

City of North Saint Paul
September 7, 2021
Approved Regular City Council Meeting Minutes

North St. Paul City Hall – Council Chambers
2400 Margaret Street

I. CALL TO ORDER

Mayor Furlong called the meeting to order at 6:30 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 Cole
Council Member Wong
Mayor Furlong

Staff: Acting City Manager Brian Frandle, Finance Director Daniel Winek,
Communications Staff Kari Erpenbach, City Attorney Soren Mattick, Deputy
Clerk Jennie Kloos.

IV. ADOPT AGENDA

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

V. PRESENTATIONS

A. Oath of Office – Chief of Police Philip Baebenroth

Mayor Furlong welcomed new Police Chief Philip Baebenroth and his friends and family. Chief Baebenroth was sworn in by Mayor Furlong.

Father Ettore Ferrario, Church of St. Peter, said a prayer in thanks and recognition for North St. Paul Police Officer Richard Crittenden who died 12 years ago.

Retired Police Chief Tom Lauth administered the Law Enforcement Oath of Honor to Police Chief Baebenroth.

Father Ettore said a prayer of blessing for the new Police Chief and his family, and the City of North St. Paul.

Mayor Furlong expressed his thanks and appreciation to Interim Police Chief Ray Rozales.

Chief Baebenroth stated he is truly honored to be a part of this amazing community. He added he is proud to join the team of fantastic officers and looks forward to the road ahead. He thanked the City Council for getting him on board, and he is thrilled to be here.

Mayor Furlong read a letter from resident Kevin Kress, who was unable to attend the meeting. The letter stated, "I had the pleasure of meeting and working with Phil in my role as North Oaks City Administrator. I want to extend my appreciation to the Mayor and City Council for selecting an excellent individual to serve as the new Police Chief. I worked with Phil during monthly administrator meetings on issues such as Covid-19 pandemic, budgeting, training, health and safety, City agreements, police patrol and many other areas. Phil has the utmost integrity and character, possessing the right leadership, management skills, personality and demeanor to serve the city of North St. Paul. I want to wish the City of North St. Paul and Chief Baebenroth the very best on this new adventure."

Mayor Furlong thanked the Police Commission for their hard work and efforts in recruiting Chief Baebenroth.

B. Proclamation Declaring September 17-23, 2021 as Constitution Week in North St. Paul

Mayor Furlong read in full a Proclamation declaring September 17-23, 2021, as Constitution Week in the City of North St. Paul.

VI. APPROVAL OF CONSENT AGENDA

On motion by Council Member Petersen, seconded by Council Member Cole, with all present voting aye (5-0), motion carried to approve the consent agenda, Resolution No. 2021-081 consisting of:

- A. August 16, 2021 special budget meeting minutes.
- B. August 17, 2021 regular meeting minutes.
- C. August 17, 2021 workshop meeting minutes.
- D. August 17, 2021 HRA meeting minutes.
- E. General claims: \$579,748.87.
- F. Special Event – Rotary Park Dedication.
- G. Special Event – Fall Round-up Parade.
- H. Special Event – Distribute free meal packs to families in need.
- I. Special Event – North High cheerleaders' fundraiser (car wash), Saturday, September 11, 2021.
- J. Application for Current On-Sale Liquor License to include Permanent extension of premises by The Sons of the American Legion, Post #39. Resolution No. 2021-082.
- K. Kwik Trip 3.2% Off-Sale Liquor License. Resolution No. 2021-083.
- L. Land Registration to Clean up Title Issues.

VII. MEETING OPEN TO PUBLIC

John Schmahl expressed his continued frustration with the City's new communication system. He added he looked up City Council meetings on the City calendar and saw a meeting that was supposed to have occurred on August 19, 2021. He noted he called (Deputy Clerk) Jennie Kloos to find out what that was. Jennie informed him it was just an entry, and she would remove it.

Mr. Schmahl stated he looked into future meetings, and a meeting on September 25, 2021, had an icon indicating there is a video of this meeting. He added that is impossible since the meeting has not occurred yet. He noted Jennie said she would remove it.

Mr. Schmahl stated he wants to have some confidence in the system. He added it is obvious there is no edit in the system to correct errors. He noted he is still waiting for an answer about the Facebook and Twitter icons that show up on screen during a presentation.

Mr. Schmahl stated an Item D was added to today's meeting, and no one knew about it. He added he asked other people who get notifications, and they did not know about it. He noted the only people who know about this addition are the City Council.

Mr. Schmahl stated he was driving on Seppala Boulevard today and there were a lot of items dumped by the side of the road.

Mayor Furlong stated City Staff is working with the new technology and dealing with these issues, but it will not be fixed overnight.

A female resident stated she agrees that communication should be better, and she would like to be informed about meetings. She added City Staff tells her to look on the website. She noted she is tired of being told it is her responsibility to look on the website, when she has no idea if something new has been added, and many elderly people do not have internet or email.

The resident stated she lives at 2481 19th Avenue, next to the property that will be rebuilt. She added she did not have a decent night's sleep for 7 years, and it took a long time to get support from the City for this situation. She thanked the Police Department which has been supportive all along.

The resident stated she expressed an idea about the design of the property and has been expressing these concerns for over a year. She added she was told she did not come to the meetings, but she did not know about the meetings. She noted the design was changed multiple times and no one told her, and she did not approve of the design in the first place.

The resident stated she is upset because the design moved the driveway right under her daughter's bedroom window, and her property is now surrounded by driveways. She added there will be lights shining in and noise in the middle of the night. She noted this will decrease her home value, along with all the criminal activity in the neighborhood.

The resident stated she is a lifelong resident of North St. Paul, and she does everything she can to support the City. She added she does everything she should do to be a responsible citizen, and the one thing she asks for is being denied. She noted all the reasons she has been given will benefit the City, but do not benefit her property. She asked what about her privacy, and her family?

The resident stated a tree was taken down last week, and it was very loud. She noted there are several disabled kids in the neighborhood, and the noise is very upsetting. She noted it would be nice to get some notice about when trees are taken down, or other loud construction noises are going to happen.

The resident stated she would like to have further conversations about the design. She requested that the City notify her when meetings are going to happen.

Mayor Furlong stated a meeting is scheduled on Wednesday, September 13, 2021.

The resident stated she was told the design of the house would not be discussed at that meeting. She added that is one of her reasons for being here tonight.

Mayor Furlong stated there are many reasons for the design, including a drainage issue that affects the property and surrounding properties.

The resident stated she asked if someone from City Staff could come out and explain that to her.

Mayor Furlong stated Tom Spehn was at your property.

The resident stated Tom told her he would look into it, but never got back to her. She added she inquired again and was told the design would not be changed. She noted the City needs to do better on communications, and respect the people that live here as much as the people who are going to move in.

Mayor Furlong stated the resident's comments will be noted. He added the approved design cannot be addressed at tonight's meeting.

The resident asked when the design was approved.

Mayor Furlong stated the design was approved at the HRA meeting.

The resident stated she was not notified of that meeting, and whether the public could come and contribute.

Mayor Furlong stated City meetings are public information. He reiterated that there is a drainage issue that must be mitigated on the property, and that is why the driveway is on that side. He added a property owner could go in and do whatever they want to the property, and the City invested time and effort in the process to make the proposed home fit on the property and with the neighborhood. He noted the driveway will not detract from the resident's property value, and the driveway design is the best fit for the property.

VIII. PUBLIC HEARINGS

A. Amended and Restated Business Subsidy Policy

Mikaela Huot, Baker Tilly Municipal Advisors, gave a brief overview of consideration of a proposed amended and restated business subsidy policy. She added a public hearing is scheduled for tonight's meeting. She noted the intention of the policy is to provide criteria for the City and EDA to provide future business subsidies and is required by State statute to be reviewed every few years.

Mayor Furlong opened the public hearing.

John Schmahl expressed his frustration with the timing of the hearing.

Mayor Furlong closed the public hearing.

IX. CITY BUSINESS ACTION ITEMS & RECOMMENDATIONS

A. Resolution No. 2021-084 Adopting an Amended and Restated Policy and Criteria for Granting Business Subsidies.

Ms. Huot stated requested City Council consideration of adoption of the proposed amended and restated business subsidy policy. She added communities are required to have this policy prior to granting a business subsidy. She noted the proposed policy includes current criterion based on statutory requirements to provide future business subsidies.

Ms. Huot stated the Resolution formally establishes business subsidy criteria and an amended and restated business subsidy policy.

On motion by Council Member Cole, seconded by Council Member Wong, with all present voting aye (5-0), motion carried to adopt Resolution No. 2021-084 approving Amended and Restated Policy and Criteria for Granting Business Subsidies.

B. Loan Agreement between North St. Paul Economic Development Authority and NSP Hospitality, Inc.

Ms. Huot reviewed a proposed loan agreement between the North St. Paul Economic Development Authority (EDA) and NSP Hospitality, Inc. She added the loan agreement and accompanying documents relate to a \$125,000 forgivable loan between the EDA and North St. Paul, used to assist with reimbursing costs associated with acquiring certain equipment at a future restaurant to be located at 2526 7th Avenue. She noted the borrower will be subject to meeting compliance over a 5-year period, and 20% of the loan would be forgiven each year subject to the borrower meeting the requirements of the loan, which are listed in the staff report.

Ms. Huot requested City Council consideration of the loan agreement, security agreement, note and Resolution approving the loan agreement.

Robert Dew, North St. Paul EDA, stated a request was received by the operator for assistance to bring their business to North St. Paul. He added the EDA has done a reasonable level of due diligence and believe this to be a good piece to the puzzle in the downtown area. He noted the agreement provides an excellent return for the City and keeps the operator in North St. Paul for an extended period of time.

Mr. Dew stated the EDA recommends City Council approval of the loan agreement.

Mayor Furlong stated this is an opportunity to get a well-respected community member opening a downtown restaurant, which is something the City's residents have wanted for a long time. He added Brandon Bramscher is a North St. Paul native who owns and operates two B-52 Burgers & Brew restaurants in Lakeville and Inver Grove Heights, and has over 30 years of restaurant experience. He noted this incentive will allow him to be able to get established and ensure that he succeeds.

Mr. Dew stated he visited both B-52 restaurants, and both times the wait staff was friendly, the food was great, and the facilities were clean. He added he believes this restaurant will be a great addition to North St. Paul.

Council Member Petersen requested feedback and comment from the City Attorney.

City Attorney Soren Mattick stated the documents appear to be in order. He added the City used outside counsel to prepare the documents. He noted it is a policy decision at this point, and although this is not a business subsidy, the City is assisting a business.

On motion by Council Member Cole, seconded by Council Member Wong, with Mayor Furlong and Council Members Cole and Wong voting aye, Council Members Petersen and Thorsen voting nay (3-2), motion carried to approve Loan Agreement between North St. Paul Economic Development Authority and NSP Hospitality, Inc.

Mayor Furlong asked Mr. Bramscher about the proposed restaurant. Brandon Bramscher stated the restaurant will be called Mac's, and it will be open at 7:00 a.m., serving breakfast all day. He added he hopes to have a liquor license, but 80% of the business will be food. He noted Mac's will bring jobs to the area, with an insurance plan for its employees.

Mayor Furlong asked how big the restaurant will be. Mr. Bramscher stated plans include inside seating for 130-140 patrons, and they are waiting on patio plans.

Council Member Wong asked what's on the menu.

Mr. Bramscher stated it will be standard diner fair, but with a twist.

Mayor Furlong asked why Mr. Bramscher decided not to name the restaurant B-52, like his other restaurants.

Mr. Bramscher stated he is from North St. Paul, and he has fond memories of Mac's Dinette. He added the new Mac's will be a departure from the old Mac's but will maintain some of the same community spirit.

C. Task Force needed for Review/Update of Redevelopment Master Plan

Mr. Frandle stated the Planning Commission and EDA have requested a review and update of the Redevelopment Master Plan. He added a committee is needed for this project, to be comprised of two Planning Commissioners, two EDA members, and two City Council Members. He noted meetings will be held on Monday evenings for consideration of short-term projects with no long-term commitment. He requested two volunteers from the City Council for representation.

Councilmembers Wong and Thorsen agreed to serve on the Redevelopment Master Plan Committee.

D. Presentation of City Profile from Mark Casey of David Drown Associates

Mr. Frandle stated the David Drown Associates was chosen to lead the search for a new City Manager for North St. Paul. He introduced Mark Casey, representing David Drown Associates.

Mark Casey thanked the City Council for the opportunity to conduct the search for a City Manager for North St. Paul.

Mr. Casey stated he has had an opportunity to receive feedback and comments from each of the City Council Members, to determine position profile, salary range, job description and timeline. He added the City profile, a 10-page draft document, is used for advertising the City to prospective candidates. He noted he has received a few comments from Council Member Thorsen which have been incorporated into the draft document.

Mr. Casey stated the City's profile can be used for discussion points, and to showcase the community's attributes and goals.

Mr. Casey reviewed proposed amendments to the draft City profile document:

- Page 2 – remove “Lillie Newspaper”; replace “Anchor” with “Old National”

- Page 4 - under the Car Show, replace July with June

- Page 6 – under Budget Documents, Fire Department, 2020 should be \$1,066,928 and 2021 should be \$1,086,847

- Page 7 – under Job Description, Essential Duties, add “ensure all City policies are enforced and adhered to”

Mr. Casey stated the proposed pay range of \$124,113-155,106 was taken directly from the City's annual Class and Compensation Study. He added the minimum average pay of \$124,113 is approximately 87% of the market, and \$155,106 is 91% where the market should be. He noted it is a very competitive market right now.

Mr. Casey stated he recommends the pay range, and he will work with City Staff and the City Council to find a candidate that they are comfortable with.

The consensus of the City Council was to approve advertisement of the City Manager position with the proposed pay range of \$124,113-155,106.

Mr. Casey stated City Staff provided the job description, which matches up well with submissions that other cities have made. He noted the following corrections and additions to the job summary:

- under “Summary”, MPWA should be replaced with MMPA.

- under “Essential Functions”, add “ensuring all City policies are enforced and adhered to”

Mayor Furlong asked how the requirements compare with other cities. Mr. Casey stated that is standard language, giving the City Council the authority to review candidates without micromanaging.

Mr. Casey stated, with regard to the timeline, there are traditionally 12-15 semi-finalists and 3-5 candidates that are brought in for interviews. He added the week of October 26, 2021, is identified for selection of finalists, and November 17, 2021, for interviews. He added that information will go into the job posting, and specifics related to the interview can be discussed later.

Mayor Furlong stated he thinks the time frame looks great. He added the City Council will need to talk about how the interviews will go.

Mr. Casey stated advertising will start tomorrow and will continue for about a month. He added good candidates need to do their due diligence, which can take some time.

Mr. Casey stated the position will be posted with the League of Minnesota Cities; ICMA, as approximately 50% of applicants will come from outside of Minnesota; the County Administration Association; Association of Minnesota Counties; Minnesota Universities and Colleges; the League equivalent in North Dakota, South Dakota, Iowa and Wisconsin; the International Network of Asian Public Administrators; the National Forum for Black Public Administrators; Glass Door and LinkedIn; as well as David Drown Associates' social media accounts.

Mr. Casey stated he plans to attend the upcoming Annual City and County Administrators Conference, which will be an excellent opportunity for him to network and promote the North St. Paul City Manager opportunity.

Mr. Casey stated the David Drown Associates database will also be used, and that is extremely extensive. He added he intends to have dialogue with the City Council during each step of the process, including what actions need to be taken.

Council Member Petersen stated she has known Mr. Casey for many years through involvement with the Metro Cities, and she highly recommends him.

Council Member Thorsen asked whether a motion is required to approve the City profile.

Mr. Mattick stated a motion is not required but the City Council can formalize the City profile with a vote if they choose.

On motion by Council Member Thorsen, seconded by Council Member Petersen, with all present voting aye (5-0), motion carried to approve City Profile for City Manager position as presented by Mark Casey of David Drown Associates.

X. REPORTS OF CITY MANAGER AND DEPARTMENTS

Mr. Frandle reviewed an update from City Engineer Morgan Dawley regarding the Silver Lake aerator, for which additional funding has been requested from involved entities. He added Ramsey County has increased their contribution from \$10,000 to \$20,000, and Maplewood has agreed to contribute \$5,000. He noted City Staff plan to set up a meeting with City and County representatives to review this issue.

Mr. Frandle stated, with regard to construction project updates, the Sentinel building has been fitted with meters as of today. He added M/I Homes are working on electric for another fourplex, with three remaining buildings to be constructed.

Mr. Frandle stated Kwik Trip has power and is testing RTU's on the roof.

Council Member Wong requested clarification regarding occupancy at Sentinel and M/I Homes.

Mr. Frandle stated the Sentinel building will have 87 units, and M/I homes will have 97 units. He added he is unsure of numbers at the Anchor View Apartments.

Council Member Thorsen stated that is the number of units, but there is no information yet about occupancy.

Mayor Furlong stated it is his understanding that there is a contract discrepancy.

Mr. Frandle confirmed this, adding they are also working on a final development agreement.

XI. REPORTS OF COUNCIL, COMMISSIONS & COMMITTEES

Council Member Cole thanked Robert Dew for his presentation tonight as well as at the recent City Council workshop. He thanked Council Members Wong and Thorsen for volunteering for the joint EDA/Planning Committee.

Council Member Cole stated the next EDA meeting is scheduled for September 14, 2021, at 3:00 p.m. at City Hall. He added he has a conflict but hopes to arrive by 3:30 p.m.

Council Member Cole stated the Parks & Recreation Commission held their last outdoor meeting of the season on August 25, 2021, with a community meeting attended by one member of the public. He added there was no quorum for the regular meeting at 6:30 p.m. He added it was hoped that the Commission's review of rental rates and parks deposits would be ready for review by the City Council's recommendation and approval. He thanked Communications Staff Kari Erpenbach for her hard work in putting together a comprehensive sampling of other city's policies to give the Commission guidance and direction.

Council Member Cole stated the Parks & Recreation Commission's next meeting is scheduled for September 22, 2021, at 6:30 p.m. at City Hall.

Council Member Wong stated the first meeting of the new Arts and Culture Commission was held recently. She thanked the City Council for approving the new Commissioners. She added the energy at the meeting was great, and she looks forward to working with the Commission. She thanked Chair Tom Sonnek for facilitating, and Planning Secretary Lisa Ritchie, who brings a lot of content to the Commission. She noted the Commission's next meeting is scheduled for September 15, 2021, at which the focus will be scope and direction.

Council Member Wong stated the Planning Commission's meeting was moved to September 16, 2021, at 6:30 p.m. She added the meeting will be available via Zoom on the City's website.

Council Member Petersen stated she attended the League of Minnesota Cities' Board meeting, at which the 2022 budget was approved.

Council Member Petersen stated the Ramsey County League of Local Governments is scheduled to meet via Zoom on September 10, 2021, at 7:30 a.m. She added the topic of mental illness will be addressed by a panel of experts.

XII. GENERAL BUSINESS

Council Member Cole stated he attended a Zoom meeting regarding Casey Lake management on September 1, 2021, hosted by the Ramsey-Washington Metro Watershed District. He added there was great representation on the Zoom meeting from North St. Paul residents. He noted the meeting was also attended by two Watershed District staff, a DNR representative, and Representative Lillie.

Council Member Cole stated the 12-year history of the lake was reviewed, addressing myths and concerns about why the lake looks the way it does. He added the Watershed District stressed that there is a fine line between the lake aesthetics and lake quality, and improvements to the lake have led to an increase in vegetation and phosphorus runoff. He noted there was some discussion regarding cattail management and sediment cleanout, and the DNR has agreed to meet at Casey Lake with the unofficial committee and Senator Wiger.

Ms. Erpenbach stated the meeting video can be found on the City website under “Community and Lakes”.

Council Member Cole stated he plans to attend the Silver Lake Improvement Association meeting tomorrow, September 8, 2021, at 4:00 p.m.

Council Member Wong stated, with regard to the Covid-19 and the Delta variant, there was recent conversation regarding potential guidelines at the City level. She added this is still an important issue in the community.

Council Member Thorsen stated he would like to address a resident’s concerns that came up during the Public Open Forum. He added the City Council does not engage with the public during that portion of the meeting, and the resident has left, but he wanted to address the issue.

Council Member Thorsen stated that property has been on the City’s radar for many years, and there have been numerous meetings, and progress has been made. He added the City was able to successfully negotiate a purchase of the property, and there have been many HRA meetings at which the proposed home’s design and other details have been discussed, but residents do not attend. He noted communication is a two-way street.

Council Member Thorsen stated all City meetings are posted on the City website, and notices are posted at City Hall, and residents can sign up for notifications via email. He added he understands some people do not have access to internet, but they can get all the information they need at City Hall, and arrangements can be made with City Staff to send in formation in the regular mail. He noted Council Member’s contact information, including phone numbers and email addresses, is posted online on the City website.

Council Member Thorsen stated he does not agree with the idea that the City is not communicating effectively with residents. He added it is the public’s responsibility to be informed and know what is going on if they wish to be involved. He noted the City tries to accommodate all the neighborhood’s concerns in this case, but it is impossible to make a project everything that every neighbor wants, and assumptions have been made that are simply not true.

Council Member Thorsen stated he was not aware that there are children in the neighborhood with special needs, and that it would be helpful for those families to receive advanced notification of

loud construction or tree cutting. He added City Staff can reach out to them specifically, and that issue can be addressed at the special meeting.

Mayor Furlong agreed, adding the special meeting will be posted so residents and the City Council can attend. He added the builder can be made aware of the neighbor's concerns, and neighbors can talk to the builder about the proposed home design, which is the best solution for the overall site and adjacent properties.

Council Member Thorsen stated he is not able to attend the special meeting but wanted to make it clear that no action will be taken. He added the construction process will be on a rough time frame. He noted the completed project will be a benefit to the neighborhood.

Mayor Furlong stated the POW/MIA Parade is scheduled for September 16, 2021, gathering at 5:00 p.m. at the VFW followed by the parade at 6:00 p.m., which will finish at Veteran's Park. He added he placed flyers at all the downtown businesses, along with Dan Fisher, Chair of Veteran's Park.

Mayor Furlong stated the Fall Round Up Parade will be held September 23, 2021, starting at 6:30 p.m.

Ms. Erpenbach stated there are 85 units already scheduled for the parade, and another 25 potential units.

Mayor Furlong stated the last car show will be held on September 24, 2021. He added the last two were cancelled due to rain.

Mr. Frandle publicly thanked Sergeant Ray Rozales for stepping into the role of Interim Police Chief. He added Sergeant Rozales did a spectacular job in some very difficult situations.

Mayor Furlong stated a tragedy occurred last Friday, September 3, 2021, when six North High School students were involved in a car crash in Maplewood, and 2 lives were lost. He expressed his sympathy and support for the families of the students who died.

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 Cole, with all present voting aye (5-0), Mayor Furlong adjourned the meeting at 8:04 p.m.

/s/ Terrence J. Furlong, Mayor

Attest: /s/ Brian Frandle, Interim City Manager / Clerk