

**City of West St. Paul
City Council Meeting Minutes
March 27, 2023**

1. Call to Order

Mayor Napier called the meeting to order at 6:35 p.m.

2. Roll Call

Present: Mayor Dave Napier
Councilmembers Wendy Berry, Julie Eastman, Lisa Eng-Sarne, Robyn Gulley and John Justen

Absent: Councilmember Pat Armon

Others Present: City Manager Nate Burkett
City Attorney Pam Whitmore
Assistant City Manager Dan Nowicki
Police Lieutenant Matt Swenke
City Planner Melissa Houtsma
Parks & Rec Director Dave Schletty
Finance Director Char Stark
City Clerk Nicole Tillander

3. Pledge of Allegiance

4. Adopt the Agenda

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

Vote: 5 ayes / 0 nays. Motion carried.

5. OCWS Briefing

Council discussed the following items during the Open Council Work Session of March 13th:

- A. Accessory Dwelling Unit Discussion
- B. Reorganization of Park Facility Maintenance Discussion

6. Community Comments – In Person

- Tom Archambault, Wade Deslauriers – new owners of Pace’s Service Center, happy to be a part of the community, name will change slightly to Pace’s Automotive.
Thank you for doing business here and welcome to West St. Paul!

- James Johnson Jr (JJ), WSP Resident – renter advocate – “Renters for Renters” – group is planning to host a table at Explore West St. Paul Days, also interested in the process of rental renewals and how to get more involved there.
- Jim Wallner, 140 Butler Ave E – concerns about Bulter Ave Trail project, car parking and bike access – staff will review and gave resident Ross Beckwith’s card.

7. Community Comments – Phone Line

- No one called in to address the council.

8. Council Comments

Mayor and Councilmembers addressed the public on various topics.

9. Proclamations, Presentations and Recognitions

10. Consent Agenda

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

- A. Approve City Council Meeting Minutes of March 13, 2023
- B. List of Claims for March 27, 2023
- C. City Business Licensing
- D. City Rental Licensing
 - 935 Charlton St. (Duplex-Renewal)
 - 425 Butler Ave. E (Single Family-Renewal)
 - 40 Annapolis St. W (Apartment-Renewal)
 - 1168 Ohio St. (Single Family-Renewal)
 - 294 Hurley St. E (Single Family-Renewal)
 - 255 Westview Dr. #205 (Condo-Renewal)
 - 255 Westview Dr. #317 (Condo-Renewal)
 - 156 Wentworth Ave W. (Townhouse-Renewal)
 - 120 Butler Ave. E (Apartment-New)
 - 200 Butler Ave. E (Single Family-New)
 - 928 Manomin Ave. (Single Family-Renewal)
 - 994 Oakdale Ave. (Duplex-Renewal)
 - 484 Annapolis St. W (Single Family-Renewal)
 - 911 Cherokee Ave. (Single Family-Renewal)
 - 917 Cherokee Ave. (Single Family-Renewal)
 - 838 Dodd Rd. (Single Family-Renewal)
 - 845 Dodd Rd. (Apartment-Renewal)
 - 848 Dodd Rd. (Apartment-Renewal)
 - 1326 Kruse St. (Duplex-Renewal)
 - 1243 Cherokee Ave. (Single Family-Renewal)
 - 930 Humboldt Ave. (Single Family-Renewal)
 - 328 Butler Ave. E (Single Family-Renewal)

- 174 Haskell St. E (Duplex-Renewal)
- 1192 Cherokee Ave. (Duplex-Renewal)
- 983 Hall Ave. (Single Family-Renewal)
- 255 Westview Dr. #203 (Condo-Renewal)
- 879 Oakdale Ave. (Duplex-Renewal)
- 76 Crusader Ave. W (Single Family-Renewal)
- 1924 Bidwell St. (Single Family-Renewal)
- 1962 Stryker Ave. (Single Family-Renewal)
- 1990 Stryker Ave. (Single Family-Renewal)
- 1282 Bidwell St. (Duplex-Renewal)
- 1049 Gorman Ave. (Duplex-Renewal)
- 885 Oakdale Ave. (Duplex-Renewal)
- Total Amount – \$3,612.50

E. Donations to the City

- AMVETS Post #1 donated \$10,000 to the police department's outreach efforts and programing.

F. Appoint Member to the Lower Mississippi River Watershed Management Organization

G. Award Bid for the Thompson/Oakdale Roundabout, Trail, Sidewalk and Mill/Overlay Project - City Projects 20-2, 21-6 and 23-2

H. Public Safety Committee Meeting Summary

Vote: 5 ayes / 0 nays. Motion carried.

11. Public Hearings

12. New Business

A. Conditional Use Permit to Allow a Veterinary Establishment at 1970 Robert Street South (Petco)

City Planner Melissa Houtsma presented the application. Planning Commission reviewed and held a public hearing at their March 21st meeting and voted 5-0 to recommend approval of the CUP. MnDOT does not have traffic concerns with current changes, staff will review parking and traffic concerns as future development occurs. Staff recommend approval of the application subject to any conditions.

Motion was made by Councilmember Justen and seconded by Councilmember Berry to approve Resolution No. 23-023 Approving a Conditional Use Permit to Allow a Veterinary Establishment at 1970 Robert Street South (Petco).

Vote: 5 ayes / 0 nays. Motion carried.

B. Intoxicating THC Product Specialty Retailer Licenses

City Manager Nate Burkett presented. Two regular THC retailer product licenses approved on consent. Staff recommend two specialty license approvals for Lafayette Tobacco and Nothing but Hemp.

Lafayette Tobacco does not meet school distance requirements outlined in the ordinance, but staff recommend approval of this license so as not to create a hardship for the applicant as business is already selling THC products. Licenses are granted for legal product as of today as outlined in the ordinance and listed here:

- (A) Intoxicating THC Products and edible intoxicating THC products may be sold for human or animal consumption only if all of the packaging requirements of Minn. Stat. § 151.72 subd. 3, or as may be amended.
- (B) No intoxicating THC product may contain more than 0.3% of THC.
- (C) No edible intoxicating THC product can contain an amount of any THC that exceeds 5 mg per serving or 50 mg per package.

Attorney Whitmore received a concern from the Lafayette applicant's attorney regarding a section of language in the resolution (paragraph 6). Council can choose to hear comment on this. Staff believe the resolution is sufficient as is.

Applicant's attorney spoke regarding the language issues in the following section:

WHEREAS, on December 12, 2022, the City Council, after debate about the general health, welfare and safety of the community, discussion of ordinance language, and discourse on distances from certain other entities, tabled any action to consider revisions to license requirements, specifically requesting staff to analyze and recommend a definition of "school" and delaying enforcement of license requirements; and

Council and City Manager discussed and determined language is sufficient as is.

Motion was made by Councilmember Justen and seconded by Councilmember Eng-Sarne to approve Resolution No. 23-024 Issuing Specialty Intoxicating THC Retailer License to Lafayette Tobacco LLC Located at 433 Mendota Road East, West St. Paul, MN.

Vote: Justen – aye
Eng-Sarne – aye
Berry – aye
Eastman – aye
Gulley – aye
5 ayes
Motion carried.

Motion was made by Councilmember Berry and seconded by Councilmember Eng-Sarne to approve Resolution No. 23-025 Issuing Specialty Intoxicating THC Retailer License RT Holdings, LLC (DBA Nothing but Hemp) Located at 1633 Robert Street South, West St. Paul, MN.

Vote: Berry – aye
Eng-Sarne – aye

Eastman – aye
Gulley – aye
Justen – aye
5 ayes
Motion carried.

13. Old Business

14. Adjourn

Motion was made by Councilmember Eng-Sarne and seconded by Councilmember Berry to adjourn the meeting at 7:09 p.m.

Vote: 5 ayes / 0 nays. Motion carried.

Meeting adjourned.

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

David J. Napier
Mayor
City of West St. Paul