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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 14, 2013, at the Ramsey Municipal Center, 7550 Sunwood Drive NW, Ramsey, Minnesota.

Members Present: Mayor Sarah Strommen  
Councilmember Randy Backous  
Councilmember Mark Kuzma  
Councilmember John LeTourneau  
Councilmember Chris Riley

Members Absent: Councilmember Jason Tossey

Also Present: City Administrator Kurtis Ulrich  
Finance Director Diana Lund  
Police Chief James Way  
Police Captain Jeff Katers  
Public Works Superintendent Grant Riemer  
Human Resources Manager Colleen Lasher  
Development Services Manager Timothy Gladhill  
City Engineer Bruce Westby  
Assistant to the City Administrator Patrick Brama  
City Attorney William Goodrich

**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.

**2. PRESENTATION**

None.

**3. CITIZEN INPUT**

None.

**4. CONSENT AGENDA**

Motion by Councilmember LeTourneau, seconded by Councilmember Kuzma, to approve the following items on the Consent Agenda as revised to remove Items 4:07 and 4.09:

- 4.01: Receive Cash and Investments for Period Ending April 30, 2013
- 4.02: Receive 2013 Building Division Month End Report: April
- 4.03: Approve the following Meeting Minutes:
- 1) City Council Work Session – April 23, 2013
  - 2) City Council Regular Session – April 23, 2013
- 4.04: Approve License Applications:
- Special Events Permit
- Northgate Church, 7250 East Ramsey Parkway, Ramsey, MN 55303
- 4.05: Approve Exemption for a Gambling License for Ramsey Fire Relief Association
- 4.06: Approve Contractor for Nuisance Abatement Services
- 4.07: ~~Consider Approving Memorandum of Understanding and Easements for Riverdale Drive Extension to Traprock Street; Improvement Project 12-22~~ This item was removed from the Consent Agenda and considered as Item 7.05
- 4.08: Authorize Acceptance of Proposal from Premier Commercial Properties, Inc. for Property Management on Highway 10
- 4.09: ~~Award Contract for a Towing Vendor for the City of Ramsey~~ This item was removed from the Consent Agenda and considered as Item 7.06
- 4.10: Request for an Extension of Existing Interim Use Permit for Grading and Mining Activities on Outlots A & B, Elmcrest Sanctuary; Case of Oakwood Land Development, Inc.
- 4.11: Request for Site Plan Approval for an Expansion of an Outdoor Patio and Addition of a Covered Bar at 6415 Highway 10 NW; Case of Willy McCoys
- 4.12: Introduce Ordinance #13-10 to Amend City Code Article II (Zoning) Division 5 (Tree Preservation)
- 4.13: Adopt Resolution #13-05-082 Approving Cash Disbursements Made and Authorizing Payment of Accounts Payable Invoicing Received During the Period of April 18 through May 8, 2013
- 4.14: Report from the Personnel Committee Meeting dated April 23, 2013:
- 1) Resolution to Consider a Telecommuting Policy – *Ratify the recommendation of the Personnel Committee to adopt Resolution #13-05-083 directing staff to finalize a telecommuting policy and to grant staff the authority to consider, on a case-by-case basis, any eligible employee's request for a telecommuting arrangement.*
- 4.15: Report from the Public Works Committee Meeting dated April 16, 2013:
- 1) Memorandum of Understanding with Anoka County – *This item is being discussed tonight as a separate case.*
  - 2) Cost Estimate for Pedestrian Crosswalk at Alpine Drive and Zirconium Street – *Ratify the recommendation of the Public Works Committee and direct staff to determine elevations as discussed and whether it would be an option to create a more gradual pathway.*
  - 3) Review of 2012-2013 Winter Maintenance Activities – *Informational.*
- 4.16: Report from the Personnel Committee Meeting dated May 14, 2013:
- 1) Resolution to Extend the Recruitment for an Economic Development Manager and to Hire one Additional Administrative Intern – *Ratify the recommendation of the Personnel Committee and Adopt Resolution #13-05-085 to Extend the Recruitment*

*for an Economic Development Manager and to Hire one Additional Administrative Intern.*

- 2) Resolution to Hire a Building Inspection Intern – *Ratify the recommendation of the Personnel Committee and Adopt Resolution #13-05-086 to authorize staff to begin a recruitment to hire a building inspection intern.*

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

## **5. APPROVE AGENDA**

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

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

## **6. PUBLIC HEARING**

None.

## **7. COUNCIL BUSINESS**

### **7.01: Adopt Resolution #13-05-XXX to Accept Metropolitan Council Transit Oriented Development (TOD) Grants**

Development Services Manager Gladhill reviewed the staff report and recommendation to accept two grants (\$650,369 and \$100,000) and execute the required grant agreements with the Metropolitan Council.

Motion by Councilmember Kuzma, seconded by Councilmember LeTourneau, to Adopt Resolution #13-05-084 to Accept Metropolitan Council Transit Oriented Development (TOD) Grants.

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

### **7.02: Introduce Ordinance #13-11 Amending 2013 Rates and Fees Related to Residential Rental Licensing Fee Structure for New Construction and Septic Pumping Permits**

Development Services Manager Gladhill reviewed the staff report and recommendation to introduce Ordinance #13-11 to amend the 2013 Rates and Fees to adjust the Residential Rental License Fee for new construction to provide a 50% credit to account for existing inspections related to a Certificate of Occupancy and amend the Septic Pumping Permit to \$20. At the request of the Council, Development Services Manager Gladhill explained the State requires the local government (Ramsey) to check private septic systems.

Motion by Councilmember Riley, seconded by Councilmember LeTourneau, to Introduce Ordinance #13-11 Amending 2013 Rates and Fees Related to Residential Rental Licensing Fee Structure for New Construction and Septic Pumping Permits.

Further discussion: Councilmember Backous noted the Septic Pumping Permit has not increased for a number of years. Councilmember Kuzma asked what the City's actual cost is. Development Services Manager Gladhill stated it may approach \$30 and prior to adoption, staff will provide additional information on the City's true costs.

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

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

Police Chief Way reviewed the staff report and recommendation to remove several confusing items from existing Code Section 34-21 to make it easier to understand, noting it would not alter the effect of enforcement. It was noted that two Councilmembers had assisted in review and revision of the ordinance.

Councilmember Riley stated he assisted with the review and it was determined the best course was to redraft the entire ordinance.

Mayor Strommen extended the Council's appreciation to staff for the extra effort taken to redraft this ordinance so it is easily understood.

Motion by Councilmember LeTourneau, seconded by Councilmember Kuzma, to Introduce Ordinance #13-07 to Amend Chapter 34, Article II, Offenses Involving Public Safety, Section 34-21, Weapons Division of City Code.

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

### **7.04: Adopt Resolution #13-05-079 Accepting Plans and Specifications and Authorizing Advertisement for Bids for Riverdale Drive Reconstruction and Extension: City Improvement Project 12-22**

City Engineer Westby advised staff was just informed that numerous rounds of review remain to occur prior to plans being reviewed by the Central office. He stated at this time, staff understands the soonest bids can be advertised will be July with award in mid-August. City Engineer Westby stated staff recommends the Council to continue consideration indefinitely so staff can evaluate the best action to take, the project schedule, if the project would have to be completed in the spring, impact to resident and business access, and project costs. He advised that the State has informed staff that the \$702,000 grant can be extended and encumbered for Ramsey as long as the contract is awarded by June 30, 2014.

Motion by Councilmember Backous, seconded by Councilmember LeTourneau, to postpone indefinitely consideration of Resolution #13-05-079 Accepting Plans and Specifications and Authorizing Advertisement for Bids for Riverdale Drive Reconstruction and Extension: City Improvement Project 12-22.

Further discussion: City Engineer Westby noted this is the City's first cooperative agreement project and staff found some issues were not well communicated. He stated an initial meeting was held with impacted residents and staff will work to address comments received. City Engineer Westby stated that information will be presented to the Council when this item is brought back.

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

**7.05: Consider Approving Memorandum of Understanding and Easements for Riverdale Drive Extension to Traprock Street; Improvement Project 12-22**

City Engineer Westby reviewed the two additions to the Memorandum of Understanding (MOU) and stated it is the opinion of staff and the City Attorney that neither are an issue as it indicates they will not be assessed for the construction of the Riverdale Extension and will be held harmless from the City's acts. He stated staff recommends approval of the MOU as revised.

Motion by Councilmember Backous, seconded by Councilmember Kuzma, to approve the revised Memorandum of Understanding and Easements for Riverdale Drive Extension to Traprock Street; Improvement Project 12-22.

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

**7.06: Award Contract for a Towing Vendor for the City of Ramsey**

Police Chief Way stated the City had a two-year contract with Champlin Towing that will be expiring so staff placed notification for an RFP. The City received four bids and after review, recommends a two-year contract with Champlin Towing as it had the lowest bid price and met all provisions of the RFP.

City Administrator Ulrich advised that the issue of property tax delinquency was not a consideration in staff's review of the RFPs or recommendation.

Councilmember LeTourneau stated staff had perfectly handled the RFP process and his concern has nothing to do with the contract or work that was done in the past; however, several residents spoke with him about a potential conflict in how the City relates with Champlin Towing. He stated his concern is how the Council is perceived as a body relating to transparency and ethics by its residents. He noted in the Council's strategic planning, a Code of Conduct was created and relates to how contractors respond to the City as well. Councilmember LeTourneau stated the City is asking its contractors to act with responsibility in an ethical and respectful manner as

they are representing the City. He asked if this contractor is inside or outside that guideline of ethics and transparency.

Councilmember Kuzma stated he is uncomfortable awarding a contract to a business that is tax delinquent.

Councilmember Backous stated if they are doing their job and recommended by staff, he supports the recommendation.

Councilmember Riley stated the issue of tax delinquency has been addressed in a payment plan.

Mayor Strommen stated as she talked with staff, she was told this was not part of the RFP consideration or something that can be factored in at this time. She asked whether being current in taxes should be a requirement of the RFP process.

City Attorney Goodrich advised that in this case, there has been a confession of judgment and they are working with the County to make payment of taxes so the company is lawful. He noted liquor licensees are required to have taxes paid but with a towing contractor, the business can be located outside the City so there would be no control over that. He advised that if desired, the RFP process can indicate if the business is located within the City or that the taxes have to be current. However, that same requirement would have to be made of all contracts.

Mayor Strommen stated the strategic plan addresses whether contractors are adhering to the same Code of Conduct as Councilmembers so, going forward, she would support additional discussion in how that should be enacted with contractors.

City Attorney Goodrich advised it could be adopted by reference in the RFP and the candidate asked if they have issues that would be in conflict.

Councilmember Kuzma asked whether a company looking to do business that is having trouble paying taxes would still be in business in six or twelve months. He felt that going with the low bid may not always be the best route.

Mayor Strommen noted in this case, Champlin Towing has been the City's contractor and the level of service provided has met the City's needs.

Councilmember LeTourneau stated if Champlin Towing was not able to provide services in six months, the City has alternate plans to provide the service without pause.

Police Chief Way confirmed that was correct.

Motion by Councilmember Riley, seconded by Councilmember Backous, to award a Two-Year Contract to Champlin Towing.

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

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

At the invitation of Mayor Strommen, high school students were invited to approach the Council and introduce themselves.

City Administrator Ulrich announced upcoming meetings and events. He provided an update on funding for a Highway 10 overpass and indicated the Legislature continues to debate the bonding bill, which may be in jeopardy. City Administrator Ulrich stated he and Mayor Strommen will travel to Washington, D.C. to talk with the City's delegation about this funding.

Mayor Strommen noted the legislative session will close next week so additional information will be available by then.

## **9. ADJOURNMENT**

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

Motion carried.

The regular meeting of the City Council adjourned at 7:40 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.*