City of North Saint Paul
November 17, 2020
Adpopted 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, City Attorney Soren Mattick, Deputy Clerk Jennie Kloos.

IV. ADOPT AGENDA

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

V. PRESENTATIONS

A. Eagle Scouts/Updated Walking Tour

City Manager Scott Duddeck stated no action is required on this item at tonight's meeting. He added a local youth, Micah Hale, is working on his Eagle Scout badge has met with the local Historical Society to implement a new walking tour project using new updated technology. He noted there will not be much involvement from a City standpoint, except perhaps some new signage.

VI. APPROVAL OF CONSENT AGENDA

Council Member Thorsen stated he would like to pull Item C – Accounts Payable for questions and discussion. The City Council agreed.

On motion by Council Member Petersen, seconded by Council Member Sonnek, with all present voting aye (5-0), motion carried to approve the consent agenda as amended, with Item C addressed under City Business, Resolution No. 2020-134 consisting of:

A. October 20, 2020 workshop meeting minutes.
B. October 20, 2020 workshop meeting minutes.

C. General accounts payable: $1,883,897.61. **Moved to City Business**
D. HRA accounts payable: $49,494.46
E. Pay Voucher No. 6 – CSAH 68 (McKnight Road) Intersection Improvement Project
F. Pay Voucher No. 7 – 2020 Street and Utility Improvement Project
G. Ramsey County Election Services
H. Quarterly Finance and Project Reports

VII. MEETING OPEN TO PUBLIC

John Schmahl stated it was disappointing that the last two City Council meeting videos have not been accessible by the general public on the City's website. He added the agenda had the usual statement about how to access the meeting, but the link did not work. He expressed his frustration, adding he would have hoped this would be worked out by now.

Mr. Schmahl stated he tried to access tonight's meeting at 4:25 p.m. to ensure that he could contact City Staff during business hours if he had any problems. He added he noticed with some consternation that the workshop link was highlighted and active, but that was not the meeting he wanted to attend. He added when he clicked on the link for tonight's meeting, the link went to a meeting video from April 28, 2020. He noted he called City Hall, and Cynthia tried to help him, but she indicated Mr. Schmahl was trying to join the meeting too early.

Mayor Furlong stated he understands Mr. Schmahl's confusion. He added he too noticed that the meeting link was for the April 28, 2020 meeting. He added the same link is used for every meeting. He noted this is unknown territory and City Staff is doing their best.

Mr. Duddeck stated the link is always the same, to make it easier for people to find. He added City Staff works hard to maintain consistency for residents. He added it is likely that April 28, 2020 is the date of the first City Council Zoom meeting.

Mr. Schmahl stated it would be helpful to have the word "here" highlighted so people know where to go to access meetings.

VIII. PUBLIC HEARINGS

There were no scheduled hearings.

IX. CITY BUSINESS ACTION ITEMS & RECOMMENDATIONS

A. <u>Request to purchase/replace police vehicle</u>

Mr. Duddeck reviewed a request by the Police Department to purchase a new police vehicle. He added a police vehicle was recently struck by a suspect's vehicle, and the suspect was taken into custody. He noted the vehicle was a total loss, with damage in excess of $12,000.

Mr. Duddeck stated City Council approval is requested to add a new replacement vehicle on the previous order that was placed, under the same contract for the same price. He added a new vehicle would be delivered some time in February 2021.

Council Member Walczak asked how much it will cost to replace the police vehicle.

Mr. Duddeck stated 50% of the vehicle's cost has been recouped, but the vehicle will require equipment, including the cage in the car's interior. He added some items may be able to be replaced, and the Police Department will try to recoup additional costs from the other vehicle's owner.

On motion by Council Member Walczak, seconded by Council Member Sonnek, with all present voting aye (5-0), motion carried to adopt Resolution No. 2020-135 authorizing purchase of a new police patrol vehicle.

B. Kwik Trip at Anchor Commons – Site Plan and Conditional Use Permit

Mr. Duddeck reviewed a request for conditional use permit and site plan for a Kwik Trip gas station, convenience store and car wash to be located in Anchor Commons at 2275 Anchor Drive. The site, located in the MU-3 zoning district, will be accessible from Anchor Drive, and infrastructure has already been completed by the City. The gas station will be located at the center of the site, with the car wash to the north and 5-island gas pump canopy to the south. An outdoor seating area will be located near the two access points to Anchor Drive.

Mr. Duddeck stated the application meets all conditions for open space and landscaping, as well as exterior façade finishes. Rooftop equipment will not be visible due to the location of parapets at the perimeter. 18 parking stalls will be provided where 17 are required. Lighting exceeds requirements and the applicant has agreed to revise the lighting plan.

Mr. Duddeck stated the Planning Commission reviewed this application at their recent meeting and recommends City Council approval. He added City Staff recommends approval of the conditional use permit and conditional site plan approval for Kwik Trip, 2275 Anchor Drive.

Mayor Furlong requested clarification regarding sidewalks and the outdoor seating area.

The WSB consultant stated the outdoor seating area can be accessed from the convenience store, and Kwik Trip will have ready-to-eat food and meals that customers can enjoy in the seating area.

Council Member Walczak requested clarification regarding the lighting requirements. The WSB consultant stated lighting over the gas and diesel canopies exceeds the recommended limits. He added the applicant has agreed to revise the lighting plan, and they can pick different fixtures or use shielding to reduce lighting in those two locations, and also at the entrance.

Council Member Petersen stated she is very excited about the plans, and she likes Kwik Trip.

Council Member Thorsen stated he has never seen this issue with lighting before, in any project that has been reviewed by the City Council. He asked whether there is a way of measuring the light to ensure that the applicant is in compliance. The WSB consultant stated the lighting company uses computer-generated imagery to determine compliance with lighting regulations. He added the City Council may not have seen this requirement before because applicants are generally in compliance, and gas stations fixtures are higher, more numerous and difficult to screen. He noted City Staff is confident that the applicant will be able to comply with lighting regulations.

Dean George, representing Kwik Trip, stated the lighting plan is the same for every Kwik Trip submittal. He added the engineering team is revising the lighting plan to be submitted to City Staff.

Council Member Sonnek stated, at the Planning Commission did not have any concerns about this proposal at their recent meeting, and they expeditiously recommended City Council approval.

Mr. Duddeck stated Kwik Trip is renowned for their community support and involvement. Mr. George agreed, adding Kwik Trip strives to be the best possible corporate citizen, by becoming involved in the local Chamber of commerce, donating to local nonprofits, and being good community partners and neighbors.

Mayor Furlong expressed his appreciation for Mr. George's statement. He added this will be a great project for North St. Paul. He welcomed Kwik Trip to the community.

Mr. George stated Kwik Trip hopes to have a groundbreaking in spring 2021 with hopes for a summer grand opening.

On motion by Council Member Walczak, seconded by Council Member Sonnek, with all present voting aye (5-0), motion carried to adopt Resolution No. 2020-136 approving a conditional use permit for a convenience store, gas station and car wash located at 2275 Anchor Drive.

On motion by Council Member Walczak, seconded by Council Member Thorsen, with all present voting aye (5-0), motion carried to adopt Resolution No. 2020-137 approving a site plan for a gas station, convenience store and car wash at located at 2275 Anchor Drive.

C. Bruggeman 2329 17th Avenue Development

Mr. Duddeck reviewed a proposed Resolution to disband the agreement for the Bruggeman development, located at 2329 17th Avenue E. He added this issue was discussed at the City Council's Special Meeting on November 10, 2020.

City Attorney Soren Mattick stated the City Council discussed this development with the applicant in September 2020 as there were agreements that were time dependent. He added no documents have been executed. He noted, after discussions with City Staff, it was agreed that a formal Resolution to end the development agreement would be appropriate.

Mr. Mattick stated many staff hours and legal work have gone into this project which have not been reimbursed. He added the project could move forward under a different set of circumstances. He noted, however, his recommendation is to adopt the Resolution.

Mr. Duddeck stated Mr. Bruggeman has indicated that he does not intend to move forward with the project, but he would like to recoup some of his losses by selling his plans to a different developer. He added, however, City Staff's recommendation is to disband the agreement with Mr. Bruggeman.

Mr. Mattick stated the developer agreed in September 2020 to prepare all the necessary documentation, but he has not followed through. He added this project application has been ongoing for about two years and has been plagued by frustrating slowness. He noted another viable development option could be sought.

Council Member Thorsen stated the original proposal from Mr. Bruggeman was reviewed by the Economic Development Authority (EDA) in 2016 or 2017, for a dense townhome development. He added plans have changed multiple times. He noted the developer has costs associated with this plan, but the City also has costs that cannot be billed out.

Council Member Thorsen stated the City chose to purchase private property for development, which, in his opinion, is not a good idea. He added there has been wasted time and energy on the part of City Staff with nothing to show for it but a verbal purchase agreement. He noted he supports utilizing this property for the student-build housing program.

On motion by Council Member Walczak, seconded by Council Member Petersen, with all present voting aye (5-0), motion carried to adopt Resolution No. 2020-138 repealing Resolution No. 2020-101 authorizing conveyance of City property located at 2329 17th Avenue East.

D. Hometown Holiday Lights Display Contest

Mr. Duddeck reviewed a draft proposal for a residential holiday lights display contest that would be sponsored by the Business Association, to increase community involvement while complying with social distancing guidelines. He added best display awards are proposed for first and second place entries. He noted Communications Staff Kari Erpenbach is working on adding the information to the City website.

Mr. Duddeck stated, with City Council approval, the plans will be rolled out immediately, with the contest period from November 19 through December 10, 2020. The entries will be judged by an anonymous committee, with winners announced by a representative of the Business Association at the City Council's December 15, 2020 meeting. The proposal is for $100 prize for the first place entry, and $50 for second place, with a small trophy and yard sign for the winners.

Mr. Duddeck stated it is hoped that this will become an annual event, to be extended to commercial businesses as well as residences. He added the idea was brought forth by Council Member Thorsen, as a way of celebrating the holiday season with social distancing.

Council Member Thorsen stated many other communities sponsor this type of contest, which should be fun and easy, and hopefully can be expanded in future years. He added local businesses who want to participate by making a donation for the prizes can reach out to the Business Association. He noted the contest will be advertised, and winners recognized, on the city website and social media sites.

Mayor Furlong stated he supports this plan as it will be a positive and fun event that residents will appreciate. He added this will light up the town for a little while.

On motion by Council Member Thorsen, seconded by Council Member Walczak, with all present voting aye (5-0), motion carried to adopt Resolution No. 2020-139 to approve Holiday Light Display Contest to be co-sponsored with the Business Association.

E. Accounts Payable

Council Member Thorsen stated he pulled the Accounts Payable portion of the Consent Agenda for clarification on a few items.

Council Member Thorsen requested clarification regarding 2 bills listed on page 33 for Novafrost, Inc. for $113,000. He added he assumes that is for sanitary sewer work in the downtown area. He added infrastructure costs are usually paid by the developer for reimbursement from the TIF District, either directly from the City or through an escrow account.

Mr. Duddeck stated that is the normal process, but this portion of the project was started in advance, outside of the project, as it was necessary to relocate the sanitary sewer in Margaret Street to the alley behind the project area. He added City Staff plans to try to recoup some of the costs if possible.

Council Member Thorsen stated that would normally have been a separate item, with bids presented to the City Council for review and approval.

Mr. Duddeck stated two bids were received, and the low bidder completed the work. He added it was necessary to expedite this portion of the project to stay on schedule.

Council Member Thorsen requested clarification regarding the "Miscellaneous" expenses under "Credit Card". He added he is unsure how auditors would look at that, but he does not support Miscellaneous purchase accounts.

Mr. Duddeck stated City Staff is working on a process for itemizing credit card transactions, as it has become easier and more cost-efficient to make online purchases using the credit card. He added City Staff currently fill out a form each time they place an order, which falls under "Miscellaneous". He noted City Staff is reviewing an Amazon program that incorporates individual purchasing accounts under one customer, with itemized monthly billing that is paid through Accounts Payable and not by credit card.

On motion by Council Member Thorsen, seconded by Council Member Sonnek, with all present voting aye (5-0), motion carried to approve General Accounts Payable of $1,883,897.61.

X. REPORTS OF CITY MANAGER AND DEPARTMENTS

Mr. Duddeck stated City Hall is closed to the public, although administrative operations continue as normal. He added there is concern due to the extreme increase in Covid-19 cases. He stressed the importance of workplace safety and minimizing exposure to Covid-19 for City Staff and others.

Mr. Duddeck stated construction in the downtown area continues, with concrete road surfaces poured in the past week. Sidewalks will not be installed this fall, but there will be pathways to ensure pedestrian safety. The new development on the City Hall site is under way, with construction of the underground parking garage, framing, and continued construction.

Mr. Duddeck stated he met recently with School District representatives regarding planned renovations at North High School, including a 21,000 square-foot, 3-story addition on the west end of the high school, providing classroom space for students who are currently walking back and forth to the District Center. He added the $30 million project will include renovations to the school's front entry.

Mr. Duddeck stated the M/I townhomes are selling rapidly, and foundations are being laid to continue building throughout the winter.

XI. REPORTS OF COUNCIL, COMMISSIONS & COMMITTEES

Council Member Sonnek stated the Planning Commission met on December 3, 2020. He added Commissioner Mike Stahlmann will be stepping down after 2020. He expressed his appreciation of Commissioner Stahlmann for his many years of dedication to the City of North St. Paul.

Council Member Thorsen stated the Business Association meeting that was scheduled for November 10, 2020 was cancelled. He added the November 10, 2020 EDA meeting was rescheduled to November 18, 2020 via Zoom.

Mr. Duddeck stated he has heard from three EDA members who are unable to attend the November 18, 2020 meeting.

Mr. Duddeck stated City Commission openings will be posted on the City website this week, along with applications and other information.

Mayor Furlong stated he recently attended the Annual VFW Volunteer Appreciation Dinner. He added awards were presented to the Veterans' Park Committee and the City of North St. Paul, for their commitment and support for Veterans' Park and veterans' service organizations. He noted he accepted a plaque on behalf of the City. Several VFW members were recognized, including two veterans who have been members for 75 years.

XII. GENERAL BUSINESS

Council Member Sonnek wished everyone a happy Thanksgiving.

Council Member Walczak wished everyone a happy and blessed Thanksgiving. She urged everyone to be safe.

Council Member Peterson wished everyone a good holiday.

Councilmember Thorsen wished everyone a happy and safe Thanksgiving

Mayor Furlong agreed with the Council Members' comments and wishes for a blessed and safe Thanksgiving for everyone. He added he is looking forward to the holiday lights displays.

Mr. Duddeck stated a memorial service will take place this Saturday, November 21, 2020 for Don Regan, who passed away on October 23, 2020. He added Mr. Regan was a pillar of the community. He noted a small, invitation-only service is planned, with a larger gathering for the general public in spring or summer 2021.

Mr. Duddeck stated Margaret Street will be closed from 15th Avenue to 17th Avenue from 10:00 a.m. – 1:00 p.m. for a small procession for Don Regan.

Mayor Furlong expressed sympathy at the passing of Jack Zwickey, a long-time North St. Paul community member. Mr. Zwickey was the owner of Zwickey Archery in North St. Paul and was known around the world for the arrowheads made by his company. Mr. Zwickey was 91 years old.

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 Sonnek, with all present voting aye (5-0), Mayor Furlong adjourned the meeting at 7:55 p.m.

/s/ Terrence J. Furlong, Mayor

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