



**Regular City Council Meeting  
Minutes**

**City Hall Council Chambers, 2660 Civic Center Drive  
Monday, December 7, 2015**

**1. Roll Call**

Mayor Roe called the meeting to order at approximately 6:00 p.m. Voting and Seating Order: Willmus, Laliberte, Etten, McGehee and Roe. City Manager Patrick Trudgeon was also present; with City Attorney Mark Gaughan arriving at approximately 6:12 p.m. having previously advised he would be delayed.

**2. Pledge of Allegiance**

**3. Approve Agenda**

City Manager Trudgeon requested an additional item for tonight's agenda to schedule a Special City Council meeting before year-end 2015 for several time-sensitive items.

Without objection, Mayor Roe added this addition as Action Item 15.b entitled, "Schedule a Special Council meeting"

Councilmember Laliberte advised that she had questions for staff on Consent Items 8.b and f, but was no reason to remove them from the Consent Agenda..

Councilmember Etten requested removal of Item 8.f from the Consent Agenda for separate consideration.

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

**Roll Call**

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

**Nays:** None.

**4. Public Comment**

Mayor Roe called for public comment by members of the audience on any non-agenda items.

**a. Lisa McCormick**

Ms. McCormick referenced an earlier e-mail she had sent regarding the notice of an appeal to staff's administrative decision related to Vogel Sheetmetal and timing for their installation of a fence between their property and adjacent residential properties on the north. Given the mild weather this winter, Ms. McCormick asked that the City Council add this item to their Special Meeting Agenda to consider installation of the fence yet this winter rather than waiting until next spring.

Ms. McCormick displayed before and after photos of the easement areas between the properties over the last 18 months and loss of screening by residents, expressing concern that they would be subjected to open yards and views throughout the winter, affecting their quality of life, enjoyment of their backyards, and peace of mind.

**b. Cassie Yunker, 2852 Wheeler Street**

Ms. Yunker concurred with the comments of Ms. McCormick regarding the letter of appeal for the Vogel parcel. While stating that her property didn't border the Vogel property, Ms. Yunker offered her support of those adjacent neighbors, speaking to the view of those neighbors after removal of trees and fencing, stating it "broke her heart to see what those neighbors are going through and would continue to experience for the long-term." Ms. Yunker asked the City Council to consider this situation and side with residents to alleviate this view quickly, and require Vogel to install the screening fence.

Mayor Roe advised that the City would keep citizens notified when this was scheduled to come before the City Council in their role as the Board of Adjustments and Appeals.

**5. Council Communications, Reports, and Announcements**

Mayor Roe again thanked this year's sponsors of the holiday lights for the annual OVALumination.

Mayor Roe announced the upcoming Red Cross Blood Drive at the Fire Station.

Councilmember Laliberte reported on her attendance as liaison to the Ramsey County League of Local Governments (RCLLG) annual meeting; with their focus on initiating ideas for municipalities and other government agencies to share programs and ideas in 2016, Councilmember Laliberte stated she had received input from Roseville Fire Chief O'Neill and encouraged other Department Heads to bring forward their ideas to share. As she announced last year, Councilmember Laliberte noted the annual dues for each participating government unit in the RCLLG would increase by \$50.

**6. Recognitions, Donations and Communications**

**a. Recognize Outgoing Housing & Redevelopment Authority (HRA) Board Members**

In a bittersweet moment for the City of Roseville, Mayor Roe recognized past and present Board members of the Roseville HRA and thanked them for their service to the community since its inception in 2003. Mayor Roe noted that, as the HRA transforms into the Economic Development Authority (EDA) with the City Council serving in that role, they would do so by building on the foundation established by those serving on the HRA and the great work and high standards they had left as a legacy.

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On behalf of the City Council, community and staff, Mayor Roe formally recognized and thanked current outgoing Housing and Redevelopment Authority Board Members for their volunteer service and many hours donated to the City of Roseville advising Certificates of Appreciation would be presented to: Members Vicki Lee, Susan Elkins, Bill Majerus, William Masche, Dean Maschka and Dan Wall.

Mayor Roe also acknowledged the past service and contributions of former HRA Board members such as Sam Marks, Jen Jackson-Milanovich, Jeanne Kelsey, Joe Schuenemann, Kelly Quam, Deborah Battisto, and others.

**7. 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 November 30, 2015 Council Meeting Minutes**

McGehee moved, Etten seconded, approval of the November 30, 2015 Meeting Minutes as amended.

**Corrections:**

- **Page 4, Line 37 (Roe)**  
Correct to strike the word: "...released..."
- **Page 21, Line 22 (McGehee)**  
Correct to read: "...of their levy and *[recorded]* consumption separately."
- **Page 33, Line 13 (Laliberte)**  
Correct to read: "...commission..." rather than "CEC"

**Roll Call**

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

**Nays:** None.

**9. Approve Consent Agenda**

At the request of Mayor Roe, City Manager Trudgeon briefly reviewed those items being considered under the Consent Agenda; and as detailed in specific Requests for Council Action (RCA) and related attachments, dated December 7, 2015.

**a. Approve Payments**

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

ACH Payments	426,375.52
79712 – 79731	127,264.90
<b>TOTAL</b>	<b>\$563,640.42</b>

**Roll Call**

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

**Nays:** None.

**b. Approve 2016 Business Licenses**

At the request of Councilmember McGehee, Finance Director Miller clarified that refuse/recycling licenses were annual renewals, but not all were renewed at the same time and could come in any time during the year and be renewed on that schedule accordingly.

At the request of Councilmember Laliberte, Finance Director Miller confirmed that the license for Randy's Sanitation was for commercial, not residential, service. Councilmember Laliberte noted that this firm offered residential customers an organic pick-up program in other communities, and suggested the Public Works, Environment and Transportation Commission (PWETC) research whether other solid waste haulers were interested in offering that Ramsey County initiated service in the Roseville community.

City Manager Trudgeon advised that in February of 2016, the PWETC and staff would begin discussions in preparation for soliciting Requests for Proposals for a new Recycling Contract, including an option for organic recycling, as the current three-year contract with Eureka Recycling expires the end of 2016.

McGehee moved, Etten seconded, approval of business and other licenses and permits for terms as noted.

**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**

Councilmember Laliberte noted the LED lighting conversion was specific to City Hall and the Public Works building, and asked if other facilities would be undergoing this conversion as well in the future.

City Manager Trudgeon advised that other facilities may be converted later as applicable and as new technologies allow for ease of that transition in a cost-effective manner.

McGehee moved, Etten seconded, approval of general purchases and contracts for services as noted in the RCA and Attachment A entitled, "2015 Capital Improvement Plan Summary," updated November 30, 2015.

**Roll Call**

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

**Nays:** None.

**d. Consider Not Waiving Statutory Liability Limits for 2016**

McGehee moved, Etten seconded, NOT waiving the Statutory Liability Limits for 2016.

**Roll Call**

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

**Nays:** None.

**e. Approve Rosedale Public Improvement Contract**

Noting the potential scheduling of a Special Council meeting to consider revisions to the final plat for this Rosedale Expansion, Councilmember Willmus asked City Attorney Gaughan if this particular action tonight needed deferral until that revision had been addressed.

City Attorney Gaughan advised that there was no issue in approving the Public Improvement Contract at this time through this action item. Mr. Gaughan noted that approval of this contract was a condition of Final Plat approval, with its contents pertaining to the City's interest, and was separate from consideration of any amendments to that Final Plat.

McGehee moved, Etten seconded, approval of a Public Improvement Contract for the Rosedale Expansion Site (Attachment A).

**Roll Call**

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

**Nays:** None.

**9. Consider Items Removed from Consent**

**f. Accept Donation to Police Department – Leola Rempel**

At the request of Mayor Roe, City Manager Trudgeon briefly reviewed this item as detailed in the RCA dated December 7, 2015.

Councilmember Etten thanked Ms. Rempel for her generous donation, and thanked the League of Women Voters for bringing this discussion forward in a public forum.

However, Councilmember Etten noted there were several larger issues associated with this RCA based on reports from Roseville Police Chief Mathwig: development of a comprehensive policy on the collection and use of private data and use of body cameras; a pending status report on the testing of their use over of a period of time as a pilot program; and storage and retention of private and public data.

Police Chief Rick Mathwig reported that a comprehensive policy on use of body cameras was nationwide, noting it was a large issue and would be for many years to come. As part of that, Chief Mathwig noted that each state's data privacy laws differed; and advised that the state legislature was being advocated by the Minnesota Police Chief's Association to talk about the issue this session and clarify language in the State of Minnesota's data privacy laws, although he expressed doubt that would happen.

Chief Mathwig noted that the results of a federal and state policy would impact that of the City of Roseville, and was still being studied. Chief Mathwig reported that the Roseville Department was working with two manufacturers/vendors at this time, with their technicians continuing to test and trouble-shoot this new product in the market.

Specific to data storage, Chief Mathwig further reported on the cost between vendors for data storage per unit and software compatibility with current squad cameras, both under continuing evaluation by the Roseville Police Department. Until the State of Minnesota addressed their data privacy policy which he estimated to be at least another year, Chief Mathwig reported that the Roseville Police Department would continue to test the equipment unless directed otherwise by the City Council.

Councilmember Laliberte also thanked Ms. Rempel for the donation and the League of Women Voters for having this conversation. Councilmember Laliberte advised that many of her concerns had been shared by Councilmember Etten with overarching policies being tested. Councilmember Laliberte asked Chief Mathwig if there were certain types of calls where cameras could be turned off, such as being sensitive when entering someone's home to protect their privacy while not affecting the safety of the general public; and also asked how files were stored and who could access them and when.

Chief Mathwig referenced his memorandum distributed over a year ago, outlining situations when officers turned off cameras. Chief Mathwig further referenced State of MN laws indicating that as long as one party was aware of taping, it was legal to do so. However, while not typically mandating turning off cameras when entering someone's home depending on the situation, Chief Mathwig reported that the cameras were turned off at the hospital and/or jail, and also at the request of a person, again depending on the situation. Chief Mathwig advised that the biggest issue would be if and when someone makes a request for that data, and the need to redact their face and identity, which would require considerable work to redact that on a moving target.

Councilmember Laliberte opined that was something the City of Roseville needed to have a good, transparent conversation about, especially in "he said, she said" situations. Councilmember Laliberte further opined that costs were going to be

something needing planning and budgeting, including storage and equipment, which she anticipated would be coming forward in future budgets. Councilmember Laliberte noted the other good thing was to have that conversation openly at a public meeting to let the community know of that dialogue and rationale.

At the request of Councilmember Laliberte, Chief Mathwig advised that there may be in-house training from camera footage, as is currently done from squad video.

Councilmember McGehee asked Chief Mathwig to share the Memorandum of Understanding with the City Council.

Mayor Roe opined that discussion about privacy is the key issue due to people's expectations, especially in their own homes with current Minnesota data privacy laws not addressing what private information may not become available to the public. Mayor Roe expressed his appreciation in hearing the Roseville Police Department was being sensitive to that privacy; and asked that they err on the side of caution; and thanked Chief Mathwig in advance for sharing the policy with the City Council. Mayor Roe thanked Ms. Rempel for her donation for this use and having those funds available as costs come up. Mayor Roe also thanked Chief Mathwig for his participation in the League of Women Voters Forum, and area police chiefs, in informing the public of issues related to this technology.

Laliberte moved, McGehee seconded, acceptance of funds donated by Roseville resident Leola Rempel for the Roseville Police Department in the amount of \$3,000 to further expand the Department's body-worn camera program.

**Roll Call**

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

**Nays:** None.

**10. General Ordinances for Adoption**

**11. Presentations**

**12. Public Hearings**

**a. Public Hearing to Consider Pawn Approving 2016 Liquor License Renewals and Issuance of a New On-Sale Wine License and an On-Sale 3.2% Liquor License for the Remainder of 2015 and all of 2016 for Friends Thai Business Restaurant, located at 1711 Rice Street**

Finance Director Chris Miller briefly summarized the purpose of the public hearing to consider approving liquor license renewals for the following calendar year, and new applications for the current year, as detailed in the RCA dated December 7, 2015.

Mr. Miller noted there were no representatives in the audience from the newest licensee, Burmese Friends LLC, d/b/a Friends Thai Burmese Restaurant at 1711 Rice Street (on-sale wine and on-sale 3.2% liquor licenses).

As noted in the RCA, and at the request of Councilmember Etten, Finance Director Miller confirmed receipt of Bent Brewstillery application materials.

Mayor Roe opened and closed the public hearing at approximately 6:39 p.m.; with no one appearing for or against.

Willmus moved, McGehee seconded, approval of the Liquor License Applications for both new applicants and renewals as detailed in the RCA dated December 7, 2015.

**Roll Call**

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

**Nays:** None.

**13. Budget Items**

**a. Adopt a Final 2016 Tax Levy and Budget**

Finance Director Miller briefly summarized the requested action tonight culminating from over fifteen discussions to-date on the 2016 tax levy and budget. Mr. Miller referenced his latest analysis via an email dated December 4, 2015, entitled "2015 Projected General Fund Surplus," and provided as a bench handout for tonight's meeting, and made a part of the RCA and attachments dated December 7, 2015. Related to projected surpluses in the General Fund, Mr. Miller cautioned the City Council that these represented aggregate trends, and there remained another month in 2015.

Councilmember Willmus thanked Mr. Miller for his latest analysis and projection for a surplus in the General Fund, and referenced the reliance of approximately \$365,000 in reserves for 2015 from 2014, asking if there was a correlation between this projected surplus and use of those reserves.

Finance Director Miller responded that assumptions were anticipated for using General Fund reserves of \$375,000 based on a situation with full employment and other trends and assumptions. Mr. Miller noted that further impacts resulted from an unusual high employee turnover (approximately 14 positions) in 2015, saving on wages and benefits and compounded for each of those positions. Mr. Miller noted this resulted in a higher budgetary savings than projected, as well as Fire Department personnel changes as it transitioned into a different staffing structure, and come contractual service and supplies coming in less than projected. Mr. Miller noted that the mild winter to-date was also providing some financial relief.



Given several new positions anticipated and employee turnover, Councilmember Etten questioned if it made sense to reduce the 2016 budget to reflect that.

Finance Director Miller advised that he would not advocate doing so, noting he tried to maintain a conservative approach in budgeting and projecting; with assumptions built into his analysis that all positions would be filled except for unanticipated retirements, thereby budgeting for that full employment for sustainability. Mr. Miller advised that, if there were operating surpluses, there may also be revenues coming in less than anticipated (e.g. property tax collections and their variables). Mr. Miller stated that staff would of course defer to the City Council for that decision, but recommended they budget for full employment in 2016.

For the benefit of the public and City Council, Mayor Roe asked Finance Director Miller to address what typically accounted for the City not receiving a full certified levy from Ramsey County in a given year.

Finance Director Miller noted that Ramsey County had a good payment record to municipalities, typically dispersing 99% of anticipated collections. However, Mr. Miller noted when a property owner filed an appeal on their property valuation, especially larger retail/commercial entities, the County could withhold three years of payments and delay distribution until that appeal was settled. Mr. Miller noted that eventually the City would receive some of that revenue, but if the appeal was successful, it could be reduced for three years worth of anticipated tax revenue.

Mayor Roe noted that, while the public hearing was held last week, he would receive public comment at this time; with no one appearing to speak to the 2016 budget and tax levy.

**Willmus moved, Laliberte seconded, reducing the 2016 preliminary tax levy by \$150,000 to \$517,818, using the anticipated surplus carried forward as indicated in Finance Director Miller's latest analysis dated December 4, 2015.**

Councilmember Willmus stated it was important to draw a distinction between the Finance Commission's recommended safe reserve level and the City's historical record of exceeding that target. Councilmember Willmus clarified that he was not advocating to dip below that target, but as the City continued to run a surplus he viewed that as tax dollars not expended. Councilmember Willmus noted that, in the past, the City had a pattern of building that surplus into the next year's tax base and increasing them yet further. Expressing appreciation of Finance Director Miller's analysis and explanation; and subsequent to the actions taken by the City Council for the 2015 budget and levy, Councilmember Willmus opined it was prudent for the City Council for Roseville taxpayers to hold down the 2016 levy and budget.

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Councilmember Laliberte noted her concerns as voiced in September about the 2016 budget and levy as proposed preliminarily. Similar to the comments of Councilmember Willmus, Councilmember Laliberte concurred that the City Council not build the next year's budget on that of the previous year and unexpended reserves; but when possible reduce the budget and levy accordingly.

Councilmember Etten asked Councilmembers Willmus and Laliberte, as makers of the motion, if they were seeking to amend the budget as well as reducing the levy, since that budget would need to be addressed accordingly in 2016.

Councilmember Willmus clarified that he was currently speaking to the levy side of the equation; and would consider the budget with the next requested action item, and expressed his willingness to have that conversation.

In response to Councilmember Etten and as she had already stated, Councilmember Laliberte expressed her willingness to look at the 2016 budget as well.

Councilmember McGehee stated that she had looked at the budget and was happy with it as presented by staff. Specific to staffing issues, which were not tied directly to the budget for most issues, Councilmember McGehee noted they were not significant compared to other things she was concerned with in the Capital Improvement Program (CIP). If there were extra monies available, Councilmember McGehee spoke in support of applying those funds toward capital expenditures. Given the uncertainty of financial times, Councilmember McGehee opined that \$150,000 wasn't that much to work with and with another month of 2015 yet to go, whether or not it was available remained an unknown. In this case, Councilmember McGehee stated that she would support the recommendations of Finance Director Miller as the city's chief financial officer, and his conservative view of city finances.

Mayor Roe referred to Finance Director Miller's projected citywide average value for median-valued homes at \$1.90 for the levy as proposed (RCA, page 15-17) and asked him for an updated net effect based on the pending motion to reduce the levy by \$150,000, and the HRA levy at zero.

Finance Director Miller estimated with the HRA levy reduced by \$3.00 for that median-valued home, this pending action would reduce that to approximately \$1.25, or a \$.65 reduction per month.

Mayor Roe spoke in opposition to the motion, expressing his confidence in Finance Director Miller's projections for year-end 2015. Mayor Roe stated he would be more comfortable taking action once final numbers were available, and was amenable to helping cap reserve or operating funds especially with the reduced HRA levy, but as a separate issue and not impacting the proposed 2016 levy.

Councilmember Laliberte clarified that her support for this motion was not a reflection of the numbers presented by staff, given her confidence in their analyses; but simply her reaction to previously voiced concerns with the operating side of the budget and escalating operating costs in general. Councilmember Laliberte stated she was cognizant that the budget was tied to the annual levy approved by the City Council. Councilmember Laliberte reported that she had held conversations with several residents over the last few weeks who expressed their concern with their house values as assessed in their Ramsey County Property Tax Statements, some seeing an increase of over 20%. Councilmember Laliberte asked Finance Director Miller if he had any idea of how residential assessments came in for the majority of Roseville residents, or if this was the average picture for them.

Finance Director Miller responded that, for the median valued home in Roseville, values were virtually unchanged, with approximately half of those homes seeing no impact or even a reduced value, while the other half of Roseville residents may see something higher, split down the middle at this time. Mr. Miller reported that this was based on the report received by the City from the Ramsey County Assessor received in mid- to late-March of 2015 and forwarded to the City Council at that time. Mr. Miller offered to redistribute that report to the City Council at their direction.

In addition to staff providing that report, Mayor Roe asked Finance Director Miller to provide the bar graph from Ramsey County showing a breakdown of the range of value changes within Roseville for comparison as well, that could serve to inform City Council consideration going forward.

Councilmember McGehee stated that she had also received calls from Roseville residents, some of whom were under the impression that the City of Roseville was somehow involved in assessing homes. However, Councilmember McGehee clarified that the process differed significantly between Ramsey County and Hennepin County, with the City of Roseville having nothing whatever to do with assessing home values. For the benefit of Roseville taxpayers, Councilmember McGehee referred them to their Ramsey County property tax statement and line items defining the City's portion of the tax listed separately, as well as that of their particular school district, their watershed district, library and other taxing jurisdictions, and how each was calculated from Ramsey County's assessed valuation.

Mayor Roe thanked Councilmember McGehee for that well-stated clarification.

Councilmember Etten asked Finance Director Miller how this pending motion fit with the City's target reserve based on his best year-end target estimate.

Finance Director Miller responded that going into 2015, that General Fund reserve target averaged approximately 42%, and was ending at approximately 43% before this pending action,; with the proposed motion dropping it back down to around 42% from his best estimate at this point.

Councilmember Etten asked if the City Council could direct that any surplus funds be specifically directed towards capital projects.

Mayor Roe responded that would require City Council action, otherwise any surplus would automatically go into the General Fund balance.

**Roll Call**

**Ayes:** Willmus and Laliberte.

**Nays:** Etten, McGehee and Roe.

**Motion failed.**

**McGehee moved, Etten seconded, adoption of Resolution No. 11279 (Attachment B) entitled, "Resolution Directing the County Auditor to Adjust the Approved Tax Levy for 2016 Bonded Debt;" at \$3,330,000.00**

**Roll Call**

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

**Nays:** None.

**McGehee moved, Etten seconded, adoption of Resolution No. 11280 (Attachment A) entitled, "Resolution Submitting the Final Property Tax Levy on Real Estate to the Ramsey County Auditor for the Fiscal Year of 2016;" as presented.**

Councilmember McGehee stated her appreciation for this year's budget process and the material provided by staff for the City Council's decision-making and for public transparency.

In considering that the 2016 budget already relied on using reserve funds, Councilmember Etten stated he was more comfortable after tonight's discussion to use those 2015 reserves for capital needs, given that 2015 was an unusual year for reduced personnel costs. Councilmember Etten stated he was comfortable moving forward with the 2016 levy as presented, especially in light of the HRA levy coming off, and providing a net negative for the average taxpayer.

**Roll Call**

**Ayes:** Etten, McGehee and Roe.

**Nays:** Willmus and Laliberte.

**Motion carried.**

**Etten moved, McGehee seconded, adoption of Resolution No. 11281 (Attachment C) entitled, “Resolution Adopting the Final 2016 Annual Budget for the City of Roseville;” in the total amount of \$52,112,620, of which \$28,745,490 is designed for property tax-supported programs.**

Councilmember Etten spoke in support of moving this conservative budget forward, in addition to use of reserves as presented allowing some room for flexibility, but whose use he wouldn't typically support.

Councilmember McGehee agreed with Councilmember Etten. However, Councilmember McGehee stated that she had some issues with some positions proposed in the 2016 budget that she would like to make adjustments to or at least to discuss those proposed positions.

At the request of Mayor Roe, Councilmember McGehee conformed that some of the positions were budget related while others were purported not to be.

Councilmember McGehee proposed moving to amend and uncouple the staffing budget proposal as presented from the 2016 budget itself unless extra funds could be found or shifted.

Mayor Roe questioned if that was feasible.

Councilmember McGehee stated her concurrence with the budget as is; with the caveat that if there is any surplus, it remain the same and if changes were made that cost more money – or provided any savings – based on personnel changes, she sought to discuss what if any impacts her proposed changes would make.

Mayor Roe clarified that the projected surplus was for 2015; and the 2016 balanced budget was achieved through use of those reserves but providing no 2016 surplus as currently laid out.

Councilmember Willmus sought feedback from his colleagues if they would be amenable to take the projected 2015 surplus into 2016 and apply it to capital needs as suggested by Councilmember Etten.

Mayor Roe clarified that because that query was not related to approval of the 2016 budget itself, it was not in order at this time, but could be taken up as a subsequent action after resolution of the motion currently before and under discussion by the City Council.

Councilmember Laliberte thanked staff for the information provided as a follow-up between the last meeting and tonight's agenda materials.

Councilmember McGehee stated she would still like to separate staffing proposals from the 2016 budget.

**Roll Call**

**Ayes:** Etten, McGehee and Roe.

**Nays:** Willmus and Laliberte

**Motion carried.**

**Willmus moved, Etten seconded, that any General Fund surplus from 2015 be directed going forward to capital needs.**

At the request of Councilmember Etten, Councilmember Willmus clarified that, once a dollar value was available for any surplus, the appropriate next step would be for staff to return to the City Council for direction on where to apply those surplus funds.

Councilmember Laliberte spoke in support of the motion, and expressed her appreciation for having the opportunity to have that future discussion of where to apply surplus funds.

**Roll Call**

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

**Nays:** None.

As a point of information and for clarification going forward, Councilmember Willmus asked that any cost of living adjustment (COLA) discussions provide a specific and consistent period of time from year to year and a defined parameter of that time period.

Finance Director Miller advised that staff consistently used the proscribed index annual data from July to July.

Councilmember Willmus sought further clarification that staff would use that same focus period for 2017.

Finance Director Miller advised that, as with past time periods, staff would use the latest data available from July 1 to June 30 (e.g. July 1, 2015 to June 30, 2016 for the year 2017).

Mayor Roe noted that the City Council's policy for the annual COLA review specifies July to June as a default as that provided the most recent information available.

In his review of the October 2013 City Council meeting minutes when the policy was adopted, Finance Director Miller reported that the benchmark period and ad-

vance information available to inform the City Manager's recommended budget was initially that available in May, noting that the information may change from one quarter to the next.

Councilmember Willmus stated his concern was to ensure when compiling data that it be for a consistent twelve month period, and not represent 11 or 13 months; and therefore had asked that a second look be given to the actual time period.

Mayor Roe clarified that the period was specified as July 1 to June 30, but would also be dependent on when the Labor Department compiled and released the data to provide a true picture.

Finance Director Miller advised that the intent was to provide a full 12-month period, from the end of the second quarter from one year to the next.

Specific to the documentation provided for this year's budget process, Mayor Roe commended staff on that material throughout the process, opining the process was reaching the high 90% toward where the City Council has been trying to go with the process. Barring some minor tweaking for next year's process, Mayor Roe stated he had great expectations that the goal would be met. Specific to the report on COLA indices, Mayor Roe opined that it was good to have that information as part of the City Manager recommended budget packet for discussion, along with the plus/minus report summarizing in broad categories at the time of release of that recommended budget, including tables and details. Mayor Roe expressed his appreciation in seeing that detail provided as needed. Mayor Roe opined that the next step was to define how to package the material to make it more consumer-friendly throughout the budget process, and his anticipation of staff and the Finance Commission continuing to work on that process, but commended staff for their improved documentation during this year's process. Mayor Roe referenced Finance Director Miller's "projected surplus carried forward" memorandum provide as a bench handout tonight, and asked that he include it in the annual budget documentation going forward, noting that the City Council consistently asked for that information anyway.

Councilmember Laliberte concurred with the comments of Mayor Roe, and thanked staff for their flexibility and responsiveness with information requests throughout the process. Councilmember Laliberte also thanked the public for their feedback on the post cards, and to staff for implementing that suggestion of Councilmember McGehee's as quickly as they did.

Councilmember McGehee opined that people liked being asked for their opinion and being heard; and stated how helpful she had found those thoughts provided by residents. Related to the value of the post cards feedback, Councilmember McGehee noted that allowed those not typically using or having internet access an ability to provide their feedback. While an accurate summary of the data was not

able to be compiled from over 200 responses, Councilmember McGehee noted that feedback was invaluable to inform the budget process as well as a broad range of topics from those residents not usually heard from.

Mayor Roe suggested that dialogue would be a good topic on Speak Up! Roseville for next year's budget process.

For accuracy sake, and duly noted by Mayor Roe and Finance Director Miller, Councilmember Willmus suggested the surplus funds memorandum be provided later in the year rather than sooner.

Mayor Roe agreed that post card feedback was a helpful part of the process.

Councilmember Laliberte thanked Finance Director Miller and the Finance Commission for the data they provided throughout the year.

**Roll Call**

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

**Nays:** None.

**b. Adopt the 2016 Final HRA Tax Levy**

Finance Director Miller briefly referenced the requested action in the RCA dated December 7, 2016.

Willmus moved, Laliberte seconded, adoption of Resolution No. 11282 (Attachment A) entitled, "A Resolution Submitting the Housing and Redevelopment Authority In and for the City of Roseville, Special Property Tax Levy on Real Estate to the Ramsey County Auditor for the Fiscal year of 2016;"

**Roll Call**

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

**Nays:** None.

For the benefit of the public, Mayor Roe noted that this action for average tax payers in Roseville, this would reduce their tax levy by approximately \$3 per month.

**c. Adopt the 2016 Utility Rates**

Finance Director Miller briefly reviewed the requested action as detailed in the RCA dated December 7, 2015; noting that the rate adjustments would average a net increase of approximately \$.80/month.



Councilmember Laliberte expressed appreciation for staff's presentation of the proposed 2016 utility rate adjustments a meeting before taking action to allow the City Council and Roseville residents to review and make comment.

Specific to increased sanitary sewer rates due to increased rates from the Metropolitan Council, and based on a question she received from a Roseville resident, Councilmember Laliberte asked Finance Director Miller to illuminate her on a process for a taxpayer to appeal that rate; or if there was any opportunity for the public to react at all.

Finance Director Miller responded that, while he wasn't sure of any way to appeal other than directly to the Metropolitan Council, who typically held open meetings regarding their rate structure. However, Mr. Miller advised he wasn't sure how widely advertised those meetings were, but thought it would be appropriate for a taxpayer to provide verbal or written comment accordingly. Aside from that option, Mr. Miller advised he wasn't sure of any appeal process the Metropolitan Council had available.

Councilmember Laliberte noted that residents weren't even aware of receiving the increase, and therefore felt it was a failure of the City's system; and sought a way for the City to inform the public earlier on in the process or if there was another remedy.

Mayor Roe suggested getting those discussions out to the process earlier in the public.

Finance Director Miller clarified that the Metropolitan Council didn't notify municipalities of the next year's rate structure until August of the current year. While Mr. Miller suggested there may be other ways for Roseville residents to get word, it probably wouldn't be from the Metropolitan Council based on that schedule. Mr. Miller suggested that may be an extra step the City could consider in their annual budget process, since the Metropolitan Council typically held their rate discussions in the spring at which time it may provide a better opportunity for residents to voice their thoughts.

Mayor Roe asked staff to follow-up with the Finance Commission on that, and make that part of the City website's utility information, specifically process and time points similar to the property tax process, even though not part of the City Council's decision-making.

Councilmember Laliberte asked that City Manager Trudgeon follow-up with the City's Metropolitan Council representative, such as an after business opportunity for the representative to come to the City Council with a snapshot of their proposed rate structure for the next year or to provide an idea of other things going forward that may affect Roseville taxpayers.

Mayor Roe stated his preference to have that representative contact earlier in the year; with Councilmember Laliberte clarifying her preference that the presentation go beyond the typical “feel good” presentation and provide specific areas of interest.

City Manager Trudgeon duly noted the City Council’s request.

Councilmember McGehee questioned if this Metropolitan Council increase was for general operations and process fees, or if it was specifically tied to the City’s inflow and infiltration (I & I) issues.

Finance Director Miller reported that this was a simple pass-through increase, an historic role of the City for the Metropolitan Council; and clarified that the City had not had to pay an I & I surcharge to-date, and continued to make great progress on that issue.

Public Works Director Marc Culver reported that the City of Roseville continued to experience I & I issues, especially with water getting into stormwater pipes and groundwater, with a potential surcharge notice of several hundred thousand dollars over a 3-4 year period being received. However, to-date, Mr. Culver clarified that the City had been provided an opportunity to apply that amount to address its I & I issues, with its aggressive program of lining sewers and other programs implemented as examples used to offset that surcharge.

Councilmember McGehee noted the need for residents to have a better understanding of the City’s rationale in lining pipes and the benefits received in doing so.

Mayor offered an opportunity for public comment on the proposed 2016 utility rate fees at this time, with no one appearing to speak.

**Etten moved, Willmus seconded, adoption of Resolution No. 11283 (Attachment A) entitled, “Resolution Establishing the 2016 Utility Rates” as presented.**

Councilmember McGehee stated she felt compelled to again suggest bonding versus fees to address needs, even though recognizing she was unable to get any traction with her frequent suggestion for that option, but grudgingly spoke in support of the motion. Recognizing the importance of continuing to improve the city infrastructure, Councilmember McGehee asked that City Manager Trudgeon and Public Works Director Culver research a program such as that of the Pavement Management Program (PMP) for residents to line their lateral service lines during the construction season.

Councilmember Laliberte stated the need for the City Council and staff to remind and communicate with residents as often as possible that they are not assessed for infrastructure repairs, setting the City of Roseville apart from many communities that do asses for those repairs.

Mayor Roe concurred with Councilmember Laliberte's comments, noting that the fact that the base rates are not proposed to change this year provided an indication that improvements were being made and that the difficult decision made by the City Council several years ago and representing a fairly substantial increase in those base rates to address infrastructure upgrades, had been the correct decision.

Councilmember McGehee clarified that her bonding suggestion was not intended to propose the city not pursue lining sewers, but just her thoughts for a different option to distribute those costs, as she found the utility rates painful to pay as did other residents.

**Roll Call**

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

**Nays:** None.

**14. Business Items (Action Items)**

**a. Approve/Deny Liquor License Applications for both New Applicants and Renewals**

**b. Approve Newly Created Positions in the 2016 City Budget**

City Manager Trudgeon reviewed the proposed creation of each of the 6.5 new positions as detailed in the RCA dated December 7, 2015.

Councilmember McGehee stated that some of her questions were specific to a position while more were of a broader nature. However, Councilmember McGehee opined that this forum may not be the best venue to discuss all of them, and therefore would keep her questions more general. Councilmember McGehee expressed her personal interest in a more in-depth discussion of financial impacts as well as personnel discussions at a later date.

Auto Dealer License Representative (full-time)

Passport Supervisor (full-time)

Specific to the Passport Supervisor job summary and previous discussion about that position, Mayor Roe questioned the separate of function from other license functions based on federal agency requirements. However, Mayor Roe noted that the proposed job description didn't exclude auto dealer transactions; and asked how the functionality of the position was defined based on those federal requirements.

City Manager Trudgeon responded, with concurrence by Finance Director Miller, that the passport function needed to be exclusively separated from staff issuing drivers licenses, but not from other supervisory functions.

Assistant Fire Chief Position (full-time)

Councilmember McGehee stated her understanding that this position was budget-neutral but stated she would like a more in-depth discussion for this proposed position and structure and how that improved the transition to a full-time staffing model going forward. Councilmember McGehee stated that she had yet to see that budget piece.

Mayor Roe recalled that financial analysis provided by staff in earlier discussions and savings related to equipment and in other areas as the department transitions to full-time firefighters and part-time costs generating savings to pay for the proposed position.

Fire Chief Tim O'Neil advised that when looking at how to address step two in 2016 to transition from part-time a combined part- and full-time staffing model, or full-time department, the biggest need was found to be in supervision. Thus, while there are numerous ways to consider, in moving into the 2016 budget cycle, Chief O'Neill advised that the direction from the City Manager and City Council had been to come as close as possible to a budget-neutral scenario. Chief O'Neill noted that this plan and stepped process had been submitted to the City Council several years ago for their support and providing options to keep the three existing battalion chiefs in their existing roles and hiring three new supervisor positions.

However, Chief O'Neill noted that plan would have cost the City an additional \$220,000 estimated, and the department didn't think the City Council would support that recommendation. Therefore, Chief O'Neill advised that staff returned to the drawing board with their plan, as submitted to the City Council, and after further discussion, repositioned the battalion chiefs to work shifts and propose hiring only one additional position, that of the Assistant Fire Chief.

Chief O'Neill reviewed how that would work, with three of the positions (battalion chiefs) already in the budget; and revising their job descriptions to supervise firefighters on the street and taking the position previously occupied by a part-time supervisor, thus changing next year's staffing model structure. Chief O'Neill clarified that the savings from the part-time supervisor position was not part of that structure, but replaced funding for the Assistant Chief position as calculated for that model.

Mayor Roe clarified that the savings would result from not paying a part-time supervisor position, or as noted by Chief O'Neill, reducing that from three to two-part-time supervisor positions.

Based on her personal analysis performed with the City Manager Trudgeon, Councilmember McGehee noted that by taking the giant leap of hiring six full-time firefighters at the front end versus this stepped approach, it would prove more cost-effective. As an example, Councilmember McGehee noted last week's payment request for extra gear totaling \$128,000. Councilmember McGehee opined that the City Council had not seen all the alternatives and their cost analyses, but was only hearing options based on staff's assumptions of what it would or would not approve rather than giving the City Council the opportunity to respond to those options.

In past succession planning discussions and one planned retirement next year leaving the City with two rather than three battalion chiefs, Councilmember McGehee questioned why not keep those positions in their two distinct foci areas of expertise. Councilmember McGehee stated her preference would be to leave the positions as they are and increase their administrative role and move others into full-time staff positions by providing them the opportunity to be shift captains, ultimately providing more administrative depth than currently available. Without having personal access to financial information, Councilmember McGehee expressed her disappointment that those alternatives were not presented to the City Council based on those financial considerations long-term, not just short-term.

Councilmember McGehee stated she was not speaking against having an Assistant Fire Chief, but opined that it seemed like just another administrative layer; and she would prefer to see both battalion chiefs remain in their roles come spring of 2016.

Mayor Roe recalled staff presenting alternatives and analyses of each at a prior meeting.

Chief O'Neill advised that the department had considered different options, and agreed with Councilmember McGehee that there were many different approaches. However, Chief O'Neill reiterated that staff had presented the best option they felt would provide a budget-neutral opportunity, while holding two battalion chiefs in their positions and moving three other firefighters up from the ranks. Chief O'Neill advised that this model also had additional costs, but would basically come out in the end. Chief O'Neill agreed with Councilmember McGehee that this option was not presented to the City Council in the 2016 budget, but had been incorporated with the overall transition plan for restructuring as presented in 2014 and moved forward into 2015. Chief O'Neill advised that, other than his attempt to be as fiscally responsible as possible, he could offer no other reason for the decision to offer this suggestion.

Mayor Roe recalled that the City Council did receive some of that analysis earlier in 2015 from staff, and a decision had been made to not incur additional current

year costs even though there may be some long-term savings. Mayor Roe stated that his support was based on that structure, as presented by staff, making more sense to consolidate functions into one position and allow shift supervision by battalion chiefs. Mayor Roe opined that he saw that model in no way conflicting with succession planning and staff supervision.

Mayor Roe offered an opportunity for public comment at this time, with no one coming forward to speak on the issues.

Councilmember McGehee opined that she didn't feel the options had yet been fully vetted; and sought more transparent public discussion. While understanding the rationale in not wanting more expense, Councilmember McGehee opined that she had found in the past when looking out a few years, the City actually saved money rather than simply looking short-term from one budget cycle to the next.

Forester Position (part-time)

Recreation Facility Coordinator (half-time)

Councilmember McGehee noted that current staff, Jeff Evenson and Ryan Johnson, both had horticultural expertise, in addition to the consultant under contract with the City, and were available to take over tree health issues for the city as well as address specific tree questions of residents. Therefore, Councilmember McGehee opined that the part-time Forester position should be eliminated and those funds applied to the Recreation Facility Coordinator's part-time position.

McGehee moved, Laliberte seconded, approving the proposed Recreation Facility Coordinator's half-time position by eliminating the half-time forester position be eliminated, thereby making the new position budget-neutral.

Councilmember McGehee noted that the emerald ash borer (EAB) situation was well-known and would most likely conclude similarly to that of Dutch Elm disease, but requiring no heroic effort on the part of the city beyond education and communication. Councilmember McGehee opined that having someone readily available in-house as a forester was not a service the city needed to provide, and that information was available to the public through the extension program.

Councilmember Laliberte noted her seconding the motion had been to facilitate discussion, and noted her questioning of that forestry position at last week's meeting. Since that meeting, Councilmember Laliberte reported that she had spoken to several leadership staff members to answer her questions. Councilmember Laliberte noted that a year ago, everyone appeared to be on the same page in approving an internal, full-time Forester position to provide consistent service to the public and the Public Works, Parks & Recreation and Community Development Department. Councilmember Laliberte stated her support for that consistency goal and coordination.

However, since that time, Councilmember Laliberte noted that the position had not been filled and status quo retained, causing her to assume it would be revisited in tandem with the outside consultant now under contract. Going forward, Councilmember Laliberte stated her concerns were still as she originally expressed, that a consistent message among departments was available and imparted to residents to avoid customer service issues. Councilmember Laliberte advised that she would follow-up with staff on her concerns outside of meeting confines.

Councilmember Etten pointed out, in City Manager Trudgeon's budget memorandum the potential significant increased costs for contracting all services compared with the cost for a half-time forester position. Councilmember Etten noted that depending on the third party contractor's rate schedule for a particular service and other concerns he had in getting rid of the forester position, he saw an even more significant issue with consistency.

Councilmember McGehee responded that while rates may prove higher for a specific service, there may not be as much demand for a particular service, creating cost savings versus an in-house positions.

Pending her subsequent conversations with staff to address her remaining concerns, Councilmember Laliberte stated she had no definite preference at this time.

Mayor Roe noted the different roles among departments for this expertise, and his understanding that the part-time forester position didn't deal with many of those areas. However, Mayor Roe stated that he needed to better understand the functions of the forester position and potential implications if eliminating the positions before he could make an informed decision.

City Manager Trudgeon reviewed the various roles with the third party consultant addressing Community Development issues (e.g. tree preservation and replacement); while the part-time forestry position coordinated the city's diseased and hazardous tree program, parks and rights-of-way issues, and consulted with residents about those specific concerns, as well as active involvement with EAB management (e.g. grant applications and field work), and oversight of the city's side of forestry management. Mr. Trudgeon noted that the two positions didn't necessarily interact, but were two distinct positions. If eliminating the forestry position, Mr. Trudgeon noted that the city lost all that service and coordination, and while current staff may be able to absorb that function in-house it would be on top of their already full workloads, and not avail itself to providing much if any customer service to residents beyond emergency responses as applicable. Therefore, Mr. Trudgeon reiterated his recommendation to continue as outlined in his memorandum, with the half-time forester position, at 1,040 hours per year.

As outlined in City Manager Trudgeon's memorandum of December 2, 2015 (page 2), Mayor Roe noted the budgeted total of \$68,000 for the full-time posi-

tion, and some portion paid among all three departments, some by fee, but representing more than originally budgeted for if assuming the same number of hours and at that rate. Mayor Roe questioned if the goal was being achieved and taxpayer value was realized, based on his initial analysis.

Councilmember McGehee stated she found the information useful, but if incorrect it didn't matter. Given the concerns she and Councilmember McGehee had expressed separately and as brought up by residents, Councilmember McGehee questioned if the purported service to residents is really a service, and suggested a better arrangement for rights-of-way and dead boulevard tree issues.

**Roll Call**

**Ayes:** McGehee

**Nays:** Willmus, Laliberte, Etten and Roe.

**Motion failed.**

Willmus moved, Etten seconded, approval of the newly-created positions as presented and detailed in the RCA dated December 7, 2015, authorizing staff to begin the process of recruiting and filling those positions.

Councilmember Laliberte expressed her appreciation to City Manager Trudgeon for recommending revenue-neutral positions, even though she retained some concerns with some of those initiatives, particularly in appearing to randomly hire based on variable skill sets. Councilmember Laliberte opined that further discussion was needed to make sure potential employees are comfortable in those positions with the skill set being requested of them. Under that scenario, Councilmember Laliberte asked staff to annually assess those new positions, or whenever a new position is created (e.g. Volunteer Coordinator position created a year ago) to provide a touchback.

Also, Councilmember Laliberte noted her discussions with Human Resources Director Eldona Bacon, and asked that staff provide a report on reasons staff are leaving the City to keep the City Council up-to-date, especially in light of the fourteen positions opened up on 2015, and rationale for those moves as gleaned through exit interviews. Councilmember Laliberte stated she would find it helpful for departments at some point during 2016 to provide any organizational plan changes for their specific department rather than just when vacancies need to be filled or positions redesigned.

Councilmember McGehee expressed her appreciation to staff for providing the specific job position information and their descriptions; and concurred with Councilmember Laliberte's request to have a review after a year for new positions and whether or not they generated any additional revenue.

**Roll Call**



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

**Nays:** None.

**c. Approve Hillcrest Animal Hospital Service Agreement**

Police Lt. Lorne Rosand briefly summarized additional research and revisions to the proposed contract with Hillcrest Animal Hospital, as detailed in the RCA dated December 7, 2015 and attached draft service agreement.

Lt. Rosand noted concerns raised about specific language had been addressed since the last meeting and revised accordingly; and proceeded to introduce Dr. Bouthilet, DVM, owner of Hillcrest Animal Hospital for 23 years, and in tonight's audience. Lt. Rosand noted that Dr. Bouthilet had readily agreed to the changes requested by the City Council; and as part of staff's research, reported that Brighton Vet Clinic had impounded 42 animals to-date while under contract with the city, with only seven euthanized, or what was called at 17% "kill rate."

Councilmember McGehee thanked staff for that additional information, a point of concern for her; and expressed her appreciation of contract revisions. Councilmember McGehee clarified that she not as concerned with possible euthanizing of animals, but of selling them for research, and her desire to address notifying residents of four business days, which was a short time frame for cat owners compared to dog owners.

Dr. Bouthilet agreed that the vast majority of dogs were claimed by their owners; and advised that their clinic provided impound services for approximately 35 cities at this time. Dr. Bouthilet advised that the State minimum for notification is five days, and most cities retained that schedule due to budgetary implications with impounded animals. Dr. Bouthilet clarified that there was never any questions of selling animals for research as that wasn't going to happen on her watch, but was fine revising contract language accordingly. Dr. Bouthilet opined that it was nice of the City of Roseville not to charge its residents an impound fee, with her being aware of only one other city not doing so, with impound fees typically charged to pet owners upon pick-up. While the money didn't affect her operation at all, Dr. Bouthilet advised that it did count as a credit for cities on invoicing for their services and helped defray costs of having city staff bringing in animals.

Councilmember McGehee stated she was unaware that the City didn't have an impound fee, and suggested it be addressed in the next fee schedule. Councilmember McGehee clarified that the five-day period was not intended due to any concern she had with Dr. Bouthilet or her services, but just to ensure residents were aware of the time limit and where the intake clinic was located.

Councilmember Laliberte expressed her appreciation to Dr. Bouthilet for providing the service and her agreement to revising the contract language to address City Council concerns.

As stated in the contract, Mayor Roe asked Dr. Bouthilet what the typical time period was that applied: redemption or quarantine periods.

Dr. Bouthilet responded that if an animal had bitten someone, the quarantine was 10 days, and noted some situations where animals had been removed from an owner's home due to health or hoarding concerns, advising that did take some time to get through the court system. Under those circumstances, Dr. Bouthilet advised that they would keep those animals as long as the city told them to, but they did expect to get paid for that impound days. Dr. Bouthilet stated she had worked with Hillcrest for over 25 years, and their impound service had been provided for a longer period than her tenure with them, she opined that they had a good system in place.

At the request of Mayor Roe, Dr. Bouthilet confirmed that the usual situation is a five-day impound, and need to remove animals represented less than 10% of animals impounded. Dr. Bouthilet advised that it's typical for Hillcrest to keep animals until a rescue opportunity became available, and based on their networking with a number of different rescue resources, they were able to get animals adopted to new homes. Dr. Bouthilet stated that euthanasia typically involved feral cats, aggressive dogs, or animals so sick or injured it was kinder to put them down, and was only done on rare occasion for a healthy animal.

Mayor Roe asked if Dr. Bouthilet would be willing to provide an annual report to the City on the number and type of animals brought to Hillcrest and those euthanized, suggesting that could be added to contract language.

Dr. Bouthilet agreed to provide that report via staff; and offered her willingness to change the number of days, impound fees, or any other changes during the term of the contract at the City Council's prompting.

Willmus moved, McGehee seconded, approval of the 2016 Hillcrest Animal Control Service Agreement (Attachment A); and authorizing the Mayor and City Manager to execute the document.

#### **Roll Call**

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

**Nays:** None.

Mayor Roe asked staff to bring future discussion of impound fees forward in the future, duly noted by City Manager Trudgeon.

**d. Adopt 2016 City Council Priority Plan**

City Manager Trudgeon highlighted changes made to the Priority Planning document as a result of past discussions, and as detailed in the RCA and Attachment

A, dated December 7, 2015. Mr. Trudgeon reviewed those revisions as outlined in lines 7 – 23 of the RCA (page 1). While representing an ambitious undertaking, City Manager Trudgeon advised that staff was ready and eager to begin.

Mayor Roe noted the need to include page and line numbers on the document on the next iteration.

Councilmembers Etten and McGehee thanked City Manager Trudgeon for this format that he found significantly better.

Councilmember Etten referenced the third goal in the Housing and Economic Development Strategic Priority entitled, “Foster Twin Lake Redevelopment;” opining it was missing something, and suggested shifting the quarterly initiative programs in a more realistic manner.

After further discussion, without objection, the consensus was to move the timetable forward to the first quarter.

Councilmember Laliberte thanked staff for deferring this item to this week’s agenda to make sure it had one more review before formal adoption. Councilmember Laliberte stated she saw this as a working document undergoing continual changes throughout the next year, opining she thought it would serve as a learning process for this and future City Council’s in how to approach an annual set of goals. Councilmember Laliberte agreed with those items removed and those revised areas of focus as presented.

Councilmember Etten stated his interest in updates provided to the City Council, at a minimum of quarterly if not more frequent, from groups outside the City itself (e.g. SE Roseville, Karen organization, etc.).

City Manager Trudgeon suggested covering all of them quarterly or if more important more frequently and sooner rather than later; and thanked the City Council for reinforcing that effort to hold everyone accountable.

Mayor Roe concurred with Councilmember Etten for aligning those reports with those already received by the City Council, noting this document may supersede the former *Imagine Roseville 2025* reports.

Councilmember Laliberte expressed concern with the logistics of reporting to the City Council at each work session or quarterly, especially in areas where staff needed more immediate action on an item; and suggested putting a standing item on each City Council work session to receive that report.

City Manager Trudgeon suggested receipt of a memorandum from him if there was something needing discussion before the quarterly report, noting that work sessions were not necessarily held quarterly.

Councilmember McGehee noted she was going to call this an experiment, and had wanted something like it for focus since she originally came aboard the City Council, and expressed appreciation that staff is as excited as the City Council to get going on it, opining they'd keep each other accountable. Councilmember McGehee stated she was happy with an update no less than quarterly, and based on the feedback she heard from her colleagues tonight, having a week between receiving materials and taking action tonight had made for a more productive conversation, and should serve to inform the process moving forward. Using this an example of cooperative efforts, Councilmember McGehee noted this allowed the City Council to facilitate its own plan and for staff to provide a heads up.

Mayor Roe spoke in support of Councilmember Laliberte's proposal to receive an update at each City Council work session, opining frequency would be better; and spoke in support of Councilmember Etten's comments to get an update not necessarily due to what the City Council needs to accomplish, but to keep track of what others have been doing providing a routine and frequent report. However, Mayor Roe questioned if there was across-the-board support for that frequency, and addressed the need to be clear to staff on that routine.

Councilmember Etten clarified that every issue didn't need to be dug up each time, with most of the effort on the City Council's plat in that role or that of their EDA role anyway, and only a small portion outside that domain. Therefore, Councilmember Etten opined that a short memorandum from staff on the other items should suffice most of the time and move it forward to inform the City Council.

Councilmember Laliberte opined that another reason to have a memorandum presented at a work session was to allow the public to be aware of what the City Council was working on to provide ongoing input as individual Councilmembers and/or staff were out in the broader community and what meetings were taking place or the status of projects.

Mayor Roe suggested a webpage dedicated to PPP with periodic updates.

Councilmember McGehee suggested including that information as a summary in the *City News* newsletter as well.

McGehee moved, Etten seconded, adoption of the 2016 City Priority Plan (Attachment A) *as amended to add a bullet point under "Foster Twin lake Redevelopment" under the first quarter.*

**Roll Call**

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

**Nays:** None.

**e. City of Roseville Request to Amend Tree Preservation and Restoration Ordinance, City Code Chapter 1011.04 for all Districts**

City Planner Thomas Paschke briefly summarized modifications made to the proposed ordinance as a result of previous discussions, and detailed in the RCA and attachments dated December 7, 2015.

Councilmember McGehee thanked staff for incorporating the changes she'd requested in this iteration; and opined it would provide a well-done addition to city code.

Etten moved, McGehee seconded, enactment of Ordinance No. 1490 (Attachment A) entitled, "An Ordinance Amending Roseville City Code, Chapter 1011 (Introduction), Section 1001.10 (Definitions) and Chapter 1011 (Property Performance Standards), Section 1011.04 (Tree Preservation and Restoration) in all Districts."

Councilmember Laliberte, with concurrence of her colleagues, thanked staff for persevering in working through this with the City Council.

**Roll Call**

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

**Nays:** None.

Etten moved, Willmus seconded, enactment of Ordinance Summary No. 1490 (Attachment B) entitled, "An Ordinance Amending Roseville City Code, Chapters 1001 and 1011, Related to Tree Preservation."

**Roll Call (Super Majority)**

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

**Nays:** None.

**15. Business Items – Presentations/Discussions**

**a. Receive Update on Proposed Planned Unit Development (PUD) Ordinance**

City Planner Thomas Paschke and Sambatec Consultant Ben Gozola were available to receive feedback on the most recent update on the proposed PUD ordinance prior to moving forward with a draft to the Planning Commission as modified and detailed in the RCA and draft PUD regulations dated December 7, 2015.

Mr. Gozola reviewed the revisions since the original November draft and subsequent City Council feedback to-date; with comments specifically addressed via Attachment C.

**Councilmember Willmus**

Overall, Councilmember Willmus stated he found the draft to be on the right track.

PUD Qualifications (Section A, (5) - Page 3, line 64

Councilmember Willmus asked if there was a need to have all land area controlled under single ownership, which he found an area of concern.

Specific to ownership and establishment of PUD's for areas of a plan under single ownership or control, Councilmember Willmus stated his concern, since there could be a partnership or corporation situation, or multiple controlling parties. However it was decided, Councilmember Willmus noted the need to be clear and consistent throughout the document, noting a contradiction from page 3 to page 12 as currently written.

PUD Review Procedure (Section 9, pages 5 and 6)

Councilmember Willmus noted issues in the past with PUD's and the design review committee's closed door approach, and suggested revised language beyond "...unless waived by staff...", allowing for decision-points in a more open, transparent process for the Planning Commission and/or City Council through a public body to allow people to see what was happening from the front end of a project.

Page 12, #7

Operating and maintenance of common areas, Councilmember Willmus opined that appeared to address residential settings, and his preference was that this also easily apply to commercial settings too. Councilmember Willmus also noted that no matter the ownership of a property, it was important to define who would be the holder of the documents, whether or not it was the city, but expressed his lack of interest in the city becoming an arbitrator for snow plowing, etc. with preference that those things be recorded with the property title for those parties involved in the PUD and outside the city's role.

**Councilmember McGehee**

Councilmember McGehee agreed she thought this was on the right track, but expressed some confusion in line with those comments of Councilmember Willmus about sharing common ownership by entities and how to interpret those entities or individual contracts. Councilmember McGehee expressed her need to more clearly understand what is being proposed; and if the goal was to avoid the city arbitrating how something worked in a variety of scenarios, especially in commercial areas, she was in agreement with that.

As touched upon by Councilmember Willmus, Councilmember McGehee noted her concern with the design review committee consisting of staff, opining that she would like to hear the consultant address what triggers were in place to move that

from an administrative review to one in a more public or transparent arena to inform the public and the process itself. From her personal point of view, Councilmember McGehee stated there was more visibility needed beyond the Planning Commission, but was unsure of the trigger or threshold to bring that potential waiver to the City Council for more review.

Mayor Roe noted that related to the PUD submittal requirements (page 6) and needed further conversation.

**Councilmember Etten**

Page 6, Item #2

Specific to PUD submittal plan requirements brought up by Councilmember Willmus, Councilmember Etten stated his interpretation was that these items should be part of the public meeting and public application process, but anything waived by staff was determined not to be specific requirements and not material to that particular application.

Mr. Gozola noted that at that point it would only be a concept plan going before the Planning Commission and City Council; and if more information was needed the applicant needed to provide that to staff and include it with any preliminary application.

PUD cancellation, page 12

Regarding the city having the sole right to cancel a PUD, Councilmember Etten questioned if that included after development.

Mr. Gozola responded that he had yet to see one cancelled, and had pulled this language from that of another city. However, Mr. Gozola suggested the City should have that cancellation ability should it ever find itself in a position needing it.

**Councilmember Laliberte**

Design Review Committee

Councilmember Laliberte also expressed concerns in the lack of transparency in a quasi-review process behind closed doors.

Timeframe (page 8)

Councilmember Laliberte opined the difference in clauses about 365 days and 3 months, and questioned that rationale.

Mr. Gozola noted that the 365 days related to when the concept plan was submitted, and typical timeline between concept and preliminary plat states; with the developer required to set an open house within 3 months to keep plans relevant. Mr. Gozola noted the potential for someone to do quicker or wait longer, and if longer, a second open house would be required.

**Mayor Roe**

Purpose and intent (Page 1, paragraph 1.1.a)

While a minor point, Mayor Roe noted the need to retain flexibility for development of neighborhoods and in non-residential areas, and suggested stating “residential and non-residential areas.”

Enhanced Buffering (Page 5, paragraph 3)

Mayor Roe noted along property lines abutting different use types, this was more specific from the City Council’s point of view (e.g. single-family, medium density residential or parks/open space) and specific areas needing more focus on buffers and adjacencies. Mayor Roe suggested talking about those specific districts as a starting point, but still stating the possibility for more or additional districts.

Open House Meeting Requirement (Page 8)

Mayor Roe stated he was not aware of a slightly different requirement in several areas; and asked that code be reviewed for consistency to provide a single open house process for all, an area of organizational consideration for staff and the City Council.

Preliminary Plan and Timeframe

Mayor Roe noted the 365 day and 3 month issue had already been addressed. In other land use issues, Mayor Roe recalled language of not less than 15 days and not more than 45 days, and for consistency, suggested justifying one or the other, based on that previous detailed discussion.

**Councilmember McGehee**

Regarding cancellation of a PUD, Councilmember McGehee stated she found that strange, since the City could amend PUD’s, but didn’t have the ability to do anything else according to this document to restrict a PUD, expressed her confusion as to why the City Council had the ability to cancel a PUD, and asked that the next discussion would provide more background on that point.

Discussion

Single Entities (page 3)

Mr. Gozola advised that he understood the questioned raised, and the City Council needed to be comfortable with the language of their ordinance and that it met the needs of the applicant process in Roseville.

Using Rosedale Center as an example, Mr. Gozola questioned how to address and avoid separate agreements with separate entities.

Community Development Director Paul Bilotta suggested language indicating that all parties, who are owners, have to be part of the PUD contract.



City Attorney Gaughan advised, if the City Council wasn't comfortable in requiring some formal partnership, a similar approval process to that of Rosedale Center could be used requiring consent from all ownership interests; with that provision made rather than the City acquiring partnership interests on a PUD.

Without objection, this language was agreed to by City Council consensus.

Mayor Roe clarified that he had no objection of working with a single conglomerate or document, simply how best to express it.

2 acre versus other sizes

Mayor Roe suggested that because any parcels smaller than 2 acres could be combined, this would effectively cover the entire city.

After minimal discussion, without objection, the City Council agreed to the 2 acre language.

Adjacency to specific districts (Page 5)

Councilmember Willmus suggested more specificity with other city documents, naming specific districts (e.g. LDR, MDR, Parks/Open Space) as suggested by Mayor Roe as a good starting point, and providing protections to residential districts.

Without objection, the City Council agreed.

Transparency and public participation (page 6)

From his perspective, Mayor Roe opined this made sense from a transparency and early involvement of the public in the process, moving the concept plan before the open house, but still maintaining notification of those within 500'. Even if it comes before the City Council and proceeds no further, Mayor Roe noted this at least provided an opportunity for the public to comment, as well as during preliminary and final plat approval; using the same notification process and open house requirements. Mayor Roe opined this accomplished the goal consistent with other areas.

Councilmember McGehee agreed, but questioned the trigger for that public review versus administrative review.

Mayor Roe noted that was the next part of the discussion.

In context, Councilmember Willmus agreed with where it fell in this document, but noted some of the details were important for the public to know (e.g. density, development schedules, etc.) and if staff deemed that information wasn't important or pertinent, there may be others in the community that felt it was and wanted that information early on in the process to provide their feedback before

the formal public hearing at the Planning Commission. Councilmember Willmus stated his preference to have that on the table and not give staff an opportunity to waive any of those items.

Mr. Bilotta noted that by bringing the concept to the City Council for a first look without any decision-making, provided an opportunity for staff to justify why they were waiving anything; and if the RCA came forward for consideration of a concept plan, and staff waived any items, the City Council would then have the right to address that.

Councilmember Willmus agreed to that as long as attention was called to it and it wasn't simply omitted.

Mayor Roe clarified that any waiving by staff had to be justified by them.

Councilmember Etten agreed with that process, if the RCA clearly stated why staff waived any items from the standard list; with Mayor Roe opining it seemed consistent with other items received by the City Council.

Mr. Bilotta used wetland delineation as an example with Rosedale Center and depending on soil types, at the early stage it may be an important piece, but at the concept level, would provide an opportunity for City Council and public comment before soil borings were done. While this may serve as only a caution from staff and no costs were yet incurred, Mr. Bilotta noted this provided an opportunity for feedback from the City Council and public for the applicant.

Councilmember McGehee stated she found this list similar to that used for past Environmental Assessment Worksheet forms, as a checklist, with "not applicable" for boxes as appropriate, and as her preference for such a checklist to come before the City Council.

Mayor Roe requested the consultant, by general consensus, to add staff justification of administrative waivers of requirements as part of the process and reflected in language accordingly.

Timeframe (Page 8)

Mr. Bilotta noted that typically in ordinance the timeframes were one year and 180 days. However, realistically with Minnesota weather, Mr. Bilotta noted how that could impact development and construction cycles, resulting in the 365 day time period depending on when the process was initiated and how long analysis required, with the ultimate goal of developers with a contract to get through the process as quickly as possible.

Without objection, the City Council agreed.

To be consistent, Councilmember Laliberte asked that the 15/45 day period be followed. However, Councilmember Laliberte noted current work by two advisory commissions on notification process and their task force recommendations, asking that the consultant acknowledge their work and recommendations as they related to this document.

Operating and maintenance requirements for common area – single ownership (Page 12)

Mayor Roe agreed that the city didn't want to get into dispute resolution.

Mr. Bilotta agreed with Councilmember Willmus that the documents should be recorded between parties, but somehow injecting the city as an intervening party in case one of the other parties defaulted (e.g. snow removal) to resolve any issues.

Mayor Roe questioned if the city would be enforcing the terms of any PUD.

As an example, Councilmember Willmus, noted cross titles of properties.

Mr. Bilotta noted the need for the city to be third party to a PUD agreement so other parties couldn't undo any situation.

Cancellation (Page 13)

Councilmember Willmus opined there was a viable role for the City to have cancellation authority should a PUD at some point in the future come forward for rezoning or redevelopment, and retain the ability to terminate any agreement in place.

Councilmember McGehee expressed interest in better understanding that.

City Planner Paschke used the 1980's era Center Pointe development as an example; and current issues specific to uses, with that PUD amended two separate times already, and difficulties in selling one vacant lot because uses for it were currently so narrowly defined. Mr. Paschke opined that the only option to address that was to cancel the PUD or modify/amend the PUD. By having the ability for the City to cancel the entire PUD, Mr. Paschke advised that it would allow them to look at the entire PUD and determine whether or not the conditions of approval were still applicable to the agreement of if rezoning was a better tool to move forward beyond canceling the PUD.

Mr. Bilotta noted other similar actions, such as moving from Industrial to Medium Density Residential zoning, and having the same controls over a PUD and not being locked into place, but having the ability to cancel a PUD versus amending them if multiple issues were found. In response to Councilmember McGehee, Mr. Bilotta advised this would allow cancellation of a PUD versus having a whole

series of PUD's on top of other PUD's, by rescinding all of them and creating a new PUD.

Councilmember McGehee noted this clarified that it was a collaborative effort versus her initial understanding that it would be the City pulling a PUD out from under a developer or property owner.

Mr. Gozola advised that his only remaining questions were about overarching goals (page 1) and PUD review criteria (page 4); and thanked the City Council for their feedback.

Mayor Roe thanked Mr. Gozola for the fantastic job with the draft to-date. Mayor Roe noted the next step would be the consultant redrafting the document for presentation at the Planning Commission and the subsequent process to follow.

### **Public Comment**

#### **Lisa McCormick**

##### **Page 3, Section 6.a**

Ms. McCormick noted current language of "substantially similar" and for some reason that caught her attention in questioning how that would be judged. Ms. McCormick stated she was unclear as to whether that was a staff decision, but she would prefer it earlier on in the process.

Mayor Roe clarified that it would be the public part of the process if not on the list explained in the process.

##### **Page 8, Section b.1**

Having attended several open houses, Ms. McCormick suggested the need for a standardized form or checklist for applicants and for those attending to know what type of information was expected of the applicant.

##### **Page 12**

Based on her personal experience, Ms. McCormick encouraged the City Council to adopt a policy of having development agreements recorded, especially related to older PUD's and land acquisition to determine easily what private agreements were in place. Ms. McCormick opined this would provide another checkpoint to know requirements for maintenance required by the City.

##### **Page 7**

Related to concept proposal review, Ms. McCormick stated that she was a proponent of minimum 500' notification area, as being reviewed by the task force as they review current zoning notification areas. Ms. McCormick noted the PIK situation was a good case in point, as she was clearly interested in that parcel, but not being within 500' had not received any notice, and suggested the need to in-

volve interested parties via the website for public awareness of significant projects.

Specific to Ms. McCormick's comments, Mayor Roe asked staff to respond.

Mr. Bilotta advised that any documents, including development agreements that ran with the land were recorded by the city, including all previous PUD's.

Mayor Roe asked that the consultant review specific language of the proposed ordinance compared to state statute.

Councilmember Willmus noted that Ramsey County was obligated to record any document presented to them.

Related to permitted uses, Mr. Bilotta advised that every day staff was required to interpret what is considered "similar," and needed to distinguish various items based on previous City Council action and direction. Mr. Bilotta assured the City Council and public that staff was not attempting to gain any additional powers beyond what had already been delegated to them.

Councilmember McGehee opined that the 500' notification issue brought forward by Ms. McCormick was a valid concern, especially when there was a large piece of undeveloped land that people in that area may be interested in; and suggested some way to address those particular situations.

Mayor Roe noted the task force was currently reviewing that for recommendation; and reiterated his long-ago proposal that hadn't gained any traction, but suggested basing notices on the longest dimension of a property.

Mr. Bilotta noted that was one piece missing from current procedure, and advised that a recommendation coming from the notifications task force would solve 80-90% of the problem. Mr. Bilotta reported that their recommendation was, when there was a big land use action, a large sign would be placed to provide notice to those in the area or driving by.

Councilmember McGehee expressed her support of the sign concept.

**b. Consider Special Meeting**

City Manager Trudgeon reviewed the request to schedule a Special City Council meeting for two specific topics: revision of the Rosedale Center Final Plat to amend the lot line due to lot line issues raised by J. C. Penney at the corporate level and subsequent to previous final plat approval and relative to the location of the parking ramp; and to approve the Outdoor Conditional Use for Calyxt for re-development of the PIK parcel in order to facilitate their closing on the property

before year-end 2015. Mr. Trudgeon anticipated a short meeting, but noted the 3-day notice requirement, suggesting a date next week to meet.

City Attorney Gaughan reviewed the process for the special meeting and motion to suspend the rules according to Rosenberg's Rules of Order, requiring a super majority vote of the City Council.

Etten moved, Willmus seconded, suspend the Rules of Order for the purpose of permitting a motion to reconsider the final plat approval for the Rosedale Center redevelopment at a meeting other than the meeting immediately following the original action.

**Roll Call**

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

**Nays:** None.

Willmus moved, Etten seconded, to reconsider the final plat approval for the Rosedale Center redevelopment at a special meeting.

**Roll Call**

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

**Nays:** None.

Laliberte moved, Willmus seconded, scheduling a special meeting for Wednesday, December 16, 2015 at 4:00 p.m., directing staff to provide duly posted notice per statutory requirements for the specific purpose of reconsidering the Rosedale Center Final Plat and minor change to that Plat; and to consider approval of the Outdoor Conditional Use for Calyxt.

City Manager Trudgeon advised that staff had extended the timeframe for Vogel Sheetmetal for compliance in installing a fence due to the winter season; and noted an appeal had been filed to that administrative decision. Mr. Trudgeon advised that the Vogel's had requested additional time to gather additional information to respond to that appeal, he had not been able to consult with them prior to tonight's meeting to fairly address whether or not to include that as an additional request before year-end. Mr. Trudgeon advised that this would be the final step for parties before moving to the next step in civil litigation, and advised that staff was attempting to be cognizant of a preferred resolution before taking that next step.

In response to Councilmember McGehee's question of how much latitude was required, Mayor Roe advised that the extension had already been agreed to, and the Vogel's waived the 30-day time limit.

McGehee moved to add the appeal to the Vogel condition to the December 16, 2016 special meeting agenda.

Mayor Roe ruled the motion failed due to the lack of a second.

**Roll Call (Original motion)**

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

**Nays:** None.

**16. City Manager Future Agenda Review**

City Manager Trudgeon distributed upcoming preliminary agenda items.

**17. Councilmember-Initiated Items for Future Meetings**

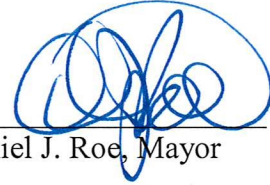
**18. Adjourn**

Willmus moved, Etten seconded, adjournment of the meeting at approximately 9:59 p.m.

**Roll Call**

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

**Nays:** None.



Daniel J. Roe, Mayor

ATTEST:

  
Patrick J. Trudgeon, City Manager