

Councilmember Look introduced the following resolution and moved for its adoption:

RESOLUTION # 09-04-081

RESOLUTION OPPOSING HF 1973 IN THE CITY OF RAMSEY

WHEREAS, the City of Ramsey is aware of proposed legislation that would make a number of changes to the Mississippi River Corridor Critical Areas program; and

WHEREAS, such legislation was originally introduced as HF 424 and SF 671; and

WHEREAS, the language from HF 424 is now incorporated into HF 1973; and

WHEREAS, Section 14 of HF 1973 sets forth criteria for establishing rules to carry out the purpose of the federal Mississippi National River and Recreation Area originally established pursuant to United States Code, Title 16, Section 460zz – 2 (k) and in the governor's executive order number 79-19 published in the State Register on March 12, 1979; and

WHEREAS, Section 14 requires the Commissioner of Natural Resources to adopt such rules as are necessary for the administration of the Mississippi National River and Recreation Act program; and

WHEREAS, the purpose statement contained within the proposed legislation does not include ample consideration for the rights or impacts to existing property owners in the river corridor; and

WHEREAS, the proposed legislation includes definitions of terms that are best determined through the rule-making process; and

WHEREAS, if this legislation is enacted as written, the City will be required to amend existing local ordinances to adopt standards as developed through the rule-making process, thus usurping the City's local decision-making authority in the Mississippi River corridor; and

WHEREAS, the new standards may result in additional nonconforming parcels or structures; and

WHEREAS, the parcels that become nonconforming may experience difficulties with mortgages, insurance, and sale/marketing of properties; and

WHEREAS, the designation as a nonconforming parcel or property may reduce property value; and

WHEREAS, a reduction in the City's riverfront property valuation would impact the entire City; and

WHEREAS, the City has an approved Critical Area Plan and zoning ordinance provisions that meet the intent of the critical corridor protection policies and guidelines and includes standards that are appropriate for the community; and

WHEREAS, Section 14 also includes a requirement that the Commissioner shall recover costs of reviewing information that is submitted for any action requiring a public hearing; and

WHEREAS, the cost recovery provision requires local units of government to pay for DNR review of actions mandated by the DNR; and

WHEREAS, the cost recovery provision may also increase the cost for individual property owner requests; and

WHEREAS, in order to preserve the City's rights and protect the welfare and property rights of its citizens, the City of Ramsey deems it necessary to make known its opposition to HF 1973.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RAMSEY, ANOKA COUNTY, STATE OF MINNESOTA, as follows:

1) That the City Council hereby opposes adoption of HF 1973 as currently proposed and urges reconsideration of the provisions of this bill.

The motion for the adoption of the foregoing resolution was duly seconded by Councilmember McGlone, and upon vote being taken thereon, the following voted in favor thereof:

Mayor Ramsey
Councilmember Look
Councilmember McGlone
Councilmember Jeffrey
Councilmember Wise

and the following voted against the same:

None

and the following abstained:

Councilmember Dehen

and the following were absent:

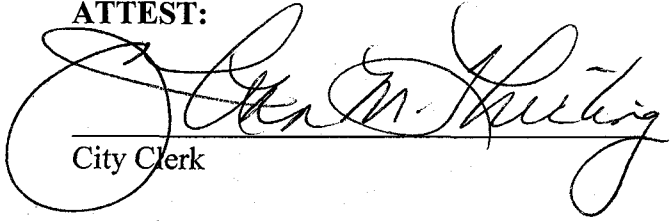
Councilmember Elvig

Whereupon said resolution was declared duly passed and adopted by the Ramsey City Council this the 21st day of April, 2009.



Mayor

ATTEST:



City Clerk