

**City of West St. Paul
City Council Meeting Minutes
December 12, 2022**

1. Call to Order

Mayor Napier called the meeting to order at 6:31 p.m.

2. Roll Call

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

Absent: None

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

3. Pledge of Allegiance

4. Adopt the Agenda

With consent item 10I, Resolution Authorizing Interfund Loan for the Purchase of Certain Property (Hy-Vee Land) moved to New Business Item 11B motion was made by Councilmember Vitelli and seconded by Councilmember Eng-Sarne to adopt the agenda as amended and presented.

Vote: 6 ayes / 0 nays. Motion carried.

5. Proclamations, Presentations and Recognitions

A. Oath of Office – Introduction of New Police Officer

Chief Sturgeon and Mayor Napier swore in new police officer Tommy Xiong. Many friends and family members were present in the council chambers. Thank you for choosing West St. Paul, Officer Xiong! We are proud to have you.

B. Recognition of Councilmember Vitelli

Mayor Napier read a touching statement from Councilmember Vitelli's family, many of whom were in the audience. Councilmember Vitelli shared a grateful statement; thanks to his wife and family, all past and present staff, Councilmembers and residents. You will be greatly missed, Councilmember Vitelli. Thank you for your years of service to the City of West St. Paul from all the staff and Councilmembers.

6. OCWS Briefing

Council discussed the following items during the Open Council Work Session of December 12th:

- A. Performance Measurement - Intern Presentation, Michael Randle
- B. Project Communication Minimums
- C. Annapolis Street Reconstruction Project Update
- D. Master Pedestrian and Bicycle Plan – Go West St. Paul

7. Community Comments – In Person

- Connye LaCombe, Ward 3 – thanking Councilmember Vitelli with treats
- Johnathan Wagner, Annapolis St – frustration with property tax increase
- Abigail Hendricks, Ward 3 – thanking Public Works for making walk home from school safe for Garlough Elementary students
- Edgar Herrera, Ward 1 – thank you for the Santa truck and letters of support
- Karen Vavreck – thank you for Santa, police citizen's academy and to Councilmember Vitelli
- Ryan Schroeder, previous City Manager – thanking Councilmember Vitelli for his service and work with 5 Mayors, 30 Councilmembers, and a few City Managers

Attorney Land also thanked Councilmember Vitelli for his genuine service to the community over the years.

8. Community Comments – Phone Line

- No one called in to address the Council.

9. Council Comments

Mayor and Councilmembers addressed the public on various topics.

10. Consent Agenda

With item 10I, Resolution Authorizing Interfund Loan for the Purchase of Certain Property (Hy-Vee Land) moved to New Business Item 11B, motion was made by Councilmember Eng-Sarne and seconded by Councilmember Eastman to approve the following items on the Consent Agenda, as presented:

- A. Approve City Council Meeting Minutes of November 14, 2022 and November 28, 2022
- B. City Licensing

C. Rental Licensing

- 425 Arion Street (Apartment – Renewal)
- 431 Ruby Drive (Single Family – New)
- 222 Wentworth Avenue W (Apartment – Renewal)
- 264 Marie Avenue E (Apartment – Renewal)
- 282 Marie Avenue E (Apartment – Renewal)
- 288 Marie Avenue E (Apartment – Renewal)
- 290 Marie Avenue E (Apartment – Renewal)
- 1875 Oakdale Avenue (Apartment – Renewal)
- 1891 Scott Lane (Apartment – Renewal)
- 1040 Ottawa Avenue (Single Family – Renewal)
- 1313 Kruse Street (Apartment – Renewal)
- 1323 Kruse Street (Apartment – Renewal)
- 1333 Kruse Street (Apartment – Renewal)
- 930 Dodd Road (Duplex – New)
- 1508 Allen Avenue (Apartment – Renewal)
- 1526 Allen Avenue (Apartment – Renewal)
- Total Amount – \$6,379.50

D. Designating Polling Locations for Municipal Elections

E. Donations to the City

F. Approval of the Community Development Block Grant (CDBG) Application

G. List of Claims for December 12, 2022

H. Excess Budget Adjustment for IT equipment

**I. Resolution Authorizing Interfund Loan for the Purchase of Certain Property (Hy-
Vee Land) – moved to New Business**

J. Sanitary Sewer I/I Private Property Assessments

K. Master Pedestrian and Bicycle Plan - Go West St. Paul

Vote: 6 ayes / 0 nays. Motion carried.

11. New Business

A. 2023 Specialty Intoxicating THC Product Retailer Licenses

Assistant City Manager Dan Nowicki presented. Staff received three applications:

Lafayette Tobacco

The North Forty Tavern

RT Holdings LLC – Nothing but Hemp

Two licenses may be issued per ordinance. Staff recommends approval of RT Holdings LLC – Nothing but Hemp and denial of the other two applicants due to proximity to schools and tobacco compliance failures for Lafayette.

Per City Attorney, if applicants are denied, they can be heard then Council would adopt findings for denial.

Attorney Lisa McCormick spoke on behalf of Lafayette Tobacco, clarifying the business has one compliance failure for this location, already selling 35% of product, they believe the educational facility doesn't qualify as a school and owner also shared age verification equipment images.

Council discussed various options for approval and/or denial of applicants.

Motion was made by Councilmember Berry and seconded by Councilmember Eastman to continue the entire licensing item to the first regular meeting in January or a future meeting.

Vote: 6 ayes / 0 nays. Motion carried.

B. Resolution Authorizing Interfund Loan for the Purchase of Certain Property (Hy-Vee Land)

Moved from the consent agenda, Councilmember Vitelli clarified project and his opinion.

Motion was made by Councilmember Justen and seconded by Councilmember Gulley to approve Resolution 22-091 Authorizing an Interfund Loan for Advance of Certain Costs in Connection with the Purchase of Property.

Vote: Justen – aye
Gulley – aye
Berry – aye
Eastman – aye
Eng-Sarne – aye
Vitelli – nay
5 ayes, 1 nay
Motion carried.

12. Old Business

A. Approve 2023-2024 Budget

Finance Director Char Stark presented. Staff recommends adopting the resolution to approve the 2023-24 budget.

Motion was made by Councilmember Gulley and seconded by Councilmember Eastman to adopt Resolution No. 22-092 Adopting the Final Budget and Setting the 2023 Tax Levy and Debt Service Levy.

Vote: 6 ayes / 0 nays. Motion carried.

- B. Final Reading of an Ordinance Amending Section 153.156 of the Zoning Code Regarding Specialty Intoxicating THC Establishments – item pulled for a future meeting to keep THC licensing and zoning on the same progression.

Motion was made by Councilmember Eastman and seconded by Councilmember Gulley to move item to a future meeting.

Vote: 6 ayes / 0 nays. Motion carried.

13. Public Hearing

- A. Final Reading – An Ordinance Amending City Code Section 95.04 Regarding Salt Storage

City Engineer Ross Beckwith presented; staff recommends a public hearing be held and ordinance approved as presented.

Public hearing was opened. Chad Eng and Ken Paulman had comments. Public hearing was closed by Mayor Napier at 9:33PM.

Motion was made by Councilmember Vitelli and seconded by Councilmember Justen to approve Ordinance 22-017 Amending City Code Section 95.04 Regarding Salt Storage.

Vote: 6 ayes / 0 nays. Motion carried.

14. Special Public Hearing – To Begin at 7:30PM

- A. An Amendment to the 2040 Comprehensive Plan to Re-Guide a Portion of the Property at 1 Mendota Road West
- B. Multiple Applications for a Mental Health Crisis and Recovery Center at the Northeast Corner of the Dakota County Northern Service Center at 1 Mendota Road West – Dakota County

Community Development Director Ben Boike presented. Applications include rezoning, conditional use permit, site plan and preliminary/final plat. In partnership with Guild, Dakota County is requesting to build a 16 bed center for residents in need of mental health assessment, support, short term treatment and stabilization. With additional community input, staff is recommending additional conditions to conditional use permit. Staff looks for approval of applications.

Staff looks for approval of the amendment to the 2040 Comprehensive Plan to Re-Guide a Portion of the Property at 1 Mendota Road West subject to conditions. Planning Commission reviewed on November 15th and recommends approval 8-0 of the comp plan amendment.

Attorney Land advised of state statutes regulating this type of permitted community use.

Mayor Napier opened the Special Public Hearing at 7:39 p.m. asking that speakers limit their time to two minutes and be respectful.

Speaking in support of the Guild Crisis and Recovery Center:

Connie LaCombe, Ward 3

Amanda Davis, Ward 3

Abigail Hendricks, Ward 3

Katie Dohman, Ward 3

Kristin Mulraney, Ward 2

Jonathan Hyatt, WSP resident

Michelle Lewis, Ward 3

Emily Klatt, Ward 3

Judy Rangel, Ward 3

Barb Mager, WSP Resident, Ward 3

Laura Zanmiller, Ward 1

Bob Gausman, WSP Resident

Andrew Wilson, Ward 2

Karen Vavreck, Ward 2

Libby Johnson, Ward 2

Gabriella Walz, WSP Resident, Two Rivers High School Student

Joan Hutter, former Ward 3

Lance LaRue, Planning Commissioner, Ward 1

Joe Ferrar, Ward 2

Tom Brasel, Ward 2

Doug Fromm, Ward 1

Nicole Scheiber, SSP Resident

Aaron Van Moorlehem, Ward 1

Heather, WSP Resident

Edgar Herrera, WSP Resident

Samantha Terry, Ward 3

Emails in support from:

Dr. Melinda Pierce and Zachary Pierce

Pamela Niksich

Cynthia and Michael Orange

Sara Blair

Tyler Dwyer

Madeline Sutherland

Kevin Hendricks

Lauren Hazenson

Leslie Martin

Fred Haeusler

Dawn Einwalter

Sam Gerard

Concerns: Anne-Marie Ericson

Speaking in opposition of the Guild Crisis and Recovery Center:

Brian Hansen, Crusader Ave

Mark Drake, Crusader Ave

Britt Drake, Crusader Ave

Cindy Piper, Humboldt Ave

Concerns regarding notification, community engagement, risk mitigation, communication, safety, etc.

Lance McMorrow, Ward 3

Ken Paulman, Ward 3

John Bellows, Ward 3

Dan Passer, SSP Resident

Council and Mayor advise that notification process will be addressed going forward. Communication will continue through Dakota County throughout the project. There have been five community meetings, many conversations with police and the South St. Paul mayor. Council appreciates the respectful dialogue and process this evening.

Motion was made by Councilmember Vitelli and seconded by Councilmember Eastman to approve multiple applications for a Mental Health Crisis and Recovery Center and amendment to the comprehensive plan regarding property at 1 Mendota Road West as conditioned and presented through Resolution 22-093 Approving the Submittal of an Amendment to the 2040 Comprehensive Plan to the Metropolitan Council, Resolution 22-094 Approving a Site Plan for the Construction of a Mental Health Crisis and Recovery Center at the Northeast Corner of 1 Mendota Road West (Dakota County), Resolution 22-095 Approving a Conditional Use Permit for a State Licensed Residential Care Facility Serving Seven through 16 People at the Northeast Corner of 1 Mendota Road West (Dakota County), Resolution 22-096 Approving the Preliminary and Final Plat for a Parcel at the Northeast Corner of 1 Mendota Road West (Dakota County), and approving the first reading of an ordinance rezoning a parcel at the northeast corner of 1 Mendota Road West from R1 – single family residential to R3 – townhome residential zoning.

Vote: Vitelli – aye

Eastman – aye

Berry – aye

Justen – aye

Eng-Sarne – aye

Gulley – aye

6 ayes

Motion carried.

5 minute recess at 9:15PM

15. Adjourn

Motion was made by Councilmember Vitelli and seconded by Councilmember Berry to adjourn the meeting at 9:34 p.m.

Vote: 6 ayes / 0 nays. Motion carried.

Meeting adjourned.

David J. Napier
Mayor
City of West St. Paul