



**Regular City Council Meeting** **Minutes**  
**City Hall Council Chambers, 2660 Civic Center Drive**  
**Monday, July 9, 2018**

**1. Roll Call**

Mayor Roe called the meeting to order at approximately 6:00 p.m. Voting and Seating Order: Willmus, Laliberte, Etten, McGehee and Roe. City Manager Patrick Trudgeon, Public Works Director Mark Culver, City Engineer Jesse Freihammer, City Planner Thomas Paschke, and City Attorney Mark Gaughan were also present.

**2. Pledge of Allegiance**

**3. Approve Agenda**

McGehee moved, Etten seconded, approval of the agenda as presented.

**Roll Call**

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

**Nays:** None.

**4. Public Comment**

Mayor Roe called for public comment by members of the audience on any non-agenda items.

**Carol Rust, 1826 North Alameda Street,**

Ms. Rust asked about composting in Roseville. She noted Minneapolis and St. Paul are initiating programs. She asked about having a drop-off site in Roseville.

Mayor Roe responded that the Council has asked the PWET Commission to look into the issue of composting. He also noted that recycling and composting were part of the community survey discussion tonight and will additionally be discussed as part of the PWET joint meeting later in the evening.

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

**6. Items Removed from Consent Agenda**

**7. Business Items**

**a. Receive Community Survey Presentation**

Peter Leatherman, Managing Partner of Morris Leatherman Company, briefly provided a highlight the community survey, which included a phone survey of 400 randomly selected residents. He reported that the quality of life rating, which shows with 95% responding excellent or good. He highlighted the following survey questions and responses:

- what residents like most about the City
- the most serious issue facing the City

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- whether the City is heading in the right direction
- the most important aspect on quality of life
- what is important for high quality of life
- City service ratings
- support to increase taxes to maintain services
- value of City services
- infrastructure improvement, empowerment
- approval and disapproval of City Council and staff
- public safety concerns
- amount of neighborhood patrolling
- curbside recycling program
- designated trash hauling preferences
- interest in an organics recycling program
- ratings of city communications
- preferred methods of communications.

Councilmember Willmus asked about the data related to Parks and Recreation and specifically the newer park buildings that have opened.

Mr. Leatherman responded that 89% are aware of the new Park buildings; 54% indicated they or a member of household have used the newer Park buildings; of those 54% who have used the buildings, 99% rate them as excellent or good; and once upon using a Park building, 98% of respondents want to use the building again.

### **b. Consider Approval of Pathway Master Plan**

City Engineer Freihammer briefly highlighted this item as detailed in the RCA and related attachments dated July 9, 2018. He noted this plan was last updated in 2008. This update was done as part of the Comp Plan update, and the Pathway Master Plan will be included as an appendix to the Comp Plan. He noted the PWET Commission took the lead on the update, and the process included an open house and a joint meeting with the Planning Commission. He continued that the majority of the pathways are off-road pathways such as trails or sidewalks. A variety of sources were used to fund pathways. He highlighted some segments completed since 2008.

City Engineer Freihammer also presented the newly titled “Pathway Preference Plan,” which is established by a scoring method including the following six criteria:

1. Connects to multiple destinations within  $\frac{1}{4}$  mile of the pathway. One point for each type of use. 0-5 points possible.

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2. Volume of usage. Based on employment and residential population within ¼ mile of the pathway segment. 0-3 points for the employment and 0-3 points for the population.
3. Connects to regional system. If the segment is a regional trail it scores 3 points, if it connects to a regional trail or is a constellation link it scores 2 points and if it is a local trail it scores 1 point.
4. Addresses a gap or barrier in the transportation network. Based on classification of the roadway so the higher the roadway classification the more points it scores (1-5).
5. Connects to transit. The higher level of transit the more points the segment scores from 1-3
6. Connects high-density residential to transit or parks. Segments get additional points up to 5 points for the number of units within 1/8 or 1/4 mile of a park or transit location.

Councilmember McGehee suggested a higher ranking for pathways near elementary schools.

City Engineer Freihammer stated that concern has not come up with residents or with PWET. But if Council felt it was the direction it wanted to go, the point system could be adjusted.

Councilmember Willmus noted a lot of elementary schools right now do have fairly good connections.

Councilmember Etten noted there are 2 connections along Snelling, between the B and B-2. The #16 and #28 segments are rated very highly but seem to serve almost the same target area.

City Engineer Freihammer noted #16 was an existing connection. That goal was more of getting people between the two malls. The one along Snelling between County Road B and County Road C was an added segment, with the purpose of getting people between the intersections.

Councilmember Laliberte inquired if the scoring system takes into account an existing sidewalk along the same street on the other side of that street.

City Engineer Freihammer responded the system does not take that into account.

Councilmember Willmus applauded the development of the scoring criteria. He suggested focusing on areas with higher traffic counts and including traffic volumes as part of the scoring rubric.

Public Works Director Culver noted the mention of the goal to develop pathways on both sides of the roadway. He is fairly certain the plan shows pathways on

both sides of arterial roadways, things like Lexington and County Road C. Staff can look at the scoring to see how to give enhanced preference to those arterial segments that do not have a pathway on either side currently.

Councilmember Etten asked whether there is positive scoring for something that adds the first sidewalk along a relatively busy street.

Public Works Director Culver responded there are currently no points for that.

The Council discussed how the point system can reflect the traffic counts and how that might impact the priority of pathways being completed.

Commissioner Etten suggested the PWET Commission revisit this master plan and specifically focus on some of the feedback on the scoring system.

Councilmember McGehee commented it makes sense to prioritize completing the gaps between two existing segments that lack a connection, over creating a new segment somewhere else.

Mayor Roe summarized that staff should run this by the PWET Commission one more time and bring it back to the Council. He also asked about the level of participation at the focus group and the open house.

City Engineer Freihammer stated a lot of good feedback was received from the focus group. The open house was held afterwards, and a fair number of people attended, approximately 20.

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

**Recess**

Mayor Roe recessed the meeting at approximately 7:18 p.m., and reconvened at approximately 7:19 p.m.

**c. Public Works, Environment, and Transportation Commission Joint Meeting with the City Council**

PWET Chair Cihacek and Vice Chair Wozniak thanked the Council for the opportunity to discuss the Commission's accomplishments and work plan going forward.

Chair Cihacek noted that the Council's feedback this evening on the scoring rubric can easily be incorporated. He then briefly highlighted the accomplishments of the past year:

- Pathway Master Plan Update

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- Transportation Plan Update
- Ordinance Updates
  - Fats, Oil and Grease Ordinance (Chapter 802)
  - Grading (Chapter 803.04)
  - Storm water (Chapter 803.05)
  - Right-of-way Management (Chapter 717)
- Green Step Cities - Appointed Green Team, Reviewed current Green Step status, preliminary review of Complete Streets and Environmentally Preferable Purchasing Policy
- Review and discussion of Organics Recycling option
- Participated, received and reviewed studies from U of MN environmental science
- Capstone projects (organics recycling, stormwater pond assessment, parks assessment, urban tree canopy, Green Step Cities, stormwater outreach, natural resource volunteer program, right of way vegetation management, public art and way-finding)
- Received Sanitary Sewer Inflow and Infiltration Study results
- Meeting with Ramsey Washington Metro Watershed District for public meeting on Total Maximum Daily Load (TMDL) of Phosphorous into Bennet Lake
- Continued discussion of Campus Solar Options – Recommendation to participate/subscribe in the Community Solar Garden project
- Review of Water Utility Rates – discussion of modifying tiered rate structure

Chair Cihacek then reviewed the Work Plan items for the upcoming year:

- Water Quality – Review of upcoming or in place TMDL's, recent and upcoming water quality projects, future needs and recommendations, looking at water from all three 32 sides – potable, storm and sanitary.
- Water Rate Analysis – Continued discussion on tiered rate structure
- Use of Solar to offset City's electric consumption
- Achieving Next Green Step City step
- Regular Annual Items – MS4 Annual Report, Eureka Annual Report, Review of proposed Utility Rates, Public Works 2019 Work Plan, Green Step Cities Update

Chair Cihacek then presented a few questions/concerns for the City Council:

- What are the City Council's and PWET Commission's steps for advocacy of additional/enhanced east/west transit routes and other issues of transit accessibility?
- What is the Council's desire for continued efforts on Organics Recycling?
- Are there any other topics the Council would like the PWET Commission to address over the next year?

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Councilmember McGehee stated she is happy with the PWET's work this past year. She noted it is an ongoing conversation to get the east/west transit lines, particularly down Larpenteur, as well as finding a way to get people on one side of Highway 36 near Rosedale over to the other side. She noted she is very interested in the Green Steps Cities program as well as solar.

Councilmember Willmus commented on organics and noted many people would like to see the convenience of curb-side organics. The question is what moves it along sooner rather than later. He expressed interest in solar and would like to learn more about the tiered rate structures for water usage.

Councilmember Laliberte concurred on the other Councilmembers' stated support for both solar and curb-side organics. She recalled the Commission talked about the private warranty program for residential sewer pipes. She thinks it is a big concern for people that they have aging infrastructure in their front yards.

Councilmember Etten expressed support for solar. He noted the City keeps bringing up transit; he asked about the District rep with the Met Council.

Chair Cihacek responded there has been difficulty in setting up a meeting with the Met Council representative.

Councilmember Willmus noted that it should be communicated on an administrative level to the Met Council that their interaction is necessary particularly on these specific issues.

Councilmember Etten asked about the tiered rate structure.

Chair Cihacek noted one goal will be to identify those heavy users and work with them to reduce consumption.

Councilmember Willmus stated it is important to be aware of household size; he does not want to be punitive towards larger households. That is a factor when some of these things come forward.

Mayor Roe commented that education of the residents about organics recycling should be a priority. It is important to look at what are the largest contributors to that waste that could be going into organics recycling. He also suggested considering offering bonuses or rebates, as a way to incentivize those who reduce water consumption year over year.

Councilmember Laliberte asked whether the PWET Commissioners have received the work and conversations the Council has had about the water rates as well as the work of the Finance Commission.

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Mayor Roe confirmed the PWET Commission has looked at the water rates.

Chair Cihacek noted that conservation is one issue, but the other issue is that the tiers may no longer match usage

Vice Chair Wozniak stated that people have strong opinions about infrastructure. Perhaps the rates should be revisited to ensure it is keeping up with repair needs.

Councilmember McGehee commented on the ionized pipes situation, noting that it has been determined to be cheaper to have repair service done to the affected pipes rather than obtain the warranty. She also noted that whatever comes to the City in terms of solar is a good deal, because though the sun's rays are free, the process is not free. As the City works on the issue of flooding, it is important to keep in mind the openness and green space and the aesthetics along with that.

Mayor Roe suggested PWET look into the history of recycling in Roseville, to see if anything can be learned from its origins in terms of how the infrastructure came to be.

Councilmember Willmus commented that conversations should be had with Ramsey and Washington Counties. They now have the ability to start processing organics at their recycling facility. Those are the conversations at a local level that should begin, and education is part of that. The more convenient it is, the more likely it is that residents will participate.

Chair Cihacek noted the reality is it will take four or five years to roll out a program, because there is no existing facility in the County ready to adapt to organics.

Councilmember Willmus noted the conversations can happen at the Council level as well.

Mayor Roe emphasized these are conversations that should happen in partnership with neighboring communities.

Vice Chair Wozniak stated he works for Ramsey County. He corroborated the notion that it is a 4- to 5-year horizon for getting maybe a blue bag or something similar to it set up at Newport. It will involve new technologies, new sorting equipment, artificial intelligence, as well as finding new markets for these materials.

Councilmember Etten asked about the destination of the organics currently being collected at the collection spots.

Vice Chair Wozniak responded he is not involved in the current program; Waste Management is the vendor. He believes it is going to a compost site in Rosemount, which is the only site in the area that receives organics locally. There is no place in the East metro for composting or processing organics. Composting may not be where this process is headed with collected organics; it may be anaerobic digestion with collected organics, which is likely 4 to 6 years out.

**d. Consider Resolution Approving the Vacation of a Portion of the Chandler Avenue Right-of-Way**

City Engineer Freihammer briefly reviewed this request, recommending approval as detailed in the RCA dated July 10, 2018. The vacation of the right-of-way was requested from two adjacent property owners. There are no utilities in this corridor or any need for future utilities. He noted that one resident provided feedback in support of the vacation.

City Manager Trudgeon noted that legal notices were provided for this legal hearing.

Mayor Roe reviewed public hearing protocol and opened the public hearing at approximately 8:00 p.m.

**Public Comment**

**Daniel Grundman, 519 Hilltop Ave**

Mr. Grundman noted he is the adjacent property owner and he requests approval.

With no one else appearing to speak, Mayor Roe closed the public hearing at approximately 8:02 p.m.

Willmus moved, McGehee seconded, adoption of Resolution No. 11519 (Attachment A), entitled “Approving the Vacation of a Portion of Unused Right-of-Way of Chandler Avenue Within the Rolling Green Plat.”

**Council Discussion**

Councilmember Willmus commented that the vacation of this easement makes sense. Over time, the City has a few of these that will come before the Council, and it makes sense they are returned to the properties they were originally taken from.

**Roll Call**

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

**Nays:** None.

**Recess**

Mayor Roe recessed the meeting at approximately 8:04 p.m., and reconvened at approximately 8:11 p.m.

**e. Human Rights, Inclusion and Engagement Commission Engagement Plan Proposal Check-In**

Outgoing Chair Holub, Commissioner Djevi, and Incoming Chair Beltmann introduced themselves.

Chair Beltmann noted that the HRIEC has developed a document that will help guide the City on engagement. The first strategy of that process is for Commissioners to meet with department heads and ask about current engagement practices and what could be improved. Subsequently, best practices can be developed that are specifically tailored towards Roseville. Additionally, an engagement matrix can be created that will help guide staff in thinking about how they should shape or form their engagement strategy. A second strategy would be building relationships with traditionally marginalized communities. The 2040 Comp Plan data would be utilized. This would be a complement to the work staff is already doing with Government Alliance on Racial Equity (GARE).

Councilmember Etten stated he would like to see a feedback loop from the second strategy to the first strategy, as they dovetail together in the long term. He also suggested including a question to department heads along the lines of: *“where do you feel the engagement missed the mark or did not get a preferred engagement outcome?”*

Councilmember McGehee noted the rest of the community needs to be open and welcoming and see the marginalized members as part of the whole Roseville community. That is the ultimate goal. The demographics are changing, and they are changing rapidly.

Councilmember Laliberte commended the strategies, noting this document regroups and gets towards the work the Council wanted the HRIEC to get into. She suggested “propose or recommend” rather than “establish.” She asked about the phrase of “build relationships with community members.” She also suggested HRIEC look into what staff is already doing with the GARE program. She also suggested HRIEC look at best practices in other communities.

Chair Beltmann noted the HRIEC has a longer document with additional resources, and a great resource is Nexus Community Partners. They have an engagement matrix and a best practices document. That is something that would be either brought to the Council for adoption or worked into the document the HRIEC has created.

Mayor Roe emphasized considering a future handoff from the HRIEC's work in identifying key individuals in local communities to the staff actually implementing outreach strategies.

Commissioner Djevi commented on who will actually be doing the outreach work. The Commission could do part of that work, but Commission members would also engage the volunteer service coordinator and the City volunteers as another way of engaging the community.

Councilmember Laliberte cautioned against sending off the City's volunteers in this new engagement process.

Mayor Roe noted he presumed there would still be some connection between the volunteers and the HRIEC.

Councilmember Etten stated staff should be connected as well, to ensure continuity back into the City. Maybe initial outreaches can be made by the HRIEC, but staff should be on board to ensure it is made part of how things are done.

Chair Holub asked whether the Council wants to see a work plan.

The Council concurred the HRIEC does not need to come back with a work plan.

Commissioner Willmus asked about the size and efficiency of the HRIEC at 11 members vs. 9 members, as there will be two vacancies on the Commission.

Chair Beltmann commented the group functions well. She could see a need for bringing a need for at least one other person who has some more experience with either inclusion work or general engagement work. Nexus Community Partners does a training program for Boards and Commissions, and that could potentially be a great place to bring someone in.

**f. Declare Two Vacancies on the Human Rights, Inclusion and Engagement Commission**

Mayor Roe indicated there are two vacancies on the HRIEC and asked for further discussion.

Councilmember Laliberte noted that staff should continue to ensure there are not a lot of subcommittees and that all the Commission is working together.

McGehee moved, Etten seconded, declaring two vacancies on the HRIEC, one with a term that ends March 31, 2019 and one for a term that expires March 31, 2020.

**Roll Call**

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

**Nays:** None.

**g. Approve Presumptive Penalty for Chipotle Alcohol Compliance Failure**

Lt. Scheider briefly reviewed this request, recommending approval as detailed in the RCA. A Chipotle employee sold alcohol to a 17-year-old underage compliance checker. The employee stated she did not look carefully at the driver's license. She no longer works for the establishment and is contesting the \$250 penalty in court.

Lt. Scheider stated the on-sale ordinance provides for a 1-day suspension and a \$1,000 fine of the establishment.

Councilmember McGehee asked whether there is anything less onerous for the City than pursuing the \$250 fee against the individual who sold the alcohol, as it creates a lot of work for staff.

Mayor Roe pointed out that the violation is against an individual who is entitled to due process and cannot be passed on to the establishment.

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

Willmus moved, Etten seconded, approval to allow the Roseville Police Department to issue and administer the presumptive penalty as set forth in Section 302.15, of the Roseville City Code or other action as determined by the Roseville City Council.

**Roll Call**

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

**Nays:** None.

**h. Approve Presumptive Penalty for Events Wine and Spirits Alcohol Compliance Failure**

Lt. Scheider briefly reviewed this request, recommending approval as detailed in the RCA dated July 9, 2018. As with the previous agenda item, the establishment sold alcohol to a minor during an underage compliance check.

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

Laliberte moved, Etten seconded, approval to allow the Roseville Police Department to issue and administer the presumptive penalty as set forth in Section

302.15, of the Roseville City Code or other action as determined by the Roseville City Council.

**Roll Call**

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

**Nays:** None.

- i. **Consider a Request by Kulturwerks Brewing, LLC and the Community Development Department for Zoning Code Text Amendments to §1001.10 Definitions and Table 1005-1 Table 1005-5, and Table 1006-1 to Allow as a Permitted or Conditional Use Taproom, Brewery and Brewpub (PF 18-008).** City Planner Paschke briefly reviewed this request, recommending approval as detailed in the RCA dated July 9, 2018.

Councilmember Willmus asked if there was any discussion by the Planning Commission that these uses are something other than permitted. For example, discussion of conditional uses that might be appropriate given certain size of various parcels that might play into conditional review.

City Planner Paschke stated the topic came up as to whether or not small breweries would be considered permitted or conditional. However, there was no discussion as to what size the parcel would be or how large of a facility it might be.

Councilmember Willmus commented on the amount of product that could be produced and inquired how 20,000 barrels annually relates to other establishments the Council would be familiar with.

City Planner Paschke responded it is much smaller than the current brewery in Roseville.

Councilmember Willmus asked to compare it to a Bent Brewstillery.

City Planner Paschke responded these are very small facilities, though he does not know the capacity of Brent Brewstillery offhand.

Councilmember Etten noted a lot of emails have been received by the Council about parking.

City Planner Paschke responded restaurant parking is based on number of seats. One parking space for every three seats, and this would be similar. Staff will have to look at the plans. More than half of the building will be used for production.

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Councilmember Etten asked about whether the Code addresses noise on outside patios.

City Planner Paschke responded it would fall within the standard noise section in the City Code. Most restaurants have patio areas, and some of them might be adjacent to residential facilities, but there is no requirement for how or where they are designed in the Code.

Mayor Roe stated a restaurant is a permitted use in this neighborhood business zone.

City Planner Paschke confirmed that is correct. Anything in the table that has P for permitted would proceed through the normal building permitting process for tenant improvement or modifications, and there is no notification to adjacent public or having to go through Council action.

Mayor Roe noted there are other uses like grocery store or liquor store that have conditional use in the neighborhood business where there would have to be an approval process.

City Planner Paschke confirmed that is correct.

Mayor Roe stated there is a little legislative discretion on the part of the Council on this case. He checked with Brent Brewstillery, and it produces about 2,000 barrels per year. The State licensing thresholds are less than 2,000 barrels, then 3,500 barrels, then anything over 5000 barrels. There are some thresholds the Council can look at. Wayzata has a threshold for micro-production, and they tend to use the 3,500 or 3,500 barrels per year. He would be interested in considering the option of looking at whether conditional and permitted is appropriate.

Mayor Roe invited the applicants to speak.

**Eric Swann, 5139 Sheridan Ave N, Minneapolis,** introduced himself.

**Jason Heger, 4741 4th 38 Street, Columbia Heights,** introduced himself.

Mr. Swann responded this is intended to be a small, quiet neighborhood brewery. The seating area will accommodate up to 45 people and will be free from loud music. There will be outdoor seating as well. Like most tap rooms, there will be food trucks as a convenience to the customers. The goal is to have the local customer base arrive on foot or bicycle.

Councilmember Willmus stated he is concerned about parking. He asked about employees.

Mr. Swann responded currently it is just the two of them.

Mr. Heger indicated the goal is to have 2 staff there in the evening and 2 people brewing.

Councilmember Willmus asked about the location of the food trucks.

Mr. Swann responded one of the parking spaces will be used for the food truck.

Mayor Roe offered an opportunity for public comment.

### **Public Comment**

**Carl Brookins, 3090 Mildred Drive,**

Mr. Brookins stated he is about 250 feet from this site. He likes brew pubs, but he has some concerns. The interaction is becoming busier and busier with truck traffic. He has spent as much as 10 minutes at Mildred and D, waiting to get in. He experiences between 1 and 3 emergency calls in the neighborhood every week, due to the population in the Presbyterian Homes primarily. There are no sidewalks, and with the existing level of traffic, people walking or biking to have a few beers might be a problem.

**Marnie Andrews, 3092 Fairview Ave North,**

Ms. Andrews stated the business has been empty since she moved in two years ago. It is a 5-way stop at that intersection. There are no sidewalks in the neighborhood, and it can be hard to get to know people. This could be an awesome opportunity.

**William Andrews, 3092 Fairview Ave North,**

Mr. Andrews stated this might be a natural gathering place for the neighborhood.

**Joe Johnson, 3030 Shorewood Lane,**

Mr. Johnson spoke in support of the brewery. Breweries are great gathering spots in neighborhoods. He supported the text amendment in terms of allowing microbreweries across the City.

Councilmember Willmus concurred with staff in bringing new code language forward to the City Council. He does think it needs refinement in terms of scale and the various categories discussed. When looking at businesses within Neighborhood Business, he does not support it as a permitted use. This will take some tweaking, from his perspective.

Councilmember McGehee concurred with Councilmember Willmus. She feels strongly that if it is going to be in Neighborhood Business, it has to be conditional, because so much of Neighborhood Business is embedded in

residential. She recognizes that people would like a gathering spot, but in this particular case, she cannot support this on this site. It would be nice if these amendments were not tied to an actual project, but it is. She would not support it as a permitted use in Neighborhood or Community Business. If this comes back, she would like a different map that shows the specific areas under discussion.

Councilmember Etten asked about setbacks normally required.

City Planner Paschke responded he is not sure, as he does not have the Code in front of him. He noted it is a pre-existing site.

Mayor Roe pointed out the Code calls for no front yard setback; and he pointed out the side yard and rear yard setbacks. He asked if a patio would be affected by setbacks.

City Planner Paschke responded it would not. He noted there is a fence on the location as well.

Mayor Roe asked how many seats could be had by a restaurant on this site.

City Planner Paschke responded 21 seats would be acceptable.

Mayor Roe stated the question of hours of operation may impact this case. The Council has to decide whether this is handled through the licensing of the outdoor seating or through a conditional use approval. He suggested making the small brewery and the brew pub a conditional use in the Neighborhood Business as well as the CMU-1. He would be supportive of reducing the threshold for a small brewery down to 3,500 barrels a year and would be supportive of adopting the ordinance this evening.

Councilmember Etten asked whether the Council has to be more specific about the conditions of such an establishment.

Mayor Roe noted that in the Zoning Code, there are general conditions for any conditional use approval, and in certain cases, there are additional types of conditions. That would be a question to determine: whether the Council wants to list conditions or take them as they arise.

Councilmember Etten stated he is in favor of making it conditional and is in favor of the reduction in barrels per year. His concern is the extreme proximity to a few homes there. He understands the concerns for some. People are not likely to park at Presbyterian Homes, and parking is a problem on this site. He is okay with this type of use on a site that is capable of handling the capacity desired.

City Attorney Gaughan noted this is framed as a request related to zoning, so this may be subject to the 60-day rule. If the Council cannot approve tonight, it should deny it on the bases of what has been articulated here. The Council can also extend the 60 days with the approval of the applicant.

Councilmember Willmus stated he does not want to legislate under the gun of a proposal. If the Council is not supportive of what is before the Council tonight, the Council should proceed with a manner that is more consistent with the preference of the body as a whole.

Councilmember Laliberte commented the Council needs to deal with this as a zoning code amendment alone. It is overdue to have these definitions corrected and the uses added to the table. The language needs to be crafted for the whole City. She suggested the City needs to have some language about outdoor screening or patios. She is supportive of small businesses, but the Council needs to deal with the text amendments on a City-wide basis, and then address this applicant.

McGehee moved, Etten seconded, to DENY this zoning text amendment request based on the following findings:

- annual barrel production as stated in the proposal appears to exceed an appropriate scale;
- a lack of conditional permitting classification is likely to cause unacceptable impacts on surrounding properties;
- outdoor or patio seating analysis is necessary as a component to any such proposed zoning Code amendments.

### **Council Discussion**

Councilmember Willmus commented there have been other instances where the City has felt it needed to amend language within the Code when an application is before the Council, but there are some aspects that warrant greater control. He stated that in certain situations and locations, breweries can have an impact on surrounding properties, and that is something the Council has to be cognizant of.

Mayor Roe stated the Council needs to provide direction to staff to look at specific things when it comes back.

### **Roll Call**

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

**Nays:** None.

Mayor Roe suggested the Council look at the micro-distillery/other types of similar uses when bringing this back in order to be proactive.

**j. Consider a Request by Roseville Centre Lodging LLC to Amend Planned Unit Development #1177 (Centre Pointe Business Park) to Include a Fourth Hotel at 3015 Centre Pointe Drive (PF18-006)**

City Planner Paschke briefly reviewed this request, recommending approval as detailed in the RCA dated July 9, 2018.

Councilmember Etten asked about the green space in this PUD and whether it will be preserved.

City Planner Paschke responded this has been discussed generally. The PUD is predicated upon incorporating the green space within those ponds. Overall, every site has to average about 25% green space.

Councilmember Etten stated he wants to ensure the applicant understands this is not a normal space as far as putting asphalt over the whole thing.

Councilmember McGehee asked about the tax impact as well as the difference in types of job between the hotel and the previously proposed storage facility.

City Planner Paschke responded he is not sure about the tax impact.

Councilmember McGehee stated she is not clear on the quality and quantity of jobs in a hotel. She was not impressed with their sketch to fill in a pond and not to do underground parking.

Mayor Roe asked if the Council has any question for the applicants.

Tom Noble, Chief Manager of Roseville Centre Lodging, 1660 Highway 100 S, St. Louis Park, introduced the landowner Rick Kuela.

Councilmember Etten asked whether Mr. Noble is aware of the requirements for green space.

Mr. Noble responded affirmatively. Since this project began a year ago, everything that has been discussed tonight has been a consideration. The PUD requires a minimum of 25% of green space. Currently the applicant is at 23.5% of green space, and the intent is to make a fully compliant application.

Councilmember Etten asked about an above-ground pond.

Mr. Noble recalled the numerous meetings that have been held with the Rice Creek Watershed District in order to understand the history of the area as well as meeting the needs of the District. Years ago, there was a design that envisioned some stormwater retention being built into this area. Based on actual need at the

time of construction, that pond never was built as a stormwater retention pond. That is his understanding based upon meetings with the Rice Creek Watershed District. It was intended in concept to be a pond that holds water 100% of the time. In fact, it was not built to that specification. It is not a functioning pond from a water management perspective. So, something will have to be built to handle stormwater management. The challenge is the uses of this area and trying to manage what is a very small site of 1.4 acres. The site cannot be developed with traditional stormwater retention and engineering built in.

Councilmember McGehee asked about underground parking.

Mr. Noble responded that underground parking would not make financial sense. Regarding jobs, this will be an 86-unit hotel. The creation of 12 full-time jobs is anticipated. He noted that the jobs will be housekeeping, engineering, desk service jobs, and management. Additionally, there will be approximately 12-14 part-time jobs to backfill peak times. The front desk worker is about \$14/hour plus benefits and 401(K). Housekeeping is \$13/hour before benefits. Twenty hours a week is industry standard to cut off benefits to the part-time staff, though the goal is not to try to deny benefits based on hours. He has been in this business a long time; it does not help the service side or quality assurance side to create a cost-effective employee over a quality employee.

Councilmember Willmus asked about the room rental rate.

Mr. Noble responded he is waiting for the Rev-PAR study. The goal is to have a Rev-PAR in the upper \$80 range. The goal is to open in April 2020.

Councilmember Laliberte asked whether there is more capacity for more rooms in Roseville.

Mr. Noble responded the room supply number in Roseville is approximately 1375. There is a 75% occupancy average. He noted this is a cyclical industry. On average, there is a 3.3% Rev-PAR growth. Based upon that growth, the City can support 35 new rooms a year. By the time it opens, the hotel will have consumed in demand the number of new rooms. There will not be negative impact on existing hotel supply. The existing supply is older, and there is an opportunity to refresh the inventory.

Mr. Kuela introduced himself as the property owner. He has owned the land since 2000. He has considered various projects over the years and believes this is the best use for this land. He believes in the project so strongly that he has invested in the property and is a 10% owner.

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

Etten moved, Willmus seconded, approval of the Concept PUD, an amendment to the Centre Pointe PUD (Attachment D) allowing a fourth hotel on property addressed at 3015 Centre Pointe Drive.

### **Council Discussion**

Councilmember Etten stated this fits the different uses in the use chart for the PUD. This has been a difficult spot to fill, and this is a good way to move forward.

Councilmember Laliberte inquired what the Roseville Visitors Association would comment on this.

Mayor Roe noted that he has already inquired with the RVA. There is concern among existing hotels about the competition, but they also understand the marketplace and understand this product. It was not enthusiastic support or opposition.

Councilmember McGehee stated she does not like the green space plan. She also noted that she would rather have this replace a couple of other hotels in town.

Mayor Roe declared support for the motion. This is a particularly high focus area and there is desire for jobs and economic activity. Another hotel feels like a little bit of a compromise, but he is supportive of the motion.

#### **Roll Call**

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

**Nays:** None.

Etten moved, Willmus seconded, to continue the Council meeting to the completion of the agenda.

#### **Roll Call**

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

**Nays:** None.

Councilmember Laliberte asked staff to bring back the previously requested updates to the Planned Unit Development based upon prior feedback given by the Council.

- k. Consider a Minor Plat to Re-Plat an Existing Lot into a Larger Lot for the Property at 2030 County Road D (PF17-019)**

City Planner Paschke briefly reviewed this request, recommending approval as detailed in the RCA dated July 9, 2018.

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

Etten moved, McGehee seconded, adoption of Resolution No. 11521 (Attachment D), entitled "A Resolution Approving the Minor Plat of Pettersen Estates."

**Roll Call**

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

**Nays:** None.

- I. Consider an Ordinance Prohibiting the Trapping of Animals in Roseville**  
City Manager Trudgeon briefly reviewed this request, recommending approval as detailed in the RCA dated July 9, 2018.

Councilmember Etten asked about a prior situation of a homeowner removing raccoons from her property that were damaging her deck.

City Manager Trudgeon responded that may fall under exception B.

Mayor Roe offered an opportunity for public comment.

**Laura Seigler, 1857 Heron Ave,**

Ms. Seigler expressed support of the ordinance. She is concerned about domestic animals and injury to people because of these traps.

**Christine Coughlin, 2615 34<sup>th</sup> Ave S, Minneapolis**

Ms. Coughlin commented this ordinance is very well written and is quite balanced and allows for removal of nuisance animals. There is definitely a preference for non-lethal solutions. This is in alignment of the public, which broadly viewed trapping as non-humane. Pets are getting caught in traps by accident.

**Scott Slocum, White Bear Lake,**

Mr. Slocum indicated this is an excellent ordinance, as it would encourage people to look for better solutions.

Laliberte moved, McGehee seconded, enactment of Ordinance No. 1561 (Attachment B), entitled "An Ordinance Regulating Trapping of Animals in the City of Roseville."

**Roll Call**

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

**Nays:** None.

Laliberte moved, Willmus seconded, enactment of Summary Ordinance No. 1561 (Attachment C), entitled “An Ordinance Regulating Trapping of Animals of the City of Roseville.”

**Roll Call (Super-Majority)**

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

**Nays:** None.

Laliberte moved, McGehee seconded, enactment of Ordinance No. 1562 (Attachment D), entitled “An Ordinance Amending Chapter 314.052, Fee Schedule, Administrative Fines.”

**Roll Call**

**Ayes:** Willmus, Laliberte, Etten, McGehee 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 June 18, 2018 City Council Meeting Minutes**

McGehee moved, Etten seconded, approval of the June 18, 2018 City Council Meeting Minutes as presented.

**Roll Call**

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

**Nays:** None.

**b. Approve June 18, 2018 EDA Minutes**

McGehee moved, Etten seconded, approval of the June 18, 2018 EDA Meeting Minutes as presented.

**Roll Call**

**Ayes:** Willmus, Laliberte, Etten, McGehee 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 July 9, 2018 and related attachments.

**a. Approve Payments**

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

ACH Payments	\$736,859.55
89754-89923	\$1,357,010.17
<b>TOTAL</b>	<b>\$2,093,869.72</b>

**Roll Call**

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

**Nays:** None.

**b. Approve Agreement for MN-DOT Community Roadside Landscape Partnership Program**

c. Etten moved, Willmus seconded, Adoption of Resolution No. 11520 (Attachment B) entitled, "Resolution Authorizing Approval of MnDOT Community Roadside Landscape Partnership Program Agreement" and authorizing staff to enter into an agreement with Mn-DOT regarding the Community Roadside Landscape Partnership Program (Attachment B).

**Roll Call**

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

**Nays:** None.

**d. Approve Temporary On-Sale Liquor License**

Etten moved, Willmus seconded, approve the Temporary On-Sale Liquor License (Attachment A).

**Roll Call**

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

**Nays:** None.

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

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

**Roll Call**

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

**Nays:** None.

**f. Approve Comprehensive Surface Water Management Plan Update (CSWMP)**

Etten moved, Willmus seconded, approval of Comprehensive Surface Water Management Plan Update (Attachment A).

**Roll Call**

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

**Nays:** None.

**g. Approve Fee Schedule Modifications**

Etten moved, Willmus seconded, enactment of Ordinance No. 1558(Attachment A) entitled, "An Ordinance Amending Title 3, Chapter 314, Fee Schedule."

**Roll Call**

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

**Nays:** None.

Etten moved, Willmus seconded, enactment of Ordinance No. 1558 (Attachment B) entitled, "Ordinance Summary Amending Chapter 314, Fee Schedule."

**Roll Call**

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

**Nays:** None.

**h. Approve Text Ordinance Amendments to Chapter 402 and Chapter 403**

Etten moved, Willmus seconded, enactment of Ordinance No. 1559 (Attachment A) entitled, "An Ordinance Amending Selected Text of the Roseville City Code, 402.02: Definitions and 402.13: Placement of Containers."

**Roll Call**

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

**Nays:** None.

Etten moved, Willmus seconded, enactment of Ordinance No. 1560 (Attachment B) entitled, "An Ordinance Amending Selected Text of the Roseville City Code, Title 4, Chapter 403, Recycling Collection."

**Roll Call**

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

**Nays:** None.

Etten moved, Willmus seconded, enactment of Ordinance Summary Nos. 1559 & 1560 (Attachment C) entitled, "An Ordinance Amending Selected Text of the Roseville City Code, Title 4, Chapter 402, Solid Waste Collection and 403, Recycling Collection."

**Roll Call**

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

**Regular City Council Meeting**

**Monday, July 9, 2018**

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**Nays:** None.

**i. Approve Minnesota Financial Crimes Task Force Multiple Agency Law Enforcement Joint Powers Agreement (JPA)**

Etten moved, Willmus seconded, approval of Joint Powers Agreement allowing for the required City of Roseville signatures, specifically the City of Roseville Mayor, City of Roseville Manager and City of Roseville Chief of Police (Attachment A).

**Roll Call**

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

**Nays:** None.

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

City Manager Trudgeon indicated the Council will meet at the Cedarholm Community Building for next week's work session.

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

**12. Adjourn**

Willmus moved, Etten seconded, adjournment of the meeting at approximately 10:17 p.m.

**Roll Call**

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

**Nays:** None.

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Daniel J. Roe, Mayor

ATTEST:

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Patrick J. Trudgeon, City Manager