

City of North Saint Paul
March 17, 2020
Adopted Regular City Council Meeting Minutes

I. CALL TO ORDER

Mayor Furlong called the meeting to order at 6:36 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 Engineer Morgan Dawley, City Planner Erin Perdu, Finance Director Jason Zimmerman, City Attorney Soren Mattick, Deputy Clerk Mary Mills.

IV. ADOPT AGENDA

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

V. PRESENTATIONS

There were no presentations.

VI. APPROVAL OF CONSENT AGENDA

On motion by Council Member Walczak, seconded by Council Member Sonnek, with all present voting aye (5-0), motion carried to approve the consent agenda, Resolution No. 2020-036 consisting of:

- A. March 3, 2020 regular meeting minutes.
- B. General accounts payable: \$936,691.26.
- C. HRA accounts payable: \$384.94.
- D. Special Event Permit for Chase Away the Snowman 5K. Resolution No. 2020-037.
- E. Application for a City (local) Charitable Gambling Permit for an event to be conducted by North Metro Flex Academy, 2350 Helen St, on Friday, May 15, 2020. Resolution No. 2020-038.
- F. Continuation of funding for services provided by Youth Service Bureau (YSB). Resolution No. 2020-039.

VII. MEETING OPEN TO PUBLIC

John Schmahl stated he has contacted City Staff to request a smaller recycling container, as he does not have enough recycling to fill the 60-gallon container and does not wish to store a large container. He added he has requested a smaller container from the City but has not received a container. He noted he recently saw a small, 35-gallon recycling container from Tennis Sanitation at a friend's house in Falcon Heights.

Mr. Schmahl stated the City of Maplewood contracts with Tennis Sanitation for their recycling, and they offer containers in three sizes for the same price. He added he hopes the City of North St. Paul will offer a smaller 35-gallon recycling container for residents that want to continue to recycle but do not want a large container.

Mr. Duddeck stated City Staff made the decision to continue to provide 65-gallon recycling containers based on average utilization and weekly collection. He added the majority of residents have expressed a need for bigger recycling containers. He noted the City has 35-gallon trash containers that would need a different lid, and they can be purchased, and the smaller container provided to Mr. Schmahl.

VIII. PUBLIC HEARINGS

There were no scheduled hearings.

IX. CITY BUSINESS ACTION ITEMS & RECOMMENDATIONS

Added business item by Mayor Furlong:

Proclamation Declaring Local Peacetime Emergency

Mayor Furlong read a Proclamation declaring a local peacetime emergency due to the COVID-19 health pandemic. He added the Proclamation invokes the City's disaster plan and authorizes appropriate community containment and mitigation strategies.

City Attorney Soren Mattick stated, under State Statute Chapter 12, the Mayor can unilaterally declare a local emergency with a 3-day time limitation. He added the second declaration to be made at tonight's meeting will allow extension of the local emergency.

Mr. Mattick stated many local communities are taking these measures in response to similar actions taken at the federal and state level. He added the proclamation will allow the City Council to give direction to City Staff in matters related to funding and expenditures, as well as policy or procedure decisions, that will allow the City to move forward. He noted the emergency extension will be open-ended and can be rescinded.

Mayor Furlong read a Resolution in full declaring a local peacetime emergency due to the COVID-19 health pandemic that will last for more than 3 days. The City Council declares that

the local emergency will continue until federal or state action is taken to declare an end to the emergency or by subsequent City Council determination.

On motion by Council Member Walczak, seconded by Council Member Sonnek, with all present voting aye (5-0), motion carried to adopt Resolution No. 2020-040 accepting a Proclamation declaring a local peacetime emergency due to the COVID-19 health pandemic extending said emergency until federal or state action is taken to declare an end to the emergency or by subsequent City Council determination.

Mr. Duddeck stated these actions are being taken to ensure that the City of North St. Paul will be prepared to protect its residents.

Mayor Furlong urged residents to stay calm in this time of uncertainty. He added City Hall will be closed to the public, but City Staff will continue to provide day-to-day City services, including building inspections, in a different format.

Council Member Thorsen requested clarification regarding the timeline for the emergency Proclamation.

Mayor Furlong stated there will be a rolling time frame rather than a set timeline. He added normal City operations will continue, though City Hall and other facilities will be closed to the public. He added City parks will remain open, although park shelters will be closed, and current park shelter rentals cancelled, and deposits refunded. He noted summer park shelter rentals are not being cancelled at this time.

Mr. Duddeck stated City Staff will practice social distancing within the workplace to reduce risk of exposure, and public safety and first responders will adjust response methods. All City and Commission meetings will be held via phone or videoconference, and if necessary, postponed or cancelled. The City website will be updated daily, and links have been added to websites for CDC and the Minnesota Department of Health, as well as emergency declarations from the Governor's office. He noted the goal is to maintain normal City operations as much as possible, while ensuring the safety, health and well-being of City Staff and the entire community.

A. Resolution Amendment for TIF 4-8

Mr. Duddeck reviewed a request to increase an internal loan from the City's General Fund for development of the former City Hall site in TIF District 4-8. He stated, in February 2019, the City Council approved an internal loan reimbursement which was set at \$100,000. He added City Staff is requesting that this amount be increased to \$500,000, to be paid back with TIF funds with interest when the project is completed. He noted this action will ensure that the City has the ability to recoup funds upon completion of the project.

On motion by Council Member Sonnek seconded by Council Member Thorsen, with all present voting aye (5-0), motion carried to adopt Resolution No. 2020-041 approving terms of up to \$500,000 interfund loan in connection with Tax Increment Financing District 4-8.

B. 2020 S&U 7th Avenue – Receive Bids and Award Contract 2020 Street and Utility Project (City Project No. S.A.D. 20-01; S.A.P. 151-250-003 / 151-263-005 / 151-247-008) – Receive Bids and Award Contract

City Engineer Morgan Dawley reviewed the 2020 Street and Utility Improvement Project for 7th Avenue between 1st and 3rd Streets; a portion of 1st Street south of 7th Avenue; a portion of 2nd Street north of 7th Avenue; and maintenance overlay on a portion of 4th Avenue. The project will cover necessary infrastructure improvements including underground utilities, street lighting and center medians, as well as drainage and flooding improvements on a City-owned lot at 7th Avenue and 1st Street. The low bidder was T.A. Schifsky & Sons, Inc., a local contractor, and only two bids were received. City Staff recommends that the City Council award the contract to T.A. Schifsky & Sons, Inc. for \$4.256 million.

Mr. Duddeck stated this project was the first time that the City's new electronic bidding format was used, and it worked very well. He added the new format will allow bidders to submit bids right down to the final minutes of the bidding period.

On motion by Council Member Petersen, seconded by Council Member Thorsen, with all present voting aye (5-0), motion carried to adopt Resolution No. 2020-042 accepting bids and awarding construction contract for the 2020 Street and Utility Improvement Project.

C. Anchor View Apartments Variance and Site Plan Review

City Planner Erin Perdu reviewed a site plan and variance review for a multi-family residential development in the Anchor Block North redevelopment area, located on a 4-acre parcel between McKnight Road and 3rd Street North with frontage along the Gateway Trail. The parcel is located in the Corridor Mixed Use District, surrounded by commercial and industrial properties, and the Gateway Townhomes across Gateway Trail to the south. The proposed site plan is a combination of 126 units on 4 stories in a mix of market rate and affordable units, with a mix of study, 1 and 2-bedroom units. Two detached garage structures with a total of 27 parking stalls are planned, as well as indoor parking at either end of the building, and additional surface parking.

Ms. Perdu stated the first variance request, related to the principle structure, is for a front yard setback from 3rd Street N of 22.2 feet where 25 feet is required. She added this variance is necessary as the Zoning Ordinance requires that the street frontage with the shortest dimension is to be considered the front yard, which in this case is 3rd Street N. She noted the proposed building would encroach into the drainage and utility easement if it were to be shifted to meet the setback requirement. The building's front elevation is oriented toward Anchor Drive.

Ms. Perdu stated the development's proposed density of 32 units per acre is less than that which is prescribed in the Comprehensive Plan and matches the overall intent of the Mixed-Use District, with a recommended 30% residential development.

Ms. Perdu stated the second variance request relates to the proposed development's detached garages structures. The Zoning Ordinance related to accessory structures was written for single family neighborhoods and limits the size of accessory structures. In this case, both structures exceed the allowable size, and one structure infringes on the corner side yard setback requirement on McKnight Road. She noted the triangular shape of the property makes it difficult to meet frontage requirements on all 3 sides.

Ms. Perdu stated, in terms of open space, a tot lot or small playground at one end of the building. She added open space requirements on the site are met. She noted stormwater management areas on the site cannot be calculated in open space requirements.

Mayor Furlong asked whether there will be a connection to the Gateway Trail from the development. Ms. Perdu stated there is no direct connection, but the trail can be accessed via the sidewalk along 3rd Street N.

Ms. Perdu stated, regarding the landscaping plan, the requirement of 126 trees is based on occupancy and raises concerns about overcrowding of trees on the property. A condition has been added, like the landscape plan for the self-storage facility, that the developer and landscape architect will work with City Staff to determine the appropriate number of trees for the site.

Mr. Duddeck stated the City will work with the applicant to review the possible removal of the fence along the Gateway Trail and potential landscaping to replace it.

Ms. Perdu stated the City Staff and the Planning Commission recommend City Council approval of the variance request and conditional approval of the site plan. The applicant has indicated that they will comply with all conditions and have modified the plans accordingly. The location of the elevators in the center of the building has been changed to include elevators at the end of the building.

Council Member Walczak stated there was discussion about having indoor bicycle parking. She asked whether that would take up garage space. Ms. Perdu stated indoor bike storage will be accommodated and will not affect the amount of available indoor car parking spaces. She added the Ordinance requires a certain amount of bike storage within a certain distance of the building's entrance but does not specify whether the storage must be indoor or outdoor.

Mr. Duddeck stated the developer, Mr. Fink, submitted a letter to the City Council but was unable to attend the meeting.

Mayor Furlong requested clarification regarding the difference between market rates and affordable rates. Ms. Perdu stated this will not be a subsidized housing product, but the developer is establishing income limits for 20% of the units. She added a resident's income will determine whether they qualify for the affordable units, which is a certain percentage of the Area Median Income (AMI).

Council Member Sonnek stated this issue was discussed at length at the Planning Commission meeting, as developers are required by the TIF District that 20% of the total number of units will be affordable to residents who qualify. He added this is not Section 8 housing. He noted this process will be managed by the developer's onsite management company.

Council Member Thorsen asked whether residents who originally qualified for an affordable unit would be able to stay in their apartment when their income goes up. Mr. Duddeck stated certification reviews are completed by the management company, and residents must qualify by income for the affordable units on an annual basis.

On motion by Council Member Sonnek, seconded by Council Member Thorsen, with all present voting aye (5-0), motion carried to adopt Resolution No. 2020-043 approving variances from Section 154.01 of the North St. Paul City Code.

Council Member Sonnek stated the variances are required due to the location of the parcel with three different street frontages. He added the shortest street frontage must become the front yard, and the requested variances are reasonable as they bring the development into compliance with this requirement.

On motion by Council Member Sonnek, seconded by Council Member Walczak, with all present voting aye (5-0), motion carried to adopt Resolution No. 2020-044 approving a site plan for a multi-family residential development project on the northeast corner of Anchor Drive and 3rd Street N.

Council Member Sonnek stated Trident Development also developed the Polar Ridge Senior Living community, which I understand was a good experience for the City and is a well-maintained property. He added Trident Development's presentation at the Planning Commission meeting was well-prepared and informative. He noted this should be a successful project.

Mayor Furlong agreed Polar Ridge is a great development, and the City has had a good relationship with the developer.

D. Seppala Boulevard

Mr. Duddeck reviewed a proposed road change on Seppala Boulevard to return it to a two-way street between Margaret Street and Helen Street. He stated this proposed change will alleviate safety concerns and improve access, with multiple street reconstruction projects in the downtown area. The Post Office will be relocating mailboxes back to the concrete island in the City parking lot on the north side of Seppala Boulevard. The roadway will be striped to push drive lanes as far north as possible to allow for a buffer for businesses on the south side of Seppala Boulevard.

Mr. Duddeck stated the project includes removal of existing striping, patching of the roadway, and new striping to restore two-way traffic. He added City Council approval is requested of this proposed project.

Council Member Walczak asked whether the roadway will be patched or resurfaced. Mr. Duddeck stated the short-term plan is to patch the roadway, but City Staff are reviewing whether to do a maintenance overlay from Margaret Street to the community center area.

Council Member Walczak stated she noticed on the plans that the roadway narrows as it gets closer to Helen Street. She asked how wide the drive lanes will be.

Mr. Dawley stated two standard 11-foot drive lanes are proposed, or 22 feet to the white shoulder stripe buffer on the south side of the roadway. He added the buffer width is not consistent as the center line will shift slightly to maximize shoulder area from south to north due to street parking on the north side. He noted 11-foot wide lanes will be maintained for the entire length of the roadway.

Mayor Furlong stated the roadway was initially changed to a one-way street for safety issues. He asked whether there are safety concerns with returning it to a two-way street.

Mr. Duddeck stated a conscious effort has been made to push traffic as far north as possible to provide a 5-6-foot buffer for businesses on the south side. He added safety measures are being considered, including potential flex signs and a signed crosswalk area, and “15 mph” signage.

Mayor Furlong asked how safety will be measured Mr. Dawley stated there will be active monitoring by the Public Works Department, efficient snow removal, and communication with the businesses to ensure they are satisfied with the changes. He added narrow lanes are more common as they are conducive to slower traffic speeds and other safety concerns.

Mr. Duddeck stated additional street lighting is being considered to increase safety for pedestrians crossing to the parking lot.

Mr. Dawley stated all existing pavement markings will be removed, and new fresh lines will be very clear to those driving on the roadway.

On motion by Council Member Thorsen, seconded by Council Member Petersen, with all present voting aye (5-0), motion carried to adopt Resolution No. 2020-045 designating Seppala Boulevard as a permanent two-way road from Margaret Street to Helen Street.

X. REPORTS OF CITY MANAGER AND DEPARTMENTS

Mr. Duddeck stated development documents are being finalized on the three Anchor Block projects, including the self-storage facility and multi-family residential development reviewed at tonight’s meeting. He added street reconstruction projects in the downtown area will start in the spring, subject to change due to the current situation.

Mr. Duddeck stated City Staff received a request from the 2020 Census to use the North St. Paul Snowman statue in promotional materials. He added the theme of the 2020 Census is “Census Hero”, and permission is requested to use images of the Snowman for promotional campaign use

in preparation for the 2020 Census start date of April 1, 2020. He noted City Council approval is requested.

The City Council agreed to allow the 2020 Census to use the North St. Paul Snowman in promotional materials.

Mr. Duddeck stated title work is being completed on the BP gas station site. He added deed restrictions are in the process of being removed in preparation for closing on the property.

Council Member Walczak asked whether the Minnesota Department of Transportation will have to purchase some of that land if it is needed for the proposed interchange. Mr. Duddeck confirmed it would have to be purchased from the City.

Council Member Sonnek stated the Planning Commission meeting on March 5, 2020 included a review of the proposed Trident Development apartment complex, that was approved at tonight's City Council meeting. He added the Planning Commission started a discussion regarding a proposed Ordinance amendment to allow chickens and bees in residential neighborhoods. He noted it was agreed that more information would be helpful, and Mr. Duddeck agreed to contact University of Minnesota experts on this subject to arrange for a presentation at an upcoming meeting.

Mr. Duddeck stated he has been in contact with experts who are making arrangements to present information at the Planning Commission's April 2, 2020 meeting, which is subject to change. He added information and updates about all City meetings will be posted on the City website.

Mayor Furlong stated the Economic Development Authority met last week and received an update from Mr. Duddeck on all ongoing development projects.

XI. REPORTS OF COUNCIL, COMMISSIONS & COMMITTEES

There were no reports.

XII. GENERAL BUSINESS

Mayor Furlong stated "Monday with the Mayor", which is usually held on the first Monday of every month, will be postponed until further notice. He added City Hall is closed to the public.

Mayor Furlong stated a meeting was held last week to address a property at 19th Avenue and Helen Street that has had numerous complaints. He added the outcome of the meeting was very positive.

Mayor Furlong thanked the City Council, City Staff and residents of North St. Paul for their patience and positivity in the face of so many changes in these difficult times.

XIII. CLOSED SESSION

Mayor Furlong recessed the regular meeting at 7:56 p.m. to conduct the closed session.

Council Member Thorsen stated the meeting will be closed as permitted by section 13D.05, Subdivision 3 (c) to consider the sale of the City owned Community Center located at 2300 North St. Paul Drive, North St. Paul, MN 55109.

Mayor Furlong called the closed session to order at 8:04 p.m.

On motion by Council Member Petersen, seconded by Council Member Sonnek, with all present voting aye, Mayor Furlong adjourned the closed session at 8:48 p.m.

XIV. ADJOURNMENT

There being no further business, on motion by Council Member Sonnek, Seconded by Council Member Thorsen, with all present voting aye (5-0), Mayor Furlong adjourned the regular meeting at 8:49 p.m.

/s/ Terrence J. Furlong, Mayor

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