could not be more wrong.

Member Shah has an opinion and said they should challenge each other to come up with a better outcome for the City. This process has been in place for 50 years.

Mayor Ries noted right now they are listening to the City Attorney report and Attorney Nason was simply reminding the City about deadlines 15.99 and 462.358 subdivision approval. She appreciates that reminder and notes it. She said further discussion on this process can be discussed as they will be doing a special meeting coming up quickly.

Member Watson reminded people that this particular discussion is a bit troublesome because the Council is to be objective and not carrying water for anyone but look at the facts. They have to do that in a relatively short period of time with people that don't know a hell of a lot about engineering, septic systems, road design, or anything else. He stated they are depending on people like Engineer Korby, Administrator Kress, Attorney Nason, having adequate time to do that. If people think that Member Watson is out there to destroy the North Oaks Company or whatever, through political games that people continue to want to play around the community, he will remind them that he was Mayor during the time that Waverly Gardens was built. The negotiation went on with Presbyterian Homes and he is pretty proud of the accomplishments and does not want to hear any sleights about what they are doing to the Company.

Mayor Ries agrees and said it is out of line when people are saying that this Council is out to hurt the Company in some way. Moving forward, she opened it up to the Council on whether they want to entertain adding that extra layer that Administrator Kress come to them and have a discussion about the plans being complete. She is aware of the statute and aware of 15.99. She only wants to continue this discussion because in the past she has been amazed at the lack of transparency with regard to the conditions and meeting of those conditions – she wants that flushed out better and wants transparency to improve drastically with the amount of engineering work going in to those and making sure that things are met reasonably well. Mayor Ries wants to

bring back the approval process to this Council and part of doing that is the Council being part of the process of making sure that things are complete.

Member Dujmovic does not understand how something this critical showed up at 10:30 p.m. or whenever they started this conversation. If it was deemed, why did that not come up earlier?

Member Shah stated it should have come up when they talked about the East Oaks developments, but it was focused on Member Watson’s memo, instead. This has been noticed and communicated to the Council by the Company and also in the memos they received this week. It has been deemed complete and has been communicated.

Mayor Ries does want the Council to weigh in to that however it is too late at this time. She will be calling a special meeting and they can add this to the discussion about the process they want to put in place. There are items she wants to go into deeper conversation with this Council.

Member Watson made the observation to Member Shah, but for having written that two page memo, the Council would not be having this conversation.

Member Shah replied it is City business, they should be attending it, as well.

Mayor Ries thanked Member Watson for putting that memo together, she appreciates him looking in and raising these issues and catching them. It is always great to address the issues. She hears from Member Dujmovic that he would like to discuss further, as would Mayor Ries. This is part of the overall scope of the development plans and scheduling coming forward which fits right in to what they will be discussing in the meeting.

**13. MISCELLANEOUS**

**a. March 2021 Forester Report**

**14. ADJOURNMENT**

**MOTION by Dujmovic, seconded by Shah, to adjourn the meeting. Meeting adjourned at 10:45 p.m. Motion carried unanimously by roll call.**

\_\_\_\_\_  
Kevin Kress, City Administrator

\_\_\_\_\_  
Kara Ries, Mayor

Date approved\_\_\_\_\_



**North Oaks City Council  
Special Meeting Minutes  
North Oaks City Council Chambers  
April 21, 2021**

**1. CALL TO ORDER**

Mayor Ries called the special meeting to order on April 21, 2021 at 5:00 p.m.

**2. ROLL CALL**

City Councilmembers participated **by telephone or other electronic means** pursuant to Minn. Stat. § 13D.021. Residents can view the meeting on our cable access channel and through the website portal just like other public meetings. 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 as noted above. Please note that one (1) of the public spots will be reserved for individuals wanting to make a presentation during the citizen comment portion of the meeting.

Present: Mayor Kara Ries. Councilmembers Rich Dujmovic, Jim Hara, Sara Shah, Tom Watson  
Staff Present: Administrator Kevin Kress, Attorney Bridget Nason  
Others Present: Videographer Maureen Anderson, Met Council Representative Mike Larson  
A quorum was declared present.

**3. APPROVAL OF AGENDA**

**MOTION by Watson, seconded by Hara, to approve the Agenda. Motion carried unanimously by roll call vote.**

Mayor Ries reminded everyone that they follow *Robert's Rules of Order* and to ask to be recognized before taking the floor.

**4. BUSINESS**

**a. Discussion and possible action on 2040 Comprehensive Plan**

Administrator Kress said the goal is to take the comments from Met Council and authorize Staff to make the changes as requested from Mike Larson. Following the meeting, they would make the changes and craft a resolution for approval at the May 13, 2021 meeting. There were some additions requested, one was some definitions from Joan Brainard (listed in the packet) and the second was a NOHOA request. There are a couple sections where NOHOA would add "*North Oaks is unique in that it was established as a private community; the North Oaks Home Owners' Association owns, maintains, plans, develops, and controls all trails, open spaces, roads and recreation within its boundaries. These areas within the City that are owned by NOHOA are for the use of association members and member guests and are not public. There are only 14 houses located within City boundaries that are not located within NOHOA boundaries and NOHOA members.*"

Mayor Ries said that request was from herself rather than NOHOA. The basis is that this language was in an earlier version and was taken out. It simply reiterates the discussion about the parks, recreation, and trails and is for clarity that the City does not own the property and how it is managed.

Administrator Kress said NOHOA would like to see Table 20 as a private document as it speaks to recreation areas.

Mayor Ries said this request was originally made a year ago or so, regarding the trail maps and listing of recreation areas. She noted they want to let Met Council review it but since the land, recreation space, and trails are all private, the logic was that the trail maps and inventory listings should remain private, as well.

Attorney Nason stated the Council could convey it out differently or mark something as not for public distribution but the data practices classification (if someone would file a data practices request) would be public data. The City may choose not to put it front and center on the website and it can be treated in one manner but the data practices classification would ultimately prevail if there was a request from an individual.

Councilmember Shah assumes these changes that Administrator Kress read are not part of the list but are in addition to those written.

Mayor Ries replied that is correct, these are proposals the Mayor is making to comply with previous comments.

Councilmember Shah asked if there is a way to send those to her so she can have them in writing.

Mayor Ries will email Councilmember Shah the verbiage.

Councilmember Shah has read the Comp Plan 30-40 times and would like to know what they are suggesting.

Mayor Ries will send that to the Council. She noted some discussion pre-dated Councilmember Shah's time on the Planning Commission as it was part of an earlier review of the Comp Plan.

Councilmember Watson asked Mr. Larson if there is a concern about the recreation table being provided to Met Council but not having it included in a document that would be distributed around the community in North Oaks.

Mr. Larson replied and does not believe that is an outstanding issue. From his recollection of the initial review, they understand that there are no public parks in North Oaks and they have addressed the park element satisfaction.

Councilmember Dujmovic asked Mr. Larson when the date of response from the City is on these things.

Mr. Larson replied the City is not on any clock, they met the one statutory deadline by submitting the Comp Plan. Initially the only major consideration is whether or not they would want to amend the Comp Plan at some point and they cannot do that until it has been authorized by the Met Council and adopted by the City.

Administrator Kress thinks they should easily have everything ready by May 13<sup>th</sup>.

Councilmember Watson discussed this with Administrator Kress and would like to see the Council ask Administrator Kress and/or Mr. Larson if there are material items on this punch-list that they can focus on. Others, for example item 4 on page 1 is an item to add the 2019 population information - most action items seem to be possible for Administrator Kress to complete. Councilmember Watson asked Administrator Kress to get those action items dated and circulated to the Council with the May 13 Council Meeting Agenda. At that point the Council can approve this and approve a resolution authorizing the submission of the plan to the Met Council.

Mayor Ries asked Administrator Kress if it is okay for him to handle those items.

Administrator Kress replied yes, he did not see any silver bullets with the requested changes from Mr. Larson, they are easily achievable to present to the Council on May 13.

Councilmember Dujmovic said if there is anything on those pages they want to clarify they should do it now with Mr. Larson present. If there is nothing they need to align on that is quite remarkable.

Mayor Ries asked Mr. Larson if he has any concerns.

Mr. Larson replied he does not see anything of material concern; he noted the concerns representing the planned development agreement for the East Oaks area are appropriately in the plan. Acknowledging the prior plan authorizations, carrying forward and representing that has been the most important concern to the Met Council to ensure efficient use of the regional waste water treatment system and setting the stage for any further discussion about the future of the plan or forthcoming amendments. There is a long list of requirements and most are easily resolved.

**MOTION by Watson, seconded by Shah, to authorize Administrator Kress and consultants to act upon the suggestions by Met Council.**

Councilmember Shah clarified that based on this motion the Council will see a fully updated version of the Comp Plan prior to the May 13, 2021 meeting.

Administrator Kress replied yes, the Thursday prior or possibly sooner.

Mayor Ries asked to post the final proposed document on the website for the community as part of the packet.

Councilmember Dujmovic made note that NOHOA was equally involved in review of this and asked to let Executive Director Griffin and President Joann Hanson know, as well, so they can take a look.

Councilmember Watson noted NOHOA has a board meeting on May 6, so to the extent that they had this in conjunction with that date or before May 13, they could receive their feedback and hopefully approval.

**Motion carried unanimously by roll call.**

**5. ADJOURNMENT**

**MOTION by Watson, seconded by Hara to adjourn the meeting at 5:22 p.m. Motion carried unanimously by roll call.**

\_\_\_\_\_  
Kevin Administrator Kress, City Administrator

\_\_\_\_\_  
Kara Ries, Mayor

Date approved \_\_\_\_\_

## Mounds View Irondale Hockey Foundation (Formerly Lake Region)

- Lake Region started prior to Mounds View and Irondale forming their own associations
- It was started to support kids in the Arden Hills, Mounds View, New Brighton, North Oaks, and Shoreview.
- We've continued the charitable organization giving to Mounds View and Irondale youth and high school activities
- We also donated to the community. Our largest recipient is Ralph Reeder Food Shelf
- Our board members are from the areas we donate
- Panino's is looking to add E-Tabs and a pull tab machine
- We continue to maintain a 4 / 5 star rating which is the highest rating a non-profit can receive. This simply means we donate the money versus retaining it or paying high admin expenses.

## What is the Mounds View Irondale Hockey Foundation?

The Mounds View Irondale Hockey Foundation is the public name for the Lake Region Hockey Association (LRHA), which was the original youth hockey association for players in the communities of Arden Hills, Mounds View, New Brighton, North Oaks, Shoreview, and surrounding areas. In 1993, Irondale and Mounds View created their own youth hockey programs to align with their respective high school boundaries. LRHA stayed in existence in order to run the pull-tab and gaming operations and support Irondale Youth Hockey, Mounds View Youth Hockey and other youth sports programs. In 2014, Irondale and Mounds View joined forces once again in an all-ages co-op branding itself as Mounds View Irondale Hockey Association. Mounds View Irondale Hockey Foundation (legally LRHA) remains a separate but related entity.

The board consists of a minimum 12 members with no fewer than six members representing Irondale and six members representing Mounds View. The board meets monthly and the meetings are public and posted on this website.

## Why partner with the Mounds View Irondale Hockey Foundation?

For establishments with the capacity to host pulltabs, bingo, meat raffles, or other charitable gaming, partnering with MVIHF is a great opportunity. Working with our organization has several advantages:

- **We support a great cause.** Ice hockey has a long tradition in the State of Minnesota. MVIHF's mission is to promote and subsidize youth participation in this great sport.
- **We're an experienced and stable organization.** MVIHF has been around for almost 60 years and we're not planning on going anywhere soon!
- **We're local.** All of our charitable gaming partners currently operate in the footprint of the area we support

- **Partner promotion.** We promote our charitable gaming partners via websites, social media, game programs, signage, and more!
- **Partner support.** In addition to promotions, our board of directors and our youth hockey community regularly patronize our charitable gaming partner establishments for team events, meetings, or even just a night out. The youth hockey community typically shares photos, trophies, and paraphernalia for our partners to display.
- **We're good partners.** Most importantly, we're responsive, flexible, and amenable tenants. We work closely with our charitable gaming partner establishments to tailor our offerings so that all parties benefit mutually.

Very few charitable gaming fundraising partners can offer all of the above. Choosing MVIHF as your charitable gaming partner can be very beneficial for your business via increase traffic and sales. For establishments who already host charitable gaming, switching to MVIHF is a great idea and should be the last switch you make!

Scott Jahnke

Gaming Manager

Lake Region Hockey Association dba MVIHF (Mounds View Irondale Hockey Foundation)

*The content of this email is confidential and intended for the recipient specified in message only. It is strictly forbidden to share any part of this message with any third party, without a written consent of the sender. If you received this message by mistake, please reply to this message and follow with its deletion, so that we can ensure such a mistake does not occur in the future.*

**MUTUAL AID AGREEMENT TO PROVIDE FOR THE  
AUTOMATIC DISPATCH OF THE CLOSEST EMERGENCY  
RESPONSE UNIT REGARDLESS OF JURISDICTIONAL BOUNDARIES**

This Mutual Aid Agreement (“Agreement”) is made and entered into this \_\_\_ day of \_\_\_\_\_, 2021 by the City of Vadnais Heights and among Cities of Fridley, Saint Anthony, Saint Paul, Roseville, Little Canada Fire Department Inc., Maplewood, North Saint Paul, New Brighton, White Bear Lake, and the Lake Johanna Fire Department Inc. (collectively the “Cities” or “Parties” and individually the “City” or the “Party”).

**RECITALS**

- A. The Cities/Parties desire to enter into this Agreement to authorize their respective fire departments to provide, and for the participating Cities/Parties to receive, automatic mutual aid to dispatch the closest equipment and personnel to emergency events to provide assistance in the form of fire, rescue, and related services;
- B. The Cities/Parties are authorized under Minnesota Statutes, section 471.59 to cooperatively exercise their commonly held powers and mutual aid agreements are critical to providing and supporting emergency services;
- C. The Cities/Parties determine that providing for the automatic dispatch of the closest emergency unit as is authorized in this Agreement is in their best interests and they desire to create an opportunity for other cities and towns to participate in this Agreement.

**AGREEMENT**

In exchange for the mutual promises made herein, the Parties hereby agree as follows:

I. DEFINITION OF TERMS

For the purposes of this Agreement, the terms defined in this section shall have the meanings given them below.

- 1. “Agency” means the fire department, fire station, or fire unit called upon to provide Assistance to an Emergency Event.
- 2. “Assistance” means the provision of fire personnel and equipment in response to an Emergency Event.
- 3. “Dispatcher” means the person at the applicable public safety access point that receives reports of Emergency Events and selects the appropriate Agency to respond to and provide Assistance for the Emergency.
- 4. “Emergency” any request for fire department assistance.

5. "Emergency Events" means any Emergency incident in which an Agency may be called upon by a Dispatcher to provide Assistance within the scope of the Agency's service capabilities as determined by the respective member Cities and communicated in writing to the Emergency Communications Center.
6. "President" means the president of the Ramsey County Fire Chiefs Association.
7. "Protection Area" means the area within the Cities of Vadnais Heights, Fridley, Saint Paul, Roseville, Little Canada, Maplewood, Saint Anthony, Falcon Heights, North Saint Paul, North Oaks, Shoreview, Arden Hills, Lauderdale, New Brighton, and any additional city or town that joins this Agreement as provided herein.
8. "Requesting Party" means a Party which requests assistance from another Party to this Agreement and each such responding Party is considered a Sending Party.
9. "Sending Party" means a Party called upon to provide Assistance to another Party and which actually provides Assistance to the Requesting Party.
10. "Specialized Activities" means the provision of non-emergency assistance including, but not limited to, training of personnel and associated equipment and facilities.

## II. AUTHORIZATION

Each of the Cities participating in this Agreement hereby authorize their respective fire Agencies to respond to and receive automatic mutual aid services pursuant to the terms of this Agreement and to otherwise take such actions as are needed to provide and receive Assistance as provided herein.

## III. TERM AND TERMINATION

This Agreement shall be effective as of the date first written above and shall be ongoing until terminated as provided herein. Each City shall act by resolution to adopt this Agreement and shall forward a fully executed copy of its resolution and a signed original of this Agreement to the President of the Ramsey County Fire Chiefs Association.

Any Party may act by resolution to opt out of its participation in this Agreement. No such resolution shall be effective until the Party provides at least 60 days' written notice of termination to the President, the applicable County Emergency Communications Center, and each of the other Parties. The resolution must indicate the date of withdrawal from this Agreement, which must be sufficiently in the future to allow for the 60 day notice. The notice shall include a fully executed copy of the termination resolution.

## IV. AUTOMATIC MUTUAL AID PROCEDURE

1. Whenever a Party to this Agreement receives a call for Assistance for an Emergency Event occurring within its jurisdictional boundaries, that call will automatically be



dispatched to the Agency having primary jurisdiction, as well as to any Agency for which the Dispatcher or Computer Aided Dispatch System (CAD) determines may provide a more timely response. The Sending Party shall respond to the call and make necessary Assistance available without undue delay. The typical response from the Sending Party shall be one apparatus and crew.

The extent of Assistance provided by the Sending Party shall be determined solely by the Sending Party based on its established response criteria and procedures. In the event a Sending Party determines it will not be able to provide Assistance, the fire official for the Agency making that determination shall immediately notify the Requesting Party.

2. The first arriving unit shall be in command of the emergency scene, until relieved by the Requesting Party. The Sending Party's fire official shall retain direction and control of the Sending Party's fire personnel and equipment on the scene.
3. Each Party, whether it be the Requesting Party or a Sending Party, shall be responsible for injuries or death of its own personnel. Each Party shall maintain workers' compensation insurance or self-insurance coverage covering its own personnel while they are providing Assistance pursuant to this Agreement. Each Party waives the right to sue the other Party for any workers compensation benefits paid to its own employee or their dependents, even if the injuries were caused wholly or partially by the negligence of the other Party or its officers, employees.
4. Each Party shall be responsible for damages to or loss of its own equipment. Each Party waives the right to sue the other Party for any damages to or loss of its equipment, even if the damages or losses were caused wholly or partially by the negligence of the other Party or its officers, employees, or volunteers.
5. Specialized Activities of non-emergency nature may be requested and/or provided by both parties to the Agreement. There is no obligation on the part of a Sending Party to provide Specialized Activities.
6. No charge shall be made to either party for Assistance rendered under this Agreement for incidents with duration under eight (8) hours. Provided, however, that in the event the Requesting Party is reimbursed for said personnel, equipment, or any other costs from a party or parties responsible for the Emergency, or is otherwise reimbursed by a third party source, then reimbursement, on a pro-rata basis, shall be made to the Sending Party for any equipment or personnel charges.

## V. COOPERATIVE IMPLEMENTATION

The Parties agree to work in good faith through their respective Agencies to cooperatively establish any specific response criteria or procedures as they may determine are needed to implement this Agreement. Such criteria and procedures do not necessarily need to be the same for each Party, but they shall not be contrary to the

primary purpose of this Agreement. Each Party shall be responsible for communicating in writing its response criteria and procedures to each of the other Cities, the President, and the applicable County Emergency Communications Center.

## VI. LIABILITY AND INDEMNIFICATION

1. For the purposes of the Minnesota Municipal Tort Liability Act (Minnesota Statutes, chapter 466), the employees and officers of the Sending Party are deemed to be employees (as defined in Minnesota Statutes, section 466.01, subdivision 6) of the Requesting Party. For all other purposes, all personnel remain the employees of their respective Party during the performance of duties under this Agreement.
2. The Requesting Party agrees to defend and indemnify the Sending Party against any claims brought or actions filed against the Sending Party or any officers, employees, or volunteers of the Sending Party for injury to or death of any third person or persons, or damage to the property of any third person or persons, arising out of the provision of Assistance by the Sending Party under this Agreement.

Under no circumstances, however, shall a Party be required to pay on behalf of itself and other Parties, any amounts in excess of the limits on liability established in Minnesota Statutes, chapter 466 applicable to any one Party. As provided in Minnesota Statutes, section 471.59, subdivision 1a, for the purposes of determining total liability the Parties shall be considered a single governmental unit and the total liability for the Parties shall not exceed the limits on governmental liability for a single governmental unit as specified in Minnesota Statutes, section 466.04, subdivision 1. Nothing in this Agreement shall be interpreted as any of the Parties waiving any exemptions or limitations on liability available to them under law.

The intent of the indemnification requirement of this section is to impose on each Requesting Party a limited duty to defend and indemnify any Sending Party for claims arising within the Requesting Party's jurisdiction subject to the liability limits under Minnesota Statutes, chapter 466. The purpose of creating this duty to defend and indemnify is to simplify the defense of liability claims by eliminating conflicts among defendants, and to permit liability claims against multiple defendants from a single occurrence to the defended by a single attorney.

3. No Party to this Agreement, nor any officer of any Party, shall be liable to any other Party or to any other person for failure of any Party to furnish Assistance to any other Party, or for recalling Assistance.

## VII. ADDING MEMBERS

Any other city/town/fire department corporation adjacent to the Protection Area may join this Agreement upon the written consent of all of the existing Parties to this Agreement that abut upon the boundaries of the joining Party, the adoption by the joining Party a resolution authorizing execution of this Agreement, and the filing of a copy of the

executed resolution and this Agreement with the President. The Ramsey County Fire Chiefs may impose reasonable conditions on the admission of additional cities and establish procedures for removal of a Party for cause. The addition of a Party to this Agreement as provided herein does not require an amendment to this Agreement. The joining Party shall become subject to the terms and conditions of this Agreement as of the effective date of its participation in the sharing of services under this Agreement as determined by the President.

#### VIII. MISCELLANEOUS

1. This Agreement may be amended by written agreement of the all of the Parties.
2. The Parties will execute this Agreement in any number of duplicate originals, each of which constitutes an original, and all of which, collectively, constitute only one Agreement. Each Party will deliver enough executed counterpart signature pages so that all of the Parties will have a fully executed original of this Agreement. The President will coordinate the delivery of the signature pages and compiling and delivering originals of the Agreement to each of the Parties.
3. This Agreement is made under the law of the State of Minnesota.
4. This Agreement is entered into for the benefit of the Parties and is not intended to provide any rights to any third parties.
5. This Agreement is not exclusive and is not intended to replace any other mutual aid agreements any of the Parties may have in place.

#### IX. EXECUTION

Each Party has read, agreed to, and executed this Agreement on the date indicated below.

[signature pages follow]

CITY OF VADNAIS HEIGHTS

Adopted on the \_\_\_\_ day of \_\_\_\_\_, 2021.

By \_\_\_\_\_

By \_\_\_\_\_

Its \_\_\_\_\_

Its \_\_\_\_\_



May 13, 2021

Chief Tim Boehlke  
5545 Lexington Avenue North  
Shoreview, MN 55126

RE: Approval of VHFD into Closest Unit Dispatching Agreement

Chief Boehlke,

The City Council has authorized me to send you an approval to allow Vadnais Heights Fire Department into our Closest Unit Dispatching Agreement, this letter serves as that approval. Please move forward accordingly.

Thanks,

*Kevin Kress*

Kevin Kress  
City Administrator  
North Oaks





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

## **RESOLUTION NUMBER 1350 APPROVING 2040 COMPREHENSIVE PLAN UPDATE**

**WHEREAS**, Minnesota Statutes section 473.864 requires each local governmental unit to review and amend its Comprehensive Plan and its fiscal devices and official controls at least once every ten years to ensure its Comprehensive Plan conforms to metropolitan system plans and ensure its fiscal devices and official controls do not conflict with the Comprehensive Plan or permit activities that conflict with metropolitan system plans; and,

**WHEREAS**, Minnesota Statutes sections 473.858 and 473.864 require local governmental units to complete their “decennial” reviews by December 31, 2018; and,

**WHEREAS**, the Planning Commission and City staff and consultants have prepared a proposed Comprehensive Plan intended to meet the requirements of the Metropolitan Land Planning Act and Metropolitan Council guidelines and procedures; and,

**WHEREAS**, pursuant to Minnesota Statutes section 473.858, the proposed Comprehensive Plan was submitted to adjacent governmental units and affected special districts and school districts for review and comment on February 24, 2018 and the statutory six-month review and comment period has elapsed; and,

**WHEREAS**, the Planning Commission has considered the proposed Comprehensive Plan and all public comments, and thereafter submitted its recommendations to the City Council; and,

**WHEREAS**, the Planning Commission conducted public hearings on 10/26/17, 11/30/17, 9/27/18, 11/7/18 and 2/28/19 relative to the adoption of the proposed Comprehensive Plan; and,

**WHEREAS**, the City Council has reviewed the proposed Comprehensive Plan and those recommendations, public comments, and comments from adjacent jurisdictions and affected districts; and,

**WHEREAS**, Minnesota Statutes section 473.858 requires a local governmental unit to submit its proposed Comprehensive Plan to the Metropolitan Council following recommendation by the Planning Commission; and,





---

**WHEREAS**, based on its review of the proposed Comprehensive Plan and Planning Commission and staff recommendations, the City Council is ready to submit its proposed plan to the Metropolitan Council for review pursuant to Minnesota Statutes section 473.864.

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

1. The City Administrator is directed to distribute said Comprehensive Plan to the Metropolitan Council by pursuant to Minnesota Statutes section 473.864.

**PASSED BY THE COUNCIL** of the City of North Oaks this 13<sup>th</sup> day of May, 2021.

APPROVED:

---

Kara Ries, Mayor

ATTEST:

---

Kevin Kress  
City Administrator



## City of North Oaks 2040 Comprehensive Plan

### Table of Contents

<b>Appendix A: List of City of North Oaks 2040 Comprehensive Plan Maps .....</b>	<b>3</b>
<b>Definitions .....</b>	<b>4</b>
<b>CHAPTER 1: COMMUNITY BACKGROUND .....</b>	<b>7</b>
A. MISSION STATEMENT .....	7
B. REGIONAL PLANNING .....	7
C. COMPREHENSIVE PLAN PURPOSE .....	9
D. BACKGROUND .....	11
E. LOCATION .....	12
F. DEVELOPMENT HISTORY .....	13
G. CITIZEN INVOLVEMENT .....	16
H. PHYSICAL FEATURES AND ENVIRONMENTAL RESOURCES .....	18
<b>CHAPTER 2: LAND USE .....</b>	<b>24</b>
A. EXISTING LAND USE .....	24
B. LAND USE PLAN .....	28
C. LAND USE POLICIES .....	29
D. HOUSING BACKGROUND .....	35
E. HOUSING – EXISTING .....	37
F. HOUSING – FUTURE .....	39
G. HOUSING – STANDARDS .....	43
H. HOUSING – POLICIES .....	444
I. HOUSEHOLDS, POPULATION, AND EMPLOYMENT .....	48
J. SOLAR RESOURCES – BACKGROUND .....	49
K. SOLAR RESOURCES – POLICIES .....	51
L. AIRPORTS .....	51
M. AGGREGATE RESOURCES .....	524
N. STORMWATER DRAINAGE .....	524
<b>CHAPTER 3: COMMUNITY FACILITIES .....</b>	<b>54</b>
A. COMMUNITY FACILITIES AND SERVICES – BACKGROUND .....	54
B. TRANSPORTATION – EXISTING .....	56
C. TRANSPORTATION – FUTURE .....	61
D. TRANSPORTATION – POLICIES .....	62
E. UTILITIES – BACKGROUND .....	62
F. SANITARY SEWER – EXISTING FACILITIES .....	63
G. SANITARY SEWER – PROPOSED FACILITIES .....	66
H. WASTEWATER – POLICIES .....	75
I. WATER SYSTEM – BACKGROUND .....	76
J. WATER SYSTEM – EXISTING AND PROPOSED FACILITIES .....	76
K. WATER SYSTEM – POLICIES .....	77
L. PARKS, RECREATION, AND OPEN SPACE PLAN – INTRODUCTION .....	77
M. PARKS, RECREATION AND OPEN SPACE PLAN – BACKGROUND .....	78
N. PARKS, RECREATION AND OPEN SPACE PLAN – EXISTING FACILITIES .....	79
O. PARKS, RECREATION, AND OPEN SPACE PLAN – FUTURE FACILITIES .....	88



P. PARKS, RECREATION AND OPEN SPACE PLAN – POLICIES ..... 96

Q. MUNICIPAL SERVICES – CITY GOVERNMENT ..... 97

R. MUNICIPAL SERVICES – LAW ENFORCEMENT..... 98

S. MUNICIPAL SERVICES – FIRE PROTECTION..... 98

T. MUNICIPAL SERVICES – POLICIES..... 99

U. MUNICIPAL SERVICES – SOLID WASTE ..... 99

V. MUNICIPAL SERVICES – ELECTRICITY, GAS, TELEPHONE, AND CABLE TELEVISION..... 99

W. MUNICIPAL SERVICES – EDUCATIONAL SERVICES..... 99

**CHAPTER 4: IMPLEMENTATION** ..... **101**

A. INTRODUCTION..... 101

B. OFFICIAL CONTROLS..... 101

C. CAPITAL IMPROVEMENT PROGRAMMING..... 101

DRAFT

## **Appendix A: List of City of North Oaks 2040 Comprehensive Plan Maps**

<u>Map</u>	<u>Title</u>
1	Community Designation
2	Metropolitan Area Political Boundaries & Surrounding Municipalities
3	North Oaks Neighborhoods and Association Boundaries
4	Topographic Characteristics
5	Major Watershed Areas
6	VLAWMO & Minnesota DNR Protected Waters
7	Soils
8	Existing Zoning
9	Existing Land Use
10	Existing Housing and Employment Distribution
11	Future Land Use Plan
11A*	Shoreview Land Use Plan
11B*	Vadnais Heights Land Use Plan
11C*	White Bear Township Land Use Plan
11D*	Lino Lakes Land Use Plan
12	East Oaks Planned Unit Development
13	Major Highways and Airports
14	Transportation Features
15	Transportation Analysis Zones
16	North Oaks Neighborhoods with Common Utilities
17	Areas Served by Common Sanitary Sewer
18	Areas Served By Common Water Service
19	Long-Term Monitoring Program: Highway 96 Site
20**	Existing Recreation & Open Space
21	School Districts and Voting Precincts
22	Estimated Market Value of Housing
23	Gross Solar Potential
24	Surface Water
25	Water Supply and Management Areas

\*Maps 11A–11D include other cities’ land use plans to be added upon completion.

\*\*Map 20 is private and is on file in the NOHOA office for reference purposes only.

## **Appendix B: Met Council’s Transportation Policy Plan**

## **Appendix C: Sanders’ Report, North Oaks Recreation Plan, November 1996**

## **Appendix D: Met Council’s Documents from 1999 Comp Plan**

## **Appendix E: Met Council’s Documents from 2008 Comp Plan**

## Definitions

Acronym	Term	Description
ASC		Architectural Supervisory Committee
C	Commercial District	Provides goods and services to North Oaks and adjacent communities in a high-quality development.
CA	Commercial Association	Required by the City to be established through an official easement agreement and declaration to assume responsibility for installation, construction, maintenance, operation, repair, inspection, and replacement of sewer segments, water systems, roads, parking, trees, drainage ponds, storm sewer collections, roadway and parking, lighting, drainage and utilities, signage, berms, etc. within the commercial area.
	City	City of North Oaks
CLCHOA	Charley Lake Condominium Home Owners' Association	Incorporated in 1984. Developed as a Planned Residential Development on 20 acres of land. Nineteen townhouses have been constructed by the Acom Development Company and the North Oaks Company as of January 1, 1994.
	Comp Plan	Comprehensive Plan
DHHOA	Deer Hills Home Owners' Association	Incorporated in 1977. Developed by Char-Mar Corporation as a Planned Residential Development. This area is completely developed with forty-four properties on 37 acres.
	East Oaks PDA	The 1999 East Oaks Planned Unit Development Agreement
FAR	Floor Area Ratio	The ratio of total floor area to gross lot area, excluding two thirds of any DNR and/or VLAWMO designated wetland areas.
HOA	Home Owners' Association	Required by Warranty Deeds and City Ordinance (Subdivision Ordinance 59, Section 8.5) to assume responsibility for maintaining all roads and recreational facilities and grounds within its boundaries.
	Land Use Plan Categories	Designations on the Land Use Plan Map for various types of land development i.e. single family, multifamily,

<b>Acronym</b>	<b>Term</b>	<b>Description</b>
		commercial, parks.
LEHOA	Lake Estates Home Owners Association	LEHOA was developed by Kootenia Builders, disbanded in 1995, and is now a member of NOHOA, with ten houses built as of January 1, 1998, in a 20-acre area zoned Residential Single Family, Medium Density.
MCES	Metropolitan Council Environmental Services	Has jurisdiction over all central sanitary sewer facilities in the seven-county metropolitan area. The City is responsible for paying the MCES for sewer availability charges and users fees, which are collected from individual property owners who are connected to the sanitary sewer system.
	Member	An individual owning a residential lot or unit within the boundaries of NOHOA.
	Met Council	Metropolitan Council
	Mixed Use	Land uses intended to mix different housing types and commercial uses within a site.
MUSA	Metropolitan Urban Service Area	A Metropolitan Council defined area in which urban services are provided. Only land located within the MUSA can have central sewer service, although not all land within MUSA must have central sewer service.
	Minnesota DNR	Minnesota Department of Natural Resources
NOC		North Oaks Company, LLC
NOHOA	North Oaks Home Owners' Association	Incorporated in 1950. As of January 1, 1998, there were 1,194 homes and 104 lots without homes in an area of over 3,000 acres (which includes about 743 acres of open water in lakes and ponds). The North Oaks Company has been the primary developer of land in this area and more land is yet to be developed.
PDA		Planned development agreement
PRD		Planned residential district
PUD	Planned Unit Development	A PUD is an optional development procedure available in all land use districts. PUD's generally incorporate more than one housing type and may include commercial/service uses. It provides for and

<b>Acronym</b>	<b>Term</b>	<b>Description</b>
		encourages flexibility of site planning standards (i.e., lot size, height, setbacks, and density). PUD's require a Planned Development Agreement. PUD's must be done in accordance with ecological and environmental considerations.
RLS	Registered Land Survey	North Oaks has torrens property with registered land surveys. Each lot is one or more tracts within a given RLS (although a few of the older lots were split between two registered land surveys).
SNOHOA	Summits of North Oaks Home Owners Association	Incorporated in 1996 , the Summits of North Oaks is being developed by Smith Builders. It is a 40 unit townhome development on 33.34 acres. The site is planned medium density (MD) and zoned Residential Multiple Family Medium Density (RMM). Sixteen building permits have been issued and eight units have been occupied as of January 1, 1998.
SSTS		Sub surface treatment system
VLAWMO		Vadnais Lake Area Water Management Organization
Zoning Districts		Designations on the Zoning Map for various types of land development i.e. single family, multifamily, commercial, parks.

## CHAPTER 1: COMMUNITY BACKGROUND

---

### A. MISSION STATEMENT

The City of North Oaks, Minnesota (hereafter referred to as “City”) shall preserve and maintain the City's status as a unique place to live. In concert with all established homeowners’ associations (HOAs), commercial associations (CAs), property owners, developers, North Oaks Company (NOC), and citizens, the City shall continue to emphasize community and individual privacy with the protection and management of all natural resources.

### B. REGIONAL PLANNING

As part of the mandated comprehensive planning process, the City of North Oaks is required to coordinate its Comprehensive Plan in a manner consistent with the Thrive MSP 2040 Regional Development Guide, as adopted by the Metropolitan Council.

To build the foundation for a prosperous, equitable, livable, and sustainable future, the Thrive MSP document identifies seven general policies to guide land use and regional development. These policies are as follows:

Orderly and Efficient Land Use: Align land use, development patterns, and infrastructure to make the best use of public and private investment.

Natural Resources Protection: Conserve, restore, and protect the region’s natural resources to ensure availability, support public health, and maintain a high quality of life.

Water Sustainability: Conserve, restore, and protect the quality and quantity of the region’s water resources to ensure ongoing availability, support public health, and maintain a high quality of life.

Housing Affordability and Choice: Promote housing options to give people in all life stages and of all economic means viable choices for safe, stable, and affordable homes.

Access, Mobility, and Transportation Choice: Sustain and improve a multimodal transportation system to support regional growth, maintain regional economic competitiveness, and provide choices and reliability for the system’s users.

Economic Competitiveness: Foster connected land use options to provide businesses and industries with access to materials, markets, and talent.

Building in Resilience: Promote sensitive land use and development patterns to achieve Minnesota’s adopted greenhouse gas emissions goals at the regional scale, and to develop local resiliency to the impact of climate change.

As shown in Map 2 within Appendix A, the City of North Oaks holds two community designations. Generally speaking, areas within the “inner core” of the City which are characterized by large lot residential development are classified as “Rural Residential.” Certain areas located along the perimeter of the City’s municipal boundaries are classified as “Emerging Suburban Edge.”

The Thrive MSP 2040 Regional Development Guide Provides specific growth strategies for orderly and efficient land use for both “Rural Residential” and “Emerging Suburban Edge” communities. These strategies are listed below:

Rural Residential Community Strategies:

- Discourage future development of rural residential patterns (unsewered lots of 2.5 acres or less) and where opportunities exist, plan for rural development at densities that are not greater than 1 unit per 10 acres.
- Implement conservation subdivision ordinances, cluster development ordinances, and environmental protection provisions in local land use ordinances, consistent with the Council’s flexible residential development guidelines.
- Promote best management practices for stormwater management, habitat restoration, and natural resource conservation in development plans and projects.

Emerging Suburban Edge Community Strategies:

- Plan and stage development for forecasted growth through 2040 and beyond overall average net densities of at least 3-5 dwelling units per acre in the community
- Target higher-intensity developments in areas with better access to regional sewer and transportation infrastructure, connections to local commercial activity centers, transit facilities, and recreational amenities.
- Identify and protect adequate supply of land to support growth for future development beyond 2040, with regard to agricultural viability and natural and historic resources preservation.

- Incorporate best management practices for stormwater management and natural resources conservation and restoration in planning processes.
- Planning for local infrastructure needs including those needed to support future growth.

### **C. COMPREHENSIVE PLAN PURPOSE**

The local comprehensive plan is a public document that describes how a community wants to develop over a specified planning period. It is based on the long-term goals and objectives of the community. A comprehensive plan also serves as the guide for the timing and location of future growth and the preparation of subdivision and zoning ordinances and related ordinances to implement the plan. Communities use public input and analysis of existing physical, economic, environmental and social conditions to develop a comprehensive plan.

Adoption of the Metropolitan Land Planning Act in 1976 put into law a requirement that every municipality and county within the seven-county metropolitan area prepare and submit a comprehensive plan to the Metropolitan Council (Met Council). The Act, along with directives set by the Met Council, requires each comprehensive plan to address a number of areas including:

- **Background** – This section of the 2040 Comp Plan delineates the community’s vision and expectations. It includes the objectives, policies and forecasts that serve as the basis of the community’s plans.
- **Land Use** – This section explains how the community has allocated and will allocate land use, how it will accommodate population growth, and how it protects special resources. Subsections in the land use section include development plans staged in 5-year increments, housing plans to discuss future housing types to accommodate regional needs, and a special resources section to identify resources within the boundaries of the jurisdiction identified for protection.
- **Community Facilities** – As explained throughout the 2040 Comp Plan, the City owns no roads, land, or buildings. The 50–60 miles of roads in the City are owned by North Oaks Home Owners’ Association (NOHOA) members whose property extends to the center of the road subject to easements in favor of NOHOA. All recreational property and shoreland, wetland, and woodland areas in the City are owned by NOHOA or by private entities. There are no public parks, public recreation areas, or public roads or other public facilities in the City.
- **Implementation Program** – This section identifies how local official controls will ensure the continued viability of plans outlined in other sections of the 2040 Comp Plan. This section also outlines the community’s capital improvement program.

Within each of these categories, the 2040 Comp Plan may also contain any additional matters which may be of local importance pursuant to the applicable planning statute.

It is the purpose of this planning document to identify and establish policies and plans to



guide the physical, social and economic development of the entire community. The central focus of this purpose is to strive toward a community vision consistent with past development. The 2040 Comp Plan is intended to help the efforts and actions of the following generalized groups in fulfilling the community vision.

### **City of North Oaks – Statutory Authority**

The City will continue to operate under the statutory authority granted to municipalities by the State of Minnesota. The City shall utilize this plan for the protection of public health, safety and general welfare. A continuous open forum and planning process shall be used for maintaining this document and consideration of changing public policy. Due to the importance of this plan, state law requires a public hearing and an affirmative vote of four members of the City Council to adopt and amend the Comprehensive Plan.

### **Homeowners' Associations (HOAs) and Commercial Associations (CAs)**

Existing and future HOAs and CAs shall continue to have the responsibility for road maintenance, parks, recreation and open space maintenance and facilities in the City. This document shall serve as a conduit of City policy to all HOAs and CAs.

### **Development Philosophy**

This 2040 Comp Plan is intended to carry out the vision of a rural designed community with characteristics focused on protection of the environment including the natural topography, woodlands, lakes, ponds, and wetlands. To the benefit of all existing and future property owners in the community, this 2040 Comp Plan will include a Land Use Plan Map. The map shall clearly show areas planned for large lot residential development with on-site sewage treatment; medium-density single-family, mixed residential, mixed use, and commercial development areas to be served with central sewer service.

### **General Public and Other Interests**

While the growth of the City is inevitable, it is clear that the planning and management of growth can have considerable impact on existing and future investments in the community.

It is, therefore, the intent of this 2040 Comp Plan to clearly indicate to existing property owners, the general public and all future private interests:

- the type and location of land use planning,
- the strong commitment to environmental protection, and
- the preservation and commitment to maintaining the existing character and privacy of the City.

### **Public Agencies**

The City recognizes that North Oaks is a private community and the necessity to coordinate certain plans with other public agencies, such as the State of Minnesota, the Met Council, neighboring counties, water management organizations, school districts, and adjacent communities. Those agencies may use the comprehensive planning process as an open forum for commenting on and coordinating public policies established by the Comprehensive Plan.

#### **D. BACKGROUND**

The City recognized the need for the development of a comprehensive plan in 1970. As a result, Ordinance 56 (codified sections 151.075-151.083) was passed in November 1971 to establish a Planning Commission and require the development of a comprehensive plan. The subsequent Comprehensive Plan written by the Planning Commission was adopted by the City Council in December 1973.

In 1980, 1994, 1999, and 2008 the Comprehensive Plan was updated in accordance with the Metropolitan Land Planning Act as enacted by the Legislature of the State of Minnesota in 1976 as amended. The following ordinances have been enacted by the City Council to implement the Comprehensive Plan and to fulfill other obligations and needs of the City.

- Subsurface Sewage Treatment Systems Ordinance (codified as Chapter 51) adopted August 13, 2015, as amended.
- Subdivision Ordinance 93 (codified as Chapter 152) adopted February 11, 1999, as amended.
- Zoning Ordinance 94 (codified as Chapter 151) adopted February 11, 1999, as amended.
- Tree Disease Ordinance 67 (codified Sections 93.30-93.39) adopted April 14, 1977, as amended, which provides for the control and prevention of shade tree diseases in the City.
- A Shoreland Ordinance was adopted as Ordinance 84 (codified as Chapter 153) March 9, 1995, as amended.
- Subsurface Sewage Treatment Systems Ordinance 96 (codified as Chapter 50) adopted July 8, 1999, as amended, which adopts, by reference, Minnesota Rules Chapters 7080-7083 for on-site systems. In addition, some stricter requirements are included in the ordinance.
- Building Code Ordinance 95 (codified as Chapter 155) adopted May 13, 1999, as amended, which adopts, by reference, the State Building Code.
- Erosion and Sediment Control Ordinance 75 (codified as Chapter 154) adopted May 12, 1988, which responds, by reference, to the Metropolitan Surface Water Management Act, the Vadnais Lake Area Watershed Management Plan, the Ramsey County Erosion and Sediment Control Handbook, and the North Oaks Water Management Plan.
- Swimming Pools and Spas Ordinance 76 (codified sections 150.055-150.062) adopted May 23, 1989, which regulates the construction and maintenance of pools and spas.

The organization of North Oaks is unique to the St. Paul–Minneapolis Metropolitan area. The area was designed primarily by a single developer to serve a need for large residential lots in a rural, natural, and private environment. Because of its many environmental assets, its extensive wetland areas, and a lake system that is the source of St. Paul’s water supply system, it was determined that the area should be developed in primarily low-density residential use to best control and protect St. Paul’s water supply.

Due to the method of development and the unique governing structure, the City is not easily compared to other communities. Studies comparing financial and economic data are difficult

due to the rural level of services found in the City and the fact that the responsibilities usually assumed by local governments are shared by the City government and HOAs. The division of governing responsibilities and the extensive use of volunteers within the City allow the community to provide necessary and desired services at a reasonable cost to the residents.

This 2040 Comp Plan will provide the background of development of the City, its role in the region, and the objectives, policies, standards and programs to guide future development. This plan is anticipated to be dynamic and is intended to be revised as community needs and desires may change over the course of time. Although general development policies have remained unchanged since the adoption of the 1973 Comp Plan, local requirements and desired community changes have indicated a need for periodic revision of various details of the Comprehensive Plan.

#### **E. LOCATION**

The City of the City is located in northern Ramsey County, one of the seven counties in the greater St. Paul-Minneapolis metropolitan area (see Appendix A, Map 1 – Metropolitan Area Political Boundaries and Surrounding Municipalities). The municipality is considered a "third-ring suburb" in relation to development outward from the central City of St. Paul. Within the metropolitan area, the City is classified by the Met Council as partially "Rural Residential" and partially "Developed."

The City generally lies within boundaries formed by County Highway 96 and the Canadian Pacific Railroad tracks on the south; County Road 49, also known as Hodgson Road, on the west; Turtle Lake Road and County Road J on the north; and Centerville Road (also a county road) on the east (see Appendix A, Map 14 – Thoroughfares and Street Classifications).

To the south lies the City of Vadnais Heights; to the north the City of Lino Lakes in Anoka County; to the west the City of Shoreview and to the east the White Bear Township and the City of White Bear Lake. White Bear Township has a small section northwest of the City that is isolated from the main area of its jurisdiction east of the City. Most of the land adjacent to the City in neighboring municipalities is being developed (or is planned for development) as residential with a few small neighborhood commercial facilities. Shoreview does anticipate redevelopment of existing residential properties west of Hodgson Road and north of Turtle Lake Road. In White Bear Township along Centerville Road, some areas are zoned and being developed as light industry.

## **F. DEVELOPMENT HISTORY**

In 1949, the Hill family embarked on the major project of developing the North Oaks Farm into a residential community. The farm was purchased in 1883 by James J. Hill from Charles D. Gilfillan, who had purchased 3,500 acres north of St. Paul in order to control and protect the future water supply of St. Paul. Before selling the land, Mr. Gilfillan gave the St. Paul Water Company the right to control the water in the lakes and the right to enter any of the lands to construct and maintain conduits. Mr. Hill developed the City land into one of the nation's leading agricultural experimental farms. His son, Louis W. Hill Sr., and three siblings preserved it in its natural unspoiled state until his death in 1948. The NOC was formed by Louis W. Hill's four children to plan and carry out the residential community development. Hare and Hare of Kansas City, nationally recognized landscape architects and planners, were retained until 1988 to advise the NOC.

The development concept envisioned by NOC in 1950 was to plan a residential community with sufficient commercial areas to serve the needs of area residents. Major emphasis has always been placed on the stewardship of the natural environment including the topography, woodlands, ponds and wetlands; prevention of pollution to the environment; and retention of ground water recharge areas. Development started in the south-central part of the City with the creation of an 18-hole golf course and the restoration of Gilfillan Lake. Large lots were created with planned building sites that preserved existing topography and drainage patterns. Lots and roads were laid out according to the contours of the land.

All services were originally planned at a rural level. These included individual wells and sewage treatment systems, dirt roads, and electric power. All roads are currently blacktopped and natural gas is available. Individual wells and sanitary sewer systems will continue with City ordinances setting strict standards for installation, inspection, and maintenance. Recent and future development may include central sewer and water systems in limited areas through agreements with adjacent municipalities. Other urban amenities (such as street lighting, curbs, and sidewalks) are purposefully nonexistent. There are about 44 miles of non-motorized private trails available for NOHOA members' and member-accompanied guests' use. Natural drainage patterns have been preserved eliminating the need for storm sewers except in the southwest area of the City.

Lot development is planned and staged so that new subdivisions are not opened until most of the lots in the adjacent subdivision are sold to developers or individual lot owners. By utilizing this process, it is not necessary to extend roads or utility services until there is a financial base available to support the extensions.

Because a local municipal government was not in existence in the area in 1950, orderly development was assured by the use of perpetual deed covenants on all parcels of land. The first area of development was covered by a warranty deed containing covenants referred to as the "Countryman Deed." As development progressed, additional land areas were covered by similar deeds and by declarations containing terms and covenants which are perpetual and similar to those that were found in the original Countryman Deed (see Appendix A, Map

2 – North Oaks Neighborhoods, Homeowners’ Association, and Commercial Association Boundaries).

Perpetual covenants are a part of all deeds and declarations on land developed since 1950, except for 14 homes which are not in NOHOA as shown on Map 9 – 2016 Estimated Housing Distribution. The following is a summary of some restrictive covenants (on file with the City) that may or may not be attached to each property in NOHOA: For example, deed covenants address the following:

- Defines and limits the areas covered by restrictive covenants to single-family residences, parks and recreational areas, fire houses, police buildings, schools, and churches. Prohibits subdivision of lots by individual owners.
- Provides for an Architectural Supervisory Committee (ASC). Defines responsibility and operating procedure of the Committee.
- Prohibits certain land and building uses. Defines and prohibits stated nuisances.
- Prohibits connection of roads or driveways to public highways.
- Provides for roads, paths, parks, and community facilities to be set aside for use of all residents.
- Allows for re-grading of roads..
- Prohibits hunting and fishing.
- Provides that water levels may be raised or lowered except when contrary to orders of the Board of Water Commissioners of the City of St. Paul.
- Prohibits drainage of sewage into lakes, ponds, etc.
- Provides for utility easements to be granted.
- Provides for a method of assessment of lot owners for police, fire, road maintenance, and maintenance and operations of community land and property.
- Defines the legal powers of the ASC.
- States that all conditions and restrictions run with the land. Allows the assignment of any rights, power, privilege or authority given in the deed to the NOC to be assigned to the HOA or to the ASC.

The North Oaks Home Owners' Association (NOHOA) was incorporated in 1950 with bylaws filed at the same time as the first covenants were placed on the property. NOHOA, or other HOAs or CAs, have the responsibility for road maintenance and the ownership and maintenance of recreation lands and facilities. Each lot owner's land extends to the center of a road easement with reciprocal easements for road use granted to all land owners covered by the warranty deeds and declarations; thus, all roads within the City are private roads. Maintenance is the responsibility of the NOHOA after the road is constructed with a black top surface by the developer.

Pursuant to deed covenants, NOHOA's ASC reviews all building plans with particular emphasis on site planning prior to the building permit application.

Since NOHOA was incorporated in 1950, approximately 1811 housing units over 3,000 acres have been created by the NOC for residential use. Each lot is subject to covenants and every



owner automatically becomes a member of NOHOA. Beginning in 1977, some developments also established homeowners' sub-associations that operate independently but are subject to NOHOA; its members also are members of NOHOA. Through this arrangement, the independent sub-associations can be more restrictive than NOHOA but are prohibited from absolving themselves of responsibilities to NOHOA. A complete list of such homeowners' associations, and the year each was initiated, is as follows:

- Charley Lake Condominium Home Owners' Association (CLCHOA, 1984)
- Lake Estates Home Owners' Association (LEHOA, 1989)
- The Summits of North Oaks Home Owners' Association (SHOA, 1996)
- The Pines Home Owners' Association (PHOA, 1999)
- Rapp Farm Home Owners' Association (RFHOA, 2008)
- The Villas of Wilkinson Lake Home Owners' Association (VWLHOA, 2006)
- Charley Lake Preserve Home Owners' Association (CLPHOA, 2014)
- Red Pine Farm Home Owners' Association (RPFHOA, 2014)

Additional new homeowners' sub-associations may be formed for future developments, but like those above, they will all be members of NOHOA. All HOA boundaries include open water, wetlands, and active and passive recreation areas.

All HOAs are subject to warranty deeds/declarations with covenants similar to NOHOA's. Development within NOHOA is subject to review by NOHOA's architectural supervisory committee (ASC), as well as by a sub-association's ASC if it exists. (Copies of the covenants for all the HOAs are on file in the City Hall.)

In 1956, the City was incorporated to assure that City homeowners would not be divided between adjacent areas that were also incorporating. The incorporation of the City included an area larger than the original development covered by the covenants in order to take advantage of the natural boundaries formed by roads and topography. With the creation of the City came the rights and responsibilities of a Minnesota municipality as granted by the State Legislature. The result is that some functions performed by the City overlap to some extent with some areas of responsibility defined in the covenants.

Fifteen residential properties exist outside of NOHOA's boundaries and are subject only to municipal laws.

Both police and fire protection are now the sole responsibility of the municipal government. Overlapping areas of responsibility between the City government and HOAs are found in zoning, subdivision, nuisance and sanitary areas. However, the City ordinances reflect the concepts expressed in the covenants.

With the development of the Village Center commercial area in the southwest corner of the City, the City required the establishment of CAs with covenants and restrictions similar in some aspects to those of the HOAs, but unique as would be expected of a commercial operation. For instance, the Easement Agreement and Declaration for North Oaks Village

Center (which is on file at Ramsey County land title records) provides for a non-exclusive perpetual easement for the purpose of installation, construction, maintenance, operation, repair, inspection, and replacement of the sewer segment located in whole or in part in the Village Center. In this same document, there are other easement rights under certain circumstances for administration and maintenance of the roads, parking, trees, drainage ponds, storm sewer connections, roadway and parking lighting, drainage and utilities, signage, berms, etc., within the Village Center area. A CA was also established for the Presbyterian Homes of North Oaks (referred to as Waverly Gardens) development in the northeast corner of the City.

The municipal government serves all residents of the City and is not limited to NOHOA members. There are fifteen residences, two schools, two religious institutions, a child care center, and the Lake Johanna Fire Department Station that are not located within the boundaries of HOAs or CAs, though they are also subject to City ordinances.

Within the City are three additional entities that have responsibilities usually found exclusively with local government:

- All homes within the boundaries of HOAs are subject to perpetual deed/declaration covenants of some type (see Appendix A, Map 2 – North Oaks Neighborhoods, Homeowners’ Association, and Commercial Association Boundaries).
- The CAs have complete responsibility for road maintenance (but not traffic safety and regulatory signs) and for ownership and maintenance of sewer segments and other facilities and common areas within their jurisdiction (see Appendix A, Map 2 – North Oaks Neighborhoods, Homeowners’ Association, and Commercial Association Boundaries).
- The land developer has certain responsibilities as described by the perpetual covenants.

The large lots, retention of natural topography and resources, and the rural-service-level development concept have resulted in an economically sound community. No two communities are alike by virtue of their particular location, topography, and relationship to an area. Each community must develop, use, and care for its assets. The City and NOHOA have supported and protected natural resources to provide a unique living environment that is an asset to the region. Ordinances contain standards and regulations which protect these assets, primarily environmental, but allow flexibility in meeting the ordinance standards.

## **G. CITIZEN INVOLVEMENT**

The City has been fortunate in having residents who are dedicated to the well-being of their community. The five City Council members serve with nominal salaries. Each member has responsibility for one or more functions of the City: police, fire, finance, and liaison with the Planning Commission, cable TV, and other government agencies. The seven-member Planning Commission also serves with nominal salaries. The Commission reviews subdivision plats and other applications related to development activities, is responsible for other work as specified in state law and local ordinances, and prepares and updates the Comprehensive Plan and implementing ordinances.

Members of the Boards of Directors of each of the HOAs serve without pay. Board members have responsibility for each association's organization, governance, finances, roads, capital improvements, recreational facilities and programs, architectural review, and new resident orientation.

Resident HOA volunteers plan, coordinate, and carry out HOA recreation programs for all ages including swimming, sailing, tennis, baseball, football, soccer, gardening, hockey, and cross-country skiing. A variety of groups with diversified interests have been formed through the efforts of local residents. All operate on HOA properties either under the auspices of, or with required permission of NOHOA or a sub-association.

As problems or needs are perceived by the HOAs or the governing bodies, committees have formed to study and recommend possible courses of action. Examples include:

- Long-range active and passive recreational land needs, which resulted in the identification of the present recreation/scenic land included in the 1973 Comp Plan and Zoning Ordinance 86 (codified as Chapter 151).
- HOA recreation building needs, which resulted in the building of two NOHOA recreation buildings.
- NOHOA's planning and carrying out the landscaping of NOHOA recreation areas.
- The Tick Task Force (TTF) is a committee of City residents committed to eradicating deer ticks and Lyme disease in the community through education. The TTF meets the third Tuesday of every month.
- The Natural Resources Commission was established by the City Council. It meets every third Thursday and handles deer management, lake weed management, and tree diseases such as oak wilt and emerald ash borer.

The City Council, Planning Commission, administrative staff, and City committees are supported with the professional services of consultants on a contract basis as needed.

Local issues are thoroughly debated and resolved in a positive manner. The involvement of citizens in a town-hall type of setting not only reduces financial costs, but more importantly provides leadership as well as strengthening and unifying the community.

Citizen participation is a way of life in the City and plays an important role in the development concept.



## **H. PHYSICAL FEATURES AND ENVIRONMENTAL RESOURCES**

Every attempt has been and continues to be made to preserve the existing physical and environmental characteristics that have made the City unique in its abundance of natural resources. To help preserve these natural resources, the warranty deeds for the transfer of individual properties from NOC to subsequent owners contains perpetual easements and covenants. While all individual warranty deeds contain perpetual reciprocal road easements over private roads, many individual warranty deeds contain other easements relating to the preservation of natural resources (such as arboreal, vista, berm, planting, slope protection, drainage and ponds). There are also 10- to 30-foot-wide trail easements for the benefit of the HOAs and their members and member-accompanied guests for pedestrian and bicycling purposes as well as restricted roadway easements in favor of maintenance and emergency vehicles. NOHOA monitors, builds, maintains, repairs, and does whatever else is appropriate to preserve or enhance the natural resources or provide for other specified purposes.

In 1991, the City Council approved a Natural Resources Preservation Plan (NRPP). The purpose of this plan was to deal with natural resources activities in an interrelated and coordinated, rather than piecemeal, manner. Following preparation of the NRPP, the community undertook an environmental assessment of the land in the City with help from the Minnesota Department of Natural Resources (DNR) and other service providers. This assessment determined the biological and cultural carrying capacity of the land through extensive field work and a series of public information meetings.

In October 2007, the City established the Natural Resources Commission consisting of seven voting members appointed by City Council. The committee is an advisory to the City Council. It makes recommendations regarding development in the long-term City Natural Resource Plan and the management of natural resources in the City.

The City consists of approximately 5,461 acres of rolling land, woods, open meadows, lakes, and wetlands with topography varying from 893 feet to over 1000 feet above sea level (see Appendix A, Map 3 – Topographical Characteristics). The northeastern portion of the City is identified by the Met Council as a Regional Natural Resource Area. Information about other specific physical and environmental characteristics of the City is listed in the remainder of this chapter.

### **Wetlands, Lakes, and Waterways**

The extensive acres covered by wetlands, lakes, and waterways in the City falls under the jurisdiction of several different agencies including: the U.S. Army Corps of Engineers, the Minnesota Department of Natural Resources, the Minnesota Land Trust, the Board of Water and Soil Resources, the Ramsey Soil and Water Conservation District, the St. Paul Regional Water Services, the Vadnais Lake Area Water Management Organization, NOHOA, and the City Council. The roles played by each of these entities are described where applicable in the remainder of this section.

**Lakes and Ponds**

Based on an analysis of Ramsey County and Minnesota DNR Geographic Information Systems (GIS) data, there are approximately 1338 acres of open water in lakes and ponds as follows:

Water Body	DNR ID:	Acreage:
Pleasant Lake	62004600	701
Lake Gilfillan	62002700	112
Deep Lake	62001800	101
Charley Lake	62006200	46
Wilkinson Lake	62004300	250
Black Lake	62001900	84
North Mallard Pond	62002000	
South Mallard Pond	62002000	(Combined Mallard Ponds) = 29
Teal Pond (north)	62002601	
Teal Pond (middle)	62002602	
Teal Pond (south)	62002603	(Combined Teal Ponds) = 15

All of these lakes and ponds are subject to standards contained in Zoning Ordinance 94 (codified section 151.063) and the Shoreland Ordinance 84 (codified as Chapter 153). The above noted lakes are a reserve water source and functions as a reserve water source for St. Paul.

Motorized vehicles and fishing are prohibited on all lakes and ponds by deed covenants as well as by Minnesota DNR and St. Paul Regional Water Services regulations.

The St. Paul Regional Water Services has water rights on Wilkinson, Deep, Pleasant, and Charley Lakes. Water from the Mississippi River is taken in at Fridley and pumped via two underground conduits into Charley Lake where it then flows by open canal to Pleasant Lake. Water from the Rice Creek chain of lakes can be pumped via conduits into Deep Lake with an open canal transporting water from Deep Lake to Pleasant Lake. From Pleasant Lake water is pumped south through underground conduits to Sucker Creek and by open canals and lakes to the water treatment plant. Wilkinson Lake, as part of the St. Paul Water system, is connected to Deep Lake by open canal and serves as a reservoir for the system. In 1994, a flow control structure and fish barrier (a weir) was constructed on the canal between Wilkinson Lake and Deep Lake. The St. Paul Regional Water Services controls the minimum and maximum water levels on Pleasant Lake.

Lake Gilfillan was restored to its original configuration in 1949 and interconnected with culverts and open channels to Teal and North and South Mallard Ponds. Water quality in Lake Gilfillan is monitored on an ad hoc basis by local residents. Teal and Mallard Ponds have had periodic treatment to control weed growth financed by adjoining residents. Lot owners on these bodies of water plan and finance water quality management programs as needed.

The Minnesota DNR permits the Lake Gilfillan Watershed Association to augment the lake's water when it falls below the Ordinary High Water mark of 910.55.

All of the shoreland is private, owned by NOHOA or its members, and is maintained pursuant to City Shoreland Ordinance 84 and NOHOA's policies and procedures for maintenance of shoreland property.

### **Wetlands**

Minnesota DNR protected wetlands are shown on Map 5 in Appendix A, Map 5 – Vadnais Lake Area Water Management Organization (VLAWMO) and DNR Waters and Wetlands. In addition to these wetlands, there are numerous other existing wetlands protected by the U. S. Army Corps of Engineers, VLAWMO, and other agencies. According to the wetland inventory prepared by the Ramsey Soil and Water Conservation District, the City is divided into nine waterbody areas (see Appendix A, Map 4 – Major Watershed Boundaries). Four of these are landlocked, representing roughly thirty percent of the area within the City. The remaining five waterbodies drain to the major lakes in the City.

The City is located in a single watershed, the Vadnais Lakes Watershed Area, which area comprises approximately 25 square miles in the northeast metropolitan area, and managed by the Vadnais Lake Area Water Management Organization (VLAWMO). VLAWMO is a Joint Powers organization that encompasses all of the City, and portions of the Cities of White Bear Lake, Gem Lake, Vadnais Heights, Lino Lakes, and White Bear Township.

The lakes, creeks and wetlands in the City and the Vadnais Lakes Watershed Area provide water for human consumption for the residents and institutions in St. Paul, as well as the neighboring suburban communities in the northern and east metro area. Falcon Heights, Lauderdale, Lilydale, Maplewood, Mendota, Mendota Heights, and West Saint Paul, along with select accounts in Newport, South Saint Paul, and Sunfish Lake, receive water services from the City and its watershed; wholesale water is provided to Arden Hills, Little Canada, and Roseville, with emergency supply available to Oakdale, Little Canada, and White Bear Township.

Runoff enters the City from portions of White Bear Township, Lino Lakes, Vadnais Heights, and Shoreview. The only drainage from the City is via St. Paul Regional Water Services conduits from Pleasant Lake into Sucker Lake in Vadnais Heights.

There are approximately 190 wetlands in the City. Of these, there are 47 wetlands over 2.5 acres in size. Data sheets for each of these larger wetlands are included in the report on wetlands prepared by the Ramsey Soil and Water Conservation District. The report is available at the City Office or through the District. A copy of the 2015 National Wetlands Inventory (NWI) for the City is available on line at the VLAWMO website. In addition, VLAWMO's newly adopted Watershed Plan discusses plans for wetland monitoring. A rapid functional assessment inventory of most of these basins was done in 1997 and is available at the VLAWMO office.

Most of the large wetland areas within the developed areas are preserved as permanent open space and designated as “Recreational” on the Zoning Map (see Appendix A, Map 7 – Existing Zoning Districts). Wetlands are protected at the time of subdivision and also in the Zoning Ordinance, Subdivision Ordinance 93 (codified as Chapter 152); Zoning Ordinance 94 (codified as Chapter 151), and Shoreland Ordinance 84 (codified as Chapter 153. Existing wetlands within the East Oaks PUD may be mitigated per state regulations elsewhere within the PUD. With the retention of wetlands and natural drainage ways, natural water recharge capacity is retained.

### **Trees**

Trees cover about half of the municipality with various species of oaks accounting for approximately 85% of the woodland cover. Oak wilt, a fungus infection that primarily attacks red oaks but may also infect other types, is present in the City. Dutch elm disease is also present and monitored. Other tree diseases on the horizon include gypsy moth and emerald ash borer which are causing significant tree mortality in neighboring states and will eventually make their way into the City. Continued vigilance on the part of the forestry program will be required to minimize the negative impacts of these tree diseases.

A tree disease control program was pioneered by the City under the direction of a plant pathologist from the University of Minnesota from 1960 to 1978. Since 1978, the City has contracted with a professional forester for this service. To illustrate the effectiveness of the program, consider that in 1978 the City lost 780 oak trees to oak wilt disease whereas in 1997 only 105 trees were lost to infection. Since 1997 the rate of tree loss has remained relatively constant at between 100 and 200 trees per year which is consistent with what can be expected as a result of good management practices.

Woodland areas are a vital part of the City environment and City policy places an emphasis on the preservation of trees. Both Subdivision Ordinance 93 (codified as Chapter 152) and Zoning Ordinance 94 (codified as Chapter 151) contain provisions which stress the importance of avoiding or minimizing impacts to existing stands of trees. Forestry recommendations are provided to developers and builders before large scale projects begin to encourage tree preservation and best management practices. On a smaller scale, residents can also request a forester site visit if they are concerned about damaging trees during the construction process. Additionally, there are arboreal, shoreland, slope, and vista easements on many properties that prohibit trimming or cutting trees without appropriate permission from local authorities.

### **Flora**

There are many varieties of native plants in the City, and every attempt is made to preserve these plants where possible. As an example, a very rare moss is growing on the southern slope of Deep Lake and wild rice is still found within that lake, and the residents living in this area have restrictive covenants attached to their properties that prohibit any landscaping,

planting, or trimming on this steep wooded bank. Significant conservation easements are also present in the community to protect large swaths of natural vegetation and habitat.

Just as the community must strive to protect its valuable natural flora, it too must be cognizant of the impacts that can be created by invasive species. Some, such as buckthorn, are recognized as already being present. The City is committed to be a role model in the control and removal of buckthorn, and will emphasize its removal within parks, recreation open spaces, and wetlands. The City also actively works to control or eliminate other invasive species and noxious weeds by following guidelines established by State and County recommendations.

### **Fauna**

The Minnesota DNR uses Pleasant Lake as a fish preserve. The many ponds and wetlands are home for a large variety of birds, waterfowl, deer, and many small animals.

### **Soil Types**

Appendix A includes maps depicting soil types (see Appendix A, Map 6 – Soils) and the topography of the land (see Appendix A, Map 3 – Topographical Characteristics) to illustrate the City's geological characteristics. Experience has shown that a variety of soils exist in the presently developed area, with some pockets of both heavy and light soils prevalent on individual lots. The character of the soils to the west of Pleasant Lake tends to be lighter. There has been little problem to date in finding suitable soil conditions on each lot for building sites and private sewage treatment systems.

### **Slopes**

Slopes are taken into consideration at the time of subdivision to be certain that each lot has a suitable building site without materially changing existing contours. (See Subdivision Ordinance 93, codified as Section 152.051; Zoning Ordinance 94, codified as Section 151.027; and Shoreland Ordinance 84, codified as Section 153.052) Additionally, specific properties have slope protection easements that prohibit building, landscaping, planting, or trimming, or undertaking any activity that would destroy, interfere with, or alter the character of the described section of property. Further, appropriate authorities are authorized to perform whatever work might be necessary to preserve, protect, and enhance the described property's natural state.

### **Drainage**

Drainage problems are minimal. Lots are laid out and housing sites located respecting natural drainage patterns. The City's ordinances require a 30-foot setback from road easements or other lot lines for all buildings and structures, except in planned residential districts (PRDs) and PUDs. In PRDs, there have been 15-foot setbacks from any adjoining lot line within the PRD area, and a 30-foot setback from the perimeter lot line of the PRD or the edge of any road easement [see Subdivision Ordinance 93 (codified as Chapter 152); Zoning Ordinance 94 (codified as Chapter 151); and Erosion & Sediment Control Ordinance 75 (codified as Chapter 153)]. Easements on specific properties authorize access to natural or man-made drainage areas for maintenance or improvements.



## CHAPTER 2: LAND USE

---

### A. EXISTING LAND USE

(See Table I and Appendix A, Map 8 – 2016 Existing Land Uses)

#### **Residential HOA Areas**

##### ***Detached Dwellings***

Each lot within the boundaries of NOHOA may have, by ordinance and covenants, one single-family residence with accessory buildings [see Zoning Ordinance 94 (codified as Chapter 151) for information on lot density and building use standards]. Within the RSL - Residential Single-Family Low-Density (minimum lot size 1.25 acres and average lot sizes 1.45 acres) and RSM - Residential Single-Family Medium-Density (minimum lot size 1.0 acres and average lot sizes 1.1 acres) districts, all buildings and structures must have a setback of at least thirty feet from all lot lines and road easements.

Planned Residential Developments (PRDs), which include provisions for retention of natural wetlands and drainage ways, trails, active recreation areas, and central sewers, have 15-foot setback requirements from any adjoining lot line within the PRD and 30-foot setback requirements from the perimeter lot line of the PRD or the edge of any road. The 1999 East Oaks Planned Unit Development Agreement (hereafter East Oaks PDA) and approved projects therein allow for variable setbacks from any adjoining lot line, perimeter lot lines, and the edge of any road.

As of January 1, 2016, there were approximately 1,771 single-family, detached-dwelling units in the City.

##### ***Attached Dwellings***

The Charley Lake Condominium Home Owners' Association is a PRD with 19 attached, side-by-side units. These units are required to have a 30-foot setback from the perimeter of the PRD area. The Summits of North Oaks is also an attached development with 30 units.

##### ***Nonconforming Uses***

Nonconforming uses that existed prior to the passage of the Zoning Ordinance in 1961 may continue to function at the size and manner existing as of the date of the Zoning Ordinance passage, but they are subject to the provisions of nonconforming uses (see Zoning Ordinance 94 codified as Chapter 151).

##### ***Conditional Uses***

The North Oaks Golf Club, at 54 East Oaks Road, operates a club house, golf course, and tennis courts on 167 acres in the south of the City. St. Paul Regional Water Services has small buildings at the south end of Pleasant Lake to house its pumping equipment. The Charley Lake Condominium Home Owners' Association maintenance/office building is also a conditional use.

### ***Historical Preservation***

There are two sites of historical significance within the City. The first is the James J. Hill North Oaks Farm on the southwest side of Pleasant Lake and the second is Mary Hill Park on the north side of Pleasant Lake (originally the cemetery for James J. & Mary Hill).

### **Residential Non-HOA Areas**

All plats not in a HOA area are still subject to Zoning Ordinance 94 (codified as Chapter 151) provisions. Some of the residences were built prior to the 1965 Zoning Ordinance 27, which set lot size standards. The fifteen residences located on lots not included within the boundaries of homeowners' associations are shown in Appendix A on Map 9 – 2016 Estimated Housing Distribution.

### ***East Oaks Planned Development***

The East Oaks PUD area is shown on Map 12 (see Appendix A, Map 12 – East Oaks Planned Unit Development). The East Oaks PDA, approved by the City Council in February 1999 with Resolution 1027, established the development pattern for all of the remaining undeveloped land owned by NOC, a privately owned company, in the City in compliance with the 2020 Comprehensive Plan, approved by the Met Council in November 1998. The approved PDA between NOC and the City has a term with a 30-year duration. An additional 886 acres is protected by conservation easements in light of its status as a recognized Regional Natural Resource Area. Development of the East Oaks area will occur as stipulated by the approved East Oaks PDA and the associated PDA narrative. The East Oaks PDA was approved in February 1999 following the adoption of the City 2020 Comprehensive Plan by the Met Council by the City to achieve the following goals:

- Greater creativity and flexibility in environmental design to ensure protection of sensitive environmental features deemed critical by the City;
- The preservation and enhancement of desirable site characteristics and significant wildlife habitat;
- The creative and efficient use of land; and
- Development in harmony with the City's objectives for land use, overall residential density, environmental protection, habitat conservation, active and passive recreation, and diversity of residential and commercial opportunities to meet the changing needs associated with new demographic trends and a gradually aging population.

One of the ways the East Oaks PDA assists in achieving the stated goals is by allowing density shifts between the planned neighborhoods. For example, if environmental concerns limit full development of one neighborhood, the lost units could, with restrictions, be made up in another neighborhood if approved by the City. Such density shifts can represent a win-win for the City and NOC, when they are both in agreement, allowing both to achieve their goals. The City can protect its most valuable natural assets and ensure that development fits the layout of a given piece of property while the NOC cooperates with the City's requirements for environmental protection knowing the decrease in density in one location may, within the terms of the East Oaks PDA, be made up through density increases in another.

Appendix D includes the following documents:



- Met Council November 1998 approval of 2020 Comprehensive Plan, letter from Curt Johnson, Met Council Chair
- Report of the Community Development Committee dated November 12, 1998
- Met Council November 1998 approval of 2020 Comprehensive Plan report
- Attachment A to November 1998 Met Council approval
- Sambatek (formerly MFRA, Inc.) December 1998 memo confirming Met Council adoption and approval decision
- North Oaks Resolution 1027, Findings Relative to the East Oaks PDA

The Met Council found City’s 2030 Comprehensive Plan meets all Metropolitan Land Planning Act (LPA) requirements, conforms to the regional system plans for transportation and aviation, water resources management, and parks. It is consistent with the 2030 Regional Development Framework and is compatible with the plans of adjacent jurisdictions.

Appendix E includes the following documents:

- Met Council February 25, 2010 approval of 2030 Comprehensive Plan letter
- Met Council February 25, 2010 approval of 2030 Comprehensive Plan report

The following are the Met Council adoption actions of the 2020 and 2030 Comprehensive Plans, both of which followed the Met Council review of the East Oaks PDA and are and fully documented in Appendix D:

1. “The City may place its 2020 Comprehensive Plan including the MUSA expansions into effect with no modifications.” The Met Council advised that they would like to see future sewered areas of the City developed with an “overall residential density” of 3.3 units per acre.
2. “The City will need to update its comprehensive sewer plan (Tier II) prior to any sanitary sewer extension approvals for the areas (258 acres) proposed to be serviced through the Centerville trunk sewer.”
3. Need to update the Tier II sewer plan considering the Met Council assertion that the inter-community agreement for water between the City and the Town of White Bear did not allow full water service for the developable 258 acres.
4. “The City is encouraged to examine and compare housing needs to current LCA (Livable Communities Act) goals . . . .”
5. “Put the City on notice that future applications for regional funding may be adversely impacted because the City’s plan does not meet the Council’s requirements for urban density and protection of the Urban Reserve.”

Considering the magnitude and significance of the East Oaks PDA, the Met Council, its Community Development Committee, and Met Council staff completed a thorough review of the City 2020 Comprehensive Plan. Its adoption and approval of the City 2020 Comprehensive Plan at its November 12, 1998 Met Council meeting was based on the recommendations fully documented in Appendix D.

The Met Council acknowledged in its report presented for the November 1998 approval action that the City proposed residential densities between 1.8 and 3.3 units per acre "... is consistent with the Council's goals and policies." Finally, the staff report notes that "The city's comprehensive plan meets most Metropolitan Land Planning Act (LPA) requirements for 1998 plan updates, with the exception essentially limited to the housing element."

Nothing of substance has changed since 1999 and 2008 and the thorough review done in 1998 by the Met Council and the conclusions reached are still every bit as valid today as they were then.

### ***Conditional Uses***

Within the City, there are a number of conditional uses in designated non-HOA residential areas including:

- Chippewa Middle School – The Chippewa Middle School, a public school operated by Mounds View School District 621, has 48.5 acres with buildings surrounded by natural tree cover and athletic fields covering about one-half of the property.
- Incarnation Lutheran Church – occupies 10.8 acres
- Peace Methodist Church – occupies 3.8 acres.

### **Commercial Areas**

The 30-acre Village Center commercial district in the southwest corner of the community is home to a variety of businesses including but not limited to restaurants, service businesses, retailers, and offices. The North Oaks Village Center has an easement agreement and declaration that ensures there will be a CA to take care of ongoing management and maintenance obligations such as sewers, drainage, parking, lighting, signage, tree preservation, etc. As other commercial areas are developed in the future, they too will be required to have CAs.

### **Light Industrial Area**

A 4.5-acre light industrial area at the northwest corner of the community has four acres owned and developed by NOHOA for use as a maintenance center.

### **Recreational and Open Space Areas**

All active recreation areas are owned by HOA members and used extensively by HOA members and their member-accompanied guests for neighborhood-level sports, organized team sports, swimming, non-motorized boating, and tennis. All passive recreational areas (predominantly wetlands) are owned by HOAs or are subject to the Minnesota Land Trust, and are in their natural state. A private trail system maintained by NOHOA for walking, biking, and cross-country skiing covers approximately 44 miles in both passive recreational areas and on easements across homeowners' lots. Motorized vehicles are not permitted on trails except for emergency and maintenance vehicles. The open space private trail system is used regularly by NOHOA members.

<b>Table 1</b> 2040 North Oaks Comp Plan <b>Existing Land Use, 2016</b>		
<b>Land Use Type</b>	<b>Acres</b>	<b>Percent</b>
<b>Residential</b>		
<i>Single Family</i>	2494.62	45.67%
<i>Multi Family</i>	46.95	0.86%
<i>Mixed Residential</i>	67.64	1.24%
<b>Commercial/Industrial</b>		
<i>Commercial</i>	29.03	0.53%
<i>Mixed Use</i>	79.67	1.46%
<i>Light Industrial</i>	4.45	0.08%
<b>Community</b>		
<i>Institutional</i>	64.92	1.20%
<i>Parks, Rec, &amp; Open Space</i>	1316.88	24.11%
<i>Open Water</i>	1005.93	18.42%
<i>Utilities</i>	2.75	0.05%
<b>Undeveloped</b>	348.57	6.38%
<b>TOTAL CITY</b>	<b>5461.41</b>	<b>100%</b>

*Acres totals based on GIS analysis of Ramsey County Parcel Data and Minnesota DNR Waters data.*

## **B. LAND USE PLAN**

The 2040 Land Use Plan (see Appendix A, Map 10 – 2040 Land Use Plan) continues to illustrate the goals and vision of the community adopted in the 1999 Comp Plan, the subsequently approved East Oaks PDA, and the most recent comprehensive plan for 2030. During the process of preparing the 1999 Comp Plan, an emphasis was placed upon maintaining and protecting the existing character of the City. The "master vision" of the North Oaks community created by Louis W. Hill Jr. and his early professional advisors, Hare & Hare in Kansas City, was to be continued. The major guided land use continued to be single-family residential; however, townhome, mixed residential, and mixed-use developments were also planned uses that were ultimately approved for inclusion in the East Oaks PDA. Home sites have and will continue to be carefully planned to conform to the existing natural topography, and to protect existing drainage, trees, vegetation, and wetlands consistent with NOHOA standards. A breakdown of the existing and planned land use in acres is shown in Table 2.

The Metropolitan Council's previous review of the City's 2030 comprehensive plan found that areas planned for regional sewer service had been planned to meet an overall minimum density of 3 residential units per acre. This analysis includes East Oaks neighborhoods that are either greater or lower than this density. Remaining undeveloped lands that are planned

to receive sanitary sewer service have a planned density lower than 3 units per acre. However, they are balanced by previous development in the East Wilkinson neighborhood that had higher densities. As previously indicated, the City is legally bound to the terms of the Planned Development Agreement (PDA).

The Metropolitan Council acknowledges the existence of the East Oaks Planned Unit Development (PUD) and honors previous comprehensive sewer plan approvals. It agrees to hold the City harmless in regard to minimum units per acre density requirements required for “Emerging Suburban Edge” communities. If any phases of the East Oaks PUD fail to receive final subdivision approval by the termination date of the PDA (2/11/29 **confirm**), the City understands that, going forward, such land use guidance will be subject to regional density requirements established by the Metropolitan Council.

<b>Table 2</b>							
2040 North Oaks Comp Plan							
<b>Existing and Planned Land Use in 10-year Increments</b>							
<b>Land Use</b>	<b>Min Density</b>	<b>Max Density</b>	<b>2016</b>	<b>2020</b>	<b>2030</b>	<b>2040</b>	<b>Change</b>
<b>Residential</b>							
<i>Low Density</i>	0.69	1.0	2494.62	2520.62	2598.12	2675.60	180.98
<i>Medium Density</i>	2.0	2.0	46.95	46.95	46.95	46.95	0
<i>Mixed Residential</i>	1.0	4.0	67.64	86.56	133.86	181.29	113.65
<b>Commercial/Industrial</b>							
<i>Commercial</i>	NA	NA	29.30	29.30	29.30	29.30	0
<i>Mixed Use</i>	1.0	4.0	79.67	87.82	108.2	128.59	50.42
<i>Light Industrial</i>	NA	NA	4.45	4.45	4.45	4.45	0
<b>Community</b>							
<i>Institutional</i>	NA	NA	64.92	64.92	64.92	64.92	0
<i>Recreational/Open Space</i>	NA	NA	1316.88	1321.88	1321.88	1321.88	5.0
<i>Open Water</i>	NA	NA	1005.93	1005.93	1005.93	1005.93	0
<i>Utilities</i>	NA	NA	2.75	2.75	2.75	2.75	0
<b>East Oaks PUD</b>			348.57	290.49	145.29	0	-348.57
<b>TOTAL Land Area:</b>			5461.41	5461.41	5461.41	5461.41	
<p><i>Minimum and maximum densities are depicted in units per acre. Yearly land use data and the denoted “change” are in acres.</i></p> <p><i>2016 acreage totals based on GIS analysis of Ramsey County Parcel Data and Minnesota DNR Waters data. Data for subsequent years reflects anticipated build-out of the approved East Oaks PDA, which encompasses all remaining developable land within the City.</i></p>							

**C. LAND USE POLICIES**

The following policies have been written as a guide for development within the various land use designations. The areas in the community guided for the following described land uses can be found in Appendix A, Map 10 – 2040 Land Use Plan.

### **Low Density Residential- Overview**

The Low-Density land use designation is intended to allow for single-family detached housing; no multiple family attached residences will be allowed. Within this land use, a heavy emphasis is placed upon the preservation and protection of the natural environment. Some areas guided for Low Density may be developed with sanitary sewer facilities, but others will need to be designed for on-site sewage treatment systems when preservation of natural features prohibits sewer extensions. In such cases, the City's stringent standards for individual sewage treatment systems [found in Ordinance 96 (codified as Chapter 50)] shall apply. To achieve these goals, there are two zoning districts that correspond to the Low-Density land use designation in the community. Development densities vary slightly between the two zoning districts, but each is considered to be consistent with the Low-Density land use category.

The specific policies pertaining to each of the zoning districts are as follows:

#### **RSL (Residential Single-Family Low-Density District)**

- Average lot size = 1.45 acres
  - Minimum lot size = 1.25 acres
  - Suitable site = 25,000 square feet (no central sewer)  
= 15,000 square feet (central sewer)
1. Properties may be serviced by a central sanitary sewer system if the City deems that an extension of public services will not be detrimental to natural features and the surrounding neighborhood.
  2. Sites not served by sanitary sewer must be designed for on-site sewage treatment systems. The City shall continue to enforce stringent standards for the proper siting, design, installation, inspection, and maintenance of on-site sewage treatment systems. Each home site is required to have two 5,000 square foot sites for on-site sewage treatment systems.
  3. Access roads to all home sites shall be private roadways, owned and maintained by a homeowners' association.
  4. RSL-PUDs may be allowed with an average lot size of 1.45 acres and a minimum lot size of 1.25 acres.  
Low-Density sites must meet NOHOA standards to provide access to the primary trail system.

#### **RSM (Residential Single-Family Medium-Density District)**

- Average lot size = 1.1 acres
- Minimum lot size = 1.0 acres
- Suitable site = 25,000 square feet (no central sewer)  
= 15,000 square feet (central sewer)

1. Properties may be serviced by a central sanitary sewer system if the City deems that an extension of public services will not be detrimental to natural features and the surrounding neighborhood.
2. Sites not served by sanitary sewer must be designed for on-site sewage treatment systems. The City shall continue to enforce stringent standards for the proper siting, design, installation, inspection, and maintenance of on-site sewage treatment systems. Each home site is required to have two 5,000 square foot sites for on-site sewage treatment systems.
3. All access roads shall be private roadways owned and maintained by a homeowners' association.
4. RSM-PUDs may be allowed with overall density of 1.1 acres per dwelling unit if provided with sanitary sewer.

### **Medium Density Residential**

There are three existing Medium-Density neighborhoods within the community: Charley Lake Townhomes, The Summits, and Wildflower Place. In Medium-Density areas, a heavy emphasis is placed upon the preservation and protection of the natural environment. All Medium-Density areas, if developed as townhomes, shall be developed with central sanitary sewer. Medium-Density sites will be zoned RMM (Residential Multifamily Medium Density) and may be developed as a PUD, which allows two-family dwelling units with a gross density of 1 unit per 0.5 acres. Medium-Density sites must meet NOHOA standards to provide access to the primary trail system.

### **Mixed Residential**

Mixed Residential land uses are intended to be developed as residential sites. A variety of housing types such as single-family detached, townhomes, and other multifamily dwellings may be built within each site. Mixed Residential has been designed to create clustered lifecycle housing types while preserving large open space areas. The zoning for Mixed Residential sites will be RMH (Residential Multifamily High-Density District). The sites may also be developed as a residential PUD. All Mixed Residential sites must meet NOHOA standards to provide access to the primary trail system.

There are three sites designated Mixed Residential in the City:

1. Rapp Farm – In accordance with the East Oaks PDA, the Rapp Farm site may incorporate single-family residences, townhomes, and other multifamily dwellings. Landscape buffering has been (and will continue to be) provided adjacent to the RSL zoning district. As of year's end 2017, all lots have been platted. Once developed, access to the trail system required acceptance by NOHOA and NOHOA membership approval.
2. The Pines – The Pines was developed as a single-family neighborhood as part of the East Oaks PDA. Landscape buffering was provided in certain areas to provide visual screening from adjacent residential development. Once developed, access to the trail system required acceptance by NOHOA and NOHOA membership approval.
3. Anderson Woods – The Anderson Woods site, a future East Oaks neighborhood (otherwise known as Andersonville), may include a mix of single-family residences and



townhomes in accordance with the East Oaks PDA. Once developed, access to the trail system will require acceptance by NOHOA and NOHOA membership approval.

### **Mixed Use**

Mixed-Use land uses are intended to mix different housing types and commercial uses within a site. The goal is to incorporate compatible, interrelated uses to provide a mix of daily goods, services, jobs, and residences. Mixed-Use sites require the creation of an RCM (Residential Commercial Mixed) zoning district and standards. Commercial uses shall be in accordance with the uses and standards allowed in the Commercial or Commercial Service zoning district and as designated for each Mixed-Use site. Rezoning to RCM is only approved in conjunction with a PUD. Commercial sites must be served by a central sanitary sewer with a municipal water supply encouraged. The development of commercial sites shall place heavy emphasis on the preservation of the natural environment such as woodlands, steep slopes, and wetlands.

The “Mixed Use” land use designation is applied only to lands within the East Oaks PUD. Those areas which are presently undeveloped (within East Oaks) and are guided for “Mixed Use” will be developed in accordance with the terms of the PDA.

There are three PUD areas designated Mixed Use in the City:

1. East Wilkinson – The East Wilkinson site (Appendix A, #5 in Map 12) in the northeast corner of the community (currently being further developed as The Villas of Wilkinson Lake) includes single-family residences, townhomes, and other multifamily senior housing dwellings. As previously noted, there is also a Mixed-Use commercial component in the development containing the Presbyterian Homes—Waverly Gardens senior living facility, three apartment buildings (referred to as the Mews), an office building, and restaurant that comprise about 15.27 acres of the total 21 acres designated as Mixed Use in the area. Future commercial use may be planned on the remaining acreage or it may be converted for residential use by the NOC in any of the undeveloped East Oaks PUD areas as provided in the East Oaks PDA. City Ordinances restrict the development of the commercial areas to a local or neighborhood-scaled design. NOHOA has 17.7 acres of active and passive recreation space that has been developed in this area, part of which replaces the North Deep Lake recreation plans previously planned for the Rapp Farm area.
2. Gate Hill – The Gate Hill site (Appendix A, #7 on Map 12) is planned to be developed with low profile single-family residences, townhomes, and other multifamily dwellings. Commercial uses shall be limited to low profile professional office uses. Commercial use characteristics shall include limited traffic generation, hours of operation, and lighting.
3. Island Field – The Island Field site (Appendix A, #8 on Map 12) is planned to be developed as single-family residences, townhomes, and other multifamily dwellings. Commercial uses shall be limited to low profile professional office and uses compatible with office uses. Commercial use characteristics shall include limited traffic generation,

hours of operation, and lighting.

DRAFT



### **Commercial**

The City's primary commercial district is Village Center, a thirty-acre mixed-use district with retail, office, service, and governmental uses in a pedestrian-friendly environment located in the southwest corner of the community.

The City is a uniquely master planned and privately owned community within the metro area. The City does not own any land. All land within the City is either already developed, has been granted development approval as part of the East Oaks PDA, or is protected land. Importantly, the City has an obligation to protect its valuable watershed through low-density development as the lakes within the City supply water for 446,721 metropolitan residents in twelve separate communities. St. Paul Water Utility would strongly oppose a change in the City development pattern as the City currently provides an ideal watershed for storage capacity of low density with heavy vegetative cover. In effect, the center of the City is a large rain garden providing improved water quality for the watershed. Intensification of development for any reason could threaten this important resource, so the City must strike a careful balance between its regional housing obligations and its unique obligation as the region's major water supplier.

In addition to the commitment to the St. Paul Water System, 886 acres of land located within the City limits are part of the Minnesota Land Trust and committed to preservation and restoration of sensitive environmental land. This land is privately owned by NOC. Thus, the City does not own this land and cannot develop any of the land located in the Minnesota Land Trust conservation areas.

### **Recreational/Open Space**

All residential land development not subject to the East Oaks PDA shall be required to set aside certain portions for recreational purposes. The maximum area required by Ordinance 93 (codified as Chapter 152) to be set aside for parks, recreation, and open space is 10% of the area being subdivided. The East Oaks PDA defines all recreation open space and trail dedications required in connection with each East Oaks PUD area. The East Oaks PDA is the controlling document with regard to recreation open space and trail dedications in the East Oaks PUD area, and the 10% requirement outlined herein does not apply. The recreation areas provided for in the East Oaks PDA meet or exceed the City's requirements.

Recreation/Open Space land is composed of three uses:

1. Privately owned active recreation areas for both informal and organized activities.
2. Privately owned passive trail and open space areas.
3. Protected lands with large tracts of land owned by the NOC or its successor, which are to be owned and managed as conservancy areas in perpetuity.

All NOHOA lands used by non-members must be accompanied by a member. All residential land development shall include 1) trails that are internal to the site and 2) trails that connect the site to the existing and future trail system. Trail land that is owned by a specific HOA and trail easements that are in favor of a specific HOA shall be intended, if relevant HOA

standards are met, for the use of the members of that HOA and their member-accompanied guests.

### **Historic Preservation**

The City currently has one site zoned Historical Preservation: the James J. Hill North Oaks Farm (Appendix A, “HP” on Map 7). It is located on the south side of Pleasant Lake and owned by the Hill Farm Historical Society. All three buildings and land have been restored. Mary Hill Park, located on the north side of Pleasant Lake and owned by NOHOA, is of historic significance but not zoned for historic preservation.

### **Light Industrial**

A 4.5-acre Light Industrial area (Appendix A, “LI” on Map 7), which is owned by NOHOA and houses its maintenance center, is located in the northwest corner of the City just south of Turtle Lake Road. Through the zoning code, this is the only land use classification that allows for the placement of cell phone towers. No further Light Industrial development is planned in the City.

## **D. HOUSING BACKGROUND**

When planning the development of North Oaks in 1950, it was decided that a large central area of the City would contain single-family homes on large lots with a rural level of service. This type of development causes minimal impact on the lakes, wetlands, wooded areas, and rolling terrain.

Initially, lot platting started in the southern part of the City and extended eastward from the golf course to Lake Gilfillan and the area south and east of Pleasant Lake. Development then progressed northward around Pleasant Lake in a staged contiguous manner.

In 1961, the City Council enacted the first official zoning ordinance (republished in 1965 to include a map) which, among other things, established two single-family residential districts and defined minimum lot sizes for each.

Local and regional conditions influenced the decisions and actions made at the time of enactment of the Zoning Ordinance.

1. The area was being developed primarily by a single developer who originally placed covenants on the land to assure orderly development, reasonable standards, and governing procedures. The City was not incorporated until 1956. These covenants restricted land use to single-family residences and were applied to the entire developed area of the Residential Single-Family Low-Density (RSL) District shown on the zoning map (see Appendix A, Map 7).
2. When the City Council enacted the first Zoning Ordinance, there was a strong community dedication to the continuance of large lot single-family dwellings. Areas proposed for smaller lots and apartment development did not have urban services available.
3. The demand for environmentally friendly large lots with rural services was strong and growing.

In 1977, with the advent of regional planning, the City felt that the community's primary contribution to the region would be the availability of an environmentally oriented residential living opportunity—a unique option not found elsewhere in the region at that time. Admirably, the focus on protection of the environment in the City preceded the national concern for environmental conservation.

The amount of land developed each year is managed by the NOC. Table 3 shows a total of 226 new home building permits were issued from 2008 through 2017. Since January of 2000, a total of 452 new home permits have been issued for an average of 25 homes per year.

DRAFT

Table 3 2040 North Oaks Comp Plan New Home Building Permits	
Year	Permits
2008	4
2009	2
2010	5
2011	2
2012	29
2013	35
2014	50
2015	51
2016	22
2017	26
<b>TOTAL Permits:</b>	<b>226</b>

Source: City of North Oaks

#### E. HOUSING – EXISTING

Overview: An analysis of 2017 GIS data along with building permit data from 2008 to 2017 indicates that approximately 2,060 dwelling units of all types existed in the City at year-end 2017. Each dwelling is located on one or more platted lots.

There are no known substandard houses as it is estimated that 99% of the houses have been built since 1950. According to information from the 2010 census, 13.7% of the homes in the City were rented at the time, contrasted with the 2000 Census when only 1.5% of the homes were rented. The City has adopted a rental licensing ordinance to monitor compliance with minimum housing standards. The 2010 vacancy rate was 8.7%, up from the 2000 Census rate of 2.5%. No information regarding rental rates is currently available. According to 2016 Ramsey County GIS data, the average home has nearly 3,500 finished square feet and the average total value of a developed lot is just over \$618,000.<sup>1</sup>

<sup>1</sup> Median home size is 3,511 square feet with a standard deviation of 1,701 square feet; median estimated total market value of both land and buildings for developed lots is \$618,232 with a standard deviation of \$363,198.

<b>Table 4</b>			
2040 North Oaks Comp Plan			
<b>Existing Housing Distribution</b>			
<b>Homeowners' Associations</b>	<b>2000 Houses</b>	<b>2007 Houses</b>	<b>2016 Houses</b>
Charley Lake Condo HOA	19	19	19
Charley Lake Preserve HOA	NA	NA	63
Lake Estates HOA	32	32	32
Deer Hills HOA	44	44	44
North Oaks HOA (NOHOA)	1,314	1,410	1,847
Pines & SE Pines HOA	54	99	99
Rapp Farm HOA	NA	7	142
Red Pine Farm HOA	NA	NA	9
Summit HOA	40	40	40
Village Center HOA	NA	NA	NA
The Villas of Wilkinson Lake HOA	NA	7	38
Non-HOA Homes	15	15	15
<b>TOTAL CITY</b>	<b>1,518</b>	<b>1,673</b>	<b>2,348</b>

Source: Sambatek, the City, NOC, and the East Oaks PDA.

**Affordable Housing.** In its 2016 “Existing Housing Assessment” the Metropolitan Council estimates that 142 affordable housing units exist in the City of North Oaks.

According to the Metropolitan Council, “affordable housing” is considered housing which is “affordable to low to moderate-income families.”

The Metropolitan Council provides the following information related to the definition of affordable housing:

- Low income households are those which earn less than 80 percent of the area median income (AMI) in the seven-county metropolitan area. In 2019, the AMI for the seven-county metropolitan area was \$100,000. Thus, a low-income household is one in which earns less than \$80,000 annually.
- A home is considered “affordable” to low-income households, when such households pay no more than 30 percent of their gross annual income on housing costs (including utilities).
- For 2019, a home with a sale price of not more than \$254,500 was considered “affordable”

in the seven-county metropolitan area.

The tables below depict the numbers of affordable housing units publicly subsidized units and the number of households burdened by housing costs in the City of North Oaks. Sch numbers, as provided by the Metropolitan Council, relate to a 2016 housing count of 2,059 units.

<b>AFFORDABILITY</b>		
Units affordable to households with income at or below 30% of AMI	Units affordable to households with income 31% to 50% of AMI	Units affordable to households with income 51% to 80% of AMI
25	0	117

<b>PUBLICLY SUBSIDIZED UNITS</b>			
All publicly subsidized units	Publicly subsidized senior units	Units affordable to households with income 51% to 80% of AMI	Publicly subsidized units – all others
0	0	0	0

<b>HOUSING COSTS BURDENED HOUSEHOLDS</b>		
Income at or below 30% of AMI	Income 31% to 50% of AMI	Income 51% to 80% of AMI
112	166	27

Source: Metropolitan Council 2016 Housing Stock Estimates

In a conversation with Metropolitan Council Staff, it was indicated that the City’s existing affordable housing estimate possibly includes in the affordable units which previously existed in Sisters of the Good Shepard convent which was torn down in 2013. In this regard, the City of North Oaks does not consider the Housing Assessment estimate (of 142 existing affordable housing units) to be an accurate representation of the City’s present affordable housing supply. Presbyterian Homes of North Oaks (referred to as Waverly Gardens) is required to have affordable living units.

**F. HOUSING – FUTURE**

The City of North Oaks will continue to be developed as a private residential community. Future residential units, either attached or detached, will be constructed on the remaining land within the approved East Oaks PDA. The City will continue to have low-density residential units in addition to medium-density townhomes, mixed residential, and mixed-use developments. All development will continue to support a rural, natural, and private environment. The timing of future land development and amount of new home construction

year by year will depend greatly on the single largest property owner: NOC. However, developable land will be subject to the approved East Oaks PDA and the City’s 2040 Comp Plan.

Although there are no known substandard houses in terms of physical condition, the City supports and recognizes that residents will always be seeking to improve their properties through rehabilitation and remodeling projects. It is also acknowledged that some residents in older homes may find that remodeling an existing dwelling to incorporate modern day conveniences and features will not be possible due to environmental concerns, property constraints, environmental protections, or financial barriers. The City supports the redevelopment of individual lots for new housing.

However, such home replacements should conform to all zoning requirements and place an emphasis on protecting sensitive environmental features and the character of the existing neighborhood.

Table 5 illustrates the estimated and forecasted totals for population, households, and employment from 2010 to 2040.

<b>Table 5</b>			
2040 North Oaks Comp Plan			
<b>Households, Population, and Employment Summary</b>			
<b>Year</b>	<b>Population</b>	<b>Households</b>	<b>Employment</b>
2010	4469	1868	1260
2019	5320	2048	1510
2020	5370	2130	1530
2030	5580	2270	1530
2040	5700	2310	1530

Source: Met Council and Sambatek

**Housing Needs**

Variety of Housing. North Oaks’ housing stock consists primarily of large lot, single-family homes. Of the 2,029 housing units which existed in the City of North Oaks in 2016, only 271 (13 percent) were classified as multi-family units. In this regard, relatively few housing type choices presently exist in the City.

While the City recognizes the region’s need for additional multi-family units and greater residential densities, future opportunities for increased housing variety, and specifically multi-family housing choices, are limited as all land within the City is either already

developed or is subject to the terms of the previous development approvals (as part of the East Oaks PDA).

As already stated, the City is a uniquely master planned and privately owned community within the metro area. All land within the community is either already developed, has been granted development approval as part of the East Oaks PDA, or is protected land. The City has the opportunity to provide lifecycle and affordable housing units through its Waverly Gardens senior living facility that was developed through the East Oaks PDA. Importantly, the City has an obligation to protect its valuable watershed through low-density development as the lakes within the City supply water for 446,721 metropolitan residents in thirteen separate communities. Emerging water quality issues state-wide continue to support the City’s maintaining a high-quality watershed through its established low-density development pattern.

**Affordable Housing** Presently, only 7 percent of the housing stock in North Oaks is affordable to households earning 80% AMI or less.

The Metropolitan Council’s **Housing Policy Plan** encourages the City of North Oaks to plan for its regional share of 44 new affordable housing units in 2021-2030 decade. The allocation for these units is provided in the table below.

<b>AFFORDABLE HOUSING NEEDS ALLOCATION (2021-2030)</b>		
<b>Income at or below 30% of AMI</b>	<b>Income 31% to 50% of AMI</b>	<b>Income 51% to 80% of AMI</b>
<b>24</b>	<b>20</b>	<b>0</b>

The City of North Oaks recognizes the intent of the Metropolitan Council’s affordable housing allocation (44 units between 2021-2030) and supports the idea of providing alternative housing choices in the community.

As previously indicated however, the future use of undeveloped sites in the City are governed by the East Oaks PDA. In this regard, the City does not have the ability to guide such undeveloped lands for future high-density residential use (at 8 or more units per acre necessary to meet the affordable housing allocation. With this condition in mind, as well as a lack of redevelopment sites within the City, the City of North Oaks does not intend to modify its Land Use Plan to include a “high density residential” land use category (at 8 or more units per acre).

To be noted is that the possibility does exist that East Oaks project could include a housing product which meets the 8 units per acre density threshold identified by the Metropolitan Council as necessary to accommodate affordable housing.

**Lifecycle Housing**

The opportunities for lifecycle housing in the City have continued to expand as highlighted



in this plan. Table 6 illustrates the largest increase in population since the year 2000 is among persons 65 and older, from 450 to 1,144, an increase of 694 persons; over 150%. Similarly, the 55- to 64-year-old category grew from 551 to 926, an increase of 375 persons, or 68%. While additional senior housing in the community contributed to a segment of this growth, the trend is reflective of demographic changes in the region and nation-wide. As evidence of the City's growing housing diversity, the 2010 Census indicated an 85% homeownership rate, which is in contrast to the 2000 Census rate of 98.5%. Further, the 2010 Census found 59% of households included families without children while the 2000 Census indicated only 48% of families were without children. Lastly, the 2010 Census indicated the City had 17% of its housing stock as multi-family, up from an estimated 3% in the year 2000. The land use plan element and future housing forecasts in the 2040 Comp Plan continue to reflect a wider range of housing types to serve the current and future needs of the community's population.

Presbyterian Homes of North Oaks (referred to as "Waverly Gardens" is a senior living facility located south of Wilkinson Lake Boulevard and west of Centerville Road. The facility includes 60 beds and provides assisted living, memory care and long-term care services. Waverly Gardens is expected to continue to provide senior living opportunities in the City of North Oaks in the foreseeable future.

<b>Table 6</b> 2040 North Oaks Comp Plan <b>Population by Age: 2000 to 2010</b>				
Age (years)	2000 Population	% of 2000 Population	2010 Population	% of 2010 Population
0–4	155	3.9	146	3.3
5–19	999	25.7	853	19.1
20–24	101	2.6	116	2.6
25–34	139	3.6	159	3.5
35–54	1488	38.4	1125	25.2
55–64	551	14.1	926	20.7
65+	450	11.5	1144	25.6
	3883	100%	4469	100%

Source: 2010 US Census Data

## G. HOUSING – STANDARDS

Housing in the City must be built according to the State Building Code, which has been adopted by reference as a local ordinance [see Building Code Ordinance 95 (codified as Chapter 155)]. Lot sizes commensurate with a rural service level are designated in the Residential Single-Family Low-Density (RSL) and Residential Single-Family Medium-Density (RSM) Districts as defined in the Zoning Ordinance (see Zoning Ordinance 94, codified sections 151.050 and 151.051).

In 1977, the first Zoning Ordinance 27 was replaced by Ordinance 66, which included the basic concepts of Ordinance 27. As a result of requests by several developers, and recognizing the need to permit new approaches to land development, a Planned Residential District (PRD) option was made available in the RSM District. Deer Hills is a Single-family PRD with smaller lot sizes. The development of land in Deer Hills was proposed and carried out by Char Mar Corp. Charley Lake Condominiums (townhouses) is a PRD with three, three-unit attached multifamily homes and five two-unit attached homes.

Since 1996, the City’s zoning ordinance has been amended twice: first by Ordinance 86 and then by Ordinance 94 (codified Chapter 151). The existing regulations now allow PUD development in all districts. In 1999, the East Oaks PUD was approved to govern development of all undeveloped land previously existing in the City. Development of residential units as approved by the East Oaks PDA (detached single-family, attached townhomes, and multifamily dwellings) must conform to the land use types called for by the City’s 2040 Land Use Plan (see Appendix A, Map 10 – 2040 Land Use Plan).

There are no rules or regulations within the City specifying minimums for floor space, number of rooms, minimum house size, cost of construction, or number of garages. However, to preserve open space, all buildings in the City are currently limited to a height of 35 feet and a floor area ratio of 0.12 (total floor area to gross lot area excluding two-thirds of any Minnesota DNR and/or VLAWMO designated wetland areas). However, consistent with the East Oaks PDA, the Floor Area Ratio can vary in some PUD areas. Housing heights over 35 feet are allowed under the Conditional Use Permit (CUP) process if additional setback can be provided.

NOHOA’s ASC, provided for in the governing covenants, reviews all plans for buildings in HOA areas (see Appendix A, Map 2 – North Oaks Neighborhoods, Homeowners’ Association, and Commercial Association Boundaries). The NOHOA ASC is advised by a professional architect. The City has a variety of housing styles in every part of the community.

**H. HOUSING – POLICIES**

1. Zoning and Subdivision Ordinances will continue to ensure that adequate amounts of land are available to meet existing and projected housing needs.
2. Subdivision and Zoning Ordinance procedures for processing development requests will continue to specify reasonable time periods for government action, and will provide for simultaneous processing of PRD and PUD proposals.
3. The City’s regulatory role will be to provide sufficient controls to protect the natural environment, to guide growth in an orderly manner, and to set minimum standards to protect the health, safety and welfare of the community and its residents.
4. The City will continue to provide opportunities for competitive housing construction by the private sector.

**I. HOUSING – PROGRAMS**

<b>Identified Need</b>	<b>Available Tools</b>	<b>Circumstances and Sequence of Use</b>
Maintenance, management and preservation of housing stock	Rental Licensing and Inspection Program	The City will continue to monitor its rental housing supply. Given the limited amount of rental housing in the City however, the creation of a rental licensing and inspection program will not be considered.
	City Ordinances	The City will continue to enforce its ordinances which relate to property upkeep/maintenance.
	Local Funding Sources	If deemed appropriate by City Officials, the City will explore programs offered through the Twin Cities Habitat for

		Humanity and Minnesota Housing and Finance Agency.
Programs which provide access to public programs and financial programs	Referrals	City Staff will strive to remain familiar with applicable and relevant programs and provide effective referrals.
Support of senior housing	Tax Increment Financing (TIF)	The City does not support the use of Tax Increment Financing (TIF).
	Referrals	City Staff will strive to have the ability to refer residents to applicable senior housing programs which are outside of the City's scope of services.
Programs which expand housing options	Comprehensive Planning	The City will strive to implement its Comprehensive Plan (Land Use Plan) and housing options which meet the needs of varying segments of its population through future development or redevelopment.
	Zoning and Subdivision Ordinances	The City's Zoning and Subdivision Ordinances will be used to implement the land use directives of the Comprehensive Plan. Opportunities for land uses which are promoted in the Plan are provided via the establishment of zoning districts which make an allowance for the directed land uses.
	Site Assembly	There is very little vacant property within the City of North Oaks which is in need of assembly, holding or maintenance. As a result, the City does not anticipate

		utilizing site assembly and cannot anticipate precise circumstances in which it would do so
Programs which promote affordable housing needs	Local HRA and/or EDA	Considering that the North Oaks is basically a privately-owned community, the creation of a housing and redevelopment authority and/or economic development authority is not anticipated

<b>Identified Need</b>	<b>Available Tools</b>	<b>Circumstances and Sequence of Use</b>
Programs which promote affordable housing needs (continued)	Comprehensive Planning	City will attempt to satisfy the Metropolitan Council's affordable housing directives of 44 new units between 2021 and 2030. The Land Use Plan directs mixed use residential use upon a number of sites which are expected to be redeveloped at some future point. In this regard, the Land Use Plan provides opportunities for future affordable housing.
	Zoning and Subdivision Ordinances	The City's Zoning and Subdivision Ordinances will be used to implement the land use directives of the Comprehensive Plan. As a result, uses directed for higher density residential use by the Plan, will be implemented via the application of corresponding zoning districts.
	Tax Abatement	The City of North Oaks does not anticipate using tax abatement to promote affordable housing needs.

	Local Fair Housing Policy	While the City supports fair housing, the establishment of a formal policy is not considered necessary considering that North Oaks is a privately-owned community, the housing stock within which is governed largely by a homeowner's association.
	Livable Communities Act Programs	The City of North Oaks does not participate in the Livable Communities Program. The City recognizes that a local fair housing policy is necessary to draw Livable Community Act funds.
	Minnesota Housing Consolidated Request for Proposals	The City of North Oaks is supportive of developers who apply for funds to support the development of housing units which meet the City's needs for affordable housing.
	Community Development Block Grants (CDBG)	The City does not expect to pursue funds for housing rehabilitation assistance with the Ramsey County HRA.
	Home Investment Partnerships Program (HOME)	The City of North Oaks recognizes the existence of this Ramsey County program and is supportive of residents who choose to pursue program assistance.
	Land Trust	The City does not wish to participate in the Rondo Community Land Trust or other applicable land trust organizations.

<b>Identified Need</b>	<b>Available Tools</b>	<b>Circumstances and Sequence of Use</b>
Educational Programs	Organizations, Partnerships	The City of North Oaks considers discussions of

	and Initiatives	housing needs with other cities, counties and the Metropolitan Council to be considered beneficial for all involved.
--	-----------------	--

**J. HOUSEHOLDS, POPULATION, AND EMPLOYMENT**

The following tables provide historical, and projected data on households, population, and employment.

Table 7 – Census Data on Dwellings and Population: 1990 to 2010

Table 8 – Housing: Existing and Projected

Table 9 – Projected New Units by Land Use in 5-Year Increments

<b>Table 7</b>			
2040 North Oaks CompPlan			
<b>Census Data on Dwellings and Population: 1990 to 2010</b>			
<b>Homeowners' Associations</b>	<b>1990</b>	<b>2000</b>	<b>2010</b>
Total Dwellings	1113	1332	1868
Occupied Dwellings	1085	1300	1746
Household Size	3.06	2.92	2.60
<b>TOTAL POPULATION</b>	<b>3386</b>	<b>3883</b>	<b>4469</b>

Source: 2010 U.S. Census Data, Sambatek, the City, and NOC.

<b>Table 8</b>			
2040 North Oaks Comp Plan			
<b>Housing: Existing</b>			
<b>Land Use Area</b>	<b>2016 Existing</b>		<b>Total Units</b>
	<b>Non-East Oaks</b>	<b>East Oaks</b>	
Low Density (RSL)	1236	1	1237
Low Density (RSM)	193	14	207
Medium Density	53	25	78
Mixed Residential	—	183	183
Mixed Use	—	329	329
<b>TOTALS:</b>	<b>1482</b>	<b>552</b>	<b>2034</b>

Source: Sambatek, the City, and NOC; estimated as of 10/15/2016.

Table 9					
2040 North Oaks Comp Plan					
Projected New Units by Land Use in 5-year Increments					
Year	LAND USE				Total Units
	Low Density	Mixed Residential	Mixed Use		
			Res.	Com.	
2020	26	29	36	0	98
2025	16	29	36	0	86
2030	16	0	34	0	50
2035	15	0	25	0	40
<b>TOTALS:</b>	73	58	131	0	262

*Res. is residential; Com. is commercial. Source: Phasing approved by the East Oaks PDA.*

Employment forecasts for the City of North Oaks are provided on Table 5. While the potential for limited job creation exists within the East Oaks PUD, the City has no vacant commercially-guided land available for development, thus additional job creation is not anticipated.

**K. SOLAR RESOURCES**

**Background**

The City of North Oaks is committed to becoming a more energy efficient community via alternative energy systems.

Neither Subdivision Ordinance 93 (codified as Chapter 152) nor Zoning Ordinance 94 (codified as Chapter 151) expressly refers to solar access, solar energy systems, or other energy saving methods as considerations for lot subdivision, building construction, or use. Such buildings can, however, be constructed as long as they adhere to Building Code Ordinance 95 (codified as Chapter 155).

Subdivision Ordinance 93 (codified as Chapter 152) supports contour planning and the preservation of natural features. “Contour planning” can create long, narrow north-south subdivisions, which are highly adaptable to solar access. Several persons have chosen lots that enable them to plan homes that maximize the use of solar energy.

**Met Council Requirements for Solar Resources**

Recognizing the regional importance of solar energy, the Met Council requires comprehensive plans for Metropolitan Area communities to include the following information:

1. A map that illustrates the City’s gross solar potential.
2. A calculation of the City’s solar resources.



3. A policy (or policies) that relate to the development of access to direct sunlight for solar energy systems.
4. Strategies to be applied to implement established solar resource policies.

**Solar Potential**

Map 23 (Gross Solar Potential) developed by the University of Minnesota and provided by the Met Council, illustrates annual sun energy dispersed throughout the City with “high-end” potential areas shown in yellow and areas having “low end” energy potential illustrated in black. Such information can be used to predict the productivity of solar installations. According to the Met Council, the primary issue in the consideration of solar energy installations is intermittent shading due to nearby structures and trees. In this regard, areas which are shown to have “high-end” potential in the City are those areas with very little tree cover.

**Solar Resource Calculations**

The following table provides an approximation of the City’s solar potential expressed in megawatt hours per year (Mwh/yr). To be noted is that the calculations estimate the current potential resource of the City (prior to the removal of areas considered unsuitable for solar development or factors related to solar efficiency).

<b>North Oaks</b>			
Gross Solar Potential (Mwh/yr *)			
<b>Gross Potential (Mwh/yr)</b>	<b>Rooftop Potential (Mwh/yr)</b>	<b>Gross Generation Potential (Mwh/yr)</b>	<b>Rooftop Generation Potential (Mwh/yr)</b>
6,489,886	242,609	648,988	24,260
Met Council Notes: <ul style="list-style-type: none"> <li>• In general, a conservative assumption for panel generation is to use 10 % efficiency for conversion of total insolation into electric generation.</li> <li>• The rooftop generation potential does not consider ownership, financial barriers or building-specific structural limitations.</li> </ul> Source: Met Council, 2017. * Mwh/yr is megawatt hours per year.			

The estimated gross solar generation potential and gross solar rooftop potential are intended to convey how much electricity could be generated in the City using existing technology and assumptions on the efficiency of conversion. According to the Met Council, for most cities, the rooftop generation potential is equivalent to between 30 and 60 percent of a community’s total electric energy consumption. There is no minimum amount of solar resource development required for cities in the Metropolitan Area.

## **Policies**

The City of North Oaks recognizes that providing adequate solar (sunlight) access to properties is a priority not only for potential solar energy systems, but for the protection of property and aesthetic values as well. In this regard, the City will adhere to the following solar access-related policies:

1. The City supports the development of solar and other energy-saving buildings that are within current City ordinances, regulations, and governing rules.
2. State law – variances. Municipal Planning legislation, 462.357 Subd. 6(2) states that variances shall be granted for earth sheltered construction when in harmony with City ordinances. When considering a variance application, practical difficulties shall include inadequate access to direct sunlight for solar energy systems.
3. The City of North Oaks will promote reasonable access to solar energy by controlling artificial blockage of solar radiation for optimum long-term economic and environmental benefits. Related to this issue, it should be recognized that tree preservation is a high community priority.
4. In consideration of subdivision proposals, the City of North Oaks will continue to support “contour planning” as a means of ensuring solar access to newly constructed homes.

## **Implementation**

Buildings in the City that incorporate solar energy systems can be constructed if such systems adhere to Building Code Ordinance 95 (codified as Chapter 155) and are within current City ordinances, regulations, and governing rules.

## **L. AIRPORTS**

Although no aviation facilities are located in the City, there are three airports and four lakes that may be used for seaplanes located within five miles of the City's borders (See Appendix A, Map 13 – Major Highways & Airports).

The boundary of the Anoka County-Blaine Airport lies five miles west of the northern boundary of the City, and is the metropolitan area's largest reliever airport, which serves the most diverse aircraft mix in the reliever system. The airport is home to over 400 aircraft, and supports more than 79,000 takeoffs and landings annually. As the airport is presently operated, there is minimal impact on the City; however, monitoring of current and future improvements to the airport will be important as increased use of this airport could have an adverse effect on the City. The most recent improvements to the airport include extending and widening the east-west runway to 5000 ft. and lengthening the adjoining taxiway, installing an instrument landing system with approach lighting and runway identifier lights and developing a new building area anchored by a fixed based operator with an executive terminal, and an 80,000 square foot hangar. The Airport's 2016 to 2040 budget includes over \$5M in capital expenditures, including \$4.3 M for pavement reconstruction in 2017–2021. In the past, local residents have maintained an active interest in the proposed uses of the Anoka airport and City officials will continue to monitor any changes.

Benson Airport, a privately owned facility which is not part of the metropolitan airport system, is located four miles to the east on Highway 61 in White Bear Township. There is also a privately owned seaplane base, known as Surfside Seaplane Base, on Rice Lake, which

is three-and-one-half miles north of the City. Neither the Benson Airport nor the Surfside Seaplane Base (at their present use level) has an adverse impact on the City.

Aeronautics Rule 41 MCAR 1.0013 covers seaplane operations on specified public waters in the seven-county metropolitan area. This rule does not permit aircraft operation on any lakes in the City. Otter Lake, one-half mile northeast of the City; Bald Eagle Lake, one-and-one-half miles east; White Bear Lake, two-and-one-half miles southeast; and Turtle Lake, one-quarter-mile west may be used for seaplane operation subject to the rules established by the order.

The City does not have any existing structures of 200 feet or more in height which could affect airway use, and there are not any plans to permit such structures. At the present time zoning Ordinance 94 (codified as Chapter 151) limits height of all buildings and Structures to 35 feet, with the exception of telecommunication towers which are permitted to be up 150 feet in height. If future structures are allowed to be erected to a height greater than 200 feet, the City will adopt a “notification provision” subject to the requirements of MCAR 8800.1200 subpart 3, and FAA Form 1460.8.

#### **M. AGGREGATE RESOURCES**

There are no identified aggregate resource areas within the City.

#### **N. STORMWATER DRAINAGE**

Recorded changes in Minnesota’s climate, with respect to precipitation, includes an increase in the frequency of extreme events. The State has observed seven catastrophic rain events, defined as 6 or more inches of rain falling over an area greater than 100 sq. miles within a 24 hours period, since 2000. Average annual precipitation has increased by 3.4 inches since 1895. Ice out on lakes is occurring earlier, resulting in longer growing seasons. These changes impact the locations of vegetation hardiness zones and timing of bird and insect migrations, as well as pervasiveness and spread of invasive species (insects in particular). The changes also pose increased risk to stormwater conveyance infrastructure, vegetation currently contributing to stormwater uptake, and increase stress and use of flood storage areas within the City.

In response to these changes, the City has incorporated the increased precipitation frequency estimates provided by the National Oceanic and Atmospheric Administration (NOAA) Atlas 14, Volume 8 into the Surface Water Management Plan. These rainfall depths are based on actual data collected over the past 100 years. For North Oaks, the design depth for the 100-year, 24-hour storm event has been increased from 5.9 inches to 7.25 inches. For pond areas with no outlet structures, the 100-year, 10-day runoff event (9.94 inches) is required for pond design.

The City has also implemented a three-foot freeboard (separation between lowest floor elevation of new buildings and adjacent pond high water levels or MN DNR Ordinary High Water elevation, whichever is higher). Additionally, culverts are designed to convey the 10-year storm event with a minimum of one foot of freeboard between the street and the surcharged culvert high water level.

VLAWMO has incorporated Atlas 14 Precipitation Estimates into their Comprehensive Watershed Management Plan (2017-2026). Their plan provides protection against localized flooding by relying primarily on the municipal separate storm sewer systems (MS4s) with development authority to ensure that development and redevelopment does not create excessive new volumes and rates of runoff that could cause downstream flooding. They pledge to communicate regularly with MS4s to ensure they have the most up to date standards and information to prevent and mitigate localized flooding. The City will continue to work closely with VLAWMO to address changes and implement strategies and policies to mitigate the impacts.

The North Oaks Local Water Management Plan, while part of this 2040 Comp Plan, is contained as an Appendix entitled “Surface Water Management Plan for the City of North Oaks.” Copies of the current plan are available for examination at the City offices.

DRAFT

## CHAPTER 3: COMMUNITY FACILITIES

---

### A. COMMUNITY FACILITIES AND SERVICES – BACKGROUND

Community facilities are the physical elements and general government services that are provided to the citizens of the City in the areas of transportation, protection, utilities, surface drainage, recreation, education, and administration. This chapter of the 2040 Comp Plan will describe existing and proposed facilities and services, proposed future facilities and the policies that will direct the maintenance and development of those facilities and services.

North Oaks is a unique community because it was established as a private community. The North Oaks Home Owners' Association owns, maintains, plans, develops, and controls all trails, open spaces, roads and recreation areas within its boundaries. These areas within the City are private property that is owned by NOHOA are for the use of the Association's (NOHOA's) members and member accompanied guests, and are not public. There are only fourteen houses located within City boundaries that are not also located within NOHOA boundaries and are not NOHOA members.

Historically, the transportation, utility, and drainage facilities in the residential areas of the City were primarily developed and maintained at a rural service level. This includes individual water wells; individual sewage treatment systems; retention of natural drainage ways, ponds, wetlands; and individual home lighting. Centralized sanitary sewer and watermain systems are allowed if in accordance with the Comprehensive Plan and zoning ordinances. Development has proceeded in a contiguous, staged manner to minimize the cost of extending facilities.

Developers are responsible for providing all roadways, infrastructure, and recreational facilities in conformance with the Comprehensive Plan, City ordinances, and specifications. All plans must be reviewed and approved by the City prior to development.

All residential subdivided land must have covenants to assure the operation and maintenance of recreation areas and roads by a HOA. Road and utility maintenance and recreation and open space land maintenance must be transferred to a HOA upon completion by the developer (see Subdivision Ordinance 93, codified section 152.054). All newly developed commercial land must also have agreements with covenants and restrictions to assure the operation and maintenance of roads, sewer, and other common facilities.

The City, the HOAs and the CAs all contract for public services. The City contracts for police protection from the Ramsey County Sheriff; fire protection is provided by the Lake Johanna Fire Department; and specialized consultants provide legal services, engineering, planning services, building inspections, septic inspection, tree preservation programs and administration, and recycling service. The City is a partner in the nine-city North Suburban Cable Commission and the North Suburbs Community Television. In 2017, the City employed a full-time administrator, a full-time deputy clerk and treasurer, and two part-time office assistants to carry out and coordinate City services as directed by the City Council.

NOHOA and/or another HOAs contract for maintenance of their roads and common

recreational facilities. Homeowners' association funds pay for these services which are collected through the assessment of members. Recreation programs are planned by the HOA boards and are operated by resident volunteers. The City also participates in recreational programs with the White Bear Lake and Mounds View School Districts.

DRAFT

The City maintains joint powers agreements to secure utilities from both the City of Shoreview and White Bear Township. The City of Shoreview provides water service to several developments along Hodgson Road. The agreement with White Bear Township provides access to their sewer and water lines in the Centerville Road right-of-way for developments in the City along Centerville Road and the Rapp Farm area. The Township also provides maintenance for both sewer and water facilities for several areas in the City of the City. These agreements are available for review at the City offices.

Locations generally on the peripheries of the City are served with common sewer, water, or both utilities (see Appendix A, Map 16 – 2017 North Oaks Neighborhoods with Common Utilities). The breakdown of such developments is as follows:

- Sewer Services Only: Southpointe, West Pleasant Lake, Lake Estates, Wildflower, Peterson Place, Creekside, and Deer Hills.
- Water Services Only: Due to groundwater contamination issues from a landfill south of the City, sixty-one single-family homes in the southeast of the City (just north of the Minneapolis/St Paul Sault Ste. Marie railway) have secured common water from White Bear Township via their Centerville Road watermain.
- Both Sewer and Water Services: Village Center, Rapp Farm, The Villas of Wilkinson, Presbyterian Homes of North Oaks (referred to as Waverly Gardens), The Pines, Southeast Pines, The Summits, Red Pine Farms, Charley Lake Preserves, Ski Hill, and Charley Lake Condominiums. Chippewa Middle School, Kinder Care Learning Center, and the Lake Johanna Fire Department on the western side of the City use municipal water from the City of Shoreview and are directly connected to the Shoreview Sanitary Sewer regional interceptor line.

Individual homeowners contract with private businesses for solid waste removal and maintenance of individual sewage systems and wells. Roadside brush cutting and cleanup (other than mowing) is the responsibility of each lot owner. This method of governing and sharing of responsibility has been in effect since 1950.

## **B. TRANSPORTATION – EXISTING**

### **Existing Roadway Inventory (See Appendix A, Maps 13–15)**

The City roadway system is composed of a network of local, collector, and minor-arterial streets. The City is bounded by four county roads which are all classified as “A Minor-Arterial Expanders.” They are Highway 96 on the south, Highway 49 (Hodgson Road) on the west, Centerville Road on the east, and County Rd. J on the north. The Met Council's Transportation Policy Plan includes a description of these roadways and their regional significance.



The general characteristics of the A Minor-Arterial Expander roadways are:

- The design and function are focused on mobility (carrying capacity).
- Mass transit is typically provided in the form of fixed route bus service.
- Intersections with other arterials are usually signalized.
- Sidewalks and/or trails are provided.
- The roads are part of the regional system and are eligible for federal funding.

County Highway 96 is a four-lane divided highway that runs east and west and provides direct access to Interstate Highways 35E and 35W. The intersection of County Highway 96 and Pleasant Lake Road is a signalized intersection that provides the primary access to the interior local roadways system of the City. The intersection is improved with auxiliary turn-lanes. Highway 96 is the southern boundary of the City.

On the western boundary of the City lies County Highway 49 (Hodgson Road)—a two-lane road that is also classified as an A Minor-Arterial Expander roadway. Highway 49 runs north and south and provides direct access to Interstate Highway 694. The roadway is improved with both protected and shared turn lanes between Highway 96 and Cunningham Rd. Currently there are two signalized intersections along Highway 49 providing controlled direct access to the City, including full intersections at Chippewa Middle School and another at Village Center Drive. The intersection of Hwy. 49 (Hodgson Road) and County Highway 96 is also an at-grade signalized intersection with auxiliary turn lanes.

The eastern boundary of the City is established by Centerville Road. Centerville Road is an A Minor-Arterial Expander roadway that serves three communities and a wide variety of land uses between Highway 96 and County Road J. The intersection of Centerville Road and Highway 96 (not adjacent to the City) is also a signalized intersection with auxiliary turn-lanes.

The northern boundaries of the City are made up of a combination of County Road J (Ash Street) and City of Shoreview roads Turtle Lake Road and Sherwood Road. County Road J is also an A Minor Expander roadway. (See Appendix A, Map 14 – Thoroughfares & Street Classifications).

Within the City is a network of rural roadways that provide access to the neighborhoods and destinations within the City. All of these roads are privately owned and are under the jurisdiction of NOHOA.

Access to these roads is limited to four entrances:

1. The primary entrance (a full signalized intersection) at the junction of Pleasant Lake Road, Rice Street, and Highway 96.
2. The eastern City entrance where East Oaks Road intersects with Centerville Road (a full un-signalized intersection).
3. The Robb Farm Road entrance at Highway 96 and East Gilfillan Road (a right in/right out, un-signalized intersection).
4. The Wildflower Way entrance at Highway 49 /Hodgson Road (a three-legged un-



signalized intersection).

There are currently six residential areas, two commercial centers, and the Hodgson Road Institutional District that are not linked to the City's minor-collector roadway network. The neighborhoods of Deer Hills, Creekside, Rapp Farm, Charley Lake Preserve, and the Villas of Wilkinson Lake all have individual entrances to county highways. The Deer Hills area on the east side of the City has a direct entrance to Centerville Road. Creekside's entrance is on Turtle Lake Road. Rapp Farm is accessed via County Road J. The Preserve in the north-central portion of the City is accessed off Sherwood Road. Charley Lake Preserve has access from Hodgson Road. Waverly Gardens, the Villas of Wilkinson Lake, and the office building and restaurant on the northern border of the City are all accessed via Centerville Road. In addition, the North Oaks Village Center, located at the southwest corner of the City, has direct access by way of Village Center Drive and signalized intersections at both County Highway 96 and Highway 49 (Hodgson Road).

There are fifteen home sites and private facilities located around the perimeter of the City that have direct access to county highways. These properties are not within the jurisdiction of a HOA (see Appendix A, Map 9 – 2016 Estimated Housing Distribution).

As part of the effort to preserve the natural environment, roads within the City generally follow the natural contours of the land and are designed to minimize the disruption of the natural topography. The road design within the interior of the City is a rural section roadway with two traffic lanes, gravel shoulders, and roadside ditches. In keeping the goals of minimal visual disturbance, roadways are not illuminated except at the intersections of local roads with perimeter highways (i.e., at the four access roads to the HOAs).

City Subdivision Ordinance 93 (codified sections 152.053 and 152.066) requires that all roads must be dedicated, constructed, and surfaced by the developer according to City standards with the responsibility for maintenance transferred to a HOA or CA upon completion. Boundaries of individual residential lots extend to the center of the roadway with easements for road use and maintenance by a HOA designated in the restrictive covenants attached to each lot; thus all roads in the City are privately owned. NOHOA's private road system is composed of approximately 28.28 miles of local roadways and 21.12 miles of minor collector roads (for a total of approximately 49.4 miles). The Deer Hills Home Owner Association's private road system totals approximately one-half mile. The Charley Lake Condominiums HOA has an agreement with NOHOA to maintain Anemone Circle. The Village Center Commercial Association maintains the roads in its commercial area.

The City's right to enforce speed limits on a private road system was upheld by a ruling of the Minnesota Supreme Court (*Borchert vs Village of North Oaks*, Minnesota Supreme Court, October 16, 1962). Speed limits on all roads in the City are 30 miles per hour. The City is reimbursed by NOHOA for road striping on the primary minor collector roads and weed cutting along all roads. The City's traffic signs comply with all Minnesota state statutes. Ordinance 38 (codified as section 71.12) limits on-street parking to one side of the road during the day, and prohibits on-street parking overnight. Off-street parking is required on

each lot.

**Existing Roadway Analysis**

The Met Council assigns traffic analysis zones (TAZs) to all communities in the region. The City has seven TAZs either wholly or partially located within its corporate limits (see Appendix A, Map 15 – Transportation Analysis Zones). The transportation component of the 2040 Comp Plan is required to analyze the existing and forecasted numbers of population, households and employment, segregated by TAZ for ten-year increments through the year 2040. The required analysis is included in Table 10 below.

<b>Table 10</b>												
2018 North Oaks Comp Plan												
<b>Allocation of Forecasts to Traffic Analysis Zones (TAZS)</b>												
TAZ	2010			2020			2030			2040		
	Pop.	HH.	Emp.	Pop.	HH.	Emp.	Pop.	HH.	Emp.	Pop.	HH.	Emp.
<b>*1754</b>	94	39	8	111	44	6	116	47	6	121	49	5
<b>1755</b>	775	324	22	862	342	71	904	368	69	935	379	68
<b>1756</b>	920	385	40	982	390	28	997	406	32	993	403	35
<b>*1757</b>	683	285	674	767	304	801	814	331	810	842	341	819
<b>1758</b>	650	272	135	725	288	157	733	298	151	728	295	146
<b>*1766</b>	298	125	31	377	149	42	385	157	41	387	157	39
<b>1768</b>	1049	438	350	1546	613	425	1631	663	422	1694	686	418
<b>TOTAL</b>	<b>4469</b>	<b>1868</b>	<b>1260</b>	<b>5370</b>	<b>2130</b>	<b>1530</b>	<b>5580</b>	<b>2270</b>	<b>1530</b>	<b>5700</b>	<b>2310</b>	<b>1530</b>

\*Partial TAZs only reflect those counts in the City. Source: Met Council and City. Pop. = population, HH=Households, and Emp. = those employed within the City limits.

The Ramsey County Traffic Counts (1997–2015) for the County roads surrounding the City are shown below in Table 11. It is significant to note that fluctuations in historic traffic growth patterns have been affected by (ongoing) construction projects on Interstate 694 and recent Highway 96 reconstruction projects including the Highway 96 bridge reconstruction over Interstate 35W. There are no metropolitan highways located within the City.

<b>Table 11</b> 2040 North Oaks Comp Plan <b>Ramsey County Traffic Counts</b>					
County Road	Stretch	1997	2005	2007	2014–15
<b>(A)</b> Highway 96	1. Hodgson Rd to Rice St	15950	19879	22518	20600
	2. Rice St to McMenemy Rd	14850	18467	23001	20200
	3. McMenemy Rd to Centerville Rd	16700	18785	n.c.	19700
<b>(B)</b> Centerville Road	4. Hwy 96 to Birch Lake Rd	9550	13304	11795	10700
	5. Birch Lake Rd to Boulevard to H-2	5950	8377	8509	7000
	6. H-2 to North County Line	4300	5789	5901	5700*
	7. NorthCountyLinetoCountyRoadJ	7950	9793	11066	10500
<b>(C)</b> North County Line Road	8. Hodgson Rd to Sherwood Rd	1950	5180	9529	6700**
	9. Sherwood Rd to Centerville Rd	3400	5393	6720	5500
<b>(D)</b> Hodgson Road (Highway 49)	10. Hwy 96 to Village Center Dr	n.c.	13630	14030	14100
	11. VillageCenterDrtoTanglewoodDr	n.c.	13094	9696	n.c.
	12. Tanglewood Dr to Hodgson Con.	n.c.	7945	9303	n.c.
	13. HodgsonConnectiontoCountyRDI	n.c.	11053	12481	12200
	14. County Rd I to County Rd J	n.c.	9420	8548	9700
<b>(E)</b> Sherwood Road	15. Turtle Lake Rd to County Rd J	n.c.	667	671	623
Source: Ramsey County *Traffic Data from 2012 ** Traffic Data from 2013					

The City has four signalized intersections that provide direct access to areas within the City including Highway 96 and Pleasant Lake Road, Highway 96 and Village Center Drive, Hodgson Road and Village Center Drive, and Hodgson Road at the access driveway to Chippewa Middle School. Three additional signals, located at Highway 96 and Hodgson Road, Hodgson Road and County Road I/Turtle Lake Road, and at Highway 96 and McMenemy Road about the City but do not provide direct access to its interior. The City works with Ramsey County in pursuing improvements to these signalized intersections.

A striping plan for the intersection of Village Center Drive and Highway 96 provides two clear southbound lanes for right and left turns.

The intersection of Hodgson Rd. and Wildflower Way is currently an un-signalized intersection. The residents in the adjoining neighborhoods have expressed concern over the utility and safety of the intersection particularly in the peak morning period where southbound left-turns are difficult to maneuver. The City will be requesting a traffic actuated signal with Ramsey County to improve the safety and level of service at this important access point to the City.

### **Existing Transit**

The Met Council provides limited bus service to the north suburban Ramsey County area through Metro Transit. The Council defines market areas for communities in the region in its 2040 Transportation Policy Plan. The City is classified as Market Area-IV. This market-type is characterized as, “having lower concentrations of population and employment and a higher rate of auto ownership. It is primarily composed of lower density suburban type development which provides challenges for fixed-route service but may support express bus service if sufficient concentrations of commuters are located along the corridor.”

Metro Transit is available to the residents of the City. Both fixed route and express bus service to downtown St. Paul is available. Routes 62 and 262 can be accessed at the intersection of Hodgson Road and Village Center Drive. Route 62 provides more frequent service and 262 has limited stops with service during weekday peak periods only. Route 262 also has a secondary function of connecting to the Green Line at the Capitol/Rice St. Station, thus providing a connection to downtown Minneapolis. Route 275 is an express bus service to downtown St. Paul available during peak weekday periods. The route can be accessed at the Park & Ride facility in Vadnais Heights located at the southwest quadrant of I-35E and County Road E. Metro Mobility and dial-a-ride services are also available to area residents.

## **C. TRANSPORTATION – FUTURE**

### **I-35E Corridor Study**

The City participates in a joint transportation planning effort affecting the portion of the I-35E Corridor from I-694 to County Road J (at the northern boundary of Ramsey County). The study area includes approximately two miles on either side of I-35E. The study’s findings and recommendations were incorporated into the Met Council’s Transportation Policy Plan and are included in the 2040 Comp Plan as Appendix B.

A city-by-city land use scenario of probable development (which generally incorporated the City land uses from the 1994 Comp Plan) was used to calculate trip generation and impacts to the I-35E roadway system. The study concluded that the probable level of development scenario could be accommodated with varying levels of improvements to I-35E and the local street systems. However, maximum development scenarios of all land uses could not be accommodated within the I-35E system.

It is estimated that approximately 645 dwelling units and 21 acres of commercial use have or will be built in the I-35E study area. These numbers are significantly less than accounted for in the I-35E corridor study and do not exceed the “probable development” scenario.

A 2017 intersection change evaluation (ICE) study was prepared for the County Road J and Centerville Road intersection. Agencies participating in this study included the Cities of North Oaks and Lino Lakes, White Bear Township, and the Counties of Ramsey and Anoka. The study recommended a future roundabout at the intersection. The study also recommended that on and off ramps be added on the north side of the existing I-35E and County Road J intersection. All agencies involved in the study supported both of these changes and the City has filed a letter of support for a federal grant to assist in funding them.

#### **D. TRANSPORTATION – POLICIES**

1. All internal roads will continue to be privately owned and maintained by HOAs. The 50–60 miles of roads in the City are owned by NOHOA members whose property extends to the center of the road subject to easements in favor of NOHOA. Weight restrictions of three tons per axel are implemented on roads within the City during spring, usually from March to April.
2. The City will preserve the existing rural character of the roadway system through its Comprehensive Plan and ordinances. Road construction, where possible, will follow the contours of the land and be constructed according to city standards by the developer. NOHOA shall be responsible for ongoing and future road maintenance including snow plowing, resurfacing, street name signs and street sweeping.
3. The City will continue to participate in multi-jurisdictional planning groups for regional transportation needs as it currently does with the I- 35E Corridor Study Group, and has in the past with the Highway 96 and Highway 49 Task Force groups.
4. If a proposed subdivision exceeds the I-35E probable land development scenario, the developer shall, at their expense, provide professional traffic data and analysis to determine consistency with the I-35E corridor study findings and recommendations.
5. All new development areas will require approved access to NOHOA’s private local road network or to Ramsey County roads on the perimeter of the City.
6. The City will work with Ramsey County on the preparation and implementation of Ramsey County access management policies to ensure that the City has safe and efficient connections to County roadways. The City will be requesting that a traffic actuated signal light be installed at Hodgson Road and Wildflower Way to increase the safety of traffic exiting from Wildflower Way onto Hodgson Road.

#### **E. UTILITIES – BACKGROUND**

The City is unique among the communities of the Twin Cities Metropolitan Area as it was originally planned and developed primarily as a residential community intended to be served by individual wells and individual sewage treatment systems. The lots are designed to provide space for on-site utilities and residential construction meeting setbacks of at least thirty feet from all lot lines, wetlands and road easements.

The historical interior of the City is designated as Rural Residential and is connected to

subsurface septic systems. Areas connected to municipal sewer lines are generally located along the municipal boundaries and are designated as Emerging Suburban Edge. As of 2016, only limited areas of the community were being serviced by municipal sewer lines.

The City is served by two regional MCES sewer interceptors, including the Forest Lake interceptor on the southeast side of the City and the Shoreview interceptor along the western edge. At the time of their design, the City was assigned a specific capacity in each of the interceptors. In addition, the City utilizes the trunk sanitary sewer line in Centerville Road through a joint powers agreement with White Bear Township. Neighborhoods serviced with common utilities as well as those serviced by individual wells and Sub Surface Treatment Systems (SSTS) are illustrated in Appendix A, Map 16 – 2017 North Oaks Neighborhoods with Common Utilities.

**F. SANITARY SEWER – EXISTING FACILITIES**

**Sanitary Sewer Use**

Appendix A, Map 17 – Areas Served by Municipal Sewer and Sub Surface Treatment Systems (SSTS), shows the existing sanitary sewer systems within the City by MCES interceptor in addition to those areas of the City not served by sanitary sewer. All existing systems within the City are privately owned. The systems were designed and constructed in compliance with current Minnesota Pollution Control Agency (MPCA) standards.

Table 12 shows the current flows and potential available capacities for each of the metropolitan interceptors. Sewage flow projections for the City were calculated using an estimated flow of 274 gallons per day (GPD) per household, 1,500 GPD per planned commercial acre, and 274 GPD per three beds for care center.

<b>Table 12</b>			
2040 North Oaks Comp Plan			
<b>Allocated Capacities and Current Flow to Interceptors</b>			
<b>Interceptor</b>	<b>Designation</b>	<b>Potential Capacity Available to the City (MGD)</b>	<b>Current Flow (MGD)</b>
Forest Lake	MSB6901	0.80	0.155
Shoreview	I – SV – 436	0.20	0.107
<b>Totals:</b>		<b>1.00 MGD</b>	<b>0.262 MGD</b>
<i>MGD is millions of gallons per day. Source: Metropolitan Waste Control Commission and Sambatek.</i>			

Currently, the City is utilizing only 26.2% of the approximately one million gallons per day (MGD) of available metropolitan interceptor sewer capacity, including an estimated 19.4% of available capacity in the Forest Lake line and 53.5 % in the Shoreview line. The Metropolitan Council does not foresee that the remaining homes in the City will have to hook up to municipal sewer.

White Bear Township has constructed a sanitary trunk line within the Centerville Road right of way, which is utilized by the City. This trunk sewer facility connects to the Forest Lake Interceptor, and has a contractual reserved capacity of 0.175 MGD for the east and northeast areas of the City that are approved for development under the approved East Oaks PDA. Much of this infrastructure has been funded by the NOC in anticipation of future development.

Table 13 provides an itemized list of properties currently served by sanitary sewer, segregated by interceptor flow. In addition, the Forest Lake Interceptor flows are also divided into flows through the Centerville trunk-line and those directly to the interceptor.



**Table 13**

2040 North Oaks Comp Plan

**Current Flow to Interceptors**

<b>FOREST LAKE INTERCEPTOR</b>			
<b>Residential through Centerville Line</b>			
<i>Map 16</i>	<i>Location</i>	<i>Units</i>	<i>GPD</i>
15	Rapp Farm (s.f.)	142/156 units	38,908
16	Pres. Homes-Waverly Gardens (m.f.)	146 units	40,004
16	Pres. Homes-Mews (m.f.)	76	20,824
17	Villas of Wilkinson Lake (m.f.)	38/47	10,412
	<b>Residential Total:</b>	<b>402/425 units</b>	<b>110, 148</b>
<b>Non-Residential through Centerville Line</b>			
<i>Map 16</i>	<i>Location</i>	<i>Acres/Beds</i>	<i>GPD</i>
16	Pres. Homes-The Gardens	2 acres	3,000
16	Pres. Homes-Care Center	87 beds	7,946
	<b>Non-Residential Total:</b>	<b>(7.3 acres equiv.)</b>	<b>10,946</b>
	<b>Total Flow through Centerville Line:</b>		<b>121, 094</b>
<b>Residential Direct to Forest Lake Interceptor</b>			
<i>Map 16</i>	<i>Location</i>	<i>Units</i>	<i>GPD</i>
22	Pines (m.f.)	54 units	14,796
23	Deer Hills (s.f.)	46 units	12,604
24	Ski Hill (s.f.)	14 units	3,836
25	SE Pines (m.f.)	45 units	12,330
26	Summits (m.f.)	40 units	10,960
	<b>Residential Total:</b>	<b>199 units</b>	<b>54,526</b>
	<b>FOREST LAKE INTERCEPTOR—Combined Total:</b>		<b>175, 620 GPD</b>
	<b>(601/624 units, plus 2 acres and 87 beds)</b>		



**Table 13, cont.**

<b>SHOREVIEW INTERCEPTOR</b>			
<b>Residential</b>			
<b>Map 16</b>	<b>Location</b>	<b>Units</b>	<b>GPD</b>
2	Southpointe (s.f.)	9 units	2,466
4	Capaul Woods (s.f.)	5 units	1,370
5	Charley Lake Preserve (s.f.)	63 units	17,262
6	West Pleasant Lake (s.f.)	28 units	7,672
7	Red Pine Farm (s.f.)	9/12 units	1,644
8	Lake Estates (s.f.)	14 units	3,836
9	South Wildflower (s.f.)	15 units	4,110
10	Charley Lake TH (m.f.)	19 units	5,206
11	Creekside (s.f.)	8 units	2,192
12	Wildflower Place (s.f.)	27 units	7,398
<b>Residential Total:</b>		<b>197/200 units</b>	<b>53,978</b>
<b>Non-residential</b>			
<b>Map 16</b>	<b>Location</b>	<b>Acres</b>	<b>GPD</b>
1	Village Center	30 acres	45,000
3	Chippewa Middle School	–	5,620
3&5	Two (2) Churches	6 acres	9,000
	Private Homes	–	274
<b>Non-Residential Total:</b>		<b>36 acres</b>	<b>59,894</b>
<b>SHOREVIEW INTERCEPTOR-Combined Total:</b>			<b>113,872 GPD</b>
<i>s.f. = single family; m.f. = multi family; GPD is gallons per day. Source: City/Sambatek.</i>			

**G. SANITARY SEWER – PROPOSED FACILITIES**

Generally, the methodology for determining areas to be served by sanitary sewer involves a detailed analysis and inventory of the remaining developable land, an understanding of the demographic characteristics of the population, and an understanding of the environment and natural resources of the community. The City is unique in that virtually the entire community has been developed by one company (NOC), which has managed development at a relatively consistent rate for many years.

The City is served by two metropolitan trunk sewer lines, the Shoreview interceptor and the Forest Lake interceptor. Table 13 provides a breakdown of flows to these two metropolitan interceptors. The sewer flow into the Forest Lake interceptor is divided by flow via the Centerville Road trunk sewer line and the direct flow to the interceptor. The total sewer capacity allocated to the City in the Centerville Road trunk line is 175,406 GPD. As

demonstrated in Table 14, based upon the City’s 2016 Land Use Plan and the East Oaks PDA (as amended in 2007), the projected future flow to the Centerville Road trunk sewer upon full build-out is within the allocated contractual capacity.

The additional future flow to the Forest Lake Interceptor, upon full build-out, is expected to be 54,312 GPD, bringing the total flow to 229,932 GPD. The added future flow to the Shoreview interceptor is expected to be 6,850 GPD bringing that total to 120,722 GPD. These total projected flow rates are well within the allocated respective design capacities of both the Forest Lake and Shoreview interceptors.

DRAFT

<b>Table 14</b>			
2040 North Oaks Comp Plan			
<b>Future Flow to Interceptors</b>			
<b>FOREST LAKE INTERCEPTOR</b>			
<b>Residential through Centerville Line</b>			
<b>Map 16</b>	<b>Location</b>	<b>Units</b>	<b>GPD</b>
		0	
15	Rapp Farm	14	21,372
17	Villas of Wilkinson Lake	9	10,686
18	Anderson Woods	10	2,740
19	Gate Hill	68	18,632
21	Island Field	35	9,590
	Future Residential Flow Total*	148	40,552
	Existing Residential Flow Total	402	110,148
<b>(A)</b>	<b>Projected Residential Flow to Centerville Line Total</b>	<b>550</b>	<b>150,700</b>
<b>Non-Residential through Centerville Line</b>			
<b>Map 16</b>	<b>Location</b>	<b>Acres</b>	<b>GPD</b>
17,19&21	PUD Areas zoned RCM-PUD	13,760 GPD Avail.; equiv. to 9.17 acres	13,760
	Future Non-Residential Flow Total	5.34 acres	8,006
	Existing Non-Residential Flow Total	2 ac. plus 87 beds (7.3 acres equiv.)	10,946
<b>(B)</b>	<b>Projected Non-Residential Flow to Centerville Line Total</b>	<b>16.47 acres</b>	<b>24,706</b>
	<b>Total Flow through Centerville Line (175,406 GPD Per Agreement)</b>	<b>A+B =</b>	<b>175,406</b>
<b>No future added direct flow units or areas to forest lake interceptor are planned at this time.</b>			
	<b>FOREST LAKE INTERCEPTOR FLOWS-Combined Total: A+B+C=</b> (Total includes C: 54,526 GPD Direct Flow from Table 13; Areas 22-26) *All future residential units per PUD except Rapp Farm and Villas of Wilkinson Lake are as platted and/or approved. Density bonuses allowed in PUD are not reflected; see text for further explanation.		<b>229,932 GPD</b>

<b>Table 14, cont.</b>			
<b>SHOREVIEW INTERCEPTOR</b>			
<b>Residential</b>			
<b>Map 16</b>	<b>Location</b>	<b>Units</b>	<b>GPD</b>
5	Charley Lake Preserve I-II	5	1,370
7	Red Pine Farm	9	2,466
	Future Residential Flow Total	11	3,014
	Existing Residential Flow Total	197	53,978
<b>(A)</b>	<b>Projected Residential Flow Total</b>	<b>222</b>	<b>60,828</b>
<b>Non-residential</b>			
<b>Map 16</b>	<b>Location</b>	<b>Acres</b>	<b>GPD</b>
	North Oaks Golf Course	NA	8,000
	Future Non- Residential Flow Total	NA	8,000
	Existing Non-Residential Flow Total	(from Table 14)	59,894
<b>(B)</b>	<b>Projected Non-Residential Flow Total</b>		<b>67,894</b>
	<b>SHOREVIEWINTERCEPTORFLOWS-CombinedTotal:A+B=</b>		<b>128,722 GPD</b>
<i>s.f. = single family; GPD is gallons per day. Source: City of North Oaks/Sambatek.</i>			

Table 15 shows the total current and projected sewer flows for both the Forest Lake and Shoreview Interceptors. The projections indicate that the City could add approximately 61,000 GPD to the present flow of 290,000 GPD, for a total of 351,000 GPD.

The North Oaks Golf Club has requested connection to sanitary sewer through the Shoreview Interceptor. The Shoreview Interceptor has capacity to accommodate the additional commercial connection. The connection will include an agreement between the City, NOHOA and the North Oaks Golf Club regarding connection fees, maintenance facilities, and treatment costs.

<b>Table 15</b> 2040 North Oaks Comp Plan <b>Total Projected Sewer Flows By Interceptor</b>				
Interceptor	Potential Available Capacity MGD	Current MGD	Planned and Possible Future Development (MGD)	TOTAL/REMAINING (MGD)
Forest Lake (MSB6901)	0.800	0.176	0.054	0.230/0.570
Shoreview (I- SV - 436)	0.200	0.114	0.007	0.121/0.079
<b>TOTALS:</b>	<b>1.000</b>	<b>0.290</b>	<b>0.061</b>	<b>0.351/0.649</b>
<i>MGD is millions of gallons per day. Source: Sambatek</i>				

Table 16 provides an estimate of total existing and the build-out flows of remaining developable planned sewer areas by ten-year increments and segregated by metropolitan sewer interceptor.

<b>Table 16</b> 2040 North Oaks Comp Plan <b>Estimated Timing of Sewer Flows</b>		
Year	Shoreview (MGD)	Forest Lake (MGD)
Existing	0.114	0.176
2020	0.115	0.181
2030	0.118	0.205
2040	0.121	0.230
<i>MGD is millions of gallons per day. Source: City of North Oaks, Sambatek.</i>		

Table 17 provides a breakdown of the timing of added flows to the Centerville trunk line by use type. Overall, the existing flow of 121,094 GPD is expected to increase by 54,312 GPD for a total build-out flow of 175,406 GPD.

<b>Table 17</b> 2040 North Oaks Comp Plan <b>Estimated Timing of Sewer Flow to the Centerville Road Trunk</b>			
<b>Year</b>	<b>Commercial Acres</b>	<b>Dwelling Units</b>	<b>FLOW (GPD)</b>
Existing	7.3	402	121,094
2020	8.1	416	126,031
2025	10.2	449	138,375
2030	12.3	483	150,719
2035	14.4	516	163,062
2040	16.47	550	175,406

*GPD is gallons per day. Source: East Oaks PDA, Sambatek.*

It is anticipated the City will continue to grow at an average of 10–20 new households per year up to the year 2040, although certain portions of the East Oaks PDA may develop at an accelerated pace.

Table 18 shows the anticipated sewer and unsewered population, households, and employment projections based on the areas to be served as indicated in Appendix A, Map 17 – Areas Served by Municipal Sewer and Sub Surface Treatment Systems (SSTS).

**Table 18**

2040 North Oaks Comp Plan

**Summary Population, Households, Employment & Wastewater Flow Projections**

Year	Population	Households	Employment*	Wastewater MGD**
<b>Sewered</b>				
2010	1568	622	1260	0.290
2020	2125	841	1530	0.296
2030	2412	981	1530	0.323
2040	2521	1021	1530	0.351
<b>Unsewered (SSTS)</b>				
2010	2901	1246	0	
2020	3245	1289	0	
2030	3168	1289	0	
2040	3179	1289	0	
<b>Total</b>				
2010	4469	1868	1260	0.290
2020	5370	2130	1530	0.296
2030	5580	2270	1530	0.323
2040	5700	2310	1530	0.351
<i>Source: Met Council / Sambatek.</i>				
<i>* Employment counts based on Met Council estimates for sewer jobs. All employment in North Oaks is in sewer areas.</i>				
<i>**Totals include 87 assisted care beds in Presbyterian Homes Development not included in household counts. MGD is millions of gallons per day.</i>				

**Inflow and Infiltration Assessment**

Water improperly discharged into the sanitary sewer system as a result of inflow and infiltration is a regional problem that reduces the capacity of the system and adds unnecessary costs to the treatment of the region's wastewater. Infiltration results from the seepage of groundwater into the system through cracks and poorly fitted or misaligned joints. Sanitary sewers in the City are constructed in accordance with the City Engineer's Association of Minnesota's "Standard Specifications for Sanitary Sewer and Storm Sewer Installation," and as such are pressure tested for leak tightness before being placed into active service. The City's sanitary sewer system is also relatively new and composed of PVC sewer lines which are less likely to experience leakage than older vitrified clay pipe.

Table 19 provides a listing of all the sanitary sewer systems in the City by age of neighborhood. As evidenced by the table, the City's entire sanitary sewer system is all of post-1970 construction, with much of the system constructed since the year 2000. The City provides for maintenance and inspection of its sewer system through a joint powers agreement with White Bear Township. The Township's public works staff conducts routine inspection of all lift stations and continually looks for signs of inflow and infiltration during routine inspections and maintenance of the system.

Inflow results from the discharge of sump pumps, roof drains, footing drains, and other sources to the sanitary sewer system. The City will work to adopt official controls prohibiting the discharge of groundwater and stormwater into the sanitary sewer system.

DRAFT



Table 19				
2040 North Oaks Comp Plan				
Sewer System By Age of Neighborhood				
LOCATION				
Map 16 #	Neighborhood	Year Built	Number of Units	Maintained By
23	Deer Hills	1977	44	WBT*
10	Charley Lake Condominiums	1982	19	WBT
8	Lake Estates	1989	14	WBT
1	Village Center	1990	Commercial	WBT
6	West Pleasant Lake	1992	28	WBT
26	Summits	1995	40	WBT
4	Capaul Woods	1995	3	WBT
2	Southpointe	1995	9	WBT
9	South Wildflower	1995	15	WBT
12	Wildflower Place	2000	27	WBT
24	Ski Hill	2001	14	WBT
22	The Pines	2001	54	WBT
25	Southeast Pines	2001	45	WBT
11	Creekside	2004	8	WBT
16	The Gardens	2004	Mixed Use	WBT
15	Rapp Farms	2004–2016	142/156	WBT
17	The Villas of Wilkinson Lake	2006–2015	38/47	WBT
5	Charley Lake Preserve	2013	63	WBT
7	Red Pine Farm	2014	9/12	WBT
<i>Source: East Oaks PDA and Sambatek.</i> *White Bear Township				

**On-Site Sewage Treatment System Use**

All of the homes within the City, outside of the neighborhoods identified in Table 13, have SSTs that were installed according to City ordinance. Historically, the local ordinance has contained more stringent standards than required by state agencies (Chapter 7080-7083). The City's Ordinance 96 (codified as Chapter 51) incorporates the latest MPCA standards and provides detailed procedures for site evaluation; the abatement of polluting systems;

maintenance; inspection of all new, altered, extended and repaired systems; biennial inspection and pumping of all systems; permits, reports and licensing; and the appointment of a sanitary inspector. Building permits for new construction are not issued until sewage treatment system plans are approved, including the provision for two septic field sites each 5,000 square feet in area.

There are several factors that are considered before relying on individual on-site systems as an environmentally safe long-term solution for sewage treatment. First, the systems must be properly designed and installed for anticipated wastewater flows and the soils in which they are to be located. Next, they must be regularly inspected and properly maintained. Finally, they must be responsibly used by the individual homeowner.

The City continues to educate its residents on the proper use and maintenance of on-site sewage treatment systems. The City maintains an educational program on the proper use and maintenance of individual sewage treatment systems both on its website and through articles in the North Oaks News. Federal and State informational brochures are also distributed. And finally, the City has instituted a rigorous inspection and reporting program for SSTS that is administered by a contracted licensed building official. The City is committed to continuing efforts to protect and monitor its private and public wells, lakes, streams, and wetlands to prevent any potential adverse impacts resulting from the use of on-site sewage treatment systems.

#### **H. WASTEWATER – POLICIES**

1. Individual on-site sewage treatment systems will continue to be the predominant method for the treatment of domestic sewage. Regulations are established by city ordinances which contain adequate, up-to-date standards to ensure the protection of health, safety, and welfare.
2. The City shall continue to promote the education of its citizens on the proper use and maintenance of individual sewage treatment systems through educational articles online, in the local newspaper, and the distribution of federal, state, and Ramsey County informational brochures and other information.
3. For future developments in the East Oaks PUD area, the subdivider may utilize centralized sanitary sewer depending on sewer accessibility and sewer line capacities.
4. Subdividers shall install, at their own expense, all sanitary sewer facilities according to City standards and in compliance with City ordinances.
5. A sewer district, or the extension of an existing district, will be established by the City for each area to be served by central sewer. If a sewer district encompasses an area larger than the area of a proposed subdivision, sanitary sewer facilities shall be sized to serve the entire area. The City may combine districts for purposes of efficient management and cost allocation.
6. All costs, after a district's system is installed, shall be prorated to those lands within the district.
7. The City may require the subdivider to transfer, at no cost to the City, ownership of the centralized sanitary sewer system to the City who may contract for/or assume responsibility for the inspection and maintenance of the system. At the time of transfer,

the City may require improvement upgrades to current standards and specifications at no cost to the City.

8. The City will continue to follow the latest specifications prepared by the City Engineers Association of Minnesota (CEAM) for the installation of new sanitary sewer systems. Inspection and maintenance of the sanitary sewer system shall be done in accordance with MCES standards. Inspection shall include televising the main lines to visually check for breaks, leaks and tree roots, dirt, or other obstructions that may require maintenance and/or repair. Manholes and lift stations shall be checked for proper and safe operation. Flow tests shall be conducted to detect presence of infiltration. If excessive infiltration is noted, the source shall be found, and correction shall be evaluated. Certification will be provided by the City that these inspections were performed, and any defects shall be corrected.
9. The City shall continue to enforce the policies identified in Ordinance 93 (codified sections 152.065 and 152.066) which detail the design standards and required improvements for new subdivisions. The City will also regulate the impact of development on surface water quality by enforcing the standards in Ordinance 75 (codified as Chapter 154), which control erosion and sediment build up.

**I. WATER SYSTEM – BACKGROUND**

In keeping with the rural nature of the community, it is intended that the low-density land uses will be served by individual wells. Connections to a public water system may be required when a water system is readily available. Large lots are laid out to provide adequate separation between the individual wells and the individual on-site sewage systems. The Met Council Systems Statement for the City determined the City is not required to prepare a Water Supply Plan.

**J. WATER SYSTEM – EXISTING AND PROPOSED FACILITIES**

Many single-family residences in the city are served by individual water wells. Wells are installed according to state standards. Chippewa Middle School, Kinder Care Learning Center, and the Lake Johanna Fire Department are institutions along Hwy. 49 (Hodgson Road) that have direct connects to and receive water from the City of Shoreview.

Appendix A, Map 18 – Areas Served by Common Water Service, shows the locations of private common water systems. The first common water system installed in the City was at Charley Lake Condominiums. The system utilizes a private, common well and provides domestic water service only. It is owned and operated by the Charley Lake Homeowners’ Association. An inactive water system is located in the Lake Estates single-family project. The distribution system was installed by the developer; however, a source of water was not available and therefore all existing homes installed private wells. The Village Center Commercial Area, Charley Lake Preserve, and Red Pine Farm also have a common water system, but contract with the City of Shoreview for municipal water. The Village Center, Charley Lake Preserve, and Red Pine Farm systems provide domestic water service and fire protection.

A common water system has been constructed on the southeast side of Gilfillan Lake to serve 61 single-family homes. The system became necessary due to groundwater contamination from the County Highway 96 dump site in White Bear Township. A 1993 decision document issued by the Minnesota Pollution Control Agency (MPCA) has resulted in the responsible parties for the dump site being held responsible for clean-up costs. The water system serving the homes is through an extension of the water system that serves the medium-density zoned developments of The Summits, The Pines, and The Southeast Pines. Water for the entire system is provided by a connection to the White Bear Township water system. Groundwater at the contamination site is being treated and is continually monitored in the area. A Long-Term Monitoring Program established by the Minnesota Pollution Control Agency is posted on the City's website and highlights the well locations and homes connected to common water supply as depicted in Appendix A on Map 19 – Long-Term Monitoring Program, Highway 96 Site. Annual reporting is reviewed by the MPCA. No further conversion of surrounding homes to municipal water is proposed at this time.

Many of the developments in the East Oaks PUD area are, or will be, served by private water systems that connect to the White Bear Township water system. A Joint Powers Agreement has been established between the City and the Township related to these services.

#### **K. WATER SYSTEM – POLICIES**

1. Individual wells will continue to be the primary source of domestic water service.
2. All wells will be designed, located, and constructed in strict compliance with current regulations of the Minnesota Department of Health.
3. In future medium-density, mixed residential, and Mixed-Use areas, the City may require the sub-divider to utilize common water systems, or use neighboring public water systems as a water source.
4. Sub-dividers shall install all common water systems at their own expense, according to current Minnesota Department of Health standards.

#### **L. PARKS, RECREATION, AND OPEN SPACE PLAN – INTRODUCTION**

“Park,” “parks,” “parklands,” “parkways,” “recreational areas,” and “scenic areas” within the boundaries of the City are owned by CAs, NOHOA, or a sub-association and are for the use of their members and member-accompanied guests, and are not public. These terms shall include but are not limited to lakes, streams, ponds, marshes, wetlands and conservation areas; parcels of land kept in their natural state and parcels developed for ornamental or recreational use, including playgrounds, beaches, boathouses and grounds, skiing and skating areas and the like, and parking areas for automobiles and other vehicles. The aforementioned terms also include necessary buildings for the use or operation of the same, such as wells, pump houses, firehouses, police and guard buildings. The aforementioned terms may be schoolhouses, churches and the like, and also walls, fences, hedges and other structures enclosing or ornamenting any of the foregoing.

**North Oaks** is a unique community because it was established as a private community. The North Oaks Home Owners' Association owns, maintains, plans, develops, and controls all trails, open spaces, roads and recreation areas within its boundaries. These areas within the

City are private property that is owned by NOHOA are for the use of the Association's (NOHOA's) members and member accompanied guests, and are not public. There are only fourteen houses located within City boundaries that are not also located within NOHOA boundaries and are not NOHOA members.

The purpose of this Park, Recreation and Open Space Plan is to guide development of existing and future recreation and open space lands, and to preserve and protect the existing natural resources of the City. This element serves as a long-range plan to provide passive and active recreation facilities to meet the needs of NOHOA members. All references to community and neighborhood parks and/or parks refer to private HOA property.

The City is recognized for its unique natural landscape. The landscape, made up wooded areas, lakes, wetlands and rolling topography, plays a crucial role in the quality of life of the residents and in the natural systems of the region. The enjoyment and preservation of this special landscape is integral to the purpose of the Park, Recreation and Open Space Plan. This marvelous asset, so close to the urban center, contributes to the City being a desirable place to live. In surveys, residents have defined the most important qualities of the City as a private rural setting with large lots, wetlands, uplands, forests, open space, trails, scenic views, and the abundance of wildlife.

The Park, Recreation and Open Space Plan also includes a large and ecologically diverse conservation area in the East Oaks PDA as dedicated by the land owners of the East Oaks area. This conservation area is an easement under the protection of the Minnesota Land Trust in perpetuity..

The process of parks, recreation, and open space planning includes many meetings, citizen committees, surveys, and reports. The information and recommendations in this element of the 2040 Comp Plan incorporates information from many sources including:

1. The North Oaks Recreation Plan, November 1996, prepared for NOHOA by Sanders, Wacker, Wehrman, Bergly, Inc. (hereinafter Sanders' Report), attached as Appendix C.
2. The East Oaks PDA.

It is recommended the City and NOHOA consider these reports when determining specific site-by-site, long range plans and parkland improvements.

#### **M. PARKS, RECREATION AND OPEN SPACE PLAN – BACKGROUND**

The City has unique established procedures and characteristics that affect park, recreation, and open space planning and dedications. By deed restrictions on all property, all recreation lands and roads are owned by an HOA. All facilities within an HOA are for the members of the HOA and their member-accompanied guests. HOAs own, manage, maintain, plan, and develop their recreation areas and trails. All persons who purchase land within an HOA boundary are automatically members of NOHOA. Each association arranges for maintenance of their recreational areas with a private contractor. The cost of the service is paid for in the annual assessment of association members.

**North Oaks** is a unique community because it was established as a private community. The North Oaks Home Owners' Association owns, maintains, plans, develops, and controls all trails, open spaces, roads and recreation areas within its boundaries. These areas within the City are private property that is owned by NOHOA are for the use of the Association's (NOHOA's) members and member accompanied guests, and are not public. There are only fourteen houses located within City boundaries that are not also located within NOHOA boundaries and are not NOHOA members.

The City's Subdivision Ordinance 93 (codified section 152.052) provides that "Each subdivision to be developed for residential uses shall have a reasonable amount of land dedicated, set aside, conveyed, or preserved to or for the benefit of present or future residents of the City or present or future residents of the areas to be subdivided for open space purposes, parks and playgrounds, trails, or conservation purposes." A maximum of ten percent of the land in subdivisions presented for approval may be required as set aside for parks, playgrounds, and recreation purposes. A further provision of the regulations states "Where a proposed park, playground, community center, or other recreational site or facility included in the Comprehensive Plan of the City is located in whole or in part in the area being subdivided, the sub-divider shall set aside the land for the use of the City residents as part of the final subdivision plat, provided, however, that in no case shall the amount of land required to be set aside for the recreational purposes exceed ten percent of the total gross acreage developable for residential uses." Recognition and delineation of the recreation and open space areas by City ordinances assures their continuity. Zoning Ordinance 94 (codified as Chapter 151) provides for both a (R) Recreation District and an (OS) Open Space District and states their permitted uses. The City's Existing Zoning Map shows the location of the R and OS Districts (see Appendix A, Map 7 – Existing Zoning Districts).

The East Oaks PDA defines all park and trail dedications required in connection with each East Oaks PUD area. The East Oaks PDA is the controlling document with regard to park and trail dedications in the East Oaks PUD area and the ten percent requirement outlined herein does not apply. The recreation areas provided for in the East Oaks PDA meet or exceed the City's requirements.

#### **N. PARKS, RECREATION AND OPEN SPACE PLAN – EXISTING FACILITIES**

##### **Park Inventories**

Park, recreation, and open space planning begins with inventorying and assessing existing parkland facilities. There are approximately 1,450 acres of existing parks, recreation, and open space; a 168.98-acre private golf course; and 997.5 acres of open water in the City. Table 20 – Private Existing Recreation and Open Space, lists the location of existing recreation areas within the City by type of facility.

**North Oaks** is a unique community because it was established as a private community. The North Oaks Home Owners' Association owns, maintains, plans, develops, and controls all trails, open spaces, roads and recreation areas within its boundaries. These areas within the



City are private property that is owned by NOHOA are for the use of the Association's (NOHOA's) members and member accompanied guests, and are not public. There are only fourteen houses located within City boundaries that are not also located within NOHOA boundaries and are not NOHOA members.

In addition to community-based park and open space areas, several separate HOAs have been established in recent years with their own common areas for passive use and recreational enjoyment. These include, Charley Lake HOA, The Pines HOA, South East Pines

HOA, and the Summits HOA (see Appendix A, Map 2 – North Oaks Neighborhoods, Homeowners’ Association, and Commercial Association Boundaries).

**North Oaks Home Owners’ Association (NOHOA)**

The North Oaks Home Owners’ Association (NOHOA) is the primary owner and overseer of parkland within the City. This includes five community parks, nine neighborhood parks, numerous open space- natural areas, and several special use parks. A brief overview of the community parks and other key recreational areas are as follows (site numbers refer to Appendix A, Map 20– Private Existing Recreation and Open Space):

- (a) Eastern Recreation Area– A five-acre community park located at the intersection of East Oaks Road and Duck Pass Road. Area includes:
  - East Recreation Building – has large meeting room and kitchen facilities. Can be reserved for use by NOHOA members for community needs and can be rented by NOHOA members for private parties
  - Seven outdoor tennis courts and tennis practice wall
  - Playground equipment
  - Picnic tables
  - Basketball hoop and practice court
  - Softball diamond
- (b) Western Recreation Area – A twenty-two-acre community park located on West Pleasant Lake Road near Red Barn Road. Area includes:
  - Warming House – used during winter by hockey and ice skaters. Can be reserved for use by NOHOA members for community needs and special events (such as the Community Fair and Garden Club Sale) at other times of the year.
  - Two lighted hockey rinks
  - Recreational ice-skating area
  - Playground equipment
  - Three soccer fields
  - Two baseball diamonds
  - Volleyball court
  - Basketball Court
- (c) Southpointe Recreation Area – A fifteen-acre community park located east of Village Center Drive. Area includes:
  - Two baseball diamonds
  - Two soccer fields

- (d) Pleasant Lake Beach – A seven-acre community park located on the northern side of Pleasant Lake at the end of Sandpiper Lane. The beach closes half an hour after sunset. Area includes:
- Swimming beach with docks and raft
  - Picnic tables and grills
  - Playground equipment
  - Boat landing
  - Canoe storage
  - Sailboat mooring
  - Shuffleboard court
- (e) **Wilkinson Recreation Area** – The newest community park in the City is ten acres in area and contains:
- A concert band shell
  - Community gardens
  - Picnic shelter sports field
- (f) **Lake Estates Recreation Area** – Approximately one acre located at intersection of Lake Court and West Lake Drive. Area includes:
- One tennis court
  - Playground equipment
- (g) **Bobolink Recreation Area** – A two-acre park located on West Pleasant Lake Road at intersection of Bobolink Lane. Area includes:
- Baseball diamond
  - Small soccer field
- (h) **Deer Hills** – Approximately one acre located at the intersection of Centerville Road and Deer Hills Drive. Area includes:
- Two tennis courts
  - Basketball court
  - Playground equipment
- (i) **Mary Hill Park** – A scenic garden park with picnic tables and benches located on the northwest corner of Pleasant Lake at the end of Eastview Lane.
- (j) **Ponderer's Point Park** – A scenic park with a covered bridge located between Bent Tree Lane and North Mallard Road.
- (k) **Charley Lake Preserve** – A roughly 8.81-acre passive neighborhood park site with a tot lot and seating area located east of Hodgson Road and south of Maycomb Lane.
- (l) **Rapp Farm Park** – A private park, sport court, and pool for Rapp Farm HOA members and their member-accompanied guests only.

Recreation areas originally called "Scenic" were first designated in North Oaks Zoning Ordinance 27 enacted in 1965 (Appendix A, Map 20– Private Existing Recreation and Open Space., sites 2, 3, 4, 5, 6, 7,8, 12, part of 18, and 19). In 1972, the NOC designated certain additional lands for active and passive recreational use to fulfill the subdivision Ordinance 59 [now Ordinance 93 (codified as Chapter 152)] requirement that up to 10% of each subdivision must be set aside for recreation land use. These areas are solely for recreational use with ownership, development, and maintenance to be provided by NOHOA for all land within its boundaries (see Appendix A, Map 2 – North Oaks Neighborhoods, Homeowners’



Association, and Commercial Association Boundaries). Active recreation use was defined as land designated for specific athletic programs or activities including but not limited to swimming beaches, ball fields, skating rinks, tennis courts, and playgrounds. Passive recreation use was defined as land reserved for aesthetic value, gardens, wildlife habitat, trails, open park areas, and similar needs of the community (Appendix A, Map 20– Private Existing Recreation and Open Space) site numbers 1, 8, 9, 10, 11, 13, 15, 16, 17, part of 18, 20, 21, 22, 23, 24, 25, 26 27).

### **Protected Land**

In 1999, in conjunction with the East Oaks PDA approval, the NOC dedicated approximately 886 acres of environmentally sensitive land in the northeasterly section of the City for conservation purposes (Appendix A, Map 20– Non-Public Existing Recreation and Open Space). The land will continue to be owned and managed by the NOC or its successor, and is intended to be perpetually managed as a conservancy area. The development rights for the conservancy land are to be held in perpetuity by the Minnesota Land Trust. Within the Protected Land, future uses shall be limited to those that preserve the natural environment and are consistent with the goals and operatives of the Protected Land (as permitted in easements or other agreements to which the City is a party or has consented). The detailed open space easements over the Protected Land fall into the following categories:

- Conservancy lands, 621 acres
- Agricultural lands, 220 acres
- Remaining allowable building area, 45 acres

Total, 886 acres

The conservancy lands incorporate a linear trail system (some of which have limited access during environmental studies), which connects to the City-wide park and trail system. The conservancy lands preserve natural resources, wildlife habitats, unique vegetation, and agricultural lands in the East Oaks area. Documents that describe the protected lands and their conservancy management plans are available at the City offices. Uses within the protected lands are described in open space easements, and may include open space, trails, and agricultural uses.

### **Inventory Summary**

In recent years, new subdivisions and parkland have added additional recreation and open space areas. Current park holdings, as depicted in Appendix A, Map 20– Private Existing Recreation and Open Space and listed on Table 20, include over 1450 acres of recreation and open space areas.

The complete inventory of parklands listed above is sufficient to fulfill the community’s current park and open space needs. Development of the East Oaks PUD areas may include additional open space dedications as required by the terms of the East Oaks PDA to serve the new homes being created through development. Such areas may be owned and maintained by an HOA. Legal title is transferred after the land becomes part of a registered land survey (RLS).

### **Existing Trails**

There are two types of existing trails in the City:

1. Natural surface (grass/gravel) trails located around open space areas and three lakes.
2. Blacktop paths located as extensions of one side of the roadway surface.

DRAFT

**Table 20**

2040 North Oaks Comp Plan

**Existing Parks, Recreation, and Open Spaces**

(Appendix A, Map 20– Private Existing Recreation and Open Space)

<b>Facility</b>	<b>Map Reference</b>	<b>Acres/Feet</b>
<b>Community Parks</b>		
<i>West Recreation Area</i>	1	23.14
<i>East Recreation Area</i>	8	5.68
<i>Pleasant Lake Beach</i>	7	7.22
<i>Southpointe Recreation Area</i>	33	13.20
<i>Wilkinson Lake Recreation Area</i>	37	10.00
<b>Total:</b>		59.24
<b>Neighborhood Parks</b>		
<i>Nord Circle</i>	4	2.16
<i>Lake Gilfillan</i>	9	3.35
<i>Bobolink Field</i>	13	2.42
<i>Deer Hills</i>	29	2.25
<i>Lake Estates</i>	30	1.02
<i>Summits Park</i>	35	5.00
<i>East Wilkinson/Villas of Wilkinson Lake</i>	38	7.70
<i>Charley Lake Preserve</i>	39	8.81
<i>Wildflower</i>	40	1.33
<b>Total:</b>		<b>34.01</b>
<b>Open Space</b>		
<i>South Long Marsh</i>	2 – 3	67.76
<i>Nord Circle</i>	4	40.00
<i>Deep Lake to Pleasant Canal</i>	5	13.47
<i>Island Road at W. Pleasant Lake</i>	10	1.05
<i>Ski Lane/East Oaks Road</i>	11	5.43
<i>West Lake Gilfillan</i>	17	1.14
<i>Red Maple Lane</i>	19	1.94
<i>Main Entrance Ponds</i>	21	2.00
<i>North Long Marsh</i>	22	85.10
<i>Northeast Pleasant Lake</i>	23	15.55
<i>Red Maple Marsh</i>	24	28.00
<i>Northwest Shore Deep Lake</i>	25	13.48
<i>Deer Hills</i>	28	11.62
<i>Larkspur Lane</i>	31	2.00

<b>Table 20, cont.</b>		
<b>Total</b>		<b>288.54</b>
<b>Special Use Areas</b>		
<i>Hill Farm Historical Site</i>	36	5.60
<i>Island Road Trail Access</i>	32	1.50
<i>Mary Hill Park</i>	6	9.63
<i>North Oaks Golf Course</i>	14	167.00
<i>Pleasant Lake South (St. Paul water utility)</i>	15, 16	3.30
<i>Pleasant Lake West Access</i>	20	1.00
<i>Ponderer's Point</i>	34	2.00
<b>Total</b>		<b>190.03</b>
<b>Protected Land</b>		
<i>Conservancy Lands</i>	26	621
<i>Agricultural Lands</i>	26	220
<i>Remaining Allowable Building Area</i>	26	45
<b>Total</b>		<b>886</b>
<b>Trails</b>		
<i>There are currently approximately 23 miles of interconnected trails, most of which are grass, woodchip, or gravel surface.</i>	NA	NA

Source: Approved plats for development, and the 1972 Agreements among NOHOA, the City, and NOC. Acreages calculated utilizing Ramsey County GIS data.

### **Park Classification System**

The following classifications are used to describe the general characteristics of existing and future recreation areas in the City:

**Community Parks** – An area of diverse recreational facilities. Community parks may provide athletic facilities, tot lots, special natural features, or be the focus of community festivals or events. Community parks provide facilities for organized recreation programs although unorganized play areas may be available.

**Neighborhood Parks** – An area designated to provide recreation and open space to neighborhood units. Neighborhood parks may provide for non-organized recreation, children’s play areas, court games, and passive activities within easy walking distance from home.

**Special Use Areas**– Areas within the community that serve a very specific purpose such as providing a special facility or preserving a unique feature.

**Open Space Area** – Areas set aside to preserve, protect and manage natural or cultural environments. Protected open space areas may include wetlands, woodlands, prairie, or other sensitive and unique areas.

**Protected Land** – The large protected tracts of land set aside by easement in 1999 for conservation and agricultural uses. A significant portion of these lands are under protective covenant and are monitored by the Minnesota Land Trust.

**Trails** – Trails are designated routes for continuous movement, or connections between facilities that include walking, running, biking, cross-country skiing, or other related activity. Trail corridors include the trail and designated right-of-way.

### **Organized Recreation Programs**

Recreation activities within the NOHOA area are planned by NOHOA staff and volunteers. Opportunities are available for all ages to participate in active and/or passive sports.

The following organized recreation programs involve continuous participation by NOHOA family members but NOHOA may invite neighboring communities to participate.

1. **Shoreview Area Youth Baseball (SAYB) – Little League Baseball** for boys and girls ages seven through twelve, includes the entire Mounds View School District #621, all of the City, as well as portions of Roseville and the White Bear Lake School Districts. The 2016 Consultant’s Study found that of the 590 youth participating in 2016; approximately 85–90 were from the City.
2. **North Suburban Soccer Association (NSSA)** – The NSSA provides a full soccer program to boys and girls ages eight to nineteen residing in the City, as well as Shoreview, New Brighton, Arden Hills, and other communities. The 2016 Consultant’s Study identified participation levels as high as 1,400 depending on the season. Of this total, the City youth represented 90–110 participants.
3. **North Oaks Soccer Club (NOSC)** – The recently reorganized NOSC does not have residency requirements. In 2016 the club was expected to have 160 participants with 65 players from the City.
4. **Skating Programs/Hockey League** – NOHOA owns and maintains an ice rink which is used for a variety of activities including hockey practices and free skating time. Organized group activities require at least one NOHOA member to be involved in the activity for access to the rink.
5. **Football & Rugby** – With a resurgence of interest in football in the City, a football field was provided in the mid 90’s for use by twenty the City players belonging to the North Suburban Football League (encompassing Shoreview, New Brighton and Arden Hills). Field usage was three to four times per week, including one game. In recent years, the Mounds View Rugby Club and the North Oaks Rugby team have also used the Southpointe and Western Recreation Area fields for games and practices.

6. **Tennis Programs** – The City tennis program is contracted out by NOHOA to an outside professional who oversees the program for NOHOA members. Since this is a broad age based active recreation activity, any recreation facility planning should monitor the trends and growth of this activity and account for such growth as the population increases.
7. **Local Youth Recreation Programs** – NOHOA organizes several recreational programs each year intended solely for the residents of the City, including ice skating, micro and mini soccer, T-ball, a lacrosse league and maintaining a swimming program at Pleasant Lake Beach. These programs sometimes compete with other programs offered by other organized recreation groups and therefore the participation in these programs fluctuates with the availability and quality of programs outside the community.

**Facilities Available Outside the Community**

Many facilities suitable for a larger population base are within a reasonable distance and are available to the residents of the City. Table 21 shows the facilities that augment recreational opportunities for residents.

<b>Table 21</b>	
2040 North Oaks Comp Plan	
<b>Facilities Available Outside the Community</b>	
<b>Facility</b>	<b>Activity</b>
Shoreview Community Center	Pool, Gymnasium, Exercise, Skating Rink, Event Center
Vadnais Sports Center	Skating Rinks, Sports Dome
Lexington Range	Archery
White Bear Lake Sports Center	Skating Rink, Event Center
Lifetime Fitness	Pool, Tennis, Racquetball, Exercise
YMCA - Northeast; White Bear Lake	Pool, Gymnasium, Various Activities
YMCA – Northwest; Shoreview	Pool, Gymnasium, Various Activities
White Bear Lake (Ramsey County)	Beaches, Boating, Fishing
Turtle Lake (Ramsey County)	Beaches, Boating, Fishing
Island Lake Golf Course	Golf Course & Driving Range
Manitou Ridge Golf Course	Golf Course & Driving Range
Ramsey County Parks System	Regional and County Parks, Open Space, Trails
Twin Lakes	Fishing & Picnicking
<i>Source: City of North Oaks</i>	

The Chippewa Middle School, located on Hwy. 49 (Hodgson Road) in western North Oaks, has a swimming pool where community swimming programs for all ages are conducted year-round after school hours. Additional recreational opportunities are available through the Mounds View and White Bear School Districts, which serve the City.

### **County and Regional Parkland**

There are no parks, open space, or trails within the City under the jurisdiction of Ramsey County as the implementing agency for the Metropolitan Regional Recreation Parks and Open Space System. However, there are four county or regional parks and one regional trail corridor adjacent to the City's borders located in other municipalities.

1. **Poplar Lake County Park** – on the northwest border located in White Bear Township and Shoreview. This undeveloped park is managed by Ramsey County.
2. **Turtle Lake County Park** – located in Shoreview across Hwy. 49 (Hodgson Road) from Chippewa Middle School. This park is operated by Ramsey County and features a boat launch, picnic area, and beach area.
3. **Vadnais-Snail Lakes Regional Parks** – located in Vadnais Heights and Shoreview on the southern boundary of the City. The land is owned by the St. Paul Regional Water Services and Ramsey County and operated by Ramsey County under a Joint Powers Agreement. The park includes trails, picnic area, shoreline fishing areas and a boat launch and swimming beach at Snail Lake.
4. **Bald Eagle-Otter Lakes Regional Park** – located in White Bear Township east of the City. The Park provides boat access to Bald Eagle and Otter lakes, picnic area, off leash dog area, and includes Tamarack Nature Center, which is a 223-acre park and includes a nature center building for programs, preschool classrooms, nature play area, children's garden and nature trails.
5. **Highway 96 Regional Trail Corridor** – located on the south side of Highway 96 from Highway 8 on the west to State highway 61 on the east.

In addition to these four parks, Ramsey County provides a system of regional and county parks, trails and other open spaces that are available for use by the City's residents. The Ramsey County regional facilities are part of the Twin Cities Metropolitan Area Regional Recreation Open Space System coordinated by the Met Council. Ramsey County is one of ten implementing agencies responsible for planning, acquisition, development and operation of the regional system. Ramsey County owns and operates five regional trail corridors (Rice Creek North, Rice Creek West, Highway 96, Birch Lake, and Bruce Vento) and four regional parks (Long Lake, Tony Schmidt, Vadnais-Snail Lakes, and Bald Eagle-Otter Lakes) within four miles of the City. In addition, Ramsey County owns and operates six county parks (White Bear Lake, Turtle Lake, Island Lake, Lake Owasso, Poplar Lake, and Lake Josephine) within a four-mile service area.

### **O. PARKS, RECREATION, AND OPEN SPACE PLAN – FUTURE FACILITIES**

Future park, recreation, open space, and trail facilities are described in the following text.

**North Oaks** is a unique community because it was established as a private community. The North Oaks Home Owners' Association owns, maintains, plans, develops, and controls all trails, open spaces, roads and recreation areas within its boundaries. These areas within the City are private property that is owned by NOHOA are for the use of the Association's (NOHOA's) members and member accompanied guests, and are not public. There are only fourteen houses located within City boundaries that are not also located within NOHOA



boundaries and are not NOHOA members.

### **Introduction and Summary**

Future park, recreation, and open space planning relies on a knowledge of existing facilities, an analysis of community recreation needs and wants, a demographic profile, and an assessment of lands available to meet future park recreation and open space needs. The Parks Report, the 1996 Sanders' Report (see Appendix C), and the 2016 Athletic Field Study were utilized in planning for the future parks and recreational needs of the community. Their focus may be summarized as threefold:

1. Guide maintenance and development of existing recreation and trail areas; and
2. Identify future recreation, open space and trail needs, and sites in the remaining 1,650 acres of then undeveloped land (since developed as the East Oaks PUD area).
3. Evaluate the inventory and usage of athletic fields currently and in the future.

These park plans are non-public and are on file at the NOHOA offices for reference purposes. In this section of the 2040 Comp Plan, the 2016 Athletic Field Study will be discussed and recommendations from each report will be combined to identify future active and passive recreation priorities.

NOHOA has a long history of supporting youth field sports activities. In 2016 NOHOA commissioned an Athletic Field Facilities Study to determine the sufficiency of athletic field space of appropriate size to accommodate the community's' needs now and in the future. The Facilities Study primarily focused on soccer and baseball field supply and usage, but also looked at football, lacrosse, rugby and ultimate Frisbee needs in the community. The study further analyzed fair share issues as relates to field users from the broader community and to the field to user-ratios for the City and that of nearby communities.

The study identified seven soccer and four baseball fields within the City of various size and utility. In reviewing the use of the fields, it was observed that significant numbers, and sometimes the majority, of youth soccer and baseball players were from other communities at the invitation of NOHOA. Further, when comparing the City with nearby communities, the City has a very favorable ratio of youth population to athletic fields supplied for both sports.

The Facilities Study conclusion was that NOHOA has fully met the athletic field needs for soccer and baseball to a level beyond that of just being adequate. Furthermore, anticipated future growth in the City from new homes and sale of existing homes is not likely to result in sufficient program registrations to warrant additional field space beyond that which is now provided. Additionally, the study found that the needs of football, lacrosse, rugby, and ultimate Frisbee can also be accommodated on existing facilities with perhaps some programmatic changes.

The North Oaks Recreation Plan outlined general recommendations for future active recreation and open space needs denoting trails, linear parks, and preservation of wildlife habitat as the highest priorities. The 1996 North Oaks Recreation Plan was used and referred



to determine the agreed-upon location for future parks and trail dedications for the remaining undeveloped lands. The locations of future parks and trail dedications were incorporated into the East Oaks PDA. The East Oaks PDA outlines the following active and open space areas:

1. A 10-acre Community Park which has been completed in the East Wilkinson area.
2. A 7.7-acre neighborhood park, originally to be located in the North Deep Lake area (Rapp Farm), is now located in the East Wilkinson (Villas of Wilkinson Lake) area. Future improvements are still under consideration for this neighborhood-oriented park.
3. A 1.33-acre neighborhood park in the Wildflower (Peterson Place) neighborhood which has been completed.
4. A 5-acre proposed park in Red Forest Way (North Black Lake) for passive recreation.

### **Americans with Disabilities Act**

The 1991 passage of the Americans with Disabilities Act (ADA) placed a responsibility on all places of public accommodation—including recreational facilities—to provide equal access to facilities for the physically disadvantaged. Planning of future facilities and the review of existing facilities needs to account for the requirements of ADA. This becomes a necessary component of any planning process involving recreation.

### **Gender Based and Adult Activity**

Recent trends indicate an increasing participation in girls team sports including hockey, softball, soccer, tennis, pickle ball, and basketball, among others. This growing trend must be recognized to ensure an adequate supply of facilities is available to minimize scheduling challenges among many competing organizations.

### **Recognizing Trends**

Certain activities ebb and flow in popularity, new activities replace old ones and new participant groups form where none existed before. These trends will affect the City and must be considered when planning recreation facilities. Changing trends call for development of flexible facilities that can be adaptable to such trends.

### **Demographic Trends**

A household size of 2.47 has been used throughout the 2040 Comp Plan to estimate future populations (see Table 7). Using 2,308 dwelling units as the figure for full development, it is projected the future population will be approximately 5,701 (see Table 9) (source: Met Council).

A population's age and income range, along with the existing and planned land use pattern, influence community decisions on the types and locations of park and recreation facilities. Historically in the City, as indicated by both the 1965 and 1970 census, the City was a child-raising community with a large percentage of the population in the 5–19- and 35–44- year age brackets. The 1980 and 1990 Census began to depict a trend of decreasing persons per household with a large percentage of population in the 18–54-year age bracket. As further

evidence of this trend, the 2000 Census recorded, the median age of the community was 44, with only 36.3% of the population less than 35 years in age.

The 2010 Census continues to show evidence of this aging trend. Table 5 illustrates the largest increase in population since the year 2000 was among persons 65 and older, who increased from 450 to 1,144; an increase of 694 persons or over 150%. Similarly, the 55–64-year old cohort grew from 551 to 926, an increase of 375 persons, or 68%. This trend toward an older demographic distribution is expected to continue in the City and is consistent with many maturing suburbs throughout the metro area.

### **Parkland Standards**

The National Recreation and Park Association (NRPA) has developed standards that are intended to be used by communities to guide active recreation planning. Unfortunately, NRPA standards have been based primarily on average community profiles, densities, and demographic characteristics that are wholly inconsistent with the way the City has developed. For example, the City is unique given its large residential lots, low density, and rural type roads without sidewalks, large areas of woods, some prairie areas, a large lake located in the west central area of the City, and five smaller lakes located throughout the community. Families with above average incomes, an increasing number of middle and older age residents, and child population are other atypical factors influencing parks/recreation planning in the City. The unusually large lot sizes extend the distance a person needs to walk to reach a park/recreation facility, and decreases the overall population density within the City. Prairie areas offer space for active recreation, and wooded areas provide great settings for parks and trails. Finally, the lakes limit the circulation within the City. All of these factors affect how the NRPA standards apply to the City. The 1996 North Oaks Recreation Plan identified future parkland needs based on a North Oaks community profile and was used to develop the terms of the East Oaks PDA.

The Vraa-Feldman Report done for NOHOA in 2016 indicated that the City’s existing athletic fields were more than enough to serve both current and future projected residential growth. All of these documents should be referenced for future park planning.

“Tot lots” (small playgrounds for young children) have not been uniformly provided in all neighborhoods. With the exception of those provided within larger parks or at gathering areas (Western and Eastern Recreation Areas, Lake Estates and Pleasant Lake Beach), tot lots have not been included in past recreation planning because, due to the rural community layout, children served by tot lots could not easily access them. Additionally, individual families in the City are typically capable of providing these facilities more conveniently and more safely on their own property. Tot lots may be desirable in future mixed residential and Mixed-Use neighborhoods, and they can also be accommodated within mini-parks.

### **Recreation Planning Objectives**

#### **(A) Active recreation planning should focus on the following objectives:**

Local recreation trends show strong support for active recreation activities. Opportunities to participate in organized sports programs come primarily from the two public school

districts serving the City. In the White Bear Lake district, the programs are actively run and administered by the School District. Conversely, programs in the Mounds View school district are organized and run by the individual communities within the district. Active recreation facilities are provided to meet the needs of all future HOA members and the following objectives are met:

1. Perimeter sites at the Southpointe and Wilkinson Recreation Areas have been developed by NOHOA for use by the active recreation organizations that allow the City to participate fully in regional programs.
2. Active recreation facilities within the interior of the community are reserved for HOA members and their member-accompanied guests.
3. Recognize the demographic trend that suggests an increase in the middle age and older population of the City, and develop those recreational opportunities and facilities tailored to the needs of this group.
4. Recognize and incorporate new trends into the planning process that reflect the interests of the growing middle age sector of the community.
5. Develop planned active facilities to provide the needed improvements for the City's future neighborhoods.
6. Each new recreation area should be professionally planned for maximum flexibility and minimal maintenance. Due regard should be given to user safety, accessibility, and the ecological and environmental impacts such development would create.
7. Rely upon the uniqueness of the community in developing recreation standards that fit the profile, layout and needs of the resident population.

**(B) Passive recreation planning should focus on the following objectives:**

The 1994 Recreation Survey clearly showed residents' desire for passive recreation. Of 1,148 surveys mailed to residents, 401 (35%) were returned. When respondents were asked to indicate the three characteristics they most liked about living in the City, they most often noted natural resources (68%), and safety (53%). The four activities engaged in most often were walking (86%), bicycling (63%), gardening (61%), and nature walks (60%). The four activities that showed a high frequency of utilization—together with significant satisfaction with the facilities—were hiking/walking, wildlife observation, nature observation, and utilization of the trail system. The five most important areas for future planning emphasis or investment were trails for hiking (49%), trails for biking (39%), the swimming beach (33%), cross-country ski trails (32%), and the tennis courts at the East Recreation Area (26%).

Sixty-five percent (65%) of the respondents felt it was important to acquire additional land for trails. With regard to parks and open space, 60% of the respondents felt it's "very important" to have park areas within the City. Sixty-four percent (64%) felt it "very important" to have nature trails. Eighty-one percent (81%) felt it is "important" or "very important" to have undeveloped open space. These and other results indicate that "passive" or trail-based activities in a natural environment are the predominant choices of the City residents.

NOHOA's recreation survey conducted in 2013 confirmed that the highest priority of current

residents is clearly in the area of trails, passive parks, and preservation of natural resources. Passive recreation planning should therefore focus on the following objectives:

1. All passive recreation areas and trails should be located within the interior of the community. To preserve privacy, trails should not touch the perimeter roads of the City.
2. Recognize that a large majority of residents indicated in the 1994 recreation survey the importance of natural resources and trails. This trend is consistent with responses to an earlier recreation survey done in 1982.
3. Recognize the demographic trends indicating an increase in the number of middle age and older residents which will result in a greater need for and use of passive recreation facilities.
4. Recognize the number and importance of wetlands, moraines and uplands in the area defined by the East Oaks PDA, and the desirability of incorporating these natural features into an overall network of parks and trails.
5. Emphasize the conservancy of the natural and cultural environment of the City.
6. Recognize the needs of an aging population in developing and maintaining safe roadside pathways.
7. Each existing and new recreation area should be professionally planned for maximum flexibility and minimal maintenance. Due regard should be given to user safety, accessibility, and ecological and environmental preservation.
8. Develop educational/awareness materials for new and existing residents regarding appropriate natural site design concepts, shoreline restoration, landscaping for wildlife retention, and living within a natural environment.
9. Continue acquisition and development of trails consistent with existing NOHOA standards for the east and north sections of the City.

### **Passive Recreation: Future Trails and Parks**

The NRPA does not recommend development standards for passive recreation areas because such facilities do not have specific requirements like active areas (i.e., specific field sizes). The following methodologies are suggested approaches for the planning and designation of passive recreation areas including trails:

#### **1. Analyze the natural characteristics of the community**

Consider the topographical characteristic (flat or rolling), woodland characteristics, prairie, wetland, or upland characteristics, the nature of soils, terrain, and hydrological cycles, solar, and cardinal orientation, presence and interaction of flora and fauna.

#### **2. Apply the principles of landscape ecology.**

These principles include:

##### **a. Connectivity**

Passive areas should connect, not fragment the various ecosystems (the interrelatedness of living organisms to their environment and to each other). Wetland should connect to uplands, natural openings and forest fringes should connect to maintain ideal habitat quality for plants and animals. By maintaining connections, the

movement of animal species to and from shelter, food and water is facilitated, and the uplands act as a filter for water flowing toward wetlands.

**b. Interior, Fringe, and Open Space**

Each plant and animal species needs specific habitat qualities to survive—food, water, and shelter in a spatial relationship that is ideally suited to their needs. For example, some animals and birds prefer the interior of a wooded area where the tree canopy is dense; others such as deer live on the fringes of wooded and shrub areas; and still others such as bluebirds prefer open prairie. Specific birds and animals live in trees; others spend most of their lives on the ground, underground or in open water or marshes. To survive, certain plants need shaded conditions afforded by a dense forest while other plants need full or partial sunlight. Indigenous or native species should be encouraged by maintaining or enhancing the critical habitat elements that presently exist.

**c. Biodiversity**

To maintain biodiversity (the presence of a variety of plants and animals) of indigenous species, proper principles of connectivity and open space (both on the interior and fringe) must be followed. By maintaining various habitats and connecting ecosystems, biodiversity will occur. To avoid the introduction of non- native species, care should be taken in changing the relationship between interior and fringe open spaces.

**3. NOHOA Trail Planning Concepts**

As discussed in the landscape ecology principles identified above, the passive recreation plan will also need to incorporate human interaction with the natural environment in order to be appreciated. NOHOA trails are private and have always been the mainstay for member enjoyment of the natural environment. The following planning concepts should be considered in the development of passive areas to maximize enjoyment by residents.

**a. Provide a Variety of Spatial Experiences**

Trails should weave inside and outside the fringes of space, move up and down, and take advantage of interior enclosing spaces as well as exterior open spaces. Curvature will add interest and suspense to what lies ahead.

**b. Concept of Vista and Spatial Dimension**

Locate the topographical “windows” into the landscape that allow users to appreciate the dimension of the open space over both small and large visual expanses.

**c. Exploration of Boundaries**

Trails should move through edges and along edges of interior and exterior space (for example, at the edges of wetlands, the boundary of the woodland canopy, along ridges and creeks, within an enclosing woodland canopy).

**d. Connectedness of Experience**

Trails should join the variety of landscapes in a connected, continuous pathway; preferably in a single loop or a series of clustered loops. Dead end trails should be avoided except to showcase a natural feature or vista.

**e. Design for Appropriate Use**



Trail qualities vary based on their intended use. Identify the type of use appropriate to the trail, and make the trail appropriate to the landscape. For example, a bicycle trail is necessarily different than a walking trail, and the speed with which one moves through the open space will affect its placement, design, and even the level of appreciation of the natural environment. Off-road and “fat-tire” bicycles should also be considered when planning the community trail system.

**f. Design with Nature**

Respect natural and topographical features by placing trails parallel to contours; avoiding steep slopes, loose soils, drainage ways and wetland fringe areas.

**g. Maintain Privacy**

Construction of new internal trails should not include connections to external regional trails to maintain the privacy the community enjoys.

**Future Trail Planning**

The exact location for future trails will be determined as part of the development review process. A key recommendation from all citizen reports and surveys has been to develop future trails, parks and preserve natural resources. Each park site has important natural resources (i.e., mature stand of trees), and thus the preservation of these resources is encouraged as part of future subdivision design. Each private subdivision will be required to provide an internal private trail system, which connects to the private NOHOA-wide trail system. All future trails should be designed to meander within a subdivision. The City will continue to require extension of the existing private trail system.

To complete the existing private comprehensive trail system, the following segments will need to be added in the future as opportunities arise:

**Section A. The Hill Farm Trail (Black Lake to Carlson’s Mussa)**

The Hill Farm Trail extends from Black Lake along the base of the wooded hillside and adjacent to the wetland area near the Hill Farm. The Hill Farm is an important historic site. From an area near the Hill Farm, the linear park/trail goes in two directions to connect both ends of Carlson’s Mussa. The exact location of the trail connections should be coordinated with future development so that both the trail and the home sites can be developed in the best possible manner.

**Section B. The Carlson’s Mussa Trail (Around Carlson’s Mussa)**

The Carlson’s Mussa Trail extends the linear park system around Carlson’s Mussa and includes the wooded area between Carlson’s Mussa and Deep Lake. Carlson’s Mussa is one of the City’s significant natural resources. The area contains native plant communities and diverse wildlife habitat. The development potential of adjacent land is very high and will require unusual care and sensitivity in order to preserve the natural resources of this area. A trail corridor is recommended between the wetlands of the Mussa and the upland area because of the special quality of this natural resource.

### **Section C. South Wilkinson Lake Trail**

Future trail planning will be needed in conjunction with the proposed PUD neighborhoods abutting Centerville Road including Anderson Woods, Gate Hill, and Island Field. Subdivision of these three areas will require careful review to coordinate new trail connections with the existing interior trail system.

### **Section D. North Wilkinson Lake Trail**

The North Wilkinson Trail extends from North Deep Lake Trail northeasterly to the boundary between the City and Lino Lakes and continues east and south along the eastern side of Wilkinson Lake and north to County Rd I where it turns west and runs toward the Rapp Farm subdivision where it dead ends. Further extensions of the trail should be undertaken to connect the trail between the Rapp Farm area and East Wilkinson Park to avoid dead-end trails and increase connectivity.

### **Section E. Nord Trail**

The future Nord subdivision located north of North Deep Lake Road and west of Rapp Farm should incorporate a continuous trail to accommodate year-round trail activities with connection to the existing interior trail system.

### **Future Community Parks and Neighborhood Parks**

The City will have neighborhoods which currently are not served by active recreation areas. Two (2) future recreation areas are planned to meet the needs of existing and future neighborhoods. They are:

1. **East Wilkinson/Villas of Wilkinson Lake Site:** 7.7 acres – The location of this new neighborhood park has been relocated from Rapp Farm to the East Wilkinson area. It will serve the needs of NOHOA members. Future facilities should include open fields, court games, benches, picnic areas and access to the trail system. Facilities should be neighborhood oriented. Organized sports are not recommended for this park. This private park should connect to the trail system.
2. **Black Lake/Red Forest Site:** 5 acres – This proposed neighborhood park will serve residents of the currently developing Red Forest neighborhood. Future recreation facilities shall be limited to passive recreation and informal play. Playground structures and buildings are not proposed. This park should connect to the interior trail system.

## **P. PARKS, RECREATION AND OPEN SPACE PLAN – POLICIES**

**North Oaks** is a unique community because it was established as a private community. The North Oaks Home Owners' Association owns, maintains, plans, develops, and controls all trails, open spaces, roads and recreation areas within its boundaries. These areas within the City are private property that is owned by NOHOA are for the use of the Association's (NOHOA's) members and member accompanied guests, and are not public. There are only fourteen houses located within City boundaries that are not also located within NOHOA boundaries and are not NOHOA members.

1. Compatibility with the natural environment shall be a primary consideration in designating areas for use as parks, recreation, and open space.
2. The City, in connection with the East Oaks PDA, reached an agreement with NOC on the development of the East Oaks PUD areas with regard to the appropriate land for parks, recreation, trails and open space. NOHOA consented and joined in certain provisions of the agreement. The City will continue to require other sub-dividers to provide sufficient appropriate land for parks, recreation, trails and open space as determined necessary.
3. The City will continue to require that NOHOA or another HOA has the responsibility of ownership and maintenance of all parks, recreation, protected land, and open space land.
4. All recreation land, facilities and roads are privately owned with an easement for the HOA and are available only to members and their member-accompanied guests.
5. The City will comply with accessibility requirements, wherever feasible, both for new and existing facilities.
6. The City will use the principles of landscape ecology for all recreation areas including connectivity; interior and fringe open space; and biodiversity.
7. Additional on-road trails should be avoided.
8. Prioritize parks and trails in all future planning; recognizing they create opportunities for community members to increase their physical activity, which can improve mental health, decrease obesity, diabetes, heart disease and other chronic diseases.
9. Consider people's changing recreational preferences in planning local parks. Evaluate population size and demographic characteristics to determine the specific needs for park space, proximity, access and community facilities that serve as the foundation for park systems.
10. Take into account the value of tree canopy in park and trail planning; preserving a healthy tree canopy can serve a number of public health benefits such as providing shade on hot days, reducing heat island effects, improving air quality, improving water quality, improving livability and more.
11. The City may meet with NOHOA to discuss future trail planning.
12. There is no fishing in the City. Fishing is not permitted by residents or member-accompanied guests of residents of the City as per Minnesota Natural Resources Department Statute 6262.0500 and pursuant to the City's deeds and declarations.

**Q. MUNICIPAL SERVICES – CITY GOVERNMENT**

The City Hall offices are located in leased space in the Financial Building at 100 Village Center Drive and near the North Oaks Village Center at Highway 96 and Highway 49 (Hodgson Road). It is staffed by a full-time city administrator, a full-time deputy clerk- treasurer, and two part-time administrative assistants. Local elections are held at this site and Waverly Gardens.

City Council meetings are held on the second Thursday of each month at 7:00 p.m. at the Community Meeting Room at 100 Village Center Drive and are broadcast on cable TV Channel 16 for those who are unable to attend.

Communication to residents is maintained through a website that coordinates information for the City in one location ([www.cityofnorthoaks.com](http://www.cityofnorthoaks.com)) and social media platforms, such as Facebook.com. The City sends E-blasts (emails) to residents of the City whom have signed up for the service. Additionally, the "North Oaks News," is a local newspaper mailed monthly to all residents. Election registration and dates, animal licensing, summaries of new



ordinances, individual sewage system maintenance procedures, and other information relevant to residents is included. And finally, HOAs distribute newcomers' packets containing important information about the community that new residents should know. The City's official newspaper for legal publications and public hearing notices is the Shoreview Press.

Members of the City Council are responsible for various government functions (i.e., Acting Mayor, Lake Johanna Fire Department Board Member, Planning Commission Liaison, Natural Resources Commission Liaison, Finance Committee) and are representative to other governmental bodies as needed. The Council contracts with a cable TV coordinator as an independent contractor.

The City contracts annually with the following professional consultants. Each is paid on a fee basis as services are required.

- City Attorney
- City Engineer
- City Forester
- City Planner
- City Prosecutor
- Building, electrical, and sanitary inspection. Inspection is covered by fees as provided for in city ordinances and charged to inspected properties.
- Individual septic treatment system inspections
- Domestic animal control
- Recycling pick up and hauling
- Roadside mowing and trimming and the erection/maintenance of regulatory traffic signs.

**R. MUNICIPAL SERVICES – LAW ENFORCEMENT**

Ordinance 32 (codified as section 30.02) states that law enforcement shall be provided under contract agreement between the City and the Ramsey County Sheriff. The cities of Shoreview, Little Canada, Vadnais Heights, Falcon Heights, White Bear Township, Arden Hills, and North Oaks, all located in northern Ramsey County, contract for the Sheriff's services under separate Joint Powers Agreements. The level of service is determined by each city and costs are divided accordingly. The budget for policing is the largest single item in the City budget. The level of sheriff services and the contract method adequately provides for law enforcement in the City.

**S. MUNICIPAL SERVICES – FIRE PROTECTION**

Fire protection service is provided by contract with the Lake Johanna Fire Department Incorporated, which maintains one of its four stations on Highway 49 (Hodgson Road) in the western part of North Oaks. The cost is apportioned to each participating city, including Arden Hills, Shoreview, and the City of North Oaks. A mutual aid agreement is in effect with neighboring fire departments. The insurance category assigned to a city is determined by the Insurance Services Office. Ratings are based on a scale of 1 to 10, with 10 being the equivalent of no protection. The City of North Oaks' rating as of July 2002 is either a 4 or a 10 depending upon the area of the City. A member of the City Council serves on the Lake Johanna Fire

Department Board of Directors. The Lake Johanna Fire Department Board indicates that the fire protection in the City is at an adequate level.

**T. MUNICIPAL SERVICES – POLICIES**

1. The City will continue to contract for services whenever possible rather than employ permanent city employees.
2. The City will continue communication with residents by the use of the *North Oaks News*, special mailings, public meetings, social media, e-blasts, the City website and cable TV programming.
3. The City continue to encourage citizen participation in service to the government and community.

**U. MUNICIPAL SERVICES – SOLID WASTE**

Each homeowner contracts with a private hauler for the removal of solid wastes. Ordinance 5 (codified as sections 93.01 through 93.07) along with Zoning Ordinance 94 (section 151.030) outline provisions and standards for refuse storage. Zoning Ordinance 94 (section 151.032) regulates smoke, dust, odors, and noise. The City contracts with a private hauler for monthly recycling services for all residents.

**V. MUNICIPAL SERVICES – ELECTRICITY, GAS, TELEPHONE, AND CABLE TELEVISION**

The City is provided electricity and natural gas by Xcel Energy with the exception of the Deer Hills development, which is supplied with electricity through the Anoka Electric Cooperative. Telephone service is supplied by Century Link, and cable service is provided by Comcast (TV, Internet, and some home alarms).

The restrictive covenants attached to each lot owner's real estate deed provide that the NOC shall have an easement, which it may assign in whole or in part to NOHOA or to individual public utilities, to install electrical and telephone lines. The lines within the City have been installed pursuant to said easement. The natural gas and electricity lines are installed pursuant to the same easement provision and as specified in Ordinances 78 and 79 (codified as TSO I). Cell towers are only allowed within areas guided for Light Industrial development.

In addition, section 152.066 of Subdivision Ordinance 93 (codified as Chapter 152) provides for easements at least twelve feet wide adjacent to each lot for utilities. Since 1968, all electrical and telephone distribution lines have been installed underground.

**W. MUNICIPAL SERVICES – EDUCATIONAL SERVICES**

North Oaks is served by two public school districts: White Bear Lake, Independent School District 624; and Mounds View, Independent School District 621. The majority of developed land is in the Mounds View School District. Most of the future development will be in the White Bear school district area. The White Bear Lake School District's jurisdiction includes about a third of the total area of North Oaks. (See Appendix A, Map 21 – School Districts and Voting Precincts). Both school districts bus students to their assigned schools. Both school districts offer special education, alternative, and summer programs. Each has a community education program for adults. City students also attend private and parochial schools serving the northern suburbs and private schools in the metropolitan area. Many of these schools

offer transportation service.

DRAFT

## **CHAPTER 4: IMPLEMENTATION**

---

### **A. INTRODUCTION**

In 1999, the City approved the East Oaks Planned Unit Development (East Oaks PDA), which established the development pattern for all remaining undeveloped land within the community. Development of the East Oaks area is occurring as envisioned by the approved PUD and as stipulated in the associated PDA narrative. The success of the East Oaks PDA to date has prompted the City to adopt very few changes to the overall vision and direction established in the 1999 and 2008 Comp Plans. Consequently, implementation of the 2040 Comp Plan will not require any substantial amendments to code or further actions by the City. Instead, the City will remain focused on implementing the East Oaks PDA as approved, and amending the City's code of ordinances only when necessary to achieve the goals and policies contained within the 2040 Comp Plan.

### **B. OFFICIAL CONTROLS**

The relatively few changes to the 2040 Comp Plan since the last update in 2008 dictate that few changes are needed to the City's official controls. However, in an ongoing effort to preserve the physical and environmental characteristics that define the City, the City will continually review its local ordinances to ensure proper controls are in place to achieve the goals outlined in this plan. The City will take steps to adopt regulations ensuring that sump pumps, foundation drains, and roof leaders are not allowed to drain to sanitary sewer connections. Other examples of topics that will be continually assessed are the treatment of invasive plant species such as Buckthorn and the protection of the City's tree cover through tree preservation requirements. Additionally, the City will continue to review and update this plan on a regular basis. Amendments to the Comprehensive Plan may be initiated by citizens, land owners, NOHOA, the Planning Commission, and City Council. All proposed Comprehensive Plan amendments require a public hearing. Existing official controls which will continue to play a key role in implementing this plan include the following regulations.

#### **Regulations**

The City will continue to rely on its zoning code as the primary means of implementing its land use policies, goals, and objectives as outlined in the 2040 Comp Plan. The City also utilizes its Shoreland Management Ordinance, Subdivision Ordinance, Zoning Ordinance, and local surface water management plan in effectuating the 2040 Comp Plan.

#### ***Zoning Regulations***

Zoning regulations have been carefully crafted to ensure that the unique character of the community is preserved for future generations. The preservation of the natural environment is vital to the quality of life in the community and will continue to be of the utmost concern in the regulation of land use throughout the community and shall be reflected in all zoning considerations. As previously discussed in this plan, the East Oaks PDA continues to be the primary development mechanism for the City. As detailed in Chapter 2 of the 2040 Comp Plan, the City has created six separate residential districts and a mixed-use commercial/residential district to promote a variety of housing types,

densities, and commercial entities to meet the needs of the community, and to implement the East Oaks PDA and follow the preservation and commitment to the natural environment. The City's PUD standards and procedures will continue to be utilized in processing and implementing the remaining phases of the East Oaks PDA. In the coming years, the remaining PUD developments will continue to add diversity to the City's housing stock, as it has over the past two decades. The City does not envision the need for any modifications to the Zoning Ordinance in order to implement the remaining phases of the East Oaks PDA. The City's current zoning map is included in this plan in Appendix A, Map 7 – Existing Zoning Districts.

***Subdivision Regulations***

Subdivision regulations in place require careful oversight by both the Planning Commission and the City Council. The City's subdivision ordinance works to facilitate the community's unique development and municipal management structure in that the regulations require that homeowner associations be established with mandatory membership along with declarations of covenants, conditions and restrictions. These regulations ensure the ongoing responsibility for operation and maintenance of common areas, recreational areas, roadways and other common property. HOAs are required to maintain adequate financial capabilities to fulfill these responsibilities. The North Oaks' Planning Commission and City Council are empowered through the subdivision ordinance to ensure that all subdivision and land development conform to the City's Comprehensive Plan. Each subdivision is reviewed for conformity to the Comprehensive Plan.

***Shoreland Management***

The City's Shoreland District regulations were adopted in consultation with the Minnesota Department of Natural Resources, consistent with statutory requirements. The regulations act to guide development and utilization of shoreland areas adjacent to protected surface waters for the preservation of water quality, natural characteristics, economic values, and general health, safety, and welfare. The water bodies and surrounding shoreland areas encompassed by the protection of these overlay regulations include:

Natural Environment Lakes

- Black Lake
- Wilkinson Lake

Recreational Development Lakes

- Deep Lake
- North Mallard Pond
- South Mallard Pond
- Teal Pond
- Gilfillan Lake
- Pleasant Lake
- Charley Lake

Tributary Streams

Tributary systems including all protected watercourses in the City shown on the

## Protected Waters Inventory Map for Ramsey County.

### ***Wetland Preservation***

Wetland preservation and protection is achieved through the City's Surface Water Management Plan (SWMP). The SWMP, which is incorporated into the 2040 Comp Plan for reference, continues to designate the Vadnais Lake Area Water Management Organization (VLAWMO) as the official Local Governmental Unit (LGU) with responsibility for wetland management in conformity with the Minnesota Wetlands Conservation Act (WCA) of 1991 its amendments and rules (MN Chapter 8420) and other state federal and regional regulations. The East Oaks PDA, as approved by the City, also contains protection provisions including wetland setback performance standards.

### ***Historic Preservation***

The City's Historic Preservation ordinance was established to recognize and preserve the historic James J. Hill North Oaks Farm. The site is located on the south side of Pleasant Lake and owned by the Hill Farm Historical Society. Three buildings on the site have been restored. Mary Hill Park located on the north side of Pleasant Lake is owned by NOHOA and is of historic significance.

## **C. CAPITAL IMPROVEMENT PROGRAMMING**

Capital improvement programming involves identifying major community facilities or activities needed to serve existing development or to support future growth, and determining when these should be provided and how to pay for them. The City's 2008 Comp Plan did not include a capital improvement plan as it was determined that the long-standing municipal management structure and public/private partnership in place did not warrant and would not benefit from this effort. In preparing for this 2040 Comp Plan, officials of the City have once again examined the land development practices, community facilities' needs, and financial considerations to evaluate what direction a capital improvements program could take. It has been concluded that local development procedures and capital improvement plans do not indicate a need for such a program. Herewith is a review of development procedures which have led to this conclusion.

Most land development has been done by a single developer who used a staged and contiguous growth pattern. This avoids the necessity of extending services without sufficient income to support the services at a reasonable cost. Restrictive covenants covering each lot provide for an HOA to assume responsibility for road maintenance and recreational facilities. Because of the success of this development pattern since 1950, City ordinances were enacted which officially support the development pattern and procedures.

### **In the City, a developer is responsible for:**

1. Installing all blacktopped roads to meet NOHOA standards.
2. Providing all road name signs.
3. Providing for sustainable stormwater best-management practices. including stormwater management and retention of natural drainage and ponding areas.

4. Providing sufficient open space and recreation land enhancements to meet the needs of the development, NOHOA, and HOA members.
5. Installing sanitary sewer facilities and providing for adequate water facilities in planned unit development and commercial districts and in single-family and medium-density areas when necessary.
6. Including restrictive covenants running with the land to provide for a homeowners' association to assume certain stated responsibilities within the development.

**A homeowners' association (HOA) is responsible for:**

1. Providing all recreational facilities, such as buildings, tennis courts, playfields, swimming beach, and facilities.
2. Maintaining roads, bridges open space, recreational lands, trails, and a maintenance building.

**A commercial association (CA) is responsible for:**

1. Managing and maintaining common facilities, such as roads, utilities, ponding, lighting, and sewer.

The City government contracts for police and fire protection and leases space for the City office; therefore, capital investment is not required for municipal buildings or equipment.

In most of the City, developers and lot owners in single-family homes have installed individual wells and onsite sanitary sewage treatment systems when houses are built and are solely responsible for their ongoing maintenance. Homeowners also contract independently for refuse disposal from private haulers.

Gas, electricity, telephone service, and cable TV are supplied by private utility companies, which extend service from an already serviced area to an adjacent area.

**SURFACE WATER MANAGEMENT PLAN**

*For the*

**CITY OF NORTH OAKS**

**SAMBATEK #07763**

*Prepared by*

Sambatek, Inc.

**Updated May 2021**

I hereby certify that this plan, specification or report was prepared by me or under my direct supervision and that I am a duly Registered Professional Engineer under the laws of the State of Minnesota.

Mike Kuno, P.E.

Minnesota Registration No. 45195



**CITY OF NORTH OAKS  
SURFACE WATER MANAGEMENT PLAN**

**TABLE OF CONTENTS**

SECTION I – EXECUTIVE SUMMARY .....	2
A. Introduction and Policy Statement .....	2
B. Purpose.....	2
C. Regulatory Requirements.....	3
D. Water Resource Management Related Agreements .....	3
E. Surface Water Management Plan Content .....	3
SECTION II – LAND AND WATER RESOURCE INVENTORY.....	6
A. Introduction.....	6
B. Physical Environment .....	6
C. Human Environment .....	8
D. Surface Water System.....	9
E. Groundwater Resource Data .....	14
SECTION III – ESTABLISHMENT OF GOALS AND POLICIES .....	16
A. Water Quantity .....	16
B. Water Quality .....	17
C. Erosion and Sedimentation Control .....	18
D. Wetlands .....	19
E. Groundwater .....	20
F. Recreation, Fish and Wildlife .....	20
G. Enhancement of Public Participation, Information and Education.....	21
SECTION IV – ASSESSMENT OF PROBLEMS AND CORRECTIVE ACTIONS.....	22
A. Surface Water Quality.....	22
B. Flooding and Rate Control Issues .....	22
C. Impacts of Water Quantity or Quality Management Practices on Recreational Opportunities.....	23
D. Impacts of Stormwater Quality on Fish and Wildlife Resources.....	23
E. Impacts of Soil Erosion on Water Quality and Quantity .....	24
F. General Impact of Land Use Practices, and in Particular, Land Development and Wetland	

Alteration on Water Quality and Water Quantity .....	24
G. Adequacy of Existing Regulatory Controls to Manage or Mitigate Adverse Impacts on Public Waters and Wetlands .....	25
H. Adequacy of Programs to Limit Soil Erosion and Water Quality Degradation.....	25
I. Adequacy of Existing Programs to Maintain the Tangible and Intrinsic Values of Natural Storage and Retention Systems.....	25
J. Ability to Correct Problems Related to Water Quality, Water Quantity Management, Fish and Wildlife Habitat, Public Waters and Wetland Management, and Recreational Opportunities.	26
K. Future Potential Problems Anticipated to Occur Within Next 20 Years Based on Growth Projections and Planned Urbanization .....	26
 SECTION V – IMPLEMENTATION PROGRAM.....	 28
A. City Regulatory Controls .....	28
B. Management Programs .....	28
C. Stormwater Design and Performance Standards.....	29
D. Phase II MS4 General Permit Program.....	30
 SECTION VI – IMPLEMENTATION PRIORITIES AND FINANCIAL CONSIDERATIONS.....	 32
A. Implementation Priorities.....	32
B. Financial Considerations.....	33
C. Funding Sources.....	34
 SECTION VII – STORMWATER MANAGEMENT PLAN AND EROSION CONTROL STANDARDS.....	 35
A. Stormwater Management Plan Standards .....	35
B. Erosion Control Standards .....	37
 SECTION VIII – AMENDMENT PROCEDURES .....	 39

**TABLE OF CONTENTS**

**TABLES**

Table 1. NOAA Atlas 14 Rainfall Data.....	7
Table 2. Implementation Program Priorities .....	32

## **APPENDICES**

### **Appendix A - ACRONYMS**

### **Appendix B - MAPS**

- MAP 1 – Location Map
- MAP 2 – General Surface Geology
- MAP 3 – Sensitivity of Water Table System to Pollution
- MAP 4 – Land Erosion Runoff Susceptibility
- MAP 5 – Rare Natural Features
- MAP 6 – Scenic Areas
- MAP 7 – 2016 Existing Land Uses
- MAP 8 – Well Locations & Wellhead Protection Area
- MAP 9 – DNR Waters & NWI Wetlands
- MAP 10 – FEMA 100-Year Floodplain
- MAP 11 – Sub-Watershed Boundaries
- MAP 12 – VLAWMO Wetlands Map
- MAP 13 – Potential Pollution Sources
- MAP 14 – Storm Sewer Systems
- MAP 15 – Areas Served by Municipal Sewer
- MAP 16 – Existing Water Systems

# **SECTION I – EXECUTIVE SUMMARY**

## **A. Introduction and Policy Statement**

The City of North Oaks (City) has prepared this Surface Water Management Plan (SWMP) to provide the City and its residents with direction concerning the administration and implementation of surface water management activities within the community. The SWMP inventories the City’s land and water resources and presents water management policies and goals, which address both existing surface water-related concerns and guidelines for future development activities. The SWMP also presents the information needed to comply with the requirements of the Federal, State and Local regulatory agencies involved in surface water management. This SWMP was drafted in accordance with MN Statute 103B.235 for Local Water Management Plans.

*Policy Statement:* The City of North Oaks is committed to a goal of no adverse impact or non-degradation for area surface waters. To accomplish this goal, the City will demonstrate through this SWMP:

- Performance measures for all proposed stormwater treatment devices;
- Proposed plans that will require stormwater management, rate and volume control, and erosion control Best Management Practice (BMP) protection measures that will require City approval before work can commence;
- Public education on water resource management;
- Construction site enforcement of stormwater Best Management Practices (BMPs); and
- Providing the necessary funds to implement stormwater management plans, erosion control plans, public education, and construction site enforcement.

## **B. Purpose**

The general purposes and objectives of the North Oaks SWMP are as follows:

- Protect, preserve, and use natural surface and groundwater storage and retention systems;
- Minimize public capital expenditures needed to correct flooding and water quality problems;
- Identify and plan for means to effectively protect and improve surface and groundwater quality;
- Establish uniform local policies and official controls for surface and groundwater management;
- Prevent erosion of soil into surface water systems;
- Promote groundwater recharge;
- Protect and enhance fish and wildlife habitat and water recreational facilities; and
- Secure the other benefits associated with the proper management of surface and groundwater.

## **C. Regulatory Requirements**

In 1982, the Minnesota Legislature adopted The Metropolitan Surface Water Management Act requiring all watersheds within the Twin Cities seven county metropolitan area to be incorporated into watershed management organizations (WMOs) and the preparation and adoption of watershed management plans by each of the WMOs. The Act also requires that Local Governmental Units prepare local surface water management plans, which include the official controls and capital improvements necessary to bring each local surface water management into conformance with its respective WMO plan.

The City of North Oaks is located within the VLAWMO political boundary. Surface runoff generally drains from north to south and eventually discharges into the adjacent Capitol Region and Ramsey Washington Metro watershed districts. The VLAWMO has jurisdiction over all drainage basins within the city. The SWMP is intended to meet the requirements of the following regulatory documents:

- Metropolitan Surface Water Management Act - Minnesota Statutes Chapter 103B
- Metropolitan Area Local Water Management - Minnesota Rules Chapter 8410
- Minnesota Wetland Conservation Act of 1991 and subsequent rules and amendments
- State and Federal laws pertaining to National Pollution Discharge Elimination System (NPDES) permitting for stormwater outfalls to designated drainage ways
- Erosion Control Guidelines and BMPs prepared by the Minnesota Pollution Control Agency
- VLAWMO Watershed Management Plan (WMP), Adopted 2007 and subsequent rules and amendments
- Met Council 2030 Water Resources Management Policy Plan, Adopted 2005

## **D. Water Resource Management Related Agreements**

The City of North Oaks, along with portions of White Bear Lake, Gem Lake, Vadnais Heights, Lino Lakes, and White Bear Township, is a member City of the VLAWMO Joint Powers Agreement, formed in 1983. The City incorporates by reference the current VLAWMO Watershed Management Plan (WMP).

## **E. Surface Water Management Plan Content**

The City of North Oaks SWMP has been developed to meet the needs of the community and address the management planning requirements of the Metropolitan Surface Water Management Act. The SWMP has been prepared in general accordance with Minnesota Rules Chapter 8410 and follows the plan outline identified in the rules.

The following summaries identify the major sections of the SWMP and where information can be located in the plan document:

## **SECTION I - EXECUTIVE SUMMARY**

This section presents an introduction for the local SWMP and provides a summary of all of the sections, including strategic recommendations for consideration by the City in implementing the SWMP.

## **SECTION II - LAND AND WATER RESOURCE INVENTORY**

This section categorizes a wide range of information under the subsections entitled Physical Environment, Human Environment, Surface Water System, and Groundwater Resource Data. The subsections provide information and references regarding water resources and physical factors within the City of North Oaks including the following:

- Location
- Precipitation data for hydrologic/hydraulic review and design
- Geologic and topographic information
- Surface soils and groundwater information
- Land erosion (runoff) susceptibility
- Unique features and scenic areas
- Land use and public utility services
- Water-based recreational areas and land ownership
- Potential pollutant sources
- Public waters and wetlands
- Flood Insurance Studies (FIS) and surface water drainage information
- City subwatersheds and stormwater modeling data, limitations, and results
- Flood problem areas and surface water quality
- Specific City ordinances pertaining to stormwater management
- Groundwater resource data

## **SECTION III - ESTABLISHMENT OF POLICIES AND GOALS**

This section outlines goals and policies addressing water resource management needs of the City and its relationship with Regional, State, and Federal goals and programs. Goals and policies relating to the following issues are presented:

- Water quantity
- Water quality
- Erosion and sedimentation
- Wetlands
- Groundwater
- Recreation, fish and wildlife
- Enhancement of public participation

#### **SECTION IV - ASSESSMENT OF PROBLEMS AND CORRECTIVE ACTIONS**

This section provides an assessment of existing or potential water resource related problems within the city. This section also describes potential structural, nonstructural and programmatic solutions or corrective actions to the identified problems.

#### **SECTION V - IMPLEMENTATION PROGRAM**

This section identifies the regulatory controls, management programs, stormwater design and performance standards, and capital improvements to be utilized by the City in implementing this SWMP.

#### **SECTION VI - IMPLEMENTATION PRIORITIES AND FINANCIAL CONSIDERATIONS**

This section presents improvement priorities and financial considerations that can be funded and implemented by the City in the near and longer-term future. This section also identifies the estimated costs and potential funding sources for implementing the proposed regulatory controls and programs.

#### **SECTION VII - STORMWATER MANAGEMENT AND EROSION CONTROL PLAN STANDARDS**

This section addresses stormwater management and erosion control standards the City reviews and enforces when new development or redevelopment occurs. Implementation of these standards will help minimize the impact of stormwater runoff from the site and to receiving downstream areas.

#### **SECTION VIII - AMENDMENT PROCEDURES**

This section presents the expected longevity of the SWMP and the process for making amendments consistent with future VLAWMO WMPs.

## **SECTION II – LAND AND WATER RESOURCE INVENTORY**

### **A. Introduction**

This section provides a generalized description and summary of land and water resource factors affecting the water resources within the City of North Oaks. The Physical Environment subsection presents local information on precipitation, geology, topography, soils, fish and wildlife habitat and unique features and scenic areas. The Human Environment subsection identifies local land use, public utility services, water based recreational areas and existing pollution concerns. The Surface Water Systems subsection presents information on the City’s drainage patterns, hydrologic systems, public waters and wetlands, floodplain areas, flood studies, shoreland management, and water quality. The Groundwater Resource Data subsection presents the information necessary for the City to address groundwater issues.

Much of the information contained within this section was compiled from available governmental sources. Whenever possible, the location of the information or additional resources has been identified or referenced.

### **B. Physical Environment**

#### **1. Location**

The City of North Oaks occupies approximately 8.97 square miles in northern Ramsey County as shown on **Map 1**. The communities adjacent to North Oaks are Shoreview, Lino Lakes, White Bear Township and Vadnais Heights. Stormwater runoff from North Oaks ultimately drains south to the Capitol Region and Ramsey Washington Metro watershed districts. Additional information on the City’s water resources is contained in the following sections.

#### **2. Precipitation**

For purposes of this SWMP and for the enforcement of citywide and individual stormwater management plans, the City will rely on synthetic storms based on a 24-hour duration.

Stormwater calculations must include the 24-hour, 2-, 10-, and 100-year Atlas 14 rainfall events, or most recent National Oceanic and Atmospheric Administration (NOAA) data. The USDA Natural Resource Conservation Service (NRCS) temporal storm distribution region Midwest and Southeast US (MSE 3) rainfall distribution is required for the modeling of Atlas 14 rainfall events.

The 10-year rainfall is typically used for the design of lateral storm sewers. The 100-year event is used for the analysis and design of pond and lake outlet structures and trunk storm sewer systems. For pond areas with no outlet structures, the 100-year, 10-day runoff event (9.94 inches) is used.

The use of synthetic storms and the cumulative rainfall amounts are consistent with VLAWMO WMP standards. Further documentation regarding these storms is available on the NOAA website.



**Table 1. NOAA Atlas 14 Rainfall Data**

Rainfall Frequency	Rainfall Depth (in)
1 Year	2.44
2 Year	2.80
10 Year	4.18
100 Year	7.25

### **3. Geology**

The Minnesota Geological Survey in a document titled Geologic Atlas of Ramsey County Minnesota (L. Swanson and G. Meyer, Editors, 1992) has compiled the general geology of Ramsey County and the City of North Oaks.

The surface geology of the city is illustrated on Map 2. The pink and red shaded areas indicate a predominance of sand and quartz deposits as a result of glacial outwash. The green and pink shaded areas are indicative of glacial till deposits with higher concentrations of clays and organic materials. The light blue shading indicates higher concentrations of sands.

The depth to bedrock within the city varies from 50 to 300 feet. The area of greater depths (>200 feet) to bedrock lies in the southwest parts of the city. A small pocket of shallow bedrock depths (less than 50 feet) is located on the southeast part of the city by the Hwy 96 railroad crossing. The remainder of the city has depths of 100 to 200 feet to bedrock.

The water table elevation varies from 920 to 895. The subsurface water movements are generally from east to west with the higher water tables found on the east side of the city. Water table elevations at any location fluctuate seasonally and are influenced by climate trends and pumping.

The surface geology has been shown to have only isolated areas of low permeability. The water table is therefore sensitive to surface pollution. An illustration of pollution sensitivity is shown on **Map 3**.

### **4. Topography**

The City of North Oaks topography can be classified as gently rolling to level. Surface elevations range from 884 feet above mean sea level (msl) on the southern part of the city to 1004 feet above msl on the northern part. Lakes and natural wetlands are abundant, especially in the more rolling eastern parts in the city.

### **5. Soils**

The USDA NRCS (formerly the Soil Conservation Service) completed the most recent Soil Survey for Ramsey County in 2006. This reference document maps the location of specific soil types

throughout the City of North Oaks and provides detailed data on the typical characteristics of each soil type. All NRCS soils information is available online in a convenient, easy-to-read format. If any proposed development involves significant grading operations, the City will require verification of the NRCS soil classifications by soil borings and a soil analysis.

## **6. Land Erosion (Runoff) Susceptibility**

Areas that are located on steeply sloping land and those that have been previously developed have a greater likelihood of generating more runoff than areas that have not been developed or are located on flat slopes. **Map 4** shows the different areas and their likelihood of generating runoff.

Areas in medium or high susceptible zones have a greater chance of producing runoff with high silt concentrations and/or urban pollutants. Great caution is necessary in highly sloped areas, especially if grading or constructing is taking place. Disturbed soils have a greater chance of erosion, especially those with high sand and fines content. Establishing and maintaining vegetation on exposed soil in areas of medium to high susceptibility is critical to keep silt and urban pollutants from washing into the City's natural drainage ways, wetlands, and lakes. BMPs for erosion and sediment control are to be a part of all new development and redevelopment projects in all susceptibility areas.

## **7. Unique Features and Scenic Areas**

The Minnesota Department of Natural Resources (MDNR) Natural Heritage and Non-game Research Program has identified the potential for several rare plant and animal species, as well as other significant natural features, within and near the City of North Oaks, as shown on **Map 5**. Per MDNR records, there are no occurrences of any rare plant or animal species within the city limits. However, proper inspections and actions are taken in conjunction with the MDNR guidelines before any land alteration or grading is scheduled to occur to ensure development will not affect rare plant or animal species.

The City does not contain any State- or Federally-owned wildlife and waterfowl management areas or any state or federal owned scientific and natural areas. However, there are large conservation areas that have dense forested cover and those areas are shown on **Map 6**. These areas have significant value and care is taken to maintain and preserve these areas.

# **C. Human Environment**

## **1. Land Use**

The City's Comprehensive Plan describes both existing Land Use, as shown on **Map 7**, and the proposed Land Use (extending to the year 2030). The majority of the developable area of the city has been fully developed to allowed densities. Approximately 7 percent of the developable lands are

vacant. Some potential for re-development at similar densities does exist. The information on future development and re-development is found in the City's Comprehensive Plan.

## **2. Public Utilities Services**

The City of North Oaks is located entirely within the former Metropolitan Urban Service Area (MUSA). While sanitary sewer service was available, the core part of the city developed primarily with large lots and the use of Individual Sewage Treatment Systems (ISTS). However, recent developments along the outer edges of the city have made use of private collection systems that discharge directly or indirectly into the metropolitan system.

The center part of the City of North Oaks is served by individual private wells. There are private water distributions systems along the edges of the city, which connect to the systems of abutting cities. Water is supplied in the eastern portion of the city from White Bear Township, and water on the west side of the city is supplied by the City of Shoreview. These systems are maintained by private contractors and the public works operations of those cities. The parcels served by private wells are shown on **Map 8**; **Map 15** shows the areas served by municipal sewer; and **Map 16** shows existing water systems.

## **3. Public Areas for Water Based Recreation**

There are no public areas for water-based recreation on any of the lakes in the City of North Oaks. Some of the lakes are classified as recreational lakes, but due to their role as a part of the St. Paul Regional Water Services (SPRWS), all recreational use is restricted, e.g. no fishing, no motorized craft and restricted access. There is a swimming beach on Pleasant Lake with docks and raft, boat landing, sailboat mooring, and canoe storage for the use of North Oaks residents.

## **4. Potential Pollutant Sources**

In the City of North Oaks, there are few land use practices that have the potential to contaminate either surface waters or groundwater. There are no open or closed landfills, dumps, hazardous waste sites, or underground or aboveground storage tanks. All in-place wells have been constructed in accordance with MDH standards and abandoned wells have been properly taken out of service.

There are a large number of private septic systems within the city. All ISTS sites are considered potential pollution sites by the City and the City has a program in place that monitors all systems.

# **D. Surface Water System**

This section summarizes the available surface water data within the city. Additional information is available from VLAWMO and SPRWS.

## **1. Public Waters and Wetlands**

The MDNR currently lists nine waterbodies within the City of North Oaks as public waters. Those public waters are listed in the table below. Minnesota Chapter 103G provides specific criteria for public status and the MDNR Public Waters and Wetlands (PWI) Map identifies the public water. **Map 9** is a compilation of public waters and public wetlands from the MDNR maps and the U.S. Fish and Wildlife maps.

<u>Waterbody</u>	<u>DNR ID</u>	<u>Acreage</u>
Pleasant Lake	62004600	690
Lake Gilfillan	62002700	102
Deep Lake	62001800	78
Charley Lake	62006200	38
Wilkinson Lake	62004300	105
Black Lake	62001900	11
North Mallard Pond	62002000	17
South Mallard Pond	62002000	7
Teal Ponds	62002601,2,3	13

The MDNR currently lists five public watercourses within the City of North Oaks. Those public watercourses are listed in the table below -

**Watercourses**

- Pleasant Lake to Sucker Lake
- Deep Lake to Pleasant Lake
- Charley Lake to Pleasant Lake
- 62-45 W (Long) to Charley Lake
- Wilkinson lake to Deep Lake

The various wetland inventories identify and classify wetlands based on two primary systems; Circular 39 and the Cowardin. The U.S. Fish and Wildlife Service (USFWS) developed their maps using both systems. The MDNR classified their public waters by using the Circular 39 system, and the NWI maps were defined by the Cowardin System. The Minnesota Board of Water and Soil Resources (BWSR) has prepared a brochure that gives a brief explanation of the two classification systems including photos of the different types of wetlands. It also provides translations between the two systems. The classification systems were developed for a wide variety of purposes and to assist in meeting differing water resource management goals. Although not comprehensive, these inventories can both be utilized in determining whether wetlands are present on a specific property and how land uses may be affected.

The City of North Oaks has no near-term plans to inventory the functional values of wetlands within the community but will review the functional values of impacted wetlands on a case-by-case basis

in accordance with Minnesota Statute, Section 103B.3355 during City review of individual project proposals. The City has delegated its responsibility as the Local Government Unit (LGU) under the Minnesota Wetlands Conservation Act (WCA) to VLAWMO and VLAWMO reviews all projects, including those that may impact wetlands, in accordance with State wetland laws and rules.

## **2. Flood Insurance Studies**

FEMA Flood Insurance Rate Map (FIRM) Number 27123C0030G was mapped June 4, 2010, showing areas mapped as Zone A floodplain for the six lakes within the City of North Oaks. See **Map 10** for FEMA floodplain. MDNR provides 100-year flood elevations within the city. The City requires new construction to provide flood protection from adjacent waterbodies. The lowest floor of new buildings shall be constructed a minimum of three feet above the project 100-year high-water elevations or MDNR OHW (whichever is higher) of nearby surface water bodies or stormwater ponds. The lowest opening elevations must be two feet above the emergency overflow elevations for adjacent water bodies or stormwater ponds.

## **3. Surface Water Drainage Information**

Surface water in the City of North Oaks primarily drains via natural drainage patterns and drainage ways. Historically, development within the city has comprised large lots and minimal grading to minimize alteration of the natural topography. Most site grading related to development projects is restricted to that necessary for rural roadways with drainage swales. Recent development projects around the perimeter of the city have included clusters of more dense land use and piped surface water collection systems. VLAWMO, acting as the appointed LGU for North Oak's water appropriations and the Wetland Conservation Act, has closely regulated the design of those systems. VLAWMO's JPA municipalities adopt and enforce the rules and standards established by VLAWMO's Water Management Policy.

## **4. City Sub-watershed Districts**

The following six sub-watershed districts encompass the city: TH 96 Sub-watershed, Gilfillan Lake Sub-watershed, Wilkinson Lake Sub-watershed, Deep Lake Sub-watershed, Charley Lake Sub-watershed and Pleasant Lake Sub-watershed. **Map 11** illustrates the sub-watershed districts and their boundaries. A brief description of each sub-watershed is given below.

- **TH-96 SUB-WATERSHED**

This sub-watershed district is a part of the VLAWMO East Vadnais/Sucker watershed district. It lies in the southwest corner of the city and includes the Village Center commercial area. The drainage from this sub-district is landlocked and is directed to ponds scattered throughout the sub-district. The commercial area drainage is served by a piped system to a central pond. The central pond has an overflow, which discharges to a second pond, which has been used infrequently. An emergency pumping station exists beyond the

second pond which has never been used. The soils in this area are highly permeable. The other ponds are located in residential or golf course areas.

- **GILFILLAN LAKE SUB-WATERSHED**

This sub-watershed district is a part of the VLAWMO Tamarack/Wilkinson watershed district. It lies in the southeast part of the city and includes North Mallard Pond, South Mallard Pond and the Teal Ponds as a part of the surface drainage system. This is an older area of the city and has been fully developed into low-density residential lots. It has a rolling terrain with several perched wetlands which ultimately discharge to Gilfillan Lake. Gilfillan Lake is landlocked but does not maintain appreciable water levels.

Historically, attempts were made to augment lake levels with pumping, but that practice has been discontinued. Gilfillan Lake has been identified as an impaired water for nutrient/eutrophication biological indicators. In April of 2014, VLAWMO published ‘Vadnais Lake Area WMO Total Maximum Daily Load (TMDL) and Protection Study’ outlining pollutant sources and reduction opportunities for Gilfillan Lake.

- **WILKINSON LAKE SUB-WATERSHED**

This sub-watershed district is part of the VLAWMO Tamarack/Wilkinson watershed district. It lies along the east side of the city and includes Black Lake and Wilkinson Lake. Most of the recent development activities in the city have occurred in this sub-district. The City and VLAWMO have required stormwater modeling and the use of BMPs as a part of each development. VLAWMO has acted as the LGU for regulation of this development. Wilkinson Lake has been identified as an impaired water for nutrient/eutrophication biological indicators. In April of 2014, VLAWMO published ‘Vadnais Lake Area WMO Total Maximum Daily Load (TMDL) and Protection Study’ outlining pollutant sources and reduction opportunities for Wilkinson Lake.

- **DEEP LAKE SUB-WATERSHED**

This sub-watershed district is a part of the VLAWMO Pleasant/Charley/Deep watershed district. Approximately 70 percent of the area in this district is designated as a permanent conservation district. The rest of the district is either developed as or planned for low-density residential use. Natural drainage patterns and drainage ways are predominantly used for surface water flows. Wilkinson Lake discharges to Deep Lake and is controlled by a flow control structure in the connecting channel. Flows are monitored and regulated by the SPRWS.

- **CHARLEY LAKE SUB-WATERSHED**

This sub-watershed district is a part of the VLAWMO Pleasant/Charley/Deep watershed district. This district lies along the northwest part of the city and contains Long Marsh,

which extends the length of the sub-watershed and ends at Charley Lake. Approximately half of this district is marshland and the rest is developed as low density residential lots. There is a small landlocked portion of the district, which abuts Hodgson Road (CR-47) along the west side of the city. This landlocked drainage area was modeled by Ramsey County as a part of a road reconstruction project. The drainage from this area flows into a pond constructed by Ramsey County on the Chippewa School site. Charley Lake has been shown to contain zebra mussels, an aquatic invasive species.

- **PLEASANT LAKE SUB-WATERSHED**

This sub-watershed district is a part of the VLAWMO Pleasant/Charley/Deep watershed district. This district lies in the center of the city and includes Pleasant Lake, the largest waterbody in the city. Pleasant Lake, along with Charley and Deep Lakes, are an integral part of the SPRWS water system and are closely monitored and maintained by that agency. The lands in the district that surround Pleasant Lake are fully developed as low-density residential lots. The district utilizes natural drainage patterns and drainage ways for surface flows. Pleasant Lake has been shown to contain zebra mussels, an aquatic invasive species.

## **5. Stormwater Modeling Information**

As part of the SWMP preparation, the Ramsey Conservation District conducted WINSLAMM modeling for Gilfillan and Wilkinson Lakes in 2012, and for Pleasant, Charley and Deep Lakes in 2015 to identify retrofit BMP's for possible implementation. The modeling was reviewed by VLAWMO. A water budget was developed for Gilfillan as a part of VLAWMO's Sustainable Lake Management Plan.

The City requires stormwater modeling on all developments and projects and submits the data to VLAWMO for review.

## **6. Modeling Limitations**

Modeling is based on assumed rain events consistent with VLAWMO water management Policy. When necessary, the analysis will model bodies of water extending beyond the city limits. Models do not establish official 100-year HWL elevations of specific waterbodies or pond areas. However, the analysis does provide a technical tool to assess risk and a mechanism to consider various stormwater-related alternatives.

## **7. Modeling Results**

The VLAWMO model provides pertinent hydrologic data taken for each of the sub-districts in North Oaks. The analysis results for peak discharge rates, types of flow routing (i.e. pond, storm line, etc.) 100-year HWL elevations, and ultimate overflow elevations are available from VLAWMO. The analysis evaluated existing conditions. Since land uses will remain constant throughout the time span of this plan, the analysis of future conditions is not warranted.

Documentation on the BATHTUB model and complete input parameters and results are available for review at the VLAWMO offices.

If the establishment of a 100-year flood elevation is required for any specific flooding source, VLAWMO will establish the elevation using appropriate vertical datum, surveys of existing topography and review of all flooding OHW data resources.

## **8. Flood Problem Areas**

Historically there have been few flooding problems associated with stormwater runoff. The City and VLAWMO will continue to apply acceptable stormwater and surface water management practices for current properties and potential development areas. The lowest floor of new buildings shall be constructed a minimum of three feet above the project 100-year high-water elevations or MDNR OHW elevation (whichever is higher) of nearby surface water bodies or stormwater ponds. The lowest opening elevations must be two feet above the emergency overflow elevations for adjacent water bodies or stormwater ponds.

## **9. Surface Water Quality Data**

The Minnesota Pollution Control Agency (MPCA) has water quality monitoring data on all six lakes in the city. The SPRWS has water quality monitoring sites on Pleasant Lake and the channels leading to Pleasant Lake from Deep Lake and Charley Lake. VLAWMO has included water quality monitoring of all other North Oaks lakes in its budget and work plan. The VLAWMO monitoring program involves local participation in the collection of samples. The results of those monitoring sites are available from the respective agency.

# **E. Groundwater Resource Data**

## **1. Groundwater and Surface Water Appropriations**

The City of North Oaks domestic water needs are satisfied mainly by individual wells. The few municipal water supply systems that do exist are along the eastern side of the city and are extensions of the White Bear Township water supply system. **Map 15** shows the location of the existing water distribution systems. The City does not plan to convert existing well users to a single municipal distribution system nor create a City supply source. Therefore, all future installations will be regulated and permitted by the Minnesota Department of Health and the White Bear Township Public Works Department.

## **2. Groundwater Plan**

Ramsey County is nearing completion of its Groundwater Protection Plan. The plan, which includes North Oaks, represents a variety of information on groundwater-related issues including an inventory of groundwater resources, potential contaminant sources, management of the resource, and local groundwater protection strategies. Many of the recommended protection strategies and



actions are directed toward local levels of government (i.e., Cities and Townships). This SWMP includes goals and polices which are consistent with the Ramsey County Groundwater Protection Plan.

## **SECTION III – ESTABLISHMENT OF GOALS AND POLICIES**

The City of North Oaks has developed the goals and policies contained in this section to conform with the water resource purposes specified in Minnesota Statute Section 103B.201. They have also been developed to be consistent with existing State, Regional, and County goals and policies. The general purposes of the goals and policies are as follows:

- Protect, preserve, and use natural surface and groundwater storage and retention systems;
- Minimize public capital expenditures needed to correct flooding and water quality problems;
- Identify and plan for means to effectively protect and improve surface and groundwater quality;
- Establish uniform local policies and official controls for surface and groundwater management;
- Prevent erosion of soil into surface water systems;
- Promote groundwater recharge;
- Protect and enhance fish and wildlife habitat;
- Secure the other benefits associated with the proper management of surface and groundwater.

The goals and policies developed by the City address water quality, water quantity, erosion and sediment control, wetlands, groundwater, recreation, fish and wildlife, and enhancement of public participation. Outlined below are the goals and policies developed for each of the above topics.

### **A. Water Quantity**

**Goal: To limit public capital expenditures necessary to control excessive volumes and rates of runoff.**

**Policies:**

1. The City will require that proposed stormwater discharges as a result of development be equal to or less than existing conditions. Increase in discharge rates and volumes in areas of development may be considered provided the downstream facilities can handle the increases.
2. Where practical and feasible, stormwater facilities will be developed on a regional basis, rather than on an individual site basis. For land development projects, the City will determine whether regional stormwater facilities are required and the level of City participation in planning and construction.
3. The City will review downstream stormwater-related impacts (within the community) of development proposals and proactively address water resource-related concerns.

4. The design of trunk and lateral lines will accommodate the 10-year storm event. Design of BMP outfalls will accommodate the 100-year rainfall event. Additional information on stormwater design standards is contained in Sections V and VII.
5. Stormwater facilities receiving discharges from adjacent communities will be designed to accommodate those existing runoff rates and anticipated volumes.
6. Peak stormwater rates discharging from the city into an adjacent community will not exceed pre-development discharge rates without notifying and obtaining approval from the adjacent community or communities.
7. The lowest floor of new buildings shall be constructed a minimum of three feet above the project 100-year high-water elevations or MDNRR OHWL (whichever is higher) of nearby surface water bodies or stormwater ponds. The lowest opening elevations must be 2' above the emergency overflow elevations for adjacent water bodies or stormwater ponds.
8. The City will consider the development of positive outlets for landlocked areas to control water levels on the site or areas adjacent to the developing property. The outlets shall incorporate stormwater volume controls where feasible and shall not significantly impact downstream flooding.
9. The City will encourage the minimization of the amount of direct impervious surface planned for any development. The City will also encourage the use of natural drainage ways for conveying stormwater, provided the drainage ways can properly channel the stormwater flows and volumes before ultimately reaching an existing or proposed waterbody.
10. Enhanced infiltration practices will be encouraged in areas where the present or future land use does not have a significant potential to contaminate either stormwater runoff flows or groundwater infiltration.
11. Wetlands within the city will be protected to ensure that the wetland's values for providing water quantity benefits will not be significantly impacted.

## **B. Water Quality**

**Goal: To maintain or improve water quality of City waterbodies and wetlands.**

**Policies:**

1. In the design and construction of new stormwater conveyance systems, or modification of existing systems, pretreatment of stormwater runoff will be required prior to discharge to a waterbody or wetland. Pretreatment methods shall include wet detention basins and other BMPs identified in the current MPCA NPDES Construction Stormwater General Permit or equivalent performance standards. Additional information on design standards are provided in Sections V and VII.

2. Ponding areas constructed for water quality improvements shall include a skimmer at the pond outlet to prevent migration of oil and other floating materials in stormwater runoff to downstream receiving waters.
3. The City will require ISTS to conform to the City's On-Site Sewage Treatment Systems Code. **Map 13** shows locations of potential pollution sources including SSTS.
4. The City will enforce elimination of illicit (illegal) connections to piped stormwater systems. The City will also coordinate on illicit connection removal efforts with Ramsey County.
5. The City will require the implementation of erosion and sediment control plans and BMPs for construction and land development activities in accordance with the developer's Storm Water Pollution Prevention Plan (SWPPP) for construction activity requirements as required by the MPCA.
6. The City will require proposed land development projects adjacent to lakes and wetlands to adhere to the VLAWMO Wetland Replacement Criteria for wetland buffers. **Map 12** shows wetland management classifications as determined by VLAWMO.
7. The City will protect wetlands within the community to ensure that the wetland functions are maintained and that the wetlands' values in providing water quality benefits will not be significantly impacted.
8. The City will continue implementation of the public education program to foster responsible water quality management practices by City residents and businesses. The public information will include proper lawn fertilizing and other lawn chemical use, disposal of lawn waste, and disposal of solid, liquid, and household hazardous waste products. The City will work to accomplish these tasks through partnerships with other organizations such as VLAWMO, businesses, and private citizen groups.
9. The City will support VLAWMO, the SPRWS and the MPCA on water quality monitoring programs proposed within the community.

## **C. Erosion and Sedimentation Control**

**Goal: To prevent erosion and sedimentation to the maximum reasonable extent.**

**Policies:**

1. The City will require the preparation and implementation of erosion and sediment control plans and BMPs for construction and land development activities in accordance with the

- developer's approved SWPPP for construction activity requirements as required by the MPCA. The City will obtain a financial surety from the proposed project to ensure compliance.
2. The City will enforce the erosion and sediment control plan and BMPs on construction sites to prevent erosion and soil loss and control sediment migration. Areas adjacent to waterbodies and wetlands, or to have known high erosion potential will receive highest priority.
  3. The City will cooperate with State and Federal requirements for stormwater permits on land alteration activities.
  4. The City may prohibit work in areas having steep slopes and/or high erosion potential when the impacts of significant erosion cannot be controlled or mitigated. The City will not allow work to commence in areas that have greater than 18 percent slopes.

## **D. Wetlands**

**Goal: To protect wetlands in conformance with the requirements of the Minnesota Wetland Conservation Act rules and other State, Federal and Local regulations.**

**Policies:**

1. The City will continue to designate VLAWMO as the LGU responsible for wetland management and VLAWMO will manage these wetlands in conformance with the Minnesota Wetland Conservation Act (WCA) of 1991, its amendments and rules (i.e. MN Rules Chapter 8420).
2. The City will refer applicants to MDNR, MPCA, U.S. Army Corps of Engineers (USCOE), and VLAWMO for permits required for land disturbing activities (e.g. altering, dredging, filling, and draining) in wetlands.
3. The City will coordinate with the permitting programs of the MDNR, MPCA, USCOE and VLAWMO for proposed activities within jurisdictional wetlands.
4. The City will utilize available wetlands inventory information developed by the USFWS, MDNR, Metropolitan Mosquito Control District and VLAWMO preliminarily to identify the location of wetlands on properties where land alteration is proposed.
5. The City will require a wetland delineation report identifying jurisdictional wetlands as part of the City approval process for land development. If wetland encroachments are proposed as a part of the development, wetland values and impacts will be evaluated on a case-by-case basis in accordance with the requirements of the WCA and VLAWMO rules.
6. The City will require pretreatment of stormwater runoff prior to discharge to any waterbody or wetland. Pretreatment methods shall include wet detention basins or other BMPs

identified in the current MPCA NPDES Construction Stormwater General Permit or equivalent performance standards.

7. The City will cooperate with interested private or governmental parties on wetland restoration projects and may participate in the State's wetland banking program.
8. Buffer strips shall be managed to maintain a dominance of native plant species and removal of non-native plant species. The width of the buffer strips will be in accordance with VLAWMO standards. **Map 12** shows wetland management classifications as determined by VLAWMO.

## **E. Groundwater**

**Goal: To protect groundwater by prudent management of surface waters.**

**Policies:**

1. The City will cooperate with County and State agencies to inventory and seal abandoned wells and notify its residents of State standards on well abandonment.
2. The City will require ISTS to be in conformance with the City's On-Site Sewage Treatment Systems Code.
3. The City will consider the significance of sensitive geologic areas when making land use decisions, when reviewing development proposals, or when proposing construction of stormwater facilities. Activities that may have significant contamination potential will be required to include groundwater protection measures.
4. The City will encourage the use of infiltration methods to promote groundwater recharge where groundwater will not be significantly impacted by the land use or stormwater runoff.
5. The City will eliminate known illicit (illegal) connections to stormwater systems. The city will also cooperate with the illicit connection removal efforts of Ramsey County.

## **F. Recreation, Fish and Wildlife**

**Goal: To protect and enhance recreational facilities, and fish and wildlife habitat.**

**Policies:**

1. The City will support the efforts of Local, State, and Federal agencies promoting public enjoyment, and the protection of fish, wildlife, and recreational resource values in the city.
2. The City will protect wetlands in accordance with the goals and policies of this plan.
3. The City will require native buffer zones around wetlands and ponding areas in new developments and restrictive easements for areas adjacent to the waterbodies and streams. The width of the buffer zones will be in accordance with VLAWMO standards. **Map 12** shows wetland management classifications as determined by VLAWMO.

4. The City will encourage its residents to retain existing wetlands, vegetative buffers, and open spaces for the benefit of wildlife habitat.
5. The City will guide future land planning activities and encourage community development actions to include agricultural preserves and to protect existing wooded areas.

## **G. Enhancement of Public Participation, Information and Education**

**Goal: To educate and inform the public on water resources management issues, and to increase public participation in water management activities.**

**Policies:**

1. The City will continue the current public education program to foster public participation in responsible water quality management practices by residents and businesses. The public education topics include: fertilizer use and the limited need for phosphorus in fertilizer; lawn care and lawn chemical use; solid, liquid and household hazardous waste disposal; and natural water resource systems and protection methods.
2. The City will coordinate public information and education programs with information and activities from State and Federal agencies and VLAWMO.
3. The City currently distributes water resource and water quality-related information to residents at least once annually. The City will also have water resource protection information available at City Hall and on the City's website for review by its residents.
4. The City will have water resource and water quality information available for public review at City Hall. The library will contain resources referenced in this SWMP, public information on water quality practices and activities, the North Oaks MS4 General Permit and associated SWPPP, and other water resource-related documents and information.
5. The City will use its Environmental Commission to address water resource-related public education and information, solicit public concerns and issues, and develop further water resource management strategies as issues arise.
6. The City will require lawn care companies operating in the community to have phosphorus-free fertilizer available for lawn applications and prohibit phosphorus to be used as fertilizer unless if allowed under Minnesota Statute 18C.60.
7. The City will utilize the programs developed by VLAWMO and the Ramsey Conservation District (RCD) in local education programs, including notifying residents and officials of educational opportunities, airing programs on local cable television and distributing informational pamphlets.

## **SECTION IV – ASSESSMENT OF PROBLEMS AND CORRECTIVE ACTIONS**

This section contains an assessment of existing and potential water resource-related problems presently known within the city and a description of structural, non-structural, or programmatic solutions that could be used to address or correct the problems. Additional problems and concerns may be included in this SWMP by City staff at a later date. Some of the topics discussed herein are repetitive because they are presented according to the State rules and outline for local management plan preparation. VLAWMO has completed a work plan for a TMDL in the impaired waters of Gilfillan Lake and Wilkinson Lake. VLAWMO has prepared Sustainable Lake Management Plans for Lake Gilfillan, Wilkinson Lake, and Black Lake that will address numeric water quality goals. Additionally, VLAWMO has prepared an Urban Stormwater Retrofit Analysis for the Pleasant, Charley, and Deep Lake Watershed, which includes recommendations and retrofits for water quality improvements.

### **A. Surface Water Quality**

#### 1. Assessment:

- a. Failing on-site sewage treatment systems may be located adjacent to wetlands, waterbodies, drainage ways and streams.
- b. The quality of surface water discharge is impacted due to sediment build-up in stormwater ponds.
- c. Sediment-laden runoff discharged directly into waterbodies from roadway areas and storm sewer outfall pipes without prior pretreatment. **Map 14** shows the existing storm sewer systems within the city.

#### 2. Corrective Action:

- a. The City shall continue to enforce on-site sewage system maintenance and replacement programs.
- b. The City will continue to implement its stormwater facility inspection and maintenance program.
- c. The City will continue to stringently enforce erosion control standards for land development and home building activities; prioritize street sweeping for areas draining directly into waterbodies; require new storm sewer outfalls to incorporate stormwater treatment prior to discharge; incorporate stormwater treatment in system upgrade projects; require regular maintenance of stormwater ponding and piping facilities and construct natural or structural sediment control buffers at the end of roadways draining into waterbodies.

### **B. Flooding and Rate Control Issues**

#### 1. Assessment:



- a. Based on the 100-year, 24-hour storm event modeling, there are no places in the city that experience flooding if drainage ways and drainage systems are properly maintained.
  - b. Flooding may be caused by the receiving storm sewer facility being plugged by debris.
2. Corrective Action:
    - a. The City shall ensure that peak discharge rates from any new construction site does not exceed existing rates.

### **C. Impacts of Water Quantity or Quality Management Practices on Recreational Opportunities**

1. Assessment:
  - a. Existing land use activities and land development within the city may adversely impact water-related recreational activities.
2. Corrective Action:
  - a. Water-related recreational activities will be considered in land use decisions and in reviewing land development proposals.
  - b. The City's stormwater management practices and the implementation of erosion prevention and sediment control practices will maintain and improve water quality in waterbodies, increasing their value as recreational resources.

### **D. Impacts of Stormwater Quality on Fish and Wildlife Resources**

1. Assessment:
  - a. Sediment, nutrients and urban pollutants in untreated stormwater discharges adversely impact water quality and fish and wildlife resources.
  - b. Manicured lawns immediately adjacent to lakes and wetlands allow lawn chemicals to discharge directly into waterbodies and encourages habitation of lawns by Canadian geese with the resulting deposition of waterfowl waste.
2. Corrective Action:
  - a. Stormwater discharges will be pre-treated prior to release into City-owned waterbodies and wetlands.

- b. A buffer zone will be required around natural or constructed waterbodies natural, unmaintained as part of future development proposals and buffer zones will be established around all waterbodies, wetlands and watercourses.

## **E. Impacts of Soil Erosion on Water Quality and Quantity**

### 1. Assessment:

- a. Construction-related soil erosion can occur on small and large-scale construction projects. Sediment can be discharged off-site or into waterbodies by direct runoff or by construction equipment tracking sediment off-site.
- b. Erosion of steep slopes due to natural causes or construction activities can adversely impact waterbodies or watercourses.
- c. Shoreline erosion may occur due to natural causes, lakeside activities, or lack of natural vegetation adjacent to the waterbody.

### 2. Corrective Actions:

- a. Erosion prevention and sediment control plans will be prepared, implemented, and enforced on construction projects to prevent adverse water quality impacts.
- b. Existing eroding steep slopes will be addressed and corrected as part of development proposals. Development on slopes steeper than 18 percent will not be allowed.

## **F. General Impact of Land Use Practices, and in Particular, Land Development and Wetland Alteration on Water Quality and Water Quantity**

### 1. Assessment:

- a. Land use practices, land development and wetland alterations may have a significant impact on water quality and water quantity. Impervious surfaces are often the receiving source of urban pollutants and contribute more runoff volume than natural land and vegetation. Increased development in the city has the potential to increase downstream flooding and degrade water quality.
- b. Land development in adjacent communities could increase the flooding potential within the city and future land development in North Oaks, without proper planning, may increase the flooding potential in neighboring communities.

### 2. Corrective Actions:

- a. Implementation of the stormwater management practices within this SWMP will address potential negative impacts of land development. The City will work with new development proposals to remedy existing drainage problems. Implementation and enforcement of

erosion control BMPs will protect the quality of surface waters. In addition, the City will also continue to monitor lot coverage amounts for newly developing areas.

- b. Continuing communications and cooperation with adjacent communities and VLAWMO will reduce unanticipated impacts of land development impacting other communities and improve joint water resource planning and improvement efforts.

## **G. Adequacy of Existing Regulatory Controls to Manage or Mitigate Adverse Impacts on Public Waters and Wetlands**

### 1. Assessment:

- a. Public waters and wetlands are currently regulated by programs administered by the USCOE, MDNR, and Minnesota's WCA. The City has designated its responsibilities of the LGU to VLAWMO and VLAWMO currently partners with the City in administering the WCA requirements. The City has and enforces the provisions of a Shoreland Ordinance.

### 2. Corrective Action:

- a. It is the City's position that the existing regulatory programs and the implementation of this SWMP will adequately manage or mitigate adverse impacts on public waters and wetlands.

## **H. Adequacy of Programs to Limit Soil Erosion and Water Quality Degradation**

### 1. Assessment:

- a. As part of the land development or alteration, the City requires the qualified preparation of stormwater management plans which include erosion and sediment control plans to address temporary and permanent water quantity and quality issues and erosion concerns. If stormwater management facilities are not properly constructed or if erosion prevention practices are not implemented or maintained, the result may be the degradation of water quality.

### 2. Corrective Action:

- a. The City will continue to enforce compliance with approved plans and require verification that permanent stormwater management facilities have been constructed. If requested, VLAWMO will provide comment on erosion control plans and may provide site inspection comments in specific instances.

## **I. Adequacy of Existing Programs to Maintain the Tangible and Intrinsic Values of Natural Storage and Retention Systems**

### 1. Assessment:

- a. Waterbodies within the city contain varied and diverse wildlife. Land use activities and future land development have the potential to reduce recreation and wildlife opportunities and the natural values of the waterbodies.

2. Corrective Action:

- a. It is the City's position that the existing State, Federal, VLAWMO and other Local regulatory controls will maintain the tangible and intrinsic values of the waterbodies.
- b. VLAWMO will maintain flood storage volumes below the 100-year elevations of all waterbodies. The City will require protective easements below 100-year flood elevations for the protection and maintenance of the waterbodies and require natural buffer zones adjacent to waterbodies on future development proposals.
- c. The City will support the on-going water quality analysis and diagnostic feasibility studies of its lakes to further determine conditions of the waterbodies, potential expanded uses, and long-term impacts of existing or future land activities.

**J. Ability to Correct Problems Related to Water Quality, Water Quantity Management, Fish and Wildlife Habitat, Public Waters and Wetland Management, and Recreational Opportunities.**

1. Assessment:

- a. The City does not currently include any locally-funded stormwater related improvements.

2. Corrective Action:

- a. The City will partner with VLAWMO to identify and prioritize stormwater-related improvements and the need for the City to be involved with project financing. The VLAWMO TMDL study addressing State-listed impaired waters will help set improvement priorities. In addition, the City will address a variety of water quality and quantity issues in conjunction with land development proposals as they occur.

**K. Future Potential Problems Anticipated to Occur Within Next 20 Years Based on Growth Projections and Planned Urbanization**

1. Assessment:

The 2018 Comprehensive Plan identifies staged growth areas within the City to the year 2030. Projected development is primarily in the northeast part of the city, in the Wilkinson Lake and Deep Lake sub-watershed districts. The following are potential stormwater related problems and issues anticipated to occur from development.

- a. General – Development with an associated increase in impervious surfaces has the potential to decrease water quality and increase flooding potential both during construction and after development is complete. During construction, erosion and sedimentation can degrade water

quality and in the longer-term, additional phosphorus and other pollutants may be discharged to waterbodies due to urbanization.

- b. Roadways – Private roads in the city have the potential to degrade water quality by roadway erosion, insufficient culvert size or length, and road encroachment into wetlands.
- c. Pond and Stormwater Maintenance – Development will increase the number of private stormwater ponding and drainage facilities. For the facilities to adequately and effectively function, routine inspection and maintenance will be required. Private funds will need to be expended for stormwater-related inspections and maintenance.
- d. Minor Storm Sewer and Water Quality Improvements – There may be occasional public pressure to address minor storm sewer or drainage problems and water quality issues within the City. The projects are often difficult to fund and to obtain wide community support due to perceived limited benefit.

2. Corrective Action:

- a. General – To maintain water quality and protect against flooding, development will need to follow an orderly process of site evaluation, design, and construction inspection. Construction activities will need to include erosion prevention practices and site development will need to incorporate stormwater ponds and storm drainage facilities for the control of surface waters.
- b. Roadways – Private road maintenance and improvement projects will need to address stormwater quantity and quality issues such as wetland protection, slope stabilization, culvert capacity, erosion, and pretreatment of stormwater.
- c. Pond and Storm Sewer Maintenance – A citywide pond and storm sewer maintenance program is implemented (per MS4 Phase II requirements). Maintenance agreements should be established identifying maintenance programs, responsible parties, and consequences for non-compliance. **Map 14** shows existing storm sewer systems within the city.
- d. Minor Storm Sewer and Water Quality Improvements – Minor stormwater-related improvements should be identified and prioritized as they occur.

## **SECTION V – IMPLEMENTATION PROGRAM**

This section identifies the various methods, programs and official controls available to the City for the implementation of this SWMP. Many of these items are already in place and currently utilized by the City.

### **A. City Regulatory Controls**

The City has various regulatory controls to manage and protect water resources and reduce stormwater-related impacts in the community. The following presents each of the official controls:

#### **Wetland Regulation**

The City has designated its responsibility as the LGU under the Minnesota WCA to VLAWMO and VLAWMO will review wetland impacts in accordance with the State wetland law and rules and the VLAWMO Water Management Plan.

#### **Subdivision Ordinance**

The City has adopted a Subdivision Ordinance controlling the land use and development of property within the community. In addition to other items, the ordinance addresses City project review and approvals, development of steep slopes, the necessity of erosion and sediment control plans, design standards for stormwater facilities and required drainage and utility easements.

#### **Stormwater Management and Erosion Control Plans**

The City will perform its role as the Local Water Planning Authority (LWPA) in its partnership with VLAWMO and through the City permitting process will enforce compliance with VLAWMO standards and rules as well as with the MPCA NPDES Construction Stormwater General Permit.

#### **Wetland Protection**

The City will coordinate with VLAWMO as the permitting authority for wetlands protection in conformance with the State WCA laws and rules.

#### **Dredging**

The City will not assume responsibility for permitting this activity. This permitting responsibility will be administered by VLAWMO, State and Federal agencies.

#### **Shoreland and Streambank Improvements**

The City will assume responsibility for permitting this activity through its Shoreland District Ordinance.

### **B. Management Programs**

The City will implement or encourage the following water resource-related management protection programs.

### **Buffer Requirements**

The City will require natural, unmaintained wetland buffers consistent with VLAWMO standards riparian to lakes, wetlands and waterways in development proposals. In addition, the City will encourage the placement of natural buffers around all waterbodies.

### **Best Management Practices**

NOHOA will sweep paved roadways at least one time per year with highest priority given to roadways draining directly to waterbodies untreated.

### **Public Education**

The City will continue its public education program to foster sound water resource protection practices within the community and to develop additional strategies necessary to protect the City's water-related amenities.

### **Water Quality Monitoring**

The City will support the efforts of VLAWMO, SPRWS, MPCA and other agencies collecting water samples in the city.

## **C. Stormwater Design and Performance Standards**

The City will use the following design and performance standards to manage stormwater, reduce flooding impacts, and plan for future development.

### **Maximum Flow Rates**

1. General Standards - Maximum stormwater discharge rates will be controlled on a sub-watershed district basis to not exceed the existing sub-watershed district flow rates.
2. Exception – Sub-watershed district discharges may exceed existing conditions provided the stormwater conveyance system in the downstream district is adequate to convey the additional discharges and will not adversely affect receiving waterbodies.

### **Ponding Facilities**

If stormwater ponding facilities are proposed, they shall be designed and constructed in accordance with the water quantity and quality requirements of this SWMP and the VLAWMO WMP.

Detention ponds shall be designed for the 100-year critical design storm event with multi-staged

outlets to control the 2-, 10-, and 100-year, 24 hour storm events. Water quality ponds shall meet the MPCA's recommendations or equivalent performance standards. Stormwater ponds shall include a skimmer to prevent migration of oils and other floating pollutants to downstream receiving waters. Additional pond design standards are provided in Section VII.

### **Stormwater Conveyance Systems**

Trunk storm sewer and conveyance systems downstream of ponds or other stormwater storage areas shall be capable of conveying the 100-year storm event discharge from the storage facility. Lateral storm sewers within site developments shall be designed for the 10-year storm event. Roadway culverts shall be designed to convey the 10-year storm event with a minimum of 1-foot of freeboard between the street and surcharged culvert high water level. **Map 14** shows existing storm sewer systems. Natural drainage ways used for trunk or lateral storm drainage shall be bio-engineered or structurally armored to prevent erosion.

### **Floodplain Standards and Minimum Building Floor Elevations**

Storage volumes below floodplains and projected 100-year HWLs shall be maintained. Fill which displaces storage volumes below floodplains, if allowed, shall be mitigated within the same floodplain. Filled and excavated areas below the floodplain shall be protected to prevent erosion. The lowest floor of new buildings shall be constructed a minimum of three feet above the project 100-year high-water elevations or MDNR OHW (whichever is higher) of nearby surface water bodies or stormwater ponds. The lowest opening elevations must be two feet above the emergency overflow elevations for adjacent water bodies or stormwater ponds.

### **Incorporation of Additional Stormwater Best Management Practices**

The City will encourage the use of infiltration practices, where feasible. Where infiltration is infeasible, the City will encourage use of alternative BMPs in place of, or in addition to, stormwater ponds. All BMP designs shall adhere to the guidance provided by the MPCA Minnesota Stormwater Manual and will be subject to the same flood protection requirements as stormwater ponds. Additional alternative BMP design standards are presented in Section VII.

## **D. Phase II MS4 General Permit Program**

The MPCA has issued permit coverage to the City to discharge stormwater as defined in the MS4 General Permit (MNR040000). The intent of the Phase II NPDES MS4 Program is to help municipalities to reduce or control the amount of stormwater runoff, both in the form of water quality and rate control. Another key component is to educate businesses and the public about proper stormwater management. The program is comprised of six minimum control measures (MCMs). Those measures are:

1. Public education and outreach
2. Public participation/involvement
3. Illicit discharge, detection, and elimination



4. Construction site runoff control
5. Post-construction site runoff control
6. Pollution prevention/good housekeeping

To obtain the MS4 permit coverage, the City must develop a SWPPP that contains BMPs for each MCM. These MCMs must have attainable goals for each BMP. BMPs are defined by the MPCA as practices to prevent or reduce the pollution of the waters of the state, including schedules of activities, prohibitions of practices, and other management practices, and also includes treatment requirements, operating procedures and practices to control plant site runoff, spillage or leaks, sludge, or waste disposal or drainage from raw material storage.

The current Phase II NPDES MS4 General Permit (MN R 040000) is available online to view and is located on the MPCA website. The website also contains additional information on the MS4 Phase II program including guidance and further explanations. The City has submitted yearly annual reports showing compliance to permit requirements. The current permit will be in effect until August 1, 2018. At that time, the MPCA will re-issue the permit for a period of five years. The City SWPPP is available for review at the City offices.

## **SECTION VI – IMPLEMENTATION PRIORITIES AND FINANCIAL CONSIDERATIONS**

### **A. Implementation Priorities**

This SWMP has presented an implementation program identifying those various regulatory controls, management programs and potential capital improvements that are necessary to address City surface water resource-related needs and funding capabilities. Table 2 below prioritizes the implementation program. It is the City’s position that regulatory controls and management programs will be effective once this SWMP is adopted by the City Council. Capital improvements will need to be implemented and funded by private parties or the City based upon city growth, demand, and available resources.

**Table 2. Implementation Program Priorities**

<b>Ranking</b>	<b>Implementation Program Description</b>
1	Adequate planning and engineering review of all new development or redevelopment sites and roadway improvements for conformance with goals, policies, and management objectives of this SWMP.
2	Inspection and enforcement of erosion prevention measures for site development and agricultural land uses.
3	Inspection of stormwater facilities and providing adequate maintenance as required.
4	Acquire easements for ponding areas, stormwater facilities, and for access to outlet control structures.
5	Continued implementation of the public information and education plan.
6	Construct or require construction of capital improvements to address future stormwater-related problems.

## **B. Financial Considerations**

Implementing this SWMP will have financial impacts on the City. The paragraphs below describe the implementation item and the anticipated cost of the associated regulatory control or management program. These are not necessarily new costs to be budgeted by the City since many of these costs are already being charged back to developments or included within current City programs. The anticipated costs of future capital improvements are not included in this SWMP since none are needed at this time. The subsection to follow identifies estimated funding the City requires to implement these programs and future capital improvements.

1. The City will review site plans and other proposed projects for conformance with this SWMP. The estimated cost for this item is \$5,000-10,000 per year. These costs will generally be recouped from new developments.
2. The City will inspect and enforce erosion control measures identified in this SWMP. The estimated cost for inspection is \$15,000-20,000 per year. Permit fees associated with building activities will recover portions of these costs.
3. The City will inspect stormwater basins, ponds, and outfalls every other year at a minimum. The City will also inspect all structural pollution control devices every year. Structural devices include trap manholes, sump manholes, floatable skimmers and traps, and separators. The estimated cost for this task is \$5,000-7,000 per year.
4. Acquisition of easements around ponding areas, stormwater facilities or for access to outlet control structures will be identified during the City project review process. Some easements can potentially be obtained during the project review process. The additional cost for this item will vary greatly based on project approval conditions and the value and use of property within the easement areas.
5. Funding needed to provide the public information and education plan. The plan is part of Phase II NPDES MS4 permit requirements. The estimated cost to provide education mailings is \$1,000 to \$5,000 per year. The City will work to share educational resources with other concerned parties such as VLAWMO, the RCD and other parties concerned with stormwater management.
6. Construction of capital improvements addressing future surface water problem areas or anticipated problems due to development will require detailed engineering feasibility studies, construction documents and property easements. The specific improvements will need to be determined based on need, cost, and availability of funds.

## **C. Funding Sources**

The City currently uses general tax revenues and development fees to fund the programs identified in this SWMP. While the general tax revenues and fees can likely fund the regulatory and management programs, alternative resources will generally be required to fund larger capital improvement projects.

Other revenue sources available to the City include the use of special assessments. A watershed management tax is used by VLAWMO as its funding source. The City will review each potential funding source and determine the most appropriate and acceptable course of action for each program or project.

## **SECTION VII – STORMWATER MANAGEMENT PLAN AND EROSION CONTROL STANDARDS**

All new construction or redevelopment projects generating or disturbing over 1.0 acres of impervious surfaces or disturbing over 10,000 sf of land will be required to prepare and submit a stormwater management plan and erosion control plan for review to VLAWMO and City meeting the following standards. All construction sites, regardless of size, will be required to provide and maintain minimum erosion prevention and sediment control measures during construction. The VLAWMO TMDL may include waste load allocations.

### **A. Stormwater Management Plan Standards:**

1. The City of North Oaks has adopted performance goals consistent with those outlined by the MPCA Minimal Impact Design Standards (MIDS). For new, nonlinear development, these standards require retention of 1.1 inches of runoff from proposed impervious surfaces. Nonlinear, redevelopment projects are required to retain 1.1 inches of runoff from all new and/or fully reconstructed surfaces on site. Linear projects are required to retain the greater of either 0.55 inches of runoff from fully reconstructed impervious surfaces or 1.1 inches of runoff from the net increase in impervious surfaces.
2. The ‘MIDS Design Sequence Flow Chart’ outlines flexible treatment options should the site contain any design restrictions such as, but not limited to, poor quality soils, shallow bedrock, or groundwater contamination.
3. The rate of runoff from a developed site shall not exceed peak direct runoff discharges that existed prior to development. The rate of runoff from a redeveloped site shall not exceed peak direct runoff discharges that exist at the time of redevelopment. In cases where peak direct discharge rates are not identified, the developed peak rates shall not exceed existing conditions for the 2-, 10-, and 100-year storm events.
4. All proposed stormwater BMPs shall be required to maintain or improve stormwater quality prior to discharge from the site. BMP’s shall be designed in accordance with MPCA Minnesota Stormwater Manual standards or equivalent performance standards.
5. All ponding facilities (wet detention basins, dry ponds, infiltration basins, etc.) shall be located at or above the 100-year flood elevation at the site and shall provide easement areas for future access, vegetative buffers and prevention of future encroachments or filling. Ponding outlets on wet detention basins shall include skimmer devices to remove oils and other pollutants. Skimmer device inlets must be placed at least 1 foot below the treatment pond’s established NWL.
6. The volume of site runoff may not increase due to the proposed project when the receiving area downstream is landlocked and not capable of accommodating the increased volume of runoff. In landlocked areas, the City will encourage construction of a stormwater outlet system and will

require easements around ponded water areas and the downstream conveyance systems. A 100-year, 10-day runoff event (9.94 in.) shall be used to determine flood impact to any landlocked area when no outlet can feasibly be provided.

7. Runoff draining onto a site must be accommodated in the analysis and design of new stormwater management facilities.
8. The lowest floor of new buildings shall be constructed a minimum of three feet above the project 100-year high-water elevations or MDNRR OHWL (whichever is higher) of nearby surface water bodies or stormwater ponds. The lowest opening elevations must be 2' above the emergency overflow elevations for adjacent water bodies or stormwater ponds. Emergency overflows shall be provided and identified on plans to protect structures against flooding.
9. Stormwater design analysis shall utilize an industry standard hydrograph, routing method and time of concentration determination. Storm sewer lateral systems for individual sites shall be analyzed utilizing the rational method. Stormwater pond areas and downstream conveyance systems shall be designed for the 100-year, 24-hour storm event with a multi-staged outlet to control the 2-, 10-, and 100-year, 24 hour storm events to pre-development levels. Lateral storm sewers shall be designed to accommodate the 10-year storm event. Runoff "C" values and IDF curves used for the rational method shall be in accordance with MnDOT Drainage Manual, dated September 27, 2005, as revised herein.
10. BMPs will be required to comply to all MPCA standards regarding infiltration/filtration and will be subject to approval by the VLAWMO and the City Engineer. Example BMP's include:
  - infiltration basins
  - organic filters
  - filtration basins with underdrain discharge
  - proprietary filters
  - disconnected impervious
  - rainwater gardens
  - bioretention areas
  - off-line retention areas
  - green roofs
  - underground (in)filtration systems
  - sand filters
  - enhanced swales
  - natural depressions
  - rainwater reuse
  - pervious pavement
  - tree trenches

If basins are approved, the owner must provide a maintenance agreement for each basin constructed. The City will not maintain private infiltration basins.

11. Alternative stormwater BMPs will be allowed where practicable and feasible. Each individual BMP downstream conveyance system shall be designed for the 100-year, 24-hour storm event and at the point of ultimate discharge, the flow-rates must be below existing conditions for the 2-, 10-, and 100-year events. The alternative BMP's must also have emergency overflows provided. The BMP or the series of BMP's must show treatment levels that meet or exceed MPCA standards and must use acceptable engineering methods. Once approved by the City, the developer must provide a copy of the MPCA Stormwater Permit pertaining to the Permanent Stormwater Management System before construction can begin.

## **B. Erosion Control Standards**

1. Proposed erosion control plans shall show location and type of all temporary and permanent erosion control BMP's on the plan. Detail plates shall be provided for all structural BMPs that are used for either temporary or permanent erosion control.
2. The plan shall show proposed methods of retaining waterborne sediments on-site during the construction period and proposed restoration, covering or re-vegetation after construction.
3. The plan shall show locations of any temporary sediment basin(s). Temporary Sedimentation Basins shall be designed in accordance with Part III.C of the MPCA "Stormwater Discharge associated with Construction Activity" (MN R100001) permit.
4. Sites with high erosion potential characterized by steep slopes or erodible soil will be required to provide site-specific construction recommendations by a Soils Engineer for City review. Steep slopes shall be defined as areas of 18 percent or more slope. In addition, a financial surety may be required to ensure performance.
5. If work is being done inside the "Critical Areas" as defined by the MNRRRA, the plan shall show no proposed grading in areas equal to or greater than 18 percent slope.
6. If infiltration basins are proposed for the construction site, a note must appear on the plan stating; "The infiltration basin area(s) cannot be used to treat construction site runoff, and shall not be constructed to final grade until the contributing drainage area achieves final stabilization and is approved by the City Engineer." In addition, the following statement shall also appear; "The proposed infiltration basins shall be roped off as not to allow heavy construction site traffic to enter any basin and the basins shall be staked off before any construction can begin."
7. If any disturbed soil is located within 200 lineal feet of a "surface water" as defined by the MPCA, and the area has a continual positive slope to the "surface water", the exposed area must provide temporary erosion protection, or permanent cover according to Part IV.B.2 of the MPCA MN

R100001 Permit. Those areas requiring temporary erosion protection or permanent cover shall be identified on the plans.

- a. All sediment control practices shall be installed according to Part IV.C 'Sediment Control Practices' portion of the MPCA MN R100001 Permit.
- b. The erosion control plan shall provide rock construction entrances for all entrances where heavy construction traffic will enter. Those entrances must be clearly identified on the plan.

8. Proposed design, suggested location and phased implementation of effective, practicable erosion control measures for plans shall be designed, engineered and implemented to achieve the following results

- a. Prevent gully and bank erosion: and,
- b. Limit total off-site permissible annual aggregate soil loss for exposed areas resulting from sheet and rill erosion to an annual, cumulative soil loss rate not to exceed 7.5 tons per acre annually.

9. The City shall receive documentation that the NPDES General Stormwater Permit for Construction Activity application has been approved from the MPCA, as well as any other approved applications, as required, for the construction site, such as the Subdivision Registration form, Permit Transfer/Modification form, and the Notice of Termination form



## **SECTION VIII – AMENDMENT PROCEDURES**

It is the City’s intention to have this SWMP reviewed by VLAWMO and the Met Council in accordance with Minnesota Statutes, Section 103B.235. After approval from VLAWMO, it will be adopted by the City Council and incorporated into the City’s Water Resource Library.

This SWMP has been prepared to extend through the year 2020. The SWMP may need to be updated on occasion to conform to the VLAWMO WMP and this SWMP may need to be updated on occasion for conformance with the Ramsey County Groundwater Protection Plan.

If the City proposes changes to this SWMP before year 2020, the changes and their impacts will be determined by the City to be either a “minor” change or a “major” change. The general descriptions of minor or major changes and the associated review and approval requirements are presented as follows:

Minor Changes would include small adjustments to sub-watershed district boundaries or other minor changes that would not significantly affect the rate or quality of stormwater runoff discharged across the municipal boundary or significantly affect high-water levels within the city. For proposed minor changes, the City will prepare a document, which defines the change and includes information on the scope and impacts of the change. The document will be forwarded to VLAWMO for their records. The minor change will be implemented after the document is adopted by the City Council.

Major Changes are those that could have significant impacts on the rates, volumes, water qualities and water levels of stormwater runoff within the city or across its municipal boundaries. For proposed major changes, the City will prepare a document which defines the change and includes information on the scope and impacts of the change. The document will be forwarded to VLAWMO for their review and approval. VLAWMO shall have 60 days to comment on the proposed revisions. Failure to respond within 60 days will constitute approval. After VLAWMO approval, the City will adopt the amendment as part of the SWMP.

## **APPENDIX A**

### **STORMWATER AND SURFACE WATER ACRONYMS**

BFE – Base Flood Elevation [http://www.fema.gov/plan/prevent/floodplain/nfipkeywords/base\\_flood\\_elevation.shtm](http://www.fema.gov/plan/prevent/floodplain/nfipkeywords/base_flood_elevation.shtm)

BMP – Best Management Practice

BWSR – Minnesota Board of Water and Soil Resources [www.bwsr.state.mn.us](http://www.bwsr.state.mn.us)

CERCLIS – Comprehensive Environmental Response, Compensation, and Liability Information System  
<http://www.epa.gov/superfund/sites/cursites/index.htm>

CIP – Capital Improvements Program

CN – Curve Number <http://directives.sc.egov.usda.gov/17752.wba>

DWSMA – Drinking Water Supply Management Area <http://www.health.state.mn.us/divs/eh/water/swp/whp/index.htm>

EPA – Environmental Protection Agency [www.epa.gov](http://www.epa.gov)

FEMA – Federal Emergency Management Agency [www.fema.gov](http://www.fema.gov)

FIRM – Flood Insurance Rate Map <http://www.fema.gov/library/viewRecord.do?id=1480>

FIS – Flood Insurance Study <http://www.fema.gov/library/viewRecord.do?id=1480>

FWS – Fish and Wildlife Service [www.fws.gov](http://www.fws.gov)

HEC – RAS-Hydrologic Engineering Centers River Analysis System [www.hec.usace.army.mil](http://www.hec.usace.army.mil)

HSG – Hydrologic Soil Group <http://directives.sc.egov.usda.gov/viewerFS.aspx?hid=21422>

HWL – High Water Level

IDF – Intensity Duration Frequency

ISTS – Individual Sewage Treatment Systems [www.pca.state.mn.us/programs/ists/](http://www.pca.state.mn.us/programs/ists/)

LOMR – Letter of Map Revision <http://www.fema.gov/library/viewRecord.do?id=1480>

LGU – Local Government Unit [www.bwsr.state.mn.us/wetlands/wca/index.html](http://www.bwsr.state.mn.us/wetlands/wca/index.html)

LWMP – Local Water Management Plan (i.e. Surface Water Management Plan)

MCM – Minimum Control Measure [www.pca.state.mn.us/water/stormwater/stormwater-ms4.html](http://www.pca.state.mn.us/water/stormwater/stormwater-ms4.html)

MDNR – Minnesota Department of Natural Resources [www.dnr.state.mn.us](http://www.dnr.state.mn.us)

MNDOT – Minnesota Department of Transportation [www.dot.state.mn.us](http://www.dot.state.mn.us)

MPCA – Minnesota Pollution Control Agency [www.pca.state.mn.us](http://www.pca.state.mn.us)

MS4 – Municipal Separate Storm Sewer System [www.pca.state.mn.us/water/stormwater/stormwater-ms4.html](http://www.pca.state.mn.us/water/stormwater/stormwater-ms4.html)

NFRAP – No Further Remedial Action Planned [www.pca.state.mn.us/backyard/neighborhood.html](http://www.pca.state.mn.us/backyard/neighborhood.html)

NPDES – National Pollutant Discharge Elimination System <http://cfpub.epa.gov/npdes/>

NRCS – National Resource Conservation Service [www.nrcs.usda.gov](http://www.nrcs.usda.gov)

NWI – National Wetland Inventory [www.nwi.fws.gov](http://www.nwi.fws.gov)

NWL – Normal Water Level

OHWL – Ordinary High Water Level [www.dnr.state.mn.us/waters/watermgmt\\_section/pwpermits/ohw.html](http://www.dnr.state.mn.us/waters/watermgmt_section/pwpermits/ohw.html)

PWI – Protected Waters Inventory [www.dnr.state.mn.us/waters/watermgmt\\_section/pwi/index.html](http://www.dnr.state.mn.us/waters/watermgmt_section/pwi/index.html)

RCRA – Resource Conservation and Recovery Act <http://www.epa.gov/epawaste/inforesources/online/index.htm>

SCS – Soil Conservation Service (*see Natural Resource Conservation Service*)

SPRWS – St. Paul Regional Water Services

SSTS – Subsurface Sewage Treatment Systems (*see ISTS*)

SWPPP – Storm Water Pollution Prevention Plan or Program

TR-20 – Technical Release 20 [http://www.wsi.nrcs.usda.gov/products/w2q/H&H/docs/other/TR20\\_user\\_man.pdf](http://www.wsi.nrcs.usda.gov/products/w2q/H&H/docs/other/TR20_user_man.pdf)

TMDL – Total Maximum Daily Load [www.pca.state.mn.us/water/tmdl/index.html](http://www.pca.state.mn.us/water/tmdl/index.html)

USCOE – United States Corps of Engineers [www.mvp.usace.army.mil](http://www.mvp.usace.army.mil)

USDA – United States Department of Agriculture (*see Natural Resource Conservation Service*)

VIC – Voluntary Investigation and Cleanup [www.pca.state.mn.us/cleanup/vic.html](http://www.pca.state.mn.us/cleanup/vic.html)

VLAWMO – Vadnais Lake Area Water Management Organization [www.vlawmo.org](http://www.vlawmo.org)

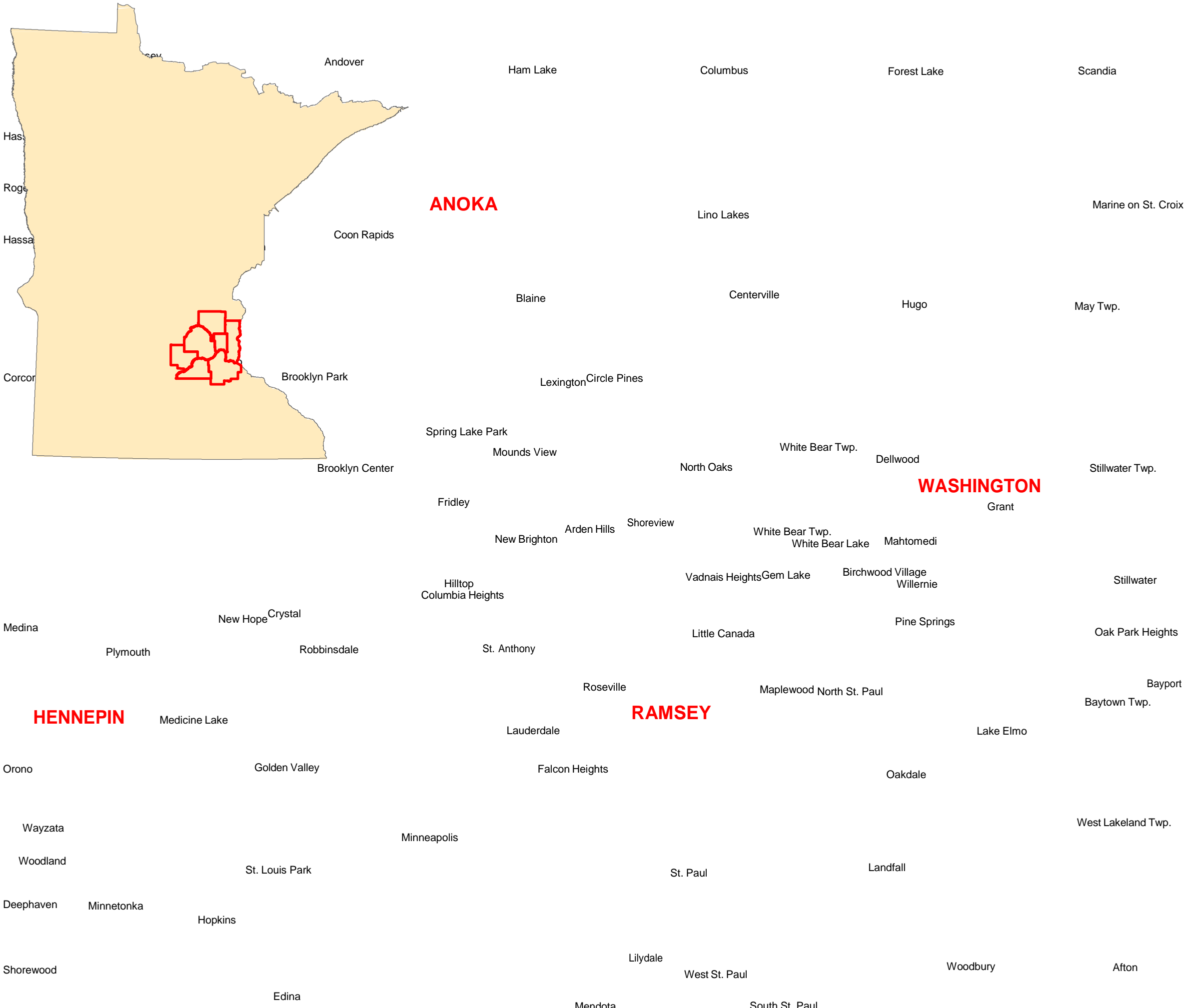
WCA – Wetland Conservation Act [www.bwsr.state.mn.us/wetlands/wca/index.html](http://www.bwsr.state.mn.us/wetlands/wca/index.html)

WMO – Watershed Management Organization(s) (*see MN State Statute 103B.205*)

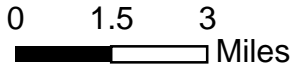
## **APPENDIX B**

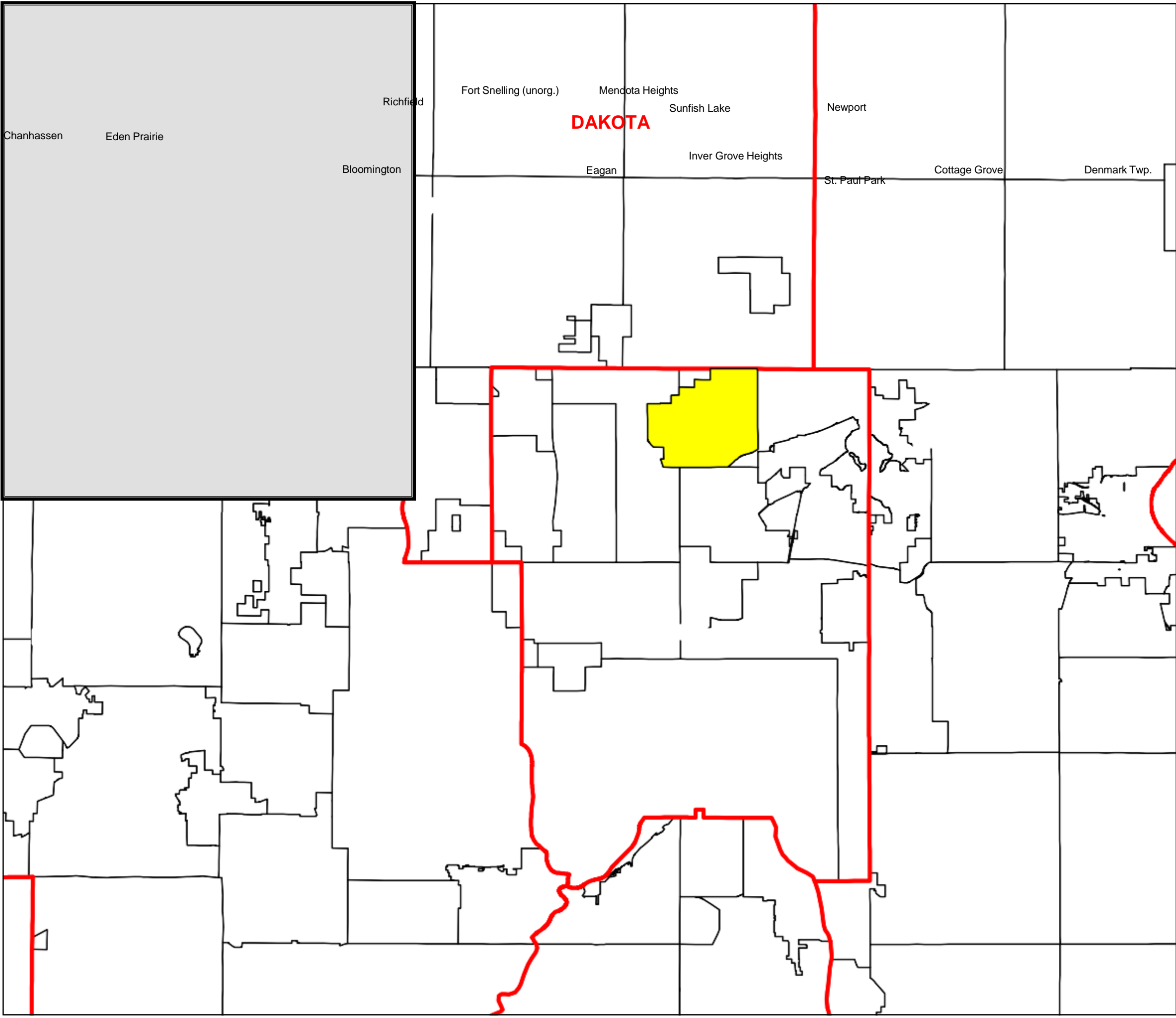
### **MAPS**

# MAP 1: Location Map



- North Oaks
- Counties
- Cities and Townships


























This map was created using Sambatek's Geographic Information Systems (GIS), it is a compilation of information and data from various sources. This map is not a surveyed or legally recorded map and is intended to be used as a reference. Sambatek is not responsible for any inaccuracies contained herein.

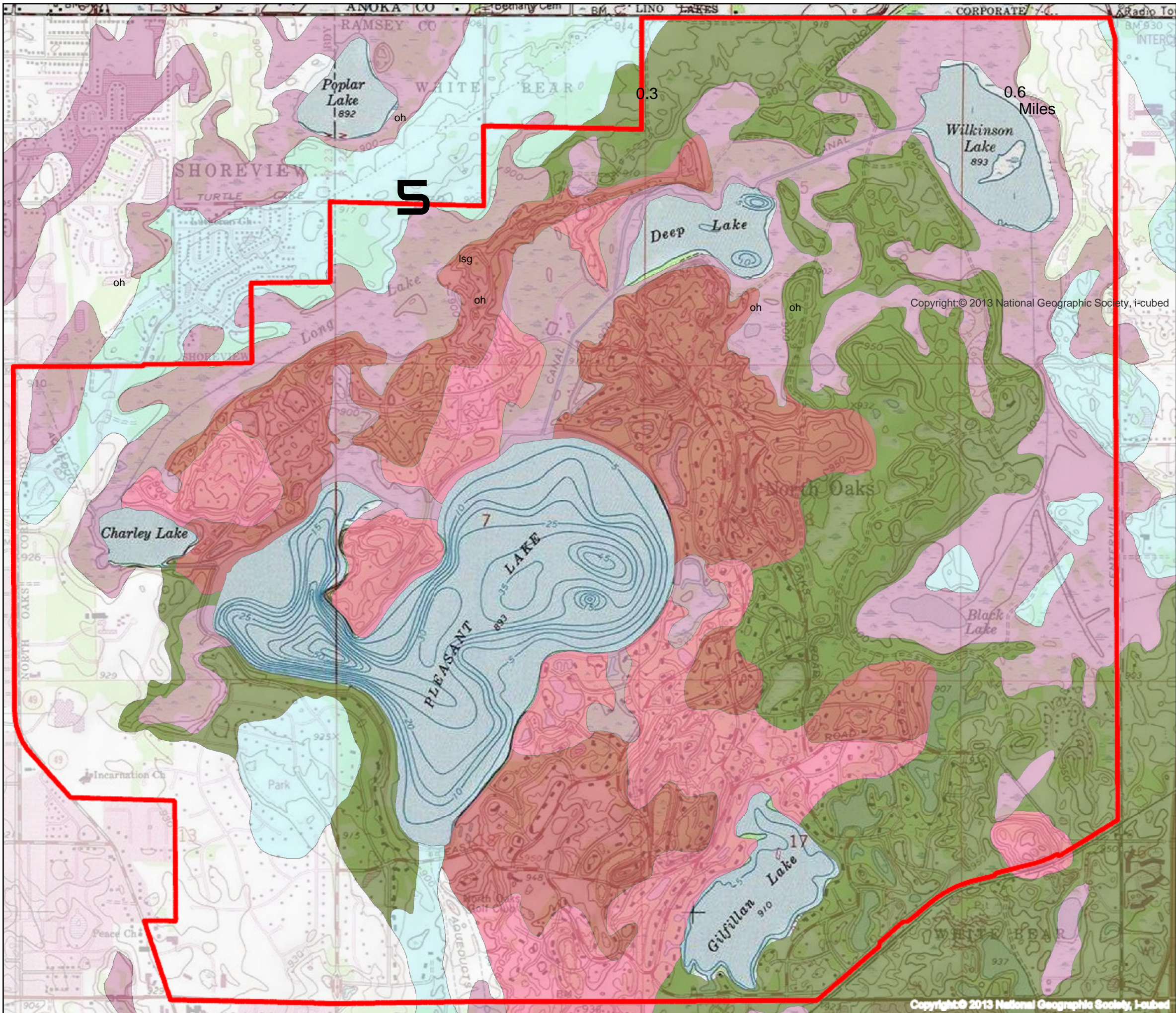
# MAP 2: General Surface Geology

 City Boundary

- HOLOCENE**
-  **Stream sediment**—Sand and gravel with areas of fine sediment and organic material (slack-water deposits)
  -  **Organic sediment**—Includes peat, shallow lakes, and marshes. Some deposits, identified from older maps and air photographs, may now be excavated and/or artificially filled. Highly organic soil delineated in more detail in Ramsey County soil survey (Vinar, 1980)
  -  **Hillside sediment**—Deposits on and at base of steep slope. Angular bedrock fragments, with silt and clay where bedrock is exposed, slumped till where till
- PLEISTOCENE**
-  **Stream sediment of Glacial River Warren**—Sand and gravel with some fine sediment (silt and clay). Forms terraces of the Mississippi River. Generally less than 20 ft thick but as much as 40 ft over Paleozoic bedrock and 100–200 ft thick in part of terrace in downtown St. Paul (the site of the initiation of River Warren falls) (see Plate 5, Depth to bedrock)
- Deposits Associated with the Grantsburg Sublobe**
-  **Clayey lake sediment**—Clay and silt, with fine sand; locally rhythmically bedded (silt-clay-silt-clay). Offshore deposits of a former lake that may have been partially confined by stagnant ice; rare dropstones
  -  **Sandy lake sediment**—Fine to medium sand; silt and clay; scattered dropstones. Offshore and some nearshore deposits of a former lake that may have been partially confined by stagnant ice
  -  **Meltwater stream sediment**—Medium to coarse sand with pebbles. Sand predominantly quartz; distinguished from Superior lobe sand by presence of Cretaceous shale, limestone, and rare lignite grains. Shale and lignite common in coarse-sand fraction; may be concentrated in layers. In channels and outwash plains
  -  **Till**—Typically loam-textured till; ranges from loamy sand to clay. Gray, oxidizes to yellow brown. Commonly banded with reddish-brown Superior lobe till or sand. Thick yellow-brown (or gray) bands, with thin red stringers, near land surface; with depth, yellow bands thin as red layers thicken
  -  **Till with stream-modified surface**—Till topography modified by running water; locally fluvially eroded and streamlined. Covered in some places with thin, discontinuous sand and gravel. In other respects, texture similar to map unit tg
  -  **Till beneath stream sediment**—Till beneath as much as 20 ft of stream sediment (map unit sg)
  -  **Collapsed till**—Till deposited on or with ice that then melted, resulting in collapse
  -  **Till beneath sandy lake sediment**—Till beneath as much as 20 ft of sandy lake sediment (map unit lsg)
- Deposits Associated with the Superior Lobe**
-  **Meltwater stream sediment**—Medium to coarse sand with pebbles. Predominantly quartz sand; red and black igneous and metamorphic pebbles and sand-size grains. In channels and in a remnant of an outwash plain in southeastern part of county
  -  **Coarse meltwater stream sediment**—Medium to coarse sand and gravel with cobbles and boulders. In eskers; also near the former ice margin, commonly in fans at the mouths of tunnel valleys. Combined with map unit ss on cross section (Plate 4)
  -  **Buried, coarse meltwater stream sediment**—Buried by as much as 40 ft of Grantsburg till (map unit tg)
  -  **Sediment of ice-walled-lake plains**—Deposited in lakes surrounded by stagnant ice of the Superior lobe; coarse sediment (sand and gravel) along former lake rims, finer sediment (sand, silt, and clay, rhythmically layered in some places) near former lake centers. Forms flat-topped uplands in moraine complexes in southeastern and east-central Ramsey County
  -  **Till**—Texture commonly sandy loam; in some places, clay loam to silty clay. Reddish brown. Locally compact. Fabric visibly expressed by clast orientation. Till surface not extensively or deeply pitted, although difficult to judge in highly urbanized areas
  -  **Collapsed till and supraglacial sediment**—Deposited on or with ice that then melted; possibly resedimented; texture similar to map unit ts, or sandier. As a result of local ponding may include clay and organic sediment in depressions
  -  **Till with stream-modified surface**—Till topography modified by flowing water. Till prominences commonly form low, streamlined hills (former bars in channels).
- PREGLACIAL DEPOSITS**
-  **Exposed or nearsurface Paleozoic bedrock**—Typically on steep slopes and terraces along the Mississippi River. See Plate 2, Bedrock geology, for first bedrock unit
  -  **Shallowly buried Paleozoic bedrock**—Buried by as much as 20 ft of Grantsburg till (map unit tg)







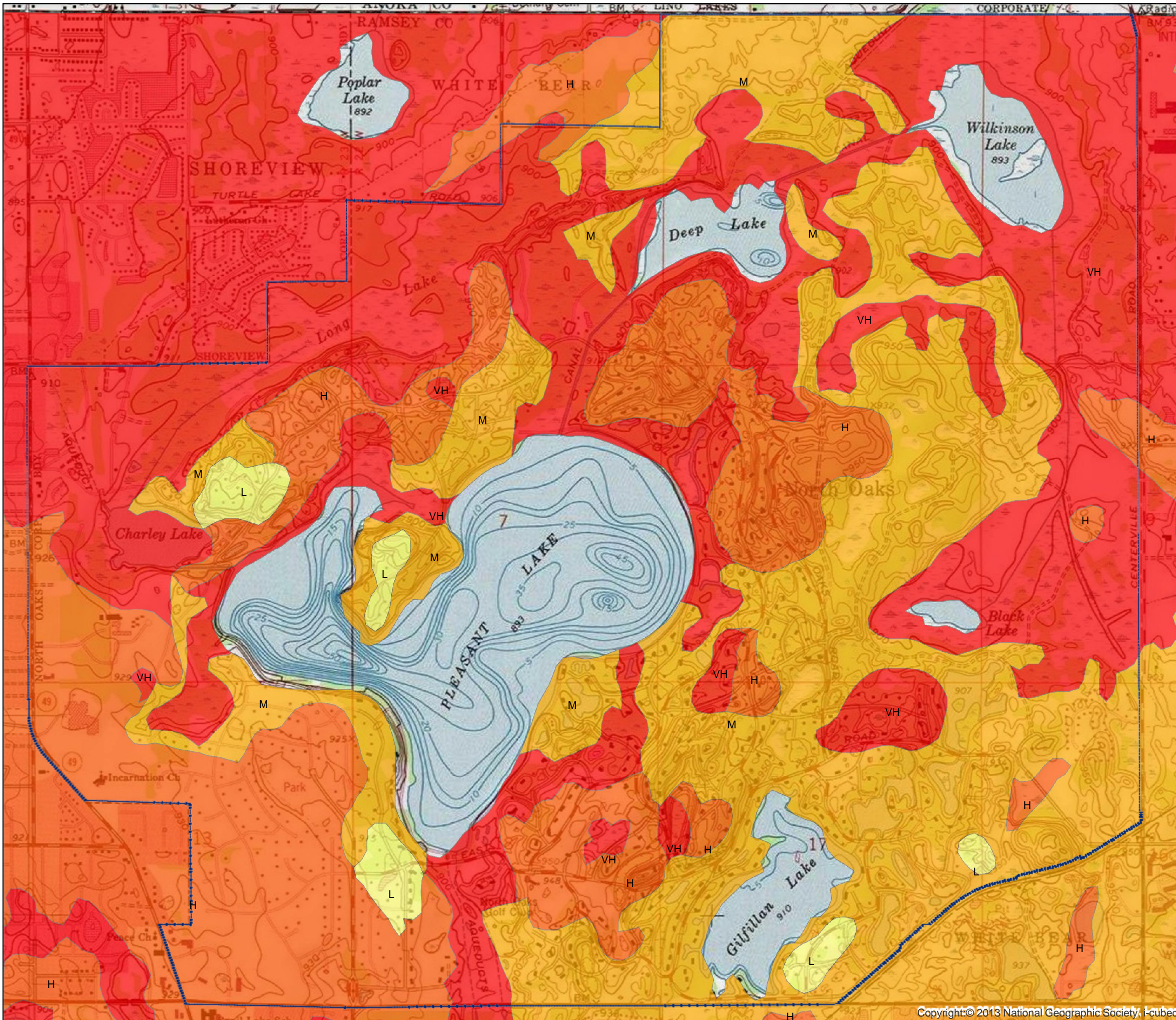
This map was created using Sambatek's Geographic Information Systems (GIS), it is a compilation of information and data from various sources. This map is not a surveyed or legally recorded map and is intended to be used as a reference. Sambatek is not responsible for any inaccuracies contained herein.









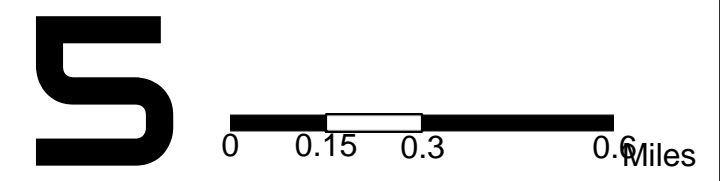




# MAP 3: Sensitivity of Water Table System to Pollution



-  City Limits
- Sensitivity Rating**
-  Very High sensitivity
-  High sensitivity
-  Moderate sensitivity
-  Low sensitivity
-  Lake

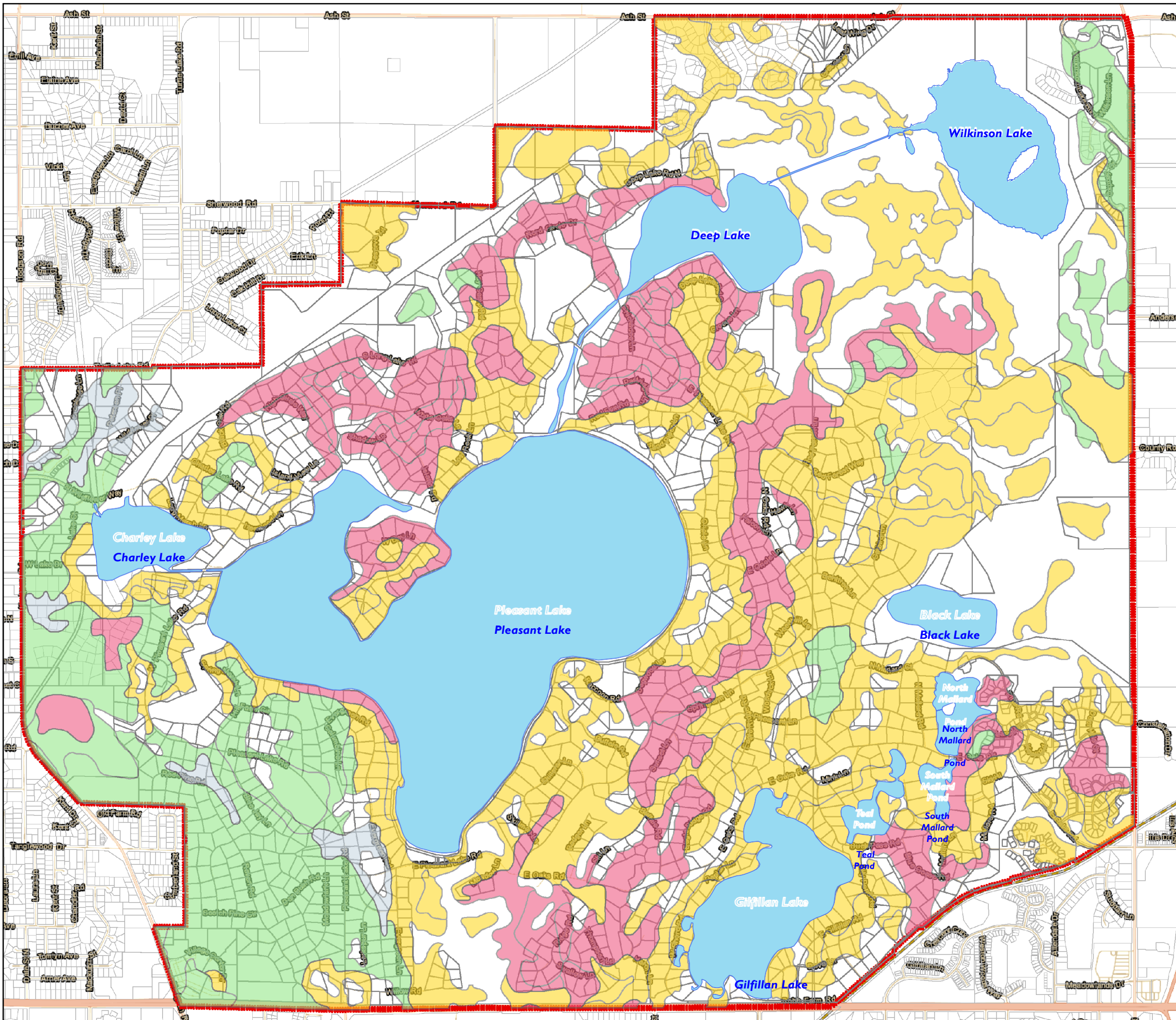









This map was created using Sambatek's Geographic Information Systems (GIS), it is a compilation of information and data from various sources. This map is not a surveyed or legally recorded map and is intended to be used as a reference. Sambatek is not responsible for any inaccuracies contained herein. **230**

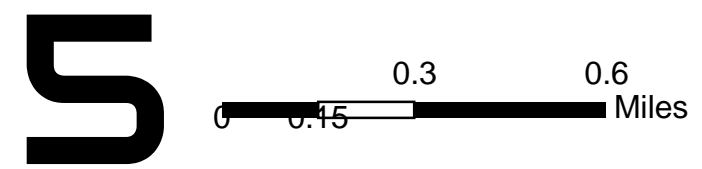




# MAP 4: Land Erosion Runoff Susceptibility



-  City Limits
-  No Limitations
-  Moderate Limitations Slopes/Soils
-  Moderate Limitations Groundwater
-  Severe Limitations Slopes/Soils
-  Severe Limitations Groundwater
-  Water



Esri, HERE, DeLorme, MapmyIndia, © OpenStreetMap contributors

Information Systems (GIS), it is a compilation of information and data from various sources. This map is not a surveyed or legally recorded map and is intended to be used as a reference. Sambatek is not responsible for any inaccuracies contained herein.





# MAP 5: Rare Natural Features

City Limits

## 2030 Framework Regional Natural Resource Areas

- Moderate
- High
- Outstanding
- MCBS\_Native Plant Communities
- MCBS\_Sites of Biodiversity Significants
- Minnesota State Parks

## Rare Natural Features

- Vertebrate Animal
- Community
- Invertebrate Animal
- Nonvascular Plant, Fungus
- Vascular Plant
- Animal Assemblage
- Geologic

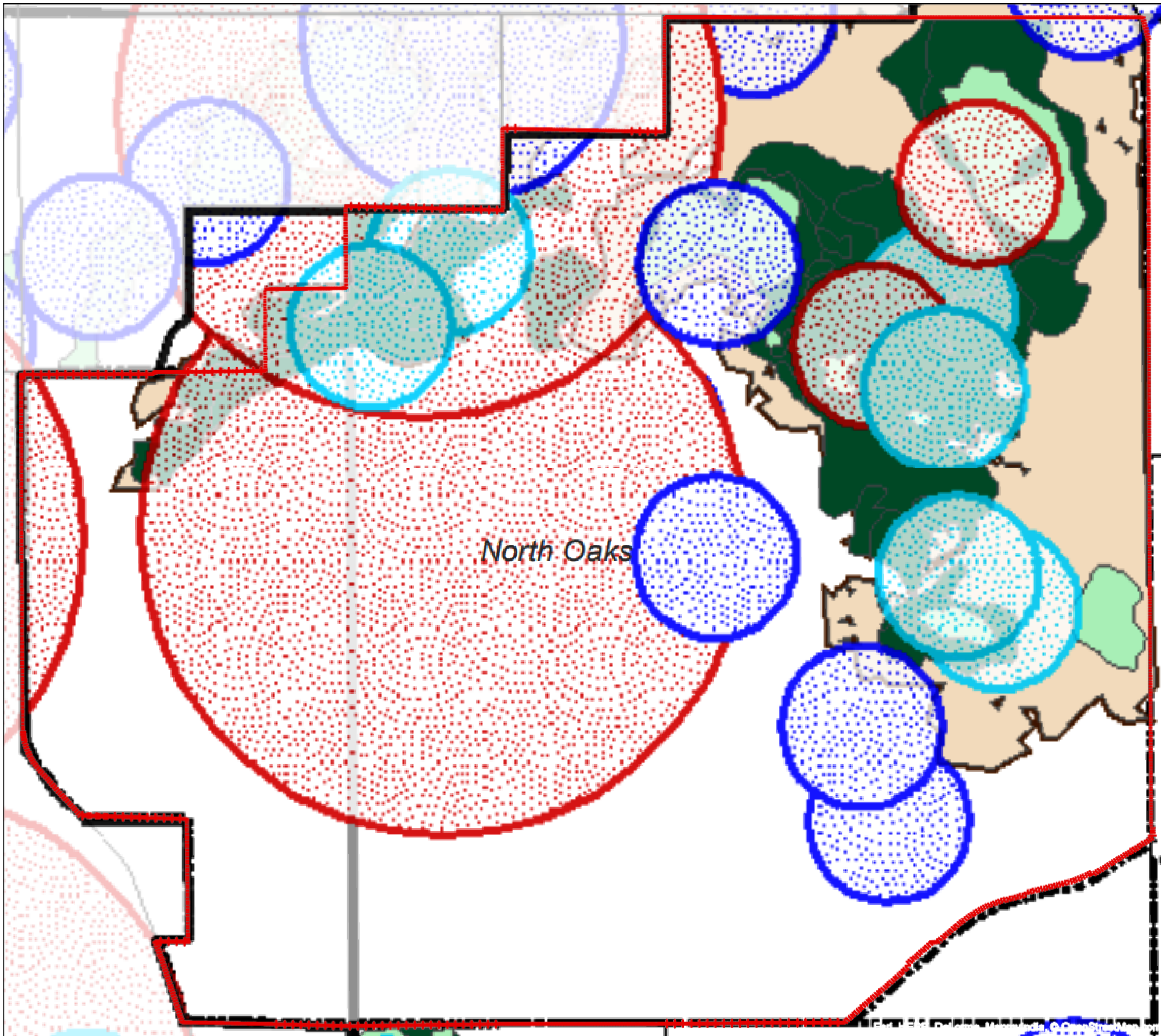


0 0.15 0.3 0.6 Miles

Source: Vadnais Lake Area Water Management Organization Water Management Plan



This map was created using Sambatek's Geographic Information Systems (GIS), it is a compilation of information and data from various sources. This map is not a surveyed or legally recorded map and is intended to be used as a reference. Sambatek is not responsible for any inaccuracies contained herein.





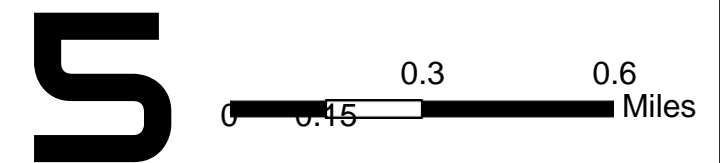


## MAP 6: Scenic Areas

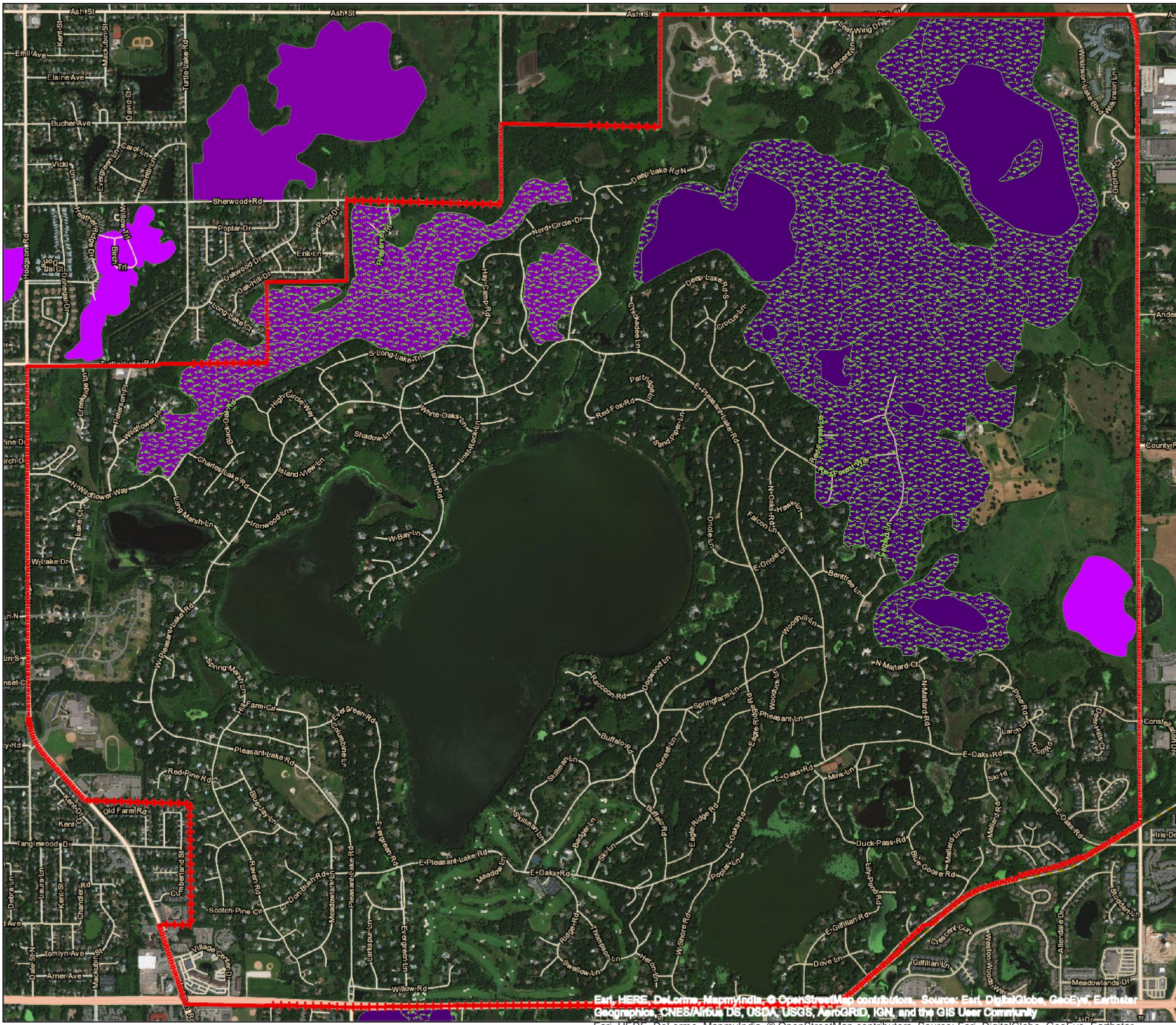
-  City Limits
-  Aquatic Management Area
-  Fish Management Area
-  Other Forest Land
-  Scientific and Natural Area
-  State Forest
-  State Park
-  State Recreation Area
-  State Trail
-  State Wayside
-  Water Access
-  Wildlife Management Area
-  Native Plant Communities

### Areas of Biodiversity Significance

-  Outstanding
-  High
-  Moderate
-  Below



Source: MPCA, What's In My Neighborhood Database



Esri, HERE, DeLorme, MapmyIndia, © OpenStreetMap contributors, Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community













aphics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

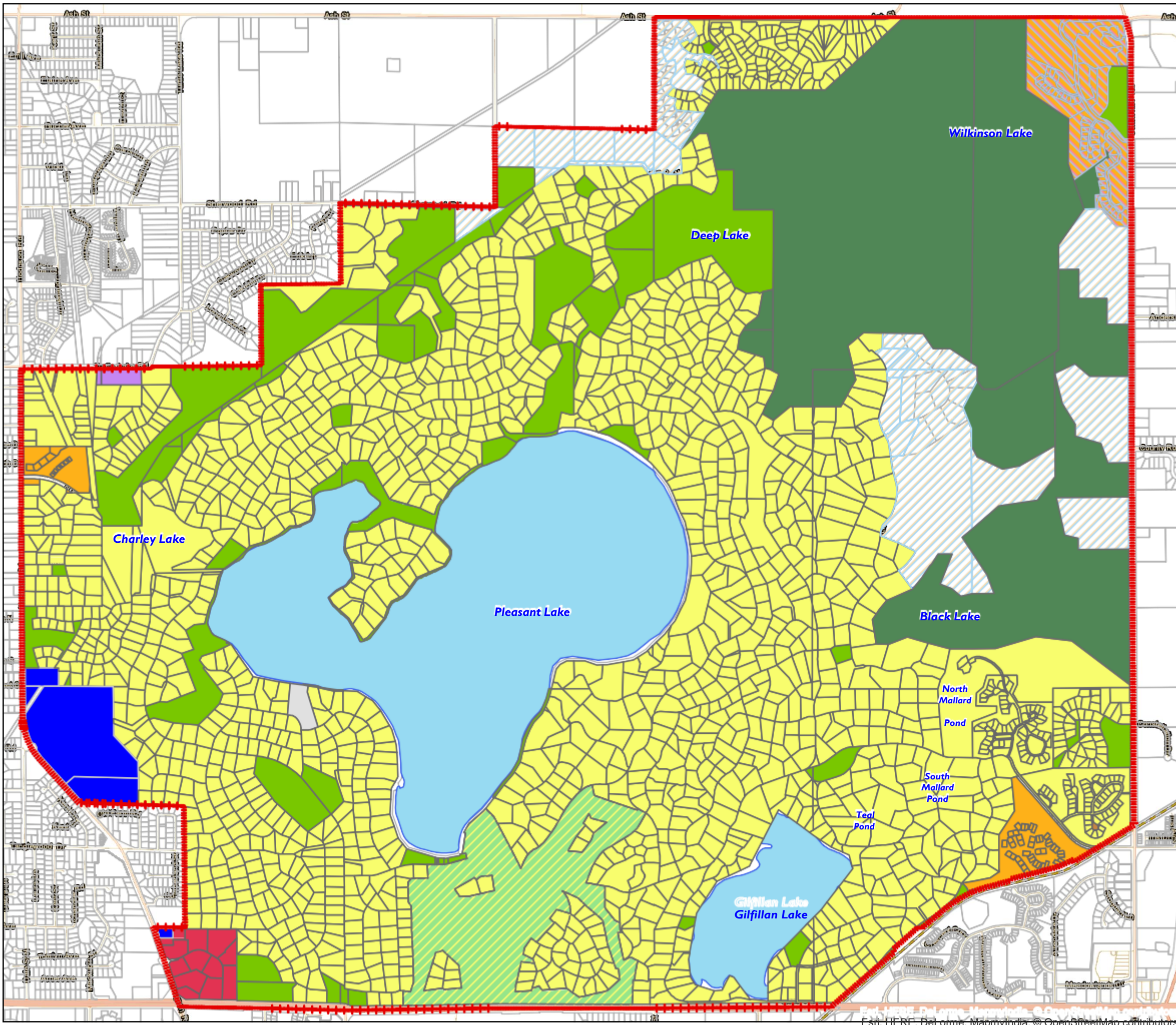
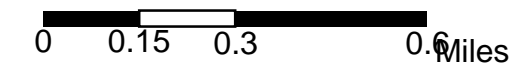
This map was created using Sambatek's Geographic Information Systems (GIS), it is a compilation of information and data from various sources. This map is not a surveyed or legally recorded map and is intended to be used as a reference. Sambatek is not responsible for any inaccuracies contained herein.



## MAP 7: 2016 Existing Land Uses

-  City Limits
-  Single Family Residential
-  East Oaks PUD
-  Multi Family Residential
-  Mixed Residential
-  Mixed Use
-  Commercial
-  Limited Industrial
-  Institutions
-  Historic Preservation
-  Golf Course
-  Recreation
-  Conservation Open Space

 Water

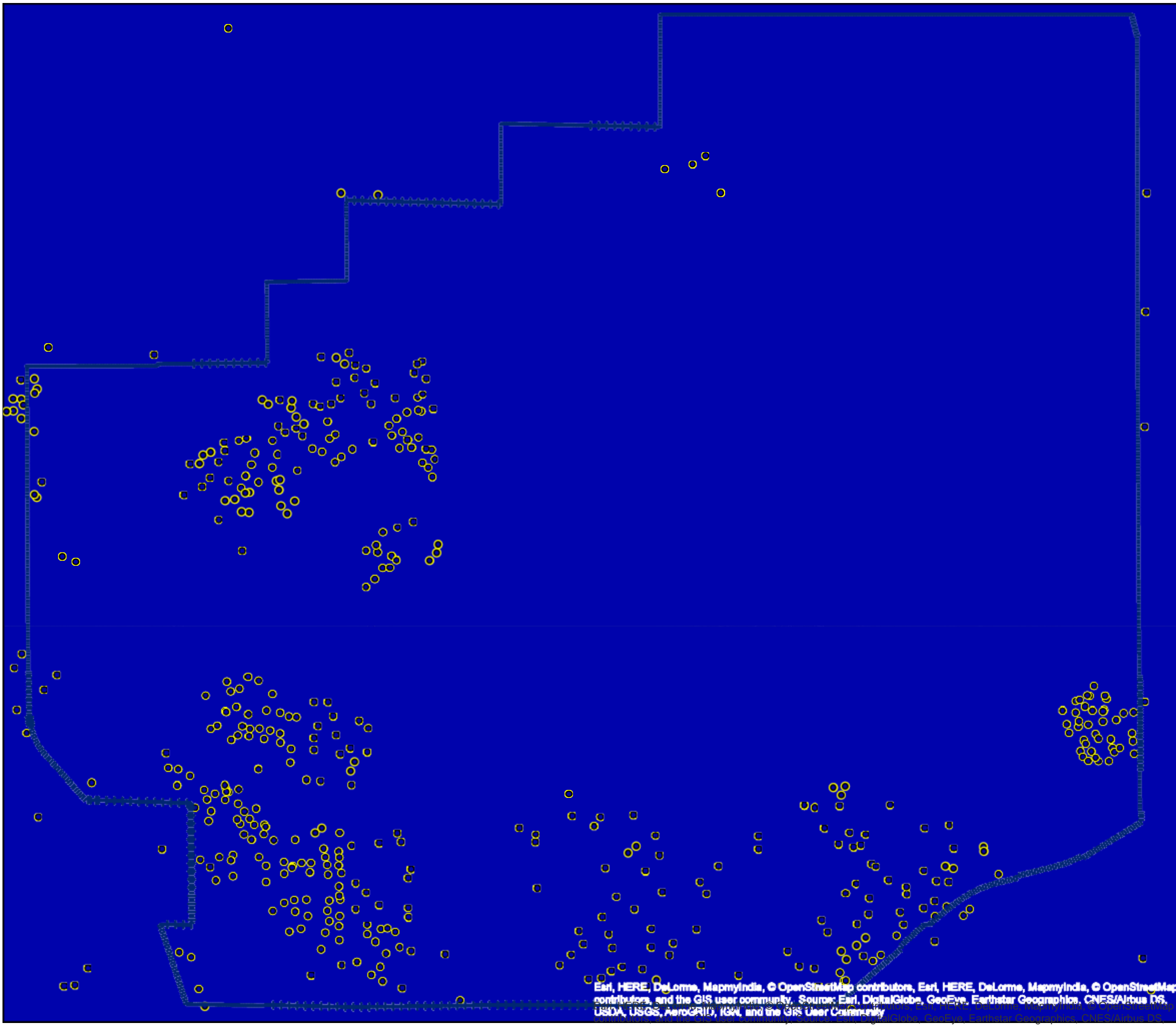




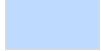
This map was created using Sambatek's Geographic Information Systems (GIS), it is a compilation of information and data from various sources. This map is not a surveyed or legally recorded map and is intended to be used as a reference. **236**  
Sambatek is not responsible for any inaccuracies contained herein.

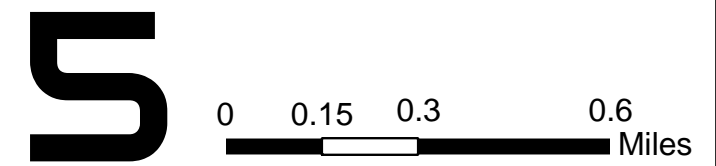




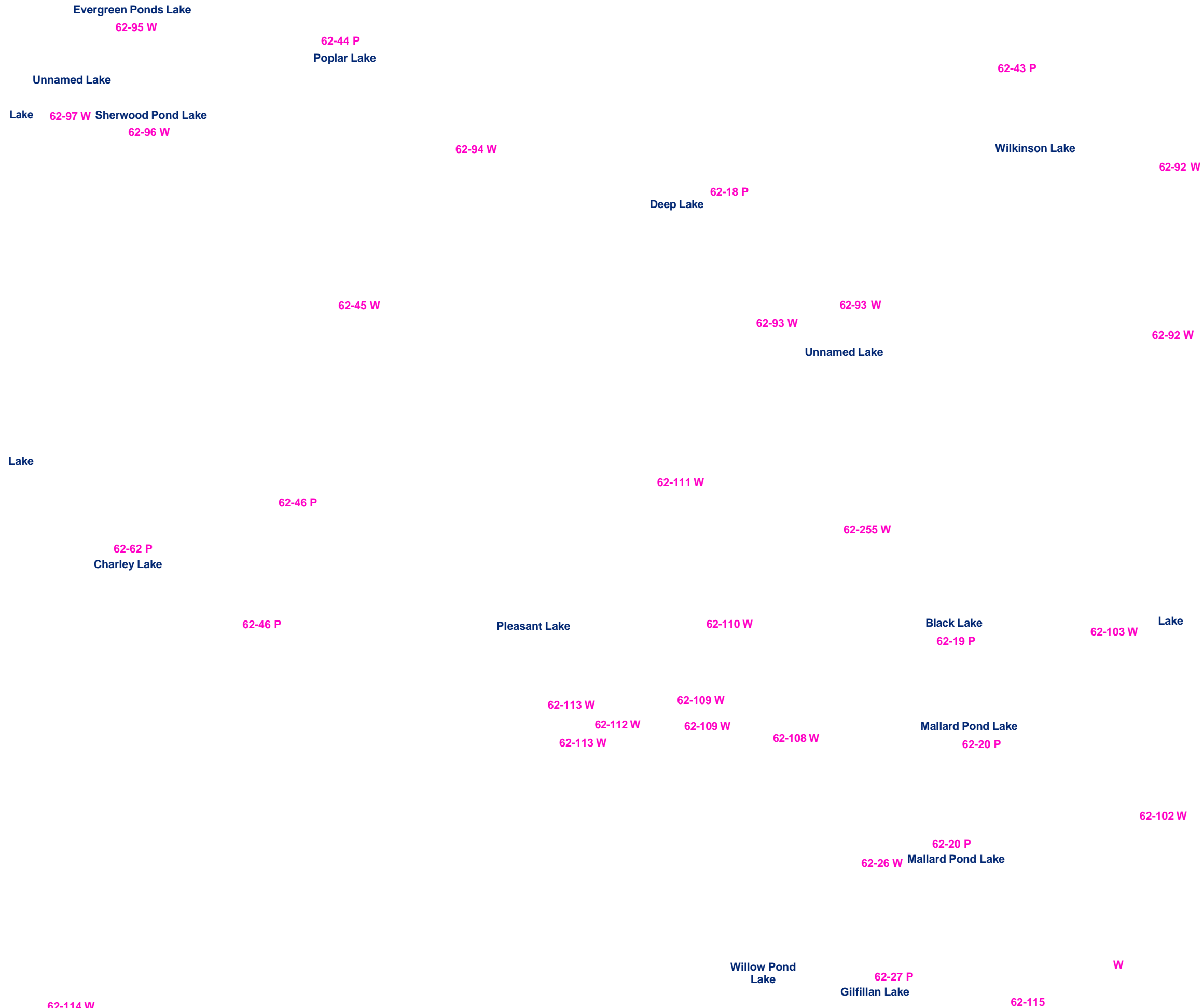
# MAP 8: Well Locations & Wellhead Protection Area Map







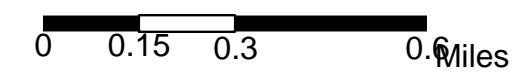
-  City Limits
-  Well Locations
-  Wellhead Protection Area



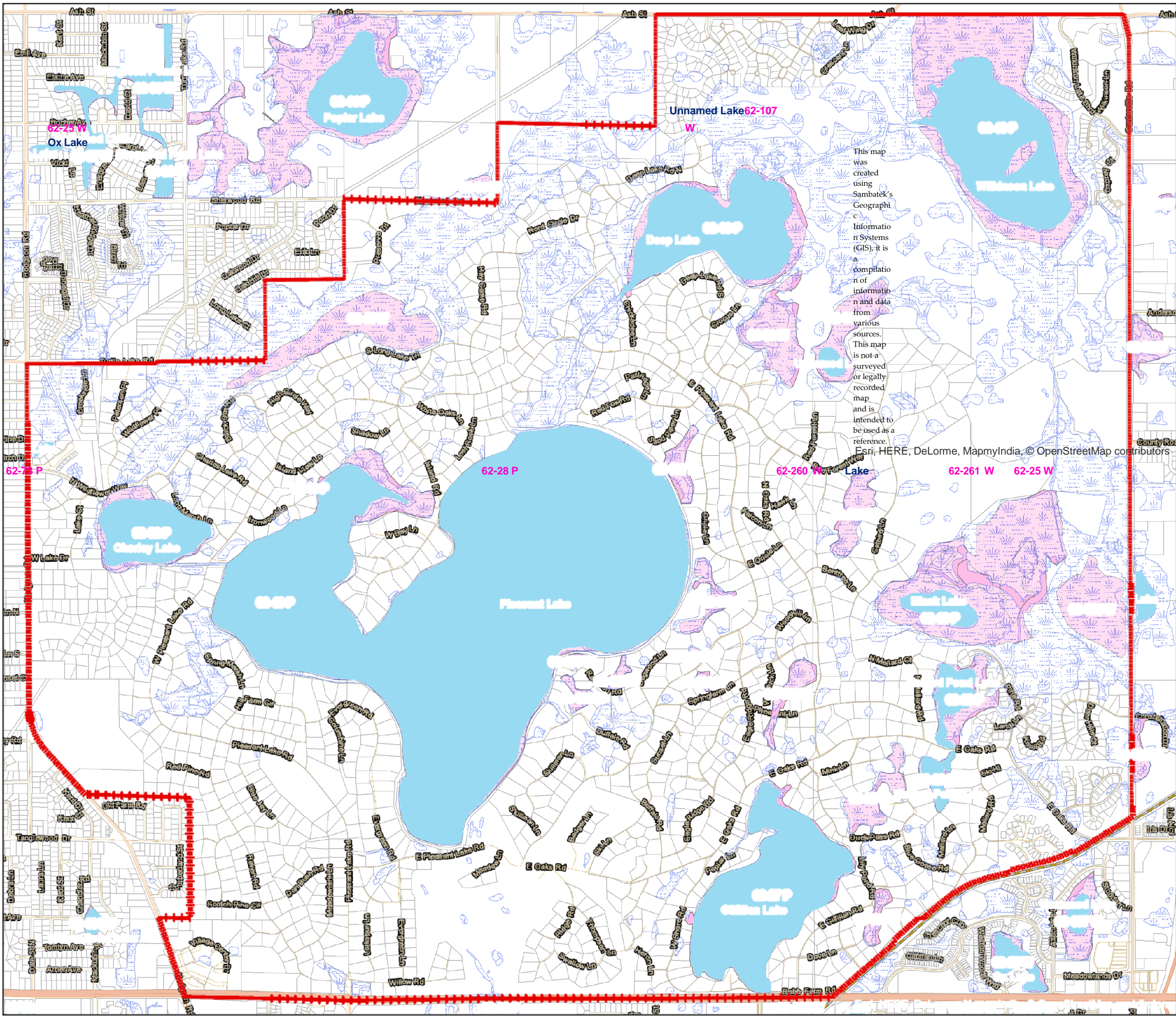
# MAP 9: DNR Waters & NWI Wetlands



-  City Limits
-  Major Water Bodies
-  Wetlands (NWI)
-  Public Waters Inventory







This map was created using Sambatek's Geographic Information Systems (GIS). It is a compilation of information and data from various sources. This map is not a surveyed or legally recorded map and is intended to be used as a reference. Esri, HERE, DeLorme, MapmyIndia, © OpenStreetMap contributors



Sambatek is not responsible for any inaccuracies contained herein.










# MAP 10: FEMA 100- Year Floodplain

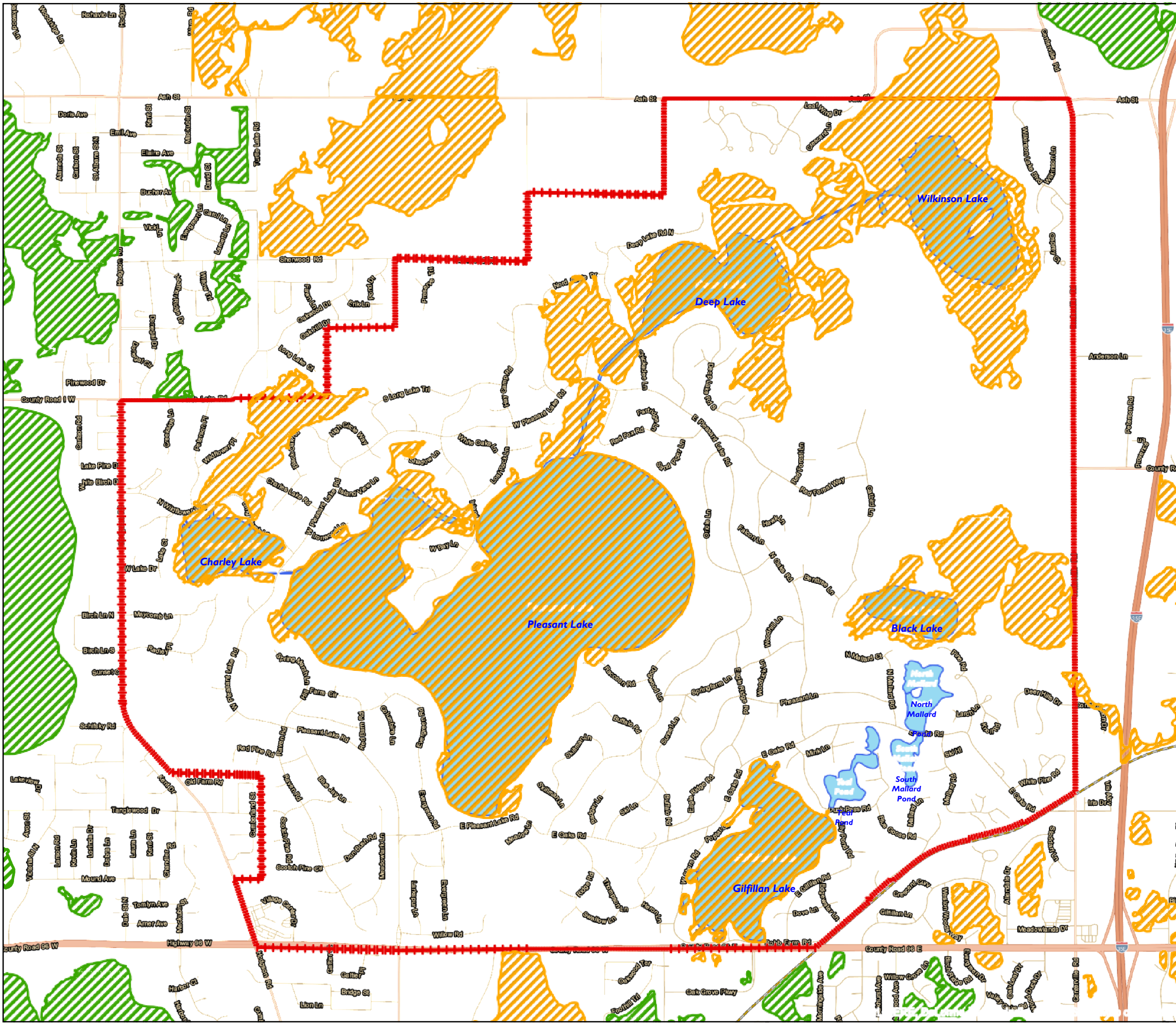
**FLOOD\_ZONE**

-  A
-  AE
-  City Limits

# 5

0 0.175 0.35 0.7  
Miles

\*Alignments as shown are approximate. Please refer to record drawings for actual utility locations.

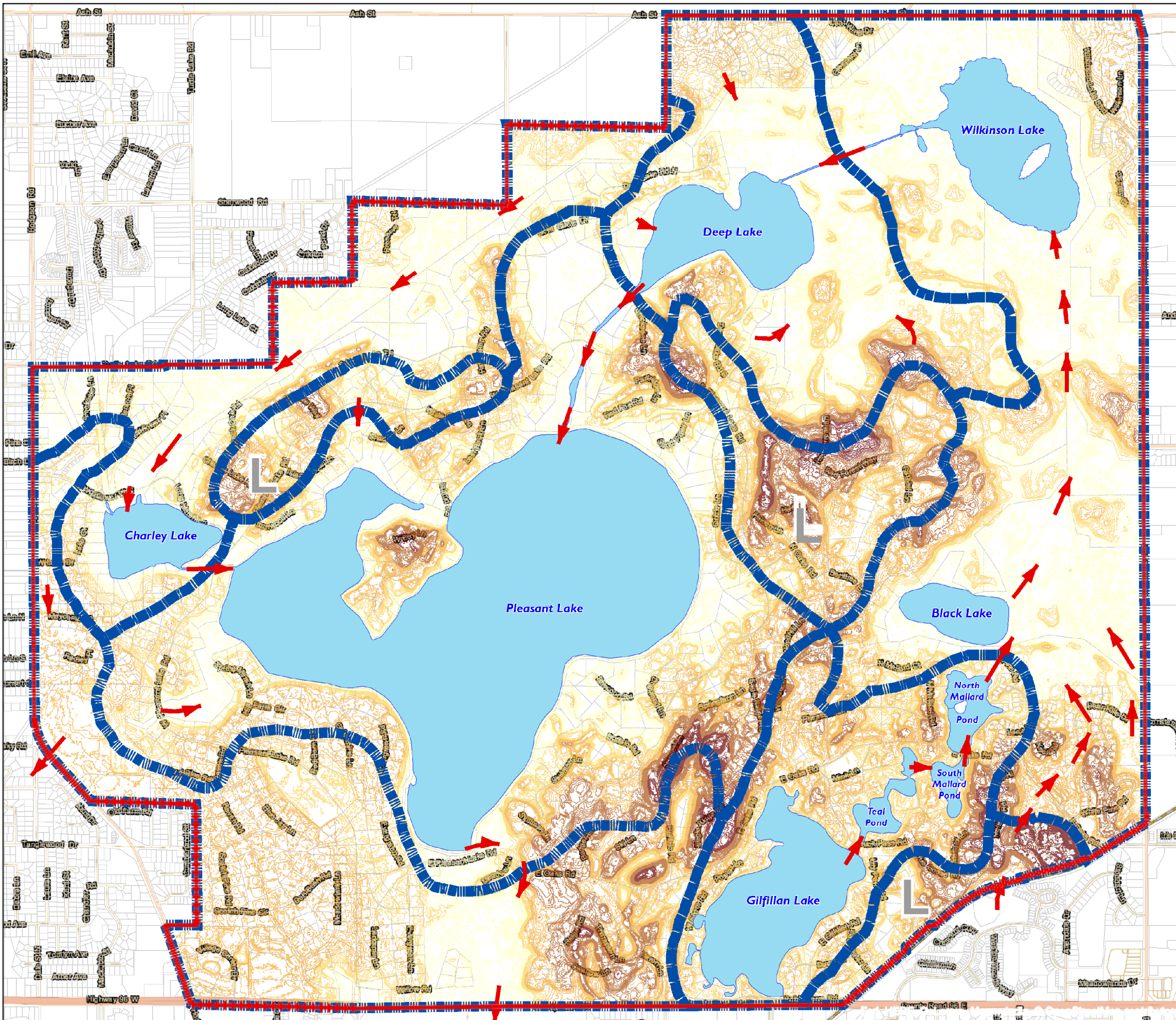






This map was created using Sambatek's Geographic Information Systems (GIS), it is a compilation of information and data from various sources. This map is not a surveyed or legally recorded map and is intended to be used as a reference. Sambatek is not responsible for any inaccuracies contained herein.










# MAP 11: Sub-Watershed Boundaries

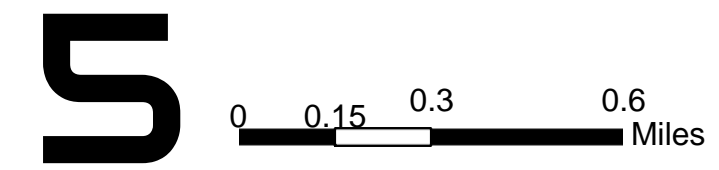


-  City Limits
-  General Direction of Drainage
-  Water
-  Major Watersheds

### Elevations

-  884 - 906
-  907 - 920
-  921 - 938
-  939 - 962
-  963 - 1004

 Landlocked



\*Alignments as shown are approximate. Please refer to record draws for actual utility locations.

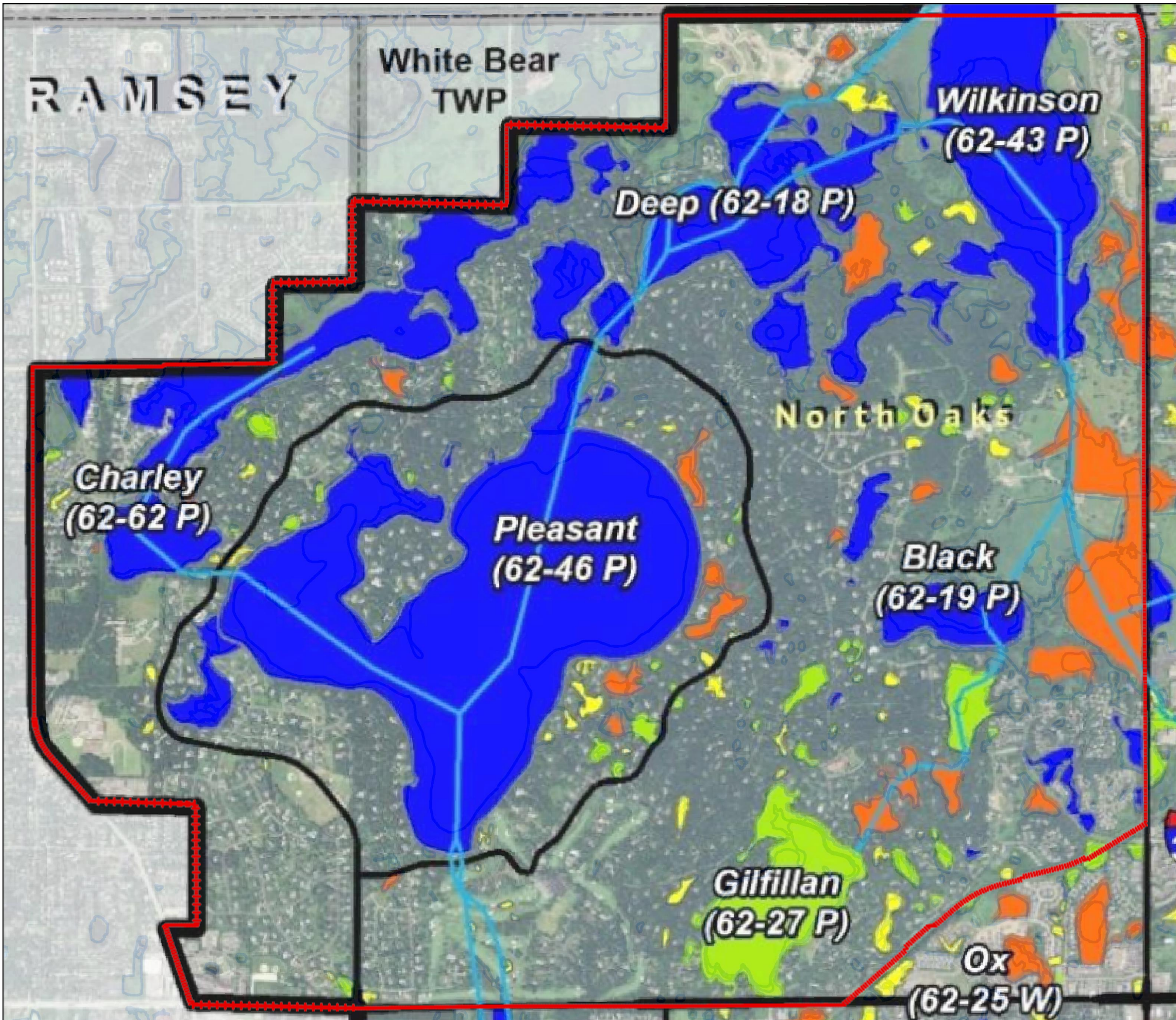


This map was created using Sambatek's Geographic Information Systems (GIS), it is a compilation of information and data from various sources. This map is not a surveyed or legally recorded map and is intended to be used as a reference. Sambatek is not responsible for any inaccuracies contained herein.





# MAP 12: VLAWMO Wetlands Map



 City Limits

 NWI

### VLAWMO Wetlands

 Preserve

 Manage 1

 Manage 2

 Manage 3



0 0.15 0.3 0.6 Miles

Source: VLAWMO



This map was created using Sambatek's Geographic Information Systems (GIS), it is a compilation of information and data from various sources. This map is not a surveyed or legally recorded map and is intended to be used as a reference. **243**  
Sambatek is not responsible for any inaccuracies contained herein.



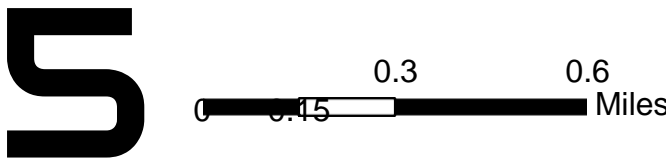


# MAP 13: Potential Pollution Sources

City Limits

### Sites

- Air Quality
- Environmental Review
- Feedlots
- Hazardous Waste
- Investigation and Cleanup
- Multiple Programs
- SSTS
- Solid Waste
- Stormwater
- Tanks
- Water Quality

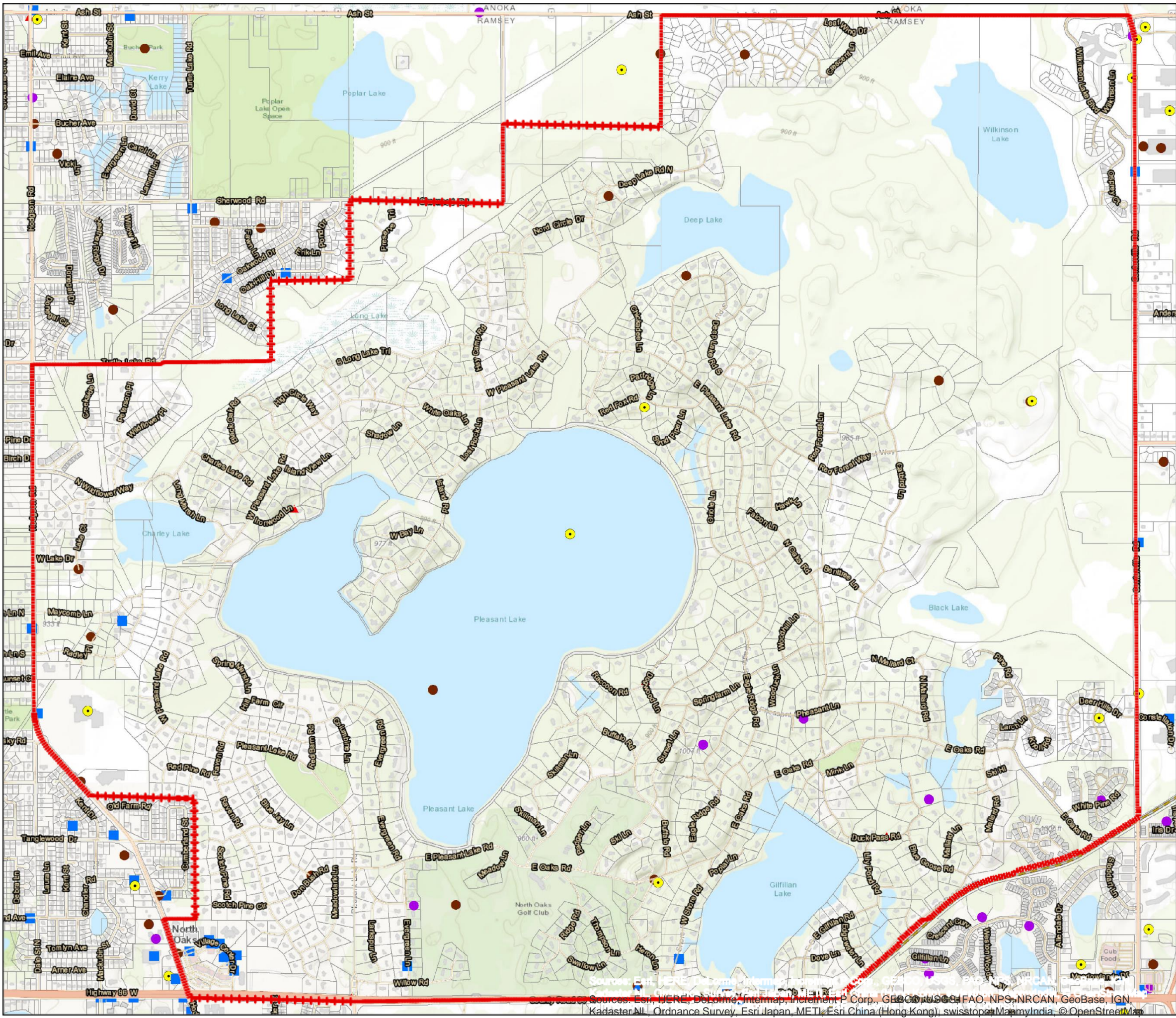


Source: MPCA, What's In My Neighborhood Database



This map was created using Sambatek's Geographic Information Systems (GIS), it is a compilation of information and data from various sources. This map is not a surveyed or legally recorded map and is intended to be used as a reference.

Sambatek is not responsible for any inaccuracies contained herein.






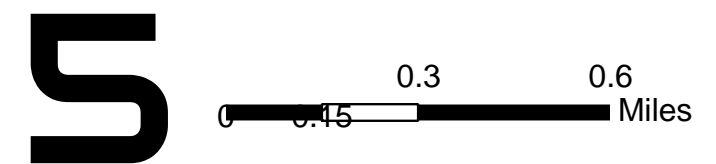
Sources: Esri, HERE, DeLorme, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), swisstopo, MapmyIndia, © OpenStreetMap contributors, and the GIS User Community, Esri, HERE, DeLorme, MapmyIndia, © OpenStreetMap contributors

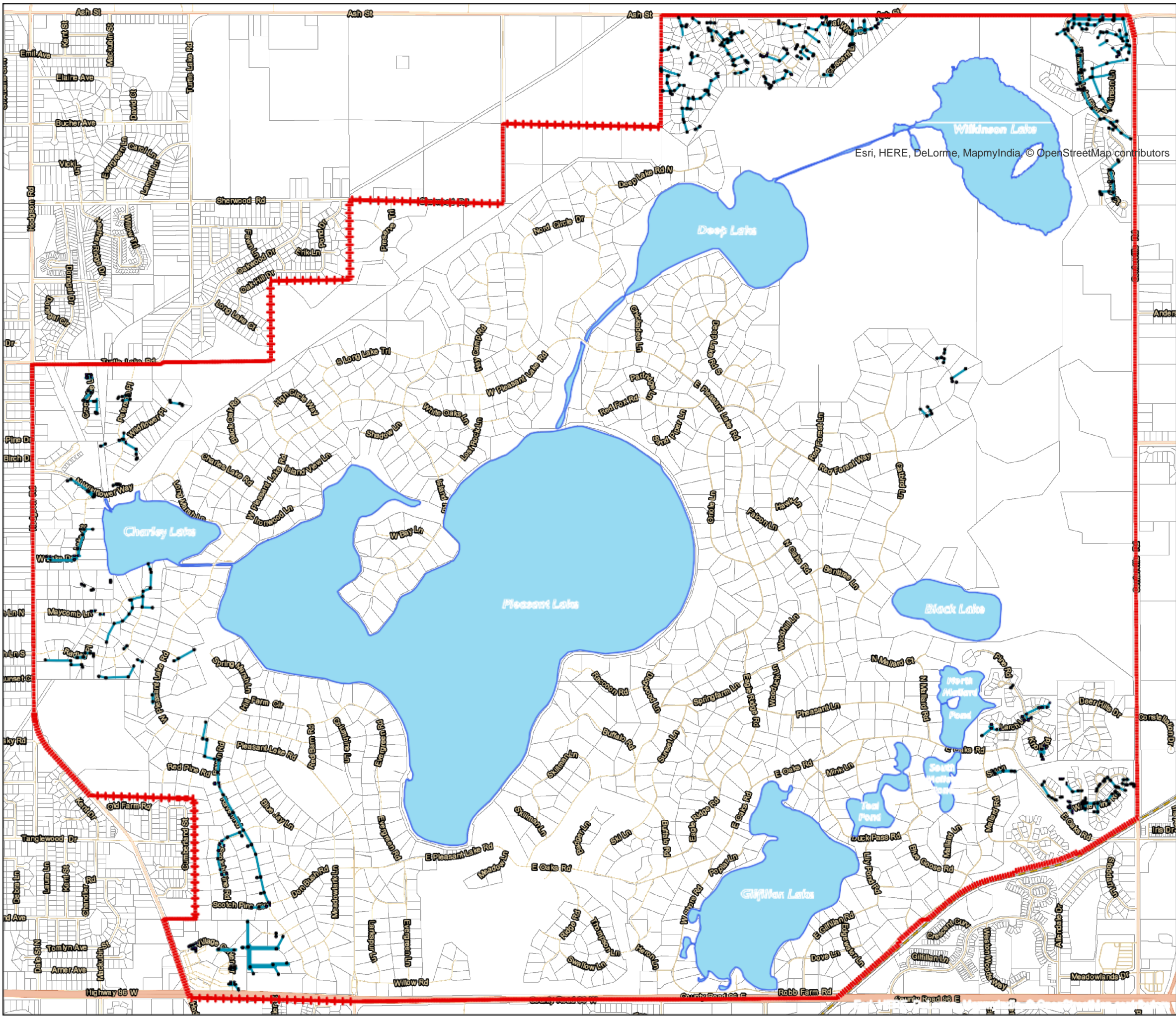


# MAP 14: Storm Sewer Systems

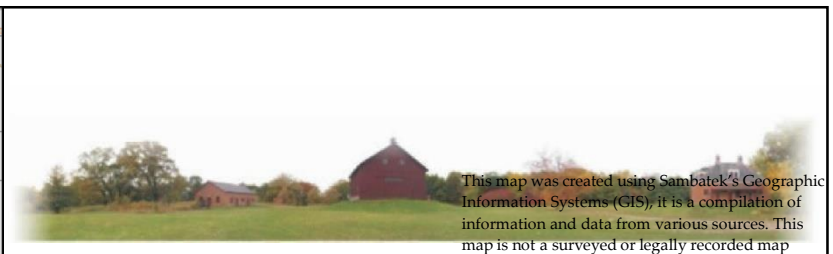


-  City Limits
-  Storm Sewer Lines
- Storm Sewer Structures
-  Storm Water Pond





Esri, HERE, DeLorme, MapmyIndia, © OpenStreetMap contributors



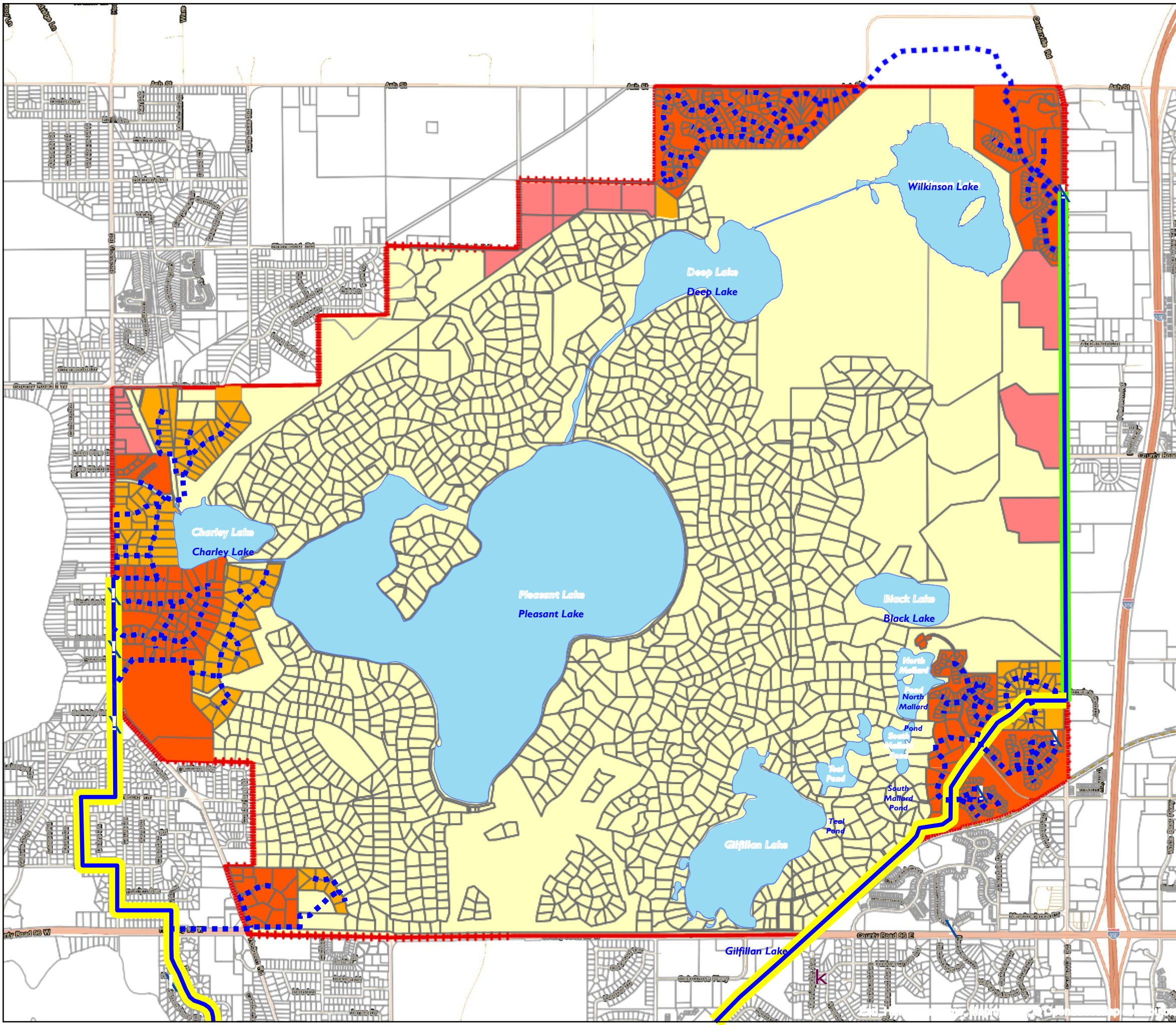
This map was created using Sambatek's Geographic Information Systems (GIS), it is a compilation of information and data from various sources. This map is not a surveyed or legally recorded map and is intended to be used as a reference. Sambatek is not responsible for any inaccuracies contained herein.







# MAP 15: Areas Served by Municipal Sewer



- k** Met Council Meter Locations
  - v** Sanitary Sewer Connection Points
  - Centerville Trunk Line
  - ...** Private sewer line
  - Regional Interceptor
- Service Types**
- Future Service Area
  - Sewer Only
  - Sewer and Water
  - City Limits

# 5

0 0.175 0.35 0.7 Miles

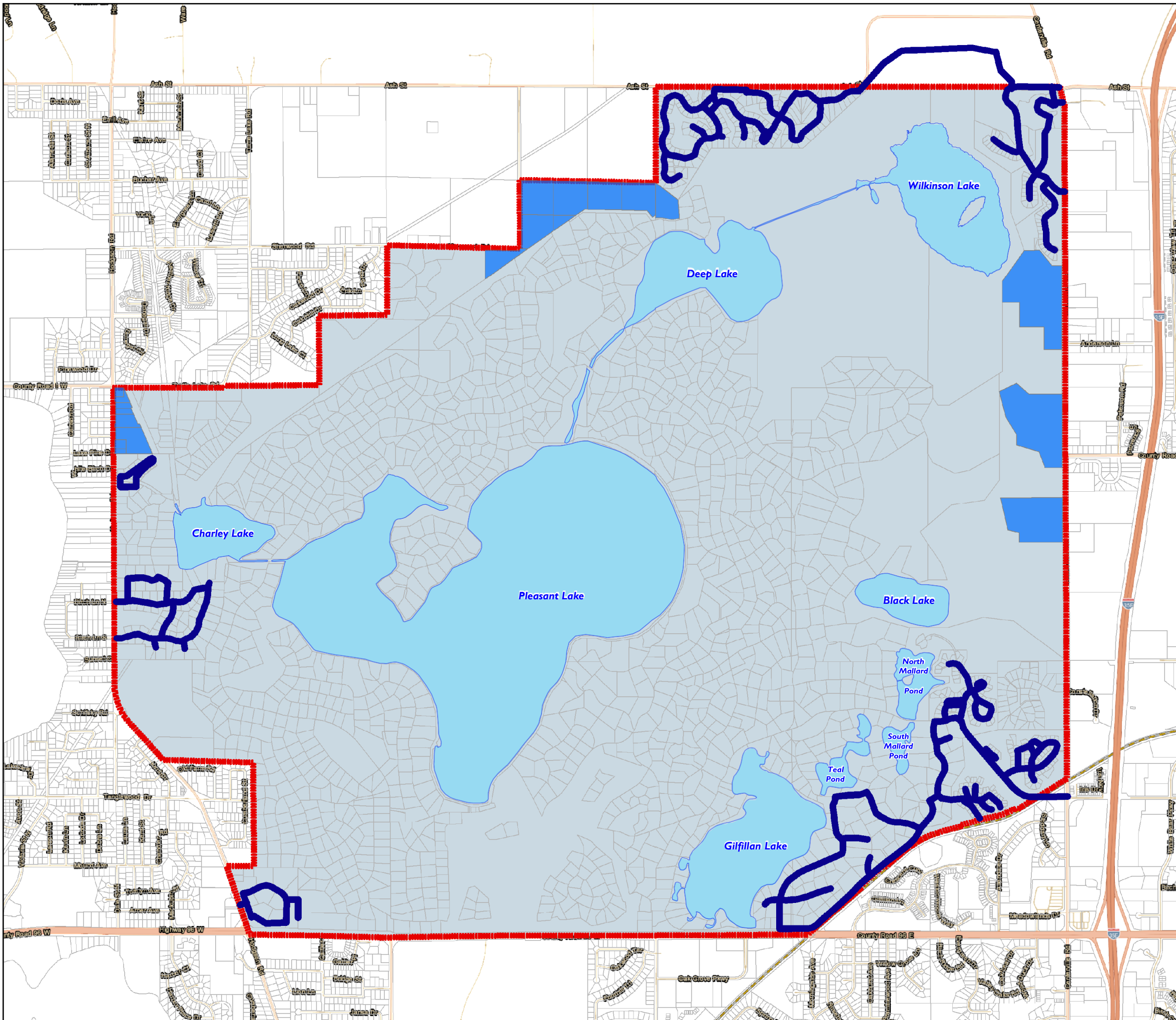
Esri, HERE, DeLorme, MapmyIndia, © OpenStreetMap contributors




This map was created using Sambatek's Geographic Information Systems (GIS), it is a compilation of information and data from various sources. This map is not a surveyed or legally recorded map and is intended to be used as a reference. Sambatek is not responsible for any inaccuracies contained herein.

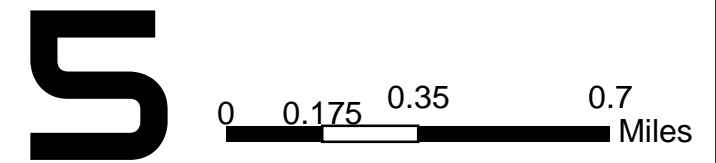




# MAP 16: Existing Water Systems



-  City Limits
-  Existing Water Main
-  Future Water Service Areas



\*Alignments as shown are approximate. Please refer to record drawings for actual utility locations.



This map was created using Sambatek's Geographic Information Systems (GIS), it is a compilation of information and data from various sources. This map is not a surveyed or legally recorded map and is intended to be used as a reference. **249**  
Sambatek is not responsible for any inaccuracies contained herein.



# **SINGLE STREAM RECYCLING COLLECTION AGREEMENT**

This AGREEMENT (hereinafter referred to as the "Agreement"), dated 9/8, 2016, is entered into by and between the CITY OF NORTH OAKS, a Minnesota municipal corporation (the "City"), and Peterson-Waddle Trash Removal, Inc., a Minnesota corporation (the "Contractor").

## **RECITALS**

WHEREAS, the Contractor desires to provide single stream recycling collection to the residents of the City.

WHEREAS, the City desires to provide these services for the health, safety, and welfare of its residents.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the City and Contractor hereby agree as follows:

## **AGREEMENT**

### **I. Definitions.**

"Effective Date" means January 3, 2017.

"Monthly Compensation Rate" means the amount to be paid monthly by the City to the Contractor to compensate the Contractor for the services provided under this Agreement.

"Recyclable Materials" means Newspaper, Junk Mail, Office Paper (Shredded Paper Placed in Paper Bag and Labeled), Boxboard, Cardboard, including Pizza Poxes (delivery style, not frozen food), Pop & Beer Boxes, Hardback and Paperback Books, Aluminum Cans, Aluminum Foil and Trays, Aerosol Cans, Steel cans, Cardboard Food Cans, Glass bottles, Plastic Bottles with a neck, marked with #1 (PET) or #2 (HDPE), plastic food and beverage containers that are #1, #2, #4, #5, and #7, such as plastic produce containers, plastic tubs for yogurt and cottage cheese, and transparent deli to-go containers, including tubs and clamshells. Milk Cartons and Juice Boxes.

### **II. Contractor's Collection Requirements.**

1. Recycling Collection Program. During the term of this Agreement, the Contractor shall collect Recyclable Materials from all residential dwelling units and City sites weekly, using a single stream collection service.
2. Collection Hours and Days. Collections must begin no sooner than 7 a.m. and shall be complete by 7 p.m. on scheduled collection days. The Contractor may request City authorization of exceptions to these time restrictions. The Contractor must request such exception from the City's designated contact person via telephone or email, prior to the requested collection event and specify the date, time and reason for the exception.

Residents shall be advised that containers in which Recyclable Materials have been stored shall be placed outside of their garage door or at the end of the homeowner's driveway by 7:00 am on the scheduled day of collection.

3. Holidays. The Contractor will be required to make regular collections of Recyclable Material on all holidays except Christmas Day. Observed holidays are New Year's Day, Memorial Day, Independence Day, Labor Day and Thanksgiving Day.
4. Christmas Trees. The Contractor will not provide collection of Christmas trees.
5. Procedure for Unacceptable Materials. Materials Outside of Cart and Unreachable Carts. If the Contractor determines that a resident has set out unacceptable recyclable materials, left Recyclable Materials outside of the cart, or has positioned the cart so that it is unreachable with the mechanical arm, the Contractor shall use the following procedures:
  - A. The Contractor shall collect all the Recyclable Materials and leave an "education tag" provided by the Contractor attached to the handle of the recycling container indicating acceptable materials, the proper method of preparation and the proper placement of the cart.
  - B. The driver shall record the address and report the addresses to the Contractor dispatcher, who will notify the City's designated contact person of the addresses.
6. Clean up Responsibilities. The Contractor shall make all collections of recyclable materials in vehicle using tarps on the load portion of the trucks so that contents will not spill, blow out or leak there from. The Contractor shall adequately clean up any recyclable material spilled or blown during the course of collection and/or hauling operations. All collection vehicles shall be equipped with at least one broom and one shovel for use in cleaning up material spillage. The Contractor shall have no responsibility to remove or clean up any items which are not recyclable materials.
7. Non-Completion of Collection and Extension of Collection Hours. The Contractor shall inform the City of the areas not completed, the reason for non-completion, and the expected time of completion.

### **III. Contractor's Operations Requirements.**

1. Customer Service. The Contractor shall establish and maintain an office staffed and capable of accepting complaints and customer calls. The office shall be in service during the hours of 7:00 am to 5:00 pm on all days of collection as specified herein. The address of the Contractors' office as of the Effective Date is PO BOX 586, Wyoming, MN 55092. The telephone number is 651-308-

**9553.** Any changes in address and telephone number of the office shall be given to the City in writing at least ten working days prior to such change.

2. Procedure for Complaints-Questions-Missed Collections. A complaint of service or missed collection is a complaint received by the Contractor from either the customer or the City. If the report is for a missed stop and is received by the Contractor before 11:00 a.m. on a scheduled working day, the Contractor is required to return to the complaint address and complete the collection. If the report is registered after 11:00 a.m. on a scheduled working day, the Contractor is required to return to the complaint address by 12:00 noon the following working day.
3. Route Management. The Contractor shall, at all times, provide the City's designated contact person with a lead route/driver supervisor who is accessible to the Contractor dispatch department via two way communications and to the City's designated contact person to handle route and collection issues in a timely fashion. The Route Supervisor and all collection vehicles must be equipped with 2-way communication devices.

The Contractor acknowledges that the City is a residential community that highly values an atmosphere of quietude. Therefore, and because of this important community value, the City reserves, during the term of this contract, the right to modify or change the pickup and collection schedule, the route or routes within the City that are taken by collection vehicles, the location and use of compaction equipment, collection locations or trash storage areas used by the contractor within the City. The City agrees to meet and confer with the Contractor before implementing any necessary changes authorized by this paragraph.

4. Contractor Employees. The performance of the contract shall be done by Contractor with staff which is adequate to insure the satisfactory collection and disposal of the Recyclable Materials at all times. Contractor's failure to perform shall not be excused by adverse conditions of weather, breakdown, and similar hindrances which on other work might be regarded as "acts of providence."

The Contractor shall be responsible for ensuring that there is sufficient personnel and equipment to fulfill the requirements and specifications of this contract, and that all personnel are trained both in program operations and in customer service and insure that all personnel maintain a positive attitude with the public and in the work place.

#### **IV. Contractor's Equipment Requirements.**

1. All vehicles must be maintained in proper working condition and available for inspection by the City or County. The Contractor shall supply the City with copies of annual inspections on all vehicles per MnDOT requirements. To the extent necessary due to the City's roads, Contractor must use smaller trucks and makes more trips through the community.

2. The Contractor must obtain all pertinent licenses from the Federal, State and County and City governments. The Contractor shall provide proof of current licensing and current MnDOT vehicle inspection reports upon request by the City.
3. Vehicles should be equipped with a two-way radio or phone, warning flashers and signs, backup alarms, a first aid kit and a broom and shovel for spills, and the contractor's name and phone number prominently displayed on both sides of the vehicle.
4. Recycling vehicles must be designated for recyclables collection only. All vehicles used by Contractor in picking up the recyclable materials from the residential properties shall be painted and marked uniformly and shall be identified on both sides of the cab. Broom and shovel in good usable condition shall be placed and maintained on each truck.
5. All collection vehicles shall be uniformly painted and the paint shall be in good condition. The Contractor's name shall be clearly visible from all sides of the vehicle, along with the Contractor's phone number, the Recycling symbol, and the vehicle ID number.

#### **V. Compensation.**

The Monthly Compensation Rate for the first year of the Agreement shall be \$16,667.00. After the end of the first year of the initial term of this Agreement, the Monthly Compensation Rate may be adjusted annually for the remainder of the initial term, and for the terms of any subsequent option periods, by an amount not to exceed three percent (3%) per annum, plus an adjustment for homes newly built in the City during the preceding year based on the applicable tax assessment per household for recycling services in effect on January 1 of the current year.

If during the term of this Agreement an event or events occur which result in substantially higher collection costs to the Contractor, the Contractor at its option, upon 60 days written notice to the City with solid evidence of this increase, may request a renegotiation of the Monthly Compensation Rate. Recycling service under this Agreement shall be provided by the Contractor to City sites at no charge.

#### **VI. Insurance.**

1. Insurance: Insurance secured by the Contractor shall be issued by insurance companies acceptable to the City and admitted in Minnesota. The insurance specified may be in a policy or policies of insurance, primary or excess. Such insurance shall be in force on the date of execution of the contract and shall remain continuously in force for the duration of the contract.

Contractor shall provide a Certificate of Insurance as proof of general liability coverage for bodily injury or death in the amount of \$1 million for bodily injury or death and \$1 million for damages to property. The Certificate of Insurance shall name the City as an additional insured, and state that the Contractor's coverage shall be the primary coverage in the event of a loss.

The Contractor shall also provide a Certificate of Vehicle Liability Insurance in the amount of at least \$1,000,000.

2. Workers' Compensation Insurance: Contractor shall provide evidence of Workers' Compensation Insurance covering all employees of Contractor engaged in the performance of this Contract in accordance with the Minnesota Workers' Compensation Law.
3. Indemnification: The Contractor agrees to defend, indemnify and hold harmless the City, its officers and employees, from any liabilities, claims, damages, costs, judgments, and expenses, including attorney's fees, resulting directly or indirectly from an act or omission of the Contractor, its employees, its agents, or employees of subcontractors, in the performance of the services provided by this contract or by reason of the failure of the Contractor to fully perform, in any respect, any of its obligations under this contract.

#### VII. Miscellaneous Provisions,

1. Term. The term for providing processing and marketing shall be from the Effective Date through December 31<sup>st</sup>, 2021 with two (5) year options to renew.
2. Designated Contact Person. Contractor designates \_\_\_\_\_ as its primary contact person for questions and concerns relating to the provision of services under this Agreement.
3. Notices. All notices, requests, demands and other communications hereunder shall be in writing and shall be deemed given if personally delivered or mailed, certified mail, return receipt requested, or sent by overnight carrier to the following addresses:  

If to City, to:	City of North Oaks 100 Village Centre Drive. #230 North Oaks, MN 55127 (651) 792-7751
If to Contractor, to:	Peterson-Waddle Trash Removal, Inc. P.O. Box 586 Wyoming, MN 55092
4. Reports. The Contractor shall to submit such reports to the City as the City reasonably requests.

5. Equal Opportunity. During the performance of this Agreement, the Contractor shall comply with applicable federal and state law and shall not discriminate against any employee or applicant for employment because of race, color, religion, sex, or national origin. In the event of noncompliance with the non-discrimination clauses of this Agreement, this Agreement may be canceled, terminated, or suspended, in whole or part, in addition to other remedies as provided by law.
6. Compliance with Laws and Regulations. In providing services hereunder, Contractor shall abide by all statutes, ordinances, rules, and regulations pertaining to the provision of the services to be provided. Any violation shall constitute a material breach of the Agreement.
7. Governing Law. The laws of the State of Minnesota shall govern all interpretations of this Agreement.
8. Subcontractors. Contractor shall not enter into subcontracts for any of the services provided for in this Agreement without the express written consent of the City.
9. Independent Contractor: Nothing contained in this Agreement is intended to, or shall be construed in any manner, as creating or establishing the relationship of employer/employee between the parties. The Contractor shall at all times remain an independent Contractor with respect to the services to be performed under this Agreement. Any and all employees of Contractor or other persons engaged in the performance of any work or services required by Contractor under this Agreement shall be considered employees or sub-contractors of the Contractor only and not of the City; and any and all claims that might arise, including Worker's Compensation claims under the Worker's Compensation Act of the State of Minnesota or any other state, on behalf of said employees or other persons while so engaged in any of the work or services provided to be rendered herein, shall be the sole obligation and responsibility of Contractor.
10. Transfer of Interest. The Contractor shall not assign any interest in the Agreement, and shall not transfer any interest in the Agreement, either by assignment or novation, without the prior written approval of the City. The Contractor shall not subcontract any services under this contract without prior written approval of the City. Failure to obtain such written approval by the City prior to any such assignment or subcontract shall be grounds for immediate contract termination.
11. Inspection & Retention of Records and Disclosure. All Contractor records with respect to any matters covered by this Agreement shall be made available to the City or its duly authorized agents at any time during normal business hours, as often as the City deems necessary to audit, examine and make excerpts or transcripts of all relevant data. The Contractor shall retain all records pertinent to expenditures incurred under this contract for a period of three years after the resolution of all audit findings. Records for non-expendable property acquired with funds under this contract shall be retained for three years after final disposition of such property.






12. Data Practices. The Contractor agrees to comply with the Minnesota Government Data Practices Act and all other applicable state and federal laws relating to data privacy or confidentiality. The Contractor must immediately report to the City any requests from third parties for information relating to this Agreement. The City agrees to promptly respond to inquiries from the Contractor concerning data requests. The Contractor agrees to hold the City, its officers, and employees harmless from any claims resulting from the Contractor's unlawful disclosure or use of data protected under state and federal laws.
13. Conflict of Interest. Contractor agrees that no member, officer, or employee of the City shall have any interest, direct or indirect, in this Agreement or the proceeds thereof. Violation of this provision shall cause this Agreement to be null and void and the Contractor will forfeit any payments to be made under the Agreement.
14. Amendment, Modification or Waiver. No amendment, modification, or waiver of any condition, provision, or term of this Contract shall be valid or of any effect unless made in writing, signed by the party or parties to be bound or by its duly authorized representative, and specifying with particularity the extent and nature of such amendment, modification, or waiver. Any waiver by either party of any default of another party shall not affect, in any respect, the validity of the remainder of the executed Agreement.
15. Termination. The City may cancel the Agreement if the Contractor fails to fulfill its obligations under the Agreement in a proper and timely manner, or otherwise violates the terms of the Contract if the default has not been cured after 90 days written notice has been provided. The City shall pay Contractor all compensation earned prior to the date of termination minus any damages and costs incurred by the City as a result of the breach.
16. Severability. The provisions of this Agreement are severable. If any portion of the Agreement is, for any reason, held by a court of competent jurisdiction to be contrary to law, such decision shall not affect the remaining provisions of this Agreement.
17. Non-Assignability and Bankruptcy: The parties hereby agree that Contractor shall have no right to assign or transfer its rights and obligations under this Agreement, including by merger, consolidation, dissolution, operation of law, or any other manner, without written approval from the City. Any purported assignment of this Agreement or any parts thereof in violation of this Agreement shall be void and of no effect. In the event Contractor, its successors or assigns files for Bankruptcy as provided by federal law, this agreement shall be immediately deemed null and void relieving all parties of their contract rights and obligations.
18. Entire Agreement. This Agreement contains the entire understanding of the parties hereto with respect to the transactions contemplated hereby and supersedes all prior agreements and understanding between the parties with respect to such subject matter. No representations, warranties, undertakings or promises, whether oral, implied, written, or otherwise, have been made by either party hereto to the

other unless expressly stated in this Agreement or unless mutually agreed to in writing between the parties hereto after the date representations, agreements, or understandings not expressly set forth herein.

19. Captions, Headings Or Titles: All captions, headings or titles in the paragraphs or sections of this Agreement are inserted for convenience or reference only and shall not constitute a part of this Agreement as a limitation of the scope of the particular paragraphs or sections to which they apply.

IN WITNESS WHEREOF, the parties have executed this Agreement on the dates set forth below:

<b>CITY OF NORTH OAKS</b>	<b>PETERSON-WADDLE TRASH REMOVAL, INC.</b>
By: 	By: 
Its Mayor	Its President
Dated: 9/9/2016	Dated: 9-9-2016
<i>And</i>	
By: 	
Its City Administrator	
Dated: 9/9/2016	

**CITY OF NORTH OAKS**  
**Ramsey County, Minnesota**  
**Single Stream Recycling Collection Agreement**

This Agreement is made and entered into effective the 1st day of May, 2021 (the "Effective Date"), and is by and between the City of North Oaks, a Minnesota municipal corporation (the "City") and Peterson-Waddle Trash Removal, Inc., a Minnesota corporation ("Contractor").

**WITNESSETH**

- A. WHEREAS, the City desires to provide single stream recycling collection to the residents of the City; and
- B. WHEREAS, the City desires to provide these services for the health, safety and welfare of its residents; and
- C. WHEREAS, Contractor is engaged in the business of collection and recycling of solid waste and is familiar with the requirements of the City and its solid waste services; and
- D. WHEREAS, the City has determined Contractor to be qualified to carry out the terms of this Agreement upon the terms and conditions and for the consideration hereinafter provided.

NOW, THEREFORE, in consideration of the foregoing and the covenants, promises, undertakings, and obligations herein created, granted, and assumed, the parties hereto agree as follows:

I. DEFINITIONS:

**"Monthly Compensation Rate"** means the amount to be paid monthly by the City to Contractor to compensate Contractor for the services provided under this Agreement

**"Recyclable Materials"** means newsprint, corrugated cardboard, glass, aluminum, steel and "tin" cans, plastic containers and lids (#1, 2, 4, 5, 7), gable top and aseptic containers, and other materials as mutually agreed upon by the City and Contractor.

II. CONTRACTOR'S SERVICES TO BE PERFORMED:

- 1. Recycling Collection Program. During the term of this Agreement, Contractor shall collect Recyclable Materials from all residential dwelling units and City sites weekly, using a single stream collection service. Contractor shall furnish all labor and equipment as shall be necessary and adequate to insure satisfactory collection, transportation and proper separation and processing of the Recyclables Materials. All work to be performed hereunder shall be done so as to protect public health and safety.
- 2. Contractor shall furnish all labor, materials, services and equipment, including vehicle fuel, required to perform all of its obligations under this Agreement solely at Contractor's cost and expense.

3. Collection Hours and Days. Collections must begin no sooner than 7 a.m. and shall be complete by 7 p.m. on scheduled collection days. Contractor may request City authorization of exceptions to these time restrictions. Contractor must request such exception from the City's designated contact person via telephone or email prior to the requested collection event and specify the date, time and reason for the exception.
4. Holidays. Contractor will be required to make regular collections of Recyclable Material on all holidays except Christmas Day. Observed holidays are New Year's Day, Memorial Day, Independence Day, Labor Day and Thanksgiving Day.
5. Christmas Trees. Contractor will not provide collection of Christmas trees.
6. Unacceptable Materials, Materials Outside of Cart and Unreachable Carts. If Contractor determines that a resident has set out unacceptable recyclable materials, left Recyclable Materials outside of the recycling container, or has positioned the container so that it is unreachable with Contractor's collection equipment, Contractor shall use the following procedures:
  - A. Contractor shall collect all the Recyclable Materials and leave an "education tag" provided by Contractor attached to the handle of the recycling container indicating acceptable materials, the proper method of preparation and the proper placement of the container.
  - B. Contractor's driver shall record and report the address of the applicable resident to Contractor's dispatcher, who will notify the City's designated contact person of such address.
7. Clean up Responsibilities. Contractor shall make all collections of recyclable materials in vehicle using tarps on the load portion of the trucks so that contents will not spill, blow out or leak there from. Contractor shall adequately clean up any Recyclable Material spilled or blown during the course of collection and/or hauling operations. All collection vehicles shall be equipped with at least one broom and one shovel for use in cleaning up material spillage. Contractor shall have no responsibility to remove or clean up any items which are not Recyclable Materials.
8. Non-Completion of Collection and Extension of Collection Hours. Contractor shall inform the City of the areas not completed, the reason for noncompletion, and the expected time of completion.

III. CONTRACTOR'S OPERATIONS RESPONSIBILITIES:

1. Customer Service. Contractor shall establish and maintain an office staffed and capable of accepting complaints and customer calls. The office shall be in service during the hours of 7:00 am to 5:00 pm on all days of collection as specified herein. Any changes in address and telephone number of the office shall be given to the City in writing at least ten working days prior to such change. The address of Contractor's office as the Effective Date is **5041 217<sup>th</sup> Street N., Forest Lake, MN 55025.** The telephone number is **651-308-9553.**

2. Licenses. Contractor must obtain all pertinent licenses from the Federal, State and County and City governments. Contractor shall provide proof of current licensing and current MnDOT vehicle inspection reports upon request by the City.
3. Collection Vehicles. Vehicles should be equipped with a two-way radio or phone, warning flashers and signs, backup alarms, a first aid kit and a broom and shovel for spills, and Contractor's name and phone number prominently displayed on both sides of the vehicle. Collection vehicles must be designated for recyclables collection only. All vehicles used by Contractor in picking up the recyclable materials from residential properties shall be painted and marked uniformly with Contractor's name and phone number prominently displayed on both sides of the vehicle. Broom and shovel in good usable condition shall be placed and maintained on each truck.
4. Reports. Contractor shall submit such reports to the City as the City reasonably requests.

IV. RESPONSIBILITIES OF THE CITY AND RESIDENTS:

1. The City will provide containers to residents for the collection of Recyclable Materials under this Agreement and inform all residents in the City desiring to participate in recycling to store Recyclable Materials in such containers.
2. Residents shall be advised by the City that containers in which Recyclable Materials have been stored must be placed outside of their garage door or at the end of the resident's driveway by 7:00 am on the scheduled day of collection.
3. All Recyclable Materials placed for collection shall be owned by and be the responsibility of the occupants of each residential property until said materials are handled by Contractor. Upon handling of the containers and Recyclable Materials by Contractor, the Recyclable Materials become the property and responsibility of Contractor.
4. Reports. The Deputy Clerk/Treasurer of the City shall be responsible for filing a yearly recycling report with Ramsey County.

V. COMPENSATION:

1. Monthly Compensation Rate. The Monthly Compensation Rate from the Effective Date through December 31, 2021 shall be \$25,170.00. The Monthly Compensation Rate will be increased by two percent (2%) on January 1, 2022. The Monthly Compensation Rate will be increased by four percent (4%) on each successive January 1 during the term of the Agreement, plus an annual adjustment for homes newly built in the City during the preceding calendar year based on the applicable tax assessment per household for recycling services in effect on January 1 of the then current year.
2. Adjustments. If during the term of this Agreement an event or events occur which result in substantially higher collection costs to Contractor, including but not limited to substantially increased fuel costs or tonnage of Recyclable Materials collected, Contractor at its option, upon sixty (60) days written notice to the City with solid evidence of this increase, may request a renegotiation of the Monthly Compensation Rate.

3. City Sites. Recycling service under this Agreement shall be provided by Contractor to City sites at no charge.

VI. INSURANCE & INDEMNIFICATION:

1. Insurance secured by Contractor shall be issued by insurance companies acceptable to the City and admitted in Minnesota. The insurance specified may be in a policy or policies of insurance, primary or excess. Such insurance shall be in force on the Effective Date and shall remain continuously in force for the duration of the Agreement.
2. General Liability Coverage. Contractor shall provide a certificate of insurance as proof of general liability coverage for bodily injury or death in the amount of \$ 1 million and \$1 million for damages to property. The certificate of insurance shall identify the City as an additional insured, and state that Contractor's coverage shall be the primary coverage in the event of a loss.
3. Workers' Compensation Insurance. Contractor shall provide evidence of Workers' Compensation Insurance covering all employees of Contractor engaged in the performance of this Agreement in accordance with the Minnesota Workers' Compensation Law.
4. Automobile Liability and Property Damage Insurance. Contractor shall also provide a Certificate of Vehicle Liability Insurance in the amount of at least \$1,000,000.
5. Indemnification. Contractor agrees to indemnify and hold harmless the City, its officers and employees, from any liabilities, claims, damages, costs, judgments, and expenses, including reasonable attorney's fees, resulting directly or indirectly from a negligent act or omission of Contractor, its employees, its agents, or employees of Contractor's subcontractors, in the performance of this Agreement or by reason of the failure of Contractor to fully perform, in any respect, any of its obligations under this Agreement. In the event of breach of this Agreement, or proven negligence by Contractor, Contractor agrees to pay, in addition to the actual damages sustained by the City as a result thereof, the reasonable attorney's fees incurred by the City in pursuing any of its rights under this Agreement.

VII. MISCELLANEOUS PROVISIONS:

1. Term. This Agreement shall commence on the Effective Date and shall remain in effect until December 31, 2024, unless earlier terminated in accordance with the terms of this Agreement.
2. Notices. All notices, requests, demands and other communications hereunder shall be in writing and shall be deemed given if personally delivered or mailed, certified mail, return receipt requested, or sent by overnight carrier to the following addresses:



If to the City, to: City of North Oaks  
100 Village Centre Drive.  
#230  
North Oaks, MN 55127  
(651) 792-7751

If to Contractor, to: Peterson-Waddle Trash Removal, Inc.  
5041 217<sup>th</sup> Street N.  
Forest Lake, MN 55025

3. Equal Opportunity. During the performance of this Agreement, Contractor shall comply with applicable federal and state law and shall not discriminate against any employee or applicant for employment because of race, color, religion, sex, or national origin. In the event of noncompliance with the non-discrimination clauses of this Agreement, this Agreement may be canceled, terminated, or suspended, in whole or part, in addition to other remedies as provided by law.
4. Compliance with Laws and Regulations. In providing services hereunder, Contractor shall all abide by all applicable statutes, ordinances, rules, and regulations pertaining to the provision of the services to be provided. Any violation shall constitute a material breach of the Agreement.
5. Governing Law. The laws of the State of Minnesota shall govern all interpretations of this Agreement.
6. Subcontractors. Contractor shall not enter into subcontracts for any of the services provided for in this Agreement without the express written consent of the City.
7. Independent Contractor. Nothing contained in this Agreement is intended to, or shall be construed in any manner, as creating or establishing the relationship of employer/employee between the parties. Contractor shall at all times remain an independent contractor with respect to the services to be performed under this Agreement. Any and all employees of Contractor or other persons engaged in the performance of any work or services required by Contractor under this Agreement shall be considered employees or sub-contractors of the Contractor only and not of the City; and any and all claims that might arise, including Worker's Compensation claims under the Worker's Compensation Act of the State of Minnesota or any other state, on behalf of said employees or other persons while so engaged in any of the work or services provided to be rendered herein, shall be the sole obligation and responsibility of Contractor.
8. Transfer of Interest. Contractor shall not assign any interest in the Agreement, and shall not transfer any interest in the Agreement, either by assignment or novation, without the prior written approval of the City. Failure to obtain such written approval by the City prior to any such assignment shall be grounds for immediate contract termination.
9. Inspection & Retention of Records and Disclosure. All Contractor records with respect to any matters covered by this Agreement shall be made available to the City or its duly authorized agents at any time during normal business hours, as often as the City deems

necessary to audit, examine and make excerpts or transcripts of all relevant data. Contractor shall retain all records pertinent to expenditures incurred under this Agreement for a period of three years after the resolution of all audit findings.

10. Data Practices. Contractor agrees to comply with the Minnesota Government Data Practices Act and all other applicable state and federal laws relating to data privacy or confidentiality. Contractor must promptly report to the City any requests from third parties for information relating to this Agreement. The City agrees to promptly respond to inquiries from Contractor concerning data requests. Contractor agrees to hold the City, its officers, and employees harmless from any claims resulting from Contractor's unlawful disclosure or use of data protected under state and federal laws.
11. Conflict of Interest. Contractor agrees that no member, officer, or employee of the City shall have any interest, direct or indirect, in this Agreement or the proceeds thereof. Violation of this provision shall cause this Agreement to be null and void and the Contractor will forfeit any payments to be made under the Agreement.
12. Amendment, Modification or Waiver. No amendment, modification, or waiver of any condition, provision, or term of this Contract shall be valid or of any effect unless made in writing, signed by the party or parties to be bound or by its duly authorized representative, and specifying with particularity the extent and nature of such amendment modification or waiver. Any waiver by either party of any default of another party shall not affect, in any respect, the validity of the remainder of the executed Agreement.
13. Termination. The City may terminate this Agreement if Contractor fails to fulfill its obligations under the Agreement in a proper and timely manner, or otherwise violates the terms of the Agreement if the default has not been cured after ninety (90) days written notice has been provided. The City shall pay Contractor all compensation earned prior to the date of termination minus any damages and costs incurred by the City as a result of the breach.
14. Force Majeure. Whenever a period of time is provided for in the Agreement for either the City or Contractor to do or perform any act or obligation, neither party shall be liable for any delays or inability to perform due to causes beyond the control of said party such as war, riot, unavoidable casualty or damage to personnel, materials or equipment, fire, pandemic, quarantine, flood, storm, earthquake, tornado or any act of God, but not strike, lockout or ordinary inclement weather. The time period for the performance in question shall be extended for only the actual amount of time said party is so delayed.
15. Severability. The provisions of this Agreement are severable. If any portion of the Agreement is, for any reason, held by a court of competent jurisdiction to be contrary to law, such decision shall not affect the remaining provisions of this Agreement.
16. Non-Assignability and Bankruptcy. The parties hereby agree that Contractor shall have no right to assign or transfer its rights and obligations under this Agreement, including by merger, consolidation, dissolution, operation of law, or any other manner, without written approval from the City. Any purported assignment of this Agreement or any parts thereof in violation of this Agreement shall be void and of no effect. In the event



**CITY OF NORTH OAKS  
RAMSEY COUNTY, MINNESOTA  
RESOLUTION NO. \_\_\_\_\_**

**RESOLUTION APPROVING A CONDITIONAL USE PERMIT TO  
CONSTRUCT A GARAGE IN EXCESS OF 1500 SQUARE FEET FOR  
PROPERTY ADDRESS AS 17 EVERGREEN ROAD**

---

**WHEREAS**, an application for a Conditional Use Permit has been submitted by Chad Wojtowick, the owner of the real property described below, to allow the construction of a garage in excess of 1500 square feet on real property located at 17 Evergreen Road, North Oaks, Ramsey County, Minnesota, legal described on the attached **EXHIBIT A**; and

**WHEREAS**, a Conditional Use Permit is required for accessory garage space in excess of 1,500 square feet; and

**WHEREAS**, the request has been reviewed against the relevant requirements of North Oaks Zoning Ordinance Sections 151.050 and 151.076, regarding the criteria for issuance of a Conditional Use Permit, and meets the minimum standards, is consistent with the Comprehensive Plan, is in conformance with the Zoning Ordinance, and does not have a negative impact on public health, safety, or welfare; and

**WHEREAS**, a public hearing concerning the Conditional Use Permit was held before the North Oaks Planning Commission in accordance with Minnesota Statutes, Section 462.357, subd. 3, on April 29, 2021, at which hearing the Planning Commission voted unanimously to recommend approval of the Conditional Use Permit application, subject to certain conditions.

**NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF NORTH OAKS**, that a Conditional Use Permit to allow garage space in excess of 1,500 square feet, but not to exceed 1,809 square feet, is approved subject to the following conditions:

1. In accordance with square footage reference in the applicant's narrative, a combined total of 1,809 square feet of accessory garage space shall be allowed upon the subject property.
2. The garage shall be used only for private residential non-commercial use.
3. The garages shall be constructed in the same architectural style as the principal building (per the submitted building elevation).
4. Exterior lighting upon the subject site shall be arranged so that it does not interfere with the reasonable use and enjoyment of surrounding land or constitute a hazard to vehicular traffic on all roads, streets, and public highways.

5. Exterior lighting shall be designed and directed so that there is no direct viewing angle of the illumination source from surrounding land.
6. The grading, drainage and erosion control plan shall be subject to review and approval by the City Engineer.
7. The City Code Enforcement Officer, or other designee, shall be granted the right of access to the Property at all reasonable times to ensure compliance with the terms of this Conditional Use Permit.
8. All plans must be approved by the Building Official prior to construction.
9. Compliance with all requirements in the City Engineer's Memo dated April 22, 2021.

**BE IT FURTHER RESOLVED** that the City Clerk, Deputy City Clerk, or City Attorney are hereby authorized and directed to record a certified copy of this Resolution with the Ramsey County Registrar of Titles.

Adopted by the City Council of the City of North Oaks this 13<sup>th</sup> day of May, 2021.

By: \_\_\_\_\_  
 Kara Ries  
 Its: Mayor

Attested:

By: \_\_\_\_\_  
 Kevin Kress  
 Its: City Administrator

**EXHIBIT A**  
**LEGAL DESCRIPTION OF PROPERTY**

Real property located in Ramsey County, Minnesota legally described as follows:

Tract C, Registered Land Survey No. 158, Ramsey County, Minnesota.

PID: 183022220008

Torrens Property



# April Month in Review

*April 2021*



Rehder Forestry Consulting

- Stopped removal of trees by an unlicensed contractor at 2 Overhill. They have submitted application, gone through the process, and are now licensed to work in North Oaks.
- Homeowner calls at 10 Spring Marsh Ln for shoreland forestry application.
- Meet with NRC on April 15<sup>th</sup>, 2021.
- Worked on an Oak Wilt Educational video through 9 North (formerly CSTV), should be ready for release soon.
- Working with the County to see if funding is available for Oriental Bittersweet and Japanese Knotweed control. Hope to continue with the momentum we gained last year.
- Continue to make residents aware of hazard tree situations that should be addressed.
- Marked a number of ash trees for removal that fit the criteria for Emerald Ash Borer (Year 3-4) disease.