



**Regular City Council Meeting Minutes
City Hall Council Chambers, 2660 Civic Center Drive
Monday, September 10, 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 and City Attorney Mark Gaughan were also present.

2. Pledge of Allegiance

3. Approve Agenda

City Manager Trudgeon requested removal of Item 7c, Consider a 90-Day Extension to the Interim Use approval for 2720 Fairview Avenue – PF15-016.

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

Council Discussion

Councilmember Laliberte stated she had a question on Item 9c.

Councilmember McGehee indicated she had a comment on a couple of the consent items.

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. No one appeared to speak.

5. Recognitions, Donations, and Communications

5a. Proclamation Kiwanis Peanut Day 2018

Mayor Roe invited representatives from the Kiwanis Club to come before the City Council and discuss Peanut Day and activities related to it.

Mr. Brian Bergin, President Golden K Kiwanis Club, explained the mission of the Kiwanis Club and what it does for the community.

Mayor Roe thanked the Kiwanis Club and read the Proclamation declaring September 21, 2018, Golden K Kiwanis Peanut Day.

Etten moved, Willmus seconded to adopt the Proclamation declaring Golden K. Kiwanis Peanut Day on September 21, 2018.

Roll Call

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

Nays: None.

7. Business Items

a. Police Civil Service Commission Joint Meeting

Commissioner Randi Lindell briefly highlighted this item as detailed in the RCA and related attachments dated September 10, 2018.

Member Lindell stated she has been on the Police Civil Service Commission for two years and has lived in Roseville since 1993. She reviewed the Police Civil Service Commission activities and accomplishments and highlighted the work plan for the upcoming year.

Member Lindell thought Chief Mathwig's newsletters continued to be a valuable asset to the community. She indicated there is a lot of community outreach going on that the public appreciates.

Member Lindell emphasized Chief Mathwig's request for a Mental Illness Officer due to the rise in suicide rates and opioid epidemic. She stated public safety is a vital concern in the community as well.

Mayor Roe stated the City of Maplewood's Council is meeting to consider an Ordinance to get rid of their Police Civil Service Commission. One of their arguments put forward in the packet information was the notion that use of a Police Civil Service Commission excessively lengthens the hiring process and Maplewood felt it was an impediment to hiring good qualified people on the police force. He wondered if that topic had come up at the Roseville Police Civil Service Commission related to Roseville's hiring process.

Member Lindell stated the Roseville Police Civil Service Commission meetings tend to last 30 minutes as it is very efficient, Chief Mathwig is well prepared, and the rationales are in writing. She stated the discussion is substantive and she appreciated being part of the Commission. She thought having a Civil Service Commission was an added value for the police force because the Commission can respond in a knowledgeable and thoughtful way about the internal workings of the Police Department. She also thought that helps represent in a positive way their public safety to the larger community. She requested the City Council keep the Commission on board.

Mayor Roe thought it may be something for the Police Civil Service Commission to look at over the next year, to review Maplewood's case and rationale and whether it would apply to Roseville.

Councilmember Willmus stated he liked citizen involvement in the front end when the City is bringing potential officers on and during the screening process. He really appreciated that and thought it was a value added for the City. He stated he would be curious to learn why Maplewood is going in that direction. At this point, he would not have any inclination of disbanding the Police Civil Service Commission in Roseville.

Member Lindell indicated she would follow up on the Maplewood item.

b. Adopt an Interim Ordinance (moratorium) Temporarily Prohibiting Drive-Throughs in the Neighborhood Business (NB) District

City Planner Thomas Paschke briefly highlighted this item as detailed in the RCA and related attachments dated September 10, 2018.

Mayor Roe asked if the City Council would need to end the Interim Ordinance through a repeal should the City finish the study early and is ready to put into place any changes to the City Zoning Ordinance.

City Attorney Gaughan indicated that was correct.

Mayor Roe offered an opportunity for public comment with nobody appearing to speak on this matter.

Willmus moved, McGehee seconded, enactment of Ordinance No. 1565, (Attachment A), An Interim Ordinance Temporarily Prohibiting Drive-Throughs as Conditional Uses in the Neighborhood Business District of the City of Roseville.

Council Discussion

Councilmember Willmus thought there was considerable discussion at the August 13, 2018, meeting with regard to the intent and scope and he believed as described in the attachment, it falls in line with that conversation.

Roll Call

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

Nays: None.

c. Consider a 90-Day Extension to the Interim Use approval for 2720 Fairview Avenue

This item was previously removed from the agenda at the beginning of the meeting.

d. Appoint Members to the Human Rights, Inclusion and Engagement Commission

Mayor Roe briefly highlighted this item as detailed in the RCA and related attachments dated September 10, 2018.

Mayor Roe offered an opportunity for public comment with nobody appearing to speak on this matter.

Willmus moved, Etten seconded, appointment of Ahmed Hassan to the HRIEC for term ending March 31, 2019 and appointment of Jill Eck to the HRIEC for term ending March 31, 2020.

Council Discussion

Councilmember Willmus indicated the City had a strong pool of applicants. He stated for those that did not get appointed, he hoped they will stay involved and in contact as there are vacancies on the Commissions from time to time.

Councilmember Etten concurred, thinking both of these candidates brought backgrounds and viewpoints to the Commission that would make it stronger and fill spaces that were not part of the Commission up to this point. He looked forward to their service and appreciated those who did apply.

Mayor Roe stated there may be vacancies on the Commission if people decide not to reapply for their position in March of 2019. He noted the Human Rights Inclusion Engagement Commission are undertaking a number of activities in the next year and there are plenty of opportunities for people to participate as volunteers.

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 August 27, 2018 City Council Meeting Minutes

McGehee moved, Laliberte seconded, approval of the August 27, 2018 City Council Meeting Minutes as amended.

Corrections:

- **Page 17, Line 757 (Mayor Roe)**

Mayor Roe noted both Councilmembers made corrections at that time and both were incorporated. He suggested striking all of the red text and keeping the blue text on lot size in that location. He deferred to Councilmember McGehee if she preferred this correction to be a different way.

Councilmember McGehee concurred with Mayor Roe's suggestion.

- **Page 20, Line 871-873 (Mayor Roe)**
Revise the end of the paragraph to indicate: "Linnae Boyer, Miss Katrina Mendoza, Ms. Bethany Palm, and Mr. Brett Rose were not present to be interviewed."
- **Page 13, Line 567 and Page 15, Line 635 (Etten)**
Insert Ordinance Number.
- Councilmember Etten noted the meeting minutes tend to use the word "they" frequently without specificity, leaving some question as to who "they" was referring to. Mr. Trudgeon stated he noticed that as well and staff has already communicated with the minute taker about the need for more clarity as to who is being described.

Mayor Roe stated he has noticed this the last couple of times along with the Commission minutes he has reviewed. He asked on behalf of the Council and Commissions, for more diligence on the part of staff and the minute taker.

- **Page 7, Line 293 (Laliberte)**
Change "if they are" to "the Council is not"
- **Page 7, Line 297 (Laliberte)**
Change the word "they" to "the Council"

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 September 10, 2018 and related attachments.

a. Approve Payments

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

ACH Payments	\$866,795.84
90559-90706	462,645.63
TOTAL	\$1,329,441.47

Roll Call

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

Nays: None.

b. Approve Business Licenses

Willmus moved, Etten seconded, approval of the Massage Therapy Establishment License.

Roll Call

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

Nays: None.

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

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

Roll Call

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

Nays: None.

d. Consider the Issuance of a Premises Permit for Minnesota Fastpitch Academy Foundation to Conduct Lawful Gambling Activities at 1754 Lexington Avenue N (Ol' Mexico)

Willmus moved, Etten seconded, adoption of Resolution No 11532 (Attachment A) entitled, "Resolution Approving A Lawful Gambling Premise Permit to Minnesota Fastpitch Academy Foundation", pending successful background checks.

Roll Call

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

Nays: None.

e. Approve Roselawn Jurisdictional Transfer Agreement

Willmus moved, Etten seconded, adoption of Resolution No. 11533 (Attachment A) entitled, "A Resolution Transferring Jurisdiction over County State Aid Highway 26 (Roselawn Avenue) Between the West Right-Of-Way Line of State Highway 280 and Fulham Street."

Roll Call

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

Nays: None.

f. Approve entering Agreements with Minnesota Commercial Railway

Willmus moved, Etten seconded, approving a Crossing Surface Installation Agreements with Minnesota Commercial Railroad to extend the railroad crossings at Walnut St within Roseville.

Roll Call

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

Nays: None.

g. Approve 3110 Old Highway 8 Encroachment Agreement

Willmus moved, Etten seconded, Approving 3110 Old Highway 9 (Edison Land, LLC) Encroachment Agreement.

Roll Call

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

Nays: None.

h. A Resolution Amending a Conditional Use for Chick-Fil-A at the HarMar Mall (PF18-005)

Willmus moved, Etten seconded, adoption of Resolution No. 11511-A (Attachment A) entitled, "A Resolution Amending a Conditional Use for Chick-Fil-A at the HarMar Mall (PF18-005)."

Roll Call

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

Nays: None.

i. Approve Fairview Trunk Storm Sewer Analysis Cooperative Agreement with Ramsey County

Willmus moved, Etten seconded, approve the Cooperative Agreement with Ramsey County for their cost participation for the Fairview Trunk Storm Sewer Analysis in the amount of \$13,844.00.

Council Discussion

Councilmember McGehee stated on Item 9f, regarding Commercial Railways, she talked to staff and the Public Works Department to be sure City staff was paying attention to quiet crossings. Staff had stated the railway and the City are in fact doing the things it can to get ready for quiet crossings.

Councilmember McGehee stated in regard to Old Highway 8, she wanted to bring it to the Council's attention that in looking at the site plan to figure out where the encroachment was, she was struck by the changes in the site plan from what the Council had seen at the meeting previously, including the placement of any community building or pool and playground area.

Councilmember McGehee thought there were some significant changes from the time the Council saw the site plan at their initial meeting. She noted that there was one tot lot shown for the development. She understood the City Planning Department was working on that because the tot lot was moved from the area the where it was previously located to a small area next to a parking lot along a path.

It seemed to her to be too small, in a poor location, and unsafe. She thought the Planning Commission and Community Development Department were also trying to address some of those issues.

Councilmember McGehee indicated she was going to vote to pass the consent agenda, but she did not like drive-throughs in parking lots as being considered in Agenda Item 9.h.

Councilmember Laliberte asked whether the purchase of road salt is less than expected as the expenditure is only one-third of what was budgeted or if this is only one order and other purchases of salt is expected in the future.

Public Works Director Marc Culver stated the budget the City Council is seeing is the remaining budget in the City's operating supplies and salt is a component of that. In 2019, staff is going to do a better job of breaking out the individual items within the operating supplies budget. He indicated the City still has 300 or 400 tons of salt in the storage facility. But, the City may come back in 2019 to purchase additional road salt if it is a bad winter.

Mr. Culver explained that during the 2013-2014 winter season, the City almost ran out of road salt. So, for the next couple of years, the Public Works Department made a conscious effort to build up the storage of road salt so the City would always have some to carry over into the next year.

Roll Call

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

Nays: None.

4. Public Comment – continued

Councilmember Willmus indicated some people came into the meeting after it was called to order and he did not know if the residents had something to say because the Council was going through the agenda fairly quickly.

Mayor Roe stated that is a good point, noting there was public comment at the beginning of the meeting and no one came forward. He asked if anyone was at the meeting for non-agenda items.

Public Comment

Ms. Jessica Kearns, 1647 County Road B, Unit 4, stated she was at the meeting due to an issue with her landlord and retaliation and discrimination. She stated she has been working mostly with Councilmember McGehee on this issue. She wanted to put this on record at the Council meeting and ask how the City can, if at all, support her in this issue because this is an ongoing issue and has high stakes for her as a resident of the City. Ms.

Kearns indicated she was frustrated and upset with what has been going on and asked if she should briefly describe the issue to the Council.

Mayor Roe indicated the Council was aware of the issue so in the interest of not having certain information out in the public, it might be better to not go into too much detail.

Ms. Kearns stated it is awful and horrible to be going through this and to feel forced out of her unit for doing nothing wrong and not having support in her matter. She wondered where the support was for her, as a resident, in this situation. She noted this was frustrating and she was doing everything she could. She stated she has filed a HUD and Human Rights complaint so there will be a formal investigation but that takes so long.

Ms. Kearns stated in the meantime, she has been looking around but a lot of landlords in Roseville do not accept Section 8 for various reasons. She would like to stay in the City of Roseville as her son has mental health needs and she loves Brimhall, which works with her son. She is trying to figure out how she can stand up for herself and not be forced out of her house or the City where she has lived for the last fourteen months. She indicated she wanted to put this on the record and continue to say this is an ongoing issue and would appreciate any support the City could provide on her behalf.

Mayor Roe stated he appreciated Ms. Kearns coming before the Council and reaching out to the City with her problem. He understood Ms. Kearns has received some assistance from City staff as well in terms of making connections with assistance that can be provided.

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

Mr. Trudgeon reviewed the Future Meeting Agenda Highlights. He noted on September 17, 2018, there will be a City Council Work Session with three items. He also reviewed the September 24, 2018, City Council and EDA Meeting and the October 8, 2018 City Council Meeting.

11. Councilmember-Initiated Items for Future Meeting

Councilmember McGehee stated she would like discussion on a future agenda about Zoning Regulations for green space and areas for multi-family units that are built in Roseville. She stated the alleged tot lot at Sienna Green is a 16-foot diameter filled with pea gravel and a cement curb with a climbing structure in the middle. She thought the City could do better than that for families and people with children living in the community and rental units.

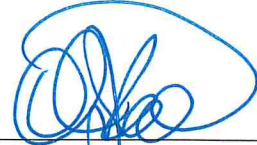
12. Adjourn

Etten moved, Laliberte seconded, adjournment of the meeting at approximately 6:50 p.m.

Roll Call

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

Nays: None.



Daniel J. Roe, Mayor

ATTEST:



Patrick J. Trudgeon, City Manager