

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

The Ramsey City Council conducted a work session on Tuesday, May 4, 2010, in the Alexander Ramsey Room of the Ramsey Municipal Center, 7550 Sunwood Drive NW, Ramsey, Minnesota.

Members Present: Mayor Bob Ramsey
Councilmember John Dehen
Councilmember David Elvig
Councilmember David Jeffrey
Councilmember Matt Look
Councilmember Colin McGlone
Councilmember Jeff Wise

Also Present: City Administrator Kurtis G. Ulrich
Planning Manager Amber Miller
Associate Planner Tim Gladhill
Environmental Coordinator Chris Anderson
Police Chief Jim Way
Fire Chief Dean Kapler (arrived approximately 6:45 p.m.)
City Attorney William K. Goodrich

CALL TO ORDER

Mayor Ramsey called the work session to order at 5:22 p.m.

#1: Highway #10 Performance Standards

Planning Manager Miller stated that the appearance and aesthetics of the Highway #10 corridor have been discussed by Council numerous times. Last summer, the Council instructed staff to conduct a photo inventory of all the properties along the entire corridor and inventory the existing conditions with each property. Council also appointed a subcommittee of Mayor Ramsey and Councilmembers Dehen and Wise to review the issues and make recommendations. Ms. Miller reported that City staff sent a letter to the property owners in July 2009 to inform them that staff would be doing a photo inventory of the Highway #10 properties. Of the 73 properties, 32 had no violations at the time of the visit. The inventory was completed in October 2009. Of the remaining properties, all had at least one nonconformity and most had several. She noted that some of the nonconformities exist as legal, nonconformities. Ms. Miller pointed out that the top six violations were vegetation over one foot in height; inadequate paving for off-street parking requirements and maneuvering; accumulation of waste; parts storage or salvage; violation of temporary sign regulations; and abandoned or inoperable vehicles. Staff presented the photo inventory on the screen for Council viewing and discussion. Ms. Miller stated the recommendations of the subcommittee as follows: Vegetation: If the violation is on a developed lot – immediate enforcement. If the violation is on a side lot or outlot which is undeveloped, cut

back 10 to 15 feet. Recommendations for paving requirements were as follows: Approaches and drives should be paved, do not require curbing except in new development, give owners adequate time to comply (12 to 18 months) and ensure there is a paved area for customers. Staff is recommending requiring curbing. With regard to parts storage or salvage – the subcommittee recommended that salvage is not permitted by code and should be prohibited; outside storage should be screened where it is allowed, it can be stored on gravel, materials stored cannot exceed the height of the fence and no grass growing between stored items. Abandoned or inoperable vehicles should be immediately removed. Accumulations of waste should be immediately addressed, junk and debris should be removed, dumpsters should be screened, no storage higher than fence and they cannot stockpile pallets outside. With regard to temporary signs, the subcommittee recommended going back to requiring a permit for temporary signs, no fee or a nominal fee, and bring a resolution before Council regarding policing of the right-of-way for the State and County Roads.

Discussion ensued relating to salvage by description of auto body. All of that could be kept indoors.

Ms. Miller reported on how the ordinance would read if the Council votes in favor of the subcommittees recommendations.

Councilmember Look commented on how a lot of this “junk” is not visible from Highway 10. Any sort of changes would have to be put forward into the future at this time. He would not want to make businesses go under.

Mayor Ramsey stated that we are not recommending putting people through a hardship but it doesn't take a lot of money to clean up junk. If it's cleaned up and looks decent, we will leave it alone.

Councilmember Dehen felt too that the main thing is to get them to clean up their place of business – and agreed that did not cost a lot of money. It may not be totally visible from Highway #10 but there are properties on the back looking at all that stuff. On the south side of Highway #10, you have Riverdale and you can see that junk from there. We were recommending a cleanup versus being really proactive with the other things. He added that with Ramsey Farm and Garden though, they have to do something – there is no paving at all there – only dirt.

Councilmember Wise stated there are some customer parking space paved there.

Councilmember McGlone inquired about these existing businesses and whether or not there was some grandfathering.

Mayor Ramsey stated that most of this stuff has been on the books for 20 years or so.

Councilmember Elvig stated that we always run into the problem of case-by-case. It's hard to get everyone to come into compliance. If one does not have to do something, the others think they should not have to do it either.

Mayor Ramsey stated that the recommendation for paving was more for just if there was gravel right up to Highway #10. We looked at it if it was more of a nuisance versus performance standards.

Councilmember Dehen suggested picking the worst ones. He is in favor of volunteer cleanup; send letters out and ask them to clean up their business in a certain amount of time.

Councilmember Look stated that, short of making them put everything under a roof, how will you say to clean up.

Discussion ensued relating to which of the businesses presented were worse.

Councilmember Wise thought it would be prudent to ask for input from the businesses about a solution for their mess and treat it on a case-by-case basis.

Councilmember Dehen stated that the problem he has is any business can have an organized mess. You have to create some sort of way to keep it inside. The cost of doing business would have to be not leaving auto parts outside; it needs to be out of site. Because there are residents behind some of these places, he is not in favor of allowing significant outdoor storage in these areas.

City Administrator Ulrich stated that one objective is to try to get the ordinance enforced equitably across the board. Therefore, we cannot just get to one as they will say the City is picking on them, etc. We really should have a standard code across the board - at least a minimum standard. That's why we are talking about changing the Code. We need to have standards businesses can meet and that staff is able to enforce across the board.

Councilmember Dehen stated we did say people have to quit parking out beyond the right-of-way or parking on the grass in front of their business and he thinks that is taken care of by our ordinances.

Councilmember Elvig asked is the question here making a tougher ordinance or requiring what we have to be a little more to the letter of the law.

Planning Manager Miller stated that in the past, the City Council's direction was to not enforce performance standards in the H-1 District. The Council was not interested in being proactive; however, now we are talking about being proactive again.

Associate Planner Gladhill suggested maybe we could relax certain regulations, like paving for example. That gives us an opportunity to enforce it. If there is room for relaxation, we could better enforce the standards overall.

Councilmember Jeffrey stated we had this discussion a number of years ago. We had different standards for the north and south side of Highway #10. What if we said we were going to have incremental enforcement. Maybe this year we take on the junk; next year maybe it's fencing and

storage. We are not relaxing the standards and then have to ramp it back up. Maybe just incrementally enforce and within five years, we will have people that will start paving.

The current economy was talked about.

Councilmember Dehen stated you will always have a City Council that comes in and will hear about hard economic times so there will never seem like a right time to do this.

Mayor Ramsey stated he likes Councilmember Jeffrey's idea. Send out the ordinance and explain to the business owners what we will do. This year we do this - next year we do this, etc., until the standards are met. Laying it out year by year to the business will be helpful.

Councilmember McGlone asked is there anything in that ordinance that clearly states "visible to the road".

Ms. Miller replied no.

Councilmember McGlone wondered if anyone was interested in adding that into the ordinance.

Police Chief Way inquired if whatever Council would decide would be worked on this year, if an inspection is done and they have not yet complied, would there be an abatement.

Councilmember Jeffrey stated he would like to see 14 days and then we send out the "big dog" with the dumpster.

Councilmember McGlone commented that giving them the whole summer is too long.

Councilmember Dehen stated that as far as junk and outdoor storage, that's a no brainer. You have to get that stuff cleaned up. If in one month there is no progress, then send a letter out. He was not interested in leaving it all the rest of summer.

Councilmember Jeffrey suggested that Council needs to decide what will be done if they are nonconforming after the due date.

Mayor Ramsey agreed with 14 days – abatement after that.

Councilmember Wise felt if there was a lot of progress made – we should be okay with giving them a little longer time to continue.

Environmental Coordinator Anderson referred to some of the photos and asked for clarification. The fenders that were piled rather neatly behind JAC – are we treating that differently than all the junk at EZ Auto.

Mayor Ramsey stated that if the area is screened – he would not have a problem with that.

Councilmember Elvig stated that our ordinance says no salvaging and no outside storage. We would have to change the ordinance then to say salvage is okay if screened.

Councilmember Dehen stated or tell him what the ordinance is and let him decide for himself.

Councilmember Look felt there had to be a classic car provision.

2) Temporary Signs

Discussion ensued relating to temporary signs.

Associate Planner Gladhill stated that the City used to issue temporary sign permits. He asked for Council direction on whether or not to bring that back. He talked about time allotment for signs and what was allowed. We tried to be more flexible but we did not want them to become a nuisance.

Councilmember Look talked about some sign cases and referenced Hopkins. Because of that, we basically relaxed our ordinance. If we are going to start permitting signs, we will also have to regulate real estate signs, etc.

Councilmember McGlone stated maybe we don't regulate signs on the weekend.

Mr. Gladhill suggested we could base it on size of sign.

Councilmember Dehen inquired if all the signs shown in the presentation were considered temporary signs. He felt that signs take away from aesthetics – and there should be nothing in the right-of-way. Some of these are no brainers but he likes the idea if someone is putting up a temporary sign they get a permit and put the amount of time the sign will be up.

Planning Manager Miller referenced a sign ordinance in a past city she worked in and it was regulated according to size.

Mayor Ramsey stated he would like to see no signs in the right-of-way at all and he would like to see it permitted 10 weeks out of the year – they would pick the weeks and he would like something affixed to the sign that showed when it was supposed to be displayed. He stated he would like to see Realtor signs on private property only and that they be removed if they are in the right-of-way.

Discussion ensued relating to signs, and more specifically to real estate signs such as those put out by Marty Fischer and City property for lease and/or sale.

Environmental Coordinator Anderson stated that our Code describes temporary signs as anything not affixed to a UBC approved permanent structure.

Councilmember Look stated we will have Realtor signs. We need to figure out square footage and added that he is okay with signs larger than the average Realtor sign having to be a permitted use. He agreed with Mayor Ramsey's idea of coming up with a decal or permit right on the sign.

Councilmember Wise stated he did not feel it is a good idea to go after these real estate signs. He mentioned all the signs for the Town Center and Jim Deal's property. He would like to see real estate signs exempted.

Associate Planner Gladhill commented that we have to be careful how we word that as it cannot be content based and that's what it would appear if we exempt real estate signs in general.

Councilmember McGlone stated that anything in the right-of-way is out. He likes the idea of having anything over the size of a "typical real estate" sign have to be permitted. He added that he is not really in favor of spending money for stickers on the signs – that could all be recorded at City Hall instead.

Councilmember Wise talked about signs on trailers, etc.

Councilmember Dehen inquired if the feeling is that small signs should not have to be regulated.

Councilmember Look suggested that we should have different types of signs listed as permanent, less than permanent, etc., and maybe also have a maintenance requirement.

Mr. Gladhill offered that the City does have a provision in the Code about unkempt signs and the Code does address displays on vehicles. He read a portion of the Code dealing with signs.

Councilmember Elvig commented on unkempt signs and stated he did not see anything attractive about the signs presented on the screen.

Councilmember McGlone stated that we need to make sure we (the City) get permits as well. We are required to do what we require the public to do.

Banners were mentioned and Ms. Miller reported that banners are part of a special events permit.

Councilmember Look felt that banners needed to be exempted.

Councilmember Wise stated that we have an ordinance now and it is pretty difficult to enforce.

Mayor Ramsey stated he would recommend passing a resolution authorizing City staff to pick up signs in the right-of-way.

Mr. Gladhill stated that signs in the right-of-way would be an easy fix but it is hard to prove the amount of time other signs have been up.

Councilmember Dehen stated that with regard to political signs, Anoka County does not enforce their sign code along the right-of-way and he did not really think the City should enforce the sign Code on County roads.

Mayor Ramsey stated he did not agree – we have a right to police our own municipality.

Councilmember Dehen stated it is different during election season.

Attorney Goodrich stated he would do some research to determine if the City has the authority to pick up signs along the County or State highways.

Councilmember Elvig didn't think we did have the authority.

Planning Manager Miller stated that some signs are not anchored well so if we have the ability to confiscate them, that would be good.

Councilmember Elvig commented that he thought the City had cleaned up its political signs considerably. With regard to temporary signs, he wondered what would be preventing us from going out with a sticker and placing it on the signs – the time the sign was up could be documented that way.

Mr. Gladhill stated that it takes a lot of time to document that – it's a good idea but a real hassle for burden of proof. It works well conceptually but it's almost impossible to take the time to do that.

Councilmember McGlone suggested we could put something in the newsletter about signs.

Councilmember Wise suggested we take care of the blatant stuff in the right-of-way and the unkempt ones. With regard to everything else, we do not have the staff to take care of any more than this.

Councilmember McGlone stated he did not want staff just driving around looking for signs.

Mayor Ramsey reiterated his idea – they need to get a permit – pick their 10 weeks they want the sign up.

Mr. Gladhill felt that Mayor Ramsey's concept would not take much staff time.

Councilmember Dehen stated he wanted the process to be "so simple, a cave man could do it" and he requested the minutes reflect his comment.

Motion by Mayor Ramsey and seconded by Councilmember Wise to recess the work session to call the special City Council meeting to order.

Motion carried. The work session was recessed at 6:46.p.m.

Mayor Ramsey reconvened the City Council work session at 6:48 p.m.

3) Rental License Program

Planning Manager Miller stated the purpose of this topic report is to review the incentive-based program that's included in Council's packet. This proposal is for properties in compliance with no police calls or code violations they would be able to go as long as five years without an inspection. The cost of the inspection would still be \$75. Multi-family apartments would be a percent inspection of units. The points based system would be based on the quality of the property. She noted that both the Police and Fire Chief are present.

Councilmember Elvig expressed concern about a recent fire in the metro where six people lost their lives. That was a mixed-use building – commercial and residential and we are stepping into that type of living conditions in Ramsey.

Mayor Ramsey stated that anything built in Ramsey under that scenario would all be sprinklered so he didn't see that as much of an issue. He added that if someone is renting space for living, he did not want the City to be able to just go in there and inspect it. If it's unoccupied, then it's fine to do an inspection.

Ms. Miller stated that's our current ordinance. The option the City Council could consider is a point of sale inspection. That's what other cities have and that would address any code violations.

Councilmember Dehen stated that you could have a landlord rent this out over three to five years so what good does that do. His intent is government inspections to make sure the rental space is in a reasonable condition.

Ms. Miller commented that the inspection would take into consideration "up to code" when it was built. The inspector would be looking more for safety issues – smoke detectors, etc.

Councilmember Look suggested we could require an exterior maintenance code.

Councilmember McGlone stated he would advocate for "buyer beware". He read a line in Code that said you were unable to rent without a permit and he wanted that taken out of the Code. He added he would advocate for multi-family dwelling inspections but not single-family home inspections.

Ms. Miller expressed concern about how would we deal with units where some are purchased and some are rented.

Councilmember McGlone suggested just regulate what is clear-cut.

Councilmember Elvig stated he would advocate for inspections – and five years is a concern for him.

Councilmember Look stated that anyone can call for an inspection whether it be a homeowner or a renter. He suggested staff could send a letter out to all rental properties and offer an inspection. If we want to market current renters that's okay but it should be their decision to have the property inspected.

Councilmember Elvig stated that's what he is thinking this option needs.

Councilmember Dehen stated that the cost of doing business is you need an inspection when you rent. He is not an advocate for inspecting personal housing. He thinks the theory is "I will look out for the best interest of my family" in choosing a home to buy. He suggested inspecting rental property is a good thing. There is a privacy concern but balancing the safety factor against private intrusion would make it a good thing. He added that he is not an advocate for staff to focus on things like a broken tile or something like that – that's discretionary.

Mayor Ramsey stated he did not have a problem with requiring inspections for apartment complexes and no problem with empty apartments. He also did not have a problem with inspections if someone called for one and if there was a compliance problem that the landlord be fined.

Councilmember McGlone suggested that State law mandates multi-dwelling units. In response to Councilmember Dehen's comments about the cost of doing business in Ramsey, he stated he is already paying extra because he cannot homestead a home he rents out. Multi-dwelling units, as stated in State law, says it's voluntary and if the tenant wants an inspection, the tenant pays for it.

Planning Manager Miller talked about meeting with MHA and the free packets of information they have as well as the tenant booklets we already have.

Mayor Ramsey brought up the exterior maintenance ordinance again and stated that it is important to keep the property up.

Councilmember Elvig stated that multi-family inspections of empty units should happen and that every four years a flyer could go out inviting tenants to call the City of Ramsey for an inspection.

Councilmember Wise added that the renter would pay for the voluntary inspections; however, if there are code violations that don't get taken care of, that fee would be paid back to the City. That would protect our renters.

Ms. Miller inquired if this is just for multi-family units.

Councilmember McGlone stated for any rental under one roof.

Councilmember Dehen asked if there are any objections to having multi-family then and not a single family home.

Mayor Ramsey stated it doesn't matter if it's occupied whether it's multi-family or single family.

Ms. Miller inquired how we would define multi-family.

Councilmember Look stated that's one of the luxuries we have is you can break the law inside your own house – there is the freedom of illegal search and seizure.

Mayor Ramsey stated he would agree. If the State says you can inspect when it's occupied, he would be against that.

Ms. Miller noted it says “with property notification”.

City Administrator Ulrich commented that state law gives the authority but does not make the inspection mandatory.

Consensus was that the City could inspect multi-family dwellings as long as it is not occupied – or by request.

#4: The Regulation of Non-Domestic Animals

Beekeeping was discussed. It was noted that the City of Anoka is allowing beekeeping on small lots. Staff inquired if Council is interested in looking at changing the Code for all animals on smaller lots or just looking at fowl.

Mayor Ramsey suggested maybe a quarter acre would be the minimum.

Councilmember Dehen stated that it takes three acres for horses, pigs, etc., and he would not be in favor of those types of animals on smaller lots.

Planning Manager Miller stated that this is one of Council's goals to deal with sustainability issues.

Environmental Coordinator Anderson stated we get a fair number of calls about having chickens or some kind of fowl on a lot.

Councilmember Wise relayed a childhood story about animals and teaching kids responsibilities.

Councilmember Elvig stated he did not have a problem with potbellied pigs and little goats, etc., but he had a concern about roosters.

Ms. Miller inquired did Council want an administrative permitting process and if the resident asked for an exception to what is allowed by permit – it would go to the Council for approval.

Councilmember Jeffrey wondered if anything these animals may carry could be a health concern.

Mayor Ramsey stated he does not have a problem with four hens, for example, on at least a quarter-acre sized lots. Maybe a pig or little goat would be fine on a tiny lot too as well as

rabbits, providing the resident owns the lot and it is not an association – and it is not in the Town Center.

Mr. Anderson inquired if we should still leave it as so many units for acre size – and then to allow roosters unless you have 10 acres or more. It appears Council is interested in allowing just chickens and rabbits for smaller lots. He asked about pigeons.

Councilmember Elvig stated he has a little problem with pigeons – he is fine with four rabbits – no pigeons!

Planning Manager Miller stated that currently we require enclosures.

Mayor Ramsey agreed the animals would have to be contained on the property. Any fence setbacks would be the same as in the Code right now. He added he would like to see a setback for a chicken coop.

Councilmember Dehen agreed that the coop should not be right next to the property line. He inquired if someone would be allowed to put up chicken wire.

Environmental Coordinator Anderson stated that the fence would have to meet our current fence standards. Chicken coops would have the same setbacks as barns and stables. We try to default to these setbacks. We could maybe include chicken coops in that area of the Code.

Councilmember Elvig suggested with regard to fencing, if it's a solid fence – same setbacks apply – if it's a chain length fence it has to be more inside their lot line.

Ms. Miller asked like five to ten feet to which Councilmember Elvig replied three or four at the least.

For clarification, Ms. Miller stated more setbacks for coops but keep fence setbacks the same. She asked again if the Council wants to allow beekeeping.

Mr. Anderson stated that several lots in the City have beekeeping – and several cities allow it. He added that honeybees are not typically aggressive.

Ms. Miller asked if Council would want to allow beekeeping on a half-acre lot.

Councilmember Dehen stated he is fine with a quarter acre lot.

Ms. Miller talked about animal waste and offered that the City of Anoka says on City lots, manure has to be removed at least once a week and they are allowed to compost it.

City Administrator Ulrich stated that any ordinance would have general maintenance items within it.

Ms. Miller added that staff could change it for smaller lots.

5. Review List of "Future Topics for Discussion"

Council received a calendar with work session dates to the end of the year as well as future topics listed. The list addresses the level of City Council goals as presented at the strategic planning session in the beginning of the year.

Councilmember Dehen inquired why we are not addressing assessment for roads. That has been a City Council priority for some time now and that will affect the budget – it should be brought back for discussion.

Councilmember Elvig stated that with regard to road maintenance, we would have to find a way to pay for it if we are not assessing – we may have to create a district for that if we are allowed to do so.

Councilmember McGlone stated he would like to add some things. He would like an analysis done of the number of parks within the City of Ramsey. He would like to find a way to re-channel some of these park funds and put them into parks like Central Park, etc. or for connecting trails instead of having little neighborhood parks all over the place.

Councilmember Elvig responded that the policy in the past has been that developers had the option to either park dedication funds or land to develop with that community. Most found the community park was better for selling. The problem is, it's usually dedicated as a park and the property can't be sold for something other.

Councilmember McGlone asked if the City Attorney could look into if any of these park properties could be re-designated. He commented that a lot of money is spent on these parks that are underutilized when we could re-funnel that money and make better parks.

Consensus of the Council was to have the Attorney look into Councilmember McGlone's suggestion.

Councilmember McGlone added that the City has 51 parks – we do not need any more unless they are made better and connected.

Consensus was to change the policy we have to park dedication fees only if we can use the money toward other parks.

Councilmember Dehen relayed a story of a resident at the dog park whose puppy was attacked and the owner of the attacking dog did nothing about it. He stated he would like to see more signage about not allowing aggressive dogs in the dog park and that there be more "bite" in our ordinance re dangerous dogs.

Consensus was to review the potentially dangerous dog portion of Code.

Councilmember Dehen stated he would like Council to look into an excessive use ordinance. If certain people are using staff and our resources repetitively, there should be some way of charging for that.

Councilmember McGlone cautioned that we would have to define excessive use

Councilmember Elvig stated he would like to see a policy for ghost platting roads. He thought that it should probably be discussed by the Public Works Committee first. He spoke of a specific area – 167th and Variolite.

The request for Ramsey Royalty was discussed and consensus of the Council was that they are not interested.

MAYOR AND COUNCIL INPUT

1. Lease Update

City Administrator Ulrich stated that the lease on the Highway 10 buildings has been terminated by Denny Sharp.

2. Resignation


City Administrator Ulrich informed Council that Human Resources Manager Givonna Reed Koné had given her notice of resignation. She has taken a position with the City of Plymouth. He stated that staff would put together a case regarding Ms. Koné's position for a future Council agenda.

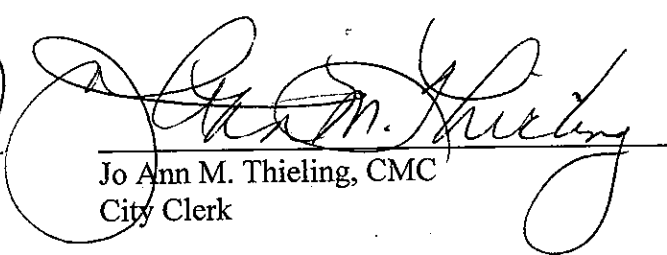
ADJOURNMENT

Motion by Councilmember Jeffrey and seconded by Councilmember Look to adjourn the meeting.

Motion carried. The regular City Council work session adjourned at 8:11 p.m.

Respectfully submitted,


Kurtis G. Ulrich
City Administrator


Jo Ann M. Thieling, CMC
City Clerk

Minutes drafted by Jo Thieling, City Clerk