

**City of West St. Paul
City Council Meeting Minutes
May 29, 2018**

1. Call to Order

Mayor Halverson called the meeting to order at 6:34 p.m.

2. Roll Call

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

Absent: None

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

3. Pledge of Allegiance

4. Adopt the Agenda

Mayor Halverson listed the following agenda changes that were discussed by Council at the Work Session prior to the regular meeting:

- Remove Item 9B, Regular Council Meeting Minutes of May 14, 2018 for correction;
- Remove Item 9I, Marthaler Park Consent Agenda; and
- Add Item 9J, Approve Settlement of Evenstad Claim

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

All members present voted aye. Motion carried.

5. OCWS Briefing

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

- Closed Session Pursuant to Minnesota Statute 13D.05 Subd. 3(c) for Attorney-Client Privileged Communication Related to the Evenstad Lawsuit Settlement;
- Closed Session Pursuant to Minnesota Statute 13D.05 Subd. 3(c) for Attorney-Client Privileged Communication Related to the Robert Street Taking of Property Lawsuit Settlement;
- Financial Policies;
- Vacant Property Registration; and
- Temporary Homeless Shelter Ordinance

6. Citizen Comments

The following citizens addressed the Council:

- Ken Paulman, Ward 3
- Tom Vavreck, Ward 2
- Jay DeLaRosby, Ward 1
- Kevin Hendricks, Ward 3
 - Submitted cards from students regarding the Greenway Project
- Jade Pennig, Ward 3
- Abigail Hendricks, Ward 3
- Karen Vavreck, Ward 2
- Samantha Green, Ward 1
- Holly Gravoy-Loke, New Resident in Ward 2
- Mark Raney, 1021 Winslow Avenue
- Randi Barron, New Resident in Ward 1
- Kali Freeman, Ward 2

7. Council Comments

Councilmember Pace thanked everyone for coming to this evening's meeting. In regards to the harassment against Mayor Halverson and Samantha Green, Councilmember Pace said he called Mayor Halverson and apologized. He said he also called the Police Chief and asked if there was anything more that could be done. Councilmember Pace said he emailed Ms. Green and expressed the same as he did to Mayor Halverson. Councilmember Pace said he would like to move past this.

Councilmember Pace gave a shout-out to the South Robert Street Business Association for their events during West St. Paul Days and reminded everyone to support local businesses.

Councilmember Pace said the 20th Annual Golf Tournament is scheduled for June 15, 2018. Contact Dave Motz at (651) 457-1196 for more information.

Councilmember Fernandez talked about the Planning Commission appointments that were pulled from the April 23, 2018 Council agenda. He said he let personal feelings get in the way and said that was a mistake. Councilmember Fernandez apologized to Samantha Green and to the people of West St. Paul. Going forward, he said he believes that the

Mayor has the ability to make appointments to the Planning Commission. He does not condone any of the actions against Mayor Halverson and Ms. Green.

Councilmember Fernandez said he is open to being a better listener in the future and is going to work on that. He suggested anyone call or email him if they would like to talk or meet with him.

Councilmember Fernandez said he is committed to diversity in West St. Paul. He also apologized to the community and to his colleagues on the Council. Councilmember Fernandez said he is in favor of appointing Samantha Green to the Planning Commission.

Councilmember Napier said the result of the April 23, 2018 Council meeting was appalling and embarrassing. He added that it has been a joy to work with Jay DeLaRosby on the Park & Recreation Commission. Councilmember Napier said the City is doing a disservice to the community by not filling open commission seats.

Councilmember Napier said he supports Mayor Halverson and the growth they've made over the past five and a half years. He said it has been a pleasure working with Mayor Halverson. Councilmember Napier added that everyone should be a part of the solution, not the problem.

Councilmember Iago thanked the men and women of the armed forces, past and present.

Councilmember Iago said he received a call from a leading citizen who picked up trash along Robert Street after observing an employee drive past without picking it up.

Councilmember Iago wanted people to know that he did not attend the West St. Paul Open House because he was out of state for a family member in the hospital.

Councilmember Iago said, when people threaten the peace and tranquility of someone else's home or business, they've gone too far. He said respect given is respect earned.

Councilmember Vitelli thanked Staff for their work putting together the Open House event. He said we live in a great city, and everyone enjoyed the event.

Councilmember Bellows said there is no excuse for the actions taken against Mayor Halverson and Samantha Green.

Councilmember Bellows referred to questions received from a citizen regarding qualifications for becoming part of a committee. Councilmember Bellows said the qualifications are to be familiar with the position, showing up beforehand, finding out what the committee is doing, having an interest in the community, and providing information on the application regarding your background and qualifications. He believes we should be looking for people who are best qualified for these positions.

Councilmember Bellows said he voted for Mr. DeLaRosby for the Park & Recreation Commission. However, subsequent to that, he said Mr. DeLaRosby has been abusive and has made allegations that become factors in the decision.

Councilmember Bellows spoke regarding transparency in meetings. He said there is a notice of a meeting anytime there are three or more Councilmembers at a meeting. He also said if there are any instances violating the open meeting law, he wants to hear about it.

Mayor Halverson said she wants to be clear that there has been a lot of condemning regarding packages left at her home and the home of Samantha Green. She acknowledged that Councilmember Pace called her the following day and appreciated that he reached out to her.

Mayor Halverson said this is not something you move past, but yet it must be taken, examined and learned from in order to make ourselves better for it. She stated that a special meeting was called where Councilmember Fernandez said he had never been disrespectful to the Mayor and that, if she were asked, she would back him up on that. Mayor Halverson said she wants to make it very clear that she would not back him up on that. She said the vote, in question alone, was disrespectful to her. She also said that encouraging residents to meet individually with Councilmembers is an issue and is not transparency.

Mayor Halverson said the question of why Samantha Green was not appointed to the Planning Commission is what brought us to this situation. She said she reached out to the sitting Planning Commission member who was serving and seeking reappointment to thank him for his service and his time. Mayor Halverson also told him that she was contacted by another Ward 3 resident who wanted to fill that seat and that she was very excited about it and wanted to bring her energy and her passion to that role. She also stated that Samantha Green is from Ward 1 not Ward 3.

Mayor Halverson said we will not just set this aside. She said this is important and we need to examine it and continue to pay attention.

Mayor Halverson said she is proud of this community and thanked everyone for being here.

Councilmember Vitelli stated that he would like to add an item to the Consent Agenda.

Motion was made by Councilmember Vitelli and seconded by Councilmember Napier to add Item 9K, Appointment of Jay DeLaRosby to the Park & Recreation Commission, to the Consent Agenda. Motion carried.

Motion was made by Councilmember Bellows to remove Item 9K, Appointment of Jay DeLaRosby to the Park & Recreation Commission. Motion failed for lack of a second.

Mayor Halverson mentioned the 2nd Annual Bike Rodeo at Wentworth Library June 16th from 10:00 a.m. to Noon. There will be a helmet fitting station, obstacle course, bike tuning, library card registration, certificate of completion, and other activities. Please consider donating to this event for all of the children in our community.

8. Proclamations, Presentations and Recognitions

A. Donations to the City

Motion was made by Councilmember Vitelli and seconded by Councilmember Napier to adopt Resolution No. 18-61 Accepting Donations to the City.

All members present voted aye. Motion carried.

B. Landlord Recognition – EIG Property Management, 966; 976 Robert Street

Council recognized EIG Property Management for their efforts in their management of 976/976 Robert Street.

9. Consent Agenda

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

A. Previous Meeting Minutes:

- Open Council Work Session Minutes of April 23, 2018
- City Council Meeting Minutes of April 23, 2018

B. Previous Meeting Minutes:

- Open Council Work Session Minutes of May 14, 2018
- City Council Meeting Minutes of May 14, 2018 – **Item Pulled**

C. Financial Reports

D. List of Claims, in the Amount of \$914,880.71

E. Call Final Assessment Hearing for 2017-2018 Robert Street Sidewalk Snow Removal

F. City Licensing

- Resolution No. 18-69 Concurring with the Issuance of a Minnesota Lawful Gambling Exemption for UMOGD-Sight Preservation Foundation at Southview Country Club, 239 Mendota Road East, August 13, 2018
- 1-Day Temporary On-Sale Liquor license for St. George Antiochian Orthodox Church, 1250 Oakdale Avenue, July 20-22, 2018

G. Outdoor Entertainment License for St. George Antiochian Orthodox Church, 1250 Oakdale Avenue, July 20-22, 2018

H. Rental Licensing

I. Marthaler Park Master Plan – **Item Pulled**

J. Settlement of Evenstad Claim

K. Appointment of Jay DeLaRosby to the Park & Recreation Commission with term expiring February 28, 2020

All members present voted aye. Motion carried.

10. Public Hearings

A. Public Hearing on Proposed Assessments of Unpaid Invoices

Stark provided an overview of the proposed assessments of unpaid invoices.

Mayor Halverson opened the Public Hearing at 7:46 p.m.

Seeing no one wishing to speak, Mayor Halverson closed the Public Hearing at 7:46 p.m.

Motion was made by Councilmember Bellows and seconded by Councilmember Napier to adopt the assessment roll of unpaid invoices.

All members present voted aye. Motion carried.

B. Comprehensive Plan Amendment to Amend the City of West St. Paul Land Use Map for the Properties Located at 1631/1645 Marthaler Lane (DARTS Property) from Industrial to Mixed Use – City of West St. Paul

Hartshorn provided an overview of the comprehensive plan amendment to amend the City of West St. Paul Land Use Map for properties located at 1631/1645 Marthaler Lane (DARTS property) from Industrial to Mixed Use.

Hartshorn stated that the resolution should include wording that the Land Use Map amendment is contingent on the City approvals.

Mayor Halverson opened the Public Hearing at 8:00 p.m.

Maria Franzmeier, Ward 3 Planning Commissioner, addressed the Council.

Patrick Olstrom of Real Estate Equities addressed the Council.

Mayor Halverson closed the Public Hearing at 8:03 p.m.

Motion was made by Councilmember Fernandez and seconded by Councilmember Pace to adopt Resolution No. 18-70 Approving a Comprehensive Plan Amendment to Amend the Proposed Land Use Plan Map for 1631/1645 Marthaler Lane, with the addition of the following wording: “1. The Land Use Map amendment is contingent on the approval of the relevant City zoning applications for the property, including but not limited to site plan, conditional use permit and rezoning.”

All members present voted aye. Motion carried.

11. New Business

A. Declare Adequacy of Petition and Order Preparation of Feasibility Report for Alley Improvements

Beckwith provided an overview for Council.

Motion was made by Councilmember Bellows and seconded by Councilmember Vitelli to adopt Resolution No. 18-71 Declaring Adequacy of Petition and Ordering Preparation of Feasibility Study for Alley Improvements.

All members present voted aye. Motion carried.

12. Old Business

There was no Old Business to discuss.

13. Adjourn

Motion was made by Councilmember Napier and seconded by Councilmember Vitelli to adjourn the meeting at 8:18 p.m.

All members present voted aye. Motion carried.



Jenny Halverson
Mayor
City of West St. Paul