

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

The Ramsey City Council conducted a City Council Work Session on Tuesday, June 26, 2012, at the Ramsey Municipal Center, 7550 Sunwood Drive NW, Ramsey, Minnesota.

Members Present: Mayor Bob Ramsey  
Councilmember Randy Backous  
Councilmember David Elvig (arrived at 6:35 p.m.)  
Councilmember Colin McGlone  
Councilmember Sarah Strommen  
Councilmember Jason Tossey  
Councilmember Jeffrey Wise

Member Absent: None

Also Present: City Administrator Kurtis Ulrich  
City Engineer Tim Himmer  
Finance Director Diana Lund  
Fire Chief Dean Kapler  
Human Resources Representative Colleen Lasher  
Parks and Public Works Superintendent Mark Riverblood  
Senior Planner Tim Gladhill  
Street Superintendent Reimer  
Associate Planner/Environmental Coordinator Chris Anderson  
Management Analyst Patrick Brama  
City Attorney William Goodrich

**1. CALL TO ORDER**

Mayor Ramsey called the City Council Work Session to order at 6:24 p.m.

**2. TOPICS FOR DISCUSSION**

Since the owner of Independent Auto had not yet arrived, the Council decided to first consider Case 2.02.

**2.02: Consider Environmental Policy Board's (EPB's) Draft Annual Work Plan**

Associate Planner/Environmental Coordinator Anderson reviewed the staff report.

Councilmember McGlone noted residents care a lot about their lawns and asked if the EPB had considered how to help residents in that regard.

EPB Chairperson Michael Max stated the EPB's website includes information on water conservation, vegetation, alternatives to grass, fertilizing techniques, and soil conditions. He advised that part of the challenge is not the content, but distribution of the content.

Councilmember Strommen noted to address the emphasis on community awareness, there was an opportunity to work with the Lower Rum River Water Management Organization (LRRWMO). She indicated the LRRWMO has education requirements as part of its Water Management Plan and the PCA is also interested in citizen engagement.

Councilmember Backous asked if the City has considered providing a link from the EPB webpage beyond the names of members and contact information.

Associate Planner/Environmental Coordinator Anderson stated that information can be linked to the City's webpage including the EPB's Work Plan. He indicated there is also potential to include an icon on the City's home page to ease linkage to the EPB and Environmental Services pages.

Councilmember Elvig arrived at 6:35 p.m.

Councilmember Backous stated he is the Council's liaison to the EPB and advised of the need for flexibility to allow the EPB to make recommendations to the Council on items that may not be included in the approved Work Plan. In addition, it was felt there was need for better two-way communication.

Mayor Ramsey asked what was meant by "Develop Ecological Standards (or BMPs) and an Educational/Awareness Campaign for Developers/Development."

Associate Planner/Environmental Coordinator Anderson explained the intent is not to create new regulations but create a package of best management practices that could be marketed through developments as a sustainable way of doing business and to attract clients to their development sites. The primary intent is educational in nature.

Mayor Ramsey noted Anoka County is interested in a point for recycling and has applied for grants.

Associate Planner/Environmental Coordinator Anderson advised the City has an opportunity to apply for up to \$50,000 without a required match to support enhancement of its recycling program. The emphasis of Anoka County is to develop three to four regional recycling centers to serve residents throughout Anoka County, not a specific community. In addition, Anoka County alluded to additional funding for staffing of a year-round collection center.

Mayor Ramsey suggested the EPB become involved with the wetland complex in Draw Park to let residents know it exists, possibly with educational opportunities.

Associate Planner/Environmental Coordinator Anderson indicated it is not the EPB's responsibility to facilitate that wetland.

Parks and Public Works Superintendent Riverblood stated he will contact the PACT Charter School to remind them of this resource and other projects the City has undertaken.

Councilmember Backous noted Anoka Ramsey students had done a good job with kiosks and that may be another opportunity.

Parks and Public Works Superintendent Riverblood agreed there may be opportunity for college students to serve as mentors for PACT students since they may be going into the educational realm.

Mayor Ramsey thanked the EPB for its work including with the Environmental Expo.

Councilmember Backous stated the long-term EPB members have done a great job “getting the ball rolling” and now three competent new members were added so it will pick up momentum and accomplish some great things. He stated his appreciation to the EPB for its work on behalf of Ramsey.

Associate Planner/Environmental Coordinator Anderson asked the Council if it wanted to incorporate anything into the EPB Work Plan.

The Council indicated the opportunity to coordinate with the LRRWMO could be included and if new issues come up mid-year, the EPB should bring those issues before the Council.

John Enstrom, EPB Commissioner, stated he has been attending the LRRWMO meetings for a long time and reports on those activities before the EPB.

The consensus of the Council was to support approval of the Environmental Policy Board’s Annual Work Plan as amended to add coordination with the LRRWMO.

## **2.01: Review Lease Terms for Independent Auto at 6745 Highway 10 NW**

Senior Planner Gladhill reviewed the staff report.

City Attorney Goodrich read the lease terms prohibiting assigning or subleasing without City approval. He advised the remedy would be to cancel the Independent Auto lease if determined to be subleasing.

Councilmember Wise noted First Choice Towing has a sign so Independent Auto must be subleasing. In addition, the Sign Ordinance prohibits having a sign that is not on your property.

Senior Planner Gladhill stated that is correct and only temporary signage could be allowed. He explained staff struggles with the issue if there are contracted services and noted the Council may want to address it in the Sign Ordinance.

Councilmember Strommen asked what is the objection.

Senior Planner Gladhill stated the objection received is that it appears First Choice Towing is subleasing from Independent Auto without the City's consent based on the signage and parking of First Choice Towing vehicles on the subject property.

Councilmember Strommen noted Independent Auto is an auto service business so it is logical there should be a towing relationship. She stated this does not offend her but she understands the need to address the lease if it is being violated. Councilmember Strommen pointed out that towing is integral to this type of business and she supports fixing the technical issue.

Councilmember McGlone reviewed that this towing business was operating and subsequently received a home occupation permit at a residence. He indicated First Choice Towing is the same business owner and asked if it has grown to have more trucks and employees than authorized in the home occupation permit. Councilmember McGlone stated the sign issue needs to be addressed as well as garage liability so the City is not liable. He cautioned that a towing company would bring in leaky and flammable vehicles from accidents.

Mayor Ramsey stated his concern relates to City liability and exposure and agreed with the need to also address fire standards.

Councilmember McGlone stated he had no problem with this type of a business being in this location or the signage or truck parking but this business is the same one found to be in violation when it made application for a home occupation permit and now it is getting caught again.

Councilmember Elvig stated he thinks the concern should be with the owner of Independent Auto who has a lease with the City. He noted the owner has stated he is not leasing space and as far as leaky vehicles and towed vehicles, that should have been addressed when the lease was negotiated for this auto repair shop. Councilmember Elvig asked how a citizen knew about the City's leasing agreement and signage restrictions.

Senior Planner Gladhill explained staff is working with the City Attorney to investigate allegations with the home occupation permit to determine if violations are occurring. That is an ongoing investigation and a separate issue.

Councilmember Backous stated it boils down to this being a City-owned property so from a liability standpoint, the City needs to know the tenant or subtenant is using the property for business.

Councilmember Tossey stated he also questions who the City is going after. He asked what is the City's liability if First Choice Towing is operating without a sublease in hand.

City Attorney Goodrich advised there would be no City liability for that because the landlord (Independent Auto) is responsible for the entire property and a \$2 million liability policy is required in addition to insurance on the building. With regard to the sign, the ordinance says if a sign is placed without approval, the City may remove the same without liability and charge the expense to the tenant.

Councilmember Backous noted if the City is sued it will have to defend itself. He stated the City needs to know who the tenants are, especially since it is now on notice.

City Attorney Goodrich noted Independent Auto is saying it is not subleasing.

Councilmember Elvig stated it seems there is “heartburn” with the business alleged to be subletting. He stated he wants to be sure the City goes after the right party.

Mayor Ramsey stated his issue is with liability.

Councilmember Strommen asked, if there are two tenants, how does liability change since the lease agreement says the City is not liable.

City Attorney Goodrich explained the City has a lease with the tenant who is responsible for the whole property unless he subleases and the City approves the sublease. The tenant is allowed to have a legal commercial business, if insured.

Councilmember Strommen asked how liability changes if there is a sublease and the City approves it.

City Attorney Goodrich advised the City looks to additional insurance from a subtenant and that would also relieve the tenant of some liability since a portion would be taken over by the subtenant.

Councilmember Strommen noted the City’s position is unchanged if it approves the sublease and gets additional insurance. She asked if there is any prohibition to prevent an outside towing company from bringing in a vehicle that Independent Auto is working on.

City Attorney Goodrich stated that question relates to zoning and he is not sure it would prohibit towing.

Councilmember Tossey suggested either Independent Auto come forward with the sublease or the City remove the sign advertising First Choice Towing.

Councilmember Backous clarified the sign is not the issue because towing can still occupy the building.

Councilmember McGlone stated the City may have a \$2 million insurance requirement but that will go quickly and then the City will be “on the hook.”

Councilmember Strommen suggested the City just fix the paperwork (lease) and move on.

The consensus of the Council was to direct staff to determine if subleasing is occurring at Independent Auto, 6745 Highway 10 NW, and report back to the City Council.

**2.02: Consider Environmental Policy Board's (EPB's) Draft Annual Work Plan**

This item was considered prior to Case 2.01.

**2.03: Discussion Regarding Contracted Building Official Services**

Due to the late hour, this item was not considered.

**3. FUTURE TOPICS FOR DISCUSSION**

**3.01: Review Future Work Session Topics / Calendar**

Noted.

**4. MAYOR / COUNCIL / STAFF INPUT**

None

**5. ADJOURNMENT**

Mayor Ramsey declared the Work Session of the City Council was adjourned at 7:01 p.m.

Respectfully submitted,

---

Kurtis G. Ulrich  
City Administrator

ATTEST:

---

Jo Ann M. Thieling  
City Clerk

Drafted by Carla Wirth  
*TimeSaver Off Site Secretarial, Inc.*