

**City of West St. Paul  
City Council Meeting Minutes  
February 26, 2018 at 6:30 p.m.**

**1. Call to Order**

Mayor Pro Tem Napier called the meeting to order at 6:32 p.m.

**2. Roll Call**

Present: Mayor Pro Tem Dave Napier  
Councilmembers John Bellows, Anthony Fernandez,  
Ed Iago and Bob Pace

Absent: Mayor Jenny Halverson and Councilmember Dick Vitelli

Others Present: City Manager Ryan Schroeder  
Police Chief Manila Shaver  
Fire Chief Mike Pott  
City Attorney Kori Land  
Community Development Director Jim Hartshorn  
Assistant Community Development Director Ben Boike  
Finance Director Char Stark  
City Clerk Shirley Buecksler

**3. Pledge of Allegiance**

**4. Adopt the Agenda**

Motion was made by Councilmember Bellows and seconded by Councilmember Iago to:

- Pull Item 9A, Previous Meeting Minutes of February 12, 2018;
- Move Item 9C, Provisional Rental Licensing for 1088 Robert Street, to Old Business and add it to Item 12C, Rental License Review for 1064 Robert Street;

and approve the agenda, as amended.

All members present voted aye. Motion carried.

**5. OCWS Briefing**

Mayor Pro Tem Napier stated that the Council held a Work Session prior to the regular meeting to discuss the following:

- Digital Signage in Residential Districts
- Public Memorials and Recognition Policy

- Sanitary Sewer Connection Requirements
- Special Assessment Policy
- Bylaws for Commissions and Committees

## **6. Citizen Comments**

Jay DeLaRosby, 386 Schletty Lane, addressed the Council. Mayor Pro Tem Napier called for a vote on whether to continue the conversation. 4 ayes / 1 nay (Mayor Pro Tem Napier).

Tom Edwards, 1386 Charlton Street, addressed the Council.

## **7. Council Comments**

Councilmember Fernandez gave a shout-out to South Robert Street Business Association for the Winter Fun Fest and thanked everyone for a successful event.

Councilmember Iago said the Winter Fun Fest was a great festival. He said he also received phone calls from the St. Paul Pioneer Press regarding the golf course.

Councilmember Bellows said that he and City Manager Schroeder went to the legislature to seek funding for City projects. Councilmember Bellows also responded to Mr. Edwards' comments.

Mayor Pro Tem Napier thanked the South Robert Street Business Association and said he appreciates everything they do for West St. Paul. Mayor Pro Tem Napier also said he was saddened by the Florida shooting and requested that Police Chief Shaver talk about our local school district and the safety of our students. Chief Shaver responded with information about training and joint exercise trainings.

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

### **A. Introduction of New South Metro Fire Department Firefighters**

Fire Chief Mike Pott introduced two new Firefighters, Bobby Conley and Billy Brandecker, who were hired by the South Metro Fire Department on January 29, 2018. These new Probationary Firefighters were sworn in to the South Metro Fire Department at a ceremony held on February 21, 2018.

### **B. Vitals Announcement**

Police Chief Manila Shaver gave a presentation on Vitals™, a resource for people living with emotional, intellectual and/or behavioral disabilities. This service was designed to improve communication by allowing first responders real-time access to important client information to create a safer interaction.

Reaching an agreement in late 2017 with the Dakota Chiefs of Police, the West St. Paul Police Department has elected to be a part of the Vitals™ pilot program. There is an annual fee for the department, based on the number of officers using the system. Clients are also invoiced for services.

The primary concern is the number of clients using or registering onto the system. Without clients with transmitters, it is useless for Officers having the capability to receive the information. However, about 30 percent of current police calls involve a person suffering a mental health crisis. Thus, the potential impact to improve communication and interaction is there. It may take a year or two before the client base is fully developed, in order to realize the true benefit and potential of the Vitals™ system.

Stacy and Brent Zamora addressed the Council in favor of the Vitals™ program.

Councilmember Bellows commended Chief Shaver and the Dakota County Chiefs of Police for their work on this program.

#### **9. Consent Agenda**

Motion was made by Councilmember Iago and seconded by Councilmember Pace to pull Item A, to move Item C and include it with Item 12C Old Business, and resolved that the West St. Paul City Council does hereby approve the following:

##### **A. Item Pulled:**

Previous Meeting Minutes:

- Open Council Work Session Minutes of February 12, 2018
- City Council Meeting Minutes of February 12, 2018

##### **B. List of Accounts Payable Claims for February 26, 2018**

##### **C. Item Moved and Included with Item 12C Old Business:**

Provisional Rental License Renewal for 1088 Robert Street

##### **D. Rental Licensing**

##### **E. Resolution No. 18-29, Imposing Conditions on the Rental Dwelling License for 1924 Bidwell Street**

##### **F. Net Ministries Rental Applications for 76 Crusader Avenue, 1962 Stryker Avenue and 1990 Stryker Avenue**

##### **G. City Business and Liquor Licenses**

##### **H. Resolution No. 18-30, Memorializing the Findings of Fact and Reasons for Denial Relating to the Conditional Use Permit Application for Minor Auto Repair (Car Audio) in a B3 District at 1166 Robert Street**

##### **I. Lift Station SCADA Hardware/Software Contract**

All members present voted aye. Motion carried.

## **10. Public Hearing**

### **A. Conditional Use Permit – 1400 Robert Street**

Motion was made by Councilmember Iago and seconded by Councilmember Bellows to continue the Public Hearing for a Conditional Use Permit to construct a T-Mobile cell tower in a B3, General Business District at 1400 Robert Street (Augustana Lutheran Church) to the March 26, 2018 City Council meeting.

All members present voted aye. Motion carried.

## **11. New Business**

### **A. Motion for Stay of Resolution No. 17-80 (Rental License Revocation – 1492 Charlton Street)**

City Attorney Land provided an overview.

Attorney Bradley Kletscher, representing Mr. Mailand, addressed the Council.

Litigation Counsel Jared Shepherd addressed the Council.

City Attorney Land provided options for the Council which included: 1) To approve or grant Attorney Kletscher's motion to Stay; 2) to deny the motion for the Stay; or 3) To approve to allow the current tenants to continue to rent at the property through the exhaustion of the appeals but not allow Mr. Mailand to rent to new tenants.

Motion was made by Councilmember Iago to deny the motion to Stay and allow the current tenants, in the number of 15, to stay at the property through the exhaustion of the appeals and direct City Attorney Land to draft Findings of Fact.

Motion failed for lack of a second.

Motion was made by Councilmember Pace and seconded by Councilmember Bellows to ask the City Attorney to draft Findings of Fact in support of the motion to deny.

All members present voted aye. Motion carried.

### **B. Thompson Oaks Golf Course**

Motion was made by Councilmember Iago and seconded by Councilmember Bellows to close the Thompson Oaks Golf Course.

All members present voted aye. Motion carried.

**C. First Reading – City Code Amendment, Section 72.05, Regarding General Parking Restrictions – City of West St. Paul**

Hartshorn introduced the following proposed ordinance for its first reading:

*“An Ordinance Amending West St. Paul City Ordinance Section 72.05 Regarding General Parking Restrictions.”*

Motion was made by Councilmember Bellows and seconded by Councilmember Pace to approve the first reading and call for a second reading of the ordinance to be held at the City Council meeting on March 12, 2018.

All members present voted aye. Motion carried.

**D. First Reading – City Code Amendment, Section 94.18, Regarding Unsheltered Storage, Junk, and Inoperable or Abandoned Motor Vehicles – City of West St. Paul**

Hartshorn introduced the following proposed ordinance for its first reading:

*“An Ordinance Amending West St. Paul City Ordinance Section 94.18 Regarding Unsheltered Storage, Junk, and Inoperable or Abandoned Motor Vehicles.”*

Motion was made by Councilmember Bellows and seconded by Councilmember Pace to approve the first reading and call for a second reading of the ordinance to be held at the City Council meeting on March 12, 2018.

All members present voted aye. Motion carried.

**E. First Reading – City Ordinance Amendment Regarding Predatory Offenders**

City Attorney Land introduced the following proposed ordinance for its first reading:

*“An Ordinance Amending Section 97 of the West St. Paul City Code Regarding Predatory Offenders.”*

Motion was made by Councilmember Bellows and seconded by Councilmember Fernandez to approve the first reading and call for a second reading and Public Hearing on the ordinance to be held at the City Council meeting on March 12, 2018.

All members present voted aye. Motion carried.

## **12. Old Business**

### **A. Final Reading – Rezoning of 110 Crusader Avenue West From R1, Single Family to PRD, Planned Residential Development with R4, Multiple Family Residential Zoning and Rezoning 1962 and 1990 Stryker from R1, Single Family to R2, Two Family – Net Ministries**

Councilmember Bellows recused himself from the room and from voting on this item.

Motion was made by Councilmember Iago and seconded by Councilmember Pace to approve Ordinance No. 18-04, An Ordinance Rezoning 110 Crusader Avenue West, 1962 Stryker Avenue and 1990 Stryker Avenue to PRD, Planned Residential Development with R4, Multi-Family Underlying Zoning with Various Underlying Zoning.

All members present voted aye. Motion carried.

Councilmember Bellows returned to the meeting.

### **B. Final Reading – Zoning Ordinance Amendment, Section 153.380, Regarding Structures**

Councilmember Fernandez stepped out of the room.

Motion was made by Councilmember Bellows and seconded by Councilmember Iago to approve Ordinance No. 18-05, An Ordinance Amending West St. Paul Zoning Ordinance Sections 153.380 and 153.051 Regarding Accessory Structures.

All members present voted aye. Motion carried.

Councilmember Fernandez returned to the meeting.

### **C. Rental License Review – 1064 Robert Street and 1088 Robert Street (moved from Consent Agenda)**

Khue Dang, owner of both properties, addressed the Council, along with two of her tenants.

Motion was made by Councilmember Iago and seconded by Councilmember Pace to adopt Resolution No. 18-31, Adding Conditions to the Provisional Rental License of 1064 Robert Street South, and Resolution No. 18-28, Converting the Rental License of 1088 Robert Street to a Provisional License, along with the stipulations that the owner hire a professional management company to manage each property, that the owner must come before the City Council for any future violations, and that the license may be rejected/revoked if violations continue.

All members present voted aye. Motion carried.

**13. Adjourn**

Motion was made by Councilmember Pace and seconded by Councilmember Fernandez to adjourn the meeting at 8:08 p.m.

All members present voted aye. Motion carried.

A handwritten signature in black ink, appearing to read "Dave Napier". The signature is fluid and cursive, with a large initial "D" and "N".

Dave Napier  
Mayor Pro Tem  
City of West St. Paul