



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

REGULAR CITY COUNCIL MEETING

October 10, 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

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. Meeting Minutes

Documents:

[09-26-16 OCWS MINS.PDF](#)

[9-26-16 CC MINS.PDF](#)

B. List Of Claims October 10, 2016

Documents:

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

C. City Hall Remodeling Change Orders

Documents:

COUNCIL REPORT - CITY HALL REMODELING PROJECT CHANGE ORDER
1.PDF
CITY HALL CHANGE ORDER ATTACHMENT.PDF

D. Appoint Additional Election Judges

Documents:

COUNCIL REPORT - ELECTION JUDGE APPOINTMENTS.PDF
RESOLUTION APPOINTING ADDITIONAL ELECTION JUDGES.PDF

E. Call Final Assessment Hearing For The 2015-2016 Robert St. Sidewalk Cleaning

Documents:

COUNCIL REPORT - CALL ASSESSMENT HRG ROBERT ST SIDEWALK.PDF

F. Rescind Acceptance Of Safe Routes To School Grant & Terminate Project #17-3

Documents:

COUNCIL REPORT - RESCIND ACCEPTANCE OF SRTS GRANT AND
TERMINATE PROJECT 17-3.PDF
RESOLUTION - RESCIND ACCEPTANCE OF SRTS GRANT AND TERMINATE
PROJECT 17-3.PDF

G. Rental Licensing

Documents:

RENTAL LICENSING MEMO.DOC.PDF

H. Approve Resolution Of Support For Dakota County's 2017-2021 CIP

Documents:

COUNCIL REPORT - APPROVE RESOLUTION OF SUPPORT FOR DAKOTA
COUNTY CIP.PDF
RESOLUTION - SUPPORT OF DAKOTA COUNTY 2017-2021 CIP.PDF
ATTACHMENT - DAKOTA COUNTY DRAFT CIP 2017-2021.PDF

11. PUBLIC HEARING

A. Public Hearing On Proposed Assessments Of Unpaid Invoices

Documents:

COUNCIL REPORT - PUBLIC HEARING ON PROPOSED ASSESSMENTS OF
UNPAID INVOICES.PDF

12. NEW BUSINESS

A. Prorated 2016 On-Sale Liquor License Request

Documents:

COUNCIL AGENDA REPORT - PRORATED LIQUOR LICENSE FEE
REQUEST.PDF
TAPPERS REQUEST.PDF

B. Consider Access Changes At 141 Wentworth Avenue

Documents:

COUNCIL REPORT - CONSIDER ACCESS CHANGES AT 141 WENTWORTH
AVE.PDF
ATTACHMENT - CONSIDER ACCESS CHANGES AT 141 WENTWORTH
AVE.PDF

C. 2017 Insurance Renewal

Documents:

COUNCIL REPORT - 2017 EMPLOYEE INSURANCE RENEWAL.PDF

13. OLD BUSINESS

A. Consider Collaborative Recycling Program With South St. Paul

Documents:

COUNCIL REPORT - RECYCLING COORDINATOR JPA.PDF
RECYCLING COORDINATOR SERVICES JPA.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*

**City of West St. Paul
Open Council Work Session Minutes
September 26, 2016**

1. Call to Order and Roll Call

Mayor David Meisinger called the work session to order at 4:50 p.m.

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

Others: Assistant City Manager and HR Director Sherrie Le, Assistant Community Development Director Ben Boike, Public Works Director Ross Beckwith, City Attorney Korine Land, Police Chief Manila Shaver, SMFD Chief Mike Pott, and City Clerk Chantal Doriott.

2. Review and Approve the Work Session Agenda

Council approved the agenda as presented.

3. Review and Approve the Regular Meeting Consent Agenda

The regular meeting agenda was approved with the following change:

- Move consent agenda item 10.G. to 12.G. Assessment Policy Revisions

4. Agenda Item(s)

Clpn. Bellows asked that there be no interruptions to the person speaking. Councilmembers agreed.

4.A. Closed Session to Discuss Robert Street Easement Acquisitions

Motion was made by Clpn. Napier and seconded by Clpn. Bellows to close the work session pursuant to MN State Statute 13D.05 subd. 3(b) for attorney client privilege related to the Robert Street Improvement project. All members present voted aye. Motion carried.

4.B. Group Home Amendment Discussion

Attorney Korine Land gave an overview. Last July the City Council adopted a one-year moratorium on accepting any zoning applications related to transitional housing, foster care, overnight shelters, and chemical dependency facilities. The one-year has expired and we are now proposing several ordinance changes to be consistent with recent changes in state law. Our ordinances have numerous types of categories of “group homes” that can be simplified by adopting the state law categories of: State Licensed Residential Care Facilities (i.e. nursing homes, developmentally disabled group homes) and Registered Housing with Services Establishments (i.e. people recently released from prison, chemically dependent-related group homes). State law (Minn. Stat. §462.357 subd. 7-8) requires a State-License Residential Care

Facility and a Registered Housing With Services Establishment to be permitted uses in certain zoning districts, which coincide with our ordinances. These permitted uses were reviewed and Council is being asked to review an amended ordinance.

- The County is not regulated by this new law.
- State law does not trump rental density.
- Bring it to the Planning Commission for a public hearing and then Council for two readings. This item will be back before the Council in another month or two.

4.C. 2017 Preliminary Budget and Levy Update

Assistant City Manager Sherrie Le gave an overview of proposed changes, from the last work session, which Finance Director Carlson had included in the newest draft budget. There were two options to review.

- 1) Maximum of 8.05%
- 2) Maximum of 7.22%
- 3) Primary reduction is because of a decrease in health insurance and saved about \$200,000.
- 4) If we move up the police officer hiring the budget increases to 8.05%. They would both start in January. If we staggered the officer hirings, the budget increase would be reduced slightly. We are currently in a hiring process and have a good group of candidates. If we wait until April we could lose someone we are interested in. Delaying officer hirings could cause a whole new interview process.

Comments:

- Clpn. Bellows is in favor of option 2.
- Clpn. Napier is in favor of option 1.
- Mayor Meisinger is in favor of option 1.

Finance Director Joan Carlson, who entered the meeting via phone, said the 2017 budget and maximum levy amount could be further reduced but will not be able to increase once Council sets an amount. Director Carlson said she is comfortable the employee insurance fees will not increase.

4.D. Discussion of Bidwell Safe Routes to School Project

Public Works Director Ross Beckwith gave an overview. In 2015 the City applied for a Safe Routes to School (SRTS) grant for the installation of concrete sidewalk along the east side of Bidwell St. from Thompson Ave. to Butler Ave. The City was granted \$288,400 for construction of this project. The grant application estimated construction at \$360,500 and requires a 20% local match. The City is also required to pay 100% of preliminary engineering, easement acquisition and construction administration. Staff has hired Kimley-Horn as the consultant to perform preliminary engineering and navigate the federal process.

This is a very challenging corridor to retrofit a boulevard and concrete sidewalk in regards to right-of-way, steep grades and existing mature trees. As a result, three design alternatives were put together for evaluation and reviewed:

- 1) Install a 5 foot boulevard and 5 foot sidewalk behind existing curb.

- 2) Install a 7 foot sidewalk directly behind the existing curb.
- 3) Install new curb out in the existing road (4 to 8 feet out) and install a 5 foot boulevard and 5 foot sidewalk.

Comments:

- Clpn. Vitelli is on same page as Clpn. Iago - the west side from Thompson to Bidwell and Logan, the westerly block, if you crossed there it is pretty much a straight shot.
- Does Xcel Energy pay to move poles? Director Beckwith says it depends – sometimes they do and sometimes they don't.
- Assistant Manager Le said Council could decline doing this project.
- Clpn. Napier asked about the CIP. There was nothing prior to this but there is now. There is a \$288,000 grant we received. He appreciates the need especially for the school. He thinks there are so many things and is in favor of holding off.
- Clpn. Armon said cost is high and he is concerned about future grants if we turn this back. Director Beckwith is unsure if returning these grant funds will harm us in the future..
- Clpn Halverson asked if the city could reapply for the grant funds at a future date. Director Beckwith said probably for the 2020 selection. Clpn. Halverson definitely sees the need and understands this area needs attention.
- Council advised Director Beckwith to stop the consultant from doing any more work on this potential program so Council can further review the area and grant offer.

4.E. Discussion of Legal Service Contract

This item has been moved to the December 15, 2016 work session.

5. Adjourn

Council adjourned the work session at 6:24 p.m.

David Meisinger
Mayor
City of West St. Paul

**City of West St. Paul
City Council Meeting Minutes
September 26, 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, John Bellows, Dave Napier, Jenny Halverson and Dick Vitelli.

Others: Assistant City Manager and HR Director Sherrie Le, Assistant Community Development Director Ben Boike, 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. Vitelli and seconded by Clpn. Halverson to adopt the agenda as amended:

- Move item 12.G. to 12.G. Review Assessment Policy Revisions. All members present voted aye. Motion carried.

5. OCWS Briefing

Mayor Meisinger gave an overview of the open council work session held prior to the meeting:

- Closed session to discuss Robert Street easement acquisition
- Group home ordinance amendment – Council in favor.
- 2017 budget and levy – maximum amount approved but Council will continue to look at ways to reduce this amount.
- Bidwell Safe Routes to school project – Council will review the project and this will be discussed in more detail at a future meeting.

6. Robert Street Review

Director Ross Beckwith gave an overview of the Robert Street project:

- Exciting week for Robert Street and we are currently paving north lanes today and tomorrow.
- Wednesday will be a big deal having outside lanes open. This is a big switch so please be patient.
- Concrete work, pedestrian ramps, driveways and more are being completed. Part of Marie Ave. will be closed for reconstruction. This should last the month of October.

- There is a lot to be done but it's moving forward.

6. Citizen Comments

Nancy Allen, superintendent for School District 197 shared with Council information on a levy renewal question on the general election ballot. Currently the school district has 2 levies and there is one being considered for a ten year renewal. It's significant at 8% and is about what it takes to run a middle school. We can only approve the levy with a vote. The school district has turned the budget picture around. We have added teachers to the music program, invested in academic intervention and expanded the talent program. We have also added K-12 counselors and brought an elementary counselor to full time status. The district also did a reinvestment in the program schedule for middle schoolers and added deans as well. We believe the community gets a good value of service. This year's independent survey saw some of the highest ratings of approval. Compared to other districts we have a very low burden to the tax payers. We have done many important things to ensure these good ratings. Anyone is welcome to learn more at our community meetings. Thank you for being a great partner. Superintendent Allen meets regularly with Manager Matt Fulton and keeping those lines of communication open are key to success.

Comments

- Clpn. Vitelli said congratulations on the leadership and board ranking of 31 out of 160 schools – that is the top 5% of high schools in MN
- Clpn. Armon said congratulations on being in the top 5%.

Chuck Spavin, Optimist Club of West St. Paul, announced the Talk and Tacos event they are hosting to invite campaign candidates to come and educate the public on views and have a good discussion. The Talk and Tacos with the WSP Candidates event is open to the public on October 5 from 5:00 to 8:00 p.m. at Dunham's. Candidates tacos are free; for \$10 a person can eat all the tacos they want.

Nancy Dement, 1023 Charlton, said traffic on Charlton from Butler to Bernard is out of control. They drive like maniacs for a good 3 blocks. The speed sign is close to Butler but by the time they get to Bernard they are going so fast. There is a park in this area and she is so afraid someone is going to run over and kill someone. Mayor Meisinger said you are not alone. Council and staff remind people all the time to slow down and be careful. We have two new police officers for next year. Ms. Dement asked that additional "slow down" signs be placed in this area.

8. Council Comments

Clpn. Armon said check out the new Art Park on Butler Avenue. Anyone who has an interest in art will appreciate what is being done here. Please let Park Director Dave Schletty or Clpn. Armon know if you would like to get involved. There were no taxpayer funds used for this park and he and Clpn. Halverson continue to work on grant opportunities.

Clpn. Napier thanked the Junior League and SRSBA for the Family Fun Day and Touch a Truck event last weekend. This should become an annual event. There seems to be a lot of support from other business owners and the residents.

Clpn. Iago said absentee voting began last Friday. To obtain an absentee ballot you need to complete an application. Visit www.sos.state.mn.us or call the County at 651-438-4305 or go to the Northern Service Center at 1 Mendota Road. He also told everyone that Perkins has a new owner; thank you to the previous owner for many great years of service.

Mayor Meisinger presented information on the 2nd annual Junior Swat School program held on October 2nd at Thompson Park, 360 Butler Ave. in the lower parking lot, from 1:00 to 4:00 p.m. This is a free family activity and everyone is welcome to attend.

9. Proclamations, Presentations and Recognitions

There were no proclamations, presentations or recognitions at this meeting.

10. Consent Agenda

- A. Meeting and Workshop Minutes of August 22, 2016 and September 12, 2016
- B. Council Report - List of Claims
- C. August 2016 Bank Reconciliation
- D. August 2016 General Fund Budget Report
- E. August 2016 Investment Report
- F. K-9 Mike, Retirement, Surplus Resolution No. 16-89
- G. MOVED TO NEW BUSINESS: Approve Revisions to Special Assessment Policy
- H. Approve Sanitary Sewer Inflow/Infiltration Private Property Assessment Agreements
- I. Consider Encroachment Agreement for 1190-1214 S. Robert Street
- J. Consider Encroachment Agreement for 998 S. Robert Street.

Motion was made by Clpn. Armon and seconded by Clpn. Napier to approve the consent agenda items as listed above. All members present voted aye. Motion carried.

Police Chief Manila Shaver gave an overview of the retirement of K-9 Mike. It is customary to let the officer purchase his K-9 for \$1.00. Officer Carl Elam would like to do so and came to speak on behalf of this program. The police canine is one of the most effective programs. It's a great asset to the community and police dept. October 1 is the last day before K-9 Mike goes into retirement. Police Chief told Officer Elam his work is appreciated.

11. Public Hearing

A. Application for a Conditional Use Permit to allow an Adult Day Care facility in a B2, Neighborhood District at 355 Marie Ave E. - Snyder Health Care Systems Inc.

Assistant Community Director Ben Boike gave an overview. Snyder Health Care Systems Inc. is requesting a Conditional Use Permit to allow Adult Day Care in a B2, Neighborhood District at 355 Marie Ave E.

The applicant is proposing to have a dual use of the property with half of the building being utilized as office space for the operation and half of the building being utilized for the proposed Adult Day Program. According to the applicant, they will be operating an Adult Day Program that supports seniors' independent living through education on health management and healthy living. The program aims to increase community enrichment opportunities while maintaining social ties to the community. The program is developed to directly support local seniors in managing their affairs, coping with personal and system changes, as well as assisting them in navigating community resources.

The public hearing opened at 6:58 p.m.

No one wished to speak.

The public hearing closed at 6:58 p.m.

Clpn. Armon asked if anything was being done with the parking lot. Director Boike said yes, this is one of the conditions outlined if approved.

Motion was made by Clpn. Vitelli and seconded by Clpn. Napier to adopt Resolution No. 16-90 approving a Conditional Use Permit (CUP) at 355 Marie Ave E. as presented. All members present voted aye. Motion carried.

B. Application for Conditional Use Permit to allow a Dental Lab in a B1, Limited Business District and Application for Site Plan review to expand the existing building and modify the parking lot at 5 Wentworth Ave E. - Mularoni & Co.

Assistant Community Development Director Ben Boike gave an overview. On behalf of Harrison Dental Studios, Mularoni & Co. is requesting two zoning approvals for 5 Wentworth Ave E.

- 1) Site Plan Review for a building addition and parking lot modification
- 2) Conditional Use Permit to allow a Dental Lab in a B1, Limited Business District

The applicant is proposing a one-story 4,262 sq. ft. walkout addition to the north side of their existing building. In addition, the applicant is also proposing to modify the existing parking lot by separating the "upper lot" (west parking lot) with the "lower lot" (north parking lot). The family run business has been in operation at this location since 1976. The proposed building expansion is needed to expand their operation.

In addition, since the existing use predates the Zoning Ordinance requirement of a Conditional Use Permit, the Site Plan approval triggers the need for the property owner to obtain a Conditional Use Permit in order to bring the use into compliance with the current Zoning Ordinance.

Clpn. Napier said thanks to the owner for investing in your business and our community.

The public hearing opened at 7:02 p.m.

No one present wished to speak.

The public hearing closed at 7:02 p.m.

Motion was made by Clpn. Napier and seconded by Clpn. Halverson to adopt Resolution No. 16-91 approving a Site Plan at 5 Wentworth Ave E. as presented. All members present voted aye. Motion carried.

Motion was made by Clpn. Halverson and seconded by Clpn. Iago to adopt Resolution No. 16-92 approving a Conditional Use Permit (CUP) at 5 Wentworth Ave E. as presented. All members present voted aye. Motion carried.

C. Application for Plat to Combine Lots and Application for Site Plan to Modify the Existing Parking Lot at 963 Robert St. - Alliant Engineering

Assistant Development Director Ben Boike gave an overview. On behalf of Sherman & Associates, Alliant Engineering is requesting two zoning approvals for 963 Robert St.:

- 1) Site Plan Review for the expansion of the existing parking lot
- 2) Preliminary/Final Plat approval

The applicant is proposing to develop the vacant land to the north of their recently constructed retail building as a parking lot to support the commercial use of the property. In addition, the applicant is proposing to combine the existing five lots into one lot. The proposed plat includes the dedication of .05 acres of right-of-way for the newly aligned Haskell St.

The proposed improvements are required per the development agreement between the applicant and the City of West St. Paul. The development agreement requires that the improvements are completed by December 31, 2016.

Comments:

- Clpn. Napier said this is currently a mess but he hopes with clean-up it will be an improvement. What will be done along the sidewalk? Right now it is cattails and weeds. Director Boike reviewed plantings proposed and deferred to the property owner.
- Clpn. Vitelli said there is a pine tree of considerable size – will this be gone. Director Boike believes yes. Clpn. Vitelli said the front is not landscaped at all or area around the railing. Didn't Sherman say he had a tenant and did the EDA approve something with this property? Attorney Land said EDA approved a development agreement with six amendments (previously). This is in line with what we were anticipating and hope to have improvements completed by the end of this year. Attorney Land said she believes Sherman has complied with the city agreements. Clpn. Vitelli wants the building to look like it is occupied.
- Clpn. Napier said there are boards on broken windows. Mayor Meisinger said these issues are being addressed by staff and this is an independent deal.
- Clpn. Armon asked if there some way to get Mr. Sherman to comply.

- Clpn. Halverson asked if there a way for us to tie this to the offer before us this evening. Attorney Land said you can incorporate reasonable conditions.
- Clpn. Iago would like to speak with the applicant. Clpn. Iago asked about an island which is included as part of the original plan and is probably for safety measures.
- Mr. Rob Kost with Sherman and Associates spoke to Council. Most people are wondering what is going in there and he said he does meet with staff occasionally. We do not have a signed lease yet but we do have a couple of prospects. The market is telling them a grocer would go there. They have had quite a bit of window breakage and worked with the inspector to put up the boarding. Vandalism is profound and happens often. They have sealed the building as best they can. Having an open floor could attract a medical business and the floor remaining open (no flooring) is being done on purpose.
- Clpn Vitelli asked when the building was built. Mr. Kost was not sure, maybe a couple of years ago. This has proven to be a tough space to find a tenant especially a smaller tenant. There have been some good larger tenants but it's been unfortunate they haven't found anyone yet.
- Clpn. Napier asked can you paint the plywood. When you enter our city this is what you see – plywood pasted to a building. Mr. Kost said they could put up special signage and it could look better than just painting. Clpn. Napier said he is supportive of the parking lot but it needs to be cleaned up. Mr. Kost said they are eager to finish this project.
- Clpn Bellows said he reviewed the site plan with marking for the parking stalls and landscaping and it appears this is an extensive amount of landscaping. In part you are doing this at the request of the council. Yes, said Mr. Kost. Is the property owned by CDA a barrier? It could be hindering his prospects, said Mr. Kost. If you don't have anything next to you; it definitely can hurt. Council discussed leasing options and incentives to get this property inhabited. Members also spoke about open flooring to leave tenant options open.
- Clpn. Iago asked when would you begin. Ownership group said they want to begin this as soon as possible. He is meeting with Ownership tomorrow. Clpn. Iago asked if parking is available to the residents to the south. Yes, said Mr. Kost but he double checked and they are not monitoring the parking lot with regard to residential tenants. So they can park in the existing parking lot. They are trying to help with overflow. They charge for parking and it is below market. Mr. Kost said they spoke about parking at the Planning Commission meeting. An easement would not be feasible at this time. Clpn. Iago asked him to keep the neighbors to the west informed and be receptive to their input; think about what would be a nice visual screening. Director Boike said this would be a six foot maintenance fence along the parking lot. Clpn. Iago asked about snowplowing – where would the snow be pushed? Mark from Alliant Engineering said there is an area on the west side of the pond that snow can be moved to.
- Clpn. Halverson asked about indoor and outdoor parking and fees. Is parking being monitored? Mr. Kost said they don't monitor the commercial parking lot which is what he was speaking about earlier.
- Clpn. Vitelli doesn't think anyone from the apartment would want to park there and walk. He does want to see the building fixed up. Mr. Kost said they will promote this and he has heard the Councilmembers.
- Mayor Meisinger asked if 993 Robert Street could be part of this site plan approval.
- Attorney Land spoke about condition #4 outlined in the Resolution.

- A few additional comments were made. Council discussed removing condition #4 from the Resolution; they do not want to hinder the prospects who might want to rent. Clpn. Vitelli suggested Sherman purchase additional space for parking; Mr. Kost said there is enough parking.

The public hearing opened at 7:45 p.m.

Michele Pivec, 998 Livingston Avenue, she is the main person who has addressed parking issue. She would like to know if he will charge for overflow parking. No, said Chief Shaver. She said there are 5 to 15 cars parked on the street which would use the overflow parking. She would really like to see the overflow parking approved and would like the permit parking along Livingston.

Robert VanCleve, 972 Livingston Avenue, spoke before the Planning Commission and would like to reaffirm his viewpoint. If Ms. Pivec gets approved permit parking, the cars will move closer to his property. He wants to see something get done here but please consider:

- * he is concerned about noise abatement – there is nothing shielding the homes around that area there is a big open area;
- * he is concerned about debris and junk being dumped; and
- * he is concerned about the parking lot being a place that collects youth that have nothing to do.

The public hearing closed at 7:50 p.m.

Comments:

- Clpn Armon asked about compliance issues; Director Boike said there have been some.
- Clpn Vitelli asked about landscaping on north side; the Planning Commission said there should be a fence in this area. Director Boike said the vegetation will grow six feet in height and have both fencing and vegetation. Engineer Kronbeck said the intent is to put a fence in the center and allow for snow plowing the alley. Clpn. Vitelli asked about the south area by the guardrail on the westerly side. Engineer Kronbeck said they will have to put a fence in along the guardrail. Clpn. Vitelli is not sure fencing is the best option. Mayor Meisinger said staff can work with applicant on the screening.

Motion was made by Clpn. Vitelli and seconded by Clpn. Bellows to adopt Resolution No. 16-93 approving the Site Plan at 963 Robert Street:

1. Council approval of the corresponding Plat application.
2. The applicant shall obtain all applicable building and sign permits for the approved site improvements.
3. The applicant shall meet the screening requirement for the west property by providing a six-foot maintenance free fence as outlined in Section 153.032(E)(4).
4. The applicant shall revise the lighting plan to meet the zero-foot candle requirement at the south and west property lines.
5. The applicant shall revise the site plan to include a landscaped curbed island in the western row of parking.

6. The applicant shall adhere to the recommendations outlined in the attached memos provided by the City Civil Engineer, the Environmental Committee, and MnDOT.
7. The applicant shall complete the improvements by December 31, 2016 in accordance with the Development Agreement with the City of West St. Paul.
8. The applicant shall work with Staff in providing appropriate screening along the western property with a combination of a six foot maintenance free fence and landscaping.

All members present voted aye. Motion carried.

Motion was made by Clpn. Napier and seconded by Clpn. Halverson to adopt Resolution 16-94 approving a Final Plat at 963 Robert Street:

1. Council approval of the corresponding Site Plan application.
2. The applicant shall record the plat at Dakota County within one year of City approval

All members present voted aye. Motion carried.

D. Application for Site Plan Review to Modify the Existing Parking lot at 1675 Livingston Ave - Dakota County CDA

Assistant Community Development Director Ben Boike gave an overview. The Dakota County Community Development Agency (CDA) is requesting Site Plan approval in order to expand their existing parking lot at 1675 Livingston Ave. The applicant is proposing to modify the existing parking lot fronting the apartment building by adding 13 additional parking stalls off the west side of the existing drive aisle (see attached plan). The property currently has 40 parking stalls and therefore relies heavily on on-street parking on Livingston Ave. The proposed parking lot addition would help to alleviate the dependency of on-street parking.

The public hearing opened at 7:58 p.m.

An audience member asked if this was a taxpayer project. Mayor Meisinger explained the County owns this building.

The public hearing closed at 7:58 p.m.

Motion was made by Clpn. Napier and seconded by Clpn. Bellows to adopt Resolution No. 16-95 approving the Site Plan at 1675 Livingston Ave. as presented:

1. The applicant shall obtain all applicable building permits for the parking lot addition.
2. The applicant shall submit a revised site plan that includes the dimension of the drive aisle adjacent to the newly proposed row of parking. Should the drive aisle not meet the minimum drive aisle width of 20 ft., the applicant shall revise the plan to meet the requirement.
3. The applicant shall submit a landscape plan adhering to the tree replacement requirement in Section 153.031(4) of the Zoning Ordinance.
4. The applicant shall adhere to the recommendations outlined in the attached memos provided by the Environmental Committee and City Civil Engineer.

All members present voted aye. Motion carried.

12. New Business

A. Consideration of Override to Mayor Meisinger's Veto of Resolution 16-88

Councilmembers considered overriding the Mayor's veto of an adopted Resolution at the last meeting.

Motion was made by Clpn. Vitelli and seconded by Clpn. Armon to override the Mayor's Veto of Resolution No. 16-88 related to Robert Street Improvement project easement acquisition. Clpns. Vitelli, Armon, Napier and Halverson voted aye. Clpns. Bellows and Iago voted nay. Motion failed.

B. Approve 2017 Preliminary Budget and Levy

Assistant City Manager Sherrie Le gave an overview. Pursuant to State Law, the City is required to declare a maximum 2017 property tax levy no later than September 30, 2016. Preliminary budget and levy options were presented to the Council at the September 12th and 26th Open Council Work Sessions. The 2017 preliminary property tax levy options are detailed in the table below:

Fund	2016	2017 Original Proposal	2017 - Revised Option 1	2017 - Revised Option 2
General Fund	\$8,818,285	\$9,700,000	\$9,650,000	9,550,000
EDA Fund	300,000	300,000	300,000	300,000
Insurance Fund	150,000	150,000	150,000	150,000
Debt Service Funds	2,606,576	2,793,542	2,793,542	2,793,542
Capital Funds	290,000	250,000	250,000	250,000
Total Levy	\$12,164,861	\$13,193,542	\$13,143,542	\$13,043,542
Percent Increase	4.77%	8.46%	8.05%	7.22%

Comments:

- Clpn. Napier commits to bringing this lower; in favor of option 1.
- Clpn. Bellows said option 2 includes the original proposal of staggering the hire of police officers; that is correct and it brings the levy to 7.22%.
- Clpn. Halverson is committed to bringing the budget lower and supports option 1. Police Chief Shaver said staggering the officer hires lowers cost for maybe half a year.
- Clpn. Iago is not in support of a staggered delay for this minor amount. We need to have a safe community. He supports option 1 and work on reducing the budget in other ways.

Motion was made by Clpn. Napier and seconded by Clpn. Halverson to approve the maximum 2017 preliminary levy and budget amount for a maximum 8.05% increase with the understanding that Council will continue to review for further reductions. The preliminary amount of \$13,143,542.00 will be certified to the Dakota County auditor. Clpns. Halverson, Bellows, Armon, Napier and Vitelli voted aye. Clpn. Iago voted nay. Motion carried.

C. Consider Access Changes at 141 Wentworth Ave.

Public Works Director Ross Beckwith gave an overview. Once the median was installed on Wentworth Ave. as part of the Robert Street Project, the property owner claimed it was hard to get large semi delivery trucks in/out of his business. Staff contacted Dakota County to get permission for increasing the driveway access width at Arrow Mowers along Wentworth Avenue. Dakota County granted this request and allowed their maximum access width at the curb to be installed here. The additional curb cut was installed for a minimal cost.

The property owner claims to still have difficulty getting semis in and out currently. He has asked about constructing a secondary access onto Crawford Drive. Crawford Drive is a city street, but the property between Arrow Mowers and Crawford Drive is owned by Dakota County as it was part of the Wentworth Library property. Dakota County has stated they would entertain (not promise) the idea of either granting an easement across their property or possibly turning over the land to the city if a secondary access was pursued. The property owner is looking to the City to pay for the additional access.

Comments:

- Property owner of Arrow Mowers (Dan Ghoul) said semi-trucks cannot fit in this area. When he gets shipments to his business they unload on Wentworth Avenue and they drive on sidewalks. They need to be able to get deliveries. Going east toward the library there are a couple of parking stalls by the condos and this could be dangerous. He does not feel comfortable with this option. He discussed another option but it will not work completely. He is looking for a way that the city and county assist him. The easiest way is to go to Crawford but if they add on this could be destructive. To widen the driveway and clean out the trees is what the owner believes will work the best.
- Mayor Meisinger asked can the city assist.
- Clpn. Vitelli asked if the owner had spoken with the county and they advised him to have his orders come in on a smaller truck.
- This is not an uncommon access said Director Beckwith.
- Commissioner Kathleen Gaylord has heard the story as well. No solution to the problem.
- Clpn. Bellows said they allowed the widening of a driveway to their specifications. These are county factors. Owner said there was a body shop that had a similar situation and they got assistance from the city.
- Clpn. Vitelli said he met with Mr. Ghoul and he doesn't think that it's not impossible to brush out the trees. His driveway was made to the maximum but his drive should be enlarged to the east by 10 feet to take advantage of the whole width.
- Clpn. Iago what would it cost to clear out the trees. Mr. Ghoul said one quote was \$14,000 and includes tree removal and paving. We could use gravel. Attorney Land said it is code to use bituminous.
- Clpn. Napier said we have supported Robert Street business and this was not caused by the owner. He would like to see if staff could get creative and find the funding. We need to support a business that was caused hardship by the Robert Street project.
- Clpn. Halverson agrees that this is a difficult situation – it's a county issue but we will address it as best we can.

- Clpn. Bellows is sympathetic but his issue said the limits and restrictions are placed by the county and they are tossing this down to us to figure out. Clpn. Bellows is very disappointed with the County response to this issue.

Motion was made by Clpn. Vitelli and seconded by Clpn. Halverson to have staff work with Dan Ghoul and estimate the costs of potential access changes at 141 Wentworth Avenue for Council to review at a future meeting. Clpn. Vitelli suggested another option for staff to consider with Dan. All members present voted aye, motion carried.

D. Approve Change Order for Lift Station 5 & 6 Project #16-2

Public Works Director Ross Beckwith gave an overview of the City’s Lift Station 5 & 6 and forcemain replacement project, in which changes were encountered in the field. As a result, change orders are required to complete the work.

Motion was made by Clpn. Bellows and seconded by Clpn. Napier to approve the change order for Lift Stations 5 & 6 project #16-2 for \$8,962.80 as presented. All members present voted aye. Motion carried.

E. Receive Feasibility Report & Call Public Improvement Hearing for 2017 Street Improvements Project #17-1

Public Works Director Ross Beckwith gave an overview. The City Council is requested to order the preparation of a feasibility report for the 2017 Marie Ave. Improvement Project. The feasibility study is required by Chapter 429 of State Statute in order to assess any part of the project. The following streets are proposed for construction improvements:

Street	From	To
Charlton Ave.	Marie Ave.	Trunk Hwy 110
Bidwell St.	Marie Ave.	Crusader Ave.
Edgewood Ln.	Charlton St.	East end
Sherwood Ct.	Charlton St.	East end
Humboldt Ave.	Wentworth Ave.	Marie Ave.
Kraft Rd.	Humboldt Ave.	Livingston Ave.
Fox Ridge Dr.	Livingston Ave.	Livingston Ave.
Fox Ridge Ct.	Fox Ridge Drive	West end
Runge Ln.	Smith Ave.	Charlton St.
Edith Dr.	Smith Ave.	Bellows St.

The feasibility report will recommend a course of improvement for the roadway, and any utility improvements. It also provides a cost estimate and preliminary assessment information.

Comments:

- Clpn. Vitelli is a little concerned about Fox Ridge residents for access. Director Beckwith said it will be tricky but they will have access.

- Clpn. Armon is fine with this plan. When was Bernard on the list? Director Beckwith was not sure. Clpn. Armon said there are a lot of comments for this road.
- Clpn. Napier said we added Charlton due to safety issues and the condition of this street.
- Clpn. Bellows said about 70% of the construction will be in Ward 3 so it appears it may be hard to get through this Ward next year. Do they stage this or do it all at once. Director Beckwith said it is up to the contractor and we can make some comments. Director Beckwith said construction is invasive and it's not fun; services are at risk; we do get through it. This will be bid as one job.

Nancy Dement, 1023 Charlton Avenue, asked about water main issues. Will service go from the home to the street? Director Beckwith said they replace the new pipe in the road and typically it is replaced to the curb stop.

Motion was made by Clpn. Vitelli and seconded by Clpn. Bellows to adopt Resolution No. 16-96 ordering a feasibility report for the 2017 Street Improvements Project #17-1 as presented. All members present voted aye. Motion carried.

Motion was made by Clpn. Vitelli and seconded by Clpn. Bellows to approve and adopt Resolution No. 16-97 receiving and accepting the feasibility report for the 2017 Street Improvements Project #17-1 as presented. All members present voted aye. Motion carried.

Motion was made by Clpn. Bellows and seconded by Clpn. Halverson to approve and adopt Resolution No. 16-98 to call for a hearing for the 2017 Street Improvements Project #17-1 as presented. All members present voted aye. Motion carried.

F. Approve Supplemental Agreement #8 for Robert Street Project #11-3

Director Beckwith explained that as part of the Robert Street project, SRF was asked to design Marie Avenue for reconstruction between Robert Street and Livingston Avenue. Reconstructing this section of Marie Avenue completes the roadway from Robert Street to Delaware Avenue. The design is complete and unit prices have been negotiated with Eureka Construction and approved by MnDOT's Office of Construction Estimating. This work is scheduled to be performed in October, 2016 by Eureka Construction.

Motion was made by Clpn. Vitelli and seconded by Clpn. Halverson to approve supplemental agreement #8 for the estimated amount of \$324,729.70 for the reconstruction of Marie Avenue from Robert Street to Livingston Avenue for Robert Street Project #11-3 and amend SRF's construction administration contract to add \$37,417.00 for construction administration/inspection (SRF) and materials testing (Braun Intertec) as presented. All members present voted aye. Motion carried.

G. Special Assessment Policy

This item was pulled from the consent agenda by Clpn. Napier so the public could learn more about this policy. Director Ross Beckwith explained that as part of the Inflow and Infiltration (I/I) Sewer Inspection Program that the City began in the fall of 2008, the City Council allowed

property owners to assess the cost of any sewer repairs that were required as part of the inspection program. The City Council set the terms of the assessment interest rate and time-frame at 3% over ten years. Staff worked with the City Attorney to come up with an assessment agreement which property owners must sign prior to having their I/I sewer-related repair costs assessed.

Motion was made by Clpn. Napier and seconded by Clpn. Armon to approve the assessment policy revisions as presented. Clpns. Napier, Armon, Halverson, Vitelli and Iago voted aye. Clpn. Bellows abstained. Motion carried.

13. Old Business

There was no old business to consider at this meeting.

14. Adjourn

Motion was made by Clpn. Napier and seconded by Clpn. Halverson to adjourn the meeting at 8:45 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: October 10, 2016
SUBJECT: List of Claims



City of West St. Paul

BACKGROUND INFORMATION:

Invoices to be paid

FISCAL IMPACT:

\$1,711,262.07

STAFF RECOMMENDATION:

Approve payment of attached

CITY OF WEST ST PAUL

Summary of List of Claims

Council Meeting of October 10, 2016

PAYROLL CHECK REGISTER:

Payroll Period	9/12/16 - 9/25/16	
Date Paid	9/30/2016	\$161,776.61
Direct Deposit		

Payroll Period	
Date Paid	
Direct Deposit	

TOTAL NET PAYROLL

\$161,776.61

DISBURSEMENT CHECK REGISTER:

Checks	122952 - 123065	\$1,326,225.76
EFTS	1014 - 1031	\$223,259.70

TOTAL DISBURSEMENT CHECKS

\$1,549,485.46

TOTAL PAYROLL, DISBURSEMENTS, ACH AND WIRE TRANSFERS

\$1,711,262.07

Payment Register

From Payment Date: 9/26/2016 - To Payment Date: 10/10/2016

Number	Date	Payee Name	Transaction Amount
AP - Accounts Payable			
<u>Check</u>			
122952	09/26/2016	MCCARTY, PATRICK	\$306.00
122953	09/29/2016	ANCHOR BANK	\$150.00
122954	10/10/2016	1SOURCE OFFICE & FACILITY	\$182.94
122955	10/10/2016	A B C RENTAL	\$4,560.55
122956	10/10/2016	ADVANCED ENGINEERING &	\$17,584.40
122957	10/10/2016	AIRTECH THERMEX	\$981.50
122958	10/10/2016	AQUA ENGINEERING INC	\$360.90
122959	10/10/2016	ARROW MOWER	\$38.40
122960	10/10/2016	BAUER BUILT INC	\$749.60
122961	10/10/2016	BAUTISTA, LESLEY	\$941.25
122962	10/10/2016	BENJAMIN FRANKLIN PLUMBING	\$44,007.30
122963	10/10/2016	BMC SOFTWARE	\$348.76
122964	10/10/2016	BOLTON & MENK INC	\$33,993.50
122965	10/10/2016	BRAUN INTERTEC CORPORATION	\$2,200.00
122966	10/10/2016	BROCK WHITE	\$307.57
122967	10/10/2016	CAPRA'S UTILITIES	\$15,550.00
122968	10/10/2016	CARBONES PIZZA	\$52.38
122969	10/10/2016	CDW GOVERNMENT, INC	\$805.54
122970	10/10/2016	CENTURYLINK	\$569.90
122971	10/10/2016	CHLIC-BLOOMFIELD EASC	\$2,609.21
122972	10/10/2016	COMMERCIAL ASPHALT COMPANY	\$143.71
122973	10/10/2016	CORPORATE MARK INC	\$1,105.79
122974	10/10/2016	CROWN TROPHY	\$10.00
122975	10/10/2016	CUB FOODS - WEST ST PAUL	\$32.02
122976	10/10/2016	DAKOTA COMMUNICATIONS	\$55,602.00
122977	10/10/2016	DAKOTA COUNTY FINANCIAL SERV	\$100,018.91
122978	10/10/2016	DAKOTA COUNTY PROPERTY	\$42.48
122979	10/10/2016	DEPUTY REGISTRAR #35	\$11.00
122980	10/10/2016	DORIOTT, CHANTAL	\$74.20
122981	10/10/2016	FASEL, MARKUS	\$1,000.00
122982	10/10/2016	FULTON, , MATT	\$249.28
122983	10/10/2016	GENERATOR SPECIALTY CO INC	\$189.95
122984	10/10/2016	GERTENS GREENHOUSE	\$13.96
122985	10/10/2016	GOODIN COMPANY	\$29.84
122986	10/10/2016	GORR, SABRINA	\$71.53
122987	10/10/2016	GRAINGER INC	\$221.65
122988	10/10/2016	H & L MESABI INC	\$434.44
122989	10/10/2016	HARTSHORN, JIM	\$71.28
122990	10/10/2016	HOIDAHL/KARL	\$109.99
122991	10/10/2016	HOLIDAY STATION STORES	\$60.00
122992	10/10/2016	INDEPENDENT BLACK DIRT CO	\$490.00
122993	10/10/2016	INVER GROVE FORD	\$641.59
122994	10/10/2016	J H LARSON COMPANY	\$245.77
122995	10/10/2016	JIM MURR PLUMBING	\$60.00
122996	10/10/2016	JIMMY'S JOHNNYS	\$428.50
122997	10/10/2016	KEEPSRS, INC	\$628.98
122998	10/10/2016	KIMLEY-HORN & ASSOCIATES, INC	\$1,902.70
122999	10/10/2016	LAKEVILLE/CITY OF	\$50.00
123000	10/10/2016	LAWSON PRODUCTS INC	\$422.50
123001	10/10/2016	LEAGUE OF MN CITIES	\$65.00

Payment Register

From Payment Date: 9/26/2016 - To Payment Date: 10/10/2016

123002	10/10/2016	LILLIE SUBURBAN NEWSPAPERS	\$281.25
123003	10/10/2016	LMCIT- INS PREMIUMS	\$42,275.00
123004	10/10/2016	LMCIT- INS PREMIUMS	\$53,799.25
123005	10/10/2016	LOGIS	\$110.00
123006	10/10/2016	LYONS, RODNEY	\$260.00
123007	10/10/2016	MALERICH, DANETTE	\$90.00
123008	10/10/2016	MAXIMUM SOLUTIONS INC	\$775.00
123009	10/10/2016	MCQUILLAN BROS PLUMBING	\$5,900.00
123010	10/10/2016	MED-COMPASS	\$355.00
123011	10/10/2016	MENARDS	\$2,460.73
123012	10/10/2016	METROPOLITAN COUNCIL	\$138,214.18
123013	10/10/2016	MID-NORTHERN SERVICES	\$3,864.25
123014	10/10/2016	MINNESOTA SPOKESMAN	\$300.00
123015	10/10/2016	MN DEPT OF TRANS-COMMISIONER	\$567.69
123016	10/10/2016	MN GLOVE	\$134.94
123017	10/10/2016	MN LOCKS	\$30.85
123018	10/10/2016	MN OCCUPATIONAL HEALTH	\$1,042.00
123019	10/10/2016	MY ALARM CENTER	\$114.75
123020	10/10/2016	NATURE CALLS	\$1,021.00
123021	10/10/2016	NORTHERN TOOL & EQUIPMENT	\$42.64
123022	10/10/2016	NYSTROM PUBLISHING CO INC	\$398.11
123023	10/10/2016	O'REILLY AUTOMOTIVE, INC	\$497.10
123024	10/10/2016	OFFICE DEPOT	\$4.11
123025	10/10/2016	ORKIN COMMERCIAL SERVICES	\$124.65
123026	10/10/2016	PARKOS CONSTRUCTION CO INC	\$41,551.19
123027	10/10/2016	PERFORMANCE PLUS LLC	\$1,771.75
123028	10/10/2016	PETCO ANIMAL SUPPLIES	\$43.74
123029	10/10/2016	PLAZA TV	\$535.63
123030	10/10/2016	POSTMASTER	\$10,000.00
123031	10/10/2016	RICHARD ALAN PRODUCTIONS	\$1,050.00
123032	10/10/2016	RUMPCA EXCAVATING	\$550.00
123033	10/10/2016	SABA, GEORGE	\$114.30
123034	10/10/2016	SAM'S CLUB DIRECT	\$1,190.83
123035	10/10/2016	SELECTACCOUNT	\$154.03
123036	10/10/2016	SELLERS, DEANNA	\$896.25
123037	10/10/2016	SENTRY SYSTEMS INC	\$100.20
123038	10/10/2016	SFDMG, LLC	\$7,657.25
123039	10/10/2016	SHAW, STEVE	\$436.92
123040	10/10/2016	SHORT ELLIOTT HENDRICKSON, INC	\$20,716.47
123041	10/10/2016	SOUTH METRO FIRE DEPT	\$340,196.03
123042	10/10/2016	SOUTH METRO FIRE DEPT	\$1,090.00
123043	10/10/2016	SPIESS PLUMBING	\$500.00
123044	10/10/2016	SRF CONSULTING GROUP INC	\$143,190.34
123045	10/10/2016	SSP UMPIRES ASSN	\$1,540.00
123046	10/10/2016	ST PAUL PUBLISHING CO	\$608.81
123047	10/10/2016	ST PAUL/CITY OF	\$144,870.86
123048	10/10/2016	SU-Z'S	\$30.00
123049	10/10/2016	SUNGARD PUBLIC SECTOR	\$34,200.00
123050	10/10/2016	T - MOBILE	\$1,692.98
123051	10/10/2016	TESSMAN SEED	\$620.00
123052	10/10/2016	THE POVOLNY GROUP	\$800.00
123053	10/10/2016	THE VANELLA GROUP OF MN, LLC	\$536.48
123054	10/10/2016	THUMB THINGS	\$2,407.99
123055	10/10/2016	TRIDISTRICT COMMUNITY	\$24.00

Payment Register

From Payment Date: 9/26/2016 - To Payment Date: 10/10/2016

123056	10/10/2016	TWIN CITY GARAGE DOOR CO	\$87.00
123057	10/10/2016	TWIN CITY JANITOR SUPPLY	\$471.25
123058	10/10/2016	TWIST OFFICE PRODUCTS	\$383.07
123059	10/10/2016	UPS STORE	\$3,009.88
123060	10/10/2016	US BANK EQUIPMENT FINANCE	\$656.16
123061	10/10/2016	VENER/TRACY	\$71.58
123062	10/10/2016	WHEELER, DEBORAH	\$700.00
123063	10/10/2016	WSB & ASSOCIATES	\$4,586.26
123064	10/10/2016	ZAN ASSOCIATES	\$12,362.83
123065	10/10/2016	ZIEGLER INC	\$1,432.41
Type Check Totals:			<u>\$1,326,225.76</u>

<u>EFT</u>			
1014	09/29/2016	SW/WC SERVICE COOPERATIVE	\$93,796.50
1017	09/30/2016	SELECTACCOUNT	\$29.32
1018	09/30/2016	SELECTACCOUNT	\$450.89
1019	10/05/2016	I C M A	\$200.00
1020	10/05/2016	I C M A RETIREMENT TRUST-457	\$7,095.82
1021	10/05/2016	IRS - PR TAXES	\$53,050.30
1022	10/05/2016	MII LIFE --- VEBA	\$3,041.15
1023	10/05/2016	MN DEPT OF REVENUE - PR TAXES	\$11,015.92
1024	10/05/2016	MN REVENUE	\$100.00
1025	10/05/2016	MSRS - 457	\$1,890.00
1026	10/05/2016	MSRS HCSP	\$2,150.61
1027	10/05/2016	PUBLIC EMPLOYEES RETIRMNT	\$45,836.81
1028	10/05/2016	PUBLIC EMPLOYEES RETIRMNT	\$372.16
1029	10/05/2016	MII LIFE --- VEBA	\$1,602.69
1030	10/10/2016	NEOPOST - ADVANCE	\$2,000.00
1031	10/10/2016	SELECTACCOUNT	\$627.53
Type EFT Totals:			<u>\$223,259.70</u>

TOTAL CHECKS & EFTS	<u><u>\$1,549,485.46</u></u>
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TO: Mayor and City Council
THROUGH: Matt Fulton, City Manager
FROM: Sherrie Le, Assistant City Manager
DATE: October 10, 2016
SUBJECT: Change Order #1- City Hall Remodeling Project



City of West St. Paul

BACKGROUND INFORMATION: In July, 2016, the City Council awarded the bid for the City Hall Remodeling project to Parkos Construction Company for \$130,700. The rough estimate provided by Wold Architects and Engineers, our contracted architectural firm, was \$150,000.

As with all construction projects, there are some unknowns that are discovered during construction and modifications need to be made. The changes that were necessary are described in the attached letter from John McNamara and total \$7,205.54. Even with this change order, we are below the estimate provided by Wold, and much below the original rough estimate of \$200,000.

The project is now complete and was finished ahead of schedule. Considerable work was completed by City staff to keep the costs down. This was truly a team effort. We request the following employees and/or Departments be recognized by the City Council for going above and beyond to assist with completion of this project. Some of these employees put in extra hours, without compensation, to keep things moving forward. All of these employees performed the work in addition to their regular work assignments.

Dan Gallahue, Building Maintenance Technician
Dennis Schilling, Building Official
Bud Shaver, Chief of Police
Public Works Maintenance staff
Ice Arena Maintenance staff
Community Development staff
Marc Gade, IT Manager

There were also three volunteers who helped with painting and detail work. They are: Earl Walker, Tom Husak and John Vruno.

FISCAL IMPACT: Council approved funding for the project to come from the City Hall Facility budget.

		Amount
Fund:	415	
Department:	42940	
Account:	40520	\$7,205.54

STAFF RECOMMENDATION: Staff requests approval of change order # 1.



September 28, 2016

Sherrie Le, Assistant City Manager
City of West St. Paul
1616 Humboldt Ave.
West St. Paul, Minnesota 55118

Re: City Hall/ Police Renovation
Commission No. 162066

Dear Sherrie:

We have concluded our final review of outstanding contractor costs for the City Hall/ Police Renovation Project and are recommending approval of the following costs:

1. **PR #1** **Add \$2,578.10**
After removal of the hard ceiling in the existing conference rooms, it was discovered that the wood ceiling joists were supported at the wall scheduled for removal. This cost adds a wood beam to support these existing ceiling joists.
2. **PR #2** **Add \$5,678.58**
It was determined during construction that extending the new walls 24" higher would simplify the new wall framing. To provide a consistent wall elevation, a cost was requested from the contractor to extend the remaining existing walls in this area in order to provide a consistent finish in the lobby.
3. **PR #3** **Credit \$3,212**
The contractor suggested a product substitution for the glass framing system that resulted in a credit to the project.
4. **SI #2** **Credit \$493**
The framing at the new conference room and adjacent maintenance space was simplified during construction resulting in a small credit.
5. **GCPR #2** **Add \$1,296.96**
During construction it was discussed to provide a number of new light fixtures in the conference rooms in lieu of reusing existing fixtures. Additional wall switching was also added.

Wold Architects and Engineers
332 Minnesota Street, Suite W2000
Saint Paul, MN 55101
woldae.com | 651 227 7773

**PLANNERS
ARCHITECTS
ENGINEERS**



- | | | |
|--|--------|----------|
| 6. GCPR #3 | Credit | \$428 |
| A wall modification in the renovated women's locker room resulted in a small credit. | | |
| 7. GCPR #4 | Add | 471.45 |
| A toilet flange in the lower level restroom was discovered to be damaged after the fixture was removed. A new toilet flange was provided. | | |
| 8. GCPR #5 | Add | \$328.65 |
| Some maintenance and modifications to the existing air handler that serves the conference rooms was requested to try to increase the air flow into those spaces. | | |
| 9. GCPR #6 | Add | \$317 |
| To match the new work, it was requested to add new 1x4 oak trim to the existing south door of the conference area. | | |
| 10. GCPR #7 | Add | \$667.80 |
| The police department requested to add vinyl base to the remodeled women's locker room. | | |

Change Order #1 in the amount of \$7,205.54 for the above modifications is being recommended. Upon approval, we will issue the Change Order for signatures.

Sincerely,

WOLD ARCHITECTS AND ENGINEERS

A handwritten signature in black ink, appearing to read "John McNamara", with a long horizontal flourish extending to the right.

John McNamara // AIA, LEED-AP
Partner

cc: Matt Fulton, City of West St. Paul
Nate Hitt, Wold Architects and Engineers

TO: Mayor & City Council
THROUGH: Matt Fulton, City Manager
FROM: Chantal Doriott, City Clerk
DATE: October 10, 2016
SUBJECT: Election Judge Appointment s



BACKGROUND INFORMATION :

Pursuant to M.S. Statute 204B.21, Subd. 2, Election Judges for precincts in a municipality shall be appointed by the governing body of the municipality. The persons named in the attached proposed resolution will receive election judge training and certification. These election judges will serve for West St. Paul's General Election on November 8, 2016. These judges are in addition to judges appointed in June.

FISCAL IMPACT:

Election judges are paid for training and working the polls per the previously approved 2016 Temporary/Seasonal Employee Hourly Wage Schedule.

		Amount
Fund:	101	
Department:	41410	
Account:	40399	Varies per duty

STAFF RECOMMENDATION :

Approve and adopt the attached Resolution appointing additional election judges for the 2016 General Election.

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

RESOLUTION NO. 16-

**A RESOLUTION APPOINTING ADDITIONAL ELECTION JUDGES FOR THE
NOVEMBER 8, 2016 GENERAL ELECTION**

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

The persons named below are hereby appointed as Election Judges for the 2016 General Election to be held in the City of West St. Paul, Dakota County, and State of Minnesota. The Election Judges are being appointed to serve at any or all election precinct sites as designated by the City.

Anne Froelich
Brenda Fraatz
Monica Gjevre
Mary Lou Olson

Adopted by the City Council of the City of West St. Paul this 10th day of October, 2016.

Ayes: Nays:

David Meisinger, Mayor

Chantal M. Doriott, City Clerk

TO: Mayor and City Council
THROUGH: City Manager
FROM: Public Works & Parks Director/City Engineer
DATE: October 10, 2016
SUBJECT: Call Final Assessment Hearing for the 2015-2016 Robert St.
Sidewalk Cleaning



City of West St. Paul

BACKGROUND INFORMATION:

Assessment rolls have been prepared for the Robert Street Sidewalk Cleaning work done during the 2015-2016 winter season (Butler Ave. to Mendota Road). The total cost of the work for this past winter season was \$29,059.36 with an assessment rate of \$1.58 per front foot. Council is requested to call the assessment hearing for the 2015-2016 Robert Street Sidewalk Cleaning for November 14, 2016.

Per state statute, the City Council must call the assessment hearing and publish the hearing date at least two weeks before the assessment hearing. Staff intends to publish the notice in the October 23, 2016 edition of the *South West Review*.

FISCAL IMPACT:

This contract is completely dependent on the amount of snowfall the City receives each winter. All of the costs for this contract are assessed to the benefitting property owners along Robert Street.

		Amount
Fund:	403	
Department:	30000	
Account:	36101	\$29,059.36

STAFF RECOMMENDATION:

Staff recommends that the City Council set the final assessment hearing date on the 2015-2016 Robert Street Sidewalk Cleaning for November 14, 2016.

TO: Mayor and City Council
THROUGH: City Manager
FROM: Public Works & Parks Dir./City Engineer
DATE: October 10, 2016
SUBJECT: Rescind Acceptance of Safe Routes to School Grant and Terminate Project #17-3



City of West St. Paul

BACKGROUND INFORMATION:

In 2015 the City applied for a Safe Routes to School (SRTS) grant for the installation of concrete sidewalk along the east side of Bidwell St. from Thompson Ave. to Butler Ave. The City was granted \$288,400 for construction of this project. The grant application estimated construction at \$360,500 and requires a 20% local match. The City is also required to pay 100% of preliminary engineering, easement acquisition and construction administration. Staff has hired Kimley-Horn as the consultant to perform preliminary engineering and navigate the federal process.

FISCAL IMPACT:

This is a very challenging corridor to retrofit a boulevard and concrete sidewalk in with regards to right-of-way, steep grades and existing mature trees. Through preliminary engineering, the cost estimate for construction is \$700,000 which puts a total project cost estimated at \$960,000. While this remains an important corridor for a sidewalk, the costs are much higher than budgeted.

STAFF RECOMMENDATION:

Staff recommends that the City Council adopt the attached resolution rescinding acceptance of the \$288,400 federal Safe Routes to School grant and terminating the preliminary engineering contract with Kimley-Horn.

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

RESOLUTION NO. 16-

**A RESOLUTION RESCINDING THE ACCEPTANCE OF THE GRANT FOR
THE BIDWELL SEGMENT OF THE SAFE ROUTES TO SCHOOL PROJECT
AND TAKING APPROPRIATE STEPS TO TERMINATE THE PROJECT**

WHEREAS, the City authorized the solicitation of grant funding from the Federal Highway Administration's Safe Routes to School program on December 15, 2015 for the construction of a 6-foot sidewalk along the east side of Bidwell Avenue from Butler Avenue south to Thompson Avenue; and

WHEREAS, the proposed segment was listed as a priority project in the City's Bike/Ped Plan, as it would provide a critical north/south off-street pedestrian infrastructure connecting Moreland Elementary, Heritage Middle School, Mattson Field and the City's swimming pool; and

WHEREAS, at the time the Council approved submitting the grant application, the total project cost was anticipated to be \$260,000 of which, the City would be expected to pay \$52,000 (20% match); and

WHEREAS, by the time the grant application was submitted, the new construction cost estimate had risen to \$360,500; and

WHEREAS, the City was awarded a grant in the amount of \$288,400 for construction costs only; and

WHEREAS, the City was still expected to provide a 20% match to the grant (\$72,100) and was expected to pay 100% of the preliminary engineering, easement acquisitions and construction administration costs, estimates of which were not known; and

WHEREAS, the City hired Kimley-Horn to perform preliminary engineering services; and

WHEREAS, Kimley-Horn has provided a new estimate for construction costs, which has risen to \$700,000, with the City's portion now being \$411,600; and

WHEREAS, adding preliminary engineering, easement acquisitions and construction administration costs to the estimated construction costs brings the total project cost estimate to \$960,000, which is significantly more than the City anticipated, making the project financially unfeasible at this time.

NOW, THEREFORE, BE IT RESOLVED by the West St. Paul City Council that the appropriate City Staff and representatives are authorized to do the following:

1. Rescind acceptance of the grant and return any federal funds that have been received, notifying the appropriate federal agency of such action; and
2. Terminate the contract with Kimley-Horn for the project effective as of the date of approval of this Resolution and authorize payment for work performed to date; and
3. Take any other actions necessary to effectuate the intent of this Resolution.

Adopted by the City Council of the City of West St. Paul this 10th day of October, 2016.

Ayes:

Nays:

Attest:

David Meisinger, Mayor

Chantal Doriott, City Clerk

TO: Mayor and City Council
THROUGH: Matt Fulton, City Manager
FROM: Community Development Department
DATE: October 10, 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:

255 Westview Drive #205 (Condo – New Application)

FISCAL IMPACT:

Application Fees Received:		Amount:
Fund:	101	
Department:	30000	
Account:	32170	\$ 40

STAFF RECOMMENDATION:

Staff recommends City Council approve the license applications.

TO: Mayor and City Council
THROUGH: City Manager
FROM: Public Works & Parks Director/City Engineer
DATE: October 10, 2016
SUBJECT: Approve Resolution of Support for Dakota County's 2017-2021 CIP



City of West St. Paul

BACKGROUND INFORMATION:

Dakota County recently completed their 5-year draft Capital Improvement Program (CIP) for the period from 2017-2021. City staff received a copy of the draft CIP along with a request from Dakota County that each city in the County formally adopt a resolution supporting their respective projects for inclusion in the 2017-2021 CIP. The County has the following transportation projects within West St. Paul included in the CIP:

1. Mill and Overlay of Delaware Ave. (County Rd. 63) from Marie Ave. to Dodd Road (2017). This will include repair/replacement of sanitary and storm sewer structures/castings as necessary.
2. Mill and Overlay of Oakdale Ave. (County Rd. 73) from Wentworth Ave. (County Rd. 8) to Annapolis St. (2017). This will include repair/replacement of sanitary and storm sewer structures/castings as necessary.
3. Mill and Overlay of Butler Ave. (County Rd. 4) from Delaware Ave. (County Rd. 63) to Robert Street. This will include repair/replacement of sanitary and storm sewer structures/castings as necessary (2018 or 2019)
4. Roundabout construction at Wentworth Ave. (County Rd. 8) and Oakdale Ave. (County Rd. 73) (2017).
5. Reconstruction of Wentworth Ave. (County Rd. 8) from Delaware Ave. (County Rd. 63) to Livingston Ave. (2019).
6. Roundabout construction at Oakdale Ave. (County Rd. 73) and Thompson Ave. (County Road 6) (2020)
7. Trails along Oakdale Ave. (County Rd. 73) from Mendota Rd. to Wentworth Ave. (County Rd. 8) subject to obtaining federal funding (Year TBD).
8. Trails along Thompson Ave. (County Rd. 6) from Robert St. to Oakdale Ave. (County Rd. 73). Timeline and placement will be dependent on the redevelopment of the golf course (2018).
9. River to River Greenway crossing of Robert Street. Dakota County is currently leading a study to look at grade separation versus at-grade crossing of Robert Street. Crossing would be influenced by the redevelopment of the golf course property and in conjunction with the trail along Thompson Ave. (2018).

FISCAL IMPACT:

The City's own draft 2017-2021 CIP (Capital Improvement Plan) includes funds to cover the estimated City share of the above-mentioned projects.

STAFF RECOMMENDATION:

Staff recommends that the City Council approve a resolution in support of Dakota County's 2017-2021 CIP.

Attachment: 1. Dakota County Draft CIP 2017-2021

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

RESOLUTION NO. 16-

**A RESOLUTION IN SUPPORT OF DAKOTA COUNTY'S 2017-2021 CAPITAL
IMPROVEMENT PROGRAM FOR TRANSPORTATION, PARKS AND
BUILDINGS**

WHEREAS, the West St. Paul City Council reviewed the 5-year Capital Improvement Program (CIP) at its regular Council meeting on October 10, 2016; and

WHEREAS, the West St. Paul projects identified in the CIP plan are supported by the Council; and

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby supports the West St. Paul projects identified in the Dakota County 2017-2021 Capital Improvement Program for Transportation, Parks and Buildings.

Adopted by the City Council of the City of West St. Paul this 10th day of October, 2016.

David Meisinger, Mayor

Chantal Doriott, City Clerk

Dakota County Transportation CIP Process 2017-2021 – Requests from cities/townships

City of South St Paul		e-mail: June30, 2016
<p><u>Request:</u> CSAH 14 from Marie to 20th Ave.</p> <p><u>Trails:</u> Sidewalk/trail CR 8 from TH 52 to 15th Ave Mississippi River Regional Trail requests County support – (no financial contribution) 2017-2018</p>	<p><u>County Response:</u> CP 14-28 Construction 2017</p> <p><u>Trails:</u> Please include in Trail Set Aside solicitation. Request for support forwarded to Parks Dept.</p>	
City of West St Paul		Letter: June 28, 2016
<p><u>Request:</u> CSAH 8 (Wentworth) at CSAH 73 (Oakdale) construction of Roundabout 2017</p> <p>CR 6 (Thompson) at CSAH 73 (Oakdale) intersection</p> <p>CSAH 8 (Wentworth) from CSAH 63 to Livingston 2019</p> <p><u>Bituminous Mill & Overlay:</u> CSAH 63 (Delaware Ave) from Marie Ave north to TH 149 (Dodd Rd) 2017 CSAH 73 (Oakdale Ave) form CSAH 8 (Wentworth) to Annapolis St 2017 CR 4 (Butler Ave) from CSAH 63 (Delaware) to Robert St 2018-2019</p> <p><u>Trails:</u> CSAH 73 (Oakdale Ave) from Mendota Rd to CSAH 8 (Wentworth Ave) subject to obtaining Federal Funds CR 6 (Thompson Ave) from TH 952 (Robert St) to CSAH 73 (Oakdale Ave) subject to golf course development 2018</p> <p>River to River crossing of Robert Street in conjunction with redevelopment of golf course property & trail along CR 6 (Thompson Avenue)</p>	<p><u>County Response:</u> CP 8-20 Programmed in 2016 CIP (starts after Robert Street construction completed)</p> <p>CP 6-06 Design Roundabout (Single Lane) 2018 ROW Acquisition 2019 Construction 2020</p> <p>CP 8-21 Design 2017 ROW Acquisition 2018 Construction 2019</p> <p>Will be assessed this spring for inclusion in 2017 Overlays.</p> <p>Draft 10.05.2016</p> <p><u>Trails:</u> Noted</p> <p>Noted</p> <p>.</p> <p>Study is underway to assess crossing needs and scope of work. Project programmed in previous Parks CIP.</p>	

TO: Mayor and City Council
THROUGH: Matt Fulton, City Manager
FROM: Joan Carlson, Finance Director
DATE: October 10, 2016
SUBJECT: Public Hearing on Proposed Assessments of Unpaid Invoices



City of West St. Paul

BACKGROUND INFORMATION:

Attached is the list of unpaid invoices for consideration of assessment. This public hearing was properly noticed in the South-West Review on 9/25/16

FISCAL IMPACT: None

		Amount
Fund:	101	
Department:	30000	
Account:	36101	\$62,307.99

STAFF RECOMMENDATION:

Staff recommends holding the public hearing and adopting the assessment roll of unpaid invoices.

2016

correct as of

Today is Monday, September 19, 2016

INVOICE #	DATE OF BILLED TO INVOICE	ADDRESS	PROPERTY ID #	REASON	AMOUNT
2015-0103	5/22/15	Eric Tucker	42-20200-01-130	Repeat nuisance	170.89
2016-0035	4/1/16	Elizabeth Rayne Kosen-Judnik	42-32500-02-013	Admin citation - comm dev	2,122.73
2016-0039	4/3/16	Gerrardo Torres	42-02900-03-011	repeat nuisance - PD	176.19
2016-0057	4/15/16	Alice Krengel	42-20100-00-040	Admin citation - police	212.28
2016-0058	4/15/16	West St Paul Holding LLC	42-31051-02-100	Admin citation - comm dev	212.28
2016-0059	4/15/16	Elizabeth Rayne Kosen-Judnik	42-32500-02-013	Admin citation - comm dev	2,122.73
2016-0060	4/15/16	Elizabeth Rayne Kosen-Judnik	42-32500-02-013	Admin citation - comm dev	212.28
2016-0061	4/15/16	Dale Willenbring	42-47700-02-260	Admin citation - comm dev	212.28
2016-0064	4/15/16	Elizabeth Rayne Kosen-Judnik	42-32500-02-013	repeat nuisance - comm dev	176.19
2016-0069	4/19/16	Hoag, James	42-34952-08-020	Admin citation - comm dev	212.28
2016-0070	4/19/16	Kirechert, Connor	42-34952-08-020	Admin citation - police	424.45
2016-0071	4/20/16	Marier, Eldon Louis	42-38000-45-090	Admin citation - comm dev	371.48
2016-0074	4/25/16	George Wright	42-66700-00-091	Admin citation - comm dev	1,673.09
2016-0075	4/25/16	Elizabeth Rayne Kosen-Judnik	42-32500-02-013	Admin citation - comm dev	418.27
2016-0076	4/25/16	Elizabeth Rayne Kosen-Judnik	42-32500-02-013	Admin citation - comm dev	2,091.36
2016-0078	4/27/16	Alice Krengel	42-20100-00-040	Lock up front & rear doors	171.23
2016-0080	4/27/16	Lawrence Dale Holub Jr	42-12750-00-080	trash abatement	173.11
2016-0081	4/27/16	James Hoag	42-34952-08-020	trash abatement	173.11
2016-0082	4/27/16	Gary Lee	42-34952-06-040	Lock up front & rear doors	171.23
2016-0090	5/2/16	Blew Holdings	42-83400-05-010	Admin citation - comm dev	209.14
2016-0091	5/2/16	West St Paul Holding LLC	42-31051-02-100	Admin citation - comm dev	418.27
2016-0092	5/2/16	Connor Anthony Anderson Kirchert	42-34952-08-020	Admin citation - comm dev	522.84
2016-0093	5/2/16	James Hoag	42-34952-08-020	Admin citation - comm dev	418.27
2016-0094	5/2/16	James Hoag	42-34952-08-020	Admin citation - comm dev	418.27
2016-0095	5/2/16	James Hoag	42-34952-08-020	Admin citation - comm dev	209.14
2016-0096	5/2/16	Blew Holdings	42-83400-05-010	Admin citation - comm dev	627.41
2016-0111	5/20/16	George Wright	42-66700-00-091	Admin citation - comm dev	3,346.17
2016-0114	5/20/16	Homes of Emerson Hills	42-23725-01-022	Admin citation - comm dev	2,091.36
2016-0115	5/20/16	Stacy Ehrenberg	42-00700-79-020	Repeat Nuisance - PD	70.04
2016-0120	5/24/16	David Burton	42-48550-00-340	Admin citation - comm dev	209.14

2016-0133	5/31/16	Joan Muller	1116 S Smith Ave	42-34900-00-120	Admin citation - comm dev	209.14
2016-0134	6/2/16	George Wright	902 Bellows St	42-66700-00-091	Admin citation - comm dev	6,692.34
2016-0144	6/17/16	Van Drake Jewelers	1901 S Robert St	42-14100-00-070	APS Charges-April	2.06
2016-0149	6/21/16	Christine Nsajja	218 Annapolis ST W	42-38000-26-020	repeat nuisance - PD	171.02
2016-0152	6/23/16	Elizabeth Rayne Kosen-Judnik	1363 Carrie St	42-32500-02-013	Admin citation - comm dev	2,215.00
2016-0153	7/7/16	Mark Christensen	291 Butler ave	42-18300-00-040	Admin citation - comm dev	412.09
2016-0154	7/7/16	Peter Strand	991 Oakdale Ave	42-51200-00-050	Admin citation - comm dev	206.05
2016-0155	7/7/16	Elizabeth Rayne Kosen-Judnik	1363 Carrie St	42-32500-02-013	Admin citation - comm dev	2,060.45
2016-0167	7/18/16	Birdie Johnson	1026 Stryker Ave	42-22000-00-060	Admin citation - comm dev	203.00
2016-0168	7/19/16	Elizabeth Rayne Kosen-Judnik	1363 Carrie St	42-32500-02-013	Admin citation - comm dev	2,030.00
2016-0169	7/19/16	Mark Christensen	291 Butler ave	42-18300-00-040	Admin citation - comm dev	406.00
2016-0170	7/19/16	Matt Nelson	1256 S Smith Ave	42-71401-01-050	Admin citation - comm dev	203.00
2016-0175	7/26/16	George Wright	902 Bellows St	42-66700-00-091	Admin citation - comm dev	8,120.00
2016-0177	8/2/16	Birdie Johnson	1026 Stryker Ave	42-22000-00-060	Admin citation - comm dev	406.00
2016-0179	8/2/16	Caryl O Horn	161 E Haskel St	42-33500-02-100	Admin citation - comm dev	203.00
2016-0181	8/4/16	Frederick Rauschnot	383 Rehnerberg Place	42-70900-01-050	weed abatement	312.98
2016-0182	8/10/16	Ben Vondelinde	1291 Charlton St	42-43100-02-080	Admin citation - comm dev	203.00
2016-0184	8/10/16	Van Drake Jewelers	1901 S Robert St	42-14100-00-070	APS - June	2.03
2016-0185	8/10/16	Joan Muller	1116 S Smith Ave	42-34900-00-120	repeat nuisance	167.48
2016-0186	8/10/16	Joan Muller	1116 S Smith Ave	42-34900-00-120	repeat nuisance	167.48
2016-0187	8/10/16	Matt Nelson	1256 S Smith Ave	42-71401-01-050	Admin citation - comm dev	406.00
2016-0189	8/11/16	James Butenhoff	914 Stryker Ave	42-38000-34-100	Admin citation - comm dev	203.00
2016-0190	8/11/16	William Cruz Escobar	155 Haskell St	42-33500-02-080	Admin citation - comm dev	203.00
2016-0191	8/11/16	Gordon McIntosh	873 Bidwell St	42-20101-01-150	Admin citation - comm dev	203.00
2016-0192	8/11/16	George Wright	902 Bellows St	42-66700-00-091	Admin citation - comm dev	8,120.00
2016-0196	8/16/16	Evonne Chow	vacant lot	42-43700-01-010	weed abatement	727.10
2016-0198	8/16/16	Lindsay Eberlein	1246 S Smith Ave	42-71401-01-020	weed abatement	155.85
2016-0199	8/16/16	SKS Investments	934 Smith Ave S	42-20200-01-040	weed abatement	188.74
2016-0201	8/16/16	Eric Bauer	933 Dodd Road	42-33300-00-030	weed abatement	230.15
2016-0202	8/16/16	Ann T Rostampour	1077 Hall	42-75100-00-051	weed abatement	354.39
2016-0203	8/16/16	Wilmington Trust	1263 Oakdale ave	42-53701-01-071	weed abatement	271.56
2016-0204	8/16/16	Greenleaf Properties	15 Marie Ave	42-18604-03-176	weed abatement	230.15
2016-0205	8/16/16	US Bank Nat'l Assn	970 Dodd Road	42-04300-01-010	weed/trash abatement	732.90
2016-0206	8/16/16	James Nguyen	821 Allen Ave	42-20100-00-030	weed abatement	254.51
2016-0207	8/16/16	Margaret Cunningham	1399 Oakdale	42-32500-01-190	weed abatement	277.65
2016-0208	8/16/16	PBBC LLC	159 Arion St	42-34000-02-100	weed abatement	188.74
2016-0209	8/16/16	Eriksson Family Properties	1307 S Robert St	42-21900-02-020	weed abatement	284.35
2016-0210	8/16/16	US Bank Trust	172 Hurley St	42-33500-02-010	weed abatement	925.02

2016-0211	8/16/16	Emersion Commercial LLC	963 S Robert St	42-23725-01-022	trash abatement	238.07
2016-0212	8/16/16	SKS Investments	248 Annapolis St	42-47700-01-050	weed abatement	155.85
2016-0213	8/16/16	George Wright	902 Bellows St	42-66700-00-091	weed abatement	183.26
2016-0214	8/16/16	Steven & Sandy Thurston	401 Arion St E	42-47500-00-151	weed abatement	312.98
2016-0216	8/16/16	Jeffrey & Rebecca Ulrick	199 Butler Ave E	42-13600-02-150	weed abatement	271.56
2016-0217	8/16/16	Gary Lee	326 Orme St	42-34952-06-040	weed abatement	873.26
2016-0218	8/16/16	Joan Baker	254 Butler Ave	42-76000-01-060	weed abatement	230.15
2016-0219	8/16/16	Alice Krengel	823 Allen Ave	42-20100-00-040	boarding up home	650.67
2016-0220	8/16/16	Caryl O Horn	161 E Haskel St	42-33500-02-100	weed abatement	183.26
2016-0221	8/16/16	Marcia LaCoare	435 Bernard St	42-34100-02-250	weed/trash abatement	833.06
2016-0222	8/16/16	Caryl O Horn	161 E Haskel St	42-33500-02-100	Admin citation - comm dev	406.00
2016-0225	8/16/16	Michael Husberg	256 Hurley ST	42-47700-02-080	Admin citation - comm dev	203.00
2016-0226	8/18/16	Andrea Morris	942 Bellows St	42-38000-40-100	Admin citation - comm dev	203.00
2016-0227	8/18/16	Christine Nsajja	218 Annapolis ST W	42-38000-26-020	Admin citation - comm dev	1,471.75

62,307.99

TO: Mayor and City Council
THROUGH: Matt Fulton, City Manager
FROM: Manila Shaver, Chief of Police
DATE: October 10, 2016
SUBJECT: Prorated Liquor License Request



City of West St. Paul

BACKGROUND INFORMATION:

The City recently received the attached request from Juanita Leach, the previous owner of Tapper's Bar, requesting the Council's consideration in prorating her 2016 on-sale liquor license.

For some background, Ms. Leach has owned Tapper's Bar for several years and in December of 2015 she had applied for and received a 2016 on-sale liquor license, including Sunday sales. The fee Ms. Leach paid for this annual liquor license totaled \$7,800 (\$100 background, \$200 Sunday sale and \$7,500 On-sale liquor).

On or about June 1, 2016 Ms. Leach sold the bar to Mr. Stephen Iverson. Because City licenses are nontransferable, Mr. Iverson applied for a 2016 on-sale liquor license and paid a prorated portion of the annual liquor license fee, in all totaling \$5,350 in City licensing fees (\$1,400 initial background fee, \$200 Sunday sale and \$3,750 On-sale liquor). The \$3,750 amount is 50% of the annual fee (\$7,500) and was to cover the license term from June to December, 2016. The proration of Mr. Iverson's on-sale liquor license fee is covered in the below City code:

110.03 Subd 6. Installment payments. For on-sale liquor licenses only, the licensee may pay the license fee in two equal installments, due on or before December 15 for the upcoming license term and on or before June 15 for the remainder of the existing license term.

Ms. Leach is now requesting that her 2016 on-sale liquor license fee be prorated. When Ms. Leach applied for the 2016 annual liquor license she was not sure if or when the sale of her bar would occur. If she was, Ms. Leach may have requested her license fee to be prorated when she initially applied for the 2016 license in December of 2015. She may have also just paid the first half of the liquor license fee as City Code would have allowed.

With regards to Ms. Leach's request, below is the City Code section that speaks to prorated license fees in special circumstances:

110.03 (7) (d) - Pro-rated license fees. In unique circumstances, the City Council may hold a hearing to determine if it is appropriate to pro-rate a particular license fee. License fees will not be pro-rated for a portion of a license term, except for the following licenses, payment for which shall only be for the portion remaining in the license term:

- 1. On-sale intoxicating liquor;*
- 2. Pawnbroker;*
- 3. Precious metal dealer;*
- 4. Tobacco*

City Code appears silent as to whether a prorated request should be done at the time of application or if it could be done "after the fact." I suspect if Ms. Leach applied for a prorated license she may have tipped her hand of the pending sale, something she may have wished to avoid. On the other hand,

while the prorated fee is limited to a select few licenses, the Council should be guarded in setting an “after the fact” precedent.

On a final note, the “installment” code language was added several years ago when the City’s liquor establishments were struggling. It was thought by allowing on-sale liquor establishments to pay their license fee in installments it would mitigate an applicant’s financial impact of this City license.

FISCAL IMPACT:

If this request is approved it would mean the return of \$3,750 to Ms. Leach.

STAFF RECOMMENDATION:

In order to address Ms. Leach’s request some discussion on the below items may need to be done first.

1. Clarify the City Code language – When the installment language was added, was it the Council’s intent to allow an applicant to obtain a partial year on-sale liquor license? The State of Minnesota, who also regulates liquor sales and licenses, does not recognize partial year liquor licenses.
2. If there are no partial year on-sale liquor license, did staff error in interpreting City Code, thus prorating Mr. Iverson’s 2016 on-sale liquor license? The following City Code language implies staff was correct in prorating the license: *“License fees will not be pro-rated for a portion of a license term, except for the following licenses, payment for which shall only be for the portion remaining in the license term...”* The Council may wish to clarify for staff, with regards to the licenses listed in section 110.03(7)(d), can an applicant pay for only 6 months of a license term?
3. If the Council’s response to #2 is there are no partial year licenses and if an applicant pays the first installment of a license fee, what is the mechanism for collecting the second installment?

Depending on the Council’s discussion, the Council may hold a hearing (not a public hearing) to address Ms. Leach’s request for a prorated 2016 on-sale liquor license fee (aka: the return of \$3,750 in license fees).

RECEIVED
SEP 22 2016
BY: _____

Dear Mr. Sutton

My name is Quanita M Leach. I owned Suppers Pub at 819 Stryker Ave for 22 years. I recently sold that. I am requesting that my license fee be prorated as we both paid for the last half June to Jun 1st. It would be very helpful at this time as I have lots of final bills to pay. I would appreciate any help in this matter.

Thank you
Sincerely

Quanita M Leach

TO: Mayor and City Council
THROUGH: City Manager
FROM: Public Works & Parks Dir./City Engineer
DATE: October 10, 2016
SUBJECT: Consider Access Changes at 141 Wentworth Avenue



City of West St. Paul

BACKGROUND INFORMATION:

As part of the Robert Street project a concrete median was installed along Wentworth Avenue (County Road 8) which runs in front of Arrow Mowers. Arrow Mowers gets many deliveries from large semis and is having difficulty getting them in/out with the new median. At the September 26, 2106 City Council meeting staff was directed to work with Arrow Mowers to look at and cost out improvements to this property. Staff met on-site with Arrow Mowers on September 28 and looked at three options for improving truck traffic flow.

Option 1

Remove approximately 50 feet of existing curb in the parking lot, grade, gravel and pave a sliver of bituminous which will widen out the entrance on the east side and tie into the enlarged concrete apron already in place. This will allow Arrow to take full advantage of the widened apron that was installed on Wentworth Ave.

Option 2

In the northwest corner of the property, remove 20 trees, grade, gravel and pave to expand the existing parking lot north and west. Based on the grades this will also require a retaining wall about 3 feet high. This expanded parking lot in conjunction allows for trucks to turn around in the lot much easier.

Option 3

Construct a 20-foot wide driveway onto Crawford Avenue which is a city street. Trucks could then enter or exit this way. Arrow Mowers willing to pay for construction of the driveway if the City will construct the curb cut and concrete apron along Crawford Drive. The property is currently owned by Dakota County. Dakota County is willing to turn the entire parcel over to the City. In turn, the City could turn the property over to Arrow Mowers.

FISCAL IMPACT:

Estimated City construction costs:

Option 1 - \$ 1,500 (quoted by Arrow Mower's driveway contractor)

Option 2 - \$39,000

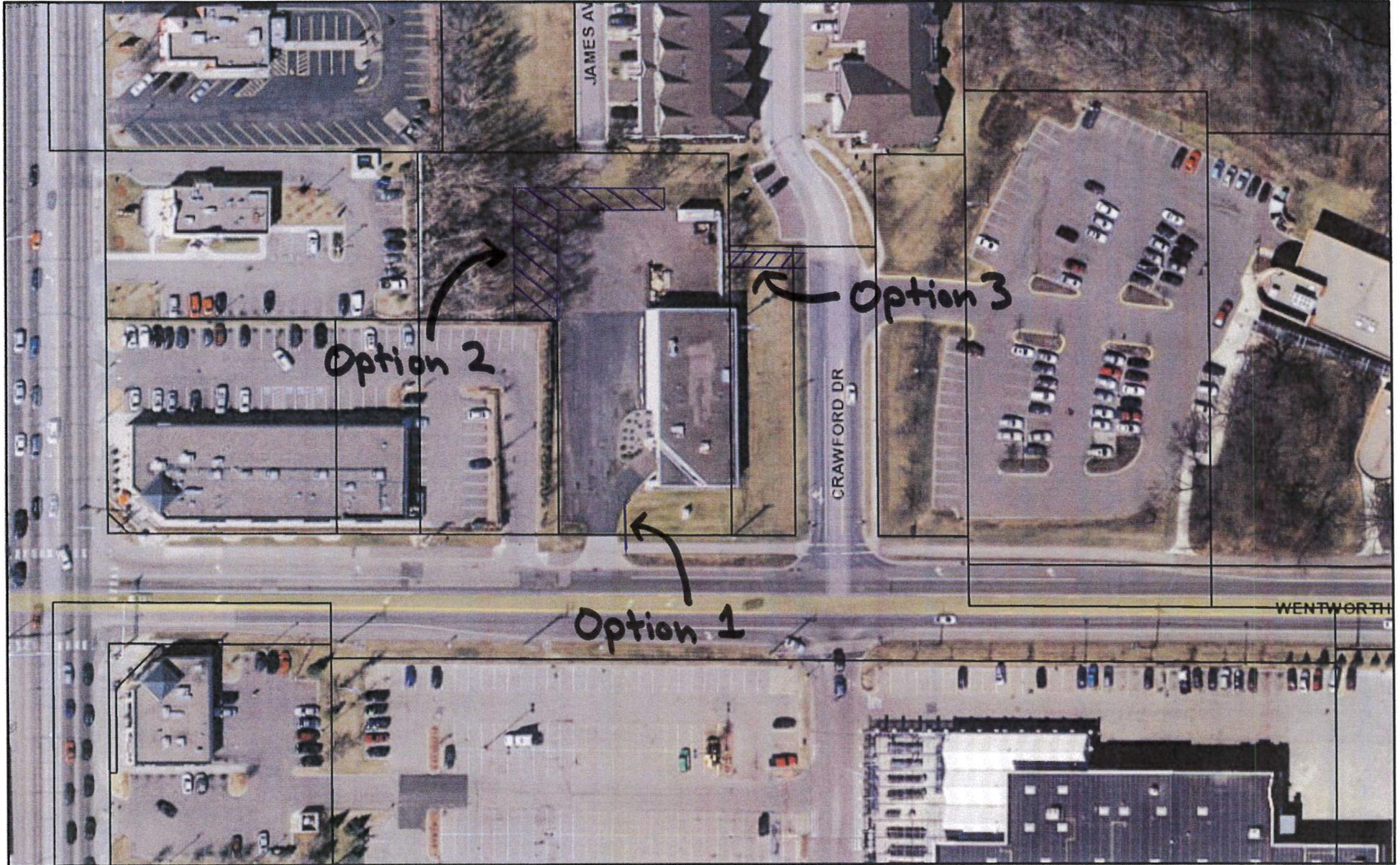
Option 3 - \$ 6,000 + attorney fees to convey the parcel

STAFF RECOMMENDATION:

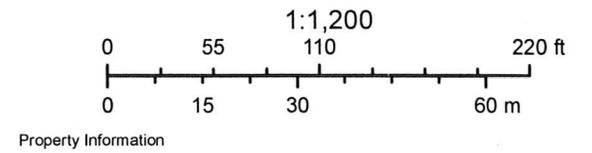
Staff recommends Option 1 (using Arrow Mower's contractor) to take full advantage of the concrete apron width already in place along Wentworth Avenue. To allow better circulation of delivery trucks Option 3 is recommended (in addition to Option 1).

Attachment: 1. Sketch of Options 1-3

Dakota County, MN



October 4, 2016



TO: Mayor and City Council
THROUGH: Matt Fulton, City Manager
FROM: Sherrie Le, Assistant City Mgr.
DATE: October 10, 2016
SUBJECT: Employee Insurance Renewal



City of West St. Paul

BACKGROUND INFORMATION

Employers are required to hold an annual open enrollment period for employees to make changes to their insurance benefits. We start receiving renewal offers from our providers in late August. We review them and look at alternatives where it makes sense to do so. Some years we go out for bid, especially if we think we may want to make a change or could get better rates or improved benefits for the same or lower rate.

INSURANCE RENEWAL PROCESS FOR 2017

This year we went out for bid for health, dental, life, long-term disability and short term disability insurance. We received multiple bids on each type of insurance, except for dental where no-one could match our benefits for the rates we have.

We are self-insured as part of the SW/WC Insurance Cooperative (COOP) for health. Since we are self-insured, the COOP is actually the entity that goes out for bid on behalf of the members. However, this year, the renewal from the COOP asked for an increase of 24.5% due to a variety of factors, including high claims we experienced the past two years. Since we could not accept that high of a rate increase, we immediately directed our insurance agent to go out for bid. We received several proposals, all of which were significantly less than 24.5%.

The Labor Management Committee (LMC) reviewed all bids from each provider for each type of insurance and recommends changing providers for health, life and long-term disability insurance. All recommendations and rates are described below.

INSURANCE AGENTS

Staff is happy with our insurance consultants. We use NFP for medical, H.S.A., VEBA, flex plans and dental. We use Integrity Benefits for long and short-term disability, life and vision.

MEDICAL INSURANCE

We recommend withdrawing from the SW/WC Insurance Cooperative and contracting directly with Blue Cross and Blue Shield of Minnesota. The rates they offered were a 4.2% increase over 2016, resulting in a savings from the COOP's renewal offer of 20%. There are no significant changes in the plan design. The deductibles and out of pocket maximum are the same as for 2016. Here are the rate differences between this year and next.

Common Plan	\$500/\$1,000 Deductible	
	2016	2017
Monthly Premiums		
Single	\$749.50	\$780.92
Single + One	\$1,162.00	\$1,210.72
Family	\$1,753.00	\$1,826.75

H.S.A./VEBA Plan	\$2,000/\$4,000 Deductible	
	2016	2017
Monthly Premiums		
Single	\$687.00	\$716.05
Single + One	\$1,076.00	\$1,121.16
Family	\$1,608.00	\$1,675.67

DENTAL INSURANCE

We recommend continuing with CIGNA DHMO Voluntary Dental as they provide the best benefits for the best rates. There will be a 3.5% increase in their rates for 2017. Since this is a voluntary, employee-paid benefit, the increase has no financial impact to the City.

The rate changes are as follows:

	2016	2017
Monthly Premiums		
Single	\$30.81	\$31.89
Single + One	\$52.27	\$54.10
Family	\$85.38	\$88.37

Life Insurance

We recommend changing providers from Minnesota Life to Sun Life Financial. With the new provider, we will have a 15% reduction in the cost of basic life insurance, which is a savings for the City. Employees will also realize a 10% reduction in rates for employee supplemental life, spouse life and dependent life coverage.

Long-term Disability Insurance

We recommend changing providers from Hartford to Sun Life Financial. There will be a 15% reduction in rates, which results in a savings for the City.

Short-term Disability Insurance

This is a voluntary employee-paid benefit. There is no change in rates or providers for 2017. We recommend continuation through Dearborn National.

Vision Insurance

The LMC is recommending continuation of Avesis as the provider for our vision insurance. It allows for an allowance toward the annual purchase of eyeglasses or contacts. There will be a 3% increase for 2017. They are also increasing their reimbursement for contact lenses from \$130 to \$150 per year. This is a voluntary employee-paid benefit, so again, no financial impact to the City.

FISCAL IMPACT: The estimated fiscal impact of the increases for medical insurance depends on the negotiations. We are still in the process of negotiating with our three bargaining units. These costs have been included in the 2016 proposed budget.

		Amount
Fund:	101	
Department:	various	
Account:	40131	Unknown at this time.

STAFF RECOMMENDATION: We recommend approval of all insurance contract renewals.



TO: Mayor and City Council
FROM: Matt Fulton, City Manager
DATE: October 10, 2016
SUBJECT: Recycling Coordinator JPA

BACKGROUND INFORMATION : The City has operated a recycling program for many years. The program is funded through a grant provided by Dakota County. The City has been discussing a joint recycling program with the City of South St Paul to create greater efficiencies and improved overall recycling programming. The Council is being requested to consider the attached agreement formalizing a coordinated recycling program, starting in 2017.

DISCUSSION This item came before the City Council on September 12 and further clarification was requested on a couple of items, including a more specific breakdown of how the coordinated program would work financially and whether or not the proposed Joint Recycling Coordinator could be hosted by South St Paul. The overall intent of the coordinated program would be to provide a more organized and purposeful recycling program for the two communities and to share/grow a more coordinated, cost effective, and complimentary recycling effort in meeting the County's expectations and goals.

Attached is the proposed 2017 workplan that shows the recycling program elements that would be shared as well as those that would be conducted independently. The recycling program would be led by a (20 hour) part-time employee who would split hours between the two communities. West St Paul would be responsible for hosting the coordinated position. South St Paul indicated it was not interested in being the host for the position, due to collective bargaining concerns.

The attached agreement provides details regarding how the services will be coordinated as well as a proposed shared budget. Based on the way the program is structured, approx. \$4,900 will be available for supporting overhead costs currently paid through the levy

FISCAL IMPACT:

Action	Fund	Department	Account	Amount
WSP SCORE Grant	101	30000	333199	\$26,000

	WSP	SSP	Coordinated budget
Personnel related expenses	\$15,100	\$15,100	\$30,200
Coordinated programming	\$ 4,000	\$4,000	\$8,000
Independent programming and overhead	\$6,900		\$6,900

STAFF RE QUEST FOR CONSIDERATION Staff is recommending approval of the attached agreement and directing staff to implement a coordinated recycling program with South St Paul commencing in 2017.

AGREEMENT TO PROVIDE
RECYCLING COORDINATOR SERVICES

THIS AGREEMENT is made this 6th day of September, 2016, by and among the Cities of **WEST ST. PAUL and SOUTH ST. PAUL** (hereinafter individually referred to as a "City" and collectively referred to as the "Cities").

1. **AUTHORITY.** This Agreement is entered into pursuant to Minnesota Statute § 471.59.

2. **PURPOSE.** The purpose of this Agreement is to provide recycling coordination services for the Cities.

3. **RECYCLING COORDINATOR SERVICE.** A Recycling Coordinator will be hired as an employee of the City of West St. Paul, and shall perform the basic services of the recycling program (the "Program") for itself and for the Cities of South St. Paul and West St. Paul. The basic Program services include but are not limited to:

- Distribute recycling/disposal information to each household.
- Actively participate and contribute to monthly Local Solid Waste Staff Meetings with Dakota County.
- Support and promote Dakota County's integrated solid waste management program.
- Make presentations (schools, community groups, local organizations).
- Work with Multi-family buildings to enhance recycling efforts.
- Work with City staff to reduce waste and increase environmentally preferable purchases.
- Ensure that recycling programs are established for City facilities.
- Apply for the annual grants from Dakota County commonly known as the Community Landfill Abatement Grants on behalf of each City.
- Produce the annual reports to Dakota County as required pursuant to the Community Landfill Abatement Grants.
- Comply with all requirements of the Dakota County Community Landfill Abatement Grants to maintain funding.
- Answer phone/e-mail inquiries regarding recycling/disposal.

- Assist Cities in promotion and administration of recycling events.
- Participate in the Cities Environmental Committee or comparable committee/program

If either of the Cities of South St. Paul or West St. Paul desire additional services outside of the scope of the basic services of the Program, then the Cities may enter into a separate agreement concerning those services, or may enter into a written amendment of this Agreement to incorporate the additional services.

4. FINANCE.

A. The City of South St. Paul shall pay the City of West St. Paul to reimburse for the costs of wages, benefits and other costs necessary to employ the Recycling Coordinator and operate the Program. The Cities shall initially share the cost of this position equally in accordance with Attachment A. By July 30 of each year, the Cities shall meet to review the results of the Program and shall establish a budget for the following year. The City of West St. Paul shall invoice the City of South St. Paul and the City of South St. Paul shall pay the invoice within thirty (30) days. The City of West St. Paul is authorized to pay claims submitted by the Recycling Coordinator.

B. The City of West St. Paul shall act as fiscal agent and shall maintain a separate fund for the purpose of operating the Program.

C. Any grants received (other than the Community Landfill Abatement Grants) will be apportioned equally among the Cities and shall reduce each City's contribution to the costs of the Program.

5. CONTRIBUTIONS OF FACILITIES BY CITIES.

A. Each City shall determine which of its assets will be available to the Program, but at a minimum each City will provide a workspace with appropriate office supplies

B. Workers' Compensation Insurance. Each City shall be responsible for injuries to or death of its own employees. Each City shall maintain workers' compensation coverage or self-insurance coverage, covering its own employees while they are providing services pursuant to this Agreement. Each City waives the right to sue the other City for any workers' compensation benefits paid to its own employee or their dependents, even if the injuries were caused wholly or partially by the negligence of the other City or its officers, employees or agents.

C. Indemnification. Each City shall be liable for its own acts to the extent provided by law. The Cities agree to indemnify and hold harmless each other and each other's respective employees, trustees, directors, officers, subcontractors, agents or other members of its workforce, each of the foregoing referred to as "indemnified party," against all actual and direct losses suffered by the indemnified party and all liability to third parties arising from or in connection with any breach of this Agreement or from any negligence or wrongful acts or omissions by the indemnifying party or its employees, trustees, directors, officers, subcontractors, agents or other members of its workforce in connection with the indemnifying party's performance under this Agreement.

Accordingly, on demand, the indemnifying party agrees to reimburse the indemnified party for any and all actual and direct losses, liabilities, lost profits, fines, penalties, costs or expenses (including reasonable attorneys' fees) which may for any reason be imposed upon any indemnified party by reason of any suit, claim, action, proceeding or demand by any third party that results from the indemnifying party's breach of any provision of this Agreement or from any negligence or wrongful acts or omissions by the indemnifying party or its

employees, trustees, directors, officers, subcontractors, agents or other members of its workforce in connection with the indemnifying party's performance under this Agreement.

Under no circumstances, however, shall a City be required to pay on behalf of itself and other parties to this Agreement any amounts in excess of the limits of liability established in Minn. Stat. § 466.04. The limits of liability for some or all of the Cities shall not be added together to determine the maximum amount of liability for any one City.

8. DURATION.

A. Any City may withdraw from this Agreement on December 31 of any year. Written notice of termination must be given to the other City at least ninety (90) days prior thereto.

9. In the event of termination, all surplus funds shall be distributed to the Cities in proportion to the amount contributed over the lifetime of the Agreement, in relation to all contributions made by the Cities. Property obtained under this Agreement shall be distributed to the Cities in the same manner. **PRIOR AGREEMENTS SUPERSEDED.** This Agreement supersedes and repeals all prior agreements among the Cities related to the Recycling Coordinator.

10. **NO PRESUMPTION AGAINST DRAFTING CITY.** The Cities acknowledge that: (a) this Agreement and its reduction to final written form are the result of extensive good-faith negotiations among the Cities through themselves and/or their respective legal counsel; (b) said Cities and/or their legal counsel have carefully reviewed and examined this Agreement prior to execution; and (c) any statute, common law, or rule of construction which provides that ambiguities are to be resolved against the drafting City(ies) shall not be employed in the interpretation of this Agreement.

11. GOVERNING LAW AND VENUE. This Agreement shall be governed and construed in accordance with the laws of the State of Minnesota without regard to its conflict of laws provision. The Cities agree that any action arising out of this Agreement or with respect to the enforcement of this Agreement shall be venued in the Dakota County District Court, State of Minnesota.

12. COUNTERPARTS. This Agreement may be executed in any number of counterparts, each of which when so executed shall be deemed to be an original and the counterparts shall together constitute one and the same agreement.

13. EXECUTION OF ADDITIONAL DOCUMENTS. The Cities are to execute and deliver to the other party, as requested, any additional documents and/or instruments that may reasonably be determined as necessary to consummate this transaction.

Dated: _____

CITY OF WEST ST. PAUL

By: _____
David Meisinger
Its Mayor

By: _____
Matt Fulton
Its Manager

Dated: 9-6-2016

CITY OF SOUTH ST. PAUL

By: Beth A. Baumann
Beth Baumann
Its Mayor

By: Christy Wilcox
Christy Wilcox

\$26,000 SCORE Grant Funds (WSP)

Recycling Coordinator Personnel Costs:

\$19,760	\$19.00/hr - coordinator salary (part time – 20 hours per week/ 1,040 hours annually)
\$ 6,240	FICA, PERA Benefits
\$ 2,000	Saturday, mileage, etc.
\$ 150	Recycling Assoc. of MN Membership (RAM)
\$ 250	Annual RAM Conference
\$ 1,200	Office space, computer, phone
\$ 600	Cell phone stipend (\$50 per mo.)
\$30,200	\$15,100 each city

Work Plan – Coordinated Programming \$10,000 (\$5,000 each)

- Safety Camp – spring/summer events
- On the Road – spring/summer events
- Community Center (SSP) – fall and spring education events
- Summer School – discuss organics program, composting
- Park Programs – Kaposia Days
- Organic Recycling – food – WSP hosts
- Hazardous Waste Clean-up – SSP hosts
- Compost site – SSP hosts
- Establish relations with surrounding community recycle programs
- Holiday light recycle
- Christmas tree recycle
- Work with licensing so that special community events include trash AND recycle options

Work Plan – WSP Specific Programming \$2,000 (WSP)

- Annual Earth Day Shred event – WSP spring / SSP fall
- Pumpkin Recycle
- School Poster Contest
- Attend Environmental Committee meetings – 2 per year min.
- Arbor Day Event – work with Environmental Committee
- Annual Curbside Appliance pickup
- Municipal Open House
- Work on organized hauling plan
- New employee orientation
- Work with public works on park recycling options

Overhead Support \$4,900