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

The Ramsey City Council conducted a regular meeting on Tuesday, August 28, 2012, at the Ramsey Municipal Center, 7550 Sunwood Drive NW, Ramsey, Minnesota.

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

Members Absent: None

Also Present: City Administrator Kurtis Ulrich
Finance Director Diana Lund
Fire Chief Dean Kapler
Police Chief James Way
Public Works Superintendent Grant Riemer
Human Resources Manager Colleen Lasher
Development Services Manager Timothy Gladhill
Management Analyst Patrick Brama
City Attorney William Goodrich
Development Manager Darren Lazan
Interim Engineer Shane Nelson

1. CALL TO ORDER

Mayor Ramsey called the regular meeting of the Ramsey City Council to order at 7:02 p.m., followed by the Pledge of Allegiance led by Mayor Ramsey.

2. PRESENTATION

None.

3. CITIZEN INPUT

Eric Zaetsch, 6521 154th Avenue NW, read into the record a discovery request for a League of Minnesota Cities (LMC) opinion on potential conflict of interest by Councilmember McGlone.

Colin McGlone, 15890 St. Andrews Lane, addressing the City Council as a resident, responded to the comments of Mr. Zaetsch, and stated it is clear there is no conflict of interest no matter how often someone says there is.

Mr. Zaetsch opined that Mr. McGlone's comments border on defamation and requested a retraction.

Councilmember Tossey stated he received an e-mail from Mr. Zaetsch and discussed the alleged conflict with City Attorney Goodrich who confirmed the stance of the LMC that there is no conflict of interest. Councilmember Tossey stated he would like this allegation and those leveled at an EDA Commissioner resolved by hiring an independent counsel to provide an opinion.

Motion by Councilmember Tossey, seconded by Councilmember Elvig, to direct staff to hire independent counsel, with the costs split between the EDA and HRA budgets, to address the potential conflicts of interest that have been alleged.

Councilmember McGlone stated his intention to not contribute to this discussion or vote on the motion.

Further discussion: The Council discussed its support to resolve the on-going allegations and asked staff to review the City's conflict of interest policy and whether the City Council should fill out annual conflict disclosure forms to assure transparency. City Attorney Goodrich advised he had talked with the Anoka County Attorney's office and it declined to become involved but recommended the State Auditor be contacted. City Attorney Goodrich indicated that is an option; however, he was unsure of the timeliness of that action.

Amendment motion by Councilmember Tossey, seconded by Councilmember Elvig, to direct staff to refer the potential conflict of interest allegations to the State Auditor's Office.

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

4. CONSENT AGENDA

Motion by Councilmember Elvig, seconded by Councilmember Wise, to approve the following items on the Consent Agenda as revised to remove Item 4.06:

- 4.01: Receive July 2012 Financial Reports – General Fund and Enterprise Funds
- 4.02: Note the following Board and Commission Meeting Minutes:
 - 1) Planning Commission Meeting Minutes dated June 19, 2012
 - 2) Planning Commission Meeting Minutes dated July 12, 2012
 - 3) Environmental Policy Board Meeting Minutes dated July 2, 2012
- 4.03: Accept Resident Petition to Consider the Installation of a Stop Sign at 152nd Lane and Helium Street
- 4.04: Schedule Public Hearing to Consider Revoking a Conditional Use Permit for Motor Vehicle Sales at 8175 Riverdale Drive NW; Case of Quality RV

4.05: Approve License Applications:

Temporary Liquor

Ramsey Lions, P.O. Box 771, Anoka, MN 55303

Transient Merchant

Tyler Theisen, 1975 – 397th Avenue NW, Stanchfield, MN 55080

JWT Heavenly Springers, 5900 – 175th Avenue SE, St. Cloud, MN 56304

~~4.06: Consider Response to City of Anoka Comprehensive Plan Amendments.~~ This item was removed from the Consent Agenda and considered as Item 7.06.

4.07: Adopt Resolution #12-08-120A Approving the City enter into an Easement Encroachment Agreement to allow Construction of a Ground Sign within a Drainage and Utility Easement at 14485 Azurite Street NW and Declaring Terms of Same; City of Wildlife Research Center

4.08: Introduce Ordinance to Amend City Code Chapter 6 – Alcoholic Beverages, Article I, Sec 6-4 Consumption in Public Places

4.09: Adopt Resolution #12-08-120 Approving Cash Disbursements Made and Authorizing Payment of Accounts Payable Invoicing Received During the Period of August 9, 2012 through August 23, 2012

4.10: Adopt Resolution #12-08-121 Authorizing Final Payment to Douglas-Kerr Underground LLC for IP 11-21 Armstrong/Bunker Inter and Ext.

4.11: Adopt Resolution #12-08-122 Authorizing Final Payment to Dryden Excavating for IP 12-24; 2012 Storm Sewer Improvements Division A

4.12: Adopt Resolution #12-08-123 Authorizing Partial Payment to North Pine Aggregate for IP 12-20; Armstrong Boulevard & Sunwood Drive Realignment

4.13: Adopt Resolution #12-08-124 Authorizing Partial Payment to Allied Blacktop Company for IP 12-00; 2012 Street Maintenance Program

4.14: Adopt Resolution #12-08-125 Requesting Review of Minnesota Statutes Related to Permitted Residential Uses

4.15: Report from the Personnel Committee Meeting dated August 14, 2012:

- 1) Consider a Resolution to Hire a Police Technician – *Ratify the recommendation of the Personnel Committee to adopt Resolution #12-08-126 to hire Ms. Jennifer Johnson as the City's new part-time Police Technician at Step 1 of the wage scale (i.e., \$17.57 per hour) effective August 29, 2012.*
- 2) Consider a Resolution to Authorize a Patrol Officer Recruitment – *Ratify the recommendation of the Personnel Committee to adopt Resolution #12-08-127 to authorize staff to begin a Patrol Officer recruitment.*
- 3) Consider a Resolution to Re-authorize a Leave of Absence (Portions of meeting were closed to the public) – *Ratify the recommendation of the Personnel Committee to adopt Resolution #12-08-128 to re-authorize a City employee's leave of absence for four months (September, October, November and December). If additional leave is required beyond December, the Personnel Committee will readdress the issue.*

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

5. APPROVE AGENDA

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

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

6. PUBLIC HEARING

- None.

7. COUNCIL BUSINESS

7.01: Consider Award for Bid for City Project #12-23; SAP 199-107-009 Alpine Drive Reconstruction

Interim Engineer Nelson presented the three bids received and recommended awarding bid to North Valley. It was noted the funding source is TIF 4.

Motion by Mayor Ramsey, seconded by Councilmember Tossey, to award the bid to North Valley with a base bid of \$229,950.54 and the bituminous sidewalk add alternate bid of \$42,770.77 for City Project #12-23; SAP 199-107-009.

Further discussion: The Council asked staff to track its experience with contractors, noting there are considerations beyond the low bid. Staff was informed of constituent complaints relating to deterioration at Skate Park and potential for hazard.

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

7.02: Managing the Deer Population in the City of Ramsey

Police Chief Way reviewed the staff report and answered questions of the Council.

The Council acknowledged that while it received resident complaints about deer intrusion, the current system was working well. It was mentioned that some residents may not realize they can obtain a permit to hunt deer on their property or open their property for another hunter to do so.

Police Chief Way stated the City currently has a pool of screened hunters and described the application process. He advised that turkeys fall under the same regulations and the DNR supports the City allowing some hunting, as long as it occurs during the appropriate hunting season.

Following discussion, the consensus of the Council was to continue the current system, since it was working well, and directed staff to promote the program on the City's website and newsletter.

7.03: Adopt Ordinance to Vacate Drainage and utility Easement and Right-of-Way for Sunwood Drive within the COR TWO Subdivision located East of Armstrong Boulevard and South of Bunker Lake Boulevard; Case of the City of Ramsey Housing and Redevelopment Authority

Development Services Manager Gladhill reviewed the staff report.

Motion by Councilmember Tossey, seconded by Mayor Ramsey, to waive the City Charter requirement to read the ordinance aloud and adopt Ordinance #12-14 Vacating Certain Drainage and Utility Easements and Right-of-Way for Sunwood Drive within the COR TWO plat.

A roll call vote was performed by the Recording Secretary:

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

Motion carried.

7.04: Adopt Ordinance for the Sale of Outlot A, Ramsey Town Center 3rd Addition

City Attorney Goodrich reviewed the staff report.

Development Manager Lazan answered questions of the Council and advised this is the resolution for the right-of-way vacation.

Motion by Councilmember Wise, seconded by Mayor Ramsey, to waive the requirement of the City Charter to read the ordinance aloud and adopt Ordinance #12-13 Providing for the Sale of Outlot A, Ramsey Town Center 3rd Addition, Anoka County, Minnesota.

A roll call vote was performed by the Recording Secretary:

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

Motion carried.

7.05: Consider Entering into a Purchase Agreement for the Property Located at 14590 Armstrong Boulevard, Ramsey, Minnesota known as Wiser Choice Liquors – (Portion of this discussion was closed to the public)

Councilmember Wise recused himself due to a potential conflict of interest and left the Council Chambers at 7:40 p.m.

City Attorney Goodrich advised that under Minnesota Statutes the meeting can move into closed session to discuss acquisition negotiations. He indicated closed session discussion will relate to property acquisition of property located at 14590 Armstrong Boulevard currently occupied by Wiser Choice Liquors for right-of-way purposes and future development. The closed session will be tape recorded and that tape will be maintained for a period of eight years.

Motion by Mayor Ramsey, seconded by Councilmember Elvig, to move to closed session to discuss acquisition negotiations.

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

The City Council meeting moved into a closed session at 7:41 p.m.

The City Council reconvened in open session at 8:06 p.m.

Councilmember Wise returned to the Council Chambers and remained seated in the audience.

City Attorney Goodrich stated the Council held discussion in closed session of 14590 Armstrong Boulevard currently occupied by Wiser Choice Liquor. He stated the City had two appraisals conducted by independent appraisers and both concluded a property value of \$940,000. Since the City is making the purchase, it is obligated to purchase trade fixtures, appraisal at \$80,160 and obligated to offer business relocation, which an expert estimated at \$90,000. The relocation costs will be finally arrived on after decisions are made on the exact relocation size. This purchase comes to \$1,110,160. City Attorney Goodrich stated the Council, in closed session, authorized this purchase under those terms and confirmed it would not vary from the trade fixture appraisal and would follow industry standards for business relocation. It also discussed the existing pylon sign and determined that anyone, including the current property owner, can acquire it at auction.

Motion by Mayor Ramsey, seconded by Councilmember Tossey, to approve the purchase agreement as presented subject to the City Attorney making amendments as to legal form.

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

Councilmember Wise returned to the Council dais at 8:10 p.m.

7.06: Consider Response to City of Anoka Comprehensive Plan Amendments

Development Services Manager Gladhill presented the staff report and three amendments proposed to the City of Anoka Comprehensive Plan.

The Council confirmed its support to collaborate with the City of Anoka to assure development/redevelopment does not impact the ability to make improvements and upgrades to Highway 47 and the transportation system in general.

The consensus of the Council was to refer the proposed amendments to the City of Anoka Comprehensive Plan to the next Work Session for further discussion.

8. MAYOR, COUNCIL AND STAFF INPUT

The Council acknowledged receipt of Highway 10 traffic and crash statistics. Councilmember Tossey stated his intent to submit an editorial relating to that data, noting the City has purchased land to accommodate upgrades of Highway 10 and Armstrong Boulevard.

City Administrator Ulrich announced upcoming meetings, events, and ongoing projects. He advised of the opportunity, in conjunction with the rail project, to relocate the historic City Hall building, which had been estimated at \$27,000 seven to eight years ago. It was noted that if relocated, it would open a site for development.

The Council discussed options for relocation of this structure, noting its historic significance would no longer exist once moved.

Councilmember Wise stated he did not support any expenditure to relocate the old City Hall because it had no historic significance.

The majority consensus of the Council was to direct staff to further explore options to relocate the old City Hall subject to the foundation accommodating the pump/equipment so the entire building could be repurposed.

Interim Engineer Nelson provided an update on road projects.

9. ADJOURNMENT

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

Motion carried.

The regular meeting of the City Council adjourned at 8:37 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.