

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

AGENDA
August 14, 2019 at 7:00 P.M.

- A. CALL TO ORDER:
- B. ROLL CALL: Vacant ___ LEEHY_X__ HARRIS_X__
MIAZGA_X__ GUSTAFSON_X__
- STAFF PRESENT: THONGVANH_X__
- C. PRESENTATION
1. Neal Kwong Award – Alia Tang

Alia Tang

I joined a Minnesota youth environmental activists group, which connected me with iMatter. This organization supports youth in leading campaigns to push their city governments to take more measures to conserve the environment and prevent climate change. I started a group in St. Paul that represents four different high schools. Over the next few months, my team and I researched our city’s current climate policies, met with city government members, researched climate action in other cities, and finally wrote a resolution and presented to the city council. Unfortunately, I left for a yearlong exchange in Mexico a couple of weeks before our group presented the resolution, so I passed on the leadership to two very capable team members who continued on the project.

The iMatter campaign was the focus of my senior project, but it was not all that I did. I attended various protests throughout the year, lobbied at the State Capitol, volunteered weekly at Twin Cities Tutors, an organization that tutors mainly low-income and/or immigrant children in their schoolwork. I am very proud of everything that I accomplished during that project - I learned a lot, developed my leadership skills, and enjoyed being able to have time in my day to give back to my community. I was also able to meet so many people with the same passion. Finally, I would like to thank the Kwong family for taking a tragic event and turn it into something positive for the community. Thank you for recognizing how important volunteerism, leadership, and citizenship are for a healthy community.

- D. APPROVAL OF MINUTES:
1. July 24, 2019 City Council Meeting Minutes

Approved 4-0

E. PUBLIC HEARINGS:

F. CONSENT AGENDA:

1. General Disbursements through: 8/07/19 \$257,328.55
Payroll through: 7/31/19 \$46,058.71
2. Approval of License(s)
3. Nomination of Esha Seth to Environment Commission
4. Investments through the 4M Fund

Council Member Leehy

I've had the opportunity to meet Esha Seth at different city events. I am happy to see her serve the Environment Commission and giving back to the community.

City Administrator Thongvanh

Morgan Stanley has decided that a \$10 million investment fund is needed to maintain our investments with them. The city does not have the amount and will need to move the investments from them. The 4M fund is an excellent alternative.

Approved 4-0

G: POLICY ITEMS:

1. Variance Application for 1800 Albert Street

City Administrator Thongvanh

Mr. Todd Thun and Ms. Marsha Keppel have completed an application for a variance request at their property, located at 1800 Albert Street. The property owners would like to build a three-stall garage near the existing footprint, at an 8-foot corner-side yard setback, which would expand the nonconformity. Thus, they have requested a variance from the required corner-side yard setback.

Mr. Thun and Ms. Keppel applied for a similar variance in 2005. At that time, the request was for a variance to allow a garage to be built on the same/current setback. Both the Planning Commission and City Council denied the variance request. The Planning Commission held a public hearing on July 23, 2019 to consider the variance. Mr. Thun and a few of his neighbors spoke in favor of granting the variance. The Planning Commission voted 3-1 to recommend approving the variance. Staff recommends denying the variance because the proposed garage and its location do not meet all criteria for granting a variance.

Todd Thun (1800 Albert St)

Between 2005 and now, the variance code has changed. We want to rebuild the garage so it is close to the house, farther off the street, and having it close to the house is reasonable especially during the winter season. It was suggested that we move the garage to the back of the property where there is more space; however, it will be 100-150 feet away from the house. We think wanting to have a garage close to the house is a reasonable use.

Will the public be better off if we grant the variance? The answer is yes. If the variance ultimately is not approved, then we will rebuild the garage on the existing footprint. We are not going to walk a hundred, 150 feet to a garage in the back of the lot in the winter. I am not saying that what we are proposing is a perfect solution, but we are trying to meet the city and the public's interest in getting that garage as far off the street. That is what this variance accomplishes. If you vote for the variance, you are going to have the setback situation improved. If you vote against the variance, then the cars are going to be sticking out in the street for another 30 to 40 years. I think the variance presents the city with the unique opportunity to have a win-win situation.

Dan Schaefer (1788 Albert St)

The whole neighborhood is in favor of it. The first factor is that precedent is not the issue. The second factor is being reasonable, 100-150 feet from his house is not reasonable, and his solution is reasonable. The main risk is not the measurement but the distance from the road. We strongly suggest that you look at this matter.

Nina Samuels (1801 Albert St)

One, I see this as a potential improvement for everyone. As Todd stated, it is not a perfect solution, but it is a good solution. We urge you to approve the variance.

John Duncan (1753 Albert)

You are taking the property and disallowing anything because you are trying to apply new codes to the existing properties. I would like to support this variance. They are great neighbors. Why are you disallowing things like this to improve the neighborhood?

Earl Schwartz (1801 Albert St)

If there were some reluctance to raise the issue of precedent, I would do it in this regard. I would like to hear from any council member who would vote against the request for the variance explain why they would choose to overlook or neglect a strong, adamant, and clear decision of a duly constituted committee of this city is recommending that the variance be granted. The purviews of the council that you know, understand, or believe that you think that commission did not know, understand, or believe otherwise to ignore the precedent that the condition establishes is a serious problem.

Akli Mansouri (1797 Hamline Ave)

Have you ever thought that if he has a 3 car garage maybe they will not be any cars outside? If there is enough space in there, then you will put the car inside and the street will be empty. I walk and drive by the house every day, and the cars are always sticking out. It can cause accidents, is not safe for children and everybody who are parking on the street. It is a hazard right now. If you approve the variance, you will remove the hazard.

Council Member Miazga

I am supporting the variance because if we are going to save three feet, then it will be safe for children who are walking on Garden Avenue and if we plan to put sidewalks there.

Council Member Harris

I am going to vote against the variance request because there are other options and the property owner does not want to use them. It is also important to support the code.

Mayor Gustafson

I am going to vote to deny the application. If you are going to build a new garage or keep existing, you still have to follow the code.

The City Council has voted against commission recommendations in the past because we need to follow the code.

Mayor Gustafson Moved to deny the variance, Approved 3-1

H. INFORMATION/ANNOUNCEMENTS:

Council Member Miazga

- Environment Commission is working on changing the native plant-pollinator ordinance draft.

Council Member Leehy

- Parks and Recreation met on August 5. We discussed the success of the garden in a box and will have it again next year. We also talked about bringing new summer programs for next year and have programs end in August instead of July.
- Curtiss Field basketball court is in its proximity to being completed.

Council Member Harris

- I have missed some city meetings due to family events. I took my family to the Community Park playground and was happy to see it still in good shape.

Mayor Gustafson

- Community Engagement Commission will meet on Monday, August 19 at 7pm. We will discuss topics for Human Rights Day, which is on Tuesday, December 16.
- Cultivating a Caring Community - Grey Area Thinking will be on Monday, November 18. The third guest speaker is Ellen Krug. All are welcome to the event.
- Minnesota State Fair is from August 22 - September 2. I will be at the fair on Thursday, August 22, and will kick off the Giant Slide at 11am with other city mayors and Governor Tim Walz.
- During the State Fair, one of our biggest issues is parking. A reminder that you cannot park on the "No Parking" or "No Parking during State Fair" streets. There are signs throughout the city. City staff have mailed parking permits to various neighborhoods where they do not have enough parking spaces. If you are a renter, please contact the property owner or manager. They can only request the permits and city staff already mailed the letters. The city cannot grant any special permits or temporary signs if you are having family gatherings, moving, etc. Lastly, please remember to call 911 for parking issues and emergencies.

- I want to let the public know that our Community Park building needs repair. We will discuss this as a community to determine how we are going to proceed with this asset and how much it means to the whole community.
- The Falcon Heights Fire Department open house event on August 10, went very well. It had about 10-12 people who were interested in joining and asked great questions.

City Administrator Thongvanh

- Larpenteur Avenue West will be open in all four lanes for the State Fair. The construction will resume after the State Fair.
- We received the hoops for the basketball court. If the weather continues to stay nice, then we will start pouring the concrete. In addition, the shed was recently installed at the park.
- Public Works Director is trying to get a professional to evaluate the Community Park building structure.
- City staff and council have been reviewing the budget at City Council workshops. We are looking at the long-range planning of the community and how we can stabilize some of our funds. We are also bringing in a consultant or professional services to do long-range strategic planning for the council and staff.
- Public Works Department is getting ready to clean the median. They could not clean it during the construction; therefore, the weeds are overgrown and can be a hazard. We are also looking to add more plants there.

I. COMMUNITY FORUM:

J. ADJOURNMENT: 8:54 P.M.

Randy Gustafson, Mayor

Dated this 14th day of August, 2019

Sack Thongvanh, City Administrator