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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 13, 2013, at the Ramsey Municipal Center, 7550 Sunwood Drive NW, Ramsey, Minnesota.

Members Present: Mayor Pro tem Randy Backous
Councilmember Jill Johns
Councilmember Mark Kuzma
Councilmember John LeTourneau
Councilmember Chris Riley
Councilmember Jason Tossey

Members Absent: Mayor Sarah Strommen

Also Present: Acting City Administrator Diana Lund
Fire Chief Dean Kapler
Parks and Assistant Public Works Superintendent Mark Riverblood
Public Works Superintendent Grant Riemer
Human Resources Manager Colleen Lasher
City Clerk Jo Ann Thieling
Development Services Manager Timothy Gladhill
Assistant Planner/Environmental Coordinator Chris Anderson
Assistant to the City Administrator Patrick Brama
Administrative Intern Meghan Mathson
City Attorney Joe Langel

1. CALL TO ORDER

Mayor Pro tem Backous 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: Formal Swearing in of New Councilmember Jill Johns – Ward 1

City Attorney Langel administered the oath of office for newly elected Ward 1 Councilmember Jill Johns. The City Council and audience responded with a round of applause.

2.02: Issue Certification of Election to Councilmember Jill Johns

City Clerk Thieling presented a Certificate of Election to Councilmember Johns. Mayor Pro tem Backous extended the City Council's welcome to Councilmember Johns.

3. CITIZEN INPUT

None.

4. CONSENT AGENDA

Motion by Councilmember Riley, seconded by Councilmember Tossey, to approve the following items on the Consent Agenda:

- 4.01: Receive Cash and Investments for Period Ending July 31, 2013
- 4.02: Receive 2013 Building Division Month End Report: July
- 4.03: Receive 2nd Quarter Fire Report
- 4.04: Approve the following Meeting Minutes:
 - 1) City Council Work Session – July 9, 2013
 - 2) City Council Regular – July 9, 2013
 - 3) City Council Work Session – July 23, 2013
 - 4) City Council Regular – July 23, 2013
- 4.05: Approve License Applications

Special Events

- E-CIG Warehouse, Inc., 6111 Highway 10 NW, #500, Ramsey, MN 55303
- Church of St. Katharine Drexel, Parish Lot on 161st and Variolite, Ramsey, MN 55303
- City of Ramsey, 7550 Sunwood Drive, MW, Ramsey, MN 55303
- Anoka County Historical Society, 14821 Bowers Drive NW, Ramsey, MN 55303

Temporary Liquor

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

Transient Merchant

- Travis Weis, 8601 O’Dean Avenue, Otsego, MN 55330
- Ryan Goetz, 14007 – 312 Avenue NW, Princeton, MN 55371
- 4.06: Approve an Exemption for a Gambling License for Ducks Unlimited – Game Fair
- 4.07: Approve an Exemption for a Gambling License for Wounded Warriors Guide Service
- 4.08: Approve Request to Declare Surplus Property
- 4.09: Introduce Ordinance #13-15 to Establish Armstrong Boulevard Interchange Overlay District
- 4.10: Introduce Ordinance #13-16 Amending City Code Relating to Surfacing Requirements in the Official Map Overlay District and Other Highway 10 Improvement Impact Areas
- 4.11: Consider Site Plan for Building Expansion at 14350 Azurite Street NW; Case of Diamond Graphics, Inc.
- 4.12: Adopt Resolution #13-08-127 adopting Findings of Fact #0916 relating to a request for an Amended Conditional Use Permit for an Expansion of a Religious Institution at 6341 167th Avenue NW; Pathways Community Church and adopt Resolution #13-08-128 approving amendment to the Conditional Use Permit.
- 4.13: Adopt Resolution #13-08-129 Approving Cash Disbursements Made and Authorizing Payment of Accounts Payable Invoicing Received During the Period of July 18, 2013 through August 7, 2013

- 4.14: Adopt Resolution #13-08-130 Authorizing the Request of \$23,000 from the City's Allocation of Anoka County Housing and Redevelopment Authority (ACHRA) Funds for the Demolition of 6710 Highway 10 NW and 6203 Rivlyn Avenue NW
- 4.15: Adopt Resolution #13-08-135 Reaffirming Council Action of Approving Easement No. AW001b to Great River Energy on Lot 1, Block 1, Alpine Addition, City of Ramsey, Anoka County, Minnesota
- 4.16: Report from the Finance Committee Meeting dated July 16, 2013:
- 1) Nominate Chair and Vice-Chair for Committee – *Ratify the recommendation of the Finance Committee and appoint Councilmember Riley as Chair and Councilmember LeTourneau as Vice-Chair.*
 - 2) Review of 2012 Comprehensive Annual Financial Report – *Presented for discussion.*
 - 3) 2014 Preliminary Budget Updates – *No action necessary.*
- 4.17: Report from the Public Works Committee Meeting dated July 16, 2013:
- 1) Consideration of Permitting Fence Encroachments across Private Property Lines – *Ratify the recommendation of the Public Works Committee to change the City policy allowing fences to be extended across property lines.*
 - 2) Consider Partial Vacation of Drainage and Utility Easement at 15069 Helium Street NW – *Ratify the recommendation of the Public Works Committee to approve Option 1, and direct staff to meet with the property owners on site to review the wall as constructed to confirm that it was constructed adequately and is located at least five feet off the property line. If staff finds that the wall was constructed adequately and is located at least five feet off the property line, direct staff to take no further action, in which event the City will retain a ten-foot drainage and utility easement along the south property line. In addition, the property owner will be required to pay for a building permit and construct the retaining wall to Code standards.*
 - 3) Approve Plans and Specifications, and Joint Powers Agreement for the Mississippi River Trail – *Ratify the recommendation of the Public Works Committee to approve the plans and specifications and the JPA for the Mississippi River Trail.*
 - 4) Cost Estimate for Pedestrian Crosswalk at Alpine Drive and Zirconium Street – *Ratify the recommendation of the Public Works Committee to install standard crosswalk signage 200 feet west of Zirconium Street to include 200 feet of aggregate trail on the north side of Alpine Drive and 225 feet of aggregate trail on the south side of Alpine Drive at a cost of \$9,300.*
 - 5) Recommend Shelter and Restroom for Riverdale Park – 2013 Capital Improvement – *Ratify the recommendation of the Public Works Committee to approve not-to-exceed amount of \$84,000 from the Park Trust Fund for Riverdale Park's shelter, restroom, and drinking fountain as presented within the 2013 Capital Improvement Plan.*
 - 6) Discuss Request to Mow Portions of an Undeveloped Park – *Ratify the consensus of the Public Works Committee and direct staff to mow the front portions of Shawn Acres Park on an as-needed basis.*

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

5. APPROVE AGENDA

Motion by Councilmember Tossey, seconded by Councilmember Kuzma, to approve the agenda as revised to remove Item 7.04, Adopt Resolution #13-08-136 Approving the Joint Powers Agreement and Accepting Bids for the Mississippi River Trail.

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

6. PUBLIC HEARING

- None.

7. COUNCIL BUSINESS

7.01: Adopt Resolution #13-08-133 to Continue Efforts towards a Shared Fire Service

Fire Chief Kapler provided an update on the efforts of Bethel, Nowthen, Oak Grove, Ramsey, and St. Francis to research the feasibility of joining or sharing fire services. He advised of the grant received to fund a consultant to prepare a feasibility study. Fire Chief Kapler stated staff recommends adoption of the draft resolution to continue efforts towards a shared fire service with the cities of Bethel, Nowthen, and St. Francis. He indicated there are no real costs if the resolution is adopted; however, in the future there will be costs for the incorporation (if approved). He stated Mayor Strommen, Councilmember Tossey, City Administrator Ulrich, and one Ramsey firefighter have been active with this group. Fire Chief Kapler reported that Nowthen is considering this tonight, St. Francis will consider it on August 19, and Bethel will consider it on their next agenda. Oak Grove has determined they will not pursue a formal collaboration but remains interested in shared services.

Motion by Councilmember Tossey, seconded by Councilmember LeTourneau, to Adopt Resolution #13-08-133 to Continue Efforts towards a Shared Fire Service.

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

7.02: Authorize Issuance of Approximately \$11.5 Million of Lease Revenue Bonds for PACT Charter School (Conduit Refinancing) and the Execution of Various Documents in Connection with PACT Charter School Project

Acting City Administrator Lund reviewed the request of the PACT Charter School for the City to authorize the issuance of a not-to-exceed \$11.8 million in lease revenue bonds. These bond proceeds would be used to advance refund the original lease revenue bonds. She advised of the terms, noting the PACT Charter School will be held responsible for all fees incurred for the issuance of this bond and pay the City \$25,000 to cover costs incurred relating to staff time, consultants, ratings call, and any other expenses caused by this proposal.

Motion by Councilmember LeTourneau, seconded by Councilmember Kuzma, to adopt Resolution #13-08-132 Authorizing the Issuance of Lease Revenue Bonds to Refinance a Public

School Project with PACT Charter School to pay the City of Ramsey \$25,000 per the Conduit Debt Policy and approximately \$9,000 of additional interest expense related to the City's issuance of Capital Equipment Certificates.

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

7.03: Adopt Resolution #13-08-131 Authorizing the Issuance and Awarding the Sale of \$635,000 General Obligation Equipment Certificates of Indebtedness, Series 2013A

Acting City Administrator Lund reviewed the capital that needs to be funded for 2013 of \$594,000 and indicated the funding source for the purchase of these capital items was proposed to be the issuance of capital equipment certificates. The amount of certificates to be issued to fund the capital items is proposed to be \$635,000, which covers the principal costs of the capital items and underwriting costs. The certificates would be for a ten-year time frame and levied to the property tax starting in year 2014. It was noted the annual levy from the debt issuance would be approximately \$75,000 based on today's interest rates. Acting City Administrator Lund stated staff had a bond rating call for the certificates with Standards and Poors on July 23, 2013, during which the City's AA+ bond rating was confirmed. She stated the equipment to be purchased is safety related and includes one fire tanker truck to replace a 1989 vehicle in the amount of \$330,000; three squad cars; a megamower; and, a plow truck.

Motion by Councilmember Kuzma, seconded by Councilmember Tossey, to Adopt Resolution #13-08-131 Authorizing the Issuance and Awarding the Sale of \$635,000 General Obligation Equipment Certificates of Indebtedness, Series 2013A.

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

~~**7.04: Adopt Resolution #13-08-136 Approving the Joint Powers Agreement and Accepting Bids for the Mississippi River Trail**~~

This case was removed from the agenda upon adoption and will be considered at the September 10, 2013, City Council meeting.

7.05: 2013 Happy Days Update

Administrative Intern Mathson provided an update on the coordination and planning efforts for the Happy Days Festival. She also listed the scheduled events and budget projecting a net balance of \$827.28. Administrative Intern Mathson displayed a slide depicting the Happy Days site and described the location of activities and vendors. She extended the City's thanks to the Happy Days Committee and sponsors.

The City Council extended its appreciation to Administrative Intern Mathson, City staff, and the Happy Days Committee for their efforts towards this great undertaking and invited all to participate.

Informational; no action required.

7.06: Decommission One Tennis Court and Refurbish Three Other Courts

Parks and Assistant Public Works Superintendent Riverblood reviewed the staff report and recommendation to decommission two tennis courts at Titterude Park at a not to exceed cost of \$8,000 and refurbish the tennis courts at Fox Park, Riverdale Park, and Central Park totaling \$44,000. It is recommended the projects be funded from the Park Maintenance Fund. Parks and Assistant Public Works Superintendent Riverblood answered questions of the City Council relating to briefing the public. He described the conditions seen in 2012 when the Titterude Park tennis courts were inspected and that a notice was posted requesting input about the proposal to remove the courts. Two residents contacted staff, were informed of the estimated costs, and advised of the location of better quality tennis courts.

With regard to the funding source, Acting City Administrator Lund explained the City's Excess Revenue Policy says that after establishing the 50% General Fund balance, any funds over expenditures are transferred to the Equipment Revolving Fund, Facility Fund, Park Maintenance Fund, and the Public Improvement Revolving Fund.

The City Council and Parks and Assistant Public Works Superintendent Riverblood discussed funding for park maintenance from the General Fund, the level tennis courts are used, and anticipated future projects. Parks and Assistant Public Works Superintendent Riverblood stated the Park & Recreation Commission had considered a specific case and made recommendation on the tennis courts at Titterude Park and relocating the lighting system to Central Park. It is a staff recommendation to color code the courts.

Motion by Councilmember LeTourneau, seconded by Councilmember Riley, to decommission two tennis courts at Titterude Park; relocate the lighting system to Central Park; and refurbish the tennis courts at Fox Park, Riverdale Park, and Central Park to be funded from the Park Maintenance Fund at a not-to-exceed cost of \$52,000.

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

7.07: Adopt Resolution #13-08-134 Re-affirming Grant of Cross Access and Maintenance License Agreement to Ramsey JR Partners, LLC on Tract C, Registered Land Survey No. 151 (Adjacent to 6139 Highway 10 NW and 6141 Highway 10 NW)

Development Services Manager Gladhill reviewed the staff report and recommendation to reaffirm granting a cross access and maintenance license agreement to Ramsey JR Partners, LLC.

Councilmember Tossey asked if a previous City Council approved this cross access and maintenance license agreement.

Development Services Manager Gladhill stated it was included in the closing package and executed by the Mayor and City Administrator at the time; however, a Council resolution approving the action is required for Torrent's property and that did not occur.

Councilmember Tossey questioned legal standing as it may be that the specific easement was then approved by the Mayor and City Administrator, but not the entire Council.

Development Services Manager Gladhill stated this was brought forward to complete the process per the request of the property owner. It was noted the property owner has said it was approved by the City Council but not via a resolution.

Motion by Councilmember LeTourneau, seconded by Councilmember Kuzma, to adopt Resolution #13-08-134 Reaffirming Grant of Cross Access and Maintenance License Agreement to Ramsey JR Partners, LL on Tract C, Registered Land Survey No. 151 (adjacent to 6139 Highway 10 NW and 6141 Highway 10 NW).

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

8. MAYOR, COUNCIL AND STAFF INPUT

8:01 Reminder – The Farmer's Market – Thursdays from 3:00 to 7:00 p.m. and Entertainment in The Draw Park from 6:30 to 8:00 p.m.

8.02: Ramsey Business Appreciation Golf Event – Tuesday, August 20 – No City meetings that evening.

Acting City Administrator Lund announced upcoming meetings and events.

City Engineer Westby provided updates on road and bridge reconstruction projects and Public Works Superintendent Riemer provided an update on crosswalk projects.

The City Council commented on Game Fair and Night to Unite neighborhood events.

City staff was thanked for its rapid response to a resident request for a bicycle rack at the train station.

9. ADJOURNMENT

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

Motion carried.

The regular meeting of the City Council adjourned at 7:51 p.m.

Respectfully submitted,

Diana Lund
Acting City Administrator

ATTEST:

Jo Ann M. Thieling
City Clerk

Drafted by Carla Wirth
TimeSaver Off Site Secretarial, Inc.