

**City of West St. Paul
City Council Meeting
January 25, 2016 at 6:30 p.m.**

1. Call to Order

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

2. Roll Call

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

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

3. Pledge of Allegiance

4. Adopt the Agenda

Approve the following agenda revisions:

- Consent agenda item 10d – move to new business f
- Consent agenda item 10f – move to new business g
- Move item 12e to 12a and reorder the rest of items starting with 12.

Motion was made by Clpn. Napier and seconded by Clpn. Armon to adopt the agenda with the three revisions noted above. All members present voted aye. Motion carried.

5. OCWS Briefing

Mayor Meisinger let the public know the Council discussed the following during the work session held prior to this meeting:

- St. Paul Regional Water regarding the water capacity for West St. Paul
- 2016 Street Projects
- Possible rezoning at 260 Wentworth

6. Robert Street Review

Public Works and Park Director/City Engineer Ross Beckwith gave an update:

- Met with Xcel Energy and St. Paul Regional Water to discuss upcoming utilities and a conflict area.
- Working on project costs including acquisitions costs and will bring this information back to a future meeting.

7. Citizen Comments

No one wished to speak.

8. Council Comments

Clpn. Iago told of a girls basketball league that was banned from playing in Rogers MN because the team is too good; same level and age bracket. Supposedly other league players banned them. Someone deserves to be a little embarrassed.

Clpn. Armon reminded everyone to keep the fire hydrants clean so SMFD can access them. Also, some of our vacant store fronts are starting to get new businesses.

Clpn. Bellows said WCCO did a piece highlighting our police dept. members. Members of this dept. went out of their way to assist others in need. This was quite extensive, the story, and he told the chief how much we appreciate the fact that their good works – doing things for the right reasons – is what West St. Paul is about.

9. Proclamations, Presentations and Recognitions

A. Proclamation Celebrating Frances Nelson's 104th Birthday

The City Council and staff congratulated Fran Nelson on her 104th birthday. The Mayor and City Council proclaimed January 25, 2016 *Frances Nelson Day*. Frances spoke and brought Bismarck's (pastry) to share with everyone in celebration of her special day.

Motion was made by Clpn. Halverson and seconded by Clpn. Vitelli to adopt the proclamation honoring Frances Nelson and calling January 25, 2016 Frances Nelson Day. All members present voted aye. Motion carried.

10. Consent Agenda

Motion was made by Clpn. Napier and seconded by Clpn. Armon to approve the following consent agenda items:

- A. List of Claims from January 14 to 25, 2016
- B. City Council Work Session Meeting Minutes from January 11, 2016
- C. Police Department Licensing
- D. MOVED to 12.F.
- E. Resolution No. 16-11 Approve Final Payment for 2014 Street Improvements - Project #14-1
- F. MOVED to 12.G.
- G. Resolution 16-12 in Support for Solicitation of Minnesota DNR Grant to Improve Community Forests through Citizen Engagement
- H. Rental Licensing on Hall Avenue

All members present voted aye. Motion carried.

11. Public Hearing

A. Charter Commission Amendment, Section 3.01

City Council Meeting Minutes of January 25, 2016

Clpn. Vitelli said this change is intended to clarify that their identity must be listed in the notice. Attorney Land said yes, the people calling for a special meeting will be listed by name in the meeting notice.

The public hearing opened at 6:50 p.m.
No one wished to speak.
The public hearing closed at 6:50 p.m.

Motion was made by Clpn. Bellows and seconded by Clpn. Halverson to adopt Ordinance No. 16-01 Amending Section 3.01 of the West St. Paul City Charter Regarding Special Meetings. All members present voted aye. Motion carried.

12. New Business

E. West St. Paul Winter Fun Fest Community Event

City Manager gave an overview explaining the South Robert Street Business Association (SRSBA) is organizing a community event, with the help and formal support from the City, to celebrate winter. The event will be held on Saturday, February 20 from 4:00 p.m. to 8:00 p.m. at Marthaler Park. SRSBA board members Dave Motz and Dave Ramsay were in attendance and answered questions. SRSBA would like to classify this as a city event and hope Council will support and assist in promotion. City Manager Matt Fulton said the Parks and Rec, Fire dept., Police dept. and other city staff have worked with SRSBA members on some of the event planning. Manager Fulton said a variety of permits and possible fee waiving would be presented for consideration at the next meeting.

Motion was made by Clpn. Vitelli and seconded by Clpn. Halverson to approve City support and classify the 1st Annual West St. Paul Winter Fun Fest as a City event working in conjunction with the South Robert Street Business Association (SRSBA). All members present voted aye. Motion carried.

A. Consider Sign Advertising Agreement in Ice Arena with Sibley Area Youth Hockey Association

City Manager Fulton gave an overview and introduced Casey Weimer of Sibley Area Youth Hockey Association (SAYHA). Council is asked to consider an advertising agreement. Mr. Weimer said they have been working hard with clean up at the rink and we came across an agreement. They are asking if they can reduce the cost a little. The costs from advertising go to youth and they are looking to reduce the agreement by 10%. Right now we are working on our budget and there is different pricing with the signage. This agreement was for one year. Clpns. Napier and Vitelli suggested doing a two year contract.

Comments:

- Clpn. Napier hats off for the work you have done. We appreciate all the arena work and he supports the request.

- Clpn. Iago thanked Casey for his hard work. Have you studied how South St. Paul does there advertising? They actually have two ways and unfortunately they do not sell a lot of board advertising and sell hanging boards.
- Additional comments were made.

Motion was made by Clpn. Vitelli and seconded by Clpn. Halverson to approve the sign advertising agreement with Sibley Area Youth Hockey Association to sell advertising space within the West St. Paul Ice Area. Clpns. Armon, Halverson, Napier, Vitelli, and Iago voted aye. Clpn. Bellows abstained. The motion carried.

Clpn. Halverson left the meeting as anticipated at 7:09 p.m.

B. Zoning Ordinance Amendment, Section 3.2, amending the definition of dwelling unit - City of West St. Paul

Motion was made by Clpn. Vitelli and seconded by Clpn. Armon to approve the first reading of an ordinance amending Zoning, Section 3.2 regarding the definition of Dwelling Unit. All members present voted aye. Motion carried.

C. 2016 Pay Equity Report

Assistant City Manager Sherrie Le gave an overview. The analysis shows we are in compliance with most of the tests. However, we are not in compliance with the exceptional service pay test and will have to ask for reconsideration. The tests are:

- Completeness and Accuracy – pass.
- Report submitted by January 31 or the year it is required – will pass upon Council approval.
- Underpayment Ratio calculated by the State’s software using our data effective December 31, 2015 is greater than 80% - pass.
- Salary Range test is 80% or above or results in zero – pass.
- Exceptional Service Pay Test is 80% or results in zero – Failed. The city did not pass one test for the following reason. All salaried employees are now eligible for merit pay and there are many more males than females in salaried positions. The last time we were required to report to the State, only department heads and assistant department heads were eligible. We now have ten job classes eligible for merit pay and only two of those classes have female incumbents. Failure of this test will require requesting reconsideration from the State Pay Equity Coordinator. We will explain that this result is not due to gender bias. All salaried females received merit pay. We just happen to have quite a few more males than females in the eligible job classes. This may or may not suffice as an argument but the State will work with us and allow us time to comply.

Motion was made by Clpn. Vitelli and seconded by Clpn. Armon to approve the pay equity report so it can be submitted to the state for reconsideration. All members present voted aye. Motion carried.

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

City Manager Matt Fulton gave an overview. As Council may recall, in early 2014 the City submitted a Safe Routes To School (SRTS) federal grant application for the installation of a trail along the north side of Wentworth Ave., from Charlton to Bellows, and a sidewalk along the west side of Bellows St., from Wentworth to Thompson. The City was notified in summer 2014 that we were successful in obtaining a SRTS grant of \$125,000 toward the project. Because the trail is along Wentworth Ave., a Dakota County roadway, the County is also a partner on the project. The City has WSB & Associates for the preliminary engineering work on the project. Preliminary engineering typically covers all work prior to construction beginning; this includes right-of-way acquisition.

Comments:

- We had a property appraisal. Mayor Meisinger asked if we should add inflation on this number. Manager Fulton said we could and Mayor said he would like to see that done.
- Clpn. Bellows is considered with unknowns.
- Clpn. Napier said you will most likely not get a lot of opposition, in his experience. He is in favor of moving forward.
- Clpn. Vitelli said this is primarily getting kids northbound and would like to apply for grant on Delaware from Thompson to the high school. Manager Fulton said the Council approved *safe routes to school* grant. Assistant Director Boike explained in detail the project scope.
- Clpn. Armon would like to keep this moving. Have city staff keep us updated.
- Attorney Land explained these are different acquisitions than the Robert St. acquisitions. These will be permanent easements. There were 2 appraisals already done. We are asking for the offer amount to be approved this evening. We are taking a permanent easement for sidewalk placement.

Motion was made by Clpn. Vitelli and seconded by Clpn. Iago to adopt Resolution No. 16-13 authorizing the Parks and PW Director and City Engineer and City Attorney to make offers to purchase and if necessary, exercise eminent domain to acquire interests in real property for the Wentworth Trail/Bellows Sidewalk Project, #14-6. All members present voted aye. Motion carried.

F. Approve Final Payment to Meisinger Construction for Ice Arena Bid Pack 2 Project

Mayor Dave Meisinger excused himself from the meeting due to the name recognition at 7:30 p.m. Mayor Pro Tem Ed Iago took over the meeting.

All construction work for the Ice Arena Bid Pack 2 project has been completed in accordance with the plans and specifications. The contractor, Meisinger Construction, has submitted all necessary paperwork and a request for final payment. There is one outstanding issue and one punch list item that are currently being addressed. The issue has to do with cleaning of the facility after construction to get it "user" ready. The City used extra resources, including volunteers, additional City staff and hired contractors in this effort. At the direction of staff, the architect is negotiating

with the 2 contractors to determine a “fair share” for each to cover cleaning expenses (see attached letter). The one outstanding punch list item is with the heating system. Extra work was needed after completion and the project engineer is determining if this extra work is the responsibility of the City if it was within the scope of Meisinger’s contract. If approved tonight, staff would like to issue a partial final payment and retain \$3,500 until these last two items are resolved.

Council made comments on the extensive cleaning performed by staff and volunteers. Comments were made about holding additional funds beyond the \$3,500. City Manager Fulton said he directed the public works crew and members of the hockey crew for clean-up of the arena. He added more detailed information on how the costs could be covered. Clpn. Vitelli said the heat was not working properly and it was a problem that should not have been missed by a Meisinger subcontractor. Clpn. Iago considered not approving the final payment until it is “squared away”. Clpn. Napier supports holding \$3,500 instead of \$5,000. Mayor Pro Tem Iago to Manager Fulton – let’s wrap this up in the next two weeks. Clpn. Vitelli said maybe Wold needs to take some responsibility.

Motion was made by Clpn. Napier and seconded by Clpn. Vitelli to accept the work on the project and approve final payment in the amount of \$9,438 (\$12,938 - \$3500) be made to Meisinger Construction, with the final \$3,500 being paid once staff accepts the final two matters and deems them resolved. All members present voted aye. Motion carried.

Mayor Meisinger returned to the meeting at 7:40 p.m.

G. Approve Purchase of PW Capital Equipment

Director Beckwith gave an overview. In the approved 2016 budget, there are capital purchases items for the Public Works/Parks Department which are each over \$25,000 and require Council approval. All of these items are replacements of older existing equipment. Each of the proposed purchases is within the budgeted amounts

Motion was made by Clpn. Armon and seconded by Clpn. Bellows to approve the Capital Equipment purchases for the Public Works/Park Department of a replacement pick-up truck, two replacement single-axle dump trucks and replacement of a skid steer for a total cost of \$442,244.00. All members present voted aye. Motion carried.

13. Old Business

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

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

properties, staff recommended that the licensed property at 218 Annapolis St. West and the three new applications for the units at 966/976 Robert Street be placed under a provisional license. Based on the information provided and discussion at the meeting, Council directed staff to set a license hearing date for consideration of denial of the rental licenses for both properties. The property owner has been properly noticed and is in attendance. Attorney Land added that Council can approve the license with no conditions, approve with conditions, or deny the license.

David Brooks, St. Paul, is glad to be here and has had a chance to go through all the calls with the police department and his attorney. There were 50+ calls reported and after review basically 9 calls were substantive and were calls that could go against his license. He feels a little taken aback by the process and he feels the inaccuracies in the first report have tarnished them. Anytime a city official presents a report and there is no vetting of the calls – that is somewhat irresponsible. He has spent about \$10,000 in attorney fees. These 50 calls versus 9 calls that fall under the new licensing ordinances were retroactive basically. He is a bit concerned about the process.

Comments:

- Clpn. Vitelli asked if there were 50 calls to your home. Yes, there were 50 calls but some of those calls were from social workers, some were from staff mitigating issues, some were in coordination with West St. Paul staff, etc. Mr. Brooks made continued comments and said he feels his reputation was tarnished.

Public Hearing opened at 8:20 p.m.

Eldon Marier, Mendota Heights, is a representative for 966 and 967. In that complex there have been a couple of tenants who have been taken care of since last year. He is here to support Dave Brooks and what they have done is making an improvement and they hope to be in a better position with the city. Police calls have been reduced significantly and they respond to issues as they arise.

Public hearing closed at 8:23 p.m.

Motion was made by Clpn. Vitelli and seconded by Clpn. Bellows to adopt Resolution No. 16-14 Converting the rental license of 1234 Properties LLC at 218 Annapolis Street W to a provisional license and approving three new rental licenses at 966/967 Robert Street as provisional licenses and adopting a mitigation plan as presented and based on staff recommendations. All members present voted aye. Motion carried.

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

Assistant Community Development Director Ben Boike gave an overview. Mr. Boike reviewed a resolution in support of soliciting grant dollars from the State Health Improvement Program (SHIP) dollars through Dakota County Active Living. Over the years, the City has had a great partnership with Dakota County Active Living. Grant dollars have been awarded to the City for the development of the city-wide bike/ped plan, a feasibility study for a grade separated crossing of Robert St., as well as the recent Marie/Oakdale sidewalk/trail feasibility study. The County was successful in securing another round of SHIP grants for 2016/2017 and is requesting grant applications from cities by the end of January. There is a 10% match from the city as designated.

Comments:

- Clpn. Iago struggles with analyzing food, the potential food policy, enforcement and potential unnecessary oversight by the County. Director Boike answered questions. The grant money could be used for a comp plan page to see if there are areas in the city that need assistance with health food choices. It is not a mandatory comp plan addition. Clpn. Iago believes this is private business.
- Clpn. Bellows said thanks to Mr. Boike for answering these questions. Clpn. Bellows has difficulty with this because we are talking about money for one purpose being used in a different area of government. If you had a page in the comp plan for trails, walks, and other items, then he could understand the idea of this food policy. But as-is, this does not compute.
- Mr. Boike said if Council doesn't feel it's a priority then it doesn't need to be adopted.
- Clpn. Napier said this was discussed at the Environmental Committee meeting as an important issue and it could be worthwhile.

Motion was made by Clpn. Napier and seconded by Clpn. Armon to adopt Resolution No. 16-15 authorizing solicitation of grant funding from the State Health Improvement Program (SHIP) through Dakota County Active Living. Clpns. Napier, Armon, Vitelli voted aye. Clpn. Iago voted nay. Clpn. Bellows abstained. The motion failed.

Manager Fulton suggested Council take a vote on the two separate issues: trail issue; food issue.

Motion made by Clpn. Bellows and seconded by Clpn. Iago to adopt Resolution No. 16-15 authorizing solicitation of grant funding for trails. All members present voted aye. The motion carried.

There was no motion made regarding the food policy.

14. Adjourn

Motion was made by Clpn. Bellows and seconded by Clpn. Napier to adjourn the meeting at 8:34 p.m. All members present voted aye. Motion carried.



David Meisinger
Mayor
City of West St. Paul

Part A: Jurisdiction Identification

Jurisdiction: West St. Paul
1616 Humboldt Avenue

Jurisdiction Type: City

West St. Paul MN 55118

Contact: Sherrie Le

Phone: (651) 552-4108

E-Mail: sle@wspmn.gov

Part B: Official Verification

- 1. The job evaluation system used measured skill, effort responsibility and working conditions and the same system was used for all classes of employees.

The system used was: Consultant's System

Description: Former PDI System

- 2. Health Insurance benefits for male and female classes of comparable value have been evaluated and:

There is a difference and the maximum salaries reported include the monthly amount paid by the employer for health insurance.

- 3. An official notice has been posted at:

Dakota County Library WSP branch

(prominent location)

informing employees that the Pay Equity Implementation Report has been filed and is available to employees upon request. A copy of the notice has been sent to each exclusive representative, if any, and also to the public library.

The report was approved by:

West st. Paul City Council

(governing body)

David Meisinger

(chief elected official)

Mayor

(title)



Part C: Total Payroll

\$6,119,483.81

is the annual payroll for the calendar year just ended December 31.

Checking this box indicates the following:

- signature of chief elected official
- approval by governing body
- all information is complete and accurate, and
- all employees over which the jurisdiction has final budgetary authority are included

Date Submitted: 01/28/2016

Compliance Report

Jurisdiction: West St. Paul
 1616 Humboldt Avenue

 West St. Paul MN 55118

Report Year: 2016
 Case: 1 - 2015 data (Submitted)

Contact: Sherrie Le Phone: (651) 552-4108 E-Mail: sle@wspmn.gov

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

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

I. GENERAL JOB CLASS INFORMATION

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

II. STATISTICAL ANALYSIS TEST

A. Underpayment Ratio = 93.60 *

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

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

B. T-test Results

Degrees of Freedom (DF) = 80	Value of T = 0.924
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- a. Avg. diff. in pay from predicted pay for male jobs = \$27
- b. Avg. diff. in pay from predicted pay for female jobs = (\$76)

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

- A. Avg. # of years to max salary for male jobs = 6.33
- B. Avg. # of years to max salary for female jobs = 0.00

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

- A. % of male classes receiving ESP 32.00 *
- B. % of female classes receiving ESP 11.11

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

Job Class Data Entry Verification List

Case: 2015 data

Job Nbr	Class Title	Nbr Males	Nbr Females	Class Type	Jobs Points	Min Mo Salary	Max Mo Salary	Yrs to Max Salary	Yrs of Service	Exceptional Service Pay
56	Data Scanner	0	1	F	32	\$1,733.00	\$3,570.06	0.00	0.00	
57	Asst. Ice Arena Mgr	1	0	M	36	\$2,252.90	\$2,772.80	0.00	0.00	
10	CSO	1	1	B	42	\$3,092.50	\$4,836.18	0.00	0.00	
47	Volunteer Engagement Ma	0	1	F	42	\$2,977.29	\$3,812.60	0.00	0.00	
3	Receptionist	0	1	F	46	\$3,026.75	\$4,754.00	0.00	0.00	
5	Clubhouse Manager	1	0	M	46	\$2,816.13	\$3,119.40	0.00	0.00	
7	Code Enforcement Officer	0	1	F	52	\$3,569.98	\$5,433.04	0.00	0.00	
8	Street & Park Maint II	10	0	M	53	\$3,628.90	\$5,505.82	2.00	0.00	
11	Administrative Specialist	0	3	F	56	\$3,484.68	\$5,326.40	0.00	0.00	
26	Comm Devel Specialist	0	1	F	56	\$3,724.22	\$5,701.65	0.00	0.00	
13	Mechanic	2	0	M	57	\$3,795.96	\$5,715.51	2.00	0.00	
50	Building Permit Technician	0	1	F	57	\$3,620.19	\$5,495.80	0.00	0.00	
9	Crime Prevention Specialis	0	1	F	58	\$4,250.89	\$6,284.17	0.00	0.00	
14	Lead Police Secretary/Lice	0	1	F	58	\$3,620.19	\$5,495.80	0.00	0.00	
16	Accounting Clerk	0	1	F	59	\$3,627.44	\$5,509.66	0.00	0.00	
59	Investigative Assistant	0	1	F	59	\$4,039.62	\$6,020.87	0.00	0.00	
17	Sewer Maintenance	2	0	M	60	\$3,650.39	\$5,533.55	2.00	0.00	
18	Bldg Maint Tech	1	0	M	60	\$3,492.00	\$5,715.51	0.00	0.00	
20	Maintenance III	2	0	M	60	\$3,795.96	\$5,715.51	2.00	0.00	
22	Ice Arena/Pool Supervisor	1	0	M	60	\$3,985.76	\$5,952.76	0.00	0.00	
49	HR Specialist	0	1	F	60	\$4,159.20	\$6,342.86	0.00	0.00	
52	Recreation Programmer	0	1	F	60	\$4,207.92	\$5,745.15	0.00	0.00	
58	Payroll Technician	0	1	F	60	\$3,877.39	\$5,817.30	0.00	0.00	
51	IT Analyst II	0	1	F	63	\$4,790.54	\$6,958.73	0.00	0.00	
21	Police Officer	18	4	M	65	\$4,614.98	\$7,374.00	15.00	0.00	
24	Eng Tech III	1	0	M	73	\$4,831.31	\$7,009.69	0.00	0.00	
46	City Clerk	0	1	F	73	\$4,950.16	\$7,158.26	0.00	0.00	
25	Bldg. Inspector	1	0	M	75	\$4,729.54	\$6,882.49	0.00	0.00	
48	Mktg & Comm Coordinator	1	0	M	76	\$5,107.15	\$7,481.44	0.00	0.00	
55	Civil Engineer	1	0	M	77	\$5,204.81	\$7,476.58	0.00	0.00	
33	Asst. Public Works/Parks &	1	0	M	80	\$5,334.78	\$7,639.03	0.00	0.00	Performance
29	Bldg Official	1	0	M	82	\$5,889.60	\$8,332.56	0.00	0.00	
30	IT Manager	1	0	M	82	\$6,298.31	\$8,841.94	0.00	0.00	
31	Police Srgt	4	0	M	82	\$6,587.13	\$8,282.09	15.00	0.00	
53	Asst Park & Rec Director	1	0	M	82	\$6,149.44	\$8,657.36	0.00	0.00	Performance
54	Asst CCD/City Planner	1	0	M	84	\$6,328.48	\$8,881.16	0.00	0.00	Performance
36	Public Works/Parks Supt	1	0	M	89	\$6,309.65	\$8,857.62	0.00	0.00	Performance
35	Police Lieutenant	2	0	M	90	\$6,875.98	\$9,565.53	0.00	0.00	Performance
37	Finance Director	0	1	F	98	\$7,628.99	\$10,506.80	0.00	0.00	Performance
38	Assistant City Manager	0	1	F	98	\$7,517.34	\$10,367.23	0.00	0.00	Performance
39	Comm Devel Director	1	0	M	98	\$7,596.56	\$10,466.26	0.00	0.00	Performance
40	Police Chief	1	0	M	101	\$7,847.44	\$10,779.86	0.00	0.00	Performance
41	Parks & Public Works Dire	1	0	M	106	\$7,855.43	\$10,789.85	0.00	0.00	Performance
42	City Manager	1	0	M	124	\$9,603.75	\$12,975.25	0.00	0.00	

Job Number Count: 44

**ORDINANCE NO. 16-01
CITY OF WEST ST. PAUL
DAKOTA COUNTY, MINNESOTA**

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

The City Council of West St. Paul does ordain:

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

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

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

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

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

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

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

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

Passed this 25th day of January, 2016.

Ayes: 7

Nays: 0



David Meisinger, Mayor



Chantal Doriott, City Clerk

On Motion of Clpn. *Napier*

Seconded by Clpn. *Armon*

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

RESOLUTION NO. 16-11

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

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

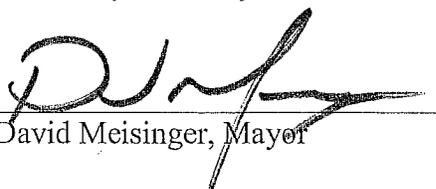
NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WEST ST. PAUL, MINNESOTA:

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

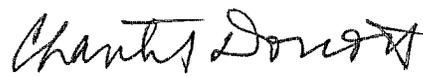
BE IT FURTHER RESOLVED, that the City Manager and Mayor are hereby directed to issue a proper order for the final payment on such contract, in the amount of \$37,634.08, taking the contractor's receipt in full.

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

Ayes: 6 Nays: 0



David Meisinger, Mayor

Attest: 

Chantal Doriott, City Clerk

**CITY OF WEST ST. PAUL
RESOLUTION NO. 16-12**

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

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

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

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

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

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

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

Ayes: 6 Nays: 0


David Meisinger, Mayor

Attest:


Chantal Doriott, City Clerk

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

RESOLUTION NO. 16-13

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

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

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

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

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

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

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

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

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

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

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

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

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

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

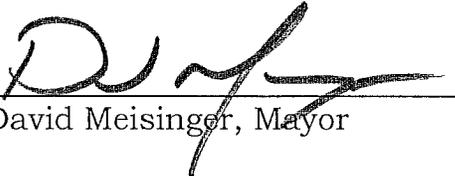
1. The recitals set forth above are incorporated herein.
2. The City Attorney and Public Works Director/City Engineer are authorized and directed to take all steps necessary to acquire the property interests, rights and interests described and depicted on the attached Exhibit A by negotiation or condemnation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

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

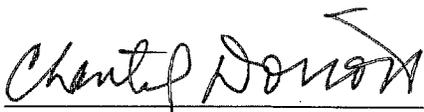
Ayes: 6

Nays: 0

Attest:



David Meisinger, Mayor



Chantal Doriott, City Clerk

EXHIBIT A

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

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

RESOLUTION NO. 16-14

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

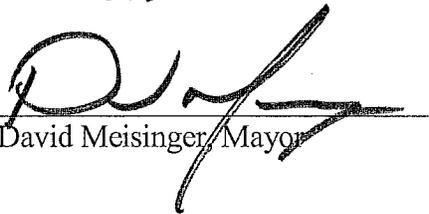
- The Owner will have no unresolved code violations;
 - Within 12 months of joining the Star Program, the Owner or a designated Manager shall complete phase 2 and phase 3 of the crime free rental-housing program;
 - The Owner or a designated Manager shall attend 50% of ROMA meetings
4. The Owner shall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

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

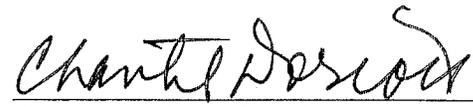
Adopted by the City Council of the City of West St. Paul this the day of January 25, 2016.

Ayes: ~~6~~ 5 Nays: 0
cd

Attest:



David Meisinger, Mayor



Chantal Doriott, City Clerk

CITY OF WEST ST. PAUL

RESOLUTION NO. 16-15

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

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

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

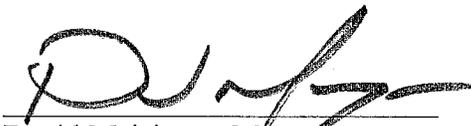
WHEREAS, the City has the legal authority to apply for financial assistance; and

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

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

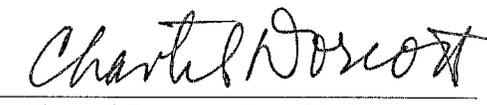
Adopted by the City Council of the City of West St. Paul this 25th day of January, 2016

Ayes: 6 Nays: 0



David Meisinger, Mayor

Attest:



Chantal Doriott, City Clerk