CITY COUNCIL MEETING

MUNICIPAL CENTER COUNCIL CHAMBERS

1616 HUMBOLDT AVENUE, WEST ST. PAUL, MN 55118

VIRTUAL MEETING - Cable Channel 21 - www.townsquare.tv/webstreaming

MONDAY, JUNE 8, 2020

6:30 P.M.

Due to the Spread of COVID-19, City of West St. Paul public meetings will be held virtually until further notice. Members of the public may monitor meetings by tuning in to Cable Channel 21 or online at www.townsquare.tv/webstreaming during the posted meeting times. Meetings can be viewed on-demand starting the day following the original airing at www.wspmn.gov/agendacenter. Items requesting public input will do so via telephone call-in during live broadcasts only. Please view meetings during their original posted times to participate.

1. **Call to Order**

2. **Roll Call**

3. **Pledge of Allegiance**

4. **Adopt the Agenda**

5. **Citizen Comments**

   Individuals may address the City Council about any item not included on the regular agenda. Speakers are requested to come to the podium, state their name and address for the Clerk's record. Generally, the City Council will not take official action on items discussed at this time, but may typically refer the matter to staff for a future report or direct that the matter be scheduled on an upcoming agenda.

6. **Council Comments**

7. **Consent Agenda**

   All items on the Consent Agenda are considered to be routine and have been made available to the City Council at least two days prior to the meeting; these items will be enacted by one motion. There will be no separate discussion of these items unless a Council member or citizen so requests, in which event the item will be removed from this agenda and considered under separate motion.

   A. Minutes of March 23, 2020 - Regular Council

      Documents:

      03-23-20 COUNCIL MINUTES.PDF

   B. Minutes of May 11, 2020 - Regular Council

      Documents:

      05-11-20 COUNCIL MINUTES.PDF

   C. Minutes of May 30, 2020 - Emergency Council Meeting

      Documents:

05-30-20 EMERGENCY COUNCIL MINUTES.PDF

D. List of Claims - June 8, 2020

Documents:

COUNCIL REPORT - LIST OF CLAIMS 6.8.20.PDF

E. Rental Licensing

Documents:

COUNCIL REPORT - RENTAL LICENSING.PDF

F. Temporary Construction Staging Easement - Cub Foods

Documents:

COUNCIL MEMO - TEMP EASMENT CUB - 6-8-20.PDF
CUB FOODS TEMPORARY CONSTRUCTION STAGING EASEMENT - 6-08-2020.PDF

G. Acceptance of Thompson/Oakdale Avenue Feasibility Study - Final Report

Documents:

COUNCIL MEMO - ACCEPTANCE OF THOMPSON OAKDALE STUDY.PDF
ATTACHMENT - THOMPSON OAKDALE STUDY-FINAL DRAFT-05.01.2020.PDF
RESOLUTION - ACCEPTING THOMPSON OAKDALE STUDY.PDF

H. 52nd Annual West St Paul Fastpitch Softball Tournament

Documents:

COUNCIL REPORT - 52ND ANNUAL WSP FASTPITCH SOFTBALL TOURNAMENT.PDF

I. Provide Direction to Public Safety Committee

Documents:

COUNCIL REPORT - USE OF FORCE POLICY.PDF

8. **New Business**

9. **Old Business**

10. **Adjourn**

City of West St. Paul
City Council Meeting Minutes
March 23, 2020

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, Lisa Eng-Sarne, Anthony Fernandez, John Justen, Bob Pace and Dick Vitelli
Absent:	None
Others Present:	City Manager Ryan Schroeder City Attorney Kori Land Police Chief Brian Sturgeon Finance Director Char Stark Parks & Public Works Director/City Engineer Ross Beckwith Community Development Director Jim Hartshorn City Clerk Shirley Buecksler

Mayor Napier stated that tonight's meeting will be conducted virtually and described the process.

3. Pledge of Allegiance

4. Adopt the Agenda

Motion was made by Councilmember Justen and seconded by Councilmember Berry to adopt the agenda, as presented.

Vote: 6 ayes / 0 nays. Motion carried.

5. OCWS Briefing

Mayor Napier said that an Open Council Work Session was not held tonight and that future work sessions have been temporarily suspended.

6. Citizen Comments

a. Julie Eastman, Ward 1, called in to test the phone line.
b. Kelly Gibbon said she received no notification that a meeting would be held tonight.
c. Several citizens called regarding Item 11B, First Reading of an Ordinance Repealing Section 33.03 of the West St. Paul City Code Regarding Prevailing Wage.

- Mayor Napier said he spoke with many constituents today on the topic of prevailing wage. This item is on the Council's agenda for discussion by the City Council this evening, but public comment will not be taken at this time. If this item moves

forward, a Public Hearing will be scheduled where the Council will take public comment. The best way to contact the Mayor and Council is by calling them or sending your message in an email. Contact information is available on the City's website at https://wspmn.gov/494/City-Council, scroll down and click on each individual for their contact information.

d. James Gulley, 1045 Gorman Avenue, asked about the process to recall politicians or Councilmembers if constituents are dissatisfied.

- Mayor Napier said the City Clerk will send information to Mr. Gulley on how to contact the City Council.

7. Council Comments

Councilmember Eng-Sarne thanked everyone for tuning into tonight's virtual City Council meeting, submitting questions and comments and being patient with us as we carve out this new way to do business, connect with our neighbors and provide the essential services you count on us for. She also thanked Department Heads, all City Staff, as well as Marketing & Communications Manager Dan Nowicki for working tirelessly to help us navigate this difficult time. We are doing our best to ensure that you can access our meetings going forward.

Councilmember Eng-Sarne said the West St. Paul community has stepped up for one another, with donations to Neighbors, Inc., the fundraiser supporting our friends at Oxendale's who kept their shelves stocked with great kindness under pressure, hopeful messages in chalk on sidewalks and driveways, and happy hour toasts in yards at the appropriate distance.

Councilmember Eng-Sarne provided some important information for everyone:

1. Take this seriously. Refrain from group activity, wash your hands, and stay home. The faster we all comply with the guidelines, the more people we can protect.
2. Please do not flush anything down the toilet other than toilet paper, as other items are hard on our infrastructure.
3. Maintain a six to ten foot distance from other people to help slow and stop the spread of Coronavirus.

It is important that leadership at every level take this as seriously as your City officials are.

Councilmember Berry thanked everyone for calling in tonight. We are learning this new process. Councilmember Berry said this is the first time we have had a meeting like this and apologized for the lack of clarity. She thanked everyone who works hard to keep people safe in their homes, and said she can't say enough about the way our community is stepping up to help each other. Keep it up and we'll get through this together.

Mayor Napier commented on the process for tonight's meeting. Leadership is challenging in these times and we need to be creative to pull our meetings together. The process in place for items on the agenda is concrete and the way we have always done it. He explained in many communications earlier today that there wouldn't be public testimony tonight. The public is still able to watch and listen to all of our communication tonight. We will make sure that

everyone is aware of and able to access any Public Hearings. Mayor Napier thanked everyone for their patience and said that leadership is challenging with what is going on right now in our country and our city.

Mayor Napier said Neighbors, Inc. needs donations and food for the food shelf as much as ever before. There are people in need, and Neighbors does a fantastic job caring for our community.

Mayor Napier thanked our grocery workers, staff at Menards, and all of the stores in our community. They provide an essential service for all of us – thank you to all workers. He thanked everyone in the community who have supported these workers. Bars and restaurants had to close, which is a hardship for their wait staff, cooks and everyone. Mayor Napier said he has seen unbelievable support for our local restaurants and appreciates that. Our small shops are getting creative, as well, with curbside pickup at Amore Coffee, for example. Thank you to our community for helping our businesses to thrive during this difficult time.

Councilmember Justen said he hears the public's frustration about access for tonight's meeting. As we move forward, we need to do better about notifying the public ahead of time as to how to access the meeting. This will be a huge priority. A lot of notification will be going out for the next meeting. It's important that the public knows we are listening to you.

Councilmember Fernandez told everyone to stay healthy and safe during this uncharted territory. This is uncharted territory and, unfortunately, this may lead to one of the biggest economic declines that we have seen in a very long time. Stay healthy.

Councilmember Vitelli said, during these times of COVID-19, we are all going to be a little bit uncomfortable. Things will be different for a while and we will have to learn to deal with that.

8. <u>Proclamations, Presentations and Recognitions</u>

A. Confirming a State of Emergency

Mayor Napier said these are unprecedented times for the city of West St. Paul, and what it important for everyone to realize is that it is real and it is serious, but we can get through this.

On Friday, March 20, 2020, Schroeder said the Mayor declared a State of Emergency, which needs to be ratified by the Council tonight. With Council ratification of that same action, the declaration will remain in effect until City Council rescinds or repeals that emergency action. The main reason to declare a State of Emergency is that it impacts the City's ability to request funding for expenditures, staff time, and things that relate to our activities in regards to the emergency declaration. Over the past month, our activities at the staff level have been ramping up. We have never gone down a path of hosting virtual meetings, and we were still working on that today. In the future, and as easily as we can provide the opportunity to, we will focus on making sure folks can easily participate in whatever process. We have pretty much cancelled everything except Council and Planning Commission meetings. The April Planning Commission meeting will function more or less this same way as tonight. We are making plans such that we are able to operate for several months in this fashion, if necessary.

City Attorney Land said, by declaring a local State of Emergency, it gives the Mayor and City Manager flexibility to improvise, as necessary. The City Council will still need to ratify, confirm and approve things as they are done, especially if there is an expenditure of funds. In this time when there is not always enough time to get the Council together to get proper notice to everyone, declaring a State of Emergency allows the ability to do this faster, as on the fly decisions need to be made.

Motion was made by Councilmember Pace and seconded by Councilmember Eng-Sarne to affirm and adopt Resolution No. 20-033 Declaring a Local Emergency, passed by Mayor Napier on March 20, 2020.

Vote: 6 ayes / 0 nays. Motion carried.

9. Consent Agenda

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

A. List of Claims for March 23, 2020 in the Amount of $1,001,791.36
B. Police Department/City Hall Change Order #2
C. City Licensing, including:

- Resolution No. 20-034 Concurring with the Issuance of an Application to Conduct Off-Site Gambling, PGA Reach Minnesota Charity Events; June 12 to 14, 2020 at Southview Country Club, 239 Mendota Road East

D. Rental Licensing in the Amount of $3,096.50 for:

- 124 Stanley Street East (Apartment – Renewal)
- 1033/1035 Winslow Avenue (Duplex – New Owner)
- 1049 Gorman Avenue (Duplex – Renewal)
- 1051 Seminole Avenue (Duplex – Renewal)
- 190/194 Arion Street East (Duplex – Renewal)
- 172/174 Haskell Street East (Duplex – Renewal)
- 401/403 Butler Avenue East (Duplex – Renewal)
- 1053 Sperl Street (Duplex – Renewal)
- 1000 Oakdale Avenue (Duplex – Renewal)
- 81 Orme Street East #5 (Townhome – Renewal)
- 1331 Ohio Street (Single Family – New)
- 949 Allen Avenue (Single Family – Renewal)
- 991 Smith Avenue (Single Family – Renewal)
- 1166 Smith Avenue (Single Family – Renewal)
- 332 Bernard Street West (Single Family – Renewal)
- 482 Annapolis Street West (Single Family – Renewal)
- 1051 Ottawa Avenue (Single Family – Renewal)
- 1060 Ottawa Avenue (Single Family – Renewal)
- 865 Bidwell Street (Single Family – Renewal)
- 192 Bernard Street East (Single Family – Renewal)

E. Final Payment for the Forcemain 1 Replacement Project CP 18-6 in the amount of $85,295.94 to Minger Construction Company, Inc.
F. Minnesota State Aid Traffic Count Contract awarded to WSB & Associates, Inc. in the amount of $4,655.00
G. Resolution No. 20-035 Authorizing the Submission of an Application for a Federal Transportation Alternatives (TAP) Grant
H. Receipt of Housing Rehab Loan Servicing Documents
I. Thompson/Oakdale Bike and Pedestrian Feasibility Report Update

Vote: 6 ayes / 0 nays. Motion carried.

10. Public Hearings

A. Conditional Use Permit, Site Plan, and Rezoning Applications for the Construction of a 54-Unit Apartment Building at 895 Robert Street – Dakota County Community Development Authority (CDA)

Mayor Napier opened the Public Hearing at 7:43 p.m.

Seeing no one wishing to speak, Mayor Napier closed the Public Hearing at 7:44 p.m.

Motion was made by Councilmember Vitelli and seconded by Councilmember Fernandez to:

1) Adopt Resolution No. 20-036 Approving a Site Plan for the Construction of a 54-Unit Apartment Building at 895 Robert Street – Dakota County Community Development Authority (CDA)
2) Adopt Resolution No. 20-037 Approving a Conditional Use Permit to Allow a R4 Residential Dwelling in the B5 – Gateway North Mixed Use District at 895 Robert Street – Dakota County Community Development Authority (CDA)
3) Approve the first reading and call for a second reading of an Ordinance Rezoning 895 Robert Street from B5 – Gateway North Mixed Use, to PRD, Planning Residential Development with B5 – Gateway North Mixed Use Underlying Zoning

Vote: 6 ayes / 0 nays. Motion carried.

B. Conditional Use Permit, Site Plan, and Preliminary Plat Applications for the Expansion of an Existing Building at 110 Crusader Avenue – Net Ministries

Mayor Napier opened the Public Hearing at 7:53 p.m.

The following people addressed the Council:

- John Bellows, 1925 Bidwell
- Mark Berchem, President of Net Ministries
- Dennis Batty, Architect for Net Ministries

Mayor Napier closed the Public Hearing at 8:09 p.m.

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

1) Adopt Resolution No. 20-038 Approving a Site plan for the Expansion of an Existing Building at 110 Crusader Avenue – Net Ministries
2) Adopt Resolution No. 20-039 Approving a Conditional Use Permit to Allow On-Site Housing for an Educational Facility Operating in Conjunction with a Permitted Principal Use in the R4 – Multiple Family Zoning District at 110 Crusader Avenue – Net Ministries
3) Adopt Resolution No. 20-040 Approving the Preliminary Plat for 110 Crusader Avenue – Net Ministries

Vote: 6 ayes / 0 nays. Motion carried.

C. Final Reading of Ordinance No. 20-003 Vacating Easements Along Robert Street

Mayor Napier opened the Public Hearing at 8:11 p.m.

Seeing no one wishing to speak, Mayor Napier closed the Public Hearing at 8:12 p.m.

Motion was made by Councilmember Justen and seconded by Councilmember Eng-Sarne to approve Ordinance No. 20-003 An Ordinance Vacating Easements Located Within the City of West St. Paul, Minnesota.

Vote: 6 ayes / 0 nays. Motion carried.

D. Final Reading of Ordinance No. 20-004 Amendment Regarding Body Art

Mayor Napier opened the Public Hearing at 8:14 p.m.

Seeing no one wishing to speak, Mayor Napier closed the Public Hearing at 8:15 p.m.

Motion was made by Councilmember Fernandez and seconded by Councilmember Justen to approve Ordinance No. 20-004 An Ordinance Amending Section 111.06 of the West St. Paul City Code Regarding Exception to Body Art Establishment Ordinance for Cosmetic Tattooing.

Vote: 6 ayes / 0 nays. Motion carried.

E. Final Reading of Ordinance No. 20-005 Amendment Regarding Pawn Shop and Precious Metal Dealers

Mayor Napier opened the Public Hearing at 8:18 p.m.

Seeing no one wishing to speak, Mayor Napier closed the Public Hearing at 8:19 p.m.

Motion was made by Councilmember Justen and seconded by Councilmember Fernandez to approve Ordinance No. 20-005 An Ordinance Amending Section 111.07 of the West St. Paul City Code Regarding an Automated Pawn System for Pawnbrokers and Precious Metal Dealers.

Vote: 6 ayes / 0 nays. Motion carried.

11. New Business

A. Plat Amendment for 150 Thompson Avenue East and 1510 Robert Street – Hy-Vee, Inc.

Motion was made by Councilmember Justen and seconded by Councilmember Fernandez to adopt Resolution No. 20-041 Approving the Plat Amendment for the Properties Located at 150 Thompson Avenue East and 1510 Robert Street – Hy-Vee, Inc.

Vote: 6 ayes / 0 nays. Motion carried.

B. First Reading of an Ordinance Repealing Section 33.03 of the West St. Paul City Code Regarding Prevailing Wage

At the their March 9, 2020 OCWS, Council discussed the prevailing wage ordinance. Schroeder said the net result of the discussion was that Staff was directed to bring forward to this meeting a repeal of the existing ordinance, which relates to prevailing wages on private development projects and to include in its stead a policy or ordinance or provision that provides for prevailing wage on publicly owned projects. Part of the discussion that went into that was that, within Dakota County, there are only two prevailing wage policies of which we are aware. One is that of Dakota County and the other is the City of Hastings. Both of those policies address only publicly owned projects and, as far as we know, there aren't any other prevailing wage policies that exist in the county or that relate to private development projects.

Schroeder said he tried to figure out how many people this current ordinance actually affects. We don't have data specific enough to make statements as to how big the impact is with absolute certainty. However, looking at publicly available data, which includes Metropolitan Council data and data from our comprehensive plan, Staff suggested in the Council's packet that the prevailing wage provision of the current ordinance could be relatively slight, as it relates to wage impact for people that might be in the construction industry and also reside in the community. The reason we made that statement is because, according to Metropolitan Council data, there is information on where West St. Paul residents work. According to their data, there are about 700 people in their data set that live in West St. Paul and also work in West St. Paul. Looking at commuting data, what was found from various sources was that the typical commuting distance for a West St. Paul resident was beyond 20 minutes. The average was 21-23 minutes. 90% of West St. Paul residents commute 10 minutes or greater to their work location, which suggests that most West St. Paul residents work elsewhere within the metro area. Also, information provided in the Council's packet is some data from the comprehensive plan that related to where people work and in what occupations. There are two tables in the comprehensive plan. The first talks about the industries in which the civilian population in West St. Paul works. In total, there are 9,177 positions, of which 333 are in the construction industry. The table below that (Table 3-5) suggests that, for jobs actually located in West St. Paul but perhaps filled by persons outside of West St. Paul, there are 7,927 within the community, with 180 of those are in the construction industry. In trying to ascertain whether the current ordinance had a significant impact or something less than that, this is the data we had available to us.

The second piece worth speaking to is what the cost impacts might be, relative to the development project that brought this issue forward. That project is the Dominium affordable housing project that has been proposed on the Signal Hills development site where the Kmart facility currently is. That project has been discussed as a $100M development project but a lot of that is soft cost (i.e., legal, financing costs, etc.), and so the actual construction portion of that cost has been represented in the pro forma at about $56M in construction costs. That is relevant because the developer, Dominium (who has proposed the project), had represented at a prior Council meeting that, if they had to comply with the current prevailing wage ordinance, there would be a 25% cost increase to the project. That statement, at face value, would be fairly significant in project costs.

For the City, it's an issue of subsidy and that the developer mentioned that. if the requirement continued, there would be a larger subsidy request than Council had already suggested would be reasonable. Right now, Council had directed Staff to work towards a development with 13 ½ years of tax increment assistance, and the developer had proposed about 25 years.

Councilmember Justen said he feels the argument that casts affordable housing in opposition to prevailing wage is invalid. The numeric argument in the Council report stating the objection that this would impact less than a dozen residents is deeply flawed and incorrect. For specifics on that, he suggested Council look at the email received from the Laborers International Union of North America that spells out those very problematic, mathematic acrobatics in very plain terms. The contacts he has received from the public have been many universally opposed to this ordinance being repealed. Repeating what he said at a previous OCWS, Councilmember Justen said his opinion is that we are changing an ordinance mid-stream to make a project work by subsidizing a landowner charging over-market rate, which is what we stated the Tax Increment Financing (TIF) is for, is the land differential. By allowing them to not pay a prevailing wage and a fair wage to workers is an unacceptable move by the Council. Since it is hard to do business as usual via web, Councilmember Justen said his inclination is to move to deny the repealing of this ordinance. However, he wanted everyone to have a chance to speak on this first, but said his intention is to move forward with a motion to not repeal this ordinance at this point.

Councilmember Berry agreed with Councilmember Justen. We have heard an overwhelming amount of support denying the repeal. No one has said to get rid of it for this project. We have had some discussion about what projects in the past where we had forgotten to apply the prevailing wage ordinance to and, on Friday, she said we received new data that showed there was only one that was just a few thousand above that amount. It doesn't matter if it impacts just one resident or every resident of West St. Paul, it's the right thing to do to keep this in place.

Councilmember Vitelli said, as much as he wants to see Signal Hills get redone, he concurred that the prevailing wage ordinance is there and we shouldn't come to a snap conclusion to remove it to put their project in. Councilmember Vitelli said he believes that Dominium has done jobs with prevailing wage in the past in the metropolitan area, so he knows they are capable. He saw today in the City Manager's memo that The Winslow paid prevailing wage. It can be done and it is not 25% in labor cost. He said we can go forward with this vote tonight or we can have more discussion on it. At this point, he said he will support continuation of the prevailing wage.

Councilmember Fernandez said he knows that he deeply wants something to happen at Signal Hills. We are serving a great purpose by doing this, and those units are already in high demand. He stated that Councilmember Vitelli is an expert in the area, so he would lean on what he said and not support removing the prevailing wage. Councilmember Fernandez said his fear is to have this project come to a halt, and said there shouldn't be a fight between fair wages and affordable housing. Given what we are facing and what potentially the owners of Signal Hills are going to be facing, perhaps they can shift gears. They may be taking a pretty deep discount on things, as well, he said.

Councilmember Pace asked the City Manager for his opinion, since it's pretty obvious this isn't going to be repealed. Councilmember Pace said he has a serious issue with any government telling a private developer what they can and cannot do. Is there a way we can somehow save this project with this prevailing wage in place? It's tough right now but it would really be a hit if this went away. Not only for Dominium but for the purchase agreements signed by Signal Hills.

Schroeder said he talked with an individual from the building trades today and it was his observation that, with some additional discussion with the developer, there could be a meeting of the minds on the topic. Secondly, some time ago, we had suggested to the developer that the land cost for that project was beyond what we thought they should be paying and we asked them to discuss with the property owner and give that some thought. The seller and the buyer both came back and stated that they were comfortable that the land price was at a fair level. But if this ordinance is, in fact, a cost impact to the developer, then perhaps this is something they could take another look at.

Schroeder said he had intended to reference, just for the record, that we have received three formal communications. One from the Executive Director of Fair Contracting Foundation of Minnesota, the second from the Director of Government Affairs for the Carpenter's Union, and the third from the Marketing Manager of the Laborer's International Union of North America. Council received each of those, as well.

In response to Councilmember Pace's question, Schroeder said we would go back to Dominium and look for ways to keep the project in play.

Councilmember Eng-Sarne said she is so glad to hear Schroeder's comments that Dominium is still interested and want to talk about this, which means to her that we have no business repealing an ordinance if they are still willing to sit at the table to talk about this. If there is something else we can do to make it work, she said she appreciates that. The overwhelming response from her constituents was to please do not repeal this ordinance in order to make this development work. Additionally, for those labor unions mentioned, she said she received a lot of conflicting information from previous memos. To her, it does not seem like the time to repeal this ordinance.

Councilmember Vitelli said he has lived his whole life in this community and that he cannot drive more than three blocks in West St. Paul without pointing to a house that is the home of a building trades person who has made the prevailing wage over the years. Typically, it is a union contractor or union house. Reflecting on his 40 year career as an electrician and on his great benefits, pension, health care and the ability for him to retire, Councilmember Vitelli said it is necessary for us to keep this going. In order to do that, we need to be in

support of our prevailing wage ordinance. He said he has a good feeling that Dominium will still do the project after some discussion.

As the Mayor of a city of 20,000 people, Mayor Napier said it's called doing due diligence to look into this deep and research it. He has talked to union representatives and responded to 30 emails today, with many before that, and has talked to a lot of passionate people. He said he is a little taken aback by some of the accusations with the very first correspondence, which was extremely disturbing. People are obviously very passionate about this. He said he believes in unions and the prevailing wage. As he dug into it, what the intent was when it started in 1931, and the purpose to keep wages where they should be and take care of employees, I think it's a great thing. I do want to talk about what goes into this decision today. We are fools if we don't look at the complete picture, which is property value right now at Signal Hills that is worth $3.6M and generates about $19K in tax revenue to the City and residents of West St. Paul. The proposed project is $46M in property value which will ultimately bring in $285K annually in tax revenue to the taxpayers of our city. For us not to look at that and include it in this process, would be shortsighted. My role was to look at everything and what is best for the City of West St. Paul. To go back and clarify that this Council and previous Councils have not moved forward and have not upheld this ordinance on any projects, previously we identified nine projects but there were zero. We have not ignored this ordinance. I received some nasty emails regarding that. I, too, will support this with the prevailing wage. It is important. I have heard enough testimony from people in the unions and dealing with prevailing wage, and what some contractors have done out there to shortcut quality work to the detriment of union labor that work hard. One person was passionate about their stance on this. I will say that this ordinance was developed in 2007. We are pulling it out and looking at it in depth right now. It's okay for a Council to pull out an ordinance and look it over for two weeks. That's what local government is supposed to do and we will come out of this stronger. The next project that comes up, we will be talking about this ordinance that we did not pay attention to. For someone out there asking why we are talking about this at this meeting, I think that's short sided. We owe it to the community to pull these out, have these meetings and talk about them. Some of the emails I received were passionate. I'm passionate about this, about this process and our Council sitting around the table talking about these ordinances. I think we're doing our job, he said.

Motion was made by Councilmember Justen and seconded by Councilmember Fernandez to deny the repeal of Section 33.03 of the West St. Paul City Code Regarding Prevailing Wage.

Vote: 6 ayes / 0 nays. Motion carried.

12. Old Business

There was no old business to discuss.

13. Adjourn

Mayor Napier thanked everyone for their patience tonight. We have a crisis in our city, he said. Please take it serious. Residents have asked why kids are playing in the park. Mayor Napier said this is the parents' responsibility to tell their children to play outside, play with

some spacing, take a bike ride, go for a walk, but we don't need to see large groups hanging out in the city. This is not what this is about. This is serious and the parents need to take it serious. I'm not going to have our Police force out there policing social distancing. It is up to the parents to take it serious and act now. The quicker we act, the less time this whole thing will take. We owe it as community members, our parents, and our seniors who are vulnerable. It doesn't take much for a young grandchild playing in the field to get the virus and bring it to their grandparents. Let's take it serious. I get emails asking why we are allowing kids to play in the park. It's the responsibility of the whole city, not the responsibility of law enforcement. They will go out and say something but that's not what we want our Police Officers doing. Please take it serious and know that we're going to get through this. We need to unite as a community, as a Council, and know that we are doing the best we can to keep our residents safe. While we can, please support our local businesses. I don't like to eat out five days a week but I have been because I think it's important to support our businesses so that they can support their employees and not lay them off. The federal government and the state is going to help those businesses but we can come together as a community and support them now. I ask everyone to do that while we can. I really want you to pay attention to the Centers for Disease Control (CDC) and the Minnesota Health Department. Please call if you have any questions or concerns, follow us on Twitter and Facebook. We rely on our Marketing & Communications Manager to get information out to the community. Call City Hall if you have a question and we will steer you in the right direction. We want to get our questions answered so you can be safe.

To end on a positive note, Councilmember Eng-Sarne shared that a highlight of her week. From her new workspace in her dining room, she can see outside and watch people walking their dogs. She recently saw a Public Works truck pull up to the corner to clean out the storm drains with a hockey stick. If you want to give the kids something to do, send them out with a hockey stick to clear storm drains. She said she plans to clean those in front of her house, as well as move the leaves. This will help our infrastructure run more smoothly. Continue to go for walks, please stay off the playground equipment, distance from each other, and stay home and watch your neighbors walk by.

Councilmember Vitelli said many of you know Steve Lufkin. His wife, Stacy, put a wonderful thing on Facebook this week. We all think we're going to be inconvenienced by not going out for dinner. Steve suffers from ALS and is in a wheelchair with a breathing machine. If you start feeling bad about yourself, think about Steve. Things will get better.

Mayor Napier thanked Staff for being here tonight, for our IT Department, Marketing & Communications Manager Dan Nowicki, and Town Square Television for making tonight's meeting happen. This is the new norm for a short time here. Let's pull together as a community because there is nothing like West St. Paul. We can do this.

Motion was made by Councilmember Vitelli and seconded by Councilmember Berry to adjourn the meeting at 8:59 p.m.

All members present voted aye. Motion carried.

David J. Napier
Mayor
City of West St. Paul

City of West St. Paul
City Council Meeting Minutes
May 11, 2020

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, Lisa Eng-Sarne, Anthony Fernandez, John Justen, Bob Pace and Dick Vitelli
Absent:	None
Others Present:	City Manager Ryan Schroeder City Attorney Kori Land Police Chief Brian Sturgeon Finance Director Char Stark Parks & Public Works Director/City Engineer Ross Beckwith Community Development Director Jim Hartshorn Human Resources Director Debra Gieseke Marketing & Communications Manager Dan Nowicki City Clerk Shirley Buecksler

Mayor Napier stated that tonight's meeting will be conducted virtually and described the process for citizens to view the meeting and call in with questions and comments.

3. Pledge of Allegiance

4. Adopt the Agenda

Motion was made by Councilmember Vitelli and seconded by Councilmember Berry to move Consent Agenda Item 9J, Art Park Metropolitan Regional Arts Council Grant, to Old Business Item 12A and adopt the agenda, as amended.

Vote: 6 ayes / 0 nays. Motion carried.

5. OCWS Briefing

An Open Council Work Session was not held.

6. Citizen Comments

Mayor Napier opened the access line (651-259-2674) for citizens to call in with comments, questions and concerns, which was tested prior to the start of the meeting.

Calls and Comments Received:

- Connye LaCombe, Ward 3, questioned the progress on an ordinance to ban gay conversion therapy.
- Julie Eastman, Ward 1, called to test the call-in line.
- Karen Vavreck, Ward 2, asked how long parks will be closed, if upgrades and replacements will be done during closure, and if the City will pay Staff to monitor crowds in parks.

7. Council Comments

Councilmember Vitelli discussed a social media post on the West St. Paul Neighbor's Facebook page regarding an interaction with a West St. Paul Police Officer. After investigation by Chief Sturgeon, it was determined that there was improper language used at the beginning of the encounter as the Officer was attempting to get the driver of the vehicle to stop; however, the encounter was not with one of our Officers but an Officer from one of our assisting Departments.

Councilmember Eng-Sarne said last week was Public Service Recognition Week for recognizing public employees who support us at the federal, state, county and local level. Friday was also City Clerk's Day.

Councilmember Eng-Sarne asked that anyone who is experiencing quarantine fatigue, please keep doing what you are supposed to do.

Councilmember Berry wished everyone a Happy Mother's Day, and also a blessed and peaceful Ramadan.

Councilmember Pace said he hopes everyone is well under the circumstances. He thanked Staff for putting these meetings together and is looking forward to when they can be held in the Council Chambers again. Thank you, also, to Staff cleaning Robert Street, with plans to replant the flowers.

Councilmember Justen reminded everyone that businesses are now able to provide curbside pickup, so please support your local businesses.

Mayor Napier said the State of the City Address will be coming up soon. Thanks to Staff for working on that.

Mayor Napier said that parks are opening and it is great to see the community out walking. People are respecting social distancing and taking advantage of the trails through our parks. We are looking to the 18th as a target date to open but are looking for guidance from the State, when the Stay at Home may be lifted.

Mayor Napier wished everyone a Happy Mother's Day. It is a great day to celebrate.

Mayor Napier had a phone conversation with the Governor's Office. He was able to get a system in place where he can reach someone there quicker. He spoke with them regarding our

senior living buildings. He did some check-ins with these facilities and they are all doing amazingly well. Mayor Napier has talked with every director in every facility and commends them for doing a great job caring for their people. Southview Acres has 60 residents testing positive for COVID. They are trying to get testing done but they are really short staffed. Southview Acres is currently hiring for nurses and housekeeping staff.

Mayor Napier said our representatives are working hard at the Capitol to get us help for our lift stations, and we are in the bill.

Schroeder said we are in the Senate side. Representative Hansen sent a mark-up today on the House side. Both bills have been introduced and referred but we are a long way from approval. Session ends in seven days. Schroeder added that we were in the House bill last year but there wasn't a Senate companion, so this is certainly a good step forward.

Mayor Napier asked Schroeder to let Council know how they can help him push a little harder and get the message out.

8. Proclamations, Presentations and Recognitions

There were no proclamations, presentations or recognitions.

9. Consent Agenda

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

A. Minutes of April 27, 2020 for:
- Regular City Council Meeting

B. List of Claims in the Amount of $955,080.49

C. Rental Licensing in the Amount of $4,280.00 for:
- 1635 Marthaler Lane (Apartment – New)
- 1266/1268 Winslow Avenue (Duplex – Renewal)
- 76/78 Logan Avenue West (Duplex – Renewal)
- 966 Robert Street South (Condominium – Renewal) - Units #101 - #308
- 976 Robert Street South (Condominium – Renewal) - Units #102 - #308
- 298 Hurley Street East (Single Family – New)
- 435 Bernard Street East (Single Family – New)
- 1370 Charlton Street (Single Family – Renewal)
- 935 Oakdale Avenue (Single Family – Renewal)
- 275 Bernard Street East (Single Family – Renewal)
- 1471 Oakdale Avenue (Single Family – Renewal)
- 173 Kathleen Drive (Single Family – Renewal)

D. Stipulated Settlement with Auto Zone, 1520 Robert Street

E. Development Agreement with KTJ 339, LLC

F. Contract Extension with Rainbow Tree Care for Emerald Ash Borer Treatments

G. Materials Testing Contract for Dome Exit Stairs Project 20-5

H. Agreement with the Dakota Broadband Board

I. Lease Agreement with New Cingular Wireless PCS, LLC
J. ~~Art Park Metropolitan Regional Arts Council Grant~~ – **Moved to Item 12A**

Vote: 6 ayes / 0 nays. Motion carried.

10. Public Hearings

There were no Public Hearings.

11. New Business

A. First Reading – Vacation of Unbuilt Right-of-Way South of Crusader and West of Stryker

Hartshorn introduced the following proposed ordinance for its first reading:

> *"An Ordinance Approving the Sale of Property Located within the City of West St. Paul, Minnesota, to Net Ministries, Inc."*

Motion was made by Councilmember Vitelli and seconded by Councilmember Fernandez to approve the first reading and call for a second reading of the ordinance to be held at a Public Hearing at the City Council meeting on May 26, 2020.

Vote: 6 ayes / 0 nays. Motion carried.

B. First Reading of Amendment to the Food Truck Ordinance

Hartshorn introduced the following proposed ordinance for its first reading:

> *"An Ordinance Repealing Section 111.01(B) Regarding Food Vending of the City Code of the City of West St. Paul and Enacting Section 111.01(B) Regarding Mobile Food Units"*

Motion was made by Councilmember Vitelli and seconded by Councilmember Fernandez to continue this item to the next OCWS for discussion.

Vote: 6 ayes / 0 nays. Motion carried.

12. Old Business

A. Art Park Metropolitan Regional Arts Council Grant

Motion was made by Councilmember Fernandez and seconded by Councilmember Berry to accept the Art Park Metropolitan Regional Arts Council Grant.

Vote: 6 ayes / 0 nays. Motion carried.

13. <u>Adjourn</u>

Motion was made by Councilmember Vitelli and seconded by Councilmember Eng-Sarne to adjourn the meeting at 7:10 p.m.

Vote: 6 ayes / 0 nays. Meeting adjourned.

David J. Napier
Mayor
City of West St. Paul

City of West St. Paul
City Council Meeting Minutes
May 30, 2020

1. Call to Order

Mayor Napier called the meeting to order at 1:00 p.m.

Mayor Napier stated that this Emergency City Council Meeting will be closed pursuant to Minnesota Statute 13D.04 Subd. 3 and Minnesota Statute 13D.05 Subd. 3 for the City Council to receive a security briefing from the Emergency Management Team.

2. Roll Call

Present:	Mayor Dave Napier Councilmembers Wendy Berry, Lisa Eng-Sarne, Anthony Fernandez, John Justen (arrived at 1:04 p.m.), Bob Pace and Dick Vitelli
Absent:	None
Others Present:	City Manager Ryan Schroeder City Attorney Kori Land Police Chief Brian Sturgeon Marketing & Communications Manager Dan Nowicki City Clerk Shirley Buecksler

Motion was made by Councilmember Vitelli and seconded by Councilmember Berry to close the meeting pursuant to Minnesota Statute 13D.05 Subd 3 for the City Council to receive a security briefing from the Emergency Management Team.

Vote: 5 ayes / 0 nays – Councilmember Justen was absent. Motion carried.

Councilmember Justen joined the meeting at 1:04 p.m.

3. Agenda Items

A. Emergency Protocol

Council asked questions and received answers.

B. Situational Update

Council asked questions and received answers.

Motion was made by Councilmember Vitelli and seconded by Councilmember Pace to open the meeting at 1:44 p.m.

Vote: 6 ayes / 0 nays. Motion carried.

Motion was made by Councilmember Vitelli and seconded by Councilmember Pace to adopt Resolution No. 20-056 Declaring a Local Emergency for Safety and Protection.

Vote: 6 ayes / 0 nays. Motion carried.

4. <u>Adjourn</u>

Motion was made by Councilmember Vitelli and seconded by Councilmember Pace to adjourn the meeting at 1:47 p.m.

Vote: 6 ayes / 0 nays. Meeting adjourned.

David J. Napier
Mayor
City of West St. Paul

CITY OF WEST ST. PAUL

City Council Report

To: **Mayor and City Council**

Through: **Ryan Schroeder, City Manager**

From: **Char Stark, Finance Director**

Date: June 8, 2020

List of Claims

BACKGROUND INFORMATION:

Invoices to be paid

FISCAL IMPACT:

$849,743.90

STAFF RECOMMENDATION:

Approve payment of the attached

CITY OF WEST ST PAUL

Summary of List of Claims

Council Meeting of June 8, 2020

PAYROLL CHECK REGISTER:

Payroll Period	5/18/20 - 5/31/20	
Date Paid	6/5/2020	
Direct Deposit		$191,286.18
Payroll Period		
Date Paid		
Direct Deposit		
TOTAL NET PAYROLL		$191,286.18

DISBURSEMENT CHECK REGISTER:

Checks	132450 - 132526	$295,945.94
EFTS	862 - 894	$362,511.78
TOTAL DISBURSEMENT CHECKS		$658,457.72

TOTAL PAYROLL, DISBURSEMENTS, ACH AND WIRE TRANSFERS $849,743.90

CITY OF W.S.P

Payment Register

From Payment Date: 5/27/2020 - To Payment Date: 6/8/2020

Number	Date	Payee Name	Transaction Amount
AP-1 - Accounts Payable			
Check			
132450	06/08/2020	AAA STRIPING SERVICE CO	$1,900.00
132451	06/08/2020	ADVANTAGE SIGNS & GRAPHICS	$440.12
132452	06/08/2020	ALL PRO LAWN CARE & SNOW REMOVAL	$235.00
132453	06/08/2020	AMAZON BUSINESS	$119.71
132454	06/08/2020	ANCHOR SOLAR INVESTMENTS	$2,787.86
132455	06/08/2020	BRAUN INTERTEC CORPORATION	$640.00
132456	06/08/2020	BUELL, SCOTT, JAMES	$940.65
132457	06/08/2020	CARLIN SALES CORPORATION	$260.00
132458	06/08/2020	CENTURYLINK	$248.25
132459	06/08/2020	CHLIC-BLOOMFIELD EASC	$3,060.66
132460	06/08/2020	CINTAS CORPORATION	$109.86
132461	06/08/2020	COMMERCIAL RECREATION SPECIALISTS	$30,147.00
132462	06/08/2020	CORPORATE MARK INC	$495.00
132463	06/08/2020	CREATIVE PRODUCT SOURCING	$486.42
132464	06/08/2020	DANNER INC	$320.00
132465	06/08/2020	DVS RENEWAL	$185.25
132466	06/08/2020	DVS RENEWAL	$14.25
132467	06/08/2020	FIDELITY SECURITY LIFE	$215.08
132468	06/08/2020	FOTH INFRASTRUCTURE & ENVIRO	$1,155.00
132469	06/08/2020	GERRY'S FIRE & SAFETY INC	$51.00
132470	06/08/2020	GERTENS GREENHOUSE	$1,889.90
132471	06/08/2020	GOODIN COMPANY	$43.22
132472	06/08/2020	GRAFIX SHOPPE	$692.00
132473	06/08/2020	GRAINGER INC	$1,082.84
132474	06/08/2020	GROMMERSCH, JAMES	$231.08
132475	06/08/2020	HARDWOOD CREEK LUMBER,INC	$227.80
132476	06/08/2020	HEROLD PRECISION METALS, LLC	$208.75
132477	06/08/2020	HOLIDAY STATION STORES	$80.00
132478	06/08/2020	HOME DEPOT CREDIT SERVICES	$39.98
132479	06/08/2020	HOTSY	$224.48
132480	06/08/2020	HUEBSCH	$292.90
132481	06/08/2020	ISD 197	$60,360.00
132482	06/08/2020	JESSEN, BARB	$134.63
132483	06/08/2020	JONNIED AND CO	$15.80
132484	06/08/2020	KIMLEY-HORN & ASSOCIATES, INC	$6,950.94
132485	06/08/2020	KRAFT CONTRACTING & MECHANICAL	$5,450.00
132486	06/08/2020	KREMER SERVICES, LLC	$104.75
132487	06/08/2020	LANGUAGE LINE SERVICES	$330.02
132488	06/08/2020	LAW ENFORCEMENT LABOR SERVICES	$2,046.00
132489	06/08/2020	LOFFLER COMPANY-SUPPLIES	$462.00
132490	06/08/2020	LOWE'S RETAIL STORE	$802.59
132491	06/08/2020	M T I DISTRIBUTING	$1,225.92

132492	06/08/2020	MANSFIELD OIL COMPANY OF GAINESVILLE, INC	$10,675.74
132493	06/08/2020	MAUER CHEVROLET	$134.22
132494	06/08/2020	MENARDS	$1,158.39
132495	06/08/2020	MIKE BROTHERS LLC	$62.25
132496	06/08/2020	MN BENEFIT ASSOCIATION	$1,062.35
132497	06/08/2020	MN NCPERS LIFE INSURANCE	$176.00
132498	06/08/2020	MN TEAMSTERS LOCAL #320	$1,249.00
132499	06/08/2020	MULROONEY, NATALIE	$120.00
132500	06/08/2020	NAPA AUTO PARTS	$143.93
132501	06/08/2020	NEXTERA ENERGY	$1,668.05
132502	06/08/2020	NORTHDALE CONSTRUCTION COMPANY INC	$12,200.37
132503	06/08/2020	O'REILLY AUTOMOTIVE, INC	$654.65
132504	06/08/2020	PARKOS CONSTRUCTION CO INC	$81,334.10
132505	06/08/2020	SHARROW LIFTING PRODUCTS	$108.27
132506	06/08/2020	SHERWIN WILLIAMS	$35.50
132507	06/08/2020	SHORT ELLIOTT HENDRICKSON, INC	$183.26
132508	06/08/2020	SKB ENVIRONMENTAL	$867.72
132509	06/08/2020	SOUTHVIEW GARDEN CENTER INC	$90.50
132510	06/08/2020	ST PAUL PIONEER PRESS	$95.89
132511	06/08/2020	ST PAUL/CITY OF	$4,030.09
132512	06/08/2020	STANTEC CONSULTING SERV	$4,438.75
132513	06/08/2020	STEPP MANUFACTURING CO. INC	$333.08
132514	06/08/2020	STREICHER'S	$3,496.50
132515	06/08/2020	SUMMIT FIRE PROTECTION	$520.00
132516	06/08/2020	SUN LIFE FINANCIAL	$2,753.11
132517	06/08/2020	T - MOBILE	$2,866.00
132518	06/08/2020	TRANSUNION RISK & ALTERNATIVE	$50.00
132519	06/08/2020	TWIN CITY JANITOR SUPPLY	$253.56
132520	06/08/2020	TWIST OFFICE PRODUCTS	$1,742.64
132521	06/08/2020	W L HALL CO	$27,038.00
132522	06/08/2020	WASTE MANAGEMENT	$256.22
132523	06/08/2020	WDS ENTERPRISES LLC	$3,589.58
132524	06/08/2020	WOLD ARCHITECTS & ENGINEERS	$4,898.05
132525	06/08/2020	WSB & ASSOCIATES	$251.00
132526	06/08/2020	XCEL ENERGY	$702.46
Type Check Totals:			$295,945.94
EFT			
862	05/29/2020	FURTHER	$208.34
863	05/29/2020	OLD NATIONAL BANK	$45.05
864	06/01/2020	CHASE, NEW YORK	$2,187.50
865	05/29/2020	OLD NATIONAL BANK	$275.81
866	05/29/2020	US BANK CARDMEMBER SERVICES	$5,314.93
867	05/29/2020	I C M A	$250.00
868	05/29/2020	I C M A RETIREMENT TRUST - ROTH	$375.00
869	05/29/2020	I C M A RETIREMENT TRUST-457	$8,308.34
870	05/29/2020	MII LIFE --- VEBA	$3,389.02

Payment Register

From Payment Date: 5/27/2020 - To Payment Date: 6/8/2020

871	05/29/2020	MSRS - 457	$2,819.89
872	05/29/2020	MSRS HCSP	$11,083.86
873	05/29/2020	PUBLIC EMPLOYEES RETIRMNT ASSN	$203.08
874	05/29/2020	MSRS HCSP	$16,245.97
875	05/29/2020	IRS - PR TAXES	$55,158.02
876	05/29/2020	MN DEPT OF REVENUE - PR TAXES	$10,667.73
877	05/29/2020	PUBLIC EMPLOYEES RETIRMNT ASSN	$55,434.49
878	05/29/2020	MN DEPT OF REVENUE - PR TAXES	$1,909.89
879	05/29/2020	IRS - PR TAXES	$7,852.77
880	05/29/2020	PUBLIC EMPLOYEES RETIRMNT ASSN	$4,768.60
881	06/08/2020	AUTHNET GATEWAY	$30.90
882	06/08/2020	CLOVER	$55.38
883	06/08/2020	DEARBORN NATIONAL	$824.06
884	06/08/2020	I C M A	$250.00
885	06/08/2020	I C M A RETIREMENT TRUST - ROTH	$375.00
886	06/08/2020	I C M A RETIREMENT TRUST-457	$7,225.01
887	06/08/2020	IRS - PR TAXES	$63,847.84
888	06/08/2020	MII LIFE --- VEBA	$2,939.02
889	06/08/2020	MN DEPT OF REVENUE - PR TAXES	$13,712.18
890	06/08/2020	MSRS - 457	$2,708.27
891	06/08/2020	MSRS HCSP	$3,455.96
892	06/08/2020	PUBLIC EMPLOYEES RETIRMNT ASSN	$69,839.87
893	06/08/2020	FURTHER	$5,350.00
894	05/31/2020	FURTHER	$5,400.00
Type EFT Totals:			$362,511.78

TOTAL CHECKS & EFTS $658,457.72

CITY OF WEST ST. PAUL

City Council Report

To: **Mayor and City Council**

Through: **Ryan Schroeder, City Manager**

From: **Melissa Sonnek, City Planner**

Date: **June 8, 2020**

Rental Licensing

BACKGROUND INFORMATION:

2020 rental licenses – background required

According to the rental dwelling ordinance, the city requires a background investigation for each new rental property owner/applicant. In addition, the Police Department and Code Enforcement reviews calls for service to the properties to help identify potential problem properties.

The Community Development Department reviewed the application, inspection report, rental density, and code compliance requirements.

The background investigation, inspection report, and code compliance review on the properties listed below did not identify any incidents that would result in a denial of the rental license.

APPLICATIONS FOR APPROVAL:

151 Haskell Street East (New – Single Family)

FISCAL IMPACT:

		Amount
Fund:	**101**	
Department:	**30000**	
Account:	**32170**	**$ 190**

STAFF RECOMMENDATION:

Staff recommends City Council approve the rental license applications.

CITY OF WEST ST. PAUL

City Council Report

To: **Mayor and City Council**

Through: **Ryan Schroeder, City Manager**

From: **Jim Hartshorn, Community/Economic Development Director**

Date: **June 8, 2020**

Temporary Easement for Construction Staging Purposes for 1539 Robert Street South, West St. Paul.

BACKGROUND INFORMATION:

As you know, Jerry's Foods has started construction of two out-lot buildings on the southeast corner of their parking lot area. The temporary easement allows them to drive on City owned property located on the southeast corner of Robert Street and Mendota Road, if necessary. Several years ago, the Council discussed putting a "Welcome to WSP" sign in this location, but could not agree on a logo to place on the sign. This agreement states that Jerry's Foods will fix or replace any damage to the City's property as stated in the attached agreement.

FISCAL IMPACT:

		Amount
Fund:		**N/A**
Department:		
Account:		

STAFF RECOMMENDATION:

Approve the attached Temp Easement for Construction Staging Purposes for 1539 Robert Street South, West St. Paul

TEMPORARY EASEMENT FOR CONSTRUCTION STAGING PURPOSES FOR 1539 ROBERT STREET SOUTH, WEST ST. PAUL, MN 55118

THIS TEMPORARY EASEMENT AGREEMENT FOR CONSTRUCTION STAGING PURPOSES ("Agreement") is made, granted and conveyed this ____ day of _____, 2020 ("Effective Date"). The City of West St. Paul, a Minnesota municipal corporation ("City"), for and in consideration of One and 00/100 Dollars ($1.00) and other good and valuable consideration, the receipt whereof is hereby acknowledged, does hereby grant and convey to Robert Street 2008, LLC, a Minnesota limited liability company, a temporary construction easement ("Temporary Easement") under, over, across, through and upon the following described land situated in the County of Washington, State of Minnesota, to wit:

PROPERTY DESCRIPTION:

The City owns that certain real property in Dakota County, Minnesota, legally described as follows:

Outlot A, Robert Street Marketplace

PID: 42-64750-00-010

(the "City's Property").

TEMPORARY CONSTRUCTION EASEMENT DESCRIPTION:

The City does hereby grant and convey to Robert Street 2008, LLC, its successors and assigns, the following:

A temporary easement for parking and staging of construction equipment and materials, and parking of construction and passenger vehicles or such other kind of activities as may be required for commercial construction activities occurring on adjacent property ("Temporary Easement"), under, over, across, through and upon that real property legally described on Exhibit A, ("Temporary Easement Area") attached hereto and incorporated herein by reference.

EXEMPT FROM STATE DEED TAX

The rights of Robert Street 2008, LLC also include the right of Robert Street 2008, LLC, its contractors, agents and servants:

(a) To enter upon the Temporary Easement Area at all reasonable times for the purposes of accessing and maintaining the Temporary Easement Area;

(b) To remove from the Temporary Easement Area trees, brush, herbage, aggregate, and undergrowth during the use and maintenance of the Temporary Easement Area so that it complies with City Code and does not become a nuisance;

(c) To enter onto the Temporary Easement Area as needed in order to restore the Temporary Easement Area to its original condition upon termination of this Temporary Easement.

This Temporary Easement shall expire on November 1, 2020.

Robert Street 2008, LLC shall not be responsible for any costs, expenses, damages, demands, obligations, penalties, attorneys' fees and losses resulting from any claims, actions, suits, or proceedings based upon a release or threat of release of any hazardous substances, petroleum, pollutants, and contaminants which may have existed on, or which relate to, the Temporary Easement Area or the City's Property prior to the date hereof.

Nothing contained herein shall be deemed a waiver by the City of any governmental immunity defenses, statutory or otherwise. Further, any and all claims brought by Robert Street 2008, LLC or their successors or assigns, shall be subject to any governmental immunity defenses of the City and the maximum liability limits provided by Minnesota Statute, Chapter 466.

The City, for itself and its successors and assigns, does hereby warrant to and covenant with Robert Street 2008, LLC, its successors and assigns, that it is well seized in fee of the City's Property described above, the Temporary Easement Area described on Exhibit A and has good right to grant and convey the Temporary Easement herein to Robert Street 2008, LLC.

This Agreement is binding upon the heirs, successors, executors, administrators and assigns of the parties hereto.

This Agreement may be executed in any number of counterparts, each of which shall be deemed an original but all of which shall constitute one and the same instrument.

[Remainder of this page has been intentionally left blank]

IN WITNESS WHEREOF, the parties have caused these presents to be executed as of the day and year aforesaid by their duly authorized representatives.

CITY OF WEST ST. PAUL

By: _____
David J. Napier
Its: Mayor

By: _____
Ryan Schroeder
Its: City Manager

STATE OF MINNESOTA)
) ss.
COUNTY OF DAKOTA)

On this _____ day of _____, 2020, before me a Notary Public within and for said County, personally appeared David J. Napier and Ryan Schroeder to me personally known, who being each by me duly sworn, each did say that they are respectively the Mayor and the City Manager of the City of West St. Paul, the Minnesota municipal corporation named in the foregoing instrument, and that it was signed on behalf of said municipal corporation by authority of its City Council and said Mayor and City Manager acknowledged said instrument to be the free act and deed of said municipal corporation.

_____
Notary Public

ROBERT STREET 2008, LLC

By: _____
Name:_____
Its: _____

By: _____
Name:_____
Its: _____

STATE OF MINNESOTA)
) ss.
COUNTY OF DAKOTA)

On this _____ day of _____, 2020, before me a Notary Public within and for said County, personally appeared _____ and_____, who being [each] by me duly sworn, [each] did say that they/he/she are/is the _____ and _____ of Robert Street 2008, LLC, a political subdivision under the laws of Minnesota, the entity named in the foregoing instrument, and that foregoing instrument was executed in behalf of said entity by authority of its County Board and said _____ _____and _____ acknowledged said instrument to be the free act and deed of said entity.

_____
Notary Public

This instrument was drafted by
and after recording, please return to:
Korine L. Land (#262432)
LeVander, Gillen & Miller, P.A.
633 South Concord Street, Suite 400
South St. Paul, MN 55075
651-451-1831

EXHIBIT A
LEGAL DESCRIPTION OF TEMPORARY EASEMENT AREA

Outlot A, Robert Street Marketplace.

CITY OF WEST ST. PAUL

City Council Report

To: **Mayor and City Council**

Through: **Ryan Schroeder, City Manager**

From: **Melissa Sonnek, City Planner**

Date: **June 8, 2020**

Thompson/Oakdale Avenue Feasibility Study – Final Report

BACKGROUND INFORMATION:

Over the past year, City Staff has been working with Dakota County and Kimley Horn to develop a bicycle and pedestrian study along both Thompson and Oakdale Avenues. West St. Paul received an Active Living grant through the county in order to conduct this study, including gathering site information, community input, and developing preliminary engineering plans. The process to develop this plan included multiple outreach efforts, including meeting with community groups and stakeholders, commissions, City Council, as well as a public open house.

This plan will serve as a guide if/when funding is secured for pedestrian improvements along these corridors in the future. Additionally, a detailed report can help to improve scoring on federal grant opportunities, showing that the plan has been thoroughly and properly vetted. For example, this report is expected to increase favorability of the Regional Solicitation Grant application the City submitted last month.

STAFF RECOMMENDATION:

City Staff requests that the Council review and accept the attached study.

ATTACHMENTS:

Final Draft of Study
Resolution

Thompson Avenue and Oakdale Avenue Bicycle and Pedestrian Feasibility Study

City of West St. Paul and Dakota County

May 2020

THOMPSON AVENUE AND OAKDALE AVENUE

Bicycle and Pedestrian Feasibility Study

CITY OF WEST ST. PAUL AND DAKOTA COUNTY
MAY 2020

PREPARED BY:

Kimley»Horn

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- Estimated Costs and Project Funding 4
- Schedule and Next Steps 4

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Oakdale Avenue – Alternate Option 13

Summary, Schedule and Next Steps 14

EXECUTIVE SUMMARY

The City of West St. Paul, in partnership with Dakota County, received a grant from the Minnesota State Health Improvement Program (SHIP) to assess the feasibility for potential bicycle and pedestrian improvement options for the following street segments:

- Thompson Avenue (CR 6) from Robert Street (TH 952) to TH 52
- Oakdale Avenue (CSAH 73) from Wentworth Avenue (CSAH 8) to Butler Avenue (CR 4)

The goals of the feasibility study are outlined below.

- Identify recommended bicycle and pedestrian improvements along Oakdale Avenue and Thompson Avenue in the project study area
- Attain feedback from key stakeholders and the public regarding options for bicycle and pedestrian infrastructure
- Identify estimated construction and right-of-way acquisition costs for the recommended alternatives
- Assemble technical information to assist the City with the preparation and submittal of a Metropolitan Council Regional Solicitation (TAP) funding application in May 2020 based on the recommended alternatives

Figure 1. Location Map

An alternatives analysis was completed for both the Thompson Avenue and Oakdale Avenue corridor to identify recommended improvements. A summary of the recommendations for each corridor is provided below and further detailed in the report.

THOMPSON AVENUE

A multi-use bituminous trail is recommended along the south side of Thompson Avenue between Robert Street and TH 52. A concrete sidewalk is recommended along the north side of Thompson Avenue between Robert Street and TH 52. These recommendations were determined based on the following factors:

- Planned development within the City along the south side of Thompson Avenue
- Available City owned land along the old Thompson Oaks Golf Course
- Consideration of existing vegetation density and terrain challenges
- Residential and commercial driveways

- Connectivity to existing bicycle and pedestrian facilities
- Input from the public and key stakeholders

OAKDALE AVENUE

A multi-use bituminous trail is recommended along the east side of Oakdale Avenue between Wentworth Avenue and Butler Avenue where the current north urban regional trail does not exist. A concrete sidewalk is recommended along the west side of Oakdale Avenue between Thompson Avenue and Westchester Drive. These recommendations were determined based on the following factors:

- Major destination locations (i.e. church, school, etc.) along Oakdale Avenue
- Estimated construction cost and necessary right-of-way acquisition
- Location of existing sidewalk and north urban regional trail facilities
- Considerations of existing vegetation density and terrain challenges
- Input from the public and key stakeholders
- On-street parking needs

ESTIMATED COSTS AND PROJECT FUNDING

The estimated trail and sidewalk construction, right-of-way, and total project cost for the recommended alternatives are summarized in the table below.

Table 1. Estimated Project Costs

Street Name	Estimated Construction Cost[1]	Indirect Cost[2]	Right-of-Way Property Cost	Right-of-Way Acquisition Cost	Total Project Cost
Thompson Avenue	$1,010,000	$253,000	$443,000	$133,000	$1,839,000
Oakdale Avenue	$1,789,000	$448,000	$386,500	$116,000	$2,739,500

[1] Includes construction contingency
[2] 25% of construction cost

The Oakdale Avenue portion of the project proposes to apply for TAP funding through the 2020 regional solicitation. If successful, a future project would be funded by a combination of federal and local (City and County) funds. Thompson Avenue is also being considered for a turnback project with Dakota County. Additional consideration for funding of the recommend pedestrian and bicycle improvements along Thompson Avenue will be included as a part of future turnback discussions.

SCHEDULE AND NEXT STEPS

A project schedule and potential next steps are detailed below.

Submit TAP Funding Application	May 2020
Finalize Feasibility Study	May 2020
Prepare 30% Preliminary Engineering Plans	May 2020 – June 2020

Preliminary and Final Design*	TBD

**Preliminary and Final Design phases dependent on project funding timelines.*

INTRODUCTION

The City of West St. Paul and Dakota County have an ongoing Active Living Partnership to assess the active living conditions in the community and recommend policy changes that encourage increased physical activity in everyday life. In December 2011, the City Council accepted the City of West St. Paul Pedestrian and Bicycle Master Plan. This plan identified crucial gaps in the City's pedestrian and bicycle infrastructure. Thompson Avenue between TH 52 and Robert Street and Oakdale Avenue between Wentworth Avenue and Butler Avenue are both identified as priority gaps in the City's pedestrian and bicycle infrastructure system.

The lack of pedestrian and bicycle connectivity between these corridors, existing transit facilities along Robert Street and other area destinations have created connection gaps and an inadequate transportation system for the local bicycle and pedestrian population. The City of West St. Paul and Dakota County recently received a Minnesota State Health Improvement Program (SHIP) grant to assess potential pedestrian and bicycle infrastructure improvements in this priority gap segment.

A feasibility study was initiated by the City of West St. Paul and Dakota County with the following goals:

- Identify recommended bicycle and pedestrian improvements along Oakdale Avenue and Thompson Avenue in the project study area
- Attain feedback from key stakeholders and the public regarding options for bicycle and pedestrian infrastructure
- Identify estimated construction and right-of-way acquisition costs for the recommended alternatives
- Assemble necessary information to prepare and submit a Metropolitan Council Regional Solicitation (TAP) funding application in April/May 2020 based on the recommended improvements

An alternatives analysis for both Thompson Avenue and Oakdale Avenue was completed to identify recommended pedestrian and bicycle infrastructure and is detailed in this report. Recommendations for the pedestrian and bicycle improvements are identified and include estimated project costs and a potential schedule for next steps.

ALTERNATIVES ANALYSIS

The alternatives analysis focused on three types of pedestrian and bicycle infrastructure options; on-street bike lanes, off-street multi-use trails, and sidewalks. All three of these infrastructure options were evaluated along Thompson Avenue and Oakdale Avenue. Previously, the City of West St. Paul Pedestrian and Bicycle Master Plan identified the following pedestrian and bicycle improvements along Thompson Avenue and Oakdale Avenue in the study area:

<u>Thompson Avenue</u>

- Bike lanes in both directions along Thompson Avenue between Robert Street and TH 52

- Sidewalk along the north and south sides of Thompson Avenue

Oakdale Avenue

- Off-street trail between the existing North Urban Regional Trail and Butler Avenue

The recommendations identified in the Pedestrian and Bicycle Master Plan were evaluated along with additional infrastructure options that met the project goals. The Pedestrian and Bicycle Treatment Map from the Pedestrian and Bicycle Master Plan is included in **Appendix A**.

The alternatives analysis utilized three categories of criteria and factors in determining the most feasible improvements for Oakdale Avenue and Thompson Avenue. The three categories were existing features and topography, public input and estimated costs. A summary of the alternatives analysis for both roadway corridors is detailed below.

OAKDALE AVENUE

The Oakdale Avenue corridor between Wentworth Avenue and Butler Avenue generally consists of residential homes, two churches, the St. Croix Lutheran Academy school, and the Carousel Apartment complex. Existing pedestrian and bicycle facilities in this area include the following:

- Wentworth Avenue to Thompson Avenue – Off-street trail along the west side of Oakdale Avenue
- Thompson Avenue to 1,000 feet north of Thompson Avenue – Off-street trail along the east side of Oakdale Avenue
- Westchester Drive to Butler Avenue – Sidewalk along the west side of Oakdale Avenue
- North of St. Croix Lutheran Academy to Butler Avenue – Sidewalk along the east side of Oakdale Avenue

The existing street section of Oakdale Avenue consists of a 44-foot wide roadway with 12-foot through lanes in both directions and 10-foot shoulders on each side of the roadway. The existing shoulder on the east side of Oakdale Avenue narrows between Logan Avenue and Butler Avenue near the St. Croix Lutheran Academy. The existing street section in this area consists of a 36-foot wide roadway with 12-foot through lanes in both directions with a 10-foot shoulder on the west side of the roadway and an additional 2-foot curb reaction on the east side of the roadway. Parking is allowed on both sides of Oakdale Avenue where 10-foot shoulders exist. The existing right-of-way width is generally 66-feet.

An inventory of the following physical features was generated as a part of the alternatives analysis along Oakdale Avenue. This inventory helped determine which side of the roadways a sidewalk or off-street trail would fit best within the existing constraints of the area. The features identified are listed below.

- Number of intersections/crossings
- Commercial and residential driveways
- Existing topography/terrain
- Bus stops
- Existing power and light poles
- Hydrants
- Vegetation density

- Location of existing bicycle or pedestrian infrastructure
- Available right-of-way

The existing topography along the east side of Oakdale Avenue between Oakdale Court and Stassen Drive is steep between the existing curb and gutter and adjacent residences. It is anticipated that retaining walls would be required for off-street facilities in this area. **Figure 2** provides an example of this area.

Figure 2. Oakdale Avenue (East Side) Challenging Topography

Two typical section options were evaluated for bicycle and pedestrian improvements. Option A consists of the construction of a multi-use bituminous trail along the east side of Oakdale Avenue and a concrete sidewalk along the west side of Oakdale Avenue as shown in **Figure 3** below.

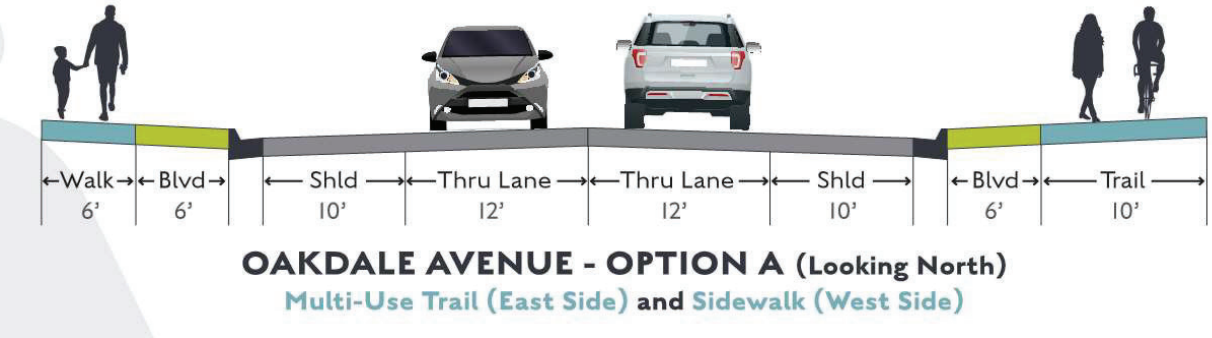


Figure 3. Oakdale Avenue – Option A

Option B evaluated the alternative of on-street bicycle lanes on each side of the roadway. This option would require conversion of the existing 10-foot shoulders to dedicated on-street bike lanes. On-street parking would be removed in Option B. A concrete sidewalk along the west side of Oakdale Avenue is proposed to serve pedestrians. This option is shown in **Figure 4** below.

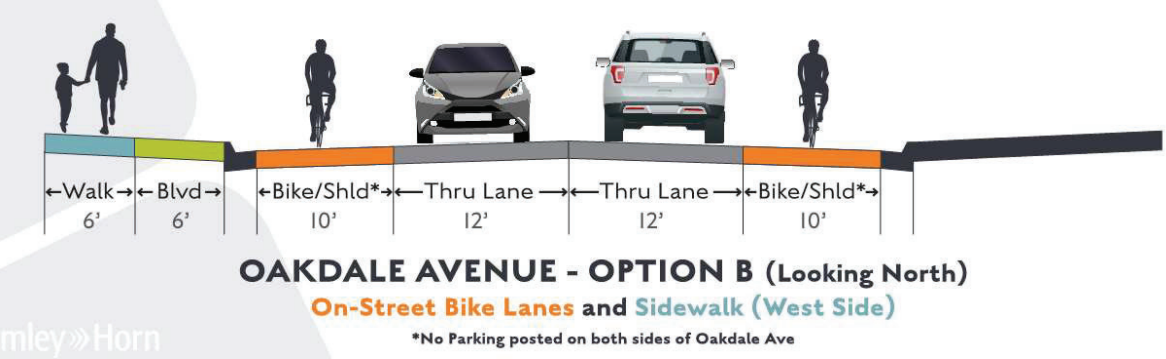


Figure 4. Oakdale Avenue – Option B

Both options for Oakdale Avenue were presented at a public open house, shared with multiple stakeholder groups, and discussed with City Council, City Parks and Recreation Committee and County staff. Comments received at the public open house and stakeholder meeting summaries are provided in **Appendix B**. **Table 2** below summarizes the general feedback received for the Oakdale Avenue options through the public involvement process.

Table 2. Oakdale Avenue Public Involvement Summary

Stakeholder/Group	Meeting Date(s)	General Comments
St. Croix Lutheran Academy	January 22, 2020	• Supports a trail along the school property (willing to fund trail improvements on property) • Concerned about crossing safety at Moreland Avenue
Living Longer Stronger Group	February 20, 2020	• Prefer Option A as an off-street trail provides a safer option for bikers and recreational users
Parks and Recreation Committee	February 11, 2020 and March 10, 2020	• Would support both Option A or Option B • Interested in getting feedback from the public to guide overall recommendation • Concerned about cost for Option A and wants project team to find cost saving options
City Council	February 24, 2020 (work session) and March 23, 2020 (regular meeting)	• Prefers Option A due to safety benefits and concerned about loss of on-street parking with Option B • Recommended exploring options to shift the eastern curbline to reduce project construction cost and right-of-way acquisition needs
Public Open House	March 5, 2020	• Overall support for Option A due to increased safety benefit of off-street trail • On-street parking is used along Oakdale Avenue, specifically near the Carousel Apartment complex
Responsible Owners and Manager Association (ROMA)	March 12, 2020	• General support for bicycle and pedestrian improvements in general along Oakdale Avenue but not specific feedback
Oaks of West St. Paul Apartments	March 16, 2020	• Comments provided were not specific to Oakdale Avenue

Based on the public and stakeholder input received and analysis of impacts to physical features along the corridor, Option A is the recommended alternative for the following reasons:

- The project team received near unanimous support for an off-street trail (Option A) vs. the on-street bikes lanes (Option B) by the public and stakeholders due to added safety benefits of bicyclists being protected from traffic
- It was noted that on-street parking along Oakdale Avenue is utilized and there would be concern for loss of on-street parking along Oakdale Avenue that would be required with Option B
- Option A provides a continuous trail from the southern City limits (Mendota Road) to Butler Avenue on the same side of the roadway
- Major destinations (churches and schools) are located on the east side of Oakdale Avenue
- There was nearly unanimous support for sidewalk along the west side of Oakdale Avenue by the public and stakeholders
- The St. Croix Lutheran Church offered to fund a trail along their length of property

A project layout for Option A is provided in **Appendix C.**

CROSSING TREATMENTS

There were three major street intersection crossings that were evaluated along Oakdale Avenue as a part of this study and the results of the analysis are provided below.

Oakdale Avenue and Thompson Avenue

The intersection of Oakdale Avenue and Thompson Avenue is currently a 4-way stop controlled intersection. The average daily traffic on both roadways exceeds 7,000 cars per day. The existing crossing distance for pedestrian and bicycles is 44-feet in all directions. The addition of curb bumpouts was evaluated to reduce the crossing distance to 28-feet at the intersection.

The intersection of Oakdale Avenue and Thompson Avenue is planned as a future roundabout location. Standard marked crossings through the roundabout would be added as a part of a future roundabout project. Because the timing of this project is unknown and crossing treatments would be included in a future project, it is recommended that crossing treatments be further evaluated at the intersection once project funding and timing for a roundabout has been identified.

Oakdale Avenue and Emerson Avenue

The intersection of Oakdale Avenue and Emerson Avenue is a side street (Emerson Avenue) stop controlled intersection with one additional intersection leg (Carrie Street). Dakota County standard is to not install striping or crosswalks at non-stop controlled intersections. It is not recommended to stripe the Oakdale Avenue crossings as they are not stop controlled. Pedestrian crossing signage could be added to alert Oakdale Avenue traffic of potential pedestrian and bicycle crossings.

The long crossing length from the southwest corner to the northwest corner of the intersection is a potential safety concern. It is recommended that a pedestrian refuge be added in the southwest corner of the Carrie Street and Emerson Avenue intersection to reduce the total crossing length and time.

Oakdale Avenue and Moreland Avenue

The St. Croix Lutheran Academy noted that their students cross Oakdale Avenue at Moreland Avenue or Butler Avenue to access the business district on Robert Street. Following review of the area and based on this feedback from the school, it is recommended that a dedicated crossing be added at the intersection of Moreland Avenue and Oakdale Avenue. Dakota County will be completing a school safety study in 2020 to evaluate potential crossing enhancements at schools along County Roads. Dakota County has advised that this crossing location be evaluated as a part of that study and not include a specific crossing treatment recommendation at the intersection in this report.

THOMPSON AVENUE

The Thompson Avenue corridor between Robert Street and TH 52 generally consists of residential homes, the old Thompson Oaks Golf Course, and commercial businesses near Robert Street. Existing pedestrian and bicycle facilities include the following:

- Short length existing sidewalk facilities along the north side of Thompson Avenue near Robert Street
- Short length of existing sidewalk facilities near the intersection of Thompson Avenue and Waterloo Avenue
- On-street bike lanes along Waterloo Avenue near TH 52

The existing street section of Thompson Avenue consists of a 44-foot wide roadway with 12-foot through lanes in both directions and 10-foot shoulders on each side of the roadway. Near the commercial business area at Robert Street, the existing street section consists of a 14-foot shared left turn lane and variable 14-foot to 15-foot through lanes in both directions. Where a 10-foot shoulder exists, parking is allowed on both sides of Thompson Avenue. The existing right-of-way width is variable through the corridor.

A similar inventory of the physical features was generated along Thompson Avenue that was completed for the Oakdale Avenue alternatives analysis. These features were used to determine the most feasible location for sidewalks and trails along Thompson Avenue.

Figure 5. Thompson Avenue (looking west)

There are also two proposed development projects along Thompson Avenue that abut the project corridor.

- Redevelopment of the existing YMCA site to a new Hy-vee grocery store
- Proposed apartment complex in the western third of the old Thompson Oaks Golf Course property

The City is requiring both developments to construct a multi-use trail along the length of their property as a part of project approval. Additionally, any other future development on the old Thompson Oaks Golf Course will be required to construct a trail.

Because a new trail is being constructed by multiple developments already on the south side of the roadway, an off-street multi-use trail along the south side of Thompson Avenue is recommended. A sidewalk is recommended along the north side of Thompson Avenue to provide a pedestrian dedicated facility. The recommended typical section along Thompson Avenue is shown below in **Figure 6**.

Figure 6. Thompson Avenue Recommended Option

Conversion of the existing shoulders on Thompson Avenue to bike lanes was discussed but does not meet the long term vision of Thompson Avenue for the City. This stretch of Thompson Avenue is planned for a future turnback from Dakota County to the City of West St. Paul. As a part of that turnback project and the planned development in this area, the City intends to convert the existing typical section to a 3-lane section for the entire length. A 3-lane section eliminates the existing shoulders and does not allow for the addition of on-street bike lanes without widening the road.

The recommended Thompson Avenue pedestrian and bicycle alternative was presented at the same public and stakeholder meetings that are listed above in **Table 3**. The project team received general support at all meetings for the recommendations. At the public open house, some residents expressed concerns about loss of front yard space and snow plowing in the winter. The concerns were addressed at the open house and it is expected that further coordination with adjacent property owners for the Thompson Avenue improvements will be necessary if the project moves into a final design phase following identification of project funding.

A project layout for Thompson Avenue is provided in **Appendix C.**

ESTIMATED COSTS

The estimated trail and sidewalk construction, right-of-way, and total project cost are summarized in **Table 5** below. Detailed cost estimates are included in **Appendix D**.

Table 3. Estimated Project Costs

Street Name	Estimated Construction Cost[1]	Indirect Cost[2]	Right-of-Way Property Cost	Right-of-Way Acquisition Cost	Total Project Cost
Thompson Avenue	$1,010,000	$253,000	$443,000	$133,000	$1,839,000
Oakdale Avenue	$1,789,000	$448,000	$386,500	$116,000	$2,739,500

[1] Includes construction contingency
[2] 25% of construction cost

METHOD OF FINANCING

The recommended improvements for Thompson Avenue and Oakdale Avenue do not currently have funding allocated to them. The City and County are seeking funding through a Metropolitan Regional Solicitation grant application in 2020. It is unknown if funding through this grant application will be secured. Other potential options for project funding are identified below.

- Turnback of Thompson Avenue – Trail and sidewalk improvements funded by Dakota County as part of a turnback of Thompson Avenue between Robert Street and TH 52.
- Revisions to County/City cost share policy – Dakota County is currently revising their cost share policy for construction projects. Following revision of the cost share policy, the City and County could look for opportunities to fund the project with local funds if they become available.

OAKDALE AVENUE – ALTERNATE OPTION

Following selection of Option A as the preferred alternative for Oakdale Avenue, City Council and Parks and Recreation Committee members directed the design team to explore a modified option to reduce impacts to adjacent properties and decrease total project costs. Trail construction with Option A along the east side of Oakdale Avenue requires impacts to the front yard space of multiple residences including retaining walls in multiple locations.

To mitigate some of the loss of front yard to residences and reduce the retaining wall construction needs, shifting the eastern Oakdale Avenue curbline to the west mitigates some of the loss of front yard space to adjacent residences and reduces the retaining wall construction needs. The typical section shown in **Figure 7** below demonstrates shifting the eastern Oakdale Avenue curbline.

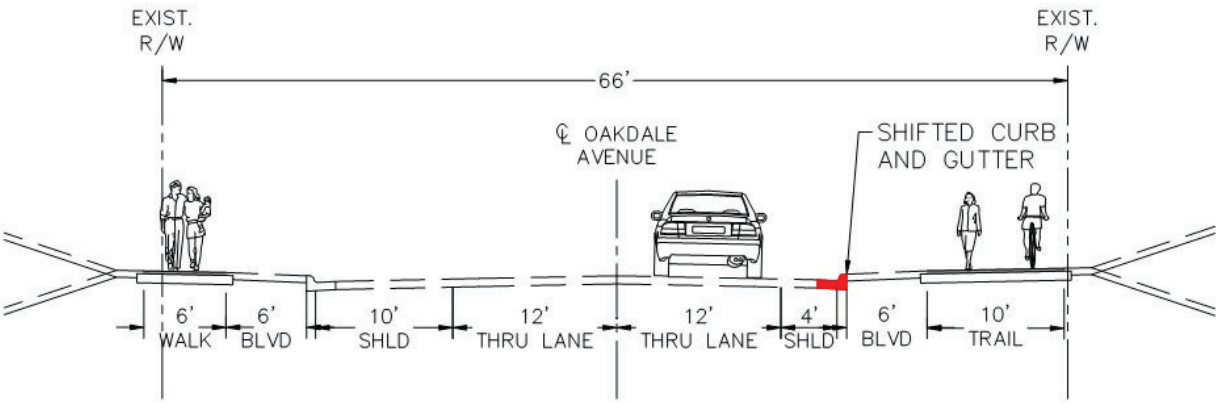


Figure 7. Oakdale Avenue Alternate Option Typical Section

This option requires the reduction of the existing 10-foot shoulder and the loss of on-street parking on the east side of Oakdale Avenue. Dakota County has reviewed this option and is in general agreement with evaluating shoulder narrowing to reduce project costs. Additional consideration for options to further gain existing right-of-way width for trail improvements would be considered if the project receives grant funding.

Construction and right-of-way acquisition costs for this option were compared to the baseline Option A alternative. The results of the cost comparison are provided in **Table 6** below.

Table 4. Oakdale Avenue Cost Comparison

Oakdale Avenue Option	Estimated Construction Cost[1]	Indirect Cost	Right-of-Way Property Cost	Right-of-Way Acquisition Cost	Total Project Cost
Option A	$1,789,000	$448,000	$386,500	$116,000	$2,739,500
Alternative Option[2]	$1,785,000	$447,000	$282,000	$85,000	$2,559,000

[1] Includes construction contingency
[2] Based on reducing the existing 10-foot shoulder to 4-feet

SUMMARY, SCHEDULE AND NEXT STEPS

Based upon the analysis completed as part of this project, the following recommendations are feasible and would benefit the community, bicyclists, and pedestrians in this area.

- A multi-use bituminous trail is recommended along the south side of Thompson Avenue between Robert Street and TH 52. A concrete sidewalk is recommended along the north side of Thompson Avenue between Robert Street and TH 52.
- A multi-use bituminous trail is recommended along the east side of Oakdale Avenue between Wentworth Avenue and Butler Avenue where the current north urban regional trail does not exist.

A concrete sidewalk is recommended along the west side of Oakdale Avenue between Thompson Avenue and Westchester Drive.

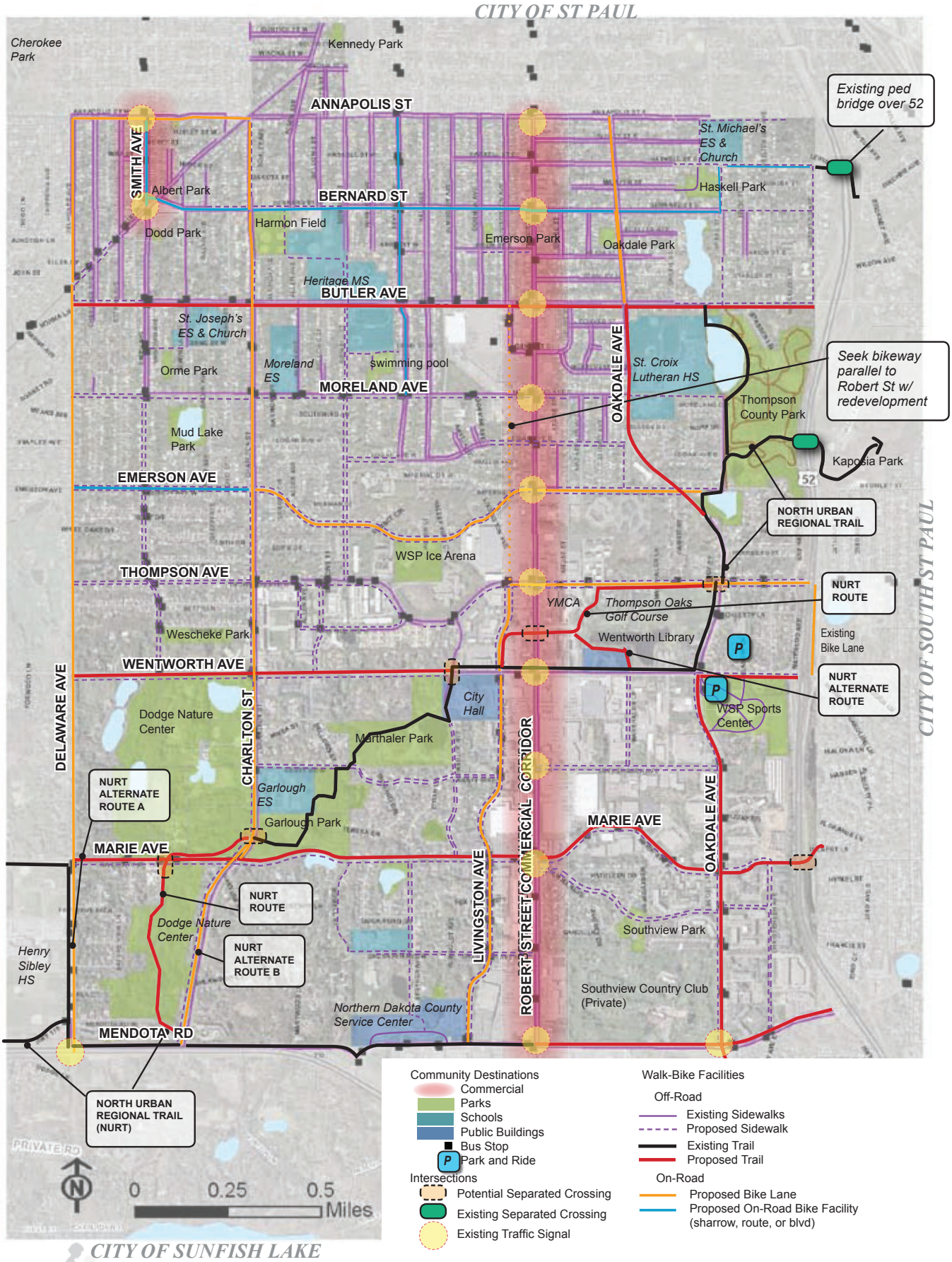
A project schedule and next steps are detailed below.

Submit TAP Funding Application	May 2020
Finalize Feasibility Study	May 2020
Prepare 30% Preliminary Engineering Plans	May 2020 – June 2020
Preliminary and Final Design*	TBD

**Preliminary and Final Design phases schedule to be determined following the acquisition of necessary project funding.*

APPENDIX A – CITY OF WEST ST. PAUL PEDESTRIAN AND BICYCLE MASTER PLAN TREATMENT MAP

PEDESTRIAN AND BICYCLE TREATMENT MAP



APPENDIX B – PUBLIC INVOLVEMENT MATERIALS

CITY OF
WEST ST. PAUL

City Hall
1616 Humboldt Avenue
West St. Paul, MN 55118
651-552-4100
FAX 651-552-4190
www.wspmn.gov

Thompson/Oakdale Trail Feasibility Study
Stakeholder Outreach – Living Longer Stronger
February 20, 2020

Conversation Summary

- West St. Paul is an aging population and a trail with large boulevard feels safer than sidewalks and bike lanes

- Like the idea of a round-a-bout at Thompson and Oakdale intersection
    - Safer and easier to cross

- Oakdale on west side, Carrie and Emerson intersection is a tough pedestrian crossing
    - Curious about ideas and ways to make that safer for peds
        - Close in the curbs or a ped refuge?
        - Cul-de-sac Carrie St.

- Discussed project's general connection with the Dakota County River to River Trail

- Attendees were unsure if/where street parking is utilized

- Voiced the need for transparency with both new and existing residents
    - Want projects that support all ages, with an intergenerational focus

- Discussed the difficulty of finding the right balance between obtaining personal property for right-of-way for the project and making the right facilities for the entire community

CITY OF
WEST ST. PAUL

City Hall
1616 Humboldt Avenue
West St. Paul, MN 55118
651-552-4100
FAX 651-552-4190
www.wspmn.gov

Thompson/Oakdale Trail Feasibility Study
Stakeholder Outreach Meeting – St. Croix Lutheran Academy
January 22, 2020

Conversation Summary

- Would like to see the trail gap completed along Sperl St and the NW corner of Thompson County park

- The existing connection from St. Croix Lutheran Academy to the Thompson County Park is a great bike path network that connects multiple trails and parks
    - Would like to utilize this area and see a trailhead/parking lot around this area to attract additional users

- The majority of the students that live in the dorms walk or bike to Robert St. either on Moreland Ave, or up Oakdale Ave and across Butler Ave.
    - No students walk or bike on Westchester Ave.

- Is expecting the best option for the trail to be on the school's property (east side of Oakdale Ave) and is a little concerned about the safety of the visibility due to elevation changes
    - Also knows that there are a lot of utilities both under and above ground on this side of Oakdale, would be open to potentially burying some under the parking lot of the school

- Most concerned with how to safely get students across Oakdale Ave onto Moreland Ave, would like to see increased safety measures at this intersection
    - Students have previously been hit at Robert St. and Moreland Ave.

Comment Form

March 5, 2020, 5-7 p.m.
St. George Antiochian Orthodox Church

Name: Daniel Waits

Agency/Address: 1575 OAKDALE Ave

Phone:

Email:

You may leave this completed form with us today or email your comments to Melissa Sonnek, City of West St. Paul: MSonnek@wspmn.gov

Comments:

PLEASE keep golf course South fence

IN FAVOR OF MORE BIKE TRAILS & SIDEWALKS to connect to Robert Street & beyond for BIKERS & WALKERS

Comment Form

March 5, 2020, 5-7 p.m.
St. George Antiochian Orthodox Church

Name: Luann Zurmuehlen

Agency/Address: 1016 MacArthur Ave

Phone:

Email:

You may leave this completed form with us today or email your comments to Melissa Sonnek, City of West St. Paul: MSonnek@wspmn.gov

Comments:

Thank you for improving the neighborhood on the east side of Robert.

Option A is the best and safest option.

I bike / drive on Oakdale daily and it is ~~[illegible]~~ dangerous for the amount of traffic & pedestrians.

Comment Form

March 5, 2020, 5-7 p.m.
St. George Antiochian Orthodox Church

Name: Kevin Hendricks

Agency/Address: 988 Seminole Ave.

Phone:

Email:

You may leave this completed form with us today or email your comments to Melissa Sonnek, City of West St. Paul: MSonnek@wspmn.gov

Comments:

The plan for Thompson is great. Very needed.

I like Option A for Oakdale. Bike lanes are nice, but an off-street trail is so much nicer for safety and families. A sidewalk on the ~~east~~ west side is also great, if we can do both.

Thanks!

Comment Form

March 5, 2020, 5-7 p.m.
St. George Antiochian Orthodox Church

Name: Abigail Hendricks

Agency/Address: 988 Seminole

Phone:

Email:

You may leave this completed form with us today or email your comments to Melissa Sonnek, City of West St. Paul: MSonnek@wspmn.gov

Comments:

In favor of plan A - the trails and isolated bike path are a safer option for all involved. It appears to have less effect on parking options for residents in the area.

Comment Form

March 5, 2020, 5-7 p.m.
St. George Antiochian Orthodox Church

Name: Tamara Julian

Agency/Address: 1138 Oakdale

Phone:

Email:

You may leave this completed form with us today or email your comments to Melissa Sonnek, City of West St. Paul: MSonnek@wspmn.gov

Comments:

Would like to see the trail/widened sidewalk continue from Oakdale, along S. side of Butler to Thompson Pk.

Thanks

Moren, Luke

From: Melissa Sonnek <MSonnek@wspmn.gov>
Sent: Monday, March 16, 2020 4:31 PM
To: Moren, Luke; Fosmo, Eric
Cc: Ross Beckwith
Subject: FW: Thompson/Oakdale Avenue Trail Study

Categories: External

Some input from the apartments at the NE corner of Robert and Thompson

Sincerely,

Melissa Sonnek
City Planner

Office: 651-552-4134
1616 Humboldt Avenue
West St. Paul, MN 55118

CITY OF WEST ST. PAUL MINNESOTA

www.wspmn.gov

From: Chantal Maciel [redacted]
Sent: Monday, March 16, 2020 4:14 PM
To: Melissa Sonnek <MSonnek@wspmn.gov>; Liz Bronk [redacted]
Subject: RE: Thompson/Oakdale Avenue Trail Study

Hello,

Sorry for the late response!

I have noticed lots of people walking down Thompson going east on our side of the street (Odd). Cars are usually parked along this side of the street and oncoming traffic can make this extra risky. In the winter I notice people walking on our property to stay of the way of the traffic to make their way towards the 4-way.

There are two bus stops on even and odd sides of the road so there is a lot of foot traffic. There is also a bus stop in front of Starbucks, so pedestrians use the grassy area and the business parking lots to make their way.

Other info:
-A good number of our residents do not have transportation so they enjoy the walkability to nearby businesses, some of them being their place of employment. So they use these grassy areas to get around-especially noticeable by the YMCA and Starbucks as there a lots of patches.
-Last summer one of the HVAC businesses has reached out to me about a string of break-in's they were having. Although this is a separate issue, having a designated foot traffic area may help to discourage theft/criminal opportunity.

Overall, I think that a side walk on both sides of Thompson would keep pedestrians safe and possibly to deter criminal activity.

Please let me know if I may be of assistance.

Thank you,

Chantal Maciel

The Oaks of West St. Paul

Property Manager

O: (651) 457-2661

www.oakgrovers.com

ASK ME ABOUT OUR RENOVATED APARTMENTS!

From: Melissa Sonnek [mailto:MSonnek@wspmn.gov]
Sent: Thursday, March 05, 2020 3:44 PM
To: Liz Bronk [redacted]
Cc: Chantal Maciel [redacted]
Subject: Thompson/Oakdale Avenue Trail Study

Liz and Chantal,
The City is currently conducting a feasibility study for potential trail and/or sidewalk along Thompson and Oakdale Avenues. Since your buildings are pretty central to a busy piece of that section, could you tell me what you see currently happening in that area from a pedestrian point of view? What are people/residents doing along your stretch of Thompson? Is it safe? Could it be improved? If so, how? Etc.
If you would prefer, feel free to call me or even stop in and we can chat about it. Whatever time and input you could provide would be great!
Thanks,

Melissa Sonnek
City Planner

Office: 651-552-4134
1616 Humboldt Avenue
West St. Paul, MN 55118

CITY OF WEST ST. PAUL MINNESOTA

www.wspmn.gov

APPENDIX C – PROJECT LAYOUTS

CITY OF WEST ST. PAUL
DAKOTA COUNTY, MINNESOTA

RESOLUTION NO. 20-

A RESOLUTION ACCEPTING THE
THOMPSON/OAKDALE FEASIBILITY STUDY

WHEREAS, the City of West St. Paul applied for and received a grant for the amount of $30,000 from the Minnesota State Health Improvements Program (SHIO) through the Dakota County Active Living partnership to develop a bicycle and pedestrian feasibility study along sections of Thompson and Oakdale Avenues; and

WHEREAS, the purpose of the study was to determine the preferred bicycle and/or pedestrian infrastructure improvements, create 30 percent preliminary engineering plans, and provide preliminary cost estimates; and

WHEREAS, the City entered into a contract with Kimley Horn on January 13, 2020 for the preparation of the study; and

WHEREAS, on February 11, 2020, the West St. Paul Parks and Recreation Advisory Committee reviewed the segments and provided feedback; and

WHEREAS, on February 24, 2020, the West St. Paul City Council reviewed the segments and provided preliminary feedback; and

WHEREAS, on March 5, 2020, the City of West St. Paul held a public open house to gather public comment for the study; and

WHEREAS, on March 10, 2020, the West St. Paul Parks and Recreation Advisory Committee reviewed a draft of the plan and supported the approval of the plan; and

WHEREAS, on March 23, 2020, the West St. Paul City Council reviewed a draft of the plan and were satisfied with the progress of the study; and

WHEREAS, on June 8, 2020, the West St. Paul City Council reviewed the final draft and recommendations of the study; and

NOW, THEREFORE, BE IT RESOLVED, that that West St. Paul City Council hereby accepts the Thompson/Oakdale Bicycle and Pedestrian Feasibility Study dated May, 2020;

BE IT FURTHER RESOLVED, that the study will serve as a framework for future bicycle and pedestrian infrastructure improvements along the specified segments as deemed appropriate by the City Council.

Adopted by the City Council of the City of West St. Paul, Minnesota, this 8th day of June 2020.

Attest:

_____ _____

David J. Napier, Mayor Shirley R Buecksler, City Clerk

CITY OF WEST ST. PAUL

City Council Report

To: **Mayor and City Council**

Through: **Ryan Schroeder, City Manager**

From: **Dave Schletty, Assistant Parks and Recreation Director**

Date: **June 8, 2020**

52nd Annual West St Paul Fastpitch Tournament

BACKGROUND INFORMATION:

Wayne Ball and the Ball Family have been running a men's fastpitch softball tournament in West St Paul for over 50 years. The tournament began at the old Harmon Park fields and then moved to the Sports Complex when that facility opened in the 1980s. The tournament annually draws hundreds of players and spectators to West St Paul for the 3-day tournament. 2020 will mark the 52nd annual tournament and is tentatively scheduled for the weekend of July 17-19. It is tentative due to the current COVID-19 pandemic. Youth sports have just been allowed to start practicing and adult sports in the state have still not been approved to return to playing games. Organizations in other states have found creative ways to safely run softball games and tournaments and still follow CDC guidelines. The Balls are hoping the Governor has loosened restrictions enough by mid-July to run the tournament. They already have numerous teams asking about registering and feel this could be a very successful tournament, since many teams will be anxious to get back on the field for competition.

The tournament will need to follow all current MDH and CDC guidelines for playing games. There will obviously need to be modifications to normal play, but they are confident they will be able to make them work if given approval. Additionally, the organizers understand that concession sales may not be allowed, or may need to take a different form this year. If allowed to proceed by State orders, all safety measures and tournament guidelines will be reviewed and approved by staff. If games are still not allowed by mid-July, the Balls may postpone the tournament to later this summer. If they are unable to go, this will be the first time in 52 years the tournament is canceled.

The Ball Family wants to be sure that the Council is ok with the tournament running safely this year. They will be applying for a temporary license to sell beer at the tournament and the Council will see that approval separately in the near future.

FISCAL IMPACT:

The City will collect a $550 tournament fee, per the 2020 approved fee schedule, for the weekend tournament.

STAFF RECOMMENDATION:

Approve the Ball Family's request to hold the 52nd annual men's fastpitch softball tournament.

CITY OF WEST ST. PAUL

City Council Report

To: **Mayor and City Council**

From: **Ryan Schroeder, City Manager**

Date: **June 8, 2020**

Provide Direction to Public Safety Committee

BACKGROUND INFORMATION:

With recent events, there has been the suggestion that West St. Paul should review its Use of Force policy within the Police Department. Our request is that Council direct the Public Safety Committee to review the policy and report to Council.

FISCAL IMPACT: N/A

		Amount
Fund:		
Department:		
Account:		

STAFF RECOMMENDATION:

Direct Public Safety Committee to review Use of Force policy.

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