



**Regular City Council Meeting Minutes**  
**City Hall Council Chambers, 2660 Civic Center Drive**  
**Monday, September 27, 2021**

**1. Roll Call**

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

**2. Pledge of Allegiance**

**3. Approve Agenda**

- a. Mayor Roe requested removal of Item 9d (Approve Fire State Aid Allocation Agreement with Roseville Fire Relief Association) for separate consideration.

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

**Roll Call**

**Ayes:** Groff, Willmus, Strahan, Etten, 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 came forward to speak.

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

- a. **Proclaim Indigenous People's Day Proclamation**

Mayor Roe read the Indigenous People's Day Proclamation.

Strahan moved, Groff seconded, proclaiming October 11, 2021, Indigenous People's Day.

**Roll Call**

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

**Nays:** None.

- b. **Proclaim Kiwanis Peanut Day**

Mr. Kent Gustafson, President NE Metro Golden K Kiwanis Club, made a presentation to the City Council. He introduced Mr. Max DeLong, Jim Bowyer, and Jim House. Mr. Gustafson noted that the sale of peanuts associated with Peanut Day each year is a significant fundraiser to support the work of the organization

Mayor Roe thanked the Golden K Kiwanis Club for the presentation and for their work in the community and read the Golden K Kiwanis Peanut Day Proclamation.

Willmus moved, Etten seconded, proclaiming September 28, 2021 Golden K Kiwanis Peanut Day.

**Roll Call**

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

**Nays:** None.

**6. Items Removed from Consent Agenda**

**a. Approve Fire State Aid Allocation Agreement with Roseville Fire Relief Association**

At the request of Mayor Roe, City Manager Trudgeon briefly highlighted this item as detailed in the Request for Council Action and related attachments dated September 27, 2021.

Mayor Roe reviewed background related to the Fire State Aid Allocation agreement with the Roseville Fire Relief Association.

Roe moved, Groff seconded, approving entering into the Fire State Aid Allocation Agreement with the Roseville Fire Relief Association.

**Roll Call**

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

**Nays:** None.

**7. Business Items**

**a. Adopt a Preliminary 2022 Tax Levy, Budget and EDA Levy**

Finance Director Michelle Pietrick and City Manager Trudgeon briefly highlighted this item as detailed in the Request for Council Action and related attachments dated September 27, 2021.

**Public Comment**

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

Etten moved, Strahan seconded, adoption of Resolution No. 11831 entitled, "Resolution Directing the County Auditor to Adjust the Approved Tax Levy for 2022 Bonded Debt." (the bench handout version of the resolution)

**Roll Call**

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

**Nays:** None.

Strahan moved, Etten seconded, adoption of 11830 entitled, "Resolution Submitting the Preliminary Property Tax Levy on Real Estate to the Ramsey County Auditor for the Fiscal Year of 2022."

**Roll Call**

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

**Nays:** None.

Groff moved, Willmus seconded, adoption of Resolution No. 11832 entitled, "Resolution Adopting the Preliminary 2022 Annual Budget for the City of Roseville."

**Roll Call**

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

**Nays:** None.

Willmus moved, Etten seconded, adoption of Resolution No. 11833 entitled, "Resolution Approving a Special Property Tax Levy, for the Benefit of the Roseville Economic Development Authority, on Real Estate to the Ramsey County Auditor for the Fiscal Year of 2022."

**Roll Call**

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

**Nays:** None.

**b. Authorize Professional Services Agreement with BBQ Holdings, Inc., owner of Granite City Food and Beverage, as Food and Beverage Provider for the Cedarholm Community Building**

Assistant Director of Parks and Recreation Matthew Johnson briefly highlighted this item as detailed in the Request for Council Action and related attachments dated September 27, 2021.

Councilmember Willmus asked what the term of the agreement will be.

Mr. Johnson indicated the term will be three years ending December 31, 2024.

Councilmember Strahan wondered if this was intended to be a sit-down restaurant experience.

Mr. Johnson thought the terminology has been kitchen grill. This means a family can come in and sit down to have a quick meal. This is not anticipated to be a full menu everyday sit-down restaurant. A menu was created specifically for Cedarholm that would be quick prep items but BBQ Holdings has shown staff the ability and willingness to be flexible as they understood it more.

Councilmember Strahan wondered how the prices were represented because it looked like the amounts in the packet were prices from 2019. She asked how they compared to today's prices.

Mr. Johnson explained BBQ Holdings does not expect a significant price increase but the City will work with them on the pricing.

Councilmember Groff asked what the process would be for the signage.

Mr. Johnson indicated BBQ Holdings will work with staff and the Parks and Recreation Department and intend to abide by the City's signage ordinance. BBQ Holdings has not expressed a desire to do anything beyond small branding and understand this is a City facility.

Councilmember Etten asked what happens if something is broken in the kitchen, who would be responsible for repairs.

Mr. Johnson explained it will be BBQ Holdings full responsibility. They will come in and do a full inspection when they take over to make sure everything is in good working order and during the term of the contract, they are responsible for all maintenance and repairs.

Councilmember Etten asked what happens if something needs to be replaced.

Mr. Johnson indicated it was his understanding that BBQ Holdings would still be responsible for replacement but he would need to look at the fine print further.

Mr. Lonnie Brokke explained the way staff would see that working is at the end of the useful life of a piece of equipment or at the failure of a piece of equipment, there would be some sort of negotiation on what the value of that piece of equipment would be and the need. If it was their need, then they would replace it and if it was the City's need, and the City wants it then the City would replace it. He noted staff will clarify it with BBQ Holdings.

City Attorney Gaughan indicated the City is still the owner of the building and there is value to the City of being the owner. While there can be some clarification, typically in a scenario like this the owner is going to be responsible for replacement, to their benefit.

Councilmember Strahan asked what provisions are in place if BBQ Holdings would not be able to meet their three-year contract term.

Mr. Johnson did not think the City had an explicit provision in place. Staff did work with BBQ Holdings to assure the restaurant was on solid financial footing and

that the actual reorganization provided the business stronger footing. Staff has a fairly high amount of confidence in that.

Mr. Gaughan noted the agreement does contain the City's typical termination provision, which is quite beneficial to the City.

Mayor Roe asked for confirmation that sustainable dishware and packaging would be part of the operations, so that the City and its partner can continue to lead by example in this area.

Mr. Johnson indicated that was the case, and the City would work with BBQ Holdings in that regard.

Mayor Roe asked whether poor performance by BBQ Holdings employees in City alcohol serving compliance checks at Cedarholm during the contract period could be a factor in termination or non-renewal of this agreement.

City Attorney Gaughan confirmed that could be factor.

### **Public Comment**

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

Willmus moved, Groff seconded, authorizing execution of a professional service agreement with BBQ Holdings Inc (owner of Granite City Food and Beverage) as the food and beverage provider of the Cedarholm Community Building, as described, subject to discussion.

### **Council Discussion**

Councilmember Willmus thanked staff for continuing to work through this item.

Councilmember Groff also thanked staff for the work. He pointed out some items that were important to him when looking through this.

Councilmember Etten agreed and thought this will be exciting and hoped that many people will use this as a new community aspect.

Councilmember Strahan concurred and thought this will be a nice addition to the City.

Mayor Roe indicated regarding compliance checks, he believed BBQ Holdings has not had any failures in the past which is a good sign in their favor.

**Roll Call**

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

**Nays:** None

- c. Consider the Victoria Shores Environmental Assessment Worksheet (EAW) Complete and Ready for Public Comment**  
Community Development Director Janice Gundlach briefly highlighted this item as detailed in the Request for Council Action and related attachments dated September 27, 2021.

**Public Comment**

Mayor Roe offered an opportunity for public comment.

**Mr. Andrew Walz, 3097 Sandy Hook Drive**

Mr. Walz explained he was the petitioner representative for the EAW. He indicated he was excited to read it when it was released last week, and he was optimistic that it would answer their questions and put some of their concerns at ease. He indicated at 490 pages, he thought it would be pretty thorough, but the questions are not consistently answered. The question he wanted to ask is what the criteria is for determining completeness and does it include following all of the directives in the instructions for each question. In some cases, like the endangered species question, the answers are really thorough but answers to other questions are very brief and dismissive. One question in particular, number eleven, section B, is meant to address the impacts of surface waters and is not really complete in his view. He thought they needed to understand the environmental impacts of the three items regarding the impacts of surface waters and urged the City Council to make the applicant complete all questions thoroughly, especially this one, before deeming this EAW complete.

No one else came forward to address the City Council. Mayor Roe closed public comment.

Mayor Roe indicated the City will address the questions brought up during public comment. He noted it seemed like the questions about plant removal, riparian alterations and change in the type of watercraft or quantity, all referred back to that section and its reference to changes such as changing the course of waterways and dredging and things like that, to the extent that those things do not appear to be happening here. He believed that was what was meant to be the reference to the other section.

Ms. Gundlach indicated the Mayor was correct. It seemed that the EAW petitioner was asking for disclosure of impacts that are not happening and are not to be disclosed as a part of this document. She noted that the information here from the DNR can be communicated back to the City as part of the comment during the

formal public comment period, as the DNR is one of the agencies that have to review and comment on this document. Staff does not feel like there are any impacts that are not otherwise disclosed in this document and that are not otherwise offered in the other responses to question eleven.

Willmus moved, Etten seconded, to determine the Victoria Shores EAW complete and instruct the Planning Division, within 5 business days, to submit the EAW to the EQB for publication in the EQB Monitor, publish a press release in the Pioneer Press, and send all affected local, state, and federal agencies a copy of the Victoria Shores EAW for their agency review and comment.

**Roll Call**

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

**Nays:** None

**d. Discuss Civil and Criminal Prosecution Legal Services**

City Manager Patrick Trudgeon briefly highlighted this item as detailed in the Request for Council Action and related attachments dated September 27, 2021.

**Public Comment**

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

Groff moved, Strahan seconded, to direct City Manager to bring forward a one-year contract for EBBQ to provide civil and criminal legal services to the City of Roseville for City Council approval and to direct the City Manager to issue a Request for Qualifications (RFQ) for civil and criminal prosecution legal services that will begin in 2023.

**Council Discussion**

Councilmember Groff thought every so many years it is good to look at what the City is doing as well as the mention of the City Manager's analysis of equity which is important to him. He thought with all of the work the City is doing on that this should be looked at also. That is not to say that he is not happy with the service the City is currently getting.

Councilmember Strahan echoed Councilmember Groff's comments and thought it was good to follow the process and the policy that is in place.

Councilmember Etten agreed.

Mayor Roe noted that one thing important to think about regarding the equity point of view is players in the field, in terms of firms in this area. He stated two of the

things the City has going for it is that new people may have come into this more recently that might be firms that are made up or owned by people of color, which can provide a different perspective and certainly something the City wants to promote, involvement of everybody in these processes. He also thought the qualifications need to reflect equity and look for information from applicants that cover that topic.

**Roll Call**

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

**Nays:** None

**8. Approve Minutes**

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

**a. Approve September 13, 2021 EDA and City Council Meeting Minutes**

Etten moved, Groff seconded, approval of the September 13, 2021 EDA and City Council Meeting Minutes as presented.

**Roll Call**

**Ayes:** Groff, Willmus, Strahan, Etten, 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 September 27, 2021 and related attachments.

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

**Roll Call**

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

**Nays:** None.

**a. Approve Payments**

ACH Payments	\$429,634.30
101141-101264	554,296.54
<b>TOTAL</b>	<b>\$983,930.84</b>

**b. Approve the 2022 Insurance Benefit Renewals and City Cafeteria Contributions**

**c. Approve Resolution 11834, Revoking the Multifamily Rental License for 2180 Haddington Road**



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d. **This item was moved to Items Removed from the Consent Agenda for further review**

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

Mr. Trudgeon reviewed the October 11, 2021, City Council meeting, October 18, 2021, City Council meeting and the October 25, 2021 City Council meeting agendas.

**11. Adjourn to Closed Session**

Willmus moved, Etten seconded, adjournment to a closed session in accordance with Open Meeting Law exceptions in Minnesota Statutes Section 13D.05 to discuss matters relating to the possible purchase of property at 2395 County Road B West in Roseville

**Roll Call**

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

**Nays:** None.

Mayor Roe convened the City Council in closed session at approximately 7:32 PM to discuss matters relating to the possible purchase of property at 2395 County Road B West in Roseville. City Manager Trudgeon, City Attorney Gaughan, and Parks & Recreation Director Lonnie Brokke were also present.

Willmus moved, Groff seconded, to adjourn the closed session and return to open session to complete the meeting.

Roll Call:

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

**12. Reconvene Open Session**

The City Council meeting reconvened in open session at 7:40 p.m.

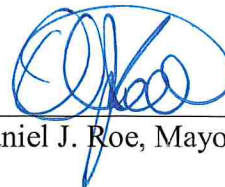
**13. Adjourn**

Groff moved, Etten seconded, adjournment of the meeting at approximately 7:41 p.m.

**Roll Call**

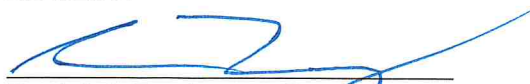
**Ayes:** Groff, Willmus, Strahan, Etten, and Roe.

**Nays:** None.



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Daniel J. Roe, Mayor

ATTEST:



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Patrick J. Trudgeon, City Manager