

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

The Ramsey City Council conducted a City Council Work Session on Tuesday, March 14, 2023, at the Ramsey Municipal Center, 7550 Sunwood Drive NW, Ramsey, Minnesota.

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

Members Absent:     Mayor Mark Kuzma

Also Present:         City Administrator Brian Hagen  
                            Administrative Services Director Colleen Lasher  
                            City Attorney Fritz Knaak  
                            City Clerk Katie Schmidt

**1.     CALL TO ORDER**

Acting Mayor Riley called the City Council Work Session to order at 5:35 p.m.

**2.     TOPICS FOR DISCUSSION**

**2.01:   City Board and Commission Interviews**

Administrative Services Director Lasher stated that there will be three interviews conducted this evening for various Boards and Commissions, including the Economic Development Authority (EDA), the Environmental Policy Board (EPB), the Park and Recreation Commission and the Planning Commission. She stated that there were 12 applicants for six open seats, including one six-year term on the EDA, up to three partial terms on the EPB, one partial term on the Park and Recreation Commission, and one partial term on the Planning Commission. She reviewed the updated policy on recruiting Boards and Commission members.

The Council conducted three interviews of the candidates for various vacant positions on different City Boards and Commissions, asking the same questions of each applicant.

City Administrator Hagen stated that the remainder of the interviews will be held on March 21 and the Council can discuss all applicants at that time.

**2.02:   Receive Recommendation from the Charter Commissions to Amend Chapter 4 of the Charter - Nominations and Elections**

City Clerk Schmidt reviewed the Staff report and recommendations to amend Chapter 4 of the City Charter. She reviewed the proposed changes to the Charter. She stated that the changes can be split if the Council does not wish to move forward with all changes. She added that this will come back for a public hearing on April 11.

Acting Mayor Riley asked City Clerk Schmidt to elaborate on the special appointments.

City Clerk Schmidt explained that if there is less than a year left in a term when a vacancy happens, the Council is supposed to appoint someone immediately. She stated that the Charter is recommending removing the 365 day limit where Council would need to appoint someone when a vacancy occurs no matter the amount of the term that is left. She added that a typical vacancy is seven to nine months.

Councilmember Specht asked if the Council was supposed to appoint people when there have been vacancies in the past. He asked for clarification on this.

City Clerk Schmidt stated that if there is longer than a year left on the term there was not an appointment per the Charter.

Councilmember Musgrove asked for clarification that the Charter wants them to appoint someone within 90 days of a vacancy whether there is an upcoming election or not. She stated that she is not in favor of quickly appointing someone just to fill a vacancy when there is a time within three months that there will be an election.

City Clerk Schmidt reiterated that the current Charter reads that a successor needs to be appointed and it does not give a timeframe to have this done by. She added that the change removes the provision that there be less than a year left on the term. She stated that they can hold interviews and it may take a few months to appoint someone.

Councilmember Musgrove shared where in the Charter that she sees a timeframe.

City Clerk Schmidt stated that this has to do with State statute and said that the statute no longer says that the appointment has to be made within 90 days.

Councilmember Woestehoff explained that in Section 1, if there is a vacancy that has more than 365 days left in its term then there will need to be an election and Section 4 says that if there is a vacancy regardless of the amount of time remaining, the Council will appoint someone until the election is complete.

Councilmember Musgrove stated that she does not agree with this section. She said she does not agree with the principle of appointing someone and not having them elected by the residents.

Acting Mayor Riley asked if she would rather see the position left vacant than for the Council to appoint someone.

Councilmember Musgrove said yes.

Councilmember Specht agreed that it should be the residents and not the Council who decides who will fill the vacancy.

City Administrator Hagen asked if there is no temporary appointment on Council, how would this be rectified.

City Attorney Knaak explained that the quorum in that situation would shift with the number on the Council.

Councilmember Woestehoff agreed with this and added that the Charter states that there must be an affirmative vote of four.

City Attorney Knaak stated that the statute will provide for other cases where that has to be a certain set number. He added that in terms of a quorum and what they could operate on it is less critical.

Acting Mayor Riley said he understands the appointment process and being wary of it. He added that he has also been through many vacancies, he understands the need for these appointments.

Councilmember Specht stated that when the Council was not at full capacity it forced them to work together well.

Councilmember Musgrove stated that she has never experienced a not full Council. She agreed that it forces the Council to work together. She stated that she does not have an issue with having a vacancy on the Council. She stated that she is not in favor of this revision.

Acting Mayor Riley asked if the Council agreed on all of the other provisions.

Councilmember Musgrove asked if the language can be changed from 'Clerk's Office' to 'City Hall.'

City Attorney Knaak stated that is how it is referenced in State statute. He asked if there was a reason that she wanted it to say 'City Hall.'

Councilmember Musgrove explained that the clerk's office is part of City Hall but it is just Schmidt's office.

City Attorney Knaak stated that when other cities say clerk's office they realistically mean that it is anywhere in the City Hall building.

City Clerk Schmidt added that this was brought up at the Charter Commission meeting and she stated that this refers to the public notice area which is the bulletin board.

Councilmember Woestehoff stated that since the Council has the appetite to change the section that discusses appointments for vacant elected offices, if this will have to be sent back to the Charter Commission. He asked what the options are for moving forward with this.

City Clerk Schmidt stated that the first sections could be put into a separate ordinance to be voted on and then for the last section they could vote on this separately and propose a change to the section which would go back to the Charter Commission.

Councilmember Woestehoff asked if this had to be unanimous.

City Clerk Schmidt said yes.

Councilmember Woestehoff asked if this fails in Council if it then goes to a referendum.

City Attorney Knaak said that it would.

City Administrator Hagen added that if it is not unanimous then it dies and the Charter could send it to the voters.

City Attorney Knaak said that this can be handled as any other legislative enactment, this could be divided out and parts can be approved and others not.

Acting Mayor Riley asked if there are any other areas of this section that they would like to change that they can all agree on.

Councilmember Musgrove stated that she is in agreement with sending back what they agree on and holding off on what they do not agree on.

Acting Mayor Riley suggested pulling out the four sections that they agree on and vote on those as one item and separate out the appointments section as another. He asked if they would like the Charter to stay the way it currently reads.

Councilmember Musgrove stated that they may need more time to look at this and break it down.

City Administrator Hagen explained that if the Council moves forward with four of the five changes, the section regarding the Council's appointment of a temporary successor for any vacancy with less than a year left in the term would be left as it reads.

Councilmember Musgrove suggested changing the language from 'shall' to 'may' which would give the Council the ability to make an appointment but does not require it of them.

Councilmember Olson stated that this allows for the Council to have the freedom to make the appointments without making it an obligation.

Councilmember Woestehoff agreed. He added that even if it is not a requirement the appointment is still by a majority vote. He sees that as a reasonable solution.

Acting Mayor Riley asked the Council if they wanted to send the changes to this section back to the Charter.

Councilmember Specht stated that it still comes down to principle that he does not want the Council to make appointments and that should be left to the residents. He said that changing the language still goes against this principle.

Councilmember Musgrove agreed with Councilmember Specht and recommended removing the section from the Charter.

Acting Mayor Riley said that if this does not pass the Council it has to go back to the Charter.

Councilmember Howell stated that she would like to see the language changed to read 'may' because if this becomes a referendum having this input would change the outcome.

Councilmember Woestehoff suggested taking action on the other ideas.

City Clerk Schmidt asked City Attorney Knaak if the Council can accept part of the section 4.5.

City Attorney Knaak stated that a question can be divided in any kind of rational way.

City Clerk Schmidt asked if she can make an ordinance with all items that they agree on and leave out the section that they do not agree on and put it in its own ordinance.

City Attorney Knaak said yes.

Councilmember Musgrove stated that the language in section 4.5.6 is cumbersome and slightly confusing.

City Clerk Schmidt explained what this section means.

Councilmember Musgrove asked if section 4.5.6 is affected by the removal section 4.5.4.

City Attorney Knaak said that these seem consistent.

City Administrator Hagen stated that 4.5.6 applies to a vacancy when there is more than a year left in a term and if there is no one interested in the vacancy so there must be an appointment. He said that this change assumes that the appointment occurred the appointed person would continue to serve as there is no candidate to hold the election for.

Councilmember Olson asked if this would mean that they would try again every time there was a scheduled election.

City Administrator Hagen said yes.

Councilmember Musgrove asked for clarification on if this reads as a special election or an appointment.

City Administrator Hagen explained that this refers to when there has been an appointment.

Councilmember Musgrove suggested that it may need to be clarified in the language.

City Administrator Hagen clarified what this section says and stated that if 4.5.4 is kept the same then 4.5.6 will only apply when there are vacancies less than a year.

City Attorney Knaak suggested it may help to add something on the section 4.5.4 for clarification.

Acting Mayor Riley agreed and asked if Staff can take direction and draft a revision for 4.5.4 with the discussed changes.

City Administrator Hagen stated that they will draft two ordinances to bring forward for public hearing at the first Council meeting in April, one with all sections that the Council supports and the other will have sections 4.5.4 and 4.5.6. He added that the Council will see this two more times.

Councilmember Musgrove asked for a clarification on section 4.2 concerning the statement 'consistent with State law.'

City Clerk Schmidt explained that the retention policy is within the State law.

City Attorney Knaak explained this further and stated the retention process cannot be changed to apply just to Ramsey.

There was a consensus of the Council.

### **2.03: Discuss 2023 Citizen Survey**

This item was rescheduled to a future meeting.

## **3. TOPICS FOR FUTURE DISCUSSION**

### **3.01: Review Future Topics/ Calendar**

Noted.

## **4. MAYOR / COUNCIL / STAFF INPUT**

None.

## **5. ADJOURNMENT**

The Work Session of the City Council was adjourned at 6:55 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.*