

**City of West St. Paul
Open Council Work Session Minutes
July 22, 2019**

1. Roll Call

Mayor Napier called the meeting to order at 5:00 p.m.

Present: Mayor Dave Napier
Councilmembers Wendy Berry, Lisa Eng-Sarne,
Anthony Fernandez (arrived at 5:02), John Justen, Bob Pace
and Dick Vitelli

Absent: None

Also Present: City Manager Ryan Schroeder
Attorney Peter Mikhail, Kennedy & Graven
Assistant City Manager/HR Director Sherrie Le
Interim Police Chief Brian Sturgeon
Finance Director Char Stark
Parks & Public Works Director/City Engineer Ross Beckwith
Assistant Community Development Director Ben Boike
City Clerk Shirley Buecksler

2. Review and Approve the OCWS Agenda

Council approved the OCWS Agenda, as presented.

3. Review the Regular Meeting Consent Agenda

Council approved the Regular Meeting Consent Agenda, as presented.

4. Agenda Item(s)

A. Banquet Hall Zoning Discussion

After receiving multiple inquiries for a potential banquet hall/conference center in West St. Paul, Assistant Community Development Director Boike said Staff reviewed the option amending the zoning ordinance with the City Council. After discussing it, the Council wasn't sure that the B4 Shopping District was the best fit for this type of use as this district is comprised primarily of big box retailers and strip centers. Therefore, Council directed Staff to discuss appropriate zoning for the Use with the Planning Commission.

Boike distributed a survey for Council and said that many of the Cities surveyed do not list banquet halls in their code. During the June 18th Planning Commission work session, he said a general consensus was reached that banquet halls should be limited

to an accessory use for primary uses, specifically for restaurants or golf courses (similar to zoning in other cities). In addition to banquet halls being an accessory use only, the Planning Commission would like to make it a conditional use to allow for a formal review of each application.

Boike said Staff is requesting that Council discuss whether or not to proceed with a formal zoning code amendment to allow banquet halls as a secondary use to restaurants or golf courses as a conditional use with specific building, parking, and location requirements.

Mayor Napier recognized the Planning Commission as very active and hardworking and said he appreciates them for all they do and the time they put into it. He added that Chair Kavanaugh calls him often.

Councilmember Pace seconded Mayor Napier's comments about the Planning Commission. He said they do a good job and that they often email him to ask his opinion as a Councilperson. Councilmember Pace said when this topic was discussed previously, that he was absolutely not a fan but now he likes the idea. He said whoever came up with this idea, he is on board with it the way it is.

Mayor Napier, Councilmember Vitelli and Councilmember Eng-Sarne agreed.

Mayor Napier said that part of it is that it would all be catered food with no commercial kitchen. He added that we really need a banquet hall in our community.

Boike said Staff will draft a formal ordinance amendment which will go to the Planning Commission and then come back to Council for two readings.

B. Discussion Regarding Vacant Property Ordinance

In 2018, Boike said that Council reviewed a draft ordinance regarding the adoption of a vacant property registry for the City. The primary purpose for the registry is to obtain ownership info should there be any code or public safety issues while the property is vacant. Council reacted in favor of the proposed ordinance but requested that there be no fee to register and include exceptions for snowbirds and for military personnel. Boike requested that Council review the draft ordinance and provide direction on whether or not to proceed with a formal ordinance amendment.

Mayor Napier said this is a hot topic right now and that Councilmember Pace requested it be placed on tonight's agenda. He said he agrees 100 percent because even with all the work that we are doing, he said this is still an issue for him.

Councilmember Pace said he drives up and down the street and sees properties that either the owners are absent or they don't care about it, such as Burger King and the

old pawn shop, as well as the old Signal Bank. He said an owner from California doesn't care what happens in West St. Paul. He said we should look at the ordinance and implement any needed changes. Councilmember Pace said the economy is such that there is a lot of building going on but, in the future, we may have more properties. He said we need to give them incentive to want to move their property.

Mayor Napier asked if a citation has been issued to Burger King since the last one. Boike said one was issued last week for long grass and, if it hasn't been taken care of as of today, a third party will take care of the grass either today or tomorrow. He added that the graffiti has been addressed and dealt with.

Mayor Napier said he would like to have the grass done by Friday by either our team or a third party and send them the bill. He said it's bad and looks bad on Robert Street as a whole by having four foot high weeds.

Mayor Napier said he would also like an update on the 326 Orme Street house across from St. Joe's School. Boike said he does not have an update; however, the Code Enforcement Officer has issued several letters and abated the lawn over the years. He said he will check on it tomorrow.

Mayor Napier said it's bad to have a property sit vacant for at least ten years in our city.

Councilmember Vitelli asked if the taxes have been paid.

Mayor Napier said we need to tackle it and hit it hard. When it just sits there, he said it brings the neighborhood down.

Councilmember Vitelli asked if Starbucks was contacted because they have a new lawn sprinkler system and it looks good.

Mayor Napier said our City property has some pretty significant weeds and that he sent pictures to Schroeder. He questioned why property owners would take care of their properties if we don't. The weeds are in the brick pavers and along the sidewalk and some are pretty tall. Mayor Napier said we need to take care of our own stuff.

Councilmember Vitelli added that there are a lot of suckers coming out of the trees on Robert Street.

In regards to Mayor Napier's comments, Schroeder said Parks & Public Works Superintendent Schneider suggested spraying those weeds as he gets to it. Beckwith said they will probably be done tomorrow but that one tree took all day for Public Works to take down. He added that we have one person who does part-time weeding, supplemented by four Parks Staff, on Robert Street. He said we are weeding as fast as we can.

Councilmember Vitelli said we should look at the budget for next year and increase it to get more summer people.

Schroeder said it is on our list. Beckwith said he has been concerned that we aren't able to keep up.

Mayor Napier said he wouldn't want to put all of us in the position of answering the phone from someone who got a citation for weeds but look at ours. He said he realizes the issue of staff and money but, at the end of the day, we need to take care of it.

Councilmember Justen questioned the placard on page 3, Item G, and that property owners may not want a sign saying "nobody's here." He said this leads into where the information on vacant properties is available. The placard is definitely public, but a big sign that says come in and steal my copper, that's a little questionable, he said. If we have the list, Councilmember Justen asked if there is a reason for the placard.

Boike said the placard isn't really necessary and doesn't see a need for it since Staff has the list of properties.

Councilmember Fernandez said he wondered the same thing and asked how far this will go and whether it includes people who leave for the winter. He said this came from a situation where you had thousands of vacant properties. It's obvious with Burger King, he said. But somebody who leaves for Florida for half of the year and a neighbor who wants to call them on the fact that they're technically a vacant property – there needs to be more determining factors of vacant properties.

Boike said we added an exemption for that on the second to last page. Between the months of September and March, he said they don't need to register as long as they notify the City. This also applies to military, as long as they notify us.

Councilmember Fernandez asked if other first ring suburbs are doing this.

Boike said he wasn't sure but over a year ago he said that we did a survey and it was mainly Minneapolis and St. Paul.

Councilmember Fernandez said, to get to Councilmember Pace's point to get there quicker, we would need to identify a zone. It could start in a commercial zone and see what happens. In the neighborhood areas, it causes extra things for residents and Staff to do. There could be a one-off across from St. Joe's but he said it's not a huge problem at this point. It was about eight years ago when this ordinance was created, he said. You get there quicker and faster by developing a zone. It's our main strip, our vertebrae of the community. When I see all this language, I think this is just adding work and compiling things, he said. We can get to your issue quicker and more succinctly.

Councilmember Pace said he agrees with Councilmember Fernandez and, looking through this whole thing, it pulls things together with commercial versus residential. He said he looks at commercial and residential as two different things. For commercial, he said he identifies that as the industrial area, Robert Street, Smith/Dodd area, and said we could create a completely separate ordinance or Staff and Council could keep an eye on it.

Mayor Napier said he likes registering properties as vacant when talking about residential from a public safety standpoint so the Fire Department knows a house is vacant. We have seniors moving out to other properties with families owning the home but the family doesn't have any motivation to do anything because they live somewhere else. If it's registered with the City, we can stay on top of it and if a fire breaks out, we know it's a vacant home, he said. Police approaching it know it is a vacant home, as well, so it's a public safety issue.

Boike said with rental licensing, we have a contact and a local contact if there are issues with the property. For Burger King, we have an owner that is listed with the County. The main benefit for Staff is to get that local contact through registration versus sending a letter to an address in California. That's the benefit for Staff, Boike said.

Councilmember Justen said this goes toward what Council is saying and asked if a local contact must be included. If we have the property information, he said he would assume that we are also trying to get someone who can react quickly. Also for residential. If it's not looking for a local contact, then it doesn't gain anything. If we specified local contact, local caretaker, then this would have some useful power. Councilmember Justen said he doesn't see it in there right now.

Boike said we will certainly add a phone number and a contact to start, similar to our rental licenses that require a local contact. Councilmember Justen clarified a local "responsive" contact.

Councilmember Berry asked if it's possible that there will always be a local contact in most situations, similar to Burger King. Boike said they should have someone maintaining the property.

Councilmember Berry asked if we have never had contact information for some properties. Boike said we just have County information. Unless there's zoning approval application or a City license, he said we don't typically have that information.

Councilmember Eng-Sarne said it currently includes the name, phone number, email and addresses of owners and names and addresses of all lien holders. She said we would have to define local contact. Boike said we can tailor it however we see fit.

Councilmember Pace asked if this is the ordinance Council reviewed a year or so ago and asked if Staff ever looked at the one from about five years ago. It had some teeth in it to get money on the tax base to influence the owner.

Boike said there was a registration fee but this one does not require a registration fee.

Councilmember Pace asked if it's possible to add a time restriction to start assessing the property if the owner is not actively trying to sell it. Or if it's land and no building and no one is doing anything with it. He said this is the direction he would like to go regarding commercial.

Attorney Mikhail said this is a great question and the answer is the fee would have to be only for cost recovery for Staff expenses in doing the work. He said we are not permitted to try and induce private property owners who are otherwise making lawful use of their property to do something else with their property. That "fee" would run a fowl of the fifth amendment, as well, he said.

Schroeder said his perception of this is that St. Paul wouldn't agree with that. His perception of St. Paul is that their ordinance is set up to make it painful.

Attorney Mikhail said he does eminent domain for St. Paul. The idea that there is a secondary effect of your structure to make you in fact do something with your property is okay. If they aren't actually in that range, then you run into trouble. You may not get called on it and a lot of Cities may do that but imposing things, in terms of honoring our duties under the law and the rights of our citizens, fees need to be cost recovery for Staff expenses, he said.

Councilmember Fernandez said that St. Paul has hundreds of properties and where they get you up front is on the registration fee. If the Police went out there, right out of the gate it's two to three thousand dollars, he said. Then they have a code compliance inspection. 1, 2 and 3's with 3's being the worst, 2 is to bring it up to code, and 1 is more like a smoke detector that needs replacement.

On the upfront fees, Councilmember Justen said he could support a more aggressive fee for commercial, less so for residential. If we think that could be a motivator on the commercial side, he said it's \$2,000 to keep it doing nothing. The other thing to look to is to be active on our code enforcement. For Burger King, he said to do it as straight and narrow as humanly possible. Keep hitting assessments and be forcing the hand. If you aren't going to bother to maintain it and it's clearly vacant with lack of maintenance on the exterior, hit them with everything that happens until they take care of it, Councilmember Justen said.

Boike said we have those tools to get them to take care of it. Up front, we could have this expectation that they maintain the property and we know how to get ahold of them, he said.

Councilmember Eng-Sarne said, similar to what Councilmembers Justen and Fernandez said, to define residential from commercial and look at two separate ordinances.

Councilmember Vitelli asked about a vacant building such as Signal Hills old bank building if Officers walk around the building. Sturgeon said they walk all around and pull on the doors, so it's possible and it does happen.

Councilmember Vitelli said that may be grounds for a fee for the Police Department to check buildings.

Councilmember Fernandez said the only other thing he would add is if we go down this road again, there has to be a lot more teeth in what determines a vacant building. If the property is vacant but they are pulling permits to do work, he asked if we would hammer down on them. He said we need to finite this. If we are taking this time when no one else is, it's kind of asking for issues. He said he understands the commercial part but said residential is a waste of time. There needs to be more language as to what constitutes a vacant building. If someone is stopping by to check on the property, he asked if that means it's vacant or not.

Councilmember Pace said he agrees. When you drive by Burger King or the old bank and there is no sign for lease or rent, to Councilmember Justen's point, we should cut the grass once a week like everyone else does and assess them for it. Let's add those numbers up, he said, and that may be a motivator. He said he doesn't know what the rules are for boarded up windows. If we have tools to use, we should be more aggressive, he said.

Mayor Napier said he would like to go a step further and make sure we have dated photos.

Boike said all of our photos are dated. He said the nice thing is that Council amended the code that we send an initial letter and if it happens again in the next 12 months, it goes straight to abatement with no letter.

Councilmember Berry said she is on board for separating commercial and residential and being strict on the commercial. She said she likes the fees for the commercial properties to register and hopefully they will be more serious about it. Councilmember Vitelli agreed.

C. Smith/Dodd Overlay Zoning District Discussion

In October of 2017, City Council accepted the Smith/Dodd Small Area Plan. The Plan provides recommendations specifically for the Smith/Dodd neighborhood for future land use, development guidelines, the realignment of the Dodd/Smith intersection, bike/pedestrian improvements, park improvements (Albert and Dodd), etc.

One of the specific recommendations of the plan was to explore the creation of a B2 overlay district to allow for flexibility beyond the existing B2 district requirements (commercial district in the Smith/Dodd neighborhood) while requiring a pedestrian scale (development catered to the pedestrian vs. automobile) and re-establishing the automobile use focused to the rear of the buildings. In doing so, future redevelopment within the overlay zone will be required to abide by the regulations outlined in the overlay district.

Per language in the article titled *Making Use of Overlay Zones*, overlay districts are a tool that allows cities the ability to place a set of regulations that is applied to property within the overlay zone, in addition to the requirements of the underlying base zone. In other words, the City can define a zone within an existing zoning district (B2 Neighborhood District in this case) and place additional requirements beyond the underlying B2 district requirements. The overlay district requirements can be more flexible or more restrictive than the underlying zoning district requirements, in attempt to guide a different development standard in the overlay district.

Boike said the Planning Commission held three separate work sessions to discuss/develop the draft overlay district/ordinance. The draft overlay district accomplishes the following:

- Prohibits certain uses currently allowed in the B2 District from locating in the district;
- Establishes a front building setback build-to-line of 10 feet. The front 10 feet can be utilized for expanded sidewalk, outdoor seating, and/or landscaping;
- Minimizes parking lot frontage along the street;
- Allows “shingle signs” on the front of buildings (see attached info);
- Requires additional building façade requirements; and
- Allows for flexibility with off-street parking requirements.

The Smith/Dodd Plan discusses using the City-owned parcel at 1010 Dodd Road to accommodate the realignment of the Smith/Dodd intersection. In addition, due to the small size of the parcel, it is not likely to redevelop without the inclusion of adjacent parcels. As such, the plan does not recommend development of the property at this time.

Mayor Napier said this has been talked about at the Planning Commission and they went through it in detail.

Boike said the goal is to try and provide a more neighborhood friendly area where people can park on the street and walk around to the various shops and restaurants.

Mayor Napier said his understanding of this is to promote redevelopment and that hopefully it will make a difference for a development to come in with a vision.

Boike said, in doing so, we are requiring some things that are more restrictive in order to create a look and feel for this neighborhood.

If we do this, Mayor Napier said the overlay district takes precedence over any other, which is the most important to him. Other Councils have done a lot of work years ago and this is all coming to us at a time when we can take advantage of this and get it zoned right if someone comes in, he said.

Boike introduced Planning Commissioner Maria Franzmeier and reviewed the ordinance amendments for Council.

Mayor Napier asked if it is common to have such specific language in the ordinance. Boike said it can be as detailed as you'd like. If there are uses that the Council doesn't feel are acceptable, we can further restrict them through this district.

Boike said parking is not changing with this but we are further restricting the amount of frontage. Right now, the building has to be up to the street. Our code doesn't define how much front. This defines that the maximum frontage can be 30 feet of parking and minimizes the amount of parking in front of the street to encourage building frontage.

Councilmember Fernandez asked why we prohibited nursing and retirement homes. Boike said the thought process for this area is that the parcels are so small and you wouldn't want to combine five parcels to build a big retirement home.

Councilmember Fernandez said the biggest chunk available for development is Oxendale's. He asked why we would prohibit one of the largest things that could potentially boost a massive redevelopment, which would be a retirement home. He said we would be building up, not out, and that site is prime for something like that. He said that's the flavor right now. Boike said that's a very valid point.

Councilmember Berry said the other flavor is walking. She said she doesn't think a retirement home would bolster the walking to a nursing home.

Boike said nursing homes versus independent living are two separate things.

Councilmember Vitelli asked if there is some kind of wording that we could put in that doesn't restrict anything but that anything proposed would have to come to Council.

Attorney Mikhail said Council wouldn't be able to say after whether or not it's permitted. The way the zoning code would work is permitted uses would always be blessed. The middle ground is the Conditional Use Permit (CUP) kind of use but you

set those types of uses out in the code. There has to be some kind of objective measure in the code that we're pegged to decide on something someone wants to do.

Boike said you would have to define something that is related to health, welfare, etc., in order to deny.

Councilmember Justen commented that the reason for restricting banks is due to drive thru lanes and asked if we haven't already covered this because we restricted drive thru lanes. If it's a small satellite bank, he said he wouldn't want to restrict that. If this is the only reason, he would want to strike bank from the language.

Boike said the Planning Commission also discussed and wasn't sure a bank would be a good fit for Smith Avenue.

Councilmember Justen said when you see places that thrive in areas like this, you may see a real compact bank. He said to just stick with the drive thru lane restriction.

To the point of retirement communities, nursing homes, Councilmember Fernandez said you see them all over the city and below is mixed use so you don't realize that they're there. You may have an eight story building but you won't realize that it's a nursing home. A prime example is Dale University. On the northeast corner you would never know that it's a retirement community because there is a taco shop, light rail, and all these things up and down University. Councilmember Fernandez asked about the height restriction. For all commercial districts, Boike said anything above four stories requires a CUP and said we could add a cap for certain height thresholds.

Councilmember Fernandez said when they rezoned University, it was zoned as B2. Boike said that it is how it's defined but that it's more of a neighborhood. Councilmember Fernandez said if someone came in that corner, they would be looking to go up.

Mayor Napier said a perfect example of what he would like to see on Smith Avenue is Selby Avenue. It's walkable with two to three story condos. The street is so walkable, so many shops, it's not as busy with traffic, so it's more like Smith Avenue. All the way to the high bridge, it would be a home run. He said he likes the direction that the Planning Commission went on this. He said he was definitely a little concerned about being specific; for example, if a shoe shop wanted to come in, they would come in. There are so many businesses that aren't thought about until they come in. If we're going to be specific, Mayor Napier said to make sure you have everything you do not want.

Depending on the definition, Councilmember Vitelli said he isn't sure we would want either nursing or retirement homes there. If you want market rate condos or apartment buildings six stories high, that would be better because it's the high point of our city with a view one direction or another. He said prohibition of nursing and retirement homes should stay.

Councilmember Justen asked if pedestrian scale gets into the height requirements. Boike said the Planning Commission didn't address that.

Councilmember Justen asked if we have a tall development going in, if we are now off of pedestrian scale. Pedestrian scale almost establishes height limit and asked how we are narrowly defining that. Boike said this language pertains to the first story.

Boike said the carrot for redevelopment is parking. There isn't a lot of space for parking on these properties. If they meet all the requirements as outlined, based on the square footage of the building, we would reduce required parking by this percentage. The Planning Commission had examples of what this would mean for specific uses. The whole idea is, if they are meeting these requirements and Smith/Dodd is pedestrian friendly, that we should allow off street parking. This would allow them to reduce those parking requirements.

Councilmember Fernandez suggested zero. Boike said this was the consensus with the Planning Commission and that a lot of metro areas are going with this.

Councilmember Fernandez said if that area is flourishing that much and we are not worried about parking, then we're doing something good.

Councilmember Justen said he is in complete agreement and also supports zero. He doesn't want to have a parking requirement in this area, given the vision that we want. He said he cannot imagine anyone not putting in the parking they would need for their business. Parking is important for any business and they will know what they need.

At 50th and France, Councilmember Vitelli said there is an eight story apartment complex at market rate. He asked if residential would require parking. Boike said it would be smart for a larger complex. Councilmember Fernandez said it could be underground.

Councilmember Vitelli asked if there could be any implications if we put in zero.

Councilmember Justen said he cannot imagine an apartment building would come in and say they aren't going to have any parking. A business is going to know what they need and they are going to find that number.

Boike said we could exclude residential from that.

Mayor Napier thanked the Planning Commission for their work.

Commissioner Franzmeier said that Commissioner Samantha Green had shared an Excel spreadsheet that was telling of what is currently happening. Literally doing the math and square footage of the space, Commissioner Franzmeier said she is a little afraid to say zero parking. A developer won't put in additional parking if they don't have to, similar to DARTS who already has reduced parking. In ten years, they may

be short of parking and that's her and a few other Commissioners' concern. She said the Planning Commission was challenged with the fact of why not make it zero to bring businesses in. Also, the neighborhood is looking for some charm. Buildings over 5,000 square feet in space won't bring in charm, she said, and challenged the Council to think about what will bring charm to this area. Commissioner Franzmeier said she is also concerned about snow removal in an area with zero parking, which will put more street on on-street parking. She said it was hard to get by this year.

Councilmember Fernandez said one thing he's learned is everyone loves the snow plow drivers and you don't talk against them.

Commissioner Franzmeier asked about the rules and restrictions that will be allowed. She said we have had two big discussions on this with a lot of good checks and balances and a good solution.

Councilmember Vitelli said Public Works will haul away the snow; Beckwith said this is a MnDOT road.

Mayor Napier asked Boike what he needs for a realistic timeline. Boike said probably September with a formal adoption. Mayor Napier directed him to edit this and bring it back to OCWS.

Mayor Napier thanked Commissioner Franzmeier for coming and asked her to thank the rest of the Planning Commission for their work.

D. Review of Mid-Year Report

With the adoption of new Council Initiatives for 2019-2020, Schroeder said Council requested periodic updates on progress toward goal accomplishment. He provided a mid-year update and said that an annual report was also done in the last three years.

Council Initiatives:

- **Accessibility**

Improving accessibility and bikeway/walkway infrastructure has been a focus for a number of years. However, a good share of City efforts has been planning for future construction. Included, of course has been the Bike/Ped plan of 2011, the completion of the ADA plan in 2018 and the cost estimating update of the Bike/Ped Plan during 2019. In looking back at accounting records, it is difficult to confidently state what the public investment has been in this area.

Trailway/walkway costs are not typically segregated from other roadway project costs (excluding Robert Street roadway project costs in total have averaged about \$2.6 million/year between 2008-2018).

What we are certain of, however, is that 2019-2020 projects under construction and in queue include significant investment in bikeway/walkway infrastructure. Trailways are currently under construction under the Dakota County joint projects on Wentworth and Oakdale/Marie with a County ped crossing of Wentworth at Marthaler Lane funded. The R2R trailway from Wentworth to Oakdale/Thompson is currently under design for a 2020 bid project. The County Thompson Lake restoration project had a trail component. Sidewalk improvements are part of the Livingston construction project.

Past trail/sidewalk expenditures, according to accounting records, have been:

2008: \$194,509
2009: \$109,411
2010: NA
2011: NA
2012: NA
2013: NA
2014: - Construction of Marie Trail included in Marie Street project
- Construction of Ped improvements included in Robert Street Project (2014-2018)
2015: \$12,101
2016: \$4,596
2017: \$75,254
2018: \$597,035
2019: - Marie/Oakdale: \$2.4M trail project (\$1.35M City Cost)
- Wentworth: Trailway included in \$6M County road project (\$1.9M City Cost)
- Livingston: Sidewalk included in \$5.1 million street construction project
- Wentworth Crossing at Marthaler: \$70,000 (City cost \$0)
- Thompson Lake Reclamation with trail component: \$2M (\$144K City Cost)
2020: R2R Trailway: \$6.7 Project Cost (Grant and County funded)

Through the design process for Robert Street, there was inclusion of Transit planning along the corridor. Ultimately, the net of that planning was revisions in bus stop location and reconstruction of transit stop shelters. There has not been recent transit deliberations within which the City has been a participant. However, the Dakota County Chamber of Commerce and East Metro Strong (a regional transit planning non-profit) have collaborated recently in order to pursue a transit study for portions of Dakota County including West St. Paul. That four month study is intended to commence in August. The County is also beginning a review of the current transit plan.

- **Blighted Properties**

An ongoing activity of the community has been to address owner occupied and rental properties that do not meet community standards. With that focus, staff operates a monthly Problem Property Committee including public safety, inspections, and housing staff. Enhancements to the code/rental inspections program have been implemented during 2019 (see “Housing Stock”). Staff has also identified all residential structures with EMV’s below \$100K for future program recommendations to Council.

- **Branding and Identity**

A facet of branding for West St. Paul includes success and appearance of public and privately owned properties within the community. Advancing our brand, thus, includes development and redevelopment activities. Included this year is \$12M in improvements (total) to Garlough and Moreland Schools, the new \$1.8M Solas Salon, \$1.6M buildout of the Children’s Clinic at 963 Robert, the \$1.4M remodel of Walmart, the new \$750K Animal Hospital at 2000 Robert, the \$600K remodel of Taco Bell, the expansion of Michoacan a Pedir de Boca Ice Cream at Signal Hills, and build out of Tokyo Sushi at Southview Square. \$24.4M YTD in permit value. The final plat for a Hy-Vee grocery store was approved in 2019 for 2020 anticipated construction.

Council has allocated funding to ensure that newly reconstructed Robert Street continues to create a draw for consumers. Included is an approximate \$60,000 allocation on litter and planting bed maintenance programming specifically for Robert Street. We have struggled to keep ahead of maintenance needs in this area and are intending to revisit our current approach. Through our Volunteer Program, we have been successful in improving citizen participation throughout the community on clean-up activities of roadways, parks, and transit stops.

We are focused on communication to stakeholders through internal/external newsletters, social media, and collaboration with NDC4 (Town Square Television) to promote City programming, events, and activities throughout the community. To date, we have hosted a number of stakeholder meetings including Council led listening sessions, public safety neighborhood meetings and events, coordination of ROMA (rental owners and managers) meetings and more recently listening sessions as part of the Police Chief selection process.

In 2019, we collaborated on a joint hosting of the West St. Paul Days event at Harmon Park during which we marketed WSP T-shirts. While the event venue was somewhat lightly attended (cold weather) T-shirt sales, which was a pilot marketing effort, met expectations.

- **Diversity and Inclusion**

Considerable efforts to recruit diverse applicants have been implemented since early 2018 resulting in a significant increase in number of diverse applicants. Four new diverse employees have been hired into permanent positions since 2017. Females have been hired or promoted into male-dominated jobs in Police, Police supervisory, and engineering intern.

During 2018 we established an outreach Committee to assist with our inclusion efforts. That committee was shelved during 2018 and has not yet been re-energized. However, internal communication enhancements such as a growing menu of dual language communication has been ongoing.

Schroeder said we are about to kick off the complete count for the Census which will cause us to do some things that we haven't focused too much on to date.

Councilmember Vitelli asked if we could put Tobacco 21 on a future agenda. The legislature seems to be doing nothing, he said, and noted that Arden Hills is already doing something on Tobacco 21.

Mayor Napier said he's open to discussing it.

Councilmember Eng-Sarne said that she thinks this is on the list for the next legislative agenda. Councilmember Vitelli said it's not going to happen at the legislature.

Mayor Napier said he told the community that we would talk about it tonight.

Schroeder said he can add it. Councilmember Berry said she thinks it is a big thing for diversity.

- **Fiscal Constraints**

Perhaps our most significant 2019 achievement to date is legislative/gubernatorial adoption of a Local Option Sales Tax for WSP. Council has approved implementation of this tax effective for 2020 which is projected to generate \$28M over the next 20 years toward major maintenance (mill/overlay or reconstruction projects) of collector and high priority roadways over that span. As part of this initiative the Council has adopted changes in capital planning, fiscal and debt policies to set a direction toward debt reduction and improved fiscal metrics.

The Council has also approved contracts to install solar panels on the Public Works and City Hall roofs as well as a contract to join a solar garden consortium. The net will be long term savings in energy payables absent a capital investment by the City.

A review of the 2020 Legislative agenda and priorities will be in front of Council by August.

- **Housing Stock**

Approved during 2019 has been a 174 unit affordable senior housing project by DARTS/REE, on Marthaler Lane, a portion of TIF revenues from which are targeted toward future housing rehab programs. Another project which should be going through the entitlement process soon is a County approved senior assisted living (18 units) /memory care (14 units) project at Robert and Haskell. The EDA has approved a development agreement for a 152 unit market multi-family development on 5 acres at the former Thompson Oaks property. We do anticipate projects coming forward yet this year for the 900 Block of Robert and Town Center 1 project areas. The grand opening for the Rooftop 252 market multi-family project on Marie Avenue was July 19.

The City Council approved an updated contract with Dakota County for administration of CDBG entitlement funds. In West St. Paul, program funds are targeted toward housing rehab programming. This year, staff has revamped the Code Enforcement/Rental Inspections program to assign staff toward both aspects of the program with assignments either east or west of Robert Street. Compliance correspondence has also been amended to include photo depictions of non-compliant features of a complaint as suggested by members of Council.

- **Infrastructure and Public Facilities**

The 2019 Street Improvement Project is reconstruction of Livingston Avenue. There are a number of County and State led projects finishing up from 2018 or under construction in 2019 within the community. Public Works staff recently completed a one mile drive lane temporary bituminous mat on Annapolis from Smith to Robert. The draft 2020-21 budget includes an allocation to the street department to continue similar mat construction in future years. The forcemain 1 project should be completed by August as part of a 2018-2024 forcemain/lift station replacement project.

In 2017-2018, the City has replaced all of the HVAC units on City Hall (but for those on the Fire Department which were newer than all of the others) and has replaced the entire roof on this facility. We have also reconstructed all of the parking lots and replaced overhead doors. In total, addressed deferred maintenance on this building has cost \$1,054,887 through 2018.

In 2019, we will be replacing all of the windows in City Hall as approved by Council on June 24, 2019 (amount of \$173,763). The City has contracted with Wold Architects to design the next phase of this project, which includes improvements within the Police Department and common area enhancements in City Hall. In 2019-2020, the project fund is budgeted at \$1,006,000 in revenue and \$1,061,400 in expenditures. Total project fund balance at year end 2020 is projected at \$406,345. Given the favorable window bid, we are anticipating the opportunity to begin the 2020 project during the

4th quarter of 2019, which may allow for more favorable bidding than would otherwise be the case.

On July 17, Wold presented concepts for reconfiguration of both the PD upper and lower levels. Those layouts will be provided to staff for review and comment prior to cost estimating of a project proposal for consideration by the City Council.

Schroeder said he said there are two items for Facilities, one mentioned here and one mentioned in a memo on Wednesday. We are working towards the 2020 Police Department remodeling but anticipate that we would have an opportunity to start that this year if things go according to the current plan. The second to mention is, because it's more public, there has been quite a bit of conversation in some communities about the ice arena. The Booster Club is working on eventually getting to a proposal to build the locker rooms, probably in the next two to three years. He said he is looking for any feedback that Council would want to provide on this. He said we have sort of finished up the last \$1.8M rehab of that facility and we have about 900,000 to do in the next phase and the parking lot. The Boosters are talking about what seems to be another \$1.3M worth. If everyone says yes, Schroeder said we then need to look for funds. School district, state bonding, etc.

Schroeder asked if Council sees any problems with starting the 2020 work early on the facilities piece. He said it seems that we are underspending the 2019 budget.

Mayor Napier asked how many Councilmembers have taken a tour of the Police Department in the last year and how many have toured other Police Departments that are to today's standards.

Councilmember Pace said ours is terrible.

Mayor Napier said, if you've done that, you will strongly support what Schroeder is saying. If you haven't, he suggested that they tour ours and others, as well.

Councilmember Vitelli said that he and Mayor Napier went and toured Cottage Grove.

Mayor Napier said it's a shame that we are putting our Police force in those accommodations, with how they have to handle confidential items and how they do their daily work. He strongly encouraged that this be kept on the list.

Schroeder said he sent out a floor plan on Friday. How we are thinking through this is that we can make significant improvements downstairs that will allow the opportunity to reconfigure upstairs. He said we think we can make some significant improvements.

Mayor Napier said he cannot believe that there wouldn't be grant funding for some of the things we lack.

Councilmember Pace said he is on board 100%. If you're saying there may be money, then he said you need to move forward. He asked Sturgeon if he and his staff know how to do sheet rocking like former Chief Shaver and said that he did it all himself out of his own pocket, in order to keep the place decent. Councilmember Pace said we need to have respect for our Police and Fire Departments.

Mayor Napier agreed and said holding Chief Shaver back was the hard part. He said this is a very high priority from several years ago and said we should get a proposal together and figure out how to get the funding to make it happen. Phasing it is fine, also, he said.

Schroeder said we have \$503,000 in this year's budget. We could bid it in November so it becomes a winter project. There are other funds next year, which is all in that project. He said we are intending to do something in the common area here, as well, but it depends on what that project demands in the common space.

Mayor Napier said to keep it in there and get some bids.

Schroeder said he wanted to make sure everyone is aware of the conversation occurring regarding the ice arena.

- **Parks**

The City Council has adopted changes to the CIP and fiscal policies that include limiting future debt incurred to fund Park development projects. However, due to projects in queue and through third party funding there are a number of enhancements to the Parks system underway. Concurrent with the Wentworth reconstruction project will be \$150,000 in improvements made to the north side of Marthaler Park this year. Smaller improvements are being made to Oakdale and Haskell Parks. We continue to undertake scheduled improvements at both the Pool and Arena and are in the process of planning a larger five year plan for the latter which may include a request for funding assistance from third party stakeholders. Finally, the planning for the Thompson Oaks wetland reclamation/R2R project is well underway for funding requests yet this year.

- **Recreation**

The recreation department has initiated some new collaborative programming in 2019. A new joint program with Mendota Heights called "Tour de Rec", travels to different parks throughout West St Paul and Mendota Heights. Every 2 weeks, kids 6-12 years old are welcomed at a designated park for 1.5 hours of free recreation programming. Staff leads the kids in group games, sports, crafts, art and more. This is a free drop in program with no registration needed. It has been a big hit for the first half of the summer. Recreation staff is also collaborating with the YMCA to offer free "Fitness in the Park" classes this summer. This inaugural program is being offered 3 times in 2019 at varying times and locations. It is open to all ages. If successful, we hope to

expand this partnership in 2020. West St Paul is partnering with Mendota Heights and South St Paul to hold the first annual light up the night “Glow Dash” in September. This 1.36 mile dash is designed for all ages and abilities. The modest fee will cover refreshments and a glow swag bag for each registered participant. Staff will once again be offering movies in the park, youth safety camp as well as many other programs. Other new programs being offered this year include art and musical theater camps, music together programs for parents and young children, new parent child birthing classes, and adult and family yoga classes.

The new management contract for dome operations is under way. This new 5 year contract limits staffing reimbursements, while also expanding maintenance duties to include summer dome maintenance outdoors. Year to date rentals are tracking behind 2018 totals, but that is most likely due to a late spring in 2018 that kept more spring sports indoors. The projected rentals for the rest of the year are trending upwards. The management company is in the process of securing multiple new advertising contracts.

Mayor Napier said it is both good and important that Schroeder is creating this summary document for Council. He added that if it could be done monthly that would be great but doesn't expect that. At least quarterly, he said.

E. 2020 Legislative and Funding Priorities

Schroeder said efforts at the State Legislature, as well as work with third party funders such as the Metropolitan Council, other State Agencies, and Dakota County and JPA's with various operational partners, has been of increasing emphasis. During this past year, Dakota County convened a legislative forum in order to enhance familiarity with various policy level participants and to seek an understanding of priorities within the County. Early in the past legislative session, Council took positions on specific bill introductions.

At this time, Staff is looking for input and feedback from Council on priorities for this next legislative session. To date, Council has approved a capital request for forcemain and lift stations. No other positions have been taken since adjournment of the 2019 Legislature. Schroeder provided a working document to facilitate discussion.

Schroeder said he's not sure if this City has ever done this in advance. In past years, the legislative platform was to go find money. Every now and then, he said there is an attack on fiscal disparities. The legislature has been self-congratulatory that they could get Local Government Aid (LGA) back to 2002 levels and a thank you was sent to the legislature for doing that. Prior to 2002, however, he said West St. Paul was getting a lot more money in the mid-90's than what we are currently receiving. Schroeder said LGA is something we should be pushing.

In regards to local control of right of way and Xcel Energy stuff, we could lose the battle at the Federal Communications Commission (FCC). He said the current FCC seems to be convinced that cable companies and others' needs should take priority over the needs of the public and taxpayers.

Schroeder said there is really nothing new with infrastructure. Tobacco 21 is on here, he said.

Mayor Napier said one that is not on here is wetland restoration and land restoration projects in our parks. We are looking at doing Marthaler Park this year and asked if there is anything we can lobby for funds to help. Schroeder asked if he is looking for third party funding; Mayor Napier said yes. Either land or wetland restoration. Marthaler Park or the pond, it would be nice to have a component to redo the pond.

Mayor Napier said the other was paths, trails and sidewalks, which should be something we know we need in our city. It's a priority but we just don't have the money to do it, he said.

Schroeder said we do need to come back on the Livingston sidewalk funding item soon, which we could probably wrap into the larger funding at the same time. He said that Beckwith provided an update a month or two ago. We could bring that forward again and talk about it all at the same time.

Councilmember Fernandez asked where the Met Council is on this stuff, specifically trails and sidewalks.

Schroeder said their funding wraps transit, walkways, redevelopment and affordable housing all together. To the extent that any City can pile it all together in one project, he said it's a fundable project. For specific trailways, standalone, DNR funding, he doesn't know if the Met Council has a funding pool but they might, he said.

Councilmember Fernandez said we have busses that run down Robert Street but residents who cannot safely get to that bus. He said he talked with our new representative at the Met Council who said he supports that.

Boike said the Transportation Alternatives Program is a funding sources that we got for Marie and Oakdale. The next application process is next spring.

Councilmember Fernandez said we should be constantly trying for this. He added that we have a pretty compelling story and said to just look at all the other first ring cities. We are worst in terms of connectivity.

Boike said we have a list ready to go for that solicitation.

Councilmember Eng-Sarne said that the legislature doesn't want to hear about Robert Street anymore. She asked if we could have a strategy session with our state elected officials so that we are all on the same page in terms of order of priorities. Schroeder said he intends to but didn't want to do that ahead of this meeting.

Schroeder suggested that if Council has anything on wording or the goal to send them to him. He said the next piece is that he will send them to Senator Matt Klein for his thoughts.

5. Adjourn

Motion was made by Councilmember Berry and seconded by Councilmember Pace to adjourn the meeting at 6:23 p.m.

All members present voted aye. Motion carried.

David J. Napier
Mayor
City of West St. Paul