

REQUEST FOR COUNCIL ACTION

Date: April 11, 2016
Item No.: 11.b

Department Approval

City Manager Approval



Item Description: Consider Amendments to Chapter 201, Advisory Commissions; Chapter 205, Human Rights Commission; and Chapter 207 Ethics Commission of the Roseville City Code

BACKGROUND

On February 8, 2016, the City Council discussed modifying the scope, duties, and functions of the Human Rights Commission and having other advisory commission members serving as members of the Ethics Commission. Staff has prepared these amendments to the City Code making these changes for City Council consideration. Staff has also determined that another part of the Uniform Commission Code regarding the calling of special commission meetings should be reviewed for a possible amendment. The minutes for the February 8 meeting can be found as 'Attachment A.' At the March 28 meeting, the City Council requested that some minor edits be made to the proposed amendments and brought back for final consideration.

Advisory Commissions (Chapter 201)

Based on the proposed changes to Chapter 207 regarding the Ethics Commission, staff is proposing to add language to 201.06 that states that each advisory commission shall annually appoint one member to serve on the Ethics Commission. The City Council suggested that this requirement be put in Section 201.06 (A) and that change has been made. Additionally, as a result of looking at the need to potentially hold a special meeting of the Planning Commission and determining there is not an ability to call for a special commission meeting between regular meetings, staff is proposing adding language allowing the commission chair or the City Manager to call for a special commission meeting with the approval of both parties. This would give the flexibility for commissions to call for a special meeting to deal with urgent issues. This is especially relevant to the Planning Commission when dealing with time sensitive land use issues.

Human Rights Commission (Chapter 205)

At the February 8 meeting, the City Council made some suggestions for changes to the Human Rights Commission scope, duties, and functions. The Human Rights Commission met on February 17 and recommend approval of the changes suggested by the City Council. At the March 28 meeting, the City Council inquired whether the phrase "the affairs of this community" was intended to be removed. In checking with the Chair of the HRC and staff, it was determined that this language was inadvertently stricken and should be included back into the code. The changes are reflected in Chapter 205 of Attachment B.

29 Ethics Commission (Chapter 207)
30 At the February 8 meeting, the City Council reviewed the proposed amendment to the Chapter 207
31 regarding the membership of the Ethics Commission. The City Council directed staff to amend the
32 ordinance to state that the Ethics Commission shall be comprised of one member from each existing
33 advisory commission and have an annual meeting of its members and other otherwise meet as needed or
34 when an ethics complaint is filed. On March 28, a minor grammatical change was requested by the City
35 Council in Chapter 207.01 (replacing “all other” with “each”). This change is reflected in Chapter 207
36 of Attachment B.

37 **FINANCIAL IMPLICATIONS**
38 None

39 **STAFF RECOMMENDATION**

40 Staff recommends that the City Council adopt an ordinance amending Chapters 201, 205 and 207 of the
41 Roseville City Code.

42 **REQUESTED COUNCIL ACTION**

43 Motion to adopt an ordinance amending Chapters 201, 205 and 207 of the Roseville City Code.

44 -and-

45 Motion to adopt summary ordinance
46
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Attachment A: February 8, 2016 City Council Minutes

Attachment B: Ordinance amending Chapters 201, 205, and 207-redlined copy

Attachment C: Ordinance amending Chapters 201, 205, and 207-clean copy

Attachment D: Summary Ordinance

the FBI Director at the 262nd graduation of the FBI National Academy. Lt. Scheider opined that her attendance would be of benefit to her, her colleagues, and the citizens of Roseville.

Mayor Roe congratulated Lt. Scheider, noting that her accomplishments had now raised the city's expectations of her, which may be an unintended consequence of her attendance. However, Mayor Roe noted the City of Roseville and City Council's pride in Lt. Scheider's work; and thanked her for that and her service to the community.

Councilmembers concurred with Mayor Roe.

b. Discussion with Various Commissions (Community Engagement, Human Rights and Ethics Commission)

At the request of Mayor Roe, City Manager Trudgeon referenced recent conversations late last fall (Attachment A) when the City Council directed the Human Rights Commission (HRC) and Community Engagement Commission (CEC) to review the scope and functions found in their specific city code commission chapters and make recommendations of any changes they considered applicable. As part of a broader discussion, City Manager Trudgeon reported that the City Council discussed the current Ethics Commission and whether or not it should be looked at differently going forward.

City Manager Trudgeon noted that Chair Wayne Groff of the HRC and Chair Scot Becker of the CEC were in attendance tonight, as well as Norine Quick-Lindberg representing the Ethics Commission; and invited them to briefly speak to their recommendations.

Chair Wayne Groff, HRC

Chair Groff reviewed the HRC projects projected in 2016, including the Naturalization Ceremony swearing in new residents and sponsored by the HRC; the annual Essay Contest, reporting the much better response of students this year (tripling to over 130 applicants), based on the hard work of former HRC Commissioner Bachhuber and Commissioner Christianson who worked directly with teachers at the school to phrase this year's question with school curriculum. While this means a lot of work for HRC Commissioners, Chair Groff stated that he anticipates a good contest this year and anticipated presenting winners to the City Council in May.

Chair Groff noted the HRC's excitement to have a presence in the Rosefest Parade this year; and looked forward to the appointment of three new commissioners to serve soon and hearing their ideas.

As noted in the packet materials, Chair Groff referenced the HRC's review of Chapter 205 related to the HRC and noted minor questions or suggested revisions.

Chair Groff noted the HRC's interest in participating in the City Council's efforts as outlined in their strategic planning document (PPP) focusing on SE Roseville.

Mayor Roe thanked Chair Groff for his comments; and noted that much of the draft HRC ordinance language remained from the 1960's and its initial establishment; and expressed his appreciation for their review and suggestions.

Councilmember McGehee questioned the HRC's interest in bringing up ethnic days as part of the Rosefest parade or at different times of the year, such as recent activities at the Central Park band shell as an example. While unsure of the role of the HRC in promoting those ethnic events, Councilmember McGehee expressed the interest of the City Council to bring some of those groups forward to share their culture with the community, and of considerable interest to her. Councilmember McGehee expressed her appreciation for what the HRC had done to-date, not just in terms of their general scope of diversity, but also recognizing mental illness, physical handicaps, and accessibility to city facilities and amenities, representing a broader mission than human rights. Based on comments made earlier tonight during public comment related to a city complaint process, Councilmember McGehee suggested the HRC may be able to work with the Ethics Commission to look into such a process.

Councilmember Etten also expressed his appreciation for the work of the HRC in redefining its scope and defining itself from the CEC. Councilmember Etten further expressed appreciation for the strong programs they facilitated and reaching into the schools and revising the annual Essay Contest to coordinate with student curriculum and the positive results in getting more students involved.

Referencing the HRC's highlighting of their Scope, Duties and Function, Section 205.02, Item B of Chapter 205 and uncertainty about the intent of a "human relations project," Councilmember Etten expressed his confusion as well about what that statement meant or whether the HRC should be doing that or whether it was meaningful to the commission code without further definition. Councilmember Etten opined that he found that section superfluous.

Councilmember Laliberte thanked the HRC for their work in updating this chapter, which hadn't been addressed during the broader Uniform Commission Code review, she opined that they had made it a better document. Councilmember Laliberte agreed that the aforementioned Item B should be removed from the HRC scope, duties and function, as it was no longer relevant.

Mayor Roe agreed that he had no interest in retaining that Item in this document.

If the HRC doesn't feel it should be part of their mission, Councilmember McGehee expressed her interest in it being looked at as part of the City Council's ongoing look at SE Roseville, or planning and programming for Parks & Recreation

programs to ensure accessibility to existing or future buildings and facilities. If not belonging under the HRC's scope, Councilmember McGehee suggested it belong by reference somewhere for city staff as part of their process.

Chair Groff offered his agreement in part with Councilmember McGehee specific to "human relations," and opined he thought it covered educational efforts and should refer back to the Americans with Disabilities Act (ADA).

Mayor Roe agreed that a human relations program sounded like a document, and if based on programs and education, it was covered elsewhere allowing for removal of Item B from this chapter to eliminate confusion.

Mayor Roe addressed language highlighted by the HRC under Section 205.02 (third line) related to participation in the affairs of this community by assisting the state department of Human Rights in implementing the Minnesota Human Rights Act. Mayor Roe questioned what form that would take for the Roseville HRC.

Chair Groff advised that the HRC had discussed this section, and suggested it needed further clarification to remove any indication of an enforcement function, but also allowing reference to the State Human Rights Act as the initiation of the Roseville HRC and its promotion and education of those values in Roseville.

Mayor Roe questioned if the language included in the following paragraphs (Items A through F) sufficiently covered other agencies and groups that allowed eliminating the aforementioned language.

Councilmember Willmus opined that by leaving the language within the scope of this chapter, it created an environment of confusion of what the Roseville HRC could actually do, and therefore caused him concern.

Councilmember Laliberte expressed her interest in leaving the language referencing the Minnesota Human Rights Act, and its reference in that paragraph, but instead of saying the Roseville HRC "advised," perhaps state that it "supported" those efforts.

Mayor Roe suggested that the HRC look at that language again and make a recommendation to the City Council.

Councilmember Etten agreed with Councilmember Laliberte's suggestion of the Roseville HRC advocating and supporting the Minnesota Human Rights Act.

Mayor Roe suggested substituting Councilmember Laliberte's language and remove "in implementing" and replace it with "...by assisting the state department of human rights in implementing the Minnesota Human Rights Act by advocating and supporting the Act, and advising the City Council..." Mayor Roe personally

suggested that there be no modifier related to advising the City Council on programs to improve community relations, whether short- or long-range programs, that either should be considered.

Chair Groff advised that he would bring that suggestion back to the HRC at their next meeting.

Mayor Roe echoed the comments of his colleagues on the good work accomplished and being done by the HRC and thanked them for their review of this document. Mayor Roe recognized that it had been stressful for the HRC over the last few months with a shortage of members. Mayor Roe further echoed support to build cultural activities into existing events or into the life of the community; and encouraged the HRC to foster that and make recommendations to the City Council accordingly.

Chair Scot Becker, CEC

Chair Becker briefly summarized the materials (Attachment C) providing the status of 2015 CEC priority projects and an overview of CEC adopted 2016 priority projects proposed. Chair Becker reported that the joint task force of the CEC and Planning Commission to study notification issues and formats, as well as recommendations to the City Council on formation of neighborhood associations was anticipated early in 2016.

In 2016 Priority Projects of the CEC, Mayor Roe noted the third bullet point “expanding city leaning/engagement opportunities,” suggesting the need to discuss with the CEC the line between recommending, advocating, advising and implementing. Mayor Roe opined that the implantation category needed further review of those lines from his perspective, specifically if considerable time was intended to be spent by the CEC in forming a welcome packet and/or implementing a city open house.

Chair Becker advised that he shared those concerns, and part of the CEC’s recommendations to the City Council would be directing reliance on city staff for implementation.

Mayor Roe stated that his personal expectation specifically with starting community visioning work prior to the 2017 comprehensive plan, one thing talked about with the CEC last year and the different categories and spectrum of engagement (e.g. identifying stakeholders and tools for each type of process). Mayor Roe opined that was key in looking at the comprehensive plan update. However, with the *current Imagine Roseville 2025* document being over ten years old and some of its provisions out-of-date based on decisions before the city now, Mayor Roe suggested it may be time to recommend a process to update – not recreate – that community vision as a starting point to initiate the comprehensive plan update. Mayor Roe opined that it would be his goal to have that update, not

an extensive document difficult to use, but as a reference document at which time that related infrastructure work could be tied into other engagement processes (e.g. SE Roseville) and without giving the CEC too much that would prove difficult for it to accomplish in a timely manner.

As a member of the Imagine Roseville 2025 Subcommittee, Councilmember Willmus stated he found the organization of that group overall quite effective and broad, with a number of satellite groups reporting back to the broader steering committee. Councilmember Willmus expressed his interest in retaining that model, but questioned if that effort should be put on the CEC.

Mayor Roe clarified that it was not his intent that the CEC run the process, but simply recommend a process back to the City Council.

Councilmember Willmus suggested the CEC could recommend utilizing the past process and ways to tweak it; and expressed appreciation to Mayor Roe for clarifying his intent. Councilmember Willmus stated that it was his intent to look to the CEC to recommend models used in the past, their areas of success, areas needing revision and ideas to do so; but clarified he was not intending that the CEC become that steering committee nor that he had any intent of mixing those two contexts.

Mayor Roe agreed with the comments of Councilmember Willmus.

Councilmember Laliberte also agreed with those comments; clarifying that the City Council was not asking the CEC to recreate the wheel if good processes were already in place or simply needed tweaking, she would consider that first before working from scratch. Councilmember Laliberte spoke to learning lessons from those past processes and applicable suggestions for employing those strategies in some but not all cases, and why not; and systematically engaging processes in one place but not all.

Councilmember Laliberte expressed her disappointment that the City Council hadn't received the CEC's recommendations on formation of neighborhood associations sooner, and expressed her personal concern in the 2015 CEC status update using words like "assist" and "encourage" when her understanding was that the intent was to create a guide for the process versus pushing neighborhoods to do something they're not motivated to do. Councilmember Laliberte expressed her anticipation of that coming back to the City Council soon.

Chair Becker advised that his estimated timing was conservative and as an individual commissioner hoped to have it ready to handoff sooner, but noted it may be necessary to delay it another month realistically, even though the final document and recommendation to the City Council was very close to being completed. Chair Becker clarified that the CEC was bringing forward a set of recommenda-

tions for the city to assist formation of neighborhood associations, but further clarified that the intent was not for the CEC to take any active role once that handoff to the City Council had been completed.

Councilmember Laliberte stated that she was envisioning a proposed step by step kit for neighborhood organization, such as done for the organized trash hauling effort.

Chair Becker advised that some of that was included in CEC recommendations.

Councilmember Laliberte recognized the CEC's interest in receiving direction related to SE Roseville, admitting that she was also struggling with what had been done, what was being done, and what still needed to be done; whether all stakeholders are plugged in or others remained to be engaged; and how to get to fruition. Councilmember Laliberte stated that she wasn't even aware if the right people were currently working on the issue; and expressed her understanding of the CEC needing to figure out where they fit in.

Specific to a previous City Council directive and 2014 strategy included in the CEC ordinance, Councilmember Laliberte asked that the City's Volunteer Coordinator have touch points with the CEC in areas where volunteer opportunities are available. Councilmember Laliberte opined that the CEC has a better idea of that piece related to volunteerism since it was part of their ordinance language.

As heard earlier tonight during public comment, Councilmember McGehee stated that she was not a big supporter of the CEC and had never been, noting the many problems. While expressing appreciation for the CEC's work on the city website which was vitally needed and had been accomplished, along with the work she anticipated from the notification task force, Councilmember McGehee opined there was little need for a group to work on community engagement and involvement as long as the City Council now had policies in place. Councilmember McGehee noted her ongoing concern in the lack of City Council responsiveness when the public comes forward with issues or concerns; but opined those issues will not be solved by a commission since they were the City Council's concern. During her five-year tenure, Councilmember McGehee noted many requests by large groups of citizens that had not been addressed, while special interests of smaller groups seemed to get quicker responses from the City Council. Councilmember McGehee cautioned that this did not go unnoticed in the community.

Specific to neighborhood associations, Councilmember McGehee opined that coalescence was needed, not a check list; and expressed her confusion as to what happened to the task force and why it was dissolved. Councilmember McGehee further opined that when community visioning is started, if there were any previous problems it was too much was directed by the City Council and their desire for control. Whether vetting of the steering committee or those participating,

Councilmember McGehee stated it would be nice to get something advising what should and should not be done and providing particularly broad direction while establishing a process in place allowing engagement of the public in ways not currently being done. Councilmember McGehee stated she hadn't seen that coming forward from the CEC to-date.

Specific to her perception of the SE Roseville issue, Councilmember McGehee noted lots of stuff going on (e.g. community gardens) with long-term residents living in that area wanting to be involved, and committed to those efforts without the need of an association. Councilmember McGehee opined that there were many natural communities in Roseville and groups continually forming without attempting to put them into some structure.

Specific to involving renters, youth and senior citizens, Councilmember McGehee stated that the Business Retention Program was addressing outreach needs, while she was most interested in involving renters in the process since renters were remaining in the community longer versus their former transient nature. Therefore, Councilmember McGehee opined that it would now be timely to see if there was a way to reach renters to determine their interest in being involved in their community.

As heard earlier tonight about the action or inaction of the City Council, Councilmember McGehee stated her disappointment in the availability of a broader list of jobs for the CEC to undertake; and opined that she didn't support the targeted ideas presented by the CEC. Specific to the neighborhood association bullet point, Councilmember McGehee agreed with the comments of Councilmember Laliberte, opining that she didn't see it.

Chair Becker advised that, while unable to address Councilmember McGehee's five-year tenure and those experiences, he clarified that the task force did not dissolve in July of 2015 nor had their work been in vain. Chair Becker further clarified that remaining members of the task force and citizens-at-large, as well as other participants, were not actively forcing neighborhoods to form associations, but were intent on recommending ways for the City Council to proceed and encourage those groups to form around issues or activities, and represent their potential.

Councilmember Etten opined that the discussion around "assist" and "encourage" formation of Roseville neighborhood associations suggested action, and suggested a better term may be "formulate" new ideas or ways to reach other populations. Councilmember Etten noted another item he supported from the listed CEC strategies was outreach to unrepresented groups, and expressed his interest in seeing more related to that. Councilmember Etten stated his support for the CEC and infrastructure work of community engagement processes; and agreed with their purpose for neighborhood associations in strengthening the community. Councilmember Etten opined this served as a way to bring people together in a positive

versus negative way, and encouraged their formation rather than forcing them, with the model available as a tool for them moving forward.

Councilmember McGehee opined that the Dale Street Project process brought things forward in a positive way, and noted that the city had provided that opportunity.

Mayor Roe clarified that the intent of the CEC had been defined as an engagement process and not requiring the formation of a neighborhood association as noted by Councilmember Etten.

Councilmember Laliberte opined that the CEC list involved a lot of great things, and asked if the CEC would be talking about priorities to bring things to conclusion and move on to their next priority, or if they envisioned doing many of these initiatives at the same time.

Chair Becker advised that the CEC had collectively come up with the ideas they wanted to pursue, and noted that he had intentionally added one more thing than he felt reasonable to accomplish within one year, hoping to get feedback from the City Council. Chair Becker advised that the 2014 ideas supported by the City Council had been included while eliminating those that had not received that support, and noted the CEC would expend their energy accordingly, incorporating tonight's feedback to inform the next draft of this document. Chair Becker advised that he would intent to pursue all of the initiatives during the year, while some may depend on outside timing beyond the CEC (e.g. SE Roseville).

Chair Becker referenced the comments related to decreasing meeting frequency, but opined that the CEC would need all their scheduled meetings to accomplish the work before them.

For the record, Mayor Roe asked if the CEC had any recommendations to change their scope of duties or ordinance language; with Chair Becker confirming that they had no recommendations to that effect.

Ethics Commission

City Manager Trudgeon addressed the role of the Ethics Commission (EC), noting two members were present in tonight's audience. Mr. Trudgeon reviewed the original intent of the EC when set up and their current quarterly meeting schedule given the limited number of issues coming before the EC of late. Mr. Trudgeon suggested another approach may be prudent comprising the EC with other commission members to meet annually for training. As expressed by the City Council, the EC meets infrequently and there appears to be a lack of meeting substance, creating hesitancy on the part of the City Council to appoint someone to serve. Therefore, Mr. Trudgeon suggested that consideration be discussed to have commission chairs serve on the EC on an as-needed basis, since the Ethics Code and

annual training are in place. Mr. Trudgeon advised that he had prepared a quick draft of such a potential ordinance with tonight's meeting materials as a starting point off point for feedback.

Councilmember Laliberte asked for input from the EC commissioners tonight and whether or not they found their work fulfilling.

Norine Quick-Lindberg, Heinel Drive, Representative of the EC

Ms. Lindberg offered a prepared statement providing her personal opinion, suggesting that the City Council revisit the Ethics Code and revise it. Ms. Lindberg opined that Roseville was unique, but without formal complaints that didn't necessarily equate to a sound system, and suggested refinement of the code prior to eliminating scheduled meetings of the EC, which may then prompt less frequent meetings than even quarterly.

Ms. Lindberg shared inconsistencies she found (e.g. definition clarifications between employee and non-employee public officials being unclear – Section 5.d criminal); the lack of denied sanctions and advisory positions (e.g. Section 2.4); and whether the City Attorney or EC are given more weight in issuing advisory opinions. If the EC doesn't have that authority, Ms. Lindberg questioned their purpose.

Ms. Lindberg further noted that the City Council determined its own sanctions if found in violation, and as discussed before and with minor revision, thought more discussion was needed for all Councilmembers if an ethics complaint was filed. Ms. Lindberg advised that she had compared the Roseville Ethics Code with those of other metropolitan communities, and based on complaints heard earlier tonight and those attendees at the Roseville EC, opined that the City of Minneapolis had a general Code of Ethics to guide behavior and Human Rights Act definitions. With the addition of a general discrimination statement and federal and state law references and inclusion, Ms. Lindberg offered to submit those ethics findings annually to the City Council.

Mayor Roe noted a number of reasons the code language was as currently written, and sought to make sure this City Council and Ethics Commission understood that initial rationale and why it was established as written. Mayor Roe referenced discussion held at the time the original code was in place, and not to imply these are not valid questions, expressed the need that those past discussions inform this process. Mayor Roe noted that the City Attorney had worked with the Code and could advise the City Council if they decided to move in this direction.

Councilmember McGehee noted that she was also here when working through the Ethics Code subsequently reconstituted in a different tone; and suggested it may be worthwhile to review that previous process, since she was also not sure everyone was privy to how and why those revisions were applied. Specific to com-

plaints brought to the EC without formal filings, Councilmember McGehee asked if that wasn't due to no process being in place. Councilmember McGehee opined that a process was needed, and whether or not it belonged in the Ethics Code, there needed to be a process for handling violations.

Mayor Roe clarified that he didn't think it had been established that the complaints brought forward were ethics violations.

Councilmember McGehee stated that she understood that, but still thought a Code of Conduct was needed.

Mayor Roe suggested that this discussion not get into that level of detail tonight; and thanked commissioners for their work.

Councilmember Willmus stated that he hated to set the clock back and revisit mistakes under the previous code, opining that often that commission had been used as a political tool for disagreements, which was why the EC had been dissolved in the first place. Councilmember Willmus opined that he found the focus of the current Code of Ethics aligned where it needed to be, and as far as the complaint process itself, expressed his disinterest in seeing anyone labeled as an ethics violator if there was any disagreement in how to best proceed at the commission level. Councilmember Willmus opined that he thought the function of how the EC should work or how to assemble it was needed, and he expressed his appreciation for the model provided in the packet in draft form, allowing a complaint to be dealt with as it comes forward. Councilmember Willmus also spoke in support of further discussion on the continuation of the three commissions and their scopes and duties for further discussion and attempting to free up administrative personnel as liaisons.

Councilmember Etten expressed his support of the EC format and representation on it by representatives of standing commissions. However, Councilmember Etten questioned if that role should be held by chairpersons, since they already had a bigger work load, and suggested that each commission could annually elect or appoint one member, not necessarily the chairperson, to serve on the EC. Councilmember Etten suggested that, after hearing from commission chairpersons beforehand and tonight commissions that perhaps the EC could hold their annual meeting shortly after those elections, with the focus of the EC to prepare the annual ethics training and up-to-date ethics issues if they are the body to do so. Councilmember Etten suggested inserting language in to the draft EC ordinance to "hold an annual meeting and meet otherwise on an as-needed basis."

Mayor Roe concurred with Councilmember Etten's suggested language.

Councilmember Laliberte concurred, noting that she was going to ask for an annual meeting for those EC members to guide the ethics training versus putting that

decision on city staff. Councilmember Laliberte further suggested inserting a sentence to the Uniform Commission Code in the "officer" section providing for that expectation that a member would serve on the EC.

Discussion ensued on the need to review specific language of the Uniform Commission Code to determine if the officers' section applied to the commissions themselves.

Councilmember Laliberte suggested a meeting of the existing EC and City Attorney to walk through rationale for the current code and take input of any suggested recommendations for revision to it.

Mayor Roe agreed and suggested that could be their parting recommendations; with Councilmember Laliberte agreeing with the value of that input from existing EC members before moving on.

Councilmember McGehee agreed with those suggestions going forward, especially those of Councilmember Laliberte, given the EC commissioner's service and specific recommendations. Councilmember McGehee opined that it would be rude to not allow them to meet with the City Attorney to offer their recommended changes and address any inconsistencies.

City Manager Trudgeon noted that the EC would be meeting in two days, and to the extent it could be accomplished advised that he would begin that conversation, and suggested scheduling meetings more frequently than the current quarterly meeting, depending on future direction of the City Council.

Mayor Roe spoke in support of looking to members of commissions versus only the chairpersons; and agreed with a minimum annual meeting and definition of their purpose, but involving commission chairs at a minimum. Mayor Roe also supported the current EC reviewing the current Code of Ethics and providing their parting recommendations to the City Attorney for the record.

Councilmember Laliberte reiterated the importance in holding themselves and those representing the city to high standards, and the importance of getting this work done. Councilmember Laliberte, with agreement by her colleagues, thanked the work of the EC to-date, stating that their work and service did matter.

Meeting Frequency Discussion

City Manager Trudgeon noted comments in the RCA (lines 23 – 46) related to frequency of HRC and CEC meetings, but noted the number of and importance of tasks covered by the city's Administration Department. Mr. Trudgeon expressed his concerns with the long-term expectations of administrative staff from the public and commissions, which represented a large task, and the desire of city staff to provide dedicated service to all parties. Therefore, Mr. Trudgeon noted his sug-

gested change in frequency of meetings to facilitate quality versus quantity of meetings and allow staff to be or remain effective in their interaction with commissioners by providing guidance and context. However, Mr. Trudgeon expressed his concern as City Manager, with the long-term impact to city staff in sustaining that coverage, given the multitude of many objections placed upon them, and possibly taking away from other important issues. Mr. Trudgeon recognized the desire of commissions to meet monthly, but opined that it was unsustainable and eventually something would break down and issues would not be addressed in a timely manner or issues not reviewed sufficiently. Based on past and current discussions, Mr. Trudgeon restated his recommendation for less frequent meeting schedules for commissions served by administrative staff.

Councilmember McGehee noted that one long-term commission had been reduced, and the CEC intended as a policy group, with the HRC more active in doing things. Councilmember McGehee asked if City Manager Trudgeon saw a reduction in meetings of the CEC to every other month and keeping the HRC meeting monthly, both meeting monthly, or each meeting once/month opposite the other.

City Manager Trudgeon noted that was the suggestion proposed.

From a trial period, Councilmember McGehee opined that she could see the policy group getting direction and discussing that, but opined it would be harder for a more active group offering educational programs such as the HRC.

City Manager Trudgeon advised that it seemed to him based on the approach he was suggesting and based on his outside observation, that having the HRC and CEC both alternate meetings, their planning activities and policy issues overall could be addressed sufficiently. Mr. Trudgeon questioned the need for the HRC to meet regularly or monthly other than to update status versus the CEC actively working on issues and policies needing more touches along the way. Mr. Trudgeon opined, that if having to choose, the HRC could meet less frequently, recognizing the HRC may have a different opinion.

Councilmember McGehee stated she would be happy to support City Manager Trudgeon's proposal understanding that it needed to remain as a pilot program, allowing City Manager Trudgeon the discretion for that flexibility.

Councilmember Laliberte noted she had been anxious to hear the HRC's 2016 plans; and noted that moving forward in filling vacancies related to those items listed in their work plan, and noted that they listed only one new item beyond their current work plan. Councilmember Laliberte admitted she didn't have a good feel for the work of the HRC and staff need, since there didn't appear to be much new ground to cover other than plugging into the SE Roseville efforts. Therefore, Councilmember Laliberte suggested seeing if the HRC meeting 4-6

times per year was viable unless needed more often, while continuing to have the CEC meet 12 times per year.

Mayor Roe noted that a commission could also cancel meetings if and when they were found unnecessary.

After hearing from the chairs of both commissions, Councilmember Etten opined that it was important for them to retain a full slate of meetings to continue their work. Therefore, Councilmember Etten admitted he was struggling with the recommendation of City Manager Trudgeon and was reluctant to cut back on meeting frequency when commissioners were saying they still needed monthly meetings to accomplish their tasks. Councilmember Etten opined that he found it hard to consider cutting their meeting frequency without cutting reducing their tasks accordingly, especially if that meant the work would be accomplished offline versus in the public arena.

Councilmember McGehee noted that commission meeting minutes were not previously formalized as they are now; and questioned how essential that is especially if it took staff time.

Mayor Roe clarified that the staff time being discussed was that in preparing for the meetings; with City Manager Trudgeon concurring, noting that frequently it required 2-3 hours for each meeting.

In response to Councilmember McGehee referencing past meeting agendas, and not full meeting packets, City Manager Trudgeon clarified that as with any commission, a lot of input was needed, including background materials. Depending on the commission, Mr. Trudgeon noted that some did their own work in preparation for their meeting (e.g. CEC) with staff only gathering and copying those materials.

Councilmember McGehee suggested that work would be slower if only meeting every other month.

City Manager Trudgeon admitted that would be a question to consider, and asked what the City Council was interested in commissions pursuing. Specific to the CEC, Mr. Trudgeon opined that it would be challenging for them to move to an every other month meeting given their current work load. If in the future that work load changed or as things were removed from that docket, Mr. Trudgeon noted it may be possible then to reduce meeting frequency of the CEC.

City Manager Trudgeon reiterated that his broader area of concern was the mismatch of staff resources and number of advisory commissions in an effort to be fair to those volunteer commissioners and their tasks; and his interest in making the overall process work to some extent.

Councilmember McGehee opined that a lot of the work indicated didn't need to be assigned to the CEC, but could come through staff suggestions or by hiring a consultant.

Mayor Roe clarified that tonight's goal was not to get into a discussion of the specific work of commissions. Mayor Roe reviewed the comments of council members tonight that there was some support for fewer meetings of the HRC at a minimum, but not so much with the CEC at this time.

Mayor Roe suggested continuing with the current meeting schedule and revisiting it after six months or at the end of 2016 unless a better proposal was brought forward, anticipating each commission would continue to meet 12 times per year.

Councilmember Laliberte reiterated her recommendation, opining that 20-24 meetings for staff just with the HRC and CEC may prove challenging; and therefore she had recommended that schedule be reduced to sixteen meetings to be more manageable. Councilmember Laliberte questioned if some of the work of staff could be accomplished by the advisory commissions themselves if meetings were reduced from twelve to six meetings annually.

City Manager Trudgeon noted that both commissions had discussed that option, and felt it should be left as is.

Mayor Roe advised that he was not hearing a majority offer support for any other option other than keeping it as is; with City Manager Trudgeon advising that he would continue to monitor the situation.

12. Public Hearings and Action Consideration

a. Approve Request for a Noise Variance for the 2016 CIPP Project

Assistant Public Works Director Jesse Freihammer summarized this request of the Engineering Department for a variance from the City's noise ordinance for the 2016 Cast-in-Place Piping Project (CIPP). As detailed in the RCA dated February 8, 2016, Mr. Freihammer noted that the variance was based on an operational and curing standpoint for the material, and as designated on the map would involve the main impact of generator noise and boilers used to cure the pipe. Mr. Freihammer noted that this would involve a constant hum, and effort would be made to try to limit major vehicle or construction traffic noise over night.

Mr. Freihammer reviewed alternatives if the variance was not granted, including not lining the pipes that would not solve the city's aging infrastructure issues, or digging up the pipes that would prove much more impactful to residents based on the depth and large diameter of the pipes.

**City of Roseville
ORDINANCE NO.**

**AN ORDINANCE AMENDING SELECTED TEXT OF THE ROSEVILLE CITY CODE,
CHAPTER 201, ADVISORY COMMISSIONS; CHAPTER 205, HUMAN RIGHTS
COMMISSION, AND CHAPTER 207, ETHICS COMMISSION.**

THE CITY OF ROSEVILLE ORDAINS:

SECTION 1: Title 2, Chapter 201.06 of the Roseville City Code is amended as follows:

201.06: ORGANIZATION:

A. Election of Officers: At the first meeting following the start of new regular terms of appointment, or at such other time as required by State Statutes, each advisory commission shall elect a chair and vice-chair from among its appointed members for a term of one-year and appoint a member to serve on the Ethics Commission as described in Chapter 207 of this code.

B. Governing Documents: City Code and State Statutes will govern commission activities. A commission shall not adopt separate by-laws or rules to govern commission duties or activities.

C. Committees, Subcommittees and Task Forces: Commissions may by majority vote appoint committees or subcommittees of their own members from time to time as required for the conduct of their business. The formation of any other committees, task forces and/or alternate workgroups would be subject to the provisions of this Chapter and shall be created only after approval of the City Council. Subcommittees shall report on work underway and completed on a regular basis to the full commission.

D. Logo and Materials: To reflect the official nature of the commission and to preserve consistency of the City's brand, only the official city logo or a Council-approved derivative of the logo, that contains the words "City of Roseville," shall be used on commission materials.

E. Accessibility: Commission members will be available to residents of the city by providing a preferred phone number or email address that can be used on the city website and/or on print materials.

F. Staff Liaison: Each commission will be served by a staff liaison to assist in meeting planning and commission processes and serve as a conduit to city staff and the City Council.

G. New Commissioner Training: New commission members will receive both general and commission-specific training from the staff liaison and commission chair before beginning their term.

~~H. Ethics Commission Appointment. Each commission shall annually appoint a member to serve on the Ethics Commission as described in Chapter 207 of this code.~~

SECTION 2: Title 2, Chapter 201.07 (A) of the Roseville City Code is amended as follows:

201.07: MEETINGS AND REPORTS:

A. Meeting Schedule: Prior to the start of each calendar year, each commission shall adopt a regular meeting schedule for the coming year. Commissions may amend their regular meeting schedule, cancel meetings, or call special meetings as needed by majority vote at a regular commission meeting. A special meeting of a commission may be called by the commission chair and/or the City Manager between regular meetings after consultation and approval of both parties.

Commissions shall meet at least quarterly, except as otherwise required by this Code or State Statutes.

SECTION 3 : Title 2 , Chapter 205 of the Roseville City Code is amended as follows:

205.01: ESTABLISHMENT AND MEMBERSHIP:

There is established a human rights commission of the city, which shall consist of seven members appointed by the City Council and which shall be subject to Chapter 201 of the City Code. (Ord. 566, 2-19-1968)

205.02: SCOPE, DUTIES AND FUNCTION:

The purpose of the commission is to ~~encourage secure for all citizens equal opportunity in employment, housing, public accommodations, public services and education and full participation in the affairs of this community by assisting the state department of human rights in implementing and uphold~~ the Minnesota Human Rights Act and by advising the City Council on long range programs to improve community relations in the city. Additionally the commission will work to increase ~~the sense of community inclusion by providing educational and social opportunities that support topics and issues of human rights. reaching out to all members of the community and ensuring that our city government and its activities, programs and services are accessible understandable and responsive to all.~~ (Ord. 566, 2-19-1968; amd. 1995 Code, Ord. 1324, 08-08-2005) (Ord. 1381,04-27-2009)

In fulfillment of its purpose, the commission's duties and responsibilities shall be to:

A. Enlist the cooperation of agencies, organizations and individuals in the community in an active program directed to create equal opportunity and eliminate discrimination and inequalities.

~~B. Formulate a human relations program for the city to give increased effectiveness and direction to the work of all individuals and agencies addressing themselves to planning, policy making and educational programming in the area of civil and human rights.~~

BC. Advise the mayor, the City Council and other agencies of the government of human relations and civil rights problems. Act in an advisory capacity with respect to planning or operation of any city department on issues of civil and human rights and recommend the adoption of such specific policies or actions as are needed to provide for full equal opportunity in the community.

CD. Develop such programs of formal and informal education as will assist in the implementation of the Minnesota state act against discrimination, and provide for the commission's assumption of leadership in recognizing and resolving potential problem areas in the community. (Ord. 566, 2-19-1968; amd. 1995 Code)

DE. Monitor statistical and other data trends in our city and identify and recommend to the city council ways to encourage mutual understanding among our citizens about the community's diversity through, but not limited to:

1. connecting and partnering with neighborhood, community, educational, business and social services groups and organizations;
2. co-sponsoring citywide neighborhood or facilitating community events which would include opportunities for heritage and cultural events; and
3. programs for engaging citizens and community leaders in a holistic approach including dialogues, education and training about diversity issues.

E. Partner with various commissions on new ways to bring the community together.

(Ord. 1381, 4-27-2009) (Ord. 1481, 07-20-2015)

SECTION 4 : Title 2 , Chapter 207.01 of the Roseville City Code is amended as follows:

207.01: ESTABLISHMENT AND MEMBERSHIP:

There is established an ethics commission of the City which shall consist of one member
~~from each all other City advisory commissions five members appointed by the City Council~~
and which shall be subject to Chapter 201 of the City Code.

The ethics commission shall hold an annual meeting and otherwise meet on an as-needed basis or when an ethics complaint is filed.

SECTION 4 : Effective date. This ordinance shall take effect upon its passage and publication.

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109 (SEAL)

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CITY OF ROSEVILLE

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BY: _____

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Daniel J. Roe, Mayor

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119 ATTEST:

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122 _____
Patrick J. Trudgeon, City Manager

**City of Roseville
ORDINANCE NO.**

**AN ORDINANCE AMENDING SELECTED TEXT OF THE ROSEVILLE CITY CODE,
CHAPTER 201, ADVISORY COMMISSIONS; CHAPTER 205, HUMAN RIGHTS
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B. Governing Documents: City Code and State Statutes will govern commission activities. A commission shall not adopt separate by-laws or rules to govern commission duties or activities.

C. Committees, Subcommittees and Task Forces: Commissions may by majority vote appoint committees or subcommittees of their own members from time to time as required for the conduct of their business. The formation of any other committees, task forces and/or alternate workgroups would be subject to the provisions of this Chapter and shall be created only after approval of the City Council. Subcommittees shall report on work underway and completed on a regular basis to the full commission.

D. Logo and Materials: To reflect the official nature of the commission and to preserve consistency of the City's brand, only the official city logo or a Council-approved derivative of the logo, that contains the words "City of Roseville," shall be used on commission materials.

E. Accessibility: Commission members will be available to residents of the city by providing a preferred phone number or email address that can be used on the city website and/or on print materials.

F. Staff Liaison: Each commission will be served by a staff liaison to assist in meeting planning and commission processes and serve as a conduit to city staff and the City Council.

G. New Commissioner Training: New commission members will receive both general and commission-specific training from the staff liaison and commission chair before beginning their term.

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201.07: MEETINGS AND REPORTS:

A. Meeting Schedule: Prior to the start of each calendar year, each commission shall adopt a regular meeting schedule for the coming year. Commissions may amend their regular meeting schedule, cancel meetings, or call special meetings as needed by majority vote at a regular commission meeting. A special meeting of a commission may be called by the commission chair and/or the City Manager between regular meetings after consultation and approval of both parties. Commissions shall meet at least quarterly, except as otherwise required by this Code or State Statutes.

SECTION 3 : Title 2 , Chapter 205 of the Roseville City Code is amended as follows:

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There is established a human rights commission of the city, which shall consist of seven members appointed by the City Council and which shall be subject to Chapter 201 of the City Code. (Ord. 566, 2-19-1968)

205.02: SCOPE, DUTIES AND FUNCTION:

The purpose of the commission is to encourage full participation in the affairs of this community-and uphold the Minnesota Human Rights Act by advising the City Council on long range programs to improve community relations in the city. Additionally the commission will work to increase inclusion by providing educational and social opportunities that support topics and issues of human rights. (Ord. 566, 2-19-1968; amd. 1995 Code, Ord. 1324, 08-08-2005) (Ord. 1381,04-27-2009)

In fulfillment of its purpose, the commission's duties and responsibilities shall be to:

- A. Enlist the cooperation of agencies, organizations and individuals in the community in an active program directed to create equal opportunity and eliminate discrimination and inequalities.
- B Advise the mayor, the City Council and other agencies of the government of human relations and civil rights problems. Act in an advisory capacity with respect to planning or operation of any city department on issues of civil and human rights and recommend the adoption of such specific policies or actions as are needed to provide for full equal opportunity in the community.
- C. Develop such programs of formal and informal education as will assist in the implementation of the Minnesota state act against discrimination, and provide for the commission's assumption of leadership in recognizing and resolving potential problem areas in the community. (Ord. 566, 2-19-1968; amd. 1995 Code)
- D. Monitor statistical and other data trends in our city and identify and recommend to the city council ways to encourage mutual understanding among our citizens about the community's diversity through, but not limited to:
 - 1. connecting and partnering with neighborhood, community, educational, business and social services groups and organizations;
 - 2. co-sponsoring citywide neighborhood or facilitating community events which would include opportunities for heritage and cultural events; and
 - 3. programs for engaging citizens and community leaders in a holistic approach including dialogues, education and training about diversity issues.
- E. Partner with various commissions on new ways to bring the community together.

(Ord. 1381, 4-27-2009) (Ord. 1481, 07-20-2015)

87 SECTION 4 : Title 2 , Chapter 207.01 of the Roseville City Code is amended as follows:

88 **207.01: ESTABLISHMENT AND MEMBERSHIP:**

89 There is established an ethics commission of the City which shall consist of one member
90 from each City advisory commission and which shall be subject to Chapter 201 of the City
91 Code.

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93 The ethics commission shall hold an annual meeting and otherwise meet on an as-needed
94 basis or when an ethics complaint is filed.

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96 SECTION 4 : Effective date. This ordinance shall take effect upon its passage and
97 publication.
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(SEAL)

CITY OF ROSEVILLE

BY: _____
Daniel J. Roe, Mayor

ATTEST:

Patrick J. Trudgeon, City Manager

**CITY OF ROSEVILLE
OFFICIAL SUMMARY OF ORDINANCE NO.**

AN ORDINANCE RELATING TO CITY OF ROSEVILLE ADVISORY COMMISSIONS

The City Council of the City of Roseville adopted Ordinance No. _____ on April 11, 2016 which is summarized as follows:

The Roseville City Code, Title 2, Commissions has been amended to allow for special meetings of commissions to be called, to modify the scope, duties, and functions of the Human Rights Commission, and to change the membership of the Ethics Commission to one member of each advisory commission and require and annual meeting of the Ethics Commission..

A printed copy of the ordinance is available for inspection by any person during regular office hours in the office of the City Manager at the Roseville City Hall, 2660 Civic Center Drive, Roseville, Minnesota 55113. A copy of the ordinance and summary is also be posted at the Reference Desk of the Roseville Branch of the Ramsey County Library, 2160 Hamline Avenue, Roseville, MN. 55113, and on the internet website of the City of Roseville (www.cityofroseville.com).

Ord – Chapters 201, 205, and 207

BY:

Daniel J. Roe, Mayor

ATTEST:

Patrick J. Trudgeon, City Manager