

Mayor: Dan Roe Councilmembers: Jason Etten Wayne Groff Robin Schroeder Julie Strahan	 City Council Agenda Monday, June 5, 2023 6:00 p.m. Members of the public who wish speak during public comment or an agenda item during this meeting can do so virtually by registering at: www.cityofroseville.com/attendmeeting	Address: 2660 Civic Center Dr. Roseville, MN 55113 Phone: 651-792-7000 Website: www.cityofroseville.com
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1. 6:00 P.M. Roll Call
Voting & Seating Order: Etten, Schroeder, Groff, Strahan, and Roe
2. 6:01 P.M. Pledge of Allegiance
3. 6:02 P.M. Approve Agenda
4. 6:03 P.M. Public Comment
5. Recognitions and Donations
6. 6:08 P.M. Items Removed from Consent Agenda
7. Business Items
 - 7.A. 6:10 P.M. Public Hearing and Approve Resolutions Approving the Vacation of Multiple Streets Easements and Rights-of-Way
Documents:
[REQUEST FOR COUNCIL ACTION AND ATTACHMENTS.PDF](#)
 - 7.B. 6:35 P.M. Consider a request to perform an abatement for unresolved violations of City Code at 2165 Victoria St N.
Documents:
[REQUEST FOR COUNCIL ACTION AND ATTACHMENTS.PDF](#)
 - 7.C. 6:45 P.M. Joint meeting with the Finance Commission
Documents:
[REQUEST FOR COUNCIL ACTION.PDF](#)
 - 7.D. 7:15 P.M. Discussion regarding Commission Interview and Application

Process

Documents:

[REQUEST FOR COUNCIL ACTION AND ATTACHMENTS.PDF](#)

7.E. 7:40 P.M. Consider Approval of City Manager Goals for 2023-24

Documents:

[REQUEST FOR COUNCIL ACTION AND ATTACHMENT.PDF](#)

8. Council Direction on Councilmember Initiated Agenda Items

9. 7:55 P.M. Approval of City Council Minutes

Approve Minutes from May 8, 2023 City Council Meeting

Approve Minutes from May 15, 2023 City Council Meeting

Approve Minutes from May 15, 2023 EDA Meeting

Approve Minutes from May 22, 2023 City Council Meeting

10. 8:00 P.M. Approve Consent Agenda

10.A. Approve Payments

Documents:

[REQUEST FOR COUNCIL ACTION AND ATTACHMENT.PDF](#)

10.B. Approve 2023-2024 Business License Renewals

Documents:

[REQUEST FOR COUNCIL ACTION AND ATTACHMENT.PDF](#)

10.C. Approve 1 Tetrahydrocannabinol (THC) License, and 1 Massage Therapy Establishment License

Documents:

[REQUEST FOR COUNCIL ACTION AND ATTACHMENTS.PDF](#)

10.D. Approve Final Payment for 2022 Pavement Management Project

Documents:

[REQUEST FOR COUNCIL ACTION AND ATTACHMENTS.PDF](#)

10.E. Approve Final Payment for Contract for Fairview and County Road C Storm Sewer Improvements

Documents:

[REQUEST FOR COUNCIL ACTION AND ATTACHMENTS.PDF](#)

- 10.F. Accept Public Improvements Related to the Twin Lakes 3rd Addition Public Improvement Contract

Documents:

[REQUEST FOR COUNCIL ACTION AND ATTACHMENTS.PDF](#)

- 10.G. Adopt a Resolution Approving the Special Law Passed by the Minnesota Legislature allowing the City of Roseville to conduct a local referendum vote to impose by ordinance a sales and use tax of one-half percent in the City of Roseville

Documents:

[REQUEST FOR COUNCIL ACTION AND ATTACHMENTS.PDF](#)

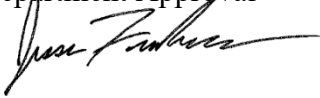
11. 8:05 P.M. Future Agenda Review, Communications, Reports, and Announcements - Council and City Manager
12. 8:10 P.M. Adjourn

ROSEVILLE
REQUEST FOR COUNCIL ACTION

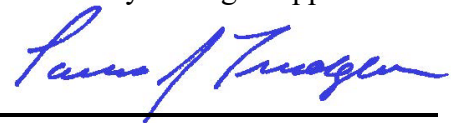
Date: June 5, 2023

Item No.: 7.a

Department Approval



City Manager Approval



Item Description: Public Hearing and Approve Resolutions Approving the Vacation of Multiple Streets Easements and Rights-of-Way

BACKGROUND

Over the past several years, staff has identified rights-of-way that the City no longer needs for public benefit. Some of these rights-of-way were dedicated to the City for future roadways that were never constructed, some were partial right-of-way dedications, while others were alley dedications. In all the cases, the City has no plans to construct a future roadway.

By vacating these rights-of-way, the area will revert to the underlying property owners. The owners will benefit from having more control over the former right-of-way area. This also helps with confusion and disagreements over how the right-of-way area should be maintained in regards to vegetation control and debris management.

Some of the corridors have utilities or trails within the right-of-way. However, since a roadway will not be constructed, an easement would be more appropriate for the identified vacation area. Where it is appropriate, the proposed resolution will reserve utility easement rights in the vacated areas.

On April 11, 2022, Council authorized staff to begin the vacation process for these locations. Staff first notified adjacent property owners of the City's intent, and collected initial input and any concerns. The 29 vacation areas that were considered have been broken into smaller groups for presentation to Council and public hearing. The group of vacations currently before Council consideration consists of the simplest vacations, for which little feedback was received. Additional public hearings are anticipated later this summer for more complex vacation areas.

The vacation resolutions were publicly noticed in the newspaper on May 22, 2023 and May 29, 2023, and a mailing to the affected residents postmarked May 26, 2023, per State Statute requirements. Affidavits of Publication and Mailing are available in the office of the City Engineer.

After the public hearing on the vacations is closed, each resolution would be voted on separately. Since these are City-initiated vacations, a four-fifths vote is required to approve vacation of these rights-of-way. No vacation will be official until such time as the City Manager executes and records a Notice of Completion.

POLICY OBJECTIVE

This action is intended to "right-size" the City's property rights and property management responsibilities for Roseville's current and future needs.

29 **BUDGET IMPLICATIONS**

30 Aside from costs related to filing the vacations with Ramsey County and the mailings to notify the
31 residents, there are no direct costs to the City of Roseville to vacate right-of-way corridors.

32 **RACIAL EQUITY IMPACT SUMMARY**

33 There should be no equity impacts associated with these vacations as they have no public use for a
34 future roadway. If there are utilities or pathway in the right-of-way, easements are retained per the
35 resolution.

36 **STAFF RECOMMENDATION**

37 Staff recommends that the City Council approve the attached resolutions approving vacation of the
38 rights-of-way.

39 **REQUESTED COUNCIL ACTION**

- 40 1. Conduct a public hearing receiving any public comments related to all proposed rights-of-
41 way and easement vacations.
- 42 2. Consider approval of a resolution approving the right-of-way vacation of a portion of County
43 Road C2 lying within Oasis Park. [Vacation Area B – Resolution A]
- 44 3. Consider approval of a resolution approving the right-of-way vacation of a portion of
45 unimproved Ione Avenue. [Vacation Area BB – Resolution B]
- 46 4. Consider approval of a resolution approving the right-of-way vacation of a portion of
47 unimproved right-of-way lying between the properties located at 986 and 976 Millwood
48 Avenue. [Vacation Area C – Resolution C]
- 49 5. Consider approval of a resolution approving the right-of-way vacation of a portion of
50 Millwood Avenue that lies westerly of Chatsworth Street in Lake Josephine Park. [Vacation
51 Area D – Resolution D]
- 52 6. Consider approval of a resolution approving the right-of-way vacation of a portion of Terrace
53 Drive lying between 2835 Fernwood Street and 2819 Fernwood Street. [Vacation Area I –
54 Resolution E]
- 55 7. Consider approval of a resolution approving the right-of-way vacation of portions of the
56 right-of-way that is located adjacent to the intersection of Lincoln Drive and Terrace Drive.
57 [Vacation Area J – Resolution F]
- 58 8. Consider approval of a resolution approving the right-of-way vacation of a portion of
59 Belmont Lane. [Vacation Area T – Resolution G]
- 60 9. Consider approval of a resolution approving the right-of-way vacation of the Lake Street
61 Alley located in Block 2 of Garcelon’s Addition to St. Paul. [Vacation Area X – Resolution
62 H]
- 63 10. Consider approval of a resolution approving the right-of-way vacation of a portion of
64 unimproved Dellwood Avenue. [Vacation Area Y – Resolution I]
- 65 11. Consider approval of a resolution approving the right-of-way vacation of a portion of
66 unimproved right-of-way located within Lake McCarrons Park. [Vacation Area Z –
67 Resolution J]

68 A four-fifths vote is required for all resolution approvals, as the vacations are City-led, not
69 petitioned.

Prepared by: Stephanie Smith, Assistant City Engineer

Attachments: A: Resolution for Vacation Area B
B: Resolution for Vacation Area BB
C: Resolution for Vacation Area C
D: Resolution for Vacation Area D
E: Resolution for Vacation Area I
F: Resolution for Vacation Area J
G: Resolution for Vacation Area T
H: Resolution for Vacation Area X
I: Resolution for Vacation Area Y
J: Resolution for Vacation Area Z
K: Public Hearing Agenda
L: Map of Easement Vacations
M: Presentation

**EXTRACT OF MINUTES OF MEETING
OF THE
CITY COUNCIL OF THE CITY OF ROSEVILLE**

* * * * *

Pursuant to due call and notice thereof, a regular meeting of the City Council of the City of Roseville, County of Ramsey, Minnesota was duly held on the 5th day of June, 2023, at 6:00 p.m.

The following members were present: , , , and Mayor .
and the following were absent: .

Member introduced the following resolution and moved its adoption:

RESOLUTION No.

**RESOLUTION APPROVING THE VACATION OF A PORTION OF COUNTY ROAD
C2 LYING WITHIN OASIS PARK**

WHEREAS, the City Council pursuant to Minnesota Statutes Section 412.851 desires to consider the vacation of a portion of County Road C2 that lies within Oasis Park; and

WHEREAS, the portion of the right-of-way being vacated initially became a City street upon being revoked by that certain Resolution of the Board of Ramsey County Commissioners dated December 12, 1989, filed with the office of the Ramsey County Recorder on December 18, 1989, as Document No. 2523265; and

WHEREAS, the portion of County Road C2 that is being vacated is located adjacent to Lots 6, 7, 8, and 9 of Block 10 in the plat of Fairview Heights Plat Three and as shown on the attached Exhibit A; and

WHEREAS, the City Clerk published, posted, and mailed notice of a public hearing as required by law, and a public hearing was held on the proposed vacation on the 5th day of June, 2023; and

WHEREAS, a public street is not currently, nor is planned to be, constructed within this right-of-way; and

WHEREAS, the City Council in its discretion has determined that the vacation will benefit the public interest because this portion of County Road C2 is not needed for current or future right-of-way purposes; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Roseville, that:

1. That portion of County Road C2 that is located adjacent to Lots 6, 7, 8, and 9 of Block 10 in the plat of Fairview Heights Plat Three is hereby vacated, with the exception that an easement for utility purposes within the vacated right-of-way is hereby reserved.

34 2. City staff and consultants are hereby authorized and directed to file a notice of
35 completion of vacation proceedings.

36 The motion for the adoption of the foregoing resolution was duly seconded by Member ,
37 and upon a vote being taken thereon, the following voted in favor thereof: , , ,
38 , and Mayor .
39 and the following voted against the same: .

40 WHEREUPON said resolution was declared duly passed and adopted.

STATE OF MINNESOTA)
) ss
COUNTY OF RAMSEY)

I, the undersigned, being the duly qualified City Manager of the City of Roseville, County of Ramsey, State of Minnesota, do hereby certify that I have carefully compared the attached and foregoing extract of minutes of a regular meeting of said City Council held on the 5th day of June, 2023, with the original thereof on file in my office.

WITNESS MY HAND officially as such Manager this 5th day of June, 2023.

Patrick Trudgeon, City Manager

Depiction of the Vacated Area



**EXTRACT OF MINUTES OF MEETING
OF THE
CITY COUNCIL OF THE CITY OF ROSEVILLE**

* * * * *

Pursuant to due call and notice thereof, a regular meeting of the City Council of the City of Roseville, County of Ramsey, Minnesota was duly held on the 5th day of June, 2023, at 6:00 p.m.

The following members were present: , , , and Mayor .
and the following were absent: .

Member introduced the following resolution and moved its adoption:

RESOLUTION No.

**RESOLUTION APPROVING THE VACATION OF A PORTION OF UNIMPROVED
IONE AVENUE**

WHEREAS, the City Council pursuant to Minnesota Statutes Section 412.851 desires to consider the vacation of a portion of unimproved right-of-way that was platted as Ione Avenue in the plats of Gottfried and Gottfried Plat 2; and

WHEREAS, said portion of Ione Avenue that is being vacated is located between the properties at 1746 Hamline Avenue and 1730 Hamline Avenue and as shown on the attached Exhibit A; and

WHEREAS, the City Clerk published, posted, and mailed notice of a public hearing as required by law, and a public hearing was held on the proposed vacation on the 5th day of June, 2023; and

WHEREAS, a public street is not currently, nor is planned to be, constructed within this right-of-way; and

WHEREAS, the City Council in its discretion has determined that the vacation will benefit the public interest because the right-of-way is not needed for current or future right-of-way purposes; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Roseville, that:

1. The portion of Ione Avenue right-of-way that is located between the properties at 1746 Hamline Avenue and 1730 Hamline Avenue is hereby vacated, with the exception that an easement for utility purposes within the vacated easement area of Ione Avenue is hereby reserved.
2. City staff and consultants are hereby authorized and directed to file a notice of completion of vacation proceedings.

33 The motion for the adoption of the foregoing resolution was duly seconded by Member ,
34 and upon a vote being taken thereon, the following voted in favor thereof: , , ,
35 , and Mayor .
36 and the following voted against the same: .
37 WHEREUPON said resolution was declared duly passed and adopted.

STATE OF MINNESOTA)
) ss
COUNTY OF RAMSEY)

I, the undersigned, being the duly qualified City Manager of the City of Roseville, County of Ramsey, State of Minnesota, do hereby certify that I have carefully compared the attached and foregoing extract of minutes of a regular meeting of said City Council held on the 5th day of June, 2023, with the original thereof on file in my office.

WITNESS MY HAND officially as such Manager this 5th day of June, 2023.

Patrick Trudgeon, City Manager

EXHIBIT A

Depiction of the Vacated Area



**EXTRACT OF MINUTES OF MEETING
OF THE
CITY COUNCIL OF THE CITY OF ROSEVILLE**

* * * * *

Pursuant to due call and notice thereof, a regular meeting of the City Council of the City of Roseville, County of Ramsey, Minnesota was duly held on the 5th day of June, 2023, at 6:00 p.m.

The following members were present: , , , and Mayor .
and the following were absent: .

Member introduced the following resolution and moved its adoption:

RESOLUTION No.

**RESOLUTION APPROVING THE VACATION OF A PORTION OF UNIMPROVED
RIGHT-OF-WAY LYING BETWEEN THE PROPERTIES LOCATED AT 986 AND 976
MILLWOOD AVENUE**

WHEREAS, the City Council pursuant to Minnesota Statutes Section 412.851 desires to consider the vacation of a portion of unimproved right-of-way that lies between the properties located at 986 and 976 Millwood Avenue; and

WHEREAS, the portion of unimproved right-of-way that is being vacated is as shown on the attached Exhibit A; and

WHEREAS, portions of the unimproved right-of-way have been vacated by the City in the past, but a new easement over a portion of the unimproved right-of-way was granted and recorded with the Ramsey County Registrar of Titles on February 27, 1978 as Document No. 653646 (the “Recorded Easement”); and

WHEREAS, a portion of the Recorded Easement was vacated by the City Council on May 24, 1993, said resolution was recorded with the Ramsey County Registrar of Titles on July 22, 1993 as Document No. 1020179; and

WHEREAS, the City Council desires to ensure that all areas within the unimproved right-of-way lying between the properties located at 986 and 976 Millwood Avenue are vacated by adopting this Resolution; and

WHEREAS, the City Clerk published, posted, and mailed notice of a public hearing as required by law, and a public hearing was held on the proposed vacation on the 5th day of June, 2023; and

WHEREAS, a public street is not currently, nor is planned to be, constructed within this right-of-way; and

33 WHEREAS, the City Council in its discretion has determined that the vacation will benefit the
34 public interest because this portion of the right-of-way is not needed for current or future right-of-
35 way purposes; and

36 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Roseville, that:

- 37 1. The unimproved right-of-way that is located between the properties located at 986 and
38 976 Millwood Avenue and shown as "Richmond Avenue" in the plat of St. Paul Park
39 is hereby vacated, with the exception that an easement for utility purposes within the
40 vacated right-of-way is hereby reserved.
- 41 2. To the extent that any portion of the Recorded Easement lies within the unimproved
42 right-of-way between the properties located at 986 and 976 Millwood Avenue and has
43 not yet been vacated, said easement is also hereby vacated, with the exception that an
44 easement for utility purposes within the vacated easement area is hereby reserved.
- 45 3. City staff and consultants are hereby authorized and directed to file a notice of
46 completion of vacation proceedings.

47 The motion for the adoption of the foregoing resolution was duly seconded by Member ,
48 and upon a vote being taken thereon, the following voted in favor thereof: , , ,
49 , and Mayor .
50 and the following voted against the same: .

51 WHEREUPON said resolution was declared duly passed and adopted.

STATE OF MINNESOTA)
) ss
COUNTY OF RAMSEY)

I, the undersigned, being the duly qualified City Manager of the City of Roseville, County of Ramsey, State of Minnesota, do hereby certify that I have carefully compared the attached and foregoing extract of minutes of a regular meeting of said City Council held on the 5th day of June, 2023, with the original thereof on file in my office.

WITNESS MY HAND officially as such Manager this 5th day of June, 2023.

Patrick Trudgeon, City Manager

EXHIBIT A

Depiction of the Vacated Area



1 **EXTRACT OF MINUTES OF MEETING**
2 **OF THE**
3 **CITY COUNCIL OF THE CITY OF ROSEVILLE**

4 * * * * *

5 Pursuant to due call and notice thereof, a regular meeting of the City Council of the City of
6 Roseville, County of Ramsey, Minnesota was duly held on the 5th day of June, 2023, at 6:00 p.m.

7 The following members were present: , , , and Mayor .
8 and the following were absent: .

9 Member introduced the following resolution and moved its adoption:

10 **RESOLUTION No.**

11 **RESOLUTION APPROVING THE VACATION OF A PORTION OF MILLWOOD**
12 **AVENUE THAT LIES WESTERLY OF CHATSWORTH STREET IN LAKE**
13 **JOSEPHINE PARK**

14 WHEREAS, the City Council pursuant to Minnesota Statutes Section 412.851 desires to consider
15 the vacation of a portion of Millwood Avenue that lies adjacent to Chatsworth Street in Lake
16 Josephine Park; and

17 WHEREAS, the portion of Millwood Avenue that is being vacated is legally described on the
18 attached Exhibit A and as shown on the attached Exhibit B; and

19 WHEREAS, the City Clerk published, posted, and mailed notice of a public hearing as required
20 by law, and a public hearing was held on the proposed vacation on the 5th day of June, 2023; and

21 WHEREAS, a public street is not currently, nor is planned to be, constructed within this right-of-
22 way; and

23 WHEREAS, the City Council in its discretion has determined that the vacation will benefit the
24 public interest because this portion of Millwood Avenue is not needed for current or future right-
25 of-way purposes; and

26 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Roseville, that:

- 27 1. That portion of Millwood Avenue that lies westerly of Chatsworth Street in Lake
28 Josephine Park is hereby vacated, with the exception that an easement for utility
29 purposes within the vacated right-of-way is hereby reserved.
- 30 2. City staff and consultants are hereby authorized and directed to file a notice of
31 completion of vacation proceedings.

32 The motion for the adoption of the foregoing resolution was duly seconded by Member ,
33 and upon a vote being taken thereon, the following voted in favor thereof: , ,
34 , and Mayor .
35 and the following voted against the same: .
36 WHEREUPON said resolution was declared duly passed and adopted.

STATE OF MINNESOTA)
) ss
COUNTY OF RAMSEY)

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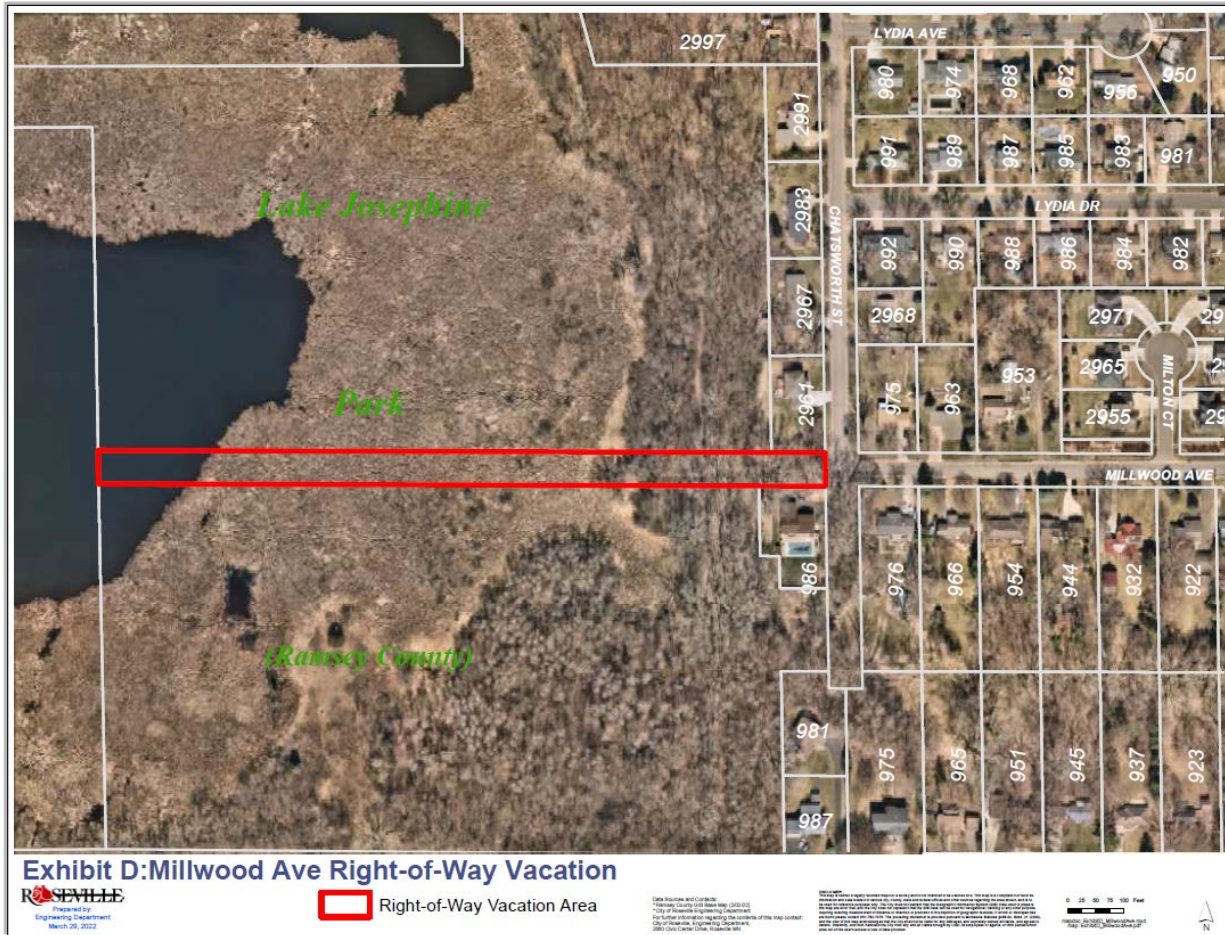
EXHIBIT A

Legal Description of the Vacated Area

That portion of Millwood Avenue lying adjacent to Lots 26, 27, 28, 29, 30, 31, 32, 33, 34, and 35 dedicated in the plat of Saint Paul Park, County of Ramsey, State of Minnesota.

EXHIBIT B

Depiction of the Vacated Area



**EXTRACT OF MINUTES OF MEETING
OF THE
CITY COUNCIL OF THE CITY OF ROSEVILLE**

* * * * *

Pursuant to due call and notice thereof, a regular meeting of the City Council of the City of Roseville, County of Ramsey, Minnesota was duly held on the 5th day of June, 2023, at 6:00 p.m.

The following members were present: , , , and Mayor .
and the following were absent: .

Member introduced the following resolution and moved its adoption:

RESOLUTION No.

**RESOLUTION APPROVING THE VACATION OF A PORTION OF TERRACE DRIVE
LYING BETWEEN 2835 FERNWOOD STREET AND 2819 FERNWOOD STREET**

WHEREAS, the City Council pursuant to Minnesota Statutes Section 412.851 desires to consider the vacation of a portion of Terrace Drive that lies between 2835 Fernwood Street and 2819 Fernwood Street; and

WHEREAS, the portion of Terrace Drive that is being vacated is located adjacent to Lot 6, Block 12 and Lot 1, Block 11 in the plat of Fernwood Terrace Plat - 5 and as shown on the attached Exhibit A; and

WHEREAS, the City Clerk published, posted, and mailed notice of a public hearing as required by law, and a public hearing was held on the proposed vacation on the 5th day of June, 2023; and

WHEREAS, a public street is not currently, nor is planned to be, constructed within this right-of-way; and

WHEREAS, the City Council in its discretion has determined that the vacation will benefit the public interest because this portion of Terrace Drive is not needed for current or future right-of-way purposes; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Roseville, that:

1. That portion of Terrace Drive that is located adjacent to Lot 6, Block 12 and Lot 1, Block 11 in the plat of Fernwood Terrace Plat - 5 is hereby vacated.
2. City staff and consultants are hereby authorized and directed to file a notice of completion of vacation proceedings.

31 The motion for the adoption of the foregoing resolution was duly seconded by Member ,
32 and upon a vote being taken thereon, the following voted in favor thereof: , , ,
33 , and Mayor .
34 and the following voted against the same: .
35 WHEREUPON said resolution was declared duly passed and adopted.

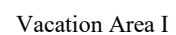
STATE OF MINNESOTA)
) ss
COUNTY OF RAMSEY)

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WITNESS MY HAND officially as such Manager this 5th day of June, 2023.

Patrick Trudgeon, City Manager

Depiction of the Vacated Area



**EXTRACT OF MINUTES OF MEETING
OF THE
CITY COUNCIL OF THE CITY OF ROSEVILLE**

* * * * *

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The following members were present: _____, _____, _____, _____, and Mayor _____.
and the following were absent: _____.

Member introduced the following resolution and moved its adoption:

RESOLUTION No.

RESOLUTION APPROVING THE VACATION OF PORTIONS OF THE RIGHT-OF-WAY ADJACENT TO THE INTERSECTION OF LINCOLN DRIVE AND TERRACE DRIVE

WHEREAS, the City Council pursuant to Minnesota Statutes Section 412.851 desires to consider the vacation of portions of right-of-way that are located adjacent to the intersection of Lincoln Drive and Terrace Drive; and

WHEREAS, said right-of-way was established by a Roadway Easement granted by Norwest Bank Minnesota, National Association to the City of Roseville dated March 3, 1993, recorded on April 6, 1993, as Document No. 2712192, said easement is legally described on the attached Exhibit A (“Roadway Easement A”); and

WHEREAS, Roadway Easement A is located on the property located at 2803 Lincoln Drive, PID 042923410028; and

WHEREAS, another portion of right-of-way on the opposite side of Terrace Drive was established by a Roadway Easement granted by Norwest Bank Minnesota, National Association to the City of Roseville dated March 3, 1993, recorded on April 6, 1993 as Document No. 2712189, said easement is legally described on the attached Exhibit B ("Roadway Easement B"); and

WHEREAS, Roadway Easement B is located on the property located at: 2701 Lincoln Drive, PID 042923410030; and

WHEREAS, Roadway Easement A and Roadway Easement B are depicted on the attached Exhibit C; and

WHEREAS, the City Clerk published, posted, and mailed notice of a public hearing as required by law, and a public hearing was held on the proposed vacation on the 5th day of June, 2023; and

33 WHEREAS, a public street is not currently, nor is planned to be, constructed within this right-of-
34 way; and

35 WHEREAS, the City Council in its discretion has determined that the vacation will benefit the
36 public interest because Roadway Easement A and Roadway Easement B are not needed for current
37 or future right-of-way purposes; and

38 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Roseville, that:

39 1. Roadway Easement A and Roadway Easement B are hereby vacated, with the
40 exception that an easement for utility purposes within the vacated right-of-way is
41 hereby reserved.

42 2. City staff and consultants are hereby authorized and directed to file a notice of
43 completion of vacation proceedings.

44 The motion for the adoption of the foregoing resolution was duly seconded by Member ,
45 and upon a vote being taken thereon, the following voted in favor thereof: , , ,
46 , and Mayor .
47 and the following voted against the same: .

48 WHEREUPON said resolution was declared duly passed and adopted.

STATE OF MINNESOTA)
) ss
COUNTY OF RAMSEY)

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WITNESS MY HAND officially as such Manager this 5th day of June, 2023.

Patrick Trudgeon, City Manager

EXHIBIT A

Legal Description of Roadway Easement A

The South 53.00 feet of the East 39.00 feet except the North 20.00 feet of the West 20.00 feet thereof of the following described property:

Lot 1, Block 2, Krank 2nd Addition, Ramsey County, Minnesota.

According to the recorded plat thereof on file or of record in the office of the Register of Deeds in and for said County and State.

EXHIBIT B

Legal Description of Roadway Easement B

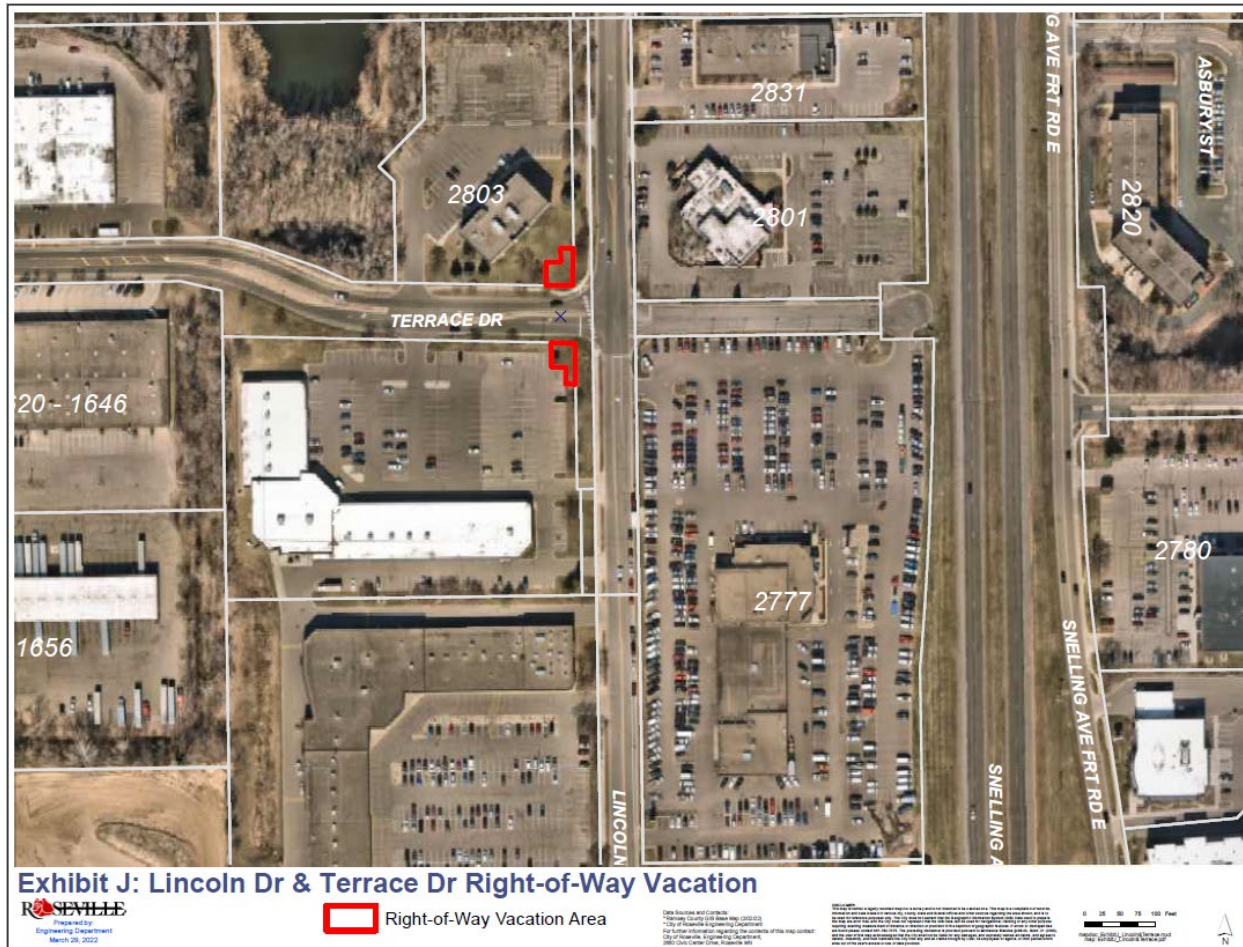
The North 58.00 feet of the East 33.50 feet except the South 23.50 feet of the West 20.00 feet thereof of the following described property:

Lot 1, Block 1, except the East 20 feet of the South 149.20 feet of Krank 2nd Addition, Ramsey County, Minnesota.

According to the plat thereof on file or of record in the office of the Registrar of Deeds in and for said County and State.

EXHIBIT C

Depiction of the Vacated Areas



**EXTRACT OF MINUTES OF MEETING
OF THE
CITY COUNCIL OF THE CITY OF ROSEVILLE**

* * * * *

Pursuant to due call and notice thereof, a regular meeting of the City Council of the City of Roseville, County of Ramsey, Minnesota was duly held on the 5th day of June, 2023, at 6:00 p.m.

The following members were present: , , , and Mayor .
and the following were absent: .

Member introduced the following resolution and moved its adoption:

RESOLUTION No.

RESOLUTION APPROVING THE VACATION OF A PORTION OF BELMONT LANE

WHEREAS, the City Council pursuant to Minnesota Statutes Section 412.851 desires to consider the vacation of a portion of Belmont Lane right-of-way running between Hamline Avenue N. and Dellwood Street as shown on the attached Exhibit A; and

WHEREAS, the City Clerk published, posted, and mailed notice of a public hearing as required by law, and a public hearing was held on the proposed vacation on the 5th day of June, 2023; and

WHEREAS, a public street is not currently, nor is planned to be, constructed within this right-of-way; and

WHEREAS, the City Council in its discretion has determined that the vacation will benefit the public interest because the right-of-way is not needed for current or future right-of-way purposes; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Roseville, that:

1. The portion of Belmont Lane right-of-way that runs between Hamline Avenue N. and Dellwood Street is hereby vacated.
2. City staff and consultants are hereby authorized and directed to file a notice of completion of vacation proceedings.

The motion for the adoption of the foregoing resolution was duly seconded by Member , and upon a vote being taken thereon, the following voted in favor thereof: , , , and Mayor .
and the following voted against the same: .

WHEREUPON said resolution was declared duly passed and adopted.

STATE OF MINNESOTA)
) ss
COUNTY OF RAMSEY)

I, the undersigned, being the duly qualified City Manager of the City of Roseville, County of Ramsey, State of Minnesota, do hereby certify that I have carefully compared the attached and foregoing extract of minutes of a regular meeting of said City Council held on the 5th day of June, 2023, with the original thereof on file in my office.

WITNESS MY HAND officially as such Manager this 5th day of June, 2023.

Patrick Trudgeon, City Manager

EXHIBIT A

Depiction of the Vacated Area



**EXTRACT OF MINUTES OF MEETING
OF THE
CITY COUNCIL OF THE CITY OF ROSEVILLE**

* * * * *

Pursuant to due call and notice thereof, a regular meeting of the City Council of the City of Roseville, County of Ramsey, Minnesota was duly held on the 5th day of June, 2023, at 6:00 p.m.

The following members were present: , , , and Mayor .
and the following were absent: .

Member introduced the following resolution and moved its adoption:

RESOLUTION No.

**RESOLUTION APPROVING THE VACATION OF THE LAKE STREET ALLEY
LOCATED IN BLOCK 2 OF GARCELON'S ADDITION TO ST. PAUL**

WHEREAS, the City Council pursuant to Minnesota Statutes Section 412.851 desires to consider the vacation of an unimproved alley that was platted as in the plat of Garcelon's Addition to St. Paul; and

WHEREAS, the alley that is being vacated is located in Block 2 in the plat of Garcelon's Addition to St. Paul and as shown on the attached Exhibit A; and

WHEREAS, the City Clerk published, posted, and mailed notice of a public hearing as required by law, and a public hearing was held on the proposed vacation on the 5th day of June, 2023; and

WHEREAS, a public alley is not currently, nor is planned to be, constructed within this right-of-way; and

WHEREAS, the City Council in its discretion has determined that the vacation will benefit the public interest because the alley is not needed for current or future right-of-way purposes; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Roseville, that:

1. The alley located in Block 2 in the plat of Garcelon's Addition to St. Paul is hereby vacated, with the exception that an easement for utility purposes within the vacated alley is hereby reserved.
2. City staff and consultants are hereby authorized and directed to file a notice of completion of vacation proceedings.

The motion for the adoption of the foregoing resolution was duly seconded by Member , and upon a vote being taken thereon, the following voted in favor thereof: , , , and Mayor .

33 and the following voted against the same: .

34 WHEREUPON said resolution was declared duly passed and adopted.

STATE OF MINNESOTA)
) ss
COUNTY OF RAMSEY)

I, the undersigned, being the duly qualified City Manager of the City of Roseville, County of Ramsey, State of Minnesota, do hereby certify that I have carefully compared the attached and foregoing extract of minutes of a regular meeting of said City Council held on the 5th day of June, 2023, with the original thereof on file in my office.

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Patrick Trudgeon, City Manager

Depiction of the Vacated Area



1 **EXTRACT OF MINUTES OF MEETING**
2 **OF THE**
3 **CITY COUNCIL OF THE CITY OF ROSEVILLE**

4 * * * * *

5 Pursuant to due call and notice thereof, a regular meeting of the City Council of the City of
6 Roseville, County of Ramsey, Minnesota was duly held on the 5th day of June, 2023, at 6:00 p.m.

7 The following members were present: , , , and Mayor .
8 and the following were absent: .

9 Member introduced the following resolution and moved its adoption:

10 **RESOLUTION No.**

11 **RESOLUTION APPROVING THE VACATION OF A PORTION OF UNIMPROVED**
12 **DELLWOOD AVENUE**

13 WHEREAS, the City Council pursuant to Minnesota Statutes Section 412.851 desires to consider
14 the vacation of a portion of unimproved right-of-way that was platted as Dellwood Avenue in the
15 plat of Gottfried; and

16 WHEREAS, said portion of Dellwood Avenue that is being vacated is located adjacent to the
17 property located at 1294 Roma Avenue and as shown on the attached Exhibit A; and

18 WHEREAS, the City Clerk published, posted, and mailed notice of a public hearing as required
19 by law, and a public hearing was held on the proposed vacation on the 5th day of June, 2023; and

20 WHEREAS, a public street is not currently, nor is planned to be, constructed within this right-of-
21 way; and

22 WHEREAS, the City Council in its discretion has determined that the vacation will benefit the
23 public interest because the right-of-way is not needed for current or future right-of-way purposes;
24 and

25 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Roseville, that:

- 26 1. The portion of the Dellwood Avenue right-of-way that is located adjacent to the
27 property located at 1294 Roma Avenue is hereby vacated, with the exception that an
28 easement for utility purposes within the vacated easement area of Dellwood Avenue
29 is hereby reserved.
- 30 2. City staff and consultants are hereby authorized and directed to file a notice of
31 completion of vacation proceedings.

32 The motion for the adoption of the foregoing resolution was duly seconded by Member ,
33 and upon a vote being taken thereon, the following voted in favor thereof: , , ,
34 , and Mayor .
35 and the following voted against the same: .

36 WHEREUPON said resolution was declared duly passed and adopted.

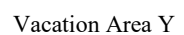
STATE OF MINNESOTA)
) ss
COUNTY OF RAMSEY)

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WITNESS MY HAND officially as such Manager this 5th day of June, 2023.

Patrick Trudgeon, City Manager

Depiction of the Vacated Area



**EXTRACT OF MINUTES OF MEETING
OF THE
CITY COUNCIL OF THE CITY OF ROSEVILLE**

* * * * *

Pursuant to due call and notice thereof, a regular meeting of the City Council of the City of Roseville, County of Ramsey, Minnesota was duly held on the 5th day of June, 2023, at 6:00 p.m.

The following members were present: , , , and Mayor .
and the following were absent: .

Member introduced the following resolution and moved its adoption:

RESOLUTION No.

**RESOLUTION APPROVING THE VACATION OF PORTIONS OF UNIMPROVED
RIGHT-OF-WAY LOCATED WITHIN LAKE MCCARRONS PARK**

WHEREAS, the City Council pursuant to Minnesota Statutes Section 412.851 desires to consider the vacation of portions of unimproved right-of-way located within Lake McCarrons Park; and

WHEREAS, the portions of unimproved right-of-way that are being vacated are as shown on the attached Exhibit A; and

WHEREAS, the City Clerk published, posted, and mailed notice of a public hearing as required by law, and a public hearing was held on the proposed vacation on the 5th day of June, 2023; and

WHEREAS, a public street is not currently, nor is planned to be, constructed within these portions of right-of-way; and

WHEREAS, the City Council in its discretion has determined that the vacation will benefit the public interest because these portions of right-of-way are not needed for current or future right-of-way purposes; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Roseville, that:

1. The unimproved right-of-way that is located within Lake McCarrons Park that is shown as “Wagner Street” in the plat of Wagner’s 2nd Add. is hereby vacated.
2. The unimproved right-of-way that is located within Lake McCarrons Park that is shown as an alley between Wagner Street and Centre Street in Block 4 in the plat of Wagner’s 2nd Add. is hereby vacated.
3. The unimproved right-of-way that is located within Lake McCarrons Park that is shown as “Albamarle St.” that lies between Centre Street and Wagner Street is hereby vacated.

33 4. City staff and consultants are hereby authorized and directed to file a notice of
34 completion of vacation proceedings.

35 The motion for the adoption of the foregoing resolution was duly seconded by Member ,
36 and upon a vote being taken thereon, the following voted in favor thereof: , ,
37 , and Mayor .
38 and the following voted against the same: .

39 WHEREUPON said resolution was declared duly passed and adopted.

STATE OF MINNESOTA)
) ss
COUNTY OF RAMSEY)

I, the undersigned, being the duly qualified City Manager of the City of Roseville, County of Ramsey, State of Minnesota, do hereby certify that I have carefully compared the attached and foregoing extract of minutes of a regular meeting of said City Council held on the 5th day of June, 2023, with the original thereof on file in my office.

WITNESS MY HAND officially as such Manager this 5th day of June, 2023.

Patrick Trudgeon, City Manager

Depiction of the Vacated Areas



AGENDA FOR PUBLIC HEARING

Vacation of Multiple Streets Pursuant to Minnesota Statute §412.851

- A. Mayor calls the meeting to order and announces the purpose of the meeting and format for the hearing. "This is a public hearing to consider whether to vacate public easements and right of ways."

"This vacation request was initiated by the City of Roseville. The Council will consider resolutions to approve vacating the rights-of-ways and easements as described in the individual resolutions."

THE FOLLOWING AGENDA CAN BE USED AS THE FORMAT FOR THE PUBLIC HEARING:

- B. City Manager comments including, brief description of proposed vacated easement, published and mailed notices, and written objections to the proposed vacation. It is suggested that the City Manager should make a general comment regarding the published and mailed notices. This should include the following language:
- "Published and legal mailed notices have been provided for this public hearing. Legal notices appeared in the city's legal newspaper, *The Pioneer Press*, on May 22 and May 29, 2023. Mailed notices were sent on May 26, 2023. Affidavits of publishing and mailing are available in the office of the City Engineer."
- Prior to the hearing proceeding, the City Manager should read all written objections for the proposed resolutions.
- C. City Engineer by this time has provided specific information for vacations including a description and proposed resolution.
- D. Mayor opens hearing to public. It is suggested that the following comments be made by the Mayor:
- "In an attempt to provide everyone an opportunity to be heard and yet conduct the hearing in an efficient manner, we would suggest that rules be used for the hearing for this project. These would include the following:
1. Individuals should identify themselves by giving their name and address and should speak into the microphone.
 2. Each speaker should limit questions and comments to five minutes.
 3. No person will be heard for a second time until all interested persons who wish to speak have had an opportunity to do so.
 4. Be courteous. No comments from audience or applause during question/ comment period."

- E. Mayor closes hearing.

After all citizen comments have been completed, the Mayor should indicate that the public hearing is closed and turn the hearing over to the City Council for action.

- F. Council action on proposed vacations, to be voted on separately. Note: a four-fifths vote is required for all resolution approvals, as the vacations are not petitioned.:

Resolution approving the vacation of right-of-way vacation of a portion of County Road C2 lying within Oasis Park. [Vacation Area B]

Resolution approving the vacation of right-of-way vacation of a portion of unimproved Ione Avenue. [Vacation Area BB]

Resolution approving the vacation of right-of-way vacation of a portion of unimproved right-of-way lying between the properties located at 986 and 976 Millwood Avenue. [Vacation Area C]

Resolution approving the vacation of right-of-way vacation of a portion of Millwood Avenue that lies westerly of Chatsworth Street in Lake Josephine Park. [Vacation Area D]

Resolution approving the vacation of right-of-way vacation of a portion of Terrace Drive lying between 2835 Fernwood Street and 2819 Fernwood Street. [Vacation Area I]

Resolution approving the vacation of right-of-way vacation of portions of the right-of-way that is located adjacent to the intersection of Lincoln Drive and Terrace Drive. [Vacation Area J]

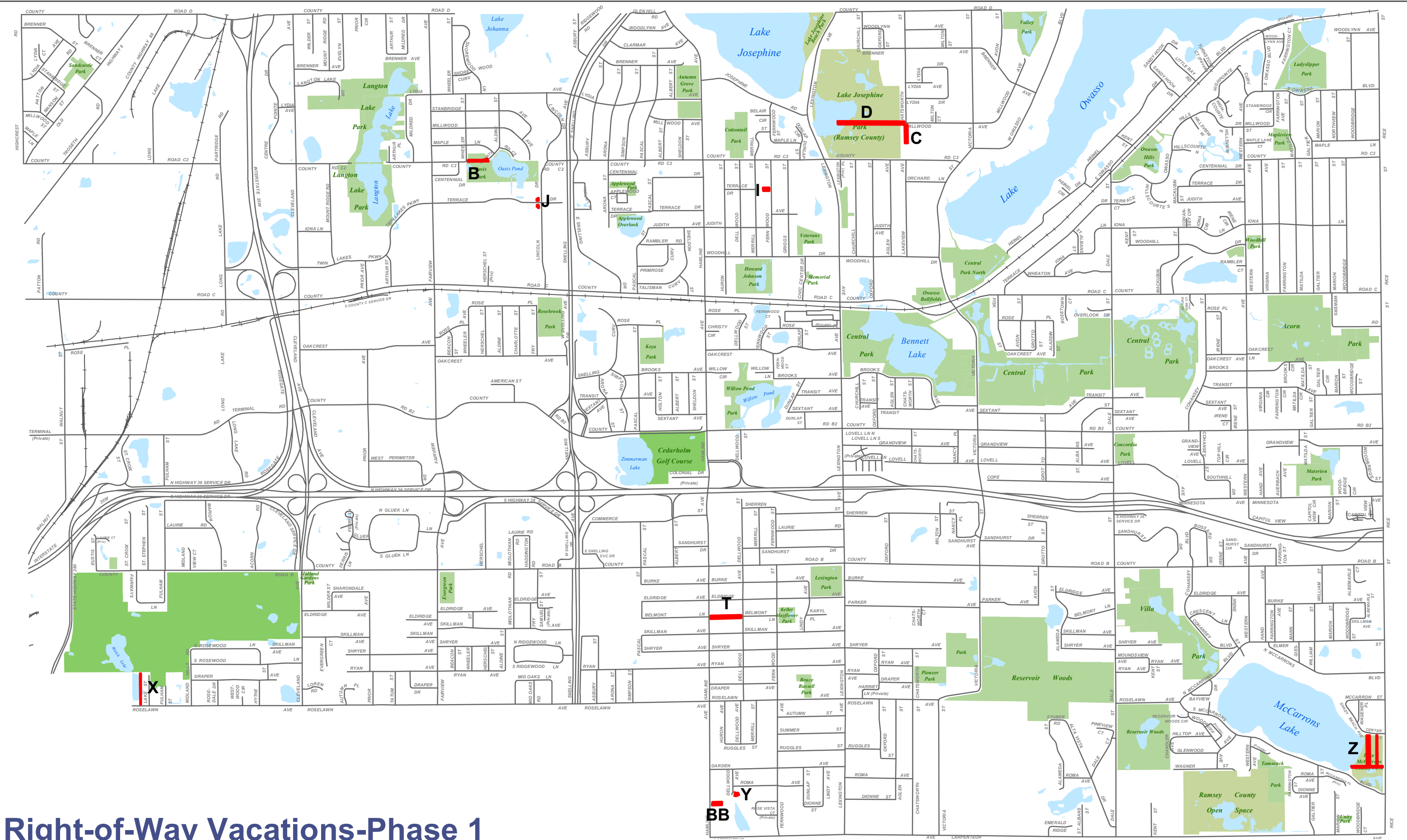
Resolution approving the vacation of right-of-way vacation of a portion of Belmont Lane. [Vacation Area T]

Resolution approving the vacation of right-of-way vacation of the Lake Street Alley located in Block 2 of Garcelon's Addition to St. Paul. [Vacation Area X]

Resolution approving the vacation of right-of-way vacation of a portion of unimproved Dellwood Avenue. [Vacation Area Y]

Resolution approving the vacation of right-of-way vacation of a portion of unimproved right-of-way located within Lake McCarrons Park. [Vacation Area Z]

(Resolutions provided by City Engineer.)



Right-of-Way Vacations-Phase 1

ROSEVILLE
Prepared by:
Engineering Department
May 30, 2023

Data Sources and Contacts:
• Ramsey County GIS Base Map (2/02/22)
• City of Roseville Engineering Department
For further information regarding the contents of this map contact:
City of Roseville, Engineering Department,
2660 Civic Center Drive, Roseville MN

DISCLAIMER:
This map is neither a legally recorded map nor a survey and is not intended to be used as one. This map is a compilation of records, information and data located in various city, county, state and federal offices and other sources regarding the area shown, and is to be used for reference purposes only. The City does not warrant that the Geographic Information System (GIS) Data used to prepare this map are error free, and the City does not represent that the GIS Data can be used for navigational, tracking or any other purpose requiring exacting measurement of distance or direction or precision in the depiction of geographic features. If errors or discrepancies are found please contact 651-752-1075. The preceding disclaimer is provided pursuant to Minnesota Statutes §466.03, Subd. 21 (2000), and the user of this map acknowledges that the City shall not be liable for any damages, and expressly waives all claims, and agrees to defend, indemnify, and hold harmless the City from any and all claims brought by User, its employees or agents, or third parties which arise out of the user's access or use of data provided.

0 500 1000 1500 2000 Feet

mapdoc: Overall_Phase1_ROW_Vacation.mxd
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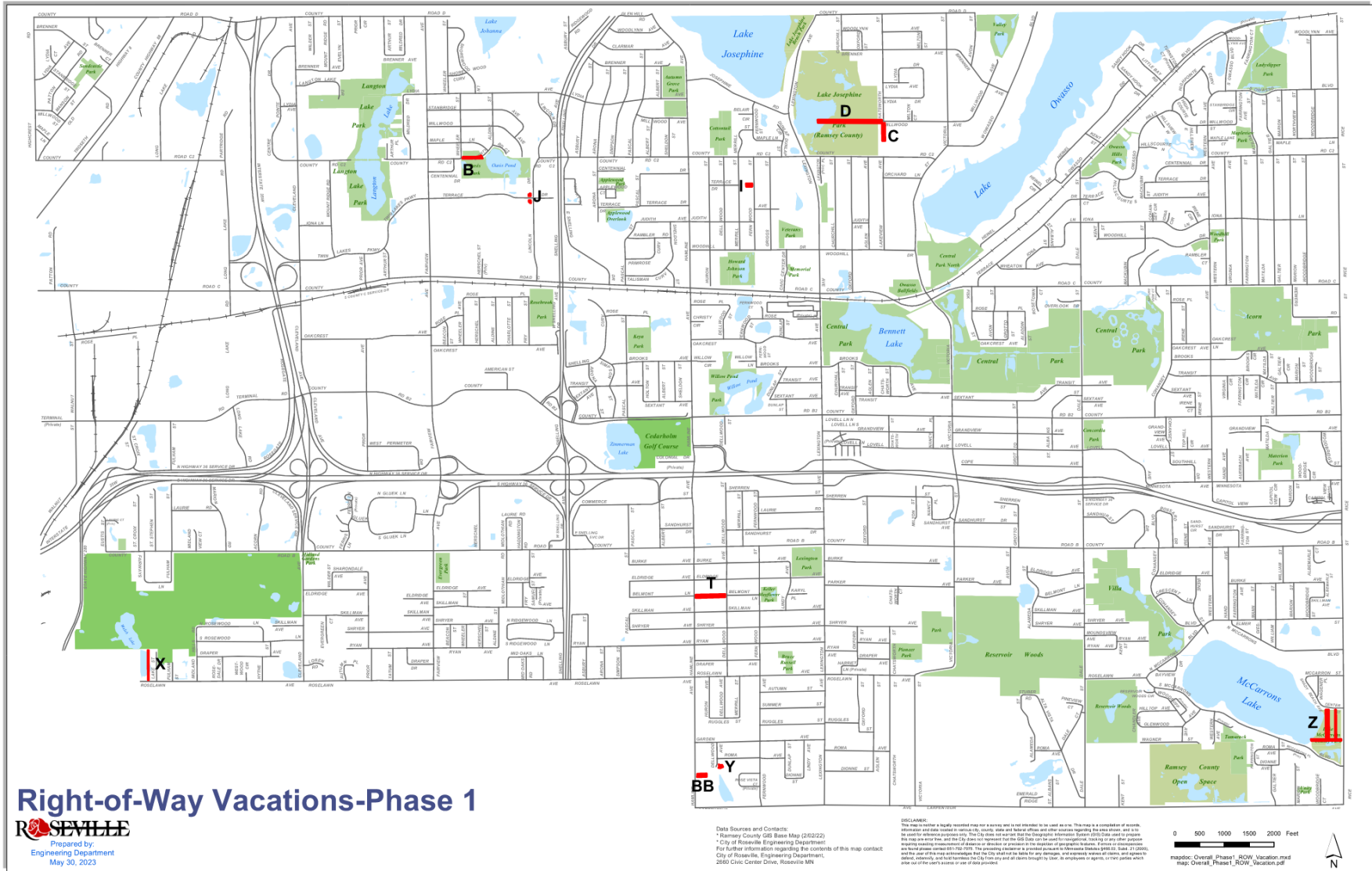


Vacation of Multiple Street Rights-of-Way

Public Works



Proposed Vacations Map



Vacation B – Resolution A

PORTION OF COUNTY ROAD C2 LYING WITHIN OASIS PARK



PORTION OF UNIMPROVED IONE AVENUE

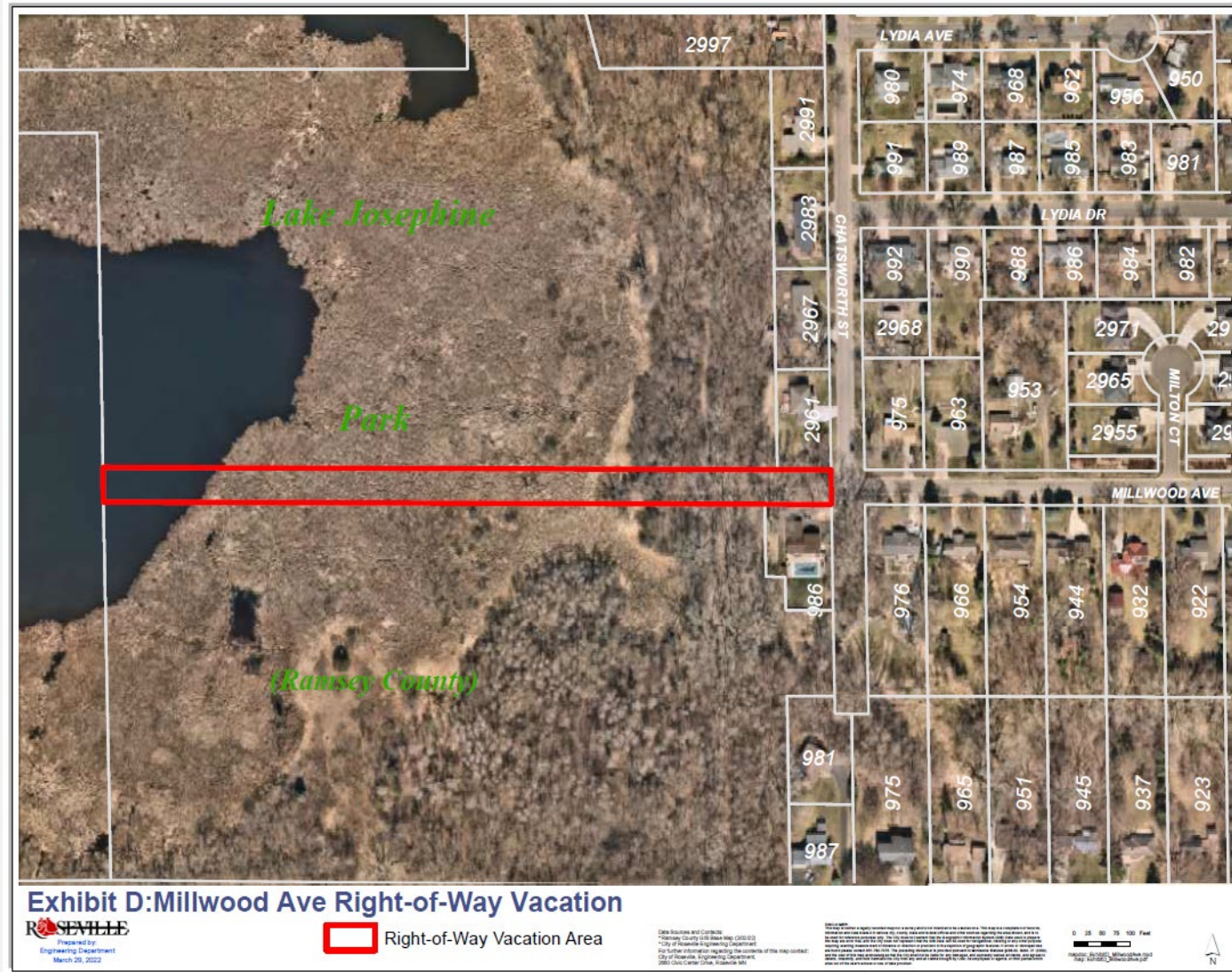


PORTION OF UNIMPROVED RIGHT-OF-WAY LYING BETWEEN THE PROPERTIES LOCATED AT 986 AND 976 MILLWOOD AVENUE



Vacation D – Resolution D

PORTION OF MILLWOOD AVENUE THAT LIES WESTERLY OF CHATSWORTH STREET IN LAKE JOSEPHINE PARK



PORTION OF TERRACE DRIVE LYING BETWEEN 2835 FERNWOOD STREET AND 2819 FERNWOOD STREET



Vacation J – Resolution F

PORTIONS OF THE RIGHT-OF-WAY ADJACENT TO THE INTERSECTION OF LINCOLN DRIVE AND TERRACE DRIVE



Vacation T – Resolution G

PORTION OF BELMONT LANE



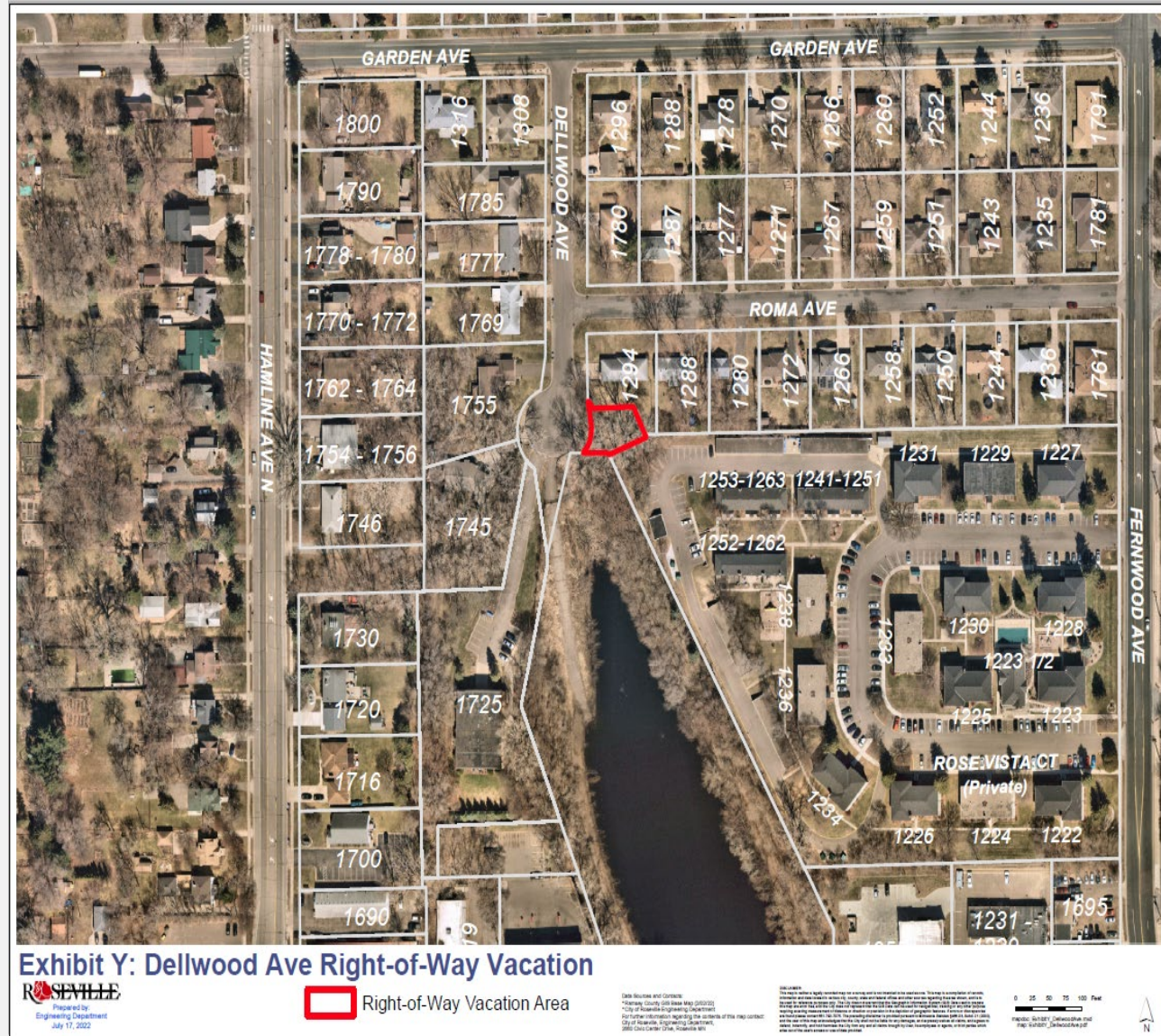
Vacation X – Resolution H

LAKE STREET ALLEY LOCATED IN BLOCK 2 OF GARCELON'S ADDITION TO ST. PAUL



Vacation Y – Resolution I

PORTION OF UNIMPROVED DELLWOOD AVENUE



Vacation Z – Resolution J

PORTIONS OF UNIMPROVED RIGHT-OF-WAY LOCATED WITHIN LAKE MCCARRONS PARK



All Vacation Areas

PUBLIC HEARING

Public Hearing as Required by Minnesota State Statute 412.851

In an attempt to provide everyone an opportunity to be heard and yet conduct the hearing in an efficient manner, we would suggest that rules be used for the hearing for this project. These would include the following:

1. Individuals should identify themselves by giving their name and address and should speak into the microphone.
2. Each speaker should limit questions and comments to five minutes.
3. No person will be heard for a second time until all interested persons who wish to speak have had an opportunity to do so.
4. Be courteous. No comments from audience or applause during question/ comment period.

ROSEVILLE
REQUEST FOR COUNCIL ACTION

Date: June 5, 2023
Item No.: 7.b

Department Approval

Janice Gundlach

City Manager Approval

Sam Trueman

Item Description: Consider a request to perform an abatement for unresolved violations of City Code at 2165 Victoria St N.

BACKGROUND

- The subject property is an un-occupied, single family home.
- Current violations related to the abatement request include:
 - Inoperable vehicle (407.02.G, 407.04.D)
 - Vehicles without current registration (407.02.G, 407.04.D)
 - Outside piling/storing (407.03.I)
 - Brush, gravel piles (407.02.C)
 - Permits required for any alterations or work regulated by State Code and/or City Ordinance, including a driveway expansion, window replacement, attached garage conversion, alterations to rear deck attached to home (901.09.A, B)
- A complaint regarding unlicensed and inoperable vehicles and other items stored outside on property was received by staff on March 29, 2023. The violations were confirmed, a door hanger notifying the property of the violations was left on the property (Attachment D).
- A follow up inspection on April 10 showed no progress toward compliance related to the unlicensed and inoperable vehicles or outside storage of materials. Research related to the vehicles revealed that the plates attached to the vehicles did not match the make/model of vehicle. Case forwarded to RVPD for confirmation and follow up.
- RVPD was able to make contact with a person on site to discuss the vehicles (Attachment E), RVPD referred issue back to code enforcement on April 19, as all violations were on private property. As an aside, based on the narrative included within the Incident Report and the email correspondence from Mr. Yesil dated May 24, 2023, the subject property may be conducting an illegal home occupation. Planning Division staff will follow-up with a letter informing the owners of the regulations for home occupations provided in Zoning Code Section 1011.12.B.3 (Attachment C).
- On April 20, staff sent the property owner a second correspondence (Attachment D), noting that violations remain on the property. This correspondence also contained a warning of a Repeat Nuisance Service Call Fee due to two violations noted on the property within 720 days (City Code 511)
- A person named in the police report came to the Community Development desk at Roseville City Hall on April 24. He stated that he was in receipt of all correspondence. He stated that his

intent was to bring the property into compliance and apply for necessary permits.

- A second complaint regarding this property was received on May 10. Staff conducted a site visit and determined that original violations remain, as well as, numerous additional violations for vehicles on unimproved surface in rear yard, commercial vehicle stored on residential property, brush piles and work requiring permits conducted without obtaining permits.
- During the May 10th inspection and review of Ramsey County property records, staff noted the property is not homesteaded and issued a suspected rental letter. To date, the property owners have not clarified whether or not the property is rented.
- Correspondence was sent detailing the additional violations, as well as, a Repeat Nuisance Service Call Fee. (Attachment D)
- The property owner sent email correspondence on May 24, stating that he was addressing the violations noted. He stated that property should be in compliance just after the Memorial Day Holiday. Staff replied by email stating that due to the number and variety of violations, on site meeting would be best. (Attachment F)
- On May 26, staff posted the property for a public hearing before City Council (Attachment D). After the posting was in place, the property owner emailed asking to meet on June 6 or 7. (Attachment F)
- As of the writing of this RCA, no progress related to any noted violation or code compliance has been observed on this property.
- A status update will be provided during the hearing.

FINANCIAL IMPACTS

City Abatement:

The estimated costs of the proposed abatement include the following:

• Removal of unlicensed, inoperable vehicles outdoors	\$ 0.00
• Removal of junk, debris, brush and other items stored outside	\$5000.00
• Abatement Fee per Council Approved Fee Schedule	\$ 350.00
Total:	<u>\$5350.00</u>

STAFF RECOMMENDATION

Staff recommends the Council direct Community Development staff to abate the above referenced public nuisance violations at 2165 Victoria St N.

REQUESTED COUNCIL ACTION

By motion, direct Community Development staff to abate the public nuisance violations at 2165 Victoria St N., by notifying a towing company to remove the unlicensed and/or inoperable vehicles from the property and by hiring an additional private contractor to remove the junk/debris, brush and other items stored outside on the property.

If so ordered, the property owner will be billed for actual and administrative costs. If charges are not paid, staff is to recover costs as specified in Section 407.08.B.

Prepared by: Dave Englund, Building Official 651.792.7087 dave.englund@cityofroseville.com

Attachment: A: Map of 2165 Victoria St N
B: Timeline of staff actions
C: Cited City Code Sections
D: Code Enforcement staff correspondence and photos
E: RVPD incident report regarding property
F: Property owner correspondence



Prepared by:
Community Development Department
Printed: May 30, 2023



Data Sources
* Ramsey County GIS Base Map [5/4/2023]
For further information regarding the contents of this map contact:
City of Roseville, Community Development Department,
2660 Civic Center Drive, Roseville MN

Disclaimer
This map is neither a legally recorded map nor a survey and is not intended to be used as one. This map is a compilation of records, information and data located in various city, county, state and federal offices and other sources regarding the area shown, and is to be used for reference purposes only. The City does not warrant that the Geographic Information System (GIS) Data used to prepare this map are error free, and the City does not represent that the GIS Data can be used for navigational, tracking or any other purpose requiring exacting measurement of distance or direction or precision in the depiction of geographic features. If errors or discrepancies are found please contact 651-792-7085. The preceding disclaimer is provided pursuant to Minnesota Statutes §466.03, Subd. 21 (2000), and the user of this map acknowledges that the City shall not be liable for any damages, and expressly waives all claims, and agrees to defend, indemnify, and hold harmless the City from any and all claims brought by User, its employees or agents, or third parties which arise out of the user's access or use of data provided.

2165 Victoria St N

ATTACHMENT B

April 10, 2023

- Inoperable/unlicensed vehicles remain
- Notified RVPD in regards to vehicle plates not matching vehicles

April 19, 2023

- RVPD discussed issues with person on site (see attached PD report)
- PD transferred back to code enforcement as all violations are on private property

April 20, 2023

- Site visit to property
- Violations remain
- Letter sent to property owner
- Repeat Nuisance Service Call Fee Warning sent to property owner

April 24, 2023

- Individual named in PD report came in to Community Development to discuss violations
- He stated that he was in receipt of all correspondence.
- He stated that permits for work would be applied for and all vehicles would be brought into compliance

May 10, 2023

- Received second complaint
- Numerous additional violations noted
- Second complaint case started
- Suspected rental letter sent

May 24 & 26, 2023

- No improvements or corrections observed
- Email correspondence from owner stating that they were addressing compliance concerns
- Council hearing notification posted on property

June 5, 2023

- Hearing before Roseville City Council

March 29, 2023

- Complaint of unlicensed & inoperable vehicles and miscellaneous materials stored outside
- Door hanger left on property



CITED CITY CODE SECTIONS

407.02: NUISANCES AFFECTING HEALTH, SAFETY, COMFORT OR REPOSE:

C. Debris: An accumulation of tin cans, bottles, trash, uprooted tree stumps, logs, limbs, brush, cut vegetative debris, or other debris of any nature or description and the throwing, dumping or depositing of any dead animals, manure, garbage, waste, decaying matter, ground, sand, stones, ashes, rubbish, tin cans or other material of any kind onto public or private property.

G. Parking and Storage: The outside parking or storage on residentially-zoned property of vehicles, materials, supplies or equipment in violation of the provisions set forth below:

2. Storage on Property: No person may place, store or allow the placement or storage of the following, in the front yard or unscreened street facing side yard of a corner lot of any residential zoned area:

c. Vehicles of any type in inoperable condition

407.03: NUISANCES AFFECTING PEACE AND SAFETY:

I. Junk: The outside piling, storing or keeping of old machinery, furniture, household furnishings or appliances or component parts thereof, rusting metal inoperable/unusable equipment, or other debris visible on private or public property

407.04: VEHICLES CONSTITUTING A PUBLIC NUISANCE:

A. Abandoned, Junk, Unauthorized and Inoperable Vehicles Create Hazard: Abandoned, junk, unauthorized and inoperable vehicles are declared to be a public nuisance creating hazard to the health and safety of the public because they invite plundering, create fire hazards, attract vermin, and present physical dangers to the safety and well-being of children and other citizens. The accumulation and outside storage of such vehicles is in the nature of rubbish, litter and unsightly debris and is a blight on the landscape and a detriment to the environment. It shall be unlawful for a person to pile, store or keep wrecked, junked, inoperable, unauthorized or abandoned vehicles on private or public property.

D. Vehicles Without Current Registration: Except where expressly permitted by state law, any vehicle or other equipment, which requires registration for operation in the State of Minnesota, shall be deemed to be junked, inoperable, unauthorized or abandoned if said vehicle does not have attached thereto a valid registration issued by the proper State agency.

901.09: PERMITS REQUIRED:

A. Permits shall be required as specified in the MSB Code.

B. Permits shall be required for the following to verify compliance with the city code.

- Driveways (new and replacement)

CITED CITY CODE SECTIONS

1011.12: ADDITIONAL STANDARDS FOR SPECIFIC USES IN ALL DISTRICTS:

B. Residential Uses, Accessory:

3. Home Occupation: Home occupations are allowed in residential districts, subject to the standards below.

- a. All new home occupations as of January 1, 2011, shall be subject to an annual registration with the City, on a form as required by the Community Development Department and with a fee as determined by the City Council.
- b. Home occupations shall be clearly incidental and subordinate to the residential use of the property. Exterior alterations or modifications that change the residential character or appearance of any structures or the property itself are not allowed.
- c. Home occupations shall not occupy more than 30% of the floor area of the dwelling, to a maximum of 600 square feet. The home occupation shall be conducted entirely within the dwelling. An accessory building shall not be used in the operation of a home occupation.
- d. Only persons residing on the premises and no more than 1 nonresident employee shall be engaged in the conduct of home occupations on the premises at any given time.
- e. There shall be no outside storage of products, materials, or equipment used in conjunction with home occupations.
- f. The required off-street parking for the residential use shall not be reduced or made unusable by home occupations.
- g. Home occupations shall not generate excessive traffic or parking demand that is detrimental to the character of the neighborhood.
- h. Shipment and delivery of products, merchandise, or supplies shall be by single rear axle straight trucks or similar delivery vehicles normally used to serve residential neighborhoods.
- i. There shall be no indications of offensive noise, odors, smoke, heat, glare, vibration, or electrical interference at or beyond the boundaries of the residential lots occupied by home occupations.
- j. Home occupations shall meet all applicable fire and building codes, as well as any other City,

CITED CITY CODE SECTIONS

State, or Federal regulations.

k. Signage for home occupations shall be subject to the requirements of Chapter 1010 of this Title.

l. The following activities shall be prohibited as home occupations:

- i. The operation of any wholesale or retail business unless it is conducted entirely by mail or Internet. The sale of products incidental to the delivery of a service is allowed.
- ii. Any manufacturing, welding, machine shop, or similar use.
- iii. Motor vehicle repair.
- iv. The sale, lease, trade, or transfer of firearms or ammunition.
- v. Headquarters or dispatch centers where persons come to the site and are dispatched to other locations.

City of Roseville

Community Development Department
2660 Civic Center Drive, Roseville, MN

CODE VIOLATION NOTICEDate: 3/29/23Address: 2165 Victoria St.

Please refer to checked items below for
identified concerns:

- ☒ Outside Storage of Misc. Materials
- ☒ Vehicle Unlicensed and inoperable vehicles stored outside.
- ☐ Property Maintenance
- ☐ Other

Please see back of this posting for more specific
information.

Re-inspection will be conducted in:

5 days ☐ 10 days ☒ 30 days ☐

Please contact staff with any questions regarding this
notice:

651-792-7014 or complaints@cityofroseville.com





April 20, 2023

Case #ENF23-057

Korhan Yesil
2165 Victoria St N
Roseville MN 55113-4434

Dear Mr. Yesil,

The City previously notified you that your property is in violation of Roseville's City Code. A re-inspection of the property have revealed that the request has not been complied with. Specifically:

- Inoperable vehicle(s) stored outside.
- Unlicensed vehicle(s) stored outside.
- Vehicles stored outside not registered to occupant
- Vehicles stored on unimproved surfaces.
- Outside storage of misc. materials

These are violations of Roseville's City Code, specifically:

- 407.02 G and 407.04 D, both of which require that vehicles stored outside be in operable condition and display current registration / licensure.
- 407.03 I, which prohibits The outside piling, storing or keeping of old machinery, furniture, household furnishings or appliances or component parts thereof, rusting metal inoperable/unusable equipment, or other debris visible on private or public property.

If the violations listed are not corrected within **5 days** and continuously maintained in compliance thereafter, the City will move forward with further action, including the possibility of an **administrative citation or abatement proceedings, which could entail the expenditure of funds for which you, as the property owner, would be responsible to repay.**

The City's objective is to increase the enjoyment of neighborhoods and enhance property values through enforcement of City Codes. We hope that you will work with us to maintain a positive community environment.

We hope that you will work with us to maintain a positive community environment. If you would like to discuss this further, please contact a Code Compliance Officer at 651-792-7014.

Sincerely,

Chris Bolstad
Code Compliance Officer
Chris.bolstad@cityofroseville.com
651-792-7083



REPEAT NUISANCE WARNING LETTER

April 20, 2023

Korhan Yesil
2165 Victoria St N
Roseville MN 55113-4434

Dear Property Owner,

This notice serves as Official Notice of a Repeat Nuisance Service Call Ordinance Violation Warning. This warning is being issued to you because the property has been the source of at least one prior nuisance service call by Roseville personnel within the previous 720 days.

According to our records, City personnel verified the following violations at your property within a 365 day period:

Date	Case #	Violation/Offense
3/29/2023	ENF23-057	Vehicles & Outside Storage / Junk
4/20/2023	STOP23-079	Stop Work Order - Driveway

Any future nuisance service calls within 720 days from the first verified nuisance violation (identified above) will subject you (jointly and severally with any other parties having a legal interest in this property) to a Repeat Nuisance Service Call Fee of \$250.00, with subsequent calls subject to a fee of \$250.00 plus the cost of enforcement response (up to \$2,000.00).

Please take immediate action to correct the source of the nuisances in order to avoid a Repeat Nuisance Service Call Fee under Roseville City Ordinance 511.

Sincerely,

Chris Bolstad, Code Compliance Officer
651-792-7083
chris.bolstad@cityofroseville.com



May 16, 2023

2nd Case #ENF23-109

Korhan Yesil
2165 Victoria St N
Roseville MN 55113-4434

Dear Mr. Yesil,

A re-inspection of the property at 2165 Victoria St have revealed that additional violations not previously noted, specifically:

- 3 additional Inoperable vehicle(s) stored outside.
- Inoperable commercial vehicle stored outside.
- Broken window
- Outside storage of lumber and materials
- Brush piles
- Additional work without permit (windows, garage door, partial demolition of rear deck)

These are violations of Roseville's City Code, specifically:

- 407.02 G and 407.04 D, both of which require that vehicles stored outside be in operable condition and display current registration / licensure.
- 407.03 I, which prohibits the outside piling, storing or keeping of old machinery, furniture, household furnishings or appliances or component parts thereof, rusting metal inoperable/unusable equipment, or other debris visible on private or public property.
- 407.02 G (5), which prohibits the storage of commercial vehicles on residential property.
- 906.05 which classifies broken windows an unsafe condition
- 407.02 C which prohibits an accumulation of tin cans, bottles, trash, uprooted tree stumps, logs, limbs, brush, cut vegetative debris, or other debris of any nature or description and the throwing, dumping or depositing of any dead animals, manure, garbage, waste, decaying matter, ground, sand, stones, ashes, rubbish, tin cans or other material of any kind onto public or private property.
- 901.09 which requires permits for all work regulated by state building, plumbing, mechanical, and electrical codes.

If the violations listed are not corrected within **5 days** and continuously maintained in compliance thereafter, the City will move forward with further action, including the possibility of an **administrative citation or abatement proceedings, which could entail the expenditure of funds for which you, as the property owner, would be responsible to repay.**

The City's objective is to increase the enjoyment of neighborhoods and enhance property values through enforcement of City Codes. We hope that you will work with us to maintain a positive community environment.



Community Development Department
2660 Civic Center Drive
Roseville, Minnesota 55113
(651) 792-7080

IMMEDIATE ACTION REQUIRED BY June 16, 2023

REPEAT NUISANCE SERVICE CALL FEE - \$250.00

If no payment is received by June 16, 2023, the fee amount may be assessed to property

May 16, 2023

Korhan Yesil
2165 Victoria St N
Roseville MN 55113-4434

Re: Case: 2165 Victoria St., Roseville, MN 55113

This is a Repeat Nuisance Service Call Fee issued under City Code Section 511. On May 16, 2023, a 5th violation, within 720 days, to City Code was observed at **2165 Victoria St, Roseville, Minnesota. The amount of the Repeat Nuisance Service Call Fee is \$250.00, and an invoice is included with this notice.**

Violation Date	Case Number	Violation Description
3/29/2023	ENF23-057	Outside Storage, Unlicensed / Inoperable Vehicles
4/20/2023	STOP23-079	Driveway expansion without permit
4/20/2023	ENF23-077	Property not registered as a rental
5/12/2023	ENF23-109	Inoperable vehicles, commercial vehicles, outside storage.
5/12/2023	STOP23-114	Additional Work without permits

Payment: A payment must be submitted within thirty (30) days of this notice date. A check payment may be delivered in person or mailed to the City of Roseville, 2660 Civic Center Drive, Roseville, MN 55113. Payment may also be made over the phone or in person with a credit card by calling (651) 792-7080. Payment of the Repeat Nuisance Service Call Fee acknowledges a violation of City Code. If the Repeat Nuisance Service Call Fee is unpaid, all charges may be assessed against the property pursuant to City Code Section 511.05 and Minnesota Statute 429.101.

Right to Appeal: Any person contesting a Repeat Nuisance Service Call Fee may, within ten (10) days of the date of issuance of the notice, request, in writing, a hearing. The request must be mailed or hand delivered to the City Manager's Office, 2660 Civic Center Drive, Roseville, MN 55113. If the violation is sustained by the Hearing Officer, the violator shall pay the penalty imposed within ten (10) business days. (City Code Section 511.07).

Continued Compliance: The payment of the penalty does not release the property owner from the responsibility of maintaining the property in compliance with City Code. If the violation remains after ten (10) days of issuance of this (without notice contestation request), the City may move forward with abatement proceedings to correct the issue, which could result in additional amounts owed by the property owner.

David Englund, Building Official
City of Roseville
651-792-7087
David.englund@cityofroseville.com

OFFICE USE ONLY

Amount: _____
Date: _____
Delivery Method: _____
Delivered By: _____

Enclosure: Repeat Nuisance Service Call Fee Invoice

Attachment D

CITY OF ROSEVILLE
Community Development Department
2660 Civic Center Drive
Roseville, MN 55113
651-792-7080

INVOICE

MAY 16, 2023

TO:

Korhan Yesil
2165 Victoria St
Roseville, MN 55113

FOR:

Repeat Nuisance Service Call Fee
Property Address:
2165 Victoria St
Roseville, Minnesota 55113

DESCRIPTION	AMOUNT
Repeat Nuisance Service Call Fee – 2165 Victoria St	\$250.00
IMMEDIATE ACTION REQUIRED BY June 16, 2023	
If no payment received by June 16, 2023, amount may be assessed to property	
TOTAL DUE UPON RECEIPT	
	\$250.00

PAYMENT OPTIONS

- **Pay online:**
 1. Visit www.cityofroseville.com/epermits
 2. Enter the enforcement case # in the search bar located directly above the Login section
 3. Press Enter on your keyboard or click the magnifying glass icon
 4. Click Payments
 5. Select Fees from the dropdown menu.
 6. Click the blue text, "Pay Fees"
 7. Continue Application
 8. Proceed with entering payment information (either Credit Card or Bank Account)
 9. Submit Payment
- **Pay over the phone with credit card by calling 651-792-7014**
- **Send check payable to the City of Roseville referencing enforcement case # and/or address (2660 Civic Center Dr, Roseville, MN 55113)**



Community Development Department
2660 Civic Center Drive ❖ Roseville, Minnesota 55113
651-792-7014 ❖ fax 651-792-7070 ❖ www.cityofroseville.com

May 26, 2023

Korhan Yesil
2165 Victoria St N
Roseville MN 55113-4434

RE: Case #'s: ENF23-057 and ENF23-109

Dear Property Owner:

The City of Roseville is committed to protecting and enhancing the character, stability, and appearance of the City's residential neighborhoods and commercial areas by maintaining the standards and enforcing the regulations established in Roseville City Code. The City received a complaint and verified code violations at your property. The City of Roseville intends to hold a public hearing before City Council to discuss possible administrative citation or abatement for the violations identified below:

The combined ongoing violations include:

- Vehicles stored on unimproved surfaces
- Inoperable vehicles stored outside
- Unlicensed vehicles stored outside
- Commercial vehicle (also inoperable) stored outside
- Outside storage of misc. lumber and materials
- Brush piles
- Broken window
- Partially demolished deck (no permit)
- Additional work without permits (driveway expansion, installation of a wall in place of garage door, etc).

These are violations of Roseville's City Code, specifically:

- 407.02 G and 407.04 D, both of which require that vehicles stored outside be in operable condition and display current registration / licensure.
- 407.03 I, which prohibits the outside piling, storing or keeping of old machinery, furniture, household furnishings or appliances or component parts thereof, rusting metal inoperable/unusable equipment, or other debris visible on private or public property.
- 407.02 G (5), which prohibits the storage of commercial vehicles on residential property.
- 906.05 which classifies broken windows an unsafe condition
- 407.02 C which prohibits an accumulation of tin cans, bottles, trash, uprooted tree stumps, logs, limbs, brush, cut vegetative debris, or other debris of any nature or description and the throwing, dumping or depositing of any dead animals, manure, garbage, waste, decaying matter, ground, sand, stones, ashes, rubbish, tin cans or other material of any kind onto public or private property.

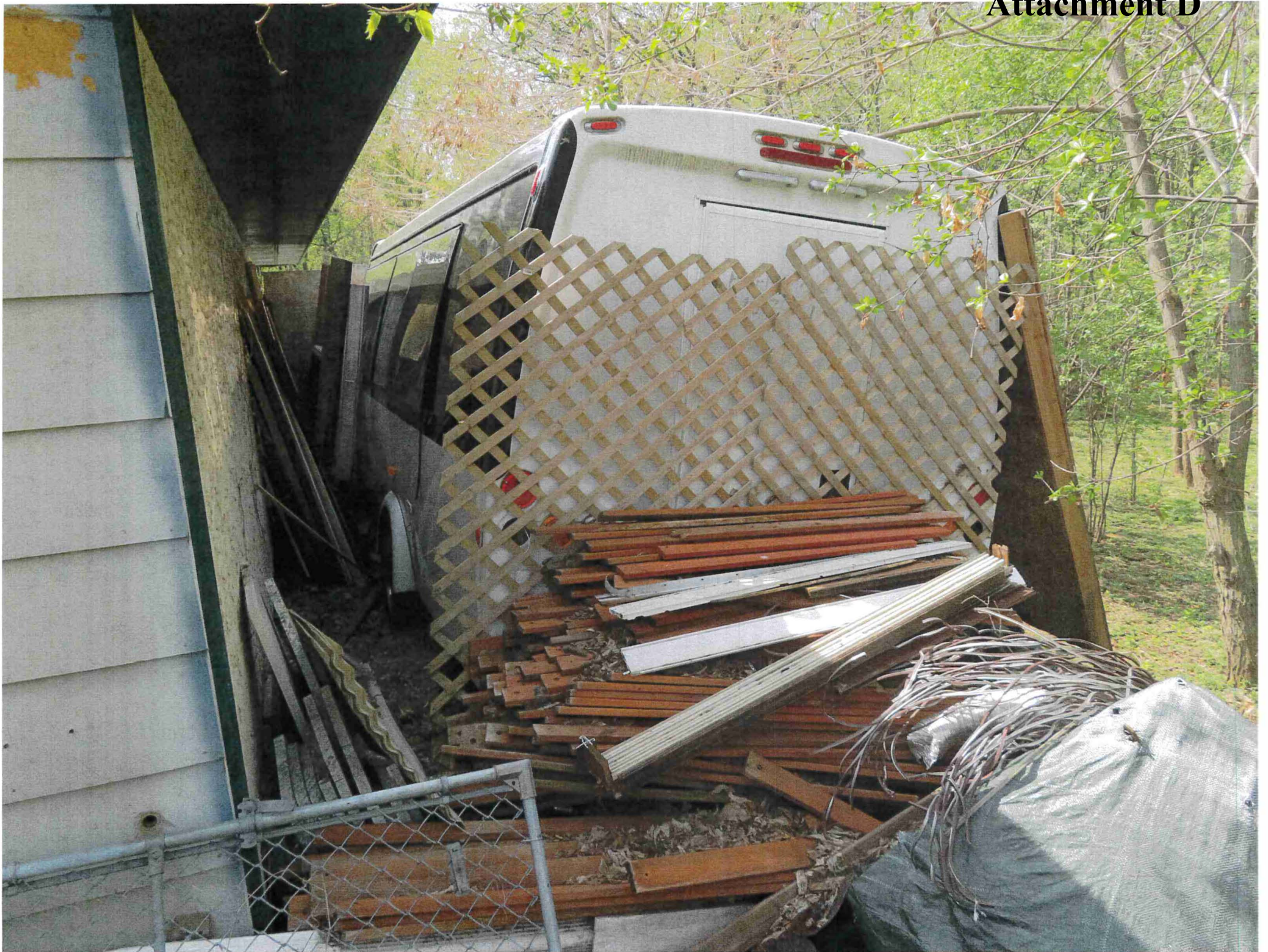




















ROSEVILLE POLICE DEPARTMENT **INCIDENT REPORT**

ICR# 23011578	AGENCY ORI# MN0620800	JUVENILE:
Reported: 04-11-2023 1650 First Assigned:1650 First Arrived:1650 Last Cleared:1651 Committed Start: Committed End: Title: Investigate How Received: Phone Short Description: Assist to code enforcement Location(s) Address: 2165 Victoria St N City: Roseville State: MN Zip: 55113 Country: US		
Officer Assigned: Olson, Nick	Badge No: 168	Primary: Yes
Involvement: Other Name: Yesil Korhan Age: 51 Address: (None Selected) 1401 County Road E W City: Arden Hills State: MN Zip: 55112-3652 Country:		
Involvement: Warned Name: Murray, Joel Jeffrey Age: 61 Address: (Residence) 2165 Victoria City: Roseville State: MN Zip: 55113 Country: Phone: (Cell)		
State: MN Plate: NAD163	VIN: XXXXXXXXXXXXXXXXX	Year: 2012 Color:
Make: HOND Model: CIVIC	VIN: XXXXXXXXXXXXXXXXX	Year: 2010 Color:
State: MN Plate: 462JAM	VIN: XXXXXXXXXXXXXXXXX	Year: 2009 Color:
Make: VOLK Model: JETTA	VIN: XXXXXXXXXXXXXXXXX	Year: 2012 Color:
State: MN Plate: EHX210	VIN: XXXXXXXXXXXXXXXXX	Year: 2009 Color:
Make: HOND Model: FIT	VIN: XXXXXXXXXXXXXXXXX	Year: 2012 Color:
State: MN Plate: CJA340	VIN: XXXXXXXXXXXXXXXXX	Year: 2009 Color:
Make: HOND Model: CIVIC	VIN: XXXXXXXXXXXXXXXXX	Year: 2009 Color:
State: MN Plate: ERC054	VIN: XXXXXXXXXXXXXXXXX	Year: 2009 Color:
Make: CHRY Model: TOWN & COUNTRY	VIN: XXXXXXXXXXXXXXXXX	Year: 2009 Color:

Supplemental Report

ICR: 23011578

Last Modified: 04-19-2023 1309

Title: INV

Created By: Nick Olson

I received a complaint from Roseville code enforcement reference 2165 Victoria.

In the driveway of that home there were 9 vehicles parked. All of the license plates displayed current year registration. On running the vehicles through NCIC, I noted almost all vehicles registered with

22021 or 2022 tabs, and at least one had incorrect license plates on it.
All vehicles registered to Yesil.

I spoke with the homeowner at that residence (Murrey) about the vehicles. He stated he is in the auto repair/salvage business and has to store the vehicles in the driveway. He also stated he is aware of the city code requiring current registrations on vehicles. He stated that while he is at "U-Pull-R-parts" buying parts, he removes the 23 tabs off of junked vehicles to put on the expired vehicles in his driveway. He does this to buy time with the city until he can get the vehicles off property. I advised him Roseville code enforcement would likely be following up.

I advised him to remove the incorrect tabs and plates.

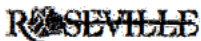
I advised Roseville code enforcement of the findings.

CONFIDENTIAL - NOT FOR DISTRIBUTION

David Englund

From: Chris Bolstad
Sent: Tuesday, May 30, 2023 1:07 PM
To: David Englund
Subject: FW: 2165 Victoria St N building permits and code compliance

Chris Bolstad | Code Compliance Coordinator | City of Roseville



2660 Civic Center Drive | Roseville, MN 55113
651-792-7083
[Facebook](#) | [Twitter](#) | [YouTube](#)

From: korhan yesil <[REDACTED]>
Sent: Friday, May 26, 2023 1:27 PM
To: Chris Bolstad <Chris.Bolstad@cityofroseville.com>
Subject: RE: 2165 Victoria St N building permits and code compliance

You don't often get email from [REDACTED]. [Learn why this is important](#)

Caution: This email originated outside our organization; please use caution.

Hi Chris, I was able to arrange to have my routes covered on June 6 and 7, to have those two days off. Can we meet on one of those days?
Kory

Sent from [Mail](#) for Windows

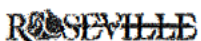
From: [Chris Bolstad](#)
Sent: Wednesday, May 24, 2023 9:05 AM
To: [korhan yesil](#)
Cc: [David Englund](#)
Subject: RE: 2165 Victoria St N building permits and code compliance

Good Morning –

Thank you for your e-mail. Due to the number of and wide ranging nature of the violations at the property I do believe a meeting with you, the property owner, at the property would be appropriate. Please let me know when you would be available to meet with City staff at the property.

Thanks,

Chris Bolstad | Code Compliance Coordinator | City of Roseville



2660 Civic Center Drive | Roseville, MN 55113
651-792-7083
[Facebook](#) | [Twitter](#) | [YouTube](#)

From: korhan yesil [REDACTED]
Sent: Wednesday, May 24, 2023 8:33 AM
To: Chris Bolstad <Chris.Bolstad@cityofroseville.com>
Subject: 2165 Victoria St N building permits and code compliance

You don't often get email from [REDACTED] [Learn why this is important](#)

Caution: This email originated outside our organization; please use caution.

Good morning Chris,

Just wanted to let you know that we are addressing the compliance issues at our address at 2165 Victoria St N. Joel and I have been moving and relocating items from the garage to accommodate vehicles. One issue we are experiencing is having state inspection performed on some (salvage title branded) vehicles. None of the inspection facilities are taking new appointments for quite some time now. Without inspection, we cannot renew tabs. We use the cars for delivery of pharmaceutical products to nursing homes in WI and MN. Joel and I drive approximately 1000 miles between us daily. Some of the vehicle damage is the result of the numerous deer hits we experience annually.

Joel will be taking the next week off to address compliance issues of moving offending vehicles inside garage, removing accumulated brush, relocating building materials, and replacing broken window with plexiglass. Hopefully this can all be completed this Memorial day weekend.

Regarding permits:

I am submitting a rough sketch of driveway expansion site (including courtyard). Detailed site plan for permit is in the works. As is the home remodel. We want to convert attached upper level garage to living space. The temporary garage door entrance is a result of a broken spring which necessitated garage door removal (with upcoming intention for conversion). The windows.... are the result of one of Joel's manic episodes.

Please acknowledge that you have received this email. And whether a sit down visit is appropriate.

Also, should I be communicating with other individuals?

Thank you for all you and your staff do to keep Roseville a great place to live.

Kory

ROSEVILLE
REQUEST FOR COUNCIL ACTION

Date: June 5, 2023
Item No.: 7.c

Department Approval

Michelle Dietrick

City Manager Approval

Sam J. Truog

Item Description: Joint Meeting with the Finance Commission

BACKGROUND

Each year the City Council meets with various commissions to review activities and accomplishments and to discuss the upcoming year's work plan and issues that may be considered.

Since the last joint meeting on February 14, 2022, the Finance Commission has conducted the following discussions or activities:

- Reviewed 2021 and 2022 Investment Portfolio performance
- Investment Policy amended to allow for limited use of equity investments
- Received staff update on ARPA spending plan
- Discussed payoff scenarios for the interfund loan between the PMP fund and the Shopping Center fund – made recommendation to use excess cash reserve fund, then original repayment source was located and License Center rent was used to pay off the loan
- Reviewed and made recommendations on the 2023-2042 Capital Improvement Plan
- Reviewed excess cash reserve fund for 2021 and 2022
- Toured the Ice Oval/Arena to get a better understanding of the capital needs
- Reviewed and recommended staff proposed revisions to the Capital Investment Policy
- Reviewed and provided recommendations on the 2023 Budget, Tax Levy and Utility Rates
- Discussed the under billing that occurred on the tiered water rates and made a recommendation on how to handle the tiered rate error.

The 2023 Finance Commission work plan is as follows:

Month	2023 Workplan
January 10	▪ Review Government Budget Practices and Accounting Standards to try and inform how Government Financial Processes Work
February 14	▪ CANCELLED
March 14	▪ Select Chair, Vice-Chair, and Ethics Commission Representative ▪ Review 2022 Investment Portfolio performance
April 11	▪ Review 2022 preliminary year-end cash reserve levels
May 9	▪ Review 2022 Audit Reports ▪ Discuss items for Joint City Council-Finance Commission meeting ▪ Oath of Office for new Commissioner

June 13	▪ Oath of Office for new Commissioner ▪ 2024-2043 Capital Improvement Plan review #1
July 11	▪ 2024-2043 Capital Improvement Plan review #2 ▪ Discussion on pension obligations (topic needs clarification)
August 23 * Wednesday	▪ Discuss the 2024 City Manager Recommended Budget & Tax Levy
September 12	▪ Establish Recommendation on 2024 City Manager Recommended Budget & Tax Levy ▪ Establish Recommendation on 2024-2043 Capital Improvement Plan
September 18	▪ Present Budget Recommendation to City Council
October 10	▪ Update on the Council-adopted 2024 preliminary Budget & Tax Levy ▪ Review and adopt a recommendation on the 2024 proposed utility rates
November 14	▪ Adopt 2024 Meeting Calendar ▪ Adopt 2024 Work Plan

22
23

24 **POLICY OBJECTIVE**

25 Not applicable.

26 **FINANCIAL IMPACTS**

27 Not applicable.

28 **STAFF RECOMMENDATION**

29 Receive update on 2022 accomplishments and on-going 2023 commission work.

30 **REQUESTED COUNCIL ACTION**

31 For information purposes only. No formal Council action is required, however the Finance Commission
32 is appreciative of any guidance the City Council provides.

33

Prepared by: Michelle Pietrick, Finance Director
Attachments: A: None

34
35

ROSEVILLE
REQUEST FOR COUNCIL ACTION

Date: June 5, 2023
Item No.: 7.d

Department Approval



City Manager Approval



Item Description: Discussion regarding Commission Interview and Application Process

BACKGROUND

At the April 24 meeting, Council provided feedback regarding the Commission application and interview process. Council provided feedback on the following items:(minutes from that meeting are included as Attachment A).

1. Commissioners seeking reappointments and how to handle applications/interviews
2. Location/Dates/Length of interviews
3. Interview questions
4. Selection process (e.g. extending application periods, desired qualifications)

Based on Council discussion at the meeting, staff has drafted some changes to the process as listed below.

Reappointment process vs. New Applicants

Council felt it was appropriate to have separate applications with different questions for Commissioners who were seeking reappointment versus those applicants who had never served on a commission. Listed below are the current questions for the new applicants, and suggested questions based on some of the interview questions that were asked of reappointment applicants.

Questions	New Applicants	Reappointments
Section 1 – Contact information	Name Address Phone Email Years Lived in Roseville Previous application? Commission Preference	Name Address Phone Email Years Lived in Roseville Current Commission
Section 2 – Application Questions	1. The City's commissions review specific areas of interest and provide advice to the city council. Please describe why you want to serve on the commission(s) you listed. (If you chose a 2nd preference, please also include your answer for that commission choice in your response.)	1. What would you consider the highlight of your time on the commission? 2. What is one particularly challenging issue you have faced during your time on the commission? 3. What are you excited about for the future as it relates to the commission? 4. Are there areas that can be

	2. Please describe any activities, specific skills or experiences you have that you feel would be beneficial to serving on the advisory commission for which you are applying. (If you chose a 2nd preference, please also include your answer for that commission choice in your response.) 3. As a commissioner on your preferred commission, how could you contribute to the City's equity and inclusion initiatives?	improved to help the commission?
Section 3 – Demographics <i>(This section is only for reporting purposes and not public)</i>	Gender Rent/own Sensory, physical, mental disability How did you hear about commission? Age Household income Employment status Education Race/Ethnicity	Gender Rent/own Sensory, physical, mental disability Age Household income Employment status Education Race/Ethnicity

Additionally, there was discussion regarding the Council's ability to extend the application period if there are not twice the number of applicants as vacancies per current policy. This provision is not a requirement but rather allows council the ability to be flexible if necessary. At this time, based on Council preference and feedback, staff is not recommending that this part of the Appointment/Reappointment policy be changed.

Interview location/date/length

Based on Council preference, interviews for commission vacancies will be held at City Hall in the Council Chambers, will be live streamed and recorded and will be posted on the city's website.

Currently, interviews are scheduled for 10 minutes per applicant. Staff would recommend allowing for a 5-minute break in between applicants to allow for interviews that may run longer than 10 minutes.

Interview Questions

Based on the interviews that took place most recently, staff has compiled a list of questions that applicants should be prepared to answer during an interview and is seeking feedback from Council.

Question	New Applicants	Reappointments
How do your experiences and skills relate to serving on a city commission?	X	
Why do you want to serve on this commission?	X	
Can you explain your understanding of the scope or duty of the commission(s) you applied for?	X	
What do you love most about living in Roseville?	X	
Sometimes the commission makes a recommendation on a matter that has a lot of strong feelings from the public, perhaps from opposing perspectives. How would you expect to deal with such situations while serving on the commission?	X	

Based on your application, can you elaborate more on what and why you chose [insert response from application] as the highlight of your time serving?		X
What has been something you have learned while serving on the commission?		X
What is your definition of commitment?		X
What are you looking forward to most if you are reappointed?		X
Can you tell us more about your thoughts on the areas where the commission can be improved that you mentioned in your application?		X

Selection Process

Staff has identified several dates moving forward regarding the entire process that should be discussed and confirmed. Currently the city recruits for and fills vacancies on a biannual basis. Based on this staff is recommending the following dates:

Month/Date	Task/Deadline
Mid-Term Vacancies	
June 20, 2023	Council declares any mid-term vacancies
August 23, 2023	Council interviews applicants
September 11, 2023	Council appoints applicants to mid-term vacancies
September 14, 2023	New Commissioner Orientation (virtual)
Annual Vacancies	
October 1, 2023	Reappointment application sent to Commissioners who are eligible for reappointment
November 22, 2023	Reappointment applications are due
December 4, 2023	Council receives reappointment applications and determines whether to interview

	Commissioners seeking reappointment. If Council chooses not to interview, reappointments can be made at this meeting. Council declares the number of vacancies for each commission. (*This number of vacancies is recommended to include any current Commissioners seeking reappointment that are to be interviewed)
January 1, 2024	Application period is open for new applicants
February 21-22, 2024	Interviews for all new applicants and any Commissioners seeking reappointment (if Council decides to interview)
March 4, 2024	Council appoints applicants
March 27, 2024	New Commissioner Orientation (virtual)
April 10, 2024	Annual Ethics Training
Mid-Term Vacancies	
June 17, 2024	Council declares any mid-term vacancies
July 24, 2024	Council interviews applicants
August 5, 2024	Council appoints applicants to mid-term vacancies
August 8, 2024	New Commissioner Orientation (virtual)

POLICY OBJECTIVE

The city's Strategic Racial Equity Action Plan (SREAP) has identified diversifying city commissions as a high impact area of focus. Racially and ethnically diverse policy makers and advisors are key to serving residents and other customers with excellence.

BUDGET IMPLICATIONS

None.

RACIAL EQUITY IMPACT SUMMARY

Racially and ethnically diverse policy-makers and policy advisors are key to serving residents and other customers with excellence. The role of appointed boards, commissions, and councils is to advise the Mayor and Council on city policies and practices. A governing body that mirrors our population increases City government access to great ideas, strengthens innovation and problem-solving, and ensures we are representing the viewpoints and considerations of all our communities.

Because many government processes have historically been created and implemented to benefit those who are familiar with or have easy access to government, many residents of color have been left out of advisory roles and decision making at various levels of government. After decades of these barriers being implemented, whether intentionally or unintentionally, it has resulted in an unfamiliarity with government processes, making them seem unattainable and difficult, which can lead to distrust in decisions and outcomes.

The intent of previous changes to the commission application and interview process was to encourage those who may be unfamiliar with or intimidated by government processes to have a more

welcoming experience during the commission application and interview process, give them a sense of understanding, confidence and trust building in an environment in which they felt more familiar and comfortable. By returning to the previous process of holding interviews in an environment that is unfamiliar and could be deemed intimidating, there may be an impact on how well applicants perform during an interview and may potentially impact the number of applicants. For reference, listed below is the current demographic makeup of our commissions today and in 2022.

Staff will continue to collect data through applicant surveys and will provide any new data collected after the next round of appointments.

Commissioner Demographic	2022	Today	Roseville Population
American Indian	4.88%	2.80%	0.38%
Asian	4.88%	2.80%	9.54%
Black/African American	9.76%	14.30%	8.78%
Choose not to self-identify	2.43%	8.60%	0%
Hispanic or Latino	2.44%	2.80%	5.36%
White/Caucasion	75.61%	65.70%	71.19%
Two or more	0%	2.80%	4.42%
Female	50.00%	45.70%	52.10%
Male	42.00%	51.49%	47.90%
Non-binary or non-conforming	0.00%	2.80%	0.00%

STAFF RECOMMENDATION

Staff recommends that Council:

1. Provide consensus on questions for the Reappointment Application.
2. Confirm the location and length of interviews.
3. Provide consensus on interview questions for both the new applicants and reappointment applicants.
4. Confirm the upcoming dates for the Mid-Term Vacancy schedule and the 2024 Annual Vacancies.

REQUESTED COUNCIL ACTION

1. Provide consensus on questions for the Reappointment Application.
2. Confirm the location and length of interviews.
3. Provide consensus on interview questions for both the new applicants and reappointment applicants.
4. Confirm the upcoming dates for the Mid-Term Vacancy schedule and the 2024 Annual Vacancies.

Prepared by:

Attachments: A: Minutes Excerpt – April 24, 2023
B: Appointment and Reappointment Policy
C: Historical Commission Application Questions 2018-Present

Regular City Council Meeting
Monday, April 24, 2023
Page 15

Councilmember Etten indicated the wording should be changed in 309.06c to reflect the wording and then copied into 309.06b.

Councilmember Strahan asked, in light of City Attorney Tierney's comment about massage being performed in public, what about people in the middle of Rosedale Mall providing massage.

Mayor Roe explained that was specific to the First Amendment aspect.

Councilmember Strahan indicated she understood that but asked if those folks are held to any of those requirements.

Mayor Roe explained if there is a kiosk in the mall providing massage service then they need to be licensed by the City and would have the same requirements.

Mr. Trudgeon indicated such a business is licensed.

Schroeder moved, Etten seconded, enactment of Ordinance No. 1631 entitled, "An Ordinance Amending Title 3 Chapter 309 of the Roseville City Code to Amend Requirements for Massage Establishment and Massage Therapist Licenses" as amended in the discussions made by Council.

Roll Call

Ayes: Willmus, Strahan, Etten, Groff and Roe.

Nays: None

Groff moved, Schroeder seconded, publication of Summary Ordinance No. 1632 entitled, "Approving Publication of an Ordinance Summary of the Amendment to Title 3, Section 309 of the Roseville City Code in Order to Amend Certain Requirements for Massage Establishment and Massage Therapist Licenses".

Roll Call (Super Majority Required)

Ayes: Willmus, Strahan, Etten, Groff and Roe.

Nays: None

c. Discuss Commission Interview Process

City Manager Patrick Trudgeon briefly highlighted this item as detailed in the Request for Council Action and related attachments dated April 24, 2023.

Mayor Roe thought it might make sense to organize the discussion around the different steps taken during the interview process. He indicated the first step is the application process then the interview process as well as sub steps within that. He

thought it made sense to have a separate application for reappointment that specifically gets to questions that relate to reappointment.

Mayor Roe asked if there was any objection to looking at a separate application procedure for reappointment.

The Council agreed with that.

Mayor Roe suggested using the questions that were used during the interview process for reappointment. He thought it would be appropriate if staff drafted a reappointment application and brought that back to the Council for approval.

Councilmember Strahan stated it would be nice for the reappointment application to have separate questions, shorter questions, and speak to what the applicant learned or highlight accomplishments.

Councilmember Schroeder indicated while looking at the procedure statement of reappointments in the document, it says that if the person wants to reapply, those most recent applicants being longer than three years will be asked to submit a new application. She wondered what would happen if the person only served two years.

Mayor Roe thought this could be amended. He also thought the application process related to if there are not two times the number of openings worth of applicants could be amended. He noted there is always the option to not reopen the position, but he wondered if it made sense to relook at the policy and maybe amend it to be instead of two times the number of applicants, to be two more than the number of vacancies. He wanted to give the Council some more flexibility instead of always feeling boxed in and thought that slightly relaxing the standard might make sense.

Councilmember Etten felt that the Council has the discretion to do that, if needed. He indicated he was not ready to get into special calculations or anything like that.

Mayor Roe asked if there were any comments on the front end of the process.

Councilmember Etten would like to see questions within the application itself for new Commission applicants that have changed from a year ago. He noted there was a question in the application before that was very helpful to him when people were answering it. He would like to look back and compare those.

Councilmember Strahan explained she would also appreciate having input from Assistant City Manager Olson on the application process as far as making sure the questions would be appropriate to ask a job applicant. There are certain things in a job application that should not be asked because that information could be seen as discriminatory if the person was not selected. She would like to make sure that the

City is being respectful and asking best practice questions in the application process.

Mayor Roe explained the only other thing related to the application process is if the Council wanted to look at any kind of change to the policy as it relates to the process to interview reapplication people. He asked if the Council wanted to look at any of that process.

Mr. Trudgeon explained his only comment is that if interviewing re-application candidates is done at that stage, it can be fairly disruptive to get everybody together. If the Council thinks they want to occasionally do that, maybe make that automatic so staff can build it into the process. He always goes back to the “why”, why would the City want to do it or not do it.

Councilmember Groff explained the reason why he would want to do it is because as a Councilmember, he values these people’s opinions, and the Council does not have very much interaction with them. It is his one chance in two or four years to connect with them and also give the Commissioner the chance to talk to the Council one-on-one about their experiences while on the Commissions. He did not think it would take that much longer, noting it went pretty smoothly this time.

Councilmember Etten agreed and thought there could be value to that, but he did not personally want to make it automatic as a part of the City Code.

Councilmember Groff agreed with the point of not having it automatic.

Councilmember Schroeder thought it was helpful to talk to the people as well, but she wanted to be sensitive to letting people know why the Council is doing it. She did not want the Commissioners to feel like the Council was looking to replace them.

Councilmember Strahan thought it was easier to ask everyone to come back and reinterview rather than one or two people because then those people will wonder why the Council wants to interview them for the position and feel singled out.

Council consensus was therefore not to change the policy related to interviewing applicants for re-appointment as it is currently written.

Mayor Roe indicated the next step is the interview process. He asked for thoughts from the Council.

Councilmember Etten explained one of the recently used potential interview questions was: “what do you believe should be the focus of the Commission”, noting ideally there is already a scope for the Commission so the Council is not really asking that but rather something along the lines of “what part of the work this

Commission most excites you or do you feel you can contribute to the most". He suggested something along those lines because it gets to the work of the Commission so people can show understanding of what that Commission does, maybe what the person is passionate about, and why the person would be doing that versus asking what the Commission should be doing. He appreciated the potential question list and felt that was good. He did not feel the Council should always be frozen by that but should start with that as the initial framing.

Councilmember Strahan agreed with Councilmember Etten in order to show their understanding. She thought it was nice to send out the information in advance to have a good understanding of what the Commission does. She noted one question that came up a couple of times that she thought was concerning was "how would you change..." because she did not want to usurp the leadership of the department heads and make it seem like somehow the Commissioners had an authority over staff to make changes that they could not actually implement.

Councilmember Schroeder thought part of this is when looking at the chapters that are written for each of the Commissions, some are not clear on what the Commission does. When someone does research on the Commission for the interview, the Council can see why some of the applicants' answers come across somewhat the way they are. She thought the City was going to think about recrafting how the descriptions are written.

Mayor Roe stated it was helpful to make sure the materials the City gives to the prospective applicants are as good as possible in terms of how it relates to the scope, duties, and functions of the Commissions.

Councilmember Etten thought the information given to the Commissioners is a tremendous improvement and so much better than what was available a year or two ago.

Mayor Roe thought the big question regarding the interview process is the where, how, and when. He wondered if the interviews should be live or recorded.

Councilmember Strahan explained she enjoyed being at Cedarholm, but it has a lot to do with her saying there are a lot of City spaces and an opportunity to go out into the spaces and be a part of them. She thought in that space, there is the opportunity for recording the interviews. She stated it has been good to pull the interviews out of the City business because it gives the individual more dedicated time than when on zoom. She appreciated the extra day outside of the Council meetings, liked having the interviews elsewhere, noting it reminds people that there are other City buildings.

Councilmember Schroeder liked the idea of doing the interviews separate from the Council meetings and thought it makes it less stressful. She did not like going to

the other locations and felt the atmosphere was loud, confusing, and the camera sitting in the open felt intrusive. She thought being at the Council Chambers would be better with everyone sitting at the table with more hidden cameras so the interviewee would be more in the environment that they would be doing if appointed and give them more of a flavor for that scene. She thought it seemed disrespectful to the applicants with all of the other stuff going on versus a quiet environment at City Hall. She also thought if the interviews could be done at City Hall, sitting at the table on a different day than the Council meetings, it would be ideal.

Mayor Roe liked the idea of having the interviews on a different night rather than on a Council meeting night. He thought the interviews could be held at City hall at the table to make a more welcoming and user friendly environment. There is also the technical ability to do the video and he thought the interview meetings should be live.

Councilmember Groff explained he did not have strong feelings one way or the other on the location. He did not have trouble with the noise in the other building and that a round table is better than a square one. He also thought the sound was better at City Hall and it is important to video tape the interviews because of City policy and also, he was not able to make one of the meetings and he was able to listen to it.

Councilmember Etten agreed with the discussion about having the interviews at City Hall and at the table for the reasons mentioned. He noted this is where the Commissions would do their work and the meetings would be recorded and online. If the person were interviewing for a job that would be different, but these are interviews for community-based commissions. He thought the city hall cameras were less intrusive than the ones that were set up at different locations.

Councilmember Schroeder explained the City is always talking about communication and being transparent and when talking about the Commissioners as ambassadors, the public needs to have the right to see who is applying so people who do not attend the meetings should be able to see the process and the interviews.

Mayor Roe noted staff could include a link to past interviews for the applicants to see how the process works and become familiar with it.

The Council thought that would be a good idea.

Mayor Roe stated the Council consensus was to have the interviews on a different night as well as bringing the interviews back to City Hall.

Councilmember Strahan stated one thing that would be really helpful is if the Chairs of the Commissions provide the Council with information sooner about their

people, as far as reappointment as that would help the Council decide if the person should be reappointed or not.

Mayor Roe explained there will be no changes to the appointment policy at this time. He recapped the follow up items for staff including applications, back for Council consideration of the draft, reappointment application, as well as looking at tweaking the new appointment application, looking at the previous one, and changing the interview process to City Hall but on a different meeting date than the City Council, and doing interviews live.

d. Discussion on City Commission Scope, Duties, and Functions

City Manager Patrick Trudgeon briefly highlighted this item as detailed in the Request for Council Action and related attachments dated April 24, 2023.

Councilmember Etten thought some of the Commissions are feeling neglected and that they do not have a lot of work, or it is the wrong work, or the Commission could do the same work in six meetings rather than eleven or twelve meetings. He thought the City should look at ways to do this work in new ways. He would like to take this out to Commissions first to look at the scope, duties, and functions of each Commission to see how it fits, if it should be changed, and what recommended changes would the Commissions want. He would want each Commission to be a deep part of the process. He reviewed the time frame he came up with.

Mayor Roe thought this parallels the last meeting where the Council talked about looking at job descriptions and things like that for employees of the City. He noted there was an opportunity to match that with the Commissions. He also thought the three-month time frame worked well because the first month could be the first look at this with general thoughts and ideas, the second month could be refining it and brainstorming, and the third and final month would be putting it all together. He thought it would be helpful to give as much guidance to the Commissions and their staff liaisons as possible as to how this should proceed and what the end product ought to be with some broad parameters.

Councilmember Schroeder stated the Commissions are like having in-house consultants and auditors in a way, which can be powerful assets. But like any consultant or auditor, if the Council does not define the project and purpose, the City does not get the results the Council is looking for. She agreed with Councilmember Etten that the Council should let the Commissioners and Commissions come up with some ideas yet with that, the Council also needs to figure out what the City wants out of it. She asked what does the Council want the Commissions to advise them on. She would also like to see this be more of a universal way the City does this because some Commissions have a few pages for scope and duties, and some have a few sentences.

City of Roseville

APPOINTMENT AND REAPPOINTMENT POLICY
ROSEVILLE CITIZEN ADVISORY COMMISSIONS

BACKGROUND

The City of Roseville has seven standing Advisory Commissions: Ethics, Finance, Human Rights, Inclusion and Engagement, Parks and Recreation, Planning, Police Civil Service and Public Works, Environment and Transportation; the City also establishes other advisory groups as needed.

POLICY STATEMENT

It is the intent of this policy to establish a fair and open notification and selection process that encourages all Roseville residents to apply for appointments.

I. PROCEDURE STATEMENT – APPOINTMENTS

If a vacancy occurs because of resignation, death, moving from the City, removal from office, ineligibility for reappointment, etc. on any standing Advisory Commission, the following procedure will be used.

- A. Regular commission appointments and reappointments will occur each spring in March. If vacancies occur, the council will consider appointments to fill those vacancies in March or September.
- B. Annually, the City Council will establish dates to conduct interviews twice a year, and application deadlines to fill any commission vacancies. The time between the application deadline and interviews will be no more than 30 days.
- C. Commission vacancies will be advertised using the most relevant, effective and efficient method to reach as many residents as possible. These methods may include but are not limited to: social media, newspaper or print, electronic newsletter, cable television, city hall bulletin board.
- D. Applications received after the deadline will be held for the next round of appointments. Should a vacancy occur, any applicants on file will be notified by their preferred method listed in the application and given the date of the next round of interviews. After the next round, should an applicant not be appointed but remain interested, they will be invited to submit a new application.
- E. Names of applicants and applications will be provided to the City Council and the public after the application deadline.
- F. If fewer applications are received than twice the number of openings, the City Council may establish a new application deadline and Council meeting for interviews. If a new deadline is adopted, the vacancy will be re-advertised as described in 'C' above. Applicants whose applications were received before the original deadline will remain under consideration and need not reapply.

- 44 G. Applicants will be interviewed by the City Council. The Chair, or the Chair's designee,
45 of the Commission to which the applicant is seeking appointment will be invited to attend
46 and participate in the interview process. Interviews are open to the public.
47 H. The Council may fill a vacancy outside of the biannual basis should the need arise.
48
49

50 II. PROCEDURE STATEMENT - REAPPOINTMENTS

51 If a current Commission member's term is expiring and is eligible for reappointment, the
52 following procedure will be used.

- 53 A. No later than sixty days prior to the expiration of a term, each commission member
54 whose term is expiring will be contacted in writing to determine their interest in
55 reappointment. For persons seeking reappointment, if they have an application on file 3
56 years old or less, that application will be provided to Council. Should their most recent
57 application be older than 3 years, they will be asked to submit a new application.
58 B. Council will be advised of the attendance record of the individual whose term is expiring.
59 The Council will also be provided with written comments from the Chairperson of the
60 Commission regarding the reappointment of the individual. Chair recommendations are
61 not public data. At that time, Council will consider whether to interview the
62 commissioner. If two councilmembers request it, a commissioner seeking reappointment
63 will be scheduled to attend an interview before the entire council.
64 C. Should the Council determine that the individual merits reappointment, that person will
65 be reappointed.
66 D. Should the incumbent not wish to be reappointed or should the Council determine that the
67 individual does not merit reappointment, the Council will follow the procedure for filling
68 vacancies as described above.
69
70

71 III. APPOINTMENT TO OTHER CITY ADVISORY GROUPS

72 The Council may use the procedure outlined in Section I. and II. above for making appointments
73 to other advisory groups, committees, task forces, etc.
74
75

Commission Application Questions

2018-Present

2018:

1. Why do you want to serve on this commission?
2. What is your view of the role of this commission?
3. Civic and Volunteer Activities
4. Work Experience
5. Education
6. Is there additional information you would like the City Council to consider regarding your application?

2019:

1. Why do you want to serve on this commission?
2. What is your view of the role of this commission?
3. What specific skills or experiences do you have that would be beneficial in serving on the advisor commission for which you are applying?
4. Civic and Volunteer Activities
5. Work Experience
6. Education
7. Is there additional information you would like the City Council to consider regarding your application?

2020:

1. Why do you want to serve on this commission?
2. What is your view of the role of this commission?
3. What specific skills or experiences do you have that would be beneficial in serving on the advisor commission for which you are applying?
4. Civic and Volunteer Activities
5. Work Experience
6. Education
7. Is there additional information you would like the City Council to consider regarding your application?

2021:

1. Why do you want to serve on this commission?
2. What is your view of the role of this commission?
3. What specific skills or experiences do you have that would be beneficial in serving on the advisor commission for which you are applying?
4. Civic and Volunteer Activities
5. Work Experience
6. Education
7. Is there additional information you would like the City Council to consider regarding your application?

Commission Application Questions

2018-Present

2022:

1. The City's commissions review specific areas of interest and provide advice to the city council. Please describe why you want to serve on the commission(s) you listed.
2. Please describe any activities, specific skills or experiences you have that you feel would be beneficial to serving on the advisory commission for which you are applying.
3. As a commissioner on your preferred commission, how could you contribute to the City's equity and inclusion initiatives?
4. Demographic questions

2023:

1. The City's commissions review specific areas of interest and provide advice to the city council. Please describe why you want to serve on the commission(s) you listed.
2. Please describe any activities, specific skills or experiences you have that you feel would be beneficial to serving on the advisory commission for which you are applying.
3. As a commissioner on your preferred commission, how could you contribute to the City's equity and inclusion initiatives?
4. Demographic questions

ROSEVILLE
REQUEST FOR COUNCIL ACTION

Date: June 5, 2023
Item No.: 7.e

Department Approval

City Manager Approval



Item Description: Approval of City Manager Goals for 2023-24

BACKGROUND

At the May 8, 2023 City Council meeting, Council members gave the annual performance review for the City Manager. As a result of those conversations, draft goals for the City Manager were drafted based on the review.

The draft goals are included as Attachment A.

RACIAL EQUITY IMPACT SUMMARY

The City Manager oversees all of the City operations that serve the residents and businesses. Over the past few decades, Roseville has become increasingly diverse in its residential population. Therefore, it is critical that work to embed equity into City programs, services, and operations is included as part of the City Manager goals. Specific to the 2023-2024 goals, the City Council has identified the continued implementation of the City's Strategic Racial Equity Action Plan (SREAP) as a work goal for the City Manager. The SREAP has identified three main priorities for implementation; increasing workforce diversity, increasing commission diversity, and utilizing the racial equity toolkit for program and policy development and delivery. An additional goal identified in the 2023-2024 City Manager goals is to begin the process updating and refreshing the priorities in the SREAP.

REQUESTED COUNCIL ACTION

Motion to Approve the 2023-24 City Manager Goals

Prepared by: Patrick Trudgeon, City Manager (651) 792-7021

Attachment A: 2023-24 City Manager Goals

City Manager Goals (Based on May 8, 2023 Closed Session review)

2023- 2024 City Manager Goals

Listed below are the City Manager's 2023-24 goals identified by the City Council sub-committee as part of the City Manager's performance review. Under each goal is a purpose statement on what the goal will do, an expected outcome for each goal, and milestones towards reaching each goal. *I would suggest that there is 6-month (October) check-in about these goals between the City Manager and the City Council sub-committee to review progress of reaching these goals.*

Implement Community Vision through Strategic Plan

Goal: *Begin process and implementation of a strategic plan based on the aspirations identified by the Envision Roseville process*

Background: At the conclusion of the Envision Roseville process, a strategic planning process should begin to directly implement priorities based on community-identified aspiration. The strategic planning process should involve a hired facilitator to guide sessions attended by both the City Council and Department Heads to craft strategic priorities and goals that will further the community-identified aspirations. Once the strategic planning process is completed a reporting system should be incorporated to track progress on the identified strategic priorities and goals.

Important Milestones:*May-June-July, 2023*

- Support the work of Phase II of Envision Roseville
- Ensure completion of final report in July

August –September-October, 2023

- Communicate results of Envision Roseville to community
- Create RFP for City Council/City Department strategic planning process

November–December 2023 – January, 2024

- Award RFP for strategic planning (November)
- Conduct strategic planning session (January)

February – March – April 2024

- Finalize strategic plan with goals, actions, and performance measures (February)
- City Council approval of strategic plan (March/April)

Focus on future financial sustainability

Goal: *Plan for future financial impacts and identify methods to ensure financially sustainable budgets*

Background: As a result of the COVID pandemic from 2020-2022, the flow of federal money to municipalities, rising prices due to inflation and supply chain issues, and changed expectations on the type and delivery of city services by the community, city budgets and funds balances have been greatly affected. The remaining ARPA federal funds should be spent by the end of 2024. Rising costs for equipment, materials, vehicles, and services will continue to impact our operational and capital budgets. The tight job market and high inflation continue to impact employee wages and benefits. As a result, the City will need to plan on how new services funded by federal funds will or will not be continued moving forward. With rising costs across the board for existing programs, services, and employees, difficult decisions will need to be made whether they can continue or need to be modified, reduced, or eliminated.

As part of this focus on future financial sustainability, I will specifically review the use of remaining ARPA funds, give careful consideration on the use of one-time public safety funding coming from the State as part of their recently approved budget, the use of grants and other alternative funding sources to maintain our operations, programs, and services, and the refinement of the City's 20-year Capital Improvement Plan. In the 2024 City Manager Budget, I will identify a spending plan for 2024 that will outline how one-time funds will be used, review any possible reductions in services or program cutbacks, and identify any new sources of funding.

Finally, the City Manager will work with the Finance Department and Department Heads to provide sufficient oversight of budgets and fund balances to identify negative trends earlier and make appropriate adjustments to ensure spending stays within adopted budgets and fund balance goals.

Important Milestones:

May-June-July, 2023

- Department Heads submit CIP and budget for operational needs
- City Manager reviews requests and analyzes overall needs for future years
- As part of budget process, City Manager will review the use of non-levy funds to supplement the budget

August–September–October, 2023

- Finalize City Manager Budget with recommendations for future funding recommendations

November–December 2023 – January, 2024

- Consideration and approval of 2024 Operational and Capital Improvement budgets

February – March – April 2024

- Monitor 2024 City operational and capital improvement budgets and begin review of assumptions for 2025 budget

Continue to implement of SREAP

Goal: *Ensure that the City's work continues to be focused on eliminating barriers inherent in the system to guarantee that all of Roseville residents are able to be served by and participate in local government.*

Background: For the past several years, the City as an organization has focused on ensuring equity considerations are part of everything we do. The City has made progress on the Strategic Racial Equity Action Plan (SREAP), conducted leadership diversity, equity, and inclusion training, utilized the racial equity toolkit as part of the tenant notification policy formulation, improved recruitment and hiring processes, utilized new demographic data, resources, and completed the 2022 workforce report that provided demographics of city employees, commission members, and volunteers.

Moving forward, the City's commitment toward equity in all we do will remain. For the next year, staff will continue to provide the City Council and community regular updates on our equity work and implementation of the SREAP supported by data and other measures. All staff will complete DEI training this year. Now that we have available data resources, we plan on using them more to inform our daily work as well as staff recommendations and Commission and City Council decisions. Finally, I plan that we will utilize the racial equity toolkit on more regular basis when appropriate and needed.

Important Milestones:May-June-July, 2023

- Continue support the implementation of the SREAP
- Facilitate all-staff DEI training (May)
- Provide SREAP implementation update and overall equity update presentation to City Council
- Ensure City participation in Juneteenth Celebration

August –September-October, 2023

- Facilitate Department Head and Supervisor DEI training
- Work with Department Heads to implement the Racial Equity Toolkit as part of staff analysis of policy issues

November–December 2023 – January, 2024

- Complete 2023 City Workforce Report

- Begin work on updating to the current SREAP with new goals and objectives that can be measured with data

February – March – April 2024

- Plan for 2024 staff DEI training
- Complete work on updated SREAP

Increase Operational Oversight

Goal: *Manage numerous organizational change in City departments*

Background: In the next year, there are numerous organizational initiatives that will be undertaken by City Departments to better serve community. These include:

- Implementing new financial software for accounting, accounts payable, utility billing, and payroll and maintain internal controls and review
- Completing and implementing the Classification and Compensation study
- Continued improvements on our hiring and retention efforts
- Implementing City Council and Commission Agenda Management software
- Designing and implementing a new City website

Due to the changes of this new work and our continuing importance of our existing work, it will be critical that I communicate regularly with the City Council and community and ensure City Council presentations are free from errors, professional, and clear.

Important Milestones:

May-June-July, 2023

- Create tracking report showing status of organizational initiatives
- Regular reporting to City Council on progress of initiatives

August –September-October, 2023

- Update tracking report showing status of organizational initiatives
- Regular reporting to City Council on progress of initiatives

November–December 2023 – January, 2024

- Update tracking report showing status of organizational initiatives
- Regular reporting to City Council on progress of initiatives

February – March – April 2024

- Update tracking report showing status of organizational initiatives
- Regular reporting to City Council on progress of initiatives

ROSEVILLE
REQUEST FOR COUNCIL ACTION

Date: June 5, 2023
Item No.: 10.a

Department Approval

Michelle Littrick

City Manager Approval

Sam Trueman

Item Description: Approval of Payments

BACKGROUND

State Statute requires the City Council to approve all payment of claims. The following summary of claims has been submitted to the City for payment.

Check Series #	Amount
ACH Payments	\$95,214.14
106573-106691	\$228,878.65
Total	\$324,092.79

A detailed report of the claims is attached. City Staff has reviewed the claims and considers them to be appropriate for the goods and services received.

POLICY OBJECTIVE

Under MN State Statute, all claims are required to be paid within 35 days of receipt.

BUDGET IMPLICATIONS

All expenditures listed above have been funded by the current budget, from donated monies, or from cash reserves.

RACIAL EQUITY IMPACT SUMMARY

N/A

STAFF RECOMMENDATION

Staff recommends approval of all payment of claims.

REQUESTED COUNCIL ACTION

Motion to approve the payment of claims as submitted

Prepared by: Joshua Kent - Assistant Finance Director
Attachments: A: Checks for Approval

Bank Reconciliation

Board Audit

User: Joshua.Kent
 Printed: 05/31/2023 - 9:40AM
 Date Range: 05/17/2023 - 05/30/2023
 Systems: 'AP'



Check No.	Vendor/Employee	Transaction Description	Date	Amount
Fund: 100 General Fund				
Department: 01 General Government				
0	Erickson, Bell, Beckman & Quinn P.A.	Professional Servies and Disbursemen	05/17/2023	14,452.00
0	Fikes, Inc.	Restroom Supplies	05/24/2023	624.06
0	Innovative Office Solutions	Office Supplies	05/17/2023	884.44
0	McGough Property Management, LLC	Management Fee	05/24/2023	3,612.40
0	Steven Anderson	Tuition Reimbursement	05/17/2023	1,500.00
0	Xcel Energy	May Xcel Billings	05/24/2023	2,300.64
0	Yale Mechanical	Annual Log Me In Remote Access	05/17/2023	85.00
0	Yer Vue	July Wellness Event - Journals	05/17/2023	48.50
106578	ARAMARK Services	Water Filter	05/17/2023	156.86
106603	NFP Insurance Services, Inc.	BSwift Fee, ACA Fee	05/17/2023	666.40
106639	Do Good Roseville	Volunteer Fair	05/24/2023	20.00
106656	Kennedy & Graven, Chartered	Retainer and Expenses through April 3	05/24/2023	16,260.17
106671	Referral Carpet and Floor Services, Inc	Strip/Wax Tile in Pub Works Bldg	05/24/2023	1,266.06
Total for Department: 01 General Government				41,876.53
Department: 02 Public Safety				
0	Adam's Pest Control Inc	Prevention Plus - May	05/24/2023	139.80
0	Innovative Office Solutions	Office Supplies	05/17/2023	478.74
0	Xcel Energy	May Xcel Billings	05/24/2023	82.88
0	Yale Mechanical	Cooling HVAC Maintenance, Fire Dep	05/24/2023	4,087.00
106601	Matt Mueller	Homeless Outreach: Remainder of hou	05/17/2023	350.00
106623	Aspen Mills Inc.	Clothing/Embroidery	05/24/2023	699.35
106624	AT&T Mobility	Account Number: 287284171528	05/24/2023	698.79
106625	Barnum Companies, Inc.	Repaired conduit and wiring on transr	05/24/2023	637.00
106637	Comcast	Business Services May 18 - Jun 17, 20	05/24/2023	111.65
106646	Grainger Inc	Connector 5-20R, 20 A, 125V	05/24/2023	-7.83
106662	MN Fire Service Certification Board	Certification Exam - Ella Devine	05/24/2023	126.00
106675	Rosenbauer Minnesota, LLC	PTO Gasket	05/24/2023	166.16
106687	Twin Cities Transport & Recovery	Tow Charge	05/24/2023	100.00
106691	Viking Electric Supply, Inc.	7W LED PAR 20 DIMMABLE 3000K	05/24/2023	114.75
Total for Department: 02 Public Safety				7,784.29
Department: 03 Public Works				
0	Factory Motor Parts, Co.	Engine Mount	05/17/2023	291.47
0	Factory Motor Parts, Co.	Reflex Truck Shock	05/24/2023	154.96
0	FleetPride	Hose End, Hydraulic Hose, Hose Labc	05/17/2023	270.59
0	Mansfield Oil Company of Gainesville,	CONV 87 OCT E-10 fuel	05/17/2023	11,527.86
0	McMaster-Carr	Bottle Brushes	05/17/2023	33.25
0	McMaster-Carr	Norgren Air Regulator	05/24/2023	86.04
0	Premium Waters Inc	Coffee	05/24/2023	87.22
0	T. A. Schifsky & Sons, Inc.	Yard Purchases from 4/30 to 5/6/23	05/17/2023	459.69
0	Zarnoth Brush Works, Inc.	Elgin threaded -Zarnoth disposable gu	05/17/2023	3,260.00
106573	1st Ayd Corporation	Brake & Metal Parts Cleaner	05/17/2023	171.21
106581	Boyer Ford Trucks, Inc.	Antenna	05/17/2023	14.04
106583	Cintas Corporation	Clothing	05/17/2023	42.70
106596	Jeff Belzers Roseville Chrysler Dodge	Replaced Transmission Mount	05/17/2023	518.11
106604	OSI Environmental Inc	Filters - Uncrushed	05/17/2023	50.00

Check No.	Vendor/Employee	Transaction Description	Date	Amount
106606	Precision Landscape & Tree,Inc	Tree Removal - 9 Trees	05/17/2023	1,767.00
106615	Suburban Tire Wholesale, Inc.	Tire	05/17/2023	781.59
106617	Towmaster	Onspot Wheel Assem	05/17/2023	1,840.68
106631	Cintas Corporation	Clothing	05/24/2023	42.70
106643	Fra-Dor Inc.	Clean Concrete	05/24/2023	30.00
106645	Goodyear Tire & Rubber Company	Changed 4 tires	05/24/2023	765.06
106646	Grainger Inc	Auto Fuses, Saw Blade	05/24/2023	120.47
106654	Jeff Belzers Roseville Chrysler Dodge	Replaced Fuel Pump	05/24/2023	3,423.78
106670	Precision Landscape & Tree,Inc	Tree Removal	05/24/2023	1,333.50
106681	Suburban Tire Wholesale, Inc.	Turf Trac, TR13 IND	05/24/2023	415.76
106686	Tri State Bobcat, Inc	Smooth Solid TI, Skid Steer Tires	05/24/2023	4,200.00
Total for Department: 03 Public Works				31,687.68
Total for Fund:100 General Fund				81,348.50

Check No.	Vendor/Employee	Transaction Description	Date	Amount
Fund: 103 Contracted Engineering Svcs				
Department: 00 General Function				
0	Short Elliott Hendrickson, Inc.	Roseville, Rosebud WT ATT LTE 5G	05/24/2023	8,281.39
Total for Department: 00 General Function				8,281.39
Total for Fund:103 Contracted Engineering Svcs				8,281.39

Check No.	Vendor/Employee	Transaction Description	Date	Amount
Fund: 109 Information Technology				
Department: 01 General Government				
106612	South Dakota Unemployment Insuranc	Account: 41093.0-1/ SD Unemployme	05/17/2023	25.00
Total for Department: 01 General Government				25.00
Total for Fund:109 Information Technology				25.00

Check No.	Vendor/Employee	Transaction Description	Date	Amount
Fund: 110 Telecommunications				
Department: 01 General Government				
106605	Postmaster-Mailing Requirements	For Deposit to PI 2437	05/17/2023	4,032.96
Total for Department: 01 General Government				4,032.96
Total for Fund:110 Telecommunications				4,032.96

Check No.	Vendor/Employee	Transaction Description	Date	Amount
Fund: 200 Recreation Fund				
Department: 04 Recreation				
0	Angel Benes	Taught 2 classes	05/24/2023	225.00
0	Atsuko Johnson	Baby & Me Hula March 8-29	05/24/2023	52.50
0	Austin Beatty	Sand Volleyball Official	05/24/2023	104.00
0	Breanna Burmester	Sand Volleyball Official	05/24/2023	104.00
0	Dennis De La Torre	Sand Volleyball Official	05/24/2023	156.00
0	Electro Watchman, Inc.	MultiSensor Dome, Adapters	05/17/2023	2,300.47
0	Elizabeth Fletcher	Monday Chair Yoga 4/3-5/22, Gentle Y	05/24/2023	588.80
0	Elizabeth Leverty	Dance Program Purchases	05/17/2023	29.26
0	Eve Maas	Sand Volleyball Official	05/24/2023	312.00
0	JoAnn Wilson	Sand Volleyball Official	05/24/2023	156.00
0	John Lambrecht	Sand Volleyball Official	05/24/2023	104.00
0	Kathie Urbaniak	Sand Volleyball Official	05/24/2023	52.00
0	Lake Johnson	Reimbursement for Banquet Rooms St	05/17/2023	40.14
0	Natalie Witham	Sand Volleyball Official	05/24/2023	26.00
0	Peeraphong Moo Kengwichai	Sand Volleyball Official	05/24/2023	156.00
0	Willie McCray	Umpires 5/8 - 5/14	05/17/2023	3,264.00
0	Willie McCray	Umpires 5/15 - 5/21	05/24/2023	3,200.00
0	Xcel Energy	May Xcel Billings	05/24/2023	2,280.01
106579	AVVR, Inc.	Lycian SuperARC 400, ETC Source 4	05/17/2023	1,120.00
106589	Do Good Roseville	Entertainment for Juneteenth Celebrati	05/17/2023	1,000.00
106592	Grainger Inc	Handle Repair Kit	05/17/2023	1,813.00
106599	Mn Dept of Health-Environmental Hea	Statewide Hospitatlity Fee 2023/Licen	05/17/2023	40.00
106600	MR Cutting Edge	Job 9074	05/17/2023	940.00
106602	Myron Daniel Russel Jr.	Luxboard for Dasher Ads	05/17/2023	1,080.00
106609	Chip Rauth	Sound System for Ice Show	05/17/2023	300.00
106616	Total Mechanical Services, Inc.	Work on Snow Melt Boiler	05/17/2023	9,232.00
106629	Karen Carrier	Winter T'ai Chi Chih Mar 28 - May 16	05/24/2023	210.00
106632	City of New Brighton	Skyrock Farms Trip - 24 participants	05/24/2023	1,968.00
106633	The Cleaning Authority, Inc.	April Monthly Cleaning	05/24/2023	3,855.60
106634	CMB Holding Inc	Summer Entertainment - Iranian Cultu	05/24/2023	1,200.00
106641	Robert K. Everest	Summer Entertainment - Fiesta de Sau	05/24/2023	1,500.00
106649	Thomas Hips	Summer Entertainment - The 22nd Ro	05/24/2023	1,650.00
106652	Patrick Hubbard	Sand Volleyball Official	05/24/2023	156.00
106653	Thomas Imoff	Sand Volleyball Official	05/24/2023	104.00
106655	Rebekah Jorgensen	Ice Show Spotlight Contractor	05/24/2023	374.00
106657	Jessica Lee	Ensemble Music Classes - Spring 2023	05/24/2023	1,737.00
106665	Misty Nickels	Sand Volleyball Official	05/24/2023	476.00
106668	On Site Companies-OSSTC	Portables - Additional Service	05/24/2023	2,426.37
106673	Revolutionary Sports, LLC	Sports Sessions Apr 10 - May 9	05/24/2023	4,914.00
106674	Matthew Richards	Ice Show Decorations Reimbursement	05/24/2023	547.36
106679	Signarama	Car Magnets	05/24/2023	120.00
106683	T Mobile	Phones/Acct #967323742	05/24/2023	459.16
106684	Katy Tessman	Summer Entertainment - Katy Tessma	05/24/2023	500.00
Total for Department: 04 Recreation				50,872.67
Total for Fund:200 Recreation Fund				50,872.67

Check No.	Vendor/Employee	Transaction Description	Date	Amount
Fund: 204 P & R Contract Maintenance				
Department: 04 Recreation				
0	Certified Laboratories, Inc.	Grenadier Plus	05/17/2023	896.46
0	Doug Hentges	Union Uniform Purchase Reimburse	05/17/2023	164.98
0	Fikes, Inc.	Restroom Supplies	05/17/2023	1,921.11
0	Safety Kleen Systems, Inc.	20G Parts Washer Service - Solvent	05/17/2023	303.27
0	Xcel Energy	May Xcel Billings	05/24/2023	480.25
106583	Cintas Corporation	Clothing	05/17/2023	14.70
106591	Gilbert Mechanical Contractors	Annual Fire Sprinkler Sysstem Inspect	05/17/2023	480.00
106597	Local 49 Training Center	CDL Training & Testing - Owen Larsc	05/17/2023	3,000.00
106620	Robert Willmus	Reimbursement for fence repair materi	05/17/2023	33.03
106627	Bryan Rock Products, Inc.	Red Ball Dia.	05/24/2023	868.81
106650	Hirshfield's Paint Mfg.	Athletic Field Striping	05/24/2023	1,211.76
106658	Mickman Brothers, Inc.	Irrigation Service/Parts	05/24/2023	1,304.16
106661	MN Dept of Labor-Financial Services (	Account #0000010366, Item ID ARL0	05/24/2023	100.00
106668	On Site Companies-OSSTC	Portables	05/24/2023	71.00
106670	Precision Landscape & Tree,Inc	Storm Clean Up 4/17	05/24/2023	4,765.50
106683	T Mobile	Phones/Acct #967323742	05/24/2023	167.60
106688	Universal Athletic, LLC	Champion Tennis Nets	05/24/2023	799.16
106689	USDA APHIS General	Personnel Compensation, Supplies, Pr	05/24/2023	9,616.48
Total for Department: 04 Recreation				26,198.27
Total for Fund:204 P & R Contract Maintenance				26,198.27

Check No.	Vendor/Employee	Transaction Description	Date	Amount
Fund: 260 Community Development				
Department: 00 General Function				
106590	Ehlers & Associates, Inc.	Professional Services through 4/30/23	05/17/2023	1,180.00
Total for Department: 00 General Function				1,180.00
Department: 02 Public Safety				
0	Innovative Office Solutions	Office Supplies	05/17/2023	57.84
106669	Postmaster-Mailing Requirements	For Deposit to PI 2437	05/24/2023	1,544.83
Total for Department: 02 Public Safety				1,602.67
Department: 10 Community Development				
106594	HKGi	RSVL Zoning Code Update/Professor	05/17/2023	2,469.90
106608	Ramsey County Recorder/Registrar	Account 9000008	05/17/2023	92.00
Total for Department: 10 Community Development				2,561.90
Total for Fund:260 Community Development				5,344.57

Check No.	Vendor/Employee	Transaction Description	Date	Amount
Fund: 265 License Center				
Department: 01 General Government				
0	Fikes, Inc.	Restroom Supplies	05/24/2023	156.02
0	Innovative Office Solutions	Office Supplies	05/17/2023	1,320.92
0	McGough Property Management, LLC	Management Fee	05/24/2023	492.60
0	Xcel Energy	May Xcel Billings	05/24/2023	739.54
106582	CDW Government, Inc.	Barcode Scanner	05/17/2023	154.82
106630	CenturyLink	Phone Charges Acct 651 766-4616 731	05/24/2023	230.88
106640	ECRS	Catapult POS License Annual Service	05/24/2023	4,500.00
Total for Department: 01 General Government				7,594.78
Total for Fund:265 License Center				7,594.78

Check No.	Vendor/Employee	Transaction Description	Date	Amount
Fund: 400 Police Vehicle Revolving				
Department: 02 Public Safety				
106666	North Country Chevrolet	2023 Chevy Tahoe - PD	05/24/2023	38,934.80
Total for Department: 02 Public Safety				38,934.80
Total for Fund:400 Police Vehicle Revolving				38,934.80

Check No.	Vendor/Employee	Transaction Description	Date	Amount
Fund: 401 Fire Vehicles Revolving				
Department: 02 Public Safety				
0	Advanced Graphix, Inc.	Custom Graphics for 2023 Red Chevy	05/24/2023	3,247.50
0	Emergency Automotive Tech Inc	Blue Sea Systems 15 AMP Sure Eject	05/24/2023	336.37
0	MacQueen Equipment	MSA G1 H60 Cylinder Threaded	05/24/2023	5,010.05
106626	Black Diamond Tinting LLC	Window Tinting 2021 Chevy Tahoe - I	05/24/2023	598.00
Total for Department: 02 Public Safety				9,191.92
Total for Fund:401 Fire Vehicles Revolving				9,191.92

Check No.	Vendor/Employee	Transaction Description	Date	Amount
Fund: 403 Public Works Vehicle Revolving				
Department: 03 Public Works				
106611	Sign Solutions USA, LLC	Telespar	05/17/2023	5,916.52
Total for Department: 03 Public Works				5,916.52
Total for Fund:403 Public Works Vehicle Revolving				5,916.52

Check No.	Vendor/Employee	Transaction Description	Date	Amount
Fund: 409 Central Svcs Equip Revolving				
Department: 01 General Government				
106593	Great American Financial Services	Copier Lease	05/17/2023	332.00
Total for Department: 01 General Government				332.00
Total for Fund:409 Central Svcs Equip Revolving				332.00

Check No.	Vendor/Employee	Transaction Description	Date	Amount
Fund: 410 Building Improvements				
Department: 01 General Government				
0	Intereum, Inc.	New Chairs/Tables for City Hall	05/17/2023	8,857.83
106577	All State Communications, Inc.	Pub Works Engineering Dept Cabling	05/17/2023	1,740.00
106613	St. Paul Linoleum and Carpet Co, Inc.	Furnish & Install Ecosurfaces Flooring	05/17/2023	2,305.00
Total for Department: 01 General Government				12,902.83
Total for Fund:410 Building Improvements				12,902.83

Check No.	Vendor/Employee	Transaction Description	Date	Amount
Fund: 417 Boulevard Landscaping				
Department: 03 Public Works				
106659	MIDC Enterprises	Rotators	05/24/2023	517.62
Total for Department: 03 Public Works				517.62
Total for Fund:417 Boulevard Landscaping				517.62

Check No.	Vendor/Employee	Transaction Description	Date	Amount
Fund: 590 Street Construction				
Department: 03 Public Works				
0	City of St. Paul	Labor & Equip - Signals	05/24/2023	152.00
Total for Department: 03 Public Works				152.00
Total for Fund:590 Street Construction				152.00

Check No.	Vendor/Employee	Transaction Description	Date	Amount
Fund: 592 Street Construction - 2022				
Department: 03 Public Works				
106685	TKDA Associates	Profession Services 3/26 - 4/29/23	05/24/2023	3,387.17
Total for Department: 03 Public Works				3,387.17
Total for Fund:592 Street Construction - 2022				3,387.17

Check No.	Vendor/Employee	Transaction Description	Date	Amount
Fund: 600 Sanitary Sewer				
Department: 05 Sanitary Sewer				
0	General Industrial Supply Co.	Safety Vest	05/17/2023	42.99
0	Xcel Energy	May Xcel Billings	05/24/2023	1,371.85
106574	2277 Roseville West, LLC	PW Storage - Lease Pmt for June 2023	05/17/2023	1,671.77
106610	Drew Rectenwal	City Sewer Main Back-up	05/17/2023	618.00
Total for Department: 05 Sanitary Sewer				3,704.61
Total for Fund:600 Sanitary Sewer				3,704.61

Check No.	Vendor/Employee	Transaction Description	Date	Amount
Fund: 610 Water Fund				
Department: 00 General Function				
106580	JOYCE BLOMQUIST	Refund Check 008369-000, 1980 SKI	05/17/2023	47.30
106584	JEFF CONNELL	Refund Check 021800-000, 2445 SHI	05/17/2023	191.65
106587	TIM & DIANA DISHOP	Refund Check 012289-000, 2995 W O	05/17/2023	166.23
106598	RAYMOND LOTZ	Refund Check 004004-000, 2754 HAI	05/17/2023	7.43
106619	SANDY WEST	Refund Check 021666-000, 1440 PRI	05/17/2023	5.34
106636	THOMAS COLBETH	Refund Check 002563-000, 1039 DIC	05/24/2023	142.51
106638	JAMES DAHLMAN	Refund Check 020710-000, 2520 SNF	05/24/2023	56.94
106647	KATHLEEN HENRY	Refund Check 000620-000, 1382 BEI	05/24/2023	80.80
106651	HPA 11 BORROWER 2020-2 LLC	Refund Check 024228-000, 2315 WE	05/24/2023	75.45
Total for Department: 00 General Function				773.65
Department: 06 Water Fund				
0	Ferguson Waterworks #2518	Gasket	05/17/2023	6,976.78
0	Ferguson Waterworks #2518	20x2 CI SDL IP Threads	05/24/2023	563.23
0	Goodin Corp.	Operating supplies	05/17/2023	231.32
106574	2277 Roseville West, LLC	PW Storage - Lease Pmt for June 2023	05/17/2023	1,671.77
106575	Advanced Engineering & Environment	Professional Services for April 2023	05/17/2023	3,039.75
106607	Q3 Contracting, Inc.	1-Ton Truck and Driver	05/17/2023	90.00
106618	Twin City Water Clinic, Inc.	April Distribution Samples	05/17/2023	680.00
106622	Advanced Engineering & Environment	Water Tower Backup Pressure Monitor	05/17/2023	1,060.25
106642	First Systems Technology, Inc.	Annual Verification of Booster Station	05/24/2023	610.00
106644	Gary Carlson Equipment, Corp.	Duradeck 4x8 Beige Mat	05/24/2023	66.00
106677	Shaw Trucking, Inc.	Kent & Larpentuer Sweepings	05/24/2023	5,940.00
106690	Valley Rich Co., Inc.	Equipment, Labor, Delivery	05/24/2023	10,365.07
Total for Department: 06 Water Fund				31,294.17
Total for Fund:610 Water Fund				32,067.82

Check No.	Vendor/Employee	Transaction Description	Date	Amount
Fund: 620 Golf Course				
Department: 07 Golf Course				
0	Fikes, Inc.	Restroom Cleaning	05/24/2023	154.34
0	Jeff's S.O.S. Drain & Sewer Cleaning	Optic Inspection	05/24/2023	225.00
106588	DLL Finance LLC	May Installment Due	05/17/2023	1,864.65
106628	Capitol Beverage Sales, LP	Beverages for Sale	05/24/2023	1,318.84
106635	Coffee Mill, Inc.	Coffee	05/24/2023	312.00
106643	Fra-Dor Inc.	Black Dirt	05/24/2023	31.50
106648	Heritage Professional Products Group	Grass Seed/Fertilizer	05/24/2023	2,997.49
106659	MIDC Enterprises	Golf Operating Supplies	05/24/2023	379.96
106672	Reinders Inc.	Tee Towels	05/24/2023	1,383.23
106676	Roseville Boys Golf	RAHS Boys Golf Fundraiser	05/24/2023	2,493.75
106683	T Mobile	Phones/Acct #967323742	05/24/2023	247.13
Total for Department: 07 Golf Course				11,407.89
Total for Fund:620 Golf Course				11,407.89

Check No.	Vendor/Employee	Transaction Description	Date	Amount
Fund: 640 Storm Drainage				
Department: 00 General Function				
106595	INTEGRITY LAND DEVELOPMENT	Refund Check 024689-000, 2395 W C	05/17/2023	191.93
Total for Department: 00 General Function				191.93
Department: 08 Storm Water				
106574	2277 Roseville West, LLC	PW Storage - Lease Pmt for June 2023	05/17/2023	1,671.77
106585	Curtis A Finch	4 dates of service for April 2023	05/17/2023	556.00
106586	Davey Resource Group, Inc.	Removal, Storage, Reinstallation of pu	05/17/2023	800.00
106621	WM Corporate Services, Inc.	Account 27-46363-03007	05/17/2023	149.86
106660	Minnesota Commercial Railway	Flagging Services	05/24/2023	10,775.00
106663	MNL	Spring Mow - Corpus Christi Church	05/24/2023	600.00
106664	Des Mueller	Cancelled Compost Delivery	05/24/2023	50.00
106682	John Swenson	Overpayent for Compost	05/24/2023	50.00
Total for Department: 08 Storm Water				14,652.63
Total for Fund:640 Storm Drainage				14,844.56

Check No.	Vendor/Employee	Transaction Description	Date	Amount
Fund: 700 Workers Compensation				
Department: 00 General Function				
0	WCRA	Installment #3 Premium	05/17/2023	6,214.77
Total for Department: 00 General Function				6,214.77
Total for Fund:700 Workers Compensation				6,214.77

Check No.	Vendor/Employee	Transaction Description	Date	Amount
Fund: 710 Risk Management				
Department: 00 General Function				
106614	Stericycle, Inc.	Steri-Safe Economy Monthly	05/17/2023	295.14
106667	OECS - 170064	Safety Services	05/24/2023	525.00
Total for Department: 00 General Function				820.14
Total for Fund:710 Risk Management				820.14

ROSEVILLE
REQUEST FOR COUNCIL ACTION

Date: June 5, 2023
Item No 10.b

Department Approval

City Manager Approval



Item Description: Approve 2023-2024 Business License Renewals

BACKGROUND

Chapter 301 of the City Code requires all applications for business and other license renewals to be submitted to the City Council for approval. The City has received the following renewal applications for the 2023-2024 license year:

- ❖ 25 Cigarette/Tobacco Products Licenses
- ❖ 4 Age-Restricted Cigarette/Tobacco Products Licenses
- ❖ 2 Gas Pump – Private License
- ❖ 16 Gas Station Licenses
- ❖ 23 Massage Therapy Establishment Licenses
- ❖ 4 Veterinary Examination Licenses

Below are violations by businesses within the past 2 years. Businesses listed have paid the appropriate administrative fines as required by the fee schedule.

Adams Food and Fuel (Quick Mart), 2815 Rice Street-Tobacco Failure on 6/15/2021 and 10/10/2022
BP Gas, 3110 Cleveland Avenue-Tobacco Failure on 6/15/2021 and 11/22/2021
Cub Foods, 2100 Snelling Avenue-Tobacco Failure on 6/15/2021
Noble Tobacco, 1681 Rice Street-Tobacco Failure on 11/22/2021
Roseville Tobacconist, 2217 Snelling Avenue-Tobacco Failure on 6/15/2021
Speedway #4520, 2295 Rice Street-Tobacco Failure on 7/16/2022 and 2/13/2023
Elements Massage, 2100 N Snelling Ave. #66B-Employment of Unlicensed Therapist on March 27, 2023

POLICY OBJECTIVE

Required by City Code

FINANCIAL IMPACTS

The correct fees were paid to the City at the time the applications were made for most applicants.

STAFF RECOMMENDATION

Staff has reviewed the applications and has determined that the applicants meet all City requirements. Staff recommends approval of the licenses pending receipt of any outstanding items.

REQUESTED COUNCIL ACTION

Motion to approve the business license applications as listed on Attachment A, pending receipt of any outstanding items.

Prepared by: Katie Bruno, Deputy City Clerk
Attachments: A: Requested license renewals for 2023-2024

Cigarette/Tobacco Products License

B-Dale Corner Store
Murphy Petro Inc.
2164 Dale St
Roseville, MN 55113

Chuchao Liquor
Kong Mong Liquor
700 County Rd B W
Roseville, MN 55113

Clark #2376
Hule Co
2719 Lexington Ave
Roseville, MN 55113

Cub Foods #6694
Diamond Lake 1994 LLC
1201 Larpenteur Ave
Roseville, MN 55113

Cub Stores Holdings, LLC
dba Cub Wine & Spirits
2100 Snelling Ave #42
Roseville, MN 55113

Cub Stores Holdings, LLC
dba Cub Foods
2100 Snelling Ave
Roseville, MN 55113

Gas Plus 12
Kath Fuel Oil Service
1583 W County Rd C
Roseville, MN 55113

Grab N Go
Rodit & Company Inc.
1595 Highway 36 West #602
Roseville, MN 55113

Holiday
Holiday Gas 2021, LLC
1215 Larpenteur Ave. W
Roseville, MN 55113

MGM Liquor
Lustrous Spirits, Inc.
1149 Larpenteur Ave W
Roseville, MN 55113

Quickmart LLC
2815 Rice St
Roseville, MN 55113

Rosedale BP
Jade Inc.
2441 Fairview Ave N
Roseville, MN 55113

Roseville Marathon
DMTS, LLC
2216 County Rd D W
Roseville, MN 55112

Roseville Winner
Rod Petroleum Inc.
2163 N. Snelling Ave
Roseville, MN 55113

Speedway #4115
Northern Tier Retail LLC
2785 N. Hamline Ave
Roseville, MN 55113

Speedway #4210
Northern Tier Retail LLC
2172 Lexington Ave
Roseville, MN 55113

Speedway #4502
Northern Tier Retail LLC
2380 W. County Rd D
Roseville, MN 55113

Speedway #4520
Northern Tier Retail LLC
2295 Rice St
Roseville, MN 55113

Speedway #7030
Northern Tier Retail LLC
2151 N Dale Street
Roseville, MN 55113

Top Ten Liquors
Yayin Gadol, LLC
1611 County Rd C W
Roseville, MN 55113

Total Wine & More
Minnesota Fine Wines & Spirits LLC
2401 Fairview Ave N Suite 105
Roseville, MN 55113

Tri-City BP
S&Z Inc
3110 Cleveland Ave N
Roseville, MN 55113

Walgreens #15560
2700 Lincoln Drive
Roseville, MN 55113

Walgreens #13685
2635 Rice St
Roseville, MN 55113

Walmart #3404
1960 Twin Lakes Parkway
Roseville, MN 55113

Age Restricted Cigarette/Tobacco Products License

Discount Smoke Shop
Roseville Smoke Shop Inc
2113 Snelling Ave N
Roseville, MN 55113

Noble Tobacco, LLC
1681 Rice St
Roseville, MN 55113

Roseville Tobacconist Cigars & E-Cigs
2217 Snelling Ave N
Roseville, MN 55113

Roseville Smoke Shop Inc.
1732 Lexington Ave N
Roseville, MN 55113

Gas Pumps – Private License

Midland Hills Country Club
2001 Fulham Street
Roseville, MN 55113

Ryder Transportation
2580 Long Lake Rd
Roseville, MN 55113

Gasoline Station License

B-Dale Corner Store
Murphy Petro Inc.
2164 Dale St
Roseville, MN 55113

Clark #2376
Hule Co
2719 Lexington Ave
Roseville, MN 55113

Gas Plus 12
Kath Fuel Oil Company
1583 W County Rd C
Roseville, MN 55113

Holiday
Holiday Gas 2021, LLC
1215 Larpenteur Ave. W
Roseville, MN 55113

Quickmart LLC
2815 Rice St
Roseville, MN 55113

Rosedale BP
Jade Inc.
2441 Fairview Ave N
Roseville, MN 55113

Roseville Marathon
DMTS, LLC
2216 County Rd D W
Roseville, MN 55112

Roseville Winner
Rod Petroleum
2163 N. Snelling Ave
Roseville, MN 55113

Speedway #4115
Northern Tier Retail LLC
2785 N. Hamline Ave
Roseville, MN 55113

Speedway #4210
Northern Tier Retail LLC
2172 Lexington Ave
Roseville, MN 55113

Speedway #4502
Northern Tier Retail LLC
2380 W. County Rd D
Roseville, MN 55113

Speedway #4520
Northern Tier Retail LLC
2295 Rice St
Roseville, MN 55113

Speedway #7030
Northern Tier Retail LLC
2151 N Dale Street
Roseville, MN 55113

Tom's Mobile Service
1935 Rice ST
Roseville, MN 55113

Dave's Roseville Auto Care
Troy's Automotive, LLC
2171 Hamline Ave N
Roseville, MN 55113

Tri-City BP
S&Z Inc
3110 Cleveland Ave N
Roseville, MN 55113

Massage Therapy Establishment License

Anna's Healing Massage
1961 Rice St #101
Roseville, MN 55113

Elements Massage
2100 Snelling Ave N, #66B
Roseville, MN 55113

Emphasis Skin and Body
3101 Old Highway 8 NW #201
Roseville, MN 55113

Grace Healed Me
2353 Rice St #105
Roseville, MN 55113

Healing Shores Reiki & Massage LLC
2332 Lexington Ave N
Roseville, MN 55113

Healing Wings Massage & Energy Work LLC
2489 Rice St #100
Roseville, MN 55113

HeartSpark! Bodywork for the Mind & Spirit
2201 Lexington Ave N #101
Roseville, MN 55113

Juut Salon Spa
1641 County Rd C
Roseville, MN 55113

Massage by Jennifer
2191 Snelling Ave N
Roseville, MN 55113

Massage Envy
2480 Fairview Ave N #120
Roseville, MN 55113

Massage Xcape, Inc.
1767 Lexington Ave N
Roseville, MN 55113

New Dragon Acupressure Massage
509 Rosedale Center, Space 698
Roseville, MN 55112

Optimal Wellness Wave, LLC
2489 Rice St #130
Roseville, MN 55113

Oriental Lake Spa
2216 County Rd D W, Suite F
Roseville, MN 55112

Red Clover Clinic
2233 Hamline Ave N, #433
Roseville, MN 55113

Restore by the River LLC
dba Northern Lights Healing Arts LLC
2233 Hamline Ave N #207
Roseville, MN 55113

Steiner Naturopathy
2353 Rice St, #208
Roseville, MN 55113

Sunshine Spa
1315 Larpenteur Ave W, Suite J
Roseville, MN 55113

T. Massage
1734 Lexington Ave
Roseville, MN 55113

Terrassage Body Works, Inc.
1721 County Rd B2 W #106
Roseville, MN 55113

Wellspring Massage Therapy
2585 Hamline Ave N, Suite C
Roseville, MN 55113

Winway YH LLC
696 County Rd B West
Roseville, MN 55113

Zen Asian Spa
2334 Lexington Ave N
Roseville, MN 55113

**Veterinarian Examination & Inoculation Center
License**

Como Park Animal Hospital
621 Larpenteur Ave W
Roseville, MN 55113

Petco #602
2575 N. Fairview Ave
Roseville, MN 55113

St. Francis Animal & Bird Hospital
1227 Larpenteur Ave W /
1235 Larpenteur Ave W
Roseville, MN 55113

Suburban Animal Hospital
2581 Cleveland Ave N
Roseville, MN 55113

ROSEVILLE
REQUEST FOR COUNCIL ACTION

Date: June 5, 2023
Item No.: 10.c

Department Approval

City Manager Approval



Item Description: Approve 1 Tetrahydrocannabinol (THC) License, and 1 Massage Therapy Establishment License

BACKGROUND

Chapter 3 of the City Code requires all applications for business and other licenses to be submitted to the City Council for approval. The following applications are submitted for consideration:

Tetrahydrocannabinol (THC) Products License

Lustrous Spirits, Inc. dba MGM Wine and Spirits
1149 Larpeur Ave. W
Roseville, MN 55113

Kelly Hajjali co-owner of Lustrous Spirits, Inc. dba MGM Wine and Spirits has submitted application materials for a Tetrahydrocannabinol (THC) License. Chapter 316 of the City Code permits a maximum of 8 Tetrahydrocannabinol Products Licenses within the city. If approved, the total number of THC licenses issued will be 7.

On May 30, 2023, the Omnibus Cannabis bill was signed into law, making changes to the state's laws around THC edibles. Effective May 31, 2023, low potency THC edibles can be sold at all liquor stores.

Massage Therapy Establishment

Robert Tessman
2201 Lexington Ave N.
Roseville, MN 55113

POLICY OBJECTIVE

Required by City Code

BUDGET IMPLICATIONS

The revenue that is generated from the license fees is used to offset the cost of police compliance checks, background investigations, enforcement of liquor laws, and license administration.

RACIAL EQUITY IMPACT SUMMARY

NA

STAFF RECOMMENDATION

Staff has reviewed the application(s) and has determined that the applicant(s) meet all City requirements. Staff recommends approval of the license(s), subject to successful background investigation(s).

34 **REQUESTED COUNCIL ACTION**

35 Motion to approve THC License for Lustrous Spirits, Inc. dba MGM Wine and Spirits, and Massage Therapy
36 Establishment License for Robert Tessman subject to a successful background investigation.

37

Prepared by: Katie Bruno, Deputy City Clerk

Attachments: A: Lustrous Spirits, Inc. dba MGM Wine and Spirits - Retail THC license Application

B: Robert Tessman – Massage Therapy Establishment Application



Administration Department, License Division
2660 Civic Center Drive, Roseville, MN 55113
(651) 792-7023

Tetrahydrocannabinol (THC) Retail Application

Business Name LUSTROUS SPIRITS, INC., dba MGM WINE AND SPIRITS
Business Address 1149 LARSEN AVE W, ROSEVILLE, MN 55113
Business Phone 651-488-6685
Email Address JOE.HAJTALI@GMAIL.COM

Business Owner:

Name KELLY HAJTALI

Address

Phone

Email

Person to Contact concerning Business License (if different from above.):

Name JOE HAJTALI

Address

Phone

Email

I hereby apply for the following license beginning 5/30/2023, and ending December 31, 2023, in the City of Roseville, County of Ramsey, State of Minnesota.

<u>License Required</u>	<u>Fee</u>
*Tetrahydrocannabinol (THC) Retailer	\$300.00
Background Investigation Fee (first time applicant)	\$300.00

*Tetrahydrocannabinol (THC) Retail Establishment is defined as an establishment which:

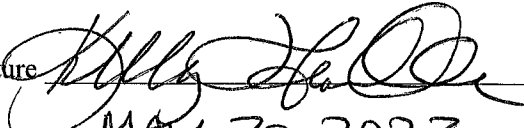
- a. Prohibits persons under 21 years of age from entering the establishment at all times.
- b. Posts conspicuous written notice of such age retraction at all entrances to the establishment.
- c. Meets all of the following building or structural criteria:
 - i. Shares no wall with, and has no part of their structure adjoined to any other business or retailer, unless the wall is permanent, completely opaque, and without doors, windows, and pass-throughs to the other business or retailer; and
 - ii. Is accessible by the public only by an exterior door.

The information that you are asked to provide on the application is classified by State law as either public, private or confidential. All data will constitute public record if and when the license is granted. Our intended use of the information is to annually update our records. If you refuse to supply the information, the license application may not be processed.

The undersigned applicant makes this application pursuant to all the laws of the State of Minnesota and regulation as the Council of the City of Roseville may from time to time prescribe, including Minnesota Statue §151.72

Signature

Date


MAY 30, 2023

If completed license should be mailed somewhere other than the business address, please advise.



Administration Department, License
Division 2660 Civic Center Drive,
Roseville, MN 55113 (651) 792-7023

Massage Therapy Establishment Renewal License Application Part I

Type of applicant (Select only one)

- ☐ Individual, you own the business and have employees
☒ Sole Proprietorship, you own the business, and you are the only employee
☐ Partnership ☐ Corporation ☐ Other Organization

Legal Name of Licensee: Robert Tessman

Business Name (dba) _____

Business Address 2201 Lexington Ave. N Roseville MN

Business Phone 612-481-9656

Email Address _____

MN Tax ID _____

Federal Tax ID _____

Proof of Minnesota Tax Identification form

Applicant's Social Security Number _____

Proof of Worker's Compensation Insurance:

Insurance Company Name _____ Dates of Coverage _____

Policy Number _____

I am not required to have worker's compensation liability coverage because

☒ I have no employees covered by the law

☐ Other (Specify) _____

Section A: Applicant

Individual:

If applicable, complete this question and Part II Personal History form, then proceed to Section B.

Name

Robert
First

Tessman

B

Residence Address _____

City

County

State

Zip

Residence/m _____

Business Phone

612-481-9656

Email address _____

Partnership:

If applicable, complete the question for general and limited partners, then proceed to section B.

Part II Personal History form is required for each general partner.

First Name _____ Last Name _____ Middle Name _____
Street address _____
City, State, ZIP _____
Residence/mobile phone _____ Business phone _____

First Name _____ Last Name _____ Middle Name _____
Street address _____
City, State, ZIP _____
Residence/mobile phone _____ Business phone _____

First Name _____ Last Name _____ Middle Name _____
Street address _____
City, State, ZIP _____
Residence/mobile phone _____ Business phone _____

Corporation/other organization:

If applicable, complete the questions, then proceed to Section B. Attach a copy of the Certificate of Incorporation.

President

First Name _____ Last Name _____ Middle Name _____
Street address _____
City, State, ZIP _____
Residence/mobile phone _____ Business phone _____

Vice President

First Name _____ Last Name _____ Middle Name _____
Street address _____
City, State, ZIP _____
Residence/mobile phone _____ Business phone _____

Secretary

First Name _____ Last Name _____ Middle Name _____
Street address _____
City, State, ZIP _____
Residence/mobile phone _____ Business phone _____

Treasurer

First Name _____ Last Name _____ Middle Name _____
Street address _____
City, State, ZIP _____
Residence/mobile phone _____ Business phone _____

Section B: Persons in charge of licensed establishment

General Manager, proprietor, managing partner or any other individual or agent in charge of the establishment.

A Part II Personal History must be completed by each person listed in this section.

First Name Erica Last Name Pointe Kabett Middle Name _____
Street address 2201 Lexington Ave. N Roseville MN
City, State, ZIP _____
Residence/mobile phone _____ Business phone _____

First Name _____ Last Name _____ Middle Name _____
Street address _____
City, State, ZIP _____
Residence/mobile phone _____ Business phone _____

The information that you are asked to provide on the application is classified by State law as either public, private or confidential. All data, with the exception of driver's license numbers and social security numbers, will constitute public record if and when the license is granted. Our intended use of the information is to perform the background check procedures required prior to license issuance. If you refuse to supply the information, the license application may not be processed.

CONSENT TO BACKGROUND CHECK I hereby consent to and authorize the Roseville Police Department or other qualified service providers in conducting and completing criminal background checks to use the information I have provided to check criminal histories, arrest and driving records, and warrant information; and for the City to consider these records to determine my eligibility for a License. I understand that the information contained in the criminal background investigation is not public, except that it may be conveyed to other law enforcement or licensing agencies.

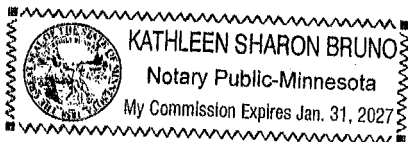
By signing below you certify that the above information is correct. In addition, you acknowledges that you are responsible for reviewing the background and work history of all of your employees, including those that have received a massage therapist license from the City.

Falsification of answers given or material submitted will result in denial of application.

Applicant signature [Signature] Title Massage Therapist
Date 5/31/23

Subscribed and sworn to before me, a Notary Public, on this 31 day of May, 20 23. My Commission expires on Jan 31, 2027.

[Signature]
Notary signature



Notary Stamp

Payment due at the time of application: Annual License Fee \$325

A \$50 late fee will be required if application and payment are received after May 25, 2023.

Make checks payable to: City of Roseville

ROSEVILLE
REQUEST FOR COUNCIL ACTION

Date: June 5, 2023
Item No.: 10.d

Department Approval



City Manager Approval



Item Description: Approve Final Payment for 2022 Pavement Management Project

BACKGROUND

On April 11, 2022, the City Council awarded the 2022 Pavement Management Project to Bituminous Roadways, Inc. Work completed under the contract totaled \$2,468,734.64. The work was successfully completed during the 2022 season and the project is ready to be closed out.

P-22-04 2022 Pavement Management Project – Street mill and overlay, pathway construction and resurfacing and minor utility work (See Attachment C for the street segments in the 2022 Pavement Management Project).

City policy requires that the following items be completed to finalize a construction contract:

- Certification from the City Engineer verifying that all of the work has been completed in accordance with plans and specifications. (See Attachment B)
- A resolution by the City Council accepting the contract and beginning the one-year warranty.

POLICY OBJECTIVE

It is City policy to keep City-owned infrastructure in good operating condition and to keep systems operating in a safe condition.

BUDGET IMPLICATIONS

The final contract amount, \$2,468,734.64, is \$216,977.99 (8.1%) less than the awarded amount of \$2,685,712.63. The project was under the awarded contract amount due to underruns of some quantities.

This project was financed using Municipal State Aid funds, utility funds and street infrastructure funds. Private assessments in the amount of \$24,000 were used for sanitary sewer service upgrades.

Additional project costs for testing, retaining wall design and other miscellaneous expenses totaled \$26,756.38 and were charged to the street infrastructure fund.

RACIAL EQUITY IMPACT SUMMARY

There should be no equity impacts associated with this final payment. The project as a whole benefited all residents and property owners in the area by providing improved pavements and upgraded pedestrian ramps. Additionally, a new pathway on Lexington Avenue was constructed providing improved pedestrian access in this corridor.

STAFF RECOMMENDATION

The work completed was in accordance with project plans and specifications. Staff recommends the City Council approve a resolution accepting the work completed as the 2022 Pavement Management Project and authorize final payment of \$24,687.35 to Bituminous Roadways, Inc.

32 **REQUESTED COUNCIL ACTION**

33 Motion to adopt the resolution accepting the work completed as 2022 Pavement Management
34 Project, starting the one-year warranty and authorizing final payment of \$24,687.35.

Prepared by: Stephanie Smith, Assistant City Engineer

Attachments: A: Resolution
B: Certification from City Engineer
C: Project Map

23 WHEAREUPON said resolution was declared duly passed and adopted.

STATE OF MINNESOTA)
) ss
COUNTY OF RAMSEY)

I, the undersigned, being the duly qualified City Manager of the City of Roseville, County of Ramsey, State of Minnesota, do hereby certify that I have carefully compared the attached and foregoing extract of minutes of a regular meeting of said City Council held on the 5th day of June, 2023, with the original thereof on file in my office.

WITNESS MY HAND officially as such Manager this 5th day of June, 2023.

Patrick Trudgeon, City Manager

(SEAL)



May 31, 2023

TO THE CITY COUNCIL, CITY OF ROSEVILLE, MINNESOTA

RE: 2022 Pavement Management Project
Contract Acceptance and Final Payment

Dear Council Members:

I have reviewed the work executed as a part of the Pavement Management Project. I find that this contract has been fully completed in all respects according to the plans, specifications, and the contract. I therefore recommend that final payment be made from the improvement fund to the contractors for the balance on the contract as follows:

Original Contract amount (based on estimated quantities)	\$ 2,685,712.63
Actual amount due (based on actual quantities)	\$ 2,468,734.64
Previous payments	<u>\$ 2,444,047.29</u>
Balance Due	\$ 24,687.35

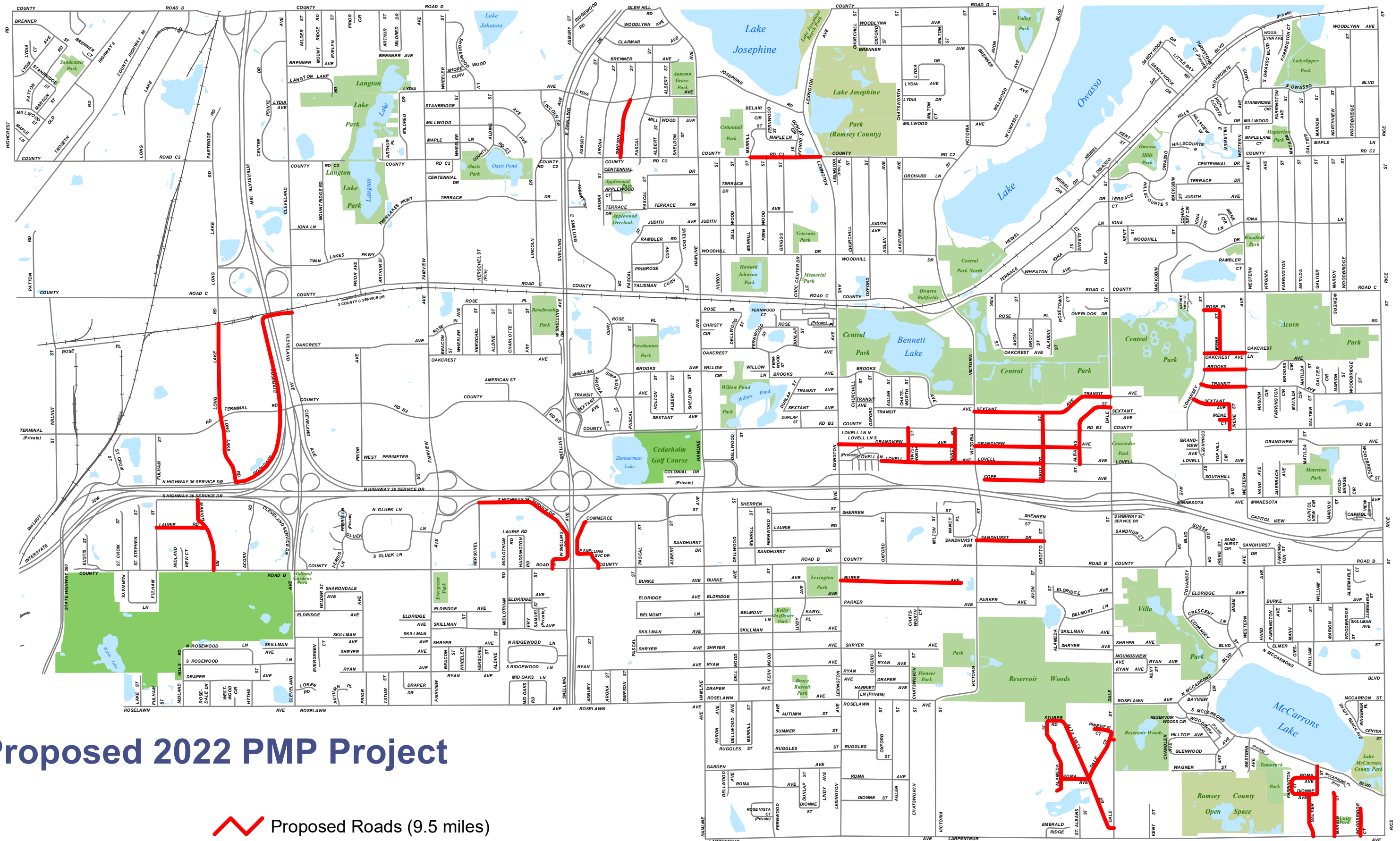
The construction costs for this project have been funded as follows:

Municipal State Aid Funds	\$ 607,027.35
Local Street	\$ 1,252,656.39
Pathway	\$ 23,676.20
Assessments (Sanitary Services)	\$ 24,000.00
Sanitary Sewer Utility Fund	\$ 13,874.86
Water Utility Fund	\$ 76,233.20
Storm Sewer Utility Fund	\$ 471,266.64

Please let me know if you have any questions or concerns and would like more information.

Sincerely,

Jennifer Lowry, P.E.
City Engineer/Asst. Public Works Director
651-792-7042
jennifer.lowry@cityofroseville.com



Prepared by:
Engineering Department
May 26, 2022

Data Sources and Contacts:
* Ramsey County GIS Base Map (5/03/22)
* City of Roseville Engineering Department
For further information regarding the contents of this map contact:
City of Roseville, Engineering Department,
2660 Civic Center Drive, Roseville, MN

DISCLAIMER:
This map is neither a legally recorded map nor a survey and is not intended to be used as one. This map is a compilation of records, information and data located in various city, county, state and federal offices and other sources regarding the area shown, and is to be used for reference purposes only. The City does not warrant that the Geographic Information System (GIS) Data used to prepare this map are error free, and the City does not represent that the GIS Data can be used for navigational, tracking or any other purpose requiring exacting measurement of distance or direction or precision in the depiction of geographic features. If errors or discrepancies are found please contact 651-792-7075. The preceding disclaimer is provided pursuant to Minnesota Statutes §466.03, Subd. 21 (2000), and the user of this map acknowledges that the City shall not be liable for any damages, and expressly waives all claims, and agrees to defend, indemnify, and hold harmless the City from any and all claims brought by User, its employees or agents, or third parties which arise out of the user's access or use of data provided.

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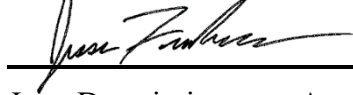
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ROSEVILLE
REQUEST FOR COUNCIL ACTION

Date: June 5, 2023
Item No.: 10.e

Department Approval



City Manager Approval



Item Description: Approve Final Payment for Contract for Fairview and County Road C Storm Sewer Improvements

BACKGROUND

Last summer, the City's contractor completed work on the Fairview and County Road C Storm Sewer Improvements located on the southeast corner of County Road C and Fairview Avenue. The goal of the stormwater improvements is to reduce local flooding issues and also help improve water quality of downstream water bodies. Work included tree management, expanded flood storage, dredging of sediment in the pond, and providing a new outlet control structure.

On May 23, 2022, the City Council awarded the Fairview and County Road C Storm Sewer Improvements to New Look Contracting, Inc. Work completed under the contract totaled \$325,234.27. The work was successfully completed during the 2022 season and the project is ready to be closed out.

City policy requires that the following items be completed to finalize a construction contract:

- Certification from the City Engineer verifying that all of the work has been completed in accordance with plans and specifications. (See Attachment B)
- A resolution by the City Council accepting the contract and beginning the one-year warranty.

POLICY OBJECTIVE

It is City policy to keep City-owned infrastructure in good operating condition and to keep systems operating in a safe condition.

BUDGET IMPLICATIONS

The final contract amount, \$325,234.27, is 6,096.73 less than the awarded amount of \$331,331.00. The decreased cost is related to underrunning of some quantities.

Outside of the contract with New Look Contracting, Inc., this project included costs for testing and environmental work. This totaled \$980.75 and were charged to the storm sewer fund. Overall cost of the project was \$326,215.02.

This project was financed using City Storm Sewer Funds.

RACIAL EQUITY IMPACT SUMMARY

There should be no equity impacts associated with this final payment. The project as a whole benefited all residents and property owners in the area by providing improved stormwater management, including flood storage and treatment.

29 **STAFF RECOMMENDATION**

30 The work completed was in accordance with project plans and specifications. Staff recommends the
31 City Council approve a resolution accepting the work completed for the Fairview and County
32 Road C Storm Sewer Improvements and authorize final payment of \$16,261.71 to New Look
33 Contracting, Inc.

34 **REQUESTED COUNCIL ACTION**

35 Motion to adopt the resolution accepting the work completed as Fairview and County Road C Storm
36 Sewer Improvements, starting the one-year warranty and authorizing final payment of \$16,261.71.

Prepared by: Jesse Freihammer, Public Works Director
Attachments: A: Resolution
B: Certification from City Engineer

23 WHEAREUPON said resolution was declared duly passed and adopted.

STATE OF MINNESOTA)
) ss
COUNTY OF RAMSEY)

I, the undersigned, being the duly qualified City Manager of the City of Roseville, County of Ramsey, State of Minnesota, do hereby certify that I have carefully compared the attached and foregoing extract of minutes of a regular meeting of said City Council held on the 5th day of June, 2023, with the original thereof on file in my office.

WITNESS MY HAND officially as such Manager this 5th day of June, 2023.

Patrick Trudgeon, City Manager

(SEAL)



June 5, 2023

TO THE CITY COUNCIL, CITY OF ROSEVILLE, MINNESOTA

RE: Fairview and County Road C Storm Sewer Improvements
Contract Acceptance and Final Payment

Dear Council Members:

I have observed the work executed as a part of the Fairview and County Road C Storm Sewer Improvements. I find that this contract has been fully completed in all respects according to the plans, specifications, and the contract. I therefore recommend that final payment be made from the improvement fund to the contractors for the balance on the contract as follows:

Original Contract amount (based on estimated quantities)	\$331,331.00
Actual amount due (based on actual quantities)	\$325,234.27
Previous payments	\$308,972.56
Balance Due	\$16,261.71

The construction costs for this project have been funded as follows:

Storm Sewer Utility Fund	\$325,234.27
--------------------------	--------------

Please let me know if you have any questions or concerns and would like more information.

Sincerely,

Jennifer Lowry, P.E
Asst. Public Works Director/City Engineer/
651-792-7042
Jennifer.Lowry@cityofroseville.com

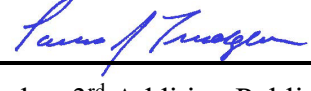
ROSEVILLE
REQUEST FOR COUNCIL ACTION

Date: June 5, 2023
Item No.: 10.f

Department Approval



City Manager Approval



Item Description: Accept Public Improvements Related to the Twin Lakes 3rd Addition Public Improvement Contract

BACKGROUND

On July 13, 2020, the City Council approved the Public Improvement Contract (PIC) with Roseville Investment Partners, LLC for development work related to the Twin Lakes 3rd Addition redevelopment at intersection of Herschel Street and County Road C. On August 12, 2020, the City Council approved an amendment to the PIC to allow storage of stockpile materials related to the RCD4 project on the Twin Lakes 3rd Addition site. The new public infrastructure included the following:

- a. Installation of a new traffic signal at County Road C & Herschel Street;
- b. Installation of two westbound right turn lanes for westbound County Road C;
- c. Relocation of City-owned street lights; and
- d. Restoration and landscaping, including tree replacement.

All public improvements were completed to the City's and County's satisfaction in 2022. A warranty bond or equivalent will be held in the amount of \$92,500 to correct some warranty work items required by the County. In order to close out the PIC, a resolution (Attachment A) from the City Council is needed accepting the improvements.

POLICY OBJECTIVE

It is City policy to keep City-owned infrastructure in good operating condition and to keep systems operating in a safe condition.

BUDGET IMPLICATIONS

All project costs related to the PIC were paid for by the developer. No further costs are associated with the PIC.

RACIAL EQUITY IMPACT SUMMARY

There should be no equity impacts associated with the release of this public improvement contract. The overall development of the Twin Lakes 3rd Addition site included two low income apartment buildings with over 500 units. One of the buildings was for family apartments and the other was for senior housing.

STAFF RECOMMENDATION

The work completed was in accordance with the PIC. Staff recommends the City Council approve a resolution accepting the public improvements related to The Twin Lakes 3rd Addition Public Improvement Contract.

31 **REQUESTED COUNCIL ACTION**
32 Motion to adopt the resolution accepting the Public Improvements related to The Twin Lakes 3rd
33 Addition Public Improvement Contract.

Prepared by: Jesse Freihammer, Public Works Director
Attachments: A: Resolution
B: Release of Land from Public Improvement Contract.
C: Public Improvement Contract
D: Public Improvement Contract Amendment

21 WHEAREUPON said resolution was declared duly passed and adopted.

STATE OF MINNESOTA)
) ss
COUNTY OF RAMSEY)

I, the undersigned, being the duly qualified City Manager of the City of Roseville, County of Ramsey, State of Minnesota, do hereby certify that I have carefully compared the attached and foregoing extract of minutes of a regular meeting of said City Council held on the 5th day of June, 2023, with the original thereof on file in my office.

WITNESS MY HAND officially as such Manager this 5th day of June, 2023.

Patrick Trudgeon, City Manager

(SEAL)

(Top 3 inches reserved for recording data)

RELEASE OF LAND FROM PUBLIC IMPROVEMENT CONTRACT

DATE: _____, 2023

FOR VALUABLE CONSIDERATION, the real property in **Ramsey** County, Minnesota, legally described as follows:

Lot 1, Block 1, Twin Lakes 4th Addition

(note: Outlot A, Twin Lakes 3rd Addition, was re-platted as Lots 1 -5, Block 1, Twin Lakes 4th Addition)

Check here if all or part of the described real property is Registered (Torrens) ☐

is hereby released from that certain Public Improvement Contract dated **July 15, 2020**, executed by and between **Roseville Investment Partners LLC**, a Minnesota limited liability company, and the **City of Roseville, Minnesota**, a Minnesota municipal corporation, and recorded on **July 29, 2020**, as Document Number **A04824572**, in the Office of the ☒ County Recorder ☐ Registrar of Titles of **Ramsey** County, Minnesota (the "**PIC**").

CITY OF ROSEVILLE, a Minnesota municipal corporation

By: _____

Daniel J. Roe

(Seal)

Its: **Mayor**

By: _____

Patrick Trudgeon

Its: **City Manager**

State of Minnesota, County of **Ramsey**

This instrument was acknowledged before me on _____, **2023**, by Daniel J. Roe and Patrick Trudgeon, the Mayor and City Manager, respectively, of the City of Roseville, a Minnesota municipal corporation, on behalf of the corporation.

(Stamp)

(signature of notarial officer)

Title (and Rank): _____

My commission expires: _____
(month/day/year)

THIS INSTRUMENT WAS DRAFTED BY:
Barnes & Thornburg LLP (DJY)
225 South Sixth Street, Suite 2800
Minneapolis, MN 55402

Doc No **A04824572**Certified, filed and/or recorded on
Jul 29, 2020 2:30 PMOffice of the County Recorder
Ramsey County, Minnesota
Todd J. Uecker, County Recorder
Christopher A. Samuel, County Auditor and Treasurer

Deputy 312

Pkg ID 1375115E

Document Recording Fee Abstract	\$46.00
<i>Document Total</i>	\$46.00

PUBLIC IMPROVEMENT CONTRACT
TWIN LAKES 3RD ADDITION

- I. **Parties.** This Agreement, dated July 15, 2020, is entered into between the City of Roseville, a Minnesota municipal corporation, whose address is 2660 Civic Center Drive, Roseville, Minnesota 55113 (the “City”), and Roseville Investment Partners, LLC, a Minnesota Limited Liability Company, whose address is 800 Lasalle Avenue, Suite 1610, Minneapolis, Minnesota 55402 (the “Developer”).
- II. **Request for Plat approval.** The Developer has asked the City to approve a plat of land to be known as “*Twin Lakes 3rd Addition*” (also referred to in this Agreement as the “Plat”). The land is legally described as follows:

See Legal Description attached as Exhibit A hereto (the “Property”).

- III. **Terms and Conditions of Plat Approval.** For good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:
- A. **Plat Approval:** Subject to the terms and conditions of this Public Improvement Contract, the recitals above, and all other applicable City Code provisions, the City hereby approves the recording of the Plat.
- B. **Land Use:** Construction and operation of two multi-family complexes and a commercial mixed used development, including private roads and utilities.
- C. **Public Improvements.** The Developer shall, subject to the terms and conditions contained herein, perform the following work and construct the following improvements (“Public Improvements”) in compliance with City approved Public Improvement Construction Plans described in Section III E below and all rules, regulations, standards and ordinances of the City:
1. Traffic Signal construction: The Developer shall construct a traffic signal at the intersection of County Road C and Herschel Street.
 - a) All signal improvements shall be constructed in accordance with County details, specifications, and the Public Improvement Construction Plans.
 2. County Road C Turn Lane Construction: The Developer shall construct two westbound right turn lanes for westbound County Road C
 - a) The first turn lane shall be at Herschel Street.
 - b) The second turn lane shall be approximately 400 feet west of Herschel Street.

c) All turn lane improvements shall be constructed in accordance with County details, specifications, and the Public Improvement Construction Plans.

3. Restoration of existing streets: Curb cuts and street cuts shall be reconstructed to match existing street typical section.

a) All unused curb openings along County Road C curb line shall be removed and replaced with non-surmountable curb to match existing. Curbs replacement shall be constructed in accordance with County details, specifications, and the Public Improvement Construction Plans.

4. Erosion control: Prior to the commencement of any grading and before any utility construction is commenced or building permits are issued, the erosion control plan must be implemented, inspected and approved by the City. The Developer shall meet all requirements of the City's Erosion Control Ordinance including but not limited to the following:

a) No construction activity shall be allowed and no building permits shall be issued unless the Property is in full compliance with the erosion control requirements.

b) Measures shall be installed in compliance with MPCA NPDES permit requirements.

c) The City will inspect the site periodically and determine whether it is necessary to take additional measures to address erosion. The Developer shall comply with all additional erosion control requirements.

d) To remove dirt and debris from streets that has resulted from construction work by the Developer, its agents or assigns, the Developer shall sweep all haul roads on a weekly basis or more frequently as directed by the City Engineer until the site is stabilized. The Developer must sweep roadways with a water-discharge broom apparatus. Kick-off brooms shall not be utilized for street sweeping.

e) If the development on the Property does not comply with the erosion control plan or supplementary instructions received from the City, the City may, following giving the Developer 48-hour prior verbal notice (or immediately in the case of an emergency), take such action as it deems appropriate to control erosion, the cost of which action shall be paid by the Developer to the City upon demand.

D. **Private Improvements.** The Developer shall, subject to the terms and conditions contained herein, perform the following work and construct the following improvements ("Private Improvements") on applicable portions of the Property in compliance with City approved Private Improvement Construction Plans described in Section III E below and all rules, regulations, standards and ordinances of the City:

1. Demolition of existing buildings and site improvements as necessary to perform the Public Improvements or Private Improvements, including the buildings that are located primarily on Outlot A of the Plat ("Outlot A") that encroach on either Lot 1 ("Lot 1") or Lot 2 ("Lot 2") of the Plat. Appropriate licenses or construction easements shall be obtained if Outlot A, Lot 1, and Lot 2 are not owned by a common owner.

2. Private Road. The Developer shall construct a private road from the intersection of County Road C and Herschel Street to the property line of Lot 1, and related improvements (such as sidewalks, landscaping and storm water management system) (the "Private Road") in accordance with the Private Improvement Construction Plans. Street improvements include

subgrade preparation, gravel base, bituminous surfacing, and concrete curb and gutters. In connection with the construction of the Private Road, Developer shall be responsible for performing the following work to the extent applicable and in accordance with the Private Improvement Construction Plans:

a) Installation and maintenance of erosion control and sediment control measures, as provided in Section C.4 above and in accordance with erosion control plan which must be implemented, inspected and approved by the City prior to commencement of construction of the Private Improvements.

b) Site Grading and Turf Restoration. The Developer shall grade the applicable portions of the Property in accordance with the Private Improvement Construction Plans. Grading improvements shall include common excavation, subgrade correction, embankment, turf restoration (which shall include seeding, mulching and erosion control), and final grading per the Private Improvement Construction Plans, as applicable.

3. Installation of utility stubs for water, gas, electric and communication utilities to serve the Property, and extension of such utilities stubbed to the property line of Lot 1 of the Property.

The Developer or its successors and assigns in title to any parcels in the Plat may, but shall not be obligated by the terms of this Agreement, construct other private improvements to applicable portions of the Property (such as demolition of existing buildings and improvements, site grading, installation of utilities, and installation of storm water management systems) in accordance with the Private Improvement Construction Plans, or such other plans and specifications as may be prepared and approved by the City, provided the necessary permits are obtained from the City and such work complies with all rules, regulations, standards and ordinances of the City in connection therewith, including erosion control measures.

E. Construction Plans.

1. The Public Improvements shall be constructed in accordance with the following plans, specifications and other documents ("Public Improvement Construction Plans" or as the context may appear, the "Plans"). The Public Improvement Construction Plans may be prepared after the parties have entered into this Agreement, provided however, no work shall be commenced in the Public ROW until all of the Plans have been submitted to and approved by the City. The Public Improvement Construction Plans shall not be attached to this Agreement, but shall be retained in the City files while the work to be done under this Agreement is being performed. If the Public Improvement Construction Plans vary from the written terms of this Agreement, the written terms shall control. The Public Improvement Construction Plans are as follows:

SHEET 1: TITLE SHEET
SHEET 2: TYPICAL SECTION
SHEET 3 - 8: STANDARD DETAILS
SHEET 9 - 10: EROSION CONTROL DETAILS
SHEET 11: REMOVALS
SHEET 12 - 13: ROADWAY PLANS
SHEET 14 - 15: INTERSECTION DETAILS
SHEET 16: PEDESTRIAN CURB RAMP DETAILS
SHEET 17 - 21: SIGNING AND STRIPING PLANS
SHEET 22 - 31: SIGNAL PLANS

SHEET 32 – 34: LANDSCAPING PLANS

2. The Private Improvements shall be constructed in accordance with the following plans, specifications and other documents (“Private Improvement Construction Plans” or as the context may appear, the “Plans”). The Private Improvement Construction Plans may be prepared after the parties have entered into this Agreement, provided however, no work shall be commenced on the Property until all of the Private Improvement Construction Plans have been submitted to and approved by the City. The Private Improvement Construction Plans shall not be attached to this Agreement, but shall be retained in the City files while the work to be done under this Agreement is being performed. If the Private Improvement Construction Plans vary from the written terms of this Agreement, the written terms shall control. The Private Improvement Construction Plans are as follows:

SHEET C000: COVER SHEET
SHEET C100: GENERAL NOTES
SHEET P100: PRELIMINARY PLAT
SHEET C200: DEMO PLAN
SHEET C300: EROSION AND SEDIMENT CONTROL PLAN - PHASE 1
SHEET C301: EROSION AND SEDIMENT CONTROL PLAN - PHASE 2
SHEET C302: EROSION AND SEDIMENT CONTROL DETAILS
SHEET C303: SWPPP NOTES
SHEET C400: SITE PLAN
SHEET C401: SITE DETAILS
SHEET C402: SITE DETAILS
SHEET C500: GRADING AND DRAINAGE PLAN
SHEET C501: GRADING AND DRAINAGE DETAILS
SHEET C600: UTILITY PLAN
SHEET C601: UTILITY DETAILS
SHEET L100: LANDSCAPE PLAN
SHEET L101: LANDSCAPE DETAILS

F. **Notice to Proceed.** The Public Improvements and Private Improvements shall be installed in accordance with the applicable City approved Plans and the rules, regulations, standards and ordinances of the City. The Plans shall be prepared by a competent registered professional engineer, furnished to the City for review, and shall be subject to the approval of the City Engineer. No work (other than demolition work pursuant to appropriate City issued demolition permits) shall commence on the Property until the City Engineer notifies the Developer that the work can commence, the issuance of a building permit by the City or City Engineer shall constitute such notification for such respective work.

1. The Developer shall obtain all necessary permits from the Minnesota Pollution Control Agency (MPCA), Minnesota Department of Health (MDOH), and other agencies and governmental authorities before proceeding with construction. Copies of these permits, if applicable, must be provided to the City Engineer.
2. The Developer or its engineer shall schedule a preconstruction meeting at a mutually agreeable time at City Hall with all the parties concerned, including City staff, to review the program for the construction work.

3. The Developer represents to the City that the Plat complies with all City, County, Metropolitan, State and Federal laws and regulations including, but not limited to: subdivision ordinances, zoning ordinances and environmental regulations. If the City determines that the Plat does not comply, the City may, at its option, refuse to allow construction or development work on the Property until the Developer does comply. Upon the City's demand, the Developer shall cease work until there is compliance.
- G. **Time of Performance.** The Developer shall complete all required public improvements enumerated in Paragraph C by November 1, 2021. The Developer may, however, forward a request for an extension of time to the City for its approval, not to be unreasonably withheld, conditioned or delayed. If an extension is granted, it shall be conditioned upon updating the security posted by the Developer to reflect cost increases and the extended completion date.
- H. **Inspection.** The Developer shall provide the services of a Project Representative and assistants at the site to provide continuous observation of the work to be performed and the improvements to be constructed under this Agreement.
1. The Developer shall provide the City Engineer a minimum of one business day notice prior to the commencement of the underground pipe laying and service connection; and prior to subgrade, gravel base and bituminous surface construction.
 2. Developer's failure to comply with the terms of this section shall permit the City Engineer to issue a stop work order which may result in a rejection of the work and which shall obligate the Developer to take all reasonable steps, as directed by the City Engineer to ensure that the improvements are constructed and inspected pursuant to the terms of this Agreement; and shall further result in the assessment of a penalty, in an amount equal to \$500.00 per occurrence, which amount the Developer agrees to pay to the City upon demand.
- I. **Engineering Coordination.** A City Engineering Coordinator shall be assigned to this project to provide further protection for the City against defects and deficiencies in the work and improvements through the observations of the work in progress and field checks of materials and equipment. However, the furnishing of such engineering coordination will not make the City responsible for construction means, methods, techniques, sequences or procedures or for the safety precautions or programs, or for the Contractors failure to perform his work in accordance with the Plans. The Developer is obligated to pay the City for City inspection services an amount equal to 4% of the estimated cost of the Public Improvements, which amount is \$33,282.64. This amount shall be paid at or prior to the execution of this Agreement.
- J. **Security.** To guarantee compliance with the terms of this Agreement, payment of the costs of all Public Improvements and construction of all Public Improvements, the Developer shall furnish either: a) a cash deposit, or b) an irrevocable letter of credit for \$1,040,082.50 in a form to be approved by the City (the "Financial Security"). The amount of the Financial Security is 125% of the estimated cost to construct the Public Improvements. The City shall have the right to draw upon and use the Financial Security in the event that the Developer fails to perform any of its obligations under this Agreement.
1. **Reduction of Security.** Periodically upon the Developer's written request, the City Engineer may reduce the amount of the Financial Security for completed Public Improvements provided the following conditions are met:

- a) The Developer's engineer certifies that the Public improvements have been constructed to City Standards and in accordance with the Plans.
- b) The Developer provides documentation that its contractors and all their subcontractors and suppliers have been paid in full for the work completed and materials supplied.
- c) The City Engineer determines that such Public Improvements have been fully completed in accordance with the Plans, specifications and provisions of this Agreement.

The amount of reduction shall be equal to that portion of the Financial Security which covers such completed Public Improvements; provided however, in no case shall the remaining amount of the Financial Security be less than the greater of: (i) 25% of the original amount of the Financial Security, or (ii) 125% of the estimated cost to complete the Public Improvements which have not been completed as determined by the City Engineer.

2. Release of Security. This Agreement shall run with the land and may be recorded against the title to the Property. After the work described in this Agreement has been completed, the Developer may request that the City accept the Public Improvements. This is accomplished through a City Council resolution provided the following conditions are met:

- a) **As-built Survey.** The Developer shall provide an as-built survey upon completion of the Public Improvements described in Paragraph C in reproducible and digital (AutoCAD) format. The locations and elevations of sewer and water services shall be accurately shown on the survey.
- b) **Certification.** The Developer's engineer submits a letter certifying that the Public Improvements have been constructed to City Standards in accordance with the Plans and requests that the City accept the Public Improvements.
- c) **Payment.** The Developer provides documentation that its contractors and their subcontractors and suppliers have been paid in full for the work completed and the materials supplied.
- d) **Determination of Completion.** The City Engineer and the City Council have determined that all Public Improvements have been completed in accordance with the Plans, specifications and terms of this Agreement.

The date of City acceptance of the Public Improvements shall be the date of the City Council resolution accepting the Public Improvements.

In the event that a Letter of Credit is given as the Financial Security, the term of any Letter of Credit provided by the Developer must be at least one year. Notwithstanding anything to the contrary contained herein, in the event that: i) some or all of the Public Improvements have not been completed and accepted by the City before the expiration date of the Letter of Credit, ii) the City has been notified that the Letter of Credit is not being extended for another term of at least one year, and iii) no replacement Letter of Credit satisfactory to the City has been delivered to the City, the City shall have the right to draw on the full amount of the Letter of Credit at any time prior to the expiration of the Letter of Credit. In the event of such draw on the Letter of Credit, the City shall have the right to use the amount drawn to complete any unfinished Public Improvements, perform any unperformed obligations of the Developer, pay the costs to draw on the Letter of Credit and/or pay any costs to enforce this

Agreement. The Letter of Credit shall allow Partial Draws and shall provide that a draw can be made on the Letter of Credit at a location which is in or within 30 miles of the City of Roseville.

- K. **Ownership of Improvements and Risk of Loss.** Upon completion and City acceptance of the Public Improvements, all Public Improvements lying within public rights-of-way and easements shall become City property without further notice or action, except as follows: None. The Developer shall be responsible for the risk of loss of all Public Improvements constructed by the Developer until ownership thereof passes to the City. Any damage or destruction, in whole or in part, to any Public Improvement constructed by the Developer shall be repaired and/or replaced by the Developer until ownership of such Public Improvement passes to the City. The following special requirements shall apply with respect to the maintenance of Public Improvements which have been completed and accepted by the City: None.
- L. **Warranty.** The Developer shall install and construct the Public Improvements in accordance with the terms and conditions of this Agreement. The Developer warrants the Public Improvements and all work required to be performed by the Developer hereunder against poor material and faulty workmanship for a period of two (2) years after its completion and acceptance by the City. The Developer shall repair or replace as directed by the City and at the Developer's sole cost and expense: (i) any and all faulty work, (ii) any and all poor quality and/or defective materials, and (iii) any and all trees, plantings, grass and/or sod which are dead, are not of good quality and/or are diseased, as determined in the sole but reasonable opinion of the City or its Engineer, provided the City or its Engineer gives notice of such defect to Developer with respect to such items on or before 60 days following the expiration of the two year warranty period. The Developer shall post maintenance bonds or other security acceptable to the City to secure the warranties described herein, which bonds or other security shall be in addition to the Financial Security described herein.
- M. **Utility Company Improvements.** This item will be addressed before any new building is constructed on the Property.
- N. **Park Dedication Fee.** Park dedication fees are not payable related to the Plat.
- O. **License.** The Developer hereby grants the City, its agents, employees, officers and contractors a license to enter the Property to perform all work and inspections deemed appropriate by the City during the installation of the Public Improvements. This license shall expire after the Property has been completely developed and all of the Public Improvements have been accepted by the City.
- P. **Building Permits.** This item will be addressed before any new building is constructed on the Property.
- Q. **Land Occupancy.** No certificate of occupancy shall be issued until the Private Improvements are completed and the private access drive is paved.
- R. **Construction Management.** The Developer and its contractors and subcontractors shall minimize impacts from construction on the surrounding neighborhood as follows:
 - 1. **Definition of Construction Area.** The limits of the Project Area shall be defined with heavy-duty erosion control fencing approved by the City Engineer. Any grading, construction or other work outside this area requires approval by the City Engineer and the affected property owner.
 - 2. **Parking and Storage of Materials.** No fill, excavating material or construction materials shall be stored in the public right-of-way.

3. **Hours of Construction.** Hours of construction, including moving of equipment shall be limited to the hours between 7 a.m. and 9 p.m. on weekdays and 9 a.m. and 9 p.m. on weekends.
 4. **Site Maintenance.** The Developer shall ensure the contractor maintains a clean work site. Measures shall be taken to prevent debris, refuse or other materials from leaving the site. Construction debris and other refuse generated from the project shall be removed from the site in a timely fashion and/or upon the request by the City Engineer. After the Developer has received twenty-four (24) hour written notice (which may be emailed notice to Developer at the following email address: dregan@launchproperties.com), the City shall have the right to complete or contract to complete the site maintenance work at the Developer's expense, which amount the Developer shall pay to the City upon demand.
 5. **Cold Weather Construction.** The City requires that no public concrete or bituminous infrastructure be constructed on frozen ground. Upon evidence of frozen ground in the project aggregate base/subgrade, all concrete and bituminous work shall cease for the construction year. No bituminous base paving or concrete pouring will be allowed after November 1st of the calendar year. Work may be performed after November 1st only with the approval of the City Engineer, and if permitted such work shall comply with City specifications.
 6. **Bituminous and Concrete Material Acceptance.** The City shall not accept concrete curb and gutter that has structural or cosmetic defects. The City shall identify all defective curb for removal. The City shall not accept bituminous base course with less than 91.5% density or that has an open graded appearance as determined by the City Engineer. This is considered to be rejected and shall be required to be removed at the Developer's expense. At no time shall the bituminous wear course be installed after September 1st of any calendar year or prior to weight restrictions being lifted in the spring.
- S. **Certificate of Insurance.** The Developer shall provide, prior to the commencement of any site work or other development of the Property, evidence that it has insurance in the form of a Certificate of Insurance issued by a company authorized to do business in the State of Minnesota, which includes commercial general liability, and also worker's compensation insurance of the general contractor. Limits for bodily injury and death shall not be less than \$1,000,000 for one person and \$1,500,000 per occurrence. Limits for property damages shall be not less than \$500,000 for each occurrence. The City shall be included as an additional insured on general liability and property damage policies. The Developer shall provide the City with a renewal certificate of insurance at least 30 days prior to the expiration date of any policy required hereunder.
- T. **All Costs Responsibility of Developer.** The Developer shall pay all costs incurred by it and the City in conjunction with this Agreement, the approval of the Plat, the development of the applicable portions of the Property by Developer, and the construction of the improvements by Developer required by this Agreement, including but not limited to, all costs of persons doing work or furnishing skills, tools, machinery and materials; insurance premiums; Letter of Credit fees and bond premiums; legal, planning and engineering fees; the preparation and recording of the Plat and this Agreement and all easements and other documents required by this Agreement relating the Property; and all costs incurred pertaining to the inspection and monitoring of the work performed and improvements constructed by Developer on applicable portions of the Property. The City shall not be obligated to pay the Developer or any of its agents or contractors for any costs incurred in connection with the construction of the improvements or the development of the Property. The Developer agrees to defend, indemnify, and hold the City and its mayor, councilmembers,

employees, agents and contractors harmless from any and all claims of whatever kind or nature which may arise as a result of the construction of the improvements by Developer, the development of the Property by Developer or the acts of the Developer, and its employees, agents or contractors in connection thereto.

1. The Developer shall defend, indemnify, and hold the City and its mayor, councilmembers and employees harmless from claims made by itself and third parties for damages sustained or costs incurred resulting from Plat approval, development of the Property by Developer, construction of the improvements or other work performed by Developer on the applicable portions of the Property. The Developer shall defend, indemnify, and hold the City and its mayor, councilmembers and employees harmless for all costs, damages or expenses which the City may pay or incur in consequence of such claims, including reasonable attorney's fees.

2. The Developer shall pay, or cause to be paid when due, and in any event before any penalty is attached, all charges, costs and fees referred to in this Agreement. This is a personal obligation of the Developer and shall continue in full force and effect even if the Developer sells one or more lots, all of the Property, or any part of it.

3. The Developer shall pay in full all bills submitted to it by the City for obligations incurred under this Agreement within sixty (60) days after receipt. If the bills are not paid on time, the City may, in addition to all other rights and remedies the City may have, halt development and construction work on the Property including, but not limited to, the issuance of building permits for lots which the Developer may or may not have sold, until the bills are paid in full. Bills not paid within sixty (60) days shall accrue interest at the rate of ten percent (10%) per year, or the maximum amount allowed by law, whichever is less.

4. The Developer shall reimburse the City for all costs incurred in the enforcement of this Agreement, including all reasonable attorney and engineering fees.

5. In addition to the charges referred to herein, additional charges will be imposed at the time of issuance of building permits before any building is constructed on the Property. The Developer shall pay all such other charges and fees upon being billed by the City.

U. **Default.** In the event of default by the Developer as to any of the work to be performed by it hereunder, the City may, subject to Section III V, at its option, perform the work and the Developer shall promptly reimburse the City for any expense incurred by the City, provided the Developer is first given written notice of the work in default not less than 48 hours in advance or immediately before the City commences performing such work in the event of an emergency. This Agreement is a license for the City to act, and it shall not be necessary for the City to seek a court order for permission to enter the Property. When the City does any such work, the City may, in addition to its other remedies, assess the cost in whole or in part, against the Developer and/or the applicable portions of the Property where the work is performed.

V. **Remedies.** Upon the occurrence of a breach of this Agreement by the Developer that is not cured within thirty (30) days, or such period of time as is reasonable should thirty (30) days be insufficient time to cure such breach, after written notice of such breach is delivered by the City to Developer, the City, in addition to any other remedy which may be available to it, shall have the right to do any or all of the following:

1. City may make advances or take other steps to cure the default, and where necessary, enter the Property for that purpose. The Developer shall pay all sums so advanced or expenses

incurred by the City upon demand, with interest from the date of such advances or expenses at the rate of 10% per annum or the maximum allowed by law, whichever is less. No action taken by the City pursuant to this section shall be deemed to relieve the Developer from curing any such default or from any other default hereunder. The City shall not be obligated, by virtue of the existence or the exercise of this right, to perform any such act or cure any such default.

2. Obtain an order from a court of competent jurisdiction requiring the Developer to specifically perform its obligations pursuant to the terms and provisions of this Agreement.
3. Obtain an order from a court of competent jurisdiction enjoining the continuation of an event of default.
4. Halt all development work and construction of improvements until such time as the event of default is cured.
5. Withhold the issuance of a building permit and/or prohibit the occupancy of any structure(s) for which permits have been issued.
6. Draw upon and utilize the Developer's Financial Security to cover the costs of the City in order to correct the default, the costs to complete any unfinished Public Improvements, the costs to draw on the Financial Security and/or the costs to enforce this Agreement.
7. Terminate this Agreement by written notice to Developer at which time all terms and conditions contained herein shall be of no further force or effect and all obligations of the parties imposed hereunder shall be null and void.
8. Exercise any other remedies which may be available to it at law or in equity.
9. In addition to the remedies and amounts payable set forth or permitted above, upon the occurrence of an event of default, the Developer shall pay to the City all fees and expenses, including reasonable attorneys fees, incurred by the City as a result of the event of default, whether or not a lawsuit or other action is formally taken.
10. The Developer shall defend, indemnify, and hold the City and its mayor, councilmembers, employees, agents and contractors harmless from any liability or damages, including reasonable attorneys fees, which may be incurred as a result of the exercise of the City's rights pursuant to this Agreement.

W. Right to Cure by Roseville I. Prior to the City exercising its rights under Section III U and/or this Section III W, the City shall provide notice to Roseville Leased Housing I, LLLP ("Roseville I") at the address set forth in Section III Y hereof, and shall provide Roseville I the option, but not the obligation, to cure any event of default on the same terms as provided to the Developer and such cure shall be accepted by the City as if cured by the Developer.

X. Assignment. The Developer may not assign this Agreement without the written permission of the Roseville City Council.

Y. Notices to the Developer. Required notices to the Developer shall be in writing, and shall be either hand delivered to the Chief Executive Officer or another officer, employee or agent of the Developer, or mailed to the Developer by registered or certified mail at the following address:

Roseville Investment Partners, LLC
800 Lasalle Avenue, Suite 1610

Minneapolis, Minnesota 55402
Attn: Dan Regan, CEO

In the event of default by Developer, with a copy to:
Roseville Leased Housing Associates I, LLLP
2905 Northwest Blvd., Suite 150
Plymouth, Minnesota 55441
Attn: Logan Schmidt & Ryan Lunderby
And to:
Winthrop & Weinstine, P.A.
225 South Sixth Street, Suite 3500
Minneapolis, Minnesota 55402
Attn: Scott Jahnke, Esq.

- Z. **Notices to the City.** Required notices to the Developer shall be either hand delivered to the City Engineer, or mailed to the City by registered or certified mail in care of the City Engineer at the following address:

City of Roseville
2660 Civic Center Drive
Roseville, Minnesota 55113
Attn: City Engineer

AA. **Miscellaneous.**

1. The Developer shall comply with any and all applicable City, County, Metropolitan, State and Federal laws and regulations including, but not limited to: subdivision ordinances, zoning ordinances and environmental regulations that may apply to the Plat, the development of the applicable portions of the Property by Developer, and the construction of the Public Improvements described herein.
2. The terms and conditions of this Agreement shall inure to the benefit of and shall be binding upon the parties hereto, and their respective successors and assigns.
3. The obligations of all parties signing this Agreement as a Developer shall be joint and several.
4. If any portion, section, subsection, sentence, clause, paragraph or phrase of this Agreement is for any reason held invalid, such decision shall not affect the validity of the remaining portions of this Agreement.
5. The action or inaction of the City shall not constitute a waiver or amendment to the provisions of this Agreement. To be binding, amendments or waivers must be in writing, signed by the parties and approved by the Roseville City Council. The City's failure to promptly take legal action to enforce a default under this Agreement shall not be a waiver or release of such default. Should an amendment to this Agreement reasonably be expected to adversely impact Roseville I, such amendment shall require the prior written consent of Roseville I, which shall not be unreasonably withheld. The prior written consent of Roseville I shall also be required in the event of a material change to the Public Improvements, Private Improvements, or the Construction Plans.

6. This Agreement shall run with the land and shall be binding upon the Developer, and its successors and assigns. The Developer shall, at its expense, record this Agreement with the Ramsey County Recorder if the Property is abstract property and/or with the Ramsey County Registrar of Titles if the Property is Torrens property. The Developer shall, prior to the time this Agreement is executed and recorded, furnish the City with title evidence and make arrangements satisfactory to the City to confirm that at the time that this Agreement is executed and recorded the Developer is the sole fee simple owner of the Property and that there are no other parties having an interest in, or a lien or encumbrance against the Property. No work shall commence on the Property prior to the recording of this Agreement. When all of the construction obligations of Developer under this Agreement have been completed and the applicable warranty periods have expired, upon request by Developer, the City will execute a recordable release of this Agreement which may be recorded by Developer, at its expense, with the Ramsey County Recorder if the Property is abstract property and/or with the Ramsey County Registrar of Titles if the Property is Torrens property, provided however, that the Developer and City shall have executed and recorded a separate agreement carrying forward the terms concerning the Private Road easement as provided in provision 8 of Exhibit B. Further, upon request by Developer, the City will execute an estoppel certificate confirming whether there are any outstanding defaults by Developer under this Agreement as well as any other factual matters pertaining to this Agreement as may be reasonably requested by Developer.

7. This Agreement shall be governed by and construed in accordance with the laws of the State of Minnesota. Any legal proceeding pertaining to this Agreement, or the rights or obligations of the parties hereunder, shall be venued in courts or tribunals located in Ramsey County, Minnesota.

8. In addition to all other terms and conditions of this Agreement the Developer shall comply with and perform the Conditions of Development attached hereto as **Exhibit B**.

//

(Signatures Follow)

IN WITNESS WHEREOF, the parties have hereunto set their hands as of the day and year first above written.

CITY

City of Roseville

By: _____

Daniel J. Roe, Mayor

By: _____

Patrick Trudgeon, City Manager

STATE OF MINNESOTA)
) ss
COUNTY OF Ramsey)

The foregoing instrument was acknowledged before me this 15 day of July, 2020, by Daniel J. Roe and Patrick Trudgeon, the Mayor and City Manager respectively, of the City of Roseville, a Minnesota municipal corporation, on behalf of the corporation.

Kathleen S. Bruno

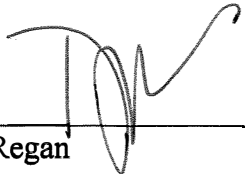
Notary Public



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DEVELOPER

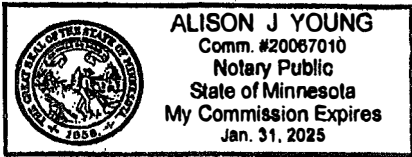
Roseville Investment Partners, LLC

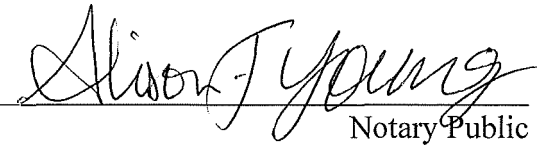
By: 
Dan Regan

Its: Chief Executive Officer

STATE OF MINNESOTA)
COUNTY OF Ramsey) ss

The foregoing instrument was acknowledged before me this 24th day of June, 2020,
by Dan Regan, the Chief Executive Officer of Roseville Investment Partners, LLC, a Minnesota Limited
Liability Company, on behalf of the company.




Notary Public

THIS INSTRUMENT DRAFTED BY:

City of Roseville
Engineering Division
2660 Civic Center Drive
Roseville, Minnesota 55113

EXHIBIT A
Legal Description

Outlot A, Twin Lakes 3rd Addition.

TO BE COMPLETED AS APPLICABLE

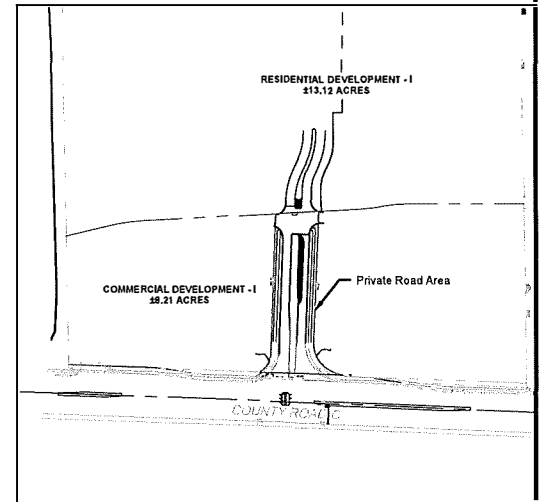
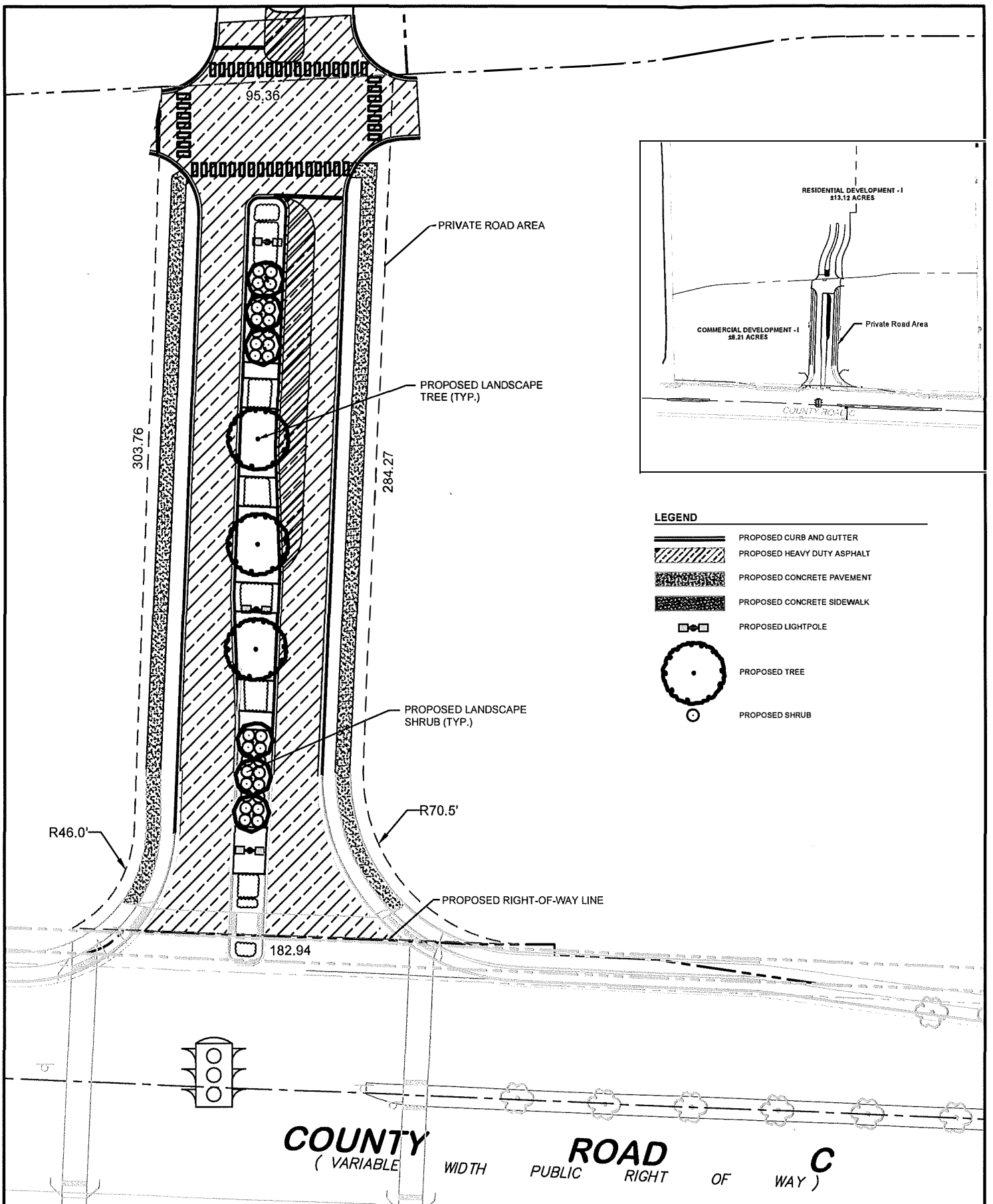
**EXHIBIT B
Conditions of Development**

1. All property owners shall either dedicate on the Plat or otherwise convey all roadway, utility, drainage, and other easements required by the City.
2. The access points to enter and exit the Property shall be at existing locations or other locations set forth in the applicable Plans, or as otherwise approved by the City and any other governmental entity having jurisdiction over adjacent roadways.
3. The Developer shall install subdivision monuments as reasonably required by the Roseville Public Works Department and Ramsey County Surveyor.
4. The Developer shall provide the City proof that the Developer/Owner is the fee simple owner of all of the Property included in the Plat at the time of execution, and that there are no liens, encumbrances or other parties having any fee title interest in the Property at the time the Plat and the Public Improvement Contract are recorded, or make other arrangements which are reasonably satisfactory to the City to assure that title to the Property following the recording of the Plat and the Public Improvement Contract shall be acceptable to the City.
5. The Developer shall pay all unpaid City subdivision review and other fees prior to the City releasing the Plat for recording.
6. No building permits shall be issued for any use of the Property which is not a permitted use.
7. The Developer shall provide the City with a copy of a private cross easement, for approval by the City (not to be unreasonably withheld, conditioned or delayed), between all parcels in the Plat for the Private Road and shared water supply system on the site.
8. The Private Road generally in the location shown on the Private Road Site Plan attached as Exhibit C may become a public street as further provided in this provision if the parcel to the east, located at 1601 County Road C, is redeveloped, the building on said parcel is demolished, and the owner of said parcel is willing to establish a right-of-way connection to the Private Road. In the event that the foregoing conditions are met, the Developer, or its successors and assigns, will grant to the City a roadway easement over the Private Road. The Developer acknowledges that the City could require the Developer to dedicate the Private Road as a public street now. In lieu of requiring the Private Road dedication now, and in consideration for the approvals granted to the Developer concerning the project, no future consideration shall be required from the City for the easement over the Private Road. Upon acceptance by the City of an easement over the Private Road, the Private Road will become a public street and the City shall be responsible for all maintenance and repair of the same.

EXHIBIT C
Private Road Site Plan

The Private Road Site Plan follows.

19328013v3



LEGEND

- PROPOSED CURB AND GUTTER
- PROPOSED HEAVY DUTY ASPHALT
- PROPOSED CONCRETE PAVEMENT
- PROPOSED CONCRETE SIDEWALK
- PROPOSED LIGHTPOLE
- PROPOSED TREE
- PROPOSED SHRUB

EXHIBIT-C PRIVATE ROAD SITE PLAN

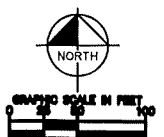
TWIN LAKES STATION
ROSEVILLE, MN

05/26/2020

Kimley»Horn

7225 FRILEY-HORN AND ASSOCIATES, INC.
101 EUSTIS ST., SUITE 100, ST. PAUL, MN 55116
PHONE: 651.641.1117
WWW.FRILEY-HORN.COM

LAUNCH
PROPERTIES



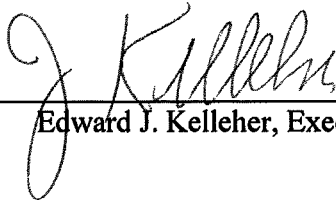
MORTGAGEE CONSENT TO PUBLIC IMPROVEMENTS CONTRACT
TWIN LAKES 3RD ADDITION

The undersigned **AMERICAN NATIONAL BANK**, a national banking association, as holder of and beneficiary under that certain Mortgage, Security Agreement, Fixture Financing Statement and Assignment of Leases and Rents executed by Roseville Investment Partners, LLC, a Minnesota limited liability company, as mortgagor ("**Mortgagor**") in favor of American National Bank, as mortgagee ("**Mortgagee**"), dated November 7, 2016, recorded November 9, 2016, in the Office of the County Recorder, Ramsey County, Minnesota, as Document No. A04633070, as amended by Amendment to Mortgage, Security Agreement, Fixture Financing Statement and Assignment of Leases and Rents, executed by Mortgagor and Mortgagee, dated November 7, 2019, recorded December 6, 2019, in the Office of the County Recorder, Ramsey County, Minnesota, as Document No. A04786886 (as amended, the "**Mortgage**"), does hereby consent to the foregoing Public Improvements Contract between the City of Roseville, as the City, and Mortgagor, as developer.

[Signature page immediately follows]

MORTGAGEE:

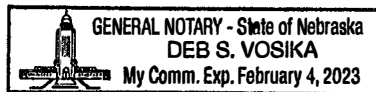
AMERICAN NATIONAL BANK
a national banking association

By: 
Edward J. Kelleher, Executive Vice President

STATE OF NEBRASKA)
) ss
COUNTY OF DOUGLAS)

This instrument was acknowledged before me on this 26th day of June, 2020, by Edward J. Kelleher, Executive Vice President of American National Bank, a national banking association, on behalf of the national banking association.

NOTARIAL STAMP OR SEAL




Notary Public

THIS INSTRUMENT WAS DRAFTED BY:
TK Law PLC (TFK)
204 7th Street W., #215
Northfield, MN 55057

[Signature page to Mortgagee Consent]

**AMENDMENT
TO
PUBLIC IMPROVEMENT CONTRACT
TWIN LAKES 3RD ADDITION**

I. **Parties.** This Amendment, dated _____, 2020, is entered into between the City of Roseville, a Minnesota municipal corporation ("City"), and Roseville Investment Partners, LLC, a Minnesota limited liability company ("Developer").

II. **Recitals.**

A. The Developer has platted real property owned by the Developer in the City of Roseville into the plat known and referred to as "Twin Lakes 3rd Addition" ("Plat").

B. The Plat is comprised of real property legally described as follows:

Outlot A, Twin Lakes 3rd Addition, Ramsey County, Minnesota (the "Property").

C. In connection with the execution and recording of the Plat, the Developer and the City duly entered into a Public Improvement Contract Twin Lakes 3rd Addition, dated July 15, 2020, which was filed in the office of the Ramsey County Recorder on July 29, 2020 as Document No. A04824572 (the "PIC").

D. The Developer and the City have agreed, subject to the parties entering into this Amendment, that the City may acquire approximately 40,000 cubic yards of clean fill material from the Developer's contractor, which material will be stockpiled on the Property.

E. The parties desire to amend the PIC to accommodate the stockpiling of material referred to herein and to provide for other matters set forth herein.

NOW THEREFORE, in consideration of One Dollar (\$1.00) and the mutual covenants agreements and conditions contained herein, the parties hereby supplement and amend the PIC as follows:

1. **Stockpile.** The City may acquire from the Developer, through the Developer's contractor, approximately 40,000 cubic yards of clean fill material, which will be stockpiled on the Property as follows:

a. The City will contract separately with the Developer's contractor, which will stockpile the material on the Property in approximately the location shown on Exhibit A, attached hereto.

- b. The City will pay the Developer's contractor directly for the material, its transportation, and the stockpiling. No additional consideration will be paid by the City to the Developer.
 - c. To confirm quantities, the City and the Developer's contractor will survey the site before and after the stockpile is made.
 - d. The Developer's contractor will stabilize the stockpile at the Developer's cost. Once the stockpile is stabilized, the City will take over ownership and maintenance of the stockpile.
 - e. The City shall remove the stockpile from the Property by August 1, 2021. The City shall be solely responsible for paying all costs to remove the stockpile and restore the Property to reasonably the same condition as before the stockpile was created.
2. **Temporary Easement.** The Developer hereby grants and conveys to the City, and its successors and assigns, a temporary easement for stockpiling of the clean fill material referenced above, on, over, under, across, and through the portion of the Property shown on the attached Exhibit A, together with access thereto for stockpiling, stabilizing, and removal of the material. This temporary easement shall commence immediately and shall expire on August 1, 2021, at 11:59 p.m., or upon removal of the stockpile, whichever occurs first. The foregoing easement shall be binding upon the Developer, and its legal representatives, its successors and assigns, shall inure to the benefit of the City, and its successors and assigns, and shall run with the land until August 1, 2021, at 11:59 p.m. The Developer, for itself and its legal representatives, successors and assigns, covenants with the City, and its successors and assigns, that it is the owner of the Property and has good right to grant and convey the easement herein to the City.
3. **Roseville Leased Housing Associates I, LLLP.** The reference in the PIC in Section III W to "Roseville Leased Housing I, LLLP" shall be changed to "Roseville Leased Housing Associates I, LLLP", which shall be the definition for "Roseville I".
4. **PIC in Full Force; Inconsistent Terms.** Upon execution, this Amendment shall become an integral and binding part of the PIC. Except as amended or modified hereby, the PIC will remain in full force and effect pursuant to its terms and will be deemed to cover the Plat. To the extent the terms of the PIC and this Amendment are inconsistent, the terms of this Amendment shall control.
5. **Run with the Land.** The PIC, as amended by this Amendment, shall be binding upon and inure to the benefit of the parties hereto, and their successors and assigns, and shall run with the land.

IN WITNESS WHEREOF, the parties have hereunto set their hands the day and year first above written.

CITY OF ROSEVILLE

By: _____

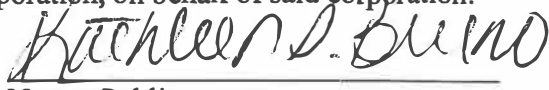

Daniel J. Roe, Mayor

By: _____


Patrick Trudgeon, City Manager

STATE OF MINNESOTA)
) ss
COUNTY OF RAMSEY)

The foregoing instrument was acknowledged before me this 13 day of October, 2020, by Daniel J. Roe and Patrick Trudgeon, the Mayor and City Manager, of the City of Roseville, a Minnesota municipal corporation, on behalf of said corporation.

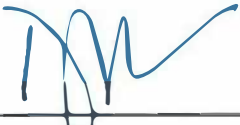


Notary Public



DEVELOPER

Roseville Investment Partners, LLC

By: 
Dan Regan

Its: Chief Executive Officer

STATE OF MINNESOTA)
COUNTY OF Ramsey) ss

The foregoing instrument was acknowledged before me this 21st day of October, 2020, by Dan Regan, the Chief Executive Officer of Roseville Investment Partners, LLC, a Minnesota Limited Liability Company, on behalf of the company.


Notary Public



Roseville Leased Housing Associates I, LLLP is signing this Amendment for the sole purpose of providing its consent to the Amendment pursuant to Section III AA of the PIC.

ROSEVILLE I

**Roseville Leased Housing Associates I,
LLLP**

By: [Signature]

Its: Vice President

STATE OF MINNESOTA)
) ss
COUNTY OF Hennepin)

The foregoing instrument was acknowledged before me this 5 day of November, 2020, by Ryan Underby, the Vice President of Roseville Leased Housing Associates I, LLLP, a Minnesota limited liability limited partnership, on behalf of the partnership.

[Signature]
Notary Public

THIS INSTRUMENT DRAFTED BY:

Erich J. S. Hartmann, Esq.
Erickson, Bell, Beckman & Quinn, P.A.
Suite 110
1700 West Highway 36
Roseville, MN 55113
651-223-4999

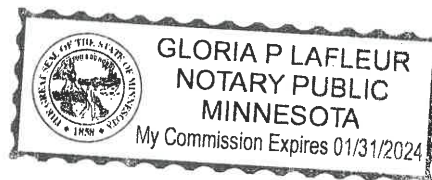


EXHIBIT A

Stockpile Location

The stockpile location will be in approximately the area indicated by the box shown on the attached aerial image.

ROSEVILLE
REQUEST FOR COUNCIL ACTION

Date: June 5, 2023
Item No.: 10.g

Department Approval

City Manager Approval



Item Description: Adopt a Resolution Approving the Special Law Passed by the Minnesota Legislature allowing the City of Roseville to conduct a local referendum vote to impose by ordinance a sales and use tax of one-half percent in the City of Roseville

BACKGROUND

During the most recent session of the Minnesota Legislature, the City of Roseville was successful in having legislation passed that allows Roseville to hold a local referendum at the next general election on November 5, 2024. The referendum will ask voters permission to institute a local sales and use tax of one-half percent in Roseville for a period of up to 20 years.

As part of the requirement for the bill, the Roseville City Council must pass a resolution approving the special law for it to take effect. Staff has prepared a resolution for the City Council's approval.

POLICY OBJECTIVE

By passing the resolution allowing the special legislation to take effect, the City of Roseville will be able to bring forward a referendum question to the voters on whether the City of Roseville can institute a local sales and use tax issue to construct a new maintenance facility and a new license center facility. On October 10, 2022, the Roseville City Council approved the Civic Campus Pre-Design Study regarding the construction of a new Maintenance facility and a new License Center facility. On January 9, 2023, the City Council approved a legislative priority requesting the Minnesota Legislature grant permission for the City of Roseville to hold a referendum to impose a local sales and use tax to fund the construction of the new Maintenance and License Center facilities.

BUDGET IMPLICATIONS

Under the special legislation, the City is expected raise approximately \$108 million over a period of 20 years through the local sales tax. These revenues are expected to cover the costs of the Maintenance Facility (\$64.2 million) and License Center (\$12.7 million) plus debt issuance and interest costs.

RACIAL EQUITY IMPACT SUMMARY

A sales tax is generally considered one of the most regressive taxes, meaning the people of lower income pay a larger percentage of their income for sales taxes. The Institute on Taxation and Economic Policy's report "Taxes and Racial Equity – An Overview of State and Local Policy Impacts" states the following regarding the impact of sales taxes:

Consumption taxes, most notably general sales taxes, are the most regressive type of taxes relied on by state and local governments and the most significant drivers of racial inequity in state and local tax codes. Low- and middle-income families pay a larger share of their incomes in consumption taxes than the rich. While most low-income taxpayers are white because they remain a majority of the U.S. population, a disproportionate share of Black,

Hispanic, Indigenous and other households of color are in lower-income groups due to the legacy of racist public policies and ongoing discrimination. So, policies that disadvantage low-income individuals and families—like heavy reliance on sales and excise taxes—have a disproportionately negative effect on people of color.

While still acknowledging that sales tax disproportionately impact lower income groups and people of color, it should be noted that Minnesota does not apply sales tax to food bought in grocery stores and clothing. This is an important distinction since the exemption helps individuals meet their basic needs around food and clothing without paying an additional tax. However, it is clear that sales taxes, along with property taxes, and income taxes continue to disproportionately affect lower income groups and persons of color. Changes on the state and federal level regarding tax policies will be needed to fully address these inequities

For reference purposes, listed below is data specific to the City of Roseville.

Median Income by Race/Ethnicity (Household) – Roseville, Minnesota	
American Indian and Alaska Native	Null
Asian	\$79,145
Hispanic or Latino	\$64,400
Native Hawaiian and Other Pacific Islander	Null
White	\$84,514
Black or African American	\$49,946
Other Race	\$44,410

** US Census Bureau ACS 5-year data (2017-2021)*

Additionally, the City of Roseville demographics are as follows:

Category	2020 Numbers	% of Population
Total Population	36,254	-
African American or Black	3,182	8.78%
American Indian	137	0.38%
Asian, or Pacific Islander	3,458	9.54%
Caucasian	25,809	71.19%
Hispanic/Latino	1,942	5.36%
Two or more races	1,604	4.42%
Some other race	122	0.34%

STAFF RECOMMENDATION

Staff recommends that the City Council adopt the resolution approving the special law.

REQUESTED COUNCIL ACTION

Motion to adopt a resolution approving the special law.

Prepared by: Patrick Trudgeon, City Manager (651) 792-7021

Attachments: A: Law regarding Roseville Local Sales and Use Tax
 B: Resolution
 C: Certificate of Approval of Special Law

282.1 (b) The bonds are not included in computing any debt limitation applicable to the city.
282.2 Any levy of taxes under Minnesota Statutes, section 475.61, to pay principal of and interest
282.3 on the bonds is not subject to any levy limitation. A separate election to approve the bonds
282.4 under Minnesota Statutes, section 475.58, is not required.

282.5 Subd. 4. **Termination of taxes.** Subject to Minnesota Statutes, section 297A.99,
282.6 subdivision 12, the tax imposed under subdivision 1 expires at the earlier of (1) 20 years
282.7 after being first imposed, or (2) when the city council determines that the amount received
282.8 from the tax is sufficient to pay for the project costs authorized under subdivision 2 for
282.9 projects approved by voters as required under Minnesota Statutes, section 297A.99,
282.10 subdivision 3, paragraph (a), plus an amount sufficient to pay the costs related to issuance
282.11 of any bonds authorized under subdivision 3, including interest on the bonds. Except as
282.12 otherwise provided in Minnesota Statutes, section 297A.99, subdivision 3, paragraph (f),
282.13 any funds remaining after payment of the allowed costs due to the timing of the termination
282.14 of the tax under Minnesota Statutes, section 297A.99, subdivision 12, shall be placed in the
282.15 general fund of the city. The tax imposed under subdivision 1 may expire at an earlier time
282.16 if the city so determines by ordinance.

282.17 **EFFECTIVE DATE.** This section is effective the day after the governing body of the
282.18 city of Richfield and its chief clerical officer comply with Minnesota Statutes, section
282.19 645.021, subdivisions 2 and 3.

282.20 Sec. 45. **CITY OF ROSEVILLE; TAXES AUTHORIZED.**

282.21 Subdivision 1. **Sales and use tax authorization.** Notwithstanding Minnesota Statutes,
282.22 section 297A.99, subdivision 1, or 477A.016, or any other law, ordinance, or city charter,
282.23 and if approved by the voters at an election as required under Minnesota Statutes, section
282.24 297A.99, subdivision 3, the city of Roseville may impose by ordinance a sales and use tax
282.25 of one-half of one percent for the purposes specified in subdivision 2. Except as otherwise
282.26 provided in this section, the provisions of Minnesota Statutes, section 297A.99, govern the
282.27 imposition, administration, collection, and enforcement of the tax authorized under this
282.28 subdivision. The tax imposed under this subdivision is in addition to any local sales and
282.29 use tax imposed under any other special law.

282.30 Subd. 2. **Use of sales and use tax revenues.** The revenues derived from the tax authorized
282.31 under subdivision 1 must be used by the city of Roseville to pay the costs of collecting and
282.32 administering the tax and paying for the following projects in the city, including securing
282.33 and paying debt service on bonds issued to finance all or part of the following projects:

282.34 (1) \$64,200,000 for construction of a new maintenance facility; and

283.1 (2) \$12,700,000 for construction of a new license and passport center.

283.2 Subd. 3. **Bonding authority.** (a) The city of Roseville may issue bonds under Minnesota
283.3 Statutes, chapter 475, to finance all or a portion of the costs of the facilities authorized in
283.4 subdivision 2 and approved by the voters as required under Minnesota Statutes, section
283.5 297A.99, subdivision 3, paragraph (a). The aggregate principal amount of bonds issued
283.6 under this subdivision may not exceed:

283.7 (1) \$64,200,000 for the project listed in subdivision 2, clause (1), plus an amount to be
283.8 applied to the payment of the costs of issuing the bonds; and

283.9 (2) \$12,700,000 for the project listed in subdivision 2, clause (2), plus an amount to be
283.10 applied to the payment of the costs of issuing the bonds.

283.11 (b) The bonds may be paid from or secured by any funds available to the city of Roseville,
283.12 including the tax authorized under subdivision 1. The issuance of bonds under this
283.13 subdivision is not subject to Minnesota Statutes, sections 275.60 and 275.61.

283.14 (c) The bonds are not included in computing any debt limitation applicable to the city
283.15 of Roseville, and any levy of taxes under Minnesota Statutes, section 475.61, to pay principal
283.16 and interest on the bonds is not subject to any levy limitation. A separate election to approve
283.17 the bonds under Minnesota Statutes, section 475.58, is not required.

283.18 Subd. 4. **Termination of taxes.** Subject to Minnesota Statutes, section 297A.99,
283.19 subdivision 12, the tax imposed under subdivision 1 expires at the earlier of (1) 20 years
283.20 after the tax is first imposed, or (2) when the city council determines that the amount received
283.21 from the tax is sufficient to pay for the project costs authorized under subdivision 2 for
283.22 projects approved by voters as required under Minnesota Statutes, section 297A.99,
283.23 subdivision 3, paragraph (a), plus an amount sufficient to pay the costs related to issuance
283.24 of any bonds authorized under subdivision 3, including interest on the bonds. Except as
283.25 otherwise provided in Minnesota Statutes, section 297A.99, subdivision 3, paragraph (f),
283.26 any funds remaining after payment of the allowed costs due to the timing of the termination
283.27 of the tax under Minnesota Statutes, section 297A.99, subdivision 12, shall be placed in the
283.28 general fund of the city. The tax imposed under subdivision 1 may expire at an earlier time
283.29 if the city so determines by ordinance.

283.30 **EFFECTIVE DATE.** This section is effective the day after the governing body of the
283.31 city of Roseville and its chief clerical officer comply with Minnesota Statutes, section
283.32 645.021, subdivisions 2 and 3.

**EXTRACT OF MINUTES OF MEETING
OF THE
ROSEVILLE CITY COUNCIL**

* * * * *

Pursuant to due call and notice thereof, a regular meeting of the City Council of the City of Roseville, County of Ramsey, Minnesota was duly held on the 5th day of June, 2023, at 6:00 p.m.

The following members were present:

and the following were absent: .

Member introduced the following resolution and moved its adoption:

RESOLUTION No.

**RESOLUTION APPROVING LAWS 2023, REGULAR SESSION, CHAPTER 64,
SECTION 45, RELATING TO ALLOWING THE CITY OF ROSEVILLE TO
CONDUCT A LOCAL REFERENDUM VOTE TO IMPOSE BY ORDINANCE A SALES
AND USE TAX OF ONE-HALF PERCENT IN THE CITY OF ROSEVILLE**

WHEREAS, Laws 2023, Regular Session, Chapter 64, Section 45 (the “Special Law”) allows the City of Roseville to conduct a local referendum vote to impose by ordinance a sales and use tax of one-half percent in the City of Roseville; and

WHEREAS, the Special Law is effective upon approval by a majority vote of the City Council, and filing a certificate with the Minnesota Secretary of State, all in accordance with Minnesota Statutes, Section 645.021, subd. 2 and 3; and

WHEREAS, the City Council has determined that is in the best interest of the City and its residents to approve the Special Law;

NOW, THEREFORE, BE IT RESOLVED, that:

1. The Special Law is hereby approved in all respects.
2. The City Clerk is authorized and directed to file with the Secretary of State a certified copy of this resolution and the appropriate certificate in the form prescribed by the State Attorney General.
3. City staff are authorized and directed to take all actions necessary to implement the Special Law and bring before this Council further proceedings as necessary in order to implement the Special Law.

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The motion for the adoption of the foregoing resolution was duly seconded by Member

, and upon a vote being taken thereon, the following voted in favor thereof:

and the following voted against the same: none.

WHEREUPON said resolution was declared duly passed and adopted.

Certificate

I, the undersigned, being duly appointed City Manager of the City of Roseville, Minnesota, hereby certify that I have carefully compared the attached and foregoing resolution with the original thereof on file in my office and further certify that the same is a full, true, and complete copy of a resolution which was duly adopted by the City Council of said City at a duly called and regular meeting thereof on June 5, 2023.

I further certify that Member _____ introduced said resolution and moved its adoption, which motion was duly seconded by Member _____, and that upon roll call vote being taken thereon, the following Members voted in favor thereof:

and the following voted against the same:

whereupon said resolution was declared duly passed and adopted.

Witness my hand as the City Manager of the City this 5th day of June, 2023.

Patrick Trudgeon, City Manager
City of Roseville, Minnesota

**CERTIFICATE OF APPROVAL OF SPECIAL LAW
BY GOVERNING BODY**

(Pursuant to Minnesota Statutes, 645.02 and 645.021)

STATE OF MINNESOTA

County of Ramsey

TO THE SECRETARY OF STATE OF MINNESOTA:

PLEASE TAKE NOTICE, That the undersigned chief clerical officer of the City of Roseville, Minnesota (the "City") DOES HEREBY CERTIFY, that in compliance with the provisions of Laws 2023, Regular Session, Chapter 64, Section 45, requiring approval by a majority of the governing body of said local governmental unit before it becomes effective, the City Council of the City at a meeting duly held on the 5th day of June, 2020, by resolution did approve said Laws 2023, Regular Session, Chapter 64, Section 45 by a majority vote of all of the members thereof (Ayes _; Noes _; Absent or not voting _); and the following additional steps, if any required by statute or charter were taken: none. A copy of the resolution is hereto annexed and made a part of this certificate by reference.

Signed: _____
City Clerk

(This form prescribed by the Attorney General and furnished by the Secretary of State as required in Minnesota Statutes 645.021.)

Please see reverse side for instructions for completing this form.

INSTRUCTIONS

- Include the chapter number in the *Laws of Minnesota* that is to be approved on the Certificate of Approval form **and** in the resolution that approves the special law.
- Return the completed **originally signed** Certificate of Approval form **with a photo copy** of the resolution that approved the special law to:

Election Division
Secretary of State
180 State Office Building
100 Rev. Dr. Martin Luther King Jr. Blvd
St. Paul, MN 55155-1299

- If you have any questions, please contact Nancy Breems at 651/215-1440.