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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 13, 2018, at the Ramsey Municipal Center, 7550 Sunwood Drive NW, Ramsey, Minnesota.

Members Present:     Acting Mayor John LeTourneau  
                            Councilmember Jill Johns  
                            Councilmember Mark Kuzma  
                            Councilmember Chris Riley  
                            Councilmember Melody Shryock

Members Absent:     Mayor Sarah Strommen

Also Present:         City Administrator Kurtis Ulrich  
                            Police Chief Jeff Katers  
                            Community Development Director Timothy Gladhill  
                            Planner Chloe McGuire Brigl  
                            City Planner Chris Anderson  
                            Asst. City Administrator/Economic Development Manager Patrick Brama

**1.     CALL TO ORDER**

Acting Mayor LeTourneau called the regular meeting of the Ramsey City Council to order at 7:00 p.m., followed by the Pledge of Allegiance led by Acting Mayor LeTourneau.

Acting Mayor LeTourneau reported that there is a special election for the vacant Council seat on April 10<sup>th</sup> and encouraged all residents to vote in the election. He noted that residents can also select absentee voting and advised that option is already open.

**2.     PRESENTATION**

None.

**3.     CITIZEN INPUT**

None.

**4.     CONSENT AGENDA**

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

- 4.01: Receive January 2018 Financial Reports – General Fund and Enterprise Funds
- 4.02: Receive Cash and Investments for Period Ending February 28, 2018
- 4.03: Note the Following Boards and Commissions Meeting Minutes:
- Environmental Policy Board Meeting Minutes dated December 18, 2017
  - Planning Commission Meeting Minutes dated January 4, 2018
  - Park and Recreation Commission Meeting Minutes dated January 11, 2018
  - Economic Development Authority Meeting Minutes dated January 11, 2018
  - Economic Development Authority Meeting Minutes dated January 25, 2018
- 4.04: Approve the following Meeting Minutes:
- 1) City Council Work Session dated February 12, 2018
  - 2) City Council Regular dated February 12, 2018
  - 3) City Council Canvassing Board dated February 15, 2018
  - 4) City Council Strategic Planning dated February 20, 2018
  - 5) City Council Work Session dated February 27, 2018
  - 6) City Council Regular dated February 27, 2018
- 4.05: Approve Licenses:

Special Events

MN State Society Daughters of the American Revolution/5K beginning at 7545 Veterans Drive  
Peddler/Solicitor/Transient Merchant

Custom Remodelers Inc./474 Apollo Drive in Lino Lakes

Peddler/Solicitor/Transient Merchant

Matthew Finn representing Edward Jones/331 Main Street in Elk River

- 4.06: Approval of Tuition Reimbursement
- 4.07: Adopt 2018 Legislative Platform
- 4.08: Adopt 2018 City of Ramsey Resident Survey
- 4.09: Adopt Resolution #18-053 Approving Cash Disbursements Made and Authorizing Payment of Accounts Payable Invoicing Received During the Period of February 22, 2018 through March 7, 2018
- 4.10: Adopt Resolution #18-054 Updating the City's Personnel Policy
- 4.11: Report from the Public Works Committee Meeting dated February 20, 2018:
- 1) Review COR Street Names – *Ratify the recommendation of the Public Works Committee to direct staff to prepare alternatives that would make sense for road names within The COR*

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

**5. APPROVE AGENDA**

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

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

## **6. PUBLIC HEARING**

### **6.01: Public Hearing to Consider Final Plat, Zoning Amendment, and Easement Vacations for a Proposed Lot Combination (Project No. 18-100); Case of ACE Solid Waste, Inc.**

#### **Presentation**

City Planner Anderson reviewed the staff report and recommendation from the Planning Commission to approve the Final Plat and Zoning Amendment and noted that staff supports the Easement Vacation request contingent upon recording of the Plat.

#### **Public Hearing**

Motion by Councilmember Kuzma, seconded by Councilmember Johns, to open the public hearing.

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

Acting Mayor LeTourneau called the public hearing to order at 7:08 p.m.

#### **Citizen Input**

Dave Wiggins, ACE Solid Waste, stated that the business would like to combine the parcels as that will make it easier in future when the business wants to continue to grow.

Motion by Councilmember Johns, seconded by Councilmember Kuzma, to close the public hearing.

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

The public hearing was closed at 7:10 p.m.

#### **Council Business**

Councilmember Kuzma stated that ACE has been a great business in Ramsey and asked if there is a timeline for expansion.

Mr. Wiggins replied that there is not yet a timeline for expansion but anticipated that an expansion would be needed in the next five years and therefore this is an attempt to be proactive in planning.

Motion by Councilmember Johns, seconded by Councilmember Riley, to introduce Ordinance # 18-07 amending Section 117-90 "Map" of Chapter 117 of the City Code of Ramsey, Minnesota

and #18-08 vacating drainage and utility easements and a street, trail and utility easement on Lot 1, Block 4, Gateway North Industrial Park Plat 2 and Adopt Resolution #18-052 Approving the Final Plat for ACE Addition.

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

## **7. COUNCIL BUSINESS**

### **7.01: Consider Adopting Resolution #18-045 Approving a Request for a Conditional Use Permit for Motor Vehicle Sales and Detail at 6750 Highway 10 NW; Case of 22 Properties, LLC**

Planner McGuire Brigl reviewed the staff report and recommendation to approve the Conditional Use Permit contingent upon the applicant bringing the subject property into compliance with the terms of the Conditional Use Permit and Zoning Code over the next five years; paving 6,500 square feet of the unpaved surface by June 2020 and the remainder by June 2023.

Councilmember Riley asked for details on how the phased paving would be enforced.

Planner McGuire Brigl stated that as drafted, the applicant would be able to continue to use the unimproved area. She stated that if the first paving phase did not occur by 2020, the applicant would then no longer be able to utilize any of the unimproved area.

Community Development Director Gladhill provided additional details on the enforcement activity that could occur including revocation of the Conditional Use Permit. He noted that the Council could also require financial surety, should that be desired.

Councilmember Riley asked how this property would be impacted by the Highway 10 Access Study.

Community Development Director Gladhill replied that this property will not be impacted, as the property will remain fully intact and already receives access from Riverdale Drive. He noted that the City has been flexible with other sites along the corridor with improvements, such as paving, because those properties may need to be acquired for the Highway 10 improvement project.

Councilmember Kuzma asked if this is a City owned property.

Community Development Director Gladhill replied that the property is not City owned and under this agreement would remain under private ownership.

Motion by Councilmember Shryock to Adopt Resolution #18-045 Approving the Issuance of a Conditional Use Permit to 22 Properties, LLC to Allow Motor Vehicle Sales and Detailing in the B-2 Highway Business District and Declaring Terms of Same, contingent upon bringing the subject property into compliance with the terms of the Conditional Use Permit and Zoning Code over the next five years.

The motion failed for lack of a second.

Councilmember Riley stated that the City has been flexible with other properties along the corridor because the parcels will be acquired in the future for the Highway 10 improvement project and therefore it would not make sense to improve those parcels further. He stated that because this property is not impacted by the Highway 10 improvements, he believes five years is too long to wait for the paving to occur.

Councilmember Johns suggested that perhaps the first section of paving occur immediately, as it is known that this parcel will not be impacted by the Highway 10 improvement project, and the second paving occur within two years.

Steve Fisher, real estate broker for the applicant, stated that the applicant would like to purchase this property, which has been vacant for the past year. He stated that there has not been much interest in the property outside of this offer. He noted that the applicant does not need the visibility for his business and has other sites in mind as well. He stated that the current owner is unwilling to assist in the paving and the applicant has maximized his loan options for the purchase. He explained that the proposal would work for the applicant and the intention is to clean up the property.

Dave Levinson, 22 Properties, stated that moving into this property does max out his budget and noted he intended to move into the property as is. He noted the Planning Commission supported this option and advised he will not be able to move into the property if anything extra is required today. He stated that his proposal is to use the property as it has been for many years. He stated that he is trying to work with the City and felt that the condition of the Planning Commission is a fair compromise. He stated that while he would like to say his business will do well from the beginning, he does not want to promise something he cannot follow through with financially.

Councilmember Riley asked the estimation of costs for the two phases of planning.

Mr. Fischer estimated about \$82,000 for paving the entire area.

Planner McGuire Brigl displayed the paving estimates that were received and submitted to the Planning Commission.

Patrick Surma, 161<sup>st</sup> Avenue Northwest, stated that Mr. Levinson is a good man and has been a resident of Ramsey for many years. He stated that the applicant already runs this business in Ramsey and wants to purchase this Ramsey property to expand his business. He stated that the applicant is willing to improve the appearance of the site with landscaping and believed that there were other blighted properties along the corridor that are in worse conditions than this site.

Councilmember Shryock stated that was her impression as well, that this would be an opportunity to accomplish the desire of the City to improve the corridor and presents a plan for doing so.

Mr. Levinson provided additional details on the phased paving.

Acting Mayor LeTourneau stated that he appreciated staff sharing the input regarding the Highway 10 Access Study. He stated that the paving is a critical element of how the corridor is perceived. He stated that the current viewshed towards Highway 10 is fully paved and having a plan to finish paving seems reasonable. He noted that the Council needs to be consistent for all properties along the Highway 10 corridor.

Councilmember Riley stated that the City has the goal of being business friendly and promotes business but still needs to remain thoughtful of the precedent that would be set with allowing this variance.

Mr. Levinson stated that he runs his business and does not cause problems in the community. He stated that this is his compromise. He noted that staff has said that the City is here to work with him and he cannot commit to something that he cannot financially fulfill.

Mr. Fischer stated that if this is not approved, the property will remain as it is today and therefore could be a year to three years or longer before another property owner comes along and completes the desired improvement.

Mr. Levinson stated that once he moves in, he will want to complete the paving as soon as he financially can, and therefore will do so but will remain on the schedule at minimum.

Acting Mayor LeTourneau stated that it is great that the applicant is willing to commit the timeline of improvements for paving. He asked if the applicant would be willing to commit to additional buffering, perhaps landscaping that would improve the viewshed from Highway 10.

Mr. Levinson stated that he does have a friend that owns a nursery and believes that he could improve landscaping at the building, although acknowledged that would increase his price and therefore could not commit at this time. He expressed thanks for Mr. Surma expressing his support tonight. He stated that he has owned his business for over 20 years, both outside of Ramsey and in Ramsey for the past nine years. He stated that he would like to remain in Ramsey but would like to own his business site and therefore would go outside of Ramsey if need be.

Councilmember Shryock noted that the Council is going to be working with businesses along the corridor and wanted to hear that the applicant is going to be a willing partner.

Mr. Levinson noted that he intends on being an active partner.

Councilmember Johns apologized that she misunderstood the paving agreement. She noted that her understanding was that the first paving would occur in five years but clarified that she now understands that the first paving would occur within two years and the remainder would be paved within five years.

Motion by Councilmember Shryock, seconded by Councilmember Johns, to Adopt Resolution #18-045 Approving the Issuance of a Conditional Use Permit to 22 Properties, LLC to Allow

Motor Vehicle Sales and Detailing in the B-2 Highway Business District and Declaring Terms of Same, contingent upon bringing the subject property into compliance with the terms of the Conditional Use Permit and Zoning Code over the next five years.

Further discussion: Community Development Director Gladhill noted that because the first motion failed for lack of a second, this motion would need four affirmative votes to move this item forward. Councilmember Kuzma stated that with the additional information he will be able to support the motion. Councilmember Johns suggested that the applicant work to increase landscaping along the Highway 10 viewshed. Councilmember Riley stated that he would support this request and urged the applicant to move forward with the paving plan as identified and encouraged the applicant to be a good steward of the business in the corridor.

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

**7.02: Consider Request from Maple Investments LLC (Sharp & Associates) Purchase Agreement (Portions may be closed to the public)**

Assistant City Administrator/Economic Development Manager Brama reviewed the staff report and noted that on March 8, 2018, the EDA passed a motion of 6-0 to recommend that the City Council approve this purchase agreement with no modifications. He noted that the EDA was generally supportive of the purchase agreement, proposed project, and developer. He reported that the Planning Commission reviewed this case on March 1, 2018 and was generally supportive of the project, the proposed concept layout, concept renderings, and the developer. He noted that there was no significant discussion and no official motion was passed.

Councilmember Kuzma stated that he does not see a need to enter closed session as the range seems appropriate.

Councilmember Riley stated that the EDA was pleased that Sharp & Associates is interested in building another building of this nature. He agreed that there is not a need to enter closed session as staff has already negotiated this price within the acceptable range.

Motion by Councilmember Kuzma, seconded by Councilmember Riley, to approve the purchase agreement between the City of Ramsey and Maple Investments LLC for 0.95 acres of City-owned land.

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

**7.03: Consider Adoption of Ordinance #18-01 Amending Lot Width Requirements for Cul-De-Sac Lots in the R-1 Residential (Rural Developing) District**

City Planner Anderson reviewed the staff report and recommendation from the Planning Commission to adopt Ordinance #18-01 amending the lot width requirement for cul-de-sac lots in the R-1 Residential (Rural Developing) District.

Councilmember Riley stated that the Council has discussed this topic on multiple occasions.

Motion by Councilmember Riley, seconded by Councilmember Johns, to waive the City Charter requirement to read the ordinance aloud and adopt Ordinance #18-01 Amending Article II Division 4 (Subdivision) Section 117-111 (R-1 Residential District) of the Ramsey City Code.

A roll call vote was performed by the Recording Secretary:

Councilmember Riley	aye
Councilmember Shryock	aye
Councilmember Johns	aye
Councilmember Kuzma	aye
Acting Mayor LeTourneau	aye
Mayor Strommen	absent

Motion carried.

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

City Administrator Ulrich announced upcoming meetings and events.

Councilmember Shryock stated that the City has the honor of working with the Rum River Art Alliance, noting that the organization will be hosting a booth at the Business Expo.

## **9. ADJOURNMENT**

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

Motion carried.

The regular meeting of the City Council adjourned at 7:54 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 Amanda Staple, *TimeSaver Off Site Secretarial, Inc.*