

**City of West St. Paul
City Council Meeting Minutes
May 22, 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 and John Justen
Councilmember Robyn Gulley, virtual

Absent: None

Others Present: City Manager Nate Burkett
City Attorney Sam Ketchum
Police Chief Brian Sturgeon
Assistant City Manager Dan Nowicki
Community Development Director Ben Boike
Finance Director Char Stark
City Clerk Nicole Tillander

3. Pledge of Allegiance

4. Adopt the Agenda

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

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

5. OCWS Briefing

Council discussed the following items during the Open Council Work Session of May 22nd:

A. NeighborWorks Loan Program Discussion

- Jason Peterson presented – West St. Paul EDA Home Improvement Loan Program, suggest expanding the program; staff will continue to research and bring back a resolution to council.

B. Public Safety Policy and Approach

6. Community Comments – In Person

- Kevin Hendricks, Ward 3 – successful bike rodeo over the weekend, upcoming West St. Paul Rider community bike ride, June 11th at 8:30 a.m.

7. Community Comments – Phone Line

- No one called in to address the council.

8. Council Comments

Mayor and Councilmembers addressed the public on various topics.

9. Proclamations, Presentations and Recognitions

A. Proclamation Honoring Pride Month

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

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

B. Proclamation Honoring Wayne Ball

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

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

10. Consent Agenda

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

- A. List of Claims for May 22, 2023
- B. City Business Licensing
- C. City Rental Licensing
 - 192 Bernard St. E (Single Family-Renewal)
 - 435-437 Stanley St. E (Duplex-Renewal)
 - 1352 Macarthur Ave. (Single Family-Renewal)
 - 186 Mainzer St. (Single Family-Renewal)
 - 907 Smith Ave. S (Duplex-Renewal)
 - 142 Annapolis St. E (Duplex-Renewal)
 - 975 Stryker Ave. (Single Family-Renewal)
 - Total Amount – \$596.00
- D. Donations to the City
 - Sonja Lhotka – State Farm Insurance Agent, West St. Paul donated \$550 for a Movie in the Park.
 - Dunkin' Donuts and Baskin Robbins donated \$1,500 for Explore West St. Paul Days.

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

11. Public Hearings

A. Final Reading – Reasonable Accommodation Ordinance

City Manager Nate Burkett presented the final reading – Reasonable Accommodation Ordinance. To comply with federal law, the City must have an ordinance in place. The ordinance also supports our core value of equity. Staff requests a public hearing be held and the final reading approved by council.

The Mayor opened the public hearing at 6:58 p.m. No one called or came forward. The Mayor closed the public hearing at 6:59 p.m.

Motion was made by Councilmember Justen and seconded by Councilmember Eastman to approve the final reading and adopt Ordinance No. 23-007 Enacting Section 33.05 of the West St. Paul City Code Regarding Reasonable Accommodation.

Vote: Justen – aye
 Eastman – aye
 Armon – aye
 Berry – aye
 Eng-Sarne – aye

Gulley – aye
6 ayes
Motion carried.

12. General Business

A. First Reading – Amending Charter Sections 3.03, 4.08 and 12.05

City Manager Nate Burkett presented. The Charter Commission held a meeting on May 11th and recommend three amendments to the City Charter. The Charter Commission made the following recommendations: Section 3.03 - Rules of Procedure and Quorum Clarifies that a member of Council who is appointed to a vacant seat to fulfill a term may vote on issues before the Council. Section 4.08 - Special Elections Aligns the Charter with state law by adding language that special elections will conform to state law. Section 12.05 - Sale of Real Property Eliminates the requirement that the Council sell real property by ordinance which would allow the Council to sell real property by simple resolution. The Council is still required by Statute to hold a public hearing to sell real property, however the sale could be accomplished with a single public hearing instead of two readings.

Charter amendments require a unanimous vote, including that of the Mayor.

Motion was made by Councilmember Eastman and seconded by Councilmember Gulley to approve the first reading amending charter sections 3.03, 4.08 and 12.05.

Vote: Eastman – aye
Gulley – aye
Armon – aye
Berry – aye
Eng-Sarne – aye
Justen – aye
Napier – aye
7 ayes
Motion carried.

B. Conditional Use Permit to Allow a Mixed-Use Residential/Commercial Building at 120 Butler Ave. E. (Raddatz Dance Studio)

Community Development Director Ben Boike presented. Planning Commission reviewed and held a public hearing at their May 16th meeting. The Commission voted 6-0 to recommend approval of the CUP allowing a third floor apartment unit. Previous use was legal non-conforming. Staff recommends approval of the permit subject to conditions.

Motion was made by Councilmember Armon and seconded by Councilmember Justen to approve the conditional use permit to allow mixed-use residential/commercial building at 120 Butler Ave E.

Vote: Armon – aye

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

C. First Reading – An Ordinance Amending Multiple Sections of Chapters 150 and 153 of the West St. Paul City Code Regarding Regulations for Signs and Murals

City Manager Nate Burkett presented the first reading. Planning Commission reviewed and held a public hearing at their May 16th meeting. Planning Commission recommends changes to include, but not limited to:

- New definition of sign – language has been amended to also update zoning code
- Election exceptions apply during school board elections, as well as federal and state elections
- Allowance for commercial murals, subject to administrative review, also residential murals on buildings (schools, churches, houses) in greater than one acre land space
- Allowance for transparent window clings
- Change to square footage rather than number of signs

Mayor Napier requested a five-minute recess at 7:45 p.m. Motion was made by Councilmember Justen and seconded by Councilmember Berry to recess.

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

Councilmember Gulley left the meeting at the break.

Meeting reconvened at 7:50 p.m. Extensive council discussion regarding height, signs displayed on fences, signs in apartments/associations, color usage, residential murals, harmony of color palette, etc. After council discussion, and review of City Attorney Whitmore's recommendations, staff will make amendments based on council direction and bring changes to a future Open Council Work Session. Residential murals will be addressed in more detail.

Council determined this item will be tabled.

Motion to table the first reading to the June 12th Open Council Work Session and Regular City Council Meeting was made by Councilmember Justen and seconded by Councilmember Eastman.

Vote: 5 ayes / 0 nays. Motion carried.

13. Adjourn

Motion was made by Councilmember Berry and seconded by Councilmember Eastman to adjourn the meeting at 8:37 p.m.

Vote: 5 ayes / 0 nays. Motion carried.

Meeting adjourned.

David J. Napier
Mayor
City of West St. Paul