

City of Ramsey
Agenda
City Council Work Session
Tuesday, September 24, 2024

5:30 pm

Lake Itasca Room, 7550 Sunwood Drive NW

Remote Attendance available at www.cityoframsey.com/meetings.
Those joining remotely and requesting to speak are asked to use a webcam when speaking.

1. Call to Order

2. Topics for Discussion

1. Building Division Update
2. Review Draft Ordinance #24-12, Cannabis Business Regulations
3. Continue Discussion of Rental Housing Inspections Program License Fees
4. Code Enforcement Program Discussion
5. Police Chief Recruitment Plan
6. Discussion Regarding Union Contract Negotiations for AFSCME, LELS-Patrol, LELS-Sergeants & LELS-Captains (Discussion Closed to the Public)

3. Topics for Future Discussion

1. Review Future Topics/Calendar

4. Mayor/Council/Staff Input

5. Adjournment*

***Note: the City Council may motion to recess this Work Session meeting and reconvene after the regular City Council meeting if items on the agenda are not completed.**

CC Work Session**Meeting Date:** 09/24/2024**Primary Strategic Plan Initiative:** Identify and implement operational efficiencies, cost savings and additional funding sources.**Information****Title:**

Building Division Update

Purpose/Background:

On June 25, 2024, City Council discussed a plan for the Building Official recruitment timeline. At that time, there was support to expand contracted services with Rum River Consultants (RRC) to provide Building Official duties. In addition to the Building Official duties, RRC would continue to provide support inspection services and aid in the training of one of our employees, Mr. Thomas Knight, to become the City's Building Official. The intent at the time was to train Mr. Knight over the next year to become the City's Building Official on or about July 1, 2025 and to backfill Mr. Knight's vacant Building Inspector/Plans Examiner role on or near April 1, 2025.

Since that meeting, other personnel changes have occurred. The Permit Technician II resigned in August 2024 and staff received a letter of resignation from the City's only Building Inspector/Plans Examiner, Ms. Lindahl, last week. Even with the personnel changes experienced, staff have been able to review and issue building permits in a reasonable timeframe. The goal to process permits is two weeks for residential and approximately four weeks for commercial.

Current staffing levels in the Building Division include a full-time Assistant Building Official, a part-time Permit Technician (20 hrs./week) and a part-time Building Administrative Assistant (28 hrs./week). Note that the 2025 Preliminary Budget includes a request to increase the Building Division Administrative Assistant to full-time. Vacancies include two full-time Building Inspector/Plan Examiners and the Permit Technician II. Filling the Permit Technician II role is on tonight's City Council consent agenda.

Staff have reviewed the current strategy of staffing the Building Division and have recommended changes as shown below.

Time Frame/Observations/Alternatives:

Up to 20 minutes.

Funding Source:

The Building Division has an adopted budget that does not account for the unanticipated needs for the level of contract support work needed to meet permit review and inspection guidelines. However, due to a continued high number of building permit submittals, it is reasonable to assume that the actual 2024 permit revenue will exceed what was budgeted.

Recommendation:

Staff highly recommends expediting Mr. Knight's promotion to Building Official effective October 5, 2024. This would allow a reduction in planned expenses for RRC Building Official contracted duties by switching to an advisory role. In turn, while recognizing permit review timeframe goals, staff would increase RRC support inspection services to offset our vacant Building Inspector roles. In summary, the staffing recommendation for the remainder of 2024 would be as follows:

- Promote Thomas Knight to Building Official effective October 5, 2024

- Recruit for two Building Inspector/Plans Examiners, with anticipated start dates of early December 2024 (to fill the roles left vacant by Thomas Knight and Trisha Lindahl)
- Hire the approved full-time position of Permit Technician II, start date October 14, 2024
- Continue Permit Technician (20hrs./week - No changes)
- Continue Building Administrative Assistant (28hrs./week - No changes at this time)
- Retain RRC for advisory Building Official questions, as needed
- Retain RRC for support plan review and inspection services to meet plan review and inspection timeline goals, as needed
- Rehire Ms. Lindahl as a temporary employee to conduct building permit plan reviews, 14 or fewer hours per week, as needed, not to exceed December 31, 2024

There are two cases on tonight's consent agenda, as follows:

1. To hire Ms. Lindahl 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. To promote Mr. Thomas Knight to Building Official

If the City Council does not support the above listed actions, the case(s) will be pulled from the agenda.

Outcome/Action:

Based on discussion.

Attachments

No file(s) attached.

Form Review

Inbox	Reviewed By	Date
Diana Lund	Diana Lund	09/11/2024 02:03 PM
Brian Hagen	Brian Hagen	09/19/2024 10:12 AM
Colleen Lasher (Originator)	Colleen Lasher	09/19/2024 12:02 PM
Brian Hagen	Brian Hagen	09/19/2024 12:22 PM
Colleen Lasher (Originator)	Colleen Lasher	09/19/2024 02:16 PM
Form Started By: Colleen Lasher		Started On: 09/10/2024 12:47 PM
Final Approval Date: 09/19/2024		

CC Work Session**Meeting Date:** 09/24/2024**Primary Strategic Plan Initiative:** Promote economic growth and development.**Information****Title:**

Review Draft Ordinance #24-12, Cannabis Business Regulations

Purpose/Background:

Staff recommends City Council review and provide comments on the attached draft of Ordinance #24-12, To Regulate Cannabis Businesses.

Chapter 342 of Minnesota Law was established by the State Legislature in 2023 and was updated in 2024. Minnesota's Office of Cannabis Management (OCM) is the state regulatory office created to oversee the implementation and regulation of the adult-use cannabis market, the medical cannabis market and the consumer hemp industry. Chapter 342 establishes rules, policies, and regulates the Minnesota cannabis industry. OCM governs the application and licensing processes, conducts enforcement and inspection activities.

The local government may impose certain retail timing restrictions, may limit the number of retail locations, and provide buffer and zoning guidelines; all of which are addressed in Chapter 342. City Council discussed these items at the February 13, 2024 work session. The meeting minutes are attached for your review. At the meeting, City Council discussed and provided staff with direction on time restrictions, number of retail locations, buffers and zoning guidelines. This information was then added to the model ordinance drafted by the OCM. The language in the ordinance remains the same as the draft provided by OCM, the text highlighted in yellow is the infilled information by staff as it pertains to the City of Ramsey. Per direction by the City Council, the following information was added to the draft ordinance:

Retail Sales Timing:

Number of Retail Locations: 2 locations. Chapter 342 requires at least 1 retailer and microbusiness/mezzobusiness with retail endorsements per 12,500 residents.

Buffers: Prohibit the operation of a cannabis business within 1,000 feet of a school or 500 feet of a daycare, residential treatment facility or public park that is regularly used by minors, including playgrounds and athletic fields.

Zoning: Retailers will be allowed in the B2 Commercial and B3 Regional business districts. Micro business with/without retail and Mezzo business with/without retail will be allowed in the I-1 Light Industrial and I-2 General Industrial districts.

City Attorney is in the process of reviewing the draft ordinance.

Notification:

Introduction/1st Reading: October 8, 2024 City Council

Final Adoption: October 22, 2024 City Council

30-Day Publication: October 25 - November 25, 2024

Effective Date: January 1, 2025

During this time frame, the Zoning code will be amended to redefine the definition of manufacturing to allow for state-regulated cannabis cultivation:

Sec. 106-105. - Definitions.

Manufacturing means the processing or assembly of raw materials or parts into finished goods through the use of tools, human labor, machinery, and chemical processing. This definition includes hydroponics as well as state-regulated cannabis cultivation.

Public Hearing: September 26, 2024
Introduction/1st Reading: October 8, 2024 City Council
Final Adoption: October 22, 2024 City Council
30-Day Publication: October 25 - November 25, 2024
Effective Date: November 26, 2024

Time Frame/Observations/Alternatives:

NA

Funding Source:

Community Development Department

Recommendation:

Review and discuss Ordinance #24-12 and provide staff with directions to either move forward with the adoption process or continue by making revisions to the ordinance for further review.

Outcome/Action:

Attachments

021324 CCWS Minutes
Map of Location Limitations
Draft Ord 24-12 Cannabis Regulations

Form Review

Inbox	Reviewed By	Date
Brian Hagen	Brian Hagen	09/19/2024 12:20 PM
Form Started By: Stephanie Hanson		Started On: 09/13/2024 09:23 AM
Final Approval Date: 09/19/2024		

Planning Manager Larson shared that there are a lot of non-conformities in parks, and this matches these and does not increase the level of non-conformity.

Councilmember Specht agreed with Councilmember Riley that it makes the most sense to sell all of the land.

Mayor Kuzma said he would support this as well.

Economic Development Manager Sullivan explained the next step in this process is to give the purchase agreement to the Met Council and have them confirm whether or not the appraisal is acceptable. He noted that if something does change it will come back to the Council.

Mayor Kuzma asked if they would be able to have the purchaser pay for a new appraisal if one is needed.

Economic Development Manager Sullivan shared that he believes they would have the ability to ask the purchaser to pay for the appraisal. He noted it would be a negotiated item.

The consensus of the Council was to move forward with Option 1.

2.02: Adult Use and Lower-potency Hemp Edible Moratorium Discussion

Community Development Director Hanson reviewed the Staff report concerning the adult use and low-potency hemp edible moratorium, which will expire on May 24, 2024. She shared they are not able to extend the moratorium on low-potency hemp edibles; however, they do have the ability to extend the moratorium on adult use cannabis. She shared her recommendation to extend the adult use cannabis moratorium. She added that she is working with the Office of Cannabis Management who is still developing ordinances for cities to adopt.

Councilmember Riley asked why the moratorium on the low-potency hemp edibles cannot be extended.

Community Development Director Hanson explained that the law was approved in 2022 for low-potency edibles and at this time, cities could put on moratoriums. She said they were given one year, with an extension of another year, then they are not able to go past this.

City Attorney Knaak explained that they gave cities a certain amount of time to get used to the idea of low-potency edibles and now they cannot go beyond the time they have been given.

Councilmember Woestehoff asked if the hemp derived businesses on the map show the businesses that are already registered by the State or the ones already registered by the City.

Community Development Director Hanson explained these are the ones that are registered by the State. She noted they have sent out letters to these businesses and so far eight out of the 12 businesses have registered with the City.

Mayor Kuzma asked what constitutes low-potency versus high-potency edibles.

Community Development Director Hanson said it depends on what it is derived from. She explained that the high-potency edibles are made from the flower of the plant; however, the low-potency edibles are chemicals produced with Delta-9.

Councilmember Musgrove asked about the fine that is State regulated. She asked if there is anything that the City can do with this or if it is just for the high-potency edibles.

Community Development Director Hanson said there is a fine that the City can impose on the low-potency edibles if they are not registered with the City.

Councilmember Musgrove asked if this fine has been established.

Community Development Director Hanson stated they currently do not have a fine in their fee schedule for this. She noted they have registration fees as part of the fee schedule, just not the fine.

Councilmember Musgrove asked if this is something that Staff would recommend looking at and establishing.

Community Development Director Hanson said yes.

Councilmember Olson asked if the fine for not being registered with the City is a one time fine or if it can be escalated if the business continues to sell edibles while not being registered.

Community Development Director Hanson noted she will have to dig into this more.

City Attorney Knaak noted he would look at this as being a daily penalty.

Councilmember Riley noted that they already have the registrations from the State so they know which businesses are registered through the State and asked if they are just asking them to also be registered with the City.

Community Development Director Hanson shared it is a requirement of the law that the businesses have to be registered with the State and the City. She noted the law also gives the amounts that they are able to charge for these registrations.

Councilmember Riley asked if anything is done with these registrations.

Community Development Director Hanson shared they just keep it in their records.

Councilmember Howell asked if they do not register with the City if there is any way that it would affect the City and if the State would come down at the business at all for not registering with the City.

Community Development Director Hanson said she would have to look into this. She noted that she assumes that the State would look into this as it is a requirement that these businesses also register with their city.

City Attorney Knaak shared that this issue came up at the City Attorney Conference last week. He noted that they are planning on setting up their own enforcement for this; however, it does not exist yet. He said no one seems to know how this will all work. He explained it seems like they want the cities to do all of the work without finding revenue to do this. He noted that in terms of basic enforcement they are talking about having some type of enforcement set up through the State; however, they have not hired anyone and this has no structure. He noted there are not a whole lot of answers to the questions that the City, and other cities, have.

Community Development Director Hanson shared that it is her understanding that the City will have to do compliance checks on the low-potency edible and adult use registered businesses. She noted these checks are not just for age verification but also verification of the marketing and labeling of the products. She added that the fees that can be collected for registrations are extremely low and will not be able to cover these compliance checks.

Councilmember Howell asked if they could require that a mezzobusiness has electric that is entirely renewable energy.

City Attorney Knaak shared that this question got asked at the City Attorney Conference. He noted that they would be able to do this if the business voluntarily agreed; however, there is nothing in the law that would require this of a business. He added there is a legitimate reason for concern with these businesses and their use of water and electricity.

Councilmember Howell noted that this points out the entire hypocrisy in all of this as it is paired with caring about energy which do not go together.

Councilmember Musgrove agreed. She asked if they have to have one of these businesses per a number of residents.

Community Development Director Hanson explained that they do not get to pick which businesses are allowed as the applications are made with the State first. She noted the State weeds out the applications and then approves the licenses and comes to the City to let them know, which is when the City has to sign off on it. She added that this is being looked at as part of the legislation and it is her understanding that the cities will be at the end of the State licensing process.

City Attorney Knaak added that the City will have very little input when it comes to licensing. He noted they will have input on a commercial sized operation as they would not get a pass on all of the zoning requirements, setbacks, and these kinds of things. He shared that it would make a lot of sense that a business over a certain size would require a conditional use permit.

Councilmember Musgrove asked if these businesses would still have to follow the City's regulations in regard to zoning.

Community Development Director Hanson said yes.

City Attorney Knaak explained that if a business got State approval and then brought this to the City, the State approval does not trump the City's zoning requirements. He shared that he would expect that Ramsey could get a cannabis grower interested in coming into the City.

Mayor Kuzma shared he has been reading about cities setting up their own dispensaries as profit generators for the City.

City Attorney Knaak explained that in the case of municipal liquor, this puts things in a separate category and a preferred status. He noted that the same is not the case for cannabis and the City would be treated the same as any other cannabis business.

City Administrator Hagen noted the statute is clear that a city does not match their preferred license holder.

City Attorney Knaak shared that there are national companies that do this who are very well financed as this is a mature industry in other parts of the country. He noted that the City will not know whether they are dealing with a local entrepreneur or if they are dealing with a national brand.

Community Development Director Hanson reviewed the restrictions that the City is able to set, including distance from schools and other locations that minors would frequent, hours of operation, and location of retailers. She reviewed the map of the City that showed where schools, daycares, parks, and other locations frequented by minors are located and where these businesses would not be allowed.

Councilmember Musgrove noted that there are a few daycares missing from the map, including home daycares.

Community Development Director Hanson noted they do not have a list of the home daycares.

Councilmember Musgrove asked if these home daycares will be a consideration.

City Attorney Knaak said that anyone who offers daycare services would be included in this. He noted that there is no model ordinance for this yet.

Councilmember Musgrove explained that if you take a look at the map that outlines where the schools and other similar locations are and compare it to the map of where these businesses are currently located, then some of these businesses are not in compliance. She asked if just the adult use cannabis locations are the ones that have to be a certain distance from schools and other similar locations.

Community Development Director Hanson said yes and noted that the low-potency edible businesses cannot have location restrictions on them as it is a retail operation.

Councilmember Musgrove asked if an adult use cannabis business was to get a license from the State then come into the City in a certain area, if there would be no ability for any kind of daycare development around it in the area. She noted this may be a concern when locations for these businesses are decided.

City Administrator Hagen noted that when applications come in they have to look at it given the current conditions and cannot look towards the future lost opportunities when making this decision. He added that he is not sure if they would be restricting daycare locations based on adult use cannabis locations.

Councilmember Howell asked if a certain city was heavy with daycares and they were everywhere within the city, so much so that with the allowed buffers, no adult use cannabis store would fit in this city. She asked how this would work if two businesses are supposed to be allowed per city.

Community Development Director Hanson explained that the distance buffers are not required.

City Attorney Knaak said it would be possible that the buffers would not allow any businesses; however, there is a statutory mandate that requires cities to have at least two locations.

Councilmember Musgrove noted that Anoka does not have a lot of land; however, Ramsey does. She asked if Ramsey would have to take up for the land development that Anoka cannot since Anoka has a larger population.

Community Development Director Hanson explained that cities like Anoka that are fully developed will likely only have cannabis retailers and do not have room for the growing operations. She added that growing facilities are typically in warehouses or other industrial buildings.

Councilmember Specht asked if there is anything the City can do now, zoning wise, to get ahead of this.

City Attorney Knaak explained that until any guidance comes from the State it is hard for the City to do anything about this. He noted another concern is that this is a very well financed and lobbied industry in the State right now.

City Administrator Hagen noted that Staff is interested in Council's interest in implementing buffers for these businesses and discussing what zoning districts these businesses will be allowed in.

Community Development Director Hanson said they would also like direction on limiting hours of operation for these businesses.

Councilmember Musgrove shared she would like to extend the moratorium until January and would like the maximum distance buffers to be in place. She added she would also like the businesses to close at 9:00 p.m.

Councilmember Olson agreed and said he believes they should make this as restrictive as possible as it is easier to lessen restrictions after the fact rather than trying to tighten up restrictions.

Councilmember Riley suggested using liquor store hours for these businesses.

Community Development Director Hanson shared that all liquor stores sell the low-potency edibles.

Councilmember Riley asked if the City is able to restrict the number of adult use cannabis locations.

Community Development Director Hanson said they have to have at least two locations and they can have more if the City would like.

Councilmember Riley noted that two locations seems as though it will be less than the requirement of having one location for every 12,500 residents, when the City has around 28,000 residents.

City Administrator Hagen shared that the State is allowing cities to round down the required locations.

Councilmember Specht asked if the whole business would have to close at 9:00 p.m. or if they would just have to stop selling the cannabis products.

Community Development Director Hanson said the adult use cannabis retailers would have to be closed at this time and there would also be no selling of the low-potency edibles after this time; however, the businesses selling the edibles could still be open.

Councilmember Woestehoff explained that on the FAQ from the League of Minnesota Cities there is a question about the quantity of retailers. He shared that it said if a county has one active registration for every 12,500 residents, a city within this county is not obligated to register any additional cannabis business. He asked if this is above and beyond the requirements they are discussing.

City Attorney Knaak explained that this is for much smaller counties and if there is a county that only has 10,000 residents then this county as a whole would be required to have one retailer.

Councilmember Woestehoff shared that he is fine extending the moratorium. He added that liquor store hours for these retailers make sense. He noted that he is on board with a large buffer for these locations and if the City wanted to add some parks to make the buffers more strategically located that would be great.

Councilmember Howell noted her concern with the State weeding through these licensing.

Economic Development Manager Sullivan shared that four of the 12 businesses selling low-potency edibles have not registered with the City. He asked if there is direction to get a \$2,000 fine

for not being registered with the City on the books and go fine the four businesses that have not registered.

Community Development Director Hanson said she would like to send these business letters first before taking any other action.

Councilmember Musgrove said she believes they need to get an ordinance on the books for this. She noted these businesses have a State license which tells them they have to register with the City and she does not think that the City should have to seek out these businesses to get them into compliance. She added that the State does not tell the City how many other businesses they need to have and she asked why the State is telling them how many of these adult use cannabis businesses need to be in the City.

Councilmember Specht shared that he wonders how there has become such a large lobbying group for this.

City Attorney Knaak explained that this is something that has been happening in other states and they have gotten a head start on this. He said he has never seen the State mandate something like this on cities for what should be a private business enterprise.

Community Development Director Hanson asked what zoning districts they would like to allow these businesses to be in.

City Attorney Knaak noted that they can restrict this to not be allowed to be a home occupation.

Community Development Director Hanson suggested allowing this in B-2, B-3 and industrial zoning districts.

Economic Development Manager Sullivan asked if they are going to have different zoning districts for those who are growing versus those who are retailers.

Community Development Director Hanson explained the micro and mezzobusinesses would be more industrial uses and the retail stores could be in the B-2 or B-3 district, as well as the industrial district.

Councilmember Specht asked if they could restrict these businesses to only being in the industrial district.

Community Development Director Hanson said this is pretty restrictive.

The consensus of the Council was to extend the adult use cannabis moratorium, to set up distance buffers for these locations at maximum distances from schools, daycares, and other similar locations, and have restricted hours of operations, the same as liquor stores in the City. They also agreed that these businesses can be allowed in the B-2, B-3, and industrial zoning districts.

3. TOPICS FOR FUTURE DISCUSSION

3.01: Review Future Topics/ Calendar

Noted.

Councilmember Musgrove shared that she would like to discuss the North STAR Act at a future meeting to update their legislative agenda.

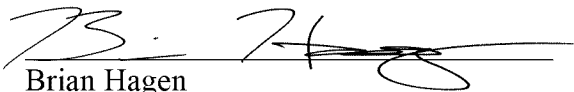
4. MAYOR / COUNCIL / STAFF INPUT

None.

5. ADJOURNMENT

The Work Session of the City Council was adjourned at 6:40 p.m.

Respectfully submitted,



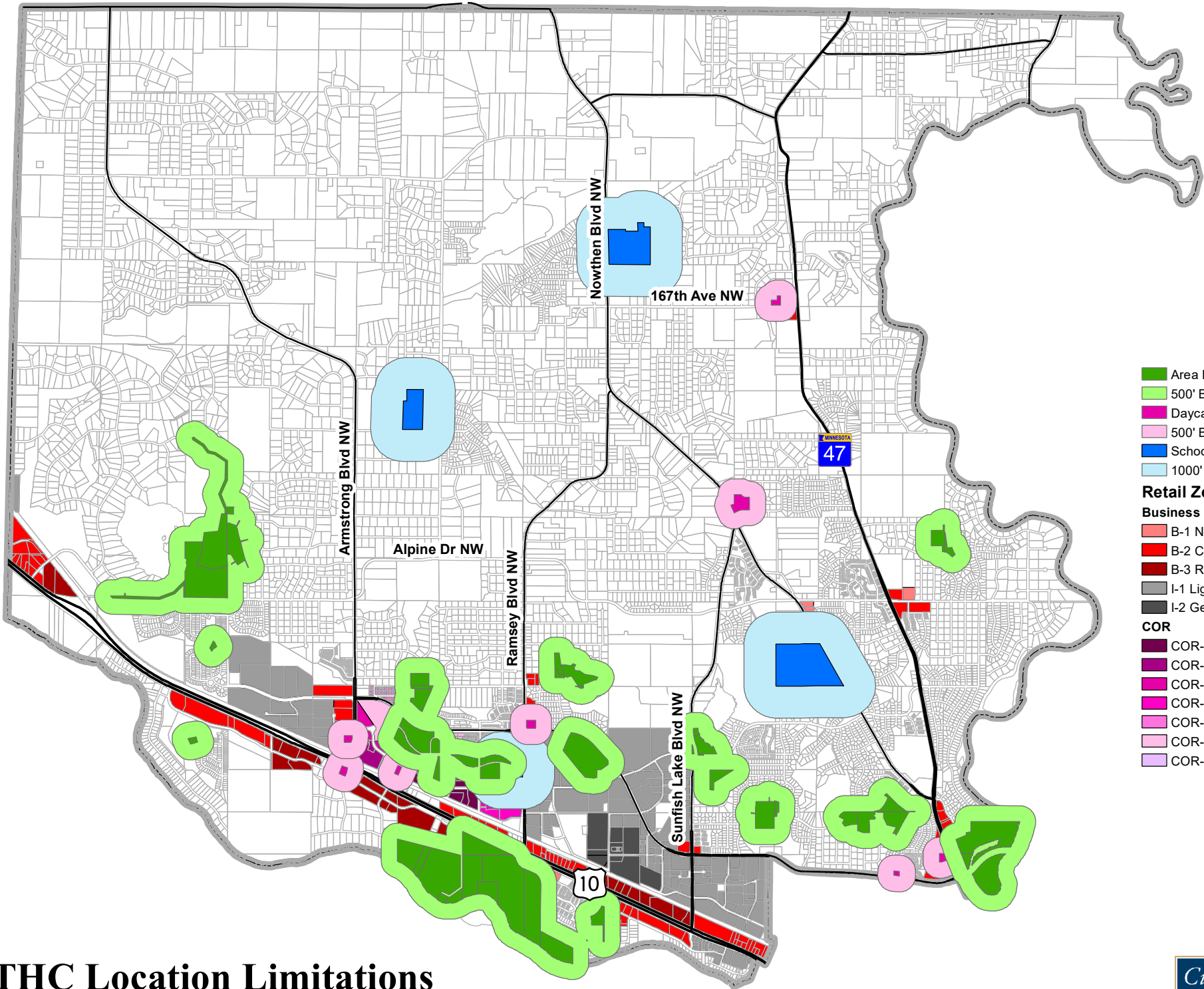
Brian Hagen
City Administrator

ATTEST:



Katie M. Schmidt
City Clerk

Drafted by Ava Major
TimeSaver Off Site Secretarial, Inc.



- Area Parks
 - 500' Buffer
 - Daycares
 - 500' Buffer
 - Schools
 - 1000' Buffer
- Retail Zoning**
- Business Districts**
- B-1 Neighborhood Business
 - B-2 Community Business
 - B-3 Regional Business
 - I-1 Light Industrial
 - I-2 General Industrial
- COR**
- COR-1
 - COR-2
 - COR-2b
 - COR-3
 - COR-4a
 - COR-4b
 - COR-4c

THC Location Limitations

February 13, 2024



**ORDINANCE #24-12
CITY OF RAMSEY
ANOKA COUNTY
STATE OF MINNESOTA**

**AN ORDINANCE TO REGULATE CANNABIS BUSINESS WITHIN THE CITY OF
RAMEY, MINNESOTA, ANOKA COUNTY**

The City Council of Ramsey ordains:

SECTION 1. ADMINISTRATION

Chapter 26, Article XX is hereby established with the following:

10.1 Findings and Purpose

The **City Council** makes the following legislative findings:

The purpose of this ordinance is to implement the provisions of Minnesota Statutes, chapter 342, which authorizes **Ramsey** to protect the public health, safety, welfare of **Ramsey** residents by regulating cannabis businesses within the legal boundaries of **Ramsey**.

The **City Council** finds and concludes that the proposed provisions are appropriate and lawful land use regulations for **Ramsey** that the proposed amendments will promote the community's interest in reasonable stability in zoning for now and in the future, and that the proposed provisions are in the public interest and for the public good.

10.2 Authority & Jurisdiction

The **City Council** has the authority to adopt this ordinance pursuant to:

- a) Minn. Stat. 342.13(c), regarding the authority of a local unit of government to adopt reasonable restrictions of the time, place, and manner of the operation of

a cannabis business provided that such restrictions do not prohibit the establishment or operation of cannabis businesses.

- b) Minn. Stat. 342.22, regarding the local registration and enforcement requirements of state-licensed cannabis retail businesses and lower-potency hemp edible retail businesses.
- c) Minn. Stat. 152.0263, Subd. 5, regarding the use of cannabis in public places.
- d) Minn. Stat. 462.357, regarding the authority of a local authority to adopt zoning ordinances.

10.3 Severability

If any section, clause, provision, or portion of this ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby.

10.4 Enforcement

The elected body of a jurisdiction can choose to designate an official to administer and enforce this ordinance.

The (insert name of local government or designated official) is responsible for the administration and enforcement of this ordinance. Any violation of the provisions of this ordinance or failure to comply with any of its requirements constitutes a misdemeanor and is punishable as defined by law. Violations of this ordinance can occur regardless of whether or not a permit is required for a regulated activity listed in this ordinance.

10.5 Definitions

1. Unless otherwise noted in this section, words and phrases contained in Minn. Stat. 342.01 and the rules promulgated pursuant to any of these acts, shall have the same meanings in this ordinance.
2. Cannabis Cultivation: A cannabis business licensed to grow cannabis plants within the approved amount of space from seed or immature plant to mature plant. harvest cannabis flower from mature plant, package and label immature plants and seedlings and cannabis flower for sale to other cannabis businesses, transport cannabis flower to a cannabis manufacturer located on the same premises, and perform other actions approved by the office.
3. Cannabis Retail Businesses: A retail location and the retail location(s) of a mezzobusinesses with a retail operations endorsement, microbusinesses with a retail operations endorsement, medical combination businesses operating a retail location, and lower-potency hemp edible retailers.

4. Cannabis Retailer: Any person, partnership, firm, corporation, or association, foreign or domestic, selling cannabis product to a consumer and not for the purpose of resale in any form.
5. Daycare: A location licensed with the Minnesota Department of Human Services to provide the care of a child in a residence outside the child's own home for gain or otherwise, on a regular basis, for any part of a 24-hour day.
6. Lower-potency Hemp Edible: As defined under Minn. Stat. 342.01 subd. 50.
7. Office of Cannabis Management: Minnesota Office of Cannabis Management, referred to as "OCM" in this ordinance.
8. Place of Public Accommodation: A business, accommodation, refreshment, entertainment, recreation, or transportation facility of any kind, whether licensed or not, whose goods, services, facilities, privileges, advantages or accommodations are extended, offered, sold, or otherwise made available to the public.
9. Preliminary License Approval: OCM pre-approval for a cannabis business license for applicants who qualify under Minn. Stat. 342.17.
10. Public Place: A public park or trail, public street or sidewalk; any enclosed, indoor area used by the general public, including, but not limited to, restaurants; bars; any other food or liquor establishment; hospitals; nursing homes; auditoriums; arenas; gyms; meeting rooms; common areas of rental apartment buildings, and other places of public accommodation.
11. Residential Treatment Facility: As defined under Minn. Stat. 245.462 subd. 23.
12. Retail Registration: An approved registration issued by the **City of Ramsey** to a state-licensed cannabis retail business.
13. School: A public school as defined under Minn. Stat. 120A.05 or a nonpublic school that must meet the reporting requirements under Minn. Stat. 120A.24.
14. State License: An approved license issued by the State of Minnesota's Office of Cannabis Management to a cannabis retail business.

Section 2. Registration of Cannabis Businesses

A city or town can delegate authority for registration to the County. A city or town can still adopt specific requirement regarding zoning, buffers, and use in public places, provided said requirements are not in conflict with an ordinance adopted under the delegated authority granted to the County.

2.1 Consent to registering of Cannabis Businesses

No individual or entity may operate a state-licensed cannabis retail business within **Ramsey** without first registering with the city.

Any state-licensed cannabis retail business that sells to a customer or patient without valid retail registration shall incur a civil penalty of (**up to \$2,000**) for each violation.

Notwithstanding the foregoing provisions, the state shall not issue a license to any cannabis business to operate in Indian country, as defined in United States Code, title 18, section 1151, of a Minnesota Tribal government without the consent of the Tribal government.

2.2 Compliance Checks Prior to Retail Registration

Pursuant to Minn. Stat. 342, within 30 days of receiving a copy of a state license application from OCM, Ramsey shall certify on a form provided by OCM whether a proposed cannabis retail business complies with local zoning ordinances and, if applicable, whether the proposed business complies with the state fire code and building code.

2.3 Registration & Application Procedure

2.3.1 Fees.

Ramsey shall not charge an application fee.

A registration fee, as established in Ramsey's fee schedule, shall be charged to applicants depending on the type of retail business license applied for.

An initial retail registration fee shall not exceed \$500 or half the amount of an initial state license fee under Minn. Stat. 342.11, whichever is less. The initial registration fee shall include the initial retail registration fee and the first annual renewal fee.

Any renewal retail registration fee imposed by Ramsey shall be charged at the time of the second renewal and each subsequent renewal thereafter.

A renewal retail registration fee shall not exceed \$1,000 or half the amount of a renewal state license fee under Minn. Stat. 342.11, whichever is less.

A medical combination business operating an adult-use retail location may only be charged a single registration fee, not to exceed the lesser of a single retail registration fee, defined under this section, of the adult-use retail business.

2.3.2 Application Submittal.

The City of Ramsey shall issue a retail registration to a state-licensed cannabis retail business that adheres to the requirements of Minn. Stat. 342.22.

(A) An applicant for a retail registration shall fill out an application form, as provided by the city. Said form shall include, but is not limited to:

- i. Full name of the property owner and applicant;
- ii. Address, email address, and telephone number of the applicant;
- iii. The address and parcel ID for the property which the retail registration is sought;
- iv. Certification that the applicant complies with the requirements of local ordinances established pursuant to Minn. Stat. 342.13.

(B) The applicant shall include with the form:

- i. the application fee as required in [Section 2.3.1];
 - ii. a copy of a valid state license or written notice of OCM license preapproval;
- (C) Once an application is considered complete, the (insert local government designee) shall inform the applicant as such, process the application fees, and forward the application to the Community Development Department for approval or denial.
- (D) The application fee shall be non-refundable once processed.

2.3.3 Application Approval

- (A) A state-licensed cannabis retail business application shall not be approved if the cannabis retail business would exceed the maximum number of registered cannabis retail businesses permitted under Section 2.6.
- (B) A state-licensed cannabis retail business application shall not be approved or renewed if the applicant is unable to meet the requirements of this ordinance.
- (C) A state-licensed cannabis retail business application that meets the requirements of this ordinance shall be approved.

2.3.4 Annual Compliance Checks.

The City of Ramsey shall complete at minimum one compliance check per calendar year of every cannabis business to assess if the business meets age verification requirements, as required under [Minn. Stat. 342.22 Subd. 4(b) and Minn. Stat. 342.24] and this section.

The city shall conduct at minimum one unannounced age verification compliance check at least once per calendar year.

Age verification compliance checks shall involve persons at least 17 years of age but under the age of 21 who, with the prior written consent of a parent or guardian if the person is under the age of 18, attempt to purchase adult-use cannabis flower, adult-use cannabis products, lower-potency hemp edibles, or hemp-derived consumer products under the direct supervision of a law enforcement officer or an employee of the local unit of government.

Any failures under this section must be reported to the Office of Cannabis Management.

2.3.5 Location Change

A state-licensed cannabis retail business shall be required to submit a new application for registration under Section 2.3.2 if it seeks to move to a new location still within the legal boundaries of the City of Ramsey.

2.4 Renewal of Registration

The **City of Ramsey** shall renew an annual registration of a state-licensed cannabis retail business at the same time OCM renews the cannabis retail business' license.

A state-licensed cannabis retail business shall apply to renew registration on a form established by **the city**.

A cannabis retail registration issued under this ordinance shall not be transferred.

2.4.1 Renewal Fees.

The **city** may charge a renewal fee for the registration starting at the second renewal, as established in (insert local here)'s fee schedule.

2.4.2 Renewal Application.

The application for renewal of a retail registration shall include, but is not limited to:

- Items required under Section 2.3.2 of this Ordinance.

2.5 Suspension of Registration

2.5.1 When Suspension is Warranted.

The **City of Ramsey** may suspend a cannabis retail business's registration if it violates the ordinance of the **city** or poses an immediate threat to the health or safety of the public. The **city** shall immediately notify the cannabis retail business in writing the grounds for the suspension.

2.5.2 Notification to OCM.

The **city** shall immediately notify the OCM in writing the grounds for the suspension. OCM will provide **the city** and cannabis business retailer a response to the complaint within seven calendar days and perform any necessary inspections within 30 calendar days.

2.5.3 Length of Suspension.

The suspension of a cannabis retail business registration may be for up to 30 calendar days, unless OCM suspends the license for a longer period. **Reinstatement of the registration is dependent on the determination for the OCM.** The business may not make sales to customers if their registration is suspended.

The city may reinstate a registration if it determines that the violations have been resolved.

The city shall reinstate a registration if OCM determines that the violation(s) have been resolved.

2.5.4 Civil Penalties.

Subject to Minn. Stat. 342.22, subd. 5(e) the city of Ramsey may impose a civil penalty, as specified in Ramsey's Fee Schedule, for registration violations, not to exceed \$2,000.

2.6 Limiting of Registrations

A jurisdiction may choose to set a limit on the number of retail registrations within its boundaries. The jurisdiction may not however, limit the number of registrations to fewer than one per 12,500 residents.

The City of Ramsey shall limit the number of cannabis retail businesses to no fewer than one registration for every 12,500 residents within city limits.

Section 3. Requirements for Cannabis Businesses

3.1 Minimum Buffer Requirements

The city shall prohibit the operation of a cannabis business within 1,000 feet of a school.

The city shall prohibit the operation of a cannabis business within 500 feet of a day care.

The city shall prohibit the operation of a cannabis business within 500 feet of a residential treatment facility.

The city shall prohibit the operation of a cannabis business within 500 feet of an attraction within a public park that is regularly used by minors, including a playground or athletic field.

The city shall prohibit the operation of a cannabis retail business within [X] feet of another cannabis retail business.

Pursuant to Minn. Stat. 462.367 subd. 14, nothing in Section 3.1 shall prohibit an active cannabis business or a cannabis business seeking registration from continuing operation at the same site if a school/daycare/residential treatment facility/attraction within a public park that is regularly used by minors moves within the minimum buffer zone.

3.2 Zoning and Land Use

The following business types defined in this chapter are interpreted to be a part of the uses defined in Chapter 106 – Zoning Code:

3.2.1 Cultivation.

Cannabis businesses licensed or endorsed for cultivation are permitted as an agricultural use in the following zoning districts:

- RR – Rural Residential District (indoor or outdoor)

- MR – MUSA Reserve District (indoor or outdoor)
- I-1 – Light Industrial District (indoor only)
- I-2 – General Industrial District (indoor only)

3.2.2. Cannabis Manufacturer.

Cannabis businesses licensed or endorsed for cannabis manufacturer are permitted as a manufacturing use in the following zoning districts:

- I-1 – Light Industrial District
- I-2 – General Industrial District

3.2.1. Hemp Manufacturer.

Businesses licensed or endorsed for low-potency hemp edible manufacturers permitted as a manufacturing use in the following zoning districts:

- I-1 – Light Industrial District
- I-2 – General Industrial District

3.2.2. Wholesale.

Cannabis businesses licensed or endorsed for wholesale are permitted as a wholesale sales use in the following zoning districts:

- I-1 – Light Industrial District
- I-2 – General Industrial District

3.2.2. Cannabis Retail.

Cannabis businesses licensed or endorsed for cannabis retail are permitted as retail sales in the following zoning districts:

- B-1 – Neighborhood Business District
- B-2 – Community Business District
- B-3 – Regional Business District
- I-1 – Light Industrial District
- I-2 – General Industrial District
- Those portions of COR and PUD approved and designed for retail sales

3.2.1. Cannabis Transportation.

Cannabis businesses licensed or endorsed for transportation are permitted as a warehousing use in the following zoning districts:

- I-1 – Light Industrial District
- I-2 – General Industrial District

3.2.2. Cannabis Delivery.

Cannabis businesses licensed or endorsed for delivery are permitted as a warehousing use in the following zoning districts:

- I-1 – Light Industrial District
- I-2 – General Industrial District

3.3 Hours of Operation

Cannabis businesses are limited to retail sale of cannabis, cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products between the hours of 8:00 a.m. and 10:00 p.m. on Monday through Saturday and 11:00 a.m. and 6:00 p.m. on Sundays.

Section 4. Temporary Cannabis Events

Any individual or business seeking to obtain a cannabis event license must provide OCM information about the time, location, layout, number of business participants, and hours of operation. A cannabis event organizer must receive local approval, including obtaining any necessary permits or licenses issued by a local unit of government before holding a cannabis event.

4.1 License or Permit Required for Temporary Cannabis Events

4.1.1 License Required.

A cannabis event organizer license entitles the license holder to organize a temporary cannabis event lasting no more than four days. A jurisdiction should determine what type of approval is consistent with their existing ordinances for events.

A license or permit is required to be issued and approved by (insert local here) prior to holding a Temporary Cannabis Event.

4.1.2 Registration & Application Procedure

A registration fee, as established in (insert local here)'s fee schedule, shall be charged to applicants for Temporary Cannabis Events.

4.1.3 Application Submittal & Review.

The (insert local here) shall require an application for Temporary Cannabis Events.

- (A) An applicant for a retail registration shall fill out an application form, as provided by the (insert local here). Said form shall include, but is not limited to:
 - i. Full name of the property owner and applicant;
 - ii. Address, email address, and telephone number of the applicant;
 - iii. (Insert additional standards here)
- (B) The applicant shall include with the form:
 - i. the application fee as required in (Section 4.1.2);
 - ii. a copy of the OCM cannabis event license application, submitted pursuant to 342.39 subd. 2.

The application shall be submitted to the (insert local authority), or other designee for review. If the designee determines that a submitted application is incomplete, they shall return the application to the applicant with the notice of deficiencies.

(C) Once an application is considered complete, the designee shall inform the applicant as such, process the application fees, and forward the application to the (insert staff/department, or elected body that will approve or deny the request) for approval or denial.

(D) The application fee shall be non-refundable once processed.

(E) The application for a license for a Temporary Cannabis Event shall meet the following standards:

A jurisdiction may establish standards for Temporary cannabis events which the event organizer must meet, including restricting or prohibiting any on-site consumption. If there are public health, safety, or welfare concerns associated with a proposed cannabis event, a jurisdiction would presumably be authorized to deny approval of that event.

- **Insert standards here**

(G) A request for a Temporary Cannabis Event that meets the requirements of this Section shall be approved.

(H) A request for a Temporary Cannabis Event that does not meet the requirements of this Section shall be denied. The (insert city/town/county) shall notify the applicant of the standards not met and basis for denial.

(Optional) Temporary cannabis events shall only be held (**on the property of a microbusiness or mezzobusiness**).

(Optional) Temporary cannabis events shall only be held between the hours of (**insert start time**) and (**insert stop time**).

~~Section 5. (Optional) Lower Potency Hemp Edibles~~

~~*A jurisdiction can establish different standards or requirements regarding Low-Potency Edibles. A jurisdiction can consider including the following section and subsections in their cannabis ordinance.*~~

~~5.1 Sale of Low Potency Hemp Edibles~~

~~The sale of Low-Potency Edibles is permitted, subject to the conditions within this Section.~~

~~5.2 Zoning Districts~~

~~*If sales are permitted, a jurisdiction can limit what zone(s) the sales of Low-Potency Edibles can take place in. A jurisdiction can also determine if such activity requires a Conditional or Interim Use permit.*~~

~~Low-Potency Edibles businesses are permitted as a (type of use) in the following zoning districts:~~

- ~~• (Insert zoning districts use is permitted in here)~~
- ~~• (Insert zoning districts use is permitted in here)~~

~~5.3 (Optional) Additional Standards~~

~~5.3.1 Sales within Municipal Liquor Store.~~

~~*A jurisdiction that already operates a Municipal Liquor Store may sell Low-Potency Edibles within the same store.*~~

~~The sale of Low-Potency Edibles is permitted in a Municipal Liquor Store.~~

~~5.3.2 Age Requirements.~~

~~*A jurisdiction is able to restrict the sale of Low-Potency Edibles to locations such as bars.*~~

~~The sale of Low Potency Edibles is permitted only in places that admit persons 21 years of age or older.~~

~~5.3.3 Beverages.~~

~~The sale of Low Potency Hemp Beverages is permitted in places that meet requirements of this Section.~~

~~5.3.4 Storage of Product.~~

~~A jurisdiction is able to set requirements on storage and sales of Low Potency Edibles.~~

Low Potency Edibles shall be sold behind a counter, and stored in a locked case.

Section 7 Use in Public Places

~~No person shall use cannabis flower, cannabis products, lower potency hemp edibles, or hemp derived consumer products in a public place or a place of public accommodation unless the premises is an establishment or an event licensed to permit on-site consumption of adult use.~~

SECTION . SUMMARY

The following official summary of Ordinance #24-TBA has been approved by the City Council of the City of Ramsey as clearly informing the public of the intent and effect of the Ordinance:

Chapter 26, Article XX is hereby created in order to comply with the requirements of State Statues 342 regulating cannabis licensing.

SECTION . EFFECTIVE DATE

This ordinance becomes effective 30 days after its passage and publication, subject to City Charter Section 5.04.

PASSED by the City Council of the City of Ramsey, Minnesota the X day of X, 2024.

Mayor

ATTEST:

City Clerk

CC Work Session**Meeting Date:** 09/24/2024**Primary Strategic Plan Initiative:** Create a positive image for residential neighborhoods, business districts and key corridors.**Information****Title:**

Continue Discussion of Rental Housing Inspections Program License Fees

Purpose/Background:

At the August 27, 2024 City Council work session, the Council discussed background checks and rental license fees. Staff recommends the continued discussion of the rental license fees.

Rental Housing Inspector Dana Verbeek has completed a great number of rental inspections. Typical inspection times are dependent on the size and are as follows:

Single-Family homes: 30–60 minutes

Townhomes: 20-30 minutes

Apartments: 10 - 15 minutes. A recent inspection of Greenway Terrace (54 units) took five (5) hours; an average of 6 minutes per unit.

Fees

There are options to reduce the annual license fees, depending on the City Council's discussion of requiring fees to cover the program or to provide assistance to the program. As stated in the work session report from August 27, 2024, if the annual fee is reduced to \$300 per year, the total fees collected equate to \$171,210 annually. If the licensee chooses to participate in the Crime-Free Housing Program, the fee could be reduced by 10% for phase II (\$270 each year) or reduced by 25% for phase III participation (\$225 each year). If each licensee chooses to participate in phase III, the total fees collected equate to approximately \$132,135 annually. At the August 27 work session, Councilmember Howell made a suggestion to change the license fees to \$125 per unit. For example, Greenway Terrace Apartments (54 units) would be charged an annual fee of \$6,750. This equates to a five (5) hour hourly inspection fee of \$1,350. A single-family home would be charged an annual fee of \$125; an hour of inspection equates to an hourly inspection fee of \$125.

Attorney Knaak has legal concerns about the proposed significant increase of license fees for multi-tenant buildings. There are general legal perimeters that need to be followed to protect the City from potential lawsuits. The general rule that has been held up by the courts in Minnesota is that the amount of any license or administrative fee must relate to the actual cost of providing that service by the city. In setting license fees, the city should not view the licensing as a significant source of revenue. The license fees must approximate the direct and indirect costs associated with issuing the license and policing the licensed activities, and license fees that significantly exceed these costs are considered unauthorized taxes. Therefore, from a legal standpoint, it is not advisable for a multi-tenant building license fee to produce a substantial revenue beyond the actual cost of issuing the license, inspection and administrative costs associated with the particular license. In the Greenway Terrace example above, an hourly inspection rate equates to \$1,350, whereas a single family home hourly inspection rate equates to \$125. Inspection times for an apartment unit are significantly lower than that of a single-family home.

If City Council wants to reduce the annual license fee while still fully funding the rental inspections program, staff suggests reducing the annual fee between \$225 - \$270 and continuing to collect \$15 per apartment unit.

In addition, staff suggests the City Council begin to review the code for possible amendments at a future work

session. Some staff suggestions to amend include the following:

1. Eliminate the conversion fee;
2. Eliminate the requirement of mandatory attendance of 12 informational meetings per year;
3. After the initial inspection of the unit and property with which the property is brought into compliance, conduct inspections every other year;
4. Eliminate the Crime-Free Housing phasing plan;
5. Instead of renewal dates of January 1, split the renewals; half in January and half in June

Notification:

Not applicable

Time Frame/Observations/Alternatives:

Program is funded through rental license fees

Funding Source:

Community Development Department - Planning Division

Recommendation:

Discuss and provide direction to staff in terms of rental license fees. Staff also suggests discussing potential code amendments to the code at a future work session.

Outcome/Action:

Based on discussion.

Attachments

2024 Rental License Fees

082724 Work Session Minutes

Form Review

Inbox

Brian Hagen

Form Started By: Stephanie Hanson

Final Approval Date: 09/19/2024

Reviewed By

Brian Hagen

Date

09/19/2024 12:34 PM

Started On: 09/13/2024 09:25 AM

SERVICE OR LICENSE	SPECIAL NOTES	2024 Adopted
Subsequent Site Evaluations		45.00/visit
Fire Service Fee:		
Disaster Assistance		300.00/hr. per truck
Ordinance Violations		300.00/hr.
Victim Service Fee		300.00/hr. per truck
Letter of Good Standing		10.00
Photo CD		20.00/cd
Photo/Electrical Transfers		10.00/transmission
Photo Reprints		5.00 min chg + 1.00/print
Vehicle Lockout		20.00
Vehicle Storage		10.00/day
Reimbursements		
Mileage/personal vehicle (IRS allowable rate)	Always follow IRS adopted rate	.655/mile
Residential Rental License/Reinspection Fees/Crime-Free Housing Program Violations		
Residential Rental License - multi family	1-Year License/Renewal	600.00/building + 15.00/unit
Residential Rental License - single family/Townhome	1-Year License/Renewal	400.00/unit
Reinspections Fee		150.00 per inspection
Background Check for New Management Company		50.00
Late Fee for Rental License Renewal		100.00
Crime-Free Housing Program Penalties for Violations		
1st Violation		
Phase 1 Participant		500.00
Phase 2 Participant		250.00
Phase 3 Participant		75.00
2nd Violation within 12 months		
Phase 1 Participant		750.00
Phase 2 Participant		500.00
Phase 3 Participant		250.00
3rd and subsequent Violation within 12 months		
Phase 1 Participant		1000.00
Phase 2 Participant		750.00
Phase 3 Participant		500.00
Reinstatement Fee		500.00
Conversion Fee		500.00
Right-of-Way		
Permit Fee - Boring/Open Trench		95.00+15.00/Driveway, 20.00/Road Closing + \$10,000 Bond per mile
Boulevard Tree Replacement		950.00/Tree
Permit Fee - Overhead		95.00+.05/linear foot
Street and Traffic Charges		
Developer contribution:		
street and/or traffic signs (each)	City Installed	265.00
Bituminous Paving/Patching		38.00/sq yard
Culverts		Price + Tax

Councilmember Riley asked if department heads are included in pay equity.

Administrative Services Director Lasher said yes.

Councilmember Musgrove shared that she works with people who own businesses and work hard but do not get paid some of the time based on the market. She asked if they did not go with a market rate adjustment for all department heads, would they get in trouble with the State.

Administrative Services Director Lasher explained that she would have to login and create a sample report to see if they would pass. She shared that in the past, they have passed, but not by a whole lot.

Mayor Kuzma suggested they still give the COLA and market rate adjustment to all Staff and move on to find other ways to save money.

The consensus of the Council was not in support of the proposed 9.8% increase and to direct Staff to look at current fund balances to see if any could be used to fund an interfund loan for the firetruck payment to get the increase down to 8.3%.

2.02: Rental Housing License Fees Discussion

Community Development Director Hanson reviewed the Staff report concerning the rental housing license fees.

Councilmember Musgrove asked if the City would be able to make their own policy for requiring background checks. She asked how this would work if the owner of the property is also the property manager.

Councilmember Howell shared that she did some research into crimes committed by landlords against their renters and she found more crimes committed by renters against their landlords than were found vice versa. She added that the State statute covers harassment and a lot of the items covered under this section could be things that are done stupidly when someone is young, and it would later prevent them from owning a rental property. She said she does not support requiring a background check on a landlord property owner.

Mayor Kuzma asked how many complaints they have received about the new rental licensing process.

Community Development Director Hanson said they have received a handful of complaints. She noted that they have also been receiving a lot of thanks from landlords after the City has found things during inspections.

Police Chief Katers shared that he processes 500 firearm permits a year and he typically denies around ten out of 500 applications. He explained he has denied only one of the 300 rental licenses.

Councilmember Woestehoff asked if the one that was denied was a property owner or manager.

Police Chief Katers said this one was a unique situation. He noted that a majority of the licenses are for a landlord who also manages the property.

Councilmember Specht shared that he supports only doing background checks for what State law requires.

Councilmember Musgrove asked if the background checks are done annually or just one time.

Community Development Director Hanson said it is a one time background check when they get their license.

Councilmember Musgrove asked if the person the background check is being done on automatically gets a copy of the report when it is completed.

Community Development Director Hanson said no.

Police Chief Katers shared that they run the information through the Bureau of Criminal Apprehension, and this is very restrictive information. He added that they can share with the individual whether they passed or failed and if they failed, he can give insight as to why.

Councilmember Howell asked if they run the same background checks on all City employees who will be entering the rental properties.

Administrative Services Director Lasher explained that they run background checks on all City employees with the exception of seasonal workers.

City Attorney Knaak explained that the State requirements are separate from the renewal regulations.

Councilmember Specht asked if they would be getting background checks twice, once through the State and once through the City.

City Attorney Knaak said they would only be doing it once.

Councilmember Riley asked if the rental license application asks for information on the property managers.

Community Development Director Hanson said yes.

Councilmember Olson asked if there is a cost to the City to run the background checks.

Police Chief Katers said no and that it only requires Staff time. He explained that the owners are required to run a background check on their property owners, so this is just to save them this step.

Community Development Director Hanson reviewed the rental licensing fees.

City Administrator Hagen shared that they have a full-time Rental Housing Inspector, and the Planning Administrative Assistant will be helping with this program. He added that the Police and Fire Departments will also assist with the program. He shared that the money they will bring in with licensing fees should cover the Community Development Staff time.

Councilmember Musgrove noted that there is a large disparity between what they will bring in for licensing fees for single-family homes versus apartment buildings. She said this program will be running on the backs of the individual, small property owners. She suggested lowering the licensing fee and increasing the per unit fee to make up some of the difference. She stated that it is unrealistic to have this entire program fund itself. She said she does not think they are charging the apartments too much and they are charging the single-family owners too much.

Community Development Director Hanson shared that their \$15 per apartment unit is quite a bit lower than most other cities in the area.

Councilmember Riley asked how they landed on the \$15 per unit cost.

Community Development Director Hanson said this was something that they had discussed with the Council.

Councilmember Howell shared that she was shocked when she saw these numbers as the apartments are essentially being discounted and they are putting the cost of this program on the backs of a third of the City's rental properties. She explained that she has come up with a solution to not bringing in enough revenue and it would be to charge \$125 a unit across the board regardless of whether or not it was a single-family home or an apartment. She said this would move them away from the tiered program and would be fair to everyone in the community.

Councilmember Woestehoff stated that part of the reason why they did the \$15 per apartment unit was because the cost for the whole apartment building was significantly higher. He said he is not opposed to Councilmember Howell's suggestion.

Councilmember Howell said if the landlords had to pass this cost down to the tenants it would increase rent by around \$10 per month which she finds to be much more affordable than the kind of increase the single-family homes are currently seeing.

Community Development Director Hanson asked if Councilmember Howell's plan includes any application fees or if it would just be \$125 per unit.

Councilmember Howell said she would just suggest the flat \$125 rate for all units with no application fee.

Planning Manager Larson shared that they should keep in mind the length of the inspection. He explained that a single-family home inspection will take 45 minutes to an hour and an apartment

unit inspection will only take 10 to 15 minutes. He added that they are also having issues with the outdoor spaces for single-family homes which would not affect an apartment unit.

Councilmember Howell said the solution to this would be tied to violations and having a definitive scale.

RECESS AND RECONVENE

The meeting recessed at 6:55 p.m.

The meeting reconvened at 8:25 p.m.

2.02: Rental Housing License Fees Discussion (continued)

Mayor Kuzma asked if they would have to hold off on implementing any changes to the program until January 1, 2025.

Community Development Director Hanson explained that they can update the 2025 fee and rate schedule to reflect these fees. She said if they amended this now she is not sure if they would be able to allow rebates.

City Administrator Hagen said it would be the smoothest transition to change the fee schedule for 2025 and leave everything as is for the rest of 2024.

Councilmember Woestehoff asked when the Council typically sets rates and fees for the following year.

City Administrator Hagen said they typically try to get these adopted by the end of November and would include a public hearing.

Councilmember Riley said he would like to think of something that acknowledges the fact that more inspection time is needed for single-family homes while also charging the apartment units more.

Councilmember Specht asked how many units are in their average apartment buildings.

City Administrator Hagen said that some of the buildings have up to 200 to 300.

Councilmember Specht said if they do change the fee schedule now they could look at the rebates as future credits to future fees.

Councilmember Musgrove shared that it would be nice to have somewhere in the Code what is expected to be inspected so the tenant and the landlord know what the inspectors will be looking at.

Community Development Director Hanson explained that the Fire Department is only inspecting the common areas in the apartments, and they do not do anything with single-family homes. She

reiterated that the single-family home inspections take a lot more time because they are looking at water-heaters, air conditioners, and other appliances. She added that a lot of the single-family homes also have basements that need to be inspected. She explained that the inspectors have a checklist of everything they need to look at. She added that they are also finding a lot more violations in the single-family homes.

Councilmember Howell said she does not have a problem with the fee being the same for single-family homes and apartment units.

Councilmember Olson suggested that it could be most fair if they tie the fee to square footage rather than a per unit cost.

Community Development Director Hanson noted that a lot of the time, a smaller home will take up more time on an inspection than a larger home.

Councilmember Musgrove asked if they need to be doing an in-depth inspection on systems that are good for multiple years.

Community Development Director Hanson said they are inspecting all of these systems at every inspection, which is common practice. She explained that with the tiered inspection program they will not be going into units every year anyway. She said they are doing inspections in all units this year since it is a new program.

Councilmember Howell asked if there is a way to reverse the tiers on the program so the inspections are done every two years with more inspections needed at properties with issues.

Community Development Director Hanson said yes and explained that they can bring back the ordinance and make changes as the Council sees fit.

Mayor Kuzma noted that they will be able to see throughout the year what the true costs are that will be associated with this program.

Councilmember Howell said there seem to be enough issues with the program that they need to reevaluate.

Councilmember Musgrove suggested getting rid of the conversion fee.

Community Development Director Hanson explained that the conversion fee is something that all other cities have. She noted this is not something they need to have; they were just following suit with other cities' programs.

The consensus of the Council was to direct Staff to amend the background check requirements to only require them for property managers per State law and to further review the ordinance to make changes to the fee schedule.

CC Work Session**Meeting Date:** 09/24/2024**Primary Strategic Plan Initiative:** Create a positive image for residential neighborhoods, business districts and key corridors.**Information****Title:**

Code Enforcement Program Discussion

Purpose/Background:

Councilmember Specht and Councilmember Howell requested to discuss the program at a City Council work session.

The current program is complaint-based. Once a complaint is filed with the Code Enforcement Officer (CEO), the property is then inspected for noncompliance and the following procedures take place:

1. If there are no issues found, the case is closed. If issue(s) are found, the CEO will try to make contact by knocking on the door or making a phone call. If contact is made, the goal is for the CEO to establish a professional relationship with the person in hopes of solving the noncompliant issue with a verbal agreement rather than sending a noncompliant letter.
2. If contact is not made, a noncompliant letter is either posted on the door or sent with a two-week to 30-day deadline to bring the property into compliance (depending on the issue). More times than not, the person will contact the CEO; at which point, the CEO and the person will work together to remedy the situation. This is typically done with an extended deadline. At this point, approximately 90% of properties are brought into compliance or have made contact with the CEO to work out a correction plan.
3. If the person fails to meet the deadline and has not made contact with the CEO, a second violation letter is sent with a two (2) week deadline to bring the property into compliance. The individual also receives the appeal process.
4. If the person fails to make contact with the CEO to work on an extension, an administrative penalty may be issued at this point. Since June 2022, approximately 73 administrative penalties have been issued. Of the 73 issued, 39 have been voided because the property was brought into compliance, 19 were paid and the property was brought into compliance, 10 have been invoiced (sent to Finance for possible assessment) and the remaining 5 are working with the CEO to bring the properties into compliance.

The Ramsey CEO found that more properties are brought into compliance when one-on-one contact is made with the property owner, instead of sending a noncompliant letter from the get-go. Compliance times range from immediately to months; each situation is different, and the CEO works closely with the property owner to come up with a plan that works for them and makes every effort to solve the issue(s) without sending a letter. The CEO has made many positive and professional relationships with the citizens of Ramsey working from this angle. There are many examples in which the CEO has assisted individuals to ease the process by getting them in contact with Veterans Affairs, Anoka County Social Services, Anoka County Adult Protection, Habitat for Humanity, Chores and More, Care Resource Connection, providing housing resource information to an un-housed population, etc. Again, noncompliant letters are sent when the CEO cannot make contact with the individual or in instances where no progress is being made to bring the property into compliance.

As for other municipalities and in my experience, the Ramsey procedure is common practice, minus the step of making contact with the individual rather than sending a letter. The typical timeframe of bringing a property into compliance and/or administering a citation in other municipalities is quite shorter. In my opinion, this is because

the Ramsey CEO's goal is to work directly with the individual rather than issuing non-compliant letters. From September 2023 through today, there have been 440 violations recorded. Of these, 293 violations remain open and are in the following process: Verbal: 54, First Letter: 60, Second Letter: 11 and Administrative Penalty: 26.

It should be noted that our code enforcement program has evolved in recent years. Early 2022 and prior multiple staff were conducting code enforcement measures, along with City Planner duties. Since then we have had a dedicated staff person to handle complaints. When a complaint comes in and a violation is addressed, it is common for the violating property to submit complaints against several more properties within the neighborhood. To ease frustration, it is common for code enforcement to inspect surrounding properties that are near the actual property on which the complaint was filed against. Earlier in 2024, City Council expressed concern that this was going beyond being a true complaint based code enforcement program. Therefore, that practice has ceased. Today, only properties who receive a complaint are inspected and not a broader approach.

Due to time constraints, staff was only able to contact Andover, Blaine, Anoka and Coon Rapids to discuss the code enforcement programs. Each of the city's has a similar code enforcement program. Andover and Blaine responded. Information includes:

Andover

1. Code enforcement is the duty of the Associate Planner
2. This past year, there were 259 noncompliant letters sent, 238 properties have been brought into compliance, 8 citations have been issued. The compliance rate is 95.8%

Blaine

1. Neighborhood Services Specialist
2. In 2023 1,015 noncompliant letters were sent, 100 resulted in final notices, 20 abatement notices, and 6 formal complaints were filed with Anoka County. Compliance rate is 99%.

Coon Rapids

1. Property Maintenance Coordinator
2. In the past year, 1,573 Courtesy Notices were issued and 720 administrative citations. They have about 75% compliance rate on courtesy notices and 80% compliance rate on administrative citations. In 2023, the program changed; administrative citations used to be issued immediately. The program changed to first issue a courtesy notice and then follow up with a citation if the property is not brought into compliance.

More recently, city's are beginning to change the title of the code enforcement officer and the program. This is something the city staff and the CEO have discussed this past year in hopes to lessen the anxiety that may arise when residents receive notice from the "Code Enforcement Officer". The position is more geared towards property maintenance education of the zoning code. There are times when residents confuse the CEO for an actual Police Officer because of the word "Officer" in the job title. Staff recommends discussing the naming of the program and the job title of the CEO.

Time Frame/Observations/Alternatives:

Code Enforcement Program is funded through the general fund and is part of the Community Development Department/Planning Division

Funding Source:

Community Development Department

Recommendation:

Discussion of the current code enforcement program.

Outcome/Action:

TBD based on discussion and direction provided by City Council.

Attachments

No file(s) attached.

Form Review

Inbox	Reviewed By	Date
Brian Hagen	Stephanie Hanson	09/18/2024 10:43 AM
Brian Hagen	Brian Hagen	09/19/2024 11:11 AM
Form Started By: Stephanie Hanson		Started On: 09/13/2024 09:18 AM
Final Approval Date: 09/19/2024		

CC Work Session**Meeting Date:** 09/24/2024**Primary Strategic Plan Initiative:** Not Applicable**Information****Title:**

Police Chief Recruitment Plan

Purpose/Background:

The purpose of this case is to provide the City Council with information related to Chief Jeff Katers' upcoming retirement, to provide staff insight on the pending recruitment, and to seek direction on filling the position.

Retirement

As the City Council is aware, after over 24 years of service, Jeff Katers has submitted a letter of retirement dated September 23, 2024. In the letter, Chief Katers' stated that his last day of employment with the City of Ramsey will be November 18, 2024. Chief Katers' announcement has a significant impact on the City. Staff are committed to filling this position with the best possible candidate, a candidate that demonstrates the qualities necessary to meet the City's mission, core values, and guiding principles as identified in the adopted Strategic Plan.

Survey/Assessment

Staff plans to conduct an internal survey with the Police Department, the management team, and possibly the City Council - if so directed. This survey will be seeking feedback regarding what qualities would be most important in the City's next Chief of Police. One or more finalists for the Police Chief position will participate in an extensive leadership assessment.

Recruitment

Two options exist to complete the recruitment for Ramsey's next Police Chief. The city could use an internal recruitment process to hire/promote from within the organization. This is done when it is believed there are both interested and qualified candidates. An internal recruitment does shorten the timeline to fill the position. The second option is an external recruitment as well. If this is desired or warranted, the timeline would be extended due to the need to prepare position advertisements, scheduling multiple rounds of interviews and additional background check processes.

Interview Panel

Regardless of whether an internal or external recruitment is conducted, staff will be looking for recommendations for panel members to participate in the interview process. Due to the critical nature of this position, the full Council may choose to participate in the final interview(s). Panel members may also be from outside the community (e.g., a Police Chief from a neighboring city).

Timeline / Start date

If the City Council approves an internal promotional process, staff anticipates having a case to hire an individual on the November 12, 2024, regular meeting. If approved, this timeline would eliminate the need to assign an Interim Police Chief.

Draft Timeline

Begin recruitment period internally - September 27
 Close recruitment - October 11
 Conduct survey - October 4 - 18
 Leadership assessment - Week of October 21
 Conduct interview(s) - Week of October 28
 City Council Case - November 12
 Start date - November 19

Position Qualifications

The Police Chief position requires the following minimum qualifications: Seven years of proven experience in a law enforcement agency and as a patrol officer and at least three years of formal supervisory experience and training of uniformed officers. Must be licensed as a police officer in the State of Minnesota or able to obtain a license upon hire. Desirable Qualifications include:

A bachelor's degree from an accredited college or university with coursework on criminal justice, political science or related field. Completion of advanced management training such as the FBI National Academy, NW Traffic or Southern Police Institute is desired.

Promotional Process / External Recruitment

As a result of mindful succession planning within the Department, there are several internal candidates that meet the requirements and qualifications of the position. It is staff's recommendation to conduct an internal promotional process limited to City of Ramsey sworn officers. In the unlikely event that a new Police Chief is not secured through this process, an external recruitment can be conducted. If the City is successful in promoting a new Police Chief, additional promotional opportunities within the department will be created. Any trickle down to the Patrol Officer level will be added to the current recruitment.

Funding Source:

Not applicable.

Recommendation:

Staff recommends the following:

- Conducting an internal promotional process to fill the pending vacancy
- Determine if members of the City Council wish to be included in the Police Chief survey
- Identify any or all of the City Council members wishing to participate in the interview process
- Direct staff to secure a neighboring police chief to serve on the interview panel

Outcome/Action:

The intended outcome of this work-session is to provide staff, by consensus, direction as to how to proceed with the above stated recommendations, or to propose an alternative approach.

Attachments

No file(s) attached.

Form Review

Inbox

Brian Hagen

Form Started By: Colleen Lasher

Final Approval Date: 09/24/2024

Reviewed By

Brian Hagen

Date

09/24/2024 12:33 PM

Started On: 09/24/2024 08:33 AM

Meeting Date: 09/24/2024

Information

Title:

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

Purpose/Background:

The purpose of this discussion is to provide the City Council with an update on negotiations and to receive direction in order to move ahead with each group.

Per Minnesota Statutes 13D.03, which states: "The governing body of a public employer may, by a majority vote in a public meeting, decide to hold a closed meeting to consider strategy for labor negotiations, including negotiation strategies or developments or discussion and review of labor negotiation proposals, conducted pursuant to sections [179A.01](#) to [179A.25](#)" staff is requesting that the City Council go into closed session to discuss the City's labor negotiations strategy for its four union contracts. All four contracts are set to expire on December 31, 2024.

Timeframe:

Up to 20 minutes.

Funding Source:

Not applicable at this time.

Responsible Party(ies):

Colleen Lasher, Administrative Services Director

Outcome:

For the City Council to provide staff with direction regarding how to proceed contract negotiations.

Attachments

Statute 13D.03

Form Review

Inbox

Brian Hagen

Form Started By: Colleen Lasher

Final Approval Date: 09/19/2024

Reviewed By

Brian Hagen

Date

09/19/2024 12:20 PM

Started On: 09/10/2024 12:40 PM

13D.03 CLOSED MEETINGS FOR LABOR NEGOTIATIONS STRATEGY.

Subdivision 1. **Procedure.** (a) Section 13D.01, subdivisions 1, 2, 4, 5, and section 13D.02 do not apply to a meeting held pursuant to the procedure in this section.

(b) The governing body of a public employer may by a majority vote in a public meeting decide to hold a closed meeting to consider strategy for labor negotiations, including negotiation strategies or developments or discussion and review of labor negotiation proposals, conducted pursuant to sections 179A.01 to 179A.25.

(c) The time of commencement and place of the closed meeting shall be announced at the public meeting.

(d) A written roll of members and all other persons present at the closed meeting shall be made available to the public after the closed meeting.

Subd. 2. **Meeting must be recorded.** (a) The proceedings of a closed meeting to discuss negotiation strategies shall be tape-recorded at the expense of the governing body.

(b) The recording shall be preserved for two years after the contract is signed and shall be made available to the public after all labor contracts are signed by the governing body for the current budget period.

Subd. 3. **If violation claimed.** (a) If an action is brought claiming that public business other than discussions of labor negotiation strategies or developments or discussion and review of labor negotiation proposals was transacted at a closed meeting held pursuant to this section during the time when the tape is not available to the public, the court shall review the recording of the meeting in camera.

(b) If the court finds that this section was not violated, the action shall be dismissed and the recording shall be sealed and preserved in the records of the court until otherwise made available to the public pursuant to this section.

(c) If the court finds that this section was violated, the recording may be introduced at trial in its entirety subject to any protective orders as requested by either party and deemed appropriate by the court.

History: 1957 c 773 s 1; 1967 c 462 s 1; 1973 c 123 art 5 s 7; 1973 c 654 s 15; 1973 c 680 s 1,3; 1975 c 271 s 6; 1981 c 174 s 1; 1983 c 137 s 1; 1983 c 274 s 18; 1984 c 462 s 27; 1987 c 313 s 1; 1990 c 550 s 2,3; 1991 c 292 art 8 s 12; 1991 c 319 s 22; 1994 c 618 art 1 s 39; 1997 c 154 s 2

CC Work Session

Meeting Date: 09/24/2024

Primary Strategic Plan Initiative: Enhance City’s communication through transparency and accountability.

Information

Title:

Review Future Topics/Calendar

Purpose/Background:

Attached is the current list of future topics for work session discussions. Items are drawn from Council requests at meetings, or are related to topics that have been identified in the City's strategic plan. Tentative dates have been assigned.

Recommendation:

For Council review - no formal action necessary.

Outcome/Action:

Attachments

Future Topics List

Form Review

Inbox

Brian Hagen

Form Started By: Katie Schmidt

Final Approval Date: 09/19/2024

Reviewed By

Brian Hagen

Date

09/19/2024 12:50 PM

Started On: 09/18/2024 10:01 AM

Row #		<u><i>Tentative City Council Future Work Session Topics</i></u>	
	Proposed Date	Topic	Minutes (Estimate)
	2024		
	Oct 8	Draft Trail Maintenance Policy – Riverblood	30
	Oct 8	Draft Stormwater Pond Maintenance Policy – Westby	30
	Oct 8	LRRWMO JPA Amendments	
	Oct 22	Fund Balance Policy	
	Oct 22	CIP 2025-2034	
	Oct 22	Rates and Fees	
	Oct 22	Final Budget	
	Oct 22	Lodging Tax Discussion	
	Oct 22	Charter Commission Recruitment Update	
	Nov 12	Continue Discussions Regarding Proposed Updates to the Personnel Policy	
	Nov 26	Continue Policy Project Discussion – continue Park Policy discussion – Riverblood	30
	Nov 26	Discuss Elections JPA and Polling Places	
	TBD	Subdivision Code	
	TBD	Hwy 10 Pedestrian Overpass	
	TBD	City Facility Safety Improvements	
	TBD	Review procedure/policy/best practice for introduction of resolutions/proclamations – Staff	20
	TBD	Discuss Council and B/C Remote Meetings Policy - Staff	15
	TBD	Decorum of Council Towards Meeting Attendees	