

City of North Saint Paul
January 4, 2022
Approved Regular City Council Meeting Minutes

I. CALL TO ORDER

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

II. THE PLEDGE OF ALLEGIANCE

All present recited the Pledge of Allegiance.

III. ROLL CALL

Present: Council Member Thorsen
Council Member Petersen
Council Member Cole
Council Member Wong
Mayor Furlong

Staff: City Manager John Stark, Electric Director Brian Frandle, Finance Director Daniel Winek, Police Chief Phil Baebenroth, City Engineer Morgan Dawley, City Attorney Soren Mattick, Deputy Clerk Jennie Kloos.

IV. ADOPT AGENDA

On motion by Council Member Petersen, seconded by Council Member Cole, with all present voting aye (5-0), motion carried to approve the agenda as submitted.

V. PRESENTATIONS

- A. The North St. Paul History Cruzers will present the North St. Paul Police Department, North St. Paul Fire Department, and North St. Paul Veterans Park Committee with a donation to support their work in the City.

Mayor Furlong welcomed a representative of the History Cruzers, who made the following donations on behalf of the North St. Paul History Cruze Car Show: \$1,000 to Veteran's Park; \$1,000 to the North St. Paul Fire Department, accepted by Fire Chief Jason Mallinger; and \$1,000 to the North St. Paul Police Department, accepted by Police Chief Phil Baebenroth.

Mayor Furlong expressed appreciation for the generosity of the Car Show's sponsors and organizers on behalf of the City Council and residents of North St. Paul.

- B. Allan Worm retirement recognition after 14 years of service on the North St. Paul Planning Commission.

Mayor Furlong presented a Certificate of Appreciation to retiring Planning Commissioner Allan Worm after 14 years of service to the City of North St. Paul. He thanked Mr. Worm for his hard work and efforts on the Planning Commission over the years, including as a founding member of the Solid Waste Commission.

Mr. Worm stated he hopes there will be people with business ties who want to serve on the Commission.

C. Brian Frandle recognition for serving as Interim City Manager

City Manager John Stark thanked Brian Frandle for his service as Interim City Manager since June 2021. He stated Mr. Frandle has been extremely welcoming and supportive, and helped to create as smooth transition. He added numerous City Staff have indicated that Mr. Frandle was instrumental to City operations during this time. He expressed his appreciation for Mr. Frandle's help and support.

Mayor Furlong read a Proclamation honoring Brian Frandle for his service as Interim City Manager beginning in June 2021.

Mr. Frandle thanked the City Council for their confidence in him, and for the support of City Staff throughout his time as Interim City Manager. He added Mr. Stark will do a great job moving forward with the assistance of the City's great staff.

VI. APPROVAL OF CONSENT AGENDA

Council Member Wong requested that Items G and H be removed from the Consent Agenda for additional review and discussion.

City Attorney Soren Mattick requested the addition of a new Consent Agenda Item to accept donations from the History Cruzers to the Fire and Police Departments.

On motion by Council Member Thorsen, seconded by Council Member Wong, with all present voting aye (5-0), motion carried to approve the consent agenda, Resolution No. 2022-001 consisting of:

- A. December 7, 2021 workshop meeting minutes
- B. December 7, 2021 regular meeting minutes
- C. December 16, 2021 special meeting minutes
- D. General Claims \$860,412.78
- E. HRA Claims \$29,842.99
- F. EDA Claims \$270.00
- G. City of North St. Paul Revised COVID-19 Operational Policy **Moved to City Business**
- H. Law Enforcement Phlebotomy Program Implementation Support Funding Recipient **Moved to City Business**
- I. Resolution for the previously approved Towards Zero Death (TZD) Grant Agreement
- J. Accept donations from the History Cruzers to the Fire and Police Departments

VII. MEETING OPEN TO PUBLIC

Mayor Furlong noted that public comments must be limited to 3 minutes. He added no City Council action or discussion will be taken on items that are addressed during the public comments.

John Schmahl stated he was picked to be on the citizen advisory panel for the Highway 120 project, and they met recently with government representatives. He noted there was discussion about different things people wanted to see along Highway 120, including sidewalks, bike lanes and a wheelchair lane.

Mr. Schmahl thanked Finance Director Daniel Winek for providing an Enterprise Fund information sheet at the last City Council workshop.

VIII. CITY BUSINESS ACTION ITEMS & RECOMMENDATIONS

A. City Council Appointments

Mr. Stark reviewed the following City Council appointments to serve as liaisons to various Commissions and Committees: Mayor Furlong to serve as City Council representative to the Economic Development Association and Chair of the Housing and Redevelopment Authority; Council Member Thorsen to serve as City Council representative to the Housing and Redevelopment Authority; Council Member Petersen to serve as City Council representative to the Housing and Redevelopment Authority, North St. Paul Business Association, League of Metro Cities, Ramsey County League of Local Governments, and Acting Mayor; Council Member Cole to serve as City Council representative to the Parks and Recreation Commission, Economic Development Association, Silver Lake Improvement Association, Housing and Redevelopment Authority, Ramsey-Washington Metro Watershed district Board, Silver Lake Improvement Association, and Valley Branch Watershed District Technical Advisory Committee; and Council Member Lisa Wong to serve as City Council representative to the Planning Commission, Arts & Culture Commission, and Housing and Redevelopment Authority.

On motion by Council Member Wong, seconded by Council Member Cole, with all Mayor Furlong and Councilmembers Cole, Petersen and Wong voting aye, and Councilmember Thorsen voting nay (4-1) motion carried to adopt Resolution No. 2022-002 approving City Council appointments to Commissions and Committees for 2022.

Discussion during the motion: Council Member Thorsen stated it has been his opinion that Council Members should rotate between Commission appointments which would be more beneficial for the Council Members. He noted he does not plan to support the Resolution.

B. 2022 Annual Resolutions

- Investment Committee
- Depository Bank for City Funds and Securities
- City Attorney Retainer
- Legal Newspaper for Publications
- Acting Mayor

On motion by Council Member Wong seconded by Council Member Thorsen, with all present voting aye (5-0), motion carried to adopt Resolution No. 2022-003 appointing investment committee for 2022.

On motion by Council Member Thorsen, seconded by Council Member Cole, with all present voting aye (5-0), motion carried to adopt Resolution No. 2022-004 designating official and supplemental deposits and depositories for investment purposes.

On motion by Council Member Wong, seconded by Council Member Petersen, with all present voting aye (5-0), motion carried to adopt Resolution No. 2022-005 retaining Campbell Knutson law firm as city attorney for 2022.

On motion by Council Member Wong, seconded by Council Member Cole, with all present voting aye (5-0), motion carried to adopt Resolution No. 2022-006 approving Minneapolis Star/Tribune as official newspaper for 2022.

On motion by Council Member Thorsen, seconded by Council Member Cole, with all present voting aye (5-0), motion carried to adopt Resolution No. 2022-007 appointing acting mayor for 2022.

C. North St. Paul Vacation Carryover

Mr. Stark reviewed a proposed policy for vacation carryover for City employees, which would temporarily pause the vacation accrual provision and allow employees to carry over their entire 2021 balance into 2022, as opposed to the maximum that is normally allowed. He stated many City Staff were unable to use accrued vacation which resulted in a surplus of vacation hours at the conclusion of 2021. He added employees with tenure of 15 years or less can accrue a maximum of 20 days, while employees with 15 years or longer can accrue 30 days. He noted the cap would be waived for 2022.

On motion by Council Member Wong, seconded by Council Member Petersen, with all present voting aye (5-0), motion carried to adopt Resolution No. 2022-008 approving pause on employee manual policy regarding vacation accrual.

D. Police Employee Excess Accrued Hour Bank Solution / ISD622 Contract Reimbursements

Mr. Stark reviewed the proposed waiving of suspense hours for the City's police officers, for whom the pandemic and a staffing crisis have resulted in overages of suspense hours. He added a complicated formula is used due to officers' irregular shifts, and typically the suspense hours even out over the year.

Police Chief Phil Baebenroth stated police officers have not been able to take normal time off due to the pandemic and staffing issues. He added this has resulted in an excess of suspense time. He noted it is proposed that the police officers be paid for the extra time they gave to the City while working on patrol.

On motion by Council Member Thorsen, seconded by Council Member Cole, with all present voting aye (5-0), motion carried to adopt Resolution No. 2022-009 approving pay out on police officer holiday and suspense hours remaining at the end of 2021.

Council Member Thorsen stated there was another Resolution under item D related to 622 contract reimbursement.

On motion by Council Member Thorsen, seconded by Council Member Petersen, with all present voting aye (5-0), motion carried to adopt Resolution No. 2022-010 authorizing a budget amendment to the police departments' 2022 budget.

E. City of North St. Paul Revised Covid-19 Policy

Council Member Wong stated she pulled this item from the Consent Agenda to get more information about changes that are proposed to be made to the City's COVID-19 policy, for members of the public who may be interested.

Mr. Winek stated the only change to the policy adopted on December 27, 2021, is the duration of the isolation period, which has been reduced to 5 days by the CDC. He added the policy takes into consideration vaccinated and unvaccinated status as well as the importance of a booster.

Council Member Wong expressed concern that the City does not have a masking policy in place, in light of recent developments and the fact that many staff that are out sick with COVID, causing staffing shortages. She stated she understands it is difficult to wear a mask all day. She added, however, there are currently 6,800 new cases daily in the metro area, and a peak is expected near the end of January. She requested consideration of using masks for a few weeks until the peak at the end of January.

Mr. Stark stated he has not met with department heads to discuss COVID provisions, but he believes this has been handled on a situational basis. He added, for instance, a mask policy is in place in the Public Works facility, where there was a recent COVID infection. He noted he is open to suggestions and input on what the masking policy would be, and he supports following CDC and Minnesota Department of Health guidelines, while being respectful of people's needs.

Mayor Furlong stated his business instituted a mandatory mask policy for the next two weeks due to COVID outbreaks. He added he would leave it up to the City Manager to determine what is best for City employees.

Council Member Thorsen stated he does not believe in mandates, and his position has not changed. He added medical decisions should be left up to the individual in consultation with their physician, and the City should not take a stance on personal medical issues. He noted he will not support a mask mandate but acknowledges that there are concerns about employees who are out sick with COVID.

Council Member Thorsen stated a mask mandate could have a negative impact as employees may feel that their rights are being violated, and they might not come to work or they might seek work elsewhere. He added it is a difficult decision that should be left up to the department heads and employees to figure out what works best for them. He noted a mandate is something he does not support at all.

Mr. Stark asked Mr. Mattick whether requiring employees to wear masks would be a decision of the City Manager but requiring masks in City facilities that are open to the public would be a decision of the City Council. Mr. Mattick confirmed this.

Mayor Furlong stated it is difficult to enforce a mask mandate when there is no guidance at the State level. He added a recommendation or policy could be put in place to encourage the use of masks for the next few weeks.

Council Member Wong stressed the importance of looking at COVID outbreaks from a preventative standpoint, rather than reactionary.

Mr. Stark stated he would take the City Council's comments under advisement and do some research with regard to timing. He requested that City Council Members forward any pertinent information to him as soon as possible. He added it would be helpful for City Staff to hear something from him on masks within the next few days.

Council Member Cole stated he is comfortable with the way the policy is currently written. He added he applauds the fact that the City Manager can make decisions moving forward, and he would fully support any decision Mr. Stark would make regarding masks if it were needed. He added he supports the policy as written but with flexibility for the City Manager to change it if necessary.

On motion by Council Member Thorsen, seconded by Council Member Cole, with all present voting aye (5-0), motion carried to adopt Resolution No. 2022-011 approving revised COVID 19 operational policy.

F. Law Enforcement Phlebotomy Program Implementation Recipient

Council Member Wong thanked Chief Baebenroth for his hard work and efforts on behalf of the Police Department, and for seeking funding for new programs. She added she is unclear about the policy under which this program would be implemented.

Chief Baebenroth stated the North St. Paul Police Department has been approved for implementation of a Law Enforcement Phlebotomy program through National Highway Traffic Safety funding. He added the funding of \$40,000 can be spent on any aspect of the program, including training and equipment. He noted an officer will be chosen to receive phlebotomist training, to be able to take and test blood samples with a warrant rather than sending a person to one of the local hospitals which are experiencing issues related to increasing COVID cases. He noted the program will reduce officer overtime, and a trained officer who can complete a blood draw will be a County-wide asset.

Council Member Wong asked what criteria is currently used by officers.

Chief Baebenroth stated police officers administer a breathalyzer test if they smell alcohol. He added a blood draw can be done if alcohol is not suspected but the driver is displaying suspicious conduct or has dilated pupils. He noted a search warrant is required.

Council Member Wong asked whether there could be some hesitation from the public when this program is in place. Chief Baebenroth stated this program is in the public's best interests as it will result in the removal of dangerous drivers from the City's streets.

Mr. Stark stated the process will not change. He added, under the current protocol, a person suspected of being under the influence would be transported to an offsite facility under warrant.

He noted the only change is where the phlebotomy occurs and who administers it. Chief Baebenroth agreed.

Council Member Wong expressed concern that members of the public may be hesitant about this process, due to what has happened over the last few years, and trust that needs to be built. She added this program may dissolve some of that trust.

Chief Baebenroth stated, while he appreciates Council Member Wong's concern, he disagrees that anyone would object to a process that removes an impaired person from driving on the City's streets. He added there is implied consent when a person obtains a driver's license. He noted this process is an option for gauging whether someone is under the influence, and many agencies already use this process.

Council Member Wong asked whether the \$40,000 is a one-time funding opportunity. Chief Baebenroth confirmed this, stating all funds must be spent by the end of September 2022, and he has a list of items to purchase, including a narcotics analyzer which can identify what type of drugs are found.

Council Member Petersen stated this provides another layer of protection, and she is an advocate of public safety, as is the rest of the City Council. She added she supports this proposed process which will be a good step.

Council Member Thorsen stated this seems like a no brainer to him, as it will free up officers who would otherwise be absent from the streets while delivering the person to a hospital. He added he understands Council Member Wong's concerns about the public's perception of what is going to happen, but it makes sense to do this, and he is thankful for the grant opportunity to implement the policy.

On motion by Council Member Thorsen, seconded by Council Member Cole, with Mayor Furlong and Council Members Cole, Petersen and Thorsen voting aye, Council Member Wong voting nay (4-1), motion carried to adopt Resolution No. 2022-012 authorizing law enforcement phlebotomy program implementation support.

IX. REPORTS OF CITY MANAGER AND DEPARTMENTS

-None.

X. REPORTS OF COUNCIL, COMMISSIONS & COMMITTEES

Council Member Cole stated the Parks & Recreation Commission met in December 2021 to review the Park Improvements Plan, to ensure that it complies with City guidelines. He added the Commission will review the Plan again before presenting it to the Planning Commission at their January 7, 2022 meeting, with final presentation by WSB to the City Council in February 2022. He noted the Commissioners are excited to get things going back in the parks, and ensure that long term plans align with the City's strategies moving forward.

Council Member Cole stated the Economic Development Authority is scheduled to meet on January 11, 2022 at 3:00 p.m. in the Sandburg Room.

Council Member Wong stated Planning Commissioner Allan Worm, who was recognized at tonight's meeting, has retired from the Planning Commission. She thanked him for his time on the Commission.

Council Member Wong stated the Planning Commission is scheduled to meet on January 7, 2022, which will include a review of proposed outdoor seating in the downtown area.

Council Member Wong stated the Arts & Culture Commission is scheduled to meet on January 19, 2022 to review and finalize their by-laws.

Council Member Petersen stated construction of the 19th Avenue Student Build house is going well despite the cold weather. She added they are a very ambitious group, and they are making strides.

Council Member Petersen stated the North St. Paul Business Association luncheon is scheduled for January 11, 2022 at noon at the American Legion.

Council Member Thorsen stated he was unable to attend the Redevelopment Master Plan Review Committee meeting in December 2021. Council Member Wong stated she attended the meeting, at which the parameters and direction of the Redevelopment Master Plan were discussed. She added the discussion included consideration for inclusion of the business community in the process.

Council Member Thorsen stated the Redevelopment Master Plan Review Committee is scheduled to meet on January 31, 2022 at 6:30 p.m. in City Hall.

Mayor Furlong requested an update on the Highway 36 meeting from City Engineer Morgan Dawley. He added many local officials attended, as well as himself, Mr. Dawley and Council Member Petersen. He noted there was a lengthy discussion regarding federal funding.

City Engineer Morgan Dawley stated the Highway 37 technical advisory committee is made up of local City engineers, MnDOT engineers and MnDOT consultants, and a citizen's advisory group. A large section of the roadway is being studied as the first step in evaluating environmental and economic impacts as well as implementation of improvements to transportation, stormwater, and multi-modal use, which will ultimately be a revised version of Highway 120. Areas of particular focus include the intersection and the 120/36 interchange.

Mr. Dawley stated there was a strong show of unity at the meeting, as representatives from multiple cities, counties, elected officials all support moving forward and continuing the momentum by working collaboratively and pursuing funding opportunities. There will be a focus on getting the public informed about needs along the corridor, and MnDOT will communicate the plan details back to all the cities and counties.

Mayor Furlong stated it was a good meeting, and everyone is supportive of moving forward, including mayors, County Commissioners, State legislators and State senators.

XI. GENERAL BUSINESS

Council Member Cole wished everyone a Happy New Year. He welcomed new City Manager John Stark. He thanked Lisa Ritchie for her support and dedication to all the City's Commissions, including the Parks & Recreation Commission, over the past 6 months. He stated a new staff Liaison for the Parks & Recreation Commission will be joining City Staff effective Monday January 10, 2022.

Council Member Wong stated, with regard to the Community Center, the lease agreement is still being finalized and should be completed soon. She wished everyone a Happy New Year and welcomed new City Manager John Stark.

Council Member Petersen gave a shout out to Rachel Thompson, who singlehandedly coordinated Project Christmas Tree. She added the program was a big success and provided Christmas happiness to 24 families.

Council Member Thorsen wished everyone a Happy New Year. He thanked Brian Frandle for filling in as Interim City Manager in 2021. He requested City Council consideration of sewer improvements in his neighborhood, as there was a recent water main break that affected two homes on Christmas morning. He stated this is the 6th water main break for one of the residents, and City Staff has been in contact with her. He added he supports a City Council review of the Capital Improvement Plan to consider funding a full reconstruction of sewer in this area, which was supposed to happen in 2020 but was delayed due to the downtown project. He noted he understands there are already projects for 2022 and this would be a large financial undertaking. He stressed the importance of focusing on that area again, and encouraged City Council consideration of preventative maintenance measures in the future.

Mayor Furlong stated he received a thank you note from Mark Casey who assisted the City in the City Manager search.

Mayor Furlong welcomed new City Manager John Stark, adding he looks forward to working together in 2022.

Mr. Stark stated he can safely promise that 2022 will be a better year for North St. Paul City Staff.

Mayor Furlong requested that the City Council choose a date to schedule a retreat with the new City Manager, to include an hour with the City Attorney.

There was a consensus of the City Council to hold a retreat on January 27, 2022 at 4:30 p.m. at City Hall.

Mayor Furlong wish everyone a Happy New Year. He added he looks forward to 2022.

XII. ADJOURNMENT

There being no further business, on motion by Council Member Petersen, Seconded by Council Member Cole, with all present voting aye (5-0), Mayor Furlong adjourned the meeting at 7:56 p.m.

/s/ Terrence J. Furlong, Mayor

Attest:

/s/ John Stark, City Manager / Clerk