

CITY OF FALCON HEIGHTS
Regular Meeting of the City Council
City Hall
2077 West Larpenteur Avenue

MINUTES

October 11, 2017 at 7:00 P.M.

- A. CALL TO ORDER: 7:00 PM
- B. ROLL CALL: LINDSTROM X HARRIS X BROWN THUNDER
FISCHER X GUSTAFSON X

STAFF PRESENT: THONGVANH X
FREIHAMMER X
- C. PRESENTATION
- D. APPROVAL OF MINUTES:
 - 1. September 27, 2017 City Council Meeting Minutes Approved
- E. PUBLIC HEARINGS:
 - 1. Comcast Television Franchise Ordinance

Coralie Wilson, the Executive Director of the North Suburban Communications Commission, CTV North Suburbs presented that the 1998 franchise was good for 15 years and it's what we're currently operating under. We started franchise renewal conversations in 2011 for 2013. They have been in negotiations with Comcast and in the last two years have specifically focused on public education and government access (PEG) programs and the institutional network potentially moving to managed services. Comcast did not want to provide internet for non-video services, such as Inet, and they wanted to put managed services in place. Cities are receiving managed services at competitive pricing, and not all cities will need this if they have fiber. If Comcast agrees to a lower price with a similar organization, we will also get that price. Through the end of this year they have three grants: operating grant, equipment grant, and scholarship and intern services. Instead of receiving those grants next year, they will be receiving 3% of gross revenue. This is typically the highest percentage received for PEG support. This is a 40% cut in their overall funding. One of the changes being considered due to the cuts is the 100 hours program. This is a 10 year franchise agreement with Comcast.

Council Member Harris Moved, Approved 4-0

- 2. Proposed Permitted Parking - Falcon Woods

City Administrator Thongvanh stated that in 2016 there was second petition for parking on Garden Avenue in 10 years. The City Council approved permitted parking on Garden, and the south half of Moore and Howell. The argument is that the issue will be pushed north. The city received an additional petition for Moore Street. There are three options to move on: permit the entire area up to Roselawn, permit the remainder of Moore and Howell, or permit the area that was petitioned on Moore. Based on the feedback he has received, he would recommend to the Council option 3 of permit parking for the remainder of Moore. Although the city does collect a fee of \$200 for the parking petition, the expense for installing the signs is about \$1,000-\$1,500. For the upcoming year,

there will be a recommendation made to change the fee schedule. The application fee would remain, and the recommendation would be for an additional fee for signage and installation.

Ron Eishen- 1861 Moore St:

The problem has moved north from where it was originally. This is a problem with the many kids that live on Moore St.

Barbara Barany- 1813 Prior Ave:

She has mixed feelings about parking as she is on the curve of Prior Ave. She has noticed three cars that have consistently been parking. When she recently had to park on the street she received a note on her car speaking to UMN motorists, which has been concerning to her.

City Administrator Thongvanh:

There are temporary \$3.00 parking permits that contractors can utilize. For an event of five cars or more, there is a \$25 fee for parking permits.

Wally Northrup- 1942 Summer St:

He is in favor of option 3. On Summer Street they have not had a problem with parking on the street. A neighbor received signatures from 44 of the 73 households that are opposed to permit parking.

Martin Ammann- 1869 Moore St:

He saw the parking move north on his street. If no parking is put only on Moore Street, it will move up. Make a decision, and don't break up the community by pitting neighbors against one another.

Denis Caywood- 2028 Garden Ave:

He thanks the Council for putting permitted parking on Garden. He supports that Moore Street be permitted since they have experienced the excess parking.

City Administrator Thongvanh:

Option 3 is extending the parking to the end of Moore Street. This would be to the corner of Summer.

Peter Olin- 1958 Summer St:

There is a difference between parking on the street and using the street as a weekday parking lot. This is a University problem. They have the ability to park more cars on their lots. This is not the neighborhood's problem, and they are being made to pay for it. Another option is two hour parking.

Erin Williams- 1974 Autumn St:

Many of her questions are related to the cost. She likes the idea of two hour parking.

Melissa Jamoral- 1842 Howell St:

Since the signs went up, they have had 4-5 cars on Howell and at the Prior cut off. With signs on Moore Street, that will push all those cars to them. The signs should be continued north.

Bonnie Olin- 1958 Summer St:

She walks every day and she has noticed less cars per street since they are a little more dispersed between three streets. When you extend the Moore Street signs, don't put up red flags stating that the permitted parking ends here. No solution is going to be good one way or another.

Barbara Hartwick- 1964 Autumn St:

She is against permitted parking. She wants the freedom to utilize the parking when needed without restrictions. Her income is limited and she cannot afford the added costs.

Martin Ammann- 1869 Moore St:

Residents should not have to pay for the parking permits. If the permitted parking is only on Moore Street, when he has guests over they will mostly park outside of the permitted area, pushing the problem north. In the winter with snow and parked cars, how will the firetrucks get through?

Joel Turbes- 1957 Autumn St:

He signed the petition against permitted parking. Is it possible to consider a fourth option of putting signs on the path going into Community Park stating parking is for Falcon Heights residents only?

Mary Ward- 1811 Moore St:

She is part of the original permitted area, and it has worked great. She supports the rest of Moore Street becoming permitted. They have contractors right now who have pulled temporary parking permits, and it hasn't been an issue. It's not a good use of police time to try to get people ticketed on other parking complaints.

City Administrator Thongvanh:

The standard to receive 75% approval in a petitioned area is part of the Administrative Manual. The Council is not required by code to make any decisions one way or another based on the petition.

Kate Holliok- 1981 Summer St:

She has three college kids that are home in the summer. She does not want to have to deal with getting parking permits for them, their friends, and guests. It would be expensive and inconvenient. If it does happen to be permitted, why cannot the permits be free if they can prove that they are a resident?

Neil Waller- 1596 Vincent St:

He does not live in the neighborhood. Students are not allowed to park in his neighborhood, and the problem should not exist elsewhere. A car parked on both sides of the road is a quality of life issue.

Barbara Barany- 1813 Prior Ave:

She argues against option 2 because if permitted parking goes on the remainder of Moore and Howell, the cars will all flock to Prior Ave rather than be dispersed among streets.

Katie Meriam- 1861 Moore St:

She is in favor of permit parking. They are 17 kids in that stretch of Moore and it is a safety issue. It is not just students parking there, but staff as well. It is \$2 a day to park at Gibbs.

Denis Caywood- 2028 Garden Ave:

He supports Moore and Howell having permitted parking. If other streets do not want it, then that is their choice. He witnessed an accident with a parked car because there was no room to back out.

Warren Plaisance- 1966 Summer St:

If you push the problem down to Summer Street, you are only making it an issue for another street.

Peter Olin- 1958 Summer St:

This is a University issue, and they have not addressed it. They can solve the problem.

Martin Ammann- 1869 Moore St:

Talk to Spire who has all the land, but no one parking on it. Make a deal with the University and Spire. The parking permit is a tax to the residents.

Mayor Lindstrom:

He and Sack are meeting with the new University of Minnesota Community Relations employee, and he will bring this up as an issue. He will strongly relay the neighborhood's concern.

Council Member Harris:

She has been an advocate of permitting the whole neighborhood. She is glad to have parking restrictions on her street. You cannot ignore a petition with so many people standing by it. In spite of the petition, she thinks there should be permitting, but instead work with the fee aspect of it.

City Administrator Thongvanh:

Two hour parking has worked well in the Grove. Two hour parking could work, but it is also going to be more time-consuming for the police to enforce that. Signage could be posted at the entrance with limited signage needed throughout.

Council Member Gustafson:

We could look at permitting the rest of Moore Street, and if it becomes a problem on other streets then visit the two hour parking for those streets. That will not stop habitual parkers from coming in and parking for a short period of time.

Council Member Fischer:

He agrees that they should pass the permit parking for Moore, and soon enough the other streets will want it. Two hour parking may be an option when considering that.

Council Member Harris Moved for permit parking on Moore St. and to consider options to the permitted parking, Approved 4-0

3. Assessment Hearing – 2017 PMP

City Engineer Freihammer stated that they have only done the first layer of pavement this year, and after that settles they will install the second layer in Spring of 2018. They replaced damaged curb and gutter, broken sidewalks, and updated curb ramps to meet ADA compliance. A lot of utility work was done and this was not assessed. St. Paul Regional Water replaced about 75% of the water main. The parts not replaced had recently been replaced. There were some minor upgrades to the sewer. They did upgrades to the storm sewer by upsizing the storm sewer on Folwell to eliminate some flood areas. This should reduce the frequency of flooding. Additionally, there have been pathway improvements. The estimated final project cost is \$1,498,097.39. The University paid about \$73,000 towards the project, which was agreed upon prior to the project.

The assessment policy assesses the front footage of the lots, and corner lots are assessed 100% on the long side and 0% of the short side of their lot. The cost per foot of frontage was \$72.50. The original street improvements assessment rate was \$28.00, and the new proposed rate is \$29.00 due to additional work. For commercial it was originally \$42 and is now \$43.50.

After the assessment hearing, residents will have the first 30 days, up to November 10, to pay their special assessment up front with no interest. Residents can pay any portion of their assessment

during this time, and the remainder will be put on the property taxes to be spread out over the course of seven years with an interest rate of 5%. There is a hardship deferral option that can be applied for at City Hall.

Council Member Fischer:

Some lots have rounded corners and there was concern that they would be assessed for two sides.

City Engineer Freihammer:

Ramsey County plat data was used to determine the length of the sides. A curved lot that changes its arc would be considered as two sides. However, if it was one long continuous arc with no way to determine where there would be sides, then that is included as frontage.

City Administrator Thongvanh:

The Council adopted the assessment policy in 2007 after a lot of public discussion. Assessment policies are unique to every community. Some cities assess per lot, some do not assess, and some tax the entire community per project. Residents can appeal their assessment as well.

Neil Waller- 1596 Vincent St:

He lives on the property with no tangent. He teaches math classes at UMN and sees no problem in splitting an arc in half. He would argue that there is a tangent with a driveway. To charge for the entire frontage does not seem fair. He is being charged thousands of dollars more than his neighbors.

City Administrator Thongvanh:

In order to appeal, there has to be a formal appeal to the Council in writing and within 30 days an appeal to district court. In order to appeal to district court, the property owner has to provide an appeal notice to the City Council. The property owner has to have a written, signed objection prior to the assessment hearing or have it presented at the hearing. The notice of appeal must be filed with the clerk at the district court within 10 days after the public hearing.

Erric Schiffman- 1596 Northrup St:

Out of fairness, does it make sense that the lot next to him is paying about \$2,000 with a similar lot size and he is paying about \$4,600? The lots in the neighborhood are all about the same size, and the average cost to people in the neighborhood is about \$2,200. The City of Ramsey has principles such as, the assessment must be uniform in relation to the same class of properties within the assessment area. In this case, they charge all the residents the same. He agrees that in general the policy works, but it doesn't work in this instance of a curve. This should be taken into consideration.

Mayor Lindstrom:

To change the assessment policy to be more equally split, it would significantly increase the dollar amount for the other assessments in the Grove. Fairness is taken into consideration. He also cannot argue the fairness in equally splitting the assessment costs regardless of lot size. It is not clear cut.

Council Member Fischer:

The assessment policy has to apply to many different types of lots, and it will not necessarily be fair to all. In this case, this is an extreme outlier. The assessment policy is not being changed tonight, but what are the options tonight?

City Administrator Thongvanh:

There has to be a written petition to appeal. After they appeal the assessment, Council can decide how to move forward. He has seen Council Members negotiate with residents prior to district court.

The next step is up to the Council if they decide to negotiate an amount after the appeal or wait for the resident to file with the district court.

Barbara O'Leary- 2252 Folwell Ave:

Their assessment is about \$3,700, and with upcoming taxes that will tack on another thousand. The project itself was very disruptive. There were water shut offs for several days, and they did not turn it on when they said they would. Street lights have been out. The people who are retired will have to be paying so much more now.

Neil Zwoller- 1956 Vincent St:

He can assure you that there is a tangent for his property. Is this policy of tangents in writing?

City Engineer Freihammer:

We can review the property, from the plat it shows one long curve. The policy of tangents is not in writing and was an interpretation to determine frontage.

Eric Schiffman- 1596 Northrup St:

Why does his curved lot have to pay more even if they didn't get all new curb or sidewalk?

City Engineer Freihammer:

Sidewalk and curb was replaced as needed. A lot of the areas that got all new curbs were related to St. Paul Water and St. Paul paid for those replacements. Sidewalk repair was done in areas that needed to be fixed, but long stretches were paid for by St. Paul Water and CenterPoint.

City Administrator Thongvanh:

The city does not certify the assessment until November. The appeal gives 30 days for negotiation with the Council. If there is not an agreement within those 30 days, then it can be taken to the district court to begin negotiations in that manner.

Council Member Fischer:

What would be the ramifications of keeping the public hearing open to allow others to appeal?

City Administrator Thongvanh:

The public hearing was held tonight due to the need to certify the assessments to the county by November 16. If the public hearing is left open, that would push back the 30 days and the county would not be able to put the assessments on tax statements.

Council Member Harris Moved to adopt the assessments with consideration to the appeals made tonight, Approved 4-0

F. CONSENT AGENDA:

1. General Disbursements through: 10/05/17 \$139,104.43
Payroll through: 9/30/17 \$18,217.08
2. Designation of Polling Places for the 2018 State Primary and State General Elections
3. 2017 PMP Payment #6
4. Sanitary Fund Transfer to Reduce Debt Service Payments in 2018

Council Member Fischer Moved, Approved 4-0

G. POLICY ITEMS:

H. INFORMATION/ANNOUNCEMENTS:

1. Weekly Police Reports – Can Now Be Found At:

http://www.falconheights.org/index.asp?SEC=75B3E8BB-785B-4048-B543-995BAE0716A5&Type=B_BASIC

Council Member Fischer:

- Community Engagement Commission meets on Monday at 7pm.

Council Member Harris:

No updates.

Council Member Gustafson:

- The Fright Farm is at the Ramsey County Fairgrounds on Friday and Saturday nights from 7-11pm. This will be every weekend in October for \$12 per person. On Sunday, October 29 there is a low-scare event for kids. All money raised goes to a foundation geared towards the community for youth and public safety engagement.

City Administrator Thongvanh:

- The workshop will be on October 18. The agenda will include the Ramsey County Sherriff's Department presentation. He is working with Ramsey County on the contract. After the contract language is finalized, he will present it to the Council for approval at a Council meeting. There will be one or two open houses for the public to meet with Ramsey County at the end of November and/or beginning of December.
- The workshop will also have a draft vacant home ordinance and potentially the assessment appeals.

Mayor Lindstrom:

No updates.

I. COMMUNITY FORUM:

John Shardmil:

He is one of the co-chairs on the Commitment to our Schools Committee. He has been working to promote the passing of the bond referendum. He encourages people to take advantage of the community meetings and tours that are being provided by the Roseville School District. Tomorrow night at 6pm there will be a tour of Roseville High School and a community meeting at 6:30pm. On October 30 there is a tour of the Roseville Middle School at 6pm and a community meeting at 6:30pm.

They realize that some people are on a fixed income and may face a hardship due to increased taxes. They are providing information on property tax refunds, deferrals, and deductibility. Studies show that every dollar you spend in schools brings \$12 back to aggregate property values.


City Administrator Thongvanh:

There is a special home owner's homestead credit refund. To qualify you must have owned and lived in the same house in 2016 and 2017, the net property increased more than 12% from 2016 to 2017, and the increase was at least \$100 and was not due to improvements made to the property. There is no limit to income for the refund. The maximum refund is \$1,000.

J. ADJOURNMENT: 9:25 pm


Peter Lindstrom, Mayor

Dated this 11th day of October, 2017


Sack Thongvanh, City Administrator