

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

The Ramsey City Council conducted a City Council Work Session on Tuesday, December 12, 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

Also Present: City Administrator Brian Hagen
City Engineer/Public Works Director Westby
Finance Director Diana Lund
Parks and Assistant Public Works Director Riverblood
Administrative Services Director Colleen Lasher
Planning Manager Todd Larson
Economic Development Manager Sean Sullivan
City Attorney Fritz Knaak
Community Development Director Stephanie Hanson
Streets Supervisor Shane Turner

1. CALL TO ORDER

Mayor Kuzma called the City Council Work Session to order at 5:30 p.m.

2. TOPICS FOR DISCUSSION

2.01: Provide Staff Direction On Animal Regulations and Derek Trout Rooster Appeal.

Community Development Director Hanson reviewed the Staff report concerning the animal regulations within the City and Derek Trout's rooster appeal. She shared that Staff is looking for direction on what to do with the ordinance.

Councilmember Musgrove shared that within the animal ordinance, under the 'poultry and fowl' section, there is a different setback for roosters and chickens. She stated that for consistency reasons, the setbacks for the roosters and chickens should be the same. She asked Staff where they would be able to get direction on what would be appropriate acreage for roosters. She noted there is guidance on horses and other agricultural animals like that.

Community Development Director Hanson said she is not sure where they got the direction for horses and other agricultural animals. She added that the University of Minnesota has extension services that have regulations to follow.

Councilmember Musgrove noted that for chickens and ducks there is no minimum acreage required in code.

Councilmember Howell stated that without the difference between the setbacks for chickens and roosters, it would eliminate a lot of people's ability to have chickens. She said she would not like to change the setbacks for chickens.

Councilmember Woestehoff asked how many rooster complaints come into the City and how they are generally resolved.

Community Development Director Hanson explained that she has only heard of one rooster complaint in her year with the City.

Planning Manager Larson shared there were three complaints this year, including this situation.

Councilmember Specht asked what happens if the rooster owner is meeting the lot size and setback requirements but there are still noise complaints.

Community Development Director Hanson stated there is nothing that can be done, unless the situation would call the noise ordinance into play.

Councilmember Howell asked how many complaints the City gets about noisy dogs.

Community Development Director Hanson shared that these complaints typically come through the Police Department.

Councilmember Riley explained that they just wrote this ordinance so if they were going to change anything, he would recommend removing roosters entirely from the ordinance. He noted this is consistent with a lot of other cities.

Councilmember Musgrove shared that she was a proponent of allowing roosters as she had a resident who reached out to her who had enough acreage for a rooster and wanted to be able to keep their rooster. She noted that Ramsey is rural and part of being rural is allowing people to have roosters if they so choose.

Councilmember Howell agreed that the City is rural and roosters fit the character of Ramsey. She stated that dogs can be very noisy, and people have to put up with that.

Councilmember Specht asked if there is any validity to the acreage versus the setbacks. He asked if it made sense to change this, so it was based on the distance from neighbors rather than based on acreage.

Mayor Kuzma stated he is not in favor of changing this as two acres is adequate. He added that he is not sure if a setback would even make a difference in this particular case.

Councilmember Woestehoff said he would only be interested in entertaining a change for this ordinance if they were to remove roosters altogether. He shared that Elk River does not allow roosters on properties from two and a half to five acres without a conditional use permit. He noted that Ramsey is far more suburban than Elk River.

Councilmember Specht shared that the resident had asked if they would be able to somehow put the rooster in a shed at night so that it would not make as much noise. He asked if this would be something they could approve if the rooster would be indoors during certain hours.

Councilmember Woestehoff noted that there are not really any tools that would allow the rooster on this property unless they changed the code.

Councilmember Howell stated that this could be an accommodation for an emotional support animal.

Councilmember Musgrove shared that she was shown a picture of the rooster, and it was smaller than the chickens. She noted that there is nothing in the ordinance that addresses roosters if they do not make any noise.

City Administrator Hagen asked if the Council would like to continue reviewing the rooster regulation, continue reviewing the entire animal ordinance, or just leave the ordinance and regulations as is.

Councilmember Specht asked how the Council came up with the two and a half acre requirement for roosters.

City Administrator Hagen explained this varies from city to city. He stated he does not remember any specific reason they decided on two and a half acres.

Councilmember Howell stated the only reason she can think of that they set it at two and a half acres is because of Elk River's acreage requirement.

Mayor Kuzma stated he would be in favor of leaving this as is and bringing it back to Council to approve.

Councilmember Musgrove asked if they would move forward with keeping this ordinance as is if the property owner would have any remedy to come back to the Council for any type of conditional use permit.

Mayor Kuzma said no.

Councilmember Specht asked if there is any kind of lawsuit threat since this is an emotional support animal.

City Attorney Knaak shared that there are some pretty compelling arguments for this that could eventually result in some type of adjunct situation. He stated these property owners are asking for some type of accommodation and not necessary to have this ordinance changed. He explained they would not have to completely modify the ordinance, but they would rather offer a waiver of this requirement.

The consensus of the Council was to leave the animal ordinance as is.

2.02: 2024 COR Infrastructure Improvements

City Administrator Hagen reviewed the Staff report in regard to the 2024 COR infrastructure improvements. He shared there are available funds in TIF Districts 1, 2, and 14.

Councilmember Woestehoff asked about parcel 46 and the apartment that the Council had preliminarily seen. He asked where these are if they would both benefit from the Ramsey Parkway extension.

City Administrator Hagen explained that Ramsey Parkway between Zeolite and the roundabout needs to be completed next year for all of this development. He noted that the eastern side of West Ramsey Parkway and Center Street is not as urgent.

Councilmember Musgrove stated she would like to see what they can do without the intergovernmental loan transfers.

Finance Director Lund explained that for purposes of being able to pay themselves back they have to have the inter-fund loan that is coming back in to pay back TIF 1 and 2 with interest. She stated it is just a loaning fund until the increment is generated in TIF 14. She explained that TIF 1 would contribute \$1,134,000, TIF 2 would contribute \$2,250,000, and the remainder would be \$674,000. She noted this does not take into consideration any contribution for the two properties. She stated once it is constructed and the TIF 14 project area starts generating enough increment, it will then pay back these loans. She added that there needs to be an inter-fund resolution in place for them to be able to pay themselves back.

Councilmember Riley appreciated the conservative projections. He explained that if they want to fully develop the COR area then they need to incur these expenses at some point. He said if they wait too long to do this then the TIF will not be available. He stated it makes sense to do this now.

Councilmember Woestehoff agreed and added that road projects are likely going to continue to get more expensive as time goes on, so the sooner they can get some of this work done, the better.

Councilmember Olson added that he agrees that this should all be done sooner rather than later to not stretch out the construction.

Mayor Kuzma agreed.

Councilmember Musgrove asked if there will be more specific funding numbers that will come forward as these projects move along. She asked if the numbers presented are accurate amounts for the costs.

City Administrator Hagen explained that the analysis has accurate dollars for all of the projects that are currently under construction. He stated that the projected revenue includes all of these projects. He noted that they could have Elher's update the analysis as they move along if there are other projects that break ground.

Councilmember Specht asked if they would approve this if there would be a walking trail around the lake.

City Administrator Hagen stated that is a different discussion and this item is just about the roads as the trails cannot be paid for by TIF revenue.

Economic Development Manager Sullivan noted that all of the development right now is on the western side. He added that the intersection at Ramsey Boulevard will be done in 2025. He anticipates the need for Veterans Drive to connect just south of Casey's is going to lag. He stated that they can hold off on this to see if the hotel project gets done and comes in at the value they are anticipating. He noted they will have this information by November 28, 2026 which is an important date as it is the last date they can incur any expense within this TIF District. He added that they are set up for any infrastructure projects.

The consensus of the Council was to move forward with the proposed 2024 COR infrastructure improvements.

2.03: Continue Discussions Regarding Proposed Updates to the Personnel Policy

Administrative Services Director Lasher reviewed the Staff report concerning the proposed updates to the personnel policy.

Councilmember Musgrove asked how the date of December 1 was decided with the floating holiday.

Administrative Services Director Lasher stated that this date is in the policy currently. She explained that if someone is hired as late as December 1, it would be fairly difficult for them to get in time off before January.

City Administrator Hagen asked if December 1 is referenced in the union contracts.

Administrative Services Director Lasher said yes. She continued her presentation and reviewed the proposed updates to Section 1 - Introductions in the policy. She noted the purpose of the policy will continue to be reviewed. She added that she recommends removing the current language for the scope of the policy and implementing the League of Minnesota Cities' language. She explained that they have also discussed creating an individual policy for Councilmembers, Boards, and

Commissions which would be scaled down to just what applies to the Council, Boards, and Commissions.

City Administrator Hagen explained this policy has only certain sections that apply to Council, Boards, and Commissions. He stated that rather than having the over 100 page document, they could create a smaller policy and the personnel policy would only apply to Staff.

Councilmember Musgrove asked how other cities and government agencies handle this.

Administrative Services Director Lasher shared that she believes most other cities include this. She said she has not seen any other cities that have separate policies.

Councilmember Woestehoff asked if someone gets appointed to a Board or Commission if they are presented with the personnel policy.

Administrative Services Director Lasher said yes and noted she does have an abbreviated version that she presents.

Mayor Kuzma stated if it is not a huge task to make a separate policy for this then he would be in support of creating a separate policy.

Councilmember Woestehoff stated he would keep everyone in the same policy but also have an FAQ section for elected and appointed officials as this would accomplish the same task.

Councilmember Musgrove agreed with Councilmember Woestehoff. She shared when she was first elected, she received the abbreviated version of the policy which had a synopsis of the more pertinent information to her as a Councilmember.

Administrative Services Director Lasher reviewed the proposed changes for the data practices advisory with a shortened version.

Councilmember Riley stated this information is important; however, it is all very administrative in nature and would just like Staff to take care of it and if Staff has policies that they want Council to make a decision about then that can be brought forward. He noted he is in support of all of the recommendations and how Staff wants to do this.

Councilmember Musgrove shared that she likes to be able to look at this and give feedback.

Councilmember Howell agreed with Councilmember Musgrove. She added that Staff has done an awesome job with this, and she likes the opportunity to get to see this work.

Administrative Services Director Lasher reviewed the proposed changes for the equal employment opportunity statement. She asked if there was consensus on this change.

There was a consensus of the Council to move forward with this change.

Councilmember Howell stated that in regard to the equal employment opportunity statement she does not see a need to include that the City will not be discriminating against race including traits associated with race such as hair.

Administrative Services Director Lasher noted that they are required to include this section.

City Administrator Hagen shared that legislation was passed in 2023 that specifically called out identifying these attributes.

Councilmember Musgrove added that there are a lot more statuses than those which are listed in the equal employment opportunity statement. She asked if this is meant to be limiting to just those that are listed.

Administrative Services Director Lasher explained this is a pretty succinct way to identify who they will not discriminate against. She noted this has been vetted by the legal team at the League of Minnesota Cities.

City Attorney Knaak reiterated that the League of Minnesota Cities' legal team has vetted this thoroughly and does not see why this would be a problem.

Administrative Services Director Lasher explained that they have an opportunity to be defended by the League of Minnesota Cities attorneys in the past. She noted that since this is vetted by those attorneys then if there was an issue, they would have found it.

Councilmember Musgrove stated that the last grouping of statuses seems to be calling out specific things while leaving out others.

Administrative Services Director Lasher explained that she can take this feedback and research this item to come back at a future meeting to provide more reasoning for this.

City Attorney Knaak shared that categories are being broadened at the legislative level. He added that a lot of this is being guided by the EOC.

Councilmember Howell commented that people move all over the world or they trace their ancestry, and their hairstyles are always changing and she does not see a need for this to be in the policy. She explained that she would find it helpful if they could color code the policy to call out what they are required to include for language so that they do not have to spend Staff and Council time debating things that cannot change.

Administrative Services Director Lasher reviewed the personal communications and use of social media section of the policy, which is a new section. She shared that this is a recommendation of the League of Minnesota Cities. She asked if the Council was supportive of this item.

Councilmember Howell asked about the point that says if anyone publishes something related to city business and there is liable to be confusion whether they are speaking on behalf of the City it would be best to identify themselves by saying something about how this is just the individual's

opinion and it does not represent the City of Ramsey. She asked how a Councilmember sharing their opinion on something would play into this if they shared that opinion on City letterhead.

Administrative Services Director Lasher explained that this is pertaining to personal communications and the use of social media. She noted it would not be something that a City employee types up on City letterhead and would be on their own personal social media sites.

Councilmember Specht asked if this section applies to the Council.

Administrative Services Director Lasher shared that she knows that there is an administrative policy that they used years ago that states if a Councilmember is speaking on behalf of their opinion but not the majority that they need to make a statement similar to what is in the policy. She noted that she believes this does apply to the Council.

Councilmember Specht shared that he has a Councilmember Facebook page, and he has a personal Facebook page. He stated that he responds to comments with his personal page.

Councilmember Woestehoff added that disclaimers are always good for these sorts of gray areas.

Councilmember Howell stated that she disagrees with this applying to Councilmembers as they represent a section of the residents.

Mayor Kuzma stated that a disclaimer that an opinion is only held by one person and not the whole City would clear up confusion.

Councilmember Specht asked if he were responding to many different posts and adding a disclaimer every time it does not make sense.

Councilmember Musgrove shared that she thinks it is different for the Councilmembers as they are elected. She stated that the Governor does not always add a disclaimer that what he says are his opinions and he just speaks.

City Attorney Knaak stated that with respect to the employees this kind of policy can be effective. He noted that a policy that someone deliberately violates could be the basis of discipline. He said it is not the same for Councilmembers. He explained that the bottom line is that he does not think that the Council can restrict one another in the manner in which they are allowed to speak. He stated they are the ones that regulate their own speech. He noted this is clearly a policy for employees; however, for the Council, they do not have to fetter themselves with any kind of restrictions while they may want to in a sense of having guidance.

Councilmember Specht agreed that having a policy like this for the Council would be difficult. He noted that there should be a distinction when someone is stating an opinion and providing information.

City Administrator Hagen explained that providing information when asked falls more under the media request policy.

Administrative Services Director Lasher stated they can work on this further.

Councilmember Musgrove noted inconsistencies between the equal employment opportunity statement language and the personal communication and use of social media language.

Administrative Services Director Lasher said she will look into this.

Councilmember Woestehoff noted that there could be some phrasing changes to make the personal communication and use of social media language clearer and that this comes into play when it is not a part of official duties.

Councilmember Howell asked about the item added to this section concerning people using City-owned equipment to post on personal social media. She asked if people are often doing this.

Administrative Services Director Lasher said no. She shared that there is one employee that she is aware of that does not have a computer or internet access at home so this individual will sometimes stay after work to check emails and so forth.

Councilmember Specht asked about the item that relates to the employees using their resources or position to promote a friend running for City Council. He asked if this only applied during working hours or all of the time.

Administrative Services Director Lasher said she can clarify this at the next meeting. She shared that employees do not go around recommending anyone who is running for office.

There was a consensus of the Council to move forward with this section.

Administrative Services Director Lasher reviewed the new section of media requests, which details how employees would deal with being approached by the media. She asked if the Council was in support of this policy.

Councilmember Musgrove noted that under item 2 it would sound better to say 'as soon as possible' rather than 'as soon as they can.'

Administrative Services Director Lasher said she can make this update.

There was a consensus of the Council to move forward with this addition.

Administrative Services Director Lasher reviewed the existing language for the unlawful acts and exceptions sections which did not have any recommended changes.

Councilmember Musgrove asked if they should add language to the exceptions section that calls out exceptions being written.

Administrative Services Director Lasher explained that if there is an exception to the personnel policy it is documented and scanned into the employee's personnel file as to what happened and why. She noted she can add the word 'documented' to this.

The consensus of the Council was to keep the existing language for these two sections with the addition of the word 'documented' to the exceptions section.

The consensus of the Council was to move forward with the proposed changes to Sections 1, 2, 6, and 12 of the personnel policy.

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 6:45 p.m.

Respectfully submitted,

Brian Hagen
City Administrator

ATTEST:

Katie M. Schmidt
City Clerk

Drafted by Ava Rokosz
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