

CITY OF FALCON HEIGHTS
Regular Meeting of the City Council
City Hall
2077 West Larpenteur Avenue
MINUTES
May 26, 2021 at 7:00 P.M.

- A. CALL TO ORDER: 7:02 PM
- B. ROLL CALL: ANDREWS ___ GUSTAFSON _X_ LEEHY _X_
MIAZGA _X_ WEHYEE _X_
STAFF PRESENT: THONGVANH _X_

- C. PRESENTATION
1. Neal Kwong Youth Citizen Award – Zane Johnson

Mayor Gustafson

Neal was a youth leader and eagle scout, he was the same age as my son. This award was established to recognize outstanding young leaders. Gary and Chris Kwong, the parents of Neal are here to present the award.

Zane Johnson

I want to thank everyone who helped me get to this point. It's an honor to receive this award.

- D. APPROVAL OF MINUTES:
1. April 28, 2021 City Council Regular Minutes

Motion to approve the minutes by Council Member Leehy;
Approved, 3-0.
Council Member Wehyee was absent at the time of the vote.

- E. PUBLIC HEARINGS:
1. Amber Union Project – Vacation

Mayor Gustafson

The developer has requested the City vacate a portion of the Snelling Avenue Right of Way. Staff have reviewed the request and determined the ROW is no longer needed once the building is developed with the Amber Union project. Staff received a few questions but no opinions were received by staff for or against the vacation.

Stephanie Smith, Assistant City Engineer

The existing location of the easement was part of a right of way turnback by MnDOT but was turned back to the City. With the Amber Union development, that area would be turned into a parking lot, there is not a need for a turnaround any longer. The property owner has requested the vacation in an effort to clear the encumbrance as part of their financing. A condition of the resolution is that an appropriate easement would be dedicated as part of this vacation. Staff's recommendation is to hold the public hearing and then to approve the resolution as presented.

Mayor Gustafson

The public hearing is now open. Second call for comment. Third and final call for comment. I'll now close the public hearing.

Council Member Leehy

I appreciate the clarity that we're not losing a turnaround, there's still space to do that.

Council Member Wehyee

Is this going to impact the property owners' ability to access their homes?

Administrator Thongvanh

The property owners have routinely used private property to access Larpenteur Avenue, but Peter Deanovic of Buhl Investors has said it is ok if they continue to do that.

Council Member Wehyee

Is that going to be allowed indefinitely? How consistent is that policy? Would residents have to worry about that changing sometime in the future?

Peter Deanovic, Buhl Investors

Our intention through this process is to minimize the disruption, in terms of traffic. My commitment to the City has been to take this one step at a time. There's a desire to maintain the functionality of the site.

Motion to adopt Resolution 21-23 approving the vacation of Right of Way and provide the Administrator and Mayor the authority to execute the necessary documents by Council Member Wehyee;
Approved, 4-0.

F. CONSENT AGENDA:

1. General Disbursements through: 5/20/21 \$35,570.33
Payroll through: 5/15/21 \$18,130.46

Motion to approve the consent agenda by Council Member Leehy;
Approved, 4-0.

G. POLICY ITEMS:

1. Amber Union Project - Encroachment Agreements and Easement

Andrea McDowell Poehler, City Attorney

There is a green space encroachment agreement as well as a parking encroachment agreement, Quitclaim deed, and an easement that would be included in the resolution.

Motion to approve Resolution 21-24 by Council Member Miazga;
Approved, 4-0.

2. Amber Union Project - Accept Metropolitan Livable Communities Act Grant Agreement for the Tax Base Revitalization Account Contamination Cleanup Grant Program (TBRA), Adopt Fair Housing Policy, and TBRA Loan to Buhl GTA, LP, Limited Partnership

Administrator Thongvanh

In 2020, the City submitted an application on behalf of Buhl Investors to the Contamination Cleanup Grant Program. The City was awarded funds and the grant will expire in 2023. Buhl has requested that the grant be converted to a loan instead of a grant. When the City gets payment, the City has a right to request to the Met Council to keep those funds and apply them to the property in the future to keep the units affordable. Staff recommend approving the resolution the Fair Housing Policy and authorizing the mayor and City Administrator to execute all necessary documents.

3. Alley Improvements - Accept Feasibility Report & Order Plans and Specifications

Administrator Thongvanh

This was brought to our attention by one of the property owners. There was a drainage problem in the alley and during the winter, the alley would become icy. The property owner approached the city with a petition and we received just over 50 percent of the property owners signing. Our assessment policy for alleys states that the property owner is responsible for 90 percent and the City is responsible for 10 percent.

Stephanie Smith, Assistant City Engineer

The drainage improvements that we were proposing to eliminate the issues in the alleyway may require additional work in the street. This could involve putting an additional catch basin in Pascal. The improvements would be estimated at \$27,000 in addition to the work we proposed in the alleyway. Including this project as part of the alleyway improvements may result in high costs for materials.

The assessment hearing would take place after construction. Property owners could at that point pay the assessment all up front or interest free in the first 30 days. They can also add to property taxes, typically over 5 years with a 2% interest rate.

There are three options to move forward: delaying the entire project until a later date, approve only the alleyway improvements, or approve both the alleyway improvements and storm sewer improvements. Staff are recommending to delay the project. If it were to be added this year, we would recommend moving forward with the improvement hearing on June 9, and would prepare plans and specs for June 23.

Council Member Miazga

Would we know the assessment costs at the June 9 public hearing?

Stephanie Smith, Assistant City Engineer

We would not have those numbers yet because we would need to obtain bids for the materials.

Administrator Thongvanh

The petition doesn't obligate the City to do the project. By delaying the project, we could review the larger scope of the project and make alleyway improvements on a broader scale. Authorizing plans and specifications does not mean the Council will have to decide to do the work.

Motion to accept the feasibility report and order plans and specifications for the alleyway improvements
by Council Member Wehyee;
Approved, 4-0.

H. INFORMATION/ANNOUNCEMENTS:

I. COMMUNITY FORUM:

Please limit comments to 3 minutes per person. Items brought before the Council will be referred for consideration. Council may ask questions for clarification, but no council action or discussion will be held on these items.

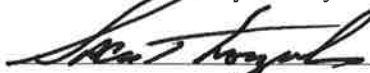
Felicia Busch, 1804 Lindig Street

This is in regard to the street improvement project that will be starting this year. Apparently a citizen complained about the flooding that happens on Lindig in front of our house and our neighbor's yard. The flooding is temporary and lasts only a couple hours, it sinks into our yard. We received notice about the project from the City, stating that we need to notify Roseville of sprinklers or invisible fences prior to the project beginning so they are not damaged during the construction. I spoke to Stephanie Smith and she coordinated an informational meeting with my neighbors. There is a huge amount of miscommunication regarding the project.

J. ADJOURNMENT: 8:54 PM


Randall C. Gustafson, Mayor

Dated this 26th day of May, 2021


Sack Thongvanh, City Administrator