

**PUBLIC WORKS COMMITTEE
CITY OF RAMSEY
ANOKA COUNTY
STATE OF MINNESOTA**

The Public Works Committee conducted a regular meeting on Tuesday, October 18, 2011 at the Ramsey Municipal Center, 7550 Sunwood Drive NW, Ramsey, Minnesota.

Members Present: Chairperson Colin McGlone
 Councilmember David Elvig
 Councilmember Randy Backous

Also Present: City Administrator Kurtis G. Ulrich
 Deputy City Administrator Heidi Nelson
 Public Works Director Brian Olson
 City Engineer Tim Himmer
 Street Supervisor Grant Reimer
 Mayor Bob Ramsey
 Councilmember Sarah Strommen
 Councilmember Jason Tossey
 Councilmember Jeffrey Wise

CALL TO ORDER

Chairperson McGlone called the regular meeting of the Public Works Committee to order at 5:32 p.m.

CITIZEN INPUT

There was none.

APPROVE AGENDA

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

Motion carried. Voting Yes: Chairperson McGlone and Councilmembers Elvig and Backous.
Voting No: None.

APPROVE MINUTES

Motion by Councilmember Elvig, seconded by Councilmember Backous, to approve the minutes from the August 15, 2011 Public Works Meeting.

Motion carried. Voting Yes: Chairperson McGlone and Councilmembers Elvig and Backous.
Voting No: None.

COMMITTEE BUSINESS

Case #1: Consider Vacation of Right-of-way at 14241 Fluorine Street NW

City Engineer Himmer reviewed the staff report and presented the resident's request to vacate a portion of the right-of-way to provide reasonable use of his front yard. If approved, the issue of who pays for the cost can be determined.

Dion McDevitt, 14241 Fluorine Street NW, stated his new garage meets all setbacks and code requirements but the City wants the road to come almost up to his garage, which will eliminate his front yard.

City Engineer Himmer presented a sketch of an off-set cul-de-sac for the park that would fit within the confines. He noted the grades are flat and wetlands are present but this option should work. City Engineer Himmer advised of the need to assure the City maintains not only the cul-de-sac, but also drainage and utility easements so if it is vacated, the City should maintain a 10-foot drainage and utility easement for snow storage.

Chairperson McGlone asked when the new garage addition was built.

Mr. McDevitt stated it was completed two weeks ago.

City Engineer Himmer stated the new garage meets all setbacks and is not an issue. However, the existing structure does not comply with setbacks so it is currently a legal non-conforming structure.

Chairperson McGlone asked whether the legal non-conforming status could be lost if this easement is vacated.

City Engineer Himmer answered that could occur if the lot is squared off.

Chairperson McGlone asked whether the City would be getting enough easement so it is not a later issue.

City Engineer Himmer stated the City needs at least five feet beyond trails for snow storage and access to mow.

Councilmember Elvig asked where the utility services are located.

Public Works Director Olson advised utilities are to the north for that subdivision, which blocked the ability to continue the roadway.

Chairperson McGlone felt, from a planning perspective, a road was constructed without a "bubble" on the end, which showed the future intention of connecting neighborhoods as they

were built. He asked how this failure in planning occurred since it was no longer possible to extend the roadway to connect the northerly and southerly neighborhoods.

Public Works Director Olson clarified it was not a failure in planning but expected to be a future through street. However, during plat approval a number of concerns were expressed by neighbors to the south so the Council made a conscience decision to not extend this roadway to connect the neighborhoods.

Councilmember Elvig acknowledged that the City usually tries to make neighborhood connections.

Councilmember Backous noted that constructing turn-arounds give people the expectation it is to be permanent but when there is not a cul-de-sac, people are aware that something will be happening in the future to extend the roadway. He asked how the City's trail ended up on private property.

Public Works Director Olson explained there should have been a survey when the trail was designed and constructed. He thought this trail was put in as part of the development to the north.

Mr. McDevitt stated the trail was installed about 15 years ago.

Chairperson McGlone indicated he had no issue with the proposal as long as Mr. McDevitt gives the City the trail easement and staff draws the easement lines so it works

Motion by Chairperson McGlone, seconded by Councilmember Backous, to recommend that the City Council undertake a formal right-of-way vacation process.

Further discussion: City Engineer Himmer advised this vacation requires a public hearing process and asked whether it will be City or property owner initiated. Councilmember Elvig indicated he would not support action that results in more costs to extend sewer and water. Public Works Director Olson recommended the City preserve an easement in case sewer and water utilities eventually connect. Councilmember Elvig supported this suggestion, noting they will connect eventually. Mr. McDevitt stated his impression that utilities would come from the Dysprosium side. Public Works Director Olson explained that watermain loops are common. Councilmember Elvig stated he wanted to assure the City preserves what may be needed in the future. Public Works Director Olson explained the City could retain what may be needed in the future to assure the right of the City to extend utilities and the area vacated would give Mr. McDevitt the flexibility needed. He clarified this action would not adjust the property lines. Councilmember Elvig asked when this road will be reconstructed. Public Works Director Olson indicated staff would have to look at the street inventory. Councilmember Elvig noted if the road is reconstruction, utilities would likely be put in the roadway. But, if the road is not constructed for some time, the utilities would probably be located alongside the road. Mr. McDevitt stated the road was reconstructed about 10 years ago and sealcoated more recently. Chairperson McGlone asked if the cul-de-sac could be pushed to the north. City Engineer Himmer explained that the farther north the road is pushed, the greater the wetland impacts.

Councilmember Elvig stated his position that since the City encroached on the McDevitt's property, he would support the City covering public hearing costs. He stated he appreciates the property owner's cooperation and felt this is a good solution as long as it does not result in future problems. City Engineer Himmer stated that staff can process the vacation at the same time it designs the cul-de-sac and look at possible routes for utility extension. Chairperson McGlone agreed this needs to be fixed and since the property owner is willing to cooperate he would support the City initiating the process. Councilmember Backous concurred.

Amendment motion by Chairperson McGlone, seconded by Councilmember Backous, to recommend that the City Council undertake a formal right-of-way vacation process and schedule a public hearing with the City initiating and paying the required fees/escrows.

Amended motion carried. Voting Yes: Chairperson McGlone and Councilmembers Backous and Elvig. Voting No: None.

Case #2: Consider Proposal from Metro Area Repeater Association to Install Skywarn Facilities on Water Tower#2

City Engineer Himmer reviewed the staff report and request of the Metro Area Repeater Association (MARA).

Councilmember Backous stated it sounds like installing this equipment would result in no damage or piercing of the water tower. He asked how often they would need access to the equipment.

Joel Jameson, Northwest Representative from MARA, explained they would initially need access to fine tune equipment settings but after that only if there is equipment failure.

Councilmember Backous asked if this equipment will conflict or interfere with current or future equipment on the water tower.

Public Works Director Olson stated this equipment would not damage the tower if installed correctly but the City would need to inspect the installation to assure there is no damage. He explained that cellular phone providers rent space on the water tower. Currently, Ramsey only has one provider on the water tower and estimated rent of \$1,700 to \$2,000 per month. Public Works Director Olson stated the tower has the ability to co-locate three providers but this is not the same thing because it only has one antenna. He suggest the agreement restrict equipment to assure it does not block another provider.

Councilmember Elvig asked whether radio waves and potential revenue producing cellular waves are compatible.

Mr. Jameson explained the current amateur radio bands (2 meter) currently coexist on multiple towers in the Twin Cities.

Councilmember Elvig requested that Mr. Jameson provide some samples of co-location occurring on other municipal water towers.

City Administrator Ulrich recommended the agreement include a provision to bump the equipment from the tower if a paying provider thinks the radio signal will interfere.

Chairperson McGlone noted the City does not subscribe to this weather service.

Public Works Director Olson stated the City uses a different service that is not County run but this service could be a backup in the case of a catastrophic event. He explained the requested equipment is more like a ham radio or an amateur association.

Chairperson McGlone stated his concern about the City taking on any costs including having to pay a City employee overtime to open the facility, if needed to make a repair. He is also concerned this radio equipment may interfere with a cellular provider so he does not favor this request.

Councilmember Backous stated he has no problem with the concept provided an agreement protects the City's interests. He asked whether other cities are providing this opportunity for free.

Mr. Jameson answered in the affirmative and indicated the City of Shorewood is the main facility and that is where MARA's main transmitter is located.

Public Works Director Olson asked if there is a list of cities that allows MARA equipment on its water tower.

Councilmember Elvig requested additional information including a list of costs, other cities where ratio antenna are located on water towers, and if MARA would be willing to reimburse the City for any costs incurred.

Councilmember Backous expressed interest in working with MARA but questioned whether it is the City's responsibility to cover any of the costs. He indicated if MARA would undertake fund raising to cover the costs, he would support the request.

Councilmember Elvig stated he would also like to see that the costs are covered.

Chairperson McGlone stated he will not support this request unless MARA pays for all costs. He cautioned the Committee about encouraging someone that their request will be approved by the City Council and putting additional work load on staff.

Councilmember Backous stated he is also not interested in having staff do more work.

Councilmember Elvig stated this request is not "dead" for him, noting other cities see value in it, it would provide a venue for ham radio operators, and it takes nothing from the City in cash or to operate. He felt this is what community infrastructure can do for you.

Chairperson McGlone suggested all the work be put on MARA and not on City staff.

Councilmember Elvig restated he would like information on the entire costs, names of other cities that have allowed this radio equipment on its towers, and how they are handling costs. He clarified he is not asking staff to do any more work.

City Engineer Himmer suggested Mr. Jameson and Bob Kollmer be asked to provide that information so it can be available at the first Council meeting in November for consideration at that time.

Chairperson McGlone asked whether the request moves forward to the Council if the Public Works Committee sees no merit in the request.

City Administrator Ulrich answered in the affirmative.

Chairperson McGlone stated if that is the case, he would support MARA providing additional information and paying \$1,500 to cover costs.

Councilmember Elvig stated he is not yet willing to provide a recommendation because he has not seen enough information.

City Administrator Ulrich advised the matter can be postponed until the information has been provided.

Motion by Chairperson McGlone, seconded by Councilmember Elvig, to postpone consideration of the request by Metro Area Repeater Association to install Skywarn facilities on Water Tower #2 to allow time for MARA to provide the names of other municipalities that have allowed this type of equipment on its water towers, costs that would be involved, and agreeing to cover all costs for installation, inspection, and maintenance.

Motion carried. Voting Yes: Chairperson McGlone and Councilmembers Elvig and Backous. Voting No: None.

Case #3: Consider Contracted Street Sweeping

Street Supervisor Reimer reviewed the staff report and presented three options if the City contracts spring street sweeping. He recommended Option 3, a combination of the first two options with contracted forces sweeping curb/stormwater areas and City staff sweeping ditched areas, estimating 200 hours or \$16,000.

Councilmember Elvig stated his support for Option 3 as recommended by staff.

Public Works Director Olson stated he would prefer to not bid all three options because the more complicated the RFP, the lower the interest from vendors. He explained the City of Plymouth contracts out everything and prefers bidding hourly rates rather than miles of roadway.

Chairperson McGlone asked about the cost to dispose of the debris, which is not included.

Street Supervisor Reimer explained the debris will be screened before disposal.

The Committee agreed with the suggestion by Councilmember Elvig to include an alternate bid for disposing of the debris.

Motion by Councilmember Elvig, seconded by Councilmember Backous, to recommend that the City Council approve Option 3, authorize staff to seek RFPs for 2012 spring street sweeping, and include an add alternate for disposal of road debris.

Motion carried. Voting Yes: Chairperson McGlone and Councilmembers Elvig and Backous. Voting No: None.

Case #4: Consider Sanitary Sewer Maintenance Policy

Public Works Director Olson reviewed the staff report and explained that having a written Sanitary Sewer Maintenance Policy would result in a lowering the City's deductible on sanitary sewer backup claims from \$2,500 to \$1,000.

Councilmember Backous asked if the City had received many claims.

Public Works Director Olson stated the City has not because Ramsey has a relatively new PVC system with fewer joints. He estimated one claim every year or two.

Councilmember Backous asked whether the written Policy would formalize current practice.

Public Works Director Olson answered in the affirmative.

Councilmember Elvig stated his support of staff's recommendation.

Public Works Director Olson described how a sewer backup could occur when the City is cleaning the line and indicated that type of claim would be eligible for this program.

Chairperson McGlone asked why the City is paying a deductible if the homeowner has to pay for it anyway.

Public Works Director Olson described several scenarios that could result in a claim against the City.

Councilmember Elvig felt there was no reason not to have a written policy because as the system ages, there will be more likelihood of claims.

Chairperson McGlone noted there is usually a lower premium if the deductible is higher.

Councilmember Backous explained that the City of Coon Rapids was the last city that had water and sewer backup insurance so this is an effort by the League of Minnesota Cities to cover this issue for cities.

Public Works Director Olson stated the program went into effect November 15, 2010. He explained the City is protected, should there be a sewer backup, if it is not negligent and cleans sewers on schedule, doing what is reasonable and prudent. However, if the City does not maintain its system and there is a backup, in League's view the City is not being reasonable or prudent and would have to pay the \$2,500 deductible if a claim is filed.

Councilmember Backous commented that when there is a sewer backup, it is a mess and has to be cleaned as quickly as possible so the property owner usually lets the insurance companies fight out who is responsible.

Chairperson McGlone asked what the Committee is being asked to approve.

Councilmember Backous explained that the League of Minnesota Cities will reduce premiums by requiring safety and maintenance measures/loss control measures in written format. He noted if the system is maintained in an orderly fashion, there will be fewer losses/claims.

Motion by Councilmember Elvig, seconded by Councilmember Backous, to recommend that the City Council authorize staff to formalize the Sanitary Sewer Maintenance Policy.

Motion carried. Voting Yes: Chairperson McGlone and Councilmembers Elvig and Backous. Voting No: None.

Case #5: Consider Change Order for City Improvement Project #11-09; Alpine Drive Overlay

City Engineer Himmer reviewed the staff report and recommendation to approve a change order for subgrade preparation in the amount of \$12,000.

Chairperson McGlone asked how this was missed in the road project, noting it is not the contractor's obligation to inform the City that something is left out of a project.

City Engineer Himmer explained this project went from a mill and overlay, where there was no need for subgrade preparation, to a full depth reclamation that requires subgrade preparation. One group was working on the plans and bid form while the other group was working on the specifications and a disconnect occurred for including this one item.

Public Works Director Olson explained it was an oversight by Engineering but even if it had been included, the City would have paid the same. He apologized for this oversight, noting it does not fall under the threshold of 3% that could be approved with change orders. Staff is requesting approval.

Councilmember Backous stated this would have to be paid anyway and would not have changed his vote on this project.

Chairperson McGlone stated his opinion that a lot of change orders are being approved.

Motion by Councilmember Elvig, seconded by Councilmember Backous, to recommend that the City Council approve a change order for Improvement Project #11-09, Alpine Drive Overlay, for subgrade preparation in the amount of \$12,000.

Motion carried. Voting Yes: Chairperson McGlone and Councilmembers Elvig and Backous.
Voting No: None.

Case #6: Consider Guard Rail Enhancements for the Parking Ramp

Public Works Director Olson reviewed the staff report and two options for design enhancements. He advised there is also an issue of sun glare when entering the ramp so another option would be to install a sunscreen on several levels of the most westerly side.

Chairperson McGlone asked whether any enhancements considered in this ramp would automatically trigger a change order for the new ramp and use of CMAQ money.

Public Works Director Olson stated that could occur and staff is making an argument that because the new ramp section would have enhanced LED lighting, the existing ramp should have the same LED lighting. If approved, it would result in savings in operations and electric charges.

Chairperson McGlone reported he has seen 12 year olds walking the top façade edge of the ramp. He felt some things were missed in the original design and there already are safety issues in the existing ramp.

Councilmember Elvig clarified that the ramp had been built to State, City, and Federal codes and matched and surpassed all safety codes. He asked where is the common denominator with being safe yet practical. Councilmember Elvig supported moving forward with the proposed enhancement in the new parking ramp and suggested the Council schedule a tour of the parking ramp to determine what makes sense.

Councilmember Backous asked whether the code had changed.

Public Works Director Olson explained the code has not changed but states you have to prevent people them from getting over the top. He explained if there are railings with vertical components, code requires spacing of four inches apart; however, this protection is with the horizontal element.

Chairperson McGlone stated he has witnessed kids walking the top of the ramp and reported it to the Police Department. He noted an argument could be made that the City knew kids could walk on the top façade of the ramp but did nothing about it. He thought there were definite safety problems at the top edge of the ramp, at a minimum.

Public Works Director stated he does not agree there are safety issues with the ramp because it meets State code and even with a nine-foot section they could crawl on the fence. He believed what the City is doing is reasonable and prudent and enhancements to the second, third, and fourth levels could deter people but will not eliminate it.

Councilmember Elvig asked how it will be funded.

Public Works Director Olson stated staff would research that issue but the Public Improvement Revolving Fund may be used, potential TIF funds, or other sources.

Councilmember Elvig asked if the issue should be tabled and brought to a Work Session since it involved a significant amount of money. He stated he understands it is time sensitive because of a change order for the new ramp but supported a field trip to the ramp.

Public Works Director Olson stated contractors for the new ramp will want some direction on what the sidewalls will look like by November 15.

Chairperson McGlone pointed out it is a function of the Public Works Committee to make recommendations and then the Council can decide if it wants to take a Work Session to consider the matter.

Public Works Director Olson explained if the Committee wanted to move forward, the motion would be to approve a change order to LSA Design's contract in an amount not to exceed of \$5,500.

Chairperson McGlone noted a portion of the enhancements could be done for \$3,900. Then, if approved, the new ramp could be enhanced in the same way and partially paid by the Met Council.

Councilmember Elvig expressed concern that time is short and recommended sending a recommendation so the full Council can determine if there is support.

Councilmember Backous agreed there are safety concerns so he would like to do something to assure it is done right. However, because this is an odd case, he would like to let everyone in on it.

Chairperson McGlone pointed out the Council will need to know the numbers before making a decision.

Councilmember Elvig stated he would support staff's recommendation with the caveat that the existing ramp is at or surpasses all safety codes and is not unsafe.

Chairperson McGlone opined the building was unsafe when kids walk on the top façade.

Councilmember Backous stated the existing ramp does meet code but there are things that make him nervous so he would support enhancements that increase safety even if it goes beyond code requirements.

Motion by Chairperson McGlone seconded by Councilmember Elvig, to recommend that the City Council approve the design of Parking Ramp guard rail enhancements with all enhancements detailed in the staff report at a cost not to exceed \$5,500 plus reimbursable expenses and with the caveat that the existing ramp meets code requirements.

Motion carried. Voting Yes: Chairperson McGlone and Councilmembers Elvig and Backous.
Voting No: None.

COMMITTEE INPUT

1) Update on Resident Concern at 5220 156th Lane NW

Public Works Director Olson provided an update on the resolution negotiated with Jason and Ruth Obermaier relating to the relocation of the sanitary septic system at 5220 156th Lane NW to the west side of the property. He advised there will be significant tree impact and the irrigation system will need to be repaired/replaced. Public Works Director Olson stated staff felt this was a reasonable solution and estimates are about \$5,500 for irrigation and turf restoration plus \$11,000-15,000 for the septic system. He advised two quotes were received for the septic system relocation and staff is reviewing the numbers and quantities to verify costs.

Councilmember Elvig asked why this sewer is being relocated.

Public Works Director Olson explained that an area was filled in and the septic system does not meet code due to vacation of easement in 1988. There was discussion about potential “contamination” so water samples were taken on the property and downstream a considerable distance and both samples met standards.

Councilmember Elvig asked if the existing septic tank has to be removed.

Public Works Director Olson advised that the existing holding tank would be used as part of the new system. The drainfield is the property owner’s responsibility into perpetuity.

Chairperson McGlone asked if the final inspection includes the final grade.

Public Works Director Olson answered that it will be inspected.

Chairperson McGlone stated his preference for the homeowner to be in control of hiring the contractor so City is removed from that liability.

Public Works Director Olson indicated the property owner wants to use the higher bid vendor because that is the vendor they used originally. The project was estimated at \$40,000 but now it looks like it will be closer to \$15,000 to \$20,000, which is within reason.

Chairperson McGlone stated with insurance claims the homeowner is allowed to use the contractor they want to use, even if it is a higher cost. He stated support to move this project forward as long as all liability is with the property owner.

Councilmember Backous agreed and noted the project is still under budget.

The consensus of the Public Works Committee was to direct staff to proceed, as detailed in the staff report and with the property owner assuming all liability.

ADJOURNMENT

Motion by Councilmember Backous, seconded by Councilmember Elvig, to adjourn the Public Works Meeting.

Motion carried.

The regular meeting of the Public Works Committee adjourned at 7:03 p.m.

Respectfully submitted,

Brian Olson
Public Works Director

Drafted by Carla Wirth
TimeSaver Off Site Secretarial, Inc.