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

The Ramsey City Council conducted a regular meeting on Tuesday, October 8, 2024, 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  
Planning Manager Todd Larson  
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**

Jenn Shoemaker, 6150 Rivlyn Avenue, came forward and shared that she was one of the property owners whose basement was flooded with sewage during the County road project. She said it has been exactly four months since their basement was flooded with sewage and they are still fighting an uphill battle with Ames and their legal team. She gave a recap of how the process has been from the beginning working with Ames. She noted that it started with a single mitigation company who started demoing the basement and left it half-finished. She shared that they gave proof to Ames that this had not been completed, yet a bill was submitted for completing the work and it has not been paid. She added that they were told that if the payment was not made, a lien would be put on their home. She explained that Ames's insurance company said they would take care of this bill with the mitigation company over a month ago and they still have not received confirmation that the bill was paid. She added that this mitigation company cut into the flooring that had asbestos in it, yet the company has not tested for asbestos. She noted that Ames hired a second mitigation company to complete the work and they were pressured by an environmental specialist to allow

them to start the work without testing. She said the company refused to have the house tested. She stated their floors were not fully cleaned until a month and a half after the incident took place. She shared that a representative from the second mitigation company said the home was completely safe. She explained that they received a letter on August 19 that Ames would be switching from their general insurance company to their biohazard insurance company to deal with this situation and they were told that this would speed up the process. She added that after this, weeks passed with little to no contact from the biohazard company. She shared that this company eventually threw out a settlement offer to the property owners, which they declined. She explained that since they denied the settlement agreement, they were met with hostility from Ames and their legal team and that it would not take much longer for things to be resolved. She added that all of the other property owners also received settlement offers which she believes were all declined. She noted that they were just informed that they will have to disclose this situation when and if they choose to sell their home and this could decrease the value of their home by 10% to 30%. She shared that Ames notified them last week that they have hired outside counsel to investigate the additional bid that her contractor had put in to remove the 2x4s that were contaminated in her basement. She said they were forced to have another hygienist into their home to take pictures this morning. She stated their rebuild was supposed to start yesterday but they have to delay until tomorrow because the new hygienist came in to look at the 2x4s and they were told that if anything was done to them in the meantime their request would be denied. She shared that they had their contractor contact Ames's legal team. She explained that their home is much further along than most of their neighbors and shared that she is very disappointed that they are not all being treated equally. She added that they were told that Ames has a large deductible that has not been met so they are having to pay out of pocket for these costs and if they do not hit the deductible then it is money saved for them. She reiterated that none of this is their fault and was entirely created by Ames and asked what repercussions Ames will have. She added that the County has tried to assist them in this but not even their pressure has done anything.

Mayor Kuzma stated it was his understanding that the County was going to take over dealing with Ames so the property owners would not have to.

City Administrator Hagen shared that the County had stepped in originally and told the property owners that if they were not hearing from Ames and things were not getting done then they could hire out the cleaning services on their own and then bring the bill to the County to have Ames pay. He noted that shortly after this, they were told that Ames had stepped up but now they are hearing otherwise.

Mayor Kuzma apologized to the property owners for what they were having to go through. He asked what the City is allowed to do in this situation to help these property owners.

City Attorney Knaak noted that the City has already helped apply pressure on this situation to move things forward. He explained that if they wanted to send in some City inspectors to help with this situation, they would need to have some basis of authority to do so, and the authority would need to be granted by the County. He said the City has really done all they can at this point.

Councilmember Woestehoff asked when they make payments for the Highway 10 project if those payments go to the County or to Ames directly.

City Administrator Hagen stated the County handles all payments to Ames. He added that he is not sure if the County has withheld any funds from Ames because of this.

Ms. Schumacher noted that the County has been wonderful to work with. She shared that the County had a meeting with Ames to explain that the County was doing to start fining Ames daily for this. She said nothing has happened at this point. She asked how Ames can continue to get away with this and other issues like breaking gas lines during constriction and still be allowed to work in Ramsey and Anoka County.

Mayor Kuzma said they will continue to do all they can to move this along; however, working with the County would be the best approach to get the pressure applied to Ames.

Councilmember Howell asked if the City can have more conversations with the County to see what kind of pressure they are putting on Ames.

City Attorney Knaak said they can discuss this with the County and their legal team. He added that he is encouraged to hear that the County is threatening to withhold funds until this is dealt with.

Mayor Kuzma directed City Administrator Hagen to go to the County and shared that they have Ramsey residents who have continued to give them updates on this situation for four months and nothing seems to be moving.

Councilmember Specht asked if the City is still having general communication with the County on this.

City Administrator Hagen said they receive weekly updates from Ames and their general counsel and he hears from the County every few weeks. He reiterated that the County is the one who holds the contract with Ames.

Councilmember Specht stated they can continue to reach out to the County Commissioners on this to hopefully apply additional pressure. He added that County meetings also have a portion for citizens' input if the affected property owners wanted to address this directly with the County.

Councilmember Musgrove asked if Ames was paying for the damages for the two gas leaks they caused. She said if they are paying for these fixes but not for the damages they have caused in these property owner's homes, that is an issue.

Councilmember Howell also encouraged the affected property owners to go speak to the County Board so everyone is aware of this situation. She said she would like to see the County put financial pressure on Ames to get this moving.

Councilmember Woestehoff shared that this is the only project that Ames has worked on since 2010 in Ramsey. He also encouraged the residents to go to the larger bodies of government that hold the contract with Ames. He added that they could even go to MnDOT to ask for help.

Roxanne Tersteeg, 6263 Rivlyn Avenue, came forward and shared the letter she sent to Ames and their legal team in response to the settlement agreement offer for \$20,000 in which she asked how they arrived at this number. She stated that she countered this offer with a request for a \$2,000,000 settlement. She asked the Council if anyone knew that all they were going to be offered was a \$20,000 settlement.

Councilmember Specht said he will be going to the County Commissioners on this and make sure that his voice is heard by people who can take action on this.

John Kidd, owner of both 6225 and 6237 Rivlyn Avenue, came forward and shared that Ms. Tersteeg's offer was incredibly insulting. He said that her counteroffer of \$2,000,000 is not far off from his total damages at his property. He noted that damages currently equal about 50% of his real estate value. He stated the settlement agreement he received was laughable. He explained that this situation ramps up then stalls out and it is a continuous cycle. He noted that with each new party involved in the situation, there is a learning curve that slows down the process. He shared that he sees a lot of things that the City can do to help him and the other affected property owners. He stated that winter is coming and currently neither of his properties have furnaces and have basements that will need to be completely reconstructed. He emphasized that Ames needs to be held accountable for this. He added that the City also has an opportunity to help as all of these property owners will need permits from the City to do their work and encouraged City departments to help move these things along in a timely manner. He shared that demolition has begun at his properties and he is currently waiting for bids to be approved for the work. He said he has been displaced from his home and is living in a hotel.

Mayor Kuzma said the City will do whatever they can to move permits through as quickly as possible.

Jack Rohr, 14450 Rhinestone Street, a resident of Park View East, came forward and shared that all residents of the apartment building got a notice on their door last Monday that the City would inspect every single unit in the building on Wednesday. He noted that he was told the scope of the inspection would include inspecting bathrooms, as well as looking through cupboards and closets. He added that he was told that if the inspection was denied, then there would be fines against him or the inspector could get a search warrant to allow him into the unit. He said that he cannot imagine anyone would think it is reasonable for an inspector to come through and investigate closets and cupboards in their homes. He shared that he spoke to Planning Manager Larson about this when he asked why they would need to inspect his closet and Planning Manager Larson told him all they will be doing in closets is looking up to make sure there is no water damage. He added that he thinks it is a ridiculous request to inspect occupied units.

Councilmember Musgrove asked if it is typical to look for water damage in closets or if plumbing that could cause potential water damage is typically located above or below bathrooms and kitchens.

Planning Manager Larson said they look at the ceilings in closets and other rooms because ceilings could also be leaking as not all water damage comes from pipes. He said they just do a quick look up for water stains, a quick look down for bugs, and that is all.

Councilmember Musgrove asked if they could just ask residents to look for water damage in their closets rather than having an inspector somewhere with personal belongings.

Planning Manager Larson explained that when they are conducting these inspections, they are not looking at belongings.

Councilmember Howell shared that she was glad that Staff was able to work out something for Mr. Rohr and thanked him for coming forward this evening. She said she empathizes with his concerns of not wanting an inspector in his closets. She suggested finding a better way to do this that would be more amenable to residents.

Mr. Rohr noted that the apartment building is less than a quarter mile from City Hall and suggested having a process in place to conduct these inspections once a unit becomes vacant.

Councilmember Woestehoff thanked Mr. Rohr for voicing his concerns and shared that this is a fairly new program for the City so they are receiving all kinds of feedback on how they can do things differently. He explained that this program is designed to help create safe living conditions for all renters in the City. He said the point of this program is to help support renters and in turn support the building renters. He noted that not all issues get reported to the building owners. He shared that there have been many issues found as a part of this that building owners have been very happy to hear about so they can be addressed. He stated they are learning as they go with this program.

Paul Sitz, 6521 154th Lane, came forward and shared that he has been a Ramsey resident for over 40 years. He stated he would like to offer a different perspective on the integrity of elections in Ramsey. He said he has voted in many elections and while he has been pleased with the outcome of some elections and not others, he has never questioned the integrity of the elections process. He noted that the officials in the State, County, and City who are responsible for the design of the election process have done a remarkable job. He added that eligible citizens can register to vote and vote easily. He explained that there are processes and safeguards in place to ensure that everything is done correctly, and this has been tested over the years. He stated that every County in the State has to do a recount on randomly selected precincts and these results are available online. He shared that he is proud to live in Minnesota where they have clean, well conducted elections and he has no doubt that the election results accurately reflect the will of the voters. He commended the election workers in Ramsey for their diligent work over many years at the precinct level as their integrity ensures that democracy works.

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

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

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

## **5. APPROVE MINUTES**

Motion by Councilmember Woestehoff, seconded by Councilmember Musgrove, to approve the following meeting minutes:

- 5.01: City Council Work Session dated, September 24, 2024
- 5.02: City Council Regular Session dated, September 24, 2024

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

## **6. CONSENT AGENDA**

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

- 6.01: Receive August 2024 Financial Reports - General Fund, EDA, and Enterprise Funds
- 6.02: Receive Cash and Investments for Period Ending September 30, 2024
- 6.03: Note the following Boards, Commissions, and Committee Meeting Minutes:
  - Planning Commission Meeting Minutes Dated August 22, 2024
  - Environmental Policy Board Meeting Minutes Dated August 19, 2024
  - Public Works Committee Meeting Minutes Dated August 20, 2024
  - Park and Recreation Commission Meeting Minutes Dated August 8, 2024
- 6.04: Approve Amended Agreement for Building Official Services with Rum River Consultants
- 6.05: Approve Business License Applications.
- 6.06: Adopt Resolution #24-289 Approving Cash Disbursements Made and Authorizing Payment of Accounts Payable Invoicing Received During the Period of September 19, 2024 through October 2, 2024.
- 6.07: Adopt Resolution #24-274 Appointing Election Judges for the General Election on November 5, 2024.
- 6.08: Adopt Resolution #24-280 Authorizing Partial Payment to Kurilla Contracting of Buffalo, MN for Improvement Project #24-54, The Waterfront.
- 6.09: Adopt Resolution #24-286 Accepting Special Appropriation Grant Funds and Authorizing Entering into Grant Agreement with Minnesota Public Facilities Authority for Improvement Projects #21-08 and #21-09

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

## **7. PUBLIC HEARING**

None.

**8. COUNCIL BUSINESS**

**8.01: Adopt Resolution #24-285 approving a variance and encroachment agreement for a lean-to structure and concrete slab at 6850 148th Lane NW (Michael Ploumen)**

Planning Manager Larson reviewed the Staff report in regard to a variance and an encroachment agreement request for a lean-to structure and concrete slab at 6850 148th Lane. He shared the Planning Commission’s recommendation of approval.

Motion by Councilmember Howell, seconded by Councilmember Olson, to adopt Resolution #24-285 approving a variance to side yard setback and an encroachment agreement for a lean-to structure and concrete slab at 6850 148th Lane NW.

Further discussion:

Councilmember Woestehoff said he will not be voting in favor of this. He shared he would have been supportive if it was just for approval of the concrete slab; however, having a structure that close to the property line makes him nervous for future neighbors.

Councilmember Riley stated this structure does not have walls on it which makes it different from the other request they had recently seen similar to this one.

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

**8.02: Introduce Ordinance #24-13 Amending Section 106-105, Definition of Manufacturing**

Planning Manager Larson reviewed the Staff report concerning amending City Code and the definition of Manufacturing to include State-regulated cannabis cultivation. He shared the Planning Commission’s recommendation of approval.

Councilmember Howell asked if this would allow other things to be grown in pots and dirt or just cannabis.

Planning Manager Larson explained that other crops that will be grown in dirt do not really need the same kind of security that these buildings offer, and this growing could take place out in a field.

Motion by Councilmember Woestehoff, seconded by Councilmember Riley, to waive the City Charter requirement to read the ordinance aloud and introduce Ordinance #24-13 amending Section 106-105 Zoning Code Definitions.

A roll call vote was performed:

Councilmember Musgrove    nay  
Councilmember Riley        aye

Councilmember Howell     aye  
Councilmember Olson     aye  
Councilmember Specht     aye  
Councilmember Woestehoff   aye  
Mayor Kuzma             aye

Motion carried.

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

City Administrator Hagen announced upcoming meetings and events.

Councilmember Riley stated the deadline for taxes is October 15 and there will be no more extensions after that.

Councilmember Specht shared that there will be an Open House at Fire Station #2 this Thursday.

Councilmember Musgrove shared that the upcoming Parks and Recreation Meeting will be held in the Council Chambers as they are done with their summer meetings in the parks.

**10.    ADJOURNMENT**

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

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

The regular meeting of the City Council adjourned at 8:07 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 Major

*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.