

Council Member _____ introduced the following resolution and moved for its adoption:

RESOLUTION #23-020

**RESOLUTION APPROVING A RIGHT-OF-WAY PERMIT FOR AN ICE RINK
NORTH OF 157TH AVENUE NORTHWEST ON KRYPTON STREET NORTHWEST**

RECITALS

1. Ms. Jacqueline Mjolhus and Mr. Eric Mjolhus are owners (“Owners”) of property generally known as 5649 157th Avenue NW and legally described as follows:

Lot 7, Block 1, Wildlife Sanctuary Second Addition, Anoka County, Minnesota
2. That Krypton Street Northwest, a platted, publicly dedicated, and constructed roadway is adjacent to the Owners’ property.
3. That the Owners have constructed an ice rink on top of the paved portion of Krypton Street Northwest, including side boards, a plastic liner, and lighting.

FINDINGS OF FACT

1. That Krypton Street Northwest is intended to be extended northward in the future as the two properties to the north develop.
2. That there are no driveways accessing this portion of Krypton Street NW at this time.
3. That City Code Chapter 50 Sections 26 and 27 authorize occupancy and use of public rights-of-way upon paying a fee and applying for a permit.
4. That the Owners have provided an umbrella insurance policy assuming liability for the rink and potential injuries of users.
5. That the Owners have submitted a signed Right-of-Way License Agreement understanding the use of the public right-of-way is for the benefit of the public and that the use of the rink may be removed at any time if it is in the public need to do so.

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

That the Ramsey City Council hereby grants approval of a right-of-way permit (“Permit”) to construct, maintain, and use an ice rink upon the following conditions:

CONDITIONS

1. That this Permit is valid until April 1, 2023, at which time all elements of the ice rink must be removed from Krypton Street.
2. That the ice rink is open and accessible to anyone wishing to use it.
3. That the Owners will maintain insurance across the rink during the duration that it is in place.
4. That the Owners will apply annually for a new permit and provide current insurance and sign a right-of-way license agreement before the rink is constructed.
5. That if the Owners fail to adhere to any of the above conditions, the City of Ramsey will invoice the Owners for any costs associated with removal of the rink.

BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF THE CITY OF RAMSEY, ANOKA COUNTY, STATE OF MINNESOTA, that the Mayor and City Clerk may sign the Right-of-Way License Agreement.

The motion for the adoption of the foregoing resolution was duly seconded by Council Member _____, 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 the 10th day of January, 2023.

Mayor

ATTEST:

City Clerk