

# Roseville Public Works, Environment and Transportation Commission Meeting Minutes

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Tuesday, February 27, 2018 at 6:30 p.m.  
City Council Chambers, 2660 Civic Center Drive  
Roseville, Minnesota 55113

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## 1. Introduction / Roll Call

Chair Cihacek called the meeting to order at approximately 6:30 p.m. He announced a metro initiative among metro Public Works and Environmental Commissions will look at sustainability issues the first weekend in April. He requested interested members RSVP via the link included in the email. At his request, Public Works Director Culver called the roll.

**Present:** Chair Brian Cihacek; Vice Chair Joe Wozniak; and Members Nancy Misra, Duane Seigler, Thomas Trainor, and John Heimerl

**Absent:** Member Kody Thurnau.

**Staff Present:** Public Works Director Marc Culver, Environmental Specialist Ryan Johnson, City Engineer Jesse Freihammer, and Kimberly White

## 2. Public Comments

## 3. Approval of January 23, 2018 Meeting Minutes

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

### **Motion**

**Member Wozniak moved, Member Trainor seconded, approval of the January 23, 2018 meeting minutes.**

**Ayes: 6**

**Nays: 0**

**Motion carried.**

## 4. Communication Items

City Engineer Jesse Freihammer provided a brief review and update on projects and maintenance activities listed in the staff report dated February 27, 2018.

Member Seigler inquired if five water main breaks are a lot.

Public Works Director Culver responded they usually get a lot in late November/early December, and quite a few in February and March. They average about 30 water main breaks each year, and most are in the winter months.

Member Trainor referred to the Villa Park project and inquired about the alternate routing under County Road B.

Mr. Freihammer responded there may be some short-term closures during off-peak hours to install the pipe, and then they will patch over it.

Mr. Culver stated Xcel has started retro fitting the lights with LED lights in the Lexington/Roselawn area.

Chair Cihacek inquired about the repairs and upgrades on the City Hall campus.

Mr. Culver responded they will be refurbishing the elevator in City Hall and there are some areas that will get new furniture. All of the interior lighting is LED and they will be upgrading other areas in City Hall and the maintenance facility.

Member Seigler inquired about the Cedar Home Community Building.

Mr. Culver stated it will serve the role as a clubhouse as well as a small banquet facility which can hold 150 people. He also announced the draft 2040 Comprehensive Plan is posted on the website, and feedback is due by Friday, March 16.

## **5. Utility Rate Discussion**

Mr. Freihammer reported they had previously discussed revising the water rate structure of the City. The current structure includes two tiers: under 30,000 gallons/quarter and over 30,000/quarter. He provided slides with comparison graphs. Edina's tier structure has zero to 26,000 gallons, 26,000 to 49,000, and then over 49,000. St. Louis Park is similar to Roseville's, and they have a higher third tier.

Chair Cihacek inquired how they determine what is for irrigation purposes versus other uses.

Mr. Freihammer stated St. Louis Park most likely has a separate irrigation meter for commercial properties. Roseville does not have a lot of high users that would be affected.

Chair Cihacek noted there is a seasonal shift in the summer, which is most likely due to irrigation. It is unclear how high it goes, but it is clear it is more than 30,000 gallons.

Member Seigler referred to the graphs on page 32 of the meeting packet and noted less water has been used for the last three years. There is not a need to implement a change in the water rate structure.

Mr. Freihammer stated some of the usage also depends on how much rain they have had as well.

Member Wozniak disagreed with Member Seigler. He referred to the analysis on page 28 of the meeting packet and stated they have 2,200 households that use less than 500 gallons. It does not indicate how much water they are actually using. The 30,000-gallon category has 382 in the summer, but they used the same amount of water than the 2,200 households. The over 30,000 gallons category contains about 900 households and they are only paying \$2.70 per gallon, but they are using four times as much water. That rate does not encourage conservation.

Mr. Culver noted they are pay \$2.70 per 1,000 gallons. Studies were done in the early 2000s with higher rates, and they saw that even with higher rates there was not a dramatic shift in water consumption. If they really want to use the cost of the water as incentive to use less, there has to be a substantial savings.

Member Seigler stated the data for July, August, and September for 2013 in the over 30,000-gallon category has 1,219 users and in 2015 is had 894 users. This shows that one quarter of the users are no longer in that category.

Chair Cihacek noted this could be a demographic shift of going from larger households to smaller households. Some of it is seasonal, and unless they are going to dramatically distance the rates, it is not a strong enough incentive. The difference between the current rates for under 30,000 gallons and over 30,000 gallons is 20 cents. They could increase the rates for people who are dramatically over 30,000 gallons, but they do not know the number of people who are at that level. They currently see a usage dropping and can anticipate that to continue. They must consider if the tier structure or pricing makes sense based on consumption.

Member Seigler stated they need to determine if there is a problem.

Chair Cihacek responded there is a problem in that the quality and capacity of water will decrease over time as needs increase. It is not an immediate problem but may be one in 10 or 20 years.

Member Misra stated there is a danger in looking at only three years as trends.

Mr. Culver commented St. Paul Water has indicated there is a clear downward trend of overall water usage and a positive trend of people taking measure to conserve water. They have a very fixed cost for water and it is very cheap. They need to consider what they are going to doing with the extra money generated if they are going to charge more than it costs to deliver the water. Currently, the money goes back into water infrastructure. This includes operating costs, the cost of the water from St. Paul, and the cost of infrastructure.

Chair Cihacek inquired how fast the current infrastructure is being replaced.

Mr. Freihammer responded they replace between one and one and half miles of water main each year. They also recently put a lot of money into the booster station and will continue to do so in the future. With new meters and a new tower, a lot has already been invested.

Member Wozniak stated it appears there are a lot of opportunities to spend some extra money. They could also educate homeowners on rain gardens and plantings that are not water intensive. He does not like the rates as they are, and they should branch out like Edina or St. Louis Park has. A higher rate should be created for top end users.

Member Misra agreed with Member Wozniak and noted there are cities that use ground water and put entire wells on line in the summer that they do not use in the winter. It appears they have people determined to use large volumes of water and it seems reasonable to put a cost on it.

Member Wozniak stated he is running a siphon in his house to keep his water line from freezing and it will not get fixed until 2023 when his road is replaced. This extra money can be used to step up the timeline for issues like his or they could replace water mains before they break.

Chair Cihacek commented they may want to consider raising the summer rates five or 10 cents and see what the financial impact looks like, both for the consumer and for the resources it produces.

Member Seigler commented he does not see a problem if water usage is going down and the amount of people using excess water is going down. It seems they are penalizing people who are using more water than they have authorized them to use. There could be a good reason why people are using more than 30,000 gallons and it seems they are just arbitrarily raising the fees.

Chair Cihacek inquired about raising just the summer rates.

Member Seigler stated the usage is going down and there is no problem. He suggested they wait and see what happens two years from now.

Member Heimerl commented he would like to see it tied back to their infrastructure needs. They do not know if they will have a major failure when the infrastructure lifespan ends. He inquired if they expect everything will be okay for the next 150 years by replacing one mile each year.

Mr. Culver stated the base rates were started in 2009 and it was phased in with substantial increases for a few years. Since then it has not increased over 5 percent.

Chair Cihacek stated they could increase the consumption rate, but the tradeoff is that it cannot be included in a fixed maintenance schedule.

Mr. Culver suggested if they raise the rate in 2019, they use the extra resources generate to plan 2020. They would always be a year behind but would know how much money they are working with. He also noted the City installed a smart irrigation controller and a rain sensor last year with its irrigation system.

Chair Cihacek explained in addition to infrastructure, the money could go toward water conservation education as well. It must be used for water-related expenditures.

Member Wozniak stated water conservation education helps people to see water as a resource.

Member Seigler stated the graphs show it is not a problem.

**Member Wozniak moved, Member Heimerl seconded, that staff explore developing a separate rate schedule for the summer and provide additional information on the cost of infrastructure to understand what the proposed rate should be.**

Member Heimerl commented he is not convinced there is an issue with the City's water rate. He would want additional information to address if it makes sense to change the rate schedule to address longer term structural needs.

**Ayes: 4**

**Nays: 2 (Seigler and Trainor)**

**Motion carried.**

Member Misra suggested they look at the volume versus seasonal. They could create a tier that changes either the rate or the upper users.

Mr. Freihammer noted the information in the packet reflects single family homes and does not include commercial users.

## **6. Green Step Cities Update**

Environmental Specialist Ryan Johnson introduce Kimberly White, an intern from the University of Minnesota, who has been working on the Green Steps program.

Ms. White introduced herself and provided an overview on the Green Steps program. She reported Roseville is on the brink of achieving Step 3 in the program and the best practices remaining before achievement are: 1) Complete Streets Policy; 2) Environmentally Preferable Purchasing Policy; 3) Green Team; and, 4) Community Resilience.

Member Wozniak inquired what the benefit was in becoming a Step 3, 4 or 5 city.

Ms. White responded every time a City achieves a new step in the program, there is recognition from the League of Minnesota Cities. There is a network of cities who have goals for achieving sustainability and increasing their environmental awareness. There is also support from organizations, such as the Great Plains Institute, who is the founder of the program and a major funding partner of grants awarded to Green Step cities.

Member Wozniak inquired if becoming a Step 5 City influences development or brings in people who are drawn to having this in the community.

Ms. White responded the program was established in 2010 and there are only six Step 5 cities in the State. It is an admirable achievement, but it will still be some time before these types of data points are observed.

Mr. Culver noted this program will allow them to track and get recognition of what they are doing for sustainability. They should also see some energy savings through making these types of changes.

Ms. White reported the Complete Streets policy focuses on making sure streets: 1) are safe and accessible; 2) allow users to get to where they need to go; 3) increase economic development and quality of life; 4) promote public health; and 5) consider the impact on the environment.

Chair Cihacek inquired to what degree this policy is already congruent to the City's comprehensive Transportation Plan.

Ms. White responded there is a great amount of overlap between the implementation strategies outlined in the policy and what is already being done in the City. About 75 percent of the policy came from the City's draft transportation section of the Comprehensive Plan.

Chair Cihacek noted they should focus on things that are a new practice for them, so they do not get short on time.

Mr. Culver stated this policy compiles the City's existing policies and its newer, better policies along with the practices they have been doing for the past five to 10 years.

Chair Cihacek noted that Ramsey County shows up several times in the policy, but Hennepin County does not. It would be good to include Hennepin County connections, since they sit close to it.

Member Wozniak commented the policy did not mention much about stormwater management.

Ms. White stated it could be considered in the introduction and under "reduce stress on the environment."

Mr. Culver suggested it be included under Vision.

Ms. White reported the purpose of the Environmentally Preferable Purchasing would be to minimize health and environmental impacts, support recycling, implement lower costs overall, and be a community leader in sustainability.

Mr. Culver noted this item does not have a draft policy included in the meeting packet because it is still being considered by City department heads.

Ms. White reported another best practice would be to establish a Green Team in the City that oversees progress of the Green Step program, sets goals, and provides an annual report to the citizens.

Chair Cihacek inquired if this is already covered based on what the PWETC currently does, if there are staff and community members present, and if they received a report on metrics and goals for Green Steps.

Ms. White responded it would fulfill the Green Team best practice, which would help them get one step closer to step three.

Member Wozniak inquired if the PWETC should be the Green Team.

Chair Cihacek stated since they are already doing the work and Mr. Johnson provides them with information annually, it seems they could get it done within their current structure. They could also either form a subcommittee or include citizen engagement.

Mr. Culver suggested they pass a proposal through the City Council that establishes the PWETC as the City's Green Team.

Member Wozniak stated they need to discuss soliciting community input on this topic in the future.

Ms. White reported the primary things Roseville needs to accomplish with the Community Resilience best practice is to take additional steps to prepare for extreme weather events and emergency response. The City is already doing this and communicating with Ramsey County on its hazard mitigation plan, and the recent Vulnerable Population Assessment is a positive step. This step requires the City to earn two stars.

Chair Cihacek inquired if there were any recommendations with this best practice.

Ms. White suggested they reach out to Ramsey County to make sure they have implemented all the hazard mitigation plans and consider what else needs to be done to reach out to vulnerable populations.

Member Wozniak commented he is part of the debris management group that focuses on resilience. They are planning to engage several cities to see how they can better coordinate emergency response specifically with debris management. There is an opportunity for exercise training in May.

The Commission thanked Ms. White for her work.

## **7. Ordinance Updates**

Mr. Freihammer reported staff has drafted amended ordinance language to address some deficiencies in some of the City's ordinances.

### Chapter 405 – Noise Control.

Mr. Freihammer explained the suggested change will allow City-led projects to deviate from the ordinance requirements. Currently, staff must apply for a variance to the City Council if night work is needed and this would give staff more flexibility if they need to work at night or outside of working hours. Staff would be required to follow a Construction and Maintenance Related Night Work Policy and residents would still be notified of work outside of normal hours.

Member Wozniak referred to Section 405.04 of the draft ordinance and noted "Exemptions" is spelled wrong. He also suggested the word "project" be changed to "construction or maintenance activity." He inquired about attached Night Work Policy and inquired if it should be included with the ordinance.

Mr. Freihammer stated the ordinance refers to the Night Work Policy.

Mr. Culver noted they would not include the policy in the code because it is easier to change it if it is not part of it.

Chair Cihacek referred to the ordinance language and inquired if there was a time when the City would be a lead and not an owner.

Mr. Culver responded an example would be if they were doing on a highway, such as Snelling Avenue. They also just replaced a signal in front of Rosedale. They were the lead on the project, but they did not own it.

Chair Cihacek suggested it be changed to "...is considered to be an owner of the asset or lead on a project..."

Mr. Culver commented they do sign a construction agreement with the owner, such as the County, which give each party certain rights, even though the City does not own the area. He inquired if they have any concerns with bypassing the City Council with this ordinance.

Chair Cihacek inquired if there was a method of recourse if someone disagrees with the proposed night work.

Mr. Culver stated they can always contact the City Council and there is a public comment period at all City Council meetings.

Chair Cihacek inquired how well attended the public hearings are.

Mr. Freihammer responded they not typically are well attended.

Mr. Culver stated everyone that has shown up for noise ordinance issues in the past has contacted staff first. They always know they are coming and they provide the Council with their comments prior to the public hearing. The purpose of this ordinance change is not to bypass the City Council. It is to streamline the process and to provide a quicker response to contractors.

Chair Cihacek stated he is not concerned that the City Council is bypassed if there is the capacity for public comment.

Member Seigler noted Section 405.03(D) has an extra parenthesis after "10:00."

**Member Trainor moved, Member Seigler seconded, to recommend to the City Council approval of the revisions to Chapter 405 Noise Control Ordinance as amended.**

**Ayes: 6**

**Nays: 0**

**Motion carried.**

Chapter 707: Right of Way Management.

Mr. Freihammer reported the amendment to this ordinance will address new changes in State law related to small cell wireless facilities as well as right of way permits in County or State right of way. This allows the City the opportunity to

keep tabs on what is going on and have input. They also defined small cell wireless and described how different installations can be done.

Mr. Culver explained the industry is changing how they are deploying the technology. Wireless providers want to deploy and co-locate in the City's right of way on light and traffic signal poles. The State granted them the right to be there and the City is now updating the code to align with the new State Statutes. They are expecting a lot of these when they begin to roll out 5G. They are currently using it to cover gaps in 4G coverage.

Member Trainor inquired if the new language reflects what other cities are doing regarding easements on County and State projects and if it slows the contractors down.

Mr. Freihammer responded it requires the contractor to get two permits instead of one, but it should not slow them down.

Mr. Culver stated the language is not the same as every City. They used Maple Grove's language because they required permits on County right of ways and there are a lot of examples where it was helpful. If they see someone working in the City's right of way, this will allow them to look them up and make sure they have a permit.

Member Misra inquired if this is an area where they can be more restrictive than the State.

Mr. Culver responded they can be more restrictive in some ways, but there are provisions in the law they cannot compromise.

Chair Cihacek inquired what the recommended permit fee was.

Mr. Freihammer responded it will probably be a flat fee of \$25.00 to \$50.00.

Chair Cihacek inquired who has permitting authority.

Mr. Culver stated the County has permitting authority. If the City wanted a permit denied, they would have to work through the County.

Mr. Freihammer noted this gives them the opportunity to comment.

Chair Cihacek inquired if there was a way to simply carry the County permit into the City's system so that they do not need to reapply. It seems like this is a communication problem more than it is a structural problem.

Member Trainor stated the problem is not logging it into the system. This gives staff the opportunity to review the application. There are added benefits of knowing what work is going on and making sure there is an official chance to provide input.

Member Wozniak stated the fee structure is based on how much staff time is needed and they do need a permit because there is staff time involved.

Mr. Culver stated they can review the fee schedule annually and adjust it as needed.

**Member Trainor moved, Member Seigler seconded, to recommend to the City Council approval of the revisions to Chapter 707 Right of Way Management.**

**Ayes: 6**

**Nays: 0**

**Motion carried.**

Chapter 802: Sewer Use and Regulations.

Mr. Freihammer reported this amendment adds languages on discharging of Fats, Oils, and Grease (FOG). It adds new requirements for new businesses and adds regulations to existing businesses that discharge FOG. The intent of the ordinance is to reduce FOG that causes increased maintenance of the City's sewer infrastructure and also reduce the risk of backups caused by FOG.

He referred to Section 802.15.A.1 and noted "Food Service Facility" will be changed to "Food Service Establishment (FSE)."

Chair Cihacek referred to 802.15.A.2 and noted FOG should be a parenthetical reference, not separated by "or."

Mr. Freihammer stated if someone comes in with a new restaurant, they would be required to install a grease interceptor, which is similar to a septic tank. It will remove the FOG and prevent the sewer system from backing up. It is not required for existing businesses if they are following best management practices or having any issues. However, if issues are documented and ongoing, it may be required. They will require reports on how often they are maintaining grease traps.

He provided a map of the areas this ordinance would affect. This would mostly affect restaurants and hotels.

Member Wozniak inquired why there are no issues around Rosedale with concentration of food establishments in that area.

Mr. Freihammer responded the size of the pipe also determines the effects of grease buildup.

Mr. Culver noted Rosedale also has a private sewer within its campus.

Mr. Freihammer reported they will educate businesses affected by this ordinance. A lot of it includes general housekeeping practices that businesses can employ to prevent FOG from getting into the water. A lot of other cities have a similar ordinance in place.

Member Trainor inquired how many other cities have this in place.

Mr. Freihammer responded most cities have something in place and some cities require all existing businesses to have an interceptor in place. Golden Valley has the most restrictive requirements and staff modeled Roseville's on what Elk River requires.

Member Trainor inquired if they spoke with any of the business owners. He also inquired how they can provide feedback on this new ordinance.

Mr. Freihammer responded they have not spoken to any business owners. They will notify businesses when this goes before the City Council and they can express feedback at the public hearing.

Mr. Culver commented it will have an immediate impact on new construction and they are not going to require it in existing businesses. They will first work with them to follow best practices. If businesses are not making any effort and there is no improvement, then installation of the grease interceptor may be required.

Member Misra inquired about kitchens associated with churches and schools.

Mr. Freihammer stated they would technically be considered existing and would be required to follow best practices like other existing establishments. If a new church came in and had a commercial kitchen, it would have to be evaluated.

Commissioner Wozniak inquired if the Metropolitan Council regulates FOG differently than other discharges.

Mr. Freihammer responded they do not. It is a collection system issue and they would look at it as a treatment issue.

Commissioner Wozniak inquired if Public Works staff would be doing the inspections and outreach.

Mr. Freihammer confirmed this.

Commissioner Wozniak inquired if restaurants who upgrade their kitchens would be required to install a grease interceptor.

Mr. Culver stated if it is a level of upgrade that required an upgrade to the plumbing code, they would require this as well.

Member Wozniak stated he will email his comments on the text to staff.

Member Trainor stated they should consider having the annual and maintenance records be a suggested practice instead of a required practice.

Mr. Freihammer noted they need to owners to fill it out because it is the only way for the City to document they have done the work. They could require them just to have the records available, but not require them to submit it.

Member Trainor commented ideally, they will see problems in the sewer system and then they can pursue the offender.

Chair Cihacek stated if people choose not to keep the records, they have no grounds for an appeal. It is in their best interest to maintain the records.

Mr. Culver noted if there is a backup and they cannot provide their records, it becomes a liability issue for them.

Mr. Freihammer stated he initially thought they could annually provide a letter along with the forms as a way to remind them of this best management practice.

The Commission agreed to change the language to reflect that the submittal of records will not be required annually, but owners should be able to provide them on demand.

Member Wozniak referred to item E and required if there are licensed haulers to remove this product.

Mr. Freihammer noted he believes they are licensed by the MPCA.

Chair Cihacek suggested they clarify what they mean by licensed hauler in the ordinance. Due to all the suggested changes, he requested they see this ordinance again at the next meeting.

#### Chapter 803: Storm Water Drainage.

Mr. Freihammer reported this ordinance would be amended to add language related to grading to the current erosion and sediment control section. Currently grading, filling and land alteration is in Section 1017.25 of the City Code for private development and Section 705 for development on public property. The proposed ordinance would consolidate these sections into a combined one that is tied to storm water drainage, erosion, and sediment control. By tying the grading to the erosion control permit, it will simplify the permitting process, all land disturbance can be reviewed under one permit and one escrow can be applied to sites instead of

separate escrows for erosion control and grading. It is currently defined on square footage of area disturbed or if it is in the shoreland and they would now add the amount of dirt moved as a trigger. A grading escrow is required for projects that move over 250 cubic yards of material. The Public Works department will approve the permit requests.

Member Trainor inquired how this ordinance addresses contractor changes to originally approved grading to make sure changes are completed.

Mr. Freihammer stated the ordinance includes language that states the grading permit must meet the current approved grading plan. If staff feels it has not been met, they will require an as-built. Their escrow will not be returned until the grading plan has been met.

Member Trainor inquired how it relates to an area that has many different builders and one builder's permit. He inquired if there is an opportunity to catch a change to the grading plan while the project is underway.

Mr. Freihammer commented the grading will be reviewed before the escrow is returned because there is an additional permit tied to it. Previously, there was a chance it could be signed off on without the grading checked, but that can no longer occur. They can also do weekly erosion control inspections.

Member Trainor inquired if this should be tied to the surface water management plan.

Mr. Freihammer commented it is already tied to it because it is tied to the erosion control ordinance.

**Member Misra moved, Member Wozniak seconded, to recommend to the City Council approval of the revisions to Chapter 803 Storm Water Drainage.**

**Ayes: 5**

**Nays: 0**

**Abstain: 1 (Trainor)**

Member Trainor noted he abstained because he needs more time to review the proposed ordinance.

**Motion carried.**

Chapter 1017: Shoreland, Wetland and Storm Water Management, Section 1017.26; Stormwater Management.

Mr. Johnson reported this ordinance update is needed to better address private storm water facilities. The new ordinance adds more clear language on maintenance and inspection requirements for private best management practices. It clarifies

timelines for monthly inspections and annual reports and puts it under the Public Works Department to oversee.

Chair Cihacek inquired what type of documentation they would use for monthly inspections.

Mr. Johnson responded he has looked at examples from the Minnesota Stormwater Manual. It includes a checklist that looks at inlets and outlets and makes sure that vegetation is growing. It also has other considerations based on whether it is a wet or dry pond and they need to try to identify how much sediment is there.

Chair Cihacek inquired what a monthly inspection in January looks like. He stated they may want to consider changing the time schedule because monthly inspections may be too much.

Mr. Johnson stated it is pretty quick, and they would not be looking for a lot of inspections in January and February.

Chair Cihacek referred to item 4.3 and suggested they strike the language “or as budget allows.”

Member Trainor commented similar to the discussion with the restaurants, they need to consider if they are really going to look at the paper work that comes in.

Member Seigler referred to item a.i and pointed out the word “community” should be changed to “City.”

Member Trainor requested they see this ordinance again it is final form before it is approved.

## **8. Items for Next Meeting – March 27, 2018**

Discussion ensued regarding the March PWETC agenda:

- City Ordinance Updates
- Facility Study
- City Campus Solar

Chair Cihacek noted half of the Commission is done in March. After discussion, they decided to look at water rates with the new Commission.

Mr. Freihammer noted if there are proposed changes, the Finance Commission will want to look at it.

## **9. Adjourn**

### **Motion**

**Member Trainor moved, Member Misra seconded, adjournment of the meeting at approximately 8:41 p.m.**

**Ayes: 6**

**Nays: 0**

**Motion carried.**