



Memorandum

To: Mayor Nelson and Members of the City Council

From: Daniel R. Buchholtz, MMC, Administrator, Clerk/Treasurer

Date: November 7, 2022

Subject: City Code Review – Chapters 1 & 3

The Spring Lake Park City Code is in need of updates due to a variety of reasons, including changes in State Law, changes in procedures, and out of date language. Staff has reviewed Chapters 1 and 3 of the City Code and we are ready to present the proposed changes to the City Council for its review.

- Section 1.04.010 is updated to express how we now reference the City Code throughout the book as a result of last year's codification.
- Section 1.04.020 is updated to add clarification of and/or conjunction to add flexibility in interpretation of the Code.
- Updated definition of PERSON in the definition section (Section 1.04.050)
- Section 1.04.200 is updated to bring language into conformance with State Law.
- Updated Section 3.04.010 to further define special meetings and add language relating to emergency meetings, update language regarding the minutes as the official record of the city, update order of business on the City Council agenda to match current practice, and updated committees and appointments to match current assignments.
- Section 3.04.030 is updated the change reference to Public Examiner to Office of the State Auditor.
- Repealed Section 3.08.030 of the City Code related to the International Code Board of Appeals. The City Council never established the Board. The City has not had an appeal of a determination made by the Building Official since this language was adopted. Staff proposes referring any appeals to the State's Board of Appeals instead.
- Updated Section 3.12.030 to match current practice as the Emergency Management Director is currently co-held by the Police Chief and the Fire Chief.
- Repealed Section 3.16.010 regarding voter registration as this topic is addressed under M.S. § 201 and M.R. Ch. 8200.
- Updated Section 3.16.020 to match current practice and align process with State Law.
- Repealed Section 3.16.040 regarding Employment Background Checks and replaced with updated language to authorize background information for employment and applicants for City licenses.
- Updated Section 3.16.050 to permit flexibility for the Recreation Department to choose to include credit card processing fees as part of the recreation program fee or as a separate convenience fee.

- Updated Section 3.20.010 to bring the City Code into conformance with current practice of hiring an outside person to serve as the Hearing Officer for administrative penalty appeals. Under current code, hearing officer responsibilities are delegated to the Administrator, Clerk/Treasurer. The current arrangement creates an inherent conflict of interest as the Administrative Offense process is under the direction of the Administrator, Clerk/Treasurer.
- Repeals Section 3.20.020(A) as this is addressed with the appointment of an outside person to serve as the hearing officer.
- Repeal Section 3.24 as they are no longer necessary.
- Repeal Section 11.52 as this was now included in Section 3.16.040 of the City Code.

Staff looks forward to discussing the following changes with the City Council at its November 14 work session.

If you have any questions regarding the proposed changes, please don't hesitate to contact me at 763-784-6491.