

CITY OF FALCON HEIGHTS
Regular Meeting of the City Council
City Hall
2077 West Larpenteur Avenue
MINUTES
June 22, 2022 at 7:00 P.M.

A. CALL TO ORDER: 7:02 p.m.

B. ROLL CALL: ANDREWS X GUSTAFSON X LEEHY
MEYER WEHYEE X

STAFF PRESENT: LINEHAN X PITTMAN X FREIHAMMER X

C. APPROVAL OF AGENDA

D. PRESENTATION

E. APPROVAL OF MINUTES:

1. June 1, 2022 City Council Workshop Meeting Minutes
2. June 8, 2022 City Council Regular Meeting Minutes

Motion by Council Member Andrews of approval
of minutes; approved 3-0

F. PUBLIC HEARINGS:

1. MS4 Annual Report

Tim Pittman, Director of Public Works, begins the presentation by explaining what MS4 Annual Report stands for Municipal Separate Storm Sewer System. Pittman states this report is required by the Minnesota Pollution Control Agency (MPCA) and is due by June 30th every year for the prior year. Pittman gives an overview of the Federal Clean Water Act (FCWA), a two-phase program amended in 1987. Phase 1 regulates large construction sites and major metropolitan areas. Phase 2 broadens the program to include smaller construction sites and many more municipalities. The FCWA is overseen by the Environmental Protection Agency (EPA) and MPCA. The regulated parties must develop stormwater pollution prevention programs. In addition, the permit holder must submit a Storm Water Pollution Prevention Program (SWPPP) that incorporates best management practices (BMPs). An MS4 is a conveyance or system of conveyances (catch basins, curbs, gutters, ditches, man-made channels) designed or used for collecting or conveying stormwater. Mandatory MS4s in urbanized areas are required to obtain a stormwater permit. Falcon Heights is considered an urbanized MS4 area. In addition, the University of Minnesota is permitted separately. The MS4 permit requirement consists of six minimum control measures:

- Public education and outreach
- Public involvement and participation
- Illicit discharge
- Detection and elimination
- Construction site runoff control
- Post-construction runoff control

- Pollution prevention
- Good housekeeping

Pittman gives an update on how the City is performing:

- Newsletter and flyers are given to residents.
- Developed a storm sewer map.
- Implemented the construction site runoff control measures.
- Hendrickson Apartments overseen by Capital Region Watershed.
- Inspected 100% of outfalls.
- Implemented de-icing material controls.
- Implemented storm drain system cleaning and rehabilitation of catch basin.
- Reconstructed the Curtiss Field Pond.
- Implemented vehicle maintenance program.
- Purchased a street sweeper with the City of Little Canada and bought out Little Canada in December of 2016 which allows for more street sweeping.
- Straight salt for road melt.
- Storm sewer system cleaning program.
- Added additional underground storage.

Pittman states the 2022 Goals:

- Continue utility billing.
- Continue educational flyers and newsletter.
- Continue to sweep streets often.
- Rehab/repair all catch basins related to each street project.
- Continue to monitor the underground containment structure put into place at Curtiss Field.

Council Member, Wehyee asks, is the MS4 a self-reporting report, or does MPCA audit the municipality?

Pittman states that the MPCA audits cities such as Falcon Heights, which was audited six years ago. The MPCA randomly picks cities to audit to make sure they are doing everything they need to do according to the guidelines put out by the EPA and the MPCA. Ryan Johnson from Roseville helps Pittman a lot with keeping track of the guidelines.

Council Member Wehyee says it's an annual report, but we were audited five years ago. Then asks how is the report is produced every year if the auditing only occurs randomly from year to year?

Pittman says a report is a form that is filled out and has to be sent to the MPCA by June 30th of every year.

Council Member Wehyee states that, for the most part, it sounds like there is a self-reporting component until the MPCA audits the City.

Pittman states that is exactly right.

Pittman says the Cities do not know who or when they will get audited.

Jesse Freihammer, the City's Engineer, says that Roseville has not been audited in about eight to nine years. Freihammer also states that the MPCA tends to pick a large city than a small City and only audits four to five cities in a year.

Council Member Wehyee asks, as far as the public education requirement of the MS4 given the structure is the public education responsibility of the City, or is that on the EPA?

Pittman responds by saying that it falls on the City. Pittman uses examples of how the City is meeting the public education requirement: there is MS4 information on the website, and the City hands out information at City events. It is up to the City to give that information to the public.

Mayor Gustafson states that some of the information passed out are things such as don't pour stuff down the storm drains.

Pittman agreed with the Mayor. Pittman also stated another example, such as controlling the salt during the wintertime and anything that deals with runoff.

Mayor Gustafson asks whether part of the Cities 2021 and 2022 efforts on the Amber Union project is controlling the construction site runoff is being overseen?

Pittman responds by saying yes, that is being overseen by Capital Region Watershed and gets a report every week stating what the watershed has found.

G. CONSENT AGENDA:

1. General Disbursements through: 6/15/22 \$209,921.61
Payroll through: 6/15/22 \$20,830.90
Wire Payments through: 6/15/22 \$14,655.21
2. Approval of City License(s)
3. Mileage Reimbursement Rate for 2022
4. Purchase of two REDMAX Zero-Turn Mowers
5. Appointment of Beth Mercer-Taylor to the Environment Commission
6. Grove Park Basketball Court Asphalt Reconstruct
7. Commonwealth Terrace Cooperative Indemnification Agreement
8. City of St. Paul Updated Lighting Agreement
9. Appointment of Zachary Lindstrom to the Community Engagement Commission

Council Member Wehyee asks when the City will expect the Grove Park basketball court asphalt reconstruction to start?

Pittman says that the City is waiting to hear back from the contractor on a date, but the contractor has signed the proposal.

Council Member Wehyee thanks and recognizes Beth Mercer-Taylor and Zachary Lindstrom for joining a Commission. Wehyee believes that they both will be great additions to the Commissions. In addition, the City is always looking for new energy and expertise.

Motion by Council Member Wehyee of approval of consent agenda; approved, 3-0

H. POLICY ITEMS:

1. Electronic Signature Policy

Jack Linehan, the City Administrator gives some background on the electronic signature policy. Linehan says this policy was separate as a policy item, and in the City's opinion, it is pretty straightforward as the City is starting to move toward online permitting. Once the City launches the online permit portal, residents can apply for permits from their homes. Residents will be able to submit everything and pay for the permit online. If the permit is an over-the-counter H-VAC or any of the instant ones, they can instantly receive their permit. The one catch the City does not have is for residents or contractors to sign their names, so usually, they would come in and sign their name on the permit application, and the City would get it. However, that isn't easy to do now that not many people have printers and scanners anymore. This policy allows residents and contractors to sign through PDF, or if they use the website, they would write their full name on the signature line and then pay for it. The City will be able to accept that as a valid signature. Linehan states that this is a common practice because many communities in our area have this type of policy. This draft policy came from the City's attorneys, and the City did not change much of it. By approving this policy, the City can accept signatures digitally.

Council Member Wehyee asks what the logistical process in terms of how businesses operate when they apply for a permit the council has to approve the permit?

Linehan says yes, for business licensing, but for a general permit, especially for one over the counter, those usually require immediate attention. H-VAC is always a good example because if it's winter, the City cannot wait a week to approve the permit. The City has to get that permit to the resident immediately so that the contractor can fix your furnace, so if it is just over the counter, they can do that online. Business licensing, the City has not moved to that point yet. The City is currently reviewing some proposals from vendors that would allow us to move our licensing online, either using iWorqs, which is what the City currently uses for its permitting software, or using the website forms to help cut down. When the renewal process comes out, the City sends letters to around 75 rental licenses and roughly 35 business licenses. The City sends each one of them a letter which is all paper. Then they submit the paper back to us, so the City is looking at a solution for a digital process. If businesses are renewing their licenses, they can do so online.

Motion by Council Member Wehyee of approval of consent agenda; approved, 3-0

I. INFORMATION/ANNOUNCEMENTS:

Mayor Gustafson thanks the Community Engagement Commission for meeting on Monday, June 20th. The Mayor missed the meeting because he thought it was on Tuesday. The Commission did talk about Spring Ahead, planning for Ice Cream Social, which will be coming up on July 21st, and planning for Human Rights Day in December. On July 21st, the Mayor had the pleasure of attending the Good Acre kick-off to the 2022 season and celebrating getting funding from the State for their LEAF program. The LEAF program is for putting food into families—Minnesota's LT. Governor Peggy Flanagan and the Agriculture Commissioner were there. Good Acre is advancing and moving well there at Good Acre to feed people. Good Acre has community-supported

agriculture boxes that are available. The Mayor thanked Good Acre for inviting him to the event.

Linehan states:

Back to the 50's

There were a few additional calls over the weekend, but overall a smooth event. The temporary no parking signs installed on West Snelling helped, and we are looking to expand the signs for the State Fair.

2021 PMP Restorations

We have one quote currently being worked on.

Mapping Prejudice Project

Mapping Prejudice recently published its findings on racial covenants in Ramsey County. A total of 2,400 property deeds were found to have a racial covenant, of which over 100 properties in Falcon Heights have a covenant, with most located in the Northome/Northeast Quadrant areas. Racial covenants are racist restrictions on homes that, while no longer enforceable, still create a negative sense of community. JustDeeds was a presenter at the 2021 Human Rights Day. JustDeeds is a group of attorneys working with the City of Golden Valley, Mapping Prejudice, and local realtors to help homeowners discharge the racial covenants on their deeds. Last week, the Ramsey County Board passed a resolution to exempt property owners from the \$46 recording fee. In addition, the CEC approved recommending a resolution on Monday for the City to join JustDeeds as a Participating City. So far, 14 communities in the Metro have joined JustDeeds. We plan to bring the resolution to the CC workshop on July 6th to discuss. If the Council favors, staff will bring the resolution to the July 13th agenda for approval. Staff is meeting with JustDeeds attorneys next week to discuss participation.

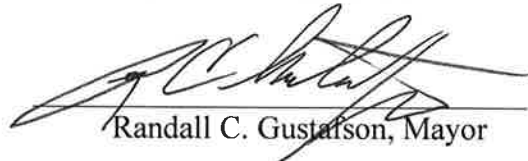
Council Member Wehyee is extremely excited about this policy and was a part of the initial conversation to bring that to the City's attention.

J. **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.

K. **ADJOURNMENT: 7:34 p.m.**

Council Member Andrews for
adjournment; approved, 3-0.



Randall C. Gustafson, Mayor

Dated this 13th day of July, 2022



Jack Linehan, City Administrator