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

The Ramsey City Council conducted a regular meeting on Tuesday, December 14, 2010, at the Ramsey Municipal Center, 7550 Sunwood Drive NW, Ramsey, Minnesota.

Members Present: Mayor Bob Ramsey
Councilmember John Dehen
Councilmember David Elvig
Councilmember David Jeffrey
Councilmember Matt Look
Councilmember Colin McGlone
Councilmember Jeffrey Wise

Members Absent: None

Also Present: City Administrator Kurtis Ulrich
Deputy City Administrator Heidi A. Nelson
Planning Manager Amber Miller
Fire Chief Dean Kapler
Public Works Director Brian Olson
Associate Planner Timothy Gladhill
City Engineer Tim Himmer
Police Chief James Way
Finance Director Dianna Lund
Development Manager Darren Lazan
Councilmembers Elect Randy Backous
Councilmembers Elect Jason Tossey
City Attorney William Goodrich

1. CALL TO ORDER

Mayor Ramsey called the regular meeting of the Ramsey City Council to order at 7:00 p.m., followed by the Pledge of Allegiance led by Mayor Ramsey.

2. PRESENTATION

2.01 2011 Levy & General Fund Budget Presentation

Finance Director Lund presented the 2011 Levy and General Fund Budget.

John Enstrom, 8792 - 181st Avenue, thanked Council for attempting to lower taxes again this year. He noted his taxes had not gone down however. He asked how the City charged City related bills to the residents. Finance Director Lund explained the different funds the residents were charged fees for.

Mr. Enstrom stated he had five PIN numbers on his property and he has now combined all of his PIN numbers. He asked if his taxes would be reduced. Finance Director Lund responded one house received one bill.

Mr. Enstrom noted he was a farmer with different PIN numbers.

City Administrator Ulrich responded staff would look into this. He indicated the City's tax portion would probably remain the same, but Mr. Enstrom's fees might go down.

3. CITIZEN INPUT

None.

4. APPROVE AGENDA

Motion by Councilmember Look, seconded by Councilmember McGlone, to approve the agenda as presented.

Councilmember Jeffrey requested item 5.10 be pulled from the Consent Agenda.

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

5. CONSENT AGENDA

Motion by Councilmember Look, seconded by Councilmember Dehen, to approve the following items on the Consent Agenda:

- 5.01 Adopt Resolution #10-12-259 Adopting the 2010, Payable 2011, Municipal Tax Levy and Resolution #10-12-260 Adopting the 2011 City of Ramsey General Operating Budget
- 5.02 Adopt Resolution #10-12-261 Approving Proposed 2010 Payable 2011 EDA Levy
- 5.03 Receive Cash & Investments for Period Ending November 30, 2010
- 5.04 Receive October 2010 Financial Reports – General Fund and Enterprise Funds
- 5.05 Note the following Commission/Committee Meeting Minutes
10/14/10 EDA
11/01/10 EPB

- 11/04/10 Board of Adjustment
11/04/10 Planning Commission
- 5.06 Schedule Public Hearing to Consider Adoption of the 2011-2015 Capital Improvement Program (CIP)
- 5.07 Approve the Following Meeting Minutes:
9/21/10 Work Session
9/28/10 City Council
10/12/10 Work Session
10/12/10 City Council
10/26/10 Work Session
10/26/10 City Council
11/09/10 Canvassing Board
11/09/10 Special City Council
11/09/10 Work Session
11/09/10 City Council
11/16/10 Work Session
- 5.08 Receive Building Permits Approved for October and November 2010
- 5.09 Adopt Resolution #10-12-262 Approving Cash Disbursements Made and Authorizing Payment of Accounts Payable Invoicing Received During the Period of November 18, 2010 through December 8, 2010
- ~~5.10 Approve Agreement Between the City of Ramsey and Scott Robinson and John Amundson, dba, Wheels of Thunder~~
- 5.11 Terminate Property Management Contract with Premier Commercial Properties
- 5.12 Approve Amendments to Curbside Recycling Contract for 2011-2012
- 5.13 Approve Registered Land Survey (“RLS”) for property acquired from Ramsey-Arbor Properties, LLC
- 5.14 Adopt Housing Action Plan for the Local Housing Incentives Account Program Under the Metropolitan Livable Communities Act
- 5.15 Adopt Resolution #10-12-263 Adopting Findings of Fact #0881 relating to a Request from the City of Ramsey Public Works Department to Allow for Continued Use of a Temporary Modular Office Structure on the Property Located at 14100 Jaspar Street NW an Interim Period of time and Adopt Resolution #10-12-264 Approving the Renewal of an Interim Use Permit to the City of Ramsey Public Works Department Allowing a Temporary Modular Office Structure on the Property Located at 14100 Jaspar Street NW, Based on Findings of Fact #0881; and Declaring Terms of Same.

- 5.16 Report from the Personnel Committee
- a) Adopt Resolution #10-12-265 Accepting Resignation of Planning Commissioner/Board of Adjustment member Terri Cleveland
 - b) Adopt Resolution #10-12-266 Approving the 2011 City's Health Insurance Contribution for Non-Union Employees
- 5.17 Report from Public Works
- a) Consider Initiating Landscape Improvements for North Park within The COR – *The City Council ratified the recommendation of the Public Works Committee and tabled this item until the Committee receives further information.*
 - b) Preview 2010 – 2011 Winter Ice Skating Maintenance – *No Action Required*
 - c) Discussion of Options for Parking Signs on Private Streets in Townhome Developments – *The Council ratified the recommendation of the Public Works Committee and authorized the proposed compromise for installment of no parking signs on private streets in two residential townhome developments, which gives the City the ability to enforce such parking restrictions.*
 - d) Consider right-of-Way Permits for the Installation of a Driveway Along Variolite Street at 7619 – 157th Avenue NW – *the Council ratified the recommendation of the Public Works Committee and directed staff to investigate putting the driveway on the west side and if that proposal becomes a hardship that could be brought back with findings for consideration.*

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

6. PUBLIC HEARING

6.01: Public Hearing to Consider the Feasibility Study for Infrastructure Improvements Associated with the Legacy Christian Academy Development

Mayor Ramsey closed the regular portion of the City Council meeting at 7:27 p.m. in order to conduct a public hearing.

Public Hearing

Mayor Ramsey called the public hearing to order at 7:27 p.m.

Presentation

City Engineer Himmer reviewed the staff report.

Public Works Director Olson requested the Council hold the public hearing tonight, but not make any decisions until a later time.

Citizen Input

David Anderson, representing the developer, thanked staff for continuing to work though the project. He indicated this was a large development and a lot of improvements were made. He noted the discussion of fees would be held later this evening. He inquired about the schedule and timing of the approval.

Public Works Director Olson noted staff would have a large project that would need to have bids obtained on signalization, utilities, etc. and based on the items that had been negotiated, it was important to bid this as one project. He recommended waiting two weeks after the 12th of April in order to work on the Development Agreement and assessment package. He noted it would be impossible for staff to redesign this to get it completed in the next year.

Motion by Councilmember Elvig, seconded by Councilmember Look, to close the public hearing.

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

The public hearing was closed at 7:38 p.m.

Council Business

Mayor Ramsey called the regular City Council meeting back to order at 7:38 p.m.

6.02: Adopt Resolutions Establishing Tax Increment Financing District No. 14 and Decertifying Districts 11, 12, and 13

Mayor Ramsey closed the regular portion of the City Council meeting at 7:39 p.m. in order to conduct a public hearing.

Public Hearing

Mayor Ramsey called the public hearing to order at 7:39 p.m.

Presentation

Deputy City Administrator Nelson reviewed the staff report.

Tom Denaway, Springsted, presented an overview of the COR TIF District #14, the TIF Plan Development Scenario, development assumptions, what a TIF does and does not do, what statutory findings are made to approve a TIF Plan, proposed TIF Plan Expense Budget, and what the next steps would be.

Citizen Input

Irene Beberg, 7411 152nd, stated she was at a previous meeting where it was stated that the City would never use TIF funds to develop this area.

Mayor Ramsey stated the reason for the TIF District was to create the infrastructure necessary for development.

Ms. Beberg noted at that meeting there was also discussion about establishing a snow removal district for the COR area as well. She believed this was a good idea and it was not up to the rest of the residents to pay for the COR's snow removal. She expressed concern about the proposed businesses coming in and not paying taxes.

Mayor Ramsey responded the Council was in the process of setting up a special services district for the COR, which would include snow removal.

Ms. Beberg asked if the City would cut down the snow banks in the City around the intersections.

Mayor Ramsey responded the Public Works would be cutting down the snow banks and improving the site lines in the City over the next few days.

Councilmember Elvig stated at the previous Council meetings Ms. Beberg was referring to, it was intended that the private developer pay for the project. However, the project went into foreclosure and the City then purchased the property. He stated there were very few tools the City could use to stimulate development with the economy being the way it was. He stated a TIF district was the only tool available at this time to incent projects to come in. He stated this was a complete different set of scenarios, owners, and problems than it was a few years ago.

Motion by Councilmember Look, seconded by Councilmember Wise, to close the public hearing.

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

The public hearing was closed at 8:01 p.m.

Council Business

Mayor Ramsey called the regular City Council meeting back to order at 8:01 p.m.

Mr. Denaway reviewed the fiscal disparity election.

Councilmember Look asked for clarification on the amount projected in the TIF district that was needed for proposed improvements in the A versus the B options.

Development Manager Lazan stated he had not analyzed the difference between A and B. He noted there was less increment available for the projects between A and B.

Councilmember Look stated he hesitated to fund the scenario with option A.

Councilmember Elvig stated he did not want to bind the hands of future Councils. He indicated it was the matter of the Council at the time to be prudent. He asked when the Council could shift gears and enact the other option.

Mr. Denaway responded Council would need to adopt a Resolution at a Council meeting with the possibility of a public hearing.

Councilmember Elvig stated his concern was obtaining a TIF was very difficult to do. He wanted the TIF managed well and he did not want over borrowing from one District to pay another. He stated with Option B it cut down the cash flow at the time cash flow was needed. He stated he wanted to go with Option A with the option to switch to Option B in the future.

Councilmember McGlone stated if the Council chose Option B, the City could not switch to Option A later, but the City could switch to Option B if Council chose Option A first.

Mr. Denaway responded that was correct.

City Administrator Ulrich believed it was prudent to start out with Option A with close monitoring and then switch to Option B when the time was appropriate.

Councilmember Look stated he was reluctant to go with Option A partially due to the burden this puts on the businesses in the City. He stated he did not want to put more taxes on the residents and businesses in the City.

Councilmember Jeffrey stated having the cash in the bank was easier than having to go out with Federal funding. He stated he was torn on this decision because he did not want to put this burden on the businesses, but he wanted the flexibility.

Mayor Ramsey noted the City could not just incentivize anyone and there was a limit.

Councilmember Elvig stated he believed the Council was talking black and white. He noted there would not be a lavish cash flow coming in, just cash flow to maintain this. He indicated this would not be easy and he wanted to keep as much flexibility as possible.

Councilmember Wise stated he was directly affected by this decision as he owned a business in The COR as well as other businesses in the district. He stated if they sat on the sideline and did nothing, there would be businesses going under in the District. He stated he was in favor of Option A to allow for flexibility. He stated he did not want to limit the City's ability to get the projects done. He noted there were a lot of businesses that could not get the financing, even though they had the work.

Mayor Ramsey concurred with Councilmember Looks concerns and if Option A was chosen, it would have to be managed and watched carefully. He believed options should be kept open and the City could manage this properly. He noted this decision was not being taken lightly and he was in favor of going with Option A with the understanding it would be monitored very closely and it would be switched to Option B as soon as practical.

Councilmember Elvig stated a TIF District did not mean an increase in taxes to the residents or businesses as long as the TIF District was managed properly.

Motion by Councilmember Elvig, seconded by Councilmember Wise, to adopt Resolution #10-12-267 Approving the Modification to the Development Program for Development District No. 1 Establishing Tax Increment Financing (Redevelopment District No. 14 and approving the Tax Increment Financing Plan therefore with Development District 1 – under Option A as presented tonight, reserving Option B as a potential election later.

Further Discussion: Councilmember Jeffrey stated he was in favor of the TIF District, but he was not in favor of Option A. Councilmember Look noted under Option A businesses would be paying more in fiscal disparity than under Option B. Councilmember Wise noted he could pay more if more people and businesses were around. Dr. Denaway reviewed the base value calculation for Council. Councilmember Wise did not believe an interchange would come to fruition without a cluster of development that would drive it. He noted by keeping this Option A, the opportunities would be left for the widest range. Mayor Ramsey believed Option A at this point would be the right decision as long as it could be changed in the future while Option B could not be changed in the future. Councilmember Look stated he was in favor of the TIF district, but not Option A.

Motion carried. Voting Yes: Mayor Ramsey, Councilmembers Dehen, Elvig, McGlone, and Wise. Voting No: Councilmembers Jeffrey and Look.

Motion by Councilmember Elvig, seconded by Councilmember Wise, to Adopt the Resolution #10-12-268 Decertifying Tax Increment Financing Districts No. 11, 12, and 13, and Returning Excess Tax Increments to other Taxing Jurisdictions.

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

6.03: Request for Final Site Plan Review of Suite Living at The COR

Mayor Ramsey closed the regular portion of the City Council meeting at 8:48 p.m. in order to conduct a public hearing.

Public Hearing

Mayor Ramsey called the public hearing to order at 8:48 p.m.

Presentation

Deputy City Administrator Nelson reviewed the staff report.

Citizen Input

Irene Beberg, 7411 - 152nd Avenue, stated she was for the apartment building project as it would bring in people who would patronize the businesses in the City. She inquired about the parking. She recommended the Council look at putting in stoplights in the area also. She asked if the subsidized money could be used to entice people to fill the building.

Mayor Ramsey summarized the parking. He noted the existing parking ramp would be expanded using grant money, which either had to be used or it would be lost to the City. He stated there would eventually be 801 total parking spaces in the ramp.

Councilmember Wise stated he would love to have the problem of a full parking ramp as the media had always taken video of an empty parking ramp. He noted the parking ramp would not be full on the weekends, so there would be space available for the apartment building parking when those residents would be using it most.

Councilmember Elvig stated the only reason he liked this project was because it brought in a mixed use and if incentive funds could be used for mixed use, he was in favor of.

Mayor Ramsey stated with respect to the retail aspect, he believed the developer was very close to a deal with someone and he did not see any issue with filling the retail space.

Ms. Beberg inquired if the residents of the apartments would be charged extra for parking as part of their rent.

Councilmember Elvig responded the people who benefitted from the parking would be taxed for the maintenance of the ramp.

Ms. Beberg asked if the children of the apartment building would have a place to play.

Mayor Ramsey responded there was a large courtyard in the center of the buildings where the children could play.

Ms. Beberg noted there should also be another play area for the children.

Motion by Councilmember Look, seconded by Councilmember Dehen, to close the public hearing.

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

The public hearing was closed at 9:00 p.m.

Council Business

Mayor Ramsey called the regular City Council meeting back to order at 9:00 p.m.

Councilmember Jeffrey asked how soon the spending plan would need to be in for the financing districts if this was not passed tonight.

Deputy City Administrator Nelson responded this action would be contingent upon the HRA's later approval of the Purchase and Development Agreement. She noted this was an amendment to the spending plan.

Motion by Councilmember McGlone, seconded by Councilmember Wise, to adopt Resolution #10-12-269 Approving a Spending Plan for Tax Increment Financing Districts No. 1 and No 2 in the City contingent upon the HRA's decision.

Further discussion: Councilmember Elvig stated he would support this at this time pending answers to his questions at the HRA meeting.

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

7. COUNCIL BUSINESS

7.01: Adopt Ordinance to Amend City Code Section 117-118 Related to Front Yard Setbacks in The COR

Planning Assistant Gladhill reviewed the staff report.

Councilmember Dehen asked if the sidewalks would be on private property.

Planning Assistant Gladhill responded that was correct and that was a part of the site plan approval. He stated there would be a sidewalk easement.

Councilmember Dehen asked if the easement would need to be purchased.

City Attorney Goodrich responded the City would need to purchase it if the owner was not willing to give it to the City.

Motion by Councilmember Look, seconded by Councilmember McGlone, to waive the City Charter requirement to read the Ordinance aloud adopt the Ordinance #10-17 to amend City Code Section 117-118 Related to Front Yard Setbacks in The COR.

A roll call vote was performed by the Recording Secretary:

Councilmember Wise - aye

Councilmember Look - aye

Councilmember Elvig - aye
Councilmember Jeffrey - aye
Councilmember Dehen - aye
Councilmember McGlone - aye
Mayor Ramsey - aye

Motion carried.

7.02: Request for Final Plat Approval of COR One; Case of the City of Ramsey Housing and Redevelopment Authority

Associate Planner Gladhill reviewed the staff report.

Councilmember Jeffrey asked if any of these needed to be contingent upon purchase agreements.

Associate Planner Gladhill responded this one could stand alone as no site plan or development agreement was being approved.

Motion by Councilmember Elvig, seconded by Councilmember Look, to adopt Resolution #10-12-270 to approve the final plat of COR One, contingent upon compliance with the City Staff Review Letter dated December 8, 2010.

Further discussion: Councilmember Dehen stated he was going to oppose this for the reasons stated at the HRA meeting tonight. Councilmember Elvig stated he would approve this contingent upon the staff letter and the notes from Engineer Himmer.

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

7.03: Request for Final Site Plan Review of Suite Living at The COR; Case of Suite Living

Associate Planner Gladhill reviewed the staff report.

Raphino Lorenzo, representing Suite Living, explained why the entrance was on the Civic Center Drive rather than on Sunwood.

Development Manager Lazan noted the reason the building was pushed back was due to the zero lot line requirement.

Associate Planner Gladhill stated the reason there was not a secondary access off of Sunwood was due to security issues.

Councilmember Dehen believed this was a nice project that was not heavily subsidized. He stated he would be voting for the project.

Motion by Councilmember Dehen, seconded by Councilmember Look, to approve the final site plan of Suite Living at The COR, contingent upon compliance with the City Staff Review Letter dated December 8, 2010, approval of the major plat of COR ONE, adoption of the ordinance amending setbacks in the TC-1 sub-district, and the Applicant entering into a Development Permit with the City as drafted.

Further discussion: Councilmember Elvig stated he would like to look at the entrance again. He noted a building set back from the road was a nice feature to have and if the building was flipped, he believed this would create a nice flow and look. Associate Planner Gladhill responded the intent was to create the downtown feel up close to the right of way line for Sunwood Drive and what Councilmember Elvig was talking about was not allowed in the zoning codes. He noted this would take a change of policy at this point. Mayor Ramsey stated he was not interested in changing the building as that was the look the City wanted. He indicated there was no retail component to this development. Councilmember Look stated he did not envision people driving down Civic Center Drive, but if the other buildings are facing to the south, he was not sure this building would fit in. He believed one of the sides might work. Councilmember Elvig stated the idea was to have activity on the Sunwood side and he was not sure if the policy needed to be held that stringent. Councilmember McGlone did not believe the residents of this development would be walking around the area very much due to the amount of care they needed.

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

7.04: Request for Final Site Plan Approval of Residence at The COR

Associate Planner Gladhill reviewed the staff report.

Councilmember Dehen stated he liked the project, but he disagreed with the amount of subsidy the City was provided. Therefore, he would be opposing the project because of the amount of the subsidy.

Councilmember Look stated he believed this development would be a tremendous asset for the area.

Councilmember Jeffrey stated he also would not support this project for various reasons, which he would discuss at the HRA meeting.

Councilmember Dehen stated there was too much risk for him on this project, but he wanted the project to be successful.

Dave Flaherty, CEO Flaherty & Collins, stated it was rare in this day and age to see this type of development that did not need assistance, especially when there was structured parking. He stated the financing was not contingent upon the proposed rail stop and he believed the project could survive without the rail stop, but it would not be as financially healthy.

Motion by Councilmember Look, seconded by Councilmember McGlone, to approve site plan, contingent upon compliance with the City Staff Review Letter dated December 8, 2010, approval of the major plat of COR ONE, adoption of the ordinance amending setbacks in The COR, and the Applicant entering into a Development Permit as drafted.

Motion carried. Voting Yes: Mayor Ramsey, Councilmembers Elvig, Look, McGlone, and Wise. Voting No: Councilmembers Dehen and Jeffrey.

Mayor Ramsey recessed the meeting at 9:42 p.m. and reconvened the meeting at 9:52 p.m.

7.05: Adopt of Ordinance for a Request for Easement Vacation of Utility and Drainage Easements in Pine Shadows Subdivision, Outlot A, Case of Alpha Development

Community Planner Miller reviewed the staff report.

Motion by Councilmember Elvig, seconded by Councilmember Wise, to waive the reading of the Ordinance per City Charter and Motion to Adopt Ordinance #10-18 to vacate certain drainage and utility easements in Pine Shadows Subdivision Outlot A, contingent upon the approval of the Final Plat and Site Plan.

A roll call vote was performed by the Recording Secretary:

Councilmember Look - aye
Councilmember McGlone - aye
Councilmember Jeffrey - aye
Councilmember Elvig - aye
Councilmember Wise - aye
Councilmember Dehen - aye
Mayor Ramsey - aye

Motion carried.

7.06: Request for Final Plat Approval of Alpha Development and Final Site Plan Approval of Legacy Christian Academy; Case of Columbo Limited Partnership

Planning Manager Miller reviewed the staff report.

Councilmember Wise stated he was not in favor of the development having a private well in addition to City water.

Public Works Director Olson stated the City had encouraged residents to use private wells for irrigation as long as it did not tap into the City's water supply.

Councilmember Dehen stated he had no issue with the irrigation. He noted the topsoil had been worked on a lot and where did the exceptions end.

Public Works Director Olson responded the Council had to decide what the intent of the Ordinance was.

Councilmember Elvig stated he was concerned about the park dedication.

Planning Manager Miller responded the park dedication was land and the amount equates to \$304,000.

Councilmember Elvig stated he did not want the City to own the acreage and sit on it or take a lesser price.

Public Works Director Olson stated the City either took cash or land and when the City took land, it is based on the percentage of platted property and not on the value of the land.

Councilmember Elvig noted typically, when the City took land, it was for a park purpose. He stated the question was not if the City wanted the land or cash, but that the developer wants to give the land to the City. He indicated that would be okay if the numbers worked. He stated the City needed the cash.

Councilmember Dehen stated he was not interested in taking land in lieu of cash. He stated the City owned too much land right now and he did not want to acquire more.

Motion by Councilmember Look, seconded by Councilmember Wise, to adopt Resolution #10-12-271 Granting Final Plat Approval of alpha Development – to approve the major subdivision plat and the site plan contingent upon compliance with the City Staff Review Letter dated December 8, 2010, recognizing that it would incorporate the following:

- Council will waive the requirement for sodding the site everywhere except the boulevard area and allowing seeding.
- Council will deviate from Council policy on the calculation of fees from gross area to net developable area as outlined in the Staff review letter.
- Council will be approving the reduced road section for the last 1,250 of Bunker Lake Blvd. to connect to Puma.
- Council will be modifying the policy of requiring developments to extend utilities through the entire site by allowing the developer to stop the utilities at the second entrance to the school on Bunker Lake Boulevard.
- Council will deviate from Council policy on the calculation of stormwater fees based on the permeable area.
- Council finds the building materials acceptable, including the use of the temporary dome structure.
- Council not to waive the entire trail development fee, and credit only those portions of trails constructed off-site.

and the staff recommendation regarding development fees, and enter into a development agreement subject to approval and final review of the City Attorney and consistent with the feasibility study, subject to the landowner waiving the 60 day requirement, and flexibility for staff to work on the topsoil issue with the developer upon approval by the City Engineer.

Further discussion: A representative of the developer stated there had been a considerable amount of discussion as to why they were at the point they were at. He stated they had tried to find innovative solutions for the site and they wanted the ability to discuss the options with staff. Councilmember Dehen asked why the City was making exceptions for this development when those exceptions had not been made in the past. He stated he wanted the rules to be the same for everyone. Public Works Director Olson believed it was reasonable to accept the property that would generate any demand. Councilmember Wise stated the City could not have one ordinance that covered everything and there would be exceptions that would need to be made. Councilmember Elvig stated he was for the project, but these exceptions were subsidies and at what point is too much. He stated the developer had not shown a pro-forma as to why they need the subsidy and why the development would not work without it. He stated he did not want to sit on more land in that area and he wanted to make sure the land was worth something that could be sold in the future. He stated he did not want any subsidy on the remaining property in the area either once the rest of the property was developed. Councilmember Jeffrey stated this was a project that rounded out a good community and it was a catalyst for the community. Public Works Director Olson noted April 12 would be the public hearing date with April 26 being the deadline of the development agreement or it would delay the project for another year.

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

Motion by Councilmember Wise, seconded by Councilmember Look, to approve the feasibility study for the infrastructure improvements associated with the Legacy Christian Academy project, and order the project by authorizing Staff to issue an RFP for design services contingent upon the Developer agreeing to pay the cost for these additional design services at a cost not to exceed \$106,000.

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

City Attorney Goodrich recommended item 7.07 be moved to the end of the Council agenda as it would be a closed session.

7.08: Consider Purchase of Real Property Having Anoka County PIN 28-32-25-43-0007

City Attorney Goodrich noted he had no communication from the seller so no action was required.

7.09: Adopt Interfund Loan Agreements for TIF Districts 1, 2, and 14

Deputy City Administrator Nelson reviewed the staff report.

Motion by Councilmember Wise, seconded by Councilmember Look, to adopt Resolution #10-12-272 Approving the Terms of \$1,300,000 Interfund Loan in Connection with Tax Increment Financing District No. 1, and Adopt Resolution #10-12-273 Approving the Terms of an Internal

Loan in Connection with Tax Increment Financing District No. 2 and Adopt Resolution #10-12-274 approving the Terms of Up to a \$500,000 Interfund Loan in Connection with Tax Increment Financing District No. 14, contingent upon the approval of the Purchase Agreement and Development Agreement by the HRA.

Further discussion: Councilmember Dehen stated he was opposed to the 3.9 in subsidy.

Motion carried. Voting Yes: Mayor Ramsey, Councilmembers Wise, Look, Elvig, and McGlone. Voting No: Councilmembers Dehen and Jeffrey.

7.10: Approve the Agreement Between the City of Ramsey and Scott Robinson and John Amundson, dba, Wheels of Thunder

City Administrator Ulrich reviewed the staff report.

Councilmember Jeffrey stated he wanted this business to be consistent with the rate schedule and that the vendor did not have the ability to cut deals without direct City approval.

City Administrator Ulrich responded these issues had been addressed.

Councilmember Dehen stated he had expressed concerns at the worksession regarding this vendor.

Mayor Ramsey stated he also would not renew a contract with the type of issues the City has had, but this vendor owed the City money and the only way to recoup the money was to do another contract with the vendor.

Motion by Mayor Ramsey, seconded by Councilmember Look, to approve the Agreement Between the City of Ramsey and Scott Robinson and John Amundson, dba, Wheels of Thunder.

Motion carried. Voting Yes: Mayor Ramsey, Councilmembers Look, Elvig, McGlone, and Wise. Voting No: Councilmembers Dehen and Jeffrey.

7.07: Approve Settlement Agreement with Rick Foster and Rivers Bend Holdings, LLC for the Acquisition of Right-of-Way for Trails Adjacent to Highway 47 and Right-of-Access from Highway 47 for the Property Legally Described as: Outlots A, B, C, D, and E, River's Bend 3rd Addition, Except Those Parts Platted as Ramsey Office Park and Holiday Acres

City Attorney Goodrich noted that this meeting can move into closed session to discuss a Settlement Agreement with Rick Foster and Rivers Bend Holdings, LLC for the Acquisition of Right-of-Way for Trails Adjacent to Highway 47 and Right-of-Access from Highway 47 for the property legally described as: Outlots A, B, C, D, and E, River's Bend 3rd Addition, Except Those Parts Platted at Ramsey Office Park and Holiday Acres.

Motion by Councilmember Dehen, seconded by Councilmember Look, to move to closed session.

Motion carried. Voting Yes: Mayor Ramsey and Councilmembers Dehen, Look, Elvig, Jeffrey, McGlone and Wise. Voting No: None. Absent: None.

It was Council's consensus to allow Councilmembers Elect Jason Tossey and Randy Backus to attend the closed session.

The Special Council meeting moved into a closed session at 10:49 p.m.

The closed session ended at 10:55 p.m.

City Attorney Goodrich noted the Council had agreed to purchase from Rivers Bend Property and Phoenix Enterprises Inc. the access to Outlots A, B, C, D, and E, River's Bend 3rd Addition, Except those Parts Platted. He stated there would also be a general release relating to the February 28, 2006 Purchase Agreement.

Motion by Councilmember Elvig, seconded by Councilmember Jeffrey, to approve the Settlement Agreement with Rick Foster and Rivers Bend Holdings, LLC for the Acquisition of Right-of-Way for Trails Adjacent to Highway 47 and Right-of-Access from Highway 47 for the property legally described as: Outlots A, B, C, D, and E, River's Bend 3rd Addition, Except Those Parts Platted as Ramsey Office Park and Holiday Acres.

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

8. MAYOR, COUNCIL AND STAFF INPUT

Farewell from Councilmember Look

Councilmember Look noted this was his final meeting as a Councilmember for Ramsey. He thanked those who supported his bid for the County Commissioner position. He thanked his opponent for a good campaign, City staff for all of their work, and the Council for their service.

Farewell from Councilmember Dehen

Councilmember Dehen stated this was also his final meeting. He indicated he would be serving as a Tenth Judicial Judge for Anoka County. He thanked Council and staff for everything they had done.

Last City Council meeting for 2010

Mayor Ramsey noted this was the last Council meeting for 2010.

Kudos to the Public Works and Fire Departments

City Administrator Ulrich thanked the Public Works and Fire Department for their service and hard work during the snowstorm last weekend.

Snowmobile Reminder

Mayor Ramsey reminded the residents to stay on the snowmobile trails when riding their snowmobiles.

Thank You to Councilmembers Look and Dehen

City Administrator Ulrich and staff thanked Councilmembers Look and Dehen for their service to the City.

9. ADJOURNMENT

Motion by Councilmember Dehen, seconded by Councilmember Look, to adjourn the meeting.

Motion carried.

The regular meeting of the City Council adjourned at 11:07 p.m.

Respectfully submitted,

Kurtis G. Ulrich
City Administrator

ATTEST:

Jo Ann M. Thieling
City Clerk

Drafted by Kathy Altman
TimeSaver Off Site Secretarial, Inc.