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

The Ramsey City Council conducted a regular meeting on Tuesday, August 11, 2014, at the Ramsey Municipal Center, 7550 Sunwood Drive NW, Ramsey, Minnesota.

Members Present: Mayor Sarah Strommen  
Councilmember Randy Backous (left the meeting at 7:55 p.m.)  
Councilmember Jill Johns  
Councilmember Mark Kuzma  
Councilmember John LeTourneau  
Councilmember Chris Riley  
Councilmember Jason Tossey

Members Absent: None

Also Present: City Administrator Kurtis Ulrich  
Finance Director Diana Lund  
Fire Chief Dean Kapler  
Assistant Fire Chief Matt Kohner  
Police Captain Tim Frankfurth  
Parks and Assistant Public Works Superintendent Mark Riverblood  
Human Resources Manager Colleen Lasher  
City Clerk Jo Ann Thieling  
Community Development Director Timothy Gladhill  
City Engineer Bruce Westby  
Assistant to the City Administrator Patrick Brama  
Economic Development Manager Ted LaFrance  
City Attorney Joe Langel

**1. CALL TO ORDER**

Mayor Strommen 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 Strommen.

**2. PRESENTATION**

**2.01: Strategic Plan Update**

City Administrator Ulrich presented an update on the Council's Strategic Plan, detailing goal tasks that had been completed, were in process, and not yet started.

The Council thanked staff for its work towards accomplishing the Council's established goals and acknowledged the City's Mission Statement.

Councilmember Tossey expressed concern relating to growth of government that resulted in increased taxes.

### **3. CITIZEN INPUT**

Wayne Buchholz, 14621 Neon Street, asked questions about the PSD, LLC, agreement that was considered during a Closed Session. He expressed concern that the purchase was based on \$3.12/square foot while a recent sale to Casey's was at \$10/square foot and the McDonald's site was at \$8.17/square foot. Mr. Buchholz asked about installation of utilities and questioned whether this HRA should be the one to agree or disagree on this transaction as all but two members had accepted campaign money from Jim Deal, the owner of this company, which does not 'look good' in the eyes of the taxpayers.

Mayor Strommen explained that each transaction is considered separately and the HRA has a pricing strategy reflecting the value of each parcel of land. She noted that the transaction mentioned by Mr. Buchholz was on the higher end of that pricing strategy range.

Councilmember Tossey stated he did not accept campaign money from that property owner but did support the sale because it was based on the market. He noted the other two sales mentioned were located on arterial roadways and the City had agreed six months ago to take care of Center Street. He felt it was preposterous to make a big deal of this sale.

Economic Development Manager LaFrance presented the factors considered when establishing pricing, noting this property has been on the market since 2003. He clarified that utilities are located at the boundary of this property.

Councilmember Backous suggested candidates 'knock on doors' rather than attempt to create political issues where none exist. He stated he also had not accepted campaign money from this property owner and clarified that this Council has determined to not manipulate the free market and instead to get out of the HRA business. Councilmember Backous noted that with the transaction mentioned, the City received just under \$1.9 million, 20% of the City's operating budget. He questioned how much staff time has been wasted responding to the baseless inquiries of Mr. Buchholz.

Mayor Strommen declared this issue to be closed and not open to debate as the Council and staff have responded to points raised by Mr. Buchholz.

### **4. CONSENT AGENDA**

Motion by Councilmember Riley, seconded by Councilmember LeTourneau, to approve the following items on the Consent Agenda:

4.01: Receive Cash and Investments for period Ending July 31, 2014

4.02: Receive June 2014 Financial Reports – General Fund and Enterprise Funds

4.03: Approve the following Meeting Minutes:

- 1) City Council Work Session dated July 8, 2014
- 2) City Council Regular Session dated July 8, 2014
- 3) City Council Work Session dated July 15, 2014
- 4) City Council Work Session dated July 22, 2014
- 5) City Council Regular dated July 22, 2014

4.04: Approve Licenses:

Transient Merchant

Soul 2 Go, 8221 161<sup>st</sup> Avenue NW (Game Fair), Ramsey, MN 55303

James Gleason, 8221 161<sup>st</sup> Avenue NW (Game Fair), Ramsey, MN 55303

JWT Heavenly Springers, 8221 161<sup>st</sup> Avenue NW (Game Fair), Ramsey, MN 55303

4.05: Introduce Ordinance #14-11 Authorizing Sale of Real Property to Correct Legal Description from 1997 Quit Claim Deed from City of Ramsey to Jack Newcomb

4.06: Authorize Contract for Professional Architectural Services and Bid Letting for Parking Ramp Garage Project #14-28

4.07: Adopt Second Amendment to Real Estate Broker Services Contract with CBRE

4.08: Adopt Resolution #14-08-157 Approving Cash Disbursements Made and Authorizing Payment of Accounts Payable Invoicing Received during the Period of July 18, 2014, through August 6, 2014

4.09: Adopt Resolution #14-08-158 Updating the Personnel Policy

4.10: Report from the Public Works Committee Meeting dated July 15, 2014:

- 1) Consider Guidelines for Uncontrolled Pedestrian Crossings – *Ratify the recommendation of the Public Works Committee to follow the Local Road Research Board Manual on pedestrian crossings at uncontrolled intersections.*
- 2) Consider Engineering Study for Pedestrian Crosswalk at Armstrong Boulevard and 161<sup>st</sup> Avenue – *Ratify the recommendation of the Public Works Committee to leave the pedestrian crossing at Armstrong Boulevard and 161<sup>st</sup> Avenue as is until pedestrian volumes increase and to direct staff to request police presence in the area for an appropriate length of time to raise awareness.*

Motion carried. Voting Yes: Mayor Strommen, Councilmembers Riley, LeTourneau, Backous, Johns, Kuzma, and Tossey. Voting No: None.

## **5. APPROVE AGENDA**

Motion by Councilmember LeTourneau, seconded by Councilmember Kuzma, to approve the agenda as presented.

Motion carried. Voting Yes: Mayor Strommen, Councilmembers LeTourneau, Kuzma, Backous, Johns, Riley, and Tossey. Voting No: None.

## **6. PUBLIC HEARING**

### **6.01: Public Hearing: Adopt Ordinance #14-07 Amending Charter Chapter 8 – Public Improvements and Special Assessments**

Mayor Strommen closed the regular portion of the City Council meeting at 7:43 p.m. in order to conduct a public hearing.

#### **Public Hearing**

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

#### **Presentation**

City Administrator Ulrich reviewed the staff report and consideration of the Charter Commission to amend Section 8.4.5 of the Charter, which regulates Council-initiated improvements that are to be paid at least in part by special assessments.

City Administrator Ulrich stated the Charter Commission, at its June 25, 2014, meeting, discussed the petition threshold at length and approved a motion recommending the percentage be changed from ‘greater than 50%’ to ‘60% or more.’ This amendment was proposed under Minnesota Statutes, Section 410.12, subdivision 7, whereby the amendment can be approved by the Council by ordinance, without an election, provided that Council approval is unanimous. It was noted this proposed amendment was introduced at the July 8, 2014, City Council meeting. He noted that adoption requires a 7-0 vote of the Council.

#### **Citizen Input**

Jim Bailey, 5530 156<sup>th</sup> Lane NW, stated his concern relating to road damage caused by over weight trucks that he believed the public should not be expected to pay.

City Administrator Ulrich clarified that the Assessment Policy under consideration would result in closer to 20% of the entire project cost being assessed to benefiting properties with 80% being paid by other funding sources including the City’s General Fund.

Motion by Councilmember Backous, seconded by Councilmember LeTourneau, to close the public hearing.

Motion carried. Voting Yes: Mayor Strommen, Councilmembers Backous, LeTourneau, Johns, Kuzma, Riley, and Tossey. Voting No: None.

The public hearing was closed at 7:47 p.m.

#### **Council Business**

Mayor Strommen called the regular City Council meeting back to order at 7:47 p.m.

Councilmember Tossey stated he felt raising the petition threshold and lowering the assessment percentage was a win for all and will actually result in lowering the cost of projects by not having a cost for the counter petition process.

The Council expressed its appreciation to the Charter Commission for its recommendation on this matter and thanked staff for their work as well as citizens who became involved and contributed to the debate.

Motion by Councilmember Kuzma, seconded by Councilmember Riley, to Adopt Ordinance #14-07 Amendment to Chapter 8 of the Home Rule Charter Relating to Council Initiated Local Improvements.

A roll call vote was performed by the Recording Secretary:

Councilmember Tossey	aye
Councilmember Kuzma	aye
Councilmember Riley	aye
Councilmember Johns	aye
Councilmember LeTourneau	aye
Councilmember Backous	aye
Mayor Strommen	aye

Motion carried.

Councilmember Backous left the meeting at 7:55 p.m.

## **7. COUNCIL BUSINESS**

### **7.01: Consider Adoption of Resolution #14-08-160 Accepting Plans and Specifications and Authorizing Advertisement for Bids for Improvement Project #14-24, Center Street Improvements**

City Engineer Westby reviewed the staff report and recommendation to construct this project to provide an important north-south connector street through The COR and take advantage of the awarded Transit Oriented Development (TOD) grant funding. He recommended the Council accept plans and specifications and authorize advertisement for bids for Improvement Project #14-24, Center Street.

City Administrator Ulrich stated support to move this project forward and suggested including an option to delay construction to next spring.

City Engineer Westby supported that suggestion as it would provide flexibility and may open the project to additional vendors, resulting in a more competitive bid.

Motion by Councilmember Riley, seconded by Councilmember Johns, to Adopt Resolution #14-08-160 Accepting Plans and Specifications and Authorizing Advertisement for Bids for

Improvement Project #14-24, Center Street Improvements, as revised to include an option for a spring construction.

Motion carried. Voting Yes: Mayor Strommen, Councilmembers Riley, Johns, Kuzma, LeTourneau, and Tossey. Voting No: None. Absent: Councilmember Backous.

**7.02: Authorize Contract for Professional Architectural Services and Adopt Reimbursement Resolution #14-08-156 for Fire Station #2 Project #14-30**

Assistant to the City Administrator Brama reviewed the staff report and recommendation to authorize execution of a contract for professional architectural services with BKV Group for Fire Station 2, contingent upon review and amendments from the City Attorney; to authorize BKV Group to complete final design and bid documents; and adopt the draft resolution that will provide a mechanism to pay back the City's Facility Fund with future bonds.

Fire Chief Kapler stated staff is operating under one assumption, that the Fire Department will continue to be a paid-on-call Fire Department for the foreseeable future, which is the most financially responsible model. The Fire Station is not being designed to host a full-time Fire Department.

Bruce Schwartzman, BKV, stated if approved, their goal is to bid the project in January of 2015 with award in January/February. He stated the bids are typically good for 45-60 days. With regard to the bid documents, they may be good for longer than five years as the only change needed would be if the Code changes.

Councilmember Tossey agreed that a new Fire Station was needed; however, he was concerned with consideration of a \$4 million bond and resulting debt service for Fire Station #2, the Municipal Center, and future road projects.

Mr. Schwartzman explained how the \$4 million estimate was derived based on the size of the Fire Station, current construction costs, and soft costs. He stated the estimate is in line for an 11,500 square foot Fire Station.

City Administrator Ulrich stated staff used the \$4 million estimate to show the budget impact. He noted the debt service for Fire Station #1 is coming off the end of 2016, which will be about half of this cost.

Finance Director Lund stated the municipal center debt of just over \$1 million goes through 2031 and Capital Equipment Certificates of \$160,000 per year go through 2023. The proposed 2015 budget includes additional Capital Equipment Certificates and the Road Reconstruction Bond. She explained that with Fire Station #2, the interest would be capitalized in 2016 and the payment would be pushed to 2017. She noted that all of this information was included in the 2015 budget handout discussed at the tonight's Work Session.

City Administrator Ulrich stated the land proceeds for the Fire Station site was not included.

Councilmember Riley stated this property was already declared as surplus and a decision was made to sell it. He noted Fire Station #2 was not being over-built and he relied on the City's experts who have indicated this is what is required.

Motion by Councilmember Kuzma, seconded by Councilmember LeTourneau, to Authorize Execution of Contract for Professional Architectural Services with BKV Group for Fire Station 2, contingent upon review and amendments from the City Attorney; to authorize BKV Group to complete final design and bid documents; and, to Adopt Resolution #14-08-156 Establishing Procedures Relating to Compliance with Reimbursement Bond Regulations Under the Internal Revenue Code.

Further discussion: Mr. Schwartzman stated the Council will consider this again mid-January 2015. Councilmember Tossey stated he would like to know the final costs before determining whether to support this action. Mr. Schwartzman reviewed the information that would be presented prior to going out to bid. Councilmember Tossey stated he will be opposing this motion because he does not know the actual cost and he does not want to put this debt on future Councils. Councilmember Riley noted that without these plans, the final costs cannot be determined. Mayor Strommen thanked staff for its thorough analysis of all three Fire Stations.

Motion carried. Voting Yes: Mayor Strommen, Councilmembers Kuzma, LeTourneau, Johns, and Riley. Voting No: Councilmember Tossey. Absent: Councilmember Backous.

**7.03: Consider Purchase Agreement Amendment for Imperial Development for Purchase of 5195 142<sup>nd</sup> Avenue NW**

Economic Development Manager LaFrance reviewed the staff report and terms of the amended original purchase agreement between the City and Imperial Development Company for the purchase of 5195 142<sup>nd</sup> Avenue NW. Staff recommended the Council authorize execution of the Purchase Agreement Amendment.

Councilmember Riley stated he appreciates staff's re-negotiation to gain more favorable terms for the City.

Motion by Councilmember Riley, seconded by Councilmember Tossey, to authorize execution of an amendment to the original purchase agreement between the City and Imperial Development Company for the purchase of 5195 142<sup>nd</sup> Avenue NW.

Motion carried. Voting Yes: Mayor Strommen, Councilmembers Riley, Tossey, Johns, Kuzma, and LeTourneau. Voting No: None. Absent: Councilmember Backous.

**7.04: Consider Adoption of Resolution #14-08-159 Accepting Quotes and Awarding a Contract for Improvement Project #14-29; Alpine Drive Watermain Improvements**

City Engineer Westby reviewed the staff report, presented the two quotes received, and recommended authorization to enter into a contract with Dave Perkins Contracting in the amount of \$78,175 for Improvement Project #14-29, Alpine Drive Watermain Improvements.

Motion by Councilmember LeTourneau, seconded by Councilmember Riley, to Adopt Resolution #14-08-159 Accepting Quotes and Authorizing Award of Contract for Improvement Project 14-29; Alpine Drive Watermain Improvements, contingent upon Anoka County awarding the Alpine Drive and CSAH 5 intersection improvement project.

Motion carried. Voting Yes: Mayor Strommen, Councilmembers LeTourneau, Riley, Johns, Kuzma, and Tossey. Voting No: None. Absent: Councilmember Backous.

**7.05: Consider Approving Revised Lower Rum River Water Management Organization Joint Powers Agreement**

City Engineer Westby reviewed the staff report and recommendation to approve the revised Lower Rum River Water Management Organization (LRRWMO) Joint Powers Agreement (JPA).

Councilmember Kuzma, the City's voting member on the LRRWMO Board, reviewed the considerations of the LRRWMO relating to the City's requests and stated his support for approval of the JPA as Ramsey is better served within the JPA than to become its own Local Governing Unit (LGU).

Motion by Councilmember Kuzma, seconded by Councilmember LeTourneau, to Approve the Revised Lower Rum River Water Management Organization Joint Powers Agreement.

Further discussion: Mayor Strommen indicated her intent to abstain from this vote due to her employment with the Board of Water & Soil Resources (BWSR), which has oversight authority over this WMO.

Motion carried. Voting Yes: Councilmembers Kuzma, LeTourneau, Johns, and Riley. Voting No: Councilmember Tossey. Abstain: Mayor Strommen. Absent: Councilmember Backous.

**7.06: Adopt Ordinance #14-08 to Amend Sections 117-118 (The COR District) of the Ramsey City Code**

Community Development Director Gladhill reviewed the staff report and recommendation to amend Code to allow a drive-thru within The COR-1 Subdistrict. If approved, it will allow PSD to open a new restaurant at 7533 Sunwood Drive. It was noted the Council introduced this ordinance at its July 22, 2014, meeting.

Motion by Councilmember Riley, seconded by Councilmember Johns, to adopt Ordinance #14-08, An Amendment to Chapter 117 of the City Code, which Chapter is known as Zoning and Subdivisions of the City Code of Ramsey, Minnesota.

Further discussion: Councilmember Tossey stated his support for the seamless consideration of this Ordinance amendment to allow a drive-through, noting it will allow business to thrive.

A roll call vote was performed by the Recording Secretary:

Councilmember Tossey	aye
Councilmember Riley	aye
Councilmember Kuzma	aye
Councilmember Johns	aye
Councilmember LeTourneau	aye
Councilmember Backous	absent
Mayor Strommen	aye

Motion carried.

**7.07: Approve Adjacent Jurisdictional Review of a Comprehensive Plan Amendment for the Establishment of a Future Business Park West of Armstrong Boulevard**

Community Development Director Gladhill reviewed the staff report and extensive work of the Economic Development Authority (EDA) and Planning Commission along with staff to identify an area for a future business park to create the opportunity for growth and expansion of existing business. He explained that before tonight's Work Session, staff was notified by the Metropolitan Council that the City should work off its revised housing unit forecast. Therefore, staff recommended tabling consideration at this time.

Motion by Councilmember Kuzma, seconded by Councilmember Tossey, to table consideration of the Comprehensive Plan Amendment to establish a new, future business park to allow time for staff to consider to Metropolitan Council's request to use its revised housing unit forecast.

Motion carried. Voting Yes: Mayor Strommen, Councilmembers Kuzma, Tossey, Johns, LeTourneau, and Riley. Voting No: None. Absent: Councilmember Backous.

**7.08: Receive Update on Minnesota Department of Natural Resources' Mississippi River Corridor Critical Area (MRCCA) Rulemaking Project and Consider Official Response**

Community Development Director Gladhill reviewed the staff report and recommended response relating to the Minnesota Department of Natural Resources' (Mn/DNR's) Mississippi River Corridor Critical Area (MRCCA) rulemaking project that will apply to the entire MRCCA corridor. He noted the Environmental Policy Board, at its August 4, 2014, meeting, recommended the City adopt the Technical Standards section of the Official Response document but deferred the six land use policy questions to the Planning Commission. Community Development Director Gladhill presented the proposed standards and stated the key question is whether it was appropriate for the Mn/DNR to establish minimum standards that apply to the entire MRCCA corridor in order to create a consistent and uniform enforcement along the corridor for the purposes of protecting the key resources identified in the Statute and Legislative Rulemaking Direction.

Community Development Director Gladhill answered questions of the Council relating to the existing rules and opportunity for the City to formulate rules that would best match its land use and reduce non-conforming lots. He indicated that some residents are opposed to the DNR establishing minimum standards/rules.

The Council discussed the case with Community Development Director Gladhill and emphasized its desire for local control and support for the official response that represents that control. In addition, the Council found that uniqueness within the Corridor necessitates flexibility in rulemaking. It was noted that another issue is what can feasibly be implemented and enforced at the local level, such as those related to vegetation.

City Administrator Ulrich asked whether the Council can just consider the Technical Analysis at this point, during the official comment period.

Community Development Director Gladhill answered in the affirmative.

Motion by Councilmember Johns, seconded by Councilmember LeTourneau, to Approve the Technical Analysis and direct staff to submit it to the DNR by the August 15, 2014, deadline.

Motion carried. Voting Yes: Mayor Strommen, Councilmembers Johns, LeTourneau, Kuzma, Riley, and Tossey. Voting No: None. Absent: Councilmember Backous.

#### **7.09: Consider Request from City of Anoka to Establish No Wake Zone on Mississippi River during High Water Levels**

Community Development Director Gladhill reviewed the staff report and request from the City of Anoka to introduce an ordinance that would establish a slow- no-wake zone on the Mississippi River during high water events. He advised of the Police Chief's comment that this only makes sense for Ramsey if the City of Dayton also adopts it.

Councilmember Tossey stated he sees no need to adopt this Ordinance as the Police Department does not own a boat or conduct a water patrol.

Community Development Director Gladhill explained that enforcement would be with the Anoka County Water Patrol.

Councilmember Tossey stated in that case, he believed the appropriate agency to consider the ordinance was the Anoka County Board, as it has the ability to enforce it.

Community Development Director Gladhill stated the City of Anoka likely forwarded a similar request to the Anoka County Board and he will follow up on that specific question.

The Council acknowledged there are erosion issues along the Mississippi River; however, the City does not have the ability for enforcement of a No Wake Zone. Staff was asked to research whether this should be a Countywide consideration.

Community Development Director Gladhill stated if this is a Countywide effort, Hennepin County should also be involved. The Council agreed with the need for consistent regulation.

Motion by Councilmember Riley, seconded by Councilmember Tossey, to table consideration of Ordinance #14-12, An Amendment to Chapter 62 of the City Code, which Chapter is known as Waterways of the City Code of Ramsey, Minnesota, to allow time for staff to contact Anoka County staff to determine the appropriate mechanism.

Motion carried. Voting Yes: Mayor Strommen, Councilmembers Riley, Tossey, Johns, Kuzma, and LeTourneau. Voting No: None. Absent: Councilmember Backous.

## **8. MAYOR, COUNCIL AND STAFF INPUT**

### **8.01: Report on Meeting with Anoka County Commissioner**

Mayor Strommen reported on topics discussed during a meeting held with Anoka County Commissioner Look and determination to meet regularly in the future.

### **8.02: Report on Meeting with the City of Dayton**

City Administrator Ulrich reported on issues discussed during the meeting with City of Dayton staff and its elected officials.

### **8.03: Primary Election – Tuesday, August 12, 2014 - All City Polling Locations Open from 7:00 a.m. to 8:00 p.m.**

### **8.04: Farmer's Market and Concert Event – Thursdays in The Draw Park**

### **8.05: Meeting to Canvass Results of Primary Election – 8:00 a.m. – Friday, August 15, 2014 – The COR Room**

City Administrator Ulrich announced the above election and meetings. He also announced upcoming meetings and events.

The Council wished Mayor Strommen a happy birthday.

## **9. ADJOURNMENT**

Motion by Councilmember Tossey, seconded by Councilmember Riley, to adjourn the meeting.

Motion carried.

The regular meeting of the City Council adjourned at 9:31 p.m.

Respectfully submitted,

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Kurtis G. Ulrich, City Administrator

ATTEST:

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Jo Ann M. Thieling, City Clerk

Drafted by Carla Wirth  
*TimeSaver Off Site Secretarial, Inc.*