

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

RESOLUTION #21-138

RESOLUTION RELIEVING PROPERTY OWNERS OF REIMBURSEMENT REQUIREMENT FOR CONSERVATION AND TRAIL EASEMENT PARTIAL VACATION ASSOCIATED WITH A RETAINING WALL AT 7349 168TH CIR NW

RECITALS

1. John and JoDell Seaman, hereafter referred to as “Property Owners”, properly applied for Conditional Use Permit for fill in a floodplain on the following described property located in the City of Ramsey:

Lot 9, Block 2, Brookfield 8th Addition, Anoka County, Minnesota

(the ‘Subject Property’);
2. That the Property Owners placed fill in the back yard of the Subject Property to create a flatter backyard with a retaining wall.
3. That the Subject Property is partially in the DNR Floodplain, including where the fill was placed.
4. That the Subject Property is encumbered by a Conservation and Trail Easement that does not allow fill to be placed.
5. That the City acquired said Conservation and Trail Easement through funds from the State of Minnesota Legislature’s Legislative-Citizen Commission on Natural Resources (LCCMR), which will require partial reimbursement for the area of encroachment supported by a certified appraisal.
6. That the City can request a partial vacation of said easement per the required reimbursement noted above.
7. That the City has considered a broader solution for the entire easement along the south side of Trott Brook in the Brookfield Neighborhood.
8. That the City has attempted to assist this process along through managing the project, completing floodplain modelling, and working through the required appraisal and LCCMR process with in-kind assistance of staff time.
9. That the perceived complexity of the boundary of the Conservation and Trail Easement and overlap with floodplain boundary creates a unique physical condition.
10. That procedural complexities have created delays in outside agency approvals.

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

1. That the Ramsey City Council hereby relieves the Property Owners of the reimbursement requirement for vacating a portion of the Conservation and Trail Easement previously funded by LCCMR.
2. That the City Council agrees to pay for any reimbursement required by LCCMR by allowing this retaining wall to remain in its current location.

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

and the following voted against the same:

and the following abstained:

and the following were absent:

whereupon said resolution was declared duly passed and adopted by the Ramsey City Council this ____ day of
_____, 2021.

Mayor

ATTEST:

City Clerk