

**City of West St. Paul
City Council Meeting Minutes
April 25, 2022**

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, Julie Eastman, Lisa Eng-Sarne, Robyn Gulley, John Justen and Dick Vitelli

Absent: None

Others Present: City Manager Nate Burkett
City Attorney Kori Land
Assistant City Manager Dan Nowicki
Police Chief Brian Sturgeon
Public Works & Parks Director / City Engineer Ross Beckwith
Community Development Director Ben Boike
Finance Director Char Stark
Human Resources Director Deb Gieseke
Assistant Parks & Rec Director Dave Schletty
City Clerk Nicole Tillander

3. Pledge of Allegiance

4. Adopt the Agenda

Motion was made by Councilmember Justen and seconded by Councilmember Eng-Sarne to adopt the agenda as presented.

Vote: 6 ayes / 0 nays. Motion carried.

5. OCWS Briefing

Council discussed the following items during the Open Council Work Session of April 25th:

- A. 2023 Mill and Overlay Project and Assessment Policy Discussion
- B. Ordinance Modification Related to Truck Parking
- C. Ordinance Relating to Catalytic Converters
- D. Ordinance Relating to Gift Card Procurement

6. Community Comments – In Person

- John Bellows – does the City have a policy to replace the trees it removes, why should homeowners pay for sewer failures not on their property when assessed through City I&I projects? Staff will research and respond to Council.

- Mike, Ward 2 – traffic and pedestrian safety on Lothenbach and Robert St., would like cameras or additional signage especially for pedestrian visibility.

7. Community Comments – Phone Line

- Joan Hutter – the art park is blooming, stop by for a visit! Just watch where you step!
- Kathy Goers, Ward 3 – would like a Y in the location where the grocery store was going to go.

8. Council Comments

Mayor and Councilmembers addressed the public on various topics.

9. Proclamations, Presentations and Recognitions

- A. Proclamation Honoring Asian American and Pacific Islander (AAPI) Heritage Month – May 2022

Motion was made by Councilmember Eastman and seconded by Councilmember Berry to adopt the proclamation.

- B. Proclaiming No Mow May in West St. Paul

Motion was made by Councilmember Gulley and seconded by Councilmember Eastman to adopt Resolution No. 22-025 Proclaiming No Mow May in West St. Paul.

- C. Donations to the City

Chief Sturgeon presented donations from the community and businesses:

- Kwik Trip donated \$300.00 in gift cards to the Police Department for summer Cops in the Park events.
- Wal-Mart donated \$5,000.00 to the Police Department for community outreach efforts.

Motion was made by Councilmember Eng-Sarne and seconded by Councilmember Eastman to adopt Resolution No. 22-026 Donations to the City.

10. Consent Agenda

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

- A. Approve City Council Meeting Minutes of April 11, 2022
- B. List of Claims for April 25, 2022
- C. City Licensing
- D. Rental Licensing
 - 958 Robert Street S (Apartment – Renewal)
 - 1080 Delaware Avenue (Apartment – Renewal)

- 124 Bernard Street W (Duplex – Renewal)
- 142 Annapolis Street E (Duplex – Renewal)
- 785 Dodd Road (Apartment – Renewal)
- 315 Hurley Street E (Single Family – Renewal)
- 1073 Waterloo Avenue (Apartment – Renewal)
- 949 Allen Avenue (Single Family – Renewal)
- 985 Livingston Avenue (Single Family – Renewal)
- 1053 Sperl Street (Duplex – Renewal)
- 332 Bernard Street W (Single Family – Renewal)
- 884-886 Cherokee Avenue (Duplex – Renewal)
- 983 Hall Avenue (Single Family – New)
- 81 Orme Street E #5 (Townhome – Renewal)
- 240 Hurley Street E (Single Family – Renewal)
- 434-436 Arion Street W (Duplex – Renewal)
- 179 Conner Street (Single Family – Renewal)
- 1411 Bidwell Street (Single Family – Renewal)
- 1565 Christensen Avenue (Single Family – Renewal)
- Total Amount – \$3,490.00

E. Master Partnership Contract with the Minnesota Department of Transportation

F. Thompson/Oakdale Trail and Sidewalk Projects

G. February Financial Update

Vote: 6 ayes / 0 nays. Motion carried.

11. Public Hearing

12. New Business

A. Conditional Use Permit for a Licensed Child Care Facility in the Smith/Dodd Overlay District at 1025 Dodd Rd – Staci Hedlund

Community Development Director Ben Boike presented the Conditional Use Permit. The applicant was available to answer questions. With site adjustments for safety, planning commission voted to approve the application at their meeting.

Motion was made by Councilmember Eng-Sarne and seconded by Councilmember Eastman to approve the conditional use permit as presented through Resolution 22-029.

Vote: 6 ayes / 0 nays. Motion carried.

B. Liquor License Sanction Hearings

Police Chief Sturgeon presented six liquor license sanctions resulting from alcohol compliance failures taking place on December 21, 2021.

Police Chief Sturgeon outlined the procedures for alcohol compliance checks. All tobacco and alcohol license holders are checked at least annually. These reports reflect the

recommended civil penalties to licensees governed by city ordinance. All tobacco license holders passed the compliance checks. The following establishments failed the alcohol compliance check:

1) **Apple Minnesota, LLC DBA Applebee's Neighborhood Grill and Bar, 1753 Robert Street South**

No one from the business was present.

Motion was made by Councilmember Vitelli and seconded by Councilmember Justen to adopt Resolution No. 22-030 Imposing Sanctions Upon Retail Liquor License Holder Apple Minnesota, LLC DBA Applebee's Neighborhood Grill and Bar.

Vote: 6 ayes / 0 nays. Motion carried.

2) **JE Robert Street Liquor, LLC DBA Cub Liquor, 2001 Robert Street South**

No one from the business was present.

Motion was made by Councilmember Gulley and seconded by Councilmember Eastman to adopt Resolution No. 22-031 Imposing Sanctions Upon Retail Liquor License Holder JE Robert Street Liquor, LLC DBA Cub Liquor.

Vote: 6 ayes / 0 nays. Motion carried.

3) **Cruz Enterprises, LLC DBA El Nuevo Morelos, 360 Bernard Street West**

No one from the business was present.

Motion was made by Councilmember Vitelli and seconded by Councilmember Berry to adopt Resolution No. 22-032 Imposing Sanctions Upon Retail Liquor License Holder Cruz Enterprises, LLC DBA El Nuevo Morelos.

Vote: 6 ayes / 0 nays. Motion carried.

4) **FTL Corporation DBA MGM Wine and Spirits, 1690 Robert Street South**

No one from the business was present.

Motion was made by Councilmember Justen and seconded by Councilmember Eastman to adopt Resolution No. 22-033 Imposing Sanctions Upon Retail Liquor License Holder FTL Corporation DBA MGM Wine and Spirits.

Vote: 6 ayes / 0 nays. Motion carried.

5) **Faust Co, LLC DBA R and B Liquor, 1111 Robert Street South**

No one from the business was present.

Motion was made by Councilmember Justen and seconded by Councilmember Gulley to adopt Resolution No. 22-034 Imposing Sanctions Upon Retail Liquor License Holder Faust Co, LLC DBA R and B Liquor.

Vote: 6 ayes / 0 nays. Motion carried.

6) Latinasian Investments DBA Smith Liquors, 977 Smith Avenue South

Licensees were present. Discussion with Council about employees, training, difficulty finding staff since the pandemic and training to be implemented going forward.

Motion was made by Councilmember Vitelli and seconded by Councilmember Berry to adopt Resolution No. 22-035 Imposing Sanctions Upon Retail Liquor License Holder Latinasian Investments DBA Smith Liquors.

Vote: Vitelli – aye
Berry – aye
Eastman – aye
Eng-Sarne – aye
Gulley – aye
Justen – aye
6 ayes
Motion carried.

13. Old Business

A. Approve Joint Powers Agreements with Dakota County for the Thompson Oaks River to River Greenway Segment and Water Quality Project

City Attorney Kori Land presented the history and current state of the joint powers agreements, outlining the addition of the City of West St. Paul Economic Development Authority as owner of the property.

Motion was made by Councilmember Berry and seconded by Councilmember Gulley to approve the second amended Joint Powers Agreement between Dakota County and the City of West St. Paul for cost contribution related to construction of the River to River Greenway – South Robert Street Crossing and Trail Connections Project and approve the Joint Powers Agreement between Dakota County, the City of West St. Paul and the West St. Paul Economic Development Authority for the Thompson Oaks River to River Greenway Segment and Water Quality Project.

Vote: 6 ayes / 0 nays. Motion carried.

B. Paid Parental Leave Policy

Human Resources Director Deb Gieseke presented the updated paid parental leave policy.

Motion was made by Councilmember Eng-Sarne and seconded by Councilmember Eastman to approve the policy with slight changes to the language to amend spouse to partner or other parent.

Vote: 6 ayes / 0 nays. Motion carried.

C. Police, Police Sergeants and Public Works Union Contracts

Human Resources Director Deb Gieseke presented the ratified union contracts.

Motion was made by Councilmember Gulley and seconded by Councilmember Justen to approve the Police Union LELS #72, Police Union LELS #80 and Teamsters Local #320 contracts with terms extending January 1, 2022 through December 31, 2024.

Vote: 6 ayes / 0 nays. Motion carried.

14. Adjourn

Motion was made by Councilmember Berry and seconded by Councilmember Eastman to adjourn the meeting at 8:13 p.m.

Vote: 6 ayes / 0 nays. Motion carried.

Meeting adjourned.

David J. Napier
Mayor
City of West St. Paul