

**City of West St. Paul Municipal Center
City Council Meeting
October 24, 2016**

1. Call to Order

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

2. Roll Call

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

Others: City Manager Matt Fulton, Finance Director Joan Carlson, Assistant City Manager and HR Director Sherrie Le, Community Development Director Jim Hartshorn, Public Works Director Ross Beckwith, Civil Engineer Darin Rezac, 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. Halverson and seconded by Clpn. Armon to adopt the agenda with one change:

- Move item 12. E. to 12. A.
- Add item 12. H. settlement of Parcel 20 for Robert Street Improvement project
- Add 12. I. settlement of Parcel 111 for Robert Street Improvement project
- Continue item 12.F. under New Business to the next meeting

All members present voted aye. Motion carried.

5. OCWS Briefing

Mayor David Meisinger gave an overview of the Open Council Work Session held prior to this meeting.

- Council held a Closed Session to discuss Robert Street easement acquisition for Parcels 20 and 111.

6. Robert Street Review

Public Works Director Ross Beckwith gave an overview.

- Last week quite a bit of lane closures;
- Exciting to start working on the outside lanes;
- Installing of street lights continues;
- A few different contractors are working at the same time so there is a little push and pull but the paving is getting done;

- Striping starts next week; and the
- Sidewalk contractor is back and working in specific areas.

7. Citizen Comments

Roger Verduzco, 2047 Charlton Street, delivered a petition from those who live on this street and are impacted by the proposed Charlton Street improvement project to be discussed later in the meeting. The safety of that bike plan is a large concern. The people who live there do not want to lose their off-street parking. The petition was delivered to the City Clerk and is attached as part of the public record.

Penny Affolter, 2033 Charlton Street, said the bike lanes are far too dangerous and there could be potential liability issues to the city. The plan is not a good course to take. She applauds the connection initiative but there is a safer way to do this.

Kevin Huebscher, 6275 South Robert Trail in Inver Grove Heights is not in favor of the planters. Unfortunately the concrete is poured. He is also supportive of Arrow Mower and the library having good access. Remember, the project is about public safety.

8. Council Comments

Clpn. Iago sends condolences to Mr. Robert Martinson's family as Bob recently passed away. Also Robert Street is starting to shape up and there is a light at the end of the tunnel. There was a recent birthday party for John Sperl who is 92 years and lives in the West St. Paul home he was born in. A happy belated birthday to John.

Clpn. Halverson reminded everyone to drive safely on Halloween and don't forget to come to our Annual Bonfire on October 31 at the Sports Complex. The bonfire starts at 6:30 p.m. and hot dogs will be served starting at 7:00 p.m. until they are gone.

Clpn. Armon gave a shout out to Sibley who plays a game this Friday; St. Croix will host an undetermined opponent at 7:00 p.m. on Saturday

Mayor Meisinger let everyone know that Marshall Linda McMillian is the Firestarter at the annual bonfire event this Halloween evening.

Clpn. Napier gave a verbal welcome to Chik-Fil-A and the great owners.

9. Proclamations, Presentations and Recognitions

A. Outstanding Property Award - 46 Langer Circle

Community Development Director Jim Hartshorn gave an overview of this important award program. In 2003, the City began the Outstanding Property Awards as part of the City's Quality Housing Program. The award recognizes property owners, both commercial and residential, who have maintained their property in a well-kept manner or who have made a significant, positive improvement. The following property has been nominated for the 2016 Outstanding Property

Award for 46 Langer Circle – Joe and Pam Perkovich. They were nominated by neighbor Rick Risch for keeping a consistently well cared for and beautiful property. Mayor Meisinger presented Joe with the outstanding property award as Council and those in attendance applauded.

Joe said he and Pam thank everyone for this award. They enjoy keeping their house beautiful and they appreciate the compliments. They will continue gardening. Clpn. Iago said the backyard is something to wish for and all around the property there are gorgeous plantings. It's fabulous all the way around.

B. Accept Donation from South Robert Street Business Association –

Finance Director Joan Carlson gave an overview of the generous sponsorship of two community events by the South Robert Street Business Association.

Motion was made by Clpn. Napier and seconded by Clpn. Iago to accept and adopt Resolution No. 16-102 accepting the South Robert Street Business Association donation in the amount of \$3,200.00. All members present voted aye. Motion carried.

10. Consent Agenda

- A. City Council Work Session and Meeting Minutes of October 10, 2016
- B. List of Claims
- C. Approve Closing Debt Service Funds
- D. September 2016 General Fund Budget Report
- E. September 2016 Investment Report
- F. September 2016 Bank Reconciliation
- G. City Licensing
- H. Rental Licensing
- I. Approve I/I Grant Agreement with the Metropolitan Council – Resolution No. 16-101
- J. Approve Contract Extension for Robert St. Sidewalk Cleaning 2016-2017

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

11. Public Hearings

A. Public Improvement Hearing; Authorize Preparation of Plans & Specifications for 2017 Street Improvements – Project #17-1

Public Works Director Ross Beckwith gave an overview. The City Council is requested to hold the public improvement hearing for the 2017 Street Improvements and authorize the preparation of plans/specifications on the project. On September 26, 2016 the City Council received the feasibility study which described in detail the proposed improvements on the project. The following streets are included in the 2017 Street Improvement Project:

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.	Along/To
Fox Ridge Ct.	Fox Ridge Drive	West end
Runge Ln.	Smith Ave.	Charlton St.
Edith Dr.	Smith Ave.	Bellows St.

Staff and the project consultant, Bolton & Menk, recently held neighborhood open house meetings on October 18 and 19, 2016 to take input from residents on the project.

Clpn. Bellows asked about adding or making potential changes or options. Attorney Land said Council could consider each street project individually.

The Public Hearing opened at 6:59 p.m.

Charlton Avenue from Marie Avenue to Trunk Highway 110

Director Beckwith gave an overview of the proposed Charlton Avenue street improvement project.

- Brenda Corbett, 1964 Charlton Street – Charlton is very rough and she agrees with the resurfacing. She hopes the parking lane is not recommended. She is not in favor of the bike lane as there are too many safety issues. There is no space for anyone to park off-street.
- Jean McAllister, 1960 Charlton, she is not in favor of bike lanes. She is not in favor of parking. There are multiple cars parked in the street including a camper. The distance between, for her to use for parking, is too far. She doesn't feel like another bike lane on Charlton would be beneficial.
- Kathryn TerHorst, 2017 Charlton Street, is asking for consideration for alternatives to parking on street and maybe share the road with bikers. She asks what the volume is and what the anticipated biker number will be using this. The street parking would impact her in a negative way and she feels it could be dangerous. Lighting is poor in the area and please consider this if you were impacted personally. Potential sharing is an option.
- Ken Paulman, 912 Cherokee. He is year round bike commuter. In general he is in favor of the plan. He hears the concerns of the street parking. He hopes there will be a compromise made. He cautions throwing sharrows down. Consider utilizing construction for moving traffic slower.
- Penny Affolter, 2032 Charlton Street, agrees with bike plans and connecting the regional area. We already have Marie and other connectivity. Charlton is one block away and a bike lane is overkill. Her driveway is full of cars - there are six licensed drivers and watching for pedestrians and bikers is concerning for safety issues. She doesn't think it will work.
- Dawn Velaquer, 1869 Charlton, rides a bike and she doesn't have an issue about having a bike lane or not. She loves the on street parking and they can't lose it.

Public hearing closed at 7:13 p.m.

The design and construction of the road is what Council will consider this evening. Director Beckwith said striping and signing can be discussed later. The current width is 36 feet and would stay the same.

Bruce Johnson, if we left one side to do parking and one side for a bike lane – leaving two - 12 foot traffic lanes; would this work? Yes, there is enough room.

Clpn. Bellows added comment regarding universal parking, redoing the street with normal amenities, and the overwhelming comments in removing the parking.

Clpn. Halverson is glad to see there is support to reconstruction and that options will be reviewed and hopefully we can review this at the neighborhood meeting.

Clpn. Napier said he doesn't support removing parking. Clpn. Iago is not supportive of removing parking. Mayor Meisinger said he is in agreement that parking should remain and bike lanes are not necessary as there are many options.

Motion was made by Clpn. Bellows and seconded by Clpn. Napier to adopt Resolution No. 16-103 approving improvements and ordering preparation of plans for Charlton Street #17-1 with clear opposition to parking on west side of street; safety and engineering will be reviewed and the possibility of a sharrows will be reviewed. All members present voted aye. Motion carried

Bidwell Street from Marie Avenue to Crusader Avenue

Director Beckwith gave an overview of the proposed Bidwell Street improvement project.

Clpn. Bellows would like to see if there is a need putting in a sidewalk or an alternative. He would like to determine what the cost would be compared to a sidewall and retaining wall. There are also mature trees and wetlands to be filled. Make sure there is a sidewalk need.

The public hearing opened at 7:21 p.m.

No one present wished to speak.

The public hearing closed at 7:21 p.m.

- Clpn. Iago asked when doing design how would you do a need-study for a sidewalk on that street. Staff is following the adopted plan and sidewalks were desired by the city and previously approved (sidewalk plan). Clpn. Iago said things can change, so how would we consider a need? Manager Fulton said we hired a consultant to review the city and see where the sidewalks were needed and wanted. We are trying to build a system. Clpn. Iago said that was done with a different Council than is at this table. Clpn. Iago understands connectivity but as Clpn. Bellows pointed out - there are no sidewalks going south of Marie. He is concerned about the design being done with the approval. Clpn. Bellows said we have bike

lanes on a number of lanes/streets and these were a desire not a need. It would be a good idea to see if it's a want or a need.

- Clpn. Halverson talked about the master bike and sidewalk plan adopted many years ago.
- Clpn. Napier said we have snow on the ground five months out of the year and we have a school down there – the walkability in this city in the winter is pathetic. We need to look at the pedestrian plan. These streets were identified for a reason. We should get down to one sidewalk, on one side of the street, and we can't ignore safety.
- Clpn. Halverson said focus on walkability is important.

Motion was made by Clpn. Napier and seconded by Clpn. Armon to adopt Resolution No. 16-104 approving improvements and ordering preparation of plans for Bidwell Street #17-1. Clpns. Iago, Napier, Armon, Halverson voted aye. Clpn. Bellows abstained. The motion carried.

Sherwood Court from Charlton St. on East End

Director Beckwith gave an overview of the proposed Sherwood Court street improvement project.

The public hearing opened at 7:29 p.m.

No one present wished to speak.

The public hearing closed at 7:29 p.m.

Motion was made by Clpn. Napier and seconded by Clpn. Halverson to adopt Resolution No. 16-105 approving improvements and ordering preparation of plans for Sherwood Court #17-1 as presented. All members present voted aye. Motion carried.

Humboldt Avenue from Wentworth Ave. to Marie Ave

Director Beckwith gave an overview of the proposed project and added comment that he would recommend sidewalks on the west side that tied into Marthaler Park.

The public hearing opened at 7:31 p.m.

Delbert Gerdes, 1 Kraft Road East, lives at the corner of Kraft and Humboldt and thinks the street improvements are needed but is not sure of complete reconstruction which is more expensive. He is in favor of sidewalks and is supportive of them on both sides. If they are only placed on one side he is in favor of the west side because that makes most sense.

Director Beckwith explained that the street was in need of being reconstructed and putting sidewalks on the west side was a good idea. In the mid-70s the street was constructed and due to drainage issues this needs to be built properly.

Rick Newman, 1775 Humboldt Ave., has lived there many years and is not in favor of sidewalks as they are costly and negatively impacted.

The public hearing closed at 7:35 p.m.

Clpn. Armon mentioned Marthaler construction and said sidewalks will be welcome by the park attendees and those walking in this area.

Motion was made by Clpn. Bellows and seconded by Clpn. Iago to approve Resolution No. 16-106 and recommend sidewalk installation on one side and the alternative would be sidewalks on both sides of Humboldt Avenue #17-1 and ordering preparation of plans. All members present voted aye. Motion carried.

Kraft Road from Humboldt Ave. to Livingston Ave.

Director Beckwith gave an overview of the Kraft Road proposed improvement project and said the proposed includes sidewalks on both sides of the street (they are currently already on one side).

The public hearing opened at 7:36 p.m.

Delbert Gerdes, 1 Kraft Road E, is in favor of both sides but something on the narrower side so that irrigation can be maintained.

The public hearing closed at 7:37 p.m.

Clpn. Bellow said this is a good point and he approves the feasibility report to install a concrete walk on the north side but with emphasis on reducing the boulevard and existing trees.

Motion was made by Clpn. Bellows and seconded by Clpn. Iago to adopt Resolution No. 16-107 approving the proposed street improvements and ordering preparation of plan as outlined and presented. All members present voted aye. Motion carried.

Fox Ridge Drive along/to Livingston Avenue and Fox Ridge Court from Fox Ridge Drive to the West End

Director Beckwith gave an overview of the proposed improvements to the Fox Ridge Drive and Court areas. The public hearing opened at 7:39 p.m.

No one present wished to speak.

The public hearing closed at 7:39 p.m.

Clpn. Bellows confirmed there are no sidewalks planned on these streets.

Motion was made by Clpn. Napier and seconded by Clpn. Bellows to adopt Resolution No. 16-108 approving street improvements and preparation of plans as presented to Fox Ridge Court and Fox Ridge Drive. All members present voted aye. Motion carried.

Runge Lane from Smith Avenue to Charlton Street

Director Beckwith gave an overview adding that reconstruction back in 1990 took place. The city has been doing repairs as needed; this is a less invasive project.

Clpn. Bellows asked if there would be sidewalks. Director Beckwith said no.

The public hearing opened at 7:40 pm.

Ken Marble, 359 Runge Lane, is not objecting to road reconstruction but he is here with the same message that this area is in desperate need of having sump pumps hooked up to the sanitary sewer system. The residents need something done. There is ice in the winter that is very dangerous – make sure that the construction incorporates the sump pumps into the storm sewer.

Director Beckwith said in the feasibility report this item is addressed. Clpns. Napier and Iago said they are glad this is being addressed. This would be fixed next year and not this winter.

The public hearing closed at 7:44 p.m.

Motion was made by Clpn. Bellows and seconded by Clpn. Halverson to adopt Resolution No. 109 for street improvements and preparation of plans to address drainage issues via sanitary sewer improvements to Runge Lane as presented. All members present voted in favor. Motion carried.

Edith Drive from Smith Ave. to Bellows Street

Director Beckwith gave a short overview of this proposed street improvement project.

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

Robert and Jill Dusterhoft, 281 Edith Drive, improvements were done in 1990 so why are they getting a total street reconstruct? Director Beckwith said between 1990 to the present there was another project done on Runge Lane and a lot of it had extra work done which was not done on your street (Edith). Mr. Dusterhoft said also, when people don't shovel in the winter, there is a safety issue for sidewalk walkers. Also, with the I/I there was to be no digging in the street and now they are digging the street up – is there a chance that you can get a guy in to do the sewer lining? Director Beckwith and Mayor Meisinger said this can be done next year so we will televise this area. Director Beckwith asked Mr. Dusterhoft to contact him (651-552-4130). There are others in the neighborhood. Manager Fulton said we want to support and work with you and we encourage you to do what you are suggesting. Clpn. Bellows added comment. Police Chief Shaver added comment about shoveling of snow – the ordinance rules are on the city website.

Don Huber, 238 Edith Drive, is done with pavers. He has pavers on his driveway and would like to have his drive reviewed for design and would like to work with the city on his I/I issues. Director Beckwith said this will be done at a staff level.

The public hearing closed at 7:57 p.m.

Motion was made by Clpn. Bellows and seconded by Clpn. Halverson to adopt Resolution No. 16-110 ordering improvements and preparation of plans for Edith Drive as presented. All members present voted aye. Motion carried.

Edgewood Lane from Charlton Street to the East End

Director Beckwith gave an overview of the proposed reconstruct for this gravel road. Director Beckwith added that the St. Paul Regional Water Board is interested in doing a loop water system in this area to feed the properties. It's currently not up to code. Feasibility looked at various options; there are lots of mature trees. Public Works spends a fair amount of time to upkeep this roadway.

The public hearing opened at 8:00 p.m.

Dave Moga, 246 Edgewood, this area does not have a lot of through streets and the street meanders; this road was not built on the right of way and character established from where it is today should remain. The city wants to rebuild this street on the designated area (right-of-way) but Mr. Moga would like to see this discussed and reconsidered; he would like to see the street left in the current location. We are talking 6 to 8 people that use this road to the dead end. He is very concerned about putting in a 24 foot gravel road – that seems too wide due to various issues. Mayor Meisinger asked would you approve an assessment of costs to maintain gravel. Yes said Mr. Moga.

Duane Carlin, 235 Edgewood Lane – the right of way cuts his front yard in half and 6 trees would be lost. He likes the gravel character. He knows it doesn't meet the standard but the fire dept. can make their way. He doesn't quite understand why you need to have a sanitary sewer – just do cut outs. Would you be willing to pay for maintenance? He would be interested in hearing what those costs would be. He would like to learn what the costs are. He is not interested in spending more money on assessments. What if you have an irrigation system? If it's in the right of way you pay. The city does have a tree policy. He is concerned about the trees he would lose.

John Scanlon, 256 Oakview Road, has been there 18 years and he has seen emergency vehicles and semis coming down this road. This is a road to nowhere. You will not gain anything to redo it. He has 200 frontage feet and the assessment will be high even with an accommodation. Money would be better spent in another area of West St. Paul.

Charles Jones, 270 Edgewood Lane, agrees the street has unique character and the idea that this is a situation and should not be considered as a serious expenditure for \$600,000 city funds. He has been there for a 1 ½ years. The issue of turn-around - there is a code for 20 ft. turn-around so this might be an argument against the 24 ft. width. He feels there could be a compromise – the way this was brought up with 24 feet – he would like to explore the idea and consideration of a compromise. He did not know about prioritizing and assessment of maintenance costs until today. He bought because they liked the gravel street and trees, etc. Mayor said the estimated cost is \$631,000.00.

Chris Wills, 237 Edgewood Lane, the road in his neighborhood is truly one of kind. It is one of kind and that is what makes it special. Everyone who comes to his house – people comment that they can't believe this place exists. We in this neighborhood celebrate this. He has spent a ton of time on this issue. The majority of our neighborhood does not support this. The proposed cost is very high and it will destroy the ambiance of the neighborhood. The city cost is about \$475,000 and it doesn't

make sense to him to spend that kind of money on something that affects so few. Ongoing maintenance which has not been done will preserve what we have. He asks this project to be removed from the road improvement construction project list.

Jennifer (not sure of last name), 247 Edgewood Lane, agrees with everyone and said the feasibility study does not show the road going to their driveway. They are open to review of other turn-around options.

Courtney Poepl, 257 Edgewood Lane, she is new to this neighborhood. Mayor Meisinger said welcome. They bought because of the character but they are in favor of the improvement that she believes outweighs any issues that may have been discussed.

John Scanlon, 256 Oakview Road, said last year they were surveying the road and the surveyor made comment about taking the top of the gravel off and grind it and put it back. This would not be done explained Director Beckwith.

Mr. Chris Wills, 237 Edgewood, said he feels like the assessment is so extreme he will not accept this quietly.

Clpn. Bellows said he has talked to a lot of the folks. Some are in favor of some improvements but the changes are tough. This is a gravel road and it's not centered correctly; this may or may not have to change with a new roadway. The care to this street is minimal and we don't have equipment to continue – we have to look at that and the grader costs \$400,000 and it would only be used for this road. This is a factor to consider. One option is to leave it as-is but this make will make some happy and some not. We could reengineer it. We could have a 24 foot paved road. We could have a 20 ft. paved road. We could vacate this road. The options suggest you get together and see if you can come up to a significant consensus (the property owners). If you can't do this then you are asking us six Councilmembers and Mayor to decide what is in the best right of you and your street. From a rational standpoint the Council would like to not pay \$400,000+ but we are trying to understand what you want done. Clpn. Bellows will moderate if the people (property owners) want a meeting.

Clpn. Bellows commented on approval of the study and he is interested to know what the costs would be for 24 ft. road, 20 ft. road, gravel and any engineering to the problems (drainage).

Clpn. Napier said his concerns are the calls he gets about the street washing out. Public safety is a concern in that the fire department needs to have a way to turn their vehicle around. Regarding paving – Council and staff were hoping there would be a consensus. The issues need to be addressed. He supports more input and figuring out what the minimum standard is for this street.

Clpn. Halverson said what she has heard is against paving the road. She agrees there should be a neighborhood consensus. She does not support the study but questions should be answered such as the safety issues.

Clpn. Iago asked about study items. Director Beckwith said you are ordering plans and specs so they can be done at bid on time. Clpn. Iago asked if we delay, does this damage anything (with regard to getting competitive bids). Possibly, answered Director Beckwith. Clpn. Napier added that

something needs to be done to control maintenance costs and deal with public safety issues and run-off.

Mayor Meisinger said we will have this on the agenda again in four weeks and Clpn. Bellows can meet with the neighbors.

Someone asked if there was any way we can get a drawing of the road? Director Beckwith said yes, but a road drawing of improvements would be preliminary. The person wants a copy of the current road. Staff will have one for you tomorrow at 12:00 p.m., said Mayor Meisinger.

Chris Wills, 237 Edgewood, with all due respect, you have heard us; we don't want to do anything.

Mayor Meisinger said consideration will be put on hold until we get some questions answered and then it will come back to Council. Clpn. Halverson is supportive of reviewing safety issues.

Clpn. Bellows added further comment stating this matter needs to be addressed. Clpn. Napier and I have been aware that safety and drainage are issues. This matter needs to be resolved. It can't be left as-is. Something needs to be done.

Courtney Poepl, 257 Edgewood Lane, is in favor of costs and options reviewed. She also mentioned that people in favor of this project last year are not present at this meeting this evening.

Duane Carlin, 235 Edgewood Lane – the road is not on the right of way. Mayor Meisinger said this will be reviewed.

Motion was made by Clpn Napier and seconded by Clpn. Armon to continue the Edgewood Lane Improvement item with the idea that staff will come up with a minimum requirement from engineering professionals. Clpn. Bellows amended the motion and it was seconded by Clpns. Napier and Armon to have staff review, at a minimum, the requirement to make this road serviceable and deal with drainage issues and future maintenance, especially if there is no grader available; in addition to safety and right-of-way placement issues. By continuing this item Council and property owners will get more information but it does not mean the road will not be reconstructed. Clpns. Armon, Iago, Napier and Halverson voted aye. Clpn. Bellows voted no. Motion carried.

Clpn. Bellows voted no because of the items stated by Ms. Poepl.

Citizen Comment (added)

Earl Walker, 1701 Livingston Avenue, missed the earlier Citizen Comment section and he has a comment. He likes parking on one side of Livingston Avenue and he wants to keep it that way. This street will be checked into and also to keep parking on one side.

B. Application for a Conditional Use Permit to allow an Accessory Structure in a B3, General Business District at 1906 Livingston Ave. – The Povolny Group, Inc.

Community Development Director Jim Hartshorn gave an overview. The Povolny Group, Inc. is requesting a Conditional Use Permit to allow an Accessory Structure in a B3, General Business District at 1906 Livingston Ave. The applicant is proposing to construct a 30' x 60' accessory structure behind the existing office building (see site plan). The proposed building will be utilized to store construction materials, equipment and trailers on-site. The applicant is currently storing these items off-site. The proposed building includes two over-head garage doors that will be accessed via the exiting parking lot. The applicant is also proposing a small expansion of the parking lot in order to re-orientate the existing parking stalls (currently east-west orientation) that are located in the area of the proposed garage to a north-south orientation at the rear of the parking lot.

Clpn. Armon is in favor. He is questioning storage but Director Hartshorn said all materials will be stored inside.

Jim Povolny, 1906 Livingston Avenue, wants a facility for us to keep items stored inside. It enhances his ability to stay in the West St. Paul area.

Clpn. Iago asked what will be stored. Mr. Povolny said strictly equipment.

The public hearing opened at 8:57 p.m.

Dawn, a resident at 1715 Livingston Avenue, asked where will this building be located. It's a half mile south of your property reported staff.

The public hearing closed at 8:58 p.m.

Motion was made by Clpn. Napier and seconded by Clpn. Halverson to adopt Resolution No. 16-113 approving a conditional use permit to allow an accessory structure in a B3 District at 1906 Livingston Avenue for the Povolny Group, Inc. as presented. All members present voted aye. Motion carried.

C. Applications for a Conditional Use Permit to allow a Drive-through Lane in a B3, General Business District and Site Plan review for the construction of a new office building (bank) and parking lot at 1994 Robert St. S. – Civil Site Group

Community Development Director Jim Hartshorn gave an overview. Civil Site Group is requesting the following applications for the development of a new Bank of America at 1994 Robert St.:

- 1) Site Plan Review for the construction of a new bank building and parking lot
- 2) Conditional Use Permit approval to allow a Drive-through Lane

The applicant is proposing to construct a new 4,287 sq. ft. bank building (Bank of America) on the vacant parcel. The proposed building is to be located adjacent to Robert St., consistent to the setback of the Pearl Vision/AT&T building to the north. A north-south driveway is proposed adjacent to the east side of the building per the existing access easement (provides access to the property and connection between the properties to the north and south). Off-street parking is proposed east of the drive aisle and an ATM drive-through is proposed north of the proposed building.

Mayor Meisinger asked if this type of building was built anywhere else in the Metro Area. Applicant said yes in Woodbury, Maple Grove and other cities. Director Boike had received photos of the sites.

Clpn. Bellows said thanks for the drawings. This is a fairly difficult location. Looking at the west elevation it's fairly bare of vegetation. Could vegetation be added from the area by the two windows to the south? The applicant said they could provide additional landscaping in this area.

The public hearing opened at 9:06 p.m.

No one present wished to speak.

The public hearing closed at 9:06 p.m.

Motion was made by Clpn. Armon and seconded by Clpn. Iago to adopt Resolution No. 16-111 approving the site plan; Clpn. Bellows offered an amendment seconded by Clpns. Armon and Iago to add an eighth condition that the landscape plan include vegetation on west side of property towards Robert street as discussed and adopt Resolution No. 16-112 approving a conditional use permit to allow a drive-through lane in a B3 District at 1994 Robert Street. All members present voted aye. Motion carried.

12. New Business

E. Parking Permit Request – Livingston and Bernard (moved to item 12.A.)

Police Chief Manila Shaver gave an overview. Recently the City Council passed a City Code modification in order to create Permit Parking Zones (City Code 72.05). The modification to the City Code was a response to concerns about non-residential parking in certain areas of the City, often caused by the lack of or a reduction in off-street parking and/or due to a special or an on-going activity. Examples of special and on-going activities would include residents being impacted because of their proximity to a highly used park, a nearby school or a large business.

The applicants have requested a permit parking zone consisting of the area in front of two residential properties, specifically 994 and 998 Livingston (see attached maps). The applicants claim being adversely impacted by the Emerson Hill Apartment residents, 993 Robert Street, who are alleged to be parking on Livingston Avenue as a result of a loss of Robert Street parking, the cost of an Emerson Hill Apartment parking permit and insufficient apartment parking spaces for the Emerson Hill residents and their guests.

The home owner of 998 Livingston, Michelle Pivec, has attended several Council meetings during the past several months, expressing her concerns and frustrations about these parking issues. As a result, back in May 2016, when this issue was first brought to the City's attention, the police department conducted a two-week parking survey of the Livingston/Bernard area to determine who is parking there overnight.

The police department discovered a mixture of resident and non-resident parking. The reasons for non-resident parking were varied and included guests of area residents parking overnight; work vehicles being used by residents; residents using vehicles not registered to them; and a failure to change/update registration information. There were several Emerson Hill Apartment residents parking in this location as well (about 30% of the over-night parked vehicles). During this survey about fifteen to eighteen vehicles were being parked in this location on any given night.

Property owner at 994 Livingston has lived there for 13 years, and until the Robert Street project they never had a parking issue. He has seen the density and number of people living in the condos change. Eliminating the parking at the apartment complex took away Emerson Avenue apartment parking. People don't want to pay for parking so they end up on our street. The trouble is there are people working on their cars in front of my house on the street and they leave debris in my yard. We favor the idea of limited permit parking. This mostly affects me and my neighbor. There is also the gentleman's agreement and they want something in writing to make sure they will not be cut off from their house.

Michelle Pivoc, 998 Livingston, is in favor of the parking permit. She does not believe the Police Chief's findings are correct. There were six vehicles in front of her house and two belonged to someone in the apartments. The gentleman's agreement has not been working. Please approve the permit parking.

Clpn. Iago asked what was the status on Sherman's property and notification to the residents. Mr. Sherman has given notice to those in the apartment that they have 15 spots to park. All of the underground stalls are taken and are paid; these are being used. According to Mr. Sherman the guests are encouraged to park in the commercial area. Director Hartshorn has not seen a copy of the letter Mr. Sherman sent to apartment residents. Clpn. Iago is concerned about the conflicting comments from the two residents and the Police Chief. He wonders what the document said that Mr. Sherman sent and if it encourages the guests to not park on Livingston.

Clpn. Napier said first of all, you put in a lot of time, he said to Chief Shaver. He supports a pilot program and said "let's try it; it might need tweakin".

Clpn. Iago asked about sign costs and enforcement. Police Chief Shaver said the resident will have to call the police and they would come and cite the parked vehicle, opposed to towing. Have we given Mr. Sherman adequate time to push their residents? Maybe we craft a letter and Mr. Sherman hand delivers it. Clpn. Iago would like to give Mr. Sherman an opportunity.

Mayor Meisinger respectfully disagrees. These residents have been to many meetings. We have no parking in various places around West St. Paul. The sign cost will be derived from the residents. There is no good reason to postpone.

Clpn. Halverson said she hoped by Mr. Sherman saying extra parking would be provided, the problem would be taken care of. Unfortunately it isn't. We do need to keep a close eye on small no parking areas. She supports moving forward.

Clpn. Armon asked how many times have people worked on their cars on the street. A couple of times said a property owner. Clpn. Armon supports moving forward.

Police Chief Shaver explained the permit does not expire. If there are issues the property owner can come back to the Council.

Clpn. Napier will not support keeping it going if a third and fourth house (property owner) comes before us.

Someone said there is a disconnect because the Sherman parking option is closer than the street. He thanks Council for trying this option.

Clpn. Bellows asked to clarify that the two spots in front of your house. It's more than the two spots – there are other issues created from these people parking and going between the apartment.

Continued comment from Council, staff and residents.

Motion was made by Clpn. Napier and seconded by Clpn. Halverson to approve and authorize implementation of the parking request and permit parking zone with an eight (8) month revaluation for properties located at 994 and 998 Livingston Avenue from 6:00 a.m. to 6:00 p.m. All members present voted aye. Motion carried.

There were further comments from the Council, Police Chief Shaver and Ms. Pivoc.

Mayor Meisinger excused himself briefly from the meeting at 9:42 p.m.

Mayor Pro Tem Ed Iago took over the meeting at 9:42 p.m.

A. Authorization to Solicit Bids for GO Street Reconstruction Bonds, Series 2016B

Finance Director Joan Carlson gave an overview. In 2014, the City declared its intent to bond and held the required public hearings to finance the City's portion of the Roberts Street Reconstruction project. The City subsequently issued \$4.93 million of GO Bonds in October 2014. As the project continues there is now the need to issue an additional \$4.89 million in 2016.

Clpn. Bellows made comments and questions.

Motion was made by Clpn. Bellows and seconded by Clpn. Halverson to approve and adopt Resolution 16-114 Authorizing Proceeding for the Sale of General Obligation Street Reconstruction Bonds, Series 2016B in the amount of \$4,890,000.00 as presented. All members present voted aye. Motion carried.

Mayor Dave Meisinger returned to the meeting at 9:45 p.m.

B. 2017-2018 Teamsters Local #320 Labor Agreement

Assistant City Manager and HR Director Sherrie Le gave an overview of the agreement. Teamsters Local #320 recently ratified the 2017-2018 tentative agreement negotiated between the City and

Union. The agreement covers terms and conditions of employment for West St. Paul's Public Works and Park Maintenance staff.

Motion was made by Clpn. Armon and seconded by Clpn. Halverson to approve the 2017-2018 Teamsters Local 320 Labor Agreement as presented. All members present voted aye. Motion carried.

C. Approve LELS Local #80 2017-2018 Labor Agreement

Assistant City Manager and HR Director Sherrie Le gave an overview. Staff recently reached agreement on the 2017-2018 Labor Agreement between the City and LELS Local #80 representing the police sergeants. The employees have ratified the agreement for Council approval.

Motion was made by Clpn. Iago and seconded by Clpn. Napier to approve the 2017-2018 LELS Local 80 Contract as presented. All members present voted aye. Motion carried.

D. Approve 2017 City Contributions for Insurance for General Services Employees

Assistant City Manager and HR Director Sherrie Le gave an overview. We will be holding an open enrollment period from November 10 through December 10, 2016. During Open Enrollment, employees can switch between health plans or tiers (single, single plus 1 or family), increase life insurance coverage for themselves and their spouse and add dependent life insurance. They may also elect voluntary benefits such as dental, short term disability and vision or change tiers for those plans.

We have completed negotiations for two of our three bargaining units and recommend that the City provide the same contributions that were negotiated for those two unions to our General Services employees. It has been our policy and practice for many years to treat all employees equitably. The contributions we have negotiated were reviewed and outlined in the Council meeting packet.

Motion was made by Clpn. Bellows and seconded by Clpn. Armon to approve the 2017 GS Employees City Insurance Contributions and City contribution for health insurance as presented. All members present voted aye. Motion carried.

E. Permit Parking Request - Livingston and Bernard

This item was discussed under 12.A.

~~**F. Approve Resolution of Support for Dakota County's 2017-2021 CIP**~~

This item was removed for future consideration.

G. First Reading - Zoning Ordinance Amendment, Sections 153.004 and 153.050 through 153.128 relating to Group Homes

Attorney Korine Land gave an overview. In July 2015, 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 as follows:

	R1-R2	R3	R4	B1-B4, B6	B5	I1-I2
State-Licensed	Permitted 0-6 persons	Permitted 7-16 persons	Permitted 7-16 persons	Prohibited	CUP for mixed use	Prohibited
Registered Housing with Services	Permitted 0-6 persons	Prohibited	Prohibited	Prohibited	Prohibited	Prohibited

Staff is recommending adding a PROHIBITED USE section to R3, R4, and B1-B6 that will specifically prohibit these uses, as appropriate, in those zoning districts.

Motion was made by Clpn. Bellows and seconded by Clpn. Armon to approve the first reading of an Ordinance amendment related to group homes as presented. All members present voted aye. Motion carried.

12. H. Settlement of Robert Street Improvement Project Parcel 20

Motion was made by Clpn. Napier and seconded by Clpn. Bellows to approve the easement acquisition settlement for Robert Street Improvement Project Parcel 20 as presented. All members present voted aye. Motion carried.

12. I. Settlement of Robert Street Improvement Project Parcel 111

Motion was made by Clpn. Halverson and seconded by Clpn. Napier to approve the easement acquisition settlement for Robert Street Improvement Project Parcel 111 as presented. All members present voted aye. Motion carried.

13. Old Business

There was no old business to discuss or consider.

14. Adjourn

Motion was made by Clpn. Napier and seconded by Clpn. Halverson to adjourn the meeting at 9:55 p.m. All members present voted aye. Motion carried.



David Meisinger
Mayor
City of West St. Paul

Petition to stop Bike Lanes on Charlton and stop removal of off-street parking

Petition summary and background	Save property owner's right to park on the street and safety of citizens. There is already a safer access for bikers. No bikers currently use Charlton to access bike path. There is no safe passage across Hwy 110. Charlton is too busy of a street to put in bike lanes. Houses also have no reasonable accommodations for guests to park.. City would be endangering lives by putting in bike lanes on an already busy road with known speeding issues.
Action petitioned for	We, the undersigned, are concerned citizens who urge our leaders to act now to stop further discussions and actions towards putting in bike lanes and removing off street parking on Charlton Street from Marie Avenue to Hwy 110. Thank you for keeping our community safe.

Printed Name	Signature	Address	Comment	Date
Fenny Affolter		2033 Charlton St.	Not a safe area for Bikes Already have existing access	10-10-16
Pat Kardels		326 W. Mandata R	Not in favor bike lane on Charlton-	10-18-16
Laura Phillips		300 Seward Pl		10/19/16
Mary Kent		322 SHERWOOD CT		10/10/16
Menachem Keller		270 Sheppard Ct.		10/10/16
MICHAEL MCAUSLAND		1960 Charlton St		10/10/16
Laura Dexter		1974C Charlton St	Need street parking for guests, etc	10/10/16
Brenda Corbett		1964 Charlton St	too fast for bikes see below for parking	10/10/16
Karin Hennison		1965 Charlton St		10/10/16
Tudy Wood		2007 Charlton St		10-10-16
Waf M. Farhan		2017 Charlton St	Don't D. it bike lane	10/10/16

Petition to stop Bike Lanes on Charlton and stop removal of off-street parking

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Printed Name	Signature	Address	Comment	Date
Brandon Hillcox	<i>[Signature]</i>	1941 Charlton St.	Too busy! We need parking	10/18/16
Emily Buegg	<i>[Signature]</i>	11		10/18/16
JAKE APPA	<i>[Signature]</i>	1933 Olantho St	Parking Issues	10/18/16
Self-Lentick	<i>[Signature]</i>	1909 Charlton	Maintain Parking	10/18/16
Shbbie Lentick	<i>[Signature]</i>	1909 Charlton	Maintain loaded Parking	10/18/16
BRUCE JOHNSON	<i>[Signature]</i>	1901 CHARLTON	Maintain parking	10/18/16
Nancy Pierson	<i>[Signature]</i>	1885 Charlton St	Have to be able to park when have guests for meetings	10/18/16
Eric Baumwister	<i>[Signature]</i>	1863 Charlton St	No bike lane	10/18/16
Mary Vetter	<i>[Signature]</i>	280 Lakeview	Keep parking	10-18-16
DAVID VETTER	<i>[Signature]</i>	286 SHILBURN RD	Density change road	10/18/16
TODD WENZ	<i>[Signature]</i>	257 GARDNER RD	Maintain Parking	10/18/16

Petition to stop Bike Lanes on Charlton and stop removal of off-street parking

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Printed Name	Signature	Address	Comment	Date
Narcia Moody	Narcia Moody	2060 Charlton St		10/19/16
Kathy Moody	Kathy Moody	2060 CHARLTON ST		10/19/16
Sharon Nelsen	Sharon Nelsen	2060 Charlton St.		10/19/16
Andy Vitke	[Signature]	"		10/19/16
Cathy Holmes	Cathy Holmes	"		10/19/16
CAROLINE HANSEN	Caroline Hansen	"		10/20/16
DENNIS VESPER	Dennis Vesper	2060 CHARLTON ST		10/19/16
TONG FINN	[Signature]	2060 CHARLTON ST		10/19/16
Amanda Huan	[Signature]	11 "		10/19/16
Marylou Sabin	Marylou Sabin	2046 Charlton		
Janzen Markstetter	Janzen Markstetter	1960 Charlton		10/19/16

Petition to stop Bike Lanes on Charlton and stop removal of off-street parking

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Action petitioned for	We, the undersigned, are concerned citizens who urge our leaders to act now to stop further discussions and actions towards putting in bike lanes and removing off street parking on Charlton Street from Marie Avenue to Hwy 110. Thank you for keeping our community safe.

Printed Name	Signature	Address	Comment	Date
Kelli Wilkems		325 Sherwood Ct	Please keep parking	10/18/16
Sae Klerh		2027 Charlton St.	We don't want a bike lane we need the parking	10/18/16
Roger Verdugo		2047 CHARLTON ST	SAFER FIRST RIGOR RESPONSIBILITY: ICEO PARKING, NO BICE CANE	10/18/16
JAN INERSON		2000 Charlton St	Please bike lane on one of the busiest streets is not a responsible choice	10/18/16
Jason Verdugo		2017 Charlton St	Keep on street parking. You will not get bikers in danger. You will lower your house value.	10-18-16
Kila Herschbary		187 CHARLTON ST	The council and council members who vote for this bike lane are responsible for safety of us citizens!!	
Jeff Henschel		1871 Charlton	PEER PARKING. BIKER ANDANGERS CHARLTON TO BUSY.	
Jacqueline Gardner		368 Hendrix Rd. W.	Charlton too dangerous	10/19/2016
Scott Cookmout		2048 Charlton Ridge		10/19/16
Rot Weber		2072 Charlton Rd	need parking	10/19
Bonny Stull		2026 Charlton Rd	need parking	10/19

Petition to stop Bike Lanes on Charlton and stop removal of off-street parking

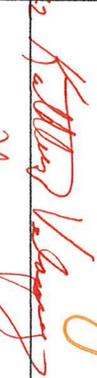
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Printed Name	Signature	Address	Comment	Date
REV ALLEN R. KUSS		W. 5th Paul, MN. 2030 Charlton Ridge,		10/22/16
BRYAN DAVIS		3014 Chandler Lane W. 5th Paul, MN		10/22/16
ERIC WOOD		2036 CHARLTON RIDGE	Saw a woman and RIDING 20' BEHIND HER CRUISED BY HERE - TRAINING WHEELS	10/23/16
Kathleen Wood		2036 Charlton Ridge		10/23/16

Petition to stop Bike Lanes on Charlton and stop removal of off-street parking

Petition summary and background
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Printed Name	Signature	Address	Comment	Date
Alice Schetty		2018 Charlton Rdg.		10/19/16
Kathleen Velasquez		1865 Charlton St		10/19/16
Jean Johnson		1901 Charlton St.		10/19/16
PATT SCOTT		320 Edgewood Lake		10/19/16
Eugene E. Kank		366 Menlo Park Rd W		10/19/16
Tim Votelis		1949 Charlton St		10/19/16
Dawn Burnmeister		1863 Charlton St		10/19/16
JEFFREY A. ESCOBAR		2033 CHARLTON ST		10/19/16

Petition to stop Bike Lanes on Charlton and stop removal of off-street parking

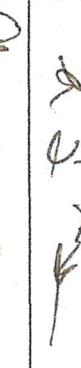
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Printed Name	Signature	Address	Comment	Date
Kelli Wilkens		325 Sherwood Ct	Please keep parking we don't need a bike lane	10/18/16
Sae Kleh		2027 Charlton St	We need the parking SAFETY FIRST PLEASE YES TO BIKE LANE NO TO OFF STREET PARKING	10/18/16
Roger Verdugo		2047 CHARLTON ST	Please bike lane on one of the busiest streets Keep on street parking. You will not get biked in danger. You will lower our house value! Several members who live get the car out of driveway responsible for splash of wet sidewalk!!	10/18/16
JAN IVerson		2000 Charlton St	NEED PARKING. BIKE LANE DANGEROUS BEHARLTON TO BUS	10-19-16
Julien Verdugo		2017 Charlton St	Charlton too dangerous	10/19/2016
Kila Ferschbach		187 CHARLTON ST		10/19/16
Jeff Henschel		1871 Charlton		
Jacqueline Gardner		368 Mendota Rd. W.		
Scott Goodenough		2049 Charlton Ridge		
Pat Weber		2072 Charlton Rd	need parking	10/19
Rene Lytle		2026 Charlton Rd	need parking	10/19

Petition to stop Bike Lanes on Charlton and stop removal of off-street parking

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Printed Name	Signature	Address	Comment	Date
Marcia Moody		2060 Overton Rd		10/19/16
Kathy Moody		2060 CHARLTON ST		10/19/16
Sharon Nelson		2060 Charlton St.		10/19/16
Andy Vitke		"		10/19/16
Cathy Spillines Cathy Thomas		"		10/19/16
CAROLINE HANSEN		"		10/20/16
DENNIS VESBERG		3049 CHARLTON ST		10/19/16
TONG FRIZZ		2060 CHARLTON ST		10/19/16
Amanda Aun		"		10/19/16
Marylou Sabiu		2046 Charlton		
Janice Maxwell		1960 Charlton		10/19/16

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Dean Johnson		1901 Charlton St.		10/19/16
PAUL SCOTT		320 Esyewood Lake		10/19/16
Eugene Karel		360 Menlo Park Rd W		10/19/16
Jim Veltin		1949 Charlton St		10/19/16
Dawn Burner		1863 Charlton St		10/19/16
JEFFREY REFORER		2033 CHARLTON ST		10/19/16

To: City of West Saint Paul City Council
From: Mitch Hoffman
156 Moreland Ave W, West Saint Paul MN
Date: 10/24/2016
Re: Bike Lanes and Bicycle Infrastructure for the City of West Saint Paul

To Whom it May Concern:

I am unable to attend tonight's council meeting due to a family obligation, but wanted send along my thoughts regarding the bicycle infrastructure that is being considered for our city, as it is very important to me.

As a lifelong cyclist and someone who works in the outdoor industry, I feel there are some misconceptions regarding why this is so important. I feel strongly that the City of West Saint Paul is not cyclist friendly, nor safe. I also feel strongly that a combination of education and infrastructure will make all of our residents safer and our community better suited for cycling as a means of transportation and recreation. This will make motorists more aware of cyclists, while helping children and families feel safer while riding through our community.

My family (including two young children) are regularly harassed by motorists on residential streets in our city for "not riding correctly," when in fact were wearing helmets and cycling with traffic as the law state. I personally had a car turn into me just 2 blocks from my house, as someone was turning into an elementary school. The accident totaled the bike, broke my helmet and I landed and crashed on the car's windshield. My kids saw it happen from our driveway and a similar accident nearly happened to another cyclist later that day. As a cyclist, I don't want to get hit by a car, because the cyclist ALWAYS loses. As a driver, I don't want to hit a cyclist and live with that guilt of seriously injuring or killing someone. Proper bicycle and pedestrian infrastructure does just that, makes transportation safer for all modes of transport. It is no different than why we have huge white stripes to make cars alert to a crosswalk.

Sidewalks are absolutely not the answer for bikes. I will cite an article from National Public Radio that can be found [here](#) on exactly this topic. We don't need to try to form our own version of what we think bikes should do in our city, but rather look at the extensive knowledge and research that already exists on the topic. Key takeaways from this article include:

- Many cyclists feel safer on sidewalks, but pedestrians feel endangered.
- Many cities ban cycling from sidewalks for adults
- Cars see and expect cyclists less when they are on the sidewalk rather than the street or in a bike lane

Lastly, and more importantly, a responsible and properly trained motorist is supposed to know these laws. There are the rules of the road. Our city, and its law enforcement, should be promoting all efforts to keep our citizens safe whether they are in a car, bike or on foot.

In conclusion:

- I want you to support the individuals that want to walk and bike in our community.
- I want our community parks, schools, library, stores, churches, and neighborhoods safely accessible to everyone, regardless of the mode of transportation they want to use to get there.
- I want you to support a healthy and active community – It's our future.

DAKOTA COUNTY, MINNESOTA
CITY OF WEST ST. PAUL

RESOLUTION NO. 16 - 101

RESOLUTION APPROVING GRANT AGREEMENT BETWEEN THE
METROPOLITAN COUNCIL AND THE CITY OF WEST ST. PAUL
FOR THE MITIGATION OF I/I IN THE PUBLIC SANITARY SEWER SYSTEM

WHEREAS, the Minnesota State Legislature has appropriated \$4,156,800 in general obligation bond funds for grants to municipalities to reduce inflow and infiltration in their public system infrastructure, administered by Metropolitan Council Environmental Services (MCES); and

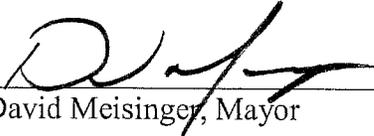
WHEREAS, the City is billed for wastewater directly by the MCES; and

WHEREAS, the City has been identified by the MCES as having exceeded their I/I allowance; and

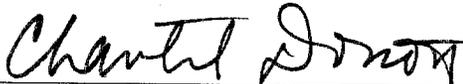
WHEREAS, MCES requires that the City Council adopt a resolution authorizing the City to apply for the grant funds,

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council identifies the City Engineer as the City Officer authorized to execute the grant application on behalf of the City of West St. Paul and submit it to the Metropolitan Council.

Adopted by the City Council of the City of West St. Paul this 24th day of October, 2016.



David Meisinger, Mayor

Attest: 

Chantal Doriott, City Clerk

DAKOTA COUNTY, MINNESOTA
CITY OF WEST ST. PAUL

RESOLUTION NO. 16-102

RESOLUTION ACCEPTING DONATION
FROM SOUTH ROBERT BUSINESS ASSOCIATION

WHEREAS, South Robert Street Business Association has donated \$3,200.00 to the City of West St Paul in support of the Touch-a-Truck/Shop Robert Street Event, and

WHEREAS, the Mayor and City Council acknowledges their generosity and extends their appreciation to South Robert Street Business Association for their donation.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council accepts the donation of \$3,200.00 on behalf of the City of West St. Paul.

Adopted by the City Council of the City of West St. Paul this 24th day of October, 2016.

Ayes: 5 Nays: 0



David Meisinger, Mayor

Attest: 

Chantal Doriott, City Clerk

CITY OF WEST ST. PAUL
DAKOTA COUNTY, MINNESOTA

RESOLUTION NO. 16-103

ORDERING IMPROVEMENT AND PREPARATION OF PLANS
2017 STREET IMPROVEMENTS PROJECT NO. 17-1

WHEREAS, a resolution of the City Council adopted on September 26, 2016 fixed a date for a Council hearing on the proposed improvements of Charlton Ave. from Marie Ave. to Trunk Hwy. 110 by street reconstruction and utility improvements, pursuant to Minnesota Statutes, Sections 429.011 to 429.111.

AND WHEREAS, ten days mailed notice and two weeks published notice of the hearing was given, and the hearing was held thereon on the 24th day of October, 2016 at which all persons desiring to be heard were given an opportunity to be heard thereon.

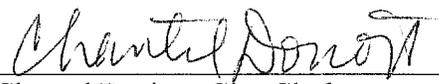
NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WEST ST. PAUL, MINNESOTA:

1. Such improvement is necessary, cost-effective and feasible as detailed in the feasibility report.
2. Such improvement is hereby ordered as proposed in the council resolution adopted the 24th day of October, 2016.
3. The City Engineer is hereby designated as the engineer for this improvement. The engineer along with the project consultant from Bolton & Menk shall prepare plans and specification for the making of such improvement.

Adopted by the City Council of the City of West St. Paul the 24th day of October, 2016.



David Meisinger, Mayor

Attest: 

Chantal Doriott, City Clerk

CITY OF WEST ST. PAUL
DAKOTA COUNTY, MINNESOTA

RESOLUTION NO. 16-104

ORDERING IMPROVEMENT AND PREPARATION OF PLANS
2017 STREET IMPROVEMENTS PROJECT NO. 17-1

WHEREAS, a resolution of the City Council adopted on September 26, 2016 fixed a date for a Council hearing on the proposed improvements of Bidwell St. from Marie Ave. to Crusader Ave. by street reconstruction and utility improvements, pursuant to Minnesota Statutes, Sections 429.011 to 429.111.

AND WHEREAS, ten days mailed notice and two weeks published notice of the hearing was given, and the hearing was held thereon on the 24th day of October, 2016 at which all persons desiring to be heard were given an opportunity to be heard thereon.

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

1. Such improvement is necessary, cost-effective and feasible as detailed in the feasibility report.
2. Such improvement is hereby ordered as proposed in the council resolution adopted the 24th day of October, 2016.
3. The City Engineer is hereby designated as the engineer for this improvement. The engineer along with the project consultant from Bolton & Menk shall prepare plans and specification for the making of such improvement.

Adopted by the City Council of the City of West St. Paul the 24th day of October, 2016.



David Meisinger, Mayor

Attest: 

Chantal Doriott, City Clerk

CITY OF WEST ST. PAUL
DAKOTA COUNTY, MINNESOTA

RESOLUTION NO. 16-105

ORDERING IMPROVEMENT AND PREPARATION OF PLANS
2017 STREET IMPROVEMENTS PROJECT NO. 17-1

WHEREAS, a resolution of the City Council adopted on September 26, 2016 fixed a date for a Council hearing on the proposed improvements of Sherwood Ct. from Charlton St. to the east end by street reconstruction and utility improvements, pursuant to Minnesota Statutes, Sections 429.011 to 429.111.

AND WHEREAS, ten days mailed notice and two weeks published notice of the hearing was given, and the hearing was held thereon on the 24th day of October, 2016 at which all persons desiring to be heard were given an opportunity to be heard thereon.

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

1. Such improvement is necessary, cost-effective and feasible as detailed in the feasibility report.
2. Such improvement is hereby ordered as proposed in the council resolution adopted the 24th day of October, 2016.
3. The City Engineer is hereby designated as the engineer for this improvement. The engineer along with the project consultant from Bolton & Menk shall prepare plans and specification for the making of such improvement.

Adopted by the City Council of the City of West St. Paul the 24th day of October, 2016.



David Meisinger, Mayor

Attest: 

Chantal Doriott, City Clerk

CITY OF WEST ST. PAUL
DAKOTA COUNTY, MINNESOTA

RESOLUTION NO. 16-106

ORDERING IMPROVEMENT AND PREPARATION OF PLANS
2017 STREET IMPROVEMENTS PROJECT NO. 17-1

WHEREAS, a resolution of the City Council adopted on September 26, 2016 fixed a date for a Council hearing on the proposed improvements of Humboldt Ave. from Wentworth Ave. to Marie Ave. by street reconstruction and utility improvements, pursuant to Minnesota Statutes, Sections 429.011 to 429.111.

AND WHEREAS, ten days mailed notice and two weeks published notice of the hearing was given, and the hearing was held thereon on the 24th day of October, 2016 at which all persons desiring to be heard were given an opportunity to be heard thereon.

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

1. Such improvement is necessary, cost-effective and feasible as detailed in the feasibility report.
2. Such improvement is hereby ordered as proposed in the council resolution adopted the 24th day of October, 2016.
3. The City Engineer is hereby designated as the engineer for this improvement. The engineer along with the project consultant from Bolton & Menk shall prepare plans and specification for the making of such improvement.

Adopted by the City Council of the City of West St. Paul the 24th day of October, 2016.



David Meisinger, Mayor

Attest: 

Chantal Doriott, City Clerk

CITY OF WEST ST. PAUL
DAKOTA COUNTY, MINNESOTA

RESOLUTION NO. 16-107

ORDERING IMPROVEMENT AND PREPARATION OF PLANS
2017 STREET IMPROVEMENTS PROJECT NO. 17-1

WHEREAS, a resolution of the City Council adopted on September 26, 2016 fixed a date for a Council hearing on the proposed improvements of Kraft Rd. from Humboldt Ave. to Livingston Ave. by street reconstruction and utility improvements, pursuant to Minnesota Statutes, Sections 429.011 to 429.111.

AND WHEREAS, ten days mailed notice and two weeks published notice of the hearing was given, and the hearing was held thereon on the 24th day of October, 2016 at which all persons desiring to be heard were given an opportunity to be heard thereon.

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

1. Such improvement is necessary, cost-effective and feasible as detailed in the feasibility report.
2. Such improvement is hereby ordered as proposed in the council resolution adopted the 24th day of October, 2016.
3. The City Engineer is hereby designated as the engineer for this improvement. The engineer along with the project consultant from Bolton & Menk shall prepare plans and specification for the making of such improvement.

Adopted by the City Council of the City of West St. Paul the 24th day of October, 2016.



David Meisinger, Mayor

Attest: 

Chantal Doriott, City Clerk

CITY OF WEST ST. PAUL
DAKOTA COUNTY, MINNESOTA

RESOLUTION NO. 16-108

ORDERING IMPROVEMENT AND PREPARATION OF PLANS
2017 STREET IMPROVEMENTS PROJECT NO. 17-1

WHEREAS, a resolution of the City Council adopted on September 26, 2016 fixed a date for a Council hearing on the proposed improvements of Fox Ridge Dr. off Livingston Ave. and Fox Ridge Ct. off Fox Ridge Dr. by street reconstruction and utility improvements, pursuant to Minnesota Statutes, Sections 429.011 to 429.111.

AND WHEREAS, ten days mailed notice and two weeks published notice of the hearing was given, and the hearing was held thereon on the 24th day of October, 2016 at which all persons desiring to be heard were given an opportunity to be heard thereon.

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

1. Such improvement is necessary, cost-effective and feasible as detailed in the feasibility report.
2. Such improvement is hereby ordered as proposed in the council resolution adopted the 24th day of October, 2016.
3. The City Engineer is hereby designated as the engineer for this improvement. The engineer along with the project consultant from Bolton & Menk shall prepare plans and specification for the making of such improvement.

Adopted by the City Council of the City of West St. Paul the 24th day of October, 2016.



David Meisinger, Mayor

Attest: 

Chantal Doriott, City Clerk

CITY OF WEST ST. PAUL
DAKOTA COUNTY, MINNESOTA

RESOLUTION NO. 16-109

ORDERING IMPROVEMENT AND PREPARATION OF PLANS
2017 STREET IMPROVEMENTS PROJECT NO. 17-1

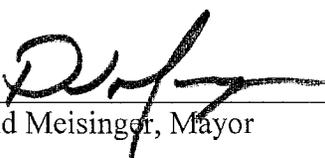
WHEREAS, a resolution of the City Council adopted on September 26, 2016 fixed a date for a Council hearing on the proposed improvements of Runge Ln. from Smith Ave. to Charlton St. by street reconstruction and utility improvements, pursuant to Minnesota Statutes, Sections 429.011 to 429.111.

AND WHEREAS, ten days mailed notice and two weeks published notice of the hearing was given, and the hearing was held thereon on the 24th day of October, 2016 at which all persons desiring to be heard were given an opportunity to be heard thereon.

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

1. Such improvement is necessary, cost-effective and feasible as detailed in the feasibility report.
2. Such improvement is hereby ordered as proposed in the council resolution adopted the 24th day of October, 2016.
3. The City Engineer is hereby designated as the engineer for this improvement. The engineer along with the project consultant from Bolton & Menk shall prepare plans and specification for the making of such improvement.

Adopted by the City Council of the City of West St. Paul the 24th day of October, 2016.



David Meisinger, Mayor

Attest: 

Chantal Doriott, City Clerk

CITY OF WEST ST. PAUL
DAKOTA COUNTY, MINNESOTA

RESOLUTION NO. 16-110

ORDERING IMPROVEMENT AND PREPARATION OF PLANS
2017 STREET IMPROVEMENTS PROJECT NO. 17-1

WHEREAS, a resolution of the City Council adopted on September 26, 2016 fixed a date for a Council hearing on the proposed improvements of Edith Dr. from Smith Ave. to Bellows St. by street reconstruction and utility improvements, pursuant to Minnesota Statutes, Sections 429.011 to 429.111.

AND WHEREAS, ten days mailed notice and two weeks published notice of the hearing was given, and the hearing was held thereon on the 24th day of October, 2016 at which all persons desiring to be heard were given an opportunity to be heard thereon.

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

1. Such improvement is necessary, cost-effective and feasible as detailed in the feasibility report.
2. Such improvement is hereby ordered as proposed in the council resolution adopted the 24th day of October, 2016.
3. The City Engineer is hereby designated as the engineer for this improvement. The engineer along with the project consultant from Bolton & Menk shall prepare plans and specification for the making of such improvement.

Adopted by the City Council of the City of West St. Paul the 24th day of October, 2016.



David Meisinger, Mayor

Attest: 

Chantal Doriott, City Clerk

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

RESOLUTION NO. 16-111

**A RESOLUTION APPROVING THE SITE PLAN
FOR THE CONSTRUCTION OF A NEW BUILDING AND
PARKING LOT AT 1994 ROBERT ST.
(CIVIL SITE GROUP)**

WHEREAS, a Final Site Plan has been submitted to the City for property legally described as:

THE NORTHERLY 90 FEET OF LOT 2, BLOCK 1, SOUTHVIEW PARK
TOGETHER WITH THE SOUTH 56 FEET OF THE WEST 110 FEET OF LOT 2,
BLOCK 1, SOUTHVIEW PARK

WHEREAS, a public hearing concerning the Site Plan was held before the West St. Paul Planning Commission on October 18, 2016; and

WHEREAS, the West St. Paul Planning Commission has recommended that the City Council of West St. Paul approve the Site Plan.

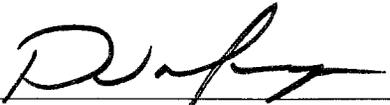
NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF WEST ST. PAUL that the Site Plan requested by Civil Site Group is hereby approved subject to the following conditions:

1. Council approval of the corresponding Conditional Use Permit application.
2. The applicant shall apply for all applicable building and sign permits. All new signage must meet requirements of Section 37 of the Zoning Ordinance.
3. All rooftop mechanical protrusions shall be properly screened as outlined in Section 153.032(F)(5), as determined by the City Planner.
4. The applicant shall revise the landscape plan removing the proposed tree located closest to the west property line and include additional deciduous trees directly adjacent to the southern curb line of the parking lot as well as directly adjacent to the south property line (staying clear of the proposed future ATM drive through lane as shown on the plan). Said trees shall be spaced appropriately per approval of staff.
5. The applicant shall adhere to the recommendations outlined in the attached memos provided by the City Civil Engineer, the Environmental Committee and MnDOT.
6. The applicant shall revise the site plan to include a bike rack near the front door of the building.
7. The applicant shall revise the site plan to include a pedestrian crosswalk connecting the proposed parking lot to the east side (entrance) of the building.

Passed by the City Council of the City of West St. Paul this 24th day of October, 2016.

Ayes: 5 Nays: 0

Attest:



Dave Meisinger, Mayor



Chantal Doriott, City Clerk

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

RESOLUTION NO. 16-112

**A RESOLUTION APPROVING A
CONDITIONAL USE PERMIT TO ALLOW A
DRIVE-THROUGH LANE IN A B3
DISTRICT AT 1994 ROBERT ST.
(CIVIL SITE GROUP)**

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

THE NORTHERLY 90 FEET OF LOT 2, BLOCK 1, SOUTHVIEW PARK
TOGETHER WITH THE SOUTH 56 FEET OF THE WEST 110 FEET OF LOT 2,
BLOCK 1, SOUTHVIEW PARK

WHEREAS, a public hearing concerning the Conditional Use Permit was held before the West St. Paul Planning Commission on October 18, 2016; and

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

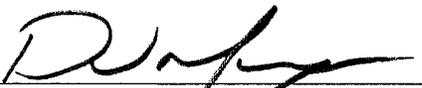
NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF WEST ST. PAUL that the Site Plan requested by Civil Site Group is hereby approved subject to the following conditions:

1. Council approval of the corresponding Site Plan application.
2. The Drive-through lane must adhere to the requirements outlined in 153.156(D) of the Zoning Ordinance.

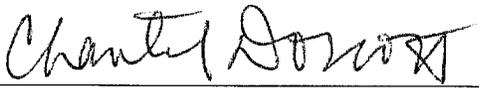
Passed by the City Council of the City of West St. Paul this 24th day of October, 2016.

Ayes: 5 Nays: 0

Attest:



Dave Meisinger, Mayor



Chantal Doriott, City Clerk

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

RESOLUTION NO. 16-113

**A RESOLUTION APPROVING A CONDITIONAL
USE PERMIT TO ALLOW AN ACCESSORY STRUCTURE
IN A B3 DISTRICT AT 1906 LIVINGSTON AVE
THE POVOLNY GROUP, INC**

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

S 95 FT OF N 144FT OF W 260 FT OF LOT 1, BLOCK 1 BISANZ L W AND J E
CONROY 2ND ADDITION

WHEREAS, a public hearing concerning the Conditional Use Permit was held before the West St. Paul Planning Commission on October 18, 2016; and

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

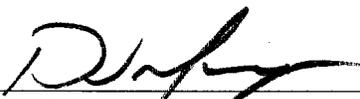
NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF WEST ST. PAUL that the Conditional Use Permit for 1906 Livingston Ave requested by The Povolny Group, Inc. is hereby approved subject to the following conditions:

Passed by the City Council of the City of West St. Paul this 24th day of October, 2016.

1. The applicant shall apply for applicable building for the construction of the accessory structure.
2. The exterior building materials shall complement the existing building.
3. The applicant shall revise plan sheet A201 by moving the two overhead doors to the same location as shown on plan sheet A300.
4. The applicant shall re-stripe the parking lot per the submitted site plan.

Ayes: 5 Nays: 0

Attest:



David Meisinger, Mayor



Chantal Doriott, City Clerk

DAKOTA COUNTY, MINNESOTA
CITY OF WEST ST. PAUL

Resolution No. 16-114

Council Member Bellows introduced the following resolution and moved its adoption:

Resolution Providing for the Sale of \$4,890,000 General Obligation Street Reconstruction Bonds, Series 2016B

- A. WHEREAS, the City Council of the City of West St. Paul, Minnesota has heretofore determined that it is necessary and expedient to issue the City's \$4,890,000 General Obligation Street Reconstruction Bonds, Series 2016B (the "Bonds"), to finance improvements to South Robert Street in the City; and
- B. WHEREAS, the City has retained Ehlers & Associates, Inc., in Roseville, Minnesota ("Ehlers"), as its independent municipal advisor for the Bonds in accordance with Minnesota Statutes, Section 475.60, Subdivision 2(9);

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

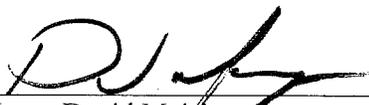
1. Authorization; Findings. The City Council hereby authorizes Ehlers to assist the City for the sale of the Bonds.
2. Meeting; Proposal Opening. The City Council shall meet at 6:30 p.m. on November 28, 2016, for the purpose of considering proposals for and awarding the sale of the Bonds.
3. Official Statement. In connection with said sale, the officers or employees of the City are hereby authorized to cooperate with Ehlers and participate in the preparation of an official statement for the Bonds and to execute and deliver it on behalf of the City upon its completion.

The motion for the adoption of the foregoing resolution was duly seconded by City Council Member Halverson and, after full discussion thereof and upon a vote being taken thereon, the following City Council Members voted in favor thereof: Dave Napier, Ed Iago, Pat Armon, John Bellows, and Jenny Halverson;

and the following voted against the same: none;

and the following were absent: Councilmember Dick Vitelli.

Whereupon said resolution was declared duly passed and adopted on this 24th day of October, 2016.



Mayor David Meisinger



City Clerk Chantal Doriott