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

The Ramsey City Council conducted a regular meeting on Tuesday, January 10, 2023, at the Ramsey Municipal Center, 7550 Sunwood Drive NW, Ramsey, Minnesota.

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

Members Absent: None

Also Present: City Administrator Brian Hagen  
City Engineer/Interim Public Works Director Bruce Westby  
Police Chief Jeff Katers  
Planning Manager Todd Larson  
City Attorney Fritz Knaak  
Community Development Director Stephanie Hanson

**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: Swearing-In Ceremony for Councilmember At-Large Chris Riley, Ward 1 Councilmember Michael Olson and Ward 3 Councilmember Dan Specht.**

City Clerk Schmidt swore in the new and returning councilmembers.

**3. CITIZEN INPUT**

Jim Gutzwiller, 16651 Quicksilver Street, came forward and thanked the Council and shared that things are looking good at the entrance to Elmcrest Park.

Nicholas Phelps, 8250 157th Lane Northwest, came forward and asked if the tobacco permit being approved in the Northstar Marketplace was being addressed.

City Administrator Hagen stated it has not yet been voted on.

Mr. Phelps stated that he is a 30 year resident of Ramsey as well as a six and a half year business owner in the Northstar Marketplace. He expressed his concerns with the tobacco shop wanting to open up in the Northstar Marketplace. He stated that the Northstar Marketplace has a modern and clean aesthetic that Ramsey aims to accomplish. He shared his story of underage use of tobacco products that he would obtain at tobacco shops and how he uses his current business to help people switch to a safer alternative. He presented the Council with the compliance check from his store showing that they are doing everything that they can to keep their products out of the hands of youth. He hoped that Ramsey would bring more beneficial businesses to the area, and by denying tobacco permits from opening up in the Northstar Marketplace, this will help lower the amount of youth who are shown these tobacco products. He stated he and his store have faced harassment from other tobacco shop owners.

Mayor Kuzma stated this item is on the agenda and will be voted on later in the meeting.

Councilmember Howell asked Police Chief Katers if there are any concerns about this particular license that the Council should be aware of.

Police Chief Katers explained that all licensees go through a process including background checks and he has nothing to disqualify the candidate. He added that compliance checks are also done throughout the year and they have passed.

Jeremiah White, 14450 Rhinestone Street Northwest, came forward and expressed his concerns with the tobacco shop opening in the Northstar Marketplace. He stated there are three tobacco stores in close proximity and he does not understand the need for a fourth. He shared concerns with PACT Charter School and daycares being right down the road from the proposed store. He suggested putting in a business that would benefit the community as a whole in place of the tobacco shop. He read a quote from Maya Angelou and encouraged the Council to do better.

Patrick Surma, a Ramsey resident, came forward and stated that personal responsibility must reign.

#### **4. APPROVE AGENDA**

Motion by Councilmember Woestehoff, seconded by Councilmember Riley, to approve the agenda as amended by pulling item 5.03 from Consent Agenda and considering it prior to Public Hearings.

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

#### **5. CONSENT AGENDA**

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

5.01: Approve the Following Meeting Minutes:

- 1) City Council Work Session dated 12/13/2022

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- 2) City Council Regular Session dated 12/13/2022
- 5.02: Approve Amending City Council Meeting Schedule for 2023
  - 5.03: ~~Approve Business Licenses~~ - This item was removed from the Consent Agenda and considered as Council Business, Case 7.00.
  - 5.04: Approve Rental Licenses
  - 5.05: Adopt Resolution #23-021 Approving Cash Disbursements Made and Authorizing Payment of Accounts Payable Invoicing Received During the Period of December 8, 2022 through December 27, 2022.
  - 5.06: Adopt Resolution #23-022 Approving Cash Disbursements Made and Authorizing Payment of Accounts Payable Invoicing Received During the Period of December 28, 2022 through January 4, 2023.
  - 5.07: Adopt Resolution #23-013 Designating Financial Institutions as Official Depositories; Adopt Resolution #23-014 Authorizing Signatures for Financial Transactions and Adopt Resolution #23-015 Designating Bank of the West as the Official Financial Institution for the City of Ramsey Banking Services for the Year of 2023.
  - 5.08: Adopt Resolution #23-016 Approving the City of Ramsey's 2024 Budget Calendar
  - 5.09: Adopt Resolution #23-001 Approving the 2023 Council Organization
  - 5.10: Adopt Resolutions #23-004 and #23-005 Approving the Final Plat and Development Agreement for Rivenwick Village 4th Addition (Project No. 22-109); Case of LGI Homes
  - 5.11: Adopt Resolution #23-006 Approving the Final Plat and Development Agreement for Lywnood Second Addition (Project No. 22-141); Case of U.S. Home, LLC dba Lennar
  - 5.12: Adopt Resolution #23-007 Approving MnDOT Delegated Contracting Process Agreement #1052058
  - 5.13: Adopt Resolution #23-008 Authorizing Partial Payment No. 1 to A & B Construction Ltd for Improvement Project #22-10, Public Works Salt Shed.
  - 5.14: Adopt Resolution #23-009 Authorizing Final Payment to North Valley, Inc. for Improvement Project 22-06, Woodpond Hills 2nd, - 5th Street Reconstructions.
  - 5.15: Adopt Resolution #23-010 Authorizing Final Payment to North Valley, Inc., for Improvement Project #22-04, 2022 Neighborhood Pavement Overlay Improvement.
  - 5.16: Adopt Resolution #23-017 Approving Proposal from Bolton and Menk, Inc. to Prepare Plans and Specifications for Improvement Project #23-11, Trott Brook Crossing Sanitary Sewer Lift Station
  - 5.17: Adopt Resolution #23-018 Approving Purchase Agreement and Sale of Multiple RALF Parcels for Ramsey Gateway Project
  - 5.18: Adopt Resolution #23-019 Approving Restrictive Covenants for Multiple RALF Parcels for Ramsey Gateway Project
  - 5.19: Adopt Resolution #23-020 Approving a Right-of-way Permit for an Ice Rink North of 157th Avenue NW on Krypton Street NW
  - 5.20: Summary of Conclusions Regarding the City Administrator's Six-month Performance Evaluation

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

## 7. COUNCIL BUSINESS

### 7.00: Approve Business Licenses

AJ Phelps, 8250 157th Lane Northwest, came forward and shared that he has been a Ramsey resident for over 30 years and his family, including his son Nicholas Phelps, have done much volunteer work in the City. He shared he believes the Northstar Marketplace is throwing their business under the bus by bringing in this tobacco store. He shared his concerns with the location being so close to schools. He shared he is proud of his son, Nicholas, that their store helps break people of their tobacco and nicotine addiction. He stated that having another tobacco store open in the City is a concern, considering there are already other stores in the area not passing compliance checks.

Councilmember Specht asked what the Council is allowed to do concerning this permit.

City Attorney Knaak explained that the Council has full discretion on a matter concerning a tobacco license and they can base their decision on any information that they have been presented with.

Councilmember Woestehoff stated that based on City Code under the tobacco section there is a specific section labeled as basis for the denial of a license.

City Attorney Knaak explained that the Council does not need to prove anything, they just need information available to them and the testimonies this evening would serve as a basis for denial.

Councilmember Musgrove asked if it was possible to postpone this so there is time to gather more information concerning this matter.

Mayor Kuzma stated that Police Chief Katers has already done the investigation.

Police Chief Katers shared that they have done the background investigation and the applicant did pass. He said new information had been presented this evening, but prior to that there was no reason to deny the applicant.

Councilmember Olson asked Police Chief Katers if the information that he has heard tonight changes the outcome of the prior investigation.

Police Chief Katers stated that the information presented tonight is concerning if there is an attempt to provide false information. In regard to Mr. Phelps' comment concerning the proximity to the schools, Police Chief Katers shared that he is aware that the schools struggle with vaping inside the schools.

Motion by Councilmember Specht, seconded by Councilmember Riley, to table this discussion until the next meeting.

Further discussion:

Councilmember Woestehoff offered a friendly amendment to pull and table consideration of only the Norman Tobacco license as there are other licenses on this list for approval in this item.

Councilmembers Specht and Riley agreed to the friendly amendment.

City Attorney Knaak suggested the City take the additional 60 days to provide information to the applicant. He recommended Council to direct Staff to send a letter to the applicant indicating that an additional 60 days is required based on the 15.99 provision.

Councilmember Specht amended the motion to include that staff send a letter to Norman Tobacco indicating an additional 60 days is required.

Councilmember Woestehoff thanked the Phelps for showing up this evening and for their efforts to curb tobacco use in the City. He shared that he lost his father in 2017, who was a lifelong smoker. He explained that this matter is personal to him; however, it is hard for him to deny a license to someone who meets every requirement that has been put in front of them.

Mayor Kuzma asked Police Chief Katers to follow-up on the license.

Councilmember Musgrove thanked the residents for coming forward and speaking on this.

Councilmember Howell commented that this business has the right to operate regardless of individual's opinions. She shared that in order to be supportive of denying a license, it would depend on information coming in verifying that this company was selling products to minors.

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

Motion by Councilmember Woestehoff, seconded by Councilmember Musgrove, approving the other businesses licenses in the case.

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

## **6. PUBLIC HEARING**

### **6.01: Public Hearing - Consider an Interim Use Permit and Home Occupation Permit for Sewer Works at 17725 Nowthen Blvd. NW**

#### **Presentation**

Planning Manager Larson reviewed the staff report and recommendation of the Planning Commission and Staff to approve the application.

Councilmember Woestehoff added that at the Planning Commission meeting, the applicants explained that they were originally suggested to dig the trailer down making it immovable and more of a solid structure than a trailer.

### **Public Hearing**

Mayor Kuzma called the public hearing to order at 7:38 p.m.

### **Citizen Input**

There was none.

Councilmember Howell asked about excavating that they could not operate from the property and if the business has equipment or if it is just a mailing address.

Planning Manager Larson stated that it is a family member who is in the process of moving and none of the business operations take place at the location.

Councilmember Howell stated that if it is just being used as a mailing address she would not support denying the permit as it is not impeding the property.

Councilmember Musgrove asked if the Planning Commission is recommending approval with the interim use permit or if that was a Staff recommendation.

Planning Manager Larson explained that the Planning Commission made both recommendations.

Councilmember Musgrove asked Planning Manager Larson to explain the difference between the different approval options.

Planning Manager Larson explained the difference between the two options, denying the interim use permit and having the trailer removed from the property and approving the home occupation permit, or denying both the interim use and home occupation permit.

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

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

The public hearing was closed at 7:41 p.m.

### **Council Business**

Councilmember Musgrove asked for further explanation of the benefit of having an interim use permit versus not having one.

Planning Manager Larson explained that the Planning Commission discussed whether or not the trailer has legal, non-conforming rights to be where it is.

Councilmember Musgrove asked if it would be beneficial for future code enforcement to have the interim use permit.

Planning Manager Larson said yes.

Motion by Councilmember Musgrove, seconded by Councilmember Woestehoff, to adopt Resolution #23-003 approving an Interim Use Permit for a semi-trailer at 17725 Nowthen Boulevard NW and adopt Resolution #23-002 approving a Home Occupation Permit for Sewer Works at 17725 Nowthen Boulevard NW

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

**6.02: Public Hearing - Review recommendation from the Charter Commission to amend the charter by Ordinance #22-29 under M.S 410.12, subdivision 7**

**Presentation**

City Administrator Hagen reviewed the staff report and recommendation to introduce the ordinance.

Councilmember Specht asked if this needed to be unanimous.

City Administrator Hagen said no for this evening.

**Public Hearing**

Mayor Kuzma called the public hearing to order at 7:46 p.m.

**Citizen Input**

There was none.

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

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

The public hearing was closed at 7:46 p.m.

**Council Business**

Motion by Councilmember Woestehoff, seconded by Councilmember Howell, to introduce Ordinance #22-29.

Further discussion:

Councilmember Riley shared that the Council has already said through an already passed ordinance that they want to do this.

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

## **7. COUNCIL BUSINESS - continued**

### **7.00: Business Licenses**

This item was considered prior to 6.0 Public Hearings.

### **7.01: Receive Plan Review Updates for Improvement Project #21-09, Centralized Water Treatment Plant**

City Engineer/Interim Public Works Director Westby reviewed the staff report and shared that the new project manager, Aaron Vollmer was present this evening to present his findings pertaining to cost savings adjustments, design revisions, and tentative project schedule. He shared the recommendation to bring this back to the Council at the next meeting for approval and authorization for bids. He introduced Mr. Vollmer

Mr. Vollmer came forward and reviewed his presentation on his findings and the questions previously asked by Council, including potential cost savings, design revisions, and the updated project timeline.

Councilmember Howell thanked Mr. Vollmer for taking the time to work on these updates.

Mayor Kuzma asked about possible expansion down the road as the City grows.

Mr. Vollmer explained that the building exceeds Ramsey's current water demand so there is already excess capacity built in. He added that there is always the ability to add additional filters in the future. He reviewed other design revisions.

Councilmember Musgrove asked if the grid work replacing valves would help with repainting.

Mr. Vollmer said yes as it serves dual value. He explained the plans moving forward once this is approved. He stated that bids would open on March 9, 2023. He shared that the current estimate for the project is roughly \$37,000,000. He added that the target completion date would be in August of 2025.

Councilmember Woestehoff asked about the water mains that need updating and if the timeline for those align with the timeline of this project.

City Engineer/Interim Public Works Director Westby stated that this would be a four month project and will be brought to Council at a later date.

The Council thanked Mr. Vollmer.

City Attorney Knaak added that at the next meeting he will address the question regarding opportunities to expand the plant.

### **7.02: Adopt Ordinance #23-01 Amending City Code Section 26 Article XIX - Mobile Food Units**

City Administrator Hagen reviewed the staff report and updates made since the last meeting. He shared the recommendation to waive the City Charter requirement to read the ordinance aloud and adopt the ordinance implementing the changes.

Councilmember Woestehoff stated that he was opposed to not requiring mobile food units operating on private property for a private event to obtain a license as it is hard to enforce a private event versus a public event.

City Attorney Knaak explained that it is difficult to determine unless they could come up with a definition of a private event.

Councilmember Woestehoff continued by saying that he does not want to make it so easy for these mobile food units to serve in the City without requiring a license at private events out of respect for the restaurant owners who are required to have one.

Councilmember Olson shared that he had a hard time imagining a mobile food unit in the City that would only operate at private events. He stated that if they are going to be operating they will likely have a license anyway.

Councilmember Howell shared her thought process on allowing a mobile food unit from another city that is not licensed by Ramsey to be brought out to someone's home.

Councilmember Musgrove stated that she thinks of these private events as being on residential property.

Councilmember Howell stated that she does not see this as a necessary clarification as a business could host a private event for their employees.

Motion by Councilmember Howell, seconded by Councilmember Musgrove, to waive the City Charter requirement that the ordinance be read aloud and adopt Ordinance #23-01 amending City Code Section 26 Article XIX - Mobile Food Units.

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

### **7.03: Approval of Verizon Cell Tower Term Sheet**

City Administrator Hagen reviewed the staff report and recommendation to support the term sheet and amended lease language proposed by Staff.

Councilmember Specht asked if this was not approved and the City chose not to continue the lease if Verizon would remove the tower.

City Administrator Hagen stated that they would be expected to remove their infrastructure from the City's water tower.

Councilmember Musgrove asked about the different site numbers in the packet.

City Administrator Hagen stated he believes that they were sent the wrong active review letter. He does believe that what is presented is correct other than the review letter.

Councilmember Musgrove asked if there was a review process at any point for the contract at a certain amount of years.

City Administrator Hagen stated that the contract is in five year terms.

Councilmember Musgrove asked about Verizon being able to add on equipment at any time.

City Administrator Hagen stated that he is not sure what they would be allowed to do from an equipment standpoint.

Councilmember Musgrove asked if the designation of the funds would be to the general budget.

City Administrator Hagen said yes.

Motion by Councilmember Riley, seconded by Councilmember Howell, to support the terms sheet dated December 21, 2022 and amended lease language proposed by Staff.

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

## **8. MAYOR, COUNCIL AND STAFF INPUT**

City Administrator Hagen announced upcoming meetings and events.

Mayor Kuzma acknowledged that Susan Anderson, a Ramsey resident and former City Council member passed away.

Councilmember Specht reminded residents about the Adrenaline Sports Center Family and Tot Time and the Story Time Skating with a Cop coming up.

## 9. ADJOURNMENT

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

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

Motion carried.

The regular meeting of the City Council adjourned at 8:27 p.m.

Respectfully submitted,

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Brian S. Hagen  
City Administrator

ATTEST:

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Katie M. Schmidt  
City Clerk

Drafted by Ava Rokosz  
*TimeSaver Off Site Secretarial, Inc.*

A recording of this meeting is available for viewing online at [www.qctv.org](http://www.qctv.org) <<http://www.qctv.org>>. Recordings are available for 36 months after the date of the meeting.