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

The Ramsey City Council conducted a regular meeting on Monday, August 8th, 2022, at the Ramsey Municipal Center, 7550 Sunwood Drive NW, Ramsey, Minnesota.

Members Present: Acting Mayor Riley
 Councilmember Chelsee Howell
 Councilmember Dan Specht
 Councilmember Matt Woestehoff

Members Absent: Mayor Mark Kuzma
 Councilmember Ryan Heineman
 Councilmember Debra Musgrove

Also Present: City Administrator Brian Hagen
 City Engineer/Interim Public Works Director Westby
 Planning Manager Todd Larson
 City Attorney Fritz Knaak
 Police Chief Jeff Katers

1. CALL TO ORDER

Acting Mayor Riley called the regular meeting of the Ramsey City Council to order at 7:00 p.m., followed by the Pledge of Allegiance.

2. PRESENTATION

None.

3. CITIZEN INPUT

None.

4. APPROVE AGENDA

Motion by Councilmember Woestehoff, seconded by Councilmember Howell, to approve the agenda as presented.

Motion carried. Voting Yes: Acting Mayor Riley, Councilmembers Woestehoff, Howell, and Specht. Voting No: None.

5. CONSENT AGENDA

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

- 5.01: Receive Cash & Investments for Period Ending July 31, 2022
- 5.02: Note the Following Boards, Commissions, and Committee Meeting Minutes:
 - 1) Environmental Policy Board Dated May 16, 2022
 - 2) Economic Development Authority Dated June 9, 2022
 - 3) Parks and Recreation Commission May 12, 2022
 - 4) Planning Commission Meeting Minutes Dated June 23, 2022
 - 5) Public Works Committee Dated June 21, 2022
- 5.03: Approve the following Meeting Minutes:
 - 1) City Council Work Session dated July 12, 2022
 - 2) City Council Regular dated July 12, 2022
 - 3) City Council Work Session dated July 26, 2022
 - 4) City Council Regular dated July 26, 2022
- 5.04: Approve State of MN Joint Powers Agreements with the City of Ramsey on behalf of its Police Department.
- 5.05: Approve Business Licenses
- 5.06: Approve Rental Licenses
- 5.07: Authorization to Hire a Part-time Planning Division Administrative Assistant
- 5.08: Authorization to Hire a Streets Maintenance Worker to Fill a Current Vacancy
- 5.09: Authorization to Hire an Accounting Clerk
- 5.10: Adopt Resolution #22-178 Approving Cash Disbursements Made and Authorizing Payment of Accounts Payable Invoicing Received During the Period of July 21, 2022, through August 3, 2022
- 5.11: Adopt Resolution #22-180 Authorizing Early Termination of Lease with Todd Bialon (EZ Auto)
- 5.12: Adopt Resolution #22-181 Authorizing the City Administrator the Authority to Hire Temporary and Seasonal Employees

Motion carried. Voting Yes: Acting Mayor Riley, Councilmembers Woestehoff, Howell, and Specht. Voting No: None.

6. PUBLIC HEARING

None.

7. COUNCIL BUSINESS

- 7.01: Consider a Home Occupation Permit and Conditional Use Permit for Your Computer Hero at 5435 180th Ln NW (Project 22-127)**

Planning Manager Larson reviewed the request, noting there are two parts to this request, the first being the request for a home occupation permit. He explained this is an existing business that has space in a commercial district; however, the nature of the business has changed and there is no customer traffic anymore, they primarily go out to the businesses. He said that at this location what they are looking to do is service the computers and get supplies to take off site to do the work on the computers and return them to the business. The business has employees that will not be visiting any more than once per week per employee. He added that the other half of the request is for a conditional use permit. They are requesting this permit because the structure they are proposing to construct has two stories, the first level being a garage with a service area and upstairs would be the office space. He stated the Planning Commission recommends the approval of both the home occupation permit and the conditional use permit. He noted that the applicant is in the audience.

Acting Mayor Riley asked the applicant if they wished to come forward and address the Council.

The applicant said that the Planning Commission was very thorough but she would be happy to answer any questions that the Council may have.

Councilmember Specht said that he agrees with the Planning Commission and trusts their advice.

Councilmember Howell said that the request looks straight forward and she will be supporting it.

Motion by Councilmember Howell, seconded by Councilmember Specht, to Adopt Resolution #22-164 Approving a Conditional Use Permit to Allow a 2-Story Accessory Structure as 5435 180th Ln NW and to Adopt Resolution #22-165 Approving a Home Occupation Permit to Allow a Computer Business as 5435 180th Lane NW.

Further discussion:

Acting Mayor Riley added he liked that they are removing the retail portion of the business, he thinks that it will be producing very little traffic, and believes this is a good idea.

Motion carried. Voting Yes: Acting Mayor Riley, Councilmembers Howell, Specht, and Woestehoff. Voting No: None.

7.02: Green Valley Greenhouse/Davis Farms 2nd Addition Plat, CUP Amendment, Comprehensive Plan Amendment, and Rezoning

Planning Manager Larson reviewed the staff report and recommendation to Adopt Resolution #22-173 for the comprehensive plan amendment to do the reguinding, introduce Rezoning Ordinance, and Adopt Resolution for amending the conditional use permit for the phased expansion with just one change regarding condition 15 to reference the landscaping plan. He noted that in two weeks it will come back to the Council for the easement vacations that go with the plat as well as the plat itself. There was some confusion on how the plat was being processed but it is considered a minor plat so just the final plat is coming back to the Council. He said there is no plat tonight but to keep in mind that it is in the next phase. If the Rezoning Ordinance is approved, it will also come back to the Council after the Met Council signs off on it. This is something that the Met Council should

be able to do administratively because there is no net loss of any acreage or density so it should have a quick turnaround time. He noted that the applicant is in the audience.

Councilmember Woestehoff asked if they could also solve this problem by adding greenhouses as a conditional use to the R-2 District.

Planning Manager Larson said that would require a text amendment which is certainly possible. He has been able to speculate that since the R-1 District has four components to it, he believes that the intent was probably in rural development but it was lumped into all of the R-1 Districts. Since most of the R-2 land is in already developed areas, a greenhouse would not be appropriate there.

Acting Mayor Riley asked if Planning Manager Larson knew why there was R-2 in this location of the City since it is not in the developing, densely populated area.

Planning Manager Larson said that as far as he knew, it was just a spot that someone thought made sense to shake up the pattern of future development.

Councilmember Specht said he supports this because Green Valley does a lot for their community by adding jobs and lots of great products. He mentioned that he was honored to get the opportunity to tour their facilities earlier this year. He sees that by Green Valley expanding it can only make the community better and he is in support of these needed changes.

Acting Mayor Riley asked the applicant if he wishes to come forward.

Aaron Davis, 6381 178th Lane, said that he and Brad Wolf were the co-owners of the greenhouse. He explained that the Hunt property makes sense for future growth for them. He would be happy to answer any questions and help explain anything in any way he could.

Acting Mayor Riley said he knows that Green Valley is a great corporate citizen of the City. He said that through the years he has sold many of their fundraising gift cards and thinks that is a great program they have done. He thanked the applicant for being there and for being a great corporate citizen. He began discussing the options before the Council and said the Planning Commission gave them direction with adding the one condition.

Planning Manager Larson said that is correct and that condition came out of the EPB's review and needs to be amended in the CUP Resolution.

Motion by Councilmember Howell, seconded by Councilmember Specht, to adopt Resolution #22-173 Approving a Comprehensive Plan Amendment regarding lands between low density residential and medium density residential and to introduce Ordinance #22-24 Rezoning lands between R-1 Residential MUSA-80 and R-2 Residential and to adopt Resolution #22-174 Approving an Amended Constitutional Use Permit for the phasing expansion of a commercial greenhouse operation and the addition of the landscape plan, Condition #15.

Further discussion:

Councilmember Woestehoff added he wanted to clarify that since motion two was an ordinance, the Council will see it again. He stated he will vote in favor of it today; however, he does not necessarily enjoy these types of zoning swaps because they feel slightly disingenuous to the Met Council, to a certain extent, that they are doing a land swap to meet their needs. He would prefer to see a better solution from a zoning perspective as opposed to the R-1 to R-2 swap.

Motion carried. Voting Yes: Acting Mayor Riley, Councilmembers Howell, Specht, and Woestehoff. Voting No: None.

7.03: Consider Waiver of St. Katharine Drexel Land Use Review Fees (Project #21-103)

City Administrator Hagen reviewed the request.

Acting Mayor Riley said his understanding of this case that is a he-said, she-said situation.

City Administrator Hagen said there is some of that here. He commented that in a perfect world they would have existing Staff and perfect memories. However, not all of the Staff that worked on this case are still employed by the City, as this was over a year ago.

Councilmember Specht asked if they were discussing the \$398.62 in fees.

City Administrator Hagen said this is the amount that the City has identified. He said the City sent them an invoice for \$97.83, but they are disputing this invoice and more additional charges, adding up to the \$398.62.

Councilmember Specht said this is obviously not a huge amount in terms of the budget; however, there are the inconsistencies of the he-said, she-said. He added that due to the amount he would be happy to maintain the good relationship with the church as they add a lot to the community and waive the fees.

Acting Mayor Riley asked to clarify the motion that it was for \$398.62.

Councilmember Specht confirmed.

Motion by Councilmember Specht to waive the fees incurred against the project after City Council approval in March 2021.

Motion failed for lack of a second.

Councilmember Howell asked City Administrator Hagen if the restroom facilities was an addition by the church.

City Administrator Hagen said it is his understanding that the original plans did not approve restroom facilities and after the approval, they continued to turn in plans and had the desire to add them.

Acting Mayor Riley asked City Engineer/Interim Public Works Director Westby if he wished to add anything to the discussion.

City Engineer/Interim Public Works Director Westby indicated what City Administrator Hagen had said was accurate and the applicant did add the restroom request during the process.

Motion by Councilmember Howell to collect fees identified and invoices sent by the City's finance department.

Motion failed for lack of a second.

Councilmember Specht asked what happens if they do not decide either option if it would just revert to default.

Councilmember Woestehoff said if that happens then they will find a compromise.

Acting Mayor Riley said that if they do nothing, then these fees have already been billed.

City Attorney Fritz Knaak noted there is a provision in the City charter that any resolution, ordinance, or motion does need four yes votes to pass.

Councilmember Woestehoff said that he would like to offer a compromise that they do not charge the \$97.82.

Acting Mayor Riley agreed.

Councilmember Specht asked what the legal side would be if they did nothing.

City Attorney Fritz Knaak said that nothing would happen.

Councilmember Specht clarified that it would revert to the \$398.62 all being charged.

City Attorney Fritz Knaak said that was correct.

Councilmember Specht said that he would like all fees reduced; however, if they could just reduce a part, he would be open to that compromise.

Motion by Councilmember Woestehoff, seconded by Councilmember Specht, to not invoice St. Katherine Drexel the \$97.83 but keep previously paid amounts.

Further discussion:

Acting Mayor Riley said this seems like a compromise; however, the City is mostly made whole and he thinks this makes sense. Councilmember Howell said that this seems a little bit arbitrary.

Motion failed. Voting Yes: Acting Mayor Riley, Councilmembers Woestehoff and Specht. Voting No: Councilmember Howell.

Councilmember Specht made the point that this is a non-profit organization and a huge asset to the community. He added that there is some gray area in this as no one is sure exactly what was said originally in regard to their request. He thinks it would be beneficial to come to a compromise for them in order to maintain a relationship and respect what they do.

Councilmember Woestehoff explained one of the reasons that he was in favor of a compromise is that this likely would have come up if the petitioner had brought it through the Planning Commission instead of through the Council, this would have gotten caught in the process. As Chair Bauer and others are members of the church, they chose to go above the Board and go straight to City Council. He said it seems like they were trying to do the right thing but they lost a step in the process that could have given some valuable feedback, which is why he is open to a compromise.

City Administrator Hagen said that the first IUP did go through the Planning Commission, it was the amendment that went straight to Council due to the short amount of time since the original approval.

7.04: Introduce Ordinance #22-23 Amending Section 117-57 - Nonconforming Structures and Land Use

Planning Manager Larson reviewed the staff report and recommendation by the Planning Commission for approval of the ordinance modifying section 117-57 of City Code to add the creation of a nonconformity by public action in the code.

Councilmember Specht shared that he believes this is a good idea that helps businesses in the case of emergency type situations during the Highway 10 construction.

Motion by Councilmember Specht, seconded by Councilmember Woestehoff, to introduce Ordinance #22-23 Amending Section 117-57 of City Code.

Motion carried. Voting Yes: Acting Mayor Riley, Councilmembers Specht, Woestehoff, and Howell. Voting No: None.

7.05: Adopt Resolution #22-176 Accepting Bids and Awarding Contract for Improvement Project #20-05, Riverdale Drive Extension, Llama Street to Bowers Drive

City Engineer/Interim Public Works Director Westby reviewed the staff report and recommendation to adopt Resolution #22-176 accepting bids and awarding a construction contract for Improvement Project #20-05. Riverdale Drive extension, Llama Street to Bowers Drive, to Douglas-Kerr Underground, L.L.C. for their bid of \$2,342,102.66.

Acting Mayor Riley said he likes that the presentation shows how they are trying to utilize funds and grants that would go into this project.

Councilmember Specht asked if this would affect the access to Beatty Street or Collins Drive.

City Engineer/Interim Public Works Director Westby said that is accurate and there is no work being done near that access or the right turn lane to Riverdale Drive.

Councilmember Specht asked if any signage would say that access on Bowers is to exit onto Armstrong prior to, so people will know that they need to exit onto Armstrong and take Riverdale over.

City Engineer/Interim Public Works Director Westby said there are no current plans for this type of signage. During construction, he assumes that people who live there and commute that way will understand. He noted Staff will be sending letters once the construction starts providing further information about the access changes.

Motion by Councilmember Woestehoff, seconded by Councilmember Specht, to adopt Resolution #22-176 accepting bids and awarding a construction contract for Improvement Project #20-05. Riverdale Drive extension, Llama Street to Bowers Drive, to Douglas-Kerr Underground, L.L.C. for their bid of \$2,342,102.66.

Motion carried. Voting Yes: Acting Mayor Riley, Councilmembers Woestehoff, Specht, and Howell. Voting No: None.

7.06: Adopt Resolution #22-175 Accepting Bids and Awarding Contract for Autumn Heights Street Reconstructions, Improvement Project #22-02

City Engineer/Interim Public Works Director Westby reviewed the staff report and recommendation to adopt Resolution #22-175 accepting bids and awarding contract for Autumn Heights Street reconstructions, improvement Project #22-02 to GHM Asphalt Corporation for the bid in the amount of \$897,894.48.

Councilmember Woestehoff asked how much they are saving by doing two inches of asphalt rather than the three and a half inches.

City Engineer/Interim Public Works Director Westby said that he does not have those numbers but it is an answer that they can find by reviewing the bid.

Motion by Councilmember Woestehoff, seconded by Councilmember Specht, to adopt Resolution #22-175 accepting bids and awarding contract for Autumn Heights Street reconstructions, improvement Project #22-02 to GHM Asphalt Corporation for the bid in the amount of \$897,894.48.

Motion carried. Voting Yes: Acting Mayor Riley, Councilmembers Woestehoff, Specht, and Howell. Voting No: None.

7.07: Consider Site Plan for Water Treatment Plant (Project No. 22-104); Case of City of Ramsey

Planning Manager Larson reviewed the staff report and recommendation from the Planning Commission to adopt Resolution #22-166 approving the site plan contingent upon compliance with Staff's review comments.

Councilmember Specht asked if they were just looking at the site plan, not any of the drawings or renderings.

Planning Manager Larson said that they are looking at it from a few different angles, from a property owner's view and the funder's view.

Councilmember Specht said he desires that this building be made as simple as possible and this is just a building to treat water.

City Administrator Hagen added that the Public Works Committee has looked at this more than the Council, weighed in on some of the costs associated with the building's appearance, and have found that the project costs are mainly due to the pumps and piping that is needed. He added that Public Works sees this building as quite functional with not a lot of added amenities and aesthetics. He said that Ramsey Staff is reviewing the full specs of the plan, which will be done in a week or two, and they will have a cost estimate at that point that will be brought forward to Council in September.

Motion by Councilmember Woestehoff, seconded by Councilmember Howell, to adopt Resolution #22-166 approving the Site Plan contingent upon compliance with Staff's review comments

Motion carried. Voting Yes: Acting Mayor Riley, Councilmembers Woestehoff, Howell, and Specht. Voting No: None.

8. MAYOR, COUNCIL AND STAFF INPUT

City Administrator Hagen announced there was an EDA meeting this Thursday morning and a Parks and Recreation Committee meeting this Thursday evening. He announced that this is a grand reopening of Peltzer Park and the meeting will be held there. He noted that the Environmental Policy Board will meet on Monday; the Public Works Committee meeting was moved from next Monday to August 22, 2022 due to the EDA golf event; and the business appreciation day is on August 16, 2022. He said that the next City Council meeting will be held on August 23, 2022. He added that the Primary election is tomorrow from 7 a.m. to 8 p.m. and Council will canvas the results on Friday at 3:30 p.m.

Councilmember Specht noted the Total Defense grand reopening this Saturday at 10 a.m. He added that the grand opening of Allison's Petite Pastries is on August 20, 2022.

9. ADJOURNMENT

Motion by Councilmember Woestehoff, seconded by Councilmember Specht, to adjourn the meeting.

Motion carried.

The regular meeting of the City Council adjourned at 8:07 p.m.

Respectfully submitted,

Brian S. Hagen
City Administrator

ATTEST:

Katie M. Schmidt
Deputy City Clerk

Drafted by Ava Rokosz
TimeSaver Off Site Secretarial, Inc.