

**City of West St. Paul  
City Council Meeting Minutes  
October 9, 2023**

**1. Call to Order**

Mayor Napier called the meeting to order at 6:30 p.m.

**2. Roll Call**

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

Absent: None

Others Present: City Manager Nate Burkett  
City Attorney Sam Ketchum  
Police Chief Brian Sturgeon  
Community Development Director Ben Boike  
Public Works Director / City Engineer Ross Beckwith  
Finance Director Char Stark  
City Clerk Nicole Tillander

**3. Pledge of Allegiance**

**4. Adopt the Agenda**

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

Vote: 6 ayes / 0 nays. Motion carried.

**5. OCWS Briefing**

Council discussed the following items during the Open Council Work Session of October 9<sup>th</sup>:

- A. Athletic Facilities Rental Policy
- B. Future Meetings on Indigenous Peoples' Day

**6. Community Comments – In Person**

- No one came forward to address the council.

**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**

### **A. Proclamation Honoring Indigenous Peoples' Day**

The Council honors Indigenous Peoples' Day and moving forward will hold the October meetings on the second Tuesday and fourth Monday to continue to honor this day.

## **10. Consent Agenda**

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

- A. Approve City Council Meeting Minutes of September 11 and September 25, 2023**
- B. List of Claims for October 9, 2023**
- C. City Business Licensing**
- D. City Rental Licensing**
  - 351 Schletty Lane (Single Family-Renewal)
  - 903 Oakdale Ave. (Apartment-Renewal)
  - 218 Annapolis St. W (Apartment-Renewal)
  - 1631 Marthaler Ln. (Apartment-Renewal)
  - 1021 Humboldt Ave. (Single Family-New)
  - 1250 Charlton St. (Single Family-Renewal)
  - Total Amount – \$3,522.00
- E. Award Bid for Lift Station 4 & Forcemain 4, City Projects 19-4 & 20-7**
- F. Final Payment for the Forcemain 6 Replacement Project, City Project 22-3**
- G. Minnesota Public Facilities Authority Grant Agreement**

Vote: 6 ayes / 0 nays. Motion carried.

## **11. Public Hearings**

- A. Public Improvement Hearing: Authorize Preparation of Plans and Specifications for the 2024 Mill and Overlay Project 24-1**

Public Works Director & City Engineer Ross Beckwith presented the project and overview of timeline and impacted neighborhoods/streets. Project open house had approximately 25 attendees, Ross shared questions and concerns brought forward at that event. Staff looks to hold a public hearing, authorize plans and adopt the resolution for the 2024 Mill and Overlay Project 24-1 after public hearing.

Mayor Napier opened the Public Hearing at 6:54 p.m.

- Greg Shepherd, 215 Kathleen Drive – no issue with the project, other concerns to include city maintenance once project is completed – street sweeping, garbage collection, apartment parking

- Tim Carroll – roads were not done properly previously, streets need to be re-done well and property tax assessment should reflect this
- Fred Hennagir, 162 Kathleen Drive – trucks and excess traffic on the street, price is steep for those on a fixed income; residents should not have to pay for something that was not done correctly
- John Wadell, 45 Kraft St W – streets need to be re-done but better, questions on how process will change to better maintain the work this time
- Tim Haubrich, 62 Teresa Drive – streets were not originally done well and have not been properly maintained, what is the responsibility there, referenced case studies in neighboring cities stating that property owners can't be assessed for normal maintenance
- Judy Haubrich, 62 Teresa Drive – what is the specific value of the work being done and how is value determined

City Manager and City Attorney Ketchum spoke to our special assessment policy and the City of Saint Paul court decision. There are many differences between the two cities and their approaches to street improvement. Our feasibility report addresses the determination of benefit and value; report was approved at the August 28 City Council meeting.

- Lynn Connell – how exactly does this benefit homeowners, use is city-wide; how are homeowners assessed when part of a condo association; what are payment options and why is interest added; what happens if you don't agree with the project and how do you stop it; city should pay for project and property owners should not be assessed

Mayor Napier advised street conditions are critical to our community. The road was last re-done in 2003, 20 years exceeds the expected lifespan of a road in Minnesota. Council will look at all concerns and any hardships caused by the project and make a decision based on the benefit to the entire community. Streets were neglected and current council and staff are taking a responsible approach to sewers, streets and other infrastructure.

City Attorney Ketchum advised all steps to object to individual assessments are in the letter provided. City Manager advised that final assessment will happen after bids are received and approved and contract is completed, likely in April of 2024.

Mayor Napier closed the Public Hearing at 7:39 p.m.

City is reviewing a change to the rubbish hauler ordinance; topic will be on future meeting agendas. City Manager again advised overall life of streets is approximately 50 years until full dig up and replacement, 20 years is reasonable for mill and overlay in the lifespan of a street; assessment is based on value added to residents living on and primarily using the impacted streets. City Attorney advised this public hearing is for ordering specs, etc. Additional information will be noticed with further detail and exact assessment amounts.

Motion was made by Councilmember Gulley and seconded by Councilmember Eng-Sarne to adopt the final assessment as presented and approve Resolution 23-061 Ordering Improvement and Authorizing Preparation and Specifications for City Project 24-1.

Vote: 6 ayes / 0 nays. Motion carried.

**B. Public Improvement Hearing: Authorize Preparation of Plans and Specifications, Order Project, and Award Contract for Maintenance of Robert Street Sidewalk Snow Removal 2023-2024**

Public Works Director & City Engineer Ross Beckwith presented. Staff looks to hold a public hearing, authorize plans and adopt the Resolution No. 23-062 Authorizing Preparation of Plans and Specifications, Ordering Project and Awarding Contract for Maintenance of Robert Street Sidewalk Snow Removal 2023-2024 after public hearing.

Mayor Napier opened the Public Hearing at 7:51 p.m.

No one came forward to address the council.

Mayor Napier closed the Public Hearing at 7:52 p.m.

Motion was made by Councilmember Justen and seconded by Councilmember Armon to approve Resolution No. 23-062 Authorizing Preparation of Plans and Specifications, Ordering Project and Awarding Contract for Maintenance of Robert Street Sidewalk Snow Removal as presented.

Vote: 6 ayes / 0 nays. Motion carried.

**12. General Business**

**A. Abatement Resolution and Abatement Order for 1037 Humboldt Ave**

Community Development Director Ben Boike presented the background and necessary steps to complete property abatement process, as well as timelines for remediation. Property owner has not responded and property is now in foreclosure; procedure for abatement remains but timeline may be extended. Staff will serve the owner and/or post notice on the building. Once these steps are completed, the court may issue a default order. Any additional cost can be assessed as lien on the property. Safety issues will be addressed throughout the process.

City Attorney Ketchum discussed 463 action, foreclosure and future steps.

Staff looks for approval of the abatement resolution, which includes the abatement order, the code violation documentation and Emergency Ordinance No. 23-015 For Emergency Securing of 1037 Humboldt Avenue.

Motion was made by Councilmember Eastman and seconded by Councilmember Justen adopt Resolution No. 23-063 Ordering the Abatement of a Hazardous Property and Building and Public Nuisances Located at 1037 Humboldt Avenue as presented.

Vote: 6 ayes / 0 nays. Motion carried.

### 13. Adjourn

Motion was made by Councilmember Gulley and seconded by Councilmember Justen to adjourn the meeting at 7:59 p.m.

Vote: 6 ayes / 0 nays. Motion carried.

Meeting adjourned.



David J. Napier  
Mayor  
City of West St. Paul