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

The Ramsey City Council conducted a regular meeting on Tuesday, June 13, 2023, at the Ramsey Municipal Center, 7550 Sunwood Drive NW, Ramsey, Minnesota.

Members Present: Mayor Mark Kuzma
Councilmember Chelsee Howell
Councilmember Debra Musgrove
Councilmember Michael Olson
Councilmember Chris Riley
Councilmember Dan Specht
Councilmember Matt Woestehoff

Members Absent: None

Also Present: City Administrator Brian Hagen
City Engineer/Public Works Director Bruce Westby
Finance Director Diana Lund
Fire Chief Matt Kohner
Police Chief Jeff Katers
Administrative Services Director Colleen Lasher
Planning Manager Todd Larson
Community Development Director Stephanie Hanson
Streets Supervisor Shane Turner
Zoning Code Enforcement Officer Craig Swalchick
Parks and Assistant Public Works Director Mark Riverblood
Economic Development Director Sean Sullivan

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

2.01: Oath of Office - Patrol Officer

Police Chief Katers introduced and shared background on Officer Tyler Lux.

Mayor Kuzma issued the Oath of Office for Officer Lux.

2.02: Annual Fire Department Update and Review of 2022 Activity

Fire Chief Kohner reviewed the Fire Department 2022 update. He highlighted calls for service increasing 6% over 2021 and a response time of 6 minutes and 26 seconds. He noted that Station #1 and #2 responded to a similar number of calls with Station #1 taking 16 more calls. He stated that there were a total of 15 structure fires in Ramsey in 2022. He discussed the call disbursement. He noted that medical calls account for 59% of all incidents. He added that 70% of all incidents are covered by the full-time staff or the duty crew. He discussed the mutual aid relationships with Anoka-Champlin, Andover, Elk River, and Nowthen and shared that they received aid 22 times and gave aid 43 times. He reviewed all of the training the firefighters go through. He stated that the Fire Department applied for and received \$25,000 in State training grants from the Minnesota Board of Firefighter Training and Education. He noted the fire prevention services and activities, such as fire code compliance inspections, station tours, school visits, presentations to seniors, building inspections, fire investigations, public education presentations and permits. He added that the Department is taking part in a kitchen fire training simulator sponsored by the State to help train residents on safety and kitchen fires. He reviewed the community events that the Fire Department has participated in, including, Night to Unite, Safety Camp, Special Olympics Polar Plunge, Happy Days, 9/11 Golf Tournament, and the Fire Department Open House. He added that on Halloween just under 300 children came through Station #2 for Trick or Treating. He discussed fundraising with the golf tournament which grossed \$26,000. He stated that Staff continues to participate on specialized teams in Anoka County. He shared that the Staff participated in 'November' for men's health and cancer awareness. He noted that there were 11 new hires in 2022.

2.03: Police Department Annual Update

Police Chief Katers reviewed the Police Department 2022 update. He highlighted the new reporting system, the total calls for service of 15,609, and the types of calls received. He stated that crime is down over the last four years in all categories. He shared the concern with increasing mental health calls for service. He reviewed the equipment projects and usage, including the new body-worn cameras. He noted that the officers shared that there was an increase in the number of times they performed CPR and used an AED to save someone. He discussed the program that they entered into regarding the AED use. He explained that they got a grant from the Helmsley Foundation who partnered with the University of Minnesota, that replaced all the AEDs in all of the squad cars. He shared the staffing challenges they have faced. He thanked all of the police officers and staff at the Police Department for their hard work and dedication to the community. He encouraged residents to look at the Department's Facebook or webpage for information on the happenings of the Police Department as well as take a look at the crime map.

2.04: Annual Public Works Department Updates

Parks and Assistant Public Works Director Riverblood reviewed the Public Works 2022 update, focusing on maintenance. He highlighted the operations of the 26 Public Works staff members. He noted that they were able to maintain the City's entire fleet of vehicles, as well as the 100 miles of watermain and 1300 fire hydrants. He added that in 2022, 800,000,000 gallons of drinking water were produced. He noted that 880 water samples were taken from all around the City to test and ensure the drinking water remains safe. He stated that nine sanitary sewer lift stations are serviced

monthly as well as maintaining 80 miles of sewer lines. He said there are thousands of trees in the City that are taken care of. He noted that they have also been engaged in replacing aging infrastructure, including playgrounds and boardwalks. He discussed the roads and the projects associated with fixing the potholes. He stated that in 2022, 380 tons of black top were shoveled into potholes by Public Works staff, and 135 tons of bituminous has been shoveled into potholes in 2023 so far. He thanked Street Supervisor Turner for his work with the streets.

Street Supervisor Turner reviewed the Street Department 2022 update. He highlighted the staffing numbers through the season. He stated that there were 23 full scale plow events. He noted that there were also 3 freezing rain events. He reviewed the snow plowing and snow removal through the season. He noted that the large equipment plow hours rose to 13.7 hours to plow 2-4 inches of snow. He reviewed the equipment used for these events on roads, cul-de-sacs, parking ramps, and sidewalks. He shared that they plow and blow snow off of 27.6 miles of sidewalks and 69.84 miles of trails. He added that from November 1, 2022 to April 1, 2023, 15,000 gallons of diesel and 55,000 gallons of gasoline are used, as well as 1,300 tons of salt.

Mayor Kuzma asked what the reason is for the snowplow event hours jumping from 8 hours to 13 hours.

Street Supervisor Turner stated that the increase is due to the volume of snow and the impact of back to back snow events.

Mayor Kuzma asked how each snow event is managed.

Street Supervisor Turner explained that there are nine full routes and nine cul-de-sac routes. He stated that they alternate their routes so that the timeliness is distributed the best it can be.

Councilmember Musgrove asked Street Supervisor Turner to explain how having cars in the roads slows down the plowing time.

Street Supervisor Turner stated that they do their best to get around cars that are parked on the streets. He said that there were some incidents this season where they were not able to get around the vehicles. He added that when cars are parked in cul-de-sacs, they are not capable of cleaning everything up.

3. CITIZEN INPUT

Jordan Korus, a resident of Spring Lake Park, came forward and shared that he is a business owner that is interested in the possibility of opening up a cannabis retail store in Ramsey. He asked about Ramsey's process on the cannabis regulations.

Mayor Kuzma stated that the Council has put a moratorium on cannabis regulations so they will not be entertaining any new businesses for approximately a year.

Mr. Korus asked what the process will be after the year.

City Administrator Hagen stated that they are going to be waiting for the State to come out with a lot of the guidance documents. He shared that they will not be able to say today what they would support and encouraged Mr. Korus to follow the progress and discussions within the City.

4. APPROVE AGENDA

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

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

5. CONSENT AGENDA

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

- 5.01: Receive April 2023 Financial Reports - General Fund and Enterprise Funds
- 5.02: Receive Cash and Investments for Period Ending May 31, 2023
- 5.03: Note the following Boards, Commissions, and Committee Meeting Minutes:
 - Planning Commission Meeting Minutes Dated April 27, 2023
 - Environmental Policy Board Meeting Minutes Dated April 17, 2023
 - Public Works Committee Meeting Minutes Dated April 18, 2023
 - Economic Development Authority Meeting Minutes Dated April 13, 2023
 - Parks and Recreation Commission Meeting Minutes Dated April 13, 2023
- 5.04: Approve the Following Meeting Minutes:
 - 1. City Council Work Session dated 5/23/2023
 - 2. City Council Regular Session dated 5/23/2023
- 5.05: Approve Rental Licenses
- 5.06: Approve Business Licenses
- 5.07: Approve Liquor License Renewals
- 5.08: Authorization to Reclassify and Transfer a City Employee
- 5.09: Adopt Resolution #23-132 Approving Cash Disbursements Made and Authorizing Payment of Accounts Payable Invoicing Received During the Period of May 18, 2023 through June 7, 2023.
- 5.10: Adopt Resolution #23-116 Approving the Reconstruction Agreement for Ferrellgas L.P. (New Skelgas) at 7255 Highway 10 NW.
- 5.11: Adopt Resolution #23-123 to Approve Building Inspection Services with Rum River Consultants
- 5.12: Adopt Resolution #23-124 Approving Department of Labor and Industry Plan Review Agreement
- 5.13: Adopt Resolution #23-125 Approving Second Amendment to Purchase Agreement and Right of Re-Entry Agreement for Ramsey Properties, LLC (A portion of this meeting may be closed to public)

- 5:14: Adopt Resolution #23-127 Approving Minnesota Laws, 2023 Regular Session Chapter 64, Article 8, Section 10
- 5:15: Adopt Resolution #23-130 Accepting Proposals for Topographic Surveys for 2024 Pavement Management Program Projects
- 5:16: Adopt Resolution #23-133 Adopting 2023 Strategic Plan

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

6. PUBLIC HEARING

6.01: PUBLIC HEARING: Adopt Ordinance #23-13 Amending Ordinance #22-28: 2023 Schedule of Rates, Fees and Charges

Presentation

Finance Director Lund reviewed the staff report in regard to amending the 2023 Schedule of Rates, Fees, and Charges now that the water treatment plant project has been bid out. She shared the proposed increase of 10% in each utility on sewer and water. She noted that there was also a proposed fee for recordings of the police body-worn camera footage with a fee of \$35 per half hour with a minimum of \$35.

Public Hearing

Mayor Kuzma called the public hearing to order at 7:45 p.m.

Citizen Input

There was none.

Motion by Councilmember Riley, seconded by Councilmember Woestehoff, to close the public hearing.

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

The public hearing was closed at 7:45 p.m.

Council Business

Motion by Councilmember Musgrove, seconded by Councilmember Olson, to waive the City Charter requirement that the ordinance be read aloud and adopt Ordinance #23-13 amending Ordinance #22-28: 2023 Schedule of Rates, Fees, and Charges.

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

6.02: PUBLIC HEARING: Adopt Resolution #23-126 Approving Business Subsidy and Authorizing Execution of a Tax Increment Financing (TIF) Agreement and Approving Terms of an Interfund Loan; case of Ramsey Properties, LLC

Presentation

Economic Development Director Sullivan reviewed the staff report concerning the project of Home2Suites by Ramsey Properties, LLC. He shared the request of the applicant which would include a TIF land cost write-down of \$434,511 and \$550,000 with 5% interest on Pay-Go TIF for the reimbursement of site improvements for the project, including a parking lot, fill and soil correction, and utilities.

Public Hearing

Mayor Kuzma called the public hearing to order at 7:47 p.m.

Citizen Input

There was none.

Motion by Councilmember Riley, seconded by Councilmember Musgrove, to close the public hearing.

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

The public hearing was closed at 8:00 p.m.

Council Business

Councilmember Woestehoff noted the minimum assessment agreement of \$7.14 million and asked when this value takes affect and how long it lasts.

Economic Development Director Sullivan stated that they will execute the minimum assessment agreement once they get approval to do the TIF agreement. He added that it will subside when the property hits the tax roll.

Councilmember Musgrove asked about following up on the job creation portion of this project and asked if it includes the percentage of expected return on market value.

Economic Development Director Sullivan explained that whenever there is a business subsidy awarded the State wants to make sure that things are moving along. He noted that this trigger is initiated by the State in the TIF agreement. He added that there is no follow up on how the project performs.

Councilmember Musgrove asked what percentage of occupancy was used in Elher's calculation.

Economic Development Director stated that he believes the number was approximately 60%.

Emily Alegra, the applicant, came forward and shared that they went off of their feasibility study which was at 68%.

Councilmember Musgrove noted that the case mentioned a change of location. She asked if this was in regard to the size of the building and number of units.

Ms. Alegra stated that this was when they switched the lots as they were originally at the previous hotel Cobblestone location and based on the size they felt they needed to be closer to the 98 unit building to be efficient.

Councilmember Musgrove asked about how much the restriction agreement plays into the project moving forward.

Economic Development Director Sullivan stated that the applicant asked the EDA to consider a use restriction agreement with a 10 year period to have some exclusivity. He shared that the EDA had made a recommendation that the area of restriction be smaller or the term be shorter. He noted they are still working through this right now.

Ms. Alegra reiterated the recommendations of the EDA and shared that they are willing to reevaluate their restrictions as they want to ensure that this is a win-win for them and the City.

Councilmember Howell stated that she is very excited to see the hotel come; however, she is not as supportive of the subsidies but would be supportive of the land write-down. She noted she will not be voting in support of this.

Councilmember Riley noted that the case states this would be a catalyst project for the COR. He stated that he likes that this assistance will be going into the ground for the land and utilities. He added that he likes that the City will be made whole within 10 to 12 years.

Motion by Councilmember Riley, seconded by Councilmember Woestehoff, to adopt Resolution #23-126 approving Business Subsidy and authorizing execution of a Tax Increment Financing (TIF) agreement and approving terms of an Interfund Loan, subject to TIF attorney review.

Further discussion:

Councilmember Howell noted that this is a matter of perspective whether there is a lot of value in the City not collecting tax dollars. She stated that the idea that this parcel would sit empty for 10 to 12 years is not realistic as development is becoming very desirable.

Motion carried. Voting Yes: Mayor Kuzma, Councilmembers Riley, Woestehoff, Olson, and Specht. Voting No: Councilmembers Howell and Musgrove.

6.03: PUBLIC HEARING for a Private Kennel License located at 7230 152nd Ave NW.

Presentation

Zoning Code Enforcement Officer Swalchick reviewed the staff report and request for a private kennel license. He shared that there have been three police calls to this residence along with code violations and as a result they found six dogs on the property. He noted that the dogs are a result of the joining of a blended family. He stated that there was one barking dog compliant, one dog at-large compliant, and one complaint concerning there being six dogs. He stated that he conducted an inspection of the property and he found that the home and the dogs are well taken care of. He noted that there are areas that need to be corrected in order to receive the private kennel license, including the fence at the property and a potential underground fence. He noted that there was a letter received from a neighbor concerning the public hearing and noted that this neighbor is also the one who has been calling the police with concerns for three years. He requested conditions of approval for this request.

Public Hearing

Mayor Kuzma called the public hearing to order at 8:09 p.m.

Citizen Input

Zack and Jami Lynn Bennewitz, the dog owners, came forward and shared about their blended family and where the dogs have come from. Mr. Bennewitz stated that he did not know that this many dogs was an issue.

Mrs. Bennewitz stated that she does not want to have any issues with the City and their pets are their kids.

Councilmember Musgrove asked about the fences and the timeline of the repairs. She noted that the case mentions a deadline of September 1 and asked if this could be done sooner.

Zoning Code Enforcement Officer Swalchick shared that they discussed this and that it was considered a priority to take care of the fence first.

Councilmember Musgrove asked the Bennewitz's if the repairs could be done before September 1 and if so what timeframe would be recommended for this.

Mr. Bennewitz stated that they are still deciding between a wireless or a physical fence. He stated that they used to have an issue with a dog getting loose but have not in a long time. He stated that there is also a section in the front where the chain link fencing is missing which has been patched with chicken wire.

Mrs. Bennewitz stated that they are considering which option would be the best financially. She said that their original plan was for an 8-foot privacy fence but it is too expensive for them. She noted that they definitely want to get the work done before the September 1 date.

Mr. Bennewitz explained that which fencing option they go with will decide the timeline but the timeline could be moved up sooner if they went with an underground fence.

Councilmember Howell asked if the vaccination requirement is only for the vaccinations that the City requires or if it is above and beyond that.

Zoning Code Enforcement Officer Swalchick stated that it is what the City would require.

Councilmember Howell shared her concerns with the timeliness of getting a fence in and moving the date up.

Councilmember Riley asked how the neighbors' concerns have been addressed.

Zoning Code Enforcement Officer Swalchick explained that they are addressing the concerns through this Code Enforcement action. He stated that the applicants have been working on the code violations and putting the money together for the fencing.

Councilmember Specht thanked the applicants for being cooperative and working with the City.

Sharon Mager, 7260 152nd Lane, came forward and stated that she did not realize the dogs have lived there so long and that she has not heard a lot of barking.

Jerry Dahlheimer, 15225 Ramsey Boulevard, came forward and shared that part of the ordinance should include barking barks. He stated that he hears barking a lot.

Zoning Code Enforcement Officer Swalchick stated that there is an ordinance in City Code that prohibits nuisance dog barking. He encouraged him to contact 911 or Anoka County dispatch when this barking occurs. He stated that an officer needs to be present and hear this barking occurring in order to issue a citation.

Mr. Dahlheimer stated that if someone is to have six dogs, which is out of the ordinary, there should be a higher restriction for barking.

Councilmember Howell asked if it could be an option to add a fifth condition to go above and beyond what the Code says if there is more than a certain number of dogs.

Zoning Code Enforcement Officer Swalchick explained that they can add any conditions they would like that are within reason. He assured Council that the barking dog ordinance is very clear and that if an officer deems the barking as a nuisance it can be cited. He stated that it would not be outside the realm that this condition be added.

A resident came forward with a letter from a neighbor who could not attend tonight's meeting.

Zoning Code Enforcement Officer Swalchick read the letter from Jim Kuns, 7261 152nd Avenue NW, and shared that he wished to voice their objection to granting a private kennel license for this property on the concern with the dogs barking.

Zoning Code Enforcement Officer Swalchick stated that there have only been three calls for service over the last three years at this property and only one complaint had to do with barking.

Councilmember Howell asked if there was an appetite to move up the timeline for getting the fence taken care of.

Motion by Councilmember Howell, seconded by Councilmember Musgrove, to close the public hearing.

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

The public hearing was closed at 8:27 p.m.

Council Business

Councilmember Howell asked if there was an appetite to move up the fencing timeline from September 1.

Councilmember Woestehoff shared that the applicant expressed that they would get this done as soon as they can. He shared his concern that if they do decide that an 8-foot privacy fence is the right option for them they likely will not be able to get a contractor until late August at this point. He said he is okay with the September 1 date.

Councilmember Musgrove suggested an August 1 to check in with the applicants regarding the status of the fence. She stated that part of the complaint was with the dogs running loose and she did not want this to become a car hazard.

Mayor Kuzma agreed.

Councilmember Specht stated that there does not seem to be an issue with the dogs escaping through the fence and it was more of a one time concern with the dog getting loose. He noted that the applicants have a willingness and a desire to get this done.

Councilmember Musgrove mentioned that the letter received from June references a loose dog. She stated that she does not know what has been done with the fences since then.

Mayor Kuzma added that he believes the dogs are kept on a chain.

Mr. Bennowitz stated that the troublesome dog is now kept on a chain if it is outside.

Motion by Councilmember Musgrove, seconded by Councilmember Howell, to adopt Resolution #23-134 approving the Private Kennel License to Jami Lynn Bennewitz at 7230 152nd Ave NW. with an addition to the resolution as written, 1. A with a check in to Zoning Code Enforcement Officer Swalchick on August 1, 2023 in regard to solution and fencing repair with a date of September 1, 2023 when the fence must be repaired and thereafter maintained.

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

6.04: PUBLIC HEARING - Easement Vacations in HY-10 RAMSEY

Presentation

Planning Manager Larson reviewed the staff report and request for an easement vacation for the right-of-way along Ferret Street as well as a utility easement.

Councilmember Riley asked why this is being done now.

Planning Manager Larson explained that this is just to get all of the paperwork together. He noted that this was a way to train the easements with the property owners.

Councilmember Riley asked if the building on the third property will stay where it is

Planning Manager Larson stated that the building will be going away very soon.

Public Hearing

Mayor Kuzma called the public hearing to order at 8:35 p.m.

Citizen Input

There was none.

Motion by Councilmember Musgrove, seconded by Councilmember Woestehoff, to close the public hearing.

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

The public hearing was closed at 8:35 p.m.

Council Business

Motion by Councilmember Woestehoff, seconded by Councilmember Musgrove, to adopt Resolutions #23-120 and #23-121 Vacating the Rights-of-Way and Easements along Ferret Street NW.

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

7. COUNCIL BUSINESS

7.01: CorTrust Bank - Rezoning and Plat at the northeast corner of Sunwood Drive and Zeolite Street NW.

Planning Manager Larson reviewed the Staff report concerning the request for rezoning and a plat for CorTrust Bank.

Councilmember Woestehoff asked for clarification that there will still be two drive-thrus and if there will be an ATM in the third bypass lane.

Planning Manager Larson stated that there will be two drive-thru lanes under the canopy and the ATM has been moved to the side of the building for better servicing and security. He added that ATMs are considered drive-thru lanes.

Councilmember Woestehoff shared that he was confused based on what was seen with the Planning Commission. He asked if there were to be two drive-thru lanes then the ATM would be inside.

Planning Manager Larson explained that the inside lane will have two functions, one being the teller machine and then the ATM.

Councilmember Woestehoff shared that he is not thrilled about this proposal because of the drive-thrus and the open space between the drive lanes. He stated that this project has checked all of the boxes to meet all requirements but he feels as though this project would be better across the street or somewhere else that is not in the 2a district. He shared his concerns with the wasted space. He shared he is not comfortable with this but cannot see any reason to reject this from a code standpoint.

Councilmember Specht asked what the rationale is for the extra green space.

Planning Manager Larson stated that this was driven by vehicle access and this driveway would line up with the driveway for the hotel. He shared that a previous concept had the building flipped 90 degrees which would take up a lot of frontage on Sunwood with parking lot space. He noted that the green area would be able to be developed by some small user.

Councilmember Specht asked Planning Manager Larson if he recommends this in his opinion.

Planning Manager Larson shared the recommendation to approve the site.

Councilmember Musgrove asked about the change order on #54 concerning domestic water service.

Planning Manager Larson explained that in his experience water service should be split outside of the building to allow water to enter twice and the fire service would enter separately and this way if the water bill wasn't paid the domestic water could be turned off without affecting the sprinkler system water. He stated that this is no longer a suggestion for the size based on the meter size.

Councilmember Musgrove stated that this business has gone through a lot of iterations and changes to figure out how this building faces the right way and uses the lot the best way. She noted that the other space could potentially be used for something else in the future, possibly with shared parking.

Councilmember Woestehoff noted that there would not be enough parking for it to be shared.

Planning Manager Larson stated that there could be a few parking spaces that could be added along with on street parking for the additional lot.

Motion by Councilmember Musgrove, seconded by Councilmember Riley, to to adopt Resolution #23-111 Approving Preliminary Plat of Affinity at the COR 2nd Addition and introduce Ordinance #23-12 rezoning property at the northeast corner of Sunwood Drive and Zeolite Street NW from COR-2a to COR-2b.

Further discussion:

Councilmember Woestehoff shared his excitement for more business in the COR and acknowledged that the bank has made many adjustments to make this project fit; however, he thinks that this has not gotten far enough. He stated that this is prime real estate in the downtown area and they only have one chance to make this right and this project leaves a lot of open space. He noted that this space can likely be used better. He shared he will not be in support of this.

Motion carried. Voting Yes: Mayor Kuzma, Councilmembers Musgrove, Riley, Olson, and Specht. Voting No: Councilmembers Howell and Woestehoff.

7.02: Adopt Resolution #23-122 Accepting Bids and Awarding Contract for Pavement Maintenance Project #23-16, 2023 Pavement Patching Contracted Services

City Engineer/Public Works Director Westby reviewed the staff report in regard to contracting pavement patching services as part of the Pavement Maintenance Project and request to award the contract to Asphalt Surface Technologies Corporation for \$2.4 million but the total could be less. He stated that if they were to split this project between spray patching and deep pothole patching work they would likely get more competitive bids.

Councilmember Olson asked if this was bid as two different projects how the timeline would be coordinated to make sure that the pothole patching gets done first.

City Engineer/Public Works Director Westby stated that they would make the deep pothole patching the first project and the schedule would be completed before the spray patching would be started.

Councilmember Riley asked if they chose to rebid this project what the timeline would be.

City Engineer/Public Works Director Westby explained that if they could get the bids out on Friday this could be brought back to Council at the first meeting in July and start work shortly after.

Councilmember Riley asked if the price that was given for the smaller amounts of patching was a third of what was requested.

City Engineer/Public Works Director Westby said yes and that number was used to help set the unit price for this project.

Councilmember Specht asked if City Staff was used to fill some of the deep potholes, what tasks would they be pulled away from.

City Engineer/Public Works Director Westby said that they would not be doing any street sweeping, tree maintenance, or storm sewer repairs. He noted that all core duties would be put on hold while they do the patching.

Councilmember Specht asked if there were to rebid this, what the approximate savings could be.

City Engineer/Public Works Director Westby shared that he would feel comfortable saying that the amount could come down by at least \$1,000,000.

Councilmember Woestehoff asked Street Supervisor Turner what he would like the Council to do.

Street Supervisor Turner stated that he would want the City to be able to save the \$1,000,000.

Councilmember Woestehoff acknowledged that the streets and Public Works staff are working very hard and are getting a lot of flack from the community because of the large amounts of work to do. He stated that he does not want the streets staff to be stressed or feel let down by the City.

Councilmember Musgrove asked Street Supervisor Turner if he thinks the project should be split and sent out for bids or if the streets staff would work on one part of the project and bid the other. She asked how much work can get done if they went for a quote under the \$175,000.

Street Supervisor Turner stated that if they split this he would recommend that street staff do some of the patching while still staying in front of the other responsibilities.

Motion by Councilmember Riley, seconded by Councilmember Woestehoff, to reject the bid and to separate the two contracts, one for deep pothole patching and one for spray patching, and the City Staff will do the overlap of the pothole patching to stay ahead of the spray patching with authorizing the advertisement of bids for the spray patching and the remainder of the deep pothole patching.

Further discussion:

Councilmember Specht asked if there would be a benefit to contracting out the street sweeping so that street staff can work on this project.

Street Supervisor Turner stated that the critical pothole patching has been completed in all areas except for one. He stated that he does not want to send street sweepers into these areas twice.

Councilmember Specht thanked street and Public Works staff for their hard work on this. He noted that this is difficult for him as the roads are in a state of emergency in a lot of areas and now they are not approving a bid. He stated that if the bid was at a lesser amount they would have moved forward but if there is an opportunity to save \$1,000,000 then they need to do that.

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

7.03: Adopt Resolution #23-128 Accepting Bids and Awarding Contract for Improvement Project #23-17; COR Tree Clearing

City Engineer/Public Works Director Westby reviewed the staff report concerning the COR tree clearing project and recommendation to award the contract to Reshetar Systems, Inc.

Councilmember Musgrove asked about the area around the wetlands and how many of those trees will be removed.

City Engineer/Public Works Director Westby stated that all of the trees outside of the wetlands will be removed and the trees within the wetland areas will not be removed.

Councilmember Riley stated that none of these trees are quality trees and are more shrub like trees.

City Engineer/Public Works Director Westby stated that there are some quality trees in the mix but the majority are not.

Motion by Councilmember Riley, seconded by Councilmember Musgrove, to adopt Resolution #23-128 accepting bids and awarding a construction contract for Improvement Project #23-17; COR Tree Clearing.

Further discussion:

Councilmember Olson asked if there is an opportunity to use any of the trees for lumber.

City Engineer/Public Works Director Westby explained that the trees are not lumber grade trees. He stated that some of the trees can be used in other areas for the few quality trees present.

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

7.04: Adopt Resolution #23-131 Accepting Bids and Awarding Contract for Improvement Project #23-11, Trott Brook Crossing Lift Station #10 Improvements.

City Engineer/Public Works Director Westby reviewed the staff report in regard to the Trott Brook Crossing Lift Station and recommendation to award the contract to Meyer Contracting, Inc.

Councilmember Musgrove asked about where this will come in line with where the tile was put in with regard to the reconstruction on Variolite.

City Engineer/Public Works Director Westby showed that the tile was put in just north of Trott Brook.

Councilmember Musgrove asked if there is an impact to this area in regard to the addition of services from Trott Brook. She stated that the tile took time and wants to ensure that this area would hold up.

City Engineer/Public Works Director Westby explained that this main is many feet below all of the drain tile so there will be no impact to the drain tile.

Councilmember Musgrove asked about the City funding this while it is for the project work. She asked how these funds would come back to the taxpayers.

City Engineer/Public Works Director Westby stated that this is a trunk water main improvement which would be funded through development. He added that Trott Brook Crossing has already paid their trunk fees for this development which will pay for funding this project.

Motion by Councilmember Woestehoff, seconded by Councilmember Olson, to adopt Resolution #23-131 accepting bids and awarding a construction contract for Improvement Project #23-11, Trott Brook Crossing Lift Station #10 Improvements.

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

7.05: Adopt Ordinance #23-10 Amendment to Chapter 105, Building and Building Regulations

Community Development Director Hanson reviewed the staff report and updates to the amendment to City Code.

Motion by Councilmember Howell, seconded by Councilmember Olson, to waive city charter requirement that the ordinance be read aloud and adopt Ordinance #23-10, Amendment to Chapter 105, Building and Building Regulations.

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

7.06: Adopt Ordinance #23-11 Granting Centerpoint Energy Nonexclusive Franchise and Public ROW Access

Community Development Director Hanson reviewed the staff report and request to grant Centerpoint Energy nonexclusive franchise and public ROW access which will replace an expiring 20 year ordinance.

Councilmember Woestehoff asked if the fees associated with this were a part of the regular fee schedule and not part of the franchise agreement.

Community Development Director Hanson stated that it is a part of the adopted fee schedule.

Motion by Councilmember Woestehoff, seconded by Councilmember Musgrove, to waive the City Charter requirement to read the ordinance aloud and to adopt Ordinance #23-11, Granting Centerpoint Energy Nonexclusive and Public Right-of-Way Access.

Further discussion:

Councilmember Musgrove stated that she loves natural gas and supports it being in the City for at least the next 20 years.

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

8. MAYOR, COUNCIL AND STAFF INPUT

City Administrator Hagen announced upcoming meetings and events.

Councilmember Specht stated that the Family Food Truck Festival will be held tomorrow.

Councilmember Musgrove thanked police, fire, and street staff for giving their annual reports. She added that the intersection at Armstrong and Alpine is closed for roundabout work.

9. ADJOURNMENT

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

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

Motion carried.

The regular meeting of the City Council adjourned at 9:41 p.m.

Respectfully submitted,

Brian S. Hagen
City Administrator

ATTEST:

Katie M. Schmidt
City Clerk

Drafted by Ava Rokosz
TimeSaver Off Site Secretarial, Inc.

A recording of this meeting is available for viewing online at www.qctv.org
<<http://www.qctv.org>>. Recordings are available for 36 months after the date of the meeting.