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

The Ramsey City Council conducted a regular meeting on Tuesday, July 12, 2022, at the Ramsey Municipal Center, 7550 Sunwood Drive NW, Ramsey, Minnesota.

Members Present: Mayor Mark Kuzma  
Councilmember Ryan Heineman (attended remotely)  
Councilmember Chelsea Howell  
Councilmember Debra Musgrove  
Councilmember Chris Riley  
Councilmember Dan Specht  
Councilmember Matt Woestehoff

Members Absent: None

Also Present: City Administrator Brian Hagen  
City Attorney Fritz Knaak  
Planning Manager Todd Larson  
City Engineer/Interim Public Works Director Bruce Westby  
Finance Director Diana Lund

**1. CALL TO ORDER**

Mayor Kuzma 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 Kuzma.

**2. PRESENTATION**

None.

**3. CITIZEN INPUT**

Jim Bendtsen, 14131 Junkite Street NW, stated he was a Charter Commission member. He stated at the Council meeting on June 14, 2022 he found out that Councilmember Woestehoff had written to the judge who appoints Charter Commission members complaining about the opinions of a Charter Commission member, which Councilmember Woestehoff deemed unacceptable and claiming the members wants to “dismantle government.” He stated Councilmember Woestehoff should be reminded of the meaning of the words in the Pledge of Allegiance which includes the phrase “with liberty and justice for all.” This includes the liberty to express opinions about events and peoples’ motivations in public or social media whether Councilmember Woestehoff agrees with them or not. He stated last week Councilmember Woestehoff publicly decided to double down on his desire to publicly cancel those who don’t agree with him using the words “belittle our democracy” and presented a conspiracy theory about a Charter Commission member possibly

manipulating elections. He stated he was unclear who Councilmember Woestehoff's accusations were directed against because he stated his intentions have always been total election integrity and improving government. He stated he suspected the baseless accusations represent projection of Councilmember Woestehoff's own motivations.

Jim Gutzwiller, 16651 Quicksilver Street NW, asked if there are any updates on the North entrance to Elm Crest Park.

City Attorney Knaak replied the City agreed to a proposal but one final thing has to be resolved having to do with the size of trees. He thought there was complete agreement but there was a little issue with that one item. He recognized they have indicated they were close before but that is all he was able to say.

City Administrator Hagen asked City Attorney Knaak to explain the next steps the City is looking at regarding moving the lot lines and such.

City Attorney Knaak replied once there is an agreement, they will have to do some surveying and a few other things but the real obstacle is getting the deal done, which is close. He stated that is the level of detail he was able to share.

#### **4. APPROVE AGENDA**

Motion by Councilmember Riley, seconded by Councilmember Musgrove, to approve the agenda as presented.

A roll call vote was performed:

Councilmember Heineman	aye
Councilmember Woestehoff	aye
Councilmember Howell	aye
Councilmember Riley	aye
Councilmember Specht	aye
Councilmember Musgrove	aye
Mayor Kuzma	aye

Motion carried.

#### **5. CONSENT AGENDA**

Motion by Councilmember Musgrove, seconded by Councilmember Howell, to approve the following items on the Consent Agenda:

- 5.01: Note the Following Boards, Commissions, and Committee Meeting Minutes:
- 1) Economic Development Authority dated May 12, 2022
  - 2) Planning Commission Meeting Minutes dated May 26, 2022
  - 3) Public Works Committee dated May 17, 2022

- 5.02: Approve the Following Meeting Minutes
  - 1) City Council Work Session dated June 28, 2022
  - 2) City Council Regular Session dated June 28, 2022
- 5.03: Approve Rental Licenses
- 5.04: Approve Business Licenses
- 5.05: Authorization to Hire an IT Security Administrator
- 5.06: Adopt Resolution #22-159 Approving Cash Disbursements Made and Authorizing Payment of accounts Payable invoicing Received During the Period of June 23, 2022 through July 6, 2022
- 5.07: Adopt Resolution #22-143 Appointing Election Judges for the Primary Election on August 9, 2022
- 5.08: Adopt Resolution #22-153 Approving Easement Agreement with PSD, LLC for Riverdale Drive Extension, Llama Street to Bowers Drive, Improvement Project #20-05
- 5.09: Adopt Resolution #22-154 Appointing a Replacement Councilmember Liaison to the Parks and Recreation Commission
- 5.10: Adopt Resolution #22-158 Approving Cooperative Construction Agreement #1050030 for Improvement Project #20-05, Riverdale Drive Extension, Llama Street to Bowers Drive

A roll call vote was performed:

Councilmember Heineman	aye
Councilmember Woestehoff	aye
Councilmember Howell	aye
Councilmember Riley	aye
Councilmember Specht	aye
Councilmember Musgrove	aye
Mayor Kuzma	aye

Motion carried.

## 6. PUBLIC HEARING

None.

## 7. COUNCIL BUSINESS

### 7.01: Introduce Ordinances #22-21 and #22-22 for Anoka Ramsey Athletic Association Rezoning and Zoning Code text amendment at 14622 and 14650 Ferret St. NW

Planning Manager Larson reviewed the staff report and request by ARAA to rezone the property as a part of the purchase agreement obligations and to add medical clinics to the list of permitted uses in the E-3 district.

Motion by Councilmember Woestehoff, seconded by Councilmember Howell, to introduce Ordinance #22-21 Rezoning 14622 and 14650 Ferret Street Northwest from COR to E-3 Employment District.

A roll call vote was performed:

Councilmember Heineman	aye
Councilmember Woestehoff	aye
Councilmember Howell	aye
Councilmember Riley	aye
Councilmember Specht	aye
Councilmember Musgrove	aye
Mayor Kuzma	aye

Motion carried.

Motion by Councilmember Woestehoff, seconded by Councilmember Specht, to introduce Ordinance #22-22 amending Section 117-124(b) of City Code to allow Medical Clinics as a permitted use in the E-3 Employment District.

A roll call vote was performed:

Councilmember Heineman	aye
Councilmember Woestehoff	aye
Councilmember Howell	aye
Councilmember Riley	aye
Councilmember Specht	aye
Councilmember Musgrove	aye
Mayor Kuzma	aye

Motion carried.

**7.02: Consider a Request for a Home Occupation Permit at 6131 Green Valley Rd NW (Project No. 22-118); Case of J. Hill Container Company**

Planning Manager Larson reviewed the staff report and recommendation to approve a home occupation permit. He stated the architectural analysis showed that remodeling of the accessory building was feasible to meet building and fire codes. He highlighted that the Planning Commission recommended approving just the warehousing, not manufacturing portion of the application.

Councilmember Riley noted all the City Council have seen is that it is “feasible” but it doesn’t mean it doesn’t take effect until the architectural things have been built or how that does work procedurally if this moves forward.

Planning Manager Larson replied the draft report is written with the worst case scenario of where the applicant is asked to stop all operations, come in to get a building permit, get the building permit approved, do the work, get the work approved, and then start business. He stated if Council

would like some sort of time window to allow the applicant to continue to work while construction is in progress, Staff is open to that.

Councilmember Riley asked if there is some enforcement on that even though Council is being asked to approve the permit, Staff is saying it would take place after the construction of the requested items.

Planning Manager Larson replied once everything is built then it would be operating under the permit. It would be monitored until whatever time the Council deems it must be done by to ensure compliance. He stated preparing the detailed plans by the architect will likely take a couple of weeks, review by the building staff will likely take a couple more weeks and construction could take a couple months.

Councilmember Woestehoff asked for clarification if it was correct that Staff's original recommendation was to deny the HOP.

Planning Manager Larson replied that is correct.

Councilmember Woestehoff asked if the City has a recollection of any other Home Occupation Permits (HOP) that have required any architectural code analysis as well as the addition of things like a bathroom to a HOP. He stated it seems a little more commercial than traditional HOPs.

Planning Manager Larson replied that is true, and from his understanding there hasn't been one proposed in an accessory building this large and that when they are in a building this large, they would fall into the commercial code category rather than residential. He stated a lot of the smaller ones are residential style garages or in house.

Councilmember Musgrove noted if a portion of the home was used for an HOP it already comes with a bathroom so it wouldn't be a requirement. Part of the architectural design request or requirement has to do with the size of the building. She asked if that was correct.

Planning Manager Larson replied that is correct.

Councilmember Musgrove asked regarding the warehousing portion separate from the manufacturing, based on how this is written in the title, noting if Council approved it the warehousing is already there and the Planning Commission was okay with that. She asked is it the case that Council would approve or deny just the other section based on whether the applicant could get it done in a certain timeframe. She also asked if that is what Council is being asked to do, to delineate out the manufacturing portion of it.

Planning Manager Larson replied if Council is inclined to approve the manufacturing portion as well, they would need to add that to the motion. He stated Mr. Hillman is in attendance to talk about a reasonable timeframe to give Council an idea of a deadline to include in the resolution should they decide to approve the request.

Mayor Kuzma referenced the request from the Fire Department to put a road in or fire lane and talk about putting in fire suppression also at one point. He asked for an update on that.

Planning Manager Larson replied the fire wall to separate the space and the access road are in lieu of a sprinkler system which is something the building code would allow.

Mayor Kuzma asked Mr. Hillman, the applicant, to address if manufacturing isn't approved but the warehousing is approved, if that is acceptable.

Mr. Hillman replied anything is better than nothing but they would like to get everything under one roof to eliminate having to transport materials back and forth. He stated if they are going to invest money into the building to get it to a feasible area then they would like to have everything together. He stated they are willing to do it because they are not a big company but to keep growing this location is where they need to be versus renting a commercial space.

Councilmember Howell asked if this conversation would be had to this degree if the building were not oversized and a commercial-sized facility.

Planning Manager Larson replied if the business were in a much smaller building they would have been done with this by now most likely.

Councilmember Howell replied that is one thing she is taking into consideration. She stated she feels the HOP limits what the applicant is allowed to do in a larger facility. The fact that there is a larger facility there makes him have to address certain issues the City wouldn't anyway but they are not allowing him to expand to what could be done in a commercial space. She referenced the hours section in the resolution and asked Mr. Hillman if he had certain hours in mind for Monday through Friday and the weekend if during the week there was a holiday or inclement weather.

Mr. Hillman replied right now he works 6:00 a.m. to 6:00 p.m. or 8:00 p.m. so he is putting a lot of hours in but if he has employees, it is 7:00 a.m. to 3:30 p.m. He stated deliveries could be up to 5:00 p.m. He suggested 8:00 a.m. to 5:00 p.m. He stated multiple times he works on both Saturday and Sunday but if it is busy, it would be 7:00 a.m. to noon.

Councilmember Howell asked if an owner goes into their own facility and it is just them, not their employees on a weekend, are they precluded from being able to work on a Saturday or Sunday in their facility like the employees with those hours.

Planning Manager Larson replied he thought, reasonably speaking, if it was quiet work it would be fine. However, if it is driving a truck around or using machinery that is going to make noise it would be outside of the spirit of these hours.

Councilmember Woestehoff stated the language could be amended to say no machinery could be operated to have the concern understood.

Councilmember Howell replied she was thinking of the trucks but if someone is sitting quietly working on something inside their building that would not be disruptive to the neighborhood. So if it could be amended to include that if this passes.

Councilmember Heineman asked if the applicant could describe what manufacturing compared to warehousing means in his setting because it is a broad term.

Mr. Hillman explained the manufacturing is like a table saw and a radio arm saw, like a smaller version of a cabinet shop. He stated the assembling of it is gluing boxes, that is considered manufacturing but is hand work which doesn't require any equipment.

Kelly Schmidt, 6000 177<sup>th</sup> Lane, stated this process has been going on for so long because a 15,000 square foot building wasn't mentioned to the Fire Department because they have State codes that need to be followed whether it is warehousing or not. She asked if the applicant has four businesses and if they will be looking at operating four business out of that same building and just applying for one or will he eventually be applying for the other three. She also asked if it is approved if the applicant could be required to put some kind of screening, such as fencing, from the neighborhood because it is very close to the neighbors.

Mr. Hillman replied they have already applied to put a full privacy fence along the whole back north side to block it from the neighbors and have already planted about 25 trees. He stated he has been partners with other businesses before but this is currently the only business he is in.

Motion by Councilmember Howell, seconded by Councilmember Specht, to adopt alternative number one Resolution #22-085 approving a Home Occupation Permit request with the modifications noted in the architectural code analysis, with the applicant to work out reasonable hours with City Staff understanding he may individually need to go in to work on the weekends.

Further discussion:

City Administrator Hagen asked Councilmember Howell if she wanted to address the manufacturing or just warehousing aspect. Councilmember Howell replied she was thinking alternative one addressed allowing both the warehousing and manufacturing and asked if that was correct. City Administrator Hagen replied the resolution itself, that title, only calls out warehousing so he asked for clarification.

Amended motion by Councilmember Howell, seconded by Councilmember Specht, to adopt alternative number one Resolution #22-085 approving a Home Occupation Permit request with the modifications noted in the architectural code analysis, with the applicant to work out reasonable hours with City Staff understanding he may individually need to go in to work on the weekends, and adding limited manufacturing as discussed with City Staff that falls within the HOP.

Further Discussion:

Councilmember Woestehoff commented this is a tough one. He stated he can see the need and purpose for it but he couldn't support it because it makes him nervous to allow a HOP in a building that requires an architectural review, a handicap stall, a bathroom, and things like that. He stated he understood the balance that the business, personnel, and volume may not be very high but this

is taking up a lot of space. He stated he wished the applicant success but will be voting against it. Councilmember Riley commented with a HOP, the way he sees it is someone working out of their basement or garage and hoping to make a bigger business someday. He thought this business did outgrow the garage and was moved to a much bigger garage so he didn't feel this is the reason they would give an HOP. He would love to see this business in an area that allows warehousing and manufacturing which would be a fabulous addition to Ramsey but didn't feel in a neighborhood this is fitting the nature of an HOP so he would be against it. Councilmember Specht commented he could see both sides and agreed it is a complex issue. He stated the building is already there and there isn't a request to build a large building on existing property. He stated the building has been approved in the past for different uses and they approve larger garages so he can see how it fits within the HOP and will be supporting it. Mayor Kuzma commented he will not be supporting it. He stated he understood the applicant wanting to keep it on their home property but he felt it was more of a commercial operation and wasn't designed for being in a neighborhood.

A roll call vote was performed:

Councilmember Heineman	aye
Councilmember Woestehoff	nay
Councilmember Howell	aye
Councilmember Riley	nay
Councilmember Specht	aye
Councilmember Musgrove	aye
Mayor Kuzma	nay

Motion carried.

### **7.03 Adopt Resolution #22-125 Approving Site Plan, Preliminary Plat and Final Plat for PACT Addition and PACT Charter School**

City Administrator Hagen reviewed the staff report and request to adopt Resolution #22-125 approving site plan, preliminary plat and final plat for PACT addition and PACT Charter School. He noted three options for the Council to consider as well as a City consideration deadline of August 26, 2022 so there is time for plan revision and Staff review.

Councilmember Musgrove stated it looks like the case is written with the final plat and asked if they are past the preliminary plat and onto the final when normally both are not stated at the same time.

City Administrator Hagen replied it can be done both ways where the preliminary plat goes through the review period and then the developer comes back with final plat, which is more typical on a larger subdivision or a bigger project. In this case, where only four lots are being created in essence, there is not a lot of detail from a public infrastructure standpoint so it is not uncommon to see a final plat come forward at the same time as a preliminary plat.

Councilmember Woestehoff stated the preliminary plat is really just the land boundary designations rather than the site plan itself in terms of its official title. The site plan is different than preliminary plat which is what gives the developer entitlement to that land.

City Administrator Hagen replied correct, the details of how the site is going to look. The plat itself is just parcel size, boundaries and things of that nature.

Councilmember Woestehoff commented one of the questions he hasn't been able to get a good answer on or provide input on through the conversations is the .9 acre park dedication. He stated he personally would rather concede the park back to PACT if it means a secondary retention pond or some other use that is more pertinent to that particular location and take the park dedication in fees as opposed to in land. A part of that is that even in looking at the site plan there are indications that they plan to use part of Central Park anyway. He asked for feedback and Council discussion on letting the school keep the .9 acres and use it for other things rather than take it as dedication but then only get to use part of it and have a shared park agreement.

Councilmember Riley commented he thought it was a good question because the proposal seems to give it to the City and then use it. He stated he liked Councilmember Woestehoff's idea. He stated he would like to hear from the developer and Staff about the Variolite access and the idea that Council had come to them before as he thought that was an important part of it and it is no longer there now that it is coming with the actual plan. He wanted to know why it was removed and hear Staff talk about it with turn lanes.

Justin Fincher, with JB Vang, the developer, and the owner's rep for PACT, stated they had SRF as a part of the first Planning Commission hearing. The recommendation was tabled in order for them to look at the condition with the Variolite access and what the outcome of that would be. He stated they worked with SRF Consulting as the traffic engineer. He stated essentially the right in, right out access doesn't do anything for the project, creates concerns about safety as far as the SRF analysis and from City Staff with the condition of Variolite Street and the rise in grade. Additionally, what is shown here today with the two accesses off of 161<sup>st</sup>, the traffic memo concluded that even with just two accesses they are operating at what is called a level of service A and B so those are very good levels of service to operate on. That assumes full enrollment which isn't anticipated for another five years. He stated what also isn't included in the SRF memo but felt was worth mentioning that they are in conversation with the church, the seller, on a shared use agreement that would include parking and also maneuvering on their site if needed.

Councilmember Riley asked if City Engineer/Interim Public Works Director Westby would comment as well.

City Engineer/Interim Public Works Director Westby stated this is a higher functioning road and is a major collector road. He stated they try to prevent private accesses or access onto those roads and keep them at prescribed intersections. The other item associated with this is the vertical curve on Variolite Street, basically the crest of the hill is just north of 161<sup>st</sup>. He stated the access they are thinking would be used, which is where the existing access is about 300 feet north of that intersection so it is fairly close to that intersection and doesn't allow good sight lines or stopping sight distances. Anyone trying to pull out from that intersection would have a hard time seeing

someone coming over the hill and vice versa, if someone were to try to go around there would be very little reaction time so it is a safety concern. He asked if a turn lane could be considered and answered they could but as noted in the memo from SRF they would have to try to provide left turn movements into that site as well which are really dangerous movements. He stated those are difficult to build and enforce. He stated for those reasons Staff has concerns about an access at that point.

Councilmember Woestehoff asked if there is a risk or perpetuation by not having that access off of Variolite Street and pushing it up to 161<sup>st</sup> because that is a fairly difficult intersection as it is because of the hill and now all of the traffic would be put there as opposed to spreading it out onto the Variolite side. He stated it is a no-win situation either way but asked for feedback from the survey on having all of the traffic coming off 161<sup>st</sup> and will they see more accidents or the same amount.

City Engineer/Interim Public Works Director Westby replied anytime traffic is added to an intersection, typically it decreases traffic operations and safety at that intersection. There is a risk of more accidents but the intersection is designed for those movements and as noted in SRF's study and follow-up memo the level of service is still acceptable even after full build out and full use of that site. He stated he has to rely on the SRF engineer in doing a good job, they are a reputable firm and he doesn't have any reason to not believe the results of their memo and study which seem reasonable. He stated the traffic counts seem reasonable and compare favorably to the Trout Brook North studies that were completed. He stated they haven't gotten a lot of information on where the students are coming from so they don't know how many busses and cars are coming from each direction but that will change over time so even if that was given today it would be different in time.

Councilmember Specht asked for feedback from PACT about the parcel of land dedicated for Central Park.

Mr. Fincher replied Councilmember Woestehoff had a very intriguing comment and he thought that would be something they could look into. He stated some sketching would have to be done to ensure that moving that back over would adequately allow for more trees to be preserved on the site. He would be interested in looking at that with the project team and PACT. He commented that one of the suggested approvals was to put this on hold until a more refined set of plans have been developed. He stated he thought great progress has been made on the plans and he would hate to delay the schedule any further than it is but if there is a way to consider the move with removing the park dedicated land they would love to look at it.

Councilmember Woestehoff asked if he was reading the site plan correctly that the field area will be fenced in.

Mr. Fincher replied that is the intent and the plans of how PACT would like to program that field from site security, access, ticketing and things of that nature for sporting events.

Councilmember Woestehoff asked if there is any way to entertain it to stretch all the way to the Central Park boundary. He stated part of his concern if they go the shared park route then he

wouldn't want a fence although he understood the need for a fence from a ticketing standpoint but shared use could mean many things. He stated conversely if they are going to move forward with the site as designed, increasing the fencing area might help keep anyone in Central Park from entering into PACT's property line because it looks like there is shot put or other field aspects there. It would potentially reduce the number of times where PACT activities spill into Central Park which will naturally happen but the public park has to be for public park purposes. He wanted to be cognizant of that shared boundary and making sure it is the most respected between the two organizations and between the two property lines. He asked for feedback on that.

Mr. Fincher replied those are great comments and things that they should work through the details with Staff through Staff comments prior to issuing a building permit or if there were to be a shared use agreement with Central Park. He thought that would be another adequate way to address the concerns but felt it was in everyone's best interest to work out those details.

Councilmember Woestehoff referenced the Staff's review, noting it isn't depicted in the plan, but he wanted to reiterate his desire for a trail from Variolite Street to Central Park. He stated in discussions with Public Works at a recent meeting they had talked about using the PACT/ Central Park boundary and then going north along that as the trail potentially and then cutting in between the two baseball fields as opposed to going across 161<sup>st</sup>. He asked from a border perspective if they have discovered if there is enough room to put the trail on the Central Park side or if it is another potential overlap between properties.

City Engineer/Interim Public Works Director Westby replied Staff looked at that and there is an easement along that edge and roughly ten feet between the property line and the back of the curb so it would be tight but there is an opportunity to add a trail through that corridor. He stated the grades would have to be looked at to make sure they could tie back down at Central Park on the west side.

Councilmember Musgrove asked if the bus area will be fenced or just the field area.

City Engineer/Interim Public Works Director Westby replied he wasn't sure what that would look like so he would have to better understand.

Councilmember Musgrove referenced the map and asked if that is where the trail would come up.

City Engineer/Interim Public Works Director Westby replied that is correct, along the west property line.

Councilmember Musgrove stated she didn't know where the fencing comes along the west side.

City Engineer/Interim Public Works Director Westby replied he wasn't certain what end either so he would like to look at it.

Councilmember Woestehoff commented he thought the question was whether the parking lot or any of the accesses are going to have any fencing at the edge of the parking lot or is the only fence that is being discussed and proposed around the field.

Mr. Fincher replied he would have to defer to the project team on the location of the entire fence but he know they talked about the fencing around the field but wasn't certain what was shown on the site plan at this time.

Councilmember Musgrove commented it was hard to tell if it is a fence or an outside easement area but that would be a safety feature for the trail if there was fencing along that side where the trail is too.

City Engineer/Interim Public Works Director Westby replied he wasn't aware of any proposed fencing along that property line.

Mr. Fincher agreed it isn't on there right now.

Councilmember Riley commented he had heard an idea from the Planning Commission to consider removing the football field because then that fixes a lot of problems such as the water, sound and light but they are still building a school which is meeting the main goal. He asked if that has been considered.

Mr. Fincher replied Councilmember Riley is correct that that is a comment that came up at the Planning Commission meeting but it wasn't considered because the long term needs of PACT included a football field. To consider relocating it opens a logistics conversation and site location. He stated also if it isn't here the football field would be somewhere else. Since PACT is investing in a long-term facility they would prefer the field to be at the same location.

Councilmember Heineman stated having the football field makes a lot of sense because they are trying to draw families to Ramsey and create a better community environment and the football field does that with PACT. He thought the location was suited being next to a park made a lot of sense and was confirmed by the light and noise studies. He understood the concern with noise and light but felt the team at PACT has done a great job of addressing the concerns and the results are exceptional.

Ron Lindenberg, 7600 163<sup>rd</sup> Lane NW, has the property the farthest northeast corner of it. He stated his concerns remain the same and questioned whether the results of the studies are accurate. He stated there are 80-foot light poles 60 feet from neighboring homes. He stated fences are being discussed but they haven't determined whether the retention ponds are accurate and the final numbers haven't come back for that. He stated that is a top concern for him and his property. He stated he is being pushed into a corner where it is either a fight or flight situation for his property. He stated he didn't feel they would be able to maintain the water properly because of the shape of the land and the land north of them. He stated he understood dropping the football field wasn't ideal but suggested considering other locations. He mentioned the traffic studies and putting all of the traffic on 161<sup>st</sup> and questioned if they were accurate. He stated this is not a good safe plan for the location and the neighborhood. He felt his property would be in jeopardy if this project goes through and would consider legal representation to protect his property if issues don't get resolved prior to the project going any further.

Kristi Haight, 7600 163<sup>rd</sup> Lane NW, Ron's wife, asked why can't the existing football field at Central Park be used. She suggested the City share the space and build the football field there, then they could move the school back and preserve the existing trees that would be cut down with the ten foot easement. She asked if the trees would be cut down if the trail goes in.

Danielle Holder, 7826 161<sup>st</sup> Avenue NW, stated she lives across the street from Central Park and down the road from the proposed school. She stated the plan was for the school to go in but in looking at the site plan she felt it was too big of a project for the space. She questioned if there was enough money to properly control the water, noise and lights through engineering. She supported removing the football field to resolve some of these issues and felt it doesn't fit next to the neighborhood.

Cynthia McKay, 7855 157<sup>th</sup> Avenue NW, stated she could see the Central Park lights from her kitchen window four blocks away. She stated she moved to Ramsey to be part of a community and having a church, school and stadium together seems like a good community. She thought it was a good plan. As far as the watershed she trusted the engineers and thought they would do a good job.

Amanda Patrow, 16209 Sapphire Street NW, right off Variolite, stated the traffic is still a concern because it could mean 450 cars turning off of Variolite or Armstrong onto 161<sup>st</sup> and it wouldn't make sense that the flow of traffic would work. She stated at the Planning Commission meeting concerns were raised about the parent pick up line and the need for space for 197 vehicles and asked where the vehicles would go. She stated pick up at Brookside is a mess. She stated this is her neighborhood and Variolite is the only way for her to get there. She stated she supported removing the football field to allow extra space for the school, parent pick up and busses. She also expressed concern about the retention ponds and water run-off. She asked for consideration and protection for existing families in the neighborhood.

Jason Patrow, 16209 Sapphire Street NW, expressed concerns about the watershed and the retention plan design which he felt currently doesn't work and attempts to make revisions have spilled into church land resulting in plans to remove more trees. He expressed concerns that the school wouldn't be able to afford to follow a plan that would be costly but solve the problem properly. He stated the traffic study was done over Easter break so wasn't the normal amount of traffic and didn't take into consideration the future traffic from the residential building project north on Variolite. He didn't feel the intersections would pass under normal conditions. He stated having another access point would provide a staging area for parent pick up because there isn't enough space on site. He expressed concern about the noise from the stadium and the roof top air conditioners. He asked if this has been presented to the Fire Marshall for a safety review and stated there is no room during peak time for emergency responders to make it through the property. He answered the question about taking the trees out to make room for the trail on the north side. He referenced a note that was put in recently about Blandings turtles which are a protected species in Minnesota that are in the wetlands which he thought may effect construction. He stated several concerns and comments that haven't been addressed but the plans have come up for approval. He stated he and others weren't against having a high school in Ramsey but didn't feel this is the proper location for it.

Mr. Fincher addressed some of the comments. He stated stormwater has been discussed at Planning Commission meetings and ensure concerns are heard by Staff and at the Lower Rum Region during their review. He deferred to the review process for the final approval of the stormwater design. He stated several comments were made tonight regarding the retention pond capacity that are untrue. He stated there are standards that the City has as well as the Lower Rum Region that need to be met. He stated drawings have been resubmitted and are under review. He stated he thought the team has done great job of listening to the neighbor's comments and that PACT wants to be a good neighbor. He stated he needed to correct himself, that at the last Planning Commission meeting he did say 15 busses, but it is 12 busses as shown on the plan. He stated as far as traffic flow and lining up on 161<sup>st</sup> SRF's traffic memo speaks to that and based off of their analysis they anticipate needing queuing up of 40 cars for parent pick up. He stated they have other alternatives on the site to que additional cars on the east side and northwest side of the site.

Councilmember Specht commented he appreciated all the work that has gone into this and all the feedback from the residents which helps make it a great project. He stated the experts can be trusted and will hear what the Lower Rum has to say and the other groups.

Motion by Councilmember Specht, seconded by Councilmember Musgrove, to adopt Resolution #22-125 with the understanding that they are going to be going through the Lower Rum River Water Management Organization (LRRWMO) process as well and knowing that there could be discussion about the parcel and if there is agreed upon changes that Staff and PACT would see as beneficial.

Further discussion:

Councilmember Musgrove offered a friendly amendment to include Staff comments, the Lower Rum River Water Management Organization and park land. Councilmember Specht asked if she was saying that all three of those are discussed. Councilmember Musgrove replied no, that all three of those are included specifically for contingencies. She wasn't sure if all three were included.

Councilmember Riley stated that a comment was made that the Fire Department hasn't looked at this and asked if that is true or if this plan been approved.

City Administrator Hagen replied the Fire Department is included in what is called the development review committee so they have been reviewing this project from early on. He continued the Fire Department have had an opportunity to review the site plan and plat and provide feedback so their comments would have been included. He stated beyond this, when the building comes in for a building permit the Fire Department will review it from a fire suppression standpoint, emergency exits and such as well.

Councilmember Riley commented that it looks like there are 30 Staff comments still open and asked if it is the case those have all been cleared or new plans have come in that would address those.

City Administrator Hagen replied they have not received another revision of plans so that is one of the conditions as a part of approval is compliance with Staff review comments. He stated that

is where remaining comments are addressed and they would have to make sure that between Staff and them they are on the same page and they implement improvements to their plans.

Councilmember Riley asked if that was roughly 30 comments.

City Administrator Hagen replied roughly yes.

Councilmember Riley stated that WMO still has to look at this but that is after the City has given it initial approval that it is good enough to get to the WMO and it is not to that point yet.

City Administrator Hagen replied that is correct however in talking to the developer they submitted plans last Friday, City Staff is looking at that, and this Thursday is the deadline of when the plan would have to be in to City Staff. The Lower Rum River deadline is next Thursday. He stated once Staff looks at it, it would be forwarded on and there is a condition in the resolution that the necessary permits must be obtained.

Councilmember Riley stated that it was brought up earlier that this is preliminary and final plat approval at the same time and he isn't used to seeing it that way. He stated the preliminary is where the developer is given the rights to do most of what they want and then there is a final plat later. He asked why this is being combined so it seems out of the ordinary.

City Administrator Hagen replied preliminary plat is where a lot of the details occur, most often in the form of public infrastructure including water and sewer lines, stormwater, as well as looking at it overall. In this case there is virtually no public infrastructure being proposed so there isn't that complexity. He stated the other time Council will see a preliminary plat come separate from a final plat is in residential when there is a phasing aspect to the final plat. Knowing that this isn't a phased project it makes sense to come at the same time.

Councilmember Riley commented that although these plans have come a long way from various meetings, he isn't ready to move this forward.

Councilmember Musgrove referenced a resident comment made about a ten-foot setback versus a five and asked which is required.

Planning Manager Larson replied he believed the gentleman was referring to a drainage utility easement as ten feet versus five. He stated typically they request ten feet adjacent to a right-of-way and five feet adjacent to interior property lines. He stated most of the utility easements are there when there is a residential neighborhood that is masqueraded and between homes along common property lines, there is a little drainage spoil that is created. He explained with a property that is more institutional typically there isn't that masquerading when then they have drainage patterns around. He stated it isn't as critical unless that it a cut through for utilities which isn't proposed here.

Councilmember Musgrove asked if it is correct that where it is five feet it is good, and if it needed to be it would move into the ten feet for utilities.

Planning Manager Larson replied correct.

Councilmember Musgrove commented the trees along 161<sup>st</sup> she thought the goal was to preserve as many mature trees as possible and still provide a trail if possible. She asked if it is the plan to maintain as many mature trees along the front of 161<sup>st</sup>?

City Engineer/Interim Public Works Director Westby replied that is the plan and to construct the trail as a part of the 161<sup>st</sup> Ave reconstruction project and that would then be shown in the developer's plan. He stated there are a couple renditions on that including a connection along the west lot line which does a ten-foot setback where a green space is. He stated the trees through the park property are generally able to be saved as well as those along the school site, there is a green area between 161<sup>st</sup> and the front edge of the drive aisle. He stated there will be some trees lost.

Councilmember Howell commented that she hoped this project would be in The COR and was disappointed to have it move up towards the residential area. She stated she is supportive of having a high school coming in and trusts that the Staff and the Lower Rum River Watershed Management Organization and everyone will be able to work together with the developer and get this project where it needs to be to address the resident's concerns. She stated she will be supporting this.

Councilmember Woestehoff referenced the retention pond spilling into the church lot and asked if it is common to have those type of shared use as part of a plan set when there isn't a plan for the outlot. He stated it seems awkward to have a large retention pond on a lot that is not currently being reviewed.

Planning Manager Larson replied in his past role it was very common that multiple properties would share stormwater basins because it is more efficient to have one instead of many small ones. He stated spilling over on the property lines there needs to be an agreement for maintenance and when the church comes forward with its plans that it is included in the agreements and any plans for new construction would work.

Randy Bauer 14942 Quintana Street, representing St. Catherine Drexel Church where he serves as the parish business administrator and he has been the point person on this purchase agreement. He stated the purchase agreement with PACT spells out some shared things that they need to work out specifics on, that is why there is a variance on the east side because shared parking which will give the school another access point off of 161<sup>st</sup>. There is a shared pond on the north lot and the church doesn't have plans to do construction there. He stated they are looking to share things to avoid unnecessary duplication.

Councilmember Woestehoff asked if the City could encourage or put a condition on this particular approval denoting there is an agreement between the two parties. He stated he didn't want the maintenance of those things to get lost if the church gets built and in ten years it gets demolished so having some oversight into those type of agreements may be nice.

Planning Manager Larson replied those are legitimate conditions that could be added to the resolution with review of the agreement by the City attorney's office.

Councilmember Woestehoff stated he won't be supporting this because he felt they should spend more time looking at the stadium and the relation to Central Park and if there is a better way to utilize all of that area between all of the organizations. He asked if Councilmembers would be amenable to a friendly amendment that there be an additional condition around the development agreement between PACT and the church regarding shared uses.

Councilmember Musgrove asked if the agreement that PACT would have with the church is a part of Staff's comments that is already something that is integrated to their concerns to ensure that the stormwater retention pond has the size and ability to manage the water.

City Administrator Hagen asked City Engineer/Interim Public Works Director Westby if they are going to need a stormwater maintenance agreement on this project.

City Engineer/Interim Public Works Director Westby replied this would be a maintenance agreement between two private property owners which the City isn't typically party to those. He stated he didn't recall that they require those agreements to be built into the development agreements. He stated they could be as far he knew.

City Administrator Hagen commented he didn't think it would hurt, and if they could establish that there is an agreement between two property owners and Staff has an opportunity to review it, it may prevent future questions of whether the pond for the school can be on church property.

Councilmember Heineman commented that he will be supporting it. He stated he thought PACT has done a great job of addressing resident concerns and that there are solutions and several organizations reviewing the plans. He thought a better location couldn't be found than next to a park.

Councilmember Specht asked if the question was if the City would have a chance to review the shared agreement. He stated he has confidence in that and it has to pass the Lower Rum River.

Mayor Kuzma asked if Councilmember Specht was agreeing to the friendly amendment.

Councilmember Specht replied yes if it just that the City can review it without additional requirements.

Councilmember Woestehoff commented the point of having the City involved is to be a known advocate for residents affected by this, especially those on the drainage side so if something were to happen the City would have the confidence to say that these two parties did agree to maintain this and the City has reviewed it.

Councilmember Musgrove commented she was okay with accepting the friendly amendment. She stated she believed it was standard practice that cities do make sure that it stays with the property owner or owners.

Councilmember Specht asked for feedback from the church or school because it is a private sale.

Mr. Fincher replied there is a draft of a shared parking and stormwater maintenance agreement and encompasses snow removal, landscaping, and other things. He stated that is pending the outcome of tonight before circulation to the seller.

City Attorney Knaak asked if they are anticipating some sort of development agreement with the City.

Mr. Fincher replied correct.

City Attorney Knaak continued most of the details that are being talked about are things that get finalized in the development agreement. He stated the preliminary plat and final plat are basically the picture that gets filed with the City of what it is supposed to look like. Other details of where drainage is going to be, what agreements are going to be required, and where the water is going to go, almost all such details are almost always in a development agreement with the City. When the City signs off on these things Council will get a chance to review them. He stated that is the normal course on these things and he didn't hear anyone say an exception would be made to not have a development agreement. He stated the concerns will be addressed by Staff and by Council. He stated he was getting the sense that the feeling is that once this is approved they won't be able to review the details, which isn't true.

Councilmember Woestehoff withdrew the suggested friendly amendment because it sounded like it will be included in the development agreement.

City Attorney Knaak asked Mayor Kuzma if anything he just said was untrue.

Mayor Kuzma replied no.

A role call vote was performed:

Councilmember Heineman	aye
Councilmember Woestehoff	nay
Councilmember Howell	aye
Councilmember Riley	nay
Councilmember Specht	aye
Councilmember Musgrove	aye
Mayor Kuzma	aye

Motion carried.

**7.04: Adopt Resolution #22-157 Authorizing the Issuance of Charter School Lease Revenue Refunding Bonds to Finance and Refinance a Public (Charter) School Project Pursuant to Minnesota Law, and Authorizing the Execution of Various Documents in Connection Therewith (PACT Charter School Project)**

Finance Director Lund stated with the current approval of the site plan and final plat PACT is asking for the City to issue lease revenue bonds on their behalf. She reviewed the staff report and

recommendation to adopt Resolution #22-157 authorizing the issuance of PACT Charter school lease revenue bonds in a not-to-exceed amount of \$43 million.

Mayor Kuzma stated this would tie them up this year and asked if it still follows for next year.

Finance Director Lund replied the \$10 million dollars is strictly for the year of issuance so they would issue in 2022, if they were to issue to 2023 it starts over for the new calendar year.

Councilmember Woestehoff stated the case lists one and a half percent and asked if it is one and a half percent or one half.

Finance Director Lund replied it is one half percent.

Motion by Councilmember Specht, seconded by Councilmember Woestehoff, to adopt Resolution #22-157 authorizing the issuance of charter school lease revenue refunding bonds for PACT Charter School in a not-to-exceed amount of \$43 million.

A roll call vote was performed:

Councilmember Heineman	aye
Councilmember Woestehoff	aye
Councilmember Howell	aye
Councilmember Riley	aye
Councilmember Specht	aye
Councilmember Musgrove	aye
Mayor Kuzma	aye

Motion carried.

**7.05: Introduce Ordinance #22-20 Armstrong Boulevard Interchange/ Highway 10 Signage Overlay District Zoning Code Text Amendment**

Planning Manager Larson reviewed the staff report and recommendation to introduce Ordinance #22-20.

Councilmember Musgrove commented she thought this ordinance made sense given the construction and this would be a proactive step. She referenced a comment from Anoka County parks which said they didn't want any signage blocking their signage and she didn't know if that needed to be added because this is an ordinance.

Planning Manager Larson replied he thought their concern was the impact of signs from a park user's perspective. He showed a map indicating where people are most active in the park and stated that signs couldn't be seen by someone in the park. He stated the nearest businesses would be east of Ramsey Blvd and he didn't think a sign would be visible from there. He stated he thought the concern was addressed.

Councilmember Howell referenced the ordinance and read “or 300 square feet” and Planning Manager Larson’s comments introducing the case that some signs are slightly over that size. She asked if that is correct.

Planning Manager Larson replied the largest of those signs that were approved with the conditional use permit is 334 square feet.

Councilmember Howell suggested changing the phrasing to read “approximately 300 square feet” to account for something like that without putting into a conditional use situation.

Planning Manager Larson replied an exact number is needed.

Motion by Councilmember Howell, seconded by Councilmember Musgrove, to introduce Ordinance #22-20 amending section 117-1 (DEFINITIONS) and Section 117-519 (BUSINESS TYPE DISTRICTS) of the City Code of Ramsey, Minnesota.

A roll call vote was performed:

Councilmember Heineman	aye
Councilmember Woestehoff	aye
Councilmember Howell	aye
Councilmember Riley	aye
Councilmember Specht	aye
Councilmember Musgrove	aye
Mayor Kuzma	aye

Motion carried.

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

Councilmember Woestehoff announced another Draw concert is this Thursday.

Mayor Kuzma stated he thought Rhino is performing and it is a pretty good show.

City Administrator Hagen announced Super Soccer Saturday this Saturday at Elm Crest Park. He announced an EDA meeting this Thursday morning and a Parks and Rec Commission meeting this Thursday evening. He stated the Public Works Committee meeting is next Tuesday evening. He noted at the last Public Works Committee meeting it was discussed that Public Works buy an attachment for a skid loader to be able to address potholes. He stated that was tested today and Staff indicated it was working well.

Councilmember Woestehoff thanked the Rum River Art Center. This weekend was the Elm Crest Art Fair which his family attended and had a good time at. He stated there are a lot of good artists in the area.

Councilmember Specht announced Green Valley Garden Center will be having open tours both this Thursday and Saturday at 9:00 a.m. He thanked the Veteran’s League for the event they did on Saturday raising funds to prevent soldier suicide.

**9. ADJOURNMENT**

Motion by Councilmember Musgrove, seconded by Councilmember Howell, to adjourn the meeting.

A roll call vote was performed:

Councilmember Heineman	aye
Councilmember Woestehoff	aye
Councilmember Howell	aye
Councilmember Riley	aye
Councilmember Specht	aye
Councilmember Musgrove	aye
Mayor Kuzma	aye

Motion carried.

The regular meeting of the City Council adjourned at 9:14 p.m.

Respectfully submitted,

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Brian S. Hagen  
City Administrator

ATTEST:

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Katie M. Schmidt  
City Clerk

Drafted by Joni Helmeke  
*TimeSaver Off Site Secretarial, Inc.*