

TABLE OF CONTENTS

1. CALL TO ORDER 2

2. PRESENTATION..... 2

3. CITIZEN INPUT 2

4. APPROVE AGENDA 2

5. CONSENT AGENDA 3

6. PUBLIC HEARING 4

 6.01: Public Hearing - Adopt Resolution #22-253 Adopting the City’s 2023-2032 Capital Improvement Plan (CIP)..... 4

 6.02: Public Hearing - Adopt Ordinance #22-28 Adopting the 2023 Schedule of Rates, Fees, and Charges..... 5

7. COUNCIL BUSINESS..... 9

 7.01: Adopt Ordinance #22-27 Amending Chapter 2 of Ramsey City Code to Modify Abatement and Appeal Procedures. 9

 7.02: Receive recommendations from the Charter Commission to amend the charter by Ordinance #22-29 under M.S 410.12, subdivision 7. 11

8. MAYOR, COUNCIL AND STAFF INPUT 11

9. ADJOURNMENT 11

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

The Ramsey City Council conducted a regular meeting on Tuesday, November 22, 2022, at the Ramsey Municipal Center, 7550 Sunwood Drive NW, Ramsey, Minnesota.

Members Present: Mayor Mark Kuzma
Councilmember Ryan Heineman (attended remotely)
Councilmember Chelsea Howell
Councilmember Debra Musgrove
Councilmember Chris Riley
Councilmember Dan Specht
Councilmember Matt Woestehoff

Members Absent: None

Also Present: City Administrator Brian Hagen
City Engineer/Interim Public Works Director Westby
Finance Director Diana Lund
Police Chief Jeff Katers
Interim Parks and Assistant Public Works Director Riverblood
City Attorney Fritz Knaak
Zoning Code Enforcement Officer Craig Swalchick

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

A roll call vote was performed:

Councilmember Musgrove	aye
Councilmember Specht	aye
Councilmember Riley	aye
Councilmember Howell	aye
Councilmember Woestehoff	aye
Councilmember Heineman	aye
Mayor Kuzma	aye

Motion carried.

5. CONSENT AGENDA

Motion by Councilmember Woestehoff, seconded by Councilmember Musgrove, to approve the following items on the Consent Agenda, with acknowledgement that Ordinance #22-26 language at adoption on October 25, 2022 was not reflective of the changes directed by Council and as such the corrected language provided this evening is accurate of what Council intended to adopt:

- 5.01: Receive September 2022 Financial Reports - General Fund and Enterprise Funds.
- 5.02: Approve the following Meeting Minutes:
 - 1) City Council Special Work Session dated October 18, 2022
 - 2) City Council Work Session dated October 25, 2022
 - 3) City Council Regular Session dated October 25, 2022
 - 4) City Council Work Session dated October November 7, 2022
 - 5) City Council Regular Session dated November 7, 2022
- 5.03: Adopt Resolution #22-273 Approving Cash Disbursements Made and Authorizing Payment of Accounts Payable Invoicing Received During the Period of November 3, 2022 through November 16, 2022.
- 5.04: Adopt Resolution #22-255 Authorizing Partial Payment No. 3 to North Valley, Inc., for Improvement Project #22-06, Wood Pond Hills 2nd - 5th Reconstruction.
- 5.05: Adopt Resolution #22-256 Authorizing Partial Payment No. 3 to North Valley, Inc., for Improvement Project #22-04, 2022 Neighborhood Pavement Overlay Improvements.
- 5.06: Adopt Resolution #22-257 Authorizing Partial Payment No. 2 to GMH Asphalt Corporation for Improvement Project #22-02, Autumn Heights Street Reconstruction.
- 5.07: Adopt Resolution #22-258 Authorizing Partial Payment No. 3 to Douglas-Kerr Underground, LLC., for Improvement Project #20-05, Riverdale Drive Extension, Llama Street to Bowers Drive.
- 5.08: Adopt Resolution #22-260 Not Waiving Statutory Tort Limits
- 5.09: Adopt Resolution #22-261 Adopting the 2023 Parking Ramp Maintenance Budget & Adopt Resolution #22-262 Allocating the Parking Ramp Maintenance Costs per the Adopted 2023 Budget.
- 5.10: Adopt Resolution #22-263 Authorizing Partial Payment to No. 6 to Douglas-Kerr Underground, LLC for Improvement Project #22-05, Riverdale Drive Trunk Utility Improvements, Llama Street to Bowers Drive.
- 5.11: Adopt Resolutions #22-264 and #22-265 Requesting Anoka County Withhold Certain Tax Forfeit Land from Public Sale (10-32-25-33-0026) and Approving Classification and Sale of Tax Forfeit Land (19-32-25-13-0024).

- 5:12: Adopt Resolution #22-266 Approving Minnesota Laws. 2021 1st Special Session Chapter 14, Article 9, Section 10.
- 5:13: Adopt Resolution #22-267 Approving Purchase Agreement and Sale of RALF Parcels 4 and 27 For Ramsey Gateway Hwy 10 Project
- 5:14: Adopt Resolution #22-268 Approving Purchase Agreement and Sale of Parcels 2 and 3, for Ramsey Gateway Project.
- 5:15: Adopt Resolution #22-269 Authorizing Order for Tandem Axle Plow Truck.
- 5:16: Adopt Resolution #22-270 Approving Proposal from Bolton and Menk, Inc. to Prepare Plans and Specifications for Improvement Project #23-04, 167th Avenue Reconstruction.
- 5:17: Adopt Resolution #22-272 Accepting Funding from the MN Arts and Cultural Heritage Fund, and Donation from VFW Post 5518 for a Veterans Memorial
- 5:18: Adopt Resolution #22-274, Supporting Anoka County Joint Law Enforcement Council's Renewal of Legislation for Future Public Safety Projects.

A roll call vote was performed:

Councilmember Musgrove	aye
Councilmember Specht	aye
Councilmember Riley	aye
Councilmember Howell	aye
Councilmember Woestehoff	aye
Councilmember Heineman	aye
Mayor Kuzma	aye

Motion carried.

6. PUBLIC HEARING

6.01: Public Hearing - Adopt Resolution #22-253 Adopting the City's 2023-2032 Capital Improvement Plan (CIP)

Presentation

Finance Director Lund reviewed the staff report on the Capital Improvement Plan and recommendation to adopt the plan. She was happy to answer any questions from the public or Council concerning the Capital Improvement Plan.

Public Hearing

Mayor Kuzma called the public hearing to order at 8:07 p.m.

Citizen Input

There was none.

Motion by Councilmember Musgrove, seconded by Councilmember Riley, to close the public hearing.

A roll call vote was performed:

Councilmember Musgrove	aye
Councilmember Specht	aye
Councilmember Riley	aye
Councilmember Howell	aye
Councilmember Woestehoff	aye
Councilmember Heineman	aye
Mayor Kuzma	aye

Motion carried.

The public hearing was closed at 8:08 p.m.

Council Business

Motion by Councilmember Woestehoff, seconded by Councilmember Musgrove, to adopt Resolution #22-253 adopting the City of Ramsey's 2023-2032 Capital Improvement Plan (CIP)

A roll call vote was performed:

Councilmember Musgrove	aye
Councilmember Specht	aye
Councilmember Riley	aye
Councilmember Howell	aye
Councilmember Woestehoff	aye
Councilmember Heineman	aye
Mayor Kuzma	aye

Motion carried.

6.02: Public Hearing - Adopt Ordinance #22-28 Adopting the 2023 Schedule of Rates, Fees, and Charges

Presentation

Finance Director Lund reviewed the staff report on the schedule of rates, fees and charges for 2023 and gave an update on the changes. She shared that, if approved, these rates will go into effect on January 3, 2023 and will be posted on the City's website.

Public Hearing

Mayor Kuzma called the public hearing to order at 7:16 p.m.

Councilmember Howell pointed out an error concerning amusement and commercial recreation fees.

Finance Director Lund stated that will be changed.

Councilmember Howell gave her suggestion on raising the price of copies.

Councilmember Musgrove shared she was fine with an increase. She asked if these were for copies of building permits.

City Administrator Hagen stated that virtually all building permits are online and there are few hard copies that come through.

Mayor Kuzma asked for a consensus to raise the price. Not getting any further input, he stated the price will stay.

Councilmember Howell explained her suggestion on the price of window replacement permits. After looking at surrounding cities, she does not see that there is a need for these fees as it would cut costs and save Staff time.

Councilmember Woestehoff asked for clarification that there would then be no inspection for replacement windows.

Councilmember Howell confirmed that was her thinking.

Councilmember Woestehoff shared that he believes this permit is due to Minnesota building code and the placement of tempered glass, which is why the inspection is required.

City Administrator Hagen stated there is a requirement under building code for window permits, so the permit would still be required.

Mayor Kuzma added he is not in favor of reducing the fee as windows are expensive and it is to the homeowners advantage to have the window installed properly and the inspection would be able to catch this.

Councilmember Musgrove asked if the inspection is done by the City versus the party that installs the window if the company or the City take on the liability.

Mayor Kuzma stated that the City does not take on the liability, they just make sure the window is installed properly.

Councilmember Musgrove asked if the window is inspected and an issue is caught after the inspection is done if the City takes on some level of liability since they had already conducted the inspection.

Mayor Kuzma said that it would likely go back to the windows warranty if that were to arise.

Councilmember Musgrove wanted to make sure that the City is not taking on any liability.

City Administrator Hagen reiterated that this is required under building code so no matter what the window needs to be inspected. If the window fails after the inspection, there will still be a record of the inspection and anything further would require involvement from the contractor or the manufacturer.

Councilmember Woestehoff agreed that he is not in favor of removing the fee as there are other replacement driven permits that have fees as the Staff is required to participate in the process.

Mayor Kuzma asked if there was an appetite to lower the fee.

Councilmember Specht stated he would be in favor of lowering the fee slightly.

Councilmember Heineman asked if the fee is per window or per visit.

City Administrator Hagen stated it is per permit.

Councilmember Heineman stated he would be in favor of lowering it.

Councilmember Musgrove added that if a resident only has a budget to replace one window a year it would be very costly to have to pull a new permit every year.

Councilmember Woestehoff stated that regardless of the number of windows the fee is the same and he thinks that the current rate is reasonable.

Mayor Kuzma mentioned that with no consensus of the Council the rate will stay as proposed.

Councilmember Howell questioned the need for a background check for food truck vendors. She asked if background checks are conducted on restaurant owners.

City Administrator Hagen said no unless the restaurant owner is pulling a liquor license.

Councilmember Howell stated she would prefer not to see a mandatory background check for food truck vendors. She also recommended dropping the price of the permits.

Councilmember Woestehoff asked Police Chief Katers if the health department or the Anoka County Health Board requires background checks.

Police Chief Katers stated he does not know if a background check is required through Anoka County but he does know that they are required to have a license for food service through Anoka County.

Councilmember Specht agreed with Councilmember Howell that if background checks are not required for restaurant owners they should not be required for food truck owners.

Councilmember Musgrove agreed that the background check should be removed and that the permit fees should be lowered.

There was a consensus of the Council to remove the requirement for a background check for food truck owners and to lower the rates to \$100 for an annual permit and \$80 for a 90 day permit.

Councilmember Howell asked about the \$5 coffee fee.

City Administrator Hagen shared that this rate covers the costs.

Councilmember Musgrove proposed to lower the home occupation permit to \$250 and keep the escrow at \$1,000 as this makes things easier for home businesses.

City Administrator Hagen explained how Staff came to the original \$500 permit fee and that it is consistent with the land use application fee.

Councilmember Musgrove stated that there is no escrow collected for the land use application.

City Administrator Hagen shared that an application fee and an escrow used to be collected for every type of land use application. He explained the new idea was that the one application fee and what it covers does not change depending on the number of requests. He stated that escrows are collected for each type of request. He mentioned that whatever is not used of the escrow is refunded.

Councilmember Musgrove asked if the permit fee and the escrow are both required up front for both home occupation and land use applications.

City Administrator Hagen said that was correct.

Mayor Kuzma stated that he would like to stay with the consistency of the two permit fees.

Councilmember Howell agreed with Councilmember Musgrove that around \$250 would be a better dollar amount which is more in line with Coon Rapids. She asked if the \$1,000 escrow amount is typically reached.

City Administrator Hagen stated that it is close to the full amount every time.

Councilmember Woestehoff agreed that the fee should be lowered as he fears there would be noncompliance with a higher fee. He added that Anoka and Andover have lower fees as well.

The consensus of the Council was to lower the home occupation permit fee to \$250 and keep the \$1,000 escrow.

Citizen Input

There was none.

Motion by Councilmember Musgrove, seconded by Councilmember Specht, to close the public hearing.

A roll call vote was performed:

Councilmember Musgrove	aye
Councilmember Specht	aye
Councilmember Riley	aye
Councilmember Howell	aye
Councilmember Woestehoff	aye
Councilmember Heineman	aye
Mayor Kuzma	aye

Motion carried.

The public hearing was closed at 7:42 p.m.

Council Business

Motion by Councilmember Woestehoff, seconded by Councilmember Musgrove, to waive the City Charter requirement that the ordinance be read aloud and adopt Ordinance #22-28 with the changes mentioned in the meeting regarding home occupation permits at a new rate of \$250 and food truck permits at the new rate of \$100 annually or \$80 for 90 days with no background check requirements as adopted in the 2023 schedule of rates, fees, and charges.

A roll call vote was performed:

Councilmember Musgrove	aye
Councilmember Specht	aye
Councilmember Riley	aye
Councilmember Howell	nay
Councilmember Woestehoff	aye
Councilmember Heineman	aye
Mayor Kuzma	aye

Motion carried.

7. COUNCIL BUSINESS

7.01: Adopt Ordinance #22-27 Amending Chapter 2 of Ramsey City Code to Modify Abatement and Appeal Procedures.

Zoning Code Enforcement Officer Swalchick reviewed the Staff report and recommendation to waive the reading and adopt the ordinance to help residents.

Councilmember Musgrove shared her recommendation to make Section 2-332 as abatement and Section 2-332A as the administrative hearing procedure for clarification of the document.

Zoning Code Enforcement Officer Swalchick stated that the changes had been made after the work session when this was discussed. He stated changes can easily be made but he would not recommend it as this is how the original ordinance was written.

Councilmember Musgrove stated that she asked that the document be updated to reflect the process, but there are three different processes that will be followed and it is her thought that administrative hearing should be pointed out as a third process.

City Administrator Hagen explained that the administrative hearing falls under the overall abatement process. He said the process is not that they have to go through each of the steps, they are potential steps to get through the abatement process. He said a change that could be made would be to make this subsection italicized to match the other subsections.

Councilmember Musgrove asked if it could be changed to administrative hearing procedure.

Councilmember Woestehoff recommended removing administrative hearings from the findings section as it is more about the abatement process of which hearings are part of but not independent of.

Councilmember Musgrove stated she wants the format to flow, she stated these things are called out at the beginning but not in the body of the document.

Councilmember Woestehoff added that prosecution and schedule of penalties is also not listed in the findings section either. He stated he is indifferent.

Motion by Councilmember Woestehoff, seconded by Councilmember Musgrove, to waive the City Charter requirement that the ordinance be read aloud and adopt Ordinance #22-27 amending Chapter 2 of the Ramsey City Code with removal of the words ‘administrative hearings’ in the findings paragraph.

A roll call vote was performed:

Councilmember Musgrove	aye
Councilmember Specht	aye
Councilmember Riley	aye
Councilmember Howell	aye
Councilmember Woestehoff	aye
Councilmember Heineman	aye
Mayor Kuzma	aye

Motion carried.

Councilmember Woestehoff thanked Zoning Code Enforcement Officer Swalchick for his work on this to better the situation for residents.

7.02: Receive recommendations from the Charter Commission to amend the charter by Ordinance #22-29 under M.S 410.12, subdivision 7.

City Administrator Hagen reviewed the Staff report and notified the Council that the Charter Commission recommends Ordinance #22-29. He added that within State law the City Council is obligated to hold a public hearing within 30 days of being notified and a public hearing will be held on January 10, 2023.

Councilmember Musgrove thanked City Administrator Hagen and the Charter Commission for bringing this back to Council.

City Administrator Hagen stated that Ordinance #22-17 will wait until the requirement to hold the public hearing settles as the process may not need to continue based on how Ordinance #22-29 plays out.

Councilmember Woestehoff asked for clarification that this idea is just for notifying the Council.

City Administrator Hagen said yes and this is just a formal notification from the Charter Commission.

8. MAYOR, COUNCIL AND STAFF INPUT

City Administrator Hagen announced upcoming meetings and events.

Mayor Kuzma wished everyone a happy Thanksgiving.

Councilmember Specht mentioned that Adrenaline Sports has two events on Wednesday, November 23.

9. ADJOURNMENT

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

A roll call vote was performed:

Councilmember Musgrove	aye
Councilmember Specht	aye
Councilmember Riley	aye
Councilmember Howell	aye
Councilmember Woestehoff	aye

Councilmember Heineman aye
Mayor Kuzma aye

Motion carried.

The regular meeting of the City Council adjourned at 8:09 p.m.

Respectfully submitted,

Brian S. Hagen
City Administrator

ATTEST:

Katie M. Schmidt
City Clerk

Drafted by Ava Rokosz
TimeSaver Off Site Secretarial, Inc.