

**North Oaks City Council
Meeting Minutes
North Oaks City Council Chambers
February 8, 2024**

1. CALL TO ORDER

Mayor Wolter called the meeting to order at 7:00 p.m.

2. ROLL CALL

Present: Mayor Krista Wolter. Council Members Mark Azman, John Shuman, Sara Shah, Tom Watson

Staff Present: Administrator Kevin Kress, City Attorney Bridget Nason, City Planner Nicholas Ouellette

Others Present: Videographer Kenny Ronnan

A quorum was declared present.

3. PLEDGE OF ALLEGIANCE

Mayor Wolter led the Council in the Pledge of Allegiance.

4. CITIZEN COMMENTS

Rick Kingston, 5 Island Road, wanted to bring up a few items. He thanked Council for taking on the Master Infrastructure Study Project which is a vital part of the community going forward. He can't imagine our community not having a process in place that identifies our infrastructure vulnerabilities 5-10 + years down the road. He feels like it is vital and what the public Council should be doing for the Community.

He also wanted to speak on the topic of privacy which has come up at every recent meeting and communication. He questioned how we define privacy? The 1st bullet of the recent concerned citizen petition states the LPR project infringes on their privacy rights: they want to come and go to and from home through City entrances without monitoring or being recorded. Kingston feels we haven't enforced our privacy rights since the gates came down years ago. Our Sheriff can't use public funds to enforce our privacy rules. Every day Instacart, Amazon, service workers are coming and going and the Sheriff can't pull every car over to determine their purpose in the City just because of their license plate. It's his understanding there has only been 1 formal trespassing charge in the past year, which was someone inside a home during a graduation party in Charley Lake area.

Kingston noted CNBC just reported that Amazon announced they are putting cameras and artificial intelligence in all of their Amazon delivery vehicles. They are doing this because their trucks are being attacked by criminals which are boxing in their trucks, stealing packages and putting their drivers at risk. Amazon has thoroughly evaluated the role of cameras and know they provide immediate response by law enforcement, aid in the prosecution of perpetrators and prevent attacks on their trucks when they know have been caught in act. This has proven to help track and catch criminals. He questions if residents concerned with LPR cameras are fine with Amazon and private dash cams filming license plates to prevent crime, but not the City in an effort to prevent crime. License plates are public records and Amazon and others filming license

plates can get name and address, so it's not actually private. For these reasons, Kingston is in full support of moving forward with the license plate reader program and feels City should move forward

5. APPROVAL OF AGENDA

Administrator Kress asked Council to add item 9d White Bear Township Memorandum of Understanding (MOU) to new business right after 9c.

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

6. CONSENT AGENDA

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

- **6a. Approval of Licenses:**
 - **Arborist:** 1-2 Tree Lawn and Landscape; A Tree Service, Inc.; Cameron Tree Services, Inc.; Central Minnesota Tree Service; Hugo's Tree Care, Inc.; Morgan's Tree Service; Northland Landscape & Construction; Precision Landscape & Tree; Rainbow Tree Care; Twin City Tree Authority; Vineland Tree Care
 - **Mechanical:** DJ's Home Service, LLC; Home Energy Center; Leaf Home Enhancements dba Tundraland; MN All Seasons Comforts LLC;
- **6b. Approval of City Council Minutes from: Special meeting on 1.11.2024, Regular City Council Meeting on 1.11.2024, and Special City Council Meeting on 1.16.2024**
- **6c. Approval of City Financials - EFTs: 805E - 810E, Check #'s: 15206- 15240**

**MOTION by Azman, seconded by Shuman, to approve the Consent Agenda as presented.
Motion carried unanimously by roll call vote.**

7. PETITIONS, REQUESTS & COMMUNICATIONS

a. Deputy Matt Lassegard Report

Deputy Lassegard presented a summary of his monthly report which includes:

- 163 Calls for service. Spring Farm Sheriff's camera is still in place, and contractors also had a trail camera that took a picture, called police and caught the thief up there. Shuman noted information captured from both cameras will also help prosecute this person who had troubles in other cities.
- Believes they have suspect for driving incidents in local West Recreation center fields. Student will write letter, how it affects others and work on site with Mel's to repair fields.
- Housing watch program is going well and have twice as many on the list this year.
- Safety and Security – there have been numerous accidents involving elderly and driving. He asks residents to be alert to elder family members who: having trouble walking, hearing things outside of vehicle, or have unexplained dings and dents on their car. These are signs may be a good time to talk to them about not driving anymore for safety of all. There is a form to submit through the Minnesota DMV if feel there is a dangerous medical issue and it will trigger driving evaluation.
- Reminder to call 911 for any immediate issues.

- Fraud alert - Take precautions when selling cars to private parties. Make sure everything has been officially transferred out of your name after the sale, to ensure you are not liable if vehicle is involved in future incidents.

8. UNFINISHED BUSINESS

8a. Presentations on Solar energy Systems

Colin Buechel at All Energy Solar presented on Solar Energy. Key points include: 1) Types of solar arrays 2) examples of each type 3) rationale for choosing each array type, and 4) examples of ground arrays and screening.

- Types:
 - Rooftop includes Flush-mounted, tilt-up and flat roof ballasted.
 - Ground system types include: Four post-stationary (most common system), mono-post, pole mount, single or dual axis with manual or automatic trackers.
- The type of system chosen is based on:
 - Access to direct sunlight
 - How are roof planes are oriented
 - Will roof require structural support
 - Difficulty of installation on steep or slate roofs, etc.
 - Cost – upfront cost for grounds arrays are higher with more complicated racking system and footings with longer installation and trenching. Rooftop has lower upfront cost, but may have future maintenance cost when roof shingles need replacement, and well as potential pest concerns such as squirrels between solar panels and rooftop chewing of wires. Structural upgrades may also be required to support panels.
- Most ground mounted are a 4-row panel system. Ground screws allow to adjust the height if the ground is sloped.
- Screening: Occasionally screening is required on ground mounted, but vast majority the jurisdictions do not have screening requirement written into code or local ordinances. From 2021-2023, they installed 165 solar system and only 1 required screening. There is only 1 that required a CUP. Examples of screening includes minimum of three, six-foot-tall evergreen trees to fill visual gaps between the solar array and the street right of way.

Brian Ross, VP of Renewable Energy at the Great Plains Institute, introduced himself.

- They are a non-profit based out of Minneapolis educating and helping communities navigate the clean energy future. They can help community's administrator the federal SolSmart program and become certified as Solar ready, as well as integrate into policy and procedures ways to incorporate green energy into community's own unique environment. They created the model solar ordinance and continue to evolve it over time to adapt to new technologies, and economics.
- Councilor Shuman asked how many of the 165-ground mounted solar are in rural areas vs. smaller lot residential areas. Mr. Buechel noted that required screening were on smaller lots. In the Metro area the vast majority are rooftop.

8b. Discussion and possible action on Aging in Place Grant

- Nicholas Ouellette, City Planner from Landform, introduced the Aging in Place Grant Survey Report and asked Council if there are any further changes they would like to see documented in the Plan. The grant funds awarded to the City were for creation of the Aging in Place Plan only, not for implementation of the plan. The plan identifies an action plan, and City would need to work with NOHOA to determine what items from the action plan can be put in place to help serve senior residents at a reasonable cost or with creative resources.
- Council was asked to take a final look at the Aging in Place Grant Plan and give feedback for any further changes to Administrator Kress.

9. NEW BUSINESS**9a. Discussion and possible action on cell phone tower survey**

- Kress stated NOHOA was looking to put on the City website a survey on how residents feel about cell phone network service coverage in our Community – what works and what is spotty coverage. It was noted the Survey form should be tweaked to add where to send survey. It will be distributed on both NOHOA and City platforms. Kress will work with NOHOA to tweak and determine who will collect data. Councilors did not have any issues with this.

9b. Discussion and possible action on Planning Commission appointments, resolution appointing Planning Commission members, and resolution amending annual appointments

Kress noted there were 2 Planning Commission vacancies for the Planning Commission: a 1-year term and a 3-year term. The City received 3 applications, with 1 applicant dropping out.

MOTION by Azman, seconded by Shah, to approve Resolution 1507 appointing Joyce Yoshimura-Rank to a 1-year term, and David Loegering to a 3-year term on the Planning Commission. Motion carried unanimously.

Administrator Kress stated Resolution 1508 updates the names of the two newly appointed Planning Commissioners in the Master City list of appointments.

MOTION by Azman, seconded by Shuman, to approve Resolution 1508 amending the annual appointments. MOTION carried unanimously.

9c. Discussion and possible action on minute taking payment.

Administrator Kress noted that for the past 4 years the City has been outsourcing to Timesavers the taking of City Council Minutes, at an average rate of \$250 per meeting. This was change from City staff taking minutes, to outsourcing to Timesavers, came after questions over detail in minute related to ongoing controversy with the new North Oaks Company developments. Kress suggested moving them back to City staff at a flat rate of \$125 which is ½ the average cost of

Timesavers. Due to a full slate of normal work during the workday, transcription of meetings takes place after hours on non-work days. Paying staff \$125 to take Council minutes would be a fair wage, while still saving the City money over Timesavers.

Watson suggested a flat rate plus hours if extensive. Shuman suggested stay with Timesavers if helpful for the morale of City staff. Some concerned if too little or too much money, but overall thought the proposal would all balance out as some are long meetings, while others are short meetings. Others deferred to City Administrator to do what best for staff, who confirmed staff is in favor of the proposal. The minutes are to be completed after normal business hours as to not take away from regular work.

MOTION by Watson, seconded by Shah, to pay City staff \$125 to take minutes for City meetings. Motion carried unanimously.

9d. MOU Agreement with White Bear Township

Kress introduced the White Bear Township Memorandum of Understanding (MOU) document stating the new terms for utility maintenance support starting in 2025. Kress and Watson have been working on this with White Bear Township for past 6-8 months, and it has been sent to Council for review. They have worked with the White Bear Township Public Works Director and both City Attorneys to development agreement. Will need to install meter pits with magnetic flow meters on both sides to capture water flow data. Also, the City will need to find a new provider for maintenance of utilities such as lift stations and water lines, as well as taking on the water billing for the White Bear Township water (similar to how the City bills residents for use of Shoreview water). This does not impact future requests connecting newly built communities to White Bear Township, which will still have to apply through the Joint Power Agreement. This is just a change for ongoing maintenance support.

This agreement becomes effective in 2025 with no end date. The city would not see a reduction in amount billed by White Bear Township, but does resolve the cancellation notice from May 1, 2022. The agreement does not discuss water limits, that is part of the Joint Powers Agreement, and users would still be subject to any water restrictions like other White Bear Township water users.

MOTION by Watson, seconded by Wolter, to approve the White Bear Township MOU Agreement. Motion approved unanimously.

10. COUNCIL MEMBER REPORTS

- Nothing further from Councilor Watson.
- Councilor Shuman stated he had nothing from VLAWMO. He noted he would like to assemble as much information as possible to put on the City website, case studies from other clients with LPR, private data storage, community questions and answers, any legal opinions on the topic and give the community several weeks to interact and review information and

concerns. In the March or April Council meeting, he would like to see the Council LPR initiative on the agenda and make a 4 part motion: 1) Approval of the LRP Pilot initiative 2) data owned by City 3) authorizing City to sign contract 4) authorizing Ramsey County Sherriff office to be the only authorized end user party to access the information.

- Mayor Wolter stated Master Infrastructure plan meetings continue every two weeks with City Engineer and Sambatek. She reminds residents the MIP is about long-range planning for the City. She has seen there have been prices put out there by residents, however there has been NO pricing on any of this information, it is strictly gathering of information and discussion on needs. There will be interactive website and moving forward just looking ahead to what needs our City has in the long-term future.
- Councilor Shah shared that at the January Fire Board meeting, the Chief provided a summary of all calls from all contract cities with response times. Shah asked that Waverly Garden figures in their next meeting. Each City was asked to go back and investigate bond options for funding. Kress noted that either 1 City can take a lead with other cities paying in, or can take out multiple bonds. They will also look at other funding options.
- Azman noted he is in between meetings, nothing of significance to report.

11. CITY ADMINISTRATOR REPORTS

Administrator Kress deferred to City Engineer to provide update on County Road J project.

Engineer Nielson stated that Bolton-Menk was selected as the Engineer for the County J Road interchange reconstruction project. They are currently setting up a schedule for this project, and Cities are reviewing an intersection control evaluation. Nielsen will stay up to date and bring future project updates back to the Council.

12. CITY ATTORNEY REPORTS

None.

13. MISCELLANEOUS

13a. January 2024 Forestry Report

City Forester January report is included in the packet.

14. ADJOURNMENT

MOTION by Azman, seconded by Shah, to adjourn the meeting at 8:19 p.m. Motion carried unanimously by roll call.

Kevin Kress

 Kevin Kress, City Administrator

Krista Wolter

 Krista Wolter, Mayor

Date approved 4.11.2024