

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

The Public Works Committee conducted a regular meeting on Tuesday December 18, 2018, at the Ramsey Municipal Center, 7550 Sunwood Drive NW, Ramsey, Minnesota.

Members Present: Chairperson Chris Riley
 Councilmember Jill Johns
 Councilmember Mark Kuzma

Also Present: Public Works Superintendent Grant Riemer
 City Engineer Bruce Westby
 Civil Engineer IV Leonard Linton
 Senior Engineering Inspector Mike McDowall
 Councilmember Elect Nadine Heinrich

1. CALL TO ORDER

Chairperson Riley called the regular meeting of the Public Works Committee to order at 5:35 p.m.

2. CITIZEN INPUT

There was none.

3. APPROVE AGENDA

Chairperson Riley noted changes to the agenda due to technical difficulties and members of the public present. It was noted that case 5.03 will be considered first, followed by case 5.01, 6.01, 5.02, and 6.02.

Motion by Councilmember Kuzma, seconded by Councilmember Johns, to approve the agenda, as amended.

Motion carried. Voting Yes: Chairperson Riley, Councilmembers Kuzma and Johns. Voting No: None.

4. APPROVE MINUTES

4.01: Approve Meeting Minutes

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

Regular Meeting Minutes dated October 16, 2018
Regular Meeting Minutes dated November 20, 2018

Motion carried. Voting Yes: Chairperson Riley, Councilmembers Johns and Kuzma. Voting No: None.

5. COMMITTEE BUSINESS

5.03: Highway 47 Landscaping Project

Public Works Superintendent Riemer stated that the purpose of this project is to partner with MnDOT to improve the landscaping along Highway 47 from roughly Xkimo Street to the south and Barium Street to the north. The project falls under MnDOT's Community Roadside Landscape Partnership Program. MnDOT's Office of Environmental Stewardship provides technical and financial support to communities to install and maintain landscape plantings on eligible state highway rights of way. MnDOT would partner with the City of Ramsey by providing the service of their landscape architect to design the landscaping for the project and also provide financial assistance to buy plant materials. The City of Ramsey would provide the manpower to install the plantings and would also be responsible for ongoing maintenance, such as weeding of the plant beds and watering. MnDOT provided a design plan for the project that was included in the case. The next step in the process is to pass a resolution stating that the City of Ramsey is willing to enter into a Cooperative Agreement with MnDOT to execute the project.

Chairperson Riley stated that this sounds like a great idea.

Public Works Superintendent Riemer stated that they will also utilize volunteers to assist with the plantings.

Councilmember Johns stated that the previous plantings died, perhaps because of salt, and asked if different plants are being chosen.

Public Works Superintendent Riemer stated that MnDOT has chosen the types of plants based on their specifications so the plants should be more tolerant. He confirmed that public works staff will water the plants similar to what is done now.

Motion by Councilmember Johns, seconded by Councilmember Kuzma, to approve the staff recommendation and forward Resolution #19-11 to the full Council for consideration.

Motion carried. Voting Yes: Chairperson Riley, Councilmembers Johns and Kuzma. Voting No: None.

5.01: Consider Recommendation to City Council to Accept Petition Opposing Improvement Project #19-02, Brookview Estates Street Reconstructions

City Engineer Westby stated that City Improvement Project No. 19-02 proposes to reconstruct streets within the Brookview Estates neighborhood including 173rd Avenue and Germanium Street. The streets total approximately 2,662 linear feet (0.50 miles) in length. The engineer's opinion of probable costs for completing the proposed improvements is \$502,555.46. Estimated costs include 5-percent contingency costs plus 23-percent indirect costs for administrative, engineering, finance and legal costs. Per the Feasibility Report, twenty-one (21) properties are considered to benefit from the improvements and Staff recommended applying 25-percent of eligible project costs equally across the 21 assessable properties using the "per lot" assessment method. Eligible project costs include everything except subgrade corrections and guardrail modification costs. This resulted in a proposed preliminary assessment rate of \$4,418.30 per assessable parcel.

City Engineer Westby stated that following the Public Hearing on November 13, the property owner at 17230 Germanium Street requested a petition template to use in gathering signatures in opposition to this Council initiated improvement project as provided by Section 8.4.5 of the City Charter. On November 15, Staff provided a copy of the petition template to the property owner with instructions to modify the top of the petition to define the project and to note what the petition specifically opposes. This property owner did attend the neighborhood information meeting held on November 8, 2018 where Staff explained the proposed improvements and assessments in detail and gathered public input on the project.

City Engineer Westby stated that on December 3, the property owner delivered a petition with fifteen signatures on it to City Staff but Staff rejected it noting that the top of the petition had no clarifying language on it leading to concerns that the petitioners might not have understood what they were signing. Based on comments Staff received from several property owners while the petition was being circulated, Staff had concerns that this might indeed be the case. City Staff then contacted the City Attorney to seek further direction on petition language and process requirements. On December 4, Staff provided clarifying comments to the property owner circulating the petition based on the City Attorney's comments. On December 10, the property owner submitted a revised petition to City Staff. This petition had a page attached to it with clarifying language noting that the property owners objected to the cost of the project. Staff has since verified that all property owners who signed the petition are indeed benefiting property owners per the preliminary assessment roll contained within the Feasibility Report.

City Engineer Westby stated that since that date, staff has spoken with property owners that may not have exactly understood what they were signing. He stated that the City Attorney stated that the Council could accept the petition if they believe the petitioners understood what they were signing, but if the Council believes that there was ambiguity and people may not have understood what they were signing, Council can direct staff to contact the property owners to gather additional information. He stated that based on the conversations with the City Council and the fact that at least one resident would like to retract their signature, staff would recommend mailing letters to all benefiting property owners, to clearly define that the petition can kill the project for one year or more if 60 percent or more of the benefiting properties sign the petition, and to inform them of the option to withdraw their signature from the petition per City Charter Section 8.4.6, including the deadline for doing so.

Councilmember Kuzma stated that although the language states that the project would be stopped for one year, it could be much longer than that. He noted a previous project that was petitioned, and it was eight years before that road was reconstructed. He noted that only two property owners are present tonight on this topic.

City Engineer Westby stated that notification of this meeting was not provided to all property owners as staff was unsure if the petition, as received, was valid. He stated that staff wanted to ensure that was clarified with the City Attorney prior to the discussion tonight and reaching out to the residents.

Councilmember Kuzma stated that he would want the residents to know that the petition would pause the project for more than one year. He stated that when the other project that was petitioned was stopped, the cost increased by more than \$5,000 when the road was actually reconstructed eight years later.

Rick Aberle, 17290 Germanium Street, stated that this project is expensive and would tear up his whole front yard. He stated that he would like additional information on the contours of the ditch as well. He did not believe the road needs to be reconstructed. He stated that if the proper maintenance would have been done in previous years, the road would not be in this condition. He stated that he is opposed to drainage improvements, as he believes that the properties drain fine now with the exception of spring thaw.

Sean Peterson, 5530 173rd Avenue NW, stated that he also brought the petition around the neighborhood. He believed that this is a high cost for the project. He acknowledged that he did have some misinformation in the beginning and when he went back to those properties, he did make those property owners aware that the project would stop. He stated that there was disappointment in the past when an overlay project was done but stopped at Germanium. He noted that overlay project would have had a much lesser cost. He echoed the comments about the lack of maintenance on the roadway and noted that the adjacent development used their roadways for their heavy truck traffic and should be responsible for the damage that was caused. He stated that he looked at how Elk River pays for their roads, with franchise fees, and believes that is a much better method for funding. He asked if the residents would still have a voice in projects if franchise fees are used for funding rather than assessments.

Councilmember Kuzma stated that because of assessments, residents have the opportunity to provide their input. He stated that if franchise fees are used for funding, engineering would develop the plans for the roadways.

Chairperson Riley stated that the engineering staff would propose the plans, along with alternatives, and that process would not change.

City Engineer Westby stated that the only thing that would change is that the City would not be required to hold a public hearing on projects. He stated that a public information meeting would still occur before the project moved to the City Council.

Mr. Peterson stated that his purpose of bringing the petition around was to show the neighbors what was going on and the cost for those improvements. He believed that the road could take another five years and there are worse roads in Ramsey.

Chairperson Riley stated that if it is the will of the people to not go forward on that, the Council will abide by that as this is a road that only impacts the twenty-one property owners. He stated that his intention would be simply to let the property owners know that if the petition goes through, this road would go to the end of the line.

Councilmember Johns stated that there are a lot of miles in roadway in Ramsey waiting for repair and wanted the homeowners to be aware of the length of time that it would be before the road is reviewed again. She explained that in five years, only eight miles of roadway have been reconstructed in the City.

Chairperson Riley explained the pavement rating system that is used by City staff to evaluate roadways.

Councilmember Kuzma stated that in the citizen survey the majority of responding residents have been opposed to the use of franchise fees. He stated that there are public meetings coming forward in 2019 that will explain the different methods of funding for roads, beginning on January 15 and stated that perhaps Mr. Peterson would be interested in attending that meeting.

City Engineer Westby stated that from the phone calls and meetings that he has had with residents it appears that there is a lot of ambiguity on what is proposed in the project and the ramifications of signing the petition.

Mr. Peterson stated that if the franchise fees begin in the next year, could the residents then petition for the road to be put back on the list.

City Engineer Westby stated that the City Charter petition process would no longer be applicable because there would no longer be an assessment.

Chairperson Riley stated that perhaps the process would be similar to residents petitioning for a stop sign.

Mr. Peterson stated that if the project assessment would be \$2,000 per property owner, there would not be objections.

Chairperson Riley acknowledged the cost but noted that this is an average cost as there have been several projects even higher than this proposed cost.

Motion by Chairperson Riley, seconded by Councilmember Kuzma, to accept the petition as valid and direct staff to mail letters to all benefiting property owners to clearly define the project, ramifications of signing the petition and options to withdraw their signature if desired.

Motion carried. Voting Yes: Chairperson Riley, Councilmembers Kuzma and Johns. Voting No: None.

6. COMMITTEE / STAFF INPUT

6.01: Review Drainage Concerns at 17290 Germanium Street NW

City Engineer Westby stated that the property owner at 17290 Germanium Street NW informed the City Council on November 13, 2018 that he was concerned that the runoff from the Covenant Meadows residential development was flooding his property. He also stated that the City Engineer has been unresponsive to his concerns and requests.

City Engineer Westby provided background information noting that the property owner at 17290 Germanium Street NW built their home in 1992. They built a garage in the southwest corner of the property in 1998, which was rebuilt in 2005 after the first garage burned down. The garage was constructed in a low area of the lot and was not elevated. The garage door faced a private property which was used to access Germanium Street approximately 300-feet to the east. In 2017, construction began on the Covenant Meadows residential development, which included construction of a new public street (172nd Lane NW) abutting the south property line of 17290 Germanium Street NW. During construction of this development, the property owner contacted City Staff and the developer on numerous occasions to request modifications to the new driveway installed between his garage and 172nd Lane NW. He also requested grading modifications to prevent drainage from entering his property from the north and west, noting he had issues with standing water on his property.

City Engineer Westby stated that before Covenant Meadows was developed (pre-development), 11.125 acres of land drained onto this property from the north and the west, contributing 3.1 cubic feet per second of runoff from a 100-year storm event. After Covenant Meadows was developed (post-development), 1.306 acres of land drain onto this property from the north and the west, contributing 0.75 cubic feet per second of runoff from a 100-year storm event. He reviewed the memorandum from the Engineering Department outlining pre and post-development drainage conditions and displayed maps showing the pre and post-drainage areas that contribute runoff onto this property.

City Engineer Westby reviewed the driveway modifications that have been made throughout this process which included a driveway constructed with a 15" driveway culvert but noted that the property owner was not satisfied as his work trailer bottomed out. He stated that two eight-inch culverts were then evaluated but during that process the property owner removed the culvert and regraded the driveway himself. The property owner objected to the use of any culverts. He stated that the property owner expanded the driveway using aggregate base provided by the developer, so there is now a 60-foot-wide driveway with no culvert. He stated that drainage is forced to flow over the driveway as constructed.

City Engineer Westby reviewed drainage modifications noting that the property owner requested a swale to drain the pad west of the garage. He stated that the developer was still discussing options with the property owner when the property owner addressed the City Council. He stated

that the driveway was designed to direct the flow of water into the culvert and drainage ditch but again that culvert was removed by the property owner after the road was paved. He stated that the ditch was regraded to help direct water that flows down the driveway, as the culvert and grading that was previously done is no longer directing water.

City Engineer Westby stated that staff believes that this property benefited from the Covenant Meadows development in terms of reducing the amount of drainage entering the property. Staff also believes it was very responsive to this resident during construction of the Covenant Meadows development. Staff had many phone conversations with the property owner and met with him onsite numerous times in attempt to address the numerous requests of the property owner. He stated that overflow drainage from the north infiltration pond will be forced to flow over the driveway as currently constructed as the culvert was removed.

Councilmember Kuzma asked the distance of the easement from the edge of the road onto the property. He asked and received confirmation that the culvert was within the City easement. He asked the expense that was spent on the driveway improvements thus far.

City Engineer Westby stated that he is unsure because of the amount of City staff and staff from the developer that has been spent on this issue.

Senior Engineering Inspector McDowall stated that he spent a considerable amount of time on this topic attempting to find a resolution with the property owner.

Eric Thompson, developer for Covenant Meadows, stated that there was dialogue with he and the property owner prior to the discussions with City staff, which included providing fill to the property at his request. He stated that Mr. Aberle is concerned with flooding and there have been four engineers reviewing this issue and he is confident in their design abilities. He stated that it is clear that there is less water draining to the property post-construction than there was pre-construction. He stated that without the culvert the property is more susceptible to flooding. He stated that he would be agreeable to furnishing and installing the two eight-inch culverts, which had been evaluated in the past. He additionally offered additional materials to assist the property owner in better grading his property to alleviate flooding concerns in the future. He acknowledged that it is tough to address the flooding concerns and concerns with the trailer.

Mr. Aberle stated that he did bring up the base of the garage and never once had an issue with water coming into the garage. He stated that the original culvert caused the wheels of his trailer to come off the ground. He stated that he has never heard of eight-inch culverts prior to tonight.

Mr. Aberle stated that pre-construction there was a bit of standing water for a few days but that was it. He noted that post-construction there is water standing in his garage during that spring melt. He stated that without the culvert there was discussion of graded ditches and hard surface swales, which did not occur. He stated that he has hired an engineer and attorney. He stated that following a storm event in September, there was seven inches of standing water in his yard.

Councilmember Kuzma asked if Mr. Aberle would be satisfied with the offer from the developer regarding the two eight-inch culverts.

Councilmember Johns asked if the street was previously paved.

Mr. Aberle noted that there was not a street in that location previously.

Chairperson Riley asked if the eight-inch culverts would be the recommended option.

Senior Engineering Inspector McDowall confirmed that the two eight-inch culverts were proposed to alleviate drainage and trailer concerns.

City Engineer Westby agreed that seems to be a reasonable solution.

Mr. Thompson stated that he would be agreeable to donating additional fill, if desired, to allow the property owner to better grade their property but would not want to be responsible for the grading of private property.

Chairperson Riley stated that seems to be a reasonable solution.

Mr. Aberle stated that he does not have the expertise or equipment to complete grading.

Chairperson Riley asked if the resident would be in agreement with the offer for the two eight-inch culverts for the driveway.

Councilmember Kuzma asked if the resident would be satisfied with two eight-inch culverts and grading to minimize the impact for trailers.

Mr. Aberle stated that would help with the area near the driveway but would not assist in the water problem in the other part of his yard.

Mr. Thomson identified the contours of the property and highlighted the holding pond that was constructed to catch runoff. He noted that the area that drains into the side of the yard that Mr. Aberle mentioned was not disturbed and therefore that issue is not an impact of this project.

Senior Engineering Inspector McDowall stated that perhaps a swale could be graded in the undisturbed area of the adjacent property.

Mr. Aberle stated that he would not want to see damage to the trees.

Mr. Thompson replied that he does not own that property any longer either.

Mr. Aberle suggested that the pond be extended to the west to provide additional volume and direct water from his yard into that pond.

City Engineer Westby stated that it would be difficult to continue discussions at this level. He stated that it would be beneficial to collect topographic data on the property to determine the proper improvement.

Mr. Aberle confirmed that he would be satisfied with the direction for the two eight-inch culverts in the driveway with additional grading of the driveway. He stated that he will also allow entry onto the property to complete the topography. He confirmed that he would provide permission for the grading of the driveway and topography to be completed.

It was noted that the driveway improvements may not occur until spring, pending frost and cold weather conditions. The Committee and Mr. Aberle reached consensus for Mr. Thompson to complete the driveway improvements including grading and two eight-inch culverts, and Mr. Aberle provided his permission for Staff to enter his property to collect topographic data along his west property line and around and adjacent to his garage and driveway.

City Engineer Westby noted that Staff will provide an update to the Committee in February since the January meeting is canceled.

5. COMMITTEE BUSINESS (Continued)

5.02: Consider Request to Modify Traffic Control at Bunker Lake Boulevard, Puma Street and Rabbit Street Intersection

City Engineer Westby stated that during the November 27, 2018 City Council meeting, a resident living at 14942 Quintana Street NW in the Riverstone residential development questioned the value of the all-way STOP intersection control recently installed at the intersection of Bunker Lake Boulevard, Puma Street and Rabbit Street, and requested that the City consider modifying the traffic control at this intersection. The resident told Council he feels the all-way STOP is unnecessary at this time and recommended that all of the STOP signs be removed and replaced with a YIELD sign on southbound Puma Street. He said he also felt that a flasher signal might be appropriate for the pedestrian crossing at the intersection. He stated that during the five-months he has lived in Riverstone he has never met another car at this intersection, nor has he ever seen a pedestrian or bicyclist use the crosswalk. He also stated he often sees Riverstone residents running the STOP signs and is concerned people will get used to running the STOP signs and will continue to do so once the area more fully develops, and the STOP signs are warranted.

City Engineer Westby provided historical crash data for the intersection and reviewed the posted/statutory speed limits on each leg of the intersection. He also reviewed the traffic volumes, which were most recently recorded on each leg of the intersection in 2015.

City Engineer Westby stated that staff discussed the property owners concerns with Bolton & Menk, the design engineer for Improvement Project #18-05 under which the STOP signs were installed. Bolton & Menk stated that the all-way STOP control was based on the best information available at the time related to intersection geometrics and traffic volumes in and around the intersection at the time it opened. Throughout the plan preparation process, Rabbit Street was still considered a future street and in order to obtain State Aid approvals, STOP signs were required on both Bunker Lake Boulevard and Puma Street. Development timing and the resultant traffic growth were unknown at the time plans were developed, and traffic forecasts

were aggressive. Growth in the area will dictate when an all-way STOP control is warranted.

City Engineer Westby stated that in summary, traffic control is designed before construction is complete and is therefore theoretical in nature, based on anticipated conditions. If changes are made to traffic control after construction, the changes must account for actual conditions, which requires further study. Bolton & Menk prepared the memo included in the case, which describes all this in more detail. The memo also recommends completing an updated traffic study to determine appropriate short and long-term traffic control options. Bolton & Menk can complete this study in January at a cost not-to-exceed \$3,000.

City Engineer Westby stated that the cost to remove a stop sign is approximately \$200 per sign. The cost for City Staff to fabricate and install a new sign is approximately \$300 per sign. Staff proposed to pay all costs to study and/or modify the traffic control at this intersection as part of City Improvement Project #18-05. He stated that staff recommends completing the traffic study proposed by Bolton and Menk in January of 2019, and to present the findings to the Public Works Committee in February of 2019 for further discussion and direction.

Chairperson Riley stated that what he heard is that the roads will continue to change, and the study could be outdated once completed.

Councilmember Kuzma stated that he would not support doing anything right now.

Chairperson Riley stated that the neighborhoods are quickly developing and if something is done now, it would be redone in a few years. He stated that it would be silly to remove the stop sign only to place it back in a few years.

Civil Engineer IV Leonard Linton stated that the study would include vehicles, pedestrians and bicycles and noted that January would not be the ideal month to capture all of that traffic. He agreed that delaying the decision may be the better choice.

It was the consensus of the Committee to leave the all-way STOP intersection controls as is.

6. COMMITTEE / STAFF INPUT (Continued)

6.02: Staff Updates on Improvement Projects and Items of Interest

City Engineer Westby provided an update on costs for the proposed Riverdale Drive Trunk Utility Improvements that will serve the new LazyDays RV maintenance facility. He noted that at the December 11, 2018 City Council meeting Staff presented the estimated construction cost at around \$450,000, but since then Staff has learned the estimated construction cost is actually closer to \$750,000. However, he confirmed there are sufficient funds available in the trunk sewer and water funds to fully fund the project. He also noted that LazyDays will pay all winter construction costs, and that additional development will reimburse the City for the cost of installing the trunk utilities.

City Engineer Westby noted that the January Public Works Committee meeting has been canceled due to a conflict with the road funding open house scheduled for January 15, 2019.

6.03: Review Future Topics Calendar

No comments made.

7. ADJOURNMENT

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

Motion carried.

The regular meeting of the Public Works Committee adjourned at 7:24 p.m.

Respectfully submitted,

Grant Riemer
Public Works Superintendent

Drafted by Amanda Staple
TimeSaver Off Site Secretarial, Inc.