



**CITY OF NORTH OAKS**

**Regular City Council Meeting**

**Thursday, August 12, 2021**

**7 PM, 100 Village Center Drive, North Oaks, MN 55127**

**MEETING AGENDA**

**Remote Access** - Some City Council members may 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: 836 4691 2157 or by joining the meeting via the following link: <https://us02web.zoom.us/j/83646912157>. 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: MSP Plumbing Heating & Air; Sedgwick Heating;

Arborist: Alliance Tree Care

6b. Approval of One Day Liquor License for 2021 Farm Fest - Hill Farm Historical Society

[HFHSA 1 Day Liquor License 7.26.21.pdf](#)

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

[07.08.2021 City Council Minutes.pdf](#)

6d. Approval of City Financials

6e. Approval of License Application to Make Retail Sales of Cigarette and Other Tobacco Products - Founders Cigar Company

[Founders Cigar Company Tobacco License App.pdf](#)

6f. Approval of resolution of support LJFD, Shoreview, Arden Hills, North Oaks

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

*Deputy Mike Burrell Report*

**8. Unfinished Business**

8a. Authorization to initiate deer management program

8b. Update on 319 Wilkinson project

[Wilkinson Lake Project Update to City and NOHOA Aug 4 final.pdf](#)

**9. New Business**

9a. Discussion and possible action on septic variance application for property located at 12 Swallow Lane

[Approving 12 SWALLOW LANE Septic Variance.pdf](#)

9b. Discussion and possible action on CUP for garage and land reclamation for property located at 12 Cherrywood Circle

[Resolution Approving 12 Cherrywood CUP.pdf](#)

9c. Discussion and possible action on CUP for land reclamation for property located at 2 Lost Rock Lane

[Resolution Approving 2 LOST ROCK LANE.pdf](#)

9d. Overview of 2022 Budget

[Copy of DRAFT 2022 Budget 8-9-21.xlsx](#)

9e. Overview of parking ordinance

9f. Discussion on City newsletter and options available for marketing

[North Oaks Project Estimates.pdf](#)

9g. Discussion and possible action on emergency order resolution

**10. Council Member Reports**

**11. City Administrator Reports**

**12. City Attorney Reports**

**13. Miscellaneous**

13a. City Forester July 2021 Report  
[July in Review.pdf](#)

**14. Adjournment** - *The next meeting of the City Council is*

**July 26, 2021**

**City of North Oaks  
Attn: Kevin Kress, City Administrator  
100 Village Center Drive, Suite 230  
North Oaks, Minnesota 55127**

**Re: Request of Approval of Hill Farm Historical Society's Application for One Day Liquor License for 2021 Farm Fest**

**Dear Kevin :**

**Enclosed is the Hill Farm Historical Society's application for a one-day liquor permit for the 2021 Farm Fest, which will be held on Sunday, September 12, 2021 from 3pm to 7pm. As you know, HFHS sponsors and holds the Farm Fest event each year. Attendees enjoy farm-related exhibits and music, and can purchase tickets for various activities (petting zoo, butter churning, games, crafts, exhibits, plus food and beverage items (including beer sales). We also hold a silent auction fundraiser.**

**I understand that the City typically approves the license/permit application, and will then send it to me, or your office can give me a call and I can pick it up at your office. I will then mail the Application for Liquor Liability Coverage to the Minnesota Joint Underwriters Association with the applicable fee, and include a copy of this application with the liquor license application.**

**I also understand that the City usually waives the application fee, and if that is not the case, call me and I'll drop off a check before the next City Council meeting.**

**If you have any questions, please call me at 651-486-7470.  
Thank you for your assistance.**

**Very truly yours,**



**Dorothy M. Hoem, Treasurer  
41 Nord Circle Rd., North Oaks, MN 55127**

**Enclosure**



**Minnesota Department of Public Safety**  
**Alcohol and Gambling Enforcement Division**  
 445 Minnesota Street, Suite 222, St. Paul, MN 55101  
 651-201-7500 Fax 651-297-5259 TTY 651-282-6555  
**APPLICATION AND PERMIT FOR A 1 DAY**  
**TEMPORARY CONSUMPTION AND DISPLAY PERMIT**  
 (City or county may not issue more than 10 permits in any one year)

|  |  |   |                          |
|--|--|---|--------------------------|
| <b>Name of organization</b>                    |  | <b>Date organized</b>   | <b>Tax exempt number</b> |
| Hill Farm Historical Society                   |  | January 1, 1989   | 41-1643145               |
| <b>Address</b>                                 |  | <b>City</b>   | <b>State</b>             |
| 41 Nord Circle Rd.                             |  | North Oaks  | Minnesota                |
|  |  | <b>Zip Code</b>   |                          |
|  |  |   | 55127                    |
| <b>Name of person making application</b>       |  | <b>Business phone</b>   | <b>Home phone</b>        |
| Dorothy Hoem, treasurer                        |  |   | 6512-4586-7470           |
| <b>Date(s) of event</b>                        |  | <b>Type of organization</b>   |                          |
| September 12, 2021                             |  | <input type="checkbox"/> Club <input checked="" type="checkbox"/> Charitable <input type="checkbox"/> Religious <input type="checkbox"/> Other non-profit |                          |
| <b>Organization officer's name</b>             |  | <b>City</b>   | <b>State</b>             |
| X Denise Fleming                               |  | North Oaks  | Minnesota                |
|  |  |   | <b>Zip</b>               |
|  |  |   | 55127                    |
| <input type="button" value="Add New Officer"/> |  |   |                          |

Location where permit will be used. If an outdoor area, describe.  
 Location is at the site in North Oaks, MN where there are a number of historical buildings. There is not a mail box at the site!!

**APPROVAL**  
 APPLICATION MUST BE APPROVED BY CITY OR COUNTY BEFORE SUBMITTING TO ALCOHOL AND GAMBLING ENFORCEMENT

|   |                                     |
|---|-------------------------------------|
| <b>City or County approving the license</b> | <b>Date Approved</b>                |
| <b>Fee Amount</b>                           | <b>Permit Date</b>                  |
| <b>Date Fee Paid</b>                        | <b>City or County Email Address</b> |
|   | <b>City or County phone number</b>  |

Signature City Clerk or County Official Approved Director Alcohol and Gambling Enforcement

CLERKS NOTICE: Submit this form to Alcohol and Gambling Enforcement Division 30 days prior to event.

**ONE SUBMISSION PER EMAIL, APPLICATION ONLY.**  
**PLEASE PROVIDE A VALID E-MAIL ADDRESS FOR THE CITY/COUNTY AS ALL TEMPORARY PERMIT APPROVALS WILL BE SENT BACK VIA EMAIL. E-MAIL THE APPLICATION SIGNED BY CITY/COUNTY TO [AGE.TEMPORARYAPPLICATION@STATE.MN.US](mailto:AGE.TEMPORARYAPPLICATION@STATE.MN.US)**

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

**1. CALL TO ORDER**

Mayor Ries called the meeting to order on July 8, 2021 at 7:00 p.m. All members were present in the City Council Chambers.

**2. ROLL CALL**

Present: Mayor Kara Ries. Councilmembers Rich Dujmovic, Jim Hara, Sara Shah, Tom Watson  
Staff Present: Administrator Kevin Kress, Attorney Jim Thomson, Engineer Tim Korby, City Planner Bob Kirmis.

Others Present: Engineer John Morast, North Oaks Company President Mark Houge, North Oaks Company Attorney Tom Bray, Tom Dillon from JMS Custom Homes

A quorum was declared present.

**3. PLEDGE OF ALLEGIANCE**

Mayor Ries led the Council in the Pledge of Allegiance.

**4. CITIZEN COMMENTS**

Councilor Watson asked to recognize Bob Scholz who was on the City Council from 1999-2002 and whose funeral is the following day. He was a great guy and will be missed.

**5. APPROVAL OF AGENDA**

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

**6. CONSENT AGENDA**

**6a. Approval of June 2021 City Financials**

**Approval of EFTs00044E-000452E and Check #: 014025 - 014055**

**6b. Approval of Licenses:**

**Mechanical: General Heating and Cooling LLC; Marsh Heating & Air Conditioning; Plumbing Restoration & Services LLC; The Fireplace Guys; ; TLT Enterprises, Inc.;**

**6c. Approval of Special City Council Meeting Minutes of June 10, 2021**

**6d. Approval of City Council Meeting Minutes of June 11th, 2021 and June 18th, 2021**

**6e. Approval of Waddle Recycling contract**

**6f. Approval of Gambling Permit for Common Bond Communities - Birdies for Hope Golf Event**

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

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

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

Deputy Burrell was not present and Administrator Kress will circulate the report via email to the Councilmembers.

## **8. UNFINISHED BUSINESS**

### **8a. Proposed change to building permit refund form**

**MOTION by Dujmovic, seconded by Shah, to approve the agenda proposed change to the building permit refund form. Motion carried unanimously by roll call vote.**

## **9. NEW BUSINESS**

### **9a. Consider approval of Conditional Use Permit for 16 Cherrywood Circle**

Staff presented a summary packet of information; City Staff and Planning Commission are recommending approval.

**[00:09:14] MOTION by Hara, seconded by Shah, to approve the Resolution #1426 Conditional Use Permit for 16 Cherrywood Circle. Motion carried unanimously by roll call vote.**

### **9b. Consider approval of application for final plan/plat/subdivision for the Island Field Development Site (Site H of the 1999 East Oaks PDA legally described as Tract D, REGISTERED LAND SURVEY NO. 561, RAMSEY COUNTY, MINNESOTA), and associated JPA for water and sewer services with White Bear Township**

Staff presented a summary packet of information and an overview of the project. City Planner Kirmis stated at a Special City Council meeting in December 2020 the Council considered and approved the Preliminary Plan of the Island Field plan or plat subject to various conditions. This plan accounts for construction of a two-phase 74 dwelling unit condominium building, along with community room, exercise room, outdoor gathering spaces, patio decks, walking paths, and a community garden. The North Oaks Company (NOC) has requested final plan approval of the Island Field project and wishes to subdivide the property and create 2 primary parcels of land which correspond to a phasing plan. Generally, the site plan, related building, street, and trail configurations as illustrated on the Final Plan are consistent with those on the approved Preliminary Plan. Mr. Kirmis noted that the site plan is not identical and includes some refinements. He walked the City Council through some comments and conditions.

The Council discussed lighting impacts on neighboring residents, photometric lighting plans, and City ordinance regarding lighting. Mark Houge, NOC President is happy to provide a photometric lighting plan to the City.

Engineer Morast updated the Council and noted most engineering comments are looking for more detail and clarity.

Councilor Hara noted a letter from NOHOA and the ownership and maintenance responsibility for the stormwater, asking whether those things should be done prior to the agreement or after approval of the development.

Engineer Korby said the sooner the better. One of his concerns is having some sort of retainer, contingency, or pot of money for these utilities in 5-10 years when NOC is done. He asked how much money will they need to maintain sewer, water, stormwater facilities, and who will pay for these things 15-20 years from now? Attorney Thomson will hopefully work that into the agreement. He noted they also have a meeting with the DNR the following Thursday to discuss the May 4, 2021 letter and the rationale of changing the Ordinary High Water Level.

Attorney Thomson said there is a specific condition in the Preliminary Plat approval resolution that says all plans shall specifically be revised to show the location of the Shoreland Management Area on the development site which shall be located based on the Ordinary High Water Level (OHWL) of Black Lake as determined by the MN DNR; and all buildings and structures shall be shown on the plans and located in a manner that is compliant with all Shoreland Management Area Requirements. He clarified if something changes with respect to the DNR's determination of the OHWL of Black Lake they will need to comply with that.

Councilor Watson would like someone to take a look at a matter addressed in a 1992 letter from Molly Shodeen (who was the DNR hydrologist at the time) with a complaint that the trail in the West Black Lake Development was within the setback of the OHWL.

Councilor Shah noted the DNR came back about a month ago with a lengthy response about the high water boundary and stated that they were wrong and made a mistake. The DNR also highlighted they were missing maps that they have now found and had more relevant information. The new response makes this irrelevant which is why she thinks it is not applicable in the checklist.

The Council discussed concerns with the DNR's letter, the science, studies of the hydrology, and new engineering comments.

Mr. Houge noted NOC and Engineer Korby have met weekly and had some very constructive meetings. Many of the engineering comments do not materially change the design but update text on the drawings which NOC is happy to do. Regarding the adjustment of the easement of the road coming in, as well as adjustments to the height of pipes to make sure there are no conflicts with other types of utilities, as long as it does not change the design but cleans up the drawings, NOC is in favor of making those changes.

NOC Attorney Tom Bray wants to differentiate what NOC is and is not objecting to. He noted the Applicant is objecting to the references in the Resolution purporting to make compliance of those comments a condition of approval. He asked that a letter he wrote to the City Attorney be included in the Minutes to save time and noted the City had 180 days from the time the



application was filed until the Council acted on the preliminary approval, to do all of the review, and the City had all the authority in the world as part of the Preliminary Plan approval to attach whatever conditions it felt was appropriate. Mr. Bray stated that authority ended when Preliminary Plan approval was granted. The Council's action tonight is governed by State Law Minnesota Statute Section 462.358 and the Council's decision is whether the Applicant has or has not complied with the conditions of the Preliminary approval or will comply with those conditions. There is no authority in State law or the City's ordinance for Council to impose new conditions at this time and the language in the ordinance purports to do exactly that. The result is that the City will not be complying with its obligation under Section 462.358 to act on this an either approve or deny this application; remedies to the Company will include the right to commence an action in Ramsey County District Court seeking a mandamus order, ordering the City to fulfill its obligation and awarding damages to the Company. He does not know whether that will be necessary because he does not know whether the Company will agree to all of the conditions imposed by the City Engineer. If they do, then it is a non-issue but if they do not the City has walked itself into a lawsuit with significant damage claims and Mr. Bray wants to be sure the Council is aware of that.

Attorney Thomson responded that he received the email from Mr. Bray who asked for three changes, and they made two of those changes. He is confident that the condition in the Resolution is enforceable, engineering plans change, if the City stubs their toe on one they can address it with Mr. Bray to see if there is something that needs to be worked out. Mr. Thomson is comfortable with the way conditions 1 and 2 are worded and has told Mr. Bray in an email that the City understands the Company is reserving their rights to challenge it if they have wont to.

Mayor Ries wants to put on record that in Minnesota it is often hard to do some of the engineering work during the winter months when things are frozen, such as soil samples, therefore some of the deadlines are virtually impossible or very difficult to meet. Engineers must have that flexibility so they can do a full and thorough vetting of the area.

Councilor Watson spoke about building height and he was on the Council that did not make Site H into a 47 foot high building. The reason it was 35 feet is because of the initial Comprehensive Plan, and the initial paragraphs of the PDA an issue they faced was comparability of neighboring properties. He noted it was not a mistake or oversight, they were not a bunch of misfits but there two things have taken place that have been meaningful and substantial in 20 years: first the 3 Amendments to allow the Harper's to get the title to the property, and second Presbyterian Homes coming into the community. He spoke about concerns at the time, and wants people to understand that the Council at the time made decisions and there was a reason that it was not 47 feet there. He said logic for adopting Amendment 8 is crazy to him because there was nothing substantial to support it.

Councilor Dujmovic thanked Councilor Watson and Mayor Ries for putting up with a whole lot over the course of the last 30 months, as they were called a lot of names, and their character, integrity, and honor was challenged. He stated this is not about the NOC as he has always had good conversations with them, they have been very helpful – rather, this is about the previous City Council and said there is all sorts of behavior by that City Council that he did not appreciate. He said it is not about counts or how much one can develop, it is about honor and

integrity when someone brings forward facts. He shared some documents and spoke about unit counts not aligning.

Councilor Shah has heard the arguments for years and noted they are the other Councilmembers' perspectives and interpretation of the PDA. There is no legal substance to deny Island Field, which the City Attorney has confirmed verbally and in written form. (Mayor Ries pointed out the written memo is private). Councilor Shah said the subdivision is compliant, they have met all the conditions, and there is no ability to deny.

**[1:18:15] MOTION by Councilor Shah to approve Resolution #1427, Island Field development without the additional conditions. Motion failed for lack of a second.**

Mayor Ries asked Attorney Thomson to address that he sent out a very clearly labeled Attorney-Client privilege memo and there is now a Councilmember who is reading portions of the memo into record.

Attorney Thomson said it is correct, he sent out a memo Attorney-Client privilege and the Council as the body is the only one that can waive that privilege and disclose it which has not happened.

Councilor Shah said it would be disturbing to her if they did not disclose this to the public as they deserve a right to know about the memo from the City Attorney. She clarified that she did not read it out loud but is referencing it.

The Council continued discussion including proof-of-parking, density, and decisions the previous City Council made regarding counts. Conversation continued regarding the 7<sup>th</sup> Amendment, 8<sup>th</sup> Amendment, and unit counts.

Attorney Thomson clarified that the NOC is bound by the agreements up to the 8<sup>th</sup> Amendment; with all of the amendments, the agreement as a whole now says NOC gets 645 residential units and 21 commercial units, so that is what they are entitled to. If this moves forward, NOC has now used up all of their commercial acres as they transferred the remaining ones and the future plats will have to comply with the PDA and its amendments. If NOC exceeds the number of dwelling units in the PDA in any of the sites, the City will have to address that.

Councilmembers then moved on to talking about the conversion of the units, zoning requirement, density, and the whether the amount of land in the Island Field is enough.

Councilor Hara sees both sides, including Councilor Shah's and Councilor Dujmovic's, and suggested sitting down for a discussion and negotiation between NOC and the City. He remembers a meeting where Councilor Dujmovic was asked to leave and asked where was the transparency as Councilmembers, the City Attorney, and Mr. Houge continued with a closed-door meeting.

Mr. Houge clarified for the record that there were no closed-door meetings after the real meeting; that is absolutely not true.

The Council continued discussion regarding the 5.73 acres, the need to have this type of unit built within the community for those who may be getting older and not want to take care of a large yard, and calculations on density and acreage.

Councilor Watson is on the same page as Councilor Hara, why can't they sit down and figure out what they need to do to get this thing done?

Mayor Ries is ashamed of the Council she was on when the public was being treated so poorly, it was embarrassing for the city, they Council are representatives of their City which is part of their duty, and Councilor Dujmovic had an excellent point in bringing it up: they all have a Code of Conduct to live up to and it was shameful behavior that failed that Code and failed how they should be acting as Public Servants to the community and she wants to say she is sorry. She explained to Councilor Shah that she was on the Council that year and is pretty sure that there is some post-traumatic stress. It was not okay what happened, and anyone that respects the Code of Conduct would not be okay with that behavior. Yes, they must move on and that is why each of them are here, that is why each of them ran for City Council, and they are here to do the City's business. She said to Councilor Watson's point, there is a 7<sup>th</sup> Amendment which talks about setbacks between E1, E2, and E3, and adjoining property with zero feet between them. She stated on the record that she, too, supports the condos on Island Field, she thinks it would be a great addition to the community. However, this is a bit beyond the scope of the agreement, trying to protect North Oaks, limit density, and protect the natural resources; she is very excited to have condos but it has to be the right condos and must respect the zoning, the Comprehensive Plan, and the 1999 PDA, which the 645 units has never been amended from. She wonders if Mr. Houge would entertain an extension of tonight's deadline of 60 days to work this out.

Mr. Houge can appreciate the Council's concerns; he is not trying to dismiss all of the work they have invested in trying to come up with the right solution for the community. However, he thinks they must also recognize what has been going on for the last 2 years and how this has been fully vetted. NOC does not have more time and is unable to extend. The answer is no.

The Council continued discussion on changes that have happened with the plans, lack of historical negotiation with the former City Council, a NOHOA letter dated June 28/July 6, and the fact that it would be nice to have a storm water management agreement before final plan approval.

Councilor Shah shared some learnings about the League of Minnesota Cities, filing a claim, and litigation. She is deeply concerned about breach of contract and noted financially the City would be on the hook for the insurance deductible of \$15,000, land and use issue co-pays, renewals and rates, and also legal fees and damages.

Mayor Ries said when one contacts their insurance carrier regarding litigation, they will tend to put the fear of God in them. Lucky for the City, they have hired Attorney Thomson who happens to be the League's Trust Attorney and counsels the League when there is a legal issue. It is sort of like getting the actual legal advice from the League without having the insurance provider scare them.

Councilor Watson spoke about going through litigation during his previous time on the City Council, noting the economics are just as Councilor Shah mentioned; the lawsuit ended in a settlement after trying to negotiate several times and ultimately the property owner had to move a building.

The Council shared their thoughts on what the prudent thing to do is as the deadline is this evening.

- Councilor Dujmovic does not feel he is in a position to disapprove because the previous City Council set things in motion that are difficult for the current City Council to walk out of; he also feels that he is not in a position to approve because he disagrees with the way that it was handled.
- Councilor Watson agrees there was no negotiation between the Company and the City. He spoke about maintenance plans, taxpayer money, and the fact the rest of North Oaks gets stuck paying for maintenance on these projects.
- Councilor Hara is astounded that an offer to negotiate and work it out in good faith has been denied. He agrees, as does probably the whole community, that condominiums are a great idea to be able to stay in the community, and he thinks the reluctance to negotiate from the NOC is not the NOC he has witnessed over the last 28 years.

Mayor Ries asked Mr. Houge for a two-week extension.

Mr. Houge replied they already gave a two-day extension for tonight's meeting and he cannot agree to any more extensions. It has been represented that the Company has been totally inflexible and has not conceded anything, in fact where the trail is in Nord was not something they were obligated to do at all but was the result of negotiations and compromise, and he noted ideas for Red Forest Way that the City did not want the Company to do, so they did not do them. He would appreciate the Company not being represented as being totally inflexible and winning at every turn because that is not a fair representation.

Administrator Kress noted another option for the City to negotiate directly with the third-party owner of the property; perhaps instead of 74 units it ends up being less as they will not really know the market until it hits the market.

Mayor Ries called for a five minute break. After the break, Mayor Ries asked if there is an option to approve Phase A and deny Phase B.

Attorney Thomson does not see that right now as it is a construction issue; before the City Council tonight is the plat, the RLS, and they cannot split the plat.

Mayor Ries asked Mr. Dylan if he would be agreeable to a two week extension or shorter to work out more agreeable plans to the plat.

Mr. Dylan does not think it is a question for him, but rather a question for Mr. Houge as the applicant.

Attorney Thomson explained the process of voting, noting that abstentions are allowed. He noted if the City Council does not vote to approve or deny, but rather does nothing, the Statute takes over and once the Applicant complies with all of the conditions in the preliminary plat it will be deemed approval. He clarified if the City Council approves the plat the applicant can record the mylars; if they deny it, the applicant cannot record the mylars without a court order and a lawsuit. If the Council does nothing, at some point the applicant will probably be allowed to record the plat as long as they comply with all of the conditions in the preliminary plat resolution.

**[02:58:52] MOTION by Councilor Watson to adjourn.**

Mayor Ries asked the benefit of that.

Councilor Watson replied because the clock runs out at 12:01 p.m. and then it is approved. He clarified he does not have to be stuck with a “yes” vote for a bunch of nonsense and he wants Mr. Dylan to build.

Mayor Ries wants to negotiate with Mr. Dylan and would like this to be a beneficial project without fighting when it comes time for building permits.

**[03:00:15] MOTION seconded by Councilor Hara. Motion to second withdrawn by Councilor Hara after Attorney Thomson suggested letting the motion to adjourn die so they can hear discussion from Councilor Shah.**

Councilor Shah wants to help clear the Councilmembers consciences and will make a motion to deny.

**[03:00:48] MOTION by Councilor Shah, seconded by Councilor Watson, to deny.**

Attorney Thomson explained in denying they need findings and reasons. A simple motion to deny is – in his opinion – not going to be defensible if challenged.

Mayor Ries suggested adding some additional points so it is substantive, citing that the zoning for this area has been breached because they can still comply with the density but cannot comply with the land, and the 8<sup>th</sup> Amendment is specific to the conversion, so that is a fundamental difference. She presented Attorney Thomson with case law that legally supports a Council when a preliminary plan is approved that is in violation of zoning that it is not justifiable that the company or developer can force a final plan approval just because preliminary plans have been approved when no zoning changes were made. She noted Councilor Watson has given more than substantial evidence to prove that the 5.73 remaining acres is non-existent and that all of the 21 acres has been used up, the 7<sup>th</sup> Amendment has language that indicates unit counts and setbacks which would also indicate that the 5.73 acres no longer exists. Mayor Ries noted there are many other reasons including DNR issues, water level, setback, and she is just giving some high-level reasons.

Councilor Hara asked if calmer heads can prevail and asked Mr. Houge if this is honestly what he wants to do. Mr. Hara is currently involved in an eminent domain lawsuit that has been 9 months in and 3 months until they see a court date; Councilor Hara cannot believe they can't come to an understanding that is not awful for NOC, benefits citizens of North Oaks, still get the Company what they want to do. This seems like a crazy path to take and he does not think they are so far apart that they cannot come to some common ground and move this thing forward without incurring time delays, expense, and everything else.

Mr. Houge is not looking forward to a lawsuit any more than anyone else would be and he is not sure what the motion on the table is, he has been frustrated trying to have conversations with each of the Councilmembers, he has reached out on numerous occasions to meet and talk about their concerns, offered tours of the site and has been basically told that they are not interested. At this point, he is at a loss as to what he is to do.

Councilor Hara said as a Council, right now they are willing to sit down with Mr. Houge and talk about this and try to move things forward so he is not delayed and they are not spending a bunch of time and resources on an extremely unproductive result.

**[03:11:30] Motion to deny withdrawn by Councilor Shah.**

**[03:14:00] Second to the motion to deny withdrawn by Councilor Watson.**

Attorney Thomson stated it might be helpful if he could take some time to speak with Attorney Bray.

Mayor Ries said Administrator Kress and Mr. Thomson can recess for 10-15 minutes and the Council will continue with the Agenda.

## **10. COUNCIL MEMBER REPORTS**

Councilor Hara went to the Planning Commission meeting, they did a good job, and are anxious to get back into chambers. HR Green gave Councilor Hara and Administrator Kress a wetland ordinance from the City of Minnetonka and the Minnehaha Watershed which are models the City is working on for the North Oaks wetland ordinance.

Councilor Dujmovic had a production meeting with NineNorth regarding the joint meeting between the City and NOHOA to welcome new members to the community. The vision is a brief overview of North Oaks' history, their commitment to being a private, nature-respecting community, the unique governing structure, and some links and information to clubs and organizations. He noted there were increased reports of fraud, speeding, and fishing this month; there was also a theft of a golf cart. Councilor Dujmovic noted NOHOA placed some traffic cameras at Rapp Farm this morning and they look forward to hearing the intent of using that information from those traffic cameras.

Councilor Shah has an upcoming Fire Relief Board meeting, and VLAWMO Tech meets the following morning at 7:30 a.m. She had an appointment with the North Oaks Heritage and

Architectural Preservation Project (NOHAPP) and there is a lot of opportunity there and hopes to have more updates in the future.

Councilor Watson has a Fire Board meeting, they have seen some early semantics for the new building and are looking at some of the initial capital budgets and noted Fire Trucks are expensive. At VLAWMO they have been working on budget going into 2022 and the 319 project is proceeding. Councilor Watson connected with Lonnie at Peterson Waddle and Councilor Watson and updated the Council on the contract.

Mayor Ries noted they had a very successful Green Lights Recycling Day, she will have a Mayor's meeting, and Cable Commission meeting coming up.

**[03:32:08] Attorney Thomson came back and the City Council continued discussion on item 9b.**

Mr. Houge noted the City Council has made reference to wanting to negotiate but he still has not heard what specifically they do not like about the proposal and is curious as to what they would like to negotiate.

The Council shared what they would like to see and negotiate. Councilor Hara would like to look at trails, recreation space, and some things that would enhance the developments for the community. Councilor Dujmovic would like to negotiate elements of the trail. Councilor Watson would like to get a 5-0 yes vote; he does not have a preconceived agenda but would like to get to a yes as quickly as possible. Councilor Shah has studied the development process and believes that the applicant has met the conditions and that they are compliant.

Councilor Watson said they can get to yes rather quickly when they get rid of all the extraneous matters that will not be changeable.

Mayor Ries noted they are all very interested in this project and for her it is the process as there are co-pending applications that were shoved at the Council and the Company has boxed themselves in right now as the 645 has not moved. She wants to talk about recreation in the negotiations, as well as a few additional asks.

Mr. Houge is prepared to spend the next half-hour trying to come to an understanding of what is agreeable; he is not willing to extend. The Company is prepared to create some open space with recreational facilities and have been in conversation with NOHOA, although they do not have any obligation to create more open space and recreational areas but they have a residual 2-3 acres that will be available for that purpose. He stated the NOC offered to do the improvement project to get Wilkinson Lake off the impaired nutrient list before VLAWMO pursued the 319 grant. Mr. Houge offered that they will expand the features of the trail that goes north/south, potentially adding birdwatching stations. He can stand here tonight and say the NOC will work to get the recreational facilities and trail improvements to everyone's satisfaction. However he cannot let these discussions continue to go on.

Councilor Hara asked if Mr. Houge is willing to look at some of the bonus densities on some of the development areas as to perhaps not push them to the max.

Mr. Houge asked if Councilor Hara is expanding the conversation beyond Island Field.

Councilor Hara thinks the Council in general is talking about not just Island Field but all of the developments the NOC has left to do or that are in process in the East Oaks arena.

Mr. Houge stated with regard to Island Field condo, it is a two-phase project because they want to know what the demand is and how many units the residents of North Oaks thinks is appropriate. He noted people may also want to combine units which would end up with less housing units, but NOC wants to preserve the right to do up to 74 if that is what the market is asking for. It is pretty likely that there will be fewer units in that building once they are all done as some smaller units may be combined. Mr. Houge said Gate Hill is a well-designed project and he does not see changing that. With Red Forest Way, they are still in the process of designing it and just received preliminary plan approval on Phase 1. He asked the Council to keep in mind they had the opportunity to do 200 units in Rapp Farms and they did 156 units. He noted all of his predecessors did less dense developments than they could have and now he is kind of stuck with it. He stated now they are getting to the end and he wants to reserve the right to complete the number of housing units as per contract. If the market says there is not a demand for 74 units, perhaps they combine a few smaller units and now there are 70 units. It is similar with Gate Hill.

The Council and Mr. Houge continued talking about how they can get to a 5-0 vote.

**[04:10:58] MOTION by Councilor Watson to adjourn.**

Councilor Shah thinks it is a cowardly move to adjourn, and she is very disappointed in all of them if they do this. They take a stance either way, they have to do this, they are elected, and this is their duty.

**Mayor Ries noted the Motion failed for lack of a second.**

Councilor Dujmovic again stated the previous Council passed Amendment 7 and 8, so if this City Council is legally obligated to follow what they follow, the decision was made by that Council and not by this current Council. He fundamentally disagrees with the process that led to both of those amendments and does not believe that those elected to represent their community were actually representing their community. He cannot say yes to that, and some people may think this is being a chicken, but that was their decision and not Councilor Dujmovic's. If he okays that he does not want to be on the record as saying he agrees or he permitted that. The same outcome may result but he will not be saying he agrees with their approach.

Councilor Watson stated that is exactly where he is standing. He cannot vote no because he wants Mr. Dylan to proceed but he is exactly where Councilor Dujmovic is because the foundation upon which this is based is flawed and inaccurate, it cannot be proven. He is trying to move things along because he respects the Harpers. He clarified his motion to adjourn is to let this thing die and be approved.



For Mayor Ries it is what was previously stated, and because it is non-compliant...and having co-pending plans that are all equally non-compliant. She is serious about negotiating and serious negotiators do not take 10 minutes, they do it right and they do it in good faith to reach five yes votes.

**[04:18:4] MOTION by Councilor Shah to adopt Resolution #1427 to approve Island Field with conditions outlined. Motion failed for lack of a second.**

Administrator Kress asked if they can handle some of the other items as they have been hanging here for months. Many things he does not even put on the agendas because they do not get to them. He shared that it gives Staff extra load and he is about exhausted with how much time and effort they are putting into these projects and it is really frustrating for him personally.

**9c. Discussion and possible action on convening meetings in public**

Mayor Ries asked if the Council wants to come back in person as the Governor's motion is now expired.

Administrator Kress clarified the question is whether they will continue to use Zoom in addition to being in person; are they going to leave that platform available to a consultant if they cannot make the meeting or leave it on the table for a resident to make public comment.

Mayor Ries proposes leaving it open for a couple more months and then assess, noting the Councilors are required to be in person.

Attorney Thomson clarified the remote meeting rules; they are talking about in-person meetings with a possible exception once-in-awhile. Come the next regular meeting, the Council really will not be allowed to meet remotely because of the pandemic. He stated that is not what the Council is proposing; rather, they are proposing to meet in person but allow people and consultants to participate along.

Administrator Kress said the other issue is the estimates from the design company to do reformatted e-newsletters and other updates that was brought up a couple months ago. He noted it is a local resident, logo redesign is estimated at \$5,000-7,000, postcard printing \$1,000, and he said all-in they are probably at under \$20,000 but it depends on what the City wants – he pointed out the City does not have to do everything.

The Council decided to table until they take a better look at the budget and priorities of what they are trying to accomplish.

Councilor Watson said it seems to him they are doing a lot of duplication with NOHOA on certain activities; he noted he came from a time when they partnered on a lot of things and they used the City budget because it is tax deductible and NOHOA dues are not tax deductible. In thinking about financial advantages that is one of them. He saw MEL's services putting up stop signs the other day and putting up signs as a home owners' association is really not proper – if

they want to enforce those things they must follow MnDot sign standards as a City otherwise citations are not enforceable which comes from a judge in Ramsey County.

**[04:33:00] MOTION by Hara, seconded by Watson, to adjourn. Motion failed by roll call vote as Councilmembers Watson and Hara voted for; Councilmembers Shah, Dujmovic, and Ries voted against.**

The Council continued discussion on the unique value of North Oaks and the fact that every issue and discussion is connected rather than isolated.

**[04:45:03] MOTION by Shah to adjourn. Motion failed for lack of a second.**

Administrator Kress asked if they can go through the Master Utility update with Mr. Korby.

Mayor Ries said that would be great. She also has an issue to discuss; it was brought to her attention today that there is discussion that they would be trespassing on the development land. For example, if Mr. Korby were to go out and check on progress at development sites he would be accused of trespassing. She would like Attorney Thomson to weigh in on whether Mr. Korby has an obligation to go and fulfill his duty as City Engineer to check up on conditions or development and if that would be trespassing.

Administrator Kress said the City and its agents (meaning the City Engineer, City Attorney, City Planner, City Administrator) can access the site if they were there to look at improvements to the site. Any construction-related items are what they would be looking at.

Engineer Korby gave an Engineering Report regarding the bluff at 20 Evergreen, the 4 development projects including Gate Hill, and the MS-4 permit. He noted they dealt with the 5-year MS-4 and got that turned in, and will now be working on the annual MS-4 permit. They have also been working with the North Oaks Country Club and the Met Council. Mr. Korby wants to get going on the rate study and the master utility study.

#### **10a. Night to Unite Proclamation**

**11. CITY ADMINISTRATOR REPORTS** None.

**12. CITY ATTORNEY REPORTS** None.

#### **13. MISCELLANEOUS**

**a. March 2021 Forester Report**

#### **14. ADJOURNMENT**

**MOTION by Watson, seconded by Hara to adjourn. Meeting adjourned at 12:04 a.m. Motion carried unanimously by roll call.**

\_\_\_\_\_  
Kevin Kress, City Administrator  
Date approved \_\_\_\_\_

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

## Deb Breen

---

**From:** Kevin Kress  
**Sent:** Thursday, July 29, 2021 1:26 PM  
**To:** Deb Breen  
**Subject:** FW: Sheriff Notes

-----Original Message-----

**From:** Burrell, Michael R <michael.burrell@CO.RAMSEY.MN.US>  
**Sent:** Thursday, July 8, 2021 7:33 PM  
**To:** Kevin Kress <KKress@northoaksmn.gov>; Rich Dujmovic <RDujmovic@northoaksmn.gov>  
**Subject:** Sheriff Notes

**Caution:** This email originated outside our organization; please use caution.

Sorry for not being able to attend tonight.

I would have had this done earlier but got tied up on some calls.

Here's the report:

Due to increased complaints a speed trailer was placed on East Pleasant just east of the 4 way stop by the entrance. This trailer is split with the other 6 contract cities so it will only be up for a limited period. I have gotten requests from other residents about this getting placed elsewhere. I have let our traffic unit know about this ;

Traffic concerns seem to be the top complaint currently from residents. Recently , Deputy Picha was moved into the traffic unit for the summer filling in for Deputy Casey. I have been in contact with Dep Picha who will work with me on various traffic issues;

North Oaks crime reports remain low. Although, This past month there have been several reports from residents about various fraud. With some of these frauds residents have given the fraudsters money. In these cases the victims are contacted via phone or email in what is referred to as a "phishing " attempt. They will pretend to be from a company (Amazon , pay pal, eBay etc ). In these type of scams it's is best to not communicate with these people and never send any money over phone and do not ever give someone access to your bank account. Often times money cannot be recovered or refunded. Sometimes suspects will gain access by victims giving away their account numbers and passwords;

Crime reports in other parts of the county remain high. There are several reasons for this increase. There has been a push among some to not prosecute cases, not hold criminals accountable for their actions, Release criminals with no bail, blame victims rather than the criminals for the actions committed by criminals , along with making it much harder for police to be proactive.

**North oaks continues to not see the same levels of crime as its neighbors.**

**Sent from my iPhone**

**License Application to Make Retail Sales of Cigarette and Other Tobacco Products**

To be completed by applicant when applying for a license with a city or county.

*FOR MUNICIPAL USE ONLY*

Applicant's Minnesota Tax ID Number  
**7081198**

The Minnesota Tax ID must be Issued in the same legal name of the licensee below.

|                   |
|-------------------|
| License Authority |
| License Number    |
| Period Covered    |
| Date of issuance  |

**Cigarettes/tobacco products will be sold (a separate license is required for each location or vending machine):**

Over Counter       Through Vending Machine       Both

Print or Type

|  |                    |                          |  |
|--|--------------------|--------------------------|--|
| Licensee's Legal Name<br><b>Founders Cigar Company</b>                                       |                    |                          | Federal Employer ID Number (FEIN)<br><b>85-3698410</b> |
| Business Trade Name (doing business as)<br><b>Founders</b>                                   |                    |                          | Daytime Phone<br><b>651.431.0460</b>                   |
| Complete Address of Business Location (permit location)<br><b>855 Village Center Dr #238</b> |                    | County<br><b>Ramsey</b>  | Other Phone Number                                     |
| City<br><b>North Oaks</b>  | State<br><b>MN</b> | ZIP Code<br><b>55127</b> | Fax Number   |
| Mailing Address (if different than business address)   | City               | State                    | ZIP Code   |
|  |                    |                          | Email Address  |

**Type of legal organization (check one):**

Sole proprietor       Minnesota corporation: Enter date of Incorporation 10/30/2020

Partnership       Out-of-state corporation: State of Incorporation \_\_\_\_\_

Other (describe) \_\_\_\_\_

Are you registered to do business in Minnesota?     Yes     No

Business Information

**Corporate officers or partners (attach a list if necessary)**

| Name                     | Title             | Address                 | City               | State     | ZIP Code     |
|--------------------------|-------------------|-------------------------|--------------------|-----------|--------------|
| <b>Brian Schmittziel</b> | <b>Co-Founder</b> | <b>7313 Old Mill Rd</b> | <b>Centerville</b> | <b>MN</b> | <b>55038</b> |
| <b>Angelo Fraboni</b>    | <b>Co-Founder</b> | <b>5330 Hodgson Rd</b>  | <b>North Oaks</b>  | <b>MN</b> | <b>55128</b> |

**As a licensed tobacco products or cigarette retailer, I understand that:**

1. I can purchase cigarettes and tobacco from a Minnesota distributor or subjobber who holds a license with the Minnesota Department of Revenue. The Cigarette and Tobacco Distributor List is on our website. Go to [www.revenue.state.mn.us](http://www.revenue.state.mn.us) and type Distributor List in the Search box.
2. I must obtain a tobacco products distributor license if I purchase untaxed tobacco products from an out-of-state company.
3. I may not sell cigarettes affixed with Minnesota Native American stamps unless my retail business is located on a reservation that has a tax agreement with the State of Minnesota.
4. I may not purchase from or exchange cigarettes or tobacco products with another retailer.
5. I must keep complete and legible cigarette and tobacco products invoices on the licensed premises, or make invoices available within one hour of request, for at least one year after the date of the purchase.
6. I know that the Minnesota Department of Revenue and/or law enforcement may conduct cigarette and tobacco inspections of the premises, including inspections of inventory, invoices and licenses, and I understand that a refusal to allow an inspection is grounds for revocation of my license.
7. I know that failure to comply with all requirements can result in criminal penalties, including the loss of cigarettes and tobacco products.

Statement of Understanding

|                             |                            |  |                         |                                      |
|-----------------------------|----------------------------|--|-------------------------|--------------------------------------|
| Licensee's Signature<br>    | Title<br><b>Co-Founder</b> | Print Name<br><b>Brian Schmittziel</b> | Date<br><b>8/9/2021</b> | Daytime Phone<br><b>651.431.0460</b> |
| Licensing Agent's Signature | Title                      | Print Name                             | Date                    | Daytime Phone                        |

Sign Here

**License applicant:** Submit this form to the licensing authority along with the license application.  
**Licensing authority:** Mail, email or fax to:  
 Minnesota Revenue, Mail Station 3331, St. Paul, MN 55146-3331.  
 Fax: 651-556-5236. Email: [cigarette.tobacco@state.mn.us](mailto:cigarette.tobacco@state.mn.us)

## **Wilkinson Lake Project Introduction and Small Priority Watershed Designation for VLAWMO**

To: North Oaks City Council and NOHOA  
For: City Council and NOHOA August Packets  
Date: August 4, 2021

### **Section 319 Grant Funds:**

Section 319 funding is provided by the Environmental Protection Agency (EPA) and administered in Minnesota by the Minnesota Pollution Control Agency (MPCA). Starting in 2020, funds are awarded to Small Priority Watersheds resulting from a competitive application process with the MPCA.

Prior to the Small Priority Watershed designation, funding for Section 319 program grants was competitively awarded on a project basis. This prior project-based approach provided a grant to VLAWMO for the Lambert Creek meander that was completed this summer in Vadnais Heights.

VLAWMO was selected as a Small Priority Watershed in Group B with the MPCA in August 2019. The competitive process that led to the designation consisted of a 3-part process: an introductory letter of interest and detailed history of projects; a panel phone interview with VLAWMO and the MPCA; and an in-person panel interview with VLAWMO, MPCA, and partners. Partners representing North Oaks for the in-person interview included Bob Larson, the North Oaks City-appointed Technical Commission representative, and Diane Gorder, the NOHOA liaison at that time. Dan Jones City Councilmember and VLAWMO Board member (City of WBL) represented the VLAWMO Board. SPRWS and other partners also provided representation for the interview.

This new iteration of Section 319 has a 16-year vision for projects with Small Priority Watersheds in 4 groups, each of which is prioritized for funding in 4 separate years. Group B, which includes VLAWMO, is slated to receive funding during 2021. VLAWMO has prioritized Wilkinson Lake for projects of regional significance and also plans to include Birch and Tamarack Lakes, connected waterbodies in the system. Possible projects are listed in a Nine Key Element document (NKE), required prior to receiving funding, that was approved by the VLAWMO Board, MPCA, and EPA in early 2021. The NKE will be used for project selection over the course of the grant program.

Grant funding is provided for 60% of the project; 40% is provided by local match. The first-round projects for each Small Priority Watershed in 2021 are \$590,000. Local match contributions have been requested by VLAWMO from member communities. NOC is providing 50% of the resulting VLAWMO-required match in partnership with VLAWMO. VLAWMO and NOC are also providing funding for maintenance of the project (50/50 share).

### **Initial Phase Discussion and Project Identification Preparation:**

- The City was presented a summary of early project development at the April Council meeting; a more detailed presentation and discussion was conducted at the April Natural Resources Commission (NRC) meeting by VLAWMO staff with VLAWMO Board representation

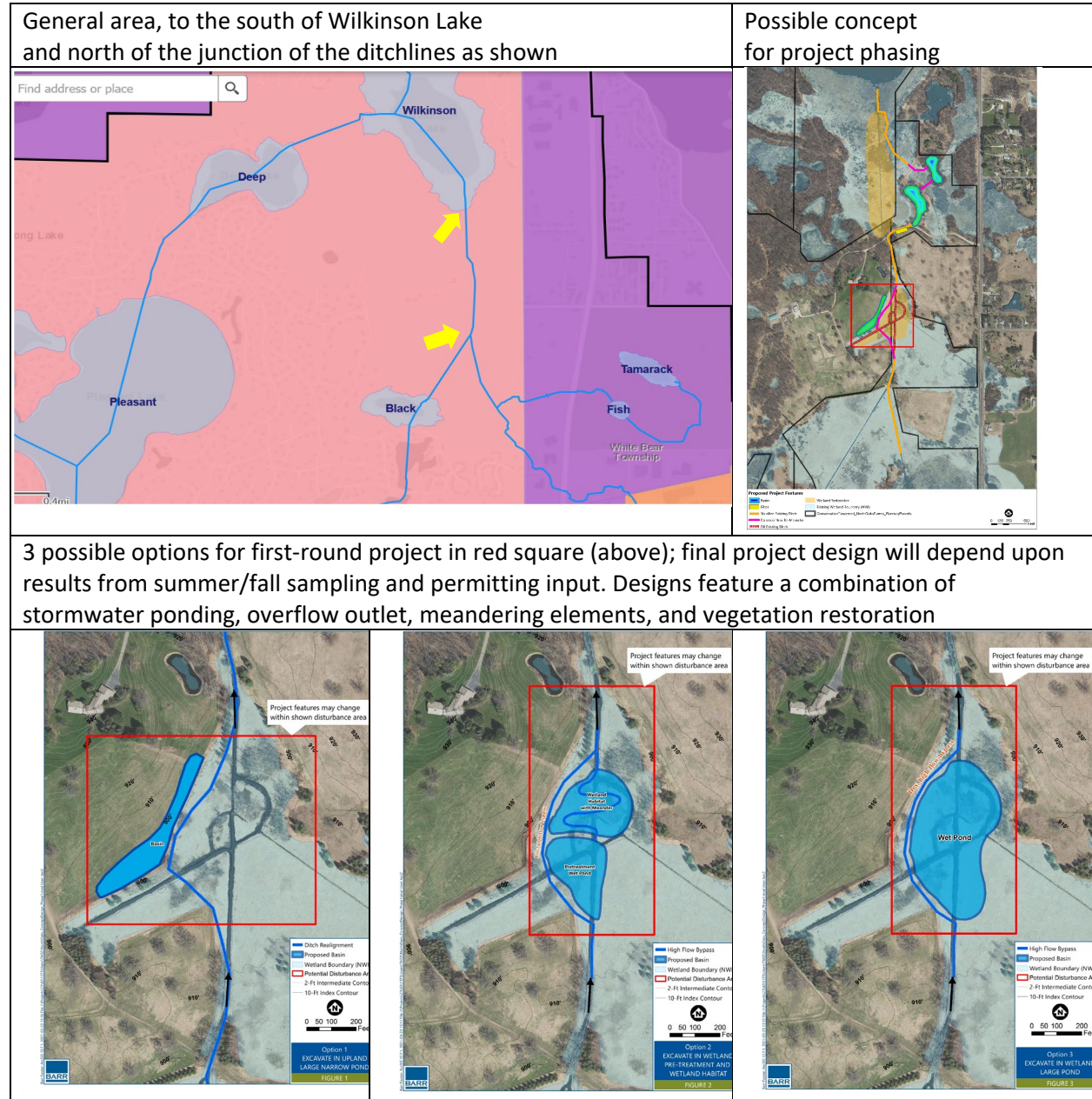
- City Councilmember and VLAWMO Board member for North Oaks, Tom Watson, has been involved in ongoing meetings and document preparation to build a framework for continued project development
- North Oaks Company, Inc., has been a cooperating partner in project development. The area identified as optimal for the first-round project is owned by NOC/NOF. NOC is working with VLAWMO to complete a Memorandum of Understanding (MOU), 10-year maintenance agreement, and providing an easement for the project
- NOHOA was informed about the project through phone and email conversations and through monthly updates at the VLAWMO Technical Commission meetings. The land area for the project is not an area where NOHOA has responsibility for maintenance at this time
- The Minnesota Land Trust (MLT) conservation easements may be enhanced as part of the Wilkinson projects. As such, MLT has been consulted and provided a letter of support for the full scope of possible projects
- An MPCA Workplan for the first-round project has been in development with VLAWMO and the MPCA this summer. This will be presented to the VLAWMO Board for authorization at the August regular Board meeting and continue with MPCA/EPA for authorization this fall
- St. Paul Regional Water Services (SPRWS) worked with VLAWMO to submit a grant to support project development with the Minnesota Department of Health (MDH). The grant was awarded/signed in July. The grant will support survey, geotechnical investigation, and continued project design advancement. The grant provides up to \$10,000 with a 50% match that is being provided by VLAWMO's Wilkinson subwatershed budget for a total of \$20,000
- Barr Engineering conducted an initial feasibility study that was funded by NOC. VLAWMO has been an active partner throughout the process. Three possible concept designs were developed. These designs will be advanced using the summer/fall survey and geotechnical investigation
- A pre-permitting meeting was held in April with regulatory agencies to help identify key elements of possible concept designs and the best result for permitting. A memo was prepared by Barr Engineering for this meeting. If the City or NOHOA would like a copy of the memo, VLAWMO staff are happy to provide that

### **Next Steps**

Project design advancement this summer/fall will provide a more detailed footprint of the project and determine permitting needs. VLAWMO would like to continue discussions with the City and NOHOA to ensure that full communication is provided. If project presentations are desired by the City and NOHOA to members, VLAWMO would be happy to provide such presentations and regular updates. Concept designs have been included in the PPT presentation to the Council, NRC, and VLAWMO TEC. They are

also included below as a reference for possible project design, with the caveat that ongoing work will help to refine and develop details.

**Possible project design/concept only pending survey and geotechnical investigation**





**CITY OF NORTH OAKS  
RAMSEY COUNTY, MINNESOTA  
RESOLUTION NO. xxxx**

**RESOLUTION ADOPTING FINDINGS OF FACT AND APPROVING  
VARIANCES TO THE NORTH PROPERTY LINE SETBACK REQUIREMENT  
FOR INSTALLATION OF A SUB-SURFACE SEWAGE TREATMENT SYSTEM  
(SSTS) FOR THE PROPERTY LOCATED AT 12 SWALLOW LANE**

---

**WHEREAS**, North Oaks Zoning Ordinance Section 151.050(F) prohibits an individual sewage treatment system from being located within thirty (30) feet of the lot lines on any individual lot; and

**WHEREAS**, North Oaks Zoning Ordinance Section 51.02(5) requires that, at the time of redevelopment of a lot that will not be serviced by municipal sanitary sewer, two sites, each 5,000 square feet in size, shall be identified by the developer for the purposes of sewage treatment and dispersal; and

**WHEREAS**, an application for a variance has been submitted by Mr. Shah and Ms. Phillips, the owner of the real property located at 12 Swallow Lane, Ramsey County, MN (Property) legally described on the attached **EXHIBIT A** for the following two variances:

1. To allow the construction of a sub-surface sewage treatment system (SSTS) to within the required thirty (30) foot north property line setback, which would encroach four (4) feet into the required thirty (30) foot north property line setback, a variance for the future SSTS to encroach thirty (30) feet into the required thirty (30) foot north property line setback, and a variance of 4,400 square feet from the required 5,000 square foot areas for both the primary and future SSTS's.

**WHEREAS**, this property had been previously developed and the re-construction of the house will be in the same vicinity as the existing house. The area available for the installation of a replacement and future system is severely limited due to water supply wells, structures, impervious areas, steep slopes, drainage ways, and property lines. This area appears to be the only viable location for the primary and future SSTS's. Based on these facts, it is the staff's opinion that the applicant has met the requirements for a variance as outlined in Section 151.078 of the code. This is a hardship created by the property itself and not the result of actions of the property owner. If the property owner chose not to re-construct the house, the same setback variances would still be required; the variances from the required square footage would not be required. Additionally, this work will eliminate a non-compliant cesspool system. We are in agreement with the designer, Steve Schirmers, that the proposed location of the SSTS's appears to be the most viable location for a primary and secondary SSTS. This would be the minimum variance, which would alleviate the practical difficulties.

**WHEREAS**, City Staff have determined that the proposed location of the SSTS, as shown on the site plan provided to the City in conjunction with the variance application and dated July 16, 2021 by Mr. Shah, is the most viable location for the SSTS based on the site constraints identified above, and the proposed off-site location of the second 5,000 square foot area where a sub-surface sewage treatment system (SSTS) could be located is acceptable as an alternative located for an SSTS to serve the Property; and

**WHEREAS**, the request has been reviewed against the relevant requirements of North Oaks Zoning Ordinance Sections 151.078 and Minnesota Statutes, Section 462.357, subd. 6, regarding the criteria for issuance of a variance, the requisite practical difficulties were found to support a grant of the requested variance, and the Council further makes the following findings of fact with respect to the variance application:

- The property owner proposes to use the property in a reasonable manner not permitted by the zoning ordinance.
- The plight of the landowner is due to circumstances unique to the property not created by the landowner.
- The variance, if granted, will not alter the essential character of the locality.
- The variance is in harmony with the general purposes and intent of the zoning ordinance.
- The terms of the variance are consistent with the comprehensive plan.
- Granting the requested variance will not confer on the applicant any special privilege that is denied by Chapter 151 of the City Code to other lands, structures, or buildings in the same district.
- The Variance requested is the minimum variance which would alleviate the practical difficulties.
- The proposed variance will not impair an adequate supply of light and air to adjacent land, or substantially increase the congestion of the roads and streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values within the neighborhood.
- At no time after the land became nonconforming was the property under common ownership with contiguous land, the combination of which could have been used to reduce or avoid the nonconformity of the land.

**WHEREAS**, the variance application was considered by the North Oaks Planning Commission at its July 29, 2021 meeting, at which time a hearing concerning the variance application was held, following which the Planning Commission voted unanimously to recommend approval of the Variance application subject to the two conditions listed in the Staff Report dated July 16, 2021, which conditions are listed below as conditions of approval of the variance.

**NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF NORTH OAKS**, that the findings of fact related to the requested variance listed above

are hereby adopted as the Council's findings of fact to support the grant of the requested variances, and the following variance is approved:

1. To allow the construction of a sub-surface sewage treatment system (SSTS) to within the required thirty (30) foot north property line setback, which would encroach four (4) feet into the required thirty (30) foot north property line setback, a variance for the future SSTS to encroach thirty (30) feet into the required thirty (30) foot north property line setback, and a variance of 4,400 square feet from the required 5,000 square foot areas for both the primary and future SSTS's.

subject to the following two conditions:

1. Completion of the SSTS installation shall occur by December 31, 2020.
2. Primary and future SSTS's to be located per the design dated July 24, 2021 by Steve Schirmers.

**BE IT FURTHER RESOLVED** that the City Clerk, Deputy City Clerk, or City Attorney are hereby authorized 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 12<sup>th</sup> day of August 2021.

By: \_\_\_\_\_  
Kara Ries  
Its: Mayor

Attested:

By: \_\_\_\_\_  
Kevin Kress  
Its: City Administrator

**EXHIBIT A**  
**LEGAL DESCRIPTION OF PROPERTY**

Tract P, Registered Land Survey No. 42, files of Register of Titles, Ramsey County,  
Minnesota.

PID: 183022430011  
Torrens Property

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

I, Kevin Kress, being the duly qualified and appointed Administrator of the City of North Oaks, Minnesota do hereby certify that I have carefully compared the foregoing resolution adopted at a meeting of the North Oaks City Council on \_\_\_\_\_, 2021 with the original thereof on file in my office and the same is a full, true and complete transcript thereof. Witness my hand as such City Administrator and the corporate seal of the City of North Oaks, Ramsey County, Minnesota this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

Kevin Kress  
City Administrator

**CITY OF NORTH OAKS  
RAMSEY COUNTY, MINNESOTA  
RESOLUTION NO. xxxx**

**RESOLUTION APPROVING A CONDITIONAL USE PERMIT TO  
CONSTRUCT A GARAGE IN EXCESS OF 1500 SQUARE FEET AND LAND  
RECLAMATION FOR PROPERTY ADDRESS AT 12 CHERRYWOOD CIRCLE**

---

**WHEREAS**, an application for a Conditional Use Permit has been submitted by Michael Hara, the owner of the real property described below, to allow the construction of a garage in excess of 1500 square feet, and land reclamation in excess of 100 cubic yards on real property located at 12 Cherrywood Circle, 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**, a Conditional Use Permit is required for land reclamation in excess of 100 cubic yards; 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 July 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 1,627 square feet, and land reclamation is approved subject to the following conditions:

1. In accordance with square footage reference in the applicant's narrative, a combined total of 1,627 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 home and landscaping shall be constructed in accordance to plan sets received June 6, 2021 unless agreed to by the City Engineer.
8. 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.
9. All plans must be approved by the Building Official and City Engineer prior to construction.
10. Compliance with all requirements in the City Engineer's Memo dated July 29, 2021.
11. Any outstanding fees shall be paid prior to the issuance of a building permit.

**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 12<sup>th</sup> day of August, 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 F, Registered Land Survey No. 629, Ramsey County, Minnesota.

PID: 083022110013

Torrens Property

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

I, Kevin Kress, being the duly qualified and appointed Administrator of the City of North Oaks, Minnesota do hereby certify that I have carefully compared the foregoing resolution adopted at a meeting of the North Oaks City Council on \_\_\_\_\_, 2021 with the original thereof on file in my office and the same is a full, true and complete transcript thereof. Witness my hand as such City Administrator and the corporate seal of the City of North Oaks, Ramsey County, Minnesota this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

Kevin Kress  
City Administrator

**CITY OF NORTH OAKS  
RAMSEY COUNTY, MINNESOTA  
RESOLUTION NO. xxxx**

**RESOLUTION APPROVING A CONDITIONAL USE PERMIT FOR  
LAND RECLAMATION FOR PROPERTY ADDRESS AT 2 LOST ROCK LANE**

---

**WHEREAS**, an application for a Conditional Use Permit has been submitted by Michael Hara, the owner of the real property described below, to allow land reclamation in excess of 100 cubic yards on real property located at 2 Lost Rock Lane, North Oaks, Ramsey County, Minnesota, legal described on the attached **EXHIBIT A**; and

**WHEREAS**, a Conditional Use Permit is required for land reclamation in excess of 100 cubic yards; 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 July 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 land reclamation in excess of 100 cubic yards is approved subject to the following conditions:

1. The home and landscaping shall be constructed in accordance to plan sets received June 17, 2021 unless agreed to by the City Engineer.
2. The grading, drainage and erosion control plan shall be subject to review and approval by the City Engineer.
3. 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.
4. All plans must be approved by the Building Official and City Engineer prior to construction.

5. Compliance with all requirements in the City Engineer’s Memo dated July 29, 2021.
6. Any outstanding fees shall be paid prior to the issuance of a building permit.

**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 12<sup>th</sup> day of August, 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 W, Registered Land Survey No. 224, Ramsey County, Minnesota.

PID: 073022240006

Torrens Property

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

I, Kevin Kress, being the duly qualified and appointed Administrator of the City of North Oaks, Minnesota do hereby certify that I have carefully compared the foregoing resolution adopted at a meeting of the North Oaks City Council on \_\_\_\_\_, 2021 with the original thereof on file in my office and the same is a full, true and complete transcript thereof. Witness my hand as such City Administrator and the corporate seal of the City of North Oaks, Ramsey County, Minnesota this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

Kevin Kress  
City Administrator

| ActCode       | DEPT Descr                            | OBJ Descr                                  | 2020 Budget |
|---------------|---------------------------------------|--|-------------|
| 101-41100-103 | LEGISLATIVE -<br>COUNCIL              | WAGES - PART TIME/TEMP                     | \$12,200    |
| 101-41100-311 | LEGISLATIVE -<br>COUNCIL              | CONFERENCES/SEMINARS                       | \$1,500     |
| 101-41100-313 | LEGISLATIVE -<br>COUNCIL              | CONTRACT SERVICES                          | \$0.00      |
| 101-41100-350 | LEGISLATIVE -<br>COUNCIL              | PUBLISHING & ADVERTISING                   | \$3,500     |
| 101-41100-433 | LEGISLATIVE -<br>COUNCIL              | DUES AND SUBSCRIPTIONS                     | \$17,200    |
| 101-41300-101 | CITY<br>ADMINISTRATIO<br>N            | WAGES - FULL TIME                          | \$181,113   |
| 101-41300-103 | CITY<br>ADMINISTRATIO<br>N            | WAGES - PART TIME/TEMP                     | \$48,515    |
| 101-41300-122 | CITY<br>ADMINISTRATIO<br>N            | FICA CONTRIBUTIONS                         | \$17,567    |
| 101-41300-127 | <del>CITY</del><br>ADMINISTRATIO<br>N | <del>DEFERRED COMP-</del><br>CONTRIBUTIONS | \$0         |
| 101-41300-131 | CITY<br>ADMINISTRATIO<br>N            | HEALTH, DENTAL, LIFE, LTD INS              | \$60,484    |
| 101-41300-131 | CITY<br>ADMINISTRATIO<br>N            | CAR ALLOWANCE                              | \$4,000     |
| 101-41300-210 | CITY<br>ADMINISTRATIO<br>N            | OPERATING SUPPLIES                         | \$27,000    |
| 101-41300-309 | CITY<br>ADMINISTRATIO<br>N            | COMPUTER/INTERNET/GIS<br>SUPPORT           | \$18,348    |
| 101-41300-310 | CITY<br>ADMINISTRATIO<br>N            | TRAINING                                   | \$9,800     |
| 101-41300-321 | CITY<br>ADMINISTRATIO<br>N            | TELEPHONE SERVICES                         | \$1,742     |

|               |                            |                          |             |
|---------------|----------------------------|--------------------------|-------------|
| 101-41300-322 | CITY<br>ADMINISTRATIO<br>N | MAILBOXES                | \$0         |
| 101-41300-350 | CITY<br>ADMINISTRATIO<br>N | PUBLISHING & ADVERTISING | \$0.00      |
| 101-41300-360 | CITY<br>ADMINISTRATIO<br>N | INSURANCE                | \$20,000    |
| 101-41300-381 | CITY<br>ADMINISTRATIO<br>N | ELECTRIC UTILITIES       | \$1,000     |
| 101-41300-410 | CITY<br>ADMINISTRATIO<br>N | RENTALS                  | \$130,000   |
| 101-41300-430 | CITY<br>ADMINISTRATIO<br>N | MISCELLANEOUS EXPENSE    | \$40,000    |
| 101-41300-435 | CITY<br>ADMINISTRATIO<br>N | BANK SERVICE CHARGE      | \$0         |
| 101-41400-300 | ELECTIONS                  | PROFESSIONAL SERVICES    | \$18,000.00 |
| 101-41420-300 | CABLE TV                   | PROFESSIONAL SERVICES    | \$41,000.00 |
| 101-41500-301 | FINANCE                    | AUDIT SERVICES           | \$16,000.00 |
| 101-41600-304 | LEGAL                      | LEGAL FEES - GENERAL     | \$57,000.00 |
| 101-41600-315 | LEGAL                      | LEGAL FEES - PROSECUTION | \$13,500    |
| 101-41900-300 | ENGINEERING                | PROFESSIONAL SERVICES    | \$2,500     |
| 101-41900-303 | ENGINEERING                | ENGINEERING SERVICES     | \$18,000    |
| 101-41910-300 | PLANNING                   | PROFESSIONAL SERVICES    | \$12,000    |
| 101-42100-313 | POLICE<br>PROTECTION       | CONTRACT SERVICES        | \$798,201   |
| 101-42200-313 | FIRE<br>PROTECTION         | CONTRACT SERVICES        | \$353,061   |
| 101-42300-300 | EMERGENCY<br>MANAGEMENT    | PROFESSIONAL SERVICES    | \$1,000     |
| 101-42300-313 | EMERGENCY<br>MANAGEMENT    | CONTRACT SERVICES        |             |

|               |          |                           |           |
|---------------|----------|---------------------------|-----------|
| 101-42400-300 | BUILDING | PROFESSIONAL SERVICES     | \$1,000   |
| 101-42400-313 | BUILDING | CONTRACT SERVICES         | \$120,000 |
| 101-42400-451 | BUILDING | BUILDING PERMIT SURCHARGE | \$5,000   |
| 101-43100-381 | STREETS  | ELECTRIC UTILITIES        | \$2,500   |



| 101-43100-408 | STREETS      | STREETS/SIDEWALK/CURB    | \$2,500        |
|---------------|--------------|--------------------------|----------------|
| 101-43200-384 | RECYCLING    | RECYCLING                | \$275,000      |
| 101-43200-384 | RECYCLING    | RECYCLING (Clean Up Day) | \$12,000       |
| 101-45100-470 | RECREATION-  | COMMUNITY FUNCTIONS      | \$500          |
| 101-46100-316 | NATURAL      | TREE PRESERVATION        | \$45,000       |
| 101-46100-317 | NATURAL      | DEER MANAGEMENT          | \$25,000       |
| 101-46100-318 | NATURAL      | NATURAL RESOURCES        | \$6,500        |
| 101-46100-319 | NATURAL      | WEED MANAGEMENT          | \$0            |
| 101-49450-313 | SEWER        | CONTRACT SERVICES        | \$13,000       |
| 101-49990-720 | UNALLOCATED  | TRANSFER OUT             | \$0.00         |
| 101-49990-720 | UNALLOCATED  | TRANSFER OUT             | \$0.00         |
| 101-49990-720 | UNALLOCATED  | TRANSFER OUT             | \$0.00         |
|               |              |                          | \$2,432,231.00 |
|               |              |                          |                |
| ActCode       | DEPT Descr   | OBJ Descr                | 2020 Budget    |
| 306-47000-601 | DEBT SERVICE | BOND PRINCIPAL           | \$55,000.00    |
| 306-47000-611 | DEBT SERVICE | BOND INTEREST            | \$2,974.00     |
| 306-47000-620 | DEBT SERVICE | PAYING AGENT FEES        | \$500.00       |
|               |              |                          |                |
| 400-41910-300 | PLANNING     | PROFESSIONAL SERVICES    | \$10,000.00    |
| 400-41910-303 | PLANNING     | ENGINEERING SERVICES     | \$100.00       |
| 400-43100-408 | STREETS      | STREETS/SIDEWALK/CURB    | \$0.00         |
| 400-46100-318 | NATURAL      | NATURAL RESOURCES        | \$0.00         |
|               |              |                          |                |
| 401-42200-500 | FIRE         | CAPITAL OUTLAY           | \$38,366.00    |
|               |              |                          |                |
| 402-49450-430 | SEWER        | MISCELLANEOUS EXPENSE    | \$0.00         |
|               |              |                          |                |
| 403-47000-720 | DEBT SERVICE | TRANSFER OUT             | \$0.00         |
| 403-49450-430 | SEWER        | MISCELLANEOUS EXPENSE    | \$0.00         |
|               |              |                          |                |
| 404-42100-500 | POLICE       | CAPITAL OUTLAY           |                |
|               |              |                          |                |
|               |              |                          |                |
| 406-43000-381 | PUBLIC WORKS | ELECTRIC UTILITIES       | \$1,000.00     |
|               |              |                          |                |
| WATER & SEWER |              |                          |                |
| 601-41000-420 | DEPRECIATION | DEPRECIATION             | \$0.00         |
| 601-49400-255 | WATER        | WATER METERS             | \$0.00         |
| 601-49400-313 | WATER        | CONTRACT                 |                |
| 601-49400-330 | WATER        | SEWER & WATER MISC       | \$0.00         |
| 601-49400-381 | WATER        | ELECTRIC UTILITIES       | \$0.00         |
| 601-49400-382 | WATER        | WATER - SHOREVIEW        | \$0.00         |
| 601-49400-383 | WATER        | WATER - WBT              | \$0.00         |
|               |              |                          |                |
| 602-41000-420 | DEPRECIATION | DEPRECIATION             | \$0.00         |
| 602-49450-313 | SEWER        | CONTRACT                 |                |
| 602-49450-381 | SEWER        | ELECTRIC UTILITIES       | \$0.00         |
| 602-49450-385 | SEWER        | SEWER                    | \$0.00         |

|               |       |                         |                    |
|---------------|-------|-------------------------|--------------------|
| 602-49450-400 | SEWER | REPAIRS AND MAINTENANCE | \$0.00             |
| 602-49450-430 | SEWER | MISCELLANEOUS EXPENSE   | \$0.00             |
| 602-49450-455 | SEWER | SAC FEES                | \$0.00             |
|               |       |                         | <b>\$2,540,171</b> |

| ActCode   | DEPT Descr | OBJ Descr                     | 2020 Budget    |
|-----------|------------|-------------------------------|----------------|
| 101-31010 | COUNCIL    | GENERAL PROPERTY TAXES        | \$1,860,700    |
| 101-31810 | COUNCIL    | CABLE T.V. FEES               | \$65,000       |
| 101-32110 | COUNCIL    | ALCOHOLIC BEV LICENSE         | \$5,650        |
| 101-32111 | COUNCIL    | TOBACCO LICENSE               | \$600          |
| 101-32112 | COUNCIL    | MESSAGE THERAPY LICENSE       | \$50           |
| 101-32160 | COUNCIL    | CONTRACTOR LICENSES           | \$8,000        |
| 101-32210 | COUNCIL    | BUILDING PERMIT               | \$145,000      |
| 101-32230 | COUNCIL    | HEAT/PLUMB PERMIT             | \$22,000       |
| 101-32240 | COUNCIL    | ANIMAL LICENSE                | \$1,500        |
| 101-32260 | COUNCIL    | STATE SURCHARGE               | \$7,000        |
| 101-32261 | COUNCIL    | ISTS PERMIT                   | \$4,000        |
| 101-32262 | COUNCIL    | RENTAL LICENSE FEE            | \$1,000        |
| 101-32263 | COUNCIL    | SHORELAND/FORESTRY PERMIT     | \$500          |
| 101-32264 | COUNCIL    | ISTS PUMPING RECORDS          | \$5,000        |
| 101-33429 | COUNCIL    | PERA RATE INCREASE AID        | \$308          |
| 101-33440 | COUNCIL    | SCORE GRANT                   | \$12,000       |
| 101-33600 | COUNCIL    | OTHER GOVT GRANTS/AID         | \$0.00         |
| 101-34103 | COUNCIL    | VARIANCE, PUD, PLAT FEES, CUP | \$2,400        |
| 101-34110 | COUNCIL    | ELECTION FILING FEE           | \$0.00         |
| 101-34120 | COUNCIL    | CERTIFICATE OF OCCUPANCY FEE  | \$500          |
| 101-34403 | COUNCIL    | RECYCLING FEES                | \$0            |
| 101-35100 | COUNCIL    | FINES AND FORFEITS            | \$2,500        |
| 101-35104 | COUNCIL    | LATE FEES/NSF FEES            | \$500          |
| 101-36100 | COUNCIL    | SPECIAL ASSESSMENTS           | \$275,000      |
| 101-36101 | COUNCIL    | SPECIAL ASSESSMENTS - PMC     | \$2,067        |
| 101-36200 | COUNCIL    | MISCELLANEOUS REVENUES        | \$2,000        |
| 101-36210 | COUNCIL    | INTEREST EARNINGS             | \$20,000       |
| 101-36220 | COUNCIL    | RENTS                         | \$60,000       |
| 101-36222 | COUNCIL    | COMMUNITY FUNCTIONS           | \$1,000        |
| 101-36240 | COUNCIL    | REFUNDS AND REIMBURSEMENT:    | <u>\$5,000</u> |
|           |            |                               | \$2,509,275    |

| ActCode   | DEPT Descr | OBJ Descr           | 2020 Budget |
|-----------|------------|---------------------|-------------|
| 306-36100 | COUNCIL    | SPECIAL ASSESSMENTS | \$28,500    |
| 306-36210 | COUNCIL    | INTEREST EARNINGS   |             |
|           |            |                     |             |

|             |             |                            |         |
|-------------|-------------|----------------------------|---------|
| 400-33418   | COUNCIL     | MNDOT STATE AID STREETS    | \$0     |
| 400-36210   | COUNCIL     | INTEREST EARNINGS          |         |
| 400-36240   | COUNCIL     | REFUNDS AND REIMBURSEMENTS |         |
| 400-39200   | COUNCIL     | TRANSFER IN                |         |
|             |             |                            |         |
| 401-36210   | COUNCIL     | INTEREST EARNINGS          |         |
| 401-36240   | COUNCIL     | REFUNDS AND REIMBURSEMENTS | \$0.00  |
| 401-39200   | COUNCIL     | TRANSFER IN                |         |
|             |             |                            |         |
| 402-36210   | COUNCIL     | INTEREST EARNINGS          |         |
|             |             |                            |         |
| R 403-36210 | 403-36210   | INTEREST EARNINGS          | \$0.00  |
| R 403-37180 | 403-37180   | MAINTENANCE/ESCROW FEE     | \$0.00  |
| R 403-39200 | 403-39200   | TRANSFER IN                | \$0.00  |
|             |             |                            |         |
| R 404-39200 | R 404-39200 | TRANSFER IN                |         |
|             |             |                            |         |
| 406-36100   | COUNCIL     | SPECIAL ASSESSMENTS        |         |
| 406-36200   | COUNCIL     | MISCELLANEOUS REVENUES     | \$1,500 |
| 406-36210   | COUNCIL     | INTEREST EARNINGS          |         |

|           |         |                              |             |
|-----------|---------|------------------------------|-------------|
| 601-36200 | COUNCIL | MISCELLANEOUS REVENUES       |             |
| 601-37100 | WATER   | WATER USAGE                  |             |
| 601-37150 | WATER   | WATER HOOK-UP - WBT          |             |
| 601-37151 | WATER   | WATER HOOK-UP - CLP          |             |
| 601-37155 | WATER   | WATER METER                  |             |
| 601-37180 | WATER   | MAINTENANCE/ESCROW FEE       |             |
| 601-37500 | WATER   | CAPITAL CONTRIBUTION         |             |
| 601-39200 | WATER   | TRANSFER IN                  |             |
|           |         |                              |             |
| 602-36200 | WATER   | MISCELLANEOUS REVENUES       |             |
| 602-37170 | WATER   | WBT WATER SYSTEM MAINTENANCE |             |
| 602-37180 | WATER   | MAINTENANCE/ESCROW FEE       |             |
| 602-37200 | SEWER   | SEWER USAGE                  |             |
| 602-37250 | SEWER   | SEWER HOOK-UP                |             |
| 602-37500 | SEWER   | CAPITAL CONTRIBUTION         |             |
|           |         |                              |             |
|           |         |                              | \$2,539,275 |

CITY OF NORTH OAKS DRAFT 2022 BUDGET

DRAFT 2022 EXPENDITURES

| 12/31/20     | % of Budget | 2021 Budget  | 7/8/2021    | % of Budget |
|--------------|-------------|--------------|-------------|-------------|
| \$12,645.00  | 103.65%     | \$13,950.00  | \$4,545.00  | 32.58%      |
| \$224.00     | 14.93%      | \$1,500.00   | \$573.85    | 38.26%      |
| \$10,636.41  |             | \$12,000.00  | \$6,841.50  |             |
| \$2,018.72   | 57.68%      | \$2,500.00   | \$1,544.94  | 61.80%      |
| \$16,681.60  | 96.99%      | \$15,000.00  | \$11,161.43 | 74.41%      |
| \$178,203.70 | 98.39%      | \$188,000.00 | \$95,282.28 | 50.68%      |
| \$51,863.28  | 106.90%     | \$48,500.00  | \$23,240.61 | 47.92%      |
| \$18,751.45  | 106.74%     | \$18,666.00  | \$10,207.26 | 54.68%      |
| \$0.00       |             |              | \$0.00      |             |
| \$43,028.08  | 71.14%      | \$82,519.00  | \$25,354.22 | 30.73%      |
| \$3,999.96   | 100.00%     | \$4,000.00   | \$2,333.31  | 58.33%      |
| \$16,645.19  | 61.65%      | \$30,000.00  | \$12,827.68 | 42.76%      |
| \$56,586.87  | 308.41%     | \$30,000.00  | \$21,868.98 | 72.90%      |
| \$742.46     | 7.58%       | \$9,800.00   | \$400.00    | 4.08%       |
| \$0.00       | 0.00%       |              | \$0.00      |             |

|              |         |              |              |         |
|--------------|---------|--------------|--------------|---------|
| \$11,312.00  |         | \$10,000.00  | \$2,316.00   |         |
| \$92.00      |         |              | \$0.00       |         |
| \$17,755.00  | 88.78%  | \$20,000.00  | \$18,613.00  | 93.07%  |
| \$1,178.46   | 117.85% | \$1,200.00   | \$492.06     | 41.01%  |
| \$106,167.56 | 81.67%  | \$110,000.00 | \$62,443.96  | 56.77%  |
| \$28,639.81  | 71.60%  | \$15,000.00  | \$6,075.69   | 40.50%  |
| \$0.00       |         | \$0          | \$0.00       |         |
| \$15,276.07  | 84.87%  | \$18,000.00  | \$11,480.07  | 63.78%  |
| \$37,721.37  | 92.00%  | \$30,000.00  | \$11,771.69  | 39.24%  |
| \$16,000.00  | 100.00% | \$16,400.00  | \$16,500.00  | 100.61% |
| \$44,682.00  | 78.39%  | \$60,000.00  | \$15,094.50  | 25.16%  |
| \$13,130.52  | 97.26%  | \$13,500.00  | \$5,142.51   | 38.09%  |
| \$0.00       | 0.00%   |              | \$0.00       |         |
| \$37,411.39  | 207.84% | \$18,000.00  | \$24,296.50  | 134.98% |
| \$15,468.00  | 128.90% | \$12,000.00  | \$8,017.20   | 66.81%  |
| \$827,606.77 | 103.68% | \$838,796.00 | \$517,370.91 | 61.68%  |
| \$353,060.84 | 100.00% | \$381,389.00 | \$378,086.84 | 99.13%  |
| \$1,173.05   | 117.31% | \$1,000.00   | \$398.30     | 39.83%  |
| \$0.00       |         |              | \$0          |         |

DRAFT 2022 EXPENDITURES (CONTINUED)

|              |         |              |             |        |
|--------------|---------|--------------|-------------|--------|
| \$171.00     | 17.10%  | \$1,000.00   | \$0.00      | 0.00%  |
| \$256,379.73 | 213.65% | \$120,000.00 | \$88,763.75 | 73.97% |
| \$11,217.19  | 224.34% | \$5,000.00   | \$4,732.97  | 94.66% |
| \$2,932.38   | 117.30% | \$2,500.00   | \$777.70    | 31.11% |

|                |             |                 |                 |             |
|----------------|-------------|-----------------|-----------------|-------------|
| \$20,198.99    | 807.96%     | \$15,000.00     | \$0.00          | 0.00%       |
| \$301,854.22   | 109.77%     | \$330,000.00    | \$155,145.64    | 47.01%      |
| \$11,440.60    | 95.34%      | \$12,000.00     | \$6,461.70      | 53.85%      |
| \$0.00         | 0.00%       |                 | \$0.00          |             |
| \$60,140.27    | 133.65%     | \$45,000.00     | \$12,526.81     | 27.84%      |
| \$25,170.93    | 100.68%     | \$25,000.00     | \$16,356.33     | 65.43%      |
| \$3,617.98     | 55.66%      | \$6,500.00      | \$743.99        | 11.45%      |
| \$0.00         |             |                 | \$0.00          |             |
| \$17,194.00    | 132.26%     | \$13,000.00     | \$0.00          | 0.00%       |
| \$148,050.00   |             | \$50,000.00     |                 |             |
| \$0.00         |             | \$50,000.00     |                 |             |
| \$0.00         |             |                 |                 |             |
| \$2,797,068.85 |             | \$2,676,720.00  | \$1,579,789.18  |             |
|                |             |                 |                 |             |
| 12/31/20       | % of Budget | 2021 Budget     | 7/8/2021        | % of Budget |
| \$55,000.00    |             |                 | \$55,000.00     |             |
| \$2,973.75     |             |                 | \$2,245.00      |             |
| \$500.00       |             |                 | \$500.00        |             |
|                |             |                 |                 |             |
| \$154.30       |             |                 | \$1,657.50      |             |
| \$3,812.63     |             |                 | \$4,692.50      |             |
| \$0.00         |             |                 |                 |             |
| \$0.00         |             |                 |                 |             |
|                |             |                 |                 |             |
| \$184,177.97   |             |                 | \$756.00        |             |
|                |             |                 |                 |             |
| \$0.00         |             |                 |                 |             |
|                |             |                 |                 |             |
| \$0.00         |             |                 |                 |             |
| \$0.00         |             |                 |                 |             |
|                |             |                 |                 |             |
|                |             | <b>NEW FUND</b> | <b>NEW FUND</b> |             |
|                |             |                 |                 |             |
|                |             |                 |                 |             |
| \$665.17       |             |                 | \$813.60        |             |
|                |             |                 |                 |             |
|                |             |                 |                 |             |
| \$0.00         |             |                 |                 |             |
| \$0.00         |             |                 |                 |             |
| \$6,250.00     |             |                 |                 |             |
| \$10,272.09    |             |                 | \$420.24        |             |
| \$445.30       |             |                 | \$250.53        |             |
| \$134,623.82   |             |                 | \$26,231.81     |             |
| \$40,049.00    |             |                 | \$17,140.00     |             |
|                |             |                 |                 |             |
| \$0.00         |             |                 |                 |             |
| \$6,250.00     |             |                 | \$236.32        |             |
| \$2,876.48     |             |                 | \$1,705.41      |             |
| \$74,664.26    |             | \$71,433.00     | \$41,669.32     |             |

|                    |  |                       |                       |  |
|--------------------|--|-----------------------|-----------------------|--|
| \$29,977.80        |  |                       | \$9,471.80            |  |
| \$16,209.95        |  |                       | \$45,737.95           |  |
| \$19,681.20        |  |                       | \$4,920.30            |  |
| <b>\$3,385,653</b> |  | <b>\$2,676,720.00</b> | <b>\$1,579,789.18</b> |  |

DRAFT 2022 REVENUES

| 12/31/20           | % of Budget | 2021 Budget           | 7/8/2021            | % of Budget |
|--------------------|-------------|-----------------------|---------------------|-------------|
| \$1,864,478.77     | 100.20%     | \$1,974,877.00        | \$0.00              | 0.00%       |
| \$90,171.39        | 138.73%     | \$65,000.00           | \$26,751.33         | 41.16%      |
| \$12,950.00        | 229.20%     | \$5,650.00            | \$0.00              | 0.00%       |
| \$1,000.00         | 166.67%     | \$600.00              | \$0.00              | 0.00%       |
| \$50.00            | 100.00%     | \$50.00               | \$0.00              | 0.00%       |
| \$14,063.00        | 175.79%     | \$8,052.00            | \$5,020.00          | 62.34%      |
| \$336,279.27       | 231.92%     | \$145,000.00          | \$134,110.29        | 92.49%      |
| \$50,725.30        | 230.57%     | \$22,000.00           | \$14,187.85         | 64.49%      |
| \$1,185.00         | 79.00%      | \$1,500.00            | \$660.00            | 44.00%      |
| \$11,715.56        | 167.37%     | \$7,000.00            | \$4,737.56          | 67.68%      |
| \$10,695.00        | 267.38%     | \$4,000.00            | \$4,450.00          | 111.25%     |
| \$900.00           | 90.00%      | \$1,000.00            | \$700.00            | 70.00%      |
| \$650.00           | 130.00%     | \$500.00              | \$0.00              | 0.00%       |
| \$12,488.00        | 249.76%     | \$5,000.00            | \$2,820.00          | 56.40%      |
| \$0.00             | 0.00%       | \$308.00              | \$0.00              | 0.00%       |
| \$15,224.00        | 126.87%     | \$12,000.00           | \$0.00              | 0.00%       |
| \$399,605.00       |             |                       | \$9,487.38          |             |
| \$9,047.50         | 376.98%     | \$2,400.00            | \$2,250.00          | 93.75%      |
| \$4.00             |             |                       | \$0.00              |             |
| \$350.00           | 70.00%      | \$500.00              | \$125.00            | 25.00%      |
| \$0.00             |             | \$416.00              | \$5,097.45          |             |
| \$1,781.25         | 71.25%      | \$2,500.00            | \$2,552.50          | 102.10%     |
| \$1,670.00         | 334.00%     | \$500.00              | \$300.00            | 60.00%      |
| \$274,731.63       | 99.90%      | \$330,000             | \$0.00              | 0.00%       |
| \$2,067.36         | 100.00%     | \$2,067               | \$1,033.68          | 50.00%      |
| \$10,304.29        | 515.21%     | \$2,000.00            | \$1,969.00          | 98.45%      |
| \$8,324.57         | 41.62%      | \$12,000              | \$268.42            | 2.24%       |
| \$48,637.72        | 81.06%      | \$61,800.00           | \$17,353.31         | 28.08%      |
| \$545.00           | 54.50%      | \$1,000.00            | \$242.00            | 24.20%      |
| <u>\$12,610.97</u> | 252.22%     | <u>\$5,000.00</u>     | <u>\$9,564.92</u>   | 191.30%     |
| \$3,192,255        |             | <b>\$2,672,720.36</b> | <b>\$243,680.69</b> |             |

| 12/31/20    | % of Budget | 2021 Budget | 7/8/2021 | % of Budget |
|-------------|-------------|-------------|----------|-------------|
| \$33,664.32 | 118.12%     |             | \$0.00   |             |
| \$0.00      |             |             |          |             |
|             |             |             |          |             |

|              |  |          |            |  |
|--------------|--|----------|------------|--|
| \$0.00       |  |          |            |  |
| \$0.00       |  |          |            |  |
| \$0.00       |  |          |            |  |
| \$0.00       |  |          |            |  |
|              |  |          |            |  |
| \$51.06      |  |          |            |  |
| \$1,390.00   |  |          |            |  |
| \$148,050.00 |  |          |            |  |
|              |  |          |            |  |
| \$0.00       |  |          |            |  |
|              |  |          |            |  |
| \$0.00       |  |          |            |  |
| \$0.00       |  |          |            |  |
| \$0.00       |  |          |            |  |
|              |  |          |            |  |
|              |  | NEW FUND | NEW FUND   |  |
|              |  |          |            |  |
| \$466.81     |  |          | \$1,527.58 |  |
|              |  |          |            |  |
| \$0.00       |  |          |            |  |

|              |  |             |             |  |
|--------------|--|-------------|-------------|--|
| \$4,460.84   |  |             |             |  |
| \$141,034.26 |  |             | \$11,971.70 |  |
| \$44,498.00  |  |             | \$12,690.00 |  |
| \$0.00       |  |             |             |  |
| \$650.00     |  |             |             |  |
| \$19,885.09  |  |             | \$3,092.18  |  |
| \$0.00       |  |             |             |  |
| \$0.00       |  |             |             |  |
|              |  |             |             |  |
| \$0.00       |  |             |             |  |
| \$38,493.04  |  |             |             |  |
| \$12,654.32  |  |             | \$2,972.30  |  |
| \$85,746.12  |  |             | \$18,348.29 |  |
| \$29,820.00  |  |             | \$4,970.00  |  |
| \$0.00       |  |             |             |  |
|              |  |             |             |  |
| \$3,753,118  |  | \$2,672,720 | \$299,253   |  |



| UnderLine   | 2022 Budget  |   |
|---|--------------|---|
| CC/PC wages 675/mayor;<br>450/CC; 45/chair; 30/PC | \$12,600.00  | extra mtgs??                                      |
|   | \$1,500.00   |   |
| Timesavers  | \$10,000.00  |   |
| Legal/P.H   | \$2,500.00   |   |
| NWYFS/LMC/MCMA                                    | \$15,000.00  |   |
|   | \$199,982.53 |   |
|   | \$51,191.85  |   |
|   | \$19,520.84  |   |
|   | \$0          |   |
|   |              |   |
| PERA/Health                                       | \$80,811.16  |   |
| Car Allowance                                     | \$4,000.00   |   |
| Office/IT/Software                                | \$30,000.00  | Premium Waters -191.40;<br>marco - 8433.72 (2021) |
| Granicus/Polco/Comcast                            | \$30,000.00  | Roseville - 20,139 (2021);                        |
| League/MCMA/MAMA                                  | \$2,000.00   |   |
|   |              |   |
|   |              |   |

|                       |              |                  |
|-----------------------|--------------|------------------|
| passthrough           | \$10,000.00  |                  |
| CUP Filings           | \$184.00     | \$46/each        |
| _____                 | \$20,000.00  |                  |
| _____                 | \$1,200.00   |                  |
| Office Rent           |              |                  |
| Website/Domain/OPG    | \$15,000.00  |                  |
| _____                 |              |                  |
| Election Contracts    | \$18,000.00  | 14900            |
| _____                 | \$30,000.00  |                  |
| AEM - 3 year contract | \$17,000.00  |                  |
| Kennedy & Graven      | \$60,000.00  |                  |
| Kelly & Lemmons       | \$13,104.00  | cap per contract |
| Wenck                 | \$0.00       |                  |
| HR Green              | \$40,000.00  |                  |
| Bob Kirmis            | \$12,000.00  |                  |
| Police Contract       | \$905,000.00 |                  |
| LJFD                  | \$402,000.00 |                  |
| Gopher State          | \$1,000.00   |                  |
| _____                 |              |                  |
| _____                 |              |                  |

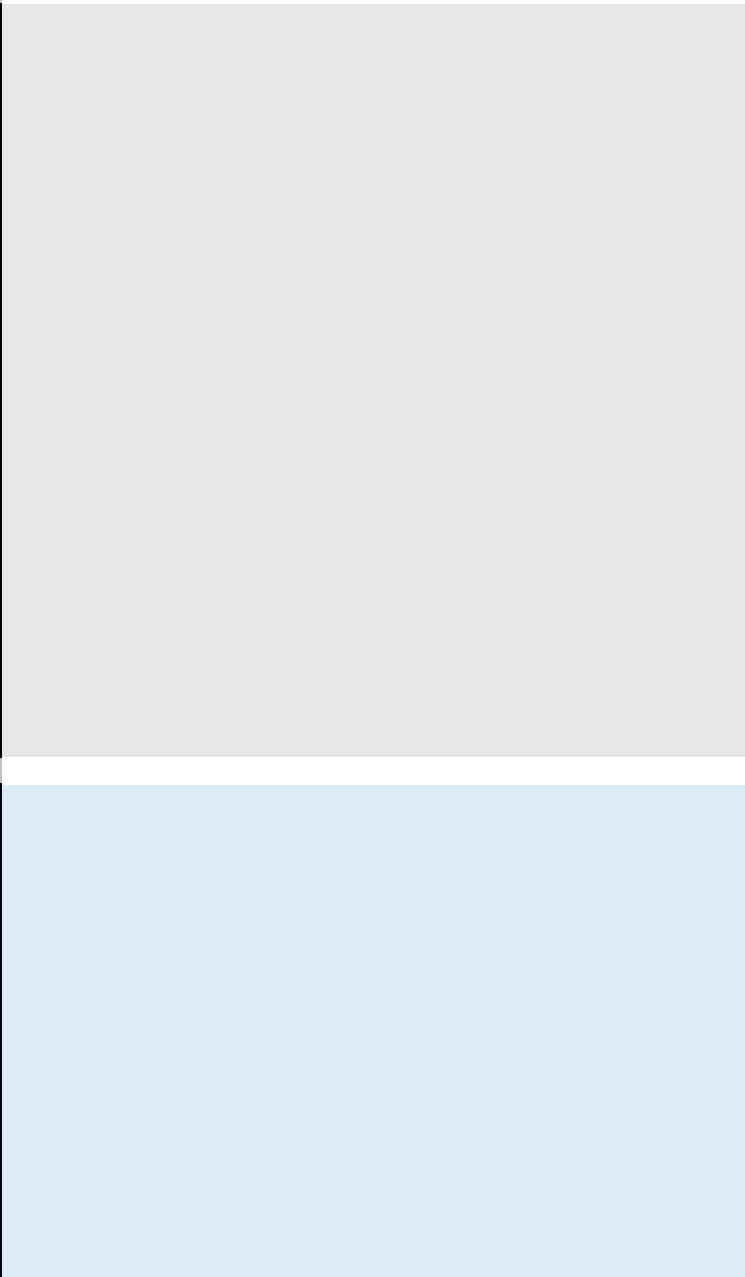
|                   |              |                       |
|-------------------|--------------|-----------------------|
| Other Inspections | \$500.00     |                       |
| _____             | \$250,000.00 | Match on revenue side |
| _____             | \$5,000.00   |                       |
| _____             | \$2,500.00   |                       |

|                      |                |
|----------------------|----------------|
| Mel's Service        | \$11,000.00    |
| Clean Up/Recycle Day | \$12,500.00    |
| City Forester        | \$45,000.00    |
| Depends on # of deer |                |
| NRC                  | \$6,500.00     |
| Lake Weed Management | \$0            |
| Septic Inspector     | \$15,000.00    |
| Fire Capital         | \$100,000.00   |
| Police Capital       | \$50,000.00    |
| General Capital      |                |
|                      | \$2,501,594.38 |

per mikeya

15000

|                 |
|-----------------|
| UnderLine       |
| LGWA Bond       |
|                 |
|                 |
| Comp Plan       |
| Comp Plan       |
|                 |
|                 |
| Fire Expenses   |
|                 |
|                 |
|                 |
|                 |
| Police Expenses |
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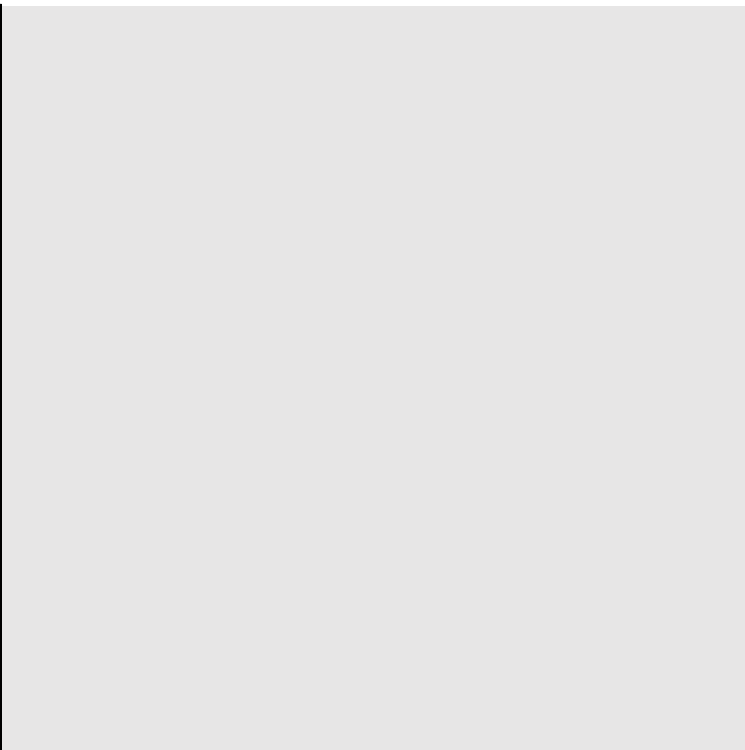


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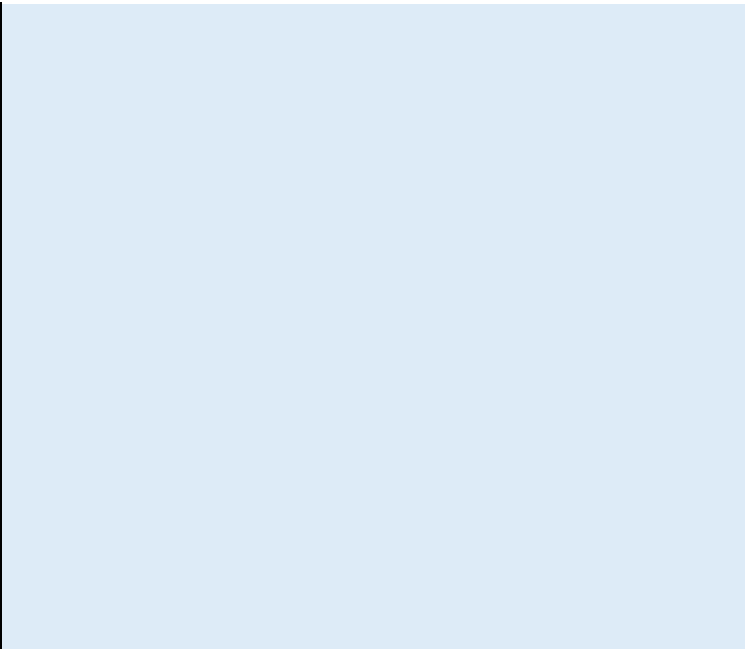
| UnderLine              | 2022 Budget         |
|------------------------|---------------------|
|                        |                     |
|                        |                     |
|                        | \$ 65,000.00        |
|                        | \$ 6,000.00         |
|                        | \$ 1,000.00         |
|                        | \$ 50.00            |
|                        | \$ 8,000.00         |
|                        | \$ 250,000.00       |
|                        | \$ 22,000.00        |
|                        | \$ 1,000.00         |
|                        | \$ 10,000.00        |
|                        | \$ 5,000.00         |
|                        | \$ 1,000.00         |
|                        | \$ 300.00           |
|                        | \$ 5,000.00         |
|                        | \$ -                |
|                        | \$ 14,000.00        |
| CARES FUNDING          |                     |
|                        | \$2,500.00          |
|                        |                     |
|                        | \$ 300.00           |
|                        | \$2,500.00          |
|                        | \$500.00            |
| Recycling Assessment   |                     |
| Peace Methodist Church | \$2,067             |
| Conduit Bond & Misc    | \$2,000.00          |
|                        | \$8,000             |
| NOHOA Rent             | \$62,000.00         |
| Community Mtg Room     | \$500.00            |
| LMC & Other Rebates    | <u>\$8,000.00</u>   |
|                        | <b>\$476,717.00</b> |

|                       |
|-----------------------|
| UnderLine             |
| LGWA Bond Assessments |
|                       |
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|                          |
| Special Project Interest |
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| Police                   |
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| LGWA Maint Assessments   |
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| 2020 Budget                     | 2020 Actual                     |
|---------------------------------|---------------------------------|
| \$917,843.00 general            | \$1,037,646.57 general          |
| \$1,190,628.00 public safety    | \$1,366,018.63 public safety    |
| \$5,000.00 streets              | \$23,131.37 streets             |
| \$287,000.00 sanitation         | \$313,294.82 sanitation         |
| \$41,000.00 culture             | \$37,721.37 culture             |
| \$76,500.00 natural resource    | \$88,929.18 natural resource    |
| \$22,200.00 misc.               | \$29,560.73 misc.               |
| transfer out/addl public safety | transfer out/addl public safety |

29,882 (2022)

952519.71

1351690.44

22296.02

287929.21

25343.14

87910.55

27375.92

\$2,676,720.00

\$858,535.00 general  
\$1,221,185.00 public safety  
\$17,500.00 streets

\$460,027.55 general  
\$895,856.05 public safet  
\$777.70 streets

\$342,000.00 sanitation  
\$30,000.00 culture  
\$76,500.00 natural resource  
\$31,000.00 misc.  
\$100,000.00 transfer out/addl public safety

\$161,607.34 sanitation  
\$11,771.69 culture  
\$29,627.13 natural res  
\$20,121.72 misc.  
\$0.00 transfer ou







PROJECT ESTIMATE & OUTLINE OF SERVICES

PREPARED FOR:

Debbie Breen & Lauren Kavan  
 Administrative Assistants  
 City of North Oaks  
 100 Village Center Drive, #230  
 North Oaks, MN 55127

DATE PREPARED:

June 8, 2021

PROJECT NAME:

**E-Newsletter: Digital Template** (*bi-weekly or quarterly version*)

|                              |                       |
|------------------------------|-----------------------|
| Design and layout            | \$ 1,250-1,750        |
| Production of final template | \$ 250-750            |
| Copy, photos & resources     | \$ TBD                |
| <b>Total</b>                 | <b>\$ 1,500-2,500</b> |

Additional Expenses

|  |              |
|--|--------------|
| Mailchimp Monthly Subscription: Essentials Plan ( <i>see next page</i> ) | \$ 21-31/mo. |
| Consulting and/or production assistance ( <i>if needed</i> )             | \$ 95/hr.    |
| Layout and production of each issue ( <i>if needed</i> )                 | \$ TBD       |

**Services include:**

Project management; two customized e-newsletter design layouts based upon established goals and parameters and integrating provided copy/resources; typesetting/formatting; two rounds of revisions; color PDF proofs and/or sample email proofs as needed; building final email template in Mailchimp and sharing the template via Mailchimp with the City of North Oaks.

**Services do not include:**

Additional rounds of proofing and/or revisions beyond specified scope of services, additional concepts/layouts, copywriting, costs for illustration or photography, or complex diagram creation.



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## Mailchimp Pricing for E-Newsletters

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### Free Plan

- Fewer base designs to choose from, limited support services and *Mailchimp branding included at the bottom of each email.*

Up to 2,000 contacts & 10,000 monthly emails

\$ Free

### Essentials Plan (Recommended)

- Full archive of base designs to choose from, additional support services and allows for custom branding (*Mailchimp branding is excluded on the bottom of emails.*)

Up to 1,500 contacts & 15,000 monthly emails

\$ 21/month\*

Up to 2,500 contacts & 25,000 monthly emails

\$ 31/month\*

*\*Possible 15% discount for non-profits.*

### For More Info:

Pricing Plans: <https://mailchimp.com/pricing/marketing/>

About Mailchimp Pricing Plans: <https://eepurl.com/dyikcz>

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PROJECT ESTIMATE & OUTLINE OF SERVICES

PREPARED FOR:

Debbie Breen & Lauren Kavan  
 Administrative Assistants  
 City of North Oaks  
 100 Village Center Drive, #230  
 North Oaks, MN 55127

DATE PREPARED:

June 8, 2021

PROJECT NAME:

**Announcement Postcard: Printed [6x9]** (\*to announce e-newsletter and promote sign-ups)

A) Design & Production

|                               |           |                  |
|-------------------------------|-----------|------------------|
| Design and layout             | \$        | 600-750          |
| Production & print management | \$        | 250-500          |
| Copy, photos & resources      | \$        | <u>TBD</u>       |
| <b>A Total</b>                | <b>\$</b> | <b>850-1,250</b> |

B) Printing and Mailing Expenses (2,400 qty)

|   |           |              |
|---|-----------|--------------|
| Printing on 100# dull cover, 4CP Digital Printing | \$        | 733          |
| Inkjet addresses and presort for mailing          | \$        | 196          |
| Postage (estimated at 0.14/ea)                    | \$        | <u>336</u>   |
| <b>B Total</b>                                    | <b>\$</b> | <b>1,265</b> |

**Services include:**

Project management; two design layouts based upon established goals and parameters and integrating provided copy/resources; typesetting/formatting; two rounds of revisions; color PDF proofs as needed, creation of final files (Mac platform, Adobe Creative Suite files), and print management.

**Services do not include:**

Additional rounds of proofing and/or revisions beyond specified scope of services, additional concepts/layouts, copywriting, costs for illustration or photography, or complex diagram creation.



**PROJECT ESTIMATE & OUTLINE OF SERVICES**

PREPARED FOR:

Debbie Breen & Lauren Kavan  
 Administrative Assistants  
 City of North Oaks  
 100 Village Center Drive, #230  
 North Oaks, MN 55127

DATE PREPARED:

June 8, 2021

PROJECT NAME:

**4-page Newsletter: Printed** (quarterly version) [17x11 folding to 8.5x11 then to 8.5x5.5 to mail]

A) Design & Production

|   |           |                    |
|---|-----------|--------------------|
| Initial design and layout (creation of newsletter base design & template) | \$        | 2,500              |
| Production of first issue   | \$        | 900-1,500          |
| Copy, photos & resources  | \$        | TBD                |
| Print Management  | \$        | <u>250-500</u>     |
| <b>A Total</b>  | <b>\$</b> | <b>3,650-4,500</b> |

B) Printing and Mailing Expenses (2,400 qty)

|   |           |              |
|---|-----------|--------------|
| Printing on 100# dull book, 4CP + satin coating | \$        | 1,310        |
| Inkjet addresses and presort for mailing        | \$        | 260          |
| Postage (estimated at 0.14/ea)                  | \$        | <u>336</u>   |
| <b>B Total</b>                                  | <b>\$</b> | <b>1,906</b> |

C) Future Issue Production Fees

|   |    |                  |
|---|----|------------------|
| Design, layout, production and print management (total, per issue)* | \$ | <b>900-1,500</b> |
|---|----|------------------|

\*Does not include printing and mailing.

**Services include:**

Project management; two design layouts based upon established goals and parameters and integrating provided copy/resources; typesetting/formatting; two rounds of revisions; color PDF proofs as needed, creation of final files (Mac platform, Adobe Creative Suite files), and print management.

**Services do not include:**

Additional rounds of proofing and/or revisions beyond specified scope of services, additional concepts/layouts, copywriting, costs for illustration or photography, or complex diagram creation.



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## PROJECT ESTIMATE & OUTLINE OF SERVICES

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PREPARED FOR:

Debbie Breen & Lauren Kavan  
Administrative Assistants  
City of North Oaks  
100 Village Center Drive, #230  
North Oaks, MN 55127

DATE PREPARED:

June 8, 2021

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PROJECT NAME:

**City of North Oaks Logo Redesign**

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|                               |                       |
|-------------------------------|-----------------------|
| Design and layout             | \$ 3,750-5,000        |
| Production of final logo      | \$ 1,250-1,750        |
| Resources (if any are needed) | \$ <u>TBD</u>         |
| <b>Total</b>                  | <b>\$ 5,000-6,750</b> |

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**Services include:**

Project management; research, creative exploration and ideation; 3-5 logo concepts (presented in b&w) based upon client feedback, research, and established goals and parameters; up to two rounds of modifications made to one selected logo concept; refinement (including color application) and final production of the selected logo (logo will be presented in electronic forms: EPS, JPG, GIF).

**Services do not include:**

Additional rounds of proofing and/or revisions beyond specified scope of services, additional concepts/layouts, copywriting, costs for illustration or photography, or complex diagram creation.

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Attachment A  
**WORKING AGREEMENT & TERMS**

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*Estimates & Fees*

The costs and expenses cited in the attached proposal represent Pikala Design Company's most accurate estimates for the project, based on the information provided. If additional information is forthcoming and/or the project specifications or schedule change, the estimates are subject to review. All estimates are valid for 60 days from date of proposal.

*Scope of Services & Revisions*

All fees allow for a maximum of two rounds of design refinements/production revisions. If, during the project process, the scope of work or number of corrections becomes greater than what is outlined above or in the project proposal, Pikala Design Company reserves the right to renegotiate fees for additional work based on a rate of \$95.00/hr. The client would be advised of the need for such additional revisions and fees in a timely manner.

*Materials & Additional Expenses*

Material costs relating to items that are regularly stocked or generated in-house (such as b&w laser outputs, photocopies and general supplies) are included in estimates. Fees for other specially ordered materials or services (such as color outputs, scans, long distance telephone charges, out-of-town travel, or shipping/courier fees) will be billed according to written estimates or actual expenses.

*Art Direction*

Additional services required of Pikala Design Company with regards to the organization and art direction of photography, illustration and/or copywriting will be billed at a rate of \$95.00/hr. or according to written estimates.

*Payment Terms and Schedule*

Pikala Design Company will render an invoice after completion of the design and production phases. Should the project timeline be extended past a two-month production period, Pikala Design Company reserves the right to issue partial invoices throughout the production period. It is requested that the client make payment within 30 days of invoice (Net 30).

*Subcontracted Services*

If applicable, fees for photographers, illustrators, writers, printers or other subcontracted services retained through Pikala Design Company will be billed according to written estimates. Estimates will include a handling and administrative fee, figured as 20% of the total cost of the service(s) purchased. This industry-standard procedure provides compensation for the additional time, paperwork and risk involved with purchasing of subcontracted services on behalf of our clients.

*Proofreading*

Although Pikala Design Company makes every effort to ensure that printed materials are error-free, final proofreading remains the responsibility of the client. Errors overlooked in proofreading that result in additional type formatting, outputs, reprinting or refabrication are the financial responsibility of the client and will be billed accordingly.

*Ownership of Design*

All final printed materials and accompanying final electronic files shall become the client's property after all invoices have been paid to Pikala Design Company. All preparatory materials used in the creation of final work (including all unused plans, preliminary sketches, designs, layouts, artwork and computer files) will remain the property of Pikala Design Company, unless otherwise noted and agreed to by both parties.

*Ownership of Custom Photography, Illustration, or Other Original Resources*

Rights to custom-created illustrations, photography and/or other resources must be negotiated separately with each hired subcontractor. Terms and ownership rights will vary depending on the contractor, type of work created, and details of usage.

*Sales Tax*

Fees listed in the proposal and project estimates do not include sales tax. When applicable, sales tax will be added to invoices. If the client is tax-exempt, an appropriate exemption certificate must be submitted to Pikala Design Company.

Attachment A (*continued*)

**WORKING AGREEMENT & TERMS**

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*Promotional Usage of Work*

Pikala Design Company reserves the right to photograph all work, include it as part of a portfolio, use it in slide presentations or enter it into design competitions. Work that is sensitive and/or proprietary in nature may be released from such usage if the client requests exemption in writing. All other work may also be released from promotional usage if the client requests such in writing.

*Term Changes*

Changes to the above terms may be made if requested in writing and agreed to by Pikala Design Company. This agreement can be terminated by either party giving a thirty (30) day notice, bringing current projects to completion and by settling current outstanding fees.



# July Month in Review

July 2021



Rehder Forestry Consulting

- Homeowner calls at @ 8 Island View, 18 Red Fox, 4 Cardinal, 142 WPLR, 1 Hay Camp Rd, 14 East Oaks Rd.
- Completed Oak Wilt Educational video through 9 North (formerly CSTV). Check it out at the address below. There is also a video on EAB that was created last year to help residents strategize for EAB at the lot level.

<https://ninenorth.org/videos/north-oaks-quarterly-report-oak-wilt/>

- Continue to make residents aware of hazard tree situations through letters and doorhangers.
- Inspections are in full gear, and we will work with residents in managing oak wilt and other fatal shade tree diseases on their property. So far, we have identified an estimated 60 oak wilt sites with over 100 diseased oak trees. We have identified 40 diseased elm and ash trees. We will continue inspections and wait until August to begin to mark oak trees and send notifications for diseased tree removal. We continue to educate residents about treatment options and strategies that are available to them.
- Sent out 2 Certified letters to homeowners who are delinquent in removing their EAB trees.
- Met with NOHOA representative to discuss working together on Shade Tree Disease Program and Hazard trees.
- Have submitted samples on select oak trees to U of M Plant Health Disease Clinic to confirm oak wilt as part of shade tree disease program.
- Working directly with residents to provide information on invasive species control such as Oriental Bittersweet and Garlic Mustard.
- Continue to make residents aware of site obstructions that impede traffic or pedestrians.
- We have provided copies to City Hall and NOHOA of the spreadsheets we use to document diseased trees so that they are available to staff as needed.
- Met with tree care company to educate them on City policies and to sign off on arborist license.
- Met with North Oaks Company representative on site at Island Field to discuss tree preservation.