

City of North Saint Paul
July 2, 2019
Adopted Regular City Council Meeting Minutes

I. CALL TO ORDER

Mayor Furlong called the meeting to order at 6:31 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 Walczak
Council Member Sonnek
Mayor Furlong

Staff: City Manager Scott Duddeck, City Planner Erin Perdu, Administrative and Community Services Director Debra Gustafson, City Attorney Sorren Mattick, Interim Finance Director Jason Zimmerman, Deputy Clerk Mary Mills.

IV. ADOPT AGENDA

Mayor Furlong requested the following agenda amendment:

-City Business Item H. Ordinance #786 Amending Municipal Fees Schedule to Change
Massage Licensing Fees

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

V. PRESENTATIONS

There were no presentations.

VI. APPROVAL OF CONSENT AGENDA

On motion by Council Member Sonnek, seconded by Council Member Walczak, with all present voting aye (5-0), motion carried to approve the consent agenda, Resolution No. 2019-082 consisting of:

- A. June 11, 2019 workshop retreat minutes
- B. June 18, 2019 workshop meeting minutes
- C. June 18, 2019 regular meeting minutes
- D. June 18, 2019 HRA minutes

- E. General accounts payable: \$199,051.49
- F. Memorandum of Agreement with Teamsters, Local No. 320 to have the full-time Utility Locator position covered by the 2019-2021 Collective Bargaining Agreement
- G. Authorization to support National Prescription Opiate Litigation. Resolution No. 2019-083.

VII. MEETING OPEN TO PUBLIC

John Schmahl stated he has reviewed the Capital Improvement Plan document and there are many errors in it. He added he has contacted the City Engineer about these errors, including improvements to the lift stations in 2018, 2020, and 2022, which have already been completed. He requested that City documents be updated regularly.

Mr. Duddeck agreed to review this issue with City Staff.

Kathy Anderson, 2227 Eldridge Avenue, stated she opposes opening the alley right of way at 0 Burke Avenue. She added it will create an area for people to cut through her property. She noted she is concerned about the amount of water on her property once the neighboring property is developed.

VIII. PUBLIC HEARINGS

There were no scheduled hearings.

IX. CITY BUSINESS ACTION ITEMS & RECOMMENDATIONS

A. MnDOT and North St. Paul Cooperative Landscaping Application Phase II

Administrative and Community Services Director Debra Gustafson reviewed an application for funding of \$10,000 for Phase II of a landscape cooperative between the City of North St. Paul and Minnesota Department of Transportation (MnDOT). She added this reimbursement program would provide an additional \$10,000 in MnDOT funding in addition to the \$10,000 funding already approved.

Todd Carroll, Senior Landscape Architect for MnDOT, gave a brief overview of the landscaping cooperative. He added planters have become overrun with weeds, and sedum mats have been used in other communities to successfully control their growth. He noted the City would be reimbursed for both phases at the same time.

Council Member Walczak stated additional types of plants had been discussed to line the planters so they are appealing from the freeway. Mr. Carroll stated the intent is to use low-maintenance plantings as it is difficult for City Staff to access and maintain the planters.

On motion by Council Member Walczak, seconded by Council Member Sonnek, with all present voting aye (5-0), motion carried to adopt Resolution No. 2019-084 approving MnDOT and North St. Paul Cooperative Landscaping Application Phase II.

B. Window World Commercial Planned Unit Development (PUD) that incorporates both the former Ace Hardware site (2220 Castle Avenue E) and the former EZ Riding site (2295 McKnight Road N)

City Planner Erin Perdu reviewed a request for Planned Unit Development for two sites to be developed for commercial use by the applicant, Window World: the former EZ Riding site and former Ace Hardware site. She added approvals have already been secured and are still in place for the EZ Riding site, and City Staff recommends linking the two sites in a PUD development. She noted parking requirement of 21 spaces meets minimum requirements, and a 7-space variance was obtained for the combined sites.

Ms. Perdu stated a few areas are proposed for additional landscaping, which brings the total open space in Phase 1 to approximately 20%. She added combined open space on both sites would be approximately about 11% and the requirement is 5%. She noted City Staff can work with the applicant to gain more parking, and they are compliant with landscaping standards.

Ms. Perdu stated the applicant has requested additional signage in excess of what is allowed in the Ordinance. The proposed pylon sign would require an additional 10 feet in height as the freeway is elevated at that location. She noted signage on the building will be reduced as the proposal was 28 square feet over what is allowed.

Ms. Perdu stated City Staff and the Planning Commission recommend the conditional approval of a PUD with conditions listed in the staff report.

Council Member Walczak asked whether the signage raised 10 feet will interfere with sightlines. Ms. Perdu stated the additional 10 feet will raise the sign to the same height as the Target sign, which has not produced any problems or issues.

The applicant stated it will be helpful to have the freeway sign a little higher to increase visibility for their business but would also be beneficial for other businesses as it will not cover up their existing signs.

On motion by Council Member Sonnek, seconded by Council Member Thorsen, with all present voting aye (5-0), motion carried to adopt Resolution No. 2019-085 to approve Window World Commercial Planned Unit Development (PUD) that incorporates both the former Ace Hardware Site (2220 Castle Avenue E) and the former EZ Riding Site (2295 McKnight Road N).

C. 0 Burke Avenue Right of Way Vacation

Ms. Perdu reviewed a request for vacation of the right of way in the southern portion of the alley behind 0 Burke Avenue. She added the applicant owns 0 Burke Avenue and 2120 5th Avenue N. and has applied for a Planned United Development (PUD) for an apartment building. She noted the right of way is needed to provide additional space around the building for emergency vehicles.

Ms. Perdu stated several resident comments were received at the Planning Commission at which this PUD was discussed. She added comments related to drainage and flooding if there is an additional development, issues which will be reviewed by City Staff when the site plan is reviewed. She noted City Staff and the Planning Commission recommend approval of the request, with the condition that a drainage and utility easement be placed over the vacated area.

Ms. Perdu stated there will be a public hearing scheduled in connection with the site plan and neighbors will be notified.

Mr. Duddeck recommend that the City Council consider addressing right-of-way vacation for the north section of the alley to create access to McKnight Road, which would facilitate possible vacation and improvements for the adjoining properties to the north.

Council Member Walczak asked whether the property is currently wetland. Ms. Perdu stated the parcel to the east is almost entirely wetland.

Mr. Duddeck stated the wetland to the east is private property and is not associated with the right-of-way vacation request.

Council Member Sonnek stated neighborhood residents expressed their concern about potential development. He added the issue at hand is vacation of the alley right of way, and not development of the adjacent parcel. He noted it is a privately-owned property, zoned for residential use.

On motion by Council Member Sonnek, seconded by Council Member Thorsen, with Council Members Sonnek, Thorsen, Walczak and Mayor Furlong voting aye, Council Member Petersen voting nay (4-1), motion carried to adopt Resolution No. 2019-086 to approve 0 Burke Right of Way Vacation.

D. 2335 6th Street N. Subdivision

Ms. Perdu reviewed a minor subdivision at 2135 6th Street for the creation of three lots out of a single parcel. He added a single-family home will remain on one of the newly created lots, and 2 additional lots will be made available for residential development. He noted the proposed lots meet residential zoning guidance, and utilities are available in existing right of way.

Ms. Perdu stated the Planning Commission recommended conditional approval of this request, including conditions for payment of park dedication fees for the 2 additional lots; permanent drainage and utility easement recorded around the lot perimeters; and a special condition that Lot 1 be served from utilities in Castle Avenue and unused water and sewer be abandoned.

On motion by Council Member Sonnek, seconded by Council Member Thorsen, with all present voting aye (5-0), motion carried to adopt Resolution No. 2019-087 to approve 2335 6th Street N Subdivision.

E. Authorize Purchase of Trash and Recycling Containers

Mr. Duddeck stated City Staff is requesting City Council authorization of the purchase of trash and recycling containers for all single-family residences in North St. Paul. He added trash hauler contract negotiations will begin in August 2019. He noted the purchase of containers that would be owned by the city will help with negotiating hauler contracts in the future.

Mr. Duddeck stated the containers would be purchased with the Solid Waste Fund, with funding assistance from a Ramsey County grant program. He added the containers would be ordered as soon as possible for delivery by the end of August 2019 in anticipation of a new contract.

On motion by Council Member Walczak, seconded by Council Member Petersen, with all present voting aye (5-0), motion carried to authorize purchase of trash and recycling containers.

Mr. Duddeck stated information about the new garbage containers will be provided for residents.

F. Authorization for Cable Equipment Upgrades in Council Chambers and Sandberg Meeting Room

Mr. Duddeck reviewed a request by City Staff for City Council to authorize acquisition of upgraded television equipment. He added television cameras and other equipment would be brought up to high definition digital standards using funds up to \$90,000 available through the Cable Commission. He noted the equipment replacement proposal has been reviewed by other local cable commissions.

Council Member Sonnek asked whether the City received bids for the equipment purchase. Mr. Duddeck stated bids were received through the Commission's contract with the University of Minnesota. He added this will ensure that North St Paul's technology is consistent with surrounding communities.

Council Member Thorsen stated he supports moving forward with improving technology in the Council Chambers and the Sandberg Room so more City meetings can be televised and made available to the general public.

On motion by Council Member Thorsen, seconded by Council Member Sonnek, with all present voting aye (5-0), motion carried to authorize cable equipment upgrades in Council Chambers and Sandberg Meeting Room.

G. Proposed Tax Increment Financing Districts

- 1) Resolution calling for a public hearing on the proposed establishment of Tax Increment Financing District No. 4-8 within Development District No. 4. Public hearing would be scheduled for July 30.
- 2) Resolution calling for a public hearing on the proposed establishment of Tax Increment Financing District No. 4-10 within Development District No. 4. Public hearing would be scheduled for July 30.

- 3) Resolution amending Resolution No. 2019-033 regarding the terms of an interfund loan in connection with proposed Tax Increment Financing District No. 4-10
- 4) Resolution calling for a public hearing on the proposed establishment of Tax Increment Financing District No. 4-11 within Development District No. 4. Public hearing would be scheduled for July 30.
- 5) Resolution approving the terms of an interfund loan in connection with proposed Tax Increment Financing District No. 4-11.

Michaela Hewitt, Consultant with Baker Tilly, reviewed five Resolutions proposed for adoption by the City Council related to Tax Increment Financing (TIF) Districts. She stated the City of North St Paul is not obligated to use the funds, but the Resolutions give authority to the State to advance the funds to the City. She added the first three resolutions call for public hearings on July 30, 2019 for TIF Districts 4-8 (North St. Paul Apartments); 4-10 (Trident Housing Development); and 4-11 (Anchor Block North commercial development). She noted 2 additional resolutions adopt interfund loans for TIF Districts 4-10 and 4-11.

City Attorney Sorren Mattick stated the City Council may adopt all five Resolutions in one motion.

On motion by Council Member Sonnek, seconded by Council Member Thorsen, with all present voting aye (5-0), motion carried to approve:

-Resolution No. 2019-088 calling for a public hearing on the proposed establishment of Tax Increment Financing District No. 4-8 within Development District No. 4. Public hearing would be scheduled for July 30;

-Resolution No. 2019-089 calling for a public hearing on the proposed establishment of Tax Increment Financing District No. 4-10 within Development District No. 4. Public hearing would be scheduled for July 30;

-Resolution No. 2019-090 amending Resolution No. 2019-033 regarding the terms of an interfund loan in connection with proposed Tax Increment Financing District No. 4-10;

-Resolution No. 2019-091 calling for a public hearing on the proposed establishment of Tax Increment Financing District No. 4-11 within Development District No. 4. Public hearing would be scheduled for July 30;

-Resolution No. 2019-092 approving the terms of an interfund loan in connection with proposed Tax Increment Financing District No. 4-11.

H. Ordinance #786 Amending Municipal Fees Schedule to Change Massage Licensing Fees

Mr. Duddeck reviewed an amendment to the City's fee schedule for massage therapy businesses. He added the fee is currently at \$2,000 which is prohibitive. He noted City Staff recommends the adjustment to \$150 license fee and \$150 investigation fee, and \$40 license fee and \$50 investigation fee for an additional practitioner.

On motion by Council Member Thorsen, seconded by Council Member Sonnek, with all present voting aye (5-0), motion carried to adopt Ordinance #786 revising Municipal Fees Schedule to amend Massage Licensing Fees.

Council Member Walczak asked whether the investigation is different for an additional practitioner. Mr. Duddeck confirmed this.

Mayor Furlong requested clarification regarding the nature of massage therapy business. He added there has been some discussion among residents about massage therapy.

Mr. Duddeck stated the applicant in this case is a well-established practitioner with State and local licensing and certification. He added the applicant has massage therapy businesses in two adjoining cities, and the business is well-regulated like any other professional business.

X. REPORTS OF CITY MANAGER AND DEPARTMENTS

Mr. Duddeck stated many development projects continue in North St. Paul. He added the Building Department noted \$3.5 million in building permit value in June 2019.

Mr. Duddeck stated City Staff will get information regarding the new trash and recycling carts that will be distributed. He added the trash hauler contract proposal will be reviewed by the City Council at their July 16, 2019 meeting.

Mr. Duddeck stated City Staff will work with Excel Energy to ensure that restoration work is completed on multiple sites.

Mr. Duddeck stated a proposed development project at 17th Avenue and Delaware Street will be moving forward, with plans to be presented to the Planning Commission in July 2019.

Mr. Duddeck stated the July 12, 2019 Car Show will feature Chip Foose along with his corporate sponsor, 3M. He added a large crowd is expected and the Community Center will be a back-up location in case of rain.

Mr. Duddeck stated City Staff received a letter from the Metropolitan Council accepting the Comprehensive Plan for the final review process, beginning September 3, 2019. He added the Plan will be reviewed by the City Council in October 2019.

Council Member Thorsen asked whether the Comprehensive Plan will need to be updated to include new commercial and retail construction projects. Mr. Duddeck stated the Comprehensive Plan is a work in progress and its current version does not have detail and depth.

Council Member Thorsen stated cities are required to produce a 30-year plan every 10 years, at great cost to the City and efforts from City Staff and consultants. He added it is not unusual for the contents of the Plan to change during the production process.

Council Member Sonnek agreed it is a time-consuming and expensive process, and perhaps the State can take that into consideration going forward. He added the City is not bound by what goes into the Plan, which is more of a guiding document.

Mr. Duddeck stated an Open House is scheduled for July 11, 2019 from 4:00-7:00 p.m. at the student-built house.

Mr. Duddeck stated Finance Director Jason Zimmerman is beginning the 2020 Budget Process. He added a Budget meeting is scheduled for July 10, 2019.

Mr. Duddeck stated he attended the League of Minnesota Cities conference in Duluth with Mayor Furlong and Council Members Petersen and Walczak.

XI. REPORTS OF COUNCIL, COMMISSIONS & COMMITTEES

Council Member Sonnek stated the Planning Commission's July 4, 2019 meeting has been rescheduled to July 11, 2019. He added they will also meet as scheduled on July 18, 2019.

Council Member Petersen stated the Polar Explorers session, "Science and Slides", is scheduled for July 9, 2019 from 10:00 a.m. – 12:00 p.m. at Hause Park.

Council Member Petersen stated Summer Splash will be held July 21, 2019 from 1:00-5:00 p.m. at Silver Lake.

Council Member Petersen stated Hause Park Food Truck Night will be held July 24, 2019 from 6:00-8:00 p.m. She added the Parks and Recreation Commission will have their meeting that night at the park from 6:00-6:30 p.m. and will be open to the public. She noted live music will be provided by "Any Day Now" from 6:30-8:30 p.m.

Council Member Petersen stated the next concert in the "Music in the Parks" series will be held July 24, 2019 at Casey Lake, featuring "The Empty Pockets".

Council Member Thorsen stated the Ramsey/Washington Cable Commission meeting is scheduled for July 11, 2019. He added the Economic Development Authority is scheduled to meet July 9, 2019. He noted the North St. Paul Business Association meeting is postponed to August due to the 4th of July holiday.

Mayor Furlong stated he attended the League of Minnesota Cities Conference in Duluth. He added Council Member Petersen was elected to League of Minnesota Cities' Board of Directors for a 3-year term. He congratulated her on this honor. He added her position on the League Board will hopefully provide benefit and support for the City.

Council Member Petersen stated she was selected after a lengthy interview process. She added she is looking forward to serving on the League Board of Directors.

XII. GENERAL BUSINESS

Council Member Petersen urged residents to be cautious when using fireworks.

Council Member Thorsen stated he attended the Parks and Recreation Commission meeting on Wednesday June 26, 2019 at Casey Park. He added the Commissioners discussed improvements and new playground equipment at Colby Hills Park, and noted that the fence is in disrepair and will not be replaced. He requested that City Staff look into this issue.

Council Member Thorsen stated a resident requested consideration of a crosswalk at 11th Avenue N and Ariel Street E due to heavy pedestrian use at that intersection.

Mayor Furlong wished everyone a happy 4th of July. He stated Gerri Fisher purchased flags for display at Veterans Park, where there is also a new kiosk.

XIII. CLOSED SESSION

There was no closed session.

XIV. ADJOURNMENT

There being no further business, on motion by Council Member Sonnek, Seconded by Council Member Walczak, with all present voting aye (5-0), Mayor Furlong adjourned the meeting at 7:51 p.m.

/s/ Terrence J. Furlong, Mayor

Attest: /s/ Scott A. Duddeck, City Manager