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

The Ramsey City Council conducted a regular meeting on Tuesday, August 8, 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

Members Absent: None

Also Present: City Administrator Brian Hagen  
City Engineer/Public Works Director Bruce Westby  
Economic Development Manager Sean Sullivan  
Community Development Director Stephanie Hanson  
Planning Manager Todd Larson  
City Attorney Fritz Knaak  
Police Chief Jeff Katers

**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**

Jim Benson, 14131 Junkite Street NW, came forward and shared that he read about the Ramsey Sport Dome parking and that Matt Kuker of PSD Holdings is concerned with patrons of the dome parking on his property. He stated that in 2014 PSD Holdings LLC wanted to build a project in The COR knowing that they would be requested to build a parking garage to meet City parking requirements based on the number of people that would be using and occupying the building. He noted that after PSD Holdings got the property, they came back to the City and demanded that the City eliminate the parking garage requirement, claiming that they would not make enough profit to make the project worthwhile and threatening to exit the deal. He shared that the Council voted

to eliminate the parking garage requirement which saved PSD Holdings at least \$1,000,000. He added that during this time he came to the Council to discuss the obvious favoritism that was shown towards PSD Holdings. He noted that now Mr. Kuker is so concerned with overflow parking on his property, which seems to be 'major hypocrisy'. He stated that he wants this to be public record for when Mr. Kuker goes to court.

David Lechelt, 14501 Nowthen Boulevard NW, came forward and shared that he is the Senior Pastor at Lord of Life Church. He stated that he is here to speak in support of the Presbyterian Homes project. He shared that it is the 50th anniversary year for the Lord of Life Church as well as the City of Ramsey. He noted that since 1973, the church has had a huge heart for the community.

Mayor Kuzma asked Mr. Lechelt to come back up when the Presbyterian Homes project is discussed later on in the meeting.

Joel Swenson, 16650 Yttrium Street NW, came forward and stated that he would like to discuss the 167th Avenue project. He shared concerns and a lack of understanding pertaining to the construction of 167th Avenue, as well as other streets in the City. He noted that the 167th Avenue project seems to be dragging on with little observable progress. He stated that all that has been seen from the City have been letters, flags, sticks, and an occasional someone taking a sample from the ground. He added that in March he attended a meeting at City Hall which gave some information about the progress of the road construction. He explained that at this time he was told that bids would start being accepted as of April 1, with the hope that construction would start in May. He stated that on May 26 he received a letter from the City telling him that on June 27, the bids would be presented to the Council to award and the construction would begin in July. He added that another letter was received on June 30 which had no suggestion of a start date but stated that the project will be substantially completed by October 13. He asked what substantially completed means. He noted that this project has taken way too long to start, let alone complete. He said that they have known for years that this road needs to be replaced or reconstructed and it seems to have dropped on priorities. He stated that other roads have been completed in the meantime. He shared that he retired over a year ago where he was a reliability manager where he signed off on many multi-million dollar projects. He said it is difficult for him to stand by and watch this project seemingly linger, especially since the need has been known for the past two to three years. He stated that this road's condition continues to get worse and has even become dangerous. He shared examples of how dangerous the road is for bikers and motorcyclists. He explained that he was riding his bike one day and rode his bike over a pile of loose gravel which caused him to fall and be taken to urgent care for potentially broken ribs. He added that he also saw a Ramsey fire truck pull off on the side of the road with what appeared to be a flat tire. He noted that he also heard from a local company that one of their delivery trucks got a flat tire and bent a rim on 167th Avenue as a result of hitting a pothole. He asked why this project has dragged on and what it will take to get some solid dates for completion of this project. He shared that he is also speaking for his neighbors who could not attend the meeting. He also discussed street sweeping. He noted that there are lots of loose gravel and potholes on many of the residential streets. He asked if there was any plan to repair and sweep these streets to make them safer.

City Engineer/Public Works Director Westby shared that the 167th Avenue project has been a long time in the making and they have gone through many design revisions. He noted that they changed this project from a reconstruction project to a full depth reclamation project. He stated that this required additional work and analysis. He discussed the design and bid process and shared that the contract was awarded in late June and since then they have been working with MnDOT concerning some drainage work on Highway 47 which has caused the size of the area to increase to over an acre which requires permitting. He stated that this permit will be issued in August. He shared that the proposed start date is August 21 and communications will go out in the mail tomorrow. He added that the project will be done in the middle to end of October.

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

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

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

#### **5. CONSENT AGENDA**

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

- 5.01: Receive June 2023 Financial Reports - General Fund, EDA and Enterprise Funds
- 5.02: Receive Cash & Investments for Period Ending June 30, 2023
- 5.03: Note the following Board, Commissions, and Committee Meeting Minutes:
  - Planning Commission Meeting Minutes Dated May 25, 2023
  - Economic Development Authority Meeting Minutes Dated June 8, 2023
- 5.04: Approve the Following Meeting Minutes:
  - 1) City Council Special Work Session dated 7/18/2023
  - 2) City Council Work Session dated 7/25/2023
  - 3) City Council Regular Session dated 7/25/2023
- 5.05: Approve Rental Licenses
- 5.06: Approve Business Licenses
- 5.07: Adopt Resolution #23-180 Approving Cash Disbursements Made and Authorizing Payment of Accounts Payable Invoicing Received During the Period of July 20, 2023 through August 2, 2023.
- 5.08: Adopt Resolution #23-177 Accepting Quotes and Awarding Contract for Street Maintenance Project #23-23, 2023 Spray Patching Contracted Services.
- 5.09: Adopt Resolution #23-178 Approving Construction Staking Services Proposal for 2023 MSA Pavement Overlay Improvements, Improvement Project #23-06
- 5.10: Adopt Resolution #23-179 Approving Construction Staking Services Proposal for Whispering Pines Estates Plat 3 Street Reconstructions, Improvement Project #23-10
- 5.11: Adopt Resolution 23-181 Approving a 2-year Extension of the City's Health Insurance Renewal with HealthPartners for 2025-2026.

5:12: Adopt Resolution #23-182 Accepting Pavement Evaluation Services Proposal for Bowers Drive as part of Improvement Project #24-07

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

## **6. PUBLIC HEARING**

None.

## **7. COUNCIL BUSINESS**

### **7.01: Adopt Resolution #23-174 Resolution Approving Preliminary Term Sheet for Presbyterian Homes Housing Project; Haviland Fields**

Economic Development Manager Sullivan reviewed the Staff report in regard to the preliminary term sheet for the Presbyterian Homes project. He shared the recommendation from the EDA to approve the term sheet and insert a cap on the number of affordable units at 20%. He noted that this language is not increased in the terms per the suggestion of legal counsel.

Mr. Lechelt, Senior Pastor of Lord of Life Church, came forward and reiterated his support for the Presbyterian Homes project. He stated that when the church did their second addition, they built three gyms for the use of the community, not just the church. He shared that the church has a heart for all ages; however, the fastest growing demographic is the senior population in the congregation and the community. He noted that the church has a calling to be a part of something that would help these individuals. He added that the church could not be more excited than to have a partnership with Presbyterian Homes. He stated that no one does communities better than Presbyterian Homes. He added that they bring a beauty to their campus and he looks forward to this beauty coming to Lord of Life and this area of Ramsey. He shared that he looks at this partnership as building capacity between Lord of Life Church, Presbyterian Homes, and the City. He discussed how this will benefit the seniors at Lord of Life.

John Fletcher, Senior Vice President of Presbyterian Homes and services, came forward and presented the proposed project.

Councilmember Woestehoff asked about the term of the TIF note.

Mr. Fletcher stated that they would like a 25 year note but they would be able to work with a 20 year note.

Councilmember Musgrove asked about this being a non-binding agreement.

Economic Development Manager Sullivan explained that the only thing binding in this preliminary term sheet is the amount of funding to pay for the analysis moving forward. He stated that this is a commitment from the Council to provide assistance for this project in the form that is requested. He noted that in the event that they cannot come to a deal they are not bound to perform.

Councilmember Musgrove shared that her understanding of how this would work is that the City would get the taxes which are paid back to the construction and another development within the area that would qualify for TIF funding as receipts are given back to the City. She asked for clarification on this.

Economic Development Manager Sullivan explained that this is a pay-go financing, versus upfront TIF financing. He explained the terms of a pay-go note, including the company paying taxes as usual and as the City receives these taxes, it will go back to the company in the form of the assistance that is granted. He stated that when the requested number is reached then the note ends.

Councilmember Musgrove asked about the \$1,300,000 that is intended to be generated on the property and if it is generated after the 20 years.

Economic Development Manager Sullivan said yes and explained that this money will be generated over the course of the TIF district and once the TIF district is over the property will generate \$1,300,000 million in taxes annually.

Councilmember Musgrove asked if it was \$80,000-\$85,000 during the 20 years of the note.

Jason Aarsvold with Elhers came forward and explained that this property will not go into the TIF district with a zero value and will have a value attached to it. He stated that these taxes will not be captured in the district and will go to the taxing jurisdictions.

Councilmember Musgrove shared some of her concerns with this project, including the large amount of money. She asked for more information on Presbyterian Homes doing some fundraising.

Mr. Fletcher shared that Presbyterian Homes has already set aside several millions of dollars to be used in pre-development costs for this project as well as the purchase of the land. He noted that they will be looking to partner with other foundations for fundraising to provide dollars. He stated that this will be a collective effort and they will need to come up with close to \$50,000,000.

Councilmember Musgrove asked if there is a possibility to consider TIF for phase one of the project but not for phase two and have phase one support phase two.

Mr. Fletcher stated that the economics of this would not be enough to support phase two.

Mayor Kuzma noted that there are currently no taxes being paid on the property right now and with this project they will at some point have income coming in from this property. He stated that this project is awesome for the community.

Councilmember Riley stated that if they consider the TIF they would not have taxes coming in for the next 20 years which is a large consideration.

Mayor Kuzma added that at the end of the 20 years they will be bringing in over \$1,000,000 in taxes annually.

Economic Development Manager Sullivan noted that if this project goes forward it will become taxable at the base value so some taxes will be captured.

Councilmember Howell asked what the City portion would be received off of the taxes on this land.

Mr. Fletcher stated that it is around \$30,000 as well as 10% of the TIF for administrative fees, which would be around \$80,000.

Economic Development Manager Sullivan stated that they can receive up to 10% for the administrative expenses from the TIF district; however, they do need to have expenses that this can be allocated towards.

Councilmember Howell stated that she does not see this generating much of anything while still providing services to the people who live there for 20 years, which is a concern. She noted that she does not see the benefit of providing City services for 20 years without generating revenue to fund it.

Councilmember Riley stated that they will be entertaining an offer from an apartment that is not asking for assistance. He asked what necessitates the assistance in this case.

Mr. Fletcher explained that with high interest rates and construction costs, Presbyterian Homes has a goal to build a product that is consistent with State language around TIF districts and provides some level of affordability. He stated that Presbyterian Homes is taking almost no margin on this deal. He added that the infrastructure costs on this site are significant. He noted that all construction deals and projects are different.

Economic Development Manager Sullivan noted that for the project in The COR, they are also going to have to do site improvement work and connect utilities. He said the magnitude of the site work and utilities is much smaller at The COR site. He noted that the fundamental difference between these two projects is the affordable component that the Presbyterian Homes project has that The COR project does not have.

Councilmember Woestehoff added that a lot of the grading work in The COR has been done by the City in preparation for the development.

Mayor Kuzma stated that this also adds work-force housing which is what the City needs.

Councilmember Musgrove noted that the land is not generating taxes for the City; however, there are not currently a lot of City expenses in relation to this site. She added that there are expenses that she does not see them recovering administratively over the 20 year term. She asked if the need for the TIF district or the desire for having the 20% housing qualification came first.

Mr. Fletcher explained that the project was already in the negative without the TIF. He stated that getting the additional support through the TIF helps bring this back into balance. He added that

this project does have financial benefits to the City as there are \$8,300,000 in fees being paid to the City. He stated that there are \$2,600,000 in fees going towards park dedication and trails.

Councilmember Woestehoff asked about the 20% under 50% rule for TIF eligible funding and if this is very focused on the senior housing component. He asked about how the TIF district impacts the ability to help the senior community.

Mr. Fletcher stated that a significant amount of seniors run out of resources approximately three years after entering some sort of care, which can incur higher costs. He explained the programs that can help these individuals. He stated that in the housing space there is not a direct public subsidy that will support seniors who are just looking for housing with little to no services. He shared that Presbyterian Homes aims to have at least 20% of their homes dedicated to affordability. He shared that this is the focus of the project.

Economic Development Manager Sullivan reviewed the report from Elhers. He noted that something that he hears from businesses in the City is that they need more employees and with a housing complex this large it is likely to bring people to this City.

Councilmember Riley stated that he has researched Presbyterian Homes and has found that they are a great organization. He said that he does not support the use of the TIF. He noted that he would not be comfortable focusing on the senior housing aspect of this as it is not phase one of the project. He asked about the original ask from Presbyterian Homes.

Mr. Aarsvold shared that they initially started out with a \$20,000,000 ask. He explained that they met with the County assessors and got a valuation from them of a number to anticipate when this project is built. He noted that they came up with their ask based on these numbers.

Councilmember Riley asked what drives the need for TIF for a project like this.

Mr. Aarsvold stated that the cost associated with the construction quality and finishes is likely different than the other project that was discussed. He added that the biggest driver is affordability. He stated that 20% of the units will have a price well below a market rate unit.

Councilmember Riley asked if this project did not have the affordable units if there would be a requirement for TIF.

Mr. Aarsvold stated that this would not perform as well if it did not have the affordable units and the TIF.

Councilmember Riley asked how many things will likely change in the next 20 years that would allow them to accurately calculate the numbers.

Mr. Aarsvold explained that this has evolved and is relatively straightforward at this point. He stated that they would be looking at the performance of the project once it reaches stabilization and they would then look at the official numbers of the project costs, actual expenses, and other project costs. He noted that they would then use those numbers to make a projection and see if

they get to the same return on investment threshold. He stated that at this point they could even reduce the amount of the TIF note if the project performs above expectations; however, if the project performs at or below expectations then nothing would change with the TIF note.

Councilmember Specht stated that he loves the project and likes the idea of having it in Ramsey. He shared that he is not a huge supporter of not being on the tax rolls for 20 years.

Mayor Kuzma shared that he does support this project as he believes in bringing in additional workforce housing is important to the community. He stated that even though they will not be seeing any of the tax revenue for 20 years, when it does come on the tax roll it will help the tax base.

Motion by Councilmember Woestehoff, seconded by Mayor Kuzma, to Adopt Resolution #23-174 Resolution Approving Term Sheet for Presbyterian Homes Housing Project; Haviland Fields as presented; subject to City Attorney review.

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

**7.02: Adopt Resolution #23-173 Approving Purchase Agreement for Portion of Outlot A, COR TWO; Centra Homes - Parcel 46**

Economic Development Manager Sullivan reviewed the Staff report in regard to the purchase of a portion of Outlot A, COR two. He shared the EDA's recommendation of approval for the purchase agreement and right of reentry agreement.

Councilmember Riley shared that the EDA had presentations from two different developers and this project was the one that fit The COR framework. He noted that this one offers the full park dedication fee and met all other criteria.

Motion by Councilmember Riley, seconded by Councilmember Woestehoff, to Adopt Resolution #23-173 Approving Purchase Agreement for Portion of Outlot A, COR TWO; Centra Homes - Parcel 46; subject to City Attorney review.

Further discussion:

Councilmember Musgrove thanked Staff for their working in helping make this agreement for partial road payment as well. She stated that both developers brought a good product; however, Centra Homes project did fit better in The COR. She shared that she will be supporting this.

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

**7.03: Adopt Resolution #23-176 Accepting Bids and Awarding Contract for Improvement Project #23-20, COR Mass Grading**

City Engineer/Public Works Director Westby reviewed the Staff report concerning the grading plan work that is proposed in The COR. He shared the recommendation from Staff and Bolton & Menk to award the contract to Enebak Construction Company.

Councilmember Musgrove asked if some of the work is eligible for TIF bonding why it is not being used.

City Engineer/Public Works Director Westby explained that the funds are already available in the enterprise funds. He stated that since the funds are available they do not need to bond for these funds.

City Administrator Hagen added that when they first looked at this, the focus was going to be TIF eligible expenses. He stated that all of this work can be bonded for; however, there are funds available for this type of work.

Councilmember Musgrove noted that there are other areas in the City that are not within the TIF district that could also use revenue from the available funds. She stated that her concern is using utility funds in a TIF district when those funds are needed by the whole City.

City Administrator Hagen shared that Staff has discussed this and if Council chooses to move forward with this, they can have a discussion of how much they should bond to pay for this.

Councilmember Musgrove asked if the numbers that they are reviewing are the confirmed numbers.

City Administrator Hagen said yes and added that they also have other projects and design costs for West Ramsey Parkway and Zeolite that are also eligible TIF expenses.

Councilmember Musgrove reiterated the concern of using utility funds in the TIF district on TIF eligible expenses when the utility funds could be used elsewhere.

City Administrator Hagen explained that the extension of the TIF was to incur eligible expenses.

Councilmember Woestehoff added that in the resolution it does not outline what funding sources the money will come from.

Motion by Councilmember Woestehoff, seconded by Councilmember Howell, to Adopt Resolution #23-176 accepting bids and awarding a contract for construction for Improvement Project #23-20, COR Mass Grading, to Enebak Construction Company in the amount of \$4,197,240.34.

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

#### **7.04: Introduce Ordinance #23-14 - Zoning Code Update**

Planning Manager Larson reviewed the Staff report regarding proposed zoning code updates. He shared the recommendation of approval from the Planning Commission. He noted that the Planning Commission requested that the Council discuss the definition of ‘family’ as well as car dealers as they pertain to the zoning code.

Councilmember Musgrove asked if they would be able to delay the introduction of this ordinance until there is more time to review it.

Planning Manager Larson stated that this can be discussed and then tabled to a future meeting as there is no timeline.

City Administrator Hagen asked City Attorney Knaak to what degree of changes would the City be required to hold another public hearing on these changes.

City Attorney Knaak explained that there are a lot of options and stated that they could continue this introduction, they could introduce the ordinance and hold the informal discussion to advance the process, or whatever option the Council is comfortable with moving forward. He suggested having the introduction and discussions this evening and continue the discussions to a work session to work everything out before bringing it forward to a final hearing.

Councilmember Woestehoff stated that this can be introduced without the Council agreeing with it. He noted that they only have to agree once they get to the adoption of this.

Motion by Councilmember Musgrove, seconded by Councilmember Woestehoff, to introduce Ordinance #23-14, Zoning Code Update.

Further discussion:

Councilmember Woestehoff asked if there was anyone in the audience who wanted to speak on this item if the Council wanted to allow public comment.

Krista Johnson, 6980 137th Lane, came forward and shared that she has three properties in Ramsey and stated that she had spoken to and written an email to the Planning Commission sharing that she was opposed to the definition of ‘family’ as there are many residents in Ramsey that would be in a legal non-conforming situation based on this definition. She stated that in the current economic times it makes sense that more than four people who are not related should be able to live together. She shared her concerns with this definition and asked what it would mean for people who already own property that would now be legal non-conforming. She added that Ramsey is a diverse City and she does not see defining a ‘family’ as being diverse.

Councilmember Specht asked what number of non-related people Mrs. Johnson recommends for the definition of ‘family.’

Mrs. Johnson stated that there has never been a number in the City and she does not see an issue with not having a number. She explained that she operates under guidelines which say that she cannot overcrowd a house. She stated that she does not see a need to put a number on this. She

noted that regulation of this would likely be a part of the rental licensing inspections. She shared that other cities that do have a number in their definition have a reasonable accommodation request for things like recovery housing. She noted that unless there is an issue with this, she does not see the need to change the definition of ‘family’ at this time.

Councilmember Howell asked what drove this addition to the zoning code.

Planning Manager Larson stated that part of this was to align the definitions with use which is when they discovered that they do not have a definition of ‘family.’ He noted that the City is likely not going to know how many people are living in a home as long as everyone is a good renter; however, they do sometimes get complaints pertaining to the number of vehicles, which is when they may have to start asking questions.

Councilmember Howell asked if there have been more issues that come out of these properties that have multiple individuals living together.

Planning Manager Larson said no.

Councilmember Woestehoff asked about any potential liabilities by having or not having a definition of ‘family.’

City Attorney Knaak explained that the definitions are fairly common and they give a baseline standard. He stated that if there are people that are related to each other it will be an assumption that they are a family. He noted that the downside is with someone who is dealing with rental properties. He discussed boarding houses and why they would want to regulate something like this separately. He noted that there is a rental ordinance that should inspect the properties annually to check on standards. He added that the City may not want to have a situation where they have multiple unrelated people where there is not at least some level of supervision. He stated that it is not just a concern with parking. He explained that the use of the definition makes assumptions as to what a family is, which can be challenged. He added that he was surprised that Ramsey does not have a definition of ‘family’ as it is a common definition in neighboring communities.

Councilmember Musgrove asked if there is any consideration for group homes as a home occupation.

Planning Manager Larson stated that group homes are not considered home occupations as in most of these cases, the residents and patients are the ones living in the home, not the owners. He noted that group homes are in a separate category, calling them licensed residential facilities, which require a State license. He noted that the zoning code also has unlicensed residential facilities, which do not have any State oversight. He stated that the definition for this is six unrelated individuals.

Councilmember Musgrove asked if this would help with some of the concerns that Mrs. Johnson expressed.

Planning Manager Larson said yes.

Councilmember Musgrove asked if she would still be considered non-conforming if she fit the definition of the unlicensed residential facility.

Planning Manager Larson stated that if the home had six residents they would be conforming. He stated that the example of six college friends living together would not be conforming.

Councilmember Musgrove shared her concerns with the number of vehicles, which are also regulated per home.

Planning Manager Larson added that vehicles are regulated per outside parking as item numbers.

Councilmember Musgrove stated that when the number of people living in a home is greater, than there ends up being other issues, such as the parking concerns. She noted that this is a good issue for the Council to continue to discuss.

Councilmember Howell noted that she sees validity to the boarding house definition as if there are three separate rental agreements with three separate people renting the same home, it is not a family. She suggested that something may need to be done to regulate this more. She noted that there are going to be people who operate Airbnb's out of their homes and this is not currently being regulated. She stated that this warrants a greater discussion.

Councilmember Olson asked if the only reason that they are attempting to define 'family' is so that they can also define a single family home, he does not think it is a necessary definition, as they are talking about the structure and not the contents. He explained that there are other ordinances that guard against the other issues that can be controlled in other ways.

Councilmember Specht stated that this would be worth a further discussion to determine what problems this is attempting to solve.

Councilmember Howell added that she would also like to discuss home occupation permits further at their next discussion.

A roll call vote was performed:

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

Motion carried.

## **7.05: Introduce Ordinance #23-15 Tobacco and Cannabis Use Within Public Property and Public Places**

Community Development Director Hanson reviewed the Staff report concerning the new cannabis legislation. She shared the recommendation to introduce the ordinance as it pertains to the use of tobacco and cannabis in public places.

Councilmember Specht stated that he supports the cannabis portion of this. He asked if tobacco use has been a big problem in the City.

Community Development Director Hanson explained that this is just to regulate the use in public parks or other public places so that if someone is smoking or using tobacco in these areas it could be enforced.

Police Chief Katers stated that there has not been an issue with the adult use tobacco. He added that he thinks the ordinance is a good one as it regulates the use around children. He noted that this would be enforced on a complaint basis. He stated that this is a petty misdemeanor, which is similar to a parking ticket.

Councilmember Specht reiterated that he supports the cannabis portion of this and that it is too excessive for tobacco. He suggested a provision talking about events where children may be present.

Councilmember Woestehoff asked Councilmember Specht why he has a different opinion on these two substances.

Councilmember Specht stated that he believes that cannabis is a more powerful drug than tobacco and they should try to get ahead of cannabis before it becomes an issue.

Councilmember Olson stated that he is surprised that there is not currently any legislation for regulating tobacco. He said that there not being a current issue with this does not mean that there shouldn't be an ordinance in place, as an ordinance just makes something enforceable. He noted that Law Enforcement should have the ability to do something if tobacco use in a public place becomes a problem.

Councilmember Riley asked if parks were already smoke-free zones and asked if this is the policy that she was referring to.

Community Development Director Hanson confirmed that this is just a policy and is not enforceable.

Councilmember Howell stated that she is not a fan of making more rules and regulations in general and she has an issue with this as it would be difficult to regulate chewing tobacco. She added that she is aware that vaping is included and said that if they do move forward with this, then they should clearly spell this out so they are aware of what is included. She also suggested that for any

hotel or business who receives public or TIF funding, they would also be expected to follow these policies.

City Administrator Hagen shared that they can add language in the ordinance that would clearly address vaping.

Councilmember Woestehoff added that the idea of regulating chewing tobacco makes him wonder about the low potency hemp edibles as it is a similar product. He stated that the idea behind this seems to do with public health from second hand smoke, and with both chewing tobacco and edibles being consumable, they do not produce a public health concern.

Councilmember Howell noted that as long as these products do not look like something that children would normally gravitate to then she does not see the need to regulate.

Councilmember Riley stated that the tobacco regulation seems to be an overstep; however, he still would like the parks to be protected. He noted that he does not support this the current way that it is written.

Councilmember Specht suggested working on the definition of ‘public property’ as the current language feels excessive.

Councilmember Musgrove asked if this seems similar to the last case where they can introduce the ordinance but continue the discussion and make changes at a future meeting.

City Administrator Hagen shared that this would warrant tabling to a Work Session.

Motion by Councilmember Howell, seconded by Councilmember Olson, to table Ordinance #23-15, Tobacco and Cannabis Use Within Public Property and Public Places to a future Work Session.

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

## **8. MAYOR, COUNCIL AND STAFF INPUT**

City Administrator Hagen announced upcoming meetings and events.

Councilmember Specht shared that Allison’s Petite Pastries is celebrating their one year anniversary of being in Ramsey on August 19. He added that the Anoka Police versus the Ramsey Police hockey game is scheduled for August 25.

## **9. ADJOURNMENT**

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

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

The regular meeting of the City Council adjourned at 9:20 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 Rokosz  
*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.