



**Regular City Council Meeting Minutes
City Hall Council Chambers, 2660 Civic Center Drive
Monday, September 11, 2023**

1. Roll Call

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

2. Pledge of Allegiance

3. Approve Agenda

Schroeder moved, Etten seconded, approval of the agenda as presented.

Roll Call

Ayes: Strahan, Etten, Schroeder, Groff, and Roe.

Nays: None.

4. Public Comment

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

5. Recognitions, Donations, and Communications

6. Items Removed from Consent Agenda

7. Business Items

a. Public Hearing to Consider Approving a Liquor License for Shinhwa Korean Steakhouse, LLC Located at 2181 Snelling Avenue N.

City Manager Patrick Trudgeon briefly highlighted this item as detailed in the Request for Council Action and related attachments dated September 11, 2023.

Mayor Roe reviewed public hearing protocol and opened and closed the public hearing at approximately 6:05 p.m. for the purpose of receiving public input on the above-referenced liquor license for Shinhwa Korean Steakhouse, LLC; with no one appearing for or against.

Etten moved, Groff seconded, approval of the liquor license for Shinhwa Korean Steakhouse, LLC pending submittal of any outstanding items.

Roll Call

Ayes: Strahan, Etten, Schroeder, Groff, and Roe.

Nays: None.

b. Discussion About the Use of Cannabis and Hemp in Public Places

City Manager Patrick Trudgeon briefly highlighted this item as detailed in the Request for Council Action and related attachments dated September 11, 2023.

City Attorney Tierney addressed the Council and explained she was available to answer questions.

Mayor Roe noted the City does have an ordinance that prohibits the consumption of alcohol in City parks and is a part of the equation if thinking about controlled substance use.

Councilmember Etten thought the racial equity toolkit is a really good idea but he would also prefer to pass something now for some certain areas where the council might come to a common agreement on for now and then engage the public over a longer period of time rather than leave several months of continued gray area. For him, when he looked at this language, the piece that he is concerned with is City parks and the City Hall campus, the broader campus surrounding them as areas that have much more frequent family use and other things like that.

Councilmember Etten explained one of the specific areas targeted in the State language is not having it around youth and he thought it was hard to separate different areas within the City Hall campus. He would be looking at something along the lines of the third bullet point as a starting point. He would add to the language "All City parks, parking lots adjacent to parks and trails within City parks, and on the main City Hall Campus including the City Hall, Fire Station, Maintenance Facility, Skating Center, and adjacent parking lots." He explained for him, those are areas that the City knows have lots of kids, it fits with the language of the State Statute, and gives room for now for other considerations in the future but targets these high youth areas and high public use areas.

Councilmember Strahan concurred with much of what Councilmember Etten mentioned as it is similar to her feelings on this at this point. Obviously, things may be subject to change with clarification based on the State, but she would like to make sure that it is added "all smoked products" into that and not just Cannabis, just so that it is not a matter of distinction on someone's part determining what is being smoked. She saw that there was language about ingestion, and she did not know if that was even enforceable, or applicable in this situation. She felt more strongly about the smoked product because it was going to be something that would impact the people surrounding it.

Councilmember Groff agreed with the comments and is very interested in the racial equity aspect since the State law was brought up because of equality and racial issues. He wants to be very careful that what the Council is doing is not backwards

in a sense. He noted he would still like to know from the Police Department how this is going to be enforced and handled.

Councilmember Schroeder agreed with the comments. She has been walking through the parks and a couple of times watched people sitting on the bench with their flowered Cannabis out there getting ready to smoke it as children walked by. She is seeing that already so she would like the City to do something to prevent that. She liked the idea of including tobacco, but she also considers this to be very similar to alcohol as in what it does to a person. She would want to make sure that if the City is prohibiting alcohol, Cannabis should be prohibited as well as a use in the parks or wherever. She would also like to take some time in the future to fine tune this, but thought something needed to be put in place to start with. She thought this was a work in process.

Mayor Roe summarized the discussion the Council had indicating the notion was to put something in place and use the racial equity toolkit as conversation continues going forward.

Mayor Roe thought the Council needed to talk about where this is handled in the Code. He noted the alcohol prohibition is strictly in the discussion of parks and is the only place in the City where there is a prohibition on the use of alcohol. He thought this discussion was a little broader than that so he did not know if it would be placed in the same section of the code. But, if the Council starts to talk about treating similar products, similar ways, then does the Council need to think about also restricting alcohol consumption in some of those same areas?

Councilmember Strahan thought it felt like two different issues, not because these things are different because handling this all as one seems pretty large and does not give the Council a chance to make all the consideration. Also, this is not something that the City shared may be a possibility so there maybe people in the public that have an opinion would want to be heard. Because time is of the essence with the new State law in place, she would be inclined to move forward with what was talked about in regard to Cannabis and potentially smoking and to rethink, as the Council continues this discussion, about alcohol restrictions. She did not think it was a bad idea and she thought it would be good to have it in City Code, rather than just in the parks path as it makes it easier for everyone if there is a consistent application.

Mayor Roe indicated prohibition of alcohol is in the Code and part of the law as it applies to parks, as far as consumption, but it does not apply broader than parks.

Councilmember Strahan was not sure there needed to be a change, but thought there was an opportunity for the Council to review and evaluate to make sure it is appropriate.

Councilmember Etten asked if there were any areas he had previously mentioned that currently it allows alcohol consumption, except by permit at the OVAL or skating center, otherwise, it is not allowed in the City spaces anyway.

Mr. Trudgeon indicated that was correct.

The Council and Mr. Trudgeon discussed examples of where people are not allowed to consume alcohol in or on City owned properties.

Parks Director Matt Johnson addressed the City Council and explained that on-site-purchased alcohol consumption and smoking at the City golf course were allowed in order to be the same as other golf courses.

c. Consider Approval of Ordinance to Amend Chapter 302 (Liquor Control) of City Code Regarding Penalties for Certain Violations

City Manager Patrick Trudgeon briefly highlighted this item as detailed in the Request for Council Action and related attachments dated September 11, 2023.

Councilmember Etten explained the reason he brought this up is the difference in the impact. He understood it is different to have an off-sale situation and on-sale but also the difference impact, essentially, as off-sale folks are more impacted by a suspension but they have a low fine amount of \$1,000. Then there is no other penalty versus the on-sale that had the \$1,000 fine and a one-day suspension of alcohol sales. He noted the City tends to target Friday and Saturday nights so it is certainly something that was an additional financial penalty. He did not have a problem with them both being \$2,000 but felt that \$1,000 was not enough of a penalty for off-sale. He noted the City continues to have a fair number of these violations and felt the City needed to send a different message. This was the maximum that was allowed by State Statute and he was okay with this since the goal is about sending the message.

Councilmember Groff asked if the off-sale is doing \$2,000 and zero-day suspension and on-sale is doing \$2,000 with a one-day suspension so the on-sale violation is still a higher penalty.

Councilmember Etten concurred and indicated his concern was that the off-sale violation was a low penalty and minor compared to on-sale. He stated the violations are still different but at least it is not what feels like a small penalty for what continues to be a problem for some of the City's establishments.

Mayor Roe thought this still provided as much impact as possible without going to the full suspension and as far as the off sale, he agreed with that. He could go either way on the first violation for the on-sale violation because that one-day suspension is still impactful to their bottom line, but he was also fine with it being \$2,000.

Public Comment

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

Etten moved, Strahan seconded, enactment of Ordinance No. 1640 entitled, "An Ordinance Amending Title 3, Chapter 302 of the Roseville City Code to Amend Penalties for Certain Violations."

Roll Call

Ayes: Strahan, Etten, Schroeder, Groff, and Roe.

Nays: None

Groff moved, Schroeder seconded, approval of publishing a summary Ordinance No. 1641 entitled, "A Summary of Ordinance No. 1640 Amending Title 3, Chapter 302 of the Roseville City Code to Amend Penalties for Certain Violations."

Roll Call (Super Majority Required)

Ayes: Strahan, Etten, Schroeder, Groff, and Roe.

Nays: None

d. Consider Appointments to Various City Commissions

City Manager Patrick Trudgeon briefly highlighted this item as detailed in the Request for Council Action and related attachments dated September 11, 2023.

Councilmember Schroeder indicated she would support that the City Council appoint the top two in the preference tallies in both of the commissions because there are some very close numbers and it seems obvious those are the four that should be appointed to the Commissions.

Schroeder moved, Strahan seconded, appointing Namit Bhalla and Lori-Anne Williams to the Human Rights, Inclusion, and Engagement Commission, and Daniel Fergus and Sarah Rudolf to the Public Works, Environment and Transportation Commission. **Council Discussion**

Councilmember Strahan thanked everyone for applying. She did have the opportunity to speak to a few people over the phone, there were many fine candidates interested, and the Council appreciated their willingness to step forward.

Roll Call

Ayes: Strahan, Etten, Schroeder, Groff, and Roe.

Nays: None

Mr. Trudgeon indicated there was some confusion, which he was sorry for. He noted in looking at the staff report, it does look like one member position expires

Regular City Council Meeting

Monday, September 11, 2023

Page 6

at the end of 2025. He thought the tally sheet might have it wrong. It looks like the term for Commission Palmquist ended 2024 and the term for Commissioner Solarin ended 2025. He thought the Council should probably point out who was being appointed to each term.

Mayor Roe suggested a follow-up motion specific to the HRIEC as to which of the two appointees would be the 2025 term. He reviewed appointment rules for term limits.

Councilmember Schroeder indicated she was originally going to say whoever got the most tallies on the tally sheet should have a longer term.

Mayor Roe thought that it would work.

Schroeder moved, Strahan seconded, appointing Namit Bhalla to the term ending in 2025 and Lori-Anne Williams for the term ending in 2024.

Roll Call

Ayes: Strahan, Etten, Schroeder, Groff, and Roe.

Nays: None

8. Council Direction on Councilmember Initiated Agenda Items

9. 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 August 21, 2023 City Council Meeting Minutes

Schroeder moved, Etten seconded, approval of the August 21, 2023 City Council Meeting Minutes as amended.

Roll Call

Ayes: Strahan, Etten, Schroeder, Groff, and Roe.

Nays: None.

b. Approve August 24, 2023 City Council Meeting Minutes

Groff moved, Etten seconded, approval of the August 24, 2023 City Council Meeting Minutes as amended.

Roll Call

Ayes: Etten, Schroeder, Groff, and Roe.

Nays: None.

Abstain: Strahan

10. Approve Consent Agenda

At the request of Mayor Roe, City Manager Trudgeon briefly reviewed those items being considered under the Consent Agenda; and as detailed in specific Requests for Council Action dated September 11, 2023 and related attachments.

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

Roll Call

Ayes: Strahan, Etten, Schroeder, Groff, and Roe.

Nays: None.

a. Approve Payments

ACH Payments	\$429,986.67
107450-107636	861,883.47
TOTAL	\$1,291,870.14

- b. Approval of 1 Temporary Gambling Permit and 5 Tetrahydrocannabinol License**
- c. Approve General Purchases Exceeding \$10,000 or Sales of Surplus Items**
- d. Approve Re-Issuance of a Short-Term Rental License for 1901 Shady Beach Avenue**
- e. Approve Re-Issuance of a Short-Term Rental License for 1277 Garden Avenue**
- f. Approve 2024 Insurance Benefit Renewals and City Cafeteria Contributions**
- g. Adopt Resolution No. 12017 Providing Final Approval of the Villas of Reservoir Woods Major Plat and Authorize Execution of the Villas of Reservoir Woods Development Agreement**
- h. Approve a 3-Year Audit Services Agreement with Redpath and Company, LLC**
- i. Consider Approving Application for Community Crime Intervention and Prevention Grant.**

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

City Manager Patrick Trudgeon reviewed the September 18, 2023 EDA meeting, September 18, 2023 City Council Worksession meeting, the September 25, 2023 City Council meeting, the October 9, 2023 City Council Meeting, and the October 16, 2023 City Council Worksession meeting.

Councilmember Strahan explained she would like to bring forward for Council discussion the Student Resource Officer contract with the School District. She thought it was a very thorough all sides considered process, so the City knows where it is headed. She noted time is of the essence as far as the school district is concerned and hopefully that could be done with expediency.

Mayor Roe explained the normal process for a future agenda item would be to have it on for the next meeting in Section 8, to have guidance from the Council as to how to do it. He asked if there was any desire on the part of the Council to bypass that process and put it on the agenda without that step.

Councilmember Strahan thought that the Council could do that. She knew the City Attorney would be absent, which might be their primary consideration. She asked the City Attorney Tierney if she would be back in two weeks' time.

City Attorney Tierney indicated she would be back.

Councilmember Strahan thought the Council could consider adding this topic to the agenda in two weeks when City Attorney Tierney is at the meeting for guidance and counsel.

Mayor Roe asked if there was any Council objection to putting this item on the agenda in two weeks.

Councilmember Etten wondered how much more would the City know in two weeks. He indicated the City Council had a flurry of information over the weekend, things seem to keep shifting, and he does not want to prejudge this and move too fast. He thought one of the concerns is that the State Legislature did not take their time to talk to the people who are affected by this, whether it is the teachers, schools, cities, or police departments, so he did not want the City to jump in the same way. If the City Attorney comes back and says they will be ready to have a robust discussion on September 25th, that is fine but if the City Attorney comes back and indicates she did not know how the attorneys can handle all of this and have really robust discussion, then he does not want to push it unnecessarily.

Mayor Roe indicated this topic could be placed on the September 25th agenda and then if that needs to change, based on what can be accomplished by staff and the attorney by that time, an adjustment can be made to the October 9th meeting.

Councilmember Schroeder indicated there is a process.

Mayor Roe stated after discussion, he determined the City Council did have sufficient objection to bypassing the normal process for councilmember-initiated items, so the item would be placed in Section 8 of the September 18th agenda per the process in the council rules.

12. Adjourn

Etten moved, Strahan seconded, adjournment of the meeting at approximately 6:52 p.m.

Roll Call

Ayes: Strahan, Etten, Schroeder, Groff, and Roe.

Nays: None.

ATTEST:



Patrick J. Trudgeon, City Manager

Daniel J. Roe, Mayor