

**City of West St. Paul
City Council Meeting Minutes
February 27, 2023**

1. Call to Order

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

2. Roll Call

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

Absent: None

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

3. Pledge of Allegiance

4. Adopt the Agenda

Motion was made by Councilmember Gulley and seconded by Councilmember Eastman 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 February 27th:

- A. 2023 Mill and Overlay Project Assessments
- B. Overview of Laws, Practices, and Procedures from City Attorney Whitmore

6. Community Comments – In Person

- No one came forward to address the council.

7. Community Comments – Phone Line

- No one called in to address the City Council.

8. Council Comments

Mayor and Councilmembers addressed the public on various topics.

Mayor Napier recognized Morgan Kavanaugh for his service on the Planning Commission since 2014. Morgan also recently served as Chair on the Commission. Thank you for your commitment, time and service to the city, Morgan!

9. Proclamations, Presentations and Recognitions

A. Proclamation Honoring Women's History Month – March 2023

Motion was made by Councilmember Eng-Sarne and seconded by Councilmember Eastman to adopt the proclamation.

10. Consent Agenda

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

- A. List of Claims for February 27, 2023**
- B. City Business Licensing**
- C. City Rental Licensing**
 - 1141 Cherokee Ave. (Single Family – Renewal)
 - 1089 Humboldt Ave. (Single Family – Renewal)
 - 763 Dodd Rd. (Duplex – Renewal)
 - 1116 Cherokee Ave. (Single Family – Renewal)
 - 200/202 Haskell St. E (Duplex – Renewal)
 - 834 Allen Ave. (Apartment – Renewal)
 - 825 Allen Ave. (Single Family – Renewal)
 - 174 Annapolis St. W (Duplex – Renewal)
 - 937 Humboldt Ave. (Apartment – Renewal)
 - 879 Smith Ave. (Apartment – Renewal)
 - 887 Smith Ave. (Duplex – Renewal)
 - 963 Gorman Ave. (Duplex – Renewal)
 - 1000 Oakdale Ave. (Duplex – Renewal)
 - 1109 Harmon Ave. (Single Family – Renewal)
 - 162/164 Annapolis St. W (Duplex – Renewal)
 - 1080 Gorman Ave. (Single Family – Renewal)
 - 90/92 Arion St. W (Duplex – Renewal)
 - 1277 Charlton St. (Single Family – Renewal)
 - 264/266 Annapolis St. E (Apartment – Renewal)
 - 213 Annapolis St. W (Apartment – Renewal)
 - 237 Bernard St. W (Apartment – Renewal)
 - Total Amount – \$3,160.00
- D. Donations to the City**

- E. Parks & Recreation Advisory Committee Time Change
 - Start time moved from 5:30 p.m. to 6:00 p.m.
- F. Award Bid for Sanitary Sewer Forcemain 3 Project CP 22-2
- G. Consultant Contract for Street Lighting Upgrade Project 23-5
- H. Consultant Contract for the Butler Avenue Trail Project 23-6
- I. Joint Powers Agreement with Dakota County for the Butler Avenue Trail Project 23-6
- J. Order Preparation of Proposed Assessment and Call for Final Assessment Hearing for 2023 Mill & Overlay Project 23-3

Vote: 6 ayes / 0 nays. Motion carried.

11. Public Hearings

12. New Business

- A. An Amendment to the Land Use Map of the 2040 Comprehensive Plan Re-Guiding Multiple Properties to Medium Density Residential

Community Development Director Ben Boike presented; proposed amendment will re-guide high density townhomes/condos to medium density. Staff recommends approval of this amendment.

Motion was made by Councilmember Justen and seconded by Councilmember Berry to approve the amendment to the 2040 Comprehensive Plan and Future Land Use map to re-guide multiple properties to medium density residential (MDR) and approve Resolution 23-017 Approving the Submittal of an Amendment to the 2040 Comprehensive Plan to Metropolitan Council.

Vote: 6 ayes / 0 nays. Motion carried.

- B. First Reading – Ordinance Rezoning Multiple Properties to R3 - Townhome Residential

Community Development Director Ben Boike presented the first reading of an ordinance amendment to rezone multiple properties from R2 – Two Family Residential and R4 – Multiple Family Residential to R3 – Townhome Residential. Public hearing and final reading will be at the next meeting. Planning Commission reviewed and held a public hearing at their February 21st meeting. The Commission voted 8-0 to recommend approval of this amendment. Staff recommends approval of the first reading.

Motion was made by Councilmember Justen and seconded by Councilmember Eastman to approve first reading as presented.

Vote: 6 ayes / 0 nays. Motion carried.

- C. An Ordinance Amending the City Code Regarding Stormwater Management

City Engineer Ross Beckwith presented the first reading of an ordinance amendment repealing sections 153.470 – 153.480 and enacting chapter 154 of the city code regarding stormwater management. Planning Commission reviewed and held a public hearing at their February 21st meeting. The Commission voted 8-0 to recommend approval of this amendment. Staff recommends approval of the first reading and set a public hearing and second reading for March 13, 2023.

Motion was made by Councilmember Eastman and seconded by Councilmember Gulley to approve first reading as presented.

Vote: 6 ayes / 0 nays. Motion carried.

D. First Reading – Ordinance Amending the Zoning Code Regarding Intoxicating THC

Community Development Director Ben Boike presented the first reading of an ordinance amending section 153.156 of the zoning code regarding intoxicating THC retailers. Planning Commission reviewed and held a public hearing at their February 21st meeting. The Commission voted 7-1 (Dahlquist as the nay vote) to recommend approval of this amendment. Staff recommends council review and approve the first reading of the amendment to city code section 153.156 regarding intoxicating THC retailers.

Motion was made by Councilmember Eng-Sarne and seconded by Councilmember Eastman to approve first reading as presented.

Vote: 6 ayes / 0 nays. Motion carried.

E. First Reading – Ordinance Amending the Licensing Code Regarding Intoxicating THC

City Manager Nate Burkett presented the first reading. Specialty licenses allowed in B3 and B4, regular license also allowed in B2. Regular license requires 10% or less of retail space dedicated to THC products. Staff recommends council approve the first reading and adoption of an ordinance modifying City Code Chapter 114 - Intoxicating THC Products license and set a public hearing and second reading for March 13, 2023.

Councilmember Justen suggests striking line (L) Intoxicating THC products cannot be sold at exclusive liquor stores from Section 114.04 Performance Standards. With Council discussion and the understanding that State guidance may amend all or part of this ordinance, councilmembers agree to this amendment.

Motion was made by Councilmember Eastman and seconded by Councilmember Justen to approve first reading with the amendment to section 114.04 as presented and outlined herein.

Vote: 6 ayes / 0 nays. Motion carried.

13. Old Business

A. Final Reading – Ordinance Amending Ordinance 18-04 - Rezoning 110 Crusader Ave W., 1962 Stryker Ave and 1990 Stryker Ave to PRD, Planned Residential Development with Various Underlying Zoning

Community Development Director Ben Boike presented the final reading of an ordinance amendment which provides an extension on the continued use of 1924 Bidwell to allow continued occupancy of up to 10 non-related occupants and maintain tax exempt status until December 31, 2024.

Motion was made by Councilmember Berry and seconded by Councilmember Eng-Sarne to approve Ordinance 23-002 Ordinance Amending Ordinance 18-04 – Rezoning 110 Crusader Ave W., 1962 Stryker Ave and 1990 Stryker Ave to PRD, Planned Residential Development with Various Underlying Zoning as presented.

Vote: 6 ayes / 0 nays. Motion carried.

14. Adjourn

Prior to adjournment, Mayor Napier asks staff to include an agenda item on a future Open Council Work Session to revisit the Smith-Dodd overlay and related business expansion in that area.

Motion was made by Councilmember Eng-Sarne and seconded by Councilmember Berry to adjourn the meeting at 7:18 p.m.

Vote: 6 ayes / 0 nays. Motion carried.

Meeting adjourned.

David J. Napier
Mayor
City of West St. Paul