

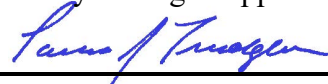
ROSEVILLE
REQUEST FOR COUNCIL ACTION

Date: January 25, 2021
Item No.: 7.f

Department Approval



City Manager Approval



Item Description: Discuss voting status of Youth Commissioners

BACKGROUND

At the September 14, 2020 meeting, Council discussed the recommendation brought forward by the Human Rights, Inclusion and Engagement Commission to allow youth commissioners to vote. At that meeting, the City Attorney indicated that his recommendation would be to not commit youth commissioners to voting on issues that could have significant legal ramifications, particularly on the Planning Commission. He indicated the other commissions are advisory in nature and do not have the same level of legal liability for a youth commissioner under the age of 18.

Council wanted to have further discussion on allowing youth commissioners to vote, with the option to abstain from a vote, as well as providing a disclaimer and/or acknowledgement on the youth commissioner application for parents.

Staff has reviewed the current application for youth commissioners and offers the following for discussion by the Council.

1. Student applications should be separate from other commission applications. They have different terms, and the questions asked of other commissioners (e.g. Work Experience).
2. A disclaimer and acknowledgement should be included on the form that must be signed by the parent/guardian.

A sample application is attached as a starting point. Staff recommends having the HRIEC discuss the application to further refine and provide a recommendation on the draft.

FINANCIAL IMPACT

There are no financial impacts as it relates to youth commissioner voting status.

STAFF RECOMMENDATION

Provide feedback and direction to staff on voting for youth commissioners.

REQUESTED COUNCIL ACTION

Provide feedback and direction to staff on voting for youth commissioners

Prepared by: Rebecca Olson, Assistant City Manager
Attachments: A: Minutes from 9-14-20 Council meeting
B: Current Commission Application
C: Sample Application

Minutes Excerpt from 9-14-2020 Roseville City Council Meeting

a. Discuss Voting Status of Youth Commissioners

Assistant City Manager Rebecca Olson briefly highlighted this item as detailed in the Request For Council Action and related attachments dated September 14, 2020.

Councilmember Willmus asked if the City went forward with allowing Youth Commissioners to vote, is there something that the City can do to create a city contact method for that individual, city email, etc. so the public would be able to engage with them.

Ms. Olson indicated the City does have the ability to create a city email account that the Youth Commissioner would be able to access and would be subject to all of the pertinent data practices.

Councilmember Etten indicated in the last discussion, there was mention of talking with the parents and students regarding this. He wondered if that had happened and if so, what came from that discussion.

Ms. Olson explained staff did reach out to different current Youth Commissioners and she did not believe any of them wanted staff to talk to their parents. The feedback received was that some were okay with it while others did not really care and it was not a huge issue with them. After her discussion with the Youth Commissioner on the HRIEC, she would be okay with adding any additional liability but also understood that future Youth Commissioners may not be. She suggested the Council give Youth Commissioners a choice whether to be a voting member or not, based on that liability. She indicated there was not a definitive yes or no from any of the current Youth Commissioners.

Councilmember Groff asked how other cities addressed the liability issue and were there any discussions with neighboring cities about that issue. He found it extremely interesting that the City of Shoreview would have a yes on the Parks Commission and a no on the HRIEC and wondered what the logic to that was.

Ms. Olson explained the conversation about Youth Commissioners voting did not come up during her time with Shoreview and during that time, she did not believe there was a Youth Commissioner on their Parks Commission. Ms. Olson noted that often times, votes were not taken and so when Shoreview says they do not have a voting member, there are not many votes that are actually done as the Park Commission's decisions are more consensus based.

Councilmember Laliberte indicated at the last meeting where the Youth Commissioners were voted in for another term, she had explained it was nice that all of the Youth Commissioners wanted to sign up again. However, that did not give much opportunity to others wanting to be on a Commission but a way for the City to offer this to more youth, would be to add more Youth Commissioners. She thought the numbers of votes would then become a consideration for recommendations being

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made to the Council based on action. She noted that Youth Commissioners are not the taxpayer and asked at what point do the numbers not work if the City is open to adding more Youth Commissioners.

Mayor Roe stated this was something he had thought about and one approach that could be taken is to have Youth Commissioner votes be advisory votes and not official votes in the count of the tally, noting there are pluses and minuses to that approach but it is one way to deal with it. Another thing is that certainly in the case of the Planning Commission or actions before the Parks and Recreation Commission, such as recommending park dedication and those type of things that have some fairly significant ramifications, the City could outline in the Ordinance that those are the types of votes that Youth Commissioners cannot vote on. But the Youth Commissioners could vote on other items with a broad consensus already on the Commission. The other approach would be all advisory or no voting at all. He thought some type of hybrid would make sense, but he was not sure how to get there.

Councilmember Groff indicated having served on a Commission, it is really helpful to have continuity on the Commission with Youth Commissioners. If the Youth Commissioner is changed every year, their experience is not as valuable to a Commission. He did not think it was as valuable to an individual either and preferred having a longer renewal for the Youth Commissioners. He did not think any of the Commissions had multiple Youth Commissioners at this time.

Ms. Olson noted currently the Parks Commission has two Youth Commissioners, the Public Works Commission has one, and the HRIEC has one.

Councilmember Groff did not think the Commissions would have the majority of Commissioners youths.

Mayor Roe noted the current Ordinance states up to two Youth Commissioners on a Commission.

Councilmember Willmus agreed with Councilmember Groff. He thought most of the items at the Commission level, removing the Planning Commission, are largely consensus items that are before the Advisory Commissions. He would be curious how a hybrid voting system would work. He would also be interested in legal counsel input on whether or not this is a good idea.

City Attorney Gaughan indicated his input is in the staff report but he would strongly recommend not committing youth votes on the Planning Commission or when it comes to park dedication on the Parks Commission. Those are matters often times with significant legal ramifications and legal competency issue and also as a policy matter, not wanting to place youth in certain situations. He indicated the other Commissions are advisory commissions and it is not necessarily a legal

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liability issue, it is more again if the City wants to place youth, as a matter of policy, in a position to have to take into account those sorts of considerations, even if it is up to the City's Ethics Code.

Mayor Roe agreed with City Attorney Gaughan. He thought that Youth Commissioners who do not wish to vote, should be given the option to abstain from a vote, rather than not allowing that Youth Commissioner to vote.

Councilmember Groff thought if Youth Commissioners were going to be included in voting, the Youth Commissioners should attend the Ethics training or at least understand that part of it. He thought that would be a good thing for them to do because it would be a good civics lesson for them. He thought the plus outweighs the negative.

Councilmember Laliberte agreed. She wondered if even though Ms. Olson approached the Youth Commissioners about talking to their parents, going forward when the Council is appointing a Youth Commissioner who will have the ability to vote, shouldn't there be some process or acknowledgement by the parent that the Youth is in this position.

Mayor Roe thought that made sense.

Ms. Olson indicated she was actually going to defer to the City Attorney to see if there was something that should be added to the Youth Commissioner application so the parent sign to allow the youth to enter into this process.

Mayor Roe wondered if it might be more in the form of a disclaimer than permission.

Councilmember Laliberte thought a disclaimer would be something the student would be signing and acknowledging and again, is not engaging the parent. The only reason she is bringing this up is because there could be a decision made that divides the community, a Youth Commissioner may not consider or think about the ramifications, and then there could be fallout that the family would have to deal with. She knew this would be rare but thought it was something the family should be aware of as a possibility.

Councilmember Etten thinks a disclaimer would need a signoff for a parent or guardian. Certainly, there have been controversial things before, for example with the HRIEC and strong input from the community, which is an important thing to acknowledge if this moves forward. He thought a disclaimer should talk about voting but also about the person being involved in this information.

Mayor Roe indicated he was surprised that the City did not have parental signoff on the student becoming a Youth Commissioner and the City should look at improving its process in that regard, whether that has to be a policy update or part of the Ordinance. He suggested staff look into this and determine what makes sense.

Councilmember Etten asked if the Council should see proposed language for this before approval.

The direction of the Council was to have staff propose language for Council review before voting on this item.

b. Receive Update on COVID-19 and Impact on City Operations

City Manager Patrick Trudgeon briefly highlighted this item as detailed in the Request For Council Action and related attachments dated September 14, 2020.

Councilmember Etten asked if Mr. Trudgeon has looked at additional ways the City can use the residential portion of support to help the residential homeowners with utility costs.

Mr. Trudgeon indicated originally staff did look to see if the support could be used for utility payments and some other things as well and the City EDA Attorney did look at it and felt it might be a little bit challenging to make that connection for CARES. He noted different attorneys have different opinions on this, so it becomes a risk factor on the City's part. He intended to talk to Finance Director Pietrick about all of the changing guidance. Personally, he did not think it was a great risk and if the City could help out a few people, then it is something that should be looked at doing.

Mayor Roe asked whether staff has looked into helping residents with property tax relief. He was not sure the City could use CARES funds for that relief.

Mr. Trudgeon indicated that is a tricky one because the City cannot use those dollars to replenish something that the City would normally get.

8. Approve Minutes

Comments and corrections to draft minutes had been submitted by the City Council prior to tonight's meeting and those revisions were incorporated into the draft presented in the Council packet.

a. Approve August 24, 2020 City Council Meeting Minutes

Mayor Roe indicated there was some correspondence from Councilmember Laliberte to staff regarding a name of a resident in the minutes.

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Councilmember Laliberte indicated the gentleman representing CORE Living is Todd Eatmon and not Todd Evan and needs to be changed on lines 809, 811, and 817.

Mayor Roe indicated he sent a name change of Ms. Barbara Garn to staff to correct as well.

Laliberte moved, Willmus seconded, approval of the August 24, 2020 City Council and REDA Meeting Minutes as amended.

Roll Call

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

Nays: None.

Public Comment on Covid-19 Update-

Mr. Etienne Djevi explained he had a comment on the COVID subject. As fall and winter comes closer, he thought morbidity and mortality from a combination of COVID and Influenza were going to be a big challenge. He wondered if there was any way the City could provide education to improve vaccination for influenza, which he thought would make a big difference in morbidity and mortality related to COVID.

Mayor Roe stated the short answer to that would be yes.

Mr. Trudgeon indicated he will connect with the Fire Department to coordinate a health promotion to see what the City can do to promote the flu shot clinics.

9. Approve Consent Agenda

At the request of Mayor Roe, City Manager Trudgeon briefly reviewed those items being considered under the Consent Agenda; and as detailed in specific Requests for Council Action dated September 14, 2020 and related attachments.

Willmus moved, Etten seconded, approval of the Consent Agenda including claims and payments as presented and detailed.

Roll Call

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

Nays: None.

a. Approve Payments

ACH Payments	\$1,595,158.11
97471-97644	1,053,718.56
TOTAL	\$2,648,876.67

b. Approve General Purchases or Sale of Surplus Items Exceeding \$5,000

c. Approve 2021 Insurance Benefit Renewals and City Cafeteria Contributions

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- d. **Approve Owasso Gardens Public Improvement Contract**
- e. **Approve Resolution No. 11740 scheduling a Public Hearing to Provide Host Approval Acknowledging the Expenditure of Tax-Exempt Funds for State Housing Holdings of Minnesota**
- f. **Renewal of Ramsey County GIS User Group Joint Powers Agreement**

10. Future Agenda Review, Communications, Reports, and Announcements – Council and City Manager

City Manager Trudgeon reviewed the September 21, 2020 EDA meeting, City Council Worksession and the September 28, 2020 City Council meeting.

Mayor Roe noted on the LCA program, that is actually something the Land Use Advisory Committee for the Met Council has been talking a lot about.

Councilmember Groff indicated he would like to have a discussion on banning all flavored tobacco product sales in the City of Roseville.

Councilmember Laliberte wondered if the Council could get an update on the JPA and Metro INet being set up as a separate entity. She also would like to discuss working with Community Development Department on adapting for the fall patio season and what that might be. She would like to hear from the businesses on this item.

Mayor Roe indicated he would like an update on where the interview process is at with the Police Civil Service Commission.

11. Adjourn

Willmus moved, Etten seconded, adjournment of the meeting at approximately 8:23 p.m.

Roll Call

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

Nays: None.

Daniel J. Roe, Mayor

ATTEST:

Patrick J. Trudgeon, City Manager

1. This application is for Roseville residents interested in volunteering with a City of Roseville Advisory Commission.

In order to complete this application, you will need a valid email address. All items marked with a star (*) are required fields.

2. **Contact Information**

Under state statute, commissioner's names, addresses and either a phone number or an electronic address where you can be reached are public information. All other personal information is private data and cannot be released to the public unless the commissioner gives permission for the city to release it. Information relating to a student representative is private data and will not be released.

3. First Name*

4. Last Name*

5. Address 1*

6. Address 2

7. City

8. State*

9. Zip Code*

10. Home or Cell Phone Number*

11. Email Address*

12. How many years have you been a Roseville resident?*

13. **City of Roseville Commissions**
Finance
Human Rights, Inclusion and Engagement
Parks and Recreation
Planning
Police Civil Service
Public Works, Environment and Transportation

14. Commission preference*

15. Commission preference

16. This application is for*

17. If this is a student application please list grade in school

18. **Note**

There is no character limit for the fields below.

19. Why do you want to serve on this Commission?

20. What is your view of the role of this Commission?

21. What specific skills or experiences do you have that would be beneficial in serving on the advisory commission for which you are applying?

22. If you identified a second choice commission, please include skills or experiences that would be beneficial for serving on that commission.

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23. Civic and Volunteer Activities

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24. Work Experience

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25. Education

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26. Is there additional information you would like the City Council to consider regarding your application?

27. This question is optional. The City of Roseville is committed to ensuring a wide variety of perspectives and experiences are represented on our city commissions. This information will not be made available except in aggregate or statistical analysis of commission applicants. This information will be used to help us understand how we can continue to improve on our commitment.

How do you describe your ethnicity?

28. Please tell us how you heard about this opportunity/vacancy. This information will help us understand and improve our recruitment and advertising.

29. **Preferred method to be contacted**

City staff contact all applicants approximately four days before the interviews to confirm interview date, time and location. Please indicate your preferred way to be notified.

30. Preferred method to be contacted*

31. Please provide alternative phone number or email if different from above

32. **Additional Information if you become Board or Commission Member**

Additional information may be emailed to info@cityofroseville.com or delivered to Administration Department, City of Roseville, 2660 Civic Center Drive, Roseville, MN 55113 or faxed to 651-792-7020.

33. Minnesota Government Data Practices Act*

I understand that information provided in this application may be distributed by the City to the public including, but not limited to, being posted on the City of Roseville website. I agree to waive any and all claims under the Minnesota Government Data Practices Act, or any other applicable state and federal law, that in any way related to the dissemination to the public of information contained in this application that would be classified as private under such laws. I understand that I may contact the responsible authority for the City of Roseville if I have any questions regarding the public or private nature of the information provided.

1. Yes

34. Minnesota Statute §13.601. subd. 3(b)*

Occasionally, City staff receive requests from the media or from the public for ways to contact Commission members. The Commission roster is periodically made available. Under Minnesota Statute §13.601. subd. 3(b), either a telephone or electronic mail address (or both) where you can be reached must be made available to the public. Please indicate which contact method the City may make available for inclusion on the Commission roster.

1. Home/Cell Phone

2. Email Address

35. Background Authorization*

I understand that the Commission position for which I am applying may require the City of Roseville to perform a background check. As a result, an investigation may be made in which information is obtained through personal interview(s), information held by law enforcement or governmental agencies, present or former employers, financial institutions, or references I have provided. I understand that the City of Roseville will use the services of the Roseville Police Department to assist with the research and verification of the information I have provided on my application. The City of Roseville will utilize various sources of information it deems appropriate, including, but not limited to, credit reporting agencies, Department of Motor Vehicles records, criminal conviction records, current and former employers, military records, education records, and professional and personal references. I request, authorize and consent to the release and disclosure of any and all information, including, but not limited to, the above to the City of Roseville and the Roseville Police Department, and hereby expressly release any person who provides information pursuant to this investigation from any claims or liability by me or on my behalf.

1. Yes

36. Acknowledgement*

I have read and understand the statements on this form, and I hereby swear or affirm that the statements on this form are true.

1. Yes

37.

38.

1. Receive an email copy of this form.

39. Email address

This field is not part of the form submission.

40. [Submit](#) [Submit and Print](#)

Sample Application

Name : _____ Date of Application: _____

Address (no P.O. boxes please): _____

Email Address: _____

Phone Number: _____

Daytime Number _____ Evening Number _____

School Grade during 2020-2021 School Year _____

Date of Birth ____/____/____ MM / DD / YYYY

The City of Roseville Commissions hold one regular meeting per month. As a member, your presence is expected. More than three unexcused absences (without contacting the chair or staff liaison first) may lead to you stepping off the commission.

Which Commission are you applying to? _____

Tell us what unique qualities, talents, and experiences you have that would benefit the Commission: _____

Please list school and community activities or service organizations in which you are involved:

The Youth Commissioner's purpose is to discuss and advise the City Council on the needs and concerns of youth. Please explain what you believe is the biggest issue affecting Roseville and how you would address it. (You may attach a separate sheet with your answer.) _____

