



**Regular City Council Meeting Minutes**  
**City Hall Council Chambers, 2660 Civic Center Drive**  
**Monday, March 7, 2022**

**1. Roll Call**

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

**2. Pledge of Allegiance**

**3. Approve Agenda**

Mayor Roe added Item 7g (Consider a Letter in Support of Keystone Community Services Request or Funding) to the agenda.

Roe moved, Etten seconded, approval of adding 7g (Consider a Letter in Support of Keystone Community Services Request or Funding) to the agenda.

**Roll Call**

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

**Nays:** None.

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

**Roll Call**

**Ayes:** Groff, Willmus, Strahan, Etten, 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. 35W North Gateway Study Presentation**

Public Works Director Marc Culver briefly highlighted this item as detailed in the Request for Council Action and related attachments dated March 7, 2022.

Mr. Aaron Tag, MnDOT and Mr. John Griffith, HDR, were at the meeting and Ms. Jennifer Wilgren were online and walked through the project with the City Council.

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Mayor Roe suggested that any time MnDOT is planning to make the bridge do that connection, to make the connection wide enough for eventually having an east bound EZ Pass type of connection from Highway 35W north bound to the east bound Highway 36 as well. He thought it made sense to have facilities wide enough to handle both directions.

Mr. Griffith explained HDR is in the early stages of forecasting and looking at what is existing out there, noting 35W actually operates fairly well with the EZ Pass north of County Road C. He indicated this is a 35W study, recognizing that trunk Highway 36 plays an important part in the commons area. Looking at solutions, Highway 36 does back up to the commons area and different solutions beyond an EZ Pass corridor would have to be on trunk Highway 36 to have that connection. As HDR moves forward with the study, it will look at what that future looks like on trunk Highway 36.

Councilmember Etten explained the east bound trunk Highway 36 bridge backs up towards the west onto Highway 35W so until the problems with the bridge are solved, the State will not be able to solve the issues with Highway 35W. He indicated the bridge is narrow and dangerous and forces people to pinch in from 35W south.

Councilmember Strahan agreed and thought this area was a huge problem in both directions. She indicated Roseville does not want to be an after thought in the reconstruction process. She explained the area condenses from five to four lanes at the top of the hill so she did not think the problem would be solved and appears to be worse by the proposal as heading west with the EZ Pass lane.

Councilmember Groff explained he lives by this area and noted it is a problem. He uses the cloverleaf daily and it is extremely dangerous. He explained in order to leave Highway 36 to Cleveland Avenue, the vehicle needs to cross multiple lanes of traffic and people are trying to merge onto 35W with people on Highway 36 going very fast which makes it hard to merge. He thought this was a very crucial and critical corner for the City as far as traffic in Roseville and there will need to be more work than this done to make this a safer intersection. He was also concerned with the noise wall that is not doing its job.

Mr. Griffith indicated as a part of the final product, there will be a geometric layout and the identification of the roadmap and what infrastructure is going to be replaced. He noted this is just a schematic in regard to some of the changes.

Mr. Culver added this project is focused on 35W but there have been conversations about the things the Council is talking about past 35W.

Councilmember Willmus concurred with what the other Councilmembers have said.

### Public Comment

Mayor Roe offered an opportunity for public comment.

**Mr. Don Colliard, 1391 Ryan Avenue W, Roseville**

Mr. Colliard asked what the budget is for this project and is there any room to accommodate changes in the future.

Mayor Roe indicated there is not a budget yet and the idea is to identify current needs and prioritize them in light of funding constraints.

Mr. Tag indicated at this point there is not any project plan for the corridor. This is setting that roadmap so that as projects do come along, there will be projects due to the infrastructure getting old, and when MnDOT has to replace the infrastructure, it is built in the right spot and built for the long-term vision.

Mayor Roe indicated the Council appreciated the presentation and thanked the presenters for coming to the meeting.

**b. Consider Presumptive Penalty Approval – 2021 Alcohol Compliance Checks – India Palace**

Deputy Chief Joe Adams briefly highlighted this item as detailed in the Request for Council Action and related attachments dated March 7, 2022.

Councilmember Groff explained the businesses are notified about a month ahead of time of the compliance check and the businesses are also aware that staff training is needed every year.

Deputy Chief Adams concurred.

Councilmember Groff asked if there were any language barriers with some of these restaurants and servers that have been non-compliant.

Deputy Chief Adams explained that is something that has not come up or been reported back to him by the compliance checkers. He would state that the Police Department does want to be inclusive in all of their enforcement but with the alcohol training, the onus is really on the business to make sure employees are compliant with trainings and have the ability to check identification.

Groff moved, Willmus seconded, authorizing the Roseville Police Department to issue and administer the presumptive penalty pursuant to City Code Section 302.15, for on-sale license holders for the first violation within thirty-six (36) months. The mandatory minimum penalty shall be a one-thousand-dollar (\$1,000.00) fine and a one (1) day suspension for India Palace.

**Roll Call**

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

**Nays:** None

**c. Consider Presumptive Penalty Approval – 2021 Alcohol Compliance Checks – Keys Cafe**

Deputy Chief Joe Adams briefly highlighted this item as detailed in the Request For Council Action and related attachments dated March 7, 2022.

Mr. Colliard, Keys Cafe, explained all but one of their locations provide a beer and wine license. He indicated he was not at the meeting to dispute what happened that day. He explained the food industry has been pummeled by the pandemic and many restaurants have closed. His business has taken advantage of every possible government program to help the restaurant sustain itself through the pandemic. He explained his purpose is to offer up a suggestion, a proposal, different than what the City Code dictates with regard to penalties. He believed that city code, which dictates that all licensees, whether it be wine and beer or full liquor licenses, be fined one thousand dollars. He believes there needs to be a penalty but he would ask that the City differentiate between those restaurants that serve wine and beer and those that serve full liquor because the opportunity for non-compliance is much higher with a full bar. With a family restaurant, such as Keys, wine and beer is a complement to the food offering. Their relative sales of wine and beer to that of a bar and restaurant with a full bar is miniscule. The sale of beer and wine is very supplementary and low. He suggested that the Council divide this penalty between the two different types of establishments, those who have full liquor licenses and those that have beer and wine and the fine should be relative to that. He felt one thousand dollars could stay in place for those that are bars and bars/restaurants. But for those that are family restaurants, etc. that just offer beer and wine like Keys does, he would suggest the fine be set at two hundred and fifty dollars. He thought everyone had faced the hardship of trying to stay open, and despite the numerous closures and restrictions the restaurant had over the last two years, the restaurant has a lot to catch up on. He noted that any fine is going to be a bit of a burden to them. He thought with this being a first offense, that the City Council could waive the penalty but in lieu of keeping of the Code, if the Council could consider two hundred fifty dollars rather than one thousand dollars, that would be a reasonable solution.

Councilmember Willmus thanked Mr. Colliard for coming to the meeting and being in business in Roseville. He asked Mr. Colliard how long he held the liquor license.

Mr. Colliard was not sure but thought the City had a record of that. He explained the restaurant has not had wine and beer through its existence but believed the license was applied for in 1995. With regard for the training, the restaurant has opted to go with online training through MBLA and it is extremely difficult because the restaurants servers are all part time to assemble them in one room for one night, because many have day jobs or vice versa. It is very difficult so it made much more

sense to do online. Extra vouchers have been purchased to accommodate any future hires so the employee can immediately take the training.

Councilmember Willmus appreciated Mr. Colliard's request for a reduction in the potential fine. He indicated he was very involved with restructuring the City fine with respect to alcohol violations, etc. a number of years ago so this is something that he holds fairly high in terms of community safety. He understood the plight and background of where Mr. Colliard is coming from on this but he also thought there was a certain standard and obligation that the City's license holders need to meet.

Mr. Colliard indicated he appreciated the comments; however, there is a distinct difference and opportunity for violation.

Mayor Roe stated his perspective is that even if the business model is different with wine and beer in a restaurant than what it is with other types of establishments, in Roseville, there are not any strictly bar licenses at all so there needs to be a certain percentage of food to liquor revenue. He thought the question was if the restaurant is looking to serve alcohol to the public, the restaurant has a responsibility to the public and there is a cost associated with that. The cost of the license may differ but at the same time, the responsibility is still there. He would counter the argument of lower issue with a family restaurant than with another type of establishment in the sense that these types have the potential to fail in a family restaurant because alcohol is not so much of their business. He felt the more regularly alcohol is served, the more practice the server has at checking ID's and updated training.

Strahan moved, Willmus seconded, authorizing the Roseville Police Department to issue and administer the presumptive penalty pursuant to City Code Section 302.15, for on-sale license holders for the first violation within thirty-six (36) months. The mandatory minimum penalty shall be a one-thousand-dollar (\$1,000.00) fine and a one (1) day suspension for Keys Cafe.

### **Council Discussion**

Councilmember Strahan understood many of things Mr. Colliard mentioned; however, as Councilmember Willmus indicated the City has high standards and this is an area where the City does not want to fall down on that.

Mayor Roe explained even if the City Council wanted to review the policy, he was not sure the Council could necessarily set aside taking action on this because the code is in place. If the City were to make a change related to the penalty structure, it would apply proactively going forward after that change might be made.

### **Roll Call**

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

**Nays:** None

**d. Consider Presumptive Penalty Approval – 2021 Alcohol Compliance Checks – Big Bowl**

Deputy Chief Joe Adams briefly highlighted this item as detailed in the Request for Council Action and related attachments dated March 7, 2022.

Mr. Steven Mazingo, Big Bowl Minnesota, stated he wanted to apologize, connect with, and look at what Big Bowl can do for opportunities to enhance its alcohol training. He indicated this is part of their hiring and onboarding process and they also do a follow-up compliance update in the fall going into the busy period knowing that the Police Department will be going around for compliance checks. He noted this is what Big Bowl does at all five of their locations in the Twin Cities. Big Bowl understands as a business that it had an opportunity and made a mistake in terms of operation and understands whatever the Council needs to do.

Willmus moved, Groff seconded, authorizing the Roseville Police Department to issue and administer the presumptive penalty pursuant to City Code Section 302.15, for on-sale license holders for the first violation within thirty-six (36) months. The mandatory minimum penalty shall be a one-thousand-dollar (\$1,000.00) fine and a one (1) day suspension for Big Bowl.

**Roll Call**

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

**Nays:** None

**e. Consider Presumptive Penalty Approval – 2021 Alcohol Compliance Checks – Kyoto Sushi**

Deputy Chief Joe Adams briefly highlighted this item as detailed in the Request for Council Action and related attachments dated March 7, 2022.

Willmus moved, Strahan seconded, authorizing the Roseville Police Department to issue and administer the presumptive penalty pursuant to City Code Section 302.15, for on-sale license holders for the first violation within thirty-six (36) months. The mandatory minimum penalty shall be a one-thousand-dollar (\$1,000.00) fine and a one (1) day suspension for Kyoto Sushi.

**Roll Call**

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

**Nays:** None

**f. Consider Presumptive Penalty Approval – 2021 Alcohol Compliance Checks – Maya Cuisine**

Deputy Chief Joe Adams briefly highlighted this item as detailed in the Request for Council Action and related attachments dated March 7, 2022.

Councilmember Etten asked if Maya Cuisine was out of compliance with their training in the 2020 failure also.

Deputy Chief Adams indicated the Maya Cuisine server that served in the 2020 violations had stated that she was under a current training program but that did not make sense because it is a one-time test. Nonetheless, Maya Cuisine was out of compliance in 2020.

Councilmember Etten explained his concern is that within a year and a half or so Maya Cuisine has twice not followed the City's policy and had violations. He did not think the minimum penalty was enough. He indicated he was frustrated by the number of places who are not doing the training the City wants but to violate it twice in a year and a half is extremely disturbing to him that the restaurant is not taking this seriously.

Mayor Roe believed statutorily the limitation on the financial penalty is two thousand dollars so the fine cannot be increased above that. If the City were to deviate upward, the City would have to look at the suspension period length of time.

City Attorney Gaughan noted if this body has an elevated concern over this establishment, the Council can take into consideration the time of license renewal.

Councilmember Willmus appreciated Councilmember Etten's concerns. He thought one thing important to note with the second violation is that the suspension goes from one day to five days. He had a feeling that it will get Maya Cuisine's attention and that is what this is intended to do. He noted there may be an opportunity to have some of those conversations than at the time in which the renewal would come before the Council.

Mayor Roe stated the Council has done that in the past at renewal time, rather than approving a license renewal. He noted that along with the others, the Council has actually tabled action on a particular renewal, provided an opportunity for notice, and an opportunity for a license requester to appear before the Council and speak to their request and answer questions the Council has.

Willmus moved, Groff seconded, authorizing the Roseville Police Department to issue and administer the presumptive penalty pursuant to City Code Section 302.15, for on-sale license holders for the second violation within thirty-six (36) months. The mandatory minimum penalty shall be a two-thousand-dollar (\$2,000.00) fine and a five (5) day suspension for Maya Cuisine.

**Roll Call**

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

**Nays:** None

**g. Consider a Letter in Support of Keystone Community Services Request for Funding**

Mayor Roe briefly highlighted this item as detailed in the Bench Handout dated March 7, 2022.

Mayor Roe asked if the Council was in objection to him sending a letter of support to the Legislature for the funding request.

The Council did not have any objection.

Councilmember Etten indicated he would like to add a sentence to the third paragraph of the letter of support about the additional functionality as a food mobile using this site.

Mayor Roe suggested Councilmember Etten pass along the sentence addition to him and staff to incorporate that into the letter.

**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 February 14, 2022 City Council Meeting Minutes**

Groff moved, Etten seconded, approval of the February 14, 2022 City Council Meeting Minutes as presented.

**Roll Call**

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

**Nays:** None.

**Abstain:** Willmus

**9. Council Direction on Councilmember Initiated Agenda Items**

**10. Approve Consent Agenda**

At the request of Mayor Roe, Assistant City Manager Olson briefly reviewed those items being considered under the Consent Agenda; and as detailed in specific Requests for Council Action dated March 7, 2022 and related attachments.

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

**Roll Call**

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

**Nays:** None.



a. **Approve Payments**

ACH Payments	\$160,879.01
102638-102698	252942.22
<b>TOTAL</b>	<b>\$413821.23</b>

b. **Approve General Purchases or Sale of Surplus Items Exceeding \$10,000**

c. **Adopt Ordinance No. 1610 approving Subdivision Code Text Amendments Clarifying Park Dedication Requirements, the Renaming of the LDR-1 Zone to LDR, and Allowing for a Summary Publication**

d. **Approve Resolution No. 11892 Awarding Contract for Lexington Watermain Project**

e. **Accept Public Improvements Related to the Owasso Garden Public Improvement Contract. Resolution No. 11893**

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

Assistant City Manager Rebecca Olson reviewed the March 9, 2022 Commission interviews, the March 14, 2022 City Council meeting, and the March 21, 2022 City Council meeting. She noted the March 14, 2022 EDA meeting has been cancelled due to lack of items to discuss.

Councilmember Groff noted Visit Roseville received an award for their rose sculptures.

Councilmember Strahan indicated there is a Ramsey County League of Local Government meeting on Friday regarding social work imbedded in police.

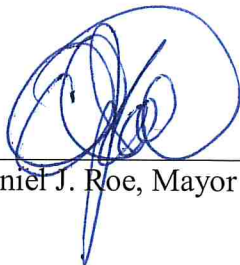
12. **Adjourn**

Willmus moved, Etten seconded, adjournment of the meeting at approximately 7:22 p.m.

**Roll Call**

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

**Nays:** None.

  
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Daniel J. Roe, Mayor

ATTEST:

  
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Rebecca Olson, Assistant City Manager