

Councilmember Heinrich introduced the following resolution and moved for its adoption:

RESOLUTION #19-222

**A RESOLUTION APPROVING CODE ENFORCEMENT ACTION PLAN FOR 6336
HIGHWAY 10 NW COMMONLY KNOWN AS JAC AUTO REPAIR AND SALES**

WHEREAS, JAC Auto Repair and Sales (the “Business”) is operating on the property generally known as 6336 Highway 10 NW and legally described as follows:

LOT 2 AUDITOR SUBDIVISION NUMBER 096, EX ROAD SUBJECT TO
EASEMENT OF RECORD

(the “Subject Property”); and

WHEREAS, the Subject Property is zoned H-1 Business District; and

WHEREAS, the Subject Property is approximately 0.95 acres; and

WHEREAS, the Business, commonly known as JAC Auto Repair and Sales, has been in operation after the City’s incorporation and formal adoption of zoning authority; and

WHEREAS, the City acknowledges that certain lawful non-conforming rights related to motor vehicle repair and sales are applicable; however, the ‘footprint’ of the lawful non-conforming use appears to have expanded based on historic aerials; and

WHEREAS, there are documented City Code violations dating back to the 1980s, with notices of violation regarding multiple issues, including off-street parking, exterior storage of inoperable vehicles, accumulation of debris, non-permitted signs, and operating a business without proper licensure, with notifications sent in 1985, 1990, 1993, 1994, 2006, and 2007; and

WHEREAS, an agreement was reached between the Business owner and the City Attorney on January 3, 1986 permitting the business to store no more than four (4) inoperable automobiles behind the fence that exists behind the garage; and

WHEREAS, that same agreement called for the removal of any and all other automobiles from the property by January 17, 1986; and

WHEREAS, that same agreement required the Business owner to provide three (3) parking spaces for each the auto body business and auto upholstery business on the Subject Property; and

WHEREAS, City Staff have in their possession photographs that find the Business to be out of compliance with this past agreement; and

WHEREAS, a code enforcement action plan is required to bring the Subject Property and Business into compliance with City Code.

NOW THEREFORE, BE IT RESOLVED BY THIS CITY COUNCIL OF THE CITY OF RAMSEY, ANOKA COUNTY, STATE OF MINNESOTA, as follows:

That the Ramsey City Council hereby grants approval of the proposed code enforcement action plan on the Subject Property as outlined below:

1. The Owner has 28 days (4 weeks) from the date of approval of this resolution to come into compliance with both City Code and the past agreement made in 1986, which allows for up to four (4) inoperable or damaged vehicles stored on the Subject Property behind the fencing.
2. If the Owner does not come into compliance with both City Code and the past agreement made in 1986 within 28 days, they will be financially penalized.
3. That the Subject Property has lawful, non-conforming rights for a graveled parking surface for vehicle parking as seen in **Exhibit A**.
4. The Subject Property does not have the right to park on the grass.
5. The Subject Property cannot store any damaged or inoperable vehicles outside the fenced in area seen in **Exhibit A**.
6. The Subject Property cannot store any items unrelated to the business on the Subject Property.

The motion for the adoption of the foregoing resolution was duly seconded by Councilmember Musgrove, and upon vote being taken thereon, the following voted in favor thereof:

Mayor LeTourneau
Councilmember Heinrich
Councilmember Musgrove
Councilmember Kuzma
Councilmember Menth
Councilmember Riley

and the following voted against the same:

None

and the following abstained:

None

and the following were absent:

Existing Vacancy

whereupon said resolution was declared duly passed and adopted by the Ramsey City Council this the 24th day of September, 2019.

CITY OF RAMSEY:

By: _____

John LeTourneau
Mayor

By: _____

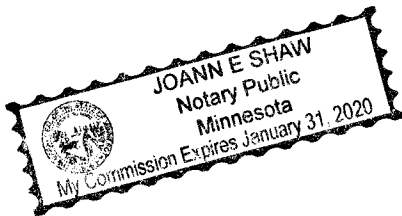
Jo Ann M. Thieling
City Clerk

STATE OF MINNESOTA)

) ss.

COUNTY OF ANOKA)

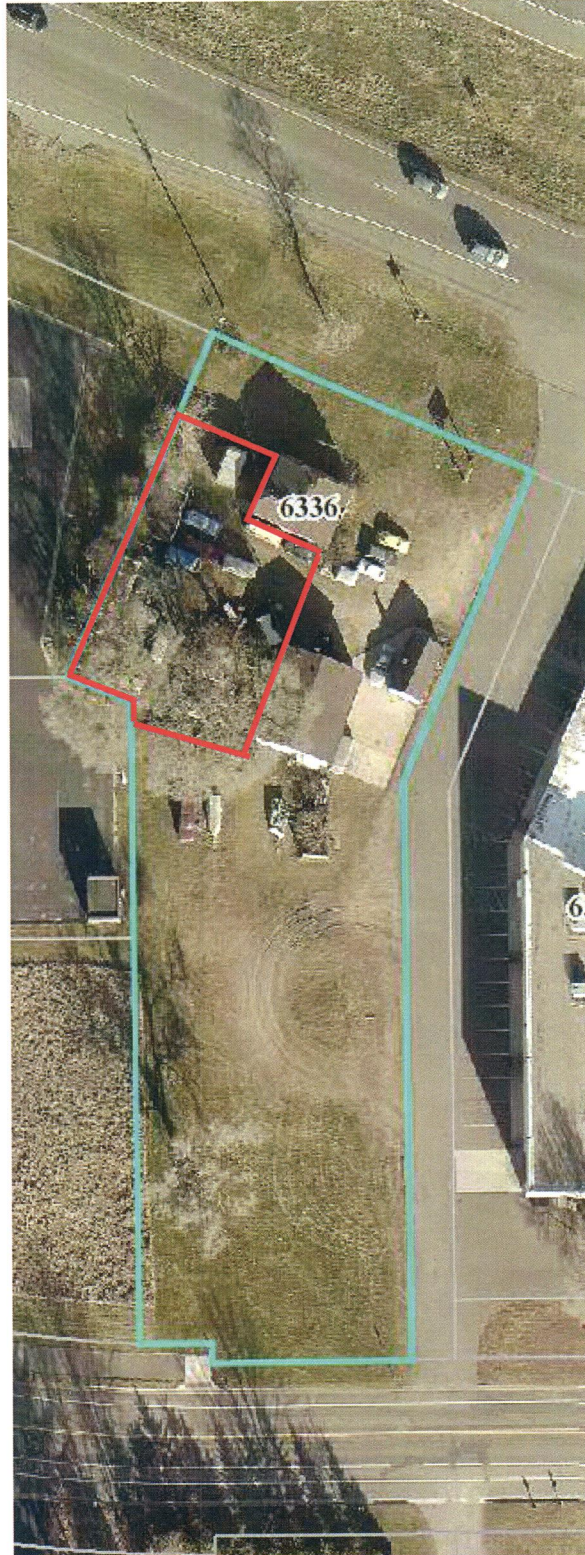
On this 15th day of November, 2019 before me a Notary Public personally appeared Mayor John LeTourneau and Jo Ann M. Thieling, to me personally known, who, being each by me duly sworn, did say that they are respectively the Mayor and City Clerk of the City of Ramsey, the Municipal Corporation named in the foregoing instrument, and seal affixed to said instrument is the corporate seal of said Municipal corporation, and the said instrument was signed and sealed on behalf of said Municipal Corporation by authority of its City Council, and said John LeTourneau Jo Ann M. Thieling acknowledge said instrument to be the free act and deed of said Municipal Corporation.



Joann E Shaw
Notary Public

This document drafted by:
City of Ramsey
7550 Sunwood Dr NW
Ramsey, MN 55303

EXHIBIT A



Councilmember Riley introduced the following resolution and moved for its adoption:

RESOLUTION #19-250

**A RESOLUTION RESCINDING RESOLUTION #19-222 RELATED TO
6336 HIGHWAY 10 NW COMMONLY KNOWN AS JAC AUTO REPAIR AND SALES**

WHEREAS, the City Council approved Resolution #19-222 on September 24, 2019; and

WHEREAS, Resolution #19-222 was intended to be pulled from the consent agenda to give City Staff additional time to work with the property owner on a timeframe for code enforcement cleanup and action; and

WHEREAS, City Staff will come back with an updated resolution for code enforcement cleanup and action within thirty (30) days from the date of this agenda.

**NOW THEREFORE, BE IT RESOLVED BY THIS CITY COUNCIL OF THE
CITY OF RAMSEY, ANOKA COUNTY, STATE OF MINNESOTA, as follows:**

1. That the Ramsey City Council hereby rescinds Resolution #19-222.

The motion for the adoption of the foregoing resolution was duly seconded by Councilmember Musgrove, and upon vote being taken thereon, the following voted in favor thereof:

Mayor LeTourneau
Councilmember Riley
Councilmember Musgrove
Councilmember Heinrich
Councilmember Kuzma
Councilmember Menth

and the following voted against the same:

None

and the following abstained:

None

and the following were absent:

Existing Vacancy

whereupon said resolution was declared duly passed and adopted by the Ramsey City Council this the 8th day of October, 2019.

CITY OF RAMSEY:

By: *John LeTourneau*
Mayor

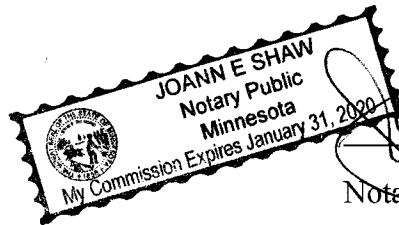
By: *Jo Ann M. Thieling*
City Clerk

STATE OF MINNESOTA)

) ss.

COUNTY OF ANOKA)

On this 29th day of October, 2019, before me a Notary Public personally appeared Mayor John LeTourneau and Jo Ann M. Thieling, to me personally known, who, being each by me duly sworn, did say that they are respectively the Mayor and City Clerk of the City of Ramsey, the Municipal Corporation named in the foregoing instrument, and seal affixed to said instrument is the corporate seal of said Municipal corporation, and the said instrument was signed and sealed on behalf of said Municipal Corporation by authority of its City Council, and said John LeTourneau Jo Ann M. Thieling acknowledge said instrument to be the free act and deed of said Municipal Corporation.



Joanne Shaw
Notary Public

This document drafted by:
City of Ramsey
7550 Sunwood Dr NW
Ramsey, MN 55303

Councilmember Riley introduced the following resolution and moved for its adoption:

RESOLUTION #19-253

**A RESOLUTION APPROVING CODE ENFORCEMENT ACTION PLAN FOR 6336
HIGHWAY 10 NW COMMONLY KNOWN AS JAC AUTO REPAIR AND SALES**

WHEREAS, JAC Auto Repair and Sales (the “Business”) is operating on the property generally known as 6336 Highway 10 NW and legally described as follows:

LOT 2 AUDITOR SUBDIVISION NUMBER 096, EX ROAD SUBJECT TO
EASEMENT OF RECORD

(the “Subject Property”); and

WHEREAS, the Subject Property is currently zoned E-1 Employment District; and

WHEREAS, the Subject Property is approximately 0.95 acres; and

WHEREAS, the Business, commonly known as JAC Auto Repair and Sales, has been in operation after the City’s incorporation and formal adoption of zoning authority; and

WHEREAS, the City acknowledges that certain lawful non-conforming rights related to motor vehicle repair and sales are applicable; however, the ‘footprint’ of the lawful non-conforming use appears to have expanded based on historic aerials; and

WHEREAS, there are documented City Code violations on the Subject Property extending back to the 1980’s, prior to JAC owning the Subject Property. JAC Auto acquired the property in April of 1986. Those City Code violations related to the open code enforcement case are outlined below:

- 1) On July 11, 2006, City Staff found the Subject Property to be in violation of City Code in regards to the display and storage of merchandise; and
- 2) On July 29, 2010, City Staff found the Subject Property to be in violation of City Code Section 30 (Nuisances) for the outdoor storage of abandoned or inoperable vehicles, the outdoor storage of deteriorating motor vehicle parts, and the storage and/or accumulation of waste; and
- 3) On August 19, 2011, City Staff found the Subject Property to be in violation of City Code in regards to the storage and display of junk vehicles and debris; and
- 4) On July 23, 2013, City Staff found the Subject Property to be in violation of City Code Section 30 (Nuisances) for the outdoors storage of abandoned or inoperable vehicles, the outdoor storage of deteriorating motor vehicle parts, the storage and/or accumulation of waste, and accessory structures (fences, garages) not being maintained; and

WHEREAS, an agreement was reached between the previous owner and the City Attorney on January 3, 1986 permitting the business to store no more than four (4) inoperable automobiles behind the fence that exists behind the garage; and

WHEREAS, that same agreement called for the removal of any and all other automobiles from the property by January 17, 1986; and

WHEREAS, that same agreement required the previous owner to provide three (3) parking spaces for the previous business that was located on the Subject Property; and

WHEREAS, the current property owner is not bound by this agreement; and

WHEREAS, City Staff have found the Subject Property owned by JAC Auto to be in violation of City Code Section 30 (Nuisances) for the same or similar reasons for the violations occurring between 2006 and 2013; and

WHEREAS, a code enforcement action plan is required to bring the Subject Property and Business into compliance with City Code; and

WHEREAS, the owner of the Business and Subject Property met with City Staff to discuss this issue on Thursday, October 3, 2019 to discuss agreeable terms and timeline for cleanup.

NOW THEREFORE, BE IT RESOLVED BY THIS CITY COUNCIL OF THE CITY OF RAMSEY, ANOKA COUNTY, STATE OF MINNESOTA, as follows:

That the Ramsey City Council hereby grants approval of the proposed code enforcement action plan on the Subject Property as outlined below:

1. The Owner has 30 days from the date of approval of this resolution to come into compliance with City Code. This includes the removal of tarps, sheets, or any material covering vehicles and the removal of any and all accumulated junk, garbage, refuse, or materials not directly related to the business.
2. The Owner must reapply Class V gravel to the existing extent of the gravel driveway/parking area by the end of May 2020, as to maintain the driveway/parking area into the future and parking all operable vehicles on said Class V gravel.
3. The Owner must set up an inspection with City Staff near the end of the 30 days for reassessment of the Subject Property to ensure City Code compliance in regards to the accumulation of junk, waste, and refuse.
4. The Owner must set up an inspection with City Staff upon completion of the reapplication of Class V gravel to the existing driveway/parking area to ensure compliance with City Code.

5. If the Property Owner fails to come into compliance with City Code, they may be subjected to financial penalty.
6. That the Subject Property has lawful, non-conforming rights for a graveled parking surface for vehicle parking as seen in **Exhibit A**.
7. The Subject Property does not have legal non-conforming status to park on the grass.
8. The Subject Property cannot have outdoor storage of any motor vehicles under tarps, sheets, or similar coverings.
9. The Subject Property cannot store any items unrelated to the business on the Subject Property.

The motion for the adoption of the foregoing resolution was duly seconded by Councilmember Kuzma, and upon vote being taken thereon, the following voted in favor thereof:

Mayor LeTourneau
Councilmember Riley
Councilmember Kuzma
Councilmember Heinrich
Councilmember Menth
Councilmember Musgrove

and the following voted against the same:

None

and the following abstained:

None

and the following were absent:

None

whereupon said resolution was declared duly passed and adopted by the Ramsey City Council this the 22nd day of October, 2019.

CITY OF RAMSEY:

By: _____

Mayor

John LeTourneau

By: _____

City Clerk

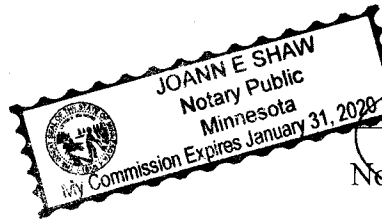
Jo Ann M. Thieling

STATE OF MINNESOTA)

) ss.

COUNTY OF ANOKA)

On this 29th day of October, 2019, before me a Notary Public personally appeared Mayor John LeTourneau and Jo Ann M. Thieling, to me personally known, who, being each by me duly sworn, did say that they are respectively the Mayor and City Clerk of the City of Ramsey, the Municipal Corporation named in the foregoing instrument, and seal affixed to said instrument is the corporate seal of said Municipal corporation, and the said instrument was signed and sealed on behalf of said Municipal Corporation by authority of its City Council, and said John LeTourneau Jo Ann M. Thieling acknowledge said instrument to be the free act and deed of said Municipal Corporation.



Joann E Shaw
Notary Public

This document drafted by:
City of Ramsey
7550 Sunwood Dr NW
Ramsey, MN 55303

EXHIBIT A

