



Regular City Council Meeting Minutes
City Hall Council Chambers, 2660 Civic Center Drive
Monday, July 10, 2017

1. Roll Call

Mayor Roe called the meeting to order at approximately 6:08 p.m., immediately following the REDA meeting. Voting and Seating Order: Willmus, Etten, McGehee, Laliberte and Roe. City Manager Trudgeon and City Attorney Mark Gaughan were also present.

2. Pledge of Allegiance

3. Approve Agenda

Councilmember McGehee requested removal of Item 9.d from the Consent Agenda for separate consideration.

McGehee moved, Etten seconded, approval of the agenda as amended

Roll Call

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

Nays: None.

4. Public Comment

a. Dr. Maryam Beltran Shapland, MD, 1025 Nebraska Avenue W, St. Paul

Dr. Shapland presented written comments as a bench handout, informing the City Council of her recent experience with alleged racial profiling at a Roseville retailer. Dr. Shapland asked the City Council to take action about this shameful business practice happening in the community.

b. Angela Byrne, 1894 Chatsworth Street N

Ms. Byrne presented written comments as a bench handout, in support of Dr. Shapland's unfortunate recent experience; and asked for a City Council response to the situation in the near future.

c. Julie Strahan, 1260 Shryer

Ms. Strahan spoke in support of Dr. Shapland and her unfortunate recent experience and how upset she was with that experience and ongoing racial tensions apparent in the Roseville community. Ms. Strahan expressed frustration with recent changes to the former Human Rights Commission and the lack of information and recourse available on the city website based on her research. Ms. Strahan opined that there was a serious need to address this and other issues and a clear process to handle racial and ethnic diversity issues or areas of concern. Ms. Strahan further opined that the city needed to find a way to enact ordinances reflecting the needs of those living here. Ms. Strahan stated that she continued to hear from people who do not feel welcome in their own community; and implored the City Council

to explore how to put an ordinance within Roseville's purview involving anti-discrimination and addressing the reality of the statements made in the *Imagine Roseville 2025* documents and community visioning. Ms. Strahan stated that it was her goal that all people felt welcome and valued in her community.

d. Etienne Djevi, 851 Sextant Avenue W

Mr. Djevi presented written comments as a bench handout, in support of Dr. Shapland and this unfortunate experience as a fellow minority resident, and clarified that he was speaking tonight as a resident and not in his role as a member of the newly-created Human Rights, Inclusion and Engagement Commission (HRIEC). Mr. Djevi shared similar personal experiences as a black person and those relayed to him by other minorities in Roseville. Mr. Djevi gave the City Council credit for their efforts in making Roseville a welcoming community for all and inclusion and diversity efforts. However, Mr. Djevi opined that now is an opportunity for the City Council to make minorities and Dr. Shapland feel welcome by putting action behind the words. Mr. Djevi provided some suggestions that the City Council could use to accomplish this, including a formal policy or resolution outlining ways to deal with similar behavior in the future, including consequences (e.g. penalties), but encouraged the City Council to have some type of reporting/recording system in place to allow victims to come forward with a follow-up investigation by the City. In conclusion, Mr. Djevi encouraged the city to not stay silent, opining that residents expected their city leaders to stand up for them and their rights to ensure respect and human decency for all; as well as becoming leaders for the rest of the state, country and world by showing them what Roseville stands for.

e. Frank Strahan, 1260 Shryer Avenue

Mr. Strahan spoke in support of Dr. Shapland in experiencing this unfortunate episode; and urged the City Council to take action to revoke this business's license. Mr. Strahan reviewed other experiences that he was aware of at this particular business as well as others in Roseville. Mr. Strahan opined that the City Council has in the past continued to ignore various misdeeds similar to this by its corporate citizens in Roseville. Mr. Strahan stated that the City Council would be hearing from him again regarding these issues.

f. Kathy Ramundt, 1161 Laurie Road

Ms. Ramundt spoke in support of Dr. Shapland; opining that this should serve as a warning sign for Roseville, especially after recent events in and experiences of an adjacent community. Ms. Ramundt extensively reviewed other experiences that she was aware of having been experienced by friends and acquaintances, causing concern for the safety of minorities in Roseville and the broader metropolitan area, including at the Ramsey County Library – Roseville branch. Ms. Ramundt opined that "all was not well in Roseville" and that the issues went beyond paranoia, and over the last year had taught her that it was no longer a choice that the city could deny or ignore this issue. Ms. Ramundt commended the role model

provided by Roseville Police Chief Mathwig and his sincere efforts at listening more and promoting changes in the Police Department and among his officers.

Ms. Ramundt opined that the City Council needed to take concrete steps to show support for the Human Rights, Inclusion and Engagement Commission (HRIEC) beyond the Mayor and Councilmember Laliberte leading their meetings. Ms. Ramundt reviewed past experiences with the former Human Rights Commission and the now-defunct Community Engagement Commission and expressed her frustration with the combination of these two in to the HRIEC and the potential loss of the human rights component. Ms. Ramundt opined that this was a leadership opportunity for the City Council, and noted that they had been told before that things were not all good in Roseville; asking that the City Council take care of the city and do something now.

g. Tracy Sweetall, Resident of Woodbury, MN and former resident of Roseville (her father resides on Geismann Street in Roseville)

As an Emergency Room Nurse working with Dr. Shapland, Ms. Sweetall spoke on behalf of Dr. Shapland and her character and professionalism even when under duress or when disrespected. Ms. Sweetall stated that she was appalled that this had occurred in Roseville and asked that the City Council find justice for its residents of color.

h. Sherry Sanders, McCarrons Blvd.

Ms. Sanders spoke to the need for the City Council to work on the city reaching its full potential and to continue to work on what is trying to be accomplished in Roseville to make a difference and become the “city on a hill” rather than allowing barriers to be put up.

i. Alex Lodner, 1072 Merry Lane (Como Neighborhood), St. Paul

While not able to speak to happenings in Roseville, Mr. Lodner reported that he had spoken to the owner of this retail establishment after finding out what had happened to Dr. Shapland, and was told the same things reported by her. Mr. Lodner offered to respond to any questions of the city during their investigation and encouraged them to reach out to him to hear about his experience with Roseville retailers as well.

Mayor Roe thanked tonight’s speakers for bringing this to the City Council’s and public’s attention; stating that personally this treatment was not acceptable in Roseville, nor did it correspond with ongoing efforts of the new Imagine Roseville community initiatives. Mayor Roe clarified that this effort and its tagline “Imagine Roseville” was separate from the initial *Imagine Roseville 2025* community visioning process, but in a sense grew out of that and was intended to create connections as the community’s demographics continued to change. As part of the Imagine Roseville planning effort, Mayor Roe assured tonight’s speakers and the public that previously-expressed community concerns with Roseville business transactions and consistent customer experiences at local businesses were on this group’s radar screen, and advised that he would suggest to that planning group

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that it start looking at additional areas to work through as part of those items on the group's list to be addressed.

Specific to the investigation of this incident and others, Mayor Roe advised that the Minnesota Department of Human Rights had jurisdiction and complaint process, and it was his understanding that a recommendation had been made to file such a complaint by Dr. Shapland.

Specific to city licensing, Mayor Roe stated that he would be interested in taking this and similar incidents into account when considering liquor license renewals or business licenses as applicable at a municipal level, while remaining cognizant of due process. Mayor Roe noted that meeting the aspiration of the community to be welcoming, inclusive and respectful remained a work in progress; but assured the public of the City Council's interest in listening and taking these concerns into account.

Councilmember Willmus opined that, since this establishment has a municipally-issued liquor license, the city could exert leverage over the privilege of obtaining and/or renewing that license. Councilmember Willmus stated that he found it troubling that this was happening in Roseville and opined that he would be more than happy to take a hard look at the continuation of their license if this continues to be an ongoing issue at this Roseville retailer.

Councilmember Etten agreed with the comments of Mayor Roe and Councilmember Willmus, stating that this was a terrible way to run a business.

Councilmember McGehee, as one member of the City Council having spoken to many of those present in tonight's audience, advised that she had provided some potential ideas to City Manager Trudgeon in response to this issue. Councilmember McGehee opined that the City Council had the moral and ethical obligations as elected officials and its oath to support the State Constitution; and suggested that between the City Manager and City Attorney an effective process could be found for the city to deal with businesses and members of this community who are treated in such a manner. Councilmember McGehee opined that it was the responsibility of a business owner to have cameras in their stores to track activities without the need to racially profile its customers. Councilmember McGehee stated that she felt strongly about and was outraged about this situation, and thanked those willing to publicly come forward tonight to speak. Councilmember McGehee stated her hope that it would result in a process and policy that would send a clear message that this was not acceptable behavior in Roseville.

Councilmember Laliberte concurred with her colleagues, and agreed that the liquor license provided an ability to consider potential revocation at a local level and beyond the state's Department of Human Rights purview. For the record, Councilmember Laliberte stated that this was not acceptable in Roseville, nor was it how the community wanted its residents or neighbors to be treated.

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Mayor Roe again thanked those attending and speaking tonight; and asked that they continue to be part of the conversation going forward.

Recess

Mayor Roe recessed the meeting at approximately 6:49 p.m., and reconvened at approximately 6:52 p.m.

5. Recognitions, Donations and Communications

6. Items Removed from Consent Agenda

e. Approve General Purchases and Sale of Surplus Items in Excess of \$5,000

Councilmember McGehee referenced the recent webinar program regarding Emerald Ash Borer (EAB) treatments and potential revisions to the city's current policy for treatment and/or removal, along with expanding that information and education to private parties. Given the financial impacts, Councilmember McGehee asked that the Parks & Recreation Department staff look carefully at the number of trees tagged for treatment and how effective it was, since the chemicals also had impacts on ground and surface water and pollinators. Councilmember McGehee opined that this seemed like a large number of trees scheduled for treatment, noting that she had shared her report on the webinar with City Manager Trudgeon before.

Mayor Roe asked for and was granted Councilmember McGehee's permission for City Manager Trudgeon to share her report and webinar information with the remainder of the City Council.

McGehee moved, Etten seconded, approval of general purchases and contracts for services as noted in the RCA and Attachment A entitled, "2017 Summary of Scheduled CIP Items," updated June 30, 2017.

Roll Call

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

Nays: None.

6. Business Items

a. Joint Meeting of Public Works, Environment and Transportation Commission (PWETC) with the City Council

Mayor Roe welcomed PWETC Chair Brian Cihacek, Vice Chair Joe Wozniak and Commissioner John Heimerl. As outlined in the Request for Council Action (RCA) of today's date, Chair Cihacek reviewed activities and accomplishments since last meeting with the City Council; their proposed work plan for the upcoming year and transportation updates they will be undertaking as part of the comprehensive plan update process. Chair Cihacek concluded by asking for City Council feedback on three areas of interest (lines 18 – 23).

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Councilmember Etten thanked the PWETC for their ongoing work. Specific to pausing consideration of solar installation on the city campus, Councilmember Etten stated that he was disappointed that it was not pursued, opining that it was a great plan that provided financial safety to the city in buy-backs and cost benefits, as well as providing an opportunity for the City of Roseville to be a leader. Councilmember Etten expressed his hope that consideration will be given to pursuing solar energy options as part of the current facility use study, subsequently moving forward with solar to do the right thing for the long-term financial and environmental benefits to the city and its taxpayers.

As to additional areas of interest he'd like the PWETC to pursue, Councilmember Etten asked that they work with staff to report on how new road treatments or construction is working and any potential policy changes needed for the road system and condition indexes as a result of past delamination issues and pausing of the sealcoating process and shifting of those resources to mill and overlay projects.

Councilmember McGehee agreed with Councilmember Etten on the mill and overlay issues and questions she continually heard from residents about road conditions; and asked for a report on results to-date of the Minnesota Department of Transportation (MnDOT) study on the regional delamination issue.

Specific to solar installation, Councilmember McGehee agreed that it was a good idea and noted that the price continued to decrease; however, she stated that she didn't support the previous solar installation proposal as she found it not a good program or financial deal for the city based on her discussions with other council members in other communities on the need for hard negotiation to obtain a reasonable price and return for the city versus only for those private parties initially funding a project. While not opposed to solar installation, Councilmember McGehee expressed hope that staff and the City Attorney could bring it back for future consideration.

Councilmember McGehee stated that she liked the idea of ways for residents to better manage water consumption; but noted the need for the city set an example rather than the situation she'd observed when arriving at City Hall tonight with sprinklers set to water pavement rather than plantings.

Regarding the sanitary sewer, Councilmember McGehee referenced sump pump disconnections as part of the phased process of meter installation; and asked that the PWETC evaluate that process and how to address this apparent problem issue in Roseville, more common than she was originally aware.

Specific to stormwater issues, Councilmember McGehee advised that Public Works Director Culver had agreed to view the webinar she and Parks & Recreation Director Brokke had attended as it related to public works areas of interest (e.g. tree canopies to shade pavement; benefits of trees for stormwater clarity lo-

cally and from a broader perspective). Councilmember McGehee stated that she had recommended to City Manager Trudgeon that tree management be a budget line item in subsequent city budgets in the Public Works Department. Specifically, Councilmember McGehee noted that the inspection of sump pump connections started part way through the meter replacement program, so some illicit connections might have been missed as a result.

For clarification, Chair Cihacek noted that last year the PWETC had discussed particular species for plantings and advised that they would continue to do so beyond water quality issues.

Specific to solar energy, Chair Cihacek asked what Councilmember McGehee considered would constitute a good deal to the City Council above and beyond the one presented and that they felt would better fit the city's needs.

Councilmember McGehee responded that she preferred more flexibility in the contract based on her reading of what had originally been proposed, since the element of risk (e.g. downtimes, storm damage, roof leaks, etc.) all seemed to fall upon the city. Also, Councilmember McGehee expressed concern with the projected annual rate increases and whether they were realistic for a public utility. Councilmember McGehee expressed further concerns that if and when the city inherited the system, it would eventually be responsible for its disposal, since the solar panels contained hazardous waste requiring further risk and expense.

Councilmember Willmus addressed water conservation efforts as part of the upcoming PWETC work plan, and asked that they pursue more proactive ways that the city could incent natural landscapes rather than large expanses of sod, particularly at shopping and large commercial areas, as well as for homeowners to explore options for more natural settings and how the city's permitting system supported it (e.g. water conservation credits).

Councilmember Willmus spoke in support of the PWETC's recommendations on how to incent installation of sewer backflow prevention devices through new or replacement of existing lines to diminish the city's liability over time.

Also, with ongoing reports of lead pipes in homes, Councilmember Willmus asked the PWETC to provide more information on whether this is a problem in Roseville homes, including potentially with lead used in copper joint sweatings.

Chair Cihacek advised that the PWETC had previously discussed that with staff, and had understood that lead pipes were not a major issue in Roseville due to the age of its housing stock; but stated they would ask staff to provide that study information to the City Council as well.

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Mayor Roe noted that at the time of the Flint, MI issues and news reports, city staff had reported that the city's own system didn't have lead in it, but agreed that homes were an entirely different aspect that needed further clarification.

Councilmember Willmus reiterated his concern in finding out if there were any erosion or exposure issues from lead used in those copper joint sweatings.

Councilmember Laliberte thanked the PWETC for their work. Going forward, Councilmember Laliberte agreed with the need for a report on the delamination issue and what had been learned to-date as it affected the city's existing policy and future revisions to it if needed.

Specific to solar energy, Councilmember Laliberte stated that she was in agreement with the pause until the facility use study was completed for all city buildings.

Councilmember Laliberte clarified that she had been a proponent of the sewer warranty program; and continued to field questions from residents on the homeowner's responsibility past the curb related to street repair, recognizing that there remained considerable angst about the unknowns.

While perhaps not being under the city's purview, Councilmember Laliberte suggested that Roseville and other cities and MnDOT consider going beyond discussions or complaints about problematic bus routes in Roseville, and make formal recommendations to Metro Transit for improved routes and/or stops to improve service.

Specific to traffic, Councilmember Laliberte noted the number of complaints she'd fielded over the last two years about traffic pressure points in Roseville, as well as being cognizant of the Metropolitan Council's suggestions to add more housing density to the community. Along with robust development of various commercial areas in Roseville that was all good, Councilmember Laliberte noted the problems encountered by many residents on those major roadways who now can't get out of their driveways (e.g. Hamline Avenue). Councilmember Laliberte asked that the PWETC consider those pressure points, whether city, county or state roads, and include them on the priority radar to determine what if any relief could be provided.

Chair Cihacek reported on recent presentations to the PWETC by Metro Transit and MnDOT and their review of problematic areas, and asked that staff share that information with the City Council as well. Of particular note, Chair Cihacek advised that the PWETC had highlighted the east/west deprivations, and response that they were addressed in future plans as money became available, but probably not in the immediate future.

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Mayor Roe echoed many of the comments of his colleagues. Specific to transit ties in the overall transportation plan, while the east/west routes made sense, Mayor Roe also noted the need to remain cognizant of those passing through Roseville on the north-south routes to work in Downtown St. Paul and/or Minneapolis, and the need to enhance those routes as well.

Specific to the PWETC's upcoming work on the Transportation and Pathway Master Plans, Mayor Roe spoke in support of them doing so. However, Mayor Roe asked that the PWETC pay careful attention to using consistent and clear criteria, expressing his support for that used in the 2008 Pathway Master Plan or asked for similar criteria to be used that provided a well-thought-out process in reviewing and prioritizing segments as and when funding became available. Mayor Roe asked that the PWETC use such a consistent method, and provide their rationale in using those criteria, as they review the pathway plan. Mayor Roe opined that of particular interest to him, and what he considered a missing component in the previous plan, was addressing missing connections from multi-family housing to public transit, even though it had been somewhat addressed with recent connections at Dale Street and County Road B. However, Mayor Roe opined that there were other relatively small segments between multi-family housing and transit within ½ block, but only currently accessible for pedestrians by using the street.

Councilmember Willmus echoed Mayor Roe's comments regarding establishing criteria for the pathway master plan process that provided consistent scoring and review of each segment. Councilmember Willmus agreed that was a flaw with the most recent review by former PWETC members as individual commissioners applied criteria in an arbitrary manner to prioritize segments. Councilmember Willmus opined that it was important for the PWETC as a group to have community-based standards for that criteria ranking.

Councilmember McGehee agreed with the comments of her colleagues related to transportation plan updates.

Councilmember McGehee stated that a remaining issue for her was private sewer lining in addition to backflow device installations. To clarify previous comments related to lead pipes in Roseville homes, Councilmember McGehee advised that there were lead pipes – since replaced – in her home; and advised that in around 1975 the practice was instituted from use of lead solder to lead-free solder to sweat joints.

Specific to lining private laterals, Chair Cihacek reported that the PWETC had reviewed this, noting it involved two different processes and contractors from that of the city's mains, and required 100% agreement by affected residents to bear the cost. Chair Cihacek advised that discussions had included whether to include such an option as part of the city's design/engineering bid process when redoing

city mains, listing pre-qualified vendors as general information and education for residents.

Councilmember McGehee clarified that she wasn't seeking any arbitrary decisions, but simply asked that the city identify a process that worked and would be compatible with city work when mains were done and responsible companies/vendors that the city felt were competent to perform that work at which point residents and individual neighborhoods could make that decision without having a negative impact on the city's main line and its construction and future operation, but providing an opportunity at that time for them to address their lateral lines.

Mayor Roe clarified, with confirmation by staff and Chair Cihacek, that when the city lines its mains, they make project information available to residents even though it was not the same technology or contractor.

Specific to stormwater management, Chair Cihacek reported that PWETC member Heimerl had anticipated commercial property planting options suggested by Councilmember Willmus and advised that the PWETC would continue those discussions. Chair Cihacek advised that the PWETC had discussed possible demonstration gardens or plantings on city-owned property and would pursue those ideas with the Parks & Recreation Commission for a possible joint project for recommendation to the City Council.

Councilmember Willmus asked that the PWETC also collaborate with the Planning Commission and Community Development Department staff as part of that discussion. Mayor Roe concurred, noting the need to consider development standards as those ideas moved forward.

Chair Cihacek thanked the City Council for their input, advising that the PWETC would report back as requested.

b. Approve Resolution Approving the Vacation of Right-of-Way of the Wagner Return

Assistant Public Works Director Jesse Freihammer advised receipt of a petition from three adjacent property owners, as reviewed in the RCA, requesting approval of the vacation of right-of-way of the Wagner return. Mr. Freihammer advised that staff recommends approval, noting that part of the vacation would include expansion of the city's property at Tamarack Park.

Councilmember Willmus asked staff for an identification of the parties that the right-of-way had initially been acquired from and if they still resided along McCarrons or connected further south. Councilmember Willmus advised that his concern was with who the property would revert to, noting requirements that vacated property needed to revert back to the original owner, causing him to question if these properties were originally acquired from properties further north; and asked that staff further investigate this background information.

Mr. Freihammer advised that the original plat had been deeded in the 1940's and had all been part of one larger development. In the displayed sketch map, Mr. Freihammer noted the angularity of the right-of-way and split among five property owners including the City of Roseville.

Mayor Roe clarified that tonight's action involved approval of the vacation, at which time the process for vacating the right-of-way would proceed and address the larger plat and ownership confirmations and impacting how the rights-of-way reverted back based on ownership rights.

Councilmember Laliberte noted that there appeared to be structures on some portions of the right-of-way.

Mr. Freihammer confirmed that one of the reasons the original petition had been filed was due to those structures in the right-of-way. Mr. Freihammer reported that one structure had been removed since this sketch map had been printed, but advised that if there were structures on the new property lines, or if the vacation approval was not granted, staff would work with property owners to get any and all structures outside the right-of-way.

Mayor Roe reviewed the process for this public hearing; with City Manager Trudgeon confirming mailed and published notices and reported that staff had received no written comments to-date.

Mayor Roe opened and closed the public hearing at approximately 7:31 p.m.; with no one appearing for or against.

McGehee moved, Etten seconded, adoption of Resolution No. 11425 (Attachment A) entitled, "Resolution Approving the Vacation of a Portion of Unused Right-of-Way of the Wagner Return within the Rolling Green Plat."

Roll Call

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

Nays: None.

- c. Consider Advertising for Bids for the Cedarholm Community Building**
Parks & Recreation Director Lonnie Brokke provided an updated project summary to-date with this design development the final step identified in Task Two, and seeking authorization to advertise for bids. As detailed in the RCA, Mr. Brokke reviewed various components and identified proposed funding sources as so far refined.

Discussion ensued related to the remaining identified balance and the balance of the Golf Course Fund; projected \$1 million gap if all existing funds are used and available options (e.g. General Obligation Port Authority Bond Issue or internal

loan from the Pavement Management Plan with or without interest or future park dedication fees even though deemed inconsistent); and impacts on existing or new levy funds or other program revenues.

City Manager Trudgeon suggested that future City Council discussions in addressing gap financing involve Finance Director Chris Miller and his suggestions for the best long-term option for the city and its taxpayers.

Mr. Brokke provided estimated operating budget forecasts for 2018, 2019 and 2020, including administration, depreciation and staffing changes, opining that his estimates were conservative based on projected revenues for different users.

Further discussion included the 2017 operating budget and adjustments for 2018 if the project proceeds with the theory that revenues from greater use of the building would offset operating costs; and sustainable design features included as Alternates One and Two (Attachment E).

Mayor Roe requested that consulting architect representatives address questions since their last presentation.

HAGEN, CHRISTENSEN & McILwain Architects (HCM Architects)

- **Tim McILwain, Architect**
- **Dan Lawrence, Architect**

Mr. McILwain highlighted design specifications (Attachment C), noting that there had been even further updates completed at 5:30 p.m. today; with those full specifications available through the Parks & Recreation Department with a complete set ready for distribution upon approval by the City Council. Mr. McILwain reiterated the amenities included for the community gathering space and seating for 100 at tables, in addition to the café seating outside in the entranceway, counter/bar seating and on the patio under cover or in the open. Mr. McILwain noted the potential flexibility with the glass wall expanse that can be manipulated depending on the space needed for an event.

Councilmember Laliberte advised that she had promised community members to ask why glass garage doors had not been considered leading between the rental and patio spaces to allow free-flow of guests and air circulation versus a single door.

Mr. McILwain responded that their firm had previously included that design in a number of restaurants, but had experienced numerous downsides, including that they were typically not energy-efficient and allowed lots of insects through most of the summer months. Mr. McILwain further advised that some codes also required screening that opening, preventing the desired free-flow, and addressed other bad experiences found as to their usability, thus their lack of recommendation for this application. Mr. McILwain opined that the proposed design would

actually provide as much light and visibility, and would avoid negative flow for rentals with standard doors located in strategic spots that impacted traffic flow and food service and access between tables.

At the request of Councilmember McGehee, Mr. McILwain clarified that the glass was double-paned and argon gas filled and exceeded state energy analyses. While deferring to the architect, Councilmember McGehee opined that her experience had proven that triple-paned glass was significantly quieter and didn't result in a significant cost difference. Councilmember McGehee suggested the less expensive glass could be used in the small clerestory windows as they were less likely strike targets for birds than the longer panels of glass based on reflection and length of overhangs.

At the request of Councilmember McGehee, Mr. McILwain advised that the roof overhangs were between 8' to 10' over the patio, but the remainder were between 3' and 4' for gutters around the perimeter. Mr. McILwain noted that the overhangs would direct stormwater to catch basins and subsequently captured at a stormwater retention basin as part of the overall stormwater management plan already submitted to the watershed district. Mr. McILwain clarified that city staff had spent considerable time with their firm's civil engineer and the watershed district to contain as much runoff as possible kept on-site, but due to grades with the existing parking lot only being milled and overlaid but not reconstructed, some runoff would continue.

Speaking to efficiencies, Councilmember McGehee noted that LEED certification may be desirable to promote City sustainability efforts. Mr. McILwain reviewed the administrative nature of LEED certification, advising that for his firm's clients, they used an amended LEED checklist as a guideline, including this project and addressing the City of Roseville's interest in such sustainable criteria. Given the additional cost involved, Mr. McILwain noted that many use the LEED checklist without going through the actual checklist itself; and opined that this proposed building design would fare well with those criteria as well. Councilmember McGehee noted the considerable attention received and resident education from the Ramsey County Library – Roseville branch. At the request of Councilmember McGehee, Mr. McILwain clarified that LEED fees were based on the size and type of project, fees paid and additional design fees required due to documentation and submission of criteria. Having taken a number of buildings through the LEED process, Mr. McILwain noted certification was not an insignificant cost.

On page 2 of the RCA, Councilmember Laliberte noted the reference to costs for temporary operating quarters during construction at an estimated \$18,000 to \$30,000 and sought clarification. Mr. Brokke advised that this was an evolving number at this time and only an estimate by staff to address safety, security and communication issues during the interim, but still requiring more information gathering. Mr. Brokke advised that the temporary quarters were for golf course operations (e.g. check-ins) from September through November of 2017 and as

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needed for the beginning season in 2018 until the new facility is ready for golf course operations.

Councilmember McGehee asked for a more detailed cost analysis of costs going forward, including ongoing maintenance and remaining gaps; set-aside capital available, and proposed price structures for golf and room rentals and their use and how they would balance each other. Mayor Roe clarified that that information would become available upon receipt of bids. City Manager Trudgeon noted that some information had been included in the RCA, but more specific information would be forthcoming as noted by Mayor Roe.

Mayor Roe offered an opportunity for public comment at this time, with no one appearing to speak.

With tonight's motion as recommended by staff, and without identifying funding allocations, City Attorney Gaughan advised that the award should be contingent upon funding approval and a statement to that effect be included in any and all bid advertising accordingly. Mr. Gaughan advised that he would work with staff on the language prior to the bid release tomorrow.

Etten moved, Willmus seconded, authorizing advertising of bids to construct a Cedarholm Community Building and Golf Cart Storage area; *contingent upon review and approval of bid documents and advertising by the city attorney prior to their release.*

Councilmember Etten spoke in support of the motion, opining this was a positive step forward for the community beyond just the golf component.

Councilmember Willmus concurred and spoke in support of the motion; noting subsequent review of hard numbers as they underwent further refinement.

Although she sought more refined numbers at this time, Councilmember McGehee spoke in support of the motion; and expressed appreciation for the work done on the design and sustainability issues, as well as meeting recommendations of the Finance Commission to invest in existing assets. Councilmember McGehee opined that the design was attractive and unique in its own way.

Councilmember Laliberte thanked everyone for their efforts and work done to-date. While there was no public comment brought forward tonight on this issue, Councilmember Laliberte recognized the significant public comment and input provided earlier in the process by community members and thanked them for their time in doing so. Councilmember Laliberte spoke in support of the motion, opining that this was a good investment in the community and expressed appreciation for the timeliness of the project and minimal disruption of operations at the golf course.

Mayor Roe echoed the comments of his colleagues, and expressed his anticipation of receiving bids back for the project.

Roll Call

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

Nays: None.

d. Consider Authorizing the Reorganization of the Recreation Division with the Parks & Recreation Department

As detailed in the RCA, City Manager Trudgeon reviewed this request and with reallocating dollars from the budgeted full-time Customer Services Representative position, it would be budget neutral.

Discussion ensued related to the Skating Center job and time allocated; and retirements and other potential personnel changes and complexities of the growing department.

Councilmember Laliberte spoke in support of the path this restructuring helped to create. However, going forward, Councilmember Laliberte suggested that, as the city continues to review its operations and those that were revenue-producing, consideration be given to a position designed with some commerce or business expertise to assist in revenue production beyond the city staff's current perspective and with the goal of generating maximum sales potential (e.g. License Center).

Councilmember McGehee asked that future consideration be given to more transparency in the department budgets, including that of Parks & Recreation, that allowed the City Council to look at individual portions as part of the larger budget to see if there were areas that could be redone (e.g. conversion of the golf club house into a community building to generate more revenue). Councilmember McGehee suggested other facilities where multiple uses could further enhance the budget.

Mayor Roe offered an opportunity for public comment at this time, with no one appearing for against.

Willmus moved, McGehee seconded, approval of a reorganization of the Recreation Department within the Parks and Recreation Department as presented.

Councilmember Willmus offered kudos to Recreation Program Supervisor Rick Schultz and his upcoming retirement, opining that he provided invaluable experience to the city and its residents over his years of service.

Mayor Roe concurred with Councilmember Willmus' comments, opining that the incoming employee would have Rick's proverbial big shoes to fill.

Roll Call

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

Nays: None.

- e. **Consider the Community Development and Fire Departments' Request for Approval of Proposed Roseville City Code Text Amendments Chapter 901: Building Code, including Section 901.01: Adoption of Code that includes Adoption of Chapter 1306, Subd. 2**

Fire Chief Tim O'Neill, Assistant Fire Chief David Brosnahan and Codes Coordinator David Englund were available for this presentation, as detailed in the RCA.

Codes Coordinator David Englund provided a brief history to-date.

From the public safety side of the approach from the perspective of several business owners, Chief O'Neill reported that they had expressed reservations about the potential cost and what did or did not trigger this requirement. Chief O'Neill advised that staff had clarified those areas of confusion.

Assistant Fire Chief David Brosnahan reviewed attachments related to occupancy changes, renovations and additional building sprinkler requirements, with Chief O'Neill noting ordinance provisions addressing occupancy types.

Councilmember Willmus asked if this changed the city's Fire Insurance Classification (ISO) in any way.

In response and with significant changes had been made over the last few years, Chief O'Neil advised that he would need to review that in more detail but doubted the city's rating would be impacted at this point.

Councilmember Willmus asked staff to look into it further and report back.

At the request of Mayor Roe, Chief O'Neill advised that the city's current rating was "3" and within the higher percentile in the state.

Mayor Roe offered an opportunity for public comment, with no one appearing for or against.

McGehee moved, Etten seconded, enactment of Ordinance No. 1531 (Attachment A) entitled "An Ordinance Amending Selected Text of Roseville City Code, Section 901.01, Adoption of Code."

Councilmember Etten opined that this was an important way to ensure the ongoing the safety of the city's commercial buildings.

Discussion ensued regarding the effective date of this ordinance; with staff confirming it would go into effect upon delivery to the State Building Official and upon publication (next week).

Roll Call

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

Nays: None.

f. Provide Information Regarding Residential Fire Sprinklers

Fire Chief Tim O'Neill, Assistant Fire Chief David Brosnahan and Codes Coordinator David Englund were available for this presentation, as detailed in the RCA.

Chief O'Neill clarified that this would be intended for new buildings based on their square footage, consistent with State Fire Code.

Councilmember McGehee expressed her concern in how to address existing buildings if and when they're expanded or those apartments or condominiums being remodeled or converted and how to require they then be sprinklered for the safety and protection of residents in a multi-family building, especially some of those older buildings which were not initially well-constructed, but per the State Code, cities could not adopt more restrictive requirements relative to building fire safety systems (for example sprinklers) in existing buildings than the State code required.

Discussion ensued related to application of the appeal process by a city to the state if the State did not allow the City to adopt such an ordinance; with clarification by City Attorney Gaughan of the appeal process itself with the State Building Official and on what grounds that appeal could occur beyond geological restrictions as noted by staff.

McGehee moved to authorize staff to come forward with a draft ordinance to address sprinkler requirements for existing individual buildings.

Mayor Roe ruled the motion failed for lack of a second.

Councilmember Willmus noted the city's positive working relationship with multi-family housing associations and cooperative lobbying efforts in Roseville, opining that further discussion with those associations and boards, as well as others, to solicit and gather feedback would provide paths to address these concerns on a broader level, using this as a conversation started.

Mayor Roe sought clarification from Councilmember Willmus if his intent was to recommend that the City Council direct staff to begin a process to lobby the State of Minnesota for a change to state law.

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Councilmember Willmus clarified that this was not necessarily his intent to lobby the state, but to simply initiate conversations to look at sprinkling options for residential, multi-family properties undergoing future renovations or changing uses. On the city's part, Councilmember Willmus suggested that the city's Community Development Department engage with local condominium associations and/or multi-family housing agencies for their input based on their perspective; and whether they would be willing to partner with the city on this initiative. Councilmember Willmus clarified that it was not his intent to direct staff to begin that lobbying.

Without objection, staff was so directed by the city council.

Recess

Mayor Roe recessed the meeting at approximately 8:32 p.m., and reconvened at approximately 8:40 p.m.

- g. Request by the City of Roseville to Approve a Comprehensive Technical Update to the Requirements and Procedures for Processing Subdivision Proposals as Regulated in City Code, Title 11 (Subdivisions) and Revision of Lot Size Standards Established in City Code, Chapter 1004 (Residential Districts (PROJ-0042))**

As detailed in the RCA and attachments, Senior Planner Bryan Lloyd presented the most recent iteration of the proposed ordinance incorporating City Council discussion and feedback to-date.

Mayor Roe offered an opportunity for public comment, with no one appearing for or against.

McGehee moved, Etten seconded, enactment of Ordinance No. 1530 (Exhibit C) entitled, An Ordinance Amending Title 11 (Subdivisions) of Roseville City Code Eliminating and/or Replacing in their Entirety Sections 1101 (General Provisions), 1102 (Plat Procedures), 1103 (Design Standards), and 1104 (Administration and Enforcement), and Amending Title 10 (Zoning) to Update a Dimensional Standard for Residential Lots."

Councilmember McGehee thanked staff for their work on the various drafts and for incorporating feedback.

Mayor Roe thanked all those involved in the process of bringing this ordinance rewrite to fruition.

Roll Call

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

Nays: None.

Willmus moved, McGehee seconded, enactment of Ordinance Summary No. (Exhibit D) entitled, An Ordinance Amending Title 11 (Subdivisions) of Roseville

City Code Eliminating and/or Replacing in their Entirety Sections 1101 (General Provisions), 1102 (Plat Procedures), 1103 (Design Standards), and 1104 (Administration and Enforcement), and Amending Title 10 (Zoning) to Update a Dimensional Standard for Residential Lots.”

Roll Call (Super Majority)

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

Nays: None.

h. Consider Community Development – Code Enforcement, Permits, and Inspections Division Staff Restructuring

As detailed in the RCA, City Manager Trudgeon briefly reviewed this request for department restructuring, again based on current work loads and the recent retirement of a sixteen-year Code Enforcement Officer.

Councilmember Etten asked for clarification on the position entitled, “Senior Office Assistant” and reporting structure of these positions.

Community Development Director Kari Collins clarified that the Senior Office Assistant was a previous title and the positions had been in existence for at least the last four years; and also reported that all positions under this discussion would continue to be direct reports to the Building Official. Ms. Collins noted that with the creation of an Assistant Building Official certain duties would be embedded in that job description (e.g. training).

Given the successful nature of the current Neighborhood and Business Enhancement Programs, Councilmember Laliberte sought assurance that the rotating schedule would continue to be maintained by staff to ensure that success.

Ms. Collins stated that staff thought this structure would even make those programs better by allowing timely responses to any outstanding issues or complaints, using seasonal assistance if and when needed.

At the request of Mayor Roe, Ms. Collins clarified the Code Enforcement Officer positions and their status and changes to the name of the position advertised within the realm of new industry standards, but not through any decommissioning of those actual duties.

Mayor Roe offered an opportunity for public comment, with no one speaking for or against.

McGehee moved, Etten seconded, approval of a newly-created Assistant Building Official position; and authorizing staff to restructure the Division with the identified positions as outlined in the staff report of today’s date.

Roll Call

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

Nays: None.

i. Review 2017-2018 Policy Priority Planning Document

As detailed in the RCA, City Manager Trudgeon briefly reviewed this latest iteration (Attachment C) of the Policy Priority Planning (PPP) document for the City Council's consideration for adoption. Mr. Trudgeon noted the draft continued prior formatting and past input; and covered 2017 - 2018.

Councilmember Etten expressed appreciation for the more realistic two-year approach for this document.

In the "Inclusive" priority, Councilmember Etten asked if participation in the Government Alliance on Race and Equity Program (GARE) should instead say "including GARE" since there may be other policies in addition to that.

While not opposing such a language change, City Manager Trudgeon noted that GARE provided a framework to look through, thus the proposed language to review and consider inclusive city policies and procedures "through" possible participation in GARE. In case the city chooses not to participate, Mr. Trudgeon noted that the city needed a "Plan B."

Councilmember Etten duly noted staff's rationale and agreed with proposed language as presented.

With the new Human Rights, Inclusion and Engagement Commission (HRIEC), Councilmember Laliberte noted that they definitely wanted to be involved in some of these priorities. Councilmember Laliberte noted that in the past the City Council had talked about involvement but frequently initiatives were off and running without providing advisory commissions with a place in the process, leaving them frustrated. With several commissions listed in the "responsible" parties column, Councilmember Laliberte suggested that the City Council consider having the HRIEC review the GARE process and bring forward their recommendations to the City Council before moving forward without their input.

Councilmember Laliberte also noted the current work of the newly-created Imagine Roseville community efforts; and while not a commission and under the auspices of the City Council, noted that it was a planning committee even though those involved had not been clearly and publicly identified. Councilmember Laliberte suggested more transparency identifying those involved, when and where they meet, and how decision-making was done, as well as topics to be discussed as they went forward without involving the City Council. Councilmember Laliberte admitted that she continued to struggle with that group's process and official status.

Mayor Roe suggested referring both processes through the Human Rights, Inclusion and Engagement Commission (HRIEC). Mayor Roe clarified that initially

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the Imagine Roseville community group had started as an ad hoc committee and included a number of representatives from other jurisdictions and agencies. However, Mayor Roe agreed that moving forward, the group needed more formalization and thus by referring it to the HRIEC they could provide a recommendation to the City Council and incorporate those on the planning committee in that process as well.

Councilmember Laliberte noted that the HRIEC had a lot on its plate right now as they began sorting through the work plans from their former commissions and developed a new work plan, including evaluating and advising future activities. Councilmember Laliberte opined that it was important that the HRIEC was cognizant that the City Council wanted them to continue pursuing that process as well.

Mayor Roe clarified that their involvement in this case would be to advise the City Council on the process prior to continuing to move forward with the Imagine Roseville planning committee and with GARE.

Councilmember McGehee opined that the Imagine Roseville process had been very opaque to-date and that the HRIEC seemed the appropriate place to garner that transparency.

Councilmember McGehee stated that she found the PPP as presented by staff to include all elements that the City Council had been discussing; and agreed with the timeline and format and seconded the remarks of Councilmember Etten that a two-year timeframe was more realistic for this ambitious undertaking. Councilmember McGehee opined that the sooner assignments could be made, the better.

On page 6 under the “Inclusive Community and Governances” section and timeline for 2018 and beyond, Mayor Roe suggested revising the language from that stated to “...subjects ‘developed’ by the ‘Imagine Roseville’ planning process.” Since the planning process remained unknown until referred to the HRIEC, Mayor Roe suggested keeping it more generic and flexible for whatever the HRIEC recommends.

Councilmember McGehee stated her continuing confusion with the former “Imagine Roseville” community visioning process and this new initiative; and suggested that changing its name may be a good topic for the HRIEC to consider and recommend.

Mayor Roe agreed that it was confusing, but referenced the opinion of those originally on the ad hoc planning committee that it provided a nice tie-in to the original community visioning HRIEC review process as a positive thing. However, Mayor Roe stated that he was willing to let the name go through the process at the City Council’s discretion. Since this PPP is intended as an overview, Mayor Roe suggested that it not become too detailed in nature.

Councilmember Etten spoke in support of referring this to the HRIEC and agreed with the Mayor's suggestion to not put too much specificity on who made determinations on those programs. However, Councilmember Etten agreed that it was a valid point to identify who was involved in the Imagine Roseville planning effort, since it had begun as the city's response to the Castille shooting incident, but had now evolved to a maturation point that indicated more formalities or for incorporation into the HRIEC itself. Councilmember Etten clarified that staff had continued to acknowledge for months and in this PPP that the Imagine Roseville planning effort was just that and nothing more formal at this point.

City Manager Trudgeon agreed with Mayor Roe's suggested language change, but sought to maintain a check-in or acceptance on the City Council level; and an awareness and/or acknowledgement by the City Council directing and approving staff resources.

Specific to the Imagine Roseville committee, Councilmember Laliberte noted the number of city resources currently being used that have yet to be quantified. If this remains a city effort, Councilmember Laliberte advocated for more responsibility in addressing that going forward. However, if this is a grass roots community effort, Councilmember Laliberte questioned if it needed to be sanctioned by the City Council.

Mayor Roe opined that as long the Imagine Roseville effort or any effort used the city's name, it required a City Council approval process. However, Mayor Roe suggested that the HRIEC be allowed to have that discussion first and make the recommendation to the City Council on the ultimate process adopted.

Councilmember Etten questioned if the former Human Rights Commission was making recommendations to the City Council for review prior to implementing programs or initiatives (e.g. mental health efforts).

Mayor Roe clarified that a change to the ordinance related to the HRIEC had been intentional on the part of the City Council to avoid past issues. Mayor Roe noted this was the process used by other advisory commissions, using the example of the PWETC. Mayor Roe reiterated that as long as something has the city name involved, even when a cooperative event or in partnership with others, the Roseville City Council had to weigh in. Mayor Roe noted that this had been previously approved with a process for those advisory groups to make a formal recommendation to the City Council after their initial discussions to ensure each remained responsible to the City Council.

Etten moved, McGehee seconded, approval of the 2017-2018 City Priority Plan document (Attachment C) as amended.

Roll Call

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

Nays: None.

8. Approve Minutes

a. Approve City Council Minutes – June 19

McGehee moved, Etten seconded, approval of the June 19, 2017 City Council Meeting Minutes as amended.

Corrections:

▪ **Page 2, Line 40 (Roe)**

Strike Mr. Johnson's middle initial.

▪ **Page 19, lines 13 – 21 (Roe)**

With the correction of the speaker, change gender references accordingly.

Roll Call

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

Nays: None.

9. Approve Consent Agenda

At the request of Mayor Roe, City Manager Trudgeon briefly highlighted those items being considered under the Consent Agenda; and as detailed in specific Requests for Council Action (RCA) and related attachments dated July 10, 2017.

a. Approve Payments

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

ACH Payments	\$576,620.29
85680-85941	805,138.82
TOTAL	\$1,381,759.11

Roll Call

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

Nays: None.

b. Consideration to Approve or Deny One Massage Therapy Establishment License

Etten moved, Willmus seconded, approval of one massage therapy establishment license as presented in detail in the RCA of today's date.

Roll Call

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

Nays: None.

c. Issuance of a 1-4 Day temporary On-Sale Liquor License

Etten moved, Willmus seconded, approval of a 1-4 day temporary on-sale liquor license fro the Friends of Roseville Parks for an event at the Roseville OVAL on September 29, 2017; as detailed in the RCA of today's date.

Roll Call

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

Nays: None.

e. Request for Approval of a Recombination Minor Subdivision at Westwood Village Townhomes I and III (PF17-015)

Etten moved, Willmus seconded, approval of a recombination minor subdivision to transfer the identified parcel of land from Westwood Village I to the abutting Westwood Village III property; based on the comments and findings of the staff report of today's date, and subject to the condition that the relocated boundary common to the two subject parcels shall be essentially the same as illustrated in the survey reviewed as part of this application and otherwise shall meet all applicable zoning and subdivision standards.

Roll Call

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

Nays: None.

f. Approve County Road B-2 and Snelling Avenue Intersection Improvements – Authorization for Approval of Minnesota Department of Transportation (MnDOT) Agreement

Etten moved, Willmus seconded, adoption of Resolution No. 11424 (Attachment A) entitled, "Resolution Approving the Cooperative Construction Agreement MnDOT Contract No. 1027708 with the State of Minnesota Department of Transportation for the County Road B-2 and Snelling Avenue Signal Project."

Roll Call

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

Nays: None.

g. Approve Agreement for Facilities Management

Etten moved, Willmus seconded, approval of a Facility Maintenance Agreement (Attachment A) with McGough Facility Management, LLC as presented OR as amended.

Roll Call

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

Nays: None.

h. Acceptance of the Roseville Area High School Police Liaison Officer Agreement for the 2017 – 2018 School Year

Etten moved, Willmus seconded, approval of the Roseville Area High School Police Liaison Officer Agreement (Attachment A) for the 2017 – 2018 School Year

as presented; and authorization for the Mayor and City Manager to execute the document.

At the request of Councilmember McGehee, City Manager Trudgeon stated that based on his understanding the same officer would be serving in this role.

Roll Call

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

Nays: None.

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

At the request of Councilmember Laliberte, City Manager Trudgeon reported that the ownership of Har Mar Mall requested that the planned community meeting to discuss the future of that area as part of the comprehensive plan update process not be held at the Mall; with the meeting scheduled at St. Rose of Lima Church. Councilmember Laliberte asked staff to provide more extensive community-wide communication of the meeting and location.

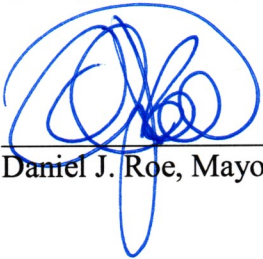
Councilmember Laliberte advised that a constituent had recently asked if dead deer on Highway 36 were counted in deer herd counts in this area. City Manager Trudgeon responded that if the State Patrol recorded the kill, they were included in the count.

Councilmember Laliberte further reported that she was aware of a family attending the July 4, 2017 fireworks on the hill near City Hall, when a large deer jumped over the crowd and spectators, hitting an elderly woman who was taken to the Emergency Room for stitches as a result. Councilmember Laliberte expressed her concern in this happening. Mayor Roe thanked Councilmember Laliberte for bringing this information forward to the City Council.

11. Councilmember Initiated Future Agenda Items and Future Agenda Review

12. Adjourn

Laliberte moved, Etten seconded, adjournment of the meeting at approximately 9:19 p.m.



Daniel J. Roe, Mayor

ATTEST:



Patrick J. Trudgeon, City Manager

Bench Handout
Public Comment
July 10, 2017

July 10, 2017

Dear Mayor Roe and the Roseville City Council Members,

I would like to inform you of an unfortunate experience I had while shopping at MGM Roseville on July 1st, 2017. I bought 6 bottles of wine, and as I was checking out I was asked by an employee to open my bag so she could search it. I had a medium-sized bag on me and I have been going to this store for a long time (usually with my white husband) and have never been asked this, so, as a person of color, I became concerned that I was possibly being racially profiled. I asked her if this was done to all of their customers. She replied that it was because of increased thefts at their store. I asked again if this was universally done as a policy. She said yes. I paid for my wine and left the store. During my visit, none of the other patrons in the store were searched.

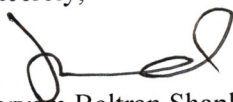
After a few minutes, I called the store and spoke to Stacey Kuhlman, who identified herself as the store owner. I asked her if this was a policy, and if so, why I did not see any signs in the store. She said that there was a sign on the door stating the policy. When I expressed that I had felt singled out due to the color of my skin, she replied, "we searched you because we couldn't watch you shop....I assume you're black and we've had a lot of theft by black people here lately...don't come back here again." When my husband went to the store to return the wine and express his outrage, the male store manager apologized. Ms. Kuhlman continued to defend her actions in the name of "protecting her business". She told her employee to "ring him up so he can get out of here."

All I wanted to do that day was to buy wine for a dinner party that I was hosting. Instead, I felt racially profiled, which was compounded by feeling disrespected as a person of color and as a customer when I spoke to Ms. Kuhlman on the phone. She freely admitted to me and to friends of mine who spoke to her shortly after the incident that she was singling out people of color—specifically black people. Her racism rings loud and clear. People of color are not welcome or valued customers in her store. Online reviews from around one month and one year ago show that my experience was not an isolated incident.

Ms. Kuhlman and the people she knows are now trying to discredit me. I don't know her personally, and have never met or interacted with her prior to this incident. I have no personal vendetta against her. Why would I want to disrupt my life like this? I've had to make my Facebook profile private due to negative comments. I've refused all media coverage due to fear of retaliation from Ms. Kuhlman and her likeminded friends. It was unfortunate for her that I happened to be that one she spoke to that day, and that as a physician and activist I am able to use my position in the community to bring about change. How many other people have been subjected to this type of treatment but didn't have the time, capacity, credentials or resources to hold her accountable? I knew that I had no choice but to speak out and take action. Mayor Roe and Councilmembers: now that you know that this shameful business practice is happening in your community, I urge you to speak out and take action too.

Thank you.

Sincerely,



Maryam Beltran Shapland, MD
Emergency Physician
President of Filipinos for Immigrant Rights in MN

Maryam Beltran Shapland, MD

1045 Nebraska Ave West
St. Paul, MN 55117
(612)-247-8009 mshapla1@hotmail.com

EMPLOYMENT

Associate Medical Director Securian Financial Group	Mar 2015-present
Staff Emergency Physician HealthEast Care System	Aug 2007-Mar 2015

EDUCATION/TRAINING

University of Manchester, England Humanitarian and Conflict Response Institute Postgraduate Certificate in Global Health	Sep 2014
Johns Hopkins Hospital, Baltimore, MD Emergency Medicine Residency	2004-2007
University of MN Medical School, Minneapolis, MN Doctor of Medicine	May 2004
St. Olaf College, Northfield, MN BA, Magna Cum Laude American Racial and Multicultural Studies	May 1998

LICENSURE/CERTIFICATION

Minnesota Board of Medical Practice	2007-present
American Board of Emergency Medicine	Nov 2008-Dec 2018
Basic Life Support Certification	2015-present
American Academy of Insurance Medicine Fellow, Life Management Institute Level 1	Nov 2015

PROFESSIONAL MEMBERSHIPS

American Academy of Insurance Medicine	2015-present
American College of Emergency Physicians	2002-present
American Public Health Association	2014-2015

PUBLICATIONS

Shapland, M. B. (2009). Psychobehavioral Disorders. In B. Blok, D. Cheung & T. Platts-Mills (Eds.), *First Aid for the Emergency Medicine Boards* (pp 769-796). New York: McGraw-Hill Companies, Inc

C. Nagy, M. Levy, T. Mulhearn IV, M. Shapland, H. Sun, D. Yuh, D. Cheung, N. Chandra-Strobos. Safe and Effective Intravenous Thrombolysis for Acute Ischemic Stroke Caused by Atrial Myxoma. *Journal of Stroke and Cerebrovascular Diseases*, Sept 2009 18: 398-402

Miner J, Biros M, Trainor A, Hubbard D, Beltran M. Patient and Physician Perceptions as Risk Factors for Oligoanalgesia: A Prospective Observational Study of Pain Relief in the ED. *Academic Emergency Medicine*, Feb 2006 13:140

Miner J, Beltran M, Hubbard D. Demographic Assessment of Pain Relief in the ED. *Academic Emergency Medicine*, 2004 11:489

INTERNATIONAL EXPERIENCES AND COMMUNITY INVOLVEMENT

Filipinos for Immigrant Rights in MN	Nov 2016-present
Founding Member	Nov 2016
President	Jan 2017
Filipino Renaissance in Education and Development Speaker	July 2017
Philippine Independence Day Keynote Speaker	June 2016
Minnesota Peacebuilding Leadership Institute	
Board of Directors	Dec 2015-present
Chair of Governance/Recruitment Committee	Jan 2016-present
Community Advisory Board	Jan 2015-Dec 2015
Philippine Minnesotan Nurses Association Conference Speaker	September 2015
Operation Blessing Medical Mission, Philippines, Volunteer	Dec 2013
Philippine Center of Minnesota Health Fair Speaker	Aug 2012
Fil-Minnesotan Association Bicultural Seminar Keynote Speaker	Aug 2012
Philippine Minnesotan Medical Association Conference Speaker	Aug 2011
MN Historical Society Oral History Project, Narrator	Jan 2011
Common Hope Clinic, Guatemala, Volunteer	Jan 2002
Casa del Nino Orphanage, Santiago, Chile, Volunteer	Sep 1999-Dec 1999
Vision Loss Resources, MN, Volunteer	1998-1999
Philippine General Hospital, Externship	Jan 1997
People Serving People Homeless Shelter, Volunteer	1995-1997

Bench Handout
Public Comment
July 10, 2017

Good Evening,

My name is Angela Byrne, and I live at 1894 Chatsworth Street North. My husband and I have been Roseville residents for six years. We purchased a home and plan to raise our 2.5 year old son here. I served on the Finance Commission in 2015, withdrawing before my term was over to become primary caregiver for my cancer-stricken mother.

I have missed participating in City affairs, so I wish I could say that I am delighted to be sitting in front of you again tonight. Instead, I cleared my calendar and missed my son's bedtime to come speak to you about the racist behavior of a local business owner in my neighborhood.

I am speaking of an incident of racial profiling against Maryam, who is here instead of at home with *her* family. The treatment that she received on July 1st at the MGM Wine & Spirits was dubiously acceptable, at best. But the response Maryam received by the owner, Stacey Kuhlman, when she brought the matter to Stacey's attention, was appalling. Quote, "I assume you're black and we've had a lot of theft by Black people here lately." End quote.

Unacceptable.

Owning a store comes with an inherent risk of pilferage. And store owners have a right to have posted policies stating that customers can be searched at any time. However, it is clear that the search policy at Ms. Kuhlman's store is being applied in a racially-biased manner. Ms. Kuhlman has stated publicly that the store policy is to search bags based on size. I've shopped at this store many times since the Kuhlman's took ownership in 2015, and my purse is larger than the purse Maryam was carrying on July 1st. (Hold up my bag) Do you want to guess how many times my bag has been searched?

I did not personally witness the interactions between Maryam and Ms. Kuhlman. However, I have known Maryam for years, and I know that she would not make up this story. She receives no benefit by doing so. She is spending time and energy on this, rather than with her family or on other pursuits. She is putting herself and her family in a vulnerable position by publicly addressing the situation. But this is her reality, along with so many other people of color that live and shop in our community.

More and more attention has focused on the fact that Minnesota is a wonderful place to live (look at the Council)...if you are White. The underlying racism and the racial disparities that result must be actively confronted, not merely swept under the rug. First, I ask that you issue a statement that we do *not* support this type of discriminatory behavior in our city. And then to support your statement, I ask that an investigation be conducted into whether the behavior discussed here tonight violates any City ordinances or Minnesota Law, including the Minnesota Human Rights Act.

Thank you for your time tonight, and I look forward to seeing your response to the matter.

Branch Handover
Public Comment
July 10, 2017

Mayor Roe and Council Members,

My name is Etienne Djevi. I live at 851 Sextant Avenue West. I've been living in Roseville for 5 years.

I'm a member of the newly combined Human Rights, Inclusion and Engagement commission.

However, I am not here as a city commissioner. I am here to support Dr. Shapland for an experience she had while shopping as a minority person in Roseville.

Dr. Shapland has spoken to you tonight and gave you more details about her experience than I can.

This unfortunate incident is quite familiar for me. It's similar to experiences I have had shopping while black and accounts I've heard from others who look like me and like Dr. Shapland. As individuals with some purchasing power, we will choose our shopping options where discrimination is not practiced by the owners or staff. But this customer choice based response alone should not be the only response.

Every time I get a chance to talk about living in Roseville, I credit the city government for your desire to make everyone feel welcome, a city where the leadership is actively working for inclusion and diversity. That's also why I applied and you appointed me to the human rights inclusion and engagement commission.

If you really believe in the mission of the commission, and I have no reason to think otherwise, now is your opportunity to make Dr. Shapland and the people who look like her feel welcome in Roseville. Now is your opportunity to put actions behind your words.

Here are few suggestions to the city government if you choose to put actions behind your words.

1. A statement from the city denouncing discrimination by businesses.
2. The city should consider a formal policy/resolution outlining ways to deal with similar behaviors in the future including penalties. My 4 year old daughter knows there are consequences when she misbehaves. The same should apply to adults and businesses that choose to discriminate. It's not the last time people of color are going to have a similar experience. We now live in a political climate where some people pump their chests for discriminating.
3. The city should put in place a reporting system for such violations of human rights. Again because this kind of experience is far well known to many people and is unfortunately not going to be last, such reporting system will give you

evidence about practices from businesses in our city. You can only change what you know.

4. If you do not believe the accounts from Dr. Shapland, you have the capability of finding out what actually happened.

These are, in my opinion, some concrete things you can do to put actions behind your words. Staying silent is a way of saying you are okay with discrimination. I don't believe that's your intent but that's the perception you'll give if this body stays silent in the face of flagrant violation of human rights. I don't expect you to walk in my shoes or Dr. Shapland's shoes but as the leadership in charge of the place I live, I expect you to stand up to defend the mere fact that minority rights are human rights worthy of protection. For us it's about human dignity, respect and decency.

You now have the opportunity to show the rest of the state, the rest of the country, and the rest of the world how leadership stands up for the powerless. Let's be a good example.

Thank you for listening, and for making Roseville a welcoming city.

Thank you.

Etienne