

**PUBLIC WORKS COMMITTEE
CITY OF RAMSEY
ANOKA COUNTY
STATE OF MINNESOTA**

The Public Works Committee conducted a regular meeting on Tuesday, July 18, 2023, at the Ramsey Municipal Center, 7550 Sunwood Drive NW, Ramsey, Minnesota.

Members Present: Acting Chairperson Debra Musgrove
 Councilmember Chelsee Howell (remote attendance)
 Councilmember Matt Woestehoff

Members Absent: Chairperson Chris Riley

Also Present: City Engineer/Public Works Director Bruce Westby
 Assistant City Engineer Joe Feriancek
 City Administrator Brian Hagen

1. CALL TO ORDER

Acting Chairperson Musgrove called the regular meeting of the Public Works Committee to order at 5:30 p.m.

2. CITIZEN INPUT

There was none.

3. APPROVE AGENDA

City Engineer/Public Works Director Westby noted that Case 5.02 will be tabled to the September Public Works Committee meeting at the request of the resident.

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

A roll call vote was performed:

Councilmember Woestehoff	aye
Councilmember Howell	aye
Acting Chairperson Musgrove	aye

Motion carried.

4. APPROVE MINUTES

4.01: Approve June 20, 2023, Meeting Minutes

Motion by Councilmember Woestehoff, seconded by Councilmember Howell, to approve the following minutes:

Regular Meeting Minutes dated June 20, 2023

A roll call vote was performed:

Councilmember Woestehoff	aye
Councilmember Howell	aye
Acting Chairperson Musgrove	aye

Motion carried.

5. COMMITTEE BUSINESS

5.01: Review Cost Estimate for Drainage Improvements at 17650 Argon Street NW

City Engineer/Public Works Director Westby reviewed the staff report and noted that the property owners of 17650 Argon Street NW, Kevin and Sarah Mytko, are attending remotely.

Councilmember Woestehoff asked roughly how long this project would take to complete.

City Engineer/Public Works Director Westby replied that assuming the contractor were ready to go, with quick execution of contract documents, the grading and driveway repair work could probably be completed in about three to four weeks.

Councilmember Woestehoff asked the length of time that would be spent on the driveway itself.

City Engineer/Public Works Director Westby replied that they would need to remove existing concrete, put in the culvert, replace the concrete, and establish the turf on the slopes. He estimated about two weeks.

Councilmember Woestehoff commented that he personally believes the City would help with some of this work, but the homeowner should take some responsibility as well. He would lean towards asking the homeowner to cover the removal of the concrete and replacement of the concrete with the City covering the rest. He stated that he does not feel that the City is at fault but also feels that the City could consider helping within the right-of-way.

Acting Chairperson Musgrove commented that she feels the City has an obligation for the easement but not for the front yard. She stated that if the water draining better could ease the issues the resident is experiencing.

Mr. Mytko commented that their intention was not to have the City assist in the front yard, and only within the right-of-way.

Acting Chairperson Musgrove asked staff to address the responsibility of the City within the right-of-way.

City Engineer/Public Works Director Westby provided background noting that this development was built prior to incorporation of the City of Ramsey. He explained how these concerns are addressed when they arise. He stated that the cases are brought forward to this committee for input and direction. He stated that if they were doing a street improvement project, they reach out to homeowners to solicit drainage concerns that could be addressed to the extent possible as part of the street project. He stated that there are situations such as this across the city. He commented that there are miles of streets within the City where ditches hold water for two or three days after a storm event. He stated that the City tries to prevent water from running off city streets onto private property, but in this case, there is no culvert in the west driveway and the ditches are not well defined.

Councilmember Woestehoff commented that he believes the opinion of legal counsel would be that the City does not have an obligation in this instance. He commented that this is an uncomfortable situation and noted that there are miles and miles of similar situations. He noted the cost for this project and stated that could potentially be multiplied by 100 houses. He stated that he would not mind taking on these types of projects when it is efficient for the City to do it. He commented that the City completing this as one project is probably more efficient than having the homeowner contract with multiple contractors but stated that he also does not believe the City would be solely responsible for the cost. He stated that the driveway would seem to be a natural break in terms of the cost split.

Councilmember Howell stated that she does feel for the homeowners but also recognizes that there is no obligation of the City. She stated that she would support a cost-share if that could be developed and works for both parties.

Mr. Mytko asked for details on the 23 percent indirect costs.

City Engineer/Public Works Director Westby replied that for City improvement projects the City adds 23 percent indirect costs for required administrative, engineering, finance and legal fees.

Councilmember Woestehoff stated that the \$32,000 is for the work the contractor would do while the \$7,400 would be for the work of staff.

Mr. Mytko commented that they are disappointed with how this is going as there are different members involved tonight than have been involved in the past. He stated that last month he felt they had some hope but noted that in honesty they cannot afford any more funds as they are spending between \$15,000 and \$20,000 to repair their home from the damage incurred. He stated that if the ditch held the water, he would not get water up to his house. He stated that it sounds like even though the City feels it has an obligation to move the water, but because the driveway is there, he would have to participate in the cost.

Councilmember Woestehoff explained that his thinking was that the driveway would be a good cutoff in determining the cost-share. He commented that it would be fair for the homeowner to

participate in the cost of the project, noting that would only be one fifth of the cost with the taxpayers of Ramsey paying the remainder. He stated that it should not be taken as the driveway is the leading factor, as he would want participation from a homeowner in any instance that they consider of this nature.

Mr. Mytko commented that they pay their fair share of taxes as well and while they want to stay in the city, they are not happy with the condition of the roads, how the snow removal is done, and the flooding that is caused to their home as a result. He stated that they cannot afford to spend another dime to remain in their home. He commented that they currently cannot use the lower level of their home because of the damage that has been incurred.

Councilmember Woestehoff asked if the homeowner would be willing to participate in any type of cost-share.

Mr. Mytko commented that he is not saying that but cannot afford \$10,000. He noted that he originally reached out to Councilmember Olson and has not received any follow-up correspondence since then, which is very disappointing. He stated that while he is not opposed to some sort of cost-share, he cannot afford anything at this time.

Acting Chairperson Musgrove asked if these are the actual costs or whether the cost could be over and above.

City Engineer/Public Works Director Westby replied that this is the engineer's estimate based on a recent similar project and staff feels the estimate is generally reflective of what a quote could be.

Acting Chairperson Musgrove commented that 10 percent would be \$3,900 and asked if the Committee would be open to that amount.

Councilmember Woestehoff commented that part of his hesitation is that based off the survey results, the low spot in the yard is one of the truly problematic areas. He noted that he is hesitant to move forward as this may not solve the issue and stated that the homeowner adding fill to that low spot could potentially solve the problem at a much lower cost than what this project would be.

Acting Chairperson Musgrove commented that there is evidence that this is also not draining properly.

Mr. Mytko commented that when the water pools in his front yard, he places a pump in the Argon Street ditch to direct the water to the ditch along Cobalt Street. He commented that he inherited the problem and did not create this.

Councilmember Woestehoff commented that the ditch improvements could help to an extent but there is still the low spot in the yard.

Acting Chairperson Musgrove asked if the homeowner is aware of when the two driveways were built.

Mr. Mytko believed that the driveways were original to the home, noting that they purchased the home six years ago as is.

City Engineer/Public Works Director Westby reviewed the scope of work that would be included in the estimated cost. He commented that the ditch project would generate some fill and it could be more cost effective to place that fill in the front yard to help resolve that issue.

Acting Chairperson Musgrove commented that if that were done, she would want a clause that the City is not responsible for future maintenance or other obligations.

Mr. Mytko asked about the plan for the trees on his property. He noted that originally, he was willing to sacrifice some of the trees, if need be, but he would lose some pretty significant tree coverage as part of the project and if he were going to share in the cost, he would want some type of response for the tree loss.

Acting Chairperson Musgrove commented that there has been new information provided with the cost breakdown, which helps to steer the discussion.

Councilmember Howell stated that she does not see the City grading the yard and would not want the City to pay that cost. She suggested a cost-share of 80/20 between the City and property owner and would agree that she would not want ongoing maintenance or obligation to the City.

Councilmember Woestehoff commented that there are three different opinions on the cost-share and perhaps they ask staff to create some type of cost-share agreement to be considered.

City Engineer/Public Works Director Westby stated that staff can move quicker with more direction from the Committee. He stated that staff could work with the property owner to determine what a cost-share could look like and to ensure there would not be liability on the part of the City after the work is completed.

Councilmember Woestehoff noted that the homeowner raises a great point that the trees are not covered in this proposal and would have additional cost. He acknowledged that the homeowner is tired of waiting and believed that some action should take place tonight.

Motion by Councilmember Woestehoff, seconded by Councilmember Howell, to recommend staff work with the homeowner to develop a cost-share agreement that includes the tree removal and replacement if necessary, and would include the option for the homeowner to keep the fill generated to grade the yard themselves, and a suggested cost-share of 15 percent.

Further discussion: Mr. Mytko commented that he would not be interested in the fill as the soil would not be desired for grading.

Councilmember Woestehoff asked if this could move forward to a Council work session as a case rather than returning to the Committee.

City Administrator Hagen confirmed that could be done.

City Engineer/Public Works Director Westby asked for clarification on the tree removal and replacement work and whether that work should be completed with the project or whether that work could be completed by the homeowner with potential compensation by the City.

Councilmember Woestehoff stated that could be negotiated with the homeowner as it may be more efficient for the resident to handle that item rather than the City.

Mr. Mytko commented that he believed that the trees would be left, and they would see how they fair after the project.

Councilmember Woestehoff commented that he would support removing the language related to trees from the motion.

Councilmember Howell agreed to removing that language.

A roll call vote was performed:

Councilmember Woestehoff	aye
Councilmember Howell	aye
Acting Chairperson Musgrove	aye

Motion carried.

~~5.02: Review Drainage Concerns at 5725 180th Lane NW~~

Item removed from the agenda.

5.03: Consider Recommending City Council Approve Plans and Specifications and Authorize Advertisement for Bids for Central Park Main Parking Lot Reconstruction, Improvement Project #23-02

Assistant City Engineer Feriancek reviewed the staff report and recommendation of staff to recommend City Council approval of plans and specifications and authorize advertisement for bids for Central Park Main Parking Lot Reconstruction, Improvement Project #23-02.

Motion by Councilmember Woestehoff, seconded by Councilmember Howell, to recommend City Council approve plans and specifications and authorize advertisement for bids for Central Park Main Parking Lot Reconstruction, Improvement Project #23-02.

A roll call vote was performed:

Councilmember Woestehoff	aye
Councilmember Howell	aye
Acting Chairperson Musgrove	aye

Motion carried.

6. COMMITTEE / STAFF INPUT

6.01: Staff Updates on Improvement Projects, Studies, and Items of Interest

City Engineer/Public Works Director Westby provided an update on current and proposed City, County, and MnDOT improvement projects and studies, and on other items of interest to the Committee.

6.02: Review Future Topics Calendar

No comments.

7. ADJOURNMENT

Motion by Councilmember Woestehoff, seconded by Councilmember Howell, to adjourn the Public Works Committee meeting.

A roll call vote was performed:

Councilmember Woestehoff	aye
Councilmember Howell	aye
Acting Chairperson Musgrove	aye

Motion carried.

The regular meeting of the Public Works Committee adjourned at 6:30 p.m.

Respectfully submitted,

Bruce Westby
City Engineer/Public Works Director

Drafted by Amanda Staple
TimeSaver Off Site Secretarial, Inc.