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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 23, 2024, at the Ramsey Municipal Center, 7550 Sunwood Drive NW, Ramsey, Minnesota.

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

Members Absent: Councilmember Michael Olson

Also Present: City Administrator Brian Hagen
City Engineer/Public Works Director Bruce Westby
Planning Manager Todd Larson
City Attorney Fritz Knaak
Community Development Director Stephanie Hanson
Parks and Assistant Public Works Director Mark Riverblood

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

Roxanne Tersteeg, 6263 Rivlyn Avenue, came forward and gave another update on the progress of restoring her home after her basement was flooded with sewer water. She stated that last time she came forward to address the Council she was very optimistic. She explained that she was working to find a cleaning service to come out to clean her entire house after there were residual gasses that leaked throughout her home. She said that because of how long it takes for the insurance payouts to come, it would be around two more months until they are able to get back into their house. She stated that this is unacceptable, and they cannot wait two more months to get back into their house. She shared that she then decided to clean her house herself by bleaching everything from top to bottom. She noted this has caused a complete difference in the cleanliness of her house.

She stated that next time she comes to address the Council she hopes to be living in her home again.

Mayor Kuzma asked if she tracked her time that was spent on the cleaning of her home. He noted that she should be compensated for the time she put into cleaning.

Ms. Tersteeg said she is just approaching this logically and is not looking to fight Ames on this and is hoping that everything will shake out the way it should.

Councilmember Musgrove asked if there is anyone at the County level that would help be an advocate for Ms. Tersteeg and the others who were also affected by this incident.

Ms. Tersteeg explained that someone at the County was trying to work on getting this facilitated quicker; however, she did not see anything come of this.

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, Riley, and Specht. Voting No: None. Absent: Councilmember Olson.

5. APPROVE MINUTES

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

- 5.01: City Council Work Session dated July 9, 2024
- 5.02: City Council Regular Session dated July 9, 2024

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

6. CONSENT AGENDA

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

- 6.01: Receive Cash and Investments for Period Ending June 30, 2024
- 6.02: Approve Business License Applications
- 6.03: Approval of Quit Claim Deed for Northfork Meadows Outlot
- 6.04: Adopt Resolution #24-208 Approving Cash Disbursements Made and Authorizing Payment of Accounts Payable Invoicing Received During the Period of July 4, 2024 through July 17, 2024.

- 6.05: Adopt Resolution #24-189 Approving Partial Payment to Dave Perkins Contracting, Inc. for Improvement Project #24-02, Halls Dover Acres Street Reconstruction.
- 6.06: Adopt Resolution #24-190 Approving Partial Payment to Douglas-Kerr Underground, LLC for Improvement Project #23-19, COR Infrastructure Improvements.
- 6.07: Adopt Resolution #24-191 Approving Partial Payment to Sir Lines-A-Lot for Improvement Project #24-10, 2024 MSA Pavement Marking Improvements.
- 6.08: Adopt Resolution #24-192 Approving Partial Payment to North Valley, Inc. for Improvement Project #24-01, Barthel's Rum River Acres and White Pines Estates Street Reconstruction.
- 6.09: Adopt Resolution #24-193 Approving Partial Payment to North Valley, Inc. for Improvement Project #24-12, Juniper Woods 1st-3rd Street Reconstruction.
- 6.10: Adopt Resolution #24-195 Accepting Proposals and Awarding Contract for Fire Station No.1 Sewer and Water Connections
- 6.11: Adopt Resolution #24-196 Ordering Plans and Specifications for Dickenson's Mississippi Estate Street Reconstructions, Improvement Project #25-04
- 6.12: Adopt Resolution #24-197 Approving Change Order #1 for Barthel's Rum River Acres and White Pines Estates Street Reconstructions, Improvement Project #24-01
- 6.13: Adopt Resolution #24-198 Accepting Proposals for Topographic Surveys for 2025 Pavement Management Program Projects
- 6.14: Adopt Resolution #24-199 Approving the Development Agreement for Skyline on Sunwood.
- 6.15: Adopt Resolution #24-200 Approving Partial Payment to Northdale Construction Co. Inc. for WTP Trunk Watermain Improvements, Improvement Project #21-08.
- 6.16: Adopt Resolution #24-203 Approving Partial Payment to Northwest Asphalt, Inc. for Improvement Project #24-11, MSA Alpine Drive Reconstruction.
- 6.17: Adopt Resolution #24-204 Authorizing Partial Payment No. 1 to GMH Asphalt Corporation for Improvement Project #24-55; Pavement Patching Contracted Services.
- 6.18: Adopt Resolution #24-206 Authorizing Partial Payment No. 13 to Magney Construction, Inc. for Improvement Project #21-09; Centralized Water Treatment Plant.
- 6.19: Adopt Resolution #24-207 Authorizing Requests for Quotes for Maintenance Project #24-57, 2024 Spray Patching Contracted Services

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

7. PUBLIC HEARING

7.01: Public Hearing - Adopt Resolution #24-188 Vacating Drainage and Utility Easements in Waterfront Village

Presentation

Planning Manager Larson reviewed the Staff report in regard to the drainage and utility easement request in the Waterfront Village.

Councilmember Woestehoff asked if it is normal to have a resolution like this contingent on a new set of easements.

Planning Manager Larson explained that they do not like actions tied to future actions in resolutions. He said that they can hold onto this resolution and can wait until closer to the second phase to record it.

Councilmember Musgrove asked if this would be better to wait until this area has been platted.

Planning Manager Larson reiterated that they do not need to record this resolution right away and they can wait until it has been platted.

Public Hearing

Mayor Kuzma called the public hearing to order at 6:12 p.m.

Citizen Input

There was none.

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

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

The public hearing was closed at 6:13 p.m.

Council Business

Motion by Councilmember Howell, seconded by Councilmember Woestehoff, to adopt Resolution #24-188 vacating drainage and utility easements in Waterfront Village.

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

8. COUNCIL BUSINESS

8.01: Adopt Resolution #24-205 Accepting Bids and Awarding Contract for Ford Brook Estates Drainage Improvements, Improvement Project #24-04

City Engineer/Public Works Director Westby reviewed the Staff report concerning the Ford Brook Estates drainage improvement project. He shared the low bid came from Twin Cities Utilities, LLC of North Branch, Minnesota, in the amount of \$207,509.84.

Motion by Councilmember Riley, seconded by Councilmember Woestehoff, to adopt Resolution #24-205 accepting bids and awarding contract for Ford Brook Estates Drainage Improvements, Improvement Project #24-04.

Further discussion:

Councilmember Musgrove thanked Staff and the Public Works Committee for their work on this as it has been a long time in the making.

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

8.02: Driveway Setback Discussion

Community Development Director Hanson reviewed the Staff report in regards to the driveway setbacks. She shared that this discussion was requested by Councilmembers Howell and Musgrove.

Councilmember Howell shared that this stemmed from past discussions that she and Councilmember Specht had with property owners who had driveways out of compliance. She added that their concern was with the cost of a variance for an extra few feet of cement being rather steep. She said they wanted to find a solution that would not be so costly for residents.

Councilmember Specht shared that some of the property owners he spoke to have had their driveways the same size for over 10 years and there have never been any issues or complaints until now. He agreed that they should find a cheaper solution for this.

Councilmember Riley asked why this is being discussed now if there are upcoming Public Hearings for a few of these properties.

Community Development Director Hanson shared that two of the properties will be discussed during a Public Hearing at the Planning Commission meeting later this week. She said this discussion was brought forward after being requested by Councilmembers Musgrove and Howell to see if there are changes that can be made for this moving forward.

Councilmember Woestehoff asked if most of the properties that would be in a similar situation to this would likely have a five foot drainage easement next to the driveway anyway.

Community Development Director Hanson said yes.

Councilmember Woestehoff shared that he would not want to make a generic rule change across the City for such a small population that may be affected. He added that he would also not want to encourage people to put driveways or structures any closer to the property line than is reasonable for safety and drainage concerns.

Councilmember Specht noted that there are likely more properties that are affected by this than just the ones that Staff targeted.

Councilmember Woestehoff shared that he does not appreciate the idea that Staff is targeting particular areas, but they are rather responding to complaints.

Councilmember Specht reiterated that there are likely other properties in the City that are in this same situation. He noted that they should look at this process to see if it can be cheaper to mitigate the issue.

Councilmember Howell asked if there are some cities that allow driveways to go up to the property line.

Planning Manager Larson said yes.

Councilmember Howell noted that this was something that they took into consideration as they were thinking through this. She added that she is also taking into consideration what the residents have brought forward. She stated she wants to come up with a better solution for this, not to encourage people to break the rules, but to find a common sense solution that is more cost effective. She noted that regardless of what they decide, there will still be people who are unhappy.

Planning Manager Larson explained that the permitting and variance process has changed over the years and in the past when they were giving permits, they were not inspecting the properties to make sure the work was being done properly so some of these things were done wrong. He shared that variances are allowed by the State for cities to grant for land use related things. He added that these are typically in place to be worked around nature and its effect on the property rather than just for a matter of convenience.

Councilmember Musgrove shared that variances are approved at the Planning Commission level unless someone wants to appeal the decision made by the Commission. She asked if homeowners are fined for being out of compliance then have to apply for a variance.

Planning Manager Larson said they could get fined if they do not comply with the required compliance date.

Councilmember Musgrove asked what the typical distance is for drainage easements on property lines.

Planning Manager Larson stated that most of the platted drainage and utilities easements are five feet. He noted that there are some exceptions made to accommodate tighter setbacks that may be less than five feet.

Councilmember Musgrove asked if there are any accommodations made for driveways that have been in place for a very long time since the five foot requirements have been in place.

Planning Manager Larson shared that there are a few properties in the City that are legal non-conforming properties. He noted that there are people who complain about some of these driveways; however, they are legal.

Councilmember Musgrove said she is interested in looking at this further to see if there is a way to accommodate for these situations without residents having to pay for a variance.

Planning Manager Larson explained that if someone in this situation came to the City, Staff would be able to offer a few different options which would be dependent on each individual situation.

Councilmember Specht asked what the cost is to the City for an extended driveway scenario.

Planning Manager Larson explained that the \$1,000 variance fee is for the land use application fee and review escrow, each at \$500. He shared that the escrow is used to pay for the public hearing notices in the newspaper and mailed notices to property owners in the area. He noted that in the more rural areas, the mailing list is a lot smaller. He added that there is also Staff time taken to write up a report; however, this is minimal time.

Councilmember Howell shared that this is a very enlightening discussion. She noted that variances are only given due to hardships and some of these driveways have been in place for many years and have never been an issue; however, they likely are not where they are because of a hardship. She said she would like to find a viable alternative option that works for people. She asked Staff and the Planning Commission to come up with some alternative options for these situations.

Councilmember Specht shared that there is a resident in attendance tonight who came to the City before laying their driveway and they were under the impression that they had all of the approvals that they needed to place their driveway where it is. He noted that many of these scenarios may be the residents trying to do the right thing so he would like to see these things be sorted out.

Mayor Kuzma noted that there is a process in the City that takes these things into consideration. He suggested sending this back to the Planning Commission and if they deem that there is an opportunity for another solution to this issue, then the Council can entertain it.

Councilmember Howell asked if the Council is open to Staff coming up with the solutions and presenting them to the Planning Commission for feedback.

Mayor Kuzma said he would not be opposed to this. He added that the City is growing and there are many pieces of City ordinances that could be challenged. He said they need to be careful with this as they have ordinances and codes in place. He noted that Code Enforcement is not out looking for non-compliance, but they are responding on a complaint basis.

The Council directed Staff to come up with alternatives for the driveway variances to be presented for Planning Commission feedback.

8.03: Adopt Ordinance #24-10: An Ordinance Amending Various Sections of Chapter 106 - Zoning Code

Planning Manager Larson reviewed the Staff report concerning Zoning Code amendments.

Councilmember Howell asked about 5a under Home Occupation Permits and if there was a way to rectify a violation before the permit would be terminated.

Planning Manager Larson said this is addressed in Chapter 2 of City Code.

Motion by Councilmember Woestehoff, seconded by Councilmember Howell, to waive the charter requirement that the ordinance be read aloud and adopt Ordinance #24-10 an ordinance amending various sections of Chapter 106 - Zoning Code.

A roll call vote was performed:

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

Motion carried.

9. MAYOR, COUNCIL AND STAFF INPUT

Parks and Assistant Public Works Director Riverblood shared that the Two Rivers Art Fair at the new location of the Draw seemed to work out very well and they received great feedback from vendors about the location. He said it was a great event.

Councilmember Howell thanked Northern Stars and the Parks Departments for their collaboration on this event.

City Administrator Hagen announced upcoming meetings and events.

Councilmember Specht encouraged everyone to support the businesses that are being affected by Highway 10.

Councilmember Musgrove shared that it has been nine days since the attempted assassination attempt of former President Donald Trump, which thankfully was not successful. She added that during this incident, Corey Comperatore, was killed after acting instinctively as a father and firefighter to save his family. She offered her condolences to Mr. Comperatore's family.

10. ADJOURNMENT

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

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

The regular meeting of the City Council adjourned at 7:56 p.m.

Respectfully submitted,

Brian S. Hagen
City Administrator

ATTEST:

Katie M. Schmidt
City Clerk

Drafted by Ava Major
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.