

City Engineer Westby reviewed his staff report that was included in the case.

Councilmember Specht commented that he would be happy to be involved as part of that process.

Mayor Kuzma referenced the Jarvis intersection noting that previously a J hook was mentioned, but that has not been well received on 65 where it was constructed. He asked if that is still included in the plan or could be changed.

City Engineer Westby replied that they are currently looking at several alternatives in that area. He noted that there are three intersections close together in that section and they are reviewing which at grade improvement would be best for that area.

Mayor Kuzma commented that he does not support the J hook intersection.

2.03: Discuss Potential Ordinance to Clarify Rooster Restrictions

Deputy City Administrator Gladhill reviewed the staff report.

Councilmember Howell stated that she likes hobby farms and that type of activity. She stated that roosters are noisy and therefore one acre would seem small. She asked if there is a reason geese and ducks are not allowed in the same manner chickens are allowed. She asked if one goat could be allowed per half acre.

Deputy City Administrator Gladhill commented that the City has not received requests for ducks or geese. He stated that the City has received requests for racing pigeons but that generates a lot of complaints.

Councilmember Riley commented that he does not support roosters at this time as it would generate complaints. He stated that residents have supported the chicken ordinance and has not heard anyone complain that they could not have roosters. He stated that he supports the three-acre threshold.

Councilmember Woestehoff asked if it would make more sense to only allow these activities on rural developing zoned property, which begins at 2.5 acres, to simplify the language.

Deputy City Administrator Gladhill commented that could be done but there are parcels within that zoning district that are only one acre in size. He stated that could be done but more detailed thought would go into that review.

Councilmember Woestehoff stated that he would imagine there are more 2.5 acre lots compared to lots over three acres.

Deputy City Administrator Gladhill commented that the current lot minimum within the rural developing district is 2.5 acres but noted that there are thousands of lots within that district that were created before that minimum was set and therefore are one acre in size.

Councilmember Specht stated that he liked the idea of expanding this, with the general intent to be allow unless there is a reason not to. He stated that he understands the noise level of roosters and perhaps larger lot sizes could be specified for that use. He stated that he would also support allowing additional animals regulated to lot size. He stated that he would prefer staff have the ability to approve or disapprove a request, such as goats, without coming to the Council unless there is an issue of escalation.

Deputy City Administrator Gladhill noted that there would need to be specific language as to what would cause an escalation. He stated that the process would also need to be clear as it would not be appropriate for staff to approve something and then have the Council question why it was approved. He stated that the process has evolved over the years to streamline it. He noted that a public comment period would still be recommended, and if there are no comments and the request meets the criteria perhaps it could be approved by staff but if there are comments against the request, it should still follow the path to the Council.

Councilmember Musgrove commented that she advocated for a resident that lives on five acres of land who was informed that he could not have a rooster, but that was not clearly defined within City Code. She believed that this language would clarify the confusion. She stated that she would advocate to allow roosters on properties of five acres or more, perhaps through the CUP process. She stated that if this does move to an administrative approval process, she would want language included that allows a resident to request appeal to the Council. She recognized that a rooster makes noise, but so do vehicles and other things within the community.

Councilmember Heineman agreed that five acres would be a reasonable benchmark for roosters. He commented that roosters can be seen as a nuisance and therefore would not support the keeping of roosters on lots under five acres. He asked if there would be a reasonable limit on the number of roosters that could be kept.

Deputy City Administrator Gladhill commented that he is not a rooster expert and therefore staff would need to look into that. He stated that sometimes there is good intention when drafting an ordinance but there is then difficulty in enforcement and implementation. He stated that perhaps the language is kept at one rooster to begin with for parcels five acres or larger.

Councilmember Woestehoff commented that he believes that a request for roosters should include where the rooster will be located in order to minimize impacts to adjacent properties.

Councilmember Musgrove stated that she reviewed the ordinance used by Nowthen related to the keeping of chickens and roosters and read portions aloud.

Deputy City Administrator Gladhill commented that it seems there is majority consensus to allow roosters on parcels of five acres or more with additional language specifying location of the rooster enclosure on the lot.

Councilmember Howell commented that she would like to see ducks, geese, goats, and pigs allowed one per half acre for lots three acres or larger.

Deputy City Administrator Gladhill stated that staff can also bring forward a suggestion for an administrative approval process with the option to appeal to the Council.

The consensus of the Council was to direct staff to create a process for administrative approval as well and bring the proposed changes back to the Council for review.

Deputy City Administrator Gladhill commented that staff will draft a policy framework for the Council to review and if there were consensus, staff would draft an ordinance amendment.

2.04: Discuss Final Settlement Agreement for Retaining Wall Encroachment in Trott Brook Greenway Conservation and Trail Easement at 7349 18th Circle NW and Potentially Discuss a Broader Corridor Solution; Case of John and Jodell Seaman

Deputy City Administrator Gladhill reviewed the staff report.

Councilmember Musgrove thanked staff for their work on this case. She stated, “For the record I wanted to show that I specifically asked for this case to come and initially another case came which is a very needed conversation that we need to have about the broader corridor, but I’m glad that we have gotten to this point where the case is here before us. In the summer of 2020 I brought some concerns about this trail to Tim.” She noted that she photographed a rusty barrel located on the water side of the trail, which is still in that location. She asked who is responsible for monitoring the conditions of the trail.

Deputy City Administrator Gladhill replied that this has been a learning experience. He stated that because of the grant funding, each year the City is audited and provided details on that process. He stated that the code enforcement program has been tweaked to identify areas in which staff should be more proactive. He stated that if desired this could be included as one of those areas. He stated that he can follow up on the rusty barrel.

Councilmember Musgrove stated that her complaint about the barrel was ignored and more focus was put on the retaining wall. She stated that she is glad they are now at the point to say the City will assist with the cost but hoped that they could have come to this point sooner. She referenced the cost to vacate just the portion of the easement along the corridor would be between \$10,000 and \$20,000. She asked for clarification on which portion of the easement is referenced.

Deputy City Administrator Gladhill commented that would apply corridor wide on the south side of the trail as the area of contention on the properties is only on the backyard side of the trail. He explained what that cost would entail. He stated that as part of the settlement the Seaman’s paid \$1,500 as part of their CUP application. He stated that currently nothing has been charged towards that in attempt to reach a final settlement. He noted that cost would be applied to the purchase, floodplain modeling, or could be refunded.

Mayor Kuzma commented that one of the things that started this process was that the residents did not pull a permit for their retaining wall activity; therefore he does not tend to favor refunding that amount. He commented that if the City lets this go, he believes there could be additional problems to follow in the future.

5:17: Adopt Resolution #21-215 to Hire an Accounting Clerk and Reclassify the Accountant II

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

5. APPROVE AGENDA

Motion by Councilmember Woestehoff, seconded by Councilmember Musgrove, to approve the agenda as amended, with the addition of Agenda Item 7.8.

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

6. PUBLIC HEARING

6.01: Introduce Ordinance #21-11 Amending Chapter 10 of City Code to Include Requirements for Keeping Cats and Roosters, and to Amend Standards for Agricultural Animals and Beekeeping

City Administrator Ulrich reviewed a proposed Ordinance amending Chapter 10 of City Code to include cats and roosters and amend standards for agricultural animals and beekeeping. He stated this item has not been reviewed by the City Attorney. He added he would like to continue the public hearing until a date specific recommended on August 10, 2021.

Planning Technician Brian McCann stated the Ordinance contains proposed changes to the animal section of City Code, including a summary of changes, as well as the removal of mules, donkeys and burros. Roosters would be allowed on properties of 2.5 acres or more via administrative approval with a 2-rooster maximum, regulated under the City's existing noise ordinance. Beekeeping would be allowable via zoning permit. The number of cats is limited, similar to the number of dogs. Emu, bison and rabbits would be allowed on properties of 2.5 acres in the rural developing zoning district. Other animals can be addressed via special animal license or home occupation permit.

Councilmember Howell stated, under the section related to cats and dogs, a private kennel license is required for 4 or more dogs or cats. She added a bigger kennel would be required if there were puppies. She expressed concern about imposing overbearing regulations.

Planning Technician McCann stated he believes the definition of dogs and cats includes regulation after 6 months or older. He added he can verify that information.

Councilmember Howell asked how City Staff will enforce noise restrictions for properties with crowing hens, and how that will be measured. She expressed concern that this could become a waste of staff time.

Planning Technician McCann stated potential issues can be reviewed by Code Enforcement and addressed as necessary.

Councilmember Henneman stated it is wise to move forward and enact these changes. He asked whether it would be possible to add ducks, as requested by Liam Steinberg, which seems to be a reasonable request.

Senior Planner Chloe McGuire Brigl stated the section of City Code related to be chickens can be amended to include ducks.

Councilmember Musgrove thanked Liam Steinberg for coming in and sharing his comments about ducks. She stated there are a few inconsistencies between Section 2.5 and 3 that should be corrected, including allowing roosters on properties of 5 acres or less anywhere in the City rather than only R-1 districts. She noted she would support a reference to Homeowner's Associations' (HOA) animal regulations, which are more restrictive than City Code.

Councilmember Musgrove stated other cities' regulations could be listed for reference purposes; for instance, Nowthen has a policy on roosters. She added this was discussed by the City Council at a recent work session.

Mayor Kuzma expressed concern about HOA regulations, which could be in conflict with City regulations. He added the HOA policy should be the governing rule.

Councilmember Howell stated the City's goal in terms of strategic planning has been to simplify the City Code. She added she would support requirements based on property and unit size as well as the number of animals, rather than zoning districts. She noted she opposes the section on crowing hens, which would be a waste of staff time, and she would like to see less restrictions for some barnyard animals. She stressed the importance of simplifying the requirements.

Councilmember Specht asked why there is a limit of 3 domesticated animals allowed. He added it is unreasonable if animals are well-kept and this does not harm the City.

Planning Technician McCann stated that regulation arose due to a Code Enforcement case involving a resident who had approximately 100 cats. He added this restriction is to provide support for regulating those types of extreme situations.

Councilmember Specht asked whether the limit can be increased to 10 or more. He added he knows people who have more than 4 animals. He noted raising the limit to 10 would cover more extreme cases.

Senior Planner McGuire Brigl stated existing regulations are just for dogs only. She added a resident who owns more than 3 dogs must obtain a private kennel license. She asked whether Councilmember Specht would like to change the existing Code or the proposed changes.

Councilmember Specht stated his preference would be to change them both to at least 10 animals. He added this could otherwise be a problem for many residents.

Mayor Kunza asked whether a resident could obtain a variance if they wanted to have more animals. Senior Planner McGuire Brigl stated a Conditional Use Permit for a private kennel license is required, with formal hearing before the Planning Commission and City Council.

Councilmember Riley stated there have been Code compliance cases where residents have had more than 3 dogs that were harder to care for, and there was too much noise. He added this will give the City a way to make sure that residents have the ability and space to take care of multiple dogs.

Councilmember Specht asked what the process is for getting a kennel license, and whether there are requirements and fees. Senior Planner McGuire Brigl stated the resident would submit a formal land use application to the City and public notice is sent to adjacent residents. She added a public hearing will be held before the Planning Commission and formally approved by the City Council via Resolution.

Councilmember Specht asked whether there are State regulations for domestic animals. Senior Planner McGuire Brigl stated she is not aware of any State regulations, and most enforcement falls on the City Code.

Mayor Kuzma stated the City should have an adequate process if someone wants to have more pets. He added situations can be addressed individually. He noted he would not be in favor of changing that policy.

Councilmember Musgrove stated, as part of this discussion, the process could be shortened so that not every case would be required to come to the City for an appeal. She added she would support that process.

Senior Planner McGuire Brigl stated City Staff is open to the appeal option. She added the City will be put in a difficult position if residents already have animals and then bring their appeal to the City Council. She noted it would be preferable for residents to apply before they get their animals.

Motion by Councilmember Musgrove, seconded by Councilmember Heineman, to continue the Public Hearing introducing Ordinance 21-11 amending Chapter 10 of the City Code including Requirements for Keeping of Cats and Roosters to the Regular Council Meeting on August 10, 2021.

Further discussion: Councilmember Musgrove requested that this issue be reviewed at a work session. Councilmember Howell agreed. City Administrator Ulrich stated this item can be added to the August 10 work session, although there are already items on that agenda.

Jared Little, 7590 149th Lane NW, stated he has been a beekeeper for over 10 years. He added he has taught beekeeping classes for many years and is in the process of getting his Master Beekeeper certification. He added he is in favor of adding beekeeping to this Ordinance to make it easier for beekeepers to obtain a license. He noted this Ordinance is a step in the right direction to provide

encouragement and support for beekeepers. He offered to answer any questions the City Council may have about beekeeping.

Sarah Grubner, 9431 176th Avenue, stated she and her family live on a 6-acre homestead in Ramsey, which has been a lifelong dream for her. She added her family has chickens and a rooster, and today a baby chick was born. She noted her family has cats and wants to have several dogs. She noted the number of dogs and cats should be separate, and the size of cows should be considered.

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

7. COUNCIL BUSINESS

7.01: Adopt Ordinance #21-16 Repealing Ordinances #20-11, #20-12, and #20-13 in regard to Franchise Fees on Centerpoint Energy, Connexus Energy and City of Anoka Electric

City Administrator Ulrich reviewed the second reading and proposed adoption of an Ordinance repealing Ordinances 20-11, 20-12 and 20-13 regarding franchise fees on Centerpoint Energy, Connexus Energy and City of Anoka Electric. He stated this Ordinance would eliminate franchise fees adopted for 2021, as well as part of 2020. He noted the franchise fees would be repealed and revenues would be replaced through tax levy.

Mayor Kuzma stated he is opposed to this Ordinance being repealed as the City does not, in his opinion, have a good path moving forward. He added there have been very few complaints from residents about the franchise fee, and the program has been working. He noted the 2022 budget process has not been completed, and union contracts are not negotiated, and he does not support repealing a process before there is a working plan in place to replace it.

Mayor Kuzma stated a levy increase of 20-27% could be anticipated to replace the franchise fees, while the proposed budget was a 12% increase. He added the City could lose its bond rating if it becomes necessary to tap into reserves. He noted, without a plan in place, it is the wrong time to do this, and he will not be supporting it.

Councilmember Howell stated the tax increase would have been 17% if the previous City Council had added the franchise fee to the levy, but instead, the percentage was distributed inequitably across home values, and some people paid heavily. She added, for instance, a home with a value of \$172,000 had a tax increase of 40%, while a home with a value of \$450,000 increased 6.6%. She noted the franchise fee simply disguised the tax increase, and she does not support that, as it is not fair for some neighbors to pay higher taxes. She noted she will be supporting the Ordinance.

Councilmember Heineman stated, at the Council's last meeting, he commented that the franchise fee is a regressive tax. He added residents should pay taxes that are proportional to their home value, which is a regressive tax. He noted \$300,000 is the breaking point, and homes with a value of \$336,000 would pay the same as the franchise fee, if a 15% tax levy is added. He noted the vast

Motion by Councilmember Musgrove, seconded by Councilmember Woestehoff, to introduce Ordinance #21-17 Amending Rental Licensing Requirements to Explicitly Include Requirements for Short-Term Rentals to Receive a Rental License.

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

6.02: Introduce Ordinance #21-11 Amending Chapter 10 of City Code to Include Requirements for Keeping Cats and Roosters, and to Amend Standards for Agricultural Animals and Beekeeping

Presentation

City Administrator Ulrich stated, based on discussion and feedback over the past few weeks, City Staff is recommending that a public hearing be held, and public comment taken on this issue but that the Ordinance should not be introduced until further review can be done. He added City Staff will revise the Ordinance to reflect comments received from the City Council and the public at the City Council's last meeting. He noted a follow-up review will be scheduled for the City Council's November 9, 2021 meeting.

Planning Technician Brian McCann reviewed the proposed Ordinance related to the keeping of cats and roosters as discussed at the City Council's July 27, 2021 meeting. He added, after receiving public comment, City Staff have revised the Ordinance to include ducks on all properties, similar to chickens, and to include animal family classifications, including mini-cows, and to limit the number of dogs and cats not to exceed 10. He noted a kennel license will still be required for 4 or more dogs.

Planning Technician McCann stated City Staff recommends postponing action on this item for 90 days to provide additional time for City Staff and public input.

Public Hearing

Acting Mayor Riley opened the public hearing.

Citizen Input

There was none.

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

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

Council Business

Motion by Councilmember Howell, seconded by Councilmember Heineman, to postpone City Council action on proposed Ordinance #21-11 Amending Chapter 10 of City Code to the City Council's Tuesday, November 9, 2021 Regular Meeting.

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

7. COUNCIL BUSINESS

7.01: Consider Request for Comprehensive Plan Amendment to Re-Guide PID #20-32-25-44-0003 from High Density Residential (HDR) to Medium Density Residential (MDR) (Project No. 21-122); Case of Lennar

Senior Planner McGuire Brigl reviewed a request from Lennar for a Comprehensive Plan amendment for a residential subdivision near the Fire Station site. She added the 35-acre site is zoned "split zoning", which is unique for Ramsey. She noted 80-foot-wide lots are proposed on City utilities adjacent to existing residential areas with smaller rural developing lots and high-density residential areas, as well as industrial and commercial uses.

Senior Planner McGuire Brigl stated the Comprehensive Plan guides this area as high-density residential with 8 units per acre. She added, under Met Council guidance, anything over 8 units per acre counts as affordable housing, regardless of whether it is an affordable housing development. She noted the site is adjacent to low-density residential of less than 4 units per acre.

Senior Planner McGuire Brigl stated the applicant is proposing to reduce density from high to medium residential with 4-8 units per acre and an average density of 5.5 units per acre. She added City Staff is supportive of this proposal as it matches the adjacent residential areas and provides a nice buffer. She noted, however, there would be funding impacts.

Senior Planner McGuire Brigl stated the City of Ramsey is a member of the Livable Communities Act (LCA) Program, with funding eligibility, of which the City is the net recipient. She added the City has received \$6 million in project funding over the past 20 years, including \$1 million in 2019 for Riverwalk Village. She noted overall density cannot be reduced, and affordability must be maintained, for the City to maintain its membership in the LCA Program.

Senior Planner McGuire Brigl stated the City passed a Resolution in November 2020 expressing support for and participation in the LCA Program.

Senior Planner McGuire Brigl provided alternatives for City Council consideration. She stated the Comprehensive Plan could be amended through the approval process; funding mechanisms could be changed; or the development could be approved with no changes, which would mean the end of the City's participation in the LCA Program.

Senior Planner McGuire Brigl stated the City Council could approve the Comprehensive Plan amendment but direct City Staff to research alternative sites to re-guide at 8 units per acre. She added there are other potential sites in the City guided for low to medium density. She noted another option would be to direct the applicant to revise the plan to maintain 8 units per acre.

7.06: Update on Proposed Amendments to Chapter 10: Animals

Planning Technician McCann gave an update on the animal ordinance and reviewed the Staff report. He presented an updated ordinance for the Council's review along with alternatives.

Councilmember Howell referenced language that states the animals allowed by the ordinance must be listed in the ordinance or the animal is not allowed. She gave the example of a goldfish.

City Attorney Knaak replied yes, there are two different kinds of ordinances. One ordinance enumerates items and anything not enumerated is prohibited. The other type is more general and this ordinance is one that enumerates items.

Councilmember Howell questioned the regulation of rabbits, finding it is an odd requirement and noting that bison, which are dangerous, are treated like a cow, roosters have more requirements than either. She suggested a few Councilmembers review the language with Staff and simplify it, similar to the City of Oak Grove ordinance, which she felt was more readable. She felt the Council didn't need more public input but, rather, Staff who will put the time in to work through it. She expressed concern about the public's reaction as stated.

Councilmember Heineman commented that initially he was against the idea of having a small committee on the City Council but this is a complex issue that is taking up a lot of time so he is in support of a committee.

Councilmember Musgrove also expressed support. She questioned if other changes to City code had surveys and questionnaires sent to residents, which she felt was odd. She would like to see some simplification and liked the examples used by the cities of Oak Grove and Nowthen. She would like to see fewer items enumerated and a committee would be a better option. She questioned the lack of a limiting requirement on cats in the code.

Senior Planner McGuire Brigl confirmed this.

Councilmember Musgrove questioned if there is a Department of Public Health statutes regarding cats.

Mayor Kuzma agreed with Councilmember Howell that this is a complex issue that could warrant a committee.

Councilmember Woestehoff commented there is some work to be done on this. The issue needed is a defining factor of what is allowed on the property versus in the house. He supported putting together a committee, and referenced the resident that requested ducks and is waiting for the Council's decision.

Mayor Kuzma asked Councilmember Howell if she would like to take the lead on the committee.

Councilmember Howell confirmed this.

Councilmembers Musgrove and Specht also agreed to be a part of the committee.

Senior Planner McGuire Brigl explained there is a way to allow ducks for the young resident that requested them under the non-traditional animal license and asked if the Council would be interested in getting the license.

City Administrator stated there is consensus that the committee will be comprised of Councilmembers Howell, Musgrove and Specht who will report back in 30 days.

8. MAYOR, COUNCIL AND STAFF INPUT

City Administrator Ulrich introduced the new City Attorney Fritz Knaak and the new Deputy City Administrator/Community Development Director Brian Hagen who both started on November 1, 2021. He stated they are great additions to the City of Ramsey and welcomed them.

City Administrator Ulrich stated the joint work session scheduled for November 16, 201 was canceled and will be rescheduled during the first quarter of 2022. The next regular City Council meeting will be Tuesday, November 23, 2021. He noted City Hall is closed Thursday November 11, 2021 in honor of Veterans Day.

Councilmember Musgrove asked about information sharing between the Staff and Councilmembers. She questioned if there were email exchanges of information between certain Councilmembers and Staff that weren't being shared with the whole Council. She wondered if this information might aid in the Council's understanding and make for better decision making during meetings.

Councilmember Woestehoff replied that he has asked questions of the Staff but often it is in response to a resident request. He couldn't remember a time when he asked a question related to a case that didn't get shared with the whole Council.

Councilmember Howell agreed with Councilmember Musgrove that some information from Councilmembers gets shared selectively.

Councilmember Musgrove asked for input on the information sharing.

Mayor Kuzma replied that he felt information is being shared.

City Administrator Ulrich replied that is the case if it is of broader interest, if it is related to a case, budget questions, or CIP questions that are of interest of everyone. He stated some Councilmembers ask more questions via email overall, but the goal is to be consistent.

Councilmember Riley commented if a question is raised maybe the Council would all enjoy the information. He wasn't aware of an issue with information sharing.

Councilmember Howell asked about the phone bill that was shared with everyone.