

**City of West St. Paul
City Council Meeting Minutes
June 26, 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 Wendy Berry, Julie Eastman, Lisa Eng-Sarne and John Justen

Virtual: City Manager Nate Burkett
Assistant City Manager Dan Nowicki

Absent: Councilmembers Pat Armon and Robyn Gulley

Others Present: Community Development Director Ben Boike
City Attorney Pam Whitmore
Police Lieutenant Matt Swenke
Finance Director Char Stark
Building Inspector I Jon Hunt
City Clerk Nicole Tillander

3. Pledge of Allegiance

4. Adopt the Agenda

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

Vote: 4 ayes / 0 nays. Motion carried.

5. OCWS Briefing

Council discussed the following items during the Open Council Work Session of June 26th:

- A. 2022 Annual Comprehensive Financial Report
- B. 2023 Legislative Session New Law Review – on published agenda but not discussed

6. Community Comments – In Person

- Kimetha KaeJae Johnson – thank you for coming to ROCC's Juneteenth event and special thank you to Oxendale's for the donations – upcoming event July 20th at Wentworth Library; July 23rd, August 1st ROCC Climbers events; self-care events in Saint Paul

- Emily Vergin, Ward 1 – Women of West St. Paul 5th annual pad drive – hope to raise \$10,000 for Neighbors Inc. to directly impact the local community – for more information go to: womenofwsp.com

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. Beyond the Yellow Ribbon – Ed Iago, business liaison officer for the Northern Dakota County Yellow Ribbon; organization strives to fill the gap for military veterans between the Veteran’s Administration and Social Services.

10. Consent Agenda

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

- A. List of Claims for June 26, 2023
- B. City Business Licensing
- C. City Rental Licensing
 - 1094 Waterloo Ave. (Apartment-Renewal)
 - 1064 Humboldt Ave. (Single Family-New)
 - 430 Mendota Rd. W (Apartment-Renewal)
 - 1015 Gorman Ave. (Single Family-Renewal)
 - 1064 Robert St. S (Single Family-Renewal)
 - 1088 Robert St. S (Single Family-Renewal)
 - 1266 & 1268 Kruse St. (Duplex-Renewal)
 - Total Amount – \$1,800.00
- D. Donations to the City
 - Various individuals donated \$165.00 for the K-9 program.
 - Schwab donated \$4,000 for the K-9 program.
- E. Change Order Marthaler Improvement Project 23-7
- F. Resolution Approving Special Legislation to Re-establish Redevelopment Tax Increment Financing Authority to the City for the former YMCA Property and Adjacent Parcels
- G. 2022 Annual Comprehensive Financial Report

Vote: 4 ayes / 0 nays. Motion carried.

11. Public Hearings

12. General Business

A. Rental License Hearing – Eagle Pointe Apartments (Monument Eagle Pointe LLC)

Community Development Director Ben Boike presented. Monument Eagle Pointe LLC has been operating properties without a license since taking ownership in September of 2021. Owners were properly notified of the hearing. These are five new rental license applications; staff recommends provisional approval of the licenses pursuant to the mitigation plan. City will present its evidence; licensee presents its evidence and council decision must be based on evidence presented at the hearing. Options include:

- (a) Approve the license;
- (b) Deny the license;
- (c) Approve a provisional license;
- (d) Approve the license with reasonable conditions; or
- (e) Continue the license application.

Mr. Boike advised that rental license applications were received initially in May of 2022. Citations have been issued and paid in the amount of \$4,000. Inspections are now completed, many units failed and had to be re-inspected. Work has been done without permits. Other concerns include police calls, fire code violations, code enforcement issues and the upcoming renewal date of July 2.

Doug Turner, Attorney at Law, Hanbery & Turner, P.A. representing Monument Eagle Pointe LLC spoke on behalf of the applicant. Property owners feel they are providing homes for people. Mr. Turner spoke about how police calls are reported, criminal activity, applicant screening, background checks on staff, secure entry and they feel most parts of mitigation plan are being completed. They ask that the \$1,200 fee not be assessed. Applicant fully intends to work with the city and asks that rental license applications be approved.

Kimetha (KaeJae) Johnson – former tenant of Eagle Pointe, moved in May 2019 and resided there when new ownership took over, shared many concerns over lack of notices, inability to reach ownership or maintenance workers, treatment of individual renters and overall condition of the buildings. Ms. Johnson asks that safety issues, infestations and health issues be addressed and physical copies of the leases be provided to renters.

James Johnson Jr (JJ), WSP Resident – “Renters for Renters” – supports Council approving a provisional license and working to protect renters.

Council discussed all points of the mitigation plan, tenant concerns, options and pushing to July 10th to allow for neighborhood meetings and clarity on timelines – convert 2022 licenses to 2023-24 applications; this hearing would be continued. Item as presented, provisional approval would be for these current applications for five days and then staff and applicant will work on the 2023-24 application, which will be on the agenda at a future meeting, possibly recommending provisional approval again and issues can be revisited at that time.

Motion was made by Councilmember Berry and seconded by Councilmember Justen to approve the provisional rental license applications for Eagle Pointe Apartments (Monument

Eagle Pointe LLC) as property owner (the “Owner”) of eight apartment buildings located at 1985 Christensen Avenue (12 units), 1987 Christensen Avenue (12 units), 2045 Christensen Avenue (68 Units), 1972 Oakdale Avenue (12 units), 1976 Oakdale Avenue (12 units), 1978 Oakdale Avenue (12 units), 1982 Oakdale Avenue (12 units) and 2044 Oakdale Avenue (76 units) as presented, including mitigation plan and fees as outlined.

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

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

Community Development Director Ben Boike presented; staff recommends approval of the final reading.

Mayor Napier stated he was opposed to increasing the sign limit from one sign total of six square feet or less to a total square footage limit of 10 square feet and opposed to allowing any signs on fences.

Motion was made by Councilmember Justen and seconded by Councilmember Berry to approve the final reading of an ordinance amending multiple sections of Chapters 150 and 153 of the West St. Paul City Code regarding regulations for signs and murals.

Vote: Justen – aye
Berry – aye
Eastman – aye
Eng-Sarne – aye
4 ayes
Motion carried.

13. Adjourn

Motion was made by Councilmember Berry and seconded by Councilmember Eastman to adjourn the meeting at 8:53 p.m.

Vote: 4 ayes / 0 nays. Motion carried.

Meeting adjourned.



David J. Napier
Mayor
City of West St. Paul