

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

The Ramsey City Council conducted a City Council Work Session on Tuesday, September 24, 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

Also Present: City Administrator Brian Hagen
Police Chief Jeff Katers
Administrative Services Director Colleen Lasher
Planning Manager Todd Larson
City Attorney Fritz Knaak
Community Development Director Stephanie Hanson
Code Enforcement Officer Craig Swalchick

1. CALL TO ORDER

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

2. TOPICS FOR DISCUSSION

2.01: Building Division Update

City Administrator Hagen reviewed the Staff report in regard to building department updates.

Councilmember Specht asked about the contract with the city of Wyoming.

City Administrator Hagen explained that they do not have Staff certified to inspect the Type 4 septic systems; however, Assistant Building Official Knight knows the Building Official in Wyoming who would be able to review and inspect these systems and this contract would be cheaper than what they could get with Rum River Consulting.

Councilmember Riley asked if there is any known cause for the amount of turnover in the building department that needs to be addressed.

Community Development Director Hanson said she does not believe there is a known cause for the turnover. She explained that Building Inspector/Plans Examiner Lindahl's ultimate goal was to be a Building Official and she got an offer to be an Assistant Building Official elsewhere.

City Administrator Hagen explained that there have been changes that impacted the resignation of the Permit Technician II that are not appropriate to share publicly.

Councilmember Musgrove asked if Assistant Building Official Knight has the skills that are needed to be the Building Official and if they will still have to depend on Rum River Consulting. She asked what gave Staff the confidence to expedite Assistant Building Official Knight's promotion to Building Official to October 5, 2024, instead of the previously discussed date of July 1, 2025.

Community Development Director Hanson explained that when they first evaluated this, Assistant Building Official Knight was an Inspector, and they needed to see him at a supervisory level before moving forward. She shared that over the last few months, he has more than proved himself in the role and has helped streamline processes. She said she has no issue with moving Assistant Building Official Knight into the Building Official role. She noted that they will not need to use Rum River Consulting services very much at all outside of inspection services.

Councilmember Musgrove asked if Assistant Building Official Knight currently has a consulting job elsewhere.

Community Development Director Hanson said no.

Councilmember Musgrove congratulated Building Inspector/Plans Examiner Lindahl on accepting a new role to advance her career. She shared concern with Building Inspector/Plans Examiner Lindahl's ability to work a full-time job and work 14 hours a week for the City. She asked what these 14 hours would look like.

Community Development Director Hanson shared that Building Inspector/Plans Examiner Lindahl was the one who offered her services for up to 14 hours a week to the City for plan reviews. She said these hours would be in the evenings and on the weekends.

City Administrator Hagen added that he also had some concerns with this; however, they are able to monitor logins and activity through the software that is used. He noted that the plans that Assistant Building Official Knight would have her review are new homes which tend to not have a lot of phone calls or back and forth with applicants.

Councilmember Musgrove asked if Building Inspector/Plans Examiner Lindahl would be logging in remotely or be issued a City computer.

City Administrator Hagen said she will be given a City computer.

The consensus of the Council was to move forward with promoting Assistant Building Official Knight to Building Official and hire Building Inspector/Plans Examiner Lindahl back as a

temporary employee, 14 or fewer hours per week, as needed but not to exceed December 31, 2024, to conduct building permit plan reviews

2.02: Review Draft Ordinance #24-12, Cannabis Business Regulations

Community Development Director Hanson reviewed the Staff report and the draft ordinance for cannabis business regulations.

Councilmember Musgrove said she does not remember why they discussed having different distance requirements for daycares versus schools. She asked if they could make the distance requirements 1,000 feet for both schools and daycares.

Community Development Director Hanson said they cannot, as State statutes says they cannot make the distance requirements from daycares more restrictive than 500 feet.

Councilmember Musgrove stated the ordinance says there would be no application fee.

Community Development Director Hanson explained that the State statute is set up so that the City does not handle licenses for the sale of cannabis products and they cannot collect an application fee for this. She said they can collect a registration fee annually. She stated the process will mostly be run through the State and the City will receive a zoning verification letter.

Councilmember Musgrove asked if the City will do the background checks.

Community Development Director Hanson said the State will conduct the background checks. She added that if the background check is not passed then the State will not issue the business a license.

Councilmember Musgrove asked what would be considered an immediate threat to the health or safety of the public that is referenced in Section 2.5.1 of the ordinance.

Community Development Director Hanson gave examples of what these threats could be, including failing annual age verification checks.

Councilmember Specht asked if they could do age verification checks more often than annually.

Police Chief Katers explained that they typically do the number of checks per year that the State pays for and most secondary checks have not been paid for by the State.

Councilmember Musgrove noted that in Section 3.1 of the ordinance, there is no distance buffer requirements between two cannabis retailers

Community Development Director Hanson said this buffer is at the discretion of the City.

Councilmember Musgrove said she does not support this as if you look at the business and industrial districts, they are all around Highway 10 and digital signs have a restriction of the number of feet between them. She said she would like to see some distance buffer.

Councilmember Howell asked what is the maximum number of feet that they could put between businesses.

Community Development Director Hanson said they would have to look on the map as they would have to make it to where they can support two businesses within the City. She added that the micro and Mezzo businesses that can have a retail component to them have to be in the industrial area anyway.

Councilmember Woestehoff asked if they could run the liability risk of spot zoning if they implemented maximum distance requirements.

City Attorney Knaak explained that spot zoning is not allowed; however, it only happens when they deliberately construct language in a way where only a very few numbers of locations would be allowed. He noted that if the principal purpose with the zoning has to do with public safety, then they would be clear of being accused of spot zoning. He said they should keep this in mind to make sure they do not draft an ordinance that would spot zone these businesses.

Councilmember Musgrove asked if they could require these businesses to be a mile apart.

Mayor Kuzma said it would be difficult to require these businesses to be a mile apart as it would push these businesses out of the COR area.

City Administrator Hagen added that the cannabis manufacturers in the industrial area can also have retail components, and this could count as one of the City's licenses. He stated they cannot limit the number of cannabis growers in the City but they can limit the number of retail licenses.

Community Development Director Hanson shared that they do not have very many areas in the City where cannabis manufacturers could build a factory.

Mayor Kuzma suggested having a 100 foot buffer between cannabis businesses.

Councilmember Specht said he would like to see the buffer at as large of a distance as possible.

Councilmember Woestehoff noted that if they had no distance restrictions between cannabis businesses then both businesses could be in the same area, and they do not have to worry about them being spread out from a public safety standpoint. He said he is more inclined to try this with no buffer and see what happens and reevaluate if there is an issue.

Councilmember Howell asked how the distance requirement relates to home-based daycare facilities.

Community Development Director Hanson said this does not pertain to home-based daycares.

Councilmember Musgrove stated she would like to know the maximum distance that they could put between the two businesses.

City Administrator Hagen said if the Council wants to limit this to only having one cannabis retailer in the COR area, then Staff can look at this and determine how far apart, they would need to be without risk of spot zoning.

Councilmember Specht asked if the maximum amount the City can charge for infractions is \$2,000.

Community Development Director Hanson said yes.

The consensus of the Council was to direct Staff to bring the draft ordinance forward for the first reading at the next City Council meeting with a recommendation on distance buffers between cannabis retailers.

2.03: Continue Discussion of Rental Housing Inspections Program License Fees

Community Development Director Hanson reviewed the Staff report and continued the discussion on the rental housing inspection program license fees.

City Attorney Knaak shared that if they go above and beyond the cost of the actual service being provided for these licensing fees then this would not be allowed. He said the question is around how to find out what the cost is of these services being provided then spreading this cost equally among all of the licenses.

Councilmember Howell noted that the current fees seem to be way over charging the single-family rental homes and they are subsidizing the large apartment buildings with many units.

City Attorney Knaak explained that these large national corporations are driving up real estate by buying individual houses to rent and this is the way the market is going right now.

Councilmember Musgrove shared that when they originally started this program it was because there were properties that were requiring a lot more attention than others and she believes those were multi-family units. She noted that each renter and landlord are going to be different and require different amounts of time. She added that some of their other concerns were caught with code enforcement. She said she would like to give everyone the benefit of the doubt and put all landlords in the three year license category and if someone fails an inspection then they would require more frequent inspections.

Mayor Kuzma asked if the preliminary budget that they will be approving later this evening has numbers based on the old program or if they will have a shortfall if they reduce these fees.

Community Development Director Hanson said the budget includes numbers based on the current program fees. She shared that she was finally able to get a hold of Coon Rapids staff on their fees which are \$135 a year for single-family units along with a \$60 inspection fee. She added that Coon Rapids also has three tiers for how frequent inspections are based on inspection results. She said

it is a good item to have a tiered program so those who are in compliance are not having to have frequent inspections.

Mayor Kuzma asked if they were to decrease the fee if they would not offer any discount based on the tiered system.

Community Development Director Hanson said this is what Staff would recommend the next time they update the code.

Councilmember Woesthoff asked if they got rid of the tiered program if they would be losing the benefit of people participating in the crime free aspects of this.

Community Development Director Hanson shared that Staff has discussed requiring first time applicants to get a crime free housing certificate.

Councilmember Howell noted that when she suggested different fees for multi-family buildings and single-family homes, she did not want to lose the landlords who own one or two properties in the City that are offering lower rents to residents. She said she would like there to be affordable options available for these licenses. She added that with larger apartment buildings, this could create more crime. She asked if the suggested \$225 to \$270 fee is reflective of the costs of the inspector going out to every one of these properties.

Community Development Director Hanson said this fee would not only account for the time of the inspector who is conducting these inspections, but as for administrative fees and background checks. She added that there are some properties who had their initial inspection and did not require a re-inspection and since the program has only been around for a year, they do not have enough data on the need for re-inspections.

Councilmember Specht shared that during Happy Days he had a few residents come up to him talking about how their rents are increasing and asking what the City can do to help this. He asked if there would be a way to charge per inspection visit rather than charging a flat fee for every license.

Community Development Director Hanson stated there is a charge for a third inspection while the first and second inspections are a part of the licensing fee.

Councilmember Specht asked how much the third inspection fee is.

Community Development Director Hanson said the re-inspection costs \$150.

Councilmember Riley suggested charging \$200 for single-family homes and \$25 per apartment unit. He said this seems to be a revenue neutral alternative.

Councilmember Specht stated they could even make the charge higher than \$25 per apartment unit.

Councilmember Howell agreed with Councilmember Specht and suggested \$35 to \$45 per apartment unit.

Councilmember Woestehoff asked if they could charge for inspections by the quarter hour as a way to incentivize landlords and tenants to do the work to keep their units in compliance to minimize the inspection time.

Community Development Director Hanson said she is not sure if they have the staffing capacity to handle the invoicing that would be associated with that.

City Administrator Hagen shared that this could lead to speculation of people thinking the inspector is not working as efficiently or finding reasons to come back for a re-inspection just to charge more.

Councilmember Woestehoff shared that he does not have an issue with charging a flat rate; however, this rate is hard to determine when they do not have good data with only being a year into the program. He said he would like to know how long an average single-family home inspection and apartment inspection are taking. He noted that would be okay with reducing the flat fee to \$225 but would not want to go above \$30 per unit.

Councilmember Howell explained that she had a discussion with Community Development Director Hanson on making the fines for violations being less exorbitant but requiring people to pay them rather than holding off on collecting the fee.

Planning Manager Larson noted that with code enforcement violations they are sending warning letters as the first notice before issuing a fine and violation and they are doing the same with the rental properties. He added that all landlords are provided a checklist that outlines what all needs to be in compliance. He explained that when the inspector goes out to the property, they ask the property owner to be there with them so they can point out things that need to be fixed or addressed.

Councilmember Musgrove stated the Phase #1 violation is set at a \$500 fine. She asked what kind of violation this would be that they are charging \$500 for. She said there seems to be a wide range of violations that are all charged the same.

Planning Manager Larson explained that this is under the crime free housing penalties and these fines are charged for crime related violations, not compliance violations.

Councilmember Howell asked if the landlords have this information spelled out for them on what items would cause them to be fined.

Community Development Director Hanson said it is a part of the crime free housing program.

Councilmember Howell suggested making the single-family license somewhere between \$175 and \$190, making the multi-unit buildings license \$750 with a per unit fee of \$35.

Councilmember Specht agreed.

Community Development Director Hanson said she can bring back more information to the next Work Session as it pertains to the code enforcement aspects.

Councilmember Woestehoff shared that he calculated the numbers in Councilmember Howell's proposal and for the Greenway Terrace apartment building it would work out to be \$528 an hour versus \$170 an hour for a single-family home. He asked what the ratio is for punitive costs towards multi-family buildings. He said this does not seem acceptable.

Councilmember Howell said this is only one example of the main apartment complexes in the City. She added that some apartment units have higher rents than the same size single-family units. She stated she does not see how this is punitive.

Councilmember Woestehoff stated he is not in support of this high of a rate for apartment buildings. He noted that he is okay with lowering the single-family license fee to around \$200; however, he does not think they should go any higher than \$30 a unit for apartment buildings.

Councilmember Specht shared that he would be supportive of lowering the cost per unit for apartments if they were able to keep the single-family license fee around \$200.

Councilmember Riley asked if they would want to consider people who own only one to two rental properties at a lower rate and have a different rate for corporations that own many rental properties. He said it is a completely different narrative between small rental property owners and corporations.

Councilmember Musgrove noted that the code already talks about owners with four or more units or four or less units.

Community Development Director Hanson said this section has to do with duplexes or four unit homes that are in the City.

Councilmember Howell shared that she wants there to be more opportunities for people to rent without government subsidies. She noted that if these landlords who offer these lower rents are forced out of business, then there will be less opportunities for affordable housing in the City.

Councilmember Olson said the single-family license fee definitely needs to come down and the multi-unit license fee needs to go up.

The consensus of the Council was to direct Staff to lower the single-family license fee to \$200, keep the multi-unit building fee at \$600, increase the per unit cost to \$30 per apartment unit, and phase out the tiered program.

2.04: Code Enforcement Program Discussion

Community Development Director Hanson reviewed the Staff report in regard to discussing the code enforcement program.

Mayor Kuzma shared that he likes the idea of changing the title from Code Enforcement Officer to Property Maintenance Coordinator as he thinks this will ease the anxieties of residents.

Councilmember Specht stated that a title change may help residents see the purpose of this program as education rather than being confrontational. He added that he would like the Code Enforcement Officer to receive more training on being educational with property owners when they are out of compliance.

Community Development Director Hanson explained that they have spoken with the Code Enforcement Officer about the way he approaches these situations with residents. She noted they have not had any complaints since this was addressed.

Councilmember Specht said he would like to turn this program into a more educational program rather than strict enforcement.

Councilmember Howell noted that she requested this case be brought forward as she did receive some feedback from members of the public. She said residents informed her that the interactions they had with the Code Enforcement Officer were negative. She shared that her concern is that this seems to be an ongoing issue with the program that has popped up many times. She stated she would support pausing this program and reevaluating what they want. She noted that a surrounding city uses the title of Code Educator, and this is an approach she would like to take with code enforcement.

Councilmember Musgrove shared that when she first joined the Council, they went through lengthy discussions around different steps that will be taken to address these issues and they set up steps that would make each interaction consistent. She added that when there were issues with compliance, the Council would hear these issues and address how they would continue. She said the Council is no longer hearing about these issues until they have been escalated. She noted that she does not like this kind of program if they are going to be hearing from the residents that it is not helpful or beneficial. She agreed with Councilmember Howell that they should pause this program while they reevaluate.

Councilmember Riley explained that several years ago they had a lot of residents giving feedback that nothing was happening with code compliance issues. He noted that they are not currently hearing issues about this, which means the program is working. He added that they can make some changes on tact and education; however, they are not getting any complaints that violations are not being corrected. He said the City in general has benefitted from this program so he would not like to pause it at the moment.

Recess and Reconvene

The meeting recessed at 6:56 p.m.

The meeting reconvened at 8:36 p.m.

Mayor Kuzma said he is not in favor of pausing the program; however, there needs to be changes to the program in how they address issues. He suggested moving forward with the title change to Property Maintenance Coordinator and have more training around approaching situations educationally.

Councilmember Musgrove shared that she wants the resident to know that if they feel the need to come forward to the Council that it will come forward sooner than it currently is. She added that she likes the idea of renaming the program and having additional education on how to approach these situations.

Councilmember Howell stated some of her concerns are with situations where the code enforcement has not been reasonable. She added that the enforcement seems excessive, and she would like there to be assurances that their direction moving forward will be educational so that the residents do not have negative experiences with this program that their tax dollars are paying for.

Councilmember Woestehoff said what they are discussing does not seem like it is an issue with the program but rather the management within the program that more attention can be spent on personnel. He added that he agrees with the concerns being shared; however, he does not see a problem with the program and its policies. He said that when they have talked about this in the past, they always wanted this program to be focused on education and he does not feel like the program has changed to be in line with this.

City Administrator Hagen shared that this discussion that Councilmember Woestehoff is referring to happened before most of the current members of Staff were here. He stated it is management's responsibility to reiterate these expectations to their Staff and if these expectations are not being met then they will need to address this as a performance issue. He added that he believes the title change will help the public understand that this is an education-first approach.

Councilmember Howell asked if there will be enough of a cultural shift by implementing classes and changing the title of the program to create a different kind of interaction for the public.

City Administrator Hagen said yes. He stated that Staff has received enough direction this evening that they can brainstorm some title change ideas and bring this back to the Council for further review. He added that they will continue to monitor different training opportunities.

Councilmember Olson noted that he is supportive of the idea of changing the title of the program. He said it has been distressing for him to hear how code enforcement is currently handling these situations, and he thinks there should be zero tolerance for this behavior. He explained that if these discussed changes can affect the program as a whole then he is in support of this; however, he has a hard time believing that just changing the title of the program will have this effect.

The consensus of the Council was to direct Staff to discuss changing the title of this program and look into training opportunities to improve the program from a resident perspective.

2.05: Police Chief Recruitment Plan

Police Chief Katers reviewed the Staff report and shared his upcoming retirement, with a last day of service as November 18, 2024.

City Administrator Hagen reviewed the suggested recruitment timeline to fill the Police Chief position.

Councilmember Woestehoff shared that he would fully support internal recruitment to fill this position as Police Chief Katers leads a great team and there are qualified individuals currently in the department.

Councilmember Specht agreed.

Councilmember Riley noted the Police Department is in good shape and there are multiple candidates who would be qualified to fill this role.

City Administrator Hagen asked if the Council would like to be a part of the interview panel for these candidates.

Mayor Kuzma said yes.

Councilmember Woestehoff said he would also like to be a part of the panel.

Councilmember Musgrove stated she would like to be on the panel as well.

Councilmember Riley said he can serve on the panel if needed.

Councilmember Olson stated he can also serve on the panel.

Administrative Services Director Lasher explained that they conducted a survey with the Fire Chief recruitment where they polled management, firefighters, and the Council on what they were looking for in the next Fire Chief. She asked if they would like to do this again for the new Police Chief.

Councilmember Musgrove stated she would like there to be a survey with Council included.

Councilmember Woestehoff said he supports having a survey but does not think Council needs to be included on it as he believes that Staff can make the best decision.

City Administrator Hagen asked if they want to invite an outside Police Chief to come give feedback from a technical duty standpoint.

Mayor Kuzma said this was helpful for the Fire Chief recruitment process.

Councilmember Musgrove asked what this role included.

Administrative Services Director Lasher shared that during the Fire Chief recruitment the Elk River Fire Chief sat in on the interviews and was able to summarize his thoughts on each applicant after the interviews had concluded.

Councilmember Howell asked how they would decide which outside Police Chief to utilize for this.

Administrative Services Director Lasher said they would want a Police Chief from Anoka County.

City Administrator Hagen noted it will likely come down to availability of an outside Police Chief.

The consensus of the Council was to begin recruitment for the Police Chief internally with Mayor Kuzma, Councilmembers Musgrove, Olson, and Woestehoff serving on the interview panel with Councilmember Riley tentatively serving as well. There was also consensus to send a survey to Staff, firefighters, and Council to determine what everyone is looking for when it comes to the new Police Chief.

2.06: Discussion Regarding Union Contract Negotiations for AFSCME, LELS-Patrol, LELS-Sergeants & LELS-Captains (Discussion Closed to the Public)

Administrative Services Director Lasher reviewed the Staff report concerning the union contract negotiations for AFSCME, LELS-Patrol, LELS-Sergeants & LELS-Captains. She asked to move into closed session.

Motion by Councilmember Woestehoff, seconded by Councilmember Musgrove, to recess the meeting to Closed Session at 8:59 p.m.

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

The meeting reconvened to Open Session at 9:45 p.m.

Administrative Services Director Lasher shared that Staff received direction for the Council to settle a contract on LELS-Patrol, LELS-Sergeants & LELS-Captains and have the final meeting with AFSCME to settle the agreement.

3. TOPICS FOR FUTURE DISCUSSION

3.01: Review Future Topics/ Calendar

Noted.

Councilmember Musgrove asked if the Council needs to see and approve the JPA with LRRWMO before it goes back to the Board.

City Administrator Hagen explained that they will want to put the final version of the agreement on the agenda for approval.

4. MAYOR / COUNCIL / STAFF INPUT

None.

5. ADJOURNMENT

The Work Session of the City Council was adjourned at 9:48 p.m.

Respectfully submitted,

Brian S. Hagen
City Administrator

ATTEST:

Katie M. Schmidt
City Clerk

Drafted by Ava Major
TimeSaver Off Site Secretarial, Inc.

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

The Ramsey City Council conducted a Closed Session on Tuesday, September 24, 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

Also Present: City Administrator Brian Hagen
Administrative Services Director Colleen Lasher
City Attorney Fritz Knaak

1. CALL TO ORDER

Mayor Kuzma called the Closed Session of the City Council to order at 8:59 p.m.

2. COUNCIL BUSINESS

2.01: Discussion Regarding Union Contract Negotiations for AFSCME, LELS-Patrol, LELS-Sergeants & LELS-Captains (Discussion Closed to the Public)

Administrative Services Director Lasher reviewed the Staff report in regard to the union contract negotiations for AFSCME, LELS-Patrol, LELS-Sergeants, and LELS-Captains.

Staff received direction from the Council

3. ADJOURNMENT

Motion to adjourn the Closed Session

Motion carried.

The Closed Session was adjourned at 9:45 p.m.

Respectfully submitted,

Brian S. Hagen
City Administrator

ATTEST:

Katie M. Schmidt
City Clerk

Drafted by Ava Major
TimeSaver Off Site Secretarial, Inc.