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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 31, 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
Fire Chief Dean Kapler
Public Works Director Brian Olson
Senior 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., and led in the Pledge of Allegiance to the Flag.

2. PRESENTATION

None.

3. CITIZEN INPUT

Gary Greb, 14183 Argon St NW, Ramsey noted Councilmember McGlone spoke for him at the last Council meeting regarding the road closure at 142nd Avenue and Argon. Since this closure was put into place, he noticed the residents seem to think the street is an extension of their own front yard. The curve of Argon is more dangerous than 142nd Avenue, he contended. He stated emergency vehicles cannot respond to situations quickly due to the road closure. He said he demanded the intersection be reopened immediately.

Mayor Ramsey thanked him for his comments. He sought the decision of putting this item on a future agenda from at least two Councilmembers. There were no Councilmembers in favor.

John Enstrom, 8702 - 181st Avenue NW, Ramsey, noted there will be a fifth annual flag retirement ceremony on June 14. He mentioned there will be many flags from around the north metro. The following weekend, the national remote control Battleship Conference will be held at Veterans Lake. He invited the public to both events. He suggested visiting his web site at www.veteranslake.com.

4. APPROVE AGENDA

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

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

5. CONSENT AGENDA

Councilmember McGlone requested to move Item 5.13 to Item 7.10.

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

- 5.01 Receive Cash & Investments Report for Period Ending April 30, 2011
- 5.02 Receive Fire Department 1st Quarter Report
- 5.03 Note the following Commission and Board meeting minutes:
 - a) Environmental Policy Board meeting minutes dated April 4, 2011
 - b) Planning Commission meeting minutes dated April 7, 2011
 - c) Economic Development Authority meeting minutes dated April 14, 2011
- 5.04 Approve the following licenses:
 - Motor Vehicle Sales
Escape RV Center - 8170 Highway #10 NW
 - Garbage and Refuse Haulers
Lepage & Sons - 3118 - 16nd Lane NW, Suite B, Andover, MN 55304
 - Temporary Special Events
Anoka High School Students - Senior Project at Central Park - *this event took place on May 13 and was administratively approved w/Council knowledge*
 - Peddler/Solicitor/Transient Merchant
Southwestern Books - Joy Bradley - current time until August, 2011
- 5.05 Approve Donation in the amount of \$5,000 for the Youth First Community of Promise Program from the City's Charitable Gambling Fund
- 5.06 Adopt Resolution #11-05-094 Adopting Findings of Fact #0888 relating to a request from Leroy Signs, Inc. for a Conditional Use Permit to Exceed Sign Size Restrictions and Adopt Resolution #11-05-094A approving the Issuance of a Conditional Use Permit

based on the Findings of Fact #0888 and Declaring Terms of Same for 7333 Sunwood Drive NW

- 5.07 Approve the Following Meeting Minutes:
 - a) April 5, 2011 Special City Council
 - b) April 5, 2011 City Council Work Session
 - c) April 12, 2011 City Council Work Session
 - d) April 12, 2011 City Council Regular
 - e) April 19, 2011 City Council Work Session
 - f) April 26, 2011 City Council Work Session
 - g) April 26, 2011 City Council Regular
 - h) May 2, 2011 City Council Joint Meeting w/Andover
 - i) May 3, 2011 City Council Work Session
 - j) May 10, 2011 City Council Work Session
 - k) May 10, 2011 City Council Regular
- 5.08 Introduce Ordinance to Amend Section 117-90 "Map" of Chapter 117 of the Ramsey City Code Related to the 2030 Comprehensive Plan.
- 5.09 Introduce Ordinance to Amend City Code Section 117-349 (Accessory Uses and Buildings)
- 5.10 Adopt Resolution #11-05-095 Approving Cash Disbursements Made and Authorizing Payment of Accounts Payable Invoicing Received During the Period of May 6, 2011 through May 25, 2011
- 5.11 Adopt Resolution 11-05-096 Authorizing 4th Partial Payment to Rum River Contracting for IP 08-34 Bituminous Paving of 151st, 152nd and Fluorine Street
- 5.12 Adopt Resolution 11-05-097 Authorizing 2nd Partial Payment to Rum River Contracting for IP 10-07 Alpine/Roanoke Street Improvements
- 5.13 Report from the Personnel Committee meeting held on May 10, 2011.
 - 1) Consider a Resolution Accepting the Resignation of a Clerk Typist in the Finance Department – *Ratify the recommendation of the Personnel Committee and adopt Resolution 11-05-098A to accept the resignation of Ms. Joan Smith; a Clerk Typist in the Finance Department*
 - 2) Consider a Resolution Ending the Probationary Period of the Accountant I – *Ratify the recommendation of the Personnel Committee and adopt Resolution 11-05-098B to end the probationary period of Ms. Cindy Nelson, Accountant I in the Finance Department.*
- 5.14 Report from Public Works Committee meeting held on May 17, 2011.
 - 1) Consider Stormwater Utility Rate Change Request from Green Valley Greenhouse – *Ratify the recommendation of the Public Works Committee and approve a request to change the stormwater utility fees to \$37.08 for Green Valley Greenhouse, retroactive to July 2009.*
 - 2) Consider Installing Permanent Power for Happy Days Celebration – *Ratify the recommendation of the Public Works Committee and approve installation of permanent power of either 400 amp service in one location, or 200 amp service in 2 locations, dependent on further research, on the east side.*
 - 3) The Use of Social Media in Public Works – *Ratify the recommendation of the Public Works Committee and conduct research in an effort to begin using*

Facebook and citizen Request Tracker as communication tools for the Public Works Department.

- 4) Consider Options for Street Sweeping – *Ratify the recommendation of the Public Works Committee to research costs of subcontracting by discussing this option with the City of Plymouth, and look at the viability of using refurbished sweepers.*
- 5) Consider Priority Streetlight Installation Related to Various 2011 Improvement Projects – *Ratify the recommendation of the Public Works Committee and recommend the City council direct staff to install all the streetlights referenced in this case with a dedicated funding source for each, which will be determined based upon submission of additional information and discussion.*
- 6) Review Mass Grading Concepts and Import Policy for The COR – *Ratify the recommendation of the Public Works Committee to have a model policy drafted.*

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

6. PUBLIC HEARING

None.

7. COUNCIL BUSINESS

7.01: Request for a Home Occupation Permit to Operate an Auto Body Repair Business on the Property Located at 17441 Baugh St NW; Case of Lawrence and Paula Ferber

Associate Planner/Environmental Coordinator Anderson reviewed the staff report.

Motion by Mayor Ramsey, seconded by Councilmember Jeffrey, to adopt Resolution #11-05-099 adopting Findings of Fact #0885 relating to the request from Lawrence and Paula Ferber for a Home occupation Permit to operate an auto body repair and refinishing business on the property located at 17441 Baugh Street NW and Adopt Resolution #11-05-100 approving the issuance of the Home Occupation permit based on the Findings of Fact.

Further discussion: Councilmember McGlone noted in an earlier meeting, it was discussed that any structure that is over 2000 square feet needs a fire suppression system. Fire Chief Kaplar explained that ordinance is in effect for new buildings. This is an existing building and the code in place when it was built applies unless a major addition is added. Councilmember McGlone questioned when the building was built. Lawrence Ferber, owner, answered 1992. Councilmember Elvig asked if there are filings with the County for EPA. Associate Planner/Environmental Coordinator Anderson responded any required permits would be incorporated into this permit.

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

**7.02: Request for Interim Use Permit for Go Cart Track at 14550 Armstrong Boulevard;
Case of Karl Janzen**

Senior Planner Gladhill reviewed the staff report.

City Engineer Himmer noted the Fire Marshall has reviewed this case. This development will be built to State codes, and the fuel storage will be carefully monitored. Every racer needs their own fire extinguisher. The applicant must mow grass within 24 hours of use to minimize fires. The owner has agreed to all terms, and these terms will be in the permit as well.

Councilmember Wise pointed out this is a city-owned property. This is a joint venture with Mr. Janzen and the City to raise funds for Happy Days.

Motion by Councilmember Wise, seconded by Councilmember Elvig, to adopt Resolution #11-05-101 to adopt Findings of Fact #0886 related to the request for an Interim Use permit to allow for commercial outdoor recreation for the operation of a go cart track and to adopt Resolution #11-05-102 approving the Interim Use Permit based on findings of fact and contingent upon compliance with the City Staff Review letter dated April 28, 2011.

Further discussion: Councilmember Backous inquired who would pay for the utilities if they have to be moved. Senior Planner Gladhill replied the fees will be borne by the developer. The estimates are rather high and are not feasible to bring forward. The request is for Council approval contingent on securing an agreement with Connexus.

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

**7.03: Request for a Conditional Use Permit to Exceed Sign Size Restrictions at 7231
Sunwood Dr NW; Case of Allina Medical Clinic**

Associate Planner/Environmental Coordinator Anderson reviewed the staff report.

Motion by Councilmember Elvig, seconded by Councilmember Jeffrey, to adopt Resolution #11-05-103 to adopt Findings of Fact #08887 relating to Allina Medical Clinic's request for a conditional use permit to exceed sign size restrictions established in city code subject to review by the City Attorney as to legal form, and to approve Allina Medical Clinic's request to exceed sign size restrictions based on the findings of fact, and adopt Resolution #11-05-104 declaring terms of conditional use permit subject to review by the City Attorney as to legal form.

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

7.04: Consider Selection of Planning Firm for Consultant Planning Services

Senior Planner Gladhill reviewed the staff report

Motion by Councilmember Elvig, seconded by Councilmember Tossey, to approve a contract with Bonestroo for consultant Planning Services and direct staff of prepare and execute a two-year contract for services, subject to review by the City Attorney as to legal form.

Further discussion: Mayor Ramsey stated all three firms that interviewed are quality firms. He noted he is not in favor of paying \$15 more per hour for Bonestroo compared to what other firms proposed. Councilmember Wise noted since the vast majority of the development is in The COR, the work would have to be done by another consultant than Mr. Lazan, which was a reason to not choose Landform. Mayor Ramsey questioned if staff can handle the plan review for The COR. City Administrator Ulrich indicated staff can handle the site plan reviews as well as other projects. Mayor Ramsey questioned if there would be a conflict of interest in using Landform. City Administrator Ulrich stated there could be a potential conflict of interest, but it could be handled. Councilmember Elvig inquired whether Bonestroo can match a flat rate. Senior Planner Gladhill stated he could discuss this with them.

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

7.05: Consider Award of Contract for City Improvement Project #09-25; Dysprosium Street Reconstruction

City Planner Himmer reviewed the staff report.

Motion by Councilmember Jeffrey, seconded by Councilmember Wise, to adopt Resolution 11-05-105 awarding a contract for City project #09-25, Dysprosium Street reconstruction to County Line Excavating in the amount of \$63,972.48.

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

7.06: Consider Award of Contract for City Improvement Project #11-21; Armstrong and Bunker Lake Boulevard Intersection Signalization

City Planner Himmer reviewed the staff report.

Motion by Councilmember Jeffrey, seconded by Councilmember Wise, to adopt Resolution 11-05-106 awarding a contract for City Project #11-21, Armstrong and Bunker Lake Boulevard Intersection Signalization to Douglas-Kerr Underground, LLC in the amount of \$3,458,170.43, and to allow the public Works Director to approve project change orders in the amounts less than \$15,000.

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

7.07: Consider Change Order for City Project #10-24; Wetland 656 Outlet

City Engineer Himmer reviewed the staff report.

Councilmember McGlone inquired if this work has commenced yet.

Mr. Himmer explained it is a change order, or addendum. Staff is waiting for Council approval before starting. He explained there were blockages in the culverts and staff had to wait for RFPs to be awarded for the work to begin. Staff had to wait again until the culvert was cleaned after the winter to be able to tell what the problem was. This caused the delay in discovering a problem.

Motion by Councilmember Elvig, seconded by Councilmember Wise, to approve a Change Order for City Project #10-24; Wetland 656 Outlet.

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

7.08: Consider Change Order for City Project #10-07; Alpine Drive and Roanoke Street Improvements

City Engineer Himmer reviewed the staff report.

Motion by Mayor Ramsey, seconded by Councilmember Backous, to approve the change order for City project #10-07, Alpine Drive and Roanoke Street improvements, in the amount of \$100,779.70.

Further discussion: Councilmember McGlone questioned why staff was not aware of this issue. City Engineer Himmer explained this is for two separate projects. This was noted in a resident meeting, which are very helpful to conduct. This area was not included in the original scope of the projects.

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

7.09: Accept Councilmember Jeffrey's Resignation as Ward 4 Councilmember, Declare the Ward 4 Councilmember Vacancy, and Schedule a Special Election to Elect a Successor

City Attorney Goodrich reviewed the staff report. Councilmember Jeffrey has signed a form letter of resignation with the effective date of June 1, 2011. The signed letter will be submitted to the City Clerk tomorrow.

Councilmember Jeffrey read a letter. He thanked all who supported him in 6.5 years on the Council and 1.5 years on the Planning Commission.

City Attorney Goodrich noted filling this vacancy on the City Council will be guided by the City Charter. A special election must be held within 90 days of the announcement of a vacancy, which is August 29 in this case. He suggested an election be held Tuesday, August 16 from 7:00 a.m. to 8:00 p.m. in Ward 4.

Motion by Councilmember Jeffrey, seconded by Councilmember Backous, to adopt Resolution #11-05-107 accepting Councilmember Jeffrey's resignation, declaring a vacancy in Ward 4 effective June 1, 2011, and scheduling a special election August 16, 2011.

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

7.10: Consider a Resolution Approving the 2011-2012 LELS Patrol Labor Contract

Deputy City Administrator Nelson reviewed the staff report.

Councilmember McGlone explained he removed this from the Consent Agenda because he wanted to vote against it and he cannot vote against on the Consent Agenda.

Mayor Ramsey noted the City is in discussion to offer a raise for LELS in 2012.

Councilmember Tossey indicated he worked with Police Chief Way on the Fitness on Duty program for the first year. He listed the benefits of having police officers that are physically fit. The 2% raise proposed for the second year is inline with other municipalities. He said he is in favor of this.

Motion by Councilmember Tossey, seconded by Councilmember Wise, to adopt Resolution #11-05-107A to approve the 2011-2012 LELS Patrol Labor Contract.

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

8. MAYOR, COUNCIL AND STAFF INPUT

8.1 Upcoming Events

City Administrator Ulrich announced the upcoming events:

- 1) Thursday, June 2, 2011 - Joint City Council/Planning Commission - Lake Itasca Room
- 2) Sunday, June 5, 2011 - Benefit for Councilmember Jeffrey - The Fountains of Ramsey
1:00 to 5:00 pm.

8.2 TIF Approval

Mayor Ramsey reported the TIF was approved and signed into law today. He thanked Deputy City Administrator Nelson and others who have worked on this for the last couple of years.

8.3 Auction Item Preview for Jeffrey Benefit

Councilmember Backous reviewed the items that will be auctioned off at the benefit for Councilmember David Jeffrey.

8.4 Waive Permit Fee Request

Fire Chief Dean Kapler requested the permit fee be waived for the Veterans Lake events presented earlier by Mr. Enstrom.

Motion by Councilmember Jeffrey, seconded by Councilmember Backous to waive the permit fee for John Enstrom and the events in June at Veterans Lake.

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

8.5 Long Term Road Maintenance Survey

Public Works Director Olson followed up on a discussion held last month regarding the Long Term Road Maintenance Survey. This survey will be going to 300 residents. The City cannot change the caller ID as requested. He announced if a resident gets a phone call from Decision Resources LLC, please answer it and let your opinion be known.

9. ADJOURNMENT

Motion by Councilmember Jeffrey, seconded by Councilmember Backous, to adjourn the meeting.

Motion carried.

The regular meeting of the City Council adjourned at 8:27 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.