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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 11, 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
Planning Manager Todd Larson
Economic Development Manager Sean Sullivan
City Attorney Fritz Knaak

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

Junjie Liu, 8365 Norwood Lane North, Maple Grove, came forward with his translator who shared that he received an email stating that his business and massage therapist license was denied. She shared that he does not understand why his request was denied when he meets the requirements.

City Attorney Knaak suggested that this item be moved from the Consent Agenda and be discussed as part of the agenda.

4. APPROVE AGENDA

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

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

5. CONSENT AGENDA

Motion by Councilmember Howell, seconded by Councilmember Riley, to approve the following items on the Consent Agenda removing item 5.11 to Council Business item 7.00:

- 5.01: Note the following Board, Commissions, and Committee Meeting Minutes:
- Environmental Policy Board Meeting Minutes Dated May 15, 2023
 - Public Works Committee Meeting Minutes Dated May 16, 2023
 - Economic Development Authority Meeting Minutes Dates May 11, 2023
- 5.02: Approve the Following Meeting Minutes:
1. City Council Work Session dated 6/13/2023
 2. City Council Regular Session dated 6/13/2023
 3. City Council Work Session dated 6/27/2023
 4. City Council Regular Session dated 6/27/2023
- 5.03: Approve Rental Licenses
- 5.04: Approve Business Licenses
- 5.05: Authorization to Hire a City Planner Backfilling a Vacant Position
- 5.06: Authorization to Hire a Police Officer Filling a Current Vacancy in the Patrol Division
- 5.07: Adopt Resolution #23-159 Approving Cash Disbursements Made and Authorizing Payment of Accounts Payable Invoicing Received During the Period of June 20, 2023 through July 5, 2023.
- 5.08: Adopt Resolution #23-117 Approving Final Plat, Development Agreement, Encroachment Agreement, and Shared Access Agreement for "Ramsey Properties Addition"
- 5.09: Adopt Resolution #23-152 - Approving an Encroachment Agreement for a Monument Sign in the Lynwood Subdivision
- 5.10: Adopt Resolution #23-153 Denying a Rental License to Duane Rosen at 15443 Ramsey Blvd. NW
- 5.11: ~~Adopt Resolution #23-156 Denying a Massage Establishment and Massage Therapy License~~ - This case was pulled from the Consent Agenda and put on the Regular Agenda as Case 7.0.
- 5.12: Adopt Resolution #23-157 Approving Plans and Specifications and Authorizing Bids for Improvement Project #23-20, COR Mass Grading
- 5.13: Motion to Accept the City Administrator's Annual Performance Evaluation

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

6. PUBLIC HEARING

6.01: PUBLIC HEARING: Consider Request for a Variance to Construct a Deck at 5364 142nd Circle NW (Project No. 23-108); Case of Paul and Heather Anderson

Presentation

Planning Manager Larson reviewed the staff report concerning the request for a deck at 5364 142nd Circle NW along with the request for a variance. Planning Manager Larson explained that this item would normally be discussed at the Planning Commission meeting; however, they did not have a quorum at their last meeting so all the public hearings were moved to the Council meeting to keep the process moving. He shared Staff's recommendation for approval.

Councilmember Riley asked if the three other decks on this street also received variance approval.

Planning Manager Larson said yes.

Councilmember Olson asked if the setback that would be remaining would be comparable to the other three setbacks.

Planning Manager Larson said yes and explained that they are all essentially the same style deck with a 10 foot setback.

Public Hearing

Mayor Kuzma called the public hearing to order at 7:11 p.m.

Citizen Input

There was none.

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

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

The public hearing was closed at 7:11 p.m.

Council Business

Motion by Councilmember Musgrove, seconded by Councilmember Olson, to adopt Resolution #23-135 approving a variance to setback requirements for the construction of a deck at 5364 142nd Circle NW.

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

6.02: PUBLIC HEARING - Consider a Conditional Use Permit for iDigital for an Off Premise Digital Billboard at 9500 Hwy. 10 NW.

Presentation

Planning Manager Larson reviewed the Staff report and request for a Conditional Use Permit for iDigital for an offsite billboard at 9500 Highway 10 NW. He shared the recommendation for approval and noted that this item will come back to Council as City Code stated that there must be a community agreement for public service messaging.

Councilmember Musgrove asked about the location of the sign being straight across from Alpine Drive since the future of the roadway, with the Highway 169 study in Elk River, is unknown.

Planning Manager Larson stated that he is not sure of what was in the study.

City Administrator Hagen explained that Elk River is going through a process to identify what types of improvements should be made to reduce at-grade intersections to Highway 10. He stated that Alpine Drive connection to Highway 10 will likely be consolidated with two other roadways. He noted that the final location of this has not been decided. He shared that there is not a lot of risk involved in this location.

Councilmember Woestehoff asked if there are any safety concerns with having this sign directly across from Alpine Drive. He asked if there could be concerns with distracted driving. He asked if this 11 acre lot has any intention to split in the future.

Planning Manager Larson stated that is his understanding.

Police Chief Katers stated that he was not involved in the discussion of this item. He said that he does not know the dynamics on whether or not this could be a distraction to drivers.

Councilmember Woestehoff reiterated that he had concerns from a safety perspective with this sign being directly across from Alpine Drive.

Planning Manager Larson stated that the 'V' shaped design of this sign is not wide enough that the drivers coming off of Alpine Drive would be able to get a good look at what is on the sign.

Councilmember Riley mentioned that he would like to hear from the applicant. He asked if this sign will run the same ads as the other sign.

Paul Hill, iDigital, came forward and shared that when they started this process they were diligently working with MnDOT in looking at the placement for this sign. He noted that the sign will be a little to the west of Alpine Drive. He stated that the 'V' is configured to the street and not to the intersection so it will not be a distraction to Alpine Drive. He noted that MnDOT would not

have approved the sign if it would have been a distraction to drivers. He shared the goal to have the ads that are going to be in Ramsey to be on the vertical board and bounce between the two locations to give more representation for the local advertisers.

Public Hearing

Mayor Kuzma called the public hearing to order at 7:22 p.m.

Citizen Input

There was none.

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

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

The public hearing was closed at 7:22 p.m.

Council Business

Motion by Councilmember Howell, seconded by Councilmember Musgrove, to adopt Resolution #23-137 for a Conditional Use Permit for an Off-Site Digital Billboard at 9500 Highway 10 NW.

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

6.03: PUBLIC HEARING: Consider Bunker Lake Industrial Park 4th Addition Final Plat and Site Plan for BLIP Building 5 (Project No. 23-106): Case of PSD LLC

Presentation

Planning Manager Larson reviewed the Staff report in regard to the final plat and site plan for Bunker Lake Industrial Park. He shared Staff's recommendation for approval.

Councilmember Riley asked the applicant about the colors that the buildings will be.

Matt Kuker, PSD LLC, shared that the first four buildings are all similar buildings and the next building will look different. He stated that this addition includes three possible buildings. He noted that he would like to see these three buildings look similar. He added that the two buildings on the 11 acre site are just acting as a placeholder. He said that they have not settled on colors for the buildings and they first wanted to make sure that the buildings got passed.

Councilmember Riley asked if there is access from 147th Lane into these properties.

Mr. Kuker stated that there will be an access but it is not meant to be a truck access.

Councilmember Woestehoff asked if there are already tenants who are lined up for these buildings.

Mr. Kuker shared that there is interest but he does not have anyone officially signed up. He stated that they currently have a waiting list of those who would like to get in at this site.

Councilmember Woestehoff asked if this will be approximately 80% warehouse and 20% retail as it addresses in the case in regard to parking.

Mr. Kuker explained that he would rather go heavy on the parking as too much parking would be better than not enough. He stated that there is not enough area to put a fourth building and would rather have parking than greenspace. He explained that most possible tenants are looking for a space within six months. He noted that the main switch gear for these buildings are about 54 weeks out.

Councilmember Musgrove asked if there is any plan for outdoor storage or if it will all be interior.

Mr. Kuker stated that they do not intend to have any outdoor storage.

Public Hearing

Mayor Kuzma called the public hearing to order at 7:32 p.m.

Citizen Input

There was none.

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

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

The public hearing was closed at 7:32 p.m.

Council Business

Motion by Councilmember Woestehoff, seconded by Councilmember Howell, to adopt Resolution #23-136 approving the Final Plat and Site Plan for Bunker Lake Industrial Park Fourth Addition and BLIP Building 5.

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

6.04: PUBLIC HEARING - Aldi - Site Plan Review and Final Plat at 7992-7994 Sunwood Drive NW.

Presentation

Planning Manager Larson reviewed the Staff report concerning the site plan and final plat on City owned land being purchased by Aldi at 7992-7994 Sunwood Drive NW. He shared Staff's recommendation of the site plan and final plat.

Councilmember Musgrove asked about the entrances into Aldi if someone were coming from City Hall.

Planning Manager Larson explained that they would be coming west on Sunwood and showed where the entrances would be at the north side driveway. He shared concern with the existing driveway becoming very busy.

Councilmember Musgrove asked if someone could enter through the roundabout.

Planning Manager Larson said no but that they could go around the roundabout to make a right turn into the parking lot.

Public Hearing

Mayor Kuzma called the public hearing to order at 7:43 p.m.

Citizen Input

There was none.

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

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

The public hearing was closed at 7:43 p.m.

Council Business

Councilmember Woestehoff thanked the developer for making some of the changes that were discussed at the Planning Commission meeting. He stated that the architectural enhancements are significantly better than what they were prior.

Motion by Councilmember Musgrove, seconded by Councilmember Specht, to adopt Resolution #23-138 for a Site Plan Review of a Retail Building at 7992 Sunwood Drive NW and Resolution #23-139 approving Final Plat of COR FOUR.

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

6.05: PUBLIC HEARING - Easement vacation in COR TWO.

Presentation

Planning Manager Larson reviewed the Staff report concerning the easement vacation in COR TWO since being modified because of the Aldi project.

Public Hearing

Mayor Kuzma called the public hearing to order at 7:46 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 7:47 p.m.

Council Business

Motion by Councilmember Riley, seconded by Councilmember Olson, to adopt Resolution #23-150 vacating drainage and utility easements in the plat of COR TWO.

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

7. COUNCIL BUSINESS

7.00: Adopt Resolution #23-156 Denying a Massage Establishment and Massage Therapy License - Please Note: This case was pulled from the Consent Agenda (5.11) and put on the Regular Agenda as Case 7.0.

Economic Development Manager Sullivan reviewed the Staff report concerning the recommendation to deny a massage establishment and massage therapy license. He noted Police Chief Katers is recommending denial after the completion of the background license. He stated that the basis for the denial is due to the City Ordinance requirements for education not being satisfied as the school that was listed is not accredited by the U.S. Department of Education and

also that the resident's history listed in the application is not coinciding with other licenses held by the applicant.

Police Chief Katers reiterated his reasons for recommending denial. He noted that on the massage school's website it states that it is not accredited by any regional or national accrediting agency that is recognized by the U.S. Department of Education. He stated that this is done because the massage industry has a history with human trafficking and the U.S. Department of Homeland Security recommends checking all school credentials through the U.S. Department of Education. He added that the applicant also states that he holds a California massage license; however, the State of California does not issue massage licenses. He shared that because of these two reasons he cannot recommend approval of this license.

Junjie Liu, the applicant, came forward with his translator who stated that according to the City's website the massage school must be a U.S. accredited school and that it does not say anything about it having to be accredited by the U.S. Department of Education. She stated that this school was accredited in California.

Police Chief Katers reiterated that on the massage school's website, it states that it is not accredited by any regional or national accrediting agency that is recognized by the U.S. Department of Education. He stated that the recommendation from a professional organization is not the same as an accreditation.

Mr. Liu's translator stated that Mr. Liu finished the 550 hours of education by A&Z Massage School, which is accredited by AMTAS and CAMSAC, which is the California massage accreditation.

Councilmember Woestehoff acknowledged that Mr. Liu took 550 hours' worth of courses. He stated that the problem is that the organization where he took the courses is not recognized by the U.S. Department of Education and is not an accredited school according to a government agency. He added that the list that Mr. Liu passed out to the Council did not list any government entities. He stated that the entities on the list do not meet the criteria that the City looks for. He noted that if Mr. Liu does wish to obtain a massage therapist license for Ramsey, going to a different accredited school would get him the license.

Mr. Liu's translator asked if Mr. Liu were to hire someone who meets the requirement if there could be a separate consideration to grant the license.

Mayor Kuzma stated that the application would need to be resubmitted.

Councilmember Woestehoff stated that he does not think that Mr. Liu has any ill will or any bad intentions in what he has done, unfortunately the path that he has taken is just not one that the City can recognize in an effort to be fair to all of those who are attempting to obtain a massage license in Ramsey.

Motion by Councilmember Woestehoff, seconded by Councilmember Riley, to adopt Resolution #23-156 Denying Licenses for Therapeutic Massage Therapist and Therapeutic Massage

Establishment for Junjie Liu at Serenity Path Massage LLC dba Serene Path Massage located at 7962 Sunwood Dr NW. Suite 100, Ramsey MN 55303.

Further discussion:

Councilmember Howell apologized to Mr. Liu and shared that she hopes he will get the items that meet the City's requirements. She wished Mr. Liu luck.

Mr. Liu's translator stated that Mr. Liu will do more research into this.

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

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

Planning Manager Larson reviewed the Staff report in regard to the rezoning, plat, and site plan review for CorTrust Bank. He shared Staff's recommendation of approval.

Councilmember Woestehoff asked how many square feet the bank is proposed to be.

Planning Manager Larson explained that it will be just over 5000 square feet.

Councilmember Woestehoff stated that he would like for the bank to switch spots and be on the north end of the site and having the area on Sunwood available for other larger developments. He asked if the applicant would consider aligning with that choice.

Economic Development Manager Sullivan stated that the applicant has expressed a vision of having the building right off of the main corridor on Sunwood. He stated that he asked them if they would consider moving to the back of the site but this was a deterrent for the applicant.

Councilmember Musgrove asked about the thought process of having three lanes in this area rather than just two.

Planning Manager Larson explained that they are not sure what this driveway will serve. He stated that it is likely going to be a mixed use or multi-family development to the north and retail and office use to the south that would cause a lot of traffic. He noted that Zeolite had a fair amount of traffic even with nothing on the road and once development occurs they expect a lot more traffic in this area.

Councilmember Musgrove shared her thoughts to remove the left turn lane from this area so that there would be less traffic trying to make it across the busy street.

Planning Manager Larson noted that though three lanes are shown, one lane is inbound, the middle lane is a through lane, and one is a right turn lane.

Councilmember Musgrove agrees with the dedicated right turn lane. She asked if this could be changed in the future to not allow left turns if it does not work for public safety.

Planning Manager Larson stated that this would be very difficult to do as there is no way to physically stop someone from making a left turn. He stated that they could design an intersection called a three corner turn where they could make left turns from Zeolite into this site but it does not allow for left turns out of the site.

Councilmember Woestehoff agreed with Councilmember Musgrove and shared that this is one of the reasons why COR-2a reduced the number of drive-thru lanes that are allowable in the subdistrict. He stated that by allowing the multiple drive-thru lanes they are potentially creating more problems in this potentially busy area. He noted that he is not a huge supporter of this plan.

Councilmember Specht stated that it would be beneficial to have the developers come forward to a Council meeting to find out their appetite for moving the bank. He acknowledged the other concerns shared by Councilmembers Musgrove and Woestehoff. He noted that this discussion may be worth tabling to see if there are other appetites for this area.

Councilmember Howell concurred with the other Councilmembers. She stated that this is not an optimal project for the site based on other spaces in the area. She stated that she will not be in support of this project.

Councilmember Riley stated that this is a good business although there may be other places that it may fit better. He stated that this is the kind of business that will bring people to the COR. He noted that they have already given the bank their initial approval and it would seem disingenuous to pull back. He stated that he will be in support of this.

Councilmember Woestehoff discussed Village Bank and that there is a vacant lot adjacent to this parcel. He asked if banks are drivers for neighboring businesses to develop nearby.

Economic Development Manager Sullivan explained that he is not sure if banks in general are drivers for other businesses. He noted that having a bank in the COR is important as it provides a stable financial presence.

Motion by Councilmember Riley, seconded by Mayor Kuzma, to waive the Charter requirement to read the ordinance aloud and adopt Ordinance #23-12.

A roll call vote was performed:

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

Motion carried.

Motion by Councilmember Riley, seconded by Councilmember Mayor Kuzma, to adopt Resolution #23-151 Approving Final Plat and Reciprocal Ingress/Egress Easement for "Affinity at the COR 2nd Addition."

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

Motion by Councilmember Riley, seconded by Councilmember Mayor Kuzma, to adopt Resolution #23-152A approving Site Plan Review for a bank at 7849 Sunwood Drive NW.

Further discussion:

Councilmember Musgrove asked if there would be any way to set up some conversations with the developer for a different location on this plat or others.

Mayor Kuzma stated that if the motion fails it will go back to the developer and they can decide how they would like to move forward.

Councilmember Woestehoff noted that there have been points of concerns for the project. He asked if this does fail if there is enough feedback to provide the developer with on how to solve the concerns of the Council.

Economic Development Manager Sullivan shared he has heard from the Council that if the bank was not on the corner and was on the backside of the lot that it would be more favorable. He stated that other than this the only acceptable solution seems to be to find another site.

Councilmember Woestehoff stated that having the bank on the backside of the site creates a better investment opportunity for them to sell the building on the front half. He noted that this also allows for potentially better traffic flow which were some of the concerns raised around this project. He added that he would be open to hearing what the developer comes back to the Council with. He shared his personal perspective that this seems uncomfortable in its current design.

Planning Manager Larson noted that the applicants' civil engineer and architects are online.

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

Mark Puetz, Puetz Design & Build, shared that the developer has been very opposed to moving the bank any farther back on Sunwood. He stated that the developer hopes to have access off of Sunwood. He added that asking the developer to move the bank would create uncertainty on whether the developer would like to move forward.

Councilmember Woestehoff asked what the path forward is for the bank now that their requests have been denied.

Planning Manager Larson stated that typically an applicant cannot reapply for the same thing for a year unless there are substantial changes made.

Sienna Wegehaupt, Puetz Design & Build, mentioned that one of the challenges faced with this site is that there are multiple fronts to the building. She stated that they were trying to respect both the west and the south edges since they would be on the front of the road, and kept the drive-thrus on the north. She shared the reasons why the facades ended up the way that they did as there is essentially no back of the building.

Mayor Kuzma stated that the motions have failed and this will go back to the developer.

City Administrator Hagen added that the ordinance did pass and will go into effect 30 days after publication. He stated that it is now up to the applicant if they wish to continue discussions on the project.

7.02: Adopt Resolution #23-158 Approving Use Restriction Agreement on Part of Outlot A, Ramsey Properties Addition

Economic Development Manager Sullivan reviewed the Staff report in regard to a use restriction on a portion of Outlot A. He shared Staff's recommendation of approval.

Councilmember Howell asked how much of the land in question the hotel will sit on and what portion the Norhart project would sit on.

Economic Development Manager Sullivan showed on the site map where the hotel and the Norhart project will sit. He discussed other potential developments in the area.

Councilmember Howell asked if this were to be denied if this would cause the applicant to pull out of the project.

Emily Alerga, the applicant, shared that they are fully invested into this project. She explained that the reason they brought this to the EDA to look into is due to some of the dynamics that have shifted in the City, especially with the dome project. She stated that they wanted to have security with so much vacant land around the parcel. She noted that their original request was for a ten year restriction; however, the EDA wanted to shorten the restriction. She shared that their goal is to make this work for them and the City.

Councilmember Riley asked if Norhart is on board with this request.

Ms. Alerga said yes and explained that both party's legal teams have looked over this. She stated that the proposal brought forward to the Council is from Norhart.

Councilmember Woestehoff noted that in the agreement under 2.2 it discusses Airbnb restrictions. He suggested changing this to short term rentals so that it would also include other brands of short term rental companies.

Councilmember Musgrove asked about the upfront financing for the land. She asked Economic Development Manager Sullivan to explain these benefits to the developer.

Economic Development Manager Sullivan explained that the Council had previously reviewed the business subsidy agreement and the Council then approved it. He stated that this granted the developer funds for the land and site improvements and in return the City will receive 40% of tax increment to pay itself back for the \$434,000 for the land. He stated that for the \$550,000 for the site improvements they will be paid back as part of a pay-go financing agreement. He noted that there will also be 5% interest on this.

Councilmember Musgrove asked if there is other land in the COR where high density buildings could go in as far as development.

Economic Development Manager Sullivan explained that there are other areas in the COR that could have high density development.

Councilmember Musgrove asked if these will be restricted.

Economic Development Manager Sullivan said no and highlighted the area that will be restricted.

Councilmember Musgrove asked if there could be a short term rental a short distance away that would not be restricted.

Economic Development Manager Sullivan said yes and explained that anything outside of the area of restriction could have a short term rental.

Councilmember Musgrove shared her appreciation for the applicant meeting with Norhart and other potential developers in the area. She shared that she does not believe in the City having the right to restrict the land for developers. She stated that she will not be supporting this.

Economic Development Manager Sullivan added that this restriction only affects rentals that are three months or less.

Councilmember Howell shared her appreciation for the shortened acreage and shortened term. She noted that the developer is receiving quite a bit of help from the City, including taxpayer owned land and will be partially funded by taxpayer dollars. She stated that adding the use restriction only benefits the developers bottom line and she does not see the benefit as a whole to the taxpayers. She added that she will not be supporting this tonight.

Ms. Alerga acknowledged what Councilmember Howell shared and noted that having a hotel in this area is something that the City desired. She acknowledged that the City is helping them but they are willing to take significant risks to put this hotel here. She explained that they took the

recommendations to shorten this restriction and make it smaller. She added that they also worked with potential future companies that also want to be in this area. She stated that this is not for their financial gain, it is for the City of Ramsey while also giving the developer five years to stabilize the hotel, which also benefits the City.

Councilmember Howell asked if another developer comes in and also wants this kind of restriction, what will be done.

Councilmember Woestehoff stated that a restrictive use agreement was approved in the Aldi development agreement. He noted that this is not an uncommon practice. He added that this restriction affected a smaller footprint but a larger variety of businesses.

Councilmember Howell stated that she is not a supporter of use restriction agreements. She noted that Aldi did purchase their land and it was not purchased with taxpayer dollars, which makes the hotel situation different.

Motion by Councilmember Woestehoff, seconded by Councilmember Riley, to adopt Resolution #23-158 Approving Use Restriction Agreement on Part of Outlot A, Ramsey Properties Addition with changes to 2.2, broadening from strictly Airbnb as a brand; subject to City Attorney review.

Further discussion:

Councilmember Howell noted that they are restricting land that is taxpayer owned that the Council could vote to move forward when it could also move forward without the restriction.

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

7.03: Adopt Resolution #23-154 Accepting Bids and Awarding Contract for Street Maintenance Project #23-21, 2023 Deep Pothole Patching Contracted Services

City Engineer/Public Works Director Westby reviewed the Staff report in regard to accepting bids and awarding contracts for the deep pothole patching. He shared the recommendation to award bids to Diversified Paving.

Mayor Kuzma asked if this contract is awarded how quickly they would be able to get started on the project.

City Engineer/Public Works Director Westby stated that they have a completion date by the end of September which they would have to have the project done by. He stated that they would likely start near the end of July.

Motion by Councilmember Musgrove, seconded by Councilmember Specht, to adopt Resolution #23-154 accepting bids and awarding a construction contract for Street Maintenance Project #23-21, 2023 Deep Pothole Patching Contracted Services.

Further discussion:

Councilmember Musgrove thanked Staff for their work on this and getting the bids back in a timely manner.

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

7.04: Adopt Resolution #23-155 Accepting Bids and Awarding Contract for Street Maintenance Project #23-22, 2023 Spray Patching Contracted Services

City Engineer/Public Works Director Westby reviewed the Staff report in regard to accepting bids and awarding contracts for the spray patching. He discussed the funding for this project. He shared the recommendation to award bids to Asphalt Surface Technologies or reject the project and go out for bids again at a reduced scope. He added that this project could be bundled into around four miles of spray patching to be done and take care of the rest of the streets through other contracted services.

Councilmember Woestehoff asked if they choose to do no spray patching this year, what the effects will be on the roads and maintenance in 2024.

City Engineer/Public Works Director Westby explained that spray patching is a good temporary fix for these roads and it can last two to four years. He stated that he does not see any issues with the skim patching lasting this long as well. He noted that all but a few miles of roads will be addressed with the previous project. He added that the potholes are not aging well and would recommend patching all of the potholes. He shared the recommendation to reject the project and rebid at a reduced scope.

Councilmember Musgrove shared that it seems like the City has already done some work on looking at the scope of this project. She stated that she is in favor of rejecting this bid and rebidding it out at a reduced scope.

Mayor Kuzma stated that he is not in favor of draining the PIR fund and is in favor of rejecting the bid.

Councilmember Riley reiterated the point he has made through this process that the roads are an emergency for the City. He stated that it is frustrating that they had a plan of what they thought they needed and they are now being told that this is a different plan. He noted that he does not want to pay this much for spray patching; however, only a few weeks ago this was the answer for what needed to be done. He said that the roads need to be fixed and the residents are unhappy. He noted that he cannot sit there and say that the Council will not do anything. He stated that if this is pushed back again it may not get done before the snow arrives for the winter.

City Engineer/Public Works Director Westby stated that they have been having discussions through this whole process with contractors and he shared that contractors have told him that they would be interested in bidding on this project if it would have been a smaller scope of work. He

noted that they are proposing reducing the project in order to get more bids and that the work could still get done before the middle of October.

Councilmember Howell stated that she is disappointed in the bid amount but thanked Staff for bringing the bid back to the Council so that they can save money. She stated that she will support going back out for bids on this project.

Councilmember Olson asked if the City will be able to do most of the patching and this is how they will reduce the scope of the work.

City Engineer/Public Works Director Westby stated that the City has been patching streets all along. He stated that he feels that the work can be done in house or using the contractor that was awarded the contract in the previous case.

Councilmember Woestehoff shared that he would like a post-mortem on the life of streets in 2023 if there were three additional street workers.

Councilmember Specht stated that he agreed with Councilmember Riley that the roads are an emergency situation. He added that he hopes this process is started a lot earlier next year so that the City does not find themselves in the same situation. He shared that he feels the frustration of the residents but would like to proceed with this project in a cheaper way.

Motion by Councilmember Woestehoff, seconded by Councilmember Musgrove, to reject the bid based on Staff feedback.

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

8. CITIZEN INPUT (continued)

John Enstrom, a resident who lives on 181st Avenue, came forward and shared that the County did a great job of paving and widening 181st Avenue. He noted that there are no speed limit or other signs on the road which makes it extremely dangerous. He added that a dump truck rolled over on this road a month ago and a few cars have rolled over on this road. He noted that two girls were even killed in this area. He stated that he would like to see the City ask the County to finish this street with signage and do some enforcement in this area. He noted that this is a high traffic area. He added that his mailbox has been destroyed four times in the past year.

Mayor Kuzma thanked the resident for bringing this to their attention.

The resident added that the Vietnam Vets of America will be coming out for a Midwest regional picnic on August 26. He noted that this will be a huge event and there will be large vendors coming in for this event.

9. MAYOR, COUNCIL AND STAFF INPUT

City Administrator Hagen announced upcoming meetings and events.

Councilmember Specht encouraged everyone to check out the 10 year customer appreciation day at Total Defense on July 22.

Councilmember Musgrove congratulated Miss Iz Ice Cream Shop for being voted the Best Ice Cream Shop in Ramsey.

10. ADJOURNMENT

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

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

The regular meeting of the City Council adjourned at 9:27 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.