

**City of West St. Paul  
City Council Meeting Minutes  
September 23, 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 Vitelli and seconded by Councilmember Berry to add Item 11D, First Reading of an Ordinance Regarding Tobacco Sales to Persons Under the Age of 21, and 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. Closed Session Pursuant to Minnesota Statute 13D.05 Sub. 3(b) for Attorney-Client Privileged Communication to Discuss the Fulton Investigation
- B. Sidewalk Funding / Livingston Assessments / Assessment Policy
- C. Massage Therapy Ordinance
- D. Tobacco 21 Ordinance

## **6. Citizen Comments**

The following citizens addressed the Council:

- Sandra Michael, 240 Wentworth Avenue West (Charlton Place) said her condo was flooded from the work on Wentworth July 3-4.

Mayor Napier recommended that Ms. Michael continue working with Staff. He said this is an unfortunate situation and that the County is also aware of it. He also suggested that she work through Councilmembers Justen and Fernandez, as well.

Councilmember Eng-Sarne told Ms. Michael that there will be many community members offering support for her.

- Darlene Lewis, Ward 3, mentioned the Annual Waffle Breakfast at Thompson Park Activity Center. October 13, 2019 from 9:00 a.m. to 1:00 p.m. Proceeds support the Thompson Park Activity Center.
- Lisa Stevens, Ward 2, commented on the Police Chief hiring process.
- Tom Edwards, 1386 Charlton Street, also commented on the Police Chief hiring process.

## **7. Council Comments**

Councilmember Eng-Sarne commented on the Police Chief hiring process and said every email and every discussion, with the citizen's consent, is forwarded to City Manager Schroeder. She said they are all listened to and asked that residents have faith that City Manager Schroeder listens to their input. She said we are doing the best we can.

Councilmember Justen echoed Councilmember Eng-Sarne's comment and said he wants everyone to know that we are listening to your comments regarding the Police Chief search. He said Council's job is to listen but, by Charter, the decision is not within their realm. He asked the public to keep letting us know what you want. He said that he and everyone on the Council will never turn a deaf ear. He said we will do everything we can to make sure things move forward.

Councilmember Vitelli said West St. Paul is a Charter City and that the City Manager has the authority to hire and fire for certain positions. He said Council does not get involved or tell him who to hire.

Mayor Napier said he is both very proud and confident in our Police Department. He said we have a really good Police Department and a lot of citizens say the same. He said he believes in the Police Department and the team and supports the City Manager in his decision to move forward. He said he believes in the process and what we're doing.

Mayor Napier said he went to the Henry Sibley High School Homecoming and said it was a fun night and a great community activity. He thanked West St. Paul Police Officers and Reserves who helped control traffic. He said it was a partnership between Mendota Heights and West St. Paul and they pulled it off seamlessly. Mayor Napier also commented how the noise of the stadium didn't travel far.

Mayor Napier said that he and City Manager Schroeder attended the Dakota County Managers and Mayors meeting. He said the presentation was on branding and it was fun to watch and learn the process that the City of Burnsville went through recently for rebranding. He said one of Council's Initiatives is rebranding and said that he is interested in moving forward with tapping into what Burnsville did and learning from their journey.

## **8. Proclamations, Presentations and Recognitions**

### **A. Police Department Presentation – Coordinated Response and Partnership with 360 Communities**

Presentation provided by Interim Police Chief Sturgeon, 360 Communities Advocate Ana January, 360 Communities Outreach Services Supervisor Ann Avril, and Patrol Sergeant Shawna Curtis.

Mayor Napier encouraged everyone to support the 360 Communities program by coming out to the South Metro Fire Department vs. West St. Paul Police Department Charity Hockey Game on Saturday, October 12<sup>th</sup>, at 4:00 p.m. at the John V. Horne Ice Arena in West St. Paul.

Interim Chief Sturgeon reminded everyone of another event by 360 Communities on November 15<sup>th</sup> at 6:00 p.m. Fire & Ice is the Premier South of the River Gala and benefits 360 Communities. More information on both events can be found at [www.360communities.org](http://www.360communities.org).

Mayor Napier thanked them for the presentation.

### **B. Donations to the City**

Mayor Napier thanked the following the following businesses for their generous donations supporting the Police Department's crime prevention and outreach efforts:

Neighborhood Pub, Inc. dba Tappers Pub  
\$544.00 for expenses associated with the Charity Hockey Game

Dunham's Food & Drink, Inc.  
\$550.00 for expenses associated with the annual charity Police versus Fire hockey game to support programming at 360 communities

Neighbors, Inc.  
\$524.95 to help offset the costs associated with the Wednesday Activities Program

Friends of the Wentworth Library

\$102.84 to offset costs associated with the annual Bike Rodeo.

Rotary Club of West St. Paul / Mendota Heights on Behalf of Marv Karth

\$50.00 donated to the Police Departments outreach efforts

Motion was made by Councilmember Justen and seconded by Councilmember Eng-Sarne to adopt Resolution No. 19-094 Accepting Donations to the City.

Vote: 6 ayes / 0 nays. Motion carried.

**9. Consent Agenda**

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

**A. Minutes of September 9, 2019**

- 1) OCWS Minutes
- 2) Regular Meeting Minutes

**B. List of Claims for September 23, 2019**

**C. South Metro Budget / Levy**

**D. City Licensing, Including:**

- 1) 2020 Tobacco License for Stevens Tobacco
- 2) 2020 Tobacco License for Tobacco E Cig Sales
- 3) 2020 Rubbish Hauler-Commercial License for Dem-Con
- 4) 2020 Motor Vehicle Related License for Midas Muffler

**E. 2019 Rental Business License Renewals**

**F. Amended Recycling Coordinator Services Agreement for 2020**

**G. Settlement Agreement and Lease**

**H. 2019-2020 Police Department Remodel Project and Resolution No. 19-095 Authorizing Plans and Specifications / Construction Documents for Police Department Renovation**

**I. Consultant Contract Revision for Forcemain 1 Project 18-6**

**J. Critical Wastewater Infrastructure Legislative Request and Resolution No. 19-096 Affirming Necessity of Funding for Replacement of Critical Wastewater Infrastructure**

**K. Order and Receive Feasibility Report and Order Public Hearing for 2019-2020 Robert Street Sidewalk Snow Removal**

**L. Application for a Dakota County Redevelopment Incentive Grant (RIG) and Resolution No. 19-097 Approving the Application for a Redevelopment Incentive Grant (RIG) from the Dakota County Community Development Authority (Planning Grant)**

**M. Robert Street Sidewalk Snow Removal Contract Extension**

**N. West St. Paul Park Usage Reports**

Vote: 6 ayes / 0 nays. Motion carried.

## **10. Public Hearings**

### **A. 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**

Motion was made by Councilmember Justen and seconded by Councilmember Eng-Sarne to continue this item to the City Council meeting on October 28, 2019.

Vote: 6 ayes / 0 nays. Motion carried.

### **B. Rezoning, Site Plan, Conditional Use Permit, and Preliminary Final Plat to Allow a 32-Unit Retirement Home Facility (Memory Care/Assisted Living) at 938 Robert Street – Hampton Companies**

Community Development Director Hartshorn presented the following proposed ordinance for its first reading:

*“An Ordinance Rezoning 938 Robert Street from B5 – Gateway North Mixed Use to PRD, Planned Residential Development, with B5 – Gateway North Mixed Use Underlying Zoning”*

Joel Larson, Applicant and President of Hampton Companies answered questions for Council.

Mayor Napier opened the Public Hearing at 7:37 p.m.

The following people addressed the Council during the Public Hearing:

- John Markum, 19 Thompson Avenue East
- Dave Heller, 228 Thompson Avenue East

Mayor Napier closed the Public Hearing at 7:41 p.m.

Motion was made by Councilmember Pace and seconded by Councilmember Justen to:

- 1) Approve the first reading of the ordinance and call for a second reading to be held at the October 14, 2019 City Council meeting; and
- 2) Resolution No. 19-098 Approving a Site Plan for a Retirement Home Facility (Memory Care/Assisted Living) at 938 Robert Street (Hampton Companies); and
- 3) Resolution No. 19-099 Approving a Conditional Use Permit to Allow a Retirement Home Facility (Memory Care/Assisted Living) at 938 Robert Street (Hampton Companies); and
- 4) Resolution No. 19-100 Approving the Preliminary and Final Plat for 938 Robert Street (Hampton Companies).

Vote: 6 ayes / 0 nays. Motion carried.

**C. Zoning Ordinance Amendment Regarding Allowing Multi-Family Housing in the B6, Town Center Mixed-Use District – City of West St. Paul**

Motion was made by Councilmember Fernandez and seconded by Councilmember Pace to continue this item to the City Council meeting on October 28, 2019.

Vote: 6 ayes / 0 nays. Motion carried.

**11. New Business**

**A. 2020 Preliminary Budget**

Finance Director Stark presented the 2020 preliminary budget and answered questions from Council. The total preliminary levy for 2020 is \$16,907,378. This is a 7.19% increase over the levy set for 2019. Below is the comparison of the 2019 final adopted budget to the preliminary 2020 Levy as well as the 2021 conceptual levy:

<b>Fund</b>	<b>2019</b>	<b>Preliminary 2020 Levy</b>	<b>Change over 2019</b>	<b>Conceptual 2021 Levy</b>
General Fund & Community Events	\$10,825,926	\$11,129,102	\$303,176	\$11,619,234
EDA Fund	335,538	333,797	(1,741)	300,810
Insurance Fund	466,300	479,615	13,315	512,186
Debt Service Funds	3,755,657	4,354,162	598,505	4,516,927
Capital Funds	58,000	80,000	22,000	580,000
Innovation Fund	-	145,000	145,000	145,000
Ice Arena	-	55,844	55,844	56,832
Pool	100,404	93,526	(6,878)	92,832
Regional Athletic Center	231,820	236,329	4,509	231,820
Total Levy	\$15,773,645	\$16,907,378	\$1,333,733	\$18,056,141
Percent Increase		7.19%		6.79%
<b>TOTAL BUDGET</b>	<b>\$39,023,446</b>	<b>\$33,303,584</b>	<b>(\$2,938,0138)</b>	<b>\$36,848,047</b>

Motion was made by Councilmember Berry and seconded by Councilmember Eng-Sarne to adopt Resolution No. 19-101 Adopting the Preliminary Budget and Setting the Preliminary 2020 Tax Levy and Debt Service Levy.

Vote: 6 ayes / 0 nays. Motion carried.

Motion was made by Councilmember Justen and seconded by Councilmember Berry to adopt Resolution No. 19-102 Set Public Hearing Date for Final 2020 Budget and Tax Levy and to set the Public Hearing date for the December 9, 2019 City Council meeting.

Vote: 6 ayes / 0 nays. Motion carried.

**B. Receive Feasibility Report and Order Public Hearing for 2020 Street Improvements Project CP 20-1**

Motion was made by Councilmember Justen and seconded by Councilmember Pace to adopt Resolution No. 19-103 Receiving Feasibility Report and Calling Hearing on Improvement for the 2020 Street Improvements Project CP 20-1 and to set the Public Hearing date for the October 28, 2019 City Council meeting.

Vote: 6 ayes / 0 nays. Motion carried.

**C. Zoning Ordinance Amendment Regarding Banquet Halls – City of West St. Paul**

Community Development Director Hartshorn presented the following proposed ordinance for its first reading:

*“An Ordinance Amending West St. Paul Zoning Ordinance Sections 153.004, 153.051 and 153.171 by Defining Banquet Halls and Allowing Them in the R1 and B3 Districts”*

Motion was made by Councilmember Berry and seconded by Councilmember Eng-Sarne to approve the first reading of the ordinance and call for a second reading to be held at the October 14, 2019 City Council meeting.

Vote: 6 ayes / 0 nays. Motion carried.

**D. First Reading of an Ordinance Restricting Tobacco Sales to Those 21 Years of Age and Older**

Interim Police Chief Sturgeon presented the following proposed ordinance for its first reading:

*“An Ordinance Amending Section 113.05 and 113.07 of the West St. Paul City Code Regarding Tobacco Sales to Persons Under the Age of 21”*

Motion was made by Councilmember Justen and seconded by Councilmember Vitelli to approve the first reading of the ordinance and call for a second reading to be held at the October 14, 2019 City Council meeting.

Vote: 6 ayes / 0 nays. Motion carried.

**12. Old Business**

There was no Old Business to discuss.

**13. Adjourn**

Motion was made by Councilmember Berry and seconded by Councilmember Eng-Sarne to adjourn the meeting at 7:58 p.m.

All members present voted aye. Motion carried.

A handwritten signature in black ink, appearing to read "David J. Napier". The signature is stylized and cursive.

David J. Napier  
Mayor  
City of West St. Paul