

City of North Saint Paul
April 20, 2021
Approved 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. PLEDGE OF ALLEGIANCE

III. ROLL CALL

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

Staff: City Manager Scott Duddeck, Deputy Clerk, Jennie Kloos, Communications
Consultant Kari Erpenbach, Electric Utility Director Brian Frandle, City Engineer
Morgan Dawley, City Attorney Shana Conklin.

IV. ADOPT AGENDA

City Manager Duddeck requested an update from Kari Erpenbach, Communications Staff, regarding this evening's virtual meeting status.

Ms. Erpenbach stated City Staff have tried to ensure that there are no updated agendas posted on the City website. She added the online system triggers a new agenda whenever the posted agenda is opened, and usually there are no amendments. She noted any substantive changes are highlighted in red and noted in the "comments" section.

Ms. Erpenbach stated residents have expressed concern about multiple "amended" copies of the meeting agendas. She added the web provider has indicated that this safeguard is built into the system and City Staff cannot override it. She noted the City will soon be moving over to CiviClerk, and she is unsure whether this same experience will continue to happen.

Ms. Erpenbach stated last-minute changes were made to this evening's agenda to notify the public that the meeting status would be changed to "virtual", and that triggered another agenda posting. She apologized for any confusion this may have caused for the City Council or the community. She noted additional security messages that were posted online were triggered by a security certificate lapse on the part of the web provider, which has since been fixed.

On motion by Council Member Wong, seconded by Council Member Cole, with all present voting aye (4-0), motion carried to approve the agenda as submitted.

V. PRESENTATIONS

There were no presentations.

VI. APPROVAL OF CONSENT AGENDA

On motion by Council Member Cole, seconded by Council Member Petersen, with all present voting aye (4-0), motion carried to approve the consent agenda, Resolution No. 2021-038 consisting of:

- A. April 6, 2021 workshop meeting minutes.
- B. April 6, 2021 regular meeting minutes.
- C. General accounts payable: \$1,646,236.01.
- D. HRA accounts payable: \$1,506.00

VII. MEETING OPEN TO PUBLIC

There were no comments.

VIII. PUBLIC HEARINGS

There were no scheduled hearings.

IX. CITY BUSINESS ACTION ITEMS & RECOMMENDATIONS

A. FMLA Policy Update

City Attorney Shana Conklin reviewed proposed clarifications to the City's Family Medical Leave Act (FMLA) policy. The amended policy indicates, on page 2, that any FMLA leave would run concurrent with other benefits, which is standard practice for municipalities. Page 3 of the policy, related to medical certification, indicates that these clarifications are consistent federal law standard practices. Changes related to intermittent leave are also clarified, as well as the "return to work" policy on the bottom of page 3.

Ms. Conklin stated some of the recommended clarifications are taken from the League of Minnesota Cities' FMLA policy.

Councilmember Wong asked whether the "fitness for duty" report must be completed by a medical doctor, or if it is self-provided. Ms. Conklin stated a fitness for duty report must be completed by the employee's medical provider.

On motion by Council Member Cole, seconded by Council Member Wong, with all present voting aye (4-0), motion carried to adopt Resolution No. 2021-039 Amending Family Medical Leave Act Policy.

B. Downtown Streetscape Plan

Mr. Duddeck stated the revised downtown streetscape plan has been reviewed in workshops and by the Business Association. He showed depictions of potential changes, including removal of a circular concrete pattern in the sidewalk and patio areas. Permanent concrete seat planters are proposed to be removed from the plan to facilitate wintertime snow removal, and replaced with movable tables, chairs and planters. A simplified rectangular panel shape is proposed for the concrete which is easier to replicate than the circular pattern.

Mr. Duddeck requested feedback and comment from the City Council on these proposed design changes.

City Engineer Morgan Dawley stated the changes are proposed to facilitate long-term maintenance and management, and to allow more flexibility in the street scape. He added there have been comments regarding inclusion of ADA parking stalls, which are not depicted on the plan. He noted all ADA requirements will be satisfied in the final design and implementation.

Mayor Furlong asked about the flowerbed on the east end. Mr. Dawley stated that planting area may be altered to create a softer transition for people walking north from the pedestrian ramp. Construction plans can be modified to accommodate that change, and he will work with City Staff to ensure that it is included in the final design.

Mayor Furlong stated he would like to see the changes before the final implementation. He asked whether the City Council will have a say in what types of plantings are used, and what the outdoor furniture will look like. Mr. Duddeck confirmed this, adding proposals will be presented to the City Council for approval. He noted this approval is for the sidewalk plan, so construction can begin soon.

Council Member Cole asked whether the sidewalk coloration will be natural. Mr. Duddeck confirmed this.

Council Member Wong stated the curb cuts on the eastern portion appear to be large. She asked whether it is typical to have larger curb cuts where there is more foot traffic.

Mr. Dawley stated the width of the curb cut in this installation is controlled by the angle of the intersection. The minimum width of a sidewalk crossing might be 4-5 feet, and these crossings will be wider to fit in the area that is not perpendicular to the curb line.

Council Member Petersen stated she likes the proposed design, and she thinks the changes will be good. She added she supports the amendments.

On motion by Council Member Petersen, seconded by Council Member Cole, with all present voting aye (4-0), motion carried to accept removal of permanent concrete benches and planters into sidewalk layout, and removing circular design.

C. SAD 18-01 Bid Package #2 Payment No. 11 and Final

Mr. Dawley reviewed the second contract for underground water mains and sanitary sewer improvements in the Silver Lake neighborhood that was begun in 2018. He added all the work has been completed. The contractor completed their final voucher, and the total was 7% over the contract amount due to additional construction pay items that were measured by quantity. The main contributor to the overage was a section of roadway near the park between 19th Avenue and 20th Avenue, originally slated for reclamation that had to be reconstructed due to water main failures. Additionally, the alley and sidewalk between 19th Avenue and 20th Avenue was paved.

Mr. Dawley thanked the neighborhood residents and the community for their patience in dealing with such a lengthy and substantial project. He added the project was completed satisfactorily,

including efforts to save trees, water quality improvement measures for the lake, and infrastructure improvement. He noted City Council approval of this final request for payment will put a cap on this project.

Mayor Furlong asked whether the 7% over budget removes the contingency. Mr. Dawley stated contingencies are typically 5%, but this is an overage that is better addressed now than later as it involves a water main break.

On motion by Council Member Wong, seconded by Council Member Cole, with all present voting aye (4-0), motion carried to adopt Resolution No. 2021-040 authorizing final payment for 2018 street and utility improvement project bid package.

D. Purchase 2020 Ditch Witch HX50 Hydro-Vac Excavator

Electric Director Brian Frandle reviewed the proposed purchase of a Ditch Witch hydro vacuum excavator, a critical piece of equipment that is used to find underground utilities. He added this is not a budgeted item, as the current excavator has a faulty pump, and the manufacturer has been contacted. It is hoped that there will be a trade-in which would not affect the budget.

Council Member Wong asked whether the Ditch Witch has a life span. Mr. Frandle stated the last excavator lasted 8-9 years. He added he hopes to get 8-10 years out of the new one.

Council Member Wong asked whether the Ditch Witch comes with a warranty. Mr. Frandle stated there is a one-year warranty on mechanical aspects of the equipment, and an extended warranty that can be purchased but is not included in the proposal.

Council Member Cole asked whether it would make sense to add this equipment as a budget line item, since it seems to need replacing every 7-8 years. Mr. Frandle stated this will be added as a budget item.

Council Member Petersen stated she has a lot of faith in Mr. Frandle, and she is okay with the purchase.

On motion by Council Member Petersen, seconded by Council Member Cole, with all present voting aye (4-0), motion carried authorizing purchase of 2020 Ditch Witch HX50 Hydro Vacuum Excavator.

E. Purchase of Park Benches and Picnic Tables for Parks

Council Member Cole reviewed a recommendation from the Parks & Recreation Commission for new park benches and ADA-compliant picnic tables in Colby Hills Park, Polar Park and Dorothy Park. The Commission undertook an inventory of the City's parks to determine which parks are in need of updating, and new benches and tables were reviewed as a way of improving and updating these three parks. Colby Hills Park and Polar Park both have new playgrounds and sidewalks, but no benches, and Dorothy Park does not have an ADA-compliant picnic table or bench.

Council Member Cole stated the Parks & Recreation Commission recommends City Council approval of the purchase a one bench at each of the three parks: Colby Hills, Polar and Dorothy

Parks; and one ADA-compliant picnic table at Dorothy Park. These items are proposed to be installed by Public Works with costs not to exceed \$7,000 including materials and installation. He added this project will be funded through the Parks Improvement Fund.

Mr. Duddeck stated City Staff intends to follow up with the League of Minnesota Cities about ADA-accessible requirements and recommendations for sidewalks in the City's parks.

On motion by Council Member Wong, seconded by Council Member Cole, with all present voting aye (4-0), motion carried to approve purchase of three benches and one ADA-compliant table to be installed by Public Works with costs not to exceed \$7,000 including materials and installation.

X. REPORTS OF CITY MANAGER AND DEPARTMENTS

Mr. Duddeck provided a draft Covid Operational Policy for the City Council's review and comment. He added the policy and plans are based on data from the Minnesota Department of Public Health, including a graph showing positive test rates with high-risk time periods, and provides data-driven guidance moving forward. He noted parameters were added related to closing of City Hall and zoom or hybrid City meetings.

Mayor Furlong stated the City Council has done a good job of communicating with each other and making protocol changes together. He added this proposed policy is beneficial in that it provides a data-driven approach and provides clarity for the general public.

Council Member Wong agreed, adding she likes the data-driven approach and providing clear information for residents. She added she would need to review the policy and look at protocols, but she has no questions about the policy at this time based on the presentation.

Council Member Cole asked whether the State of Minnesota has defined guidelines, and whether this policy lines up with State guidelines. Mr. Duddeck stated the data included in the City's proposed policy comes from the State, and he drafted the operational guidelines based on that data.

Council Member Cole stated he is not in agreement with putting hard or fast percentages to determine what the City will do.

Mr. Duddeck stated the graph gives some guidance to City Staff and the City Council about what to do and when to do it. He added he is not proposing that City Hall should be closed.

Council Member Petersen stated she likes the draft policy as it shows both the good and the bad, and provides a good protocol, and she supports it. She added it is unclear how long the peaks will continue.

Mayor Furlong stated the City Manager can use this tool to recommend decisions to the City Council about closing or re-opening City buildings.

Mr. Duddeck stated he would forward the draft policy to the City Council Members for their review and comments.

Mr. Duddeck stated downtown sidewalk construction will begin within a few weeks. There will be a lane closure on 7th Street between 1st and 3rd Avenues, with crews working on a center median project with plantings in the medians and boulevard trees on both sides. A number of plants will be added to the new pond area on the corner of 7th Street and 1st Avenue, and the final layer of new street surface will probably be laid in early June.

Mr. Duddeck stated a temporary asphalt paved area will be added to the sidewalk area as the intersection may see some improvements this summer. He added it will still be used as a sidewalk.

Mr. Duddeck stated progress continues at the 128-unit Anchor North project site, with the last pour of footing foundation scheduled for tomorrow. He added Kwik Trip construction will begin around the end of May or early June. He noted the storage facility is coming along with signage installed on the building, and the interior nearly completed.

Mr. Duddeck stated the townhomes project on 7th Street is well under way, with grading complete and foundation excavation begun for the first build.

Mr. Duddeck stated interviews were held today for a new police patrol officer. He added the vacancy is the result of promotions within the Department effective April 19, 2021, as well as Chief Lang's retirement.

XI. REPORTS OF COUNCIL, COMMISSIONS & COMMITTEES

Council Member Cole stated the Parks & Recreation Commission will meet April 28, 2021 at 6:30 p.m. via Zoom. He added the goal is to continue the conversation regarding the Parks Improvement Plan. He noted this is a three-step process, and goals for Years 1 and 2 have already been reviewed.

Council Member Wong stated the Planning Commission's next meeting is scheduled for May 6, 2021 at 6:30 p.m.

Council Member Petersen stated Metro Cities held a virtual conference and elections last week. She added the Ramsey County League of Local Government met with school districts to discuss mental health, food insecurity and pandemic-related issues for students.

Mayor Furlong stated the Business Association met in person last week. He added the meeting featured a presentation by Mr. Duddeck on the plans for the downtown area.

XII. GENERAL BUSINESS

Council Member Wong stated many recent historic events have occurred in the Twin Cities community, including the guilty verdict of Derek Chauvin and the shooting of Daunte Wright, as well as living through a pandemic. She stressed the importance of acknowledging these tragedies, through which there are opportunities to be intentional in terms of making connections and building relationships with the community. She added she hopes everyone is taking care of themselves and each other and seek out relationships. She noted this will be a difficult time for many people.

Mayor Furlong stated he would like to give a pre-recorded “State of the City” report on April 27, 2021, with the City Council’s approval. He thanked Council Member Wong for her comments, which were well said.

Council Member Petersen stated the City-wide garage sale will be held May 6-8, 2021. She encouraged residents to sign up with the City. She added the City’s recycling event will be held May 8, 2021 at the Public Works building.

Mr. Duddeck requested a moment of silence in honor of the recent death of a family member of Planning Commission Vice Chair John Monge. He offered prayers and support to the family.

Mayor Furlong expressed his appreciation for City Staff’s hard work in arranging tonight’s Zoom meeting.

XIII. CLOSED SESSION

There was no closed session.

XIV. ADJOURNMENT

There being no further business, on motion by Council Member Petersen, seconded by Council Member Wong, with all present voting aye (4-0), Mayor Furlong adjourned the meeting at 7:56 p.m.

/s/ Terrence J. Furlong, Mayor

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