

TABLE OF CONTENTS

1. CALL TO ORDER 2

2. PRESENTATION..... 2

3. CITIZEN INPUT 2

4. APPROVE AGENDA 2

5. CONSENT AGENDA 3

6. PUBLIC HEARING 4

 6.01: Public Hearing: Adopt Resolution #20-229 Adopting Assessment Roll Certifying Assessments for Improvement Project #20-04, Puma Street Improvements..... 4

7. COUNCIL BUSINESS..... 4

 7.00: Adopt Resolution #20-226 Approving Abatement of 6745 Highway 10 NW; Case of Independent Auto..... 4

 7.01: Introduce Ordinance Amending Chapter 34 of the City Code: “Offenses and Miscellaneous Provisions”, Governing the Use of Firearms, Bows and Arrows 7

 7.02: Receive Update on Highway 10/169 Funding Plan and Legislative Efforts 8

 7.03: Adopt Resolution #20-231 Approving Small Business Relief Grants and Modification of CARES Act Allocation and Program Criteria..... 9

 7.04: Adopt Resolution #20-225 Approving New Curbside Recycling Contract with ACE Solid Waste, Inc. 9

 7.05: Select Public Advisory Committee Representative for Northwest Metro River Crossings Feasibility Analysis..... 11

8. MAYOR, COUNCIL AND STAFF INPUT 12

9. ADJOURNMENT 12

**CITY COUNCIL
CITY OF RAMSEY
ANOKA COUNTY
STATE OF MINNESOTA**

The Ramsey City Council conducted a regular meeting on Tuesday, October 13, 2020, at the Ramsey Municipal Center, 7550 Sunwood Drive NW, Ramsey, Minnesota.

Members Present: Mayor John LeTourneau
Councilmember Mark Kuzma
Councilmember Jeff Menth
Councilmember Debra Musgrove
Councilmember Chris Riley
Councilmember Dan Specht

Members Absent: None

Also Present: City Administrator Kurtis Ulrich
Finance Director Diana Lund
Police Chief Jeff Katers
Police Captain Brad Bluml
Deputy City Administrator Timothy Gladhill
City Engineer Bruce Westby
City Planner Chris Anderson

1. CALL TO ORDER

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 Mayor LeTourneau.

2. PRESENTATION

None.

3. CITIZEN INPUT

None.

4. APPROVE AGENDA

City Administrator Ulrich stated that there was a request to pull Item 5.09 from the Consent Agenda. It was noted that will now be considered as 7.00.

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

Motion carried. Voting Yes: Mayor LeTourneau, Councilmembers Riley, Kuzma, Menth, Musgrove, and Specht. Voting No: None.

5. CONSENT AGENDA

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

- 5.01: Receive Cash and Investments for Period Ending September 30, 2020
- 5.02: Receive Petition Requesting Street Light at the Corner of Alpaca Street and 166th Avenue
- 5.03: Approve the following Meeting Minutes:
 - 1) City Council Work Session dated July 28, 2020
 - 2) City Council Regular dated July 28, 2020
 - 3) City Council Work Session dated September 22, 2020
 - 4) City Council Regular dated September 22, 2020
- 5.04: Approve Rental Licenses
- 5.05: Adopt Request to Declare Surplus Property
- 5.06: Adopt Resolution #20-223 Approving Cash Disbursements Made and Authorizing Payment of Accounts Payable Invoicing Received During the Period of September 17, 2020 through October 7, 2020
- 5.07: Adopt Resolution #20-075 Amending Development Agreement for Makowsky Property (Project 20-103)
- 5.08: Adopt Resolution #20-198 Approving Easement Encroachments for 6043 Highway 10 NW; Case of Roman Gadaskin
- 5.09: ~~Adopt Resolution #20-226 Approving Abatement of 6745 Highway 10 NW; Case of Independent Auto~~ This was removed from the Consent Agenda and considered as Item 7.00
- 5.10: Adopt Resolution #20-228 Approving Final Plat for Ramsey Villas North (Project 20-117)
- 5.11: Adopt Resolution #20-230 Approving Drainage and Utility Easement Encroachment for Eave Overhangs in the Riverstone Subdivision; Case of Capstone Homes/Riverstone Development, LLC
- 5.12: Adopt Resolution #20-234 Approving Abatement at 14700 Armstrong Boulevard NW
- 5.13: Adopt Resolution #20-235 Amending Development Agreement for Garden View
- 5.14: Adopt Resolution #20-236 to Fill Council Member Committee and Commission Vacancies for the Remainder of 2020
- 5.15: Authorize Citizen Survey Contract
- 5.16: Adopt Resolution #20-233 Approving Lease Agreement of 6701 Highway 10 NW; Case of Mille Lacs Motor Sports II (Portions of meeting may be closed to the public)
- 5.17: Adopt Resolution #20-232 Approving Lease Agreement for 6701 Highway 10 NW; Case of Connections Church (Portions of the meeting may be closed to the public)

Motion carried. Voting Yes: Mayor LeTourneau, Councilmembers Menth, Riley, Kuzma, Musgrove, and Specht. Voting No: None.

6. PUBLIC HEARING

6.01: Public Hearing: Adopt Resolution #20-229 Adopting Assessment Roll Certifying Assessments for Improvement Project #20-04, Puma Street Improvements

Presentation

City Engineer Westby reviewed the staff report and recommendation to adopt Resolution #20-229 adopting the final assessment roll certifying assessments for Improvement Project #20-04, Puma Street Improvements.

Public Hearing

Mayor LeTourneau called the public hearing to order at 7:18 p.m.

Citizen Input

There was none.

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

Motion carried. Voting Yes: Mayor LeTourneau, Councilmembers Musgrove, Kuzma, Menth, Riley, and Specht. Voting No: None.

The public hearing was closed at 7:19 p.m.

Council Business

Councilmember Musgrove commented that she was glad to see the actual costs come in under the estimate.

Motion by Councilmember Musgrove, seconded by Councilmember Riley, to Adopt Resolution #20-229 Adopting Assessment Roll Certifying Assessments for Improvement Project #20-04, Puma Street Improvements.

Motion carried. Voting Yes: Mayor LeTourneau, Councilmembers Musgrove, Riley, Kuzma, Menth, and Specht. Voting No: None.

7. COUNCIL BUSINESS

7.00: Adopt Resolution #20-226 Approving Abatement of 6745 Highway 10 NW; Case of Independent Auto

Deputy City Administrator Gladhill reviewed the staff report and recommendation to adopt Resolution #20-226 approving the abatement of 6745 Highway 10 NW.

Allen Berg, 7470 152nd Lane NW, stated that he is present to clear his name. He stated that he started this business with 70 customers and now has 4,700 through just word of mouth. He stated that staff is accusing him of disassembling cars and using them for repairs. He stated that they use carparts.com and his employees are paid \$30 per hour. He stated that the likelihood of a part from one car fitting on another one that comes in is highly unlikely. He stated that with the level of vehicles that he services, there could be 50 to 60 vehicles onsite per day. He stated that he tries to have customers provide new tabs, but often vehicles are towed in without up to date tabs for different reasons and provided an example of a vehicle with expired tabs that is currently in probate but requires a cost estimate of repairs. He stated that he also repairs vehicles for dealers that purchase vehicles at auction and often do not have tabs when they come in. He also provided details on the tire pickup and that schedule, which required outdoor storage until they could be picked up because of delays out of his hands. He stated that he is not looking to renew the lease but just wants to get through the lease which ends in March. He stated that he runs a repair shop and vehicles come in not working. He stated that most of the lots within the corridor do not have up to date tabs because they are waiting to be sold or waiting for repair. He asked for one-hour notice before the abatement so that he could have the Sheriff's Office present.

Councilmember Specht thanked Mr. Berg for sharing his side. He asked if Mr. Berg was okay with the lease expiration.

Mr. Berg confirmed that he does not want to renew the lease. He commented that the building is in poor shape and does not meet requirements. He stated that he would not have renewed the lease two years ago but wanted to help his employees.

Councilmember Musgrove thanked Mr. Berg for providing his side. She asked if the business is licensed in the State or City and whether it is in good standing.

Mr. Berg confirmed that he has been licensed for 14 years and is in good standing.

Councilmember Musgrove acknowledged that there has been a problem with tabs and licensing this year because of COVID. She asked for additional details on the tire pickup.

Mr. Berg stated that there is a company that picks up the tires for scrap and typically they arrived within seven to ten days of the request but this time it took months. He explained that the reasoning he was given was because the truck typically runs four employees but could only run two because of COVID restrictions. He noted that there are only two companies that provide this service within the state. He stated that he did explain these things when he met with staff on the property.

Councilmember Riley referenced the comment that 23 vehicles have been hauled away or fixed.

Mr. Berg replied that he hauled those vehicles back to the customers at a cost of \$1,100. He stated that he did the same the previous year when he received a similar notice from the City, at a cost of \$1,200 in towing. He explained that he did not feel that his customers should be penalized because the vehicles cannot be fixed within the timeline identified by the City process.

Councilmember Riley asked if Mr. Berg believes he will then be within compliance.

Mr. Berg replied that there are still six vehicles that he is waiting on tabs from customers and there are perhaps eight additional vehicles without tabs owned by dealerships. He explained the timeline on vehicle repairs and the prioritization in order to have revenue to pay expenses. He stated that for the larger projects, the customers have the understanding that the timeline will be longer.

Deputy City Administrator Gladhill stated that an appeal hearing could occur if there is a desire to appeal the substance of the letter. He stated that Mr. Berg has not requested that to this point. He recognized that Independent Auto has provided a service to the community and does a lot of great work in a substandard facility. He stated that the main concern is the number of vehicles there for an extended period of time in operable condition, such as the vehicle that has been there for 1.5 years in inoperable condition.

Councilmember Specht asked if there is something that could be worked out as there is a mutual understanding that the relationship will be terminated in March.

Deputy City Administrator Gladhill confirmed that the Council has the ability to do that. He stated that typically there should be progress made between now and then, but it could also be tied to the end of the lease. He stated that staff would not want to see an influx of inoperable vehicles during that time.

Councilmember Riley stated that he appreciates the comments of Councilmember Specht and the process of cleaning up the site and moving vehicles. He stated that perhaps Mr. Berg does not take in any more long-term projects. He stated that the Council has given staff direction that these cases need to be followed up on and traction is lost in the winter. He stated that while he would like flexibility, he would also want to see buy-in from Mr. Berg that this process will continue.

Mr. Berg confirmed that significant improvement has been made and he would continue to do so.

Councilmember Kuzma stated that he would be in support of providing flexibility until the lease is up in March but also would not want to see the situation expanded.

Councilmember Menth echoed the comments that he would support providing flexibility until March as long as things do not get worse.

Mr. Berg thanked the Council, noting that his intention was not to request flexibility but just to clear his name and his business reputation. He confirmed that he is a supporter of the community and local community organizations.

Councilmember Menth asked where the business will be moving.

Mr. Berg confirmed that he is aware of the new location but would not like to share that at this time.

Mayor LeTourneau confirmed that he would also be in favor of providing flexibility at this time. He stated that perhaps this is an opportunity to review this portion of City Code to confirm that it is still relevant and up to date. He stated that if there is going to be flexibility, he would prefer to have teeth to it and would like to direct staff to work with Mr. Berg in a way to easily see the expectations and timeline.

Deputy City Administrator Gladhill asked that the resolution be adopted, amending the resolution to line up with the expiration of the lease and perhaps providing 30 days to remove the six additional vehicles with the expectation that the site stay in compliance during the remainder of the time.

Mr. Berg replied that he would never be able to meet compliance as he would lose all his dealership customers.

Deputy City Administrator Gladhill stated that this site has not been licensed or leased for motor sales. He stated that if the vehicles are for sale, the dealer's license could be addressed but whether the vehicle is operable would still be a factor.

Motion by Councilmember Riley, seconded by Councilmember Kuzma, to Adopt Resolution #20-226 Approving an Abatement of Independent Auto at 6745 Highway 10 NW, with direction that abatement will not occur until the expiration of the lease and that progress will be made between now and then on the remaining issues and the existing condition shall not get worse.

Further discussion: Councilmember Menth asked what the teeth would be in this agreement. Deputy City Administrator Gladhill stated that the typical zoning code will provide guidance on how to define that with focus on severely damaged vehicles and vehicles that do not run. Councilmember Musgrove thanked Mr. Berg for coming forward and sharing information on his case.

Motion carried. Voting Yes: Mayor LeTourneau, Councilmembers Riley, Kuzma, Menth, Musgrove, and Specht. Voting No: None.

7.01: Introduce Ordinance Amending Chapter 34 of the City Code: "Offenses and Miscellaneous Provisions", Governing the Use of Firearms, Bows and Arrows

Police Captain Bluml reviewed the staff report and recommendation to introduce the ordinance as proposed.

Councilmember Riley asked for an overview of the changes.

Police Sergeant Webb described the current permit process and highlighted the proposed changes.

Councilmember Kuzma asked the type of revenue that is received for permitting.

Police Sergeant Webb stated that the charge is five dollars per person per permit.

Councilmember Musgrove thanked staff for identifying a more streamlined process.

Motion by Councilmember Musgrove, seconded by Councilmember Specht, to introduce Ordinance #20-19 Amending Chapter 34 of the City Code: “Offenses and Miscellaneous Provisions”, Governing the Use of Firearms, Bows and Arrows.

Further discussion: Councilmember Riley expressed appreciation to staff for bringing this forward in order to streamline things.

Motion carried. Voting Yes: Mayor LeTourneau, Councilmembers Musgrove, Specht, Kuzma, Menth, and Riley. Voting No: None.

7.02: Receive Update on Highway 10/169 Funding Plan and Legislative Efforts

Deputy City Administrator Gladhill reviewed the staff report and provided an update on the Highway 10 funding efforts for the Ramsey Gateway Project.

Elwyn Tinklenberg provided an update on the 2020 legislative session, which started with a request for \$47,000,000 to be used in the Sunfish and Ramsey Boulevard crossings. He stated that as the session moved on it became clear that the full amount of money would not be awarded, and they changed the strategy to find an amount more likely to be approved. He stated that an amount of \$10,000,000 was mentioned as a method to complete design and engineering, noting that was reduced to \$8,400,000 as the City has already received some funds designated for design and engineering. He stated that the Senate and House have been working together over the past few weeks in attempt to agree on a Bill and came to a compromise that includes the \$8,400,000. He stated that the final piece will come tomorrow when the House goes into session to consider the Bill. He noted that there has been a lot of contact with members of the House and Senate and they will continue to watch the progress. He noted that they will then begin the work to prepare for the 2021 session. He referenced a recent meeting that occurred at which a representative from MnDOT stated what an important project this is and how important it is that everyone works together to move this forward.

Councilmember Specht thanked Representative Emmer’s office for their work to secure funding for Highway 10, along with the work of Mr. Tinklenberg. He asked if the funding for the extra lane from Hanson to Round Lake was included in the Bill.

Mr. Tinklenberg stated that the third lane requires a different type of funding and he has not yet been able to find that third lane identified separately in the Bill. He reported that a language change was also included in the Bill, which will make \$2,000,000 available for the Ramsey Boulevard portion of the project that had previously been designated to Anoka County within the Hanson Boulevard project.

Mayor LeTourneau thanked Mr. Tinklenberg for his update and efforts. He stated that he is encouraged to hear the support of MnDOT for the project and that the Ramsey and Sunfish projects have been linked together into one project. He recognized the effort that Ramsey has put into this process and encouraged everyone to keep up the effort in order to have this project constructed within the period stated. He stated that this project is not yet ready to go because of the funding gap, noting that he is confident that Ramsey has the skill set to do so, but that will take additional work.

Councilmember Musgrove asked if the City funds are dedicated over the next few years or whether the funds are available now.

City Engineer Westby reported that there are funds dedicated in the Capital Improvement Program in 2022 and 2023, \$1,000,000 from MSA and \$1,000,000 from the PIR fund in each of those two years.

7.03: Adopt Resolution #20-231 Approving Small Business Relief Grants and Modification of CARES Act Allocation and Program Criteria

Deputy City Administrator Gladhill reviewed the staff report and recommendation from staff and the EDA to adopt Resolution #20-231 approving Small Business Relief Grants with the modification to allow grants to be awarded by both the City of Ramsey and Anoka County. He thanked Economic Development Manager Sullivan for the excellent job he continues to do.

Councilmember Riley commented that he is glad the City was able to develop this program to help small businesses.

Motion by Councilmember Riley, seconded by Councilmember Specht, to Adopt Resolution #20-231 Modifying CARES Act Small Business Grant Program to Allow for Additional Grant Awards.

Further discussion: Councilmember Musgrove asked if there was communication to the businesses in Ramsey to make them aware of the program. Deputy City Administrator Gladhill confirmed that there was communication to all businesses from the City and County in an attempt to reach out to everyone they were aware of. Councilmember Musgrove asked for details on the eligible expense and reimbursement. Deputy City Administrator Gladhill explained that the Federal Government laid out the eligible expenses and applicants cannot double dip; they must have different qualified expenses to qualify for both the City and County programs. He noted that the City does have an underwriting company providing assistance and there will be an audit on this as well. Councilmember Kuzma stated that he is happy the City is able to help businesses in this tough time.

Motion carried. Voting Yes: Mayor LeTourneau, Councilmembers Riley, Specht, Kuzma, Menth, and Musgrove. Voting No: None.

7.04: Adopt Resolution #20-225 Approving New Curbside Recycling Contract with ACE Solid Waste, Inc.

City Planner Anderson reviewed the staff report and recommendation to approve a five-year curbside recycling contract with the pricing structure outlined. Whichever alternative the Council prefers, the motion will need to specify the contract duration.

Councilmember Riley stated that the reasoning was reviewed on why an increase was to be expected. He stated that there is a substantial increase in year one, with increases each year after that which together are substantial. He asked why there would be additional increases in following years.

City Planner Anderson stated that it is not uncommon for those increases to be included in a contract. He stated that the trend is that the processing costs continue to increase year after year, and this would be an attempt to offset those processing costs.

Randy Triplett, ACE Solid Waste, stated that typically employees are given a raise each year and the cost of fuel and processing fluctuate. He stated that in the past they have absorbed those costs but would like to prevent that situation where ACE needs to absorb those costs each year.

Councilmember Musgrove asked the amount of material that is recycled versus what is collected.

Mr. Triplett replied that ACE does not process the recycling but instead delivers the material to another company that processes the material. He stated that in order to keep their tax-exempt status, that organization must have a rate of 95 percent, which means that 95 percent of that material must be recycled. He explained that some things are rejected, like pizza boxes.

Councilmember Musgrove stated that recently there has been materials distributed that say if you are unsure, you are to put it in the trash. She stated that the cost to process is increasing but is unsure how much material is being recycled with that type of messaging. She stated that once her recycling cart is full, she puts the rest in the trash.

Mr. Triplett noted that larger recycling carts can be requested. He stated that they recently launched a waste and recycling inquisitor on the City website to help guide residents. He stated that part of the changing regulations was due to people putting things in the recycling that cannot be recycled.

Councilmember Musgrove stated that she has a concern with the increase.

Mr. Triplett explained that the proposed rates were identified through negotiations with staff.

Councilmember Riley stated that he understands the increase in price after 12 years but could not support an increase each year. He stated that if that is the method proposed, he would support a short-term contract and then go out for a RFP.

Councilmember Specht asked if there is information on the number of Ramsey residents that use recycling.

City Planner Anderson stated that monthly reports are received from ACE, which includes the participation rate. He stated that about 90 percent of households participate month after month.

Councilmember Specht asked how things would change if people could opt out of the program.

City Planner Anderson stated that opting out of the program would defeat the purpose of the contract which helps to buy down the monthly cost. He stated that would drive the core unit price up further.

Deputy City Administrator Gladhill stated that from an administrative standpoint it would add expense and time to run the program if an opt out option were added.

Councilmember Kuzma commented that the City has had a 30-year relationship with ACE, and they provide a good service to the City and community. He stated that perhaps staff could work with ACE to find a more tolerable contract in order to continue the partnership. He stated that while he understands the need for an increase, he believed the terms could be better negotiated.

Councilmember Menth agreed that it would be best to have staff and ACE further negotiate. He stated that it is difficult to estimate the inflation rate for the next five to seven years.

Deputy City Administrator Gladhill stated that this contract expires on December 31st. He advised of an upcoming employee leave that will occur in the department which handles this contract and therefore it would be impossible for staff to negotiate before the end of the year. He recommended that an extension be granted through the first quarter of 2021.

Motion by Councilmember Kuzma, seconded by Councilmember Riley, to extend the Curbside Recycling Contract with ACE Solid Waste Inc. through the first quarter of 2021 at the current rate and directing staff to continue negotiations with ACE.

Motion carried. Voting Yes: Mayor LeTourneau, Councilmembers Kuzma, Riley, Menth, Musgrove, and Specht. Voting No: None.

7.05: Select Public Advisory Committee Representative for Northwest Metro River Crossings Feasibility Analysis

City Engineer Westby reviewed the staff report and recommendation to select a member of the Council to serve on the Public Advisory Committee for the Northwest Metro River Crossing Feasibility Analysis.

Councilmember Specht stated that he would be interested in serving.

Councilmember Musgrove commented that she would also be interested in serving.

Councilmember Menth stated that he would also be interested in serving. He stated that it always amazed him that Anoka could get the funds to build a temporary bridge to fix an old bridge and then tear down the temporary bridge, but Ramsey could not even get a bridge.

Motion by Councilmember Kuzma, seconded by Mayor LeTourneau, to select Councilmember Menth to serve on the Public Advisory Committee for the Northwest Metro River Crossings Feasibility Analysis.

Motion carried. Voting Yes: Mayor LeTourneau, Councilmembers Kuzma, Menth, and Riley.
Voting No: Councilmembers Musgrove and Specht.

8. MAYOR, COUNCIL AND STAFF INPUT

City Administrator Ulrich announced upcoming meetings and events.

Mayor LeTourneau asked and received confirmation that the Public Works Committee and Special City Council Worksession would be available via Zoom.

Councilmember Menth asked the dates of the COVID testing at the Anoka Armory.

City Administrator Ulrich replied that the testing began today and will also take place Wednesday and Thursday.

Councilmember Specht commended the PACT soccer team for its recent win.

9. ADJOURNMENT

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

Motion carried.

The regular meeting of the City Council adjourned at 9:05 p.m.

Respectfully submitted,

Kurtis G. Ulrich
City Administrator

ATTEST:

Katie M. Schmidt
Administrative Assistant

Drafted by Amanda Staple

TimeSaver Off Site Secretarial, Inc.

A recording of this meeting is available for viewing online at www.qctv.org
<<http://www.qctv.org>>. Recordings are available for 36 months after the date of the meeting.