



**Regular City Council Meeting Minutes
City Hall Council Chambers, 2660 Civic Center Drive
Monday, September 18, 2023**

1. Roll Call

Mayor Roe called the meeting to order at approximately 6:25 p.m. Voting and Seating Order: Etten (Remotely), Groff, Strahan, Schroeder, and Roe. City Manager Patrick Trudgeon and City Attorney Peter Mikhail were also present.

2. Pledge of Allegiance

3. Approve Agenda

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

Roll Call

Ayes: Etten, Groff, Strahan, Schroeder, 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

a. Proclaim Constitution Week

Mayor Roe read the Constitution Week Proclamation.

Schroeder moved, Strahan seconded, proclaiming September 17 – 23, 2023 Constitution Week.

Roll Call

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

Nays: None.

6. Items Removed from Consent Agenda

7. Business Items

a. Receive Finance Commission Recommendations on the 2024 City Manager Budget, Tax Levy and 2024-2043 CIP

Finance Commission Chair Wanda Davies was present at the meeting and explained the Finance Commission's recommendation for the City Council, which was to support the submitted City Manager Budget and Levy given the unknowns of the Classification and Compensation Study. Chair Davies also indicated that they

recommended the City Manager and City Council consider reducing the levy if possible once the information about the study is available.

Councilmember Schroeder thanked Chair Davies for being at the meeting and all the work the Commission does. Her question was when the compensation study comes out will the Commission revisit the budget to see if the Finance Commission's recommendation changes.

Chair Davies indicated the Finance Commission will review the compensation study.

Mr. Trudgeon indicated staff received some preliminary information on the compensation study Friday afternoon and staff is still going through that. He noted he is going to try the best that he can to capture the rough amounts needed for the September 25th meeting but expect to have the full compensation and compensation plan presented to the Council on October 9th.

Councilmember Groff indicated he always appreciated the minutes from the Finance Commission as it helps him to think about the process and decisions that are made.

Councilmember Strahan indicated the minutes were exceptionally helpful in reading through people's thought processes. She thought a variety of voices make it really helpful to have a really sound discussion.

Mayor Roe echoed the comments. He appreciated that the Commission would have the compensation study on their agenda for October and felt it was appropriate. He was also glad the Finance Commission is going to look at the vehicle replacement fund for City vehicles. He thanked the Finance Commission for taking a look at these items, and suggested the Commission be involved in the review of the financial aspects of considering an electric fire engine as well.

b. MnDOT Presentation on the Hwy 36 Transportation Study

Assistant Public Works Director/City Engineer Jennifer Lowry briefly highlighted this item as detailed in the Request for Council Action and related attachments dated September 18, 2023.

Ms. Lowry introduced Mr. David Elvin, Director of MnDOT Metro District, who made a presentation to the City Council.

Councilmember Strahan thought MnDOT should be talking to students at Roseville High School. She indicated she lives right off of Hamline, and she does not go that way in the morning because of the buses and students. There are enough people on that road. She felt that the walkway along Hamline was inferior. She noted the sidewalk on the east side is very raised and narrow without a handrail and hard to

use if on a bike. She stated the sidewalk is very inconsistent. She thought there was very little consistency throughout the corridor.

Councilmember Strahan indicated her concern with the Easy Pass if there is any lane reduction that is going to push more cars into the neighborhoods. She thought this was going to push more cars onto County Road B and B2 as well as greater problems trying to have those B access points for people who maybe do not have a car. A great consideration if going to the HOV lanes is that they are making sure not to reduce the number of lanes they have. She noted HOV lanes are not geared toward people who have economic needs. Those are geared toward people who can pay the most and can access that and it is a struggle for her to see how that is an equitable resolution. She explained in the neighborhood of Lexington and Roselawn there is a large wheelchair apartment building and throughout that area there is inconsistency of access for bikes and is even more pronounced for folks relying on a motorized wheelchair for their mobility. Seeing that it is inconsistent going across Roselawn or other points where it crosses is troublesome for those who need the access.

Councilmember Groff concurred with many of those things. He thought walking and biking in that area was very difficult and noise was a factor there as well.

Councilmember Etten thought this was very important and agreed with a lot of the comments made by Councilmembers Strahan and Groff. He thought the high points in the presentation were certainly things that he has heard. He thought there are so many other needs besides improvements to Highway 36 for cars and so many needs that the residents in the City are impacted by daily. He thought it would involve working with MnDOT extensively to make improvements to the area. He indicated he would like the north and south connection to be a main concern and to be looked at because it is a main walking and biking area for schools and residents.

Councilmember Schroeder thought the Dale Street ramp was horrible and she gets a lot of resident complaints and feedback on that as well as Snelling Avenue. She thought that MnDOT working with all of the other partners will be important to address some of those concerns as well.

Mayor Roe noted that one of things talked about in the Comprehensive Plan was the A-Line extension and he did not know when or if that may happen. But he did know the City was going to get the G-Line on Rice and Robert Street, which is on the Metro Transit website and pending funding is being discussed for the project to start the project in 2026-2027 timeframe. He concurred with engagement with students and parents. He stated if looking at improving Highway 36, in terms of how it functions, it can only benefit the City's residential people on County Road B and B2 because one of the big issues the City hears about is when there is an accident or problem on Highway 36, it gets unbearable on County Road B and B2.

The problem the City has is that people try to drive the road like it is a freeway. He also reviewed the issues with the acceleration lanes onto Highway 36.

Ms. Lowry referenced the Snelling and County Road B study by Har Mar that is going on concurrently indicating Roseville is leading with funding from the County and the State. There has been engagement over the past couple of weeks and there is currently a survey out for that, which will tie together and communicate with each other.

Mayor Roe thanked Mr. Elvin for the presentation.

8. Council Direction on Councilmember Initiated Agenda Items

a. School Resource Officers

City Manager Patrick Trudgeon briefly highlighted this item as detailed in the Request for Council Action and related attachments dated September 18, 2023.

Mr. Trudgeon noted this item was brought up by Councilmember Strahan requesting discussion on this.

Mayor Roe noted the item before them was for the Council to decide if this item should be placed on an upcoming agenda and if so, in what manner and what does the Council want from staff.

Councilmember Strahan explained as the Council learned via email on August 17, 2023, there was consternation and concern about the changes in the law and there was the possibility that the SRO contract would not be pursued. In checking with City Manager Trudgeon, he indicated the contract was approved by Independent School District 623 and ready to go but it was the decision of the City Manager, the Police Chief, and the City Attorney not to bring that forward. Usually that would be added to the Consent Agenda for approval for 2023-2024. There is still funding remaining for the 2023 year in the City budget. She indicated on August 30, 2023, the Council was told that they did not pursue that contract. Her understanding of their arrangement with the City is that the Council allows the City Manager to make decisions on contracts that are less than \$10,000 so she was curious about how this all came about. She noted she was out of town at the time but in checking, there is funding in the budget for 2024 available for their one-third of the cost sharing arrangement with the school district. Her concern is that the City moves closer to that time without having an arrangement made that then, the budget money should probably not be set aside if there is not a plan to move forward with the SRO's as indicated and once the City removes the budget line item, it is unlikely that the City will get it back in the future.

Councilmember Strahan explained the Council has had conflicting information based on many things happening and she thought they are all in that situation but her concern was that the decision was not made by the Council and was not on the

agenda for the public to weigh in on the situation. Also, the Council, as elected officials of the City have entrusted more limited responsibility in making that final decision and she felt this should be added to an agenda item where the Council can fully review all the information and possibly ending up with the same answer. But, she felt that should be a decision held by the Council, in its capacity, rather than by the City staff and City Attorney. She noted that the Council continues to receive additional information from a variety of sources and she wanted to make sure that the Council takes into consideration anything that comes out from the Attorney General and hopefully that will be the lead legal counsel for the State of Minnesota. She thought the Council owed their constituents the opportunity to have this on an agenda and be able to speak on this and to have the Council make an educated decision on this with that process. She proposed that the item goes onto a future agenda in order for the Council to make decisions and realize that the information seems to be continually changing.

Mayor Roe asked if there were any questions for Councilmember Strahan seeking clarification. He also asked the Council if this should be placed on a future agenda and if so, are there other guidance the Council has either for staff or whatever other feedback would be needed.

Councilmember Groff stated the reason he would see for doing this is that there are a lot of questions out there in the public and the Council is the body that the residents look to for representation. That would be the reason he would want to put this on the agenda. He did think there were a lot of issues going on and lots of questions for staff and so it would be good for clarification for everyone.

Councilmember Etten appreciated that this item has come up and he does agree that this is important in the community and important to the youth but he also understands that at this point, the City staff, including the City Attorney who looks at this differently than he can, in his professional role outside of being a Councilmember, has not said that they feel comfortable with how this would affect City officers and the City. So, he did not want to put this on an as an agenda item until there is more understanding with this. He thought that may be coming but things keep changing. At this point, he would not be prepared to bring this up in such a way that it would feel the Council was going to push this forward politically.

Councilmember Schroeder explained there has been a lot of conversation around this, she has talked to the City Manager, and looked at this. She also knew that they hired the City Attorney to help the City figure out what is best legally for Roseville. She thought some of the information that keeps going back and forth gets a bit confused with political reasons versus what is best for Roseville. She indicated the Council has entrusted the Police Chief, the City Manager, and City Attorney to look at this and she thinks the City Attorney would know more about the legal aspects of how it would affect the City than she would. So, she would want to defer to them, especially since all three of them have looked at this and come to an

agreement on it. She had no interest in putting it on an agenda unless the City Attorney comes forth and decides all the additional information is worth looking at, otherwise, she would want to wait.

Mayor Roe indicated he would tend to lean in that direction as well. He thought it was important to state that he did not know of anyone who is involved in this that does not want the City to ultimately have the student resource officers in the schools. He thought the City had seen the benefit of that and the City and Council has also heard from residents, including through some engagement processes, what the District did a few years ago relating to the benefit of having the SRO's, both from the point of view from the principal specifically at the high school at the time, her experience in Roseville, the other districts, and certainly from the point of parents. He also wanted to be respectful of the differing points of view of the people in the community. He thought based on the Council's experience, barring that change to the State Law, the uncertainty as to risk to the City, as how he would characterize the advice from the City Attorney, that it created in respect to how this particular legislation relates to other existing legislation out there. Until the City Attorney can be comfortable that the risk is mitigated or that something is done to change how the various Statutes interact with each other, he was not sure he was in the position to put something on an agenda or have a conversation about it if the recommendation from City staff and the City Attorney is still the same based on all the information both might have. He thought it felt like the Council was trying to do something contrary to the advice of the City Attorney. The City Attorney is not just the staff's Attorney, it is also the Council's Attorney, so their advice is to the organization of which the Council is also representative.

Councilmember Strahan asked City Attorney Mikhail, in his capacity as acting Attorney for the City, if it allowed him the ability to execute a contract on behalf of the City of Roseville.

City Attorney Mikhail indicated the Attorney's office has no authority to execute a contract on behalf of the City of Roseville.

Mayor Roe indicated that is the City Manager's authority.

Councilmember Strahan indicated she understood that, and the Council has allotted Mr. Trudgeon the ability to execute contracts of less than \$10,000 without the Council's approval and she wondered if that was correct.

Mayor Roe indicated he did not want to talk for the City Attorney but the rule of the City or the ordinance of the City is that the Council allows spending authority of the City Manager up to \$10,000 without those having to previously be approved by the City Council. He thought by and large contracts need to come before the City Council of whatever value they are because it is something the Council has to authorize the City to enter into.

Mr. Trudgeon indicated that was correct and any contract the City enters into, staff needs approval from the City Council and brought forward, which is what the City Council sees on the Consent Agenda. For the City to enter into any contract with the school district, staff would need to bring that forward for Council approval.

Mayor Roe clarified that a contract to buy something under \$10,000 is different than entering into a contract to provide a service.

Councilmember Strahan thought that many of the Council were trying to do the opposite of what they are hoping to do here. In her mind, whose responsibility it is to either execute or de-execute a contract, the decision has been made outside of the Council not to take on that contract. She felt that as an elected official they are the representatives of the City and should be the ones who make the decisions whether or not the contract should be executed. Probably based on the voices here, it would end up the same but she felt if there is no authority from the Attorney to enter into a contract for the City on behalf of the City, and Mr. Trudgeon would have to bring any contract forward, the decision to terminate a contract or not go through with a contract that had been planned and budgeted for, would still also be the City Council's responsibility as an elected body. She is taking this in a different way and there has been much more talk about this topic, but she thought the Council has to take a step back and look at it in a different way. She thought this was a process that the Council needed to decide. She indicated none of the people involved in the decision to terminate the contract are elected and she did not know then what is their responsibility to the people who live in Roseville. To her, it is more about the decision that the City Council did not make and the Council has to be willing to step up and make the decision.

Mayor Roe indicated it did not sound like the Council has a consensus to put this item on a specific agenda and it is something that can be brought up again. He thought as the City knows more, that may change where they are at.

9. Approve Minutes

10. Approve Consent Agenda

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

City Manager Patrick Trudgeon reviewed the September 25, 2023 City Council meeting, October 9, 2023 City Council meeting, October 16, 2023 City Council meeting, and the October 23, 2023 City Council meeting.

Councilmember Groff reminded the Council of the Northeast Youth and Family Services open house on Wednesday from 4:30 p.m. to 6:30 p.m.

12. Adjourn

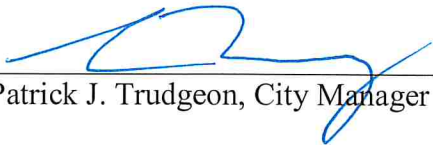
Groff moved, Schroeder seconded, adjournment of the meeting at approximately 7:57 p.m.

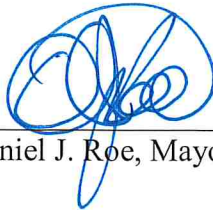
Roll Call

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

Nays: None.

ATTEST:


Patrick J. Trudgeon, City Manager


Daniel J. Roe, Mayor