

**Roseville Public Works, Environment and  
Transportation Commission**

**Agenda Item**

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**Date:** August 24, 2021

**Item No: 3**

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**Item Description:** Approval of the July 27, 2021 Public Works Commission Minutes

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Attached are the minutes from the July 27, 2021 meeting.

**Recommended Action:**

Motion approving the minutes of July 27, 2021, subject to any necessary corrections or revision.

Move: \_\_\_\_\_

Second: \_\_\_\_\_

Ayes: \_\_\_\_\_

Nays: \_\_\_\_\_

**Roseville Public Works, Environment  
and Transportation Commission  
Meeting Minutes**

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Tuesday, July 27, 2021, at 6:30 p.m.  
City Council Chambers, 2660 Civic Center Drive  
Roseville, Minnesota 55113

*Pursuant to Minn. Stat. 13.D.021, Public Works, Environment  
and Transportation Commission members, City Staff, and members of the  
public participated in this meeting electronically due to the  
COVID-19 pandemic.*

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1     **1. Introduction / Roll Call**

2     Chair Wozniak called the meeting to order at approximately 6:30 p.m. and at his  
3     request, Public Works Director Marc Culver called the roll.

4  
5     **Present:**     Chair Joe Wozniak; Vice Chair Bryant Ficek; and Members Michael  
6     Joyce, Jarrod Cicha, Nancy Misra, and Shane Spencer

7  
8     **Absent:**     Youth Member Jana Lynch (Excused)

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10    **Staff Present:**     Public Works Director Marc Culver; and City  
11    Engineer/Assistant Public Works Director Jesse Freihammer

12  
13    **2. Public Comments**

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15    **3. Approval of June 22, 2021 Meeting Minutes**

16    *Comments and corrections to draft minutes had been submitted by PWETC*  
17    *commissioners prior to tonight's meeting and those revisions incorporated into the*  
18    *draft presented in meeting materials.*

19  
20    It was indicated changes were sent to Mr. Culver.

21  
22    **Motion**

23    **Member Joyce moved, Member Misra seconded, approval of the June 22, 2021**  
24    **meeting minutes as amended.**

25  
26    **Ayes: 6**

27    **Nays: 0**

28 **Motion carried.**

29  
30 **4. Communication Items**

31 City Engineer Jesse Freihammer provided a brief review and update on projects  
32 and maintenance activities listed in the staff report dated July 27, 2021.

33  
34 Member Spencer inquired if the Enclave development should be on the spreadsheet.

35  
36 Mr. Freihammer indicated he would check with the Community Development  
37 Department. He reviewed the project progress with the Commission.

38  
39 Public Works Director Culver updated the Commission on Council actions  
40 pertaining to the PWETC.

41  
42 Chair Wozniak wondered if there were any other impacts on City staff with the  
43 drought besides not mowing as much.

44  
45 Mr. Culver indicated there really were not any other impacts besides the City  
46 requesting water conservation of the residents. He noted there have not been any  
47 mandates for water restrictions at this point.

48  
49 Chair Wozniak updated the Commission on curbside organics through the County.

50  
51 **5. Pathway Master Plan Amendment Public Hearing**

52 Mr. Culver explained as a part of the Comprehensive Plan update in 2018, the  
53 PWETC and Council updated the Pathway Master Plan. The current version of the  
54 plan was adopted by the City Council in October 2018. Since that time, numerous  
55 pathways have been added and some new pathways have been discussed as being  
56 added that are not currently in the plan. The PWETC is asked to hold a public  
57 hearing and provide a recommendation to the City Council on the proposed  
58 Pathway Master Plan Amendments.

59  
60 Mr. Culver and Mr. Freihammer presented the proposed changes to the Pathway  
61 Master Plan.

62  
63 Member Misra asked which pathways will connect to Snelling Avenue.

64  
65 Mr. Culver reviewed the different pathway connections onto Snelling Avenue.

66  
67 Vice Chair Ficek asked regarding trails being added, did the trails need to be on the  
68 list or does staff take opportunities as they come up.

69  
70 Mr. Culver explained they do, just like with the transportation plan, staff has a list  
71 of transportation improvements being worked on and working towards and that are  
72 planned for. That does not mean that if opportunities arise to make transportation  
73 improvements, add a new street somewhere, that if it is not in the transportation

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plan staff can't add it. The same thing occurs with the Pathway Master Plan. When new development or redevelopment comes in staff can have them put in sidewalks and pathways adjacent to their development to either fill in a gap or create a new segment, whether or not that is in the Pathway Master Plan or not. The purpose of the Pathway Master Plan is it is a planning document and allows staff to focus energy on the pathways that are in there and to give priority or preference to the ones in there and plan for that, eventually, but it does not preclude staff from putting them in other areas.

Member Spencer indicated he had a couple comments around the proposed Tamarack pathway. He asked if there was anything else considered besides running it, reading the comments from the residents and the little dirt pathway that people are expected to use, was there any consideration given to Wagner Way, the alleyway connector north of there. Continuing that to allow for people to access behind their houses and then connecting Tamarack Park into something like that or is it just the pathway was going to go down the dirt path that exists because that was what was convenient. He thought that was where the City saw most of the resistance from the residents.

Mr. Culver explained there is a green line on the top of the map that shows the private alley, which is in a public right-of-way, but it is a narrower right-of-way corridor and right now it is only wide enough for the alley itself, which is providing the vehicular access to those homes back there. He reviewed this is the point that connects the neighborhood and gives reasonable access to the Tamarack pathway from that neighborhood.

Vice Chair Ficek was curious if the City did not put a path in that area would the dirt path remain or does the City have to do something else.

Mr. Culver explained it is clearly in violation of City Code and he struggles with it a little bit. City Code is very clear in that any vehicular access that is frequent enough to cause rutting, which clearly there is rutting on that pathway, and erosion, then it must be paved. There cannot be a vehicular access to a property that is used frequently enough to have those issues and not pave them. He indicated this is clearly a defined route and per City Code the City should require that this access be paved and the benefiting properties would pay for it and would become a private access.

Mr. Culver explained the other complication to that is in 2017 the City actually vacated a portion of the right-of-way that connected the East/West portion of Wagner Street to the properties. He indicated that is all private property and is not right-of-way anymore. That vacation occurred at the request by petition of the property owners who had sheds and were storing their boats and other material in the right-of-way. There is really no legal public access between Wagner Street and the homes along South McCarron's.

120 Vice Chair Ficek asked if the residents could theoretically block off the road so it  
121 would not be accessible by the public because this is a private road for the residents.  
122

123 Mr. Culver indicated that could potentially happen, but it is still in a public right-  
124 of-way.  
125

126 Member Joyce asked if the pathway could be used or is it needed for a fire lane.  
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128 Mr. Culver explained it is not needed for a fire lane. From the City's perspective,  
129 there is appropriate and ample access to these properties via South McCarrons.  
130

131 Chair Wozniak indicated he would like to start off by considering the pathways that  
132 have received the fewest comments with the Commission considering these  
133 pathways based on the comments submitted and presented. He would like to set  
134 aside Tamarack as a separate consideration.  
135

136 Chair Wozniak opened the public hearing at 7:39 p.m. for Marion, Eustis, Lydia,  
137 Snelling, and Fairview Pathway Masterplan Segments.  
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139 No one wished to address the Commission regarding these pathway segment  
140 proposals.  
141

142 Chair Wozniak closed the public hearing at 7:41 p.m. on the five proposed  
143 segments.  
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145 Vice Chair Ficek indicated these pathways are not imminent and there is no  
146 construction planned for them, but they are lines on paper which put it out there for  
147 people to see that this is where the City would like the pathways. He thought there  
148 was a lot of detail to be explored. That in combination with the Commission not  
149 hearing any opposition to them, he would like to make a motion.  
150

151 **Motion**

152 **Member Ficek moved, Member Cicha seconded, to recommend the City**  
153 **Council amend the Pathway Masterplan to include the Marion, Eustis, Lydia,**  
154 **Snelling, and Fairview segments with comments on the five segments**  
155 **submitted by the public.**  
156

157 Chair Wozniak indicated there was at least one comment submitted online in  
158 opposition to the Eustis segment as well as some opposition for the Lydia segment.  
159

160 **Ayes: 6**

161 **Nays: 0**

162 **Motion carried.**  
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164 Chair Wozniak opened the public hearing at 7:46 p.m. for the Tamarack Pathway  
165 Masterplan Segment.

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Mr. Matt Anderson, Anderson Law Group, indicated he was representing several residents along South McCarrons Boulevard. He explained he was going to keep his comments to the legal aspect of this item and would allow the residents to also speak on this as well. He thought the Commission should know the implications. This is a street. It has been referred to as a right-of-way corridor, but this is a street and the map shows it as a street, Ramsey County map shows it as a street and the proposal has it as a street. This matters because it defines the authority of Roseville and what the City can do with it. Every other pathway being proposed is along the side of the street. This is turning a street into a pathway, no longer for vehicle, pedestrian only. A City in Minnesota cannot do that. He indicated he wanted to address a couple of things that would happen if the Commission votes to approve this amendment. He was not sure that this can be a private ally either. This is a street, so what happens next, there might need to be negotiations, more conversations but was not sure if that was something of concern today. There was the discussion of the Wagner return which has been vacated, he noted that Wagner return is unaffected with this proposal, same thing for the pathway that is being proposed, it would run parallel to the road and then down. Wagner return vacated area is unaffected by the path that is currently driven and also unaffected by the path that is being proposed. If a fence were to be put up it would not affect anything the City would have to do, it would be a private neighbor dispute from there. The other thing he wanted to highlight is utilities run up the path and people have to use that path to get to the different properties, including emergency vehicles. The discussion today, started with a historic draught in Minnesota and the City is talking about paving through a wetland, and one of the healthiest wetlands in the Capital Region Watershed District. There is wildlife, vegetation, and plants there. This is not the type of area or the time to be cutting through a wetland with an asphalt path. He thought the Watershed District needed to be consulted on this before anything is done.

Mr. Shawn Emery, 302 S. McCarrons Boulevard, explained he uses the roadway behind his backyard a few times a year and his neighbors to the east, Dave and Lisa Boom use it often because their house in front has many steps leading up to it and there is no way to get up to their house other than to come up the steps or from the back of the house. He explained the situation that the homeowners have with using the back roadway and some obstacles that are there. He indicated if the point is to get people to go to Tamarack Park, the street in the back of the homes is walkable. He reviewed a way through the area to get to the park. He did not think this made sense, as a pathway, going over a driveway. If looking for creative solutions, a perfect solution would be a boardwalk from the west end of Wagner that could skirt up to Tamarack Park.

Chair Wozniak asked for clarification on what this pathway would look like on Western and the cul-de-sac. He wondered if the road would be narrowed with a pathway on one side of the street.

212 Mr. Culver thought currently it would be an on-street pathway connection. That  
213 would be highlighted as how to connect to Tamarack Park.

214  
215 Mr. Dave Boom, 300 S. McCarrons Boulevard, reviewed the history of his home  
216 and when it was purchased. He indicated the roadway was used for when they  
217 moved in and it is currently used to carry in groceries, home improvement projects  
218 and as he is getting older the 38 steps going to his house is getting more daunting.  
219 The back way in is a real relief to his family. He indicated he loves the trailways in  
220 the City and the oddities in Tamarack Park. He explained his family feels in a really  
221 tough spot now, either losing access do to this being converted into some parkway  
222 or losing access because the City might choose to throw it back at them. He noted  
223 they are looking for some relief and consideration. He wanted to appeal to them to  
224 consider some ways to present relief to them and the neighbors. He needed to speak  
225 up because his house is at the top of the hill and is pre-existing and it has come to  
226 people's attention. He felt this was an unexpected necessity, even though it has been  
227 in the works for a few years, to deal with something that has been there for decades.  
228 He thanked the Commission for playing their roles and did excellent work for the  
229 City.

230  
231 Mr. Anderson indicated there were several late emails and a letter from him that  
232 were not a part of the agenda packet. He wanted to make sure that those were  
233 forwarded to the Commission and City Council.

234  
235 Mr. Culver thought some of the members received them late Monday and even this  
236 morning but would make sure the Commission gets them as well as the City  
237 Council.

238  
239 Chair Wozniak closed the public hearing at 8:09 p.m.

240  
241 Chair Wozniak asked for comments and thoughts on the proposal.

242  
243 Member Joyce indicated there is a new development that is not on the map, and this  
244 was brought up and in place before the new development, which is east of this.

245  
246 Mr. Freihammer indicated the new development is the Enclave. He showed the new  
247 pathway being built in the development going up Marion Street.

248  
249 Member Joyce thought the City should consider what the demographics are of the  
250 new development and if there would need to be a flat, paved, ADA surface by it for  
251 the new residents and how can the new residents access Tamarack. He wondered if  
252 it is feasible for them to go up to Wagner return and come back down Western. He  
253 wondered if that has been factored into any of the planning.

254  
255 Mr. Freihammer indicated this was not factored in, but he did not think that just  
256 because of this new development the City would add or change anything.

257

258 Mr. Culver explained in response to a couple of things that came up at the public  
259 hearing, as far as funding is concerned, the City was using park renewal funds for  
260 this. Park renewal funds are intended to improve access to parks and a park  
261 function. He knew there is an ardent desire from the Parks Department to provide  
262 an increased access to Tamarack. There were a couple of comments about  
263 Tamarack being a hidden park and not many people use it which he thought was  
264 why the City wants to increase access to it, to get more people to this park.  
265

266 Mr. Freihammer explained the segment on the east side of Tamarack, the City used  
267 that same funding source to build that first pathway segment from off of Farrington  
268 Street into the playground area.  
269

270 Mr. Culver explained Mr. Anderson did bring up a couple of comments about the  
271 fact that based on State Statutes, the City cannot turn a street into a pathway. He  
272 explained staff has asked the City Attorney to explore that and they are digging into  
273 that and do not agree with that but wanted to check a few other things. He noted he  
274 was hoping to get an answer before the meeting, but he has not gotten any  
275 information yet regarding this.  
276

277 Mr. Culver explained the particular Statute that Mr. Anderson references is a  
278 Statute that provides Council powers for local improvements and the first  
279 subdivision, which Mr. Anderson references, is that the "Council or Municipality  
280 shall have the power to make the following improvements to acquire, open and  
281 widen any street and to improve the same by constructing, reconstructing and  
282 maintaining sidewalks, pavement, gutters, curbs and vehicle parking strips of any  
283 material or by grading, graveling, oiling or otherwise improving the same,  
284 including the beautification thereof and including storm sewers or other street  
285 drainage and connections of sewer, water or similar means to curb lines." He  
286 explained he has not read the entire statute. He thought that currently City staff does  
287 not agree with that position and are trying to confirm it with the City Attorney. He  
288 stated certainly the Commission's recommendation, if recommended that this  
289 section be amended into the Pathway Masterplan, staff will bring the final opinion  
290 from the City Attorney to the City Council for a final decision. He noted that while  
291 this is a street right-of-way, there is not an improved street there. He thought that  
292 was a part of the equation of this as well. Also, this is not the only access to these  
293 properties.  
294

295 Mr. Culver indicated as far as the wetland impacts; the City does have to get a  
296 permit from Capital Region Watershed District in order to construct this.  
297

298 Mr. Freihammer noted the City has a permit from Capital Region Watershed  
299 District that has been extended because the City has not decided to construct it.  
300

301 Chair Wozniak asked Mr. Culver to touch on the parks policy allowing people to  
302 access property using pathways.  
303



304 Mr. Culver reviewed the meeting with the residents that occurred in 2020. He  
305 indicated, informally the Parks has an informal policy where, in practice, that if a  
306 person wants to access the rear part of their property, that person can call the Parks  
307 Department for permission. He noted this would need to be permitted with some  
308 provisions.

309  
310 Member Misra asked why access from the other side of the park is prohibited right  
311 now.

312  
313 Mr. Culver explained on the east side, he did not think it was prohibited but there  
314 is a desire to have more of a looped path through this area. He reviewed the access  
315 with the Commission. He thought the intent was to provide closer and easier access  
316 to Tamarack for those homes in the part of the neighborhood on the west side.

317  
318 Member Misra asked how big of a trail would there be.

319  
320 Mr. Culver explained it would be an eight-foot-wide bituminous trail.

321  
322 Member Cicha asked what steps would need to be taken if the Commission did not  
323 recommend this pathway and the City Council was to not adopt that into the plan,  
324 Mr. Culver mentioned that right now it is in violation of City Code.

325  
326 Mr. Culver reviewed the steps that would need to be taken after going through the  
327 City Council. He noted because this has been used like this for so long, the City  
328 would need to figure out how this would be treated but the way this is being used  
329 is clearly in violation of the City Code.

330  
331 Vice Chair Ficek indicated one comment he saw was emergency services using the  
332 back way of the trail and he asked if this were made into a pathway could  
333 emergency services still use it.

334  
335 Mr. Culver indicated it could still be used for emergency vehicles.

336  
337 Member Misra thought part of this is that there are so many different issues at stake.  
338 It is not just a simple trail issue to a park, there is also City right-of-way issues and  
339 resident right-of-way concerns, but she thought one of the things is that she is  
340 definitely sensitive to the fact that there are residents who have been using this for  
341 a long time. On the other hand, this is City park land and to her she would not want  
342 to see that wetland area further encroached upon to build a wider road. Access to  
343 the park and allowing people to be able to use that facility feels reasonable. She  
344 wondered if this part of the plan could be tabled until August for further review.

345  
346 Member Joyce explained most of the homes were built in the 40's with tuck under  
347 garages for access and are steep to access. He thought they were trying to solve a  
348 bunch of different problems, and this is a complicated issue. He wondered what the  
349 attraction is to the park. He wondered how the City is going to attract people to the

350 park and will there be playground equipment installed and what is the intended use  
351 of the park.

352  
353 Mr. Freihammer indicated there is a playground that was built in 2018 and the  
354 ballfield is still there but he was not sure if it is being used.

355  
356 Chair Wozniak thought this pathway may be the best option for this right-of-way  
357 and it grants access to the park. He thought concerns about the wetland are valid  
358 but if it became a pathway, he thought this segment would receive a lot more park  
359 renewal funds. He thought there would be some tremendous improvements to the  
360 vegetation and to the wetland and park itself. He saw a lot of positives happening  
361 even though some people would lose access to their houses, and he did not know  
362 how to overcome or replace that. He indicated he would support this segment added  
363 to the Pathway Masterplan.

364  
365 **Motion**  
366 **Member Wozniak moved, Member Ficek seconded, to recommend the City**  
367 **Council approval of the Tamarack Pathway segment to the proposed Pathway**  
368 **Master Plan Amendments.**

369  
370 Vice Chair Ficek agreed with what Chair Wozniak stated and what a lot of his  
371 questions have been driving towards is that the Commission is not comparing a trail  
372 to the existing condition. What the Commission is really looking at is a trail versus  
373 something that goes forward with the residents causing them more money,  
374 potentially a wider road, more impacts, and more expense to everyone. He  
375 explained he was weighing those two future conditions against each other in his  
376 decision making. He thought there were lots of issues on this one, but the City is  
377 not comparing a trail to the existing condition, the Commission is looking at what  
378 would go forward and what that other future condition may be.

379  
380 **Ayes: 5**  
381 **Nays: 1 (Spencer)**  
382 **Motion carried.**

383  
384 Member Misra wanted to thank the residents that spoke up and thought they have  
385 been very courteous.

386  
387 Chair Wozniak suggested tabling the City Council Joint Meeting Review item until  
388 the August meeting given the time. He asked if members were in agreement with  
389 that.

390  
391 Consensus of the Commission was to table Item 6 (City Council Joint Meeting  
392 Review) until the August PWETC meeting.

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394 **6. City Council Joint Meeting Review**  
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**7. Items for Next Meeting – August 24, 2021**

Discussion ensued regarding the August PWETC agenda:

- City Council Joint Meeting Review
- Conversation regarding the Implementation of the Energy Action Plan
- City Campus Tour in the future, possibly September

Chair Wozniak indicated tonight would have been Youth Member Lynch’s last meeting because her term is up, and he wondered if the City Council will begin to search for a new student member in August.

Mr. Culver indicated he did not remember the date, but the City Council should be voting on member appointments and at that time the City will start implementation on advertising and searching for Youth Commissioners for the upcoming year.

Chair Wozniak indicated the Commission should talk about how they can join up with other Commissions, such as a task force, for interests related to other Commissions.

The Commission discussed with staff potential future items for discussion.

**8. Adjourn**

**Motion**

**Member Misra moved, Member Joyce seconded, adjournment of the meeting at approximately 9:09 p.m.**

**Ayes: 6**

**Nays: 0**

**Motion carried.**