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

The Ramsey City Council conducted a regular meeting on Tuesday, March 23, 2021, at the Ramsey Municipal Center, 7550 Sunwood Drive NW, Ramsey, Minnesota.

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

Members Absent: None

Also Present: City Administrator Kurtis Ulrich
Finance Director Diana Lund
Police Chief Jeff Katers
Parks and Assistant Public Works Superintendent Mark Riverblood
Administrative Services Director Colleen Lasher
Deputy City Administrator Timothy Gladhill
City Engineer Bruce Westby – attended remotely
Senior Planner Chloe McGuire Brigl
City Attorney Joe Langel
Recreation Specialist Abby Proulx
Police Sergeant Kyle Hemmerich

1. CALL TO ORDER

Mayor Kuzma called the regular meeting of the Ramsey City Council to order at 7:00 p.m., followed by the Pledge of Allegiance led by Mayor Kuzma.

2. PRESENTATION

2.01: Presentation of 2020 Photo Contest Winners

Recreation Specialist Proulx provided a brief slideshow presentation featuring the winning photos by category and overall grand prize winning photo as affirmed by the Park and Recreation Commission.

3. CITIZEN INPUT

Wade Lazlo, 5425 152nd Ave NW, commented that he would like to speak in favor of the resolution not to enforce the mask mandate. He stated that the government is designed to be three parts and for the last year this country has been run by the executive branch. He commented that executive orders are meant to be temporary and one year is not temporary. He stated that senators and representatives are elected to represent the people and that is being overridden by one man. He stated that all the representatives of this area have voted to overturn the powers of the Governor. He stated that these mandates are unlawful orders and should not be enforced. He stated that the Supreme Court is starting to strike down the unconstitutional mandates. He provided examples of cities that regularly do not enforce certain laws. He stated that actual laws are being overridden by executive order. He commented that businesses are the lifeblood of Ramsey and the Governor has been very selective in choosing winners and losers during the past year. He stated that he supports the resolution. He stated that if enforcement is going to be done for the mask mandate, it should be followed completely in that businesses should not ask what your medical reason is for not wearing a mask.

Vinicius Taguchi, Chapter President of Twin Cities Japanese American Citizens League, commented that tonight marks one week since the tragic hate crime that took place in Atlanta, which took the lives of eight people, six of whom were Asian women. He read their names aloud and asked that the group join him in a moment of silence.

Joe Fields interrupted and asked and if the present speaker is a Ramsey resident as he believed that this hearing is for Ramsey residents.

Mayor Kuzma commented that the speaker is not a Ramsey resident. He stated that this portion of the meeting is reserved for citizen input and can have outside citizens speak.

Mr. Fields asked for clarification from the City Attorney.

City Attorney Langel confirmed that someone does not have to be a resident to speak as there is no residency requirement.

Mr. Fields asked why people are required to provide their address.

Mr. Taguchi commented that the recent surge in high profile attacks against Asian Americans is part of a long history of discrimination, which Councilmember Howell eluded to and dangerously mischaracterized during the March 9th Council meeting. He stated that this violence will continue to occur as long as Asian women continue to be fetishized and Asian Americans continue to be underrepresented and regarded as a model minority. He stated that its detrimental to their culture and drives a wedge between Asian Americans and other minorities. He introduced Sally Sudo to respond to Councilmember Howell's comments.

Sally Sudo, retired teacher from Minneapolis Schools and Minneapolis resident, commented that when she heard that a Councilmember likened the mask mandate to the Japanese American experience during World War II, she was appalled because she is a survivor of one of those concentration camps. She thanked the Council for allowing her to speak tonight to share her experiences. She commented that there is no comparison between the mask mandate and what the

government did to them. She commented that she was one of 120,000 people of Japanese descent rounded up from their western homes and sent to an American prison camp during World War II. She stated that their only crime was looking like the enemy. She stated that her father came to the country in 1899 and worked hard to provide for his family and give them a chance at the American dream. She provided background information on the experience of her family during that time noting that two thirds of those imprisoned were born in the United States and were technically citizens and yet they obeyed the orders to show their loyalty to the country. She stated that a Congressional hearing in 1980 found there was no military necessity to remove the Japanese from their west coast homes, rather the root causes were years of racial discrimination and fear of war. She provided information on the camps, noting she was only six years old when she was brought to the camp. She commented that her brother chose to serve in the military after graduating in order to show his family's loyalty while the remainder of his family was still in the camp. She commented that there is no comparison between a mask mandate to preserve the health of the public and the imprisonment of Japanese citizens. She stated that the act of not wearing a mask is more of a selfish act in not thinking about others.

Councilmember Howell commented that historically when we have been pressured by those in government to look the other way and not question their actions, innocents have suffered the consequences. She stated that her deliberations in Council pointed to that historical reality and she will go on standing against those that use the power of government to abuse the rights of others in fulfillment of her oath to uphold the constitution. She stated that they will have to agree to disagree.

Mark Coren, 1600 Old Sims Road in Oak Grove, commented that for the past 25 years he has spent many years at his manufacturing business in Ramsey. He commented that unfortunately, he is not able to vote in Ramsey but he does have a very large voice that resonates with many across the country. He stated that for the past 20 years he has told people that he would move his building from Ramsey to Oak Grove because of the lower taxes and increased freedoms, until now. He commented that this new leadership gives him hope. He stated that as the former Mayor of Oak Grove he helped to reduce taxes, limit government interference and bring common sense conservative leadership and directives to the city. He commented that extended unlawful mandates is damaging communities and businesses. He commented that his business is a private company and should follow its directives rather than unlawful mandates. He stated that he is finally hopeful in the new majority of City leadership in Ramsey that can stand firm and defend freedoms that will benefit all citizens and business owners. He commented that it is time this City runs like a private sector business and the new leadership should hold the City accountable for all dollars spent. He commented that a franchise fee is an additional tax for government spending.

Jim Benson, 14131 Junkite Street NW, spoke in support of the Councilmembers that supported that antimask mandate. He stated that outrage over the resolution is fake, contrived and ridiculous. He stated that the resolution changes nothing and simply says that Ramsey will not waste resources looking for people not wearing masks, which they were already not doing. He stated that the resolution does not mandate that businesses change anything about their practices or mask decisions. He stated that a majority of the Council spoke out and thousands of control freaks felt a disturbance in force and demanded that those responsible be silenced. He stated that people wrote articles and social media posts searching for those that might be offended by Councilmember Howell's comments. He stated that government represents something people want to believe is

good but can be used as a tool of control as it has been done during the dem-panic. He commented on the hypocrisy of those that demand everyone wear a mask to protect the vulnerable as they are the same people that are responsible for the destruction of hundreds of thousands of lives every year. He thanked the majority of the Council for its resolution.

Joe Fields, 8021 152 Lane NW, stated that he has read the resolution and it does not say that people should not wear masks or businesses should not require masks but simply that law enforcement should not spend its resources enforcing the mandate. He was unsure why there was such controversy. He stated that on the anniversary of Patrick Henry's give me liberty or give me death speech, perhaps it is controversial because it questions the control of the government. He stated that the original flatten the curve mandate was intended not to overrun ICU beds and yet it continues to be extended. He referenced the effectiveness of masks and a comment from the Surgeon General and OSHA which state that surgical masks cannot provide protection against airborne infection. He stated that if that reference is to surgical masks, cloth masks must be more suspect. He stated that in May 2020, the CDC studied the effectiveness of masks in preventing influenza transmission and found no success in preventing the spread through mask wearing. He stated that Danish researchers did trial research and found that the wearing of masks in 6,000 participants did not prevent the spread of COVID. He stated that the Minnesota Department of Health completed its own trial and refused to release its results. He stated that one year ago Dr. Fauci commented that there is no reason to wear a mask and there are unintended consequences to extended mask wearing. He stated that it is time to get back to normal, not the new normal, but a normal which would make Patrick Henry proud.

Dan Deno, Mayor of Oak Grove, commended the Ramsey Councilmembers that supported the resolution and stood up for the people of their city. He stated that Oak Grove did the same thing one year ago as they found this was unconstitutional and passed basically the same ordinance. He stated that it did not allow the businesses to stay open but it showed that the City was behind them. He stated that he was surprised that the Japanese lady was willing to accept the infringement on her rights by this government and complain about the infringement on her rights from the prior government. He stated that Councilmember Howell has nothing to be worried about as the intent of her words was clear.

Ginger Spees, 15451 Argon Street NW, stated that she is so proud to be a part of Ramsey right now. She stated that the Council has her support and the support of many others. She commented on her recent travel through multiple states where there was not a mask mandate. She commented that people who wanted to wear masks could and those that did not want to, did not. She stated that she knows what she has to do to take care of herself and her family and is proud of the willingness of the Council to stand up for the rights of the people.

Steve Larson, 14990 Waco Street NW, stated that he has lived in Ramsey for the past 20 years and supports the resolution not to support the mask mandate. He stated that he believes the virus is real, people have died from the virus, people have recovered from the virus and some contracted the virus without even knowing. He commented that many similar statements could be made about other illnesses yet in none of those circumstances has the government reacted in this manner. He stated that every day people make decisions about risk and asked why this is being handled so differently. He stated that if something is true, it is true in all circumstances using the example of

gravity. He asked if decisions are being made based on the truth and asked the effectiveness of wearing a mask to prevent the spread of COVID. He stated that in the absence of hard facts and truth it becomes difficult. He stated that if masks work, how many masks are needed. He asked if the COVID statistics are accurate or whether those were altered or manipulated. He asked if the COVID testing is accurate. He referenced the youth sports requirements noting that participants are required to wear a mask and not required to wear masks at certain times but cannot shake hands. He stated that in America there is liberty and what makes the country great is the liberty to make choices for your own life. He stated that people should make the choice as to whether they feel it is safe to leave their home, whether they feel masks work to prevent the spread of COVID, and make their choices appropriately. He stated that if masks work, people that wear them should be protected even if others choose not to wear them. He stated that liberty is the only fair solution in difficult times such as these. He stated that everyone has the liberty to take the precautions they feel necessary to protect themselves and their family and the government taking away those liberties is not the right solution. He stated that he supports the resolution to not enforce the mask mandate.

Bill Erhart stated that good arguments were made related to masks, whether they were right or wrong. He commented that the amount of time being spent on this is taking away from other City business. He stated that he was struck on how clear the City Attorney referenced the law as it relates to the adopted resolution. He stated that the City Attorney was hired by the City and should be given respect on his position. He recognized that it is fun to get up and tip the government and get people going. He recognized that there are a lot of people here that support getting rid of masks. He stated that if the ramifications are unknown it can cause a lot of problems. He wondered if the City Attorney is right and there are ramifications for this action, who would be responsible for those costs; and whether it would be those that voted in favor. He stated that there are a lot of people here that do not like government or taxes. He stated that Councilmember Specht is the representative of his Ward and asked if he would be making a contribution if there are legal fees or whether the residents would be asked to pay for that. He believed that there were better things for the City to focus on, noting the focus should be police, fire and roads rather than spending this time on masks. He commented that he does not like masks but asked people to think about the costs that would be incurred. He commented that this is not the right forum for that discussion.

Jonathon Kent, 14513 Moonlight Hill Road in Minnetonka, commented that like many others he is present to speak of the resolution related to the mask mandate. He commented on the discord and disrespect of some of the people in attendance tonight. He stated that he finds it striking, remarkable, and disrespectful that there was someone that lived through an atrocity and shared her experiences and rather than being in a mode of listening people were rolling their eyes and scoffing. He commented that regardless of how you feel about an issue, you should have respect for someone especially when speaking about an experience of that nature. He spoke to Councilmember Howell and commented that he was hoping to hear remorse from her given her comments at the last meeting. He stated that it seems that she has learned very little from the comments of someone that lived through an internment camp and urged her to ponder that and work on listening rather than speaking of a history that she does not have working knowledge of. He stated that the analogy that he would offer in similarity would be likening the seatbelt law to shadow slavery. He stated that is essentially what Councilmember Howell has done. He stated that basic fact checking and Google search can show that Dr. Fauci has stated that mask wearing

will most likely be necessary throughout 2021. He stated that he trusts science and others should too. He stated that he does not live in the community but has dollars to spend. He stated that he visited the Kitchen Table in Ramsey and noticed people wearing masks until seated. He stated that he would rather be in Minnetonka spending his money because there is not this type of controversy. He asked that people work together rather than arguing against each other.

Councilmember Howell commented that historically when we have been pressured by those in government to look the other way and not question their actions, innocents have suffered the consequences. She stated that her deliberations in Council pointed to that historical reality and she will go on standing against those that use the power of government to abuse the rights of others in fulfillment of her oath to uphold the constitution. She stated that they will have to agree to disagree.

Vicky Redburg, Store Director of Ramsey Coborns, commented that she is present on behalf of her team to communicate the impact the vote has had on her staff. She stated that two weeks ago she reached out to the Council with her concerns and thanked Mayor Kuzma and Councilmembers Riley and Woestehoff for responding. She stated that she is disappointed in the four members of the Council that supported the resolution and did not reach out to her in response to the issues Coborns is having. She stated that during the past year grocery store teams have showed up every day, even when everyone else is told to stay home, in order to ensure community members have access to food and medicine. She stated that as a Minnesota business she is required by law to follow Executive Orders, including the mask mandate. She stated that the vote the Council took did not change her obligation. She stated that unfortunately many in the community have misunderstood this and are entering stores without masks with the impression that the mask mandate does not apply in Ramsey and disregarding the laws the business is required to follow. She commented that their team has regular confrontations with guests that refuse to wear a mask based on the justification of the resolution passed by the Council. She stated that some of those guests have become angry, belligerent, and disrespectful to the staff and other guests. She stated that there are teenagers working in the store that are being put in the middle of this situation. She commented that this has been exhausting and seems to only be getting worse. She stated that beyond the safety of her team there are guests communicating about concerns for safety within the store. She noted that staff has had to break up arguments between guests. She stated that they do not want community members to choose to take their business elsewhere because of this issue. She stated that she does not care whether the Council supports the mask mandate or does not because the simple fact is that once a private citizen chooses to enter a business they are accepting the policies and rules of the business and must comply with those policies to continue to use their services. She stated that if they do not want to put a mask on, that is fine but they will then need to find a business that does not require them to do so. She stated that businesses must continue to follow the Executive Order regardless of the vote of the Council. She asked that the Council reverse its decision or plainly convey that the Executive Order is still law in Minnesota that businesses must follow and also, that businesses should be treated with respect. She stated that the safety of her employees is her priority and has been for the past year and they should not be put in harm's way because of the actions of the Council and miscommunication.

Cecil Anderson, 139th Avenue NW, thanked those who were in support of removing the mask mandate. She stated that it is saddening to hear what the previous speaker has gone through because of the ridiculousness of Governor Walz. She referenced an article from one year ago from

Dr. Fauci stated that the mask is for show and does not work. She commented that it is too bad that the mask mandate is tearing the community and country apart. She stated that she is a nurse and every year people die from the seasonal flu, turning units into flu units each year. She stated that the whole world does not have to mask up for the few that are vulnerable. She believed that it is time for both sides of the argument to be heard and follow the actual science.

Ken Madden, 6021 145th, commented that he speaks in support of the resolution. He referenced the woman that spoke of the Japanese internment camps, which is one of the darkest times in history, and the statement that it was being compared to the mask mandate. He stated that is not what was done and explained that the statement was meant to show that the government is forcing something on a whole group of people. He stated that he is a person that has a medical condition that causes him to pass out from mask use. He stated that when this started he and his wife made masks because they thought it would help. He stated that there are tens of thousands of people that stay silent. He stated that he is not going talk about whether the masks work. He stated that what the City has bravely done is at least drawn a line in the sand and said something is not right here. He agreed that there are better things to talk about than this topic. He stated that the Council could have shut down the controversy but instead put gas on the fire. He read the State Statute related to covering ones face which states that is punishable by misdemeanor.

Dede Larson, 14990 Waco Street NW, referenced the statements that were made that this is a waste of time and stated that speaking about freedom is not a waste of time. She stated that she supports the resolution and is proud to see the direction of Ramsey. She stated that she and her husband are debating downsizing and now feel that Ramsey is the place for them. She stated that she is proud of those that wrote the resolution and passed the resolution.

Tom Myrik, 6320 169th Lane NW, stated that he has been a resident for 30 years and this is the first time he has ever attended a Council meeting. He stated that he supports the resolution, the anti-tyranny resolution. He stated that if people can die for freedom, this is a worthwhile discussion. He stated that he views this issue as tyranny and wearing a mask is just a showpiece for a tyrannical government. He stated that no one should be made to live by lies. He stated that although the world is filled with lies they should not be forced to live with lies inside of them. He commented that he supports the resolution and applauds the bravery of the Councilmembers that supported the resolution.

Joe Palika, 8900 181st Avenue, thanked the brave Councilmembers who passed this resolution. He stated that he believes that the virus is real and has compassion and condolences for those that have been impacted. He did not believe a mass medical treatment plan and mandate to wear a medical device is legal. He believed it to be immoral and unconstitutional. He stated that the role of the government is to serve its citizens and not mandate what they wear on their face, how close they can be to other people, when it is appropriate to meet another person, how many people are allowed in a church or home. He stated that these have always been protected and believed as basic freedoms in the country. He stated that the constitution was never meant to be suspended and those that do so are violating the law. He thanked the Councilmembers that stood on the side of the constitution.

Michelle Anderson, 9151 Inverness Circle, commented that perhaps she should have posted an event to provide her own cheering section as others did. She stated that she still clapped for everyone as that is a sign of respect and has been disappointed that is not the way everyone is operating in terms of providing respect. She understands that her opinion is different than some members of the Council. She understands that Councilmembers Howell and Heineman have passion for the mask issue. She stated that there is ambiguity in the comments of support tonight and is unsure that people understand what the resolution means. She stated that she wrote an email to the Council and received responses from a few members, which she appreciated. She stated that she understands people's personal passions and realized that the Council looks different every single year. She stated that the Council is meant to further the mission of the City to grow the community and help provide quality cost effective services and governance. She stated that when people bring their personal passions it prevents forward motion. She stated that people have to have a singular focus as that is what drives the group forward. She stated that if the energies are based on personal passions the Council will not get very far. She stated that the mission of an organization is meant to provide that singular focus and drive what is done. She stated that the mission is about City governance and not whether something is constitutional or related to personal passion. She stated that she is the Director of Operations and Administration for Lord of Life Church and the Board Chair of Youth First, which she serves on the Board with Councilmember Specht. She stated that she has staff and student at Youth First and there is ambiguity to what the purpose of the resolution is. She stated that there are different messages on social media. She stated that ambiguity has created problems for businesses and organizations in Ramsey. She referenced the passion on this topic and noted that those people come into the businesses and organizations with the intent of making a statement, which causes issues. She stated that they can ask someone to leave but if they are defiant and belligerent the choice would then be to call the police to remove them from the property. She commented that seems to be in direct violation of the purpose of said resolution. She asked the Council to stay focused on the City mission and not bringing their own political views into the issue. She stated that ambiguity does not make this better. She stated that this energy could be used to do something for good rather than cause division. She noted that people have spoken over people they disagree with which is not intellectual discourse and is instead a rally. She stated that the resolution caused ambiguity, discourse and division. She asked that the resolution be rescinded and choose something else that has an impact such as roads, schools, water, or parks and trails. She stated that this is not the forum where decisions on life, liberty and the pursuit of happiness will be made and asked the Council to focus on its actual role to further the mission of the City of Ramsey.

Caroline Himmer, 16010 Potassium Street, stated that she did not intent to speak tonight but wanted to address some things. She stated that the previous speaker mentioned that this is a useless discussion. She stated that she has a medical exemption, as do her children, and she has not been able to shop in certain places because they cannot wear masks. She stated that the ambiguity is within the mandate itself. She stated that her daughter was told by her doctor not to wear a mask because of her health and they have been kicked out of many businesses. She stated that is not okay. She commented that this is their home and they have the right to be around other people. She understands that COVID is real as they have had it and lost family members to the illness. She stated that there is also something to be said for preserving what is left and allowing people to go back to their lives. She stated that she should be allowed to go shopping without being yelled at and sworn at. She stated that she has a history of trauma that makes her unable to wear a mask

and if a business is open to the public she has a right to be there but businesses have picked and chosen which parts of the mandate to enforce. She stated that she emailed the Council and thanked them for their response. She thanked the Council for its action.

Rich Ryberg, Anoka resident, stated that the Council has shown tremendous patience throughout the night even as people went off topic. He stated that he was disturbed by the caller that mentioned the racist incident in Atlanta, as he used that incident to paint a broad brush picture of the racial environment these days. He stated that there is no indication that incident was racially biased and therefore the speaker chose to use an example that could not possibly support his point. He stated that applies to a number of issues that people have dealt with this past year. He asked that people not use critical theory, taking the focus off the individual and instead attempt to paint a broad brush picture that cannot help to reach a conclusion about any topic. He stated that if people are going to make a point, it should be made on point rather than taking the responsibility off those that take actions and place it upon people that are completely unrelated.

Wayne Grimmer, 15931 Zenon Street NW, stated that the argument is that this is an issue of rights is disingenuous at best. He commented that the Councilmembers behind the decision would like you to believe that this is about the right to breath, as if those that adhere to the mask mandate are smothering people to death. He commented that he has asthma and while it is harder to breath with a mask, he wears the mask. He referenced the claim that masks do not work and the references to articles published before more information was known is not science based. He stated that arguments against mask wearing rely on incorrect mask wearing or the blanket assumption that all masks are the same. He stated that liberty is an important right outlined in the constitution and yet the liberty not to do such a simple thing is ridiculous. He did not believe the Council was being brave and believed the founding fathers would be ashamed. He stated that likening mask wearing to tyranny is the definition of privilege and makes a mockery of what our forefathers did to establish this country. He commented that lives were given to obtain the freedom we appreciate today and that is disrespected by the reckless comparisons. He stated that this issue has been politicized and should never have been political in the first place. He commented that the mandate is legal and completely within the powers of the Governor, given by the State Constitution and laws. He stated that it is the right of the Council to pass a pointless resolution which wastes time and muddles the waters. He stated that it is also the right of the citizens to hold the Councilmembers accountable. He stated that he does believe this is an important conversation to be had but to have it in this manner is unhelpful.

Mickie Adams, 15313 Tungston Street NW, commented that she is proud of the man that spoke before her as he read her mind. She stated that she has been a resident since 1983 and loves the community but the politics is getting out of hand. She commented that the pandemic has to do with health and not politics. She stated that the masks help and she would not patronize any Ramsey business that does not require masks. She stated that she is sorry that the resolution was put forth as it is a selfish action and she would like to see it rescinded. She stated that the City has no right to tell the Governor he is not doing a good job.

Calvin Kubat, Otsego resident, commented that he grew up in Ramsey for 26 years and currently works for the City of Ramsey and has for the past seven years. He stated that he would like to speak against the resolution as he did not have a chance to speak at the last meeting as he was

unaware the item was going to be discussed. He commented that this resolution was passed as not wasting staff resources enforcing the mask mandate but the other side that needs to be communicated in that the exact opposite has happened. He commented that an immense number of resources have been spent on the resolution that was passed in how the City has had to react to it, how staff has had to deal with the messaging, and it has created confusion and misinformation in the community. He commented that businesses in the community are suffering because of the misinformation and confusion. He noted that the past 90 minutes have been spent discussing this point and none of the City business has come before the Council. He asked what resources the Council believed were being wasted when a tiny percentage of police calls were related to the mask mandate but since then by far more resources have been wasted with the passing of the resolution. He added that the science of COVID is clear and COVID is real. He commented that masks were not recommended in the beginning because they needed them for healthcare workers and did not want them hoarded in the way toilet paper was hoarded. He commented that science evolves over time and the current science is clear in that the CDC and WHO recommend that masks prevent the spread of COVID. He stated that over 500,000 people have died of COVID in this country and masks are still being made a political issue. He strongly encouraged the Council to rescind the resolution it passed.

Councilmember Heineman referenced the gentleman from Minnetonka commenting that it takes bravery to show up to a city you are not a part of. He commented that his opinion was not shared by the majority of people present and commended him for still coming forward to speak. He stated that the stains of the nation's history are everyone's to share and the lessons of history are everyone's to share and not reserved for those directly affected. He stated that if the magnitude of this Executive Order fails to meet the comparison of Roosevelt's Executive Order, the similarities can still be called out. He referenced the comment that the Council is wasting time and responded that giving residents a voice is not wasting time. He referenced the comment that the resolution was about the right to breath and commented that mischaracterizing the resolution does not make it fact. He commented that the resolution states clearly that it is about executive overreach. He referenced the comment that a resident wished they brought a cheering section. He commented that this is not a cheering section but residents with equal voices and everyone's comments are important. He referenced the comment that personal passions should not get in the way of the duty of the Council and noted that preservation of the constitution is not a personal passion but part of the oath he took at a Councilmember and as a member of the military.

Mayor Kuzma commented that as he previously stated he intended to reverse the resolution and was extremely disappointed that the Council was unwilling to do so, despite growing concerns from businesses and residents and a strong statement from the Attorney General's Office stating that the Executive Order takes precedent over the measures passed by any lower unit of government. He stated that it is tough for the Council to ask residents to obey laws when the Council does not follow them. He stated that the Councilmembers in the minority worked tirelessly to address the concern to get back into compliance with the law but unfortunately there was little interest in reversing the decision which placed the City in a very difficult predicament and has opened the City up to legal liability. He hoped the Council understands the gravity of the situation. He stated that tonight the Council was put on notice of the potential for legal action that has been turned over to the City Attorney.

4. APPROVE AGENDA

City Administrator Ulrich stated that it has been requested to remove Item 5.02 from the Consent Agenda and make that case 7.00. He requested to remove Item 7.03 as the legislation has been amended and staff would like further review before recommending Council action.

Motion by Councilmember Musgrove, seconded by Councilmember Heineman, to approve the agenda as amended.

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

5. CONSENT AGENDA

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

- 5.01: Note the Following Boards, Commissions and Committee Meeting Minutes:
- Planning Commission Meeting Minutes dated February 4, 2021
 - Planning Commission Work Session Minutes dated February 11, 2021
 - Economic Development Authority Meeting Minutes dated February 11, 2021
 - Park and Recreation Commission Meeting Minutes dated February 11, 2021
 - Environmental Policy Board Meeting Minutes dated February 22, 2021
- 5.02: ~~Receive Update on Sketch Plan for Trott Brook Property, Makowsky Addition, Case of the Excelsior Group (Project 20-103)~~ This item was removed from the Consent Agenda and considered as Case 7.00
- 5.03: Approve the following Meeting Minutes:
- 1) City Council Work Session dated March 9, 2021
 - 2) City Council Regular dated March 9, 2021
- 5.04: Approve Business Licenses
- 5.05: Approve Rental Licenses
- 5.06: Authorize Tennis Court Maintenance and Add Pickleball Courts
- 5.07: Adopt Resolution #21-077 Approving Cash Disbursements Made and Authorizing Payment of Accounts Payable Invoicing Received During the Period of March 4, 2021 through March 17, 2021
- 5.08: Adopt Resolution #21-008 for Site Plan and Final Plat for GiGi's Salon and Spa (Project #20-140)
- 5.09: Adopt Resolution #21-045 Approving Environmental Services Contract: Case of Alloy Recovery and B & A Cylinder Sites
- 5.10: Adopt Resolution #21-054 Approving an Interim Use Permit for an Accessory Structure for the Church of St. Katherine Drexel
- 5.11: Adopt Resolution #21-055 Approving Java Properties Site Plan and Final Plat (Project #21-105)
- 5.12: Adopt Resolution #21-060 Approving Plans and Specifications and Authorizing Advertisement for Bids for Business Park 95 Street Reconstructions, Improvement Project #21-03

- 5.13: Adopt Resolution #21-062 Approving a Beekeeping License on a Residential Property at 7191 160th Lane NW (Project No. 21-108); Case of Angelique Quinn Strobl
- 5.14: Adopt Resolution #21-066 Proclaiming April 30, 2021 as Arbor Day and the Month of May as Arbor Month
- 5.15: Adopt Resolution #21-070 Approving the Development Agreement for Ramsey Villas North
- 5.16: Adopt Resolution #21-074 Approving Plans and Specifications and Authorizing Advertisement for Bids for 2021 Neighborhood Pavement Overlay Improvements, Improvement Project #21-04
- 5.17: Adopt Resolution #21-075 Approving Plans and Specifications and Authorizing Advertisement for Bids for 2021 MSA Pavement Overlay Improvements, Improvement Project #21-05
- 5.18: Adopt Resolution #21-076 Authorizing Partial Payment #6 to RJM Construction for Improvement Project #20-07 New Public Works Facility
- 5.19: Adopt Resolution #21-082 Approving Premise Permit for Anoka Ramsey Athletic Association at Acapulco in Ramsey
- 5.20: Adopt Resolution #21-083 Authorizing Application to Minnesota DNR Natural and Scenic Area Grant Program and Designate Authorized Officials
- 5.21: Adopt Resolution #21-084 Authorizing Application to Legislative Citizens Commission on Minnesota Resources
- 5.22: Adopt Resolution #21-072 to Hire Temporary Non Benefit Eligible AFSCME Public Works Maintenance Workers
- 5.23: Adopt Resolution #21-078 to Hire a Zoning Code Enforcement Officer
- 5.24: Adopt Resolution #21-079 to Hire a Building Inspector in Community Development
- 5.25: Adopt Resolution #21-080 to Update the Intern Wage Scale
- 5.26: Adopt Resolution #21-081 Appointing and Reappointing Board and Commission Members

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

6. PUBLIC HEARING

There were none.

7. COUNCIL BUSINESS

7.00: Receive Update on Sketch Plan for Trott Brook Property, Makowsky Addition, Case of Excelsior Group (Project #20-103)

Senior Planner McGuire Brigl reviewed the staff report and stated that the Planning Commission directed the applicant to move forward with developing a formal preliminary plat, compliant with all City Code standards, which is consistent with the process as laid out in City Code. Staff's review outlines minor adjustments to the plan that shall be required in order to achieve full compliance with the Zoning Code, but overall the project complies with Zoning Code.

Deputy City Administrator Gladhill stated that this item was pulled from Consent as there have been questions as to when this parcel was zoned to 80 foot lots. He stated that began in 2008 with the 2030 Comprehensive Plan update and the zoning was changed in 2011. He stated that prior to that time the area was zoned as Rural Preserve, which is meant that the area was planned for development. He stated that the property requested to include this parcel in the urban services area and a previous Council granted that request.

Councilmember Musgrove asked if the total number of lots changed since the review by the Planning Commission in order to ensure all lots met 80 feet in width.

Senior Planner McGuire Brigl replied that the number of lots did not change and still resided at 270 units which equates to 2.2 units per acre.

Councilmember Musgrove referenced the requirements that will need to be met of the Lower Rum River Water Management Organization (LRRWMO) and asked if those requirements have been taken into account or whether the number of lots would be impacted by that need.

Senior Planner McGuire Brigl stated that she is unsure, but stated that the LRRWMO permit is required any time more than one acre of disturbance occurs. She noted that if there are changes that would show in the preliminary plat.

Mayor Kuzma commented that the lot size would not change, the impact would simply be less lots.

Brian Walker, 17289 Variolite Street NW, commented that he has participated in this process since the first public hearing. He commented that when the Council denied the first request he met with Mr. Makowsky and had great conversations with him and understands that he needs to sell the property. He commented that he has spoken with 300 residents in that area, most of which have been there for 20 years and knew nothing about the zoning change when it happened. He stated that on the west side of Variolite every lot is at least one acre in size and north of this property there are lots five and ten acres in size. He stated that putting in quarter acre lots in that area where people moved because they wanted more space would not make sense. He stated that people that moved to that area moved there because they did not want to live in an area with quarter acre lots. He likened that to someone purchasing land in an area with quarter acre lots and putting in an apartment building. He stated that he is not opposed to the property developing but believes it should fit with the existing development in that area. He noted that most lots north of Trott Brook are at least one acre or in excess of 2.5 acres in size.

Jake Packer, representing the property owner, commented that this property has been zoned for quarter acre lots for over ten years and the neighbors could have spoken up at that time. He stated that if the zoning is changed to one acre or larger lots they would have a strong case for inverse condemnation, spot zoning, and potential taking of their property rights.

John Packer, representing the property owner, commented that they understand where the neighbors are coming from in that they do not want to lose the 168 acre nature preserve they have enjoyed since 1914 as the property has been in their family for generations. He commented that

they are not trying to split hairs but are having a hard time understanding how this conversation is even being brought forward. He stated that their request is within the zoning requirements and asked at what point this would be considered a taking of their land.

Jake Packer commented that to the best of his knowledge everything within the Excelsior Group request is within the zoning requirements for how the site is currently zoned and it is the responsibility of the City to stay within that zoning.

Mayor Kuzma asked the liability the City would have if it tried to change the zoning on the property.

City Attorney Langel replied that is a difficult question to answer. He stated that the City has a wide latitude to change zoning on property, but there is a process to be followed. He stated that the zoning cannot be changed without changing the Comprehensive Plan, which would need to be reviewed by the Metropolitan Council. He stated that the property is also within the MUSA boundary which brings additional steps and challenges. He commented that before the Council could even go down that road it would need to provide a rational basis for the rezoning. He stated that without a rational basis for rezoning there would be liability.

Deputy City Administrator Gladhill stated that if the Council wants to go down that road, they would need more time to review that rational to determine if it would meet the legal tests. He noted that the sketch plan phase is optional for Council, but it was brought forward because of the interest in the property.

Councilmember Musgrove asked if the current zoning of the property could allow for one acre lots and whether 80 foot lots is the minimum requirement.

Deputy City Administrator Gladhill replied that is correct and quarter acre lots is the minimum lot size. He stated that the density range would still apply and therefore lots too large in size would be outside of that density range. He commented that while it is a minimum lot size, if an application meets the minimum requirements the City would be obligated to approve the proposal. He stated that the zoning could be changed, but there would be financial complications even if the City were to prevail.

Councilmember Riley commented that the zoning has been in place for a long time, noting that the Comprehensive Plan has also been in place and updated more than once. He stated that previous direction was given that the Council would not support smaller lots and wanted to see 80 foot lots. He stated that this meets the criteria the City has set out and has been in place for a number of years and therefore believes this should continue to move forward as it meets the criteria.

Councilmember Musgrove commented that she likes the layouts with the cul-de-sac but commented that those can be difficult for snow removal in the winter months.

Deputy City Administrator Gladhill commented that could be solved for without impacting lot size.

Senior Planner McGuire Brigl recognized that one member of the Planning Commission plows for the City in the winter and made the comment that cul-de-sacs take additional time to plow. She stated that the Excelsior Group is going to work with staff and public works to improve the ability for plowing in the winter months.

Mr. Walker commented that the Packer brothers made the comments that the neighbors want this to be a preserve forever. He commented that everyone understands that this will be developed and would simply prefer the larger lot sizes to better blend into what is already there.

Councilmember Woestehoff stated that he appreciates everyone's feedback. He stated that the planning system has a process and Mr. Walker will add a new voice to the Planning Commission and will be a part of that. He recommended that this continue to preliminary plat and allow the Commission to make recommendations based on that review.

Deputy City Administrator Gladhill commented that the developer be offered a chance to speak.

Ben Schmidt, Excelsior Group, appreciated the opportunity to speak tonight. He commented that as was referenced earlier they previously brought forward a plan one year ago with smaller lots and heard the clear comments of the Council that they did not support that and wanted to see 80 foot minimum lots that matched the current zoning. He stated that this plan matches that current zoning and they relied on the fact that this parcel has been zoned in this manner for many years and as long as they meet that zoning they should progress forward. He believed that this plan meets the zoning requirements, is a plan that will benefit Ramsey, sets aside park space and preserves a historic barn. He recognized that a vote is not required and that this is brought forward for informational purposes but commented on the expense to move forward to preliminary plat and appreciated any input the Council may have. He commented that they will work with staff related to the cul-de-sac comments and other minor items. He stated that if the Council does not see the zoning remaining the same as it exists, he would love to know that now before he goes through the time and expense to generate a preliminary plat request.

Mayor Kuzma asked if there is consensus to support the 80 foot lot width. There were no comments in opposition. He stated that he supports the applicant moving forward as he believes this is a good proposal.

Councilmember Heineman agreed that this should go to the Planning Commission to go through the typical planning review process.

7.01: Center Street Area Framework and Policy Plan

Parks and Assistant Public Works Superintendent Riverblood reviewed the staff report and recommended adding the plan as a supplement and update to The COR Design Guidelines and Framework.

Councilmember Musgrove commented that some of the parking obligations from the initial plan have changed.

Parks and Assistant Public Works Superintendent Riverblood commented that staff does not recommend changes to the design framework and simply ask that the Center Street Area Framework be incorporated into the document. He stated that the document does not relate to parking or floor size or any other macro elements. He commented that this would not obligate the Council to approve any project that adheres to this. He commented that if a business or landowner has invested in various aspects of its project, it would want to know that those design elements will be incorporated into other development in the area as well. He confirmed that the Council can approve projects that look different but having the guidelines provides investors with the surety that the City will maintain quality and walkability.

Deputy City Administrator Gladhill commented that some of the maximum parking standards and structured parking requirements have been relaxed but on street parking is still a strategy within The COR.

Councilmember Musgrove commented that there are some things in the update she would not agree with. She referenced the detail related to plants and design of streetscape elements, noting that renderings are provided but specifics are not.

Parks and Assistant Public Works Superintendent Riverblood commented that any project that comes forward would come forward for input from the various Boards and Commissions and review and approval by the Council. He stated that this level of concept plan is helpful in guiding things that come forward without tying people's hands as to what could come forward. He stated that the base level plans are intended to ensure continuity and walkability in the downtown area.

Motion by Councilmember Heineman, seconded by Councilmember Woestehoff, to acknowledge the Center Street Area Framework and Policy Plan as an update to The COR Design Guidelines and Framework.

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

7.02: Request for Quotation for the Design and Construction of Exterior Finishes to Pump House No. 3

Parks and Assistant Public Works Superintendent Riverblood reviewed the staff report and recommendation to proceed with the issuance of an RFQ for the design and construction of exterior finishes to Pump House No. 3.

Councilmember Heineman understood that individuals will come back with pricing through the RFQ. He asked for input on staff on whether this would be an easy project or whether multiple sketch plans should be developed to obtain different pricing.

Parks and Assistant Public Works Superintendent Riverblood commented that it will be easy to look at the proposals and understand if they are shooting from the hip. He stated that he would not want to offer a large number of options and alternatives and that would be difficult to compare

in terms of costs. He reviewed the base options that he would suggest including to review on pricing. He stated that if the Council is not comfortable the RFQ could be revised or they could work in more detail to make changes.

Councilmember Howell stated that she is familiar with this project but not comfortable with the expenditure and will not be supporting this.

Parks and Assistant Public Works Superintendent Riverblood clarified that only the finish of the exterior siding is being included in the RFQ, while the other elements discussed previously within the Capital Improvement Plan will remain in that longer term plan.

Councilmember Riley commented that he will support this and appreciates the way this went about. He stated that this was built 15 years ago in the middle of nothing and therefore it did not require finishing. He stated that development has occurred around this and it was always meant to finish the design. He stated that this case simply looks at the cost and the decision would then be made whether to approve that.

Motion by Councilmember Riley, seconded by Councilmember Woestehoff, to authorize the issuance of an RFQ for the design and construction of exterior finishes to Pump House No. 3.

Motion carried. Voting Yes: Mayor Kuzma, Councilmembers Riley, Woestehoff, Heineman, and Musgrove. Voting No: Councilmembers Howell and Specht.

7.03: ~~Consider Response Related to Local Zoning Preemption Legislation~~

7.04: Consider Request from Planning Commission for a Joint Work Session

Senior Planner McGuire Brigl reviewed the staff report and stated that the Planning Commission recommended scheduling a joint session with the City Council and Economic Development Authority. Staff recommends responding to the request.

Planning Commission Chairperson Randy Bauer commented that there have been deviations from the original plan for The COR over the years to respond to the changing conditions. He believed it would be helpful to have everyone on the same page in terms of commercial and retail development. He stated that visibility from Highway 10 is the overarching comment they receive which is achieved by being on Highway 10 or having a sign visible from Highway 10. He recognized the variances that have been approved related to sign height, the deviations to parking, and the deviation to where the primary business location is found. He stated that there was interest in the previous Diamond property for residential, noting that would be a great location for an anchor store development because of its visibility. He believed that commercial development along Highway 10 should be part of the discussion related to the development within The COR. He referenced the pause the Council has placed on residential development within The COR stating a focus on retail and commercial development. He commented that he does not see the issue as an either or, but instead parts that work together. He noted that the more residents Ramsey has, the more attention it will see from retailers. He believed it would be helpful to have the Planning Commission, EDA and City Council meet jointly to discuss the input from the different market development, the deviations that have been made to The COR framework plan, and the

vision for the future. He stated that it would most likely make sense to amend the plan to better align with the vision for the future to help bring about the growth everyone wants to see in Ramsey.

Mayor Kuzma agreed that it would be helpful to have a joint meeting.

Councilmember Musgrove commented that when she first heard about the joint meeting it was more related to the Council decision to pause on housing but the context provided makes it seem to be a broader scope. She stated that the Council already has a lot of meetings on its plate and she does not want to have another meeting of this length. She stated that if there is a joint meeting she would want to see a more narrow intention.

Councilmember Howell agreed that another meeting is not needed at this time.

Councilmember Specht commented that he can see the benefit to a joint meeting.

Councilmember Riley commented that there are joint meetings periodically and there is benefit to that. He stated that perhaps it does not occur right now because of the busy schedule. He agreed that the bigger picture visioning for The COR has been tweaked dependent on the market conditions and it is helpful to have the larger group involved in the discussion. He commented that he does not believe big box retail is coming into Ramsey as that market is dying out. He agreed that this would be a good joint meeting but perhaps not soon.

Mayor Kuzma agreed that all the Boards and Commissions provide advisement to the Council and bringing everyone together to ensure groups are on the same page would provide a benefit.

Councilmember Woestehoff agreed that it is beneficial to have open communication between the groups and related to the changes in The COR. He agreed that the joint meeting should wait until the Council strategic sessions have occurred.

Councilmember Heineman agreed that this should be done, but perhaps in June or July after things settle down a bit.

7.05: Authorize Acquiring a RG33 MRAP Vehicle from the Law Enforcement Support Office (LESO) 1033 Program

Police Chief Katers reviewed the staff report and recommendation for the City Council to authorize the acquisition and transportation of the RG33 MRAP from the LESO 1033 Program.

Councilmember Heineman asked if this would solely have to be used by law enforcement or whether the department would have command and control over the equipment and it could be lent to fire rescue.

Sergeant Kyle Hemmerich commented that law enforcement has to use the vehicle but could assist in providing fire rescue. He stated that he could drive the vehicle with six firefighters in the vehicle.

Councilmember Heineman commented that there have been case studies related to individuals attempting to harm themselves or others. He asked if the vehicle would be retrofitted to add a command and control station, such as a loudspeaker, which would allow the department to adapt to those scenarios.

Sergeant Hemmerich replied that there are companies that can add features to the vehicle if desired and reviewed some of those options.

Councilmember Heineman recognized that training is very important for this type of equipment and asked if that would be provided by LESO.

Sergeant Hemmerich replied that the training is not provided through the program but the National Guard offers a three-day free training or another outside company can provide training through a one-day course at a relatively low cost. He stated that the plan would be to utilize both types of training dependent upon the number of Officers that desire that training. He stated that the fire suppression service would be removed from the vehicle as they do not intend to need that service.

Mayor Kuzma asked if there is a length of time the department would be allowed to use the vehicle.

Sergeant Hemmerich replied that the department can keep the vehicle for whatever length of time it would like. He stated that when the department is done using the equipment or if it reaches the end of its lifespan, the department would return it to LESO at no cost. He estimated a lifespan of at least 20 years.

Councilmember Woestehoff appreciated the responses to the questions he emailed staff. He referenced the cost to paint the vehicle, noting that he wants the department to be protected but has concerns with public perception. He asked if there are ways that could be counteracted through painting of the vehicle.

Sergeant Hemmerich stated that he received quotes varying between \$10,000 and \$12,000. He stated that the intention would be to make it look more like a squad car, similar to what Elk River has done. He also provided an example of the painting that Anoka did for their vehicle which they use for SWAT.

Councilmember Woestehoff asked the number of surrounding departments that have this type of equipment.

Sergeant Hemmerich replied that the Anoka County Sheriff's Office, Anoka, Elk River, Big Lake, and Saint Cloud all have similar equipment. He commented that it is becoming more common but noted that he did not research all communities.

Councilmember Specht commented that he supports this as this is a great opportunity to protect Officers and assist citizens.

Motion by Councilmember Specht, seconded by Councilmember Riley, to authorize acquiring a RG33 MRAP vehicle from the Law Enforcement Support Office (LESO) 1033 Program.

Motion carried. Voting Yes: Mayor Kuzma, Councilmembers Specht, Riley, Howell, Musgrove, and Woestehoff. Voting No: Councilmember Heineman.

7.06: Adopt Resolution #21-073 Approving the Transfer of Excess General Fund Revenues to the Equipment Revolving Fund, Facilities Construction Fund, Capital Maintenance Fund and Public Improvement Revolving (PIR) Fund

Finance Director Lund reviewed the staff report and recommendation that \$1,376,214.72 be transferred from the General Fund to the Equipment Revolving Fund in the amount of \$412,864.42, the Capital Maintenance Fund in the amount of \$412,864.42, the Public Improvement Revolving Funds in the amount of \$412,864.42 and the Facilities Construction Fund in the amount of \$137,621.46 per the allocation of excess revenue/deficient policy.

Councilmember Musgrove stated that she did not fully understand the statement related to Council discretion.

Finance Director Lund replied that this action is through resolution and the Council would have the discretion as to how to use funds in the 2022 budget discussions. She stated that the capital equipment is currently funded through the Equipment Revolving Fund, which is why a larger portion has been proposed to transfer to that account through the City's policy. She stated that all these funds are eligible for discussion as to how the funds can be used. She commented that these are not restricted funds and the Council has the ability to change the allocation to fit the needs of the City at that time.

Councilmember Musgrove asked if these funds are the only eligible funds for distribution.

Finance Director Lund replied that if the Council would like to change the allocation, it could adjust that through resolution.

Councilmember Musgrove stated that she would like to see additional allocation towards road funding. She noted that in 2016, the roads were being bonded for and the focus seemed on the Capital Maintenance Fund which she believed is for parks.

Finance Director Lund replied that the Capital Maintenance Fund is used for any large capital maintenance needs throughout the City and provided examples.

City Administrator Ulrich commented that the fund can be used for capital maintenance within parks as well.

Councilmember Musgrove commented that she would like to see more funds allocated to the PIR Fund for road funding but was unsure if that would be the appropriate fund.

Finance Director Lund confirmed that there is the Pavement Management Fund. She explained that the PIR Fund is used for overall road improvements whereas the Pavement Management Fund

is restricted to overlays and reconstructions. She stated that the PIR Fund is used for new improvements, such as paving dirt roads.

Councilmember Musgrove asked if the Pavement Management Fund should be added to increase road funding.

Councilmember Heineman stated that it appears the City has budgets for each of the funds which is being spent and when there is excess revenue it is appropriately divided into the funds for expenses which are not budgeted. He asked which projects are relying on these funds.

Finance Director Lund reviewed some of the excess revenue totals from previous years. She stated that 30 percent of the excess funds are allocated to the Equipment Revolving Fund which will be used to offset equipment purchases in the 2022 budget. She stated that without those dollars, the City would need to issue additional equipment certificates or place that cost on the property tax levy. She provided additional explanation related to fund balance needs and how those funds are used to offset future budget costs.

Councilmember Heineman appreciated the clarification. He asked if the funds would be allocated to the fund but not spent at this time. He asked if reallocating the funds would defund a purchase.

Finance Director Lund confirmed that this would close out the accounts from the previous year and allocate those funds per the City policy. She confirmed that the funds cannot be committed to anything at this time because the balance was unknown before this transfer takes place.

Councilmember Heineman agreed that the priority of Ramsey and its residents is to improve its roads as it fell behind even with the Franchise Fee. He stated that he would like to see a larger portion of this, if not all of it, allocated to the Pavement Management Fund. He stated that he would prefer to table this discussion and continue in a worksession to discuss how allocations could be done in that manner.

Mayor Kuzma commented that it is his understanding that this is excess money received because of the CARES Act funds and if those funds would not have been received the City would have ended the year in a deficit.

Finance Director Lund replied that is correct. She commented that if the City would not have received CARES Act funds, it would have pulled from these respective funds in excess of \$100,000. She stated that when the budgeting discussions begin, if there are zero dollars allocated to capital equipment, there will be an impact to the budget for squad cars and other equipment which will carry over to the property tax levy. She stated that this cannot be tabled as she needs to allocate those funds tonight. She stated that the Council can review the policy at a later discussion but would urge that to occur in conjunction with the budgeting discussions so that the Council is aware of the needs.

Councilmember Woestehoff acknowledged that this is an anomaly year as most years have \$100,000 to \$180,000 in excess. He stated that he is not in support of allocating funds to the Pavement Management Fund because if there was a deficit the City would need to pull from that

fund. He explained that the Franchise Fee was enacted to ensure those funds would be restricted for road use.

Councilmember Riley commented that it is disappointing that the decision needs to be made tonight because it would make sense to discuss this in worksession. He stated that the policy was setup to handle a normal amount and this is an extra amount, therefore he could have supported a one-time allocation towards roads. He stated that he likes that the Pavement Management Fund has one source and one use that is protected. He commented that something needs to be passed tonight and the recommendation fits the City policy. He stated that these would be brought back at the time of budget discussions and reallocation can occur at that time. He stated that the policy can be revisited as part of the budget discussions.

Motion by Councilmember Riley, seconded by Councilmember Musgrove, to Adopt Resolution #21-073 Approving the Transfer of Excess General Fund Revenues to the Equipment Revolving Fund, Facilities Construction Fund, Capital Maintenance Fund and Public Improvement Revolving Fund (PIR).

Motion carried. Voting Yes: Mayor Kuzma, Councilmembers Riley, Howell, Musgrove, Specht, and Woestehoff. Voting No: Councilmember Heineman.

Councilmember Musgrove thanked Finance Director Lund for the thoughtful manner in which she laid out the case and related information.

8. MAYOR, COUNCIL AND STAFF INPUT

City Administrator Ulrich announced upcoming meetings and events.

Councilmember Heineman commented that his vote related to the MRAP was not in opposition to protecting the Officers, but in that he wanted to talk more about options to provide more of a community vehicle look and feel. He commented that he does support the protection of the Officers.

Councilmember Riley commented that he does not want people to have the perception that the City paid \$800,000 for the vehicle as there was not a cost for the vehicle.

Councilmember Musgrove encouraged everyone to visit the Anoka County website related to the Bunker Lake Boulevard project.

9. ADJOURNMENT

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

Motion carried.

The regular meeting of the City Council adjourned at 10:15 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.

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.