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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 14, 2020, at the Ramsey Municipal Center, 7550 Sunwood Drive NW, Ramsey, Minnesota.

Members Present: Mayor John LeTourneau
Councilmember Mark Kuzma
Councilmember Jeff Menth
Councilmember Debra Musgrove
Councilmember Chris Riley
Councilmember Dan Specht

Members Absent: None

Also Present: City Administrator Kurtis Ulrich
Finance Director Diana Lund
Police Chief Jeff Katers
Deputy City Administrator Timothy Gladhill
Communications and Events Coordinator Megan Thorstad (attended remotely)
City Attorney Joe Langel

1. CALL TO ORDER

Mayor LeTourneau 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 LeTourneau.

City Administrator Ulrich stated that all members of the Council are attending in person, but members of the public are invited to participate in person (in limited capacity) and virtually due to the COVID-19 pandemic.

2. PRESENTATION

None.

3. CITIZEN INPUT

Scott Newman, 16411 Dysprosium St NW, stated that he is present to speak about the ongoing code violations at 5431 164th Lane NW. He stated that he went around the neighborhood the previous day to speak with the neighbors and their concerns related to this property. He stated that there are vehicles, trash, a number of barking dogs, and other issues that have existed since 2012. He stated that the Council adopted a Resolution #19-187 last August in attempt to resolve the situation. He noted that a follow-up Resolution #20-025 was adopted by the Council in January.

He stated that has not done anything either. He stated that the neighbors repeatedly call staff and he has yet to see even one day of compliance. He noted that one day there were 12 vehicles/trailers on the property. He stated that the neighbors are very frustrated that there has not been any progress on this property. He noted that sometimes there are a few days when the number of vehicles is reduced to six, but the number of vehicles simply goes back up after a few days. He stated that staff has decided that eight vehicles could now be on the property due to the number of licensed drivers and yet the property still remains out of compliance. He stated that the neighbors are concerned that some of these issues could cause other problems, using the example of rodents coming because of the trash on the property or groundwater issues that could arise from the vehicles on the property. He stated that after two Resolutions adopted by the Council there is still no progress being made and the neighborhood simply wanted to express concern that it is still not being addressed.

Mayor LeTourneau thanked the resident for providing this input. He stated that this input is an important step for the nuisance case and noted that staff can work with the resident in another way. He recognized that there are cases in the City that continue to have Code violations and require more work.

Deputy City Administrator Gladhill stated that he can speak to the vehicles and items allowed, but not the barking dogs. He stated that he was told that the owner obtained the necessary licensure for the animals. He confirmed that there was a major issue with the vehicles and storage on the property, which was more noticeable when Community Development took on the case. He stated that there was more junk and debris in the backyard. He noted that the resident is a senior citizen and does not have much family in town, therefore staff was willing to work with the resident to provide additional time. He stated that there is an active abatement notice that was sent earlier this week with a ten-day compliance period. He noted that action would bring the total number of vehicles under the number of six. He provided an update on the fines and future abatement that could continue to occur for the property.

Mayor LeTourneau summarized that there was a period of time in which the property came into compliance and therefore that case was closed out. He noted that when the property had additional violations, that triggered a new enforcement case, which started the clock over again but now that the abatement process has begun, enforcement can continue on a more swift schedule.

Mr. Newman stated that he disagrees that the property came into compliance at any time during that period. He noted that the number of trailers continues to not be counted in the total number of items allowed on the property. He stated that there are five pitbulls on the property and if a kennel license was going to be issued, that would require a public hearing.

Greg Drahosh, 5451 164th Lane NW, stated that he is the neighbor to the west of the property in discussion. He asked if the dog licensure mentioned by staff was a kennel license. He stated that he was informed that a kennel license would require a public hearing and he would be notified of such action. He stated that he has yet to be notified of that request. He stated that the dogs bark at all times of the day and night and is a nuisance. He stated that this has been a frustrating issue that this property has not come into compliance.

Mayor LeTourneau encouraged the residents to call to voice their issues with the dogs in order to have those issues documented.

Deputy City Administrator Gladhill stated that he has yet to hear the dogs bark when he is on the site. He stated that there was flexibility given through the winter and due to COVID, but noted that enforcement will happen more quickly and aggressively going forward.

4. APPROVE AGENDA

Mayor LeTourneau noted that it has been requested to move Item 5.10 from the Consent Agenda to the regular Council Business for discussion.

Motion by Councilmember Riley, seconded by Councilmember Musgrove, to approve the agenda as presented.

Motion carried. Voting Yes: Mayor LeTourneau, Councilmembers Riley, Musgrove, Kuzma, Menth, and Specht. Voting No: None.

5. CONSENT AGENDA

Motion by Councilmember Menth, seconded by Councilmember Kuzma, to approve the following items on the Consent Agenda:

- 5.01: Approve the following Meeting Minutes:
 - 1) City Council Work Session dated June 23, 2020
 - 2) City Council Regular dated June 23, 2020
- 5.02: Approve Business Licenses
- 5.03: Approve Rental Licenses
- 5.04: Approve Revisions to the Staff Allocation in Building Inspections
- 5.05: Adopt Resolution #20-145 Approving Cash Disbursements Made and Authorizing Payment of Accounts Payable Invoicing Received During the Period of June 18, 2020 through July 8, 2020
- 5.06: Adopt Resolution #20-139 Approving Corrections to the Plat Known as Pearson Place (Project No. 16-31a); Case of Otto Associates
- 5.07: Adopt Resolution #20-140 Appointing Election Judges for the Primary Election on August 11, 2020
- 5.08: Adopt Resolution #20-141 Authorizing Use of Anoka County Housing and Redevelopment Authority Funds for Puma Street Improvements, Improvement Project #20-04
- 5.09: Adopt Resolution #20-142 Authorizing Requests for Quotes to Relocate Sand Stockpiled on The COR Infiltration Basin Site to Municipal Plaza Park
- ~~5.10: Adopt Resolution #20-143 Approving Second Addendum to Lease with Youth First Community of Promise for Use of Outdoor Areas~~ This item was removed from the Consent Agenda and considered as Item 7.06
- 5.11: Adopt Resolution #20-147 Approving Expansion of Lawful, Non-Conforming Driveway at 15710 Saint Francis Boulevard NW

5.12: Adopt Resolution #20-148 Authorizing Bid Letting for Public Works Facility Project #20-07

Motion carried. Voting Yes: Mayor LeTourneau, Councilmembers Menth, Kuzma, Musgrove, Riley, and Specht. Voting No: None.

6. PUBLIC HEARING

6.01: Public Hearing: Introduce Proposed Ordinance #20-11 Implementing a Gas Franchise Fee on Centerpoint Energy for Providing Gas Service Within the City of Ramsey, Introduce Proposed Ordinance #20-12 Implementing an Electric Franchise Fee on Connexus Energy for Providing Electric Service Within the City of Ramsey and Introduce Proposed Ordinance #20-13 Implementing an Electric Franchise Fee on the City of Anoka Electric for Providing Electric Service Within the City of Ramsey

Presentation

City Administrator Ulrich introduced the case related to implementation of a franchise fee which would be used for pavement management. He provided details on the pavement management program in Ramsey and a summary of the details of the 2015 through 2019 pavement management summary which used the assessment method. He reviewed the funding options identified in the staff report.

Finance Director Lund reviewed the remainder of the staff report and recommendation to introduce the respective ordinances related to implementing a franchise fee on said utilities.

Councilmember Musgrove asked for clarification on the administrative fee and the change from five to ten percent.

Finance Director Lund explained that the ten percent includes all administrative costs associated with staff time and the public hearings.

Public Hearing

Mayor LeTourneau called the public hearing to order at 7:37 p.m.

Citizen Input

Jim Benson, 14131 Junkite St NW, stated that he is a member of the Charter Commission and therefore has a special interest in this. He stated that in his opinion, a franchise fee is the wrong form of road funding as it is a regressive tax that charges people that do not own property. He stated that residents that have gas or electric service will be charged, whether or not they own property or use the roads. He stated that people would pay less through funding the road improvements through the tax levy. He reviewed two different calculations that he used to determine how the City could fund roads through property taxes. He reviewed language within Chapter 8 in the Charter, which he believes is being corrupted. He believed that the only people

that would benefit from this change in funding would be properties with values over \$301,000. He stated that property taxes are deductible, but franchise fees are not.

Brian Walker, 17289 Variolite St NW, asked for clarification on the line items within the \$1,900,000.

Finance Director Lund explained the items that added together equate to the \$1,900,000.

Ken Madden, 6021 145th Ln NE, stated that he is against the whole idea of franchise fees. He stated that inevitably it will never be enough. He stated that this does not make sense. He stated that although there is a five-year sunset, the membership of the Council could be different in five years and the choice could be made to increase the franchise fee. He stated that \$14 per month will not hurt him, it will hurt others in the community that perhaps do not have a car and would receive no benefit from this. He stated that an excise tax could be used as that would be based of those that have a driver's license. He asked that other methods be reviewed.

City Administrator Ulrich stated that an excise tax is not available in Minnesota. He confirmed that the Statute would need to be changed at the State level in order to make those other funding mechanisms available to cities.

Mayor LeTourneau noted that the Council has discussed many other options over the years, as these discussions have occurred on a Council level since 2013. He stated that everyone agrees that the roads need to be fixed and that a method needs to be chosen to fund that improvement.

Dede Larson, 14990 Waco St NW, commended the Council for the years when she did not pay attention because things were going well. She stated that Waco Street was repaired with the exception of one block. She stated that her road segment is not scheduled to be repaired until 2029. She stated that she does not support the franchise fee as that is a tax. She stated that government is meant to protect the people and provide roads and believes that is what her tax dollars should be spent on. She questioned why the budget in Ramsey is not sufficient to provide for the roads. She recognized that the method of assessment is tough. She asked what is included in the budget that should not be, noting that roads should be included.

Councilmember Riley stated that the Council and Public Works is aware of that section of road on Waco, noting that he has complained about that segment in the past.

Mr. Benson stated that he has been engaged in discussions on this topic on social media, noting that one comment was made that senior citizens have difficulty paying assessments compared to the franchise fee method. He asked if assessments can be spread out over time for repayment.

Finance Director Lund replied that reconstructions can be spread over 20 years and an overlay can be spread over ten years.

Mr. Benson commented that seems like a long time to be able to spread the cost of an assessment. He noted that if an assessment could be spread over ten or 20 years, that should be less than the franchise fees. He stated that utilities have nothing to do with the roads and therefore the property

taxes should be the method to fund the improvement. He stated that the benefit by the roads is realized by those that own property.

Mr. Madden commented that he previously lived in Andover and received an assessment of \$4,000, which was spread over ten years and he believed to be a reasonable cost. He stated that he did go to the City Council to complain about that assessment but still believed that an assessment would be a more reasonable method of funding.

Mayor LeTourneau stated that there seems to be a concern about what the franchise fee is called. He recognized that franchise fees are a tax and the Council agrees with that point. He stated that funds have to be collected in one way or another and it is a tax. He stated that of the options available, none are perfect and therefore they are trying to find the best method for the community.

Mr. Walker stated that he is glad to hear the Council admit that this would be a tax on the residents. He stated that the Minnesota Supreme Court has already ruled on the fees that cities are charging and are calling it a tax. He cautioned against collecting fees that could need to be paid back. He stated that he believes that the Council will approve this, no matter the comments made tonight. He believed that a five-year trial period is too long, as many of the members of the Council may not be here in five years which means that there would not be accountability. He commented that those that support this should need to be accountable. He stated that transparency is lost in budgeting by using these types of fees and therefore people are not held accountable for the decisions they make for the residents.

Mayor LeTourneau commented that the ordinance could be introduced and passed by the Council. He asked if the Council would have the power to rescind the ordinance during that five-year period.

City Administrator Ulrich commented that as with any ordinance adopted by the Council, the Council can change or modify the ordinance at any time. He explained that the reason for the five-year review is to keep the accountability.

Mayor LeTourneau commented that the assessment policy was done in the same manner, with a five-year trial period. He stated that the Council will continue to state that this is a transparent tax that will be used as dedicated funding for roads. He stated that he would be open to having a discussion of how that could be made better.

Chelsea Howell, 5250 156th Ln NW, stated that she agrees with the comments made thus far that a franchise fee is a regressive tax. She did not believe now is the time to burden people with additional taxes. She stated that she is concerned for the residents that have already paid assessments and asked for details on how those residents would be impacted.

Finance Director Lund provided additional clarification on what those residents would be eligible for.

Ms. Howell stated that she does not feel it is fair to double tax people. She stated that the majority of what residents want should be taken into consideration and noted that everyone tonight has spoken against this idea.

Josh Fuerick, 14573 Bowers Drive, stated that at the end of the day, this is the cheapest way for residents to fund the road improvements needed. He stated that this is the most efficient way of funding. He noted that even though an assessment can be paid over years, interest is charged, and the City is bonding which adds additional cost. He noted that time is also wasted by people complaining about the assessments and petitioning against road projects. He commented that each person is charged the same amount, regardless of property value. He stated that the City should look to spend the least amount of money to fix the roads and move on. He stated that the people that have been charged assessments most likely support the \$14 monthly payment over the \$6,000 assessment they were charged.

Mr. Benson reviewed the language related to Chapter 8 of the City Charter related to special assessments. He stated that this language was developed prior to the idea of franchise fees even being thought of. He stated that if the City wants to use franchise fees there should be a City referendum to remove the special assessment section from the City Charter.

Troy Cooper, 15160 Cobalt St NW, stated that when high density housing was added to Ramsey, the idea was that housing product would add to the tax base. He asked where those funds went as they did not require additional roads for those structures. He asked the protections that would be in place to prevent tax increases as franchise fees would be outside of that cap. He commented that from 2019 to 2020 his property taxes increased 4.5 percent and the franchise fee would be another six percent per year. He stated that he is also a business owner in Ramsey so would be paying twice.

City Administrator Ulrich stated that the additional tax base is reflecting in the annual budget and levy, therefore the value of the apartments is shown and offset the levy. He stated that if the rates in the ordinance were changed, the same process would need to be followed with public hearings. He stated that currently there is not a property tax cap on the levy. He stated that there have been levy limits in the past, set by the State, but the State has not placed a limit in the past several years.

Finance Director Lund stated that a property tax amount would be based off the area of the City the property is located in. She provided further clarification on the TIF District and the funds collected through that method. She explained that for the development that occurs within The COR, the value of those improvements has to stay within the TIF District for a set period of time.

Mayor LeTourneau commented that the TIF Districts are meant to help development and attract different uses within those TIF Districts based on planning.

Finance Director Lund explained that the property tax dollars for those developments have restrictions on what they can be used for during that set period.

Mr. Benson asked if property tax dollars within The COR could not be used for road improvements outside of that area.

Finance Director Lund stated that properties built within that tax increment district would have restrictions. She noted that the property taxes generated by the land value itself would go into the

general fund. She provided additional clarification on tax increment districts and financing and how those funds could be used.

Deputy City Administrator Gladhill read aloud an email received earlier today from the property owners at 14431 Wolfram St NW that was distributed to the Council which supports the franchise fee.

Matt Look, 2614 Wingfield in Anoka, stated that the Council has a tough job. He noted that his first vote as a Councilmember in Ramsey was a \$1,500,000 road project in Ramsey. He stated that after a while perhaps the members of the Council become numb to the cost of road projects. He stated that Anoka County is the second fastest growing County and Ramsey is one of the fastest growing communities. He stated that the concept of previous Councils kicking the can down the road on road projects is true as many Councils did not want to tackle that issue. He stated that when he was on the Council, \$1,500,000 was allocated for roads. He stated that decisions have to be made on how funds will be spent, such as the \$20,000,000 City Hall building. He noted that a fire station was torn down and a \$5,000,000 fire station was constructed in its place. He stated that tonight the Council will consider a Public Works Facility, which is a priority. He noted that roads are a priority but have not been identified as a priority in the budget. He stated that there are certain jobs that the government is required to do, such as roads and unfortunately this becomes an issue of needs and wants. He stated that the need in Ramsey is roads and has been for a long time. He asked the Council to consider what the current budget is being spent on and whether those are needs or wants.

Mayor LeTourneau stated that it is difficult to make tough decisions such as this, noting that he has not yet felt numb to any of those decisions. He appreciated the acknowledgement of the difficulty in making these decisions. He stated that it is unfortunate that a sustainable road funding could not have been found when Mr. Look was on the Council or prior to his time on the Council. He stated that they have learned from those past examples that dedicated funding is needed. He stated that Ramsey is a community that is growing and therefore something cannot be ignored to fix something else and therefore they try to do the best job of managing all the needs of the community.

Deputy City Administrator read aloud a written comment from the residents at 6040 Radium Circle NW which states that they support the franchise fee method as over a 30-year period the \$14 per month would be cheaper than the assessment they would receive if their upcoming road project were assessed.

City Administrator Ulrich advised of an online survey available for residents, noting that written copies are also available at City Hall.

Mr. Madden stated that he does not see a guarantee that the fee would remain \$14 per month in perpetuity. He stated that he likes that this would be dedicated funding but does not like the lack of transparency in how the fee could be increased.

Mayor LeTourneau commented that the amount of the fee would be set in ordinance and therefore for that amount to change, the ordinance itself would need to change.

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

Motion carried. Voting Yes: Mayor LeTourneau, Councilmembers Kuzma, Musgrove, Menth, Riley, and Specht. Voting No: None.

The public hearing was closed at 8:27 p.m.

Council Business

Councilmember Specht thanked everyone that has taken time to provide input. He stated that everyone agrees that the roads need to be fixed. He stated that City services are offered through the property tax and therefore he believes roads should be done in the same manner. He commented that people would be assessed based on the value of their home, as they are with the other City services. He stated that franchise fees would tax those in apartments and non-profits which serve people in the community.

Councilmember Riley stated that the Council has discussed this many times over the past several years and a lot of information has been reviewed and debated. He agreed that this is a tax. He stated that properties assessed for road improvements are not the only ones that benefit from the improvement and provided examples of Jarvis, Andre, and Sunwood in which the few properties on the road were assessed but many others benefit. He noted that the assessment process has an additional administrative cost of ten percent and the debt portion has become a problem for the City. He stated that everyone uses the roads, regardless of whether they own a vehicle. He stated that this franchise fee has been planned to fully account for the road needs of the community. He stated that in the past up to \$6,636 has been assessed for a road project, which equates to 40 years of franchise fees. He stated that many neighboring cities use franchise fees. He stated that the other choice would be to place the road improvements on the tax levy. He stated that if the City were to levy the amount of money needed for streets that would equate to a 15 percent increase in taxes. He stated that levies are not based on income, but rather property value. He stated that while there may be some correlation between income and property value, that is not always the case. He stated that in the last few years about 10 percent of those that file taxes itemize their tax return, which goes towards the argument that property taxes can be itemized. He stated that this Council is accountable every time there is an election.

Councilmember Musgrove stated that there has been a lot of discussion about this topic in worksessions. She stated that she appreciates the input from the residents today and the majority of residents would prefer to have roads funded through assessments or the levy. She commented that roads have not been a priority in Ramsey for a long time. She commented that the \$500,000 included in the budget for roads is laughable. She stated that the comments from residents tonight support the comments she has made throughout this discussion. She stated that residents can receive a property tax refund, whether they rent or own. She commented that franchise fees have to be paid and do not go away. She stated that there is no guarantee that taxes will not increase if this franchise fee is passed. She stated that she will not support this ordinance.

Mayor LeTourneau asked how debt is carried for the road debt.

Finance Director Lund explained how the road bonds are carried as debt and included in budgets. She stated that currently the City has four bonds for road debt, which are carried over 20 years.

Mayor LeTourneau stated that in addition to the \$500,000 that is annually budgeted for roads, the City also has the road bonds included in the budget as debt.

Councilmember Kuzma stated that the Council considers the roads very important as he was a part of the team that enacted the assessment process. He stated that the roads are rated annually, and they attempt to address the worst roads each year. He stated that the City has done radar penetrating throughout the City and has found that roads built 25 years ago did not meet the requirements for bituminous, therefore there is not enough road to complete a mill and overlay and a reconstruction is needed. He stated that this has become a huge problem that will not go away. He stated that the franchise fee will provide that dedicated funding in order to really tackle this problem in a fair manner. He stated that if the roads are put on the tax levy, the taxes will increase. He stated that he supports this action.

Councilmember Menth stated that each year the City was taking out debt to fix roads, noting that there are four road bonds. He stated that each year the City pays interest on that debt and if the City continues with the program of borrowing the money and assessing the residents, by 2029 the City would be paying \$2,300,000 on interest and debt.

Mayor LeTourneau stated that they need to monitor how the money is spent for the City for the best interest of the community. He stated that the reality of accumulating that much debt and paying that much in interest does not feel fiscally responsible. He stated that the franchise fee is a much more fiscally responsible way to collect the funds and use the money. He stated that ultimately this will save the City millions of dollars.

Councilmember Musgrove stated that she is not for debt and would want to see a line item in the budget. She stated that her concern is that the Councils in the past have not done the job necessary for the City in terms of roads. She stated that she will not support this action.

Motion by Councilmember Musgrove, seconded by Councilmember Specht, that Ramsey fund its roads through a byline budget of a number between \$1,000,000 to \$1,300,000 with a 25 percent assessment or 100 percent levy.

Further discussion: Councilmember Specht stated that he believes including the funding through the budget would be the best idea. He stated that he is unsure of the exact figures included in the motion and believe that the funds needed should be allocated. He stated that including the item in the budget is the most transparent method. Councilmember Kuzma stated that he would oppose this as that would equate to a 15 percent increase in the budget along with other road debt, which would be a 20 percent increase in taxes and would make Ramsey less attractive for businesses. Mayor LeTourneau stated that there were many comments related to controlling and managing this. He stated that he likes that this would do that through ordinance. He noted that a previous Council set aside funding for roads which was reversed by a later Council. He stated that there

was a discussion of the levy increasing by 15 percent in the worksession earlier tonight, which related to then budgeting less amounts for roads. He explained that is how the can gets kicked down the road and there would not be enough control and guidelines. Councilmember Specht stated that this would add a whole new tax, which is still an increase.

Motion failed. Voting Yes: Councilmembers Musgrove and Specht. Voting No: Mayor LeTourneau, Councilmembers Kuzma, Menth and Riley.

Motion by Councilmember Kuzma, seconded by Councilmember Riley, to Introduce Proposed Ordinance #20-11 Implementing a Gas Franchise Fee on Centerpoint Energy for Providing Gas Service Within the City of Ramsey, Introduce Proposed Ordinance #20-12 Implementing an Electric Franchise Fee on Connexus Energy for Providing Electric Service Within the City of Ramsey, and Introduce Proposed Ordinance #20-13 Implementing an Electric Franchise Fee on the City of Anoka Electric for Providing Electric Service Within the City of Ramsey.

Motion carried. Voting Yes: Mayor LeTourneau, Councilmembers Kuzma, Riley, and Menth. Voting No: Councilmembers Musgrove and Specht.

Mayor LeTourneau briefly recessed the meeting.

Mayor LeTourneau reconvened the meeting.

7. COUNCIL BUSINESS

7.01: Approve a Professional Services Contract Extension for the Tinklenberg Group

City Administrator Ulrich reviewed the staff report and recommendation to approve the contract extension as outlined in the proposal.

Allen Tinklenberg, The Tinklenberg Group, provided an update on the special session that should begin the following week and highlighted the main topics of discussion. He stated that he feels good about the additional funding opportunities for Ramsey and the Highway 10 project. He stated that the only issue will be whether the discussion on other issues can come together to pass a bonding bill. He stated that with the issues that everyone is facing because of COVID, the City has not been able to take more of a victory lap for the \$40,000,000 that was awarded to the community for the project. He reviewed some of the discussions that laid the groundwork for the grant to be awarded and noted that it is a huge success. He stated that the grant has a deadline, which is good and puts the pressure on other entities to help this project move forward.

Councilmember Specht commented that Mr. Tinklenberg is great at what he does.

Motion by Councilmember Menth, seconded by Councilmember Kuzma, to approve a 12-month extension to the contract with The Tinklenberg Group.

Further discussion: Councilmember Musgrove asked for details on the Highway 10 workgroup and how often that group is meeting during the recent times. Mr. Tinklenberg stated that there have not been regular meetings because of COVID, noting that the group last met in January to

ensure the entities were coordinating in terms of effort and moving forward. He noted that the proposed legislation was written and agreed upon at that time. Councilmember Musgrove asked if Mr. Tinklenberg could come back to the August 26th Council meeting to provide an update. Deputy City Administrator Gladhill stated that there have been some meetings of the Highway 10 coalition, just on a smaller scale and noted that Mr. Tinklenberg has also participated in other meetings on behalf of the City.

Motion carried. Voting Yes: Mayor LeTourneau, Councilmembers Menth, Kuzma, Musgrove, Riley, and Specht. Voting No: None.

7.02: Introduce Ordinance #20-10 Amending Bulk Standards in the R-1 Residential District

Deputy City Administrator Gladhill reviewed the staff report and recommendation to introduce Ordinance #20-10 amending the bulk standards in the R-1 Residential District.

Motion by Councilmember Riley, seconded by Councilmember Musgrove, to Introduce Ordinance #20-10 Amending Bulk Standards in the R-1 Residential District.

Further discussion: Mayor LeTourneau expressed appreciation to staff and the Planning Commission for the input they provide.

Motion carried. Voting Yes: Mayor LeTourneau, Councilmembers Riley, Musgrove, Kuzma, Menth, and Specht. Voting No: None.

7.03: Adopt Resolution #20-149 Formally Canceling the 2020 Happy Days Festival

Communications and Events Coordinator Thorstad reviewed the staff report and recommendation to formally cancel the 2020 Happy Days Festival and continue preparations for a series of smaller, socially distant activities referred to as Happy Daze. In addition, staff recommends entering into negotiations with Hello! Booking Inc. to reschedule the Happy Days Main Stage Entertainment performance by G.B. Leighton.

Councilmember Specht thanked staff for their work on this case. He asked if the fireworks would occur.

Communications and Events Coordinator Thorstad stated that was on a draft schedule with a cost between \$5,000 to \$8,000. She explained that was removed because it was the most expensive activity. She noted that could be added back if interested.

Councilmember Riley stated that he would be supportive of looking into a fireworks show. He stated that the car show is shown as its own event and asked if it could be combined to occur with the other activities.

Communications and Events Coordinator Thorstad confirmed that the event time could be changed to better align with the other activities.

Motion by Councilmember Menth, seconded by Councilmember Musgrove, to Adopt Resolution #20-149 Formally Canceling the 2020 Happy Days Festival.

Further discussion: Councilmember Specht stated that he respects and understands the need to do this, but personally does not like the idea of canceling the event. He stated that he does support the other activities occurring but noted that he will not be supporting this motion. Mayor LeTourneau appreciated the effort of staff to provide some type of community celebration during this time of COVID. He recognized that staff time is at a premium right now and encouraged staff to come forward if there are issues planning for the alternate activities.

Motion carried. Voting Yes: Mayor LeTourneau, Councilmembers Menth, Musgrove, Kuzma, and Riley. Voting No: Councilmember Specht.

7.04: Introduce Ordinance #20-15 Approving an Addition to Chapter 54 of the City Code: Traffic and Vehicles (Municipal Parking Ramp Regulations)

City Administrator Ulrich reviewed the staff report and recommendation to introduce and finally adopt the ordinance to establish governing the use of the Ramsey Parking Ramp.

Motion by Councilmember Menth, seconded by Councilmember Riley, to Introduce Ordinance #20-15 Adding to Chapter 54 of the City Code: Traffic and Vehicles.

Further discussion: Councilmember Specht thanked staff for their work on this, noting that he has received multiple complaints from residents related to this topic and is happy the City is able to address the issue. Councilmember Musgrove commented that this will make it easier for staff to enforce the issue and appreciated the work of staff.

Motion carried. Voting Yes: Mayor LeTourneau, Councilmembers Menth, Riley, Kuzma, Musgrove, and Specht. Voting No: None.

7.05: Motion to Update the Remote Attendance Policy

City Administrator Ulrich reviewed the staff report and recommendation to approve the updated Remote Attendance Policy.

Councilmember Riley asked if this is based on State law or the interpretation of the City, specifically related to the unlimited number of times this could be done.

City Administrator Ulrich stated that the State law does not limit the number of times a Councilmember could remotely attend a meeting and the previous pilot policy of Ramsey was more restrictive.

Councilmember Riley stated that he supports the changes to the policy with the exception of the unlimited number of times for a member to attend remotely.

Mayor LeTourneau stated that he is interpreting that language to be flexible enough to allow someone that may have been exposed to the virus to not attend, or perhaps a member that did not feel safe about attending. He stated that placing a restriction on that would restrict someone's ability to make a decision based on their health. He stated that if COVID were to go away, the restriction could be put back in place if desired.

Councilmember Menth stated that he agrees with Mayor LeTourneau as it is unknown as to what will occur with COVID in the next year and therefore does not support putting a number on the number of times someone can participate remotely.

Councilmember Musgrove stated that she would support putting a limitation on the ability to attend remotely. She stated that if there is a government mandate, the City could operate remotely under that provision. She suggested placing a limit of three times per year for remote attendance.

City Administrator Ulrich stated that a government mandate would supersede the policy, as would an emergency declaration.

Mayor LeTourneau stated that his wife is very susceptible to the virus and he struggles with the decision to attend the meetings every time because he is scared to bring the virus home. He stated that if a limit of three is put on the policy, he is unsure he would be able to fully participate.

Councilmember Specht stated that perhaps this could be reevaluated in six months and a limit could be placed on the policy at that time if the COVID challenges have decreased.

Motion by Councilmember Kuzma, seconded by Councilmember Menth, to approve an updated Remote Attendance Policy.

Motion failed. Voting Yes: Mayor LeTourneau, Councilmembers Kuzma, and Menth. Voting No: Councilmembers Musgrove, Riley, and Specht.

Motion by Councilmember Specht, seconded by Councilmember Riley, to approve an updated Remote Attendance Policy, with direction for this item to be reviewed by the Council in six months.

Further discussion: Councilmember Musgrove stated that she believes the only part of the policy that would need to be revisited would be related to the number of times a member could attend remotely and asked if the motion should be adjusted to only consider that. Councilmembers Specht and Riley confirmed that additional language could be included.

Motion carried. Voting Yes: Mayor LeTourneau, Councilmembers Specht, Riley, Menth, and Musgrove. Voting No: Councilmember Kuzma.

7.06: Adopt Resolution #20-143 Approving Second Addendum to Lease with Youth First Community of Promise for Use of Outdoor Areas

Deputy City Administrator Gladhill reviewed the staff report and recommendation to approve the addendum to the lease with Youth First Community of Promise for use of outdoor areas.

Councilmember Kuzma asked why this item was pulled from the Consent Agenda.

City Administrator Ulrich stated that Councilmember Musgrove requested that the item be pulled from the Consent Agenda on Monday, which did not meet the deadline to change the agenda.

Councilmember Kuzma stated that he would appreciate if the Councilmembers would follow the deadline of submitting their request to pull an item from the Consent Agenda in order to provide the other members of the Council time to review the case in more depth.

Councilmember Musgrove commented that she had additional questions when reviewing the case and therefore asked it to be pulled. She referenced the rent for the second part, which is \$1, and noted that the land is not being charged for. She stated that she would not want to set the precedent that the City would not charge for things because it is a vacant City owned lot.

Deputy City Administrator Gladhill confirmed that as part of the City's contribution to the non-profit organization, the City does not charge rent.

Councilmember Musgrove stated that in the original discussion only additional inside office space was mentioned and not the outside yard area. She asked if insurance requirements would change for this use.

Deputy City Administrator Gladhill stated that there would not be an additional cost to the City. He explained that the City holds insurance as the property owner and the non-profit holds its own insurance for the use.

Councilmember Musgrove commented that even though this is an open lot, it is on the market for sale.

Deputy City Administrator Gladhill stated that the lot is not listed for sale.

Councilmember Musgrove stated that she wants the public to be aware that this is a lease and not just a group using vacant City owned land.

Mayor LeTourneau stated that the Council reviews things on a case by cases basis, taking into consideration all elements of the case and therefore does not believe that precedent is ever set by taking action.

Deputy City Administrator Gladhill stated that it was the intent of staff to allow the organization to use the outdoor space, it just was not included in the lease, which is why it was included in this addendum.

Councilmember Riley stated that this is for Youth First, which is a non-profit that helps youth in the community. He stated that the City works with the organization and provides a low rent as a

form of contribution to the non-profit. He stated that it is unlikely that this parcel would be leased to another business or entity because it was purchased for the Highway 10 project.

Deputy City Administrator Gladhill commented that Ramsey is a part of the Board of the non-profit.

Motion by Councilmember Riley, seconded by Councilmember Kuzma, to Adopt Resolution #20-143 Approving Second Addendum to Lease with Youth First Community of Promise.

Motion carried. Voting Yes: Mayor LeTourneau, Councilmembers Riley, Kuzma, Menth, Musgrove, and Specht. Voting No: None.

8. MAYOR, COUNCIL AND STAFF INPUT

City Administrator Ulrich presented Deputy City Administrator Gladhill an award for his assistance with remote meeting attendance and facilitating those meetings during the past few months. He thanked Deputy City Administrator Gladhill for all of the work and coordination he completed in order to help the City continue to meet during these past few months.

City Administrator Ulrich announced upcoming meetings and events.

Councilmember Musgrove provided a brief update on the work the Lower Rum River Water Management Organization is doing related to watershed based implementation funding.

Mayor LeTourneau stated that he visited the City of Andover with Councilmember Kuzma and many staff members continuing to explore the issue of water quality and drinking water management. He thanked Andover staff for hosting the City and sharing information.

9. ADJOURNMENT

Motion by Councilmember Menth, seconded by Councilmember Kuzma, to adjourn the meeting.

Motion carried.

The regular meeting of the City Council adjourned at 9:53 p.m.

Respectfully submitted,

Kurtis G. Ulrich
City Administrator

ATTEST:

Katie M. Schmidt
Administrative Assistant

Drafted by Amanda Staple
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.