

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

The Ramsey City Council conducted a City Council Work Session on Tuesday, February 23, 2021, at the Ramsey Municipal Center, 7550 Sunwood Drive NW, Ramsey, Minnesota.

Members Present: Acting Mayor Chris Riley
 Councilmember Chelsee Howell
 Councilmember Debra Musgrove
 Councilmember Dan Specht
 Councilmember Matt Woestehoff (attended remotely)

Members Absent: Mayor Mark Kuzma

Also Present: City Administrator Kurtis Ulrich (attended remotely)
 Fire Chief Matt Kohner
 Police Chief Jeff Katers
 Civil Engineer IV Leonard Linton (attended remotely)
 Deputy City Administrator Timothy Gladhill (attended remotely)
 City Engineer Bruce Westby (attended remotely)
 Councilmember Elect Ryan Heineman

1. CALL TO ORDER

Acting Mayor Riley called the City Council Work Session to order at 5:30 p.m.

2. TOPICS FOR DISCUSSION

2.01: Discuss LRRWMO 4th Generation Watershed Management Plan

Civil Engineer IV Linton reviewed the staff report.

Councilmember Musgrove commented that the Board received the first draft and believed a second draft had been developed incorporating comments from the City of Andover. She asked if Ramsey staff had any technical changes to bring forward to the LRRWMO for consideration.

Civil Engineer IV Linton did not believe Ramsey staff had additional suggestions. He noted that the LRRWMO Board has been reviewing individual sections at the last several meetings in order to provide comments along the way.

Councilmember Musgrove agreed that the Board has been reviewing and providing comments on individual sections but noted that this is the first review of the entire document. She welcomed any comments on grammatical and/or numbering changes. She believed that this document is thorough in its description of the LRRWMO activities. She stated that the LRRWMO Board has

also worked to update the permitting applications to make the process easier for applicants. She asked if there have been any changes to the permit fees.

Civil Engineer IV Linton stated that would be a budgeting discussion by the LRRWMO Board. He noted that the City of Anoka finance staff tracks that element for the LRRWMO. He noted that a question could be posed at the next Board meeting as to the number of permits that exceed the permit fees.

Councilmember Musgrove asked if the administrative fee remains unchanged.

Civil Engineer IV Linton replied that perhaps the fees have changed slightly and provided additional details on the different fees.

Councilmember Musgrove noted that she has already provided feedback as she began to review the document and welcomed any additional input from the Council.

Acting Mayor Riley stated that he does have a suggestion/comment on one of the tables, noting that the totals are incorrect.

Councilmember Musgrove noted that she also noticed that error and explained that she was told that the totals are not wrong but the numbers in the columns are wrong. She stated that table has been corrected per her comment but noted that she would continue to look for potential errors of that nature. She noted that she is awaiting more information related to how that updated information potentially changes the narrative.

Acting Mayor Riley confirmed that he would be concerned that the information may then not be correct and should be doublechecked. He noted figure 2.1 and commented that it seems unlikely that there would be a smooth increase over each decade.

Civil Engineer IV Linton confirmed that he would follow up on that.

Councilmember Musgrove noted that some of the most recent information was dated as 2016 and stated that she has requested more recent information be used if available. She commented that some changes have been made to the draft per the comments from the City of Andover and herself and noted that she would follow up to determine if the updated version could be distributed to the City Council.

Civil Engineer IV Linton confirmed that the draft attached to the case does incorporate some of the changes. He noted that he will follow up on the additional items noted.

Acting Mayor Riley noted that the Council can continue to review the draft and provide comments to Civil Engineer IV Linton or Councilmember Musgrove.

2.02: Review Draft Ordinance 21-04, Critical Water Deficiency Regulations

City Engineer Westby reviewed the staff report.

Acting Mayor Riley referenced the DNR email which states Ramsey is required to adopt this within six months and asked if that is incorrect.

City Engineer Westby confirmed that is not correct.

Acting Mayor Riley asked if there has been follow up to determine why the email stated the City is required to if it is not required to.

City Engineer Westby replied that the language should have said recommended. He stated that the DNR believes that it is good planning for cities to have this ordinance in place but there is no legal requirement.

Acting Mayor Riley commented that on the City's part it would be good to have a water conservation ordinance in place whether required or not.

City Engineer Westby confirmed that the City does have certain elements within City Code to address that topic.

Councilmember Elect Heineman referenced the statement that cities are required to have appropriate penalties and asked if those would be directed to individual users, such as residents.

City Engineer Westby replied that would apply to residents, businesses, or any municipal water user that violates.

Councilmember Elect Heineman asked if there are any examples of appropriate penalties from other cities.

City Engineer Westby stated that most cities use their standard base administrative fines. He stated that staff could do more research to see what other cities are using for fines.

Councilmember Elect Heineman stated that there has been a lot of attention towards Executive Orders in recent months. He asked what the penalty would be if the Governor issued an Executive Order that the City of Ramsey does not comply with.

City Engineer Westby stated that he does not have knowledge of what that may be.

Councilmember Elect Heineman stated that he would be interested to see what the penalty would be for Ramsey, if the Governor were to place an Executive Order the City deemed too restrictive and chose not to comply.

Councilmember Musgrove stated that there are no parameters that determine or would help the City understand what a water emergency would be. She asked if the State had metrics it would use for the Governor to use as guidance.

City Engineer Westby replied that he is sure the State has metrics it would apply but was unaware of a baseline at which a water emergency would be declared. He commented that it would depend on each event, as each event is different.

Councilmember Musgrove stated that the aquifer that Ramsey uses is used by other communities but not the entire State. She asked how the determination would be made by the State as different regions receive water from different aquifers.

City Engineer Westby replied that it would be a possibility that the emergency would be region specific.

Councilmember Musgrove commented that if there was a City ordinance that guided Ramsey based on the DNR guidelines she would think that would be sufficient for the City to determine whether there is a water shortage.

City Engineer Westby replied that when the Governor issues an Executive Order declaring a water deficiency, that would overrule the City ordinance. He commented that the City can continue to have and follow its own restrictions but if an Executive Order is more restrictive, the City must follow that.

Councilmember Woestehoff commented that he appreciates the comments related to potential overreach. He stated that the aquifer does cover a large portion of the State and an Executive Order can apply to certain regions. He commented that if there were a massive event, such as pollution that could impact many communities that would have to work in unison. He commented that he did not foresee this happening, but it would be good to have a plan in place rather than attempting to develop a plan in the case a deficiency occurs. He stated that he would not want to rely on another community regulating itself in that situation. He commented that no one predicted the pandemic, but yet that occurred.

Councilmember Howell commented that many of her questions were already answered by staff. She stated that if something is going to be done at this time, she would be more interested in creating a good baseline policy where the basic requirements of the email are addressed. She commented that she would favor reducing specifics in ordinance that would be difficult to enforce and instead include those more specific items in a list of recommendations that could be used in the case a situation such as water deficiency arises.

Councilmember Specht stated that he would also like to see the ordinance as minimal as possible in order to meet the DNR requirements. He agreed that recommendations could be developed to reference in the case of an emergency situation.

Acting Mayor Riley commented that he would agree to keep it basic. He noted that he has concern with the Governor creating Executive Orders that the cities are charged to enforce. He stated that there is a smart amount of this the City could work on related to existing regulations the City has to continue to conserve water and protect infrastructure.

Councilmember Musgrove stated that if the City creates an ordinance and the Governor issues an Executive Order, the ordinance would then be null as the City would need to follow the Order. She stated that the City does a great job with water conservation and has a concern that the ordinance would be for none. She agreed if something must be done, it should be to the minimum.

Acting Mayor Riley commented that enforcement would fall to the City as it did during the pandemic and noted that the City chose to use the tool of education rather than penalty.

Councilmember Elect Heineman asked if the City simply has to reference the ordinance it already has and also reference the State Statute.

City Engineer Westby replied that the City has City Code Chapter 58 that addresses water use and lists restrictions within that. He stated that the proposed ordinance would add another section that would address the critical water deficiency regulation and references the State Statute.

Councilmember Elect Heineman stated that he agrees that if there were an actual drought, the City would not want to sit idly. He referenced the earlier mention of the pandemic and noted that what was not predicted in that situation is the overreach of the Governor and the different determinations of which businesses were essential. He noted that the science behind those determinations has not been proven and believed that the City should research how it would impact the City if it chose not to comply.

City Engineer Westby noted that most cities are adopting the model ordinance which references the State Statute. He stated that at the very end of subdivision one, there is a statement that explains that the rules would be adopted if a water deficiency is declared. He stated that if a community set its own parameters it would still need to comply with the rules issued in a deficiency situation.

Councilmember Howell stated that there has been so much abuse of Executive Orders by the Governor and would have difficulty just blindly complying with open ended statements. She stated that she would want baseline compliance if something must be done.

Acting Mayor Riley confirmed the consensus of the Council to direct staff to draft something that meets the bare minimums.

Councilmember Elect Heineman stated that he would want a statement added that states up to the discretion of the Ramsey City Council.

Councilmember Musgrove asked why the City Clerk would be the administrator and not someone from public works staff.

City Engineer Westby stated that the ordinance defines a position to handle certain duties, noting that the City Clerk typically handles rates and charges along with the Finance Director but noted that staff could look at different assignments.

Councilmember Woestehoff commented that most cities in Minnesota are statutory cities rather than charter cities and use a City Clerk. He stated that the ordinance could reference the City

Administrator rather than City Clerk and designation could be made to public work staff at that time if appropriate.

City Administrator Ulrich stated that staff will draft a bare minimum ordinance for the Council to review and continue discussion.

2.03: Overview of Emergency Management Role for Elected Officials

Fire Chief Kohner reviewed the staff report. He noted that while some situations occur more frequently, such as structure fires, the City also completes preparedness training for other events that could happen, such as train derailment.

City Administrator Ulrich noted that in the case a large event occurs, and communications fail, he would recommend the Council report to the Emergency Operations Center (EOC).

Councilmember Musgrove stated that there was a fire on a winter weather day in a neighboring community recently, noting that a local business was used to assist in moving vehicles which is an example of how a local business can provide assistance.

Councilmember Specht asked the roles of the Mayor and Council as defined within Charter or City Ordinance.

Fire Chief Kohner replied that these roles come from the Minnesota Emergency Management Council and are more of recommendations to help guide responsibilities.

City Administrator Ulrich stated that related to COVID, the Mayor issued the Emergency Declaration but that had to be adopted by the Council within three days. He noted that the Mayor would have the authority to take certain actions, but it would need to be ratified by the Council within a set period of time.

2.04: Review City Meeting Security Procedures (Portions of this discussion may be closed to the public)

Police Chief Katers introduced the case and recommended that the Council go into closed session.

Motion by Councilmember Musgrove, seconded by Councilmember Specht, to recess the meeting to Closed Session at 6:45 p.m.

A roll call vote was performed:

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

Motion carried.

The meeting reconvened to Open Session at 7:00 p.m.

3. TOPICS FOR FUTURE DISCUSSION

3.01: Review Future Topics/ Calendar

No comments.

4. MAYOR / COUNCIL / STAFF INPUT

None.

5. ADJOURNMENT

The Work Session of the City Council was adjourned at 7:00 p.m.

Respectfully submitted,

Kurtis G. Ulrich
City Administrator

ATTEST:

Katie M. Schmidt
Deputy City Clerk

Drafted by Amanda Staple
TimeSaver Off Site Secretarial, Inc.

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

The Ramsey City Council conducted a Closed Session on Tuesday, February 23, 2021, at the Ramsey Municipal Center, 7550 Sunwood Drive NW, Ramsey, Minnesota.

Members Present: Acting Mayor Chris Riley
 Councilmember Chelsee Howell
 Councilmember Debra Musgrove
 Councilmember Dan Specht
 Councilmember Matt Woestehoff (attended remotely)

Members Absent: Mayor Mark Kuzma

Also Present: City Administrator Kurtis Ulrich (attended remotely)
 Police Chief Jeff Katers
 Assistant City Administrator Tim Gladhill (attended remotely)
 Councilmember Elect Ryan Heineman

1. CALL TO ORDER

Acting Mayor Riley called the Closed Session of the City Council to order at 6:45 p.m.

2. COUNCIL BUSINESS

2.01: Review City Meeting Security Procedures

Police Chief Katers explained that the purpose of the case is for the Council to discuss City meeting security procedures.

3. ADJOURNMENT

Acting Mayor Chris Riley adjourned the Closed Session and Worksession at 7:00 p.m.

Respectfully submitted,

Kurtis G. Ulrich
City Administrator

ATTEST:

Katie M. Schmidt
Deputy City Clerk