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

The Ramsey City Council conducted a regular meeting on Tuesday, May 23, 2023, at the Ramsey Municipal Center, 7550 Sunwood Drive NW, Ramsey, Minnesota.

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

Members Absent: Councilmember Michael Olson

Also Present: City Administrator Brian Hagen  
City Engineer/Public Works Director Bruce Westby  
Finance Director Diana Lund  
Community Development Director Stephanie Hanson  
City Attorney Fritz Knaak

**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**

None.

**3. CITIZEN INPUT**

None.

**4. APPROVE AGENDA**

Motion by Councilmember Musgrove, seconded by Councilmember Howell, to approve the agenda as presented.

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

## **5. CONSENT AGENDA**

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

- 5.01: Receive Cash & Investments for Period Ending April 30, 2023
- 5.02: Cancel the Public Hearing for the Easement Vacation within Parkside Townhomes (Project No. 22-143) - APPLICATION WITHDRAWN
- 5.03: Approve the following Meeting Minutes:
  - 1) City Council Work Session dated May 9, 2023
  - 2) City Council Regular Session dated May 9, 2023
- 5.04: Approve Business Licenses
- 5.05: Approved Revised Development Agreements for Riverstone South Second and Third Additions
- 5.06: Approve Revision to Public Works Facility Walk-In Business Hours
- 5.07: Authorize Renewal of Master Agreement With OPUS 21 (Utility Billing provider) for Five Years
- 5.08: Authorize to Hire a Streets Maintenance Worker to Fill a Current Vacancy
- 5.09: Adopt Resolution #23-119 Approving Cash Disbursements Made and Authorizing Payment of Accounts Payable Invoicing Received During the Period of May 4, 2023 through May 17, 2023
- 5.10: Adopt Resolution #23-103 Approving the Development Agreement for Soderholm & Associates Building Expansion and Associated Site Improvements at 7150 143rd Avenue NW (Project No. 23-100); Case of Soderholm & Associates, Inc.
- 5.11: Adopt Resolution #23-109 approving Purchase Agreement and Right of Re-entry Agreement for B & A Cylinder site (37a); Case of BD Nobly LLC (Jam Hops) (Portions may be closed to the public)
- 5.12: Adopt Resolution 23-110 to Appoint an Environmental Policy Board Member
- 5.13: Adopt Resolution #23-112 Resolution Establishing Procedures Related to Compliance with Reimbursement Bond Regulations under the Internal Revenue Code (Bonding for Hy-10 Improvements & COR Infrastructure Improvements)
- 5.14: Adopt Resolution #23-113 Resolution Establishing Procedures Related to Compliance with Reimbursement Bond Regulations under the Internal Revenue Code (Bonding for Water Treatment Plant & Trunk Watermain Improvements)
- 5.15: Adopt Resolution #23-118 Approving Change Order #1 for Improvement Project #23-07, 2023 Neighborhood Pavement Overlay Improvements

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

## **6. PUBLIC HEARING**

None.

## **7. COUNCIL BUSINESS**

### **7.01: Introduce Ordinance #23-13 Amending Ordinance #22-28: 2023 Schedule of Rates, Fees and Charges**

Finance Director Lund reviewed the Staff report concerning raising the sewer and water rates by 10%. She added that these rates would become effective on the second quarter utility bill. She also reviewed the proposed charge of \$35 per half hour for any body worn camera footage requested from the Police Department. She shared the request for a Public Hearing on June 13, 2023.

Councilmember Specht thanked Finance Director Lund for her work on this and noted that even with the increase, Ramsey's rates are lower than many other cities in the area.

Motion by Councilmember Specht, seconded by Councilmember Musgrove, to introduce Ordinance #23-13 amending Ordinance #22-28: 2023 Schedule of Rates, Fees and Charges.

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

### **7.02: Introduce Ordinance #23-11, Granting CenterPoint Energy a Nonexclusive Franchise and Public ROW Access**

Community Development Director Hanson reviewed the Staff report concerning CenterPoint Energy and a 20-year franchise agreement with CenterPoint, effective August 11, 2023, when the current 20-year agreement expires.

Councilmember Specht asked what happens if this ordinance is not approved.

Community Development Director Hanson stated that CenterPoint Energy is currently the only gas distribution system in the area anyway, so if not approved they would not be able to provide services to the residents.

City Engineer/Public Works Director Westby noted that this is a nonexclusive franchise. He explained that this is essentially a permit for the utility to use the City's rights-of-way for access to residents. He added that there is no franchise fee associated with this.

Motion by Councilmember Specht, seconded by Councilmember Woestehoff, to introduce Ordinance #23-11, granting CenterPoint Energy a nonexclusive franchise and public ROW access.

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

### **7.03: Introduce Ordinance #23-10 Amendment to Ch. 105, Building and Building Regulations**

City Development Director Hanson reviewed the Staff report in regard to amending the Building Regulations and adding a section concerning plumbing permit administration, plan review, and inspection, giving the authority for these items to Ramsey. She noted that in order to obtain the State designation there needs to be a qualified Staff person, which the City does not currently have; however, Rum River Consultants has added a Master Plumber and they have been successful in obtaining the State designation for other cities.

Councilmember Musgrove asked how this contract will work with private, residential plumbing repairs.

City Development Director Hanson explained that there was language added to the ordinance regarding private property and shared that this will remain the same, meaning that the Building Official has the authority to review the plans and issue permits. She added that when it comes to the commercial plan reviews, the Building Official will be only able to authorize these as he is not a licensed plumber, which is where the consultants will come into play.

Motion by Councilmember Woestehoff, seconded by Councilmember Howell, to introduce Ordinance #23-10 amendment to Ch. 105, Building and Building Regulations relative to plumbing plan review.

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

#### **7.04: Adopt Ordinance #23-09 Interim Ordinance Regulating the Sale of THC,**

Community Development Director Hanson reviewed the Staff report concerning regulating the sale of THC within the City up to one year or until the City determines the proper regulations are in place for the sale of adult-use cannabis.

Councilmember Woestehoff asked if existing uses remain the same.

Community Development Director Hanson said that is correct.

Councilmember Woestehoff asked if there is an establishment that only wants to sell the current legal products if they would be able to open a store.

Community Development Director Hanson explained that they would not be able to open a new store or sell other products.

Councilmember Woestehoff asked if they are putting on a restriction to a legal use.

Community Development Director Hanson confirmed and clarified that State law allows cities to put on an interim ordinance for this.

Councilmember Woestehoff stated that one of his issues with this is that nothing was done when low-dose or edibles came out and now they are putting out a moratorium on a new avenue. He shared that he will support this as Staff needs time to review.

Councilmember Musgrove asked if the State said that there could be a moratorium on this.

City Attorney Knaak stated that cities are putting moratoriums in place and the authorization of this comes under the general authority. He added that this is the method that cities are using to get around it and the new legislation recognizes that.

Councilmember Musgrove shared her appreciation for Staff for working on this.

Motion by Councilmember Musgrove, seconded by Councilmember Specht, to waive the City Charter requirement that the ordinance be read aloud and adopt Ordinance #23-09 Interim Ordinance prohibiting the establishment of new uses and/or expansion of existing uses related to sales, testing, manufacturing, and distribution of real THC and chemically related products.

Further discussion:

Councilmember Riley clarified that this is just a pause up to one year so that the State and the City can get caught up on making sure that this is done right.

Councilmember Howell asked why hemp is being regulated.

City Administrator Hagen shared that the notion behind this is to look at where these sales will occur and look at these stores similar to liquor stores.

City Attorney Knaak stated that nothing like this has been seen since the prohibition was lifted, so the only guidance that they have is what happened after the prohibition was lifted. He stated that it is more to regulate the THC that is in the hemp but it is the responsibility of the Council to make regulations for the health and safety of the citizens.

Councilmember Woestehoff commented that bills that were passed had caps on them and a city the size of Ramsey could only have two stores. He shared his concern with the moratorium that there would be a greater limit on what he would consider to be the free market as there are two locations that are selling edibles right now and they would be the only ones allowed to sell these products for the next year. He stated that by enabling this moratorium they are creating a potential strategic advantage for the two existing stores in the City.

Councilmember Specht asked if Councilmember Howell wanted hemp to be excluded from this.

Councilmember Howell stated that she does not know enough about this to answer that.

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

**7.05: Adopt Resolution #23-104 Accepting Bids and Awarding Contract for Improvement Project #23-05, Barthel's Rum River Acres 2nd Street Reconstructions**

City Engineer/Public Works Director Westby reviewed the Staff report in regard to improvement projects at Barthel's Rum River Acres. He shared that the low bid was Douglas Kerr Underground. He noted that if approved they would begin construction in June with completion in September.

Councilmember Musgrove asked if the indirect costs included the tile drainage and other corrections.

City Engineer/Public Works Director Westby stated that this is in the construction costs.

Councilmember Riley noted that this is work that needs to be done.

Motion by Councilmember Riley, seconded by Councilmember Musgrove, to adopt Resolution #23-104 accepting bids and awarding contract for Improvement Project #23-05, Barthel's Rum River Acres 2nd Street Reconstruction.

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

**7.06: Adopt Resolution #23-114 Approving Plans and Specifications and Authorizing Advertisements for Bids for Improvement Project #23-04, 167th Avenue Reconstruction, CSAH 5 to Highway 47**

City Engineer/Public Works Director Westby reviewed the Staff report in regard to improvement projects at 167th Avenue. He noted that if approved they would be able to begin construction after the July 4th holiday with completion in September.

Motion by Councilmember Musgrove, seconded by Councilmember Specht, to adopt Resolution #23-114 approving plans and specifications and authorizing advertisements for bids for Improvement Project #23-04, 167th Avenue Reconstruction.

Further discussion:

Councilmember Woestehoff shared that he was the one no vote in Public Works on this as he supported an off-road pedestrian and bike facility. He explained that now is the opportunity to make pedestrian and bike travel safer and the opportunity is not being taken. He shared his disappointment that they were not able to upgrade the trails system at this time. He noted he will not be supporting this.

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

**7.07: Adopt Resolution #23-115 Accepting Bids and Awarding Contract for Improvement Project #23-14, 2023 Critical Mill and Overlay Improvements**

City Engineer/Public Works Director Westby reviewed the Staff report in regard to improvement projects for the critical mill and overlay improvements. He noted the 21 areas that are included in this project. He shared that Diversified Paving submitted the low bid for this project.

Councilmember Woestehoff asked if the completion date for this project is June 30.

City Engineer/Public Works Director Westby confirmed.

Councilmember Musgrove commented on the competitiveness of the bids. She thanked Staff for all of their work on these projects.

Motion by Councilmember Musgrove, seconded by Councilmember Howell, to adopt Resolution #23-115 accepting bids and awarding contract for Improvement Project #23-14, 2023 Critical Mill and Overlay Improvements.

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

**7.08: Adopt Ordinance #23-06, Amending Chapter 2, Article V Boards, Commissions and Authorities of the City Code**

City Administrator Hagen reviewed the Staff report concerning amending Chapter 2 of City Code bringing it to conformance with the City Charter requirement.

Motion by Councilmember Riley, seconded by Councilmember Howell, to waive the City Charter requirement that the ordinance be read aloud and adopt Ordinance #23-06, amending chapter 2, Article V Boards, Commissions and Authorities of the City Code.

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

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

City Administrator Hagen announced upcoming meetings and events.

**9. ADJOURNMENT**

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

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

The regular meeting of the City Council adjourned at 7:56 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.*