

**City of West St. Paul
Open Council Work Session Minutes
December 9, 2019**

1. Roll Call

Mayor Napier called the meeting to order at 5:04 p.m.

Present: Mayor Dave Napier
Councilmembers Wendy Berry, Lisa Eng-Sarne,
Anthony Fernandez, John Justen, Bob Pace and Dick Vitelli

Absent: None

Also Present: City Manager Ryan Schroeder
City Attorney Peter Mikhail
Interim Police Chief Brian Sturgeon
Fire Chief Mark Juelfs
Human Resources Director Debra Gieseke
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

Councilmember Justen asked about Item 9F, Amending 2020 Fee Schedule and the impact on residents who have installed solar panels. Finance Director Stark said they are already being charged. The fee already exists, it just wasn't listed on the schedule. A new fee isn't actually being added, Stark said.

Councilmember Berry requested that Item 9L, Resolution Endorsing Carbon Pricing, be pulled and added to the regular agenda. Councilmember Eng-Sarne said either she or Claudia Egelhoff can speak to it. This item will be pulled down for discussion, after which it will be approved with all other items on the Consent Agenda.

Council pulled Item 9F, Amending 2020 Fee Schedule, and approved the Consent Agenda, as amended.

4. Agenda Item(s)

A. Review Applications for Environmental, Park & Recreation, and Planning Commissions

At the November 25, 2019 OCWS, Council discussed the process for filling positions to various City committees and commissions for terms which will be expiring in 2020.

Applications received through the City's website were forwarded to the City Council on November 26 and included applications received from September 1, 2018 through December 9, 2019.

Per Council request, Commissioners whose terms will be expiring in 2020 and are seeking reappointment were asked to apply online, as well. Due to the short turnaround time for current Commissioners, any applications received by today's date were brought forward to Council this evening.

Charter Commission (4 year terms)

4 terms expiring on February 28, 2020. Appointments are made by the Court, with a recommendation from the Charter Commission to the Council, which passes a joint recommendation to the Court. Applications for the Charter Commission will be forwarded to the Charter Commission for review and were not included tonight.

Environmental Committee (3 year terms)

1 term expiring on March 1, 2020 for Commissioner Carol Hall. Per Bylaws, "All appointments shall be made by the City Council." No application nor reply was received from Commissioner Hall.

Park & Recreation Committee (2 year terms)

3 terms expiring on March 1, 2020 for Chair Mike Petrasek and Commissioners Jay DeLaRosby and Brad Erickson. Per Bylaws, "All appointments shall be made by the City Council, with each member of the City Council having the right to nominate one member from their respective wards."

Chair Petrasek and Commissioners DeLaRosby and Erickson are seeking reappointment and have submitted their applications.

Planning Commission (3 year terms)

3 terms expiring on March 1, 2020 for Chair Morgan Kavanaugh and Commissioners Derek Leuer and Dan McPhillips. Per Bylaws, "Appointments to the Planning Commission are by the Mayor as confirmed by the City Council."

Mayor Napier will be making his appointment at the Regular Council meeting tonight to fill Commissioner Leuer's seat.

Chair Kavanaugh and Commissioner McPhillips are both seeking reappointment and have submitted applications.

All applicants to the above committees and commissions were contacted via email asking if they are still interested in being considered. This was especially important for those who applied in late 2018 and early 2019, but only a handful of the applicants responded. Of those, one has since moved out of West St. Paul, and Stephanie Schempp changed her interest to the Environmental Committee only.

Mayor Napier said this discussion is regarding the process for the committees. He said he has a name ready for the Planning Commission appointment to replace Commissioner Leuer.

Councilmember Berry recommended blocking out the names and addresses of each application for the next meeting. She said it would be encouraging for everyone to apply.

Schroeder said we see this as the Council appointing your advisors, and we just need to know how you would like Staff to process that. If Council wants to vary between Environmental Committee and Parks & Recreation, it's up to you.

Mayor Napier said the way it's been done in the past is that everyone writes down on a piece of paper their first, second and third choice, which are then tallied and we have a discussion.

Councilmember Berry said she would like to see the applicants listed as "Applicant #1, Applicant #2," etc.

Councilmember Eng-Sarne said she noticed in an earlier email from the City Clerk that most who applied online hadn't responded yet if they are still interested. Buecksler said the deadline was the date of this meeting.

Councilmember Justen said the original email that went out was asking them to reply if they were *not* interested. He said he spoke with one for reappointment who said they hadn't received the email, however, their application is now here, so it was resolved.

Moving forward, Mayor Napier said we can go through applicant 1 through 6 for each commission. Some are applying for two different commissions.

Councilmember Justen said that the Parks & Recreation bylaws state that each member of Council has the right to nominate one member from their respective wards. He recommended changing the wording in the bylaws because it doesn't work logistically if only one seat is open. He recommended changing the Park & Recreation Committee bylaws to be in line with the Environmental Commission.

City Attorney Land said, historically, that ward representatives would come to an agreement and make a recommendation. She said it's never been an issue. Councilmember Justen said it doesn't read that way.

Councilmember Pace suggested leaving the wording as is because, for example, if there are five applications for the same position, there may be a difference of opinion between ward members.

Schroeder asked if Council has a desired date to bring back tally sheets.

Mayor Napier said he would prefer to fill vacancies soon. January for vacancies and reappointments.

Councilmember Vitelli asked how we will know about reappointments if their names are redacted. Councilmember Berry said it doesn't matter, that's why they're applying and added that they have the ability to enter that information in the application.

Councilmember Berry suggested that Staff go back and ask for clarification by a certain date for those who have not responded. After that date, their application wouldn't be considered for this appointment but would be considered for future appointment opportunities.

Councilmember Justen said it would be appropriate that, if we are looking to fill these spots in January, that a public notification be sent out that we will accept applications by a specific date.

Councilmember Pace asked, given the importance of the Planning Commission and time-sensitive projects coming forward, if Mayor Napier will be intending to appoint someone soon. Mayor Napier said he will be making one appointment tonight and the others will be coming soon.

Schroeder said what he understands is that Council will not be interviewing but doing a tally process instead. The deadline would be the Wednesday prior to the Council meeting chosen.

Mayor Napier asked if Council is free to call the applicants; City Attorney Land agreed.

Mayor Napier said there are several good candidates for the Planning Commission. He is focusing on Ward 1 and spoke with both Ward 1 candidates. Tonight he is bringing forward Tori Elsmore. He said she is a West St. Paul resident with one small child, she served on the Inver Grove Heights Planning Commission from 2012-2013 and is an attorney. Mayor Napier said she will be a nice fit and that she is very excited about it.

B. Public Safety Committee Update

At the October 14 OCWS, Schroeder said that Council provided the Public Safety Committee with consensus direction to review a loose agenda of items. Council was provided in tonight's packet with the committee minutes from October 22 (committee

approved) and draft minutes from December 3. To date, the committee has discussed plans for the 1010 Dodd parcel, crime and code enforcement mapping, problem properties and has identified housing stability as an issue of import. It was also discussed briefly that there might be benefit in formally expanding the role of the committee beyond the limits of the “public safety” nomenclature.

Schroeder said this item is on the agenda to provide an opportunity to update the Council as a whole and to provide whatever feedback Council may wish to provide. When Council first asked about this, Schroeder said that either the committee Chair or the Council themselves suggested coming back after we’ve met a couple times to report back on what the committee has been discussing. According to the rules, the typical format is an item or a couple of items are handed to the committee. When they’re done studying it, they hand it back to Council. The committee has talked about a number of things in some sort of on-going fashion, he said. The committee members can respond tonight to any questions.

Mayor Napier asked who took the minutes and Schroeder said that he did. Mayor Napier said, if the minutes were captured correctly, it was pretty clear that it’s almost like when you fill a plastic bag with water and don’t shut the water off. The committee tried to pop out of this bubble, which tells me we either need another committee or something. Very well done, he said.

Schroeder said the committee talked about that, as well. There is a lot of overlap that exists.

Councilmember Pace said when the committee was formed, the name of the committee was odd to begin with. He said he sort of agrees with Mayor Napier. The title of the committee makes it odd because it’s not really public safety.

Mayor Napier said he would caution Council because he thinks a public safety committee is important. There have been times when there was a public safety issue and Staff needed direction and it’s too much for Council. It’s important to have a title for that group, he said, and that we could bring an owner in and have a face-to-face meeting to let them know what Council is talking about.

Mayor Napier said he saw so much in the minutes. He said it would be fun to have an opportunity to grow that.

Hartshorn said we have a problem properties committee, which was formed so the Police and the community could be on the same page when things overlap. Schroeder said this committee is all Staff.

Councilmember Eng-Sarne said she looked up what other communities call these committees. Minneapolis has a Community and Safety Committee. Another community has Neighborhood and Safety Revitalization. She said we probably talked about perhaps more than was intended but that she doesn’t know what is out of bounds.

Mayor Napier said not so much out of bounds but saying, if you mix it too much, you lose the power of the conversation. Public safety is a critical piece that we need to pay attention to. It's about public safety, not about development. We want to have enough so the committee is spending their time effectively

Councilmember Fernandez said the name throws you off but this committee hadn't met in two years, so we cannot get nuanced by names. As you can see in the minutes, we are putting stuff together that's extremely beneficial, he said. We're coming in at 7:00 a.m. and hammering stuff out. To say that we are not focused is not a fair representation of that. We are focused and we have a pretty good idea of what we're tackling, such as 1010 Dodd and getting the business community together to provide opportunity to add benefit. We don't have a public and private sponsorship or those types of things, he added. We are really trying to take things and connect them because they aren't right now. A lot of that is part of public safety. If we create too many groups, then we are spreading ourselves thin. We all have full-time jobs and families. We do have some specific things we are focused on and we are trying to get going. If we create another group, we are going to get all over the place. If we can add on an additional name to this group, that might suit the purpose, he said.

Councilmember Vitelli said, reading through the minutes, a lot of these issues are brainstorming issues that Council does. These things are Council items, not public safety. He said he doesn't think we need to create another group.

Councilmember Berry said we don't have time to talk about those things in Council work sessions. If we want to keep moving on them, we either need to rename the committee or make more time.

Councilmember Vitelli said if we have a breakfast or afternoon coffee, Council could brainstorm on things.

Councilmember Fernandez said we did that at the beginning of this year. At some point, we go from an idea to formulation and really start working to get those things done. We need to germinate it, he said. We need to have people to make a committed effort to do that. We are stuck on this name and that is not the total purpose of this group. It's more of a development, a committee that's further looking into things and getting some things rolling. We are pressed for time, he said, so this is something that we are further fleshing out. There are some things that are exciting and we can take an opportunity that we haven't had before.

Councilmember Justen said the structure of the safety committee was to be given a limited scope of direction. Perhaps it needs to be formulated in a different way than the safety committee, he said. It's like the Council says, you work on these specific things and maybe the problem is putting this into the public safety committee. Maybe it should work as a public safety committee that doesn't meet that often and this should be operating as a different committee. You're trying to be proactive and the public safety committee is reactive, he said, and feels that this is the problem. This is a good

concept working on this, he said, but we need to figure out what it falls under. Mayor Napier and Councilmember Vitelli agreed.

Councilmember Vitelli said an example of public safety would be parking on Livingston in front of people's homes. The public safety committee met with the Police Chief and brought back a recommendation or suggestion for Council.

Councilmember Pace said he totally agrees as it was explained. Public safety should have its own public safety items once every six months. Councilmember Pace said he loves what these three are doing on the committee. He said he agrees with their brainstorming of ideas and that it has to come to us anyway. Meeting once a month is a lot because us as a Council can't even begin to dig into what they're digging into.

Mayor Napier said if it is not related to public safety, then the Police Chief shouldn't be in the meetings. He said he wants to be respectful to Staff and we want to set that group up with their ideas to be successful. We can call it anything we want and they can meet once a month or whatever and hash out these items, he said. Our Community Development Director and City Manager may be in there. Something different that can really create some momentum and is proactive. The problem with mixing it with public safety is you're taking the sting out of what we're trying to do with public safety.

Berry asked the City Attorney if we can have a committee that is just Councilmembers. City Attorney Land said if you want to make a standing committee that is just Council, you can make it permanent. If you want to make it a resolution, it can come and go.

Mayor Napier said if the three committee members want to have a meeting, just call a meeting, discuss ideas and work them through, and bring them forward.

Councilmember Fernandez said that is the only reason he brought it forward because he's looking for the umbrella to get under and do it. To have the Police Chief included, no; however, the Chief brought data to the last meeting that the committee didn't know about. We don't know what Staff is working on, he said. There are a lot of good ideas and training professionals. It's important to hear that stuff.

Councilmember Justen asked if we move forward on something like that, if it would make sense to have some element of rotation in that or consistency with two members but rotate in one of the other Councilmembers at some point. Keep a consistent chair but keep that idea of gathering going. After three months, two tag out for three months and so on.

Mayor Napier said that some would argue that one from each ward should be there. Historically, that has been an issue because there may not be focus from that ward. Something to consider, he said.

Councilmember Berry said if we continue to bring a summary to OCWS, the committee could take ideas at that time and take that type of direction. It would be a way to take feedback and other input.

Councilmember Fernandez said that's his vision – constant rolling dialogue between everyone. Everyone has a different idea that is interesting, he said. It's important to constantly update. Everyone has an historical perspective, and what's going on is positive for everyone.

Mayor Napier said he thinks it's exciting that you want to do this and represent us. He added that Schroeder captured a lot of it.

City Attorney Land suggested that the group come together with a structure and a name, along with key elements that could be embodied in that resolution.

Councilmember Eng-Sarne clarified that their charge is to separate it into two. One month public safety, then community development, then public safety.

Mayor Napier said public safety is really supposed to be meeting referral from the Council.

Given the conversation, Schroeder said this group will meet one more time, address this conversation and come back with a recommendation.

Mayor Napier agreed.

C. 2020 Fee Schedule Amended

Stark said a few changes need to be made to the fee schedule that was adopted back in August. Community Development Building Official Dennis Schilling realized that he hadn't included the solar inspection permits in the schedule. That section is fees that he is currently billing out when solar panels are installed on homes and buildings. They are currently in place but just need to get on the schedule. The new one, Stark said, is the community vacant property registration, adopted at the last meeting. Building Official Schilling has additional changes to the mechanical permits to make them look similar to plumbing permits. She said we can pull it from this meeting and come back in January will all.

Councilmember Vitelli agreed to pull it from the Consent Agenda. On solar panels, it's going to be a structural inspection but also an electrical permit, he said. Stark said the electrical permit is already in there. When the Building Official bills it out, both are in there.

Council agreed to pull Item F, 2020 Fee Schedule Amended, and bring it back in January.

Councilmember Pace asked how many lots the City has and said he was surprised at the cost of the fees.

Councilmember Fernandez requested that the pedestrian/bike plan to be added to the OCWS agenda. He said it's time that we look at our pedestrian/bike plan. He said we want to be sure we focus on connecting that stuff. He said it's time to look at that and have someone explain it. Also Harmon Park, there are a couple of access points where people are naturally crossing that are not safe, along with Garlough/Dodge Nature Center. We wanted a crosswalk because children cross there, he said.

Schroeder asked if Councilmember Fernandez is talking about mid-block crossings. Councilmember Fernandez said the teachers are actually taking them across from Garlough to Dodge Nature Center. He said there are a couple of really simple fixes that we can do to increase safety issues around that. He added that he hopes very soon that we can look at the whole thing and have a Council discussion.

Mayor Napier said the last time we had two ward representatives meet with Staff. They met and looked through their entire ward. It helps you understand how the plan was laid out and how everything links, he said.

Councilmember Fernandez said what Councilmembers can do is have a map of the city and show where the community can walk a certain area and know that it is two miles or loops.

Councilmember Eng-Sarne said when Council talked about the Oppidan property, walkability was mentioned.

Councilmember Fernandez said it would be nice for people to have that and think about the implementation of it.

Mayor Napier directed that it be added to an OCWS agenda. Schroeder said Staff will talk about it and go from there.

5. Adjourn

Motion was made by Councilmember Justen and seconded by Councilmember Eng-Sarne to adjourn the meeting at 5:44 p.m.

All members present voted aye. Motion carried.

David J. Napier
Mayor
City of West St. Paul