

**EXTRACT OF MINUTES OF MEETING  
OF THE  
CITY COUNCIL OF THE CITY OF ROSEVILLE**

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Pursuant to due call and notice thereof, a special meeting of the City Council of the City of Roseville, County of Ramsey, Minnesota was duly held on the 26th day of May 2020 at 3:00 p.m.

The following members were present: Etten, Willmus, Laliberte, Groff, and Roe  
and the following were absent: None

Member Etten introduced the following resolution and moved its adoption:

**RESOLUTION NO. 11708  
CITY OF ROSEVILLE**

**A RESOLUTION APPROVING TEMPORARY WAIVERS  
OF CERTAIN CITY CODE REQUIREMENTS  
TO PROMOTE PHYSICAL AND SOCIAL DISTANCING  
FOR BUSINESS AND FAITH ORGANIZATIONS ACTIVITIES  
DURING THE COVID-19 HEALTH PANDEMIC**

**WHEREAS**, on March 13, 2020 Minnesota Governor Tim Walz issued Executive Order 20-01 declaring a Peace Time Emergency and Coordinating Minnesota's Strategy to Protect Minnesotans from COVID-19, and

**WHEREAS**, in response, on March 16, 2020 Mayor Roe issued a proclamation declaring a Local Emergency in recognition of the community risk posed by COVID-19 and the City Council adopted Resolution 11681 formalizing the Local Emergency declaration and invoking the city's emergency management plan authorizing appropriate response strategies to the pandemic, and

**WHEREAS**, on May 11, 2020 the City Council adopted Resolution 11695 extending the period of Local Emergency to coincide until such time the State of Minnesota peacetime state emergency declaration is rescinded and the City Council rescinds the local emergency by resolution, and

**WHEREAS**, the City of Roseville City Council recognizes the continued risk and threat of community spread of the COVID-19 virus and the negative impact it has had on local business and faith organizations, and further recognizes the potential negative impact that may continue upon reopening absent the ability of businesses and faith organizations to provide appropriate distancing between its patrons/members and its employees while operating profitably, and

**WHEREAS**, in furtherance of the federal, state and local government response, there is a need to provide multiple, additional, or alternative customer service areas on commercial sites within the City in order to limit forward-facing exchanges between customers and employees and to promote physical and social distancing between patrons of a business and persons engaged in business activities.

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Roseville, Ramsey County, Minnesota, declares that notwithstanding any Roseville City Code provision to the contrary an existing business located in a commercially-used zone may establish drive-up or drive-through areas, customer ordering, waiting or pick-up areas, or customer seating or service areas on its property to facilitate safe commercial activity, and allowance of faith organizations to establish outdoor drive-in services, conducted consistent with federal and state orders or health and safety guidelines, including DEED's Guidance of Safely Reopening Minnesota Businesses, in accordance with the following:

- 1) The outdoor uses shall be deemed temporary and may occur in parking and sidewalk areas or green space areas without the need for a variance or conditional use. A protective and reflective barrier between cars and outdoor seating must be established. If the business and/or faith organization is not the fee owner of the property used by the business for the temporary outdoor use, any temporary outdoor use must have written approval from the fee owner of the premises.
- 2) Due to the residential environments that faith organizations are typically located in, outdoor drive-in or drive-up services may only occur during service days/times that were established prior to the COVID-19 pandemic and services shall, to the extent possible, broadcast audio through streaming to smartphones and/or tablets or using an FM transmitter to broadcast to the radio.
- 3) Operators must prepare and make available upon request of the Police and/or Fire Chief a Traffic Management and Fire Safety Plan, accounting for the following:
  - a. Separated vehicular and pedestrian passageways,
  - b. Access for emergency vehicles and fire lanes,
  - c. Ensure safe building access/exiting continues,
  - d. Ensure exterior fire department connections are not obstructed, and
  - e. Provides on-site traffic and operational management to ensure such plan is being adhered to.
- 4) Customer waiting or service areas must not impede sidewalk usage nor block disabled person parking spaces or ramps, nor shall any activity create nuisance conditions for abutting properties. Compliance to Minnesota State Accessibility codes and ADA requirements must be maintained.
- 5) On-site temporary signage and storage is authorized, including on-site directional signage. Temporary and on-site directional signage shall not obstruct traffic. Temporary tables, tents and sun shelters may be erected, but any such structure exceeding 200 square feet in size shall require a building permit, with temporary structures exceeding 400 square

feet in size also requiring review and approval by the Fire department. Said permit applications will be processed under accelerated review. Fire extinguishers must be readily available in all temporary outdoor customer service areas. Electrical permits may also be required if electricity is extended to the temporary outdoor customer service area.

6) If liquor is to be dispensed or consumed in the temporary outdoor customer areas, the licensee must obtain a modification to their defined premises area and must ensure the following:

- a. The City Council hereby delegates to the City Manager and/or his designee its authority under Section 302.11 of City Code pertaining to the issuance and/or amendment of outside sale and consumption endorsements.
- b. The business must provide proof their liquor liability insurance covers any expanded outdoor space and that space must be compact and contiguous to the main business.
- c. Under no circumstance shall liquor be consumed beyond the boundaries of the temporary outdoor customer areas.
- d. Notification to adjacent property owners per City Code Section 302.11 will be waived.

7) Operators establishing operations permitted via this Resolution shall register said operations with the City of Roseville by providing the business name, address, contact/responsible person name and phone number, and acknowledge review of this Resolution and need for a Traffic Management and Fire Safety Plan. Registration will be free of charge and available through the City's online Accela platform.

**BE IT FURTHER RESOLVED**, the terms and conditions of this order may be modified or clarified by subsequent resolution, those changes may have retroactive effect, and any temporary outdoor customer service area established by this Resolution who continually and defiantly violates the standards listed herein may be ordered to cease their temporary outdoor customer service area in addition to any other civil, criminal, and/or licensing actions available to the City.

This Resolution is effective immediately subject to federal and state laws or orders relative to the permissibility of business operations and faith organizations and shall continue until repealed by subsequent City Council action or termination of the local peacetime emergency, whichever occurs first.

The motion for the adoption of the foregoing resolution was duly seconded by Member Willmus, and upon a vote being taken thereon, the following voted in favor thereof: Etten, Willmus, Laliberte, Groff, and Roe and the following voted against the same: None.

WHEREUPON said resolution was declared duly passed and adopted.

STATE OF MINNESOTA )  
 ) SS  
COUNTY OF RAMSEY )

I, the undersigned, being the duly qualified City Manager of the City of Roseville, County of Ramsey, State of Minnesota, do hereby certify that I have carefully compared the attached and foregoing extract of minutes of a special meeting of said City Council held on the 26<sup>th</sup> day of, May, 2020 with the original thereof on file in my office.

WITNESS MY HAND officially as such Manager this 26th day of May, 2020

SEAL

  
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Patrick Trudgeon, City Manager