



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

REGULAR CITY COUNCIL MEETING

July 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. Acceptance Of A Donation From Mayor David Meisinger

Documents:

[COUNCIL REPORT - MAYOR DONATION.PDF](#)
[RESOLUTION - DONATION FROM MAYOR.PDF](#)

B. Acceptance Of A Donation From D. T. Meisinger Development Inc.

Documents:

[COUNCIL REPORT - D.T. MEISINGER DONATION.PDF](#)
[RESOLUTION - DONATION FROM D. T. MEISINGER.PDF](#)

C. Acceptance Of A Donation From The Halverson Family

Documents:

[COUNCIL REPORT - HALVERSON DONATION.PDF](#)
[DONATION FROM THE HALVERSON FAMILY.PDF](#)

D. Acceptance Of A K-9 Donation From Ken Neustel

Documents:

[COUNCIL REPORT - CANINE DONATION, KENNETH NEUSTEL.PDF](#)

E. Acceptance Of A Youth Education Grant From Super America

Documents:

[COUNCIL REPORT - DONATION, NORTHERN TIER ENERGY.PDF](#)

F. Acceptance Of A Donation From The South Robert Street Business Association

Documents:

[COUNCIL REPORT - SRSBA DONATION.PDF](#)
[RESOLUTION - DONATION FROM SRSBA.PDF](#)

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. City Meeting Minutes

Documents:

[06-13-16 CC MINUTES \(JD\)\(DN\).PDF](#)
[7-11-16 OCWS MINS - DRAFT.PDF](#)
[7-11-16 CC MINS - DRAFT.PDF](#)

B. July 25, 2016 List Of Claims

Documents:

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

C. June 2016 Bank Reconciliation

Documents:

[COUNCIL REPORT -JUNE 2016 BANK RECONCILIATION.PDF](#)
[JUNE 2016 BANK RECONCILIATION.PDF](#)

D. June 2016 Investment Report

Documents:

[COUNCIL REPORT - JUNE 2016 INVESTMENT REPORT.PDF](#)
[JUNE 2016 INVESTMENT REPORT.PDF](#)

E. June 2016 General Fund Budget Report

Documents:

[COUNCIL REPORT - JUNE 2016 GENERAL FUND BUDGET REPORT.PDF](#)
[JUNE 2016 GENERAL FUND BUDGET REPORT.PDF](#)

F. Council Report - Declare Vehicles As Surplus

Documents:

[COUNCIL REPORT - DECLARE VEHICLES AS SURPLUS.PDF](#)

G. Council Report - City Licensing

Documents:

[COUNCIL REPORT - CITY LICENSING.PDF](#)

H. Rental Licensing

Documents:

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

I. Vacating The D/U Easements In The Riley Addition Plat

Documents:

[COUNCIL REPORT - VACATING DRAINAGE AND UTILITY EASEMENTS.PDF](#)
[RESOLUTION VACATING DU EASEMENTS WITHIN RILEY ADDITION PLAT.PDF](#)

J. Legal Services JPA For Controlled Substance Forfeitures

Documents:

[JPA FOR MISDEMEANOR DRUG FORFEITURES WEST SAINT PAUL.PDF](#)
[COUNCIL REPORT - JPA, MISDERMEANOR DRUG FORFEITURES.PDF](#)

11. PUBLIC HEARING

A. Application For A Conditional Use Permit To Allow For The Expansion Of An Essential Service Structure (Building Expansion) At 1365 Bidwell St. – St. Paul Regional Water Services

Documents:

[COUNCIL REPORT - CUP.PDF](#)
[RESOLUTION - CUP.PDF](#)
[PC REPORT 3.PDF](#)
[APPLICATION AND NOISE INFO.PDF](#)
[VARIANCE NARRATIVE.PDF](#)
[ELEVATIONS.PDF](#)
[PLANS.PDF](#)

12. NEW BUSINESS

A. Canvass The Primary Election Results

Documents:

[COUNCIL REPORT - CANVASS PRIMARY ELECTION.PDF](#)

B. Approve Consultant Contract For Construction Administration Of Safe Routes To School Project 14-6

Documents:

[COUNCIL REPORT - APPROVE CONSULTANT CONTRACT PROJECT 14-6.PDF](#)

C. Approve Supplemental Agreement 9 For Robert Street Project 11-3

Documents:

[COUNCIL REPORT - APPROVE SA 9 FOR ROBERT STREET PROJECT 11-3.PDF](#)

D. 2017 Fee Schedule

Documents:

[COUNCIL REPORT - 2017 PROPOSED FEE SCHEDULE.PDF](#)
[2017 PROPOSED FEE SCHEDULE.PDF](#)

E. Approval Of Emerald Ash Borer Treatment Contractor

Documents:

[COUNCIL REPORT - APPROVAL OF EAB TREATMENT CONTRACTOR.PDF](#)

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

Documents:

[COUNCIL REPORT - RENTAL LICENSE HEARING.PDF](#)

13. **OLD BUSINESS**

A. Special Assessment For 882 Stryker (Deferred From May 9)

Documents:

[COUNCIL REPORT - SPECIAL ASSESSMENT 882 STRYKER.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*

TO: Mayor and City Council
THROUGH: Matt Fulton, City Manager
FROM: Chantal Doriott, City Clerk
DATE: July 25, 2016
SUBJECT: Mayor Meisinger Donation



City of West St. Paul

BACKGROUND INFORMATION:

Mayor David Meisinger is a supporter of community events and would like to donate funds to be used towards this year's Art on the Avenue Color Dash event in the amount of \$250.00. The funds would be used to purchase the t-shirts for this event.

FISCAL IMPACT:

Action	Fund	Department	Account	Amount
Donation				\$250
Total:				\$250

STAFF RECOMMENDATION:

Publically thank and graciously accept the \$250 donation from Mayor David Meisinger for the City's annual Art on the Avenue event, specifically for the Color Dash t-shirts.

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

RESOLUTION NO. 16-__

**RESOLUTION ACCEPTING A DONATION FROM
MAYOR DAVID MEISINGER**

WHEREAS, Mayor David Meisinger has donated \$250.00 to the City of West St. Paul to be used towards the July 23rd annual Art on the Avenue Color Dash event;

WHEREAS, the West St. Paul City Council acknowledges Mayor Meisinger's generosity and commitment to family-oriented community events and extends their appreciation for this donation;

NOW, THEREFORE, BE IT RESOLVED, that the West St. Paul City Council accepts Mayor Meisinger's donation in the amount of \$250.00 on behalf of the City of West St. Paul and authorizes the funds to be used for the Art on the Avenue Color Dash event held on July 23, 2016.

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

David Meisinger, Mayor

Attest: _____
Chantal Doriott, City Clerk

TO: Mayor and City Council
THROUGH: Matt Fulton, City Manager
FROM: Chantal Doriott, City Clerk
DATE: July 25, 2016
SUBJECT: d. t. meisinger development, Inc. Donation



City of West St. Paul

BACKGROUND INFORMATION:

d. t. meisinger development, Inc. would like to sponsor the Art on the Avenue music – MN Events, DJ Joey McCollum. The donation for this annual community event is \$250.00.

FISCAL IMPACT:

Action	Fund	Department	Account	Amount
Donation				\$250
Total:				\$250

STAFF RECOMMENDATION:

Publically thank and graciously accept the \$250 donation from d. t. meisinger development, Inc. for sponsoring the City's annual Art on the Avenue music by MN Events.

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

RESOLUTION NO. 16-__

**RESOLUTION ACCEPTING A DONATION FROM
d. t. meisinger development, Inc.**

WHEREAS, d. t. meisinger has donated \$250.00 to the City of West St. Paul to sponsor Joey McCollum of MN Events who will provide music and entertainment at the July 23rd annual Art on the Avenue event;

WHEREAS, the West St. Paul City Council acknowledges d. t. meisinger development, Inc.'s generosity and commitment to family-oriented community events and extends their appreciation for this donation;

NOW, THEREFORE, BE IT RESOLVED, that the West St. Paul City Council accepts d. t. meisinger development, Inc.'s sponsorship donation in the amount of \$250.00 on behalf of the City of West St. Paul and authorizes the funds to be used for music and entertainment by MN Events at the Art on the Avenue event held on July 23, 2016.

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

David Meisinger, Mayor

Attest: _____
Chantal Doriott, City Clerk

TO: Mayor and City Council
THROUGH: Matt Fulton, City Manager
FROM: Chantal Doriott, City Clerk
DATE: July 25, 2016
SUBJECT: Halverson Family Donation



City of West St. Paul

BACKGROUND INFORMATION:

The Halverson Family is a supporter of community activities and would like to donate funds to be used towards this year's Art on the Avenue Color Dash event in the amount of \$250.00. The funds would be used to purchase the color powder used in this event.

FISCAL IMPACT:

Action	Fund	Department	Account	Amount
Donation				\$250
			Total:	\$250

STAFF RECOMMENDATION:

Publically thank and graciously accept the \$250 donation from the Halverson Family for the City's annual Art on the Avenue event, specifically for the Color Dash.

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

RESOLUTION NO. 16-__

**RESOLUTION ACCEPTING DONATION FROM
THE HALVERSON FAMILY**

WHEREAS, the Halverson Family has donated \$250.00 to the City of West St. Paul to use towards the July 23rd annual Art on the Avenue Color Dash event;

WHEREAS, the Mayor and City Council acknowledges the Halverson Family's generosity and commitment to family-friendly community events and extends their appreciation to the family for this donation;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council accepts the Halverson Family donation in the amount of \$250.00 on behalf of the City of West St. Paul and authorizes the funds to be used for the Art on the Avenue Color Dash event held on July 23, 2016.

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

David Meisinger, Mayor

Attest: _____

Chantal Doriott, City Clerk

TO: Mayor and City Council
THROUGH: Matt Fulton, City Manager
FROM: Manila Shaver, Chief of Police
DATE: July 25, 2016
SUBJECT: Canine Donation from Kenneth Neustel



BACKGROUND INFORMATION:

Kenneth Neustel, a resident of West St Paul, has been a great supporter of our police canine program and has provided the police department with another donation for the police department's canine program in the amount of \$200. Donations are used to help offset the costs of this program.

FISCAL IMPACT:

Action	Fund	Department	Account	Amount
Donation	101	30000	40455	\$200.00
Total:				\$200.00

STAFF RECOMMENDATION:

Publically thank Kenneth Neustel for his ongoing financial support of the police department's canine program and accept the donation by passing the attached draft resolution.

On Motion of

Seconded by

RESOLUTION NO. 16-
RESOLUTION ACCEPTING DONATION
FROM KENNETH NEUSTEL

WHEREAS, Kenneth Neustel, a resident of West St Paul, donated \$200 towards the police department's canine program;

WHEREAS, the Mayor and City Council acknowledges Kenneth Neustel's generosity and extends their appreciation to Kenneth Neustel for this donation;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council accepts the donation in the amount of \$200 and direct its use for the police department's canine program.

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

Ayes: Nays:

David Meisinger, Mayor

Attest: _____
Chantal Doriott, City Clerk

TO: Mayor and City Council
THROUGH: Matt Fulton, City Manager
FROM: Manila Shaver, Chief of Police
DATE: July 25, 2016
SUBJECT: Donation from Super America



BACKGROUND INFORMATION:

Northern Tier Energy (dba Super America) has a community donation committee that provides funds to local cities to promote youth education efforts. This year Northern Tier Energy has elected to donate \$3,000 to the police department's crime prevention program to be utilized for youth education efforts.

Laura Vaughan, the police department's crime prevention specialist, continues to work with the City's police officers and other City staff to educate youth in the community through several programs including bicycle safety, firearms, ATV and snowmobile safety programs, reading programs, and summer activity programs to name just a few. The annual youth safety camp is another major program the police department sponsors with assistance from the City's Park and Recreation Department.

FISCAL IMPACT:

Action	Fund	Department	Account	Amount
Donation	101	30000	40453	\$3,000
Total:				\$3,000

STAFF RECOMMENDATION:

Publically thank Northern Tier Energy and Super America for their generous donation and interest in supporting safety activities and programs for our community's youth. Accept the donation by passing the attached draft resolution.

On Motion of

Seconded by

RESOLUTION NO. 16-

RESOLUTION ACCEPTING DONATION
FROM NORTHERN TIER ENERGY (DBA SUPER AMERICA)

WHEREAS, Northern Tier Energy, which operates Super America gas and convenience stores in our community, donated \$3,000 towards police community youth safety program efforts;

WHEREAS, the Mayor and City Council acknowledges Northern Tier Energy's generosity and extends their appreciation to Northern Tier Energy for this donation;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council accepts the Northern Tier Energy donation in the amount of \$3,000 to the City of West St. Paul and authorizes the police department to expend these funds in the area of youth safety.

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

Ayes: Nays:

David Meisinger, Mayor

Attest: _____
Chantal Doriott, City Clerk

TO: Mayor and City Council
THROUGH: Matt Fulton, City Manager
FROM: Chantal Doriott, City Clerk
DATE: July 25, 2016
SUBJECT: South Robert Street Business Association Donation



City of West St. Paul

BACKGROUND INFORMATION:

The South Robert Street Business Association is a big supporter of community activities and events. The Board would like to donate funds to be used towards this year's Art on the Avenue event in the amount of \$300.00.

FISCAL IMPACT:

Action	Fund	Department	Account	Amount
Donation				\$300
Total:				\$300

STAFF RECOMMENDATION:

Publically thank and graciously accept the \$300 donation from the South Robert Street Business Association for the City's annual Art on the Avenue event.

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

RESOLUTION NO. 16-__

**RESOLUTION ACCEPTING DONATION FROM THE
SOUTH ROBERT STREET BUSINESS ASSOCIATION**

WHEREAS, the South Robert Street Business Association has donated \$300.00 to the City of West St. Paul to use towards the July 23rd annual Art on the Avenue event;

WHEREAS, the Mayor and City Council acknowledges the South Robert Street Business Association's generosity and commitment to family-friendly, community events and extends their appreciation to the Association for this donation;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council accepts the South Robert Street Business Association donation in the amount of \$300.00 on behalf of the City of West St. Paul and authorizes the funds to be used for the Art on the Avenue event held on July 23, 2016.

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

David Meisinger, Mayor

Attest: _____
Chantal Doriott, City Clerk

**City of West St, Paul
City Council Meeting Minutes
June 13, 2016**

1. Call to Order

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

2. Roll Call

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

Others: City Manager Matt Fulton, Assistant City Manager and HR Director Sherrie Le, Community Development Director Jim Hartshorn, Police Chief Manila Shaver, Fire Chief Mike Pott, Finance Director Joan Carlson, Public Works and Park Director Ross Beckwith, Civil Engineer Darin Rezac, City Attorney Korine Land, and Recording Secretary Jennifer Dull.

3. Pledge of Allegiance

4. Adopt the Agenda

ON MOTION of Clpn. Bellows, seconded by Clpn. Iago, to adopt the agenda with the following changes:

- Remove item 10.A.
- Add item 13.B. Town Center II Update/Discussion

All members present voted aye. Motion carried.

5. OCWS Briefing

Mayor Meisinger provided an update of the topics discussed at the open council work session preceding the regular meeting which included:

- Closed meeting to discuss Robert Street property easement acquisitions
- Recycling Program / Recycling Coordinator JPA
- Recycling Program / Organics Pilot Program Review
- Art Park Update

6. Robert Street Review

Director Beckwith provided an update regarding water main and median work and north end pedestrian walkways to be reinstated on the east side of Robert St.

Mayor Meisinger asked about contractor planting and maintenance responsibilities and when the City would take over. Director Beckwith responded that a large matrix has been established to identify plants, locations, and dates in the ground and roots to be established before City takes over.

Clpn. Vitelli noted there were no cap blocks on the west side of Robert and requested staff look into it.

Clpn. Bellows asked about median work stone on planting beds and their anticipated completion date. Director Beckwith did not have a completion date available.

7. Citizen Comments

George Hammernick, 1323 Manomen

Mr. Hammernick was concerned with the inflow and infiltration issues. He stated he received information that he needs a liner estimated at \$12,000 but that it was a minimal amount of water intrusion and the estimate seemed unreasonable for the small amount of water from his property.

8. Council Comments

Clpn. Halverson noted there have been some issues at Harmon Park with trash pick-up and requested some sort of mitigation such as extra pick up or a phone number posted to call for service. Director Beckwith advised that was a staff discussion earlier and they were looking at options including: implementing temporary staff to split time of four hours on Saturday and four hours on Sunday, dedicating a staff person to Harmon Park with a rotation and other options. He stated the phone number suggestion may not work due to different phone numbers for on-call rotation employees.

Clpn. Armon thanked individuals who volunteered to pick up the park on their own. He also noted that West St. Paul has not received any monetary contribution for Robert St. from the legislature and encouraged residents to shop Robert St. businesses.

Mayor Meisinger advised he would be at a conference committee session at the legislature on June 14, 2016 along with other council members to request funds for Robert St. He also noted that June 18, 2016 is Police Day at Marthaler which is hosted by 6th and 8th grade girls who are holding a scavenger hunt, live music, dunk tank, raffle, and food for sale. Proceeds are to be used for the K-9 fund.

Clpn. Iago stated Benjamin Franklin Plumbing has been sending out letters with false information. They have been turned over to the MN Department of Labor and Industry which is conducting an on-going investigation. He urged residents to confirm information and check licenses, and to call the City if there was any confusion regarding the I/I requirements. Congratulations to local graduates as well as his granddaughter.

Clpn. Napier sent thoughts and prayers to those in Orlando stating it was a time to reflect on the Police Department for keeping the community safe.

Clpn. Vitelli noted the Sibley baseball team has made it to the state tournament and congratulations to local graduates.

9. Proclamations, Presentations and Recognitions

A. Thomas Schaffer Day

Mayor Meisinger read a Proclamation honoring Thomas Schaeffer. The Council gave a round of applause. Mr. Schaffer thanked the community for the honor and thanked the Council for their work.

B. Presentation by TNT (Teens Networking Together) Update

Lewis Dixon provided an overview of the current activities and movement of the group. Marthaler Park has been adopted by TNT, and they have also engaged in various other public service activities such as Feed My Starving Children, Ronald McDonald House Christmas toy drive, and SCARED (Students Concerned About Racism and Diversity), and SHOT addressing bullying and teen suicide.. Mr. Dixon stated the organization has received its 501c3 status and is currently meeting at the West St. Paul YMCA. He requested support from the City by promoting on the City calendar, having kids speak at meetings, and partnerships with City to engage the community.

Clpn. Halverson recognized the demand for this type of organization and asked that Mr. Dixon communicate with Council members regarding how they can support the organization.

Clpn. Napier suggested the organization work with the City's volunteer coordinator. Manager Fulton confirmed staff would communicate to get it done.

10. Consent Agenda

- A. Meeting Minutes – REMOVED
- B. April 2016 Bank Reconciliation
- C. City Licensing
- D. City Licensing
- E. City Licensing – Art on the Avenue
- F. Personnel Policy Revision – Respectful Workplace Policy
- G. Rental Licensing
- H. List of Claims 6/13/16

ON MOTION of Clpn. Iago, seconded by Clpn. Vitelli, to adopt the consent agenda items as listed above and presented. All members present voted aye. Motion carried.

11. Public Hearings

A. Final Reading – Zoning Ordinance Amendment, Section 153.029 Regarding Interim Use Permits
Community Development Director Hartshorn reviewed the staff memo to the Mayor and Council.

Mayor Meisinger opened the Public Hearing at 7:06 p.m. and seeing no one wishing to speak for or against the proposed amendment, he closed the Public Hearing at 7:06 p.m. No further comments or discussion ensued.

ON MOTION of Clpn. Halverson, seconded by Clpn. Bellows, to approve the final reading of an Ordinance Amending West St. Paul Zoning Ordinance Section 153.029 Regarding Interim Use Permits. All members present voted aye. Motion carried.

B. Permit Parking Ordinance, Second Reading

Police Chief Shaver reviewed the staff memo to the Mayor and Council.

Mayor Meisinger confirmed the proposed ordinance applied to all neighborhoods. Chief Shaver clarified that it would change the ordinance to allow a petition for review.

Clpn. Halverson suggested continuance until the next meeting due to the original issue that brought the idea about may be addressed and as such, the proposed ordinance may not be needed. She also pointed out that the amendment would allow a petition process and Council review and that it would be a tedious process but gives residents an option.

Clpn. Iago agreed with Clpn. Halverson to continue the item.

Clpn, Bellows stated he hasn't seen any interest in permit parking in the City elsewhere and this proposed amendment was raised by one group that had reservations which now may be a private issue that can be resolved. He was concerned with possible negative aspects noting permit parking in St. Paul, as an example, was more problems than solutions.

Clpn. Vitelli noted a Bernard resident has issues in front of her home and parking was also an issue with Twin Pines. He confirmed with Attorney Land that the ordinance amendment would apply to anyone interested whether it be a single home or a block.

Clpn. Armon agreed with Clpn. Bellows' comments.

Clpn. Napier noted the petition was the significant piece of the proposal which would require parking to be a significant problem for a neighborhood to come forward.

Manager Fulton advised the amendment would enable future legislation to allow permit parking which may be justified as the City moves forward with development on Robert Street.

Mayor Meisinger opened the Public Hearing at 7:16 p.m. and seeing no one wishing to speak for or against the proposed ordinance amendment, he closed the Public Hearing at 7:16 p.m.

ON MOTION of Clpn. Iago, seconded by Clpn. Vitelli, to continue the decision to a future meeting pending the results of the private issue that brought about the proposed amendment. All members present voted aye. Motion carried.

12. New Business

A. Approve Consultant Contract for Crusader Ave. Sewer Lining City Project 17-2
Parks and Public Works Director Beckwith reviewed the staff memo to the Mayor and Council.

Clpn. Armon asked whether the City has previously had experience with AE2S, Inc. given the low bid hoping that Foth doesn't know things about the project that the others may not know. Director Beckwith advised that AE2S, Inc. was contracted for stations 5 and 6 and their hours and timeline were realistic when staff extensively reviewed the bid.

Clpn. Vitelli asked whether there was extensive concrete corrosion or erosion and whether a liner will fix the problem. Director Beckwith confirmed a liner would address all issues.

ON MOTION of Clpn. Bellows, seconded by Clpn. Halverson, to approve a contract with AE2S, Inc. for the design and construction administration of the Crusader Avenue Sewer Lining Project, City Project 17-2, for an hourly not-to-exceed contract amount of \$38,900. All members present voted aye. Motion carried.

B. 435 Bernard St. E. – 463 Action

City Attorney Land reviewed the memo to the Mayor and Council noting the building inspection and code enforcement reports and photographs in the packet are submitted to the record. She outlined the process for service and appeal and advised she would seek reimbursement of costs incurred as part of this process.

Clpn. Vitelli asked whether there were issues with rodents. Attorney Land noted the only known issue is that the home is unsecured and the City could do an emergency abatement if necessary.

Clpn. Armon stated the Council has seen their share of these and encouraged residents to let the City know when they see these things. Mayor Meisinger added that residents should be aware of neighbors and offer assistance or contact the City.

ON MOTION of Clpn. Vitelli, seconded by Clpn. Armon, to adopt the Resolution and Order to Remove Structure at 435 Bernard Street East. All members present voted aye. Motion carried.

13. Old Business

A. Final Reading on Proposed Amendments to City Code Chapter 50 Section 50.08 Regarding Discharge of Prohibited Clear Water Drainage; Sump Pumps (Continued from May 23, 2016)

City Manager Fulton reviewed the staff memo to the Mayor and Council and clarified that property owners would be responsible for sewer from house to the main, City would be responsible at the main, and the proposed effective date would be January 1, 2017 to allow for education and promotion.

Mayor Meisinger stated the ordinance has been on the books for eight years with multiple amendments. He noted that he received three emails from realtors in opposition to the proposed point-of-sale inspection. He also asked if the proposed amendment is passed is the City off the hook to the Met Council.

Manager Fulton advised that the Met Council provides continuing work in I&I and as long as the City is working with them to reduce the issues, Met Council will not surcharge the City provided the City is meeting the Met Council's expectations. He added that once the inspected and in compliance, it will be good for 10 years.

Clpn. Vitelli confirmed with Manager Fulton the proposal would also apply to rental properties.

Clpn. Halverson stated she hoped this doesn't have to change again and that this would be the final solution because residents have been confused. She believed the amendment as proposed strikes a balance with burden and service to the community. Clpn. Halverson added that the amendment meets the Met Council's needs and allows time to make the changes required.

Clpn. Bellows stated this was a difficult issue because the Met Council has proposed severe restrictions and penalties due to clean water in sewers. He noted West St. Paul was an aging community and infrastructure and noted he was also on the list to address the issue. Clpn. Bellows stated that corrections would be a substantial value to the house and while it is a burden, everyone should recognize that the problem will not go away. As proposed and under the circumstances, the City is attempting to address the problem and work with everyone so as not to receive a \$1.7 million fine. He

added that the inspections and corrections would occur when selling or when street is under reconstruction, that the buyer and seller could negotiate issues, and stated this wasn't a perfect solution but better. He stated that the City needs to make sure the decision is communicated to all citizens correctly and let them know what resources are available, i.e. 15% reimbursement up to \$5,000 contribution by City. Understanding the real estate community is upset, he noted that other communities also require truth-in-housing inspections.

Clpn. Napier advised he received multiple emails and that his response has been that this process has not been quick, rather it's been slow and well thought out. He stated he was against this early on but as now proposed, it provides the most flexibility to the process and time. He added that the City would have an in-house inspector at no cost to property owners.

Clpn. Iago expressed concern for the Robert St. properties stating he wished they would have thought about the burden to residents of South Robert St. He asked that if the camera goes down in a dry area and there is a crack, how they will know what the I&I impact is. Clpn. Iago asked if there was a way to address size of cracks, where they were located, etc. because some cracks may be so minimal it shouldn't require lining. He suggested developing something with the Met Council to provide some wiggle room as he wasn't comfortable leaving the determination to one person's opinion whether a sewer will require lining.

Manager Fulton provided numbers for compliance and non-compliance with homes on Robert St. He stated that the proposal requires all properties on Robert St. must be inspected by July 1 and in compliance by September 1 so as not to require reopening of the street. He recognized that cracks would be different from one area to the next and stated they would work with Met Council to identify where replacement and/or lining would be required. Manager Fulton added that it wouldn't be a judgment on the size of cracks but rather to get a person on board to work with and define the issues. He suggested they work with Met Council to see what is acceptable to them and that maybe there was some way to allow for some type of judgment call to be made. He also stated that the roads were fragile, that the City would not require property owners to do their own excavation and they should also preserve the integrity of the streets.

Clpn. Armon noted that the main reason for requiring this was the significant surcharge by the Met Council adding he was not a fan of the Met Council but they were flexible so this was the balance.

Clpn. Halverson noted that on April 11, 2016 they decided the City would send out notices regarding changes but that these notices did not go out and a number of properties completed the work. She asked if there was something that could be done to help those that have already done the work.

Manager Fulton stated staff did send a letter regarding not excavating in the right-of-way and apologized that the correct notice wasn't sent out because of miscommunication. He stated people got ahead of the game for coming into compliance that they would have to do any way so there wasn't an easy solution.

Clpn. Halverson wasn't satisfied with saying sorry as there were thousands of dollars spent for repairs.

Mayor Meisinger advised that homes were inspected last year and the plan has changed each time. He said others have also complied previously and he did not want to move on this because the City is not liable to those that have done repairs that were or would be required of them anyway.

Clpn. Bellows reiterated that residents would have to have the work done any way. He was concerned that if the City decided to reimburse some, where it would end. He stated that under the circumstances with trying to make the program as easy as possible, he did not want to ask some residents to reimburse other for work that would have to be done either way.

Clpn. Napier asked Finance Director Carlson to look into whether it was an option to allow some residents to be assessed retroactively.

Clpn. Halverson stated she wasn't look at going back to 2008 but noted it in the record on 4/11/16 and she was looking for something from 4/11/16 to present since it was on record and noted she was uncomfortable with not addressing the time period. She stated they made the mistake and they should fix it.

Clpn. Vitelli suggested maybe having a reverse assessment and reimbursement but that he could not support complete reimbursement.

Attorney Land suggested possibly allowing a voluntary 429 procedure. Direct Carlson advised that is how the issues are currently being handled and she would check into the numbers.

Mayor Meisinger stated that staff has been given direction to come back to Council with numbers and the issue will be revisited.

Citizen Comments:

- George Hammernick, 1323 Manomen
Mr. Hammernick asked whether the deadline for lining was extending pending final decision and noted the minimal intrusion from his inspection. Mayor Meisinger confirmed the deadline was extended and request Mr. Hammernick contact staff to review inspection data and further investigate.
- Lauren Smith, 1092 Ohio
Ms. Smith stated she has lived in her home about four months and she received a scary letter stating a search warrant would be obtained. She also noted that the camera inspection says 70 feet of pipe but the house is only 30 feet from roadway and questioned how there could be an additional 40 feet. Ms. Smith also noted for the record that she did receive a letter saying she doesn't have to move forward with the lining at this time.

Manager Fulton requested Ms. Smith bring in her inspection report and staff would help interpret. He also noted that the search warrant language was in letters but was redone and apologized for the miscommunication. Clpn. Halverson noted the issue with some residents receiving the letter and other not. Clpn. Bellows clarified the responsibility of homeowners to the main line and the City at the main line and in right-of-way.

- Eric Meyers, St. Paul Association of Realtors
Mr. Meyers stated realtors recognize the difficulties of the problem and that they were appreciative of resources of sellers and buyers. However, they do renew their opposition. He stated the Met Council has handcuffed the City with the million dollar plus fine and if it

weren't for that, this would not be moving forward. Mr. Meyers stated on an average year the City has 150-200 homes for sale and when 200 homes have inspections, they won't even be looked at. He stated that clean water will continue to invade that owners of 30-40 years will be stripped of their equity and that it will be difficult to find buyers to take on these issues as new homeowners will be underwater right off the bat. Mr. Meyers stated that with the assessments, the City will be uncompetitive with other homes in the market. He provided numbers for a \$150,000 - \$200,000 home of about \$200-\$300 more per year and stated he was concerned for the residents of the community because it seems that the City was doing a backroom deal with Met Council. Mr. Meyers stated that realtors recommend a phased approach to delineate the various issues so as not to do inflow or infiltration, stating that correcting the problems over the long term will take time, and to avoid passing the buck to residents.

Cpln. Bellows stated he didn't appreciate the lecture and noted Mr. Meyers didn't identify a solution. He added that Mr. Meyers did not represent the citizens of WSP and that this solution has been a long discussion and continuous working effort. He advised there were no backroom deals, and told Mr. Meyer that he was operating solely on profit. Cpln. Bellows stated he had never seen someone more disrespectful and obnoxious.

Further exalted argument and discussion ensued between Mr. Meyers and Cpln. Bellows. Mayor Meisinger requested order in the chambers.

Manager Fulton suggested Mr. Meyer be accountable on the numbers noting that when he said it would cost someone \$200-\$300 more in a mortgage payment, that equates to approximately \$50 per year and it was not in Mr. Meyers' best interest to scare the real estate world.

- Vince Granley, 1003 Cherokee Ave.

Mr. Granley advised he had his sewer line fixed but that he would not have been affected by the 4/11/16 letter since his was earlier. He asked what his options were since his repair took place in March. He stated that if he'd known he could wait, he would have and would have appreciated notice.

Mayor Meisinger thanked Mr. Granley for fixing his line. He stated there wasn't much that could be done since the issue was under the previous ordinance but that maybe the City can come up with a reverse plan to help folks out.

Cpln. Bellows asked that staff make sure he applies for the 15% reimbursement. He also noted that in 2008 there was grant money provided by the Met Council, which was not City money, but those grant funds are no longer available.

Cpln. Napier stated there would be residents that will have to complete the repairs if their street is being reconstructed and it was still the City's plan to repair/reconstruct five streets per year. Manager Fulton connected with Cpln. Napier and stated that a homeowner would not be required to do the repairs at that time.

- Barbara Lowe, 1040 Cherokee Ave.

Ms. Lowe asked what WSP's inflow and infiltration goals are with respect to the MOU providing for goals. She asked where the measure points were and whether there were other options than a camera test and about disconnecting in-ground gutters.

Clpn. Iago advised there were three meters in town and there was an acceptable rate line determined by Met Council who will make sure the City stays within the rate line. He stated the measuring points were at South Robert, Dodd and Delaware at Annapolis.

Mayor Meisinger added that the Met Council tracks water return and that ground water into sanitary systems during heavy rain is accounted for. He also stated that in-ground gutters will likely be disconnected at the inspection.

Clpn. Vitelli clarified that gutters were not believed to be connected to sanitary sewer and asked that Ms. Lowe provide an address to staff to look into.

- Evonne Pulsak, 993 Cherokee Ave.

Ms. Pulsak stated she had her lining done a couple days later received the letter stating it wasn't necessary afterward. She thanked Clpn. Halverson for trying to address this noting an apology just wasn't enough. Ms. Pulsak advised there were three holes drilled into her basement floor and it required many days off work.

Mayor Meisinger asked how many properties have been inspected. Manager Fulton replied 300 properties have come into compliance.

ON MOTION of Clpn. Vitelli, seconded by Clpn. Bellows to approve the Ordinance Amending City Code Chapter 50, Section 50.08 Regarding Discharge of Prohibited Clear Water Drainage; Sump Pumps. All members present voted aye. Motion carried.

ON MOTION of Clpn. Bellows, seconded by Clpn. Iago, to approve the 2016 Memorandum of Understanding Relating to Ongoing Inflow and Infiltration Program between City of West St. Paul and Metropolitan Council. All members present voted aye. Motion carried.

ON MOTION of Clpn. Halverson, seconded by Clpn. Iago, to direct staff to explore options for the City to address issues as identified during discussion to address homeowners that came into compliance since 4/11/16. All members present voted aye. Motion carried.

B. Town Center II Update/Discussion

Clpn. Bellows noted that a plan for the redevelopment of the area has been approved by the Council and that as part of that approval, Council provided a one year period of time to provide easement access across the development if it was possible with neighboring property owners. He asked whether there has been any activity on the part of staff to propose continuation of Lothenbach or delay the project.

Manager Fulton stated he provided direction to Director Hartshorn to facilitate communication with the developer and neighboring property owners with respect to the approved access and noted that the Lothenbach road extension has always been a possibility but nothing has moved forward on this at this point. He added that he was not trying to delay the project in any way.

Director Hartshorn advised that there have been no discussion with City involvement beyond what has been approved. However, previous discussions did take place about making access easier and

connecting with the Lothenbach light. If that is the direction the developer decides to go, he would work with the developer to consider direct route but no discussions to this affect have taken place.

Clpn. Iago asked whether the developer was on board with a new connection beyond what was previously approved. He indicated that the plan was already approved so there shouldn't be a need for anyone to go back and change it. He stated it would be inappropriate to talk to land owners without the developer.

Manager Fulton clarified that the plan was approved at the las Council meeting but that the owners to the south were not aware of the plan. The plan was to enter into dialog with the property owners to the south to get a discussion going regarding the access.

Clpn. Bellows advised that a public hearing was held at the last meeting and was open to the public. He stated a process was in place for notification and to be heard. He asked why staff should go back and look at other plans when one was already approved.

Manager Fulton indicated that the development does impact surrounding properties and did want them to be aware.

Additional questioning and discussion ensued between Clpn. Bellows and Manager Fulton with respect to the approved plan and access arrangement and whether or not staff was proposing alternative access beyond and outside of the Council's decision.

Clpn. Vitelli stated he was offended by Clpn. Bellow's comments and tone and treating the City Manager as if he was under interrogation. He stated the Chambers was not a court room and recited the language for the approval from the last meeting. Clpn. Vitelli urged staff to talk to property owner to the south to provide the connection as approved.

Clpn. Bellows asked what the options were for potential investigation into the City Manager and whether he suggested changing the plans after they were approved.

Attorney Land advised that a motion could be made and that her office could conduct an independent investigation of the facts and report back to the Council with the findings.

Clpn. Armon stated he would like to review the tape before ordering an investigation.

Clpn. Halverson indicated she was not comfortable with an investigation.

Clpn. Iago noted there was direction to Director Hartshorn to engage in communication even though everyone was keenly aware of what was approved and he would like to know what was said.

Clpn. Bellows stated the approved plan was clear and there is the potential for an easement. There is no question about that and Mr. Carlend acknowledged the potential for the easement. He would like to know whether there was subsequent direction to staff to modify the plan contrary to the plan as passed, specifically, to extend Lothenbach from Robert St. to Livingston; whether there was some additional discussion afterward contrary to Council's direction.

Clpn. Napier asked what if staff got together with businesses to the south and there was a better concept that businesses, staff, and developer are ok with. He asked if Councilmembers would be angry if the developer came back with a different proposal, noting this was a hypothetical scenario. Clpn. Napier stated the developer would have to come back with changes if they decided something else any way so it doesn't seem to be an issue.

Clpn. Vitelli agreed with Clpn. Napier stating it was an excellent analogy. He stated that Mr. Carlendis going to build the plan as passed but, if staff and the businesses and the developer want to come back with a better plan, why would there be any opposition. If Mr. Carlend decided to make a change, would there still be opposition from Clpn. Bellows.

Clpn. Bellows noted that the developer was already dedicating money to put the plans as approved into play. However, why wouldn't staff go to the developer first to see if the developer wanted to change the plans. He stated it seemed to him that if something different was going to be done, Mr. Carlend and the other property owners should discuss. Mr. Carlend is presumably moving forward with his development as approved and is not aware that other options were being discussed without him that would affect his development.

Clpn. Halverson indicated that Mr. Carlend said he was willing to work with the surrounding property owners. To her, this is where the Council asked Mr. Carlend for permission to explore other options to work with surrounding property owners. She stated that following that permission, staff went to work to engage in communication with the business owners to figure out how the access would best work. She stated permission was received by Mr. Carlend during the meeting and that alternatives, if any, weren't coming out of the blue. She also noted that staff has not had the conversations with the property owners yet and that the conversation with Mr. Carlend had taken place before the Council. She stated Mr. Carlend was willing to explore options and clarified to Clpn. Bellows that Mr. Carlend was not being left out of the discussions.

Mayor Meisinger noted that staff was spending time and money on something the developer may not move forward with.

ON MOTION of Clpn. Bellows, seconded by Clpn. Iago, to investigate whether City Manager Fulton gave direction to staff to push a potential road extension of Lothenbach or just engage in discussion with surrounding property owners regarding the connection.

Ayes: 2 (Bellows, Iago) Nays: 4 (Armon, Halverson, Napier, Vitelli). Motion failed.

14. Adjourn

ON MOTION of Clpn. Halverson, seconded by Clpn. Bellows, to adjourn the meeting at 9:08 p.m. All members present voted aye. Motion carried.

Jennifer L. Dull
Jennifer L. Dull
Recording Secretary

**City of West St. Paul
Open Council work Session Minutes
July 11, 2016 at 5:00 p.m.**

1. Call to Order and Roll Call

Mayor David Meisinger called the work session to order at 5:00 p.m.

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

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

2. Approve Agenda

The work session agenda was approved as presented.

3. Review the Regular Meeting Consent Agenda

Council approves of the following revisions:

- Pull item i. Water Tower as it needs to be painted – consider part of the lease agreement.
- Pull item j. 2016 Work Plan Update as there are corrections to be made.
- Add item k. Consideration of a temporary liquor license application from St. Joseph's Church
- Pull Consent item for June 13, 2016 Council minutes as there are corrections to be made.

4. Agenda Item(s)

4.A. 2017 Fee Schedule – Finance Director Joan Carlson

Finance Director Joan Carlson reviewed the 2017 Proposed Fee Schedule which reflects market conditions and increased operating costs. Many fees remain unchanged from last year. The liquor license and motor vehicle related business fees were once again held to 2014 rates to allow businesses relief from the Robert Street reconstruction project. Some fees have been adjusted up a small amount to account for increased city costs and are highlighted in yellow on the worksheet being reviewed. Other fees have been increased a larger amount in an effort to bring them closer to a cost recovery level.

There are three new items on the proposed Fee Schedule:

- Potentially dangerous animal was added with a fee of \$210, which is half of the dangerous animal fee. The Police Chief determines if the dog is dangerous and it's outlined in the city code.
- Fee for general police services was added at a rate of \$150 per hour.
- Picnic shelter at Thompson Park brings this in line with Harmon Park fees.

- Permit parking signs and stickers were added with the rates as follows:
 - ✓ Permit parking sign at \$200;
 - ✓ Parking stickers (1st sticker no charge) at \$15.00;
 - ✓ 1 day sticker (limit of 15 per request) at \$1.00 each.
- Clpn. Halverson would like to discuss these fees at a regular council meeting.
- Clpn Iago is not in favor of the false alarm fee. Discussion ensued and Police Chief Shaver said he could provide additional information including true costs for such calls.
- The goal would be to recover costs incurred. Overall these revenues are a small part of our budget. Some fees have not changed in a long time.

4.B. Net Ministries (NM) Property and Rental Licensing Discussion – Attorney Korine Land

Attorney Land gave an overview. Net Ministries provides missionary training to college-age students who desire to serve on mission teams throughout the United States. NM temporarily houses students in a dorm-type setting on-site. In addition, Net currently owns three residential properties in which it houses training staff and intends to acquire two additional homes. Council reviewed a map showing the location of Net Ministries' main campus and the relevant houses: 110 Crusader, 76 Crusader, 1990 Stryker, 1962 Stryker, 2010 Stryker and 1924 Bidwell.

The use of single-family homes as rental properties for this purpose has caused concern because these properties are not yet licensed, they are not all contiguous to or part of the main campus and they are occupied by more than 3 unrelated people.

Staff met with Net Ministries several times over the last few months in order to identify a solution. We think we have found a staged-approach that will allow Net to fulfill its needs, while allowing the City to have an orderly and consistent application of its rental housing ordinance. Net has indicated that it can provide the missionary training through the existing on-site dorm for students and 4 single-family homes for staff.

1. Rezone the Net Ministries main campus to a PUD with an underlying R4 zoning district.
2. Obtain rental license for various properties.

Comments:

- Tom Grundhoefer is on the Board of Directors for Net Ministries and also works for the League of MN Cities had questions regarding building floors and dorm.
- Clpn. Vitelli had questions on the house house staff who work there on retreats and concern about losing tax base.
- There was no building permit pulled for the dorm building Clpn. Bellows concern is he would like to waive the \$150 variance fee and put that in the development agreement. Also, work on a timing sequence for moving people. If you have two off site properties on Stryker do you agree that you will not purchase more properties or if off site? Concern about control over PUD and future position. The PUD is an approved plan for what they want today. If the plan is amended they need to come before council for subsequent approval.
- You are stuck with R4 PUD that has a particular development. If they sell someone else it has to be used the same way. There are density requirements.
- Clpn. Bellows thanked Director Boike and Attorney Land and Clpn. Iago for their work on this issue which was complicated at times.

- Clpn. Iago said Attorney Land and Assistant Director Boike and Mark have done a great job in working with Net Ministries. It's a good start and excellent plan.
- When would the public hearing be held? First you would consider the rental licenses because there will be issues for consideration. Rental licenses will be associated with Net Ministries. Staff will present a complete plan and the first meeting in August. Rezoning will come back after the Planning Commission considers the amendment.
- Clpn. Vitelli is not in favor and not supportive of this solution. He would like to buy the properties back. Clpn. Halverson kind of agrees with Clpn. Vitelli. Most of the Council is in favor of the proposed rental licensing plan.

4.C. Temporary Family Health Care Dwellings

Assistant Community Development Director Ben Boike said the State Legislature recently passed a bill creating a new process for landowners to place mobile residential dwellings on their property to serve as a temporary health care dwelling. The bill essentially requires all cities to allow mobile dwelling units (300 sq. ft. or less) on residential properties as a permitted use to provide temporary housing for “mentally or physically impaired” relatives. The bill does allow cities the ability to “opt out” of the requirement by passing an ordinance. Director Boike presented pictures on what these homes could look like and what could be allowed for a limited period of time.

In discussing the bill with the City Attorney, staff wanted to discuss the bill with Council prior to acting with a proposed Ordinance. The new law goes into effect September 1, 2016 so action is required soon should Council wish to opt out.

Comments:

- Clpn. Halverson supports opting out.
- Clpn. Armon said there is a limit on out buildings right now, does this count? Director Boike said this does not.
- Clpn. Bellows said we should opt out. We can always opt back in.
- Clpn. Napier sees the need but needs more time to consider and is in favor of opting out at this time.
- This will be reviewed by the Planning Commission and come back to the Council for a first and second reading as this requires a public hearing and ordinance amendment.

14. Adjourn

The work session adjourned at 6:10 p.m.

David Meisinger
Mayor
City of West St. Paul

**City of West St. Paul
City Council Meeting Minutes
July 11, 2016 at 6:30 p.m.**

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, Ed Iago, John Bellows, Dave Napier, Jenny Halverson and Dick Vitelli.

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

3. Pledge of Allegiance

4. Adopt the Agenda

Motion was made by Clpn. and seconded by Clpn. to approve and adopt the agenda with the following revisions:

- Add consideration of a temporary liquor license application for St. Joseph's Church

All members present voted aye. Motion carried.

5. OCWS Briefing

Mayor Meisinger explained the City Council met prior to this meeting to hold a work session in which the following was discussed:

- Town Center I preliminary development agreement
- Living pods/temporary units
- Proposed 2017 fee schedule

6. Robert Street Review

Public Works Director Beckwith gave an update:

- Sunday night shut down Robert Street from Mendota to Thompson for northbound traffic and open southbound; Oakdale and Livingston will have different traffic patterns.
- This week lots of curb and paving going in on the south end.
- North end work this week includes road closures and striping. Requires some lane closures too as you can't drive over the wet paint.
- Drive slowly and be safe.

- Robert Street will be closed during the crossover Sunday at 8:00 p.m. “Closed – Warning” signs are already up.
- From Thompson heading south on the west side we are doing sidewalks. They are working in various sites and trying to finish up and will be moving south.
- Please be conscious of the workers and remember that fines double in construction zones.

7. Citizen Comments

Andy North, 12637 Ensign Avenue in Savage: Asked Council to consider letting Boozemart at 1683 South Robert St. allow a two-year hold on the liquor license. He is trying to work a deal with someone to purchase the store. Director Hartshorn will speak with Mr. North to see if a compromise can be made. Off sale license numbers are set by Council and at any time Council can increase or decrease the amount of licenses. Council to Mr. North - it appears you can give your license back (or let it expire) and reapply when you are ready with your redevelopment plan.

8. Council Comments

Clpn. Iago commented that South Metro Fire Dept. looked at some symptoms he was having that lead to him going to the hospital. This is a great service and available to the public.

Mayor The LOOP transports residents and on July 27 you can ride for free from 10am to 3pm. Meet the bus at the building entrances (notice posted on site and website). Those riding for free will also get a free Dairy Queen! Reservations can be made at 651-554-6104 or city hall at 651-552-4100. This service makes it more convenient to shop on Robert Street.

Clpn. Armon said there will be a St. George Middle Eastern Festival on Sunday from 12:00 noon to 6:00 p.m. It’s great fun. Also, Item F. on the consent agenda supports a rental license in Ward 1 so for anyone having issues about a rental home check with the city.

Clpn. Halverson reminded all about Art on the Avenue to be held on July 23 at Dodd Park from 4:00 to 8:00 p.m. The color run will commence at 7:00 p.m. and is a highlight of the event.

Clpn. Bellows said the Sanctuary is an affordable assisting living facility opening this fall. There are 140 units available including memory care. It’s a wonderful facility. Veterans will have some preference. They have an office in the same building as LA Fitness and Payless Shoes. Also, we have a Primary this year on August 8, 2016. It’s important to have your voice heard so get out and vote. You can absentee vote through the County so call 651-438-4380.

9. Proclamations, Presentations and Recognitions

A. Donation, Farmers Insurance Group (Gary Burns)

Mr. Burns spoke on behalf of the grant. Farmers Insurance has always been helpful towards public service entities and just came out with an option for an agent to make a local donation. Mr. Burns contacted Chief Shaver to assist with a local group.

The City Council was very happy with the \$100.00 donation from Mr. Burns and the Farmers Insurance.

Motion was made by Clpn. Vitelli and seconded by Clpn. Halverson to graciously accept the \$100.00 donation from Mr. Burns and the Farmers Insurance Group and adopt Resolution No. 16-60 Accepting said donation. All members present voted aye. Motion carried.

10. Consent Agenda

- A. City Meeting Minutes - 5-23-16 OCWS, Removed ~~6-13-16 CC~~, 6-27-16 OCWS, 6-27-16 CC
- B. Claims List
- C. May 2016 Investment Report
- D. May 2016 Bank Reconciliation
- E. Accept 2015 Audit and Financial Reports
- F. Rental Licensing, 159 Roehler Avenue
- G. Internet Crime Against Children (ICAC) JPA Renewal
- H. Approve Revised Pay Equity Report
- I. Approve Amended Site Lease Agreement with APT/T-Mobile Lease at 354 Annapolis Street
- J. Removed ~~Mid-Year Work Plan Update~~
- K. Added Temporary On-Sale Liquor License for St. Joseph's on August 21, 2016

Motion was made by Clpn. Iago and seconded by Clpn. Bellows to approve the consent agenda items as presented and outlined above. All members present voted aye. Motion carried.

11. Public Hearing

There were no public hearings scheduled for this meeting.

12. New Business

A. Award Bid for City Hall Remodeling Project

Assistant City Manager Sherrie Le and John Wold from Wold Architects gave an overview. In May the City Council reviewed the project scope for the City Hall remodeling work and agreed to go out for bids. The bid specifications were then finalized and sent out for bid using required procedures. The initial rough cost was estimated at \$200,000. The rough estimate provided by Wold, after refinement of the project was \$122,500 without Alternate A and B and \$150,000 with both options. (Alternate A of the bid proposal was the partition wall in the expanded lobby conference room and B was carpeting for that room.)

As discussed at the May meeting, a separate quote was obtained on an option to create an emergency exit in the back of the Council Chambers. After receiving additional information about the feasibility and cost of an emergency exit, it was determined not to be feasible as proposed, due to the fact that the load on the walls was already at its maximum. Therefore, that option was not included in the formal bid document.

The plans and specifications were prepared by Wold Architects and Engineers and they managed the bid opening with staff present. We were very fortunate to receive eight bids for the work and the low bid came in under their estimate. Funds to pay for construction would come from the City Hall budget account.

Director Le added that the original budget was \$200,000 but refined to around \$150,000 and the final bid came in at \$130,000.00.

Motion was made by Clpn. Vitelli and seconded by Clpn. Armon to award the bid to Parkos Construction Company, with both alternates, at total project cost of \$130,700.00. All members present voted aye. Motion carried.

B. Approve Consultant Contract for 2017 Street Improvements - Project #17-1

Public Works Director Ross Beckwith gave an overview. Staff recently solicited RFP's (Request for Proposals) from three consulting engineering firms for engineering design services on the 2017 Street Improvement Project. Two of the three firms submitted proposals. The consulting services will include topographic surveying, soil borings, preparation of the feasibility study, project design, plan/specification preparation, construction staking and as-built drawings. Contract administration and construction observation will be performed solely by City staff.

All of the above firms have extensive experience with street improvement projects. Additionally, staff has worked with these firms on similar projects in the past. Proposals were reviewed for project team experience, timeline, hours/staff dedicated to each task and cost. Staff is recommending that Bolton & Menk, Inc. be chosen for this project.

Clpn. Halverson would like an estimate and have it added to the project. Also Highway 110 might benefit from this addition. Full reconstruction streets would affect I/I.

Motion was made by Clpn. Vitelli and seconded by Clpn. Napier to approve the contract with Bolton & Menk, Inc. for the design of the 2017 Street Improvement Project for a contract amount, not to exceed, of \$229,899.00 as presented. Clpns. Halverson, Armon, Iago, Napier and Vitelli voted aye. Clpn. Bellows abstained as the street he lives on is affected by the improvements. Motion carried.

C. 72. 05(D) Parked or Stored Motor Vehicles, Ordinance Change

Police Chief Manila Shaver gave an overview. City staff attempted to address the growing number of individuals living out of their motor vehicles, trailers and other makeshift structures in the City with the recent recodification of the City's Codes. However, when the recodification process was completed it was noted this change was adopted under the "Motor Home" section. With the language under this section it meant that an individual would have to be living out of a motor home to be in violation. The issue staff was trying to mitigate was individuals living out of vehicles, trailers and makeshift structures. These devices do not have certain elements that foster

healthy, sanitary living shelters such as bathroom and washing (water) facilities, food storage, heat, etc.

The police department continues to be contacted to remove individuals living out of motor vehicles, trailers and other temporary structures from being parked on private property and in City parks. In just about every case, the individuals have been put in contact with Social Services to help address any immediate needs; many times this assistance has been refused.

The City Attorney has drafted a simple language change to section 72.05(D) of the City Code making it a violation of City Code for a person to live out of a vehicle, tent, trailer or some other type of temporary structure.

Comments:

- This has been a concern voiced to several of the Councilmembers.
- Does Walmart allow parking overnight? Chief Shaver believes they do.

Motion was made by Clpn. Armon and seconded by Clpn. Iago to approve the first reading of an ordinance amending section 72.05(D) of the City Code regarding parked or stored motor vehicles. A second reading will be held at a future meeting. All members present voted aye. Motion carried.

13. Old Business

A. Options for Addressing Properties Coming Into I/I Compliance Between April 11 - May 26 (Continued from June 27, 2016)

City Manager Matt Fulton gave an overview. This item was continued from the Council's last regular meeting to allow staff the opportunity to explore additional options that could be considered for I/I work contracted by residents between April 11 and May 23, 2016. Staff believes this might involve around 40 properties.

Manager Fulton asked Council to consider four special assessment options for paying off I&I assessments for any eligible project.

Comments:

- Attorney Land offered additional comments on the change in the work.
- If someone didn't assess this we could go back to them and we can retroactively assess the fee. Director Carlson wonders why a person would want to do this now when they didn't do it at the time.
- Assessments are supposed to be uniform and we are making them not uniform with all the options. These options will not be available to someone coming into compliance after May 26 and this could be problematic. Clpn. Bellows is not comfortable supporting.
- Clpn. Vitelli is not supportive of making these options available and changing the policy.
- Clpn. Halverson thinks something should still be done for folks and possibly option 2 would work which allows people to extend the period of payment. She would propose this route. Clpn. Napier could support option 2.

- This is a policy change. It would become a lot of work if you extended this to past assessments or future assessments. The additional time is being offered due to a staff error.
- Clpn. Bellows asked about a standard for a deferral period – is there some pattern that has been established? Director Carlson said for West St. Paul yes for ten years. So if we allow payment over 15 years then someone can pick 10 or 11 or 12 years? Director Carlson said yes, we are making this more complicated. They can pay it off early but they could not change terms once they are set.
- Clpn. Vitelli seconded motion but is not supportive.
- Clpn. Napier said it should be a small number and the Mayor added not more than forty. Clpn. Halverson wants to offer this option; not adding years ... it's 10 or 15 for these "40" people. Director Carlson added comments about the term length and payment as did Clpn. Halverson.

Motion was made by Clpn. Halverson and seconded by Clpn. Vitelli to clarify the reason we extended the option on the term to these forty (40) people is because we erred in sending them a letter outlining the payment options. Clpns. Halverson and Napier voted aye. Clpns. Armon, Vitelli, Bellows and Iago voted nay. Motion fails.

Mayor said we apologize for this mistake but there are no other additional options for these people.

B. Reconsideration of Conditional Use Permit approval for 1365 Bidwell Ave - St. Paul Regional Water

Community Development Director Jim Hartshorn gave an overview. At the previous Council meeting, staff intended to continue the public hearing for the requested CUP to the July 25, 2016 Council meeting. However, due to some miscommunication the item was approved. Since the application still needs to be reviewed by the Planning Commission at their July 19, 2016 meeting, staff is recommending that Council reconsider the approval of the application and continue the public hearing to the July 25, 2016 Council meeting.

Motion was made by Clpn. Bellows and seconded by Clpn. Halverson to reconsider the recent approval of the Conditional Use Permit and continue the public hearing to the August 8, 2016 meeting. All members present voted aye. Motion carried.

14. Adjourn

Motion was made by Clpn. Halverson and seconded by Clpn. Iago to adjourn the meeting at 7:30 p.m. All members present voted aye. Motion carried.

David Meisinger
Mayor
City of West St. Paul

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



City of West St. Paul

BACKGROUND INFORMATION:

Invoices to be paid

FISCAL IMPACT:

\$2,971,681.06

STAFF RECOMMENDATION:

Approve payment of attached

CITY OF WEST ST PAUL

**Summary of List of Claims
Council Meeting of July 25, 2016**

PAYROLL CHECK REGISTER:

Payroll Period	7/4/16 - 7/17/16	
Date Paid	7/22/2016	\$160,362.84
Direct Deposit		

Payroll Period		
Date Paid		
Direct Deposit		

TOTAL NET PAYROLL		\$160,362.84
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DISBURSEMENT CHECK REGISTER:

Checks	122262 - 122399	\$2,272,559.21
EFTS	903 - 933	\$538,759.01

TOTAL DISBURSEMENT CHECKS		\$2,811,318.22
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<u>TOTAL PAYROLL, DISBURSEMENTS, ACH AND WIRE TRANSFERS</u>		<u>\$2,971,681.06</u>
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Payment Register

From Payment Date: 6/24/2016 - To Payment Date: 7/25/2016

Number	Date	Payee Name	Transaction Amount
AP - Accounts Payable			
<u>Check</u>			
122262	07/12/2016	CHLIC-BLOOMFIELD EASC	\$2,855.69
122263	07/12/2016	FIDELITY SECURITY LIFE	\$301.87
122264	07/12/2016	LAW ENFORCEMENT LABOR	\$1,210.71
122265	07/12/2016	MN BENEFIT ASSOCIATION	\$905.42
122266	07/12/2016	MN NCPERS LIFE INSURANCE	\$160.00
122267	07/12/2016	MN TEAMSTERS LOCAL #320	\$1,030.00
122268	07/25/2016	ABBOTT, ALLISON	\$755.25
122269	07/25/2016	ABDO, EICK & MEYERS, LLP	\$14,107.00
122270	07/25/2016	ADVANTAGE SIGNS & GRAPHICS	\$652.65
122271	07/25/2016	ANCOM COMMUNICATIONS	\$84.30
122272	07/25/2016	ARROW BUICK GMC TRUCKS	\$52.24
122273	07/25/2016	ARROW MOWER	\$97.56
122274	07/25/2016	ATEC LLC	\$313.00
122275	07/25/2016	AUTOMATIC SYSTEMS	\$239.65
122276	07/25/2016	B & K TRAINING	\$2,100.00
122277	07/25/2016	BARNA, GUZY & STEFFEN, LTD	\$665.00
122278	07/25/2016	BAUER BUILT INC	\$1,349.76
122279	07/25/2016	BENJAMIN FRANKLIN PLUMBING	\$14,890.00
122280	07/25/2016	BERGERSON - CASWELL	\$612.50
122281	07/25/2016	BOLTON & MENK INC	\$1,243.50
122282	07/25/2016	BOND TRUST SERVICES	\$63,425.00
122283	07/25/2016	BOYER FORD TRUCKS INC	\$36.01
122284	07/25/2016	BROOKS OFFICE INTERIORS INC	\$130.00
122285	07/25/2016	CAPITOL BEVERAGE SALES	\$255.00
122286	07/25/2016	CAPRA'S UTILITIES	\$5,800.00
122287	07/25/2016	CDW GOVERNMENT, INC	\$1,152.05
122288	07/25/2016	CINTAS UNIFORMS	\$121.92
122289	07/25/2016	CLARY BUSINESS MACHINES	\$35.85
122290	07/25/2016	COLLINS ELECTRICAL CONSTRUCT	\$68.00
122291	07/25/2016	COMPAR INC	\$15,320.00
122292	07/25/2016	CORPORATE MARK INC	\$1,000.85
122293	07/25/2016	CUB FOODS	\$14.48
122294	07/25/2016	CUNINGHAM GROUP	\$6,212.50
122295	07/25/2016	DAKOTA COMMUNICATIONS	\$55,602.00
122296	07/25/2016	DAKOTA COUNTY FINANCIAL SERV	\$22,549.00
122297	07/25/2016	DAKOTA COUNTY TREASURE-	\$3,850.00
122298	07/25/2016	DELL MARKETING	\$3,655.76
122299	07/25/2016	DEPUTY REGISTRAR #35	\$12.00
122300	07/25/2016	DIAMOND VOGEL PAINT	\$347.70
122301	07/25/2016	EAGAN, CITY OF	\$50.00
122302	07/25/2016	EHLERS & ASSOCIATES	\$2,817.50
122303	07/25/2016	EMERGENCY AUTOMOTIVE TECH	\$279.20
122304	07/25/2016	EUREKA CONSTRUCTION	\$1,081,054.91
122305	07/25/2016	FLEXIBLE PIPE TOOL COMPANY	\$359.30
122306	07/25/2016	GABRIEL PROPERTIES	\$10.00
122307	07/25/2016	GLOBE PUBLISHING COMPANY	\$168.70
122308	07/25/2016	GOPHER STATE ONE-CALL	\$473.85
122309	07/25/2016	GRAINGER INC	\$185.40
122310	07/25/2016	GUBASH/ANDREW	\$447.95
122311	07/25/2016	HEALTHEAST MEDICAL TRANSPORT	\$170.00

Payment Register

From Payment Date: 6/24/2016 - To Payment Date: 7/25/2016

122312	07/25/2016	HOLIDAY STATION STORES	\$105.00
122313	07/25/2016	HOME DEPOT CREDIT SERVICES	\$36.36
122314	07/25/2016	HORNUNG'S	\$230.72
122315	07/25/2016	HOSE/CONVEYORS	\$451.09
122316	07/25/2016	IBARRA, ALMA	\$50.00
122317	07/25/2016	INVER GROVE FORD	\$690.40
122318	07/25/2016	JIM MURR PLUMBING	\$242.00
122319	07/25/2016	KEEPRS, INC	\$881.28
122320	07/25/2016	KENNEDY & GRAVEN	\$14,299.94
122321	07/25/2016	L-3 COMMUNICATIONS MOBILE VISI	\$304.00
122322	07/25/2016	L.T.G. POWER EQUIPMENT	\$51.67
122323	07/25/2016	LANGUAGE LINE SERVICES	\$161.67
122324	07/25/2016	LAW ENFORCEMENT TARGETS INC	\$168.00
122325	07/25/2016	LEVANDER, GILLEN & MILLER	\$38,893.15
122326	07/25/2016	LILLIE SUBURBAN NEWSPAPERS	\$360.75
122327	07/25/2016	LMCIT	\$3,053.53
122328	07/25/2016	LMCIT	\$5,331.92
122329	07/25/2016	LOE'S OIL COMPANY INC	\$200.00
122330	07/25/2016	LS BLACK CONSTRUCTORS	\$425,751.39
122331	07/25/2016	M & B SERVICES	\$4,900.00
122332	07/25/2016	M P C A	\$62.50
122333	07/25/2016	MANSFIELD OIL COMPANY	\$10,674.92
122334	07/25/2016	MAYER ARTS INC	\$522.00
122335	07/25/2016	MCMULLEN INSPECTING, INC	\$2,577.40
122336	07/25/2016	MCQUILLAN BROS PLUMBING	\$16,987.00
122337	07/25/2016	MEEKS APPRAISAL & CONSULTING	\$10,000.00
122338	07/25/2016	MENARDS	\$885.06
122339	07/25/2016	METRO SALES	\$130.00
122340	07/25/2016	METROPOLITAN COUNCIL	\$138,214.18
122341	07/25/2016	METROPOLITAN COUNCIL	\$7,380.45
122342	07/25/2016	MIDWAY FORD	\$220.68
122343	07/25/2016	MIDWEST PLAYSCAPES	\$158.12
122344	07/25/2016	MIKE BROTHERS LLC	\$339.50
122345	07/25/2016	MIRA, MARIA	\$50.00
122346	07/25/2016	MISTER CAR PARTNERS	\$98.00
122347	07/25/2016	MN DEPT OF TRANS-COMMISIONER	\$2,913.71
122348	07/25/2016	MN DEPT-EMPL & ECON DEV	\$41,110.00
122349	07/25/2016	MN GLOVE	\$64.75
122350	07/25/2016	MN LOCKS	\$779.70
122351	07/25/2016	MN MUTUAL LIFE	\$1,160.15
122352	07/25/2016	MN OCCUPATIONAL HEALTH	\$885.00
122353	07/25/2016	MN OFFICE OF ADMIN HEARINGS	\$120.00
122354	07/25/2016	MN OFFICE OF ENTERPRISE TECH	\$969.00
122355	07/25/2016	MN UNEMPLOYMENT INSURANCE	\$2,933.00
122356	07/25/2016	NATURE CALLS	\$685.00
122357	07/25/2016	NETWELL NOISE CONTROL	\$1,980.00
122358	07/25/2016	NITTI SANITATON INC	\$169.18
122359	07/25/2016	O'KANE/PENELOPE	\$34.88
122360	07/25/2016	O'REILLY AUTOMOTIVE, INC	\$205.15
122361	07/25/2016	OFFICE DEPOT	\$3.17
122362	07/25/2016	ORKIN COMMERCIAL SERVICES	\$124.65
122363	07/25/2016	OVERLINE & SON, INC	\$688.38
122364	07/25/2016	PERRON, JAMES	\$541.50
122365	07/25/2016	PRINTEEZ & PROMOTION	\$1,705.00

Payment Register

From Payment Date: 6/24/2016 - To Payment Date: 7/25/2016

122366	07/25/2016	RAMSEY COUNTY	\$20.00
122367	07/25/2016	RCM SPECIALTIES INC	\$16,054.40
122368	07/25/2016	REGENCY BUSINESS SOLUTIONS	\$131.96
122369	07/25/2016	RICOH USA INC	\$195.88
122370	07/25/2016	RONNEL BUILDERS	\$3,000.00
122371	07/25/2016	SAM'S CLUB DIRECT	\$260.11
122372	07/25/2016	SAVATREE	\$1,215.00
122373	07/25/2016	SCHILLING, DENNIS	\$189.00
122374	07/25/2016	SFDMG, LLC	\$5,194.25
122375	07/25/2016	SHARROW LIFTING PRODUCTS	\$228.00
122376	07/25/2016	SHERMAN ASSOCIATES	\$64,954.39
122377	07/25/2016	SHORT ELLIOTT HENDRICKSON, INC	\$7,925.00
122378	07/25/2016	SKADRON ANIMAL HOSPITAL P A	\$16.30
122379	07/25/2016	SKB ENVIRONMENTAL	\$3.68
122380	07/25/2016	SOUTHVIEW GARDEN CENTER INC	\$67.50
122381	07/25/2016	SPRWS	\$13,464.42
122382	07/25/2016	ST PAUL PUBLISHING CO	\$200.55
122383	07/25/2016	ST PAUL REGIONAL WATER	\$38,816.95
122384	07/25/2016	ST PAUL/CITY OF	\$8,773.47
122385	07/25/2016	STEPP MANUFACTURING CO. INC	\$53.25
122386	07/25/2016	TESSMAN SEED	\$307.34
122387	07/25/2016	TRANSUNION RISK & ALTERNATIVE	\$25.00
122388	07/25/2016	TRI STATE BOBCAT INC	\$825.00
122389	07/25/2016	TROJE'S TRASH PICK-UP SERVICE	\$968.97
122390	07/25/2016	TWIN CITY SAW	\$98.99
122391	07/25/2016	UNIFORMS UNLIMITED	\$530.34
122392	07/25/2016	US BANK EQUIPMENT FINANCE	\$228.69
122393	07/25/2016	US BANK EQUIPMENT FINANCE	\$450.62
122394	07/25/2016	VANGUARD CLEANING SYSTEMS	\$2,179.80
122395	07/25/2016	VERSATILE VEHICLES, INC	\$625.00
122396	07/25/2016	VOYANT COMMUNICATIONS, LLC	\$2,162.96
122397	07/25/2016	WOLD ARCHITECTS & ENGINEERS	\$2,483.06
122398	07/25/2016	WSB & ASSOCIATES	\$16,715.00
122399	07/25/2016	XCEL ENERGY	\$33,428.40

Type Check Totals:

\$2,272,559.21

EFT

903	06/30/2016	SELECTACCOUNT	\$217.31
904	06/30/2016	MII LIFE --- VEBA	\$1,551.92
905	07/12/2016	ANCHOR BANK OF W. ST PAUL	\$51,961.02
906	07/12/2016	DEARBORN NATIONAL	\$431.81
907	07/12/2016	I C M A	\$150.00
908	07/12/2016	I C M A RETIREMENT TRUST-457	\$7,131.82
909	07/12/2016	MII LIFE --- VEBA	\$3,041.15
910	07/12/2016	MN DEPARTMENT OF REVENUE	\$10,488.01
911	07/12/2016	MSRS - 457	\$1,865.00
912	07/12/2016	MSRS HCSP	\$2,161.36
913	07/12/2016	PUBLIC EMPLOYEES RETIRMNT	\$45,807.74
914	07/12/2016	THE HARTFORD-PRIORITY	\$1,305.25
915	07/12/2016	MII LIFE --- VEBA	\$1,551.92
916	07/25/2016	ANCHOR BANK OF W. ST PAUL	\$266.39
917	07/25/2016	MN STATE TREASURER	\$3,283.00
918	07/25/2016	MN STATE TREASURER	\$2,980.76
919	07/25/2016	BOND TRUST SERVICES	\$29,556.24
920	07/25/2016	BOND TRUST SERVICES	\$22,862.50

Payment Register

From Payment Date: 6/24/2016 - To Payment Date: 7/25/2016

921	07/25/2016	BOND TRUST SERVICES	\$31,446.88
922	07/25/2016	BOND TRUST SERVICES	\$12,620.00
923	07/25/2016	BOND TRUST SERVICES	\$12,887.50
924	07/25/2016	BOND TRUST SERVICES	\$63,778.13
925	07/25/2016	BOND TRUST SERVICES	\$98,690.00
926	07/25/2016	BOND TRUST SERVICES	\$20,306.67
927	07/25/2016	BOND TRUST SERVICES	\$10,700.00
928	07/25/2016	THE HARTFORD-PRIORITY	\$1,305.25
929	07/25/2016	SÉLECTACCOUNT	\$242.01
930	07/25/2016	SELECTACCOUNT	\$97.02
931	07/25/2016	SELECTACCOUNT	\$1,210.54
932	07/25/2016	HIGHER STANDARDS INC	\$2,278.31
933	07/25/2016	SWWC SERVICE COOPERATIVE	\$96,583.50
Type EFT Totals:			<u>\$538,759.01</u>

TOTAL CHECKS & EFTS \$2,811,318.22

TO: Mayor and City Council
THROUGH: Matt Fulton, City Manager
FROM: Joan Carlson, Finance Director
DATE: July 25, 2016
SUBJECT: June 2016 Bank Reconciliation



City of West St. Paul

BACKGROUND INFORMATION:

Attached is the summary bank reconciliation for June 2016.

FISCAL IMPACT:

There is no fiscal impact.

		Amount
Fund:		
Department:		
Account:		

STAFF RECOMMENDATION:

Approve the June 2016 bank reconciliation.

**CITY OF WEST ST. PAUL
BANK RECONCILIATION
June 30, 2016**

ANCHOR BANK BALANCE:

Ending Balance - Checking Account	\$	1,265,897.67
Deposits in Transit		15,107.74
Outstanding Disbursements & Checks		(1,030,272.59)
Voided Check		
Petty Cash		3,000.00

RECONCILED BALANCE	\$	253,732.82
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CITY TREASURER'S BALANCE:

Previous Month's Reconciled Balance	\$	582,298.75
Daily Receipts Posted		4,092,682.04
Disbursement Checks Issued		(3,351,006.34)
Payroll Checks and Direct Deposits		(320,131.71)
Cash Journal Entries (net)		(750,109.92)

Adjustments:	Reverse Prior Months Adj.	1,397.93
	Prior period adjustment	(1,397.93)

RECONCILED BALANCE	\$	253,732.82
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CASH ACCOUNT BALANCE:

Adjustments:	\$	255,130.75
		(1,397.93)

RECONCILED BALANCE	\$	253,732.82
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CITY OF WEST ST. PAUL

06/30/16

FUND NUMBER AND NAME		CURRENT MONTH'S ACTIVITIES		
		BEGINNING BAL	NET REV / (EXP)	ENDING BAL
101	General Fund	(409,610.77)	1,143,108.73	733,497.96
209	Economic Development Authority	266,934.88	118,308.87	385,243.75
212	Insurance Fund	446,122.31	(16,268.84)	429,853.47
213	Innovation Fund	67,076.65	-	67,076.65
323	2006 GO Bonds	40,563.43	-	40,563.43
324	2008 GO Bonds	1,429.10	-	1,429.10
325	2009 GO Refunding Bonds	605,490.92	-	605,490.92
327	2008 Capital Note	606,601.33	-	606,601.33
328	2009 Capital Note	724,570.73	112,409.00	836,979.73
329	2012 GO Bonds	429,955.19	202,344.50	632,299.69
330	2013 GO Bonds	19,802.79	57,481.00	77,283.79
331	2014A GO Bonds	16,249.49	171,967.00	188,216.49
332	2014B GO Bonds	142,865.38	206,910.00	349,775.38
333	2015A Refunding Bonds	(166,490.85)	279,499.50	113,008.65
334	2015B Go Refunding Bonds	(6,860.67)	79,747.50	72,886.83
335	2015C Go Tax Increment Refunding	4,199.36	-	4,199.36
375	2005 G O TIF Bonds	(79,888.16)	-	(79,888.16)
401	Vehicle and Equipment Reserve	2,030,318.77	61,138.47	2,091,457.24
402	M S A Streets Fund	(323,321.90)	(8,132.50)	(331,454.40)
403	Street Maintenance Fund	812,167.53	50,000.00	862,167.53
409	Police and Fire PERA	230,209.02	-	230,209.02
411	Technology Replacement Fund	302,725.22	(11,378.61)	291,346.61
413	Parks Improvement Fund	(74,073.80)	3,172.05	(70,901.75)
415	Govt Facilities Cap Proj	430,953.41	(4,886.18)	426,067.23
450	TIF 1-1	1,216,259.82	(214,291.20)	1,001,968.62
451	TIF 1-2	247,861.82	-	247,861.82
452	TIF 1-3	(8,401.85)	(1,021.20)	(9,423.05)
453	Lowes TIF	90,397.71	(53,248.46)	37,149.25
551	Perm. Improv. Revolving Fund	(405,615.98)	(1,672,908.75)	(2,078,524.73)
600	Storm Sewer Utility	885,595.47	1,058,766.12	1,944,361.59
602	Public Utilities (Sewer) Fund	(194,613.17)	3,938,826.41	3,744,213.24
613	Golf Course Enterprise Fund	12,181.69	43,110.39	55,292.08
615	Civic Arena Enterprise Fund	208,909.21	(19,539.45)	189,369.76
616	Swimming Pool Enterprise Fund	(3,149.31)	(6,530.24)	(9,679.55)
617	Regional Athletic Center Fund	798,376.63	145,141.51	943,518.14
705	Investment Fund	(8,382,094.72)	(5,992,291.55)	(14,374,386.27)
CASH TOTAL ALL FUNDS		583,696.68	(328,565.93)	255,130.75

TO: Mayor and City Council
THROUGH: Matt Fulton, City Manager
FROM: Joan Carlson, Finance Director
DATE: July 25, 2016
SUBJECT: June 2016 Investment Report



City of West St. Paul

BACKGROUND INFORMATION:

Attached is the investment report for June 2016.

FISCAL IMPACT:

There is no fiscal impact.

		Amount
Fund:		
Department:		
Account:		

STAFF RECOMMENDATION:

Approve the June 2016 investment report.



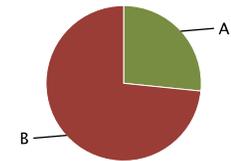
Portfolio holdings

as of June 29, 2016

Summary of Portfolio Holdings

	Cost basis (\$)	Value on 06/29/2016 (\$)	Unrealized gain/loss (\$)	Unrealized gain/loss (%)	Est. annual income (\$)	Current yield (%)	% of portfolio
A Cash	2,624,919.27	2,624,919.27	0.00	0.00%	10,235.56	0.39%	26.60%
Cash	2,624,919.27	2,624,919.27	0.00	0.00%	10,235.56	0.39%	26.60%
B Fixed Income	6,947,288.75	7,243,709.88	94,423.49	1.36%	118,805.00	1.64%	73.40%
US	6,462,288.75	6,749,647.01	85,360.62	1.32%	110,537.50	1.64%	68.39%
International	485,000.00	494,062.87	9,062.87	1.87%	8,267.50	1.67%	5.01%
C Equity	0.00	0.00	0.00	0.00%	0.00	0.00%	0.00%
D Commodities	0.00	0.00	0.00	0.00%	0.00	0.00%	0.00%
E Non-Traditional	0.00	0.00	0.00	0.00%	0.00	0.00%	0.00%
F Other	0.00	0.00	0.00	0.00%	0.00	0.00%	0.00%
Total Portfolio	\$9,572,208.02	\$9,868,629.15	\$94,423.49	0.99%	\$129,040.56	1.31%	100%

Balanced mutual funds are allocated in the 'Other' category





Portfolio holdings - as of June 29, 2016 (continued)

Details of portfolio holdings

	Cost basis (\$)	Market value (\$)	Unrealized gain/loss (\$)	Unrealized gain/loss (%)	Est. annual income (\$)	Current yield (%)	% of asset class	% of portfolio
Total Portfolio	\$9,572,208.02	\$9,868,629.15	\$94,423.49	0.99%	\$129,040.56	1.31%	100%	100%

Cash	Quantity	Purchase price (\$)/Avg Price	Price on 06/29/2016 (\$)	Cost basis (\$)	Market value (\$)	Unrealized gain/loss (\$)	Unrealized gain/loss (%)	Est. annual income (\$)	Current yield (%)	% of Cash	% of portfolio
Cash											
UBS SELECT PRIME INSTITUTIONAL FUND Client investment: \$0.00 Reinvested dividends: \$2,624,502.83 Investment return: \$2,624,502.83 (0%)	2,624,502.83	1.00	1.00	2,624,502.83	2,624,502.83	0.00	0.00%	10,235.56	0.39%	99.98%	26.60%
USD CASH	416.44	1.00	1.00	416.44	416.44	0.00	0.00%	0.00	0.00%	0.02%	0.00%
Total Cash				\$2,624,919.27	\$2,624,919.27	\$0.00	0.00%	\$10,235.56	0.39%	100.00%	26.60%

Total Cash				\$2,624,919.27	\$2,624,919.27	\$0.00	0.00%	\$10,235.56	0.39%	100.00%	26.60%
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Fixed Income	Quantity	Purchase price (\$)/Avg Price	Price on 06/29/2016 (\$)	Cost basis (\$)	Market value (\$)	Unrealized gain/loss (\$)	Unrealized gain/loss (%)	Est. annual income (\$)	Current yield (%)	% of Fixed Income	% of portfolio
US											
ALLY BK UT US RT 00.9000% MAT 08/22/16 FIXED RATE CD	240,000.00	100.00	100.06	240,000.00	240,900.20	900.20	0.38%	2,160.00	0.90%	3.33%	2.44%
AMERICAN EXPRESS C NY US RT 02.1000% MAT 10/17/18 FIXED RATE CD	240,000.00	100.00	102.11	240,000.00	246,079.20	6,079.20	2.53%	5,040.00	2.06%	3.40%	2.49%
AMERICAN EXPRESS F UT US RT 02.0000% MAT 07/24/19 FIXED RATE CD	240,000.00	100.00	102.50	240,000.00	248,069.46	8,069.46	3.36%	4,800.00	1.95%	3.42%	2.51%
BANK OF HAMPTON RO VA US RT 01.0000% MAT 09/27/17 FIXED RATE CD	240,000.00	100.00	100.11	240,000.00	240,886.88	886.88	0.37%	2,400.00	1.00%	3.33%	2.44%
BANKUNITED FSB FL US RT 01.1000% MAT 02/20/18 FIXED RATE CD	200,000.00	0.00	100.60	0.00	201,997.64	0.00	0.00%	2,200.00	1.09%	2.79%	2.05%
BARCLAYS BK DE US RT 02.1000% MAT 07/23/19 FIXED RATE CD	245,000.00	100.00	102.47	245,000.00	253,268.85	8,268.85	3.38%	5,145.00	2.05%	3.50%	2.57%



Portfolio holdings - as of June 29, 2016 (continued)

Fixed Income	Quantity	Purchase price (\$)/ Avg Price	Price on 06/29/2016 (\$)	Cost basis (\$)	Market value (\$)	Unrealized gain/loss (\$)	Unrealized gain/loss (%)	Est. annual income (\$)	Current yield (%)	% of Fixed Income	% of portfolio
US											
BK OF NORTH CAROLI ME US RT 01.0000% MAT 01/30/17 FIXED RATE CD	200,000.00	100.00	100.26	200,000.00	200,668.90	668.90	0.33%	2,000.00	1.00%	2.77%	2.03%
BMW BANK NORTH AME UT US RT 02.1500% MAT 12/10/19 FIXED RATE CD	240,000.00	100.00	103.26	240,000.00	248,083.00	8,083.00	3.37%	5,160.00	2.08%	3.42%	2.51%
CAPITAL ONE BK VA US RT 02.1000% MAT 10/01/19 FIXED RATE CD	245,000.00	100.00	102.50	245,000.00	252,367.28	7,367.28	3.01%	5,145.00	2.05%	3.48%	2.56%
CIT BK SALT LAKE C UT US RT 02.1000% MAT 11/13/19 FIXED RATE CD	240,000.00	100.00	102.87	240,000.00	247,539.39	7,539.39	3.14%	5,040.00	2.04%	3.42%	2.51%
COMENITY BANK DE US RT 01.3500% MAT 12/12/17 FIXED RATE JUMBO CD	200,000.00	100.00	100.17	200,000.00	200,532.33	532.33	0.27%	2,700.00	1.35%	2.77%	2.03%
COMPASS BANK AL US RT 01.3000% MAT 12/11/17 FIXED RATE CD	245,000.00	100.00	100.43	245,000.00	246,235.37	1,235.37	0.50%	3,185.00	1.29%	3.40%	2.50%
FFCB BOND 01.900 % DUE 121721 DTD 121712 FC 06172013	500,000.00	100.00	100.00	500,000.00	500,331.67	331.67	0.07%	9,500.00	1.90%	6.91%	5.07%
FIRST BK HIGHLAND IL US RT 01.9500% MAT 07/24/19 FIXED RATE CD	240,000.00	100.00	100.08	240,000.00	241,033.45	1,033.45	0.43%	4,680.00	1.95%	3.33%	2.44%
FNMA NTS 01.000 % DUE 122617 DTD 122612 FC 06262013	250,000.00	100.00	100.03	250,000.00	250,098.33	98.33	0.04%	2,500.00	1.00%	3.45%	2.53%
GE CAPITAL BANK UT US RT 01.3500% MAT 08/29/17 FIXED RATE CD	240,000.00	100.00	100.46	240,000.00	242,168.48	2,168.48	0.90%	3,240.00	1.34%	3.34%	2.45%
GOLDMAN SACHS BANK NY US RT 02.0500% MAT 07/23/19 FIXED RATE CD	200,000.00	100.00	102.35	200,000.00	206,470.79	6,470.79	3.24%	4,100.00	2.00%	2.85%	2.09%
GOLDMAN SACHS BANK UT US RT 01.8500% MAT 08/31/16 FIXED RATE CD	40,000.00	100.00	100.22	40,000.00	40,331.32	331.32	0.83%	740.00	1.85%	0.56%	0.41%
HSBC BANK , NA DE US RT 01.2500% MAT 03/30/20 STEP RATE CD	240,000.00	100.00	100.13	240,000.00	240,319.20	319.20	0.13%	3,000.00	1.25%	3.32%	2.44%
JPMORGAN CHASE & C DE US RT 01.2500% MAT 11/30/18 FIXED RATE CD	200,000.00	100.00	100.11	200,000.00	200,427.48	427.48	0.21%	2,500.00	1.25%	2.77%	2.03%
NEW YORK CITY TRANSITION TAX C-3 RV BE/R/ 1.280 110118 DTD 120412	500,000.00	100.00	100.11	500,000.00	501,561.11	1,561.11	0.31%	6,400.00	1.28%	6.92%	5.08%



Portfolio holdings - as of June 29, 2016 (continued)

Fixed Income	Quantity	Purchase price (\$)/ Avg Price	Price on 06/29/2016 (\$)	Cost basis (\$)	Market value (\$)	Unrealized gain/loss (\$)	Unrealized gain/loss (%)	Est. annual income (\$)	Current yield (%)	% of Fixed Income	% of portfolio
US											
SALLIE MAE BK UT US RT 01.5000% MAT 10/10/17 FIXED RATE CD	240,000.00	100.00	100.81	240,000.00	242,735.44	2,735.44	1.14%	3,600.00	1.49%	3.35%	2.46%
SUN NATL BK NJ US RT 01.0000% MAT 10/03/17 FIXED RATE CD	240,000.00	100.00	100.21	240,000.00	240,673.18	673.18	0.28%	2,400.00	1.00%	3.32%	2.44%
THIEF RIVER FALLS MN TAX SR B BE/RV 3.000 020125 DTD 060112	375,000.00	101.68	103.93	381,288.75	394,351.25	13,062.50	3.43%	11,250.00	2.89%	5.44%	4.00%
THIRD FED S&L ASSN OH US RT 02.0000% MAT 11/25/19 FIXED RATE CD	247,000.00	100.00	102.85	247,000.00	254,524.26	7,524.26	3.05%	4,940.00	1.94%	3.51%	2.58%
TWO RIVERS ST BK NE US RT 01.2500% MAT 07/18/19 FIXED RATE CD	169,000.00	100.00	100.03	169,000.00	169,112.67	112.67	0.07%	2,112.50	1.25%	2.33%	1.71%
WORLD'S FOREMOST B NE US RT 02.3000% MAT 08/06/20 FIXED RATE JUMBO CD	200,000.00	100.00	99.30	200,000.00	198,879.88	-1,120.14	-0.56%	4,600.00	2.32%	2.75%	2.02%
Total US				\$6,462,288.75	\$6,749,647.01	\$85,360.62	1.32%	\$110,537.50	1.64%	93.18%	68.39%
International											
ORIENTAL BANK PR RT 01.2500% MAT 08/31/17 FIXED RATE CD	240,000.00	100.00	100.45	240,000.00	241,308.76	1,308.76	0.55%	3,000.00	1.24%	3.33%	2.45%
STATE BK OF INDIA NY US RT 02.1500% MAT 09/11/19 FIXED RATE CD	245,000.00	100.00	102.52	245,000.00	252,754.11	7,754.12	3.16%	5,267.50	2.10%	3.49%	2.56%
Total International				\$485,000.00	\$494,062.87	\$9,062.87	1.87%	\$8,267.50	1.67%	6.82%	5.01%
Total Fixed Income				\$6,947,288.75	\$7,243,709.88	\$94,423.49	1.36%	\$118,805.00	1.64%	100.00%	73.40%
Total Portfolio				\$9,572,208.02	\$9,868,629.15	\$94,423.49	0.99%	\$129,040.56	1.31%	100%	100%

Total accrued interest (included in market values): \$23,940.34



Disclosures applicable to accounts at UBS Financial Services Inc.

This section contains important disclosures regarding the information and valuations presented here. This report presents information since December 31, 2002. This report does not include complete account activity or performance of your accounts before this date. All information presented is subject to change at any time and is provided only as of the date indicated. The information in this report is for informational purposes only and should not be relied upon as the basis of an investment or liquidation decision. UBS FS accounts statements and official tax documents are the only official record of your accounts and are not replaced, amended or superseded by any of the information presented in these reports.

UBS FS offers a number of investment advisory programs to clients, acting in our capacity as an investment adviser, including fee-based financial planning, discretionary account management, non-discretionary investment advisory programs, and advice on the selection of investment managers and mutual funds offered through our investment advisory programs. When we act as your investment adviser, we will have a written agreement with you expressly acknowledging our investment advisory relationship with you and describing our obligations to you. At the beginning of our advisory relationship, we will give you our Form ADV brochure(s) for the program(s) you selected that provides detailed information about, among other things, the advisory services we provide, our fees, our personnel, our other business activities and financial industry affiliations and conflicts between our interests and your interests.

Please review the report content carefully and contact your Financial Advisor with any questions.

The account listing may or may not include all of your accounts with UBS FS. The accounts included in this report are listed under the "Accounts included in this review" shown on the first page or listed at the top of each page.

Portfolio: For purposes of this report "portfolio" is defined as all of the accounts presented on the cover page or the header of this report and does not necessarily include all of the client's accounts held at UBS FS or elsewhere.

Percentage: Portfolio (in the "% Portfolio" column) includes all holdings held in the account(s) selected when this report was generated. Broad asset class (in the "% broad asset class" column) includes all holdings held in that broad asset class in the account(s) selected when this report was generated.

Tax lots: This report displays security tax lots as either one line item (i.e., lumped tax lots) or as separate tax lot level information. If you choose to display security tax lots as one line item, the total cost equals the total value of all tax lots. The unit cost is an average of the total cost divided by the total number of shares. If the shares

were purchased in different lots, the unit price listed does not represent the actual cost paid for each lot. The unrealized gain/loss value is calculated by combining the total value of all tax lots plus or minus the total market value of the security.

If you choose to display tax lot level information as separate line items on the Portfolio Holdings report, the tax lot information may include information from sources other than UBS FS. The Firm does not independently verify or guarantee the accuracy or validity of any information provided by sources other than UBS FS. As a result this information may not be accurate and is provided for informational purposes only. Clients should not rely on this information in making purchase or sell decisions, for tax purposes or otherwise. See your monthly statement for additional information.

Pricing: All securities are priced using the closing price reported on the last business day preceding the date of this report. Every reasonable attempt has been made to accurately price securities; however, we make no warranty with respect to any security's price. Please refer to the back of the first page of your UBS FS accounts statement for important information regarding the pricing used for certain types of securities, the sources of pricing data and other qualifications concerning the pricing of securities. To determine the value of securities in your account, we generally rely on third party quotation services. If a price is unavailable or believed to be unreliable, we may determine the price in good faith and may use other sources such as the last recorded transaction. When securities are held at another custodian or if you hold illiquid or restricted securities for which there is no published price, we will generally rely on the value provided by the custodian or issuer of that security.

Cash: Cash on deposit at UBS Bank USA is protected by the Federal Deposit Insurance Corporation (FDIC) up to \$250,000 in principal and accrued interest per depositor for each ownership type. Deposits made in an individual's own name, joint name, or individual retirement account are each held in a separate type of ownership. Such deposits are not guaranteed by UBS FS. More information is available upon request.

Margin: The quantity value may indicate that all or part of this position is held on margin or held in the short account. When an account holds a debit balance, this debit balance is incorporated into the account's total market value and deducted from the total value. When calculating the percent of portfolio on each security, the percentage will be impacted by the total market value of the account. Therefore, if the account's market value is reduced by a debit value of a holding the percent of portfolio will be greater and if the account's market value is increased by a holding then the percent of portfolio will be less.

Mutual Fund Asset Allocation: If the option to

unbundle balanced mutual funds is selected and if a fund's holdings data is available, mutual funds will be classified by the asset class, subclass, and style breakdown of their underlying holdings. Where a mutual fund or ETF contains equity holdings from multiple equity sectors, this report will proportionately allocate the underlying holdings of the fund to those sectors measured as a percentage of the total fund's asset value as of the date shown.

This information is supplied by Morningstar, Inc. on a monthly basis to UBS FS based on data supplied by the fund which may not be current. Mutual funds change their portfolio holdings on a regular (often daily) basis. Accordingly, any analysis that includes mutual funds may not accurately reflect the current composition of these funds. If a fund's underlying holding data is not available, it will be classified based on its corresponding overall Morningstar classification. All data is as of the date indicated in the report.

Equity Style: The Growth, Value and Core labels are determined by Standard and Poor's using a price-to-book ratio methodology. The Growth, Value and Core labels are based on how a company's price-to-book ratio compares to the median price-to-book ratio for its industry based on the company's assigned Industry Sector. If the company's ratio is greater than or equal to the industry median, it is classified as a growth stock. If the company's ratio is less than the industry median, it is classified as a value stock. If a security includes both growth and value attributes, it is classified as a core stock. If price-to-book is not available or the industry's median is not available, this item will be Unclassified.

Equity Capitalization: Market Capitalization is defined as the number of shares outstanding times the market value. Equity securities are classified as Large Cap if they have a capitalization of 8 billion or above. Securities with capitalization between 1.8 and 7.9 billion are classified as Mid Cap. Securities with capitalization below 1.79 billion are classified as Small Cap. Unclassified securities are those for which no capitalization is available or applicable.

Equity Sectors: The Equity sector analysis may include a variety of accounts, each with different investment and risk parameters. As a result, the overweighting or underweighting in a particular sector or asset class should not be viewed as an isolated factor in making investment/liquidation decisions; but should be assessed on an account by account basis to determine the overall impact on the account's portfolio.

Classified Equity: Classified equities are defined as those equities for which the firm can confirm the specific industry and sector of the underlying equity instrument.

Estimated Annual Income: The Estimated Annual Income is the annualized year to date per share dividends paid and multiplied by the quantity of shares held in the selected account(s).

Current Yield: Current yield is defined as the estimated annual income divided by the total market value.

Credit/Event Risk: Investments are subject to event risk and changes in credit quality of the issuer. Issuers can experience economic situations that may have adverse effects on the market value of their securities.

Interest Rate Risk: Bonds are subject to market value fluctuations as interest rates rise and fall. If sold prior to maturity, the price received for an issue may be less than the original purchase price.

Reinvestment Risk: Since most corporate issues pay interest semiannually, the coupon payments over the life of the bond can have a major impact on the bond's total return.

Accrued Interest: Interest that has accumulated between the most recent payment and the report date may be reflected in market values for interest bearing securities.

Gain/Loss: The gain/loss information may include calculations based upon non-UBS FS cost basis information. The Firm does not independently verify or guarantee the accuracy or validity of any information provided by sources other than UBS FS. In addition, if this report contains positions with unavailable cost basis, the gain/(loss) for these positions are excluded in the calculation for the Gain/(Loss). As a result these figures may not be accurate and are provided for informational purposes only. Clients should not rely on this information in making purchase or sell decisions, for tax purposes or otherwise. Rely only on year-end tax forms when preparing your tax return. See your monthly statement for additional information.

Account changes: At UBS, we are committed to helping you work toward your financial goals. So that we may continue providing you with financial advice that is consistent with your investment objectives, please consider the following two questions:

- 1) Have there been any changes to your financial situation or investment objectives?
- 2) Would you like to implement or modify any restrictions regarding the management of your account? If the answer to either question is "yes," it is important that you contact your Financial Advisor as soon as possible to discuss these changes. For MAC advisory accounts, please contact your investment manager directly if you would like to impose or change any investment restrictions on your account.

ADV disclosure: A complimentary copy of our current Form ADV Disclosure Brochure that describes the advisory program and related fees is available through your Financial Advisor. Please contact your Financial Advisor if you have any questions.



Disclosures applicable to accounts at UBS Financial Services Inc. (continued)

Important information for former Piper Jaffray and McDonald Investments clients:

As an accommodation to former Piper Jaffray and McDonald Investments clients, these reports include performance history for their Piper Jaffray accounts prior to August 12, 2006 and McDonald Investments accounts prior to February 9, 2007, the date the respective accounts were converted to UBS FS. UBS FS has not independently verified this information nor do we make any representations or warranties as to the accuracy or completeness of that information and will not be liable to you if any such information is unavailable, delayed or inaccurate.

For insurance, annuities, and 529 Plans, UBS FS relies on information obtained from third party services it believes to be reliable. UBS FS does not independently verify or guarantee the accuracy or validity of any information provided by third parties. Information for insurance, annuities, and 529 Plans that has been provided by a third party service may not reflect the quantity and market value as of the previous business day. When available, an "as of" date is included in the description.

Investors outside the U.S. are subject to securities and tax regulations within their applicable jurisdiction that are not addressed in this report. Nothing in this report shall be construed to be a solicitation to buy or offer to sell any security, product or service to any non-U.S. investor, nor shall any such security, product or service be solicited, offered or sold in any jurisdiction where such activity would be contrary to the securities laws or other local laws and regulations or would subject UBS to any registration requirement within such jurisdiction.

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TO: Mayor and City Council
THROUGH: Matt Fulton, City Manager
FROM: Joan Carlson, Finance Director
DATE: July 25, 2016
SUBJECT: June 2016 General Fund Budget Report



City of West St. Paul

BACKGROUND INFORMATION:

Attached is the June 2016 General Fund Budget to Actual Report for Council review. The revenues are reported by major type and the expenditures are reported by department.

The budget target percentage for June is 50%. Actual revenues total 22% and expenditures total 45%. Total revenue will remain well below budget until July when the first half tax settlement is received.

All departments are near or below 50% with the following exceptions:

- Mayor/Council – 77% due to payments for 2016 audit services and Winter Fun Fest expenditures (these expenses were offset by donations).
- Legal – 55% due to higher than expected legal costs.
- Civil Defense – 54% due to annual membership fee paid in February.
- Human Resources – 56% due to annual sick leave conversion payout.

FISCAL IMPACT: None

		Amount
Fund:		
Department:		
Account:		

STAFF RECOMMENDATION:

Approve the June 2016 General Fund Budget Report.

City of West St Paul
 General Fund Budget to Actual Report
 June 2016

<u>Account Description</u>	<u>Adopted Budget</u>	<u>Current Transactions</u>	<u>YTD Transactions</u>	<u>Remaining Budget</u>	<u>% of Budget Rec'd/Used</u>
Fund 101 - General Fund					
REVENUE					
Taxes	10,053,785	2,013,305	2,028,305	8,025,480	20%
Licenses and Permits	519,500	54,930	181,338	338,162	35%
Intergovernmental Revenues	484,500	15,721	136,872	347,628	28%
Charges for Services	639,205	52,270	300,718	338,487	47%
Fines & Forfeits	125,000	10,301	70,812	54,188	57%
Miscellaneous	231,908	3,389	37,316	194,592	16%
Other Financing Sources	688,000	2,446	5,421	682,579	1%
REVENUE TOTALS	<u>12,741,898</u>	<u>2,152,362</u>	<u>2,760,783</u>	<u>9,981,115</u>	22%
EXPENSE					
Mayor and Council	120,652	6,205	92,760	27,892	77%
Charter Commission	1,500	-	195	1,305	13%
City Manager / City Clerk	778,375	61,605	382,652	395,723	49%
Elections	28,575	220	337	28,238	1%
Finance	378,370	28,067	185,146	193,224	49%
Legal	360,000	39,140	198,828	161,172	55%
Planning & Comm Develop	317,275	22,222	113,580	203,695	36%
Recycling Dept	23,250	780	2,355	20,895	10%
Information Technology	437,225	25,288	224,807	212,418	51%
City Hall Building	205,610	12,971	85,211	120,399	41%
PW Facility	63,000	4,232	28,037	34,963	45%
Police	4,319,675	320,294	2,033,382	2,286,293	47%
Communications Center	638,065	49,486	260,292	377,773	41%
Fire	2,125,394	277,116	808,465	1,316,929	38%
Building Inspections	415,635	31,946	168,764	246,871	41%
Civil Defense	15,295	31	8,321	6,974	54%
Traffic Signs	23,900	4,272	9,510	14,390	40%
Animal Control	5,150	-	-	5,150	0%
Engineering	204,004	13,949	81,835	122,169	40%
Streets	1,201,698	94,727	591,995	609,703	49%
Street Lighting	132,025	5,152	58,008	74,017	44%
Human Resources	88,775	9,808	49,704	39,071	56%
Parks and Recreation	823,450	72,591	365,227	458,223	44%
Transfers Out	35,000	-	-	35,000	0%
EXPENSE TOTALS	<u>12,741,898</u>	<u>1,080,101</u>	<u>5,749,411</u>	<u>6,992,487</u>	45%
General Fund Totals					
REVENUE TOTALS	12,741,898	2,152,362	2,760,783	9,981,115	22%
EXPENSE TOTALS	12,741,898	1,080,101	5,749,411	6,992,487	45%
General Fund Net	-	1,072,261	(2,988,628)	2,988,628	

TO: Mayor and City Council
THROUGH: Matt Fulton, City Manager
FROM: Police Chief
DATE: July 25, 2016
SUBJECT: Declare Vehicles as Surplus



BACKGROUND INFORMATION:

Through the Police Departments DUI and Drug enforcement efforts the six below described motor vehicles came into possession of our department. Through the civil forfeiture proceedings the owners of the motor vehicles lost their claim of ownership to the motor vehicles and their ownership was then transferred to the City of West St. Paul.

Due to the condition of the motor vehicles, the city has no use for them; thus, pursuant to state statute and city code the motor vehicles will be sold at a public auction upon approval.

The vehicles are:

- 1997 Honda Accord VIN: 1HCGD5603VA183614
- 2000 Toyota Tundra pickup truck VIN: 5TBBT4410YS054796
- 2000 Chevrolet Astro Van VIN: 1GNDM19W4YB114187
- 2001 Mercedes C-Class sedan VIN: WDBRF64J01F097791
- 2003 GMC Denali SUV VIN: 1GKFK66U43J183309
- 2004 Chevrolet Silverado pickup truck VIN: 1GCEC19X14Z327169

FISCAL IMPACT:

Pursuant to Minnesota state statute all proceeds from the sale of the above six motor vehicles will be placed into the Police Department's forfeiture account to be utilized for DUI enforcement efforts.

STAFF RECOMMENDATION:

Declare the above six motor vehicles as surplus and authorize their sale at auction with proceeds of the sale of the vehicles directed into the Police Department's forfeiture account.

TO: Mayor and City Council
THROUGH: Matt Fulton, City Manager
FROM: Police Department
DATE: July 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 – No Background

Application for Motor Vehicle Related Business, Zak’s Auto Service (Formerly Doddway Frame & Alignment), 995 Dodd Rd.

2016 Business Licenses – Background Required

Application for Exempt Gambling Permit (Raffle) for West St. Paul Mendota Heights Rotary Foundation event to be held at Southview Country Club, 239 Mendota Rd E, on Friday, September 9, 2016.

Tapper’s Pub, 879 Stryker Ave, On-Sale Liquor License, and Sunday Sale. This is a new owner for this establishment. All background checks have been completed and no concerns have been noted.

FISCAL IMPACT:

Action	Fund	Department	Account	Amount
Liquor License Fee	101	30000	32110	3,950.00
Other License Fee	101	30000	32199	115.00
Background Fee	101	30000	34208	1,400.00
			Total:	\$5,465.00

STAFF RECOMMENDATION:

In processing this application staff found no notable concerns or issues. Staff does not foresee any special or reasonable conditions. Council needs to consider the application for approval.

TO: Mayor and City Council
THROUGH: Matt Fulton, City Manager
FROM: Community Development Department
DATE: July 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 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:

332 Bernard St W (Single Family – New)

FISCAL IMPACT:

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

STAFF RECOMMENDATION:

Staff recommends City Council approve the license applications.

TO: Mayor and City Council
THROUGH: Matt Fulton, City Manager
FROM: Korine Land, City Attorney
DATE: July 25, 2016
SUBJECT: Resolution Vacating Drainage and Utility Easeme



BACKGROUND INFORMATION:

A new plat was approved as part of the development project for Ventu involving the Sharepoint Bank, Sonic, Postal Credit Union properties. easements will be identified in the plat; however the existing drainage must be vacated by the City.

The attached resolution vacates these unnecessary drainage and utility easements.

FISCAL IMPACT:

		Amount
Fund:		
Department:		
Account:		

STAFF RECOMMENDATION:

Adopt the attached resolution as presented.

ATTACHMENTS:

Resolution Providing for the Vacation of Certain Drainage and Utility Easements

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

RESOLUTION NO.

**RESOLUTION PROVIDING FOR THE VACATION OF CERTAIN DRAINAGE AND
UTILITY EASEMENTS**

WHEREAS, the City Council may vacate any drainage and utility easement or part thereof within the City by Resolution; and

WHEREAS, the City of West St. Paul wishes to vacate the following described drainage and utility easement situated in the City of West St. Paul, County of Dakota, State of Minnesota, legally described on the attached Exhibit A; and

WHEREAS, the City Council of West St. Paul has determined that the vacation would be in the public interest.

NOW, THEREFORE, BE IT RESOLVED by the West St. Paul City Council that City of West St. Paul hereby vacates the drainage and utility easements dedicated in the recorded plat of Robert Street Sonic Addition, County of Dakota, State of Minnesota; and

Further, that said vacation has no relationship to the City's Comprehensive Plan and therefore the West St. Paul City Council has dispensed with the requirements of Minnesota Statutes § 462.356, Subd. 2, that may require the West St. Paul Planning Commission to perform a Comprehensive Plan compliance review of said vacation that may constitute a disposal of real property pursuant to § 462.356, Subd. 2.

Adopted by the City Council of the City of West St. Paul this ____ day of _____, 2016.

Ayes:

Nays:

Attest:

David Meisinger, Mayor

Chantal Doriott, City Clerk

**JOINT POWERS AGREEMENT BETWEEN THE COUNTY OF DAKOTA
AND THE CITY OF WEST SAINT PAUL
FOR LEGAL SERVICES**

THIS JOINT POWERS AGREEMENT (“Agreement”) is made and entered into by and between the City of West Saint Paul, (hereinafter “Municipality”) and the County of Dakota, Minnesota (“County”) a political subdivision of the State of Minnesota to provide legal services related to administrative asset forfeitures associated pursuant to Minn. Stat. § 609.5314.

WHEREAS, Minn. Stat. § 471.59 authorizes governmental units in the State of Minnesota to enter into agreements by resolution with any other governmental unit to perform on behalf of that unit any service or function which that unit would be authorized to provide for itself, and

WHEREAS, the Dakota County Drug Task Force (“DCDTF”) was created through a Joint Powers Agreement entered into by the cities of Apple Valley, Burnsville, Eagan, Farmington, Hastings, Inver Grove Heights, Lakeville, Mendota Heights, Rosemount, Savage, South Saint Paul, West Saint Paul and the County of Dakota for the purpose of establishing an organization to coordinate efforts to investigate illegal drug activity and assist in the prosecution of drug offenders and to pursue civil asset forfeiture as provided in Minnesota statutes; and

WHEREAS, to improve efficiencies the Municipality desires the Dakota County Attorney to provide legal services related to administrative asset forfeitures controlled substance offenses investigated by the DCDTF provided for in Minn. Stat. § 609.5314, and

WHEREAS, the Dakota County Attorney agrees to provide legal services related to administrative asset forfeitures investigated by the DCDTF; and

NOW, THEREFORE, in consideration of the mutual covenants and agreements contained herein, it is hereby agreed by and between the County of Dakota, the Municipality, and the Dakota County Attorney that:

1. **PURPOSE.** This Agreement has been executed by the parties for the sole purpose of designating the Dakota County Attorney as the prosecuting authority for administrative asset forfeiture pursuant to Minn. Stat § 609.5314.
2. **PARTIES.** The parties to this Agreement are the County of Dakota, the Dakota County Attorney and the Municipality.
3. **SERVICES.** The Dakota County Attorney’s Office shall provide legal services related to the asset forfeitures conducted under Minn. Stat. § 609.5314 associated with controlled substances offenses investigated by the DCDTF. The Dakota County Attorney’s Office retains its professional discretion, including discretion to cease providing services due to a conflict of interest or any other reason.
4. **TERM.** This Agreement shall be in effect from the date of the signature of the Parties and shall continue from year to year, unless terminated in accordance with the provisions herein.
5. **PAYMENT.** In consideration for legal services provided, the County Attorney shall receive disbursements pursuant to Minn. Stat. § 609.5315.
6. **AUTHORIZED REPRESENTATIVES.** The following named persons are designated the Authorized Representatives of the parties for the purposes of this Agreement. These persons have authority to bind the party they represent and to consent to modifications, except that the authorized representatives shall have only the authority specifically or generally granted by their respective governing boards. Notice required to be provided pursuant to this Agreement shall be provided to the following named persons and addresses unless otherwise stated in this Agreement, or in a modification to this Agreement.

TO THE COUNTY: Nancy Schouweiler, Chair or successor

TO THE COUNTY ATTORNEY: James C. Backstrom, County Attorney or successor

TO THE Municipality: David Meisinger, Mayor, or successor

7. **LIAISONS.** To assist the parties in the day-to-day performance of this Agreement and to ensure compliance and provide ongoing consultation, a liaison shall be designated by each party to the Agreement. The parties shall continually provide written updates of any change in the designated liaison. At the time of execution of this Agreement, the following persons are the designated liaisons:
- County Attorney: Helen Brosnahan, Assistant County Attorney
Telephone: 651-438-4404
Email: helen.brosnahan@co.dakota.mn.us
- Municipality Liaison: Phil Windschitl, Agent Assigned to the DCDTF, or successor
Telephone: 651-994-6224
Email: pwindschitl@cityofwsp.org
8. **DATA.** All data collected, created, received, maintained or disseminated in any form for any purposes by the activities of this Agreement is governed by the Minnesota Data Practices Act, Minnesota Statute, Chapter 13, and its implementing rules, and shall only be shared pursuant to laws governing that particular data.
9. **AUDIT.** Pursuant to Minnesota Statute Section 16C.05 subd. 5, the parties agree that the State Auditor or any duly authorized representative at that time during normal business hours and as often as they may reasonably deem necessary, shall have access to and the right to examine, audit, excerpt, and transcribe any books, documents, papers, or records which are pertinent to the accounting practices and procedures related to this Agreement. All such records shall be maintained for a period of six (6) years from the date of termination of this Agreement.
10. **INDEMNIFICATION.** Each party shall be liable for its own acts to the extent provided by law and hereby agrees to indemnify, hold harmless and defend the other, its officers and employees against any and all liability, loss, costs, damages, expenses, claim or actions, including attorney's fees which the other, its officers and employees may sustain, incur, or be required to pay, arising out of or by reason of any act or omission of the party, its agents, servants, or employees, in the execution or performance of its obligations pursuant to this Agreement. The provisions of the Municipal Tort Claims Act, Minnesota Statute, Chapter 466 and other applicable law govern liability of the parties to this Agreement.
11. **TERMINATION.** Any party may terminate this Agreement for cause by giving seven days' written notice or without cause by giving 30 days written notice, of its intent to terminate, to the other party. Such notice to terminate for cause shall specify the circumstances warranting termination of the Agreement. Cause shall mean a material breach of this Agreement and any amendments thereto. Notice of Termination shall be made by certified mail or personal delivery to the authorized representative of the other parties. Termination of this Agreement shall not discharge any liability, responsibility or right of any party, which arises from the performance of or failure to adequately perform the terms of this Agreement prior to the effective date of termination.
12. **MODIFICATIONS/AMENDMENTS.** Any alteration, variations, modifications, or waivers of the provisions of this Agreement shall only be valid when they have been reduced to writing, approved by the parties' respective Boards, and signed by the Authorized Representatives of the parties.
13. **MERGER.** This Agreement is the final expression of the Agreement of the parties and the complete and exclusive statement of the terms agreed upon and shall supersede all prior negotiations, understandings, or agreements.
14. **SEVERABILITY.** The provision of this Agreement shall be deemed severable. If any part of this Agreement is rendered void, invalid, or unenforceable, such rendering shall not affect the validity and enforceability of the remainder of this Agreement unless the part or parts that are void, invalid or

otherwise unenforceable shall substantially impair the value of the entire Agreement with respect to either party.

15. **COMPLIANCE WITH LAWS AND STANDARDS.** The parties agree to abide by all Federal, State or local laws, statutes, ordinances, rules and regulations now in effect or hereafter adopted pertaining to this Agreement or to the programs and staff for which the parties are responsible.

16. **MINNESOTA LAW TO GOVERN.** This Agreement shall be governed by and construed in accordance with the substantive and procedural laws of the State of Minnesota, without giving effect to the principles of conflict of laws. All proceedings related to this Agreement shall be venued in the State of Minnesota, County of Dakota.

17. **FINAL AGREEMENT.** This Agreement is the final expression of the agreement of the parties and the complete and exclusive statement of the terms agreed upon, and shall supersede all prior negotiations, understandings or agreements. There are no representations, warranties, or stipulations, either oral or written, not herein contained.

IN WITNESS WHEREOF, the parties have executed this Agreement on the dates indicated below.

COUNTY OF DAKOTA

CITY OF WEST ST. PAUL

By: _____
Title: Nancy Schouweiler, Chair of Board
Date _____

By: _____
Title: David Meisinger, Mayor or successor
Date _____

Attest _____
Jennifer Reynolds
Administrative Services Coordinator
Date _____

Attest _____

Date _____

Approved as to Form

/s/Helen R. Brosnahan July 8, 2016
Assistant County Attorney Date

County Attorney File No. KS-16-95
County Board Resolution No. 16-295
Contract No. _____

TO: Mayor and City Council
THROUGH: Matt Fulton, City Manager
FROM: Manila Shaver, Chief of Police
DATE: July 25, 2016
SUBJECT: Dakota County Attorney JPA for Misdemeanor Drug Offenses



City of West St. Paul

BACKGROUND INFORMATION:

The Dakota County Drug Task Force was created some years ago and continues to serve all Dakota County communities and law enforcement agencies well in providing a coordinated drug enforcement and prosecution effort. The majority of serious drug offenses fall under the responsibility of the County Attorney to prosecute, including any drug forfeiture action. In turn, forfeiture proceeds are used to support the Drug Task Force activities. Upon state task force operational reviews, our task force has been cited as a model task force operation.

A recent minor word change in the drug statutes does not make it clear that the County Attorney may automatically handle misdemeanor drug offenses and forfeitures. In order to establish this authority and maintain the existing drug enforcement/prosecution model, the Dakota County Attorney's office is requesting local municipalities to enter into a joint powers agreement (JPA) which provides the Dakota County Attorney's office with the authority to handle misdemeanor drug forfeitures.

FISCAL IMPACT:

Action	Fund	Department	Account	Amount
				\$0
			Total:	\$0

STAFF RECOMMENDATION:

Enter into the JPA for Dakota County legal services for misdemeanor drug forfeitures by signing the attached JPA and passing the draft resolution.

On Motion of Clpn.

Seconded by Clpn.

RESOLUTION NO. 16-

RESOLUTION APPROVING A JOINT POWERS AGREEMENT WITH
DAKOTA COUNTY FOR LEGAL SERVICES FOR MISDEMEANOR
DRUG OFFENSES AND FORFEITURES

WHEREAS, Minn. Stat. § 471.59 authorizes governmental units in the State of Minnesota to enter into agreements by resolution with any other governmental unit to perform on behalf of that unit any service or function which that unit would be authorized to provide for itself, and

WHEREAS, the Dakota County Drug Task Force (“DCDTF”) was created through a Joint Powers Agreement entered into by the cities of Apple Valley, Burnsville, Eagan, Farmington, Hastings, Inver Grove Heights, Lakeville, Mendota Heights, Rosemount, Savage, South Saint Paul, West Saint Paul and the County of Dakota for the purpose of establishing an organization to coordinate efforts to investigate illegal drug activity and assist in the prosecution of drug offenders and to pursue civil asset forfeiture as provided in Minnesota statutes; and

WHEREAS, to improve efficiencies the City of West St. Paul desires the Dakota County Attorney office to provide legal services related to administrative asset forfeitures controlled substance offenses investigated by the DCDTF provided for in Minn. Stat. § 609.5314, and

WHEREAS, the Dakota County Attorney’s office agrees to provide legal services related to administrative asset forfeitures investigated by the DCDTF; and

NOW, THEREFORE BE IT RESOLVED, that the Mayor for the City of West St. Paul and the City Clerk, are authorized to sign the Dakota County Joint Powers Agreement for misdemeanor drug legal services as outline in the JPA. A copy of the Joint Powers Agreement is attached to this Resolution and made a part of it

Passed and Adopted by the Council on this 25th day of July, 2016.

Ayes:

Nays:

David Meisinger, Mayor

Attest: _____
Chantal Doriott, City Clerk

TO: Mayor and City Council
THROUGH: Matt Fulton, City Manager
Jim Hartshorn, Comm. Dev. Dir.
FROM: Ben Boike, Assistant Comm. Dev. Dir.
DATE: July 25, 2016
SUBJECT: Conditional Use Permit – 1365 Bidwell St.



BACKGROUND INFORMATION:

The applicant is proposing to expand the existing pump station building in order to add an emergency generator. Section 153.051 of the Zoning Ordinance requires a Conditional Use Permit (CUP) for all “Essential Service Structures” in the R1 District. As the attached narrative states, over the past several years, power outages at the station have become more frequent and have the potential to interrupt water service to the community. The proposed generator would allow for water service to continue during future outages. The applicant is proposing to expand the existing building by constructing a 11.5 foot addition to the west side of the building (see plans). Please see the attached narrative for more information regarding the need for the generator as well as the attached Planning Commission memo for more information regarding the request.

In addition to the CUP request, the applicant also requested a setback variance to allow the building expansion.

Committee of Adjustments/Planning Commission

The Committee of Adjustments and the Planning Commission met in regular session on May 17, 2016 and held public hearings. The Committee of Adjustments and the Planning Commission voted 7-0 to recommend CONTINUATION of both the Variance application and the Conditional Use Permit and requested additional information based on concerns raised by the neighboring property owner to the west.

On June 27, 2016, the applicant and Staff met with the neighboring property owner to review the proposal. The applicant presented the attached elevation drawings and discussed some changes to the proposal, including relocating the air intake from the west wall of the addition to the roof (will help minimize any noise associated with the intake) as well as re-routing all drainage from the roof to the south and east of the addition (will help minimize drainage to the neighboring property). In addition, the applicant agreed to the neighbors request to replace the existing chain link fence along the west property line with a new black chain link fence and work with the neighbor on removing overgrown vegetation along the property line and planting new landscaping. Both requests are included as recommended conditions of approval.

The applicant has also provided noise level information for the proposed generator (see attached spec sheet and email). It is important to note that the noise level provided will be the noise level inside the structure. It is also important to note that

any noise will only occur when the generator is operational during testing or power outages.

Based on the information provided and the proposed recommendations, the neighbor was content with the proposal moving forward.

At their July 19, 2016 meeting, the Committee of Adjustments voted 7-0 to APPROVE the Variance request to allow a reduction in setback to the west property line.

At their July 19, 2016 meeting, the Planning Commission voted 7-0 to recommend approval of the Conditional Use Permit per the following conditions of approval (*conditions 7 & 8 were added by the Planning Commission*):

1. The Variance is contingent upon approval of the corresponding Conditional Use Permit Application.
2. The applicant shall apply for applicable building permits. The proposed addition shall be constructed according to the submitted plans.
3. Testing of the proposed generator shall be conducted during daylight hours.
4. Should noise levels resulting from the proposed generator create a public nuisance as determined by the Zoning Administrator, the applicant shall work with Staff to mitigate the noise issues.
5. The applicant shall replace the existing 4-foot chain link fence with a new black vinyl coated 4-foot chain link fence from the southwest corner of the proposed addition west to the west property line and then extending north along the west property line to the northwest corner of the property.
6. The applicant shall work with the neighboring property owner to the west in removing overgrown vegetation and planting new landscaping. Said landscape improvements shall be approved by the Zoning Administrator.
7. *The application shall include new landscaping in the front yard to improve the aesthetics of the property.*
8. *The applicant shall maintain the yard to the standards outlined in City Code.*

FISCAL IMPACT:

		Amount
Fund:		
Department:		
Account:		N/A

STAFF RECOMMENDATION:

Staff recommends that the City Council hold the public hearing and approve the Conditional Use Permit per the listed conditions above and the attached resolution.

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

RESOLUTION NO. 16-

**A RESOLUTION APPROVING A CONDITIONAL
USE PERMIT TO ALLOW FOR THE EXPANSION
OF AN EXISTING ESSENTIAL SERVICE STRUCTURE
IN AN R1 DISTRICT AT 1365 BIDWELL ST.
ST. PAUL REGIONAL WATER SERVICES**

WHEREAS, a Conditional Use Permit application has been submitted to the City for property legally described as:

LOT 1, BLOCK 1 EMERSON ESTATES

WHEREAS, a public hearing concerning the Conditional Use Permit was held before the West St. Paul Planning Commission on July 19, 2016; and

WHEREAS, the West St. Paul Planning Commission has recommended that the City Council of West St. Paul approve the Conditional Use Permit.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF WEST ST. PAUL that the Conditional Use Permit for 1365 Bidwell St. requested by St. Paul Regional Water Services is hereby approved subject to the following conditions:

1. The Variance is contingent upon approval of the corresponding Conditional Use Permit Application.
2. The applicant shall apply for applicable building permits. The proposed addition shall be constructed according to the submitted plans.
3. Testing of the proposed generator shall be conducted during daylight hours.
4. Should noise levels resulting from the proposed generator create a public nuisance as determined by the Zoning Administrator, the applicant shall work with Staff to mitigate the noise issues.
5. The applicant shall replace the existing 4-foot chain link fence with a new black vinyl coated 4-foot chain link fence from the southwest corner of the proposed addition west to the west property line and then extending north along the west property line to the northwest corner of the property.
6. The applicant shall work with the neighboring property owner to the west in removing overgrown vegetation and planting new landscaping. Said landscape improvements shall be approved by the Zoning Administrator.
7. The application shall include new landscaping in the front yard to improve the aesthetics of the property.
8. The applicant shall maintain the yard to the standards outlined in City Code.

Passed by the City Council of the City of West St. Paul this 25th day of July, 2016.

Ayes: Nays:

Attest:

David Meisinger, Mayor

Chantal Doriott, City Clerk

TO: Planning Commission
FROM: Ben Boike, Assistant Comm. Dev. Dir.
DATE: July 19, 2016
SUBJECT: Case #16-05 (Cont. from May 17, 2016)



REQUEST

St. Paul Regional Water Services is requesting a Conditional Use Permit to allow for an expansion of an Essential Service Structure (water pump house) at 1365 Bidwell St. This request was originally reviewed at the May 17, 2016 Committee of Adjustments meeting. The item was continued as a result of the Committee's request for more information.

Attachments:
Application Package
Notice
Plans



EXISTING LAND USES

The subject property consists of a pump station (in the form of a single-family home) for St. Paul Regional Water. Adjacent properties to the north, south and west consist

of single family homes. The adjacent property to the east consists of an apartment building.

ZONING

The subject property and adjacent properties to the north, south and west are zoned R1, Single Family Residential. Adjacent properties to the east are zoned R4, Multiple Family Residential.

ANALYSIS

Zoning Ordinance

Section 153.051 of the Zoning Ordinance requires a Conditional Use Permit to allow Essential Service Structures in an R1 District:

153.051 CONDITIONAL USES.

Within any R-1A One-Family Residential District, no structure or land shall be used for the following uses, except by conditional use permit:

(B) Essential service structures, including, but not limited to, buildings, such as telephone exchange stations, booster or pressure regulating stations, wells and pumping stations, elevated tanks, lift stations and electrical power substation provided no building shall be located within 50 feet from any lot line of an abutting lot in an R District. Prior to granting the permit it shall be found that the architectural design of essential service structures is compatible to the neighborhood in which it is to be located and thus will promote the general welfare;

Proposal

The applicant is proposing to expand the building in order to add an emergency generator. As the attached narrative states, over the past several years, power outages at the station have become more frequent and have the potential to interrupt water service to the community. The proposed generator would allow for water service to continue during future outages. Please see the attached narrative for more information regarding the need for the generator.

Review

Per the attached submitted plans, the applicant is proposing an 11' 5" addition to the rear (west side) of the existing building. The resulting side yard setback is 5' 5/16" to the west property line. The applicant is also requesting a variance to allow for a reduction in the required setback to the neighboring residential property. Staff is recommending a condition of approval requiring that the Conditional Use Permit is contingent upon approval of the corresponding variance request.

The proposed setback is consistent with the side yard minimum setback for homes in the R1 District. Since the proposed addition will mimic an addition to a home, Staff is comfortable with the proposed setback. The proposed generator will only run during power outages and monthly testing in the afternoon. In addition, the applicant is including sound proofing for the generator. As a result, noise levels should be minimal outside of the building.

In regard to noise levels, the applicant has provided noise level information for the proposed generator (see attached spec sheet and email). It is important to note that the noise levels provided will be the noise level inside the structure. It is also important to note that any noise will only occur when the generator is operational during testing or power outages.

As recommended with the corresponding variance request, Staff is recommending conditions of approval to help mitigate any impact that the proposed addition has to neighboring property owners. The recommended conditions include the replacement of the existing chain link fence along the west property line, landscape work along the west property line, limiting monthly testing of the generator to daytime hours, and requiring that the applicant address any noise complaints determined to be a public nuisance.

STAFF RECOMMENDATION

Staff recommends APPROVAL of the CONDITIONAL USE PERMIT for an expansion of an ESSENTIAL SERVICE STRUCTURE in an R1 District at 1365 Bidwell St. subject to the following conditions:

1. The Conditional Use Permit is contingent upon approval of the corresponding Variance Application.
2. The applicant shall apply for applicable building permits. The proposed addition shall be constructed according to the submitted plans.
3. Testing of the proposed generator shall be conducted during daylight hours.
4. Should noise levels resulting from the proposed generator create a public nuisance as determined by the Zoning Administrator, the applicant shall work with Staff to mitigate the noise issues.
5. The applicant shall replace the existing 4-foot chain link fence with a new black vinyl coated 4-foot chain link fence from the southwest corner of the proposed addition west to the west property line and then extending north along the west property line to the northwest corner of the property.
6. The applicant shall work with the neighboring property owner to the west in removing overgrown vegetation and planting new landscaping. Said landscape improvements shall be approved by the Zoning Administrator.



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 651-552-4222

CONDITIONAL USE PERMIT APPLICATION

Filing Fee: \$275.00

(OFFICE USE ONLY)

Escrow Amount: \$400.00 (residential)
\$800.00 (commercial)

CASE NO. 16-05
DATE RECEIVED 4/21/16
RECEIPT # _____
60 DAY DATE 6/20/16

TOTAL FEES \$1075

1. STREET ADDRESS OF PARCEL 1365 Bidwell Street
2. NAME OF APPLICANT Saint Paul Regional Water Services Phone # 651-266-6324
3. ADDRESS OF APPLICANT 1900 Rice Street Email benjamin.feldman@ci.stpaul.mn.us
St. Paul, MN 55113
4. NAME OF OWNER Saint Paul Regional Water Services Phone # 651-266-6274
5. ADDRESS OF OWNER 1900 Rice Street Email steve.schneider@ci.stpaul.mn.us
St. Paul, MN 55113
6. LEGAL/PID # 42-23700-01-010
7. PRESENT ZONING R-1B
8. PROPOSED USE OF PARCEL existing pump station for City water supply. Proposed addition will house a backup power generator and room for new electrical equipment.
9. ZONING SECTION AUTHORIZING CUP Section 8.2
10. WHAT WILL BE THE EFFECT OF THE PROPOSED USE ON THE HEALTH, SAFETY, & WELFARE OF THE OCCUPANTS IN THE SURROUNDING PARCELS? No change to surrounding parcels. Addition will indirectly improve water service to the entire City of West Saint Paul.
11. WHAT WILL BE THE EFFECT ON EXISTING AND ANTICIPATED TRAFFIC CONDITIONS, INCLUDING PARKING FACILITIES ON ADJACENT STREETS? No change to affect traffic, parking, or streets.
12. WHAT WILL BE THE EFFECT OF THE PROPOSED USE ON THE COMPREHENSIVE PLAN? No change, as the property already functions as a water supply pump station.

**PROMOTING AND PRESERVING A COMMUNITY OF EXCELLENCE
BY THE ETHICAL, RESPONSIVE, EFFICIENT AND INNOVATIVE PROVISION OF SERVICES
EOE/AAE**

EXHIBITS REQUIRED

- A. An electronic copy as well as four (4) 22x34 and twenty (20) 11x17 paper copies, of a map or plat showing the property on which the Conditional Use Permit is requested, and all parcel within 150 feet of the boundaries of the subject parcel.
- B. An electronic copy as well as four (4) 22x34 and twenty (20) 11x17 paper copies in sets and folded plans, showing application information as follows:
 - a. Proposed and existing topography and drainage.
 - b. A complete plan prepared and signed by a registered Civil Engineer, Architect, and/or Landscape Architect showing:
 - i. The parking layout, access provisions, structure locations, landscaping, drainage, trees and shrubbery including types and locations, and sizes.
 - ii. Any fences, walls, or other screening, including height and type of material.
 - iii. All lighting provisions, including type, location, and lumens affecting the surrounding parcels and streets.
 - iv. Curb type and location on site.
 - v. Proposed plans for sidewalk to service, parking, recreation and service areas within the site.

ACKNOWLEDGE AND SIGNATURE

The undersigned hereby represents upon all penalties of law, for the purpose of inducing the City of West St Paul to take action herein requested, that all statements herein are true and that all work herein mentioned will be done in accordance with the Ordinances and all Codes of the City of West St Paul and the State of Minnesota.



Signature of Owner (Required)

651-266-6274

Phone Number

Signature of Applicant (If different)

Phone Number

NOTE: All Materials relevant to this Application must be filed on or before the dates listed on Operating Procedures for Applicants page. The Planning Commission holds its regular meeting at 7:00pm on the third Tuesday of each month.

LAPSE OF CONDITIONAL USE PERMIT:

An approved Conditional Use Permit shall lapse and become null and void six months following the date on which the Conditional Use Permit was approved, unless prior to the expiration of six months a building permit is issued by the Building Official and construction is commenced and diligently pursued toward completion on the subject site, or a Certificate of Occupancy is issued by the Building Official. A Conditional Use Permit may be renewed once for a period of one year by the City Council.

FEES

1. The fees to be paid by each applicant for each zoning request shall be as prescribed by the City Council. Fees shall be payable at the time applications are filed with the Zoning Administrator and are not refundable unless the application is withdrawn prior to being sent for legal publication and notice. There shall be no fee in the case of applications filed in the public interest by the City Council or by the Planning Commission. Fees shall include application fee, filing fees, consultant, legal, planning, and engineering fees.
2. Applicants shall deposit with the City, together with the application filing fees, the sums required by Council resolution toward prepayment of the Consultants and Attorney's expenses and all costs to be billed and charged to the City. The prepayment amounts shall be a credit toward all reasonable fees and expenses charged by the Consultants to the City in the investigation report and recommendation to the City Council concerning the application. All reasonable expenses and fees in excess of the deposit, shall be paid by the applicant to the City within 30 days of final action on the matter by the City. If not paid within 30 days, the account shall be deemed delinquent. If the fees and expenses incurred by the City from the Consultants are less than the amount of deposit, such excess shall be returned to the applicant upon final action by the City in said manner.

**NOTICE OF PUBLIC HEARINGS
CITY OF WEST ST. PAUL**

The listed items below will be public hearing at the City of West St. Paul Planning Commission meeting on May 17th, 2016 at 7:00 p.m. and a public hearing at the Council meeting on May 23rd, 2016 at 6:30 p.m.:

- CASE #16-05 – Application for a Conditional Use Permit to allow for the expansion of an Essential Service Structure (building expansion) at 1365 Bidwell St. – St. Paul Regional Water Services.

Interested persons will be heard at these meetings. If you have any questions, please contact City Planner Ben Boike at 651-552-4134. If you need any type of accommodation to participate in the meeting, please contact the ADA Coordinator at 651-552-4102 at least 5 (five) business days prior to the meeting.



Chantal M. Doriott
City Clerk, City of West St. Paul
Published: May 8, 2016

Ben,

I received the attached spec. sheet from our electrical consultant showing what would be typical sound levels for the outdoor unit we were originally considering. We were going to go with the enclosure that resulted in the lowest sound level. In this case it was around 72 dBA. I looked online for an idea of how loud that is. Here are some examples I found:

Normal conversation at 3' – 60-65 dBA
Washing machine – 50 -75 dBA
Electric shaver – 50 -80 dBA
Telephone dial tone – 80 dBA
City traffic (inside car), noisy restaurant – 85 dBA
Electric drill – 95 dBA
Lawn mower at 3' – 107 dBA

Thanks,
Ben



Benjamin Feldman, P.E.

Project Engineer

1900 Rice Street

Saint Paul, MN 55113

Ph: 651-266-6324

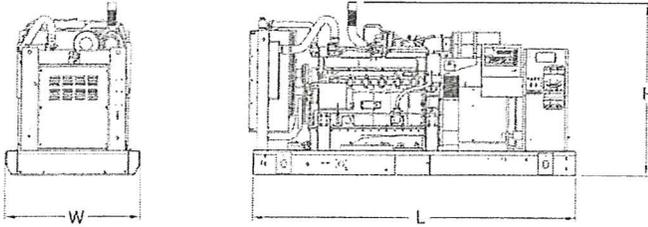
Cell: 651-283-0390

benjamin.feldman@ci.stpaul.mn.us

OLYMPIAN™

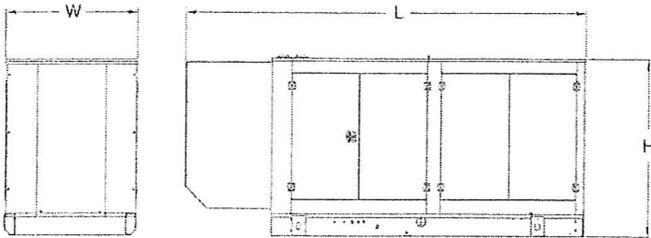
LG Series

dimensions, weights, and sound levels



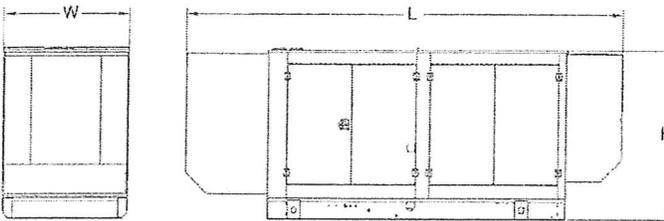
OPEN SET (Includes Exhaust Flex)

L x W x H (in (mm))	138.74 (3524.1) x 57.6 (1463.1) x 68.04 (1728.3)
Weight lbs (kg)	6364 (2887)
Sound Level (dBA*)	84.1



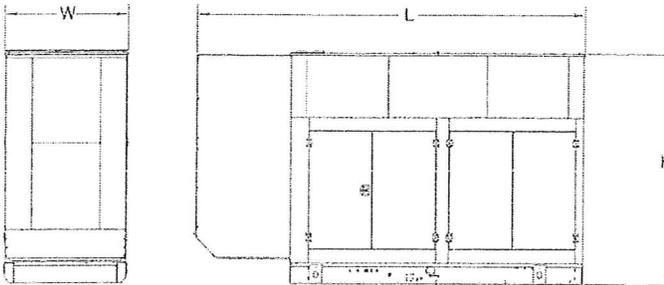
STANDARD ENCLOSURE

L x W x H (in (mm))	174.7 (4437.4) x 52.98 (1345.7) x 77.8 (1976.1)
Weight lbs (kg)	Steel: 7538 (3420) Aluminum: 6765 (3069)
Sound Level (dBA*)	81.3



LEVEL 1 ACOUSTIC ENCLOSURE

L x W x H (in (mm))	200.19 (5084.7) x 57.49 (1460.4) x 77.80 (1976.1)
Weight lbs (kg)	Steel: 8094 (3672) Aluminum: 6955 (3155)
Sound Level (dBA*)	76.4



LEVEL 2 ACOUSTIC ENCLOSURE

L x W x H (in (mm))	180.65 (4588.4) x 57.49 (1460.4) x 107.3 (2725.4)
Weight lbs (kg)	Steel: 8656 (3927) Aluminum: 7156 (3246)
Sound Level (dBA*)	71.6

* All measurements are approximate and for estimation purposes only. Sound levels measured at 23 ft (7 m) and does not account for ambient site conditions.

April 21, 2016

Ben Boike, Assistant Comm. Dev. Dir./City Planner
City of West St. Paul, MN



RE: West St. Paul Pump Station Generator & Electrical
1365 Bidwell Street
West St. Paul, MN 55118

Dear Mr. Boike,

Per the attached applications, Saint Paul Regional Water Services (SPRWS) is requesting a zoning variance for its pump station located at 1365 Bidwell Street.

The pump station is the only facility in the SPRWS distribution network that provides boosted pressure to the City of West St. Paul and is also responsible for filling the water tower located on Marie Ave. It was originally built, owned, and operated by the City of West St. Paul prior to being acquired by SPRWS in 2001. The property is a corner lot zoned residential, R1-B, with other residential lots adjacent to the west and north and an apartment/condo complex across Bidwell Street to the east. According to Dakota County GIS records, the building dates back to 1950 with the surrounding neighborhood not being built up until the late 1960s. To blend with what would be a residential neighborhood, the station was designed with the appearance of a single story, brick residential home. Little has changed with the station since it was first constructed.

Over the last several years, power outages at the station have become more frequent, not just during times of severe weather, and have the potential to interrupt water service to the customers of West St. Paul. An outage on June 19th, 2012 caused pressure loss to some areas, and an emergency notification was issued to the entire City, as required by Minnesota Department of Health. SPRWS has determined the best way to improve power reliability and reduce risk of service interruptions to customers is to install an emergency generator on the station property. It should be noted that the generator must be located on the property in order to power the station.

In February of this year, a consulting firm was hired to create drawings and specifications for the new generator and station electrical equipment. The original idea was to place the generator outside on the north side of the station. However, as the concept progressed and more details were obtained on underground utilities, site features, and design requirements, it became evident that installation in that area would be difficult and result in some significant changes to the property; changes that were not ideal for the neighborhood and SPRWS. As a result, other concepts were considered. They are as follows with key determining factors noted.

Exterior mounted generator or addition on the north side of the property:

- Requires a concrete pad approximately 24'x14' and has screen walls on at least three sides to blend with existing station. Not as aesthetically pleasing as a building addition.
- Requires constructing over top of buried water main if adding to the station.
- Requires removal of some, if not all, of the 24" and 31" oak trees.
- Offset from the west property line by five feet to comply with residential zoning ordinance.
- Results in significant regrading of north yard to modify drainage patterns.
- Generator may create slightly more noise than if it were housed inside.

Exterior mounted generator or addition on the east side of the station:

- Requires a concrete pad approximately 24'x14' and has screen walls on at least three sides to blend with existing station; or is a large addition to the front garage end of the station. Not aesthetically pleasing from Bidwell Street or Myrman Avenue.
- Significantly encroaches on the street setback ordinance for the current zoning district.
- Blocks part of the front of the station if generator is exterior mounted.
- Requires removal of the 17" maple tree if exterior mounted.
- Generator may create slightly more noise than if it were housed inside.

Exterior mounted generator or addition on the south side of the station:

- Requires removal of the 18" locust tree.
- Unable to build a structure on this side of the building without constructing over buried water main and the sanitary sewer.
- Significantly encroaches on the street setback ordinance for the current zoning district.
- Generator may create slightly more noise than if it were housed inside.

Addition on the west side of the station:

- Set back from the west property line by five feet based on current residential zoning ordinance.
- Does not require removal of the oak, locust, or maple trees.
- Minimizes visual impact from both Bidwell Street and Myrman Avenue.
- Generator would be inside the building, minimizing outdoor noise.
- Addition would blend with existing station design.

Of the options detailed above, the addition on the west side of the station, while not the most economical, provides an indoor facility for the generator and electrical equipment, will continue to blend well with the existing residential appearance of the station and has the least visual impact from Bidwell Street and Myrman Avenue. It doesn't require removal of the oaks, locust, or maple trees and can be done while still meeting the standard setback requirements for the residential district.

The reason for the variance request results from zoning ordinance Section 7.2, Paragraph 2. The facility is listed as an essential service structure, and therefore, not allowed to have any building located within 50 feet of a lot line that abuts a property zoned residential. As the station sits currently, it is only 16.4 feet from the residential property line to the west and 50.5 feet from the residential property line to the north. Since the station is already well within the 50 foot setback on the west side of the property, SPRWS is requesting the variance be granted to build to within five feet of the property line and believes this to be in keeping with the intent of the minimum setback for districts zoned R-1 as stated in Section 7.4, Paragraph 2, Item c (ii).

As referred to in the beginning of this letter, this sole station has been serving the City of West St. Paul for approximately 65 years and predates the neighborhood by quite a few years. Based on the property and how the building was situated, it may be reasonable to assume that the essential service structures requirements were not considered or a part of the residential zoning ordinance at the time. Contingent upon variance approval, SPRWS believes the west building addition concept is best suited for their needs, the neighborhood, and all customers of West St. Paul that will be served by an even more reliable drinking water system.

If there are any questions with the requested zoning variance, please feel free to give me a call.

Regards,

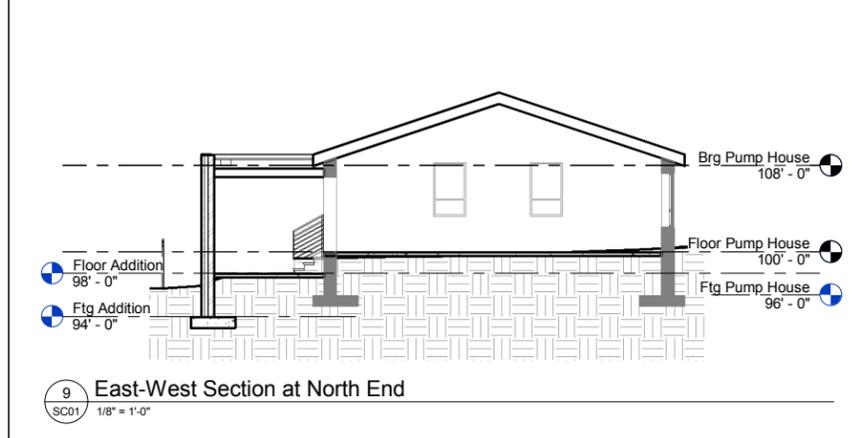
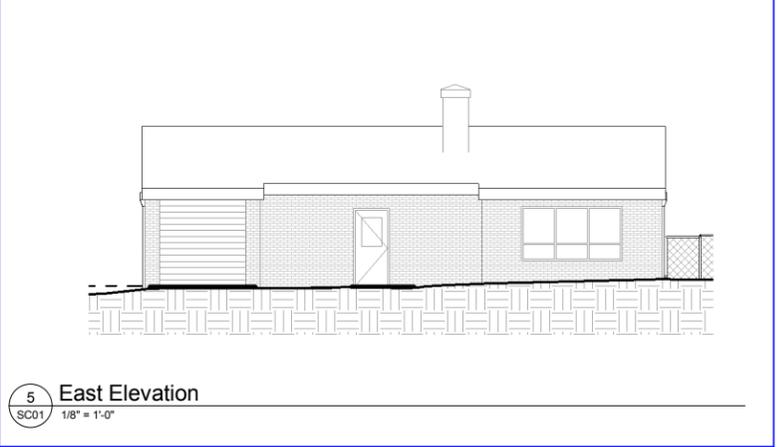
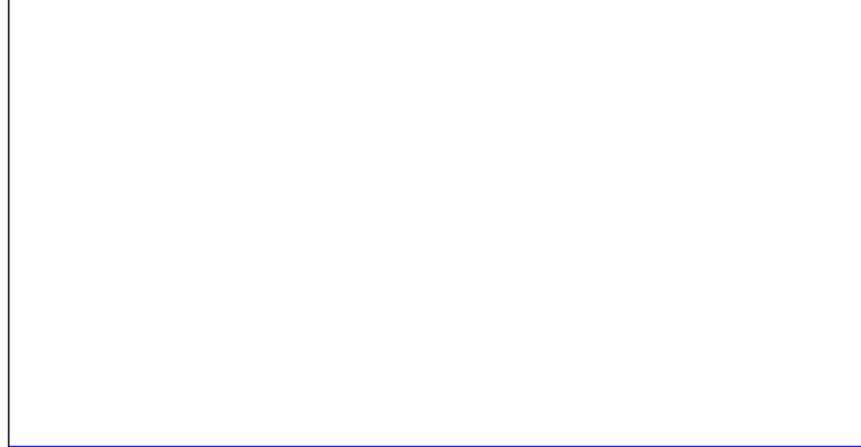
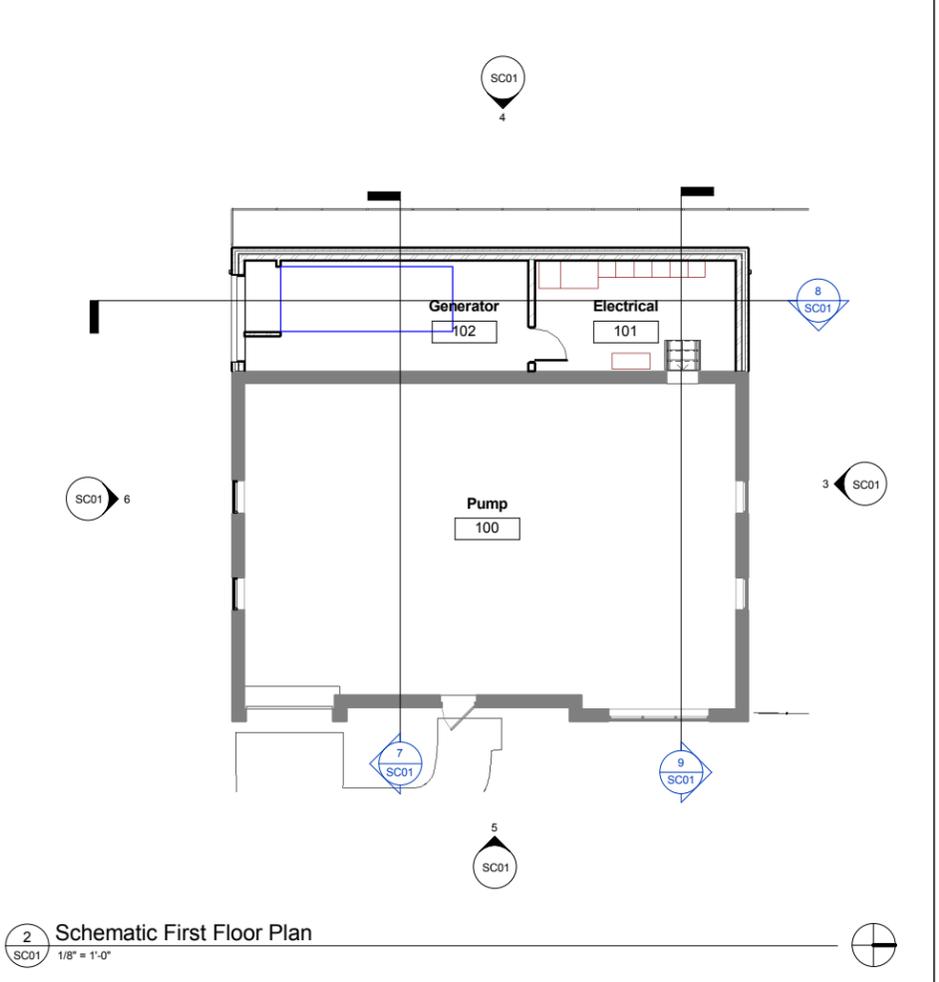
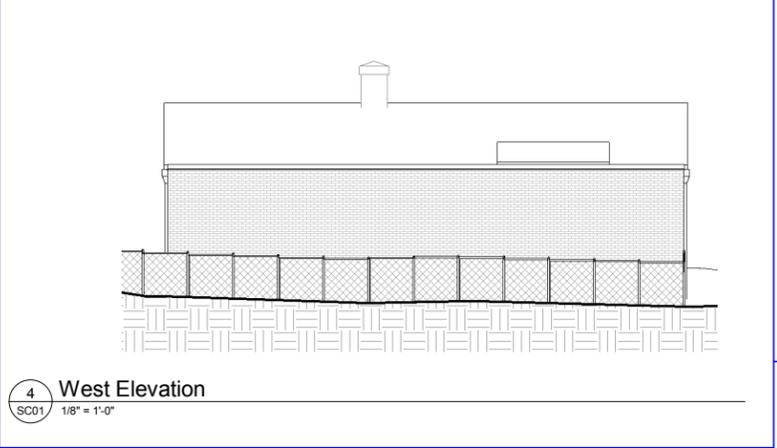
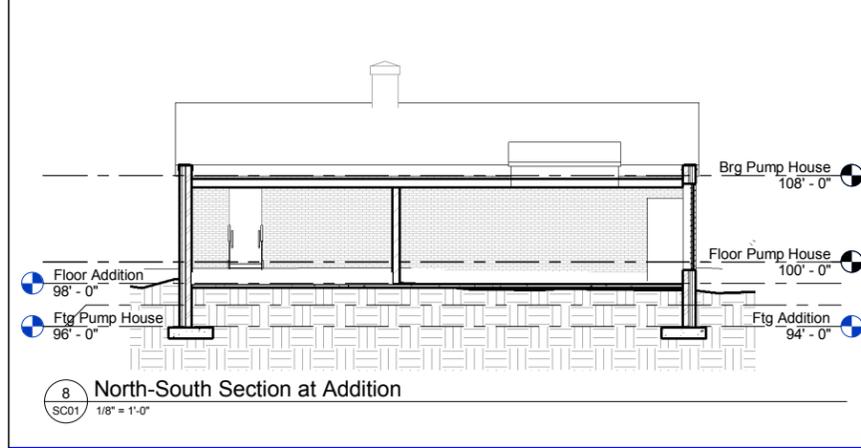
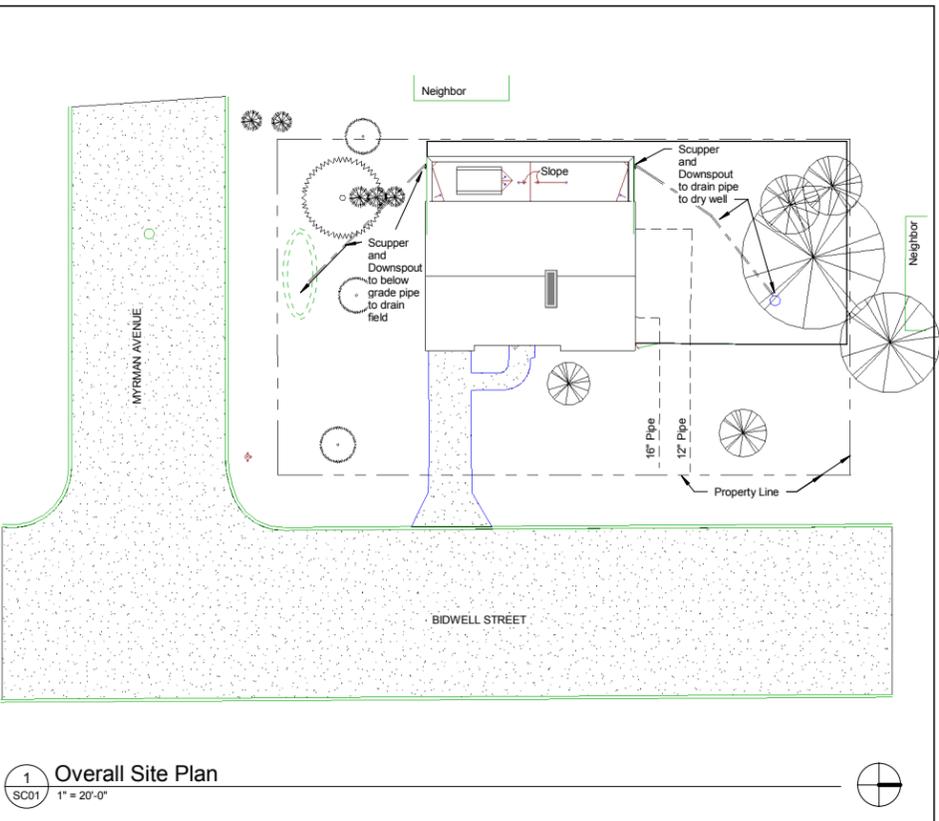
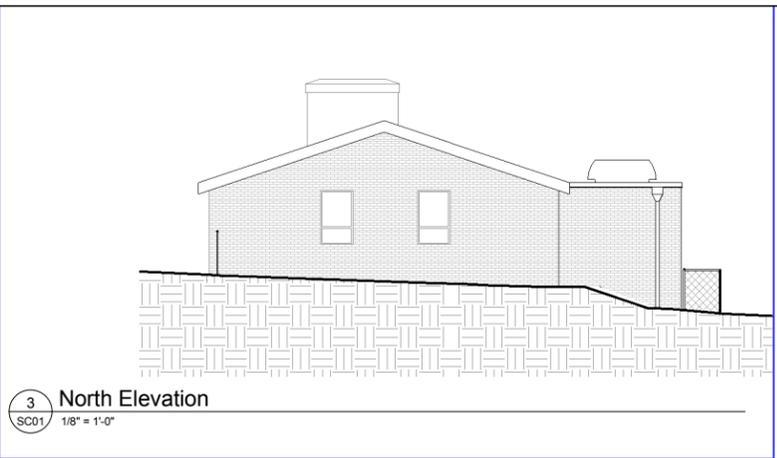
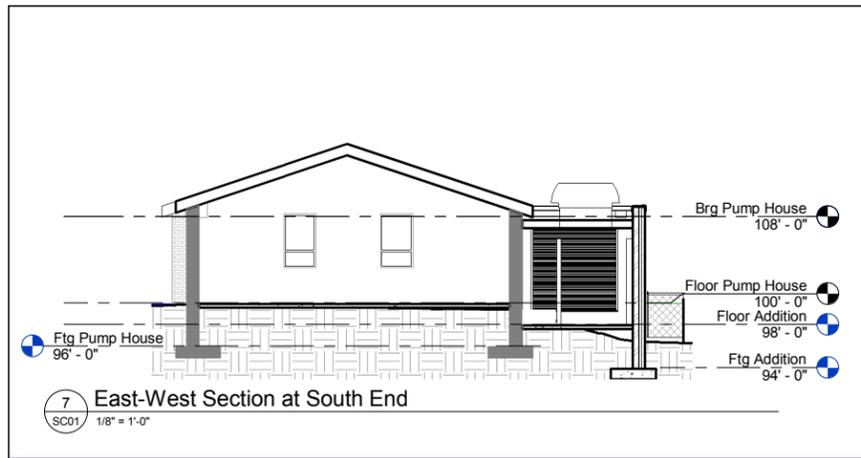
Benjamin Feldman, P.E.

A handwritten signature in black ink that reads "Ben J Feldman". The signature is written in a cursive style with a long, sweeping underline.

Project Engineer
Saint Paul Regional Water Services
Benjamin.feldman@ci.stpaul.mn.us

Enclosed:

- Variance Application
- Concept Site Plan
- Property Survey



CNH NO.: 16049
DATE: 6/23/16
REVISIONS:

West St. Paul Pump Station
1365 Bidwell Street, West St. Paul, MN 55118
Schematic Design

SC01

NOT FOR CONSTRUCTION



3 Bird's Eye View
SC02 12" = 1'-0"



1 View at Intersection
SC02 12" = 1'-0"



2 North-East View
SC02 12" = 1'-0"



4 West View
SC02 12" = 1'-0"

CNH NO.: 16049
DATE: 6/23/16
REVISIONS:

West St. Paul Pump Station
1365 Bidwell Street, West St. Paul, MN 55118

Images

SC02

SAINT PAUL REGIONAL WATER SERVICES WEST ST. PAUL PUMP STATION GENERATOR AND ELECTRICAL IMPROVEMENTS

WEST ST. PAUL, MN

ELECTRICAL DRAWINGS

SYMBOL	WIRING SYSTEMS
	#10 INDICATES WIRE SIZE. IF NOT NOTED #12 AWG CONDUCTORS SHALL BE USED
	HOME RUN
	L101 PANEL NUMBER 3.5 CIRCUIT NUMBER
	NOTE: ANY CIRCUITS WITHOUT FURTHER DESIGNATION IS A TWO WIRE CIRCUIT. A GREATER NUMBER OF WIRES ARE INDICATED BY CROSS MARKS
	LP-1/3 PANELBOARD/CIRCUIT NUMBER
	FIXTURE TYPE SWITCH DESIGNATION
	PANEL NAME
	GROUNDING CONDUCTOR
	HOT CONDUCTOR
	NEUTRAL CONDUCTOR
	CONDUIT CAPPED OR BUSHED
	CONDUIT CONTINUATION
	BRANCH CIRCUIT (UNDER FLOOR OR UNDER GROUND)
	GROUND

SYMBOL	EQUIPMENT SYSTEMS
	TERMINAL CABINETS
	ANNUNCIATORS
	FIRE ALARM CONTROL PANEL
	FIRE ALARM ANNUNCIATOR
	BRANCH CIRCUIT PANELS (250V OR LESS)
	BRANCH CIRCUIT PANELS (277/480V)
	DISTRIBUTION PANEL OR SWITCHBOARD
	SWITCHBOARD MAIN
	DRY TYPE TRANSFORMER - SIZE AS NOTED ON DRAWING
	DISCONNECT SWITCH
	MAGNETIC MOTOR STARTER
	DISCONNECT SWITCH & MAGNETIC MOTOR STARTER IN SAME LOCATION
	MANUAL MOTOR STARTING SWITCH (W/OVERLOADS)
	MOTOR RATED SWITCH
	MANUAL MOTOR CONTROL SWITCH
	CONTROL TRANSFORMER
	RELAY
	CONTRACTOR
	THERMOSTAT
	AUXILIARY EQUIPMENT (AS NOTED)
	JUNCTION BOX
	MANHOLE
	HAND HOLE
	GROUNDING SYSTEM BUS BAR

SYMBOL	MISC. DEVICES
	CABLE TRAY - SIZE AS NOTED
	WIREMOLD
	PLUG STRIP - OUTLET SPACING AS SHOWN OR SPECIFIED
	INDICATES NOTE ON PLAN
	EQUIPMENT OR APPLIANCE (NO. REFERS TO SCHEDULE)
	FEEDER NUMBER
	MECHANICAL EQUIPMENT CROSS REFERENCE (NO. REFERS TO SCHEDULE).

GENERAL NOTES	
<ol style="list-style-type: none"> BRANCH CIRCUIT DESIGNATIONS AS INDICATED ON THESE DRAWINGS ARE FOR CLARIFICATION ONLY AND DO NOT REPRESENT EXACT CIRCUIT DESIGNATIONS IN THE PANELS SERVING THE AREAS. EXACT LOCATIONS AND/OR DESIGNATIONS SHALL BE ADJUSTED AS REQUIRED TO PROVIDE BALANCED LOADING OF ALL THE PHASES IN THE PANEL. WHERE AN ELECTRICAL OR COMMUNICATION SYSTEM IS CALLED OUT TO BE INTERCONNECTED WITH AN EXISTING SYSTEM THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE COORDINATION OF THE POINT OF THE INTERCONNECTION AS WELL AS THE MEANS OF INTERCONNECTION WITH THE EXISTING SYSTEM. INSTALLATION OF ALL FIXTURES SHALL COMPLY WITH ALL INTERNATIONAL BUILDING CODE REQUIREMENTS. INTERRUPTING RATINGS NOTED IN SCHEDULES SHALL APPLY TO THE ENTIRE PANELBOARD AND/OR SWITCHBOARD. ALL EQUIPMENT SHALL BE FULLY RATED FOR SHORT CIRCUIT CURRENT NOTED. LABEL ALL TERMINAL CABINETS TO INDICATE THEIR FUNCTION. ALL ELECTRICAL BOXES THAT ARE ABANDONED DURING THE COURSE OF THE PROJECT SHALL HAVE A BLANK COVERPLATE. ADJUST MOUNTING HEIGHTS OF ELECTRICAL DEVICES IF REQUIRED SO AS NOT TO INTERFERE WITH RADIATION. WHEREVER THE INSTALLATION OF ELECTRICAL EQUIPMENT CONFLICTS WITH EXISTING CONDITIONS NOT SHOWN ON THE PLANS OR SPECIFICATIONS, THE CONTRACTOR SHALL DETERMINE A SATISFACTORY ALTERNATIVE MEANS FOR INSTALLATION AND VERIFY IT WITH THE ENGINEER PRIOR TO INSTALLATION. DEVICE LOCATIONS SHOWN ON THESE PLANS AND NOTED EXISTING HAVE BEEN DERIVED FROM EXISTING PLANS AND MAY NOT BE INSTALLED AS SHOWN. THE CONTRACTOR SHALL VERIFY ALL LOCATIONS AND ROUTING PATHS. WHERE ELECTRICAL DEVICES ARE LOCATED ADJACENT TO LIGHT SWITCHES, MOUNT ALL DEVICES AT THE SAME ELEVATION. OR LINE OF PLUMB. PROVIDE ALL ELECTRICAL DEMOLITION WORK AS REQUIRED TO FACILITATE THE NEW WORK. DEMOLITION DRAWINGS INDICATE DESIGN INTENT AND MAY NOT BE INCLUSIVE OF ALL MISCELLANEOUS AND INCIDENTAL ITEMS. NO ALLOWANCE 	<p>WILL BE MADE FOR THE CONTRACTORS FAILURE TO FAMILIARIZE THEMSELV WITH THE EXISTING BUILDING CONDITIONS AND THE AMOUNT OF EFFORT TO COMPLETE THE NEW ELECTRICAL WORK AS SHOWN ON THE DRAWINGS.</p> <ol style="list-style-type: none"> PROVIDE ALL ELECTRICAL DEMOLITION WORK IN AREAS WHERE NOTED. PROVIDE DISCONNECTION AND REMOVAL OF ALL ELECTRICAL EQUIPMENT, LIGHT FIXTURES, DEVICES, PANELBOARDS, CONDUIT AND CABLE IN THESE AREAS. TURN OVER EQUIPMENT TO OWNER THAT WHICH THEY DESIRE TO RETAIN. ALL OTHER EQUIPMENT SHALL BE DISPOSED OF BY THE ELECTRICAL CONTRACTOR. ELECTRICAL CONTRACTOR SHALL BE RESPONSIBLE FOR PROPER DISPOSAL OF LAMPS AND BALLASTS AND MUST COMPLY WITH ALL STATE AND FEDERAL REGULATIONS GOVERNING THEIR DISPOSAL. INFORMATION ABOUT PROPER LAMP AND BALLAST DISPOSAL IS AVAILABLE FROM THE "MINNESOTA POLLUTION CONTROL AGENCY" AT 1-800-657-3724. DO NOT SCALE DRAWINGS. VERIFY DIMENSIONS IN FIELD PRIOR TO COMMENCEMENT OF WORK. FINAL CONNECTIONS TO EQUIPMENT SHALL BE PER MANUFACTURERS APPROVED WIRING DIAGRAMS, DETAILS AND INSTRUCTIONS. IT SHALL BE THE CONTRACTORS RESPONSIBILITY TO PROVIDE MATERIALS AND EQUIPMENT COMPATIBLE WITH EQUIPMENT ACTUALLY SUPPLIED.

INDEX TO ELECTRICAL SHEETS	
E1.0	ELECTRICAL TITLE SHEET
E1.1	SITE PLAN
E1.2	EXISTING PARTIAL LAYOUT PLAN
E1.3	NEW PARTIAL LAYOUT PLAN
E2.1	PARTIAL ONE LINE DIAGRAM - NOT ISSUED
E2.2	NEW ONE LINE DIAGRAM - NOT ISSUED
E3.1	ELECTRICAL SCHEDULE AND DETAILS - NOT ISSUED

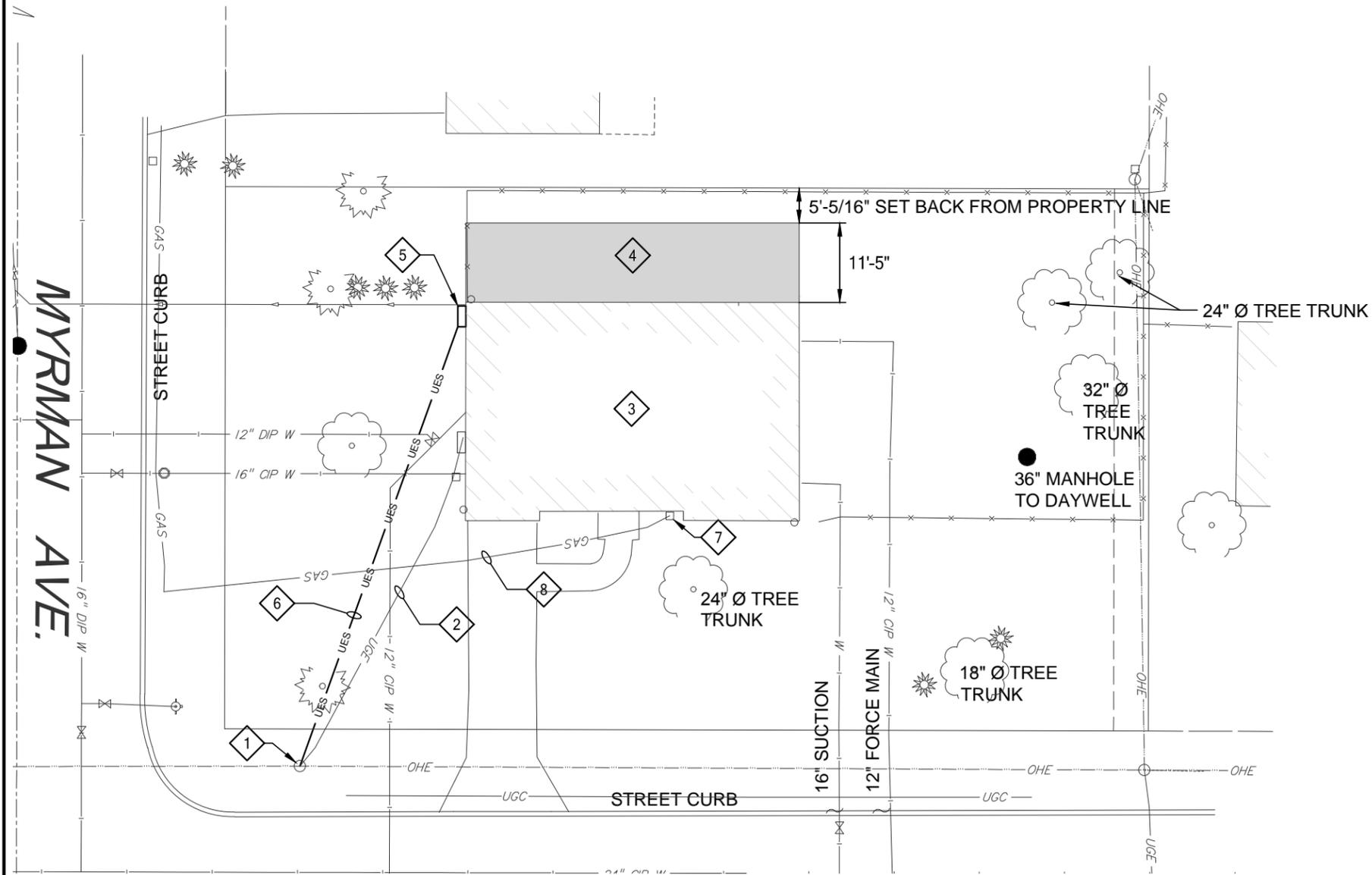
LINETYPE LEGEND	
	NEW FIXTURE
	EXISTING FIXTURE TO BE REMOVED
	EXISTING FIXTURE TO REMAIN OR BE REUSED
	NEW DEVICE
	EXISTING DEVICE TO BE REMOVED
	EXISTING DEVICE TO REMAIN OR BE REUSED
	NEW DEVICE
	EXISTING DEVICE TO BE REMOVED
	EXISTING DEVICE TO REMAIN OR BE REUSED

Project Number:
16-005
Date:
04/21/2016
Drawing No.
E1.0

CUP SUBMITTAL
NOT FOR CONSTRUCTION
APRIL 21, 2016

Project:
Saint Paul Regional Water Services
Title:
Electrical Title Sheet
West St. Paul Pump Station Generator and Electrical Improvements
1365 Bidwell Street, West St. Paul, MN 55118

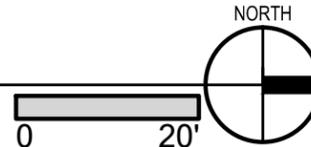
engineering design initiative
 1112 north 5th street,
 minneapolis, mn 55411
 (612) 343-8882 ph (612) 343-8882 fax
 www.edimilest.com



PLAN NOTES:

1. EXISTING UTILITY POLE MOUNTED TRANSFORMERS FOR 240 VOLT DELTA HIGH LEG ELECTRICAL SERVICE.
2. EXISTING UNDERGROUND ELECTRICAL SERVICE TO FACILITY. DISCONNECT AND REMOVE AFTER NEW SERVICE INSTALLED. COORDINATE WITH UTILITY.
3. EXISTING BUILDING.
4. NEW BUILDING ADDITION.
5. NEW WALL MOUNTED METER CABINET.
6. NEW UNDERGROUND ELECTRICAL SERVICE TO BE FURNISHED AND INSTALLED UP THE UTILITY POLE BY THE CONTRACTOR FROM THE NEW METER CABINET. ARRANGE WITH THE UTILITY FOR THE INSTALLATION OF A NEW 480/277 VOLT 3 PHASE 4 WIRE SERVICE TO THE FACILITY. UTILIZE TWO (2) 3-1/2" CONDUITS EACH WITH FOUR (4) 350 KEMIL CONDUCTORS PLUS ONE (1) 2/0 AWG GROUND.
7. EXISTING GAS METER.
8. APPROXIMATE ROUTE OF EXISTING GAS SERVICE LINE. CONTRACTOR SHALL ARRANGE WITH XCEL ENERGY TO UPGRADE SERVICE TO REQUIREMENTS NEEDED TO FEED THE NEW GENERATOR ALONG WITH OTHER BUILDING LOADS. SEE MECHANICAL FOR MORE DETAILS.

1 West St. Paul Pump Station - Site Plan
SCALE: 1" = 20'-0"

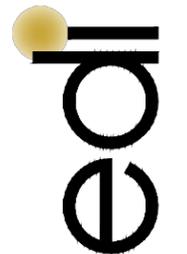


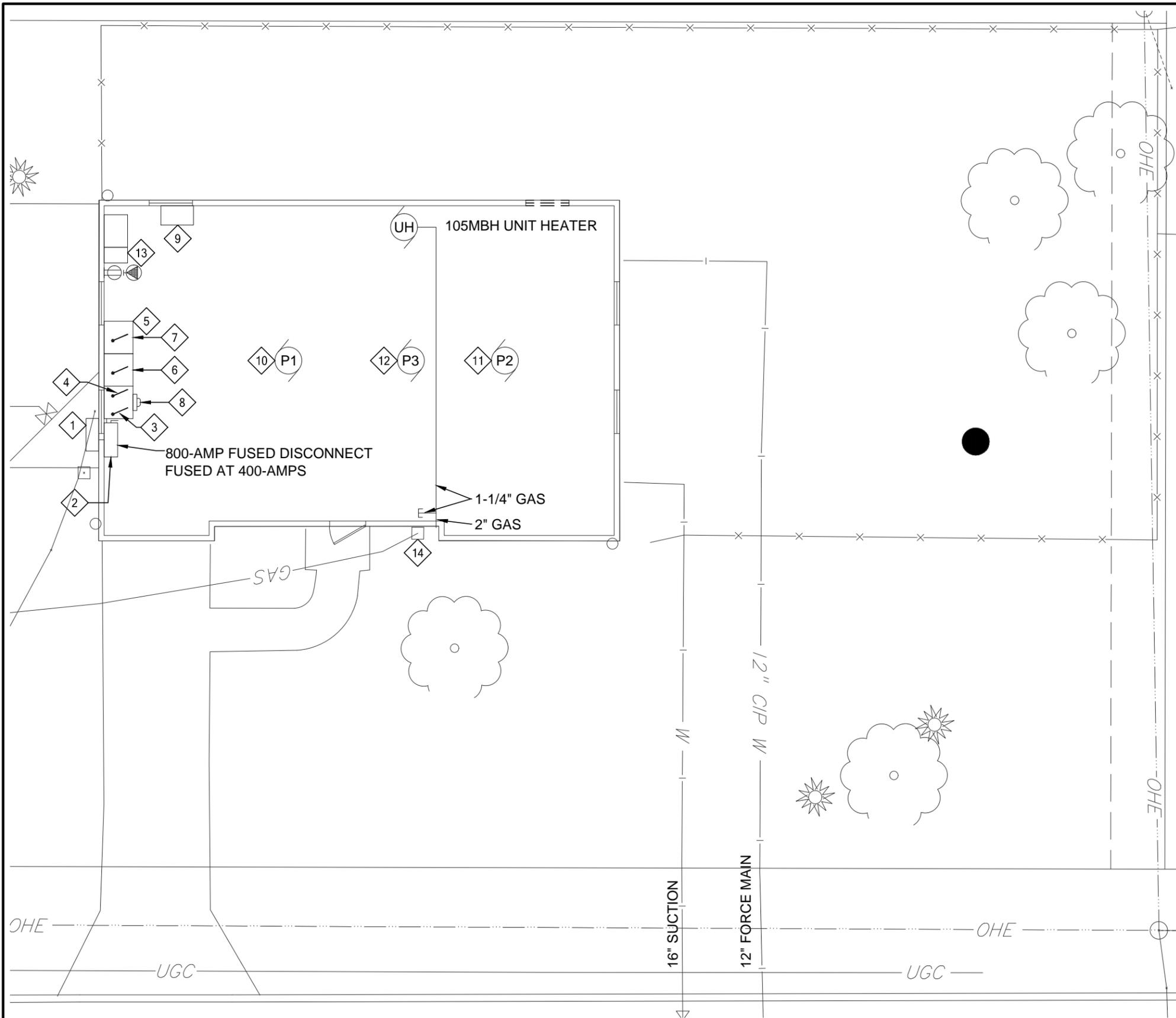
Project Number:
16-005
Date:
04/21/2016
Drawing No.
E1.1

CUP SUBMITTAL
NOT FOR CONSTRUCTION
APRIL 21, 2016

Project:
Saint Paul Regional Water Services
Title:
Site Plan
West St. Paul Pump Station Generator and Electrical Improvements
1365 Bidwell Street, West St. Paul, MN 55118

engineering design initiative
1112 north 5th street.
minneapolis, mn 55411
(612) 343-3655 ph (612) 343-5882 fax
www.edimilest.com





PLAN NOTES: #

1. EXISTING GENERATOR CONNECTION BOX.
2. EXISTING 800-AMP FUSED DISCONNECT SWITCH FOR GENERATOR CONNECTION.
3. EXISTING AUXILLARY POWER MANUAL SWITCH LOCATED IN FIRST SECTION OF SWITCHGEAR.
4. EXISTING 800-AMP, 240-VOLT, 3-PHASE MAIN UTILITY DISCONNECT SWITCH LOCATED IN FIRST SECTION OF SWITCHGEAR.
5. EXISTING WESTINGHOUSE THREE SECTION 800-AMP, 120/240-VOLT, 3-PHASE ELECTRICAL GEAR.
6. SECOND SECTION OF GEAR WITH CONTROLLER FOR PUMP #1.
7. THIRD SECTION OF GEAR WITH CONTROLLER FOR PUMP #2 AND PUMP #3.
8. EXISTING UTILITY METER
9. EXISTING RTU-30.
10. EXISTING 30 HP, 230-VOLT, 74-AMP, 1770 RPM, 3-PHASE, MOTOR FOR PUMP P1.
11. EXISTING 50 HP, 230-VOLT, 125-AMP, 1780 RPM, 3-PHASE, MOTOR FOR PUMP P2.
12. EXISTING 50 HP, 230-VOLT, 119-AMP, 3-PHASE, MOTOR FOR PUMP P3.
13. EXISTING PANEL BOARD.
14. EXISTING GAS METER.

1 West St. Paul Pump Station - Existing Partial Layout Plan
 SCALE: 1" = 10'-0"
 NORTH

Project Number: 16-005	Date: 04/21/2016	Drawing No. E1.2
CUP SUBMITTAL NOT FOR CONSTRUCTION APRIL 21, 2016		
Project: Saint Paul Regional Water Services		
Title: Existing Partial Layout Plan West St. Paul Pump Station Generator and Electrical Improvements		
1365 Bidwell Street, West St. Paul, MN 55118		

engineering design initiative
 1112 north 5th street.
 minneapolis, mn 55411
 (612) 343-3655 ph (612) 343-5882 fax
 www.edimined.com

PLAN NOTES:



1. FURNISH AND INSTALL NEW 600 AMP, 600V, 3 PHASE 4 WIRE WALL MOUNTED METER CABINET. COORDINATE WITH ELECTRICAL UTILITY FOR REQUIREMENTS.
2. FURNISH AND INSTALL NEW GENERATOR ON CONTRACTOR FURNISHED PAD. SEE DETAILS AND SPECIFICATIONS FOR FURTHER INFORMATION.
3. FURNISH AND INSTALL TWO (2) 3-1/2" CONDUITS UNDERGROUND FOR SERVICE FEED TO MSB FROM METERING CABINET. SEE SHEET E2.2 FOR WIRING DETAILS.
4. FURNISH AND INSTALL NEW MAIN SWITCH BOARD MSB WITH 600 AMP MAIN BREAKER. SEE SHEET E2.2 AND SPECIFICATIONS FOR MORE DETAILS. MAXIMUM HEIGHT OF UNIT TO BE 72"
5. FURNISH AND INSTALL AUTOMATIC TRANSFER SWITCH ATSI. SEE SHEET E2.2 AND SPECIFICATIONS FOR MORE DETAILS. MAXIMUM HEIGHT OF UNIT TO BE 72".
6. FURNISH AND INSTALL NEW MCC. SEE SHEET E2.2 AND SPECIFICATIONS FOR DETAILS. MAXIMUM HEIGHT OF UNIT SHALL BE 72".
7. FURNISH AND INSTALL NEW MANUAL TRANSFER UNIT MTSI. SEE SHEET E2.2 FOR MORE DETAILS.
8. FURNISH AND INSTALL NEW GENERATOR DOCKING STATION TO REPLACE EXISTING. SEE SHEET E2.2 FOR MORE DETAILS.
9. FURNISH AND INSTALL NEW WALL MOUNTED TRANSFORMER T1. SEE SHEET E2.2 AND SPECIFICATIONS FOR MORE DETAILS.
10. FURNISH AND INSTALL NEW 200 AMP PANEL BOARD. SEE SHEET E2.2 AND SPECIFICATIONS FOR MORE DETAILS.
11. RELOCATE EXISTING CONVENIENCE AND WELDING RECEPTACLE TO ADJACENT WALL. WIRE TO NEW PANEL L1.
12. DISCONNECT AND REMOVE EXISTING 240 VOLT SERVICE AND DISTRIBUTION SWITCH GEAR AFTER NEW SERVICE AND DISTRIBUTION SWITCH INSTALLED AND TESTED. COORDINATE WITH OWNER, UTILITY, AND ENGINEER TO KEEP DOWNTIME TO A MINIMUM OF SIX (6) HOURS.
13. REWIRE EXISTING PUMPS FOR OPERATION AT 480 VOLTS SEE SHEET E2.2 FOR FURTHER DETAILS.
14. NOT USED.
15. FURNISH AND INSTALL ONE (1) HANDHOLE FOR ROUTING OF CABLES FROM METERING CABINET TO MSB. UTILIZE QUAZITE #PG2436BA36 OR APPROVED EQUAL.

Project Number:
16-005

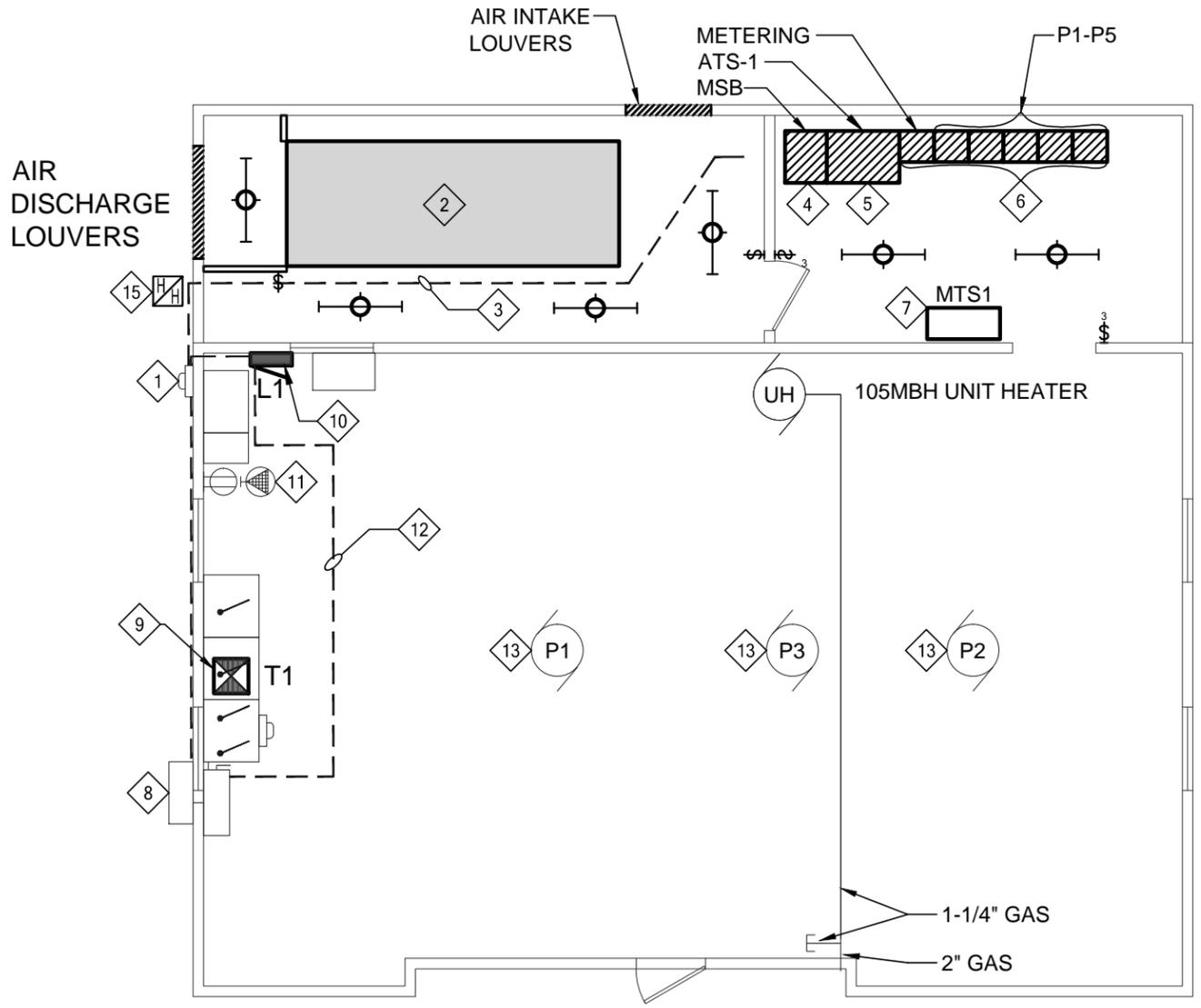
Date:
04/21/2016

Drawing No.
E1.3

CUP SUBMITTAL
NOT FOR CONSTRUCTION
APRIL 21, 2016

Project:
Saint Paul Regional Water Services
Title:
New Partial Layout Plan
West St. Paul Pump Station Generator and Electrical Improvements
1365 Bidwell Street, West St. Paul, MN 55118

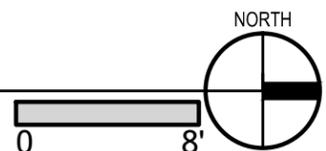
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(612) 343-3655 ph
(612) 343-5882 fax
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1

West St. Paul Pump Station - New Plan

SCALE: 1/8" = 1'-0"



TO: Mayor and City Council
THROUGH: Matt Fulton, City Manager
FROM: Chantal Doriott, City Clerk
DATE: July 25, 2016
SUBJECT: Canvass Primary Election



City of West St. Paul

BACKGROUND INFORMATION:

The City of West St. Paul will hold a Primary Election on August 9, 2016. The city council serves as the canvassing board for city elections. The council must meet to canvass the returns and declare the results on the second or third day after a primary and within three to 10 days after a general election. The canvass may only be held on the second day after a primary if the county auditor agrees to review primary voting statistics within a time that permits the canvass to be conducted on that day. M.S. 205.185, subd. 3; 205.065, subd. 5

We will need to conduct a special meeting to canvass the election results. Staff is proposing to hold the special meeting on August 11, 2016 at 5:00 p.m. which the County is in agreement.

FISCAL IMPACT: None

		Amount
Fund:		
Department:		
Account:		

STAFF RECOMMENDATION: Conduct a Special Meeting to Canvass the Primary Election results on August 11, 2016 at 5:00 p.m. in the Administration Conference Room.

TO: Mayor and City Council
THROUGH: City Manager
FROM: Public Works & Parks Director/City Engineer
DATE: July 25, 2016
SUBJECT: Approve Consultant Contract for Construction Administration of Safe Routes to School Project #14-6



City of West St. Paul

BACKGROUND INFORMATION:

The Safe Routes to School (SRTS) Project on Wentworth and Bellows, City Project 14-6, was granted funds for Construction Engineering (CE). These dollars are used for constructing administration, construction survey staking, on-site inspection and materials testing. Not every SRTS project is granted CE money so we are fortunate to have received it. For instance, we did not receive any CE funding for the upcoming Bidwell SRTS project. Construction administration requirements of SRTS projects have extensive documentation and testing requirements which are uncommon to locally funded projects.

Staff recently solicited Request for Proposals from three consulting engineering firms for construction administration services (including staking, on-site inspection and materials testing) of this project. Since we are in the middle of the construction season state-wide, demand is high for administration/inspection and we only received two proposals.

Consulting Firm	Total Amount
WSB & Associates, Inc.	Did not submit
Bolton & Menk, Inc.	\$ 26,225
Kimley-Horn, Inc.	\$ 33,990

City and County staff evaluated the proposals and determined the overall best value for this project was submitted by Kimley-Horn. In addition, it has been the intention that City staff would complement the field inspection as we are able to minimize trips for the consultant.

FISCAL IMPACT:

The Wentworth/Bellows SRTS project has \$34,000 budgeted into CE costs, so the proposal from Kimley-Horn falls within this budget. This project has a bid opening date of July 26, 2016 with construction anticipated for late August/September.

		Amount
Fund:	551	
Department:	43121	
Account:	41146	\$33,990

STAFF RECOMMENDATION:

Staff recommends that the City Council approve the consultant contract with Kimley-Horn for the construction administration of the Wentworth Avenue and Bellows Street Safe Routes to School Project #14-6 in the amount of \$33,990.

TO: Mayor and City Council
THROUGH: City Manager
FROM: Public Works & Parks Dir./City Engineer
DATE: July 25, 2016
SUBJECT: Approving Supplemental Agreement #9 Robert Street Project #11-3



City of West St. Paul

BACKGROUND INFORMATION:

As part of the negotiations for temporary and permanent easements along Robert Street, Kennedy & Graven came to a settlement with Target. “The City and Target agreed to a global settlement of the condemnation for the Robert Street Phase 1 and Phase 2 projects that, among other things, included an improvement for the benefit of both the City and Target. Target agreed to convey the land and TE necessary for the construction of the northbound right-turn lane. The City agreed to construct the turn lane.”

Target’s total settlement is for \$44,462.50 plus design and construction of a new northbound right-turn lane into their property. The design of the turn lane was \$10,000. Supplemental Agreement #9 is the construction of the turn lane and is estimated at \$43,455.40 based on existing bid prices and negotiated unit prices for new items.

Chick-Fil-A, in the existing Target parking lot, is planning to open in August. Operations of this business will increase northbound Robert Street right turning movements into the Target parking lot. Adding a designated right-turn lane will improve traffic flow and safety along northbound Robert Street.

FISCAL IMPACT:

A summary of the Phase 1 and Phase 2 settlements at Target are below:

Financial Settlement	\$44,462.50
Right-Turn Lane Design	\$10,000.00
Right-Turn Lane Construction (Est.)	<u>\$43,455.40</u>
Total	\$97,917.90

		Amount
Fund:	551	
Department:	43121	
Account:	41113	\$43,455.40

STAFF RECOMMENDATION:

Staff recommends that the City Council approve Supplemental Agreement #9 for the estimated amount of \$43,455.40 for the construction of a right-turn lane into Target for Robert Street Project #11-3.

TO: Mayor and City Council
THROUGH: Matt Fulton, City Manager
FROM: Joan Carlson, Finance Director
DATE: July 25, 2016
SUBJECT: 2017 Proposed Fee Schedule



City of West St. Paul

BACKGROUND INFORMATION:

Attached for Council consideration is the 2017 Proposed Fee Schedule. Council and staff reviewed this schedule at the July 11th Open Council Worksession.

Many fees remain unchanged from 2016; some have been adjusted upward a small amount to account for increased city costs (highlighted in yellow); and others have been increased a larger amount in an effort to bring them closer to a cost recovery level (highlighted in green).

There are three new items on the Proposed Fee Schedule (highlighted in blue):

- *Potentially* dangerous animal was added with a fee of \$210, which is half of the dangerous animal fee.
- Fee for general police services was added at a rate of \$150 per hour.
- Permit parking signs and stickers were added with the rates as follows:
 - Permit parking sign - \$200 each
 - Parking stickers (1st sticker no charge) -15.00 each
 - 1 day sticker (limit of 15 per request) – 1.00 each

STAFF RECOMMENDATION:

Staff recommends council adopt the 2017 Fee Schedule as attached.

Fee Description	2016 Adopted Fees	2017 Proposed Fees	Background NEW *	Background RENEWAL
Inflation Factor - March 31st - Implicit Price Deflator (IPD), State and Local	0.0%	not available		

2017 changes

*** statutory limits**

BUSINESS LICENSE FEES

Liquor, Wine & Beer:

Intoxicating Liquor

Off-Sale (MS 340A.408 Subd 3 (a)(3)) *	380.00	380.00	1,400.00	100.00	-	0%
On-Sale (MS 340A.408 Subd 2 (a)(b))					-	
Category 1	7,500.00	7,500.00	1,400.00	100.00	-	0%
Category 2 (formerly tavern)	7,500.00	7,500.00	1,400.00	100.00	-	0%
On-Sale Installment Option					-	
Due December 15	3,750.00	3,750.00			-	0%
Due June 15 (incl \$25 Admin Fee)	3,775.00	3,775.00			-	0%
On-Sale Outside Service	205.00	205.00	100.00	100.00	-	0%
Sunday Sale (MS 340A.408) *	200.00	200.00	100.00	100.00	-	0%
On-Sale Temporary - per application	25.00	25.00	100.00	-	-	0%
On-Sale Temporary Outside Service - per application	25.00	25.00	100.00	-	-	0%
Wine (MS 340A.408 Subd 2©)	1,475.00	1,475.00	1,400.00	100.00	-	0%

3.2% Malt Liquor

Off-Sale	128.00	128.00	100.00	100.00	-	0%
On-Sale	500.00	500.00	100.00	100.00	-	0%
On-Sale Outside Service	205.00	205.00	100.00	100.00	-	0%
On-Sale Temporary*	25.00	25.00	100.00	-	-	0%
On-Sale Temporary Outside Service *	25.00	25.00	100.00	-	-	0%

Brewpub

Off-Sale	128.00	128.00	100.00	100.00	-	0%
On-Sale	500.00	500.00	100.00	100.00	-	0%
Cocktail Room	500.00	500.00	100.00	100.00	-	0%
Temporary Off-sale Wine*	25.00	25.00	100.00	-	-	0%
Culinary Class limited On-sale*	25.00	25.00	100.00	-	-	0%

A 10% surcharge may be applied for provisional or conditional liquor, wine or beer licenses

* per application

Special Events

Consumption and Display Permit (Annual)	300.00	300.00	100.00	100.00	-	0%
Consumption and Display Permit (One-Day)	25.00	25.00	100.00	-	-	0%
Live Entertainment (Annual)	350.00	350.00	100.00	100.00	-	0%
Live Entertainment (Additional, Similar Events)	50.00	50.00	100.00	100.00	-	0%
Live Entertainment (Additional, but Significantly Different Events)^	150.00	150.00	100.00	100.00	-	0%

^ events requiring staff to revisit site

Amusement & Amusement Devices:

Carnival - per week	2,621.00	2,750.00	135.00	100.00	129.00	5%
Gambling (MS 349.213)						
Gambling - annual license *	NA	NA	100.00	100.00		
Gambling - one day license *	NA	NA	25.00	25.00		
Special Events - Fee varies by event						

Commercial & Service Activities:

Adult Use (Sexually-Oriented Business)	6,765.00	7,100.00	1,450.00	100.00	335.00	5%
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Fee Description	2016 Adopted Fees	2017 Proposed Fees	Background NEW *	Background RENEWAL	2017 changes
Inflation Factor - March 31st - Implicit Price Deflator (IPD), State and Local	0.0%	not available			
Laundry					
Self-Service up to 10 machines	100.00	105.00			5.00 5%
each additional machine	5.00	5.00			- 0%
<i>Massage Therapy</i>					
Personal	90.00	95.00	150.00	100.00	5.00 6%
Business	90.00	95.00	150.00	100.00	5.00 6%
Pawnbroker	6,765.00	7,100.00	1,450.00	100.00	335.00 5%
<i>Peddlers, Solicitors and Transient Merchants</i>					
License	90.00	95.00	135.00	100.00	5.00 6%
Registration	84.00	85.00			1.00 1%
Photo ID Badge	13.00	14.00			1.00 8%
Precious Metals Dealer	1,800.00	1,890.00	175.00	100.00	90.00 5%
Rubbish Hauler (commercial and residential)	500.00	625.00			125.00 25%
Truck Sticker	30.00	40.00			10.00 33%
Roll Off Sticker	30.00	40.00			10.00 33%
Second Hand Dealer	260.00	275.00			15.00 6%
Tattoo/Body Art - Business	1,800.00	1,890.00	135.00	100.00	90.00 5%
Firework Sales					
Permit (MS624.20-624.25) *	25.00	25.00			- 0%
Inspection Fee (goes to SMFD)	75.00	75.00			- 0%
Tobacco	495.00	500.00	1,400.00	100.00	5.00 1%

Building, Construction, Mechanical and Related Trades:

Motor Vehicle Related Business:

Motor Vehicle Sales and Rentals	90.00	90.00			- 0%
Motor Vehicle Related Business	90.00	90.00			- 0%
New & Used Motor Vehicle Dealer/Broker	175.00	175.00			- 0%

Residential Rental License

Residential Rental Dwellings	n/a	n/a			
Residential Rental Dwellings - per Unit > 1	n/a	n/a			
Category A					
Base Fee	35.00	35.00	100.00		- 0%
Per Unit	8.00	8.00			- 0%
Category B					
Base Fee	40.00	40.00	100.00		- 0%
Per Unit	10.00	10.00			- 0%
Category C					
Base Fee	50.00	50.00	100.00		- 0%
Per Unit	15.00	15.00			- 0%
Rental Housing Inspection	n/a				
Base Fee	150.00	150.00			- 0%
Per Unit	20.00	20.00			- 0%
Reinspection	50.00	50.00			- 0%

Other Businesses:

Courtesy Benches - each	35.00	35.00			- 0%
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NON-BUSINESS LICENSE FEES

Animals:

Cats	19.00	20.00			1.00 5%
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Fee Description	2016 Adopted Fees	2017 Proposed Fees	Background NEW *	Background RENEWAL	2017 changes
Inflation Factor - March 31st - Implicit Price Deflator (IPD), State and Local	0.0%	not available			
Spayed or Neutered	15.00	15.00			- 0%
Duplicate License	2.00	2.00			- 0%
Dogs	19.00	20.00			1.00 5%
Spayed or Neutered	15.00	15.00			- 0%
Duplicate License	2.00	2.00			- 0%
Potentially Dangerous Animal	n/a	210.00			210.00 n/a
Dangerous Animal (including warning symbol and tag)	400.00	420.00			20.00 5%
Exotic Animal Permit	200.00	200.00			- 0%
Special Permit - Exceeding Number of Animals Allowed	200.00	200.00			- 0%

Building Permits:

For all Building Permits the City follows the MN Statute 326B.153 Building Permit Fee Schedule (includes general contracting, sheetrock, fences, and parking lots)					
Residential Contractor License Verification	5.00	5.00			- 0%
Contractor Lead Certification Verification	5.00	5.00			- 0%
Investigation Fee: equal to the value based permit fee					
Residential Roofing permit (Fixed fee + St. Surcharge)	95.00	95.00			- 0%
Residential Window permit (Fixed fee + St. Surcharge)	75.00	75.00			- 0%
Residential Siding permit (Fixed fee + St. Surcharge)	95.00	95.00			- 0%

State Surcharge - Value Based Permits:

\$1,000,000 or less - Valuation x .0005 (50 cents per \$1000)					
\$1,000,001 to \$2,000,000 - \$500 + .0004 x (value - \$1,000,000)					
\$2,000,001 to \$3,000,000 - \$900 + .0003 x (value - \$2,000,000)					
\$3,000,001 to \$4,000,000 - \$1200 + .0002 x (value - \$3,000,000)					
\$4,000,001 to \$5,000,000 - \$1,400 + .0001x (value - \$4,000,000)					
Greater than \$5,000,000 - \$1,500 + .00005 x (value - \$5,000,000)					

State Surcharge - Fixed Fee Permits:

Permit fee less than \$10,000	1.00	1.00			- 0%
Permit fee more than \$10,000 fee x .0005					

Plumbing Permits:

Commercial					
Greater of 1.5% of total value of work or minimum \$50 fee (plus the state surcharge as required)	min 50.00	min 50.00			0 0%
Residential					

Fee Description	2016 Adopted Fees	2017 Proposed Fees	Background NEW *	Background RENEWAL
Inflation Factor - March 31st - Implicit Price Deflator (IPD), State and Local	0.0%	not available		
For existing buildings there will be a base fee of \$50 (plus the state surcharge of \$5) - this includes on fixture. Each additional fixture will add \$10 fo the fee.				
Plumbing Fixtures - each	10.00	10.00		
For new single family dwelling there will be a flat fee of \$200 (plus the state surcharge of \$5)				
Minnesota State Surcharge As Required				

2017 changes

- 0%

Mechanical Permits:

Commercial

HVAC - Commercial Project		
Greater of 1.5% of total value of work or minimum \$50 fee	min 50.00	min 50.00

Residential

New Single Family Dwelling HVAC Systems	200.00	200.00
Furnace	50.00	50.00
Air Conditioner	50.00	50.00
Boiler	50.00	50.00
In Floor Heat	50.00	50.00
Air Exchanger	50.00	50.00
Fireplace	50.00	50.00
Garage Heater / Unit Heater	50.00	50.00
Exhaust Fans	50.00	50.00
Radon System	50.00	50.00
Heat Pump	50.00	50.00
Duct Work Only / Duct Extension	50.00	50.00
Energy Recovery Ventilator	50.00	50.00
Gas Appliance	50.00	50.00
Miscellaneous / Other	50.00	50.00
Gas Piping	25.00	25.00

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Electrical Permits:

Electrical Permits: State Electrical Inspection Permit Fee Schedule
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Sign Permits:

Temporary Signs per permit	25.00	25.00
Other Signs-value based		

- 0%

PLANNING, ZONING AND COMMUNITY DEVELOPMENT FEES

Zoning Request:

Rezoning		
Fee	325.00	325.00
Escrow Deposit	800.00	800.00
Variance		
Residential - Fee	100.00	100.00
Residential - Escrow Deposit (single variance)	400.00	400.00
Residential - Escrow Deposit (multiple variance)	500.00	500.00
Commercial - Fee	200.00	200.00

- 0%
- 0%
- 0%
- 0%
- 0%
- 0%

Fee Description	2016 Adopted Fees	2017 Proposed Fees	Background NEW *	Background RENEWAL	2017 changes
Inflation Factor - March 31st - Implicit Price Deflator (IPD), State and Local	0.0%	not available			
Commercial - Escrow Deposit (single variance)	600.00	600.00			- 0%
Commercial - Escrow Deposit (multiple variance)	700.00	700.00			- 0%
Interim Use Permit					
Fee	175.00	175.00			- 0%
Conditional Use Permit					
Residential - Fee	275.00	275.00			- 0%
Residential - Escrow Deposit	400.00	400.00			- 0%
Commercial - Fee	275.00	275.00			- 0%
Commercial - Escrow Deposit	800.00	800.00			- 0%
Proposed Preliminary Plat - Fee	275.00	275.00			- 0%
Proposed Preliminary Plat - Fee (add'l per lot)	2.00	2.00			- 0%
Proposed Preliminary Plat - Escrow Deposit (1-2 lots)	600.00	600.00			- 0%
Proposed Preliminary Plat - Escrow Deposit (3+ lots)	1,600.00	1,600.00			- 0%
Vacation of Rights of Way - Fee	175.00	175.00			- 0%
Special Meetings of the Planning Commission	275.00	275.00			- 0%
Site Plan Approval - Fee	275.00	275.00			- 0%
Site Plan Approval - Escrow Deposit	1,300.00	1,300.00			- 0%
Zoning Letter					
Standard	100.00	100.00			- 0%
Detailed	200.00	200.00			- 0%

PARKS & RECREATION FEES

Park Dedication Fees:					
Commercial, per acre	12,500.00	12,500.00			- 0%
Industrial, per acre	12,500.00	12,500.00			- 0%
Residential - lesser of 8% of mv or:					
R1, per unit	3,000.00	3,000.00			- 0%
R2, per unit	2,500.00	2,500.00			- 0%
R3, per unit	2,250.00	2,250.00			- 0%
PUD (amount based on actual usage)					

Golf Course:

Thompson Oaks Golf Course - Rates may adjust during the season for marketing purposes.

Rounds:

Single Round	14.00	14.00			- 0%
Senior - weekday (M-F)	10.00	10.00			- 0%
Senior - weekend	11.00	11.00			- 0%
Junior - weekday (M-F)	10.00	10.00			- 0%
Junior - weekend	11.00	11.00			- 0%
Cart Rental (per 9 holes)	9.00	9.00			- 0%

Leagues (per round):

Juniors	10.00	10.00			- 0%
Ladies	12.00	12.00			- 0%
Seniors	10.00	10.00			- 0%
Co-Ed	12.00	12.00			- 0%
Couples	12.00	12.00			- 0%

Fee Description	2016 Adopted Fees	2017 Proposed Fees	Background NEW *	Background RENEWAL
Inflation Factor - March 31st - Implicit Price Deflator (IPD), State and Local	0.0%	not available		

2017 changes

Patron Card - Resident	35.00	35.00	-	0%
Patron Card - Non-Resident	45.00	45.00	-	0%
Golf League Fees - Resident (plus greens fee)	25.00	25.00	-	0%
Golf League Fees - Non-Resident (plus greens fee)	30.00	30.00	-	0%

Regional Athletic Center (Sports Dome):

November - April				
Prime Time (M-F: 5pm-10pm, Sat: 7am-10pm, Sun: noon-10pm)				
Field 1, per hour	175.00	175.00	-	0%
Field 2, per hour	175.00	175.00	-	0%
Field 3, per hour	150.00	150.00	-	0%
Late Night - after 10 pm, any day, any field, per hour	100.00	100.00	-	0%
May - October				
Prime Time (M-F: 5pm-10pm, Sat: 7am-10pm, Sun: noon-10pm)				
Fields 1 and 2 together, per hour	75.00	75.00	-	0%
Field 3, per hour	25.00	25.00	-	0%
*All other times - rates may be adjusted per contract or for seasonal marketing purposes				
Batting Cages, per hour (1 batting cage is included with field rates above)	30.00	30.00	-	0%

Ice Arena

Ice Arena (per hour + tax)	199.00	200.00	1.00	1%
Multi Purpose – 2 hr minimum				
Two Hours - Resident	20.00	20.00	-	0%
Two Hours - Non-Resident	30.00	30.00	-	0%
Each Add'l Hour	5.00	5.00	-	0%
Damage Deposit	50.00	50.00	-	0%

Softball

Leagues

Fastpitch	850.00	TBD		0%
Fastpitch - Non-Resident add'l	100.00	100.00		0%
Slowpitch (E)	550.00	TBD		0%
Slowpitch (E) Non-Resident add'l	100.00	100.00		0%
Slowpitch (C/D)	850.00	TBD		0%
Slowpitch (C/D) Non-Resident add'l	100.00	100.00		0%

Fields

Tournaments

One Day	290.00	295.00	5.00	2%
Weekend	525.00	530.00	5.00	1%
Per hour , any field	35.00	35.00	-	0%
Lights at Sports Complex	50.00	50.00	-	0%

Fee Description	2016 Adopted Fees	2017 Proposed Fees	Background NEW *	Background RENEWAL
Inflation Factor - March 31st - Implicit Price Deflator (IPD), State and Local	0.0%	not available		

2017 changes

Picnic Shelters

Marthaler and Garlough

Resident Full Day (plus tax)	80.00	80.00	-	0%
Non-Resident Full Day (plus tax)	100.00	100.00	-	0%

Harmon Park Neighborhood Center

Resident per hour (plus tax)	50.00	50.00	-	0%
Non-Resident per hour (plus tax)	60.00	60.00	-	0%
Non-Profit, per hours (plus tax)	30.00	30.00	-	0%
Alcohol Add-on Fee	50.00	50.00	-	0%

Oakdale, Southview, & Sports Complex

Resident per hour (plus tax)	40.00	40.00	-	0%
Non-Resident per hour (plus tax)	50.00	50.00	-	0%

Thompson Park Activity Center

Resident per hour (plus tax)	40.00	50.00	10.00	25%
Non-Resident per hour (plus tax)	50.00	60.00	10.00	20%
Non-Profit, per hours (plus tax)	25.00	30.00	5.00	20%
Alcohol Add-on Fee	50.00	50.00	-	0%

NOTE: Park Shelter fees are waived for bonafide military service organizations and may be waived for other non-profit organizations at the City

WSPYAA Youth Sports

Tournaments

Football/Soccer - per weekend	215.00	215.00	-	0%
Baseball/Softball - per weekend	340.00	340.00	-	0%

Individual Fees

Baseball/Softball (Per player per season)	7.00	7.00	-	0%
Football/Soccer (Per player per season)	7.00	7.00	-	0%

Concession Fees

Ice Arena, per month	230.00	230.00	-	0%
Sports Complex, per month	230.00	230.00	-	0%
Harmon Park	230.00	230.00	-	0%
Sports Dome, per month	230.00	230.00	-	0%

Horseshoe League

Resident Fee - per member	-	5.00	5.00	
Non-Resident Fee - per member	5.00	10.00	5.00	100%

PUBLIC WORKS FEES

Right-of-way permits:

General Work in Right-of-Way (up to 500-ft) - after 500-ft, \$0.20/ft	100.00	150.00	50.00	50%
Right-of-Way Obstruction	50.00	50.00	-	0%
Delay Penalty for ROW Permit/per day fee	50/day	50/day		

Pipes:

Exterior Drain Pipe Work on Private Property:				
Permit - each	48.00	50.00	2.00	4%

Fee Description	2016 Adopted Fees	2017 Proposed Fees	Background NEW *	Background RENEWAL	2017 changes
Inflation Factor - March 31st - Implicit Price Deflator (IPD), State and Local	0.0%	not available			
House drain connections from building to property line, including clean-out(s) - each 100 ft.	25.00	30.00			5.00 20%
Manholes and Catch Basins	25.00	30.00			5.00 20%
Sanitary Sewer - each 100 ft	25.00	30.00			5.00 20%
Storm Sewer - each 100 ft.	25.00	30.00			5.00 20%
Drain Pipe Work in Public Easement or Right-of-Way:					
Permit - each	48.00	50.00			2.00 4%
House drain connections from easement or property line to public main - each 100 ft.	25.00	30.00			5.00 20%
Manholes, Catch Basins, and cut in connections to same - each	25.00	30.00			5.00 20%
Sanitary Sewer - each 100 ft.	25.00	30.00			5.00 20%
Storm Sewer - each 100 ft.	25.00	30.00			5.00 20%
Minnesota State Surcharge As Required					
Connection Charges for Sewer:					
Single family dwelling	213.00	220.00			7.00 3%
Two family dwelling	427.00	440.00			13.00 3%
Multiple dwelling					
Structures having three or more dwelling units - each unit cost	213.00	220.00			7.00 3%

Traffic Control Signs:

Street or Traffic Signs Requested	Actual costs of sign and		
Permit Parking signs/per sign		200.00	200.00 new
Permit Parking stickers (1st sticker no charge)		15.00	15.00 new
1 day sticker/each (limit of 15 stickers per request)		1.00	1.00 new

Rental Rates for Radio Equipment, Marie Ave Tower :

Conventional Radio Equipment				
Single User - per month	330.00	330.00	-	0%
Community Repeater - per month	435.00	435.00	-	0%
Multi-Use System (cellular, paging, etc.)				
Per Antenna				
Radio Common Carrier - per month	550.00	550.00	-	0%
Microwave Relays				
Per Antenna - per month	550.00	550.00	-	0%
800 MHZ Trunking System and E-SMR				
Per month each Transmitter	112.00	112.00	-	0%
Per month each Receiver	112.00	112.00	-	0%
Per month each Antenna	112.00	112.00	-	0%
Per month each Standard, 2x2 floor space	112.00	112.00	-	0%

Fee Description	2016 Adopted Fees	2017 Proposed Fees	Background NEW *	Background RENEWAL
Inflation Factor - March 31st - Implicit Price Deflator (IPD), State and Local	0.0%	not available		

2017 changes

Deposit fee for Technical Review of Applications				
Single User, Cellular or Trunking E-SMR				
Per Frequency Pair	1,095.00	1,095.00	-	0%
Per Application	2,185.00	2,185.00	-	0%

POLICE DEPARTMENT FEES

Animal Impoundment - plus boarding fees (by contract)	25.00	25.00	-	0%
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Audio Tape	25.00	25.00	-	0%
CD	9.00	9.00	-	0%
Clearance Letter	12.00	12.00	-	0%

Drug Lab Clean-up Actual Cost of Clean-up + 10% City Admin Fee				
Public Crash Data for commercial requestors, annual fee per organization (provides weekly reports to each requestor)	50.00	50.00	-	0%

Reports - per 8-1/2 x 11 page (MS 13.03 Subd 3-c)	0.25	0.25	-	0%
Photos – film processed - plus processing fee	12.00	12.00		0%

Excess Use of Police Services-(within a 12 month period):				
1 to 2 calls	-	-		
3 to 5 calls - per call	145.00	145.00	-	0%
6 + calls - per call	200.00	200.00	-	0%

General Police Services:				
1 officer plus vehicle/per hour		150.00	150.00	new

False Alarms				
0-3 Alarms per year	-	-		
4-6 Alarms per year	125.00	130.00	5.00	4%
7-10 Alarms per year	185.00	190.00	5.00	3%
More than 10 Alarms per year	270.00	300.00	30.00	11%

Fingerprinting (Residents Only)	17.00	17.00	-	0%
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Pawn Transaction Fees				
Modem Transmissions	2.00	2.00	-	0%
Manual Transmissions	5.00	5.00	-	0%

Abandoned Property Storage				
On-site (per item)	5.00	7.50	2.50	50%
Off-site (per item)	Actual Cost + \$25	Actual Cost + \$25		

Firearm Storage Fee				
Intake of Firearm	50.00	50.00	-	0%
Removal of Firearm	50.00	50.00	-	0%
Daily Storage Fee	0.50	0.50	-	0%

Fee Description	2016 Adopted Fees	2017 Proposed Fees	Background NEW *	Background RENEWAL
Inflation Factor - March 31st - Implicit Price Deflator (IPD), State and Local	0.0%	not available		

2017 changes

PUBLICATIONS AND OTHER SERVICES

Annual Budget Book	90.00	93.00	3.00	3%
Annual Financial Statements	90.00	93.00	3.00	3%
Property Assessment Search	20.00	20.00	-	0%
City Code Book	215.00	220.00	5.00	2%
Copies per 8-1/2 x 11 copy (MS 13.03 Subd 3-c)	0.25	0.25	-	0%
Notary Fee (when not performed with other fee-based service)	1.00	1.00	-	0%
Precinct Map	1.00	1.00	-	0%
Zoning Book	150.00	155.00	5.00	3%

Unless otherwise required by the Code, a late fee of 1.5% shall be applied to all invoices that are not paid in a timely manner.

TO: Mayor and City Council
THROUGH: Matt Fulton, City Manager
 Ross Beckwith, Park & Rec/PW Dir.
FROM: Dave Schletty, Asst. Parks & Rec. Dir.
DATE: July 25, 2016
SUBJECT: Approval of Emerald Ash Borer Treatment Contractor



City of West St. Paul

BACKGROUND INFORMATION:

As Council is aware the Emerald Ash Borer (EAB) beetle was discovered in West St Paul earlier this spring. Staff immediately had the three infested trees removed and properly disposed of. Staff is in the process of implementing the next steps of the EAB action plan, which was approved by the City Council in January 2015. This will include injection treatments of healthy trees, more targeted takedowns and reforestation. Staff will be enlisting the services of a tree company to perform tree injections this year. RFP's were sent to numerous companies for this service. The companies were given a quote sheet in which they had to list the price per tree for 21 different size trees using the same tree diameter (DBH) and application rate of product (medium rate). This gave us a uniform way to access all the proposals. Three proposals were received back and are summarized below:

Company	Price Per Inch (DBH)	Value of Quote
YTS Companies, LLC	\$ 3.65	\$ 3,142.65
S&S Tree & Horticulture Specialists	\$ 4.00	\$ 3,444.00
Rainbow Tree Care	\$ 4.10	\$ 3,530.10

Staff recommends the approval of a contract with YTS Companies, LLC. They have held the contract with St Paul for injections since 2014, where they treat 900 trees annually. They also have injection contracts with Apple Valley, Prior Lake and Savage. Once approved, staff will work with YTS to select as many ash trees for treatment this year as we can fit in our approved \$30,000 budget. We will use the recommendation from resident Michael Orange to spread out treatments throughout the City and take advantage of the "Herd Immunity" effect. We will also target any "high value" trees on City property for treatments. This year's treatments will last between 2-3 years in which time they will need to be retreated.

FISCAL IMPACT:

The City Council has budgeted \$30,000 for EAB related items in 2016.

		Amount
Fund:	403	
Department:	43100	
Account:	40226	\$30,000

STAFF RECOMMENDATION:

Staff recommends that the City Council approve a treatment contract with YTS Companies, LLC for the price per inch amount of \$ 3.65 and a total not to exceed contract amount of \$30,000.00 for injection treatments of the City's public ash trees.

TO: Mayor and City Council

THROUGH: Matt Fulton, City Manager
Jim Hartshorn, Comm. Dev. Dir.

FROM: Ben Boike, Assistant Comm. Dev. Dir.
Kori Land, City Attorney

DATE: July 25, 2016

SUBJECT: Rental License Hearing – 218 W. Annapolis & 966/976 Robert
(1234 Properties LLC)



City of West St. Paul

BACKGROUND INFORMATION:

At the January 25, 2016 meeting, the City Council converted all licensed rentals under the ownership of 1234 Properties LLC at 218 Annapolis (5 units) and 966/976 Robert (3 units) to a Provisional License. The resolution is attached as **Exhibit A**. The provisional license included a mitigation plan outlining 11 conditions with the intent to improve conditions at both properties. Staff has been monitoring the status of the mitigation plan. Based on numerous violations and inconsistent communications with the property owner and license holder, Staff scheduled a rental license hearing for tonight’s meeting to consider revoking the licenses (**see Exhibit B**).

1234 Properties is owned and operated by Christine Nsajja, according to the Secretary of State records (**see Exhibit C**). She also owns and operates One Life Health Services, a for-profit company that is registered with the State of Minnesota to provide group residential housing (GRH) (**see Exhibit D**). In addition, One Life Health Services is licensed by the State to provide Independent Living Services to people with disabilities living in community-based settings (**see Exhibit E**). In other words, Nsajja owns a building (rental property), provides housing for vulnerable adults (as a GRH provider) and provides the types of services that they require (Independent Living Services). However, Nsajja is not the contact person for the City for the rental license or for One Life Health. All contact has been through David Brooks, Nysha Cornelius (One Life Health’s attorney), or Marquis Fanniel, the former caretaker at 218 Annapolis.

MITIGATION PLAN REVIEW:

Below is the approved mitigation plan adopted by Council on January 25, 2016 which includes an update on each condition in bold italics:

- 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.

- *Completed*

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.

The intent of this provision was to have a trained staff person on-site who could address and mitigate immediate resident concerns and issues. Having this on-site staff person was thought to be invaluable to assist with reducing the number of police calls and maintaining a sense of stability at the building, as well as meeting the needs of the vulnerable adults that reside there.

- *April 2016, the city was informed by One Life Health Services that the on-site housing manager was Fanniel, but Simon Mukasa was a program coordinator and field operator who dealt with all of the day to day activities including any of the property/tenant issues. Mukasa does not live on site but is on call 24 hours a day. One Life Health Services informed the City that Mukasa is the person the City should contact regarding issues. Fanniel appears to be a building caretaker rather than an on-site manager. Fanniel resided in the building prior to the adoption of the mitigation plan and was then asked to be the “on-site manager” after the mitigation plan was adopted by the Council. His qualifications and training are unknown. Fanniel stated that he was hired as a midnight security officer.*
- *On July 7, the city was informed that Fanniel was fired for allowing an unauthorized occupant in his unit, he was summarily evicted and that a new caretaker would be occupying Unit 1. (see Exhibit F)*

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.

- *218 Annapolis Unit #1 - Fanniel was hired as a security guard. Through several e-mail conversations on 4/14/16, 4/25/16, and 5/25/16 the city was told conflicting accounts regarding Fanniel’s occupancy by One Life Health Services, such as:*
 - *Fanniel pays a direct cost of 700.00 a month for rent. Then, staff was told Fanniel lives rent free and without a lease. The reason given as to why Fanniel was allowed to live rent free and without a lease was to allow him to relocate to accommodate for other*

tenants' needs. Fanniel has confirmed he did not sign a lease for Unit 1.

- It was also difficult to determine if anyone else was on the lease at 218 Annapolis Unit 1. On a number of occasions the police department had responded to Unit 1 regarding family-type incidents. In September 2015 police responded to a call regarding non-payment of rent between a father and daughter. The report also stated a third person was living in the unit, identified as Fanniel. During a patrol shift on 5/24/16 officers informed Staff that mail found in the unit was addressed to the daughter from the September incident. In light of the mail being found at 218 Annapolis, Staff asked for clarification regarding a list of the tenants living at 218 Annapolis Unit 1. The police department was informed that two relatives of Fanniel no longer lived in Unit 1. The police department was also told that one of the relatives of Fanniel had never been on the lease at 218 Annapolis, in spite of mail being addressed to this relative at the apartment. (**see Exhibits G and H**) The mail shows a postmark of May 10, 2016.

- 976 S. Robert St.: On May 1, 2016 the tenant of one of the units in 976 S. Robert, reported a theft of medication. The tenant informed officers that his girlfriend and 2 teenage children lived with him.

On May 25, 2016 officers were dispatched to a "shots fired" call in close proximity of 966/976 Robert. It is alleged that one of the teenage children of the tenant's girlfriend is the one who fired the shots. (**see Exhibit I**) One Life Health denies that there are any other occupants at this unit.

- **The Owner will utilize and enforce a Crime Free Lease addendum. All residents must sign this addendum including an acknowledgement that a substantial violation of this addendum is grounds for eviction.**
 - No known violation, ongoing.
- **Upon request, the Owner will provide the results of any rental background check on tenants to the police department.**
 - The owner provided the police department with the results of rental background checks when requested by staff. However, the background check of one individual had the following issue:

- *The tenant's name was spelled incorrectly – thus causing the background results to be negative for any criminal convictions. (See Exhibit J)*

The Background was dated 6/7/16; however, the tenant had been living at 218 Annapolis since at least November 2015.

Using correct spelling of name and the Minnesota Public Criminal History Report revealed several criminal convictions, including felony burglary, terroristic threats, and 5th degree drug possession. (see Exhibit K)

- **Upon request, the Owner will provide the City with a current copy of any lease used for Properties.**
 - *ongoing*
- **The owner will actively pursue the eviction of non-compliant tenants:**
 - *On August 19, 2015 the city was informed that a certain tenant's lease would be terminated. Between August 19, 2015 and May, 2016, the police department responded an additional 8 calls dealing with the same tenant. (see Exhibit L)*

The city was then informed that the tenant would be vacating his apartment at the end of May 2016. (see Exhibit M) On May 25, 2016, Officers were called to a civil assist with this tenant regarding his personal property at 218 Annapolis. The tenant advised the officer he had been recently kicked out of treatment program and was looking to return to his apartment. The owner advised the tenant that he had been trespassed from the property. When the officer asked if the tenant was served with eviction papers, he stated that he was not. In addition, there was no record at the police department of a trespass notice and no court action has been filed for unlawful detainer. The tenant was unable to retrieve his personal belongings. (see Exhibit N)

- *On February 2, 2016 the city informed the property owner of a disturbance call that took place with certain tenants at 966 S. Robert in a unit owned by Nsajja. On February 8, 2016 a notice to terminate the lease was provided to the tenants informing them that their last day of tenancy would be March 10, 2016 due to lease violations. (see Exhibit O)*

On 4/1/16 an officer was flagged down by a male near Signal Hills shopping center and reported his mirror was broken on his car. The male,

*who was the tenant of the unit at 966 S. Robert, informed the officer that if police came to his residence, he was worried he would be evicted. (see **Exhibit P**)*

*On 5/18/16 an officer responded to an assault call in the lobby of city hall. The victim, the same male tenant at 966 S. Robert, reported to the officer that the assault occurred at 966 Robert where he lives with his girlfriend. When the officer asked why he came up to the police department to report the assault and didn't call 911 from his residence, the tenant stated that both his case worker with One Life Health Services and the owner of the property, Mr. Brooks, have threatened him with evictions if the police are called to his property. (see **Exhibit Q**)*

On May 31, 2016 the police department asked for a current list of One Life tenants at 966/976 S. Robert Street. Per police reports, the same tenants were still residing at 966 S. Robert; however, One Life Health Services did not have their lease on file. It is noteworthy that One Life Health has not yet evicted these tenants. It is also noteworthy that the tenants fear calling the police from their apartment, which is owned by Nsajja for fear of being evicted.

- *On April 26, 2016 the city was informed that a resident at 218 Annapolis was being evicted as of May 31, 2016.*

*On 6/15/16 officers were called out to 870 Dodd. Officers met with another tenant at 218 Annapolis who stated that the tenant that was supposed to have been evicted on May 31, 2016 sold her drugs causing her to have a seizure. (see **Exhibit R**) City Staff was then informed that the tenant would be moving out the end of June and later told that this tenant would be moving out by July 9. It is believed that the tenant has moved.*

- **The Owner will have no unresolved code violation.**
 - *See Item 7 below regarding an illegal apartment unit.*
- **Within 12 month of joining the Star Program, the owner or a designated Manager shall complete phases 2 and phases 3 of the crime free rental-housing program.**
 - *No known progress made but they have until January 2017 to complete the additional phases.*
- **The owner or designated manager shall attend 50% of ROMA meeting.**

- *Yes, ongoing.*
4. **The owner shall properly enforce all lease agreements. If a tenant is in violation of a lease agreement the owner shall resolve the issues 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.**
 - *The City has received several conflicting stories regarding lease occupancy and evictions, as evidenced by the noted incidents above.*
 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.**
 - *Tenants are relocated between One Life Health's buildings in West St. Paul and South St. Paul.*
 6. **The Owner shall comply with the rental licensing ordinance, including timely obtaining all required rental licenses prior to renting and timely submitting renewal applications of rental application of rental licenses.**
 - *No known violations.*
 7. **The Owner will maintain property to the following ordinance and standards:**
 - **Building Code**
 - **International Property maintenance Code**
 - **Animal Ordinance**
 - **Fire Prevention Code**
 - **Parked or Stored Motor Vehicles**
 - **Public Nuisance Ordinance**
 - *The property owner has not corrected a non-compliant egress window in the basement unit of 218 Annapolis as required by city code. A tenant has been occupying this illegal unit since approximately November 2015. (see **Exhibits S and T**)*
 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.**
 - *4/12/16 Compliance letters were issued for the unsheltered storage of junk and for the repair of a fence. Misc. items such as a shopping cart, baby seats, tires, brush and branches were in the backyard. (see **Exhibit U**) The violations have been corrected.*

9. The Owner will operate the properties so as not to receive any Repeat Nuisance Service Call Fees.

- *6/20/16 Repeat Nuisance Fee Letter from police department issued was issued for violations at 218 Annapolis Unit #5. (see Exhibit V)*

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 neighborhood resulting from activity at the Properties

- *City Staff has an overall concern regarding property management and communication between employees and the City.*
 - *April 5, 2016 officers responded to a call regarding the welfare of a resident/client of One Life Health Services which resulted in an officer serving the individual with an Order of Protection. In response to this call, One Life Health Services sent a letter to the police department accusing officers of harassment of a vulnerable adult and the abuse of an officer's authority while on duty. The Police Chief responded with a letter to One Life Health Services outlining the police report with the true facts surrounding the call. One Life Health Services submitted a letter of apology. (see Exhibit W)*
- *Several of One Life Health Services clients have reported that One Life Health Services staff has instructed them to not call the police department. As a result, tenants would call the police from off-site locations for fear of eviction. (see Exhibit G, p. 6, Exhibit Q & Exhibit R)*
- *On two occasions the police department has mentioned to One Life Health Services that city staff has detected the smell of marijuana in their buildings. One Life Health Services responded stating that most of their tenants in the building smoke tobacco products, such as cigarettes, flavored tobacco, or hookah, which may be confused as drug paraphernalia. (see Exhibit X) It is absurd to state that law enforcement cannot differentiate between marijuana and flavored tobacco.*

11. A security video system, meeting the police department's requirements for security and monitoring, will be installed and remain function 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 recording of specifically requested time period and locations in a timely manner.

- *Completed*

Other relevant information:

- *After Fanniel was terminated by One Life Health and ordered to vacate, he met with West St. Paul Police Officer Jesse Mettner. Officer Mettner's report contains much of the same information in this memo, but also provides other pertinent details that offer additional context. (see **Exhibit Y**).*
- *It does not appear that 1234 Properties is properly following landlord/tenant law in securing evictions. One Life Health claims an eviction notice was sent to a tenant and that the tenant then voluntarily vacated his apartment. The tenant, however, stated he did not receive an eviction notice and was not allowed to retrieve his belongings. (see **Exhibit N**) If a tenant does not voluntarily vacate an apartment unit after receipt of an eviction notice, the landlord is required to file an unlawful detainer action and receive a court order evicting the tenant. Neither One Life Health nor 1234 Properties has ever filed an unlawful detainer action against any of its tenants in Dakota County.*

*Another incident involved a tenant who was in the process of moving but had not yet removed all of her personal belongings from the unit. One Life Health moved a new tenant into the unit with the original tenant's personal possessions still inside the unit. When questioned, David Brooks said he assumed she had abandoned the unit, even though her lease had not expired and her personal possessions were still inside. (see **Exhibit Z**)*

- *1234 Properties LLC allowed its business registration with the Secretary of State to lapse from January 1, 2016 – May 3, 2016 (see **Exhibit C**).*
- *Simon Mukasa, the program coordinator and field operator for One Life Health was involved in a fifth-degree assault with a former tenant, a vulnerable adult on 9/17/15. The allegation was investigated, but could not be confirmed due to conflicting accounts (see **Exhibit Y, p. 9-10 & Exhibit AA**).*
- *The Dakota County Crisis Intervention Unit has filed three Vulnerable Adult Complaint Reports with the State of Minnesota against One Life Health regarding certain incidents contained in this report. The State is required to investigate the allegations and if it is determined that the violations are considered maltreatment of vulnerable adults, the report is forwarded to the*

criminal division; otherwise the violations are addressed through licensing. The status of these investigations is unknown.

- *The City of South St. Paul is currently investigating rental properties managed by One Life Health to determine if there is sufficient evidence to revoke the rental licenses in that community.*
- *Since January 2015, the water has been turned off to 218 Annapolis for nonpayment three times and past-due notices have been returned to the post office on two occasions (**see Exhibit BB**).*

Options for Council:

According to City Code Section 110.12 the Council has the following options:

1. Take no action;
2. Continue the Provisional License but approve a new mitigation plan;
3. Revoke the license.

Staff submits the information contained in this report and the attachments into the record as its evidence and support.

FISCAL IMPACT:

N/A

		Amount:
Fund:		
Department:		
Account:		

STAFF RECOMMENDATION:

Based on the violations, the mismanagement of the units, and poor business practices surrounding the care of vulnerable adults, City Staff is recommending that the Council adopt the attached Resolution to revoke the rental licenses at 218 Annapolis and 976 S. Robert Units #103 and #105 and 966 S. Robert Unit #208. If the licenses are revoked, the tenants will be notified, the Department of Human Services will be notified and the tenants will be given a reasonable length of time to vacate in order to give social service resources time to seek alternate living arrangements.

ATTACHMENTS:

- Exhibits
- Draft Resolution

CITY OF WEST ST. PAUL
DAKOTA COUNTY, MINNESOTA

RESOLUTION NO. 16-14

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 LICENCES 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;

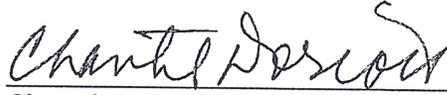
12. In addition to the regular license fee, the Owner will pay an additional \$1,000 for cover the cost of this mitigation plan. The \$1,000 fee will be invoiced and payable 60 days from the date of this resolution.
13. The term of the provisional license will extend until the next designated renewal 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: 5 Nays: 0
cd

Attest:


David Meisinger, Mayor


Chantal Doriott, City Clerk



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

July 1, 2016

1234 Properties, LLC
6430 City West Parkway #5301
Eden Prairie, MN 55344

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

To Whom it May Concern:

As you are aware, your licensed rental properties in West St. Paul are currently under provisional status and are subject to an approved mitigation plan. Due to multiple violations of the approved mitigation plan, a hearing to discuss all Rental License applications under your ownership, including your existing rental license for 218 Annapolis St. W. and three rental units at 966/976 Robert St., will be held on Monday July 25, 2016 at 6:30 p.m. in the Council Chambers at 1616 Humboldt Ave, West St. Paul. 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 July 25, 2016, the City may deny, revoke or suspend your licenses for any of the reasons enumerated in City Code Section 110.12. A hearing will be conducted pursuant to City Code Section 110.12. 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. Boike
Assistant Comm. Dev. Dir.

Cc: Matt Fulton, City Manager
Jim Hartshorn, Comm. Dev. Dir.
Melissa Sonnek, Community Development Coordinator
Bud Shaver, Police Chief
Laura Vaughan, Crime Prevention Specialist
Kori Land, City Attorney



Business Record Details »

Minnesota Business Name
1234 Properties L. L. C.

Business Type
Limited Liability Company (Domestic)

MN Statute
322B

File Number
775555700027

Home Jurisdiction
Minnesota

Filing Date
8/22/2014

Status
Active / In Good Standing

Renewal Due Date
12/31/2017

Registered Office Address
2854 Columbus Ave S
Minneapolis, MN 55408
USA

Registered Agent(s)
(Optional) None provided

Principal Executive Office Address
2854 Columbus Ave
Mpls, MN 55407
USA

Manager
Christine Nsajja
2854 Columbus Ave
Mpls, MN 55407
USA

Filing History

Filing History

Select the item(s) you would like to order:

<input type="checkbox"/>	Filing Date	Filing	Effective Date
<input type="checkbox"/>	8/22/2014	Original Filing - Limited Liability Company (Domestic)	



<input type="checkbox"/>	Filing Date	Filing	Effective Date
<input type="checkbox"/>	3/15/2016	Administrative Termination - Limited Liability Company (Domestic)	
<input type="checkbox"/>	5/3/2016	Annual Reinstatement - Limited Liability Company (Domestic)	

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Office of the Minnesota Secretary of State Certificate of Organization

I, Mark Ritchie, Secretary of State of Minnesota, do certify that: The following business entity has duly complied with the relevant provisions of Minnesota Statutes listed below, and is formed or authorized to do business in Minnesota on and after this date with all the powers, rights and privileges, and subject to the limitations, duties and restrictions, set forth in that chapter.

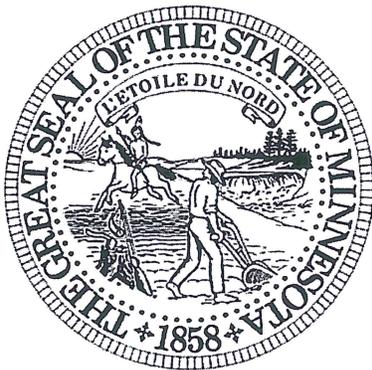
The business entity is now legally registered under the laws of Minnesota.

Name: 1234 Properties L. L. C.

File Number: 775555700027

Minnesota Statutes, Chapter: 322B

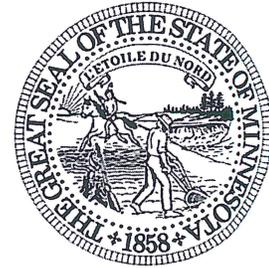
This certificate has been issued on: 08/22/2014



Mark Ritchie

Mark Ritchie
Secretary of State
State of Minnesota

Office of the Minnesota Secretary of State
Minnesota Limited Liability Company/Articles of Organization
Minnesota Statutes 322B



The individual(s) listed below who is (are each) 18 years of age or older, hereby adopt(s) the following Articles of Organization:

ARTICLE 1 - LIMITED LIABILITY COMPANY NAME:

1234 Properties L. L. C.

ARTICLE 2 - REGISTERED OFFICE and AGENT:

Name

Address:

2854 Columbus Ave S Minneapolis MN 55408 USA

ARTICLE 3 - DURATION: PERPETUAL

ARTICLE 4 - ORGANIZERS:

Name:

Address:

Christine Nsajja

2854 Columbus Ave S Minneapolis MN 55408
USA

If you submit an attachment, it will be incorporated into this document. If the attachment conflicts with the information specifically set forth in this document, this document supersedes the data referenced in the attachment.

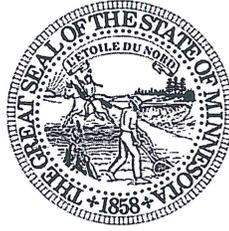
By typing my name, I, the undersigned, certify that I am signing this document as the person whose signature is required, or as agent of the person(s) whose signature would be required who has authorized me to sign this document on his/her behalf, or in both capacities. I further certify that I have completed all required fields, and that the information in this document is true and correct and in compliance with the applicable chapter of Minnesota Statutes. I understand that by signing this document I am subject to the penalties of perjury as set forth in Section 609.48 as if I had signed this document under oath.

SIGNED BY: Christine Nsajja

MAILING ADDRESS: None Provided

EMAIL FOR OFFICIAL NOTICES:

onlifehealthmn@gmail.com



Work Item 775555700027
Original File Number 775555700027

STATE OF MINNESOTA
OFFICE OF THE SECRETARY OF STATE
FILED

08/22/2014 11:59 PM

Mark Ritchie

Mark Ritchie
Secretary of State

Business Record Details »

Minnesota Business Name
One Life Health Services L. L. C.

Business Type
Limited Liability Company (Domestic)

MN Statute
322B

File Number
703901600028

Home Jurisdiction
Minnesota

Filing Date
10/1/2013

Status
Active / In Good Standing

Renewal Due Date
12/31/2016

Registered Office Address
301 East Lake St #106
Minneapolis, MN 55408
USA

Registered Agent(s)
(Optional) None provided

Manager
christine nsajja
2854 ccolumbus ave
minneapolis, MN 55407
USA

Principal Executive Office Address
2854 columbus avenue south
minneapolis, MN 55407
USA

Renewal History

Renewal History

Filing Date	Filing
1/1/2015	Annual Renewal - Limited Liability Company (Domestic)
12/29/2015	Annual Renewal - Limited Liability Company (Domestic)



Korine Land

From: Kastler, Madeline <Madeline.Kastler@CO.DAKOTA.MN.US>
Sent: Monday, July 18, 2016 9:07 AM
To: Korine Land
Cc: Zuber, Andrea
Subject: RE: clarification

Kori,

One Life Health Services is registered with the state as a Group Residential Housing (GRH) provider. Their referrals come through Dakota County, and other counties well. They are also licensed under by the State to provide "Independent Living Skills" (ILS) to people with disabilities living in community-based settings.

GRH is 100% state dollars. ILS services are funded through Medical Assistance Home & Community Based "Waivers" (HCBS Waivers) which is funded through a 50/50 State/Federal match. Dakota County funds ILS for a small number of people when an individual has been assessed for the need but is not eligible or on Medical Assistance or meeting criteria for a waiver.

Madeline Kastler
Housing Manager
Dakota County Social Services
1 Mendota Road West, Suite 300
West Saint Paul, MN 55118
madeline.kastler@co.dakota.mn.us
651-554-5918 (office)
612-237-6322 (cell)



Korine Land

From: Korine Land
Sent: Thursday, July 14, 2016 3:00 PM
To: Korine Land
Subject: FW: 218 Annapolis

Hi Laura,

We are aware of the police call over the weekend. The person staying at Marcus Fanniel's apartment was not given permission to take up residence at the apartment. As a result of this police call and allowing unauthorized people to stay on our property, Mr. Fanniel has been given a 30 day notice to vacate his apartment. In addition, the person that was staying in his apartment will be no trespassed from the property today by Lamont Smith and Simon Mukasa.

Regards,
David Brooks

On Thu, Jul 7, 2016 at 11:39 AM, Nysha Cornelius <nysha.onelifehealthmn@gmail.com> wrote:

Sent from my iPhone

Begin forwarded message:

From: Laura Vaughan <lvaughan@wspmn.gov>
Date: July 7, 2016 at 9:54:24 AM CDT
To: Simon Mukasa <onelifehealthmn.simon@gmail.com>
Cc: "Christine (218 Annapolis)" <Christine@nsajjalaw.com>, "Nysha Cornelius (nysha.onelifehealthmn@gmail.com)" <nysha.onelifehealthmn@gmail.com>, "Jesse Mettner" <JMettner@wspmn.gov>
Subject: Police call on

Hello:

On 7/4/2016 police responded to call at unit 1, regarding an individual removing her personal belongs from the unit. She had several suitcases as well as personal care items and other clothing. She informed officers she has been staying there for some time and she cleans the apartment.



Officers also could smell marijuana on the complex, they were unable to determine from what unit, but this is not the first time this has occurred.

Thanks Laura

Laura Vaughan || Crime Prevention Specialist

West St. Paul Police Department

We serve with Honor and Integrity

1616 Humboldt Avenue

West St. Paul, Minnesota 55118

651-552-4235 || lvaughan@wspmn.gov

From: Ben Boike

Sent: Thursday, July 07, 2016 1:54 PM

To: Melissa Sonnek; Laura Vaughan; Jim Hartshorn; Bud Shaver

Cc: Korine Land

Subject: RE: 218 Annapolis

Might make sense to provide Council an update that a license hearing is scheduled for July 25th ahead of the meeting so they have some background.

From: Melissa Sonnek

Sent: Thursday, July 7, 2016 1:51 PM

To: Ben Boike; Laura Vaughan; Jim Hartshorn; Bud Shaver

Subject: 218 Annapolis

Good Afternoon,

I just got off the phone with Mr. Marquis Fenniel of 218 Annapolis Street, he informed me that he has been, "working for 218 for about 6 or 7 months or maybe even longer" but has not been introduced to the City Council. He asked me when the next City Council meeting was, I informed him that the next meeting is this Monday, the 11th at 6:30pm.

It sounds like he is planning to get up and speak before the City Council and explain the situation. I am sure City Council is somewhat aware of what is going on, however I do not want our Council or City staff to be blind sighted by this.

I hope this gives you enough heads up to gather any necessary information for the meeting on Monday.

Good luck,

Melissa Sonnek

Community Development Coordinator

West St. Paul

1616 Humboldt Avenue

West St. Paul, Minnesota 55118

651-552-4144 || msonnek@wspmn.gov



Laura Vaughan

From: Nysha Cornelius <nysha.onelifehealthmn@gmail.com>
Sent: Tuesday, May 31, 2016 11:48 AM
To: Laura Vaughan
Cc: Ben Boike
Subject: Re: FYI

Laura,

That is correct. Marquis has been willing to move apartments to accommodate other tenants because he lives rent free and does not have a lease. As of February 2016 [REDACTED] moved out of West Saint Paul. [REDACTED] has never been on a lease with 1234 properties.

Best,

Nysha Cornelius

Attorney At Law

One Life Health Services

2854 Columbus Ave. South

Minneapolis, MN 55407

On Wed, May 25, 2016 at 4:11 PM, Laura Vaughan <lvaughan@wspmnmn.gov> wrote:

Hello Nysha:

So if I understand correctly the caretaker, who also lives at 218 Annapolis. Picks up and move all his personal items/furniture into another unit when need be?

- Does 218 Annapolis create a new lease for Mr. Fanniel when moving him from one unit to another, is Mr. Fanniel currently on a lease? It is my understanding that he is a tenant at 218 Annapolis based off of an e-mail you sent me on April 26th

I do appreciate you informing us when he does move that will help out the police department when dealing with issues at 218 Annapolis, considering we were not informed of Mr. Fanniel was the onsite manager until the city requested it from 1234 properties.

In past police reports we have had reports of Marquis's [REDACTED] and [REDACTED] living at 218 Annapolis unit 1. [REDACTED]

Thank You Laura Vaughan

Laura Vaughan || Crime Prevention Specialist

West St. Paul Police Department

We serve with Honor and Integrity

1616 Humboldt Avenue

West St. Paul, Minnesota 55118

651-552-4235 || lvaughan@wspmn.gov

From: Nysha Cornelius [<mailto:nysha.onelifehealthmn@gmail.com>]

Sent: Wednesday, May 25, 2016 3:50 PM

To: Laura Vaughan

Cc: Ben Boike; David Brooks; Bud Shaver

Subject: Re: FYI

Laura,

Which police calls are you referring to? Marquis Fanniel is currently the only person on the lease for Unit 1. Marquis works and resides out of the unit we tell him to. This means that sometimes he is relocated. For example, if we have a unit available upstairs, and a new tenant who cannot go up and down stairs, we will

relocate Marquis. We do our best to make reasonable accommodations for all tenants, especially when they are disabled. If Marquis is relocated to a new unit we will inform your office.

Best,

Nysa Cornelius

Attorney At Law

One Life Health Services

2854 Columbus Ave. South

Minneapolis, MN 55407

On Tue, May 24, 2016 at 1:08 PM, Laura Vaughan <lvaughan@wspmnpd.gov> wrote:

Hello:

Could you please confirm who is all on the lease for 218 Annapolis unit 1

I was reviewing police calls today and I have noticed several different people attached to this unit and in your e-mail to me on April 27 it says just Marquis Fanniel.

Thank you

Laura

Laura Vaughan || Crime Prevention Specialist

West St. Paul Police Department

We serve with Honor and Integrity

1616 Humboldt Avenue

West St. Paul, Minnesota 55118

651-552-4235 || lvaughan@wspmn.gov

From: Nysha Cornelius [mailto:nysha.onelifehealthmn@gmail.com]

Sent: Wednesday, April 27, 2016 12:07 PM

To: Laura Vaughan

Cc: Ben Boike; David Brooks; Bud Shaver; Brian Sturgeon; Matt Swenke

Subject: Re: FYI

Laura,

I believe I had been misspelling the Onsite manager's name. Below is his information.

Marquis Fanniel

email: marquis.onelifehealthmn@gmail.com

phone: [\(651\) 404-0762](tel:(651)404-0762)

Nysha Cornelius

Attorney At Law

One Life Health Services

2854 Columbus Ave. South

Minneapolis, MN 55407

On Tue, Apr 26, 2016 at 3:47 PM, Laura Vaughan <lvaughan@wspmn.gov> wrote:

Hello Nysha:

Thank you for the update. I just sent Simon an e-mail regarding your tenant in unit 5 and the number of police calls. It looks like 218 Annapolis was already dealing with the issue.

Thank you for keeping me updated I will pass the information onto the officers

Laura

Laura Vaughan || Crime Prevention Specialist

West St. Paul Police Department

We serve with Honor and Integrity

1616 Humboldt Avenue

West St. Paul, Minnesota 55118

651-552-4235 || lvaughan@wspmn.gov

From: Nysha Cornelius [<mailto:nysha.onelifehealthmn@gmail.com>]
Sent: Tuesday, April 26, 2016 3:39 PM
To: Laura Vaughan
Cc: Ben Boike; David Brooks; Bud Shaver; Brian Sturgeon; Matt Swenke
Subject: Re: FYI

Laura,

The tenants currently living at 218 Annapolis are as follows:

[REDACTED]

[REDACTED]

[REDACTED]

██████████
Markus Fanniel (on site manager)

We have already spoken with ██████████ and asked her to stop contacting the police department. We have also informed her and her social worker that her last day as a tenant will be May 31, 2016 due to the current situation.

Our HR person works part time, she will be in the office tomorrow and will be able to provide me with Markus Fanniel's contact information.

Sincerely,

Nysha Cornelius

Attorney At Law

One Life Health Services

2854 Columbus Ave. South

Minneapolis, MN 55407

On Tue, Apr 26, 2016 at 10:23 AM, Laura Vaughan <lvaughan@wspmn.gov> wrote:

Hello Nysha:

Thank you, for the clarification regarding Simon.

As for the housing manager Markus Fanniel I would need his contact information since he is the staff the deals with immediate issues at 218 Annapolis, please contact your Human Resource department for me.

Could you also send me a current tenant register of tenants at 218 Annapolis. There has been a lot of confusion on who lives and or works at 218 Annapolis. It would be helpful to get a clarifications.

Thank you Laura

Laura Vaughan || Crime Prevention Specialist

West St. Paul Police Department

We serve with Honor and Integrity

1616 Humboldt Avenue

West St. Paul, Minnesota 55118

651-552-4235 || lvaughan@wspmnn.gov

From: Nysha Cornelius [mailto:nysha.onelifehealthmn@gmail.com]

Sent: Monday, April 25, 2016 5:36 PM

To: Laura Vaughan

Cc: Ben Boike; David Brooks; Bud Shaver

Subject: Re: FYI

Laura,

Simon Mukasa is our Program Coordinator and Field Operator, he deals with all day to day activities including property/tenant issues. He is on call 24hours a day and is definitely the person your office should be in contact with. Mr. Mukasa has a family and cannot live onsite. Therefore, per the mitigation plan, 1234 properties hired an onsite housing manager to deal with immediate issues, especially during the night time hours. Markus Fanniel is trained to mitigate the situation at hand and report any and all issues directly to Mr. Mukasa or the West Saint Paul Police Department if necessary. The Mitigation plan specifically states, "the owner or a designated Manager shall attend 50% of ROMA meetings", it does not state that our onsite housing manager must be the designated manger. Due to Mr. Mukasa's qualifications and experience in the company, 1234 properties designated him to attend ROMA meetings and be the direct line of communication between the City and the company.

I do not personally have all employee's contact information. Additionally, I would prefer all communications to continue to be directed toward Mr. Mukasa. However, if you insist on having contact information for Mr. Fanniel for emergency situations I can contact our Human Resources department for this information.

Sincerely,

Nysha Cornelius

Attorney At Law

One Life Health Services

2854 Columbus Ave. South

Minneapolis, MN 55407

On Mon, Apr 25, 2016 at 4:25 PM, Laura Vaughan <lvaughan@wspm.n.gov> wrote:

Hello Nysha:

Can you clarify to me Simon Mukasa role at 218 Annapolis? He attends ROMA for 218 Annapolis and I have spoken with him regarding tenants issues. Am wondering now if Markus Fanniel is the person I should be speaking too

Does Marcus have an e-mail address and phone that the police department can have in order to contact management?

Attached are the calls for April

Thanks Laura

Laura Vaughan || Crime Prevention Specialist

West St. Paul Police Department

We serve with Honor and Integrity

1616 Humboldt Avenue

West St. Paul
Disposition: Inactive

INCIDENT

Case Number: 16001544
Title: THEFT

16001544

Investigation Needed: No
Admin Review Needed: No
Drug Related: Yes
OFFICER INFORMATION

Incident Type: Theft
CAD #: 16007541
How Initiated:
Gang Related: No
Domestic Related: No
Citation Issued: No

Name	Agency	Badge	Type
Sean Melville	West St. Paul	2641	Primary
Katrina Sheehan	West St. Paul		Assisting

EVENT DATES

Reported	On Scene	Cleared
2016-05-06 21:17	2016-05-06 21:45	2016-05-06 22:05

INCIDENT DETAILS

Address: 976 Robert Street S APT [REDACTED]; West St. Paul, MN 55118; Dakota
Start Date: 2016-05-01 00:00 End Date: 2016-05-04 23:59



SYNOPSIS

Adult male reporting that his medication is missing and he suspects his ex-girlfriend took the medication.

Parties Involved

PERSON 1

Role(s): Suspect

Last: Tschida	First: Molly	Middle: Nicole	Suffix:
Date of Birth: 1977-11-01	Age: 38	Is Juvenile: No	
Residence: No known address.			
Unknown: (000)000-0000		Description:	
Sex: Female	Height: 505 -505	Weight: 150 -150 lbs	Hair: Eyes: Brown
Race: White	Ethnicity: Not Hispanic/Latino	Build:	Complexion:

PERSON 2

Role(s): ReportingPerson

Association(s): - (Owner); - (Owner);

Last: [REDACTED]	First: [REDACTED]	Middle: [REDACTED]	Suffix:
Date of Birth: [REDACTED]	Age: [REDACTED]	Is Juvenile: No	
Residence: 976 Robert Street S APT [REDACTED]; West St. Paul, MN 55118; Dakota US			
Cell Phone: (952)210-5975		Description:	
Sex: Male	Height: [REDACTED]	Weight: [REDACTED]	Hair: Eyes: [REDACTED]
Race: [REDACTED]	Ethnicity: Not Hispanic/Latino	Build:	Complexion:

PROPERTY INFORMATION

ID: Associated with: [REDACTED]

Incident Report

West St. Paul
Disposition: Inactive

INCIDENT

Case Number: 16001544
Title: THEFT

16001544

Description: OXYCODONE PILLS
Drug Type: Other Narcotics Qty: 80 Unit Of Measure: du Property Category: Drugs Code: stolen Seized: No Forfeiture: No

ID: Associated with: Derek Maurice Cohns (Owner)
Description: HYDROCODONE
Drug Type: Other Narcotics Qty: 70 Unit Of Measure: du Property Category: Drugs Code: stolen Seized: No Forfeiture: No

STATEMENT

On 05-06-16, I, Officer Melville was dispatched to 976 Robert St S Apt [REDACTED] on a report of an after the fact theft of medication. I arrived on scene and met with the reporting party [REDACTED] DOB/1968-04-11 in his residence - apartment [REDACTED]. He told me the following :

- He let his then girlfriend Molly Nicole Tschida DOB/1977-11-01 and her 2 teenage children stay with him at his apartment starting on 05-01-16 as she had been evicted from her home and had no place to stay.
- On 05-04-16, his neighbor found a backpack in the building that [REDACTED] recognized as belonging to one of MOLLY'S sons.
- Inside of the backpack was a smaller black bag that [REDACTED] uses to store some of his medications.
- Inside of this bag were pill bottles belonging to him and upon inspection he found the above medication was missing.
- He didn't give anyone permission to take his medication.
- He knows that MOLLY has had problems with pain pills before and that he suspects she took them to use.
- He didn't know where she was and when asked for her phone number, he advised that he didn't know as she changes her number all of the time.
- When asked how he gets ahold of her, he said that he doesn't and she calls him.
- He told me that he had gotten a few more pain pills from his doctor for the weekend but he was advised that before the doctor would give him more, he would have to report it to the police.
- [REDACTED] said that he normally wouldn't do it but MOLLY was now making it so he couldn't have his medication for his pain.

I noticed a pair of tennis shoes in the entryway that were too small for [REDACTED]. I asked who owned the shoes and he advised me that it was MOLLY. I asked if she was in the apartment and he said no. I asked for him to call us when she got back and he advised me that she wouldn't be back. He then advised me that he would be placing her property in storage.

A check shows MOLLY has an active warrant for her arrest. I confirmed with [REDACTED] that he suspects MOLLY took his medication, was likely using 150 pills of stolen pain pills, was in an unknown location, with no known phone number, and he was sure she wouldn't be returning for her property even though she had been staying there all week and her property was still in the apartment. [REDACTED] advised me this was correct.

Incident Report

West St. Paul

Disposition: Inactive

Inactive pending any contact with MOLLY

INCIDENT

Case Number: 16001544

Title: THEFT

16001544

Incident Report

---CONTAINS JUVENILE INFORMATION---

West St. Paul
Disposition: Active/Pending

INCIDENT

Case Number: 16001774
Title: WEAPONS

16001774

Charges/Offenses: 609.50.1(1) (citation# 190716900871)

Needs Follow-up: Yes

Incident Type: Weapons

Citation Issued: Yes

Investigation Needed: Yes

CAD #: 16008721

Admin Review Needed: Yes

How Initiated:

Drug Related: No

Gang Related: No

Domestic Related: No

OFFICER INFORMATION

Name	Agency	Badge	Type
Aleck Williams	West St. Paul	2633	Primary
John Reynolds	West St. Paul	2640	FieldTraining
Elyse Wood	West St. Paul	2628	Assisting

EVENT DATES

Reported	On Scene	Cleared
2016-05-25 10:50	2016-05-25 10:55	2016-05-25 13:05

INCIDENT DETAILS

Address: 992 Robert Street S Bldg Name/Num: Kent Optical; West St. Paul, MN 55118; Dakota US

Start Date: 2016-05-25 10:50

End Date: 2016-05-25 13:05

SYNOPSIS

Squads dispatched on a report of a weapons call where suspects had reportedly fired a gun out of a car.

Parties Involved

PERSON 1

Role(s): Suspect

Last: [REDACTED] First: [REDACTED] Middle: [REDACTED] Suffix:

Date of Birth: [REDACTED] Age: [REDACTED] Is Juvenile: Yes

Residence: 976 Robert Street S APT [REDACTED], West St. Paul, MN 55118; Dakota US

Residence Type: APARTMENT

Sex: Male Height: [REDACTED] Weight: [REDACTED] Hair: [REDACTED] Eyes: [REDACTED]

Race: Unknown Ethnicity: Unknown Build: Slender Complexion: [REDACTED]

School/Grade: Community Parent: Molly Nicole Tschida

Learning Center - SSP/10

CHARGES/ORDINANCES

Type: Statute Chapter: 609 Section: 50 Subdivision: 1(1) Citation #: 190716900871

UOC: 5006 Level: Misdemeanor Enh. Factor:

Description: Obstruct Legal Process-Lawful Execution Legal Process

PERSON 2

Role(s): Suspect

Last: [REDACTED] First: [REDACTED] Middle: [REDACTED] Suffix:

Incident Report

---CONTAINS JUVENILE INFORMATION---

West St. Paul
Disposition: Active/Pending

INCIDENT

Case Number: 16001774
Title: WEAPONS

16001774

Date of Birth: [REDACTED] Age: [REDACTED] Is Juvenile: Yes

Residence: [REDACTED]

Residence Type: RESIDENCE/HOME

Cell Phone: [REDACTED] Description: Dad's cell

Sex: Male Height: [REDACTED] Weight: 15 [REDACTED] Hair: [REDACTED] Eyes: [REDACTED]

Race: [REDACTED] Ethnicity: Not Hispanic/Latino Build: Medium Complexion: [REDACTED]

Is US Citizen: Yes DNA Collected: No Special Needs: No Immigration Checked: No

School/Grade: Keystone Parent: [REDACTED]

Online/10th 651-600-1710

PERSON 3

Role(s): Suspect

Last: [REDACTED] First: [REDACTED] Middle: [REDACTED] Suffix:

Date of Birth: [REDACTED] Age: [REDACTED] Is Juvenile: Yes

Residence: [REDACTED]

Residence Type: RESIDENCE/HOME

Cell Phone: (651)269-1475 Description: [REDACTED]

Sex: Male Height: [REDACTED] Weight: [REDACTED] Hair: [REDACTED] Eyes: [REDACTED]

Race: [REDACTED] Ethnicity: Not Hispanic/Latino Build: Small Complexion: [REDACTED]

Is US Citizen: Yes DNA Collected: No Special Needs: No Immigration Checked: No

School/Grade: None/11th Parent: [REDACTED]

PERSON 4

Role(s): Suspect

Association(s): 257PGC-1998 INFI I30(Owner);

Last: [REDACTED] First: [REDACTED] Middle: [REDACTED] Suffix:

Date of Birth: [REDACTED] Age: [REDACTED] Is Juvenile: No

Residence: [REDACTED]

Residence Type: RESIDENCE/HOME

Home Phone: [REDACTED] Description: null

Cell Phone: [REDACTED] Description: null

Sex: Male Height: [REDACTED] Weight: [REDACTED] Hair: [REDACTED] Eyes: [REDACTED]

Race: [REDACTED] Ethnicity: Not Hispanic/Latino Build: Medium Complexion: [REDACTED]

Is US Citizen: Yes DNA Collected: No Special Needs: No Immigration Checked: No

Marital Status: Emergency Contact: Relationship:

PERSON 5

Role(s): Parent

Incident Report

---CONTAINS JUVENILE INFORMATION---

West St. Paul
Disposition: Active/Pending

INCIDENT

Case Number: 16001774
Title: WEAPONS

16001774

Children: [REDACTED]

Last: Tschida First: Molly Middle: Nicole Suffix:
Date of Birth: 1977-11-01 Age: 38 Is Juvenile: No

Residence: 976 Robert Street S APT [REDACTED], West St. Paul, MN 55118; Dakota US
Residence Type: APARTMENT

Cell Phone: [REDACTED] Description:
Sex: Female Height: [REDACTED] Weight: [REDACTED] Hair: Eyes: [REDACTED]

PERSON 6

Role(s): Reporting Person

Last: Christy First: Kent Middle: Douglas Suffix:
Date of Birth: 1958-10-18 Age: 57 Is Juvenile: No

Residence: 992 Robert Street; West St. Paul, MN 55118; Dakota US

Cell Phone: [REDACTED] Description:
Work Phone: [REDACTED] Description:
Sex: Male Height: 600 -600 Weight: 210 -210 lbs Hair: Eyes: Blue

EMPLOYMENT INFORMATION

Name: Kent Optical Type:
Occupation: Owner Shift:

Vehicles Involved

VEHICLE 1

Role(s): Involved

Associated with: [REDACTED]

Regular Passenger Automobile Plates Number: 257PGC Authority: MINNESOTA Tab: (2016)
Make: INFI Model: I30 Year: 1998 Style: 4DR SEDAN
Primary Color: SIL Secondary Color: SIL VIN: JNKCA21AXWT617697
Registered Address: 453 21st Avenue S; So St Paul, MN 55075; US

Odometer Reading: Estimated Value: Keys with Vehicle: No Keys Location:
Doors Locked: No Ignition Locked: No Trunk Locked: No

STATEMENT

At 10:50 on 5/25/2016 I was dispatched to 992 Robert Street S on a weapons call. Dispatch advised a silver Infiniti, MN License 257PGC had fired shots at an apartment building and left the area northbound on Robert Street. They advised the plate matched out of South St. Paul.

Upon arrival I made contact with the reporting party, Kent Douglas Christy DOB/1958-10-18, the owner of Kent Optical. Christy stated that he was looking out the window of his office and witnessed a light skinned black male, later identified as [REDACTED], walking down the newly poured concrete sidewalk along Robert Street. Christy said that he couldn't believe how stupid

Incident Report

West St. Paul

Disposition: Active/Pending

INCIDENT

Case Number: 16001774

Title: WEAPONS

16001774

it was that someone was walking on the concrete so he took photos on his personal cell phone. He told me that he had recognized the vehicle from a drug deal he had witnessed in his parking lot a couple weeks earlier. Christy stated that he witnessed [REDACTED] wave to the vehicle, later identified as a Silver Infiniti MN LIC 257PGC. Christy stated that the car pulled into his lot and stopped, allowing [REDACTED] to get into the back seat. Christy said that someone in the front of the car then handed what he believed to be a small firearm to someone in the back of the car. Christy then stated he saw the individual in the back fire approximately 3-4 shots from what he said sounded like a small caliber handgun towards the apartment complex on the north side of the parking lot. I had Christy text me the photos he took of [REDACTED] and the suspect vehicle to my department issued squad phone.

While I was gathering further information from Christy, I heard my Field Training Officer Reynolds state that he saw the suspect vehicle pulling back into the parking lot. Officer Reynolds and I then exited the business and I drew my handgun & started shouting loud verbal commands at the suspects in the vehicle while holding them at gunpoint. Officer Reynolds covered the passenger half of the vehicle while I covered the driver side. I aired over the radio for emergency traffic only and stated we had the suspect vehicle at gunpoint, occupied four times.

Officer Wood arrived while all the suspects were still in the vehicle and we conducted a felony stop calling the occupants out of the vehicle one at a time. From the moment we made contact with the occupants, [REDACTED] was verbally combative and uncooperative. While Officer Reynolds was giving commands to the driver, identified as [REDACTED], [REDACTED] was shouting at us and at one point attempted to exit the vehicle prior to being told to. As soon as we were able to detain [REDACTED], Officer Reynolds began giving commands to [REDACTED]. [REDACTED] complied until Officer Reynolds began to cuff [REDACTED], at that point he became uncooperative again. See Officer Reynolds supplemental report for more details.

We then removed the other two occupants, one at a time, later identified as [REDACTED] and [REDACTED] who were both handcuffed by Officer Wood. After we believed the vehicle to be empty, I approached the vehicle and visually verified it was clear of suspects. At that time I noticed a black handgun laying on the center of the back seat. I also noticed a clear, plastic handgun that resembled an Airsoft or BB gun on the floor of the passenger side back seat.

Numerous responding squads arrived from various departments as well our investigators.

I then went over to Officer Reynolds and assisted with searching [REDACTED] so Officer Reynolds could go make contact with [REDACTED]'s mother, Molly Nicole Tschida DOB/1977-11-01, who had just walked onto the scene. During my search of [REDACTED] he was verbally combative and repeatedly stated that he had done nothing wrong. I finished searching him and instructed him to have a seat in the back of the squad car. He said no. I again told him to have a seat and at that point he began to pull away and resist. Lt Sturgeon and I then physically pushed him into the back of the squad.

After we secured the four suspects and had them in separate marked squads, Investigations had them transported to the police department for interviews and processing. I took photos of the contents of the vehicle.

Incident Report

---CONTAINS JUVENILE INFORMATION---

West St. Paul
Disposition: Active/Pending

INCIDENT

Case Number: 16001774
Title: WEAPONS

16001774

Budget Towing towed the vehicle to the police department for processing.

Officer Reynolds and I then went back into Kent Optical and Officer Reynolds digitally recorded the statement that Christy had previously given us.

I provided Christy with a business card and a case number. I uploaded the photos Christy took, as well as the photos I took of the contents in the suspect vehicle, to the case file.

See other reports for further, pending investigation.

Incident Report

Laura Vaughan

From: Laura Vaughan
Sent: Wednesday, June 01, 2016 3:18 PM
To: 'David Brooks'
Cc: Simon Mukasa; Nysha Cornelius (nysha.onelifehealthmn@gmail.com)
Subject: RE: 976 Robert [REDACTED]
Attachments: 16001544_Incident_2641(1852225).pdf

Hello David:

I am passing on this information so you can look into this matter.

As for tenants who allow a girlfriend/boyfriend/friend and or family member to live with them, who are not on a lease, happens a lot and usually goes unnoticed unless there is a police incident or the property has a very active manager who is aware of what is going on at his or her property. Many times it's those unauthorized tenants who cause trouble for the tenant, apartment manager and in many cases take advantage of the tenant who is on the lease.

I would suggest you talk to the project manager in charge of overseeing [REDACTED] to make sure individuals are not taking advantage of him.

The First Incident occurred on 5/6/2016-where it states in the report that your tenant allowed Molly Tschida and her 2 teenager children stay with him at his apartment, when you read further down in the article it also states the officer saw a shoes that belong to Molly. (See Attached report)

The Second Incident occurred on 5/26/2016 and is still under investigation, but she did report to the officer she lives at 976 Robert [REDACTED].

Please keep me updated on what steps One Life Health Services and 1234 properties took to help solve this issue

Thank you
Laura

Laura Vaughan || Crime Prevention Specialist
West St. Paul Police Department
We serve with Honor and Integrity
1616 Humboldt Avenue
West St. Paul, Minnesota 55118
651-552-4235 || lvaughan@wspmn.gov

From: David Brooks [<mailto:onelifehealthmn@gmail.com>]
Sent: Wednesday, June 01, 2016 2:31 PM
To: Laura Vaughan
Cc: Simon Mukasa; Nysha Cornelius (nysha.onelifehealthmn@gmail.com)
Subject: Re: 976 Robert 103

Hi Laura,

I am unaware of any person by that name. [REDACTED] is the only person that is on the lease at this address in apartment [REDACTED]. He has not been authorized to sublease or allow any person to live in this unit. Therefore, her claims that she is a resident at 976 Robert St [REDACTED] in untrue.

Please provide and forward to Nysha Cornelius any documentation that you may have to substantiate her claim that she is a resident. We want to fully understand what is going on in case we need to no trespass this person on all of our properties.

Thanks,
David Brooks

On Wednesday, June 1, 2016, Laura Vaughan <lvaughan@wspmn.gov> wrote:

Hello:

We have had two incident with a Molly Nicole Tchida stating she is a resident at 976 Robert [REDACTED] in West St. Paul in May.

Please check with your tenant at [REDACTED] and remind him that individuals should not be living with him if they are not on a lease.

Please let me what you find out

Thank you Laura

Laura Vaughan || Crime Prevention Specialist

West St. Paul Police Department

We serve with Honor and Integrity

1616 Humboldt Avenue

West St. Paul, Minnesota 55118

651-552-4235 || lvaughan@wspmn.gov

✉ E-mail: sales@sentrylink.com (mailto:sales@sentrylink.com)

☎ Customer Service: (877) SENTRY1 / (301) 486-0862



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[My Reports \(/web/s/show-report-summary.action\)](/web/s/show-report-summary.action)

NATIONAL CRIMINAL RECORDS REPORT

Mask SSNs in PDF ⓘ

Print / save as PDF

Applicant name

Date of birth

Social security number (SSN)

Jurisdictions searched

████████████████████
██████████
████████████████████
ALL

Report dated: 06/07/2016

Order ID: 2254188

No criminal or sex offender records found for this individual.

[Search more criminal records \(/web/criminal-check.action\)](/web/criminal-check.action)

You may share your report online with one SentryLink user -- such as your employer or landlord -- securely and free of charge. Click the button below to learn more.

[Share this report \(/web/s/load-share-report.action?requestId=2254188\)](/web/s/load-share-report.action?requestId=2254188)

Disclaimer: Information contained herein is derived solely from public records, which may not be 100% accurate or complete. Users should not assume that this data provides a complete or accurate history of any person's criminal history.

SentryLink, LLC assumes no liability for any claims for damages arising from the use of this data beyond the actual cost of the searches performed.

Provider reference: 7





Minnesota Public Criminal History



Minnesota Criminal History

Only conviction records matching the EXACT name and birth date will be reported. Reported convictions are limited to those with a discharge date in the past 15 years.

Public Criminal History Search for: [REDACTED]

Date of Birth: [REDACTED]

WARNING: Criminal offenders frequently use aliases, including the names of other individuals. Do not assume search results correspond to the subject of your inquiry. Use EXTREME CAUTION in making employment, housing, and other decisions based upon this information.

Fingerprint verification is the only way of confirming a subject's identity.

Reported Names

Last Name	First Name	Middle Name
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]

Reported Dates of Birth

Date of Birth
6/21/1961
6/22/1961

Conviction Summary

Disposition Date	Disposition	Statute Description	Conviction Level
<u>7/11/1996</u>	Convicted	Burglary-2nd Degree	Felony
<u>3/27/2006</u>	Convicted	Drugs - 5th Degree	Misdemeanor
<u>10/18/2011</u>	Convicted	Terroristic Threats-Reckless Disregard Risk	Gross Misdemeanor
<u>10/18/2011</u>	Convicted	Check Forgery-Offer/Possess W/Intent to Defraud	Gross Misdemeanor
<u>6/29/2012</u>	Convicted	Theft-Value More Than \$500 But Less Than \$1001	Gross Misdemeanor
<u>3/7/2013</u>	Convicted	Terroristic Threats-Reckless Disregard Risk	Felony
<u>2/26/2013</u>	Convicted	Theft-Take/Use/Transfer Movable Prop-No Consent	Misdemeanor
<u>8/29/2013</u>	Convicted	Possession of Burglary or Theft Tools	Felony
<u>6/13/2014</u>	Convicted	Drugs - 5th Degree - Possess Schedule 1,2,3,4 - Not Small Amount Marijuana - Subsequent Conviction	Felony

Confinement Summary

Confinement Date	Statute Description	Agency



1/28/2014	Terroristic Threats-Reckless Disregard Risk	MINNESOTA CORRECTIONAL FACILITY SHAKOPEE
1/28/2014	Possession of Burglary or Theft Tools	MINNESOTA CORRECTIONAL FACILITY SHAKOPEE

Convictions (9)

Conviction 1 of 9

Disposition Date: 7/11/1996
 Custody Institution Assigned To: ANOKA CO JAIL-BOOKING
 Probation Institution Assigned To: ANOKA COUNTY CORRECTIONS

Court:	ANOKA DIST COURT	Court File #:	K696004290
Controlling Agency:	ANOKA PD	Case #:	96008696
Disposition:	Convicted	Conviction Level:	Felony
Statute:	609.582.2	Statute Description:	Burglary-2nd Degree
GOC:	Aid/Abet		
Sentence(s):	Probational - 10Y; Conditional - 90D		
Sentence Stayed:	Imposition of sentence stayed		
Fine(s):	Pronounced - \$500		

Conviction 2 of 9

Disposition Date: 3/27/2006
 Custody Institution Assigned To:
 Probation Institution Assigned To: HENNEPIN CO PROBATION OFF

Court:	HENNEPIN CO DISTRICT COURT	Court File #:	KX05068070
Controlling Agency:	MINNEAPOLIS PD	Case #:	05300170
Disposition:	Convicted	Conviction Level:	Misdemeanor
Statute:	152.025	Statute Description:	Drugs - 5th Degree
GOC:			
Sentence(s):	Probational - 1096D		
Sentence Stayed:	Imposition of sentence stayed		
Fine(s):	Pronounced - \$6,000; Stayed - \$6,000		

Conviction 3 of 9

Disposition Date: 10/18/2011
 Custody Institution Assigned To: WRIGHT CO JAIL
 Probation Institution Assigned To: WRIGHT COUNTY COURT SERVICES

Court:	WRIGHT DIST COURT	Court File #:	CR111089
Controlling Agency:	ANNANDALE PD	Case #:	11000268
Disposition:	Convicted	Conviction Level:	Gross Misdemeanor
Statute:	609.713.1	Statute Description:	Terroristic Threats-Reckless Disregard Risk
GOC:			
Sentence(s):	Pronounced - 365D; Probational - 2Y		
Fine(s):			

Conviction 4 of 9

Disposition Date: 10/18/2011
 Custody Institution Assigned To: WRIGHT CO JAIL
 Probation Institution Assigned To: WRIGHT COUNTY COURT SERVICES

Court:	WRIGHT DIST COURT	Court File #:	CR112223
Controlling Agency:	WRIGHT CO SHERIFF'S OFFICE	Case #:	10026863
Disposition:	Convicted	Conviction Level:	Gross Misdemeanor
Statute:	609.631.3	Statute Description:	Check Forgery-Offer/Possess W/Intent to Defraud
GOC:			
Sentence(s):	Pronounced - 365D; Probational - 2Y		
Fine(s):			

Conviction 5 of 9

Disposition Date: 6/29/2012
 Custody Institution Assigned To: WRIGHT CO JAIL
 Probation Institution Assigned To: WRIGHT COUNTY COURT SERVICES

Court:	WRIGHT DIST COURT	Court File #:	CR1285
Controlling Agency:	WRIGHT CO SHERIFF'S OFFICE	Case #:	12000341
Disposition:	Convicted	Conviction Level:	Gross Misdemeanor
Statute:	609.52.3(4)	Statute Description:	Theft-Value More Than \$500 But Less Than \$1001
GOC:			
Sentence(s):	Pronounced - 365D; Probational - 1Y		
Fine(s):			

Conviction 6 of 9

Disposition Date: 3/7/2013
 Custody Institution Assigned To: WRIGHT CO JAIL
 Probation Institution Assigned To: MN DEPT OF CORRECTIONS/FIELD SERVICES

Court:	WRIGHT DIST COURT	Court File #:	CR121720
Controlling Agency:	ANNANDALE PD	Case #:	12000690
Disposition:	Convicted	Conviction Level:	Felony
Statute:	609.713.1	Statute Description:	Terroristic Threats-Reckless Disregard Risk
GOC:			
Sentence(s):	Probational - 5Y; Conditional - 54D		
Sentence Stayed:	Imposition of sentence stayed		
Fine(s):			

Conviction 7 of 9

Disposition Date: 2/26/2013
 Custody Institution Assigned To:
 Probation Institution Assigned To:

Court:	STEARNS DIST COURT	Court File #:	CR13641
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Controlling Agency:	SARTELL PD	Case #:	12907874
Disposition:	Convicted	Conviction Level:	Misdemeanor
Statute:	609.52.2(a)(1)	Statute Description:	Theft-Take/Use/Transfer Movable Prop-No Consent
GOC:			
Sentence(s):	Pronounced - 90D; Probational - 1Y		
Sentence Stayed:	Execution of sentence stayed		
Fine(s):	Pronounced - \$1,000; Stayed - \$925; Court Cost - \$75		

Conviction 8 of 9
Disposition Date: 8/29/2013
Custody Institution Assigned To: MINNESOTA CORRECTIONAL FACILITY SHAKOPEE
Probation Institution Assigned To: MN DEPT OF CORRECTIONS/FIELD SERVICES

Court:	WRIGHT DIST COURT	Court File #:	CR133155
Controlling Agency:	BUFFALO PD	Case #:	13004728
Disposition:	Convicted	Conviction Level:	Felony
Statute:	609.59	Statute Description:	Possession of Burglary or Theft Tools
GOC:			
Sentence(s):	Pronounced - 17M; Probational - 3Y; Conditional - 60D		
Fine(s):			

Conviction 9 of 9
Disposition Date: 6/13/2014
Custody Institution Assigned To: MINNESOTA CORRECTIONAL FACILITY SHAKOPEE
Probation Institution Assigned To: STEARNS CO COURT SERVICES

Court:	STEARNS DIST COURT	Court File #:	CR138946
Controlling Agency:	ST CLOUD POLICE	Case #:	13039257
Disposition:	Convicted	Conviction Level:	Felony
Statute:	152.025.2(b)(1)	Statute Description:	Drugs - 5th Degree - Possess Schedule 1,2,3,4 - Not Small Amount Marijuana - Subsequent Conviction
GOC:			
Sentence(s):	Pronounced - 19M; Probational - 10Y; Conditional - 289D		
Fine(s):			

Confinements (1)

Confinement 1 of 1
Confinement Date: 1/28/2014
Agency: MINNESOTA CORRECTIONAL FACILITY SHAKOPEE
Disposition: Received

Case #:	12000690	GOC:	
Statute:	609.713.1	Statute Description:	Terroristic Threats-Reckless Disregard Risk
Case #:	13004728	GOC:	
Statute:	609.59	Statute Description:	Possession of Burglary or Theft Tools

Laura Vaughan

From: Bud Shaver
Sent: Wednesday, April 13, 2016 7:07 AM
To: Laura Vaughan
Subject: FW: [REDACTED]

Please save

Bud Shaver || Chief of Police
West St. Paul Police Department
We serve with Honor and Integrity
1616 Humboldt Avenue
West St. Paul, Minnesota 55118
651-552-4201 || BShaver@wspmn.gov

From: David Brooks [<mailto:onelifehealthmn@gmail.com>]
Sent: Tuesday, April 12, 2016 7:58 PM
To: Bud Shaver
Subject: [REDACTED]

Bud,

I agree that trust is fragile. Unfortunately, the circumstances regarding [REDACTED] housing changed. At the time I sent you that email, it was my understanding that his social worker found an alternative living situation. However, the housing opportunity fell through and I was left with a difficult decision to make.

Please keep in mind that there is no incentive to keep a person in my West St Paul housing since we have a waiting list of 12 to 15 people at any given time. My decisions are strictly governed by the immediate needs of my clients. To evict someone in [REDACTED] condition without structured health supports or housing is immoral.

I will make the commitment to move [REDACTED] out of West St Paul the minute I acquire another property. Additionally, I will keep you posted on when I realistically can make that happen.

Regards,
David Brooks

On Tuesday, April 12, 2016, Bud Shaver <BShaver@wspmn.gov> wrote:

David,

Per our conversation last night, trust is a fragile thing.

Bud Shaver || Chief of Police
West St. Paul Police Department



We serve with Honor and Integrity

1616 Humboldt Avenue

West St. Paul, Minnesota 55118

651-552-4201 || BShaver@wspmn.gov

From: David Brooks [<mailto:onelifehealthmn@gmail.com>]

Sent: Wednesday, August 19, 2015 10:09 AM

To: Laura Vaughan

Subject: Re: [REDACTED]

Hi Laura,

I was at last night's incident on Annapolis. During my conversation with the officer, I explained to him that [REDACTED] lease has been terminated and he will be required to move out at the end of this month.

Thanks

Laura Vaughan

From: Nysha Cornelius <nysha.onelifehealthmn@gmail.com>
Sent: Wednesday, May 25, 2016 3:52 PM
To: Laura Vaughan
Cc: David Brooks
Subject: Re: 218 Annapolis

Laura,

Mr. [REDACTED] has vacated 218 Annapolis. There is no letter to vacate. Mr. [REDACTED] relinquished his apartment voluntarily. We do not have a forwarding address for him at this time.

Sincerely,

Nysha Cornelius
Attorney At Law
One Life Health Services
2854 Columbus Ave. South
Minneapolis, MN 55407

On Wed, May 25, 2016 at 9:57 AM, Laura Vaughan <lvaughan@wspmn.gov> wrote:

Hello David:

Just following up to see if Mr. [REDACTED] has vacated his apartment.

Please send the vacate letter that was sent to Mr. [REDACTED] and a forward address if you have one.

Thanks Laura Vaughan

Laura Vaughan || Crime Prevention Specialist



West St. Paul Police Department

We serve with Honor and Integrity

1616 Humboldt Avenue

West St. Paul, Minnesota 55118

651-552-4235 || lvaughan@wspmn.gov

From: David Brooks [mailto:onelifehealthmn@gmail.com]

Sent: Thursday, May 19, 2016 6:38 PM

To: Bud Shaver; Laura Vaughan

Cc: Nysha Cornelius

Subject: Re: 218 Annapolis

Bud,

Please note that Mr [REDACTED] will be vacating his apartment Friday morning. His lease will end tomorrow and we will find alternative housing in a different city once he is eligible to return to our program.

Let me know if you have any questions.

Regards,

David Brooks

On Tuesday, May 10, 2016, Bud Shaver <BShaver@wspmn.gov> wrote:

David,

Thank you for getting this system up and running. The police department has found video security systems to provide a sense of safety and security for the residents, a level of liability protection for the property owner, and may provide evidence of a crime for the police. However, we are having quite a debate about the live feed capabilities and how that access should be authorized and when. Certainly technology is allowing individuals, including police officers, to perform functions that we normally couldn't do. For instance, you search the internet for a new SUV that you are considering buying and the next time you log onto the internet you get photos and ads for SUVs, how does it know to do that? David, I'm interested in your thoughts about police, technology, individual privacy and the good of the many at the expense of the individual.

Anyways, when your system is fully functional let me know and we'll schedule a meeting time to have a patrol sergeant and/or an investigator check out the system, what it monitors and its capabilities.

Bud Shaver || Chief of Police

West St. Paul Police Department

We serve with Honor and Integrity

1616 Humboldt Avenue

West St. Paul, Minnesota 55118

651-552-4201 || BShaver@wspmn.gov

From: Nysha Cornelius [<mailto:nysha.onelifehealthmn@gmail.com>]

Sent: Monday, May 09, 2016 1:24 PM

To: Ben Boike

Cc: Laura Vaughan; Bud Shaver

Subject: RE: 218 Annapolis

Good Afternoon Mr. Boike,

I would like to inform your office that the security system has been installed today. It should be fully operational, and we will be running some tests over the next few days to ensure of this. The system is serviced by ADT. We will soon have codes to offer to West Saint Paul Police Department, if they would like to access the cameras live video feed.

Sincerely,

Nysha Cornelius

Attorney At Law

One Life Health Services

2854 Columbus Ave. South

Korine Land

From: Kurtis Syvertsen <KSyvertsen@wspmn.gov>
Sent: Tuesday, May 31, 2016 6:20 AM
To: Laura Vaughan
Subject: [REDACTED] 218 W Annapolis

Hello Laura,

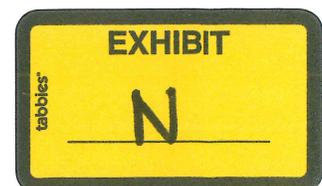
Last week I spoke with [REDACTED] regarding his property being in his apartment at 218 West Annapolis. [REDACTED] advised me that he had recently been kicked out of a treatment program (he was only there for a couple days) and was looking to return to his apartment. However, before going to his apartment he stated that he spoke with the owners of the property who advised him that he had been trespassed from returning to the property. Through talking with [REDACTED], it was unclear if the owners would allow him to return to the property to get his belongings or not but [REDACTED] had called the PD to see if he had been trespassed from the address as he had not been served any paperwork. I advised [REDACTED] that the PD did not have any paperwork showing that he had been trespassed from the property.

Lastly I asked him if he had been served any eviction paperwork as he mentioned that the owner wanted him out of his apartment. [REDACTED] did not specify a date that he was told to be out of the property but [REDACTED] stated that the owners wanted him out as soon as possible. He advised me that he had also not been served any eviction paperwork. Based on the limited information I had and the fact that there was no trespass paperwork filed for him at this address, I advised him that I did not see a reason why he could not return to his apartment. I have not heard from [REDACTED] since our conversation.

Please let me know if you need any other information.

Thanks!

Kurtis Syvertsen || Police Officer
West St. Paul Police Department
We serve with Honor and Integrity
1616 Humboldt Avenue
West St. Paul, Minnesota 55118
651-259-2636 || KSyvertsen@wspmn.gov



ONE LIFE HEALTH SERVICES

"a better way to live"

2854 COLUMBUS AVE S
MINNEAPOLIS, MN 55407

VIA HAND DELIVERY

February 8, 2016

[REDACTED]
966 Robert Street S. Apt. [REDACTED]
West Saint Paul, MN 55118

RE: Tenancy at: 966 Robert Street S. Apt. [REDACTED]

Dear [REDACTED]

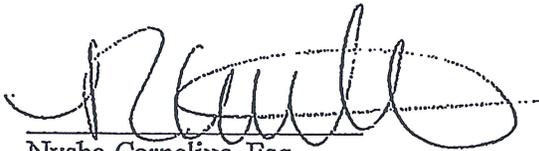
This letter serves as notice to terminate the periodic tenancy agreement at the above address.

The last day of the tenancy will be March 10, 2016, which is 30 days from today. The reason for termination of the tenancy is due to the breach of your tenancy obligation(s) in that you failed to maintain crime free housing. Please refer to paragraphs 5-7 of the *Lease Addendum for Crime Free/ Drug Free Housing*, which I have also attached for your convenience.

I have attached a copy of the West Saint Paul Incident Report dated February 4, 2016 in which the police were called when the two of you were arguing in the parking lot. The City of West Saint Paul Police Department has determined that this is a Nuisance Call and therefore is a strike against the Rental License of 1234 Properties, LLC (One Life).

Please contact me if you have any questions.

Yours sincerely,



Nysha Cornelius, Esq.
Attorney at Law
Compliance Officer



West St. Paul
Disposition: Inactive

INCIDENT

Case Number: 16001123
Title: DAMAGE TO PROPERTY

16001123

Needs Follow-up: No Incident Type: Damage to Property Citation Issued: No
Investigation Needed: No CAD #: 16005385
Admin Review Needed: No How Initiated: In Person
MO: Offense Location-apartment
Drug Related: No Domestic Related: No

OFFICER INFORMATION

Name	Agency	Badge	Type
Carl Elam	West St. Paul	2638	Primary

EVENT DATES

Reported	On Scene	Cleared
2016-04-01 01:51	2016-04-01 01:51	2016-04-01 01:54



INCIDENT DETAILS

Address: 966 Robert Street S; West St. Paul, MN 55118; Dakota US
Start Date: 2015-03-31 04:00 End Date: 2016-04-01 01:30

SYNOPSIS

Right side mirror broken on vehicle parked in garage at 966 Robert Street South. No suspects known.

Parties Involved

PERSON 1

Role(s): Victim

Association(s): 810RKZ-2011 CHEV EQUINOX(Owner);

Last: [REDACTED] First: [REDACTED] Middle: [REDACTED] Suffix:

Date of Birth: [REDACTED] Age: [REDACTED] Is Juvenile: No

Residence: 966 Robert Street S APT [REDACTED], West St Paul, MN 55118; Dakota US

Sex: Male Height: [REDACTED] Weight: [REDACTED] Hair: Eyes: [REDACTED]

Race: [REDACTED] Ethnicity: Build: Complexion:

ASSIGNED ID INFORMATION

Type	Authority	ID
Drivers License	Minnesota	P286165968216

Vehicles Involved

VEHICLE 1

Role(s): Involved

Associated with: [REDACTED]

Regular Passenger Automobile Plates Number: 810RKZ Authority: MINNESOTA Tab: (2016)

Make: CHEV Model: EQUINOX Year: 2011 Style: 4DR WAGON

Primary Color: SIL Secondary Color: SIL VIN: 2CNFLCECXB6237302

Registered Address: 966 Robert Street S APT [REDACTED], West St. Paul, MN 55118; Dakota US

Incident Report

West St. Paul
Disposition: Inactive

INCIDENT

Case Number: 16001123
Title: DAMAGE TO PROPERTY

16001123

PROPERTY INFORMATION

ID:	Associated with:			
Description: Right side outside mirror		Property Category: Other	Code: damaged	
Quantity: 1	Unit Price: 30.00	Value: 30.00	Seized: No	Forfeiture: No
Brand Name: Chevrolet	Model: Equinox	Color:		
Serial Number:	Owner Applied Number:			

STATEMENT

On Friday 01 April 2016 at about 0151 hours I was flagged down by a male near Signal Hills. The male reported the mirror was broeken on his car.

[REDACTED] report he had parked his car, Minnesota licesne 810RKZ, in a garage at 966 Robert Street South on 31 March 2016 at about 4:00 AM. He parks in garage [REDACTED] and the garage door remains open. He returned to his car at about 1:30 AM on 01 April 2016 at observed the damage. No suspects were seen. No other damage was noticed on the car.

[REDACTED] did not call police to the scene because he stated police cannot be called to the residence for fear of being evicted.

Inactive.

Incident Report

West St. Paul
Disposition: Active/Pending

INCIDENT

Case Number: 16001678
Title: Assault

16001678

Needs Follow-up: Yes

Incident Type: Assault

Citation Issued: No

Investigation Needed: No

CAD #: 16008267

Admin Review Needed: No

How Initiated:

Drug Related: No

Gang Related: No

Domestic Related: No

OFFICER INFORMATION

Name	Agency	Badge	Type
Elyse Wood	West St. Paul	2628	Primary

EVENT DATES

Reported	On Scene	Cleared
2016-05-18 15:20	2016-05-18 15:20	2016-05-18 15:20

INCIDENT DETAILS

Address: 966 Robert Street S APT [REDACTED], West St. Paul, MN 55118; Dakota US

Location Type: APARTMENT

Location Description:

Start Date: 2016-05-18 09:40

End Date: 2016-05-18 10:30



SYNOPSIS

Vulnerable adult was slapped in the face outside

Parties Involved

PERSON 1

Role(s): Suspect

Last: Pugh	First: Devonn	Middle: Lynnette Frances	Suffix:
Date of Birth: 1979-07-15	Age: 36	Is Juvenile: No	

Residence: 966 Robert Street S APT 205; West St. Paul, MN 55118; Dakota US

Residence Type: APARTMENT

Cell Phone: (612)207-2362

Description: null

Sex: Female	Height: 505 -505	Weight: 171 -171 lbs	Hair: Black	Eyes: Brown
Race: Black/African American	Ethnicity: Not Hispanic/Latino	Build: Large	Complexion: Black	

PERSON 2

Role(s): Victim

Last: [REDACTED]	First: [REDACTED]	Middle: [REDACTED]	Suffix:
Date of Birth: [REDACTED]	Age: [REDACTED]	Is Juvenile: No	

Residence: [REDACTED]

Residence Type: APARTMENT

Cell Phone: [REDACTED]

Description: null

Sex: Male	Height: [REDACTED]	Weight: [REDACTED]	Hair: [REDACTED]	Eyes: [REDACTED]
Race: [REDACTED]	Ethnicity: Not Hispanic/Latino	Build: Medium	Complexion: [REDACTED]	

Incident Report

West St. Paul
Disposition: Active/Pending

INCIDENT

Case Number: 16001678
Title: Assault

16001678

EMPLOYMENT INFORMATION

Occupation: disability Shift:

PERSON 3

Role(s): Mentioned

Last: [REDACTED] First: [REDACTED] Middle: [REDACTED] Suffix:

Date of Birth: [REDACTED] Age: [REDACTED] Is Juvenile: No

Residence: [REDACTED] West St. Paul, MN 55118; Dakota US

Residence Type: APARTMENT

Cell Phone: [REDACTED] Description: null

Sex: Female Height: [REDACTED] Weight: [REDACTED] Hair: [REDACTED] Eyes: [REDACTED]

Race: White Ethnicity: Not Hispanic/Latino Build: [REDACTED] Complexion: [REDACTED]

STATEMENT

On May 18th, 2016 at 1520 hours I was dispatched to an assault in the lobby of the West St Paul Police Department. I arrived and meet with [REDACTED] [REDACTED] told me that someone assaulted him today outside his apartment complex and that he knew which apartment the male was associated with. I know [REDACTED] from prior contact and I know him to be a vulnerable adult. He is living at a property managed by David Brooks whose rental license is currently under review due to on going problems at several properties throughout the city of West St Paul.

[REDACTED] told me the following:

- [REDACTED] lives at 966 Robert Street S # [REDACTED] with his girlfriend [REDACTED].
- Today their was a disturbance outside the apartment complex involving the people from apartment 205 around 945. He knows they are from apartment 205 because he has seen them around the building before.
- The male suspect arrived at the apartment today in a vehicle with a white female.
- The male was cursing and swearing outside the apartment.
- The female associated to apartment 205 is a black female with long black hair. She had kids who live with her.
- The male suspect began calling [REDACTED] names and threatened to "kick his ass".
- The male was trying to get into the apartment building but [REDACTED] was holding the door closed so he could not get in.
- He called [REDACTED] - his case worker to tell him what was going on because [REDACTED] is not allowed to call the police.
- The male got in and made his way to apartment 205. The tenant in 206 came into the hallway and also told the male suspect to leave.
- The suspect then open handed slapped [REDACTED] across the face as he walked past him.
- The suspect then started kicking at the door to apartment 205.
- He called [REDACTED] again and [REDACTED] told him "not to worry about it".

Incident Report

INCIDENT

- He described the suspect as a black male, red shirt, black very short hair, approximately 5'9, medium build.

I asked [REDACTED] more about why he cannot call the police. He told me several times that both his case worker with "One Life" and the owner of the property David Brooks have threatened him with eviction if the police are called again to his apartment. I asked what he is suppose to do instead and he said he has been told to call [REDACTED] instead of the police, [REDACTED] will call David Brooks, and then they will decide what needs to happen. I asked what he is suppose to do if someone gets hurt and he said he did not know.

I explained to [REDACTED] that he is allowed to call the police if he needs emergency assistance. He has had several meetings with [REDACTED] and David Brooks and is reminded at every meeting they have that he is not allowed to call 911. He was also told when he moved in that he is not allowed to call the police to the property. [REDACTED] told me that his vehicle was damaged once and he had to go to Walgreens to report it because he cannot call the police to their property.

[REDACTED] and his girlfriend [REDACTED] are low functioning vulnerable adults. When speaking to them you need to speak similar to how you would speak to a child and explain things in very basic terms. All of David Brooks' properties are group homes or residential housing for vulnerable adults who struggle with mental health problems, chemical dependency problems, have developmental delays, and others who require more assistance than a normal functioning adult would. Based on my prior contacts with [REDACTED] I know that he does not function at a level high enough to understand the rules that [REDACTED] and David Brooks have put in place about calling 911. [REDACTED] told me he was confused about the rules and how emergencies would be handled should one arise. When I asked [REDACTED] what he was suppose to do if someone gets hurt he did not know and said that he was not allowed to call 911.

I requested Crime Prevention Specialist Laura Vaughan contact One Life and determine who [REDACTED] is. Staff at One Life told Vaughan that [REDACTED] is a project manager who over sees One Life's South St Paul properties. Simon Mukasa is the project manager in charge of West St Paul Properties. Staff was not 100% clear on Brooks' title but said they believed he was just the property owner and had no official title with One Life. Brook's wife is the owner/manager of One Life.

As an owner of multiple properties that house vulnerable adults Brooks should have a better understanding of how to deal with [REDACTED] without the need to threaten eviction. Today [REDACTED] was physically and verbally assaulted by another tenant of One Life and was told directly by a One Life employee - [REDACTED] - "not to worry about it". It is highly negligent behavior of an experienced case worker/project manager and property owner to treat a tenant in such a way, especially a tenant who is developmentally disabled. Both [REDACTED] and Brooks should be able to better handle tenants and they may possible fall under the mandated reporter title. Failing to report physical assault against a vulnerable adult would be a violation of their duties as mandated reporters.

I made contact with the tenant in apartment 205 who was identified as Devonn Lynnette Frances Pugh DOB/1979-07-15. She told me that it was her ex boyfriend who was trying to get into the apartment and that she is sure he did not assault anyone. She refused to provide his name to me even after I explained to her that she was hindering my investigation and could possible be charged

West St. Paul

Disposition: Active/Pending

INCIDENT

Case Number: 16001678

Title: Assault

16001678

with obstruction. She continued to refuse, laughed at me and slammed the door shut. I took photos of the damage to her door and added them to the case file.

I requested Vaughan attempt to collect video of the incident but it will not be available until 05/31/2016.

Case pending suspect identification and video surveillance.

Incident Report

West St. Paul
Disposition: Inactive

INCIDENT

Case Number: 16002146
Title: Suspicious Circumstances

16002146

Investigation Needed: No
Admin Review Needed: No
Drug Related: No
OFFICER INFORMATION

Incident Type: Other
CAD #: 16010525
Gang Related: No
Domestic Related: No
Citation Issued: No

Name	Agency	Badge	Type
Elyse Wood	West St. Paul	2628	Primary
John Reynolds	West St. Paul	2640	Assisting

EVENT DATES

Reported	On Scene	Cleared
2016-06-15 08:53	2016-06-15 09:07	2016-06-15 09:32

INCIDENT DETAILS

Address: 870 Dodd Road Bldg Name/Num: Taste Of Love Bakery; West St. Paul, MN 55118; Dakota US
Location Type: RESTAURANT
Location Description:
Start Date: 2016-06-15 08:53 End Date: 2016-06-15 09:30

SYNOPSIS

Female with mental health problems wondering around the city causing alarm to local business owners. Female had recently purchased drugs from a known problem property and needed transport to the hospital. On going problems with known problem property.

Parties Involved

PERSON 1

Role(s): Suspect

Last: [REDACTED] First: [REDACTED] Middle: [REDACTED] Suffix:
Date of Birth: [REDACTED] Age: [REDACTED] Is Juvenile: No

Residence: 218 Annapolis Street APT [REDACTED]; West St. Paul, MN 55118; Dakota US

Residence Type: GROUP HOME

Home Phone: [REDACTED]

Description:

Sex: Female Height: [REDACTED] Weight: [REDACTED] Hair: [REDACTED] Eyes: [REDACTED]
Race: [REDACTED] Ethnicity: Not Hispanic/Latino Build: [REDACTED] Complexion: [REDACTED]

PERSON 2

Role(s): Patient

Last: [REDACTED] First: [REDACTED] Middle: [REDACTED] Suffix:
Date of Birth: [REDACTED] Age: [REDACTED] Is Juvenile: No

Residence: 218 Annapolis Street APT [REDACTED]; West St. Paul, MN 55118; Dakota US

Residence Type: GROUP HOME



Incident Report

West St. Paul
Disposition: Inactive

INCIDENT

Case Number: 16002146
Title: Suspicious Circumstances

16002146

Sex: Female Height: ██████████ Weight: ██████████ Hair: ████████ Eyes: ██████
Race: Black/African American Ethnicity: Not Hispanic/Latino Build: ██████ Complexion: ██████████

PERSON 3

Role(s): Mentioned

Last: Brooks First: David Middle: Andrew Suffix:
Date of Birth: 1970-10-25 Age: 45 Is Juvenile: No

Residence: 2854 Columbus Avenue; Minneapolis, MN 55407; Hennepin US

Residence Type: RESIDENCE/HOME

Cell Phone: (952)451-6897

Description:

Sex: Male Height: 511 -511 Weight: 230 -230 lbs Hair: Black Eyes: Brown
Race: Black/African American Ethnicity: Not Hispanic/Latino Build: Heavy Complexion: Medium Brown

PERSON 4

Role(s): Mentioned

Last: Fanniel First: Marquis Middle: Dewayne Suffix:
Date of Birth: 1991-12-24 Age: 24 Is Juvenile: No

Residence: 218 Annapolis Street W APT 1; West St. Paul, MN 55118; Dakota US

Residence Type: APARTMENT

Unknown: (000)000-0000

Description:

Sex: Male Height: 604 -604 Weight: 190 -190 lbs Hair: Black Eyes: Brown
Race: Black/African American Ethnicity: Not Hispanic/Latino Build: Large Complexion: Black

STATEMENT

On June 15th, 2016 at 0853 hours Officer Reynolds and I were dispatched to a suspicion at Taste Of Love Bakers, 870 Dodd Road. The caller was an employee who said there was a female acting strange inside the business talking about her probation officer and the hospital. I arrived and identified the female as ██████████

Fanniel told me the following:

- She was recently kicked out of 218 Annapolis St W where she had been staying on and off with her ████████ Marquis Dewayne Fanniel DOB/1991-12-24 in apartment █.
- She has a lot of mental health problems and is working with a case worker to get permanent housing.
- On Monday June 13th, 2016 she believes she was trespassed from the property.
- That same day, 06/13, she reported that she purchased a pill from the tenant in the basement apartment she knows as ████████.
- She believed the pill she was purchasing was a Percocet which she has a prescription for but her doctor was out of town and she was not able to refill her prescription.
- She paid ████████ \$10.00 for one pill.
- The pill ████████ gave her caused her to have a seizure and she had to be sent to the hospital.

Incident Report

INCIDENT

- She has seen [REDACTED] using methamphetamine inside her apartment before using a glass pipe similar to one use to smoke marijuana.
- She was recently released from the hospital but feels like she needs to go back because she might have another seizure
- After she was released from the hospital she went back to 218 Annapolis because her medical cab would only drop her off at her registered address.
- Marquis told her she better leave and told her to go to Taste of Love Bakery to hang out and use their phone.
- She told me that she has multiple mental health problems along with a long list of physical health problems.
- She provided me with her case workers phone number and said she had talked with her case worker this morning and agreed to meet her at 1000 at this location.
- I called the number but received no answer. I left a voicemail to call me back and never got a response.

[REDACTED] requested a transport to Regions Hospital for further evaluation because she was still not feeling right since taking the pill she purchased from [REDACTED]. She was transported to Regions by Health East Paramedics.

218 Annapolis St W is a current problem property in the city of West St Paul and the owner David Andrew Brooks DOB/1970-10-25 currently is operating with a provisional rental license. All of Brook's properties are managed by One Life Health Services who work with vulnerable adults and chemically dependent adults who need assistance with day to day living because they cannot currently live independent. Officers are familiar with Brook's properties including 218 Annapolis St W from many calls for service related to drugs, mental health, assaults, and on-going nuisance calls.

I know [REDACTED] from 218 Annapolis St W to be [REDACTED]. While searching records for [REDACTED] I found her to be listed in several reports and calls with [REDACTED] as her last name. Using [REDACTED] I was not able to get any information on her other than a long list of nuisance calls to 911. I contacted Dakota County Crisis and found nothing listed for a [REDACTED]. I then searched [REDACTED] and found multiple reports, contacts, and long criminal history on a public data base.

[REDACTED] has had the following contacts with the West St Paul Police Department since January 2016:

- 01/28/2016 - forgot her phone while shopping at Walmart and needed a ride home.
- 04/08/2016 - concerned about bed bugs in her apartment and the onsite security being mean to her.
- 04/16/2016 - concerned about bed bugs again and security on site, call notes state - **"caller is very adamant that nobody can come to her house because the owner can't find out she called the police"**
- 04/17/2016 - problems with the security guard on site.
- 04/25/2016 - requesting follow up about a missing cell phone and on going problems at apartment.
- 04/27/2016 - security guard at complex drilling holes in her apartment.
- 04/27/2016 - follow up to missing cell phone and stated she had video.

INCIDENT

- 05/20/2016 - called from Gallagher's bar requesting to remain anonymous. Wanted to make a complaint about security but cant call from her residence.
- 05/21/2016 - medical, wanted transportation for bed bug bites.

I contacted Dakota County Crisis and requested background information on [REDACTED]. They told me she is diagnosed bipolar and has had previous suicidal ideations. [REDACTED] has an adult mental health worker ([REDACTED]), a chemical dependency counselor ([REDACTED]) and a case worker through Meridian Services ([REDACTED]). There were notes about drug use that include methamphetamine.

I searched [REDACTED] further and found several reports from other cities involving the same problems she is reporting to the West St Paul Police Department. Inver Grove Heights Police had two police reports from 2015 while she lived at a group home. The first was a verbal domestic between [REDACTED] and her roommate and the second was over drugs located in her bedroom. See Inver Grove Heights case numbers 15001909 and 15002100 for further information about these calls. I found five reports from the Rosemount Police department in 2015. Most of the reports reference some type of neglect or maltreatment of [REDACTED] claiming staff were not taking care of her. She was listed as a missing person once and involved in a assault once. While reviewing one of the mental health report I found the following information given by a staff member at the group home she lived in -

While speaking [REDACTED] about the leaky pipes and the burst pipe in [REDACTED]'s kitchen, [REDACTED] stated she was aware of the situation and that when she had a plumber come to look at the kitchen sink and pipe, the plumber was able to see that the pipes were visually tampered with. [REDACTED] believes that it was [REDACTED] who caused the damage to the pipes in her apartment. [REDACTED] stated that [REDACTED] usually begins to report employees of Options Residential when her mental illness is not under control. She stated this is usually a sign that something is out of balance in [REDACTED]'s mental health.

I also did a public records search of [REDACTED] and found an extremely long list of convictions including several felonies and gross misdemeanors. There were convictions as recent as 2014 and some of the felony charges include drug possession, burglary tools, 2nd degree burglary, and 2nd degree assault. There were gross misdemeanor charges including terroristic threats, forgery, and theft.

The security guard onsite that [REDACTED] is referring to is [REDACTED] Marquis. Marquis has personally told me on several occasions that he is the on-site security guard and care taker for the property. Marquis has had the following contacts with the West St Paul Police Department since January 2016:

- 01/21/2016 - child protection issue with children who had just been dropped of in another jurisdiction.
- 02/11/2016 - theft of a computer by a relative with sensitive information on it - notes in the call say not to have police respond to the address.
- 04/21/2016 - [REDACTED] called from Marquis's apartment over child custody issues involving her mother.
- 05/20/2016 - disturbance outside of the building between Marquis and the mother of his child.

INCIDENT

- 06/13/2016 - call reference [REDACTED] who had just left Marquis's apartment and needed to go to the hospital. At some point, [REDACTED] was transported to United Hospital.

Based on the calls for service at this address involving both Marquis and [REDACTED], I believe that neither are getting the assistance they need. [REDACTED] is exhibiting signs of paranoia and hallucinations. A previous case worker said that when that begins, [REDACTED] needs more assistance than normal. [REDACTED] is also selling drugs out of her apartment and has a documented history of drug abuse. This puts all the other clients at 218 Annapolis St W at risk given other clients history of drug abuse and on going chemical dependency counseling. Just recently another resident of 218 Annapolis St W was arrested for violating probation by using methamphetamine inside the apartment complex. While speaking to him, he said there has always been a drug problem inside the apartment complex while he has lived there - see case number 16002178.

I believe that Brooks is not properly caring for those living in his property and being managed by One Life Health Services. In addition to the on going drug use at his complex, there have been multiple reports of tenants not being able to call 911 when they need assistance without the threat of eviction from Brooks. [REDACTED] has stated that to me personally and including that in several of the call notes listed above. [REDACTED] has gone to other local businesses to use the phone to avoid the consequences of having the police called to her unit. Marquis also had notes in one of his police contacts for no police response to his apartment. Marquis told [REDACTED] to call the police from a local business down the street. Other business owners have made complaints and said that these patients loitering in their stores are making employees uncomfortable and scare away customers. Another of Brooks properties in town has reported similar stories from clients stating that they are not allowed to call 911 without the fear of eviction. See case number 16001678 for further information.

This report is for documentation of an on-going problem property and potential neglect of the vulnerable adults that it houses.

I am requesting this report be forwarded to Dakota County Social Services for follow up with [REDACTED] as her mental health status seems to be unraveling over the last several months and she clearly is not getting the assistance she needs from One Life Health Services.

I am also requesting this report be forwarded to Crime Prevention Specialist Laura Vaughan as she is on the problem property committee and will be following up on One Life Health Services' provisional rental license.

Nothing further at this time.

Korine Land

From: Ben Boike <BBoike@wspmn.gov>
Sent: Thursday, July 14, 2016 2:05 PM
To: Korine Land
Subject: FW: Re : 218 Annapolis

From: Sabrina Gorr - Housing Inspector
Sent: Thursday, July 14, 2016 2:00 PM
To: Ben Boike
Subject: FW: Re : 218 Annapolis

From: Nysha Cornelius [<mailto:nysha.onelifehealthmn@gmail.com>]
Sent: Thursday, May 26, 2016 12:46 PM
To: Sabrina Gorr - Housing Inspector
Cc: David Brooks
Subject: Re: Re : 218 Annapolis

Sabrina,

It would seem that the City of West St Paul would have records that clearly verify if one of the previous owners of 218 Annapolis pulled a permit to construct a basement apartment if this was not a part of the original plans at the time this building was constructed. Asking my employer to provide a permit dating back 40 years ago is a requirement that seems unattainable. My research on this matter has not yielded the results you seek. We have submitted a request for information and await the results. Please let me know how far the City of West St Paul date back in time with respect to permits that cover the scope of this work.

Sincerely,

Nysha Cornelius

Attorney At Law

One Life Health Services

2854 Columbus Ave. South

Minneapolis, MN 55407

On Tue, May 24, 2016 at 4:05 PM, Nysha Cornelius <nysha.onelifehealthmn@gmail.com> wrote:



Nysha Cornelius

Attorney At Law

One Life Health Services

2854 Columbus Ave. South

Minneapolis, MN 55407

----- Forwarded message -----

From: **Sabrina Gorr - Housing Inspector** <sagorr@wspmnm.gov>

Date: Tue, May 24, 2016 at 4:00 PM

Subject: Re : 218 Annapolis

To: "Nysha.onelifehealthmn@gmail.com" <Nysha.onelifehealthmn@gmail.com>

I thought I sent this to you already...

From: Sabrina Gorr - Housing Inspector

Sent: Friday, May 20, 2016 11:07 AM

To: Dennis Schilling

Subject: RE: 218 Annapolis W

Nysha,

Good morning

Per previous email sent to you on 4/28/16, I told you that, *"after reviewing building information and code requirements, the basement unit currently does not meet IRC egress standards. If this apartment was built prior to 2009, a copy of the permit would need to be provided and if no permit was pulled for the construction/remodel of the basement unit, we would need the egress window to be brought to current code of the IRC"*.

That being said, if you want the basement unit to remain as an apartment, it will be required for you to provide the proofs (building permit); if you are unable to provide proper documentation, you must conform the basement to a proper egress window. Your other option would be to convert the unit to an office (or storage) for the building and remove the current tenant from the unit within 30days. The issue at hand is/would be considered life safety without the alterations made (unless proofs provided conform to the building code standards prior to 2009).

Sabrina Gorr

Housing Inspector

City of West Saint Paul

651-552-4136

From: Nysha Cornelius [<mailto:nysha.onelifehealthmn@gmail.com>]

Sent: Friday, May 20, 2016 9:13 AM

To: Sabrina Gorr - Housing Inspector

Subject: 218 Annapolis W

Good Morning Sabrina,

i wanted to get some clarification on the instructions for the egress window in the basement. Are you saying that it needs to be replaced?

Nysha Cornelius

Attorney At Law

One Life Health Services

2854 Columbus Ave. South

Minneapolis, MN 55407

Korine Land

From: Ben Boike <BBoike@wspmn.gov>
Sent: Thursday, July 14, 2016 2:05 PM
To: Korine Land
Subject: FW: Permits

From: Sabrina Gorr - Housing Inspector
Sent: Thursday, July 14, 2016 2:01 PM
To: Ben Boike
Subject: FW: Permits

From: Dennis Schilling
Sent: Tuesday, May 31, 2016 2:18 PM
To: nysha.onelifehealthmn@gmail.com
Cc: Sabrina Gorr - Housing Inspector
Subject: Permits

Nysha,

I went through our archives and did not find any permits for the additional apartment. However in my searches I found that the property was listed in two different locations as a 4 apartment complex (when it was sold in 2009 it was sold as a 4 apartment). So the fifth (basement) apartment will have to have an egress window installed for it to be conforming to our current rental ordinance.

Thank you,

Dennis Schilling

 City of West St. Paul
Building Official
651-552-4135
dschilling@wspmn.gov





City of West St Paul

City Hall
1616 Humboldt Avenue
West St. Paul, MN 55118
651-552-4100
www.cityofwsp.org

RE: West St. Paul Code Section(s):
94.18 UNSHELTERED STORAGE OF JUNK AND/OR
INOPERABLE/ABANDONED MOTOR VEHICLES

COMPLIANCE LETTER

Date: Apr 12, 2016

From:
Terrie Sauer
Building Inspections
(651) 552-4142

An inspection was conducted at your residence or business that revealed the following violations of the West St. Paul City Code. Your attention is respectfully directed to section Nuisance of the West St. Paul Municipal Code.

To:
1234 PROPERTIES LLC
% CHRISTINE NSAJJA
6430 CITY WEST PKWY UNIT 5302
EDEN PRAIRIE, MN 55344-

Compliance Date: 04/18/16

Case Number:
CE20160000179

Location Address:
218 ANNAPOLIS ST W, WEST ST PAUL, MN 55118
423800026020



Section and Description: STATUS: Open
94.18 UNSHELTERED STORAGE OF JUNK AN/OR INOPERABLE/ABANDONED MOTOR VEHICLES

Detailed Description:

(A) General.

(1) Purpose. The purpose of this section is to declare the unsheltered storage of inoperable, abandoned or junked automobiles and any other vehicles, machinery, implements, equipment, junk or personal property of any kind which is no longer used for the purposes for which it was manufactured or made to be a danger to the public health and safety. The use of tarps shall not be considered an acceptable form of shelter.

(2) Declaration. The unsheltered storage of these property items throughout the city tend to impede traffic in the streets, interfere with the enjoyment of and reduce the value of public and private property, invite plundering, create fire hazards and other safety and health hazards to children as well as adults, interfere with the comfort and well-being of the public, and create, extend and aggravate urban blight. The Council declares that, in order to protect the public health, safety and welfare from such conditions, these conditions must be regulated, abated and prohibited.

(B) Prohibition of unsheltered storage.

(1) General rule. No person may place, permit, store, allow, maintain or leave machinery, implements, equipment, junk or personal property of any kind, which is no longer used for purposes for which it was manufactured or made, upon an open space area of any premises located anywhere in the city.

(2) Definition. For purposes of this section, JUNK means worn out or discarded material that is no longer used for the purposes for which it was manufactured or made, including but not limited to, household appliances or parts, tools, building materials, tin cans, glass, furniture, mattresses, box springs, crates, cardboard, tires or any other unsightly debris, brush or materials, the accumulation of which may have an adverse effect upon the neighborhood or property values, health, safety or general welfare of the public.

(3) Public nuisance. A person who creates, maintains, permits or allows a condition on property in violation of this section will be deemed to have created a public nuisance subject to abatement as provided in City Code § 94.15 and other penalties described in this code.



(C) Prohibition of inoperable or abandoned vehicle.

(1) No person may place, park, permit to remain, store or leave upon an open space area of any premises located anywhere in the city any inoperable or abandoned vehicle for more than seven days.

(2) Exceptions.

(a) In a residential zoned district, inoperable or abandoned vehicles may not be placed, parked, permitted to remain, stored or left for more than seven days unless the vehicle is kept entirely within an enclosed building.

(b) In a business or industrial zoned district, inoperable or abandoned vehicles may not be placed, parked, permitted to remain, stored or left for more than seven days unless adequately screened, or three days on a business or industrial property that is not an auto repair establishment. Adequate screening will require the keeping of the vehicles within a building, tight fence at least five feet in height, or within an earth-toned or neutral colored opaque cover that was specifically designed and manufactured for that purpose and which completely encloses such vehicle. Any inoperable or abandoned vehicle legally kept in a business or industrial zoning district for more than seven days must be at least 100 feet from a public highway or residential building.

(3) Definition. For purpose of this section, an INOPERABLE OR ABANDONED VEHICLE has the following meaning:

(a) A vehicle that does not have valid current vehicle license and registration;

(b) A vehicle that lacks essential parts that would render it operable; or

(c) A vehicle that is in a rusted, wrecked, extensively damaged, partially dismantled or junked condition.

(4) Notice. If a vehicle fails to meet any of the above requirements, the owner or possessor of the vehicle will be responsible to remove the vehicle to a duly licensed junkyard or other authorized place of deposit or storage within ten business days of receipt of a written demand by the city. In the event the owner or possessor of the vehicle cannot be located, then it will be the responsibility of the owner of the premises to remove the vehicle to a duly licensed junkyard or other authorized place of deposit or storage within ten working days of receipt of the written demand by the city.

(5) Impoundment of vehicles. The city may take into custody and impound any vehicle or vehicles in violation of this section, following the expiration of the notice.

(6) Disposition of impounded vehicles. In all cases of impoundment described above, the city will serve a notice on the owner of the property, by registered or certified mail or by personal service, informing the owner of the right to reclaim the vehicles within 15 days of the date of the notice, and stating that in the event the owner does not reclaim the vehicle, the city may dispose or sell the vehicle. The owner or lienholder may reclaim the vehicle upon payment of all towing, storage and administrative costs by the city. If the vehicle is not reclaimed, it may be disposed of at auction or sale. The city will be reimbursed for towing, storing and administrative costs from the proceeds of the sale. Any remainder must be held for 90 days and then will be deposited in the city's General Fund.

Random items left in the back yard. Shopping cart, baby seats, tires and rims, lots of brush and branches.

Corrections: Must remove shopping cart, baby seats, tires/rims, brush and branches and any other random items left in the backyard by April 18, 2016.

Please review the aforementioned ordinance and correct any noncompliance conditions by the following date of April 18, 2016, after which a compliance inspection will be performed.

Thank you for your prompt cooperation. If you have any questions, concerns or special needs, please feel free to contact me at the telephone number listed above.

Failure to comply with this notice by the compliance date indicated will result in the issuance of an administrative citation with a minimum fine of \$200 and/or criminal citation requiring a court appearance and the possible imposition of jail and/or fines.

In addition, if you do not comply with this notice the City may perform the work at your expense. If work is performed, you will be sent an invoice. If not paid within 30 days after you are billed, the City will assess these costs against your property.



CITY OF WEST ST. PAUL

City Hall
1616 Humboldt Avenue
West St. Paul, MN 55118
651-552-4100
www.wspmn.gov

RE: West St. Paul Code Section(s):
150.23 (A & B) ADDITIONAL PROPERTY
MAINTENANCE STANDARDS.

COMPLIANCE LETTER

Date: Apr 12, 2016

From:
Terrie Sauer
Building Inspections
(651) 552-4142

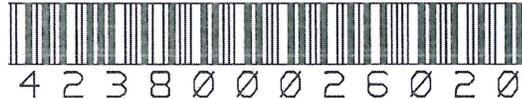
An inspection was conducted at your residence or business that revealed the following violations of the West St. Paul City Code. Your attention is respectfully directed to section Property Maintenance of the West St. Paul Municipal Code.

To:
1234 PROPERTIES LLC
% CHRISTINE NSAJJA
6430 CITY WEST PKWY UNIT 5302
EDEN PRAIRIE, MN 55344-

Compliance Date: 05/12/16

Case Number:
CE20160000180

Location Address:
218 ANNAPOLIS ST W, WEST ST PAUL, MN 55118
423800026020



Section and Description:
150.23 (A & B) ADDITIONAL PROPERTY MAINTENANCE STANDARDS.

STATUS: Open

Detailed Description:

(A) Fence maintenance. Fences must be maintained in good condition both in appearance and in structure. Wood material, other than decay resistance varieties, must be protected against decay by use of paint or other preservatives.

(B) Retaining walls.

(1) Permit required. No person may erect or construct a retaining wall which is not a part of a building and which is 48 inches or more in height, without first obtaining a permit from the Building Official. No permit shall be required for any such retaining wall less than 48 inches unless:

- (a) The wall contains footings;
- (b) The wall is constructed in conjunction with or adjacent to a fence;
- (c) The wall is intended to provide support for a structure; or
- (d) The wall is constructed of solid masonry building material such as building block, cinder block, brick, stone, marble, granite, cement, concrete or material deemed similar by the Building Official. An applicant for the issuance of a permit may be required to furnish a plan or drawing showing the construction of the wall and containing such data as reasonably deemed necessary by the Building Official.

(2) Construction requirements. All retaining walls shall be designed according to the State Building Code. All masonry walls other than poured concrete or solid masonry units shall be protected with an approved coping. No retaining wall may be constructed in a manner so as to provide shelter for rodents.

(3) Retaining wall maintenance. Retaining walls must be maintained in a structurally sound, safe and secure manner. A retaining wall is deemed not in compliance with this section when it has substantially shifted or moved from its intended position, or it is no longer plumb.

(4) Encroachment into public property. No portion of any retaining wall may encroach upon or project into any street, boulevard, alley, park or other public property without the owner first obtaining approval from the City Council. The owner of any such retaining wall that projects or encroaches upon any public property must remove any part or all of the encroaching portions of the wall upon being ordered to do so by the City Council.

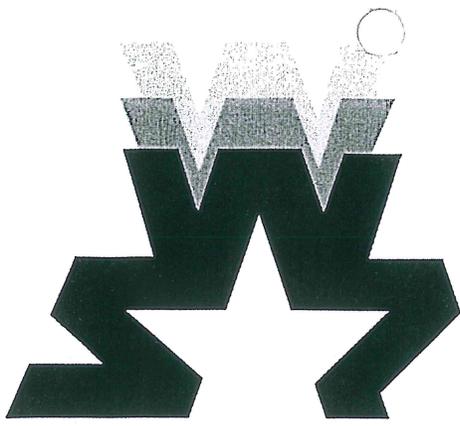
Fence is in disrepair

Corrections: Must repair, replace or remove fence by May, 12, 2016.

Please review the aforementioned ordinance and correct any noncompliance conditions by May 12, 2016 , after which a compliance inspection will be performed.

Thank you for your prompt cooperation. If you have any questions, concerns or special needs, please feel free to contact me at the telephone number listed above.

Failure to comply with this notice by the compliance date indicated will result in the issuance of an administrative citation with a minimum fine of \$200 and/or criminal citation requiring a court appearance and the possible imposition of jail and/or fines.



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 651-552-4222

REPEAT NUISANCE SERVICE CALL FEE LETTER

DATE: June 20, 2016

TO: Christine Nsajja

ADDRESS: 6430 City West Parkway #5301 Eden Prairie MN 5534 (regarding 218 Annapolis # 5)

On May 23, 2016 you received a warning letter regarding two nuisance calls to your address. The letter stated that if a third nuisance call was recorded against your property within a twelve-month period, you would be charged a fee. The City may also seek other legal remedies and or/actions including Administrative Citations, in the enforcement of this ordinance.

On June 6, 2015 the Police Department responded to your address for the following nuisance conduct or activity:

- Sell of drugs from the tenant at 218 Annapolis #5, around 8:53am Case Number 16002146

You are hereby notified that you are now required to pay a fee of \$_____ to the City of West St Paul within 30 days. Failure to pay may result in further sanctions being taken against you.

You have the right to appeal the imposed fee. To contests the impose fee the Deputy City Clerk must be notified in writing within 10 days after the citation was mailed or personally served;

If an individual contests the validity of the violation and the individual is found by the hearing officer to be in violations, that individual will pay \$100.00 toward the cost of the hearing. In failure to pay the administrative civil penalty may resulting in it being assessed against the property in Minnesota Statues Chapter 429.

The appeal process can be located in the City Code Book in section 34.18 and the Administrative Citation Hearing can be located in Chapter 10 section 10.98 which can be found on the City's website at www.wspmn.gov

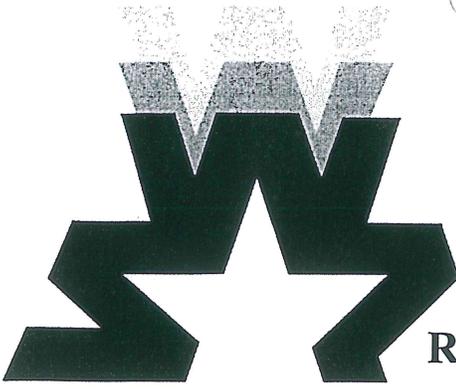
In addition, you are also hereby notified that any further incidents of nuisance activity within this 12-month period will result in the imposition of additional fees.

If you have any other questions, you can contact the West St. Paul Police Department at (651) 552-4200

Sincerely,

Manila Shaver, Chief of Police
West St. Paul Police Department





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 651-552-4222

Repeat Nuisance Service Calls Warning Letter

DATE: May 23, 2016

TO: David Brooks (regarding 218 Annapolis)

ADDRESS: 218 Annapolis Units 5

In 2004 the City of West St. Paul enacted an ordinance regarding police responses to repeated nuisance calls for service. This nuisance ordinance is contained in Chapter 34 section 34.15 of the City Code book, which can be found on the City's website: www.wspmn.gov

The repeat nuisance service call ordinance was established to more effectively and efficiently deploy the City's limited police resources. As such the ordinance is framed around the concept of placing responsibility onto those who unnecessarily utilize police resources. Both the community and the police department have a vested interest in avoiding unnecessary responses to controllable nuisance incidents. By doing so, the City can provide better police services to the Community as a whole.

In reviewing the Police Department's records it was found that the Police Department responded to your address 218 Annapolis Unit , 8 times from the dates of 2/11/2016 thru 5/21/2016

- 2/11/2016 at 7:42am CAD 02410
- 4/8/2016 at 7:48am CAD 05721
- 4/16/2016 at 5:47pm CAD 06242
- 4/17/2016 at 2:05pm CAD 06297
- 4/25/2016 at 8:47pm CAD 06788
- 4/27/2016 at 4:27pm CAD 06893
- 4/27/2016 at 5:18pm CAD 06898
- 5/21/2016 at 8:14am CAD 08349

In accordance with the nuisance ordinance, you are hereby notified that there have been two documented nuisance calls to your address within 12 months.

If the Police Department responds to a third or additional nuisance calls within this 12-month timeframe, you may be subject to a repeat nuisance service call fee(s). The City may also seek other legal remedies and/or actions including abatement or Administrative Citation, in the enforcement of this ordinance. We encourage you to contact the Crime Prevention Officer at 552-4235 if you have questions regarding this ordinance or your responsibility as the owner or occupant of this property.

Sincerely,

Manila G. Shaver, Chief of Police
West St. Paul Police Department

**PROMOTING AND PRESERVING A COMMUNITY OF EXCELLENCE
BY THE ETHICAL, RESPONSIVE, EFFICIENT AND INNOVATIVE PROVISION OF SERVICES
EOE/AAE**



WEST ST. PAUL POLICE DEPARTMENT

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

Police Administration 651-552-4200 Fax: 651-552-4199

www.wspmn.gov

April 11, 2016

Ms. Nysha Cornelius
One Life Health Services
2854 Columbus Avenue South
Minneapolis, Minnesota 55407

Dear Ms. Cornelius,

I am in receipt of your letter which was e-mailed to me on April 7th. Your assessment and conclusion are based only on partial information. The officers were dispatched to Mr. [REDACTED] residence as his brother had called and reported him to be "acting strange." Because of Mr. [REDACTED] ongoing aggression towards police officers, his past suicidal comments and his frequent intoxication, it made the incident in which the officers were responding to even all the more unpredictable, thus the number of officers responding would be appropriate. I have attached a copy of the report for your review. Please note the service of the protection order was merely incidental to this incident.

Secondly, you fault the police for escalating this situation and almost causing Mr. [REDACTED] to have a "psychotic episode." In the police report you'll read it was One Life Health Services' staff member, who was responsible for causing the angst. The officers demonstrated skill and restraint in diffusing Mr. [REDACTED] and in choosing not to engage in the staff person's outbursts. This staff person not only obstructed the officer's legal process, an arrestable offense, they also violated One Life Health Services' provisional rental license, in that:

"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."

With regards to your request, the names of the responding officers are:

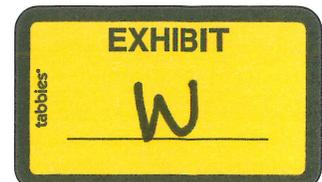
Officer Pat McCarty Officer Sean Melville Officer Joseph Sass

Lastly, this department takes misconduct seriously. Words like "harassment," "abuse of authority" and "intimidation" cause me concern. However, I am not sure if you are alleging police misconduct or not. If it is the former would you please provide me with the names and contact information of the eye witness accounts you stated you have gathered. These accounts will help determine if an internal investigation needs to be initiated into these claims. If it is the latter, please let me know you did not intend to make a claim of police misconduct.

Sincerely,

Manila Shaver
Chief of Police

"We Serve with Honor and Integrity"



ONE LIFE HEALTH SERVICES

"a better way to live"

2854 COLUMBUS AVE S
MINNEAPOLIS, MN 55407

VIA E-MAIL

West Saint Paul Police Department
1616 Humboldt Ave.
West St. Paul, MN 55118

Dear Chief Shaver:

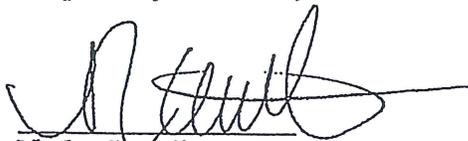
I am writing to address an incident that occurred Tuesday night involving Mr. [REDACTED] at 218 Annapolis, West Saint Paul. I was notified that Mr. [REDACTED], a vulnerable adult, was served an order for protection around 9:00 pm on April 5, 2016. It is my understanding that this order is a continuation of a previous order. Four officers approached Mr. [REDACTED] when he walked out of his building Tuesday night.

Any reasonable person would feel intimidated by four uniformed officers approaching and questioning them at such a late hour with out any provocation. I understand the necessity to serve the Order of Protection on Mr. [REDACTED]. However, after gathering eyewitness accounts I feel the circumstances were inappropriate.

As a result of this incident, Mr. [REDACTED] almost suffered a psychotic episode because he stated he felt intimidated, threatened, and ambushed. Fortunately, our 24-hour emergency Personnel was on sight to control and mitigate the situation. Police harassment is an abuse of an officer's authority and it is our duty to ensure the rights of a vulnerable adult are not violated.

As the head of compliance for One Life Health Services, I am a mandatory reporter and thus will need to bring this incident to the attention of the State Department of Health Services. In an effort to be fair to your Police Department, I would like to offer an opportunity to respond to this incident. Furthermore, I would like to request the names of the officers and any other party involved in Tuesday nights incident. I appreciate your cooperation in this matter.

Respectfully Submitted,



Nysha Cornelius
Attorney at Law

West St. Paul
Disposition: Assist/Advise

INCIDENT

Case Number: 16001182
Title: Check Welfare/OFP Service

16001182

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

Incident Type: Other
CAD #: 16005651
How Initiated: Radio

Citation Issued: No

Drug Related: No
Gang Related: No
Domestic Related: No

OFFICER INFORMATION

Name	Agency	Badge	Type
Patrick McCarty	West St. Paul	2648	Primary

EVENT DATES

Reported	On Scene	Cleared
2016-04-05 19:41	2016-04-05 19:43	2016-04-05 19:43

INCIDENT DETAILS

Address: 218 Annapolis Street W APT 4, West St. Paul, MN 55118; Dakota US

Location Type: APARTMENT

Location Description:

Start Date: 2016-04-05 19:41

End Date: 2016-04-05 20:43

SYNOPSIS

Report of a male who was making suicidal statements. The male was found to be okay but had an updated Order For Protection that needed to be served. The OFP was served on the male.

Parties Involved

PERSON 1

Role(s): Reporting Person

Last: [REDACTED] First: [REDACTED] Middle: [REDACTED] Suffix:
Date of Birth: [REDACTED] Age: [REDACTED] Is Juvenile: No

Residence: 218 Annapolis Street W APT 4, West St. Paul, MN 55118; Dakota US

Residence Type: APARTMENT

Cell Phone: (651)757-0874

Description:

Sex: Male Height: [REDACTED] Weight: [REDACTED] Hair: [REDACTED] Eyes: [REDACTED]
Race: [REDACTED] Ethnicity: Not Hispanic/Latino Build: [REDACTED] Complexion: [REDACTED]

ALIAS INFORMATION

Alias Type	Alias Last Name	Alias First Name	Alias Middle Name	Alias DOB
alias	[REDACTED]	[REDACTED]		

PERSON 2

Role(s): Mentioned

Last: Hellenberg First: Cassandra Middle: Rose Suffix:
Date of Birth: 1983-10-13 Age: 32 Is Juvenile: No

Residence: 895 Gorman Avenue; West St. Paul, MN 55118; Dakota US

Incident Report

West St. Paul
Disposition: Assist/Advise

INCIDENT

Case Number: 16001182
Title: Check Welfare/OPF Service

16001182

Residence Type: RESIDENCE/HOME

Cell Phone: [REDACTED]

Description:

Sex: Female Height: 510 Weight: 170 lbs Hair: Brown Eyes: Blue
Race: White Ethnicity: Not Hispanic/Latino Build: Medium Complexion: Fair

STATEMENT

On 2016-04-05 at 1941 hours, I was dispatched to 218 Annapolis St. W. for a report of a Welfare Check on [REDACTED]. Dispatch stated [REDACTED]'s brother [REDACTED] made the report and stated he was worried about [REDACTED] because [REDACTED] was upset and acting strange.

[REDACTED] is well known to the West St. Paul Police Department. [REDACTED] has a history of assaulting police, including one incident within the past 12 months at this residence.

[REDACTED] has also attempted to transfer his bodily fluids towards the police during these incidents. [REDACTED] has a long history of suicidal comments and attempts.

I have personally had to place [REDACTED] on a mental health hold because of suicidal comments. When I arrived during this incident, [REDACTED] looked at me and told me to be nice to him or he was going to kick my ass. This incident occurred at 218 Annapolis St. W. and [REDACTED] was found to be extremely intoxicated. [REDACTED] was transported to the hospital after telling me he felt like hurting himself. [REDACTED] is a known alcoholic and his behavior has a history of becoming violent and unpredictable. It should be noted [REDACTED] is often found drunk inside of his apartment on the property during calls for service involving him.

I called [REDACTED] and he told me [REDACTED] had been making suicidal comments the past few weeks and [REDACTED] just didn't seem right. When I arrived at the apartment building, [REDACTED] walked out the front doors and spoke with me. [REDACTED] was aggravated as always, but I was able to calm him down enough to speak with him. While speaking with [REDACTED] he made it very clear he did not like me or any other member of the West St. Paul Police Department.

At one point during the conversation [REDACTED] began to scream and bang his hand on the side of the building. [REDACTED]'s actions caused other residents and staff to come to the front of the apartment. Eventually, [REDACTED] calmed down enough to provide his side of events. [REDACTED] stated he was not going to harm himself.

Dispatch advised me [REDACTED] had an Order for Protection that needed to be updated and served. I filled out the Order for Protection Short Form Notification Form and served it on [REDACTED]. While dealing with [REDACTED] the apartment's staff arrived. I think it is important to note that they only made matters worse. A reported female staff member was yelling at officers while advising [REDACTED] that he didn't bear any responsibility for any of his actions and comments. As their involvement continued, [REDACTED] became more agitated and stated at least 2 times that he was starting to have "anxiety".

Incident Report

West St. Paul

Disposition: Assist/Advise

INCIDENT

Case Number: 16001182

Title: Check Welfare/OFP Service

16001182

It was clear the staff was unaware of the fact that we are constantly dealing with [REDACTED] because of suicidal threats. When we do, he is often intoxicated and aggressive. [REDACTED] has a history of suicide attempts and alcoholism and we have been called to the residence for both issues. It is clear the staff is not helping with these issues. The staff began to scream at the police and only protected [REDACTED]'s feelings instead of helping him understand the whole situation and better improve his living conditions. A second resident came outside and advised she would like to report that someone had stolen her cell phone. The female employee began to scream at the victim and tell her that her cell phone was not stolen. The female employee attempted to stop the victim from reporting the crime claiming that she couldn't report a theft if she invited the person into her apartment. Officer Melville attempted to explain that even if you invite someone into your apartment, they still could not take your property without permission and the female employee screamed that that wasn't what she was saying and then repeated the same thought. Officer Melville advised her that this was not a productive conversation and stopped speaking with her.

A property manager arrived and I advised him of the situation and our frustrations with the employees and the entire situation.

I faxed a copy of the Order for Protection to dispatch.

I placed the OFP form into the case file.

NOTHING FURTHER

Incident Report

Laura Vaughan

From: Nysha Cornelius <nysha.onelifehealthmn@gmail.com>
Sent: Wednesday, March 02, 2016 10:21 AM
To: Laura Vaughan
Subject: Re: 218 Annapolis



Laura,

Thank you for the update.

Nysha Cornelius

Attorney At Law

One Life Health Services

2854 Columbus Ave. South

Minneapolis, MN 55407

On Mon, Feb 29, 2016 at 1:51 PM, Laura Vaughan <lvaughan@wspmn.gov> wrote:

Hello:

Just to keep everyone updated.

218 Annapolis has been quiet. No calls since 2/11/2016 and the call on 2/11/2016 was regarding a civil assist. A tenant was worried that her account may have been comprised, officers helped her out.

For the license plates/suspicious activity. Thank you for the information. I informed the officers to be on a look out. As far as running the plates-we wouldn't be able to give out any specific information, data privacy reason(I had to double check with the officers) but if you see them again. You can call it in and the officers can go check it out.

966/976 Robert: Also quiet for you guys the past few weeks, since the last call regarding tenants at 966 # 208. The officers have been doing extra patrol at 966/976 Robert and on several occasion they have smelled marijuana in the hallways. We can't determine any particular units but I thought I would pass the information on. Might be a factor to you on deciding placement for some of your tenants

Thanks Laura

Laura Vaughan || Crime Prevention Specialist

West St. Paul Police Department

We serve with Honor and Integrity

1616 Humboldt Avenue

West St. Paul, Minnesota 55118

651-552-4235 || lvaughan@wspmn.gov

From: Nysha Cornelius [mailto:nysha.onelifehealthmn@gmail.com]

Sent: Tuesday, February 23, 2016 4:17 PM

To: Laura Vaughan

Cc: Simon Mukasa; David Brooks

Subject: Re: 218 Annapolis

Laura,

Everyone that stays at 218 Annapolis has signed the new lease that contains the crime free addendum, which clearly states that any controlled substance is a violation of the lease. We will proceed with a swift eviction of any person we are able to determine is in violation.

Most tenants in the building smoke tobacco products, like cigarettes, flavored tobacco, or hookah, which may be confused as drug paraphernalia.

With respect to the security of this property, we have a caretaker that lives in one of the apartments. They are responsible for making sure that vagrants and people that may engage in illegal activity are not allowed on the premises.

Additionally, over the last few days our caretaker has noticed suspicious activity related to two vehicles parked across the street facing the 218 Annapolis building. When our caretaker approached the vehicles they covered their faces and drove away erratically. I have included the pictures with license plates involved in this incident. We would appreciate an update as to who these people are as these vehicles don't appear to belong in the community.

Sincerely,

Nysha Cornelius

Attorney At Law

One Life Health Services

2854 Columbus Ave. South

Minneapolis, MN 55407

On Tue, Feb 23, 2016 at 2:57 PM, Laura Vaughan <lvaughan@wspmn.gov> wrote:

Hello:

I was talking to code enforcement yesterday and they mentioned to me the overwhelming smell of marijuana coming from 218 Annapolis when they arrived. They couldn't pin point the exact units but it was pretty apparent.

You might want to remind your tenants that smoking marijuana is against the law and a violation of their lease.

I also heard you hired a security guard? What company does he work for? Does he have a name and contact number that I can pass onto the officers

Thanks Laura

Laura Vaughan || Crime Prevention Specialist

West St. Paul Police Department

We serve with Honor and Integrity

1616 Humboldt Avenue

West St. Paul, Minnesota 55118

651-552-4235 || lvaughan@wspmn.gov

West St. Paul
Disposition: Active/Pending

INCIDENT

Case Number: 16900045
Title: Neglect

16900045

Needs Follow-up: Yes Incident Type: Neglect/Maltreatment of Vulnerable Adult Citation Issued: No
Investigation Needed: Yes CAD #: 16012856
Admin Review Needed: Yes

Drug Related: No Gang Related: No Domestic Related: No

OFFICER INFORMATION

Name	Agency	Badge	Type
Jesse Mettner	West St. Paul	2645	Primary

EVENT DATES

Reported	On Scene	Cleared
2016-07-15 09:12	2016-07-15 09:12	2016-07-15 09:12

INCIDENT DETAILS

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

Location Type: MULTI-HOUSING UNIT

Location Description:

Start Date: 2016-07-15 12:00 End Date: 2016-07-15 09:21

SYNOPSIS

Property management company and Health Services provider purchased several properties in the City of West St Paul over the course of a year. Residents receiving state and county benefits were placed in those properties and received Independent Living Services from the Health Services provider over the course of nearly two years. Officers have responded to those properties for various types of public nuisance and drug related calls extensively over that time period and the company was placed on a provisional rental license by the City of West St. Paul. Officer became involved in the investigation into the conduct of the companies in June of 2016 to assist the City's investigation and through an interview with a former tenant and on site property manager and reviewing numerous reports discovered allegations of possible neglect, exploitation, and misconduct involving the care of multiple vulnerable adults under the care of the Health Services provider responsible for the tenants of the properties. Investigation is ongoing.

Parties Involved

PERSON 1

Role(s): Mentioned

Last: Brooks First: David Middle: Andrew Suffix:
Date of Birth: 1970-10-25 Age: 45 Is Juvenile: No

Residence: 6135 Chasewood Parkway APT 226; Minnetonka, MN 55343; Hennepin US

Residence Type: APARTMENT

Cell Phone: (952)451-6897

Description:

Sex: Male Height: 511 -511 Weight: 230 -230 lbs Hair: Black Eyes: Brown
Race: Black/African American Ethnicity: Not Hispanic/Latino Build: Medium Complexion: Black



EMPLOYMENT INFORMATION

Name: One Life Health Services; LLC Type: ILS Provider

Description:

Incident Report

West St. Paul

Disposition: Active/Pending

INCIDENT

Case Number: 16900045

Title: Neglect

16900045

Location: 2854 Columbus Avenue S; Minneapolis, MN 55407; Hennepin US

PERSON 2

Role(s): Owner

Last: Nsajja First: Christine Middle: (no middle name) Suffix:

Date of Birth: 1974-11-05 Age: 41 Is Juvenile: No

Residence: 6418 City West Parkway; Eden Prairie, MN 55344; Hennepin US

Residence Type: RESIDENCE/HOME

Cell Phone: (763)607-9086

Description:

Work Phone: (612)294-9232

Description:

Sex: Female Height: 508 -508 Weight: 148 -148 lbs Hair: UNKNOWN Eyes: Brown

Race: Unknown Ethnicity: Unknown Build: Complexion:

PERSON 3

Role(s): Mentioned

Last: Mukasa First: Simon Middle: Suffix:

Date of Birth: 1981-09-28 Age: 34 Is Juvenile: No

Residence: 3035 Egandale Place APT 302; Eagan, MN 55121; Dakota US

Residence Type: APARTMENT

Cell Phone: (651)756-0868

Description:

Sex: Male Height: 600 -600 Weight: 235 -235 lbs Hair: Black Eyes: Brown

Race: Black/African American Ethnicity: Not Hispanic/Latino Build: Medium Complexion: Dark Brown

EMPLOYMENT INFORMATION

Name: One Life Health Services Type: ILS Provider

Occupation: ILS Worker Shift:

Address: 2854 Columbus Avenue S; Minneapolis, MN 55407; Hennepin US

Address Type: COMMERCIAL/OFFICE BUILDING

Name: One Life Health Services; LLC Type: ILS Provider

Description:

Location: 2854 Columbus Avenue S; Minneapolis, MN 55407; Hennepin US

PERSON 4

Role(s): Mentioned

Last: Fanniel First: Marquis Middle: Dewayne Suffix:

Date of Birth: 1991-12-24 Age: 24 Is Juvenile: No

Residence: 218 Annapolis Street W APT 1; West St. Paul, MN 55118; Dakota US

Residence Type: APARTMENT

Incident Report

West St. Paul

Disposition: Active/Pending

INCIDENT

Case Number: 16900045

Title: Neglect

Cell Phone: (651)404-0762

Description:

Sex: Male

Height: 604 -604

Weight: 190 -190 lbs

Hair: Black Eyes: Brown

Race: Black/African American

Ethnicity: Not Hispanic/Latino

Build: Large

Complexion: Black

16900045

Incident Report

West St. Paul
Disposition: Active/Pending

INCIDENT

Case Number: 16900045
Title: Neglect

16900045

Incident Report

INCIDENT

16900045

BUSINESS 1

Role(s): Mentioned

Association(s): Christine (no middle name) Nsajja (BusinessOwner);

Business Name: 1234 Properties; LLC

Business Type: Property Management Company

Description:

Location: 6418 City West Parkway APT 5302; Eden Prairie 55344; Hennepin US

BUSINESS 2

Role(s): Mentioned

Association(s): Christine (no middle name) Nsajja (BusinessOwner); David Andrew Brooks (Employee); Simon Mukasa (Employee);

Business Name: One Life Health Services; LLC

Business Type: ILS Provider

Description:

Location: 2854 Columbus Avenue S; Minneapolis, MN 55407; Hennepin US

STATEMENT

On 06-15-2016 I was asked to attend a problem properties meeting with City of West St Paul staff, Sgt. Nagel, Lt. Sturgeon, and crime prevention specialist Laura Vaughn. In that meeting I was made aware of several problem properties that were responsible for an extraordinarily high amount of police calls to include drugs, disturbances, domestics, and other public nuisance type calls. I was also made aware that all of the particular properties were owned by 1234 Properties; LLC, and all of the residents in the properties were Vulnerable Adults who were receiving GRH housing assistance through Dakota County and Independent Living Services(ILS) from the State Of Minnesota, Department of Human Services, provided by One Life Health Services; LLC. I was informed in the meeting that the rental license of 1234 Properties had been moved from a standard rental license to a provisional rental license by the city in response to the high volume of police calls to the multiple properties they owned in West St Paul. The properties owned by 1234 Properties are as follows:

- 218 Annapolis St W; 5 Unit apartment building.
- 966 Robert St S Apt # [REDACTED]
- 976 Robert St S Apt # [REDACTED] and # [REDACTED]

After the meeting Chief Shaver asked me to assist in the city's investigation into the rental license violations of 1234 Properties while on their provisional rental license and to work with Laura Vaughn on strategies to mitigate the issues with the properties resulting in the high volume of police calls. I met with Vaughn and asked that she provide me with information that she had on both companies listed above and CAD calls and Incident reports generated relating to the properties and the tenants residing there. I found that 1234 Properties and One Life Health Services are owned by the same individual, identified as Christine Nsajja DOB/1974-11-05. Vaughn advised that Nsajja was not the city's contact person for any of the properties. Vaughn advised that the main contact she and the city have dealt with was identified as David Andrew Brooks DOB/1970-10-25.

I reviewed the CAD calls for the 218 Annapolis property and found that there have been 63 police calls for service to that property from 02-12-2015 to present, ranging from suspicious persons,

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domestics, assaults, CSC, drug activity, disturbances, vehicle theft, theft, threats, mental health crises, and other various public nuisance type calls. This is an unusually high call volume for a single property with only 5 apartments. I learned that all the residents in all of the properties owned by 1234 Properties are classified as Vulnerable Adults and are receiving their state ILS services through One Life Health Services.

I contacted Supervising Agent Brandon Johnson from the MN Department of Commerce Fraud department and asked if he would be able to provide me with any information about 1234 Properties initially. Johnson advised that 1234 Properties was not licensed in the State of MN as a property management company. I explained to Johnson what I had learned about the properties and the residents listed above and asked if it was common to operate a residence or coincide the two businesses that way. He stated that he thought it was uncommon and would into the operation of a property management company without licensure from the state. Johnson also advised that he showed no licensure of any kind or data on 1234 Properties, One Life Health Services, or Nsajja.

I asked Vaughn to pull all of the case numbers for reports relating to these properties and began to review them. As I reviewed multiple case numbers and reports I began to notice what appeared to be a pattern of neglectful and possibly exploitative treatment of the vulnerable adults in the care of One Life Health Services. I have associated all case numbers related to people or properties associated to One Life Health. Specifically several different tenants reporting that they were afraid to call the police due to retaliation of Brooks in the form of eviction from the property and possible removal of benefits. Several tenants specifically note that they were instructed by Brooks or another representative and ILS worker for One Life Health, identified as Simon Mukasa DOB/1981-09-28, not to call 911 at all or face eviction. One of the tenants is identified as [REDACTED]. Reference CN 16002146 in which it cites that on 04/16/2016 a police call was generated in which [REDACTED] was the caller and was very concerned about bed bugs and the on site security, call notes state-"caller is very adamant that nobody can come to her house because the owner can't find out she called the police."

I spoke with Vaughn about [REDACTED] and was informed that [REDACTED] lived in a basement apartment at 218 Annapolis. [REDACTED] is a Vulnerable Adult receiving GRH housing assistance and ILS assistance through Dakota County and State of MN, provided by 1234 Properties and One Life Health Services. Vaughn advised that during an inspection of the property by West St Paul Housing Inspector Sabrina Gorr, it was found that the apartment [REDACTED] was living in was an illegal apartment and was not up to city code because there was not a legal egress window in the apartment. Therefore in this particular case 1234 Properties and/or One Life Health was receiving GRH housing financial disbursement to house [REDACTED] and they were housing her in an illegal space that was not by city code inhabitable. [REDACTED] has since been evicted from the property at 218 Annapolis and according to her case manager she has been relocated to [REDACTED]. The case manager, [REDACTED] with Meridian Services who is contracted by Dakota County, also advised that this was a property where the residents were also receiving ILS services from One Life Health.

I found that multiple times residents of One Life Health facilities that were deemed to be nuisance residents or evicted from one One Life Health facility were simply relocated to another One Life

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Health facility in the same city or another city. In example, a resident identified as [REDACTED], was a resident at 218 Annapolis in 2014. In WSP CN 14004116 she was mentioned as a tenant of an apartment in which a visitor of hers was reported as a victim of a CSC in a neighboring apartment in the same building. Vaughn advised that through email communication with Brooks she was evicted from the apartment building at 218 Annapolis. On 07/19/2015 officers responded to 966 Robert St S [REDACTED] for a disturbance call involving a civil dispute over property and loud yelling. Officers discovered that the tenant of the apartment was [REDACTED]. (Ref. CAD WS150719014244) Officers responded to the apartment two more times in the span of a month involving disturbances and [REDACTED]. Upon a search of [REDACTED]'s name in CJIN I found a South St Paul CN 16010120 dated 06/12/2016 in which [REDACTED] was listed as a resident of 224 2nd Ave S. This property is also owned by 1234 Properties. This shows a pattern of simply relocating a vulnerable adult to another facility owned by the same company to collect the financial benefits associated to that person from the state and Dakota County where these individuals continue to show the same patterns of police calls and required responses, rather than providing appropriate services that may assist in mitigating the issues that are requiring police services to respond.

Vaughn advised of another tenant of 218 Annapolis, identified as [REDACTED]. [REDACTED] was evicted from 218 Annapolis on 05/20/2016 from 218 Annapolis and is now residing at [REDACTED]. Vaughn advised that she had communicated with Brooks via email starting on 08/19/2015 regarding [REDACTED]. Vaughn stated that [REDACTED] had an excessive amount of nuisance calls to police and in CN 15002979 [REDACTED] had spit on officers during a call for service. Brooks communicated back to Vaughn that [REDACTED]'s lease had been terminated and would be required to move out by 08/31/2015. [REDACTED] had multiple calls to his residence involving drug use, theft, disturbances, etc. Despite Brooks' communication with Vaughn [REDACTED] was not actually evicted from the property until nearly 9 months later. On 05/25/2016 Officer Syvertsen responded to 218 Annapolis in which [REDACTED] was reporting that the locks apartment had been changed and all of his property was still in the apartment. [REDACTED] had told Syvertsen that he was kicked out of treatment and was attempting to return to his apartment to gather his belongings. Upon returning to his apartment he was unable to gain access. Vaughn advised that Mukasa had advised that the locks had been changed as well. (Ref. CAD WS160525008665) On 05/27/2016 Sgt. Nagel and Vaughn responded to the building with Mukasa and Mukasa told them that he had changed the locks and was aware that [REDACTED]'s property was still there and was making arrangements to have it removed. I contacted the Dakota County Sheriff's Office Civil Division and found that there had been no unlawful detainer obtained by 1234 Properties for [REDACTED] or for [REDACTED] at all. This instance shows that a vulnerable adult was evicted from the property in which he was receiving ILS services improperly.

On 10/28/2015 officers responded to 966 Robert St S # [REDACTED] for the same type of complaint as the incident referenced above involving [REDACTED]. The reporting party advised that his wife had been renting the apartment from Brooks and had paid rent through the end of October. She had decided to seek other residence but still had some property remaining in the apartment. The caller had advised that when they returned to gather the property they found that another tenant had been moved in and their property was still in the apartment. Brooks arrived just after the caller left and said that he

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thought the apartment had been abandoned and did not communicate with the caller's wife or confirm that she was leaving.

I searched the website for One Life Health and found that they also list 211 5th Ave S in South St. Paul as a property where they provide ILS services to the residents. I contacted Commander Wicke with South St Paul and he advised that police are constantly responding to that property for similar public nuisance calls.

On 06/30/2016 I met with Vaughn, [REDACTED] from Dakota County Crisis, City Attorney Korine Land, City Planner Ben Boike, Sgt. Nagel, and Lt. Sturgeon regarding the properties and One Life Health Services. I provided Land with all of the CAD calls and reports I could locate from the One Life Health properties in West St Paul and South St Paul, as well as email communications between Vaughn and One Life Health Services.

On 07/11/2016 I received an email from Vaughn advising that the former on site security manager had been evicted from the property and wanted to speak with me regarding One Life Health Services. He is identified as Marquis Dewayne Fanniel DOB/1991-12-24. I contacted Fanniel via telephone and he agreed to meet me at the police department to provide a statement. On 07/12/2016 I met with Fanniel at the police department and recorded his statement. The following is a summary of Fanniel's statement:

Fanniel worked as security for the building on behalf of One Life Health Services. When he started he was only supposed to be midnight security. He has been familiar with One Life Health Services for two years. His [REDACTED], identified as [REDACTED], was receiving ILS services from One Life Health. [REDACTED] was supposed to be receiving nursing services, daily check ins, and pca services from One Life Health. The individual responsible to check on [REDACTED] was Mukasa. Mukasa comes to the apartments but he does not come there in professional capacity, he comes to hang out. Mukasa is the property manager and an ILS provider. When Fanniel was first hired he was told "do not let any police come to the building, do not have any police calls here." Fanniel said that he was told that if he had any police calls to the building he would be evicted from the building. He had been staying with his [REDACTED] in his unit prior to being hired. When the city made the rental license provisional Mukasa and Brooks started panicking and tried to "double down", and hired him.

Fanniel only sees Brooks when the rent is being collected and is only there for the money. Brooks told Fanniel that he is one of the owners of One Life Health. Simon Mukasa is the primary contact for the residents of 218 Annapolis. Nsajja is Mukasa's sister and Brooks' wife. Fanniel has never met Nsajja and has been around for two years. He could not even tell what she looks like. He has never received any training from One Life Health and has never been to any office of theirs. He was not receiving any services from One Life Health. Fanniel was hired by One Life Health in November or October of 2015. He lived with his [REDACTED] because he did not want to live alone while receiving services from One Life Health. The only way you can rent an apartment there is if you are getting GRH assistance. One Life asked [REDACTED] to move to their facility after he was evicted from a facility in Rosemount. At first [REDACTED] liked living in a One Life Health facility because he could do what he wanted, i.e. drink and smoke.

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Once he moved in all of the vulnerable adults living there, when introduced to Mukasa and Brooks had the same observation that they were "sheisty". One Life did not disperse the GRH funds to the clients on time and they would complain that they had no food in the fridge or any money for necessities. Fanniel has literally had to feed some of the clients because they had no money. One Life Health collects the GRH disbursement from the county and then after rent they would disperse the remainder to the clients. It was usually about \$97.00.

Residents sign leases with One Life Health in order to live there. The documentation used by One Life Health did not appear to be official in nature, they appeared to have been printed from a computer. Fanniel only signed a lease when he lived with his ~~wife~~. He was evicted due to a police call on the 4th of July. It was about a family member who was reported as living with Fanniel while he was working as the property security. She was staying for a few days over the holiday weekend and she was "tripping" over some towels. He called Mukasa and said "you don't want me to call the police so get over here and get this woman out of my house". He did not get any response from Mukasa. He called ~~Garrett Freeman~~ and told him that he was going to have to call the police. ~~Garrett~~ told him to call the police if he had to. When the police arrived they stated that it smelled like marijuana in the apartment. Fanniel did admit that he smokes marijuana but had advised me that he never smokes it in the apartment. Officer Sass had responded and cleared the other two officers when he arrived. His child's mother left and went to the apartment downstairs. The next day he got a phone call from Mukasa asking about the call. Mukasa checked the camera and said he didn't know what Brooks was going to do about this but "you can't be having police calls at this building, point blank". Fanniel has been there assisting the vulnerable adults for One Life Health for a long time. The next day Mukasa showed up at his apartment and told Fanniel that they did not require his services any more and they would be moving in a new security person into the building in his place called "Linya".

After speaking with Vaughn, the new security person is identified as Lanya Latrice Pettigrew DOB/1973-04-15.

Fanniel stated that Lanya was an alcoholic and used to live across the street from 218 Annapolis. Lanya was evicted from 203 Annapolis in the upper apartment. When Lanya lived across the street she and Mukasa were engaged in a sexual relationship while Mukasa was married. Lanya and Mukasa are "drinking buddies". Mukasa is an alcoholic and is drinking all the time. He got evicted from the building because he called the police. He was delivered a piece of paper by Mukasa that said he was evicted two days after the incident. He was not given any notice by the Sheriff's department stating that he was being evicted. Fanniel stated that Vaughn was unaware of who he was for a long time. There were a lot of things that happened in that building.

There was an incident with a former tenant, identified as ~~XXXXXXXXXX, DOB XXXXX~~, who is classified as a vulnerable adult and had been receiving ILS and housing from One Life Health at 218 Annapolis. He was assaulted by Mukasa in front of 218 Annapolis. Mukasa had a vehicle that he thinks was an Impala. ~~XXXXXX~~'s friend stole some items from the car that belonged to Mukasa's son. Mukasa was not happy about it and "basically beat ~~XXXXXX~~'s ass" in front of 218 Annapolis. Brooks and Mukasa both called Fanniel after the incident and said that he would be getting a call from Adult Protective Services soon. Mukasa then told Fanniel to tell them that nothing happened. At the time he

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and Mukasa were cool and he thought of him as a brother. There was a police report made about the assault. (Ref. CN 15003343)(Ref. MAARC report#209962954) ██████ was not a resident at the time and had just been put out of One Life Health. Mukasa thought that since ██████ was no longer in the program he could "address" ██████ about the situation. Fanniel witnessed the assault and observed Mukasa kicking and punching ██████, then Fanniel broke them up and told Mukasa "bro, you can't be doing that." Mukasa said "I could have really hurt him, I don't know what the fuck happened." Fanniel was working at CRTK paints and he was driving home when Mukasa called him. Right after Mukasa hung up he got the call from APS. They told him they were recording and asked if he had ever seen Mukasa hit ██████. He told them "no". Fanniel states that he was not a saint at the time but he needed somewhere to stay. He was afraid that if he did not comply with Mukasa's request that he would be evicted and told to "get the hell out, today". Over the course of his residency and employment with One Life Health that if someone doesn't comply with their rules or requests they will be evicted. He lied to APS because he was trying to prove to Brooks that he could help him with this building. Once he started to work for them he started to see that they were doing some "corrupt stuff," and once he heard what some of the residents had to say he thought it was off. At first he didn't care because he wasn't in the program and did not care. At first when people came to him and said "I didn't get my money" he would say things like "I don't know what to tell you". But the longer he was there the more he heard things like that.

Fanniel stated that ██████ was not as bad as they made him out to be. He met ██████ when he first moved in and ██████ said that if he ever wanted to hang out he could hang out. Once Fanniel started to work for One Life Health ██████ began to cling to him. Several times ██████ complained to Fanniel that he hadn't gotten his GRH money from One Life Health and had no food in his house. Lights, water and gas have been shut off in the building. Two months ago the water to the building was shut off. He called Mukasa and told him the water was cut off. Mukasa told Fanniel that Brooks had not paid the bill. Mukasa does not do anything when Fanniel informs him of issues within the building and the residents there.

In example, with ██████, she moved out the same day he was evicted and was relocated to a South St Paul property that is operated by One Life Health despite Fanniel having told Mukasa that ██████ was using meth at 218 Annapolis. When Fanniel first met ██████ he helped her move in. The day she moved in was the same day he started employment with One Life Health. When he first met ██████ she was calm, cool, and collected. One day he went into her apartment to try to help her move property into her apartment and he found a meth pipe. He told her she couldn't have that on the premises. She claimed it wasn't hers and so Fanniel let it go at that time. ██████ would begin to knock on his door at 0100-0200 hours in the morning, pulling on his screens, running in the hallway and yelling at all hours of the night. He thought it was consistent behavior with meth use as his father used meth and died from it. He is very familiar with the behavior of individuals using meth. He reported this behavior and the discovery of the meth pipe to Mukasa three or four months ago that they needed to do something about her as her behavior was disturbing the other residents. Before ██████ left she told him that she was on his side and that "we have to take One Life down". He hadn't even thought of that at that time. They provided him with an eviction notice previously because of a reported verbal altercation with ██████ but he was not evicted. He caught her with a meth pipe and reported it and nothing was done.

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[REDACTED] was not the only meth user that has lived at 218 Annapolis. [REDACTED] was the first meth user that lived there. These people were known meth users and almost all of the residents that have come to 218 Annapolis have been meth users. This was known to Mukasa and the entire company of One Life Health. One life says they will get the users into treatment and when they get out they are re-housed with a One Life Health facility and relapse into using again. "[REDACTED] beat the hell out of some girl in their house." [REDACTED] used meth, [REDACTED] also used meth. [REDACTED] did not get evicted for a long time despite his known use of meth. People that knew [REDACTED] would tell One Life Health that [REDACTED] used meth all day every day.

Prior to Fanniel being employed by One Life Health as a 24 hour security person there was no one living there in that capacity. Mukasa would come around when he felt like it and would not show up for several days in a row. "[REDACTED]" is a Chinese kid that is an ILS worker and is the only one that does his job. He took care of [REDACTED] and [REDACTED] (another resident that was recently arrest on an Apprehend and Detain Order for Meth use).

There were other residents at other One Life Health properties, including 211 5th Ave S, have complained about not getting their GRH disbursement from One Life Health on time and not getting the care that they need. One Life Health is moving people into their facilities that can go get a vulnerable adult classification and get on GRH, then live in their facilities. Mukasa was discussing Fanniel's [REDACTED] with him and Fanniel stated that his [REDACTED] has mental health problems and was looking for a place to live. Mukasa told Fanniel to tell his [REDACTED] to go get classified as a vulnerable adult and then they could get her housed in one of there facilities. Fanniel told his [REDACTED] to forget about it because he did not want her to be treated poorly.

Lanya was not classified as a vulnerable adult at first. She went and got a vulnerable adult classification because she was getting evicted from 203 Annapolis and Mukasa told her that if she did that he could get her housing at 218 Annapolis if she did that. That is why she is classified as a vulnerable adult. She drinks a lot, which is what Mukasa likes to do.

Fanniel had mentioned previous to the recording that Mukasa had provided [REDACTED] with alcohol while he was receiving ILS services from One Life Health. Fanniel stated that he smokes weed and when he met Mukasa he said that he told Fanniel that he was going to be cool and not going to give them problems. Mukasa knew that Fanniel smoked weed and that [REDACTED] smoked weed. Mukasa has given both [REDACTED] and Fanniel money for weed in the past. Mukasa gave his [REDACTED] Ambien while he was in the nursing home and he almost overdosed on it. He knows this because Mukasa was the only visited him in the nursing home, so he deduced that it must have been Mukasa that gave it to him. Mukasa was solely in charge of [REDACTED]'s medication which was in a locked case that [REDACTED] did not have access to. [REDACTED] complained to Fanniel multiple times that he had not had his medication that day. Mukasa would go over to 203 Annapolis to visit Lanya when he was supposed to be attending the clients at 218 Annapolis. That is the only reason his trying to get Lanya to move into 218 Annapolis so he can sit at the property in Lanya's apartment and "not do his job".

Fanniel had never seen the lights get cut off. The trash bill does not get paid. The heating system in the building is radiators and if the water gets cut off the heat gets cut off. Brooks told Fanniel that "this

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is a \$200,00.00 building and I am not going to lose that for sh\$, so if you put my building in jeopardy you got to go". He thinks that Brooks would do anything to keep this building.

They have had many people that have been meth users. When Fanniel first moved in he would have to leave for work at 0445 hours. He would walk out of his apartment and there would be about six people sitting in the basement, just sitting there. He would call Mukasa and tell him there were six people in the basement and he would not get to the apartment until about 1000 hours. Fanniel had a long history of contacting Mukasa regarding problems with the property with extremely delayed or no response at all.

There was a resident named "[REDACTED]" who was there for about two weeks. They did not know that [REDACTED] was bi-polar and paranoid schizophrenic. One night [REDACTED] left his radio on and was listening to rap. [REDACTED] was listening to this and when [REDACTED] came home [REDACTED] went upstairs and threatened [REDACTED] with a knife. Fanniel tried calling Mukasa and got no answer. Fanniel would try calling Mukasa frequently late at night to report issues with the residents and would receive no answer. He would have to call [REDACTED] to figure out the situation.

Fanniel would have to tell Mukasa not to give [REDACTED] any alcohol because it did not react well with the medication he was taking. They will put anybody in this program without knowing anything about them. [REDACTED] almost died because of a heroin overdose in the building. Fanniel told Mukasa about the overdose and Mukasa was in [REDACTED]'s apartment with Fanniel where they turned over multiple needles to [REDACTED]'s probation officer.

When Fanniel was telling Mukasa and other employees about the issues he was having with [REDACTED] they laughed at him. He stayed at a similar facility in Rosemount and had no problems. He thinks the biggest difference between the two facilities was organization and response. Meaning the Rosemount facility was organized and they addressed issues immediately.

When [REDACTED] was evicted One Life Health told him that if he did not go to treatment that he was going to be out of the program. One Life Health told [REDACTED] that he was trespassed from the property but all of his things were still in the property. He does not know when [REDACTED] was given his eviction notice but [REDACTED] was told that West St Paul wanted him out. He doesn't think that anybody that has been evicted from the building has been evicted through the Sheriff's Office. Fanniel was not on any lease and did not pay any rent.

When Fanniel was first hired Brooks sat down with him and said "I am going to offer you a deal". Brooks told him that he knew what "they" have been doing to his license and he needed him to move downstairs and watch the building and make sure that there were no police calls to the building. He was told to make sure the building was clean and some building maintenance. Brooks told Fanniel that Laura Vaughn wants his head on a platter and they were only doing this because this is a black owned company and "we're doing our thing". Mukasa then told Fanniel that Brooks was "not going to lose his money for sh\$, " and Brooks himself said that he was "not going to lose his money for sh\$".

Fanniel's girlfriend had to have surgery on her feet last year. Fanniel told Mukasa that he had to go away for a week to attend to his girlfriend. Mukasa said that was fine and he would take care of it.

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Mukasa and Brooks were there when he got back and told him that he was done because there were to police incidents at the apartment because he was gone. He was also told that Brooks gives eviction notices just to scare him. Fanniel asked Mukasa multiple times for a lease and Mukasa would tell him " you don't need one cause technically, you not paying any rent."

Fanniel stated that One Life Health sometimes looks for alternative housing for clients that are being evicted, sometimes they don't. [REDACTED] was being moved to another One Life facility in South St Paul. Clients have accused Fanniel of stealing from them and One Life Health never investigated or looked into the allegation. Fanniel stated that he had never stolen from any client at One Life Health.

I concluded the interview with Fanniel.

Based on the statements made by Fanniel I am going to discuss this case with the Dakota County Sheriff's Office Investigative Captain and the MN Attorney General's Office Fraud Division to determine further action.

I will also be forwarding this report to City Attorney Korine Land, MN Department of Human Services, and Dakota County Crisis Worker [REDACTED].

Nothing Further At This Time

Case Status: Active/Pending.

RELATED REPORTS

Agency	CaseNumber	Type	Description
West St. Paul	16001544	Incident-Reference	
West St. Paul	16001678	Incident-Reference	
West St. Paul	16001774	Incident-Reference	
West St. Paul	16001123	Incident-Reference	
West St. Paul	16002178	Incident-Reference	
West St. Paul	16001182	Incident-Reference	
West St. Paul	16000804	Incident-Reference	
West St. Paul	15003749	Incident-Reference	
West St. Paul	15003566	Incident-Reference	
West St. Paul	15003343	Incident-Reference	
West St. Paul	15003201	Incident-Reference	
West St. Paul	15003102	Incident-Reference	
West St. Paul	15002979	Incident-Reference	
West St. Paul	15002693	Incident-Reference	
West St. Paul	15002261	Incident-Reference	
West St. Paul	15001920	Incident-Reference	
West St. Paul	15001428	Incident-Reference	
West St. Paul	15001343	Incident-Reference	

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Disposition: Active/Pending

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Title: Neglect

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West St. Paul	15001114	Incident-Reference
West St. Paul	15000966	Incident-Reference
West St. Paul	15000766	Incident-Reference
West St. Paul	15000513	Incident-Reference
West St. Paul	1500121	Incident-Reference
West St. Paul	14004566	Incident-Reference
West St. Paul	14004320	Incident-Reference
West St. Paul	14004116	Incident-Reference
West St. Paul	14004035	Vehicle Theft-Reference
West St. Paul	14003327	Incident-Reference

Incident Report

CAD Activity Report



CAD#: WS151028021196	Location: 966 ROBERT ST S	Type: CIVIL/ASSIST
Rpt#:	Apt #: 208	Dispo: S
Create: 10/28/2015 12:48:04 PM	RP Name: WILLIAM VEVEA	Unit #: 2643
Dispatch: 10/28/2015 12:50:16 PM	RP Addr:	Officer: ALTMAN, GREG T
Arrive:	RP Phone: 651-399-5387	
Clear: 10/28/2015 1:18:42 PM		

Comments:

Incident Initiated By: EM/TROM, R
Original Location : PD LOBBY
PD LOBBY -
Primary Event: MAIN Opened: 15/10/28 12:48
LOC INFO REVIEWED: C
RP ADVISING THAT HIS WIFE HAD RENTED AN APT THROUGH DAVID BROOKS AT
ADDRESS. SHE PAID RENT FOR OCTOBER BUT IN MEANTIME DECIDED TO MOVE TO ST

(Information may continue on next page...)

Report Run: 06/30/2016 1:25:03 PM

West St Paul Police

CAD Activity Report

Date Range: 1/1/2015 12:00:00 AM - 12/31/2016 11:59:59 PM

Badge(s):

Address(s): 966 Robert

Dispo(s):

PAUL

SHE WENT TO GET HER STUFF TODAY AND APT HAD SOMEONE ELSE LIVING IN THERE WITH HER STUFF INSIDE.

BROOKS CAME UP JUST AFTER RP LEFT AND ADVISED HE THOUGHT FEMALE ABANDONED HER APT AND LEFT. RP ADVISED HE NEVER MADE CONTACT WITH TENANT TO MAKE SURE SHE WAS GONE NOR DID HE CHECK

TO SEE IF APT WAS EMPTY. HE JUST ASSUMED. ADVISED RP WHAT HE DID WAS WRONG AND THAT ISSUE NEEDED TO BE TAKEN UP IN COURT

Route Closed: MAIN S

Incident Closed: 15/10/28 13:18

CAD #: WS151031021372	Location: 966 ROBERT ST S	Type: CIVIL/ASSIST
Rpt #:	Apt #: 208	Dispo: S
Create: 10/31/2015 5:08:19 PM	RP Name: WILLIAM VEVEA	Unit #: 2639
Dispatch: 10/31/2015 5:12:09 PM	RP Addr:	Officer: SASS, JOSEPH JEREMY
Arrive:	RP Phone: 651 399 5387	
Clear: 10/31/2015 5:41:01 PM		

Comments:

Incident Initiated By: EM/TAIBI, M

10-21 LANDLORD HAS BEEN PICKING THROUGH WIFE'S BELONGINGS AND IS MOVING STUFF IN TODAY BEFORE HIS WIFE HAS FINISHED MOVING OUT

Primary Event: MAIN Opened: 15/10/31 17:08

RP NOT ON SITE

ON-GOING CIVIL ISSUE ALREADY DEALT WITH BY 2643

Route Closed: MAIN S

Incident Closed: 15/10/31 17:41

West St. Paul
Disposition: Active/Pending

INCIDENT

Case Number: 15003343
Title: 5th Degree Assault

15003343

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

Incident Type: Assault
CAD #: 15018738
How Initiated: Other

Citation Issued: No

Domestic Related: No

Drug Related: No

Gang Related: No

OFFICER INFORMATION

Name	Agency	Badge	Type
G Altman	West St. Paul	2643	Primary

EVENT DATES

Reported	On Scene	Cleared
2015-09-17 15:13	2015-09-17 15:13	2015-09-17 15:13

INCIDENT DETAILS

Address: 218 Annapolis Street W; West St. Paul, MN 55118; Dakota United States

Location Type: APARTMENT

Location Description:

Start Date: 2015-09-14 09:00

End Date: 2015-09-14 12:00

SYNOPSIS

Vulnerable adult male reporting to Dakota County Probation/Social Services that he was assaulted while at an apartment complex.

Parties Involved

PERSON 1

Role(s): Victim

Last: [REDACTED] First: [REDACTED] Middle: [REDACTED] Suffix:

Date of Birth: [REDACTED] Age: [REDACTED] Is Juvenile: No

Residence: No known address. 218 Annapolis Street W APT [REDACTED]; West St. Paul, MN 55118; Dakota US

Residence Type: APARTMENT

Unknown: (000)000-0000

Description:

Sex: Male Height: [REDACTED] Weight: [REDACTED] Hair: [REDACTED] Eyes: [REDACTED]

Race: [REDACTED] Ethnicity: Not Hispanic/Latino Build: Slender Complexion: [REDACTED]

Is US Citizen: Yes DNA Collected: No Special Needs: No Immigration Checked: No

PERSON 2

Role(s): Mentioned

Last: Walter First: Leean Middle: Suffix:

Date of Birth: Refused / Unavailable Age: Is Juvenile: No

Residence: No known address.

Work Phone: 651 554 6617

Description:



Incident Report

West St. Paul

Disposition: Active/Pending

INCIDENT

Case Number: 15003343

Title: 5th Degree Assault

Sex: Female

Height:

Weight:

Hair:

Eyes:

Race: White

Ethnicity: Not Hispanic/Latino

Build:

Complexion: Fair

EMPLOYMENT INFORMATION

Name: Dakota County Community Corrections

Type: GOVERNMENT/PUBLIC

Occupation: Probations

Shift:

STATEMENT

On 2015-09-17 at 15:13 hours I officer Altman was dispatched to the Dakota County Government Center/Division 3 at 1 Mendota Road west for an assault report.

Dispatch advised that probation/social services was with a vulnerable adult male who had been assaulted at 218 Annapolis Street W.

I responded and made contact with Probation Officer; Llean Walter and the male; [REDACTED].

I had my digital recorder going in my uniform pocket. [REDACTED] stated the following in a summarized conversation:

- Monday, 2015-08-14 at around 1000 hours he was over at 218 Annapolis St W to visit with a tenant named Sam.
- [REDACTED] lives in apartment #3 and that is where [REDACTED] gets his mail.
- He was leaving and walking out the front door when "Simon" showed up in his vehicle.
- "Simon" is the supervisor of the group home/apartment complex.
- "Simon" approached him and was upset with him because he thought [REDACTED] had something to do with his car being broken into.
- "Simon" pushed him to the ground and his cell phone fly from his hand.
- He attempted to get up but "Simon" kept pushing him down.
- "Simon" punched him with a closed fist in his mouth causing a split lip.
- Another tenant named "Marcus" pulled "Simon" off of him and he walked away.
- He did not suffer another injuries other than the split lip.

I spoke further with [REDACTED] about why he was at the property as it was my understanding from previous incidents that he had been trespassed from the property. [REDACTED] advised that he was never told he couldn't be there and that he gets his mail there. I asked [REDACTED] if he had been there this morning at around 0500 hours as I saw him mentioned in an earlier incident that Officer Rawlings dealt with. In that incident comments stated: that [REDACTED] had previously been trespassed and was there banging on doors inside the apartment complex. When officers arrived [REDACTED] was not located in or around the complex. [REDACTED] advised that he was there and that he was just waiting for the mail carrier to come with his mail. I advised [REDACTED] that was a little odd because the mail is not delivered that early in the morning. I advised [REDACTED] that he was not to go back to 218 Annapolis Street W and that I would be checking in regards to whether or not he has been formally trespassed from the property.

15003343

Incident Report

West St. Paul

Disposition: Active/Pending

INCIDENT

Case Number: 15003343

Title: 5th Degree Assault

15003343

I provided [REDACTED] with my business card. I advised Leann and [REDACTED] that I would be going to speak with everyone else that was involved or present that night. I advised them both that I would be in touch. I asked [REDACTED] where he was staying so I could update him on the investigation. Leann stated to contact her as it had not been determined where [REDACTED] would be.

I later downloaded the digital recording to the department hard drive.

Case pending.

Incident Report

West St. Paul
Disposition: Active/Pending

SUPPLEMENT

Case Number: 15003343
Title: 5th Degree Assault

15003343

Needs Follow-up: Yes Incident Type: Assault Citation Issued: No
Investigation Needed: Yes CAD #: 15018738
Admin Review Needed: No How Initiated: Other
Drug Related: No Gang Related: No Domestic Related: No

OFFICER INFORMATION

Name	Agency	Badge	Type
G Altman	West St. Paul	2643	Primary

INCIDENT DETAILS

Address:

Start Date: End Date:

Parties Involved

PERSON 1

Role(s): Mentioned

Last: Mukasa First: Simon Middle: Suffix:
Date of Birth: 1981-09-28 Age: 33 Is Juvenile: No
Residence: 3035 Egandale Place APT 302; Eagan, MN 55121; Dakota United States
Residence Type: APARTMENT
Cell Phone: (651)756-0868 Description:
Sex: Male Height: 600 Weight: 235 lbs Hair: Black Eyes: Brown
Race: Black/African American Ethnicity: Not Hispanic/Latino Build: Medium Complexion: Dark Brown

STATEMENT

On 2015-09-18 at around 1245 hours I Officer Altman was advised by Lt. Swenke that "Simon" was in the police department lobby in regards to this case.

I placed my digital recorder in my uniform shirt pocket and I went out to the police department lobby and made contact with; Simon Mukasa 1981-09-28.

I escorted Mukasa into the lobby conference room and closed the door. I advised Mukasa that he was not under arrest and was free to leave at any time. I advised Mukasa I asked him to go into the conference to speak with him regarding an incident involving [REDACTED] and that I was closing the door for privacy.

In a summarized conversation with Mukasa he stated the following:

- He showed up for work at 218 Annapolis St W on Monday 2015-09-14 at around 1200 hours.
- He saw [REDACTED] coming out of the building even though [REDACTED] was told by him personally that he was trespassed from the property.
- He parked his vehicle in the driveway next to the building and approached [REDACTED].

Supplement Report

- He advised [REDACTED] that he was not supposed on the property and that he needed to leave immediately.
- [REDACTED] got upset and attempted to punch him.
- He backed up and [REDACTED] "bear-hugged" him.
- [REDACTED]'s phone fell to the ground.
- He let [REDACTED] go and told him he needed to leave now.
- [REDACTED] then walked away
- At no point did he hit or push [REDACTED].
- No one else was present at the time of the incident.
- He does not want [REDACTED] on the property because [REDACTED] always brings his friends who are trouble and he does not want that here at the property.

I later downloaded the digital recording to the case file.

Case pending contact with other tenant.

MainView

Created Date/Time: 7/18/2016 10:35:05 AM
 Customer Number: 211450
 Account Number: 0636699
 Service Address: 218 ANNAPOLIS ST W
 Mailing Address:
 ONE LIFE HEALTH SERVICES LLC DAVID BROOKS
 2854 COLUMBUS AVE
 MINNEAPOLIS MN 55407-1324

Date/Time Entered	Note Subject	Created By	Note Reason	Notes
7/5/2016 2:37:52 PM	Intermittent Leak	Xue Yang	Meter Leak Detected	Intermittent Leak for 22-34 days detected
6/20/2016 2:14:33 PM	Reconnected (Turn on)	Amber Sullivan	Service Order Results	Water on
6/20/2016 11:13:38 AM	Water Shut Off	Amber Sullivan	Collections	Non Pay Code Violation - Stop/box WO Pending
3/31/2016 12:59:42 PM	Continuous Leak	Gayle Moser	Meter Leak Detected	Continuous Leak for 22-34 days detected
11/30/2015 2:43:12 PM	POST OFFICE RETURNED	Kim Block	Returned Mail	11/30/15 OCT BILL, PAST DUE NOTICE-OWNER KB05/25/16 APR BILL, PAST DUE NOTICE-OWNER KB
10/14/2015 2:55:39 PM	Intermittent Leak	Gayle Moser	Meter Leak Detected	Intermittent Leak for over 35 days detected
9/29/2015 5:20:03 PM	Reconnected (Turn on)	James Hegge	Service Order Results	Water on
9/29/2015 9:17:22 AM	Water Shut Off	Amber Sullivan	Collections	Non Pay Code Violation
7/29/2015 1:24:47 PM	Reconnected (Turn on)	Kathie Ferdig	Service Order Results	Water on
7/29/2015 11:01:48 AM	Water Shut Off	Kathie Ferdig	Collections	Non Pay Code Violation
7/6/2015 3:02:54 PM	Intermittent Leak	Gayle Moser	Meter Leak Detected	Intermittent Leak for over 35 days detected
7/6/2015 2:49:08 PM	Intermittent Leak	Gayle Moser	Meter Leak Detected	Intermittent Leak for over 35 days detected
2/19/2015 3:11:39 PM	POST OFFICE RETURN	Justina Ross	Returned Mail	02/19/2015 JAN PAST DUE NOTICE RETURNED. JMROS/27/2015 APRIL PAST DUE NOTICE RETURNED. JMR
10/23/2014 3:00:13 PM	MAIL RETURNED	True Johnson	Returned Mail	10/23/14 OCT BILL RETURNED. TRU



On Motion of

Seconded by

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

RESOLUTION NO. 16-

**RESOLUTION REVOKING RENTAL LICENSES OF 1234 PROPERTIES L.L.C. AT
218 ANNAPOLIS St. W., 966 S. ROBERT ST. UNIT #208 AND
976 S. ROBERT ST. UNITS #103 AND #105**

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

- 976 South Robert Street Unit 105 (purchased on 5/12/15)
- 976 South Robert Street Unit 103 (purchased on 5/13/15)
- 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 purchased the three units at 966/976 Robert St. and that he was renting all three units without rental licenses; 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, on January 25, 2016, the City Council held a hearing and considered the licenses under the ownership of 1234 Properties L.L.C., 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 converted the license at 218 Annapolis St. W. to a Provisional License and approved the three applications for units at 966/976 Robert St. as Provisional Licenses and adopted an appropriate mitigation plan contained in Resolution 16-14; and

WHEREAS, the Council is concerned about the Owner’s ability to own, operate and manage its rental properties based on the volume of calls for service in the short period of time for which it has owned the Properties, the lack of training and level of expertise of the on-site manager and other on-call staff, record-keeping issues with leases and all occupants being listed on leases, evictions being performed correctly, claims that tenants do not call police for fear of being evicted, relocating tenants between its West St. Paul and South St. Paul facilities, allowing occupancy of an

illegal unit at 218 Annapolis St. W., and other issues that affect the health, safety and welfare of the public; and

WHEREAS, on July 1, 2016, the Owner was notified that a hearing would be held before the West St. Paul City Council on July 25, 2016 to discuss all of its rental licenses, at which time the Council may revoke or suspend the licenses; and

WHEREAS, at the July 25, 2016 West St. Paul City Council meeting, a hearing was held, during which the City presented its evidence and the Owner and Owner's representative were given an opportunity to be heard; and

WHEREAS, following the testimony and evidence presented, the Council moved to REVOKE the licenses for the rental units mentioned above located at 218 Annapolis St. W. and 966 and 976 S. Robert St., West St. Paul all owned by 1234 Properties L.L.C.; and

WHEREAS, the Council hereby makes the following Findings of Fact to support its motion to revoke the license:

FINDINGS OF FACT

1. The Council hereby incorporates the memo from the Assistant Community Development Director Ben Boike and City Attorney Kori Land and the supporting documentation into these findings of fact.
2. The Owner has violated the mitigation plan by not providing an on-site housing manager who is not a client receiving services. The Owner hired an existing tenant to act as a caretaker or security guard. The caretaker admitted he was not trained to address issues related to dealing with vulnerable adults. (Exhibit Y) Within a few months of the mitigation plan being adopted, the caretaker was fired for an alleged violation of his lease. (Exhibit F) The on-call counselor is not responsive to the tenants or to the caretaker. (Exhibit Y) In addition, the counselor was involved in a fifth-degree assault with a former tenant, who is a vulnerable adult. Even though the report was not substantiated, the former tenant exhibited signs of an assault, including a split lip and the on-call counselor admitted that there was an altercation. (Exhibits Y and AA)
3. The Owner has violated the mitigation plan by not obtaining signed leases from all of the occupants. The caretaker admits that he did not sign a lease with the Owner. (Exhibit Y) The Owner admits that the caretaker does not have a signed lease with the Owner and has never had a signed lease. (Exhibit G) The Owner was unaware that there was another occupant in the caretaker's unit. (Exhibit F) The Owner was unable to provide a signed lease for the occupants of the unit at 966 S. Robert. The Owner denied the existence of any other occupants at one of the units at 976 S. Robert, in spite of two police reports documenting their existence. (Exhibit I)

4. The Owner has performed deficient background checks on at least one tenant, who has numerous felony convictions for burglary, terroristic threats and drug possession. (Exhibits J and K)
5. The Owner has violated the mitigation plan by failing to follow-through with eviction notices in a timely manner, resulting in additional police calls. (Exhibits L, O, P and R) It is suspected that on at least two occasions the Owner has illegally evicted tenants by changing the locks and claiming the tenant has abandoned the unit. (Exhibits N and Z) On one of those occasions the Owner re-rented the unit with the previous tenant's belongings still inside the unit. (Exhibit Z)
6. The owner has violated the mitigation plan by relocating tenants from other rental properties owned by Owner. There is evidence to support that the Owner has moved problem tenants from its South St. Paul facilities to its units in West St. Paul and vice versa. (Exhibit Y)
7. The Owner has violated the mitigation plan by failing to maintain the building at 218 Annapolis St. W. up to the standards in the Building Code. (Exhibits S and T) Upon inspection, it was discovered that the basement unit did not have a legal egress window, yet the unit was being occupied by a vulnerable adult. To date, this window has not been corrected.
8. The Owner has violated the mitigation plan by receiving a compliance letter for the unsheltered storage of junk and for failing to maintain a fence. (Exhibit U)
9. The Owner has violated the mitigation plan by receiving a Repeat Nuisance Service Call Fee. (Exhibit V)
10. The Owner has violated the mitigation plan by not cooperatively working with City Staff on addressing issues surrounding allegations of drug use at 218 Annapolis St. W. (Exhibit X), by interfering with police department in the performance of its duties on at least one occasion (Exhibit W), and by telling its tenants not to call the police, even when the reports involve an assault, theft, drugs and criminal damage to property. (Exhibits G, O, P, Q and R)
11. The Owner allowed its business registration with the Secretary of State to lapse during the licensed period. (Exhibit C)
12. The Dakota County Crisis Intervention Unit has filed three Vulnerable Adult Complaint Reports with the State of Minnesota against its license, triggering an investigation.
13. The water has been turned off at 218 Annapolis St. W. on three occasions in the previous 18-month period for non-payment.
14. At the July 25, 2016 hearing, the Owner and/or the Owner's representative were present and were afforded an opportunity to submit testimony, documentation and evidence for the Owner's position.

15. Following a hearing, any license may be denied for one or more of the reasons enumerated in City Code Section 110.12(B).

16. Based on the evidence presented by City Staff and the Owner, the Council hereby makes the following:

REASONS FOR REVOCATION

1. The use does not comply with health, building, maintenance or other provisions of the city code or state law, pursuant to City Code Section 110.12(B)(2).
2. The Owner has been conducting the licensed activity in such a manner as to constitute a breach of the peace, a menace to the health, safety and welfare of the public and a disturbance of the peace or comfort to the residents of the City, which is a valid reason for revocation, pursuant to City Code Section 110.12(B)(6).
3. The Owner has violated regulation or provisions of the city code related to property maintenance applicable to the rental license activity, which is a valid reason for revocation, pursuant to City Code Section 110.12(B)(13).
4. The Owner has violated several conditions of its provisional license as stated in the findings of fact, which is a valid reason for revocation, pursuant to City Code Section 110.12(B)(17).
5. This Property is a burden on City Staff and its limited resources, which is a valid reason for revocation, pursuant to City Code Section 110.12(B)(19).

NOW, THEREFORE, BE IT RESOLVED by the West St. Paul City Council that this Resolution memorializes the Findings of Fact and Reasons for Revocation to support the Motion to Revoke. Such Resolution shall take effect upon adoption. Staff is directed to notify tenants that the licenses have been revoked and be given a reasonable time to vacate the Property.

Ayes: Nays:

Passed this 25th of July, 2016.

David Meisinger, Mayor

Attest:

Chantal Doriott, City Clerk

TO: Mayor and City Council
THROUGH: Matt Fulton, City Manager
FROM: Joan Carlson, Finance Director
DATE: July 25, 2016
SUBJECT: Special Assessment – 882 Stryker Ave



City of West St. Paul

BACKGROUND INFORMATION:

On May 9, 2016 Council approved adoption of the abatement assessment roll with the exception of 882 Stryker Ave. which was deferred to July 25th for final consideration.

There are five invoices for weed abatement totaling \$1,131.57 for the period between June and September 2015. The City received the abatement vendor's invoices on December 21, 2015. Subsequently the City mailed an invoice to the owner of record, US Bank Trust in Oklahoma City, OK on January 7th 2016.

When property is sold, a Title company is hired to provide clear title to the property. An assessment search with the County would provide information for all certified assessments. A search with the City would provide information on any pending assessment. The Finance Department retains copies of requests for assessment searches and we found no documentation that a request was made for this property.

While it is unfortunate that the new property owner was not aware of these invoices, it is believed that this is a matter between the owner and the title company. Often times abated properties are vacant and/or in foreclosure (which is likely the cause of the abatement in the first place) and the City has no means of notifying a potential buyer.

There have been several past requests from new property owners for relief from this same type of situation and it has not been provided.

STAFF RECOMMENDATION:

Staff recommends council adopt the assessment for 882 Stryker.