



Regular City Council Meeting Minutes
City Hall Council Chambers, 2660 Civic Center Drive
Monday, July 7, 2014

1. Roll Call

Mayor Roe called the meeting to order at approximately 6:00 p.m. Voting and Seating Order: Willmus; Laliberte; Etten; McGehee; and Roe. City Manager Pat Trudgeon and City Attorney Mark Gaughan were also present.

2. Approve Agenda

Councilmember Laliberte requested removal of Consent Item 7.e entitled, "Authorize Right of Entry Agreement with the Greater Metropolitan Housing Corporation" for discussion purposes.

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

Roll Call

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

Nays: None.

3. Public Comment

Mayor Roe called for public comment by members of the audience on any non-agenda items. No one appeared to speak.

4. Council Communications, Reports, and Announcements

Councilmembers Etten and Laliberte, along with Mayor Roe announced upcoming Park & Recreation activities at various community parks, including "Discover Your Park," puppet wagon activities; and free golfing opportunities for kids at Cedarholm Golf Course.

Mayor Roe thanked staff and volunteers for this year's Rosefest and July 4th events, opining that it was one of the better, if not the best, community festival in the area; and made him proud of his community.

Mayor Roe announced several upcoming Commission meetings over the next week that had been inadvertently omitted from tonight's agenda list of those upcoming public meetings.

Councilmember McGehee reported on her recent attendance at the Ramsey County League of Local Governments' (RCLLG) presentation on the Green Line, and tour of the depot and ride along the route. Councilmember McGehee referenced the comments provided about relationships and partnerships between businesses along the line and the City of St. Paul to build attractive façades for those businesses facing the Green Line, including tree preservation efforts and assigning liaisons to assist businesses survive during the construction process. Councilmember McGehee opined that this line would be a nice as-

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set for Roseville when the Bus Rapid Transit (BRT) was completed down Snelling Avenue with service every ten minutes to tie into the Green Line.

5. Recognitions, Donations and Communications

6. 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. Minutes of June 23, 2014 Regular Meeting

Corrections:

Page 5, Line 38 (Laliberte)

- Typographical correction from "Country" to "County"

Page 31, Line 37 (McGehee)

- Typographical correction: reference should be County Road B only, striking "~~or B-2~~."

Page 28, Lines 26 – 27 (Roe)

- Mayor Roe asked the desire of the Council majority whether or not Mr. LeTendre's referenced bench handout should be part of the actual meeting minutes, noting that the information provided in that handout was basically information on past litigation with the applicant, Mr. Mueller, and not mentioned by Mr. LeTendre during his verbal comments at the meeting during Public Comment; and therefore not relevant as part of the meeting minutes and City Council deliberation.

Councilmember Willmus opined that he did not find the handout relevant to that evening's discussion.

Councilmembers McGehee and Etten concurred with Councilmember Willmus.

Councilmember Etten questioned if this was consistent with any broader policy beyond this particular instance related to bench handouts and the permanent meeting record.

Mayor Roe advised that when written and verbal testimony was provided, the written comments were usually included as part of the Public Comment record; however, he noted there can be exceptions at the discretion of the council.

Councilmember McGehee stated that she agreed with the policy to include written comment in meeting minute records; however, in this particular case, she would urge an exception as the written comments went to a more personal matter than general testimony, and as Councilmember Willmus pointed out, it

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was not essential to the City Council's discussion and therefore she was reluctant to include the written comments in the meeting record.

City Attorney Mark Gaughan pointed out, from a legal perspective, that the question should be not whether the City Council found the information provided in writing to be relevant, but that it had been made a part of the record as the City Council accepted it at the meeting. City Attorney Gaughan urged the City Council to keep that framework in mind in making a decision whether to include the written information as part of the record or not, even though he could not recall the City Council's action when the public testimony of Mr. LeTendre spoke.

Mayor Roe clarified that the information had been handed out prior to the meeting; and subsequently not referenced by Mr. LeTendre during his verbal testimony. On a broader point, Mayor Roe opined that he didn't know if it was necessary for something to be attached to the meeting minutes if handed out, as the legal form of meeting minutes could simply be a list of motions and votes of the City Council, without additional detail.

City Attorney Gaughan noted that the discussion and City Council deliberation was also within the context of a Preliminary Plat application and City Council decision on that, with a resolution to deny that application with specific findings based on public testimony and information received. While the City Council's desire not to include the written information in this instance as part of the record, City Attorney Gaughan recommended that the City Council clarify if they accepted the written information as part of their deliberations as part of the public comment record.

Mayor Roe again clarified that the information had been handed out by Mr. LeTendre prior to the meeting, and was not part of his verbal testimony.

Councilmember Willmus concurred with Mayor Roe, noting that the information had been presented at the dais, but after his brief review of the document, he had set it aside as he found it not relevant to the discussion.

City Attorney Gaughan noted that he recalled that most of the information was not relevant, but reiterated that the City Council should pin down whether or not the document was influential in any part of their deliberations on the Preliminary Plat application and subsequent action.

Councilmember McGehee asked City Manager Trudgeon to review that section of the tape to see if the written information had been accepted or not.

Mayor Roe noted that, if that was the desire of the City Council, staff could be so directed to review the tape, and if so, suggested that consideration of the

meeting minutes be tabled until that review had been done, or the meeting minutes be approved conditionally in that case.

Councilmember Laliberte stated that, in general she preferred a consistent policy, and if written information was accepted, they should become part of the public record, or specifically stated if that information was part of individual Councilmember consideration when making their decisions. Councilmember Laliberte stated that she did not include that written information during her deliberations on the Preliminary Plat denial.

Mayor Roe noted that the challenge was the amount of information presented to a City Council, whether at the meeting or outside of that context, that was taken under consideration for agenda items and decision-making. Using the strict interpretation of meeting minutes requiring only a formal record of motions and votes, Mayor Roe noted that part, all or none of that information may influence individual City Council actions, whether or not the information was attached to the meeting minute record.

With no objection stated, Mayor Roe directed staff to revise the meeting minutes to reflect that Mr. LeTendre's written information provided as a bench handout at the June 23, 2014 City Council meeting be not attached or included a part of those meeting minutes.

Councilmember McGehee Memorandum Dated June 23, 2014 and entitled, "6/16/14 Council Meeting – Fire Station Close Out" (Page 3, Lines 37 – 42)

Mayor Roe sought Council consensus as to whether or not Councilmember McGehee's memorandum should be made part of the meeting record.

Councilmember Laliberte stated that she recalled discussion at the June 23, 2014 meeting that the memorandum was not included as part of the record.

Mayor Roe clarified that the discussion and decision at that time had been not to include the memorandum as part of the June 16, 2014 meeting minutes, but advised that Councilmember McGehee had asked that the memorandum be considered as part of tonight's approval of the June 23, 2014 meeting minutes as a subsequent attachment in response to the June 16, 2014 meeting minutes.

Councilmember Willmus stated that, from his perspective, the meeting minutes as presented accurately reflected the information conveyed at the meeting; and questioned whether a "do over" as Councilmember McGehee's memorandum appeared to him, was appropriate. Councilmember Willmus opined that any individual Councilmember could come to a subsequent meeting and take an opportunity to emphasize or reiterate their comments through various avenues. However, Councilmember Willmus further opined that to him, this memorandum seemed

to be attempting to amend the actual proceedings of the meeting, which he found concerning.

Councilmember McGehee stated that the only reason she presented the memorandum was at the advice of Mayor Roe, and because many of the issues she raised had not been included in the meeting minutes. Councilmember McGehee opined that the points she brought up during that discussion were important, and kept returning, but since she had been advised in the past that it was inappropriate for a City Councilmember to speak during Public Comment, she had lost the ability to express her concerns, and this was the only remaining option to bring her points forward when they were not included in the meeting minutes. Councilmember McGehee reiterated that this memorandum was something she had worked out with Mayor Roe as an opportunity to bring those points forward, and even though it was a week later, it was important from her perspective to get the information out to the public.

From his perspective, Mayor Roe stated that it was always a challenge with meeting minutes to differentiate between a reasonable accounting of what took place at the meeting versus a verbatim transcript of the meeting. Mayor Roe opined that, with respect to Councilmember McGehee's comments provided in her memorandum, they were indicative of a much more detailed accounting than typically included in meeting minutes.

Based on his personal review of the meeting tapes, Councilmember Willmus opined that the memorandum provided by Councilmember McGehee included much more detailed information than had been conveyed at the meeting.

Councilmember Laliberte opined that each Councilmember could provide bench handouts at the end of a meeting to make themselves sound more eloquent; however, she further opined that the information presented in Councilmember McGehee's memorandum appeared to be valid.

Laliberte moved, Etten seconded, to NOT include the McGehee memorandum as a bench handout to avoid setting a precedent for the future.

Based on his concern in setting a precedent, Councilmember Etten opined that the memorandum provided more detail than the discussion included at the meeting; and noted that the City hired a recording secretary to provide an accurate record of meetings, subsequently adopted by the majority.

Councilmember McGehee questioned when an individual Councilmember had the opportunity to correct erroneous information that had been reported in the *City News* and spoken inaccurately and incompletely by staff. Councilmember McGehee opined that her work with Mayor Roe was eliminated from those meeting minutes; and stated that she wanted those figures out there. While she was okay

with not having her memorandum included as a bench handout, Councilmember McGehee expressed her concern that individual Councilmembers be able to provide their personal perspectives and interpretations.

Councilmember Willmus suggested that staff could review the tape of the June 16 meeting and bring forward an updated version of the minutes that might more completely reflect Councilmember McGehee's statement.

Mayor Roe clarified that such an action may be a subsequent motion before the body, but was not included in the current motion on the table, and therefore called the vote.

Roll Call

Ayes: Willmus; Laliberte; Etten; and Roe.

Nays: McGehee.

Motion carried.

Willmus moved, Laliberte seconded, directing staff to review the June 16, 2014 meeting tape and update Councilmember McGehee's comments at that meeting for the record.

Councilmember Etten opined that he agreed that meeting minutes needed to accurately reflect discussion and be as complete as possible; however, he questioned where the line was drawn in adding to or subtracting from those meeting minutes once approved.

Mayor Roe suggested consideration of a subsequent draft of the meeting minutes may be needed in the future after review of the meeting tape.

Councilmember Willmus opined that, under these circumstances with an individual Councilmember identifying something they felt was inaccurate in the meeting minutes, the way to resolve the conflict was to review the meeting tape.

Councilmember McGehee stated that she had obtained the figures from Finance Director Miller and she would be happy to have him review the figures.

Roll Call

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

Nays: None.

Laliberte moved, Etten seconded, approval of Meeting Minutes of June 23, 2014 as amended; and striking Lines 37 - 42, page 3 at this time, and retaining substitute language as submitted and referenced on lines 20 - 30, page 4, specific to the June 16, 2014 meeting minutes as adopted..

Roll Call

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

Nays: None.

7. Approve Consent Agenda

There were no additional changes to the Consent Agenda than those previously noted. At the request of Mayor Roe, City Manager Patrick Trudgeon briefly reviewed those items being considered under the Consent Agenda.

a. Approve Payments

Mayor Roe suggested staff review of the coding for Check #74205 to “Walton’s Hollow” for petting zoo expenses, listed under the Telecommunications Fund.

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

ACH Payments	\$392,123.68
74131-74285	410,749.06
Total	\$802,872.74

Roll Call

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

Nays: None.

b. Approve Business Licenses & Other Licenses & Permits

Etten moved, McGehee seconded, approval of business license applications for the period of one (1) year, unless otherwise noted, for applicants as listed in the Request for Council Action dated July 7, 2014.

Roll Call

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

Nays: None.

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

Etten moved, McGehee seconded, approval of the submitted list of general purchases and contracts for services presented as follows; and as detailed in the Request for Council Action (RCA) dated July 7, 2014; and Attachment A entitled, “2014 Capital Improvement Plan Summary – Updated 06/30/2014.”

Department	Vendor	Description	Amount	Budget / CIP
IT	Approved Networks	Optical transceivers/modules	\$12,575.00	Budget
IT	Datalink	Network switches	40,545.16	Budget
Bldg. Maint.	Linn Building Mtnce.	City Hall interior painting	12,000.00	CIP

Roll Call

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

Nays: None.

d. Appoint Youth Commissioner to the Human Rights Commission

Etten moved, McGehee seconded, appointment of Gabriel Cederberg as Youth Commission on the Human Rights Commission for a term expiring July 31, 2015.

Roll Call

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

Nays: None.

f. Direct Staff to Advertise Vacancy on the Housing & Redevelopment Authority

Etten moved, McGehee seconded, directing staff to advertise for applications to serve on the Roseville Housing & Redevelopment Authority, with applications due to the City by August 7, 2014, and interviews scheduled at the August 18, 2014 City Council Meeting; and appointments made as recommended by the Mayor at the August 25, 2014 City Council meeting.

Roll Call

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

Nays: None.

g. Set Public Hearing to Consider the Transfer of On-Sale and Sunday Intoxicating Liquor License to Red Lobster Hospitality, LLC

Etten moved, McGehee seconded, scheduling a Public Hearing on July 21, 2014 to consider transferring the On-Sale and Sunday Liquor Licenses from Darden Restaurants, Inc., to Red Lobster Hospitality, LLC, at the 2330 Prior Avenue location, effective July 28, 2014, and for the remainder of the 2014 calendar year, subject to completion of a criminal background check on the owners/officers.

Roll Call

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

Nays: None.

8. Consider Items Removed from Consent

e. Authorize Right of Entry Agreement with the Greater Metropolitan Housing Corporation

At the request of Mayor Roe, City manager Trudgeon briefly summarized this request, as detailed in the Request for Council Action (RCA) dated July 7, 2014.

Councilmember Laliberte expressed her hesitancy in approving this item to move things forward while the financial package was not yet finalized.

City Manager Trudgeon clarified that the agreement (Attachment A) was outlined in broad terms, with the plat and Development Agreement scheduled for City Council approval at their July 21, 2014 regular business meeting.

Mayor Roe clarified that, while the City had yet to agree to sell the property to GMHC, this agreement allowed them to begin marketing the parcels.

Housing & Redevelopment Authority Executive Director Jeanne Kelsey

Ms. Kelsey advised that negotiations were still in process at this point for a final Development Agreement, with the City Council having identified Tax Increment Financing Districts 10 and 12 as a resource to write down the cost of the land. Ms. Kelsey clarified that this was not, nor were there any other agreements, to provide any other subsidy for this project; and that the purpose of this agreement was at the request of the GMHC to start marketing properties for pre-sales to begin addressing financial flow for the project.

Councilmember Laliberte expressed her understanding of the process and current status; however, she noted the direction of a previous City Council, and subsequently this City Council, to make sure the City is made whole on that piece of property, and as a member of this body, she could not pretend that direction was not in place.

Based on her understanding, Councilmember McGehee opined that this provided an opportunity for GMHC to access the property and sell their concept or plan to float the development, excluding any construction or site work. Under those circumstances, Councilmember McGehee opined that she didn't feel concern about them doing preliminary marketing or determining market interest, since it was only two weeks before the Development Agreement would come before the City Council. Councilmember McGehee expressed her considerable faith in the HRA that they wouldn't have brought this agreement before the City Council without those assurances being in place.

McGehee moved, Etten seconded, authorizing the City to enter into a Right of Entry Agreement (Attachment A) with the Greater Metropolitan Housing Corporation (GMHC); for the purpose of marketing the homes to be constructed on the site prior to taking ownership of the property.

Councilmember Willmus expressed his full understanding of Councilmember Laliberte's perspective and the validity of those concerns. However, Councilmember Willmus opined that he was considering this as a simple erection of signage about the future development, not as a groundbreaking.

Ms. Kelsey confirmed Councilmember Willmus' perspective, noting that the agreement provided placement of signs by the Realtor indicating contact information for any interested parties.

Councilmember Willmus further opined that it allowed the party eventually acquiring the property to perform due diligence and sign the property appropriately; and again while understanding Councilmember Laliberte's point, in that context as described by Ms. Kelsey and in the agreement itself, he found no great concern on his part.

Mayor Roe stated that, when first reading the draft agreement and timing as noted by Councilmember Laliberte, he shared her concerns; however, he concurred with Councilmember Willmus after this discussion. Mayor Roe noted that there were sufficient legal protections within the system itself that no final contractual agreement could be processed that allowed GMHC to sell property they did not yet own.

Roll Call

Ayes: Willmus; Etten; McGehee; and Roe.

Nays: Laliberte.

Motion carried.

f. General Ordinances for Adoption

g. Presentations

a. Joint Meeting with Housing & Redevelopment Authority

Members Present: Chair Dean Maschka; Members Vicki Lee, Kelly Quam; and Councilmember/HRA Member Jason Etten. Chair Maschka introduced tonight's discussion points based on the HRA's current work plan, and possible items for consideration with direction by the City Council as part of tonight's dialogue. Work Plan goals were outlined in the RCA dated July 7, 2014, the updated work plan (Attachment A), and additional attachments including a map of multi-family sites (Attachment B), data on Southeast Roseville (Attachment C), Police Data on Hotels (Attachment D), and comparison maps of single-family home conversions to rentals (Attachment E).

Individual HRA Members reviewed current Work Plan Goals I through V prior to Chair Maschka seeking City Council feedback on potential acquisition or partnering opportunities for several multi-family properties in the City of Roseville. Those potential sites included: the Owasso School Site; the Lexington and Woodhill Site; and the Good Samaritan Home Site on County Road B.

Chair Maschka opined that the Good Samaritan site provided a possible demonstration project for stackable redevelopment of the Har Mar Mall area, which had been a long-time dream for the community at large. Chair Maschka noted that the timing was ripe with the addition of the BRT line along Snelling Avenue and other elements that could create a "Roseville East" development similar to that accomplished in the City of St. Louis Park. While discussions may be very prelimi-

nary at this time, Chair Maschka further opined that it would be a great joint project and provide creative opportunities to get the ball rolling in redevelopment of this area of Roseville.

Discussion

Councilmember Willmus stated that he had no objections to any of the HRA's possible work plan items as outlined. However, on the first goal specific to the "Living Smarter" initiatives, Councilmember Willmus suggested that under that banner, the HRA also explore urban agriculture opportunities as part of their efficiencies and sustainability efforts, and beyond those brief acknowledgments at the annual Home and Garden Fair. Councilmember Willmus noted that, while the City allowed home growing of bees and chickens, there were still regulations on the books that horses were allowed, but no goats. Councilmember Willmus suggested a review of those ordinances in today's atmosphere, whether by the HRA or the HRA and City Council in cooperation.

Councilmember Laliberte stated that someone in her neighborhood had suggested turning the Good Samaritan property into community gardens.

Councilmember Maschka agreed that there may be some sites in the community that would support community gardens.

Councilmember Laliberte supported the current work plan and those items planned by the HRA; however, when talking specifically about the Owasso School site, she noted the need to take into consideration what the School District needed to receive for those lots.

Chair Maschka concurred, noting that there was a long and strong history of the School District and City working together in partnership for joint ventures.

Mayor Roe noted that, with current developer interest in that site as well, it may serve to influence development of the Owasso School site and form a partnership between the School District, City and private developer.

In her consideration of Community Mixed Use (CMU) Zoning District designation for the Har Mar Mall area, Councilmember McGehee suggested that the HRA take that into consideration in putting anything together as a future use for that site.

Chair Maschka duly noted the request of Councilmember McGehee, opining that this area was ripe for redevelopment, and reiterated the potential for a possible demonstration site for the Good Samaritan site, even though they have not yet been approached about the potential for the site, it provided for unique and creative possibilities. Chair Maschka noted that the City was experiencing a rebirth of

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redevelopment, and suggested the City put itself in a position to influence – not control – that redevelopment in order to lead it versus reacting to it.

Mayor Roe noted that the Har Mar Mall area is currently zoned Community Business, and not CMU, and therefore open to multi-level redevelopment under that current zoning designation.

Councilmember McGehee thanked the HRA for getting ahead of the curve; and in addition to the comments of Councilmember Willmus, agreed with the need for the “Living Smarter” marketing campaign to move beyond banners and the Home & Garden Fair, and expand that concept to more specific ways to drive the community forward.

Chair Maschka noted that the community continued to see more young families move in, and with the park renewal program in process, that synergy was coming together and could be built on; as well as with the support of the new Community Development Director and Communications Manager and their efforts to lead things forward cohesively.

Councilmember McGehee expressed her support for the HRA expanding the “Living Smarter” marketing and logos, and opined that it be used to point the City in the right direction, and therefore she saw no need for any further branding or logos.

Chair Maschka opined that the first half of creation was writing things down.

While recognizing the potential for the “Living Smarter” logo and motto, Mayor Roe suggested that the other motto, promoted by the Roseville Visitor’s Association (RVA), that Roseville was “perfectly positioned” not be sold short.

Chair Maschka concurred, noting that the RVA motto was part of living smarter, and offered a huge benefit to residents in shorter commuting time from their homes to work places and other activities/events.

Councilmember Laliberte thanked the HRA for bringing up the SE Roseville and hotel data; and offered her full support in investigating and further study by the HRA on both of those issues.

Chair Maschka opined that it was important to determine what was happening and what could be done about it.

Mayor Roe noted that SE Roseville offered a unique neighborhood, with many nice homes, but others with issues and some long-term multi-family complexes and related issues. Mayor Roe cautioned that whatever was done, a vital piece would be to accentuate the positives, since it wasn’t all bad news in that part of

the City; since as a resident of SE Roseville, he and his neighbors were proud and were interested in improvements where they needed to happen.

As a fellow resident of SE Roseville, having grown up there, and now living there as well, Councilmember Etten concurred with the comments of Mayor Roe, opining that the Neighborhood Association directed by Sherry & Rick Sanders were actively involved in making the neighborhood better, with a meeting of the Association scheduled in July to discuss opportunities and ways to strengthen the neighborhood. Councilmember Etten opined that the current multi-family housing inspections represented a huge first step in the City starting to take action.

Chair Maschka noted the need to involve the Neighborhood Association in future discussions of the HRA.

Councilmember Laliberte also suggested highlighting the parks and other amenities in the SE Roseville area already available.

Discussion of Disinvestment in SE Roseville / Further Study

Chair Maschka noted that this was a unique area, as provided in Attachment C, with some issues needing to be addressed. Therefore, Chair Maschka advised that the HRA would like to study the area and various issues; and proposed to include such a study in the 2015 HRA Budget/Levy if no objection from the City Council. Chair Maschka opined that this would allow a response that was preventative versus reactionary.

Hotel Decline

Chair Maschka, referencing Attachment D, suggested funding a study as part of the 2015 HRA Budget/Levy, if supported by the City Council, to find a better approach through considering this as temporary housing and possible related regulations to alleviate current Police Department responses.

Councilmember McGehee noted a similar approach by the City of Brooklyn Center who purchased a Motel 6 franchise, and eventually redeveloped the site into an FBI facility.

Chair Maschka noted that there were a number of possibilities to deal with the issue from a different approach than law enforcement, including acquisition and redevelopment. Chair Maschka noted that some sites were beautiful and had great potential; and if there was no objection from the City Council, the HRA would like to delve into that arena. Chair Maschka opined that the easiest thing was law enforcement, but suggested there may be a better way to get things done.

Mayor Roe spoke in support of finding solutions to relieve Police resources, which would benefit the entire community by allowing them to address other areas throughout the City. Mayor Roe noted the need to take into consideration the

business model of motels such as Motel 6 in meeting needs of the market place; while also addressing broader problems as well.

Councilmember Laliberte suggested part of the HRA study include identifying whether or not people were using those hotels as temporary housing beyond 1-2 nights.

Mayor Roe concurred also noting that they may be used as temporary housing until the residents could find shelter elsewhere.

Single-Family Home Conversion to Rentals

Chair Maschka noted that this was a personal concern in his neighborhood; and referenced the Attachment(s) E comparing those conversions to rental, from 210 in 2010 and currently 295. Chair Maschka suggested the proposed study of this increase could include discussions with the University of Northwestern to determine what portion was specific to student housing and what was due the function of home pricing and interest rates. Chair Maschka noted that it is of concern to neighbors of those properties indicating a problem; and further noted the obvious trend shown in Attachment E; and noted that this data may not be all-inclusive of the actual situation.

Mayor Roe noted that when interest rates were low, it was attractive to turn single-family homes into rentals, whether for college students or as investment/income opportunities; and was obvious throughout the City. Mayor Roe noted that the flip side of that situation was that every dot on the map didn't represent a problem, much the same as the SE Roseville discussion, all rental homes were not automatically bad. Mayor Roe clarified that part of the HRA study needed to determine what the problems were and where they were; as well as how those rental homes registered with the City compared to owned homes for code enforcement, and how to verify and compare that information.

HRA Member Quam noted that, those rental opportunities provided an important component to the City's housing units, and without them, many young families would be shut out of the community.

Chair Maschka agreed that this was a valid point.

In his specific neighborhood, Councilmember Etten noted that changes occurred, and of eight new rental housing units shown in the past, four were no longer used as rentals; and from his perspective, he could see that changeover happening consistently now and in the future as well.

Councilmember Laliberte noted that some of the rentals may be due to situations where elderly owners had to move out of their homes and their families were left with dealing with the immediate situation and economic issues in when to sell the

home, and therefore going into a rental situation during the interim, but not a permanent situation.

Chair Maschka agreed; noting that many homeowners may initially have the misperception that renting out property was easier than it proved to be.

Mayor Roe thanked Councilmembers and HRA Members for tonight's discussion; and in closing thanked Member Quam for her service on the HRA, recognizing that she was not seeing reappointment to the HRA for another term.

Member Quam thanked the City Council and HRA for the honor to serve, opining that it was a great group.

Chair Maschka thanked the City Council for the great relationship between the bodies; and for recognizing the HRA's role in serving for the benefit of the City Council and community at large.

h. Public Hearings

a. Public Hearing to Consider the Transfer of an Off-Sale License to Yangsons, Inc. (Hamline Liquors), 2825 Hamline Avenue N

Finance Director Chris Miller briefly reviewed the request for transfer of the Off-Sale Liquor License, as detailed in the RCA dated July 7, 2014. Mr. Miller advised that the applicant was not present in the audience.

Mayor Roe opened and closed the Public Hearing at approximately 7:10 p.m.; with no one appearing for or against.

i. Budget Items

j. Business Items (Action Items)

a. Approve/Deny the Transfer of an Off-Sale Liquor License to Yangsons, Inc. (Hamline Liquors)

Action Item 13.a

Willmus moved, Laliberte seconded, approval of the transfer of the Off-Sale Liquor License from the current owner of Hamline Liquors, Thanh V. Hoang to Yangsons, Inc. (d/b/a Hamline Liquors), *effective upon the close of the sale*, and for the remainder of the 2014 calendar year.

Roll Call

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

Nays: None.

b. Authorize Fire Department to Use the HGACBuy Purchasing Agreement for Buying New Fire Engine

Tim O'Neill and Battalion Chiefs Dave Brosnahan; and Greg Peterson

Battalion Chief Dave Brosnahan

Chief Brosnahan provided a summary of the Houston-Galveston Area Council (HGAC) Buy Program, its history and extensive expertise in evaluating bid responses for capital purchased such as fire engines, with the City's engine scheduled for replacement in 2015, with a current replacement budget of \$550,000. Chief Brosnahan advised that he had personally spoken with the Cities of St. Louis Park, Plymouth, Coon Rapids, and No. St. Paul, who had used this program; and all of whom had nothing but positive information and feedback, and planned to use the program again in the future for applicable large capital items.

Chief O'Neill advised that, at this time, the Department was at a crossroads in the process, having identified the apparatus chassis that would work best for the department; but before moving further, was seeking City Council feedback and authorization to use this process versus the typical lowest bid process for purchasing a new engine.

At the request of Councilmember Etten, Chief O'Neill clarified that this process allowed for the Fire Department to work exclusively with one specific vendor for total customization of the equipment versus a more generic specifications from a number of manufactures who could bid on the truck. Under the low bid process, Chief O'Neill advised that the Department ran the risk of getting a piece of equipment that was not specifically designed for the benefit and interest of the Fire Department or the community due to the need to make the design and specifications as generic as possible for multiple bidders. Chief O'Neill also responded that, throughout the HGACBuy Program, as the Department Command Staff had done over the last 4-5 months by reaching out to various vendors who could provide a new engine, and viewing the equipment and providing feedback. As a result of that process, Chief O'Neill advised that the Department had identified a manufacturer they would be comfortable entering into a relationship with to purchase the engine.

At the request of Mayor Roe, Chief O'Neill compared the HGACBuy Program and State Bid products, allowing for a process similar to state bid contracts in MN for chassis and cab designs, similar among all manufactures; then allowing for customization of the remaining vehicle specifications; and providing a better approach and value for the City in their ultimate purchase customized to fit the needs of the community and Fire Department, by eliminating the guess work and provide the most ideal equipment.

At the request of Mayor Roe, City Attorney Gaughan opined that this agency fit the definition under State of MN Statutory bid laws as an exemption for cooperative purchasing entities versus the low bid process.

At the request of Councilmember Willmus, Chief O'Neill reviewed the advantages of a piece of equipment customized for the Department and community versus a piece of equipment that was functional, but not ideal as the most effective and efficient.

At the request of Councilmember McGehee, Chief O'Neill advised that, by the time engines are recycled after 10-20 years depending on their mileage and maintenance record, there was not much resale value at all, whether generic or customized. Chief O'Neill noted that the units had a high volume of miles, and typically only resold for approximately \$8,000 to \$12,000, and usually to rural departments who would absorb maintenance costs, without much further investment available in those circumstances. Chief O'Neill advised that each engine had to go through an annual certification process, and the first five years typically put approximately 100,000 miles on each piece of equipment. Chief O'Neill noted that, often the old engines were hard to get rid of, due to that certification process and their increased maintenance as they aged; and the high mileage and volume of use they'd received before being recycled out.

At the request of Councilmember McGehee, Chief O'Neill opined that he was not sure there would be any cost advantage between low bids for a generic piece of equipment or the HGACBuy Program and a customized piece of equipment, since the ultimate goal was to get the best piece of equipment possible for the Roseville Fire Department. Chief O'Neill noted that either process would need to remain at or below the budgeted amount versus asking additional funding from the City Council. Chief O'Neill reiterated that the City was getting a cab and chassis at an agreed-upon price available to any municipality, but was unaware at this time of the cost of customization components.

At the request of Councilmember McGehee, Chief O'Neill reviewed the HGAC-Buy Program process and their determination annually of 4-5 different cabs and chassis available, similar to those offered in a state bid contract used in MN.

Councilmember Willmus expressed his interest in taking more time to review this program, and asked if there were any time constraints in deferring action until next week's meeting to allow him to perform his own due diligence before making a decision.

Chief O'Neill responded that one week wouldn't make any difference; but advised that if the Department was directed to pursue the lowest bid process, it was a time-consuming process that needed development of a Request for Proposals (RFP) document and extensive specifications.

Specific to customization costs, Councilmember Etten asked if there was a limit to those customization costs, or if the Department would ask for more money to build the engine out; and questioned where the cost savings would be found in pursuing this program versus low bids.

Chief O'Neill responded that the HGACBuy Program provided the Department with more control in not seeking additional funds, by working with one specific vendor for any additional equipment, and each item listed by line, allowing them to monitor that budget, or redesign or re-engineer their needs. Chief O'Neill advised that the intent of the Fire Department was to remain within or below that budget amount. However, if the Department went out for bid, it remained an unknown as to what those bids would come in at; with other options then being to reject all bids or have the Fire Department seek additional funding from the City Council, again recognizing the lengthy bid process. With the HGACBuy Program, Chief O'Neill advised that there would be no unknowns going forward.

At the request of Mayor Roe, Chief Brosnahan noted that the HGACBuy Program provided all vendors, as a program component, to provide a detailed cost marketing sheet for the custom designs or specifications for the engine, beyond the base cost for the cab and chassis, that could not exceed 25% of the cab/chassis expense, and allowing for adjustments in the wants, needs and/or desires of the Department. Chief Brosnahan noted that this allowed the Department to be aware of whether or not they were meeting actual costs and tweak those options as they added up as they added up versus finding out 60-90 days later after bids were opened.

Etten moved, McGehee seconded, authorizing the Fire Department to use the HGACBuy Program for purchase of the replacement fire engine.

Councilmember Etten stated that his questions had been answered sufficiently for him to proceed with this action; opining that if the Department could accomplish the purchase at the projected cost, they were performing their due diligence and thinking about the benefits for the City of Roseville.

Councilmember Willmus stated that he didn't disagree, but would like a week to look at the HGACBuy Program, suggesting that the item could even be placed on the next week's Consent Agenda. However, Councilmember Willmus advised that, at this time, he was not sure he could support the motion without that due diligence on his part.

Willmus moved, Laliberte seconded, TABLING this item to the July 14, 2014 regular City Council meeting.

Roll Call

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

Nays: None.

Mayor Roe declared the original motion moot.

c. Community Development Department Request to Perform an Abatement for an Unresolved Violation of City Code at 1175 – 1177 County Road B

Codes Coordinator Don Munson reviewed current this neighborhood-driven complaint of code violations at this duplex, which is also a rental property, with current owners listed as Mr. & Mrs. William and Pauline Head, residing in Blaine.

Mr. Munson provided a status update, including photos, of current violations, including outside storage of junk and debris (violation of City Code Section 407.03.H); and estimated that the cost for abatement, consisting of removal and disposal of the junk and debris, would be approximately \$1,500.00.

Mr. Munson stated that one neighbor had indicated to him that the property was currently in foreclosure; and observations indicated that one side of the duplex was currently vacant. Mr. Munson further reported that the City had already cut the grass at this property a few weeks ago, and it was scheduled for cutting again.

Mr. Munson reported on additional building maintenance costs, including a caved-in garage door and boards falling off the house; with those specific items scheduled for an Abatement Hearing before the City Council at their July 21, 2014 meeting; and separate from tonight's Abatement request. Mr. Munson estimated the cost of those additional abatement issues at a minimum of \$650.00, depending on the actual situation determined at that time.

There was no representative of the owner present at the meeting.

McGehee moved, Etten seconded, directing the Community Development staff to abate public nuisance violations at 1175 – 1177 County Road B by hiring general contractors to remove and dispose of junk and debris; with the property owner to be billed for actual and administrative costs, and if charges not paid, authorizing staff to recover costs as specified in City Code, Section 407.07B.

Roll Call

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

Nays: None.

d. Community Development Department Request to Perform an Abatement for an Unresolved Violation of City Code at 170 County Road B

Codes Coordinator Don Munson reviewed current neighborhood-driven complaints of code violations at this single-family home, with the current owner listed as Patrick Arel.

Mr. Munson provided a status update, including photos, of current violations, including unlicensed and inoperable vehicles parked on the driveway (violation of City Code, Section 407.02.O); estimating the cost for removal and impounding the vehicles at no cost to the City. Mr. Munson advised that, since written notice of tonight's Abatement Hearing had been provided to the property owner, and with staff's inspection last week, both vehicles now had current license tabs; but the blue vehicle pictured still had two flat tires, and therefore was deemed inoperable and in violation of City Code.

Mr. Munson advised that the neighborhood was concerned that the condition of this property would serve to allow blight to creep into the neighborhood and negatively affect adjacent property values; and were expectant of the City addressing the problem. Mr. Munson advised that there had been a similar complaint brought against this property about one year ago; and at that time the property owner had corrected the problem, but not until the actual day of the City Council's requested action for abatement.

Mr. Munson reviewed the City's current seven-day repair placard used to tag vehicles before impounding them; and noted that it had proven very effective to date, and that he anticipated resolution of this issue as well. Mr. Munson noted that another option would be for the City to inflate the two tires, paid for from the HRA budget, and estimated that cost at approximately \$250.

Mr. Munson noted that the property owner was not present in tonight's audience; and at the request of Councilmember Laliberte, confirmed that the property owner had not returned calls to staff that were made after the required written notice was given.

At the request of Councilmember McGehee, Mr. Munson advised that the placard process would allow the property owner to inflate the tires and define expectations of City Code in licensing the vehicles and ensuring their operability. With the one vehicle apparently now operable, Mr. Munson confirmed that staff would therefore only be removing the one vehicle deemed inoperable due to the flat tires if the property owner didn't respond to the placard notice requirements.

Etten moved, McGehee seconded, directing the Community Development staff to abate public nuisance violations at 170 County Road B by hiring general contractors to remove and impound inoperable vehicle following the seven day placard process; with the property owner to be billed for actual and administrative costs, and if charges not paid, authorizing staff to recover costs as specified in City Code, Section 407.07B.

Roll Call

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

Nays: None.

e. Adopt City Manager Goals

At the request of Mayor Roe, Subcommittee Members Etten and Willmus reviewed Attachment A that reflected City Council interests and areas of focus for the City Manager's 2014 Goals. Councilmember Willmus noted that several opportunities had been provided to allow the entire City Council to weigh in and bring items forward.

Councilmember McGehee, after consulting with Councilmember Etten previously, provided a Bench Handout, outlining her iteration of goals and revised language to replace the language presented by the Subcommittee in Attachment A. Councilmember McGehee opined that, overall, she found the Subcommittee to have done a really good job, noting that she only changed a few things, with one example to avoid instructing the City Manager how to communicate with the general public, etc. by providing a cleaner goal to make it easier for people to communicate, which she found less subjective to interpretation. Regarding the City Manager being a visible presence at public events and participating in civic groups, Councilmember McGehee noted that Mr. Trudgeon was already doing this. Councilmember McGehee noted that she also changed the Park Renewal Program from "assuring implementation" to "overseeing implementation." Specific to evaluating possible changes to city landscapes to reduce maintenance costs, Councilmember McGehee advised that she removed this as it was beyond the realm of the City Manager, but better delegated to his direct reports. Councilmember McGehee opined that, as it related to training and succession planning, consideration needed to be given by the City Manager to staff with those skills but who may not be on the current leadership team by providing them opportunities to participate. Regarding commission information and comments, Councilmember McGehee stated that she tried to treat all commissions equally, and since they reported to the City Council, revised language that the City Manager assist and support the work of all commissions, at which point the City Council would provide direction to him, not the other way around as indicated.

Mayor Roe requested responses from individual Councilmembers on either or both documents.

Councilmember Laliberte expressed appreciation for the work of Councilmembers Etten and Willmus and their organization of the listed items. Councilmember Laliberte advised that her initial reaction was that the goals needed to be more specific for evaluation purposes and determinations versus these less specific than she would traditionally expect goals to be. However, Councilmember Laliberte expressed her support for the Attachment A to the RCA versus the even more generalized list in Councilmember McGehee's bench handout.

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Councilmember Willmus spoke to that very point of generality, as a part of his and Councilmember Etten's discussions and evaluation of the City Manager. Councilmember Willmus noted that neither he nor Councilmember Etten could speak for the entire City Council, and suggested that the list in Attachment A not be viewed as a checklist, but providing a broader framework in guiding the City Manager in his duties. In looking back to the specific goals in place for previous City Managers that didn't move forward, Councilmember Willmus stated that he was cognizant of and was intentional in the generality of these goals.

Councilmember Laliberte advised that she could support moving forward with the Subcommittee's goals, mainly because this is City Manager Trudgeon's first year in the position, and as long as everyone was on the same page to move the City forward. In subsequent years, Councilmember Laliberte suggested a list of things measurable above and beyond the day-to-day work and things expected and anticipated, moving beyond and forward.

Mayor Roe concurred, noting that a shorter list would make sense at that time as well.

Councilmember Etten expressed appreciation for Councilmember Willmus' comments; noting that some items could not have more specificity and all the world's problems would not be solved in the first year. As an example, Councilmember Etten referenced the third bullet point under "Improve the Delivery of Information to the Public," opining that "providing easily understandable budget information to the public" may appear generic and nebulous, and while vital from the City Council's perspective, they could monitor how reports were provided and how and if the goal was or was not accomplished.

Regarding Councilmember McGehee's suggestion in the goal to "Improve the Quality and Delivery of City Programs," Councilmember Etten spoke in support of her suggestion to "Assist and support the work plans of all City Commissions," rather than "Assist and implement..."

Councilmember McGehee thanked Councilmembers Willmus and Etten for their lack of specificity and providing an excellent roadmap of overarching goals; recognizing that the City Council couldn't foresee every possible thing coming before the City Manager as they were not in his position and he could view things from an operation and budget perspective. Councilmember McGehee opined that the key is that the City Manager reported back to the City Council.

Councilmember McGehee noted another recommended change in her bench handout in the goal to "Create Operational Efficiencies," to change language from "Explore" the use of full-time firefighters to "Evaluate." Councilmember McGehee advised that her rationale in making that change was based on her personal financial review of information presented at the last City Council meeting,

opining that the information was inaccurate and she was seeking a more serious evaluation; and even after her requests for additional information to assist in that evaluation, she didn't find it forthcoming.

Mayor Roe stated that he could support that recommendation if the motion also included removing that evaluation “**as part of the budget process.**”

Councilmember Laliberte stated that she liked the idea of asking the City Manager to make a recommendation to the City Council on the Fire Department; and would not remove the budget process component, since that was part of the evaluation and specific to current budget considerations.

At the request of Mayor Roe, Councilmember Willmus supported revised language for that particular item as follows: “[**Make Recommendation with regard to**] the use of Full-Time Firefighters for the Fire Department as part of the budget process.”

Specific to Councilmember McGehee's bench handout suggestion to remove references to the Community Engagement Commission addressed in the first bullet point of the first goal to “Improve the Delivery of Information to the Public,” Councilmember Willmus expressed his interest in retaining that designation, since this Commission was new; and suggested that the last bullet point in the second goal to “Improve the Quality and Delivery of City Programs,” identified as “**Make Contact Information for Commission members more accessible to the public**” be moved up as a part of the first goal. Councilmember Willmus agreed with the Fire Department item as noted above; and spoke in support of Councilmember McGehee's suggested language in her bench handout for items expanded in the goal to “Promote Environmental Stewardship and Sustainability.” At the request of Councilmember Etten, Councilmember Willmus further offered his support to incorporate language to review policies and ordinances to “**improve maintenance costs**” as suggested by Councilmember McGehee specific to possible changes to City landscapes.

Councilmember Laliberte **spoke in support of designating the new Commissions (Finance and Community Engagement) since they're in their initial year and should be specifically called out, but she also supported revised language for the City Manager to “Support and Assist ALL Commissions,** as designated in the third bullet point of the goal to “Improve the Quality and Delivery of City Programs.” Councilmember Laliberte further supported the added goal of Councilmember McGehee for the City Manager to “Evaluate possible changes to city landscapes to reduce maintenance costs.”

Councilmember Etten argued against the last recommendation for the City Manager to evaluate reduced maintenance costs for city landscapes, opining that this

would be an unusual task to assign the City Manager, when it should be part of the Park & Recreation and Ramsey County's role and basically out of his control.

Councilmember Willmus opined that this could be delegated by the City Manager as applicable.

Councilmember McGehee advised that she took that out of the specific problem with stormwater, not just in specific problem areas, but city-wide, especially in bad filtration areas; preferably as a separate bullet point.

The City Council had no objection.

In referencing the third bullet point to "Provide easily understandable budget information to the public," versus her revised language to "**Provide clear and accessible budget information to the public**" in the first goal to "**Improve the Delivery of Information to the Public**," Councilmember McGehee pointed out that the original language was not realistic, as not everyone in the community would understand the budget information, and that was not in the control of the City Manager. However, by making the language read, "**clear and accessible**" as she suggested, Councilmember McGehee opined that this was more realistic, and part of the task of the Finance Commission.

Councilmembers Etten and Laliberte offered support of that revised language.

By consensus, the revised language offered by Councilmember McGehee was affirmed.

Given the number of changes, Mayor Roe suggested a revised document be returned as a Consent Item at the next meeting.

Discussion ensued regarding language of the fourth bullet point under the goal to "Improve the Quality and Delivery of City Programs," related to departments working with the Volunteer Coordinator as suggested by Councilmember McGehee versus current language for the City Manager to "Work with Volunteer Coordinator to utilize volunteers in city departments and into more programs." Mayor Roe expressed his support for that language as currently proposed in the Subcommittee's Attachment A, since the Volunteer Coordinator was a direct report to the City Manager.

Create Operational Efficiencies

Councilmember McGehee suggested simplifying the first bullet point, striking language as proposed in her version of Attachment A; however, Councilmember Laliberte expressed her strong interest in retaining that extra language to continue emphasizing that the City Council had made a conscious decision to include Communication as a function of the Administration Department, and her concerns

that without ongoing due diligence, those efforts could easily shift back into various departments.

Councilmember McGehee opined that, overall, this was the best set of goals she'd seen in years, and served to treat the City Manager as a rational adult while clearly laying out the expectations of the City Council.

Strengthen Organizational Health

Mayor Roe recognized Councilmember McGehee's suggested language revisions specific to diversity and/or leadership training; and sought consensus of the body. Mayor Roe personally questioned if the suggested language for the City Manager to "conduct..." was appropriate in either version.

Councilmember Laliberte agreed that diversity and leadership training were important, but was unsure if that was up to the City Manager. Councilmember Laliberte noted that bringing this training to staff city-wide would cost something; and no budget dollars had yet to be tied to this goal, with the City Manager able to work with only what he has available, and needing flexibility in recognizing that the training may have to start with leadership.

At the request of Councilmember Willmus, City Manager Trudgeon responded that yes, training did cost, and therefore his intent as a first step was to limit diversity training to the leadership team, consisting of 32 employees initially. As far as a first step for leadership training, City Manager Trudgeon advised that the intent was for him and Finance Director Miller to facilitate and provide training through use of books and in-house as a "pilot" program. City Manager Trudgeon advised that his focus was going to be on the leadership team initially, and in future years as budgets and other innovations allow, the training could be expanded. Therefore, City Manager Trudgeon opined that the language in the Subcommittee's Attachment A was appropriate for what was being done at this time.

Mayor Roe expressed appreciation in hearing that the leadership team consisted of thirty-two employees, and was not just specific to Department Heads.

Councilmember McGehee expressed appreciation for City Manager Trudgeon's explanation, commending the City Manager for being creative in implementation of that training.

In addition to the importance of the training as previously discussed, Mayor Roe offered his support to efforts outlined in the fourth bullet point identified by the Subcommittee, opining that good customer service and positive relations were vital to what the City was doing and affected every aspect of those operations.

Beyond the goal discussion, Councilmember Laliberte requested whether the Ro-seville University was going to be continued or not.

City Manager Trudgeon noted that the program was not offered this year, based on the desire to get the Community Engagement Commission in the process and their recommendation as to whether it should be kept or presented in a better way. City Manager Trudgeon advised that it had served as a good way to do outreach for 20-30 people attending each session, but the eight-week program was time-consuming and required a commitment of staff, and advised that he wanted the Community Engagement Commission to make a recommendation on the future of the program and its content and presentation.

Councilmember Laliberte opined that she found it a valuable program that served to set the City of Roseville apart from other communities. Regarding the review by the Community Engagement Commission, Councilmember Laliberte expressed concern that they would be able to address this topic in a timely fashion in light of the other tasks; and questioned if that review would be sooner or later to meet future scheduling needs and timing for Roseville University.

City Manager Trudgeon advised that there was no exact time table for either the Commission's review or Roseville University, even though the University had been held in the spring in past years, there was no set time other than to consider the best time to have warmer weather and ensure a good attendance based on summer activities and/or snow birds leaving the community for the winter.

Mayor Roe asked that the Subcommittee tweak language and return with the document for action at next week's meeting; and directed staff to include it on that agenda.

Recess

Mayor Roe recessed the meeting at approximately 8:20 p.m. and reconvened at approximately 8:28 p.m.

k. Business Items – Presentations/Discussions

- a. Request for Approval of a Zoning Text Amendment to Section 1004.05.A One – and Two-Family Design Standards of the Roseville Zoning Ordinance**
Community Development Director Paul Bilotta summarized information detailed in the RCA dated July 7, 2014; with staff seeking City Council direction.

When this discussion originated several years ago, Councilmember Willmus advised that he was firmly entrenched in the camp to leave things alone and let people do what they wanted on their private lots; and noted subsequent discussion in how to mitigate garages and aesthetic features of porches. By reference, Councilmember Willmus used a home on South Owasso Boulevard, recently featured in the Parade of Homes, built on a legal, but narrow lot, and turned sideways to avoid placement of the garage in the front of the home, per current code. However, in practice for narrow lots, Councilmember Willmus noted that this left little

distance between the garage door and side property line and didn't work; providing concern for him and how to develop code to accommodate such situations.

Mr. Bilotta noted that this was the purpose of the Administrative Waiver process, and was also applicable for unique lots throughout the community, including those lake lots tending to be narrow and deep and not oriented to the street as much as to the shoreline.

Mayor Roe noted that the Administrative Waiver process was part of current code.

In observing those images provided in the RCA (Attachment E) for compliant and non-compliant homes, Councilmember McGehee opined that she found all of the homes very nice, providing a lot of variety, and essentially allowing people to do what they wanted on their own lots; and further opined that she found none of those images depicting any serious need for abatement.

Councilmember Etten reviewed one situation of a friend in Roseville who during construction of their new home in the Josephine Woods development, were required to shift the front of their home to the back and walk around it to access their front door due to these current code restrictions, creating great frustration for them. At the request of Councilmember Etten on how to make the process more workable in that type of situation, Mr. Bilotta reviewed the Administrative Waiver process and hardship criteria required. Mr. Bilotta clarified that this was not simply at staff's discretion to remain consistent, and did add another hurdle to seek a variance and another body to weigh in to make those discretionary choices. Councilmember Etten opined that changes were needed to ensure developers felt welcome in the community with ordinances working to promote that effort rather than an ordinance that achieved the opposite of that intent.

Councilmember Willmus questioned the real intent of the ordinance in the first place, whether it was to get away from infill neighborhoods with garages out in front, or whether the same result was created by positioning the garages behind the front property line; and questioned whether there was a balance or a hybrid version to provide some difference between home facades.

Mr. Bilotta advised that staff was leaning toward the plus 5' option; and referencing the images in Attachment E, noted that there were a lot that were not in compliance and with a zero' setback; with newer homes having a projection and allowing more variety in design and not ending up with a lot of negatives.

Councilmember Laliberte opined that she found the 5' setback too specific, and in reviewing the community, found a vast majority that were not in compliance. Councilmember Laliberte suggested language that either said in front of the house or allowed a 5' setback behind or in front of the line with the house; but not being

so stringent when the language didn't fit with what was already in place throughout the community.

Councilmember McGehee agreed with Councilmember Laliberte's comments; opining that the language was not consistent with existing housing stock; and further opined that the City of Roseville was not a totally urban city with sidewalks on every street or appropriate sites for porches, yet still having very engaged residential neighborhoods. Councilmember McGehee stated that she found this zoning code language offensive, opining that it was your house and anything beyond requiring a reasonable proportion to the frontage seemed unfair to her. Councilmember McGehee stated that she preferred to see people coming to Roseville with creative ideas to build what they liked; but did support undergrounding wires and requiring energy efficiencies versus telling people where to build their garages. Councilmember McGehee opined that the City shouldn't be in the design mode or be arbitrators for people's tastes on their own properties.

From his personal perspective, Mayor Roe opined that what was eyes forward, or the 40% limitation addressed a lot of things; especially the "garage forward home design" where only a small portion of the home peaked out behind the garage; with this addressing that concern. Mayor Roe stated that he was comfortable with possible alternative action for Possible Alternative Action (Section 9.0 of the RCA) Item #3 addressing the 5' distance and Administrative Deviations for special circumstances.

At the request of Councilmember Willmus, Mr. Bilotta clarified the intent of Alternative #3 specific for the principle building line not projecting into setbacks, but allowing the garage set 5' forward as long as the setback remained at 30' and no more than 40% of the building façade was taken up by the garage.

At the request of Councilmember Willmus, Mr. Bilotta also addressed hardship variables possible under the Administrative Deviation process, and examples for significantly narrow lots, where garages may be pushed back into wetlands or shorelands, cul-de-sac lots pie shaped, or other situations that were not feasible or would make the house unreasonably narrow. Mr. Bilotta advised that those were the only type of situations where staff would feel comfortable addressing those administratively. Mr. Bilotta noted that the option was always available for an applicant/developer to go through the appeal process if staff denied such a deviation and seek recourse from the City Council.

Specific to Alternative #3, Councilmember Laliberte clarified that this would give the ability to go 5' forward from the principle line as well as other options; opining that she didn't want to move from one specific standard and eliminate another, but still allow that flexibility.

Mayor Roe concurred.

Public Comment

Dean Hanson, Hanson Builders, office in Andover, MN

Mr. Hanson provided a bench handout, attached hereto and made a part hereof, entitled "Architectural Guidelines for Garages." Mr. Hanson reviewed his firm's 35 years of experience working in thirteen different communities, including presently working in nine different cities including Roseville.

Mr. Hanson expressed appreciation for Council comments heard so far tonight; and advised that in all the communities his custom design/builder firm worked in, there were no garage restrictions other than setback requirements other than in the City of Roseville. In attempting to create more home-friendly fronts for homes, Mr. Hanson opined that further challenges were created in giving homeowners what they were seeking, especially when doing custom building versus national tract home construction. Mr. Hanson opined that while 5' may not seem like much, it served to create a big difference in how a home was designed, including placement of stairways from garages into a home and steps to access those areas. Mr. Hanson respectfully made a simple request of the City Council that flexibility be provided to come forward 5' with a garage, which would serve to alleviate 80% of the problems and challenges they had in designing a home in Roseville.

Discussion ensued among Councilmembers and Mr. Hanson related to porches; and garage regulations in other communities typically being at a percentage and addressed via developer covenants versus city ordinance.

Councilmember McGehee moved to adopt Planning Commission recommendation #3 (Attachment D), modified to make the garage regulations in code that the garage door could not exceed 40% of the front façade of the building.

Mayor Roe clarified that the current code language would maintain that 40% provision; and due to the lack of a second, ruled the motion failed.

Laliberte moved, Etten seconded, to direct staff to develop and correct current code language accordingly to facilitate Alternative Action #3 in Section 9.0 of the RCA; allowing for up to a 5' projection of the garage.

Councilmember McGehee offered a friendly amendment to accept the proposal by the Planning Commission if a house was in excess of 40' back from front of the property.

Councilmember Laliberte did not accept the friendly amendment offered.

Councilmember Willmus opined that the 5' provision served to increase design elements of the home and neighborhood/community connectivity initiatives; and would be a vast improvement over current language; and offered his support for

the motion as long as it acknowledged that there were certain hardships in practical use.

Councilmember Laliberte noted that the issue could be taken back to the Planning Commission seeking their feedback on whether this action took away from what they were trying to achieve, even though it allowed more flexibility which appeared to be their intent.

Councilmember Willmus opined that Councilmember McGehee's idea was interesting in some areas of town with large lots and home setbacks of 100' or more, and he could see exceptions for those situations and hoped that consideration could enter into the process and be addressed adequately.

Mayor Roe noted that the Planning Commission could return with a recommendation based on tonight's discussion.

Roll Call

Ayes: Willmus; Laliberte; Etten; and Roe.

Nays: McGehee.

Motion carried.

Councilmember Willmus supported the intent of the Planning Commission, opining that they were onto something that needed further consideration; noting that there were a number of large lots in town that needed design allowances specific to them and not based on standard designs.

Mayor Roe agreed that it was not just the depth or setback, but other factors as well; and agreed that it was something that should be given further consideration.

Councilmember Laliberte agreed with the comment of Councilmember Willmus; opining that the first step had been taken in revising the current text, and the Planning Commission would be prudent in light of tonight's discussion and this action.

- b. Discussion Section 1011.04 Tree Preservation and Restoration in all Districts**
Community Development Director Bilotta summarized the current tree preservation and restoration section of City Code (Section 1011.04) and its various elements as addressed in the RCA dated July 7, 2014 and Attachment A; seeking City Council feedback.

After spending time with the City's Forester Technician, Councilmember Etten advised that his push for this to come back for alteration was based on his findings that the Technician operated under a different ordinance and set of codes for the City of Roseville. Councilmember Etten opined that this was the problem in having two different departments with different standards. In questioning if the

Technician would be willing to work with the Community Development Department in “fixing” this ordinance, Councilmember Etten advised that she was more than willing to do so.

Councilmember Etten referenced several examples listed in the RCA that were not in the current ordinance, including trees deemed to be less than desirable. Councilmember Etten advised that the suggestion by the Technician was to use the Department of Natural Resources (DNR) list of twelve trees causing them concern, which would simply the City’s system and simply reference the DNR list.

Councilmember Etten expressed his concern that many developments ended up clear-cutting existing trees with little requirement by the City for replacement values and rights-of-way in front of those properties given little consideration, even though they may be very important to the development. While some of the undesirable trees (e.g. Cottonwood trees) were deemed unnecessary to replace due to their species, Councilmember Etten noted that they provided a significant and huge canopy and value to the neighborhood and for them not to count at all was of grave concern to him. Councilmember Etten suggested that, if the Cottonwoods were clear-cut, the developer should still be required to replace a percentage of their significant level, even though they may not count as a heritage tree, but still providing tremendous value to the neighborhood. Councilmember Etten noted common trees that were important to a community and a development, and the need for them to count somehow.

Councilmember Etten noted that the Arborist had provided comment when the ordinance was updated in 2010, but noted there were many questions about versions of species, disease resistant varieties, and ways to reference changes in those areas by simply referencing the DNR materials to keep up-to-date continuously versus changing City ordinance.

Councilmember McGehee spoke in strong support of that suggestion; opining that the current ordinance was too specific, but still provided no teeth to enforce identified or heritage trees to be preserved and protect drip lines. Councilmember McGehee opined that there needed to be a clear way to take care of trees during construction and spell out consequences of violations and a process to monitor and enforce the regulation.

Councilmember Etten opined that this provided further rationale for increasing the hours of the Forester Technician.

Councilmember Willmus agreed with much of the outline provided by Councilmember Etten; opining that one thing that hit home was the replacement ration of existing trees. Opining that the City needed to look at the ordinance to account for some trees labeled as “garbage trees,” with some method of formula in place to determine their replacement value and accountability to retain that ratio.

Councilmember Laliberte expressed her appreciation that this item had come back; and confirmed the need for various departments and advisory commissions (e.g. Public Works, Community Development and Parks & Recreation in this case) to work together with everyone on the same page and providing their particular perspective and area of expertise. Councilmember Laliberte concurred with the comments expressed by her colleagues.

Mayor Roe noted that there was no requirement in today's ordinance preventing a private property owner from eliminating all trees on a lot if there was no development triggering the tree preservation and restoration ordinance. Mayor Roe expressed his interest in looking at something along those lines as well; and his further interest in being informed of what other communities do in that regard. By the same token, Mayor Roe opined that requirements needed to be practical and realistic to allow people to use their property as they choose. Mayor Roe suggested looking at an incentive approach versus outright ban; incentivizing mature and/or heritage tree preservation in some way.

Councilmember Willmus expressed his distaste in a situation in Roseville requiring a person to be required to pull a permit to cut down a tree on their private property, opining that such a scenario reached too far. However, Councilmember Willmus expressed interest in the idea of incentives to retain trees, especially with certain developments; and wondered how to incentivize leaving trees for developments and how that would work in actual application.

Councilmember Etten spoke in support of an incentive system; and suggested input from builders, developers and staff.

In addressing how to label trees but count their diameter, Councilmember Etten advised that he had considered whether applicability for significance would be measured as ½ inch replacement per inch of existing tree, while still meeting standards for heritage trees and their condition and life expectancy (e.g. ten year life expectancy remaining; and whether the tree was healthy or there was evidence of disease or infestation); but not requiring replacement at double diameter, which is a heritage tree, and bringing things into reality.

In addressing incentives, Mayor Roe questioned if the City Council was interested in pursuing tree preservation in non-development situations; and if so, staff should be directed accordingly.

Councilmember Laliberte suggested the situation be tossed to staff for their recommendation; what is being done in other communities; and provide something for the City Council to discuss in the future. While not ruling it out, Councilmember Laliberte agreed with Councilmember Willmus and was not interested in the permit process for removal of trees on private property; but was supportive

of providing a replacement plan in place for large trees of benefit to the community at large. Councilmember Laliberte expressed concerns related to property owners being free to remove a tree on their own property if they deemed it necessary to do so.

Mayor Roe noted consideration was needed to define nuisance versus non-nuisance trees, which would vary per individual.

Councilmember McGehee stated that the City didn't want to be proscriptive and impinge on private rights; and opined that this was an interesting dichotomy of thoughts based on the preceding garage discussion.

Mayor Roe requested that staff work with the various experts in the field, based on the guidance from tonight's discussion, including information from other cities for non-development activities on site; and whether to incorporate such a provision in revised ordinances.

Mr. Bilotta duly noted the direction, and references to other standards as outlined and suggested by Councilmember Etten.

c. Planned Unit Development (PUD) Discussion

Community Development Director Bilotta introduced the City's Planning and Zoning Intern Cadence Peterson, and thanked her for her work with the City to-date and this PUD analysis as detailed in the RCA dated July 7, 2014, and related attachments, including examples from other communities where PUD's work and where they don't.

Mr. Bilotta noted that PUD's served to change regulations, creating a give and take situation, and cautioned that if the concern was how to deal with intangibles when meeting code, the PUD would not help, with various thresholds to consider.

Mr. Bilotta encouraged the City to consider a sketch plan process as outlined in the PUD (lines 53 – 67), whether at the staff level or City Council level, noting that developers spent a considerable amount of money to get their project before the City Council; and if they were aware of things ahead of time, they were very appreciative of knowing before versus after. However, Mr. Bilotta noted that this would commit the City Council to spending more time in reviewing those sketch plans.

Mr. Bilotta stated that the PUD process was very common throughout the metropolitan area; and if the City started to see a lot of them, prompting the need to see if there was a broader issue, or if it was just infill developments or other unique situations.

Councilmember Etten stated that he would be more comfortable with a PUD process as an overlay district for existing zoning versus a carte blanche approach. As a personal general philosophy, Councilmember Etten stated that he didn't want to limit PUD's to the business community but look at them for infill residential areas as well, and was intrigued by considering certain size criteria, but not in using PUD's for minor lot splits for two homes.

Councilmember McGehee stated that she would also support the overlay approach and have staff lay out a more standard reason for a PUD. Councilmember McGehee stated that she would favor situations where two properties shared a parking lot or common space that they would otherwise have to provide individually to place buildings appropriately. Councilmember McGehee agreed with Mr. Bilotta and Councilmember Etten that PUD's should not be used for simple lot splits, but only in unique situations.

When first looking at the PUD issue again, Councilmember Willmus stated that he was stuck in the context of residential properties; and admitted that he wasn't quite ready to look at something like this city-wide and across all zoning districts. Councilmember Willmus agreed with Councilmembers Etten and McGehee that this would be an overlay maintaining many of the current standards within residential districts. Councilmember Willmus referenced several recent proposals coming before the City Council for substandard lot sizes from the current dimensions, which was one aspect he would want to consider and discuss. Councilmember Willmus spoke in support of looking at revising existing code to get densities people were seeking, while not changing neighborhoods to a higher use beyond what the neighborhood was interested in. However, Councilmember Willmus spoke in support of limiting the PUD tool to single-family neighborhoods.

Councilmember Laliberte stated that she would be more supportive of a PUD in overlay situations than any other; and asked that they be judiciously used if going forward, and then after a long discussion about the decision-making body tied to the PUD process.

Councilmember McGehee stated that she wasn't sure she wanted to limit discussion to residential districts only, when she took into consideration the Har Mar and Good Samaritan development areas, or some of the ancillary malls currently around Rosedale. If that large shopping area was retained, Councilmember McGehee questioned if there may be a way to reduce some of that or greatly enhance redevelopment with a PUD process; while supporting a judicious approach and overlay with some inherent value.

Mayor Roe stated that the use of a PUD as a rare exception was appealing to him providing specificity when they can be used and not just to allow variability from current code. Mayor Roe stated that he would be very curious about the criteria,

as the City Council may come to a decision if the PUD criteria was applied, it may as well be added to that particular zoning district, which he noted was the attempt in the 2010 zoning code update to accommodate variances that had already been experienced to-date. Mayor Roe spoke in support of providing a good balance for the code to be flexible specifically with proposals for zoning changes and denial of the recent request on County Road B and how that code was interpreted. If there were ambiguities, Mayor Roe noted the need to address them; and encouraged staff to bring text amendments forward that addressed those specific cases. Mayor Roe opined that residential PUD's may be a test case to use versus city-wide over all districts.

Mr. Bilotta responded to Councilmember Willmus' LDR-2 concerns, noting that staff level discussions included ways to ensure the City Council was not placed in a similar situation in the future, whether LDR-2 worked or not, with indications that leaned toward a code change versus use of a PUD.

Consensus of the City Council was to request staff to make their recommendation as to where and when a PUD made the most sense, and whether to limit to residential districts or not.

Mayor Roe sought consensus from the body as to their preference for review of a sketch plan and/or site plan review in other than PUD cases.

Councilmember McGehee spoke in support, opining that it saved a lot of time, and if listed on a City Council agenda, served to alert the public that the issue was being heard and allow them to have a first view before the developer invested too much time and money in their project.

From his development perspective, Councilmember Willmus opined that such a review may prove to be a useful tool, providing the developer with feedback before becoming too entrenched in the application process.

Mayor Roe stated that he had no objection to having staff look at making a recommendation for site review process; and by consensus, the body concurred.

Councilmember Laliberte commended staff for the good job in all their presentations items tonight; opining that they were very clearly stated and opened up good discussion and providing clear direction in response.

Mayor Roe thanked Ms. Peterson for her preparation of the RCA, opining that it was very well-written and well-researched. Mayor Roe wished Ms. Peterson well in her remaining work with the City and future endeavors.

15. City Manager Future Agenda Review

City Manager Trudgeon reviewed upcoming agenda items.

16. Councilmember-Initiated Items for Future Meetings

Councilmember Laliberte noted receipt of the letter related to recent legislation on e-cigarettes and questioned if there was any subsequent action or revision to ordinance required. Councilmember Laliberte noted one provision dealt with movable kiosks, which were used at Rosedale.

City Manager Trudgeon advised that he would consult with Finance Director Miller and respond accordingly.

Related to bridge work on Highway 36 proposed for next summer over Lexington Avenue and potential closure of Lexington Avenue not far from the City's fire station and access routes, Councilmember Laliberte asked that provide information to the City Council on impacts and any conflicts. Councilmember Laliberte asked that residents be alerted to that situation.

City Manager Trudgeon advised that staff was negotiating timing and trade-offs, and advised that staff would be providing additional information as designs and timing were finalized.

Mayor Roe noted past replacement of the Dale Street bridge adjacent to the Dale Street Fire Station, and suggested comparison information from staff as part of their report on that experience; in addition to discussion with adjacent communities having gone through similar experiences when portions of Highway 36 were closed, and impacts.

17. Adjourn

Etten moved, Laliberte seconded adjournment of the meeting at approximately 9:46 p.m.

Roll Call

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

Nays: None.

Daniel J. Roe, Mayor

ATTEST:

Patrick J. Trudgeon, City Manager