

**City of North Saint Paul
June 19, 2018
Adopted Regular City Council Meeting Minutes**

I. CALL TO ORDER

Mayor Kuehn called the meeting to order at 6:41 p.m.

II. THE PLEDGE OF ALLEGIANCE

All present recited the Pledge of Allegiance.

III. ROLL CALL

Present: Council Member Furlong
Council Member Petersen
Council Member Walczak
Council Member Sonnek
Mayor Kuehn

Staff: City Manager Dr. Craig Waldron, Community Development Director Paul Ammerman, Fire Chief Scott Duddeck, Finance Director Jeanne Day, Strategic Operations Director Debra Gustafson, Deputy Clerk Mary Mills.

IV. ADOPT AGENDA

City Manager Waldron requested that City Business action item D “Press Box Naming” be moved from the City Business section to just prior to Meeting Open to the Public.

City Manager Waldron stated that Attorney Mattick will be adding an item related to authorizing a property purchase at the HRA meeting, which follows the regular council meeting.

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

V. PRESENTATIONS

Recognition of North St. Paul Fire Department. Fire Chief Scott Duddeck stated he is proud of the Fire Department every day, but two recent events deserve special recognition and a special thank you to all the members of the department for all the services they provide daily. On April 22, 2018 the fire department responded to a structure fire call at an apartment complex. Hydrant access was 900 feet away from the building. Assistant Chief Dustin Kalis happened to be in the right place at the right time, and caught a baby that was dropped to him from a second floor balcony. Although residents were displaced from their apartments for a time, there were no injuries. Thank you to the members of the department who were there that day. It could have been a much different outcome.

At the same time as the apartment fire call, the department received a medical call. Firefighters Brent Fyksen and Mike Richter were the first responders to that call, along with Greg Theis and

Wade Watson, paramedics with Lakeview Ambulance. Representative Leon Lillie had been severely injured in a fall from a ladder. The Fire Department is grateful that they could be present to help him and that he is here today standing with us.

The coverage of the apartment fire made national news. Dustin Kalis stated this was a real lesson on how to deal with the media and being part of a viral video. It was for something good, and was very overwhelming. Kalis stated that he was in that situation because they train hard all the time, they practice so many scenarios and that practice allows them to deal with the unexpected and react to handle it. It was because of everyone doing what they were supposed to be doing that everything went well. It is not just Kalis, but the crews doing their work. Mayor Kuehn stated this incident shows what a fire department means to a community and that the citizens love this department dearly.

Deputy Chief Jason Mallinger stated that the past few years with the Metro Training Facility in our back yard and utilizing that has increased the confidence, knowledge and ability of our firefighters to be able to do what we can do. Definitely on any fire scene the first ten to fifteen minutes are extremely chaotic and every time they go out to train and drill they work on that. Our department puts in a lot of hours of training to be able to have these positive outcomes, things that they hope for. There is a lot of work behind the scenes.

Leon Lillie greeted each council member with a personal note. His wife Missy personally thanked the fire department, emergency crews, paramedics, first responders, 9-1-1 operators, Scott Duddeck and everyone who was there that day to help. They were there to help at a time when they really needed help. A time of crisis and fear, scared and not sure what to do. Seeing the first responders and emergency services crew arrive brought a huge sense of relief. Missy knew that as soon as they arrived Leon would be in good hands and be taken good care of. These heroes of the day were there to take care of a person who is so precious to us and makes such a difference in our lives. He was moved with great skill and in a careful and casual manner so as to not alarm us any more than we already were. He was transported quickly and safely to Regions. Our family is forever grateful for your help that day.

Leon Lillie described the day and the accident as he recalled it. He joked about the baby and why he wasn't caught when he fell! He noted that Senator Wiger and he worked very hard with the local Fire Chiefs to make the East Metro Training Facility a reality, and it is great to hear how the use of that facility aids the members of the North St. Paul Fire Department. Leon also personally thanked those that were there that day. Chief Duddeck runs a top notch operation and for these people it is a labor of love. Regions does great work at their Trauma 1 center. As a legislator he encourages the first responders and emergency personnel to seek post traumatic help if needed. He supports it and knows the council will as well. He will be doing more work to get funding and support for that as well as mobility challenges. He is lucky to live here. Mayor Kuehn stated that he is so grateful all turned out well. This department is second to none.

VI. APPROVAL OF CONSENT AGENDA

On motion by Council Member Walczak, seconded by Council Member Sonnek, with all present voting aye (5-0), motion carried to approve the consent agenda, Resolution No. 2018-072 consisting of:

- A. June 5, 2018 workshop meeting minutes.

- B. June 5, 2018 regular meeting minutes.
- C. General accounts payable: \$1,333,250.98.
- D. EDA accounts payable: \$3,260.60.
- E. HRA accounts payable: \$5,529.97.
- F. Cable Commission recommendation for a Franchise Extension with Comcast from November, 2018 to March 31, 2019.
- G. Public notice to close City Offices on Wednesday, August 8, 2018 from 11:30 a.m. – 1:30 p.m. for all staff training.
- H. Authorization for the execution of the Spent Lime Treatment System Joint Powers Agreement, to be entered into together with Valley Branch Watershed District and the City of Maplewood.
- I. Special Event Permit for North Haven Church summer festival, Saturday, August 4, 2018. Resolution No. 2018-073.
- J. Recommendation that City Council authorize staff to prepare a draft Solid Waste and Recycling RFP to be reviewed at an upcoming City Council Workshop meeting.
- K. Purchase authorization for 800 MHz radios.

Press Box Naming – naming of the press box at Kuenkel Field: Ron Adams Press Box.

Strategic Operations Director Debra Gustafson presented a recommendation from the Parks and Recreation Commission that the City Council authorize installation of a commemorative plaque honoring Ron Adams and the naming of the press box at Kuenkel Field, *Ron Adams Press Box*.

Coach Andy Navis was present and expressed his appreciation for Council approval of the commemorative plaque. Ron Adams has touched numerous persons over the years. This is a nice way to recognize what Ron Adams has done for the community and coaching.

On motion by Council Member Furlong, seconded by Council Member Petersen, with all present voting aye (5-0), motion carried to authorize installation of a commemorative plaque honoring Ron Adams and the naming of the press box at Kuenkel Field, Ron Adams Press Box.

VII. MEETING OPEN TO PUBLIC

Chris Johnson stated that the water retention by the Silver Lake tennis courts works and works well. He noted that when the grass is being cut, there is the area that is city park area, and the part that is prairie restoration area. When the grass is being cut, they are leaving swaths of grass out in front of the restoration area. There is confusion on whose responsibility falls where. The mound by the lake is showing signs of problems as with the last retention system. The prairie restoration people are saying the growth prevents the filtering for the water running into the lake. Residents are concerned about this new growth. Mayor Kuehn had Morgan Dawley address this. Dawley stated that he did have a conversation with a resident who provided photos, and Dawley is working with Public Works to determine where the responsibility lies. He would like to see Valley Branch Watershed District step up with some spot spraying to get weeds out of the grass. Long term in non-basin areas will most likely be Public Works responsibility, and the Prairie Restorations is responsible for the basin and the plantings in the basin. It does need to be delineated and talked about now before it gets worse.

Chris Johnson also noted that he drives school bus for the school district and knows Ron Adams. Ron Adams is a monitor on the special education bus. That big guy is so great with those kids. Chris is glad to hear of the dedication of the press box.

John Schmahl inquired as to why an area of pavement dug up from a water main break four months ago has not been repaired. He was informed that the contractor repairs those as they do a better job. Schmahl inquired as to why the city still has possession of a 2010 Suburban. Based on the 2018 budget it was scheduled for replacement. Schmahl noted that the map that shows city paths in the Comprehensive Plan map is incorrect. One of the things he presented at the Planning Commission hearing was the two access points to the Casey Lake Trail from Buhl and Chisholm. Schmahl stated there is no path coming off of Buhl. Mayor Kuehn stated that one path has pavement on it, but the other path is more of an easement. Staff will check the mapping.

VIII. PUBLIC HEARINGS

There were no scheduled hearings.

IX. CITY BUSINESS ACTION ITEMS & RECOMMENDATIONS

A. 2115 Burke Avenue Interim Use Permit Review

City Manager Waldron introduced Olivia Dorow Hovland from WSB to present this item. Council Member Sonnek requested that this item be continued for at least 30 days to confer with the City Attorney to review additional information prior to making any further decision on this and potential meetings that may need to occur.

On motion by Council Member Sonnek, seconded by Council Member Walczak, with all present voting aye (5-0), motion carried to continue the 2115 Burke Avenue Interim Use Permit (IUP) decision to the July 17, 2018 city council regular meeting.

Council Member Walczak requested that there be more discussion on how any action taken here by the council impacts everything else. There is a ripple effect and it may not have been looked at very closely the first time through with this item. She would like to have an opportunity to have that conversation with code enforcement to see how they want to deal with some of this as well. This would be an important conversation to have.

Mayor Kuehn states this makes sense for other home businesses going forward. Have we actually adequately defined this home based business in terms of what we as a city think is in the best interest of the city. Not just in allowing it, but as maybe more of an incubation process for a new business, not something in perpetuity.

City Attorney Mattick stated that he does have materials given to him regarding the IUP itself and questions that were raised by the public and the Planning Commission. In addition Council Member Walczak asked what is the code enforcement process, what teeth do we have, history of home occupation. Is all of this coming back to the 17th or perhaps some goes to a work session? Council Member Sonnek noted that in respect for what Council Member Walczak is suggesting, as well as the Mayor, he feels that council can't take action one way or another with the Burke IUP after having reviewed the specific issues related to that. As far as how we want to move

forward with IUP's in general, code enforcement and what the processes and procedures look like, that is something we can do independently of the Burke permit issue.

B. Dangerous Animal Ordinance

City Manager Waldron stated this topic was originally discussed at a workshop session and sent to the Planning Commission for additional input. The Planning Commission had several points of clarification for review. Waldron suggested that we allow Attorney Mattick to review these items and prepare a report for the council at the July 17th council meeting.

On motion by Council Member Sonnek, seconded by Council Member Petersen, with all present voting aye (5-0), motion carried to continue this item to the July 17, 2018 city council regular meeting to allow the City Attorney to review the Planning Commission recommendations and present the completed ordinance to the council.

C. 2018 Pavement Improvement Project Feasibility Study

City Engineer Morgan Dawley presented a request of the City Council to authorize the receipt of a Feasibility Report, preparation of Plans and Specs, scheduling the Public Improvement Hearing to order the public improvements, and declaring costs and scheduling the Assessment Hearing for the 2018 Pavement Improvement Project.

Based on existing pavement management roadway evaluation data compiled as part of the 2014-2020 Capital Improvement Plan, staff evaluated candidate roadways showing a level of cracking and other distresses that would be typical for a potential mill and overlay improvement in 2017. The milling of the top layer of pavement or pavement reclamation and replacement with new asphalt is a pavement management strategy intended to prolong the serviceable life of the roadway prior to a need for full reconstruction.

The proposed areas of study in the 2018 Pavement Management Project is comprised of 11th Avenue East from McKnight Road to 1st Street, Castle Avenue from 1st Street to Helen Street, and 12th Avenue East from Helen Street to Margaret Street, and Helen Street North from 12th Avenue East to 17th Avenue East (Ramsey County Road C), and a vacant lot at the corner of Margaret Street North and 12th Avenue East for a proposed parking lot.

The City Council authorized by resolution the preparation of a Feasibility Study to evaluate roadway improvements in the proposed project area at the May 1, 2018 regular Council Meeting.

The anticipated total project cost is estimated to be \$1,588,400.00. \$1,080,000 for 11th, Castle, and 12th Avenues, and \$508,400 for Helen Street, and \$70,900 for the parking lot which includes construction, legal, engineering, administrative, and finance costs.

Pavement reclamation improvements are included within the City's adopted Assessment Policy. These treatments can include partial repair/replacement of concrete curb and gutter and sidewalks as necessary."

The proposed project is anticipated to be funded, in part, by special assessments to benefitting properties, in accordance with the Assessment Policy, adopted by City Council July 16, 2013, as well as Municipal State Aid funds allocated for construction on North St. Paul's State Aid roadway network. Helen Street and 11th, Castle, and 12th Avenues are all State Aid streets. Plans for improvements on these roadways and planned to receive State Aid funding will need to be approved by the MnDOT Office of State Aid.

For projects that will contain special assessments, such as a pavement reclamation improvement projects, as required by Minnesota State Statute, Chapter 429 and consistent with the Assessment Policy, a Public Improvement Hearing will need to be held to consider ordering of the public improvements, and a separate Assessment Hearing will also need to be held to consider the adoption of assessments. Both hearings are proposed to be held at the July 17, 2018 City Council meeting. There are no special assessments proposed for the parking lot.

Construction is anticipated to start in September if a project is authorized at the earliest, based on statutory requirements and timing for public hearings, State Aid review and approvals, and the public bidding process.

Based on feedback provided by North High School/ISD 622 staff during public engagement outreach as a part of the feasibility study completion, it is recommended that 11th, Castle, and 12th Avenues be constructed within a window of time, as suggested by ISD 622, beginning approximately June 15, 2019 with completion by August 15, 2019. This would result in the roadway improvements included and recommended within the feasibility study being constructed in part during the 2018 construction season (Helen Street) and the 2019 construction season (11th, Castle, and 12th Avenues).

City Council should consider timing and funding for the parking lot concept during the Public Hearing, and whether it should be included with a construction contract for the proposed roadway improvements. The parking lot construction would be considered ineligible for State Aid funding.

Questions by Council were related to green space and snow removal on the area designated for parking for the Veteran's Park.

On motion by Council Member Sonnek, seconded by Council Member Walczak, with all present voting aye (5-0), motion carried to adopt Resolution No. 2018-074 to receive the City Engineer's Feasibility Study, Order the preparation of Plans and Specifications and calling for a Public Hearing on the 2018 Pavement Improvement Project for Tuesday, July 17, 2018 at 6:30 p.m.

On motion by Council Member Furlong, seconded by Council Member Petersen, with all present voting aye (5-0), motion carried to adopt Resolution No. 2018-075 calling for and ratifying an Assessment Hearing for the 2018 Pavement Improvement Project on July 17, 2018 at 6:30 p.m.

Morgan Dawley asked if Council wished for this to be taken to the Parks and Recreation Commission for further discussion and recommendation potentially to identify funding and bring it back to Council. Council Member Furlong stated that the parking lot is more or less a separate

project, so to continue with the current process of the project. Morgan Dawley can present it to the Parks and Recreation commission as it stands in the feasibility study. Perhaps other sources of funding will be presented for the parking lot. There was discussion about safety of pedestrians at the Margaret Street and 12th Avenue crossing. It is currently a two way stop and Council Member Furlong asked if it could be made into a four way stop. Dawley noted it does not warrant a four way stop. That does introduce an element of delay for vehicles traveling north/south bound. It might cause issues. This can be looked at.

X. REPORTS OF CITY MANAGER AND DEPARTMENTS

Added item by Attorney Soren Mattick. Purchase of 2393 Margaret Street by the HRA.

City Manager Waldron stated that Council needs to provide a preliminary finding that then allows the HRA to move forward with the action item. City Attorney Mattick stated there was a technical provision as it relates to when a city purchases and/or sells real estate, which will be contemplated at the HRA meeting tonight. There is a provision that says the Planning Commission is to review any and all purchases and/or sales to make sure it is in compliance with the Comprehensive Plan. However, the City Council must make a motion to find that the city is dispensing with the Planning Commission review of the Comprehensive Plan for the sale of the land by the HRA and authorize the Mayor to sign that resolution. This does need to pass by a four-fifths (4/5) vote. The planning commission is limited to the planning, zoning and use of the property. The actual acquisition because the planning commission itself doesn't control any funds is usually deferred to the actual body that controls the funds and the financing.

On motion by Council Member Furlong, seconded by Council Member Sonnek, with all present voting aye (5-0), motion carried to adopt Resolution No. 2018-076 dispensing with Planning Commission Comprehensive Plan compliance review for the purchase of interest in real property and it has no relationship to the Comprehensive Plan pursuant to MN Statute 462.356.

XI. REPORTS OF COUNCIL, COMMISSIONS & COMMITTEES

Council Member Petersen noted that the Ramsey Washington Suburban Cable Commission had not yet begun formal negotiations with Comcast, and depositions will be completed in a couple weeks in regard to the Maplewood lawsuit.

Council Member Petersen stated she just completed her four year term as a director with the Metro Cities. She will remain on the revenue policy committee.

Council Member Furlong stated the Brio Brass would be performing at Casey Lake Park for the concert in the park series Thursday, June 21st. The next regular Parks and Recreation Commission meeting will take place at Tower Park on June 27, at 6:00 p.m.

XII. GENERAL BUSINESS

Council Member Petersen:

- It is really neat to be seeing Twin Cities Live showcase our town.
- Sent a Public Works shout out for landscaping at Veteran's Park and City Hall.

- Thank you to Josh Bond for very professional job with diseased trees in a neighborhood on Indian Way.

Council Member Furlong:

- Condolences to Police Chief Tom Lauth on the loss of his father.

Mayor Kuehn:

- The Twin Cities Live segment of “Our Town” is featuring Neumann’s Bar on Thursday, June 21 from 3:00-4:30 p.m.
- There is a meeting Wednesday for discussion on possible development at the site being vacated by the MAAA. Mayor Kuehn thanked staff for their hard work meeting with developers on several different properties.
- The City is hosting a booth during the History Cruze Friday Night Car Show on the Fire Department Tarmac.

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 Furlong, with all present voting aye (5-0), Mayor Kuehn adjourned the meeting at 8:14 p.m.

/s/ Michael R. Kuehn, Mayor

Attest: /s/ Dr. Craig Waldron, City Manager