



City of South St. Paul

SPECIAL MEETING COUNCIL AGENDA

Friday, May 29, 2020

10:00 a.m.

Please be advised that the regular meeting location is City Hall Council Chambers located at 125 3rd Ave. N., South St. Paul, but pursuant to Minn. Stat. 13D.021, under the current emergency declaration due to the COVID-19 health pandemic, some or all of the council members may participate in remote locations using WebEx. Please be advised that City Hall is closed to the public, therefore, any member of the public wishing to monitor the meeting may do so electronically by logging in as follows:

WebEx Meeting

For the Public

Join by phone: 1-312-535-8110

Access Code: 133 241 2022

1. CALL TO ORDER:

2. ROLL CALL:

3. AGENDA:

A. Approval of Agenda

Action – Motion to Approve

Action – Motion to Approve as Amended

4. GENERAL BUSINESS:

- A. Resolution Providing for Temporary Waiver of City Code Permit and Zoning Requirement during the COVID-19 Pandemic

5. ADJOURNMENT:

City of South St. Paul
Dakota County, Minnesota

RESOLUTION NO. 2020-72

**A RESOLUTION APPROVING TEMPORARY WAIVER OF CITY CODE PERMIT
AND ZONING REQUIREMENTS TO PROMOTE BUSINESS ACTIVITIES
DURING THE COVID-19 HEALTH PANDEMIC**

WHEREAS, on March 13, 2020 Minnesota Governor Tim Walz issued Executive Order 20-01 declaring a Peace Time Emergency and Coordinating Minnesota's Strategy to Protect Minnesotans from COVID-19, and

WHEREAS, in response, the South St. Paul City Council adopted the Local Emergency declaration and invoked the city emergency plan and authorized appropriate response strategies to the pandemic, and

WHEREAS, the South St. Paul City Council recognizes the continued risk and threat of community spread of the COVID-19 virus and the negative impact it has had on local business and further recognizes the potential negative impact that may continue upon reopening absent the ability of businesses to provide appropriate distancing between its patrons and its employees while operating profitably, and

WHEREAS, in furtherance of the federal, state and local government response, there is a need to provide multiple, additional, or alternative customer service areas on commercial sites within the City in order to limit forward-facing exchanges between customers and employees and to promote physical and social distancing between patrons of a business and persons engaged in business activities.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of South St. Paul does hereby authorize the following:

1. A business located in a commercial, industrial or mixed-use zone may establish drive-up or drive-through areas, customer ordering, waiting or pick-up areas, or customer seating or service areas on its property to facilitate safe commercial activity conducted consistent with federal and state orders or health and safety guidelines, in accordance with the administrative approval of the Community Development Department, which shall develop performance standards.
2. Other than an amendment to a liquor license, no zoning, conditional use, or any other South St. Paul permit shall be required provided the Community Development Department's performance standards are met.
3. Any business that desires to take advantage of such opportunity must complete an application form prepared by the Community Development Department.
4. The City Planner or designee shall have the authority to review and approve or deny

- a permit for any proposed temporary structure or operation related to customer service, waiting or dining seating areas; or on-site signage and storage; or other temporary outdoor use that is proposed to occur outside of the business establishment in accordance with the established performance standards.
5. Any on-sale liquor establishment shall be required to obtain City Council approval to amend its service area, which approval shall not be denied as long as it complies with the Community Development Department's performance standards.
 6. The authority granted to the City Planner hereunder shall not otherwise allow any use or operation that is not in compliance with any federal laws or regulations, Minnesota statutes and regulations, including State Building and Fire Codes, and the Minnesota liquor licensing regulations.
 7. The City reserves the right to revoke, terminate or modify permission of any drive-up or drive- through areas, customer ordering, waiting or pick-up areas, or customer seating or service areas if it is in the interest of the public health, safety and welfare, as determined by the Police Chief or City Administrator.
 8. This Resolution is effective immediately subject to federal and state laws or orders relative to the permissibility of business operations and unless terminated earlier by the Council, shall be in effect through November 1, 2020.

Adopted this 29th day of May 2020.

Christy Wilcox City Clerk