CITY COUNCIL MEETING

MUNICIPAL CENTER COUNCIL CHAMBERS

1616 HUMBOLDT AVENUE, WEST ST. PAUL, MN 55118

MONDAY, JULY 13, 2020

6:30 P.M.

CITY COUNCIL MEETINGS

City Council meetings are are held in person in the Council Chambers and are open to the public with social distancing restrictions. Meetings will continue to be broadcast and streamed online for viewers to watch from the safety of their homes.

SEATING: A limited number of attendees will be allowed in the Council Chambers to view live meetings. Seats are first come-first serve. Due to the limited seating, overflow space will be available in the City Hall lobby and Lobby Conference Room with screens playing the meeting live.

PARTICIPATION: Due to the limited seating in the Council Chambers, those wishing to speak in person during public input items must sign up prior to the start of the meeting and will be called up to the podium one at a time. People wishing to speak in person may email the City Clerk at sbuecksler@wspmn.gov by 4:30 p.m. the day of the meeting (please include name, address and subject in email). In addition, sign-up sheets for each public input item will be available near the entrance of the Council Chambers at 4:30 p.m. the day of each meeting and collected by the City Clerk 5 minutes prior to the start of the meeting. Names will be called to approach the podium to address the Council. Those watching from overflow areas can enter the Chambers to speak when their name is called and then proceed back to the overflow area to continue viewing.

Viewers may also choose to call in via telephone to speak during public input items. A number will appear on screen during live broadcasts and streams when lines open for call-in speakers.

1. **Call to Order**
2. **Roll Call**
3. **Pledge of Allegiance**
4. **Adopt the Agenda**
5. **OCWS Briefing**
6. **Citizen Comments - In Person**
   Individuals may address the City Council about any item not included on the regular agenda. Speakers are requested to come to the podium, state their name and address for the Clerk's record. Generally, the City Council will not take official action on items discussed at this time, but may typically refer the matter to staff for a future report or direct that the matter be scheduled on an upcoming agenda.
7. **Citizen Comments - Phone Line**
   Individuals may address the City Council about any item not included on the regular agenda. Speakers are requested to state their name and address for the Clerk's record. Generally, the City Council will not take official action on items discussed at this time, but may typically refer the matter to staff for a future report or direct that the matter be scheduled on an upcoming agenda.
8. **Council Comments**
9. **Consent Agenda**

All items on the Consent Agenda are considered to be routine and have been made available to the City Council at least two days prior to the meeting; these items will be enacted by one motion. There will be no separate discussion of these items unless a Council member or citizen so requests, in which event the item will be removed from this agenda and considered under separate motion.

A. Minutes of June 22, 2020 Regular City Council Meeting

Documents:

06-22-20 COUNCIL MINUTES.PDF

B. List of Claims for July 13, 2020

Documents:

COUNCIL REPORT 7.13.20 LIST OF CLAIMS.PDF

C. City Licensing

Documents:

COUNCIL REPORT - CITY LICENSING.PDF
RESOLUTION - MINNESOTA CHARITY EVENTS - 2020 GOLF TOURNAMENT.PDF

D. Rental Licensing

Documents:

COUNCIL REPORT - RENTAL LICENSING.PDF

E. Appointment of Additional Election Judge(s) for Upcoming 2020 Elections

Documents:

RESOLUTION - APPOINTING ADDITIONAL ELECTION JUDGES FOR 2020 ELECTIONS.PDF

F. Benefit Assessment Settlement Agreement

Documents:

COUNCIL REPORT - ASSMT SETTLEMENT AGREEMENT 071320.PDF
SETTLEMENT AGREEMENT FINAL.PDF
RESOLUTION - ADOPTING REASSESSMENT OF 110 WENTWORTH AVE W FOR WENTWORTH AVE RECONSTR PROJ 17-7.PDF

G. Mid-Year 2020 Council Initiatives Update

Documents:

COUNCIL REPORT - STRATEGIC INITIATIVES 071320.PDF
ATTACHMENT - COUNCIL INITIATIVE UPDATE JULY 2020.PDF

H. Assigning Public Safety Committee Study of Smith Dodd Area Concerns

Documents:

COUNCIL REPORT - ASSIGNING PS COMMITTEE STUDY 071320.PDF

10. **Public Hearing**

A. Final Assessment Hearing for 2019-2020 Robert St. Sidewalk Snow Removal

Documents:

COUNCIL REPORT - ASSMT HRG ROBERT ST SIDEWALK SNOW REMOVAL 2019 2020.PDF
ATTACHMENT - ASSESSMENT ROLL 2019-2020.PDF

11. **New Business**

A. First Reading of Ordinance - Modification to Tobacco Ordinance

Documents:

COUNCIL REPORT - TOBACCO ORDINANCE MODIFICATION.PDF
ORDINANCE - PROHIBITING SALE OF TOBACCO TO ANYONE UNDER AGE 21.PDF

B. First Reading of Ordinance Amending Mayor and Council Salaries for 2021 and 2022

Documents:

COUNCIL REPORT - STIPENDS MEMO 1ST READING 062520.PDF
ATTACHMENT - MAYOR AND COUNCIL WAGES SORTED.PDF
ORDINANCE AMENDING CHARTER 2.07 AND CITY CODE 30.04-MAYOR AND COUNCIL SALARIES, WITH SUMMARY 2020.PDF

C. First Reading of Ordinance Approving the Sale of Property to Hy-Vee, Inc. for Redevelopment Purposes and Approving the Lot Split for PID 42-11560-01-020

Documents:

COUNCIL REPORT - FIRST READING FOR SALE TO HY-VEE ON 7-13-2020.PDF
ORDINANCE - APPROVING THE SALE OF PROPERTY LOCATED WITHIN THE CITY OF WSP TO HY-VEE AND APPROVING LOT SPLIT.PDF

D. First Reading of Ordinance Approving the Sale of Property to the County of Dakota for the River to River Project

Documents:

COUNCIL REPORT - FIRST READING FOR SALE TO COUNTY ON 7-13-2020.PDF
ORDINANCE - APPROVING THE SALE OF PROPERTY LOCATED WITHIN THE CITY OF WSP TO DAKOTA COUNTY.PDF

12. **Old Business**

13. **Adjourn**

City of West St. Paul
City Council Meeting Minutes
June 22, 2020

1. Call to Order

Mayor Napier called the meeting to order at 6:33 p.m.

2. Roll Call

Present:	Mayor Dave Napier Councilmembers Wendy Berry, Lisa Eng-Sarne, Anthony Fernandez, John Justen, Bob Pace and Dick Vitelli
Absent:	None
Others Present:	City Manager Ryan Schroeder City Attorney Kori Land Police Chief Brian Sturgeon Finance Director Char Stark Parks & Public Works Director/City Engineer Ross Beckwith Community Development Director Jim Hartshorn City Clerk Shirley Buecksler

Beginning with this meeting, anyone wishing to speak during Citizen Comments and Public Hearings are asked to sign in at the table outside the Council Chambers prior to the start of the meeting or by emailing the City Clerk by 4:30 p.m. the day of the meeting to be added to the list.

The City Clerk delivered the list to the Mayor five minutes prior to start of the meeting.

3. Pledge of Allegiance

4. Adopt the Agenda

Motion was made by Councilmember Vitelli and seconded by Councilmember Justen to adopt the agenda, as presented.

Vote: 6 ayes / 0 nays. Motion carried.

5. OCWS Briefing

The following topics were discussed during the Open Council Work Session prior to the Regular Council meeting:

- **A.** License Fees for Those Affected by the COVID Shutdown
- **B.** On-Sale Liquor License Limit
- **C.** Report from the Public Safety Committee
- **D.** Ice Arena Lease
- **E.** Art Park Project Review
- **F.** 1010 Dodd Temporary Alternative Use

G. Food Truck Ordinance Amendment Discussion

Due to lack of time, the Open Council Work Session will resume following the Regular Council meeting to discuss the following items:

H. Housing Improvement Area (HIA) Discussion
I. Consideration of 2021 and 2022 Council Salaries

6. Citizen Comments

- Karen Vavreck, Ward 2, regarding:
  - Bringing back call-in comments for citizens
  - Getting creative for restaurants and businesses, the Police Department, and elections
  - Restrooms at Harmon Park
  - Graffiti and garbage at Harmon Park
  - Harmon Park and making it a priority and the jewel of the city
  - Solutions such as designated staff, volunteers, temporary workers, school programs and businesses that may want to get involved; move the port-a-potties closer to the splash pad
  - Being a city that leads by example
- Robyn Gulley, 1045 Gorman Avenue, regarding:
  - Dominium and prevailing wage
- Woodrow Piner, on behalf of the North Central States Regional Council of Carpenters, regarding:
  - Signal Hills redevelopment, prevailing wage, and Dominium
- Lucas Franco, Regional Manager for the Laborers Construction Union, regarding:
  - Dominium and prevailing wage
- Terri McNeil, 170 East Emerson Avenue, regarding:
  - COVID-19 and the business community
- Mary Ellen DeCuffa, 972 Bidwell Street, regarding:
  - West St. Paul pool

7. Council Comments

Councilmember Justen suggested that Staff work on a way to bring back a call-in option for residents to provide comment.

Councilmember Berry thanked everyone for coming to the meeting tonight.

Councilmember Pace echoed and said it's great to be back in the Council Chambers.

Councilmember Eng-Sarne said it is easier to dig into items in person.

Councilmember Eng-Sarne wished everyone a Happy Pride Month, Father's Day, and Juneteenth.

Councilmember Eng-Sarne said she will be attending the League of Minnesota Cities Policy Committee meeting.

Councilmember Vitelli said it's good to be at the Council table.

Councilmember Fernandez said it is nice to be back and to also have an Open Council Work Session tonight.

Councilmember Fernandez said the recent Public Safety Committee meeting answered a lot of questions.

Mayor Napier thanked everyone for coming and said we will make sure there is better access for citizens to be involved in future meetings.

Mayor Napier agreed that the restrooms at the splash pad need to be opened. He said it would be nice to have some normalcy for the kids and asked Staff to look at trying to open the pool. He added that it was great to see everyone at the Sports Complex yesterday, getting out and being safe.

8. Consent Agenda

Motion was made by Councilmember Fernandez and seconded by Councilmember Eng-Sarne to approve the following items on the Consent Agenda, as presented:

- **A.** Minutes of May 26, 2020 Regular Council Meeting
- **B.** Minutes of June 8, 2020 Regular Council Meeting
- **C.** Claims for June 22, 2020 in the Amount of $1,708,527.33
- **D.** Change Order No. 4 for Marie/Oakdale Trail Project 18-4 for $1,740.88 with Rosti Construction
- **E.** Change Order No. 1 for Marie/Oakdale Trail Project 20-1 for $22,415.00 with McNamara Contracting, Inc.
- **F.** Change Order No. 1 for Dome Exit Stairs Project 20-5 for $59,031.15 with TMG Construction
- **G.** Call Final Assessment Hearing for 2019-2020 Robert Street Sidewalk Snow Removal for July 13, 2020
- **H.** Resolution No. 20-058 Directing Flying of the Rainbow Flag

Vote: 6 ayes / 0 nays. Motion carried.

9. New Business

A. Audit Presentation for Year Ending December 31, 2019

Finance Director Char Stark presented the results of the audit and the financial standings of the City, and Bonnie Schwieger of Abdo, Eick & Meyers provided a summary of the 2019 audit for Council.

10. Old Business

There was no old business to discuss.

10. Adjourn

Motion was made by Councilmember Vitelli and seconded by Councilmember Fernandez to adjourn the meeting at 7:18 p.m.

Vote: 6 ayes / 0 nays. Meeting adjourned.

David J. Napier
Mayor
City of West St. Paul

CITY OF WEST ST. PAUL

City Council Report

To: **Mayor and City Council**

Through: **Ryan Schroeder, City Manager**

From: **Char Stark, Finance Director**

Date: July 13, 2020

List of Claims

BACKGROUND INFORMATION:

Invoices to be paid

FISCAL IMPACT:

$1,161,527.44

STAFF RECOMMENDATION:

Approve payment of the attached

CITY OF WEST ST PAUL

Summary of List of Claims

Council Meeting of July 13, 2020

PAYROLL CHECK REGISTER:

Payroll Period	6/15/20 - 6/28/20	
Date Paid	7/3/2020	
Direct Deposit		$164,300.42
Payroll Period		
Date Paid		
Direct Deposit		
TOTAL NET PAYROLL		$164,300.42

DISBURSEMENT CHECK REGISTER:

Checks	132621 - 132745	$663,005.79
EFTS	899 - 928	$334,221.23
TOTAL DISBURSEMENT CHECKS		$997,227.02
TOTAL PAYROLL, DISBURSEMENTS, ACH AND WIRE TRANSFERS		$1,161,527.44

CITY OF W.S.P

Payment Register

From Payment Date: 6/23/2020 - To Payment Date: 7/13/2020

Number	Date	Payee Name	Transaction Amount	
AP-1 - Accounts Payable				
Check				
132621	06/23/2020	BUELL, SCOTT, RICHARD	$940.65	CK voided and reissued see ck 132623
132622	07/07/2020	COST LESS LIGHTING	$17,091.20	
132623	07/09/2020	BUELL, SCOTT, RICHARD	$940.65	
132624	07/13/2020	A B M EQUIPMENT & SUPPLY	$223.21	
132625	07/13/2020	A R I MECHANICAL	$750.18	
132626	07/13/2020	ABDO, EICK & MEYERS, LLP	$13,000.00	
132627	07/13/2020	ADVANTAGE SIGNS & GRAPHICS	$213.84	
132628	07/13/2020	ALL PRO LAWN CARE & SNOW REMOVAL	$1,100.00	
132629	07/13/2020	AMAZON BUSINESS	$107.85	
132630	07/13/2020	ATEC LLC	$3,649.72	
132631	07/13/2020	BAUER BUILT INC	$567.12	
132632	07/13/2020	BISCIGLIA, MOLLY	$20.00	
132633	07/13/2020	BOLANDER	$2,000.00	
132634	07/13/2020	BOLTON & MENK INC	$9,611.00	
132635	07/13/2020	BOND TRUST SERVICES	$2,375.00	
132636	07/13/2020	BOYER FORD TRUCKS INC	$69.61	
132637	07/13/2020	BRAUN INTERTEC CORPORATION	$1,506.50	
132638	07/13/2020	BROWN, CAITLIN	$45.00	
132639	07/13/2020	BRUCE NELSON PLUMBING & HEATING	$305.79	
132640	07/13/2020	CENTURYLINK	$631.25	
132641	07/13/2020	CHLIC-BLOOMFIELD EASC	$3,257.79	
132642	07/13/2020	CINTAS CORPORATION	$112.24	
132643	07/13/2020	COMMERCIAL ASPHALT COMPANY	$1,823.29	
132644	07/13/2020	CORPORATE MARK INC	$305.00	
132645	07/13/2020	CORVAL CONSTRUCTORS, INC	$600.00	
132646	07/13/2020	CULP, REBECCA	$20.00	
132647	07/13/2020	CUMMINS SALES & SERVICE	$417.85	
132648	07/13/2020	DAKOTA COMMUNICATIONS CENTER	$52,283.00	
132649	07/13/2020	DAKOTA COUNTY FINANCIAL SERV	$22,548.00	
132650	07/13/2020	DAKOTA COUNTY PROPERTY RECORDS	$1,201.11	
132651	07/13/2020	EHLERS & ASSOCIATES	$6,660.00	
132652	07/13/2020	EMBROIDME	$221.66	
132653	07/13/2020	FASTENAL COMPANY	$14.00	
132654	07/13/2020	FIDELITY SECURITY LIFE	$221.83	
132655	07/13/2020	FILTRATION SYSTEMS INC	$198.47	
132656	07/13/2020	FLEXIBLE PIPE TOOL COMPANY	$99.35	
132657	07/13/2020	FORCE AMERICA	$227.69	
132658	07/13/2020	GAETKE, GINA	$889.65	
132659	07/13/2020	GERTENS GREENHOUSE	$2,182.52	
132660	07/13/2020	GOODPOINT TECHNOLOGY	$5,085.00	
132661	07/13/2020	GOPHER STATE ONE-CALL	$360.45	

132662	07/13/2020	GRAINGER INC	$122.15
132663	07/13/2020	GRANT ACQUISITION LLC	$5,395.00
132664	07/13/2020	GUARDIAN SUPPLY LLC	$47.98
132665	07/13/2020	HARRIS ST PAUL, INC	$351.00
132666	07/13/2020	HAWK PERFORMANCE SPECIALTIES	$2,294.00
132667	07/13/2020	HAWKINS WATER TREATMENT	$399.20
132668	07/13/2020	HENNEPIN COUNTY WARRANTS	$500.00
132669	07/13/2020	HILL, MARCUS	$120.00
132670	07/13/2020	HIRSHFIELDS	$449.40
132671	07/13/2020	HOLFMEISTER, ERICH	$70.00
132672	07/13/2020	HOLIDAY STATION STORES	$105.00
132673	07/13/2020	HOLMEN, KATIE	$20.00
132674	07/13/2020	HOSE/CONVEYORS	$47.07
132675	07/13/2020	HUEBSCH	$310.59
132676	07/13/2020	I C C	$935.74
132677	07/13/2020	I STATE TRUCK CENTER	$91.80
132678	07/13/2020	INGEBRIGTSEN, SUSAN	$250.00
132679	07/13/2020	INSIGHT	$397.76
132680	07/13/2020	INVER GROVE FORD	$125.38
132681	07/13/2020	JONNIED AND CO	$159.95
132682	07/13/2020	KIMLEY-HORN & ASSOCIATES, INC	$19,638.21
132683	07/13/2020	KISS'S COLLISION CENTER	$3,862.32
132684	07/13/2020	KONIECZNY, DUANE	$300.00
132685	07/13/2020	KRISS PREMIUM PRODUCTS	$1,327.25
132686	07/13/2020	LANGUAGE LINE SERVICES	$108.94
132687	07/13/2020	LAW ENFORCEMENT LABOR SERVICES	$1,674.00
132688	07/13/2020	LAWSON PRODUCTS INC	$610.03
132689	07/13/2020	LOGIS	$6,232.50
132690	07/13/2020	M T I DISTRIBUTING	$55.55
132691	07/13/2020	MACQUEEN EQUIPMENT INC	$185.39
132692	07/13/2020	MADISON ENERGY INVESTMENTS I LLC	$19,201.34
132693	07/13/2020	MANSFIELD OIL COMPANY OF GAINESVILLE, INC	$14,398.80
132694	07/13/2020	MCNAMARA CONTRACTING INC	$284,663.89
132695	07/13/2020	MENARDS	$615.68
132696	07/13/2020	MID-NORTHERN SERVICES	$3,750.74
132697	07/13/2020	MINNEAPOLIS OXYGEN CO	$98.32
132698	07/13/2020	MN BENEFIT ASSOCIATION	$997.27
132699	07/13/2020	MN GLOVE	$214.77
132700	07/13/2020	MN NCPERS LIFE INSURANCE	$176.00
132701	07/13/2020	MN OCCUPATIONAL HEALTH	$62.00
132702	07/13/2020	MN TEAMSTERS LOCAL #320	$1,249.00
132703	07/13/2020	MY ALARM CENTER	$125.40
132704	07/13/2020	NAPA AUTO PARTS	$76.80
132705	07/13/2020	NATURE CALLS	$592.50
132706	07/13/2020	NEXTERA ENERGY	$1,980.63

132707	07/13/2020	NYSTROM PUBLISHING CO INC	$374.80
132708	07/13/2020	O'REILLY AUTOMOTIVE, INC	$201.47
132709	07/13/2020	OFFICE DEPOT	$27.28
132710	07/13/2020	OLSON, SHANNON	$13.00
132711	07/13/2020	PARKOS CONSTRUCTION CO INC	$36,071.35
132712	07/13/2020	PETRASEK, MIKE	$930.00
132713	07/13/2020	PLYMOUTH AUTOMOTIVE	$95.00
132714	07/13/2020	PRIMARY PRODUCTS CO	$660.00
132715	07/13/2020	READY WATT ELECTRIC	$695.00
132716	07/13/2020	ROADKILL ANIMAL CONTROL	$93.00
132717	07/13/2020	SAM'S CLUB DIRECT	$219.82
132718	07/13/2020	SFDMG, LLC	$2,000.00
132719	07/13/2020	SHERWIN WILLIAMS	$25.28
132720	07/13/2020	SOWIEJA/BRYAN	$816.00
132721	07/13/2020	ST MARTIN, ANNE	$20.00
132722	07/13/2020	ST PAUL PIONEER PRESS	$100.19
132723	07/13/2020	ST PAUL/CITY OF	$3,998.13
132724	07/13/2020	STREICHER'S	$251.17
132725	07/13/2020	SUN LIFE FINANCIAL	$2,766.36
132726	07/13/2020	T - MOBILE	$1,564.46
132727	07/13/2020	TESSMAN SEED	$400.00
132728	07/13/2020	THE SCHNEIDER COMPANY	$10,872.00
132729	07/13/2020	TKDA	$537.23
132730	07/13/2020	TOTAL TOOL	$20.56
132731	07/13/2020	TRI STATE BOBCAT INC	$726.18
132732	07/13/2020	TWIN CITY JANITOR SUPPLY	$338.17
132733	07/13/2020	TWIST OFFICE PRODUCTS	$56.25
132734	07/13/2020	ULINE SHIPPING SUPPLIES	$880.30
132735	07/13/2020	ULRICH, ROBERT & ANN	$10,000.00
132736	07/13/2020	VOYANT COMMUNICATIONS, LLC	$1,792.04
132737	07/13/2020	W S & D PERMIT SERVICES	$152.00
132738	07/13/2020	W W GOETSCH ASSOCIATES	$1,766.25
132739	07/13/2020	WDS ENTERPRISES LLC	$38,798.83
132740	07/13/2020	WOLD ARCHITECTS & ENGINEERS	$4,063.93
132741	07/13/2020	WORLD FUEL SERVICES, INC	$2,568.00
132742	07/13/2020	WSB & ASSOCIATES	$172.50
132743	07/13/2020	XCEL ENERGY	$8,254.41
132744	07/13/2020	ZEP MANUFACTURING COMPANY	$1,716.99
132745	07/13/2020	ZIEGLER INC	$701.02
Type Check Totals:			$663,005.79
EFT			
899	06/30/2020	US BANK CARDMEMBER SERVICES	$3,452.84
900	06/30/2020	NEOPOST - ADVANCE	$1,500.00
901	06/30/2020	MN STATE TREASURER	$170.00
902	06/30/2020	HIGHER STANDARDS INC	$1,061.50

CITY OF W.S.P

Payment Register

From Payment Date: 6/23/2020 - To Payment Date: 7/13/2020

903	06/30/2020	OLD NATIONAL BANK	$343.09
904	06/30/2020	FURTHER	$5,200.00
905	06/30/2020	I C M A	$250.00
906	06/30/2020	I C M A RETIREMENT TRUST - ROTH	$375.00
907	06/30/2020	I C M A RETIREMENT TRUST-457	$7,225.01
908	06/30/2020	IRS - PR TAXES	$56,500.13
909	06/30/2020	MII LIFE --- VEBA	$2,864.02
910	06/30/2020	MN DEPT OF REVENUE - PR TAXES	$11,528.83
911	06/30/2020	MSRS - 457	$2,732.48
912	06/30/2020	MSRS HCSP	$3,455.96
913	06/30/2020	PUBLIC EMPLOYEES RETIRMNT ASSN	$58,694.07
914	06/30/2020	PUBLIC EMPLOYEES RETIRMNT ASSN	$203.08
915	07/09/2020	FURTHER	$41,600.00
916	07/09/2020	I C M A	$250.00
917	07/09/2020	I C M A RETIREMENT TRUST - ROTH	$375.00
918	07/09/2020	I C M A RETIREMENT TRUST-457	$7,350.01
919	07/09/2020	IRS - PR TAXES	$52,918.19
920	07/09/2020	MII LIFE --- VEBA	$2,914.02
921	07/09/2020	MN DEPT OF REVENUE - PR TAXES	$10,632.46
922	07/09/2020	MSRS - 457	$2,708.28
923	07/09/2020	MSRS HCSP	$3,568.02
924	07/09/2020	PUBLIC EMPLOYEES RETIRMNT ASSN	$55,436.78
925	07/13/2020	AUTHNET GATEWAY	$32.10
926	07/13/2020	CLOVER	$39.90
927	07/13/2020	INTERNAL REVENUE SERVICE	$126.65
928	07/09/2020	DEARBORN NATIONAL	$713.81
Type EFT Totals:			$334,221.23

TOTAL CHECKS & EFTS $997,227.02

CITY OF WEST ST. PAUL

City Council Report

To: **Mayor and City Council**

Through: **Ryan Schroeder, City Manager**

From: **Police Department**

Date: **July 13, 2020**

City Business and Liquor Licenses

BACKGROUND INFORMATION:

Licensing Staff have reviewed the following business and liquor license applications and all requirements have been met.

All license holders must comply with all conditions placed on the property pursuant to any zoning approval.

2020 Business Licenses – Background Required
Stephanie Lankfard, Remedial Luxe Therapeutic Spa, 1700 Livingston Ave, Suite 220. Application for Business and Personal Massage License.

Application to Conduct Off-Site Gambling for Minnesota Charity Events Golf Tournament, to be held at Southview Country Club, 239 Mendota Rd E, September 18 – 20, 2020. This event was postponed from June due to COVID-19.

Application for a Permit for a Temporary On-Sale Liquor License for AMVETS Post 5, for a softball tournament to be held at the West St. Paul Sports Complex, 1650 Oakdale Ave, July 17 – 19, 2020. This approval is contingent upon receipt of required liquor liability insurance certificate.

FISCAL IMPACT:

Action	Fund	Department	Account	Amount
Liquor License Fee	101	30000	32110	25.00
Other License Fee	101	30000	32199	190.00
Background Fee	101	30000	34208	250.00
			Total:	$465.00

STAFF RECOMMENDATION:

In processing this application staff found no notable concerns or issues. Staff does not foresee any special or reasonable conditions. Council needs to consider the application for approval.

CITY OF WEST ST. PAUL
DAKOTA COUNTY, MINNESOTA

RESOLUTION NO. 20-

RESOLUTION CONCURRING WITH THE ISSUANCE OF AN APPLICATION TO CONDUCT OFF-SITE GAMBLING MINNESOTA CHARITY EVENTS

WHEREAS, Minnesota Charity Events has made application to the Gambling Control Board to Conduct Off-Site Gambling on September 18, 19, 20, 2020 and

WHEREAS, the City has no objection to said activity.

NOW, THEREFORE, BE IT RESOLVED that the West St. Paul City Council hereby concurs with the issuance of an Off-Site Gambling Permit by the Gambling Control Board to PGA REACH Minnesota Charity Events for an event to be held on September 18, 19, 20, 2020, at Southview Country Club, 239 Mendota Rd E, West St. Paul, Minnesota, and hereby waives the 30-day waiting period.

Adopted by the City Council of the City of West St. Paul, Minnesota, this 13th day of July, 2020.

Attest:

David J. Napier, Mayor	Shirley R Buecksler, City Clerk

CITY OF WEST ST. PAUL

City Council Report

To: **Mayor and City Council**

Through: **Ryan Schroeder, City Manager**

From: **Melissa Sonnek, City Planner**

Date: **July 13, 2020**

Rental Licensing

BACKGROUND INFORMATION:

2020 rental license(s) – background required

According to the rental dwelling ordinance, the city requires a background investigation for each new rental property owner/applicant. In addition, the Police Department and Code Enforcement reviews calls for service to the properties to help identify potential problem properties.

The Community Development Department reviewed the applications, inspection reports, rental density, and code compliance requirements.

The background investigations, inspection reports, and code compliance reviews on the properties listed below did not identify any incidents that would result in a denial of the rental license.

APPLICATION(S) FOR APPROVAL:

217 Bernard Street West (Duplex – Renewal)
159 Mendota Road West (Single Family – New)

FISCAL IMPACT:

		Amount
Fund:	**101**	
Department:	**30000**	
Account:	**32170**	**$ 340**

STAFF RECOMMENDATION:

Staff recommends City Council approve the rental license applications.

CITY OF WEST ST. PAUL
DAKOTA COUNTY, MINNESOTA

RESOLUTION NO. 20-

RESOLUTION APPOINTING ADDITIONAL ELECTION JUDGES FOR THE AUGUST 11, 2020 PRIMARY AND NOVEMBER 3, 2020 GENERAL ELECTION

WHEREAS, pursuant to Minnesota Statute 204B.21 Subd. 2, the City Council must appoint Election Judges to serve in upcoming elections at least 25 days prior to the election, with the exception of appointing additional Election Judges within the 25 days before the election if it is determined that additional Election Judges will be required; and

WHEREAS, upcoming elections to be held in the City of West St. Paul, County of Dakota, State of Minnesota, in 2020 include the State Primary scheduled for August 11, 2020, and the General Election scheduled for November 3, 2020; and

WHEREAS, the City Council appointed Election Judges on October 14, 2019 by Resolution No. 19-110 and also on February 24, 2020 by Resolution No. 20-021; and

WHEREAS, due to the current COVID-19 pandemic, health and family concerns, or other reasons, several of the Election Judges appointed by Council on October 14, 2019 and February 24, 2020 have chosen not to work in the State Primary and/or General Election; and

WHEREAS, additional Election Judges have been offered a position by the City Clerk to work the State Primary on August 11, 2020 and/or the General Election on November 3, 2020.

NOW, THEREFORE, BE IT RESOLVED, that the West St. Paul City Council appoints the person(s) listed below to a position of Election Judge and/or Absentee Ballot Board Judge to serve at any and all elections in the capacity given by the City Clerk and conducted by the City of West St. Paul, subject to change as needed in order to maintain major political party balance, pursuant to Minnesota Statute 204B.19 Subd. 5.

Election Judge	Laure O'Keeffe

Adopted by the City Council of the City of West St. Paul, Minnesota, this 13th day of July 2020.

Attest:

_____ _____

David J. Napier, Mayor Shirley R Buecksler, City Clerk

CITY OF WEST ST. PAUL

City Council Report

To: **Mayor and City Council**

From: **Ryan Schroeder, City Manager**

Date: **July 13, 2020**

Approving a Benefit Assessment Settlement Agreement

BACKGROUND INFORMATION:

In 2019, the City Council adopted an assessment roll for the property benefits of the County Wentworth Avenue reconstruction project (which also included some assessments for a sanitary sewer extension). At the assessment hearing, there were three or four notices of objection provided to the City. However, only one of these proceeded. We are proposing a settlement of the assessment as is contained within the attached agreement. The initial assessment was for $8,500 and the agreed to settlement amount is $4,750. We are recommending agreement with the settlement which the property owner has in fact agreed with.

FISCAL IMPACT:

		Amount
Fund:		
Department:		
Account:		

STAFF RECOMMENDATION:

Adoption of the enclosed resolution amending benefit assessments and authorize signatures on the settlement agreement.

.

STATE OF MINNESOTA | DISTRICT COURT

COUNTY OF DAKOTA | FIRST JUDICIAL DISTRICT

Court File No. 19HA-CV-19-5724
Case type: Assessment Appeal

Daniel Witucki,

Appellant,

vs.

City of West St. Paul,

Respondent.

SETTLEMENT AGREEMENT

This Settlement Agreement is entered into by and between Appellant Daniel Witucki (the "Appellant") and Respondent City of West St. Paul (the "City") (collectively the "Parties").

RECITALS

A. The City performed street reconstruction and utility improvements as part of the City's Wentworth Avenue Reconstruction Project (the "Project").

B. Appellant owns real property with an address of 110 Wentworth Avenue West, West St. Paul, Minnesota 55118, PID No. 42-01900-80-010 (the "Property").

C. Pursuant to Minnesota Statutes Chapter 429, the City specially assessed the Property $8,500.00 for the Project.

D. Appellant disputes the validity and amount of the assessment and filed the above-captioned assessment appeal (the "Assessment Appeal").

E. The City denies that the assessment exceeded the special benefit the Property received from Project or was otherwise legally defective.

F. Appellant paid $1,178.96 toward the special assessment on or about April 20, 2020.

G. The Parties now wish to compromise and settle all claims raised in the Assessment Appeal.

AGREEMENT

NOW THEREFORE, in consideration of the previous recitals, which are incorporated into the agreement, and the mutual promises and agreements, the Parties agree as follows:

1. Pursuant to Minn. Stat. § 429.071, Subd. 2, the City will reassess the Property as set forth in the resolution attached hereto as Exhibit 1 ("Reassessment Resolution).

2. Appellant waives all rights to notices, hearings and appeals, and all other rights under Minn. Stat. §§ 429.061, 429.071 and 429.081, with respect to the Reassessment Resolution.

3. In consideration of the City's adoption of the Reassessment Resolution, Appellant, for himself, his successors and assigns, releases the City and its officers, employees, and agents, from all claims, known or unknown, that were asserted or could have been asserted in the Assessment Appeal.

4. Upon adoption of the Reassessment Resolution, the Parties will execute the Stipulation and Order for Dismissal attached hereto as Exhibit 2.

5. This Agreement represents a compromise and settlement of disputed claims. Nothing in this Agreement shall be deemed an admission by any Party.

6. Any person signing this Settlement Agreement in a representative capacity represents and warrants that the signer has been authorized to bind the principal to the terms and conditions of this Settlement Agreement and that it is the intent of the principal to be so bound.

7. This Settlement Agreement may be signed in counterparts which, taken together, shall be and comprise one agreement. This Settlement Agreement may be executed with electronic signatures.

[The remainder of this page is intentionally left blank; signature pages follow.]

In Witness thereof, the City and the Appellant executed this Agreement by their authorized representatives.

Appellant

_____
Daniel Witucki

STATE OF MINNESOTA)
) ss.
COUNTY OF DAKOTA)

On this _____ day of _____, 2020, before me a Notary Public within and for said County, personally appeared Daniel Witucki, a single person.

_____
Notary Public

The City of West St. Paul

By _____
David J. Napier
Mayor

By _____
Ryan Schroeder
City Manager

STATE OF MINNESOTA)
) ss.
COUNTY OF DAKOTA)

On this _____ day of _____, 2020, before me a Notary Public within and for said County, personally appeared David J. Napier and Ryan Schroeder, who being each by me duly sworn, each did say that they are respectively the Mayor and the City Manager of the City of West St. Paul, the Minnesota municipal corporation named in the foregoing instrument, and that said instrument was signed and sealed in behalf of said municipal corporation by authority of its City Council and said Mayor and City Manager acknowledged said instrument to be the free act and deed of said municipal corporation.

_____
Notary Public

EXHIBIT 1
REASSESSMENT RESOLUTION

CITY OF WEST ST. PAUL
DAKOTA COUNTY, MINNESOTA

RESOLUTION NO. 20-_____

RESOLUTION ADOPTING REASSESSMENT OF 110 WENTWORTH AVENUE WEST FOR WENTWORTH AVENUE RECONSTRUCTION PROJECT 17-7

WHEREAS, the City of West St. Paul (the "City") performed street reconstruction and utility improvements as part of the City's Wentworth Avenue Reconstruction Project 17-7 (the "Project"); and

WHEREAS, Daniel Witucki (the "Owner") owns real property in the City of West St. Paul identified as Dakota County PID Number 42-01900-80-010, with a street address of 110 Wentworth Avenue West, West St. Paul, Minnesota 55118 (the "Property"); and

WHEREAS, on October 28, 2019, by Resolution No. 19-112, the City levied a special assessment against the Property in the amount of $8,500.00, for Project improvements; and

WHEREAS, the Owner paid $1,178.96 toward the special assessment on or about April 20, 2020 ("Installment Payment"); and

WHEREAS, the Owner objected to the special assessment and commenced an assessment appeal in Dakota County District Court, Court File No. 19HA-CV-19-5724 ("Appeal"); and

WHEREAS, the City denies the claims made in the Appeal; and

WHEREAS, the City and the Owner have entered into an agreement to compromise and settle the Appeal ("Settlement Agreement");

WHEREAS, under Minn. Stat. § 429.071, Subd. 2, the City Council may reassess the Property upon the advice of the City Attorney in settlement of a special assessment appeal; and,

WHEREAS, in the Settlement Agreement the City and the Owner agree that the Property shall be reassessed in the amount of $4,750.00 ("Reassessment"); and

WHEREAS, the Owner has waived all rights to notices, hearings, and appeals with respect to the Reassessment.

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

1. Pursuant to Minn. Stat. § 429.071, Subd. 2, and the Settlement Agreement, the City Council hereby reassesses the Property in the amount of $4,750.00.

2. The Installment Payment of $1,178.96 shall be credited against the reassessment amount.

3. The Owner may pay the balance of the reassessment, $3,571.04, in full before August 1, 2020.

4. The balance of the reassessment that is not paid by August 1, 2020, shall be payable in equal annual installments extending over a period of 10 years with the first installment to be payable on or before the first Monday in January, 2021, and will bear interest at the rate of 3.87 percent per annum from August 1, 2020. To each installment when due shall be added interest for one year on all unpaid installments.

5. The Owner may, at any time after August 1, 2020, pay to the City Treasurer the entire amount of the reassessment remaining unpaid, with interest accrued to December 31 of the year in which such payment is made.

6. The City Clerk shall forthwith transmit a certified duplicate of this reassessment to the County Auditor to be extended on the property tax lists of the County. Such reassessment shall be collected and paid over in the same manner as other municipal taxes.

Adopted by the City Council of the City of West St. Paul, Minnesota, this ____ day of July, 2020.

Attest:

_____ _____

David J. Napier, Mayor Shirley R Buecksler, City Clerk

EXHIBIT 2
STIPULATION AND ORDER FOR DISMISSAL

STATE OF MINNESOTA — DISTRICT COURT

COUNTY OF DAKOTA — FIRST JUDICIAL DISTRICT

Court File No.: 19HA-CV-19-5724
Case Type: Assessment Appeal

Daniel Witucki,

Appellant,

v.

STIPULATION, ORDER AND JUDGMENT

The City of West St. Paul,
a municipal corporation.

Respondent.

STIPULATION

The matter having been fully compromised and settled, Appellant Daniel Witucki and Respondent City of West St. Paul, by and through undersigned counsel, hereby agree that the above-entitled action shall be dismissed with prejudice and without an award of litigation costs, expenses and/or attorneys' fees to any party.

FREDRIKSON & BYRON, P.A.

Dated: _____

_____

Steven J. Quam (#250673)
200 South 6th Street, Suite 4000
Minneapolis, MN 55402
(612) 492-7183
squam@fredlaw.com
Attorneys for Appellant

LEVANDER, GILLEN & MILLER, P.A.

Dated: _____

_____

Peter G. Mikhail (#0249907)
David L. Sienko (#0391910)
Cassandra J. Bautista (#0397107)
633 S. Concord Street, Suite 400
South St. Paul, MN 55075
(651) 451-1831
pmikhail@levander.com
dsienko@levander.com
cbautista@levander.com
Attorneys for Respondent City of West St. Paul

ORDER

Pursuant to the foregoing Stipulation, the above-entitled action is dismissed with prejudice and without an award of litigation costs, expenses and/or attorneys' fees to any party.

LET JUDGEMENT BE ENTERED ACCORDINGLY.

Dated: _____, 2020.

BY THE COURT:

_____
Judge of District Court

JUDGMENT

I hereby certify that the above Order constitutes a judgment of the Court.

Dated: _____, 2020.

COURT ADMINISTRATOR:

By: _____

Its: _____

CITY OF WEST ST. PAUL
DAKOTA COUNTY, MINNESOTA

RESOLUTION NO. 20-

RESOLUTION ADOPTING REASSESSMENT OF 110 WENTWORTH AVENUE WEST FOR WENTWORTH AVENUE RECONSTRUCTION PROJECT 17-7

WHEREAS, the City of West St. Paul (the "City") performed street reconstruction and utility improvements as part of the City's Wentworth Avenue Reconstruction Project 17-7 (the "Project"); and

WHEREAS, Daniel Witucki (the "Owner") owns real property in the City of West St. Paul identified as Dakota County PID Number 42-01900-80-010, with a street address of 110 Wentworth Avenue West, West St. Paul, Minnesota 55118 (the "Property"); and

WHEREAS, on October 28, 2019, by Resolution No. 19-112, the City levied a special assessment against the Property in the amount of $8,500.00, for Project improvements; and

WHEREAS, the Owner paid $1,178.96 toward the special assessment on or about April 20, 2020 ("Installment Payment"); and

WHEREAS, the Owner objected to the special assessment and commenced an assessment appeal in Dakota County District Court, Court File No. 19HA-CV-19-5724 ("Appeal"); and

WHEREAS, the City denies the claims made in the Appeal; and

WHEREAS, the City and the Owner have entered into an agreement to compromise and settle the Appeal ("Settlement Agreement");

WHEREAS, under Minn. Stat. § 429.071, Subd. 2, the City Council may reassess the Property upon the advice of the City Attorney in settlement of a special assessment appeal; and,

WHEREAS, in the Settlement Agreement the City and the Owner agree that the Property shall be reassessed in the amount of $4,750.00 ("Reassessment"); and

WHEREAS, the Owner has waived all rights to notices, hearings, and appeals with respect to the Reassessment.

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

1. Pursuant to Minn. Stat. § 429.071, Subd. 2, and the Settlement Agreement, the City Council hereby reassesses the Property in the amount of $4,750.00.

2. The Installment Payment of $1,178.96 shall be credited against the reassessment amount.

3. The Owner may pay the balance of the reassessment, $3,571.04, in full before August 1, 2020.

4. The balance of the reassessment that is not paid by August 1, 2020, shall be payable in equal annual installments extending over a period of 10 years with the first installment to be payable on or before the first Monday in January, 2021, and will bear interest at the rate of 3.87 percent per annum from August 1, 2020. To each installment when due shall be added interest for one year on all unpaid installments.

5. The Owner may, at any time after August 1, 2020, pay to the City Treasurer the entire amount of the reassessment remaining unpaid, with interest accrued to December 31 of the year in which such payment is made.

6. The City Clerk shall forthwith transmit a certified duplicate of this reassessment to the County Auditor to be extended on the property tax lists of the County. Such reassessment shall be collected and paid over in the same manner as other municipal taxes.

Adopted by the City Council of the City of West St. Paul, Minnesota, this 13th day of July 2020.

Attest:

_____ _____

David J. Napier, Mayor Shirley R Buecksler, City Clerk

CITY OF WEST ST. PAUL

City Council Report

To: **Mayor and City Council**

From: **Ryan Schroeder, City Manager**

Date: **July 13, 2020**

Mid-Year 2020 Council Initiatives Update

BACKGROUND INFORMATION:

On April 22, 2019 Council adopted its Strategic Initiatives for 2019-2020. Council has received formal progress reports on these Initiatives on July 22, 2019 and February 10, 2020. Additionally, the Council accepted receipt of the 2019 Annual Report on January 27, 2020. Enclosed is the mid-year 2020 update on activities related to adopted Strategic Initiatives.

FISCAL IMPACT:

		Amount
Fund:		
Department:		
Account:		

STAFF RECOMMENDATION:

Accept Receipt

.

City Council Initiatives
2020 Mid-Year Update
July 13, 2020

The City Council adopted its Goals for 2019-2020 at the Regular City Council meeting of April 22, 2019. These Goals were stated within eight "Initiative" areas. Council directed that periodic reporting occur to provide status updates on progress on these initiatives. Progress updates were provided on July 22, 2019 and February 10, 2020. Council received the 2019 Annual Report, as amended, at the Council meeting of January 27, 2020. The annual report addresses topics and achievements including and outside of the specific Council Initiatives.

To date, 2020 has been a year unlike any I have experienced, in the almost forty I have been associated with public sector governance, due to economic and social impacts of a worldwide pandemic. The first confirmed US COVID-19 pandemic case was on January 21, 2020. A National Public Health Emergency was declared on January 31 and, in Minnesota, Governor Walz declared a peacetime emergency on March 13.

Dakota County began countywide COVID prep meetings on March 3 and a City prep team began specific response-planning meetings on March 16. On March 20, Mayor Napier declared a State of Emergency in West St. Paul and on March 23, the City Council confirmed that action. On March 30, City Hall was closed to the public and a number of administrative staff began teleworking in response to the Governor's orders to do so. All non-essential meetings, events, and programs were cancelled and the Council began holding their twice-monthly meetings virtually beginning on April 12.

More recently, on June 5, Staff schedules were adjusted so that City Hall could reopen to the public through a soft re-opening on June 8. This re-opening, however, was complicated by an ongoing window and door replacement project and Police Department remodel, which had been expected to be complete ahead of this opening, and was not. The City Council returned to in-person meetings with spatial adjustments in City Hall on June 22.

During this first six months of 2020, a portion of City Hall was in the last phase of a four-year remodel project. In 2017-2018, the City replaced all of the HVAC (heating, ventilation and air conditioning) units on general government and Police Department portions of City Hall and the entire roof of this facility. All of the parking lots were reconstructed and the overhead garage doors replaced. A solar array was placed on the roof. In total, the City addressed deferred maintenance for this building at an investment of $1,054,887 through 2018.

In 2019, Council awarded contracts to replace all of the windows in City Hall. That $173,763 project began in 2020 with completion in June. The reason for the delay was the award of the $1.1 million remodel of the Police portion of the City Hall for which the window project needed to coordinate. The Police remodel included creation of an enclosed Police Department related office and an elections storeroom taking space from within the Council Chambers. The balance of the Chambers was re-carpeted. The project began in December 2019 and was complete at the end of June 2020. In total, a bit over $2.3 million was spent within the City Hall/Police/Fire campus over the past four years

(including all of the amounts noted above). While a significant expense, the cost pales in comparison to a new build or relocation option cost that had been considered in the past. We also addressed maintenance needs that had been deferred a bit too long. The upgrade to the Police Department has improved working conditions in a manner that should suffice for the next several years. Funding for similar updating in the general government and South Metro portions of the building is proposed in the future through the Capital Improvement Plan.

On May 25, 2020 George Floyd, a 46-year-old black man, died in Minneapolis, Minnesota after Derek Chauvin, a white Police Officer, knelt on Floyd's neck for almost nine minutes while Floyd was handcuffed face down in the street. Protests began in Minneapolis the following day. Minneapolis unrest quickly became a nationalized issue. West St. Paul became a protest site with some individuals taking situational advantage to create further disruption including impacts to an estimated 42 commercial buildings within the community. An emergency meeting of the City Council was held on May 30. By the second week in June, continuing damage concerns had abated. The need to address issues that have grown in recognition and come to the forefront of the national and local conversation has become center stage.

Through establishment of the 2019-2020 initiatives, the West St. Paul City Council had previously identified the desire to enhance past efforts on issues such as those brought to the fore by the Minneapolis protests and associated unrest. Members of the community, the Police Department, and Staff throughout the organization had further reinforced Council direction through forum, survey and related submittals precedent to the development of the 2020 Police Department work plan. The COVID-19 pandemic had sidetracked our efforts in this area somewhat. On the other hand, the local and national events of late May and June have provided a platform from which renewed commitment can take place.

The Council adopted Strategic Initiatives are in the areas of accessibility, addressing blighting influences, branding and identity, fiscal concerns, improving housing stock, updating infrastructure and public facilities, parks, and recreation. A compendium of advancements in each of these areas during the first half of 2020 follows.

- ## Accessibility

Accessibility projects are provided guidance from previously adopted plans. These are:

1. Pedestrian and Bicycle Plan adopted 12/12/11
2. County R2R Master Plan, received 7/13/15
3. ADA Transition Plan adopted 4/23/18
4. Pavement Management Plan adopted 7/23/18

The compendium of these plans provides relative project priority and cost estimating for many of the projects the City has pursued since. In accordance with the adopted Capital Improvements Plan, priorities are influenced by the ability to gain third party funding for recommended projects.

The year-end report for 2019 iterated that during that year advances had occurred on this initiative likely beyond any year in recent memory. Some of these projects are being wrapped up or moving into a second phase in 2020. The most notable of these is the $4.6 million River-to-River (R2R)

underpass of Robert Street, which is scheduled to be awarded by the County Board on July 14. In this year, the City adopted a plat amendment on March 23 with Hy-Vee to provide a portion of the required trail corridor (purchase authorized on April 27; parcel will ultimately be sold to the County) and on May 11 approved a stipulation with Auto Zone, confirmed by the Court on June 23 for another piece. The City also closed on sales of real estate to the County at the former Blockbuster site and Wentworth Townhome site for additional trail segments and finalized an amended Joint Powers Agreement (JPA) with the County on these various transactions.

In 2020, the County overlaid portions of Wentworth outside of the 2019 reconstruction project. Included is a pedestrian walkway island constructed at Marthaler Lane that was negotiated with Real Estate Equities as part of the Winslow housing project (cost split between REE and Dakota County), which opened at that location in June. This walkway will provide a connection to the R2R trailway.

On January 13, Council approved a contract for the Thompson Oakdale Feasibility Study. On March 23, Council received an update of study progress and concurrently authorized a Federal TAP (Transportation Alternatives Program) grant request to fund the project. On June 8, Council accepted the final feasibility study report.

The 2019 Marie/Oakdale trail project was completed in June 2020. A change order for that project was approved May 26. This change was necessitated due to project delays created by utility infrastructure delays in the prior year. The City has also submitted a Minnesota Department of Transportation (MNDOT) Safe Routes to School request again for 2020.

• Blighted Properties

The metro wide unrest in late May and June has affected the commercial portion of the community with an estimated 42 structures impacted at least to some extent. The City will need to work with these property owners and business operators in restoring business operations, not all of which will likely occur. Absent this setback, 2020 has been trending upward. Following is a compendium of positive development advances year to date in West St. Paul.

1. January 6 permit approval for remodel of Arby's
2. January 13 EDA approval to sell 30 feet to County from Wentworth parcel
3. January 13 Council approval of B2 overlay district
4. January 27 Council approval of 9,985SF clinic by Wakota Life Care Center
5. February 3 opening of Sola Salon
6. February 10 EDA approval for agreement with Neighborworks housing rehab program
7. February 19 construction complete of 2026 Robert Street Dance Studio
8. February 24 Council approval of Robert Street Marketplace outbuildings
9. February 24 Council sells Thompson Oaks to EDA
10. March 9 OCWS consensus to allocate $20,000 toward SSD startup costs
11. March 9 Auto Zone Building Permit approved (picked up June 10)
12. March 17 St. Croix Lutheran 12,600 SF expansion building permit approval/construction start
13. March 23 Council approval of Hy-Vee replat; demolition of former Y building

14. March 23 construction complete for Sports Clips remodel
15. March 23 Council approves Body Art and Tattoo Ordinance amendments
16. April 13 Council approval of 54 unit CDA workforce housing
17. April 13 Council approval of 12,000 SF Net Ministries expansion
18. April 13 EDA approval of agreement with CRF for housing rehab loan processing
19. April 13 EDA extension of 153 unit housing project to September 2020
20. April 25 Permit approval of Boulevard Bar and Grill Remodel
21. April 27 EDA approval of KTJ339 townhome development
22. April 27 DEED Grant approval for Thompson Oaks project
23. April 27 Council authorized purchase of Outlot B from Hy-Vee
24. May 11 Council approval of DA for KTJ339 townhome development
25. May 11 Council approval of Auto Zone stipulation
26. May 11 EDA approval of FoodSmith exterior grant
27. May 11 Council approves Dakota Broadband IRU agreement
28. May 15 Opening of Winslow Senior Housing
29. May 26 Council approval of 1665 Oakdale Storage Facility
30. May 26 Council approval of outdoor patio and business expansion
31. June 8 Council approved a temporary easement for Robert St. Marketplace construction
32. June 19 Closed on Hy-Vee Outlot B
33. June 22 EDA authorized DA on KMART site
34. June 23 Auto Zone Purchase settlement agreement passes objection deadline
35. Suite Living Senior Housing: plan review complete

To date we have $14,905,139 in commercial remodel permit values. Some of the above projects have yet to start construction.

The City has allocated entitlement Community Development Block Grant (CDBG) dollars to the Dakota County Community Development Authority (CDA) to operate a housing rehab program for households below 80% AMI (area median income) for a number of years. This year, the City expanded this effort by allocation of EDA funds toward a pilot housing rehab program for household incomes up to 120% AMI. The Pilot designates a specific neighborhood focus area east of Robert Street and north of Butler. The EDA approved a contract with Neighborworks to administer the program on February 10 and with Community Reinvestment Fund for loan servicing on April 13.

With the pandemic gubernatorial directives, the City has suspended most rental inspections. However, we continue to perform the back office portion of that program with 304 license applications received to date.

Code Enforcement Cases to June 19, 2020

- Nuisance: 225
- Property Maintenance: 37
- Vehicle: 32
- Administrative Citation: 24
- Unlicensed Rental: 13
- Zoning Violation: 4

- Animals: 4
- Hazardous or Vacant Building: 2
- Notices: 1

Grand Total of Cases: 342; of these, 19 citation cases (5.6% of total) were opened

Council has received information regarding the 1455 Bidwell proposal to request City adoption of a Housing Improvement Area (HIA) to conduct HOA repairs on the exterior of their structure. If the project goes forward, it will be in the second half of 2020 most likely.

• Branding and Identity

The first half of 2020 required a significant change in day-to-day identity through direct communications. The public expectations of City communications during the pandemic and civil unrest affecting West St. Paul was that of emergency managers. Staff have been working daily between departments and with agencies across Dakota County, the State and Country to ensure the public is receiving relevant and timely information from their local emergency management team. We have received overwhelmingly positive responses from the public regarding communications over the last few months and will continue to serve as a source of emergency information moving forward.

Contributing to our organizational identity is community events and programming. Included are Town Hall forums typically held in February/March. Only the first of four planned events was held this year due to pandemic necessitated cancellations. Similarly, all public safety and recreation programmed events since March have been cancelled, as has the WSP Days Open House, and planned attendance at the west side St. Paul Cinco de Mayo Parade. In absence of in-person events, Staff has gravitated towards virtual interaction, recreation and live meetings and talks as a way to keep the public informed and involved.

Often when one thinks of West St. Paul, Robert Street is part of the vision. In a March 9 workshop discussion, Council consensus included allocating $20,000 from a contingency budget toward administrative costs of creating a Special Services District for this important commercial area. Further efforts on this project have been delayed due to the strain on the area of the pandemic Gubernatorial ordered closures. Maintenance of Robert Street landscaped islands, on the other hand, have received increased attention with three itinerant staff allocated exclusively to aesthetics of the plantings throughout the summer.

Over the past few years, City Council meetings have been very well attended by interested citizenry. These meetings became virtual for April, May and the first half of June due to the pandemic. However, the City has received accolades for the quality and transparency and interactivity of these meetings. In addition to City Council and Planning Commission Meetings, City Staff has worked with Northern Dakota County Cable Communications Commission (NDC4) to expand the cablecasting as well as live and on demand streaming of West St. Paul meetings to include Environmental Committee, Parks and Recreation Advisory Board and Public Safety Committee

meetings. These additional broadcasts will help the public better understand the processes that take place to reach important decisions and allow those that can't make it to or don't feel safe attending in-person meetings.

In addition to improvements in the functionality of City Hall, aesthetic improvements in public facing areas have been made to create a more inviting and accommodating public building. Additional improvements to the Council Chambers and lobby area are planned for the second half of 2020.

• Diversity and Inclusion

In 2019. the City Council, for the first time, recognized June as LGBTQIA month as part of its inclusion initiative. In 2020, the Council added recognition of February as African American History month and again adopted a resolution recognizing the LGBTQIA community.

Over the past few years, we have had an increased focus on growing applicant diversity for open positions. Diversity within both the applicant pool and in hired positions has improved. In the past eighteen months we hired 16 persons identifying as follows:

Male Caucasian:	44%
Female Caucasian:	19%
Male Asian:	13%
Female Asian:	6%
Female Black:	6%
Male Hispanic:	6%
Female Hispanic:	6%

These hires were from a total applicant pool of 712 persons from which 210 (29%) identified as non-white. At present, our total workforce has 12% of employees identifying as non-white and 29% as female.

To put the above data in perspective, diversity of the West St. Paul community per the American Community Survey, published by the Metropolitan Council for 2018 is as follows:

White:	64.18%
Hispanic:	22.83%
Black:	4.85%
Asian:	4.23%
Multi-Race:	3.47%
American Indian:	0.31%
Other:	0.13%
Total non-white:	35.82%

Through the 2019 Police Chief replacement effort, much was learned from community citizenry and internal Staff on perceived emphasis deficits within the Police Department. The result was approval of a Police Chief/Police Department work plan for 2020, which, among other priorities, emphasizes diversity recruitment efforts, implicit bias and cultural competency capacity building and ensuring that all populations are served.

• Fiscal Constraints

2017-18 Council Initiatives included direction to "broadly focus on sustainability, partnerships, and collaboratives" in an effort to leverage scarce resources. This direction was refined for 2019-2020 to "actively pursue all resources to facilitate initiatives in recognition of current fiscal constraints." Objectives included integration of financial policies, position and plan into budgeting, the CIP/CEP, audit, and decision metrics. Further, to prioritize projects and programs using metrics for leveraged revenue inputs with ongoing focus on legislative funding efforts.

Since adoption of the 2019-20 initiatives, we have gained legislative authorization for a local option sales tax, which was implemented on January 1, 2020. We have re-focused the CIP/CEP (Capital Improvement Plan/Capital Equipment Plan) to take advantage of expected sales tax revenue but also, as noted above, have targeted capital projects first on having funds in hand and/or having approval of leveraged funds before the project is authorized.

At year-end 2016, the City held $13,662,855 in cash of which $9,509,818 was outside debt funds (unrestricted) in all governmental and enterprise funds. Total debt at that time was just over $40 million; projected to grow due to the need for additional Robert Street debt issuance in both 2017 and 2018 plus projects in queue such as Livingston reconstruction and the City portion of County projects such as Wentworth reconstruction.

By year-end 2019, unrestricted cash and debt reserves have grown but so too has outstanding debt, as was anticipated. At year-end 2019, all fund cash is at $25,212,134 of which $18,428,665 is unrestricted. Debt at year-end 2019 was at $57,170,000. With no debt issuance projected in 2020, this outstanding balance will decline to just over $53 million by year-end 2020. If the City stays on plan, by year-end 2022 outstanding debt should be reduced to about $47 million. Council will recall that in 2019, S&P guidance included the statement that while financial management plans were acknowledged it was important to demonstrate positive movement toward accomplishment of those plans. 2019YE results with projected 2020 improvements should result in a positive debt rating review when the City enters the market again in 2021.

Expected continued improvements in fiscal condition is challenged in 2020 by expenditure increases and revenue losses associated with the COVID-19 pandemic. However, current projections, while significant, appear manageable. The most significant impacts have resulted from revenue losses at Park facilities being ordered closed by the Governor. Operating costs continue for these facilities absent the coverage from customer receipts. These lost revenues could reach $200,000 but staff has been working with customers on health and safety plans to allow managed use of the Ice Arena (which has re-opened) and Dome (which is moving toward opening at this time). Additional operating impacts have resulted from demonstrations related to the Minneapolis generated unrest through overtime expenses currently estimated at $80,000. In response, we have left positions unfilled to reduce operating expenses.

We are closing monitoring sales tax receipts, which are allocated toward roadway construction in 2021. At present, it appears deficits in this revenue could range up to $200,000. Alternatively, the County is considering changes in their project cost-sharing formula to the benefit of Cities with County roadway projects, including West St. Paul. There likely will be two or three such projects

within West St. Paul within the next five years where this formula change will lessen project costs for our project budgets.

There are a few smaller positive financial impacts occurring in 2020. as well. On February 24, Council approved a contract to provide I&I services to the City of Newport. COVID-19 delayed implementation of this contract, which ultimately will result in revenue offsetting some internal wage expense. On May 11, Council approved a lease amendment with Cingular for antennae at the water tower site, which will net the City about $6,000 additional annual revenue. In 2020, we have implemented to Solar Gardens and Solar rooftop projects, which will provide revenue to offset a portion of the city's electric bill. To date we have also brought in $251,826 in building permit and related fees, which is above the pace of the prior year.

On June 30, we submitted the required Department of Revenue document qualifying West St. Paul to allocate up to $1,586,138 against the Coronavirus Relief Fund created by the State of Minnesota from Federal funding the State had received for State and local COVID expenses.

The 2021 draft CIP/CEP has been updated for Council review during the budget process in August.

• Housing Stock

In addition to housing rehab programs noted above, the City has been working on development of new housing units within the community. The Winslow, a 174 unit affordable senior housing project approved in 2019 opened for occupancy in May 2020 on Marthaler Lane. The Suite Living senior assisted living facility at Robert and Butler is expected to start construction during 2020. The KTJ339 154 unit market rate project is due to close on the real estate by September 2020 with completion in 2021. The EDA has received a concept for a 393 unit senior (247 units) and workforce (146 units) housing project at Butler and Robert. The project is proposed as affordable to household income levels of 60% of area median income with rents at 30% of income. Council has also approved a 54-unit CDA affordable housing project at 895 Robert Street. The EDA has granted concept approval of a mixed-use development at Wentworth and Robert with approximately 110 units of market rate housing.

To date we have permitted three new homes with a total permit value of $894,237. There has also been $1,905,401 in residential remodel permits.

• Infrastructure and Public Facilities

On January 27, 2020, the City closed out the 2014 Robert Street project fund under 2018 adopted Council policy allowing the City to transfer $763,425 to the 2018A debt fund increasing capitalization of reserves within this Robert Street debt issuance.

On January 13, Council approved plans and specs for the 2020 Street project (which is an overlay of Marie Avenue and reconstruction of an alley). Bids were awarded on March 9. 2020. The Marie Avenue portion of this project has been completed. 2020 has been scheduled as a modest construction year in preparation for the larger 2021-2025 pavement program enhanced by sales tax funding.

Additionally, over 3 miles of streets were seal coated and 14,153 feet of cracks were sealed this year under a multi-city contract administered by Burnsville.

The Public Safety Committee had reviewed a citizen request to amend parking areas on Kathleen Drive. Council approved recommended changes on February 10.

A Joint Powers Agreement (JPA) was approved with Dakota County on March 9 for an overlay project on Mendota Road. This project has been completed. The County is currently constructing an overlay of Delaware Avenue (also as a County project) with an overlay of Wentworth east of Humboldt already completed this year. Other than structure/casting repairs the County provides for all other project costs of these road improvements.

Planning for the 2021 street construction project, which is projected as a $4.5 million reconstruction of Moreland Avenue started on January 27, 2020 with award of both the engineering and geo technical contracts for the project. On March 9, the appraisals contract for this project was also approved.

In addition to the City Hall remodel project noted above, the City has also needed to make repairs to other City facilities during 2020. The repair of underground piping at the Harmon Park Splash Pad was awarded on January 13 and replacement of the Salt Shed roof at Public Works was awarded on January 27. Both have been completed. Also on January 27, Council approved plans and specs on replacement of emergency exits at the Sports Dome. Bids were awarded on February 24 with the project due to be complete by Labor Day.

Under 2019 adopted Council policy, the lone exception to the "pay-go" approach to infrastructure projects is for replacement of sanitary lift stations and force mains, which are considered critical infrastructure. During 2019 Force Main 1 was replaced. The plan is to replace or rebuild between 2021 and 2024 Lift Stations 1, 2, and 4 and Force Mains 2, 3, 4, and 6. At that point, all of our non-gravity sanitary infrastructure will have been reconstructed within a recent period. On May 26, a consultant contract was approved to design Forcemain and Lift Station #2. The intent is to bid these and Lift Station 1 in December or January 2021.

• Parks

On February 24, 2020, the City Council advanced a recommendation from the Environmental Committee, through resolution, to give West St. Paul the Bird City USA designation. This was the first step in the process, which has tentatively been put on hold due to COVID-19. Public meetings will resume when possible to complete the designation process. Similarly, Arbor Day is usually celebrated in early May to maintain the City's Tree City USA designation, but was canceled. The National Arbor Day Foundation is allowing alternate options this year due to COVID-19. COVID-19 has not stopped the emerald ash borer (EAB) from continuing to attack ash trees in West St. Paul. On May 11, the Council approved a contract with Rainbow Tree Care to continue treatment of public ash trees. This action satisfies the City's EAB Action Plan.

On April 27, action was taken to follow the Governor's Executive Order, which included temporarily closing basketball & volleyball courts and playgrounds, and promoting social distancing while using trails and greenspace. By early June, all park amenities were reopened with warnings to play at own risk and reminders to socially distance. Permits have been issued to youth groups to use softball,

baseball and soccer fields. These groups submitted strict "return to play" guidelines, which follow all MDH and CDC requirements. Harmon Park reopened on June 19, with modified hours, to use at own risk, similar to the playgrounds.

On one positive note, the new playground at Marthaler Park was installed in May, nearly completed the complete facelift on the north end of the park. Park improvements also included a new parking lot, storm water treatment ponds, and off-road trails. The basketball and volleyball courts will be resurfaced later in 2020.

With COVID-19 causing so many closures this year, a smaller seasonal maintenance staff was hired for 2020. This crew will keep parks mowed and trimmed, groom ball fields, pick up trash, and work on miscellaneous projects as time permits. The reduced staffing should not affect the quality of care in the parks, it will just decrease the time it takes to complete and will reduce the number of special projects completed this summer.

• Recreation

In early March, the City hired a new Recreation Programmer to fill a vacancy from 2019. Later that same month, the pandemic caused the cancellation of virtually all scheduled recreation programs. The incumbent was transferred to Building Inspections to cover the vacant Permit Technician position. With cancellation of all "in person" programs, Staff has provided a number of virtual classes and activities and will be offering modified sports camps, art programs and other classes through independent contractors starting in July. Planned is a virtual Safety Camp for this summer to replace the popular camp usually held in early August.

The Recreation Department planned to expand collaborative programming in 2020. In 2019, the joint program with Mendota Heights called "Tour de Rec" traveled to different parks throughout West St. Paul and Mendota Heights every 2 weeks where youth 6-12 years old were welcomed at a designated park for 1.5 hours of free recreation programming. Staff led the group games, sports, crafts, art and more. This is a free drop-in program with no registration needed. It was a very well received program and Staff planned to run it weekly in 2020, until COVID sidelined those plans. Recreation Staff also planned to expand collaboration with the YMCA to offer free "Fitness in the Park" classes this summer, until COVID. All these collaborations are planned to return in 2021. If allowed at the time, West St. Paul will again collaborate with Mendota Heights and South St. Paul to hold the second annual light up the night "Glow Dash" in September.
The City has recently begun re-opening the Ice Arena and the Sports Dome. Both these facilities were closed on March 17 due to COVID. Both facilities began reopening in June, but only to private groups that submitted and followed strict CDC/MDH guidelines. The West St. Paul pool was supposed to be in its last contract year with the YMCA as the operator in 2020. At this time, it seems the pool may be closed for the summer. Staff will be working with the YMCA on a new contract for future years.

A number of grants and donations have been received in 2020 to help offset costs within the department. These include a $10,000 art park grant to introduce public art in West St. Paul, donations from the Dakota Electric for youth safety camps, and many volunteer hours to help programs and community events run smoothly.

2020 Council/EDA Actions

January 13

- Contracted for Thompson Oaks Trail Feasibility Study
- Splash Pad Repair Contract
- Approve P&S and order 20-1 Street bids
- B2 overlay District approval
- EDA sale approval of 30 feet of Wentworth Townhome property to County

January 27

- City Hall Change order #1
- Closed out Robert Street Capital Fund
- Consultant contract for 21-1 street project
- Geo Tech contract for 21-1
- JPA for Thompson Traffic Study
- Approve P&S and order Dome Bid
- Salt Shed Roof replacement contract
- Approve 1140 Robert –Wakota Care project

February 10

- African American History Month
- Parking restrictions on Kathleen Drive
- 1st Rdng of Sale of Thompson Oaks to EDA
- EDA approval of Neighborworks contract

February 24

- Bird City Resolution
- I&I Agreement with Newport
- Mental Health Response Pilot MOU with County
- 2nd Rdng Thompson Oaks sale to EDA
- Dome Bid Award

March 9

- Bid Award for Street 20-1
- JPA for Mendota Road with County
- Appraisals for 21-1 project
- 1st Rdng Pawnbrokers and Body Art Ordinances

March 23

- Affirming State of Emergency
- City Hall Change Order #2

- Housing Rehab Loan Servicing Agreement with CRF
- Authorized TAP Grant
- Thompson Oakdale Feasibility Report update (trails)
- 895 Robert CUP site plan and rezone for 54 units
- Net Ministries expansion approval 1st reading
- Final reading Body Art and Tattoo
- Hy-Vee Plat amendment for outlot B

April 13

- Materials testing for 20-1
- Final reading for 895 Robert
- EDA approval of CRF Loan processing

April 27

- COVID Park Modifications
- Authorize Thompson Oaks DEED grant
- Authorize purchase of Outlot B from Hy-Vee
- Final Plat Net Ministries
- EDA approval of Thompson Oaks Phase II agreement

May 11

- Auto Zone Condemnation Stipulation (ends on 6/23)
- Thompson Oaks phase 2 agreement with Oppidan
- Contract for EAB
- Materials testing for Dome
- DBB agreement
- Wireless lease renewal on water tower
- Art Park Agreement
- 1st reading vacation of ROW for Net Ministries
- FoodSmith Exterior Grant EDA approval

May 26

- LGBTQIA Resolution
- City Hall Change Order #3
- Renew Driver Diversion Program
- Consultant contract for forcemain and lift station #2
- Contract revision for Marie/Oakdale Trail project
- Site Plan for 1665 Oakdale
- Final Rdng Vacation of ROW for Net Ministries
- Outdoor Business Expansion COVID

June 8

- Temp Easement for CUB parcel construction
- Accept Thompson Oakdale Trail Study report/options/cost estimates
- Direct PS Comm. On Use of Force policy

June 22

- Change Orders for Marie/Oakdale Trail, 2020 Street Project, and Dome Stairs project
- Directed LGBTQIA Flag flying for 10 days
- Accepted 2019 Audit

CITY OF WEST ST. PAUL

City Council Report

To: **Mayor and City Council**

From: **Ryan Schroeder, City Manager**

Date: **July 13, 2020**

Assigning Public Safety Committee Study of Smith Dodd Area Concerns

BACKGROUND INFORMATION:

Recently, the Police Department has been receiving complaints from residents of the area north of the Doddway Center regarding traffic and crime concerns. A neighborhood meeting was held on July 8, 2020 to receive neighborhood input on these concerns with suggestions for improvements to be considered. Following is a compendium of comments received from the approximate 25 neighborhood residents representing perhaps 15 households.

1. **Traffic Issues-Accidents and Speeding (Resident would like the city to look into the following)**
    a. Dead End
    b. A One Way
    c. Bump Outs
    d. Trees on the boulevards
    e. Additional signage-Speed Radar Signs
    f. Narrowing the right away
    g. Move the Speed Trailer up more into the neighborhood.
    h. State Patrol, are they able to help out with traffic issues

2. **Crime in the Area**
    a. Residents are concerned crime is increasing in WSP, robberies and burglaries, traffic related incidents
        i. Police Department-Reviewed Statistics, Type 1 and Type 2 Crimes.
        ii. Police Department explained that robberies and burglaries occur elsewhere, as well and gas stations and small businesses are sometimes targeted. The Dodd Shopping Area is close to St. Paul, and easily accessible via State and County roads. There also is not a great deal of pedestrian traffic, which tends to reduce certain types of criminal activity.

3. **Police Presence in the Area/Additional Officers**
    a. Resident would like more officers in West St. Paul
        i. Police Department talked about our area officers program, reserves/CSV, schedules of Officers, minimums, and how we need our residents to be our eyes and ears of the community.

ii. Police Department is working on being more visible out on the streets, by having the area officers patrol their areas, leaving a reserve car in the parking lot of Doddway, possibly using a pole camera when needed.

4. **Rental Properties**
   a. 966 Smith was noted as an ongoing concern as well as single family rentals
      i. Police Department briefly talked about rental ordinance, to call 911, and call code enforcement to help track issues at the properties.

Councilmembers Eng-Sarne and Berry were in attendance and requested the City Manager to ask Council if review of the above should be referred to the Public Safety Committee.

FISCAL IMPACT:

		Amount
Fund:		
Department:		
Account:		

STAFF RECOMMENDATION:

By motion, direct review of North end neighborhood concerns to the Public Safety Committee.

.

CITY OF WEST ST. PAUL

City Council Report

To: **Mayor and City Council**

Through: **Ryan Schroeder, City Manager**

From: **Ross Beckwith, Public Works & Parks Director/City Engineer**

Date: **July 13, 2020**

Final Assessment Hearing for 2019-2020 Robert St. Sidewalk Snow Removal

BACKGROUND INFORMATION:

As required by state statute Chapter 429, the City Council is requested to hold a final assessment hearing for 2019-2020 Robert St. Sidewalk Snow Removal. The hearing date was set at the June 22, 2020 City Council meeting. Notice of the hearing was published in the June 28, 2020 edition of the *Pioneer Press.* In addition, each property owner was mailed a notice with their proposed assessment amount.

Attached is the final assessment roll. The final assessments were 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 Avenue.

FISCAL IMPACT:

This contract is completely dependent on the amount of snow and ice the City receives each winter. All of the costs for this contract are assessed to the benefitting property owners along Robert Street. The total cost of the work for this past winter season was $76,310.20 with an assessment rate of $4.15 per front foot.

STAFF RECOMMENDATION:

Staff recommends that City Council conduct a public hearing and adopt the final assessment roll for 2019-2020 Robert Street Sidewalk Cleaning.

Attachment: Assessment Roll 2019-2020

FINAL ASSESSMENT ROLL
2019-2020 ROBERT ST. SIDEWALK SNOW REMOVAL
Date: 7/13/20

The calculated per front foot assessment rate is = $4.15

Assessed over 1 year @ 5.00%
Assessment Hearing Date is 7/13/20

	PID	Site Address	Owner Name	Owner Address	City,State, Zip	Assessable Street Frontage (ft)	Assessment Amount
	423390000305	1133 ROBERT ST	CHRIS & MIKE LLC	1917 SOUTH ST	GENEVA IL, 60134	160	$664.00
	423390000260	1137 ROBERT ST S	RPSLEGACYDESOTO LLC	2935 COUNTRY DRIVE	LITTLE CANADA MN 55117	120	$498.00
	423390000231	1155 ROBERT ST S	OREILLY AUTOMOTIVE INC	C/O OREILLY AUTO PARTS #1542 RELO,P	SPRINFIELD MO 65801	160	$664.00
	423390000130	1167 ROBERT ST	HEALTHY SPACES 5 LLC	7028 KELLOGG AVE	EDINA MN 55435	80	$332.00
	423390000150	97 ORME ST E	ORME INVESTMENTS LLC	8649 SANDRO RD	BLOOMINGTON MN 55438	80	$332.00
	420170055022	1219-1225 ROBERT ST S	RPSLEGACYDESOTO LLC	2935 COUNTRY DR STE 100	LITTLE CANADA MN 55117	100	$415.00
	420170055051	1201 ROBERT ST S	RPSLEGACYDESOTO LLC	2935 COUNTRY DR STE 100	LITTLE CANADA MN 55117	314	$1,303.10
	420170055032	1219-1225 ROBERT ST S	RPSLEGACYDESOTO LLC	2935 COUNTRY DR STE 100	LITTLE CANADA MN 55117	144	$597.60
	428381001022	1126 ROBERT ST S	VALVOLINE LLC	11050 HIGHWAY 55 STE 200	PLYMOUTH MN 55441	100	$415.00
	428381001032	1134 ROBERT ST S	BUFFINGTON HOWARD L & SUSAN K	2670 MINNEHAHA AVE E	SAINT PAUL MN 55119	68	$282.20
	420170061032	1140 ROBERT ST S	WAKOTA LIFE-CARE CENTER INC	1140 ROBERT ST S	WEST SAINT PAUL MN 55118-2301	50	$207.50
	420170061022	1148 ROBERT ST S	WOCHNICK PROP. LLC	1148 S. ROBERT	WEST SAINT PAUL MN 55118	109	$452.35
	420170061012	1152 ROBERT ST S	TWINS VENTURE LLC	1152 ROBERT ST S	WEST ST PAUL MN 55118	48	$199.20
	420170060014	1166 ROBERT ST S	RIVERA CENTER LLC	1166 ROBERT ST S	WEST ST PAUL MN 55118	108	$448.20
	420170060016	1170 ROBERT ST S	BFS RETAIL & COMMERICAL OPERATIONS LLC	535 MARRIOT DR	NASHVILLE TN 37214	145	$601.75
	428381006032	1200 ROBERT ST S	ROBERT STREET CENTRE LLC	7725 MARTH CT	EDINA MN 55439	125	$518.75
	428381006061	1200 ROBERT ST S	ROBERT STREET CENTRE LLC	7725 MARTH CT	EDINA MN 55439	160	$664.00
	428381101010	1214 ROBERT ST S	ROBERT STREET CENTRE LLC	7725 MARTH CT	EDINA MN 55439	62	$257.30
	428381101020	1224 ROBERT ST S	SAMAN HOLDINGS	12508 NORWAY CIRCLE	BURNSVILLE MN 55337	98	$406.70
	428379000224	1228 ROBERT ST S	1230 BUILDING CO	6205 PARKWOOD RD	MINNEAPOLIS MN 55436-1140	120	$498.00
	422190001012	1247 ROBERT ST S	PACE BUILDING LLC	1247 ROBERT ST	WEST SAINT PAUL MN 55118-2402	40	$166.00
	422190001020	1247 ROBERT ST S	PACE BUILDING LLC	1247 ROBERT ST	WEST SAINT PAUL MN 55118-2402	40	$166.00
	422190001030	1247 ROBERT ST S	PACE BUILDING LLC	1247 ROBERT ST	WEST SAINT PAUL MN 55118-2402	40	$166.00
	422190001050	1253 ROBERT ST S	DAVID P & CELESTE J TSTES JOHNSON	9532 YOSEMITE RD	BLOOMINGTON MN 55437	50	$207.50
	422190001060	1257 ROBERT ST S	DAVID P & CELESTE J TSTES JOHNSON	9532 YOSEMITE RD	BLOOMINGTON MN 55437	40	$166.00
	422190001100	1273 ROBERT ST S	FRANCHISE RLTY INT CORP	1273 S ROBERT ST	WEST SAINT PAUL MN 55118	190	$788.50
	422190001152	1285 ROBERT ST S	REALTY INCOME PROPERTIES 3	ATTN PORTFOLIO MANAGEMENT 2754, 1	SAN DIEGO CA 92130	199	$825.85
	423340002302	1244 ROBERT ST S	JOSEPH E COMMERS LTD PTNSHP	2303 WYCLIFF ST STE 7A	SAINT PAUL MN 55114	60	$249.00
	423340002291	1246 ROBERT ST S	JOSEPH E COMMERS LTD PTNSHP	2303 WYCLIFF ST STE 7A	SAINT PAUL MN 55114	60	$249.00
	423340002272	1254 ROBERT ST S	GOLDBERG WILLIAM E	1254 ROBERT ST S	WEST SAINT PAUL MN 55118-2401	49	$203.35
	423340002264	1260 ROBERT ST S	GOLDBERG WILLIAM E	1254 ROBERT ST S	WEST SAINT PAUL MN 55118-2401	71	$294.65
	423340002242	1264 ROBERT ST S	SHELAN SALIH KALUR	1264 SOUTH ROBERT ST	WEST SAINT PAUL MN 55118	40	$166.00
	423340002232	1268 ROBERT ST S	GR SWANSONS	1186 DELAWARE AVE	WEST SAINT PAUL MN 55118	74	$307.10
	423340002222	1276 ROBERT ST S	PATE JONATHAN H	N10302 HALL RD	SPRINGBROOK WI 54875	86	$356.90
	423340002192	1276 ROBERT ST S	PATE JONATHAN H	N10302 HALL RD	SPRINGBROOK WI 54875	80	$332.00
	423340002172	1288 ROBERT ST S	UDOVICH MICHAEL G	1288 ROBERT ST S	WEST SAINT PAUL MN 55118	79	$327.85
	422190002010	1307 ROBERT ST S	ERIKSSON FAMILY PROPERTIES LLC	1225 ORONO OAKS DR	ORONO MN 55356	38	$157.70
	422190002020	1307 ROBERT ST S	ERIKSSON FAMILY PROPERTIES LLC	1225 ORONO OAKS DR	ORONO MN 55356	40	$166.00
	422190002030	1307 ROBERT ST S	ERIKSSON FAMILY PROPERTIES LLC	1225 ORONO OAKS DR	ORONO MN 55356	40	$166.00
	422190002090		MANBIR LLC	13233 GLENHAVEN AVE	APPLE VALLEY MN 55124	40	$166.00
	422190002120	1339 ROBERT ST S	IMPERIAL VALLEY INVESTMENTS LLC	PO BOX 14179	SAINT PAUL MN 55114	120	$498.00
	422190002152	1349 ROBERT ST S	BISANZ INV CO #1	1349 ROBERT ST S	WEST SAINT PAUL MN 55118-2424	118	$489.70
	425140000012	1304 ROBERT ST S	DON PEDRO LLC	1304 S ROBERT ST	WEST SAINT PAUL MN 55118	68	$282.20
	425140000021	1304 ROBERT ST S	DON PEDRO LLC	1304 S ROBERT ST	WEST SAINT PAUL MN 55118	68	$282.20
	425140000042	1318 ROBERT ST S	MANBIR LLC	13233 GLENHAVEN AVE	APPLE VALLEY MN 55124	100	$415.00
	425140000070	1332 ROBERT ST S	LIAO BENJAMIN & MARGARET	3645 FORESTVIEW LN	MINNEAPOLIS MN 55441-1336	180	$747.00
	425140000132	1346 ROBERT ST S	STATE OF MN DEPTOF ADMIN	C/O MILITARY AFFAIRS - FINANCE, 20 12T	SAINT PAUL MN 55155-2002	180	$747.00
	421405001010	1365 ROBERT ST S	1365 SOUTH ROBERT STREET LLC	2593 EAGLE VALLEY DR	WOODBURY MN 55129	125	$518.75
	421405001030	1375 ROBERT ST S	SUN CHENG HAI	1375 ROBERT ST	WEST SAINT PAUL MN 55118-3141	100	$415.00
	421405001041	1415 ROBERT ST S	MENARD INC	CORPORATE ACCT, 4777 MENARD DRIVE	EAU CLAIRE WI 54703	30	$124.50
	421405001040	1385 ROBERT ST S	KHOURY JOSEPH A & RITA A	353 OAKDALE CT	WEST SAINT PAUL MN 55118-3218	80	$332.00
	421405001042	1399 ROBERT ST S	MELEYCO PTRSHP NO 2	189 LONGMEADOW DR	LOS GATOS CA 95032-5655	90	$373.50
	421405001073	1407 ROBERT ST	ROBERT STREET GROUP LLC	2943 RANDOLPH ST NE	MINNEAPOLIS MN 55418	212	$879.80
	424815001034	1415 ROBERT ST S	MENARD INC	CORPORATE ACCT, 4777 MENARD DRIVE	EAU CLAIRE WI 54703	132	$547.80
	424815001041	1415 ROBERT ST S	MENARD INC	CORPORATE ACCT, 4777 MENARD DRIVE	EAU CLAIRE WI 54703	119	$493.85
	424815001021	1415 ROBERT ST S	MENARDS INC	CORPORATE ACCT, 4777 MENARD DRIVE	EAU CLAIRE WI 54703	20	$83.00
	424815001053	1471 ROBERT ST S	c/o CVS 3313-01 STORE ACTG MC 2320,	1 CVS DR	WOONSOCKET RI 02895	360	$1,494.00
	420200027012	1400 ROBERT ST S	SWEDISH EVANG LUTH AUGUSTANA CH	1400 ROBERT ST S	WEST SAINT PAUL MN 55118-3140	533	$2,211.95
	420200027022	1422 ROBERT ST S	DANCO FOOD & ENT. CO.	C/O ADVANCE HEALTHY, 850 DECATUR A	MINNEAPOLIS MN 55427-4324	60	$249.00

	PID	Site Address	Owner Name	Owner Address	City,State, Zip	Assessable Street Frontage (ft)	Assessment Amount
	420200027031	1422 ROBERT ST S	DANCO FOOD & ENT. CO.	C/O ADVANCE HEALTHY, 850 DECATUR A	MINNEAPOLIS MN 55427-4324	170	$705.50
	421840001012	1434 ROBERT ST S	ESCOTO JOSE LUIS	55 SALEM CHURCH RD	SAINT PAUL MN 55118-4742	125	$518.75
	421840001025	1450 ROBERT ST S	BARBARA A HOUSER TSTE	4730 PARK COMMONS DRIVE UNIT 301	SAINT LOUIS PARK MN 55416	62	$257.30
	421840001024	1450 ROBERT ST S	BARBARA A HOUSER TSTE	4730 PARK COMMONS DRIVE UNIT 301	SAINT LOUIS PARK MN 55416	62	$257.30
	421840001031	1458 ROBERT ST S	SRST LLC	7525 MITCHELL RD STE 201	EDEN PRAIRIE MN 55344	125	$518.75
	421840101010	1470 ROBERT ST S	DEMARCHI INVESTMENTS LLC	6502 BIRCHMONT DR NE	BEMIDJI MN 56601	138	$572.70
	420200038072	1493 ROBERT ST S	US BANK	2800 LAKE ST E	MINNEAPOLIS MN 55406	147	$610.05
	420200038050	1503 ROBERT ST S	TCF/%FACILITIES M/C PCC 1CZ	1401 ZENIUM LN N	MINNEAPOLIS MN 55441	175	$726.25
	421780001011	1515 ROBERT ST S	MINNESOTA STATE COLLEGE STUDENT ASSOC	1515 S ROBERT ST	WEST ST PAUL MN 55118	105	$435.75
	421780001020	1531 ROBERT ST S	GP PORTFOLIO LANDLORD #1 LLC, GENUINE P	2999 WILDWOOD PKWY	ATLANTA GA 30339	145	$601.75
	421780001030	1539 ROBERT ST S	WEST ST PAUL EDA	1616 HUMBOLDT AVE	WEST ST PAUL MN 55118	100	$415.00
	421780001040	1539 ROBERT ST S	WEST ST PAUL EDA	1616 HUMBOLDT AVE	WEST ST PAUL MN 55118	85	$352.75
	421780001052	1555 ROBERT ST S	TO XUAN	1819 JOURDAN CT	EAGAN MN 55122	100	$415.00
	421780001071	1565 ROBERT ST	WSTP LLC	10 WHITE PINE RD	NORTH OAKS MN 55127	105	$435.75
	421780001063	1571 ROBERT ST S	1571 ROBERT ST WFW LLC	13460 VAN BUREN ST NE	HAM LAKE MN 55304-6961	80	$332.00
	422420001070	1589 ROBERT ST S	CITY OF WEST ST PAUL	1616 HUMBOLDT AVE	WEST SAINT PAUL MN 55118	177	$734.55
	420200041042	110 THOMPSON AVE E	NATIONAL RETAIL PROPERTIES LP	C/O RYAN LLC DEPT 420, PO BOX 4900	SCOTTSDALE AZ 85261	271	$1,124.65
	421156001010	1510 ROBERT ST S	HY-VEE INC	5820 WESTOWN PKWY	WEST DES MOINES IA 50266	100	$415.00
	421156001020	1520 ROBERT ST S	AUTOZONE TEXAS LP	% STORE 3081 DEPT 8088, PO BOX 2198	MEMPHIS TN 38101-2198	197	$817.55
	420200043014	1540 ROBERT ST S	HALLE PROPERTIES LLC	20225 N SCOTTSDALE RD	SCOTTSDALE AZ 85255	148	$614.20
	420200043016	1560 ROBERT ST S	PALMEN RONALD & PATRICIA	29 ISLAND RD	NORTH OAKS MN 55127	148	$614.20
	427100001020	1570 ROBERT ST S	LA PALMA PROPERTIES LLC	1570 ROBERT ST S	WEST SAINT PAUL MN 55118	122	$506.30
	427100001011	1590 ROBERT ST S	TRIPLE S INVESTMENTS LLP	1916 LIVINGSTON AVE	WEST SAINT PAUL MN 55118	155	$643.25
	428366001010	1615-1627 ROBERT ST E	AURORA INVESTMENTS LLC	5215 EDINA IND BLVD STE 100	EDINA MN 55439-2926	315	$1,307.25
	420200067006	1633 ROBERT ST S	1633 ROBERT ST LLC	PO BOX 100	WATERTOWN MN 55388-0100	74	$307.10
	420200067007	1633 ROBERT ST S	1633 ROBERT ST LLC	PO BOX 100	WATERTOWN MN 55388	47	$195.05
	420200067008	1633 ROBERT ST S	1633 ROBERT ST LLC	PO BOX 100	WATERTOWN MN 55388-0100	59	$244.85
	420200067009	1633 ROBERT ST S	1633 ROBERT ST LLC	PO BOX 100	WATERTOWN MN 55388	47	$195.05
	421500001014	1657 ROBERT ST S	H&R PROPERTIES %INSPIRE BRANDS TAX DEPT	3 GLENLAKE PKWY FL5	ATLANTA GA 30328	148	$614.20
	424320301010	1675 ROBERT ST S	MAINIS AND MAINIS LLC	3732 TIFFANI CT	SANTA CRUZ CA 95065	230	$954.50
	426478001030	1695 ROBERT ST S	BENCORE LLC	5101 MIRROR LAKES DR	EDINA MN 55436	186	$771.90
	426478101020	1685 ROBERT ST S	T WEST T LLC	150 5TH ST S STE 1400	MINNEAPOLIS MN 55402	105	$435.75
	426478001010	1685 ROBERT ST S	TRILIGHT PROPERTIES LLC	1569 SOLANO AVE STE 347	BERKELEY CA 94707	173	$717.95
	421860401020	1731 ROBERT ST S	APOLLO LLC	12517 22ND ST N	STILLWATER MN 55082	120	$498.00
	423750001010	1741 ROBERT ST S	J & J INC	900 AMERICAN BLVD E	BLOOMINGTON MN 55425	132	$547.80
	425150001010	1753 ROBERT ST S	ROBERT STREET PROPERTIES LLC	6200 OAKTREE BLVD STE 250	INDEPENDENCE OHIO 44131	198	$821.70
	424630001012	1795 ROBERT ST S	LOWES HOME CENTERS INC	TAX DEPT, 1000 LOWES BLVD	MOORESVILLE NC 28117	687	$2,851.05
	420200051032	1608 ROBERT ST S	R W PROPERTIES LLC	4 WEST BAY LANE	NORTH OAKS MN 55127	160	$664.00
	420200051040	1630 ROBERT ST S	BFI REAL ESTATE HOLDINGS LLC	5425 BOONE AVE N	NEW HOPE MN 55428	200	$830.00
	424100001012	1644 ROBERT ST S	WAL MART REAL EST BUS TRUST	C/O WAL-MART PROPERTY TAX DEPT M	BENTONVILLE AR 72712	80	$332.00
	424100001022	1650 ROBERT ST S	BURGER KING CORP 3519	PROPERTY TAX ACCT, PO BOX 020783	MIAMI FL 33102-0783	185	$767.75
	424320401010	1660 ROBERT ST S	PEBB ST PAUL LLC	7900 GLADES RD STE 600	BOCA RATON FL 33434	290	$1,203.50
	424320401020	1690 ROBERT ST S	ROBERT MITTANNI LLC	3948 49 1/2 ST W STE 24523	EDINA MN 55424	160	$664.00
	420200052040	1710 ROBERT ST S	HOME FED SV	% THOMSON PROPERTY TAX SERVICES	CARLSBAD CA 92018	175	$726.25
	424160001022	1740 ROBERT ST S	RLW PROPERTIES LLC	4 BAY LANE W	NORTH OAKS MN 55127	362	$1,502.30
	424160101010	1750 ROBERT ST S	TARGET CORP	PO BOX 9456	MINNEAPOLIS MN 55440-9456	206	$854.90
	424160101020	1750 ROBERT ST S	CHICK-FIL-A INC	PROP MGT REAL ESTATE, 5200 BUFFING	ATLANTA GA 30349	443	$1,838.45
	420200062012	1820 ROBERT ST S	BSAW INVESTMENT LLC	8100 FLYING CLOUD DRIVE	EDEN PRAIRIE MN 55344	200	$830.00
	421410000013	1845 ROBERT ST S	HOLIDAY STATION STORES INC	C/O STORE 157-2, PO BOX 1224	MINNEAPOLIS MN 55440-1224	150	$622.50
	421410000020	1845 ROBERT ST S	HOLIDAY STATION STORES INC	C/O STORE 157-2, PO BOX 1224	MINNEAPOLIS MN 55440-1224	40	$166.00
	426757001010	1907 ROBERT ST S	SASCO INVESTMENTS LLP	1916 LIVINGSTON AVE	WEST SAINT PAUL MN 55118	918	$3,809.70
	421877501012	1949 ROBERT ST S	BASCH TSTE ALEXANDER	3038 SIDCO DR	NASHVILLE TN 37204	166	$688.90
	424919500012	1963 ROBERT ST S	DIVISION 25 LLC	4350 BAKER RD STE 400	HOPKINS MN 55343	107	$444.05
	424919500020	1973 ROBERT ST S	BRAUVIN NET INVESTMENTS	205 MICHIGAN AVE N STE 1900	CHICAGO IL 60601	120	$498.00
	426475001012	2001 ROBERT ST S	ROBERT STREET 2008 LLC	129 HEDIN AVE	RED WING MN 55066	677	$2,809.55
	426475001020		ROBERT STREET 2008 LLC	129 HEDIN AVE	RED WING MN 55066	198	$821.70
	426475000010		CITY OF WEST ST PAUL	1616 HUMBOLDT AVE	WEST ST PAUL MN 55118	110	$456.50
	420290025019	239 MENDOTA RD E	SOUTHVIEW COUNTRY CLUB	239 MENDOTA RD E	WEST SAINT PAUL MN 55118-4699	195	$809.25
	427110001012	1980 ROBERT ST S	ROBERT STREET HOLDINGS LLC	UPPER MIDWEST MGT CORP, 4900 HWY	NEW HOPE MN 55428	344	$1,427.60
	427110001011		ROBERT STREET LLC	129 HEDIN AVE	RED WING MN 55066	56	$232.40
	427110001022	1994 ROBERT ST S	ROBERT STREET LLC % BANK OF AMERICA NC1	101 TRYON ST N 245	CHARLOTTE NC 28255	90	$373.50
	427109001010	2000 ROBERT ST S	FOSTER PROPERTIES LLC	2000 ROBERT STREET S	WEST SAINT PAUL MN 55118	167	$693.05
	427109001020	2000 ROBERT ST S	200 ROBERT LLC	4530 BAKER ROAD	MINNETONKA MN 55343	284	$1,178.60
	427110001024	2044 ROBERT ST S	TUXEDO DEVELOPMENT LLC	889 BARBARA CT	MENDOTA HEIGHTS MN 55118	90	$373.50
	427110001030	2060 ROBERT ST S	ASSOCIATED BANK	C/O LEASING REAL ESTATE MS 8227, 433	GREEN BAY MN 54301	250	$1,037.50

	PID	Site Address	Owner Name	Owner Address	City,State, Zip	Assessable Street Frontage (ft)	Assessment Amount
					TOTALS	18,388	$76,310.20

CITY OF WEST ST. PAUL

City Council Report

To: **Mayor and City Council**

Through: **Ryan Schroeder, City Manager**

From: **Brian Sturgeon, Chief of Police**

Date: **July 13, 2020**

First Reading – Amending Tobacco Ordinance

BACKGROUND INFORMATION:

This past legislative session the Minnesota legislature passed a bill that was signed into law to increase the minimum age of individuals to purchase tobacco and tobacco related products from 18 to 21 years of age. Attached is the proposed ordinance with changes that would match and follow state law. Changes include:

- Changing the wording regarding state law from age 18 to 21.
- Increasing the minimum age from 15 to 17 for individuals working with law enforcement to conduct required compliance checks.
- Additional minor wording changes that is present in statute.

These changes should be non-controversial and are needed in order to be in compliance with state statute.

FISCAL IMPACT:

		Amount
Fund:		**None**
Department:		
Account:		

STAFF RECOMMENDATION:

Staff is available to answer any questions. If passed, the final reading with a public hearing will occur at the next Council meeting.

CITY OF WEST ST. PAUL
DAKOTA COUNTY, MINNESOTA

ORDINANCE NO. 20-

AN ORDINANCE AMENDING SECTION 113 OF THE WEST ST. PAUL CITY CODE PROHIBITING SALES OF TOBACCO TO ANYONE UNDER THE AGE OF 21

The City of West Saint Paul does ordain:

SECTION 1. AMENDMENT. West St. Paul City Code Section 113 is hereby amended as follows:

113.01 PURPOSE.

Because the city recognizes that many persons under the age of 21 years may purchase or otherwise obtain, possess and use tobacco, tobacco products, tobacco-related devices, electronic delivery devices, and nicotine or lobelia delivery products; and the sale of these products to persons under 21 ~~minors under 18~~ years of age are violations of both state and federal laws; and because smoking has been shown to be the cause of several severe health problems which subsequently place a financial burden on all levels of government, this chapter is intended to regulate the sale, possession and use of tobacco, tobacco products, tobacco-related devices, electronic delivery devices, and nicotine or lobelia delivery products for the purpose of enforcing and furthering existing laws, to protect persons under 21 ~~minors~~ against the serious effects associated with the illegal use of tobacco, tobacco products, tobacco-related devices, electronic delivery devices, and nicotine or lobelia delivery products, and to further the official public policy of the state to prevent young people from starting to smoke as stated in Minn. Stat. § 144.391, as it may be amended from time to time.

113.02 DEFINITIONS.

COMPLIANCE CHECKS. The system the Police Department uses to investigate and ensure that those authorized to sell licensed products are following and complying with the requirements of this chapter and state law. ***COMPLIANCE CHECKS*** shall involve the use of persons at least 17 years old, but less than 21 ~~under the age of 21~~ as authorized by state law who may attempt to purchase licensed products for educational, research and training purposes. The age requirements for persons participating in compliance checks under this section shall not affect the age requirements in federal law for persons participating in federally required compliance checks.

ELECTRONIC DELIVERY DEVICE. Any product containing or delivering nicotine, lobelia, or any other substance, whether natural or synthetic, intended for human consumption through inhalation of aerosol or vapor from the product. Electronic delivery devices include, but is not limited to, devices manufactures, marketed, or sold as electronic cigarettes, electronic cigars, electronic pipe, vape pens, modes, tank systems, or under any other product name or descriptor. Electronic delivery device includes any component part of a product, whether or not marketed or sold separately.~~Any product containing or delivering nicotine, lobelia, or any other substance~~

~~intended for human consumption through the inhalation of aerosol or vapor from the product, as defined by Minn. Stat. §609.685 subd. 1(c), or as it may be amended.~~

LICENSED PRODUCTS. The term that collectively refers to any tobacco, tobacco product, tobacco-related device, electronic delivery device, or nicotine or lobelia delivery product.

LOOSIES. The common term used to refer to a single or individually packaged cigarette or any other tobacco product that has been removed from its packaging and sold individually. The term loosies does not include individual cigars with a retail price, before any sales tax, of more than $2.00 per cigar.

~~***NICOTINE OR LOBELIA DELIVERY PRODUCT.*** Any product containing or delivering nicotine or lobelia intended for human consumption, or any part of such a product, that is not tobacco or an electronic delivery device as defined in this section. ***NICOTINE OR LOBELIA DELIVERY PRODUCT*** does not include any product that has been approved or otherwise certified for legal sale by the United States Food and Drug Administration for tobacco use cessation or for other medical purposes, and is being marketed and sold solely for that approved purpose.~~

RETAIL ESTABLISHMENT. Any place of business that is a permanent building or structure where licensed products are available for sale to the public. ***RETAIL ESTABLISHMENTS*** include~~s~~, but is not limited to, grocery stores, bars, drug stores, convenience stores, gasoline service stations, and restaurants.

SELF-SERVICE DISPLAY. Open displays of licensed products in any manner where a person has access to the licensed products without the assistance or intervention of the licensee or the licensee's employees. ***SELF-SERVICE DISPLAY*** does not include vending machines.

TOBACCO-RELATED DEVICE. Any tobacco product as well as a pipe, rolling papers or other device intentionally designed or intended to be used in a manner which enables the chewing, sniffing, smoking, or other consumption, whether by inhalation aerosol or vapor, ingestion, or any other method of consumption, of tobacco or tobacco products~~with tobacco products~~. ***TOBACCO-RELATED DEVICE*** includes components of tobacco-related devices which may be marketed or sold separately.

VENDING MACHINE. Any mechanical, electric, electronic, or other type of device that upon the insertion of money, tokens, or other form of payment dispenses licensed products.

113.03 LICENSE REQUIRED.

(A) *General rule.* No person shall sell or offer to sell any licensed product without first obtaining a license from the city pursuant to Chapter 110. Each retail establishment location shall require a separate license.

(B) *Applications.* In addition to the application information requirements of § 110.03, the applicant shall submit a copy of the educational materials the applicant uses to educate employees as part of its instructional program.

(C) *License fee.* The applicant shall submit the license fee pursuant to Chapter 110. The license fee shall be used to process applications and by the Police Department for education, training and enforcement of this chapter.

(D) *Investigations.*

(1) For all new and renewal applicants, a background investigation will be conducted on the applicant listed on the application, pursuant to § 110.03(C)(5). If more than one background investigation is required, the applicant shall pay a background investigation fee for each background investigation conducted. For applicants who have an existing tobacco license and want to add an additional location at any time other than annual renewal, a background investigation will be required.

(2) For applicants who are applying for a license for more than one location, only one background investigation and background investigation fee shall be required.

(E) *License term.* The license term begins on January 1 and terminates on December 31.

(F) *Changes in ownership.* A license is non-transferable. If there is a change in the ownership of the retail establishment, a new license is required and the applicant shall be required to submit to a background investigation as a new applicant.

(G) *Instructional program.* No person shall be issued a license or renewal license to sell licensed products unless an applicant or licensee has a program for instructing all employees regarding the legal requirements pertaining to the sale of licensed products at the retail establishment for which the license was issued. The instructional program shall include, but is not limited to, reviewing the law on the sale of licensed products, requiring employees to request identification from every customer who is under 27 years of age, providing information that the sale of licensed products to anyone under 21 is illegal, explaining what kind of proof of age is legally acceptable, and that a sale to a person below the legal sales age can subject the applicant or licensee and its employees to criminal and/or civil liability.

(H) *Age verification device and digital security video.* All license holders shall be required to install or possess age verification devices and digital security video at the licensed location. The Police Department shall confirm that the devices have been installed prior to approval of the license.

(I) *Sampling.* Sampling of licensed products shall not be permitted within the indoor area of any retail establishment.

(J) *Moveable place of business.* No license shall be issued to a movable place of business. Only fixed retail establishment locations shall be eligible to be licensed under this section.

(K) All tobacco, tobacco products, tobacco-related devices or electronic~~nicotine~~ delivery

devices shall either be stored behind a counter or other area not freely accessible to customers, or in a case or other storage unit not left open and accessible to the general public.

(L) *Signage*. Notice of the legal sales age and age verification requirement must be posted at each location where licensed products are offered for sale. The required signage, which will be provided to the licensee by the city, must be posted in a manner that is clearly visible to anyone who is or is considering making a purchase.

113.04 RESPONSIBILITY FOR ACTS OF EMPLOYEES.

All licensees shall be responsible for the actions of their employees in regard to the sale of licensed products on the licensed retail establishment premises, and the sale of any such item by an employee shall be considered a sale by the licensee for the purposes of this chapter.

113.05 PROHIBITED ACTS.

(A) It shall be unlawful for any person to sell, offer for sale, or allow the sale of licensed products:

(1) By the means of a vending machine;

(2) By means of loosies as defined in § 113.02;

(3) Containing opium, morphine, jimson weed, bella donna, strychnos, cocaine, marijuana, or other deleterious, hallucinogenic, toxic or controlled substances except nicotine and other substances found naturally in tobacco or added as part of an otherwise lawful manufacturing process;

(4) By any other means, to any other person, in any other manner or form prohibited by federal, state or local law, ordinance, or other regulation;

(5) From a movable place of business, such as, but not limited to, any motorized vehicle, a kiosk, a trailer, a transportable shelter or table or any other movable structure;

(6) By means of any self-service displays whereby the customer may have access to those items without having to request the item from the licensee or licensee's employee and whereby there is not a physical exchange of the licensed product between the licensee or licensee's employee and the customer.

(B) Sale or Distribution to Person Under 21 Years Old Prohibited.

(1) No person shall sell or distribute licensed products to any person under 21 years old.

(2) Any person found to have sold or distributed any licensed products to a family member who is under 21 years old shall be deemed to be in violation of subsection B (1) of this section.

(3) It shall be unlawful for any person under the age of 21 years old to represent that he or she has attained the age of 21 years old for the purpose of purchasing, asking for in any way, or receiving licensed products, except in cases authorized by law, including as authorized by the Department or law enforcement.

(4) It shall be unlawful for any person to give, lend, sell or otherwise provide any person under the age of 21 years old any falsified identification or identification of another person for the purpose of establishing the age of the individual as being 21 years old or older.

(5) Any person selling or distributing licensed products shall require proof of age from the prospective purchaser showing~~or~~ recipient is 21 years old or older.

(6) Notice of the legal sales age and the age verification requirement shall be posted at each location where licensed products are offered for sale. The required signage, which will be provided to the licensee by the City, shall be posted in a manner so that it is clearly visible to anyone who is considering or making a purchase.

113.06 COMPLIANCE CHECKS AND INSPECTIONS.

(A) All licensed retail establishments shall be open to inspection by the Police Department or other delegated law enforcement officers or agencies during regular business hours.

(B) From time to time, but at least once per year, a law enforcement officer shall conduct unannounced compliance checks to ensure compliance with the provisions of this chapter.

(C) Compliance checks shall utilize persons ~~over the age of 15~~17 years old but less than 21 years old to enter the retail establishments to attempt to purchase licensed products. Prior written parental or guardian consent is required for any ~~minor~~ person under the age of 18 who participates in a compliance check.

(D) Persons used for the purpose of compliance checks shall be supervised by designated law enforcement officers.

(E) Nothing in this chapter shall prohibit other compliance checks authorized by state or federal laws for educational, research or training purposes, or required for the enforcement of a particular state or federal law.

113.07 OTHER PROHIBITED ACTS.

Unless otherwise provided, the following acts shall be a violation of this chapter.

(A) *Legal age.* It shall be unlawful for any person to sell or otherwise provide any licensed product to any person under the age of 21.

(B) *Illegal purchase on behalf of persons under 21.* It shall be unlawful for any person to

purchase for, or otherwise obtain licensed products on behalf of a person under the age of 21. It shall further be a violation for any person to coerce or attempt to coerce a person under the age of 21 to illegally purchase or otherwise obtain or use any licensed product.

(C) *Use of false identification.* It shall be unlawful for any person under the age of 21 to attempt to disguise the person's true age by the use of a false form of identification, whether the identification is that of another person or one on which the age of the person has been modified or tampered with, to represent an age older than the actual age of the person.

(D) No ~~minor~~ person under 18 may furnish, sell or attempt to sell licensed products on behalf of a licensee~~ unless written consent has been obtained from the minor's parents. Such written consent must include a statement of the potential penalties that can be imposed under this Section~~.

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

> The ordinance amendment is in accordance with 2020 Minnesota State Statute changes, as well as the Federal Food, Drug and Cosmetic Act, raising the minimum age of the sale of any tobacco product, including cigarettes, cigars, and e-cigarette products from 18 to 21 years.

SECTION 3. EFFECTIVE DATE. This Ordinance shall be in full force and effect on _____, 2020.

Passed by the City Council of the City of West St. Paul, Minnesota, this ___ day of _____ 2020.

Attest:

_____ _____

David J. Napier, Mayor Shirley R Buecksler, City Clerk

CITY OF WEST ST. PAUL

City Council Report

To: **Mayor and City Council**

Through: **Ryan Schroeder, City Manager**

From: **Shirley Buecksler, City Clerk**

Date: **July 13, 2020**

Proposed Charter Amendment; Council Stipends

BACKGROUND INFORMATION:

Attached is a proposed Charter and City Code ordinance amendment increasing the Mayor and Council salaries as recommended by the Charter Commission. Recommended is 2.75% percent increases in each of the Mayoral and Council Stipends in each of 2021 and 2022. At the June 22 OCWS meeting of Council, consensus was to move this item forward to hold a first reading of the required ordinance.

The Charter Commission recommended the increase in stipend in that the last adopted change occurred in 2018 for a 2019 and 2020 adjustment. Further, that 2.75% closely followed increases in City labor contracts over the past two years. Further, resulting stipends would compare reasonably to a survey of sixteen similarly sized metro area communities. The resulting Mayoral stipend would reside at 4% below the mean stipend in these neighboring communities while Council salaries would be 2% above the mean (assuming there were no upward adjustments in other communities over the next two years).

For consideration, Council will have to hold a Public Hearing that is noticed between 2 weeks and 30 days prior to the Public Hearing. The entire text of the Charter amendment (not the City Code amendment) must be included in the publication. Then, in order to pass, it requires unanimous vote of the entire Council, including the Mayor. Unlike other amendments, it does not become effective until 90 days after publication. Moreover, in any case, any change in Council stipends would not take effect until the next Council is seated.

Upon the first reading of this ordinance, publication of the proposal would occur on July 12 for a Public Hearing to be held on July 27, 2020.

FISCAL IMPACT:

$1,493 in 2021 and $1,543 in 2022.

STAFF RECOMMENDATION:

Consider the recommendation of the Charter Commission by consideration of the first reading of the enclosed ordinance, which would result in a Public Hearing on July 27, 2020.

Mayor and Council Stipends from LMC DATA February 2020

Mayoral			Council		
$12,825	Golden Valley		$9,625	Brooklyn Center	
$12,646	New Hope		$9,598	Golden Valley	
$12,572	Brooklyn Center		$9,516	New Hope	
$12,300	South St. Paul		$8,700	South St. Paul	
$10,689	Fridley		$7,762	Fridley	
$9,828	Shoreview		$7,500	White Bear Lake	
$9,600	Hastings		$7,325	Hopkins	
$9,600	White Bear		$7,296	Shoreview	
$9,560	Hopkins		$7,200	Hastings	
$9,550	Champlin		**$7,100**	Chaska	MID PT
$9,500	Chaska		**$7,000**	Rosemount	MID PT
$9,200	Rosemount		$6,750	Mounds View	
$8,000	Ramsey		$6,610	Champlin	
$7,500	MoundsView		$6,000	Ramsey	
$6,700	Little Canada		$5,850	Little Canada	
$6,400	North St. Paul		$5,200	North St. Paul	
$6,000	Ham Lake		$4,900	Ham Lake	
$4,900	Waconia		$4,000	Waconia	
$4,500	Mound		$3,600	Rogers	
$4,200	Rogers		$3,000	Mound	
$8,804	Average	Average	$6,727		
$9,356	WSP		$7,508	WSP	
	Charter Commission Proposal				
$9,613	**2.75%**	**2021**	**$7,714**		
$9,878	**2.75%**	**2022**	**$7,927**		

CITY OF WEST ST. PAUL
DAKOTA COUNTY, MINNESOTA

ORDINANCE NO. 20-

AN ORDINANCE AMENDING WEST ST. PAUL CITY CHARTER SECTION 2.07 SUBD. 1 AND CITY CODE SECTION 30.04 REGARDING MAYOR AND COUNCIL SALARIES

The City Council of West St. Paul does ordain:

SECTION 1. AMENDMENT. West St. Paul City Charter Section 2.07 subd. 1 is hereby amended as follows:

Section 2.07 Salaries. Subd. 1. For the faithful discharge of the duties of their respective offices, the elected official shall receive the following salaries: The Mayor ~~$9,356~~$9,613 ~~per~~for calendar year 2021 and $9,878 for calendar year 2022; each Council member~~person~~ ~~$7,508~~$7,714 ~~per~~for calendar year 2021 and $7,927 for calendar year 2022. The City Manager and all other officers and employees of the City shall receive such salaries or wages as may be fixed by the Council.

SECTION 2. AMENDMENT. West St. Paul City Code Section 30.04 is hereby amended as follows:

30.04 SALARIES.

(A) The Mayor's salary is ~~$9,356~~$9,613 ~~per~~for calendar year 2021 and $9,878 for calendar year 2022.

(B) A Council-member's salary is ~~$7,508~~$7,714 ~~per~~for calendar year 2021 and $7,927 for calendar year 2022.

SECTION 3. 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 increases the salaries of the Mayor from $9,356 to $9,613 for calendar year 2021 and $9,878 for calendar year 2022 and Council members from $7,508 to $7,714 for calendar year 2021 and $7,927 for calendar year 2022 ~~$8,920 to $9,356 for the Mayor and from $7,150 to $7,508 for Council members~~. The salaries are included in both the City Charter and the City Code.

SECTION 4. EFFECTIVE DATE. This ordinance shall be in full force and effect 90 days after its passage and publication according to law.

Passed by the City Council of the City of West St. Paul, Minnesota, this ____ day of _____ 2020.

Attest:

_____ _____

David J. Napier, Mayor Shirley R Buecksler, City Clerk

CITY OF WEST ST. PAUL

City Council Report

To: **Mayor and City Council**

Through: **Ryan Schroeder, City Manager**

From: **Kori Land, City Attorney**

Date: **July 13, 2020**

Ordinance Approving the Sale of Property to Hy-Vee, Inc. for Redevelopment Purposes and Approving the Lot Split for PID: 42-11560-01-020

BACKGROUND INFORMATION:

The City is the fee owner of the Autozone property, which is located in an area that is suited for economic development. The City has entered into a Property Exchange Agreement with Hy-Vee, Inc. for part of the Autozone property (the "Property"). In order to advance the future economic development of the Property in furtherance of the City's Comprehensive Plan and economic goals, the Property must be conveyed to Hy-Vee, Inc. Pursuant to West St. Paul City Charter § 12.05, the City Council may dispose of real property within the City by Ordinance. Staff recommends approving the lot split and conveying the Property to Hy-Vee, Inc. for redevelopment purposes.

FISCAL IMPACT:

		Amount
Fund:		
Department:		
Account:		

STAFF RECOMMENDATION:

Consider moving the Ordinance for its First Reading. If approved, a Second Reading and Public Hearing will be held on July 27, 2020.

CITY OF WEST ST. PAUL
DAKOTA COUNTY, MINNESOTA

ORDINANCE NO. 20 -

AN ORDINANCE APPROVING THE SALE OF PROPERTY LOCATED WITHIN THE CITY OF WEST ST. PAUL, MINNESOTA TO HY-VEE, INC. AND APPROVING LOT SPLIT FOR PID: 42-11560-01-020

WHEREAS, for redevelopment purposes, the City desires to sell real property to Hy-Vee, Inc., an Iowa corporation ("Hy-Vee"), situated in Dakota County, Minnesota, legally described as follows:

> That part of Lot 2, Block 1, ANDLER AND OLSON'S ADDITION, according to the recorded plat thereof, Dakota County, Minnesota lying northerly of the following described line:
>
> Commencing at the southwesterly corner of said Lot 1, thence North 00 degrees 22 minutes 08 seconds West on an assumed bearing along the west line of said Lot 1, a distance of 64.00 feet to the point of beginning of the line to be described; thence South 89 degrees 54 minutes 05 seconds East, a distance of 114.46 feet; thence South 89 degrees 54 minutes 10 seconds East, a distance of 67.89 feet; thence easterly 17.68 feet along a tangential curve, concave to the south, having a central angle of 03 degrees 07 minutes 04 seconds, a radius of 325.00 feet to the east line of said Lot 1 and there terminating,

("Property"); and

WHEREAS, the Property is part of the real property located in Dakota County, Minnesota, legally described as follows:

> Lot 2, Block 1, Andler and Olson's Addition to West St. Paul, County of Dakota, State of Minnesota
>
> *Abstract Property*
> PID: 42-11560-01-020;

and

WHEREAS, on July 27, 2020, the City held a public hearing on the sale of the Property and the City considered all of the information presented at the public hearing; and

WHEREAS, pursuant to West St. Paul City Charter § 12.05, the City Council may dispose of real property within the City by Ordinance.

The City of West St. Paul does ordain:

SECTION 1. CONVEYANCE. The Property shall be conveyed to Hy-Vee and the City and its representatives are authorized to execute all documents necessary to effectuate such conveyance.

SECTION 2. LOT SPLIT. The City hereby approves the lot split of PID: 42-11560-01-020. City Staff is authorized to execute, record or take any other actions necessary to implement the lot split.

SECTION 3. 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 allows the City to split PID: 42-11560-01-020 and convey a portion to Hy-Vee, Inc. for redevelopment purposes.

SECTION 4. EFFECTIVE DATE. This Ordinance shall be in full force and effect from and after its passage and publication according to law.

Passed by the City Council of the City of West St. Paul, Minnesota, this ___ day of _____ 2020.

Attest:

_____ _____

David J. Napier, Mayor Shirley R Buecksler, City Clerk

CITY OF WEST ST. PAUL

City Council Report

To: **Mayor and City Council**

Through: **Ryan Schroeder, City Manager**

From: **Kori Land, City Attorney**

Date: **July 13, 2020**

Ordinance Approving the Sale of Property to the County of Dakota for the River to River Project

BACKGROUND INFORMATION:

The City is the fee owner of property located east of Robert Street South and Crawford Drive (the "Property"). Per the Joint Powers Agreement with the County of Dakota, the Property is to be included in the River to River Project. Pursuant to West St. Paul City Charter § 12.05, the City Council may dispose of real property within the City by Ordinance. Staff recommends approving the conveyance of the Property to the County of Dakota for the River to River Project.

FISCAL IMPACT:

		Amount
Fund:		
Department:		
Account:		

STAFF RECOMMENDATION:

Consider moving the Ordinance for its First Reading. If approved, a Second Reading and Public Hearing will be held on July 27, 2020.

CITY OF WEST ST. PAUL
DAKOTA COUNTY, MINNESOTA

ORDINANCE NO. 20 -

AN ORDINANCE APPROVING THE SALE OF PROPERTY LOCATED WITHIN THE CITY OF WEST ST. PAUL, MINNESOTA TO THE COUNTY OF DAKOTA

WHEREAS, the City desires to sell real property to the County of Dakota ("County"), situated in Dakota County, Minnesota, legally described as follows:

> Outlot B, Andler and Olsons 2nd Addition, according to the recorded plat thereof, Dakota County, Minnesota,

("Property"); and

WHEREAS, the Property will be included in the River to River Project; and

WHEREAS, on July 27, 2020, the City held a Public Hearing on the sale of the Property and the City considered all of the information presented at the Public Hearing; and

WHEREAS, pursuant to West St. Paul City Charter § 12.05, the City Council may dispose of real property within the City by Ordinance.

The City of West St. Paul does ordain:

SECTION 1. CONVEYANCE. The Property shall be conveyed to the County and the City and its representatives are authorized to execute all documents necessary to effectuate such conveyance.

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

> The ordinance allows the City to convey property east of Robert Street South and Crawford Drive to the County of Dakota for the River to River Project.

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

Passed by the City Council of the City of West St. Paul, Minnesota, this ___ day of _____ 2020.

Attest:

_____ _____

David J. Napier, Mayor Shirley R Buecksler, City Clerk