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**CITY COUNCIL
CITY OF RAMSEY
ANOKA COUNTY
STATE OF MINNESOTA**

The Ramsey City Council conducted a regular meeting on Tuesday, January 25, 2011, at the Ramsey Municipal Center, 7550 Sunwood Drive NW, Ramsey, Minnesota.

Members Present: Mayor Bob Ramsey
Councilmember Randy Backous
Councilmember David Elvig
Councilmember David Jeffrey (arrived at 7:23 p.m.)
Councilmember Colin McGlone
Councilmember Jason Tossey
Councilmember Jeffrey Wise

Also Present: City Administrator Kurtis Ulrich
Deputy City Administrator Heidi A. Nelson
Public Works Director Brian Olson
Associate Planner Timothy Gladhill
City Engineer Tim Himmer
City Attorney William Goodrich

1. CALL TO ORDER

Mayor Ramsey called the regular meeting of the Ramsey City Council to order at 7:00 p.m., followed by the Pledge of Allegiance led by Mayor Ramsey.

2. PRESENTATION

None.

3. CITIZEN INPUT

Mayor Ramsey encouraged students in attendance to introduce themselves and their projects.

4. APPROVE AGENDA

City Administrator Ulrich requested that Council add Case 7.8 Ramsey B&B Associates, LLC and Case 7.9 Discuss Legacy Development Financial Guarantee to the agenda.

Motion by Councilmember Wise, seconded by Councilmember Backous, to approve the agenda as amended.

Motion carried. Voting Yes: Mayor Ramsey, Councilmembers Backous, Elvig, McGlone, Tossey, and Wise. Voting No: None. Absent: Councilmember Jeffrey.

5. CONSENT AGENDA

Motion by Councilmember Elvig seconded by Mayor Ramsey, to approve the following items on the Consent Agenda:

- 5.1 Authorize \$5,000 from the 2010 Civil Defense budget be encumbered and transferred to the budget of the HRA for use in 2011 for the purpose of relocating the siren in conjunction with the construction for the new pylon sign.
- 5.2 Award contract for a public participation campaign related to development of a City reconstruction policy and long-term road maintenance program to Himle Horner in an amount not to exceed \$43,000.
- 5.3 Award contract for engineering services to perform the City's required annual bridge inspections and reporting to Erickson Engineering in an amount not to exceed \$2,800.
- 5.4 Approve Minnesota Department of Health (MDH) grant agreement for wellhead protection implementation
- 5.5 Adopt Resolution #11-01-024 approving cash disbursements made and authorizing payment of accounts payable invoicing received during the period of January 6, 2011 through January 19, 2011
- 5.6 Adopt Resolution #11-01-025 to Enter into a Residential Recycling Program Agreement to Receive SCORE Funds for 2011
- 5.7 Adopt Resolution #11-01-026 approving an administrative amendment to the Tax Increment Financing Plan for Tax Increment Financing (Redevelopment) District No. 14
- 5.8 Adopt Resolution #11-01-027 authorizing 3rd Partial Payment to Rum River Contracting for IP 08-34; the Bituminous Paving of 151st, 152nd Avenues and Fluorine Street
- 5.9 Report from the Personnel Committee Meeting on 01-11-11

Case 1: Approve Selection of Councilmember Jeffrey as Chairperson and Councilmember McGlone as Alternate Chairperson for the Personnel Committee

Case 2: Approve Paid on Call Fire Officer Selection for year 2011/2012 as presented by Fire Chief Kapler.

Case 3: Adopt Resolution #11-01-028 approving the 2011 Health Insurance Contributions and Wages with AFSCME as it Relates to the 2010/2011 Labor Agreement

Case 4: Adopt Resolution #11-01-029 Approving the revised 2011 City Health Insurance Contribution for Non-union Employees

Motion carried. Voting Yes: Mayor Ramsey, Councilmembers Backous, Elvig, McGlone, Tossey, and Wise. Voting No: None. Absent: Councilmember Jeffrey.

6. PUBLIC HEARING

6.01: Public Hearing and Request for Adoption of a City of Ramsey 2011-2015 Capital Improvement Plan

Mayor Ramsey closed the regular portion of the City Council meeting at 7:04 p.m. in order to conduct a public hearing.

Public Hearing

Mayor Ramsey called the public hearing to order at 7:05 p.m.

Presentation

Finance Director Lund reviewed the staff report.

Councilmember Elvig requested the Capital Improvement Plan be published on the City's website.

Citizen Input

There was none.

Motion by Councilmember Elvig, seconded by Councilmember Wise, to close the public hearing.

Motion carried. Voting Yes: Mayor Ramsey, Councilmembers Backous, Elvig, McGlone, Tossey, and Wise. Voting No: None. Absent: Councilmember Jeffrey.

The public hearing was closed at 7:04 p.m.

Council Business

Mayor Ramsey called the regular City Council meeting back to order at 7:04 p.m.

Motion by Councilmember Elvig, seconded by Councilmember Wise, to adopt Resolution #11-01-030 adopting the City of Ramsey's 2011-2015 Capital Improvement Plan (CIP)

Motion carried. Voting Yes: Mayor Ramsey, Councilmembers Backous, Elvig, McGlone, Tossey, and Wise. Voting No: None. Absent: Councilmember Jeffrey.

7. COUNCIL BUSINESS

7.01: Request for Special Events Permit for End Zone Bar Grill at 6415 Highway #10 NW

Police Chief Way reviewed the staff report.

Mayor Ramsey inquired about impacts to the neighboring mobile home.

Applicant Mr. Gruber said he had notified the strip mall business owners about the event but not the residents of the mobile home park.

Motion by Councilmember Wise, seconded by Councilmember McGlone, to approve the Special Events Permit request of The End Zone to hold an outdoor tent party on Friday and Saturday nights, June 3 and 4, 2011 and approve a midnight end time.

Further discussion: Councilmember Tossey inquired about the current noise ordinance timeframe. Police Chief Way said the applicant is requesting special permission to end at midnight instead of 11:00 p.m., but that police officers, paid for by the applicant, will be at the event.

Mayor Ramsey offered a friendly amendment that if complaints are heard officers will turn down the music at 11:00 p.m. Councilmember Elvig seconded the friendly amendment.

Motion carried. Voting Yes: Mayor Ramsey, Councilmembers Backous, Elvig, McGlone, Tossey, and Wise. Voting No: None. Absent: Councilmember Jeffrey.

Councilmember Jeffrey arrived at 7:23 p.m.

7.02: Request for Final Plat and Site Plan Review of Cross of Hope Addition Related to a Proposed Addition to the Existing Church Located at 5730 17th Lane NW; Case of Cross of Hope Lutheran Church

Associate Planner Gladhill reviewed the staff report.

Steve Urban, Cross of Hope Church, said they were concerned about the plat having to line up with Iodine Street because of the additional costs.

Associate Planner Gladhill explained park dedication was already paid on both lots and the only two remaining fees are storm water management and trail fee. He said a portion of the City-owned piece will be conveyed back to the church, especially regarding storm water management and impervious surfaces.

Mayor Ramsey asked about storm water flow and if the \$7,732 charge is based on square footage.

City Engineer Himmer said they are proposing to incorporate additional infiltration ideas to make them eligible for credits and that the cost is based per acre.

Motion by Councilmember McGlone, seconded by Councilmember Jeffrey, to approve Resolution #11-01-031 granting final plat approval of Cross of Hope Addition and site plan approval for the building expansion contingent upon the following:

- Compliance with City Staff Review Letter dated January 20, 2011; and
- Approval of a Conditional Use Permit to operate a religious institution in the R-1 Residential District; and
- Vacation of street and utility easement across the northern 126 feet of the East 10 acres of Auditor's Subdivision 27; and
- Sale of City-owned parcel to the north of the subject property; and
- Entering into a Development Contract with City.

Further discussion: Councilmember Elvig said he would like to reduce the fee but is reluctant to set a precedent.

Motion carried. Voting Yes: Mayor Ramsey, Councilmembers Backous, Elvig, Jeffrey, McGlone, Tossey, and Wise. Voting No: None.

7.03: Request for a Conditional Use Permit to Operate a Religious Institution in the R-1 Residential District (Rural Developing) Located at 5730 179th Lane NW; Case of Cross of Hope Lutheran Church

Community Development Anderson reviewed the staff report.

Motion by Councilmember Jeffrey, seconded by Councilmember Wise, to adopt Resolution #11-01-032 adopting Findings of Fact #0883 relating to the request of a conditional use permit to operate a religious institution in the R-1 Residential District and to adopt Resolution #11-01-033 approving the request for a conditional use permit to operate a religious institution in the R-1 Residential district.

Further discussion: Councilmember Elvig asked if they could remove the conditional use permit and make this a permanent use. Associate Planner Gladhill said they could add that future expansions do not require reissuance of the conditional use permit. Community Development Anderson said because of the site plan and final plan the City did not collect a separate escrow for the conditional use permit.

Motion by Mayor Ramsey to amend the motion waiving the conditional use permit fee of \$200.

Associate Planner Gladhill noted staff already collected \$400 in fees for site plan review, plat, and easement vacation.

Mayor Ramsey withdrew his amendment.

Motion carried. Voting Yes: Mayor Ramsey, Councilmembers Backous, Elvig, Jeffrey, McGlone, Tossey, and Wise. Voting No: None.

7.04: Consider Request to Extent Timeline to Record Final Plat of MICHELS PROPERTY located at 6080 Highway 10 NW; Case of Jeanie Michels

Associate Planner reviewed the staff report.

Motion by Councilmember Jeffrey, seconded by Councilmember Wise, to adopt Resolution #11-01-034 authorizing an extension of no more than six (6) months to record the Plat. The City has the ability to re-evaluate additional extensions at any time.

Further discussion: Councilmember McGlone asked about the trail extension and potential impacts. Associate Planner Gladhill said the Mississippi Region Trail is a critical connection for Ramsey and Anoka as the trail will eventually go to the headwaters in Louisiana. He said while it is not the best location for ADA purposes the applicant is willing to work with the City, adding it will be in the general location of Rivlyn Avenue.

Motion carried. Voting Yes: Mayor Ramsey, Councilmembers Backous, Elvig, Jeffrey, McGlone, Tossey, and Wise. Voting No: None.

7.05: Introduce Ordinance to Amend Section 117-111 (R-w Residential District) of Chapter 117 of the Ramsey Zoning Code

Community Development Staff Anderson reviewed the staff report.

Councilmember McGlone expressed concern about encroaching on rear yard setbacks that don't just separate residences but uses, such as a park.

Mr. Anderson said the ordinance is specific to principal structures and detached access only needs to meet a five-foot rear yard setback.

Mayor Ramsey asked if the principal structure includes a deck. Associate Planner Gladhill said an open deck is already allowed and that he is referring to a three- or four-season porch.

Councilmember Elvig said the intent is to allow setbacks where there is no near neighbor or open land and should include conservatory or other public space.

Councilmember Tossey said he does not like to amend an entire ordinance because of one situation but understood the intent, especially in light of recent rulings regarding variances.

Motion by Mayor Ramsey, seconded by Councilmember Backous, to introduce an Ordinance amending Chapter 117-111 of the City's Zoning Code to provide a reduced rear yard setback of twenty (20) feet for lots with a rear property line entirely adjoining a parcel zoned as Park.

Further discussion: Councilmember McGlone expressed concern that standards will no longer be followed. Councilmember Backous said the proposed change will avoid future variance discussions.

Motion carried. Voting Yes: Mayor Ramsey, Councilmembers Backous, Elvig, Jeffrey, Tossey, and Wise. Voting No: McGlone.

7.06: Consider Amendment to Lease with Anoka County License Center with Regard to Signage

Deputy City Administrator Nelson reviewed the staff report.

Councilmember McGlone asked that provisions include removal of the temporary signage.

Motion by Councilmember Jeffrey, seconded by Mayor Ramsey, to approve the proposed lease amendment with the Anoka County License Center with regard to signage.

Further discussion: Councilmember Wise expressed concern about giving Anoka County advertising space at no charge at both Ramsey and Armstrong Boulevards. Deputy City Administrator Nelson said staff suggests placing the County as co-tenants and not charging them in order to draw connection between the two entities. Councilmember Elvig expressed concern about matching lettering size and material. Paula Anderson, Anoka County, clarified the sign will only list License Center and not Anoka County. Mayor Ramsey requested more permanent directional signs within City Hall.

Motion carried. Voting Yes: Mayor Ramsey, Councilmembers Backous, Elvig, Jeffrey, McGlone, Tossey, and Wise. Voting No: None.

7.07: Consider Installation of noise walls in conjunction with City project #11-20; the reconstruction of Bunker Lake Boulevard from Basalt Street NW to Germanium Street NW

City Engineer Himmer reviewed the staff report.

Motion by Councilmember Elvig, seconded by Councilmember Wise, not to approve construction of a noise barrier in Area 1 as part of the reconstruction of CSAH 116 (Bunker Lake Boulevard).

Further discussion: Mayor Ramsey asked if residents along Sunfish Boulevard can petition later for a noise wall. Mr. Himmer said there is really no other recourse. Councilmember Tossey confirmed a total of eight homes affected. Mr. Himmer said residents have to have a property directly abutting Sunfish Boulevard, adding only the two end units received a vote.

Motion carried. Voting Yes: Mayor Ramsey, Councilmembers Elvig, Jeffrey, McGlone, Tossey, and Wise. Voting No: Backous.

7.08: Ramsey B&B Associates, LLC.

City Attorney Goodrich reviewed the staff report.

Councilmember Elvig said he is concerned about allowing Ramsey B&B to swap collaterals and asked that Central Bank review the security agreements.

Motion by Councilmember Elvig, seconded by Councilmember Tossey, to authorize the Mayor and City Administrator to execute the Ramsey B&B Associates, LLC documents as presented.

Motion carried. Voting Yes: Mayor Ramsey, Councilmembers Backous, Elvig, Jeffrey, McGlone, Tossey, and Wise. Voting No: None.

7.09: Discuss Legacy Development Financial Guarantee

City Administrator Ulrich and City Attorney Goodrich reviewed the staff report.

Councilmember Wise clarified we are finding another party to guarantee the funds and the new guarantor, J&B, is not connected with the development.

City Attorney Goodrich said staff will first ensure that J&B has sufficient assets to satisfy the \$100,000 guarantee and will draft a document to ensure its enforceability.

Mayor Ramsey expressed concern about J&B's financials, which could result in no guarantee.

Councilmember McGlone said the corporation has a long history and is solvent but asked the City Attorney to exercise his due diligence to protect the City.

City Administrator Ulrich said staff will verify solvency, adding No Name Steaks is a large company and the risk is short term since the letter of credit is only for three months.

Motion by Councilmember Elvig, seconded by Councilmember Jeffrey, to accept the financial guarantee by J&B for Legacy Development based on City Attorney's due diligence.

Further discussion: City Engineer Himmer noted concerns about this delay as we are already two weeks into the contract with WSB.

Motion carried. Voting Yes: Mayor Ramsey, Councilmembers Backous, Elvig, Jeffrey, McGlone, Tossey, and Wise. Voting No: None.

8. MAYOR, COUNCIL AND STAFF INPUT

Mayors Trail Ride

Mayor Ramsey said the recent Mayors Trail Ride event raised \$3,500 for charities, including \$1,750 for Youth First, adding participants increased from 101 in 2010 to 156 in 2011.

Local Government Officials Meeting

City Administrator Ulrich announced the upcoming Local Government Officials meeting at Greenhaven Golf Course on Wednesday, January 26.

Ice Skating at The Draw

Mayor Ramsey said outdoor skating is available at the pond in Draw Park.

State of the City Address

Mayor Ramsey said the February 8 Council meeting will include a State of the City address.

Strategic Planning Session

Councilmember Elvig said Council and staff had just completed 10 hours in strategic planning, reviewing 2010 accomplishments and establishing 2011 goals.

9. ADJOURNMENT

Motion by Councilmember Mayor Ramsey, seconded by Councilmember Jeffery, to adjourn the meeting.

Motion carried.

The regular meeting of the City Council adjourned at 8:41 p.m.

Respectfully submitted,

Kurtis G. Ulrich
City Administrator

ATTEST:

Jo Ann M. Thieling
City Clerk

Drafted by Cathy Sorensen
TimeSaver Off Site Secretarial, Inc.