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

The Ramsey City Council conducted a regular meeting on Tuesday, May 22, 2012, at the Ramsey Municipal Center, 7550 Sunwood Drive NW, Ramsey, Minnesota.

Members Present: Mayor Bob Ramsey  
Councilmember Randy Backous  
Councilmember David Elvig  
Councilmember Sarah Strommen  
Councilmember Jason Tossey  
Councilmember Jeffrey Wise (left the meeting at 8:17 p.m.)

Members Absent: Councilmember Colin McGlone

Also Present: Finance Director Diana Lund  
City Engineer Tim Himmer  
City Clerk Jo Thieling  
Fire Chief Dean Kapler  
Human Resources Representative Colleen Lasher  
Parks Supervisor Mark Riverblood  
Senior Planner Timothy Gladhill  
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**

None.

**3. CITIZEN INPUT**

None.

**4. CONSENT AGENDA**

Motion by Councilmember Strommen, seconded by Councilmember Backous, to approve the following items on the Consent Agenda as revised to remove Items 4.02, 4.09, and 4.12:

4.01: Note the following Commission and Board Meeting Minutes:

- 1) Environmental Policy Board Meeting Minutes Dated April 2, 2012
- 2) Planning Commission Meeting Minutes Dated April 5, 2012
- 3) Economic Development Authority Meeting Minutes Dated April 12, 2012
- 4.02: ~~Accept Plans and Specifications and Authorize the Bidding of the Sunwood Drive Realignment Project: City Improvement Project 12-20~~ This item was removed from the Consent Agenda and considered as Item 7.07
- 4.03: Approve the following City Council Meeting Minutes:
  - 1) City Council – Regular – March 13, 2012
  - 2) City Council – Regular – March 27, 2012
  - 3) City Council – Regular – April 10, 2012
  - 4) City Council – Regular – April 24, 2012
  - 5) City Council – Regular – May 8, 2012
- 4.04: Approve Licenses:
 

Special Events  
City of Ramsey/Ramsey Foundation  
7550 Sunwood Drive NW, Ramsey, MN 55303
- 4.05: Approve Exemption for a Gambling License for Capable Partners
- 4.06: Approve Exemption for a Gambling License for Anoka Area Chamber of Commerce
- 4.07: Approve Contract for New Map of the City of Ramsey with Village Profile
- 4.08: Approve Plans and Specifications for the 2012 Street Maintenance Program, and Authorize for Bid
- 4.09: ~~Adopt Resolution Approving Cash Disbursements Made and Authorizing Payment of Accounts Payable Invoicing Received During the Period of May 3, 2012, through May 16, 2012~~ This item was removed from the Consent Agenda and considered as Item 7.06
- 4.10: Adopt Resolution #12-05-067 Adopting Findings of Fact #0900 relating to a Request from Gaughan Companies for a Waiver from City Code Paving Standards to Utilize a Class V Parking Surface on the Property Located at 6390 McKinley Street NW
- 4.11: Adopt Resolution #12-05-068 Authorizing Partial Payment to Knutson Construction for IP10-22 Municipal Ramp, Phase II
- 4.12: ~~Report from the Personnel Committee Meeting dated May 8, 2012~~ This item was removed from the Consent Agenda and considered as Item 7.07

Motion carried. Voting Yes: Mayor Ramsey, Councilmembers Strommen, Backous, Elvig, Tossey, and Wise. Voting No: None. Absent: Councilmember McGlone.

## 5. APPROVE AGENDA

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

Motion carried. Voting Yes: Mayor Ramsey, Councilmembers Backous, Wise, Elvig, Strommen, and Tossey. Voting No: None. Absent: Councilmember McGlone.

## **6. PUBLIC HEARING**

### **6.01: Public Hearing: Application for On-Sale, Sunday, and 2:00 a.m. Intoxicating Liquor License; Case of Whiskey Jacks of Ramsey, LLC d/b/a Whiskey Jacks, 6415 Highway #10 NW, Ramsey**

Mayor Ramsey closed the regular portion of the City Council meeting at 7:02 p.m. in order to conduct a public hearing.

#### **Public Hearing**

Mayor Ramsey called the public hearing to order at 7:02 p.m.

#### **Presentation**

City Clerk Thieling reviewed the staff report.

#### **Citizen Input**

Tom DeQuattro, Whiskey Jacks of Ramsey, introduced himself and stated he looks forward to being in Ramsey.

Motion by Councilmember Tossey, seconded by Councilmember Backous, to close the public hearing.

Motion carried. Voting Yes: Mayor Ramsey, Councilmembers Tossey, Backous, Elvig, Strommen, and Wise. Voting No: None. Absent: Councilmember McGlone.

The public hearing was closed at 7:05 p.m.

#### **Council Business**

Mayor Ramsey called the regular City Council meeting back to order at 7:05 p.m.

Motion by Councilmember Wise, seconded by Councilmember Elvig, to approve an on-sale Sunday and 2:00 a.m. intoxicating liquor license application for Whiskey Jacks of Ramsey, LLC, d/b/a/ Whiskey Jacks.

Motion carried. Voting Yes: Mayor Ramsey, Councilmembers Wise, Elvig, Backous, Strommen, and Tossey. Voting No: None. Absent: Councilmember McGlone.

## **7. COUNCIL BUSINESS**

### **7.01: Consider Request for a Conditional Use Permit to Process Demolition Concrete in the E-2 Employment District at 6651 141<sup>st</sup> Avenue NW and to Stockpile Sand/Soil on a Vacant Property at 14191 Ebony Street NW; Case of Sauter and Sons, Inc.**

Senior Planner Gladhill reviewed the staff report.

Tom Sauter, representing Sauter and Sons, Inc., stated it will take one day to set up and the crushing operation would last three days. He assured the Council that the crushing operation was not that loud unless a piece gets caught, but that seldom happens. Mr. Sauter stated the issue of dust control can be added to keep down dust during the crushing operation.

Senior Planner Gladhill explained a Conditional Use Permit (CUP) runs with the property into perpetuity if conditions are abided, with no sunset clause or end date. An Interim Use Permit (IUP) is interim use with an end date that can be extended or tied to an event.

The Council debated whether this consideration should involve an IUP, which offers future Councils additional flexibility, rather than a CUP that runs with the property. It was noted it may be considered a benefit for the City to have this type of heavy use in the industrial park. A distinction was made that this request involved bringing material to the site, not mining material from the site.

Senior Planner Gladhill clarified that City Code directs this type of request to be a CUP. He explained the discussion of the Planning Commission related to whether an ordinance amendment should be considered to direct future requests for this type of use to be an IUP.

Motion by Councilmember Elvig, seconded by Councilmember Tossey, to adopt Resolution #12-05-069 adopting Findings of Fact #0901 in the affirmative relating to the request for a Conditional Use Permit for processing demolition concrete and asphalt in the E-2 Employment District on property at 6651 141<sup>st</sup> Avenue NW and adopt Resolution #12-05-070 approving the request for a Conditional Use Permit for processing demolition concrete and asphalt on the property at 6651 141<sup>st</sup> Avenue NW contingent upon review and approval of a drainage and erosion control plan and declaring the terms of the permit, based on findings of fact.

Further discussion: The Council indicated its frustration with after-the-fact applications.

Motion carried. Voting Yes: Mayor Ramsey, Councilmembers Elvig, Tossey, Backous, Strommen, and Wise. Voting No: None. Absent: Councilmember McGlone.

Motion by Councilmember Elvig, seconded by Councilmember Tossey, to adopt Resolution #12-05-072 adopting Findings of Fact #0902 in the affirmative relating to the request for a Conditional Use Permit for open and outside storage as the principal use in the E-2 Employment District on property at 14191 Ebony Street NW and adopt Resolution #12-05-070 approving the request for a Conditional Use Permit for open and outside storage as a principal use on the

property at 14191 Ebony Street NW contingent upon review and approval of a drainage and erosion control plan and declaring the terms of the permit, based on findings of fact.

Motion carried. Voting Yes: Mayor Ramsey, Councilmembers Elvig, Tossey, Backous, Strommen, and Wise. Voting No: None. Absent: Councilmember McGlone.

**7.02: Introduce Ordinance to Amend City Code Chapter 10 (Animals) Related to Keeping of Non-Domestic Animals on Parcels Less Than Three (3) Acres in Size**

Senior Planner Gladhill reviewed the staff report.

The Council agreed with the suggestion of Mayor Ramsey to increase the number of chickens to six on a parcel up to one-quarter acre in size.

Motion by Mayor Ramsey, seconded by Councilmember Backous, to introduce an ordinance to amend City Code Chapter 10 (Animals) to reduce the minimum lot size threshold for certain non-domestic animals and provide proper standards for allowing for bee keeping in certain circumstances, as amended.

Further discussion: Senior Planner Gladhill indicated the typographical error noted by Councilmember Strommen will be corrected prior to second reading.

Motion carried. Voting Yes: Mayor Ramsey, Councilmembers Backous, Elvig, Strommen, Tossey, and Wise. Voting No: None. Absent: Councilmember McGlone.

**7.03: Consider Award of Contracts for the 2012 Storm Sewer Improvement Projects; City Improvement Project #12-24**

City Engineer Himmer reviewed the staff report and presented bids.

Motion by Councilmember Backous, seconded by Mayor Ramsey, to adopt Resolution #12-05-073 awarding a contract for Division A of the 2012 storm sewer improvements; City Improvement Project #12-24 to Driden Excavating in the amount of \$157,262 plus overhead costs; and adopt Resolution #12-05-074 awarding a contract for Division B of the 2012 storm sewer improvements; City Improvement Project #12-24 to Julian Johnson, in the amount of \$77,383 plus overhead costs.

Motion carried. Voting Yes: Mayor Ramsey, Councilmembers Backous, Elvig, Strommen, Tossey, and Wise. Voting No: None. Absent: Councilmember McGlone.

**7.04: Adopt Resolution #12-05-XXX for Continuing Efforts Towards a Shared Fire Service**

Fire Chief Kapler presented the staff report and indicated the proposed resolution had been presented to all five communities involved, adopted by three (Nowthen, Oak Grove, St. Francis),

was being considered by Ramsey tonight, and he had not yet heard back from one community (Bethel).

The Council discussed the recommendation of the Study Group that it found merit to continue exploring the issues raised in its report. It was noted the proposed resolution would indicate the City's support to continue discussions but would not result in a commitment. The Council acknowledged that some additional research into issues identified may depend on the number of communities that support continuing to explore.

Motion by Councilmember Strommen, seconded by Councilmember Tossey, to adopt Resolution #12-05-075, to Continue Efforts Towards a Shared Fire Service.

Further discussion: Councilmember Strommen thanked Fire Chief Kapler for his support to the Study Group during this discussion. The Council indicated concern remained about how to dissolve the shared fire service arrangement in the future, if needed.

Motion carried. Voting Yes: Mayor Ramsey, Councilmembers Strommen, Tossey, Backous, Elvig, and Wise. Voting No: None. Absent: Councilmember McGlone.

**7.05: Report from the Personnel Committee Meeting dated May 8, 2012:**

**7.05.1: Adopt Resolution #12-05-XXX Ending the Probation Period of a Patrol Officer**

**7.05.2 Adopt Resolution #12-05-XXX to Accept a Planning Commission Resignation and Appoint a New Planning Commissioner**

Motion by Councilmember Strommen, seconded by Councilmember Tossey, to ratify the recommendations of the Personnel Committee to adopt Resolution #12-05-076 to remove Mr. Kyle Hemmerich from probation and retain him as a full-time regular Patrol Officer; and, adopt Resolution #12-05-077 to accept Mr. Andrew Dunnaway's resignation and appoint Jessica Perez to the Planning Commission for a partial term ending on March 31, 2013.

Motion carried. Voting Yes: Mayor Ramsey, Councilmembers Strommen, Tossey, Backous, Elvig, and Wise. Voting No: None. Absent: Councilmember McGlone.

**7.05.3 Adopt Resolution #12-05-XXX to Accept the Resignation of the Public Works Director, Appoint the Fire Chief and the City Engineer to 3-month Interim Assignments, and to Authorize a Recruitment**

Human Resources Representative Lasher presented the staff report and answered questions of Council.

The Council discussed whether the Public Works Department and Engineering Department should be permanently separated, as recommended by City Administrator Ulrich, whether the redesignation of City Engineer Himmer was an on-going or interim assignment, and if it would be considered a Department Head position.

The Council discussed its concern with assigning additional duties to Fire Chief Kapler and City Administrator Ulrich. Due to questions related to the level of compensation for assuming additional responsibilities, impact of permanently splitting the Public Works Department and Engineering Department, and need for a revised organizational plan that addressed staffing changes, support was expressed to delay consideration to the May 29, 2012, Special Session when City Administrator Ulrich is in attendance.

Motion by Councilmember Strommen, seconded by Councilmember Tossey, to ratify the recommendation of the Personnel Committee and adopt Resolution #12-05-078 to do the following:

- 1) Accept Mr. Brian Olson's resignation as Public Works Director;
- 2) Appoint Fire Chief Kapler to an interim assignment for up to a 3-month period to oversee the Public Works Building Maintenance, Parks, Streets, and Utilities Divisions; and
- 3) Appoint City Engineer Himmer to oversee the Engineering Division on an interim basis.

Motion carried. Voting Yes: Mayor Ramsey, Councilmembers Strommen, Tossey, Backous, Elvig, and Wise. Voting No: None. Absent: Councilmember McGlone.

The consensus of the Council was to schedule the following for the May 29, 2012, Special Session meeting agenda:

- 1) Conduct an internal and/or external recruitment process to relieve Fire Chief Kapler from the interim duties of overseeing the operations side of the Public Works Building Maintenance, Parks, Streets, and Utilities Divisions; and,
- 2) To restructure the Public Works Department into two separate areas such as Engineering will be led by City Engineer Himmer and the operations side of Public Works, including Building Maintenance, Parks, Streets and the Utilities Divisions will be led by the individual promoted or hired during the recruitment process.

**7.06: Adopt Resolution #12-05-XXX Approving Cash Disbursements Made and Authorizing Payment of Accounts Payable Invoicing Received During the Period of May 3, 2012, through May 16, 2012**

Finance Officer Lund reviewed the staff report and how the payment to Landform was calculated.

Motion by Councilmember Backous, seconded by Mayor Ramsey, to adopt Resolution #12-05-079 Approving Cash Disbursements Made and Authorizing Payment of Accounts Payable Invoicing Received During the Period of May 3, 2012, through May 16, 2012.

Motion carried. Voting Yes: Mayor Ramsey, Councilmembers Backous, Elvig, Strommen, Tossey, and Wise. Voting No: None. Absent: Councilmember McGlone.

**7.07: Accept Plans and Specifications and Authorize the Bidding of the Sunwood Drive Realignment Project: City Improvement Project 12-20**

To avoid appearance of a conflict, Councilmember Wise left the Council Chambers at 8:17 p.m.

Councilmember Elvig stated he was not against this project, but had concerns with the timing since several land sale proceeds and grants had not been received, requiring reliance on internal revolving funds and \$500,000 of TIF dollars.

The Council acknowledged these concerns; however, the majority supported the use of TIF in this circumstance because it involved infrastructure improvements within the TIF district. It was mentioned that this project was a top priority to create catalyst for The COR and making this investment now would establish the City's position that the State needed to address the deficiencies with Highway 10.

Motion by Mayor Ramsey, seconded by Councilmember Tossey, to approve Plans and Specifications and Authorize the Bidding of the Sunwood Drive Realignment Project: City Improvement Project 12-20.

Further discussion: The Council debated the motion and asked questions of City Engineer Himmer who explained the JPA funding formula. The Council asked staff to assure it was tracking all project/cost investment so it could be counted towards the City's share in the overpass project. City Engineer Himmer indicated there is no guarantee that these costs will be counted toward the City's 50% match. The Council agreed with the need to objectively address funding scenarios to assure sources are adequate given the City is considering a number of projects. City Engineer Himmer clarified the action before the Council is to approve plans and advertise for bids, not award the project. Councilmember Elvig stated he would support the motion since the bids would provide additional project costs, hopefully lower than estimated. He supported including a letter of prejudice stipulation in the JPA. City Engineer Himmer acknowledged there will be additional project costs, including an HRA consideration of a \$250,000 project to provide access to the new Sunwood Drive realignment. The Council asked staff to provide an entire funding "picture."

Motion carried. Voting Yes: Mayor Ramsey, Councilmembers Tossey, Backous, Elvig, and Strommen. Voting No: None. Absent: Councilmembers McGlone and Wise.

## **8. MAYOR, COUNCIL AND STAFF INPUT**

Announcements were made related to election filings and the June 14, 2012, Flag Day event at Veteran's Lake. City Engineer Himmer provided project updates and answered questions of the Council.

## **9. ADJOURNMENT**

Motion by Councilmember Elvig, seconded by Councilmember Backous, to adjourn the meeting.

Motion carried.

The regular meeting of the City Council adjourned at 8:44 p.m.

Respectfully submitted,

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Diana Lund  
Finance Director

ATTEST:

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Jo Ann M. Thieling  
City Clerk

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