

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

The Ramsey City Council conducted a City Council Work Session on Tuesday, October 18, 2011, at the Ramsey Municipal Center, 7550 Sunwood Drive NW, Ramsey, Minnesota.

Members Present: Mayor Bob Ramsey
Councilmember Randy Backous
Councilmember David Elvig
Councilmember Colin McGlone
Councilmember Sarah Strommen
Councilmember Jason Tossey
Councilmember Jeffrey Wise

Also Present: City Administrator Kurtis Ulrich
Deputy City Administrator Heidi A. Nelson
Public Works Director Brian Olson
Senior Planner Tim Gladhill
City Engineer Tim Himmer

CALL TO ORDER

Mayor Ramsey called the City Council Work Session to order at 7:07 p.m.

APPROVE AGENDA

The agenda was approved as revised to first consider Item 2.

COUNCIL TOPICS FOR DISCUSSION

2) Consider U of M Environmental Sustainability / Land Use Clinic

Senior Planner Gladhill reviewed the staff report.

Jean Coleman, Attorney and Land Use Planner with CR Planning, instructor with the University of Minnesota (U of M) Environmental Sustainability/ Land Use Clinic, introduced herself and described the purpose of the Clinic is to connect students with real clients. She reviewed their work with other cities in addressing land use policy, comprehensive plan, environmental sustainability, ordinances/rules and to make suggestions on how to improve the connection between comprehensive plan policies and ordinance language. She explained her professional background and role to train more attorneys to get into this field. The process is to have one contact, such as the Environmental Policy Board (EPB), to meet once this fall with students to frame the research question and then to meet several more times during the spring. Ms. Coleman

stated she would provide guidance on legal research and analysis. At the end of the project, students would make a presentation on their findings to the City Council and EPB. The course lasts until May of next year and they hope they can work with Ramsey.

Councilmember Wise stated he does not see a need for this and asked what policies they would help to clarify.

Senior Planner Gladhill explained the work plan of the EPB. He noted that during a joint Work Session with the Planning Commission and City Council, incentive based programs were identified as well as the need to balance property rights with sustainable design practices. This would be an opportunity to gain research from students instead of by staff.

Councilmember Elvig stated during some trips to Las Vegas for the ICSC Conference, he heard speakers address sustainable design in a retail environment such as water recharge or rain garden runoff. He felt this group could shed some light on those design practices.

Councilmember Strommen stated she sees this as a good opportunity to have the EPB get outside help and a perspective that is beneficial and fits what they were going to do anyway. She explained she has known Ms. Coleman a number of years and has no doubt the City will learn something. Councilmember Strommen stated it will be up to the Council to decide what they want to do with the information and felt there was no downside.

Mayor Ramsey noted the Council already repealed the wetland buffering ordinance because it felt the ordinance resulted in a taking and impacted property rights. He stated he would not oppose the request if he thought the resulting recommendations would be something the City could implement. However, if the group comes in with recommendations the Council opposes, involves property rights issues, or is cost prohibitive to development, the Council would be in a position of declining a professional recommendation. He felt it was the Council's responsibility to balance those recommendations with what it felt would protect citizens.

Ms. Coleman explained that one of the benefits in working with Ramsey is that students would be challenged to balance property rights with environmental goals. She noted many communities face that balancing decision and she felt the work could be structured and the focus narrowed to areas where the Council would see value, added background research, and alternatives. Ms. Coleman stated it would be fascinating to test any recommendation from a development proforma on a cost prospective and valuable to see if the recommendation exceeds a cost benefit ratio or fits within it. She indicated there are incentive based programs or programs that offer alternative paths to achieve economic, development, and environmental goals for the City and community. She assured the Council they can craft the areas of focus and allow students to learn about the challenge of balancing property rights with environmental goals.

Councilmember Elvig stated he embraces the opportunity to have new ideas brought forward because the Council needs more "tools," concepts, and incentive based ideas if it is going to get that balance.

Councilmember Wise stated he does not support spending more staff and Council time to discuss a student project to make recommendations to which the Council would be opposed. He did not support creating a program for the sake of creating a program or considering environmental recommendations that are not well received.

Councilmember Strommen noted the EPB is already planning to work on these issues so it will come before the Council anyway. She stated the EPB is well aware of the Council's position relative to property rights and it would not behoove anyone to come up with a recommendation that goes against its vision statement. Councilmember Strommen stated she does not see this opportunity as taking additional time or creating a new program because it fits into what is already there. She felt it would be a good opportunity to bring new perspective and create balance.

City Administrator Ulrich noted that from the student's perspective, the City is the client and part of working with a client is being told the scope of the project and desired outcomes such as protection of private property rights, a cost benefit ratio, and to encourage development.

Councilmember McGlone stated his concern that the City maintain its credibility should it not accept a recommendation from the U of M. He noted some Councilmembers want to look at the City's development costs because they think the costs are too high, resulting in loss of new development. However, he is leery about authorizing recommendations that could result in the City not appearing as credible.

Councilmember Backous felt City Administrator Ulrich had summed it up well, that the Council can lay out the scope of work it wants done. He noted the EPB is advisory and he would like to get away from the current policy of telling them what to advise the Council on.

Senior Planner Gladhill explained staff has presented initial findings on development costs and is refining those findings.

Councilmember McGlone stated he thought the Council was going to have a charette and invite the development community to get their input, which has not yet been done.

Senior Planner Gladhill explained staff had prepared some recommendations on development fees and is working to schedule an open house at some point. This issue remains in progress.

Councilmember Tossey stated he also wants to be cautious and is worried that some recommendations by students could deter or be cost prohibitive for potential development within the City. He noted the Council wants to make things easier for property owners so he is concerned that a recommendation may not mesh well with what Ramsey supports.

Ms. Coleman felt it would be a great discipline if students were invited to work with Ramsey to prove the cost and benefits of their recommendations. She noted this would force students to narrow the number of recommendations they might include and to look at cost realities. Ms. Colman stated they did this with Rice County, who was considering whether they should allow

PUDs in shoreline areas, transfer development rights, and how to entice developers to choose cluster development.

Councilmember Backous agreed with concerns relating to property rights but indicated he likes to hear all viewpoints and information. He felt the Council cannot make good decision without it and was willing to let experts advise the Council, noting the Council always states rationale for its decisions.

Mayor Ramsey felt the issue with density credits is that no one takes into consideration the resident's reason for moving to Ramsey, large lot development. He did not think residents would support cluster development and he would argue the fact that a smaller lot will not bring more money than a larger lot.

Councilmember Strommen noted she moved to a smaller lot than she had in Ostego and asked why the Council approved an apartment building if all residents want a large lot.

Mayor Ramsey explained development is being done to put density here so residents can still have their large lots. He noted that making the Hunt property preserve 30% for open space is not consistent with what is in outer Ramsey.

Councilmember Strommen stated she hopes someone will move here to live in an apartment.

Councilmember Elvig stated this is the "backbone" for the entire development of the City and the Council is now on board with growth. He noted the Comprehensive Plan anticipates areas of growth with different density and he has seen, many times, where density is put in several areas with large green space that could never have been afforded otherwise. He felt having more tools was a benefit but the Council will decide whether to move forward with any of the recommendations.

Ms. Coleman explained that Rice County was dealing with "4 in 40" and the benefit was to get an additional two units.

Mayor Ramsey commented that when you create that green space, people want it to be a park. However, with large lot development, people recreate on their own property and there is no need for a park.

Councilmember Elvig pointed out there is an evolution with parks because he had created a "park" on his own land but then trails opened so now his kids can get to parks to play with others on those fields.

Mayor Ramsey stated while he was reluctant to support this request, if it is simply to compile data and use the EPB, not staff time, he would not put up a fuss.

Councilmember Tossey stated before he would consider this request he wants to see what students have done with other government entities. He remained very cautious and concerned.

Councilmember McGlone pointed out that everything is an evolution, noting when Ramsey was more of a rural developing community, lots made more sense because there were no trails, and fewer roadways. However, today, the City is looking at a plan for five major parks and closing other parks. He stated the Council is highly focused on property rights and that is supported by the electorate as well. Councilmember McGlone noted his ward is the most rural part of Ramsey and his constituents do not support townhomes. He felt if the U of M is allowed to make recommendations there may be a credibility issue for the Council and he remains nervous about that.

City Administrator Ulrich stated the community's values have to be reflected in the work of the students. He indicated he was unsure whether the program plan included enough direction and felt it should be in writing so there will be no surprises.

Mayor Ramsey suggested staff prepare a scope for Council's consideration at the next meeting.

Councilmember Wise requested a sampling of student's work with other governmental entities.

Ms. Coleman stated she would be happy to provide that information and to craft proposed boundaries to help the Council in its decision.

Councilmember Strommen stated she is more interested in boundaries for this project since providing examples from other municipalities may not relate to what we want in Ramsey. She cautioned the Council that examples can "color our minds" as well as provide more definition but she is more interested in focus on this project.

Mayor Ramsey noted the first statement in the Comprehensive Plan addresses balancing environmental issues with property rights.

Senior Planner Gladhill assured the Council that staff will filter that and assure the students do not bring something forward that staff knows the Council would not support.

Deputy City Administrator Nelson explained when this opportunity was presented, the conversation was to make sure students understand from where we operate, that private property rights prevail. Staff wanted to be sure that was a framework students could work within. Otherwise, it was not a conversation worth having. Deputy City Administrator Nelson felt if students can do that, then there is value in working with them.

City Administrator Ulrich stated students can also address how to encourage development. He raised examples relating to the cost effectiveness of allowing a temporary septic system rather than extending sewer lines, more open water ponds, or encouraging geothermal or solar by providing incentive in some way for projects that give the City what it wants. City Administrator Ulrich suggested emphasizing those two principles: private property rights and encouraging development.

Councilmember Strommen noted the Council had spent a lot of time and public involvement in crafting vision and value statements. However, the Council should not forget that environmental

values were also highly placed and part of the value statement. She felt finding that balance has been a challenge and it would be good to get some assistance.

The Council's consensus was to request more information on collaboration with the U of M Law School Land Use Clinic and direct staff to further define the scope of the project for Council consideration.

1) Update on Long Term Road Maintenance Initiative

City Administrator Ulrich reviewed the staff report and provided an update on a snag with the proposed franchise fee. He explained that in order to do a franchise fee, the City needs approval from the utilities so staff met with Connexus about approval of a franchise fee. At the meeting, Connexus said fine but they have to notify their customers that the franchise fee is for the City and not Connexus. City Administrator Ulrich provided the Council with a copy of the customer notice Connexus proposed to send, noting it would result in pushback from residents, customers, and the Chamber of Commerce. He asked Council if they planned to respond to such a postcard or preferred to adjust the funding amounts so a franchise fee may survive.

Councilmember Elvig asked if it is pushback from customers or from the utility company.

City Administrator Ulrich stated it is clear that Connexus thinks any increase to the utility bill reflects poorly on them so they want to distance themselves from it.

Councilmember McGlone referenced comments made by Mr. LeTourneau when the option of franchise fees was presented at the EDA. It was noted that concern was expressed by business owners and residents that the City was going to do a franchise fee; however, after speaking with staff and being given all of the information, all understood and were in agreement once they understood the issue. He urged the Council to not let the Connexus notice scare them and stated he felt the Council was on the right track.

Public Works Director Olson stated it is important to get out the word that the Council has not yet made a decision and is still in the public engagement and input gathering process. He noted staff conducted a randomly selected survey and has created a communication plan to hold meetings in neighborhoods, provide fact sheets, and let residents comment and make suggestions on the issues facing the City. He suggested informing the public about what is before the Council and the many options in how to accomplish the City's goals. Public Works Director Olson stated staff has developed a website, not yet launched, with an online questionnaire and links to the fact sheets, schedule for public input opportunities, and reconstruction program implementation. He requested Council direction on the communication plan and website.

Mayor Ramsey noted a comment on the web page indicates the projects will be constructed by the fall of 2012 and asked how that can be accomplished without implementing a franchise fee.

Public Works Director Olson explained there is a candidate project, Garnet Street, that staff feels would be an excellent show of how it would benefit the community. This information will be presented to the Council at its next meeting along with an alternate funding source. If approved,

it would be repaid by this program. He explained that in order to show implementation of the program next summer, the project would have to use an alternate funding source.

Mayor Ramsey suggested, and the Council agreed, to direct staff to revise the website sentence so it does not appear the decision has already been made.

Councilmember McGlone stated he has a problem with the public information program. He noted the Council grappled with how to get data to help form opinions on what the community wants and did a good job with that and the survey questions. However, if they now decide to pick “winner” and “loser” neighborhoods it only furthers comments that no one came to their neighborhood. Councilmember McGlone thought all meetings should be held at the City Hall because it cannot hold meetings in every neighborhood. He noted the Council hears from people who don’t like something and they may submit many on-line surveys yet the people who do support it won’t take the time to fill out one survey.

Public Works Director Olson explained that is why staff did the random survey sampling but even when the City has projects that are controversial, meetings are held and public comment cards provided. He stated staff wants to give the Council as much information as possible before it makes a decision.

Councilmember Elvig agreed with the need to change the website statement mentioned by Mayor Ramsey. With regard to how the draft website is laid out, he suggested the graph be placed first with a brief summation and simply stated bullet points. Then additional detail can follow.

The Council supported this suggestion and Public Works Director Olson stated they can also include pictures.

Councilmember Elvig addressed the on-line survey and asked how to assure the resident has read about the issue prior to filling out the survey, and how to guarantee only one survey per family.

Councilmember Strommen stated it is frustrating that the focus is on the franchise fee when the Council’s issue was not the franchise fee but how to fund the Road Maintenance Fund. She stated the City needs to correctly frame the issue by not focusing on a single funding issue but, rather, to use the graph or photos to frame the issue and then frame questions that require more than a “yes” or “no” answer. Residents could also be asked to provide input on what they would do to maintain and fund roads, which would get the focus on the right issue. She reiterated the importance of framing questions correctly so they provide input that is meaningful.

City Administrator Ulrich stated the website survey should not be the same as the random survey. He suggested allowing residents to post comments.

Public Works Director Olson explained that is what staff was getting at when it developed the questionnaire, to allow people to fill in key concerns relative to this project. He noted it also asks how you think the City should pay for this program.

Councilmember Elvig suggested the website include options available to the City.

Public Works Director Olson noted the fact sheet identifies three options.

Councilmember Wise stated he thought the City would hold more open houses. He stated he still has questions on the fairness in how fees will be charged.

Public Works Director Olson acknowledged that all of these issues need to be resolved and details worked out. He reported that bar none, the biggest comment from the resident's opinion survey and telephone calls relates to the *Ramsey Resident* article and is from residents who just got an overlay assessment of ten years and are now being asked to pay a franchise fee. Public Works Director Olson stated his answer to them was that is a City Council decision whether some should be paid back and the rate to charge. This is why staff is asking the Council to look at the communication plan.

Councilmember McGlone stated he believed the Ramsey³ process worked well because there were a lot of different viewpoints at the start but by the end there was a better understanding. He stated he did not want information cards available on the internet where there was not an opportunity to educate but, rather, at the informational meetings. Councilmember McGlone felt the Highway 10 and Armstrong Boulevard charettes were wonderful and that residents who do not attend either don't care about the issue or are okay with it.

Councilmember Tossey felt this will come down to how it is marketed and the City did a good job with the survey. However, he thinks a franchise fee at the proposed rate would come back with objections. He suggested the franchise fee be lowered and marketed in a positive way, emphasizing the good value we get from roads and the fee is equal for all involved. Councilmember Tossey stated he wants to make sure Ramsey's roads are the best in the county and supports moving ahead.

Councilmember Elvig stated he does not think it is a bad idea to have a website but agreed the Council needed to "get in the room" with residents. He suggested the website include the meeting schedule, advertise the meetings, to get people motivated enough to share their ideas.

Councilmember McGlone stated the only part of the website he does not like is the survey/comment card.

City Administrator Ulrich suggested the use of collaborative groups like the Ramsey³ to educate residents and ask them to come up with recommendations. He agreed with the importance of reframing the issue because it is not only about the franchise fee. City Administrator Ulrich stated another option is asking the Charter Commission to make assessments more feasible. He noted that many cities get by with assessments to improve streets but the City's Home Rule Charter has a provision that stops road reconstruction projects. He asked the Council whether assessments are a better option for funding road projects than franchise fees.

Councilmember Elvig agreed that should be one of the options listed.

Councilmember Wise noted it has been discussed to use assessments for overlay projects and this fund for reconstruction projects but sometimes there is reconstruction with an overlay project. He asked whether all properties get assessed, even churches.

Public Works Director Olson explained that churches get assessed but if a road project is funded from the property tax levy, churches do not pay taxes. He explained that is fortunate for those with a 2.5 acre lot but not fortunate for property owners with reconstruction projects because even if the City paid 20-40% of the cost, the assessment could still be \$15,000. He noted if the counter petition is 75%, they may still petition against the project because of the high cost.

Mayor Ramsey stated this needs to be considered because that is why people moved to Ramsey, they wanted large lots and now they will have to pay for it.

Councilmember McGlone noted the City is not considering curb and gutter, concrete apron, or sidewalks, so there may be more issues that a group could ferret out.

Public Works Director Olson stated it appears the communication plan as presented is not what the Council intended and the Council has indicated having no on-line survey.

Councilmember Wise asked if the survey could be published so when residents come to the meeting they can fill it out. That process would assure the education process occurs.

Councilmember Strommen noted the on-line survey could require inclusion of their name and address. She stated it is sometimes hard for people to get to meetings and she does not want to discourage input. She questioned whether the Council needed to weigh everything equally and agreed more quality discussion is better because of the benefit of residents interacting with one another. Councilmember Strommen noted that interaction may result in someone changing their mind.

Councilmember Elvig agreed that you can't trust input if responding to a "yes/no" internet survey without being educated as to the issue. He thought offering options of a comment card, requesting more information, or being alerted of upcoming events may be of benefit because it will engage residents and reach out to them.

Mayor Ramsey suggested the Council and staff make a video at QCTV with a brief script that can be placed on line.

The Council agreed with this suggestion and that Mayor Ramsey, Councilmember McGlone, and City Administrator Ulrich will undertake this endeavor.

Councilmember Strommen suggested staff use the chart during open houses and that information be included on the invitation post card so residents become interested in attending the meeting.

The Council discussed the range of methods to fund street reconstruction projects including a tax increase, assessments, franchise fees, or a combination of assessments and a lower franchise fee. It was mentioned that the assessment process is costly and adds expense and acknowledged there

may not be community support to amend the Charter to allow road assessments but another option was to amend the Charter relating to the percentage of petitions.

Council consensus was reached to hold informational meetings at the City Hall; the staff presentation is to provide context and background information to assure education prior to getting input; the staff presentation is also to present the issue and ask residents how to solve the problem; creation of a 2-3 minute video that can be played prior to Council meetings, during Council breaks, and on the website; and staff was directed to reformat the website to include the chart, fact sheet, questionnaire that frames questions to assure input that is informative, and to include most asked questions that can be updated. The Long Term Road Maintenance Initiative will be considered again at the Work Session in two weeks

2) Consider U of M Environmental Sustainability / Land Use Clinic

This item was considered prior to Case 1.

FUTURE TOPICS OF DISCUSSION

1) Review Future Topics / Calendar

Noted.

Following discussion of available dates, the Council agreed to reschedule its November 8 meeting to November 7, 2011.

City Administrator Ulrich presented the request that Ramsey provide police services to Nowthen. He noted Ramsey currently provides fire services under contract and requested direction in how staff should cost out the proposal. Options were to make a profit, cover only the City's costs, or assume marginal costs to provide service to Nowthen.

Councilmember Elvig suggested the Council receive input from the City's police management and officers and ask whether it is something they want to do.

Councilmember Tossey felt the City should go ahead and do it. He noted that with the last proposal there was some perceived pressure to not compete with the Sheriff's Department but that may no longer be the case.

Mayor Ramsey supported having a low cost because of the benefit of having a mutual contract with Nowthen and because it helps Ramsey cover its northern end.

The Council consensus was to invite the Police Chief to the next Work Session to provide his opinion and for staff to present cost estimates.

MAYOR, COUNCIL AND STAFF INPUT

None

ADJOURNMENT

Motion by Councilmember Tossey, seconded by Councilmember Backous, to adjourn the Work Session Meeting.

The Work Session of the City Council was adjourned at 8:59 p.m.

Respectfully submitted,

Kurtis G. Ulrich
City Administrator

ATTEST:

Jo Ann M. Thieling
City Clerk

Drafted by Carla Wirth
TimeSaver Off Site Secretarial, Inc.