

**City of West St. Paul
City Council Meeting Minutes
April 23, 2018**

1. Call to Order

Mayor Halverson called the meeting to order at 6:37 p.m.

2. Roll Call

Present: Mayor Halverson
Councilmembers John Bellows, Anthony Fernandez, Ed Iago,
Dave Napier, Bob Pace and Dick Vitelli

Absent: None

Others Present: City Manager Ryan Schroeder
Lieutenant Brian Sturgeon
City Attorney Kori Land
Parks & Public Works Director/City Engineer Ross Beckwith
Community Development Director Jim Hartshorn
City Clerk Shirley Buecksler

3. Pledge of Allegiance

4. Adopt the Agenda

Mayor Halverson stated that the following agenda changes were discussed by the City Council at the Open Council Work Session prior to the City Council meeting:

- Moved Item 9E, Planning Commission Appointments, to New Business as Item 11A for discussion.
- Added New Business Item 11B, Appointments to Environmental Commission and Park & Recreation Commission.
- Moved Item 10A, Resolution to Call for a Public Hearing for the Creation of TIF 1-5, to New Business as Item 11C.
- Moved Item 10C, Temporary Rental License – 284 Annapolis Street East, to New Business as Item 11D.
- Added New Business Item 11E, Discussion of 1010 Dodd Road Memorial.
- Moved Item 9G, Approve Contract Extension with YMCA to Operate West St. Paul Pool in 2018, to New Business as Item 11F for discussion.
- Items 11A and 11B will be discussed prior to the Public Hearing.

Motion was made by Councilmember Napier and seconded by Councilmember Vitelli to adopt the agenda, as amended.

All members present voted aye. Motion carried.

5. OCWS Briefing

Mayor Halverson said the Council held a Work Session prior to the regular meeting to discuss the following:

- Closed Session Pursuant to Minnesota Statute 13D.05 Subd. 3(c) for Attorney-Client Privileged Communication Regarding Evenstad Litigation
- Closed Session Pursuant to Minnesota Statute 13D.05 Subd. 3(c) for Consideration of Offers for the Golf Course Property
- Local Sales Tax Option
- Discussion on Appointments to Environmental Commission and Park & Recreation Commission

6. Citizen Comments

No one requested to speak.

7. Council Comments

Councilmember Fernandez said the City of West St. Paul will be participating in the Cinco de Mayo Parade for the first time on Saturday, May 19th.

Councilmember Napier shared a letter from ISD 197 Superintendent Peter Olson-Skog who thanked West St. Paul Public Works Staff for clearing the roads in time so that over 5,000 students could attend school during the snow storm.

Councilmember Iago thanked Staff, Police Reserves and volunteers who attended the Shred-It Event on Saturday, April 21st. He said the event was well organized.

Councilmember Iago said the West St. Paul Days Kick-Off Dinner was on April 21st. He said the West St. Paul Police Department shined again with Officer Pat McCarty who did an excellent job. Councilmember Iago said former Mayor Meisinger was the Master of Ceremonies.

Councilmember Iago said that South Metro Fire Department was previously rated at ISO 3 (Insurance Services Office). Effective April 1, 2018, South Metro Fire was upgraded to ISO 2, which will save money for residents on their homeowner's insurance policy.

Councilmember Vitelli thanked Senator Kline and Representative Hansen for attending the Town Meeting held at Harmon Park on April 21st. He said the meeting went very well.

Councilmember Bellows said he supports Councilmember Napier's comments regarding the excellent job done by Public Works. He said it was much better than surrounding cities.

Councilmember Bellows said the actions by South Metro Fire Department to ISO 2 is significant and that West St. Paul is only one of eight or nine cities in the state that are at that level. Councilmember Bellows said residents should be proud of South Metro Fire Department.

Mayor Halverson thanked the three residents in attendance at tonight's meeting who applied for the Planning Commission. She said there needs to be more women in West St. Paul to step up to these positions. Mayor Halverson said she is the first woman to ever serve as Mayor for West St. Paul. She also added that there will be three Council seats and the Mayoral seat on the ballot in this year's election. Mayor Halverson said she hopes women will take this opportunity. She also added that she will not be filing for re-election. Any questions on filing for candidacy may be directed to City Clerk Shirley Buecksler.

8. Proclamations, Presentations and Recognitions

None.

9. Consent Agenda

Motion was made by Councilmember Vitelli and seconded by Councilmember Iago to approve the following items on the Consent Agenda, as amended:

- A. Previous Meeting Minutes:
 - Open Council Work Session Minutes of April 9, 2018
 - City Council Meeting Minutes of April 9, 2018
- B. List of Claims, in the Amount of \$1,087,322.46
- C. Resolution No. 18-52 Concurring with the Issuance of a Minnesota Lawful Gambling Exemption for South St. Paul Educational Foundation to be held on August 15, 2018
- D. 2018 Rental Business Licenses
- E. Planning Commission Appointments – **Moved to Item 11A**
- F. Dakota Communications Center Management Control Agreement
- G. Contract Extension with YMCA to Operate West St. Paul Pool in 2018 – **Moved to Item 11F**
- H. Resolution No. 18-53 Accepting the Americans with Disabilities Act Transition Plan for Public Right-of-Way
- I. Resolution No. 18-54 Ordering Preparation of Feasibility Study for Wentworth Avenue Reconstruction Project 17-7
- J. Award Bid for the Sanitary Sewer Manhole Improvements Project 18-11 to Thul Specialty Contracting, Inc. for a Contract Amount of \$63,150
- K. Resolution No. 18-55 Adopting the Public Improvement and Special Assessment Policy

All members present voted aye. Motion carried.

11. New Business

A. Planning Commission Appointments

Appointment of Maria Franzmeier

Motion was made by Councilmember Napier and seconded by Councilmember Vitelli to appoint Maria Franzmeier to the Planning Commission.

All members present voted aye. Motion carried.

Appointment of Samantha Green

Motion was made by Councilmember Vitelli and seconded by Councilmember Napier to appoint Samantha Green to the Planning Commission.

Vote: 2 ayes / 4 nays – Councilmembers Bellows, Fernandez, Iago and Pace opposed. Motion failed.

Appointment of Lisa Stevens

Motion was made by Councilmember Vitelli and seconded by Councilmember Fernandez to appoint Lisa Stevens to the Planning Commission.

All members present voted aye. Motion carried.

B. Appointments to Environmental Commission and Park & Recreation Commission

The Council voted on applicants for the Environmental Commission and Park & Recreation Commission in the OCWS prior to the regular meeting.

Environmental Commission Appointments

There are four vacancies on the Environmental Commission. Of the applications received, only Jonathan Wagner received enough votes to be considered for appointment.

Motion was made by Councilmember Bellows and seconded by Councilmember Fernandez to appoint Jonathan Wagner to the Environmental Commission.

All members present voted aye. Motion carried.

Three vacancies remain on the Environmental Commission.

Park & Recreation Commission Appointments

There are three vacancies on the Park & Recreation Commission. Of the applications received, only Mike Petrasek and Brad Erickson received enough votes to be considered for appointment.

Motion was made by Councilmember Napier and seconded by Councilmember Vitelli to appoint Mike Petrasek to the Park & Recreation Commission.

All members present voted aye. Motion carried.

Motion was made by Councilmember Bellows and seconded by Councilmember Iago to appoint Brad Erickson to the Park & Recreation Commission.

All members present voted aye. Motion carried.

One vacancy remains on the Park & Recreation Commission.

10. Public Hearings

A. Resolution to Call for a Public Hearing for the Creation of TIF 1-5 – Moved to Item 11E

B. Alcohol and Tobacco Compliance Checks

Lieutenant Sturgeon provided an introduction and recommended sanctions for Applebee's, Carbone's Pizzeria, Chipotle's and Cub Liquor. Compliance checks took place in December 2017.

Applebee's, 1753 Robert Street South

Mayor Halverson opened the Public Hearing for Applebee's at 7:08 p.m.

Hannah Brown, General Manager of Applebee's, addressed the Council.

Mayor Halverson closed the Public Hearing at 7:12 p.m.

Lieutenant Sturgeon stated that Resolution No. 18-56 was amended since the Council received their packet. Section 2.02(a) now reads, "a \$500 civil penalty is imposed against the license holder of which \$300 is stayed for a period of 12 months from the date of this resolution as long as there are no same or similar violations."

Motion was made by Councilmember Vitelli and seconded by Councilmember Napier to adopt Resolution No. 18-56 Imposing Sanctions Upon Retail Intoxicating Liquor License Holder Applebee's, as amended.

All members present voted aye. Motion carried.

Carbone's Pizzeria, 55 Wentworth Avenue East

Mayor Halverson opened the Public Hearing at 7:15 p.m.

Jerry Carbone of Carbone's Pizzeria addressed the Council.

Mayor Halverson closed the Public Hearing at 7:16 p.m.

Lieutenant Sturgeon stated that Resolution No. 18-57 was amended since the Council received their packet. Section 2.02(a) now reads, "A \$500 civil penalty is imposed against the license holder of which \$300 is stayed for a period of 12 months from the date of this resolution as long as there are no same or similar violations."

Motion was made by Councilmember Vitelli and seconded by Councilmember Iago to adopt Resolution No. 18-57 Imposing Sanctions Upon Retail Intoxicating Liquor License Holder Carbone's Pizzeria, as amended.

All members present voted aye. Motion carried.

Chipotle's, 1857 Robert Street South

Councilmember Vitelli left the meeting.

Mayor Halverson opened the Public Hearing at 7:18 p.m.

Dave Andrs, District Manager – Chipotle's, addressed the Council.

Tiffany Lane, Restaurant Manager – Chipotle's, addressed the Council.

Mayor Halverson closed the Public Hearing at 7:21 p.m.

Motion was made by Councilmember Bellows and seconded by Councilmember Iago to increase the fine to \$1,000 along with the five (5) day suspension stayed and adopt Resolution No. 18-58 Imposing Sanctions Upon Retail Intoxicating Liquor License Holder Chipotle's, as amended.

Vote: 4 ayes / 1 nay – Councilmember Napier opposed; Councilmember Vitelli was absent. Motion carried.

Cub Liquor, 2001 Robert Street South

Mayor Halverson opened the Public Hearing at 7:23 p.m.

Dana Glade, Director of Retail Operations for Jerry's Foods, addressed the Council.

Mayor Halverson closed the Public Hearing at 7:25 p.m.

Motion was made by Councilmember Bellows and seconded by Councilmember Iago to adopt Resolution No. 18-59 Imposing Sanctions Upon Retail Intoxicating Liquor License Holder Cub Liquor.

All members present voted aye. Councilmember Vitelli was absent. Motion carried.

C. Temporary Rental License – 284 Annapolis Street East – Moved to Item 11D

11. New Business

C. Resolution to Call for a Public Hearing for the Creation of TIF No. 1-5 at 1645 Marthaler Lane

Hartshorn provided an overview of the Call for a Public Hearing for the creation of TIF No. 1-5 at 1645 Marthaler Lane.

Councilmember Vitelli returned to the meeting.

Motion was made by Councilmember Bellows and seconded by Councilmember Pace to adopt Resolution No. 18-50 Calling for a Public Hearing by the City Council on the Proposed Adoption of a Modification to the Redevelopment Plan for the South Robert Street Redevelopment Project and the Proposed Establishment of Tax Increment Financing District No. 1-5 (a Housing District) Therein and the Adoption of the Tax Increment Financing Plan Therefor.

All members present voted aye. Motion carried.

Motion was made by Councilmember Bellows and seconded by Councilmember Pace to adopt Resolution No. 18-51 Supporting Use of a Tax Increment Financing for a Rental Housing Development Project.

All members present voted aye. Motion carried.

D. Temporary Rental License – 284 Annapolis Street East

Hartshorn provided an overview of the request for a Temporary Rental License at 284 Annapolis Street East.

Motion was made by Councilmember Pace and seconded by Councilmember Iago to adopt Resolution No. 18-60 Denying the Temporary Rental Application for 284 Annapolis Street East.

All members present voted aye. Motion carried.

E. Discussion of 1010 Dodd Road Memorial

Mayor Halverson provided an introduction regarding the request for a memorial to be placed at 1010 Dodd Road, in honor of Mendota Heights Officer Patrick.

Motion was made by Councilmember Vitelli to refer this item to OCWS and to the Park & Recreation Commission to create a park and monument to honor Officer Patrick. Motion failed for lack of a second.

Motion was made by Councilmember Bellows and seconded by Councilmember Fernandez to allow the City of Mendota Heights to erect a monument at 1010 Dodd Road that can be moved and with the understanding that the City of Mendota Heights will maintain the property.

Vote: 4 ayes / 1 nay – Councilmember Napier opposed; Councilmember Vitelli abstained from voting.

F. Contract Extension with YMCA to Operate West St. Paul Pool in 2018

Schroeder provided an introduction on the contract extension with the YMCA to operate West St. Paul Pool in 2018.

Motion was made by Councilmember Iago to continue this item. Motion failed for lack of a second.

Motion was made by Councilmember Napier and seconded by Councilmember Fernandez to approve the contract extension with the YMCA to continue operating the West St. Paul Pool for the 2018 season.

All members present voted aye. Motion carried.

12. Old Business

A. Meeting Minutes of February 12, 2018

Motion was made by Councilmember Napier and seconded by Councilmember Vitelli to approve the meeting minutes of February 12, 2018.

All members present voted aye. Motion carried.

B. Meeting Minutes of February 26, 2018


Motion was made by Councilmember Vitelli and seconded by Councilmember Napier to approve the meeting minutes of February 26, 2018.

Vote: 5 ayes / 1 nay – Councilmember Bellows opposed.

13. Adjourn

Motion was made by Councilmember Bellows and seconded by Councilmember Napier to adjourn the meeting at 8:06 p.m.

All members present voted aye. Motion carried.



Jenny Halverson
Mayor
City of West St. Paul