

**SOUTH ST. PAUL CITY COUNCIL
MINUTES OF APRIL 3, 2023**

1. Mayor Jimmy Francis called the regular meeting of the City Council to order at 7:00 PM on April 3, 2023.

2. **ROLL CALL:**

Present: Council Members, Bakken, Hansen, Kaliszewski, Podgorski, Seaberg, Thompson, Mayor Francis

Absent: None

Staff Present: City Administrator, Ryan Garcia
City Attorney, Peter Mikhail
City Clerk, Deanna Werner
City Engineer, Nick Guilliams
City Planner, Michael Healy
Asst. City Planner, Monika Miller

3. Deanna Werner gave the invocation.

4. Pledge of Allegiance

5. Presentations: Proclamation Celebrating Earth Month

6. Citizen Comments: Steve Serantoni, Kristie Scherber – SSP Access to the River Trail.

7. **Agenda**

Moved by: Kaliszewski/Seaberg

Moved: To approve the agenda.

Vote: 7 ayes / 0 nays, motion carried

8. **Consent Agenda**

Resolved, the City Council of South St. Paul does hereby approve the following:

- A. City Council Meeting Minutes of March 20, 2023
- B. Accounts Payable
- C. Approve Joint Powers Agreement for Dakota County Drug Task Force
- D. *Removed for further discussion.*
- E. Approve a Cost Share Agreement between the City of South St. Paul and Dakota County for Election Electronic Poll Books, Hardware, Software and Related Services
- F. Resolution Denying Reasonable Accommodation Request for 404 Orchard Lane
- G. Temporary On-Sale Liquor License – St. John Vianney Catholic Church, May 7, 2023
- H. Application for an Exempt Permit for Lawful Gambling requested by St. John Vianney Catholic Church, May 7, 2023
- I. Business Licenses
- J. Declaring Property Surplus and Authorize the Sale of Such Property
- K. Approve Cost Share Agreement Between South St. Paul and South St. Paul Public School District for Improvements Associated with the 2nd Street and 7th Avenue Improvements Project
- L. Dish Wireless CUP Extension

Moved by: Bakken/Hansen
Vote: 7 ayes / 0 nays, motion carried

- D. Approve Construction Agreement with Danner, Inc. for the 2nd Street and 7th Avenue Improvements Project.

Moved by: Kaliszewski/Podgorski
Moved: Approve revised construction agreement with Danner, Inc. for the 2nd Street and 7th Avenue Improvements Project.
Vote: 6 ayes / 1 nays, motion carried.

9. Public Hearing:

1. Call for Hearing – On Sale Intoxicating Liquor License Request at 1519 5th Avenue South – Escalon, Inc.

Moved by: Francis/Podgorski
Moved: Call for a Public Hearing scheduled on Monday, April 17, 2023, for On Sale Intoxicating Liquor License at 1519 5th Avenue South – Escalon, Inc.
Vote: 7 ayes / 0 nays, motion carried.

2. Approval of Application for an Off-Sale Intoxicating Liquor License Request by Cantor, Inc. (Hat Trick Liquor) at 1150 Southview Drive.

Moved by: Seaberg/Thompson
Moved: Approval of an Off-Sale Intoxicating Liquor License by Cantor, Inc. (Hat Trick Liquor) at 1150 Southview Drive
Vote: 7 ayes / 0 nays, motion carried.

10. General Business:

- A. Second Reading – 1020 Marie Avenue Rezoning

Moved by: Seaberg/Bakken
Moved: Approve Resolution 2023-049, approving Ordinance 1406 rezoning 1020 Marie Avenue from R-2 to C-1.
Vote: 7 ayes / 0 nays, motion carried.

- B. Bryant's Ridge Development Application

Moved by: Seaberg/Podgorski
Moved: Approve Resolution 2023-052, approving a preliminary plat, conditional use permit for a planned unit development, conditional use permits and site plans for Bryant's Ridge.
Vote: 3 ayes / 4 nays, motion failed.

The application is denied for the following reasons:

- 1) It is unclear if/how the project will be built and there are too many unknowns about the actual construction and timing for the project that have not been addressed. Some of the proposed construction materials are not currently

approved by the State Building Code and the plant that is going to produce these construction materials does not yet exist;

- 2) The project does not appear to meet housing needs for South St. Paul because the projected purchase costs for a townhome unit is \$480,000, which is inconsistent with the local market; and
- 3) It is unclear if the project is buildable due to soil quality and contamination.

C. First Reading - Tree Ordinance Repeal and Replace

Tree Ordinance Repeal and Replace offered for a first reading as presented made by Council Member Hansen.

11. Mayor and Council Communication

Moved by: Seaberg/Hansen

Moved: To recess the regular meeting to convene the EDA meeting.

Vote: 7 ayes / 0 nays, motion carried

The meeting was recessed at 10:12 PM. Mayor Francis called the meeting back to order at 10:33 PM.

12. Closed Meeting

Moved by: Seaberg/Podgorski

Moved: Closed session pursuant to Minnesota Statutes § 13D.05, Subd. 3(b) for a confidential attorney-client discussion regarding active litigation in the matter Sanimax USA, LLC v. City of South St. Paul.

Vote: 7 ayes / 0 nays, motion carried, the meeting was closed at 10:39 PM, and will only be reopened to adjourn.

13. Reopen Meeting

Moved by: Seaberg/Bakken

Moved: Reopen meeting

Vote: 7 ayes / 0 nays, motion carried

14. Adjournment

Moved by: Podgorski/Kaliszewski

Moved: Adjourn the meeting.

Vote: 7 ayes / 0 nays, motion carried

The meeting was adjourned at 11:04 PM.

Approved: April 17, 2023



City Clerk