

## **1. Call to Order**

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

## **2. Roll Call**

Present: Mayor David Meisinger, Councilmembers Ed Iago, Dave Napier, Dick Vitelli, John Bellows, Pat Armon and Jenny Halverson. Others present: City Manager Matt Fulton, Fire Chief Mike Pott, City Attorney Korine Land, Assistant City Manager Sherrie Le, Community Development Director Jim Hartshorn, Public Works Director Ross Beckwith and Finance Director Joan Carlson and City Clerk Chantal Doriott.

## **3. Pledge of Allegiance**

## **4. Adopt the Agenda**

Changes to the agenda as discussed:

- Add 12. G. Fire Board appointment discussion;
- Remove item 10.F. and move to 12.H. Wetland Conservation Act Administration
- Amend City Council minutes of October 24 under Council comments – Clpn. Napier didn't make Sperl comment but was Mayor Meisinger.
- Add 12. H. Consider easement acquisition for Robert Street project.
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Motion was made by Clpn. Halverson and seconded by Clpn. Vitelli to adopt the agenda with the revisions as noted above. All members present voted aye. Motion carried.

## **5. OCWS Briefing**

Mayor Meisinger gave an overview of the Open Council Work Session held prior to this meeting. The Council held a closed session to learn about Robert Street easement acquisition negotiations; the proposed 2017 utility rate study and the 2017 enterprise fund budgets.

## **6. Robert Street Review**

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

- No shortage of work to be done – a lot of concrete work being done throughout this week and next if weather allows;
- Paving on trails located on Marie and Wentworth – this should be the last paving to do;
- Signals are being installed and temporary ones pulled;
- Mendota and Marie Ave. are up and running;
- Lothenbach before Thanksgiving; and

- Wentworth after the Thanksgiving holiday.

## **7. Citizen Comments**

No one present wished to speak.

## **8. Council Comments**

Clpn. Bellows noticed that after 150 years St. Michael's Church will be closing later this month. It's sad to see it go; however, it's good to see the community school continue.

Clpn. Armon said Congrats to the St. Croix Lutheran Football Team who is in the semi-finals with a game this Saturday at 4:30 at the US Bank stadium. Also, thanks to the residents along Butler close to Robert Street who tolerates a lot of litter in this area and thanks to Jim Wallner and others who clean up this litter. We appreciate your efforts

Clpn. Vitelli said the Sibley High School hockey teams are out selling fund raising discount cards. If they call upon you this is made up of all local businesses and there are good deals. The card is \$20.00. Also, Valvoline Oil Change needs to clean up the front of their property; they have been contacted by Clpn. Vitelli to no avail.

Clpn. Napier in the spirit of our two high schools - St. Croix and Sibley – the Sibley girl's hockey team is ready to go and the boys team is holding try outs. We support the high school and their students.

Clpn. Iago heard an interesting comparison of Thanksgiving and the current election. It didn't have anything to do with the outcome but rather the preparation that goes into getting ready for the one day; it's an awful lot of work. A special thank you to our Clerk and all of the election judges who served this election – thank you.

Mayor David Meisinger said thank you to all the election judges including Clpn. Armon and Clpn. Iago who served this election as a judge and our Clerk Chantal Doriott. It's a very long day and we appreciate all the efforts from these people.

## **9. Proclamations, Presentations and Recognitions**

### **A. Acceptance of a Donation from Lawrence and Virginia Coss and the Coss Foundation**

Police Chief Shaver gave an overview and introduced Ms. Coss. Ms. Coss said her husband started Green Tree and this endeavor has enabled them to start their foundation. They have been generous with education and are now turning to the K-9 program education.

Officer Joe Gobely read a special presentation proclamation for the Coss Foundation and family members. Council congratulated the family.

Motion was made by Clpn. Napier and seconded by Clpn. Bellows to adopt Resolution No. 16-115 accepting a donation in the amount of \$25,000 from Lawrence and Virginia Coss / Coss Foundation as presented. All members present voted aye. Motion carried.

### **B. Accept \$700 Donation from Commercial Club for Halloween Bonfire**

Manager Matt Fulton gave an overview. Mayor Meisinger said this was a fun event for all and he was glad they managed to light the fire as the weather was questionable.

Motion was made by Clpn. Bellows and seconded by Clpn. Vitelli to approve and graciously accept the \$700.00 donation from the Commercial Club as presented. All members present voted aye. Motion carried.

### **C. Acceptance of a Hero's and Helpers Donation from Target**

Police Chief Shaver gave an overview of this donation that Crime Prevention Specialist Laura Vaughn applied for.

Motion was made by Clpn. Napier and seconded by Clpn. Bellows to adopt Resolution No. 16-116 from Target Corporation for Hero's and Helpers project in the amount of \$2,000.00 as presented. All members present voted aye. Motion carried.

### **D. Acceptance of a Youth Bank Project Donation**

Police Chief Shaver gave an overview.

Motion was made by Clpn. Bellows and seconded by Clpn. Vitelli to approve and graciously accept the \$100.00 donation from the Youth Bank Project as presented. All members present voted aye. Motion carried.

## **10. Consent Agenda**

- A. City Council Meeting minutes and Work Session minutes of October 24, 2016
- B. List of Claims
- C. Updated 2017 Fee Schedule
- D. Rental Licensing
- E. Council Report - City Licensing
- F. MOVED to 12. H. Resolution No. 16-XX to Approve the Administration of the Wetland Conservation Act of 1991
- G. Approve Resolution No. 16-117 and Resolution No. 16-118 Approving the 2017 General Services and Salaried General Services Pay Plans

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

## **11. Public Hearing**

**A. Final Reading - Zoning Ordinance Amendment, Sections 153.004 and 153.050 through 153.128 relating to Group Homes**

Attorney Land gave an overview stating 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).

County Social Services Department submitted a letter into the record (attached to the minutes)

The public hearing opened at 6:57 p.m.

No one present wished to speak.

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

Motion was made by Clpn. Bellows and seconded by Clpn. Armon to approve the final reading and adopt Ordinance No. 16-12 to approve a Zoning Ordinance amendment for Sections 153.004 and 153.050 through 153.128 relating to Group Homes as presented. All members present voted aye. Motion carried.

**B. Final Assessment Hearing for the 2015-2016 Robert St. Sidewalk Cleaning**

Director Beckwith gave an overview and explained that as is required by Chapter 429 of state statute, the City Council is requested to hold the final assessment hearing for the 2015-2016 Robert St. Sidewalk Cleaning. Attached is the final assessment roll for the project. The final assessments have been completed in conformance with the City’s past practice of assessing the entire cost of the sidewalk cleaning/plowing along Robert Street from Mendota Road to Butler Ave. The front-foot assessment rate used for the project was \$1.58 per front foot. This assessment rate is calculated by taking the total contractor cost with interest and overhead divided by the total front footage of the properties.

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

No one wished to speak on the final assessments.

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

Motion was made by Clpn. Armon and seconded by Clpn. Halverson to approve the final 2015 – 2016 Robert Street Sidewalk Cleaning assessment as presented and attached to these minutes. All members present voted aye. Motion carried.

## **12. New Business**

### **A. Approved Amendment to Temporary Seasonal Pay Plan**

Assistant City Manager and HR Director Sherrie Le gave an overview and explained that staff typically reviews temporary and seasonal pay plans on an annual basis. We do not automatically increase the wages based on the COLA. Some years we have made few or no changes to the rates. This year is different.

This year, we had difficulty finding qualified employees to fill many of our seasonal positions in Public Works and Parks and Recreation. Some of the pressure on wages came from the increases over the past two years to the minimum wage in Minnesota. Some of the pressure came from private sector retailers who pay more than what we have been paying for their positions because of the difficulty they also have had finding employees willing to work for those pay rates. Other cities in the metro had the same problem filling their positions this past year. So we are making more changes this year than is typical.

Clpn. Bellows asked for clarification - if we are unable to fill the positions we are raising the rate for said position? Director Le said we ended up hiring whoever walked in to the door which might not have served us the best. We did a lot of advertising and it was a struggle. We believe it might be due to pay.

Clpn. Iago asked about the CSO wages under seasonal and regular position - \$18.66 to \$23.30. Director Le said we have different expectations for fulltime versus temporary positions. Chief Manila said we went from having a 40 hour position to two 20 hour positions. We find CSO officers are busy attending school and often aren't available for 40 hour shifts. Clpn. Iago asked for further clarification on the wage. Director Le said if we hire someone as a regular employee it's by the General Service pay rate and if they are temporary the wage is lower. This happens with other positions as well.

Clpn. Armon would like to see the head judge and/or election judge pay amended. These individuals perform a very good service for the money and deserve to be paid.

Clpn. Iago concurs the responsibilities are substantial and a wage of \$11.00 to \$15.00 could be appropriate; Clpn. Armon concurred.

Motion was made by Clpn. Armon and seconded by Clpn. Halverson to adopt Resolution no. 16-119 approving the temporary play plans and revise the election judge pay to be \$11.00 to \$15.00 per hour as discussed. All members present voted aye. Motion carried.

### **B. Approve 2017-2018 LELS Local #72 Labor Agreement**

Assistant City Manager Sherrie Le gave an overview. This is the last labor agreement to be negotiated and approved. City Manager Fulton asked to specially recognize Ms. Le and all staff who worked on the negotiations of labor agreements.

Motion was made by Clpn. Vitelli and seconded by Clpn. Iago to approve the 2017 to 2018 LELS Local 72 Labor Contract Agreement as presented. All members present voted aye. Motion carried.

### **C. Possible Massage Ordinance Changes, Number of Licenses**

Police Chief Shaver gave an overview. Recently a West St. Paul business person inquired about obtaining a business massage license but could not due to the ordinance cap. Mayor Meisinger requested a review as to how the caps came to be and in preparation for possible Council consideration in changing the number of business and/or personal massage licenses allowed.

The number of issued licenses was consistent until late 2014, early 2015, when the City started experiencing an increase in business massage licenses. At the same time there were an increasing amount of citizen complaints of possible illicit activities at a few of these establishments. Moreover, in processing these license requests, the police department had concerns over questionable applicants and minimal code requirements.

Currently the City has issued five 2016 business massage licenses and about sixteen personal massage licenses. In 2015, when the cap was placed on the number of licenses, there were four business massage licenses. The initial intention was to reissue the original four business massage licenses and allow attrition to get the number down to the imposed cap of three licenses. However, in June of 2016 after forgetting about the newly imposed cap, staff mistakenly issued a fifth business massage license. Again, these five licenses will be reissued until attrition reduces the number of licenses.

The West St. Paul business person at 1540 Humboldt Ave. is frustrated because she recently moved from a smaller space into a larger space. Chris waltz told her the cap didn't pass so for the last six months she has expanded her business space. Now she learns from Ms. Waltz during the license renewal process that there is a cap and she can't expand her business like she was working on. She would never have made the investment into this larger space and signed a three-year lease. She was very upset.

Attorney Land explained that last year the cap had not passed but during the city code codification it was approved. Council approved the change through the codification in March of this year. Councilmembers made thoughtful comments. There is some concern about amending the ordinance due to the issue of sex trafficking and prostitution in this field of work.

There was no motion to make a change at this time.

### **D. Acceptance of a 2017 COPS Grant**

Police Chief Shaver gave an overview of the grant and process. The U.S. Department of Justice has long since provided a variety of grant opportunities through the COPS office (Community Orientated Policing Services). During my tenure as chief I have and continue to apply for these grants in order to secure personnel, equipment and specialized software. These grants are very competitive and receiving an award is not likely. As with most grants, funding is not provided for on-going operational costs, rather each grant has a specific focus and objective. The 2017 COPS grant has an emphasis on building community trust.

Motion was made by Clpn. Vitelli and seconded by Clpn. Halverson to acceptance the COPS Grant Resolution No. 16-120 accepting a grant from the Department of Justice, COPS Office in the amount of \$250,000.00 as presented. All members present voted aye. Motion carried.

#### **E. Approve Final Payment for 2015 Street Improvements - City Project #15-1**

Public Works Director Beckwith gave an overview. All work on the 2015 Street Improvement Project has been completed in accordance with the plans and specifications. This project involved improvements to Marie Avenue from Charlton Street to Livingston Avenue. The contractor, Danner, Inc., has submitted all necessary paperwork and a request for final payment. Staff is in favor of closing this project out and beginning the one-year warranty period.

Motion was made by Clpn. Bellows and seconded by Clpn. Armon to adopt Resolution No. 16-121 accepting the work on the 2015 Street Improvements Project #15-1 and that final payment in the amount of \$85,587.20 be made to Danner, Inc. All members present voted aye. Motion carried.

#### **F. Discussion regarding Liquor License for 1673 S. Robert Street (Requested by Mayor Meisinger)**

Mayor Meisinger introduced Mr. John Riley who gave an overview of his want for an off-sale liquor license. He owns a building in which Boozemart has been a tenant for many years. The owner, Mr. North, is trying to sell the store and Party City is leaving in January. Mr. Riley is interested in operating a liquor store in the space and he needs an off-sale license. There is another application on the Police Chief's desk to operate a store at this location. Mr. Riley has been in contact with the North's and they would like to do something seamless. Mr. Riley explained how a person could hold one of these off-sale licenses as leverage and it has value to that person. He is asking that Council consider an off-sale license increase. Boozemart has a lease until December 31 and he would like to start the process so he can take over the business. Attorney Land explained this particular license has value since it is transferable. The North's could sell their license to Mr. Riley.

Police Chief Shaver said there are six off-sale licenses and the North's have submitted a surrender notice with a notice to transfer to the applicant – paper is pending. Mr. Riley could pay to get the application on hold to speed up the process – he could even do the background. Mr. Riley can apply for the license.

Attorney Land said if the applicant can't provide a lease by a certain timeframe, when the license is available, then the application is void. The Chief can begin the process early and do the background and not pay for the license

Clpn. Bellows asked why this license is transferable and Attorney Land said you can consider amending this but currently code allows for this transfer. Does it create any additional challenges? Probably not for the city but it contains value for the owner. These policies do not seem to make any sense at all. We are providing value to owners and this should not continue. Clpn. Iago said this is a good point and he is not sure why we would even give someone a week to get a lease agreement. Mr. Riley said the application without a lease is not valid per out city code. That is his argument. Clpn. Napier said that is exactly what he thinks and agrees with this statement. The first qualified application should go ahead and be processed; especially since there is a signed lease. We want to keep this successful business going. Chief Shaver offered additional comment.

Motion was made by Clpn. Vitelli and seconded by Clpn. Armon to have Mr. Riley submit an off-sale liquor license application and have staff perform the necessary background checks. This process will assist Mr. Riley if the other person doesn't have a lease or some other issue comes up. The current applicant may also forfeit their pending application. All members present voted aye. Motion carried.

## **12. G. Fire Board**

Mayor Meisinger reviewed a request from City Manager Matt Fulton for the need to fill a Fire Board position.

Clpn. Iago said the additional member needs to be appointed and this person will need to have an opportunity to see how the Board operates. We need a new member by January 1, 2017. South St. Paul is trying to do the same. Attorney Land was not sure when South St. Paul would be appointing their new member. The SMFD Board meets once a month on the 3<sup>rd</sup> Wednesday of the month and alternates meeting location between West St. Paul and South St. Paul. The meetings begin at 4:30 p.m. The agenda is prepared by Fire Chief Pott and it is sent out electronically to board members. There are 5 voting members who consist of city managers, finance directors, ex officio members and SMFD. Anyone can show up as the meetings are open to the public and area noticed by state statute. The West St. Paul; City Clerk will notice the next meeting for a possible West St. Paul City Council quorum as some would like to attend a meeting before submitting interest in appointment.

## **12. H. Former consent Agenda item – A Resolution to Approve the Administration of the Wetland Conservation Act of 1991**

Clpn. Bellows said there is no downside to continue what we are doing in regards to what is being proposed and offered. There are actual decisions being made the way we are administering this program now. It doesn't look like there is downside. He doesn't see any reason to change the current situation.

Clpn. Halverson asked what dept. would take care of this type of issue. Director Beckwith said right now public works is trying to formalize the process dealing with MPCA, Mississippi Lower Management Org. and other community organizations. South St. Paul recently approved this change in process in the last year. Clpn. Bellows said the County has been doing this work and this is their responsibility.

Clpn. Napier said it doesn't cost the city money. They continue doing the process. They do work for us all the down and there doesn't seem to be any change. Clpn. Bellows said that is the point – they are already doing this work so why make a change. Clpn. Bellows read the resolution and explained we are delegating a decisions making process. Director Beckwith said he can bring more information to the next meeting. Clpn. Bellows asked “Why do they want to formalize if it's working this way now?”

Motion was made by Clpn. Halverson and seconded by Clpn. Napier to adopt Resolution No. 16-122 regarding the administration of the Wetland Conservation Act of 1991. Clpns. Halverson, Napier, Armon and Vitelli voted aye. Clpns. Iago and Bellows voted nay. Motion carried.

## **12. I. Robert Street Project Right-of-Way Easement Acquisition**

Motion was made by Clpn. Armon and seconded by Clpn. Iago to approve the Robert Street Project right-of-way easement settlement for Parcel 100 as presented during the earlier closed session. All members present voted aye. Motion carried.

## **13. Old Business**

### **A. Approve Resolution of Support for Dakota County's 2017-2021 CIP**

Ross overview and said On June 27, 2016 the City Council approved transportation project requests for Dakota County to include in their 2017-2021 Capital Improvement Program (CIP). Dakota County recently completed their 5-year draft CIP and has included the City's recommended projects. Dakota County requests that each city in the County formally adopt a resolution supporting their respective projects for inclusion in the 2017-2021 CIP. Council reviewed the projects that Dakota County was considering in the resolution for support.

Clpn. Iago said to Manager Fulton the city already did a separated grade study and asked if it was presented to the county. Manager Fulton said he didn't get this to the county in regards to the CIP. Clpn. Iago said the city and county had a study done and in one section it questions a separated grade crossing on Robert Street – the study said there should not be a tunnel but rather a bridge crossing this area. It should be located in the area of Crawford drive. Why would the county claim to be doing another study? Manager Fulton said he would be happy to learn more about the study.

Clpns. Iago and Bellows recommend removing item #9 until further notice: “River to River Greenway crossing of Robert Street. Dakota County is currently leading a study to look at grade separation versus at-grade crossing of Robert Street. Crossing would be influenced by the

redevelopment of the golf course property and in conjunction with the trail along Thompson Ave. (2018)".

Clpn. Bellows thinks the study in #9 refers to be completed in Sept. and questions why it needs to be part of the ongoing CIP for 2017 to 2021. This was brought to our attention earlier and keeps getting pushed back. Is there some agenda going on that we are unaware? It's frustrating. This street has been studied before and it should not be in the CIP. Clpn. Halverson added comment about #9 – it's just looking at a separated grade in the area of Crawford. She is not sure what the study implies and believes the county is leading the study, not the city. Clpn. Iago said he is concerned because we heard the study has been getting done and it hasn't. He would like to know how this study plays a part in the study the county is supposedly doing now and also in regards to the CIP being considered. Councilmembers continued to add comments.

Attorney Land said nothing in this CIP binds you to particular project. This is a county CIP. Clpn. Vitelli said this is their project. Mayor Meisinger said this does affect us because it's our road – Robert Street and he agrees with removal of #9.

Motion was made by Clpn. Iago and seconded by Clpn. Bellows to amend the first motion (below) adopting the Resolution outlining the Dakota County CIP program and removing article #9 of said program. Clpns. Bellows and Iago voted aye. Clpns. Armon, Halverson, Napier and Vitelli voted nay. The motion failed.

Motion was made by Clpn. Vitelli and seconded by Clpn. Halverson to adopt Resolution 16-123 in Support of Dakota County 2017 to 2021 Capital Improvement Program for Transportation, Parks and Buildings as presented. Clpns. Vitelli, Halverson, Napier and Armon voted aye. Clpns. Iago and Bellows voted nay. The motion carried.

#### **14. Adjourn**

Motion was made by Clpn. Armon and seconded by Clpn. Napier to adjourn the meeting at 8:30 p.m. All members present voted aye. Motion carried.



David Meisinger  
Mayor  
City of West St. Paul

RESOLUTION NO. 16- 115

RESOLUTION ACCEPTING A K-9 DONATION FROM THE COSS  
FOUNDATION AND LAWRENCE AND VIRGINIA COSS

WHEREAS, Lawrence and Virginia Coss, through the Coss Foundation, wish to support various police canine units, including the West St. Paul police canine unit, by providing grant funds to support the operational activities of these specialized units;

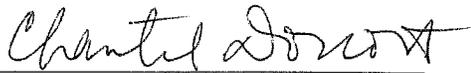
WHEREAS, Lawrence and Virginia Coss intend to donate \$25,000 to the police department through the Coss Foundation;

WHEREAS, the Mayor and City Council acknowledges Lawrence and Virginia Coss' generosity and extends their appreciation to Lawrence and Virginia Coss and the Coss Foundation for this generous donation;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council accepts this \$25,000 donation from Lawrence and Virginia Coss on behalf of the City of West St. Paul and authorizes the police department to expend these funds in the manner described by Lawrence and Virginia Coss.

Adopted by the City Council of the City of West St. Paul this 14<sup>th</sup> day of November, 2016.

  
\_\_\_\_\_  
David Meisinger, Mayor

Attest:   
\_\_\_\_\_  
Chantal Doriott, City Clerk

RESOLUTION NO. 16- 116

RESOLUTION ACCEPTING A DONATION FROM TARGET CORPORATION  
(HEROS AND HELPERS PROGRAM)

WHEREAS, Target Corporation has a program entitled "Heroes and Helpers" which provides funds for local police officers to holiday shop with their youth;

WHEREAS, the police department has received \$2,000 from Target to participate in the Heroes and Helpers program;

WHEREAS, the Mayor and City Council acknowledges Target's generosity and their efforts to improve the holiday experience for our community's youth;

WHEREAS, the Mayor and City Council extends their appreciation to Target Corporation for this generous donation;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council accepts this \$2,000 donation from Target Corporation on behalf of the City of West St. Paul and authorizes the police department to expend these funds in the manner described by Target's Heroes and helpers program.

Adopted by the City Council of the City of West St. Paul this 14<sup>th</sup> day of November, 2016.

  
\_\_\_\_\_  
David Meisinger, Mayor

Attest:   
\_\_\_\_\_  
Chantal Doriott, City Clerk

On Motion of Clpn. *Napier* Seconded by Clpn. *Hallerson*  
**RESOLUTION NO. 16-117**

**RESOLUTION AMENDING THE GENERAL SERVICE HOURLY EMPLOYEE PAY PLAN**

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

Effective 11-14-16, the General Services Hourly Employees Pay Plan will be revised as follows:

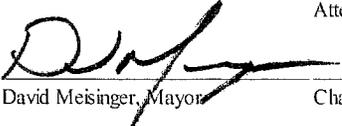
	1/1/2016		1/1/2017	
	Minimum	Maximum	Minimum	Maximum
Accounting Clerk	\$ 21.37	\$ 26.72	\$ 21.91	\$ 27.38
Accountant	\$ 24.03	\$ 30.04	\$ 24.63	\$ 30.79
Accounting Technician	\$ 22.35	\$ 27.93	\$ 22.91	\$ 28.63
Administrative Specialist	\$ 20.51	\$ 25.64	\$ 21.02	\$ 26.28
Assistant to Arena Supervisor	\$ 13.00	\$ 17.00	\$ 13.94	\$ 17.43
Building Inspector	\$ 27.84	\$ 34.80	\$ 28.53	\$ 35.67
Building Maintenance Technician	\$ 22.34	\$ 27.93	\$ 22.90	\$ 28.63
Building Permit Clerk	\$ 20.51	\$ 25.64	\$ 21.02	\$ 26.28
Building Permit Technician	\$ 21.31	\$ 26.63	\$ 21.84	\$ 27.30
City Clerk	\$ 29.14	\$ 36.42	\$ 29.86	\$ 37.33
Civil Engineer	\$ 30.63	\$ 38.29	\$ 31.40	\$ 39.25
Code Enforcement Officer	\$ 21.01	\$ 26.27	\$ 21.54	\$ 26.92
Community Service Officer	\$ 18.20	\$ 22.75	\$ 18.66	\$ 23.32
Crime Prevention Specialist	\$ 25.02	\$ 31.27	\$ 25.65	\$ 32.06
Engineering Technician III	\$ 28.44	\$ 35.54	\$ 29.15	\$ 36.43
Community Development Coordinator	\$ 26.11	\$ 32.64	\$ 26.76	\$ 33.46
Housing Inspector	\$ 24.88	\$ 31.09	\$ 25.50	\$ 31.87
Human Resource Specialist	\$ 25.30	\$ 31.62	\$ 25.93	\$ 32.41
I & I Inspector	\$ 20.00	\$ 30.00	\$ 24.60	\$ 30.75
Ice Arena/Pool Maintenance Supervisor	\$ 23.46	\$ 29.32	\$ 24.05	\$ 30.06
Investigative Assistant	\$ 23.78	\$ 29.72	\$ 24.37	\$ 30.47
IT Analyst I	\$ 22.56	\$ 28.20	\$ 23.12	\$ 28.90
IT Analyst II	\$ 28.20	\$ 35.24	\$ 28.90	\$ 36.13
Lead Police Secretary/Licensing Specialist	\$ 21.31	\$ 26.63	\$ 21.84	\$ 27.30
Marketing and Communications Coordinator	\$ 30.66	\$ 38.32	\$ 31.42	\$ 39.28
Office Assistant	\$ 17.44	\$ 21.80	\$ 17.88	\$ 22.34
Payroll Technician	\$ 22.82	\$ 28.53	\$ 23.39	\$ 29.24
Police Data Specialist	\$ 20.51	\$ 25.64	\$ 21.02	\$ 26.28
Receptionist	\$ 17.81	\$ 22.27	\$ 18.26	\$ 22.83
Recreation Programmer	\$ 24.77	\$ 30.96	\$ 25.39	\$ 31.73
Volunteer Engagement Manager	\$ 17.95	\$ 22.44	\$ 18.40	\$ 23.00

The City Manager may hire employees at any rate between the minimum and maximum pay stated for the job classification based on relevant factors. The City Manager will determine the pay for each employee based on the employee's performance in the job and on the basis of other job relevant factors.

Upon successful completion of the one-year probationary period, an employee is eligible for up to a 5% pay increase. The employee is eligible for up to a 5% wage step once per year on their anniversary date until they reach the maximum pay for their job class. Employees who are promoted from one City position to another will normally receive a pay increase at the time of promotion and will be eligible for future increases at one year intervals until they reach the maximum pay for their job class. Step increases are contingent upon a successful performance review and the recommendation of the employee's supervisor, department head and approval by the City Manager.

Adopted by the City Council of the City of West St. Paul on November 14, 2016

Ayes: 6 Nays: 0

Attest:  
  
 David Meisinger, Mayor

  
 Chantal Doriott, City Clerk

RESOLUTION AMENDING THE GENERAL SERVICE SALARIED EMPLOYEE PAY PLAN

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

Effective 11-14-16, the General Services Salaried Employees Pay Plan will be as follows:

Biweekly	1/1/2016		1/1/2017	
	Minimum	Maximum	Minimum	Maximum
Assistant CDD/City Planner	\$2,979.83	\$3,724.78	\$ 3,054.32	\$ 3,817.90
Assistant City Manager/HR Director	\$3,539.61	\$4,424.52	\$ 3,628.10	\$ 4,535.13
Assistant Park and PW Supt	\$2,511.93	\$3,139.91	\$ 2,574.73	\$ 3,218.41
Assistant Park and Recreation Director	\$2,895.52	\$3,619.41	\$ 2,967.91	\$ 3,709.89
Building Official	\$2,773.18	\$3,466.47	\$ 3,013.08	\$ 3,766.35
City Manager	\$4,522.02	\$5,652.53	\$ 4,635.07	\$ 5,793.84
Community Development Director	\$3,576.92	\$4,471.14	\$ 3,666.34	\$ 4,582.92
Finance Director	\$3,592.18	\$4,490.23	\$ 3,681.99	\$ 4,602.49
Information Technology Manager	\$2,965.05	\$3,706.32	\$ 3,039.18	\$ 3,798.97
Parks and Public Works Director	\$3,698.81	\$4,623.51	\$ 3,791.28	\$ 4,739.09
Parks and PW Superintendent	\$2,970.96	\$3,713.70	\$ 3,045.23	\$ 3,806.54
Police Chief	\$3,695.05	\$4,618.81	\$ 3,787.42	\$ 4,734.28
Police Lieutenant	\$3,237.62	\$4,047.03	\$ 3,318.56	\$ 4,148.20

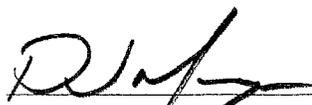
The City Manager may hire employees at any rate between the minimum and maximum pay stated for the job classification based on relevant factors. The City Manager will determine the pay for each employee based on the employee's performance in the job and on the basis of other job relevant factors.

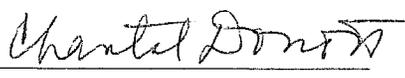
Upon successful completion of the one-year probationary period, an employee is eligible for up to a 5% pay increase. The employee is eligible for up to a 5% wage step once per year on their anniversary date until they reach the maximum pay for their job class. Employees who are promoted from one City position to another will normally receive a pay increase at the time of promotion and will be eligible for future increases at one year intervals until they reach the maximum pay for their job class. Step increases are contingent upon a successful performance review and the recommendation of the employee's supervisor, department head and approval by the City Manager.

Adopted by the City Council of the City of West St. Paul on November 14, 2016

Ayes: *6* Nays: *0*

Attest:

  
David Meisinger, Mayor

  
Chantal Doriott, City Clerk

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

**RESOLUTION NO. 16-119**

**2016 -2017 TEMPORARY/SEASONAL EMPLOYEES  
HOURLY WAGES**

**PARKS & PUBLIC WORKS** Proposed

Park & Public Works Labor	\$11.00 - \$14.00
Outdoor Rink Attendant	\$10.00 - \$12.00
Engineer (E.I.T.)	\$20.00 - \$30.00
Seasonal Street Maintenance II	\$16.00 - \$20.00

**RECREATION**

Recreation Leader	\$10.00 - \$12.00
Recreation Coordinator/Intern	\$12.50 - \$15.00

**ICE ARENA**

Arena Zamboni Operator	\$10.00 - \$14.00
Arena Guard	\$10.00 - \$12.00

**GOLF COURSE**

Clubhouse Manager	\$16.25 - \$18.00
Clubhouse Attendant	\$10.00 - \$11.00
Golf Pro Lessons	\$15.00 - \$20.00
Grounds Maintenance Manager	\$15.00 - \$17.00
Grounds Maintenance	\$10.00 - \$12.00

**THOMPSON PARK ACTIVITY**

**CENTER (TPAC)**

Building Attendant	\$10.00 - \$12.00
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**POLICE**

Data Entry Specialist	\$18.00 - \$25.00
CSO	\$15.00 - \$18.00

**GENERAL**

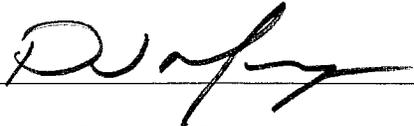
Administrative Assistant	\$15.00 - \$25.00
Receptionist	\$11.00 - \$16.00
Scanner	\$12.00 - \$16.00
Office Assistant	\$12.00 - \$20.00
Building Maintenance Technician	\$18.00 - \$30.00
Custodian	\$10.00 - \$12.00
Code Enforcement Assistant	\$15.00 - \$18.00
Election Judge	\$ 9.50 - \$12.00
Head Election Judge	\$11.00 - \$15.00
HR Assistant	\$17.00 - \$26.00
Intern	\$10.00 - \$25.00

It is acceptable to start an employee at a rate other than the starting rate based on the following criteria: particular training, expertise, skills or years of related experience. It is acceptable to increase an employee's wage during the current season if the employee proves themselves to be an outstanding employee.

Adopted by the City Council of the City of West Saint Paul this 14th day of November, 2016.

Ayes: 6 Nays: 0

Attest:

  
\_\_\_\_\_  
David Meisinger, Mayor

  
\_\_\_\_\_  
Chantal Doriott, City  
Clerk

RESOLUTION NO. 16-120

RESOLUTION ACCEPTING A GRANT  
FROM THE DEPARTMENT OF JUSTICE, COPS OFFICE

WHEREAS, the Department of Justice, through the its Community Orientated Policing Services (COPS) program, has awarded a grant to the City for \$ 250,000;

WHEREAS, this grant is to help pay for the personnel costs in hiring two additional police officers;

WHEREAS, this grant requires the police department to focus on building police-community relationships (i.e. trust);

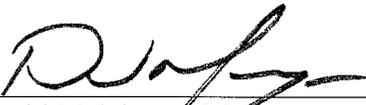
WHEREAS, this is a three-year grant program and contains the requirement that the City employ the two officers for an additional 12 months beyond the grant period;

WHEREAS, the City Manager and the Police Chief are listed as the executioners and signers for the grant; and

WHEREAS, Minnesota Statutes 465.03 requires that all grants be accepted by the City Council via the adoption of an appropriate resolution,

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council accepts the grant of \$ 250,000 on behalf of the City of West St. Paul and hereby authorize the City Manager and the police chief to sign and execute the grant according to conditions and requirements set forth in the grant award.

Adopted by the City Council of the City of West St. Paul this 14th day of November, 2016.

  
\_\_\_\_\_  
David Meisinger, Mayor

Attest:   
\_\_\_\_\_  
Chantal Doriott, City Clerk

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

**RESOLUTION NO. 16-121**

**RESOLUTION APPROVING FINAL  
PAYMENT FOR 2015 STREET IMPROVEMENTS  
PROJECT NO. 15-1**

WHEREAS, pursuant to a written contract signed by Danner, Inc., they have satisfactorily completed, in accordance with such contract, improvements to Marie Avenue from Charlton Street to Livingston Avenue in the City known as Project No. 15-1.

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 \$85,587.20, taking the contractor's receipt in full.

Adopted by the City Council this 14<sup>th</sup> day of November, 2016.

  
\_\_\_\_\_  
David Meisinger, Mayor

Attest:   
\_\_\_\_\_  
Chantal Doriott, City Clerk

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

**RESOLUTION NO. 16-122**

**A RESOLUTION REGARDING THE ADMINISTRATION  
OF THE WETLAND CONSERVATION ACT OF 1991**

WHEREAS, the Minnesota Wetland Conservation Act of 1991 (WCA) requires local governmental units (LGU's) to implement this law by adopting the rules and regulations promulgated by the Minnesota Board of Water and Soil Resources (BWSR) pertaining to wetland draining, filling and excavation; and

WHEREAS, the BWSR has defined metropolitan area cities and townships as LGUs under the WCA; and

WHEREAS, the City of West St. Paul acknowledged and accepted administrative responsibility for the WCA within its borders on March 24, 1994 via Resolution 94-22; and

WHEREAS, the LGU is responsible for following the WCA rules as stated in 8420.0200, Determining Local Government Unit Duties; and

WHEREAS, Minnesota Statutes, § 103G.005 permits an LGU to delegate some or all of its WCA authority to a qualified entity; and

WHEREAS, the Dakota County Soil and Water Conservation District has qualified personnel trained in application of the WCA and has indicated a willingness to accept a delegation of certain WCA administrative responsibilities;

THEREFORE, BE IT RESOLVED THAT the City of West St. Paul hereby acknowledges and delegates its decision and administrative authority to the Dakota County Soil and Water Conservation District and their technical staff for the following WCA purposes:

- Official Listing as LGU Contact
- Wetland Boundary and Type Decisions
- No Loss Decisions
- Exemption Decisions
- Providing State Required Annual WCA Reports

Adopted by the City Council of the City of West St. Paul this 14<sup>th</sup> day of November, 2016.

  
\_\_\_\_\_  
David Meisinger, Mayor

  
\_\_\_\_\_  
Chantal Doriott, City Clerk

SWCD BOARD DATE ACCEPTED AND APPROVED: \_\_\_\_\_

SWCD BOARD SIGNATURE: \_\_\_\_\_

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

**RESOLUTION NO. 16-123**

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

WHEREAS, the West St. Paul City Council reviewed the 5-year Capital Improvement Program (CIP) at its regular Council meeting on November, 14, 2016; and

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

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

Adopted by the City Council of the City of West St. Paul this 14<sup>th</sup> day of November, 2016.

  
\_\_\_\_\_  
David Meisinger, Mayor

  
\_\_\_\_\_  
Chantal Doriott, City Clerk

FINAL ASSESSMENT ROLL  
2015-2016 ROBERT ST. SIDEWALK CLEANING

Date: 10/4/16

Assessed over 1 year @ 4.63%  
Assessment Hearing Date is 11/14/16

\$1.58

The calculated assessment rate is =

Parcel No. on Map	PID	Site Address	Owner Name	Owner Address	City, State, Zip	Assessable Street Frontage (ft)	Assessment Amount
1	42339000305	1133 ROBERT ST	CHRIS & MIKE LLC	1000 PINELLAS ST	CLEARWATER FL 33756	160	\$252.80
2	42339000260	1137 ROBERT ST S	SIGNAL HILLS COMPANY LLC	95 OWASSO BLVD S	LITTLE CANADA MN 55117	160	\$189.60
3	42339000231	1155 ROBERT ST S	O'REILLY AUTOMOTIVE INC	1542 RELO THOMSON REUTE	CHICAGO IL 60606-0116	120	\$252.80
4	42339000130	1167 ROBERT ST	HEALTHY SPACES 5 LLC	7028 KELLOGG AVE	EDINA MN 55435	80	\$126.40
5	42339000150	97 ORME ST E	JOHN P MCDONALD	22632 MICHAEL AVE	HASTINGS MN 55033	80	\$126.40
6	420170055022	1219-1225 ROBERT ST S	RPSLEGACYDESOTO LLC	95 OWASSO BLVD S	LITTLE CANADA MN 55117	100	\$158.00
7	420170055051	1201 ROBERT ST S	RPSLEGACYDESOTO LLC	95 OWASSO BLVD S	LITTLE CANADA MN 55117	314	\$496.12
8	420170055032	1219-1225 ROBERT ST S	RPSLEGACYDESOTO LLC	95 OWASSO BLVD S	LITTLE CANADA MN 55117	144	\$227.52
9	428381001022	1126 ROBERT ST S	VALVOLINE INSTANT OIL CHANGE INC	3499 BLAZER PKWY	LEXINGTON KY 40509	100	\$158.00
10	428381001032	1134 ROBERT ST S	BUFFINGTON HOWARD L & SUSAN K	2670 MINNEHAHA AVE E	SAINT PAUL MN 55119	68	\$107.44
11	420170061032	1140 ROBERT ST S	WAKOTA LIFE-CARE CENTER INC	1140 ROBERT ST S	WEST SAINT PAUL MN 55118-2301	50	\$79.00
12	420170061022	1148 ROBERT ST S	WOCHNICK PROP. LLC	1148 S. ROBERT	WEST SAINT PAUL MN 55118	109	\$172.22
13	420170061012	1152 ROBERT ST S	TWINS VENTURE LLC	1152 ROBERT ST S	WEST ST PAUL MN 55118	48	\$75.84
14	420170060014	1166 ROBERT ST S	MICHELLE DIESTLER	2290 NEWCASTLE RD	MARION, IA 52302	108	\$170.64
15	420170060016	1170 ROBERT ST S	BFS RETAIL & COMMERCIAL OPERATIONS LLC	535 MARRIOTT DR	NASHVILLE TN 37214	145	\$229.10
16	428381006032	1200 ROBERT ST S	ROBERT STREET PARTNERS LLC	332 MINNESOTA ST STE W1070	SAINT PAUL MN 55101	125	\$197.50
17	428381006061	1200 ROBERT ST S	ROBERT STREET PARTNERS LLC	332 MINNESOTA ST STE W1070	SAINT PAUL MN 55101	160	\$252.80
18	428381006083	1214 ROBERT ST S	ACE BUILDING LLC	185 PLATO BLVD W	ST PAUL MN 55107	122	\$192.76
19	428381006065	1224 ROBERT ST S	ACE BUILDING LLC	120 PLATO BLVD W	ST PAUL MN 55107	8	\$12.64
20	428379000212	1224 ROBERT ST S	ACE BUILDING LLC	120 PLATO BLVD W	ST PAUL MN 55107	30	\$47.40
21	428379000224	1228 ROBERT ST S	1230 BUILDING CO	6205 PARKWOOD RD	MINNEAPOLIS MN 55436-1140	120	\$189.60
22	422190001012	1247 ROBERT ST S	PACE BUILDING LLC	1247 ROBERT ST	WEST SAINT PAUL MN 55118-2402	40	\$63.20
23	422190001020	1247 ROBERT ST S	PACE BUILDING LLC	1247 ROBERT ST	WEST SAINT PAUL MN 55118-2402	40	\$63.20
24	422190001030	1247 ROBERT ST S	PACE BUILDING LLC	1247 ROBERT ST	WEST SAINT PAUL MN 55118-2402	40	\$63.20
25	422190001050	1253 ROBERT ST S	JOHNSON DAVID P	4820 WEST 77TH ST STE 117	EDINA MN 55435	50	\$79.00
26	422190001060	1257 ROBERT ST S	JOHNSON DAVID P	4820 WEST 77TH ST STE 117	EDINA MN 55435	40	\$63.20
27	422190001100	1273 ROBERT ST S	FRANCHISE RLT Y INT CORP	1273 S ROBERT ST	WEST SAINT PAUL MN 55118	190	\$300.20
28	422190001152	1285 ROBERT ST S	REALTY INCOME PROPERTIES 3	11995 EL CAMINO REAL	SAN DIEGO CA 92130	199	\$314.42
29	423340002302	1244 ROBERT ST S	JOSEPH E COMMERS LTD PTNSHP	35 WATER ST W	SAINT PAUL MN 55107-2046	60	\$94.80
30	423340002291	1246 ROBERT ST S	JOSEPH E COMMERS LTD PTNSHP	35 WATER ST W	SAINT PAUL MN 55107-2046	60	\$94.80
31	423340002272	1254 ROBERT ST S	GOLDBERG WILLIAM E	1254 ROBERT ST S	WEST SAINT PAUL MN 55118-2401	49	\$77.42
32	423340002264	1260 ROBERT ST S	GOLDBERG WILLIAM E	1254 ROBERT ST S	WEST SAINT PAUL MN 55118-2401	71	\$112.18
33	423340002242	1264 ROBERT ST S	SHELAN SALIH KALUR	1264 SOUTH ROBERT ST	WEST SAINT PAUL MN 55118	40	\$63.20
34	423340002232	1268 ROBERT ST S	LIND THOMAS J	347 LEWIS ST	MAPLEWOOD MN 55117	74	\$116.92
35	423340002222	1276 ROBERT ST S	PATE JONATHAN H	7821 BABCOCK TRL	INVER GROVE HEIGHTS MN 55077-5807	86	\$135.88
36	423340002192	1278 ROBERT ST S	PATE JONATHAN H	7821 BABCOCK TRL	INVER GROVE HEIGHTS MN 55077-5807	80	\$126.40
37	423340002172	1288 ROBERT ST S	UDOVICH MICHAEL G	1288 ROBERT ST S	WEST SAINT PAUL MN 55118	79	\$124.82
38	422190002010	1307 ROBERT ST S	ERIKSSON FAMILY PROPERTIES LLC	1225 ORONO OAKS DR	ORONO MN 55356	38	\$60.04
39	422190002020	1307 ROBERT ST S	ERIKSSON FAMILY PROPERTIES LLC	1225 ORONO OAKS DR	ORONO MN 55356	40	\$63.20
40	422190002030	1307 ROBERT ST S	ERIKSSON FAMILY PROPERTIES LLC	1225 ORONO OAKS DR	ORONO MN 55356	40	\$63.20
41	422190002090		STATE OF MN - F TAX	1590 HIGHWAY 55	HASTINGS MN 55033	40	\$63.20
42	422190002120	1339 ROBERT ST S	IMPERIAL VALLEY INVESTMENTS LLC	PO BOX 14179	SAINT PAUL MN 55114	120	\$189.60
43	422190002152	1349 ROBERT ST S	BISANZ INV /CO #1	1349 ROBERT ST S	WEST SAINT PAUL MN 55118-2424	118	\$186.44
44	425140000012	1304 ROBERT ST S	DON PEDRO LLC	1304 S ROBERT ST	WEST SAINT PAUL MN 55118	68	\$107.44
45	425140000021	1304 ROBERT ST S	DON PEDRO LLC	1304 S ROBERT ST	WEST SAINT PAUL MN 55118	68	\$107.44
46	425140000042	1318 ROBERT ST S	MANBIR LLC	13233 GLENHAVEN AVE	APPLE VALLEY MN 55124	100	\$158.00
47	425140000070	1332 ROBERT ST S	LIAO BENJAMIN & MARGARET	3645 FORESTVIEW LN	MINNEAPOLIS MN 55441-1336	180	\$284.40
48	425140000132	1346 ROBERT ST S	THE STATE OF MINNESOTA, MILITARY AFFAIRS	20 WEST 12TH STREET	SAINT PAUL MN 55155-2002	180	\$284.40
49	4214050001010	1365 ROBERT ST S	1365 SOUTH ROBERT STREET LLC	2593 EAGLE VALLEY DR	WOODBURY MN 55129	125	\$197.50
50	4214050001030	1375 ROBERT ST S	SUN CHENG HAI	1375 ROBERT ST	WEST SAINT PAUL MN 55118-3141	100	\$158.00
51	4214050001041	1415 ROBERT ST S	MENARD INC	4777 MENARD DRIVE	EAU CLAIRE WI 54703	30	\$47.40
52	4214050001040	1389 ROBERT ST S	KHOURY JOSEPH A & RITA A	353 OKDALE CT	WEST SAINT PAUL MN 55118-3218	80	\$126.40
53	4214050001042	1395 ROBERT ST S	MELEYCO PTRSHIP NO 2	189 LONGMEADOW DR	LOS GATOS CA 95032-5655	90	\$142.20
54	4214050001073	1407 ROBERT ST	ROBERT STREET GROUP LLC	14152 TERRACE RD NE	HAM LAKE MN 55304	212	\$334.96
55	4248150001034	1415 ROBERT ST S	MENARD INC	4777 MENARD DRIVE	EAU CLAIRE WI 54703	132	\$208.56
56	4248150001041	1415 ROBERT ST S	MENARD INC	4777 MENARD DRIVE	EAU CLAIRE WI 54703	119	\$188.02

Parcel No. on Map	PID	Site Address	Owner Name	Owner Address	City, State, Zip	Assessable Street Frontage (ft)	Assessment Amount
57	424815001021	1415 ROBERT ST S	MENARDS INC	4777 MENARD DRIVE	EAU CLAIRE WI 54703	20	\$31.60
58	424815001053	1471 ROBERT ST S	% CVS 3313-01 STORE ACTG MC 2320,	1 CV5 DR	WOONSOCKET RI 02895	360	\$588.80
59	420200027012	1400 ROBERT ST S	SWEDISH EVANG LUTH AUGUSTANA CH	1400 ROBERT ST S	WEST SAINT PAUL MN 55118-3140	533	\$842.14
60	420200027022	1422 ROBERT ST S	DANCO FOOD & ENT. CO.	850 DECATUR AVE N	MINNEAPOLIS MN 55427-4324	60	\$94.80
61	420200027031	1422 ROBERT ST S	DANCO FOOD & ENT. CO.	850 DECATUR AVE N	MINNEAPOLIS MN 55427-4324	170	\$268.60
62	421840001012	1434 ROBERT ST S	ESCONO JOSE LUIS	55 SALEM CHURCH RD	SAINT PAUL MN 55118-4742	125	\$197.50
63	421840001025	1450 ROBERT ST S	HOUSER PETER	940 E HENNEPIN AVE	MINNEAPOLIS MN 55414	62	\$97.96
64	421840001031	1458 ROBERT ST S	HOUSER PETER	940 E HENNEPIN AVE	MINNEAPOLIS MN 55414	62	\$97.96
65	421840001024	1450 ROBERT ST S	WSP BMW LLC	PO BOX 775876	STEAMBOAT SPRINGS CO 80477	125	\$197.50
66	421840101010	1470 ROBERT ST S	WSP BMW LLC	PO BOX 775876	STEAMBOAT SPRINGS CO 80477	138	\$218.04
67	420200038072	1493 ROBERT ST S	US BANK	2800 LAKE ST E	MINNEAPOLIS MN 55406	147	\$232.26
68	420200038050	1503 ROBERT ST S	TCF NATIONAL BANK	801 MARQUETTE AVENUE	MINNEAPOLIS MN 55402-3475	175	\$276.50
69	421780001011	1505 ROBERT ST S	MINNESOTA STATE COLLEGE STUDENT ASSOC	505 COMO AVE	SAINT PAUL MN 55103	105	\$165.90
70	421780001020	1531 ROBERT ST S	GP PORTFOLIO LANDLORD #1 LLC, GENUINE P	2989 WILDWOOD PKWY	ATLANTA GA 30339	145	\$229.10
71	421780001030	1539 ROBERT ST S	WEST ST PAUL EDA	1616 HUMBOLDT AVE	WEST ST PAUL MN 55118	100	\$158.00
72	421780001040	1539 ROBERT ST S	WEST ST PAUL EDA	1616 HUMBOLDT AVE	WEST ST PAUL MN 55118	85	\$134.30
73	421780001052	1555 ROBERT ST S	TO XUAN	1819 JOURDAN CT	EAGAN MN 55122	100	\$158.00
74	421780001071	1565 ROBERT ST	WSTP LLC	10 WHITE PINE RD	NORTH OAKS MN 55127	105	\$165.90
75	421780001063	1571 ROBERT ST S	1571 ROBERT ST WFW LLC	13460 VAN BUREN ST NE	HAM LAKE MN 55304-6961	80	\$126.40
76	422420001070	1589 ROBERT ST S	CITY OF WEST ST PAUL	1616 HUMBOLDT AVE	WEST SAINT PAUL MN 55118	177	\$279.66
77	420200041042	110 THOMPSON AVE E	NATIONAL RETAIL PROPERTIES LP	450 SOUTH ORANGE AVENUE STE 900	ORLANDO FL 32801-3336	271	\$428.18
78	421156001010	1510 ROBERT ST S	NAJARIAN BROTHERS LLC	4569 McDONALD DRIVE OVERLOOK	STILLWATER MN 55082	100	\$158.00
79	421156001020	1520 ROBERT ST S	AUTOZONE TEXAS LP	% STORE 3081 DEPT 8088, PO BOX 2198	MEMPHIS TN 38101-2198	197	\$311.26
80	420200043014	1540 ROBERT ST S	HALLE PROPERTIES LLC	20225 N SCOTTSDALE RD	SCOTTSDALE AZ 85255	148	\$233.84
81	420200043016	1560 ROBERT ST S	PALMEN RONALD & PATRICIA	29 ISLAND RD	NORTH OAKS MN 55127	148	\$233.84
82	421100001020	1570 ROBERT ST S	LA PALMA PROPERTIES LLC	1570 ROBERT ST S	WEST SAINT PAUL MN 55118	122	\$192.76
83	427100001011	1590 ROBERT ST S	TRIPLE S INVESTMENTS LLP	1916 LIVINGSTON AVE	WEST SAINT PAUL MN 55118	155	\$244.90
84	428366001010	1615-1627 ROBERT ST E	AURORA INVESTMENTS LLC	5215 EDINA IND BLVD STE 100	EDINA MN 55439-2926	315	\$497.70
85	420200067006	1633 ROBERT ST S	1633 ROBERT ST LLC	PO BOX 100	WATERTOWN MN 55388-0100	74	\$116.92
86	420200067007	1633 ROBERT ST S	1633 ROBERT ST LLC	PO BOX 100	WATERTOWN MN 55388	47	\$74.26
87	420200067008	1633 ROBERT ST S	1633 ROBERT ST LLC	PO BOX 100	WATERTOWN MN 55388-0100	59	\$93.22
88	420200067009	1633 ROBERT ST S	1633 ROBERT ST LLC	PO BOX 100	WATERTOWN MN 55388	47	\$74.26
89	421500001014	1657 ROBERT ST S	H & R PROP	7236 LEWIS RIDGE PARKWAY	EDINA MN 55439-1932	148	\$233.84
90	424320301010	1675 ROBERT ST S	RILEY FAMILY INVESTMENT LMTD PTNSHP	2320 LEXINGTON AVE S	MENDOTA HEIGHTS MN 55120-1215	198	\$363.40
91	426478001030	1685 ROBERT ST S	ROBERT STREET INVESTORS LLLP	2320 LEXINGTON AVE S	MENDOTA HEIGHTS MN 55120-1215	230	\$363.40
92	426478001020	1685 ROBERT ST S	ROBERT STREET INVESTORS LLLP	2320 LEXINGTON AVE S	MENDOTA HEIGHTS MN 55120-1215	186	\$293.88
93	426478001010	1685 ROBERT ST S	ROBERT STREET INVESTORS LLLP	2320 LEXINGTON AVE S	MENDOTA HEIGHTS MN 55120-1215	105	\$165.90
94	421860401020	1731 ROBERT ST S	APOLLO LLC	10287 BLEEKER ST	WOODBURY MN 55129	173	\$273.34
95	423750001010	1741 ROBERT ST S	J & J INC	900 AMERICAN BLVD E	WOODBURY MN 55129	120	\$189.60
96	425150001010	1753 ROBERT ST S	ROBERT STREET PROPERTIES LLC	6200 OAKTREE BLVD STE 250	BLOOMINGTON MN 55425	132	\$208.56
97	424630001012	1795 ROBERT ST S	LOWES HOME CENTERS INC	1000 LOWES BLVD	INDEPENDENCE OHIO 44131	198	\$312.84
98	420200051032	1608 ROBERT ST S	R W PROPERTIES LLC	4 WEST BAY LANE	MOORESVILLE NC 28117	687	\$1,085.46
99	420200051040	1630 ROBERT ST S	BFI REAL ESTATE HOLDINGS LLC	965 DECATUR AVE S	NORTH OAKS MN 55127	160	\$252.80
100	424100001012	1644 ROBERT ST S	WAL MART REAL EST BUS TRUST	PO BOX 8050	GOLDEN VALLEY MN 55427	200	\$316.00
101	424100001022	1650 ROBERT ST S	BURGER KING CORP 3519	PO BOX 020783	BENTONVILLE AR 72712	80	\$126.40
102	424320401010	1660 ROBERT ST S	PEBB ST PAUL LLC	7900 GLADES RD STE 600	MIAMI FL 33102-0783	185	\$292.30
103	424320401020	1690 ROBERT ST S	SPIRIT MASTER FUNDING	16787 PERIMETER DR N STE 210	BOCA RATON FL 33434	290	\$458.20
104	420200052040	1710 ROBERT ST S	HOME FED SV	PO BOX 2609	SCOTTSDALE AZ 85260-1042	160	\$252.80
105	424160001022	1740 ROBERT ST S	RLW PROPERTIES LLC	4 BAY LANE W	CARLSBAD CA 92018	175	\$276.50
106	424160101010	1750 ROBERT ST S	TARGET CORP	PO BOX 9456	NORTH OAKS MN 55127	362	\$571.96
107	424160101020	1750 ROBERT ST S	CHICK-FILA INC	5200 BUFFINGTON RD	MINNEAPOLIS MN 55440-9456	206	\$325.48
108	420200062012	1820 ROBERT ST S	BSAW INVESTMENT LLC	8100 FLYING CLOUD DRIVE	ATLANTA GA 30349	443	\$699.94
109	421410000013	1845 ROBERT ST S	HOLIDAY STATION STORES INC	C/O STORE 157-2, PO BOX 1224	EDEN PRAIRIE MN 55344	200	\$316.00
110	421410000020	1845 ROBERT ST S	HOLIDAY STATION STORES INC	C/O STORE 157-2, PO BOX 1224	MINNEAPOLIS MN 55440-1224	150	\$237.00
111	421410000070	1907 ROBERT ST S	SASCO INVESTMENTS LLLP	1916 LIVINGSTON AVE	MINNEAPOLIS MN 55440-1224	40	\$63.20
112	421410101011	1907 ROBERT ST S	SASCO INVESTMENTS LLLP	1916 LIVINGSTON AVE	WEST SAINT PAUL MN 55118	456	\$720.48
113	421410101012	1907 ROBERT ST S	SASCO INVESTMENTS LLLP	1916 LIVINGSTON AVE	WEST SAINT PAUL MN 55118	144	\$227.52
114	420290027030	1913 ROBERT ST S	SASCO INVESTMENTS LLLP	1916 LIVINGSTON AVE	WEST SAINT PAUL MN 55118	120	\$189.60
115	420290027020	1907 ROBERT ST S	SASCO INVESTMENTS LLLP	1916 LIVINGSTON AVE	WEST SAINT PAUL MN 55118	66	\$104.28
116	421877501012	1949 ROBERT ST S	BASCH TSTE ALEXANDER	3038 SIDCO DR	WEST SAINT PAUL MN 55118	132	\$208.56
117	424919500012	1963 ROBERT ST S	DIVISION 25 LLC	4350 BAKER RD STE 400	WEST SAINT PAUL MN 55118	166	\$262.28
118	424919500020	1973 ROBERT ST S	BRAUVIN NET INVESTMENTS	205 MICHIGAN AVE N STE 1900	NASHVILLE TN 37204	107	\$169.06
					BLOOMINGTON MN 55343-8695	120	\$189.60
					CHICAGO IL 60601		

Parcel No. on Map	PID	Site Address	Owner Name	Owner Address	City, State, Zip	Assessable Street Frontage (ft)	Assessment Amount
119	426475007010	2001 ROBERT ST S	ROBERT STREET 2008 LLC	4911 LEARNING LN	RED WING MN 55066	677	\$1,069.66
120	426475001020		ROBERT STREET 2008 LLC	4911 LEARNING LN	RED WING MN 55066	198	\$312.84
121	426475000010		CITY OF WEST ST PAUL	1616 HUMBOLDT AVE	WEST ST PAUL MN 55118	110	\$173.80
122	420290025018	239 MENDOTA RD E	SOUTHVIEW COUNTRY CLUB	239 MENDOTA RD E	WEST SAINT PAUL MN 55118-4699	195	\$308.10
123	427110001010	1980 ROBERT ST S	ROBERT STREET HOLDINGS LLC	4900 HWY 169 STE 100	NEW HOPE MN 55428	400	\$632.00
124	427110001022	1994 ROBERT ST S	1994 SOUTH ROBERT LLC	7101 TRALEE DR	EDINA MN 55439	90	\$142.20
125	427110001023	2000 ROBERT ST S	2000 ROBERT LLC	4350 BAKER RD STE 400	MINNETONKA MN 55343	455	\$718.90
126	427110001024	2044 ROBERT ST S	TUXEDO DEVELOPMENT LLC	2044 ROBERT ST S	SAINT PAUL MN 55118-3923	90	\$142.20
127	427110001030	2060 ROBERT ST S	ASSOCIATED BANK	433 MAIN ST	GREEN BAY MN 54301	250	\$395.00
<b>TOTALS</b>						18,392	\$29,059.36

**ORDINANCE NO. 16-12  
CITY OF WEST ST. PAUL  
DAKOTA COUNTY, MINNESOTA**

**AN ORDINANCE AMENDING SECTIONS 153.004 AND 153.050 THROUGH 153.254  
OF THE WEST ST. PAUL CITY CODE REGARDING STATE-LICENSED  
RESIDENTIAL CARE FACILITIES AND RESIDENTIAL HOUSING WITH SERVICES  
ESTABLISHMENTS**

The City Council of West St. Paul does ordain:

**SECTION 1. AMENDMENT.** The following definitions are deleted from West St. Paul City Code Section 153.004:

- Adult Foster Care;
- Chemical Dependency Treatment Facility;
- Elderly Housing with Services Establishment;
- Overnight Shelter Facility; and
- Transitional Housing Facility.

**SECTION 2. AMENDMENT.** The following definition in West St. Paul City Code Section 153.004 is changed from “Residential Care Facility” to “Residential Care Facility, State Licensed.”

**SECTION 3. AMENDMENT.** West St. Paul City Code Sections 153.050 through 153.128 are hereby amended as follows:

**§ 153.050 PERMITTED USES.**

Within any “R-1A” One-Family Residential District, no structure or land shall be used except for one or more of the following uses:

- (A) One-family detached dwellings;
- (B) Public parks and playgrounds;
- (C) Public and parochial schools with the following conditions:
  - (1) No school building shall be located within 50 feet of any lot line of an abutting lot in an R District; and
  - (2) Where a school has an open play area abutting a street, a fence shall be erected 15 feet or more from the street right-of-way.

(D) Churches, including those related structures located on the same site which are an integral part of the church property, such as convents or homes for persons related to a religious function on the same site with the following conditions:

(1) No church building shall be located within 50 feet of any lot line of an abutting lot in an R District; and

(2) No more than ten persons shall reside on the site.

(E) Municipal buildings and structures including storage of maintenance equipment and trucks. No building shall be located within 50 feet of any lot line of an abutting lot in an R District;

(F) A state licensed residential care facility or a housing with services establishment registered under Minn. Stat. Chapter 144D serving six or fewer persons, a licensed day care center serving 12 or fewer persons, or a group family day care facility licensed under Minn. Rules 9502.0315 to 9502.0445, to serve 14 or fewer children;

(G) Radio and television antennas, subject to the provisions in § 153.395;

(H) Satellite dish antennas less than one meter (39 inches) in diameter;

(I) Those uses as permitted and regulated in § 153.006; and/or

(J) Farmers market for the sale of agricultural and horticultural products.

#### **§ 153.051 CONDITIONAL USES.**

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

(A) Golf courses, country clubs, tennis clubs, public swimming pools serving more than one family. The principal structure for any of the above listed uses shall be 100 feet or more from any abutting lot in an R District, and accessory structure shall be a minimum of 50 feet from any lot line;

(B) Essential service structures, including, but not limited to, buildings, such as telephone exchange stations, booster or pressure regulating stations, wells and pumping stations, elevated tanks, lift stations and electrical power substation provided no building shall be located within 50 feet from any lot line of an abutting lot in an R District. Prior to granting the permit it shall be

found that the architectural design of essential service structures is compatible to the neighborhood in which it is to be located and thus will promote the general welfare;

(C) Commercial greenhouses provided all outside storage is fenced in such a manner so as to screen the stored material from view when observed from the public street or an adjoining lot;

(D) Nursing homes, retirement homes, and other similar state licensed residential care uses.

(1) For nursing homes the site shall contain not less than 1,000 square feet of lot area for each person to be accommodated and buildings for uses described in this division are 50 feet or more from a lot line of an abutting lot in an R-1, R-2 or R-3 District.

(2) For retirement homes, and other similar state licensed residential care uses, the site shall contain not less than 3,500 square feet of lot area per dwelling unit. Parking facilities shall be equal to one space for each dwelling unit and proof of the availability of one additional space per unit.

(3) All parking for facilities in this section shall comply with §§ 153.345 through 153.351.

(E) A state licensed child day care facility serving 13 or more provided that the conditional use be in structures at least 50 feet of any lot line of an abutting lot in an R District and that a fence be erected 15 feet or more from any street right-of-way where the intended use is for open play;

(F) Off-street parking when the proposed site of the off-street parking abuts on a lot which is in the B or I District and is in the same ownership as the land in the B or I District and subject to those conditions set forth in §§ 153.345 through 153.351, and other conditions as found necessary by the City Council to carry out the intent of this chapter;

(G) School buildings which are a part of the physical system of the school district but which are considered temporarily in surplus may be used as research centers, offices not directly serving the public or for some form of educational activity provided:

(1) The off-street parking requirements are met; and

(2) The work day of the use falls between 7:00 a.m. and 7:00 p.m.

(H) Commercial buildings which have previously been classified and certified as nonconforming uses at the time of the effective date of this chapter may be used as the same nonconforming or less intense use provided:

(1) The off-street parking requirements for the use are met;

(2) The hours of operation of the use shall be determined by the City Council;

(3) The structure is significant to the neighborhood and its continued active use will not be detrimental to the value of quiet enjoyment or surrounding residential properties; and

(4) The use would be normally allowed as a permitted use in the B-2 Neighborhood Business District.

(I) Satellite dish antennas greater than one meter (39 inches) in diameter. See § 153.396;

(J) Bed and breakfast residence;

(K) Elderly community education center, provided that it is located in a building that contains a civic or community center or a multifamily elderly residential housing facility;

(L) School with more than four accessory buildings or structures; or

(M) On-site residential housing for an educational facility operating in conjunction with a permitted principal use, provided:

(1) Housing structures are limited to three stories in height;

(2) The number of on-site residents is limited to 200; and

(3) Housing structures must meet the building setback requirements from adjacent property lines as outlined in § 153.128.

(N) Columbaria, provided they are located on the same property as an existing church and located a minimum of 50 feet from any property line.

#### **§ 153.052 PERMITTED ACCESSORY USES.**

Within any R-1A One-Family Use District, the following uses shall be permitted accessory uses:

(A) Private garages and parking spaces;

(B) Private swimming pool and tennis court;

(C) Home occupations as defined herein, provided that:

(1) Only persons residing in the dwelling shall be engaged in the occupation;

(2) The occupation shall be conducted entirely within the principal structure;

(3) Evidence of the occupation shall not be visible from the street;

- (4) No stock or warehousing for the occupation shall be stored on the premises;
  - (5) Over-the-counter retail sales are not involved;
  - (6) There shall be no more than three parking spaces for the occupant and visitors;
  - (7) No accessory building or attached garage shall be used for the home occupation;
- and
- (8) Property cannot be used as a meeting location for employees.
- (D) Signs as regulated by §§ 153.430 through 153.438 and by §§ 150.105 through 150.110;
  - (E) Temporary buildings located for purposes of construction on the premises for a period not to exceed time necessary for the construction;
  - (F) Gardening and other horticultural uses where no sale of products is conducted on the premises;
  - (G) Decorative landscape features;
  - (H) The keeping of domestic animals for noncommercial purposes for use of the occupants of the premises, provided that any accessory building used for housing the animals shall be located not less than 30 feet from the nearest residence, and provided further that the keeping of the animals shall be subject to requirements of the city code; and
  - (I) Storage buildings subject to § 153.380.

**§ 153.053 LOT AREA, HEIGHTS, LOT WIDTH, YARD AND OTHER REQUIREMENTS.**

- (A) No structure or building shall exceed 30 feet in height as defined in § 153.004 "Building Height," except as provided in § 153.009.
- (B) The following minimum requirements shall be observed subject to the additional requirements, exceptions and modifications as set forth elsewhere in this chapter.

<i>Lot Area</i>	
Corner lot	9,100 square feet
Interior lot	7,000 square feet

Lot Width	
Corner lot	65 feet
Interior lot	50 feet

Yard, Building Setback	
Front	30 feet
Rear	30 feet or 20% of average lot depth, whichever is greater
Side	5 feet adjacent to another lot
	20 feet adjacent to street

(C) (1) Exterior walls of all principal structures must be covered only with siding (e.g., wood, vinyl, aluminum or metal horizontal lap), stucco, brick, glass or other comparable material as approved by the Zoning Administrator.

(2) Prohibited materials include, but are not limited to, cloth, fabric, canvas, plastic sheets, tarps, tarpaper, insulation, sheet metal and corrugated metal.

**§ 153.065 PERMITTED USES.**

Within the R-1B One-Family Residential District, no land or structure shall be used except for one or more of the following uses: any permitted use regulated in the R-1A District, § 153.050.

**§ 153.066 CONDITIONAL USES.**

Within any R-1B One-Family Residential District, no structure or land shall be used for the following uses except by conditional use permit: any conditional use regulated in the R-1A District, § 153.051.

**§ 153.067 PERMITTED ACCESSORY USES.**

Within any R-1B One-Family Use District, the following uses shall be permitted accessory uses: any permitted accessory use regulated in the R-1A District, § 153.052.

**§ 153.068 LOT AREA, HEIGHT, LOT WIDTH, YARD AND OTHER REQUIREMENTS.**

(A) No structure or building shall exceed 30 feet in height as defined in § 153.004 “Building Height,” except as provided in § 153.009.

(B) The following minimum requirements shall be observed subject to the additional requirements, exceptions and modifications as set forth elsewhere in this chapter:

<i>Lot Area</i>	
Corner lot	12,500 square feet
Interior lot	10,000 square feet

Lot Width	
Corner lot	90 feet
Interior lot	75 feet

Yard, Building Setback	
Front	30 feet
Rear	30 feet or 20% of average lot depth, whichever is greater
Side	9 feet one side/6 feet one side
	20 feet adjacent to street

(C) (1) Exterior walls of all principal structures must be covered only with siding (e.g., wood, vinyl, aluminum or metal horizontal lap), stucco, brick, glass or other comparable material as approved by the Zoning Administrator.

(2) Prohibited materials include, but are not limited to, cloth, fabric, canvas, plastic sheets, tarps, tarpaper, insulation, sheet metal and corrugated metal.

**§ 153.080 PERMITTED USES.**

Within the R-1C One-Family Residential District, no land or structure shall be used except for one or more of the following uses: any permitted use regulated in the R-1A District, § 153.050.

**§ 153.081 CONDITIONAL USES.**

Within any R-1C One-Family Residential District, no structure or land shall be used for the following uses except by conditional use permit: any conditional use regulated in the R-1A District, § 153.051.

**§ 153.082 PERMITTED ACCESSORY USES.**

Within any R-1C One-Family Residential District, the following uses shall be permitted accessory uses: any permitted accessory use regulated in the R-1A District, § 153.052.

**§ 153.083 LOT AREA, HEIGHT, LOT WIDTH, YARD AND OTHER REQUIREMENTS.**

(A) No structure or building shall exceed 30 feet in height as defined in § 153.004 “Building Height,” except as provided in § 153.009 of this chapter.

(B) The following minimum requirements shall be observed subject to the additional requirements, exceptions and modifications as set forth elsewhere in this chapter:

<i>Lot Area*</i>	
Corner lot	15,000 square feet
Interior lot	15,000 square feet
*A 10% deviation in lot width and/or area may be permitted provided the average lot area for each plat or subdivision shall not be less than 15,000 square feet, and the average lot width not less than 100 feet	

<i>Lot Width*</i>	
Corner lot	100 feet
Interior lot	100 feet
*A 10% deviation in lot width and/or area may be permitted provided the average lot area for each plat or subdivision shall not be less than 15,000 square feet, and the average lot width not less than 100 feet	

Yard, Building Setback	
Front	30 feet
Rear	30 feet or 20% of average lot depth, whichever is greater
Side	10 feet adjacent to another lot
	30 feet adjacent to street

(C) Exterior walls of all principal structures must be covered only with siding (e.g., wood, vinyl, aluminum or metal horizontal lap), stucco, brick, glass or other comparable material as approved by the Zoning Administrator. Prohibited materials include, but are not limited to, cloth, fabric, canvas, plastic sheets, tarps, tarpaper, insulation, sheetmetal and corrugated metal.

**§ 153.095 PERMITTED USES.**

Within the R-2 Two-Family Residential District, no structure or land shall be used, except for one or more of the following uses:

- (A) Any permitted use regulated in the R-1A District, § 153.050; and/or
- (B) Two-family dwelling.

**§ 153.096 CONDITIONAL USES.**

Within any R-2 Two-Family Residential District, no structure or land shall be used for the following uses except by conditional use permit: Any conditional use regulated in the R-1A District, § 153.051.

**§ 153.097 PERMITTED ACCESSORY USES.**

Within the R-2 Two-Family Residential District, the following uses shall be permitted accessory uses: any permitted accessory use regulated in the R-1A District, § 153.052.

**§ 153.098 LOT AREA, HEIGHT, LOT WIDTH, YARD AND OTHER REQUIREMENTS.**

(A) No structure or building shall exceed 30 feet in height as defined in § 153.004 “Building Height,” except as provided in § 153.009 of this chapter.

(B) The following minimum requirements shall be observed subject to the additional requirements, exceptions and modifications as set forth elsewhere in this chapter:

- (1) Lot area: 15,000 square feet;
- (2) Lot width:
  - (a) Yard, building setback: 100 feet;
  - (b) Front: 30 feet;
  - (c) Side: ten feet adjacent to another lot, 20 feet adjacent to street; and
  - (d) Rear: 30 feet or 20% of average lot depth, whichever is greater.
- (3) Lot area per dwelling unit: 7,500 square feet.

(C) Exterior walls of all principal structures must be covered only with siding (e.g., wood, vinyl, aluminum or metal horizontal lap), stucco, brick, glass or other comparable material as

approved by the Zoning Administrator. Prohibited materials include, but are not limited to, cloth, fabric, canvas, plastic sheets, tarps, tarpaper, insulation, sheet metal and corrugated metal.

**§ 153.110 PERMITTED USES.**

Within any R-3 Townhouse Residential District, no structure or land shall be used except for of the following uses:

- (A) Structures housing three to eight dwelling units; and
- (B) Farmers market for the sale of agricultural and horticultural products.

**§ 153.111 CONDITIONAL USES.**

Within the R-3 Townhouse Residential District, no structure or land shall be used for the following uses except by conditional use permit:

- (A) Any conditional use regulated in the R-1A District, § 153.051;
- (B) Multiple dwelling structures containing more than eight dwelling units;
- (C) Two-family dwellings subject to lot and yard requirements of the R-2 District, § 153.098;  
or
- (D) State licensed residential care facility serving 7 through 16 persons or a licensed day care facility serving 13 through 16 persons.

**§ 153.112 PERMITTED ACCESSORY USES.**

Within the R-3 Townhouse Residential District, the following uses shall be permitted accessory uses: any permitted accessory use regulated in the R-1A District, § 153.052.

**§ 153.113 LOT AREA, HEIGHT, LOT WIDTH AND YARD REQUIREMENTS.**

- (A) No limit shall be placed on height of buildings in this R-3 Zone, except that buildings over 35 feet shall have front, side and rear yards not less than one-half of the height of the building.
- (B) The following minimum requirements shall be observed subject to additional requirements, exceptions and modifications as set forth elsewhere in this chapter:
  - (1) Lot area per dwelling unit: 5,500 square feet;
  - (2) Lot width: 100 feet;

- (3) Yard, building setback:
  - (a) Front: 30 feet;
  - (b) Side: ten feet adjacent to another lot, 20 feet adjacent to street, except where the lot in question abuts any R-1 District where the side yard setback shall conform to the established setback or 30 feet, whichever is greater; and
  - (c) Rear: 30 feet or 20% of average lot depth, whichever is greater.
- (4) Distance between principal structures: 30 feet.

(C) Exterior walls of all principal structures must be covered only with siding (e.g., wood, vinyl, aluminum or metal horizontal lap), stucco, brick, glass or other comparable material as approved by the Zoning Administrator. Prohibited materials include, but are not limited to, cloth, fabric, canvas, plastic sheets, tarps, tarpaper, insulation, sheet metal and corrugated metal.

**§ 153.125 PERMITTED USES.**

Within the R-4 Multiple-Family District, no structure or land shall be used except for the following use:

- (A) Structures housing three to 16 multiple-family dwelling units; and
- (B) Farmers market for the sale of agricultural and horticultural products.

**§ 153.126 CONDITIONAL USES.**

Within the R-4 Multiple-Family District, no structure or land shall be used for the following uses except by conditional use permit:

- (A) Any conditional use regulated in the R-1A District by § 153.051;
- (B) Structure or structures over three stories in height or where ceilings of any dwelling unit are more than 31 feet above average grade;
- (C) Two-family dwellings;
- (D) Structure or structures containing more than 16 dwelling units;
- (E) A state licensed residential care facility serving 7 through 16 persons or licensed day care facility serving from 13 through 16 persons;

(F) Private clubs and lodges provided buildings are not less than 30 feet from a lot line of an abutting lot in an R District;

(G) Private swimming pools intended for and used solely by the occupants of the property in which it is located and their guests, provided the water surface of the pool is located not less than 15 feet from any lot line, that the pump and filter installed be not less than 25 feet from any lot line and that the pool area be so fenced as to prevent uncontrolled access from the street or from adjacent property;

(H) Nursing homes, retirement homes;

(I) Hospitals provided the site shall contain not less than 800 square feet of lot area for each person to be accommodated, and provided the lot line is 50 feet or more from a lot line of an R-1, R-2 or R-3 District; or

(J) Community centers as part of a multiple-family complex, provided the community center is located within setbacks no less than any other structure permitted in the district; does not exceed the height or size of the principal buildings(s); and shall be subject to the parking standards as set forth in §§ 153.345 through 153.351. For purposes of this division (K), of the term *COMMUNITY CENTERS* shall include meeting space, offices, bathrooms, indoor pool, indoor recreational space, limited kitchen facilities and related storage.

#### **§ 153.127 PERMITTED ACCESSORY USES.**

Within the R-4 Multiple-Family District, the following uses shall be permitted accessory uses: any permitted accessory use regulated in the R-1A District, § 153.052.

#### **§ 153.128 LOT AREA, HEIGHT, LOT WIDTH AND YARD REQUIREMENTS.**

(A) The following minimum requirements shall be observed subject to additional requirements, exceptions and modifications as set forth elsewhere in this chapter. Minimum requirements for three or more dwelling units:

(1) Lot area per dwelling unit: 3,500. For dwelling units with more than two bedrooms, an additional 1,750 square feet is required;

(2) Lot width: 200 feet;

(3) Yard, building setback:

(a) Front: 50 feet, plus one foot per foot of building height over 50 feet;

(b) Side: 40 feet, plus one-half foot per foot of building height over 50 feet;  
and

(c) Rear: 40 feet, plus one-half foot per foot of building height over 50 feet.

(4) Distance between principal structures: 50 feet.

(B) Building height: no maximum height for buildings with three or more units.

(C) Storage space requirement: a minimum of 96 cubic feet of miscellaneous storage space shall be provided for each dwelling within the principal structure containing the unit. The space shall be in addition to normal storage space provided in wardrobes, cabinets and closets or linen closets.

(D) (1) Exterior walls of all principal structures must be covered only with siding (e.g., wood, vinyl, aluminum or metal horizontal lap), stucco, brick, glass or other comparable material as approved by the Zoning Administrator.

(2) Prohibited materials include, but are not limited to, cloth, fabric, canvas, plastic sheets, tarps, tarpaper, insulation, sheet metal and corrugated metal.

**SECTION 4. AMENDMENT.** Section 153.206 of the West St. Paul City Code regarding conditional uses in the B-5 is hereby amended as follows:

**§ 153.206 CONDITIONAL USES.**

Within the B-5 Gateway North Mixed Use District, no structure or land shall be used for the following uses, except by conditional use permit:

(A) Accessory structures;

(B) Private garages, provided:

(1) Principal use of the property is mixed-use;

(2) Property includes owner occupied residential unit;

(3) Structure meets the provisions of § 153.380. In addition metal framing and metal roofing is not allowed;

(4) Carport structures must be secured to a cement slab or footing.

(C) Funeral homes and mortuaries;

(D) Dental or medical office or clinic;

(E) Mixed-use residential/commercial;

- (F) Museums, art galleries, theaters;
- (G) On-sale liquor establishments;
- (H) Outdoor seating, provided it complies with the requirements of § 153.156(G);
- (I) R-3 and R-4 residential dwelling units;
- (J) Veterinary establishments limited to domestic animals and conducted entirely within a building;
- (K) Offices of a general nature, other than medical or dental, where the employment within the building does not exceed 50 persons and the operations do not include retail sales or warehousing on the site;
- (L) Elderly community education center, provided that it is located in a building that contains a civic or community center or a multifamily elderly residential housing facility;
- (M) Retirement homes, provided that the site shall contain not less than 3,500 square feet of lot area per dwelling unit.
  - (1) Parking facilities shall be equal to one space for each dwelling unit and proof of the availability of one additional space per unit.
  - (2) All parking facilities in this section shall comply with §§ 153.345 through 153.351.
- (N) Off-street parking;
- (O) Drive-through lanes, provided they meet the conditions in § 153.156(D); or
- (P) Discount stores.

**SECTION 6. AMENDMENT.** The following section is added to the West St. Paul City Code prohibiting certain uses in the R-3 zoning district:

**§ 153.114 PROHIBITED USES**

Within the R-3 Townhouse, 3-8 Unit Residential District, the following uses are prohibited:

- (A) Housing with services establishments registered under Minn. Stat. Chapter 144D.

**SECTION 7. AMENDMENT.** The following section is added to the West St. Paul City Code prohibiting certain uses in the R-4 zoning district:

**§ 153.129 PROHIBITED USES**

Within the R-4 Multiple Family 3-16 Unit Residential District, the following uses are prohibited:

- (A) Housing with services establishments registered under Minn. Stat. Chapter 144D.

**SECTION 8. AMENDMENT** The following section is added to the West St. Paul City Code prohibiting certain uses in the B-1 zoning district:

**§ 153.145 PROHIBITED USES**

Within the B-1 Limited Business District, the following uses are prohibited:

- (A) State-licensed residential care facilities;
- (B) Housing with services establishments registered under Minn. Stat. Chapter 144D.

**SECTION 9. AMENDMENT** The following section is added to the West St. Paul City Code prohibiting certain uses in the B-2 zoning district:

**§ 153.160 PROHIBITED USES**

Within the B-2 Neighborhood Business District, the following uses are prohibited:

- (A) State-licensed residential care facilities;
- (B) Housing with services establishments registered under Minn. Stat. Chapter 144D.

**SECTION 10. AMENDMENT** The following section is added to the West St. Paul City Code prohibiting certain uses in the B-3 zoning district:

**§ 153.175 PROHIBITED USES**

Within the B-3 General Business District, the following uses are prohibited:

- (A) State-licensed residential care facilities;
- (B) Housing with services establishments registered under Minn. Stat. Chapter 144D.

**SECTION 11. AMENDMENT** The following section is added to the West St. Paul City Code prohibiting certain uses in the B-4 zoning district:

**§ 153.192 PROHIBITED USES**

Within the B-4 Shopping Center District, the following uses are prohibited:

(A) State-licensed residential care facilities;

(B) Housing with services establishments registered under Minn. Stat. Chapter 144D.

**SECTION 12. AMENDMENT** The following section is added to the West St. Paul City Code prohibiting certain uses in the B-5 zoning district:

**§ 153.210 PROHIBITED USES**

Within the B-5 Gateway North Mixed Use District, the following uses are prohibited:

(B) Housing with services establishments registered under Minn. Stat. Chapter 144D.

**SECTION 13. AMENDMENT** The following section is added to the West St. Paul City Code prohibiting certain uses in the B-6 zoning district:

**§ 153.225 PROHIBITED USES**

Within the B-6 Town Center Mixed Use District, the following uses are prohibited:

(A) State-licensed residential care facilities;

(B) Housing with services establishments registered under Minn. Stat. Chapter 144D.

**SECTION 14. AMENDMENT** The following section is added to the West St. Paul City Code prohibiting certain uses in the I-1 zoning district:

**§ 153.239 PROHIBITED USES**

Within the I-1 Light Industrial District, the following uses are prohibited:

(A) State-licensed residential care facilities;

(B) Housing with services establishments registered under Minn. Stat. Chapter 144D.

**SECTION 15. AMENDMENT** The following section is added to the West St. Paul City Code prohibiting certain uses in the I-2 zoning district:

**§ 153.254 PROHIBITED USES**

Within the I-2 General Industrial District, the following uses are prohibited:

(A) State-licensed residential care facilities;

(B) Housing with services establishments registered under Minn. Stat. Chapter 144D.

**SECTION 16. 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:

The ordinance is intended to mirror state law regarding the permission of certain residential care facilities in residential zoning districts. Since these uses are now categorized as being either licensed or registered with the state, the individual types of uses no longer need to be identified. Facilities serving 6 or fewer people are permitted uses in single-family zoning districts, while facilities with 7-16 people require a conditional use permit in multi-family zoning districts. Since these uses would be inappropriate for commercial or industrial districts, language was added to prohibit them in most of these areas.

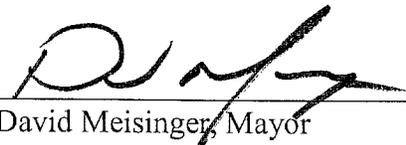
**SECTION 17. EFFECTIVE DATE.** This Ordinance shall be in full force and effect from and after its passage and publication according to law.

Adopted and Passed this 14<sup>th</sup> day of November, 2016 by the City Council of the City of West St. Paul.

Ayes: 6

Nays: 0

Attest:

  
\_\_\_\_\_  
David Meisinger, Mayor

  
\_\_\_\_\_  
Chantal Doriott, City Clerk