



**Regular City Council Meeting Minutes  
City Hall Council Chambers, 2660 Civic Center Drive  
Monday, May 21, 2018**

**1. Roll Call**

Mayor Roe called the meeting to order at approximately 6:00 p.m. Voting and Seating Order: McGehee, Willmus, Laliberte, and Roe. Councilmember Etten was excused from the Council meeting due to a work obligation. City Manager Patrick Trudgeon and City Attorney Mark Gaughan were also present.

Mayor Roe welcomed Troop 254 from Roseville Scouts to the Council meeting. He welcomed Scout Josh in leading the Council in the Pledge of Allegiance.

**2. Pledge of Allegiance**

**3. Approve Agenda**

City Manager Trudgeon requested item 7c be considered at the end of Business Items, due to a staff scheduling conflict.

McGehee moved, Willmus seconded, approval of the agenda as amended.

**Roll Call**

**Ayes:** McGehee, Willmus, Laliberte, and Roe.

**Nays:** None.

**4. Public Comment**

**5. Recognitions, Donations, and Communications**

**6. Items Removed from Consent Agenda**

**7. Business Items**

**a. Public Hearing for Transfer of Off-Sale Liquor License**

Finance Director Miller briefly highlighted this item as detailed in the RCA and related attachments dated May 21, 2018.

Mayor Roe opened and closed the public hearing at approximately 6:35 p.m.; with no one appearing for or against.

Laliberte moved, McGehee seconded, approval of the transfer of the Off-Sale Liquor License and the issuance of a Cigarette/Tobacco License to Five Stars Power Inc.

**Council Discussion**

Councilmember Laliberte noted this establishment has been before the Council a couple of times. And she asked whether staff has notified the applicant the Council is taking up the issue of raising the legal age for tobacco purchases.

Finance Director Miller concurred the applicant has been notified.

Councilmember McGehee presumed the applicant starts with a clean slate in terms of violations.

Finance Director Miller concurred that is correct.

#### **Roll Call**

**Ayes:** McGehee, Willmus, Laliberte, and Roe.

**Nays:** None.

**b. Consider a Minor Plat for Roseville Center for the consolidation of two lots into one lot at 1121-1169 Larpenteur Ave (PF-18-005)**

City Planner Paschke briefly highlighted this item as detailed in the RCA and related attachments dated May 21, 2018.

Councilmember McGehee inquired why the applicant is pursuing the consolidation of the two lots at this time.

City Planner Paschke responded that the applicant wants to clean up the properties so it is not two lots, and this consolidation also cleans up the lot line in terms of zoning and fire codes. Staff has talked to the applicant over a number of years about prospects for different types of redevelopment of portions of the mall, but there are no formal plans for the mall at this time.

Mayor Roe offered an opportunity for public comment.

#### **Public Comment**

**Roland Sutherland, 1728 Dunlap Street**

Mr. Sutherland noted the applicant just cut a lot of trees down. He asked if they plan to replace those trees.

Mayor Roe asked the staff to comment on whether tree replacement is necessary for a minor plat.

City Planner Paschke stated he is not aware of the removal of trees, but there is nothing that would preclude people from removing trees that are dying.

Mayor Roe asked about landscape standards.

City Planner Paschke stated any new improvements would require landscape standards. If the trees are removed for purposes of development in the future, staff would look at that and add those caliper inches to whatever the proposal is. Every proposed development has to stand on its own merits. He indicated he will follow up with the applicant about the trees.

McGehee moved, Willmus seconded, adoption of Resolution No. 11512, (Attachment D), entitled "A Resolution Approving the Minor Plat of Roseville Center Second Addition," subject to the following condition: a five-foot wide utility and drainage easement along the north portion of the plat adjacent to Dionne Street.

### **Council Discussion**

Councilmember McGehee stated she would like staff to follow up with the tree removal.

Mayor Roe asked about access to Dionne from the property.

City Planner Paschke stated it is adjacent to Dionne, but there is no access to Dionne.

### **Roll Call**

**Ayes:** McGehee, Willmus, Laliberte, and Roe.

**Nays:** None.

**d. Approve Grading Ordinance Amendment and Establish and Ordinance Regulating Storm Water Best Management Practices**

City Engineer Freihammer briefly reviewed this request, recommending approval as detailed in the RCA dated May 21, 2018. The first part of the proposed ordinance deals with grading. It will combine the grading ordinance with the erosion and sediment control ordinance. This would also apply for all projects within the Shoreland district. This will simplify the grading permit process. He went on to describe that part 2 is adding language for private best management practices (BMP) maintenance. This allows Public Works to administer maintenance to private ponds or any BMP. It clarified timelines for that maintenance. It requires monthly inspections and annual reports. It will allow staff to respond to complaints. Currently the newer BMPs have entered into a maintenance agreement, but there are no agreements for those installed in the 1980s.

Mayor Roe asked to clarify the BMP.

City Engineer Freihammer explained it stands for best management practice, and this is specifically related to storm water ponds and rain gardens.

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Councilmember McGehee stated she would ideally like to tie this to an educational program so that homeowners do modest grading on their site so there is less storm water runoff from properties

Councilmember Willmus commented that with regard to reducing the amount of runoff, perhaps in the future the Council could look at measures to incentivize, such as a reduction in storm water fees, for property owners that are handling water on-site vs. allowing it to run off.

Councilmember Laliberte stated it is great to move this over to where staff can manage this.

Mayor Roe asked whether the City intends to keep a reference in the zoning code to this section.

City Engineer Freihammer responded that can be included.

Mayor Roe noted the reference on land change and asked whether that is defined anywhere in the ordinance.

City Engineer Freihammer stated it is related to any sort of disturbance, such as peeling off existing vegetation.

Councilmember Willmus asked whether a permit is required for putting in a garden on a lakefront property.

City Engineer Freihammer responded exceptions are typically made for gardening. In some cases of retaining walls, a permit is required, just to document they are not causing any issues.

Councilmember Willmus commented that if a volume or a yardage could be included, it would be helpful to have some sort of metric.

Councilmember Laliberte asked if "land change" will continue to be used in the ordinance.

Mayor Roe suggested that section may need some wordsmithing for clarity's sake.

Mayor Roe offered an opportunity for public comment, with no one coming forward.

Councilmember McGehee stated that given the direction given this evening, changes could be made and further clarified at the Planning Commission.

Mayor Roe stated it would be problematic to define “land disturbance” as “land disturbance.”

City Attorney Gaughan added that “land disturbance” is defined typically as land change. Whether “land change” needs further definition is up to the Council.

Mayor Roe asked whether “clearing, grading, excavating, transporting and filling” is the definition of land disturbance.

Councilmember Laliberte noted there is a number 7 in the middle of a sentence, so some editing is needed.

City Attorney Gaughan noted the new, blue 7 should not be there, and the original 7 can remain.

Mayor Roe noted on the first page, under 803.04, “control” is being deleted to add in the word “control.” In the next line down, “article” should say “section.” On the bottom of the next page under “D. Grading,” the first criterion does not seem to follow the pattern of the other criteria. Something like “account for existing drainage patterns” might be better. He also referenced Attachment C, noting he discussed with City Manager Trudgeon earlier that when an ordinance is removed, there usually is an ordinance repeal. So rather than a lineout, he suggested a 2-paragraph ordinance that says chapter 705 is being superseded by 803, and therefore it is repealed. That would avoid the need for an ordinance summary.

Councilmember Laliberte asked a question about the timing.

Councilmember Willmus asked about issues of timing of this ordinance enactment, specifically if a resident comes in to pull a permit and there is nothing covering it.

City Engineer Freihammer stated the existing ordinance is still in place, so it would be covered.

Mayor Roe noted that the council directed staff to bring back the ordinance with the land change language and other technical changes suggested.

**e. Approve Fats, Oils, Grease (FOG) Ordinance**

City Engineer Freihammer briefly reviewed this request, recommending approval as detailed in the RCA dated May 21, 2018. He noted that the purpose of the ordinance is to reduce risk of backups related to fats, oils, and grease (FOG) discharge and also reduce sanitary sewer maintenance. This will also make the producers of the FOG more responsible for maintaining so the City as a whole does not have to pay for the removal. Staff wants to make this as much of an educational piece as much as it is an enforcement piece.

Councilmember McGehee commented on item K on the back of the third page, which says "exception from grease interceptor requirements." She asked if there could be some notice to the Council if someone has been exempted and for what reason. If there is a complete waiver, she would like to know that.

City Engineer Freihammer responded sometimes there is no way for a business to build something on the existing site and so it has to find some other way to mitigate it.

Mayor Roe asked if there is some other way to enforce the ordinance in those cases.

City Engineer Freihammer responded potentially they could have a fee attached to their sewer bill.

Councilmember McGehee commented this sounds very much like the City's policy prohibiting businesses from serving alcohol to minors. She suggested there should be surprise visits or other form of follow-up to ensure there is compliance. City Engineer Freihammer stated the City staff knows the current problem areas. The City also televises sewers, so it is very clear where the grease starts and where it stops. The City works with the property owners first on education and training and then enforcement. Sewer lines known in the department as "grease lines" will be the number one area of education.

Councilmember McGehee asked about the enforcement mechanism.

City Engineer Freihammer responded a notice would be sent. Some businesses may not have any device in place or are not maintaining them. If no movement is happening, staff can pursue enforcement.

Public Works Director Culver stated there is no staff ability to do inspections on the 110 restaurants in Roseville. The vast majority of them do not have a grease problem. Quiznos called City staff today and asked if they are subject to this, but they do not have to worry about this, given the type of food they serve. But the goal is for all establishments to take these best practices to maintain their grease trap system. Staff wants to remind them of the consequences to the City sewer system as well as their own systems. City staff knows who has the issues. Education will be the first starting point, and then they will follow up to check for build-up. If that build-up continues after several months, staff will follow up again. Then enforcement would happen if they continued to ignore the ordinance. This ordinance gives staff the ability to do inspections but does not mandate it. And it provides some teeth to enforce the Code.

Councilmember Laliberte asked whether staff envisions a cycle of education and asked how often educational materials will be sent out.

City Engineer Freihammer responded that education on an annual basis is the plan.

Councilmember Laliberte noted the letter was dated May 17<sup>th</sup>, and she suggested sending out notices earlier in the future.

Councilmember McGehee asked to include some information on residential best practices for getting rid of extra grease.

Public Works Director Culver noted the communications team will be happy to write up a newsletter article about that.

Mayor Roe noted that on page 2, food service facility does not include single or multi-family residential facilities but it does include institutional facilities. Under section B, it lists that the ordinance applies to multiple tenant housing, without saying whether that supersedes the previous statement on multi-family residential. Also, D.2 also talks about multiple tenant facilities.

Public Works Director Culver stated the intent was to capture the Applewoods and Cherrywoods that have commercial kitchens.

Mayor Roe suggested staff include the commercial kitchens language for the sake of clarity. Also, the ordinance talks about the City adopting a resolution with regards to BMP. He wondered whether that is a staff-level policy or a Council-adopted resolution.

City Engineer Freihammer noted that was copied from another City's ordinance, so it can be changed.

Mayor Roe also asked for clarification of the language on a hauler being licensed for hauling and disposing of grease.

City Attorney Gaughan commented on the provision that discussed the standards be established by resolution. If the Council does not want sort of a minimum standard to come to them, then that provision could be stricken entirely.

Councilmember McGehee asked if a fee will be established.

City Engineer Freihammer noted that if the Council adopts this ordinance, staff will bring back a proposed fee, which will be an amendment to the fee schedule.

Mayor Roe offered an opportunity for public comment, with no one coming forward.

Councilmember Willmus asked for staff to bring back the ordinance in clean form.

Councilmember Laliberte asked if there can be a fees discussion when the ordinance is brought back.

Mayor Roe noted that the council directed staff to bring the ordinance back with the suggested revisions, as well as the suggested fee schedule related to both this and the previous ordinance.

c. **Authorize distribution of the draft 2040 Comprehensive Plan update to neighboring communities for 6-month review**

City Planner Bryan Lloyd summarized the request as detailed in the RCA of this date. He noted the draft Comp Plan is ready to be distributed to the 22 neighboring and overlapping jurisdictions as directed by the Met Council, for a six-month period of review and comment.

Councilmember McGehee asked about a replacement icon or symbol for the rose.

City Planner Lloyd indicated staff has not discussed it yet.

Councilmember McGehee asked about the RCA including an example from the attachment from the Land Use chapter, and the item which says 'Please note . . .' in the box is still unreadable.

Mayor Roe offered an opportunity for public comment, with no one coming forward.

Mayor Roe indicated that staff has already submitted a draft to the Met Council, and comments have been received.

City Planner Lloyd noted staff submitted to the Met Council an early draft of the Comp Plan back in February. Many of the comments from the Met Council have already been incorporated. Staff will then submit again to the Met Council in December for a final review.

Willmus moved, Laliberte seconded, authorizing staff to distribute the draft 2040 Comprehensive Plan update to adjacent municipalities for formal review.

**Council Discussion**



Councilmember Willmus recalled this distribution approval was delayed until tonight in order to stick to the stated public calendar.

Councilmember Laliberte concurred that is the reason why this was sent previously, to stick with the stated calendar. She has had some conversations with people in the interim. It is important to remember that the work can and should continue. That was reassurance to the community, knowing that what is being sent to neighbors does not mean Roseville is done working on the Comp Plan.

Councilmember McGehee would like to have discussions with staff about the changes in the Land Use chapter from the 2030 Comp Plan to the 2040 Comp Plan. This was supposed to be an update, but it is a complete redefinition of the land use terminologies. The Council has not spent any time on that, and there was not enough feedback from the community.

Councilmember Laliberte concurred with Councilmember McGehee's comments.

Mayor Roe noted the Council has had two in-depth discussions with staff and consultants about the Land Use chapter prior to this evening, though he still encourages further discussion in the future.

Councilmember McGehee stated she agrees, but she does not think there was discussion with the community or with the communities where the changes will have a significant impact.

Community Development Director Collins noted that neighboring communities will look at Land Use definitions on the lands that abut their boundaries. Staff has had a significant number of open houses, engagement opportunities, workshops, and walkabouts that have promoted and advertised the revised Land Use definitions over the past year. She would be reluctant to have any significant changes at this point.

Councilmember McGehee noted that staff cannot force people to be engaged, but there has not been much engagement from the public on this important issue. There has been a great deal of work by the Planning Commission and City staff and the Council. She does not believe that some of the engagement is what she was looking for. It is clear that staff did try, but there was not much of a response. The reason Roseville was able to come up with a broad-reaching and forward-looking document in 2030 was due to the partnering of the Comp Plan with the visioning process. As part of this update, this update turned into a redo, without the visioning piece. She concluded that this was a learning experience, and she wants to give it more of a try to be sure everyone understands the density increase issues.

Councilmember Laliberte commented that because the Council talks about the Comp Plan, that does not equate to people understanding the Comp Plan.

Mayor Roe noted that to a great extent, this document is still an update. Most Land Use categories have hardly any change to them. Three categories that have any change are community business, community mixed use, and regional business. The notable change to those three is the addition of some requirement for some percentage of residential.

**Roll Call**

**Ayes:** McGehee, Willmus, Laliberte, and Roe.

**Nays:** None.

**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 May 7, 2018 City Council/REDA Meeting Minutes**

Mayor Roe asked how staff will handle a resolution number for the resolutions on pages 6 and 9. He wondered whether staff should leave it blank or if it should use the number of 11-511.

City Manager Trudgeon indicated staff does not assign resolution numbers when motions do not pass.

Mayor Roe suggested saying "the resolution (Attachment E)."

City Manager Trudgeon noted line 378 could state: "moved to DENY the resolution (Attachment E)."

McGehee moved, Laliberte seconded, approval of the May 7, 2018 City Council/REDA Meeting Minutes as amended.

**Corrections:**

- **Page 12, Line 526 -527 (McGehee)**  
Correct "average salary" to "average salary given"  
Correct the next sentence to read: "she asked what the median salary was for this group of 192."

**Page 17, Line 745 (McGehee)**

Correct "this was not" to "this was not the Council's intention"

**Page 14, Line 609 (McGehee)**

Correct "She is also happy with" to "She is supportive of public subsidy"

**Roll Call**

**Ayes:** McGehee, Willmus, Laliberte, and Roe.

**Nays:** None.

**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 (RCA) dated May 21, 2018 and related attachments.

Councilmember McGehee asked about a discussion for the ash tree removal and replacement policy.

City Manager Trudgeon indicated there will be a joint meeting with the Planning Commission in July, and that topic will be included.

**a. Approve Payments**

Willmus moved, McGehee seconded, approval of the following claims and payments as presented and detailed.

ACH Payments	\$3,153,986.57
89223-89378	\$ 495,876.47
<b>TOTAL</b>	<b>\$3,649,863.04</b>

**Roll Call**

**Ayes:** McGehee, Willmus, Laliberte, and Roe.

**Nays:** None.

**b. Temporary On-Sale Liquor License**

Willmus moved, McGehee seconded, approval of the Temporary On-Sale Liquor License (Attachment A).

**Roll Call**

**Ayes:** McGehee, Willmus, Laliberte, and Roe.

**Nays:** None.

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

Willmus moved, McGehee seconded, approving the submitted purchases or contracts for services and if applicable; the sale/trade-in of surplus items (Attachment A).

**Roll Call**

**Ayes:** McGehee, Willmus, Laliberte, and Roe.

**Nays:** None.

- d. **Approve a Resolution to Accept the Work Completed, Authorize Final Payment, and Commence the One-Year Warranty Period on the 2017 Roseville Utility Improvements**

Willmus moved, McGehee seconded, adoption of Resolution No. 11513 (Attachment A) entitled, "Final Contract Acceptance 2017 Roseville Utility Improvements."

**Roll Call**

**Ayes:** McGehee, Willmus, Laliberte, and Roe.

**Nays:** None.

- e. **Approve 2018 City Manager Goals**

Willmus moved, McGehee seconded, approval of the 2018 City Manager Goals (Attachment A).

**Roll Call**

**Ayes:** McGehee, Willmus, Laliberte, and Roe.

**Nays:** None.

- f. **Approve Contract for a Human Resources Information System Upgrade**

Willmus moved, McGehee seconded, authorizing the City Manager to enter into a 2-year agreement with Criterion, Inc., for access to and usage of an Internet-based human resources software service (Attachment A).

**Roll Call**

**Ayes:** McGehee, Willmus, Laliberte, and Roe.

**Nays:** None.

**10. Council & City Manager Communications, Reports, and Announcements**

City Manager Trudgeon provided an update on the agenda items for the Council meetings on June 4, June 18, and July 9, along with the June 18<sup>th</sup> EDA meeting.

Councilmember Laliberte inquired about Party in the Park and the parade and other events where the Council and/or Commissioners can be engaged.

Assistant City Manager Olson indicated the HRIEC met last week to discuss this. They are going to plan on having some event hopefully at Party in the Park. As for the parade, staff liaisons reached out to other Commissions to find out who is available to walk in the parade. More participants are needed.

Mayor Roe asked if there are any tasks for the Councilmembers at the Party in the Park.

Assistant City Manager Olson indicated there are none currently.

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Mayor Roe noted that the CTV have finished their executive director search process. The final candidate was offered the position last week. There will be more updates as the process continues.

**11. Councilmember-Initiated Items for Future Meetings**

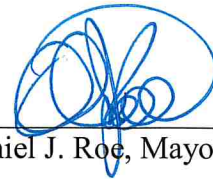
**12. Adjourn**

Willmus moved, Laliberte seconded, adjournment of the meeting at approximately 7:28 p.m.

**Roll Call**

**Ayes:** McGehee, Willmus, Laliberte, and Roe.

**Nays:** None.



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Daniel J. Roe, Mayor

ATTEST:



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Patrick J. Trudgeon, City Manager