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

The Ramsey City Council conducted a regular meeting on Tuesday, April 25, 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 Clerk Katie Schmidt
City Engineer/Public Works Director Bruce Westby
City Attorney Fritz Knaak
Assistant City Engineer Joe Feriancek
Streets Supervisor Shane Turner

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

None.

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

- 5.01: Approve the Following Meeting Minutes:
 - 1) City Council Work Session dated 4/11/2023
 - 2) City Council Regular Session dated 4/11/2023
- 5.02: Approve Business Licenses
- 5.03: Approve Rental Licenses
- 5.04: Initiate Playground Development for Neighborhood Park in the Riverstone South Subdivision
- 5.05: Adopt Resolution #23-092 Approving Cash Disbursements Made and Authorizing Payment of Accounts Payable Invoicing Received During the Period of April 6, 2023 through April 19, 2023.
- 5.06: Adopt Resolution #23-069 Approving Final Plat and Development Agreement for Cedarview Estates (formerly Cedar Acres) [Project 22-136]
- 5.07: Adopt Resolution #23-073 Approving Testing Services Proposal for Improvement Project #21-09, Centralized Water Treatment Plant.
- 5.08: Adopt Resolution #23-079 Approving Lease Agreement of 6745 Hwy 10 NW with RM Golf Carts
- 5.09: Adopt Resolution #23-080 Approving Lease Agreement with RM Golf Carts for 7039 Highway 10
- 5.10: Adopt Resolution #23-082 Approving Plans and Specifications and Authorizing Advertisement for Bid for Improvement Project #23-05, Barthel's Rum River Acres 2nd Street Reconstructions
- 5.11: Adopt Resolution #23-083 Amending Scope of Improvement Project #23-06, 2023 MSA Pavement Overlay Improvements
- 5.12: Adopt Resolution #23-085 Authorizing Request for Quotation for 2023 MSA Pavement Marking Improvements, Improvement Project #23-13
- 5.13: Adopt Resolution #23-086, Suspending Grass Height Enforcement of Section 30.3 of City Code in Support of No-Mow-May
- 5.14: Adopt Resolution #23-087 Approving 2023 Construction Materials Testing Services Proposal
- 5.15: Adopt Resolution #23-088 Approving Purchase of Vector Trailer
- 5.16: Adopt Resolution #23-091 Approving Change Order #3 for Improvement Project #23-03, Armstrong Boulevard and Alpine Drive Roundabout Improvements
- 5.17: Adopt Resolution #23-093 Installing Boulevard Trees for the Barren Side of Sunwood Drive in The COR
- 5.18: Adopt Resolution #23-094 Approving Plans and Specifications and Authorizing Bids for Improvement Project #23-11, Trott Brook Crossing Sanitary Sewer Lift Station

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

6. PUBLIC HEARING

None.

7. COUNCIL BUSINESS

7.01: Adopt Ordinance #23-05 to Amend Chapter 4 of the Charter - Nominations and Elections

City Clerk Schmidt reviewed the Staff report concerning the recommended Charter updates to clean up language to coincide with State law in regards to nominations and elections. She stated that if the Charter amendments are accepted they will go into effect 90 days after publication.

Motion by Councilmember Woestehoff, seconded by Councilmember Olson, to waive the City Charter requirement that the ordinance be read aloud and adopt Ordinance #23-05 amending Chapter 4 of the City Charter - Nominations and Elections.

Further discussion:

Councilmember Specht thanked the Charter Commission and Staff for their work on this and updating the Charter with State law.

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

7.02: Adopt Ordinance #23-07 to Amend Chapter 4 of the Charter - Nominations and Elections

City Clerk Schmidt reviewed the Staff report concerning the recommended Charter updates in regard to Council appointments when vacancies occur. She stated that if the Charter amendments are accepted they will go into effect 90 days after publication.

Councilmember Musgrove asked for clarification on Section 4.5.6, which stated that the appointed individual would serve the remainder of the term or until a special election where a new successor is elected. She asked if this would be considered a special election if it was coming up to a regular election.

City Clerk Schmidt stated that it would be considered a special election if the term was not set to be expired.

Councilmember Musgrove asked if there was no one who wanted to run in the special election, if it would still be considered a special election at the time of the next regular election.

City Clerk Schmidt said that was correct.

Motion by Councilmember Riley, seconded by Councilmember Woestehoff, to waive the City Charter requirement that the ordinance be read aloud and adopt Ordinance #23-07 amending Chapter 4 of the City Charter - Nominations and Elections.

Further discussion:

Councilmember Specht stated that he is personally against this as he does not believe that the Council should be appointing replacements when vacancies occur and they should be voted on by the residents.

Councilmember Howell asked if the Council currently appoints individuals when vacancies occur, but only when there is less than 365 days left in the term.

City Clerk Schmidt stated that if an individual resigns within their last 365 days then the City is to appoint an individual.

Councilmember Howell asked if this consists of longer appointments with the proposed changes.

City Clerk Schmidt explained that it would possibly prolong the appointment until the special election would take place.

Councilmember Woestehoff asked what happens if this motion fails.

City Administrator Hagen stated that this would not go into effect and the Charter could choose to get input from Council to redraft the language.

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

7.03: Adopt Resolution #23-081 Accepting Bids and Awarding Contract for 161st Avenue Reconstruction, Improvement Project #23-01

Assistant City Engineer Feriancek reviewed the Staff report and recommendation to award the contract for the 161st Avenue reconstruction project to North Lines Contracting Inc.

Mayor Kuzma shared that in years past there have been some issues with contractors not doing a full four inches of bituminous on the pavement. He asked if there will be core samples after the roads are done to ensure that the full four inches are being done.

Assistant City Engineer Feriancek explained that there will be inspectors on site that will be spot checking as the pavement is being done to verify depth. He added that they will also compare the tonnage to correlate how many tons will be put down. He stated that with all State aid projects there is a requirement to take cores of the road and there are incentives and decentives if the contract does not meet the requirements.

Councilmember Woestehoff thanked Staff for their work and dedication to this project. He stated that he liked the addition of the off-road trail as this will help neighbors get to Central Park. He added that Staff has done a great job working with residents in regard to the infiltration pond. He shared his appreciation for the concrete curb as it should discourage people from parking in the park. He also thanked Staff for the addition of the south parking lot to the project as it is well needed.

Motion by Councilmember Woestehoff, seconded by Councilmember Musgrove, to adopt Resolution #23-081 accepting bids and awarding contracts for 161st Avenue reconstruction, Improvement Project #23-01

Further discussion:

Councilmember Musgrove thanked Staff for their work on this and stated that she is glad to see this come in under bid.

Councilmember Riley added that this is the first of many projects that will come forward in the near future that attempt to get a handle on the roads within the City.

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

7.04: Adopt Resolution #23-084 Accepting Bids and Awarding Contract for 2023 Neighborhood Pavement Overlay Improvements, Improvement Project #23-07

Assistant City Engineer Feriancek reviewed the Staff report and recommendation to award the contract for the 2023 neighborhood pavement overlay improvements to North Valley Inc.

Councilmember Riley asked if the overlay would be going the entire distance on Alpine Drive.

Assistant City Engineer Feriancek shared the intent to start and stop within the pot areas on the drive aisles only in order to keep the ride quality of the road up to par.

Councilmember Olson asked why they would not add the full two inches when the overlay is done in this project.

Assistant City Engineer Feriancek explained that when it is raised two inches the aggregate becomes exposed on the edge of the bituminous, which has a tendency to weather and not hold up.

Motion by Councilmember Woestehoff, seconded by Councilmember Howell, to adopt Resolution #23-084 accepting bids and awarding contracts for 2023 neighborhood pavement overlay improvements, Improvement Project #23-07.

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

7.05: Adopt Resolution #23-089 Approving Plans and Authorizing Bids for Improvement Project #23-14, 2023 Critical Mill and Overlay Improvements

City Engineer/Public Works Director Westby reviewed the Staff report and recommendation to approve plans and authorizing bids for the critical mill and overlay improvements, concerning pothole complaints. He explained that these are areas that the Council had previously approved spray patching for; however, with this winter they now require more attention. He stated that 14 times the amount of cold patch was used this winter as compared to other winters.

Councilmember Riley thanked City Engineer/Public Works Director Westby for his work on this and shared that this has been talked about in detail lately and the roads are an ‘emergency’ that needs to be addressed. He stated that this cannot wait and that stopping work after the budget of \$750,000 has been met is not a possibility. He added that hiring contractors seems to be necessary as City Staff will not be able to get this all done on their own and this matter cannot wait. He suggested starting the work on these roads immediately where possible, that would fall in line with bidding laws. He noted that he would like to approve going out with other plans at the next meeting. He mentioned discussing the possibility of overtime or additional seasonal Staff at the next meeting.

Councilmember Specht agreed with Councilmember Riley and shared that he hears from residents, almost daily, about their concerns with the roads and potholes. He encouraged residents to continue to reach out with their concerns. He shared his appreciation for Staff and their hard work.

Councilmember Musgrove asked City Engineer/Public Works Director Westby to explain the State Statute of not having to go out for bids under \$175,000.

City Engineer/Public Works Director Westby explained that State Statute allows for solicitation of quotes for projects with costs not in excess of \$175,000 which the City typically tries to obtain two or three quotes for and they have the legal right to do this.

Councilmember Musgrove asked if a motion is needed for this.

City Engineer/Public Works Director Westby stated that he would appreciate a motion as to the scope of the project and dollar amount that they would be looking for to maximize a quote.

Councilmember Musgrove stated that she struggled to make a motion with a total that is over the State Statute bid mark. She agreed that these projects need to get moving as quickly as possible.

Mayor Kuzma suggested moving forward with a two part phase, first spending up to the \$175,000 and in addition to that, they would be looking for additional quotes for the balance of the project.

City Engineer/Public Works Director Westby stated that when they receive the quotes back, if they are in excess of \$175,000 they cannot accept those quotes.

City Attorney Knaak said that is correct.

City Engineer/Public Works Director Westby recommended getting quotes for spray patching that would not exceed \$175,000.

Councilmember Woestehoff asked if project areas A, B, C, and D on the site map were considered one project if that would likely fall under \$175,000.

City Engineer/Public Works Director Westby explained that a lot of calls are taken from residents concerning roads and when work is prioritized in one area and not others, this will yield more calls and pushback from residents. He stated he did not know how a portion of the work could be pulled out and prioritized over others.

Councilmember Woestehoff shared his perspective that all of these project areas are priorities and these areas would just be the first that are gotten too. He asked if there is a set of project areas that they would like to get done first while the City goes through the bid process with the rest. He stated that he does not see this as favoritism as every project is part of the goal and starting some of these projects during the bid process will help get things moving and not delay the process for all streets.

City Engineer/Public Works Director Westby asked if the intent that Councilmember Woestehoff is alluding to is to get some work done in each of the three different project types. He stated that the different project types should not be mixed as there will be many contract companies working on this.

Councilmember Woestehoff stated that his point is not specific around the mill and overlay projects, rather focusing on areas in town that should be a priority that can successfully be done under the budget of \$175,000.

Councilmember Riley suggested getting a quote for deep pothole patching that is a certain dollar amount per ton and they are limited to \$175,000. He stated that pothole patching should be a higher priority than water mains.

City Engineer/Public Works Director Westby shared that most companies quote based off of time and materials. He shared he was not sure if they would be able to request a quote for the amount of work that could be done under \$175,000.

City Attorney Knaak explained that something like this cannot be done just to evade the bidding requirements. He shared that what makes this unique is that there is an overall bidding project that has to be done, but in the short term there is availability on the part of contractor crews over and beyond what the City has available. He added that as much of this should be done up front and looked at as a different project. He suggested looking for a quote around \$150,000.

Councilmember Howell asked if an option for this would be to pick a smaller section that would not come close to the dollar amount to try out the contractor and see if the City likes their work before moving on to a bigger project.

City Attorney Knaak stated that when this is done during the bid process it appears that they would be avoiding the bid.

Councilmember Woestehoff asked if bituminous is the right solution to the lead up of intersections that have heavy tree cover with stones. He asked if these areas would be better served by concrete.

City Engineer/Public Works Director Westby stated that the biggest problem in these areas is water standing on the roads. He stated that he would not recommend concrete in these areas.

Councilmember Olson asked for clarification on the spray patching, as he thought he heard that this performed poorly.

City Engineer/Public Works Director Westby explained that spray patching performs well for a short period of time as it does seal the pavement and keeps water from penetrating the pavement for a few years. He stated that it is very thin and moves with heat. He said this is a temporary patch for one to three years.

Motion by Councilmember Riley, seconded by Councilmember Specht, to adopt Resolution #23-089 approving plans and authorizing bids for Improvement Project #23-14, 2023 critical mill and overlay improvements, and authorizing Staff, due to the unique nature of the situation with labor availability of contractors, to solicit quotes of up to \$150,000 for special projects that Public Works sees fit, and direct Staff to come back at the May 9, 2023 meeting to bring plans and bid specs for spray patching and pothole filling, for all streets.

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

Further discussion:

Mayor Kuzma asked if authorized are they going out for the maximum bids for the rest of the reconstruction.

City Engineer/Public Works Director Westby said yes and that the plans will come back to the next meeting.

7.06: Adopt Resolution #23-078 Accepting Bids and Awarding Contract for Improvement Project #23-12, HY-10 Ramsey Improvements

City Engineer/Public Works Director Westby reviewed the Staff report and recommendation to award contract for the Highway 10 Ramsey improvements to Douglas Kerr.

Councilmember Musgrove shared that she is glad that the property owner has agreed to allow the road to be extended up to Bunker Lake Boulevard.

Motion by Councilmember Musgrove, seconded by Councilmember Olson, to adopt Resolution #23-078 accepting bids and awarding contract for Improvement Project #23-12, HY-10 Ramsey Improvements.

Further discussion:

Councilmember Woestehoff pointed out that between this case and the previous case, the costs came in over \$400,000 below the estimates.

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

8. MAYOR, COUNCIL AND STAFF INPUT

City Administrator Hagen announced upcoming meetings and events, including the EDA Business Expo at Adrenaline Sports and Kite and Bites at Elmcrest Park. He stated that registration for the City Wide Garage Sale has closed and the sales will be held on May 5 and 6, 2023.

9. ADJOURNMENT

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

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

The regular meeting of the City Council adjourned at 8:11 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.