

City of North Saint Paul
August 18, 2020
Adopted Regular City Council Meeting Minutes

I. CALL TO ORDER

Mayor Furlong called the meeting to order at 6:30 p.m. The meeting was conducted via Zoom.

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, WSB Planning Consultant Ryan Krzos, Finance Director Jason Zimmerman, City Attorney Soren Mattick, Deputy Clerk Mary Mills, incoming Deputy Clerk Jennie Kloos, Communications Consultant Kari Erpenbach.

IV. ADOPT AGENDA

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

V. PRESENTATIONS

Welcome to Deputy Clerk Jennie Kloos

City Manager Scott Duddeck introduced Jennie Kloos, the new Deputy Clerk, replacing retiring Deputy Clerk Mary Mills. He added Ms. Kloos began working for the City of North St. Paul yesterday. He welcomed Ms. Kloos, adding he is happy to have her as part of City Staff. He invited her to introduce herself to the City Council.

Ms. Kloos stated she is from the City of Wells, Minnesota, where she worked as City Clerk for 12 years. She added she is looking forward to working with City Staff and the City Council.

Mayor Furlong welcomed Ms. Kloos, and added he looks forward to working with her.

Mary Mills Retirement Announcement

Mayor Furlong stated this will be Deputy Clerk Mary Mills' last full City Council meeting. After almost 24 years of service, Ms. Mills announced her retirement from the City of North St. Paul. Ms. Mills joined City Staff as Police Clerk in 1996, after working in various law enforcement positions for 20 years, in Minnesota and California. Ms. Mills moved up the ranks

with promotions to Police Secretary, Council Secretary, Probationary Deputy Clerk and finally, permanent Deputy Clerk in 2003.

Through her commitment to service and profession, Ms. Mills was involved with many organizations including Minnesota Organization of Administrative Professionals; Minnesota Clerks and Finance Officers Association; and the International Institute of Municipal Clerks. Mary received Minnesota Municipal Clerk certification after attending 3 years of training at Minnesota Clerks Institute. Ms. Mills began training for the City's Human Resources responsibility in 2013.

Public Service is clearly part of Mary's DNA. Her father was the first Clerk for the City of Lind, Minnesota in 1953. Her brother Doug was a Lieutenant in the Aurora, Colorado Fire Department, and a hazmat team leader who entered the apartment of the Aurora theatre shooter. Her brother Rich is a retired Police Officer who survived a shooting and was able to identify the culprit and see him incarcerated. Her sister Susan, a sister in the St. Joseph's community, was most noted for her work as an AIDS hospice nurse and the founding of a battered women's hermitage.

Ms. Mills has accomplished many things in her career with North St. Paul, including her attendance at approximately 450 City Council meetings and countless workshops, while working for 3 Mayors and 5 City Managers.

Ms. Mills looks forward to enjoying retirement with her husband of over 42 years, John, as well as her two adult children and grandchild. Her last day in the office will be August 21, 2020. Ms. Mills has offered to help out on a part-time basis for an additional month.

Mayor Furlong thanked Ms. Mills on behalf of the City of North St. Paul and wished her continued success and happiness in her upcoming retirement.

Mr. Duddeck expressed his thanks and congratulations to Ms. Mills.

Ms. Mills thanked Mayor Furlong and the City Council for the kind words and recognition.

Mayor Furlong presented Ms. Mills with a plaque that reads:

“In recognition of 24 years of dedicated service to the City of North St. Paul, Minnesota. You have admirably and unselfishly served the citizens and businesses of our community with full commitment to your responsibilities. We honor you and thank you for your years of extraordinary public service to our great community. On behalf of the Mayor, City Council, City Staff, and the citizens of North St. Paul, thank you for a job well done.”

Ms. Mills thanked the Mayor and City Council. She added she has had a lot of support over the years, and has been so grateful for the position, that she was able to grow and make the position what it should be for the City, and she is leaving it in very capable hands.

VI. APPROVAL OF CONSENT AGENDA

Council Members Walczak and Thorsen requested to remove Item I (CARES Act Funding) from the Consent Agenda and place it under City Business.

On motion by Council Member Sonnek, seconded by Council Member Petersen, with all present voting aye (5-0), motion carried to approve the consent agenda, Resolution No. 2020-087 consisting of:

- A. August 4, 2020 workshop meeting minutes.
- B. August 4, 2020 workshop meeting minutes.
- C. August 11, 2020 budget workshop minutes.
- D. General accounts payable: \$2,326,125.39.
- E. HRA accounts payable: \$26,343.22.
- F. Application from Maplewood Moose Lodge #963 for a Charitable Gambling Permit to conduct off-site lawful gambling at Sidewinder's, 2573 7th Avenue, North St. Paul. Resolution No. 2020-088.
- G. Application/Request from American Legion Post #39, North St. Paul, for a temporary extension of their on-sale liquor license to include a portion of their parking lot. Resolution No. 2020-089.
- H. Application for a Temporary On-Sale Liquor License AND an Application for a Charitable Gambling for Exempt Permit for the Church of St. Peter, North St. Paul. Resolution No. 2020-090.
- I. CARES Act Funding – **moved to City Business**

VII. MEETING OPEN TO PUBLIC

John Schmahl, 2750 Chisholm Avenue, stated he saw a sign recently on 17th Avenue indicating that there will be construction on Margaret Street near his neighborhood. He added this is not mentioned on the website. He noted website only has an announcement about construction on Margaret Street from 7th Avenue to 4th Avenue.

Mr. Duddeck stated detour is related to an Xcel Energy temporary gas main replacement project. He added information on that detour that can be added to the website, so residents are aware of it.

Mr. Schmahl expressed concern that he has not able to obtain paper copies of documents related to the upcoming budget process. Mr. Duddeck agreed to forward PDF copies of documents to Mr. Schmahl.

Mr. Schmahl requested an update on the installation of a video camera on top of Polar Lounge.

Mr. Duddeck stated the video camera has been installed, and it is expected that a live video feed will be available on the City website in the next few days. He noted it will be fascinating to watch the progress of construction in the downtown area.

VIII. PUBLIC HEARINGS

There were no scheduled hearings.

IX. CITY BUSINESS ACTION ITEMS & RECOMMENDATIONS

- A. Preliminary/Final Plat and Preliminary/Final PUD for 2329 17th Avenue E

Ryan Krzos, WSB Consultant, reviewed requests for the “Delaware Place” project, a 2.5-acre parcel with frontage on 17th Avenue and Delaware Avenue. The site is zoned R2 and is surrounded by detached single-family residences that are zoned R1. The 2040 Comprehensive Plan guides this area for medium-density residential with 5.5-12 units per acre. The proposal is for 12 attached single-family building sites and 2 outlots: Outlot A would be a private road, and Outlot B would be public open space.

Mr. Krzos stated the lots in the PUD are deficient in size to accommodate medium density requirements. He added without the dedication of stormwater management and an access drive in the PUD, larger lots would be a requirement. He noted individual home sites would have usable open space that exceeds the 500 square-foot requirement, as most sites would have 1200 square feet of open space.

Mr. Krzos stated City Staff and the Planning Commission recommend a public access facility that would provide access to utilities and open space along the rear lots on 17th Avenue. He added this access route would need to be screened with fencing and landscaping. He noted the minimum number of trees would need to be provided as noted in the proposed landscaping plan, although a few plantings would be within the drainage and utility easement and would need to be relocated.

Mr. Krzos stated a sidewalk connection is recommended from the 17th Avenue sidewalk to the private driveway. He added signage or pavement markings would be required which would identify public open space and access. He noted proposed parking would comply with Ordinance minimums, with 2 parking spaces per dwelling unit, and visitor and bicycle parking available in driveways or garages.

Mr. Krzos stated the building elevations would have typical residential style architecture with pitched roofs and gabled dormers. The elevations facing 17th Avenue would have the appearance of a front entrance. The two clusters of attached units on the north side of the property, facing Delaware Avenue, would be single-story units.

Mr. Krzos stated this application was reviewed by the Planning Commission at a Special Meeting scheduled on Thursday, August 13, 2020. He added the application still has the same engineering considerations and conditions of approval as previous applications. He noted this version has the fewest number of units, so it is a different configuration, with public open space in the northeast corner of the parcel, a paved trail for maintenance and sewer access, and pedestrian access to the public open space.

Mr. Krzos stated a storm sewer management basin with connections to the sewer system on 17th Avenue is proposed, which will include dedication of right of way to Ramsey County. He added the right of way dedication stipulates that 17th Avenue must be the same width as the rest of the corridor. He noted any final comments or questions on this issue from Ramsey County would need to be addressed.

City Engineer Morgan Dawley stated the Staff Report includes Engineering conditions, which remain the same from previous versions of this development. He added several revisions were requested as a result of the Planning Commission’s review, and these revisions were received this morning, which was not enough time for City Staff to review them thoroughly. He noted he received stormwater calculations at 5:30 p.m., prior to this meeting.

Mr. Dawley stated, with the late submission of some of the revisions, he does not have the necessary information for him to review and provide recommendations regarding whether the revisions were adequately addressed. He added the City Council may have the option to consider Conditional Approval.

Council Member Thorsen asked why there is a requirement for bike parking. He added maybe it is because that is required at apartments, which are also allowed in the R2 Zone, but it seems odd in this project. Mr. Krzos stated City Code specifies a flat 10% capacity for bicycle parking for all uses, and does not differentiate between townhouses, apartments, and commercial uses.

Council Member Thorsen stated this request was reviewed briefly by the City Council at a recent workshop, and also by the Planning Commission last week. He added City Staff has not had sufficient time to go through everything they received today. He noted there was not an extension request in the documentation that was received from the applicant. He asked whether the applicant has any comments.

Paul Bruggeman, the applicant, stated the development started out as a 21-unit development, which was reduced to 18 units with the support of the Planning Commission and City Council. He added a full submittal of the entire site was denied, and a new concept plan developed, and an extension was granted in April 2020. He noted Covid-19 set him back, and maybe he took a step back too much, because he did not know what was going to happen. He noted that he and his team are trying to get ready to move forward with construction in the fall.

Mr. Bruggeman requested conditional approval subject to City Staff acceptance of the pond drainage issue and trail alignment, which can be done at staff level. He added he would like to keep things going as there is a lot of momentum.

Mr. Bruggeman stated he has spoken with drainage and utility contractors, one of whom, S.R. Weidema Construction, is willing and able to complete drainage and utilities.

The applicant's engineer stated Weidema has indicated they would like to take soil borings to provide an estimate to the general contractor. She added plans and drainage reports were submitted today, and she feels good about the design. She noted it would be a shame if this did not go forward as Mr. Bruggeman has put a lot of time, energy and money into getting this approved.

Mr. Mattick cautioned against the option of conditional approval for the development as there are too many unknown factors and conditions that have not been finalized to give this to City Staff. He added his recommendation would be to extend the timeline and bring the application back to the City Council when the applicant is ready. He noted he would not support finalizing this case with conditions if City Staff and others are not comfortable with what has been submitted.

Mr. Dawley agreed, specifically from engineering standpoint. He added, there are still too many unknowns in this case.

Council Member Sonnek stated the Economic Development Authority expressed support for Mr. Bruggeman's original proposal, but the Planning Commission did not like it, although they did not know that the EDA had already reviewed the plans and given them some level of approval.

He noted there is a need for the EDA to be in better communications with the Planning Commission, when projects come forward.

Council Member Sonnek stated he agrees that the pandemic has been challenging for developers. He added it is problematic for City Staff to receive information at the last minute. He noted the Planning Commission was generally in favor of the development and excited about the plan, the design of the units, and the overall use of the parcel. He noted there was a lengthy discussion about Outlot b, which will go back to the City to be used as a public space or pocket park, and the developer is open to adding signage there.

Council Member Sonnek stated he understands that it is difficult to consider approval when there are many unmet conditions. He added he would be willing to look at an additional extension, given the circumstances.

Council Member Thorsen stated he agrees that an additional extension is appropriate given the history of the project, and EDA's original response to the development. He added the developer went from 22 units, to 18 units, and arrived at 12 units after input from the Planning Commission and residents. He noted if all that is holding up approval is getting the details earlier so that City Staff would have time to review them, another 30-day extension is appropriate.

Mr. Bruggeman stated he would be agreeable to a 30-day extension. He asked if the developer's agreement can also move forward. Mr. Duddeck confirmed this, as he knows Mr. Bruggeman wants to get started in the fall. He added the extension will be to September 15, 2020, which is the City Council's 2nd meeting in September. He noted that would be the extension deadline.

Mr. Bruggeman stated he would like to try to get this completed by the City Council's first September 2020 meeting. He added plans and drainage reports have been submitted and require review by City Staff. Mr. Duddeck confirmed the first meeting in September would be appropriate.

Mr. Mattick stressed the importance of giving City Staff time to react to the information that was submitted today. He added this can go on the first September meeting agenda, but the extension deadline should still be September 15, 2020.

Mr. Bruggeman stated he is concerned that he will not be able to start in the fall due to circumstances out of his control. He asked whether the Mayor or City Council have any other questions or changes to be addressed tonight.

Mayor Furlong stated the plans have been approved by the Planning Commission. He added it has been a long process, and the developer had stated that he could have been more proactive on moving this forward, and now the City Council is forced to make a last-minute decision to accommodate the developer based on circumstances.

Mr. Mattick requested that Mr. Bruggeman confirm to the City Manager that he concurs with the extension of the review for planning approvals to September 15, 2020. Mr. Bruggeman stated he is sending an email to Mr. Duddeck right now.

Council Member Thorsen requested that a formal letter be signed and submitted by Mr. Bruggeman for the record. Mr. Bruggeman agreed.

Mr. Mattick stated he would recommend that this item be tabled with direction to City Staff to bring it back as early as possible but no later than September 15, 2020.

Mr. Dawley stated Mr. Bruggeman requested input from the City Council regarding any changes they would like to see. He added, for the record, making engineering requirements to bring components of a project up to City standards should not be considered “changes”. He added, in any case, it is his expectation that his review will be ready for September 1, 2020 or September 15, 2020. He noted he will not bring something prematurely to the City Council.

Mr. Bruggeman agreed, adding what he meant to ask was if the City Council had questions or concerns.

Council Member Walczak asked whether all 15 conditions will have to be met by September 15, 2020.

Mr. Mattick stated City Staff will work to bring as complete an application as possible to the City Council for review. He added, if this is approved, it will move forward like any other project.

Council Member Petersen stated she believes the City Council is offering Mr. Bruggeman a good opportunity. She added she hopes that the City Council will review a complete application that has approval from City Staff. She noted the City Council will act on the advice of the City Engineer and the City Attorney.

On motion by Council Member Sonnek, seconded by Council Member Thorsen, with all present voting aye (5-0), motion carried to table Preliminary/Final Plat and Preliminary/Final PUD for 2329 17th Avenue E to September 15th, 2020.

B. Development Agreement - Trident - Anchor North Apartments

Mr. Duddeck introduced Roger Fink of Trident Development. He added Mr. Fink developed the Polar Ridge Senior Living and is well-known in North St. Paul. He added Mr. Fink is seeking approval of a development agreement for the proposed Anchor North apartments.

Roger Fink stated Trident Development has received support from the City to proceed with an apartment development in the Anchor Block development district. He added a 4-story structure with 128 apartments is proposed, with support from the City through Tax Increment Financing, offering 20% of the units as affordable housing. He noted the property will have many amenities, open space, covered parking, and extensive landscaping. Construction plans have been approved, pending payment of permit fees.

Mr. Fink stated tonight’s agreement is a combination of purchase agreement, developer agreement and TIF agreement. He added his company, City Staff and both legal counsels have reached a consensus on all provisions of the agreement and are very happy with the outcome and look forward to proceeding with the project, with City Council approval.

Mr. Duddeck stated City Staff and the developer have worked together for countless hours to have a successful development. He added the property was sold for \$1,280,000, with TIF funding up to \$2.4 million for the project, and minimum assessment with Ramsey County for the site. He noted final approval of this agreement will fully develop the Anchor North site.

On motion by Council Member Thorsen, seconded by Council Member Sonnek, with all present voting aye (5-0), motion carried to adopt Resolution No. 2020-092 approving a contract for private development and providing the form, terms, finance and direction for the issuance of a tax increment revenue note for Anchor View.

Mr. Fink thanked City Staff and the City Council for their support. He added it is hoped that the development will have an opening date one year from now.

Council Member Thorsen thanked Mr. Fink for investing in North St. Paul once again.

C. CARES Act Funding

Mayor Furlong stated Council Member Walczak requested that this item be pulled from the Consent Agenda for further review. Mr. Duddeck stated Finance Director Jason Zimmerman would address this item.

Mr. Zimmerman stated the City received \$916,000 in CARES Act funding, or \$75.34 per North St. Paul resident. He added the City is required to declare expenditures toward this grant funding, and this Resolution allocates the full amount for Public Safety expenditures. He noted City Staff has brought this Resolution forward to obtain formal City Council approval for documentation purposes.

Council Member Walczak stated the City Council had discussed a number of different opportunities that this money could be used for. She asked why all the funding will go to Public Safety. She asked whether the money has to be spent by November 15, 2020.

Mr. Zimmerman stated City Staff will document expenditures under one uniform approval for audit and administrative purposes. He added the City Council can decide whether the funding is to be used for additional expenditures. He noted the funding must be spent by November 15, 2020 or remitted to a hospital in Ramsey County.

Mr. Zimmerman stated the funding will roll into the General Fund and could be transferred out for other spending. He added the funding is being allocated to Public Safety because all such expenses are eligible.

Mr. Duddeck stated the money will be added to the General Fund and allocated to and spent on items that are already in the budget. He added this simplifies the process, as funding approved by the City Council would come out of the General Fund.

Council Member Thorsen stated the CARES Act funding is supposed to be spent on Covid-19 related affected areas. He added charitable organizations are eligible, and one example is the Rotary Club. He noted they were forced to cancel their annual fundraiser which brings in approximately \$35,000, and it would be great to support them. He noted, for CARES funding, documentation will need to be provided for all expenditures, and hopefully the City Council can discuss potential expenditures at the next budget meeting.

Mr. Duddeck stated CARES Act funding cannot be distributed to businesses or organizations that have already received Covid-related funding from Ramsey County or the State of Minnesota. He added there are only 3 local businesses that have applied for Ramsey County

funds, and there is still money available until August 21, 2020. He encouraged local businesses to apply for County funding.

On motion by Council Member Walczak, seconded by Council Member Sonnek, with all present voting aye (5-0), motion carried to adopt Resolution No. 2020-091 approving allocation of CARES Act Funding.

X. REPORTS OF CITY MANAGER AND DEPARTMENTS

Mr. Duddeck thanked the City Council for their support in the City's development projects. He added the Anchor North apartments is the last of the three development agreements on the Anchor site. He added development in the downtown area continues, with the Uptown Commons redevelopment on the old City Hall site. Sanitary sewer has been rerouted, and Public Works are working on the water main on Margaret Street for businesses as they approach 7th Avenue.

Mr. Duddeck stated, as mentioned earlier, a video camera has been installed on rooftop of Polar Lounge to provide video feed of the downtown redevelopment area. He thanked Polar Lounge for allowing the camera to be placed on their roof for the next 1.5 years.

Mr. Duddeck stated City Staff are working to provide a safe pedestrian crossing in the downtown area, and some fencing for safety precautions. He apologized to residents for all the construction, detours and delays. He added Communications Coordinator Kari Erpenbach has been updating the website and reaching out to local businesses to provide information and support.

Mr. Duddeck stated the parking lot surface will be recycled and reused, as a portable crusher will be brought in to crush concrete and asphalt to a recycled base that can be used on the site.

Ms. Erpenbach stated emails are being used to reach residents and businesses, to provide project updates and information. She added weekly updates are being sent out to businesses, as well as an all-City news and events update. She noted residents have responded positively to frequent updates with links and access to information. She noted City Staff were able to use Ramsey County grant funding to get info out to residents.

Mr. Duddeck stated road reconstruction on the west end of town at 7th Avenue is going well. He added 2nd Street was paved on Friday prior to heavy rainfall. He thanked Schifsky's for their hard work on that project.

XI. REPORTS OF COUNCIL, COMMISSIONS & COMMITTEES

Council Member Petersen stated the Metro Cities Municipal Revenues Committee held a policy meeting earlier that day to discuss Local Government Aid (LGA). She added LGA is currently stable, but there are no guarantees.

Council Member Thorsen stated the EDA met recently via Zoom and will go back to quarterly in-person meetings. He added the EDA discussed initiating a "Welcome to North St. Paul" packet that could be distributed to new residents, as there will be many new residents at new developments, like the new M&I townhomes, and Uptown Commons, which will have 128 units.

Council Member Thorsen stated the EDA can assist with getting information on City services, utility billing, points of contact, newsletters, and other items to new residents and new businesses. He added the EDA is working with City Staff to put the welcome packets together quickly. He stressed the importance of being mindful of privacy.

XII. GENERAL BUSINESS

Council Member Walczak stated she attended the Home for Veteran's dedication and Veteran's Park 5th anniversary celebration on Saturday August 11, 2020. She added it was a touching ceremony put on by the veterans, and she was glad to be there.

Council Member Petersen stated she went by Silver Lake yesterday and saw a pickle ball league, with many participants. She added it was very organized, and it was exciting to see people out playing pickle ball.

Council Member Petersen stated she has been pleased to see all the interest in the local City Council election. She wished good luck to the Council Members. She added it is good that local government is still viable.

Council Member Thorsen stated the American Legion Free Car Show will be held Sunday, August 23, 2020 from 12:00 – 4:00 p.m. She added there is no restriction on vehicle age.

Mayor Furlong stated he also attended the Veteran's Park 5th Anniversary celebration, which was a very humbling experience. He added veterans representing all branches of the Armed Forces were in attendance, and veterans from every war from World War II to present.

XIII. CLOSED SESSION

There was no closed session.

XIV. ADJOURNMENT

There being no further business, on motion by Council Member Walczak, Seconded by Council Member Petersen, with all present voting aye (5-0), Mayor Furlong adjourned the meeting at 8:10 p.m.

/s/ Terrence J. Furlong, Mayor

Attest:

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