

**City of West St. Paul
City Council Meeting Minutes
October 28, 2019**

1. Call to Order

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

2. Roll Call

Present: Mayor Dave Napier
Councilmembers Wendy Berry, Anthony Fernandez,
John Justen, Lisa Eng-Sarne, Bob Pace and Dick Vitelli

Absent: None

Others Present: City Manager Ryan Schroeder
City Attorney Kori Land
Interim Police Chief Brian Sturgeon
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

3. Pledge of Allegiance

4. Adopt the Agenda

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

Vote: 6 ayes / 0 nays. Motion carried.

5. OCWS Briefing

Mayor Napier said the Council held a work session prior to the regular meeting to discuss the following topics:

- A. Smith/Dodd Overlay District Ordinance Review
- B. Vacant Property Registration Ordinance Review
- C. 1010 Dodd Community Garden Initiative

6. Citizen Comments

The following citizens addressed the Council:

- Kevin Hendricks, Ward 3, regarding traffic/pedestrian safety.

- Karen Vavreck, Ward 2, regarding traffic safety/pedestrian and reporting issues.
- Laura Zanmiller, Ward 1, regarding traffic/pedestrian safety and also mentioned the Thompson Park Open House on November 5 from 5:30 p.m. to 7:30 p.m. Another Open House is scheduled for Thursday evening at Wentworth Library from 5:00 p.m. to 7:00 p.m.
- Daniel Herrera said he was struck in an accident on Tuesday and thanked everyone for their help.

7. Council Comments

Councilmember Berry said the Halloween Extravaganza is scheduled for 6:00 p.m. on Thursday, October 31, at Harmon Park. She said the Environmental Committee and volunteers do a good job putting this together.

Councilmember Berry said she is proud of Daniel Herrera for coming forward to speak about his accident.

Councilmember Eng-Sarne wished everyone a safe and fun Halloween.

Last week, we welcomed on a tour of one of our lift stations. Thanks to Ross for being our tour guide. Seeking money to help with improvements of the lift station, which moves the equivalent of two Olympic sized swimming pools of sewage per day. She said we will be going to the legislature for approval of this item again this year.

Councilmember Eng-Sarne said she attended the disaster preparedness training put on by Dakota County on October 23. Also in attendance were our City Manager, City Clerk and HR Director. She said she was happy to see the Joint Powers Agreement on tonight's Consent Agenda for a shared Emergency Manager with the Cities of South St. Paul, Inver Grove Heights, Mendota Heights and West St. Paul. In addition, there is an initiation for the creation of a shared emergency operations plan between these Cities, which she said is a great and needed initiative.

Councilmember Eng-Sarne thanked everyone in the audience for their participation tonight, as well as their respectful comments. She said we will also do the same.

Councilmember Eng-Sarne told Daniel Herrera that she is glad he is safe.

Councilmember Justen reminded everyone that Halloween is on Thursday and to please watch for kids and to be safe. He asked that everyone be doubly aware at every intersection.

Mayor Napier provided details for the following upcoming meetings:

Metro Transit Community Conversation
 (Tonight) Monday, October 28th
 5:15 p.m. – 6:45 p.m.
 Dakota Lodge, 1200 Stassen Lane, West St. Paul

County Infrastructure Open House
Thursday, November 7th
5:00 p.m. – 7:00 p.m.
Wentworth Library, 199 Wentworth Avenue East, West St. Paul

County Capital Investment Forum
Friday, November 8th
7:00 a.m. – 10:00 a.m.
Dakota Lodge, 1200 Stassen Lane, West St. Paul

8. Proclamations, Presentations and Recognitions

There were no proclamations, presentations or recognitions.

9. Consent Agenda

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

A. Minutes of October 14, 2019

- 1) OCWS Minutes
- 2) Regular Meeting Minutes

B. List of Claims for October 28, 2019

C. Final Payment for the Robert Street Reconstruction Project 11-3

D. City Licensing, Including:

- AAMCO Transmissions, MV Related License
- All Star Roll Off Inc. – Rubbish-Commercial License
- Cub Foods – 3.2% Off Sale Liquor, Tobacco and Fireworks License
- Cub Liquor – Off Sale Liquor and Tobacco License
- Holiday Stationstores – Tobacco, MV Related License
- Pearl Li Lu, Personal Massage License
- Marty's Bar – 2020 On Sale, Outside Sale and Sunday Sale Liquor License
- Pace's Tire & Service Center – MV Related License
- Renaissance Fireworks/Signal Hills – Fireworks License
- Romero Auto Repair – MV Related License
- Smith Ave Liquors – Off Sale Liquor and Tobacco License
- Tennis Roll Off, Rubbish-Commercial License
- Twin City Refuse and Recycling – Rubbish-Commercial License
- United States Bench Corporation – Courtesy Benches License
- Walmart, 3.2 Off Sale Liquor, Tobacco and Fireworks License
- Zak's Auto Service – MV Related License
- Binyan Zhu, Business & Personal Massage License

E. Rental Licensing, Including:

- 1266/1268 Kruse Street – Duplex, Renewal
- 1277 Charlton Street – Single Family, Renewal

F. Authorization to Apply for Cleanup Grants at Thompson Oaks

- Resolution No. 19-114 Authorizing Application for Thompson Oaks Tax Base Revitalization Account Grant
- Resolution No. 19-115 Approving Application to DEED for Contamination and Clean Up Funding and Committing Local Match and Authorizing Contract Signature

G. Approval of Settlement with Ottawa Investment Company (Parcel 11) for the Marie and Oakdale Trail Project 18-4

H. Appointing City Representatives to the LOGIS Board

- Resolution No. 19-116 Approving City Representatives to the LOGIS Board

I. Shared Emergency Management Services Joint Powers Agreement Renewal with Dakota County

- Resolution No. 19-117 Approving a Joint Powers Agreement Between Dakota County and the City of West St. Paul for Emergency Management Services

Vote: 6 ayes / 0 nays. Motion carried.

10. Public Hearings

A. Public Hearing – Unpaid Abatement Invoices

Finance Director Stark said the new assessment amount is \$12,220.40.

Mayor Napier opened the Public Hearing at 6:47 p.m.

Seeing no one wishing to speak, Mayor Napier closed the Public Hearing at 6:48 p.m.

Motion was made by Councilmember Vitelli and seconded by Councilmember Pace to approve the roll for certification to the property tax in the amount of \$12,220.40.

Vote: 6 ayes / 0 nays. Motion carried.

B. Public Hearing – Unpaid Administrative Citations

Mayor Napier opened the Public Hearing at 6:49 p.m.

The following person(s) addressed the Council during the Public Hearing:

- Bethany Wells, 1024 Livingston Avenue
- On behalf of Danny Dang, 1015 Gorman Avenue and 1064 Robert Street
- Michael McDermott, 908 Cherokee Avenue
- Ken Paulman, 912 Cherokee Avenue, in support of the owner of 908 Cherokee Avenue

Mayor Napier closed the Public Hearing at 7:06 p.m.

Motion was made by Councilmember Berry and seconded by Councilmember Vitelli to remove 1064 Robert Street from the assessment roll to be considered under separate motion.

Vote: 6 ayes / 0 nays. Motion carried.

Motion was made by Councilmember Vitelli and seconded by Councilmember Berry to reduce the citation for 1024 Livingston Avenue to \$1,250.00. Councilmember Justen made a friendly amendment to the motion to remove 908 Cherokee Avenue from the assessment roll. Councilmembers Vitelli and Berry accepted the friendly amendment.

Vote: 6 ayes / 0 nays. Motion carried.

Motion was made by Councilmember Vitelli and seconded by Councilmember Eng-Sarne to approve the remainder of the assessment roll.

Vote: 6 ayes / 0 nays. Motion carried.

Motion was made by Councilmember Berry and seconded by Councilmember Vitelli to approve the citation for 1064 Robert Street.

Vote: 5 ayes / 0 nays / 1 abstain – Councilmember Justen abstained. Motion carried.

C. Public Hearing – Rezoning, Conditional Use Permit, Site Plan Review, and Preliminary/Final Plat to Allow a 153-Unit Apartment Complex at 240 Thompson Avenue East – Paul Tucci, Oppidan

Paul Tucci, Oppidan, answered questions for Council.

Hartshorn introduced the following proposed ordinance for its first reading:

An Ordinance Rezoning 240 Thompson Avenue East from R1-C, Single Family Residential to PRD, Planned Residential Development with B6, Town Center Mixed-Use Underlying Zoning

Mayor Napier opened the Public Hearing at 7:38 p.m.

The following person(s) addressed the Council during the Public Hearing:

- Greg Sprafka, 212 Thompson Avenue East
- Dave Heller, 228 Thompson Avenue East
- John Jung, 1281 Ohio Street
- Susan Kearney, 57 Wentworth Avenue East
- Ken Paulman, Ward 3
- Jay DeLaRosby, 386 Schletty Lane
- Jade Pennig, Ward 3
- Sarah Diaz, 230 Thompson Avenue East
- John Margot, 190 Thompson Avenue East
- Nancy McDonough, 1405 Carrie Street
- Karen Vavreck, Ward 2
- Andi Morris, 942 Bellows Street
- Janie Ahola, 237 Thompson Avenue East
- Sue Margot, 190 Thompson Avenue East
- Bob Torrez, 199 Thompson Avenue East
- Lisa Heller, 228 Thompson Avenue East
- Catherine Dahl 1486 Oakdale Avenue
- Judy Monson, 131 Wentworth Avenue West

Mayor Napier closed the Public Hearing at 9:17 p.m.

Motion was made by Councilmember Vitelli and seconded by Councilmember Pace to approve the first reading of An Ordinance Rezoning 240 Thompson Avenue East from R1-C, Single Family Residential to PRC, Planned Residential Development with B6, Town Center Mixed-Use Underlying Zoning and call for a second reading of the ordinance to be held at the City Council meeting on November 12, 2019.

Vote: 6 ayes / 0 nays. Motion carried.

Motion was made by Councilmember Vitelli and seconded by Councilmember Pace to adopt Resolution No. 19-118 Approving a Conditional Use Permit to Allow an R4 Residential Dwelling (Multi-Family Apartment) in a B6, Town Center Mixed-Use District at 240 Thompson Avenue East – Oppidan.

Vote: 6 ayes / 0 nays. Motion carried.

Motion was made by Councilmember Vitelli and seconded by Councilmember Pace to adopt Resolution No. 19-119 Approving a Site Plan for the Development of a Multi-Family Apartment Building at 240 Thompson Avenue East – Oppidan, with best efforts to include a chain link fence to the property line after completion of the project and to save the cedar trees. Councilmember Justen made the following friendly amendment:

- 1) Include the requirement of chain link fence on the property line that abuts private property:
 - East-west on the northerly property line;
 - North-south on the westerly property line on the Sprafka property;
 - East-west on the south side on the Sprafka property line; and
 - That the fence be the current height of the existing fence; and
- 2) Remove proof of parking on the north side but keep proof of parking on the east side; and
- 3) Make every effort to save the cedar trees.

Vote: 6 ayes / 0 nays. Motion carried.

Motion was made by Councilmember Vitelli and seconded by Councilmember Pace to adopt Resolution No. 19-120 Approving the Preliminary and Final Plat for 240 Thompson Avenue East – Oppidan.

Vote: 6 ayes / 0 nays. Motion carried.

D. Public Hearing - First Reading of an Ordinance Amending West St. Paul Zoning Ordinance Section 153.221 Regarding Allowing Multi-Family Housing in the B6 District

Hartshorn introduced the following proposed ordinance for its first reading:

*An Ordinance Amending West St. Paul Zoning Ordinance Section 153.221
Regarding Allowing Multi-Family Housing in the B6 District*

Mayor Napier opened the Public Hearing at 10:00 p.m.

Seeing no one wishing to speak, Mayor Napier closed the Public Hearing at 10:00 p.m.

Motion was made by Councilmember Pace and seconded by Councilmember Berry to approve the approve the first reading of An Ordinance Amending West St. Paul Zoning Ordinance Section 153.221 Regarding Allowing Multi-Family Housing in the B6 District and call for a second reading of the ordinance to be held at the City Council meeting on November 12, 2019.

Vote: 6 ayes / 0 nays. Motion carried.

E. Public Hearing – Approval of Tax Abatement Agreement Between City of West St. Paul and KTJ 339, LLC

Mayor Napier opened the Public Hearing at 10:02 p.m.

Seeing no one wishing to speak, Mayor Napier closed the Public Hearing at 10:02 p.m.

Motion was made by Councilmember Pace and seconded by Councilmember Berry to adopt Resolution No. 19-121 Approving Property Tax Abatements and Authorizing Execution of a Tax Abatement Agreement.

Vote: 6 ayes / 0 nays. Motion carried.

F. Public Hearing – Site Plan Review for the Expansion of the Existing Building at 1200 Oakdale Avenue (St. Croix Lutheran High School) – Dr. Todd Russ

Richard Gibson, Principal of St. Croix Lutheran High School, answered questions for Council.

Mayor Napier opened the Public Hearing at 10:06 p.m.

Seeing no one wishing to speak, Mayor Napier closed the Public Hearing at 10:06 p.m.

Motion was made by Councilmember Justen and seconded by Councilmember Eng-Sarne to adopt Resolution No. 19-122 Approving a Site Plan for the Expansion of an Existing Building at 1200 Oakdale Avenue – St. Croix Lutheran Academy.

Vote: 6 ayes / 0 nays. Motion carried.

G. Public Hearing – Final Reading of an Ordinance Amending 111.04 of the West St. Paul City Code Regarding Massage Therapy Licenses

Mayor Napier opened the Public Hearing at 10:08 p.m.

Seeing no one wishing to speak, Mayor Napier closed the Public Hearing at 10:08 p.m.

Motion was made by Councilmember Berry and seconded by Councilmember Eng-Sarne to approve Ordinance No. 19-19 Amending Section 111.04 of the West St. Paul City Code Regarding Massage Therapy Licenses.

Vote: 6 ayes / 0 nays. Motion carried.

H. Public Improvement Hearing – Authorize Preparation of Plans & Specifications for 2020 Street Improvements Project 20-1

Mayor Napier opened the Public Hearing at 10:10 p.m.

Seeing no one wishing to speak, Mayor Napier closed the Public Hearing at 10:10 p.m.

Motion was made by Councilmember Vitelli and seconded by Councilmember Justen to adopt Resolution No. 19-123 Ordering Improvement and Authorizing Preparation of Plans and Specifications for City Project 20-1.

Vote: 6 ayes / 0 nays. Motion carried.

11. New Business

A. First Reading – Alley Vacation East of Robert Street Between Hurley Street and Haskell Street

City Attorney Land introduced the following ordinance for its first reading:

An Ordinance Vacating an Alley Located Within the City of West St. Paul, Minnesota

Motion was made by Councilmember Vitelli and seconded by Councilmember Eng-Sarne to approve the first reading of An Ordinance Vacating an Alley Within the City of West St. Paul and call for a second reading of the ordinance to be held at the City Council meeting on November 12, 2019.

Vote: 6 ayes / 0 nays. Motion carried.

12. Old Business

A. Final Assessment for Wentworth Avenue Reconstruction Project 17-7

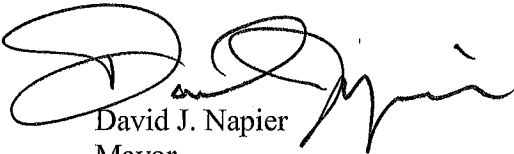
Motion was made by Councilmember Vitelli and seconded by Councilmember Pace to adopt Resolution No. 19-112 Adopting Assessments for Wentworth Avenue Reconstruction Project 17-7.

Vote: 6 ayes / 0 nays. Motion carried.

13. Adjourn

Motion was made by Councilmember Justen and seconded by Councilmember Berry to adjourn the meeting at 10:12 p.m.

All members present voted aye. Motion carried.


David J. Napier
Mayor
City of West St. Paul