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

The Ramsey City Council conducted a regular meeting on Tuesday, May 10, 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
Councilmember Colin McGlone
Councilmember Jason Tossey
Councilmember Jeffrey Wise

Members Absent: None

Also Present: City Administrator Kurtis Ulrich
Deputy City Administrator Heidi A. Nelson
Senior Planner Tim Gladhill
Fire Chief Dean Kapler
Public Works Director Brian Olson
Assistant City Engineer Tim Himmer
Police Chief James Way
Economic Development/Marketing Manager Aaron Backman
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 students from Elk River High School Government Class.

2. PRESENTATION

None.

3. CITIZEN INPUT

Councilmember McGlone noted he received a call from Mr. Gary Greb who raised his concern regarding the road closure at 142nd Avenue. Mr. Greb was in the hospital and could not attend the meeting. He had a medical emergency and was concerned that if that had happened at his home, he could have died due to the inability for emergency vehicles to get through the road

closure. Councilmember McGlone stated he drove to the road closure to observe this concern. He said he called the Chief of Police, and was told the barriers in place are “knock-down” barriers and the emergency vehicles can drive over them. He noted the concern of the caller was unfounded.

Councilmember Backous questioned how many accidents have happened at that intersection since the road was closed.

Fire Chief Kapler responded he was not sure, but he does know there has been none with injuries because that’s when the Fire Department responds.

4. APPROVE AGENDA

Motion by Councilmember Jeffrey, seconded by Councilmember Backous, to approve the agenda as presented.

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

5. CONSENT AGENDA

Councilmember Wise requested to move Case 5.5 to Case 7.05.

Councilmember McGlone requested to move Case 5.3 to Case 7.06.

Motion by Councilmember Jeffrey, seconded by Councilmember Tossey, to approve the following items on the Consent Agenda:

- 5.01 Approve an Agreement to Allow the Construction of a Six (6) Foot Tall Wood Privacy Fence that Encroaches onto City Property
- 5.02 Adopt Resolution #11-05-090 Approving Cash Disbursements made and Authorizing Payment of Accounts Payable Invoicing received during the Period of April 21, 2011 through May 5, 2011
- 5.04 Report from the Finance Committee of 4-26-
 - 1) Agenda Item #1 - Credit Card/Debit Card Acceptance Policy¹¹ (*Ratify the recommendation of the Finance Committee adopting the Credit Card/Debit Card Acceptance Policy with additional language added regarding those employees who will be authorized to accept credit cards to sign a form acknowledging and accepting the terms of the credit card/debit card policy.*)
 - 2) Agenda Item #2 - City Financial Dashboard (*Informational only.*)

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

6. PUBLIC HEARING

None.

7. COUNCIL BUSINESS

7.01: Consider Revisions to Development Contract for Legacy Christian Academy/Alpha Development

Senior Planner Gladhill reviewed the staff report.

Mike Altimer, Legacy Christian Academy, stated the Academy is in agreement with the changes in the report.

City Attorney Goodrich explained the purpose is that if the bids come in higher, the City Council would like to have another option to look at it to consider whether the City would like to assist more financially if the developer chooses not to.

Motion by Councilmember Jeffrey, seconded by Councilmember Wise, to approve the revised Development Contract, contingent upon opening and awarding of bids for the 429 Assessment Project to ensure City constructed improvements are properly funded and authorizing the City Attorney to make minor amendments as to legal form to the development contract.

Discussion: Councilmember Elvig questioned why this could change from past policies. Senior Planner Gladhill explained this case is specifically relating to the sewer and water. The City is stating it will collect a letter of credit if the private improvements were not complete. Councilmember Elvig stated he wanted to be careful about setting precedence for the public. Senior Planner Gladhill noted there is a finding in the proposal that this is a non-profit and the City is assured it will be reimbursed. City Attorney Goodrich stated this case is different in that usually the developer sells off lots and the assessments are paid off when the lots are sold.

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

7.02: Consider Storm Sewer Outlet Revisions Related to City Project #08-33, Ute Street Improvements

Assistant City Engineer Himmer reviewed the staff report.

City Attorney Goodrich stated he and staff have looked at the easement issue. He noted there are no drainage issues. There is sufficient legal basis with regard to ownership to have the easement where it is.

Motion by Councilmember Jeffrey, seconded by Mayor Ramsey, to authorize the proposed Ute Street storm sewer outfall revisions on a time and material basis, not to exceed \$2,000.

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

7.03: Request to Authorize Staff to Solicit Bids for Improvement Project 10-22, Ramsey Municipal Parking Facility

Public Works Director Olson reviewed the staff report.

Motion by Mayor Ramsey, seconded by Councilmember Wise, to authorize Staff to solicit bids for Improvement Project 10-22, Ramsey Municipal Parking Facility Phase II.

Further discussion: Councilmember Tossey questioned how much it costs to place ads and request a proposal. Public Works Director Olson responded approximately \$360 per publication. This would be in three different publications, which would bring the total to approximately \$1,000. Councilmember Tossey stated he has no desire to expand this ramp; he sees no reason to do so and does not want to accept the grant. Public Works Director Olson noted there are 350 stalls dedicated solely to transit. The land use next to the ramp cannot be approved without approving the ramp expansion. It is anticipated the parking stalls will be used by the adjacent land use. Deputy City Administrator Nelson explained the design guideline and zoning in place for The COR dictate structured parking in order to reach the density for the plan. If there was no structured parking arrangement, the land use would have to be reconsidered. Mayor Ramsey stated he firmly believes when the rail stop is put into place, 350 stalls will be filled with transit riders. The City solicited for the grant, and it was approved, and he does not want to give it back. City Administrator Ulrich pointed out this would make the land more valuable and is a landmark for the future. Councilmember Backous stated he agreed with Councilmember Tossey and does not believe in building things that are not needed. He suggested sending the money back. Councilmember Elvig theorized sewer pipes are run months and years prior to building in anticipation of building, and it also raises land value. This would be the same type of situation.

Substitute motion by Mayor Ramsey, seconded by Councilmember Elvig to authorize Staff to solicit bids for construction for Improvement Project 10-22, Ramsey Municipal Parking Facility Phase II.

Further Discussion: Mayor Ramsey clarified after 60 days, the Council will decide whether to accept any of the bids. This item will be brought to the Council on June 28.

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

7.04: Request for Approval of Documents to Clear Title to Lands Owned by the City of Ramsey in the Plat of COR ONE.

Deputy City Administrator Nelson reviewed the staff report.

Motion by Councilmember Elvig, seconded by Councilmember Tossey to approve the following documents contingent upon the action by the HRA:

Release of Option
Release of Land from Restrictions
Release of Deferred Assessments
Quit Claim Deed
Declaration of Easement.

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

7.05: Report from the Personnel Committee meeting held on April 26, 2011

Case 1: Consider authorizing staff to complete the annual COPS Grant

Case 2: Resolution to Consider Accepting a Public Works Parks Maintenance Worker Resignation

Case 3: Resolution to Consider Authorizing staff to Hire a Patrol Officer

Motion by Councilmember Wise, seconded by Councilmember Tossey, to approve the original recommendations from the Personnel Department, which are as follows:

- 1) Direct staff to not complete the annual COPS Grant paperwork
- 2) Adopt Resolution #11-05-091 Accepting the resignation of Andrew Eccleston, Parks Maintenance Worker
- 3) Adopt Resolution #11-05-092 Authorizing the hiring of Kyle Hemmerich as Patrol Officer.

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

7.06: Consider a Resolution Re-appointing a Member to the Economic Development Authority

Mayor Ramsey reviewed the steps necessary to appoint a member to the Economic Development Authority (EDA). He stated he chose to reappoint the seated EDA member, Chris Riley.

Councilmember McGlone stated he opposes the appointment of that member.

Motion by Councilmember Jeffrey, seconded by Councilmember Backous, to ratify Mayor Ramsey's appointment of Chris Riley to the EDA by adopting Resolution #11-05-093.

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

8. MAYOR, COUNCIL AND STAFF INPUT

Road Closure

Councilmember Backous inquired how many accidents have occurred since the road closure was put into place at 142nd Avenue.

Police Chief Way stated he did not recall any accidents involving vehicles. There had been four times the amount of typical accidents at that intersection prior to it being closed.

Councilmember Backous pointed out the intersection has been made much safer with the road closure. He noted there have been many letters to the editor of *ABC Newspapers*, and this issue is now done. The process has been completed, and there had been abundant time for debate. One person continues to write the letters and portray the situation as though the neighborhood is against the road closure, which is inaccurate. Councilmember Backous wanted the public to understand there are no safety issues. It was discussed earlier in this meeting that police and fire can get through the barricades that are in place now.

Councilmember McGlone clarified there is more than one individual and at least one Councilmember that was opposed to the closure. He clarified where the actual closure is located.

Public Works Director Olson indicated he had a list of accidents, and they are one-fourth the amount of accidents prior to road closure.

Councilmember Resignation

Councilmember Jeffrey announced he is battling pancreatic cancer. Though he has had successful surgery, he will now embark on aggressive chemotherapy treatments. Because of this, he is unsure he can fulfill the duties he was elected to serve. As such, he submitted his resignation as a Councilmember. He noted he has been on the Council six and a half years, and reviewed some of the events and milestones he has had the pleasure of being part of. He thanked the staff for their service and dedication.

Mayor Ramsey thanked Councilmember Jeffrey for his service.

9. ADJOURNMENT

Motion by Councilmember Tossey, seconded by Councilmember Wise, to adjourn the meeting.

Motion carried.

The regular meeting of the City Council adjourned at 8:00 p.m.

Respectfully submitted,

Kurtis G. Ulrich

City Administrator

ATTEST:

Jo Ann M. Thieling
City Clerk

Drafted by Chris Moksnes
TimeSaver Off Site Secretarial, Inc.