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

The Ramsey City Council conducted a regular meeting on Tuesday, June 12, 2012 at the Ramsey Municipal Center, 7550 Sunwood Drive NW, Ramsey, Minnesota.

Members Present: Mayor Bob Ramsey  
Councilmember Randy Backous  
Councilmember Colin McGlone  
Councilmember Sarah Strommen  
Councilmember Jason Tossey  
Councilmember Jeffrey Wise

Members Absent: Councilmember David Elvig

Also Present: City Administrator Kurtis Ulrich  
City Engineer Tim Himmer  
Finance Director Diana Lund  
Fire Chief Dean Kapler  
Police Chief James Way  
Parks Supervisor Mark Riverblood  
Human Resources Representative Colleen Lasher  
Street Supervisor Grant Reimer  
Associate Planner/Environmental Coordinator Chris Anderson  
City Attorney William Goodrich  
Development Manager Darren Lazan

**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: Presentation of the 2011 Audit Report by the City's Audit Firm of Malloy, Montague, Karnowski, Radosevich & Company**

Finance Director Lund introduced Aaron Nielson of Malloy, Montague, Karnowski, Radosevich and Company (MMKR) to present the 2011 Audit Report.

Mr. Nielson, MMKR, presented the 2011 Audit Report, noting an unqualified opinion has been issued.

City Administrator Ulrich commended Finance Director Lund and her staff, noting the audit and management of the budget throughout the year is a big work effort.

Finance Director Lund stated her thanks to Senior Accountant Denelle McAlpine, who did the majority of work compiling the CAFR. She indicated if the Certificate of Excellence is awarded, it will be for the 18<sup>th</sup> consecutive year.

### **3. CITIZEN INPUT**

John Enstrom, 8702 – 181<sup>st</sup> Avenue NW, announced the June 14, 2012, annual Flag retirement, described what will take place, and provided the City with a press release for this event.

### **4. CONSENT AGENDA**

Councilmember Wise stated he will abstain from voting on the Consent Agenda since Item 4.06 includes the renewal of a liquor license for a business he owns, Wiser Choice Liquor.

Motion by Mayor Ramsey, seconded by Councilmember Strommen, to approve the following items on the Consent Agenda:

- 4.01: Receive Cash and Investments for Period Ending April 30, 2012
- 4.02: Receive 2011 Comprehensive Annual Financial Report (CAFR)
- 4.03: Receive April 2012 Financial Reports – General Fund and Enterprise Funds
- 4.04: Approve License Applications:

Special Events

Cynthia Warneke for event at Central Park, 7925 – 161<sup>st</sup> Avenue NW, Ramsey, MN 55303  
Century Link, 6651 – 141<sup>st</sup> Avenue NW, Floor 2, Ramsey, MN 55303  
Minnesota State Society DAR, 27157 Dakota Avenue, Elko, MN 55020

Peddler

Christopher Bearup, 16315 – 230<sup>th</sup> Avenue NW, Elk River, MN 55330

- 4.05: Approve the following Council Meeting Minutes:
  - 1) City Council Work Session – March 13, 2012
  - 2) City Council Special Session – March 20, 2012
  - 3) City Council Work Session – March 27, 2012
  - 4) City Council Work Session – April 10, 2012
  - 5) City Council Work Session – April 24, 2012
  - 6) City Council Work Session – May 1, 2012
  - 7) City Council Work Session – May 8, 2012

- 4.06: Approve Off-Sale Intoxicating Liquor, Off-Sale 3.2% Liquor, On-Sale Intoxicating Liquor, Beer, Sunday Sales, and Optional 2:00 a.m. Closing

Off Sale Intoxicating

Rum River Wine & Spirits, Inc. d/b/a/ Run River Wine & Spirits  
J.N.T. Enterprise, Inc. d/b/a/ M & L Country Liquors  
Coborn's, Inc. d/b/a Coborn's Liquor  
Wiser Choice Liquor, Inc. d/b/a Wiser Choice Liquor  
On Sale & Sunday Intoxicating and 3.2 and/or Beer & Optional 2:00 a.m.

The Links at Northfork G.C. LLC d/b/a The Links at Northfork\*  
Fairways on the Rum, Inc. d/b/a McDuff's Eatery & Pub  
Templer Group, Inc. d/b/a JR's Outpost  
M&M Super Bowl, Inc. d/b/a Super Bowl  
Wells Catering, Inc. d/b/a Wells Catering  
SPM Properties, Inc. d/b/a Penalty Box Bar & Grill\*  
Acapulco of Ramsey, Inc. d/b/a Acapulco Mexican Restaurant  
Whiskey Jacks of Ramsey LLC d/b/a Whiskey Jack's\*  
\*Contingent upon proper paperwork being received.

3.2% Off Sale

Rademacher Companies, Inc. d/b/a Bill's Superette #8  
Northern Tier Retail LLC d/b/a SuperAmerica #4508  
Yamoutpour, Frank d/b/a Sunfish Express  
Coborn's, Inc. d/b/a Coborn's Superstore

- 4.07: Approve the Policy for the Disposition of Surplus City Owned Land
- 4.08: Adopt Resolution #12-06-080 Approving Cash Disbursements Made and Authorizing Payment of Accounts Payable Invoicing Received During the Period of May 17, 2012, through June 6, 2012
- 4.09: Adopt the City Land Acquisition Policy
- 4.10: Adopt Resolution #12-06-081 to Accept the Resignation of the Deputy City Clerk
- 4.11: Adopt Resolution #12-06-082 to Accept the Resignation of the City Engineer
- 4.12: Adopt Resolution #12-06-083 Authorizing a Fixed Rate Membership in the 4M Fund
- 4.13: Report from the Public Works Committee meeting dated May 15, 2012:
- 1) Consider Stormwater Improvements at 149<sup>th</sup> Lane – A Continuation of Discussion Related to 2011 Flooding Concerns – *This item is being presented as a separate case at tonight's meeting.*
  - 2) Consider Stormwater Improvements at Rum River Hills Golf Course – A Continuation of Discussion Related to 2011 Flooding Concern – *This item is being presented as a separate case at tonight's meeting.*
  - 3) Consider Stormwater Improvements at 148<sup>th</sup> Lane – A Continuation of Discussion Related to 2011 Flooding Concerns – *This item is being presented as a separate case at tonight's meeting.*
  - 4) Consider Installation of Stop Signs and an In-Street Pedestrian Crossing Sign Near 150<sup>th</sup> Lane NW and Ute Street – *Ratify the recommendation of the Public Works Committee to approve the installation of pedestrian signage on either side of the existing trail crossing along 150<sup>th</sup> Lane to push them out far enough in advance to caution of pedestrian crossing ahead, and review the sight lines in the area at the approaches.*
  - 5) Discuss Trail Easement at 15620 Krypton Street W. – *Ratify the recommendation of the Public Works Committee that upon closing on the property, the City enter into an agreement with new homeowners whereby they would dedicate a 7.5-foot wide pedestrian trail easement along their easterly lot line in exchange for the City removing the existing bituminous trail that falls outside of this easement area and reestablishing the turf.*
  - 6) Winter Maintenance Summary – *No action taken, for discussion purposes.*

- 7) The Use of AVL System in Public Works – *Ratify the recommendation of the Public Works Committee to direct staff to continue to gather information and pricing for consideration in the 2013 budget.*

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

## **5. APPROVE AGENDA**

Motion by Councilmember Tossey, seconded by Councilmember Wise, to approve the agenda as revised to add Item 7.08: Report from the Personnel Committee meeting dated June 10, 2012.

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

## **6. PUBLIC HEARING**

### **6.01: Public Hearing to Consider Introducing an Ordinance Amending Chapter 8 (Public Improvements and Special Assessments) of the City Charter as Recommended by the Charter Commission**

Mayor Ramsey closed the regular portion of the City Council meeting at 7:08 p.m. in order to conduct a public hearing.

#### **Public Hearing**

Mayor Ramsey called the public hearing to order at 7:08 p.m.

#### **Presentation**

City Attorney Goodrich reviewed the staff report and recommendation of the Charter Commission. He explained how the Charter Commission is appointed by the District Court Chief Judge, its role, and items under its jurisdiction.

Charter Commission Chair Joe Field, 8020 152<sup>nd</sup> Lane, reported on the consensus of the Charter Commission that a 50% margin for the petition process made sense to indicate the desire of the majority and not needlessly expend City resources.

#### **Citizen Input**

There was none.

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

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

The public hearing was closed at 7:21 p.m.

### **Council Business**

Mayor Ramsey called the regular City Council meeting back to order at 7:21 p.m.

The Council discussed its support for the ordinance amendment due to the considerable cost to start a construction project.

Councilmember Backous indicated he was not fan of assessments because that process was too complicated, inefficient, and expensive in some cases. However, he will support the ordinance amendment since he found it was a “step in the right direction.”

Motion by Councilmember Wise, seconded by Councilmember Backous, to introduce an Ordinance Amending Chapter 8 (Public Improvements and Special Assessments) of the City Charter.

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

## **7. COUNCIL BUSINESS**

### **7.01: Adopt Ordinance No. \_\_ Amending City Code Chapter 10 (Animals) Related to the Keeping of Non-Domestic Animals on Parcels Less Than Three (3) Acres in Size**

Associate Planner/Environmental Coordinator Anderson reviewed the staff report and recommended an amendment to Section F to add: “and no crowing hens.”

City Attorney Goodrich recommended inclusion of the nuisance ordinance.

Motion by Mayor Ramsey, seconded by Councilmember Wise, to adopt Ordinance No. 12-06 Amending City Code Chapter 10 (Animals) Related to the Keeping of Non-Domestic Animals on Parcels Less Than Three (3) Acres in Size, as amended to include the nuisance ordinance and language restricting “crowing hens.”

A roll call vote was performed by the Recording Secretary:

Councilmember Elvig	absent
Councilmember McGlone	aye
Councilmember Wise	aye
Councilmember Strommen	aye
Councilmember Backous	aye
Councilmember Tossey	aye
Mayor Ramsey	aye

Motion carried.

**7.02: Adopt Ordinance No. \_\_ Amending Chapter 54 of the Ramsey City Code, Known as the Traffic and Vehicle Chapter, Article IV, Sections 96-105 – Recreational Vehicles**

Police Chief Way reviewed the staff report and responded to questions of the Council. He indicated a valid driver's license is required as part of the application process. However, Ramsey would not be aware should a permit holder receive a DUI and lose his/her license if that violation occurred out of Ramsey's jurisdiction. Police Chief Way indicated State Statute takes away the right to drive an ATV or snowmobile due to DUI but that is not true with golf carts.

Councilmember Backous stated his intent to not support the ordinance because of the staff resources it would consume for vetting applications, issuing permits, training permittees, enforcing the ordinance, and because it allows someone that has lost his/her license due to DUI or negligent driving to drive this type of vehicle on the City's streets.

Councilmember Strommen stated her intent to not support the ordinance due to concerns she had previously expressed relating to the safety of Ramsey residents, both those driving ATVs/golf carts and those driving other vehicles. She indicated she would feel more comfortable if confined to rural areas or to facilitate trail access. In addition, given the current condition of many City streets, she did not support adding ATV and golf cart traffic.

A majority of the Council spoke in support of the ordinance amendment, thinking it would not result in a safety concern or overwhelming number of requests and would provide additional freedom to the City's residents in terms of transportation options.

Following discussion, Fire Chief Way indicated he will add language relating to an age requirement of 18 years, requiring a slow moving sign on golf carts, and break lights if on the road at night.

Motion by Mayor Ramsey, seconded by Councilmember Wise, to adopt Ordinance No. 12-07 Amending Chapter 54 of the Ramsey City Code, Known as the Traffic and Vehicle Chapter, Article IV, Sections 96-105 – Recreational Vehicles.

Further discussion: Police Chief Way indicated the \$10 permit fee will cover the \$5 to \$8 per permit cost and a Code citation would be a petty misdemeanor requiring a fine of up to \$300 but no jail time.

A roll call vote was performed by the Recording Secretary:

Councilmember McGlone	aye
Councilmember Elvig	absent
Councilmember Backous	nay
Councilmember Tossey	aye
Councilmember Wise	aye

Councilmember Strommen    nay  
Mayor Ramsey                    aye

Motion carried.

The Council requested an update at the next meeting relating to timing for issuance of permits.

**7.03: Consider Stormwater Improvements on 148<sup>th</sup> Lane NW and 149<sup>th</sup> Lane NW, and Approve Change Orders for City Improvement 12-24**

City Engineer Himmer reviewed the staff report.

Motion by Councilmember Backous, seconded by Councilmember Tossey, to approve change order for Improvement Project 12-24 – Division B, with Julian M. Johnson Construction in the amount of \$16,460; and, change order for Division A, 2012 Storm Sewer Improvement Project (IP #12-24), in the amount of \$119.

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

**7.04: Consider Scope of Services and Authorize the Preparation of Plans and Specifications for Stormwater Improvements at Rum River Hills Golf Course**

City Engineer Himmer reviewed the staff report.

Motion by Councilmember Wise, seconded by Mayor Ramsey, to authorize the proposed storm sewer improvements for the Rum River Hills Golf Club; including a contract with Hakanson Anderson for the preparation of plans and specifications, surveying staking, inspections, and construction administration in an amount not to exceed \$57,000; and, authorize soliciting quotes to complete the improvements.

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

Councilmember Backous left the Chambers at 8:10 p.m.

**7.05: Approve Irrigation and Topsoil Test Plots for North Commons**

Parks Supervisor Riverblood reviewed the staff report.

Motion by Councilmember McGlone, seconded by Councilmember Strommen, to approve a not-to-exceed amount of \$33,615 from the Park Trust Fund, and \$14,499 from the Municipal Water Utility for irrigation and topsoil test plot development and associated improvements at North Commons.

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

Councilmember Backous returned to the Chambers at 8:13 p.m.

**7.06: Adopt Resolution #12-06-XXX to Reclassify Two Public Works Employees**

Human Resources Representative Lasher reviewed the staff report.

Motion by Councilmember McGlone, seconded by Councilmember Wise, to adopt Resolution #12-06-084 to Reclassify Two Public Works Employees.

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

The consensus of the Council was to reorder the agenda to next consider Item 7.08.

**7.08: Report from the Personnel Committee meeting dated June 12, 2012:**

**7.08.1: Adopt Resolution #12-06-XXX to Authorize Reallocation of Staff Time and Resources Due to Organizational Changes**

Human Resources Representative Lasher reviewed the staff report.

Motion by Councilmember Tossey, seconded by Councilmember Strommen, to Ratify the recommendation of the Personnel Committee to adopt Resolution #12-06-085 Authorize Reallocation of Staff Time and Resources Due to Organizational Changes.

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

**7.08.2: Adopt Resolution #12-06-XXX to Authorize a Recruitment for a Replacement Part-time Police Technician**

Human Resources Representative Lasher reviewed the staff report.

Motion by Councilmember Tossey, seconded by Councilmember Strommen, to ratify the recommendation of the Personnel Committee to adopt Resolution #12-06-086 Authorize a Recruitment for a Replacement Part-Time Police Technician.

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

**7.07: Update on Required Land Acquisitions for the Sunwood Drive Realignment Project – Portions of this discussion may be closed to the public**

Councilmember Wise recused himself due to a potential conflict of interest and left the Council Chambers at 8:21 p.m.

City Attorney Goodrich reviewed the staff report and status of acquiring five parcels relating to the Sunwood Drive Realignment Project.

City Engineer Himmer reviewed acquisition costs, noting they are higher than anticipated at \$6.2 million. The funding package equals \$5.9 million for a funding gap of approximately \$289,000. He indicated that bids will be presented, once received, along with costs for street lighting and consulting engineer.

The Council discussed the funding options and asked questions of staff. It was noted the HRA will be discussing possible disbursement of land sale proceeds at tonight's meeting.

Finance Director Lund presented funding options based on acquisition costs of \$6,232,000 including legal costs and answered questions of the Council. She indicated the intention is to give the funds, not loan the funds, for this purpose.

City Administrator Ulrich indicated the Council needs to identify funding prior to ordering the project, the cost of which will not be known until bids are opened. He explained project costs and land sale proceeds will come together at the next meeting but staff wanted to discuss the land proceed policy with the HRA tonight to identify enough funding to allow this project to move forward on the anticipated schedule.

Councilmember Tossey expressed an unwillingness to consider use of the Equipment Revolving Fund in case of equipment failure.

Councilmember Strommen stated she has been on board with this project; however, is growing uncomfortable due to higher than anticipated costs, lower land proceeds, and loss of TOD grant funding. She stated she was reluctant to consider budgeting all funds and future land proceeds to this project when it has not yet been identified how those funds will be paid back.

The Council discussed the priority of the Sunwood Drive Realignment Project and consensus was reached this was an important project and would create synergy for The COR and interchange project. However, funding needed to be identified.

City Administrator Ulrich recommended purchasing the right-of-way if the Council thinks the project will eventually be completed, noting the Oasis property has already been purchased at \$1 million in anticipation of this and the interchange project. He indicated the City Attorney has negotiated offers and delaying purchase of right-of-way parcels may result in issues with the property owner. City Administrator Ulrich stated it would not be a bad investment to purchase rights-of-way even if the City has to wait to identify land proceeds to pay for the rest of the project, and a funding package can be created that does not include Equipment Revolving Funds.

The Council discussed the option raised by City Administrator Ulrich to make rights-of-way acquisitions at this time and phase the rest of the project. Agreement was reached that TIF was intended for this purpose, infrastructure.

City Engineer Himmer estimated there has been \$420,000 in engineering costs to date. He noted the Billmark purchase includes improvements that are part of this project, connection to sanitary sewer. However, there are options to offer all cash with no connection or to provide for the sewer connection under a smaller contract since the pipe is already there.

Development Manager Lazan reviewed project costs, areas of anticipated savings, and possible funding scenarios.

Motion by Mayor Ramsey, seconded by Councilmember Tossey, to direct the City Attorney to continue acquisition of the four listed properties and present purchase agreements at a future meeting, as necessary.

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

Motion by Mayor Ramsey, seconded by Backous, to approve entering to a Purchase Agreement with the Solveig B. Nordvik Trust for the purchase of the entire site at 8020 – 147<sup>th</sup> Avenue NW for a total of \$855,000.

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

Councilmember Wise returned to the meeting at 8:57 p.m.

#### **7.08: Report from the Personnel Committee meeting dated June 12, 2012:**

This item was considered prior to Item 7.07.

### **8. MAYOR / COUNCIL / STAFF INPUT**

Mayor Ramsey cautioned residents about several recent bear sightings. He announced the summer schedule for The Draw and event sponsors and reminded residents of the option to vote via absentee ballots.

City Administrator Ulrich advised of the cancellation of the July 3, 2012, Council meeting and announced upcoming meetings and events.

### **9. ADJOURNMENT**

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

Motion carried.

The regular meeting of the City Council adjourned at 9:04 p.m.

Respectfully submitted,

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Kurtis G. Ulrich  
City Administrator

ATTEST:

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Jo Ann M. Thieling  
City Clerk

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