

**CHARTER COMMISSION  
CITY OF RAMSEY  
ANOKA COUNTY  
STATE OF MINNESOTA**

The Charter Commission conducted a regular meeting on Wednesday, February 2, 2023, at the Ramsey Municipal Center, 7550 Sunwood Drive NW, Ramsey, Minnesota.

Members Present:                   Chairperson Joseph Field  
  Commissioner Jim Bendtsen  
  Commissioner Ben Deemer  
  Commissioner Victor Jumah  
  Commissioner Jennifer Leistico  
  Commissioner David May  
  Commissioner Laura Moore  
  Commissioner Amy Rusert

Members Absent:                   Commissioner Joshua Fuhreck

Also Present:                      City Clerk Katie Schmidt  
  City Administrator Brian Hagen  
  City Attorney Fritz Knaak

**CALL TO ORDER**

Chairperson Field called the regular meeting of the Charter Commission to order at 6:00 p.m.

**CITIZEN INPUT**

None.

**APPROVE AGENDA**

Motion by Commissioner Deemer, seconded by Commissioner May, to approve the agenda as presented.

Motion Carried. Voting Yes: Chairperson Field, Commissioners Deemer, May, Bendtsen, Jumah, Leistico, Moore and Rusert. Voting No: None. Absent: Commissioner Fuhreck.

**APPROVE MINUTES**

Commissioner Leistico noted on page two, her vote should be reflected as a nay.

Commissioner Deemer commented that going forward there should not be discussion after a motion to adjourn.

Motion by Commissioner Deemer, seconded by Commissioner Leistico, to approve the following meeting minutes as amended:

- 1) Regular Charter Commission Meeting dated October 26, 2022

Motion Carried. Voting Yes: Chairperson Field, Commissioners Deemer, Leistico, Bendtsen, Jumah, May, Moore and Rusert. Voting No: None. Absent: Commissioner Fuhreck.

## **COMMISSION BUSINESS**

### **5.1 Introduce New Charter Commission Members**

Chairperson Field recognized member Susan Anderson, who was a long-time member of the Commission and recently passed away.

Chairperson Field welcomed new Commissioner Jumah.

Commissioner Jumah introduced himself to the Commission.

### **5.2 Review Ordinance #22-26 Amending City Charter Prohibiting Membership on City Boards and Commissions of Non-City Residents**

City Administrator Hagen provided an overview of the request to review the ordinance which would amend the City Charter to prohibit membership on City Boards and Commissions of non-city residents.

Chairperson Field stated that typically with amendments, something is amended from existing Charter language, showing strike throughs or additions. He noted that he would prefer that redline version for review.

City Administrator Hagen noted that the difference between the two versions would be the last sentence. He confirmed that the City Council has already passed the ordinance for review by the Charter Commission.

Chairperson Field stated that it seems that it would be a shorter process if the Charter Commission were to propose the amendment to the City Council.

Commissioner Rusert referenced the language regarding future boards or commissions that may be added and asked if the Council could arbitrarily add a group.

City Administrator Hagen commented that the City Charter allows the City Council to create advisory boards and commissions, noting that the Council also appoints members to those boards and commissions. He noted that this amendment would ensure that only Ramsey residents are allowed to serve on boards and commissions.

Commissioner Bendtsen commented that if outside expertise is needed, that could be solicited and did not see the need for a non-Ramsey resident to sit on a board or commission.

Commissioner Leistico agreed noting that the point of the advisory groups is to have residents providing input to the Council.

Commissioner Bendtsen stated that if everyone agrees on the language, it would save time and effort to have the amendment come from the Charter Commission, as the Council could simply adopt the ordinance unanimously to enact the change.

Motion by Commissioner Bendtsen, seconded by Commissioner Deemer, to approve the language amendment for section 2.2 as proposed.

Further discussion: City Attorney Knaak provided more details on the path the Commission could choose with its recommendation that would either require the amendment to be placed on the ballot for the voters or allow the Council to adopt the change with a unanimous vote. Commissioner Moore stated that if everyone agrees with the amended language, she would prefer to choose the option that saves time and money, as that would be most cost-effective. Commissioner Leistico agreed that this change should originate in the Charter and because it is non-controversial she agrees with that path forward.

Commissioner Bendtsen withdrew the motion.

City Administrator Hagen stated that the Commission needs to take action on this tonight and provided clarification on the different paths that could be taken.

City Attorney Knaak stated that under the process, the Council has initiated an ordinance for review by the Commission. He provided additional clarification on the actions the Commission could take.

City Administrator Hagen commented that it seems there is consensus on the amended language.

Motion by Commissioner Bendtsen, seconded by Commissioner Deemer, to table consideration of ordinance #22-26.

Motion Carried. Voting Yes: Chairperson Field, Commissioners Bendtsen, Deemer, Leistico, Jumah, May, Moore and Rusert. Voting No: None. Absent: Commissioner Fuhreck.

Motion by Commissioner Leistico, seconded by Commissioner Moore, to recommend amendment of the City Charter, Section 2.2, to prohibit membership on city boards and commissions of non-city residents.

Motion Carried. Voting Yes: Chairperson Field, Commissioners Leistico, Moore, Bendtsen, Deemer, Jumah, May, and Rusert. Voting No: None. Absent: Commissioner Fuhreck.

### **5.3 Review Proposed Amendments to Section 4.1 and 4.2 of Chapter 4 of the Charter – Nominations and Elections**

City Clerk Schmidt provided an overview of the proposed amendments to Section 4.1 and 4.2 related to nominations and elections. She noted that once the entire review of Chapter 4 is completed, staff would bring that forward to the City Council.

Motion by Commissioner Deemer, seconded by Commissioner May, to recommend approval the changes proposed for Section 4.1 and 4.2 as presented.

Motion Carried. Voting Yes: Chairperson Field, Commissioners Deemer, May, Bendtsen, Jumah, Leistico, Moore and Rusert. Voting No: None. Absent: Commissioner Fuhreck.

### **5.4 Continue Review of Amendments to Chapter 4 of the Charter – Nominations and Elections**

Chairperson Field provided brief background information on the previous considerations to Chapter 4 that the Commission has provided input on thus far. He stated that tonight the focus is on Section 4.5 and noted that staff has provided two options for consideration. He reviewed the options before the Commission and different considerations noted within the staff report.

Commissioner Bendtsen commended the City Clerk for the excellent job in preparation of the staff report and presentation of the information within.

City Clerk Schmidt noted that Section 4.5.5 could be added to any of the options.

Commissioner Moore commented that she prefers option two and believes that 4.5.5 is fine as written.

Commissioner Leistico stated that she also supports option two as it seems to be the most straightforward. She stated that she also supports 4.5.5 as it stands.

Motion by Commissioner Moore, seconded by Commissioner Leistico, to recommend amendment to Chapter 4 of the Charter, selecting Option 2 with the addition of 4.5.5.

Further discussion: Chairperson Field commented that this would seem to shorten the time period and save funds, which are both benefits.

Motion Carried. Voting Yes: Chairperson Field, Commissioners Moore, Leistico, Bendtsen, Deemer, Jumah, May, and Rusert. Voting No: None. Absent: Commissioner Fuhreck.

It was clarified that the motion would delete the language shown highlighted in yellow.

City Clerk Schmidt noted that there is still additional review related to part two and 4.5.6.

Chairperson Field noted that it is proposed to remove part two.

City Clerk Schmidt reviewed the possible amendment to 4.5.6.

Motion by Commissioner Moore, seconded by Commissioner Field, to recommend amendment of the City Charter to remove part two of Section 4.5 as presented.

Motion Carried. Voting Yes: Chairperson Field, Commissioners Moore, Bendtsen, Deemer, Jumah, Leistico, May, and Rusert. Voting No: None. Absent: Commissioner Fuhreck.

The Commission reviewed the proposed changes for Section 4.5.6.

Motion by Commissioner Leistico, seconded by Commissioner Moore, to recommend amendment of the City Charter Chapter 4, Section 4.5.6 as proposed.

Motion Carried. Voting Yes: Chairperson Field, Commissioners Leistico, Moore, Bendtsen, Deemer, Jumah, May, and Rusert. Voting No: None. Absent: Commissioner Fuhreck.

## **5.5 Review Proposed Charter Amendment Brought Forward by Commissioner Bendtsen**

Chairperson Field noted that at the last meeting, Commissioner Bendtsen brought forward a request related to franchise fees and suggested an amendment. He reviewed the motion that was made at the last meeting.

Commissioner Bendtsen stated that his intent was to prevent franchise fees from being used for road maintenance.

Commissioner Moore asked how many members would be needed one way or the other for this to move forward.

Chairperson Field commented that a majority of the members would be needed. He recognized that there was controversy over the previous use of franchise fees but noted that could become a shell game of how the funds are ultimately used.

Commissioner Rusert stated that perhaps using the language “the City cannot use a franchise fee” to prevent that situation from occurring, as that would still allow other entities to charge a franchise fee if needed.

Chairperson Field referenced the handbook provided by the League of Minnesota Cities and recommended that the other commissioners read the handbook as well. He noted that in the past when this had been discussed, they had requested a study to be completed.

Commissioner May stated that a franchise fee would provide a city with the opportunity to raise revenue.

Commissioner Leistico commented that she believes that the franchise fee is a tool within the toolbox and did not see the need to limit that. She stated that if someone does not like how their

Councilmember votes related to franchise fees, they can act on that. She noted that the City had a study completed by the University of Minnesota, which provided a lot of information. She recognized that the study requested by the Charter Commission was shorter because of the limited budget available, but also provided information. She commented that it would seem that some people did not like the results of those studies and therefore keep coming back to request more. She asked where this is coming from as she has not been contacted by anyone about franchise fees. She stated that she does not want to keep rehashing this if it is the agenda of just one or two members.

Commissioner Rusert recapped that the franchise fee was enacted and then taken away. She asked if the funds had been misappropriated.

Commissioner Bendtsen commented that the Council used the franchise fee to raise funds because they wanted to spend the property tax funds in other ways.

Chairperson Field stated that the Council has supported and then not supported the use of franchise fees because membership of the Council changed. He stated that franchise fees could be seen as an unregulated income source.

Commissioner Deemer commented that there is a lack of knowledge related to how other communities use their franchise fees.

Commissioner Moore commented that she would not want to take options away from the City Council that could potentially be used. She stated that if people do not support the actions of the Councilmember representing their ward, they can vote as such in the next election.

Commissioner Rusert stated that the franchise fee would seem to be another source of revenue, noting that the City already has sources of revenue and if additional funds are needed perhaps the City should review its spending.

Chairperson Field recognized that the Charter Commission was limited in the amount of funding available for the study completed. He noted that some of his questions were not answered in the study.

Commissioner Deemer commented that the intent of the franchise fee was to complete road projects without assessment, noting that the Council seems to have found a way to do that without the franchise fee. He stated that it would seem pointless because the City has found a way to fund the roads without the franchise fee.

Chairperson Field stated that it has come and gone and could come back again. He believed that there should be some type of regulation on the use of franchise fees but did not believe the Commission had enough information to take action on that.

Commissioner Bendtsen withdrew his previous motion.

Commissioner Moore suggested that the previous studies be provided to the members of the Commission, as she was not a member when this had previously been discussed.

**6. COMMISSION / STAFF INPUT**

No comments.

**7. ADJOURNMENT**

Motion by Commissioner Deemer, seconded by Commissioner Rusert, to adjourn the meeting.

Motion Carried. Voting Yes: Chairperson Field, Commissioners Deemer, Rusert, Bendtsen, Jumah, Leistico, May, and Moore. Voting No: None. Absent: Commissioner Fuhreck.

The regular meeting of the Charter Commission adjourned at 8:05 p.m.

Respectfully submitted,

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Katie Schmidt  
City Clerk

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Fritz Knaak  
City Attorney

Drafted by Amanda Staple  
*TimeSaver Off Site Secretarial, Inc.*