

**City of West St. Paul
Open Council Work Session Minutes
August 26, 2019**

1. Roll Call

Mayor Napier called the meeting to order at 5:00 p.m.

Present: Mayor Dave Napier
Councilmembers Wendy Berry, Anthony Fernandez,
John Justen, Lisa Eng-Sarne, Bob Pace (arrived at 5:01 p.m.)
and Dick Vitelli

Absent: None

Also Present: City Manager Ryan Schroeder
City Attorney Kori Land
Interim Police Chief Brian Sturgeon
Fire Chief Mark Juelfs
Human Resources Director Debra Gieseke
Finance Director Char Stark
Parks & Public Works Director/City Engineer Ross Beckwith
Community & Economic Development Director Jim Hartshorn
City Clerk Shirley Buecksler

2. Review and Approve the OCWS Agenda

Council approved the OCWS Agenda, as presented.

3. Review the Regular Meeting Consent Agenda

Council approved the Regular Meeting Consent Agenda, as presented.

Mayor Napier said that both he and Mayor Pro Tem Vitelli will be out of town on September 9 and asked if there is any interest in moving the September 9 OCWS and Council meetings to September 16.

Schroeder said that Representative Rick Hansen and Senator Matt Klein are planning to attend the Council meeting on September 9, so he will need to check if they can come on September 16.

Councilmember Eng-Sarne said she is open to changing the date.

Councilmember Pace said he is unavailable on September 16.

Councilmember Justen said it shouldn't be a problem for him but he will need to verify.

Councilmember Vitelli said a temporary Mayor Pro Tem could be appointed. City Attorney Land agreed and said someone would need to be appointed at this meeting if a temporary Mayor Pro Tem is needed for September 9.

Mayor Napier said he will work with the City Manager to see what works for everyone.

4. Agenda Item(s)

A. Closed Session Pursuant to Minnesota Statute 13D.05 Subd. 3(b) for Attorney-Client Privileged Communication to Discuss the Fulton Investigation

Motion made by Councilmember Vitelli and seconded by Councilmember Justen to close the meeting at 5:04 p.m.

Council asked questions and received answers.

Motion made by Councilmember Berry and seconded by Councilmember Justen to reopen the meeting at 5:36 p.m.

B. Update on Temporary Residential Housing for the Homeless at St. Stephens Lutheran Church and Augustana Lutheran Church

Hartshorn said that the City Council approved two Interim Use Permits last fall for Matrix Housing Services to provide temporary housing for the homeless at two locations in West St. Paul, St. Stephens Lutheran Church (1575 Charlton) and Augustana Lutheran Church (1400 Robert). Matrix Housing Services provides temporary emergency housing for the homeless in churches throughout Dakota County from November through April (see attached for more info). The rotating shelter typically operates out of each church for 15 days. During the 2018-2019 winter season, Matrix operated the shelter at St. Stephens from December 1, 2018 to December 15, 2018 and at Augustana from January 12, 2019 to January 26, 2019.

Upon adoption of the ordinance to allow the temporary shelters, Council requested Staff to review the operation with Council after the 2018-2019 season. Staff requested Police call information for the two churches during the timeframes in which the shelters. In addition to the calls provided in the Council's packet, there were also some calls to adjacent properties regarding concerns related to loitering and relatively minor things. Overall, however, the Interim Police Chief stated that there were no major concerns resulting from the shelters. Hartshorn said Interim Use Permits will be approved administratively by Staff.

Hartshorn introduced Subi Ambrose, Matrix Executive Director. Ms. Ambrose provided a review of the 2018-2019 operation and stated that she is hoping to utilize the same two churches again for the 2019-2020 winter season.

Ms. Ambrose said that she thinks the 2018-2019 season went well. She said they were hoping to figure out another solution versus rotating shelters; however, this season they will be renting again unless a rental property comes through. Both parishes are open to having them with the same model. The only thing different is that they applied for a grant from the State for a resource center, which would be open five days a week. Ms. Ambrose said the resources center should help with some of the loitering because this would help people find work. Matrix will provide transportation to the resource center at Grace Lutheran Church in Apple Valley. They hope people will go there to use computers and get assistance from Dakota County and other providers. Although the season went well, she said the large difference is that they noticed a spike in mental health and other needs from clients. She said they are going to make an adjustment in resources for this.

Mayor Napier thanked Ms. Ambrose for coming to the meeting and providing all of the interesting statistics.

Councilmember Justen said he thinks it's a fantastic program and he is proud that we are able to do this. He said he fully supports what Matrix is doing and what the City has done to help.

Councilmember Eng-Sarne said she is thankful for the service they are providing. Along with a group of community members, she helped serve a meal at both locations and said it is clear that Matrix is filling a gap that other places are missing right now. Their clients are predominantly people with disabilities and mental health needs. Councilmember Eng-Sarne said she is very thankful for what they are doing and hopes they will continue with this program.

Ms. Ambrose said they are trying to stay connected through community meetings with hospitals and Police Officers. As we tighten those up, she said they hope to help people who really need it.

Councilmember Vitelli said he echoes the comments of Councilmembers Justen and Eng-Sarne.

Councilmember Fernandez said one of the things Council was wondering about last year was how this would work. He asked what happens during the day and evening at each location.

Ms. Ambrose said they try to get everyone to call the shelter phone number for access prescreening. Some may show up by word of mouth but they don't allow anyone to just drop in outside of normal shelter hours. Once they check in, she said a meal is served soon after. On average, it may be an hour or two at the most when a meal is served. Usually they've been out walking around and they're tired, she said. Prior to

the meal being served, she said they try to assess them with service providers, in order to connect them to State services. If someone fell on hard times but is able to get some assistance, she said, they may be referred to a rapid rehousing program and assigned a case worker. Or they may be connected to Veterans Services or apply for disability. She said they're hoping the resource center that would be open during the day will provide more time for people to connect with those services.

On a typical day, after coming in to get a meal, Ms. Ambrose said they meet with Matrix Staff, setting up an appointment to meet with a Dakota County service worker that evening or the next morning, and then have time to shower, do some laundry and go to bed. She said it's only a small amount of time when people are actually awake.

Ms. Ambrose said their Staff arrive at 5:30 p.m. and they doors are open a half hour or hour after that but it varies from site to site. In the morning, she said everyone is up by 5:00 a.m., breakfast is served about 7:00 a.m., and people are out the door by 8:00 a.m.

Councilmember Fernandez asked if people are staying for the whole season starting November 1st when the shelter opens. Ms. Ambrose said yes.

Councilmember Fernandez asked if they expect to see returning folks. Ms. Ambrose answered yes, that there is usually some other factor. Those that don't bounce back usually have some other barrier and continually struggle to receive help and are chronically homeless. Oftentimes, she said, something will happen and they relapse into homelessness. With a history of chronic homelessness, she said we can help get them into a permanent housing situation, though not until other solutions are tried first.

Councilmember Fernandez said the concern was always about the safety inside of the shelters. He said it doesn't seem like there was anything going on inside the shelter, like assaults. Ms. Ambrose said there is always a risk for that. There were some instances that came up but dealing with folks who have untreated mental health and addiction issues, they usually try to minimize that risk and encourage both the Staff and clients there.

Councilmember Fernandez asked if someone would be kicked out for doing something and asked about the ramifications for bad behavior. Ms. Ambrose said it is behavior based and based on the situation. She said there have been folks who need to be restricted for the season.

Councilmember Eng-Sarne asked if they have a grant for transportation from West St. Paul to Apple Valley. Ms. Ambrose said yes, they partner with both Lyft and public transportation.

Councilmember Berry said that West St. Paul is the third highest, at 14%, on the chart of City Demographics for Shelter Guests. She asked if they tend to stay here. Ms. Ambrose said they do tend to stay. She said those that they don't see often are from Hastings. The Apple Valley and West St. Paul folks seem to come around with us, she said. It's people in the outlying cities that stay with relatives or friends.

Mayor Napier said the Interim Use Permit is handled through Staff so it will not be going to the formal Council meeting. He asked if any residents attending the meeting tonight wanted to ask questions or voice concerns on this topic. Seeing none, Mayor Napier said this is a great sign and that he believes this program has been a success. He added that public safety staff have done a great job, which is supported by Sturgeon's report that there were no major concerns resulting from the shelters.

Mayor Napier and Council thanked Ms. Ambrose for what they are doing for the community. Ms. Ambrose thanked Council for their partnership.

C. Sidewalk Snow Removal on Robert Street and Livingston Avenue

Beckwith said the concrete sidewalk on Robert Street between Mendota Road and Butler Avenue is currently contracted for snow removal every winter. The City then holds an assessment hearing the following summer which divides the cost of the snow removal to each property on a per foot basis.

There have been discussions of adding to the length of sidewalk contracted out each year. With winter coming up, this is the time when any changes would need to be made, Beckwith said. One option is to add Robert Street from Butler Avenue to Annapolis Street (both sides of the road). The second is to add the new five-foot sidewalk on Livingston Avenue from Wentworth Avenue to Mendota Road (there is only sidewalk on one side of the road). The current snow removal policy states that asphalt trails are cleared by City/County forces and concrete walks are cleared by adjacent property owners. Robert Street, a state road, is the one exception, he said.

Beckwith said there are factors to consider with the two possible additions:

Robert Street – Annapolis Street to Butler Avenue

- There are limited areas to put the snow due to building faces and retaining walls on the back side of the sidewalk. In some cases snow would have to be blown onto private property and/or hauled off. Hauling off snow is not in the scope of the contractor. City Public Works crews would have to be involved in snow hauling operations. Based on the timing of those needs after each snow event it would be very difficult to accommodate this task using Public Works staff and vehicles.

- This stretch has some residential properties along it which may be more resistant to an assessment than a business.

Livingston Avenue – Wentworth Avenue to Mendota Road

- This would be the first sidewalk along a city street to have contracted snow removal, which may open the door for other areas of the city and turn this into a larger program to manage.
- Does one or both sides of the street get assessed since there is only sidewalk on one side?

The current snow removal contractor for Robert Street is willing to add additional services. However, they would need to staff up and add equipment in order to be ready for a fall snow event and therefore need a decision in early September.

The contractor would charge the same rates (number of snow events and inches of snow per event) on any additional work added. The city would continue to assess back the cost of this work to adjacent property owners. So there would be an additional upfront cost the city would have upfront costs, in the end the city would be reimbursed.

Councilmember Vitelli said his gut tells him to do it. On Livingston, he said they should be assessed on both sides. On the north end of Robert Street, people use the bus and sidewalks. He said we should try it as a pilot program.

Councilmember Pace asked if anyone living on Livingston or doing business there have mentioned anything. The alternative is to make them do their own front. He asked why businesses on Robert Street from Butler to Mendota are forced to pay but from Butler to Annapolis they are not forced to pay.

Councilmember Vitelli said the history is that those businesses have said over the years that they would do it and they did a pretty good job of it.

Councilmember Pace said he relates it to himself, what he would pay people he employs, and that he thinks it should be fair.

Councilmember Justen asked if this is getting triggered by a demonstrated need between Butler and Annapolis and if there are issues with owners not taking care of it. He questioned why we are doing this if the City and owners are both satisfied with the clearing that is being done.

Beckwith said this is an item brought up by Council.

Councilmember Justen asked if there are problem areas and why we would add this in if we aren't fixing a problem. He said he feels like we will have property owners who will not be pleased with this if they've been contracting this successfully themselves and both they and the City feel they've done a good job, then why would we do it. He

said he could see a reason to do it if there were problems, such as where a sidewalk doesn't get care of, but he said he feels like we have a mechanism for doing that.

Mayor Napier said the issue is whether we have issues on the north end right now. Beckwith said he doesn't get the calls on that but Code Enforcement or Hartshorn could get that information.

Councilmember Berry asked if we pay to clean Metro Transit bus stops and if that has always been the case. Beckwith said yes and that we have had many discussions with them but they don't shovel.

From last winter on the north end, Councilmember Vitelli said there were a lot of paths that didn't get shoveled.

Councilmember Eng-Sarne said she and Mayor Napier went to a beautiful, exciting grand opening today at the Children's Clinic within this stretch and they touted the bus line and accessibility to the clinic. With parents toting children from the bus in the snow, for this purpose she said she would argue for prompt and fast cleanup of it.

Councilmember Fernandez said if we're promoting walkability on Robert Street, we would want it all to be uniform on the commercial corridor. He asked if we have concrete numbers behind this. Beckwith said they are based on snow events and we pay per inch. Every year fluctuates but last year was the highest by far.

Councilmember Fernandez asked what the mechanism is to get that out there. South of Butler, he said there are corporations that own larger properties. North are tiny plots, maybe only 20 feet long. He said he would like to know the exact numbers and it would be nice to have a mechanism to inform the business community. For some, it may make sense and we get no pushback. He said it would be nice to have that. Beckwith said he will provide a range for Council.

Mayor Napier asked about the timeline. If we are going to contract this, he said they will need to hire additional employees and purchase equipment. He said we should have one company represent the whole area. Beckwith said the timeline is September but the sooner the better.

Mayor Napier said the report was very clear and it's important for us to decide what we want to do. He said he believes we should make it consistent and fair all the way across. We know it will be done because we're doing it, even though it gets tricky on the north end with residential properties.

Councilmember Justen asked if the charge for the additional district is the same as the other district and if it would be amortized by distance. Beckwith said it's about \$52 per 1,000 and that it comes down to a per foot price. Councilmember Justen said he wants to be sure it's by foot and not a job granting.

Councilmember Berry asked Beckwith if he has heard from anyone on the north side of Robert Street asking about this. Beckwith said no. Councilmember Berry asked if he has heard from anyone on the south side who hates it. Beckwith said no.

Councilmember Pace said he thinks you'll find that South St. Paul adopted their new rules and they are going to do start all of the sidewalks. If we're going to be putting down sidewalks, we should probably look at taking care of them. He asked who is taking care of the new trail on Marie and Oakdale. Beckwith said the County takes care of any regional trails, such as the River to River trail, and the City takes care of the rest. Councilmember Pace asked if that should be part of this assessment. Beckwith said the City takes care of all asphalt trails and owners take care of concrete trails.

Councilmember Pace said the businesses on Butler are forced to pay for this and have no choice. He said that statement is ridiculous when the rest of the people in the City don't have to pay.

Schroeder said we may need to go through a process, more than just a decision here. He said there will be some negative responses and some positive.

Mayor Napier said that's why he asked about the timeline. He said we should have a nice discussion at the next OCWS with more information.

Schroeder said we are probably getting a little bit late on it.

Mayor Napier asked about feedback from the community. Schroeder said we need to get word out.

Councilmember Vitelli said that he agrees with Mayor Napier and Councilmember Pace that we should do it and clean them. Going off of memory from the last few years, he said the cost per foot has not been that bad. Why not have it consistently cleaned, done right, and pay the City for it, he said.

Councilmember Fernandez asked if a cost analysis was done on the City doing the work in-house. Schroeder said just the equipment is \$150K.

Mayor Napier said the company is buying specific equipment for the north end.

Councilmember Berry said perhaps we should keep the September 9 meeting date in order to hurry the process along.

D. Livingston Avenue Assessments

Beckwith said that the City's Public Improvement and Special Assessment Policy was updated in April 2018. The 2019 Street Improvement Project on Livingston Avenue (Thompson Avenue to Mendota Road) was calculated with this policy. At the time

that the preliminary assessments were calculated (September 2018), sidewalk and lighting were planned between Thompson Avenue and Wentworth Avenue, which eventually came out of the plan.

The assessment policy states that watermain, storm sewer and sanitary sewer are not assessed in reconstruction projects. The cost to reconstruct the street is assessed at 25%, new sidewalk is assessed at 100% to properties on both sides of the street, and replacement street lighting is assessed at 25% (both sides of street). Alleys are assessed at 95% of the total project cost. The City is required to assess at least 20% of the total project cost, since bonds were used for funding.

Cub Foods, LA Fitness, the West St. Paul Sports Dome (and parking lot across the street) all had existing sidewalk, which was not replaced, and, therefore, they won't be assessed for new sidewalk. The remaining properties between Wentworth Avenue and Mendota Road will be assessed for sidewalk.

Councilmember Vitelli said this looks good to him.

Councilmember Pace questioned that we've thrown around the idea of not assessing the property owners 100% of the sidewalks and having the City take care of it. Beckwith said that's what we are here to discuss.

Councilmember Pace said Staff was going to figure out if the City budget should cover all lighting and sidewalks or if we drop the assessment to a smaller number.

Schroeder said Beckwith did that in May and what we came up with was \$15M of construction costs and \$40M with right-of-way costs, which was a big number for the budget to take on over any timeframe. Part of that discussion should be somewhere, he said, but when some folks are paying to do their development, they are paying 100% of their cost. Then right next door, if we do a project, should they pay 100% or some other number, or a lower percent, there's always going to be that issue. When you look at the north Wentworth, they're getting the street but nothing else. South Wentworth is getting the street, sidewalk and lighting. There should be a differentiation in what those two property owner types pay, Schroeder said.

Councilmember Fernandez said the reason we brought this up was to take out the animosity of adding more sidewalks and trails. Some people want it but some don't want to pay for it. If it's a smaller number, it should run through the gauge of all the taxpayers in the city, he said. It seems more palpable and you get more people behind it that way.

Schroeder said part of the problem is that we are really short on time.

Mayor Napier said he thinks we should assess following the current policy as outlined.

Councilmember Justen asked if we can get a discussion on sidewalk assessments, rather than rolling through projects. And now we can't reverse this one because it's here.

Mayor Napier said we need to have that conversation but that it is a big conversation. All of the Council that have not been a part of the original one, he said, need time to sit down in an office like this and review the plans all the way through with a Staff person. He said this is very valuable and then we can get to the table and decide what we want to do. Until that happens, we have these coming forward and we have a current policy in place, he said.

Councilmember Fernandez said that Councilmember Pace brought this up a long time ago and it's crucial and we are failing as a City. For some reason, he said we just can't get it right like other first ring suburbs. We need to sell people on it, that it will increase their property value, and that it's an actual statistical figure that walkability increases value. He said it's critical that this gets done now or very soon.

Mayor Napier said he doesn't think we are failing. We have a lot to do, but the sidewalks added over the past five to six is impressive, he said.

By failing, Councilmember Pace said he thinks that Councilmember Fernandez means we are failing some of the residents because himself, Councilmember Fernandez and some former Councilmembers made a promise to residents on Livingston that we are going to get this changed and it didn't get changed. He said the whole reason for himself going after it is similar to parks. I may not be using the park by where you live, but I am paying for it. I want sidewalks in every street in this city but how we pay for it is for the City Manager to figure out. If someone put a sidewalk in front of my house, I'm not going to pay for it 100%. People from down the street are going to use it. They also use the lights and the sidewalks.

Councilmember Justen said he sees what Councilmember Pace is saying; it's for public good.

Mayor Napier said no one in this room is going to argue that but, right now, this is in front of us and there is a timeline.

Councilmember Berry said if we have a plan but we are not doing it, then we are failing.

Mayor Napier said we are doing the plan. The pedestrian plan is in place and we are proceeding with the current policy. As road construction goes in, a sidewalk is put in. We are doing the plan as it is laid out to do it. The only thing that hasn't been done is how we are going to do sidewalks for the next ten years and how we are going to pay for them. He said there is only a plan for as we do road construction.

Mayor Napier asked how Staff wants to move forward and if they have enough to move forward.

Schroeder said the only real suggestion that we've heard is the currently policy is what the current policy is and that's what is proposed. As we continue this discussion, he said we can go through the assessment process and also go through this other process of sidewalk funding.

Mayor Napier said if we want to move these to the Regular Council meeting, we can add them to the agenda and discuss them there if anyone wants to talk about it further.

Councilmember Pace said he thinks Staff has direction on snow removal. They're going to get some feedback.

Councilmember Berry said she is fine with leaving snow removal in Staff's hands because we set a date on getting feedback.

Councilmember Pace asked Schroeder to explain himself further when he said we can talk about both ends. Schroeder said if you change the policy, you can go back and update the prior assessment. He said you always have the ability to do that.

Councilmember Pace said if we can do that, then we should have it on a very near meeting together and handle it.

5. Adjourn

Motion was made by Councilmember Berry and seconded by Councilmember Pace to adjourn the meeting at 6:14 p.m.

All members present voted aye. Motion carried.



Dick Vitelli
Mayor Pro Tem
City of West St. Paul