

CITY OF FALCON HEIGHTS
Regular Meeting of the City Council
City Hall
2077 West Larpenteur Avenue
AGENDA
November 9, 2022 at 7:00 P.M.

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

B. ROLL CALL: GUSTAFSON __X__ LEEHY __X__

MEYER __X__ WEHYEE __X__ WASSENBERG __X__

STAFF PRESENT: LINEHAN __X__ FREIHAMMER __X__

C. APPROVAL OF AGENDA

Mayor Gustafson makes the changes of moving Policy Item H1 Resignation of Jim Wassenberg from Planning Commission to Presentation D1 and moved Consent Item G6 to Policy Item H1.

Council Member Wehyee motions to
approve the Agenda as Amended;
approved 4-0

D. PRESENTATION:

1. Resignation of Jim Wassenberg from Planning Commission

Jack Linehan, the City Administrator, states that this is a formality prior to the appointment of Jim Wassenberg to the City Council. Jim needs to resign from his position on the Planning Commission. Linehan has included this in the packet. Jim sent his letter of resignation, which is also included in the packet. Jim was appointed to the Planning Commission on July 14th, 2021, and served in that position for about a year. The City thanks him for his time and service on the Planning Commission.

Council Member Meyer motions to
approve the Resignation of Jim
Wassenberg from Planning
Commission; approved 4-0

2. Appointment of James Wassenberg to the Vacant City Council Seat and Oath of Office

Linehan says that in September, City Council Member Kay Andrews submitted her letter of resignation to the City Council to be effective October 12th due to her moving to a Senior housing facility in Roseville that date. The City Council formally accepted Council Member Andrew's resignation on Wednesday, October 12th, and declared a vacancy as there are less than two years left on the term. According to

State statute, the City must appoint a replacement rather than host a special election. The City Council discussed the vacancy process on October 5th on how to fill this position. A timeline was laid out for that meeting, including advertising the vacancy starting on October 13th to accept applications and closing applications on October 26th. In total, the City received three applications for the vacancy. On November 2nd, the Council reviewed the applications and discussed revising the process of filling the vacancy. Essentially, they received three applications originally. The Council determined that there might be more than that, so they revised the application period. Council did a straw pull at that time, and James Wassenberg the unanimous top choice among Council Members, so tonight is his appointment to the City Council.

Council Member Wehyee comments that he is extremely thrilled about appointing Jim to the Council. Jim is someone that Council Member Wehyee has had the privilege of working with for the last couple of years in different capacities. Jim is someone who is very dedicated to this community and someone that the entire Council can agree has demonstrated a degree of commitment to this community that is really unquestionable. Jim brings a level of expertise that the Council is going to strongly benefit from, hopefully for years to come. Council Member Wehyee is very proud that the Council was able to recognize his contributions to the community through the unanimous consent of the Council's previous Workshop. Council Member Wehyee is very excited in having Jim join the Council.

Council Member Leehy says that she wholeheartedly agrees with Council Member Wehyee.

Council Member Meyer states that he has not had the opportunity to work with Jim much yet but is looking forward to it.

Mayor Gustafson says that he is looking forward to it. The Mayor is really pleased that Jim stepped forward to apply for this position, based on his service to the community since he has become a resident here many years ago.

Council Member Leehy and Wehyee motion to approve the Appointment of James Wassenberg to the Vacant City Council Seat and Oath of Office; approved 4-0

Linehan administers the Oath of Office to James Wassenberg.

James Wassenberg recites the Oath of Office. I, James Wassenberg, do solemnly affirm to support the Constitution of the United States, the Constitution of the State of Minnesota, and to discharge faithfully the duties of the office of City Council Member of the City of Falcon Heights, Minnesota, to the best of my judgment and ability and this I do under penalty of perjury.

Council Member Wassenberg thanks the City Council and staff for this opportunity. James appreciates the vote of confidence and his ability to serve his fellow residents...to continue to serve. He also thanks Council Member Wehyee for the kind words. Wassenberg is very excited for this opportunity and is looking forward to continuing to serve his fellow residents and to hopefully do some good on the

Council and to work with all of the Council Members in a constructive manner going forward.

E. APPROVAL OF MINUTES:

1. October 26, 2022 City Council Regular Meeting Minutes
2. November 2, 2022 City Council Workshop Meeting Minutes

Council Member Leehy motions for the Approval of Minutes; approved 5-0

F. PUBLIC HEARINGS:

1. 2023 Pavement Management Project – Order Improvement and Preparation of Plans and Specifications

Linehan says that for this Public Hearing on the 2023 Pavement Management Project, we will first do the City Engineer; Jesse Freihammer will walk through a PowerPoint outlining the project and share some of the details at that point. After that's done, we will open up for the public hearing portion of the meeting so the public hearing residents can either submit comments in writing or come up to speak into the microphone after being addressed by the Mayor. When speaking at the microphone, state your name and address, and you are given up to three minutes for public commentary, which will be included in the meeting minutes. Once the public has had a chance to speak, the comment period will close, and the Council will begin their deliberations and discussion. The other thing I just wanted to mention for the public hearing process: the goal is for the Council to be listening; it's not necessarily a two-way dialogue. They may ask questions of the members of the public if there is something they want clarified, but it's not a discussion period unless they so choose to do so.

Freihammer states that Area 1 is Holton St., Albert St., Sheldon St., and Ruggles St. This area is what we are considering the mill and overlay. This similar to what was done in the streets to the West last year. So basically, this portion of the project would involve milling the existing pavement. We will mill about 2 inches of the existing asphalt off and put 2 new inches of asphalt on. There will be minimal curb replacement, but if a curb is broken, cracked, or sunken, we will replace it. Then some minor sanitary and storm sewer upgrades, but the hose will not be included in the assessment. Area 2 is basically just Garden Ave. That improvement is varied much more in-depth. That pavement needs much deeper repairs, so we will do reclaim where we grind up the entire road. We remove a portion of that and replace that with four new inches of asphalt, and then there will be significantly more curb replacement. A lot of the catch basins and stuff are located behind the curb, and then certainly, depending upon which option Council chooses, that also could affect how much curb gets replaced. There will also be some sanitary sewer and storm sewer improvements that will not be assessed. A couple of the options do include sidewalks. If sidewalks are chosen, they are not a part of the assessed portion, and then there are numerous design concepts, as I mentioned that we did neighborhood meetings over. We did refine those a little bit, and as we go into individual design options, we will kind of clarify how we got to that point. I think any written comments to date, if they were before two weeks ago, are in the feasibility report; otherwise, we attached them to the packet. So, for Garden Ave., after the public hearing, Council will need to decide what street layout to go with; some include sidewalks, some don't.

Segment 1 – Snelling to Holton Options

- Option 1 (Existing Street Design)
 - o Street Width 36 Feet
 - o 11-foot Drive Lanes
 - o 7-foot Parking Lanes on Both Sides
 - o No Sidewalk
- Option 2 (Existing Street Design Modified)
 - o Street Width 36 Feet
 - o 11-foot Drive Lanes
 - o 8-foot Parking Lanes on South Side
 - o 6-foot shoulder on North Side, No Parking
 - o No Sidewalk
- Option 3 (Concept B modified)
 - o Street Width 34 Feet (Narrowed 2 Feet by Moving the North Curb)
 - o 11-foot Drive Lanes
 - o 7-foot Parking Lane on South Side
 - o 5-foot shoulder on North Side, No Parking
 - o No Sidewalk
- Option 4 (Concept A)
 - o Street Width 29 Feet (Narrowed 7 Feet by Moving the North Curb)
 - o 11-foot Drive Lanes
 - o 7-foot Parking Lane on South Side
 - o 7-foot Sidewalk on North Side, Next to the Curb

Segment 2- Holton to Hamline Options

- Option 5 (Existing Design)
 - o Street Width 42 feet
 - o 12-foot Drive Lanes
 - o 9-foot parking South Side Only
 - o 9-foot Shoulder North Side Currently Signed No Parking.
 - o No Sidewalk
- Option 6 (Concept G)
 - o Street Width 32-foot (Narrowed 10 Feet by Moving North Curb)
 - o 12-foot Drive Lanes
 - o 8-foot Parking South Side Only
 - o Elimination of North Shoulder Currently Signed No Parking.
 - o No Sidewalk
 - o East of School Property: North Side Shoulder for School Pick-Up Queuing, No Sidewalk
- Option 7 (Concept F)
 - o Street Width 32-foot (Narrowed 10 Feet by Moving North Curb)
 - o 12-foot Drive Lanes
 - o 8-foot Parking South Side Only
 - o Elimination of North Shoulder Currently Signed No Parking.
 - o 6-foot Sidewalk
 - o 5-foot Boulevard Between Sidewalk and Curb Adjacent to the School Property
 - o East of School Property: North Side Shoulder for School Pick-Up Queuing, 7-foot Sidewalk, No Boulevard
 - o Bumpouts at Intersection to Eliminate Parking Near Intersection/Shorter Pedestrian Crossings

Freihammer also mentions that all of the sidewalk options, if the sidewalk is included, that is not included in the assessment, and the City has already agreed if a sidewalk is installed, that the City would maintain those sidewalks.

Ruggles Ave. Pathway:

Existing right of way (ROW) – 12 feet of platted ROW

1. No improvements
 - a. If no improvements made, recommend Council begins vacation process to “turn back” the right-of-way to the adjacent properties. Would eliminate neighborhood pathway.
2. Improve pathway to ADA standards
 - a. Install 5-6’ concrete sidewalk. \$35,000
 - b. Install permeable paver pathway. \$55,000

The two costs associated with improving the pathway are additional or add-on costs and are not currently in the overall project costs. The way we looked at Ruggles pathway, was it is considered public right-of-way, so, as a public agency, we are held to a standard to make sure that its accessible for everyone. So, we base most of our sidewalk pathway designs on the accessibility guide which states that:

1. Continuous width. Minimum 4 feet. 5 feet if over 200 feet for passing.
2. Cross slope <2%
3. Surface- The surfaces of pedestrian access routes shall be firm, stable, and slip-resistant. Pedestrian access route surfaces must generally be planar and smooth. Surfaces should be chosen for easy rollability. Surfaces that are heavily textured, rough, or chamfered, and paving systems consisting of individual units that cannot be laid in plane, will greatly increase rolling resistance and subject pedestrians who use wheelchairs, scooters, and rolling walkers to the stressful and often painful effects of vibration.

With both projects the City will coordinate any necessary relocations or improvements in conjunction with the project. These would be identified during the design process this winter. Private Utilities operating in the City right-of-way include: Xcel Electric, Xcel Gas, Century Link, and Comcast. Most likely, based on previous experience, there will be minimal upgrades that they do.

A summary of the estimated project costs and funding sources are as follows this does not include Ruggles Pathway. The total project cost is estimated at \$1,688,000, including contingency and engineering costs. The cost breakdown is shown below:

Mill and Overlay Street Costs: \$427,000

Garden Avenue Street Costs: \$680,000

Garden Ave Sidewalk (West): \$172,000

Garden Ave Sidewalk (East): \$127,000

Storm Sewer Costs: \$242,000

Sanitary Sewer Costs: \$ 40,000

Funding:

Approximated Assessments: \$533,000

Street Fund: \$287,000

Municipal State Aid: \$586,000

Storm Sewer Fund: \$242,000

Sanitary Sewer Fund: \$ 40,000

The City's assessment policy for streets is that streets are assessed by the front footage of each lot. Residential corner lots are assessed 100% for the long side, 0% for the short side. Residential depth to be capped at 176 feet. Assessment rates for street improvements:

- Residential - 40% of the improvement
- Commercial/Multi-Residential - 60% of the improvement
- Tax-Exempt - 100% of improvement

Mill and Overlay Assessment Roll

- 96 parcels
- Total frontage = 8,705 feet (504 feet non-assessable)
- Estimated Assessment Rates
 - Residential = \$19.62/ft
 - Tax-Exempt = \$49.05/ft
- Average residential assessment = \$1,495.34
- Approximate residential range = \$1,100 to \$3,200

Garden Ave Assessment Roll

- 22 parcels
- Total frontage = 4,241 feet (553 feet non-assessable)
- Estimated assessment rate
 - Residential = \$64.14/ft
 - Tax-Exempt = \$160.34/ft
- Average residential assessment = \$8,844.57
- Approximate residential range = \$8,100 to \$11,300
- The City may choose to pursue a benefit appraisal on the properties to ensure the assessment proposed does not exceed the estimated benefit to the property, as required by Minnesota State Statute 429.

After the assessment hearing (Fall 2023):

- Pay in part or full, interest-free within 30 days
- Add to property taxes with interest:
 - Length and interest rate set by City Council
 - 7 years, Mill and Overlays
 - 10 years, Garden Avenue
 - Interest rate at 2% above current rate of return on City's portfolio
 - First payment due in 2024 with property taxes
- Hardship deferral
 - Homestead property
 - Age 65+, or retired by virtue of disability
 - Payment would be a hardship
 - Assessment will accrue interest while deferred and be due when the above no longer applies
 - Application available at City Hall

Please note, this schedule is subject to change. Council actions are denoted with "CC" and will take place at a public meeting:

CC Improvement Hearing, Order Improvement, and
Authorize Preparation of Plans & Specifications
CC Approve Plans & Specifications, and
Order Advertisement for Bid

November 9, 2022

January, 2023

Bid Opening
CC Award Contract
Construction Start
Substantial Completion
CC Set Assessment Hearing
CC Assessment Hearing

February 2023
March 2023
Summer 2023
Fall 2023
October 2023
October 2023

Requested Council Actions:

November 9 Council Meeting – Public Hearing

- Hold Public Hearing
- Make decision on which improvements, if any to Ruggles Street.
- Make decision on which Garden Avenue layouts to proceed with for final design.
- Adopt resolution ordering improvement and authorizing preparation of plans and specifications.

Mayor Gustafson opens the Public Hearing, and invites anyone who would like to address the Council, and address those here, to come up to the microphone. Please state your name and address so that we get it right in the minutes, and then you have up to three minutes to ask questions or to state what you would like the Council best to do.

Todd Thun, 1800 North Albert Street. Todd lives on the corner of Garden and Albert. Thun states that his address is 1800 North Albert, not 1800 North Garden. Thun's lot is 68 feet wide and that runs along Albert, which was repaved back in 2021, and his lot is 296 feet long and runs along Garden on the opposite side of the Elementary School. When Falcon Heights repaved Albert in 2021, Thun's understanding was that his neighbors who lived along Albert were assessed for the cost of repaving Albert. There are about 34-35 houses along that street. They all are roughly 60-70 feet wide, and I think all of those residents were assessed along that frontage footage at the rate of roughly \$32 a foot, according to my neighbor who lives two doors down from me. His share of repaving Albert was about \$1,500. Council Member Wehyee, I don't know what your share was, but I assume you were included in that project. For whatever reason, our house was not in that project. We were carved out and left off. Had we been included in that project at 68 feet of frontage along that road and at \$32 of square foot, our assessment for that project would have been \$2100. Instead, our property and a few of our neighbors were carved off of the Albert Street assessment, and we were saved for the Garden assessment, which is \$11,300. So, we were taken off of the Albert St. assessment, I guess, so we can pay a rate five times higher than our other neighbors who also live along Albert. Other neighbors on the other corners are affected in the same way, and I think it's patently unfair that you are going to charge some of us at a rate that is five times higher than our neighbors. I also think that approach probably violates State law. Now, as I understand it, and that it's only a preliminary hearing, and the official assessment hearing isn't until next fall, correct?

Mayor Gustafson states that is correct.

Thun continues, So any appeal period would begin to run once that hearing is held and the decision has been made, right?

Mayor Gustafson states I believe that is correct.

Thun continues stating that he would ask the Council to revisit this so-called policy about how it's going to treat these corner lots and how it's going to issue these assessments. Along Garden, to suggest that the few of us who live along that street should pay a rate five times higher than our neighbors is just silly. That's a busy road. Obviously, it takes a beating the reason it's busy,

and the reason it takes a beating is that you have the Elementary School there that's a community resource to the extent that the street wears out quicker and needs to be replaced and needs to be replaced at a higher cost. That's a community cost. I'm not here to suggest that we shouldn't be assessed for our fair share of keeping the streets up. But I would suggest the fair way to do it would be to have us assessed at the same rate as our neighbors who live along Albert and not stick us for five times that amount.

Sam Wells from 1802 Asbury. Sam states he is in a similar situation as Thun. So, looking at the numbers a little bit as well, it is a tough pill to swallow. I think we are aware of that, and that assessment hearing later could be discussed more there. One of the easy correlations that I had considered ourselves, or as a family at 1802 Asbury, is the cost of this assessment is on-par with overall homeownership, any sort of repair that you might need to get a private loan for, so I would be curious, if not now, at the later assessment, to know if the City has looked into a private loan rather than using, at the very least, to bring the Garden assessment down in line with the rest of our neighbors rather than asking us to pay that three to five times more than everybody else. Being that if it was a private on our private property of this value, I wouldn't be able to ask the City Council for some help and assess you guys, so just the correlation there. All of that said, being farther to the west, there are a lot of young kids that are not quite the elementary school. My self-included all the way along Asbury if there's dozens of kids that will be elementary school age in the coming years here, and I know that is true. It's a relatively young neighborhood from what I have seen in general, so with that said, as far as the plan for Garden, I would think it would be at least partially wasteful if we didn't have a sidewalk for those kids to walk to school every day. I do like the plan you guys have for a sidewalk.

Jim Utne lives at 1806 Pascal. Utne asks when was the last time when a street in Falcon Heights was reclaimed north of Larpenteur Ave., south of Roselawn Ave., west of Hamline Ave., and east of Snelling Dr.? I asked that question a week ago.

Linehan states that we did include your questions in our packet, so it is a part of the public record. So, we can answer them both. Jesse and I have looked at this. There hasn't been a road reconstructed in this area.

Utne continues by saying, based on that, I would like to know why Garden is being reclaimed.

Linehan states, if you look at our pavement conditions index, Garden Avenue has the worst pavement conditions of any road in the City.

Utne asks why wasn't it repaved previous to this?

Linehan states if it was a mill and overlay at a previous point in 2015, professional engineering opinion is we would be doing a reconstruction in the next few years anyway, because the grade of the roadbed is so poor that it would need to be reconstructed at some point.

Utne states that none of the other streets were or have been; that's lot years.

Linehan says that the other streets were not in that poor of condition, and that is correct.

Utne states that he is not in favor of sidewalks and believes that most of the people at the City Council meeting are not in favor of sidewalks other than the gentleman that just talked. I have been in Falcon Heights off and on for 65 years, probably. I was in Falcon Heights school. I never went to that school because it was overcrowded. We had more children in that Falcon Heights area than you could ever imagine. I went to Fairview Junior High School, which is now called

something else and torn down, but we never had any problems with people walking. Narrowing the street, I don't see that the traffic surveys point towards the need of sidewalks. I don't know if that the people who were involved in making these decisions in showing sidewalks again; I don't understand the issue. There is not a traffic issue. There is not a safety issue, and besides that, I saw that if along Garden, the sidewalks are developed, we won't have to pay for it. Well, that is wrong. We do pay for it as part of the citizens of Falcon Heights. I also ask the question, have we asked any people along the City whether they're willing to have sidewalks or pay for them? I don't see any surveys or anything done other than two traffic surveys, and I would venture to say if you did surveys on Arona, Pascal, and Holton, you would see an awful lot of traffic going to Larpenteur north and south. To be honest, there has never been an accident except for one where a young boy on a bicycle ran into a car that was parked, and I just don't understand why sidewalks keep being brought up. It's not a safety issue; in fact, it's worse if you narrow the street and put a sidewalk there. Where are the kids going to walk? I guarantee you that anyone who lives in our neighborhood who walks on Roselawn in the winter does not walk on the sidewalk. It's too slippery, so they are going to walk in the street. Now the streets are going to be narrower. I don't believe it is in the best interest of the safety of children.

Amy Woodward lives at 1802 Simpson St., which is on the southeast corner of Garden and Simpson, and we moved in May of 2014. I want to say thank you to the Roseville Engineer, the City Council, and the Mayor for offering these public hearings. The public information sessions, the letters, and the transparency of this process. My family and I do appreciate that. From what I can tell, each of these proposals continues to place cars and pedestrians in very close proximity to each other, and that has been a concern of mine as my children were growing up, and now we have other younger children that are coming to our house to visit. I agree, as it has been said in other hearings, that the speed along Garden Ave. is a problem. We live at a four-way stop and routinely see cars both speeding and pushing through the four-way stop without fully coming to a complete stop. The volume of the traffic that goes along Garden Ave. in observation has not been an issue other than in the morning when families may be going to school or during the State Fair, so I don't see traffic congestion as a problem necessarily. It wasn't stated in any of the slides, but I understand that when the road is done, the striping of the road needs to be changed from what it is now. That is my primary concern as I stand before the Council. I do not support the addition of a double yellow line down the middle of Garden Ave. The reason for that is because the double yellow line has a feeling of an arterial to a street that we value as a neighborhood street. My concern is that as people see the street as an arterial. Their speeds could actually increase rather than decrease. I have a concern that people within the constraints of a double yellow line would not move over if they are in close proximity to a pedestrian as they are able to now able to move over without the constraints of striping on our portion of the street. I also have concerns that while the market value of my home may not be decreased by a double yellow stripe being directly adjacent, that the market appeal of my home would be decreased. I moved in May of 2014. As I just stated, had I had a double yellow line next to that property, we would not have purchased the property. It feels unfair to introduce that now that we don't really have a choice in the matter. I do generally support sidewalks, but if the double yellow line pushes the traffic abutted next to the sidewalk, I do not support that as an option, and my preference would be to leave the street as is.

Mayor Gustafson asks if Woodward's preference is to leave it as it is, with the four lanes and two lanes of parking, and no sidewalk.

Amy says that is correct; if there is going to be a stripe, which I do not support, to be clear. If the only option is for us is to have a stripe, then I want to give as much space between the cars and the people as possible.

Beth Behnke, the Principal of Falcon Heights Elementary, states that I am very proud to be there for the last ten years, so I thank you for the many partnerships that we have had. One of which has been the safety concerns around our school zone area. This isn't the first conversation that I have been involved with the Council over the course of the last ten years as the principal of the school, working with our district. We have done everything that we can to create a safety zone for the beginning and end of our day, and part of that has been with our partnership with you with creating the no parking zone on the north side near the school; that has helped immensely. The striping that we did, I believe that was my first year, ten years ago, definitely assisted us, and training the adults that are in our zone, but more than that, it is crossing for students as well. So are bus lanes right in front. We have looked as a district if there is any way of rezoning any of the area that we have our greenspace. When we did some construction in the parking lots, we looked at that. We just don't have any other viable options; so again, as a school district and me specifically as a principal, I feel like I have exhausted everything I can to continue to keep our zone safe. My greatest concern is that we want to advocate for students to be walkers and bikers, and in order for us to do that, we really do need to have a safe zone because cars can't see everything all the time, or they choose not to because they're distracted. How can we continue to do our very best to make sure that our young people can get to and from school safely? Parents, I am grateful to walk their kids or even school patrols assist, and that's great, but it also doesn't take care of the streets zone all of the time. Another area of concern is the queuing, as Jesse has alluded to on Hamline onto Garden; if you noticed, we do have a sidewalk on Hamline that ends. Now, what do you do when you got your cars that are queuing up right there? Our kids are walking on the other side of the cars that are queued, or they are walking on somebody's grass/lawn. I don't know how else to make it safe, so I really need our partnership to continue this conversation and keep in mind that this is something that's not just for today, but for the future of our students.

Karen Schmith lives at 1802 Arona St. Karen says she does agree with the first speaker about the amount of the assessment for those of us that live on Garden. I do think it's pretty excessive. One of my concerns, is when this project was initially going to be done in 2015, the assessment was steep, but not as steep; it's like twice as much, and that is a pretty strong financial hit. I think, to people who live on Garden, and most of us have lived here many years, I do feel that it isn't fair to put all of this on just the property owners on Garden. Again, comparing with what the first gentleman said, I did agree with him that other people have had, and actually, I got assessed on my short side many years ago. So, I'm getting an assessment on both sides, but it was many years ago, and I do not know when they changed that. So, I am getting hit twice in my particular house. But, that would have probably been 30 years ago, so it certainly has been a significant amount of time. I don't know when that was changed. I do know, that at the time this was put on hold, there were people in the community who did not live on Garden, who said they would be happy to contribute funds to the assessments for Garden. So, I do hope the Council will consider that a little bit. It is kind of a pretty high hit for people who live on Garden just because they have that long access, longer street side. Certainly, I agree that we need to put some money in, but that just seems like kind of an exorbitant amount when it is not a street that is used by the whole community. It's not like some of the other streets. One concern about the traffic things on Garden is I have never heard any conversation about bikers, and in the summer, there is a lot of bikers; there are kids, there are adults. I am a biker. I am very comfortable biking on Garden right now, but I can tell you I don't like biking on some of the other streets because the ones that are narrower, you are right next to cars there's no space for you to be not right next to cars, and it's dangerous. There are a lot of kids in our area and in our community that are on bikes. Young teenagers... someone suggested they can bike on the sidewalks. No, you're not supposed to be biking on the sidewalk. You're supposed to be on the street. So, that is a concern I have not heard anything about, but I do worry about kids who are

on bikes as well on the street, and now you it's narrower there right next to cars, there's no place for them to go and they are not always careful as they should be. I haven't heard anyone mention it. This summer, with kids out on bikes and scooters and some of those others things that teenagers might there not necessarily going to be on the sidewalk, they're probably going to be on the street. I think the other thing about sidewalks is that it changes the landscape around our homes. I have been a long-time Falcon Heights community member, and one of the things I like about our neighborhood is that we do not have sidewalks everywhere, and I know some people like that, and some communities have that. That's fine but our particular area has never had that feel. It's just more greenspace, and I've always appreciated that, and I think a lot of the people who live on Garden long-term kind of talked about that too. Just something to think about, because it is changing the outlook around our homes as well.

Linehan reminds the Council and the public that there are a couple of public written comments submitted in the packet, so we did receive comments. It is available on our website for those who wish to read it. There are four comments that the City Council receive. One was from residents that were adjacent to the Ruggles Path and sent a letter to the Council that they all co-signed. The second comment was from Nina Samuels and Earl Schwartz at 1801 Albert St. N. Longer comment, but the summary was in opposition to the fairness of assessments in general, and then we received another comment from Mr. Utne from 1806 Pascal St., just with some concerns that he had raised tonight. We received a letter from the PTA signed by the PTA Benjamin Keenan supporting the sidewalk.

Laura Gerde lives at 1881 Holton. Laura asks if the Council will be able to give me a little bit more education as to why assessments are being given to homeowners in general, as these are public streets.

Mayor Gustafson states that it has been the policy of the City and most Cities that portions of street projects are paid for by the residents on those streets. The assessment policy that we currently have in the City of Falcon Heights was established in 2007... somewhere around in there... to kind of set up for how the City would address the street projects for how they were done. Because in some communities, it's 100% assessment for properties that adjoin a road that are there. In Falcon Heights, we have it at 40% of the cost for residential properties, 60% for commercial and multifamily dwellings, and 100% for non-profit, so for those roads as the roads are a benefit to the people that live there and then as well there's a shared value. So, in this case, the City pays 60% of the cost and then in front of the residential areas. It's a standard kind of practice in Cities throughout the state of Minnesota.

Gerde thanks the Mayor for that education and does appreciate it. I do understand that my assessment is likely much lower than my fellow residents on Garden, and I feel a little sheepish to stand before you all with a request, but my formal request of the Council would be to evaluate reducing the amount of the assessment to all homeowners that are impacted by both the Garden and the segment one of that. I have been a homeowner on Holton for about ten years now, so I am not as long-tenured as some of the folks in the room, but certainly, I feel like a longer resident and would ask the Council to evaluate if there is any potential to use additional tax dollars to pay for these roads as on Holton especially is a common road that's used both for the church and the elementary school. A couple of other comments that I would say is I would like to see at least some space. I don't really care if it's a buffer space or sidewalk that is impartial to that, but I am an avid walker. I have a dog, and I am out multiple times a day. I walk the neighborhood, as some of you might have seen me. So, I do walk all of these streets and do appreciate having some space in between cars and the actual driving lanes on the road. So, whether that's buffer space or sidewalk, I am impartial. I would just appreciate having, as others have shared, that space to feel safe to walk on the streets. Finally, I know that

there has been a lot of passionate commentary on the Ruggles Pathway, and while I am not directly impacted, I do use that pathway and appreciate its value quite a lot. I would support the four neighbors that are bumped up against to it, and I believe that their wishes are to keep it as is. But, my understanding, Jesse, that's not possible; we are not able to leave it as is. If it does, it would go back to the ownership of those four residents. Is it true that were the decision that it is up to them whether or not keep the pathway, or is it the City's decision that it would be a part of their land?

Linehan states that if the City were to abandon the easement essentially by default if we went through the vacation process, so if we go down this road, there's a public hearing, there's a notification process. If we receive a request from three out of four adjacent properties, which in a way, we did receive a request from four of the four, that would begin that process. If we vacate that right of way and it turns over those residents, it becomes their property. What they do with that path is up to them. All liability transfers from the City to them, so if somebody rolled a wheelchair up and rolled an ankle and sued, it would be a personal liability to those neighbors. So, they may elect to move their fences which they would be allowed to do.

Laura supports her fellow neighbors as she does feel like they have the biggest impact, so she wants to support their wishes; however, she does want to go on record that she does find Ruggles Pathway very enjoyable and loves to see all of the kids and other residents use it. She does think there is value there, so she hopes it stays one way or another whether or not it has to get paved.

Nina Samuels says that she is one of the people with her husband who have submitted a letter in advance already. Nina would like to say this to the Council personally and to the people in this room. She lives at 1801 Albert, and they are directly across from Falcon Heights School on the corner of Albert and Garden. They have been there for about 30 years now, and they love Falcon Heights School and they love the amenity of having a school in their neighborhood which their children never went to, but they appreciated it regardless. They love that it is a walking neighborhood. They are not in objection to paying their share as Falcon Heights residents for this wonderful community amenity that they have in Falcon Heights, but she wants to remind everyone that it is an all-community amenity, it is not an amenity specific to the people who live on Garden Ave. And, in fact, Nina doesn't think they benefit from it more than people who live next to her on Albert, or farther down the street, or on Hamline, or on Pascal. She also wants to say that, yes, she understands that communities around the state of Minnesota usually use assessment processes similar to this, but not all of them do, and there are new ways of looking at assessments. There was an article in the Minneapolis Star Tribune about this and not too long ago. Nina encourages the Council to find a copy of it, and she can provide a copy if the Council would like, but one of the models that it gave was to link the assessment on the property value of the property that's being assessed, and that seemed like a more fair allotment of assessment than just the street value because the property values are not in accordance with the size of the property, but many more other things are taken into consideration. Nina urges the City Council to look at some other models to make this assessment shared more fairly by the residents of Falcon Heights.

Mayor Gustafson closes the public hearing and opens the discussion to Council action. What would be in order would be a motion to approve the 2023 Pavement Management Project – Order Improvement and Preparation of Plans and Specifications. First would be, and part of that could be done, approving one of the options for layouts for Garden Ave. segment one west of Holton and an option for segment two east of Holton in front of the school and over to Hamline that same motion could include or could be a separate motion for approved to install pathway on Ruggles right of way and include that in the 2023 PMP. Those would be the

different options we have in front of us for this project. The Mayor opens this up for Council discussion.

Council Member Wassenberg wants a little bit more education on the statement that Amy Woodward made about there being a requirement for a double yellow line. He is wondering if engineer Freihammer could educate him more on that and the necessity for a double yellow line on the street that could potentially be narrowed.

Freihammer states Garden Ave. is a state aid road. The City has 20 roads that are state aid streets. I think the volumes that state aid will not require a double yellow line, but it is highly recommended, particularly with any of the options, that the parking is not centered in the roadway. Striping does help convey that there is parking only on one side. It's not required. Certainly, that can be decided at a later date as we go forward before we approve the final plans. It's not required, but Jesse states that he would encourage it for a road of this type. This is a collector street, it does go to the school, and it does serve more traffic. Jesse does see the concerns about making it look like a busier road, but if they did striping, they would not just do double yellow, they would also do the white stripes and some of what they have done in Roseville the last few years. It helps make the road narrower than it is, and certainly, if an option goes forward with the sidewalk, it does help. We can certainly also not put it in and leave it. I will say that Garden was striped historically. Freihammer does not know when it was last restriped, which is why it doesn't look striped now. Honestly, it was probably last striped in 1999, which was the last time this road was done. So, it was striped previously, but if the Council so chooses, it can be remain unstriped.

Council Member Wehyee has a question about the total cost of the project. Council Member Wehyee noticed on the feasibility report that was submitted on page 13 of the feasibility report that there was an estimate of \$ 1.3 million for the total cost of the project, but he also saw that another estimate was \$1.6 million and was wondering if Freihammer could kind of speak to that discrepancy or explain what the difference is?

Freihammer states the \$1.3 million in the table on page 13 that does not include the sidewalks, so that's basically the street costs related to the project and the utilities. So, the difference is the \$172,000 plus the \$127,000, so just under \$300,000. The \$1.6 million is just adding in the sidewalk.

Mayor Gustafson states that the Council figured as part of that in earlier discussions during all of the public meetings that went on in the various things at the school and here that remembering back to 2015, the cost of the sidewalks was going to be assessed to those that live on Garden at that time and to avoid that to have the City take on the responsibility for paying the sidewalks and caring for the sidewalks that why we are using total City dollars for that, so those costs wouldn't be passed on to the homeowners on that street because it's a community benefit and we had also as part of our snow removal policy that we adopted here a couple of months ago. We were looking at taking that section or including that anticipated in case it would happen to add that to the City would be clearing those sidewalks so that we wouldn't rely upon the residents to having to do that on that route to the school. It's kind of a public safety component for the school.

Council Member Leehy adds to what the Mayor said by saying the 40%, 60%, and 100% is excluding the sidewalks that was taken off the calculation rather than it being included in the calculation, so that gives a little bit of understanding of one of the ways the assessment was lowered.

Freihammer states that is correct and just to clarify. The first table you see on page 13 of the feasibility report shows the reason we kept the sidewalk separate is that's the cost we use to apply the front footage to determine the 100% cost and then apply the 40% and then the table below is an additional cost to the project if sidewalks were added.

Council Member Wehyee asks when we had this discussion before about the assessments. I believe that all of us on Council were very sympathetic to what residents would be paying, particularly in the context of what property taxes are going to look like and everything else. So, Council Member Wehyee was wondering is there any other tools or resources that we could tap into to help maybe reduce the assessment for some of the residents. Is there anything else we can do as a City to do that?

Linehan says the tricky part... so our policy, as it's written, dictates that assessment percentage is based on total cost, so it's not based on, for example, if we took funds from somewhere else and put it towards the project, that doesn't reduce the total cost of the project. The project cost is the project cost minus the sidewalk. So, that one of the difficulties of it, the policy is very clear in how it's laid out, and so part of it, too, is any amendments to the policy continue forward. That's one thing the Council does need to consider this a funding mechanism. Our property tax rate is built on the idea that this assessment rate is set so that this one consideration is our property taxes will need to be reevaluated if the assessments were changed.

Council Member Leehy asks regarding residents who were not assessed on their other side but were assessed on Garden. Could anyone speak to that?

Freihammer says I cannot speak to what happened 30 years ago. The assessment policy might have been different, so I don't have any previous knowledge of what the old assessment policy was before 2007, but since 2007. Those residents shouldn't be assessed on the short side of the lot, only on the long side. So, you should never get it even though we have two projects back to back. Residents would only get assessed for one project. This does vary from City to City; probably about half of the cities do it this way, and other cities do it other ways.

Council Member Leehy asks, so, are they supposed to be assessed on the short side?

Freihammer says they are supposed to be assessed on the long side. 100% long side and 0% on the short side.

Mayor Gustafson says, I think probably at one point in time in the 1990's, I paid \$4,000 for my assessment street, which was quite a blow at that point in time. Probably similar inflation wise to what we are seeing happening on Garden here. But, those that lived on the corner next to me, they got hit on both sides of their property. So, that changed as of terms of how it was configured at that time. Some cities take a corner lot and they take the total distance between the two and cut in half, and then they get charged for half of that frontage foot if the project is going both ways.

Council Member Leehy and Mayor Gustafson say we had that in the University Grove area. We had some of those curved streets in the Grove. When the City did the 2019 pavement improvement project, some of those assessments for the people that lived on the wide part of the curve, where the street curved wide in front of them versus short. They didn't have a corner to be a long side, short side, and then we were able to work out some mathematical configurations to figure out which would have been a corner and which one as they applied. I think we applied that to four or five properties that appealed the assessment packet back then.

Council Member Meyer states he is very sympathetic to the residents on Garden. I am also thanking my lucky stars that I do not live on Garden and be faced with that. That's huge, having to look at up to \$9,000, on average, for this assessment is rough, and I guess we have not looked at the assessment policy since 2007... so, 15 years. There are some interesting ideas about doing it differently, perhaps based on home value. I know we are on a little bit of a timeline in terms of getting the contractors going and putting things together. What are our options to take a look at the assessment policy, and what does that look like?

Linehan says I am may also have to rely on Freihammer for this, but I believe once we order this improvement, the final assessment is next fall; so, that's the final assessment hearing, that's the point when residents can oppose their assessments. They could essentially do a petition against it, but at this point, I am not certain as to what the remedy is.

Freihammer says I think there is time in between if the Council so chooses to change it. This just gets the project moving forward based on a pulmonary estimate of what the project costs would be in how they would be split up. Freihammer thinks the big thing is if you make a choice to do something different like you said, that will carry forward to other projects, most likely because you will be amending your policy. Freihammer thinks that if the Council isn't putting more of a burden of passing more on, which he doesn't believe is the intent to pass more on. He thinks that the Council will certainly amend it to say 30%. Ultimately until it goes to the final assessment hearing, the way the rate is calculated it can be changed, or you could always set a maximum amount. Freihammer thinks that one of the residents kind of referenced that, so that could be an option. Where you say this is the linear foot cost, but it caps out at \$6,000 or something that could be an option. The big thing is whatever isn't being paid for by assessments needs to get for by another fund, so you will need to identify what that funding cost is. Now certainly, there is an opportunity. As you said, this is just ordering in the improvement and moving it to the next step. As Freihammer has mentioned, the big step where the cost becomes much more detailed is when we open bids. Freihammer states that we contingency built in this cost right now. We would still keep some of that for overruns and issues that come with the project, but that number goes way down once you see the actual cost because we know the quantities are going to be very close, so that could be another checking point like you said our goal if this moves forward on the current timeframe would be in February. Hopefully have the award of the bid, so there could be some time to make some more decisions, but it does cause some confusion too with the residents because you are moving forward without an answer.

Council Member Wehyee asks if we could move forward with this as is and in the interim before the project is actually completed. We could reassess our policy, make any sort of amendments and let that be the new standard.

Freihammer says that's correct because ultimately, to Jesse, if you follow the same policy when you went to public hearing. The Council has to approve the assessment roll, and the Council could improve the assessment role different than what the policy is. As Freihammer has mentioned, the Council could cap it. Freihammer says it is at the Council's prerogative, but you are deviating from your policy the policy was written to be theoretically fair for all projects throughout the City, so there are consequences of doing that. You need to think of that.

Council Member Leehy says just the domino effect and where would we find the funds for it without changing the levy.

Mayor Gustafson says there are costs to maintaining your roads and streets. It's one of the things that affect your quality of life living in a city. I know that we are going to face this issue in two years when we look at the reclaim project that we need to do in Falcon Woods because

there once again. We've got a roadway that can't do a mill and overlay because it needs a complete reclaim and rebuild. That process is going to be a part of that, and there being a closed neighborhood, the benefit is to the people who live there. The fact that the developer didn't do it right in the 1980s to build the road, to begin with, then as it was improved comes later then, so you have that cost of living for doing that. We tried to do a mill and overlay whenever possible because, as we can see, the cost is a third versus the cost of a reclaim when the roads get out of balance.

Council Member Meyer says you mentioned 2% above the bonding and 3% for interest. Is that for administrative costs, or what's up with that?

Linehan says it captures partially administrative cost and cost of administering the entire process. Part of it is when we budget this, we assume at a good amount, and we may get 40% of the cost upfront. So, the people who prepay their assessment we might get 40%. For this project, based on the assumed assessment, we are assuming less, so part of it is to help us with the bond itself because we have budgeted that we are going to do between \$675,000 to \$875,000 for this bond next spring once we open bids and know the cost but a lot of that is determined on what costs are included also what the assessment amount is.

Council Member Meyer asks, so it's not a profit-generating mechanism.

Linehan says no; it essentially covers costs and covers our bond cost, all of the various debt costs, and auditing costs to carry this debt forward as a cost in of itself. So, it just covers our cost. We do not collect a profit. A good example is when University Grove was redone, they prepaid their assessment at a record rate. Because of that, the bond and the debt fund is in very good shape. We are going to pay that off a year early. So, it will save the City and residents as a whole funds, but assign all that fund goes towards the debt payment, not towards the City.

Freihammer adds that 2% is extremely common for cities to do that. Roseville does that as well.

Council Member Meyer says the school and the church pay 100%. Is that because they don't pay property taxes?

Linehan and Freihammer both say that is correct.

Council Member Meyer says there is a lot of things to think about. Good ideas—Meyer had never thought about how yellow lines in the middle might actually affect someone from trying to move over and not break the law. At the same time, with a dashed yellow line, you don't really want to give people permission to pass on Garden and pass other cars, not that I think that would happen. These questions of street design are fun to think about. So, one of the options would be just to do the white stripping on the side, right?

Freihammer recommends not doing that option. If we did striping, Jesse would say at double yellow and the fog lines (White shoulder lines) or no stripping. If you put the ones on the side, it's doing no good because the intent is to make the lanes feel narrower, and if you don't have a center line, you're not doing much. It's very atypical for a lot of people to stripe the center line and then not the shoulders, so you certainly do that option. Jesse recommends adding it just to narrow it. As Jesse has mentioned, this is a very final design decision. If it moves forward, we can certainly take it up and evaluate it some more and bring that back as a final design detail. I mean, that's a really simple add or delete.

Council Member Wassenberg says maybe there would be a white line as currently defining the parking area, or is that kind of a non-standard thing that just happens to be there on the street right now?

Freihammer says that could be. We can look at different things. Certainly, signage is required as a part of state aid. We could potentially do the shoulder line, but it's not typical where you just do the parking lane.

Council Member Meyer asks if there is enough room potentially to that green space next to the sidewalk away for a bike path or just stripping for it.

Freihammer says bikes were mentioned. Jesse would say a typical road design this road 1200 cars a day, approximately well under 2000 cars a day. Most cities do not plan for dedicated marked lanes for bikes. It's really a shared use. Jesse would say with Falcon Heights 20 mph, that certainly even further applies. This isn't a freeway, large volume road, high speed road or it shouldn't be at least so its really a share the road time thing. We could certainly introduce additional pavement markings like "sharrows" or additional signage to share the road. It is still very much a neighborhood road. It is a collector road but it is very much a residential it carries about 3 times as much as Arona or Holton does just because its Garden and going to the school but its still not a Roselawn. So, most of the time you are going to be riding your bike you're going to be not impacted by cars or cars have plenty to move around you.

Linehan says options two includes essentially a similar concept that does have buffer lane which is a similar concept. That one could be used as a shared lane because it is not wide enough to park in that model the City would sign that no parking and we would have to do that via ordinance set the entire north side as no parking but it would then be kind of a shared use so, between biking and walking.

Freihammer says it would just be a marked shoulder. Jesse does say that it most likely would just be a solid white stripe similar to what it is in the front of the school. Freihammer corrects and states that actually there's no stripe there but you do it that way. But, the shoulder would act as a defacto walking lane or bike lane it is just on one side of the street though because you do have the parking lane.

Council Member Meyer says it still narrows it a little bit, right?

Freihammer says that option does not narrow the road. The road is exactly the same we are just dedicating parking to one end and this is a perfect example of why striping might be needed here because the road is going to look like you can park on both sides. The signs will be the only thing indicating that people can't park there.

Council Member Leehy says in the winter time it's going to be even more challenging.

Freihammer says that is correct.

Mayor Gustafson says the one thing that this does do is that a lot of the objections from previous years such as seven-eight years ago. When they were looking at this, the rules have changed so that we can have a narrower road so we do not have to take more of the right of way from any of the properties along Garden. We don't have to go into the right of way anymore than what we are currently doing and then the driveways won't be impacted. That was a concern because most of the properties along Garden have their garages facing Garden.

Freihammer says that is correct. All previous options I think that were identified in 2015. If a sidewalk was shown the north curb line I think was a minimum of two feet of driveway would have been impacted for a lot of property owners their garages are so close to the curb that would have made their driveways unless they had a small car they wouldn't have been able to park it there. As Jesse has mentioned that was a starting point when we went through these examples. We never showed a design where we went outside of that curb line so that's how we got down this path to where we are today.

Mayor Gustafson states does anyone have a motion to move the 2023 pavement management project ahead selecting one of the options of one through four for Smelling to Holton and an option five through seven from Holton to Hamline.

Council Member Meyer states that he knocked on a whole lot of doors and every single one Meyer brought up that he wanted to put a sidewalk on Garden and he could not think of a time where some body did not like that idea. Council Member Meyer states maybe he did not knock on enough doors on Garden, but in general the community seemed very supportive of that and in support with the principal and keeping the kids safe. Meyer states that option four is the way to go.

Mayor Gustafson states that option seven in front the school really looks safe and meets the needs there.

Council Member Wehyee also echoes Council Member Meyers comments. Council Member Wehyee has a dog and they often go on walk in that area it's scary to walk on the street without any sort of barrier between us and vehicles. Also, just thinking again in terms of safety for pedestrians and students. Wehyee is also partial to it and to the sidewalks as well. He knows that there are several residents that have expressed opposition to it but he thinks overall just thinking about the safety of the City's young people. Thinking about the safety of pet owners walking their dogs down the street. I do favor the sidewalk option. Wehyee also, wanted to express his support for option 4 concept A on segment 1 and option 7 concept F for segment two.

Council Member Meyer motions to approve option layout of Garden Ave. Segment 1, Option 4 and Segment 2, Option 7; approved 5-0

Linehan says it is his recommendation to table the discussion of Ruggles Pathway for further discussion and guidance because this does not need to be decided right now because it is not being assessed.

Council Member Meyer motions to table action required number 3 on approving or denying to install the pathway on Ruggles right of way; approved 5-0

Council Member Wehyee motions to approve 2023 pavement management project - order improvement and preparations of plans and specifications; approved 5-0

G. CONSENT AGENDA:

1. General Disbursements through: 11/03/22 \$242,609.00
Payroll through: 10/31/22 \$19,886.34
Wire Payments through: 10/31/22 \$13,857.99
2. City Licenses
3. Approval of Job Description and Position Change of Part-Time Laborer to Full-Time Public Works Maintenance Worker
4. Promotion of Matthew Chernugal to the position of Full-Time Public Works Maintenance Worker
5. Administrative & Communications Coordinator Brennan Sorensen – Six Month Employee Step Adjustment
- ~~6. 2023 Law Enforcement Services Contract Approval~~
7. Prosecuting Attorney RFP
8. Establishment of Capital Projects Fund 429 – 2023 Pavement Management Project Fund Budget
9. Revenue Bond Refund of \$233,518.11 for Buhl GTA Investors – Amber Union Project

Council Member Leehy motions to approve the consent agenda;
approved 5-0

H. POLICY ITEMS:

- ~~1. Resignation of Jim Wassenberg from Planning Commission~~
1. 2023 Law Enforcement Services Contract Approval

Mayor Gustafson is going to abstain from this the law enforcement services contact due to the fact the Mayor work for the Ramsey County Sheriffs Office. The Mayor states that he does not gain anything for the City doing this contact but he wants to make certain that he does not show a conflict of interest.

Council Member Wassenberg asks is this contract a continuation, is it a change in price or is it just inflationary?

Linehan says essentially it is not included in the contract so it is kind of an interesting way that we do this there is a group of the city managers of each city that is has contract city with the Sheriffs Office. There is a group that meets monthly and what they do is administer and approve the upcoming budget similar to how the City does it. They go through the process were the staff at the Sheriffs Department puts together the budget. For Falcon Heights portion unfortunately the budget in total is going up about 8.8% for all of the cities combined but the thing is its not going up not equally so some cities like North Oaks is going up 5% and Falcon Heights is increasing by 14.5% next year. The reason being primarily we saw cost savings last year so the Cities contract was reduced for this year budget essentially so for 2022. The city got a temporary savings when the Sheriff's Office got the contract for the Minnesota State Fair it was agreed that Falcon Heights contractual agreement of paying for 6 deputies which is our allotment that the City pays for is equivalent of 6 deputies that was reduced to 5.5 for this year. The Sheriff's Office when the budget was approved it was September of 2021. They had just done the State Fair they assumed they would do the State Fair again maybe forever and when the County board did not approve that agreement and it was lost Falcon Heights is basically being right sized back to 6 deputies plus then the City is getting the pools of

inflationary portion. So, Falcon Heights is getting hit harder than the rest of the contract cities. The increase this is about \$175,000 to the City.

Council Member Wassenberg motions to approve the 2023 law enforcement services contract; approved 4-0 (the Mayor abstained from the vote)

I. INFORMATION/ANNOUNCEMENTS:

Council Member Meyer appreciates the postponement of the Ruggles decision and the Environment Commission is planning on discussing it in future meetings. Meyer is also happy to have a full Council again.

Council Member Leehy asks Linehan if there are any updates on Amber Union.

Linehan states that Amber Union was issued their certificate of occupancy for the main building was right at the end of September and the annex building was at the end of October at that point the moves-ins started. Linehan states that move-ins have been extremely slow they are being held up through the process of income verification. The last Linehan has herd there maybe a dozen families into the building so far. Cushman and Wakefield the property managers are holding an open house on Saturday, November 19th 10am to 4pm. They are also hoping in doing ribbon cutting at a separate event.

Mayor Gustafson states the Community Engagement Commission will be meeting next Monday finalizing our efforts plans for the Human Rights Day event from 6 to 7:30 pm at the Falcon Heights City Hall it is a resource fair on various rights that people have because if you don't have basic rights then you don't have human rights. I see that the announcement went out as a part of our newsletter. The CEC recommends that everybody subscribe to the E-newsletter every week so that you can kind of get a feel for what's going on in the City.

Linehan states:

- **Community Police Needs Focus Groups**
 - As part of our police contract analysis, the City's consultant, the Center for Value-Based Initiatives will conduct a series of focus groups.
 - These focus groups will be held from Tuesday, November 29th to Thursday, December 1st in the evening.
 - 8-12 residents will be selected per focus group to help answer questions on the satisfaction with police services.
 - 11 applications recent so far.
 - Mailer going out to all residents inviting them to participate in the focus group, also includes information on Human Rights Day
- **Human Rights Day**
 - Speaking of Human Rights Day, it will be held this year on Thursday, December 8th from 6-7:30 PM at Falcon Heights Elementary School
 - It will include a resource fair and other community resources promoting human rights.

- **Report of Shots Fired – November 8th at 7:22PM**

- We have had residents reach out that heard shots fired at California / Pascal Intersection on Tuesday, November 8th around 7:22PM
- According to the Ramsey County Sheriff's Office, they recent multiple calls about the incident. No shell casings were found. No injuries or property damage reported. The incident was captured on multiple resident's doorbell cameras, which was turned over to law enforcement. An investigation is underway.
- This is an opportunity to plug the LexisNexis Community Crime Map, which is updated at least daily and can help share information on events that do not trigger a warning alert such as what happened in Roseville last month.
- The website is communitycrimemap.com, and search "Falcon Heights, MN". Under the "Filter" tab, you can select which crimes you want to see reports on or select "all" to see all recent crimes in an area.
- The City also publishes weekly police report information at <https://www.falconheights.org/government/public-safety/law-enforcement-police-services>
- Working on putting out info on website addressing latest news/updates for hot topics

Mayor Gustafson gives an update in the shots fired this morning. The Mayor talked to Deputy LaNasa. Frank is often assigned to Falcon Heights. They did recover three .38 casings this morning. One of the residents on California found them. He collected them and hoping that the rain did not wash away any of the prints.

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.

Rice' Davis 1470 California Ave. Rice' states she lives very close to last night's happening but she was not there she was being an election judge. Rice' thanks the City and says she does not know how involved the City Council are with feeding the troops as it were. It was very kind of the City to do that. Some people were outside of the City came in to join us this time. They were shocked and Rice' wanted to make sure thank the City for doing that for them. Rice' then asks how many cities does the Ramsey County Sheriff's Office handle?

Linehan says they handle seven contract cities.

Rice' asks is that listed some place? Where she can look it up.

Mayor Gustafson states they are Arden Hills, Falcon Heights, Little Canada, North Oaks, Shoreview, Vadnais Heights, and White Bear Township.

Rice' asks about the lights on Larpenteur. She has noticed that for some time now that there are missing light posts on both the north and south sides of Larpenteur.

Linehan says the conduit underneath is faulty so at this point lights don't turn on and it requires an entire replacement of all of the lights. Linehan says that they have the replacement of all lights on Larpenteur in the capital plan for next year. It will be partially funded through the TIF that's at Falcon Town Square. The City believes that this is an eligible expense because it lights that area. That will be a part of the City's December 7th capital discussion. The total cost is pretty steep. The 2022 price was estimated at \$275,000 for all of the lights and the 2023 price might be more. The City is probably going to budget about \$325,000 to \$350,000 to do all of the lights. So, in total Linehan believes there are 22 lights west of Snelling and 14 lights east of Snelling. In addition, there are four at City Hall which would be included in that replacement. The City Hall lights do work but most of the ones on Larpenteur do not.

Rice' asks so you are talking about having this done in 2023 or talking about it 2023.

Linehan says that the City Council will have it as a proposal its part of the capital plan. The City Council will discuss the capital plan at the December 7th City Council Workshop and one of the items that's included in the capital plan for next year is the lights.

Rice' asks about the shots on California Avenue last night. Rice' then asks are you notified as the City Administrator of that immediately by some means or how do you find out.

Linehan says usually that he has to reach out to the Sheriff's Office.

Rice' asks is any of the City Council notified or not when you find out about it. Do you let them know?

Linehan say yes, he does let them know and in an ideal world they would let me know. Linehan states that he tries to follow social media and anything else to try to get information. If Linehan sees something or hears something he will reach out to the Sherriff's Office or if he notices something. They will contact Linehan every now and then there has been instances where they let Linehan know something is going on.

Rice' says in which case you would notify the City Council.

Linehan states exactly, that's one of the goals is being transparent if Linehan or the Council knows stuff we like the residents to know as well. The City is looking at updating the website for having a section that's gives updates on these types of incidents. The City does have to work in the bounds of the Sherriff's Office because they are the leas agency on it and we cannot overstep them. Sometimes it's an active investigation so it's a tricky balance.

K. ADJOURNMENT: 9:25 p.m.

Council Member Leehy motions to adjourn; approved 5-0