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The City That Soars!

REQUEST FOR COUNCIL ACTION

Meeting Date	December 2, 2020
Agenda Item	Presentation C1
Attachment	N/A
Submitted By	Sack Thongvanh, City Administrator

Item	Fire Services – Request for Bids
Description	<p>During the September 23 City Council, the Council directed the City Administrator to send out a Request for Interest Letter to the surrounding fire departments.</p> <p>The City received three “Letters of Interest”. They include the Fire Department of Roseville, St. Paul and Falcon Heights.</p> <p>During the November 4th Council Workshop, the Council discuss the idea of have each agency that provided a “Letter of Interest” present to the Council at the November 11th Regular City Council meeting that will include an introduction to their department, scope of services provided and potential cost.</p> <p>During the November 18th City Council Meeting, the Council authorized the City Administrator to request bids from the City of St. Paul, City of Roseville, and the Falcon Heights Fire Department.</p> <p>Bids will be available December 1st. The Falcon Heights Fire Department has request an extension to submit their bids.</p> <p>Each Department has the option to present their bids. If they choose to present, each department will have ten minutes to present and an additional ten minutes for questions from the Council. Attendees will be allowed to ask questions if approved by the City Council.</p>
Budget Impact	This will depend on the outcome of the decision made by the City Council.
Attachment(s)	<ul style="list-style-type: none"> • Document - Request for Bids
Action(s) Requested	Staff is looking for direction on how to proceed with this request.

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FALCON HEIGHTS

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November 21, 2020

REQUEST FOR BIDS

The City of Falcon Heights

Fire Protection Services

Bid Submittal Deadline: November 25th, 2020 by 4:30 P.M.
(An extension can be provided upon requested up to November 30th, 2020 by 4:30 p.m.)

Extension request can be made to Sack Thongvanh, City Administrator

Prepared By:
Sack Thongvanh, City Administrator
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Request for Proposal

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SECTION 1

INTRODUCTION

Thank you for your interest to provide fire protection services to the City of Falcon Heights, Minnesota.

Falcon Heights, the City that Soars! Is located just ten minutes from both downtown St. Paul and Minneapolis, we are the home of the Minnesota State Fair, with over two million visitors a year, the University of Minnesota St. Paul Campus, whose wide open agriculture fields give our community a rural feel in the heart of the Twin Cities metropolitan area, the Gibbs Farm Museum, the University of Minnesota Les Bolstad Golf Course and Bell Museum.

The City has an estimated population of 5,521 residents with a total area of 2.24 square miles. Falcon Heights is bordered by Lauderdale to the west, St. Paul to the south and Roseville to the north and east. Based on the 2010 census, there are 2,254 housing units.

The City receives contract services for law enforcement services from Ramsey County Sheriff's Office and ambulance services are provided by the City of St. Paul.

SECTION 2

BUSINESS FUNCTIONS/ SERVICES

Falcon Heights would request the following information and data:

1. Response Time for Agency –Provide response time from the last two years and the response team (how many firefighters responded) for day, evening and weekend rescue.
2. Response Time for Falcon Heights – projections on the estimated response time for properties within the City of Falcon Heights for day, evening and weekend rescue. For example the response time for a home in the northwest, northeast, southeast and southwest of Falcon Heights.
3. How will your agency address the concerns as listed in the Fire Department Audit (Appendix A) that includes:
 - a. Recruitment and Retention
 - b. Response Times and Call Volume
 - c. Training, Certification Renewal, and Compliance
 - d. Annual Equipment Testing Compliance
4. Leadership -Provide a list of your leadership team, their qualifications, training and certifications.
5. Fire Fighters – Provide Agency qualifications, training and certifications requirements.
6. Do you provide services to other surrounding cities or agencies?
7. It's common for the Fire Department to be involved in the community with such events as Block Party, Citizen special requests, or Fire Department special community events. What community services will you provide? Be specific and define limitations.
8. Consultants or Sub-Vendors/Contractors. Describe the City's business and reporting relationship with any consultants and/or sub-vendors/contractors that would be a part of this proposal. The City desires to enter one contract with one City, who will be responsible for all service, work and assets. Any other arrangements must be fully disclosed to the City.
9. Listing of any potential conflicts of interest.

10. Provide examples of piece of equipment, asset, or software you purchased in order to increase efficiency and or effectiveness?
11. Do you take into account to build a team with diversity in order to mirror the citizens you are serving? Explain if you do and or how you recruit.
12. What if an unexpected crisis occurred such as unrest that Minneapolis experienced this year. How would you approach/react, and do you have a Plan?
13. Statement providing the performance measurements to be utilized in defining service delivery and service outcomes.
14. Statement providing the performance measurements to be utilized in defining service delivery and service outcomes.

SECTION 3

SCOPE OF SERVICES

A. Services.

1. **Fire Services.** Agency shall furnish fire protection services to all properties located within the City of Falcon Heights unless specified by other agreements or contract (example the State Fair or University of MN -St. Paul Campus). Services will also include response to auto accidents or incidents on our streets that would warrant a fire response. Agency shall respond to all fires in Falcon Heights with the same level of service and effort as it does its own jurisdiction whenever Falcon Heights is notified of such fire. Fire Fighting Service and Fire Prevention Services from said agency as needed in performance of the services described herein, including mutual aid services as deemed necessary by situation.
 2. **Hazardous Materials Response Services.** Agency will provide hazardous materials response services.
 3. **Routine Fire Inspection Services.** Agency shall provide routine fire inspections. The service shall include routine annual inspections of all day care facilities, residential rental properties and commercial and industrial structures, and one follow-up inspection per structure.
 4. **Non-Routine Fire Inspection Services.** Agency shall provide additional fire inspection services necessitated by particular fire code concerns, complaints, or the need for more than one-follow-up inspection.
 5. **Emergency Management Services.** Agency will provide emergency management services.
- B. Reporting- How, when, and what will you provide to keep the City up to date on your services in the community.
- C. Equipment – Agency will provide all necessary equipment for fire protection services.
- D. Personnel – Agency will provide all personnel to fulfill fire protection services.

SECTION 4

STATEHOLDERS AND ORGANIZATION

1. Provide an organization chart that includes the staff name and titles. This should be the team that will be responsible to responding to the Falcon Heights Fire services.
2. Define if you have any staff that aren't currently certificated, but in the process of being trained. How many and expected completion dates.
3. Do you currently have any unfilled vacancies? How many and expected hire completion. Does it impact the services provide to Falcon Heights.
4. Are you having to supplement your budget with other funds such as grants or other means?
5. No one Fire Department can stand on its own. What other agencies do you have a MOA or agreements with for backup and or team approach? Explain briefly how and when that would occur.
6. Explain how often and what type of drills or training you provide to your staff.
7. Does your organization provide any opportunities for our current Fire Department to participate on your Fire Department? If so how?

SECTION 5

EVALUATION CRITERIA

The City shall evaluate the proposal on criteria including, but not limited to, the following list (in no order of priority).

1. The City adheres to the instruction in this Request for Proposals on preparing and submitting the proposal;
2. Thoroughness of approach to conducting the Fire Services of the City and demonstration of the understanding of the objectives and scope of the Services.
3. Commitment to timeliness in conduct of the Services.
4. Maximum fees to provide the services.
5. The agencies will have the opportunity to provide an oral presentation to the City Council and Mayor on Zoom with the community having the ability to ask questions or comment. Each City will have the same exact time to present.



Falcon Heights Fire Department

Internal Review and Audit 2020



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Daytime Response

The Falcon Heights Fire Department has a significant lack of daytime response availability. This, coupled with a firefighter recruitment need, is the most glaring need for the Falcon Heights Fire Department. In the past year, on three instances, the fire department has been unable to provide an emergency response vehicle for an emergency call. With the current administrative contract in place their response has a backstop from the Roseville Fire Department. However, this backstop is not a long-term fix. Assessing daytime availability of existing staff, recruiting daytime specific personnel, and potentially providing an incentive to daytime response are considerations that should be made to fill this gap.

Organizational changes may be necessary to meet the needs of an evolving fire department. An example of this would be to change the training structure (instituting daytime training) and the firefighter response tracking in regards to firefighters that work in the area and can respond during the day, but live outside the response time at night and on weekends.

The lack of daytime staffing and response availability is a long-term issue that should have been addressed in the department's past, and needs to be addressed rapidly going forward. As it takes 1-2 years, at a minimum, to hire and train a fully functional firefighter/emergency medical responder, true efforts to recruit and hire quality employees should have been done within the last 5 years in earnest to as not be in this position.

Personnel and Recruitment

The fire department currently has 16 total firefighters, with one firefighter on an extended leave, one non-active for the past six months, and one with a pending retirement. This total amount of firefighters is down from previous years. In addition, there are several members that are at or near retirement age and have sufficient years of service credit in the Fire Relief Association for retirement. The combination of the total number and the potential for some retirements leads to a high priority for recruitment and refocused retention efforts.

Recruitment

The recruitment of eligible and capable firefighters is a critical function facing the Falcon Heights Fire Department. Some recruitment has been done during the initial phases of the administrative contract; however, it is the goal of fire administration to ramp up recruitment efforts and start a recruitment committee that consists of:

- Fire Administration
- City Administrators
 - Falcon Heights
 - Lauderdale
- Three to four current firefighters

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The goal of this committee will be to brainstorm and discuss several different avenues for active recruitment that does not just meet the immediate approach to personnel levels, but is a long-term sustainable recruitment program that helps get the fire department to personnel levels consistently at the 20-25 firefighter mark going forward.

Any and all possible options to recruit should be assessed and vetted. This could include options and opportunities like:

- Expanding the response time to the fire station, allowing for a larger area to pull recruitment from.
- More focused recruitment at the University of Minnesota as well as local businesses in Falcon Heights and Lauderdale in pursuit of daytime available responders. A focused approach on daytime response and utilizing men and women that work in Falcon Heights or Lauderdale may be a focused recruitment that would be advantageous.

Retention

The retention of firefighters is a vital task for any fire department, especially a paid on call fire department. As there are many different motivations and interests that keep firefighters involved, whether it be a retirement income and incentive, pay (secondary source of income), good training, camaraderie, preparation for a full-time fire service career, or giving back to the community. With this in mind, we have to approach retention as an important piece to our internal customer service.

Training

One of these items has been addressed through training. Training is the bedrock of the organization and the one consistent item that brings firefighters to the fire station on a weekly basis. It is imperative to have focused, active, and engaging training that improves skill sets, increases teamwork, and provides motivation to be involved with the organization.

Firefighter Pay

One area we would like to consider as part of our retention process is to elevate the hourly pay for the firefighters. While we understand this is a paid-on-call position and most firefighters are not with Falcon Heights to make a livable wage, a more suitable rate of pay for their job functions may improve participation and have an improvement in job satisfaction. As part of the 2021 budget process we plan to introduce a pay increase for all personnel to get them to a suitable level of pay that is comparable to their paid-on-call peers in the Twin Cities metro.

Strategic Planning

A clear image of the future and goals is a profound and effective way to retain firefighters. A clear image, or strategic plan, assists firefighters in having a shared understanding of where the organization is currently at and what their goals are over the next 1-5 years. Improved roles and responsibilities, clear goals, and a path by which to take to get their can invigorate and motivate personnel to be a part of that goal and assist in the retention of firefighters.

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Effective Leadership

Consistent and professional leadership is a significant factor when assessing personnel retention. The Fire Department has not had this in recent past. Consistent leadership and a command structure that is flexible to adapt to the needs of the department, coupled with a strategic plan will assist in retaining firefighters. In previous years, communication from Fire Administration down to the entire fire department was not common. It is imperative to develop transparent and effective leadership within the organization that allows the fire department to address operational and administrative goals and benchmarks. The fire department will have to be involved with developing this structure, though it may lead to changes in how the organization has been structured in the past.

Response Times and Call Volume

In 2019 the fire department was dispatched and responded to 121 calls for service. Response times tend to vary depending on the time of day. As to be expected, daytime response times are slightly slower on the average versus night and weekend responses. Their overall response time for a fire suppression apparatus to arrive on scene is averaging around 10:00. A review of the 2019 call volume, call type, and response times are included in Appendix C.

It is important to note that the information provided in the 2012 audit and review of the Falcon Heights Fire Department had inaccurate information regarding response times. The 2012 audit noted the average response time was around six minutes. The six-minute response time that is noted is the arrival of a company or chief officer in their private vehicle responding directly to the scene. This is not the response time of an actual fire suppression and/or rescue apparatus. NFPA response time benchmarks measure and set goals for the response of a fire suppression apparatus as these units are required in order to mitigate an emergency. When looking at response times using proper NFPA guidance, 2012 response times are consistently comparable to what the current response times of Falcon Heights Fire.

Training, Certification Renewal, and Compliance

Our assessment of the training division within the fire department showed gaps in hands-on and practical training for the firefighters to meet expectations of the Minnesota Fire Service Certification Board (MFSCB), Minnesota Board of Fire Training and Education (MBFTE), and Minnesota Emergency Services Regulatory Board (EMSRB). During the initial phase of our audit firefighters made mention they rarely, if ever, practiced actual fire tactics, like stretching hose-lines in an effective manner. We approached the first and second quarters of training in 2020 with an approach that utilized their interests and gaps we knew were present. Training is back on track with a “back to the basics” focus to improve competency and consistency.

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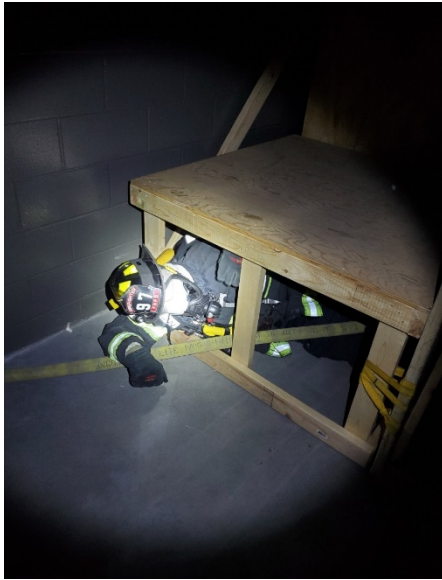
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Within the training we focused on the importance of having a FHFD member be a co-leader of the trainings. This could be the newest firefighter all the way up to the most senior firefighter.

This was established for two primary reasons:

1. To develop leadership and instruction skills for all firefighters and captains.
2. To allow them to be as autonomous as possible. Allow the RFD personnel to facilitate the training, but by leaving the majority of the instruction to the FHFD personnel it would allow for them to work better as a team.

With the first quarter of training complete and into the second quarter we are very pleased



with the progress of the firefighter's skill set as well as the willingness of all members to help teach and take ownership over their training program to assure a quality training experience for the fire department.

The fire department transitioned away from their previous emergency medical services (EMS) education provider and moved to Regions EMS. Regions EMS is a high quality education provider that provides education to more than 15 fire departments in the metro as well as western Wisconsin. They have a very hands-on focus to their fire departments they educate and we believe this will be an improved educational experience for the firefighters at a reduced cost from what the fire department was paying in the past. With the wide breadth of organizations that Regions EMS

provides education to, there is now an increase of opportunities to get in necessary training, as well as additional training opportunities that are multi-jurisdictional that the firefighters can participate in.

As part of a grant opportunity with the MBFTE we have implemented Target Solutions, an online training and tracking program to improve information sharing and training opportunities. This program will likely replace the existing SharePoint site that houses training information, standard operating procedures, calendars, and other departmental information.

All firefighters that were due for their bi-annual EMS certification renewal were recertified without issue.

Annual Equipment Testing Compliance

Equipment testing and compliance is a vital piece to the safety of the firefighters as well as the longevity of the equipment. In the fire service there are several pieces of equipment and apparatus that need to be tested and evaluated on an annual basis:

1. Self-Contained Breathing Apparatus (SCBA)

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2. Apparatus Pump
3. Ground Ladders
4. Aerial Ladder Truck
5. Fire Hose

Self-Contained Breathing Apparatus (SCBA)

The fire department currently uses a Mine Safety Appliances (MSA) Firehawk brand of SCBA. These SCBAs are seven years old (purchased in 2013). Per NFPA and OSHA regulations they have approximately three to eight years of time left of their adequate and appropriate use before consideration for replacement. This has been included in Appendix A, Capital Outlay. Per our records review and assessment, the SCBAs have received competent and appropriate testing in the last two years, with few repair issues or concerns.

Consideration for this equipment replacement should be a priority. Replacement for the SCBA and associated components should occur 2023-2028.

SCBA	Replacement Cost: \$130,000
SCBA's are a priority to budget for. They are currently sufficient, but per NFPA and OSHA regulations they should be replaced between 10-15 years (2023-2028).	

Apparatus Pumps

The Fire Departments three large pieces of apparatus have received annual pump testing through Emergency Apparatus Maintenance (EAM). Minor repairs and maintenance needs for the fleet are performed EAM. Pump health and capacity appear to be adequate and appropriate.

The annual pump testing of three apparatus is an on-going annual cost of approximately \$2,000; without consideration of any maintenance work and follow ups on issues discovered during the testing process. Annual operational funds should be in place and considered for this test and maintenance needed.

Ground Ladders and Aerial Ladder Truck

Through our evaluation and records review we found no results of any recent ground ladder and aerial testing. We believe the fire department may be several years behind with this annual test. Due to this concern, we believe this is a priority test and evaluation that needs to take place.

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The annual testing costs for FHFD's fleet is approximately: \$1,500. This includes 291 feet of ground ladder testing and the aerial ladder test.

Ground Ladders	Testing Cost: \$654.75
This is an annual requirement to test the safety and functionality of ground ladders in the fleet. Forgoing annual testing is a significant risk to personnel and dangerous. It is also a very effective way to discover the age and functionality of the ground ladders to better prepare the department for replacement.	

Aerial Test	Testing Cost: \$805.00
The usage and functionality of an aerial platform is critical for a fire department's fire-ground tactics and the safety of all firefighters working on or around this apparatus. From our records review we could not find any testing results or documentation for the 2014 Pierce Aerial ladder. It is overdue for testing and compliance.	

Fire Hose

We were unable to locate annual hose testing results from our review; firefighters made mention that they have never tested their hose.

We recommend immediate testing of all fire hose this spring or early summer in an effort to assess the health and functionality of all fire hose. There is a potential, due to lack of testing, a significant amount of hose may fail and need to be replaced in an effort to maintain appropriate supply and Insurance Services Office (ISO) requirements and expectations. Once hose testing is completed we will have a better idea of replacement needs, if any.

Fire Hose	Annual Testing: \$2700
The current condition of the fire hose on the apparatus and in the fire station is in fair condition, replacement costs will be dependent on the success of the annual testing.	

Radios

The current portable radio fleet for FHFD consists of 22 radios and the current mobile radio fleet for FHFD consists of 5 radios.

Portable Radio Analysis

Nearly all (21 of 22) radios are from the original 2006 purchase process conducted by Ramsey County. These radios have reached the end of their effective life, and have officially reached end-of-life by Motorola. This means that repair or replacement parts are no longer available for these radios and their use as a life safety system for firefighting should be ended. FHFD currently has enough portable radios for all available riding seats on fire apparatus; NIOSH reports have indicated through post-incident analysis that every firefighter on the fire-ground should have a portable radio and be properly trained in its use as a firefighter safety component. It is our assessment that we should maintain the current number of portable radios at 22.

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We would recommend an aggressive replacement plan for the 21 portable radios over a 1-3 year timeframe. For long-term planning, a 12 year life-span for portable radios is suggested. Current per radio cost is **\$4,600.00**.

In Appendix A we noted to begin a capital investment of \$32,200 per year to begin the replacement of all radios (7 radios per year). This will allow a full replacement over the course of three years, then a process of replacing two radios per year starting in 2028. We believe a set amount annually in this line item will be the most advantageous to maintain a well-functioning radio fleet.

Mobile Radio Analysis

All mobile radios installed in FHFD apparatus are from the original 2006 purchase conducted by Ramsey County. While these radios are important to the operations of the department, they do not share the same life safety concerns that a portable radio being utilized by an individual physically on the fire-ground. We recommend a phase-in replacement plan covering the next three years to replace the current mobile radios with newer models. **The current models utilized in FHFD apparatus no longer are able to be serviced if a failure does occur.**

Current Per Radio Cost: **\$5,000.00**

Installation per-vehicle: **\$775.00**

Total: \$5,775.00 (x5) = \$28,875.00

In total we have approximately **\$125,000** of radio costs that need to be addressed as a priority in the 3-4 years.

Annual Radio Maintenance

To properly operate, 800Mhz radios need to be optimized annually and periodically require re-programming due to outside influences. Outlined below are operational costs for annual optimization, and costs associated with periodic programming.

Annual Optimization Costs (full radio fleet): **\$1,485.00**

Radio Programming (4 year cycles full fleet): **\$1,485.00**

These funds should be considered operational costs, not capital.

Personal Protective Gear

A firefighter's personal protective gear is the absolute most important piece of equipment for a fire department to maintain and invest in. Turnout gear review was one of our first priorities under the new contract for administrative services.

As part of the 2020 budget we have funds available for new fire helmets; the current fire helmets are well beyond their useful life and current guidance of NFPA standards. In the first 120 days of this administrative contract new helmets will be purchased and likely already in service.

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In addition to the fire helmets is fire resistant hoods. These specially designed fire resistant hoods provide important heat and carcinogen protection to firefighters operating in a fire or other hazardous environment. The most recent hood replacement we could find were purchased more than 10 years ago and also past their useful and recommended life span. We have since replaced all hoods at a cost of approximately \$550.

Much of the existing turnout gear is near or beyond the NFPA standards and guidelines for firefighters and is an immediate replacement priority. With taking out a helmet and a hood (already replaced) a turnout gear ensemble will cost approximately \$2700 per firefighter. This includes a turnout jacket, pants, boots, and gloves. From our review we found the following immediate replacement needs (at or beyond 10 years):

7 Pants

6 Jackets

15 Boots

With current pricing Falcon Heights is looking at a minimum of \$16,850 to address the immediate gear replacement needs.

Turnout Gear	Replacement Cost: \$16,850
This is for all current boots in service, and any jacket or pant at 10 years of age or older. An additional concern is the fire department has no back-up gear available that is functional.	

Note that the total replacement costs associated with subsequent gear purchases will be an additional \$15,000-\$20,000 over the next 2-4 years (2021-2024). Also note that this replacement is for current staff. If we are to recruit and add an additional 3-6 members, it would increase by approximately \$2600 per firefighter.

Apparatus

The Falcon Heights Fire Department currently maintains three large pieces of apparatus and one pick-up truck. Overall the apparatus fleet is in fair health. The department has two engines and one ladder truck. The engines are performing adequately however during recent pump testing some repairs were noted. However, Engine-752 is nearing the end of its useful life based on recommendations by NFPA. It is a 2001 Freightliner Custom Pumper. While this apparatus is still functioning appropriately as a back-up engine, a replacement should be considered by 2025 to assure reliable fire apparatus are available for emergency response.

Engine-753 acts as the first out engine for fire-related calls. It is a 2005 Sterling Custom Fire Pumper. It is functioning appropriately as a first-out engine, but will be in a good position to transition to a back-up engine after the replacement of Engine-752 is in place in the next 3-5 years.

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Ladder-757 is a 2014 Pierce Aerial ladder truck. It is utilized for most mutual and auto-aid responses, as well as rescue-related emergencies. This vehicle has passed recent pump tests. It is a well-functioning apparatus and, with proper care and maintenance, should remain in the fleet for another 15-20 years.

<u>Apparatus</u>	<u>Year</u>	<u>Needs/Concerns</u>
Engine-752	2001	Nearing the end of useful life, but likely still a functional apparatus for several more years in a back-up/reserve capacity.
Engine-753	2005	Functions well, but should be transitioned to a back-up apparatus in next 3-5 years.
Ladder-757	2014	In great condition, no significant needs or concerns at this time.
Utility 755		Operational and functional at this time, no immediate replacement needs.

Administrative Review

Standard Operating Procedures/Guidelines (SOP/SOG) Review and Committee

The Falcon Heights Fire Department has many outdated and obsolete SOPs, some are redundant as well as conflicting with each other. The initial review process and the subsequent committee development for review is a necessary step to improve clarity of job roles and responsibilities, response procedures, and department expectations. It is our goal to develop revised standards to meet the needs and expectations of the Falcon Heights Fire Department, the cities of Falcon Heights and Lauderdale, and the firefighters. We anticipate the committee review and development process to take 3-6 months with a goal of fall 2020 for completion.

Job Descriptions

In the first 120 days of the administrative contract we created job descriptions for Firefighter and Captain. The evolution of these job descriptions was a group effort as we sought feedback, edits, and development from the firefighters and captains. These job descriptions are located in Appendix B. We will be working with staff on the development of a Fire Chief job description as well as other chief officer positions once we have a more defined organizational structure for the future.

Medical Examinations

Per OSHA, firefighters are required to receive an annual medical examination that includes an SCBA mask fit testing and a certain list of functions to be tested and reviewed. As part of the leadership transition we have decided to work with a clinical vendor that better meets the needs of the fire service and works with many fire departments in the metro. Health Strategies will assist with the medical examinations for new hires, annual medical examinations, and any fit testing needed by the fire department. They are a reputable organization and have competitive pricing.

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As part of the leadership transition we will work with the firefighters to evaluate and address any additions we would like to add to the annual medical examination process. This is done in an effort to be proactive with health concerns for firefighters, especially as firefighters age.

Priority Summary

1. Daytime (Weekday) Response
 - a. Firefighter Recruitment and Retention Efforts and Working Group
 - i. Immediate attention needs to be focused on recruitment and retention, especially daytime available firefighters.
 - ii. Effort should be placed on getting many into the testing phase and on-board prior to the start of the next Firefighter I program in late fall/winter 2020.
 - iii. Assess and evaluate organizational changes that will need to occur with the recruitment of daytime only responders that live outside of the response area, but can respond and lend aid during the day.
 1. Training times and attendance opportunities.
 2. Response requirements for good standing as an employee and Relief Association credit.
2. Capital Improvement Considerations
 - a. Assess 10-year capital improvement outlay
 - i. Turnout gear in 2021-2023: High Priority
 - ii. Radios in 2021-2023: High Priority
3. Operational Considerations
 - a. Improve and streamline annual testing requirements of hose testing, ground ladder testing, SCBA pack and bottle testing, and pump capacity.
 - b. Organizational development, structure, and leadership development.
 - c. Continue to upgrade training involvement, participation, and practicality to better meet the needs and expectations of the firefighters.

City of Falcon Heights

Capital Improvement Plan: **Fire Vehicle & Equipment Fund**

Appendix A

Expenditure Detail

Key	Description	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	
V	Engine 753	\$ -	\$ -	\$ -	\$ -	\$ 550,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 550,000
V	Engine 752	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	-
V	Ladder 757	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	-
V	Utility 755	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 45,000	\$ -	\$ -	45,000
E	Exercise room-fitness equipment	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	-
E	Self contained breathing apparatus	\$ -	\$ -	\$ -	\$ -	\$ 130,000	\$ -	\$ -	\$ -	\$ -	\$ -	130,000
E	Ventilation fans	\$ -	\$ -	\$ 800	\$ -	\$ -	\$ 800	\$ -	\$ -	\$ -	\$ 800	2,400
E	Power equipment	\$ -	\$ -	\$ -	\$ 2,500	\$ -	\$ -	\$ -	\$ -	\$ 2,500	\$ -	5,000
E	Personal Protective Equipment-gear-boots-helmets	\$ 15,000	\$ 15,000	\$ 15,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	45,000
E	Exhaust system equipment	\$ -	\$ -	\$ -	\$ -	\$ 2,000	\$ -	\$ -	\$ -	\$ -	\$ 2,000	4,000
E	Medical bags and O2 bags	\$ -	\$ -	\$ 1,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,000	\$ -	2,000
E	Training equipment	\$ -	\$ -	\$ -	\$ 1,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	1,000
E	Camera to assist with rescue/firefighting	\$ 5,500	\$ -	\$ 5,500	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 5,500	\$ -	16,500
E	Portable radios- 3 per year replacement	\$ 45,000	\$ 45,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 13,800	\$ 13,800	117,600
	Mobile radios 1 per year	\$ 5,775	\$ 5,775	\$ 5,775	\$ 5,775	\$ 5,775	\$ -	\$ -	\$ -	\$ -	\$ -	28,875
E	Firefighting Equipment	\$ -	\$ 800	\$ -	\$ -	\$ 800	\$ -	\$ -	\$ 800	\$ -	\$ -	2,400
E	Response to water related emergencies	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	-
E	Apparatus Based IT Infrastructure	\$ 5,000	\$ -	\$ -	\$ -	\$ 5,000	\$ -	\$ -	\$ -	\$ 5,000	\$ -	15,000
E	Air monitoring equipment	\$ -	\$ 800	\$ -	\$ -	\$ 800	\$ -	\$ -	\$ 800	\$ -	\$ -	2,400
E	Rescue equipment	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 35,000	\$ -	\$ -	\$ -	35,000
E	Off-site paging equipment	\$ 800	\$ 800	\$ 800	\$ 800	\$ 800	\$ 800	\$ 800	\$ 800	\$ 800	\$ 800	8,000
E	Scene lighting	\$ -	\$ -	\$ -	\$ 400	\$ -	\$ -	\$ -	\$ 400	\$ -	\$ -	800
E	Hose	\$ 1,500	\$ 1,500	\$ 1,500	\$ 1,500	\$ 1,500	\$ 1,500	\$ 1,500	\$ 1,500	\$ 1,500	\$ 1,500	15,000
E	Ladders	\$ 5,000	\$ -	\$ -	\$ 5,000	\$ -	\$ -	\$ -	\$ 5,000	\$ -	\$ -	15,000
E	Nozzles	\$ -	\$ 3,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 3,000	6,000
F	Fire admin- office furniture	\$ -	\$ -	\$ -	\$ -	\$ 500	\$ -	\$ -	\$ -	\$ 500	\$ -	1,000
F	Training room tables & chairs	\$ -	\$ -	\$ 800	\$ -	\$ -	\$ -	\$ 800	\$ -	\$ -	\$ -	1,600
F	Day room furniture / TV	\$ -	\$ 2,000	\$ -	\$ -	\$ 2,000	\$ -	\$ -	\$ -	\$ 2,000	\$ -	6,000
F	Kitchen appliances	\$ -	\$ -	\$ -	\$ -	\$ 1,000	\$ -	\$ -	\$ -	\$ -	\$ 1,000	2,000
F	Kitchen table & chairs	\$ -	\$ 500	\$ -	\$ 500	\$ -	\$ -	\$ 500	\$ -	\$ -	\$ -	1,500
F	Computer equipment /printers office / training	\$ -	\$ 500	\$ -	\$ -	\$ -	\$ -	\$ 500	\$ -	\$ -	\$ -	1,000
F	AV equipment	\$ -	\$ -	\$ -	\$ -	\$ 500	\$ -	\$ -	\$ -	\$ -	\$ -	500
F	Washer & dryer	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 6,000	\$ -	\$ -	\$ -	6,000
F	Station Painting	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	-
F	Concrete repair /replacement	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	-
F	Bay lighting	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	-
F	SCBA compressor	\$ -	\$ -	\$ -	\$ -	\$ 30,000	\$ -	\$ -	\$ -	\$ -	\$ -	30,000
F	Carpet	\$ -	\$ 2,500	\$ -	\$ -	\$ -	\$ 2,500	\$ -	\$ -	\$ -	\$ 2,500	-
F	Overhead door replacement / openers	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	-
		\$ 83,575	\$ 78,175	\$ 31,175	\$ 17,475	\$ 730,675	\$ 5,600	\$ 45,100	\$ 54,300	\$ 32,600	\$ 25,400	\$ 1,104,075



FALCON HEIGHTS FIRE DEPARTMENT

2077 W. LARPELLE AVENUE FALCON HEIGHTS, MN 55113-5594 PHONE (651) 792-7635 FAX (651) 792-7610

Job Summary:

The Captain serves as a mid-level supervisor in the Fire Department. This position is paid on call, and assists the Chief Staff in providing leadership to the Fire Department staff and helps ensure the overall goals and objectives of the Fire Department are met.

The Captain is responsible for several areas within the Fire Department, including, but not limited to, fire apparatus, equipment, and personnel involved in the extinguishment, suppression, and prevention of fires. This position is responsible for the leadership and mentoring of firefighters and the proper maintenance of apparatus and equipment in accordance with standing orders and department standards. The primary duties include supervising firefighters performing fire prevention, fire suppression, training, public education, hazardous materials incident mitigation, rescue and emergency medical services to citizens and is responsible for helping to assure compliance with all legislative, judicial and administrative policy and procedures. At an emergency, unless working under a Chief Officer, the Captain is responsible for incident command and abatement of the emergency, including entering a burning building with the fire crew.

Scope of Responsibility:

The Captain under direction of the Chief Staff is responsible for performing firefighting duties and supervising a variety of staff functions requiring administrative abilities. The Captain is assigned a direct area of administrative responsibility and is responsible for supervising firefighting personnel on the scenes of emergencies. Within an assigned area, a Captain could supervise 6-10 personnel.

The Captain is responsible in coordination with the Chief Staff for conducting training. While subject to the requirements of written orders, standards, and regulations as well as verbal directions of a Chief Officer, the Captain exercises great independence of judgment and action while in command at fires and other emergencies.

Essential Duties and Responsibilities:

1. Using knowledge of the scope of services provided by the fire department and personal leadership skills the Captain communicates with the Chief's Staff to evaluate and report on the effectiveness of priorities and suggests new activities of the fire department.
2. Represents the City in the department's dealings with mutual aid departments and other government agencies in a manner that conveys a positive image of city government and that fosters cooperation and support.
3. Serves as a front-line supervisor in the technical operations of the Fire Department and is responsible for compliance with all legal and financial requirements. Ensures that Fire

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FALCON HEIGHTS FIRE DEPARTMENT

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- Department staff under their direction follows appropriate procedures and complies with City policies and general government requirements.
4. Oversee the cleaning of quarters, equipment, and apparatus.
 5. Organizes duties and responsibilities including fire and EMS training.
 6. Compile and keep varied records, incident reports, and payroll documents as required.
 7. Perform related work as required.
 8. Directs the enforcement of all City codes and ordinances in a manner that protects and safeguards the welfare of the public and enhances quality of life in the City.

Knowledge, Skills, & Abilities:

- Thorough knowledge of the operation and maintenance of all apparatus, and equipment and methods used in combating, extinguishing and preventing fires, as well emergency medical care.
- Thorough knowledge of rules and regulations governing the fire department, standards, and protocols of the department
- A knowledge of all federal state and local laws related to the activities of the fire department.
- Thorough knowledge of the principles and practices involved in training personnel.
- Ability to react quickly and remain calm under duress and strain.
- Ability to lead firefighters, effectively, maintain discipline, promote harmony, exercise sound judgment and cooperate with other officials.
- Ability to prepare clear and concise reports.
- Possess strong leadership, problem solving and interpersonal relationship skills including the ability to maintain effective working relationships with co-workers, supervisors, contractors, and the public; and can maintain confidentiality regarding investigations and inspections.
- Is able to regularly respond to emergency calls within established departmental time periods.
- Has ability and desire to project a professional image through knowledge of job, positive attitude, and accurate and timely completion of work.

Minimum Qualifications:

Minimum job requirements are specialized training beyond high school of one year or less and at least 4 years of related experience. Meets all of the qualifications for the Firefighter plus meets or exceeds all recommended requirements for NFPA fire officer I (1021) and has some incident command training. *Must maintain a maximum response time to assigned fire station as defined in department policy.*

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FALCON HEIGHTS FIRE DEPARTMENT

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Physical Demands & Working Conditions:

The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. The duties listed above are intended only as illustrations of the various types of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related or a logical assignment to the position.

A small portion of the work performed by the Captain is administrative in nature. Most work requires the Captain to meet and perform the requirements of a firefighter. Thus, the Captain may be required to: spend excessive time outside exposed to the elements; tolerate extreme fluctuations in temperature while performing firefighting duties; perform physically demanding work in hot (up to 400 degree Fahrenheit), humid (up to 100 %) atmospheres while wearing equipment that significantly impairs body-cooling mechanisms; experience frequent transition from hot to cold and from humid to dry atmospheres; work in wet, icy, muddy areas, and uneven terrain; perform a variety of tasks on slippery, hazardous surfaces such as on roof tops or from ladders; work in areas where sustaining traumatic or thermal injuries is possible; face exposure to carcinogenic dusts such as asbestos, toxic substances such as hydrogen cyanide, corrosives, carbon monoxide, or organic solvents either through inhalation or skin contact; face exposure to infectious biological agents such as hepatitis B or HIV; wear personal protective equipment that weighs approximately 50 pounds while performing firefighting tasks; perform physically demanding work while wearing positive pressure breathing equipment with resistance to exhalation and a flow rate specified by current SCBA manufacture; perform complex tasks during life-threatening emergencies; work for long periods of time, requiring sustained physical activity and intense concentration; make decisions that could have life or death consequences for employees and civilians under difficult and stressful conditions with limited information during emergency conditions; be exposed to grotesque sights and smells associated with major trauma and burn victims; make rapid transitions from rest to near maximal exertion without warm-up periods; operate in environments of high noise, poor visibility, limited mobility, at heights, and in enclosed or confined spaces; use manual and power tools in the performance of duties; rely on senses of sight, hearing, smell, and touch to help determine the nature of the emergency, maintain personal safety, and make critical decisions in a confused, chaotic, and potentially life-threatening environment through-out the duration of operation; encounter smoke filled environments, and a variety of physical hazards, damaged structures, moving mechanical equipment, electrical equipment, radiant energy, and possible exposure to explosives; meet the physical requirements outlined in NFPA 1582 (Medical requirements for fire fighters); and perform the tasks outlined in NFPA 1001 (Fire fighter professional qualifications).

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FALCON HEIGHTS FIRE DEPARTMENT

2077 W. LARPENTEUR AVENUE FALCON HEIGHTS, MN 55113-5594 PHONE (651) 792-7635 FAX (651) 792-7610

Job Summary:

To protect life and property by performing fire suppression, hazardous materials incident mitigation, and rescue services. Maintains fire equipment, apparatus and facilities, participates in training, and carries out other duties as required. Works independently under readily available supervision to ensure the overall goals and objectives of the Fire Department are met. Carries a pager and responds to emergency calls as required by department policy.

Scope of Responsibility:

The Firefighter's primary scope is the performance of fire suppression and rescue. A Firefighter may, on occasion, be assigned limited administrative responsibility and, on a limited basis, may mentor and assist in training less experienced firefighting personnel. Performs basic troubleshooting and decision making within established parameters that has limited financial impact, while working under direct supervision.

Essential Duties and Responsibilities:

1. Performs firefighting activities including driving fire apparatus, operating pumps and related equipment, laying hose and performing fire suppression, containment, ventilation and extinguishing tasks.
2. May take a limited leadership role during calls for service, as assigned by a supervisor.
3. Serves as a representative of the City, performing duties in a courteous and professional manner that conveys a positive image of city government and that fosters cooperation and support with peers, superiors, citizens and other agencies.
4. Makes suggestions and participates in Fire Department training, operations, and initiatives as assigned.
5. Perform other related duties as apparent or assigned.



FALCON HEIGHTS FIRE DEPARTMENT

2077 W. LARPELLE AVENUE FALCON HEIGHTS, MN 55113-5594 PHONE (651) 792-7635 FAX (651) 792-7610

Minimum Qualifications:

Minimum job requirements include specialized training beyond high school that can be obtained in one year or less and six months or less of related experience, or equivalent. Key characteristics are knowledge of government and fire/rescue services, leadership, problem solving and interpersonal relationship skills. Must successfully pass City administered initial and periodic tests, which may include: physical agility test, physical examination, stress test, drug screen, pulmonary function test, and psychological evaluation. Must possess minimum certification equal to the State of Minnesota's equivalent for:

1. Firefighter I
2. Firefighter II
3. Hazardous Materials Operations
4. Emergency Medical Responder (EMR)

Must possess valid Minnesota driver's license and be insurable. *Must maintain a maximum response time to assigned fire station as defined in department policy.*

Physical Demands & Working Conditions:

The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. While performing the duties of this job, the employee regularly works in outside weather conditions. The employee occasionally works near moving mechanical parts and in high, precarious places or confined spaces, and is occasionally exposed to blood borne pathogens, wet and or humid conditions, fumes or airborne particles, toxic or caustic chemicals, risk of electrical shock and vibration. . Exposure to multiple disagreeable elements of at least three or more of which are intense occurs up to 15% of the time.

The noise level in the work environment is usually moderate, except during certain firefighting activities when noise levels may be loud.

The duties listed above are intended only as illustrations of the various types of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related or a logical assignment to the position.

The Firefighter may be required to: spend excessive time outside exposed to the elements; tolerate extreme fluctuations in temperature while performing firefighting duties; perform physically demanding work in hot (up to 400 degree Fahrenheit), humid (up to 100 %) atmospheres while wearing equipment that significantly impairs body-cooling mechanisms; experience frequent

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FALCON HEIGHTS FIRE DEPARTMENT

2077 W. LARPENTEUR AVENUE FALCON HEIGHTS, MN 55113-5594 PHONE (651) 792-7635 FAX (651) 792-7610

transition from hot to cold and from humid to dry atmospheres; work in wet, icy, muddy areas, and uneven terrain; perform a variety of tasks on slippery, hazardous surfaces such as on roof tops or from ladders; work in areas where sustaining traumatic or thermal injuries is possible; face exposure to face exposure to smoke, noise and/or vibration exceeding 80 decibels (constant or intermittent) which may cause marked distraction or possible hearing loss, carcinogenic dusts such as asbestos, toxic substances such as hydrogen cyanide, corrosives, carbon monoxide, or organic solvents either through inhalation or skin contact; face exposure to infectious biological agents such as hepatitis B or HIV; wear personal protective equipment that weighs approximately 50 pounds while performing firefighting tasks; perform physically demanding work while wearing positive pressure breathing equipment with resistance to exhalation and a flow rate specified by current SCBA manufacture; perform complex tasks during life-threatening emergencies; work for long periods of time, requiring sustained physical activity and intense concentration; make decisions that could have life or death consequences for employees and civilians under difficult and stressful conditions with limited information during emergency conditions; be exposed to grotesque sights and smells associated with major trauma and burn victims; make rapid transitions from rest to near maximal exertion without warm-up periods; operate in environments of high noise, poor visibility, limited mobility, at heights, and in enclosed or confined spaces; use manual and power tools in the performance of duties; rely on senses of sight, hearing, smell, and touch to help determine the nature of the emergency, maintain personal safety, and make critical decisions in a confused, chaotic, and potentially life-threatening environment through-out the duration of operation; encounter smoke filled environments, and a variety of physical hazards, damaged structures, moving mechanical equipment, electrical equipment, radiant energy, and possible exposure to explosives; meet the physical requirements outlined in NFPA 1582 (Medical requirements for fire fighters); and perform the tasks outlined in NFPA 1001 (Fire fighter professional qualifications).

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FALCON HEIGHTS FIRE DEPARTMENT

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Incidents

Incident numbers created: 121
Dispatched incidents: 112
City receiving response: Falcon Heights- 60-54% Lauderdale-52-46%
Number of day-time incidents (0700-1700) 56- 50%
Number of non-daytime incidents (1700-0700) 56- 50%
Number of times "unable to respond" 3 times - 2.7%
Number of times Chief or Captain first to arrive 30- 27%
Number of times engine or ladder first to arrive - 82- 73%
Number of times dispatched and canceled prior to arrival: 17
Average over-all response time: (Captain /Chief): 8 minutes 49 seconds
Average response for supersession unit (engine or ladder): 9 minutes 54 seconds

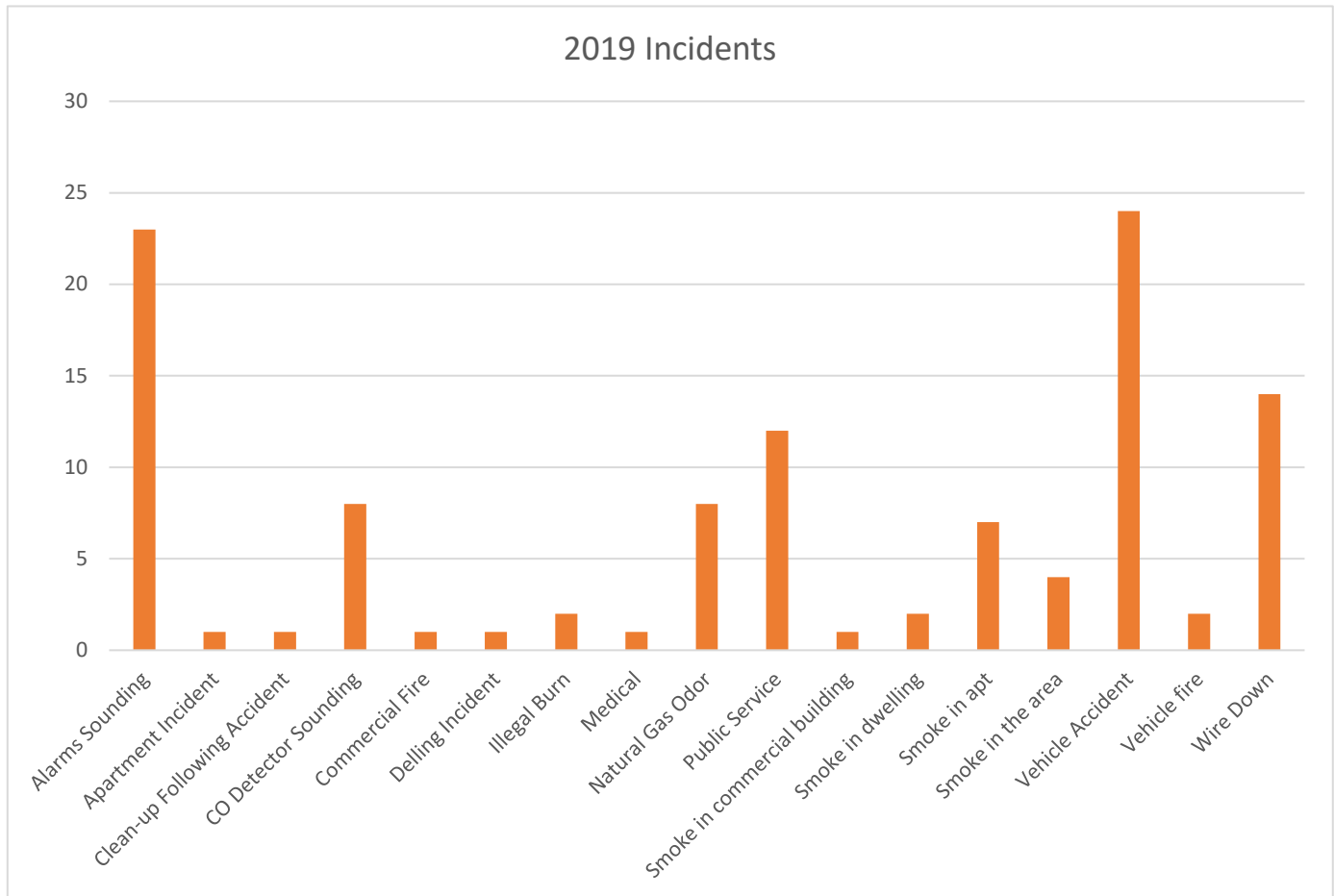
Call types:

Alarms sounding: 23
Apartment Incident: 1
Clean-up following an accident: 1
CO detector sounding: 8
Commercial fire: 1
Dwelling incident: 1
Illegal burn: 2
Medical: 1
Natural gas odor: 8
Public service: 12
Smoke in a commercial building: 1
Smoke in a dwelling: 2
Smoke in an apartment: 7
Smoke in the area: 4
Vehicle Accident: 24
Vehicle fire: 2
Wire down: 14



FALCON HEIGHTS FIRE DEPARTMENT

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The City That Soars!

REQUEST FOR COUNCIL ACTION

Meeting Date	December 2, 2020
Agenda Item	Policy D1
Attachment	N/A
Submitted By	Sack Thongvanh, City Administrator

Item	Extension of Professional Service Agreement for Administrative Direction and Command Services for Fire Service from the City of Roseville
Description	<p>During the December 11, 2019 City Council Meeting, the Council approved the professional service agreement for administrative direction and command services for Fire Service from the City of Roseville.</p> <p>The one-year agreement will expire December 10, 2020. Staff has requested an extension. Attached you will find a sixty (60) day extension. The extension will be until 11:59 pm on February 8, 2021.</p>
Budget Impact	The cost for the extension will be prorated based on the current agreement. The City will compensate the City of Roseville for a total of \$6,666.00. Falcon Heights will receive a monthly invoice of \$3,333.00.
Attachment(s)	<ul style="list-style-type: none"> • First Amendment to the Professional Services Agreement for Fire Service Administrative Direction and Command Services
Action(s) Requested	Staff is looking for direction on how to proceed with this action.

**FIRST AMENDMENT TO
PROFESSIONAL SERVICES AGREEMENT
FOR
FIRE SERVICE ADMINISTRATIVE DIRECTION AND COMMAND
SERVICES**

This First Amendment is made by and between the City of Roseville, a Minnesota municipal corporation (“Roseville”), and the City of Falcon Heights, a Minnesota municipal corporation (“Falcon Heights”), as of the 11th day of December, 2020.

WHEREAS, the City of Falcon Heights and the City of Roseville are parties to an Agreement for Roseville to provide fire service administrative direction and command services over the Falcon Heights fire department;

WHEREAS, said Agreement will expire by its own terms on December 10, 2020;

WHEREAS, the parties desire to extend the duration of said Agreement through February 8, 2021; and,

WHEREAS, the Agreement requires all amendments to its terms to be made by mutually executed written agreement of the parties.

NOW, THEREFORE, intending to be bound by the consideration and obligations contained herein, the sufficiency of which is expressly acknowledged, the parties hereby agree to the following First Amendment:

1. **Term.** Notwithstanding paragraph 2 of the parties’ original Agreement, said Agreement shall be extended as of 12:00 a.m. on December 11, 2020, and shall expire at 11:59 p.m. on February 8, 2021 (the “Extended Term”).
2. **Compensation for Services.** Notwithstanding paragraph 3 of the parties’ original Agreement, the City of Falcon Heights shall pay Roseville total compensation of \$6,666.00 for services rendered during the Extended Term. Roseville shall submit to Falcon Heights a monthly invoice for \$3,333.00, which shall be paid in the same manner of other claims made to the City of Falcon Heights.
3. **Other Provisions.** All terms and obligations not specifically amended by this First Amendment shall remain in full force and effect for the duration of the Extended Term.

CITY OF ROSEVILLE

Date: _____

Mayor

Date: _____

City Manager

Date: _____

Fire Chief

APPROVED AS TO FORM:

Date: _____

City Attorney

CITY OF FALCON HEIGHTS

Date: _____

Mayor

Date: _____

City Administrator

APPROVED AS TO FORM:

Date: _____

City Attorney



The City That Soars!

REQUEST FOR COUNCIL ACTION

Meeting Date	December 2, 2020
Agenda Item	Policy D2
Attachment	N/A
Submitted By	Sack Thongvanh, City Administrator

Item	Information Technology Services – Joint Powers Agreement
Description	<p>There has been on-going discussion around our shared IT services with the City of Roseville and the other governmental jurisdictions that are involved. There are currently about 34 Member Agencies and 9 Agencies receiving limited services. The member agencies currently all operate via one-to-one agreement with the City of Roseville.</p> <p>About eight years ago, the JPA structure was discussed, but ultimately failed because the member agencies felt they has more influence in an agreement with Roseville than as a member of a joint powers board.</p> <p>With the retirement of IT Manager Terrence (Terre) Heiser, and the resignation of Roseville Finance Director/IT Director who left for LOGIS has given the jurisdictions involved in I-NET an opportunity to explore IT services.</p>
Budget Impact	
Attachment(s)	<ul style="list-style-type: none"> • JPA Proposal • Transition Plan • Joint Powers Agreement • Exhibit A - Voting • Program Breakdown and Supplement Services
Action(s) Requested	Staff is looking for direction on how to proceed with this request.

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Memo

To: Metro I-Net Members
cc: Pete Bauer & Jason Swalley, Metro I-Net
From: Patrick Trudgeon, Roseville City Manager
Date: February 13, 2020
Re: Metro I-Net Discussion Points

Metro I-Net originally started as a collaboration between Roseville and Mounds View to share IT resources in 1999. Since that time, Metro I-Net has grown to 35 member organizations receiving full IT services and 9 associate members receiving limited IT services.

Not only has the number of Metro I-Net members grown, each member agency's needs have grown exponentially. Some examples in recent years include the deployment of laser fiche, remote computer access, electronic door access, wireless access points, as well as body cam support for law enforcement.

Currently, Metro I-Net is under organizational control of the Roseville City Manager and Roseville City Council. All Metro I-Net employees are actually Roseville employees and fall under Roseville personnel policy, its liability coverage, and compensation structure. The Roseville City Manager makes employment decisions for Metro I-Net including the hiring and termination of employees. The City of Roseville includes the \$3.5 million Metro I-Net budget as part of its city budget.

While this arrangement has worked for many years, the following issues is making it harder to keep Metro I-Net sustainable into the future:

- Roseville City Council concern about the amount of Metro I-Net staff and the added liability and carrying costs for that amount of employees
- Roseville City Council concern the use of space within City given other city department space needs
- The Roseville employee compensation plan lags behind the market for other local governments and especially with LOGIS, a joint powers entity that provides IT services to many local governments in the Twin Cities. LOGIS has recruited several Metro I-Net staff members over the past couple of years
- As a result of the Roseville compensation plan and organizational structure, it is not possible to create the necessary executive leadership to guide the large \$3.5 million Metro I-Net enterprise

- Finally, it should be noted that the Roseville City Council could at any time decide to no longer be the lead agency for Metro I-Net and as a result, breakup Metro I-Net and let members figure out how to best provide IT services for their organization. It should be pointed out that Roseville City Council **has not** discussed doing this, but it is always a potential concern in the future.

Having Metro I-Net as a joint powers entity does provide members more direct control over governance of Metro I-Net, including costs, personnel, and policies and takes away uncertainty of the future of Metro I-Net.

The highlights of the joint powers agreement, as currently contemplated, are as follows:

- The initial members of the JPA will be the current members of Metro I-Net
- JPA is planned to become effective on 1/1/2021
- Metro I-Net will be governed by a Board of Directors with each member having a Director and Alternate designated
- Metro I-Net board meetings subject to open meeting law
- Each member will have the number of votes equivalent to its share of the budget
- Members will not be allowed to vote if they are in default of their financial obligation or violation of IT security policies
- Metro I-Net board will meet at least four times (Jan., April, July, Oct.) annually
- Metro I-Net board will have officers elected to 3-year terms
- Metro I-Net board will have power take all action in establishing and managing the operations of Metro I-Net
- Metro I-Net board will enter into a contract with a member to serve as the fiscal and operations agent for the organization
- Metro I-Net board will hire an executive director who will be responsible for day-to-day operations
- The executive director will have broad authority to run the operations of Metro I-Net
- The executive director can be terminated by a 2/3 vote of the Metro I-Net board
- The Metro I-Net board will establish an executive committee consisting of the 4 board officers and the member serving as the fiscal agent
- The executive committee would meet on a more frequent basis and work on duties as assigned by the board such as the budget and administrative issues
- The JPA outlines the schedule for the creation and consideration of the annual budget.
- The JPA creates 3 different classes of charges
 - Class 1 – Annual personnel & other operating expenses
 - Class 2 - Capital charges for hardware and software
 - Class 3 – Necessary additional charges
- The JPA outlines procedures for members to withdraw from Metro I-Net
- JPA creates a Metro I-Net “Associate” which is an entity that is receiving a contractual service from Metro I-Net
- The JPA has no termination date but does outline procedures to dissolve the organization

The new organizational structure will increase the costs for each member. The exact costs have not been determined yet and is highly dependent on the number of members that join the JPA. If all current members remain as members of the JPA, it is estimated that each member, including Roseville, would see an increase of 5% over the 2020 cost.

At this point, Roseville is seeking a commitment by your governing board to enter into a Metro I-Net joint powers agreement, subject to final review and approval of the JPA document. This will allow us to proceed in completing the drafting of the JPA and have an assurance on the costs to create the new entity.

METRO I-NET MEMBER MEETING

February 13, 2020



Metro I-Net Member Meeting

February 13, 2020

Welcome and Introductions

Update on Metro Cities Joint Powers Agreement

Next Steps

2020 Metro I-Net Work Plan

Member Agencies

Arden Hills, Anoka, Birchwood Village, Coon Creek Watershed, Centennial Fire Department, Centennial Lakes Police Department, Circle Pines, Centerville, East Bethel, Falcon Heights, Forest Lake, Gem Lake, Ham Lake, Hugo, Lauderdale, Little Canada, Little Canada Fire Department, Lake Elmo, Lexington, Lake Johanna Fire Department, Lino Lakes, Mahtomedi, MN State Fair Police Department, Mounds View, Mississippi Watershed Management Organization, North Oaks, North St. Paul, Oakdale, Ramsey Washington Watershed District, Roseville, St. Anthony, St. Francis, Vadnais Heights, Vadnais Lake Watershed District, White Bear Township

Agencies Receiving Limited Services

Blaine, Columbia Heights Police Department, Fridley, Maplewood, North Suburban Cable Commission, Ramsey County Library, Ramsey Washington Cable Commission, Spring Lake Park, White Bear Lake

Why a joint powers entity?

- Metro I-Net has grown considerably since its creation
- The entire operation is under control of the City of Roseville
- Challenge for the Roseville City Council to take on additional employees, space, and liability
- Challenge in recruiting and retaining employees due to Roseville compensation plan due to LOGIS and other IT agencies
- City of Roseville could decide to no longer participate in Metro I-Net
- Members will have more of a say in governance, policies, and costs

Status of Metro I-Net Joint Powers Agreement

- Sub-group of six members (Circle Pines, Maplewood, Mounds View, Mississippi Watershed, Roseville, and St. Anthony) met several times to lay out some a basic framework of a joint powers entity and agreement.
- Engaged Attorney Jim Strommen of Kennedy and Graven to assist in the joint powers framework and work on draft agreement
- Group reviewed and commented the drafts prepared by Attorney Strommen
- Before continuing working on draft JPA, group felt it was necessary to gather the members to provide an update and start securing commitments in moving forward with a JPA

Framework of Metro I-Net Joint Powers Entity

- The initial members of the JPA will be the current members of Metro I-Net
 - JPA is planned to become effective on 1/1/2021
 - Still considering what the threshold of members will need to be to make JPA viable
- Metro I-Net will be governed by a Board of Directors with each member having a Director and Alternate designated
 - Metro I-Net board meetings subject to open meeting law
 - Each member will have the number of votes equivalent to its share of the budget

Framework of Metro I-Net Joint Powers Entity

- Members will not be allowed to vote if they are in default of their financial obligation or violation of IT security policies
 - Metro I-Net board will meet at least four times (Jan., April, July, Oct.) annually
 - Metro I-Net board will have officers elected to 3-year terms
- Metro I-Net board will have power take all action in establishing and managing the operations of Metro I-Net
(See Article VI of draft JPA)

Framework of Metro I-Net Joint Powers Entity

- Metro I-Net board will enter into a contract with a member to serve as the fiscal and operations agent for the organization
- Metro I-Net board will hire an executive director who will be responsible for day-to-day operations
- The executive director will have broad authority to run the operations of Metro I-Net
- The executive director can be terminated by a 2/3 vote of the Metro I-Net board

Framework of Metro I-Net Joint Powers Entity

- The Metro I-Net board will establish an executive committee consisting of the 4 board officers and the member serving as the fiscal agent
- The executive committee would meet on a more frequent basis and work on duties as assigned by the board such as the budget and administrative issues
- The JPA outlines the schedule for the creation and consideration of the annual budget.
- The JPA creates 3 different classes of charges
 - Class 1 – Annual personnel & other operating expenses
 - Class 2 - Capital charges for hardware and software
 - Class 3 – Necessary additional charges

Framework of Metro I-Net Joint Powers Entity

- The JPA outlines procedures for members to withdraw from Metro I-Net
- JPA creates a Metro I-Net “Associate” which is a entity that is receiving a contractual service from Metro I-Net
- The JPA has no termination date but does outline procedures to dissolve the organization.

Cost impacts

- We have estimated an additional \$175,000 annually for overhead with the operation the joint powers Metro I-Net
 - With the assumption that we have 100% of the members as part of the JPA, this represents a 5% increase for each member over what you are paying in 2020
- However, with less than 100% of the members being part of the JPA, the costs will rise more dramatically.

Metro I-Net Member Meeting

February 13, 2020

Cost impacts

- If we have only members that join in the JPA that represent 80% of the 2020 budget, it will equal a 31% increase for the remaining members

AID	AGENCY ID NAME	Annual Personnel Charge	Annual Operating Charge	Hardware Capital Charge	Software Capital Charge	2020 TOTAL	% of Budget	JPA Overhead	100% Funded with Overhead 5% Increase		90% Funded with Overhead 17% Increase		80% Funded with Overhead 31% Increase		75% Funded with Overhead 40% Increase	
									Increase	Total Annual	Increase	Total Annual	Increase	Total Annual	Increase	Total Annual
		\$2,567,673	\$ 501,336	\$205,313	\$225,646	\$3,499,968		\$175,000								
AH	Arden Hills	\$ 50,505	\$ 11,147	\$ 4,695	\$ 3,994	\$ 70,342	2.0%	\$ 3,517	\$ 3,517	\$ 73,859	\$ 11,724	\$ 82,066	\$ 21,982	\$ 92,324	\$ 28,137	\$ 98,479
ANO	Anoka	\$ 232,137	\$ 32,599	\$ 18,002	\$ 15,024	\$ 297,760	8.5%	\$ 14,888	\$ 14,888	\$ 312,649	\$ 49,627	\$ 347,387	\$ 93,050	\$ 390,811	\$ 119,104	\$ 416,865
BLN	Blaine	\$ 13,774	\$ 10,451	\$ 1,031	\$ 3,979	\$ 29,235	0.8%	\$ 1,462	\$ 1,462	\$ 30,697	\$ 4,873	\$ 34,108	\$ 9,136	\$ 38,371	\$ 11,694	\$ 40,929
BV	Birchwood Village	\$ 5,131	\$ 757	\$ 422	\$ 645	\$ 6,956	0.2%	\$ 348	\$ 348	\$ 7,304	\$ 1,159	\$ 8,115	\$ 2,174	\$ 9,129	\$ 2,782	\$ 9,738
CCW	Coon Creek Watershed	\$ 29,509	\$ 1,602	\$ 1,382	\$ 1,572	\$ 34,066	1.0%	\$ 1,703	\$ 1,703	\$ 35,769	\$ 5,678	\$ 39,743	\$ 10,646	\$ 44,711	\$ 13,626	\$ 47,692
CFD	Centennial Fire	\$ 10,581	\$ 1,480	\$ 963	\$ 1,332	\$ 14,357	0.4%	\$ 718	\$ 718	\$ 15,075	\$ 2,393	\$ 16,749	\$ 4,486	\$ 18,843	\$ 5,743	\$ 20,099
CH	Columbia Heights Police	\$ 2,915	\$ 423	\$ 79	\$ 726	\$ 4,143	0.1%	\$ 207	\$ 207	\$ 4,350	\$ 691	\$ 4,834	\$ 1,295	\$ 5,438	\$ 1,657	\$ 5,800
CLPD	Centennial Lakes Police	\$ 37,151	\$ 4,280	\$ 1,653	\$ 2,702	\$ 45,786	1.3%	\$ 2,289	\$ 2,289	\$ 48,075	\$ 7,631	\$ 53,417	\$ 14,308	\$ 60,094	\$ 18,314	\$ 64,100
CP	Circle Pines	\$ 32,598	\$ 8,307	\$ 2,711	\$ 2,990	\$ 46,605	1.3%	\$ 2,330	\$ 2,330	\$ 48,936	\$ 7,768	\$ 54,373	\$ 14,564	\$ 61,170	\$ 18,642	\$ 65,248
CV	Centerville	\$ 17,973	\$ 3,098	\$ 1,498	\$ 1,579	\$ 24,148	0.7%	\$ 1,207	\$ 1,207	\$ 25,356	\$ 4,025	\$ 28,173	\$ 7,546	\$ 31,695	\$ 9,659	\$ 33,808
EB	East Bethel	\$ 39,774	\$ 5,625	\$ 1,817	\$ 3,077	\$ 50,294	1.4%	\$ 2,515	\$ 2,515	\$ 52,808	\$ 8,382	\$ 58,676	\$ 15,717	\$ 66,010	\$ 20,117	\$ 70,411
FH	Falcon Heights	\$ 29,343	\$ 10,315	\$ 2,225	\$ 2,438	\$ 44,321	1.3%	\$ 2,216	\$ 2,216	\$ 46,537	\$ 7,387	\$ 51,708	\$ 13,850	\$ 58,172	\$ 17,728	\$ 62,050
FL	Forest Lake	\$ 106,622	\$ 19,595	\$ 7,878	\$ 7,545	\$ 141,641	4.0%	\$ 7,082	\$ 7,082	\$ 148,723	\$ 23,607	\$ 165,247	\$ 44,263	\$ 185,903	\$ 56,656	\$ 198,297

Importance of Commitment to Metro I-Net JPA

- We need to know if your organization will be joining the Metro I-Net JPA in the very near future in order to properly prepare a budget, continue working on the governance documents, and plan for the transition
- Request that you get a commitment from your governing policy board to plan on entering into a joint powers agreement given the framework and costs outlined today subject to final review and approval of the joint powers agreement

Importance of Commitment to Metro I-Net JPA

- Approval of the actual JPA will need to come at a later date since we cannot finalize it until we have an understanding on who will participate in Metro I-Net moving forward.
- If you or your governing board would like to look at other options for IT services in order to compare, urge you to begin that process now

Metro I-Net Member Meeting

February 13, 2020

Information to help you discuss the Metro I-Net JPA with your policy board

- Will provide a fact sheet outlining the rationale and reasons for a JPA
 - Will provide a listing of services you are receiving (along with definitions on what they are) and the costs for each service
 - Will provide you an estimate of the costs to participate in the JPA
- It should be noted that leaving Metro I-Net will put a greater burden on your organization to manage your data, hardware, software, and user support even if you contract with a third-party to manage those items

2020 Work Plan

- Century Link migration/
phone system
 - Arbitrator expansion
 - Antivirus replacement
 - Two Factor Authentication
for web email
 - Zayo equipment refresh
- IT Security Audit
 - Streamlining asset
management
 - Automating software
deployment
 - Window 7 computer
replacements

	2020 Budget	\$ 3,320,704	Budget Share	RoundUp	Votes
AH	Arden Hills	\$ 70,342	2.12%	3.00%	3
ANO	Anoka	\$ 297,760	8.97%	9.00%	9
BV	Birchwood Village	\$ 6,956	0.21%	1.00%	1
CCW	Coon Creek Watershed	\$ 34,066	1.03%	2.00%	2
CFD	Centennial Fire	\$ 14,357	0.43%	1.00%	1
CLPD	Centennial Lakes Police	\$ 45,786	1.38%	2.00%	2
CP	Circle Pines	\$ 46,605	1.40%	2.00%	2
CV	Centerville	\$ 24,148	0.73%	1.00%	1
EB	East Bethel	\$ 50,294	1.51%	2.00%	2
FH	Falcon Heights	\$ 44,321	1.33%	2.00%	2
FL	Forest Lake	\$ 141,641	4.27%	5.00%	5
GL	Gem Lake	\$ 4,845	0.15%	1.00%	1
HL	Ham Lake	\$ 52,056	1.57%	2.00%	2
HUGO	Hugo	\$ 73,563	2.22%	3.00%	3
LAU	Lauderdale	\$ 17,865	0.54%	1.00%	1
LC	Little Canada	\$ 56,744	1.71%	2.00%	2
LCFD	Little Canada Fire	\$ 12,025	0.36%	1.00%	1
LE	Lake Elmo	\$ 80,320	2.42%	3.00%	3
LEX	Lexington	\$ 24,721	0.74%	1.00%	1
LJFD	Lake Johanna Fire	\$ 34,772	1.05%	2.00%	2
LL	Lino Lakes	\$ 204,058	6.15%	7.00%	7
MAH	Mahtomedi	\$ 67,081	2.02%	3.00%	3
MV	Mounds View	\$ 141,720	4.27%	5.00%	5
MW	Maplewood	\$ 74,765	2.25%	3.00%	3
MWMO	Mississippi Watershed	\$ 47,087	1.42%	2.00%	2
NO	North Oaks	\$ 18,359	0.55%	1.00%	1
NSP	North St. Paul	\$ 222,965	6.71%	7.00%	7
OAK	Oakdale	\$ 260,576	7.85%	8.00%	8
RV	Roseville	\$ 633,636	19.08%	20.00%	20
RW	RWMWD	\$ 49,941	1.50%	2.00%	2
SA	Saint Anthony	\$ 167,380	5.04%	6.00%	6
STF	Saint Francis	\$ 123,412	3.72%	4.00%	4
VH	Vadnais Heights	\$ 111,785	3.37%	4.00%	4
VLM	Vadnais Lakes Watershed	\$ 11,502	0.35%	1.00%	1
WBT	White Bear Twp	\$ 53,249	1.60%	2.00%	2

Total 121
 Needed to Pass 61

AID	AGENCY ID NAME	Monthly Personnel Charge	Monthly Operating Charge	Monthly Hardware Capital Charge	Monthly Software Capital Charge	Total Monthly Charge	TOTAL ANNUAL
AH	Arden Hills	\$ 4,209	\$ 929	\$ 391	\$ 333	\$ 5,862	\$ 70,342
ANO	Anoka	\$ 19,345	\$ 2,717	\$ 1,500	\$ 1,252	\$ 24,813	\$ 297,760
BLN	Blaine	\$ 1,148	\$ 871	\$ 86	\$ 332	\$ 2,436	\$ 29,235
BV	Birchwood Village	\$ 428	\$ 63	\$ 35	\$ 54	\$ 580	\$ 6,956
CCW	Coon Creek Watershed	\$ 2,459	\$ 134	\$ 115	\$ 131	\$ 2,839	\$ 34,066
CFD	Centennial Fire	\$ 882	\$ 123	\$ 80	\$ 111	\$ 1,196	\$ 14,357
CH	Columbia Heights Police	\$ 243	\$ 35	\$ 7	\$ 60	\$ 345	\$ 4,143
CLPD	Centennial Lakes Police	\$ 3,096	\$ 357	\$ 138	\$ 225	\$ 3,816	\$ 45,786
CP	Circle Pines	\$ 2,716	\$ 692	\$ 226	\$ 249	\$ 3,884	\$ 46,605
CV	Centerville	\$ 1,498	\$ 258	\$ 125	\$ 132	\$ 2,012	\$ 24,148
EB	East Bethel	\$ 3,315	\$ 469	\$ 151	\$ 256	\$ 4,191	\$ 50,294
FH	Falcon Heights	\$ 2,445	\$ 860	\$ 185	\$ 203	\$ 3,693	\$ 44,321
FL	Forest Lake	\$ 8,885	\$ 1,633	\$ 657	\$ 629	\$ 11,803	\$ 141,641
FRD	Fridley	\$ 1,284	\$ 918	\$ 213	\$ 884	\$ 3,299	\$ 39,586
GL	Gem Lake	\$ 300	\$ 70	\$ 15	\$ 18	\$ 404	\$ 4,845
HL	Ham Lake	\$ 3,294	\$ 548	\$ 261	\$ 235	\$ 4,338	\$ 52,056
HUGO	Hugo	\$ 4,665	\$ 866	\$ 326	\$ 273	\$ 6,130	\$ 73,563
JLEC	Anoka JLEC	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
LAU	Lauderdale	\$ 1,127	\$ 168	\$ 83	\$ 110	\$ 1,489	\$ 17,865
LC	Little Canada	\$ 2,950	\$ 1,173	\$ 241	\$ 364	\$ 4,729	\$ 56,744
LCFD	Little Canada Fire	\$ 742	\$ 127	\$ 59	\$ 75	\$ 1,002	\$ 12,025
LE	Lake Elmo	\$ 5,273	\$ 766	\$ 330	\$ 323	\$ 6,693	\$ 80,320
LEX	Lexington	\$ 1,623	\$ 204	\$ 110	\$ 123	\$ 2,060	\$ 24,721
LJFD	Lake Johanna Fire	\$ 2,483	\$ 190	\$ 75	\$ 149	\$ 2,898	\$ 34,772
LL	Lino Lakes	\$ 12,831	\$ 2,020	\$ 1,095	\$ 1,059	\$ 17,005	\$ 204,058
MAH	Mahtomedi	\$ 4,297	\$ 695	\$ 285	\$ 313	\$ 5,590	\$ 67,081
MSFPD	MN State Fair Police	\$ 1,530	\$ 276	\$ 100	\$ 53	\$ 1,959	\$ 23,510
MV	Mounds View	\$ 8,804	\$ 1,426	\$ 726	\$ 854	\$ 11,810	\$ 141,720
MW	Maplewood	\$ 2,520	\$ 890	\$ 1,395	\$ 1,425	\$ 6,230	\$ 74,765
MWMO	Mississippi Watershed	\$ 2,960	\$ 405	\$ 352	\$ 207	\$ 3,924	\$ 47,087
NO	North Oaks	\$ 1,129	\$ 196	\$ 84	\$ 121	\$ 1,530	\$ 18,359
NSAC	North Suburban Cable	\$ 1,420	\$ 1,129	\$ 128	\$ 292	\$ 2,968	\$ 35,619
NSP	North St. Paul	\$ 13,925	\$ 2,316	\$ 967	\$ 1,373	\$ 18,580	\$ 222,965
OAK	Oakdale	\$ 17,906	\$ 2,102	\$ 1,116	\$ 590	\$ 21,715	\$ 260,576
RCL	Ramsey County Library	\$ 365	\$ 729	\$ 66	\$ 139	\$ 1,299	\$ 15,585
RCS	Ramsey County Sheriff	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
RV	Roseville	\$ 38,221	\$ 8,886	\$ 2,970	\$ 2,726	\$ 52,803	\$ 633,636
RW	RWMWD	\$ 2,800	\$ 989	\$ 180	\$ 194	\$ 4,162	\$ 49,941
SA	Saint Anthony	\$ 10,106	\$ 1,951	\$ 880	\$ 1,012	\$ 13,948	\$ 167,380
SCC	Ramsey-Washington Cable	\$ 447	\$ 661	\$ 80	\$ 211	\$ 1,398	\$ 16,779
SLP	Spring Lake Park Police	\$ 135	\$ 22	\$ 4	\$ 33	\$ 194	\$ 2,331
STF	Saint Francis	\$ 8,057	\$ 1,071	\$ 468	\$ 688	\$ 10,284	\$ 123,412
VH	Vadnais Heights	\$ 7,170	\$ 1,147	\$ 480	\$ 518	\$ 9,315	\$ 111,785
VLM	Vadnais Lakes Watershed	\$ 861	\$ 68	\$ 22	\$ 8	\$ 959	\$ 11,502
WBL	White Bear Lake	\$ 731	\$ 91	\$ 57	\$ 161	\$ 1,040	\$ 12,475
WBT	White Bear Twp	\$ 3,347	\$ 540	\$ 247	\$ 304	\$ 4,437	\$ 53,249
Total Monthly		\$ 213,973	\$ 41,778	\$ 17,109	\$ 18,804	\$ 291,664	
Total Annual		\$ 2,567,673	\$ 501,336	\$ 205,313	\$ 225,646	\$ 3,499,968	

AID	AGENCY ID NAME	Annual Personnel Charge	Annual Operating Charge	Hardware Capital Charge	Software Capital Charge	2020 TOTAL	% of Budget	JPA Overhead	100% Funded with Overhead 5% Increase		90% Funded with Overhead 17% Increase		80% Funded with Overhead 31% Increase		75% Funded with Overhead 40% Increase	
									Increase	Total Annual	Increase	Total Annual	Increase	Total Annual	Increase	Total Annual
		\$2,567,673	\$ 501,336	\$205,313	\$225,646	\$3,499,968		\$ 175,000								
AH	Arden Hills	\$ 50,505	\$ 11,147	\$ 4,695	\$ 3,994	\$ 70,342	2.0%	\$ 3,517	\$ 3,517	\$ 73,859	\$ 11,724	\$ 82,066	\$ 21,982	\$ 92,324	\$ 28,137	\$ 98,479
ANO	Anoka	\$ 232,137	\$ 32,599	\$ 18,002	\$ 15,024	\$ 297,760	8.5%	\$ 14,888	\$ 14,888	\$ 312,649	\$ 49,627	\$ 347,387	\$ 93,050	\$ 390,811	\$ 119,104	\$ 416,865
BLN	Blaine	\$ 13,774	\$ 10,451	\$ 1,031	\$ 3,979	\$ 29,235	0.8%	\$ 1,462	\$ 1,462	\$ 30,697	\$ 4,873	\$ 34,108	\$ 9,136	\$ 38,371	\$ 11,694	\$ 40,929
BV	Birchwood Village	\$ 5,131	\$ 757	\$ 422	\$ 645	\$ 6,956	0.2%	\$ 348	\$ 348	\$ 7,304	\$ 1,159	\$ 8,115	\$ 2,174	\$ 9,129	\$ 2,782	\$ 9,738
CCW	Coon Creek Watershed	\$ 29,509	\$ 1,602	\$ 1,382	\$ 1,572	\$ 34,066	1.0%	\$ 1,703	\$ 1,703	\$ 35,769	\$ 5,678	\$ 39,743	\$ 10,646	\$ 44,711	\$ 13,626	\$ 47,692
CFD	Centennial Fire	\$ 10,581	\$ 1,480	\$ 963	\$ 1,332	\$ 14,357	0.4%	\$ 718	\$ 718	\$ 15,075	\$ 2,393	\$ 16,749	\$ 4,486	\$ 18,843	\$ 5,743	\$ 20,099
CH	Columbia Heights Police	\$ 2,915	\$ 423	\$ 79	\$ 726	\$ 4,143	0.1%	\$ 207	\$ 207	\$ 4,350	\$ 691	\$ 4,834	\$ 1,295	\$ 5,438	\$ 1,657	\$ 5,800
CLPD	Centennial Lakes Police	\$ 37,151	\$ 4,280	\$ 1,653	\$ 2,702	\$ 45,786	1.3%	\$ 2,289	\$ 2,289	\$ 48,075	\$ 7,631	\$ 53,417	\$ 14,308	\$ 60,094	\$ 18,314	\$ 64,100
CP	Circle Pines	\$ 32,598	\$ 8,307	\$ 2,711	\$ 2,990	\$ 46,605	1.3%	\$ 2,330	\$ 2,330	\$ 48,936	\$ 7,768	\$ 54,373	\$ 14,564	\$ 61,170	\$ 18,642	\$ 65,248
CV	Centerville	\$ 17,973	\$ 3,098	\$ 1,498	\$ 1,579	\$ 24,148	0.7%	\$ 1,207	\$ 1,207	\$ 25,356	\$ 4,025	\$ 28,173	\$ 7,546	\$ 31,695	\$ 9,659	\$ 33,808
EB	East Bethel	\$ 39,774	\$ 5,625	\$ 1,817	\$ 3,077	\$ 50,294	1.4%	\$ 2,515	\$ 2,515	\$ 52,808	\$ 8,382	\$ 58,676	\$ 15,717	\$ 66,010	\$ 20,117	\$ 70,411
FH	Falcon Heights	\$ 29,343	\$ 10,315	\$ 2,225	\$ 2,438	\$ 44,321	1.3%	\$ 2,216	\$ 2,216	\$ 46,537	\$ 7,387	\$ 51,708	\$ 13,850	\$ 58,172	\$ 17,728	\$ 62,050
FL	Forest Lake	\$ 106,622	\$ 19,595	\$ 7,878	\$ 7,545	\$ 141,641	4.0%	\$ 7,082	\$ 7,082	\$ 148,723	\$ 23,607	\$ 165,247	\$ 44,263	\$ 185,903	\$ 56,656	\$ 198,297
FRD	Fridley	\$ 15,404	\$ 11,016	\$ 2,557	\$ 10,608	\$ 39,586	1.1%	\$ 1,979	\$ 1,979	\$ 41,565	\$ 6,598	\$ 46,184	\$ 12,371	\$ 51,957	\$ 15,834	\$ 55,420
GL	Gem Lake	\$ 3,604	\$ 841	\$ 184	\$ 216	\$ 4,845	0.1%	\$ 242	\$ 242	\$ 5,087	\$ 807	\$ 5,652	\$ 1,514	\$ 6,358	\$ 1,938	\$ 6,782
HL	Ham Lake	\$ 39,532	\$ 6,577	\$ 3,127	\$ 2,821	\$ 52,056	1.5%	\$ 2,603	\$ 2,603	\$ 54,659	\$ 8,676	\$ 60,732	\$ 16,268	\$ 68,324	\$ 20,823	\$ 72,879
HUGO	Hugo	\$ 55,977	\$ 10,391	\$ 3,918	\$ 3,277	\$ 73,563	2.1%	\$ 3,678	\$ 3,678	\$ 77,241	\$ 12,260	\$ 85,823	\$ 22,988	\$ 96,551	\$ 29,425	\$ 102,988
JLEC	Anoka JLEC	\$ -	\$ -	\$ -	\$ -	\$ -	0.0%	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
LAU	Lauderdale	\$ 13,526	\$ 2,020	\$ 994	\$ 1,324	\$ 17,865	0.5%	\$ 893	\$ 893	\$ 18,758	\$ 2,977	\$ 20,842	\$ 5,583	\$ 23,448	\$ 7,146	\$ 25,011
LC	Little Canada	\$ 35,406	\$ 14,078	\$ 2,892	\$ 4,368	\$ 56,744	1.6%	\$ 2,837	\$ 2,837	\$ 59,581	\$ 9,457	\$ 66,201	\$ 17,733	\$ 74,476	\$ 22,698	\$ 79,442
LCFD	Little Canada Fire	\$ 8,898	\$ 1,523	\$ 705	\$ 899	\$ 12,025	0.3%	\$ 601	\$ 601	\$ 12,627	\$ 2,004	\$ 14,030	\$ 3,758	\$ 15,783	\$ 4,810	\$ 16,836
LE	Lake Elmo	\$ 63,281	\$ 9,196	\$ 3,965	\$ 3,878	\$ 80,320	2.3%	\$ 4,016	\$ 4,016	\$ 84,336	\$ 13,387	\$ 93,707	\$ 25,100	\$ 105,420	\$ 32,128	\$ 112,448
LEX	Lexington	\$ 19,477	\$ 2,449	\$ 1,314	\$ 1,481	\$ 24,721	0.7%	\$ 1,236	\$ 1,236	\$ 25,957	\$ 4,120	\$ 28,841	\$ 7,725	\$ 32,446	\$ 9,888	\$ 34,609
LJFD	Lake Johanna Fire	\$ 29,795	\$ 2,285	\$ 898	\$ 1,793	\$ 34,772	1.0%	\$ 1,739	\$ 1,739	\$ 36,510	\$ 5,795	\$ 40,567	\$ 10,866	\$ 45,638	\$ 13,909	\$ 48,680
LL	Lino Lakes	\$ 153,972	\$ 24,236	\$ 13,144	\$ 12,706	\$ 204,058	5.8%	\$ 10,203	\$ 10,203	\$ 214,262	\$ 34,010	\$ 238,068	\$ 63,768	\$ 267,827	\$ 81,624	\$ 285,682
MAH	Mahtomedi	\$ 51,562	\$ 8,343	\$ 3,421	\$ 3,755	\$ 67,081	1.9%	\$ 3,354	\$ 3,354	\$ 70,436	\$ 11,180	\$ 78,262	\$ 20,963	\$ 88,044	\$ 26,833	\$ 93,914
MSFPD	MN State Fair Police	\$ 18,366	\$ 3,306	\$ 1,198	\$ 640	\$ 23,510	0.7%	\$ 1,176	\$ 1,176	\$ 24,686	\$ 3,918	\$ 27,429	\$ 7,347	\$ 30,857	\$ 9,404	\$ 32,914
MV	Mounds View	\$ 105,646	\$ 17,112	\$ 8,710	\$ 10,252	\$ 141,720	4.0%	\$ 7,086	\$ 7,086	\$ 148,806	\$ 23,620	\$ 165,340	\$ 44,288	\$ 186,008	\$ 56,688	\$ 198,408
MW	Maplewood	\$ 30,241	\$ 10,682	\$ 16,744	\$ 17,099	\$ 74,765	2.1%	\$ 3,738	\$ 3,738	\$ 78,504	\$ 12,461	\$ 87,226	\$ 23,364	\$ 98,130	\$ 29,906	\$ 104,672
MWMO	Mississippi Watershed	\$ 35,517	\$ 4,860	\$ 4,222	\$ 2,488	\$ 47,087	1.3%	\$ 2,354	\$ 2,354	\$ 49,442	\$ 7,848	\$ 54,935	\$ 14,715	\$ 61,802	\$ 18,835	\$ 65,922
NO	North Oaks	\$ 13,550	\$ 2,349	\$ 1,003	\$ 1,457	\$ 18,359	0.5%	\$ 918	\$ 918	\$ 19,277	\$ 3,060	\$ 21,419	\$ 5,737	\$ 24,097	\$ 7,344	\$ 25,703
NSAC	North Suburban Cable	\$ 17,037	\$ 13,544	\$ 1,539	\$ 3,499	\$ 35,619	1.0%	\$ 1,781	\$ 1,781	\$ 37,400	\$ 5,937	\$ 41,556	\$ 11,131	\$ 46,750	\$ 14,248	\$ 49,867
NSP	North St. Paul	\$ 167,098	\$ 27,788	\$ 11,601	\$ 16,477	\$ 222,965	6.4%	\$ 11,148	\$ 11,148	\$ 234,113	\$ 37,161	\$ 260,126	\$ 69,677	\$ 292,642	\$ 89,186	\$ 312,151
OAK	Oakdale	\$ 214,877	\$ 25,222	\$ 13,395	\$ 7,082	\$ 260,576	7.4%	\$ 13,029	\$ 13,029	\$ 273,605	\$ 43,430	\$ 304,006	\$ 81,430	\$ 342,007	\$ 104,231	\$ 364,807
RCL	Ramsey County Library	\$ 4,382	\$ 8,746	\$ 792	\$ 1,665	\$ 15,585	0.4%	\$ 779	\$ 779	\$ 16,364	\$ 2,597	\$ 18,182	\$ 4,870	\$ 20,455	\$ 6,234	\$ 21,819
RCS	Ramsey County Sheriff	\$ -	\$ -	\$ -	\$ -	\$ -	0.0%	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
RV	Roseville	\$ 458,655	\$106,629	\$ 35,636	\$ 32,716	\$ 633,636	18.1%	\$ 31,682	\$ 31,682	\$ 665,318	\$ 105,606	\$ 739,242	\$ 198,012	\$ 831,647	\$ 253,455	\$ 887,090
RW	RWMWD	\$ 33,595	\$ 11,867	\$ 2,155	\$ 2,324	\$ 49,941	1.4%	\$ 2,497	\$ 2,497	\$ 52,438	\$ 8,323	\$ 58,264	\$ 15,606	\$ 65,547	\$ 19,976	\$ 69,917
SA	Saint Anthony	\$ 121,276	\$ 23,410	\$ 10,554	\$ 12,139	\$ 167,380	4.8%	\$ 8,369	\$ 8,369	\$ 175,749	\$ 27,897	\$ 195,276	\$ 52,306	\$ 219,686	\$ 66,952	\$ 234,332
SCC	Ramsey-Washington Cable	\$ 5,364	\$ 7,926	\$ 954	\$ 2,535	\$ 16,779	0.5%	\$ 839	\$ 839	\$ 17,618	\$ 2,797	\$ 19,576	\$ 5,244	\$ 22,023	\$ 6,712	\$ 23,491
SLP	Spring Lake Park Police	\$ 1,625	\$ 261	\$ 49	\$ 396	\$ 2,331	0.1%	\$ 117	\$ 117	\$ 2,448	\$ 389	\$ 2,720	\$ 729	\$ 3,060	\$ 932	\$ 3,264
STF	Saint Francis	\$ 96,686	\$ 12,848	\$ 5,618	\$ 8,259	\$ 123,412	3.5%	\$ 6,171	\$ 6,171	\$ 129,583	\$ 20,569	\$ 143,981	\$ 38,566	\$ 161,978	\$ 49,365	\$ 172,777
VH	Vadnais Heights	\$ 86,046	\$ 13,759	\$ 5,759	\$ 6,221	\$ 111,785	3.2%	\$ 5,589	\$ 5,589	\$ 117,374	\$ 18,631	\$ 130,415	\$ 34,933	\$ 146,717	\$ 44,714	\$ 156,499
VLM	Vadnais Lakes Watershed	\$ 10,332	\$ 820	\$ 259	\$ 91	\$ 11,502	0.3%	\$ 575	\$ 575	\$ 12,078	\$ 1,917	\$ 13,419	\$ 3,595	\$ 15,097	\$ 4,601	\$ 16,103
WBL	White Bear Lake	\$ 8,770	\$ 1,091	\$ 685	\$ 1,930	\$ 12,475	0.4%	\$ 624	\$ 624	\$ 13,099	\$ 2,079	\$ 14,555	\$ 3,899	\$ 16,374	\$ 4,990	\$ 17,466
WBT	White Bear Twp	\$ 40,162	\$ 6,479	\$ 2,962	\$ 3,645	\$ 53,249	1.5%	\$ 2,662	\$ 2,662	\$ 55,912	\$ 8,875	\$ 62,124	\$ 16,640	\$ 69,890	\$ 21,300	\$ 74,549

TRANSITION PLAN FOR METRO I-NET

This plan is created to guide the transition from City of Roseville Metro I-Net (RMI) to Metro I-Net Joint Powers Authority (MIJPA)

Purpose of transition plan

- Allow for orderly transition of operations, personnel, and assets from RMI to MIJPA
- Identify transition costs
- Create a measured pace of transition to allow for comfort of existing RMI employees and RMI agencies

Given where we find ourselves here in 2020, during the COVID pandemic, this transition plan is underpinned by the following milestones:

- In 2020, the framework and costs of the new MIJPA will be established and agreed upon by the RMI agencies.
- In 2021, the MIJPA as an entity will be established, the MIJPA Board will be elected and begin to meet, and the MIJPA Executive Director will be hired and begin to create an institutional framework for the MIJPA
- In 2022, all assets and personnel will be assigned to the MIJPA

TIMELINE FOR WORK FOR 2020 (MIJPA CREATION)

Summary: The working group will finalize the draft joint powers agreement and send it out for review by agency managers and their legal counsels. Metro I-Net members are expected to approve the JPA by the end of the year.

The City of Roseville, in conjunction with RMI staff will identify costs to service MIJPA during the interim period of the transition in 2021 and begin the process of identifying costs for transferring assets from RMI to MIJPA

DETAILS OF 2020 WORK PLAN

METRO I-NET WORKING GROUP

In 2020, the Metro I-Net Working Group will do the following:

- Approve JPA transition plan
- Review draft Joint Powers Agreement
- Finalize language with Attorney Strommen
- Review JPA transition costs for 2021
- Identify long-term cost estimates for administrative/financial/legal services for MIJPA
- Provide member agencies an estimate of costs for the transition and final implementation of the MIJPA
- Assist in getting approval of JPA by all member agencies

CITY OF ROSEVILLE/ROSEVILLE METRO I-NET

In 2020, the City of Roseville/Roseville Metro I-Net will do the following:

- Identify costs to serve MIJPA during the transition
- Identify costs for transferring assets to MIJPA
- Assist the working group in identifying long-term costs for administrative/financial/legal services for MIJPA
- Assist in getting approval of JPA by all member agencies

METRO I-NET MEMBER AGENCIES

In 2020, the Roseville Metro I-Net member agencies will do the following:

- Review the draft Metro I-Net joint powers agreement
- Secure approval of JPA from governing bodies

TIMELINE FOR WORK FOR 2021(MIJPA TRANSITION)

Summary: Upon approval of the joint powers agreement by all member agencies, the MIJPA will officially incorporate. Per the joint powers agreement, the board of the directors for the MIJPA will convene and elect officers. Once constituted, the MIJPA Board officers will be elected and consider agreements to cover the transition period (defined as calendar year 2021) for legal, administrative and financial services. The Board will also recruit and hire the Metro I-Net Executive Director (MIED). Once hired, the MIED will begin drafting organizational policies and determine longer term legal, HR/Administrative, and financial services as well as determining and securing space needs.

In order to allow for an orderly transition in employees receiving wages and benefits and to ensure minimal disruption to member agency services, Metro I-Net employees will remain employees of the City of Roseville during 2021.

DETAILS OF 2021 WORK PLAN

METRO I-NET BOARD

- Incorporate Metro I-Net as a joint powers authority
- Hold first board business meeting
 - Elect Chair and other officers
 - Enter into agreements for interim period of 2021
 - Legal
 - HR/Admin
 - Financial
- Begin recruitment and hire Metro I-Net Executive Director (MIED)
- Enter into agreement with City of Roseville regarding management of Roseville Metro I-Net employees by Metro I-Net Executive Director during interim period
- Carry out board business as described in joint powers agreement, including setting a 2022 budget.

METRO I-NET EXECUTIVE DIRECTOR

- MIED is sole employee of MIJPA
- MIED focuses on administrative duties
 - Organizational policies
 - Service Contracts
 - Legal
 - Administrative/HR
 - Financial/Payroll
 - Determining space needs and securing space

CITY OF ROSEVILLE/ROSEVILLE METRO I-NET

- Provide administrative/HR/financial services to MIJPA
- Enter into agreement with MIJPA regarding management of Roseville Metro I-Net employees by Metro I-Net Executive Director during interim period
- Assist in transition of RMI assets and employees to MIJPA employees at the start of 2022

MIJPA TRANSITION COMPLETE – JANUARY 2022

JOINT POWERS AGREEMENT
FOR THE ESTABLISHMENT OF
THE NORTH EAST METROPOLITAN AREA MUNICIPAL
INTERNETWORKING COLLABORATIVE, TO BE KNOWN AS
“METRO-INET”

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132 **JOINT POWERS AGREEMENT FOR THE ESTABLISHMENT OF**
133 **THE NORTH EAST METROPOLITAN AREA MUNICIPAL**
134 **INTERNETWORKING COLLABORATIVE**
135

136 The parties to this joint powers agreement (“JPA”) are local governmental units (“LGUs”)
137 of the State of Minnesota authorized to enter into this JPA. This JPA is made and entered into
138 pursuant to Minnesota Statutes, Section 471.59.
139

140 **ARTICLE I**
141 **GENERAL PURPOSE**
142

143 **Section 1.1. Purpose.** The general purpose of this JPA is to provide for an organization
144 that the participating Members may jointly and cooperatively provide for the development and
145 operation of IT Services for the use and benefit of the Members, and others. To the extent permitted
146 by law, the Members will support the establishment of the IT Services and seek to expand the
147 number of participating agencies either as Members or as non-Member LGUs receiving services
148 from Metro-INET.

149 **ARTICLE II**
150 **DEFINITION OF TERMS**
151

152 **Section 2.1. Definitions.** The terms defined in this Article shall have the meanings given
153 them for the purposes of this JPA.
154

155 **Section 2.1.1. Metro-INET.** “Metro-INET” means the “North East Metropolitan Area
156 Municipal Internetworking Collaborative,” the organization created by this JPA.
157

158 **Section 2.1.2. IT Services.** “IT Services” means the development, operation and
159 maintenance of advanced internet networking and data services through ownership or lease of any
160 and all systems, equipment, technology or means and methods necessary to provide competitive,
161 up-to-date IT services to Members and non-Member LGUs.
162

163 **Section 2.1.3. Board.** “Board” means the Board of Directors of Metro-INET, consisting
164 of one Director from each LGU participating as a Member of Metro-INET pursuant to this JPA.
165
166

167 **Section 2.1.4. LGU.** “LGU” means any city, township, independent public safety
168 organization, watershed management organization, watershed district, cable commission or other
169 political subdivision of the State of Minnesota that is qualified to enter into joint powers
170 agreements as defined in Minnesota Statutes, Section 471.59, and as it may be amended from time
171 to time.
172

173 **Section 2.1.5. Member.** “Member” means an LGU that enters into this JPA and is at the
174 time involved, a Member in good standing.
175

176 **Section 2.1.6. Associate.** “Associate” means an LGU that is not a Member but has agreed
177 to affiliate with Metro-INET in accordance with Article XI and other applicable JPA provisions.

178 **Section 2.1.7. Data.** “Data” means all information in digital form that can be transmitted
179 or processed.

180
181 **ARTICLE III**
182 **MEMBERSHIP**

183
184 **Section 3.1. Eligibility.** Any Minnesota LGU is eligible to be a Member of Metro-INET.
185

186 **Section 3.2. Execution of JPA and Payment of Member Charges.** An LGU desiring to
187 be a Member shall execute a copy of this JPA and shall pay all Member charges, prorated if
188 appropriate, under Article IX.
189

190 **Section 3.3. Initial Members.** The initial Members of Metro-INET shall be the City of
191 Roseville (“Roseville”) and those LGUs that are parties to a joint powers agreement or an
192 otherwise existing contractual arrangement for IT Services from Roseville, on or prior to
193 December 31, 2020. Upon the execution of this JPA by an initial Member, the clerk or other
194 corresponding officer shall file with the Roseville City Manager a copy of the executed JPA,
195 together with a certified copy of the authorizing resolution or other action. The resolution
196 authorizing the execution of this JPA shall also designate the Member’s Director and Alternate
197 Director (“Alternate”).
198

199 **Section 3.4 Transition of Initial Member IT Services Agreements.** Any joint powers
200 agreement or contract for IT Services between two or more Metro-INET Members that has not
201 been terminated prior to the Effective Date of this JPA shall be terminated by the affected parties
202 at the earliest possible date, without disrupting the delivery of IT Services to the affected parties.
203 After the Effective Date, any term of an earlier agreement for IT Services still in force shall be
204 interpreted not to conflict with this JPA, which shall supersede the earlier agreement if the earlier
205 agreement and this JPA cannot be reconciled. The Board shall have authority to take any action it
206 deems reasonable and prudent to facilitate the transition to Metro-INET by any initial Member,
207 including the creation of a committee authorized to assist affected parties in the termination of
208 earlier agreements and to seek Board approval of action necessary to facilitate the transition.
209

210 **Section 3.5. Effective Date.** This JPA shall become effective on January 1, 2021 [[or other
211 date agreed upon by the initial Members]] (“Effective Date”). Within thirty (30) days after the
212 Effective Date, the Roseville City Manager shall call the first meeting of the Board, which shall
213 be held not later than fifteen (15) days after the notice has been delivered to each Director and
214 Alternate.
215

216 **Section 3.6. New Members.** LGUs that do not qualify for initial membership under
217 Section 3.3 and seek to join Metro-INET shall be admitted by a vote of the Board as it determines
218 at its organizational meeting, or as soon thereafter as the Board may decide and adopt in the
219 bylaws.
220

221 **Section 3.7. Conditions of Membership.** The Board may impose additional conditions
222 upon the admission of new Members.
223

224 **Section 3.8. Appointment of Directors.** Directors and Alternates shall be appointed by
225 the Member governing body to serve until their successors are appointed and qualified. Directors
226 shall be the chief administrative officer of the Member.

227
228 **ARTICLE IV**
229 **BOARD OF DIRECTORS**
230

231 **Section 4.1. Governing Body.** Metro-INET shall be governed by a Board of Directors
232 consisting of a Director and Alternate from each Member. At the organizational meeting and
233 annually thereafter, the Board shall elect an executive committee that may advise or act for the
234 Board as the Board may delegate to the executive committee as necessary, upon meetings duly
235 called, as provided in Article VIII.

236
237 **Section 4.2. Appointment of Alternate Directors.** Each Member shall appoint one
238 Alternate to the Director. The Alternate shall be entitled to attend all meetings of the Board and
239 may vote in the absence of the Director.

240
241 **Section 4.3. No Proxy Voting.** There shall be no voting by proxy. All votes must be cast
242 in person at Board meetings by the Director or Alternate, unless the meeting is duly conducted in
243 accordance with Minnesota Statutes, Sections 13D.02 (interactive TV) or 13D.021 (telephone or
244 other electronic means allowed if health pandemic or emergency).

245
246 **Section 4.4. Notice of Change of Director or Alternate Director.** When the Member
247 changes its designated Director or Alternate the Member shall provide written notice to Metro-
248 INET with the name, email address and mailing address of the person so appointed.

249
250 **Section 4.5. Compensation of Directors and Alternate Directors.** Directors and
251 Alternates shall serve without compensation from Metro-INET, but it shall not prevent a Member
252 from providing compensation for its Director or Alternate if such compensation is lawfully
253 authorized by such Member.

254
255 **Section 4.6. Number of Votes Held by Directors.** Unless otherwise expressly provided
256 herein, each Director shall have the number of votes equivalent to the Member's share of Metro-
257 INET's annual budget, as established by the Board and calculated as follows: Each Member's
258 percentage share of Metro-INET's annual budget shall be determined by Member use of Metro-
259 INET IT Services. Said Member share shall be rounded up to the nearest whole number, and that
260 number shall be the Member's total number of votes in any vote of the Board. Members shall have
261 at least one vote. The number of votes for initial Members, and the total votes of the Directors for
262 the initial Board, shall be as set forth in the attached Exhibit A, and is subject to change annually
263 with the addition or subtraction of Members. The number of votes for each Director shall be
264 recalculated annually upon the adoption by the Board of the next fiscal year budget. Upon the
265 addition of a new Member, the Board shall estimate the new Member's share of Metro-INET's
266 annual budget for the period prior to adoption of the succeeding year's budget and assign the
267 proportionate number of votes to the new Member for the remainder of that fiscal year. The number
268 of votes of existing Members shall not change during the year that new Member or Members join
269 Metro-INET.

270 **Section 4.7. Quorum.** The presence of at least ten (10) Directors of Members in good
271 standing at a regular or special meeting shall constitute a quorum of the Board allowing it to
272 transact business, provided that the ten Directors hold at least a majority of the total Member votes.
273

274 **Section 4.8. Motions.** A majority of the Member vote totals represented by those Directors
275 present at a meeting is required to pass all motions, unless a greater majority is provided in this
276 JPA.
277

278 **Section 4.9. Suspension of Vote.** A Director, or Alternate shall not be eligible to vote
279 during the time the Member they represent has been notified by Metro-INET that it is in default
280 on any required assessment, contract or other contribution to Metro-INET or regarding security
281 breaches or other acts deemed by the Board to materially impair the quality of IT Services provided
282 by Metro-INET. During the existence of such default, the vote(s) of such Member shall not be
283 counted for the purposes of a meeting quorum or majority on a Board meeting vote. If a Member
284 remains in default for a period of more than forty-five (45) days after written notice on failure to
285 pay any billing from Metro-INET or notice of other default referenced above, the Board may act
286 to terminate the Member from Metro-INET by a majority vote of the Board at a regular meeting
287 or special meeting called for that purpose.
288

289 **Section 4.10. Bylaws.** At the Metro-INET organizational meeting the Board shall adopt
290 bylaws governing its procedures, including but not limited to, the time, place and frequency of its
291 regular meetings or procedures and voting majorities required for certain votes. Such bylaws may
292 be amended from time to time pursuant to Section 4.8 of this JPA.
293

294 **Section 4.11. Remuneration of Director or Alternate Expenses.** The Board shall have no
295 obligation to pay remuneration of Director or Alternate expenses, which shall be subject to the policies of
296 Member appointing them. The Board may, however, in its sole discretion, pay the reasonable and
297 necessary expenses of officers, Directors and Alternates incurred in connection with special duties
298 they undertake on behalf of Metro-INET, but such reimbursement shall not include the expenses
299 incurred solely for attending meetings of Metro-INET within the seven-county Twin Cities
300 metropolitan area.
301

302
303 **Section 4.12. Removal of Directors.** Any Director or Alternate shall be subject to removal
304 by the governing body of the Member.
305

306 **Section 4.13. Director Vacancies.** A vacancy on the Board shall be promptly filled by the
307 governing body of the Member whose position on the Board is vacant.
308

309 **ARTICLE V**
310 **MEETINGS AND OFFICERS**
311

312 **Section 5.1. Special Meetings.** Special meetings of the Board may be called: (a) by the
313 chair; (b) by the executive committee; or (c) upon the written request of a majority of the Directors.
314 Subject to an emergency exception, as defined by statute, at least three (3) days' written notice of

315 special meetings shall be published and given to all Directors and Alternates. Such notice shall
316 include the agenda for the special meeting and the time, date and location of the meeting.
317

318 **Section 5.2. Regular Meetings.** The specific date, time and location of regular meetings
319 of the Board shall be determined by the Board as provided in the Bylaws. The Board shall be
320 required to meet at least four (4) times a year. Its regular meetings shall be held on the dates and
321 at times of each January, April, July and October as determined by the Board at the October
322 meeting and duly published to establish the four regular meetings.
323

324 **Section 5.3. Notice of Regular Meetings.** Notice of regular meetings of the Board shall
325 be given to the Directors and Alternates by the secretary at least fifteen (15) days in advance of
326 the meeting and the agenda for such meetings shall accompany the notice. However, business at
327 regular meetings of the Board need not be limited to matters set forth in the agenda.
328

329 **Section 5.4. Public Meetings.** Meetings of the Board and of the executive committee shall
330 be considered “public” meetings. Notices, agendas, and schedules of such meetings shall be given,
331 maintained and distributed pursuant to the Open Meeting Law, Minnesota Statutes, Section
332 13D.01, et seq.
333

334 **Section 5.5. Officers.** The officers of the Board shall consist of the chair, vice-chair,
335 secretary and two (2) officers-at-large, who shall be elected by the Directors at the initial meeting
336 of the Board. The chair and vice-chair shall be elected to three-year (3) terms, commencing at the
337 initial meeting of the Board and every three (3) years thereafter. The secretary shall be elected to
338 a two-year (2) term, commencing at the initial meeting of the Board, and shall be elected to three-
339 year (3) terms following the completion of the initial term every three (3) years thereafter. The
340 officers-at-large shall be elected to a one-year (1) term, commencing at the initial meeting of the
341 Board, and shall be elected to three-year (3) terms following the completion of the initial term
342 every three (3) years thereafter. The intent of the election of officers is to ultimately establish three-
343 year (3), staggered terms of officers with the chair and vice-chair being elected in the same year.
344 Other than the initial meeting of the Board, new officers shall take office at the adjournment of the
345 meeting of the Board at which they are elected.
346

347 **Section 5.6. Chair and Vice Chair.** The chair shall preside at all meetings of the Board
348 and the executive committee. The vice-chair shall act as chair in the absence of the chair.
349

350 **Section 5.7. Secretary.** The secretary shall be responsible for keeping a record of all of the
351 proceedings of the Board and the executive committee.
352

353 **Section 5.8. Officer Vacancies.** A vacancy shall immediately occur in the office of any
354 officer upon his or her resignation, death or upon ceasing to be an employee of the Member. Upon
355 a vacancy occurring in any office, the Alternate shall serve until the Member appoints a new
356 Director.
357

358 **ARTICLE VI**
359 **POWERS AND DUTIES OF THE BOARD**

360
361 **Section 6.1. Powers and Duties.** The powers and duties of the Board shall include the
362 powers set forth in this Article.

363
364 **Section 6.2. General Purpose.** The Board shall take such action as it deems necessary and
365 appropriate to accomplish the general purposes of the organization including, but not limited to,
366 the establishment of data processing and information systems, engaging in the development and
367 implementation of the necessary programs therefor, acquiring any necessary site, purchasing any
368 necessary supplies, equipment and machinery, employing any necessary personnel and operating
369 and maintaining any systems for the handling of data processing and management information for
370 the Members and for others. Any of the foregoing activities, or any other activities authorized by
371 the JPA, may be accomplished by entering into contracts, leases or other agreements with others,
372 whenever the Board shall deem this to be advisable.

373
374 **Section 6.3. Governance.** The Board shall have full supervisory control and management
375 of the affairs of Metro-INET including the power to make contracts as it deems necessary to make
376 effective any power to be exercised by Metro-INET pursuant to this JPA; to provide for the
377 prosecution and defense or other participation in actions or proceedings at law in which it may
378 have an interest; to employ such persons as it deems necessary to accomplish its duties and powers
379 on a full-time, part-time or consulting basis; to conduct such research and investigation as it deems
380 necessary on any matter related to or affecting the general purposes of the organization; to acquire,
381 hold and dispose of property both real and personal as the Board deems necessary; and to contract
382 for space, materials, supplies and personnel with a Member or Members or with others.

383
384 **Section 6.4. Membership Dues.** The Board may establish and collect membership dues.

385
386 **Section 6.5. Service Charges.** The Board may establish and collect charges for its services
387 to Members and to others.

388
389 **Section 6.6. Gifts, Loans and Grants.** The Board may accept gifts, apply for and use
390 grants or loans of money or other property from the state, or any other governmental units or
391 organizations and may enter into agreements required in connection therewith and may hold, use
392 and dispose of such moneys or property in accordance with the terms of the gift, grant, loan or
393 agreement relating thereto.

394
395 **Section 6.7. Annual Audit.** The Board shall cause an annual independent audit of the
396 books to be made and shall make an annual financial accounting and report in writing to the
397 Members. Its books and records shall be available for and open to examination by its Members at
398 all reasonable times.

399
400 **Section 6.8. Annual Budget.** The Board shall establish the annual budget for the
401 organization as provided in this JPA.

402

403 **Section 6.9. Delegation to Executive Committee.** The Board may delegate authority to
404 the executive committee of the Board, between Board meetings. Such delegation of authority shall
405 be by resolution of the Board and may be conditioned in such manner as the Board may determine.
406

407 **Section 6.10. Accumulation and Maintenance of Capital.** The Board may accumulate
408 and maintain reasonable working capital reserves and may invest and reinvest funds not currently
409 needed for the purposes of the organization. Such investment and reinvestment shall be in
410 accordance with and subject to the laws applicable to the investment of city funds.
411

412 **Section 6.11. Data, Data Processing and Management Information Systems.** The
413 Board shall make Metro-INET data processing and management information systems available to
414 its Members, subject to reasonable charges for the development and processing thereof. Metro-
415 INET shall not own Member Data, which shall be returned to the Member upon its withdrawal
416 made pursuant to this JPA or upon dissolution.
417

418 **Section 6.12. PERA.** The Board may provide for any of its employees to be members of
419 the Public Employees Retirement Association and may make any required employer contributions
420 to that organization and any other employer contributions which municipalities are authorized or
421 required by law to make.
422

423 **Section 6.13. Necessary and Incidental Powers.** The Board may exercise any other power
424 necessary and incidental to the implementation of its aforementioned powers and duties.
425

426 **ARTICLE VII**
427 **FISCAL AND OPERATIONAL SERVICES; EXECUTIVE DIRECTOR**
428

429 **Section 7.1. Fiscal and Operations Agent.** The Board shall designate a Member to serve
430 as the fiscal and operations agent of Metro-INET (“Fiscal Agent”). The Fiscal Agent shall provide
431 services as set forth in the JPA and on additional matters as may be determined by the Board
432 through authorization for services by contract with Metro-INET. The Fiscal Agent shall be
433 responsible for management of all of Metro-INET’s funds, for the keeping and storing of Metro-
434 INET’s financial records, recommending to the Board and maintaining adequate insurance
435 coverage of Metro-INET consistent with municipal liability limitations under Minnesota law, and
436 to provide for the annual financial audit and accounting of all Metro-INET related activities. The
437 Fiscal Agent shall be responsible for collecting and preserving all Metro-INET records and data
438 pursuant to the requirements of the Minnesota Government Data Practices Act, Minnesota
439 Statutes, Chapter 13. The Fiscal Agent shall post a fidelity bond or other insurance against loss of
440 organization funds in an amount approved by the Board, at the expense of Metro-INET.
441

442 **Section 7.2. Executive Director.** The Board shall hire an executive director to be
443 responsible for the management of the day-to-day operations of Metro-INET, executing the policy
444 directives of the Board, including, the power to implement contracts authorized by the Board, the
445 prosecution and defense or other participation in actions or proceedings in law; to employ
446 personnel or retain as consultants such persons as he or she may deem necessary to carry out
447 Metro-INET functions; to conduct such research and investigation as necessary on any matter
448 related to or affecting the general purposes of Metro-INET; to manage real and personal property

449 acquired by Metro-INET; and to investigate, advise the Board regarding contracts for space,
450 materials, supplies and personnel either with a Member or Members or with third parties and
451 coordinating with Members for the implementation of internet connection, system maintenance
452 and data processing. The executive director shall prepare a report to the Board regarding the
453 operations of Metro-INET for each quarterly and annual meeting of the Board.

454
455 **Section 7.3. Term of Executive Director.** The executive director shall serve for an
456 indefinite period as defined by the contract, which may be terminated and the director removed by
457 a vote of a two-thirds majority of the total votes of the Board.

458
459 **ARTICLE VIII**
460 **EXECUTIVE COMMITTEE**

461
462 **Section 8.1. Membership of Executive Committee.** The Board shall establish an
463 executive committee consisting of five (5) voting members. Its members shall consist of the five
464 (5) officers of the Board as defined in Article V, Section 5.5. The Fiscal Agent and Executive
465 Director shall serve as *ex officio* members of the executive committee in an advisory and non-
466 voting capacity.

467
468 **Section 8.2. Bylaws of Executive Committee.** The executive committee may adopt
469 bylaws governing its own procedures, which shall be subject to this JPA, the bylaws of the Board,
470 and any resolutions or other directives of the Board.

471
472 **Section 8.3. Quorum.** Three (3) members of the executive committee shall constitute a
473 quorum and a majority of the executive committee members present at a meeting where a quorum
474 exists may act, notwithstanding the number of votes held by each member in accordance with
475 Article IV, Section 4.6.

476
477 **Section 8.4. Regular Meetings.** The specific date, time and location of regular meetings
478 of the executive committee shall be determined by the executive committee. The executive
479 committee shall meet at least four (4) times a year. Notice of regular meetings of the executive
480 committee shall be given to the members of the executive committee and the executive director at
481 least seven (7) days in advance and the agenda for such meetings shall accompany the notice.

482
483 **Section 8.5. Special Meetings.** Special meetings of the executive committee may be called
484 by the chair or upon the call of any two other members of the executive committee. The date, time
485 and location of the special meeting shall be fixed by the person or persons calling it. At least three
486 (3) days advance written notice of such special meeting shall be given to all members of the
487 executive committee by the person or persons calling the meeting.

488
489 **Section 8.6. Notice of Meetings.** Pursuant to the Open Meeting Law, all meetings of the
490 executive committee shall be noticed and published at least three (3) days prior to the meeting.

491
492 **Section 8.7. Duties and Responsibilities.** The executive committee shall have the
493 following duties and responsibilities: (a) to exercise the powers and perform the duties delegated
494 to it by the Board and subject to such conditions and limitations as may be imposed by the Board;
495 (b) to cause to be prepared a proposed annual budget each year which shall be submitted to the

493 Board at least thirty (30) days before the annual meeting for the Board’s review and ratification;
494 and (c) to present a full report of its activities at each regular meeting of the Board.
495

496 **Section 8.8. Preparation and Modification of Charges.** The executive committee shall
497 have the responsibility to prepare and modify charges for the use of the programs and facilities of
498 Metro-INET, both as to Members and non-members, subject to Board approval.
499

500 **ARTICLE IX**
501 **FINANCIAL MATTERS**
502

503 **Section 9.1. Fiscal Year.** The fiscal year of Metro-INET shall be the calendar year.
504

505 **Section 9.2. Adoption of Annual Budget.** The annual budget of Metro-INET must be
506 adopted in the following manner:
507

- 508 (a) prior to May 1 the Board will supply each member with a proposed preliminary
509 budget for the coming fiscal year;
- 510 (b) prior to the meeting of the Board in July the Board will supply each Member with
511 a proposed budget adjusted for withdrawal notifications received pursuant to
512 Article XI;
- 513 (c) the annual budget for the coming fiscal year shall be adopted at the July Board
514 meeting.
515
516
517

518 Promptly after adoption of the budget, the Board must mail copies of the budget to the
519 chief administrative officer of each Member. Upon adoption of the budget each Member is
520 obligated to Metro-INET for the budgeted revenues and cost sharing charges fixed by the Board
521 for the ensuing fiscal year in accordance with this Article.
522

523 **Section 9.3. Cost Sharing Charges.** The Board shall have authority to fix cost sharing
524 charges for all Members in an amount sufficient to provide the funds required by the budgets of
525 the organization. The Board shall notify the chief administrative officer of each Member of the
526 amounts of such charges, on or before May 1 of each year. The Board shall prepare, and may
527 amend, a document setting forth the cost sharing charges and policies for Members and rates for
528 services provided to non-members. Such document(s) and policies shall be made available to
529 Members for review and comment upon request.
530

531 **Section 9.4. Invoices to Members.** Invoices for all charges shall be sent to the Members
532 by the Fiscal Agent and shall be due when rendered. Any Member whose charges have not been
533 paid within forty-five (45) days after the date of the invoice may be declared in default by the
534 Board or executive committee and shall not be entitled to further voting privileges nor to have its
535 Director hold any office nor to use any Metro-INET facilities or programs until such time as the
536 default is cured and Metro-INET has been paid in full. Additionally, in the event that such charges
537 have not been paid within forty-five (45) days of the date of the invoice, and such default remains
538 uncured after a reasonable time following notice to cure, the membership of such Member may be

539 terminated by a majority vote of the Board. In the event of a dispute between the Member and the
540 Board as to the amount which is due and payable, the Member shall nevertheless make such
541 payment in order to preserve its status as a Member, but such payment may be made under protest
542 and without prejudice with respect to the Member's right to dispute the amount of the charge and
543 to pursue any legal remedies available to it.
544

545 **Section 9.5. Classification of Cost Sharing Charges.** The charges to the Members of
546 Metro-INET shall be divided, for cost sharing purposes, into three different classes, as further
547 described in Attachment A to this JPA and incorporated herein:

548 (a) Core Services ("*Class 1 Charges*"). Class 1 Charges shall cover all of Metro-
549 INET's general administrative and operational expenses for core services in having
550 a member participate as a domain member of Metro-INET. Core services are
551 generally defined as services provided by Metro-INET that provides IT support to
552 the Member and its employees to conduct the Member's business. These core
553 services may change over time upon Board approval based on different needs of
554 Members. Changes in the delivery of Class 1 Charges shall be paid by each Member
555 as fixed monthly, quarterly or annual membership dues, as determined by the
556 Board. The amount of Class 1 Charges required to be paid by each Member shall
557 be determined annually by the executive committee, upon approval by the Board.
558 Class 1 Charges shall be prorated to new Members and not retroactively applied to
559 them.

560 (b) Supplemental Services ("*Class 2 Charges*"). Class 2 Charges shall cover the costs
561 of design and development of computer programs and systems and other capital
562 costs for services requested by the Member. Supplemental services are generally
563 defined as services provided by Metro-INET at the request of the Member to meet
564 its specific needs. These supplemental services may change over time upon Board
565 approval based on different needs of Members and changes in the delivery of such
566 services. Class 2 Charges shall be paid by each Member as fixed monthly, quarterly
567 or annual membership dues, as determined by the Board. The amount of Class 2
568 Charges required to be paid by each Member shall be determined annually by the
569 executive committee, upon approval by the Board. Class 2 Charges shall not be
570 retroactively applied to new Members.

571 (c) Necessary Additional Charges ("*Class 3 Charges*"). Class 3 Charges shall cover
572 the costs of system operation and maintenance in serving non-members, on an "as
573 requested" basis as determined by the Board when it deems such charges necessary.
574 The amount of such charges that are applicable to each non-member shall be
575 determined by the Board. The amount of the charges shall cover all costs incurred
576 by Metro-INET in providing these services to the non-member. The Board shall
577 have authority to negotiate and enter into contracts with non-members receiving
578 Class 3 Charges.

579 **Section 9.6. Special Financial Assistance from Members.** It is anticipated that certain
580 Members may be in a position to extend special financial assistance to Metro-INET in the form of
581 grants, or other in-kind payments including use of facilities or other infrastructure deemed
582 beneficial to Metro-INET. The Board shall credit any such in-kind payment against any charges

583 which the granting Member would otherwise have to pay. The Board may also enter into an
584 agreement, as a condition to any such grant, that it will credit all or a portion of such grant towards
585 charges which have been made or in the future may be made against one or more specified
586 Members.

587
588 **Section 9.7. Expenditures.** Board funds may be expended by the Board in accordance
589 with procedures established by law for the expenditure of funds by cities. Orders, checks, drafts
590 and other legal instruments shall be signed by the chair or vice-chair and countersigned by the
591 secretary or such other person as shall be designated by the Board.

592
593 **Section 9.8. Contracts.** Contracts shall be let and purchases shall be made in accordance
594 with the legal requirements applicable to contracts and purchases by Minnesota cities.

595
596 **ARTICLE X**
597 **WITHDRAWAL**

598
599 **Section 10.1. Notice of Withdrawal.** Any Member may at any time prior to June 1 of a
600 given year, give written notice of withdrawal from Metro-INET. Written notice of withdrawal
601 submitted prior to June 1 shall be a timely withdrawal and the Member shall not be responsible for
602 its share of the next year's budget not already made the obligation of the Member by a prior, multi-
603 year budget commitment approved by the Board. The withdrawing Member's financial obligation
604 prior to withdrawal upon timely notice will be based on the Charge 1, 2 and 3 Charges outstanding
605 for the remainder of the calendar year and additional years for which the Board committed Metro-
606 INET to such financial obligation while the Member was with Metro-INET as a Member. In such
607 case the Member shall be responsible for the net present value of its a pro rata share of such
608 commitment. Written notice of withdrawal after June 1, shall be untimely for purposes of
609 withdrawal prior to the next calendar year but shall serve as notice for withdrawal effective the
610 year following. A Member's nonpayment of charges as set forth herein or its failure to comply
611 with Metro-INET operational security requirements or other policy prescribed by the Board,
612 without cure after written notice and a reasonable time to cure, shall constitute the Member's notice
613 of withdrawal from Metro-INET as determined by the Board pursuant to Section 4.8 at a regular
614 or special meeting. All Member withdrawals shall take effect at the end of the applicable fiscal
615 year, unless otherwise provided by the Board.

616
617 **Section 10.2. Claim to Assets upon Withdrawal.** A Member's withdrawal from Metro-
618 INET at a time when such withdrawal does not result in dissolution of the organization shall forfeit
619 the Member's claim to any assets of the organization except that it shall have access to any
620 software developed for its use while it was a Member in accordance with and subject to the
621 provisions of Article XIII, Section 13.5(b).

622
623 **Section 10.3. Financial Obligations upon Withdrawal.** Upon withdrawal the Member
624 shall continue to be responsible (1) for all of its prorated share of any unpaid Class 2 Charges; (2)
625 for its share of Class 1 Charges to the effective date of withdrawal; (3) for its share of any Class 3
626 Charges to the effective date of withdrawal; and (4) for any contractual obligations it has separately
627 incurred with Metro-INET.

628

629 **Section 10.4. Financial Obligations prior to Withdrawal.** A Member who has not given
630 notice of withdrawal on or before June 1 of a given year is obligated for the budgeted revenues
631 and the cost sharing charges fixed by the Board for the ensuing fiscal year in accordance with
632 Article IX.

633
634 **ARTICLE XI**
635 **ASSOCIATES**

636
637 **Section 11.1. Associates.** It is understood that certain LGUs may desire to enter into a
638 contractual arrangement with Metro-INET for limited IT Services. Such LGUs may affiliate with
639 Metro-INET as “Associates.”

640
641 **Section 11.2. Admission of Associates.** An LGU desiring to become an Associate may do
642 so in the same manner as is applicable to becoming a Member, except as otherwise provided in
643 this Article.

644
645 **Section 11.3. Confirmation of Associate Status.** At the time of joining Metro-INET as
646 an Associate, the LGU shall indicate in writing that it is not joining as a Member but as an
647 Associate.

648
649 **Section 11.4. Appointment of Director and Alternate Director.** An Associate may
650 appoint a Director and an Alternate Director to the Board but such Director (or Alternate) shall be
651 without voting power, shall not be eligible to serve as an officer and shall not be counted for
652 quorum purposes.

653
654 **Section 11.5. Charges.** The Board shall establish the charges to be paid by Associates and
655 for that purpose it may classify Associates in accordance with their varying circumstances.

656
657 **Section 11.6. Application to Become a Member.** An Associate may apply for
658 membership status and become a Member upon the requisite vote as required in Article III, Section
659 3.5.

660
661 **Section 11.7. Notice of Withdrawal as Associate.** An Associate may discontinue its
662 association with Metro-INET at any time by giving written notice of withdrawal to the secretary.
663 Withdrawal shall not relieve such withdrawing Associate from its obligation to pay any charges
664 which the Associate has incurred up to the time of withdrawal.

665
666 **ARTICLE XII**
667 **DISSOLUTION**

668
669 **Section 12.1. Dissolution.** Metro-INET shall be dissolved whenever: (1) the total number
670 of remaining Members is less than five; or (2) by two-thirds of the votes represented by all
671 Members of the Board.

673 **Section 12.2. Effectuation of Dissolution.** In the event of dissolution, the Board shall
674 determine the measures necessary to effectuate the dissolution and shall provide for the taking of
675 such measures as promptly as circumstances permit and subject to the provisions of this JPA.
676

677 **Section 12.3. Distribution of Assets and Payment of Outstanding Obligations.** Upon
678 dissolution, the remaining assets of Metro-INET and payment of all of its outstanding obligations,
679 the remaining assets of Metro-INET shall be distributed among the then existing Members in
680 proportion to their contributions, as determined by the Board.
681

682 **Section 12.4. Allocation of Deficit.** If, upon dissolution, there is an organizational deficit,
683 such deficit shall be charged to and paid by the Members on a pro rata basis, based upon the Class
684 1 and 2 Charges incurred by such Members during the two years preceding the event which gave
685 rise to the dissolution.
686

687 **Section 12.5. Distribution of Computer Software.** In the event of dissolution the
688 following provisions shall govern the distribution of computer software owned by or licensed to
689 Metro-INET:
690

- 691 (a) All such software shall be an asset of Metro-INET.
692
- 693 (b) A Member or former Member may use (but may not authorize reuse by others) any
694 software developed during its membership upon (1) paying any unpaid sums due
695 Metro-INET; (2) paying the costs of taking such software; and (3) complying with
696 reasonable rules and regulations of the Board relating to the taking and use of such
697 software. Such rules and regulations may include a reasonable time within which
698 such software must be taken by any Member or former Member desiring to do so.
699

700 **ARTICLE XIII**

701 **INDEMNIFICATION**

702

703 **Section 13.1. Cooperative Activity of Single Governmental Unit.** Metro-INET shall be
704 considered a separate and distinct public entity to which the Members have transferred all
705 responsibility and control for actions taken pursuant to this JPA. To the fullest extent permitted by
706 law, actions by the Members pursuant to this JPA are intended to be and shall be construed as a
707 “cooperative activity” and it is the intent of the Members that they shall be deemed a “single
708 governmental unit” for the purposes of liability, as set forth in Minnesota Statutes, Section 471.59,
709 subdivision 1a (a); provided further that for purposes of that statute, each Member expressly
710 declines responsibility for the acts or omissions of the other party. The Members are not liable for
711 the acts or omissions of the other Members except to the extent to which they have agreed in
712 writing to be responsible.

713 **Section 13.2. Indemnification.** Metro-INET shall defend, indemnify and hold harmless
714 the Members against all claims, losses, liabilities, suits, judgments, costs and expenses arising out
715 of action or inaction of the Board, its Directors or Alternates, the Fiscal Agent, the executive
716 director and other employees or agents of Metro-INET pursuant to this JPA. Metro-INET shall
717 defend and indemnify the employees of any Member acting pursuant to the JPA except for any act
718 or omission for which the Member’s employee is guilty of malfeasance, willful neglect of duty or

719 bad faith. A Member shall defend, indemnify and hold harmless Metro-INET against all claims,
720 losses, liabilities, suits, judgments, costs, and expenses arising out of action or inaction of the
721 Member regarding the Member's Data. This JPA to defend and indemnify does not constitute a
722 waiver by Metro-INET or any Member of the limitations on liability provided by Minnesota
723 Statutes, Chapter 466.

724 **ARTICLE XIV**
725 **AMENDMENT**
726

727 **Section 14.1. Amendment of JPA.** This JPA sets forth all understandings of the Members.
728 All prior agreements, understandings, representations whether consistent or inconsistent, verbal or
729 written, concerning this JPA, are merged into and superseded by this written JPA. No modification
730 or amendment to the JPA shall be binding unless all Members agree in writing to the proposed
731 change or amendment.

732 **ARTICLE XV**
733 **MISCELLANEOUS**
734

735 **Section 15.1. Data Practices.** The Members agree to comply with the Minnesota
736 Government Data Practices Act, Minnesota Statutes, Chapter 13, as it applies to all data created,
737 collected, received, stored, used, maintained or disseminated by Metro-INET. If a Member
738 receives a request to release the data referred to in this section, it must immediately notify the
739 executive director. The executive director will give the Member who has received the data request
740 instructions concerning the release of the data to the requester before the data is released.

741 **Section 15.2. Audit.** The books, records and documents relevant to this JPA are subject to
742 audit by the Members and the State of Minnesota at reasonable times upon written notice.

743 **Section 15.3. Counterparts.** This JPA may be executed simultaneously in two or more
744 counterparts, each of which will be deemed an original, but all of which together will constitute
745 one and the same instrument.

746 **Section 15.4. Headings.** The subject headings of the sections and subsections of the JPA
747 are included for purposes of convenience only, and shall not affect the construction of
748 interpretation of any of its provisions.

749 **Section 15.5. Severability.** In case any one or more of the provisions of this JPA shall be
750 invalid, illegal, or unenforceable in any respect, the validity, legality and enforceability of the
751 remaining provisions contained in this JPA will not in any way be affected or impaired thereby.

752 **Section 15.6. Applicable Law.** This JPA shall be governed by and construed in accordance
753 with the laws of the State of Minnesota. Any disputes, controversies, or claims arising out of this
754 JPA shall be heard in Minnesota state district or courts with the venue being in Ramsey County,
755 and the Members waive any objection to the jurisdiction of these courts, whether based on
756 convenience or otherwise.

757
758
759
760
761
762

**ARTICLE XVI
DURATION**

Section 16.1. Term. This JPA shall continue in effect indefinitely until terminated in accordance with its terms.

DRAFT

763 **IN WITNESS WHEREOF**, the undersigned local governmental unit has caused this JPA
764 to be signed and delivered on its behalf.

765
766
767
768
769 _____

770 (Name of LGU)

771
772 By: _____

773
774 Its: _____

775
776
777 By: _____

778
779 Its: _____

780
781 Dated: _____, 20____.

DRAFT

2021 Member Budget		\$ 3,559,694	Budget Share	RoundUp	Votes
AH	Arden Hills	\$ 81,645	2.29%	3.00%	3
ANO	Anoka	\$ 310,909	8.73%	9.00%	9
BV	Birchwood Village	\$ 8,312	0.23%	1.00%	1
CCW	Coon Creek Watershed	\$ 39,980	1.12%	2.00%	2
CFD	Centennial Fire	\$ 17,234	0.48%	1.00%	1
CLPD	Centennial Lakes Police	\$ 54,333	1.53%	2.00%	2
CP	Circle Pines	\$ 50,772	1.43%	2.00%	2
CV	Centerville	\$ 28,549	0.80%	1.00%	1
EB	East Bethel	\$ 52,794	1.48%	2.00%	2
FH	Falcon Heights	\$ 48,511	1.36%	2.00%	2
FL	Forest Lake	\$ 171,330	4.81%	5.00%	5
GL	Gem Lake	\$ 5,786	0.16%	1.00%	1
HL	Ham Lake	\$ 54,323	1.53%	2.00%	2
HUGO	Hugo	\$ 86,070	2.42%	3.00%	3
LAU	Lauderdale	\$ 19,598	0.55%	1.00%	1
LC	Little Canada	\$ 63,805	1.79%	2.00%	2
LCFD	Little Canada Fire	\$ 12,688	0.36%	1.00%	1
LE	Lake Elmo	\$ 80,407	2.26%	3.00%	3
LEX	Lexington	\$ 29,125	0.82%	1.00%	1
LJFD	Lake Johanna Fire	\$ 41,667	1.17%	2.00%	2
LL	Lino Lakes	\$ 218,604	6.14%	7.00%	7
MAH	Mahtomedi	\$ 56,521	1.59%	2.00%	2
MV	Mounds View	\$ 160,718	4.51%	5.00%	5
MW	Maplewood	\$ 69,006	1.94%	2.00%	2
MWMO	Mississippi Watershed	\$ 47,877	1.34%	2.00%	2
NO	North Oaks	\$ 20,139	0.57%	1.00%	1
NSP	North St. Paul	\$ 222,401	6.25%	7.00%	7
OAK	Oakdale	\$ 264,286	7.42%	8.00%	8
RV	Roseville	\$ 678,842	19.07%	20.00%	20
RW	RWMWD	\$ 59,505	1.67%	2.00%	2
SA	Saint Anthony	\$ 186,022	5.23%	6.00%	6
STF	Saint Francis	\$ 132,379	3.72%	4.00%	4
VH	Vadnais Heights	\$ 115,580	3.25%	4.00%	4
VLM	Vadnais Lakes Watershed	\$ 14,447	0.41%	1.00%	1
WBT	White Bear Twp	\$ 55,529	1.56%	2.00%	2

\$ 3,559,694

Total 119
 Needed to Pass 60

Metro I-NET Program Description

Code	Program Name	Description
Core Services		
A1	USER SUPPORT	Personnel, operating costs, associated software and licensing
A2	COMPUTER SUPPORT	Personnel, software and licensing associated with computer deployment, software distribution and maintenance
A3	EXCHANGE EMAIL SUPPORT	Microsoft Exchange email support, client access licensing, email filtering, archiving, and associated server costs
A4	WINDOWS SERVER SUPPORT	Microsoft server operating system support, licensing, updates, and application support
A5	NETWORK SYSTEM SUPPORT	Network support and configuration of switches, routers, firewalls, and other misc. network equipment
A6	LAN/WAN	Metro I-NET shared network equipment, fiber leases/locates, denial of service protection, and internet access
Supplemental Services		
V01	CISCO TELEPHONY	Cisco phones, call manager, voicemail, jabber, and associated hardware/licensing
S01	ADOBE SUBSCRIPTIONS	Adobe licensing and support
S02	MOBILITY SERVICES	Remote computer access - Netmotion, Remote Desktop, Splashtop, and/or Anyconnect
S03	OPEN PROGRAM	
S04	LASERFICHE	Laserfiche licensing, support, and server costs
S05	MILESTONE VMS	Milestone Camera/VMS licensing, support, and server costs
S06	ARBITRATOR VPU/BWC	Arbitrator squad/body camera video licensing, support, and server costs
S07	FACILITY WI-FI	Cisco wireless controllers, support, and access point licensing
S08	vSAN	Server virtualization hardware and software, backup servers, tape libraries, and associated licensing/support
S09	S2 CARD ACCESS	S2 card access / door controller software and support
S10	CISCO SMARTNET	Advanced Cisco support on individual agency network equipment
S11	FIBER MAINTENANCE	Fiber locates and maintenance on individual agency fiber connectivity
S12	OPEN PROGRAM	
S13	LETG RMS	LETG RMS (Police) shared server, storage, support, and licensing

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The City That Soars!

REQUEST FOR COUNCIL ACTION

Meeting Date	December 2, 2020
Agenda Item	Policy D3
Attachment	N/A
Submitted By	Sack Thongvanh, City Administrator

Item	Ordinance Amendment Update for Drive-Thru/Drive-Up
Description	<p>Planning Commission Liaison Mayor Randy Gustafson will provide an update during the Planning Commission Public Hearing from November 24, 2020. You can watch the Public Hearing by clicking the link below.</p> <p>https://webstreaming.ctv15.org/viewer.php?streamid=4512</p>
Budget Impact	N/A
Attachment(s)	<ul style="list-style-type: none"> • Planning Commission November 24th Packet • Public Comments Received by Email
Action(s) Requested	Staff is looking for direction on how to proceed.

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City of Falcon Heights Planning Commission

City Hall
2077 Larpenteur Avenue West

Tuesday, November 24, 2020
7:00 p.m.

A G E N D A

A. CALL TO ORDER: 7:00 p.m.

B. ROLL CALL:

John Larkin _____	Tom Williams _____
Matthew Kotelnicki _____	Scott Wilson _____
Joel Gerich _____	Scott Phillips _____
Jill Bartyzal _____	
Council Liaison Gustafson _____	
Interim Staff Liaison Just _____	

C. APPROVAL OF MINUTES

1. October 27, 2020

D. PUBLIC HEARING

1. Amendment to Chapter 113 regarding drive through facilities.

E. INFORMATION AND ANNOUNCEMENTS

1. Vacant properties update
2. December meeting

F. ADJOURN

Next regular meeting date: December 22, 2020

If you prefer to participate in the public hearing via Zoom, please go to the following link: <https://us02web.zoom.us/j/85306593220>.

**City of Falcon Heights
City Hall
2077 Larpenteur Avenue West**

**Minutes
Planning Commission Meeting
Tuesday, October 27, 2020
7:00 PM**

A. CALL TO ORDER:

The meeting was called to order by Chair Larkin at 7:00 PM.

B. ROLL CALL:

Present: Larkin, Williams, Gerich, Wilson, Phillips

Absent: Kotelnicki

Present Staff Liaison: Ryan Krzos from WSB

Present Liaison: Council Liaison Gustafson

C. APPROVAL OF MINUTES:

September 22, 2020

The minutes were approved by roll call, 5-0

D. PUBLIC HEARING

1. Amendment to Chapters 54 and 113 regarding residential edible landscaping

Following Staff Liaison Ryan Krzos' description of the proposed residential edible landscaping amendment (see Request For Planning Commission Action document), questions and a discussion between commission members took place. Commissioner Wilson mentioned that the Parks and Recreation Commission are looking at adding nine more plots to their community gardens at Community Park. Chair Larkin said as well that, similar to the recent native plant code, anything that applies to R1 and R2 residential, also applies to R3 and R4.

Chair Larkin opened up the public meeting. Several Public Members were in attendance and one came forward as well as one other offered their appreciation that front yard vegetable gardens were allowed in the amendment to Chapters 54 and 113. Also, it was brought up that approximately 330 comments by residents, mostly positive, regarding the edible gardens, had been received by the City, by residents commenting largely on the website. Chair Larkin closed the public meeting. Larkin then requested comments from each Commission member, one at a time. All were in approval of the amendment. A brief discussion then took place between commission members regarding retail sales of produce from the edible vegetable gardens (and naive plants) on the home owner's property. **With a motion, a second and a vote, the Planning Commission unanimously approved recommending the ordinance, as it is written, to the City Council for their approval.**

E. INFORMATION AND ANNOUNCEMENTS

1. Vacant properties update

Chair Larkin described the draft Vacant Properties Ordinance from the subcommittee of Chair Larkin, Tom Williams and Scott Phillips. During the introduction, Chair Larkin referred to a 10-point recommendation from a City of Chicago report on Vacant Properties Registration Ordinances, and that the subcommittee addressed each of them in the draft. Chair Larkin said that the Vacant Properties Ordinance of the City of Hopkins, MN was used as the templet for the Falcon Heights draft, which included: fees, monitoring of vacancy using garbage collection and water usage, and installation of an excessive gas flow valve. The fact that Falcon Heights is not associated with the Housing and Redevelopment Authority (HRA), at this time, those portions of the City of Hopkins ordinance were removed. Following Larkin's description of the proposed vacant property ordinance, a brief discussion between commission members took place. After the discussion, Chair Larkin said that the committee would likely be discussing the topic in greater detail during future meetings. Larkin recommended that the Lawyer representing the City of Falcon Heights and Staff members review the Vacant Property Registration form and draft ordinance, and recommend any changes or additions to these documents for the next Planning Commission meeting.

Dino's Drive-Through

Staff Liaison Ryan Krzos said that the City, as of the time of the Planning Commission meeting, had not received a full submittal, or any other requests regarding the Dino's drive-through window. Liaison Krzos mentioned that he believes Dino's is now considering a Pick-Up window, which does not include a speaker or sound system, instead of a drive-through window. However, at this time, conversations to finalize the process had not yet taken place between the City and Dino's. Liaison Krzos indicated that there would still be a code amendment necessary. Following Liaison Krzos' comments, a discussion of Dino's drive-through request took place between commission members. The Planning Commission will address any new proposals brought by Dino's in future meetings.

November and December Planning Commission Meetings

Chair Larkin mentioned that because of the conflict with meetings and holidays in November and December (Thanksgiving and Christmas), the Commission would be best to be flexible in planning those meetings. However, Larkin recommended that the Commission not meet on December 22nd because of how close it is to the Christmas holiday.

F. ADJOURN

Adjourned by Chair Larkin at 7:55 PM.



The City That Soars!

REQUEST FOR PLANNING COMMISSION ACTION

Meeting Date	November 24, 2020
Agenda Item	Agenda D1
Submitted By	Ryan Krzos, Interim Community Development Coordinator

Item	Amendment to Chapter 113 Regarding Drive Throughs
Description	<p><u>Summary of Request</u> The City has received a request from the owner of Dino’s Mediterranean Fresh (1700 Snelling Drive) for an Ordinance Amendment related to drive-through facilities. The City’s Zoning Ordinance currently prohibits drive through facilities for any use aside from financial institutions. City staff have prepared a draft ordinance on behalf of the applicant to accommodate their facility. It should be noted that the draft provisions would still require the owner to obtain a conditional use permit, which is not a component of this request. Should the amendment be adopted the applicant would need to apply for conditional use permit review which would involve consideration at a subsequent date.</p> <p><u>Ordinance Amendment Procedures</u> Section 113-35 of the Falcon Heights City Zoning Code provides the process and requirements relating to amendments to the Code. The process involves public notification; a public hearing, review and recommendation by the Planning Commission; followed by review and consideration by the City Council. The Ordinance states that no amendment to the code shall be considered which is in conflict with the Comprehensive Plan.</p> <p><u>Background</u> On February 8, 2006, the City Council approved an interim ordinance temporarily prohibiting the granting of any permit to build a new drive-through business facility while the City undertook a study of the impact of drive-through uses in the community. A copy of that study is enclosed for reference. On July 12, 2006, the City Council received the final report on the study and voted to support changes in the Falcon Heights City Code that would limit drive-through services to financial institutions in B-2 zones as a conditional accessory use with additional zoning restrictions. On September 13, 2006 the City Council approved the Ordinance provisions that are currently in place.</p> <p><u>Current Ordinance Requirements</u> <i>Definition:</i> Drive-through facility means the use of land, buildings or structures, or parts</p>

thereof, to provide or dispense products or services, either wholly or in part, through an attendant or window or automated machine, to persons remaining in motorized vehicles that are in a designated stacking lane. A drive-through facility may be permitted only as an accessory use in combination with a bank of financial institution. A drive-through facility does not include a vehicle washing facility, a vacuum cleaning station accessory to a vehicle washing facility, or an automobile/gasoline service station.

Performance Standards:

Sec. 113-252 - Drive-through facilities

Drive-through facilities are prohibited except when specifically allowed by a conditional use permit in a zoning district. When allowed, all drive-through facilities must comply with the following requirements:

- (1) The drive-through facility, service window and speakers must be located at least 100 feet from a residential zoned or used property and must be visually screened from adjoining residential property.
- (2) The entrance and exit drive lanes to the drive-through facility must be at least 75 feet from a street intersection.
- (3) The lot on which the drive-through facility is located must be at least 35,000 square feet in area.
- (4) The minimum on-site stacking distance available for the drive-through must be 180 feet in length.
- (5) Drive-through facilities may only be operated between the hours of 7:00 a.m. and 8:00 p.m.
- (6) No speaker noise may be audible from adjacent residential property.
- (7) A traffic study must be completed documenting that the drive-through facility will not create traffic problems.

District Provisions

Sec. 113-178 - B-2 limited business district

(d) Conditional uses. The following uses are permitted subject to the issuance of a conditional use permit (CUP):

- (1) Drive-through facilities as an accessory use to a financial institution.

Proposed Ordinance Requirements

In response to the applicant's request City staff drafted the ordinance amendment that would allow drive through facilities as a conditional accessory use, and modifies the performance standards in a manner that would allow the applicant's facility to be able to achieve compliance. Additionally, staff drafted an additional provision that would require screening of drive through facilities. The provisions are as follows:

Definition:

Drive-through facility means the use of land, buildings or structures, or parts thereof, to provide or dispense products or services, either wholly or in part, through an attendant or window or automated machine, to persons remaining in

motorized vehicles that are in a designated stacking lane. ~~A drive-through facility may be permitted only as an accessory use in combination with a bank of financial institution.~~ A drive-through facility does not include a vehicle washing facility, a vacuum cleaning station accessory to a vehicle washing facility, or an automobile/gasoline service station.

Performance Standards:

Drive-through facilities are prohibited except when specifically allowed by a conditional use permit in a zoning district. When allowed, all drive-through facilities must comply with the following requirements:

- (1) ~~The drive-through facility, service window and speakers must be located at least 100/75 feet from a residential zoned or used property and must be visually screened from adjoining residential property.~~
- (2) The entrance and exit drive lanes to the drive-through facility must be at least 75/20 feet from a street intersection.
- (3) The lot on which the drive-through facility is located must be at least 35,000/20,000 square feet in area.
- (4) The minimum on-site stacking distance available for the drive-through must be 180 feet in length/5 stacking spaces.
- (5) Drive-through facilities may only be operated between the hours of 7:00 a.m. and ~~8:00 p.m./9:00 p.m.~~
- (6) No speaker noise may be plainly audible from adjacent residential property.
- (7) A traffic study must be completed documenting that the drive-through facility will not create traffic problems.
- (8) A 10-foot buffer area with screen planting and/or an opaque wall or fence 6 feet in height shall be required between the drive-through lane and any property line adjoining a public street or residentially zoned property or property in residential use and approved by the Zoning Administrator.

District Provisions

Sec. 113-178 - B-2 limited business district

(d) Conditional uses. The following uses are permitted subject to the issuance of a conditional use permit (CUP):

- (1) Drive-through facilities as an accessory use to a financial institution.

Sec. 113-179 - B-3 Snelling and Larpenteur community business district

((d) *Conditional uses*. The following uses are permitted subject to the issuance of a conditional use permit (CUP):

- (15) Drive-through facilities as an accessory use to a financial institution or eating establishment.

Comprehensive Plan Guidance

The term "drive through" is not specifically stated in the Comprehensive Plan. As such, one must look at the broader goals and policies to assess whether expanding provisions for drive throughs is consistent with the document.

A number of the relevant goals and policies are provided below for reference. A digital copy of the plan is provided on the City website:
<https://www.falconheights.org/government/community-development-planning-and-zoning>

General Land Use Goals:

2. To minimize land use and traffic intrusions that adversely impact established neighborhoods.

General Land Use Policies:

8. Permit only compatible businesses adjacent to residential uses and in mixed commercial/residential development, and place special conditions upon business uses to assure compatibility when appropriate.

Commercial/Business Land Use Goals

- 2. To ensure maximum compatibility with adjacent neighborhoods.
- 3. To ensure access and safety for pedestrians and those using non-motorized transportation
- 4. To improve the image and function of the Larpenteur Corridor and the commercial core at Snelling/Larpenteur.
- 5. To improve access, traffic circulation and on-site parking for the Commercial Core at Snelling/Larpenteur.

Commercial/Business Land Use Policies

7. Maximize land use compatibility by requiring buffering, screening and landscaping between new commercial uses and residential areas and, wherever possible, between existing commercial uses and residential uses to minimize conflict

In discussion regarding the future direction of the business oriented land uses, the Plan states the following intentions: “create an attractive, easily accessible, walkable and visually secure commercial area for retail customers. minimize adverse impacts on adjacent residential areas...”

Conclusion

Since drive-throughs are not specifically mentioned in the Comprehensive Plan; the decision on the proposed Ordinance is a policy matter at the discretion of the City policy making bodies. The Planning Commission should discuss whether the Ordinance as proposed would create situations where the goals and policies of the plan are not contradicted.

Attachments	<ul style="list-style-type: none"> • Draft Ordinance 20-XX Chapter 113 Drive Through Facilities • Draft Summary Ordinance 20-XX Chapter 113 Drive Through Facilities • 2006 Drive Through Facilities Zoning Study by Cornejo Consulting
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	<ul style="list-style-type: none">Public Comments received as of October 20, 2020
Action(s) Requested	Staff request a Public Hearing on the draft ordinance and a recommendation to the City Council.

ORDINANCE NO. 20-XX

**CITY OF FALCON HEIGHTS
RAMSEY COUNTY, MINNESOTA**

**AN ORDINANCE AMENDING CHAPTER 113
OF THE FALCON HEIGHTS CITY CODE**

THE CITY COUNCIL OF FALCON HEIGHTS ORDAINS:

SECTION 1 Section 113-3 is amended as follows. Deletions are shown with a ~~strikethrough~~.

Sec. 113-3 - Definitions

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Drive-through facility means the use of land, buildings or structures, or parts thereof, to provide or dispense products or services, either wholly or in part, through an attendant or window or automated machine, to persons remaining in motorized vehicles that are in a designated stacking lane. ~~A drive-through facility may be permitted only as an accessory use in combination with a bank of financial institution.~~ A drive-through facility does not include a vehicle washing facility, a vacuum cleaning station accessory to a vehicle washing facility, or an automobile/gasoline service station.

SECTION 2 Section 113-179 is amended as follows. Additions are shown with an underline, and deletions are shown with a ~~strikethrough~~.

Sec. 113-179 - B-3 Snelling and Larpenteur community business district

(d) *Conditional uses.* The following uses are permitted subject to the issuance of a conditional use permit (CUP):

- (15) Drive-through facilities as an accessory use to a financial institution or eating establishment.

SECTION 3 Section 113-252 is amended as follows. Additions are shown with an underline, and deletions are shown with a ~~strikethrough~~.

Sec. 113-252 - Drive-through facilities

Drive-through facilities are prohibited except when specifically allowed by a conditional use permit in a zoning district. When allowed, all drive-through facilities must comply with the following requirements:

- (1) The drive-through facility, service window and speakers must be located at least ~~100~~75 feet from a residential zoned or used property ~~and must be visually screened from adjoining residential property.~~
- (2) The entrance and exit drive lanes to the drive-through facility must be at least ~~75~~20 feet from a street intersection.
- (3) The lot on which the drive-through facility is located must be at least ~~35,000~~20,000 square feet in area.
- (4) The minimum on-site stacking distance available for the drive-through must be ~~180 feet in length~~5 stacking spaces.
- (5) Drive-through facilities may only be operated between the hours of 7:00 a.m. and ~~8:00 p.m.~~9:00 p.m.
- (6) No speaker noise may be plainly audible from adjacent residential property.
- (7) A traffic study must be completed documenting that the drive-through facility will not create traffic problems.
- (8) A 10-foot buffer area with screen planting and/or an opaque wall or fence 6 feet in height shall be required between the drive-through lane and any property line adjoining a public street or residentially zoned property or property in residential use and approved by the Zoning Administrator.

SECTION 4 Section 113-315 is amended as follows. Deletions are shown with a ~~strikethrough~~. Successive sub-sections are re-numbered as appropriate.

Sec. 113-315 - Design and maintenance of off-street parking areas

- (r) *Off-street parking requirements.* Off-street parking spaces required (one space equals 350 square feet) shall be as follows unless the city determines, based upon a professional analysis of parking for any specific use, that a reasonable parking ratio for such use should be otherwise:
 - (11) ~~Drive in food or fast food establishments. One space for each 15 square feet of gross floor space in the building allocated to drive in operation, plus additional space as may be determined by the zoning administrator based upon advice from the planning commission. Drive-through lanes for food pick-up must be able to stack eight cars on site without interfering with the site parking.~~

SECTION 5 This ordinance shall be effective upon its passage and a summary published in the official newspaper.

ADOPTED this **##** day of **MONTH**, 2020, by the City Council of the City of Falcon Heights, Minnesota.

Moved by:

Approved by: _____
 Randall Gustafson
 Mayor

GUSTAFSON ___ In Favor Attested by: _____
LEEHY
MIAZGA ___ Against Sack Thongvanh
WEHYEE City Administrator
ANDREWS

DRAFT

SUMMARY ORDINANCE NO. 20-XX

**CITY OF FALCON HEIGHTS
RAMSEY COUNTY, MINNESOTA**

**AN ORDINANCE AMENDING CHAPTER 113
OF THE FALCON HEIGHTS CITY CODE
CONCERNING DRIVE THROUGH FACILITIES**

This ordinance amends Chapter 113 of the Falcon Heights City Code concerning drive through facilities. The amendment allows drive throughs as a conditional accessory use to restaurants and modifies performance standards for drive through facilities within the City.

A printed copy of the entire ordinance is available for inspection by any person during the City Administrator/Clerk’s regular office hours.

APPROVED for publication by the City Council of the City of Falcon Heights, Minnesota this _____ day of _____, 202_.

CITY OF FALCON HEIGHTS

BY: _____
Randall C. Gustafson, Mayor

ATTEST:

Sack Thongvanh, City Administrator

Drive-through Facilities Zoning Study

Falcon Heights, Minnesota



Prepared for:
City of Falcon Heights, Minnesota



Prepared by:
Dan Cornejo
CORNEJO CONSULTING
COMMUNITY PLANNING + DESIGN

July 7, 2006

Drive-through Facilities Zoning Study

Falcon Heights, Minnesota

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Attachments

- A. Survey of Falcon Heights Business Parcels
- B. Survey of Zoning Regulations for Drive-through Facilities

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Drive-through Facilities Zoning Study

Falcon Heights, Minnesota

1. Introduction

Over the past 20-25 years, drive-through facilities have emerged as part of new or retrofitted restaurants, dry cleaners, photo processing outlets, pharmacies, liquor stores, banks and financial institutions, and, more recently, coffee shops. Many early drive-through operations were located on interstate freeway interchanges. Early development of such facilities in metro areas began in outer suburban locations, usually on freeway interchanges or on major arterial roads. However, now it is difficult to find many communities (rural, suburban, or urban) that do not have one or more drive-through facilities. And, more recently, “curbside takeout” or “curbside pick-up” from so-called casual dining restaurants has become one of the fastest growing areas in the restaurant industry.

Even though drive-through facilities are permitted in all B-zoned properties in Falcon Heights (in some cases, only as a Conditional Use), there are currently no drive-through facilities in Falcon Heights.

On February 8, 2006, the Falcon Heights City Council adopted an Interim Ordinance temporarily prohibiting the issuance of building permits and zoning approvals for drive-through businesses. In that Interim Ordinance, a Drive-through business is defined as:

A business that by design, physical facilities, service or by packaging procedures encourages or permits customers to receive services, obtain goods or be entertained while remaining in their motor vehicles, excluding gasoline service stations.

It is intent of that Interim Ordinance to allow the City of Falcon Heights time to complete an in-depth study concerning changes in official controls for drive-through businesses, and in the interim to protect the planning process and the health, safety, and welfare of the citizens of the community.

2. Purpose of this Study

The purpose of this study is to:

1. Clarify the City’s interest in addressing the development impacts of sites with drive-through facilities;

2. Establish standards and criteria for the design of sites with drive-through facilities, integrating operational elements, site design, building design, with a focus on assisting this issue in making a positive contribution to the surrounding context and pedestrian streetscape; and
3. Make recommendations for any needed zoning code amendments.

3. Study Process

The primary tasks for this study were as follows:

Task 1: Analysis of Issues

A. Analyze the following drive-through facilities issues:

1. Traffic (access, egress, and pedestrian safety).
2. Quality of life issues, such as noise, compatibility with residential uses, glare from car lights, and litter.
3. Lot coverage and drainage.

B. Survey requirements and regulations in other cities.

Task 2: Site Survey and Documentation

Conduct site visits to all B-zoned properties in Falcon Heights, and work closely with City staff to document property characteristics and map these properties.

Task 3: Presentation and Participation at Community / City Council Meetings

The City desired to sponsor several opportunities for the community, including property owners of B-zoned properties, to investigate these issues and make recommendations about the City's land use controls in these areas. To accomplish this, the City, in collaboration with the consultant, scheduled the following meetings, in the consultant presented his findings, solicited feedback, and participated in the discussion. These meetings were facilitated by a neutral third-party, Aimee Gourlay from the Mediation Center at Hamline University.

Meeting 1: Discussion of issues, concerns, and observations. Formulation of needed data collection. (Thursday, April 13)

Meeting 2: Discussion of data collected, formulation of policy recommendation. This meeting also included requests for further information and additional data collection. (Thursday, May 11).

Meeting 3: Development of draft policy options for City Council. (Thursday, June 8).

City Council Meeting: Consultant presentation of study findings, including a summary of community feedback, and recommendations. (Wednesday, July 12).

Task 4: Prepare Report and Recommendations

Preparation of this final report on findings and recommendations on proposed zoning code amendments, including design guidelines (1) to assist applicants in making informed decisions when developing site plan / conditional use / variance permit applications, and (2) to guide staff, the Planning Commission, and the City Council in evaluating and making decisions on those applications.

4. City Policy Context

Comprehensive Plan

Several sections of the Falcon Heights Comprehensive Plan provide expressions of the type and character of commercial uses desired in the community.

With regard to the Snelling/Larpenteur Commercial Core, the Background section of the Comprehensive Plan states that the northeast quadrant (and southwest) quadrants will remain relatively stable.

The Commercial / Business Areas section of the Land Use Element states that it is the intention of the Plan that the Snelling/Larpenteur Commercial Core maintain its mixed use character, that it be substantially upgraded and redeveloped, as appropriate, to improve its commercial viability as a community retail area and accessibility while meeting standards of design that are consistent with the City's goals. Further, it states that it is the intent of the City that the core provide limited retail trade, business services, and offices to satisfy the needs of the immediately surrounding community and complement the adjacent residential areas. Some uses which draw from a larger market area may be permissible provided that they do not have the potential for negative impacts on adjacent residential property (emphasis mine.)

City Code (Chapter 9 Planning and Development)

"B" zoning in Falcon Heights is restricted primarily to collector and arterial streets. See Falcon Heights Zoning Map on the following page and in Attachment A.

Because most of the B-zoned properties are located on major roadways (Snelling and Larpenteur Avenues), this situation creates unique challenges in access to these sites due to high traffic counts. Also, most of these B-zoned properties are adjacent to residentially-zoned and residentially-used properties, creating unique challenges for compatibility and quality of life considerations.

Generally, the purpose and intent sections of the B-zoning districts are as follows (see Attachment A for full text excerpts):

B-1 Neighborhood Convenience District

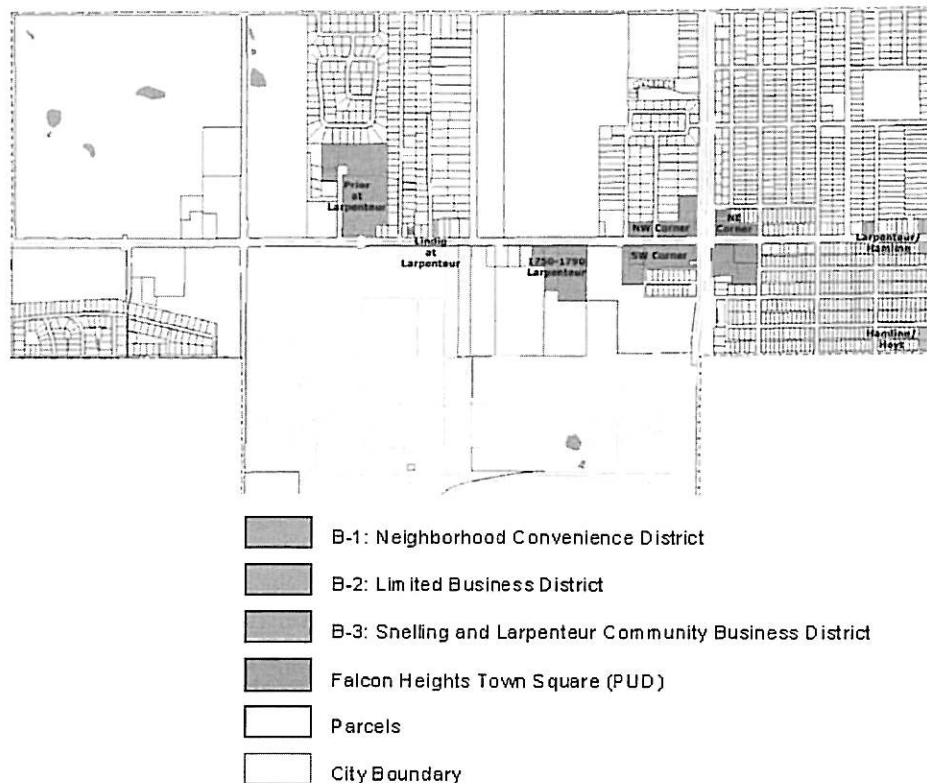
To provide for small scale consumer goods stores and limited service establishments; intended to serve the surrounding neighborhood rather than the entire community.

B-2 Limited Business District

To provide for office and limited service, employment and institutional uses which are freestanding in nature, require large sites, and are or can be made compatible with adjacent land uses. This district is not intended to accommodate retail or wholesale business.

B-3 Snelling and Larpenteur Community District

To provide retail sales and services that only serve the surrounding neighborhoods' and community's needs. This district is designed to be accessible to retail customers from the nearby neighborhoods, to be compatible with neighborhood character, and to minimize the blighting influences on the surrounding residential neighborhoods. It excludes highway oriented and other high traffic volume businesses that would tend to disrupt the cohesiveness of the shopping center or its circulation patterns and shared parking arrangements.



Subdivision 2 Definitions defines Drive-In as follows:

Any use where products and/or services are provided to the customer under conditions where the customer does not have to leave the car or where the service to the automobile's occupants is offered regardless of whether service is also provided within a building. This shall include, but not necessarily be limited to, the following: car and truck wash, drive-in banking, restaurants where some of all customers may consume their food and/or beverages in an automobile, restaurants providing carryout or delivery service, service stations, parcel pick-up, and similar uses.

5. Description of B-zoned Properties

Falcon Heights has 27 B-zoned parcels: Eight (8) are zoned B-1; eight (8) are zoned B-2; and eleven (11) are zoned B-3. Some of these parcels are single and isolated, and others are part of consolidations. They are located as shown on the map on the previous page.

Roughly one-fourth of the parcels are small (under 20,000 sq. ft.); most of these are zoned B-1. Another one-fourth of the parcels are between 20,000 and 30,000 sq. ft. The balance range from 50, 530 sq. ft. up to 548,000 sq. ft.

Each of these parcels is described fully in Attachment A, along with two charts at the end of that Attachment that list all of the properties by current occupant, address, Property Identification Number (PIN), width and depth, and total area. The first chart lists the properties by location, and the second one lists the properties with respect to size, from smallest to largest.

6. Issues, Concerns, and Policy Directions

Attendees at the three community meetings expressed a range of concerns about drive-through facilities, from noise (from speaker box, patrons ordering), traffic both on and off site, pedestrian safety, hours of operation, lighting (glare from circling cars), effect on property values, and trash and loitering.

The main messages from this input can be summarized as follows;

- Severely restrict the locations of drive-through facilities, but don't necessarily prohibit them. Regulate all types of drive-through facilities, including "curbside take-out."
- Reduce the negative impact on residential uses. Retain livability, quality of life, and neighborhood character. Consider a minimum distance between drive-through operation and adjacent residentially-zoned or residentially-used properties. Consider a minimum lot size to ensure sufficient space on-site to

incorporate measures to improve compatibility with adjacent and nearby residential uses.

- Where a drive-through facility is permitted, make it a Conditional Use, with specific and clear guidelines for the site plan review.
- Nearby residents should NOT hear noise from the speaker box.
- Traffic should NOT overflow into the surrounding neighborhood. Retain, or increase minimum vehicle stacking requirements, and ensure that the stacking lane(s) do not interfere with parking or maneuvering aisles. Consider a larger minimum distance between driveways and street intersections.
- Keep pedestrians safe, both on and off site. Improve the quality of the public realm and pedestrian environment.
- Limit hours of operation.
- Shield glare from car lights.

7. Survey of Regulations in Other Cities

A survey was conducted of the zoning regulations for drive-through facilities in nineteen (19) other communities in the Twin Cities metro area and in nine (9) other cities in the U.S. These cities were selected by the consultant and City staff.

Categories of regulations studied were: Use (Permitted or Conditional), Distance Requirements, Minimum Lot Sizes, Open Space, Stacking Lanes, Hours of Operation, Noise, and Lighting.

A chart of the “Survey of Zoning Regulations for Drive-through Facilities” can be found in [Attachment B](#).

Findings can be summarized as follows:

- Use. Most jurisdictions that allowed drive-through facilities (either as a primary or accessory use) permitted them only as a Conditional Use, with a required Site Plan Review provision.
- Distance Requirements. Many jurisdictions required minimum distances not only from adjacent residential, but also from schools, churches, institutions, and public recreation areas. One required a minimum distance (1,320 ft.) from another drive-through. Several had minimum distances between the speaker box and/or the pick-up window and residential uses. Most minimum distance requirements ranged from 20 ft. to 500 ft.

- Minimum Lot Size. Several of the cities surveyed had a minimum lot size requirement, ranging from 10,000 sq. ft. to 30,000 sq. ft.
- Open Space. Generally, cities did not have landscaping requirements that were specifically related to drive-through facilities. However, one city surveyed, Sacramento, California, does have the requirement for a 6 ft. high masonry sound wall when the drive-through facility site is contiguous to a residentially-zoned or use property.
- Stacking Lanes. Requirements ranged from “Adequate stacking” to “Stacking for 10 cars.” Stacking for 6 to 8 cars (roughly 180 ft.) seemed to be the norm.
- Hours of Operation. Several jurisdictions limited hours of operation as a condition of approval, with 7:00 am to 10:00 pm being the norm.
- Noise. Some jurisdictions required that noise (from electronic devices or speaker boxes) not be audible from nearby residentially used property, while others specified decibel levels that should not be exceeded (50-60 dBA).
- Lighting. Most jurisdictions had no site or parking lot lighting regulations for drive-through facilities in addition to those normally required the primary use. However, several required that the glare from cars in parking lot maneuvering aisles and stacking lanes be shielded from adjacent property.

8. Policy Options

Based on the input and advice received from the three community meetings, my analysis of the survey of drive-through regulations in other cities, and my consideration of the intent and thrust of the Falcon Heights Comprehensive Plan, as well as the purpose and intent sections of all three Business Districts in the City Code, the following policy options are presented (see also the chart on the following page):

- All three options prohibit drive-through facilities in the B-1 District.
- Two options offer approaches that allow drive-through facilities as accessory uses in B-2 and B-3 Districts, but with varying specificities for the regulatory categories.
- Option #1 permits drive-through facilities as an accessory use in the B-2 and B-3 Districts only for banks or financial institutions.
- Option #2 permits the drive-through facilities only for banks and financial institutions in the B-2 District and for all uses in the B-3 District. Option #2 incorporates requirements that are more restrictive than those in Option #1.

- The Option #3 calls for the prohibition of drive-through facilities in all Business Districts.

These three options are presented in the chart below:

Policy Options for Drive-through Regulations			
	Option #1	Option #2	Option #3
Business Zones	PROHIBITED in B-1; B-2, B-3 (see below)	PROHIBITED in B-1; B-2, B-3 (see below)	PROHIBITED in all zones
Permitted Use	PROHIBITED	PROHIBITED	
Conditional Use with Site Plan Review	Drive-through accessory use for ONLY BANKS	Drive-through accessory use for ONLY BANKS in B-2; for ALL USES in B-3	
Distance Req. - building, speaker, service window	50 ft. from residential.; not in required yard	100 ft. from residential.; not in required yard	
Distance Req. - driveway	20 ft. from intersection	75 ft. from intersection	
Minimum Lot Size	>20,000 sq. ft.	>30,000 sq. ft.	
Stacking Spaces	8 spaces / 180 ft.; no interference with parking; not in required yard	8 spaces / 180 ft.; no interference with parking; not in required yard	
Hours of Operation	7:00 am to 10:00 pm	7:00 am to 10:00 pm	
Noise	<50 dBA	Not audible from residential	
Lighting	No glare onto adjacent property	No glare onto adjacent property	
Traffic Impact Study	Required	Required	

9. Conclusions and Recommendations

The overriding sentiment expressed during the community meetings was that the pedestrian character of the residential areas, defined by the sense of safety in the public realm, was at the core of why people lived in Falcon Heights. Further, most of the attendees advised that the few business districts that exist should be developed in such a manner that they serve primarily the local residential neighborhoods, and that their character should be “local” in the types of goods and services offered, and in design and site layout. The businesses should be compatible not only with the immediately adjacent properties, but compatible with the surrounding area, especially in terms of vehicle access, circulation, and shared parking arrangements.

This point of view is supported by the direction laid out in the Comprehensive Plan, and reinforced by the intent and purpose statements for all three of the Business Districts

permitted in the City Code. Further, these existing policy statements acknowledge that the Falcon Heights community lies between larger urban centers (i.e., Saint Paul and Roseville) that provide many opportunities for “regional shopping” and car-oriented suburban environments.

Therefore, I recommend that the City of Falcon Heights adopt Option #3 and amend its zoning regulations to prohibit all drive-through facilities.

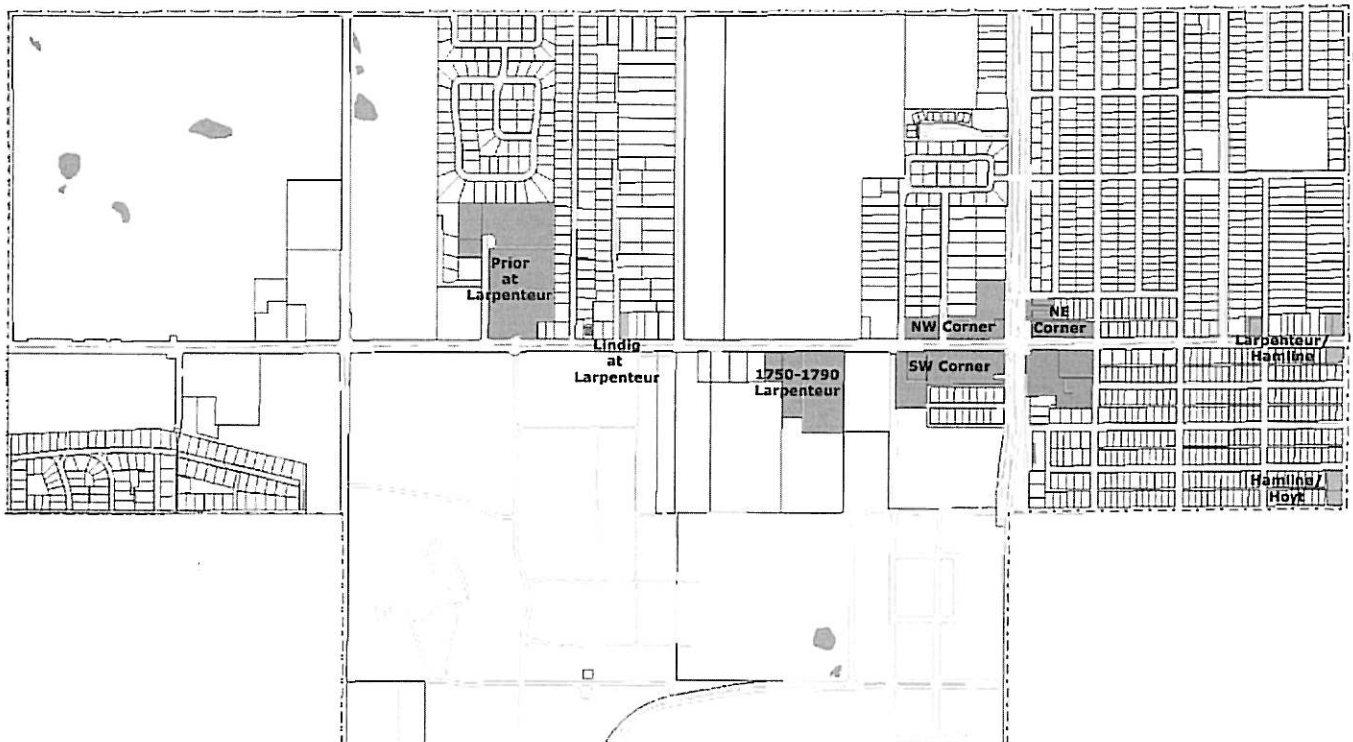
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



City of Falcon Heights
Study on Drive-Through Businesses
May 11, 2006

Attachment A

Survey of Falcon Heights Business Parcels (B-1, B-2, and B-3)



-  B-1: Neighborhood Convenience District
-  B-2: Limited Business District
-  B-3: Snelling and Larpenteur Community Business District
-  Falcon Heights Town Square (PUD)
-  Parcels
-  City Boundary

“B-1” Neighborhood Convenience District, Purpose and Intent (9-8.01, Subd. 1),
“B-2” Limited Business District, Purpose and Intent (9-9.01, Subd. 1), “B-3” Snelling and
Larpenteur Community Business District, Purpose and Intent (9-10.01, Subd. 1)

...
PART 8. "B-1" NEIGHBORHOOD CONVENIENCE DISTRICT

9-8.01 "B-1" Neighborhood Convenience District

Subdivision 1. Purpose and Intent. The purpose of the neighborhood convenience business district is to provide for small scale consumer goods stores and limited service establishments which deal directly with the customer by whom the goods and services are consumed. The maximum business size limit is 5,000 square feet. Some business areas may be further restricted by zoning regulations to avoid adverse impacts on residential neighborhoods. The district is primarily intended to serve the surrounding neighborhood rather than the entire community. It is designed to be accessible to retail customers from the nearby neighborhoods, to be compatible with the character of the neighborhoods, and to minimize the blighting influence on surrounding residential neighborhoods by limiting and controlling of the uses that are permitted.

...
PART 9. "B-2", LIMITED BUSINESS DISTRICT

9-9.01 "B-2", Limited Business District

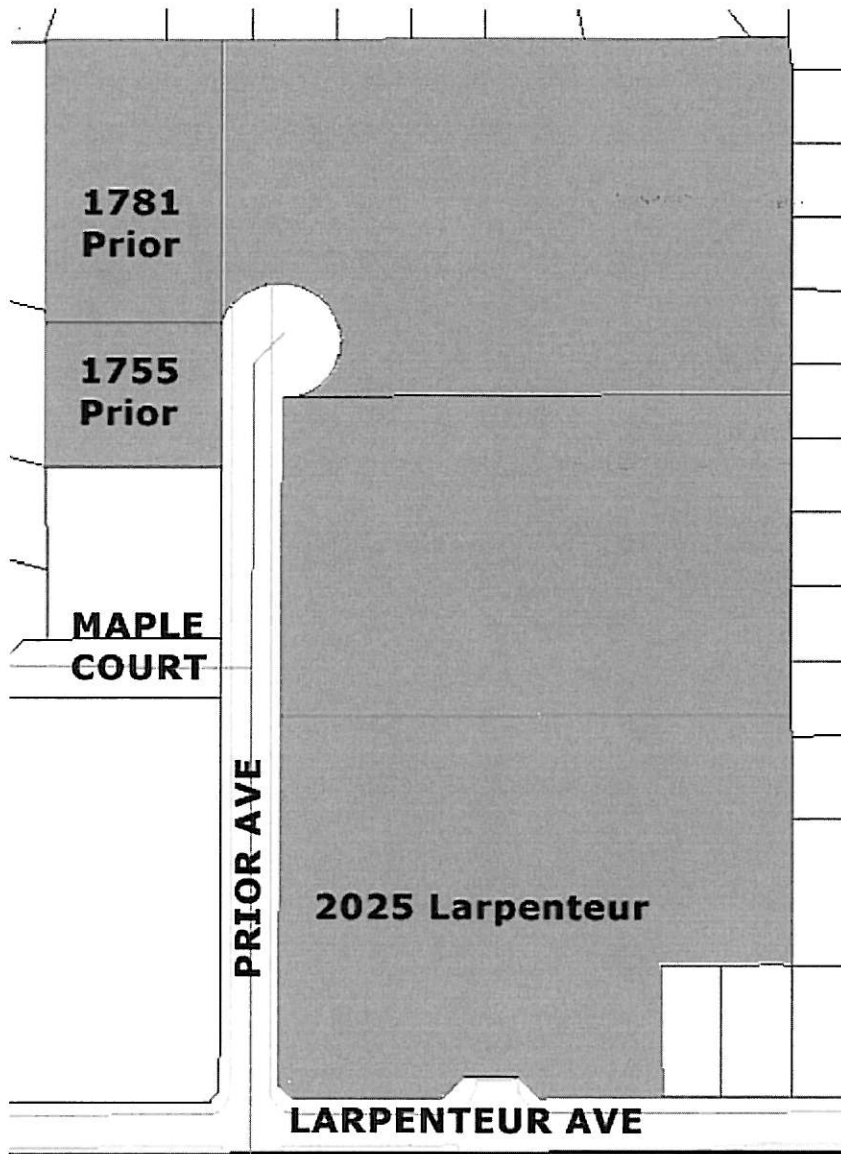
Subdivision 1. Purpose and Intent. The primary purpose of the limited business district is to provide for office and limited service, employment and institutional uses which are freestanding in nature, require larger sites and are or can be made to be compatible with adjacent land uses. It is also intended to accommodate certain existing businesses for the purpose of maintaining them as conforming uses. Except where current retail or wholesale businesses are specifically listed, the limited business district is not intended to accommodate retail or wholesale businesses. The district is designed to minimize the blighting influence on the surrounding residential neighborhoods by limiting and controlling the uses that are permitted.

...
PART 10. "B-3" SNELLING AND LARPEUR COMMUNITY BUSINESS DISTRICT

9-10.01 "B-3", Snelling and Larpenteur COMMUNITY Business District

Subdivision 1. Purpose and Intent. The district applies only to the four quadrants of the Larpenteur and Snelling intersection. The district is designed to provide retail sales and services that only serve the surrounding neighborhoods' and community's needs. Retail sales and services that serve a larger geographic area are available in larger, nearby business districts in adjacent cities. By limited and controlling the uses that are permitted, the district is designed to be accessible to retail customers from the nearby neighborhoods and the community, to be compatible with the character of the neighborhoods and overall community, and to minimize the blighting influence on the surrounding residential neighborhoods.

Furthermore, the district provides for and encourages compact centers for retail sales and services by grouping businesses into patterns of workable relationships that complement each other. The district is designed to be easily accessible to users. It excludes highway oriented and other high traffic volume businesses that would tend to disrupt the cohesiveness of the shopping center or its circulation patterns and shared parking arrangements.



2025 Larpenteur (B2)

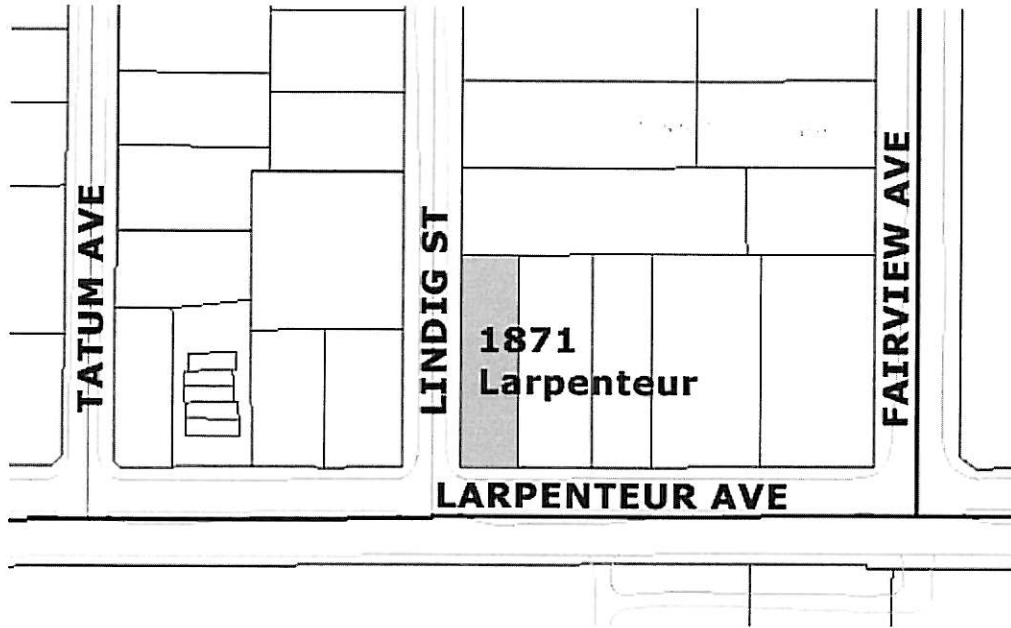
PIN#: 162923340080,
 162923340078,
 162923340094
 Width: 515 ft.
 Depth: 1317 ft.
 Area: 548,357 sq. ft.

1755 Prior (B2)

PIN# 162923330021
 Width: 145 ft.
 Depth: 177 ft.
 Area: 25,665 sq. ft.

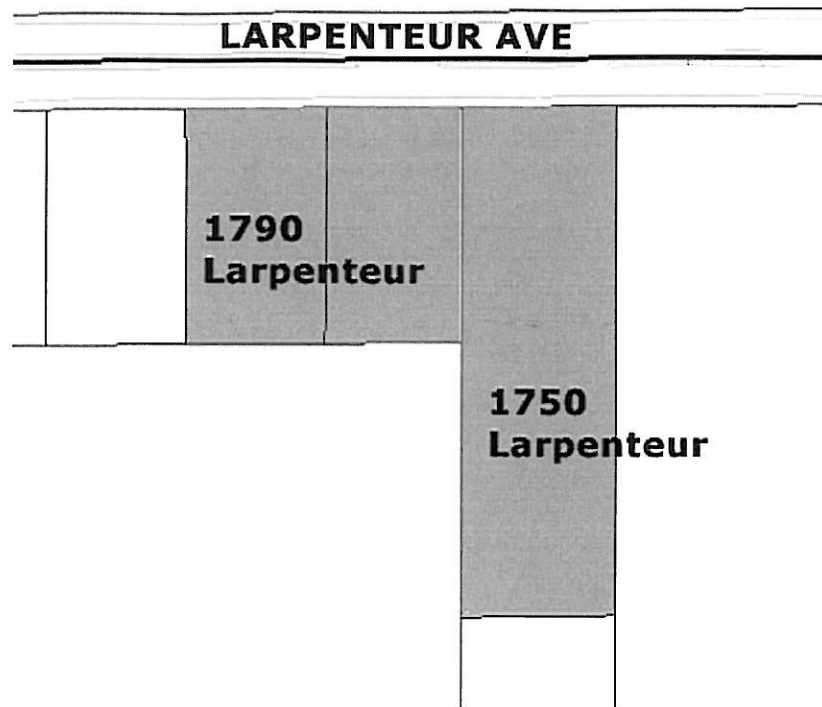
1781 Prior (B2)

PIN# 162923330020
 Width: 287 ft.
 Depth: 177 ft.
 Area: 50,887 sq. ft.



1871 Larpenteur (B1)

PIN#: 162923340022
Width: 57 ft.
Depth: 215 ft.
Area: 12,255 sq. ft.

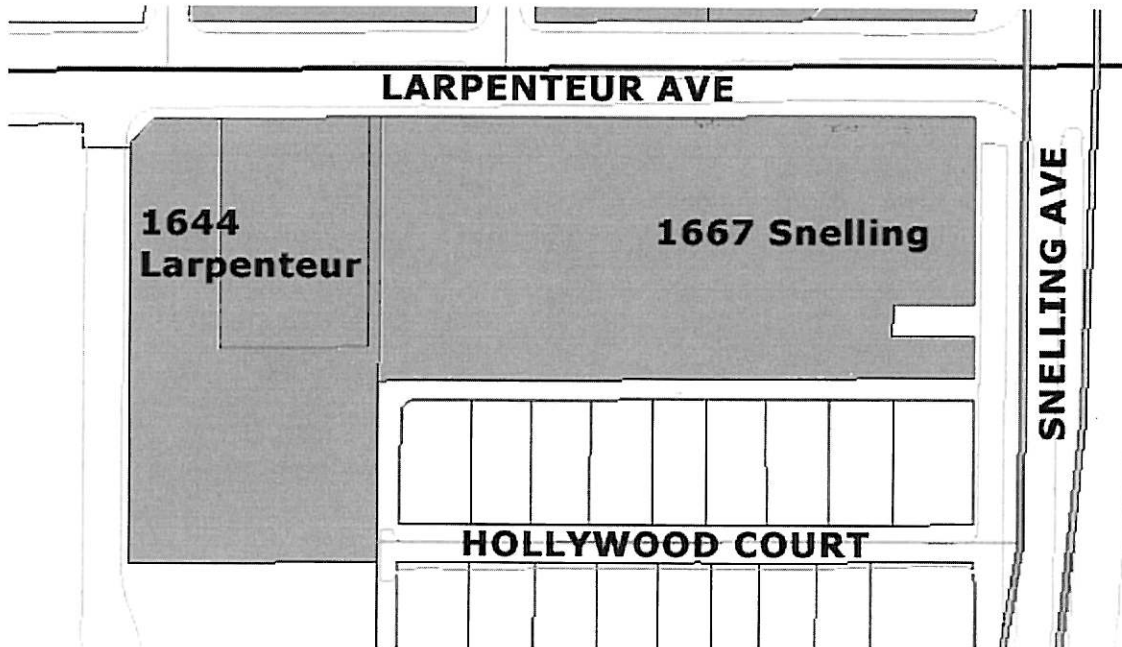
**1790 Larpenteur (B2)**

PIN#: 212923120005, 212923120006
 Width: 283 ft.
 Depth: 241 ft.
 Area: 67,954 sq. ft.

1750 Larpenteur (B2)

PIN#: 212923120007
 Width: 158 ft.
 Depth: 638 ft.
 Area: 81,893 sq. ft.

Total Area: 149,847 sq. ft.



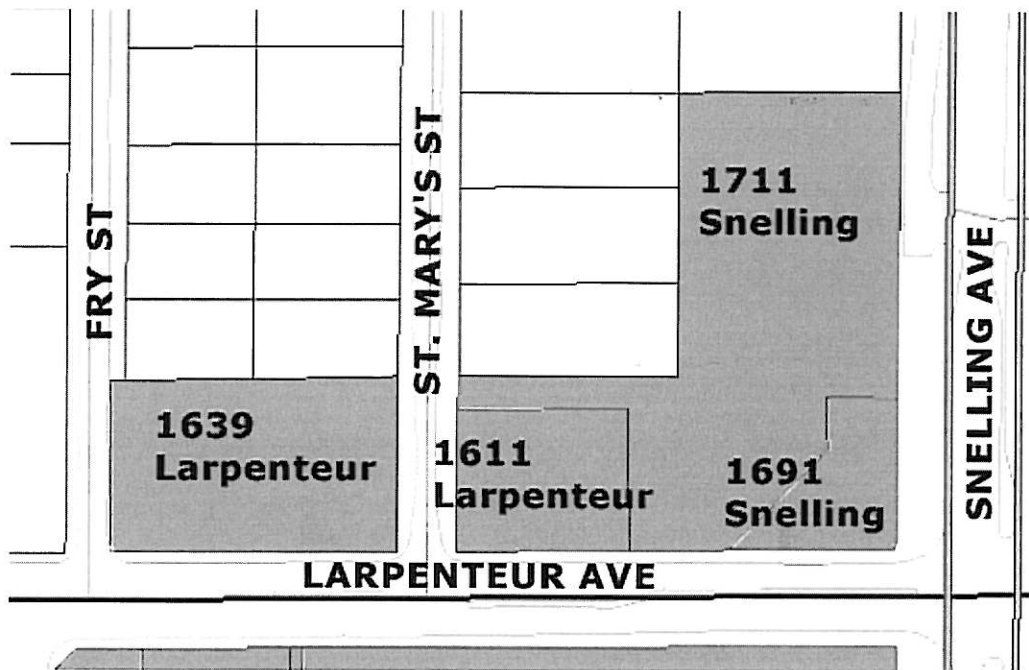
1667 Snelling (B3)

PIN#: 212923110030
Width: 273 ft.
Depth: 607 ft.
Area: 162,479 sq. ft.

1644 Larpenteur (B3)

PIN# 212923110028, 212923110029
Width: 250 ft.
Depth: 500 ft.
Area: 112,385 sq. ft.

Total Area: 274,864 sq. ft.

**1639 Larpenteur (B3)**

PIN#: 162923440047
 Width: 201 ft.
 Depth: 174 ft.
 Area: 50,530 sq. ft.

1611 Larpenteur (B3)

PIN#: 162923440074
 Width: 175 ft.
 Depth: 144 ft.
 Area: 25,265 sq. ft.

1711 Snelling (B3)

PIN#: 162923440073
 Width: approx. 462 ft.
 Depth: approx. 225 ft.
 Area: 91,476 sq. ft.

1691 Snelling (B3)

PIN#: 162923440067
 Width: 172 ft.
 Depth: approx. 100 ft.
 Area: 16,553 sq. ft.

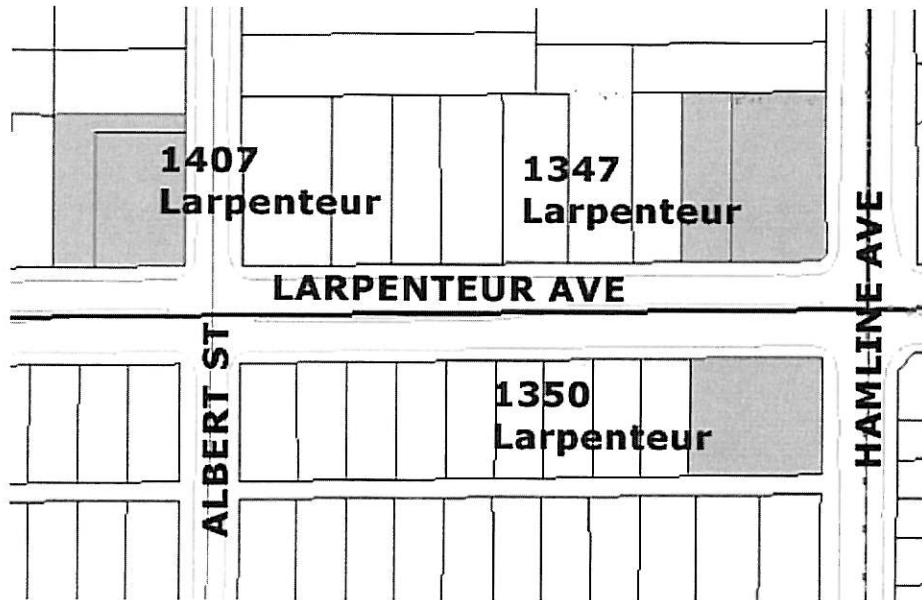


1533 Larpenteur (B3)

PIN#: 152923330136, 152923330140
Width: approx. 482 ft.
Depth: 126 ft.
Area: 73,445 sq. ft.

1700 Snelling (B3)

PIN#: 152923330105, 152923330139
Width: 107 ft.
Depth: 218 ft.
Area: 23,547 sq. ft.

**1407 Larpenteur (B1)**

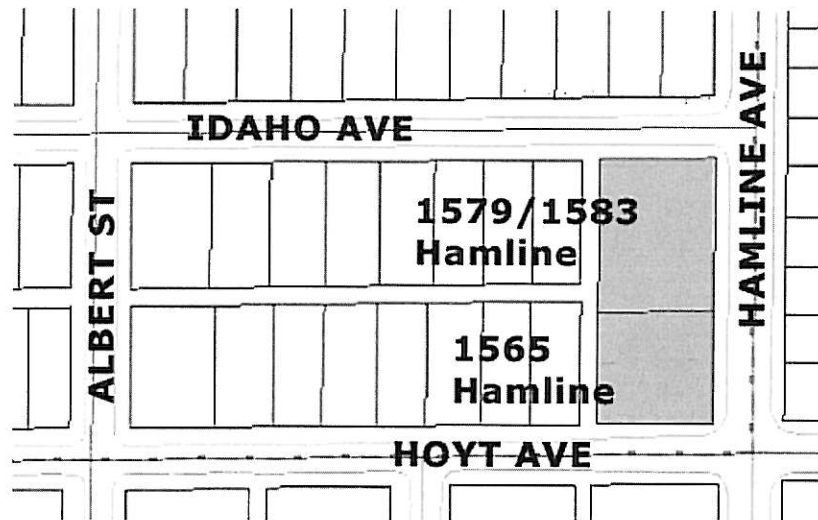
PIN#: 152923340061, 152923340061
 Width: 139 ft.
 Depth: 207 ft.
 Area: 21,780 sq. ft.

1347 Larpenteur (B1)

PIN#: 152923340132, 152923340020
 Width: 146 ft.
 Depth: 172 ft.
 Area: 25,265 sq. ft.

1350 Larpenteur (B1)

PIN#: 222923210001
 Width: 136 ft.
 Depth: 121 ft.
 Area: 16,553 sq. ft.



1579/1583 Hamline (B1)

PIN#: 222923210181
Width: 157 ft.
Depth: 118 ft.
Area: 18,295 sq. ft.

1565 Hamline (B1)

PIN#: 222923210161
Width: 112 ft.
Depth: 118 ft.
Area: 13,068 sq. ft.

Business Property Data – Falcon Heights

Current Occupant	Address	PIN(s)	Width	Depth	Area
Prior (B2)					
TCCU	2025 Larpenteur	162923340080, 162923340078, 162923340094	515	1317	548,357
Knutson	1781 Prior	162923330020	287	177	50,887
Hort Soc	1755 Prior	162923330021	145	177	25,665
CCM (B1)					
	1871 Larpenteur	162923340022	57	215	12,255
Hermes (B2)					
	1790 Larpenteur	212923120005, 212923120006	283	241	67,954
	1750 Larpenteur	212923120007	158	638	81,893
			<i>Hermes Total:</i>		<i>149,847</i>
TIES (B3)					
	1667 Snelling	212923110030	273	607	162,479
	1644 Larpenteur	212923110028, 212923110029	250	500	112,385
			<i>TIES Total:</i>		<i>274,864</i>
NW corner (B3)					
Bucks	1639 Larpenteur	162923440047	201	174	50,530
Chianti Grill	1611 Larpenteur	162923440074	175	144	25,265
Warner	1711 Snelling	162923440073	approx. 462	approx. 225	91,476
Amoco	1691 Snelling	162923440067	172	approx. 100	16,553
NE Corner (B3)					
Falcon Crossing	1533 Larpenteur	152923330136, 152923330140	approx. 482	126	73,445
Dino's	1700 Snelling	152923330105, 152923330139	approx. 107	218	23,547
Larpenteur/Hamline (B1)					
Martinizing	1407 Larpenteur	152923340061, 152923340061	139	207	21,780
Awad Clinic	1347 Larpenteur	152923340132, 152923340020	146	172	25,265
Super America	1350 Larpenteur	222923210001	136	121	16,553
Hamline/Hoyt (B1)					
Blomberg	1579/1583 Hamline	222923210181	157	118	18,295
Auto Repair	1565 Hamline	222923210161	112	118	13,068

Businesses by lot area: smallest to largest

Current Occupant	Zone	Address	Pin(s)	Width	Depth	Area
CCM	B1	1871 Larpenteur	162923340022	57	215	12,255
HH Auto Repair	B1	1565 Hamline	222923210161	112	118	13,068
Amoco	B3	1691 Snelling	162923440067	172	approx. 100	16,553
Super America	B1	1350 Larpenteur	222923210001	136	121	16,553
Blomberg	B1	1579/1583 Hamline	222923210181	157	118	18,295
Martinzizing	B1	1407 Larpenteur	152923340061, 152923340061	139	207	21,780
Dino's	B3	1700 Snelling	152923330105, 152923330139	107	218	23,547
Chianti Grill	B3	1611 Larpenteur	162923440074	175	144	25,265
Awad Clinic	B1	1347 Larpenteur	152923340132, 152923340020	146	172	25,265
Hort Soc	B2	1755 Prior	162923330021	145	177	25,665
Bucks	B3	1639 Larpenteur	162923440047	201	174	50,530
Knutson	B2	1781 Prior	162923330020	287	177	50,887
Hermes (west)	B2	1790 Larpenteur	212923120005, 212923120006	283	241	67,954
Falcon Crossing	B3	1533 Larpenteur	152923330136, 152923330138	approx. 482	126	70,132
Hermes (east)	B2	1750 Larpenteur	212923120007	158	638	81,893
Warner	B3	1711 Snelling	162923440073	approx. 462	approx. 225	91,476
TIES (west)	B3	1644 Larpenteur	212923110028, 212923110029	250	500	112,385
Hermes (total)	B2	1790 Snelling	212923120005, 212923120006, 212923120007			149,847
TIES (east)	B3	1667 Snelling	212923110030	273	607	162,479
TIES (total)	B3	1667 Snelling	212923110030, 212923110028, 212923110029			274,864
TCCU	B2	2025 Larpenteur	162923340080, 162923340078, 162923340094	515	1317	548,357

NOTES: The "approx" measures are lots with non-rectangular shapes, where the measurement given corresponds with either the dimension of the greater part of the lot or a "perceptual" frontage (in the case of the most irregular parcels, such as the BP station).

Attachment B: Survey of Zoning Regulations for Drive-through Facilities

Falcon Heights Drive-through Study - Cornejo Consulting - July 7, 2006

Minnesota

	Permitted or Cond.?	Distance Req.	Min. Lot Size	Open Space	Stacking Lanes	Hours	Noise	Lighting
Falcon Heights	B-2: Bank (Cond.) B-3: Eating (Permitted) Bank (Cond.) Site Plan Review	driveway 20 ft. from street ROW		25% landscaped	8 cars			
Arden Hills	Special Use Permit in B-2, B-3, B-3; Site Plan Review	400 ft. from school, church, pub. rec. area, residential; 1320 ft. from another drive-through; electronic device 50 ft. from lot line	>24,000 sq. ft.	20 ft. from front lot line; 10 ft. from side lot line; 15 ft. from rear lot line				
Edina	Acc. Use in PCD-2, PCD-3, PCD-4; Site Plan Review				Financial: 3 cars Car Wash: 25cars Acc. Car Wash: 2 cars All other uses: 4 cars			
Little Canada	Cond. Use Permit in B-2, B-3, B4; Site Plan Review	Not less than 5 ft. from resid. Dist.						Hooded
Maplewood	BC Bus. Com'l Dist. SC Shopping Ctr Dist.							
Minneapolis	B4C, B4S, C2, C3S, C4 Site Plan Review		>12000 sq. ft.		Bank Teller 4 cars Restaurant 6 cars			
Minnetonka	B-1-2-3 Bank (Cond.) B-2-3 Eating (Cond.)	100 ft. from resid.			6 cars			PA system not audible from resid.

No. St. Paul	Cond. Use in B-2, B-3; Site Plan Review	200 ft. from school, church, or pub. rec. area 400 ft. from resid.	>30,000 sq. ft.	10% landscaped	3 cars for banks	Req. as condition of approval	>300 ft. from resid. 65-70 dBA	No glare on adjacent prop.
Oakdale	C-2 Permitted Use					6 am to 11 pm if within 100 ft. of resid.		
Plymouth	Cond. Use in C-2, C-3, C-4; Site Plan Review	300 ft. from resid.		Screen all elements of drive-through	Pharmacy: 5 cars All other: 10 cars	7 am to 10 pm	Not audible from resid.	Screen glare from stacking lights
Red Wing	Cond. Use in B-2, B-2a		>10,000 sq. ft.		Fast Food: 4 cars Banks: 4 cars Car Wash: 4-5 cars All other: 3 cars			No glare on adjacent prop.
Richfield	Cond. Use in C-2, C-3, MU-R, MU-C	20-30 ft. from resid. 150 ft. (window, order station, ext. loudspeaker) from resid.			4 cars		50-60 dBA	
Roseville	Cond. Use in B-1B, B-2, B-3, B-6/PUD, SC Site Plan Review							
St. Anthony	Cond. Use in C District							
St. Louis Park	Cond. Use in C-1, C-2, PUD	100 ft. from resid., schools, churches, institutions			6 cars		PA system not audible from resid.	
Saint Paul	Cond. In OS, B1, B2 Perm. In B3, B4, B5	60 ft. from resid. 60 ft. from intersec. To the side or rear		6 ft. buffer area w. planting and fence 5 ft. green strip	>180 feet	Limited as necessary	Satisfy State regs.	
Wayzata	Cond. Use in C-2 (banks) C-3, C-4 (banks, restaurants)			Screen headlights	Adequate stacking; provide bypass lane		Not audible bet. 10 pm and 7 am	
West St. Paul	Cond. Use in B-2, B-3, B-4	Not in front yard or setback area		5 ft. landscaped screen				Not visible from public ROW or resid.
White Bear Lake	Cond. Use in B-3							

Public Comments as of 11/20/20

This message is in response to the communication received about the request made by Dino's for an amendment to allow a drive-through. I'm disappointed that we are revisiting this request. The neighbors voiced their opinions and made clear their feelings about this a number of years ago - those have not changed. The addition of a drive-through at this location would bring an unwanted change to the personality of this residential neighborhood. Close as we are to the business district, this would be a distraction totally out of character with the surrounding homes.

At the time of the last request, we did manage to get a stop sign stating "No Right Turn" onto Crawford. I can tell you that it is basically ignored by a large percentage of the vehicles leaving the Dino's parking lot. While I realize they are not in a position to monitor this, I feel that if this amendment is approved, any promises made about noise, lighting, and additional traffic will also be ignored. Crawford is already used as a cut-through for vehicles gaining access to Snelling. The addition of a drive-through will only increase that traffic.

I find it interesting that the hearing on this matter lands on the day before a holiday, during a pandemic that demands social distancing and a populace exhausted from a fractious election. I hope that a light turnout from the citizenry will not be construed as a lack of interest on our part.

I appreciate your taking the time to consider these comments on what I believe would be a poor decision for Falcon Heights. The statement at the bottom of your stationery says "Families, Fields and Fair." I don't see a drive-through fitting into any of those areas.

Jean McPherson

Asbury Street

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The City That Soars!

REQUEST FOR PLANNING COMMISSION ACTION

Meeting Date	November 24, 2020
Agenda Item	Agenda E1
Submitted By	Ryan Krzos, Interim Community Development Coordinator

Item	Amendment to Chapter 105 Regarding Vacant Buildings
Description	<p>Staff has prepared the attached Ordinance relating to vacant buildings. The draft Ordinance is based off of the Planning Commission subcommittee’s recommendation to model the provisions on the City of Hopkins’ Ordinance.</p> <p>The draft Ordinance was shared with other members of the City Administration including the City Administrator and City Attorney for their review and comment. The City Attorney’s office provided a document with recommended provisions included as an attachment. The highlighted sections are those that are recommended to be incorporated into the Ordinance. The City Attorney also suggests contemplating the other provisions as deemed useful or appropriate.</p> <p>Staff also reached out to the City of Hopkins to request that they share their insight on how the ordinance is being implemented. Hopkins staff has not been able to provide comments.</p> <p>Accordingly, staff finds that this additional input is necessary before proceeding with the final ordinance amendment adoption process.</p>
Attachments	<ul style="list-style-type: none"> • Draft Ordinance 20-XX Chapter 105 Vacant Buildings • Suggested vacant building provisions from City Attorney’s office.
Action(s) Requested	Staff is providing an update on the proposed Ordinance and is requesting additional discussion.

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ORDINANCE NO. 20-XX

**CITY OF FALCON HEIGHTS
RAMSEY COUNTY, MINNESOTA**

**AN ORDINANCE AMENDING CHAPTER 105
OF THE FALCON HEIGHTS CITY CODE**

THE CITY COUNCIL OF FALCON HEIGHTS ORDAINS:

SECTION 1 In Chapter 105 – Buildings and Building Regulations of the City Code of Falcon Heights, Article VI – Vacant Properties is added as follows:

ARTICLE VI – VACANT PROPERTIES

Sec. 105-120 - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Affiliated entities means two entities owned, managed, or controlled by one or more individuals or entities in common or an entity and an individual, when that individual owns, manages, or controls any part of the entity.

Enforcement officer means the city manager or his designees. *Lot* has the same meaning as provided in city zoning regulations. *Owner* includes any individual, entity, or affiliated entities.

Vacant lot means:

- (1) A lot in any R zoning district containing a building with one to four dwelling units, as that phrase is defined in city zoning regulations, which is unoccupied for 90 or more consecutive days as a dwelling or which is illegally occupied; or
- (2) An unimproved lot in any R zoning district located within 500 feet of a lot described in subsection (1) of this definition where both lots are owned by the same owner.

Sec. 105-121 - Applicability, scope and intent.

The provisions of this article are an exercise of the city's general police and regulatory powers and not an exercise of statutorily delegated zoning authority. All vacant property or vacant properties are subject to this article without exception, regardless of when the property was acquired.

Sec. 105-122 - Inspections; access.

The enforcement officer may inspect or cause to be inspected any premises in the city for the purpose of enforcing and assuring compliance with this article. Upon the request of the enforcement officer, an owner shall provide access to all interior portions of any vacant property or suspected vacant property in order to permit a complete inspection.

Sec. 105-123 - Recordkeeping.

The enforcement officer shall maintain a current list, updated monthly, of all vacant properties which have become known to the enforcement officer.

Sec. 105-124 - Cumulative remedies.

Nothing in this chapter shall be deemed to abolish or impair existing remedies available to the city under this Code, other city ordinances or state law.

Sec. 105-125. - Penalties and enforcement.

Violation of any provision of this article and providing false information to the enforcement officer under this article are misdemeanors, punishable as provided in section 1-7. In addition, the city may bring an action in a court of appropriate jurisdiction to enjoin a violation of this article.

Sec. 105-126 - Presumption that property is vacant.

Discontinuance of trash removal or failure to use a minimum of 50 gallons of water per month shall constitute rebuttable presumptions that the property is a vacant property. It shall be the responsibility of the owner of such a property to establish that it is not a vacant property.

Sec. 105-127. - Owner's responsibility for securing and maintaining vacant property.

The owner and any subsequent owner of vacant property shall keep vacant property secured and safe and the buildings and grounds properly maintained in compliance with all state and local laws, ordinances, and codes.

Secs. 105-128—105-134 -

Reserved.

Sec. 105-135 - Required; form.

(a) The owner of a vacant property located within the city shall register the property with the

enforcement officer. The registration shall be submitted on forms provided by the enforcement officer and shall include the following information supplied by the owner:

- (1) A description of all vacant property or vacant properties owned by the owner within the city;
 - (2) The names and addresses of the owner;
 - (3) The names and addresses of all known lienholders and all other parties with an ownership interest in the properties;
 - (4) The period of time each vacant property is expected to remain vacant; and a plan and timetable for returning the vacant property to appropriate occupancy or use;
 - (5) The owner shall also execute an authorization appointing the city police department an agent of the owner for the purpose of making a demand to depart therefrom pursuant to this article.
- (b) Subsequent owners of a vacant property shall register or re-register the vacant property with the enforcement officer within 30 days of any transfer of any ownership interest in a vacant property.

Sec. 105-136 - Fees.

The following fees are imposed to defray the costs of registering, monitoring, and inspecting vacant properties, and otherwise enforcing the requirements of this section:

- (1) *Single or distant properties.* The owner of a single vacant property or vacant properties not within 500 feet of one other shall pay a registration fee of \$**TBD** per vacant property the first calendar year the properties become vacant properties and \$**TBD** each subsequent calendar year the properties remain vacant properties, unless an exemption under this article applies.
- (2) *Adjacent and nearby properties.* The owner of two or more vacant properties located within 500 feet of each other shall pay for the first calendar year the properties become vacant properties, a registration fee of \$**TBD** per vacant property and \$**TBD** per vacant property for each subsequent year the properties remain vacant properties. The records of the city assessor shall be deemed sufficient for determining the location and distance of properties from one another.
- (3) *Time of payment; proration; renewal.* The first annual fee shall be paid at the time of registration and shall be prorated for the initial year of registration based on the number of days in the calendar year after the vacant property is required to be registered. The annual fees for subsequent years shall be paid on or before January 1 of each subsequent year.
- (4) *Delinquent fees.* All delinquent fees shall be paid prior to any transfer of an ownership

interest in any vacant property. If the fees are not paid prior to any transfer, the new owner of the vacant property shall pay the annual fee no later than 30 days after the transfer of ownership.

- (5) *Late registration.* If an owner fails to register within 30 days of notice from the city, the owner shall be liable for a registration fee of three times the amount otherwise due for the vacant properties.
- (6) *Notice of fees due.* Following registration, the enforcement officer or designee shall provide written notice to the owners of fees due and the due date.
- (7) *Collection of fees; special assessments.* All of the fees and other amounts payable under this article are a debt owed to the city and, if unpaid, shall be collected by special assessment under the authority in M.S.A. § 429.101. Action under this section does not preclude any other civil or criminal enforcement procedure.

Sec. 105-137 - Exemption and exceptions.

- (a) Vacant property owned by the city is exempt from the vacant property registration and fee requirements of this article.
- (b) Vacant property for which the owner possesses a valid building permit for remodeling the dwelling located thereon or for construction of a new dwelling on such vacant property is exempt from the vacant property registration and fee requirements of this article.
- (c) Registration is required, but the vacant property registration fee shall be waived, for:
 - (1) All dwelling units that possess a valid rental license issued pursuant to this chapter that is actively marketed as "for rent" in a newspaper or in an online listing at a fair market value rental rate based upon market rental rates for comparable properties. It is the obligation of the vacant property owner to produce evidence of active marketing to claim this exemption. In the event that the rental license lapses, is suspended, or revoked, this exemption shall no longer apply, the vacant property in question shall be subject to the registration fees provided for above and shall immediately be due and owing.
 - (2) All homes being actively marketed as "for sale" at a reasonable price by a licensed real estate broker or by the owner. It is the obligation of the vacant property owner to produce evidence of active marketing at a reasonable price to claim this exemption. A home which is listed on the MLS (multiple listing service) or similar listing service is presumptively being actively marketed. An asking price not greater than 150 percent of the taxable market value, as determined by county property tax records, is presumptively a reasonable price.
 - (3) Vacant properties subject to a valid development agreement or redevelopment agreement with the city.
 - (4) Single vacant properties for which the owner executes a valid affidavit on a form

provided by the city averring that the owner intends to resume occupancy of the vacant property as a dwelling within 180 days; provided, however, that failure to actually resume use of the vacant property as a dwelling within 180 days will result in imposition of the waived registration fee.

- (5) Vacant property for which the registration fee has already been paid for the current calendar year.

SECTION 2 Sections 105-115 through 105-119 are added as follows. Additions are shown with an underline, and deletions are shown with a ~~strikethrough~~.

ARTICLE V – ELECTRICAL REGULATIONS

~~Secs. 105-115—105-119 -~~

Reserved.

SECTION 3 This ordinance shall be effective upon its passage and a summary published in the official newspaper.

ADOPTED this ___ day of _____, 202_, by the City Council of the City of Falcon Heights, Minnesota.

Moved by:

Approved by: _____

Randall C. Gustafson
Mayor

GUSTAFSON
LEEHY
MIAZGA
WEHYEE
ANDREWS

___ In Favor
___ Against

Attested by: _____

Sack Thongvanh
City Administrator

SUMMARY ORDINANCE NO. 20-XX

**CITY OF FALCON HEIGHTS
RAMSEY COUNTY, MINNESOTA**

**AN ORDINANCE AMENDING CHAPTER 105
OF THE FALCON HEIGHTS CITY CODE
CONCERNING VACANT BUILDINGS**

This ordinance amends Chapter 105 of the Falcon Heights City Code concerning vacant buildings. The amendment establishes registration procedures for vacant residential buildings within the City.

A printed copy of the entire ordinance is available for inspection by any person during the City Administrator/Clerk’s regular office hours.

APPROVED for publication by the City Council of the City of Falcon Heights, Minnesota this ____ day of _____, 202_.

CITY OF FALCON HEIGHTS

BY: _____
Randall C. Gustafson, Mayor

ATTEST:

Sack Thongvanh, City Administrator

_____ - Registration and regulation of vacant buildings.

Subdivision 1. Policy. The purpose of this subsection is to protect the public health, safety, and welfare by establishing a program for the identification and regulation of vacant buildings within the City. This subsection also determines the responsibilities of owners of vacant buildings and provides for administration, enforcement, and penalties associated with the same.

Subd. 2. Findings.

(a) Vacant buildings have become a major cause of and source of blight in residential and non-residential neighborhoods, especially when the owner or responsible party of the building fails to actively maintain and manage the building to ensure they do not become a liability to neighborhoods and the community.

(b) Vacant buildings may attract transients, homeless people, trespassers, and criminals, including drug abusers. Neglect of vacant buildings, as well as use of vacant buildings by transients and criminals, creates a risk of fire, explosion, or flooding for the vacant building and adjacent properties.

(c) Vacant properties are often used as dumping grounds for junk and debris and are often overgrown with weeds and grass.

(d) Vacant buildings that are boarded up to prevent entry by transients and other long-term vacancies discourage economic development and retard appreciation of property values.

(e) There is a substantial cost to the City for monitoring vacant buildings regardless of whether those buildings are boarded or not. This cost should not be borne by the general taxpayers of the community but rather these costs should be borne by those who are responsible for vacant buildings. It is a responsibility of property ownership to prevent property from becoming a burden to the neighborhood and community and a threat to the public health, safety, or welfare.

Subd. 3. Adoption of State Law. Minnesota State Statute 463.251, in its entirety, and any future amendments to said statute are adopted by reference.

Subd. 4. Definitions. The following definitions shall apply in the interpretation and enforcement of this subsection:

(a) Compliance Official means the City Administer or the City Administer's designee.

(b) Building means a building or structure designed for business use or human use or occupancy.

(c) Owner means those shown to be the owner or owners on the records of the Ramsey County Department of Property Taxation; those identified as the owner or owners on a vacant building registration form, a holder of an unrecorded contract for deed, a mortgagee or

vendee in possession, a mortgagor or vendor in possession, an assignee of rents, a receiver, an executor, a trustee, a lessee, other person, firm or corporation in control of the freehold of the premises or lesser estate therein. An owner also means any person, partnership, association, corporation, or fiduciary having a legal or equitable title or any interest in the property or building. This includes any partner, officer, or Director of any partnership, corporation, association or other legally-constituted business entity. All owners shall have joint and several obligations for compliance with the provisions of this subsection.

(d) Responsible party means an owner, occupant, entity or person acting as an agent for the owner who has direct or indirect control or authority over the building or real property upon which the building is located. Any party having a legal or equitable interest in the property. Responsible party may include, but is not limited to, a realtor, service provider, mortgagor, leasing agent, management company or similar person or entity.

(e) Vacant building means a building or structure in which no person or persons actually and currently conducts a lawful business or lawfully resides or lives in any part of the building on a permanent, non-transient basis in accordance with City code; or, is occupied by unauthorized persons for any amount of time.

(f) Premises means any real property and any appurtenant building or structure.

(g) Dwelling means the building or part of a building used by an individual as a place of residence on either a full-time or a part-time basis. A dwelling may be a part of a multi-dwelling or multi-purpose building, or a manufactured home as defined in this code or State Statutes.

Subd. 5. Vacant building registration.

(a) Application. The owner or responsible party must register a vacant building with the City no later than 90 days after the building becomes vacant. The registration must be submitted on a form provided by the City and shall include the following information supplied by the owner:

- (1) The name, address, telephone number, and email address, if applicable, of each owner or the owner's representative;
- (2) The names, addresses, telephone numbers, and email addresses, if applicable, of all known lien holders and all other parties with any legal interest in the building;
- (3) The name, address, telephone number, and email address of a local agent, maintenance company, or person responsible for managing or maintaining the property;
- (4) The legal description, tax parcel identification number, and street address of the premises on which the building is situated;
- (5) A description of the premises, including the common address of the property;

- (6) The date the building became vacant, the period of time the building is expected to remain vacant, and a property plan and timetable for returning the building to appropriate occupancy or use and for correcting code violations and nuisances, or for demolition of the building;
- (7) The status of water, sewer, natural gas and electric utilities;
- (8) The owner must notify the compliance official of any changes in information supplied as part of the vacant building registration within 15 days of any change;
- (9) If the property is abandoned or the owner or responsible party fails to complete the registration process, the property will be administratively registered as a vacant property.

(b) Property plan. The property plan identified in subsection ____, subd. 5(a)(6) must meet the following requirements:

- (1) General provisions. The plan must comply with all applicable regulations and meet the approval of the compliance official. It must contain a timetable regarding use or demolition of the property. The plan must be submitted with the Vacant Building Application.
- (2) Maintenance of building. The plan must identify the means and timetable for addressing all maintenance and nuisance-related items identified in the application. Any repairs, improvements or alterations to the property must comply with the applicable building codes and City regulations.
- (3) Plan changes. If the property plan or timetable for the vacant building is revised in any way, the revisions must meet the approval of the compliance official.
- (4) Demolition required. If a building has remained vacant for a period of 365 consecutive days, and the compliance official has not approved an alternative schedule in the property plan, the owner may be required to demolish the building in accordance with City code and State Statutes 463.15-463.26.

(c) Non-compliance and notification. If the owner does not comply with the property plan or maintain or correct nuisance items, the City may commence abatement and recover its costs for correction of those items in accordance with City code and State Statutes. In the case of an absent owner and ongoing nuisance items, the City need not provide notice of each abatement act to the owner. A single notice by the City to the owner that it intends to provide ongoing abatement until the owner corrects the items will be sufficient notice.

(d) Exemption for snow-birds; neighborhood. Those persons who leave their residential buildings on a temporary basis for vacation purposes or to reside elsewhere during the winter season in excess of 90 sequential calendar days, and have the intent to return within 180

days, are exempt from the registration requirement as follows. Exemption as a "snowbird" will be granted with proper verification and a local agent contact or a no fee vacant building registration form with applicable contact information provided to the City.

(e) Fees. The owner must pay an annual registration fee. The registration fee will be in an amount adopted by resolution by the City Council. The amount of the registration fee shall be reasonably related to the administrative costs for registering and processing the registration form and for the costs of the City in monitoring the vacant building site. The fee must be paid in full prior to the issuance of any building permits or licenses, with the exception of a demolition permit.

(f) Assessment. If the registration fee is not fully paid within 60 days following the annual registration due date, or within 60 days after any appeal becomes final, the City Council may certify the unpaid cost against the property in accordance with the process set forth in this code.

(g) Issuance of permit. Upon completion of the registration process and payment of the fee, the City will issue a Vacant Building Permit to the owner. The owner must securely post the permit on the vacant building on a side or rear entrance door that is not generally visible from the public street. If no side or rear entrance door is available, the permit must be securely posted on another available entrance door on that vacant building.

Subd. 6. Change of ownership. A new owner(s) must register or re-register a vacant building within 15 days of any transfer of an ownership interest in a vacant building. The new owner(s) must comply with the approved property plan and timetable submitted by the previous owner. Any proposed changes in the property plan must be submitted and approved by the compliance official.

Subd. 7. Inspections. The compliance official may inspect any vacant building in the City for the purpose of enforcing and assuring compliance with this chapter and other applicable regulations. Upon the request of the compliance official, an owner or responsible party must provide access to all interior portions of the building and the exterior of the property in order to complete an inspection. If the owner or responsible party is not available to provide access to the interior of the building, the City may use any legal means to gain entrance to the building for inspection purposes. Prior to any re-occupancy, a vacant building must be inspected by the City and found to be in compliance with the City Code and all other applicable regulations. All application and re-inspection fees must also be paid prior to any re-occupancy of the building. All such fees are set by Resolution of the City Council.

Subd. 8. Maintenance of vacant buildings. The owner must comply with and address the following items in the property plan:

(a) Appearance. All vacant buildings must be so maintained and kept that they appear to be occupied.

(b) Securing. All vacant buildings must be secured from outside entry by unauthorized persons or pests. Security must be by the normal building amenities such as windows and doors having adequate strength to resist intrusion. All doors and windows must remain locked. There shall be at least one (1) operable door into every building and into each housing unit. Exterior walls and roofs must remain intact without holes. Vacant buildings shall be boarded when the building can no longer be secured against intrusion by the closing and locking of doors and windows in accordance with this chapter.

- (1) Architectural (cosmetic) structural panels. Architectural structural panels may be used to secure windows, doors and other openings provided they are cut to fit the opening and match the characteristics of the building. Architectural panels may be of exterior grade-finished plywood or Medium Density Overlaid plywood (MDO) that is painted to match the building exterior or covered with a reflective material such as plexi-glass to simulate windows.
- (2) Temporary securing. Untreated plywood or similar structural panels or temporary construction fencing may be used to secure windows, doors and other openings for a maximum period of 14 days.
- (3) Artistic board-up. With prior approval of the compliance official, artistic options may be utilized to secure a vacant building.
- (4) Emergency securing. The compliance official may take steps to immediately secure a vacant building at his or her discretion in emergency circumstances.

(c) Fire safety. Owners of vacant buildings must comply with the Minnesota State Fire Code

(d) Plumbing, electrical, lighting, heating. Owners of vacant buildings must comply with applicable City and state code provisions for the maintenance, repair or removal of plumbing, electrical, lighting, and heating facilities or equipment.

(e) Termination of utilities. The compliance official may require that water, sewer, electricity, or gas service to the vacant building be terminated or disconnected. Prior to the termination of any utility service, written notice must be given to the owner if possible, or posted directly at the property, unless an imminent hazard exists because of the utility. No utility may be restored until consent is given by the compliance official. Utilities may be discontinued at the request of the owner or responsible party as part of the approved vacant building property plan. The compliance official may authorize immediate termination of utilities at his or her discretion in emergency circumstances.

(f) Owners of vacant buildings must comply with City Zoning code with respect to signage on the property.

(g) Exterior maintenance. The owner must comply with all applicable property maintenance regulations and City codes including, but not limited to, the following:

- (1) Public nuisances. The owner must eliminate any activity on the property that constitutes a public nuisance as defined by City code.
- (2) Grass and weeds. Any weeds or grass must be no greater than six (6) inches in height.
- (3) Exterior structure maintenance. The owner must maintain the vacant building in compliance with City code and building codes as determined to be necessary by the code official.
- (4) Abandoned or junk vehicles. The owner must remove abandoned and junk vehicles from the property. The City may impound such vehicles consistent with the requirements of the City code.
- (5) Storage and disposal of refuse. The storage and disposal of refuse must comply with the requirements of the City code.
- (6) Animals. The owner must ensure that all animals are removed from the property and handled in a humane manner.
- (7) Diseased, dead or hazardous trees. The owner must remove diseased, dead or hazardous trees or branches from the property in accordance with the City code.
- (8) Graffiti. The owner must remove all graffiti from the property in accordance with City code.
- (9) Abandoned pools. Swimming pools must be maintained, drained, emptied, and/or secured in accordance with City code.
 - (i) Removal of garbage and refuse. The owner of any vacant building, or vacant portion thereof, must remove all garbage, refuse, rubbish, swill, filth, or other materials from the vacant building and the property upon which the building is located.
 - (j) Police and fire alarm systems. The owner must properly maintain all alarm systems in any vacant building or portion thereof in operating condition; or, discontinue their service unless such service is required by code.
 - (k) Loitering and/or criminal activities. Loitering or engaging in criminal activities is not allowed in the vacant building or on the real property upon which the vacant building is located. The owner or responsible party must not allow these activities and take immediate actions to eliminate these conditions once notified by the City.
 - (l) Emergency abatement. The compliance official may authorize immediate abatement of any public nuisance or maintenance item if, in the discretion of the compliance official, emergency circumstances exist that present an imminent threat to the public health and safety.

(m) Other codes. A plan for compliance with all applicable provisions of City code and other applicable regulations.

Subd. 9. No Occupancy or trespass. No person may trespass, occupy or reside in, on a temporary or permanent basis, any vacant building without the owner's consent.

Subd. 10. Vandalism or removal of items prohibited. No person may vandalize or remove items from a vacant building or the property upon which it is located, including, but not limited to, appliances, fixtures, electrical wiring, copper, or other similar items without the owner's consent.

Subd. 11. Appeal. Any person or responsible party aggrieved by a decision under sections of this chapter may appeal to the City Council. The appeal must be in writing, must specify the grounds for the appeal, and must be submitted to the compliance official within ten (10) business days of the decision that is basis of the appeal.

Subd. 12. Penalties. Any person or responsible party who violates any provision of this subsection is subject to a misdemeanor penalty and any administrative fees as provided under City code and this subsection. Imposition of such penalties, however, is not deemed to impair other remedies or civil penalties available to the City under this code or state law.

This message is in response to the communication received about the request made by Dino's for an amendment to allow a drive-through. I'm disappointed that we are revisiting this request. The neighbors voiced their opinions and made clear their feelings about this a number of years ago - those have not changed. The addition of a drive-through at this location would bring an unwanted change to the personality of this residential neighborhood. Close as we are to the business district, this would be a distraction totally out of character with the surrounding homes.

At the time of the last request, we did manage to get a stop sign stating "No Right Turn" onto Crawford. I can tell you that it is basically ignored by a large percentage of the vehicles leaving the Dino's parking lot. While I realize they are not in a position to monitor this, I feel that if this amendment is approved, any promises made about noise, lighting, and additional traffic will also be ignored. Crawford is already used as a cut-through for vehicles gaining access to Snelling. The addition of a drive-through will only increase that traffic.

I find it interesting that the hearing on this matter lands on the day before a holiday, during a pandemic that demands social distancing and a populace exhausted from a fractious election. I hope that a light turnout from the citizenry will not be construed as a lack of interest on our part.

I appreciate your taking the time to consider these comments on what I believe would be a poor decision for Falcon Heights. The statement at the bottom of your stationery says "Families, Fields and Fair." I don't see a drive-through fitting into any of those areas.

Jean McPherson
1724 Asbury Street
Received on 11/16/2020

Hi Sack and the City Council,

I am unable to attend the public hearing tomorrow due to concerns around COVID, but would like to send comments. I live on Asbury a half a block away from Dino's. My primary concern is the potential for increased traffic out the exit on Crawford and increased traffic down Asbury. There are multiple families with young children on this street, and I am very concerned about safety. We don't have sidewalks and so children use the street to ride bikes. People are also walking and walking dogs, and any increase in non-residential traffic through the neighborhood is dangerous.

The drive-through ordering systems are often loud, and would be obnoxious for those living close-by. This is not a business district.

Dino's is not as fast as restaurants like McDonalds, and a drive-through would very likely back up quickly as customers wait for orders. The Chipotle drive-through near County Rd C and Snelling is a prime example. It creates a huge back-up of cars and is not convenient as a patron. The Dino's parking lot is not very big, and this could create significant traffic problems.

I do also think that this change to the city code would set a problematic precedent.

I am strongly against this change in city code, as well as the more specific request for a Dino's drive-through.

Best,

Anna Milone
(1738 Asbury St)

Planning Commission,

Our household is in favor of updating the City Code to allow for a drive-thru for Dino's restaurant. Our city has so few commercial businesses, and we believe it is important to support those that are here.

As a family with small children, it would make it immensely easier for us to eat at Dino's with a drive-thru option. And with COVID-19 regulations constantly in flux (for who knows how long), it seems wise to allow this restaurant another option for serving customers without requiring them to come inside the building.

We are not personally concerned about any extra traffic this could bring to the neighborhood. The vast majority of cars are going to be heading away from the neighborhood toward Snelling, as most of them already do.

Thanks,

Jacob and Ashley Brooks
Falcon Heights residents

Received on 11/23/20

Hello Randy and Sack,

I sent in an email comment supporting the drive-through ordinance change, but would also like to suggest that during a crisis as acute as Covid has been for businesses, that the City should move at a pace much quicker than usual. Waiting for the next regularly scheduled City Council meeting or other regularly paced procedure won't save businesses that have had their income stopped. The Federal Government moved very quickly with extraordinary legislation, at least initially, and I don't see why a small city can't be even more nimble. Thanks for your consideration.

--

Les Everett
1794 Tatum St., Falcon Heights, MN 55113

Hello,

I will not be attending the hearing this evening.

For several reasons I am against allowing drive-throughs in Falcon Heights.

Sincerely,
Jody Wirth
1795 Pascal

I support Dino's adding a drive-through. However, I am concerned about new fast food establishments being built in the area. I would like the council to discourage new fast food establishments.

Is it possible to craft the ordinance amendment to only allow drive-throughs at **existing** restaurants? In other words, it would NOT apply to new construction or new restaurants built in the B-3 district.

Thank you,
Shawn Hubert
1525 Iowa Ave W

To Whom It May Concern:

I am writing to you regarding Dino's Mediterranean Fresh's application to amend to allow drive-throughs in the B-3 business zoning district.

As a resident living in close proximity to Dino's, I vehemently and categorically oppose a drive-through amendment for Dino's Mediterranean Fresh. While the restaurant may be in a business zoning district, it is abundantly clear that the additional traffic a drive-through would bring would inevitably spill onto Crawford and Asbury. Dino's is not exactly a fast food restaurant; this is perfectly fine for carry-out and dine-in (when it is again available), but if even 3-4 cars attempt to use the drive-through, several of these cars will be waiting on the residential streets for long periods of time, and lunch and dinner rushes would certainly bring even more traffic to idle on the residential streets.

These are residential streets where many children play regularly, mine included, and despite our best efforts to teach our children to be aware of cars that pass down the street, the additional traffic a drive-through would bring is an unwelcome and unnecessary danger.

Thank you for your time and attention to keeping our residential area truly residential and free of the influx of additional vehicles on our streets a drive-through would certainly bring.

--

Kyle Warner

Members of the Planning Commission,

So many years ago, it was so clear to both residents and the businesses that this would not be acceptable, that I'm surprised it's being revisited. I'd highly recommend revisiting all of those conversations.

I don't think it's a good idea -- for all the same reasons it wasn't a good idea before. My memory is that administration, council and neighbors all opposed it.

There's ample seating, ample parking, and the loss of green space and addition of so much more asphalt and traffic is not necessary, except to Dino's.

Also, drive-throughs haven't been allowed city-wide (intentionally) and this would open the door for even more. (This isn't a good reason in and of itself, but along with the others, I think it's valid to state.)

Our city plans state that we want this area to be a destination. They explicitly state that. Drive-throughs make it feel like a place to move through, not a destination.

I like Dino's a lot, but if that's what they're looking for, maybe finding a location up the road toward the mall would suit them. And I don't mean that with dismissal or anger. It's just that the northern area of Snelling is a drive-through area and meant for that and zoned for that. I'd rather not have FH look like that even a little.

Thanks for considering this view -- thanks for taking comments. Please don't recommend that this proposal by Dino's go through.

Thank you,

Kris Grangaard
1777 Simpson Street

To Whom It May Concern,

I am writing to express concern with amendments to city policies that would allow for a drive-through at Dino's. I would attend the meeting tonight, but I am working and unable to attend.

If these changes are approved, and Dino's opens a drive through, I expect traffic will pass either up Asbury or up the frontage road, since people cannot turn left onto Snelling from Crawford. I imagine this would be a significant increase in cars, many without care for the community. Falcon Heights is home to many people starting families. While my children are nearly grown, there are always young families in Falcon Heights and thus protecting traffic flow is important. Right now, Asbury street is home to many families with young children.

I also have concerns regarding sound issues. Drive through speakers can be loud. I can't imagine that it would not be heard by the nearby houses and this really would be an unacceptable living situation for anyone nearby. There also could be issues with headlights that shine into nearby neighbor's homes. I imagine there would be issues with car back-ups in this area as it already quickly becomes congested between the entrance/exit from Snelling to/from the parking lots, Crawford and up Asbury.

While I know some neighbors received letter alerting them to this meeting, I live ½ block away and did not receive a letter. I understand that the letter of the law may have been followed and only homes within a specific proximity were alerted, due to the way notification laws are written. However, my hope for my city is that homes impacted, even if outside the required notification distances, would be contacted. I can't imagine there is a law against doing so. Failure to fully alert the community and scheduling the meeting on the Tuesday before a holiday weekend does not seem like strong effort to include the community in this process.

I hope you will seriously consider the impacts on the surrounding community if regulations are amended to allow Dino's to have a drive through. I support Dino's having a business in our community and wish them to be successful. However, adding a drive through so close to private homes and in a community that houses many young children is not something I can support.

Best Regards,

Salina Renninger
1764 Asbury Street

I'm writing in general support of the proposed ordinance change "Amendment to Chapter 113 regarding drive through facilities."

Note that while I agree with the proposed change, I am also concerned with protecting the surrounding residential neighborhood from being disturbed by increased noise and traffic. When issuing a conditional use permit to a specific establishment, is it possible to add restrictions when necessary? For instance, one option would be to allow pick-up windows as opposed to an order-taking speaker system.

Also, I think that if there were stores that were non-food establishments, they should also be included and allowed in this ordinance.

Bev Larkin
1725 Saint Marys Street
Falcon Heights, MN 55113-5722
Received 11/21/20

Hello. My name is Joy Faust. My husband Paul and I live across Crawford Avenue from Dino's Mediterranean Fresh. We are opposed to any amendment to the city code to allow drive-throughs in the B-3 business zoning district. We moved to Falcon Heights 20 years ago as we were aware this small community was residential and did not allow drive-through restaurants. The Dino's restaurant has been on-site for many years already and we have been dealing with the noise, extra traffic, and increased trash that is a part of living next to a fast-food restaurant. We have children, have neighbors with children, and appreciate the safer streets and residential aspect of this neighborhood. If a drive-through is allowed, our property values will decrease, and we will have to contend with more trash in our yard and streets. We will have to be hyper-vigilant about residential street safety, and we will have to deal with very disturbing noise at all hours of the day. I work full-time from home, in a basement office facing Crawford Avenue. Increased drive-through noise will adversely affect my employment environment on an hourly basis. Please consider dismissing this request to amend the City Code. There are no benefits to the city, and only detriments to all the residential neighbors in surrounding area. Thank you for your consideration.

Joy Faust

Received 11/21/20



The City That Soars!

REQUEST FOR COUNCIL ACTION

Meeting Date	December 2, 2020
Agenda Item	Policy D4
Attachment	N/A
Submitted By	Sack Thongvanh, City Administrator

Item	Forestry and Tree Trimming Services
Description	<p>Every year, City Staff evaluates and determines if current services provided to the City and Residents are effective and provide the best benefit at a reasonable cost.</p> <p>City staff will be exploring our options as we continue into 2021.</p>
Budget Impact	N/A
Attachment(s)	N/A
Action(s) Requested	Staff will provide a recommendation at the December 9 th City Council Meeting.

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The City That Soars!

REQUEST FOR COUNCIL ACTION

Meeting Date	December 2, 2020
Agenda Item	Policy D5
Attachment	N/A
Submitted By	Sack Thongvanh, City Administrator

Item	Budget Discussion for the Capital and Enterprise Funds
Description	<p>The proposal is to increase the Enterprise Funds (Sewer and Storm Sewer) cost by 3%. This an annual action taken to make sure we have a healthy fund balance for projects that are funded by the Enterprise Funds.</p> <p>The Capital Fund is allocated with general fund levy and other revenue sources such as conduit bonding and franchise fees.</p>
Budget Impact	This will change based on the decision made by the City Council for Fire Services.
Attachment(s)	<ul style="list-style-type: none"> • Capital Funds • Enterprise Funds
Action(s) Requested	Staff will provide a recommendation at the December 9 th Truth-Taxation Hearing.

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SANITARY SEWER (601)

ACCOUNT NUMBER	ACCOUNT TITLE	ACTUAL 2018	ACTUAL 2019	BUDGET 2020	ESTIMATED 2020	BUDGET 2021
REVENUES:						
<i>CHARGES FOR SERVICES</i>						
34180	SANITARY SEWER CHARGES	943,408	953,664	889,140	880,000	900,000
34181	SANITARY SEWER PENALTIES	0	0	0	0	0
34183	OTHER CHARGES	0	0	0	0	0
34192	SAC CHARGES	2,485	116,795	200,000	0	200,000
36100	SPECIAL ASSESSMENTS	0	0	0	0	0
	<i>TOTAL CHARGES FOR SERVICES</i>	<u>945,893</u>	<u>1,070,459</u>	<u>1,089,140</u>	<u>880,000</u>	<u>1,100,000</u>
<i>MISCELLANEOUS</i>						
36211	INTEREST ON INVESTMENTS	33,383	42,470	18,000	25,000	20,000
36213	LOAN INTEREST	0	0	0	0	0
36214	CHANGE IN FAIR VALUE OF I	632	5,707	0	0	0
36215	STATE PERA CONTRIBUTION	0	0	0	0	0
36400	MISCELLANEOUS	0	0	0	0	0
36500	GAIN ON SALE OF CAPITAL ASSETS	0	0	0	0	0
	<i>TOTAL MISCELLANEOUS</i>	<u>34,015</u>	<u>48,177</u>	<u>18,000</u>	<u>25,000</u>	<u>20,000</u>
601	<i>TOTAL REVENUES</i>	<u>979,908</u>	<u>1,118,636</u>	<u>1,107,140</u>	<u>905,000</u>	<u>1,120,000</u>
<i>OTHER FINANCING SOURCES</i>						
25315	CONTRIBUTED CAPITAL	0	0	0	0	0
39200	TRANSFERS	0	0	0	0	0
	<i>TOTAL OTHER FINANCING SOURCES</i>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
	<i>TOTAL REVENUES & OTHER FINANCING SOURCES</i>	<u>979,908</u>	<u>1,118,636</u>	<u>1,107,140</u>	<u>905,000</u>	<u>1,120,000</u>
EXPENSES:						
<i>COMPENSATION</i>						
60100	REGULAR SALARIES	106,765	112,154	113,000	115,000	121,000
60520	PART-TIME EMPLOYEES	1,000	921	1,000	1,000	2,000
64011	PERA CONTRIBUTIONS	13,396	8,542	8,500	8,700	8,900
64012	FICA CONTRIBUTIONS	7,830	8,152	9,050	8,600	9,600
64031	HOSPITALIZATION	20,675	21,337	24,000	23,000	24,700
64032	DENTAL	1,020	959	1,060	950	1,100
64033	LONG-TERM DISABILITY	210	165	0	300	300
64034	LIFE INSURANCE	254	250	0	310	310
	<i>TOTAL COMPENSATION</i>	<u>151,150</u>	<u>152,480</u>	<u>156,610</u>	<u>157,860</u>	<u>167,910</u>
<i>MATERIALS & SUPPLIES</i>						
70100	SANITARY SEWER SUPPLIES	699	139	3,000	600	600
70120	TOOLS	0	0	400	0	0
74000	MOTOR FUEL & LUBRICANTS	0	0	0	0	300
	<i>TOTAL MATERIALS & SUPPLIES</i>	<u>699</u>	<u>139</u>	<u>3,400</u>	<u>600</u>	<u>900</u>
<i>OTHER SERVICES & CHARGES</i>						
80100	ENGINEERING	209	13,285	0	1,000	0
80310	AUDIT	1,420	1,370	1,600	1,495	1,600
85011	TELEPHONE - LANDLINE	937	633	850	900	1,000
85015	CELL PHONE	585	360	1,000	500	700
85020	ELECTRIC	0	0	200	200	200
85060	METRO SEWER CHARGES	480,642	495,182	616,098	616,098	578,355
85070	SAC CHARGES	0	116,771	200,000	0	200,000
85080	PORTABLE TOILET - PARKS	1,883	5,082	3,000	3,600	3,600
86030	CONFERENCES & SCHOOLS	0	0	200	200	200
86100	TRAINING	691	694	1,200	800	800
86101	MILEAGE	0	0	0	0	0
87000	REPAIR EQUIPMENT	14,306	1,684	4,000	1,400	2,000
87090	REPAIR EQUIP - STUB	0	0	0	0	0
87098	SEWER SUB REPAIR	0	0	0	0	0
87099	MANHOLE COVER REPAIRS	0	0	0	0	0
87100	TELEVISIONING & COMMERCIAL JETTING	18,154	76,075	40,000	17,485	30,000
87200	SEWER LINE REPAIRS	0	0	1,000	0	1,000
87230	CONTROL PANEL (LIFT STATION)	0	0	0	0	0
87300	ROOT TREATMENT	0	0	0	0	0
87600	DEPRECIATION	12,620	13,281	12,000	14,000	15,000

88000	INSURANCE & BONDS	5,663	5,071	7,000	5,270	7,000
88030	ONE CALL CONCEPTS-LOCATES	671	941	8,000	1,000	1,000
88500	BILLING FEE-UTILITIES	16,914	17,385	18,000	18,000	18,000
89000	MISCELLANEOUS	0	0	400	0	200
	<i>TOTAL OTHER SERVICES & CHARGES</i>	<u>554,695</u>	<u>747,814</u>	<u>914,548</u>	<u>681,948</u>	<u>860,655</u>
	<i>CAPITAL OUTLAY</i>					
91000	MACHINERY & EQUIPMENT	0	0	0	0	0
92000	OTHER IMPROVEMENTS	0	0	0	0	0
92400	2021 STREET PROJECT	0	0	0	0	10,000
92500	GROVE STREET PROJECT 2017	1,742	1,352	0	0	0
92800	SEWER LINING PROJ	35	0	200,000	118,377	200,000
	<i>TOTAL CAPITAL OUTLAY</i>	<u>1,777</u>	<u>1,352</u>	<u>200,000</u>	<u>118,377</u>	<u>210,000</u>
-601	<i>TOTAL EXPENDITURES</i>	<u>708,321</u>	<u>901,785</u>	<u>1,274,558</u>	<u>958,785</u>	<u>1,239,465</u>
	<i>OTHER FINANCING USES</i>					
97000	TRANSFERS	230,000	0	0	0	0
	<i>TOTAL OTHER FINANCING USES</i>	<u>230,000</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
	<i>TOTAL EXPENDITURES & OTHER FINANCING USES</i>	<u>938,321</u>	<u>901,785</u>	<u>1,274,558</u>	<u>958,785</u>	<u>1,239,465</u>
	NET POSITION - JANUARY 1	2,289,052	2,330,639	2,547,490	2,547,490	2,493,705
	NET INCOME (LOSS)	41,587	216,851	(167,418)	(53,785)	(119,465)
	RESTATEMENT CHG IN ACCTING PRINCIPLE	0	0	0	0	0
	NET POSITION - DECEMBER 31	<u>2,330,639</u>	<u>2,547,490</u>	<u>2,380,072</u>	<u>2,493,705</u>	<u>2,374,240</u>

STORM DRAINAGE (602)

ACCOUNT NUMBER	ACCOUNT TITLE	ACTUAL 2018	ACTUAL 2019	BUDGET 2020	ESTIMATED 2020	BUDGET 2021
REVENUES:						
<i>INTERGOVERNMENTAL REVENUE</i>						
33410	OTHER GRANTS	0	0	0	0	0
33430	STATE AID	0	0	0	0	0
	TOTAL INTERNGOVERNMENTAL	0	0	0	0	0
<i>CHARGES FOR SERVICES</i>						
34180	STORM SEWER CHARGES	169,172	174,608	169,950	170,000	175,000
34181	STORM SEWER PENALTIES	0	0	0	0	0
	TOTAL CHARGES FOR SERVICES	169,172	174,608	169,950	170,000	175,000
<i>MISCELLANEOUS</i>						
36211	INTEREST ON INVESTMENTS	3,249	6,896	2,000	10,000	3,000
36213	CHANGE IN FAIR VALUE OF I	73	845	0	0	0
36215	STATE PERA CONTRIBUTION	0	0	0	0	0
36400	MISCELLANEOUS	0	0	0	0	0
	TOTAL MISCELLANEOUS	3,322	7,741	2,000	10,000	3,000
602	TOTAL REVENUES	172,494	182,349	171,950	180,000	178,000
<i>OTHER FINANCING SOURCES</i>						
39200	TRANSFERS	0	0	0	0	0
39700	CONTRIBUTED CAPITAL	0	0	0	0	0
	TOTAL OTHER FINANCING SOURCES	0	0	0	0	0
	TOTAL REVENUES & OTHER FINANCING SOURCES	172,494	182,349	171,950	180,000	178,000
EXPENDITURES:						
<i>COMPENSATION</i>						
60100	REGULAR SALARIES	54,025	56,826	57,200	60,000	61,000
60520	PART-TIME/SEASONAL EMPLOYEES	1,000	0	3,000	2,000	2,000
64011	PERA CONTRIBUTIONS	6,555	10,502	4,300	4,250	4,600
64012	FICA CONTRIBUTIONS	4,000	4,126	4,600	4,400	4,900
64031	HOSPITALIZATION	11,845	12,239	12,700	12,600	15,600
64032	DENTAL	566	532	640	600	650
64033	LONG-TERM DISABILITY	121	62	120	155	160
64034	LIFE INSURANCE	91	93	200	200	200
	TOTAL COMPENSATION	78,203	84,380	82,760	84,205	89,110
<i>MATERIALS & SUPPLIES</i>						
70200	STORM SUPPLIES	276	0	600	200	200
74000	MOTOR FUEL & LUBRICANTS	2,770	1,913	2,000	3,000	3,000
	TOTAL MATERIALS & SUPPLIES	3,046	1,913	2,600	3,200	3,200
<i>OTHER SERVICES & CHARGES</i>						
80100	ENGINEERING SERVICES	13,427	0	0	0	0
80310	AUDIT	712	685	800	747	800
81900	OTHER PROFESSIONAL SERVICES	0	0	0	0	0
83020	VEGITATION MGMT	510	580	580	0	0
83025	SWEEPER PARTS/SUPPLIES	3,901	1,094	5,000	3,500	7,500
84000	STREET SWEEPINGS	486	41	1,200	1,900	2,000
85015	CELL PHONE	91	0	100	0	0
86010	MILEAGE	42	0	85	40	40
86110	MEMBERSHIPS	515	530	515	900	900
87000	REPAIR EQUIPMENT/CATCH BASIN	0	49	2,000	0	2,000
87101	ANNUAL SWEEPER INSPECTION	0	0	450	450	450
87150	CATH BASIN CLEANING/JETTING OF SYSTEM	0	0	0	0	0
87260	GOTFRIEDS STORM WATER	0	8,922	0	0	0
87600	DEPRECIATION	50,677	50,836	50,000	52,000	52,000
88000	INSURANCE & BONDS	2,640	1,515	2,700	1,500	1,600
88500	BILLING FEES	700	700	720	740	750
88600	MISCELLANEOUS FEES & MS4 PERMIT	1,220	44	500	0	500
88700	LIFT STATION REPAIR (GOTFREID PIT)	0	4,344	1,000	0	1,000
	TOTAL OTHER SERVICES & CHARGES	74,921	69,340	65,650	61,777	69,540
<i>CAPITAL OUTLAY</i>						
91000	CAPITAL EQUIPMENT	0	0	0	0	0
92010	OTHER IMPROVEMENTS	0	0	0	0	0
92050	2015 ROSELAWN	0	0	0	0	0
92100	CURTIS POND DRAINAGE PROJECT	0	0	0	0	0
92300	TROLLEY PATH CATCH BASIN AND POND (3 YR PROJ)	0	0	200,000	34,000	34,000
92450	2021 STRBET PROJECT	0	0	0	0	123,000
92500	CURTISS FIELD SIDEWALKS	0	0	0	0	0
92600	GROVE STORM IMPROVEMENTS	0	0	0	0	0
92700	SEMINARY POND IMPROVEMENT	0	0	0	0	29,000

GENERAL CAPITAL IMPROVEMENTS
10 YEAR CAPITAL IMPROVEMENT PLAN

	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030
CAPITAL USES										
OFFICE EQUIPMENT:										
TELEPHONE SYSTEM	500	500	500	500	500	500	500	500	500	500
CITY HALL SECURITY	0	0	0	0	0	0	0	0	0	0
COMPUTERS AND PRINTERS	2000	4000	4000	2000	2000	2000	2000	2000	2000	2000
G.I.S(GEOGRAPHIC INFORMATION SYS.)	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000
CABLE/ELECTRONIC EQUIPMENT	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000
ONLINE INITIATIVES	0	0	0	0	0	0	0	0	0	0
COVID 19	5000	0	0	0	0	0	0	0	0	0
TOTAL OFFICE EQUIPMENT	9,500	6,500	6,500	4,500	4,500	4,500	4,500	4,500	4,500	4,500
TOTAL GENERAL CAPITAL	9,500	6,500	6,500	4,500	4,500	4,500	4,500	4,500	4,500	4,500
CAPITAL SOURCES										
FUND BALANCE BGN	229,534	220,734	213,484	206,134	200,734	195,334	189,934	189,934	189,934	184,534
INTEREST	1500	100	50	0	0	0	0	0	0	0
OTHER FUNDS	0	0	0	0	0	0	0	0	0	0
TOTAL SOURCES	231,034	220,834	213,534	206,134	200,734	195,334	189,934	189,934	189,934	184,534
TOTAL USES	9,500	6,500	6,500	4,500	4,500	4,500	4,500	4,500	4,500	4,500
AUDIT FEE	800	850	900	900	900	900	900	900	900	900
FUND BALANCE YEAR-END	220,734	213,484	206,134	200,734	195,334	189,934	184,534	184,534	184,534	179,134

**PUBLIC SAFETY CAPITAL IMPROVEMENTS
10 YEAR CAPITAL IMPROVEMENT PLAN**

	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030
CAPITAL USES										
FIRE:										
REPLACE 733 FIRE TRUCK (bought 2005)					55,000					
REPLACE 752 FIRE TRUCK (bought 2001)										
REPLACE 757 FIRE TRUCK (bought 2013)										
UTILITY 755								45,000		
EXERCISE ROOM FITNESS EQUIPMENT										
SELF CON TRAINED BREATHING APPARATUS										
VENTILATION FANS			800							
POWER EQUIPMENT				2,500						800
PERSONAL PROTECTIVE GEAR (BOOTS, HELMETS)	15,000	15,000	15,000							
EXHAUST SYSTEM EQUIPMENT					2,000					2,000
MEDICOL BAGS SMD 02 BAGS			1,000							
TRAINING EQUIPMENT				1,000						
RESCUE CAMERA	5,500		5,500							
PORTABLE RADIOS (3 PER YR REPLACEMENT)	45,000	45,000	45,000							
MOBILE RADIOS 1 PER YEAR	5,775	5,775	5,775							
FIREFIGHTING EQUIPMENT	800	800	800							
APPARATUS IT INFRASTRUCTURE	5,000				5,000					
RESPONSE TO WATER RELATED EMERGENCIES										
AIR MONITORING EQUIPMENT		800	800							
RESCUE EQUIPMENT	800	800	800				35,000			
OFF SITE PAGING EQUIPMENT										800
SCENE LIGHTING				400						
HOSE	1,500	1,500	1,500							
LADDERS	5,000	5,000	5,000							
NOZZELS		3,000								
FIRE ADMIN OFFICE FURNITURE										
TNG ROOM FURNITURE			800							
DAY ROOM FURNITURE/TV		2,000								
KITCHEN APPLIANCES					1,000					
KITCHEN TABLE AND CHAIRS		500								
COMPUTER EQUIPMENT		500								
AV EQUIPMENT				500						
WASHER AND DRYER										
SCBA COMPRESSOR					30,000					
CARPET		2,500								
OVERHEAD DOOR REPLACEMENTS						2,500				
TOTAL FIRE AND OTHER:	83,575	78,175	31,175	17,475	730,675	5,600	45,100	54,300	32,600	25,400
	83,575	78,175	31,175	17,475	730,675	5,600	45,100	54,300	32,600	25,400
CAPITAL SOURCES										
FUND BALANCE - BGN	9,522									
INTEREST	100									
BOND REVENUE	0									
OTHER FUNDS (TRANSFER FROM GENERAL FUND)	75,000									
DONATIONS										
SALE OF OLD FIRE TRUCK (2014)										
TOTAL SOURCES	84,622	247	(78,778)	(110,853)	(129,228)	(860,803)	(867,303)	(867,303)	(867,303)	(913,303)
TOTAL USES	83,575	78,175	31,175	17,475	730,675	5,600	45,100	54,300	32,600	25,400
AUDIT FEE	800	850	900	900	900	900	900	900	900	900
	84,375	79,025	32,075	18,375	731,575	6,500	46,000	55,200	33,500	26,300
FUND BALANCE YEAR-END *	247	(78,778)	(110,853)	(129,228)	(860,803)	(867,303)	(913,303)	(922,503)	(960,803)	(939,803)

PARKS/RECREATION/PUBLIC FACILITIES CAPITAL IMPROVEMENTS
10 YEAR CAPITAL IMPROVEMENT PLAN

	2021	2022	2023	2024	2025	2026	2027	2027	2028	2029
CAPITAL USES										
COMMUNITY PARK:										
PAINTING										
COMMUNITY GARDENS										
BASKETBALL COURT RESURFACE & NEW HOOPS										
PLAYING FIELDS & BACKSTOP										
ICE RINK BOARDS										
ICE RINK LIGHTS										
SHELTER - PAVILION										
SIGNS										
PARK ENTRANCE IMPROVEMENT										
SEWALK REPLACEMENT										
BASKETBALL COURT RECONSTRUCTION										
TENNIS COURT RECONSTRUCTION										
SITE FURNISHINGS - BENCHES, ETC.										
TOTAL COMMUNITY PARK										
CURTISS FIELD PARK:										
BASKETBALL COURT RESURFACE										
EQUIPMENT - GRILL										
REGRAVING OF HOCKEY AREA										
ICE RINK BOARDS										
BENCHES										
PLAYGROUND EQUIPMENT										
SIGNS										
TOTAL CURTISS FIELD PARK										
GROVE PARK:										
PATH & RUBBER SURFACING ADA COMPL										
PLAY AREA BASKETBALL & COURT RESURFACE	40,000									
SIGNS										
SEWALK (FINISH LOOP)										
ICE RINK BOARDS										
SWINGSET/TIRE SWING										
TOTAL GROVE PARK	40,000									
CITY HALL:										
BUILDING REPAIRS										
SERVICE ENTRANCE DOORS	1,000	1,100	1,100	1,100	1,100	1,100	1,100	1,100	1,100	1,100
KITCHEN APPLIANCE REPLACEMENT	1,000									
HOT WATER HEATER										
FURNACES CITY HALL (2 OF 3) (2002)			15,000							
FURNACE - FIRE HALL (2003)				9,000						
SIGNS										
LIGHTING										
TOTAL CITY HALL	2,000	1,100	16,100	10,100	1,100	1,100	1,100	1,100	1,100	1,100

PARK/PUBLIC WORKS EQUIPMENT:										
1 TON TRUCK										
F-250 TRUCK	55,000									
BOBCAT 5-650	40,000									
BOBCAT 5-590										
RIDING MOWERS (D 188)		40,000								
DUMP TRUCK (ANYTIME WHEN AVAILABALE)										
WEED WHIPS										
ASPHALT TAMPER										
TRACTOR (D 4310)	35,000									
TORO (2 LAWNMOWERS)										
TOOL CAT										
TOTAL PARK/PUBLIC WORKS	42,000	130,000								
TOTAL USES	84,000	131,100	16,100	1,100	1,100	41,100	1,100	1,100	1,100	1,100
FUND BALANCE BGN	209,621	125,821	126,321		(41,179)	(43,129)				
INTEREST										
PARK DEDICATION FEE	1,000	500	300		0	0				
TRANSFER FROM OTHER FUNDS										
TOTAL SOURCES	210,621	126,321	126,621		(41,179)	(43,129)				
OPERATING TRANSFER OUT										
TOTAL USES	84,000	131,100	16,100	1,100	1,100	41,100	1,100	1,100	1,100	1,100
AUDIT FEE	800	850	850	850	850	850	900	900	900	900
	84,800	130,950	16,950	1,950	1,950	41,950	2,000	2,000	2,000	2,000
FUND BALANCE YEAR-END	125,821	126,321	109,671	(43,129)	(43,129)	(85,079)	(87,079)	(87,079)	(87,079)	(89,079)

2021 STREET PROJECT PMP (426)

ACCOUNT NUMBER	ACCOUNT TITLE	ACTUAL 2018	ACTUAL 2019	BUDGET 2020	ESTIMATED 2020	BUDGET 2021
REVENUES:						
<i>INTERGOVERNMENTAL</i>						
33430	MINNESOTA STATE AID DOT	0	0	0	0	302500
33400	WATERSHED DISTRICT GRANT	0	0	0	0	0
33500	CONSERVATION DISTRICT GRANT	0	0	0	0	0
	<i>TOTAL INTERGOVERNMENTAL</i>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>302,500</u>
<i>SPECIAL ASSESSMENTS</i>						
36100	SPECIAL ASSESSMENTS	0	0	0	0	392,000
	<i>TOTAL SPECIAL ASSESSMENTS</i>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>392,000</u>
<i>MISCELLANEOUS</i>						
36211	INTEREST ON INVESTMENTS	0	0	0	0	0
36213	CHANGE IN FAIR VALUE OF INVESTMENTS	0	0	0	0	0
	<i>TOTAL MISCELLANEOUS</i>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
426	<i>TOTAL REVENUES</i>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>694,500</u>
<i>OTHER FINANCING SOURCES</i>						
39130	BOND PROCEEDS	0	0	0	0	302,500
39200	TRANSFERS	0	0	0	0	0
	<i>TOTAL OTHER FINANCING SOURCES</i>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>302,500</u>
	<i>TOTAL REVENUES & OTHER FINANCING SOURCES</i>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>997,000</u>
EXPENDITURES:						
<i>OTHER SERVICES & CHARGES</i>						
60100	WAGES/SALARY/COMPENSATION	0	0	0	0	0
80100	ENGINEERING SERVICES	0	0	0	0	0
80310	AUDIT/PROFESSIONAL FEES	0	0	0	0	0
81900	OTHER PROFESSIONAL SERVICES	0	0	0	0	0
89000	MISCELLANEOUS	0	0	0	0	0
	<i>TOTAL OTHER SERVICES & CHARGES</i>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
<i>CAPITAL OUTLAY</i>						
92000	OTHER IMPROVEMENTS	0	0	0	0	0
92030	PARKING LOT- TESTING	0	0	0	0	0
92200	PARKING LOT - STORM	0	0	0	0	0
92400	2021 STREET PROJECT	0	0	0	0	997,000
92600	PARKING LOT - PUBLIC WORKS & FIRE	0	0	0	0	0
94900	BOND FEES	0	0	0	0	0
	<i>TOTAL CAPITAL OUTLAY</i>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>997,000</u>
-426	<i>TOTAL EXPENDITURES:</i>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>997,000</u>
<i>OTHER FINANCING USES</i>						
97000	OPERATING TRANSFER	0	0	0	0	0
	<i>TOTAL OTHER FINANCING USES</i>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
	<i>TOTAL EXPENDITURES</i>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>997,000</u>
	FUND BALANCE - JANUARY 1	0	0	0	0	0
	CHANGE IN FUND BALANCE	0	0	0	0	0
	FUND BALANCE - DECEMBER 31	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>