



**Regular City Council Meeting Minutes**  
**City Hall Council Chambers, 2660 Civic Center Drive**  
**Monday, July 12, 2021**

**1. Roll Call**

Mayor Roe called the meeting to order at approximately 6:00 p.m. Voting and Seating Order: Willmus, Strahan, Groff, and Roe. City Manager Patrick Trudgeon and City Attorney Mark Gaughan were also present.

**2. Pledge of Allegiance**

**3. Approve Agenda**

Willmus moved, Groff seconded, approval of the agenda as presented.

**Roll Call**

**Ayes:** Willmus, Strahan, Groff, 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**

**6. Items Removed from Consent Agenda**

**7. Business Items**

**a. Consider Resolution to End the City of Roseville Local Emergency Due to the COVID-19 Pandemic**

City Manager Patrick Trudgeon briefly highlighted this item as detailed in the Request for Council Action and related attachments dated July 12, 2021.

**Public Comment**

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

Strahan moved, Willmus seconded, adoption of Resolution No. 11821 entitled, "Resolution To Cease Declaration of Local Emergency."

**Roll Call**

**Ayes:** Willmus, Strahan, Groff, and Roe.

**Nays:** None.

**b. Receive HRIEC Work Plan and Recommendations Update**

HRIEC Chair Etienne Djevi briefly highlighted this item as detailed in the Request for Council Action and related attachments dated July 12, 2021.

Members of the HRIEC in attendance were: Chair Djevi, Commissioners Macomber, James, Becker, Palmquist and Youth Commissioner Xie.

Chair Djevi presented the HRIEC Work Plan update to the City Council. He indicated the next step is looking forward to where the Commission should go from here. He indicated the Commission is mindful that they need to be flexible in case more things come their way.

Commissioner James presented the proclamations to the City Council and explained what the HRIEC is doing to create special programs for the proclamations during the month. He also reviewed the Essay Contest progress.

Chair Djevi reviewed the RoseFest Parade engagement and Community Feedback response progress as well as the Commission onboarding an outreach projects with the City Council.

Mayor Roe thanked the Commission for bringing the update forward to the City Council and appreciated all of the hard work being done.

Councilmember Strahan thought the CTV/NineNorth event was a job done well and appreciated all of Youth Commissioner Xie's hard work. She thought this was very impactful. She also wanted to know in regard to Commission recruitment, if Chair Djevi was speaking specifically of Commission recruitment for the HRIEC or across all Commissions.

Chair Djevi explained the Commission recruitment is supposed to be for all Commissions. The hope is that as different Commissions recruit more candidates, this diversity will reflect the whole community. The reason he skipped over it, is that it has been integrated into the work that Culture Brokers and Mr. Brooks are doing.

Councilmember Strahan wanted to make sure the Commission knew the last time the Council spoke of this, the Council did decide not to fill a spot because the Council wanted to make sure they looked at one of the options of people in the community who might be available.

Chair Djevi thought this is where the HRIEC could become a little more helpful to the City Council if there are ideas that need to be explored.

Councilmember Groff complimented Youth Commissioner Xie and Commissioner Lee on the NineNorth program. He indicated he had heard many comments from

the community as well as other cities that it was really good. He thought the essay question was on the right track as well as the work on the proclamations. He thought two spots in the parade were good as well.

Mayor Roe stated it was great having the buddy system going with the new Commissioners and thought the Council would like to hear some feedback on that once everyone is settled into their roles. He echoed the comments on the proclamations.

Councilmember Willmus concurred with the other Councilmembers and indicated he did see the program that Youth Commissioner Xie put forth and he thought it was a great educational program.

Councilmember Strahan wondered if a promo type of video could be made for the Essay Contest to show why the City is doing the contest in which a teacher could share with their class or a student.

Youth Commissioner Xie indicated she would be willing to work on a promo video if the Council wanted that.

Chair Djevi introduced to the City Council the topic of banning conversion therapy in the City of Roseville and what the City can do to move this forward.

Mayor Roe explained he would want to make sure the City has a good engagement plan put together moving forward and involving the community, affected individuals, and mental health professionals.

Councilmember Groff thought there would need to be some education for the public to understand what conversion therapy is. He would be interested in hearing more about this and noted the number of groups that work in that field are very impressive that do not approve of conversion therapy.

Councilmember Strahan suggested if there was someone, a young adult, who has experience with this and would be willing to share their experience because they lived that experience of a neighbor, someone who lives in the community that has community connections, it would be much more impactful than just talking about it as well as having a connection with Northeast Youth and Family Services to bring their fine skills into the conversation.

Councilmember Willmus explained a handful of communities in Minnesota have taken this step so it would be interesting to see what their experiences and processes were.

Mayor Roe indicated one of the things he would like to have a better understanding of is what are the prospects of something like that being enacted by the State because uniformity across the State is going to be more beneficial to everybody who

might be affected by this than individual cities. Also understanding from mental health professionals their policing of that within their own organizations and professions.

Chair Djevi indicated the Commission will meet and talk with staff as well as try to reach out to professionals in the City and State to see who can get the City Council's questions answered. He also recommended the City Council have the City join Just Deeds. He reviewed the disparities of the minority communities and how this would help the residents in the City who have these deeds find out how to get rid of that clause so there is equal chance of homeownership in the City.

Mayor Roe indicated the Council has been supportive of staff working on that for the City to participate. He thanked the Commission for bringing this information forward to the Council.

**c. Consider Issuance of a Short-Term Rental License for 257 South McCarrons Boulevard**

Building Official David Englund briefly highlighted this item as detailed in the Request for Council Action and related attachments dated July 12, 2021.

Councilmember Strahan indicated it was noted that this was being rented on two different occasions so she wondered why there would not be two violations.

Mr. Englund indicated there was no confirmation of the actual rental without the owner being at the property during the duration on the previous suspected rental.

Ms. Gundlach explained for clarification, she spoke to the owner the Monday after that weekend, and he claimed that he was present during the duration of the rental and the short-term rental licensing requirements are exempt if the owner is present during the duration of the rental.

Councilmember Strahan indicated she wanted to follow-up on the seemingly aggressive behavior of the owner toward staff. She felt that should be addressed and brought to the Council's attention as the Council makes a decision about whether this person can move forward or not.

Ms. Gundlach indicated in fairness to the owner, he did apologize for the behavior.

Councilmember Willmus asked if the Council were to go forward with staff's recommendation and issue a license, that license does not go into effect until October 10, 2021. He asked if rentals are occurring between now and October 10, 2021, what is the process in place, does the effective date get deferred, and what kind of penalty would the owner get.

**Regular City Council Meeting**

**Monday, July 12, 2021**

**Page 5**

Ms. Gundlach explained if the Council moves forward with staff recommendation and the owner is caught renting between now and October, that would be a second confirmed violation and in accordance with the licensing requirements, will require a Council meeting and a first suspension of 180 days. Those 180 days would then start in October and the owner would not be eligible to rent until 180 days after October. Staff also has the authority to issue a criminal citation, a misdemeanor violation, which staff already has done for the prior weekend, as well as an administrative fine.

Councilmember Willmus wondered if the City has the ability to reach out to the rental companies such as Airbnb and VRBO because they are pretty proactive about what is going on in different cities with ordinances and things like that. He asked if staff had some contact with those organizations to let them know where the City is at.

Ms. Gundlach explained staff has not directly reached out to Airbnb or VRBO. She checked the website for this property and with the violation of July 4<sup>th</sup>, this property was no longer listed. Staff could look to see if the property has been put back up and find a way to reach out to those entities.

Councilmember Groff asked if there is any notification to the neighbors as to this happening, the misdemeanor or anything and was there any communications with the neighbors.

Ms. Gundlach explained there is not notification for the initial license issuance. There is neighborhood notification for the suspension. The neighborhood has been contacting staff and knows what has been going on.

Mayor Roe asked if the property owner would like to make any comments.

Mr. Eric Carrara, 257 South McCarrons Blvd W, addressed the Council.

Mayor Roe asked if the property can be used for long-term rentals during the ninety-day period as well as short-term rentals as long as the property owner is on site.

City Attorney Gaughan indicated that was correct.

Mr. Carrara asked for clarification on how this works if the only rental he has taken in the last year was a long-term rental and he needs to go to the misdemeanor to prove that it was, but the Council is making calls before he is able to do that. He also asked if it would not make sense for him to go through the due process and if he were found in violation, then it would be suspended for ninety-days.

City Attorney Gaughan explained the criminal citation and licensing actions are two distinct processes. The Council has far greater leeway and a far lower burden of proof in order to take action on someone's licensing application as opposed to his office criminally prosecuting Mr. Carrara under that citation.

Mayor Roe asked if the outcome of that separate process, perhaps, does not indicate that there was a violation ultimately, does that change the ninety-day suspension or how does that figure in.

City Attorney Gaughan indicated it would not change from his perspective because in order for a person, Mr. Carrara, prevail at trial, that would mean the City has not carried its burden of proving the case beyond a reasonable doubt because that is the strictest burden in the world, while a licensing action requires a far, far lower burden of proof for the City to take action so no matter what happens in the criminal context, it should not have a bearing on the City action on a license.

Mr. Carrara indicated that is what he assumed but he was just saying that it would make more sense with this being the first time this incident has happened, and a new license, to have some sort of due process that will follow the ability for him to show that he was not in fact in a violation.

Mr. Gaughan explained the City is opened to receiving whatever information Mr. Carrara has at his disposal, particularly in the face of statements captured on police body worn cameras by his renters during the incident at issue. If Mr. Carrara has any information from them or elsewhere, the City would be more than happy to receive it.

Mayor Roe asked if the City does not have that information available to them this evening but there is an indication that it can be provided, is it appropriate to postpone action on the license until that can be made available to them.

City Attorney Gaughan indicated the Council can take any action it wants to. He would say this is a license related to zoning as such and is subject to the sixty-day rule under Minnesota Statutes. He would recommend that if the Council does want to table this licensing action to reset it for a return well before sixty days from the June 20<sup>th</sup> date.

Ms. Gundlach noted that the owner, Mr. Carrara, indicated staff did not have any evidence and she told him he could submit that information to staff a week ago.

Mr. Carrara indicated he was not aware of that and must have misunderstood or did not hear that.

Councilmember Willmus noted if Mr. Carrara felt somehow this action tonight might harm his case that will be coming forward, he would certainly be free to withdraw this application.

Mayor Roe asked where things stood with the citation in terms of the timing of next steps.

City Attorney Gaughan explained the Ramsey County District Court was backlogged with cases due to COVID so it will be a long time to hear this case.

Mr. Carrara indicated that would not be too advantageous for him and he would need to talk to his tenants for approval to get that information to the City. He could get that information to the City within ninety days to show that it was a legitimate long-term rental and if it were not, then he would be happy to accept the violation and citation.

Mayor Roe asked the Council if action should be taken or tabled to allow the applicant to provide more information.

Councilmember Strahan indicated she was inclined, given the information that the Council had and especially Mr. Carrara's opportunity to produce information in the last week that had not come forward, to move forward with staff recommendation as noted in the resolution. She was very concerned that proof would come forward that would somehow be more refutable than the body cameras of the police officers, that somehow would not be contrived at this point or inauthentic. She thought Mr. Carrara felt this was not the correct action, but she did think the Council needed to set a precedent on how these situations are handled. She stated this was good for the neighborhood and she would like to adhere to the staff recommendation.

Councilmember Groff agreed and would move forward with staff recommendation due to the police camera footage.

Councilmember Willmus stated his concerns would be with how the ordinance was drafted in that the City is in the position of providing the license and a lot of these things that have happened are not disqualifiers for what is before the Council. He did not know what new information the City gleans by waiting.

### **Public Comment**

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

Strahan moved, Groff seconded approval of the Short-Term Rental License for 257 South McCarrons Blvd W. with an effective date of October 10, 2021 and an expiration date of July 12, 2022.

**Roll Call**

**Ayes:** Willmus, Strahan, Groff, and Roe.

**Nays:** None

**d. Multi-Family License and Revocation Discussion**

Fire Chief David Brosnahan briefly highlighted this item as detailed in the Request For Council Action and related attachments dated July 12, 2021.

Assistant Fire Chief Neal Sjostrom was also at the meeting.

Chief Brosnahan and Assistant Chief Sjostrom made a presentation on lessons learned and reviewed the violations which led to rental license revocation.

Councilmember Willmus wondered if staff knew what G&G's intent was for the future and were they going to be maintaining a relationship with the property management company.

Chief Brosnahan indicated there has been some discussion and the intent right now is that G&G will be continuing that relationship.

Councilmember Willmus stated it would be interesting to know how many multi-family residences do not have onsite property management and would that be something that the City should be looking to address as part of their multi-family licensing.

Mayor Roe asked if this was a requirement of the license in the first place and if it was a requirement for reinstatement, how does that stay a requirement going forward once licenses are reinstated. He commended staff's time and effort going through this process at all levels.

Assistant Chief Sjostrom continued with the presentation on post reinstatement steps.

Chief Brosnahan reviewed the revocation process deficiency awareness within the City's licensing program as well as the fee schedule proposal.

Councilmember Groff stated this all made sense and thanked staff for the hard work with the outcome he had hoped for.

Mayor Roe asked why, if the current license fees were not adequate, the proposal was to institute the proposed fee increases in 2 years rather than immediately. Chief Brosnahan noted that the current license fees were updated a short time ago, and there was concern to institute a second increase so close to the most recent one.



**e. Receive Update on Zoning Code Update Project**

Community Development Director Janice Gundlach briefly highlighted this item as detailed in the Request For Council Action and related attachments dated July 12, 2021.

Mr. Jeff Miller, HKGi, made a presentation to the City Council on the Zoning Code update project.

Councilmember Willmus indicated when he looked at some of the suggestions made with respect to the residential district amendments, he thought this would talk about everyone in the City of Roseville. But, this is talking about doing away with a designated single-family zoned district when you take LDR and allow two-family attached or twin home, etc. in those districts. He thought there needed to be a lot of outreach there to see if the City of Roseville is at that point. He noted the feedback, particularly in some of those changes, or amendments being proposed to LDR, is certainly something the Council is going to want to know before the City goes too much farther down that road. He explained the only other concern he had was the combining of HDR1 and HDR2. He knew when the Council had conversations about the creation of HDR2, it was specific pertaining to greater density in certain areas. If they are balancing that with some of the step back provisions, if they are going to open that up to all of these properties throughout the City that are zoned HDR, maybe there is a balance there. He wants to know a little more about that because the Council was very specific about what they were looking for with HDR.

Ms. Gundlach explained there is currently one property that is zoned HDR2 and the density of how the property developed would align with the HDR1 District. The City has created a conditional use within HDR that allows the increase in density, and she understands there may have been some concerns back when HDR2 was created about what that means and how that would work. She would propose that the Council has more control using the conditional use because there is not a site plan approval process to otherwise be able to review these projects. So, depending on the specific development type or the characteristics of the adjoining neighborhoods, the City would have quite a bit of control through the conditional use process to allow the increased density by consolidating the HDR2 into one HDR District with the conditional use.

Ms. Gundlach explained the other comment about opening up single family, staff knew this was going to be a conversation. It started with the Planning Commission and in the engagement sessions and she would say, almost exclusively, the equity, engagement, and inclusion topic was 99.9 percent around housing and access to housing, access to affordable housing. Staff toyed with if it was something that should be explored as a part of phase two, which is an optional update, or is this something that should be explored as a part of phase one, which is the mandatory requirements. Staff revisited the Comprehensive Plan, both the land use section

and particularly the housing section which talks about missing middle and duplexes, triplexes, and quads as being a way to open up housing affordability to all of Roseville. The other point that is talked about in the Comprehensive Plan is affordable housing and that only eighteen percent of the City's owner-occupied housing is valued at less than two hundred thousand dollars. This was really to get at the missing middle piece. The consensus of the Planning Commission was to visit this now as a part of phase one.

Councilmember Willmus asked if the City is looking at some of those goals, why then is the City looking to take away that higher density use and roll that back to LDR. He thought they were playing a little bit with semantics, and he wanted to be clear about that. When looking at the respondents that the City has received feedback from versus the totality of the properties out there, he thought staff was missing some significant conversation.

Mayor Roe thought perhaps a fair amount of outreach prior to the hearing before the Planning Commission about that particular issue and recommending a change to the Zoning Code, related to what would be appropriate and is something to think about and plan for well in advance. He indicated if the Council does not approve the Zoning change, then the Comprehensive Plan will need to be changed back because right now the Comprehensive Plan does designate it.

Mr. Miller explained the intent is to work within the Comprehensive Plan guidance for the LDR, so the density is eight units per acre maximum. He reviewed the different housing types with the Council and explained what each type looked like.

Councilmember Strahan asked what kind of pushback there is on community perception of a missing middle. She had attended a couple of zoning meetings, mostly to hear, and did hear a fair amount of concern about raising density, about raising building heights, so she concurred with Councilmember Willmus about the reaction people would have for increased density. She did not think it could happen without community input.

Mr. Miller clarified that LDR would be one to two units only.

Mayor Roe noted a good thing is that a lot of these will be regulated by minimum lot size requirements. He appreciated the use of the CU to add some of the density issues, especially in the HDR, as well as height.

Councilmember Groff felt there will need to be an educational period because change does not come easy and some people will fight the change.

Ms. Gundlach reviewed phase two with the City Council.

The Council thanked Mr. Miller and staff for the update and all of the work to date.

**8. Approve Minutes**

*Comments and corrections to draft minutes had been submitted by the City Council prior to tonight's meeting and those revisions were incorporated into the draft presented in the Council packet.*

**a. Approve June 21, 2021 City Council Meeting Minutes**

Groff moved, Strahan seconded, approval of the June 21, 2021 City Council Meeting Minutes as presented.

**Roll Call**

**Ayes:** Willmus, Strahan, Groff, 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 dated July 12, 2021 and related attachments.

Willmus moved, Strahan seconded, approval of the Consent Agenda including claims and payments as presented and detailed.

**Roll Call**

**Ayes:** Willmus, Strahan, Groff, and Roe.

**Nays:** None.

**a. Approve Payments**

ACH Payments	\$944,988.51
100168-100396	1,482,727.97
<b>TOTAL</b>	<b>\$2,427,716.48</b>

**b. Approve Temporary Liquor License**

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

**d. Approve City Grant Applications Update**

**e. Approve Grant Agreement to the State of Minnesota and Architect for the Guidant John Rose Minnesota OVAL Projects**

**f. Twin Lakes Trail Phase 2 – Authorization to Proceed with Final Design**

**g. Approve Resolution No. 11822 Authorizing Revocation and Designation of Municipal State Aid Roads**

**10. Future Agenda Review, Communications, Reports, and Announcements – Council and City Manager**

City Manager Patrick Trudgeon reviewed the July 19, 2021 EDA and City Council Work Session meetings and the July 26, 2021 City Council meeting agendas.

**11. Adjourn**

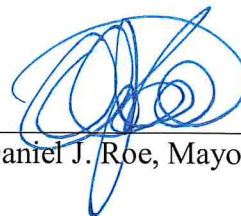
**Regular City Council Meeting**  
**Monday, July 12, 2021**  
**Page 12**

Willmus moved, Strahan seconded adjournment of the meeting at approximately 8:34 p.m.

**Roll Call**

**Ayes:** Willmus, Strahan, Groff, and Roe.

**Nays:** None.



---

Daniel J. Roe, Mayor

ATTEST:



---

Rebecca Olson, Assistant City Manager