

CITY OF FALCON HEIGHTS
Regular Meeting of the City Council
City Hall
2077 West Larpenteur Avenue
AGENDA
March 13, 2019 at 7:00 P.M.

A. CALL TO ORDER:

B. ROLL CALL: LEEHY_X___ HARRIS_X___ MIAZGA_X___ GUSTAFSON_X___

STAFF PRESENT: THONGVANH_X___

Mayor Pro-Tem Leehy

Request a motion to accept the agenda

Council Member Harris Moved, Approved 4-0

C. PRESENTATION

1. Accept the Resignation of Mayor Peter Lindstrom

Mayor Pro-Tem Leehy

On March 6, Mayor Peter Lindstrom submitted a letter of resignation. Mayor Peter Lindstrom was appointed to the City Council on Jan 5, 2000, and he took an oath of office as a mayor on Jan 9, 2008. Governor Tim Walz accepted Peter Lindstrom to the Metropolitan Council, and that is his reason for his resignation. We are very proud of this opportunity, and he has already begun his work there.

Peter Lindstrom (1505 Idaho Ave, Falcon Heights, MN)

My first council meeting was in 2000, and my first motion was to amend the 1991 Comprehensive Plan for the MetCouncil. Over the years, we accomplished many things to improve our little city. I want to thank all the City Administrators I worked with over the years, Susan Hoyt, Heather Worthington, Justin Miller, Bart Fischer, and Sack Thongvanh. I also want to thank all the council members that I served with Hustad, Kuettel, Talbot, Lamb, Harris, Long, Mercer-Taylor, Gosline, Brown Thunder, Fischer, Gustafson, Leehy, and Miazga. I especially want to thank Sue Gehrz who mentored me for several years.

I want to thank my wife Nicole, my children Zach and Ethan and my supporters. I also want to thank the residents who invited me to their homes, churches, and businesses, called, texted or emailed me, and especially those who came to the podium throughout my years here to speak about issues. I am proud of the work that we accomplished together. It has been an honor and privilege to serve as mayor of this great city.

Council Members and City Administrator thanked Peter for his service, leadership, recommendations, and for helping the city accomplish many things.

Council Member Gustafson Moved, Approved 4-0

2. Cleveland Ave Reconstruction Project
Jenna Fabish, (Ramsey County Project Engineer) and William Klingbeil, (Project Engineer - Kimley-Horn)

The agencies involved on the Cleveland Ave Reconstruction are City of Falcon Heights, City of St. Paul, Ramsey County, and the University of Minnesota. The project area will be from Como Ave to Larpenteur Ave, and it will replace aging infrastructure, improve storm water management, enhance pedestrian accessibility, and provide a safe space for cyclists along Cleveland Ave. The project will begin in spring 2020, and there will be an open house and pop-up events for the public. There are four alternatives to the reconstruction that we are exploring, A) On-Street Bike Lanes with Parking, B) On-Street Bike Lanes with No Parking, C) Off-Street Trail with Parking and D) Off-Street Trail with No Parking.

Council Member Miazga is excited about the Cleveland Avenue project. He stated that last summer he heard some complaints from residents in 1666 Coffman about the condition of the sidewalk, and with alternatives A through D, is it safe to assume they will be updated? Mr. Klingbeil stated that most of the corridor will be updated. Mayor Pro-Tem Leehy noted that current and former students and faculty would be happy to hear about the lighting, as it will increase their safety and walkability. Council Member Harris is glad to see it is being reconstructed in spring 2020 because the street can be dangerous.

3. 2018 Community Survey

City Administrator Thongvanh and Council Member Miazga

City Council and City Administrator designed a survey that covers various topics to create a baseline for us to understand our residents, planning, and decision-making. We surveyed everyone in the community through mailing and online. We mailed 2,254 surveys and received 439 response (258 paper and 181 online). We hope to do the survey every two years to see if the efforts we put forth in response to the first survey are working. One of the most significant pieces that helped us was demographics, specifically the ages in the household, home ownership or rental status, age range, ethnicity, gender identification, education, and income. We received a number of responses regarding inclusivity in Falcon Heights, and those are focused on housing, more outreach to youth, renters and lower-income communities, more public events and improve communication and/or advertise city and neighborhood events. The PowerPoint presentation will be available on our website, and the final report will be available by April 5th.

D. APPROVAL OF MINUTES:

1. February 13, 2019 City Council Meeting Minutes
2. February 27, 2019 City Council Meeting Minutes

Approved 4-0

E. PUBLIC HEARINGS:

F. CONSENT AGENDA:

1. General Disbursements through: 3/06/19 \$24,015.57

Payroll through: 2/28/19 \$17,763.05

2. Designated Signor for City Funds by Mayor Pro Tem

Council Member Miazga Moved, Approved 4-0

G. POLICY ITEMS:

1. Consider City Code Amendment Regarding Fences

City Administrator Thongvanh

Minnesota Statutes exempt fences under seven feet in height from requiring a building permit. The Planning Commission held a public hearing on February 26 to consider the recommended changes and received no opposition to the changes, which included:

1. A zoning permit as the proper permit required for fences.
2. Adding language related to the type of materials allowed for fences.
3. Clarifies setback from right of way as well as 30-foot visibility triangle for corner lots.
4. Allows up to six inches of additional height for fence posts.

The city received some complaints from residents where they cannot see around the tall fences when attempting to make a turn from alley because they can injure pedestrians.

Council Member Harris

I attended the Planning Commission meeting, and I agree that the City Codes need some changes and this is one of them. I appreciate staff researching this issue and ensure safety in our community. I move to approve Ordinance 19-02 Amending Section 113-242 of the City Code.

Council Member Harris Moved, Approved 4-0

2. Discuss Options for Open Mayoral Seat

City Administrator Thongvanh

I would like the City Council to review options for the open mayoral seat. The first option is to have the city council appoint a council member to be mayor; however, it will create a vacancy on the council, and we would then take in applications and nominate a candidate from the community. The second option is to hold a Special Election, which means financial commitments from the city. I spoke to City Attorney and Ramsey County Elections office, and both stated that Falcon Heights would have to adopt an ordinance to hold a Special Election. In addition, the next cycle will be during the primary election in August that would allow a Special Election, but the city will have to pay the cost of it. The estimated cost will be \$10,000, and the person will serve six months to complete Mayor Peter Lindstrom's term. The third option is not to appoint anyone and serve as a body of four councilmembers.

Bryan Olson (1592 Roselawn)

In the past, we dealt with a Mayor Pro-tem and can do it again. It would be better if the council serve as a body of four and wait for January 1st, when we have a newly elected mayor.

Mayor Pro-Tem Leehy

We will appoint someone from the council as mayor, and it will create a vacancy in the council. We will have applications for the open seat and reach out to them. The process can only move forward if Council Member Gustafson is willing to step forward as mayor and submit his resignation in our next meeting on March 27. At that point, we will accept his resignation and declare his seat open and will receive the Oath of Office as mayor for the rest of the year.

City Administrator Thongvanh clarified that the application process means appointing someone for the vacancy or go with Bryan Olson's statement and not appoint anyone and serve as a body of four if it is an option. The City Attorney will need to be consulted.

No motion was made, and the city council will discuss more in the next meeting on Wednesday, March 27.

No Motion

H. INFORMATION/ANNOUNCEMENTS:

Council Member Miazga

- I will be attending the Poverty Simulation on behalf of the city at Ramsey County library on behalf of the Community Action Partnership.
- I am still working on putting together a proposal to be included in the bonding bill with the state for Community Park.
- Encourage residents to check their storm sewers on their street to avoid flooding in the coming weeks.

Council Member Gustafson

- Next Monday, Ron Rabinovitz will be here on March 18, 7pm at City Hall. He will be sharing his story and how it relates to cultivating a caring community.
- Community Engagement Commission will meet on Monday, March 25, 7pm at City Hall.
- Last night, I attended the Fire Department training. We had many good discussions and conversations and moved forward following the termination of the Fire Chief. I am confident with our dedicated firefighters, and we will deliver excellent public safety services for the citizens of Falcon Heights and Lauderdale.

Mayor Pro-Tem Leehy

- The Cleveland Reconstruction open house is tomorrow from 4:30 - 6:00 pm at Falcon Heights City Hall.
- On Saturday, we reached out to the Public Works department to attend to the storm drains. We also reached out to Ramsey County and had them attend the county streets. In the past, we did do an "Adopt a Storm Drain," and we typically do it in the fall when there are leaves but not during the spring. However, with all the snow melting we encourage residents to adopt their storm drain. This is similar to "Adopt a Fire Hydrant" and keep it cleared for firefighters.

- We communicated with the Assistant Fire Chief and Captains and believe our Fire Department would deliver excellent service and move forward.
- In terms of the media release, we do not release data privacy unless the law requires it. We want to apologize to our community as a whole and the gentleman's name that was mentioned in articles. We are working hard to improve communications with each department for the public.

City Administrator Thongvanh

- City Council Retreat is Saturday, March 16 from 8:30am - 12:30pm at City Hall. The agenda is on the city website, and we will discuss priorities and financial impact on the community.
- The infrastructure at Falcon Woods is deteriorating and will have a full reconstruction in terms of streets. The city will also be upgrading the lighting on Snelling Avenue because it is getting old and needs to be replaced. The city and Minnesota State Fair will contribute payment on the lightings for Snelling Ave, Dan Patch, and Hoyt Ave. The budget impact is \$120,000.
- I want to thank everyone for helping to clear out the catch basins. The Public Works crew has been out the past few days and tried to clear all catch basins. If you see a problem or issues, please give City Hall a call.
- Last night's meeting with Mayor Pro-Tem Leehy, Council Member Gustafson, and the Fire Department was very productive. We would like to have these types of communication with the department more often. The Assistant Fire Chief and Captains provided recommendations to Council members and me in terms of moving forward.

I. COMMUNITY FORUM:

Dan Johnson Powers, Falcon Heights Firefighter

I am here to speak about Fire Chief Rich Hinrichs' termination. I felt it was not fair. As I reflect on what Rich has done as a mentor, colleague, and as a close friend, he taught me about love and commitment. In 2016, after the shooting incident, Rich attended every meetings and event. He had a plan to help the city council and get everyone out of the situation. He also helped Council Member Pam Harris when the meeting got heated.

Ben Smith, Falcon Heights Firefighter

Private information was released to the media and we did not know. I thought closed meeting means private and stays within the council and never be released. You lost my trust as you let confidential data out to the media. I am very concerned about my reputation. I want to know who released the information out to the press, was it city council or city staff? It should have never been brought up. Names should have been taken off to protect the person. That incident did not reflect anything of the Fire Department, should not have been brought out to the city council, and should have stayed in-house.

Corrine Sullivan (1802 Eustis, Lauderdale, MN)

I want to address some concerns. After firing Fire Chief Rich Hinrichs, in several papers and media outlets, it was said that service would not be disrupted while the city works to find an interim chief. The past two years, the fire response was 5 minutes and 6 seconds, yet on Saturday, March 2nd there was a fire call for burning smell and the response time was 22

minutes. This was after the firing of Fire Chief Rich Hinrichs, and I wonder what that is going to do for your response time, as you do not have an active chief leading the fire calls. The square footage for Falcon Heights is 2.3 miles and Lauderdale is close to 3 miles, so it takes 22 minutes to get 3 miles? That is a concern for me and a horrible response time. Fire doubles in size every minute. I take fire safety seriously. It is not good for the community and jeopardizes the safety of our citizens. As I look at the agenda tonight, there is not an announcement about an interim Fire Chief. Is it not a concern for you because it is a concern for me.

Mayor Pro-Tem Leehy addressed that they did meet with the Fire Department and a leadership team has been put in place. In the interim time, when the next decision is made, we will communicate very clearly. We do not have a timeframe, but for now, it is working as a team with the Captains. It was clearly communicated very clearly with the Captains and the Assistant Chief.

TJ Goodmanson (1832 Carl St, Lauderdale, MN)

I am here for the Fire Department issue. I am very concerned about the decision. When the decision was made, did every one of you think of the effect this was going to have? The media effect on the 22 minutes fire response. Is that worth the death of a family member or homes? Firefighters are blue collar and sometimes can get heated and talk differently. I am not saying that it is right, but it is not worth putting a city in jeopardy. The City of Lauderdale is using Falcon Heights Fire Department, and our safety will be jeopardized because of your decision. I know a lot of firefighters, and Rich's background and experiences exceed far more than anybody I met through firefighting. Rich brought the community back together with open houses, and this topic should be revisited among city council. There was no input from either community before this decision was made and this is huge. People's lives are on the line. I think you need to take this into better considerations.

Mayor Pro-Tem Leehy clarified that there was no loss of life and no homes were burnt out during the 22 minutes fire response incident. Looking at statistics, the Fire Chief had the highest percentage of being the first one there but not over 50%. Twenty-two minutes is not our expectation of our highly skilled firefighters that we have in Falcon Heights. They might not have the same set of skills as the former Fire Chief; nonetheless, he was not the first one there all the time, and we did not have the 22 minutes. Therefore, we need to consider this as well.

City Administrator Thongvanh addressed that we are doing a disservice not only to the city but also the Fire Department. My professor once told me that if you think you are the organization, then you need to move on. We need to be professional and respectful regardless if you are a blue or white collar. It is not just Falcon Heights but across the world that professionalism and respect are essential. We are all the same. Everybody is important here, and we need to have respect for one another. This is what I demand as a City Administrator and what the city council demands for city employees. I am hoping this is the demand the residents of Falcon Heights and Lauderdale want.

As we move forward, I have a lot of confidence in our Fire Department and every department that I operate for the city council. It was not an easy decision for all of us. We weigh many factors that you raised tonight, and at the end of the day, I have a lot of respect for the Fire

Department and their ability to still provide the same level of service. Also, one person contributed to the 22 minutes call response. You need to look at other factors. Rich and Assistant Fire Chief take many vacations, and it was never like that, so there are other factors that played in to that, and we are trying to work on. I think we have a good leadership group with the three captains and Assistant Fire Chief and we can achieve those goals as we move forward.

Bryan Olson (1592 Roselawn Ave, Falcon Heights, MN)

I want to address about the sidewalk snow plowing along Roselawn Ave. I was told by city staff that back when the city council took the streets from Ramsey County and Roselawn, Hoyt and Hamline were the three streets in question. I was told that the city council was forced to do it and cannot reject it. I reviewed city council meeting minutes from April 28, 2004, and that was not the case. The mayor at that time asked what would happen to Roselawn if Falcon Heights refused to take it back and the City Engineer said it would stay under county jurisdictions. The meeting minutes from April 28, 2004, it stated that it was an option for the city to take the streets or not and that it was not forced on them by the county. It was a 3-2 vote, and I always question why that was a wise move of the council at that time.

City council communication is poor. I feel like they did not want to talk to me and were busy talking to each other. I want to talk about the Community Survey, and while the City Administrator is preparing his final report, he needs to include the original questions and answers. The trash hauler is a big issue right now, and it is very important in how to ask the correct question to get the right answers. This is a hot issue in St. Paul. Recently, Shoreview sent out a survey and received an overwhelming response. They send out a survey every 2-3 years, and the reaction was always negative and not interested in having single hauler in the city.

Michelle Goodmanson (1832 Carl St, Lauderdale, MN)

No one is claiming that Rich is the organization of the Fire Department. We are concerned because he led the Fire Department so well. He was the face of the Fire Department, and he engaged with the community such as at Open Houses, Lauderdale Ice Rink event and brought the whole Fire Department. He went above and beyond. Whom are we going to see? Whom are we going to trust? Whom are we going to trust to answer calls? We had seen him for years.

Daryle Goodmanson (1803 Malvern St, Lauderdale, MN)


I have known Rich for a very long time. He is a determined person and gets the job done in every field, even though he is in the fire field. Rich is very professional and gets the job done no matter what he has to do or go. He is very respectful. It is tough for me to believe that he was not professional or respectful and I disagreed with that. I am disappointed with the decision.

J. ADJOURNMENT: 9:21 PM



Melanie Leehy, Mayor Pro-Tem

Dated this 13th day of March, 2019



Sack Thongvanh, City Administrator