



CITY OF WEST ST. PAUL
1616 HUMBOLDT AVENUE, WEST ST. PAUL, MN 55118

REGULAR CITY COUNCIL MEETING
January 25, 2016
6:30 p.m.
MUNICIPAL CENTER COUNCIL CHAMBERS

1. CALL TO ORDER

2. ROLL CALL

3. PLEDGE OF ALLEGIANCE

4. ADOPT THE AGENDA

5. OCWS BRIEFING

6. ROBERT STREET REVIEW

7. CITIZEN COMMENTS

Individuals may address the City Council about any item not included on the regular agenda. Speakers are requested to come to the podium, state their name and address for the Clerk's record. Generally, the City Council will not take official action on items discussed at this time, but may typically refer the matter to staff for a future report or direct that the matter be scheduled on an upcoming agenda.

8. COUNCIL COMMENTS

9. PROCLAMATIONS, PRESENTATIONS AND RECOGNITIONS

A. Proclamation Celebrating Frances Nelson's 104th Birthday

Documents: [FRANCES NELSON - PROCLAMATION.DOC](#)

10. CONSENT AGENDA

All items on the Consent Agenda are considered to be routine and have been made available to the City Council at least two days prior to the meeting; these items will be enacted by one motion. There will be no separate discussion of these items unless a Council member or citizen so requests, in which event the item will be removed from this agenda and considered under separate motion.

A. List Of Claims January 25, 2016

Documents: [COUNCIL REPORT - LIST OF CLAIMS.PDF](#)

B. City Council Meeting Minutes

Documents: [1-11-16 CC REG MEETING MINS - DRAFT.PDF](#)

C. Council Report - Police Department Licensing

Documents: [COUNCIL REPORT - POLICE DEPARTMENT LICENSING.PDF](#)

D. Approve Final Payment To Meisinger Construction For Ice Arena Bid Pack 2 Project

Documents: [COUNCIL REPORT - APPROVE FINAL PAYMENT TO MEISINGER CONSTRUCTION FOR ICE ARENA BID PACK 2.PDF](#), [ATTACHMENT - ARENA CLEANUP REIMBURSEMENT REQUEST.PDF](#)

E. Approve Final Payment For 2014 Street Improvements - Project #14-1

Documents: [RESOLUTION - APPROVE FINAL PAYMENT 14-1.PDF](#), [MEMO_APPROVE FINAL PAYMENT 2014 STREET IMP.PDF](#)

F. Approve Purchase Of PW Capital Equipment

Documents: [MEMO_PW EQUIPEMENT PURCHASE.PDF](#)

G. Resolution In Support For Solicitation Of MN DNR Grant To Improve Community Forests Through Citizen Engagement

Documents: [COUNCIL REPORT - DNR GRANT.PDF](#), [RESOLUTION - DNR GRANT.PDF](#), [ATTACHMENT - DNR GRANT.PDF](#)

H. Rental Licensing

Documents: [COUNCIL REPORT - RENTAL LICENSING.PDF](#)

11. PUBLIC HEARING

A. Charter Commission Amendment, Section 3.01

Documents: [MEMO AND ORD. RE CHARTER AMENDMENT 3.01 1-11-16.PDF](#)

12. NEW BUSINESS

A. Consider Sign Advertising Agreement In Ice Arena With Sibley Area Youth Hockey Association

Documents: [COUNCIL REPORT - SIGN ADVERTISING AGREEMWENT WITH SAYHA.PDF](#), [ATTACHMENT - SIGN ADVERTISING AGREEMENT - SAYHA 1-11-16.PDF](#)

B. Zoning Ordinance Amendment, Section 3.2, Amending The Definition Of Dwelling Unit - City Of West St. Paul

Documents: [COUNCIL REPORT - ZONING AMENDMENT DEFINITION OF DWELLING UNIT.PDF](#), [ORDINANCE - ZONING AMENDMENT DEFINITION OF DWELLING UNIT.PDF](#)

C. 2016 Pay Equity Report

Documents: [COUNCIL REPORT - APPROVE PAY EQUITY REPORT.PDF](#), [ATTACHMENT PAY EQUITY TEST ANALYSIS REPORT.PDF](#)

D. Authorize The Parks And Public Works Director/City Engineer And City Attorney To Make Offers To Purchase Interests In Real Property For The Wentworth Trail/Bellows Sidewalk-Project #14-6

Documents: [MEMO AND RES. TO AUTHORIZE OFFERS FOR WENTWORTH-BELLOWS SRTS - 1-25-16.PDF](#)

E. West St Paul Winter Fun Fest Community Event

Documents: [COUNCIL REPORT - WINTER FUN FEST.PDF](#)

13. OLD BUSINESS

A. Rental License Hearing For 218 Annapolis St. W. & 966/976 Robert Street - 1234 Properties, LLC

Documents: [COUNCIL REPORT - LICENSE HEARING.PDF](#), [RESOLUTION - LICENSE HEARING PDF](#), [ATTACHMENT 1 - LICENSE HEARING PDF](#), [ATTACHMENT](#)

LICENSE HEARING.PDF, ATTACHMENT 1 - LICENSE HEARING.PDF, ATTACHMENT
2 - LICENSE HEARING.PDF, ATTACHMENT 3 - LICENSE HEARING.PDF,
ATTACHMENT 4 - LICENSE HEARING.PDF

- B. Resolution In Support For Solicitation Of State Health Improvement Program (SHIP) Grant
Through Dakota County Active Living
Tabled from January 11, 2016 meeting

Documents: COUNCIL REPORT - SHIP GRANT.PDF, RESOLUTION - SHIP
GRANT.PDF, ATTACHMENT - SHIP GRANT.PDF

14. ADJOURN

*If you need an accommodation to participate in the meeting, please contact the ADA Coordinator at
651-552-4100, TDD 651-322-2323 at least 5 business days prior to the meeting
www.wspmn.gov EOE/AA*

PROCLAMATION
FRANCES NELSON DAY
JANUARY 25, 2016

WHEREAS, Frances (Fran) Nelson was born on January 20, 1912 in Granite Falls, MN and has just celebrated her one hundred and three years of life; and

WHEREAS, Frances moved to West St. Paul in 1955 with her family; and

WHEREAS, Fran raised her two small children on her own, after her husband's early death; and

WHEREAS, Fran worked for forty nine years for State Capital Credit Union and was recruited by a friend to help out at Republic Airlines Credit Union where she worked for another ten years, retiring at age seventy five; and

WHEREAS, Fran has belonged to several clubs and organizations including the St. Paul Women's Club where she played bridge for twenty five years and is currently teaching bridge to others; and

WHEREAS, Fran has been blessed to have many friendships including that of her special friend Jean Kirby; and

WHEREAS, Fran has many stories about life in the 20's, 30's, 40's, 50's, 60's, 70's, 80's, 90's and 2000 into 2015 and says July 4th is her favorite holiday; and

WHEREAS, Fran walks her daily "mile" through the halls at One Thompson Avenue where she currently resides; and

WHEREAS, Fran knows she is very blessed to have a wonderful family, host of good, giving friends and her continued health; and

WHEREAS, Fran thanks her City officials for working hard and doing what's best for all the residents of West St. Paul

BE IT RESOLVED, that the Honorable Mayor David Meisinger and the members of the City Council of the City of West Saint Paul recognize Frances Nelson for being a loyal and wonderful resident, and friend to so many, and they congratulate her on celebrating her 104th birthday!

David Meisinger, Mayor

TO: Mayor and City Council
THROUGH: Matt Fulton, City Manager
FROM: Joan Carlson, Finance Director
DATE: January 25, 2016
SUBJECT: List of Claims



City of West St. Paul

BACKGROUND INFORMATION:

Invoices to be paid

FISCAL IMPACT:

\$5,535,767.07

STAFF RECOMMENDATION:

Approve payment of attached

CITY OF WEST ST PAUL

Summary of List of Claims

Council Meeting of January 25, 2016

PAYROLL CHECK REGISTER:

Payroll Period	1/4/16 - 1/17/16	
Date Paid	1/22/2016	\$160,620.36
Direct Deposit		

Payroll Period		
Date Paid		
Direct Deposit		

TOTAL NET PAYROLL

\$0.00

DISBURSEMENT CHECK REGISTER:

Checks	120835 - 120948	\$1,771,012.38
EFTS	663 - 703	\$3,602,134.33

TOTAL DISBURSEMENT CHECKS

\$5,373,146.71

TOTAL PAYROLL, DISBURSEMENTS, ACH AND WIRE TRANSFERS

\$5,373,146.71

Payment Register

From Payment Date: 1/14/2016 - To Payment Date: 1/25/2016

Number	Date	Payee Name	Transaction Amount
AP - Accounts Payable			
<u>Check</u>			
120835	01/14/2016	FIDELITY SECURITY LIFE	\$147.77
120836	01/14/2016	CHLIC-BLOOMFIELD EASC	\$2,010.23
120837	01/14/2016	LAW ENFORCEMENT LABOR	\$1,210.71
120838	01/14/2016	MCQUILLAN BROS PLUMBING	\$6,880.00
120839	01/14/2016	MN BENEFIT ASSOCIATION	\$792.25
120840	01/14/2016	MN MUTUAL LIFE	\$990.95
120841	01/14/2016	MN NCPERS LIFE INSURANCE	\$160.00
120842	01/14/2016	MN TEAMSTERS LOCAL #320	\$1,045.00
120843	01/14/2016	ROTO ROOTER	\$14,650.00
120844	01/14/2016	SCOTT COUNTY WARRANTS	\$730.00
120845	01/25/2016	1501 PARTNERSHIP	\$1,000.00
120846	01/25/2016	ABLE HOSE & RUBBER, INC	\$717.02
120847	01/25/2016	ADVANTAGE SIGNS & GRAPHICS	\$86.45
120848	01/25/2016	ALPHA VIDEO & AUDIO	\$220.00
120849	01/25/2016	AMERICAN LEGAL PUBLISHING	\$1,198.00
120850	01/25/2016	ATEC LLC	\$395.00
120851	01/25/2016	B T DESIGN	\$105.00
120852	01/25/2016	BCA CJTE	\$225.00
120853	01/25/2016	BCA CJTE	\$1,110.00
120854	01/25/2016	BDI (78)	\$57.66
120855	01/25/2016	BOB BARKER COMPANY, INC	\$52.95
120856	01/25/2016	CAPRA'S UTILITIES	\$7,075.00
120857	01/25/2016	CARGILL INCORPORATED	\$13,383.11
120858	01/25/2016	CINTAS UNIFORMS	\$113.40
120859	01/25/2016	COMCAST	\$487.61
120860	01/25/2016	CORPORATE MARK INC	\$192.50
120861	01/25/2016	COURTYARD BY MARRIOTT	\$122.49
120862	01/25/2016	CREATIVE PRODUCT SOURCING	\$174.04
120863	01/25/2016	CROWN TROPHY	\$204.00
120864	01/25/2016	CUNINGHAM GROUP	\$9,940.00
120865	01/25/2016	DAKOTA COUNTY ENVIRONMENTAL	\$83.64
120866	01/25/2016	DAKOTA COUNTY FINANCIAL SERV	\$6,177.82
120867	01/25/2016	DAKOTA COUNTY PROPERTY	\$46.00
120868	01/25/2016	DAKOTA COUNTY PROPERTY	\$31,431.30
120869	01/25/2016	DAKOTA COUNTY REGIONAL	\$1,040.00
120870	01/25/2016	E D A M	\$250.00
120871	01/25/2016	EMERGENCY AUTOMOTIVE TECH	\$630.49
120872	01/25/2016	EUREKA CONSTRUCTION	\$1,316,223.31
120873	01/25/2016	GERRY'S FIRE & SAFETY INC	\$204.25
120874	01/25/2016	GRAINGER INC	\$451.74
120875	01/25/2016	GRAND VIEW LODGE	\$260.78
120876	01/25/2016	HOLIDAY STATION STORES	\$70.00
120877	01/25/2016	IDVILLE	\$335.27
120878	01/25/2016	IFS	\$4,104.55
120879	01/25/2016	INVER GROVE FORD	\$98.28
120880	01/25/2016	IOT(INTERNATIONAL OFFICE TECH)	\$384.99
120881	01/25/2016	KEEPSR, INC	\$178.99

Payment Register

From Payment Date: 1/14/2016 - To Payment Date: 1/25/2016

120882	01/25/2016	KREMER SERVICES, LLC	\$597.96
120883	01/25/2016	KROGH'S INC	\$1,972.12
120884	01/25/2016	LANGUAGE LINE SERVICES	\$71.87
120885	01/25/2016	LEVANDER, GILLEN & MILLER	\$28,093.29
120886	01/25/2016	LIBERTY TIRE RECYCLING	\$139.12
120887	01/25/2016	LILLIE SUBURBAN NEWSPAPERS	\$806.25
120888	01/25/2016	LITTLE FALLS MACHINE INC	\$203.40
120889	01/25/2016	LIU/WAH SY	\$17,600.00
120890	01/25/2016	LIVING LONGER AND STRONGER	\$1,120.00
120891	01/25/2016	LMCIT	\$1,605.90
120892	01/25/2016	LMCIT- INS PREMIUMS	\$1,530.00
120893	01/25/2016	LOGIS	\$2,833.75
120894	01/25/2016	LOWE'S RETAIL STORE	\$948.10
120895	01/25/2016	LPD ELECTRIC, INC	\$5,307.20
120896	01/25/2016	LS BLACK CONSTRUCTORS	\$10,201.10
120897	01/25/2016	LUBRICATION TECHNOLOGIES	\$276.22
120898	01/25/2016	MACQUEEN EQUIPMENT INC	\$45.35
120899	01/25/2016	MARCO, INC	\$563.28
120900	01/25/2016	MCMA	\$175.00
120901	01/25/2016	MENARDS	\$155.91
120902	01/25/2016	MENDOTA HEIGHTS/CITY OF	\$590.00
120903	01/25/2016	METROPOLITAN COUNCIL	\$138,214.18
120904	01/25/2016	MISTER CAR PARTNERS	\$23.52
120905	01/25/2016	MN GLOVE	\$773.89
120906	01/25/2016	MN LOCKS	\$80.00
120907	01/25/2016	MN OCCUPATIONAL HEALTH	\$177.00
120908	01/25/2016	MN OFFICE OF ENTERPRISE TECH	\$323.00
120909	01/25/2016	MN STATE TREASURER	\$3,449.98
120910	01/25/2016	MN STREET SUPERINTENDENTS	\$50.00
120911	01/25/2016	MN SUPPLY	\$77.32
120912	01/25/2016	MUNTEAN, MATT	\$300.00
120913	01/25/2016	NEOGOV	\$9,500.00
120914	01/25/2016	NORTHERN TOOL & EQUIPMENT	\$219.83
120915	01/25/2016	O'REILLY AUTOMOTIVE, INC	\$322.05
120916	01/25/2016	OFFICE DEPOT	\$253.44
120917	01/25/2016	POLICE SERVICE DOGS, INC	\$717.50
120918	01/25/2016	PROFESSIONAL WIRELESS COMM	\$60.00
120919	01/25/2016	RAMSEY COUNTY WARRANTS	\$100.00
120920	01/25/2016	RED WING SHOE STORE	\$445.98
120921	01/25/2016	REGENCY OFFICE PRODUCTS	\$50.40
120922	01/25/2016	RESPONDER SERVICES	\$1,316.16
120923	01/25/2016	RICOH AMERICAS CORPORATION	\$195.88
120924	01/25/2016	SAND CREEK GROUP LTD	\$2,095.60
120925	01/25/2016	SFDMG	\$5,377.67
120926	01/25/2016	SHARROW LIFTING PRODUCTS	\$388.24
120927	01/25/2016	SHERMAN ASSOCIATES	\$20,982.72
120928	01/25/2016	SPRWS	\$2,045.76
120929	01/25/2016	ST PAUL REGIONAL WATER	\$11,794.56
120930	01/25/2016	STAPLES BUSINESS ADVANTAGE	\$33.92
120931	01/25/2016	STIFF, MARY	\$75.00
120932	01/25/2016	SUMMIT FIRE PROTECTION	\$555.00

Payment Register

From Payment Date: 1/14/2016 - To Payment Date: 1/25/2016

120933	01/25/2016	T - MOBILE	\$1,773.78
120934	01/25/2016	T G LANDSCAPING & CONST	\$6,750.96
120935	01/25/2016	TAILLON, JOHN	\$1,167.00
120936	01/25/2016	THOMPSON, PATRICIA	\$1,271.25
120937	01/25/2016	TIERNEY BROTHERS INC	\$109.83
120938	01/25/2016	TRANE U S INC	\$852.73
120939	01/25/2016	TRANSUNION RISK & ALTERNATIVE	\$21.00
120940	01/25/2016	TROJE'S TRASH PICK-UP SERVICE	\$583.26
120941	01/25/2016	TWIST OFFICE PRODUCTS	\$124.66
120942	01/25/2016	UNIFORMS UNLIMITED	\$6.00
120943	01/25/2016	VANGUARD CLEANING SYSTEMS	\$2,029.80
120944	01/25/2016	VIKING ELECTRIC SUPPLY	\$13.13
120945	01/25/2016	WALMART GSS-NA/WALMART -	\$5,580.00
120946	01/25/2016	WONDERLIC	\$1,836.62
120947	01/25/2016	WSB & ASSOCIATES	\$27,934.30
120948	01/25/2016	XCEL ENERGY	\$18,676.09
			\$1,771,012.38

Type Check Totals:

EFT			
663	01/13/2016	ANCHOR BANK OF W. ST PAUL	\$46,930.07
664	01/13/2016	DEARBORN NATIONAL	\$425.76
665	01/13/2016	I C M A	\$150.00
666	01/13/2016	I C M A RETIREMENT TRUST-457	\$7,581.82
667	01/13/2016	MN DEPARTMENT OF REVENUE	\$9,704.25
668	01/13/2016	MSRS - 457	\$1,655.00
669	01/13/2016	MSRS HCSP	\$2,117.02
670	01/13/2016	PUBLIC EMPLOYEES RETIRMNT	\$42,906.66
671	01/13/2016	THE HARTFORD-PRIORITY	\$1,256.04
672	01/13/2016	MII LIFE --- VEBA	\$2,853.46
673	01/13/2016	MII LIFE --- VEBA	\$1,551.92
674	01/25/2016	ANCHOR BANK OF W. ST PAUL	\$572.00
675	01/25/2016	SELECTACCOUNT	\$30.85
676	01/25/2016	SELECTACCOUNT	\$6,536.94
677	01/25/2016	US BANK CARDMEMBER SERVICES	\$5,000.00
678	01/25/2016	BOND TRUST SERVICES	\$168,025.00
679	01/25/2016	BOND TRUST SERVICES	\$181,806.25
680	01/25/2016	BOND TRUST SERVICES	\$229,912.50
681	01/25/2016	BOND TRUST SERVICES	\$31,446.88
682	01/25/2016	BOND TRUST SERVICES	\$423,850.00
683	01/25/2016	BOND TRUST SERVICES	\$164,387.50
684	01/25/2016	BOND TRUST SERVICES	\$265,778.13
685	01/25/2016	BOND TRUST SERVICES	\$341,175.00
686	01/25/2016	BOND TRUST SERVICES	\$302,231.27
687	01/25/2016	CHASE, NEW YORK	\$29,250.01
688	01/25/2016	CHASE, NEW YORK	\$50,000.00
689	01/25/2016	CHASE, NEW YORK	\$50,000.00
690	01/25/2016	CHASE, NEW YORK	\$55,000.00
691	01/25/2016	CHASE, NEW YORK	\$60,000.00
692	01/25/2016	CHASE, NEW YORK	\$65,000.00
693	01/25/2016	CHASE, NEW YORK	\$70,000.00
694	01/25/2016	CHASE, NEW YORK	\$70,000.00
695	01/25/2016	CHASE, NEW YORK	\$75,000.00

CITY OF W.S.P

Payment Register

From Payment Date: 1/14/2016 - To Payment Date: 1/25/2016

696	01/25/2016	CHASE, NEW YORK	\$85,000.00
697	01/25/2016	CHASE, NEW YORK	\$90,000.00
698	01/25/2016	CHASE, NEW YORK	\$95,000.00
699	01/25/2016	CHASE, NEW YORK	\$100,000.00
700	01/25/2016	CHASE, NEW YORK	\$105,000.00
701	01/25/2016	CHASE, NEW YORK	\$115,000.00
702	01/25/2016	CHASE, NEW YORK	\$120,000.00
703	01/25/2016	CHASE, NEW YORK	\$130,000.00
Type EFT Totals:			<u>\$3,602,134.33</u>

TOTAL CHECKS & EFTS

\$5,373,146.71

**City of West St. Paul
City Council Meeting
January 11, 2016**

1. Call to Order

Mayor David Meisinger called the meeting to order at 6:30 p.m.

2. Roll Call

Present: Mayor David Meisinger and Councilmembers Pat Armon, John Bellows, Ed Iago, Jenny Halverson, Dave Napier and Dick Vitelli.

Others: City Manager Matt Fulton, Assistant City Manager and HR Director Sherrie Le, Attorney Korine Land, Police Chief Manila Shaver, Finance Director Joan Carlson, Public Works & Parks Director Ross Beckwith, Community Development Director Jim Hartshorn, and City Clerk Chantal Doriott.

3. Pledge of Allegiance

4. Adopt the Agenda

The agenda is adopted with the following changes:

- Remove 12.A. and 12.B.
- 13.A. Update and discussion of 823 Allen
- Council will recess for a personnel matter after the EDA meeting
- Add 13.B. Consider settlement for Chuck E. Cheese
- Add 13.C. Consider settlement for 3 Parcels

Motion was made by Clpn. Bellows and seconded by Clpn. Vitelli to adopt the agenda as presented with changes noted above. All members present voted aye. Motion carried.

5. OCWS Briefing

Mayor Meisinger gave an overview of the work session held prior to this meeting. The Council discussed and/or considered to following:

- Closed session for settlement agreement; to be discussed under new business.
- South Metro Fire Dept. commercial inspection fees.
- Thompson Oaks Golf Course – will be open this calendar year 2016.
- Net Ministries Rental License – potential zoning amendment.
- Possible zoning amendment for 260 Wentworth Avenue.
- Massage ordinance for country clubs.

City Manager Matt Fulton introduced Ross Beckwith our new City Public Works & Parks Director /City Engineer. Mayor Meisinger and Councilmembers welcomed Beckwith.

6. Robert Street Review

Director Beckwith gave an overview. There is not a lot going on at this time. Lots of utility work is being performed for construction later this year.

7. Citizen Comments

No one wished to speak.

8. Council Comments

Clpn. Bellows commend Public Works for their excellent job of snow removal.

Clpn. Halverson reminded residents to scrape car windows of ice and snow. She was running and was almost hit by a vehicle. You must scrape your windows fully and please look both ways, for your safety and others on the street.

Clpn. Armon reminded residents to keep the sidewalks in front and up to your house clean of ice and snow. Emergency people may need to use your sidewalk so keep it clean.

Clpn. Iago said if you live on snow emergency routes please follow the rules. There is hampering of snow plow drivers if you don't move your vehicle during snow emergencies and you are at risk to have your vehicle towed. Your trash cans also don't belong in the street so please place them in your driveway. Clpn. Iago also thanked those in the community for donating to various organizations in our community. These donations are used for athletics, churches, boys club, etc. SRSBA (South Robert Street Business Association) gave over \$350,000 in the last three years.

Clpn. Napier said Ward 3 received an email saying great things about the current City Council and what we are doing in the community. The person made positive comment about the Marie Avenue and Robert Street projects. Clpn. Napier also thanked Mendota Heights and ISD 197 for their partnership on the ice arena project and stated the recent open house was great and nice to celebrate this partnership.

Clpn. Vitelli thanked Mendota Heights, the School District and staff for the nice ice arena celebration.

9. Proclamations, Presentations and Recognitions

A. National Drug & Alcohol Week Proclamation

Mayor Meisinger read the proclamation (attached) proclaiming January 25, 2016 "National Drug & Alcohol Facts Week" and urging all citizens to participate in the planned activities. The Mayor welcomed members of SAAD who spoke positively on behalf of the organization.

B. Accept Donation from SRSBA

Motion was made by Clpn. Armon and seconded by Clpn. Bellows to accept and approve a donation in the amount of \$1,527.11 from the South Robert Street Business Association (SRSBA) for the Robert Street Block Party last year. All members present voted aye. Motion carried.

C. Donations to the Police Department

Police Chief Manila Shaver gave an overview of the following donations made to the police dept. for various programs. Councilmembers would like the gift cards from Ms. Hanson and Burlington Coat Factory to serve West St. Paul residents if possible.

Motion was made by Clpn. Armon and seconded by Clpn. Bellows to adopt Resolution No. 16-01 accepting a donation from Mary Hanson and the Blue Ribbon Campaign in the amount of \$400.00 for the Police Department. All members present voted aye. Motion carried.

Motion was made by Clpn. Armon and seconded by Clpn. Bellows to adopt Resolution No. 16-02 accepting a donation from Burlington Coat Factory in the amount of \$50.00 for the Police Department. All members present voted aye. Motion carried.

Motion was made by Clpn. Napier and seconded by Clpn. Halverson to adopt Resolution No. 16-03 accepting a donation from Barbara and James Staricha in the amount of \$50.00 for the Police Department K-9 program. All members present voted aye. Motion carried.

Motion was made by Clpn. Napier and seconded by Clpn. Halverson to adopt Resolution No. 16-04 accepting a donation from James Minea and Forever Pets, Inc. in the amount of \$4,000.00 for the Police Department K-9 program. All members present voted aye. Motion carried.

Motion was made by Clpn. Napier and seconded by Clpn. Halverson to adopt Resolution No. 16-05 accepting a donation from Tom Skadron and his family and Skadron Animal Hospital in the amount of \$5,000.00 for the Police Department K-9 program. All members present voted aye. Motion carried.

10. Consent Agenda

Motion was made by Clpn. Armon and seconded by Clpn. Iago to approve the following consent agenda items as listed below:

- A. List of Claims as presented
- B. City Council and Work Session Meeting Minutes from December 15, 2015
- C. 2016 City Meeting Calendar
- D. Designation of Official Newspaper – Lillie Suburban, South West Review
- E. Nov 2015 Investment Report as presented
- F. Nov 2015 Bank Reconciliation as presented
- G. Resolution No. 16-06 Designation of Official Depositories

- H. Appointment of Ehlers and Association as the 2016 Fiscal Consultant
- I. Resolution No. 16-07 Approve Non-Waiver of Statutory Tort Liability Limits
- J. Police Department Licensing as presented
- K. Resolution No. 16-08 and Joint Powers Agreement between Dakota County and City of West St. Paul for Emergency Management Services
- L. Purchase of Replacement of Three Police Vehicles not to Exceed \$111,500.00
- M. Rental Licensing for 976 Robert St. Unit 205 – Rich 976 Robert, LLC

All members present voted aye. Motion carried.

11. Public Hearing

There were no public hearings.

12. New Business

~~A. Designation of Mayor Pro-Tem~~

~~B. Appointment of Councilmembers to Standing Committees, Municipal Advisory Commissions, and Public Agencies for 2016~~

C. Resolution in support for solicitation of a Dakota County Redevelopment Planning Grant

Community Development Director Jim Hartshorn gave an overview of a resolution authorizing the solicitation of grant funding from the Dakota County CDA as part of the Redevelopment Incentive Grant Program. The proposed application requests \$15,000 (maximum award) to develop a small area plan for the Smith/Dodd commercial area. The planning grant is a 1 to 1 matching grant requiring a local match of \$15,000. Total cost to complete the plan is estimated at \$30,000 based on the size of the study area. The study may identify other areas.

Motion was made by Clpn. Armon and seconded by Clpn. Halverson to adopt Resolution No. 16-09 authorizing solicitation of grant funding from the Dakota County Community Development Agency (CDA) as part of the Redevelopment Planning Grant program as presented. All members present voted aye. Motion carried.

D. Resolution in support for solicitation of Community Development Block Grant funding for 2016 through the Dakota County CDA

Community Development Director Jim Hartshorn gave an overview. Each year, the City applies for Community Development Block Grant (CDBG) funding through the Dakota County Community Development Agency (CDA). Historically, the City has applied for CDBG funding for redevelopment and rehabilitation loans administered by the CDA. The City receives approximately \$90,000 a year in CDBG funding.

During 2016, (July 1, 2016 to June 30, 2017) the CDA suggests a request of \$81,906 based on their estimated CDBG allocation for FY 2016, which is the same allocation amount that the city received for FY2015.

CDBG funding provides a maximum of \$25,000 for deferred repayment, 0% interest rate loans to income eligible homeowners. Each year, five to eight low and moderate-income WSP homeowners make necessary home improvements from the annual CDBG allocation to housing rehabilitation. Eligible repairs include code-mandated repairs due to deferred maintenance, upgrading mechanical or other systems to current standards, and permanent general improvements to increase property values.

Motion was made by Clpn. Halverson and seconded by Clpn. Napier to adopt Resolution No. 16-10 approving the application of the City of West St. Paul for 2016 Dakota County Community Development Block Grant (CDBG) Funding as presented. All members present voted aye. Motion carried.

E. Resolution in support for solicitation of State Health Improvement Program (SHIP) grant through Dakota County Active Living

Community Development Director Jim Hartshorn gave an overview and asked Council to consider approving a resolution in support of soliciting grant dollars from the State Health Improvement program.

Motion was made by Clpn. Bellows and seconded by Clpn. Halverson to table consideration of grant funding from the State health Improvement program (SHIP) through Dakota County Active Living as presented. Councilmembers would like to learn more about the program. All members present voted aye. Motion carried.

F. Approve Contract Extension for Dome Management Services

City Manager Matt Fulton gave an overview. Sports Facility Development and Management Group, LLC (SFDMG) has provided management and marketing services for the City since the Regional Athletic Center (Dome or RAC) opened in November, 2012. The current contract expired at the end of 2015 and the intent is to retain SFDMS for providing similar services in 2016. Staff has been happy with the service and has not received any complaints. Terms were reviewed.

Motion was made by Clpn. Armon and seconded by Clpn. Iago to approve the Management Services Agreement with the City and SFDMG, LLC as presented. All members present voted aye. Motion carried.

13. Old Business

- A. 823 Allen Avenue

Attorney Land gave an update stating that the property owner had 20 days to answer the order which she did. We will follow rules of discovery as this is being contested. It is an expedited process. In addition in her answer she alleged discrimination and damages; she claims a disability of which we were unaware. Due to this claim staff has submitted this portion to the League and they will defend this claim so we can move forward with the order.

B. Consider Approval of Parcel 116 – Part of the Robert Street Easement Acquisition

Motion was made by Clpn. Bellows and seconded by Clpn. Halverson to approve the easement acquisition settlement of parcel 116, part of the Robert Street project as presented. All members present voted aye. Motion carried.

C. Consider Approval of Parcels 87, 88, 91 – Part of the Robert Street Easement Acquisition

Motion was made by Clpn. Vitelli and seconded by Clpn. Bellows to approve the easement acquisition settlement of parcels 87, 88 and 91, which are part of the Robert Street project as presented. All members present voted aye. Motion carried.

D. LS Black Change Order

Ross gave an overview of the change order pertaining to the Phase 2 Robert Street project submitted by LS Black.

Motion was made by Clpn. Napier and seconded by Clpn. Vitelli to approve the LS Black change order in the amount of \$10,738.00 as presented. All members present voted aye. Motion carried.

Mayor Meisinger recessed the meeting at 7:16 p.m. to go into the EDA meeting. After that we will transition into a closed session to discuss a personnel issue.

The City Council reconvened into a closed session at 7:58 p.m. Attorney Land explained the closed meeting is pursuant to MN State Statute 13D.05 Subd. 2 for a personnel issue.

The meeting opened and adjourned.

David Meisinger
Mayor
City of West St. Paul

TO: Mayor and City Council
THROUGH: Matt Fulton, City Manager
FROM: Police Department
DATE: January 25, 2016
SUBJECT: City Business and Liquor Licenses



BACKGROUND INFORMATION:

Licensing Staff have reviewed the following business and liquor license applications and all requirements have been met.

All license holders must comply with all conditions placed on the property pursuant to any zoning approval.

2016 Business Licenses – Background Required

Application for Exempt Gambling Permit (Raffle) for Inver Grove Heights B.E.S.T. Foundation for an event to be held at Southview Country Club, 239 Mendota Rd E, on March 12, 2016.

FISCAL IMPACT:

Action	Fund	Department	Account	Amount
Background Fee	101	30000	34208	25.00
Total:				25.00

STAFF RECOMMENDATION:

In processing this application staff found no notable concerns or issues, nor does staff foresee any special or reasonable conditions. Council needs to consider the application for approval.



TO: Mayor and City Council
THROUGH: Matt Fulton, City Manager
Ross Beckwith, Park & Rec/PW Dir.
FROM: Dave Schletty, Asst. Parks & Rec. Dir.
DATE: January 25, 2016
SUBJECT: Approve Final Payment to Meisinger Construction for Ice Arena Bid Pack 2 Project

City of West St. Paul

BACKGROUND INFORMATION:

All construction work for the Ice Arena Bid Pack 2 project has been completed in accordance with the plans and specifications. The contractor, Meisinger Construction, has submitted all necessary paperwork and a request for final payment. There is one outstanding issue and one punch list item that are currently being addressed. The issue has to do with cleaning of the facility after construction to get it “user” ready. The City used extra resources, including volunteers, additional City staff and hired contractors in this effort. At the direction of staff, the architect is negotiating with the 2 contractors to determine a “fair share” for each to cover cleaning expenses (see attached letter). The one outstanding punch list item is with the heating system. Extra work was needed after completion and the project engineer is determining if this extra work is the responsibility of the City or if it was within the scope of Meisinger’s contract. If approved tonight, staff would like to issue partial final payment and retain \$3500 until these last 2 items are resolved. Staff does not feel these items should hold up approval of final payment minus \$3500, and along with the architect are in favor of closing this project out.

FISCAL IMPACT:

The original contract amount for the construction was \$208,000. Previously the City Council had approved change orders which increased the construction contract by \$33,166 to a new contract amount of \$241,166. With approval of this final payment amount of \$12,938, the total payments for the project will equal the revised contract amount.

		Amount
Fund:	615	
Department:	49853	
Account:	40520	\$12,938

STAFF RECOMMENDATION:

Staff recommends that the City Council accept the work on the project and that final payment in the amount of \$9,438 (\$12,938 - \$3500) be made to Meisinger Construction, with the final \$3500 being paid once staff accepts the final 2 matters as resolved.

C: John McNamara, Wold Architects & Engineers
Nick Meisinger, Meisinger Construction



CITY OF WEST ST. PAUL

1616 HUMBOLDT AVENUE, WEST ST. PAUL, MN 55118-3972

MUNICIPAL CENTER 651-552-4100
PARKS/RECREATION 651-552-4150
FAX 651-552-4190

POLICE 651-552-4200
FIRE 651-552-4176
TDD 651-322-2323

January 19, 2016

John McNamara
Wold Architects and Engineers
332 Minnesota Street
Suite W2000
Saint Paul, MN 55101

John,

Upon completion of the Ice Arena Renovation Project, the City was faced with a large clean-up project to make the facility suitable for public use. Due to delays in the project and last minute completion of a number of items involved with the project, the City was forced to do much of the clean-up ourselves, as we could not wait for the Contractors to complete this. The City was able to enlist a number of volunteers from the community and youth hockey association to help with the clean-up, but we were also forced to hire a few professionals to help with our efforts. A total of \$4,330.75 was paid by the City to two companies (see attached invoices) who helped prepare the Arena for public use. The City feels this cost should be reimbursed by one or both contractors who worked on the project, as it was within the scope of their contracts to clean-up upon completion of their work. Please advise both contractors of the City's request and direct them to send payment directly to the City for reimbursement of these expenses. This will avoid contract change orders and delay of future payments.

Thanks,

Dave Schletty
Assistant Parks & Recreation Director
City of West St Paul
651-552-4152



Buck's Flooring LLC
543 Junction Lane
Mendota Heights, MN 55118

Invoice 1158

(651)246-1382
buck@bucksflooring.net

BILL TO

Sibley Area Youth Hockey Assoc.
1670 South Robert Street, Box 291
West Saint Paul, MN 55118

SHIP TO

WSP Arena - Rubber flooring

DATE
12/08/2015

PLEASE PAY
\$2,500.00

DESCRIPTION	QTY	RATE	AMOUNT
Rubber Flooring Johnsonite: Replay (Black) 4x50	200	3.875	775.00
Rubber Flooring Johnsonite: Replay (Green Fleck) 4x50	200	4.875	975.00
Adhesive Chemrex Adhesive (5) gal	1	190.00	190.00
Demo Tear up and Disposal of old rubber Flooring	1	185.00	185.00
Installation Installation of new rubber flooring	1	375.00	375.00

TOTAL DUE \$2,500.00

THANK YOU.

A+ Carpet Cleaning

(612) 227-1950

Phone(H) 612.363.2591 (W) _____ (Other) _____

Major Cross Streets _____ Residence Type Commercial

Payment Type _____ Acct.# WSP Arena Exp. _____ Auth _____

		DESCRIPTION	PRICE
<input type="checkbox"/>	DEODORIZE		
<input type="checkbox"/>	GUARD		
		<u>Clean halls, 4 locker rooms, locker bathrooms, lobby area</u>	<u>1542.-</u>
		<u>Add 2 bathrooms</u>	<u>165.-</u>
<input type="checkbox"/>	DAMAGED		
<input type="checkbox"/>	EXCESSIVE WEAR		
<input type="checkbox"/>	SEAMS DAMAGED		
<input type="checkbox"/>	STAINS		<u>1707.-</u>
<input type="checkbox"/>	SEE SPEC. INST.		<u>123.75</u>
			<u>tax</u>
<input type="checkbox"/>	ITEMS CLEANED AT FULL CUSTOMERS RISK		
CUST INIT:			
<input type="checkbox"/>	AGE:		
TECH		SCHEDULED DATE & TIME COMMITMENT	
			SUB-TOTAL
			INVOICE TOTAL <u>1830.75</u>

Comments _____

CUSTOMER UNDERSTANDS NOTED QUALIFICATIONS. COMPANY IS RESPONSIBLE FOR THE STATED DECLARED VALUES ONLY.

CUSTOMER SIGNATURE: _____

NOT RESPONSIBLE FOR GOODS HELD OVER 90 DAYS ALL TERMS ARE C.O.D. UNLESS NOTED
 THERE WILL BE A \$30 SERVICE CHARGE ON RETURNED CHECKS
 A FINANCE CHARGE OF 1.5% WILL BE CHARGED ON ALL ACCOUNTS OVER 30 DAYS.

REMIT TO: 16251 Westgate Trail, Eden Prairie, MN 55344

On Motion of Clpn.

Seconded by Clpn.

**CITY OF WEST ST. PAUL
DAKOTA COUNTY, MINNESOTA**

RESOLUTION NO. 16-

**RESOLUTION APPROVING FINAL
PAYMENT FOR 2014 STREET IMPROVEMENTS
PROJECT NO. 14-1**

WHEREAS, pursuant to a written contract signed by the Arnt Construction Company, Inc., has satisfactorily completed, in accordance with such contract, improvements to Marie Avenue from Delaware Avenue to Charlton Street in the City known as Project No. 14-1.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WEST ST. PAUL, MINNESOTA:

The work completed under such contract is hereby accepted and approved, and,

BE IT FURTHER RESOLVED, that the City Manager and Mayor are hereby directed to issue a proper order for the final payment on such contract, in the amount of \$37,634.08, taking the contractor's receipt in full.

Adopted by the City Council this 25th day of January, 2016.

Ayes: Nays:

David Meisinger, Mayor

Attest: _____
Chantal Doriott, City Clerk

TO: Mayor and City Council
THROUGH: City Manager
FROM: PW & Parks Dir./City Engineer
DATE: January 25, 2016
SUBJECT: Approve Final Payment for 2014 Street Improvements – Project #14-1



City of West St. Paul

BACKGROUND INFORMATION:

All work on the 2014 Street Improvement Project has been completed in accordance with the plans and specifications. This project involved improvements to Marie Avenue from Delaware Avenue to Charlton Street. The contractor, Arnt Construction Company, Inc., has submitted all necessary paperwork and a request for final payment. Staff is in favor of closing this project out and beginning the one-year warranty period.

FISCAL IMPACT:

The original contract for this project was \$892,925.80. Change Order #1, approved by City Council on January 12, 2015 revised the contract amount to \$915,691.84. The final total amount owed the contractor is \$913,741.67.

		Amount
Fund:	402	
Department:	43121	
Account:	41141	\$37,634.08

STAFF RECOMMENDATION:

Staff recommends that the City Council accept the work on the 2014 Street Improvements Project #14-1 and that final payment in the amount of \$37,634.08 be made to Arnt Construction Company, Inc.

C: Chuck Price, Eng. Tech. III
Brian Hilgardner, Bolton & Menk, Inc.
Nick Arnt, Arnt Construction

TO: Mayor and City Council
FROM: Matt Fulton, City Manager
THROUGH: Ross Beckwith, PW & Parks Dir. / City Eng.
DATE: January 25, 2016
SUBJECT: Approve Purchase of PW Capital Equipment



BACKGROUND INFORMATION:

In the approved 2016 budget, there are capital purchases items for the Public Works/Parks Department which are each over \$25k and so require Council approval. All of these items are replacements of older existing equipment. Each of the proposed purchases are within the budgeted amounts and are discussed below:

1) Replacement of Street/Utility Division Pick-Up Truck.

The 2016 budget includes \$35,000 for the scheduled replacement of this 2005 pick-up truck. This replacement is consistent with the City's equipment replacement schedule & is the only pick-up replacement for the Public Works Dept. within the 2016 budget. The new truck is planned to be used full-time by the Street/Utility Superintendent as a replacement for his current 2005 pick-up. The old 2005 truck will be sent to auction once the new truck is received. If the truck is not replaced, increased vehicle maintenance costs will be incurred in order to keep it operational to the level which it is utilized. This vehicle will be purchased off of the MN State Bid Contract.

	<u>Cost</u>
2016 Pick-Up Truck	\$31,900

2) Replacement of two Dump Trucks: Units #30 and #57.

The 2016 budget includes the replacement of two 2001 single axle dump trucks in the amounts of \$215,000 each. This replacement is consistent with the City's equipment replacement schedule. These dump trucks are used in winter to plow snow and haul away snow. In the non-winter months, they are used for hauling asphalt, rock, tree debris and for pulling the tree chipper. The old trucks will be traded in with the purchase of the new trucks and the prices below reflect the differences in trade-in value. These dump trucks will be purchased off of the MN State Bid Contract.

	<u>Cost</u>
2016 Single Axle Dump Truck Unit #30	\$187,800
2016 Single Axle Dump Truck Unit # 57	\$185,600
Total Cost of Two Dump Trucks	\$373,400

3) Replacement of Street Division Skid Steer.

The 2016 budget includes \$39,000 for the scheduled replacement of this 2001 Bobcat skid steer. This replacement is consistent with the City's equipment replacement schedule. The new skid steer is used by the Street Division for paving and patching operations and snow removal in the winter. If the skid steer is not replaced, increased maintenance costs will be incurred in order to keep it operational to the level which it is utilized. The old skid steer will be traded in with the purchase

of the new one. This piece of equipment will be purchased off of the MN State Bid Contract and is not available at this price nice month.

2016 Bobcat	<u>Cost</u> \$38,944
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FISCAL IMPACT:

		Amount
Fund:	401	
Department:	43100	
Account:	Various	\$442,244

STAFF RECOMMENDATION:

Staff recommends that the City Council approve the capital purchases for the Public Works/Parks department of a replacement pick-up truck, two replacement single axle dump trucks and a replacement skid steer for a total cost \$442,244.



TO: Mayor and City Council
THROUGH: Matt Fulton, City Manager
Ross Beckwith, Park & Rec/PW Dir.
FROM: Dave Schletty, Assistant Park & Rec Dir.
DATE: January 25, 2016
SUBJECT: DNR Community Forest Grant Solicitation

City of West St. Paul

SUBJECT:

Resolution authorizing the solicitation of grant funding from the MN Department of Natural Resources (DNR).

REQUEST:

Approve the attached resolution of support soliciting grant dollars from the MN Department of Natural Resources (DNR). Over the years, the City has been successful with other DNR grants. Grant dollars were awarded to the City in 2011 for reforestation of boulevard and park trees. The current grant opportunity revolves around community involvement with urban forests. Based on discussions with the Environmental Committee, Park & Rec Committee and City Staff, the City is proposing the following application:

\$30-50k request to carry out a number of City Forest related issues. This includes but is not limited to education and outreach to residents about urban forest related issues such as EAB, completing the tree inventory for trees in all public parks (boulevard tree inventory was completed in 2014), equipment purchases and new tree plantings in parks and on boulevards. In addition, the Environmental Committee recently discussed interest in helping with the education and outreach to the community.

FISCAL IMPACT:

		Amount
Fund:	101	
Department:	43100	
Account:	40226	\$6,250

The application requires a 25 percent local match of which half may be in-kind support, therefore the City would be responsible for up to \$6,250 to complete the proposed projects. Staff is recommending funding this project from available fund balance in the Street Department Forestry Fund. There are sufficient funds to cover this due to an increase in 2016 for EAB management.

ATTACHMENTS:

Resolution of support for the application and summary information about the grant.

**CITY OF WEST ST. PAUL
RESOLUTION NO. 16-**

**RESOLUTION AUTHORIZING SOLICITATION
OF GRANT FUNDING FROM THE MINNESOTA DEPARTMENT OF
NATURAL RESOURCES**

WHEREAS, the City of West St. Paul has identified a proposed project within the City that meets the Department of Natural Resources (DNR) Grant program's purposes and criteria; and

WHEREAS, the City has the capability and capacity to ensure the proposed projects be completed and administered within the DNR guidelines as outlined in the grant application; and

WHEREAS, the City has the legal authority to apply for financial assistance; and

NOW THEREFORE BE IT RESOLVED that the City of West St. Paul approves the applications for funding from Minnesota Department of Natural Resources.

BE IT FURTHER RESOLVED that upon approval of its application by the DNR, Dave Schletty, the Assistant Parks and Recreation Director, is hereby authorized to execute such agreements as are necessary to receive and use the funding for the proposed project.

Adopted by the City Council of the City of West St. Paul this 25th day of January, 2016

Ayes: Nays:

Attest:

David Meisinger, Mayor

Chantal Doriott, City Clerk

Media contacts: Ken Holman, DNR community forestry program coordinator, ken.holman@state.mn.us, 651-259-5269.

DNR offers grants to improve community forests using volunteers

DNR offers grants to improve community forests using volunteers

The Minnesota Department of Natural Resources is accepting proposals for grants to use volunteers for work on community forests, such as planting, pruning and watering trees.

The Improving Community Forests Through Citizen Engagement program provides grants of up to \$50,000 to cities, towns, counties and nongovernment organizations to engage volunteers in improving their community forests. About 8 to 12 grants will be awarded. A 25 percent match is required, of which 50 percent can be in-kind contributions.

“These grants will fund model programs for how Minnesota’s cities and towns can mobilize citizen volunteers to help protect and improve Minnesota’s community forests,” said Ken Holman, DNR community forestry program coordinator.

Project partners from the DNR, University of Minnesota, Conservation Corps of Minnesota & Iowa, Tree Trust and HandsOn Twin Cities will work closely with applicants to develop their grant proposal including assistance with identifying program activities, goals and project outcomes.

Grant funds can be used to conduct activities such as:

- Recruiting and training citizen volunteers.
- Updating or developing tree inventories.
- Developing a citywide community forestry plan.
- Creating gravel beds to help grow tree roots.
- Planting, pruning and watering trees.
- Conducting early detection of tree pests.

Applications must be postmarked on or before Monday, Feb. 8. Visit mndnr.gov/cfgrant/index.html for more information.

Funding for this project was provided by the Minnesota Environment and Natural Resources Trust Fund as recommended by the Legislative-Citizen Commission on Minnesota Resources.

The trust fund is a permanent fund constitutionally established by Minnesotans to assist in the protection, conservation, preservation and enhancement of the state’s air, water, land, fish, wildlife and other natural resources.

TO: Mayor and City Council
THROUGH: Matt Fulton, City Manager
FROM: Community Development Department
DATE: January 25, 2016
SUBJECT: City Rental Licenses



City of West St. Paul

BACKGROUND INFORMATION:

2016 Rental Business Licenses – Background Required

According to the Rental Dwelling Ordinance, the city requires a background investigation for each applicant. In addition, the Police Department reviewed calls for service to the properties to help identify potential problem properties.

The Community Development Department reviewed the application, inspection report, rental density, and code compliance requirements. The current rental density map shows no available rentals for the block however one of the listed rentals recently became owner occupied. The rental density map will be adjusted accordingly.

The background investigation, inspection report and code compliance review on the property listed below did not identify any incidents that would result in a denial of the rental license.

Applications/Rentals for approval:

1185 Hall – Kareem Smith (single-family unit)

FISCAL IMPACT:

Application Fees Received:		Amount:
Fund:	101	
Department:	30000	
Account:	32170	\$290

STAFF RECOMMENDATION:

Staff recommends City Council approve the license application.

TO: Mayor & City Council
THROUGH: City Manager
FROM: City Attorney
DATE: January 25, 2016
SUBJECT: 2nd Reading on Charter Amendment 3.01

CITY OF WEST ST. PAUL	
AGENDA ITEM: _____	
ATTACHMENTS: _____ 1 _____	

BACKGROUND INFORMATION

On December 1, 2015, the Charter Commission met for its annual meeting and discussed an amendment to City Charter Section 3.01 regarding Special Meetings, so that the identities of the requestors are included in a special meeting notice. The Council held a first reading on the Charter Amendment on December 15, 2015. This is a public hearing and final reading.

Charter Amendments must be adopted as follows:

1. The Charter Commission and the City Council must agree on identical language for the amendment;
2. The City Council must hold two readings, one of which is a public hearing after it has been published in the official newspaper;
3. The City Council must adopt the amendment unanimously, including the Mayor;
4. The Charter Amendment becomes effective 90 days after adoption and publication.

It is recommended that if the amendment passes, it be published by summary publication, so as to avoid additional costly publication fees. A summary has been incorporated into the ordinance.

FISCAL IMPACT:

none

STAFF RECOMMENDATION:

Hold the public hearing and consider the amendment to City Charter Section 3.01, which must be adopted unanimously by all members of the Council.

ORDINANCE NO. _____
CITY OF WEST ST. PAUL
DAKOTA COUNTY, MINNESOTA

**AN ORDINANCE AMENDING SECTION 3.01 OF THE WEST ST. PAUL CITY
CHARTER REGARDING SPECIAL MEETINGS**

The City Council of West St. Paul does ordain:

SECTION 1. West St. Paul City Code Section 3.01 Subd. 2 relating to Special Meetings is hereby amended as follows:

Sec. 3.01 Council Meetings. All meetings of the Council are public meetings, except as otherwise permitted by law. Any person may inspect the minutes and records of the Council meetings at reasonable times and may request copies thereof, pursuant to the Minnesota Government Data Practices Act, or as may be amended.

Subd. 1. Regular Meetings. On the first business day of January in the year following a regular municipal election, the Council shall meet at the usual place and time for the holding of Council meetings. At this time, the newly elected members of the Council shall take their oath of office and assume their duties. Thereafter, the Council shall meet at such times each month as may be prescribed by ordinance or resolution.

Subd. 2. Special Meetings. The Mayor or any 3 members of the Council may call special meetings of the Council upon at least 3 business days advance written notice to each member of the Council. The written notice must ~~also identify who requested the meeting and~~ state the item or items to be discussed at the special meeting.

Subd. 3 Emergency Meetings. The Mayor or any 3 members of the Council may call emergency meetings of the Council upon at least 24 hours' notice to each member of the Council delivered personally to each member or left at his or her usual place of residence with a responsible person.

SECTION 2. SUMMARY PUBLICATION. Pursuant to Minnesota Statutes Section 412.191, in the case of a lengthy ordinance, a summary may be published. While a copy of the entire ordinance is available without cost at the office of the City Clerk, the following summary is approved by the City Council and shall be published in lieu of publishing the entire ordinance:

This Charter Amendment adds a requirement that the identity of persons requesting a special meeting must be identified in the notice of a special meeting.

SECTION 3. EFFECTIVE DATE. This Ordinance shall be in full force and effect from and after its passage and publication according to law.

Passed this ____ day of _____, 2016.

Ayes:

Nays:

Attest:

David Meisinger, Mayor

Chantal Doriott, City Clerk

TO: Mayor and City Council
THROUGH: Matt Fulton, City Manager
 Ross Beckwith, Park & Rec/PW Dir.
FROM: Dave Schletty, Assistant Park & Rec Dir.
DATE: January 25, 2016
SUBJECT: Consider Sign Advertising Agreement with Sibley Area Youth
 Hockey Association



City of West St. Paul

BACKGROUND INFORMATION:

Attached is an agreement between the City & Sibley Area Youth Hockey Association (SAYHA) to sell advertising space within the West St. Paul Ice Arena. An identical agreement was agreed upon in 2011 with the West St Paul Youth Athletic Association (WSPYAA), but was dissolved shortly after when SAYHA formed and took over hockey from WSPYAA. There was also a similar agreement in place in 1999-2000. SAYHA had an interest in restarting this program and has in fact already sold 18 dasher board ads while staff was negotiating the agreement. Staff is working on finding out the value of these ads. Given the history staff feels the agreement is fair. A summary of significant items in the agreement is explained below:

- a) Term - The term of the agreement is from September 1, 2015 through August 31, 2016, and renewable annually unless notice is given by either party.
- b) Payment of Fees - SAYHA shall pay the City ten percent (10%) of Gross Revenue generated for the sale of all Signs annually.
- c) Indemnification & Liability – City shall not be liable to SAYHA for any damages to Signs installed pursuant to this Agreement, except for willful acts or omissions of City.
- d) The City shall have the exclusive right to approve or deny all advertising or displays in the Arena.

FISCAL IMPACT:

		Amount
Fund:	615	
Department:	30000	
Account:	38049	N/A

The revenue generated from the City’s 10% share of gross revenue from the signs will help offset the cost to run the arena.

STAFF RECOMMENDATION:

Staff recommends that the City Council approve the attached agreement with Sibley Area Youth Hockey Association to sell advertising space within the West St. Paul Ice Arena.

ICE ARENA ADVERTISING AGREEMENT

THIS AGREEMENT (“Agreement”) is entered into this _____ day of _____, 2016 (“Effective Date”) by and between the City of West St. Paul (the “City”), 1616 Humboldt Ave., West St. Paul, and the Sibley Area Youth Hockey Association (the “SAYHA”), _____.

RECITALS

On the terms set forth below, the parties have agreed that the City will contract with SAYHA to sell advertising space within the West St. Paul Ice Arena for the agreed upon fees and terms.

AGREEMENT

NOW, THEREFORE, for due consideration, which is hereby acknowledged by the parties, it is agreed that:

1. Definitions. The following terms shall have the meanings ascribed to them below:

1.1 “Arena” shall mean The West St. Paul Ice Arena located at 60 Emerson, West St. Paul.

1.2 “Signs” shall mean signage, including ice re-surfacers, in-ice logos, scoreboards, dasher boards, Plexiglas barriers and walls, or in such others areas as mutually agreed upon in writing by the parties.

1.3 “Sponsors” shall mean the companies or enterprises that choose to pay a monetary sum for Signs, which are to be placed within Arena for advertising purposes.

1.4 “Contract Year” means September 1 of a calendar year to August 31 of the immediately succeeding contract year. *For the first year, the Contract Year shall be from the Effective Date through August 31, 2016. Following August 31, 2016, the Contract Year shall mean as stated above.*

1.5 “Gross Revenue” means the total revenue generated from the Sign contracts entered into between SAYHA and the Sponsors, prior to the deduction of costs and expenses.

2. Rights and Responsibilities of the SAYHA

2.1 The SAYHA is responsible for the installation, repair, replacement and removal of all Signs within the Arena. All costs that are associated with the installation, repair, replacement or removal of Signs are the sole responsibility of the SAYHA. All costs associated with any

damage to the Arena as a result of the installation, repair, replacement or removal of Signs are the sole responsibility of SAYHA.

2.2 The SAYHA shall maintain Signs in good working order and appearance, and shall perform any minor maintenance or repair of Signs as soon as practical following written notice of the need thereof by the City.

2.3 The SAYHA is responsible for the cost of any repair, replacement or removal of Signs as a result of routine maintenance of the Arena by the City.

2.4 The SAYHA shall provide to the City a copy of all contracts between SAYHA and the Sponsors for Signs. Said contracts shall include the Sponsor's name, business address, contract price, term, the proposed location of the Sign within the Arena, as well as a graphic or digital copy of the proposed Sign. Such graphic or digital copy of the proposed Sign shall be submitted to the City's Assistant Parks & Recreation Director at least 15 days prior to the installation of the Sign.

3. Term. Unless terminated earlier as provided below, the term of this Agreement will be set forth as the definition of the Contract Year. This Agreement shall automatically renew for succeeding Terms unless Notice is provided by July 31 of the Contract Year.

4. Advertising Rights.

4.1 The City shall have the exclusive right to approve or deny all advertising or displays in the Arena. If the City does not accept or reject the Sign within 15 days after it is submitted to the City's Assistant Parks & Recreation Director, it is deemed approved. No Sign may contain or involve the use of contraception, pornography, politics, or tobacco products or obscene, immoral or indecent pictures or graphics.

4.2 Nothing herein shall be interpreted to consent, or otherwise grant the Sponsor the right to use the City's logo unless specifically approved prior to use in writing by the City, at the City's sole discretion.

5. Payment of Fees. In consideration for the rights granted it in this Agreement, the SAYHA shall pay the City a fee equal to ten percent (10%) of Gross Revenue generated for the sale of such Signs. Payment is due to the City on or before August 31 for each Contract Year.

6. Termination. Either party shall have the right to terminate this Agreement upon thirty (30) days' prior written notice in the event that the other party shall breach or otherwise fail to perform a material provision of this Agreement and such breach or failure to perform is not cured within 30 days after being given written notice.

7. Indemnification and Liability. City shall not be liable to SAYHA for any damages to Signs installed pursuant to this Agreement, except for willful acts or omissions of City. SAYHA waives all claims against City for damage to persons or property arising for any reason out of the SAYHA's use of the Arena, except for willful acts or omissions of City. SAYHA shall hold City

harmless from all damages to any person or property occurring in, on, or about the Arena which stems from the SAYHA's use of the Arena, except for willful acts or omissions of City. In no event shall the City be liable to the Sponsors for any damages, of whatever nature, including, but not limited to, consequential, direct, general, or lost profits.

8. General

8.1 Assignment. This Agreement shall not be assigned or transferred without the prior written consent of the City.

8.2 Amendments. Any amendments to this Agreement shall be in writing and executed by each party.

8.3 Notices/Administration. All notices, requests and other communications that a party is required or elects to deliver shall be in writing and shall be delivered personally, or by facsimile (provided such delivery is confirmed), or by a recognized overnight courier service or by United States mail, first class, certified or registered, postage prepaid, return receipt requested, to the other party at its address set forth below or to such other address as such party may designate by notice given pursuant to this section:

If to SAYHA:

If to the City: City of West St. Paul
 Attn: Parks and Recreation Director
 1616 Humbolt Avenue
 West St. Paul, MN 55118

8.4 Effect of Prior or Collateral Agreements. This Agreement (including all addenda, exhibits, and schedules) is intended by the parties as the final and binding expression of their agreement and as the complete and exclusive statement of its terms. This Agreement cancels, supersedes and revokes all prior negotiations, representations and agreements among the parties, whether oral or written, relating to the subject matter of this Agreement.

8.5 Severability. If any provision contained herein shall be deemed or declared unenforceable, invalid, or void the same shall not impair any of the other provisions contained herein, which shall be enforced in accordance with their respective terms.

8.6 Applicable Law; Choice of Forum. The laws of the state of Minnesota shall govern the validity, construction, and enforceability of this Agreement, without giving effect to its conflict of laws principles. All claims or causes of action arising out of the negotiation, performance, or breach of this Agreement shall be brought in the courts of Dakota County in the state of Minnesota, and in no other court or location.



City of West St. Paul

TO: Mayor and City Council
THROUGH: Matt Fulton, City Manager
Jim Hartshorn, Comm. Dev. Dir.
FROM: Ben Boike, Assistant Comm. Dev. Dir.
DATE: January 25, 2016
SUBJECT: First Reading: Ordinance amending the definition of Dwelling Unit

BACKGROUND:

Per the discussion at the January 11, 2016 open council meeting, Staff has drafted the attached ordinance regarding the definition of Dwelling Unit. Since the current definition conflicts with the definition of “Family” in Section 435 of the City Code, Staff is proposing to remove the language “or a congregate residence of ten or less persons” from the definition.

PLANNING COMMISSION:

The Planning Commission will review the proposed amendment at the February 16, 2016 meeting.

FISCAL IMPACT:

N/A

	Amount
<i>Fund:</i>	
<i>Department:</i>	
<i>Account:</i>	

STAFF RECOMMENDATION:

Staff recommends that the Council approve the first reading.

ATTACHMENT:

Ordinance amending Sections 3.2

TIMELINE:

Jan 25, 2016 – Council first reading
Feb 16, 2016 – Planning Commission (public hearing)
Feb 22, 2016 – Council final reading (public hearing)

Ord. No. 16-

**CITY OF WEST ST. PAUL
DAKOTA COUNTY, MINNESOTA**

**AN ORDINANCE AMENDING
WEST ST. PAUL ZONING ORDINANCE SECTION 3.2,
REGARDING THE DEFINITION OF
DWELLING UNIT**

The City Council of West St. Paul does ordain:

SECTION 1. AMENDMENT. West St. Paul Zoning Ordinance Section 3.2 is hereby amended as follows:

55. Dwelling Unit. A Building or portion thereof which contains living Facilities including provisions for sleeping, eating, cooking and sanitation for not more than one family ~~or a congregate residence for ten or less persons.~~

SECTION 2. EFFECTIVE DATE. This ordinance shall be in full force and effect from and after its passage and publication according to law.

Passed this _____ day of _____, 2016.

Ayes:

Nays:

Attest:

David Meisinger, Mayor

Chantal Doriott, City Clerk

TO: Mayor and City Council
THROUGH: Matt Fulton, City Manager
FROM: Sherrie Le, Assistant City Mgr.
DATE: January 20, 2016
SUBJECT: 2016 Pay Equity Compliance Report



City of West St. Paul

BACKGROUND INFORMATION: BACKGROUND INFORMATION: The State of Minnesota requires that we submit a report to the Employee Relations Division of the Department of Management and Budget every three years using the State's Pay Equity software. The analysis shows we are in compliance with most of the tests. However, we are not in compliance with the exceptional service pay test and will have to ask for reconsideration, which is a formal process that occurs after we are found not to be in compliance. The tests are:

- Completeness and Accuracy – pass.
- Report submitted by January 31 or the year it is required – will pass upon Council approval.
- Underpayment Ratio calculated by the State's software using our data effective 12-31-15 is greater than 80% - Test result is 93.6%, pass.
- Salary Range test is 80% or above or results in zero –Resulted in zero, pass.
- Report posted in City Library and on employee bulletin boards and sent to union business agents – will be posted and sent upon Council approval.
- **Exceptional Service Pay Test is 80% or results in zero – Not Passed.**

We did not pass this test for the following reason. All salaried employees are now eligible for merit pay and there are many more males than females in salaried positions. The last time we were required to report to the State, only department heads and assistant department heads were eligible. We now have ten job classes eligible for merit pay and only two of those classes have female incumbents.

Failure of this test will require requesting reconsideration from the State Pay Equity Coordinator. We will explain that this result is not due to gender bias. All salaried females received merit pay. We just happen to have quite a few more males than females in the eligible job classes. This may or may not suffice as an argument but the State will work with us and allow us time to comply.

FISCAL IMPACT: If we are not found in compliance, after reconsideration, we can receive a penalty of \$100 per day or a 5% loss in local government aid.

STAFF RECOMMENDATION: Request approval of attached report to meet required deadline.

Compliance Report

Jurisdiction: West St. Paul
1616 Humboldt Avenue

Report Year: 2016
Case: 1 - 2015 data (Private (Jur Only))

West St. Paul MN 55118

Contact: Sherrie Le

Phone: (651) 552-4108

E-Mail: sle@wspmn.gov

The statistical analysis, salary range and exceptional service pay test results are shown below. Part I is general information from your pay equity report data. Parts II, III and IV give you the test results.

For more detail on each test, refer to the Guide to Pay Equity Compliance and Computer Reports.

I. GENERAL JOB CLASS INFORMATION

	Male Classes	Female Classes	Balanced Classes	All Job Classes
# Job Classes	25	18	1	44
# Employees	62	20	2	84
Avg. Max Monthly Pay per employee	7,195.26	6,047.66		6,865.86

II. STATISTICAL ANALYSIS TEST

A. Underpayment Ratio = 93.60 *

	Male Classes	Female Classes
a. # At or above Predicted Pay	12	8
b. # Below Predicted Pay	13	10
c. TOTAL	25	18
d. % Below Predicted Pay (b divided by c = d)	52.00	55.56

*(Result is % of male classes below predicted pay divided by % of female classes below predicted pay.)

B. T-test Results

Degrees of Freedom (DF) = 80	Value of T = 0.924
------------------------------	--------------------

a. Avg. diff. in pay from predicted pay for male jobs = \$27

b. Avg. diff. in pay from predicted pay for female jobs = (\$76)

III. SALARY RANGE TEST = 0.00 (Result is A divided by B)

A. Avg. # of years to max salary for male jobs = 6.33

B. Avg. # of years to max salary for female jobs = 0.00

IV. EXCEPTIONAL SERVICE PAY TEST = 34.72 (Result is B divided by A)

A. % of male classes receiving ESP 32.00 *

B. % of female classes receiving ESP 11.11

*(If 20% or less, test result will be 0.00)



City of West St. Paul

TO: Mayor and City Council
THROUGH: City Manager
FROM: PW & Parks Dir./City Engineer
DATE: January 25, 2016
SUBJECT: Resolution to Authorize the Parks And Public Works Director/City Engineer and City Attorney to Make Offers to Purchase Interests in Real Property for the Wentworth Trail/Bellows Sidewalk-Project #14-6

BACKGROUND INFORMATION:

As Council may recall, in early 2014 the City submitted a Safe Routes To School (SRTS) federal grant application for the installation of a trail along the north side of Wentworth Ave., from Charlton to Bellows, and a sidewalk along the west side of Bellows St., from Wentworth to Thompson. The City was notified in summer 2014 that we were successful in obtaining a SRTS grant of \$125k toward the project. Because the trail is along Wentworth Ave., a Dakota County roadway, the County is also a partner on the project.

The City has WSB & Associates for the preliminary engineering work on the project. Preliminary engineering typically covers all work prior to construction beginning; this includes right-of-way acquisition.

The City of West St. Paul is authorized to acquire real estate which is needed for public use or purposes. The City has retained a certified general appraiser, Kelly Lindstrom. The appraisal process includes the initial appraisal and a review appraisal by a second independent appraiser. The appraised amounts are listed on the attached Exhibit A. If approved by the City Council, offers will be made based on the appraisals beginning on January 26, 2016. Properties where an offer is not accepted will be subject to the condemnation process. The Project construction schedule contemplates that work will begin in June of 2016. It is necessary that the City have title and possession to the necessary right of way interest for the Project before construction contracts may be let. The Council is requested therefore to authorize the acquisition of property necessary for the Project by negotiation and eminent domain. Tabling the action could jeopardize funding as it would impair our ability to acquire the property interests necessary prior to awarding the contract on the time schedule required for completion of the project.

FISCAL IMPACT:

The City's CIP (Capital Improvement Plan) for 2016 shows a total project budget of \$290,000 for this proposed project. The project estimate as reflected in the CIP identifies a "land" cost of \$20,000.

		Amount
Fund:	551	
Department:	43121	
Account:	41146	\$132,400

STAFF RECOMMENDATION:

Staff recommends that the City Council Authorize the Parks and Public Works Director/City Engineer and City Attorney to Make Offers to Purchase Interests in Real Property for the Wentworth Trail/Bellows Sidewalk-Project #14-6.

C: Chuck Price, Eng. Tech. III
John Powell, WSB & Associates

**CITY OF WEST ST. PAUL
DAKOTA COUNTY, MINNESOTA**

RESOLUTION NO. 16-

**RESOLUTION TO AUTHORIZE THE PARKS AND PUBLIC WORKS
DIRECTOR/CITY ENGINEER AND CITY ATTORNEY TO MAKE OFFERS
TO PURCHASE AND, IF NECESSARY, EXERCISE EMINENT DOMAIN TO
ACQUIRE INTERESTS IN REAL PROPERTY FOR THE
WENTWORTH TRAIL/BELLOWS SIDEWALK-PROJECT #14-6**

WHEREAS, the City of West St. Paul (the "City"), is legally authorized to acquire real property which is needed for public use or purposes; and

WHEREAS, the City intends to construct trail improvements at Wentworth Avenue and sidewalk improvements at Bellows Street as a part of the Safe Routes to School federal grant that it received (the "Project"); and

WHEREAS, the construction of the Project will require the acquisition of various land in permanent and temporary easements by the City as set forth and depicted in Exhibit A attached hereto and incorporated herein; and

WHEREAS, the Project with the necessary acquisition of these various property easements is a public purpose under Minnesota Statutes Chapter 117; and

WHEREAS, the City has retained an independent appraiser, Kelly Lindstrom, to determine the fair market value of the property interests proposed to be acquired; and

WHEREAS, the City's has also obtained a review appraisal prepared by a second independent appraiser; and

WHEREAS, the City will use the appraisal data to make offers to purchase the necessary property interests and rights from each of the Owners contingent on the approval of the City Council; and

WHEREAS, the City will be responsible for acquisition of the lands in permanent and temporary easement required for the Project from the properties denoted, described and depicted in Exhibit A, which is subject to minor changes; and

WHEREAS, the Project construction schedule contemplates that construction of the Project trail and sidewalk improvements will begin in the summer of 2016; and

WHEREAS, it is necessary that the City have title and possession to the property interests and rights set forth in Exhibit A for the Project before construction contracts are let and construction begins.

WHEREAS, Minnesota Statutes Section 117.042 authorizes the City to acquire the property interests and rights on a timely basis pursuant to the quick take procedure authorized by said statute; and

WHEREAS, the City Council desires to facilitate and expedite the Project through the exercise of condemnation under the municipal power of eminent domain, if the City is unable to negotiate the purchase of the interests;

NOW THEREFORE, BE IT RESOLVED, by the City Council of West St. Paul, Minnesota:

1. The recitals set forth above are incorporated herein.
2. The City Attorney and Public Works Director/City Engineer are authorized and directed to take all steps necessary to acquire the property interests, rights and interests described and depicted on the attached Exhibit A by negotiation or condemnation by the filing an action in eminent domain and the use of the quick take procedure authorized under Minnesota Statutes Section 117.042. The City Attorney and City Attorney are hereby authorized to make offers to purchase interests in real property set forth in Exhibit A for the for the Wentworth Trail/Bellows Sidewalk-Project #14-6.

Adopted by the City Council of the City of West St. Paul, Minnesota this 25th day of January, 2016.

Ayes:

Nays:

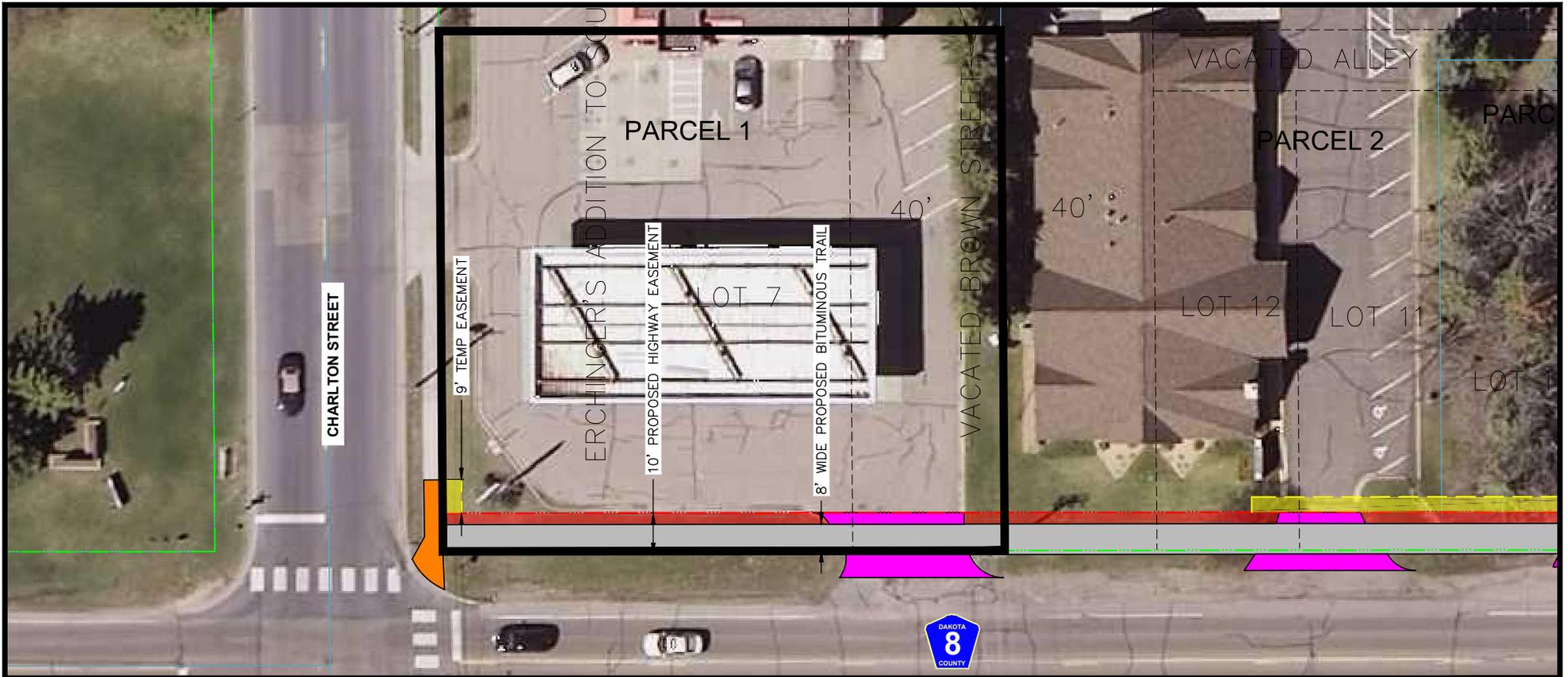
Attest:

David Meisinger, Mayor

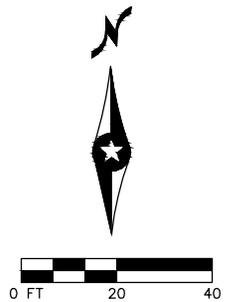
Chantal Doriott, City Clerk

EXHIBIT A

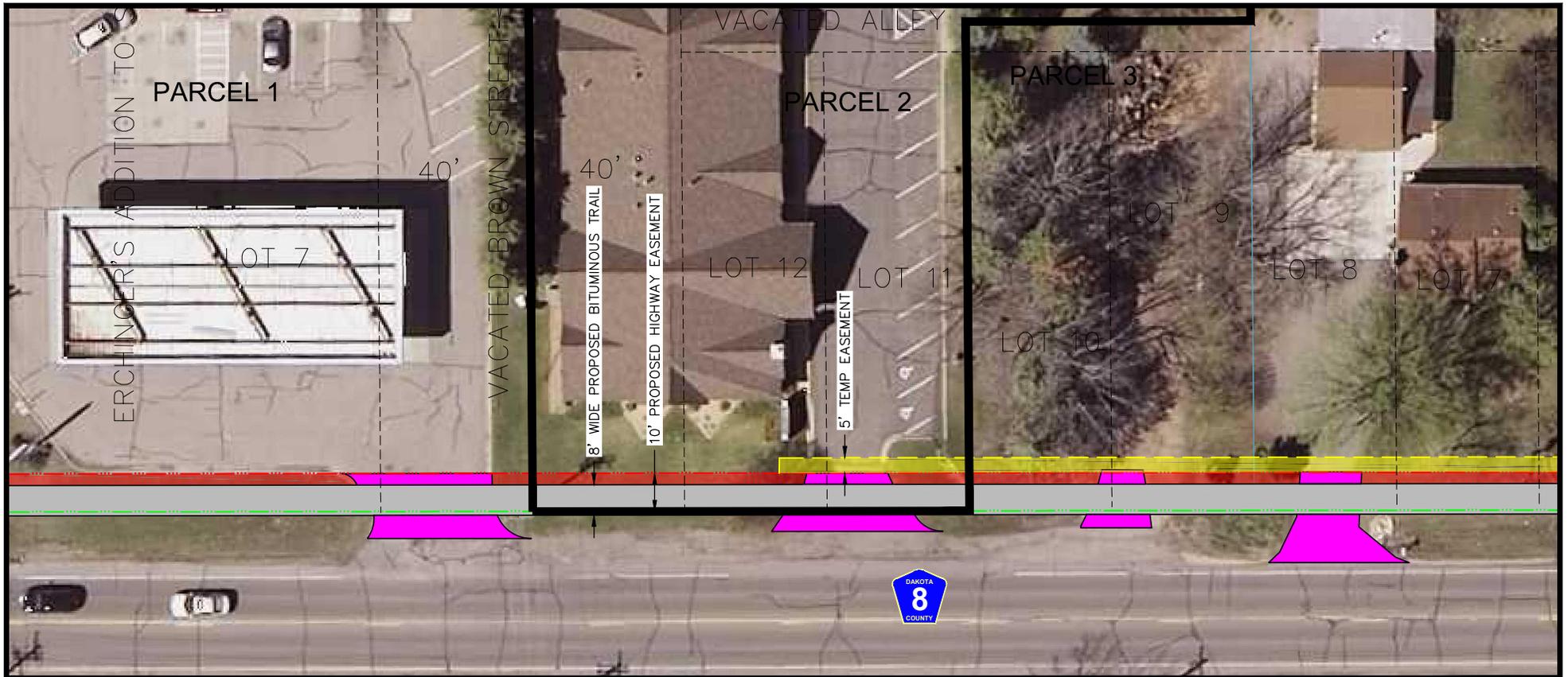
<u>Parcel No.</u>	<u>Dakota County PIN</u>	<u>Property Owner</u>	<u>Permanent Highway Easement (SF)</u>	<u>Temporary Easement (SF)</u>	<u>Authorized Offer Amount</u>
Parcel 1	#42-24200-11-070	Inter City Oil Co., Inc.	1,470	45	\$ 21,600
Parcel 2	#42-24200-10-141	J.A. Willwerscheid and Son, Inc.	1,150	250	\$ 18,900
Parcels 3/4	#42-24200-10-100/ 42-24200-10-080	Joan M. Kopp	2,650	1,325	\$ 48,600
Parcel 5	#42-01900-23-010	Austin-Speckmann, LLC	<u>3,000</u>	<u>475</u>	<u>\$ 43,300</u>
		Totals	8,270	2,095	\$ 132,400



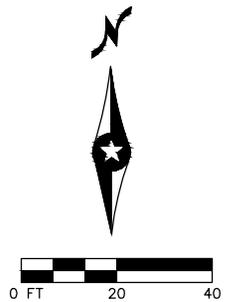
Legend			
	EXISTING ROW		PROPOSED ROW HATCH
	PROPOSED ROW		BITUMINOUS TRAIL
	TEMPORARY EASEMENT		SIDEWALK
	TEMPORARY EASEMENT HATCH		DRIVEWAY



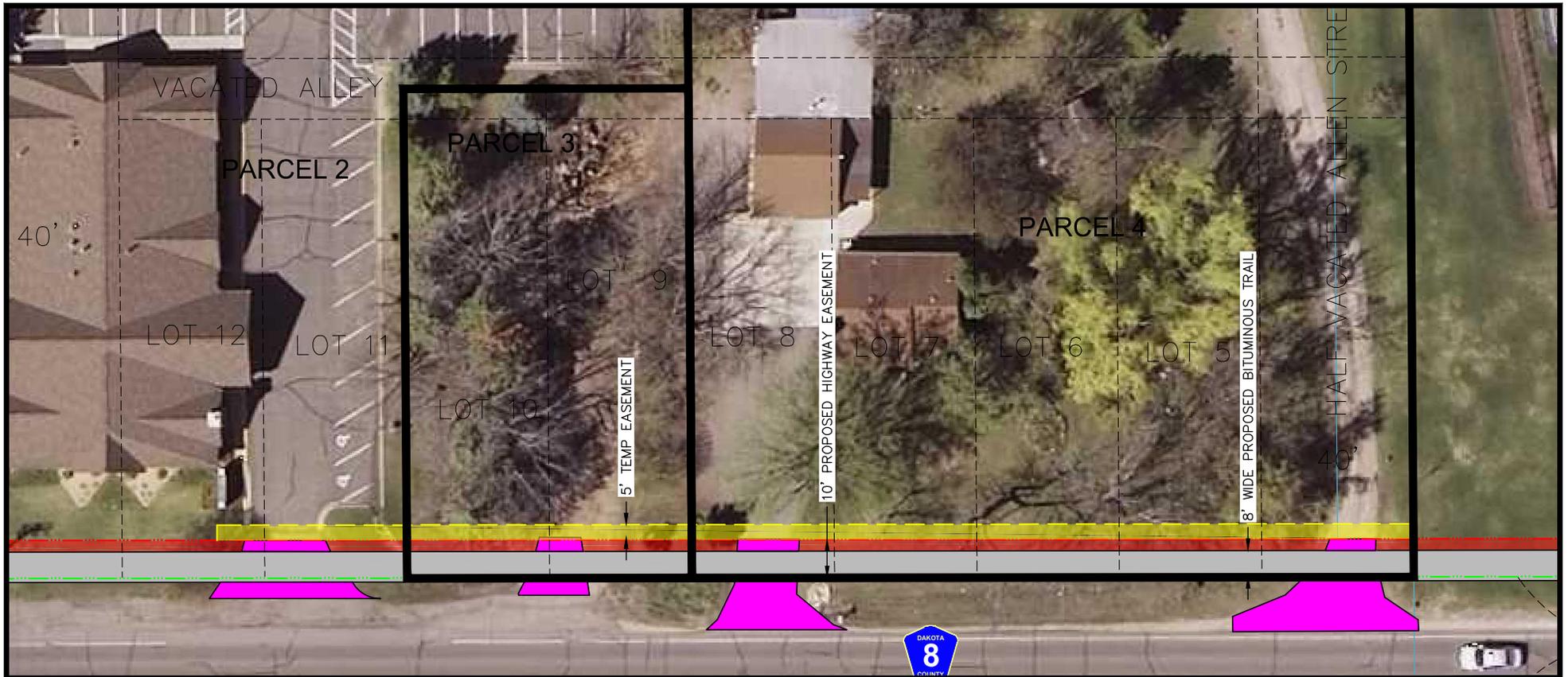
West St. Paul Safe Routes to School Project
 PARCEL 1: Easement Parcel Sketch (CSAH 8)
 West St. Paul, MN | SP 173-591-002 | PM November 2015
 EASEMENT AREA = 1470 sq ft
 TEMP AREA = 45 sq ft



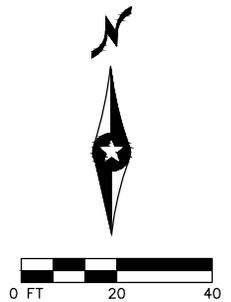
Legend			
	EXISTING ROW		PROPOSED ROW HATCH
	PROPOSED ROW		BITUMINOUS TRAIL
	TEMPORARY EASEMENT		SIDEWALK
	TEMPORARY EASEMENT HATCH		DRIVEWAY



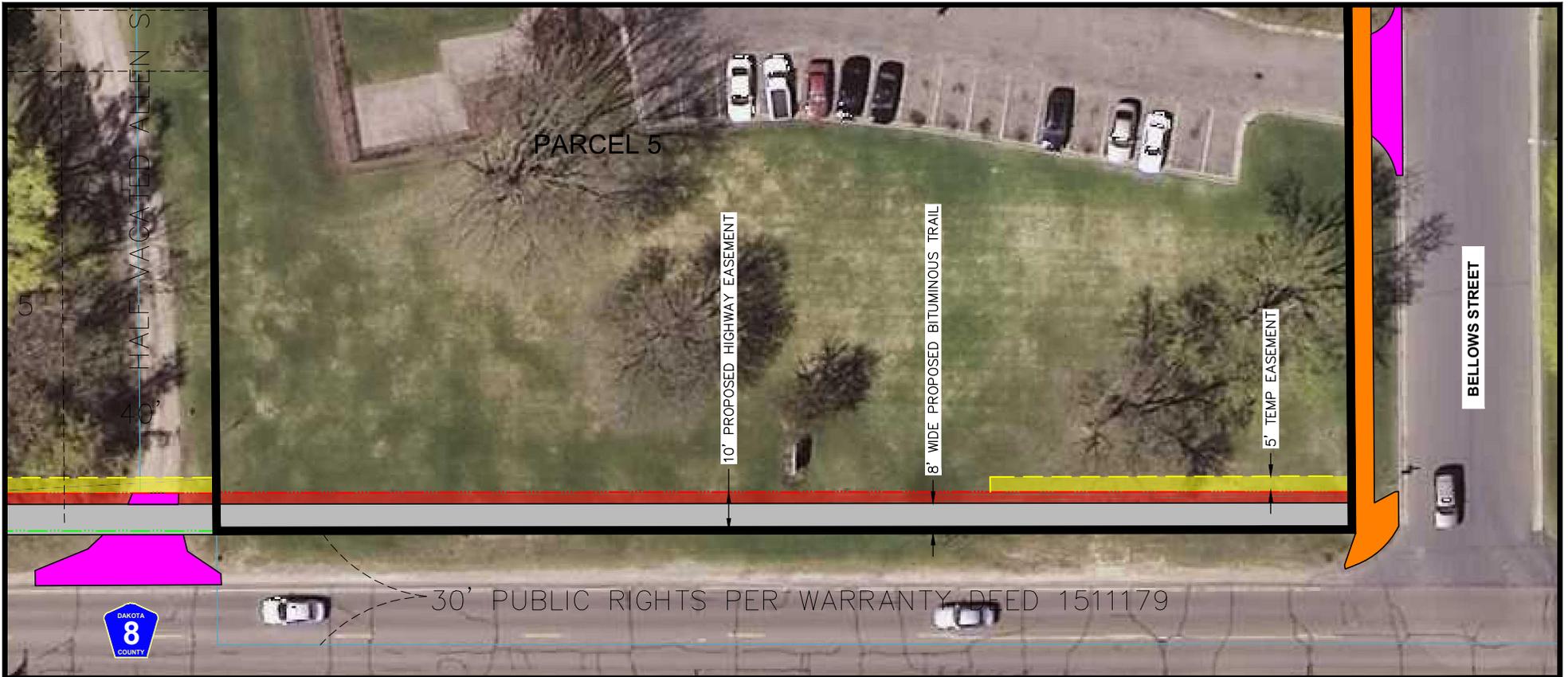
West St. Paul Safe Routes to School Project
 PARCEL 2: Easement Parcel Sketch (CSAH 8)
 West St. Paul, MN | SP 173-591-002 | PM November 2015
 EASEMENT AREA = 1150 sq ft
 TEMP AREA=250 sq ft



Legend			
	EXISTING ROW		PROPOSED ROW HATCH
	PROPOSED ROW		BITUMINOUS TRAIL
	TEMPORARY EASEMENT		SIDEWALK
	TEMPORARY EASEMENT HATCH		DRIVEWAY



West St. Paul Safe Routes to School Project
 PARCEL 3 & 4: Easement Parcel Sketch (CSAH 8)
 West St. Paul, MN | SP 173-591-002 | PM November 2015
 EASEMENT AREA = 2650 sq ft
 TEMP AREA=1325 sq ft



Legend			
	EXISTING ROW		PROPOSED ROW HATCH
	PROPOSED ROW		BITUMINOUS TRAIL
	TEMPORARY EASEMENT		SIDEWALK
	TEMPORARY EASEMENT HATCH		DRIVEWAY



West St. Paul Safe Routes to School Project
 PARCEL 5: Easement Parcel Sketch (CSAH 8)
 West St. Paul, MN | SP 173-591-002 | PM November 2015
 EASEMENT AREA = 3000 sq ft
 TEMP AREA = 475 sq ft



TO: Mayor and City Council
THROUGH: Matt Fulton, City Manager
Ross Beckwith, Park & Rec/PW Dir.
FROM: Dave Schletty, Assistant Park & Rec Dir.
DATE: January 25, 2016
SUBJECT: West St Paul Winter Fun Fest Community Event

City of West St. Paul

BACKGROUND INFORMATION:

The South Robert Street Business Association (SRSBA) is organizing a community event, with the help and formal support from the City, to celebrate winter. The event will be held on Saturday, February 20 from 4pm to 8pm in Marthaler Park.

DISCUSSION:

The Winter Fun Fest event will be held entirely within Marthaler Park. It will include sledding and ice skating activities, a beer garden area, several food truck vendors, music provided by a DJ, raffle giveaways including a 50" TV, as well as a fireworks finale at the end of the event. Parking will be along Humboldt Ave and in the City Hall parking lot. Staff has met with representatives from SRSBA do discuss details of the event.

The South Robert Street Business Association will be covering all expenses relating to this event, currently budgeted for about \$5000. The Association is looking to the City to recognize the event as a City supported celebration and to pay for event related costs which will be reimbursed by a donation from the South Robert Street Business Association once all costs are known.

FISCAL IMPACT:

None

		Amount
Fund:		
Department:		
Account:		

STAFF REQUEST FOR CONSIDERATION:

Staff is recommending support and approval of the West St Paul Winter Fun Fest event.

TO: Mayor and City Council
THROUGH: Matt Fulton, City Manager
 Jim Hartshorn, Comm. Dev. Dir.
FROM: Ben Boike, Assistant Comm. Dev. Dir.
DATE: January 25, 2016
SUBJECT: Rental License Hearing – 218 W. Annapolis & 966/976 Robert
 (1234 Properties LLC)



City of West St. Paul

BACKGROUND INFORMATION:

As discussed at the December 15, 2015 Council Meeting, 1234 Properties LLC has owned and operated a licensed 5-unit rental at 218 Annapolis Ave W. since September of 2014. Tenants residing at the property receive services from One Life Health Services, including Independent Living Skills training (ILS) and 24-hour Emergency Assistance. Last summer, 1234 Properties LLC purchased three units at 966/976 Robert St. with the intent to provide similar services to tenants at this location. 1234 Properties LLC has submitted rental applications for the three new units at 966/976 Robert, conducted all required inspections and paid all required fees.

At the December 15, 2015 meeting, due to excessive police calls at both properties, Staff recommended that the licensed property at 218 Annapolis St. W. and the three new applications for the units at 966/976 Robert St. be placed under a provisional license. Based on the information provided and discussion at the meeting, Council directed Staff to set a license hearing date for consideration of denial of the rental licenses for both properties. Per the attached letter sent to the owner, the hearing date was scheduled for tonight.

Per the recent ordinance changes adopted by Council (see attached), a license hearing can be set for rental properties that exceed .5 city service calls per unit within a 12-month period for rental complexes with more than 3 units and more than 3 city service calls for rentals with 1-3 units. As shown in the table below, 218 Annapolis exceeds the .5 calls per unit with a total of 9 calls in 2015. For a point of clarification, at the December 15, 2015 meeting, Staff reported that there were 50 plus calls for 218 Annapolis. Although there were 50 plus police calls, only 9 of the calls are considered public nuisance calls per city ordinance (see attached CAD summaries).

Address	# of Units	*City Service Calls	Calls/Unit
218 Annapolis	5	9	1.8
966 Robert 208	1	3	3
976 Robert 103	1	2	2
976 Robert 105	1	0	0

**Per the newly adopted ordinance, city service calls only include "part 1 crimes"*

The three units at 966/976 Robert do not individually exceed 3 calls and therefore, do not trigger a license hearing solely based on city service calls. However, per Section 435.11 Subd. 2, Council does have the authority to hold a license hearing if deemed appropriate. Based on the high number of calls to 218 Annapolis and the fact that 1234 Properties is proposing to provide similar services at 966/976 Robert, Staff is recommending that Council also consider the three new applications at 966/976 Robert as part of this hearing.

Since the December 15, 2015 meeting, 218 Annapolis and the three units at 966/976 Robert St. have had no city service calls. The owner has submitted a mitigation plan to address the nuisance calls at the property (see attached). Per the submitted letter, the owner is requesting that 218 Annapolis not be converted to a provisional and that the three units at 966/976 Robert be approved based on the proposed plan. It is important to note that the submitted mitigation plan by One Life is not identical to Staff's proposed mitigation plan as outlined and recommended below.

OPTIONS

According to City Code Section 1005.25 Subd 1 (b), City Council has the following options to consider for the rental license applications under ownership of 1234 Properties LLC for 218 W. Annapolis and 966/976 Robert:

- 1) Approval,
- 2) Approval of the license with Conditions,
- 3) Approval of a Provisional license,
- 4) Denial

Based on the information outlined above, Staff recommends that the existing license for 218 W. Annapolis be converted to a provisional license and that the three license applications for 966/976 Robert also be approved as a provisional license. Staff is recommending the following mitigation plan to address the issues outlined:

1. The Owner will provide a plan describing steps proposed in order to reduce or eliminate the number of police calls to both properties, i.e. city code violations, crime-free lease addendum violations or other crimes. Said plan shall be submitted to the police department within 20 days of Council approval.
2. One of the units at 218 Annapolis must be occupied by an on-site housing manager who is not a client who is receiving services.
3. The owner will maintain Star Level II participation of the Star Program and adhere to the following requirements. Should the Owner fail to abide by the following requirements, the Owner may be fined with a Star Violation.
 - All adult persons living at the Owner's units must sign a lease and any required addendum. No more than three unrelated persons may reside in any unit;
 - The Owner will utilize and enforce a Crime-Free Lease addendum. All residents must sign this addendum including an acknowledgment that a substantial violation of this addendum is grounds for eviction;

- Upon request, the Owner will provide the results of any rental criminal background check on his tenants to the police department;
 - Upon request, the Owner will provide the City with a current copy of any lease used for the Properties;
 - The Owner will actively pursue the eviction of non-compliant tenants;
 - The Owner will have no unresolved code violations;
 - Within 12 months of joining the Star Program, the Owner or a designated Manager shall complete phase 2 and phase 3 of the crime free rental-housing program;
 - The Owner or a designated Manager shall attend 50% of ROMA meetings
4. The Owner shall properly enforce all lease agreements. If a tenant is in violation of a lease agreement the Owner shall resolve the issue accordingly, including trespassing of problem tenants. In addition, the Owner will also contact other agencies involved should a tenant be in violation, i.e. Dakota County for Section 8 Voucher recipients.
 5. The Owner shall not relocate nuisance tenants or previously evicted tenants from other rental properties owned by Owner to the Properties, to the Annapolis Property or to any other rental properties within West St. Paul that Owner subsequently acquires.
 6. The Owner shall comply with the Rental License Ordinance, including timely obtaining all required rental licenses prior to renting units and timely submitting renewal applications of rental licenses.
 7. The Owner will maintain the property to the following ordinances and standards:
 - Building Code
 - International Property Maintenance Code
 - Animal Ordinance
 - Fire Prevention Code
 - Parked or Stored Motor Vehicles
 - Public Nuisance Ordinance
 8. In addition to the above, the Owner will maintain the Properties so as not to receive compliance letters for noxious matter, long grass and weeds, garbage, rubbish or junk, and sidewalks not being kept clear of snow and ice;
 9. The Owner will operate the Properties so as not to receive any Repeat Nuisance Service Call Fees;
 10. The Owner will cooperatively work and meet with City staff in resolving any currently unidentified issues or concerns that may be disruptive to the peace and harmony of the neighborhood resulting from activity at the Properties.
 11. A security video system, meeting the police department's requirements for security and monitoring, will be installed and remain functional as long as the

Owner operates under a City-issued rental license at this location. In addition, upon reasonable request, the police department will be provided access to inspect the security system and receive security recordings of specifically requested time periods and locations in a timely manner;

12. In addition to the regular license fee, the Owner will pay an additional \$1,000 for cover the cost of this mitigation plan. The \$1,000 fee will be invoiced and payable 60 days from the date of this resolution.
13. The term of the provisional license will extend until the next designated renewal date for all four licenses.
14. The Owner shall schedule an inspection with the City of the building and all units within 30 days.

FISCAL IMPACT:

		Amount:
Fund:	101	
Department:	30000	
Account:	32170	*\$1670

*Includes application and inspection fees paid (\$670) as well as recommended \$1,000 mitigation plan fee

STAFF RECOMMENDATION:

Staff is recommending that the Council adopt the attached Resolution which converts the current rental license for 218 Annapolis W. to a Provisional License and approves the three rental licenses for 966/976 Robert as a Provisional License.

**CITY OF WEST ST. PAUL
DAKOTA COUNTY, MINNESOTA**

RESOLUTION NO. 16-

**RESOLUTION CONVERTING THE RENTAL LICENSE
OF 1234 PROPERTIES, LLC AT 218 ANNAPOLIS ST. W.
TO A PROVISIONAL LICENSE AND APPROVING THREE NEW RENTAL LICENCES
AT 966/976 ROBERT AS PROVISIONAL LICENSES AND ADOPTING
A MITIGATION PLAN**

WHEREAS, 1234 Properties, LLC (the “Owner”) owns a licensed 5-unit rental apartment located at 218 Annapolis St. W. (purchased on 9/19/14) and three unlicensed condominium units located at:

- 976 South Robert Street Unit 103 (purchased on 5/13/15)
- 976 South Robert Street Unit 105 (purchased on 5/12/15)
- 966 South Robert Street Unit 208 (purchased on 8/19/15)

(collectively the “Property” or “Properties”); and

WHEREAS, it was discovered on or about August 26, 2015 that the Owner had recently purchased the three units at 966/976 Robert St. and that he was renting all three units; and

WHEREAS, the Owner did not have rental licenses for any of the three units at 966/976 Robert St. at the time of the discovery; and

WHEREAS, the rental license for the Annapolis Property is currently licensed and was renewed on 3/24/15; and

WHEREAS, there have been 9 public nuisance violations at the Annapolis Property in the past 12 months, including numerous arrests for outstanding warrants, as well as calls for theft, trespassing, suspicious persons, disturbing the peace, stalking, assault, drug activity, and excessive drinking; and

WHEREAS, the Council is concerned about the Owner’s ability to manage rental properties based on the volume of calls for service in the short period of time for which he has owned both Properties; and

WHEREAS, on August 28, 2015, the City issued an Administrative Citation for renting the Properties without rental licenses and required the Owner to apply for and obtain rental licenses; and

WHEREAS, the Owner submitted rental license applications for the three units at 966/976 Robert St., conducted the required inspections, and paid all required fees; and

WHEREAS, the City provided notice to the Owner that due to excessive police calls and nuisance activity associated with tenants occupying rental units at both Properties that pursuant to City Code Section 1005.25 the Council would consider taking action against the Owner's Licenses including suspension, revocation, adding conditions or converting the Licenses to Provisional Licenses; and

WHEREAS, on January 25, 2016, the City Council held a hearing and considered the Licenses under the ownership of 1234 Properties LLC, during which the City presented its evidence and the Owner was given an opportunity to be heard; and

WHEREAS, following the hearing, after considering all evidence presented, the Council desires convert the License at 218 Annapolis St. W. to a Provisional License and approve the three applications for units at 966/976 Robert St. as Provisional Licenses and adopt an appropriate mitigation plan.

NOW THEREFORE, BE IT RESOLVED, that the City Council converts the rental dwelling license under the ownership of 1234 Properties LLC at 218 Annapolis St. to Provisional License and approves the three applications at 966/976 Robert St. as Provisional Licenses with the following mitigation plan:

1. The Owner will provide a plan describing steps proposed in order to reduce or eliminate the number of police calls to both properties, i.e. city code violations, crime-free lease addendum violations or other crimes. Said plan shall be submitted to the police department within 20 days of Council approval.
2. One of the units at 218 Annapolis must be occupied by an on-site housing manager who is not a client who is receiving services.
3. The owner will maintain Star Level II participation of the Star Program and adhere to the following requirements. Should the Owner fail to abide by the following requirements, the Owner may be fined with a Star Violation.
 - All adult persons living at the Owner's units must sign a lease and any required addendum. No more than three unrelated persons may reside in any unit;
 - The Owner will utilize and enforce a Crime-Free Lease addendum. All residents must sign this addendum including an acknowledgment that a substantial violation of this addendum is grounds for eviction;
 - Upon request, the Owner will provide the results of any rental criminal background check on his tenants to the police department;
 - Upon request, the Owner will provide the City with a current copy of any lease used for the Properties;
 - The Owner will actively pursue the eviction of non-compliant tenants;

- The Owner will have no unresolved code violations;
 - Within 12 months of joining the Star Program, the Owner or a designated Manager shall complete phase 2 and phase 3 of the crime free rental-housing program;
 - The Owner or a designated Manager shall attend 50% of ROMA meetings
4. The Owner shall properly enforce all lease agreements. If a tenant is in violation of a lease agreement the Owner shall resolve the issue accordingly, including trespassing of problem tenants. In addition, the Owner will also contact other agencies involved should a tenant be in violation, i.e. Dakota County for Section 8 Voucher recipients.
 5. The Owner shall not relocate nuisance tenants or previously evicted tenants from other rental properties owned by Owner to the Properties, to the Annapolis Property or to any other rental properties within West St. Paul that Owner subsequently acquires.
 6. The Owner shall comply with the Rental License Ordinance, including timely obtaining all required rental licenses prior to renting units and timely submitting renewal applications of rental licenses.
 7. The Owner will maintain the property to the following ordinances and standards:
 - Building Code
 - International Property Maintenance Code
 - Animal Ordinance
 - Fire Prevention Code
 - Parked or Stored Motor Vehicles
 - Public Nuisance Ordinance
 8. In addition to the above, the Owner will maintain the Properties so as not to receive compliance letters for noxious matter, long grass and weeds, garbage, rubbish or junk, and sidewalks not being kept clear of snow and ice.
 9. The Owner will operate the Properties so as not to receive any Repeat Nuisance Service Call Fees.
 10. The Owner will cooperatively work and meet with City staff in resolving any currently unidentified issues or concerns that may be disruptive to the peace and harmony of the neighborhood resulting from activity at the Properties.
 11. A security video system, meeting the police department's requirements for security and monitoring, will be installed and remain functional as long as the Owner operates under a City-issued rental license at this location. In addition, upon reasonable request, the police department will be provided access to inspect the security system and receive security recordings of specifically requested time periods and locations in a timely manner;

12. In addition to the regular license fee, the Owner will pay an additional \$1,000 for cover the cost of this mitigation plan. The \$1,000 fee will be invoiced and payable 60 days from the date of this resolution.
13. The term of the provisional license will extend until the next designated renewal date for all four licenses.
14. The Owner shall schedule an inspection with the City of the building and all units within 30 days.

Adopted by the City Council of the City of West St. Paul this the day of January 25, 2016.

Ayes:

Nays:

Attest:

David Meisinger, Mayor

Chantal Doriott, City Clerk



**CITY OF
WEST ST. PAUL**

City Hall
1616 Humboldt Avenue
West St. Paul, MN
55118-3972
651-552-4100
FAX 651-552-4190
TDD 651-322-2323
www.cityofwsp.org

December 18, 2015

1234 Properties, LLC
6413 City West Parkway
Eden Prairie, MN 55343

RE: 218 Annapolis St. W & 966/976 Robert St., West St. Paul, Minnesota

To Whom it May Concern:

The City of West St. Paul has had multiple police issues at 218 Annapolis Ave W. over the past year. In addition, several incidents also occurred at your unlicensed rentals located at 966/976 Robert St. Due to multiple issues with your properties, a hearing to discuss all Rental License applications under your ownership, including your existing rental license for 218 Annapolis St. W. and the recently submitted applications for three new rental units at 966/976 Robert St., will be held on Monday January 25, 2016 at 6:30 p.m. in the Council Chambers. It is highly recommended that you attend the meeting, as you will have an opportunity to speak before Council. The meeting agenda and memo packet of information will be sent to you prior to the meeting.

On January 25, 2016, the City may deny, revoke or suspend your licenses for any of the reasons enumerated in City Code Section 1005.25 subd. 1. A hearing will be conducted pursuant to City Code Section 1005.25 subd. 4. At the hearing, you have the right to be represented by counsel, the right to respond to the charges, the right to present evidence through witnesses under oath and the right to confront and cross-examine witnesses under oath. Following the hearing, the Council may deny, revoke, suspend, not renew the licenses for all or any part of the licensed premises or may grant or continue the licenses upon such terms and conditions as it deems reasonable and necessary to accomplish the purposes.

The decision by the City Council following a hearing is final. Upon a decision to revoke, deny, suspend or not renew a license, no new application from you for the same facility will be accepted for a period of time specified in the Council's decision, not exceeding one (1) year. Upon suspension or revocation of a license, you must re-apply for a new license. Upon suspension or revocation of a license, the City will notify all effected tenants that the license has been revoked or suspended.

Please feel free to contact me at 651-552-4134 for questions on the hearing process. The City of West St. Paul appreciates your effort and cooperation to "Maintain a Quality Community."

Sincerely,

Benjamin A. Botke
Assistant Comm. Dev. Dir.

Cc: Bud Shaver, Police Chief
Laura Vaughan, Crime Prevention Specialist
Jim Hartshorn, Comm. Dev. Dir.
Kori Land, City Attorney

435.11. Maintenance Standards.

Subd. 1. It is the responsibility of the Licensee to assure that every Rental Dwelling and Rental Dwelling Unit is maintained in compliance with all city Ordinances and state laws. A violation of any of the following laws and Ordinances constitutes a Public Nuisance:

- a. Building Code (City Code §400),
- b. International Property Maintenance Code (City Code §455),
- c. Animal Ordinance (City Code §905),
- d. Fire Prevention Code (City Code §915),
- e. Repeat Nuisance Service Calls (City Code §955)
- f. Parked or Stored Motor Vehicles (City Code §2005.21)
- g. Public Nuisance Ordinance (City Code §2010).

Subd. 2. License Hearing. Upon the occurrence of .5 violations of the above-stated provisions multiplied by the total number of Dwelling Units per complex within a 12-month period, or a violation of a Category C Mitigation Plan as defined in 435.12 Subd. 2 the City Council may hold a license hearing pursuant to City Code Section 1005.25 for consideration of suspension, revocation, or conversion to a Provisional License. Depending upon the circumstances, nature and severity of the violation, the City Council may hold a license hearing for fewer than .5 violations, if deemed appropriate.

435.12. Tiered Fee System.

Subd 2. Category C Requirements. Rental license applicants who meet the definition of Category C may be issued a Provisional License and must pay a Provisional license fee set by the City Council. In addition, the applicant must provide a written mitigation plan to reduce the number of city service calls/code violations. If the property owner violates the mitigation plan, City Council may hold a License Hearing, as defined in 435.11 Subd. 2.

West St Paul Police

CAD Activity Report

Date Range: 2/21/2015 12:00:00 AM - 2/21/2015 11:59:59 PM

Badge(s):

Address(s): 218 Annapolis

Dispo(s):

CAD #: WS150221003192	Location: 218 ANNAPOLIS ST W	Type: DISTURBING PEACE/D
Rpt #:	Apt #: 3	Dispo: S
Create: 02/21/2015 5:16:03 PM		Unit #: 2636
Dispatch: 02/21/2015 5:21:30 PM	RP Addr: 44:55:11N,93:05:39W	Officer: SYVERTSEN, KURTIS
Arrive: 02/21/2015 5:33:21 PM	RP Phone:	
Clear: 02/21/2015 5:48:39 PM		

Comments:

Incident Initiated By: EM/CEMENSKY, J
Original Location : SE OF 354 ANAPLS ST W
DOWNSTAIRS NEIGHBOR KEEPS COMING INTO RP'S APARTMENT UNINVITED - SHE LIVES IN APT #1 OR 2
Primary Event: MAIN Opened: 15/02/21 17:19
PARTIES ARE SEPARATED NOW
MALE UPSTAIRS KEEPS ASKING RP FOR DRUGS/CIGARETTES - AND PLAYING LOUD MUSIC
D344065988911
TIFFANY DROBNICK 08/29/1979 - APT 3. BOTH PARTIES ADVISED TO NOT HAVE CONTACT WITH EACH OTHER TO RESOLVE ISSUES
Incident Closed: 15/02/21 17:48
Route Closed: MAIN S

End of Report

West St Paul Police

CAD Activity Report

Date Range: 5/30/2015 12:00:00 AM - 5/30/2015 11:59:59 PM

Badge(s):

Address(s): 218 Annapolis

Dispo(s):

CAD #: WS150530010447	Location: 218 ANNAPOLIS ST W	Type: MENTAL HEALTH-CRIS
Rpt #:	Apt #:	Dispo: RPT
Create: 05/30/2015 10:52:14 PM	RP Name:	Unit #: 2638
Dispatch: 05/30/2015 10:55:10 PM	RP Addr:	Officer: ELAM, CARL W
Arrive: 05/30/2015 10:55:28 PM	RP Phone:	
Clear: 05/31/2015 12:51:01 AM		

Comments:

Incident Initiated By: EM/TAIBI, M
Original Location : SE OF 354 ANNAPOLIS
ASSAULTED ANOTHER RESD AT GROUP HOME - HAD A KNIFE - JASON WALD - UNK IF HE STILL HAS IT - IS HAVING A MENTAL EPISODE
Primary Event: MAIN Opened: 15/05/30 22:54
RP IS AN EMPLOYEE OF MENTAL HEALTH COMPANY - OUTSIDE IN A CAR - SAYS THE MALE HAD A OBJECT IN HIS HAND WHEN HE WENT TO THE DOOR - ISN'T SURE IF HE STILL HAS A KNIFE
NO ACCESS TO OTHER WEAPONS - JUST KITCHEN KNIVES
NO ONE IS INJURED
NO DRINKING/DRUGS
RP CAN SEE HIM IN THE WINDOW - ASKING HIM TO PUT WEAPONS DOWN AND MALE IS YELLING IN THE BACKGROUND
RP ASKED HIM TO PUT THE WEAPONS DOWN HE SAYS "IT'S MY WAY" AND REFUSES
MALE IS THE ONLY ONE IN THE HOME RIGHT NOW
RP IS IN A WHT ACURA
SCHIZOPRENIC
HAD ASSAULTED THE OTHER MEMBER ABOUT AN HOUR AGO
IAAssocInc FSM150530002459 UPDATE Resp to
IAAssocInc FSM150530002459 UPDATE PriUnt to SM/SMAM1
KNOWS POLICE HAS BEEN CALLED
H/E ENRT TO STAGE
UNK IF HE WILL BE COOPERATIVE - BUT DID ASK RP TO CALL THE POLICE
ASKED MALE TO PUT THE KNIFE DOWN AGAIN HE TOLD RP "TO SHUT THE HELL UP"
2638- START MORE CARS
10-33
IAAssocInc FSM150530002459 First Unit Arrived: SM/SMAM1 AR
PARTY WENT TO THE BACK BEDROOM - ARMED WITH A KNIFE
THERE IS A DOOR IN THE BACK
ARMED WITH A KITCHEN KNIFE
2638- HEAVY SET MALE GREEN SHIRT SHORTS WEST ROOM OF THE APT
2648 - TALKING TO HIM THROUGH THE DOOR - WONT COME OUT
MEDICS CLEARED IN
10-15
CLEAR 10-33
PER ROCH PD, NO CONTACTS WITH WALKD
IAAssocInc LMH150530002712 UPDATE PriUnt to MH/2215-93
IAAssocInc LMH150530002712 UPDATE Dispo to S MAIN
NAM/WALD, JASON EDWARD.DOB/19780526
PT ASSAULTED ANOTHER RESIDENT WITH A KNIFE.

(Information may continue on next page...)

Report Run: 01/21/2016 2:40:27 PM

CAD Activity Report

Date Range: 5/30/2015 12:00:00 AM - 5/30/2015 11:59:59 PM

Badge(s):

Address(s): 218 Annapolis

Dispo(s):

IN APT WITH KNIFE REFUSING TO COME TO DOOR. STATING GOING TO HAVE TO
KILL HIM, ITS HIS WAY.
TASER DEPLOYED/FORCED ENTRY/TAKEN INTO CUSTODY.
TX TO REGIONS BY SOUTH METRO FIRE
IAAssocInc FSM150530002459 UPDATE Dispo to S MAIN

15-1920 CN

DAK CRISIS ADVISED

IAAssocInc FSM150530002459 UPDATE Dispo to S MAIN

2631-ASSISTED

Route Closed: MAIN S

Incident Closed: 15/05/31 00:51

IAAssocInc LMH150530002712 UPDATE Dispo to C MAIN

End of Report

Call incident on 5/30/2015

15001920

State of Minnesota
County of Dakota

District Court
1st Judicial District

Prosecutor File No.
Court File No.

CA-2015-01231

State of Minnesota,
Plaintiff,

COMPLAINT
Summons

vs.

JASON EDWARD WALD DOB: 05/26/1978

2969-Country-Dr.-Apt. 206
Maplewood, MN 55117

Defendant.

The Complainant submits this complaint to the Court and states that there is probable cause to believe Defendant committed the following offense(s):

COUNT I

Charge: Assault in the 2nd Degree (Dangerous Weapon)
Minnesota Statute: 609.222.1
Maximum Sentence: 0-7 Years and/or \$4,200.00 - \$14,000.00
Offense Level: Felony

Offense Date (on or about): 05/30/2015 to 05/30/2015

Control #(ICR#): 15001920

Charge Description: On or about May 30, 2015, in the County of Dakota, Minnesota, JASON EDWARD WALD, did assault another with a dangerous weapon, to wit: a knife.

STATEMENT OF PROBABLE CAUSE

Your Complainant is a licensed peace officer in the State of Minnesota. Acting in that capacity, I have reviewed the police reports and state that the following facts are true and establish probable cause.

On 5-30-15, officers from the West St Paul police department were dispatched to a group home in their jurisdiction, West St Paul, Dakota County, Minnesota for an assault involving a knife. Upon arrival, they spoke with LRS, a staff member. LRS was standing outside the apartment building talking to a male through a window. He reported that Jason Edward Wald, DOB 5-26-1978, had assaulted another resident, JAR, while holding a knife. LRS stated that Wald was in his apartment. Officers heard Wald say, "Don't come in here pig" and "you're going to have to kill me, it's my way." LRS continued to talk with Wald as more officers arrived. Officers saw that Wald still had the knife in his hands. At times he would raise it above his head and other times have it by his side. He was agitated. Officers were able to remove the screen from the window and deploy a taser to safely make entry and secure Wald.

Officers spoke to the victim, JAR. He reported that he walked past Wald's apartment to go to his own. When he walked past, Wald grabbed the victim by his hoodie and pulled him into the apartment. Wald had a knife in his hand. Wald pushed the victim onto a sofa. The victim was able to fight enough to get away and leave the apartment. At that time he called for help.

Wald was taken to Regions Hospital. The knife was recovered. It had the appearance of a kitchen knife with a five inch blade.

SIGNATURES AND APPROVALS

Complainant requests that Defendant, subject to bail or conditions of release, be:
(1) arrested or that other lawful steps be taken to obtain Defendant's appearance in court; or
(2) detained, if already in custody, pending further proceedings; and that said Defendant otherwise be dealt with according to law.

Complainant	Matthew Swenke Police Lieutenant 1616 Humboldt Ave West St Paul, MN 55118-3972 Badge: 2603	Electronically Signed: 07/08/2015 09:18 AM
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Subscribed and sworn to before the undersigned.

Notary Public or Judicial Official	Karen Shewchuk Secretary, County of Dakota 1616 Humboldt Ave West St Paul, MN 55118-3972 Notary ID: 20369103	Commission expires: 01/31/2017 Electronically Signed: 07/08/2015 10:44 AM
---	--	---

Being authorized to prosecute the offenses charged, I approve this complaint.

Prosecuting Attorney	Stacy St George Assistant Dakota County Attorney 1560 Hwy 55 Hastings, MN 55033-2392 (651) 438-4438	Electronically Signed: 07/07/2015 04:15 PM
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FINDING OF PROBABLE CAUSE

From the above sworn facts, and any supporting affidavits or supplemental sworn testimony, I, the Issuing Officer, have determined that probable cause exists to support, subject to bail or conditions of release where applicable, Defendant's arrest or other lawful steps be taken to obtain Defendant's appearance in court, or Defendant's detention, if already in custody, pending further proceedings. Defendant is therefore charged with the above-stated offense(s).

SUMMONS

THEREFORE YOU, THE DEFENDANT, ARE SUMMONED to appear on _____, _____ at _____ AM/PM before the above-named court at 1560 W Highway 55 Dakota County Judicial Center, Hastings, MN 55033 to answer this complaint.

~~IF YOU FAIL TO APPEAR in response to this SUMMONS, a WARRANT FOR YOUR ARREST shall be issued.~~

WARRANT

To the Sheriff of the above-named county; or other person authorized to execute this warrant: I order, in the name of the State of Minnesota, that the Defendant be apprehended and arrested without delay and brought promptly before the court (if in session), and if not, before a Judge or Judicial Officer of such court without unnecessary delay, and in any event not later than 36 hours after the arrest or as soon as such Judge or Judicial Officer is available to be dealt with according to law.

Execute in MN Only

Execute Nationwide

Execute in Border States

ORDER OF DETENTION

Since the Defendant is already in custody, I order, subject to bail or conditions of release, that the Defendant continue to be detained pending further proceedings.

Bail: \$

Conditions of Release:

This complaint is issued by the undersigned Judge as of the following date: _____, _____.

Judicial Officer

<judge name>

Sworn testimony has been given before the Judicial Officer by the following witnesses:

**COUNTY OF DAKOTA
STATE OF MINNESOTA**

State of Minnesota

Plaintiff

vs.

Jason Edward Wald

Defendant

Clerk's Signature or File Stamp:

RETURN OF SERVICE

I hereby Certify and Return that I have served a copy of this Summons upon the Defendant herein named.

Signature of Authorized Service Agent:

CAD Activity Report

Date Range: 6/25/2015 12:00:00 AM - 6/25/2015 11:59:59 PM

Badge(s):

Address(s): 218 Annapolis

Dispo(s):

CAD #: WS150625012287	Location: 218 ANNAPOLIS ST W	Type: THEFT
Rpt #:	Apt #: 4	Dispo: RPT
Create: 06/25/2015 12:12:13 AM	RP Name: [REDACTED]	Unit #: 2645
Dispatch: 06/25/2015 12:12:47 AM	RP Addr:	Officer: METTNER, JESSE A
Arrive: 06/25/2015 12:19:33 AM	RP Phone: NO PHONE#	
Clear: 06/25/2015 1:12:23 AM		

Comments:

Incident Initiated By: EM/PRAIL, M
THEFT OF PHONE -
Primary Event: MAIN Opened: 15/06/25 00:12
RP HAS SUSP INFO
ALSO WANTS TO REPORT ISSUE WITH NEIGHBOR RUNNING DRUGS/METH THRU THE HOUSE
Q597131829521 - WHEELER, LOREN RICHARD - 19870113 - REVOKED/CLR
R/P STATED HIS NEIGHBOR IN APARTMENT 3 TOOK HIS PHONE WITHOUT PERMISSION, KNOWN ONLY AS "AARON" TO HIM
SEE REPORT
15002261
Route Closed: MAIN RPT
Incident Closed: 15/06/25 01:12

End of Report

CAD Activity Report

Date Range: 8/17/2015 12:00:00 AM - 8/17/2015 11:59:59 PM

Badge(s):

Address(s): 218 Annapolis

Dispo(s):

CAD #: WS150817016402	Location: 218 ANNAPOLIS ST W	Type: DISTURBING PEACE/D
Rpt #:	Apt #: 4	Dispo: S
Create: 08/17/2015 8:55:54 PM	RP Name: REFUSED	Unit #: 2639
Dispatch: 08/17/2015 8:57:14 PM	RP Addr: 44:55:10N,93:06:00W	Officer: SASS, JOSEPH JEREMY
Arrive: 08/17/2015 9:07:10 PM	RP Phone:	
Clear: 08/17/2015 9:17:32 PM		

Comments:

Incident Initiated By: EM/MESSINA, G

Original Location : SE OF 354 ANNAPOLIS

LOUD MUSIC IN APT 4 - LOUD BASS / SHAKING WALLS

Primary Event: MAIN Opened: 15/08/17 20:56

9271

LOUD METAL MUSIC PLAYING INSIDE APT. BANGED ON DOOR BUT RECEIVED NO RESPONSE. MUSIC DID STOP COMPLETELY AFTER BEING THERE A COUPLE OF MINUTES. NEIGHBOR ONLY KNEW THE TENANT'S NAME IS LOREN.

Route Closed: MAIN S

Incident Closed: 15/08/17 21:17

End of Report

West St Paul Police

CAD Activity Report

Date Range: 8/19/2015 12:00:00 AM - 8/19/2015 11:59:59 PM

Badge(s):

Address(s): 218 Annapolis

Dispo(s):

CAD #: WS150819016480	Location: 218 ANNAPOLIS ST W	Type: DISTURBING PEACE/D
Rpt #:	Apt #: 4	Dispo: REF
Create: 08/19/2015 12:14:54 AM	RP Name: ANON	Unit #: 2638
Dispatch: 08/19/2015 12:16:11 AM	RP Addr:	Officer: ELAM, CARL W
Arrive: 08/19/2015 12:38:10 AM	RP Phone:	
Clear: 08/19/2015 1:55:54 AM		

Comments:

Incident Initiated By: EM/CHILSON, D
LOUD MUSIC AND BASS
Primary Event: MAIN Opened: 15/08/19 00:15
TURNED IT DOWN AT ONE POINT BUT TURNED IT RIGHT BACK UP AGAIN AFTER
LANDLORD LEFT
IAAssocInc FSM150819003838 UPDATE Resp to
IAAssocInc FSM150819003838 UPDATE PriUnt to SM/SMEN1
WHEELER, LOREN RICHARD.DOB/19870113
2628 ASSISTED
IAAssocInc FSM150819003838 First Unit Arrived: SM/SMEN1 AR
IAAssocInc FSM150819003838 UPDATE Dispo .to S MAIN
IAAssocInc FSM150819003838 UPDATE Dispo to S MAIN
IAAssocInc FSM150819003838 UPDATE Dispo to S MAIN
TRANSPORT HOLD FOR SUICIDAL AND HOMICIDAL COMMENTS
TX TO REGIONS BY H.E
Route Closed: MAIN REF
Incident Closed: 15/08/19 01:55

End of Report

Call incident 8/19/2015

State of Minnesota
County of Dakota

District Court
1st Judicial District

Prosecutor File No.
Court File No.

CA-2015-01822

State of Minnesota,

Plaintiff,

vs.

LOREN RICHARD WHEELER DOB: 01/13/1987

218 Annapolis St W Apt 4

West St Paul, MN 55118

Defendant.

COMPLAINT

Summons

The Complainant submits this complaint to the Court and states that there is probable cause to believe Defendant committed the following offense(s):

COUNT I

Charge: Assault in the 4th Degree (Peace Officer) (Demonstrable Bodily Harm or Transfers Bodily Fluids)

Minnesota Statute: 609.2231.1

Maximum Sentence: 0-3 Years and/or \$1,800.00 - \$6,000.00

Offense Level: Felony

Offense Date (on or about): 08/19/2015

Control #(ICR#): 15002979

Charge Description: On or about August 19, 2015, in the County of Dakota, Minnesota, LOREN RICHARD WHEELER, did physically assault and inflict demonstrable bodily harm on a peace officer licensed under Minn. Stat. 626.845, subd. 1, or intentionally throw or otherwise transfer bodily fluids or feces at or onto the officer, to wit: J.S., when that officer was effecting a lawful arrest or executing any other duty imposed by law.

COUNT II

Charge: Assault in the 4th Degree (Peace Officer) (Demonstrable Bodily Harm or Transfers Bodily Fluids)

Minnesota Statute: 609.2231.1

Maximum Sentence: 0-3 Years and/or \$1,800.00 - \$6,000.00

Offense Level: Felony

Offense Date (on or about): 08/19/2015

Control #(ICR#): 15002979

Charge Description: On or about August 19, 2015, in the County of Dakota, Minnesota, LOREN RICHARD WHEELER, did physically assault and inflict demonstrable bodily harm on a peace officer licensed under Minn. Stat. 626.845, subd. 1, or intentionally throw or otherwise transfer bodily fluids or feces at or onto the officer, to wit: E.W., when that officer was effecting a lawful arrest or executing any other duty imposed by law.

STATEMENT OF PROBABLE CAUSE

On August 19, 2015, at approximately 12:14 a.m., officers were dispatched to an apartment complex in West St. Paul, Dakota County, Minnesota, on a report of loud music. When officers arrived at the complex, they could hear the music upon getting out of their squad cars. As officers walked towards the building they encountered LS, the building manager, who indicated he was waiting for the building owner to arrive. LS reported that the tenant with the loud music, Loren Richard Wheeler, DOB 1/13/1987, had made suicidal and threatening statements to him and that he suspected that he was not taking his medications. LS stated that he had encountered Wheeler outside the building and Wheeler was obviously intoxicated and made statements about getting automatic weapons to kill people. Wheeler also stated that he was going to get others to assault the building owner.

As officers were speaking with LS, Wheeler came out of the building talking on a cellular phone. An officer approached him to speak with him about the loud music, and Wheeler was very loud and agitated. Wheeler turned to walk away and the officer asked him to stop. Wheeler continued to try to go back in to the apartment so the officer grabbed his arm and handcuffed him. An ambulance was contacted to transport Wheeler to the hospital to be evaluated. While waiting for the ambulance Wheeler continued to yell and swear at the officers. During this time Wheeler spit at officer J.S. and at Officer E.W.

SIGNATURES AND APPROVALS

Complainant requests that Defendant, subject to bail or conditions of release, be:
(1) arrested or that other lawful steps be taken to obtain Defendant's appearance in court; or
(2) detained, if already in custody, pending further proceedings; and that said Defendant otherwise be dealt with according to law.

Complainant	Matthew Swenke Police Lieutenant 1616 Humboldt Ave West St Paul, MN 55118-3972 Badge: 2603	Electronically Signed: 08/28/2015 12:18 PM
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Subscribed and sworn to before the undersigned.

Notary Public or Judicial Official	Karen Shewchuk Secretary, County of Dakota 1616 Humboldt Ave West St Paul, MN 55118-3972 Notary ID: 20369103	Commission expires: 01/31/2017 Electronically Signed: 08/28/2015 12:27 PM
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Being authorized to prosecute the offenses charged, I approve this complaint.

Prosecuting Attorney	Heather Pipenhagen Assistant Dakota County Attorney 1560 Hwy 55 Hastings, MN 55033-2392 (651) 438-4438	Electronically Signed: 08/28/2015 12:14 PM
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FINDING OF PROBABLE CAUSE

From the above sworn facts, and any supporting affidavits or supplemental sworn testimony, I, the Issuing Officer, have determined that probable cause exists to support, subject to bail or conditions of release where applicable, Defendant's arrest or other lawful steps be taken to obtain Defendant's appearance in court, or Defendant's detention, if already in custody, pending further proceedings. Defendant is therefore charged with the above-stated offense(s).

SUMMONS

THEREFORE YOU, THE DEFENDANT, ARE SUMMONED to appear on _____, _____ at _____ AM/PM before the above-named court at 1560 W Highway 55 Dakota County Judicial Center, Hastings, MN 55033 to answer this complaint.

IF YOU FAIL TO APPEAR in response to this SUMMONS, a WARRANT FOR YOUR ARREST shall be issued.

WARRANT

To the Sheriff of the above-named county; or other person authorized to execute this warrant: I order, in the name of the State of Minnesota, that the Defendant be apprehended and arrested without delay and brought promptly before the court (if in session), and if not, before a Judge or Judicial Officer of such court without unnecessary delay, and in any event not later than 36 hours after the arrest or as soon as such Judge or Judicial Officer is available to be dealt with according to law.

Execute in MN Only

Execute Nationwide

Execute in Border States

ORDER OF DETENTION

Since the Defendant is already in custody, I order, subject to bail or conditions of release, that the Defendant continue to be detained pending further proceedings.

Bail: \$
Conditions of Release:

This complaint is issued by the undersigned Judge as of the following date: _____, _____.

Judicial Officer <judge name>

Sworn testimony has been given before the Judicial Officer by the following witnesses:

**COUNTY OF DAKOTA
STATE OF MINNESOTA**

State of Minnesota

Plaintiff

vs.

Loren Richard Wheeler

Defendant

Clerk's Signature or File Stamp:

RETURN OF SERVICE

I hereby Certify and Return that I have served a copy of this Summons upon the Defendant herein named.

Signature of Authorized Service Agent:

West St Paul Police

CAD Activity Report

Date Range: 10/6/2015 12:00:00 AM - 10/6/2015 11:59:59 PM

Badge(s):

Address(s): 218 Annapolis

Dispo(s):

CAD #: WS151006019804	Location: 218 ANNAPOLIS ST W	Type: BURGLARY/ALL TYPES
Rpt #:	Apt #: 3	Dispo: RPT
Create: 10/06/2015 12:45:22 PM	RP Name: [REDACTED]	Unit #: 2644
Dispatch: 10/06/2015 12:45:48 PM	RP Addr:	Officer: GOBELY, JOSEPH C
Arrive: 10/06/2015 1:16:44 PM	RP Phone: [REDACTED]	
Clear: 10/06/2015 1:23:38 PM		

Comments:

Incident Initiated By: EM/STRESE, A
TV STOLEN FROM APT - THIS IS SECOND TIME IT HAS HAPPENED - BELIEVES IT
HAPPENED LAST NIGHT - POSSIBLE SUSP INFO
Primary Event: MAIN Opened: 15/10/06 12:45
15003566
Route Closed: MAIN RPT
Incident Closed: 15/10/06 13:23

End of Report

West St. Paul
Disposition: Inactive

INCIDENT

Case Number: 15003566
Title: Burglary

15003566

Needs Follow-up: No
Investigation Needed: No
Admin Review Needed: No

Incident Type: Burglary
CAD #: 15019946
How Initiated: Dispatch

Citation Issued: No

Drug Related: No

Gang Related: No

Domestic Related: No

OFFICER INFORMATION

Name	Agency	Badge	Type
Joseph Gobely	West St. Paul	2644	Primary

EVENT DATES

Reported	On Scene	Cleared
2015-10-06 12:45	2015-10-06 12:45	2015-10-06 12:45

INCIDENT DETAILS

Address: 218 Annapolis Street W APT 3; West St. Paul, MN 55118; Dakota US

Location Type: APARTMENT

Location Description:

Start Date: 2015-10-06 09:20

End Date: 2015-10-06 10:10

SYNOPSIS

An adult male reported someone went into his apartment and took his television. There was no damage to any windows or doors to the apartment.

Parties Involved

PERSON 1

Role(s): Victim

Last: Kushner	First: Samuel	Middle: Benjamin	Suffix:
Date of Birth: 1992-12-21	Age: 22	Is Juvenile: No	

Residence: 218 Annapolis Street W APT 3; West St. Paul, MN 55118; Dakota US

Residence Type: APARTMENT

Cell Phone: (651)343-2749

Description:

Sex: Male	Height: 509	Weight: 140 lbs	Hair:	Eyes: Brown
Race: White	Ethnicity: Not Hispanic/Latino	Build:	Complexion: Light	

PROPERTY INFORMATION

ID: 1 Associated with:

Description: 32" flat screen television	Property Category:	Code: stolen	
Quantity: 1 Unit Price: 200	Value: 200.00	Seized: No	Forfeiture: No
Brand Name: unkown	Model: unknown	Color:	
Serial Number: unknown	Owner Applied Number: n/a		

Property NCIC Type:

STATEMENT

Incident Report

West St. Paul

Disposition: Inactive

INCIDENT

Case Number: 15003566

Title: Burglary

15003566

On 10/06/2015 at 1245 hours, I Officer Gobely was dispatched to 218 Annapolis Street W (Apt 3), on a burglary report. Upon arrival I met the reporting party and identified him by MN ID as Samuel Benjamin Kushner DOB 1992-12-21.

Kushner told me someone entered his apartment and took his flat screen television. There was no damage to the front door or windows. Kushner said he does not know how the person gained access to his apartment and believes they picked the lock on the front door. Nothing else was disturbed inside the apartment or missing. Kushner was unable to provide me with a brand or serial number for his flat screen television.

No suspects at this time. Nothing further from this officer.

Inactive.

Incident Report

West St Paul Police

CAD Activity Report

Date Range: 10/22/2015 12:00:00 AM - 10/22/2015 11:59:59 PM

Badge(s):

Address(s): 218 Annapolis

Dispo(s):

CAD #: WS151022020814	Location: 218 ANNAPOLIS ST W	Type: DISTURBING PEACE/D
Rpt #:	Apt #: 4	Dispo: S
Create: 10/22/2015 12:11:00 AM	RP Name: [REDACTED]	Unit #: 2645
Dispatch: 10/22/2015 12:12:45 AM	RP Addr: 44:54:56N,93:05:39W	Officer: METTNER, JESSE A
Arrive: 10/22/2015 12:14:41 AM	RP Phone: [REDACTED]	
Clear: 10/22/2015 12:32:09 AM		

Comments:

Incident Initiated By: EM/REYER, T
Original Location : NW OF 236 BERNRD ST W
NEIGHBOR TAMPERED WITH RP'S ELECTRIC BOX IN THE BASEMENT AND LOCKED IT.
RP NOW HAS NO ELECTRICITY
Primary Event: MAIN Opened: 15/10/22 00:12
RP THINKS NEIGHBOR IS IN APT 1 OR 2
RP'S PHONE WAS ALSO TAKEN A FEW DAYS AGO, DIFFERNET PERSON, SO RP ONLY HAS A 911 PHONE, RP IS IN THE BASEMENT BY ELEC BOX
SPOKE TO NEIGHBOR IN APARTMENT TWO WHO ADVISED THAT ANOTHER NEIGHBOR, LAMONT HAD PLACED THE LOCK ON THE BOX AND SHUT THE POWER OFF TO CALLER'S APARTMENT BECAUSE OF AN ONGOING ISSUE WITH THE CALLER PLAYING LOUD MUSIC, CALLED LAMONT
WHO GAVE ME THE COMBINATION FOR THE LOCK, I ADVISED HIM THAT HE COULD NOT DO THAT AND IF HE WAS HAVING ISSUES WITH CALLER'S MUSIC TO CALL US AND WE WOULD DEAL WITH IT, HE UNDERSTOOD AND AGREED, I REMOVED THE LOCK AND RESTORED POWER
TO CALLER'S APARTMENT
9271 CALLER
Route Closed: MAIN S
Incident Closed: 15/10/22 00:32



1:

West St Paul Police

CAD Activity Report

Date Range: 11/20/2015 12:00:00 AM - 11/20/2015 11:59:59 PM

Badge(s):

Address(s): 218 Annapolis

Dispo(s):

CAD #:	WS151120022554	Location:	218 ANNAPOLIS ST W	Type:	THEFT
Rpt #:		Apt #:		Dispo:	S
Create:	11/20/2015 8:14:58 AM	RP Name:		Unit #:	2640
Dispatch:	11/20/2015 8:16:47 AM	RP Addr:		Officer:	REYNOLDS, JOHN
Arrive:	11/20/2015 8:22:31 AM	RP Phone:			
Clear:	11/20/2015 8:39:40 AM				

Comments:

Incident Initiated By: EM/MCQUOID, H

Original Location : WEST ST PAUL PD

PD LOBBY STOLEN PHONE - DIDN'T KNOW ADDRESS BUT SAID OFFICERS WOULD KNOW IT.

Primary Event: MAIN Opened: 15/11/20 08:14

HE WAS AT A FRIENDS HOUSE - FELL ASLEEP AND PHONE WAS GONE / KNOWS POSSIBLE SUSPECT

JOE MACCLANAHAN REPORTING HIS PHONE WAS TAKEN WHILE HE WAS SLEEPING AT LOREN WHEELER'S APT, THINKS MARK BLECHINGER OR HIS GIRL "MELISSA" MAY BE INVOLVED HOWEVER DIDN'T SEE THEM, HAS TEXTS WITH DTF AND POLICE ON PHONE AND IS WORRIED

ADVISED TO SHUT PHONE DOWN AND WIPE IT REMOTELY, SAID HE WAS TRYING BUT NEEDED POLICE REPORT TO DO SO, PROVIDED INCIDENT NUMBER TO JOE

Route Closed: MAIN S

Incident Closed: 15/11/20 08:39

End of Report

CAD Activity Report

Date Range: 12/14/2015 12:00:00 AM - 12/14/2015 11:59:59 PM

Badge(s):

Address(s): 218 Annapolis

Dispo(s):

CAD #: WS151214023872	Location: 218 ANNAPOLIS ST W	Type: DISTURBING PEACED
Rpt #:	Apt #: 1	Dispo: S
Create: 12/14/2015 5:03:49 AM		Unit #: 2636
Dispatch: 12/14/2015 5:04:42 AM	RP Addr: 44:55:03N,93:05:52W	Officer: SYVERTSEN, KURTIS
Arrive: 12/14/2015 5:07:12 AM	RP Phone:	
Clear: 12/14/2015 5:35:26 AM		

Comments:

Incident Initiated By: EM/TAIBI, M
Original Location : SE OF 354 ANAPLS ST W
Primary Event: MAIN Opened: 15/12/14 05:04
MALE IS YELLING IN THE BACKGROUND
FEMALE SAYS MALE IS TRYING TO TAKE HER BABY
NO WEAPONS
NO DRINKING/DRUGS
LIVE TOGETHER AT THIS ADDRESS
FEMALE WANTS TO LEAVE W/THE CHILD TO GO TO HER MOTHERS
MALE WON'T GIVE THE CHILD TO RP
CHILD IS 2 MOS OLD
MARQUIS DWAYNE FANNIEL 12241991
HASN'T BEEN PHYSICAL W/RP TONIGHT
RP DOESN'T KNOW IF MALE WILL BE COOPERATIVE
MALE COMES BACK NOT ON FILE
HARRIS, KENIESHA DENICE.DOB/19950925-FEMALE (612-450-2392)
S/M TO PANERA 10-14: 81.2
2631-ASSIST
E/M TO PANERA: 83.7
MALE/FEMALE ARGUMENT WITH CHILD IN COMMON. VERBAL ARGUMENT ONLY OVER THE
FEMALE NEEDING A RIDE TO WORK AND NO USABLE VEHICLE TO DO SO. PROVIDED
FEMALE A RIDE TO WORK AND ADVISED BOTH PARTIES TO LET EMOTIONS COOL

FATHER - MARQUIS DEWAYNE FANNIL - 12/24/91 (651-450-2392)
PROVIDED BOTH MALE AND FEMALE BLUE VICTIMS CARDS WITH PHONE NUMBERS AND
RESOURCES FOR RELATIONSHIP COUNSELING/ADVICE
Route Closed: MAIN S
Incident Closed: 15/12/14 05:35

End of Report

CAD Activity Report

Date Range: 10/22/2015 12:00:00 AM - 10/22/2015 11:59:59 PM

Badge(s):

Address(s): 218 Annapolis

Dispo(s):

MEDICS ARE CLEARED IN

IAAssocInc FSM151022004825 UPDATE Addr to 218 ANNAPOLIS ST W

IAAssocInc FSM151022004825 First Unit Arrived: SM/SMAM1 AR

KUSHNER, SAMUEL BENJAMIN.DOB/19921221

2626 PRIMARY. MALE TRANSPORTED TO ST. JOSEPH BY SOUTH METRO

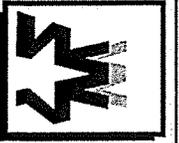
Route Closed: MAIN RPT

Incident Closed: 15/10/22 14:22

IAAssocInc FSM151022004825 UPDATE Dispo to S MAIN

IAAssocInc FSM151022004825 UPDATE Dispo to S MAIN

End of Report



West St. Paul Police Department
1616 Humboldt Ave | West St Paul, MN 55118 | Phone: (651) 552-4200
CAD Summary

Thursday, January 21, 2016
2:18:37 pm

** For official use only **

West St. Paul Police Department

	02/15	05/15	08/15	08/15	10/15	11/15	12/15	Total
BURGLARY/ALL TYPES					1			1
DISTURBING PEACE/D	1			2	1		1	5
MENTAL HEALTH-CRIS		1						1
THEFT			1			1		2
Total	1	1	1	2	2	1	1	9

ONE LIFE HEALTH SERVICES

"a better way to live"

2854 COLUMBUS AVE S
MINNEAPOLIS, MN 55407

VIA E-MAIL

JANUARY 20, 2016

BEN BOIKE
CITY OF WEST SAINT PAUL
1616 HUMBOLDT AVENUE
WEST SAINT PAUL, MN 55118

RE: RENTAL LICENSE HEARING- 218 W. ANNAPOLIS & 966/976 ROBERT ST. (1234 PROPERTIES)

Dear Mr. Boike;

On behalf of the One Life Health Services, please find enclosed the following items for filing:

1. A Mitigation Plan adopted by One Life Health Services, evidencing One Life's efforts to mitigate nuisance calls to the West Saint Paul Police Department;
2. A Lease Addendum for Crime Free/ Drug Free Housing to be incorporated into all of One Life's Lease agreements;
3. Email correspondence from Laura Vaughan evidencing no police calls for the month of January.

One Life Health Services, LLC (One Life) agrees to adopt the mitigation plan as outlined by the City of West Saint Paul in the December 15, 2015 Memorandum entitled "Rental License Hearing-218 W. Annapolis & 966/976 Robert (1234 Properties LLC)". One Life has included additional steps to reduce the number of nuisance calls. The mitigation plan is set forth in its entirety herein.

In order to set the record straight, One Life would like to correct the misleading information provided in the December 15, 2015 City Council Report, where it is stated that "The police department has responded to 50 plus calls" belonging to One Life. This statement is misleading and has tainted the opinion of the city council. David Brooks, Owner of One Life and I had a meeting with Laura Vaughan and Lieutenant Sturgeon on January 13, 2016 regarding the police calls ascribed to the Rental Properties of One Life. After careful consideration of the ordinances currently in place, Ms. Vaughan has ascribed **only 14** of the incidents for consideration against the Provisional License. Nine (9) of these incidents occurred at 218 Annapolis W. and the remaining five (5) occurred at 966/976 Robert Street. We also discussed a working relationship with the department in order to better serve the needs of the community.

Therefore, based on the amended finding of facts, we believe the existing license for 218 W. Annapolis should not be converted to a provisional license and should be restored to its original status and that the three license applications for 966/976 Robert Street should be approved. Any sort of Revocation or Provision of said licenses based on the erroneous facts would be overbearing and beyond the scope of City Ordinance Section 435 of the City of West Saint Paul. One Life Health Services should be held to the same standards as all rental license holders in the City of West Saint Paul and should not be held to strict scrutiny.

Thank you for your time and consideration in this matter. Should you have further questions or concerns please feel free to contact me by phone at (612) 294-9224 or by email at Nysha.onelifehealthmn@gmail.com.

Truly Yours,

Nysha Cornelius, Esq.
Attorney At Law
Chief Compliance Officer

One Life Health Services, LLC Mitigation Plan
January 20, 2016

1. The Owner will provide a plan describing steps proposed in order to reduce or eliminate the number of police calls to both properties, i.e. city code violations, crime-free lease addendum violations or other crimes. Said plan shall be submitted to the police department within 20 days of Council approval.

2. The owner will maintain Star Level II participation of the Star Program and adhere to the following requirements. Should the Owner fail to abide by the following requirements, the Owner may be fined with a Star Violation.

- All adult persons living at the Owner's units must sign a lease and any required addendum. No more than three unrelated persons may reside in any unit;
- The Owner will utilize and enforce a Crime-Free Lease addendum. All residents must sign this addendum including an acknowledgment that a substantial violation of this addendum is grounds for eviction;¹
- Upon a reasonable request, the Owner will provide the results of any rental criminal background check on his tenants to the police department;
- Upon a reasonable request, the Owner will provide the City with a current copy of any lease used for the Properties;
- The Owner will actively pursue the eviction of non-compliant tenants;
- The Owner will have no unresolved code violations;
- Within 12 months of joining the Star Program, the Owner or a designated Manager shall complete phase 2 and phase 3 of the crime free rental-housing program;
- The Owner or a designated Manager shall attend 50% of ROMA meetings²

3. The Owner shall properly enforce all lease agreements. If a tenant is in violation of a lease agreement the Owner shall resolve the issue accordingly, including trespassing of problem tenants. In addition, the Owner will also contact other agencies involved should a tenant be in violation, i.e. Dakota County for Section 8 Voucher recipients.

4. The Owner shall not relocate nuisance tenants or previously evicted tenants from other rental properties owned by Owner to the Properties, to the Annapolis Property or to any other rental properties within West St. Paul that Owner subsequently acquires.

5. The Owner shall comply with the Rental License Ordinance, including timely obtaining all required rental licenses prior to renting units and timely submitting renewal applications of rental licenses.

6. The Owner will maintain the property to the following ordinances and standards:

- Building Code

¹ The Addendum for Crime Free and Drug Free Housing is attached herein.

² One Life has already designated Simon Mukasa, the Program Coordinator/ Field Operator of One Life, to attend the ROMA meetings and has spoken with Laura Vaughan regarding the schedule.

- International Property Maintenance Code
- Animal Ordinance
- Fire Prevention Code
- Parked or Stored Motor Vehicles
- Public Nuisance Ordinance

7. In addition to the above, the Owner will maintain the Properties so as not to receive compliance letters for noxious matter, long grass and weeds, garbage, rubbish or junk, and sidewalks not being kept clear of snow and ice;

8. The Owner will operate the Properties so as not to receive any Repeat Nuisance Service Call Fees;

9. The Owner will cooperatively work and meet with City staff in resolving any currently unidentified issues or concerns that may be disruptive to the peace and harmony of the neighborhood resulting from activity at the Properties.

10. A security video system, meeting the police department's requirements for security and monitoring, will be installed and remain functional as long as the Owner operates under a City-issued rental license at this location. In addition, upon reasonable request, the police department will be provided access to inspect the security system and receive security recordings of specifically requested time periods and locations in a timely manner;

11. In addition to the regular license fee, the Owner will pay an additional \$1,000 for cover the cost of this mitigation plan. The \$1,000 fee will be invoiced and payable 60 days from the date of this resolution.

~~12. The term of the provisional license will extend until the next designated renewal date for all four licenses.~~ One Life does **not** agree that the rental licenses held for 218 W. Annapolis and 966/976 Robert St should be subjected to provisional licensing.

13. The Owner shall schedule an inspection with the City of the building and all units within 30 days; and,

14. The Owner has employed a caretaker to oversee the 5 rental units at 218 Annapolis Ave. W., West Saint Paul, MN between the hours of 10 pm and 7am nightly to mitigate to number of nuisance calls to the West Saint Paul Police Department and to remove individuals who are not allowed on the premises.

TO: Mayor and City Council
THROUGH: Matt Fulton, City Manager
Jim Hartshorn, Comm. Dev. Dir.
FROM: Ben Boike, Assistant Comm. Dev. Dir.
DATE: January 25, 2016
SUBJECT: SHIP Grant Solicitation



City of West St. Paul

SUBJECT:

Resolution authorizing the solicitation of grant funding from the State Health Improvement Program (SHIP) dollars through Dakota County Active Living.

REQUEST:

Approve the attached resolution of support soliciting grant dollars from the State Health Improvement Program (SHIP) dollars through Dakota County Active Living. Over the years, the City has had a great partnership with Dakota County Active Living. Grant dollars have been awarded to the City for the development of the city-wide bike/ped plan, a feasibility study for a grade separated crossing of Robert St., as well as the recent Marie/Oakdale sidewalk/trail feasibility study. The County was successful in securing another round of SHIP grants for 2016/2017 and is requesting grant applications from cities by the end of January.

Based on discussions with the County and City Staff, the City is proposing two applications:

- 1) \$5-10k request to analyze food policy/gaps in WSP (analyzing the sale of healthy foods in relation (distance wise) to low income populations). If awarded, Staff would utilize the grant dollars to supplement budgeted dollars for the development of the upcoming Comp Plan amendment. Food policy/gaps is not a requirement for the Comp Plan update however it is something that the County Public Health Department is advocating for cities to address. In addition, the Environmental Committee recently discussed interest in analyzing this topic and can hopefully assist in the development of the comp plan language (please see attached for more information on what this grant would accomplish).
- 2) \$10-15k request to plan trail enhancements for Garlough and Marthaler parks. Marthaler Park is scheduled for improvements soon and one of the issues that needs to be addressed are better trail connections/alignments through the park for the regional trail. Both Garlough and Marthaler have some undesirable sections (do not meet regional trail standards) for the regional trail, specifically tight turn radiuses. This grant would fund a feasibility study to provide better alignments for the regional trail through both parks and would supplement other park planning for the Marthaler improvement project.

FISCAL IMPACT:

		Amount
Fund:	101	
Department:	41910	
Account:	40399	\$2,500

The application requires a 10 percent local match therefore the City would be responsible for up to \$2,500 to complete the two proposed projects. Staff is recommending funding this project from available fund balance in the General Fund. Preliminary estimates from the finance department indicate a sufficient increase in fund balance from 2015 operations to cover this request.

ATTACHMENTS:

Resolution of support for the two applications
Food Access Information

CITY OF WEST ST. PAUL

RESOLUTION NO. 16-

**RESOLUTION AUTHORIZING SOLICITATION
OF GRANT FUNDING FROM THE STATE HEALTH
IMPROVEMENT PROGRAM (SHIP) THROUGH
DAKOTA COUNTY ACTIVE LIVING**

WHEREAS, the City of West St. Paul has identified two proposed projects within the City that meets the Dakota County Active Living Grant program's purposes and criteria for the State Health Improvement Program (SHIP); and

WHEREAS, the City has the capability and capacity to ensure the proposed projects be completed and administered within the SHIP guidelines as outlined in the grant application; and

WHEREAS, the City has the legal authority to apply for financial assistance; and

NOW THEREFORE BE IT RESOLVED that the City of West St. Paul approves the applications for funding from Dakota County Active Living.

BE IT FURTHER RESOLVED that upon approval of its application by the Dakota County, Ben Boike, the Assistant Community Development Director, is hereby authorized to execute such agreements as are necessary to receive and use the funding for the proposed project.

Adopted by the City Council of the City of West St. Paul this 25th day of January, 2016

Ayes: Nays:

Attest:

David Meisinger, Mayor

Chantal Doriott, City Clerk

Food Access Grant Deliverables:

1. Gather information to use in comp planning:
 - a. Assess and report local barriers and strengths of healthy food access for all (could include food deserts, transportation issues, income (affordability), farmers' markets, access to grocery stores and fast food/convenience outlets, etc.).
 - b. Input from community engagement (especially those who are facing challenges with healthy food access, SHIP priority populations: low income, diverse communities, older adults, parents/children).
2. Incorporate food access in the comp plan (it could be incorporated throughout the plan and/or be a separate food access chapter – to be decided)
3. Use the assessment information (findings and needs) to develop goals and policies to address them

Policy options could include:

- Address food deserts, land use that would allow grocery stores in certain areas, update zoning to support this
- Prioritize ped./bike connections between residents and grocery stores
- Prioritize public transportation that connects residents without automobiles and grocery stores
- Demonstrate and encourage healthy choices by offering nutritious foods in park vending and at events
- Increase the availability of locally grown food
- Locate community gardens in parks
- Host temporary farmers markets at city facilities
- Improve the variety of healthy foods sold at small grocery stores and convenience stores
- Provide incentives for developers to include community gardens and rooftop gardens in new development projects.
- Promote urban agriculture with zoning provisions that support means for production, distribution, and sale of locally grown foods, such as market gardens, farmer's markets, community markets, and farm stands, particularly in areas that have vacant or underutilized land.