

**PUBLIC WORKS COMMITTEE  
CITY OF RAMSEY  
ANOKA COUNTY  
STATE OF MINNESOTA**

The Public Works Committee conducted a regular meeting on Tuesday, May 21, 2013 at the Ramsey Municipal Center, 7550 Sunwood Drive NW, Ramsey, Minnesota.

Members Present:     Chairperson Randy Backous  
                            Councilmember Mark Kuzma  
                            Councilmember Chris Riley

Member Absent:       Mayor Sarah Strommen (Alternate)

Also Present:         Public Works Superintendent Grant Riemer  
                            City Engineer Bruce Westby  
                            Utilities Supervisor John Nelson  
                            Human Resources Manager Colleen Lasher

**1.     CALL TO ORDER**

Chairperson Backous called the regular meeting of the Public Works Committee to order at 6:00 p.m.

**2.     CITIZEN INPUT**

There was none.

**3.     APPROVE AGENDA**

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

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

**4.     APPROVE MINUTES**

**4.01:  Approve April 16, 2013, Meeting Minutes**

Motion by Councilmember Riley, seconded by Councilmember Kuzma, to approve the following minutes:

Regular Meeting Minutes dated April 16, 2013

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

## **5. COMMITTEE BUSINESS**

### **5.01: Mail Box Damage at 16100 Dysprosium Street**

Bill Rome, 16100 Dysprosium Street NW, stated he knows the City owns three feet of the easement but with the way he stakes off his mailbox and brick planter, the plow operator should see it. He stated they installed a brick planter box to improve the look of the neighborhood that was also damaged. He stated in this case, he had plowed out the mailbox area and the plow operator still hit his mailbox and planter.

Public Works Superintendent Riemer reviewed the staff report and described the inadvertent plow damage to the turf and mailbox at 16100 Dysprosium Street. It was noted the City's current policy for mailbox replacement has two options. The first option is for the City to replace the damaged mailbox with a 4'x4' treated post and standard mailbox. The second option is to issue a check to the property owner for \$75 so they can make the repairs. However, in this case the cost of the mailbox exceeds \$75. Public Works Superintendent Riemer explained the property owner selected this style of locked mailbox for aesthetic reasons and to address a security concern and prevent their mail from being tampered with. He noted it has been the City's policy that any private amenities placed in the right-of-way are the responsibility of the property owner to repair and maintain. This policy is consistent with surrounding communities, as well as Anoka County and Mn/DOT. Public Works Superintendent Riemer stated staff recommends following the City's existing policy and issue a \$75 reimbursement check to the property owner. He stated he will personally meet with the property owner this fall to help stake the boulevard with City-supplied fiberglass stakes and the route driver for that area will attend a refresher course on snowplow operation.

Councilmember Kuzma asked if the planter is in the City's right-of-way.

Public Works Superintendent Riemer answered in the affirmative.

Chairperson Backous noted this mailbox cost more than \$75.

Councilmember Kuzma asked if it is known what the cost would be to replace this type of mailbox.

Mr. Rome presented Chairperson Backous with a receipt for \$245.

Public Works Superintendent Riemer stated the \$75 reimbursement is to cover a 4'x4' post, mailbox, and installation.

Chairperson Backous noted the City has 6,000 mailboxes and plows 174 miles of roads and things like this will happen. He stated he knows this is a nice mailbox and this resident has a

beautiful yard and while he would like the City to cover reimbursement since the plow driver was responsible, in this case, the mailbox and planter are within the City's right-of-way.

Mr. Rome stated he used fiberglass stakes to assure they would remain in place.

Chairperson Backous stated he does not want to establish an adverse precedence by going outside the City's policy of reimbursing \$75, noting the City has 6,000 mailboxes. He stated there are issues impacting snow removal and that is why the City has a three-foot right-of-way.

Mr. Rome stated that is why he plows out a windrow around his mailbox and Public Works Superintendent Riemer has told plow operators told to stay three feet away from his mailbox.

Chairperson Backous stated it is clear Mr. Rome is very conscientious and has a high standard for his property and home and he would like to find a compromise without creating an adverse precedence.

Councilmember Kuzma asked if the mailbox could be repaired.

Mr. Rome stated it cannot and he has already replaced the mailbox and footing because it was cracked.

Chairperson Backous asked if, under these circumstances, an adverse precedence would be established if the City fixed this mailbox and redesigned it farther back.

Public Works Superintendent Riemer stated it is a flat mailbox so it is not possible to locate it farther back. He noted this is not the only expensive mailbox in Ramsey.

Councilmember Kuzma stated he would support replacing this mailbox one time only and if it happens again, it would be understood that the City would not cover the cost.

Chairperson Backous asked if there are other ways to protect this mailbox.

Public Works Superintendent Riemer stated Mr. Rome stakes it and plows around it before the City's snowplows arrive.

Mr. Rome stated in 20 years, this is the first time the mailbox has been hit.

Motion by Councilmember Kuzma, seconded by Chairperson Backous, to recommend that the City Council approve reimbursing Bill Rome in the amount of \$245 to replace the mailbox inadvertently damaged by the City's plow operator with the understanding this is a one-time exception and should the mailbox be damaged again, it would not be reimbursed. In addition, Public Works Superintendent Riemer will meet with the property owner this fall to help stake the boulevard with City-supplied fiberglass stakes and the route driver for that area will attend a refresher course on snowplow operation.

Further discussion: Councilmember Riley asked if this is a reasonable action, noting it is the first time it happened in 20 years and while it does not make the situation whole, he felt it was a reasonable compromise. Chairperson Backous stated this is an unusual circumstance so a one-time exception is being made and should it happen again, it has been made clear to Mr. Rome and staff that the City would not cover the cost.

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

#### **5.02: Upgrades to City Well #4**

Utilities Supervisor Nelson reviewed the staff report relating to the construction of Municipal Well #4, need for updates, and two quotes to make those updates to this well. He advised that Connexus Energy has a rebate for Variable Frequency Drive (VFD) installations and would pay \$30/horsepower (HP). Well #4 is rated at 150 HP so the rebate on this project, if approved, would be approximately \$4,500. If approved, the upgrade would be funded through the #9601 Water Enterprise Fund. Utilities Supervisor Nelson stated staff recommends awarding the quote from Total Control Systems, Inc. to make all the needed upgrades to this site to include all parts, labor, start up, and assistance with rebate application.

Chairperson Backous asked if Well #4 will ever get up to a higher volume

Utilities Supervisor Nelson stated he does not think so because the pumping chamber is not able to accommodate a higher capacity. But, if the equipment is pulled, charges could be used to loosen the sand and open the chamber.

Chairperson Backous stated it is pumping 850 gallons/minute now and asked if a certain number of gallons are needed.

Utilities Supervisor Nelson stated there is no danger in running out of water, noting Well #3 has a soft start and runs at 1,600 gallons/minute so there is a lot of water.

Councilmember Riley asked if the wells start and stop during the day.

Utilities Supervisor Nelson explained how the water and sewer systems run on a computer SCADA system based on pressure within the system.

Chairperson Backous reviewed the two quotes that were received and noted after the rebate it will be about \$20,000. He asked if guarantees are offered.

Utilities Supervisor Nelson stated there may be a limited one-year guarantee. He stated the Well #4 drive was installed in the 1990s and drives can last as long as a lightening strike, which is what takes out electronics. He stated the payback will be three to five years and if more water can be pumped, it would generate more revenue for the City.

Motion by Councilmember Kuzma, seconded by Councilmember Riley, to recommend that the City Council award the project to Total Control Systems, Inc. to make all the needed upgrades to this site to include all parts, labor, start up, and assistance with rebate application.

Further discussion: Utilities Supervisor Nelson noted this will be a one-day project and since VHDs put off a lot of heat, an air conditioner will also be installed.

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

### **5.03: Consider Policy for Allowing Fences to be Constructed in Drainage & Utility Easements with Infrastructure Conflicts**

City Engineer Westby reviewed the staff report, noting current City policy is to require landowners to install fences away from the property line in areas where a potential infrastructure conflict exists. However, it is becoming apparent that an issue is developing in regard to maintenance. City Engineer Westby displayed pictures of fences and 2-4 foot wide remnant strips of land that remains between rear fence lines. He explained that this strip of land provides for ease of inspection and minor maintenance of City-owned storm sewer systems, but creates a blight situation as the property owners are likely unable to maintain the strip of property that is separated from the rest of their yards by a fence. It was noted that in the Ramsey Town Center 10<sup>th</sup> Addition, the situation is further complicated by the lack of side yard easements. City Engineer Westby stated staff is supportive of a policy change provided that adequate measures remain in place to protect City infrastructure, to provide for future access to City infrastructure for maintenance purposes, and to ensure that property owners retain ownership of their properties without losing property rights due to adverse possession. Staff recommends that property owners requesting to construct a fence on their rear property line be required to enter into an Encroachment Agreement with the City that stipulates the terms of the agreement. City Engineer Westby read and explained each of the conditions within the Encroachment Agreement. With regard to the concern of adverse possession, the City will allow construction of fences on private property lines but notify the property owner of potential ramifications between private property owners in regard to adverse possession.

Chairperson Backous asked what precipitated this item coming forward to the Public Works Committee.

City Engineer Westby stated there have been questions by property owners, one property owner was required to relocate their fence back, and with this most recent case, Councilmember Tossey had asked staff to address a solution.

Chairperson Backous stated the issue of blight can be address via Code enforcement if the property owner is not mowing their grass. However, the problem may occur when a chain link fence is against a privacy fence. He noted that this policy would create blight where a property owner has to view a privacy fence that is not maintained. He stated if there is a complaint about a fence on the property line, the City needs to enforce its ordinances and make the property

owner relocate the fence. Chairperson Backous felt the answer was ordinance enforcement, not changing the policy.

City Engineer Westby stated that is a very good point to raise and the only way around it is to stop your fence at the lot corners and not construct a new fence in front of the existing fence. He stated staff addressed the issue of adverse possession after a certain number of years but found that to be a civil matter.

Chairperson Backous stated there will also be fights over property line location and whether the fence is located on or close to the property line, and the City should not get involved. He stated the two-foot buffer eliminates that concern and if the buffer is large enough to maintain, he does not think the City should get involved.

City Engineer Westby stated if directed, staff can check with other cities to see what they are doing. He stated perhaps a gate or some form of access should be required to the buffer area so a property owner cannot claim they cannot access the buffer area.

Chairperson Backous stated he is disappointed that City staff spent any time on this matter and he would not support further research of other communities. He stated the City needs to enforce its ordinances and handle it in that manner.

Councilmember Kuzma agreed.

Chairperson Backous stated he would like to see what is on the Committee's agenda before it gets this far and staff has spent time investigating. He felt the Public Works Committee should set its own agenda.

Motion by Chairperson Backous, seconded by Councilmember Riley, to recommend that the City Council take no action to create a policy as this problem is being caused by ordinance violations.

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

## **6. COMMITTEE / STAFF INPUT**

### **6.01: Update on Reconstruction Requests for Andrie Street**

City Engineer Westby reviewed the staff report, noting that in 2008, the City completed a feasibility study and prepared plans and specifications for the reconstruction of Andre Street; however, the project was never constructed due to the controversy over whether or not sidewalks should be constructed. Public Works Superintendent Riemer advised that recently, there has been renewed interest on the part of area residents to reconstruct Andrie Street but likely not a new sidewalk. He noted that Andrie Street is one of the worst in Ramsey in terms of pavement condition and should be the next street reconstructed after Garnet/168<sup>th</sup>. City Engineer Westby presented the two alternatives detailed in the staff report and stated staff recommends updating

the estimated costs for reconstructing Andrie Street and constructing new sidewalk, and to prepare final costs and financing options for the street reconstruction effort.

Councilmember Kuzma stated he was at the Northfork Homeowners Association meeting and found a strong contingent, probably a majority, who do not want a sidewalk because they do not want to do snowplowing, some are worried that if there are sidewalks on Andrie Street sidewalks will extend to the rest of Northfork.

Councilmember Kuzma stated Andrie Street is an arterial roadway with many pedestrians.

Public Works Superintendent Riemer stated the City does have a Sidewalk Policy but it relates to new construction, not reconstruction.

Chairperson Backous asked why sidewalks then came up since this is a reconstruction project.

Public Works Superintendent Riemer stated it would be a safety improvement to the area. He stated staff receives many calls about the speed of traffic and safety of pedestrians so some residents think a sidewalk will help.

Councilmember Kuzma stated it goes back to 2008 when former Councilmember McGlone had indicated the sidewalk could be paid from MSA funds. However, that is no longer the case with MSA funds being available.

Chairperson Backous stated sidewalks are then no longer a good idea if there is no funding.

Public Works Superintendent Riemer stated sidewalks could be constructed later as it would not impact the roadways but that would not be cost effective.

Chairperson Backous noted there are asphalt trails in Northfork and asked why consideration is for a concrete sidewalk.

Public Works Superintendent Riemer stated it is felt that a ten-foot asphalt trail would not be palatable for this neighborhood.

City Engineer Westby raised the option of having a wider road width to accommodate an on-road bike facility instead of an off-road bike facility.

Chairperson Backous noted Dysprosium has sidewalks but they were funded by MSA. He referenced the three alternatives, noting that Andrie Street is in very poor condition and in need of reconstruction.

Councilmember Riley stated it is clear that it is not a good idea to put in sidewalks along Andrie Street. He stated support for the option of making Andrie Street several feet wider so an on-road bike lane can be striped. He noted this would also take up less right-of-way area than a sidewalk.

Chairperson Backous agreed it may be a good compromise.

Councilmember Riley pointed out there is no way to pay for this reconstruction and if there is no funding, he does not want to get too far ahead of the process.

Chairperson Backous stated Garnet and Andrie Streets have to be reconstructed and the City will have to find funding for it.

Councilmember Kuzma asked if only one-half of the road would be reconstructed at a time.

Public Works Superintendent Riemer stated it would be in full reconstruct mode, under traffic, and access would be maintained.

Chairperson Backous asked what is the most cost effective alternative.

City Engineer Westby stated it would be Alternative 1, as updating the 2008 feasibility report costs is a minimal task. He noted that addressing financing is a larger task.

Motion by Chairperson Backous, seconded by Councilmember Riley, to recommend that the City Council approve Alternative 1, directing staff to update the 2008 Engineer's estimate to reconstruct Andrie Street, to not include updating the sidewalk costs, but instead to determine costs for widening the street to accommodate an on-street bike trail with parking restricted to one side based on MSA standards.

Further discussion: Councilmember Kuzma stated he thinks this is a good compromise that may be agreeable to residents. Councilmember Riley stated if the issue is speeding, it involves enforcement and a sidewalk would not solve that issue.

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

#### **6.02: Update on Turf Restoration at 7046 166<sup>th</sup> Avenue (Mack and Shayle Dominquez)**

Public Works Superintendent Riemer reviewed the staff report and indicated that as directed by the Public Works Committee at its October 15, 2012, meeting, staff has worked with Shayle Dominquez, 7046 166<sup>th</sup> Avenue, to reach a suitable resolution to the restoration of their yard. He stated by July 1, 2013, this project will be concluded.

Councilmember Riley asked who did the original soil remediation.

Public Works Superintendent Riemer stated it was done by the original contractor but at that time, the City did not have a soil standard so the quality was lower and contained some rocks.

Informational; no action required.

### **6.03: Alpine Park Crosswalk**

Chairperson Backous asked for an update on the crosswalk to Alpine Park.

Public Works Superintendent Riemer stated staff has not yet completed review of that item.

### **6.04: Future Agenda Items**

Chairperson Backous explained that to conserve staff resources, it is policy that if two Councilmembers share concern on an issue, it is brought before the City Council at a Work Session and co-sponsored.

## **7. ADJOURNMENT**

Motion by Councilmember Kuzma, seconded by Councilmember Riley, to adjourn the Public Works Committee meeting.

Motion carried.

The regular meeting of the Public Works Committee adjourned at 7:06 p.m.

Respectfully submitted,

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Grant Riemer  
Public Works Superintendent

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