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

The Ramsey City Council conducted a regular meeting on Tuesday, March 12, 2013 at the Ramsey Municipal Center, 7550 Sunwood Drive NW, Ramsey, Minnesota.

Members Present: Mayor Sarah Strommen  
Councilmember David Elvig  
Councilmember Mark Kuzma  
Councilmember John LeTourneau  
Councilmember Chris Riley  
Councilmember Jason Tossey

Member Absent: Councilmember Randy Backous

Also Present: City Administrator Kurtis Ulrich  
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  
Interim Engineer Shane Nelson

**1. CALL TO ORDER**

Mayor Strommen called the regular meeting of the Ramsey City Council to order at 7:00 p.m., and led in the Pledge of Allegiance to the Flag.

**2. PRESENTATION**

**2.01: Swearing in of New Police Officer**

Police Chief Way introduced Cory Gardner and City Attorney Goodrich then administered the oath of office to Mr. Gardner. The Council and audience welcome Officer Gardner with a round of applause.

**3. CITIZEN INPUT**

None.

**4. CONSENT AGENDA**

Motion by Councilmember Elvig, seconded by Councilmember Kuzma, to approve the following items on the Consent Agenda as revise to remove Items 4.05, 4.08, and 4.09:

- 4.01: Receive Cash and Investments for Period Ending January 31, 2013
- 4.02: Receive Cash and Investments for Period Ending February 28, 2013
- 4.03: Receive 2013 Building Division Month End Report: February
- 4.04: Approve the following Meeting Minutes:
  - 1. City Council Special Session – February 26, 2013
  - 2. City Council Work Session – February 26, 2013
  - 3. City Council Regular Session – February 26, 2013
- ~~4.05: Approve Memorandum of Understanding Between the City of Ramsey and 21<sup>st</sup> Century Bank Related to Future Landscape Obligations in TOWN CENTER GARDENS 3<sup>RD</sup> ADDITION; Case of Seasons of Ramsey Limited Partnership an 21<sup>st</sup> Century Bank~~ This item was removed from the Consent Agenda and considered as Item 7.05.
- 4.06: Adopt Resolution #13-03-056 Approving Cash Disbursements Made and Authorizing Payment of Accounts Payable Invoicing Received During the Period of February 21, 2013 through March 6, 2013
- 4.07: Adopt Resolution #13-03-062 Granting Authorization to Hire a City Engineer and to Approve a Transition Period with the Engineering Consultant
- ~~4.08: Adopt Resolution #13-03-058 Appointing Board and Commission Members.~~ This item was removed from the Consent Agenda and considered as Item 7.06.
- ~~4.09: Adopt Resolution #13-03-055 Granting an Access Easement Over and Across Tract A, Registered Land Survey No. 249 to Benefit the Property located at 6781 Highway 10 NW.~~ This item was removed from the Consent Agenda and considered as Item 7.07.
- 4.10: Adopt Policy for Leasing City Owned Property
- 4.11: Report from the Finance Committee Meeting dated February 26, 2013:
  - 1) Amend 2012 Enterprise Budgets and Adopt 2013 Enterprise Budgets – *Ratify the recommendation of the Finance Committee and Adopt Resolution #13-03-048, Amending the 2012 Enterprise Budgets and Adopt Resolution #13-03-049 Adopting the 2013 Enterprise Budgets*
  - 2) Amend the 2012 General Fund Budget – *Ratify the recommendation of the Finance Committee and Adopt Resolution #13-03-045 Amending the 2012 General Fund Budget*
  - 3) Amend 2012 Economic Development Authority Budget and Adopt 2013 Economic Development Authority Budget – *Ratify the recommendation of the Finance Committee and Adopt Resolution #13-03-046 Amending the 2012 Economic Development Authority Budget and Adopt Resolution #13-03-047 Adopting the 2013 Economic Development Authority Budget*
- 4.12: Report from the Personnel Committee Meeting dated February 26, 2013:
  - 1) Consider a Resolution to Promote the Management Analyst and Hire an Intern – *Ratify the recommendation of the Personnel Committee and Adopt Resolution #13-03-057 Promoting Mr. Patrick Brama to the Position of Assistant to the City Administrator, at Step 1 of the Wage Scale / \$27.91 per hour, and Authorize Hiring a Part-Time Temporary Intern to work the equivalent 20-30 hours per week at \$11.00 per hour for six months.*

Motion carried. Voting Yes: Mayor Strommen, Councilmembers Elvig, Kuzma, LeTourneau, Riley, and Tossey. Voting No: None. Absent: Councilmember Backous.

## **5. APPROVE AGENDA**

Motion by Councilmember Riley, seconded by Councilmember LeTourneau, to approve the agenda as revised to consider Cases 7.05, 7.06, and 7.07.

Motion carried. Voting Yes: Mayor Strommen, Councilmembers Riley, LeTourneau, Elvig, Kuzma, and Tossey. Voting No: None. Absent: Councilmember Backous.

## **6. PUBLIC HEARING**

None.

## **7. COUNCIL BUSINESS**

### **7.01: Introduce an Ordinance to Amend City Code Chapter 34, Section 34-21 Weapons**

Police Chief Way reported on the 2012 hunting season, reviewed the staff report, and recommendation to remove Section 34-21, Weapons, (b) Bows and Arrows, (1) b., c., and (4) so it is clear that a permit is needed any time a bow is used within the City.

The Council supported the position of Councilmember Riley that the ordinance should be redrafted as it had undergone numerous amendments, the language was disjointed, portions were antiquated, and repetitive.

Police Chief Way agreed with Councilmember Tossey that reference in Section 2 relating to use of lead shot can be removed, as it is addressed in Statute and no longer needed.

The Council discussed the option of postponing introduction to allow time for the ordinance to be redrafted. The Council supported the suggestion of Councilmember Elvig to create a subcommittee to work with Police Chief Way to assure the language is correct and also addresses harvesting of deer.

Police Chief Way stated it would be helpful to include opinion from those who hunt. Councilmembers Elvig, Riley, and Tossey volunteered to meet with Police Chief Way to discuss wording of this ordinance. Once completed, it will be presented to the Council for introduction.

Motion by Councilmember Tossey, seconded by Councilmember Riley, to postpone indefinitely consideration of an Ordinance to Amend Chapter 34, Article II, Offenses Involving Public Safety, Section 34-21, Weapons.

Motion carried. Voting Yes: Mayor Strommen, Councilmembers Tossey, Riley, Elvig, Kuzma, and LeTourneau. Voting No: None. Absent: Councilmember Backous.

**7.02: Adopt Ordinance #13-06 Authorizing the City of Ramsey to Sell / Convey Surplus Land (Windsorwood Property)**

Management Analyst Brama reviewed the staff report.

Motion by Councilmember Tossey, seconded by Councilmember Riley, to Waive the Reading as required by the City Charter and Adopt Ordinance #13-06 Authorizing the City of Ramsey to Sell/Convey Surplus Land and authorize the City Attorney to draft the purchase agreement selling the property to David Francis Pomroy in accordance with the terms approved by the City Council including a sale price of \$42,000 and authorizing the Mayor and City Administrator to sign the purchase agreement on behalf of the City.

A roll call vote was performed by the Recording Secretary:

Councilmember Tossey	aye
Councilmember Riley	aye
Councilmember LeTourneau	aye
Councilmember Backous	absent
Councilmember Elvig	aye
Councilmember Kuzma	aye
Mayor Strommen	aye

Motion carried.

**7.03: Consider Request to Waive Fees for Easement Vacation on the Property located at 6100 Bunker Lake Boulevard NW; Case of Dennis Sharp**

Development Services Manager Gladhill reviewed the staff report.

The Council agreed staff's recommendation results in a fair resolution.

Motion by Councilmember LeTourneau, seconded by Councilmember Elvig, to waive the standard application fee and half of the required escrow fee for an Easement Vacation request, requiring that the Applicant pay for all hard costs incurred by the City including, but not limited to, public hearing fees, mailing fees, copying charges, and recording fees, but not require the Applicant to be charged for City Staff time to process the request.

Further discussion: Dennis Sharp, 6100 Bunker Lake Boulevard NW, stated he assumes the Council understands what happened and clarified he was requesting the City correct its mistake when the second easement was placed and created a 99-foot easement instead of a 66-foot easement. Development Services Manager Gladhill explained that during site plan review, the applicant advises of easements encumbering the property; however, that did not occur, resulting in liability on both the City and applicant since the easement had not been relayed to staff at that time. Mr. Sharp stated he would agree with staff's recommendation but still found it to be an error made by the City's Engineering Department when this additional 33-foot easement was taken by mistake.

Motion carried. Voting Yes: Mayor Strommen, Councilmembers LeTourneau, Elvig, Kuzma, Riley, and Tossey. Voting No: None. Absent: Councilmember Backous.

**7.04: Consider Offer to Purchase City Owned Property Located at 14280 Azurite Street NW (Portions may be closed to the public.)**

The Council agreed with the suggestion of City Administrator Ulrich to consider Case 7.04 as the last agenda item.

**7.05 Approve Memorandum of Understanding Between the City of Ramsey and 21<sup>st</sup> Century Bank Related to Future Landscape Obligations in TOWN CENTER GARDENS 3<sup>RD</sup> ADDITION; Case of Seasons of Ramsey Limited Partnership an 21<sup>st</sup> Century Bank**

Development Services Manager Gladhill reviewed the staff report and pointed out the corrected legal language.

Motion by Councilmember Elvig, seconded by Councilmember Kuzma, to approve Memorandum of Understanding Between the City of Ramsey and 21<sup>st</sup> Century Bank Related to Future Landscape Obligations in TOWN CENTER GARDENS 3<sup>RD</sup> ADDITION; Case of Seasons of Ramsey Limited Partnership an 21<sup>st</sup> Century Bank.

Motion carried. Voting Yes: Mayor Strommen, Councilmembers Elvig, Kuzma, LeTourneau, Riley, and Tossey. Voting No: None. Absent: Councilmember Backous.

**7.06: Adopt Resolution #13-03-058 Appointing Board and Commission Members**

Human Resources Manager Lasher reviewed the staff report and advised that the Mayor makes the appointments to the Housing & Redevelopment Authority that are then approved by the Council. She advised of appointments and terms of service that had been previously discussed by the Council during Work Session.

Mayor Strommen indicated the Council had referred the process for recruitment, application, and interview to the Personnel Committee for consideration and recommendation.

Motion by Councilmember Elvig, seconded by Councilmember LeTourneau, to adopt Resolution #13-03-058 Appointing Board and Commission Members.

Further discussion: Councilmember Tossey stated his intent to oppose the motion as he does not think the Council had correctly followed State Statute guidelines when making appointments, noting the Mayor has executive authority to make appointment to the EDA. He supported preserving this one executive decision of the Mayor, thinking the outcome may have been different based on discussion during the Work Session. Mayor Strommen emphasized that the resolution correctly reflects her appointments to the EDA, noting the State Statute does not prohibit the Mayor from taking advice from the City Council for this appointment, which she would support as the City Council approves the appointments.

Motion carried. Voting Yes: Mayor Strommen, Councilmembers Elvig, LeTourneau, Kuzma, and Riley. Voting No: Councilmember Tossey. Absent: Councilmember Backous.

**7.07: Adopt Resolution #13-03-055 Granting an Access Easement Over and Across Tract A, Registered Land Survey No. 249 to Benefit the Property located at 6781 Highway 10 NW**

Development Services Manager Gladhill reviewed the staff report and revised language.

Motion by Councilmember Elvig, seconded by Councilmember Riley, to adopt Resolution #13-03-055 Granting an Access Easement Over and Across Tract A, Registered Land Survey No. 249 to Benefit the Property located at 6781 Highway 10 NW.

Motion carried. Voting Yes: Mayor Strommen, Councilmembers Elvig, Riley, Kuzma, LeTourneau, and Tossey. Voting No: None. Absent: Councilmember Backous.

**7.04: Consider Offer to Purchase City Owned Property Located at 14280 Azurite Street NW (Portions were closed to the public.)**

City Attorney Goodrich advised that under Minnesota Statutes, Section 13D.05, Subd.3(c), the meeting can move into closed session to discuss confidential or non-public appraisal data and acquisition negotiations. He indicated closed session discussion will relate to the sale of 4.8 acres on the north side of Bunker Lake Boulevard adjacent to MultiSource Manufacturing and Diamond Graphics at 14280 Azurite Street NW. The closed session will be tape recorded and that tape will be maintained for a period of eight years.

Motion by Councilmember LeTourneau, seconded by Councilmember Kuzma, to move to Closed Session to discuss acquisition negotiations.

Motion carried. Voting Yes: Mayor Strommen, Councilmembers LeTourneau, Kuzma, Elvig, Riley, and Tossey. Voting No: None. Absent: Councilmember Backous.

The City Council meeting moved into a Closed Session at 7:43 p.m.

The City Council reconvened in Open Session at 8:13 p.m.

City Attorney Goodrich stated the Council held discussion and no final decision was reached except to direct staff to make a counter offer to the prospect for the sale of City-owned property located at 14280 Azurite Street NW.

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

City Administrator Ulrich announced upcoming meetings and events.

Councilmember Tossey reported on the well-received presentation before the Senate Transportation Committee relating need for improvements to Highway 10. He stated the ultimate need for these improvements are to address public safety. Councilmember Tossey presented a narrated video describing the configuration of Highway 10, need for improvements, and depicting a three-automobile accident at the intersection of Highway 10 and Sunfish Lake Boulevard. He noted first responders are responsible to secure the scene to make sure it is safe but they were not able to get to the scene as they were blocked by a rail train.

Mayor Strommen stated this video will again be part of the City's testimony before the Senate Committee tomorrow. She asked Councilmembers Tossey and LeTourneau to continue providing updates to keep the Council apprised.

## **9. ADJOURNMENT**

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

Motion carried.

The regular meeting of the City Council adjourned at 8:25 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.*