

**City of West St. Paul
Open Council Work Session Minutes
January 8, 2018 at 5:00 p.m.**

1. Roll Call

Mayor Halverson opened the Work Session at 5:00 p.m.

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

Absent: None

Also Present: City Manager Ryan Schroeder
Police Chief Manila Shaver
Fire Chief Mike Pott
City Attorney Kori Land
Assistant City Manager Sherrie Le
Finance Director Char Stark
Community Development Director Jim Hartshorn
Parks and Public Works Director/City Engineer Ross Beckwith
City Clerk Shirley Buecksler

2. Review and Approve the OCWS Agenda

Council approved the Work Session agenda.

3. Review the Regular Meeting Consent Agenda

Council reviewed the regular meeting consent agenda and will pause for discussion of Items 9B and 9L. Bellows requested that the December 8, 2017 Special OCWS minutes be pulled from Item M. Council approved the regular meeting consent agenda, as amended.

4. Agenda Item(s)

a. Temporary Shelter Program

In attendance:

Pastor Megan Torgerson, Augustana Lutheran Church
Sr. Pastor John Snider, St. Stephen's Lutheran Church
Dave Paton, Vice Chair, Neighbors, Inc.
Kristen Brown, Matrix Housing Services
Sue Ambrose, Matrix Housing Services

Dave Paton presented an overview of the temporary shelter program and the homeless situation, specific to West St. Paul. Mr. Paton said that he believes a short-term solution is the best compromise to the homeless situation. He discussed how the temporary shelter program operates and said there are two faith communities in West St. Paul that

are currently involved in the program. Mr. Paton introduced Kristen Brown and Sue Ambrose from Matrix Housing Services and said that they have a strong understanding of the homeless issues.

Kristen Brown said they have a contract with Dakota County to operate winter overnight shelters for persons aged 18 years and older. She said they partner with the faith community throughout Dakota County. Currently they have six churches who have joined in the program. Ms. Brown said each church houses individuals for two to four weeks at a time and then all of the shelter items move to the next site. She said the program serves people who work in, attend school in, or are otherwise somehow connected with Dakota County. The program is intended to identify an individual's needs to exit homelessness.

Ms. Brown said the recent program started in November 2017 at Grace Lutheran Church in Apple Valley, then moved to Augustana Lutheran Church and St. Stephen's Lutheran Church, both located in West St. Paul. The program consists of overnight shelter with dinner only. She said the locations are staffed the entire time they are open and that there may be between 35 and 40 people each night at the shelter.

Ms. Brown said that Matrix Housing Services received a letter from the City of West St. Paul which stated that only ten people would be allowed to stay overnight at a time; however, the program had already left West St. Paul when they received the letter. She said this raises issues for other churches, and they need a site for February 3rd through February 17th.

Sue Ambrose stated that Matrix Housing Services believes they are not a residency but a shelter only. She doesn't believe this letter relates to their situation and program. Ms. Ambrose also said that they don't want to be in violation of any statutes.

Mr. Paton next introduced Sr. Pastor John Snider of St. Stephen's Lutheran Church in West St. Paul and Pastor Megan Torgerson of Augustana Lutheran Church in West St. Paul.

Pastor Torgerson said that Augustana Lutheran Church was invited to be a part of the Matrix program this fall because they care about their neighborhood and the community. She said they are going to host for two weeks, but the only problem is figuring out the schedule and staffing. Pastor Torgerson said that St. Stephen's Lutheran Church is taking the other two weeks. She said this has created an enormous amount of good will within their congregation and that members were already asking when they can host again after these two weeks are complete.

Sr. Pastor John Snider said they learned about Augustana Church hosting and, when Pastor Torgerson contacted him regarding the additional need to host, he immediately accepted the opportunity. He said it was an experience of "the right thing to do" and that those in need are "us," not "others." Sr. Pastor Snider said his congregation would be interested in hosting for another two weeks.

Napier said he learned about the program thru Dave Paton and Sr. Pastor Snider and that this program is exactly what West St. Paul wants to represent. Napier asked if the City can do this in a way that is not so complicated. He said that he is behind this program 100 percent.

Mayor Halverson said she is in full support of this program and questioned what it would take to do this on the City side.

Mr. Paton said that Matrix showed up with items that the rest of us would take for granted and that we all use every day, such as hand cream, soap, shampoo, etc.

Mayor Halverson said this is a very well run program and it appears that Matrix has it all figured out.

Mr. Paton said the City doesn't need to do anything but that he is looking forward to ongoing communication. He said they would like to hear from the City, the Police and Fire Departments and Dakota County regarding any questions and comments that may come up.

Vitelli said he is in support of the program and asked whether the Fire Department has any concern with the program.

Chief Pott said that sleeping arrangements have an entirely different realm in regards to safety concerns than daytime issues have. He said notification is critical for the Fire Department, especially if they are unaware of 40 people sleeping in a facility that is normally vacant at night.

Mr. Paton said they understand the challenges for the Fire Department and Police Department and they want to keep communication open.

Sr. Pastor Snider said the homeless problem is county-wide and that this program is something we can do together as a county.

Ms. Brown said that some of the volunteers were retired teachers from Burnsville and that people are excited to volunteer for this program.

Iago stated that there is no question as to the purpose of this program but that it's the ordinance that is in violation and cannot be ignored. He said, if an incident happened at a church, then the church is exposed. Iago said that City Staff and the City Attorney will need to vet through the ordinance and come back to the Council with amendments that will accommodate the needs and goals of this program.

Bellows asked what the County's obligation is to Matrix, as well as Matrix's obligation to the County.

Sue Ambrose stated that Matrix wants to develop and operate a shelter from November 1st to April 1st. She said they have paid staff trained and on site at all times and that they also provide transportation to their guests. Ms. Ambrose said that some money comes from the County as well as individuals.

Bellows said it is important to think about this going forward because the homeless problem is not going to diminish but, rather, it may increase. He said he is concerned about this becoming a greater reliance on Dakota County for individuals in this situation. Bellows also said he doesn't know if it's the County's or Matrix's obligation to expand services. He asked if there is an on-going concern about this occurring more often and

the additional resources, as well as implications, this may have on the faith communities, the County and the City. He questioned how this could be explored.

Ms. Ambrose said that Matrix wants to be a solution rather than a response to emergencies. She said they would like to plan in advance and expand to different cities within Dakota County. Ms. Ambrose said this is just year one. She said that work is being done to use data that is being collected from this project, in order to provide a better solution for Dakota County.

Bellows asked both Pastors if they have promoted this to other churches in order to spread out the program and not wear out the staff at their individual congregations.

Ms. Brown said her hope is that this program would spread out to other congregations, as well.

Bellows asked how many weeks and months the program would be in West St. Paul.

Ms. Ambrose said the program was in West St. Paul for four weeks, two weeks in Rosemount, four weeks in Eagan, and ten weeks in Apple Valley.

Mayor Halverson said communication is important. She also said she would have loved to have known about it and volunteered.

Napier acknowledged Staff for their effort in recognizing the concern and dealing with the situation right away. He said he hoped that Chief Pott is comfortable with the program moving forward. Napier said the letter mailed to the church was addressing a concern and asked if it's possible to allow February 3rd to be an option for the program in West St. Paul, even though there would need to be some internal processes within the City.

Attorney Land said there would need to be amendments to both the zoning and City Code and that this typically takes a month and a half. She said that, if Council wants to go ahead with it, the City would need to be given advance notice of where people will be and when, how many people will be there, and more information about it.

Bellows asked about the downside of issuing an administrative citation.

Attorney Land said an administrative citation doesn't look appropriate to give to a church.

Bellows said there are some things that need to be done in order to maintain the ordinance while sorting this out.

Attorney Land said Staff needs to be informed of what is going on and that the issue is in limbo at the moment while it is figured out. She asked Matrix staff how they are getting around the State Lodging License and questioned if they need one. Attorney Land said, even if the lodging is temporary, that the State would still require a license. She said this is the biggest hurdle and that someone from the State would need to come in and inspect the property to be sure it is adequate for the program's needs. She also said that one night of lodging is enough to require a State license.

Mr. Paton said they periodically house a three-day retreat over a weekend as a temporary emergency shelter.

Vitelli asked if the licensing is different if it's called a shelter and not listed as sleeping accommodations. Attorney Land said that State law states sleeping accommodations.

Mayor Halverson said that the ordinance will have to be looked at to see what can be done.

Bellows suggested talking with Senator Kline and Representative Hansen to see if something can be done on a statewide basis.

Ms. Brown said that churches across the country have figured out ways to make this work.

Iago said he doesn't believe churches want to be in known direct violation of State law and that we still need to find a solution. He suggested that, prior to the next Council meeting, a meeting between the churches, City Staff and the City Attorney be scheduled to get this done.

Ms. Brown said she is going to be on the side of keeping her neighbors safe.

Mayor Halverson said that it just needs to be worked through to figure it out.

Sr. Pastor Snider said that it may be an emergency for someone not having shelter for two weeks in the winter.

Mayor Halverson said this would probably be at the State level.

Attorney Land said the Council could consider an emergency ordinance for the two week period but that this is not a long-term solution.

Napier said he would be happy to continue discussions. He also said what he would like to see coming from this meeting is that the program be allowed to go ahead with their February 3rd plans.

Mayor Halverson agreed that they be allowed to go ahead with February 3rd, providing there is a way to do it.

Vitelli agreed and said it's a shelter.

Bellows suggested putting this item on the January 22nd Council agenda and the City can adopt the emergency ordinance at that time. He said this shows the City is going by the rules and has made an effort. Both Pastors agreed.

Mayor Halverson thanked everyone for attending the meeting.

b. Wentworth Avenue Project Update

In attendance:

Jacob Rezac, Sr. Project Manager, Dakota County
Aaron Warford, Principal Transportation Engineer, Bolton & Menk

Beckwith introduced Aaron Warford and Jacob Rezac.

Beckwith provided an update on the project and said that two areas do not have sanitary sewer and that it is going to be put in from Humboldt Avenue to the west 1,600 feet and Smith Avenue to the west 700 feet. He said this falls under assessments.

Napier asked if property owners will be required to hook up. Beckwith said it will be stubbed in at the property line for now. Beckwith also said the feasibility report will be coming this winter, as well as a Public Improvement Hearing and benefit appraisal.

Schroeder said that some cities have a policy that the owner has two years to connect but he doesn't believe West St. Paul has this language. Attorney Land said the City doesn't require it.

Beckwith said when a septic system fails or the owner sells, that's when it's time to hook up.

Napier asked if an owner would have the option to hook up; Beckwith said yes.

Beckwith said there are commercial, residential and high-density areas.

Bellows questioned if there has been a benefit appraisal done on properties in the past. Schroeder said no and said it was discussed at the last meeting and that this is an anticipated policy change.

Jacob Rezac and Aaron Warford provided an update on the project. Mr. Rezac said this is a cooperative project between the City and Dakota County. He said they hired Bolton & Menk to design the project in early 2017. Mr. Rezac said the purpose of the project is to:

- 1) Improve the roadway structure;
- 2) Improve safety for pedestrians and vehicles; and
- 3) Improve traffic operations

Mr. Rezac said it is important to the County to connect three high profile cities – Mendota Heights, South St. Paul and West St. Paul. He said this road was last graded in 1946 and has been included in the Dakota County comp plan since 2014.

Mr. Warford showed the Council a PowerPoint presentation and provided a handout with an overall view of the project. He said a lot of problems over the years were related to drainage. He also said there are a lot of different standards for roads since 1946. Mr. Warford said there is a benefit to constructing curb and gutter, underground pipes, and shoulders, especially for emergency vehicles.

Mr. Warford said that Dodge Nature Center is a big consideration for the project. He said there are steep grade issues, as well as lakes and other challenges along this stretch of Wentworth Avenue. He said there was a pedestrian accident near St. Stephen's Church, which is not something they usually see in a low speed area.

Mr. Warford said they will also look at traffic controls for the area and whether they should remain the same or change. He said the east end of the project has some similar issues with drainage and wetlands. Mr. Warford said there were two more pedestrian accidents in this section within the past five years and that it is a high traffic area. He said some areas are not currently stop-controlled and will be looked at. They will also look at what can be done to minimize the impact to private properties.

Mr. Warford listed three major alternatives, which they took to property owners for feedback:

- 1) Dakota County would construct 100 feet of right-of-way, two 10-foot trails on each side, 8 feet of boulevard, 8 feet of shoulder, and two 12-foot thru lanes. This is 20 feet on either side required for the project and impacts properties and wetlands. This would be the baseline for any similar project and is the highest cost.
- 2) Suburban alternative: 8 feet of trail, 5 feet of boulevard, 8 feet of shoulder and two 12-foot thru lanes. Much less impactful at 74 feet. Note: This alternative did not include pedestrian facilities on the south side of Charlton. Also, instead of a trail, they would construct a 6 foot sidewalk which would need to be maintained by the property owner, as compared to a trail which would need to be maintained by the agency. This would minimize the 100 feet of right-of-way impact.
- 3) Urban alternative: The goal is primarily to keep the majority of the roadway inside the 60 feet of right-of-way. With some variance, there is 60 feet of right-of-way, 8 feet of trail, 5 feet of boulevard, 6 feet of shoulder and two 12-foot thru lanes. Only included pedestrian facility on the north side for the entire length of Wentworth Avenue. This still had quite a few impacts to private property but only temporary impacts. This avoids the acquisition of private property. There would be extensive retaining walls to do this alternative. On an economics basis, this is the most economical alternative, as well. There are a lot of benefits to this approach but bike and pedestrian accommodations would be a challenge. The County is hesitant to have pedestrians cross an unmarked area.

Mr. Warford provided a printed drawing of the 60 feet of right-of-way but it was not one of the alternatives previously proposed. This drawing shifts the alignment, pulls the road to the south, and transitions back to the existing center line of road for a 70 to 72 foot section from Charlton to Humboldt. It includes approximately a 6 foot acquisition on both sides. He said that some areas will require retaining walls. He also said they will need to mitigate impacts to wetlands and properties but it goes a long way to ensure the right-of-way process is smoother when they can mitigate these impacts where possible. Mr. Warford said there may be cost implications with retaining walls in order to limit cost implications with private properties. He also said that some areas have only 20 feet of right-of-way dedication.

Vitelli asked how it came to \$1.3M for right-of-way acquisition. Mr. Warford said those numbers came from the CIP. He said they look at a footprint of right-of-way to do their

calculations. He also said they will be doing a lot over the next four to six weeks to figure out the exact number and actual impacts to properties.

Napier asked if they looked at the feasibility of dropping the big hill approaching Delaware. Mr. Warford said that this is one of the tight areas. He said that some driveways are four to six feet off the current right-of-way and others are in the 10 to 12 percent grade that would go to 15 to 20 percent grade. He said there are constraints on both sides but their goal is to make it solve north and south side impacts. Mr. Warford said some north side properties may as well be bought out because the majority of the property would be taken. He said that, due to the nature of the terrain and roadway of some of these properties, they will have to sit down with these owners to discuss the impact to their properties.

Bellows asked about the transit stop at Wentworth and Bellows and questioned if that is the reason they are looking at a sidewalk on the south side. Mr. Warford said yes. Bellows said, since it's a thru stop, whether the transit stop could be moved to Charlton at the four-way stop. He said the sidewalk could be put in where the multi-family units are and that all travel could be on the north side of the street. Bellows said moving the transit stop reduces the safety risk. He also stated that there is nothing that addresses the Humboldt and Livingston thru stops and that there are nearly 9,000 trips daily in that area. He said he is concerned that there is a push to have the trail on the south side when there has been little evidence, interest or need for it.

Mayor Halverson said there is a need for the trail on the south side, including responses she received from discussions she has had with people about it. She said there has been a high number of incidents but that not all incidents are recorded. Mayor Halverson said people want accessibility on both sides and she often sees both sides being used.

Bellows asked Schroeder about the division between the City and County portion of the costs and whether or not there is a trail on both sides. Schroeder said the County is looking at a change in policy.

Iago said the public voted at the presentation but said this is not what they voted for before. He said the County ignored what the public wants, which is that they don't want anything on the south side at all. Mr. Warford did not agree. Iago said the results of the survey are overwhelming. Mr. Warford said that feedback and comments both supported the pedestrian facility on both sides of that segment. He said the results were in favor of the least impactful alternative. He added that they did not ask people to pick their favorite but, rather, they were asked if this was something they would support.

Iago asked what the estimate is and said that the City is still dealing with right-of-way acquisitions that were estimated but way off the mark. He said he has heard from constituents in this area and that the south side is a no vote. He said he only heard from one person who wants it on the south side.

Vitelli stated that the map shows properties where the house sits hundreds of feet from the road and that they won't miss six feet.

Iago said those properties have extremely steep driveways. He also said that people in the apartments can cross the street as it is now.

Vitelli said he is not an advocate for spending \$1.3M on acquisition.

Mr. Warford said the question on the transit location is a great question. He said people will cross where they see they can cross and that they see impacts of not having those accommodations. Mr. Warford said he thinks that Dakota County has acknowledged that this is a unique situation.

Napier said he owned one of the homes in the area and they had to risk going across to the park. He said he sold this home because they had small children. He also added that adding a path on both sides makes the most sense to make our community connect and to make it safe. He said we need to look at what is best for the community as a whole. Napier said Council supports trails on both sides.

Bellows asked if traffic studies were done with the highway department.

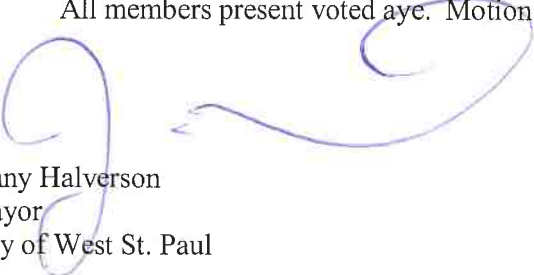
Mr. Warford said it is difficult to count pedestrians when there is no place for pedestrians to walk.

Mayor Halverson thanked Mr. Rezac and Mr. Warford for coming to the meeting.

5. Adjourn

Motion was made by Councilmember Napier and seconded by Councilmember Vitelli to adjourn the meeting at 6:26 p.m.

All members present voted aye. Motion carried.



Jenny Halverson
Mayor
City of West St. Paul