

TABLE OF CONTENTS

1. CALL TO ORDER 2

2. PRESENTATION..... 2

 2.01: Oath of Office- Patrol Officer..... 2

3. CITIZEN INPUT 2

4. APPROVE AGENDA 3

5. CONSENT AGENDA 3

6. PUBLIC HEARING 4

7. COUNCIL BUSINESS..... 4

 7.01: Adopt Ordinance #22-13 Vacating Drainage and Utility Easements at 5280 161st Ave NW 4

 7.02: Consider Request for Sketch Plan, Zoning Amendment, and Comprehensive Plan Amendment, Related to a Proposal Second School Campus for PACT Charter School on the Property Located at 7633 161st Ave NW (Project No. 22-107); Case of PACT Charter School 4

 7.03: Adopt Resolution #22-059 Accepting Bids and Awarding Contract for Improvement Project #20-07, Construction of Salt Storage Building at PW Facility 14

 7.04: Adopt Resolution #22-017 Approving Riverstone Outlot Ownership 15

 7.05: Consider Request to Amend a Home Occupation Permit for Peace Keepers, Inc. at 6025 177th Ln NW; Case of Derek Trout 16

 7.06: Introduce Ordinance #22-16 Establishing Boundary Lines for the City of Ramsey Ward System..... 26

 7.07: Approve the Replacement of the River’s Bend Park Monument 28

 7.08: Investigation of City Affairs 28

 7.09: Discussion of the Responsibilities and Duties of the City Administrator 34

 7.10: Discuss Ordinance Governing Commission Member Appointment Process 34

8. MAYOR, COUNCIL AND STAFF INPUT 37

9. ADJOURNMENT 37

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

The Ramsey City Council conducted a regular meeting on Tuesday, March 8, 2022, at the Ramsey Municipal Center, 7550 Sunwood Drive NW, Ramsey, Minnesota.

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

Members Absent: None

Also Present: City Administrator Kurtis Ulrich
Deputy City Administrator/ Community Dev. Director Brian Hagen
Administrative Services Director Colleen Lasher
Senior Planner Chris Anderson
City Attorney Fritz Knaak
City Engineer Bruce Westby
Civil Engineer IV Leonard Linton
Police Chief Jeff Katers
Public Works Superintendent Grant Riemer

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: Oath of Office- Patrol Officer

Police Chief Katers introduced Kayla LaTarte.

Mayor Kuzma administered the Oath of Office for new Officer LaTarte.

3. CITIZEN INPUT

Jim Gutzwiller, 16651 Quicksilver Street NW, asked for updates on the north entrance to Elm Crest Park and issues related to code enforcement.

City Administrator Ulrich replied they continue to meet with property owners to negotiate purchase of the property while concurrently working on code enforcement, per Council direction.

City Attorney Knaak stated the code enforcement process is ongoing but couldn't discuss specifics.

4. APPROVE AGENDA

Motion by Councilmember Woestehoff, seconded by Councilmember Specht, to approve the agenda as presented.

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

5. CONSENT AGENDA

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

- 5.01: Receive January 2022 Financial Reports- General Fund and Enterprise Funds
- 5.02: Receive Cash and Investments for Period Ending February 28, 2022
- 5.03: Note the Following Boards, Commissions, and Committee Meeting Minutes:
 - 1) Planning Commission Meeting Minutes Dated November 18, 2022
 - 2) Planning Commission Meeting Minutes Dated January 27, 2022
 - 3) Economic Development Authority Meeting Minutes Dated January 13, 2022
- 5.04: Approve the Following Committee Meeting Minutes:
 - 1) City Council Special Work Session Dated 2/15/2022
 - 2) City Council Work Session Dated 2/22/2022
 - 3) City Council Regular Session Dated 2/22/2022
- 5.05: Approve Business Licenses
- 5.06: Authorization to Temporarily Increase a Part-time Administrative Assistant to Full-time
- 5.07: Adopt Resolution #22-061 Approving Cash Disbursements Made and Authorizing Payment of Accounts Payable Invoicing Received During the Period of February 17, 2022 through March 8, 2022
- 5.08: Adopt Resolution #22-058 Approving Acquisition of Land Required for Riverdale Drive Construction, Improvement Project #20-05
- 5.09: Adopt Resolution #22-062 Approving Reimbursement of Riverstone South Development Fees

Further Discussion:

Councilmember Musgrove stated, for the record and the audience, that a Councilmember has been appointed to the Charter Commission. She stated the City Attorney has stated the Charter is a constitutional convention, noting the process of his appointment will be discussed later in the agenda. She asked the City Attorney Knaak and City Administrator Ulrich if Councilmember Woestehoff's vote on consent agenda items would be a conflict of interest between the two governing bodies.

City Attorney Knaak replied he believed it would not because the statute allows for a Councilmember to sit on the Charter Commission.

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

6. PUBLIC HEARING

None.

7. COUNCIL BUSINESS

7.01: Adopt Ordinance #22-13 Vacating Drainage and Utility Easements at 5280 161st Ave NW

Deputy City Administrator/Community Dev. Director Hagen reviewed the staff report stating this ordinance was introduced at the meeting on February 22, 2022. The request is for adoption of the ordinance. He stated this ordinance includes a variance that was accepted by the Planning Commission.

Motion by Councilmember Riley, seconded by Councilmember Musgrove, to waive the Charter requirement to read the ordinance aloud and adopt Ordinance #22-13 Vacating Drainage and Utility Easements at 5280 161st Ave NW.

A roll call vote was performed:

Councilmember Heineman	aye
Councilmember Woestehoff	aye
Councilmember Specht	aye
Councilmember Musgrove	aye
Councilmember Howell	aye
Councilmember Riley	aye
Mayor Kuzma	aye

Motion carried.

7.02: Consider Request for Sketch Plan, Zoning Amendment, and Comprehensive Plan Amendment, Related to a Proposal Second School Campus for PACT Charter School on the Property Located at 7633 161st Ave NW (Project No. 22-107); Case of PACT Charter School

Senior Planner Anderson reviewed the staff report. He stated that a couple of letters from residents came in after the agenda was updated so hard copies were available and included in the public record. He stated the Planning Commission recommended approval of the Comprehensive Plan Amendment and Zoning Amendment, contingent upon an approved Preliminary Plat. The

Environmental Policy Board (EPB) recommended denial because of concerns raised by residents. He stated that he failed to invite the applicant to that meeting but typically applicants are not invited because Staff fields questions and it is a public meeting. He stated Staff is requesting direction via a motion to approve Resolution #22-050 granting a Comprehensive Plan Amendment to re-guide a portion of the subject property to Public/Institutional, and a motion to introduce Ordinance #22-15 to rezone a portion of the subject property to Public/Quasi-Public, both contingent upon approval of Preliminary Plat or a motion to deny.

Mayor Kuzma stated he is a member of St. Katharine Drexel Church but he has no financial interest or benefit in this case so he will be allowed to vote.

Councilmember Heineman commented that his children attend PACT Charter School but it is a publicly funded school and his children are already enrolled so he has no legal reason not to be allowed to vote.

Councilmember Woestehoff stated that the guidance according to the Minnesota Department of Education states that a school of this size is suggested to be on approximately 45 acres of land. He also stated the gross building size was roughly 150,000 square feet for this type of population. He stated this proposal looks like it is closer to 115,000 square feet. He asked if the plans indicate a two story building. He also referenced the requirements for a stadium according to the Minnesota Department of Education (MDE) and asked how the applicant or Staff feels all of that could fit into an 18 acre parcel.

Senior Planner Anderson replied he would defer to the applicant regarding the size of the project in relation to the recommended guidelines. He replied the conceptual layout does include two stories which would account for the 115,000 square feet. He stated the conceptual sketch includes two areas which would account for potential future expansion but he didn't know the square footage of those areas.

Councilmember Woestehoff referenced the sketch plan and asked how much of the 18 acres would be an impervious structure or parking lot and how that would compare to other districts.

Senior Planner Anderson replied part of it will be addressed if it gets to the next step with a detailed site plan. He stated Zoning restricts building covered surface, not impervious coverage with the exception of the overlay districts along the Mississippi and Rum Rivers.

Justin Fincher, JB Vang Partners representative, the development managers hired by PACT Charter School, thanked the Council, Mayor, and residents for comments as it impacts the PACT development plan. He stated they welcome community input because with other projects they have done, it allows them to address areas of concern. He responded to Councilmember Woestehoff's question by explaining the difference in funding from a district school and a public charter school and the process that has gone through by PACT Charter School. He stated a public charter school is drastically different from a public school. MDE is provided with all informational details they require. He stated he has not been a part of a project that has not been approved by the MDE and feels fully confident that MDE will approve this one as well.

Councilmember Heineman referenced Senior Planner Anderson's statements that part of the reason this parcel would have to be rezoned is because there are strict zoning guidance for schools. He asked about other attempts that PACT Charter School has made for different locations and what options they have after that.

Senior Planner Anderson replied his understanding was that PACT Charter School engaged in conversations with the City for property in the southeast corner of The COR. That was something considered but the City wanted to preserve that real estate to draw retail and restaurants to the community. He wasn't aware of other discussions between PACT and the City regarding other locations they have looked at.

Councilmember Heineman stated during the Planning Commission meeting residents raised concerns regarding light pollution, noise pollution, and traffic studies. He stated he understood answers would be coming if this is approved but asked if the studies show undesirable outcomes, if the City could use that information as justification to cancel the project.

Senior Planner Anderson replied that is correct, adding traffic studies have already been provided to the applicant per the Planning Commission to incorporate into the analysis. He stated if issues couldn't be resolved based on that study and if they couldn't comply with code, that would allow for denial of the project.

Councilmember Howell asked about the rezoning proposed tonight compared to what would have been done for Brookside Elementary.

Senior Planner Anderson replied the two rezoning and Comprehensive Plan requests were similar for the two projects, however the Brookside request was larger than the current proposal.

Councilmember Musgrove noted the motion that Mr. Anderson had in his presentation is not the one listed in the case with the Planning Commission's attachment with a contingency. She wanted that noted for the record. She stated residents were concerned about the buffer zones and asked if the EPB had discussed that. She also asked about the size of the buffer and the materials that could be used to mitigate some of these concerns.

Senior Planner Anderson replied that applying the general business standards, which was done for Brookside Elementary School, there would be a 40-foot-wide minimum buffer requirement along the northern property line. He stated they would look at the overall required landscaping for the property and additional 30% of the required landscaping would need to be installed within the buffer area to provide buffer and screening between the two different types of uses.

Councilmember Musgrove asked if 161st Avenue is a Municipal State Aid (MSA) road and if it gets Minnesota State funding.

Senior Planner Anderson confirmed this.

Councilmember Musgrove asked for an explanation in regard to funding and how that works with regard to the source of funding as far as that funding potentially being relieved from taxpayer funding for road and upkeep.

City Engineer Westby replied that is an MSA street so when repairs are needed on that street, MSA dollars can be used. He explained that up to 20% of streets can be added to the Municipal State Aid system. Those streets generate needs based on population and infrastructure. He stated every year about \$1.5 million comes in as State Aid Funds which can be allocated across the entire system. The \$1.5 million can be used to reconstruct or maintain the streets as needed, this is done through the Capital Improvement Fund. When those roads are done they use the MSA funds and not taxpayer funds.

Councilmember Musgrove asked Mr. Anderson for information on the group of students that would be served by the school.

JB Vang Partners Representative Fincher replied that PACT is currently a K-12 public charter school. They intend to keep that facility but change it to house their K-5 program so the proposal would house 6-12 grades. He stated there is a long wait list and demand for PACT Charter school so this expansion would allow PACT to increase enrollment and reduce the waitlist for the elementary campus.

Councilmember Musgrove commented she wanted to highlight that they were separate buildings with a different student population.

Councilmember Heineman commented on concerns raised by residents during the Planning Commission meeting regarding a school shouldn't be in a residential area. He referenced the zoning map and the the zoning for the surrounding area. He asked Senior Planner Anderson to explain the zoning for Brookside Elementary and Ramsey Elementary and if the zoning differed.

Senior Planner Anderson replied the surrounding area with Brookside Elementary, to the north and south of Brookside as well as to the west, is zoned R-1 Residential, MUSA-80. On the east side of Brookside it is zoned R-1 Residential Rural, which are larger lots with private well and septic.

Councilmember Heineman asked if this proposed site would maintain the balance of R-1 Rural and R-1 MUSA as Brookside currently has.

Senior Planner Anderson replied yes generally speaking although the Brookside site is larger than the current proposal.

Councilmember Woestehoff stated Brookside is on roughly 36 acres and Ramsey Elementary is on 57 acres and both have an enrollment of around 700 students.

Senior Planner Anderson replied the acreages sound right for each of those schools but he couldn't speak to the enrollment numbers.

Danielle Holder, 7826 161st Avenue NW, stated she appreciated the Council listening to the comments. She stated she understood that PACT wants to expand and agreed with that but commented that the decision on zoning isn't based on if expansion is good but rather if this spot fits a school of that size. She stated that Brookside is on a much larger lot and is just elementary students with no stadium. There is a huge buffer between neighboring houses, wells and septic. She stated Ramsey Elementary is the same. She stated in this case, a stadium would be near housing with a buffer of 40 feet. She stated B-1 zoning doesn't include outdoor activity that would occur at a stadium with outdoor lighting and noise concerns. She stated other schools don't exit onto residential roads but onto a county road.

Jeff Lubarski, 7826 161st Avenue NW, stated the street is currently dark and expressed concerns about a two-story school with lights and the noise from the stadium in a residential area.

Allison Pust, 6051 145th Lane NW, stated she moved the Ramsey for PACT Charter school with three daughters who attend and one who just graduated. She supported the expansion and asked for consideration of doing the studies.

Kelsie Buchanan, 6738 153rd Lane NW, stated she understood the concerns but that eight different sites were considered and that the City had encouraged the purchase of the land to support the church and add a high school which wouldn't be a cost for the taxpayers. She thought it would be a small school with traffic impacts twice a day only during the workweek and school year. She thought JP Vang could address the concerns.

Ron Lindenberg, 7600 163rd Lane NW, described his property's location and expressed concerns about erosion and water run off if rainwater that usually drains slowly into the fields and runs into the wetlands is covered up with hard surfaces.

Male resident, 166 177th, stated he has been a long time 40-year resident. He moved to Ramsey because of the country feel, easy living, and few regulations. He expressed concerns about the impact to Ramsey resident's quality of life, high schoolers not respecting the area, and private property.

Scott Weineger, 14450 Rhinestone Street NW, supported the project and stated that he moved to Ramsey so his children could attend PACT. He stated children who attend a high school continue to live in the area. He supported development and felt that PACT will bring many families to Ramsey.

Mike Stuedemann, 1478 159th Avenue NW, Andover, stated he is a trustee for St. Katharine Drexel Catholic Church. He outlined reasons for approval. He stated the block already has Central Park and the church building, the addition of PACT would add a community benefit to the area. The addition of a high school would increase the likelihood of bringing in new families. He stated as property owners, if the request is denied he was unsure how they would maximize their investment. He stated that development in the area is inevitable.

Councilmember Musgrove stated the PACT Charter School wants the 18 acres. The farthest outlot to the north is where most of the wetlands are and where the water run off concerns are from. She

asked Mr. Stuedemann about St. Katharine Drexel's thoughts on the section of land and the use of it.

Mr. Stuedemann replied their intent is leave the outer outlot as wetlands.

Dan Goepfert, 7601 163rd Lane NW, stated the location chosen for the PACT Charter School expansion doesn't seem reasonable because of the concerns already given about putting a commercial operation in a well established neighborhood.

Kathy Reed, 21543 Jarvis Street NW, stated she is a long time resident of Ramsey and a member and trustee of St. Katharine Drexel Catholic Church. She stated the Planning Commission approved the rezoning on February 24, 2022, contingent on approval of the preliminary plat. She stated that the preliminary plat would include responses to the concerns raised over drainage, tree preservation, noise and light pollution. She was surprised to learn the EPB met on February 28, 2022 and voted against this proposal. She stated that representatives from neither PACT Charter School nor St. Katharine Drexel attended and were unable to respond. She stated more environmental studies need to be done. She pointed out the land will be used for something and all of this will need to be addressed. She stated with Central Park on one side and the church on the other, the addition of the school seems a good fit. She stated the church is committed to creating a long-term plan for the parcel of land that respects its natural resources and the surrounding community.

Jason Patrow, 16209 Sapphire Street NW, stated no one is against the PACT Charter School expansion but it isn't wanted in an area where it is going to create difficulties for families who live there. He stated he is an engineering project manager for a large design build contractor. He stated he deals with facilities of these and much larger every day. He knows these require a retention pond. He wasn't sure if the church will require a retention pond also and by selling this much land to PACT they aren't leaving themselves enough land to build. He stated this property is different from the other schools because of the wetlands. He commented on the traffic and stated it will be considerable. The site plan also allows for 55 vehicles which he feels isn't going to be enough. He also sited issues with the site plans for the stadium with a 13-foot elevation change.

Gary Van Scoy, 5851 147th Lane NW, stated he is on the Planning Commission and is also a member of St. Katharine Drexel Church and is the Chair of the Building Committee and a member of the Finance Council. He stated that in discussions with the City regarding PACT Charter School that Chair Bauer and himself have abstained from the discussions even in Work Sessions. He commented that this is being seen as a benefit both to the school and the church because of sharing of parking and storm water retention ponds. He emphasized that this property will eventually get developed. If the land is used as it is currently zoned there would be 54 units on the 18 acres. He stated there are issues being highlighted that will need to be addressed no matter how it is developed. He stated the property has been sitting there for many years and open to the neighbors but recently had to have signs posted because of damage and noise pollution by neighborhood children in unstructured activities such as four-wheelers. He was in support of this project despite the validity of the concerns raised.

Jessica Bush, 17720 Baugh Street NW, stated she shared concerns of the neighboring residents because of the values of rural Ramsey. She stated her four children attend PACT Charter school and she sent an email with concerns. She stated this opportunity will create around 100 new jobs, increase home values, and create a desire to live in Ramsey. She thought there were a lot of opportunities for shared use that will benefit the community. She felt that the expansion would create healthy competition and will help with overcrowding in the schools.

Jacqueline Washburn, 325 Harrison Street, Anoka, she stated she is renting and actively looking for a home in Ramsey. She stated her children attend PACT and her husband will be working in Ramsey. She asked that comments by those who are not current Ramsey residents but hope to be will be considered. She stated that PACT and JP Vang have considered eight other locations but none worked. She stated that Anoka has several schools in residential areas. She supported PACT as a quality Charter school and felt the expansion would allow for even more opportunities.

Amber Cuevas, 7474 163rd Avenue NW, stated she attended St. Katharine Church and had considered PACT Charter school for her children. She expressed concerns about the drainage going into her back yard as well as the noise. She questioned the validity of raising home values for her home with the school so close.

Michael Johnson, 7494 163rd Avenue NW, stated he is a long time Ramsey resident and an educator. He understood that there is a desire for a new school but stated that community is typically built up around a school instead of a school being placed in the community. He stated he raised his children in Ramsey and expressed concerns about losing the small-town feel. He shared concern about drainage as his property has already seen flooding.

Matt Bowl, 7650 163rd Lane NW, shared concerns with the stadium that would be in his backyard.

David Berg, 16210 Uraninite Street NW, shared concerns with the quality of life in the area and the loss of the small-town feel. He stated he would be right across from the proposed church and expressed concern with the size of the lot for the school when other schools are on much larger lots. He also expressed concerns about plans to share the park with the school because it would mean expanding beyond the 18 acres and redoing streets that were just done last year. He stated his grandchildren attend PACT Charter school, he had to get there 20 minutes to drop off children at the current location, and felt the proposed area couldn't support the needs.

Sara Smith, 7480 159th Avenue NW, shared concerns with other neighbors. She stated that Variolite Street is a residential street and the residential development has only one access onto Variolite. She challenged the argument that traffic wouldn't impact the neighborhood that much and asked that current residents be protected and have options for road access.

Josh Nyquist, 14852 Peridot Street NW, Executive of Building Operations at PACT Charter School, stated PACT was started in Anoka and moved to Ramsey in 2004. He stated PACT has honored children and families and values their input. He stated there are over 500 students and a large wait list. He stated this expansion would allow the school to continue to benefit Ramsey, especially at the high school level. He stated they are not able to access the same funding as public schools who can afford to purchase 30+ acres but are able to do more with less.

JB Vang Partners Representative Fincher responded to the comments, which he stated were appreciated. He asked the Mayor and Council to allow the opportunity to conduct due diligence in detail including the issues raised. He stated this issues will be addressed in the upcoming site plan review submission, which is pending tonight's vote. He stated regarding rainwater runoff and stormwater management they intend, once the experts are involved, these would be addressed which will require a separate watershed approval process. He explained why the site was chosen and stated the first priority is that PACT Charter wants to remain in Ramsey and that the site would need to be at least 15 acres to accommodate the projected enrollment. The outdoor space and amenities were considered and it must be on City sewer and utility. This site was also financially affordable.

Chad Glader, 16415 Quartz Street, stated he attends St. Katharine Drexel Church and has children who attend Brookside Elementary because he felt PACT was too small of a school and didn't feel there was a chance for his kids to be accepted. He asked that school be allowed to expand and for site analysis to be done to determine rightness of fit for the community.

Michalena Holder, 8100 153rd Lane NW, stated her son goes to a charter school so she isn't against PACT. She challenged the point that the land will be developed anyway because if houses go in per the zoning there wouldn't be a stadium with the amount of noise. She stated she doesn't leave the house much but she can hear sounds from the park which is several blocks away. She expressed concerns about the school sharing the park space because it will get taken over by the school. She challenged rezoning it first and then working out the details. She asked that the current residents be considered because the area is already busy.

Josh Loren, 6174 146th Avenue NW, stated he has lived in Ramsey his whole life. He stated that there is an adjustment that needs to be made with any change. He stated his children attend PACT and supported the expansion and taking steps to do research on the project.

Jason Tossey, 14417 Bowers Drive, stated he is a teacher at PACT and is a member of the board of directors. He stated he knows change isn't easy but promised the neighboring residents that they will be great partners and will work to address and mitigate the issues raised.

Councilmember Musgrove thanked the residents for coming out to speak. She asked about the motion and what happens if the conditions aren't met and what the conditions are in the Preliminary Plat.

Senior Planner Anderson replied the intention for the contingent approval is that there wouldn't need to be any specific conditions tied to the Preliminary Plat, it would be a project coming forward that would be reviewed under the guidance and codes in the zoning ordinance. Staff would come forward with recommendations to say the project is meeting the standards or it is not. He stated if the Preliminary Plat were to not be approved the zoning would revert back to the current zoning.

Councilmember Musgrove asked if it was correct that it wasn't tied to any specific conditions in the Preliminary Plat with regard to resident concerns, it was more about the whole process and if it doesn't pass it would revert back to the current zoning.

Senior Planner Anderson replied that is correct.

Councilmember Musgrove asked Police Chief Katers to respond to resident concerns about traffic and student driving and asked about any issues with current traffic issues around the current PACT Charter School.

Police Chief Katers replied he didn't have any comments on student driving but has worked with PACT Charter School on traffic issues relating to dropping off students. He stated PACT has been receptive to it and resolved the issues.

Councilmember Musgrove referenced the concern about a turn off of Variolite and asked if the plan is to have traffic come off of Variolite and asked if it was just the buses. She stated she thought the presentation had said traffic would come in and out of 161st Street.

Senior Planner Anderson replied from the conceptual plan, the student drop off would access the site from Variolite Street, would travel south and west to drop off students at the school and then do a U-turn through the parking lot and exit back on to Variolite Street. The buses would circulate through the eastern entrance off of 161st and exit off of the western exit off of 161st Street. The students driving themselves would enter and exit off of the western entrance off of 161st Street.

Councilmember Musgrove suggested a right turn out only and consider another way of traffic flowing in and out of there. She stated regarding water runoff that it goes through a lot of different committees before that is determined and that there are some new concepts with Riverstone South development with a unique way to manage water runoff. She asked for an explanation of the ability of engineers to mitigate concerns regarding the landscape and water runoff.

Senior Planner Anderson replied there is no doubt that there could be a solution engineered regarding water runoff, both the retention and infiltration, but the question would be how expensive that would be and noted that would be borne by the school. He stated for the benefit of the public, that it is not only reviewed by City Staff but also by the Lower Rum River Water Management Organization so there are multiple agencies involved to verify that storm water management are meeting the standards.

Councilmember Specht stated, for full disclosure and because there were questions about it, that several years ago he was the Chair of PACT Charter School although he is not currently and his children don't go there. He thanked everyone for their feedback on both sides. He felt that PACT had a really good relationship with the City and appreciated the benefit. He saw having another church and school in Ramsey as a benefit to the community to draw families to the community. He addressed the question of the school of if the school would be able to manage things well and if the site is big enough by stating that charter schools don't have to follow all the rules of the MDE yet. He stated this expansion would have to be approved by MDE and that the expansion would be for the school and MDE to work out, the Council's decision is rezoning. He stated that he supported this as a benefit and felt the concerns raised will be addressed.

Motion by Councilmember Specht, seconded by Councilmember Heineman, to adopt Resolution #22-050 granting a Comprehensive Plan Amendment to re-guide a portion of the Subject Property to Public/Institutional.

Further Discussion:

Councilmember Specht asked if there were any comments online. Councilmember Heineman commented that he understood the residents' apprehension and stated he has been a long time Ramsey resident as well and has seen the development in the City. He stated he will be voting in support of this and responded to the concerns raised. He mentioned the word "stadium" but stated the field where kids will be playing sports with a track and bleachers is categorized as a stadium that may be presenting a false reality. He played football in Central Park and understand the lights and that there would be lighting added in the area but not to the level that is a great magnitude. He also commented on water management that plans will be put in place to mitigate water. Councilmember Heineman stated that Ramsey couldn't legally allow a building to be built that would flood other houses. He also responded to the comment that the Council isn't thinking of Ramsey residents but there were many residents in support of this. As far as there being enough room to build or not, the right location will be determined through the planning phases. To the point that it is unsafe, that there haven't been traffic accidents that have happened because of students and building a school in a neighborhood makes it safer because it gets more attention from law enforcement. He stated change takes time.

Brian Walker, 17289 Variolite Street, stated he is on the Planning Commission and was the vote against sending this to the City Council. He asked Mr. Anderson what the proposed site is for the church zoned as. Senior Planner Anderson replied the subject property is currently zoned R-1 residential MUSA-80. Mr. Walker asked if that is from Variolite to Central Park. Senior Planner Anderson confirmed this. Mr. Walker commented online that the church is being allowed to change the zoning and get the church there but they have to go through the same process as PACT so assuming that there is going to be a church next to the potential school is wrong. He also stated that when people bought homes in the area they did that based on the current zoning and that changing the rules is not fair without some type of compensation. He hoped the City Council would take into account the effects on the residents.

Senior Planner Anderson asked, based on the current motion, if the Council would consider adding a fourth point in the resolution which would incorporate the contingency about the Preliminary Plat that was a part of the motion for record keeping if the motion were approved.

Councilmember Riley stated they aren't considering changing the zoning blindly, it would be for one specific purpose, which if it doesn't end up going forward would revert back.

Councilmember Woestehoff stated that he lives within the notification area for this project and would be able to see what develops. He stated he has concerns with the size of this school on the proposed lot. He understood that it doesn't have to abide by MDE suggestions as a Charter school but if the guidelines have requirements it doesn't matter where the money comes from. He stated his biggest concern is the access off of Variolite Street that the hill is really rough but adding another point of entry there would add traffic. He stated if it was closer to the park the concerns with drainage and traffic would be less. He stated the drainage issues need to be addressed

regardless. He stated there was an opportunity to expand Central Park but didn't take the opportunity but that would be tricky financially for the City but he felt that would be a better use of the land. He stated that he wouldn't be supporting this because of the lot size.

Councilmember Musgrove commented that she will support this because of the contingency by the Planning Commission. She appreciated the resident feedback but responded to a comment that all of the Councilmembers have a connection to PACT but she does not.

Councilmember Howell commented she doesn't have any connection to PACT either. She stated she shared concerns raised by the EPB about environmental issues. She stated this is a motion to investigate how concerns can be mitigated. She stated there is a perception that Ramsey is difficult to work with. She sympathized with people on 161st Avenue but Ramsey needs a high school and this would allow the developers to due diligence to investigate the concerns.

Councilmember Riley commented he is not affiliated with the church or PACT.

Mayor Kuzma commented he grew up in Robbinsdale which had a football stadium that was in a residential area. He stated he lived half a mile from the school and could hear the games from their house but they looked forward to Friday nights. There was never any complaints as far as he knew. He stated he supported going through with the planning portion of the process.

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

Motion by Councilmember Specht, seconded by Councilmember Heineman, to introduce Ordinance #22-15 to rezone a portion of the Subject Property to Public/Quasi-Public with the contingency as outlined by the Planning Commission.

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

Senior Planner Anderson stated the ordinance will need to come back for a second reading per the Charter which will be on the agenda on March 22, 2022.

7.03: Adopt Resolution #22-059 Accepting Bids and Awarding Contract for Improvement Project #20-07, Construction of Salt Storage Building at PW Facility

Public Works Superintendent Riemer reviewed the staff report and recommendation to accept the bid from AB Construction in the amount of \$469,110 for construction of the new salt storage building at 14199 Jasper Street.

Motion by Councilmember Musgrove, seconded by Councilmember Woestehoff, to adopt Resolution #22-059 Accepting Bids and Awarding Contract for Improvement Project #20-07, Construction of Salt Storage Building at 149199 Jasper Street by AB Construction in the amount of \$469,110.

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

7.04: Adopt Resolution #22-017 Approving Riverstone Outlot Ownership

Deputy City Administrator/Community Dev. Director Hagen reviewed the staff report and recommendation to take ownership of the six outlots with the condition that the developer pay all outstanding taxes through the end of 2022.

Councilmember Riley asked if the City would be taking care of these outlots even if it wasn't in the City's ownership because there is stormwater and there are easements over them.

Deputy City Administrator/Community Dev. Director Hagen confirmed this and added that the general maintenance of the pond for stormwater management purposes the City would have done either way. He stated the lawn mowing is what is typically put on the homeowner's association but in this case the ownership of these outlots weren't in the declaration.

Councilmember Musgrove asked if there is anything written in the documents related to the homeowner's association that tells the homeowners these would be outlots and properties where a flower garden or trees could be planted in order to maintain the integrity of the stormwater. She also asked how often the City does inspections where there are residents right next to the stormwater properties.

Deputy City Administrator/Community Dev. Director Hagen replied the City is required to conduct routine inspections of the stormwaters once every five years. If residents had planted anything they could ask them to remove.

Councilmember Musgrove replied it would be nice for new homeowners to have something in writing so they are aware that is a stormwater area.

Deputy City Administrator/Community Dev. Director Hagen replied they could encourage educational materials but the challenge is with new ownership turnover. He suggested encouraging education during homeowner's meetings. He stated the reality is that homeowners are not buying the stormwater pond that is in stormwater property which would be considered trespassing.

Councilmember Musgrove thanked Deputy City Administrator/Community Dev. Director Hagen for the clarification.

Councilmember Woestehoff asked what happens if the City doesn't want to own these.

Deputy City Administrator/Community Dev. Director Hagen replied, hypothetically a scenario, is that the developer maintains ownership and pays a very small amount of yearly taxes. He stated another scenario is if they don't pay taxes and go into tax forfeiture, the County would take ownership of it and if they say no, the City is next in line and Staff would recommend taking ownership of it at that time.

Councilmember Woestehoff asked if the City would end up taking ownership of it anyway.

Deputy City Administrator/Community Dev. Director Hagen replied there is a very likely opportunity of that.

Motion by Councilmember Riley, seconded by Councilmember Howell to adopt Resolution #22-017 Approving Riverstone Outlot Ownership.

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

7.05: Consider Request to Amend a Home Occupation Permit for Peace Keepers, Inc. at 6025 177th Ln NW; Case of Derek Trout

Deputy City Administrator/Community Dev. Director Hagen reviewed the staff report and recommendation to amend the level one to allow in person sales of firearms, ammunition and accessories and hosting permit to carry classes out of an accessory structure. He noted the applicant has been in contact with the building permit department and working to finalize a building permit. He stated the request was triggered by a complaint that came to the City. He stated the Planning Commission is recommending denial of this request. He stated the Planning Commission has two suggested conditions if the Council wanted to approve it and the Staff has additional conditions as well. He stated the applicant, Derek Trout, is in the audience to answer questions.

Mayor Kuzma stated public comment would be limited to three minutes each.

Councilmember Heineman asked Mr. Trout about the permit to carry class and asked where the qualification test would take place.

Derek Trout, applicant, replied the qualification test has always been conducted at Total Defense in Ramsey or at another established firearms range. There is no handling of firearms, it is only classroom presentation conducted onsite. He stated there are fake weapon trainers for display and training purpose.

Councilmember Howell asked Mr. Trout about his background and certifications that he holds and reassurances he could offer the Council for reassurance.

Mr. Trout replied he has a certification through the Bureau of Criminal Apprehension (BCA) of Minnesota to conduct firearms training and permit to carry. He stated he has held hunter safety certifications in the past to conduct those trainings as well although he doesn't currently hold that certification and doesn't plan to teach that class. He also has range officer's certification through the United States Army. He stated he has been a machine gun trainer, M4 trainer, M9 trainer, M17 trainer, 240, 249, and a variety of different weapons trainer in the past. He stated his current position with the military is as an ammunition handler and he has studied ammunition for the past

eleven years. He has certified ammunition shipments in five different countries. He has extensive experience in ammunition with firearms and firearm safety with students of all ages.

Councilmember Heineman explained for the audience that Mr. Trout's experience covers everything from a handgun to an antitank rocket launcher, including machine guns.

Councilmember Riley stated Mr. Trout is very clearly experienced and certified but asked about the retail out of his home.

Mr. Trout replied according to the last Planning Commission meeting, retail is legal in residential neighborhoods. He stated the request for round trips per day is the amount of a level 2 permit. He stated the retail is for firearms which would have to be an in-person transfer who would go through a background check through the FBI system, and to make sure they have a permit to carry. He stated he would like to be able to offer additional holsters, optics, accessories and multiple firearm purchases. He stated he isn't asking to have open hours or signage but is looking for appointments only which would allow him to do a screening and background check. He stated the majority of people he has sold to in the past have been friends, family and a variety of public servants. He stated his clients have been repeat customers who he knows and trusts.

Mayor Kuzma asked if people are buying a firearm if they are picking it up from his house.

Mr. Trout replied they are required to pick it up from a licensed dealer or he ships firearms to another dealer across the country. In that case, they ensure the dealer is legal to have the firearms before shipping.

Councilmember Woestehoff stated Mr. Trout is very detail oriented in his certifications and expertise and signed off on the permit with strict conditions but Staff was notified of this because of violations of the permit and asked if Mr. Trout forgot about conditions and because of it is being escalated to a level two permit.

Deputy City Administrator/Community Dev. Director Hagen replied Councilmember Woestehoff was correct that concerns were raised about the activities and asked if something against ordinance was occurring. Staff found there was an existing home occupation permit, looking at it expanding it to an accessory structure which is a move away from just online sales. Staff determined Mr. Trout was in violation and sent a letter and suggested applying for an amended home occupation permit. He stated if the request were denied it would be Staff's recommendation to allow Mr. Trout to correct his operations under the existing permit. If he chooses not to, it would potentially go down the revocation path.

Councilmember Riley asked what the number of trips that are allowed and how that compares to other home occupation permits that are allowed.

Deputy City Administrator/Community Dev. Director Hagen replied that because it is a permit there can special conditions placed on it to restrict the impact of the neighborhood such as number of trips per day, number of classes per year or attendees and parking restrictions. He stated it could be difficult to gauge if it is a business trip versus a personal trip.

Senior Planner Anderson replied City Code reads “home occupation shall not generate excessive vehicle traffic which is defined as anything over eight round trips per day” between anything related to the business.

Councilmember Heineman stated that one of his concerns was reasonable trips and Staff is saying there could be limits placed on it. One suggestion was to make it appointment only which it sounds like is something Mr. Trout is agreeable to.

Mr. Trout replied he wants to be by appointment only and make it so no one knows there is a business there.

Councilmember Heineman asked, to be clear, if it was the case that there are other businesses with home occupation permits working in Ramsey doing similar things outside of firearms in terms of appointment only such as piano teachers.

Deputy City Administrator/Community Dev. Director Hagen replied that is correct.

Councilmember Heineman replied the issue isn’t around an appointment only business operating with a conditional use permit, the issue is that it is firearms. He stated with the resident’s experience, certifications and being a lawful license holder, he didn’t have a problem with it.

Councilmember Musgrove thanked Mr. Trout for his service. She referenced when the calls were received by the City, there was discussion about multiple vehicles coming to the property throughout the day and asked if there were more details.

Deputy City Administrator/Community Dev. Director Hagen replied he didn’t take the phone call and didn’t have the details but there was a general concern expressed at the Planning Commission meeting that there were a lot of vehicles on a street that is a dead end street. He stated a common concern expressed by neighbors that the vehicles weren’t known and were concerned about their safety.

Councilmember Musgrove asked if traffic laws were being violated or if a lot of noise was being generated.

Deputy City Administrator/Community Dev. Director Hagen replied no, there was a general concern about not knowing the drivers of the cars coming into the neighborhood.

Councilmember Howell commented she struggled with the fact that it is a public road which are used by everyone and how the burden is put on City Staff to monitor traffic and assess who is coming and if it is for business or personal. She stated this is an issue with trips per day that is in the code. She stated if this were to go through how it would be addressed to avoid having to take Staff time monitoring traffic. She stated it is an unusual business but she stated that there aren’t stipulations or safety measures for someone who is a gun collector. She stated the applicant is highly qualified, the Police Chief can have oversight for safety measures, and home occupations are allowed in Ramsey. She stated a concern about someone picking up a firearm from someone

who is doing backgrounds. She compared it to someone who has pit bulls but follows kennel guidelines. She stated the discomfort level centers around picking up in person and the question is if that should be allowed and if there are enough safety measures in place.

Kelly Schmidt, 6000 177th Lane NW, stated she hunts and has a conceal and carry permit. She stated the issue isn't about traffic but a commercial business in a residential area. She stated there are five disabled children in the neighborhood, two of whom are deaf, and the road is a loop. She offered to get information about the number of cars, which is a lot. She stated the original permit was not announced to neighbors. She stated the sales are firearms, not Tupperware. She stated many of the neighbors couldn't stay tonight but many told her they didn't buy in this area to have a commercial gun shop in their backyard, that it is a residential neighborhood. She stated there were signs for the business which Mr. Trout has since removed after complaints but it is advertised as a business on Facebook which show ammunition and bazookas. She challenged Mr. Trout's assertion that he sells mainly to friends and family. She emphasized Mr. Trout's failures on the original permit.

Michael Mass, 5936 177th Lane NW, stated he is the first house coming into the loop so he sees all the neighbors. He stated he moved there to be in a residential neighborhood not to be near a gun shop. He stated he is a gun owner but bought them at a commercial business and he doesn't agree with this in a residential area.

Arnie Knox, 6000 177th Lane, stated he is right next to Mr. Trout and the one who asked City Staff why there is a gun dealer next door. He stated the fact that Mr. Trout got a permit to sell guns online should be a red flag, and then the fact that he didn't follow the level permit. He stated it could effect resale in the neighborhood to have a gun dealer in it. He stated the permit was issued but not regulated or followed-up on instead of waiting for a complaint. He suggested there be a policy to check up on him because it is guns. He felt this was kept a secret and blamed the City for not doing their job.

Brian Heigl, 17826 Potassium Street, stated there are two issues with his neighborhood. One is that there is only one entrance and exit in the neighborhood. He stated there are so many accidents in that area that any increase to the traffic in and out of there is an issue. He stated in the last couple years, there has been an increase in thefts from gun dealers, most of whom are in well-lit business areas where there is less of a chance for thefts. With the suggestion of it being put into a pole barn at the bottom of a hill tucked in at the side of the yard. He thought it could be a target if someone sees it on the website and takes the opportunity. He suggested Mr. Trout be allowed to go back to the original stipulations of the permit and sell out of his home which would have greater security and allow the pole barn to be used for classes, which was his original intent.

Female resident (name and address not stated) thanked the Council for their time. She stated there have been a lot of documentation including emails and phone calls. She asked for the level two Home Occupation Permit (HOP) not be approved and for immediate revocation of the level one HOP. She stated owning a firearms business in a very small neighborhood has a big impact on the families who live there. She stated she has two severely disabled children who may never understand the risks and they live next door to Mr. Trout and this has changed how their live. She stated she supports 2nd Amendment rights but didn't feel this is a safe place to have a firearms and

ammunitions business where there are many families with young children. She asked the Council to think of their families living next door to a gun shop with ammunition and classes with 10 to 20 people.

Deb Kemp, 6003 178th Lane NW, stated she lives around the corner from Mr. Trout. She stated she has a permit to carry and believes in 2nd Amendment rights but doesn't feel that there is enough security in a metal pole building. She challenged Mr. Trout's claim that he knows everyone he sells to and because of Facebook that is a lot of people coming and going. She didn't feel a residential neighborhood was the right place to sell guns or that the guns would be secure.

Mr. Trout responded to the resident comments. In response to cars coming and going all day, he had an average of one sale per day for the last two years which includes online sales. In response to the Planning Commission not doing their job in announcing a home occupation, he stated they aren't required to. He stated they are not requesting commercial but want to stay within residential zoning permit guidelines. He stated there are already seven other homebased FFL's in residential neighborhoods in the City of Ramsey, four of which have manufacturing permits on smaller lots. He responded to the comments that the Facebook page has his address by saying that it only lists Ramsey, Minnesota. Regarding security he stated there is automatic motion sensors on each corner of the pole barn and he meets and exceeds firearm safety security measures. He asked the Council to allow a legal business to continue to conduct a legal business.

Councilmember Heineman asked Mr. Trout asked about the value of merchandise and if it would be advantageous for it to be stolen

Mr. Trout replied he didn't think so.

Councilmember Heineman asked it was conducive for Mr. Trout to secure the firearms.

Mr. Trout replied the firearms are secured in gun safes in the pole barn with automatic locking doors, security doors, and a 24-hour security camera system.

Councilmember Heineman asked if Mr. Trout had friends and family visit him.

Mr. Trout replied he did and they stay with him.

Councilmember Heineman asked if the neighbors felt the need for him to declare family members or friends because he didn't know how it would be regulated. He stated he felt like more of risk than Mr. Trout because he is a gun owner and his address is listed on the internet as well, when Mr. Trout has taken more safety measures. He felt that businesses should be allowed to operate with a conditional use permit out of their homes and this is not a process that isn't done but the difference is because it is firearms. He asked Police Chief Katers if he has looked into this and the referenced a letter from him stating he didn't have any concerns about the security of the building and how it relates to other gun stores.

Police Chief Katers replied he hasn't inspected the property but City Staff has. He stated his approval was based on the first HOP, not the second. He asked the Council, similar to the Planning

Commission, that if it is approved and it is a commercial grade as with others that he be allowed to look at the property to ensure security and safety. He stated he has done that with other commercial businesses in the area.

Councilmember Heineman commented he supported the inspection by the Police Chief and the condition that the business be only by appointment.

Female resident (name not stated) commented there are ways to know the difference between business and family because they arrived at the pole barn and only the pole barn staying between 20 minutes and 2 hours. She stated there have been documentation of the cars.

Councilmember Heineman replied there can be visitors to a home including deliveries and friends of children, etc. that it couldn't be certainly determined. He asked that Police Chief Katers take that into consideration as he is doing a security assessment but he had a hard time telling a resident that if the neighbors didn't know the people coming to a home that it shouldn't be allowed.

Councilmember Howell asked that if this was approved, that the Police Chief sign off on this and add any conditions he deems necessary. She stated she is a former small business owner who operated out of her home and it would have been really distressing to her to have neighbors micromanaging her. She understood the concerns and lack of transparency by Mr. Trout. She stated that if the permit goes through, they will have to find a way to be neighbors to each other and not take this out of proportion. She supports this business and noted given the applicant's background, he would be able to secure his firearms. She stated there is nothing preventing him from being a gun collector and owning a massive amount of firearms and ammunitions. She stated if this is approved, there will be requirements that would need to be met and if they aren't it could be dealt with then.

Ms. Schmidt stated the question is not if the neighbors should get along, it is if Mr. Trout violated the original HOP, which she felt he did and now may be approved for a higher level HOP. She stated Mr. Trout wasn't being held accountable for the violations and that the neighbors were being punished for it.

Michael Kemp, 6003 178th Lane NW, asked Councilmember Howell what kind of business she had.

Councilmember Howell replied it was a piano studio with multiple cars coming to her home.

Mr. Kemp stated he lives on the next block and didn't care about the cars. He stated there are people who walk their dogs daily and there are small children in the neighborhood. He stated there has been vandalism of cars in their yards. He asked if a music teacher is being compared with a gun shop.

Councilmember Heineman replied he is comparing the two in regard to the rules for a small business, which is the same. He repeated his comments regarding guns is that it is an intangible difference that is emotionally driven and not statutory.

Mr. Kemp asked if the application asks for the what kind of a business you will have.

Councilmember Heineman stated he believed so.

Mr. Kemp replied it doesn't seem like you have to because it is a residential area. He stated he worked at a body shop and he has been asked to do that out of his home but he didn't think he could get a permit. He stated it isn't a good fit for the neighborhood because there is one way in and one way out and people wouldn't be there if they didn't live there.

Councilmember Heineman replied that if Mr. Kemp applied for a permit to paint cars as a small business, he would support it.

Mr. Kemp replied the City has said you can't do car repair commercially. He didn't think there was a permit for that and it could only be done in an area that is zoned commercial.

Councilmember Heineman replied if a need was identified and it was within the parameters, he would support it. He stated a paint shop would include combustible materials that would be dangerous to the neighborhood but if it was proven that precautions were taken he would support it.

Councilmember Howell asked if it was correct that steps are being taken regarding the violations which include either going back to the level one HOP or going to the level two HOP.

City Administrator Ulrich replied that is was a result of an enforcement action to enforce the original HOP.

Councilmember Howell replied they are taking steps to address the residents' concerns but it isn't appropriate to move someone from a first violation to abatement; the process needs to be followed.

Female resident (name not stated) commented that enforcement is being talked about and the Police Chief is going to come out to look at it, but after that, how often are gun shops being monitored. She asked who is going to monitor Mr. Trout. She stated he has already violated his permit and none of them have been addressed until neighbors called to complain because no one monitored his gun business.

Councilmember Specht stated he appreciated the feedback from the Council and residents and that he is taking a bigger picture and if this business would be singled out.

Motion by Councilmember Specht, seconded by Councilmember Heineman, to amend the language of Resolution #22-041 to approve the amendment to a Home Occupation Permit Level Two at 6025 177th Lane NW with the condition that it would be by appointment only and that the Police Chief would review the facility.

Further Discussion:

Councilmember Howell asked if the Police Chief would want to make any annual visits or work out a process with Staff to monitor the business in addition to the original inspection.

Police Chief Katers replied what is typically done for commercial businesses is one inspection, not follow-up inspections. He stated code enforcement is done through the Community Development Department and the Police Department doesn't get involved. He stated the Council could order him to do so but he suggested that he do the initial inspection and the community development department do ongoing follow-ups. He stated this case was a result of code enforcement issues. Councilmember Musgrove asked Staff what are the regulations on the number of visits per day with a Level Two Home Occupation permit.

Deputy City Administrator/Community Dev. Hagen replied the Planning Commission, as a part of their discussion, provided two conditions. He stated one was having an inspection done by the Police Chief, the second was to limit the business trips to four per day with the exception of when a Permit to Carry class is held. The classes would be allowed once per quarter in a calendar year with six business cars per the application. He stated that code enforcement is a snap shot in time and code enforcement of vehicles and trips per day would be difficult.

Councilmember Musgrove asked if there were any requirements about hours of operations in regard to trips per day.

Planning Commission Chair Bauer made an inaudible comment.

Deputy City Administrator/Community Dev. Hagen asked Councilmember Musgrove if she heard Chair Bauer's comments.

Councilmember Musgrove replied she did but asked if, because it is a Level Two permit if there were restrictions on hours per day that the trips could go.

Councilmember Woestehoff replied the Council could put restrictions on the hours and the rest would fall within regular nuisance guidelines. He suggested an added condition that the pole barn has to meet and pass the final inspection before any sales could happen because it isn't currently up to code.

Councilmember Musgrove asked if Mr. Trout had any input on hours that would work for him if the Council would put parameters on hours of operation.

Mr. Trout replied that he would like three days a week, no more than four hours between 5:00 p.m. and 9:00 p.m. He stated on weekends he would request an eight hour timeframe between 10:00 a.m. to 6:00 p.m. He stated he could be flexible if the Council wanted.

Councilmember Musgrove asked it would make sense to allow four trips on days where he was operating four hours and six trips per day on day he was operating longer.

Councilmember Howell suggested that Mr. Trout stick within normal business hours to not upset the neighborhood, especially since he is an appointment-based business so he can work with the clients but also be respectful of neighbors and not have people over after hours.

Councilmember Musgrove agreed with Councilmember Howell's suggestion.

Mayor Kuzma asked Councilmember Specht and Councilmember Heineman if they were agreeable to Councilmember Woestehoff's suggestion to add to the motion the contingency that the pole barn meets standards.

Councilmembers Specht and Heineman accepted the friendly amendment.

Councilmember Howell asked how the trips are limited to a certain number but also not take Staff time with calls about vehicles of relatives or friends.

City Administrator Ulrich replied annual inspections aren't done, there are conditions which the permit holder has to abide by. He stated if the conditions aren't met, the permit can be revoked and have been revoked by Councils with proper public hearing and process. He stated they rely on neighbors to be the eyes and ears and are a complaint based system as they know the conditions best. He stated monitoring trips would be difficult but if there were complaints they could look at and inspect records of the business or ask to see records of appointments. He stated that interviews could be done regarding complaints. He stated a follow-up inspection is a part of the process and they would ask for accountability.

Councilmember Woestehoff commented that he won't be supporting this, not because of guns, as he didn't care that it was a gun dealer. He stated that the issue for him is that the response of a complaint is issuing a higher level permit, which doesn't sit well with him from a process standpoint. He stated he would be comfortable with keeping it at a Level One for six months to a year to ensure compliance.

Councilmember Riley commented that he would not be supporting this because retail is being allowed in a residential area.

Mayor Kuzma expressed concern about the violations and moving it to a higher level permit, which he didn't think was right.

Deputy City Administrator/Community Dev. Director Hagen asked City Attorney Knaak if it would make more sense to bring back a resolution that is formatted and written in a way that is approving an amended home occupation permit to allow more time to think about conditions that might make sense, because Staff hasn't had an exhaustive conversation. He stated there were 18 noted in the original HOP and he has five more written down.

City Attorney Knaak asked if the question was if it was a good idea for the Staff to take more time to recommend more conditions.

Deputy City Administrator/Community Dev. Director Hagen replied correct, if Council is under the consensus to allow this type of use that it may make more sense to have some additional time to think about conditions making sure they are thinking of everything and have another conversation with the Police Department.

Councilmember Woestehoff replied in the case the resolution is to deny the HOP and one of the reasons why the Planning Commission went that route was so they could outline conditions they thought were important. This included having the Police Chief's review of the facility and a limit of the trips. He stated that even if the wording was a resolution to deny, the motion that was made was to approve with certain conditions and if Staff has other conditions to add that now would be a good time to add them.

City Administrator Ulrich replied there is a motion on the floor and asked that Deputy City Administrator/Community Dev. Director Hagen review the conditions because he wasn't sure if those were in the motion and asked for clarification.

Councilmember Musgrove asked if it was a good time to do that but also for Staff to meet with the applicant to ensure there are parameters and have a good working plan. She stated that has been done with other applicants and if there are going to be more conditions that it was important for the applicant to have clarity and buy-in.

Mayor Kuzma asked Deputy City Administrator/Community Dev. Director Hagen to repeat the motion with the included conditions.

Deputy City Administrator/Community Dev. Director Hagen asked if he should include the conditions Staff had come up with to get Council feedback.

Mayor Kuzma replied now would be the time.

Deputy City Administrator/Community Dev. Hagen stated there is a condition of appointment only, he didn't catch the days of the week the applicant noted, only that he asked for three days during the week with four hours a day and both weekend days with eight hours each. He asked if Council wanted to clarify that more if it should be open for those times to adjust.

Councilmember Musgrove commented she thought one day during the weekend and asked if Deputy City Administrator/Community Dev. Director Hagen had said both days on the weekend.

Councilmember Specht commented that Councilmember Howell had mentioned not wanting to micromanage a business. He asked if days and times were outlined for other businesses.

Senior Planner Anderson replied typically there is a quasi-business plan and based on that, if there is support from Staff and is the will of the Council, those are often incorporated into the home occupation permit because it clarifies it and aids with code enforcement.

Councilmember Specht asked Councilmember Heineman, as seconder of the motion, if he wanted to push it back to Staff.

Councilmember Heineman replied he wanted to consider this permit the same way other permits would be considered. He stated he didn't want to push it through if due diligence hasn't been done; however, if answers to questions were given the same as with other home occupation permits he could go with it. He stated he liked Senior Planner Anderson's comments on a business plan

outlining hours and things of that nature. He asked if it was correct that has been done with other HOP's.

Senior Planner Anderson replied, yes it isn't uncommon to get something like that from the applicant.

Councilmember Howell suggested saying it shouldn't exceed regular business hours and that a plan would have to be worked out with Staff as conditions of the motion.

Mayor Kuzma asked Deputy City Administrator/Community Dev. Hagen if there were other conditions.

Deputy City Administrator/Community Dev. Hagen replied he was still on the first one.

Councilmember Specht stated he would like to see this get passed tonight but that there wasn't enough information from Staff and details worked out and that it would have to be pushed off to another meeting.

City Administrator Ulrich recommended withdrawing the original motion with the second, and to postpone this item until the next regular meeting and direct Staff to bring back a resolution to approve this development with certain conditions that are to be worked out.

Councilmember Woestehoff asked they were within the 60 day window.

Deputy City Administrator/Community Dev. Director Hagen replied yes they are.

Councilmember Specht stated he would withdraw the motion.

Councilmember Heineman withdrew his second to the motion.

Motion by Councilmember Specht, seconded by Councilmember Heineman, to move this item to a definitive date of the next regular City Council session to be on the agenda for review.

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

7.06: Introduce Ordinance #22-16 Establishing Boundary Lines for the City of Ramsey Ward System

City Engineer IV Linton emphasized that this is a once every ten-year opportunity precipitated by the census of the United States. He reviewed the staff report. He stated wards have to be established by ordinance and tonight the is the introduction of the ordinance. He stated precincts are established by resolution which will be detailed in the next meeting. By State law, forecasts have to be completed by March in order to stay in compliance. He stated the City does their redistricting and the school does theirs after.

Councilmember Specht asked if the ordinance to be voted on would be version three.

City Engineer IV Linton replied in the ordinance it says “see attached city map showing graphically the boundaries of Ward One” and when referencing each version that can be incorporated in. They can look at a multicolor spread sheet in the case that summarizes all the changes, with version two, Ward One is 1.1% below the average population for the wards. Ward Two is -2.2% and Ward Three is +1.5% and Ward Four is -.3%.

Mayor Kuzma asked if Version Three was the most current version with all the changes on it.

City Engineer IV Linton replied that is a further refinement.

Mayor Kuzma asked if that is as close as they have been able to get it.

Councilmember Woestehoff commented Version Two is probably the closest in terms of current population density. He stated the feedback given at the Work Session is that Ward Three indicated for Ward Three’s growth so it is a little lower now with the expectation that it is growing. He commented that Staff has worked hard on these and he has given a lot of feedback on this. He stated he could support version two or version three. He stated the question was if they wanted to take into account development for Ward Three or going with Version Two which has a current snapshot. He stated in the ordinance that is approved they could state which map is referred to.

Councilmember Specht commented that he was thankful for the work done on it. He stated he would support Version Three as it corrects a lot of the issues there are between Ward Three and Ward Four that Councilmember Musgrove had brought up. He thought it incorporated a lot of the feedback.

Councilmember Musgrove asked City Engineer IV Linton if it was correct that on version two that it has more normal boundary lines between Ward Three and Ward Four.

City Engineer IV Linton replied they are both about the same and explained the minor differences between the two on a street level.

Councilmember Council asked if Version Two was the closest to the current district lines.

City Engineer IV Linton replied that is correct and added that Version Three takes into account some future development but there is a risk if future development is anticipated too much that the percentages could be pushed out of the recommended guideline of 5%.

Councilmember Musgrove commented that Version Two and Version Three represent the practicable definition they were supposed to get to so she was okay with either one.

Councilmember Specht commented that he would hate to lose some of the residents in Ward Three because each one is wonderful.

Motion by Councilmember Specht, seconded by Councilmember Heineman, to introduce Ordinance #22-16 Establishing Boundary Lines for the City of Ramsey Ward System adding Version Three Map to the Ordinance in the Applicable Places.

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

City Engineer IV Linton commented that the revised ordinance and the resolution will be on the agenda for the next Council meeting.

7.07: Approve the Replacement of the River's Bend Park Monument

Public Works Superintendent Riemer reviewed the staff report and recommendation of replacement of the River's Bend Park Monument. He asked about the contrast that was shown in the original packet and had asked the design team to come up with a couple more to see if it would be more to the Council's liking.

Councilmember Specht if the blue suggested would be the standard Ramsey blue.

Public Works Superintendent Riemer replied the Staff thought maybe the browns would work better for the park system as more of a natural color.

Councilmember Musgrove stated she had this pulled from the consent agenda because she wanted to have more options with the park sign. She liked the contrast better with the lighter color in the background and that the lettering would look better in a darker color. She stated she would be okay with either the brown on the lighter contrast or the darker black letters as seen on Public Works because it is easier to read versus it all being the same.

Motion by Councilmember Musgrove, seconded by Councilmember Woestehoff, to approve the Signation Sign Group Inc.'s quote in the amount of \$16,580.

Further Discussion:

Public Works Superintendent Riemer stated the lettering is made out of a special kind of metal that to get the dark brown color they let it rust out, so they would get the black lettering but they wouldn't be able to use what was listed in the case. Councilmember Musgrove replied she was okay with the brown as it is in the case. She stated she liked the lighter color background color.

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

7.08: Investigation of City Affairs

City Administrator Ulrich stated this case is a follow-up to the lengthy discussion of the filling of the Charter Commission vacant seats. There were some inferred improprieties and there were subsequent follow-up by Councilmembers asking additional questions. He stated that the Council as a body is the one in charge of investigations and he wanted to verify with Council that work

should continue with this and if questions were satisfactorily answered. He also offered the opportunity for the City Attorney to be a neutral party to supervise the investigation because the City Clerk and himself have been called into question in regard to the process. He stated that he welcomed continued input and bringing this to a conclusion. He thought it was explained last meeting that there were some irregularities because this process isn't done all the time and there are some changes from year to year. He stated they were doing the best they could in trying to fill the positions and give people opportunity. He understood the feelings that there was not equal opportunity but the official wording is that the positions are open until closed. He stated there is some urgency for people to apply because if enough people apply and get appointed, then the positions are no longer there and there is no guarantee those positions will be there. There are periodic openings in all of the Commissions including the Charter Commission. He reminded that the Staff and Council have tried to stay away from making recommendations for Charter appointments. He stated the judge pointed out that other cities take a more active role but the City of Ramsey, in the past, has not chosen to take a more active role in the appointment of Charter Commission members and that the Charter Commission has not taken that role either, though they could. He stated the Council is considering policy changes to address the issue of Councilmembers serving on the Charter based on the appointment.

Councilmember Musgrove commented that in her time being on the City Council since 2018, she has been through a few processes of appointing Boards and Commission and didn't know if there was a good process. In looking at this case, she discovered some things. She stated in March 18, 2022 the discussion for Boards and Commissions had the Minnesota statute from 2017 and in any of the other cases that have been presented on the Boards and Commissions, there has never been an attachment for a policy. She stated that even as late as February 28, 2022 when there were discussions of Boards and Commissions, there wasn't a policy attached to it. She didn't know how the Council could ask for fairness and information sharing equally among Council Members and not get policy information. She stated she has seen more things the longer she is on the Council. She stated the policy change in 2016 took away the Boards and Commissions from the Council and moved it to Staff. She stated that in point one of that process, it is an incumbent reapplication process so that is the policy that the City is supposed to be following. She read paragraph three "the City Council will meet, discuss, and determine whether or not recommendations for reappointment would be made. If a determination that the City Council does not wish to reappoint the incumbent, the incumbent will be notified and that individual's seat will be advertised. If it is determined the incumbent will be reappointed, the incumbent will be notified and the seat will not be advertised." She stated that part of the process she has never been a part of so that has never happened before the advertising. She stated in her duration on the Council, the administration in presenting cases with Boards and Commissions has never followed the policy of presenting the incumbents first before the Council to have a discussion about reappointment and then advertising for the open positions. She stated that was a recent change to policy.

Councilmember Musgrove stated she would have appreciated the Staff presenting the policy every time there was a discussion about Board and Commission applications. She stated that recently there was a case about a manufacturing cohort and she went looking for information about it. She was told by members of another city's Council that the Staff doesn't support the Council because Councilmembers have to go looking for information when their staff provides information when asked plus additional information. She asked if the Staff wasn't aware of the policy regarding

Boards and Commissions. She felt the Council needed respect from Staff in getting them information. She noted there were no comments that took place between Councilmember Woestehoff and Staff regarding the redistricting and that shows inconsistencies.

Councilmember Musgrove stated she wanted to go back to look at the policy they just passed in light of the established policy.

City Administrator Ulrich stated that he got a document from Councilmember Howell and copies were handed out. He responded to the questions and concerns. He stated that he has respect for Councilmembers as representatives of the residents. He stated that he knows Councilmembers have the difficult job of hearing differing opinions and making decisions. He views his job is to work with seven different Councilmembers, each with differing opinions on issues. He knows there has been criticism in the past but he assured that he and the Staff don't pick favorites or play favorites as a value. He stated they try to provide information requests and try to do as fairly as possible. He understood perceptions could be different. He stated Councilmembers can come in and ask questions but if it gets into hours of Staff time, the practice in the past is that the whole Council deserves to know where resources are utilized. If the seven different Councilmembers are asking for differing investigations of one sort or another, Staff time accumulates. He stated everyone should know generally what is happening and what things are taking a lot of time and research time is shared. He stated as a practice, based on Council feedback, information such as which Councilmember is asking the question is filtered so names aren't shared. He thought in the past, it has worked well and the Council has been well informed. He stated he sees value of sharing information and doesn't see value in changing that policy. He thought the policy of appointing incumbents has been followed. He responded to the question of Staff finding answers to questions that he thought they were responsive and no effort was made to hide information regarding the manufacturing cohort.

Councilmember Musgrove corrected, the information that she was asking for was, for example, when an EDA Councilmember asked what 18 businesses were involved in the manufacturing cohort and no one at the Staff level looked into it until another Councilmember asked and then the answer was provided the day of the Council meeting. She stated that several members of another city's Councilmembers volunteered the comment that the Ramsey Staff doesn't support them.

City Administrator Ulrich responded he respected her opinion and it is valid because it is her perspective but from his perspective, Staff goes the extra mile in getting information but they try the best they can. He stated if the position is that the Council never is provided enough information, he is sensitive to her concerns and will instruct Staff to provide more information. They are not trying to not provide enough information for them to not be able to make decisions.

Councilmember Musgrove pointed out that in four years she has never seen the policy and process of appointment for City Boards and Committees. That is an example of not going an extra mile, it is simply a base part of the case. She gave another example of negotiation with contracts that they are never presented with the original contract, only the changes, and only got the original after asking, but she thought that was a base part of the case as well. She stated she isn't asking for Staff to go way out of their way.

City Administrator Ulrich replied typically with union contract negotiations, Staff are looking at the big compensation items and they do provide a red line version of the contract as a part of the process. Staff is trying to get guidance first on the big compensation items. He thought the negotiation process went well and this year Staff sat down with the Council to negotiate contracts earlier and necessary information was provided. He heard her saying that she would like the base documents up front but he has sometimes had concerns that there is too much information for the Council to review and the important information would get lost but if that is wanted, Staff could provide more information.

Administrative Services Director Lasher responded to the question regarding incumbents. She stated, specifically with regard to the policy that Councilmember Musgrove mentioned, it was last updated in 2016. Prior to that, the policy mentioned the Charter Commission but the Charter Commission wasn't subject to that. It is for Boards and Commissions that the City makes appointments for. She stated she learned that the City of Ramsey is one of the few cities in the district that doesn't have a review process prior to the applications going to the judge. She stated this recruitment is the first one she has done as the City Clerk. She stated the process that she learned from the former City Clerk and followed for this recruitment was that the position was open until filled with applications going to the judge with no recommendation and no review process. She stated she meant no harm and she and her Staff want to do a good job and are not trying to deceive anyone. She stated she welcomed a policy so Staff would know the expectation. She stated maybe there are different interpretations of the wording open until filled because to her, it means hurry to apply because the position will be filled. She thought she had made a mistake in not advertising the position in the November/December issue of the *Ramsey Resident* because she didn't think there were any vacancies. She had learned of the vacancies after the deadline for the November/December *Ramsey Resident*. She stated putting a deadline on was a decision to serve the residents so they would know what to expect. She responded to the question if the six applications were mailed at the same time and that the judge appointed applicant number three applicant number six instead of the first two applications. She did not intend to take opportunity away from anyone, there was a better response than ever before, and the policy that Councilmember Musgrove referenced is for the appointments the City makes because the judge makes the decision for the Charter Commission. She stated as to the other questions of not providing information, she would like to look into it because she would always like to do better. Regarding the questions about Facebook, the office was shut down during that time because of COVID but she continued to work through her illness. She apologized that it didn't go as some individuals would like them to have gone.

City Administrator Ulrich replied that as far as the investigations and the list of questions, if the Council directs they can follow-up on them and ask the City Attorney to help supervise the investigation. He stated he has confidence in Administrative Services Director Lasher that she was doing the best she could at the time. He understood the Council's perspective but there was no ill intent on the part of the Staff and he would like to prove that.

Administrative Services Director Lasher agreed that she would like that.

Councilmember Howell commented that the conversation has gotten a bit off topic. She assured City Administrator Ulrich that she does hours of research on her own and she doesn't consider this

an investigation, she just asks a lot of questions which is how she learns. She stated when going to the June 14, 2021 City Council, it seemed at that point, a discussion of the Charter Commission slipped from view. She stated she has looked at processes from other cities who post documents about the process for transparency with the public. She stated the document that was provided was more of a checklist and not a policy. She stated what concerned her was that it wasn't in view of the Council or Charter Commission and that when the ads go out, it looks like it is for a length of time but if it is the case, that first applicant gets on the Charter Commission.

Administrative Services Director Lasher replied that is correct, that is how it has been done and was the process handed down to her. She repeated that she would like a solid plan to administer.

Councilmember Howell replied the City Clerk administers elections and interviews multiple people to work in the City. Councilmember Howell asserted that Administrative Services Director Lasher sets the processes in place for Boards and Commissions so it is a big leap for her to understand how this could have slipped her purview because Administrative Services Director Lasher has a big job that she is paid well for, has been trusted, and in comparison with other things, this is an easy detail. She stated that when the policy was changed in 2016 it was never brought to the Council or the Charter Commission. She stated it could look like the deck could be stacked by people being elected by getting their application in first with no oversight. She stated the other problem is with other City job postings there isn't a limit to the number of applicants. She referenced a document where she highlighted a portion of the letter from the judge which read "if Ramsey chose to have a deadline for applications and then found a way to conduct their own due process and make recommendations to the chief judge he would support that process." She questioned when the policy changed, and this statement from the judge indicating there was a policy, because there was no process in place and hasn't been since 2016.

Administrative Services Director Lasher replied there has never been a process ever for Charter Commission appointments. She stated that the Boards and Commissions policy was updated in 2016 because it never applied to the Charter. She stated this is the first recruitment for the Charter Commission that she led and previously it was always open until filled. She stated she didn't take something out the policy to avoid a process, there has never been a policy for appointing Charter Commission members.

City Administrator Ulrich commented, for the public, that the Charter Commission members are appointed by the judge without any City involvement. He stated that is the case in the other city he had worked for also. He didn't think that it was unusual State-wide for the judge to do the appointment. He stated the Charter Commission typically meets once or twice a year, and the most recent one focused on the election. He stated, for context, that historically there hasn't been a lot of interest in the Charter Commission until recently because they meet infrequently and getting applicants has been a struggle. He agreed that the optics maybe aren't good but accusing staff of doing something inappropriate isn't correct.

Councilmember Howell clarified that it could happen, that isn't what she felt the City Clerk did but the City Clerk is a professional who leads elections and it is hard to understand how this was missed. She stated to Councilmember Musgrove's point was that policies haven't been provided. She felt Staff didn't work with the Council and gave the example of Staff insisting on pushing out

the process two weeks in hiring a City Administrator instead of listening to the Council. She questioned the decision to cancel ads for the appointment.

Charter Commission Member Jim Benson stated that the appointment of Councilmember Woestehoff to the Charter Commission should never have been considered because allowing a Councilmember to sit on the Charter Commission is the only City entity that can limit the City Council is a gross conflict of interest. He stated there are so many anomalies involved in this process that to any objective observer, the actions of the City Clerk in relation to the recruitment of potential Charter members and their presentation for consideration to the judge would appear to represent not incompetence but direct action to manipulate the Charter Commission appointment process. He stated this has never happened before because no Councilmember has ever applied to get appointment to the Commission. He formally requested Councilmember Woestehoff resign from the Charter Commission in an attempt to reduce the embarrassment to the City due to this episode.

Councilmember Woestehoff responded that he will resign once the Charter is updated to not allow Councilmembers to be on it.

Councilmember Riley commented that this case is about the Charter Commission or information that the Staff provides or the manufacturing cohort. He stated last week there was a list of questions but the answers show there were mistakes made and improvements made. He stated the answers took away the malice and intent to clearly do things wrong, there were errors made. He stated the suggestion of this case is to do an investigation or inquiry. Councilmember Riley suggested that City Attorney Knaak start with the questions that have been provided and get to the bottom of the question of whether it was a mistake or if it was malicious. He thought that additional inquiry could be done and asked if City Attorney Knaak could do it within his current retainer.

City Attorney Knaak replied it is a part of his job.

Councilmember Riley stated that the validity of the answers could be determined and it isn't a smoking gun, but a match that has been extinguished.

Councilmember Howell commented that if questions aren't asked they can't get answers. She stated the questions weren't an investigation, they are to find out facts and a broken process can't be repaired if there is no process. She stated one of the big take-aways from this is that there is no process in place for the Charter Commission.

Administrative Services Director Lasher replied that is correct and there has never been. She repeated that this is her first year processing the Charter Commission and she will do better now that she knows better.

Councilmember Howell commented that policies have not been attached, following the process that is already in place when it comes to other Boards and Commissions. She stated there shouldn't have been time lost because of Staff stonewalling when they were trying to sit down and pick a City Administrator.

Councilmember Musgrove responded to Councilmember Riley's comments that the questions have been asked and answered. She asked him if he knew how long it was between the questions being asked and the answers, that is was a struggle and that is a problem. She asked him if that is okay with him.

Councilmember Riley stated this case is about an investigation or inquiry and he is saying that checking the questions and answers for validity should be the starting point.

City Administrator Ulrich clarified there are 23 additional questions or requests for information and asked if the City Attorney should include them in his inquiry.

Councilmember Howell replied with his professional purview because she gets wordy.

City Administrator Ulrich summarized the City Attorney will take the list of 23 comments provided by Councilmember Howell along with comments included in the packet. The City Attorney will review the responses, draw some conclusions about the process, and report back to the Council. He asked if two weeks was enough time and if this issue can be completed at the next Council meeting.

City Attorney Knaak suggested that he give the Council something at least preliminary within two weeks and they could decide at that point if the further inquiry is necessary. He stated the Council's authority in inquiry under the Charter is very significant, there is subpoena power, which he doesn't anticipate needing. He stated he can't move forward without expressed authority. He suggesting seeing the preliminary findings.

Motion by Councilmember Woestehoff, seconded by Councilmember Musgrove, to begin a preliminary inquiry and report back to the Council in two weeks.

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

7.09: Discussion of the Responsibilities and Duties of the City Administrator

City Administrator Ulrich stated this was added by Councilmembers Musgrove and Howell with supporting documents included in the staff report. He stated the Charter provides that the Council adopt a resolution and they are still looking for that but it has been carried forward with the job description.

Councilmember Musgrove commented that she made her points in the previous case regarding having basic things provided and that the City Administrator is in a middle position between the Staff and Council in providing information for cases, getting answers for questions, and providing guidance for who to go to. She stated sometimes she thought they got the support needed and sometimes they don't. She stated the in other cities, the Staff works at the pleasure of the Council and that is frustrating for her. She asked that basic things be provided such as policies for cases.

City Administrator Ulrich replied he understood and didn't want to overload the Council with information they have to sift through but he goes through the information. He stated that he didn't always think through base documents but would do a better job of doing that. He stated he gets feedback from Councilmembers all the time with requests for information and tries to make changes based on it. He understood what she was saying about the working relationships and improvements that could be made in terms of how the organization works together. He stated in the organizational chart, Ramsey residents are at the top and Council and Staff all work for them. He stated he respects her opinion and the need to work together as a team. He stated he has confidence that the Staff has pledged to do that and to improve the working relationships.

Councilmember Riley suggested all Council questions go through Deputy City Administrator/Community Dev. Director Hagen because it would help Staff by adding a layer between, and help Council get information back. He suggested Deputy City Administrator/Community Dev. Director Hagen be the clearinghouse to take care of getting answers by the appropriate Staff and provide answers to all of the Council at the same time. He stated there is time for City Administrator Ulrich to help and asked if that would be agreeable.

Councilmember Musgrove asked if Councilmember Riley is suggesting Deputy City Administrator/Community Dev. Director Hagen because he doesn't want City Administrator Ulrich in the loop and burdened by the questions or if City Administrator Ulrich could be included along with Deputy City Administrator/Community Dev. Director Hagen.

Councilmember Riley stated he is flexible. He felt there was a trust level with City Administrator Ulrich right now and City Administrator Ulrich would be retiring in two months. He thought one point of contact would be a workable solution.

Councilmember Musgrove referenced the wealth of knowledge and duties that the City Administrator has while he is still employed.

Councilmember Riley replied he heard a different story from her.

Councilmember Musgrove replied she was saying she is disappointed at times by the lack of information sharing, not that she didn't want City Administrator Ulrich to not do his job anymore.

Councilmember Riley commented that for the next two months then, they could do both.

Councilmember Heineman agreed that both could be included and Deputy City Administrator/Community Dev. Director Hagen could delegate tasks to City Administrator Ulrich for areas he doesn't have expertise in. He stated there is room for improvement for each of them. He thought he could be more respectful in speaking to residents, that Staff could do better in being more prompt, and Council could do better at not assuming Staff is doing nefarious activities. He stated they need to find what the issues are, find solutions, authorize an inquiry that will yield the proper results, and take action from there. He wanted to ensure that what comes next is constructive.

Mayor Kuzma summarized there is a consensus that questions can go to both Deputy City Administrator/Community Dev. Director Hagen and City Administrator Ulrich.

Councilmember Howell stated that when she and Councilmember Musgrove requested this case, there were reasons for it and the frustrations were genuine. But when City Administrator Ulrich put on Councilmember authority as one of the documents for discussions of duties and responsibilities of the City Administrator, it encapsulated the frustration. She suggested if he wanted to make a case on the Council regarding Councilmember duties and responsibilities, but that was a case in point about frustration, about not having direction, it is a bit cheeky. She suggested City Administrator Ulrich say if he needs more time for things instead of delaying. She stated that in other cities these kinds of things are dealt with publicly to get them to stop and that was the point of having this discussion.

The consensus of the Council was to send questions to both Deputy City Administrator/Community Dev. Director Hagen and City Administrator Ulrich who will find answers from appropriate Staff and send to the entire Council.

7.10: Discuss Ordinance Governing Commission Member Appointment Process

City Administrator Ulrich stated this is also a case added by Councilmembers Musgrove and Howell. He stated this has already been discussed and he didn't know if there was more to add.

Councilmember Musgrove commented that they are missing the incumbent reapplication process and combining it into one process. She stated the Council revised a policy earlier in the year that they never saw but went on comments by Administrative Services Director Lasher. She stated she didn't think that was a way for the Council to address issues and make informed discussions. She suggested going back to redo discussions now that they have the policy so they are better informed about what the policy was to begin with because there were good ideas and structure that isn't being followed. She stated she understood this was Administrative Services Director Lasher's first time through this but didn't feel they understood the policy. She asked where the policy changes they made went and if there were incorporated into the old policy.

City Administrator Ulrich replied they have a policy document book so the question is to bring the incumbent reapplication policy back including the base policy and schedule that for a Work Session. He stated there is a list of policies and everyone knows what the policy is but after a while when changes happen or new Councilmembers come on board, it can get lost in translation. He stated they can schedule that for a Work Session.

Councilmember Musgrove asked where they are at with the timeline because they have interviews coming up and the advertisement for openings.

City Administrator Ulrich replied they are following the current policy as amended regarding the incumbents as the Council asked.

Councilmember Musgrove challenged that the Council didn't ask, it was presented to them in a case and they were directed that way because they didn't have the original policy on how incumbents were done before.

City Administrator Ulrich stated part of the Work Session case will be to bring back the formal policy written as the Council described it. He stated in discussions they talked about what the current process was regarding incumbents which was the way they presented the policy and he thought they did a good job of conveying that but understood the base document wasn't there.

Councilmember Musgrove stated she thought what they got was, as City Administrator Ulrich stated, years of how things were done but clearly the incumbent policy was separate from the new process and it is to be done prior to any advertisements so there is a two-step process which wasn't being done. She thought the process they were given as handed down from the prior City Clerk was not following the two-step policy. She didn't feel they had good policy direction and their decision making process wasn't on a good foundation.

Mayor Kuzma stated they will work through a plan at a Work Session and define the policy. He stated they all understood it needed to be dealt with.

Councilmember Howell stated Councilmember Musgrove's point is important and it is easy for Staff to attach policies.

Administrative Services Director Lasher commented for this coming interview session next Tuesday, any changes that may or may not actually be incorporated in the new policy are not going to effect this week's coming interviews because the incumbents have all been recommended by the Chair and all happen to be on their number two or four term. These incumbents will fall under the old policy anyway.

Councilmember Musgrove commented the policy that was just passed hasn't been followed because they have never met to discuss each incumbent and decide whether to approve it or not, which is an example of how they are not being supported as a Council.

The consensus of the Council was to review this item during a Work Session to define the policy.

8. MAYOR, COUNCIL AND STAFF INPUT

City Administrator Ulrich announced MnDOT is having an Open House on Wednesday, March 8, 2022 at Greenhaven in Anoka 5:30-7:30 p.m. regarding construction on Highway 10, the Rum River Bridge construction, and the Thrunston/Fairoaks interchange. Annual Business Expo applications are being accepted with a \$50 cost. The Public Works meeting is next Tuesday and the next regular City Council meeting is Tuesday, March 22, 2022.

Councilmember Specht stated if anyone wants to give input on the new park equipment coming into Rabbit and Peltzer Park come to the Parks meeting this Thursday at 6:30 p.m..

9. ADJOURNMENT

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

Motion carried.

The regular meeting of the City Council adjourned at 12:39 a.m.

Respectfully submitted,

Kurtis G. Ulrich
City Administrator

ATTEST:

Katie M. Schmidt
Deputy City Clerk

Drafted by Joni Helmeke
TimeSaver Off Site Secretarial, Inc.