



**Regular City Council Meeting Minutes**  
**City Hall Council Chambers, 2660 Civic Center Drive**  
**Monday, September 28, 2020**

*Pursuant to Minn. Stat. 13.D.021, City Council members, City Staff, and members of the public participated in this meeting electronically due to the COVID-19 pandemic.*

**1. Roll Call**

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

**2. Pledge of Allegiance**

**3. Approve Agenda**

City Manager Trudgeon requested removal of Item 7E (Consider A Request to Perform an Abatement for Unresolved Violations of City Code at 2319 Victoria Avenue) from the agenda due to the property owner and his attorney endeavoring to have the property cleaned up and in compliance. The property owner and attorney have agreed to and have signed a document stating that they will allow the City to abate the property if they are unable to get it cleaned up by November 1, 2020. With that voluntary abatement, there is not action needed by the City Council.

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

**Roll Call**

**Ayes:** Etten, Willmus, Laliberte, 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 indicated a desire to speak.

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

**6. Items Removed from Consent Agenda**

**7. Business Items**

**a. Consider Approving a Liquor License Sales Violation Presumptive Penalty for Maya Cuisine Restaurant**

Police Chief Erika Scheider briefly highlighted this item as detailed in the Request for Council Action and related attachments dated September 28, 2020.

Mayor Roe offered an opportunity for public comment with no one indicating a desire to speak.

Etten moved, Laliberte seconded, approval to issue and administer the presumptive penalty as set forth in Section 302.15, of the Roseville City Code.

**Roll Call**

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

**Nays:** None.

**b. Consider Approving a Liquor Sales Violation Presumptive Penalty for Portillos Restaurant**

Police Chief Erika Scheider briefly highlighted this item as detailed in the Request for Council Action and related attachments dated September 28, 2020.

Mayor Roe offered an opportunity for public comment with no one indicating a desire to speak.

Willmus moved, Groff seconded, approval to issue and administer the presumptive penalty as set forth in Section 302.15, of the Roseville City Code.

**Roll Call**

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

**Nays:** None

**c. Consider Approving a Tobacco Sales Violation Presumptive Penalty for Chuchao Liquor**

Police Chief Erika Scheider briefly highlighted this item as detailed in the Request for Council Action and related attachments dated September 28, 2020.

Mayor Roe asked if this violation is coming before the Council because it is the second violation within the look-back period for this business.

Chief Scheider indicated that was correct.

Councilmember Laliberte indicated she would like to discuss the comparison of the fines the City has on tobacco versus the fines on alcohol at some point in the future.

Mayor Roe offered an opportunity for public comment with no one indicating a desire to speak.

Laliberte moved, Etten seconded, approval to issue and administer the presumptive penalty as set forth in Section 306.09, of the Roseville City Code.

**Roll Call**

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

**Nays:** None

**d. Consider a Request to Perform an Abatement for Unresolved Violations of City Code at 578 Ryan Avenue W.**

Building Official Dave Englund briefly highlighted this item as detailed in the Request for Council Action and related attachments dated September 28, 2020.

Mayor Roe asked if this request is to authorize immediate abatement , or abatement if no action is taken by a certain date.

Mr. Englund indicated it would be done as soon as the City can get a contractor on site to remove the items and the towing contractors be contacted to arrange for the removal.

Mayor Roe thought this sounded like a case where the City is ready to do the abatement.

Mr. England indicated that was correct. He believed the new property owner said they were going to try to attend the meeting to answer any questions the Council might have but the history on this property really does not lead staff to look for offering any delay in abatement.

Councilmember Etten wondered if staff received any feedback from the individual that is currently occupying the home.

Mr. England explained he has not had contact with the individual currently occupying the home. He indicated he did have the opportunity to verify that the individual currently occupying the home received the postings that were placed on the vehicles as the postings were placed inside the home.

Mr. Dan Zwakman, owner, explained the situation of the property with the Council, including court proceedings initiated against the current occupant. Mr. Zwakman also expressed concern about the cost of the abatement being charged to him, whereas he intends to do the clean-up himself once the issue regarding the occupant is resolved.

Mayor Roe indicated in reading the staff report, the abatement of the vehicles through the impounding is at no cost to the property owner. He asked if that was something Mr. Zwakman was willing to authorize the City to do.

Mr. Zwakman indicated he was not only willing, but he was wanting that to happen. If there is any one in the City that can do anything about the vehicles or anything else, at this point, should go ahead. He explained this has been costing him so much

money because he has been paying utilities and insurance with taxes coming up in October and he did not need any more expenses. He noted he liked things neat and tidy and it has not been that way.

Councilmember Etten asked if the City was able to split the process by using two different contractors, probably to remove cars versus the other debris.

Mr. Englund indicated that was correct.

Mayor Roe offered an opportunity for public comment with no one indicating a desire to speak.

Etten moved, Groff seconded, to direct Community Development staff to abate the public nuisance violations at 578 Ryan Avenue W. by notifying a towing company to remove the inoperable vehicles from the property immediately and postpone consideration of removal of the outside storage to the next meeting on October 12, 2020 for an update from staff on next steps.

### **Council Discussion**

Councilmember Etten indicated this is a property that the City needs to continue to address and, the new owner which should not be strapped with additional problems. He would like to move what the City can without financial impact to him but to stay on top this this.

Councilmember Groff echoed the statement because dividing this into two pieces made sense to him and it seemed like the new property owner is doing a good faith effort now and making some progress. If the new owner can get the property vacant, perhaps he can do most of this work in the next two weeks before the next Council meeting in October.

Councilmember Willmus indicated he would support this motion as is, but he wondered if it might be more appropriate to stay the removal of the junk and debris determined upon the results of the court action on the particular occupant being out of the property.

Councilmember Etten indicated he could appreciate that discussion point but the problem, as the current owner understands now after a couple months of trying to take control of the property and the home he owns, the court system has been brutally slow and maybe something will happen but maybe it won't. The reason he asked for this to come back, is to be able to see if there has been progress and if not, then does the City need to think about this differently and take action or postpone it.

Councilmember Laliberte echoed what was said but appreciated the immediate removal of the vehicles. She thought that would be helpful for all involved. She hoped things would move forward quickly because the neighborhood has been impacted far too long. She appreciated the ability to start moving forward as soon as the homeowner is legally allowed to do so.

#### **Roll Call**

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

**Nays:** None

- e. **Consider A Request to Perform an Abatement for Unresolved Violations of City Code at 2319 Victoria Avenue**  
Removed from the agenda.

- f. **Acceptance of Fire Department SAFER Grant**  
Fire Chief O'Neill and Assistant Fire Chief Brosnahan briefly highlighted this item as detailed in the Request for Council Action and related attachments dated September 28, 2020.

Councilmember Laliberte explained she knows how much work goes into writing the grant proposals and thanked Chief O'Neill and Assistant Chief Brosnahan for providing the data and information about the community to complete that process.

Councilmember Etten thanked the Fire Department for the fantastic work in getting this done, which he thought was a tremendous benefit for the community. He also looked forward to seeing the experiment that was done with putting that same number of fire fighters on a shift. He thought it would be great to get a report on some of that learning and see how that may change from the initial plan proposal.

Mayor Roe offered an opportunity for public comment.

#### **Public Comment**

##### **Miki Mulvehill, 1885 Shady Beach Avenue**

Ms. Mulvehill complimented the Fire Department on the fabulous job that is done by the fire fighters and stated she was very happy the Fire Department was able to get this grant opportunity. She noted she lives right next to the park on Lake McCarron, so she sees them frequently doing a great job helping people in need.

Mayor Roe thanked everyone for participating in the process. He thought the City needed to figure out how to pay for this in three years. He hinted that he did a little bit of analysis himself and believed the City could actually start incrementally increasing the levy in 2022 and for a period of five to six years, set aside some funds initially during the three year period and use those during the fourth and fifth years to eventually get the City to a point of incremental increases for the levy where the

City would be fully levy funding without a significant one-year jump to the taxpayers.

Mr. Trudgeon indicated that was correct. The City will need to ease into this and he would expect starting with the 2022 levy, the City would start putting some dollars aside. He noted there are probably a lot of ways to approach that and there will be future discussions on that.

Laliberte moved, Etten seconded, approving acceptance of the Federal Emergency Management Agency (FEMA) grant for Staffing for Adequate Fire and Emergency Response (SAFER) grant in the amount of \$1,875,050.28.

### **Council Discussion**

Councilmember Laliberte indicated she was glad that this came to fruition and the City can take the time to plan. She stated she often hears great compliments about the City's Fire Department.

Councilmember Groff congratulated the Department for the grant acknowledging this is a lot of work and he thought the community was very proud.

### **Roll Call**

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

**Nays:** None

- g. Consider an Ordinance Amending Title 10, Zoning, and Title 11, Subdivisions, to Regulate Subdivision Proposals that would Locate a new Street Adjacent to the Rear Boundaries of Existing Parcels.**

City Planner Bryan Lloyd briefly highlighted this item as detailed in the Request for Council Action and related attachments dated September 28, 2020.

Mayor Roe explained with this item, it might make sense to start with the question of does simply requiring screening of through lots, whether internal to a plat or created external to a plat, by the placement of streets on the property that is being platted, does that in and of itself resolve the issue to the satisfaction of the Council or did the City need to look beyond screening?

Councilmember Willmus explained from his perspective, what the City is looking at is really a matter of a question going forward and what the City is going to do. He frankly wanted to get away from this potential creation of through lots via adjacency. He did not have much of a concern if the through lot is created within the proposed plat, as long as it is not impacting surrounding properties. The screening for him becomes an issue because it is something that the City is dealing with going forward, due to the fact that screening can have issues with maintenance over time. He would prefer not to rely on screening as the solution.

Councilmember Willmus indicated the concern is, how involved will the City be going forward and will the City potentially get wrapped into who is properly maintaining and outlot, etc. and how it is being maintained. These are things that he wants to avoid going forward and what really brought this to the Council's attention was this proposed development on County Road B. He thought a lot of the issues raised there by neighbors make sense.

Councilmember Groff indicated he had concerns with the screening, and while driving through the City, he has seen areas where the screening is not always maintained well. There was discussion about creating an association where the homeowners would maintain it but then there is the problem of whether or not that actually happens. Then on some properties, the City has to monitor what is happening. He did not think that would work. He thought if the plat was originally developed or internally as through lots, then people are buying the property understanding it is a through lot. He noted the way it is being handled on the County Road B property, will be creating through lots on properties that were never through lots and that is what his concern would be. He explained he would be against that.

Councilmember Etten agreed. He did not think screening or landscaping was a permanent solution for something like this where the character of the property is permanently being changed outside of what the owner may have purchased into. He would support through lots if the lots were created internally but not something that would affect existing external lots.

Councilmember Laliberte agreed and thought that encapsulates it pretty well. The other concern she had about screening is that if there has been an existing property and there is some offer of screening, that screening eventually eats up whatever lot the owner might have. Her concern is, as a fully developed City, this is bound to impact properties that were not intended to be impacted in this way.

Mayor Roe stated there was a pretty strong feeling on the Council that relying strictly on screening might not be the approach to take. He knew that some cities still do require screening when a through lot is created. He wondered if the Council wanted to talk about regulating screening when through lots are created within a plat.

Council members indicated they were not interested.

Mayor Roe stated the proposed Ordinance is a starting point but he thought the City would have to back away from the one point about if a plat is approved where it is creating through lots adjacent to the plat that the screening and an outlot would have to be created. This point would probably need to be removed. One of the things noted in the existing proposed Ordinance is that it does not really get to the topic of creating through lots adjacent to the plat until it gets further down into the

lot standards discussion. He stated it seems to him that in the very first statement, the City would want to start by stating something like "Through lots as defined, shall be prohibited including the creation of such lots, out of existing adjacent lots by the location of streets on the platted property." This would be taking the language that is down further in the Ordinance and moving it up to that first point. In the Ordinance where it states there can be exceptions, the City should be clear that those exceptions would be only allowed internally through the platted property and not exceptions that allow through lots to be created externally.

The Council was agreeable to that approach.

Councilmember Laliberte asked if this item will be coming back to the Council after these changes.

Mayor Roe assumed it would be with modifications for Council approval. He had also suggested some grammatical changes to staff offline that could be incorporated as appropriate.

Mr. Lloyd requested clarification to the definition of a through lot, he understood the parameters being put around the regulation of them, the prohibition of them, but what about, as the Council and staff discussed through lots and what they are, inevitably the question of, as noted in the staff report, how close is too close or how far away is far enough for a street no longer to make something outside of the plat a through lot. He thought it was important to pin down that distance.

Mayor Roe thought that the double depth requirement made sense because if it is more than the depth of two regulation lots, it is not really a through lot because it can be subdivided. He thought when there is talk about the adjacency situation, unless the street is far enough away that it is creating a fully developable, regulation lot, it is creating a through lot and that is prohibited. He stated that is how he understood it.

The Council concurred.

Mayor Roe asked staff if that made sense.

Mr. Lloyd questioned whether the draft definition in front of the Council tonight seems suitable or if there were some other suggestions. He knew Mayor Roe had some suggestions for modifying the depth qualifier.

Mayor Roe explained the modifications he sent to staff earlier were primarily word-smithing in order to cut down the number of words in the definition and was not intended to change the definition sustainably and hopefully his changes did not do that. The one thing he did change was where it talked about twice the depth necessary to meet the minimum area requirement. He really thought it was the depth



requirement that really drives it and was the only substance change he suggested. Otherwise, he thought the definition stood pretty well.

Mr. Lloyd offered the clarification that the way the draft revision is written, is the depth of the lot plus whatever the land is less than twice the distance necessary to meet the minimum area requirement for two lots that could be platted there at the minimum width.

Mayor Roe thought if staff could figure out a way to address that, certainly the depth requirement hits that it is the minimum standard. Then the depth would need to be added to the minimum and pick a width that works for new lots. He thought an existing lot would maintain its length, width, and area. On the new side, the idea would be that the City would want to make sure new buildable, regulation lots are being created adjacent to single-family lots and not creating through lots. He thought the depth requirement gets them there without adding the extra piece. He noted the City needed to think about, in the creation of new through lots, that it may not be as much of an issue and width and depth can be moved around within a plat. He suggested the definition needs to point out that it needs to be of sufficient depth to create an additional regulation lot.

The Council concurred.

Mr. Lloyd indicated staff should be able to work with that feedback.

Mayor Roe offered an opportunity for public comment with no one indicating a desire to speak.

- h. Continued Discussion Regarding the Regulation of Short-Term Rentals**  
Community Development Director Janice Gundlach briefly highlighted this item as detailed in the Request for Council Action and related attachments dated September 28, 2020.

Councilmember Willmus explained one of the concerns he would have with the minimum stay, not less than three days, is whether there would be an issue with month-to-month rentals. For example, somebody that perhaps is in a lease of some type and will those people be classified as something different.

Ms. Gundlach indicated staff did not think about month-to-month leases. Their intent was for those not to be covered through the short-term rental option where it is actually defined at thirty days. She thought that could be dealt with in a couple of ways. It could be written into an exemption or make a statement that it would not be included and would be a rental by a single person for a period of less than thirty days. She thought that language was already included, but staff could do a better job of clarifying it.

Councilmember Groff indicated the other aspect to that would be when a property is sold, if the seller has arranged to rent back with the new owner to stay for a shorter period than a month, that would be an issue to address.

Councilmember Etten noted one of the things that is being talked about is exempting owner-occupied homes. Some of the homes that have come up are homes that owners have been homesteaded and live there and then leave some rentals. He wondered how those work with a home that is simply being used for rentals.

Ms. Gundlach explained under the City's current registration section, if the property is occupied by the owner and homesteaded but the owner leaves for the winter and rents it out, if the owner is not there in the home then the owner has to register it. The intention with the license would still be the case. If the owner wanted to do short-term rentals and the owner themselves are not in the home during the duration of that short-term rental, a license would still be required.

Councilmember Etten asked how it would work with the lodging tax. Would the owner need to set up a process for paying the lodging tax as a part of their registration.

Ms. Gundlach indicated staff would have to look into that but did write into the licensee section that the owner would have to pay the tax. Whatever the means that the current lodging users go through to pay that tax, the short-term rentals would have to go through the same process in order to pay the tax.

Mayor Roe indicated he did not know the mechanics or specifics of the process for each payer of the tax. He thought an account would probably need to be set up with the City to pay the tax. He thought the tax might also be paid through the rental agency such as Airbnb. He noted this is only applied to non-owner-occupied situations.

Mr. Trudgeon explained staff would need to look at this more thoroughly, but the City would want something set up, so the three percent is charged as part of the rent and collected.

Mayor Roe indicated the lodging tax, by State law, can only be collected on stays shorter than thirty days. Anything longer than that would not apply.

Councilmember Laliberte indicated she did not have any questions but does become skeptical because she feels there is always a work around and all of this is voluntary. It could be stated there is a minimum of thirty days and she was sure there would be some way around that requirement. She agreed with the comments previously stated and was curious to hear what the public has to say about these options.

Councilmember Willmus thought the critical piece to think about in this is the licensing side of it. If there is a license on the line and there are ongoing problems in the neighborhood and neighbors have concerns, that licensure component can bring some remedy to those neighbors. He thought that is something, from his perspective, as a must have if the City goes forward and makes some changes. He thought that aspect of it gave the City leverage to make sure and afford some protection to the surrounding property owners and neighborhoods.

Councilmember Groff thought the licensing and enforcement was key and what was going to hopefully solve most of the problems. He did not think the number of days will necessarily do it, as it will have to be the licensing and enforcement and revoking the license if there are too many complaints.

Councilmember Etten agreed with the licensing and the structure of suspension or revocation. He thought that should be a part of the general rental licensing.

Mayor Roe offered an opportunity for public comment.

### **Public Comment**

#### **Mr. Gjerdingen**

Mr. Gjerdingen thought comparing Roseville to Prior Lake is not a really good comparison when talking about the banning of the rental because the cities are so different. He thought there was a higher demand for short-term rentals in Roseville due to the City being close to downtown, shopping areas, metro transit, and many amenities. He noted he emailed the Council about option two, one of the ideas that came out of all of the discussion was exempting owner-occupied rental places from having the rental registration part of it, which he thought that was a great idea. This will poise Roseville to be a more competitive city and something other cities have done. He thought short-term rentals, as a business in this industry, hold their value for society so it made sense to allow flexibility. He did not think the City should be putting in a minimum number of days because that really limits the amount of usage an owner can get with this. He also thought that for people who are moving to new cities, short-term rentals allow that critical jumping stone to happen. He explained he was not a fan of doing any kind of crazy bans and thought the licensing talk could work really well.

#### **Jim Badzinski, 385 South Owasso Boulevard W.**

Mr. Badzinski explained their short-term rental is right next door to his home so he and his wife keep a close eye on it. He noted he sent a letter to Councilmember Etten and basically his concern is the City reacting to problems of a few. He explained he takes his rental home seriously, watches it, and would not want their neighbors disturbed in any way nor would he want any illegal activity to occur. He thought on the rental license, there was a check for Airbnb or VRBO. For someone like him, if the City forced extended stay, then he would have to just go back to

renting the house and anyone that has been a landlord knows that there are problems there as well. He thought it was a little unfair, as a lot of good short-term rental people would get penalized.

**Rich and Alissa Hess, 1913 Shady Beach Avenue**

Mr. and Ms. Hess indicated they are currently long-term renters and have been living on the property for around three years. Speaking from her past education and understanding of affordable housing, what is making her genuinely nervous about having short-term rentals all around them and getting closer and closer is the lack of affordable housing. Speaking from her own personal experience, she knew places very close to them may make what they pay in a month, in a weekend and as two young married people who love Roseville and enjoy the community, it is making it less and less attainable for them to afford a home, especially the one they are already in. Knowing that they are so close to some low-income apartments and other housing, it really makes her question where their priorities are as they are driving the property value up and not thinking about the residents who already live in the City, are law abiding, and love the community. She noted that she and her husband do not want to lose where they live because the price is being raised by short-term rentals.

**Miki Mulvehill, 1885 Shady Beach Avenue**

Ms. Mulvehill explained she traveled a lot because she managed bands and she has her property on both Airbnb and VRBO, though she has never rented it, other than renting rooms long term to a couple of friends. She did not think there was anything wrong with it. She thought the problem comes in when houses are bought as investments only to do short-term rental. She also knew that with the major problem property on Lake McCarrons, the owners are renting to twelve people and only have one bathroom. She would think the Fire Department would have an issue with possible code violations. She thought that might be easily controlled by enforcing codes and how many people can be in a house with only one bathroom.

**Mary Beth Hess, Shady Beach Avenue**

Ms. Hess thanked the Council for thoroughly researching this. She thought there were a lot of good ideas and one item was regarding the Police Department relying solely on the neighborhood for reporting the issues. She lives next to an Airbnb and the owner of that house has also asked her to let them know if there is a problem. She wants to enjoy her property and does not want to police another property. She knew there had been a discussion and feeling it was not fair to limit a thirty-day rental but right now, the property next to her is a three-day minimum which means there is potential for 121 new groups, which is unsettling. This would be her main concern.

**Frank Hess, Shady Beach Avenue**

Mr. Hess explained they would support the ban or making it thirty days for short-term rentals. He understood policing is a hard thing for the City to do if there is

just licensing or how many people can be on the property. He was not sure it was fair for the Police Department to check everyone's ID to see how they are related, and he did not want to be encouraged to call the police on that property if there ever is an issue. He knew with reading through the packet that there are concerns with hardships for people paying their mortgages but the properties he is concerned about are very expensive properties. Most people that are having financial problems would not be buying those type of properties except as an investment and hoping to make money in short-term rental. He explained he owns a couple of rentals himself and when he sees what these people are getting for the rent, he understands why they do it. He would really like to see the thirty-day limit on short-term rentals and that they have to be at least over thirty days.

**Danniell Finstuen, 743 County Road C**

Ms. Finstuen indicated she read through the information in the packet and was not sure it would affect them because she does live at the residence and rents out a room for short-term renters. Surprisingly, she gets more long-term renters than short-term renters. There are also a lot of people in transit, moving to town and do not want to stay at a hotel for one hundred dollars a day. She wanted to make sure that it does not affect them because it is a nice source of income and they meet people. She noted they never have parties and have very good guests which are really respectful. She explained she has had long-term rentals as well as Airbnb guests and the guests have always been very respectful of their property and neighbors and are very professional. She would hate to lose out on that source of income as well as the opportunity to meet new people. Sometimes people are in a hardship and moving without other options for them to be able to stay and to lose that for those people would be a detriment. She thought the Council needed to take some of those things into consideration when making the regulations.

**Chris Sluis, North McCarron's Boulevard**

Mr. Sluis indicated he was in support of doing a thirty-day or minimum number of nights. The major reason is because the number of properties and the policing and enforcement is burdened onto the neighbors. He thought it was good to have an exemption for owner-occupied rentals or even if the owners are at the property or if they live next door because that shifts the burden off the neighbors and onto the property owners and would eliminate all of the issues. He thought the occupancy limits were good but are also difficult to enforce.

**Amy Forliti, Shady Beach Avenue**

Ms. Forliti thanked the Council for looking into this and the research the City has done with this issue. She agreed with Mr. Sluis regarding the thirty-day minimum being a benefit. She also appreciated the structure that was outlined for enforcement. She thought it gave a clear understanding and did not think the neighbors should be policing. She thought the structure would impact the properties that are having problems and would not affect the ones that are not having problems. She also thought a license in some form is a good idea.

Mayor Roe closed the public comment.

Mayor Roe asked if the license itself or the process of applying for the license potentially included some kind of conversation as to what the occupancy limit is for a particular property.

Ms. Gundlach explained the City's current registration process does not include questions about how many occupants are going to be in the home. The City does ask if it offered for short-term rental because that was at the request of the State.

Mr. Englund explained Ramsey County requests that the City keep track of all short-term rentals. He read the Ordinance language indicating the number of occupants per rental.

Ms. Gundlach explained the City does not collect that data with the actual registration, it is just the Code that is enforced.

Mayor Roe asked if the registration includes any questions about the number of bedrooms or anything like that.

Mr. Englund indicated the City does not ask, the City asks if it is going to be a family or four unrelated adults or the number of occupants.

Mayor Roe asked if that is something that might make sense to try to establish as part of the licensing and or registration process.

Mr. Englund indicated if looking at a family, it gets difficult due to the number of occupants per square footage in a bedroom perhaps versus an unrelated adult. He thought it would be difficult for staff to verify if the dimensions are correct or if the number of people is correct. He noted this is a voluntary registration where the City is asking for compliance.

Mayor Roe asked if there is a way to define owner occupied that might allow the City to exempt those types of situations.

Ms. Gundlach explained if it is the Council's desire to include an exemption if the owner of the home lives on an adjacent property, staff could draft it.

Councilmember Willmus asked if a person owns a duplex and rents out the other unit, what kind of process is the owner subject to now.

Mr. Englund indicated the owner would be subject just to registration on the other unit.

Mayor Roe asked if that situation considered owner occupied.

Ms. Gundlach indicated if the owner of the tri-plex lives in one unit, she believed they would have to technically register the property for the units they do not live in but would not need a registration for the property that the owner lives in.

Mayor Roe stated the key was renting out within the space the owner occupies as a home.

Ms. Gundlach explained that is the exemption staff has currently written but if the Council wants to broaden that exemption for owner occupancy, staff can add some additional clarifiers.

Councilmember Willmus indicated he would like to see some consistency across the board, particularly if there is going to be a conversation about expanding licensure.

Councilmember Laliberte thought instead of trying to define duplexes, tri-plexes, different structures of property, the language could be written to state the owner is within so many feet of the property.

Mayor Roe thought one of the issues is with an owner who is in the same town but unable to be physically adjacent.

Mayor Roe indicated regarding the complaint-based enforcing, he hoped if there is something staff noticed without a complaint coming in that it would be enforced.

Ms. Gundlach indicated that was correct.

Mayor Roe asked if the Council would like all rentals to be longer than thirty days, or is there a period shorter than that such as three days to thirty days.

Councilmember Laliberte indicated she was not interested in three nights because that is the situation that the City is currently managing. She did not know what the magic number is, but the City needed to find some number that encourages a week, or two family stay or extended stay that is not month-to-month but also not week-end-to-weekend.

Councilmember Willmus agreed with that. He would think something with a minimum of seven to ten days would be workable.

Councilmember Etten thought a week might be the minimum because the big teeth in this and it will be helpful is having tools that can remove the ability to rent. He

noted this is going to force owners to behave differently or stay after their properties. He would like to focus on the enforcement piece as a primary item going forward.

Councilmember Groff thought seven days was a good number and would eliminate weekend partying. He also thought enforcement is key and fairness is an important part of this too, which the Council needs to consider.

Mayor Roe indicated the City is not setting limits for owner-occupied rentals, this is strictly for non-owner-occupied rentals.

The Council discussed detached ADU's on a property to be used as rentals and concurred that these should be handled the same as short-term rentals because if there are issues, there is the enforcement piece.

Ms. Gundlach reviewed the changes made by the City Council.

**i. Appoint Police Civil Service Commission Member**

City Manager Trudgeon briefly highlighted this item as detailed in the Request for Council Action and related attachments dated September 28, 2020.

Willmus moved, Laliberte seconded, appointing Kathleen Reilly to the Police Civil Service Commission for a term ending March 31, 2023.

**Council Discussion**

Councilmember Willmus appreciated everyone who applied. He stated Ms. Reilly's application stood out to him as someone who had a firm understanding as to the scope and duties of this Commission. He thought she would be a very effective member and fit in.

Councilmember Laliberte agreed and appreciated the applications and interviews. She indicated she was very impressed by Ms. Reilly.

**Roll Call**

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

**Nays:** None

**j. Consider Approval of the use of CARES Act Funds**

City Manager Trudgeon briefly highlighted this item as detailed in the Request for Council Action and related attachments dated September 28, 2020.

Councilmember Etten asked if there was any sense as to where the City is at regarding assistance to small business and housing support.



Mr. Trudgeon explained currently the City has roughly \$100,000 of business grants requested and going through the process. He thought on the residential side, there are 25 applications. He noted the applications do take a little while.

Councilmember Laliberte asked if staff felt the City had appropriate PPE going forward or is it anticipated the City should be looking at acquiring more PPE.

Mr. Trudgeon indicated the City has been actively purchasing PPE and feel that it is adequate for the fall.

Mayor Roe offered an opportunity for public comment with no one indicating a desire to speak.

Etten moved, Willmus seconded, to allocate \$10,000 of Roseville's CARES Act funds to Northeast Youth and Family Services to cover their past costs in providing its services to Roseville's residents due to the COVID-19 public health emergency along with the use of Roseville's CARES funds as described in this document and subject to Federal and State Guidelines.

### **Council Discussion**

Councilmember Etten thanked staff, the Finance Director, and City Manager for the ongoing work and making sure the City has everything needed to make sure staff and public services remain safe.

#### **Roll Call**

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

**Nays:** None

**k. Receive Update on COVID-19 and Impact on City Operations.**

City Manager Trudgeon briefly highlighted this item as detailed in the Request for Council Action and related attachments dated September 28, 2020.

Mayor Roe offered an opportunity for public comment with no one indicating a desire to speak.

**8. Approve Minutes**

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

**a. Approve September 14, 2020 City Council Meeting Minutes**

Groff moved, Laliberte seconded, approval of the September 14, 2020 City Council Meeting Minutes as amended.

**Corrections:**

- **Page 10, Line 434 (Councilmember Etten)**  
Correct “did not think a disclaimer...” to “thinks a disclaimer would be a good idea”
- **Page 3, Line 131 (Councilmember Laliberte)**  
Correct “public interview process” to “public viewing process”

**Roll Call**

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

**Nays:** None.

**9. Approve Consent Agenda**

At the request of Mayor Roe, City Manager Trudgeon briefly reviewed those items being considered under the Consent Agenda; and as detailed in specific Requests for Council Action dated September 28, 2020 and related attachments.

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

**Roll Call**

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

**Nays:** None.

**a. Approve Payments**

ACH Payments	\$556,069.95
97645-97787	1,670,946.13
<b>TOTAL</b>	<b>\$2,227,016.08</b>

- b. Approve Facility Management Agreement with McGough Facility Management, LLC**
- c. Approve Entering into a Professional Service Agreement for the Twin Lakes Trail Improvements**
- d. Set Date to Canvass General Election Results**
- e. Receive Monthly Equity and Inclusion Report**
- f. Adopt Resolution 11746 for the Issuance of a Premises Permit for the Roseville Area Youth Hockey Association to Conduct Lawful Gambling Activities at Lucky's 13 Pub, located at 2480 Fairview Ave**
- g. Adopt an Ordinance Rezoning Certain Property Addressed at 2501 Fairview Avenue (PF20-006)**
- h. Approve Toward Zero Deaths (TZD) Agreement with City of St. Paul**

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

City Manager Trudgeon reviewed the October 12, 2020 City Council meeting, October 19, 2020 City Council meeting, and October 26, 2020 City Council meeting.

Mr. Trudgeon indicated the November 23, 2020 City Council meeting will be the Truth in Taxation meeting. He suggested that meeting be moved to November 30, 2020.

Council concurred.

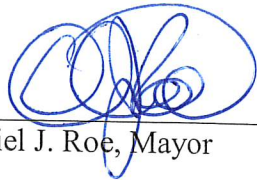
**11. Adjourn**

Willmus moved, Etten seconded, adjournment of the meeting at approximately 9:10 p.m.

**Roll Call**

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

**Nays:** None.

  
\_\_\_\_\_  
Daniel J. Roe, Mayor

ATTEST:

  
\_\_\_\_\_  
Patrick J. Trudgeon, City Manager