

City of Ramsey
Agenda
City Council Work Session
Tuesday September 13, 2011
5:30 p.m. or immediately following Personnel
Lake Itasca Room 7550 Sunwood Drive NW

- 1. Call to Order**
- 2. Topics for Discussion**
 1. Consider Sanitary Sewer Options for the Property Located at 5220 156th Lane NW
PORTIONS OF THIS DISCUSSION MAY BE CLOSED TO THE PUBLIC
 2. Discuss Lower Rum River Watershed Management Organization (LRRWMO) Proposed Wetland Protection Standards
 3. Consider Change Order for Improvement Project 10-22, Parking Ramp Expansion
- 3. Future Topics for Discussion - *See Attached Calendar***
 1. Review Future Topics/Calendar
- 4. Mayor/Council/Staff Input**
- 5. Adjournment**

CC Work Session

2. 1.

Meeting Date: 09/13/2011**By:** Tim Himmer, Engineering/Public Works

Title:

Consider Sanitary Sewer Options for the Property Located at 5220 156th Lane NW
PORTIONS OF THIS DISCUSSION MAY BE CLOSED TO THE PUBLIC

Background:

The Woodland Green Subdivision, located east of TH 47 south of the Boy Scout Camp, was platted in 1973. Lot 4, Block 3 (5220 156th Lane NW) was platted with a 75 ft drainage and utility easement across the back of the lot. The owners of the lot applied for a building permit in 1988, and since the back of the proposed house was shown at the platted easement line they applied to the City to vacate the north 50 feet of the easement (leaving a 25 ft drainage and utility easement across the back of the lot). The requested vacation was approved by resolution of the City Council on October 11, 1988.

The property owners at 5220 156th Lane NW, Jason and Ruth Obermaier, contacted the City at the end of June/beginning of July regarding standing water in their back yard; and specifically the potential impacts to their septic drainfield in that location. City staff visited the site to collect some survey data and verify elevations on the downstream storm sewer system to ensure that the water was flowing properly. Based on a septic system sketch in the City's property records it appears that the drainfield is constructed entirely outside of the City's 25' drainage and utility easement, and the water elevation at the time was approximately 3' - 5' outside of the drainage and utility easement and potentially over one lateral of the drainfield (see attached lot detail sketch).

Observations:

This item was discussed by the Public Works Committee in July, and several options were discussed relative to the downstream storm sewer system and potential modifications for improved long term drainage to the Rum River; including enlargement of ponds, lowering of existing storm sewer pipe, and installation of additional storm sewer pipes. The recommendation from that meeting was to address the immediate concern related to the septic system, and evaluate options to correct this matter such that additional easements could be reacquired in this location. Staff reviewed several options with the City Council in work session on August 9, 2011, and received direction to negotiate with the property owner in an effort to connect them to the municipal sanitary sewer system and secure additional easement area to account for increased stormwater retention.

Staff has continued communication with the property owner and detailed the City's proposal. They reviewed the information supplied and have offered a counter proposal (see attached); a majority of which is consistent with the previous Council direction. Items that we are in agreement on include: connection to the sanitary sewer system and all entailed work (design, inspections, etc.) to be the responsibility of the City, removal of existing dead brush on the lot and adjacent park area, complete restoration of the site to be paid by the City, work to be completed immediately, and the property owner would contract directly for the work.

A few of the items being requesting are outside the authority of staff direction so further Council consideration is requested at this time. The property owner is requesting payment in the amount of 15 years worth of utility billing, no sale of additional easement, they want their property regraded to contain all the drainage into the existing 25' drainage & utility easement, a written promise that we will continue to investigate and solve the downstream capacity issues in the City's stormwater management system, payment of all their attorneys fees as part of reviewing all plans and documents prepared, and accepting full financial responsibility for any future property damage issues that may arise.

Recommendation:

Since the negotiations do not meet the intent of the previous Council direction, staff is looking for input on how to proceed with the proposed counter offer. Depending on the outcome of these discussions, and in an effort to expedite this matter, staff has placed a case on the regular Council agenda for later this evening.

Funding Source:

The funding source for any potential improvement would most likely come from the City Stormwater Utility Fund.

Council Action:

Based upon discussion.

Attachments

Overview Drainage Map

Lot Sketch

Property Owner Counter Proposal

City Proposed Corrective Action

Form Review

Inbox	Reviewed By	Date
Brian Olson	Brian Olson	09/08/2011 10:20 AM
Kurt Ulrich	Kurt Ulrich	09/08/2011 01:16 PM
Form Started By: Tim Himmer		Started On: 09/07/2011
	Final Approval Date: 09/08/2011	

WOODLAND GREEN - HIGHLANDS AT RIVER PARK





210'

10 FOOT DRAINAGE EASEMENT

175'

55'

SEPTIC TANK

80'

DRAIN FIELD LINE

EDGE OF WATER

70'

25 FOOT DRAINAGE EASEMENT

Tim Himmer

Subject: FW: Fw: Re: Sanitary Sewer Connection

Date: Monday, August 29, 2011, 2:09 PM

After discussing your proposal we have decided:

- * Connect us to city sewer with ALL costs to be paid by the city of Ramsey
- * Complete yard restoration from any damages done to the yard, irrigation, etc...during the change over process to be paid by the city of Ramsey per our expectations
- * 15 years worth of monthly city sewer bills paid by the city of Ramsey
- * Level out center of backyard (fill dirt & black dirt) so water doesn't sit on our yard
- * Permission to clear the dead brush that has been in standing water in between our yard and the berm and maintain this area in the future
- * NO sale of easement
- * A promise in writing from the city of Ramsey that they will continue to correct the drainage problem so we don't have sitting water every year - we don't feel that digging up our neighbors yard and the ditch is a permanent solution
- * Work to be done immediately
- * Any attorney fees that we incur regarding this matter will be paid by the city of Ramsey
- * Any and all future property damage/issues regarding this matter will be the full financial responsibility of the city of Ramsey

Thank you,
Jason and Ruth Obermaier

--- On **Mon, 8/22/11**, **Tim Himmer** <thimmer@ci.ramsey.mn.us> wrote:

Jason & Ruth

Attached is a drawing that shows what the City is proposing to alleviate your drainage concerns, and connect your property to the municipal sanitary sewer system. The direction for this proposal was received by the Ramsey City Council in work session on August 9, 2011, which includes all costs for such work; including design, materials, equipment, and labor. The City will also cover the cost of all connection charges, trunk fees, Metropolitan Council Sewer Area Connection (SAC) charges, required removals, installation, grading, restoration, and turf establishment. Further, the City will also provide and install a water meter on your individual private well. The attached design is representational in nature (showing the alignment), which must be further refined to construction plans and specifications that clarify project details (pump size and capacity, pipe sizes, removal limits, roadway impacts, utility relocations, ground cover, etc.) when we reach an agreement on this matter.

In addition, the City is proposing to purchase an expanded drainage and utility easement in the southeast corner of your property; this is shown as the hatched area on the attached exhibit. This area would be regraded, in conjunction with the work outlined above, to better accommodate surface water drainage in the area. The intent is to provide additional storage capacity by expanding the adjacent ponding area and containing runoff in this revised low area. This additional easement area encompasses approximately 2,800 square feet.

The City would incur all costs for this work, but we request that you contract for this work directly so

you have the ability to actively manage the work that occurs within your property. We will provide the technical design and inspections for this work to ensure it is installed correctly and compliant with all applicable codes and standards, and you will be responsible for the aesthetic portions of work within your property limits (final grading, irrigation placement, restoration/ground cover, etc.). Please review this information and contact me if you have any questions or comments, or would like to meet in person to discuss further. Once you've had a chance to evaluate this information and respond, I can then proceed to take your response back to the City Council for further direction and/or action. Like you, it is our goal to resolve this matter as quickly as possible and have the improvements completed before the winter season begins.

Tim Himmer

City Engineer

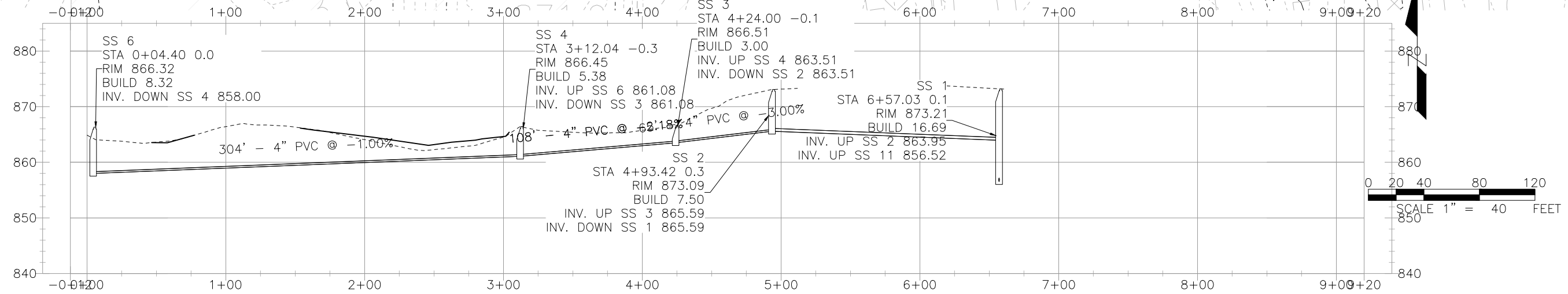
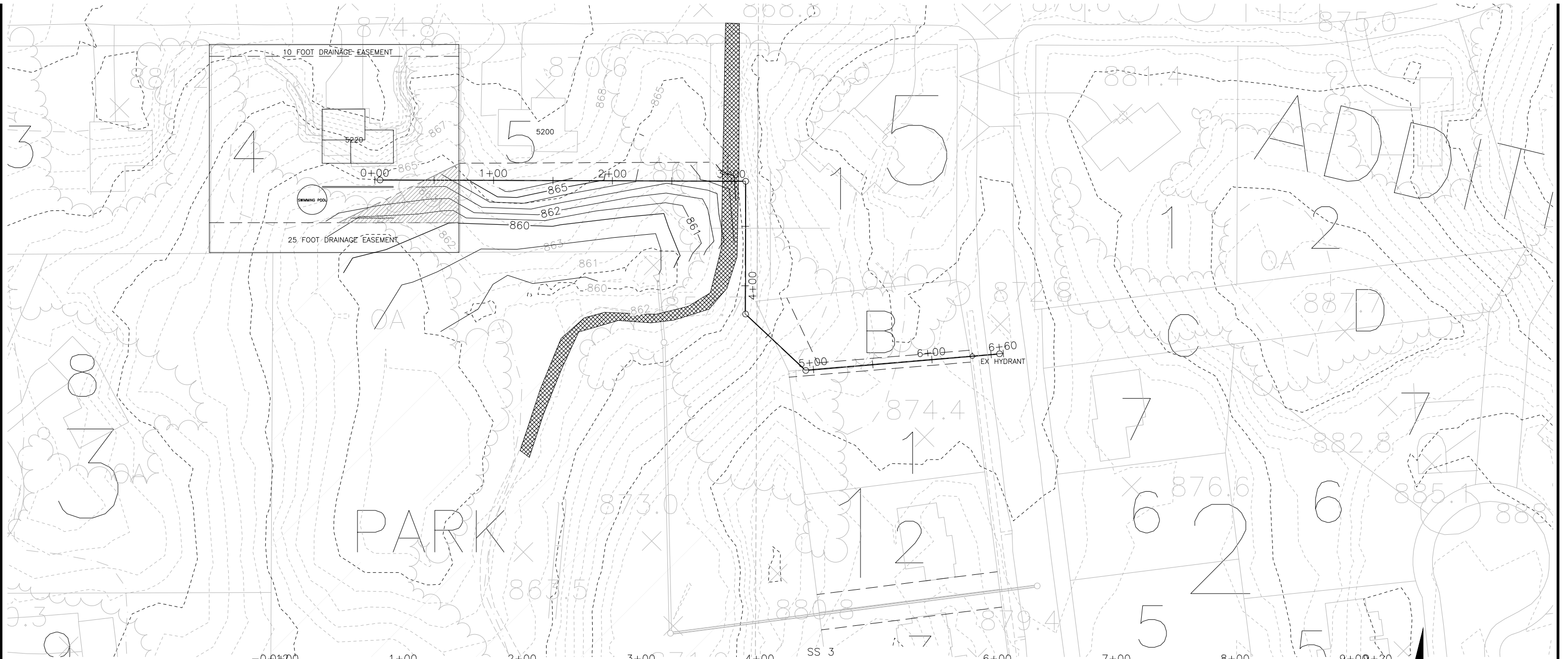
City of Ramsey

7550 Sunwood Drive NW

Ramsey, MN 55303

(763) 433-9893

thimmer@ci.ramsey.mn.us



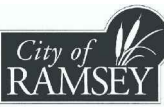
DATE	REVISION
Aug 22, 2011	12:27pm
C:\Users\linton\appdata\local\temp\AcPublish_1400\5220 156th Lane Woodland Green Sewer.dwg	

I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota.

LEONARD L. LINTON
Date 8/22/11 Lic. No. 21112

DESIGNED BY: LLL
DRAWN BY: LLL
CHECKED BY: LLL

DATE: 8/22/11
FILE NO.: 11-05.06



CITY OF RAMSEY
7550 SUNWOOD DRIVE
RAMSEY, MN 55303
(763) 427-1410 FAX (763) 433-9898

GRAVITY SEWER

5220 156th LANE
RAMSEY CITY PROJECT NO.
CITY OF RAMSEY, MINNESOTA

SHEET 5 OF 12 SHEETS

CC Work Session

2. 2.

Meeting Date: 09/13/2011

By: Tim Himmer, Engineering/Public Works

Title:

Discuss Lower Rum River Watershed Management Organization (LRRWMO) Proposed Wetland Protection Standards

Background:

With the adoption of the LRRWMO 3rd Generation plan, there were certain requirements imposed by the Minnesota Board of Water and Soil Resources (BWSR) related to wetland protection and stormwater management standards. They agreed to allow the plan to continue through their approval process, with the understanding that a Technical Advisory Committee (TAC) would be formed to develop such standards. The TAC consists of the member communities within the LRRWMO (Anoka, Ramsey, Andover, and Coon Rapids), the DNR, BWSR, MPCA, Met Council, Army Corps of Engineers, MnDOT, Anoka Conservation District, and the Builder's Association of the Twin Cities. The group met monthly to develop the standards, which would then be reviewed by the member communities and voted on by the LRRWMO.

The stormwater standards were adopted earlier this year, and are generally consistent with existing City of Ramsey requirements. Because the proposed standards were slightly more restrictive than what is required by state law, Mayor Ramsey voted against them, but ultimately the motion passed on a 3 to 1 vote and the stormwater standards have been incorporated into the 3rd generation plan.

The wetland standards have been more of a challenge to get through the process, as BWSR was adamant about a wetland buffer requirement. Throughout the course of the TAC meetings on the subject buffers were the most contentious issue. In the end it was agreed that temporary construction buffers should be required during the grading and building phases of a project, and permanent buffers were removed from the standards all together. The temporary buffers would be placed within drainage and utility easements, and consist of heavy duty silt fence (or other means to prevent erosion into wetlands) that would be installed prior to any land disturbing activities and remain in place until all construction activity is completed (including construction of homes). Following final stabilization the silt fence would be removed and the property owner could then utilize this area.

Observations:

The TAC wanted to ensure consistency throughout the member communities, and recommended placing further restrictions on what could be placed within the drainage and utility easements that would encompass these temporary buffer areas. Each community has a separate policy on what can be placed within drainage and utility easements, and the proposed standards further restrict what the City of Ramsey could allow. Currently we only restrict the construction of permanent structures and all other improvements that would impede or alter drainage patterns.

Staff participated in the TAC discussions, and has reviewed and commented on the attached proposed standards. This item is scheduled for discussion by the LRRWMO Board on September 15th. Staff would like to present the information to Council and foster a discussion that could lead to consensus on how Mayor Ramsey, our voting member, should address this matter at the LRRWMO meeting.

Funding Source:

No funding is required for this discussion, however with the adoption of the 3rd generation plan (and the additional requirements contained within it) the City's contribution to the LRRWMO budget is tentatively planned to double from what has been paid in the past. This matter will need to be reviewed with the overall City budget at a later date, and would most likely be financed through the Stormwater Utility Fund.

Council Action:

Based upon discussion.

Attachments

Proposed Wetland Protection Standards (with staff comments)

Form Review

Inbox	Reviewed By	Date
Brian Olson	Brian Olson	09/08/2011 10:19 AM
Kurt Ulrich	Kurt Ulrich	09/08/2011 12:34 PM
Form Started By: Tim Himmer		Started On: 08/16/2011 01:31 PM
	Final Approval Date: 09/08/2011	

Lower Rum River Watershed Management Organization Wetland Protection Standards

Date of Adoption by LRRWMO

Effective Date

Rationale and Overview

Wetlands serve a variety of beneficial functions. Wetlands within the Lower Rum River Watershed Management Organization (LRRWMO) maintain water quality, recharge groundwater, provide wildlife habitat, control rates and volumes of stormwater discharge, reduce flooding, provide open space, and contribute to the area’s desirable aesthetics. The roles of greatest interest to the LRRWMO include protecting water quality in downstream recreational waterbodies, groundwater recharge, and wildlife habitat. Major land use changes during development can have a detrimental effect on these functions. Therefore, regulating wetlands and the land uses around them are in the public interest. Applying these standards during major land use changes is in line with other local and state regulatory systems.

The LRRWMO Wetland Protection Standards apply only to projects disturbing more than one acre. They focus on the area within 16 feet of the wetland boundary. This area must be protected from disturbance and erosion during the construction process. After construction, restrictions within this area are similar to restrictions cities impose within drainage and utility easements. This area is usually within the drainage and utility easement so in most cases this imposes no new restrictions after construction.

These wetland standards also require that vegetation establishment at the conclusion of construction use native plant seeding in certain common spaces (outlots, city owned property, etc.) near wetlands and developed ponding areas (stormwater management areas). Vegetation establishment is already required by cities; the LRRWMO is requiring the use of native plants in certain areas because of the benefits to water quality and wildlife. It applies only to common spaces that are disturbed during the construction process. The extent of native plant seeding should follow the guidance in these wetland protection standards. Native plant seeding is not required in all areas. There are no restrictions on modifying or removing it at a later date.

These standards were developed by a Technical Advisory Committee including representation from each LRRWMO community, MN Department of Natural Resources, MN Pollution Control Agency, MN Board of Water and Soil Resources, Metropolitan Council, US Army Corps of Engineers, MN Department of Transportation, Anoka Conservation District, Anoka County Environmental Services, and the Builder’s Association of the Twin Cities. These standards will be implemented through the LRRWMO permitting process and each LRRWMO city must adopt standards at least as protective.

Comment [t1]: HIMMER: We may still want to clarify this with the Board – what did they mean by wildlife habitat?
SCHURBON – Agreed, overall. But seems irrelevant for the wetland standards at this point. As written, these standards are pretty weak on wildlife habitat. There’s pretty much only one direction they could go from here, and the cities have made it clear they don’t want to go more rigorous/protective/onerous.

Comment [t2]: HIMMER -This will have to be discussed with the member communities & Board, as currently each City may allow something different and ordinances & policies will need to change for some.
SCHURBON – Exactly. The word “similar” is key.

Wetland Definition

For the purpose of these standards, wetlands:

- Are defined in MN Statutes section 103G.005, subdivision 19.
- Include public waters wetlands defined in MN Statutes section 103G.005, subdivision 15a.
- Do not include any areas created for the purpose of stormwater management.

Wetland Delineation

~~Projects with potential wetland impacts, as determined by the local government unit (LGU) administering WCA, are required to delineate all wetland boundaries, or portions thereof within the project area. Projects triggering these standards must delineate any wetlands, or portions of wetlands, within the project area.~~ Wetland delineations shall be conducted using methodology approved by the MN Wetland Conservation Act (1987 US Army Corps of Engineers Wetland Delineation Manual, along with any regional supplements, or other methodology approved by WCA in the future).

Comment [TW3]: SCHURBON - I think the sentence you inserted is from the stormwater standards – consistency is good, but the TAC specifically told me to change it.

Administration

These wetland protection standards will be administered by both the LRRWMO and member cities. The LRRWMO will apply these standards to their permitting program. Each city must adopt standards at least as protective as the LRRWMO standards in their local water plan and/or ordinances, and implement them.

Applicability

LRRWMO Wetland Protection Standards apply to:

- Projects that disturb/alter one acre or more, or are part of a common plan of development or sale that disturbs/alters one acre or more.

The following are exempt:

- Road reconstruction.
- Utility construction/reconstruction within road right-of-way.
- Agricultural operations >300 feet from the Rum River and not creating additional impervious surfaces.
- Gardens.
- Pole setting.
- Emergency activities immediately necessary for the protection of life, property, or natural resources.
- Whenever the LRRWMO Board determines the proposed project is not likely to impair attainment of the purpose and intent of these standards.

Comment [t4]: HIMMER - Are we going to administer this similar to the stormwater standards; projects will not be held to a higher adopted standard if the project specifics haven't changed but the wetland standards do?
SCHURBON – OK, I'll add this.

Projects exempt from LRRWMO Wetland Protection Standards must still comply with any applicable local, state, or federal requirements.

Note that projects involving wetland excavation, if disturbing/altering one acre or more, are subject to these standards.

Comment [t5]: HIMMER - If excavations or filling of wetlands is taking place wouldn't that be a WCA issue? Obviously construction buffers can't be put in place if impacts to the wetlands are occurring.
SCHURBON – Certain impact to wetlands, including some filling and certain excavation can occur under WCA.

Definitions:

A common plan of development or sale is defined as a contiguous area where multiple separate and distinct land disturbing activities may be taking place at different times, on different schedules, but under one proposed plan. One plan is broadly defined to include design, permit application, advertisement or physical demarcation indicating that land disturbing activities may occur.

Project area is defined as the parcel(s) to which the permit would apply or the area encompassed by the common plan of development, whichever is greater.

Land disturbance is defined as activity that results in a change or alteration in the existing ground cover (both vegetative and non-vegetative) and/or the existing soil topography. Land disturbing activities include, but are not limited to, development, redevelopment, construction, reconstruction, clearing, grading, filling, stockpiling, excavation, and borrow pits. Road milling/overlay, demolition, and routine vegetation management activities will not be considered land disturbance.

Permit Application Materials

Any project to which these standards are applicable must submit a completed LRRWMO permit application and all materials requested within that application. LRRWMO permit materials are available on the LRRWMO website. Permits from other entities, such as the city, US Army Corps of Engineers, MN DNR, MN Pollution Control Agency, or others may also be necessary.

Permit Process and Reviews

Projects may require approvals/permits from both the LRRWMO and the city. The LRRWMO permit application must be submitted to the LRRWMO, not the city. LRRWMO permit materials are available on the LRRWMO website. Questions can be directed to the LRRWMO representative or city staff liaison to the LRRWMO for the city where the project will occur. These contacts are listed on the LRRWMO website with the permitting materials. The city and LRRWMO will coordinate their permit reviews; duplication in the review process will be minimized by a review checklist that all reviewers use.

Stormwater Discharge into Wetlands

Stormwater discharge into wetlands must comply with LRRWMO Stormwater Standards.

Temporary Wetland Protections During Construction

Areas within 16 feet of a wetland boundary must be protected from land grading and other disturbance during the construction process. The purpose is to prevent construction impacts to the wetland, such as erosion and vegetation removal. The area temporarily protected during construction:

- Must be no less than 16 feet wide from the wetland boundary.
- Must be present where ever land disturbance is occurring within 100 feet up-gradient of the wetland boundary.
- Must not be graded or disturbed.
- Must be demarcated by a properly installed heavy duty silt fence. Fiber logs or other continuous temporary erosion measures may be used if approved by the LRRWMO and/or the City. **All erosion control measures must be installed and inspected prior to initiating any site disturbance activities.** These materials must be in place throughout the construction process, including land grading and building.
- May be accomplished by installation of erosion control around the perimeter of land disturbance used to satisfy LRRWMO, city, or state erosion control rules provided it is consistent with the other specifications listed in this section.
- May be encroached upon for:
 - Activities associated with planting native vegetation or management to favor native vegetation. **Encroachment for establishing turf grass is not allowed.**

Comment [t6]: HIMMER - We may need to rethink this a little, as when builders are preparing for landscaping installation they typically remove the silt fence (and accumulated sediment) so they have a nice match point to the adjacent land. It seems strange that we would require them to landscape only to the construction buffer, and once that is established the silt fence can then be removed & they can then disturb (if they choose). My guess is that when they are installing he landscaping they will not want to accomplish it in 2 phases, but rather landscape everything to the limits they would like. Homeowners usually pay the builder to perform final landscaping, and if they want their entire yard sodded are they really going to have to wait and do it on their own when the builder's "construction work" is completed & established?
SCHURBON – Perhaps we can get more feedback on this as the councils and LR Bd review this. A couple things from TAC discussions that apply to this – (a) delineation is inherently imprecise, so 16 ft serves as a protective margin of error, (b) one goal is to start off the homeowner with the wetland edge ecologically intact, then they get to decide- may builders would disturb to the edge as their default.

Comment [t7]: See 5 above

- o The installation of stormwater conveyances, such as outfalls, or grading necessary for hydrologic safeguards, such as emergency overflows.

If portions of a wetland are to be lawfully filled or drained during the construction process through a MN Wetland Conservation Act permit, the area of wetland protections shall be placed at that new wetland boundary. In this case it does not make sense to place the silt fence 16 feet from the **new-old** wetland boundary, because this would be within the area that is being filled or drained. Instead, the protections should be placed at the new wetland boundary. This applies only to the portion of the wetland edge where lawful wetland impact will occur during the construction process.

The provisions listed above apply until construction (including grading and building) is complete, the site is stabilized, and vegetation has been established in the project area.

Comment [t8]: See 5 above

Native Plant Seeding in Common Spaces at the Conclusion of Construction

Within common spaces, areas adjacent to wetlands that are disturbed through the construction process, **and ponding areas (stormwater management areas)** should be seeded with a MN Board of Water and Soil Resources (BWSR) native seed mix, **or approved equal**, which matches site conditions. Common spaces include outlots, areas transferred to city ownership, homeowners association common space, and similar. This seeding should be done as part of site stabilization following construction. Site preparation and seeding should be consistent with BWSR guidance.

Comment [TW9]: SCHURBON - BWSR and MNDOT have approved a dizzying array of mixes for many conditions. Most nurseries mix specifically for this. The only reason someone would try to use something else is if they were trying to get around the intent of the approved mixes (stability, diversity, local ecotype, etc).

The extent of seeding around wetlands shall be reviewed by the LRRWMO Board and determined on a case by case basis. Decision making will be based on the following guidance:

- All areas that will be idle for one year or more and are within 100 feet of a wetland boundary should be seeded with the native plant mix.
- Seeding all areas that will be idle for one year or more, even if more distant from the wetland, is encouraged for wildlife benefits, lower long-term maintenance, and aesthetics. Native plant seeding adjacent to stormwater management areas is also **encouraged**.
- Areas where the city or land manager plans an active land use inconsistent with unmowed vegetation can be excluded from the native plant seeding requirement. For example, if an area is planned to be developed into a playground within one year, native plant seeding need not occur.
- **Seeding should only occur within the 16 foot wide area around the wetland that was left undisturbed during construction if it is dominated by invasive or noxious weeds. In all other cases this area should remain undisturbed.**

Comment [t10]: HIMMER - Encouraged or required?
SCHURBON – encouraged.

Comment [t11]: SCHURBON - Are we now requiring native seed if the area is dominated by invasives?
SCHURBON – NO. This is “guidance” to be considered on a “case by case basis.”

Comment [t12]: Here’s where each City may have different allowances within D&U esmts. & will probably be the biggest issue associated with these rules.

Comment [t13]: Are currently allowed in D&U esmts in Ramsey as long as they do not impede/alter drainage patterns.
SCHURBON – As Berkowitz said – there may be some minor changes each city make need to make.

Comment [t14]: See 11 above

Comment [t15]: Are currently not permitted (unless structural), so how do we make sure they’re not constructed in esmts. (knee walls, landscape beds, etc.)?
SCHURBON- The same could be said for fertilizing or yard waste disposal. As Full said, this comes often just comes down to making residents aware, as is good practice to make them aware of all things related to the DU easement. Then enforce when receive citizen complaints. No need to patrol.

The LRRWMO does not require this native plant seeding to be maintained. Native plants are favored in areas near wetlands and on idle lands because of their benefits to wildlife and water quality. However if the desired use or landscaping of the area changes, the vegetation may be replaced without any restrictions or penalties imposed by the LRRWMO.

These provisions do not apply to private properties; they only apply to common spaces.

Wetland Protections After Construction

Following construction, site stabilization, and vegetation establishment **certain activities shall be prohibited within 16 feet of the wetland edge.** Activities prohibited include:

- Structures, including **fences**.
- **Paving**, except projects with a public purpose such as public trails.
- **Retaining walls**.

- Filling, dumping, or yard waste disposal.
- **Fertilization.**
- Septic systems.

Comment [t16]: How do you enforce/prove whether this is occurring? What if the member community is already restricting certain types of fertilizers Citywide?

If portions of a wetland have been lawfully impacted (filled, drained, etc) during the construction process through a MN Wetland Conservation Act permit, the 16 foot area of wetland protections shall be measured from the new, post-impact wetland boundary.

Relationship to Drainage and Utility Easement

The LRRWMO wetland protections after construction are similar to restrictions cities impose within drainage and utility easements. In most cases the drainage and utility easement (defined by the 100 year flood elevation) extends more than 16 feet from the wetland boundary, so in most cases **these** LRRWMO wetland protections **standards** impose no **new restrictions** after construction.

Comment [t17]: This temporary construction buffer should not be construed as one step in the ultimate goal of permanent vegetative buffers. When the next generation plan comes forward there shouldn't be any requirement to include permanent buffers (unless enacted by State statutes). I don't want to hear the argument that we now have the easements and restrictions in place, so therefore this isn't an additional taking. **NO CREEP IN SUBSEQUENT PLANS!**

Occasionally a wetland boundary may be outside of the drainage and utility easement. The 16 foot wide area of LRRWMO wetland protections would be outside of the normal drainage and utility easement. In these cases, the drainage and utility easement should be expanded to encompass the area within 16 feet from the wetland edge.

Comment [t18]: See 10 above

Variations

A variance may be granted in the following circumstances:

- For public road projects whenever the road right of way does not provide sufficient space to implement the wetland protections.
- Whenever the permitting authority determines substitute activities will be used that will provide the same level of protection.
- **Other factors**, as determined by the permitting authority.

Comment [t19]: See 5 above. Is there a way we can work that concern in here?

Performance Surety

A performance surety **may-will** be collected to ensure the proper execution of wetland protection measures. The surety may be used to correct any deficiencies. Performance sureties shall be collected by the city, except in cases of wetland mitigation when the LRRWMO will collect the surety. Any surety shall be returned at completion of the construction process and proper execution of wetland protection measures.

Comment [t20]: I'm guessing at the City level this will be in the form of a grading/erosion control security under a building permit and/or development agreement.

The performance surety will be waived for public projects.

LRRWMO TO DO LIST:

- Update the LRRWMO permit application, as necessary, to incorporate these wetland standards.
- Develop permit review checklist

CITY TO DO LIST:

- Update ordinances and other control measures for consistency with these standards.
- Include wetland standards in the permit review checklist that is being prepared for all LRRWMO/City permit reviews.
- Update development agreements to ensure the appropriate surety's are collected.

CC Work Session

2. 3.

Meeting Date: 09/13/2011

By: Brian Olson, Engineering/Public Works

Title:

Consider Change Order for Improvement Project 10-22, Parking Ramp Expansion

Background:

On August 9, 2012, City Council awarded Improvement Project #10-22 to Knutson Construction for \$2,734,000. The purpose of this case is to provide the City Council with the information received during the preliminary soils investigation that was completed in August by Braun Intertec subsequent to the award and request authorization later this evening to issue a not to exceed change order for the changed condition found.

The preliminary soils that were encountered indicated that there are poor soils between 15 and 35 feet below the surface and that some the columns could settle as much as 3 inches with the loads that are anticipated for a structure of this size. Attached to this case is a memorandum from LSA Design outlining the poor soil condition that was encountered as well as a recommended action. Bill Fossing will be present at the meeting to answer any questions that you may have regarding this issue.

As you recall, Staff was authorized a 5% construction contingency to deal with issues and change orders that arise as the project progresses. That amounted to \$136,700 that would be allowed for construction change orders that could be approved by Staff. Obviously, this single change order changes the scope of work that is required to complete the parking ramp expansion and therefore, would need to remain in place to handle little changes as the project progresses.

Observations:

There are three Contracts with this project. Knutson Construction \$2,734,000 for construction, LSA Design \$132,000 for construction administration, and Braun Intertec \$55,453 for specialty inspections and soil investigation. Each of these Contracts will need to be revised to correct the situation encountered.

The change order request for Knutson Construction is for an amount of \$211,077. This includes a not to exceed amount of approximately \$14,000 for heating and enclosing the first deck pour which was originally scheduled to occur in mid October and will not likely happen in early to mid November. Since the enclosing of this deck pour is largely temperature and seasonally dependant, we were able to negotiate that this amount of the change is only if necessary. The remainder of the amount is due to the labor, material, profit and overhead for the piling and foundation work. There are 39 pilings that are expected to be driven to a depth of 65 feet to provide the structural capacity necessary. The reason that the remainder of this change order is not a 'not to exceed' amount is that there may be additional cost that is necessary if the pilings need to be driven further but our soils engineer feels that this depth should be enough to handle the loads. We were also able to talk the Contractor into getting 2 more qualified quotes for this work. These quotes could decrease the construction change order but they cannot increase it. The reason we don't have the detailed quotes for the piling work in the case is because we do not want to disadvantage the Contractor that already supplied the original quote. If there is a change to this amount, Staff is proposing that the original 5% contingency be used as a funding source for the minor changes to depth of the pilings.

The change order request for LSA Design is a result in the amount of time that was necessary to handle the change in design for the piling work and oversee the installation of this foundation work and amounts to a change in fee of \$12,000 to bring the overall construction administration contract to a not to exceed amount of \$144,000.

The change order request for Braun Intertec is for additional specialty inspections with the foundations as well as a recommended existing conditions survey due to the vibrations that will be experienced with the pile driving. This

will bring the total not to exceed amount of the Braun contract to \$64,953.

Recommendation:

Due to the extremely time sensitive nature of this change order request, this item was placed on the City Council agenda later this evening for formal direction. Staff recommends passing these change order requests as outlined in the attached memo from LSA Design.

Funding Source:

As you recall the parking ramp expansion construction is funded by federal funds so the \$211,077 would be split \$168,861.60 (80% federal) and \$42,215.40 (20% City). The funding source for the construction administration (\$12,000) and specialty inspection (\$9,500) would come from TIF District No 1. As you recall the bids came in \$1,400,000 lower than the Engineers estimate so there is money that has been budgeted in this TIF District sufficient to handle these changes.

Council Action:

Based upon discussion

Attachments

Change Order memo

Form Review

Inbox	Reviewed By	Date
Kurt Ulrich	Kurt Ulrich	09/08/2011 10:16 AM
Brian Olson (Originator)	Brian Olson	09/08/2011 10:35 AM
Kurt Ulrich	Kurt Ulrich	09/08/2011 01:13 PM
Form Started By: Brian Olson		Started On: 09/07/2011 09:37 AM
	Final Approval Date: 09/08/2011	



LSA Design, Inc.
Northwestern Building
219 North Second Street
Suite 302
Minneapolis, MN 55401
T. 612.339.8729
F. 612.339.7433
www.lsadesigninc.com

Planning
Architecture
Urban Design

Memorandum

To: Brian Olson – Dir. of Public Works
From: William Fossing, PE – LSA
Project: City of Ramsey CMAQ Project (SP 199-080-02)
Subject: PR #1 for Deep Foundations
Date: September 7, 2011

BACKGROUND

The Preliminary Soils Investigation for the Phase II horizontal expansion determined that unsuitable soils existed at a portion of the site at 15 to 35 foot depths below existing grades. The City subsequently approved additional borings and Soil Engineering by Braun to provide recommendations for deep foundations to address the unsuitable soils. Copies of the additional borings and the recommended footings to be revised were issued on 8/29/11 (see attached).

LSA redesigned the foundations for nine columns and generated a proposal request (PR #1) and issued it on 9/1/11. The General Contractor (Knutson Construction) issued the attached Proposed Change Order #1 dated September 7, 2011 for this work.

RECOMMENDATION FOR CHANGE ORDER TO CONTRACT FOR CONSTRUCTION

In review of the PCO #1, I am recommending the City authorize a Not-To- Exceed Change Order amount of \$211,077 to the Contract to Knutson Construction Co. based on the following:

1. The attached amount is based on a single bid for the cost of the piling and their installation. Knutson Construction will obtain additional bids for this work and we will adjust the Change Order amount prior to issuing if lower qualified bids are provided.
2. Knutson Construction has identified that the concrete pour for level 2 is now scheduled to occur in mid November (11/14) rather than mid October (10/20). For temperatures in the low end of the normal range, insulated blankets and enclosing and heating the underside of the pour may be required. The concrete suppliers will have added costs. The authorized amount includes a not-to-exceed amount of \$14,000 for the time and material to address these measures, only if necessary. These costs will be determined at the time of the pour for Level 2.

RECOMMENDATION TO AMEND TESTING AND SPECIAL INSPECTIONS

The fee for Soils Engineering, Construction Testing and Special Inspection Services by Braun has been previously approved for \$55,453.

Based on Braun Intertec's review of PR#1, they have estimated the additional fee for testing and inspection related to the revised foundation to be \$8,000.00 (see attached).

They have also estimated an additional fee for a "precondition survey" of the existing ramp for \$1,500. This will include video and still photographs.

I am recommending the City authorize an amendment to Braun's Hourly Contract for \$9,500.00,

RECOMMENDATION TO AMEND AGREEMENT BETWEEN ARCHITECT AND OWNER

LSA Design has estimated our additional fee to:

1. Coordinate the Geotechnical Investigation, Testing and Inspection required due to the unsuitable soils.
2. Design the deep foundation system in accordance with recommendations from the Geotechnical Engineer.
3. Issue a Proposal Request to modify the Contract Documents. Review Costs and provide recommendations.
4. Provide Construction Administration Services for the revisions.

I am requesting that the City authorize an amendment to LSA's Professional Services Agreement for an Hourly Not-to-Exceed amount of \$12,000.00,

I will be available to attend the City Council meeting on September 13, 2011 to present this item and answers questions from the Council.

Attachments; Braun email dated 8/29/2011
Knutson PCO#1 Letter dated 9/6/2011
Braun email dated 8/31/2011
LSA amendment #1

C: James Lasher - LSA
File

William Fossing

From: Erie, Cyle [CErie@braunintertec.com]
Sent: Monday, August 29, 2011 2:21 PM
To: William Fossing
Cc: Glisson, Matthew
Subject: Ramsey Ramp Foundations
Attachments: Pile - underpin Locations.pdf; Summary of Predicted Settlement.pdf

Bill-

Attached is a table summarizing anticipated settlements using spread footings, as well as a plan marked-up showing footings recommended for piles. Give a call on my cell when you have a chance to discuss.

Thanks,
Cyle



Cyle N. Erie, PE
Associate Principal/Project Engineer
3900 Roosevelt Road, Suite 113 | Saint Cloud, MN 56301
320.202.7224 direct | 612.490.1961 mobile
cerie@braunintertec.com
braunintertec.com | [Twitter: Braun Intertec](#) | [LinkedIn: Braun Intertec](#)

Boring/Sounding Number	Grid Location	Predicted Settlement (inches)
ST-1	AA-1	0.75
ST-2	EE-2	0.92
ST-3	AA-4	0.6
CT-4	EE-1	0.3
CT-5	DD-1	0.4
CT-6	CC-1	0.5
CT-7	AA-2	0.8
CT-8	DD-2	0.5
CT-9/ST-15	EE-3	2.5
CT-10/ST-17	DD-3	1.5
CT-11	AA-3	0.4
CT-12	CC-4	1.5
CT-13	DD-4	3
CT-14/ST-16	EE-4	>3



5500 Wayzata Blvd., Ste. 300
Minneapolis, MN 55416-1229
(763) 546-1400
(763) 546-2226 Fax
www.knutsonconstruction.com

September 6, 2011

Mr. William Fossing
LSA Design, Inc.
Northwestern Building
219 N. Second Street, Suite 302
Minneapolis, MN 55401

Re: **Ramsey Municipal Parking Facility**
City Project #10-22

PCO #001 – PR #1 – Foundation Modifications

Dear Mr. Fossing:

Please find enclosed our estimate to provide revisions to the Foundations per PR #1 with the following clarifications:

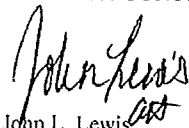
- Proposal is based on secondary pipe material, availability
- Piles are to be driven with Swinging Leads.
- Time allowed for 2 PDA test piles with the cost of this testing by Others.
- Vibration monitoring of the existing structure is by Others. Settlement monitoring has been included.
- Our original scheduled date for completion of the 2nd level deck is October 20th, based on PR #1 we anticipate the delays in relation to PR #1 to be 3 weeks, which would make the placement date for Pour #1 November 14th. This delay will require additional costs for heating of the concrete and blanketing on the concrete deck and depending on weather conditions at the time may require enclosure and heating of the under slab. Based on our estimate the costs associated with delayed placement of the 2nd level deck would not exceed \$14,000. These costs are not included in this proposal and would be tracked on a T & M basis and would be submitted at the completion of the 2nd level deck. The cost for this work would not exceed \$14,000.
- We have assumed this work can be completed without negatively impacting the existing structure should it be determined this work is negatively impacting the existing structure we reserve the right to submit for additional cost and time.
- This pricing is based receiving approval to proceed with this work no later than September 16, 2011.

Based on the attached estimate we are requesting a change order in the amount of One Hundred Ninety Seven Thousand Seventy Seven Dollars (\$197,077.00), the amount identified on the attached cost itemization.

If during your review of this information, questions remain, please telephone at 763-525-3038.

Respectfully Submitted,

KNUTSON CONSTRUCTION SERVICES, INC.


John L. Lewis
Project Manager

JLL

Enclosure: Estimate PCO #001

c: File 111.1
PCO 001

William Fossing

From: Erie, Cyle [CErie@braunintertec.com]
Sent: Wednesday, August 31, 2011 3:16 PM
To: William Fossing
Cc: Glisson, Matthew
Attachments: CPT Logs.pdf; Soil Boring Location Sketch.pdf; SPT Logs.pdf

Bill-

The SPT and CPT logs and location sketch are attached. The hammer used should be rated for an energy of 40,000 to 65,000 ft-lbs.

Our recommended inspections and testing for the pile-related work includes PDA and CAPWAP analysis on 2 production piles, installation observations, concrete testing, vibration monitoring of the existing structure, and a final special inspection report when pile installation is complete. The estimated costs for all of this is about \$8,000. You could also do a pre-condition survey of the existing ramp if the City would like to do that – that would be about \$1,500.

Let me or Matt know if you need anything else or have questions with anything.

Thanks!

Cyle



Cyle N. Erie, PE

Associate Principal/Project Engineer
3900 Roosevelt Road, Suite 113 | Saint Cloud, MN 56301
320.202.7224 direct | 612.490.1961 mobile
cerie@braunintertec.com
braunintertec.com | [Twitter: Braun Intertec](#) | [LinkedIn: Braun Intertec](#)



AIA[®] Document G801[™] – 2007

Notification of Amendment to the Professional Services Agreement

TO: Brian Olson, PE
(Owner or Owner's representative)

Notification Number: 001

In accordance with the Agreement dated: 01/10/11

BETWEEN the Owner:
(Name and address)
City of Ramsey
7550 Sunwood Drive NW
Ramsey, MN 55303

and the Architect:
(Name and address)
LSA Design, Inc.
219 N. Second Street, Suite 302
Minneapolis, MN 55402

for the Project:
(Name and address)
Ramsey Municipal Parking Facility-Phase II
7650 Sunwood Drive
Ramsey, MN 55303

Notification is made of the need to proceed with Additional Services as follows:

1. Coordinate Geotechnical Investigation, testing and inspection required for deep foundations.
2. Design deep foundation system in accordance with recommendations from Geotechnical Engineer.
3. Issue a Proposal Request to modify the Contract Documents for the deep foundations. Review costs and provide recommendations to Owner.
4. Provide Construction Administration services for revised Contract Documents.

The following adjustments shall be made to compensation and time.
(Insert provisions in accordance with the Agreement, or as otherwise agreed by the parties.)

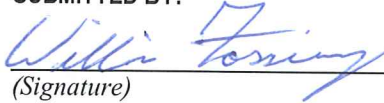
Compensation:

Basic Services Agreement:	\$ 132,000.00
Amendment #01 Not to Exceed Hourly Fee:	\$ 12,000.00
TOTAL Fee Not to Exceed:	\$ 144,000.00

Time:
N/A

Prompt written notice to the Architect from the Owner is required to discontinue the described service.

SUBMITTED BY: _____



(Signature)

William Fossing, P.E.

(Printed name and title)

07 September, 2011

(Date)

CC Work Session

3. 1.

Meeting Date: 09/13/2011

By: Jo Thieling, Administrative Services

Title:

Review Future Topics/Calendar

Background:

The list of future topics is attached for Council to review.

Funding Source:

N/A

Council Action:

No formal action necessary - for Council review.

Attachments

Future Topics/Calendar

Form Review

Inbox

Kurt Ulrich

Form Started By: Jo Thieling

Reviewed By

Jo Thieling

Date

09/08/2011 12:50 PM

Started On: 09/08/2011 09:46 AM

Final Approval Date: 09/08/2011

**Work Session Calendar
2011**

Month	Date	Topics for Discussion
September		<ul style="list-style-type: none"> ● Discuss ISO Rating and Program to Improve (HN)
Others on List – including 2011 Strategic Planning Items		<ul style="list-style-type: none"> ● Look at pilot programs (e.g. volunteer programs – low maintenance) ● Proactively recruit residential development and seek builders input ● Review development fees and standards regarding construction ● Develop TIF tracking plan with regard to fiscal disparities impact ● Establish fund reserve policy ● Review City-owned lands and create plan for it – <i>scheduled for July 12 agenda</i> ● Review park programming and potential reallocation of parks – <i>scheduled for July 12 agenda – included in Review City owned land . . .</i> ● Construct boat landing at River’s Bend – <i>was reviewed with Council and determined it was not a priority at this location.</i> ● Build on outdoors/sportsmen’s market (e.g. stock pond/lake) ● Coordinate COR marketing and City marketing ● Create Master Plan 167th Avenue/Highway 47 – plan for redevelopment – <i>Discuss after Joint Meeting between CC & EDA</i> ● Develop community center/indoor sports complex ● Old Town Hall relocation ● Review & revise Development Management contract and manage COR expenditures ● Consider creation of a Transportation Taxing District ● Seek grant funding for transportation projects and service delivery ● Complete US 10/ County Road 83 interchange design – pursue funding ● Establish position on TH #47 South of Bunker to Highway #10 <p><u>Public Works</u></p> <ul style="list-style-type: none"> ● Review plan for US Highway #10 pedestrian overpass and connection with Municipal Center ramp ● Review Dirt Road Elimination Policy (DREP) ● Create opportunities for snowmobile, four-wheeler & golf cart use ● Review sidewalk plowing policy