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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 24, 2015, at the Ramsey Municipal Center, 7550 Sunwood Drive NW, Ramsey, Minnesota.

Members Present: Mayor Sarah Strommen
Councilmember Jill Johns
Councilmember Mark Kuzma
Councilmember John LeTourneau
Councilmember Chris Riley
Councilmember Melody Shryock
Councilmember Kristine Williams

Members Absent: None

Also Present: City Administrator Kurtis Ulrich
Finance Director Diana Lund
Fire Chief Dean Kapler
Police Chief Jeff Katers
Parks and Assistant Public Works Superintendent Mark Riverblood
Public Works Superintendent Grant Riemer
Human Resources Manager Colleen Lasher
Community Development Director Timothy Gladhill
City Engineer Bruce Westby
Asst. City Administrator/Economic Development Manager Patrick Brama
City Attorney Joe Langel

1. CALL TO ORDER

Mayor Strommen called the regular meeting of the Ramsey City Council to order at 7:08 p.m., followed by the Pledge of Allegiance led by Mayor Strommen.

2. PRESENTATION

2.01: Certificates of Achievement to the PACT Charter School Pantherettes Dance Team and the Anoka High School Twisters Dance Team

On behalf of the City, Mayor Strommen congratulated the PACT Charter School Pantherettes Dance Team, Head Coach, and Assistant Coach, and the Anoka High School Twisters Dance Team, Coach, and Assistant Coach on their success and presented them with Certificates of Achievement.

2.02: Fire Department Annual Report 2014

Fire Chief Kapler presented the Fire Department's 2014 Annual Report.

Mayor Strommen commented on the current danger of grass fires and urged residents to be cautious.

Fire Chief Kapler stated staff is aware of that concern and prepares for it before the snow leaves the ground. He reported on available DNR equipment and assured the Council the fire fighters are prepared.

Councilmember Kuzma requested an update on the Fire Data Management System.

Fire Chief Kapler described the services that are currently on line and being utilized.

2.03: Special Presentation of Firefighters Being Awarded Department Badges

Fire Chief Kapler introduced four of the six Firefighters who had completed and excelled initial training as follows: Mark Hager, Jason DeRosa, Kelly LaForce, and Vladimir Panko. Mayor Strommen presented each Firefighter with a badge and congratulated them on behalf of the City.

3. CITIZEN INPUT

None.

4. CONSENT AGENDA

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

- 4.01: Receive January and February Monthly Financial Reports for the Funds of General, Water, Sewer, Street Lighting, Recycling, and Storm Drainage
- 4.02: Note the following Boards and Commissions Meeting Minutes:
 - 1) Environmental Policy Board – February 2, 2015
 - 2) Economic Development Authority – February 5, 2015
 - 3) Planning Commission – February 12, 2015
 - 4) Park and Recreation Commission – February 12, 2015
- 4.03: Approve Anoka County License Center Lease Extension
- 4.04: Adopt Resolution #15-03-076 Approving Cash Disbursements Made and Authorizing Payment of Accounts Payable Invoicing Received During the Period of March 5, 2015 through March 18, 2015
- 4.05: Adopt Resolution #15-03-080 Granting Final Plat Approval of Rowe Addition; Case of John and Sharon Rowe
- 4.06: Adopt Resolution #15-03-082 Recognizing the PACT Charter School Pantherettes and Resolution #15-03-083 Recognizing the Anoka High School Twisters Dance Team

Motion carried. Voting Yes: Mayor Strommen, Councilmembers Riley, Johns, Kuzma, LeTourneau, Shryock, and Williams. Voting No: None.

5. APPROVE AGENDA

Motion by Councilmember Shryock, seconded by Councilmember Johns, to approve the agenda as presented.

Motion carried. Voting Yes: Mayor Strommen, Councilmembers Shryock, Johns, Kuzma, LeTourneau, Riley, and Williams. Voting No: None.

6. PUBLIC HEARING

6.01: Adopt Resolution #15-03-073 Authorizing Plans and Specifications for 2015 Street Maintenance Program – Division B; Improvement Project 15-00

Mayor Strommen closed the regular portion of the City Council meeting at 7:34 p.m. in order to conduct a public hearing.

Public Hearing

Mayor Strommen called the public hearing to order at 7:34 p.m.

Presentation

City Engineer Westby reviewed the staff report and recommendation to authorize Plans and Specifications for the 2015 Street Maintenance Program – Division B, Improvement Project #15-00, as presented by staff. A preliminary assessment is proposed at \$1,280 per lot and would fund 25% of the total project costs. Staff recommends conducting a special assessment benefit study to assure the assessment does not exceed benefit to the property. It was noted that a four-fifths vote of the Council was required to adopt the assessment.

Citizen Input

There was none.

Motion by Councilmember LeTourneau, seconded by Councilmember Riley, to close the public hearing.

Motion carried. Voting Yes: Mayor Strommen, Councilmembers LeTourneau, Riley, Johns, Kuzma, Shryock, and Williams. Voting No: None.

The public hearing was closed at 7:48 p.m.

Council Business

Mayor Strommen called the regular City Council meeting back to order at 7:48 p.m.

Councilmember Kuzma stated his support for this project as the streets are in poor condition.

Motion by Councilmember Kuzma, seconded by Councilmember LeTourneau, to Adopt #15-03-073 Authorizing Plans and Specifications for 2015 Street Maintenance Program – Division B; Improvement Project 15-00.

Further discussion: Mayor Strommen expressed her thanks to staff and for holding public informational meetings that provide residents with a more informal and accessible setting to address their questions and concerns.

Motion carried. Voting Yes: Mayor Strommen, Councilmembers Kuzma, LeTourneau, Johns, Riley, Shryock, and Williams. Voting No: None.

7. COUNCIL BUSINESS

7.01: Adopt Resolution #15-03-086 Authorizing Various Actions Related to F & C Ramsey Apartments LLC's Sale of The Residence at The COR

Tom Bray of Briggs & Morgan, the City's real estate attorney, presented the memorandum that outlined the authorizing resolution and terms of the nine documents under consideration for approval now that the project has been completed and F&C will be repaying the two HRA loans.

Councilmember Riley stated this has been discussed previously and appears to be a win for the City to have a developed apartment complex and being repaid. He asked if there is any downside or exposure of the City to additional risk.

Mr. Bray advised this action results in the City fulfilling its part of the agreement, there is no additional risk, and the City would be repaid \$7.4 million, which eliminates the past risk.

Councilmember Williams referenced the first amendment and asked about the impact to indemnification and financial obligations such as payment of taxes. Mr. Bray advised that obligation remains in the agreement.

Motion by Councilmember Riley, seconded by Councilmember Kuzma, to Adopt Resolution #15-03-086 Authorizing Various Actions Related to F & C Ramsey Apartments LLC's Sale of The Residence at The COR.

Motion carried. Voting Yes: Mayor Strommen, Councilmembers Riley, Kuzma, Johns, LeTourneau, Shryock, and Williams. Voting No: None.

7.02: Approve Work Plan for the Proposed 2015 Parks Capital Improvements and Adopt Resolution #15-03-081 Authorizing a MnDNR Trail Grant Application

Parks and Assistant Public Works Superintendent Riverblood reviewed the staff report and recommendation of the Park and Recreation Commission to approve the Work Plan as presented, \$7,000 for a drinking fountain/misting station, authorize staff to issue a Request for Quotes (RFQ) for The Draw project, and to adopt a resolution authorizing application for a MnDNR Trail Grant for the Trott Brook Trail project, which is consistent with the 2015 Parks Capital Improvement Plan.

Mayor Strommen asked that the motions be separate so she is able to abstain from action on the DNR Trail Grant as she is employed by the DNR.

Councilmember Riley stated he would not support an expenditure for the monument signs as it is costly and such signs are not used by residents in the same way as play equipment or the drinking fountain/misting station.

Councilmember Kuzma stated about \$3 million was spent on developing The Draw but it is difficult to locate so he supports signage to help residents locate that beautiful amphitheater.

Councilmember Shryock stated Parks and Assistant Public Works Superintendent Riverblood made a good point that the funds to be used were placed by developers into the Park Trust Fund for park purposes. She agreed with Councilmember Kuzma that creating an identity and place in The Draw and Elmcrest Park would be extremely useful and fits with the Council's Strategic Planning to create identity for Ramsey as well as value by drawing residents into a sense of place and pride in Ramsey. Councilmember Shryock stated staff and the Park and Recreation Commission consider intentional uses for these funds. With regard to the Trott Brook trail, she felt it has been a long time coming and will provide an important connection.

Councilmember LeTourneau stated he appreciates Councilmember Riley's comments but agrees with the importance of communicating through park monuments, which is a critical part of the City's identification.

Motion by Councilmember LeTourneau, seconded by Councilmember Kuzma, to Approve the 2015 Parks Capital Improvements Work Plan as presented including the issuance of an RFQ for the proposed monument at The Draw, and purchase a drinking fountain and misting station for two neighborhood parks.

Further discussion: Councilmember Johns stated her support for the signage as The Draw is difficult to find and will add a professional sign aesthetic that fits the Master Sign Plan. Mayor Strommen asked if signage options will be considered. Parks and Assistant Public Works Superintendent Riverblood described the options that will be included in the RFQ for a well-defined Kasota stone eight-foot high monument plus sign options and alternate construction method to provide more choices. Mayor Strommen stated she also struggles with the point raised by Councilmember Riley about the best use of Park Trust Funds and thinks signs are a reflection of the City's identity, but signs do not build identity. Signs should also have a defined purpose (i.e., way finding, event information) and the park's intent needs must be clear to determine whether a sign is the best way to achieve that need.

Motion carried. Voting Yes: Mayor Strommen, Councilmembers LeTourneau, Kuzma, Johns, Shryock, and Williams. Voting No: Councilmember Riley.

Motion by Councilmember Shryock, seconded by Councilmember Johns, to Adopt Resolution #15-03-081 Authorizing a MnDNR Trail Grant Application.

Further discussion: Councilmember Johns stated her support for this project that will also provide an important connection to Central Park. Councilmember Shryock noted there is a partial trail in this area so the project, if approved, will complete that trail. She also noted that property has already been purchased for the trail and staff has been successful in obtaining grants so she hopes this is also a successful endeavor.

Motion carried. Voting Yes: Councilmembers Shryock, Johns, Kuzma, LeTourneau, Riley, and Williams. Voting No: None. Abstain: Mayor Strommen.

7.03: Adopt Resolution #15-03-084 Appointing Board and Commission Members

Human Resources Manager Lasher reviewed the staff report and consensus of the Council for reappointment to Board and Commission vacancies and to reappoint each incumbent member to a new term beginning April 1, 2015. It was noted that following applicant interviews, the Council reached consensus on appointments as reflected in the draft resolution. For the EDA, Mayor Strommen selected, and the Council agreed, with the appointment of Brian Burandt for that six-year term.

Mayor Strommen requested a name correction in the third Whereas of the resolution.

Councilmember LeTourneau thanked staff for putting forward the interview process and those who stepped forward and made application to become involved in the community.

Mayor Strommen reviewed other opportunities available for those who were not selected for appointment.

Motion by Councilmember Riley, seconded by Councilmember Shryock, to Adopt Resolution #15-03-084 Appointing Board and Commission Members, as corrected.

Motion carried. Voting Yes: Mayor Strommen, Councilmembers Riley, Shryock, Johns, Kuzma, LeTourneau, and Williams. Voting No: None.

7.04: Adopt Resolution #15-03-085 to Hire a Permit Technician Assistant and a Parks Maintenance Worker

Human Resources Manager Lasher reviewed the staff report and recommendation to hire Ellen Krueger as a part-time Permit Technician Assistant, which is a new position, effective on or near March 25, 2015 at \$19.37 per hour, which is Step 1 of the 2015 wage scale; and, to hire Evan Johnson as a full-time Parks Maintenance Worker on or near April 8, 2015, at \$21.12 per hour, which is Step 2 of the 2015 wage scale and a credit of five vacation days. She indicated the

hiring of these two positions will help fulfill the public service needs of the City and meet the goals of the Strategic Plan as it relates to both positions.

Councilmember LeTourneau commented on the consideration of staffing levels and need to adequately address external customer service for permitting and inspections.

Motion by Councilmember LeTourneau, seconded by Councilmember Williams, to Adopt Resolution #15-03-085 to Hire a Permit Technician Assistant and a Parks Maintenance Worker.

Motion carried. Voting Yes: Mayor Strommen, Councilmembers LeTourneau, Williams, Johns, Kuzma, Riley, and Shryock. Voting No: None.

7.05: Adopt Resolution #15-03-074 Approving Joint Powers Agreement for Highway 10 & Armstrong Boulevard Interchange, Improvement Project 14-22

City Engineer Westby reviewed the staff report and recommendation to approve a Joint Powers Agreement (JPA) between Anoka County and the City of Ramsey for the Highway 10 and Armstrong Boulevard Interchange Project. It was noted that Anoka County is the lead agency for this project and had prepared the JPA. City Engineer Westby indicated the City Attorney has not yet reviewed the JPA so he would recommend if approved, it be contingent upon that review and approval.

Councilmember LeTourneau asked whether legal review will impact timing.

City Engineer Westby stated he did not see anything significant but cannot speak to the City Attorney's review. He indicated this JPA follows Anoka County's standard format.

City Attorney Langel stated he will not know until he reviews the document, which will occur tomorrow.

Councilmember Riley noted the City has already paid about \$2 million and asked if there is tentative agreement that it will be counted towards the City's contribution.

City Engineer Westby referenced the funding exhibit that outlines funds paid for property acquisitions and other expenses to-date, noting it captures that \$2 million.

Mayor Strommen stated the \$2 million appears in the '2013 and Prior' column under Local Ramsey and is highlighted in the color yellow.

City Administrator Ulrich stated there are prior documents passed by the City and County that address sharing equally up to \$3 million.

Mayor Strommen stated City Attorney Langel will also be reviewing that issue. She asked staff to address communication and updates to the Council and public via the web site, social media, and meeting updates.

Councilmember Kuzma agreed and noted road closures also need to be communicated.

City Engineer Westby stated staff will discuss that communication process and provide updates to the Council. He stated the City did mail notice to businesses in the area of the interchange notifying them that Anoka County had decided to close Armstrong Boulevard during the construction.

Motion by Councilmember LeTourneau, seconded by Councilmember Johns, to Adopt Resolution #15-03-074 Approving Joint Powers Agreement with Anoka County for U.S. Highway 10/CSAH 83 (Armstrong Boulevard) Interchange Improvements, Improvement Project 14-22, contingent upon review and approval by the City Attorney.

Motion carried. Voting Yes: Mayor Strommen, Councilmembers LeTourneau, Johns, Kuzma, Riley, Shryock, and Williams. Voting No: None.

7.06: Adopt Resolution #15-03-075 Approving Change Order #2 and Partial Payment to Kuechle Underground, Inc. for Riverdale Drive Reconstruction and Extension – Armstrong Boulevard to Traprock Street, Improvement Project #12-22

City Engineer Westby provided a presentation outlining this Case and recommendation to approve Change Order #2 and partial payment to Kuechle Underground, Inc. in the amount of \$262,019.96.

Councilmember Kuzma asked if the contractor's portion was missed in the bid.

City Engineer Westby stated the contractor has been good to work with on this project and it was not an issue on the contractor's part. He described the difficulty in developing the plans for this complicated project that included working with Anoka County, MnDOT, and numerous private property owners, and incorporating last minute revisions to match the Highway 10 and Armstrong Interchange plans. In addition, problems were encumbered during construction in serving properties with utilities on both sides that required switching the sanitary and storm sewer alignments.

Mayor Strommen stated it is clear these errors are on the part of the City in plan preparation and asked how this can be avoided in the future. She stated she becomes concerned with large change order amounts and frequency beyond what you expect.

City Engineer Westby stated staff has talked about the critical need for 'many sets of eyes' to review the plans before they go 'out the door.' He explained this can be helped when the feasibility report and plans are started in a timely manner to allow adequate time for proper review. In addition, Mn/DOT trunk highway design projects are not typically prepared and developed by City staff members and maybe those types of projects would be best left to consultants with City staff handling the review.

Mayor Strommen stated during tonight's Work Session, the Council considered the Strategic Action Plan including a discussion on processes. She noted this is one item that can be included, these more complex projects, and a process to assure staff has the back-up needed.

City Engineer Westby stated the Engineering Department shepherded several projects quickly through the process in addition to three assessment projects. It is currently preparing the Garnet Street plans and once past the 2015 Street Maintenance Program, Garnet and Jarvis projects, staff will start on next year's construction projects and request authorization to update the feasibility report.

Councilmember Riley stated it was indicated that once reimbursed, the City's cost overrun would be \$79,000 but it looks like there is cost of \$448,000 and reimbursement of \$166,000, which leaves \$282,000.

City Engineer Westby referenced the third page of the report detailing staff's estimate of the cost overrun. He explained that staff worked with the contractor to reduce or omit pay cost items to lower the project cost, noting one was an earthwork item that totaled \$130,000. City Engineer Westby stated it is estimated at \$245,655 over the awarded contract amount less \$166,000, totaling \$79,000 (after LLC reimbursement).

Councilmember Riley asked staff to respond to the critic who would say the winning bidder underbid the project and found a way of getting back to even.

City Engineer Westby stated the winning bidder did not under bid and find a way to recoup their low bid. He explained there were plan errors and the contractor bid the project based on the prepared plan. City Engineer Westby stated he is not about assigning blame, despises change orders as much as the Council, and finds it perplexing because this plan was reviewed internally, by the consultant, and by MnDOT, yet these items were not caught. He stated staff needs to do a better job reviewing the plans.

Mayor Strommen asked about the status of the parcel being transferred by Anoka County.

City Engineer Westby stated staff met with Anoka County staff on several occasions to work through the property searches to make sure the property was not obtained by Anoka County by an act that would not allow transfer. He stated the County Attorney is drafting the document to allow that transfer to occur and staff has been providing information to assure the title transfer will occur.

Mayor Strommen asked about the type of agreement with the LLC on the reimbursements and if there is a better way to handle that.

City Engineer Westby stated there is a verbal commitment and the MOU frames this whole discussion but does not provide legal impetus. He stated a cost share agreement was drafted but they were not willing to commit in writing until the City received the property.

City Administrator Ulrich clarified that the MOU indicates the landowner wants the land back that the City is getting from Anoka County, which is high-value commercial land along Highway 10. So, if the City does not get the payment, it would not transfer the land.

Mayor Strommen stated there is a cost not anticipated at the time the MOU was signed and asked if an addendum could be drafted that they agree to the additional amount if the City conveys the property.

City Attorney Langel stated staff will talk with them about preparing such a document and nothing needs to be added to the motion.

Motion by Councilmember Riley, seconded by Councilmember LeTourneau, to Adopt Resolution #15-03-075 Approving Change Order #2 and Partial Payment to Kuechle Underground, Inc. for Riverdale Drive Reconstruction and Extension – Armstrong Boulevard to Traprock Street, Improvement Project #12-22.

Motion carried. Voting Yes: Mayor Strommen, Councilmembers Riley, LeTourneau, Johns, Kuzma, Shryock, and Williams. Voting No: None.

7.07: Introduce Ordinance #15-06 to Amend City Code Section 117-111 (R-1 Residential District) and 117-349 (Accessory Uses and Buildings)

Community Development Director Gladhill reviewed the proposed housekeeping revisions and recommendation to introduce the ordinance.

Motion by Councilmember LeTourneau, seconded by Councilmember Kuzma, to Introduce Ordinance #15-06 to Amend City Code Sections 117-111 (R-1 Residential District) and 117-349 (Accessory Uses and Buildings).

Motion carried. Voting Yes: Mayor Strommen, Councilmembers LeTourneau, Kuzma, Johns, Riley, Shryock, and Williams. Voting No: None.

7.08: Introduce Ordinance #15-07 Amending City Code Section 117-428 Entitled Towers

Community Development Director Gladhill reviewed the staff report and recommendation to amend City Code Section 117-428, Towers, as requested by Connexus Energy, to increase the maximum height of communication towers to 199 feet for entitles providing Stage 1 and Stage 2 Improvements as required by City Code. Currently, the height limitation for communication towers is 100 feet in all districts.

Councilmember Williams asked whether this is talking about cell towers.

Community Development Director Gladhill stated the overall ordinance establishes any communication towers such as for emergency providers, cellular providers, or communication providers. This amendment is for Stage 1 utility companies such as Connexus Energy, not cell phone providers.

Councilmember Williams asked whether the amendment is for a tower that supported a Stage 1 or 2 improvements.

Community Development Director Gladhill stated it would be for the Stage 1 improvement and since Connexus Energy provides electric service, it would be provided that exemption.

Mayor Strommen stated there would be a height limitation and location restrictions to commercial and industrial districts. It would not be allowed in a residential district or park.

Community Development Director Gladhill stated that is correct.

Mayor Strommen asked if there are locations at the edge of a permitted district that would result in conflicts with residential districts.

Community Development Director Gladhill stated there are close locations but there are setback distance requirements. He stated there is also an aesthetic consideration that the ordinance does not address but he thinks this change will not create any more conflict than exists with 100 feet.

Councilmember Riley noted the Planning Commission suggests reconsidering the 100 feet and asked if the City is missing out on opportunities that would be available if changed.

Community Development Director Gladhill stated that came up when the Planning Commission looked at what other cities provide, as it is common to see 150 to 160 feet. He stated the Planning Commission wants to keep it at 100 feet in residential districts. Community Development Director Gladhill stated the City does not get these requests frequently so he does not know that the City is missing out on opportunities.

Councilmember Shryock asked staff to explain the process of ordinance adoption and opportunity for public input.

Community Development Director Gladhill described the three opportunities for public input as being the Planning Commission public hearing, at first reading which is tonight, and at second reading and adoption.

Motion by Councilmember Kuzma, seconded by Councilmember LeTourneau, to Introduce Ordinance #15-07 Amending City Code Sections 117-428 (Towers) of the Ramsey City Code.

Motion carried. Voting Yes: Mayor Strommen, Councilmembers Kuzma, LeTourneau, Johns, Riley, Shryock, and Williams. Voting No: None.

7.09: Authorize Request for Quotes for Software Services for Permitting, Licensing, and Code Enforcement

Community Development Director Gladhill reviewed the staff report and recommendation to authorize staff to issue a Request for Quotes (ROQ) for permitting, licensing, and code enforcement to aide in the preparation of the 2016 budget.

Councilmember Shryock asked whether staff will be talking with other communities about the types of software systems they use.

Community Development Director Gladhill answered in the affirmative.

Councilmember LeTourneau stated this is a significant investment and asked staff to prepare scenarios and return on investment.

Motion by Councilmember LeTourneau, seconded by Councilmember Johns, to Authorize Request for Quotes for Software Services for Permitting, Licensing, and Code Enforcement.

Motion carried. Voting Yes: Mayor Strommen, Councilmembers LeTourneau, Johns, Kuzma, Riley, Shryock, and Williams. Voting No: None.

8. MAYOR, COUNCIL AND STAFF INPUT

City Administrator Ulrich announced upcoming meetings, events, HeartSafe training, and status of the transportation bill.

Mayor Strommen reported on the recent and successful Mayor's Prayer Breakfast.

9. ADJOURNMENT

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

Motion carried.

The regular meeting of the City Council adjourned at 9:54 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.