

CITY OF FALCON HEIGHTS
Regular Meeting of the City Council
City Hall
2077 West Larpenteur Avenue
AGENDA
December 14, 2022 at 7:00 P.M.

- A. CALL TO ORDER:
- B. ROLL CALL: GUSTAFSON____ LEEHY__ MEYER ____
WASSENBERG ____ WEHYEE____
- STAFF PRESENT: LINEHAN____
- C. APPROVAL OF AGENDA
- D. PRESENTATION
- E. APPROVAL OF MINUTES:
1. November 9, 2022 City Council Regular Meeting Minutes
- F. PUBLIC HEARINGS:
1. 2023 Truth in Taxation and Budget Presentation
- G. CONSENT AGENDA:
1. General Disbursements through: 12/06/22 \$555,890.87
Payroll through: 11/30/22 \$39,434.85
Wire Payments through: 11/30/22 \$29,012.70
2. Approval of City License(s)
3. Appointment of City Attorney
4. Appointment of Interim City Engineer
5. Appointment of City Auditor
6. Designation of Official Newspaper
7. 2023 Cost of Living Adjustment (COLA)
8. Statutory Tort Limits Liability Coverage for the City in 2023
9. Budget Amendment and Transfer of Funds from Fund 419 to Fund 426 for the 2021 Street Pavement Management Project
10. Approval of Updated Path/Sidewalk Maintenance Map for Snow Removal
11. Appointment of Hannah Lynch as Planner/Community Development Coordinator
12. Resignation of Jim Bykowski from the Saint Paul Board of Water Commissioners
13. Appointment of John Larkin to the Saint Paul Board of Water Commissioners
14. Resignation of Esha Seth from the Environment Commission
15. 2023 Animal Impound Services
16. Northeast Youth and Family Services Cooperative Service Agreement for 2023
17. City Administrator Jack Linehan - Six Month Employee Step Adjustment
18. Grant Application Approval - Saint Paul Garden Club / Monarch Joint Venture
- H. POLICY ITEMS:

I. INFORMATION/ANNOUNCEMENTS:

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:

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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 stripped 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 striping. 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

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REQUEST FOR COUNCIL ACTION

| | |
|---------------------|----------------------------------|
| Meeting Date | December 14, 2022 |
| Agenda Item | Public Hearing F1 |
| Attachment | Resolutions(s) |
| Submitted By | Jack Linehan, City Administrator |

| Item | 2023 Truth in Taxation Hearing to Adopt 2022 Tax Levy and Budget | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|--------------------|--|--------------------------|-----------------------------------|-------------------------------------|--------------------|-------------------------------------|------------|-------------|-------------|-------------|------|--------------|-----------|-----------|-----------|-----|--------------|--------------------|--------------------|--------------------|--------------|--|--------------------------|--------------------------|-----------------------------------|-------------------------|--|-------------|-------------|-------------|------|
| Description | <p>Each year the City Council is required to adopt a budget and tax levy to fund City operations. This action must be completed before the end of the year, and the adopted levy is then provided to Ramsey County so they can produce property tax statements for each parcel in the County. On September 28th, the City Council adopted a preliminary levy and established December 14th as the date at which the public would be given an opportunity to address the Council about the proposed budget and tax levy.</p> <p>Before the Council is a proposed property tax levy of \$2,474,298 and a general fund budget of \$3,091,322. This represents an increase in the proposed levy of 4.83% and an increase in the general fund budget of 5.3%.</p> <p>The levy with a comparison to previous years is detailed below:</p> <table border="1" style="width: 100%; border-collapse: collapse; margin: 10px 0;"> <thead> <tr> <th></th> <th style="text-align: center;">2021 Levy</th> <th style="text-align: center;">2022 Levy</th> <th style="text-align: center;">Proposed 2023 Levy</th> <th style="text-align: center;">% Increase (Decrease)/ 2022 to 2022</th> </tr> </thead> <tbody> <tr> <td>Ad Valorem</td> <td style="text-align: right;">\$2,037,731</td> <td style="text-align: right;">\$2,166,934</td> <td style="text-align: right;">\$2,284,612</td> <td style="text-align: center;">5.3%</td> </tr> <tr> <td>Debt Service</td> <td style="text-align: right;">\$211,544</td> <td style="text-align: right;">\$193,510</td> <td style="text-align: right;">\$189,686</td> <td style="text-align: center;">-2%</td> </tr> <tr> <td>Total</td> <td style="text-align: right;">\$2,249,275</td> <td style="text-align: right;">\$2,360,444</td> <td style="text-align: right;">\$2,474,296</td> <td style="text-align: center;">4.83%</td> </tr> </tbody> </table> <p>The general fund budget with a comparison to previous years is detailed below:</p> <table border="1" style="width: 100%; border-collapse: collapse; margin: 10px 0;"> <thead> <tr> <th></th> <th style="text-align: center;">2020 General Fund Budget</th> <th style="text-align: center;">2021 General Fund Budget</th> <th style="text-align: center;">Proposed 2022 General Fund Budget</th> <th style="text-align: center;">% Increase 2021 to 2022</th> </tr> </thead> <tbody> <tr> <td></td> <td style="text-align: right;">\$2,890,221</td> <td style="text-align: right;">\$2,937,516</td> <td style="text-align: right;">\$3,091,322</td> <td style="text-align: center;">5.3%</td> </tr> </tbody> </table> | | 2021 Levy | 2022 Levy | Proposed 2023 Levy | % Increase (Decrease)/ 2022 to 2022 | Ad Valorem | \$2,037,731 | \$2,166,934 | \$2,284,612 | 5.3% | Debt Service | \$211,544 | \$193,510 | \$189,686 | -2% | Total | \$2,249,275 | \$2,360,444 | \$2,474,296 | 4.83% | | 2020 General Fund Budget | 2021 General Fund Budget | Proposed 2022 General Fund Budget | % Increase 2021 to 2022 | | \$2,890,221 | \$2,937,516 | \$3,091,322 | 5.3% |
| | 2021 Levy | 2022 Levy | Proposed 2023 Levy | % Increase (Decrease)/ 2022 to 2022 | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Ad Valorem | \$2,037,731 | \$2,166,934 | \$2,284,612 | 5.3% | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Debt Service | \$211,544 | \$193,510 | \$189,686 | -2% | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Total | \$2,249,275 | \$2,360,444 | \$2,474,296 | 4.83% | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | 2020 General Fund Budget | 2021 General Fund Budget | Proposed 2022 General Fund Budget | % Increase 2021 to 2022 | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | \$2,890,221 | \$2,937,516 | \$3,091,322 | 5.3% | | | | | | | | | | | | | | | | | | | | | | | | | | | |

Impact on a median valued home in Falcon Heights:

| | <u>2020</u> | <u>2021</u> | <u>2022</u> | <u>2023 Proposed</u> | <u>Change 2022 to 2023</u> |
|----------------------|-------------|-------------|-------------|--------------------------|----------------------------|
| Median Value Home | 303,450 | 314,600 | 309,000 | 362,150 | 53,150 |
| Taxable Median Value | 293,521 | 305,674 | 299,570 | 357,504 | 57,934 |
| Tax Capacity | 2,935 | 3,056 | 2,995 | 3,575 | 580 |
| City Tax Rate | 36.4 | 37.813 | 38.741 | 35.14 | -3.60 |
| City Taxes | 1,068 | 1,114 | 1161 | 1251 | 96 |
| Net Change | 65 | 46 | 47 | 96 | |

The impact of this proposed levy on a median valued home, which in 2023 is assessed at \$362,159 (17.2% increase over 2022), is estimated to result in an increase of \$96 in the City portion of the homeowner's taxes.

The City's levy increase of 4.83% is among the lowest in the metro region. This is an especially impressive feat considering the proposed budget faced numerous cost increases, including our largest cost, the Ramsey County Sheriff's Office Contract, increasing by 14.5%. Additionally, the budget includes a \$3.6 million capital program that is the largest in City history. Conservative budgeting practices, strategic cost reductions and new intergovernmental partnerships to bring in additional revenue made this possible.

A full presentation with more details will be presented at the City Council meeting and will be available on the City's website. The 2023 proposed budget is available on the city website here: <https://www.falconheights.org/government/administration/finance>

I want to specifically thank Finance Director Roland Olson and Accountant Alyssa Landberg for their hard work and dedication to bring this budget together.

Budget Impact

This budget preserves the core functions of the City's current operations.

Attachment

- Resolutions 22-57 Approving 2023 Tax Levy
- Resolution 22-58 Approving 2023 City Budget

Due to the size and cost of printing the 2023 Budget, the document is available on the City's website (<https://www.falconheights.org/home/showdocument?id=2820>) and at City Hall.

Action(s) Requested

Staff recommends that the Falcon Heights City Council hold a public hearing and receive comment. Once the hearing is closed, staff recommends that the City Council adopt

| | |
|--|--|
| | attached resolutions regarding the 2023 Tax Levy and regarding the 2023 City of Falcon Heights Budget. |
|--|--|

**CITY OF FALCON HEIGHTS
COUNCIL RESOLUTION**

December 14, 2022

No. 22-57

**RESOLUTION ADOPTING THE 2023 TAX LEVY FOR THE CITY OF FALCON
HEIGHTS, COUNTY OF RAMSEY, STATE OF MINNESOTA**

BE IT RESOLVED by the Mayor and City Council of the City of Falcon Heights, County of Ramsey, State of Minnesota, that the following sums of money be levied for the taxes payable 2023, upon the taxable property in the City of Falcon Heights, for the following purposes:

| | CERTIFIED LEVY |
|---------------------|-----------------------|
| GENERAL FUND | \$2,284,612 |
| DEBT SERVICE | \$189,686 |
| | |
| TOTAL LEVY | \$2,474,298 |

BE IT FURTHER RESOLVED that the City Administrator is hereby directed to transmit a certified copy of this Resolution to the County Auditor and should extend the tax levy in the amount of \$2,474,298 to be collected for the year 2023.

Moved by:

Approved by: _____
Randall C. Gustafson
Mayor

GUSTAFSON ___ In Favor
MEYER
WASSENBERG ___ Against
LEEHY
WEHYEE

Attested by: _____
Jack Linehan
City Administrator

**CITY OF FALCON HEIGHTS
COUNCIL RESOLUTION**

December 14, 2022

No. 22-58

RESOLUTION ADOPTING THE 2023 BUDGET

BE IT RESOLVED by the City Council of the City of Falcon Heights that the General Fund Operating Budget for the year 2023 in the amount of \$3,091,322 and other Fund Budgets as listed are adopted.

| Fund Name | Fund Number | Amount (\$) |
|--|-------------|-------------|
| Park Program Fund | 201 | 38,110 |
| Charitable Gambling | 202 | 1,000 |
| Community Garden | 203 | 1,000 |
| Water Fund | 204 | 19,252 |
| Recycling Fund | 206 | 117,816 |
| Community Development Fund | 208 | 9,100 |
| Street Light Utility | 209 | 69,950 |
| Community Inclusion | 210 | 39,000 |
| GO Improvement Street Series 2017A | 316 | 140,325 |
| GO Improvement Street Series 2021A | 313 | 147,800 |
| General Capital Improvements | 401 | 9,300 |
| Public Safety Capital | 402 | 800 |
| Parks Recreation/Public Facilities Capital | 403 | 1,646,900 |
| TIF District #1-3 | 414 | 557,600 |
| TIF District #1-4 | 415 | 46,900 |
| Infrastructure Capital | 419 | 640,800 |
| 2021 Street Project | 426 | 120,800 |
| Amber Union | 428 | 800 |
| 2023 Street Project | 429 | 1,456,800 |

Moved by:

Approved by: _____
Randall C. Gustafson
Mayor

GUSTAFSON ___ In Favor
MEYER
LEEHY ___ Against
WASSENBERG
WEHYEE

Attested by: _____
Jack Linehan
City Administrator

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REQUEST FOR COUNCIL ACTION

| | |
|---------------------|---|
| Meeting Date | December 14, 2022 |
| Agenda Item | Consent G1 |
| Attachment | General Disbursements, Payroll, and Wire Payments |
| Submitted By | Roland Olson, Finance Director |

| | |
|----------------------------|--|
| Item | General Disbursements, Payroll and Wire Payments |
| Description | General Disbursements through: 12/06/22 \$555,890.87 Payroll through: 11/30/22 \$39,434.85 Wire Payments through: 11/30/22 \$29,012.70 |
| Budget Impact | The general disbursements, payroll and wire payments are consistent with the budget. |
| Attachment(s) | <ul style="list-style-type: none"> • General Disbursements, Payroll and Wire Payments |
| Action(s) Requested | Staff recommends that the Falcon Heights City Council approve general disbursements, payroll and wire payments. |

| -----ID----- | | | | GROSS | P.O. # | | |
|--------------|--------------------------|--|--|-----------|-------------------------------|------------------------|--------------|
| POST DATE | BANK CODE | -----DESCRIPTION----- | | DISCOUNT | G/L ACCOUNT | -----ACCOUNT NAME----- | DISTRIBUTION |
| 01 028 | ALLSTREAM | | | | | | |
| I-18902136 | | ALLSTREAM | | 47.16 | | | |
| 11/04/2022 | APBNK | DUE: 11/04/2022 DISC: 11/04/2022 Emergency Landline CH | | | 1099: N 101 4116-85010-000 | TELEPHONE | 47.16 |
| | | === VENDOR TOTALS === | | 47.16 | | | |
| 01-06290 | CITY OF ROSEVILLE | | | | | | |
| I-231367 | | CITY OF ROSEVILLE | | 3,179.49 | | | |
| 11/04/2022 | APBNK | DUE: 11/04/2022 DISC: 11/04/2022 IT Support Nov | | | 1099: N 101 4116-85070-000 | TECHNICAL SUPPORT | 3,179.49 |
| | | === VENDOR TOTALS === | | 3,179.49 | | | |
| 01-05115 | GOPHER STATE ONE CALL | | | | | | |
| I-2100390 | | GOPHER STATE ONE CALL | | 78.30 | | | |
| 11/04/2022 | APBNK | DUE: 11/04/2022 DISC: 11/04/2022 Locates Oct | | | 1099: N 601 4601-88030-000 | LOCATES | 78.30 |
| | | === VENDOR TOTALS === | | 78.30 | | | |
| 01-05045 | GRUBER'S POWER EQUIPMENT | | | | | | |
| I-01-21020 | | GRUBER'S POWER EQUIPMENT | | 421.10 | | | |
| 11/04/2022 | APBNK | DUE: 11/04/2022 DISC: 11/04/2022 Shoe x4 and Scraper | | | 1099: N 101 4132-70120-000 | SUPPLIES | 421.10 |
| | | === VENDOR TOTALS === | | 421.10 | | | |
| 01 035 | JAN-PRO CLEANING SYSTEMS | | | | | | |
| I-113560 | | JAN-PRO CLEANING SYSTEMS | | 450.00 | | | |
| 11/04/2022 | APBNK | DUE: 11/04/2022 DISC: 11/04/2022 Janitorial Service Nov | | | 1099: N 101 4131-87010-000 | CITY HALL MAINTENANCE | 450.00 |
| | | === VENDOR TOTALS === | | 450.00 | | | |
| 01-05665 | METROPOLITAN COUNCIL | | | | | | |
| I-1147771 | | METROPOLITAN COUNCIL | | 40,389.49 | | | |
| 11/04/2022 | APBNK | DUE: 11/04/2022 DISC: 11/04/2022 Waste Water Services Dec | | | 1099: N 601 4601-85060-000 | METRO SEWER CHARGES | 40,389.49 |
| | | === VENDOR TOTALS === | | 40,389.49 | | | |

| -----ID----- | | | GROSS | P.O. # | | |
|----------------|-----------|----------------------------------|-----------|--------------------|------------------------|--------------|
| POST DATE | BANK CODE | -----DESCRIPTION----- | DISCOUNT | G/L ACCOUNT | -----ACCOUNT NAME----- | DISTRIBUTION |
| 01 | /3 | NORTH SUBURBAN COMMUNICATIONS | | | | |
| I-2022-529 | | NORTH SUBURBAN COMMUNICATIONS | 2,919.10 | | | |
| 11/04/2022 | APBNK | DUE: 11/04/2022 DISC: 11/04/2022 | | 1099: N | | |
| | | Q4 2022 Cooperative Svc to NSC | | 101 4116-85050-000 | CABLE TV | 2,919.10 |
| | | === VENDOR TOTALS === | 2,919.10 | | | |
| 01-05879 | | O'ROURKE, WILLIAM P. | | | | |
| I-202211048328 | | O'ROURKE, WILLIAM P. | 50.00 | | | |
| 11/04/2022 | APBNK | DUE: 11/04/2022 DISC: 11/04/2022 | | 1099: N | | |
| | | Refund of Excess License Fee | | 101 32150-000 | RENTAL HOUSING LICENSE | 50.00 |
| | | === VENDOR TOTALS === | 50.00 | | | |
| 01-06024 | | ON SITE SANITATION | | | | |
| I-1430848 | | ON SITE SANITATION | 164.00 | | | |
| 11/04/2022 | APBNK | DUE: 11/04/2022 DISC: 11/04/2022 | | 1099: N | | |
| | | Portable Toilets/Sanitizers | | 601 4601-85080-000 | PORTABLE TOILET PARKS | 164.00 |
| I-1430849 | | ON SITE SANITATION | 165.00 | | | |
| 11/04/2022 | APBNK | DUE: 11/04/2022 DISC: 11/04/2022 | | 1099: N | | |
| | | Portable Toilets/Sanitizers | | 601 4601-85080-000 | PORTABLE TOILET PARKS | 165.00 |
| | | === VENDOR TOTALS === | 329.00 | | | |
| 01-06053 | | OREILLY AUTO PARTS | | | | |
| I-202211048330 | | OREILLY AUTO PARTS | 158.27 | | | |
| 11/04/2022 | APBNK | DUE: 11/04/2022 DISC: 11/04/2022 | | 1099: N | | |
| | | Gloves, Air Filter, & Supplies | | 101 4132-70120-000 | SUPPLIES | 158.27 |
| | | === VENDOR TOTALS === | 158.27 | | | |
| 01-06184 | | RAMSEY COUNTY - POLICE AND 911 | | | | |
| I-SHRFL-002105 | | RAMSEY COUNTY - POLICE AND 91 | 95,560.97 | | | |
| 11/04/2022 | APBNK | DUE: 11/04/2022 DISC: 11/04/2022 | | 1099: N | | |
| | | Law Enforcement Services Nov | | 101 4122-81000-000 | POLICE SERVICES | 95,560.97 |
| | | === VENDOR TOTALS === | 95,560.97 | | | |

| -----ID----- | | | GROSS | P.O. # | | |
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| POST DATE | BANK CODE | -----DESCRIPTION----- | DISCOUNT | G/L ACCOUNT | -----ACCOUNT NAME----- | DISTRIBUTION |
| 01 74 | | TENNIS SANITATION LLC | | | | |
| I-3420053 | | TENNIS SANITATION LLC | 7,458.75 | | | |
| 11/04/2022 | APBNK | DUE: 11/04/2022 DISC: 11/04/2022 Recycling SFD&MFD FH | | 1099: N 206 4206-82030-000 | RECYCLING CONTRACTS | 7,458.75 |
| I-3420054 | | TENNIS SANITATION LLC | 66.50 | | | |
| 11/04/2022 | APBNK | DUE: 11/04/2022 DISC: 11/04/2022 Recycling Ramsey Cty SWMT&CEC | | 1099: N 101 4131-87010-000 | CITY HALL MAINTENANCE | 66.50 |
| | | === VENDOR TOTALS === | 7,525.25 | | | |
| 01-06581 | | TRI-STATE BOBCAT INC | | | | |
| I-A11367 | | TRI-STATE BOBCAT INC | 622.98 | | | |
| 11/04/2022 | APBNK | DUE: 11/04/2022 DISC: 11/04/2022 Cutting Edge & Bracket | | 1099: N 101 4132-70120-000 | SUPPLIES | 622.98 |
| | | === VENDOR TOTALS === | 622.98 | | | |
| 01-05870 | | XCEL ENERGY | | | | |
| I-202211048329 | | XCEL ENERGY | 17.10 | | | |
| 11/04/2022 | APBNK | DUE: 11/04/2022 DISC: 11/04/2022 Elect | | 1099: N 209 4209-85020-000 | STREET LIGHTING POWER | 17.10 |
| | | === VENDOR TOTALS === | 17.10 | | | |
| | | === PACKET TOTALS === | 151,748.21 | | | |

| POST DATE | BANK CODE | DESCRIPTION | GROSS DISCOUNT | P.O. # G/L ACCOUNT | ACCOUNT NAME | DISTRIBUTION |
|-----------------------|-----------|--|----------------|---|--|----------------|
| -----ID----- | | | | | | |
| 01-10 | | CENTURY LINK | | | | |
| I-202211098334 | | CENTURY LINK | 71.93 | | | |
| 11/09/2022 | APBNK | DUE: 11/09/2022 DISC: 11/09/2022 Landlines SS | | 1099: N 601 4601-85011-000 | TELEPHONE - LANDLINE | 71.93 |
| === VENDOR TOTALS === | | | 71.93 | | | |
| ----- | | | | | | |
| 01-05045 | | GRUBER'S POWER EQUIPMENT | | | | |
| I-01-20275 | | GRUBER'S POWER EQUIPMENT | 48.35 | | | |
| 11/09/2022 | APBNK | DUE: 11/09/2022 DISC: 11/09/2022 Filter | | 1099: N 101 4132-70120-000 | SUPPLIES | 48.35 |
| === VENDOR TOTALS === | | | 48.35 | | | |
| ----- | | | | | | |
| 01-05190 | | HYDRAULIC SPECIALTY CO | | | | |
| I-90007910897 | | HYDRAULIC SPECIALTY CO | 215.48 | | | |
| 11/09/2022 | APBNK | DUE: 11/09/2022 DISC: 11/09/2022 Repair Hydraulic Lines/Parts | | 1099: N 101 4132-87000-000 | REPAIR EQUIPMENT | 215.48 |
| === VENDOR TOTALS === | | | 215.48 | | | |
| ----- | | | | | | |
| 01-05204 | | IWORQ | | | | |
| I-199056 | | IWORQ | 4,000.00 | | | |
| 11/09/2022 | APBNK | DUE: 11/09/2022 DISC: 11/09/2022 Community Development Package | | 1099: N 401 4401-90100-000 | FURNITURE & EQUIPMENT | 4,000.00 |
| === VENDOR TOTALS === | | | 4,000.00 | | | |
| ----- | | | | | | |
| 01-05880 | | JEPPESEN, JASON | | | | |
| I-202211098332 | | JEPPESEN, JASON | 288.25 | | | |
| 11/09/2022 | APBNK | DUE: 11/09/2022 DISC: 11/09/2022 Refund of Building Permit Fee Refund of State Surcharge | | 1099: N 101 32210-000 101 20801-000 | BUILDING PERMITS DUE TO OTHER GOVERNMENTS | 280.25 8.00 |
| === VENDOR TOTALS === | | | 288.25 | | | |
| ----- | | | | | | |
| 01-05440 | | LOFFLER COMPANIES, INC | | | | |
| I-4183665 | | LOFFLER COMPANIES, INC | 84.48 | | | |
| 11/09/2022 | APBNK | DUE: 11/09/2022 DISC: 11/09/2022 Copier | | 1099: N 101 4112-87000-000 | REPAIR OFFICE EQUIPMENT | 84.48 |
| === VENDOR TOTALS === | | | 84.48 | | | |

PACKET: 02637 November 9 Payables
 VENDOR SET: 01 City of Falcon Heights
 SEQUENCE : ALPHABETIC
 DUE TO/FROM ACCOUNTS SUPPRESSED

| -----ID----- | | | GROSS | P.O. # | | |
|----------------|-----------|----------------------------------|----------|--------------------|------------------------|--------------|
| POST DATE | BANK CODE | -----DESCRIPTION----- | DISCOUNT | G/L ACCOUNT | -----ACCOUNT NAME----- | DISTRIBUTION |
| 01-12 | | SORENSEN CONSULTING | | | | |
| I-COFH.4.22 | | SORENSEN CONSULTING | 950.00 | | | |
| 11/09/2022 | APBNK | DUE: 11/09/2022 DISC: 11/09/2022 | | 1099: N | | |
| | | Selection Assessments | | 101 4112-80330-000 | CONSULTANT | 950.00 |
| | | === VENDOR TOTALS === | 950.00 | | | |
| 01-05870 | | XCEL ENERGY | | | | |
| I-202211098333 | | XCEL ENERGY | 442.24 | | | |
| 11/09/2022 | APBNK | DUE: 11/09/2022 DISC: 11/09/2022 | | 1099: N | | |
| | | Gas | | 101 4131-85030-000 | NATURAL GAS | 256.22 |
| | | Elect | | 209 4209-85020-000 | STREET LIGHTING POWER | 79.10 |
| | | Elect | | 209 4209-85020-000 | STREET LIGHTING POWER | 20.19 |
| | | Elect | | 209 4209-85020-000 | STREET LIGHTING POWER | 17.10 |
| | | Elect | | 101 4121-85020-000 | ELECTRIC | 34.23 |
| | | Elect | | 101 4141-85020-000 | ELECTRIC/GAS | 35.40 |
| | | === VENDOR TOTALS === | 442.24 | | | |
| | | === PACKET TOTALS === | 6,100.73 | | | |

PACKET: 02640 NOV 16 PAYABLES

VENDOR SET: 01 City of Falcon Heights

SEQUENCE : ALPHABETIC

DUE TO/FROM ACCOUNTS SUPPRESSED

| -----ID----- | | GROSS | P.O. # | | |
|--------------|-------|----------|-------------|------------------------|--------------|
| ----- | ----- | DISCOUNT | G/L ACCOUNT | -----ACCOUNT NAME----- | DISTRIBUTION |

01-00543 ASSURED PARTNERS OF MN LLC

| | | | | | |
|------------|-------|----------------------------------|--------|--------------------|--------------------------|
| I-362375 | | ASSURED PARTNERS OF MN LLC | 350.00 | | |
| 11/16/2022 | APBNK | DUE: 11/16/2022 DISC: 11/16/2022 | | 1099: N | |
| | | BOND | | 101 4113-88000-000 | INSURANCE & BONDS 350.00 |
| | | === VENDOR TOTALS === | 350.00 | | |

01-00284 AWARDS BY HAMMOND

| | | | | | |
|------------|-------|----------------------------------|-------|--------------------|----------------|
| I-10537 | | NAMEPLATE | 28.50 | | |
| 11/16/2022 | APBNK | DUE: 11/16/2022 DISC: 11/16/2022 | | 1099: N | |
| | | NAMEPLATE | | 101 4111-70100-000 | SUPPLIES 28.50 |
| | | === VENDOR TOTALS === | 28.50 | | |

01-03110 CENTURY LINK

| | | | | | |
|----------------|-------|----------------------------------|-------|--------------------|----------------------------|
| I-202211168335 | | LANDLINE SVC | 62.92 | | |
| 11/16/2022 | APBNK | DUE: 11/16/2022 DISC: 11/16/2022 | | 1099: N | |
| | | LANDLINE SVC | | 101 4141-85011-000 | TELEPHONE - LANDLINE 62.92 |
| | | === VENDOR TOTALS === | 62.92 | | |

01-06290 CITY OF ROSEVILLE

| | | | | | |
|------------|-------|----------------------------------|-----------|--------------------|-----------------------------|
| I-231414 | | ENGINEERING SEP | 12,983.79 | | |
| 11/16/2022 | APBNK | DUE: 11/16/2022 DISC: 11/16/2022 | | 1099: N | |
| | | ENGINEERING SEP | | 101 4133-80100-000 | ENGINEERING SERVICES 782.96 |
| | | ENGINEERING SEP | | 426 4426-80100-000 | ENGINEERING 807.87 |
| | | ENGINEERING SEP | | 429 4429-80100-000 | ENGINEERING 11,392.96 |

| | | | | | |
|------------|-------|----------------------------------|-----------|--------------------|-----------------------------|
| I-231427 | | ENGINEERING OCT | 7,365.45 | | |
| 11/16/2022 | APBNK | DUE: 11/16/2022 DISC: 11/16/2022 | | 1099: N | |
| | | ENGINEERING OCT | | 101 4133-80100-000 | ENGINEERING SERVICES 253.92 |
| | | ENGINEERING OCT | | 426 4426-80100-000 | ENGINEERING 1,067.55 |
| | | ENGINEERING OCT | | 429 4429-80100-000 | ENGINEERING 5,472.06 |
| | | ENGINEERING OCT | | 419 4419-80100-000 | ENGINEERING 571.92 |
| | | === VENDOR TOTALS === | 20,349.24 | | |

01-05172 GOODYEAR TIRE AND RUBBER COMPA

| | | | | | |
|---------------|-------|----------------------------------|----------|--------------------|---------------------------|
| I-124-1106622 | | TIRES FOR BOTH BOBCATS | 3,094.00 | | |
| 11/16/2022 | APBNK | DUE: 11/16/2022 DISC: 11/16/2022 | | 1099: N | |
| | | TIRES FOR BOTH BOBCATS | | 101 4132-87000-000 | REPAIR EQUIPMENT 3,094.00 |
| | | === VENDOR TOTALS === | 3,094.00 | | |

PACKET: 02640 NOV 16 PAYABLES

VENDOR SET: 01 City of Falcon Heights

SEQUENCE : ALPHABETIC

DUE TO/FROM ACCOUNTS SUPPRESSED

| -----ID----- | | | GROSS | P.O. # | | |
|----------------|--------------------------------|----------------------------------|----------|--------------------|--------------------------|--------------|
| I DATE | BANK CODE | -----DESCRIPTION----- | DISCOUNT | G/L ACCOUNT | -----ACCOUNT NAME----- | DISTRIBUTION |
| ===== | | | | | | |
| 01-05995 | LANDFORM | | | | | |
| I-33693 | | GENERAL PLANNING | 4,281.25 | | | |
| 11/16/2022 | APBNK | DUE: 11/16/2022 DISC: 11/16/2022 | | 1099: N | | |
| | | GENERAL PLANNING | | 101 4117-80400-000 | CONSULTING PLANNER | 4,281.25 |
| | | === VENDOR TOTALS === | 4,281.25 | | | |
| ===== | | | | | | |
| 01-05273 | MN PUBLIC EMPLOYEES INSURANCE | | | | | |
| I-1233127 | | HEALTH INS DEC | 8,061.04 | | | |
| 11/16/2022 | APBNK | DUE: 11/16/2022 DISC: 11/16/2022 | | 1099: N | | |
| | | HEALTH INS DEC | | 101 4112-89000-000 | MISCELLANEOUS | 8,061.04 |
| | | === VENDOR TOTALS === | 8,061.04 | | | |
| ===== | | | | | | |
| 01-0624 | OCCUPATIONAL HEALTH CENTERS OF | | | | | |
| I-103559761 | | RANDOM DRUG TESTING | 71.50 | | | |
| 11/16/2022 | APBNK | DUE: 11/16/2022 DISC: 11/16/2022 | | 1099: N | | |
| | | RANDOM DRUG TESTING | | 101 4132-89000-000 | MISCELLANEOUS | 71.50 |
| | | === VENDOR TOTALS === | 71.50 | | | |
| ===== | | | | | | |
| 01-06030 | OLSON,ROLAND | | | | | |
| I-202211168336 | | FLEX REIMB | 22.00 | | | |
| 11/16/2022 | APBNK | DUE: 11/16/2022 DISC: 11/16/2022 | | 1099: N | | |
| | | FLEX REIMB | | 101 21712-000 | MEDICAL FLEX SAVINGS PAY | 18.26 |
| | | FLEX REIMB | | 601 21712-000 | MEDICAL FLEX SAVINGS PAY | 3.30 |
| | | FLEX REIMB | | 602 21712-000 | MEDICAL FLEX SAVINGS PAY | 0.44 |
| | | === VENDOR TOTALS === | 22.00 | | | |
| ===== | | | | | | |
| 01-06024 | ON SITE SANITATION | | | | | |
| I-1438602 | | PORTABLE TOILETS/SANITIZERS | 71.25 | | | |
| 11/16/2022 | APBNK | DUE: 11/16/2022 DISC: 11/16/2022 | | 1099: N | | |
| | | PORTABLE TOILETS/SANITIZERS | | 601 4601-85080-000 | PORTABLE TOILET PARKS | 71.25 |
| | | === VENDOR TOTALS === | 71.25 | | | |
| ===== | | | | | | |
| 01-06301 | SAMS CLUB MC/SYNCE | | | | | |
| I-202211168337 | | EAR PHONES/ZOOM/PIONEER PRESS | 349.89 | | | |
| 11/16/2022 | APBNK | DUE: 11/16/2022 DISC: 11/16/2022 | | 1099: N | | |
| | | EAR PHONES | | 101 4112-70100-000 | SUPPLIES | 21.99 |
| | | PIONEER PRESS PAPER | | 101 4131-70110-000 | SUPPLIES | 67.80 |
| | | ZOOM VIRTUAL | | 101 4116-85040-000 | VIRTUAL COMMUNICATIONS | 220.11 |
| | | COFFEE MAKER | | 101 4131-70110-000 | SUPPLIES | 39.99 |
| | | === VENDOR TOTALS === | 349.89 | | | |

PACKET: 02640 NOV 16 PAYABLES

VENDOR SET: 01 City of Falcon Heights

SEQUENCE : ALPHABETIC

DUE TO/FROM ACCOUNTS SUPPRESSED

| -----ID----- | | | GROSS | P.O. # | | |
|----------------|---------------|----------------------------------|----------|---------------|--------------------------|--------------|
| DATE | BANK CODE | -----DESCRIPTION----- | DISCOUNT | G/L ACCOUNT | -----ACCOUNT NAME----- | DISTRIBUTION |
| ===== | | | | | | |
| 01-05866 | SWANSON, ERIC | | | | | |
| ----- | | | | | | |
| I-202211168338 | | REFUND MECHANICAL PERMIT | 62.80 | | | |
| 11/16/2022 | APBNK | DUE: 11/16/2022 DISC: 11/16/2022 | | 1099: N | | |
| | | REFUND MECHANICAL PERMIT | | 101 32230-000 | PLUMBING PERMITS | 61.00 |
| | | REFUND MECHANICAL PERMIT | | 101 20801-000 | DUE TO OTHER GOVERNMENTS | 1.80 |
| | | === VENDOR TOTALS === | 62.80 | | | |

| | | | | | | |
|----------------|-------------|----------------------------------|-----------|--------------------|-----------------------|----------|
| ===== | | | | | | |
| 01-05870 | XCEL ENERGY | | | | | |
| ----- | | | | | | |
| I-202211168339 | | ELECT | 2,633.95 | | | |
| 11/16/2022 | APBNK | DUE: 11/16/2022 DISC: 11/16/2022 | | 1099: N | | |
| | | ELECT | | 209 4209-85020-000 | STREET LIGHTING POWER | 2,531.48 |
| | | ELECT | | 209 4209-85020-000 | STREET LIGHTING POWER | 72.67 |
| | | ELECT | | 209 4209-85020-000 | STREET LIGHTING POWER | 11.52 |
| | | ELECT | | 209 4209-85020-000 | STREET LIGHTING POWER | 18.28 |
| | | === VENDOR TOTALS === | 2,633.95 | | | |
| | | === PACKET TOTALS === | 39,438.34 | | | |

PACKET: 02642 NOV 17, 2022 PAYBLE

VENDOR SET: 01 City of Falcon Heights

SEQUENCE : ALPHABETIC

DUE TO/FROM ACCOUNTS SUPPRESSED

| -----ID----- | | GROSS | P.O. # | | |
|----------------|-----------------------|----------|-------------|---------------------------------|--------------|
| ----- | ----- | ----- | ----- | ----- | ----- |
| DATE | BANK CODE | DISCOUNT | G/L ACCOUNT | ACCOUNT NAME | DISTRIBUTION |
| ===== | | | | | |
| 01-05870 | XCEL ENERGY | | | | |
| ----- | | | | | |
| I-202211178340 | ELECT | 34.63 | | | |
| 11/17/2022 | APBNK | | 1099: N | | |
| | | | | 101 4141-85020-000 ELECTRIC/GAS | 34.63 |
| | | | | | |
| | === VENDOR TOTALS === | 34.63 | | | |
| | === PACKET TOTALS === | 34.63 | | | |

| -----ID----- | | | GROSS | P.O. # | | |
|----------------|-----------|----------------------------------|------------|--------------------|------------------------|--------------|
| POST DATE | BANK CODE | -----DESCRIPTION----- | DISCOUNT | G/L ACCOUNT | -----ACCOUNT NAME----- | DISTRIBUTION |
| 01-03 | | CANON FINANCIAL SERVICES | | | | |
| I-29516996 | | CANON FINANCIAL SERVICES | 122.39 | | | |
| 11/28/2022 | APBNK | DUE: 11/28/2022 DISC: 11/28/2022 | | 1099: N | | |
| | | Copier Contract Charge Nov | | 101 4131-87010-000 | CITY HALL MAINTENANCE | 122.39 |
| | | === VENDOR TOTALS === | 122.39 | | | |
| 01-03089 | | CASH | | | | |
| I-202211288342 | | CASH | 66.69 | | | |
| 11/28/2022 | APBNK | DUE: 11/28/2022 DISC: 11/28/2022 | | 1099: N | | |
| | | Tire Disposal | | 101 4132-87000-000 | REPAIR EQUIPMENT | 48.00 |
| | | Water for Election Judges | | 101 4115-70100-000 | SUPPLIES | 6.98 |
| | | Workshop Supplies | | 101 4112-70100-000 | SUPPLIES | 11.71 |
| | | === VENDOR TOTALS === | 66.69 | | | |
| 01-03122 | | CITY OF ST PAUL | | | | |
| I-IN51208 | | CITY OF ST PAUL | 390.84 | | | |
| 11/28/2022 | APBNK | DUE: 11/28/2022 DISC: 11/28/2022 | | 1099: N | | |
| | | Asphalt Mix 11 | | 101 4132-75000-000 | BITUMINOUS PATCHING | 390.84 |
| I-IN51843 | | CITY OF ST PAUL | 260.56 | | | |
| 11/28/2022 | APBNK | DUE: 11/28/2022 DISC: 11/28/2022 | | 1099: N | | |
| | | Asphalt Mix 11 | | 101 4132-75000-000 | BITUMINOUS PATCHING | 260.56 |
| I-IN51856 | | CITY OF ST PAUL | 168,712.50 | | | |
| 11/28/2022 | APBNK | DUE: 11/28/2022 DISC: 11/28/2022 | | 1099: N | | |
| | | Fire Protection Services 2022 | | 101 4124-80332-000 | FIRE SERVICE CONTRACT | 168,712.50 |
| | | === VENDOR TOTALS === | 169,363.90 | | | |
| 01-066 | | GRAINGER, W. W., INC. | | | | |
| I-9153357872 | | GRAINGER, W. W., INC. | 16.34 | | | |
| 11/28/2022 | APBNK | DUE: 11/28/2022 DISC: 11/28/2022 | | 1099: N | | |
| | | Gloves | | 101 4132-77000-000 | CLOTHING | 16.34 |
| I-9513357880 | | GRAINGER, W. W., INC. | 56.41 | | | |
| 11/28/2022 | APBNK | DUE: 11/28/2022 DISC: 11/28/2022 | | 1099: N | | |
| | | Gloves | | 101 4132-77000-000 | CLOTHING | 56.41 |
| I-9513357898 | | GRAINGER, W. W., INC. | 162.69 | | | |
| 11/28/2022 | APBNK | DUE: 11/28/2022 DISC: 11/28/2022 | | 1099: N | | |
| | | Snow Shovels | | 101 4131-70110-000 | SUPPLIES | 162.69 |
| | | === VENDOR TOTALS === | 235.44 | | | |

| -----ID----- | | | GROSS | P.O. # | | |
|----------------|--------------------------|----------------------------------|------------|--------------------|--------------------------|--------------|
| POST DATE | BANK CODE | -----DESCRIPTION----- | DISCOUNT | G/L ACCOUNT | -----ACCOUNT NAME----- | DISTRIBUTION |
| 01-054 | HANSEN, LAURA | | | | | |
| I-202211288343 | | HANSEN, LAURA | 57.00 | | | |
| 11/28/2022 | APBNK | DUE: 11/28/2022 DISC: 11/28/2022 | | 1099: N | | |
| | | Refund of Sport Fee - Reissue | | 201 34310-000 | RECREATION FEES | 57.00 |
| | | === VENDOR TOTALS === | 57.00 | | | |
| 01-05843 | MN NCPERS LIFE INSURANCE | | | | | |
| I-458800122022 | | MN NCPERS LIFE INSURANCE | 48.00 | | | |
| 11/28/2022 | APBNK | DUE: 11/28/2022 DISC: 11/28/2022 | | 1099: N | | |
| | | 2022 Life Insurance December | | 101 21709-000 | OTHER PAYABLE | 24.64 |
| | | 2022 Life Insurance December | | 204 21709-000 | OTHER PAYABLE | 1.60 |
| | | 2022 Life Insurance December | | 601 21709-000 | OTHER PAYABLE | 15.52 |
| | | 2022 Life Insurance December | | 602 21709-000 | OTHER PAYABLE | 6.24 |
| | | === VENDOR TOTALS === | 48.00 | | | |
| 01-04875 | MOBILE MINI, INC. | | | | | |
| I-9015922888 | | MOBILE MINI, INC. | 1,187.00 | | | |
| 11/28/2022 | APBNK | DUE: 11/28/2022 DISC: 11/28/2022 | | 1099: N | | |
| | | Warming House Rental | | 101 4141-87120-000 | FACILITIES & GROUND MAIN | 1,187.00 |
| | | === VENDOR TOTALS === | 1,187.00 | | | |
| 01-06464 | SAFE STEP LLC | | | | | |
| I-3908 | | SAFE STEP LLC | 4,063.10 | | | |
| 11/28/2022 | APBNK | DUE: 11/28/2022 DISC: 11/28/2022 | | 1099: N | | |
| | | Evaluate Sidewalks & Repair | | 419 4419-92005-000 | SIDEWALK IMPROVEMENTS | 4,063.10 |
| | | === VENDOR TOTALS === | 4,063.10 | | | |
| 01-05195 | TYLER TECHNOLOGIES | | | | | |
| I-025-402191 | | TYLER TECHNOLOGIES | 7,980.77 | | | |
| 11/28/2022 | APBNK | DUE: 11/28/2022 DISC: 11/28/2022 | | 1099: N | | |
| | | Annual Software Maintenance | | 101 15500-000 | PREPAID EXPENDITURES | 7,980.77 |
| | | === VENDOR TOTALS === | 7,980.77 | | | |
| | | === PACKET TOTALS === | 183,124.29 | | | |

| -----ID----- | | | GROSS | P.O. # | | |
|----------------|-----------|----------------------------------|----------|--------------------|------------------------|--------------|
| POST DATE | BANK CODE | -----DESCRIPTION----- | DISCOUNT | G/L ACCOUNT | -----ACCOUNT NAME----- | DISTRIBUTION |
| 01-53 | | HOME DEPOT CRC/GECF | | | | |
| I-202211308344 | | HOME DEPOT CRC/GECF | 251.78 | | | |
| 11/30/2022 | APBNK | DUE: 11/30/2022 DISC: 11/30/2022 | | 1099: N | | |
| | | Reflective Markers &Light Bulb | | 101 4131-70110-000 | SUPPLIES | 168.38 |
| | | Reflective Markers | | 101 4131-70110-000 | SUPPLIES | 83.40 |
| | | === VENDOR TOTALS === | 251.78 | | | |
| 01-05582 | | MENARDS | | | | |
| I-1645335488 | | MENARDS | 15.99 | | | |
| 11/30/2022 | APBNK | DUE: 11/30/2022 DISC: 11/30/2022 | | 1099: N | | |
| | | Angle Plug | | 101 4131-70110-000 | SUPPLIES | 15.99 |
| | | === VENDOR TOTALS === | 15.99 | | | |
| 01-06002 | | NINENORTH | | | | |
| I-2022-183 | | NINENORTH | 683.66 | | | |
| 11/30/2022 | APBNK | DUE: 11/30/2022 DISC: 11/30/2022 | | 1099: N | | |
| | | 2 Municipal Mtg- Cable&Stream | | 101 4116-85050-000 | CABLE TV | 683.66 |
| | | === VENDOR TOTALS === | 683.66 | | | |
| 01-06185 | | RAMSEY COUNTY | | | | |
| I-RISK-002205 | | RAMSEY COUNTY | 819.36 | | | |
| 11/30/2022 | APBNK | DUE: 11/30/2022 DISC: 11/30/2022 | | 1099: N | | |
| | | Insurance/HR Admin Fee Dec | | 101 4112-89000-000 | MISCELLANEOUS | 819.36 |
| | | === VENDOR TOTALS === | 819.36 | | | |
| 01-06185 | | TULLEMANS, MARC | | | | |
| I-202211308345 | | TULLEMANS, MARC | 50.00 | | | |
| 11/30/2022 | APBNK | DUE: 11/30/2022 DISC: 11/30/2022 | | 1099: N | | |
| | | Refund Excess Rental License | | 101 32150-000 | RENTAL HOUSING LICENSE | 50.00 |
| | | === VENDOR TOTALS === | 50.00 | | | |
| 01-05870 | | XCEL ENERGY | | | | |
| I-202211308346 | | XCEL ENERGY | 50.72 | | | |
| 11/30/2022 | APBNK | DUE: 11/30/2022 DISC: 11/30/2022 | | 1099: N | | |
| | | Elect | | 101 4121-85020-000 | ELECTRIC | 13.98 |
| | | Elect | | 101 4141-85020-000 | ELECTRIC/GAS | 36.74 |
| | | === VENDOR TOTALS === | 50.72 | | | |
| | | === PACKET TOTALS === | 1,871.51 | | | |

| -----ID----- | | | GROSS | P.O. # | | |
|----------------|-----------------------|----------------------------------|----------|--------------------|-------------------------|--------------|
| POST DATE | BANK CODE | -----DESCRIPTION----- | DISCOUNT | G/L ACCOUNT | -----ACCOUNT NAME----- | DISTRIBUTION |
| 01 28 | ALLSTREAM | | | | | |
| I-18990046 | | ALLSTREAM | 47.16 | | | |
| 12/05/2022 | APBNK | DUE: 12/05/2022 DISC: 12/05/2022 | | 1099: N | | |
| | | Emergeny Landline CH | | 101 4116-85010-000 | TELEPHONE | 47.16 |
| | | === VENDOR TOTALS === | 47.16 | | | |
| 01-05422 | BP | | | | | |
| I-202212058347 | | BP | 2,305.40 | | | |
| 12/05/2022 | APBNK | DUE: 12/05/2022 DISC: 12/05/2022 | | 1099: N | | |
| | | Fuel | | 101 4132-74000-000 | MOTOR FUEL & LUBRICANTS | 1,170.11 |
| | | Fuel | | 602 4602-74000-000 | FUEL & LUBRICANTS | 1,135.29 |
| | | === VENDOR TOTALS === | 2,305.40 | | | |
| 01-05881 | DEERE & COMPANY | | | | | |
| I-27859185 | | DEERE & COMPANY | 4,999.84 | | | |
| 12/05/2022 | APBNK | DUE: 12/05/2022 DISC: 12/05/2022 | | 1099: N | | |
| | | John Deere 60" Snow Blower | | 403 4403-91000-000 | MACHINERY & EQUIPMENT | 4,999.84 |
| | | === VENDOR TOTALS === | 4,999.84 | | | |
| 01-05290 | GOODIN COMPANY | | | | | |
| I-02543401-00 | | GOODIN COMPANY | 94.08 | | | |
| 12/05/2022 | APBNK | DUE: 12/05/2022 DISC: 12/05/2022 | | 1099: N | | |
| | | 2 Return Air Grilles | | 101 4131-70110-000 | SUPPLIES | 94.08 |
| | | === VENDOR TOTALS === | 94.08 | | | |
| 01 5 | GOPHER STATE ONE CALL | | | | | |
| I-2110390 | | GOPHER STATE ONE CALL | 36.45 | | | |
| 12/05/2022 | APBNK | DUE: 12/05/2022 DISC: 12/05/2022 | | 1099: N | | |
| | | Locates | | 601 4601-88030-000 | LOCATES | 36.45 |
| | | === VENDOR TOTALS === | 36.45 | | | |
| 01-05670 | METRO PRODUCTS INC | | | | | |
| I-170588 | | METRO PRODUCTS INC | 138.12 | | | |
| 12/05/2022 | APBNK | DUE: 12/05/2022 DISC: 12/05/2022 | | 1099: N | | |
| | | Washers, Ty Wraps & C/O Wheels | | 101 4131-70110-000 | SUPPLIES | 138.12 |
| | | === VENDOR TOTALS === | 138.12 | | | |

| -----ID----- | | | GROSS | P.O. # | | |
|----------------|-----------|----------------------------------|----------|--------------------|--------------------------|--------------|
| POST DATE | BANK CODE | -----DESCRIPTION----- | DISCOUNT | G/L ACCOUNT | -----ACCOUNT NAME----- | DISTRIBUTION |
| 01 | 02 | NINENORTH | | | | |
| I-2022-224 | | NINENORTH | 629.66 | | | |
| 12/05/2022 | APBNK | DUE: 12/05/2022 DISC: 12/05/2022 | | 1099: N | | |
| | | 1 Municipal Meeting | | 101 4116-85050-000 | CABLE TV | 629.66 |
| | | === VENDOR TOTALS === | 629.66 | | | |
| 01-05979 | | NORTH SUBURBAN TOBACCO COMPLIA | | | | |
| I-076-102022-B | | NORTH SUBURBAN TOBACCO COMPLI | 177.00 | | | |
| 12/05/2022 | APBNK | DUE: 12/05/2022 DISC: 12/05/2022 | | 1099: N | | |
| | | Tobacco Compliance | | 101 4122-81000-000 | POLICE SERVICES | 177.00 |
| | | === VENDOR TOTALS === | 177.00 | | | |
| 01-06030 | | OLSON,ROLAND | | | | |
| I-202212058348 | | OLSON,ROLAND | 21.50 | | | |
| 12/05/2022 | APBNK | DUE: 12/05/2022 DISC: 12/05/2022 | | 1099: N | | |
| | | Mileage Reimbursement Nov | | 101 4113-86010-000 | MILEAGE | 21.50 |
| | | === VENDOR TOTALS === | 21.50 | | | |
| 01-06024 | | ON SITE SANITATION | | | | |
| I-1447975 | | ON SITE SANITATION | 164.00 | | | |
| 12/05/2022 | APBNK | DUE: 12/05/2022 DISC: 12/05/2022 | | 1099: N | | |
| | | Portable Toilets/Sanitizers | | 601 4601-85080-000 | PORTABLE TOILET PARKS | 164.00 |
| I-1447976 | | ON SITE SANITATION | 260.00 | | | |
| 12/05/2022 | APBNK | DUE: 12/05/2022 DISC: 12/05/2022 | | 1099: N | | |
| | | Portable Toilets/Sanitizers | | 601 4601-85080-000 | PORTABLE TOILET PARKS | 260.00 |
| | | === VENDOR TOTALS === | 424.00 | | | |
| 01-00935 | | ST PAUL REGIONAL WATER SERVICE | | | | |
| I-202212058349 | | ST PAUL REGIONAL WATER SERVIC | 174.40 | | | |
| 12/05/2022 | APBNK | DUE: 12/05/2022 DISC: 12/05/2022 | | 1099: N | | |
| | | City Hall Water | | 101 4131-85040-000 | WATER | 62.88 |
| | | City Hall Sanitary Sewer | | 601 4601-85070-000 | SAC CHARGES AND SS CHARG | 16.83 |
| | | Community Park Water | | 101 4141-85040-000 | WATER | 82.61 |
| | | Community Park Sanitary Sewer | | 601 4601-85070-000 | SAC CHARGES AND SS CHARG | 12.08 |
| | | === VENDOR TOTALS === | 174.40 | | | |

| -----ID----- | | | GROSS | P.O. # | | |
|-----------------------|-----------|---|-----------|-------------------------------|------------------------|--------------|
| POST DATE | BANK CODE | -----DESCRIPTION----- | DISCOUNT | G/L ACCOUNT | -----ACCOUNT NAME----- | DISTRIBUTION |
| <hr/> | | | | | | |
| 01 | 74 | TENNIS SANITATION LLC | | | | |
| <hr/> | | | | | | |
| I-3447211 | | TENNIS SANITATION LLC | 7,458.75 | | | |
| 12/05/2022 | APBNK | DUE: 12/05/2022 DISC: 12/05/2022 Recycling-SFD&MFD FH | | 1099: N 206 4206-82030-000 | RECYCLING CONTRACTS | 7,458.75 |
| <hr/> | | | | | | |
| I-3447212 | | TENNIS SANITATION LLC | 66.50 | | | |
| 12/05/2022 | APBNK | DUE: 12/05/2022 DISC: 12/05/2022 Recycling Ramsey Cty SWMT&CEC | | 1099: N 101 4131-87010-000 | CITY HALL MAINTENANCE | 66.50 |
| === VENDOR TOTALS === | | | 7,525.25 | | | |
| <hr/> | | | | | | |
| 01-06581 | | TRI-STATE BOBCAT INC | | | | |
| <hr/> | | | | | | |
| I-A12742 | | TRI-STATE BOBCAT INC | 54.80 | | | |
| 12/05/2022 | APBNK | DUE: 12/05/2022 DISC: 12/05/2022 Nuts & Bolts | | 1099: N 101 4132-70120-000 | SUPPLIES | 54.80 |
| === VENDOR TOTALS === | | | 54.80 | | | |
| <hr/> | | | | | | |
| 01-05737 | | VERIZON WIRELESS | | | | |
| <hr/> | | | | | | |
| I-942185753-00001 | | VERIZON WIRELESS | 53.23 | | | |
| 12/05/2022 | APBNK | DUE: 12/05/2022 DISC: 12/05/2022 Cell Phone to Nov 23 | | 1099: N 601 4601-85015-000 | CELL PHONE | 53.23 |
| === VENDOR TOTALS === | | | 53.23 | | | |
| === PACKET TOTALS === | | | 16,680.89 | | | |

PACKET: 02651 DED 6 PAYABLES

VENDOR SET: 01 City of Falcon Heights

SEQUENCE : ALPHABETIC

DUE TO/FROM ACCOUNTS SUPPRESSED

| -----ID----- | | | GROSS | P.O. # | | |
|--------------|-----------|-----------------------|----------|-------------|------------------------|--------------|
| DATE | BANK CODE | -----DESCRIPTION----- | DISCOUNT | G/L ACCOUNT | -----ACCOUNT NAME----- | DISTRIBUTION |
| ===== | | | | | | |
| 01-00875 | BHE | COMMUNITY SOLAR, LLC | | | | |

| | | | | | | |
|----------------|-------|----------------------------------|----------|--------------------|----------------|----------|
| I-202212068350 | | SOLAR GARDEN OCT | 1,063.04 | | | |
| 12/06/2022 | APBNK | DUE: 12/06/2022 DISC: 12/06/2022 | | 1099: N | | |
| | | SOLAR GARDEN OCT | | 101 4131-85025-000 | SOLAR ELECTRIC | 1,063.04 |
| | | === VENDOR TOTALS === | 1,063.04 | | | |

01-03001 CAMPBELL KNUTSON

| | | | | | | |
|------------|-------|----------------------------------|--------|--------------------|------------|--------|
| I-301 | | LEGAL NOV | 805.82 | | | |
| 12/06/2022 | APBNK | DUE: 12/06/2022 DISC: 12/06/2022 | | 1099: Y | | |
| | | LEGAL NOV | | 101 4114-80200-000 | LEGAL FEES | 805.82 |
| | | === VENDOR TOTALS === | 805.82 | | | |

01-06290 CITY OF ROSEVILLE

| | | | | | | |
|------------|-------|----------------------------------|----------|--------------------|-------------------|----------|
| I-231440 | | DEC IT SUPPORT | 3,179.49 | | | |
| 12/06/2022 | APBNK | DUE: 12/06/2022 DISC: 12/06/2022 | | 1099: N | | |
| | | DEC IT OPERATIONAL SUPPORT | | 101 4116-85070-000 | TECHNICAL SUPPORT | 1,005.59 |
| | | DEC IT STAFF SUPPORT | | 101 4116-85070-000 | TECHNICAL SUPPORT | 1,873.40 |
| | | DEC IT SOFTWARE SUPPORT | | 101 4116-85070-000 | TECHNICAL SUPPORT | 195.56 |
| | | DEC IT EQUIPMENT SUPPORT | | 101 4116-85070-000 | TECHNICAL SUPPORT | 104.94 |
| | | === VENDOR TOTALS === | 3,179.49 | | | |

01-05235 JAN-PRO CLEANING SYSTEMS

| | | | | | | |
|------------|-------|----------------------------------|--------|--------------------|-----------------------|--------|
| I-114287 | | JANITORIAL SVC DEC | 450.00 | | | |
| 12/06/2022 | APBNK | DUE: 12/06/2022 DISC: 12/06/2022 | | 1099: N | | |
| | | JANITORIAL SVC DEC | | 101 4131-87010-000 | CITY HALL MAINTENANCE | 450.00 |
| | | === VENDOR TOTALS === | 450.00 | | | |

01-05665 METROPOLITAN COUNCIL

| | | | | | | |
|------------|-------|----------------------------------|-----------|---------------|-----------------|-----------|
| I-1149926 | | WASTE WATER SVC JAN 2023 | 55,832.95 | | | |
| 12/06/2022 | APBNK | DUE: 12/06/2022 DISC: 12/06/2022 | | 1099: N | | |
| | | WASTE WATER SVC JAN 2023 | | 601 15500-000 | PREPAID EXPENSE | 55,832.95 |
| | | === VENDOR TOTALS === | 55,832.95 | | | |

PACKET: 02651 DED 6 PAYABLES

VENDOR SET: 01 City of Falcon Heights

SEQUENCE : ALPHABETIC

DUE TO/FROM ACCOUNTS SUPPRESSED

| -----ID----- | | | GROSS | P.O. # | | |
|----------------|-----------|----------------------------------|------------|--------------------|------------------------|--------------|
| DATE | BANK CODE | -----DESCRIPTION----- | DISCOUNT | G/L ACCOUNT | -----ACCOUNT NAME----- | DISTRIBUTION |
| 01-06184 | | RAMSEY COUNTY - POLICE AND 911 | | | | |
| I-SHRFL 002112 | | LAW ENFORCEMENT DEC | 95,560.97 | | | |
| 12/06/2022 | APBNK | DUE: 12/06/2022 DISC: 12/06/2022 | | 1099: N | | |
| | | LAW ENFORCEMENT DEC | | 101 4122-81000-000 | POLICE SERVICES | 95,560.97 |
| | | === VENDOR TOTALS === | 95,560.97 | | | |
| | | === PACKET TOTALS === | 156,892.27 | | | |

| EMP # | NAME | AMOUNT |
|----------------|---------------------|--------------|
| 01-0022 | RANDALL C GUSTAFSON | 293.07 |
| 01-0023 | MELANIE M LEEHY | 262.05 |
| 01-0025 | YAKASAH WEHYEE | 262.05 |
| 01-0027 | ERIC G MEYER | 262.05 |
| 01-1006 | JACK LINEHAN | 3,144.55 |
| 01-1026 | BRENNAN J SORENSEN | 1,590.64 |
| 01-1027 | KELLY A NELSON | 1,934.87 |
| 01-1136 | ROLAND O OLSON | 3,069.40 |
| 01-2268 | MATTHEW CHERNUGAL | 2,241.27 |
| 01-1030 | TIMOTHY J PITTMAN | 2,368.47 |
| 01-1033 | DAVE TRETSTVEN | 1,861.53 |
| 01-1143 | COLIN B CALLAHAN | 2,061.30 |
| TOTAL PRINTED: | | 12 19,351.25 |

11-22-2022 6:47 AM PAYROLL CHECK REGISTER
PAYROLL NO: 01 City of Falcon Heights

PAGE: 1
PAYROLL DATE: 11/22/2022

| EMP NO | EMPLOYEE NAME | TYPE | CHECK DATE | CHECK AMOUNT | CHECK NO. |
|--------|---------------------|------|------------|--------------|-----------|
| 002 | WASSENBERG, JAMES J | R | 11/22/2022 | 183.43 | 091836 |
| 1162 | LANDBERG, ALYSSA | R | 11/22/2022 | 370.88 | 091837 |
| 1184 | NEIS, ADRIAN J | R | 11/22/2022 | 479.26 | 091838 |

11-22-2022 6:47 AM PAYROLL CHECK REGISTER
PAYROLL NO: 01 City of Falcon Heights

PAGE: 2
PAYROLL DATE: 11/22/2022

*** REGISTER TOTALS ***

| | | |
|--------------------------------|----|-----------|
| REGULAR CHECKS: | 3 | 1,033.57 |
| DIRECT DEPOSIT REGULAR CHECKS: | 12 | 19,351.25 |
| MANUAL CHECKS: | | |
| PRINTED MANUAL CHECKS: | | |
| DIRECT DEPOSIT MANUAL CHECKS: | | |
| VOIDED CHECKS: | | |
| NON CHECKS: | | |
| TOTAL CHECKS: | 15 | 20,384.82 |

*** NO ERRORS FOUND ***

| EMP # | NAME | AMOUNT |
|---------|--------------------|----------|
| 006 | JACK LINEHAN | 3,111.07 |
| 01-1026 | BRENNAN J SORENSEN | 1,466.17 |
| 01-1027 | KELLY A NELSON | 1,934.87 |
| 01-1136 | ROLAND O OLSON | 2,863.13 |
| 01-2268 | MATTHEW CHERNUGAL | 1,294.33 |
| 01-1030 | TIMOTHY J PITTMAN | 2,368.47 |
| 01-1033 | DAVE TRETSVEN | 1,861.53 |
| 01-1143 | COLIN B CALLAHAN | 2,061.30 |

TOTAL PRINTED: 8 16,960.87

11-08-2022 6:43 AM PAYROLL CHECK REGISTER
 PAYROLL NO: 01 City of Falcon Heights

PAGE: 1
 PAYROLL DATE: 11/08/2022

| EMP NO | EMPLOYEE NAME | TYPE | CHECK DATE | CHECK AMOUNT | CHECK NO. |
|--------|-----------------------|------|------------|--------------|-----------|
| 1030 | CHERNE, CHRISTOPHER D | R | 11/08/2022 | 962.50 | 091811 |
| 1162 | LANDBERG, ALYSSA | R | 11/08/2022 | 894.14 | 091812 |
| 1184 | NEIS, ADRIAN J | R | 11/08/2022 | 232.52 | 091813 |

11-08-2022 6:43 AM PAYROLL CHECK REGISTER
 PAYROLL NO: 01 City of Falcon Heights

PAGE: 2
 PAYROLL DATE: 11/08/2022

*** REGISTER TOTALS ***

| | | |
|--------------------------------|----|-----------|
| REGULAR CHECKS: | 3 | 2,089.16 |
| DIRECT DEPOSIT REGULAR CHECKS: | 8 | 16,960.87 |
| MANUAL CHECKS: | | |
| PRINTED MANUAL CHECKS: | | |
| DIRECT DEPOSIT MANUAL CHECKS: | | |
| VOIDED CHECKS: | | |
| NON CHECKS: | | |
| TOTAL CHECKS: | 11 | 19,050.03 |

*** NO ERRORS FOUND ***

WIRE PAYMENTS

NOV 15 payroll

| | |
|------------|--------------|
| Fed With | 7,284.89 |
| St With | 1,270.25 |
| Pera | 4,119.14 |
| ICMA | 1,283.34 |
| Child supp | <u>26.50</u> |

13,984.12

WIRE PAYMENTS

NOV 30 Payroll

| | |
|------------|--------------|
| Fed With | 7,838.45 |
| St With | 1,519.38 |
| Pera | 4,346.91 |
| ICMA | 1,283.34 |
| Child supp | <u>26.50</u> |

15,014.58

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REQUEST FOR COUNCIL ACTION

| | |
|---------------------|---|
| Meeting Date | December 14, 2022 |
| Agenda Item | Consent G2 |
| Attachment | N/A |
| Submitted By | Kelly Nelson Assistant to the City Administrator |

| | |
|--------------------|--|
| Item | Approval of City License(s) |
| Description | <p>The following individuals/entities have applied for a <u>Municipal Business License</u> for 2023. Staff have received the necessary documents for licensure.</p> <ol style="list-style-type: none"> 1. Golden Tailor 2. American Family Mutual Insurance 3. National Dentex Twin Cities Laboratory 4. Merwin Liquors 5. Northern Tier Retail LLC DBA: Speedway #4353 6. The F.I.T. Lab 7. H1 HH MN Inc DBA Honest-1 Auto Care <p>The following individuals/entities have applied for a <u>Gasoline Station Operator License</u> for 2023. Staff have received the necessary documents for licensure.</p> <ol style="list-style-type: none"> 1. Northern Tier Retail LLC DBA: Speedway #4353 <p>The following individuals/entities have applied for a <u>Retail Grocery License</u> for 2023. Staff have received the necessary documents for licensure.</p> <ol style="list-style-type: none"> 1. Northern Tier Retail LLC DBA: Speedway #4353 <p>The following individuals/entities have applied for a <u>Tobacco License</u> for 2023. Staff have received the necessary documents for licensure.</p> <ol style="list-style-type: none"> 1. Merwin Liquors 2. Northern Tier Retail LLC DBA: Speedway #4353 <p>The following individuals/entities have applied for a <u>Home Occupation License</u> for 2023. Staff have received the necessary documents for licensure.</p> <ol style="list-style-type: none"> 1. Cynthia Cyd Wicker 2. NeoBlossom 3. Sampson Miller Advertising 4. Pamela M Harris PLLC |

| | |
|----------------------------|--|
| | <p>The following individuals/entities have applied for a <u>Tree Contractors License</u> for 2023. Staff have received the necessary documents for licensure.</p> <ol style="list-style-type: none"> 1. Twin City Tree Service 2. Vineland Tree Care 3. Precision Landscape and Tree 4. Tree Trust 5. Northern Arborists 6. The Davey Tree Expert Company <p>The following individuals/entities have applied for a <u>Refuse & Recycling Hauler License</u> for 2023. Staff have received the necessary documents for licensure.</p> <ol style="list-style-type: none"> 1. Curbside Waste, Inc. 2. Walter’s Recycling & Refuse 3. Gene’s Disposal Service Inc. 4. Aspen Waste Systems of Minnesota, Inc. <p>The following individuals/entities have applied for a <u>Multifamily Rental Dwelling License</u> for 2023. Staff have received the necessary documents for licensure.</p> <ol style="list-style-type: none"> 1. Midtown 2500, LLC - 1634 and 1642 Snelling Ave. & 1561 Idaho Ave. 2. Edward Properties - 1504 Larpenteur Ave. W. 3. Capreit Management - 1530 and 1550 Larpenteur Ave. W. <p>The following individuals/entities have applied for a <u>Restaurant License</u> for 2023. Staff have received the necessary documents for licensure.</p> <ol style="list-style-type: none"> 1. New Fresh Wok 2. Dino’s Gyros 3. Stout’s Pub <p>The following individuals/entities have applied for <u>Holiday Tree Sales</u> for 2022. Staff have received the necessary documents for licensure.</p> <ol style="list-style-type: none"> 1. University of Minnesota Forestry Club <p>The following individuals/entities have applied for a <u>Liquor License</u> for 2023. Staff have received the necessary documents for licensure.</p> <ol style="list-style-type: none"> 1. Merwin Liquors 2. New Fresh Wok 3. Dino’s Gyros |
| Budget Impact | N/A |
| Attachment(s) | N/A |
| Action(s) Requested | Staff recommends approval of the City license applications contingent on background checks and fire inspections as required. |

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ITEM FOR DISCUSSION

| | |
|---------------------|----------------------------------|
| Meeting Date | December 14, 2022 |
| Agenda Item | Consent G3 |
| Attachment | N/A |
| Submitted By | Jack Linehan, City Administrator |

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|----------------------------|--|
| Item | Appointment of City Attorney |
| Description | Falcon Heights has used the law firm of Campbell Knutson, P.A. for Civil Attorney services for many years. Andrea McDowell-Poehler is the main contact, but the City uses various attorneys in the firm for our daily needs. |
| Budget Impact | Funds have been allocated in the 2023 Budget. |
| Attachment(s) | N/A |
| Action(s) Requested | Staff recommends that the Falcon Heights City Council approve the law firm of Campbell Knutson, P.A. for civil legal services for 2023. |

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ITEM FOR DISCUSSION

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|---------------------|----------------------------------|
| Meeting Date | December 14, 2022 |
| Agenda Item | Consent G4 |
| Attachment | N/A |
| Submitted By | Jack Linehan, City Administrator |

| | |
|----------------------------|---|
| Item | Appointment of Interim City Engineer |
| Description | <p>For several years the City has contracted with the City of Roseville for engineering services. The City’s current City Engineer, Jesse Freihammer, has been promoted from Assistant Public Works Director/City Engineer to Public Works Director for the City of Roseville. Due to the additional responsibilities associated with the promotion, Jesse will no longer be able to serve as Falcon Heights’ primary engineer.</p> <p>Roseville’s Assistant City Engineer Stephanie Smith has worked with the City for multiple years now and is very capable of stepping up as the City of Falcon Heights’ City Engineer.</p> <p>Roseville is currently hiring Jesse’s replacement. When a permanent Assistant Public Works Director/City Engineer is named for Roseville, it is our intent to bring forward a new appointment recommendation for permanent appointment.</p> <p>Jesse will remain involved in the 2023 PMP to see it through to completion.</p> |
| Budget Impact | Funds have been allocated in the 2023 Budget. |
| Attachment(s) | N/A |
| Action(s) Requested | Staff recommends the approval of Stephanie Smith and the City of Roseville Engineering Department as City of Falcon Heights’ Interim Engineer for 2023. |

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ITEM FOR DISCUSSION

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| Meeting Date | December 14, 2022 |
| Agenda Item | Consent G5 |
| Attachment | N/A |
| Submitted By | Jack Linehan, City Administrator |

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|----------------------------|--|
| Item | Appointment of City Auditor |
| Description | Each year the City is required to have an independent firm audit our financial records. For the past several years, we have used Kern-DeWenter-Viere as our auditors, and we have been very satisfied with their services. |
| Budget Impact | Funds have been allocated in the 2023 Budget. |
| Attachment(s) | N/A |
| Action(s) Requested | Staff recommends the approval of KDV, Kern-DeWenter-Viere, as the City Auditor for 2023. |

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ITEM FOR DISCUSSION

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|---------------------|----------------------------------|
| Meeting Date | December 14, 2022 |
| Agenda Item | Consent G6 |
| Attachment | N/A |
| Submitted By | Jack Linehan, City Administrator |

| | |
|----------------------------|--|
| Item | Designation of Official Newspaper |
| Description | State statute requires that a city designate a legal newspaper of general circulation in the city. This newspaper is used when the city is required to publish legal notification regarding public hearings, elections and city financial matters. Based on circulation of the Pioneer Press in Falcon Heights, staff recommend that the city designate the Pioneer Press as the legal newspaper for 2023. |
| Budget Impact | Funds have been allocated in the 2023 Budget. |
| Attachment(s) | N/A |
| Action(s) Requested | Designate the Pioneer Press as the city's legal newspaper for 2023. |

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ITEM FOR DISCUSSION

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|---------------------|----------------------------------|
| Meeting Date | December 14, 2022 |
| Agenda Item | Consent G7 |
| Attachment | N/A |
| Submitted By | Jack Linehan, City Administrator |

| | |
|----------------------------|---|
| Item | 2023 Cost of Living Adjustments (COLA) |
| Description | As part of the 2023 Budget process, employee salaries are adjusted based on various factors, one of which is a cost-of-living adjustment (COLA). Incorporated into the approved 2022 budget is a four (4) percent increase for all regular, non-seasonal employees. This cost of living adjustment will be extended to permanent part-time employees as well. |
| Budget Impact | The four percent COLA is incorporated into the approved 2023 Budget. |
| Attachment(s) | N/A |
| Action(s) Requested | Staff recommends that the Falcon Heights City Council approve a four percent cost of living adjustment for all regular, non-seasonal city employees for 2023 as reflected in the approved 2023 Budget. |

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ITEM FOR DISCUSSION

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|---------------------|--------------------------------|
| Meeting Date | December 14, 2022 |
| Agenda Item | Consent G8 |
| Attachment | N/A |
| Submitted By | Roland Olson, Finance Director |

| | |
|----------------------------|---|
| Item | Statutory Tort Limits Liability Coverage for City in 2023 |
| Description | <p>Effective January 1, 2023, the statutory tort limits for the City of Falcon Heights under our insurance policy with the League of Minnesota Cities Insurance Trust will continue to be \$1,500,000. An individual claimant would be able to recover no more than \$500,000 on any claim to which the statutory tort limits apply. The total which all claimants would be able to recover for a single occurrence to which statutory tort limits apply would be limited to \$1,500,000.</p> <p>The League of Minnesota Cities Insurance Trust is requesting that cities determine if they wish to waive the statutory tort limits for 2023. Under certain circumstances the LMCIT, which represents the city in these claims, may negotiate above the legal liability limit if necessary because some claims like employment are exempt from the cap. The general council from the LMCIT states that cities make different choices depending upon their circumstances. However, they perceived that maintaining the limit was prudent in many cases. The city has had no claims for settlements for several years. Since 2000, the city council has voted <u>not to waive</u> the statutory tort limits.</p> |
| Budget Impact | N/A |
| Attachment(s) | Liability Coverage Waiver Form from the League of Minnesota Insurance Trust (LMCIT) |
| Action(s) Requested | Staff recommends that the Falcon Heights City Council approve a motion <u>not to waive</u> the city’s statutory tort limits for 2023 and authorize the City Administrator to execute all documents. |

LIABILITY COVERAGE – WAIVER FORM

Members who obtain liability coverage through the League of Minnesota Cities Insurance Trust (LMCIT) must complete and return this form to LMCIT before the member's effective date of coverage. Return completed form to your underwriter or email to pstech@lmc.org.

The decision to waive or not waive the statutory tort limits must be made annually by the member's governing body, in consultation with its attorney if necessary.

Members who obtain liability coverage from LMCIT must decide whether to waive the statutory tort liability limits to the extent of the coverage purchased. The decision has the following effects:

- *If the member does not waive the statutory tort limits, an individual claimant could recover no more than \$500,000 on any claim to which the statutory tort limits apply. The total all claimants could recover for a single occurrence to which the statutory tort limits apply would be limited to \$1,500,000. These statutory tort limits would apply regardless of whether the member purchases the optional LMCIT excess liability coverage.*
- *If the member waives the statutory tort limits and does not purchase excess liability coverage, a single claimant could recover up to \$2,000,000 for a single occurrence (under the waive option, the tort cap liability limits are only waived to the extent of the member's liability coverage limits, and the LMCIT per occurrence limit is \$2,000,000). The total all claimants could recover for a single occurrence to which the statutory tort limits apply would also be limited to \$2,000,000, regardless of the number of claimants.*
- *If the member waives the statutory tort limits and purchases excess liability coverage, a single claimant could potentially recover an amount up to the limit of the coverage purchased. The total all claimants could recover for a single occurrence to which the statutory tort limits apply would also be limited to the amount of coverage purchased, regardless of the number of claimants.*

Claims to which the statutory municipal tort limits do not apply are not affected by this decision.

LMCIT Member Name: _____

Check one:

The member **DOES NOT WAIVE** the monetary limits on municipal tort liability established by Minn. Stat. § 466.04.

The member **WAIVES** the monetary limits on municipal tort liability established by Minn. Stat. § 466.04, to the extent of the limits of the liability coverage obtained from LMCIT.

Date of member's governing body meeting: _____

Signature: _____ Position: _____

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ITEM FOR DISCUSSION

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|---------------------|--------------------------------|
| Meeting Date | December 14, 2022 |
| Agenda Item | Consent G9 |
| Attachment | |
| Submitted By | Roland Olson, Finance Director |

| | |
|----------------------------|---|
| Item | Budget amendments and transfer of funds for the 2021 Street Pavement Management Project Fund 426 for Infrastructure Fund 419. |
| Description | <p>Additional repair work on the 2021 street project requires budget amendments and a transfer of funds to keep the fund balance for Fund 426 in a positive balance for year end. Staff recommends the following budget amendments for the following funds and completion of a transfer of funds for \$20,000.</p> <p>Transfer from: <u>Fund 419 Infrastructure</u> 419-4419-97000 \$20,000</p> <p>Transfer to: <u>Fund 426 2021 Street Project:</u> 426-39200 \$20,000</p> |
| Budget Impact | Additional repair work on the 2021 street project caused the increase in budget and expenses. |
| Attachment(s) | |
| Action(s) Requested | Staff recommends the above mentioned budget amendments and transfer of funds for the 2021 Street Project PMP Fund 426 from the Infrastructure Fund 419. |

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REQUEST FOR COUNCIL ACTION (RCA)

| | |
|---------------------|---|
| Meeting Date | December 14, 2022 |
| Agenda Item | Consent G10 |
| Attachment | Updated Path and Sidewalk Maintenance Map |
| Submitted By | Jack Linehan, City Administrator |

| | |
|--------------------|---|
| Item | Path/Sidewalk Maintenance Map |
| Description | <p>The City Council discussed the Path/Sidewalk Maintenance Map at our August 3rd, 2022 workshop. It was determined that if Garden Avenue was approved with a sidewalk that the City would assume responsibility for the maintenance and snow removal of the sidewalk. The City Council approved the construction of sidewalk for Garden Avenue on November 9th, so now it would be appropriate to approve an updated plowing map.</p> <p>The attached map highlights with a blue dash where the City would now remove snow. Once approved, the map will be updated to highlight City sidewalk plowing responsibility in dark blue.</p> <p><u>Larpenteur Avenue</u></p> <p>The City of Falcon Heights has sidewalks that run parallel to Larpenteur Avenue from Hamline Avenue to Coffman Street on the south and Fulham Street on the north. These sidewalks service residential and commercial uses as well as the State Fair and the University of Minnesota.</p> <p>Larpenteur Avenue is a County Road. It is classified as an A-Minor Arterial road which contains four drive lanes servicing thousands of cars a day, approximately 17,200 in 2015 per the City of Falcon Heights Comprehensive Plan. For snow removal on Larpenteur Avenue, Ramsey County maintains a clear pavement, curb to curb policy. Due to the little, or no, boulevard on Larpenteur Avenue the snow storage for Larpenteur Avenue is de facto the sidewalk.</p> <p>Currently, the City requires and specifies that all property owners must remove all snow and ice off the sidewalks within 24 hours of the end of a snow event. Generally, there must not be snow or ice on the sidewalk per the City’s nuisance ordinance.</p> <p>Larpenteur Avenue presents unique challenges to this requirement. The narrow boulevard places most, if not all, ice and snow from all four lanes on the sidewalk. The volume of snow and ice is a great burden for property owners who do not have professional or commercial grade equipment. Additionally, the City has been notified of instances where the County will continue to plow Larpenteur Avenue after property owners have cleared their sidewalks. This makes sidewalks appear uncleared and</p> |

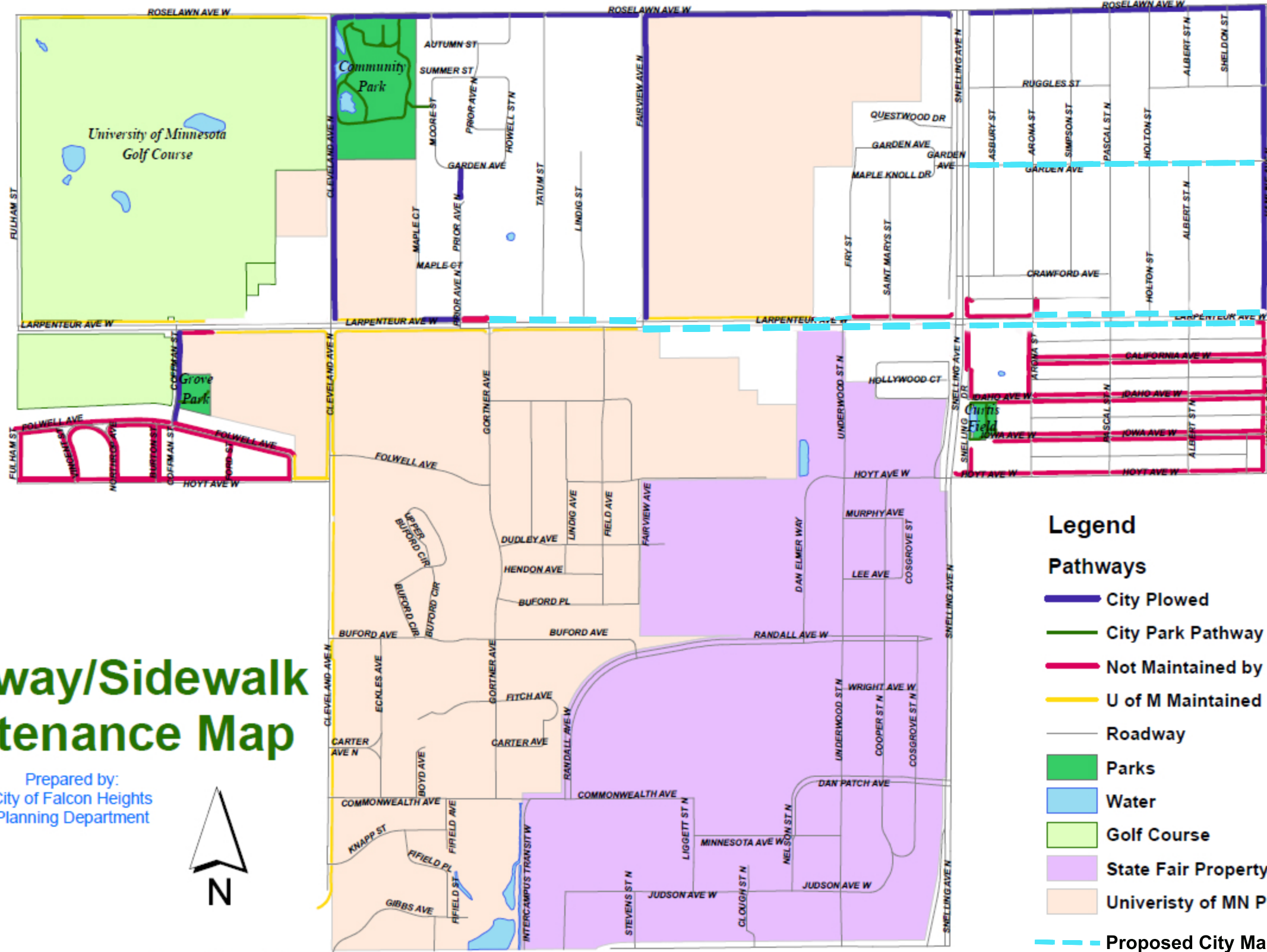
| | |
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| | <p>subject to code violation even though the owner has already put in effort to clear their sidewalk in a timely manner.</p> <p>The clearing of sidewalks on Larpenteur Avenue has been an area of contention for property owners. City staff received frequent complaints from owners that remove snow multiple times and still receive letters of enforcement because the County as cleared the road later in the week and deposited additional snow on the sidewalk. City staff also received frequent complaints from travelers on the sidewalks who complain that the walkways are not passable.</p> <p><u>Garden Avenue</u></p> <p>With the completion of the 2023 PMP and the construction of sidewalks along Garden Avenue, City Staff recommends snow removal on Garden Avenue due to safety concerns of children walking to and from school.</p> |
| Budget Impact | |
| Attachment(s) | Updated Path and Sidewalk Maintenance Map |
| Action(s) Requested | Staff recommends the City Council approve the attached sidewalk plowing and maintenance map. |

Pathway/Sidewalk Maintenance Map

Prepared by:
City of Falcon Heights
Planning Department













0 500 1,000
Feet



Legend

Pathways

-  City Plowed
-  City Park Pathway
-  Not Maintained by City
-  U of M Maintained
-  Roadway
-  Parks
-  Water
-  Golf Course
-  State Fair Property
-  Univeristy of MN Property
-  Proposed City Maintained

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REQUEST FOR COUNCIL ACTION

| | |
|---------------------|----------------------------------|
| Meeting Date | December 14, 2022 |
| Agenda Item | Consent G10 |
| Attachment | Resolution |
| Submitted By | Jack Linehan, City Administrator |

| | |
|----------------------------|--|
| Item | Appointment of Hannah Lynch to the position of Community Development Coordinator/Planner |
| Description | <p>After the resignation of Paul Moretto as the Community Development Coordinator/Planner, the City launched a search of candidates for a replacement.</p> <p>The City received nine applicants and interviewed five for the position. Two candidates were brought back as finalists. Environment Commission Chair Beth Mercer-Taylor and Planning Commission Chair Scott Wilson served on the finalist interview panel. Ultimately, Hannah Lynch was the selected candidate.</p> <p>Hannah most recently served as the Zoning Administrator for Polk County, North Carolina. Hannah served in this role for four years and was responsible for reviewing all subdivision requests, plats and plans for the County. Hannah developed zoning recommendations for the County and served as the administrator for their Board of Adjustments hearings on special use permit requests, appeals and variances.</p> <p>The City is excited to welcome Hannah to our community.</p> |
| Budget Impact | Funds are appropriated for this position. |
| Attachment(s) | <ul style="list-style-type: none"> • Resolution 22-59 Appointment of Hannah Lynch as Planner/Community Development Coordinator |
| Action(s) Requested | Staff recommend approval of attached resolution accepting the appointment of Hannah Lynch as Community Development Coordinator/Planner. |

**CITY OF FALCON HEIGHTS
COUNCIL RESOLUTION**

December 14, 2022

No. 22-59

**RESOLUTION APPOINTING HANNAH LYNCH TO THE POSITION OF PLANNER /
COMMUNITY DEVELOPMENT COORDINATOR/PLANNER FOR THE CITY OF FALCON
HEIGHTS**

WHEREAS, on September 29th, the position of Planner/Community Development Coordinator became vacant after a resignation; and

WHEREAS, thereafter the position was posted and candidates were interviewed by the City Administrator, Staff and Commission Chairs;

WHEREAS, the position was offered to and accepted by Hannah Lynch;

WHEREAS, Hannah Lynch has a start date of December 15th, 2022.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Falcon Heights, Minnesota:

1. Appoint Hannah Lynch as the Planner/Community Development Coordinator.
2. Authorize compensation of \$74,880.00 annually.

Moved by:

Approved by: _____
Randall C. Gustafson
Mayor

GUSTAFSON _____ In Favor
MEYER
LEEHY
WASSENBERG

Attested by: _____
Jack Linehan

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ITEM FOR DISCUSSION

| | |
|---------------------|----------------------------------|
| Meeting Date | December 14, 2022 |
| Agenda Item | Consent G12 |
| Attachment | Resolution |
| Submitted By | Jack Linehan, City Administrator |

| | |
|----------------------------|--|
| Item | Resignation of Jim Bykowski from the Environment Commission |
| Description | The City has a rotational seat on the Board of Water Commissioners. The City's rotation was scheduled for January 1, 2020 through December 31, 2023. In Resolution 19-45, the City appointed Jim Bykowski to serve as our representative. In August, Mr. Bykowski indicated that he was resigning from his seat. |
| Budget Impact | N/A |
| Attachment(s) | <ul style="list-style-type: none"> • Resolution 22-60 Resignation of Jim Bykowski from Board of Water Commissioners for Saint Paul Regional Water Services |
| Action(s) Requested | Staff recommends approval of attached resolution accepting the resignation of Jim Bykowski from the Board of Water Commissioners for Saint Paul Regional Water Services. |

**CITY OF FALCON HEIGHTS
COUNCIL RESOLUTION**

December 14, 2022

No. 22-60

**RESOLUTION ACCEPTING THE RESIGNATION OF JIM BYKOWSKI FROM THE BOARD
OF WATER COMMISSIONERS FOR SAINT PAUL REGIONAL WATER SERVICES**

WHEREAS, the City of Falcon Heights has received water services from the Board continuously since 1963 pursuant to the terms of retail Water Service agreements between the Board and Falcon Heights; and

WHEREAS, on October 23, 1996, the City of Falcon Heights and the Board executed a Memorandum of Understanding, by which the Board will provide water services and take over ownership of water infrastructure to properties within Falcon Heights ; and

WHEREAS, the Memorandum of Understanding went into effective January 1, 1998; and

WHEREAS, Falcon Heights' representative on the Board of Water Commissioners, Jim Bykowski, indicated he intended to resign from the Board in August; and

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Falcon Heights, Minnesota accepts Jim Byowski's resignation as the City of Falcon Heights representative to the Board of Water Commissioners for Saint Paul Regional Water Services

Moved by:

Approved by: _____
Randall Gustafson
Mayor

GUSTAFSON _____ In Favor
MEYER
LEEHY _____ Against
WASSENBERG
WEHYEE

Attested by: _____
Jack Linehan
City Administrator

**AGREEMENT BETWEEN
BOARD OF WATER COMMISSIONERS
AND
CITY OF FALCON HEIGHTS**

This **AGREEMENT**, made and entered into as of 9th day of July, 1997, by and between the **BOARD OF WATER COMMISSIONERS**, a municipal corporation of the State of Minnesota, hereafter referred to as "Board" or "Water Utility", and the **CITY OF FALCON HEIGHTS**, a municipal corporation of the State of Minnesota, hereafter referred to as "Falcon Heights".

WITNESSETH:

WHEREAS, The Board has been providing water services to properties located within the City of Falcon Heights continuously since August of 1963 pursuant to the terms of retail Water Service agreements between the Board and Falcon Heights; and

WHEREAS, The Board and Falcon Heights have now executed a Memorandum of Understanding, dated October 23, 1996, by which the Board will provide water services to properties within the City of Falcon Heights at water rates that will become equal to the rates charged within the City of Saint Paul, suburban communities will have representation on the Board of Water Commissioners, that Falcon Heights will convey title to its water facilities to the Board, and Falcon Heights will permit the Board to maintain its mains within Falcon Heights' streets.

NOW THEREFORE in consideration of the respective covenants contained herein the Board and Falcon Heights do hereby agree as follows:

ARTICLE I

Section 1. EFFECTIVE DATE

This agreement will become effective on January 1, 1998 after signing by the designated officials as authorized by resolution of the Board of Water Commissioners and the City of Falcon Heights' City Council.

Section 2. EXISTING CONTRACTS SUPERSEDED

As of the effective date of this Agreement all previous agreements and contracts existing between the Board and Falcon Heights shall be and are hereby superseded.

Section 3. BOARD REPRESENTATION BY FALCON HEIGHTS

An ordinance, dated December 11, 1996 by the Saint Paul City Council, has been approved amending the Saint Paul Home Rule Charter so as to increase the membership of the Board of Water Commissioners and allowing the appointment of a suburban representative to the said Board. In accordance with the terms of the amendment to the Saint Paul City Charter, the suburban representative on the Board of Water Commissioners will initially be a resident of the City of Maplewood appointed by the Mayor and City Council of Maplewood and who shall serve for a term of four (4) years. In the event of a tie vote on any issue, the Mayor of Saint Paul shall be considered an ex officio member of the Board with the right to vote to break the tie vote.

Section 4. **ADDITIONAL SUBURBAN BOARD REPRESENTATION**

In the event that at least three (3) additional suburban cities enter into agreements with the Board that are similar to the Maplewood Agreement, Water Board membership will be expanded to seven (7) members. The two (2) non-Saint Paul resident members will thereafter represent all the suburban cities, including Maplewood.

In the event that the total of residential accounts plus commercial and industrial accounts (excluding auto-fire accounts) of communities outside the City of Saint Paul and served by agreements similar to this Agreement exceeds forty-three percent (43%) of the total Board's accounts, the number of Saint Paul appointees will be changed to four and suburban representation to three.

ARTICLE II

Section 1. **BOARD TO EXTEND SERVICE TO FALCON HEIGHTS**

The Board will extend its water service to properties located within the City of Falcon Heights subject to the rules and regulations enacted by the Board of Water Commissioners and in accordance with the terms of this Agreement.

Falcon Heights does hereby concur in the Board's extension of its water service and does hereby grant permission to the Board to construct, operate, maintain, repair and replace its mains and other appurtenances necessary therefore within the streets and right-of-ways within the City of Falcon Heights, including the streets set forth in the attached Exhibit "A", and as may be added by resolution of the Falcon Heights City Council.

Section 2. AUTHORITY TO EXTEND SYSTEM

Falcon Heights does hereby agree that the Board may use streets and right-of-ways, including public easements, for the purpose of extending the Board's water service system to municipalities beyond the corporate limits of Falcon Heights. Routing of mains and appurtenances will be coordinated with Falcon Heights' City Administrator and subject to the approval of the Falcon Heights City Council, which approval will not be unreasonably withheld. The Board will be solely responsible for all costs associated with the construction of water mains, including the design, construction and street restoration. The Board will reimburse Falcon Heights staff for staff time and expenses incurred for plan reviews.

Section 3. EXISTING MAINS, APPURTENANCES OWNED BY FALCON HEIGHTS

A) Upon the effective date of this Agreement the Board will assume the maintenance and repair of the existing water mains, fire hydrants, service connections and appurtenances, including street repair and turf maintenance on water service related property, presently owned by Falcon Heights, except as follows.

B) Board and Falcon Heights have jointly identified areas of the existing Falcon Heights system that will require upgrading to be equal to the Board's standards, which are detailed in the attached Exhibit "B". Board will replace, reconstruct or upgrade through maintenance, at its option, those facilities noted in Exhibit "B".

Section 4. FALCON HEIGHTS TO CONVEY TITLE TO FACILITIES

Commencing January 1, 1998, water rates to be charged by the Board to properties located within the City of Falcon Heights will be adjusted in accordance with the schedule in Article III. Falcon Heights will, by resolution of its City Council, and by appropriate deed of conveyance acceptable to the Board, convey to the Board all of its right, title and interest to all water mains, fire hydrants, service connections and appurtenances owned by Falcon Heights. On January 1, 1998, or as soon thereafter as is possible, Falcon Heights will also convey fee simple title to the real estate on which any water system appurtenances are located, excluding those facilities which are within public streets or right-of-ways. It is intended by the parties hereto that the said conveyances shall be free and clear of all liens and encumbrances whatsoever, and thereafter title shall remain with the Board except as may be otherwise provided by the terms of this Agreement.

ARTICLE III

Section 1. WATER RATES

The following schedule of water rates and charges to be made by the Board shall apply to properties located within City of Falcon Heights:

| | |
|------------------------|---------------------------------|
| 1998 | 120 percent of Saint Paul rates |
| 1999 | 120 percent of Saint Paul rates |
| 2000 | 119 percent of Saint Paul rates |
| 2001 | 117 percent of Saint Paul rates |
| 2002 | 114 percent of Saint Paul rates |
| 2003 and thereafter | 100 percent of Saint Paul rates |

ARTICLE IV

Section 1. CONSOLIDATION OR ACQUISITION; FALCON HEIGHTS' OPTIONS

In the event that the Board ceases to operate in its present form due either to consolidation with a local or regional authority or to an acquisition of its assets by another entity, it is the intent of the Board and Falcon Heights to protect the right of Falcon Heights' properties to the continued supply of an adequate water service as well as allow Falcon Heights to be adequately compensated for its previous investments in the water facilities located within Falcon Heights.

Therefore, to the extent legally permissible the Board will insure that in any consolidation or conveyance, Falcon Heights will have the option to either terminate this agreement or negotiate a new water service agreement with the authority or entity.

In the event Falcon Heights should elect to terminate this agreement, then and in that event it is hereby agreed that:

- a) The Board will reconvey title to the facilities and real estate previously conveyed by Falcon Heights pursuant to Article II, Section 4 of this Agreement for the sum of \$1.00.
- b) The Board will require, to the extent legally permissible, that the alternate authority or new owner execute a water service contract with Falcon Heights so as to continue to provide an adequate water service to properties located within Falcon Heights.

- c) The Board will be compensated for the depreciated value of all water mains and other water service facilities, including water meters, fire hydrants, and other appurtenances, constructed by the Board within Falcon Heights from and after the date of the execution of this Agreement. It is contemplated that the Board will receive compensation from the alternate water authority or new owner, and not from Falcon Heights.

In the event that Falcon Heights elects not to terminate this Agreement, the Board will require that the alternate authority or new owner assume the Board's contractual obligations as set forth in this Agreement, and will require that Falcon Heights be compensated for the amortized value of the facilities and real estate previously conveyed to the Board pursuant to Article II, Section 4, of this Agreement.

Section 2. FACILITIES INVESTMENT

The Board will monitor and track all water system infrastructure investments within Falcon Heights to identify to what degree those investments benefit or do not benefit Falcon Heights.

The Board will monitor and track its investment in major infrastructure investments in the service system, treatment plant, and transmission mains outside of Falcon Heights to identify if those investments benefit Falcon Heights and to what degree. Falcon Heights will furnish the Board with the asset value of its existing water system for the Board's records.

ARTICLE V
NEW WATER SYSTEM DEVELOPMENT

Section 1. MAINS CONSTRUCTED BY FALCON HEIGHTS

Where Falcon Heights is installing, or having installed, in a designated project new water mains, service connections and appurtenances for the distribution of water within the corporate limits of Falcon Heights all construction shall be in accordance with specifications and standards of the Board. Plans of all extensions to the water system by Falcon Heights shall be submitted for approval by the Board before advertising for bids, the awarding of contracts and actual construction is begun. This initial construction for water system expansion shall be considered development costs and shall be provided at no expense to the Board. Falcon Heights agrees to provide the Board with "as-built plans" of all extensions of the water system.

Section 2. NEW FACILITIES; FURNISHED BY BOARD

The Board may construct and maintain new water service facilities and appurtenances, including any and all extensions of such facilities and appurtenances. Title to all such facilities shall be held by the Board.

Section 3. WARRANTY

The Board and Falcon Heights further agree that as Falcon Heights constructs and contracts for the construction of new mains, services and appurtenances to be connected to the system and supplied with water by the Board that the Board shall not be responsible for the

maintenance or repairs to such newly constructed additions to the water supply system until one (1) year from the date the same have been placed in operation, or until the Board has notified Falcon Heights in writing of the acceptance of such installation, whichever date is earlier. At such time that the Board assumes responsibility for the maintenance and repair of said new water system facilities, Falcon Heights will convey said facilities according to the conditions of Article II, Section 4.

Section 4. STANDARDS

Water mains, services and appurtenances shall be to the established standards, rules and regulations as are in effect at the execution of the agreement and as may thereafter be established by the Board.

The Falcon Heights and Board staffs shall meet annually to discuss standards relating to water system construction. Where differences in standards are not resolved at the staff level the Board will make the decision.

Section 5. SERVICE CONNECTIONS APPLICATIONS

New applications for water service connections shall be made to and through the Board, and each applicant shall furnish the Board a certified street address established by Falcon Heights. An initial \$75.00 administrative fee shall be paid the Board for each service connection to reimburse the Board its costs to establish a new account. No new service connection work shall be performed by Falcon Heights or its agent until the Board's application process has been completed and inspection of the installation work scheduled by the Board.

Section 6. SERVICE CONNECTIONS-INSTALLED BY BOARD

It is agreed that all service connections, except in designated projects, from the main to the property line shall be installed by the Board under rules identical with those in effect in the City of Saint Paul or as may hereafter be modified by the Board. The charges for such service connections shall be in accordance with the schedule of charges established from time to time by the Board for customers outside city limits of Saint Paul, provided, however, that the Board shall not charge Falcon Heights customers more than the charges made to any customer in Saint Paul for like service. New applications for water service connections shall be made to and through the Board, and each applicant shall furnish the Board a certified street address established by Falcon Heights.

Section 7. SERVICE CONNECTION GUARANTEE BY BOARD

The Board will make all necessary repairs and maintenance to that part of the service connection located within the public street right-of-way, under rules identical with those in effect in the City of Saint Paul. This shall apply to all existing and future service connections constructed to Saint Paul standards. Service connections from private mains or a system not served by the Board's water supply shall not be guaranteed.

Section 8. PIPING, FIXTURE, ETC.

Falcon Heights shall, by the enactment of suitable rules, regulations or ordinances, require that all interior piping, fixtures, accessories, or on premises piping in any manner connected to the public water system supplied by the Board, shall be of the same materials, installed in the same manner and meet the same standards as are required for the same or similar work in the City of Saint Paul.

Section 9. RIGHT TO INSPECT

The Board, through its officers, agents and employees, shall have the right at all times to examine, inspect and test any materials or workmanship used or to be used in connection with the waterworks system within Falcon Heights and supplied with water by the Board or connections thereto, for the purpose of determining whether or not they comply with the foregoing provisions, and shall have the right to examine and inspect the materials and workmanship and method of installation of house plumbing connecting with said waterworks system for the same purpose.

**ARTICLE VI
ELEVATED TANKS**

Section 1. RADIO ANTENNAS ON ELEVATED TANKS

The Board has formulated a policy and fee schedule for permitting the installation of communication antennas on its elevated tanks, standpipes and ground installations. The Board would expect to process any future requests for sites in accordance with the policy and fee schedule in effect. The Board recognizes that facilities on elevated tanks, standpipes and ground installation poles and towers will require input from Falcon Heights City Council and staff and the neighborhood. The Board will submit valid requests for said radio communications to Falcon Heights for comment, review, any necessary neighborhood hearings and impact and City Council approval.

ARTICLE VII
RIGHT OF WAY CHANGES

Any and all expenses or costs accruing to the water system in Falcon Heights in connection with the maintenance, reconstruction, grinding, overlaying or paving of public streets, alleys or rights-of-way resulting from the action of Falcon Heights, County of Ramsey or State of Minnesota as such changes affect the water system shall be the responsibility of Falcon Heights.

Where changes in elevation over the water system are proposed by Falcon Heights on public streets, alleys or rights-of-way, that street design shall be reviewed with the Board. The Board and Falcon Heights agree that the Board's standards pertaining to elevation changes shall apply. Where elevation changes are greater than the parameters outlined in the standards any and all expenses or costs accruing to the water system in Falcon Heights shall be the responsibility of Falcon Heights.

ARTICLE VIII
METERS AND METER READING

Section 1. **BOARD TO FURNISH METERS**

The Board shall furnish and install and maintain all customers' meters.

Section 2. **BILLING AND COLLECTION**

The Board shall have full responsibility for reading meters, billing and collection of accounts.

ARTICLE IX

SANITARY SEWER COLLECTION SERVICES

Section 1. SANITARY SEWER BILLING

Falcon Heights agrees to have the Board perform the billing, collection and customer service functions for residential, industrial and commercial sanitary sewer service to those properties where the water system supplies water service and those properties served by groundwater through wells.

For sewer billing purposes, the designation of each account as either residential, industrial or commercial will be determined by Falcon Heights and provided to the Board. Falcon Heights will also designate any residential accounts qualifying for the senior citizen discount rate, if any. The Board will bill Falcon Heights industrial and commercial sewer accounts on a volume basis and residential sewer accounts on a flat rate basis. All designated residential sewer accounts will be billed on the same cycle as established by the Board for water billing purposes. The Board will bill industrial and commercial accounts on the same monthly billing cycle as established by the Board for water billing.

Falcon Heights will determine and provide to the Board the minimum sewer charge to industrial and commercial volume based designated accounts. A minimum sewer charge will be applied to any volume based account when there is no water consumption and where no notice to shut off or discontinue water service to the account has been received by the Board.

Falcon Heights will establish the flat rate for residential and volume rate for industrial and commercial accounts, the minimum rates for no consumption accounts and these rates will be provided to the Board at least 30 days prior to any billing to which the rates are to be applied.

Any senior citizen rates, rental rate, any rate adjustment because of a sewer volume reduction due to product, special lawn sprinkling, or similar usage, or other special rates, if any, to be applied to any account will be determined by Falcon Heights and also provided to the Board at least 30 days prior to any billing to which the rates are to be applied. All rate changes will be provided to the Board by disk format or any other format acceptable to the Board.

When water and sewer account bills are not paid and become delinquent the Board will certify these delinquent accounts to Ramsey County for collection along with taxes. The City Council of Falcon Heights will adopt an ordinance giving the Board authority to certify delinquencies in accounts to the property tax and provide a copy to the Board within 60 days of the execution of this agreement.

The Board will handle all questions, complaints, notifications, routine adjustments, partial payments, collections, etc., in the same manner as it presently does for water billing procedures. The Board will furnish a monthly report of sanitary sewer account billings and adjustments to Falcon Heights. Board will remit monthly payment of sanitary sewer collections minus the Board's service fees. Board will provide the initial programming and water account changes to accommodate the sanitary sewer billing and will charge Falcon Heights no more than \$5,000 for said programming and changes.

The Board will initially charge Falcon Heights \$1.60 per bill, per account for the residential flat rate billing service for the year 1997. The Board will initially charge Falcon Heights \$1.80 per bill, per account for billing commercial and industrial volume based rate billing service for the year 1997. The annual billing charge for residential, commercial and industrial accounts will increase at the same percentage increase as the residential water rate

increase. Each month the Board will send to Falcon Heights the billed sanitary sewer charges, plus or minus any adjustments, less the service charge per bill, per account.

At intervals of every five years Falcon Heights and the Board agree that a cost analysis of the annual billing charge will be conducted. The sanitary sewer billing service discussed in this section may be terminated by either party at the end of any even-numbered year, commencing in 1998, providing that six months written notice is provided to the other party.

The Board will collect a late payment charge that will be applied to any sanitary sewer late payments. This late payment charge will be retained by the Board. Reports rendered to Falcon Heights will be in a form approved by Falcon Heights.

ARTICLE X

STORM SEWER, SURCHARGE AND RECYCLING

COLLECTION SERVICES

Section 1. BILLING AND COLLECTION OF STORM SEWER, SURCHARGE AND RECYCLING CHARGES

Falcon Heights agrees to have the Board perform the billing and collection functions for residential, industrial and commercial storm sewer service, surcharge and recycling service to those properties where the water system supplies water service and to those properties served by groundwater through wells.

The designation of each account as either residential, industrial or commercial will be determined by Falcon Heights and provided to the Board. All storm sewer, surcharge and recycling charges will be billed and collected by the Board on the same cycle as has been established by the Board for water billing purposes.

Falcon Heights will establish the appropriate rate per bill, per account for residential, industrial and commercial storm sewer, surcharge and recycling charges and will provide said rate to the Board by electronic format. The account designation and the appropriate rates will be provided to the Board at least 30 days prior to any billing to which the rates are to be applied. Any senior citizen rates, rental rates, rate adjustments due to product, or other special rates to be applied to any account will be determined by Falcon Heights and provided to the Board at least 30 days prior to any billing to which the rates are to be applied.

Any lot and/or parcel descriptions or redescriptions or any other changes that will effect the proper application of storm sewer, surcharge and recycling charges to the affected addresses in the Board's data base will be determined by Falcon Heights and furnished to the Board at least 30 days prior to any billing. The method and form of notice to the Board will be electronically transmitted to the Board by disk format or other format acceptable to the Board.

Where any portion of the water bill is not paid, including storm sewer, surcharge and recycling charges, the Board's established procedures and rules for collection of unpaid or delinquent bills will be applied, including certifying delinquent accounts to Ramsey County for collection along with taxes. Falcon Heights will adopt an ordinance giving the Board authority to certify storm sewer, surcharge and recycling charges delinquencies in accounts to the property tax.

Each month the Board will provide Falcon Heights with a sanitary sewer report and a report of storm sewer, surcharge and recycling billings, along with any adjustments thereto. Board will remit monthly fees collected minus the Board's billing service fees. The initial programming and water account changes designed to accommodate the storm sewer, surcharge and recycling billing and collection will be included in the charges for sanitary sewer programming adjustments.

The Board will initially charge Falcon Heights \$0.08 per bill, per account, for storm sewer billing and collection, \$0.02 per bill, per account for surcharge billing and collection and \$0.02 per bill, per account, for recycling billing and collection. The annual billing charge for storm sewer, surcharge and recycling billing and collection will increase at the same percentage increase as the residential water rate increase.

A review of billing charges for the storm sewer, surcharge and recycling charges will be conducted, by the Board at intervals of five years, and concomitant with the sanitary sewer charges cost analysis. The annual billing charge percentage rate increase, between five year intervals, will accumulate until the increases in the charges can be rounded-up to the next whole number; see Exhibit "C". Each month the Board will send to Falcon Heights the billed storm sewer, surcharge and recycling charges, plus or minus any adjustments, less the storm sewer, surcharge and recycling charge per bill, per account.

The Board will collect a late charge that will be applied to any storm sewer, surcharge and recycling late payments. This late payment charge will be retained by the Board.

Questions regarding storm sewer, surcharge and recycling charges will be handled by Falcon Heights.

ARTICLE XI
OPTIONAL SERVICES

Section 1. OPTIONAL BILLING, COLLECTION AND INFORMATIONAL SERVICES

The Board may provide billing and collection services for other functions performed by Falcon Heights (for example: refuse) if Falcon Heights desires such services from the Board. Such services shall be provided only for properties where the water system supplies water service and those properties served by groundwater through wells.

Falcon Heights will pay costs relative to the programming and set-up costs necessary to implement the optional billing and collection system for which Falcon Heights will pay the Board a monthly payment to be agreed upon by the parties hereto.

The Board will send a monthly payment to Falcon Heights equal to the amount of billings received during the month (less the agreed upon collection charge).

Section 2. BILLING INSERTS

Falcon Heights may provide materials to be inserted with the sewer and water bills, with the prior approval of the Board, at a reasonable charge to Falcon Heights for the bill-stuffing process. Said material shall not cause the mailing to exceed the postal weight limit.

ARTICLE XII

Section 1. SUPPLEMENTAL WATER SUPPLY

No supplemental supply of water shall be connected to the water system being served by the Board without the prior approval of the Board.

This agreement shall not preclude Falcon Heights from establishing a portion of its water system to be supplied from any source approved by the Minnesota Department of Health in areas where water supply from the Board is impractical or unworkable, or in such cases where a central water supply system may be constructed and installed for a housing development prior to the time that water mains supplying the area with water purchased from the Board can be extended. However, in no case shall there be direct connections between the Board's supply system and other supplies, and when the Board's supply system is practical and workable, the other supply shall be discontinued. Existing private wells are exempted from this requirement to be discontinued.

ARTICLE XIII

Section 1. RULES AND REGULATIONS

The use and distribution of water in Falcon Heights, derived from the supply furnished from the Board, shall at all times be governed by rules, regulations, policies, and conditions which the Board has heretofore adopted for the City of Saint Paul, or which it may hereafter adopt concerning the preservation, regulation and protection of its water supply, including water waste, water conservation, sprinkling restrictions and water use for air conditioning equipment;

and as more fully detailed in Board of Water Commissioners--Water Code dated November 1, 1996 and Saint Paul Water Utility Standards for Installation of a Water Mains dated April 1997, or latest versions thereof.

Falcon Heights agrees to enact such rules, regulations, policies, and conditions into ordinances and make them legally effective and binding within sixty (60) days after the execution of this contract, and to enact any amendments thereto adopted by the Board within sixty (60) days after being notified of such adoption, and to adopt suitable penalties for the violation of rules, regulations, policies and conditions, and to strictly enforce such rules, regulations and requirements.

Section 2. BOARD'S JURISDICTION IN FALCON HEIGHTS

It is further agreed that the Board, through its officers, agents and employees, shall have the same authority and jurisdiction in the enforcement of such rules and regulations in Falcon Heights that the Board has in the City of Saint Paul.

Section 3. FALCON HEIGHTS' PERMITTING AUTHORITY

Falcon Heights does issue permits to other governmental and private agencies for the installation of natural gas, telephone, cable and other facilities. Falcon Heights will coordinate said permits with the Board to assure no location conflicts occur.

ARTICLE XIV

FIRE PROTECTION SERVICE AND HYDRANT USE

Section 1. HYDRANTS

Hydrant use for purposes other than fire fighting by Falcon Heights shall be subject to the same rules and regulations applied by the Board in the City of Saint Paul.

Section 2. INSPECTION OF HYDRANTS

An annual inspection of all hydrants located in Falcon Heights will be conducted by Board crews. Repair and maintenance work required on hydrants in Falcon Heights will be conducted by Board in the same manner as work conducted in the City of Saint Paul.

Section 3. PAINTING OF HYDRANTS

The Board will paint the hydrants in Falcon Heights, and shall do so in accordance with the Board's established standards for such work. Falcon Heights may designate a hydrant cap color code to distinguish dead end mains, circulating mains and selected criteria.

Section 4. HYDRANT NOZZLE THREADS

Falcon Heights has selected the Saint Paul Standard for hydrant nozzle threads. The Board will recognize and maintain the desired thread for hydrants within Falcon Heights.

Section 5. RELOCATIONS AND ADJUSTMENTS

Where relocations or adjustments of fire hydrants are necessary due to public works projects the Board will perform the required work and Falcon Heights will reimburse the Board for the costs thereof.

Section 6. FIRE USE

Falcon Heights will pay the Board for all water used for fire fighting use and equipment testing annually at the lowest step rate in effect. Falcon Heights will furnish to the Board the estimated volume of water used in the previous year by March 1 of the following year.

Section 7. STREET CLEANING

Falcon Heights agrees to keep record of all water used for street sprinkling, street flushing, sewer maintenance and/or related use and to pay annually to the Board at the lowest step rate in effect.

Section 8. LOCATION MARKERS

Where it is necessary for the location of fire hydrants to be marked with flags, signage, etc. for fire fighting or other purposes Falcon Heights will pay for said markers and will assume the costs thereof including installation, maintenance and liability.

Section 9. SNOW REMOVAL

Any snow removal from and around fire hydrants for any purpose, shall be performed by Falcon Heights at its expense.

ARTICLE XV

AGREEMENT AMENDMENTS

Section 1. Agreement Amendments

Falcon Heights and the Board agree that from time to time changes to this agreement may be necessary. Falcon Heights and the Board agree that said changes will be in the form of addendums to this agreement duly approved by and executed on behalf of the respective parties.

ARTICLE XVI

BOARD'S DUTY TO SUPPLY WATER

Section 1. CAUSE FOR TERMINATION

The Board is responsible to provide an adequate of quantity of water to properties located within the City of Falcon Heights, and to provide normal maintenance and repair to all of the facilities operated by Board in the supply of water.

Section 2. NOTICE TO BOARD

In the event that Falcon Heights should deem that the Board has failed in its obligations to supply an adequate water supply and normal maintenance of the facilities, or should find cause that the Board is failing in its provision of services Falcon Heights shall notify the Board in writing setting forth the specific details of any such failures.

Section 3. CORRECTIVE ACTION

Board will undertake to correct the specified faults and will do so within 60 days from the date that the written notification is received by the Board. Falcon Heights will be notified in writing within the specified 60 day period what necessary corrective actions had been taken, if any, and any explanation if the Board disagrees with any of Falcon Heights' complaints.

Section 4. MEDIATION

Following the specified 60 day period and in the event Falcon Heights deems that sufficient corrective actions have not been taken, then and in that event Falcon Heights may require that its complaints be submitted to mediation by a panel of three (3) persons. Falcon Heights and Board may each appoint a representative to the panel, and the two appointed members will select the third member. The panel shall provide an opportunity to both Falcon Heights and Board to express its opinions as to whether the Board is not providing an adequate quantity of water supply to Falcon Heights properties, or is failing to provide normal maintenance to the mains, valves and hydrants located within the City of Falcon Heights.

Section 5. OPTION TO TERMINATE, FIVE YEAR NOTICE

The panel will submit its findings, conclusions and recommendations to Falcon Heights and Board within 60 days. In the event the panel should confirm Falcon Heights' complaints, then and in that event Falcon Heights may elect to terminate this Agreement by giving written notice to that effect to the Board. Notice of termination will specify the effective date of termination, which in any event will not occur until at least five (5) years following the date of election to terminate.

Section 6. RECONVEYANCE; COMPENSATION

Upon the effective date of termination of this Agreement the Board will reconvey title to the facilities and real estate previously conveyed by Falcon Heights pursuant to Article II, Section 4 of this Agreement for the sum of \$1.00, and Falcon Heights will compensate the Board for the depreciated value of all water mains and other water service facilities, including water meters, fire hydrants, and other appurtenances, constructed by the Board to serve the Falcon Heights system from and after the date of the execution of this Agreement.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed as of the day and year first above written.

APPROVED:

Bernie R. Bullert
Bernie R. Bullert, General Manager

BOARD OF WATER COMMISSIONERS

By *Michael Harris*
Michael Harris, President

Approved as to Form:

By *Janet Lindgren*
Janet Lindgren, Secretary

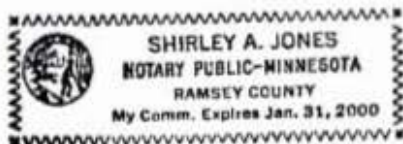
Philip B Byrne 4/25/97
Assistant City Attorney

COUNTERSIGNED:

By *Joseph M. Reid*
Joseph M. Reid, Director,
Office of Financial Services *pmk 7/14/97*

STATE OF MINNESOTA)
) ss.
COUNTY OF RAMSEY)

The foregoing instrument was acknowledged before me this 9th day of July, 1996, by Michael Harris, President and Janet Lindgren, Secretary of the Board of Water Commissioners of the City of Saint Paul, a Minnesota municipal corporation, on behalf of the corporation.



Shirley A. Jones
Signature of person taking acknowledgment

THE CITY OF FALCON HEIGHTS




City Attorney

By 

Its Mayor



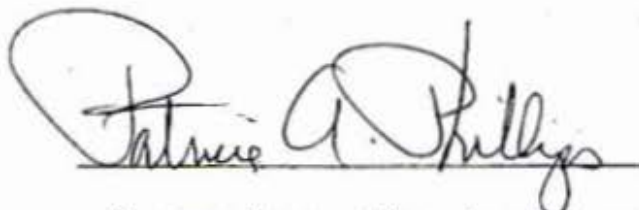
City Administrator

By 

Its City Clerk

STATE OF MINNESOTA)
) ss.
COUNTY OF)

The foregoing instrument was acknowledged before me this 28th day of May,
~~1996~~ ⁹⁷ by Susan L. Gehrig, and Susan Hoyt, Mayor and City
Administrator, respectively of the City of Falcon Heights, a Minnesota Municipal Corporation,
on behalf of the corporation.



Signature of person taking acknowledgment

**LIST OF CITY
STREETS**

EXHIBIT "A"

**WATER MAINS WITH
BREAK FREQUENCY THAT
WOULD REQUIRE REPLACEMENT**

| | | |
|-----------------|-----------------------------|--------|
| Folwell Street | (6") - Fulham to Northrup | 700 ft |
| Northrup Street | (6") - Folwell to Hoyt | 550 ft |
| Maple Knoll | (6") - Fry to Garden Street | 660 ft |
| Snelling Avenue | (6") - Hoyt to Idaho | 660 ft |

EXHIBIT "B"

FALCON HEIGHTS HYDRANT SPACING

GREATER THAN 600 FEET

| <u>Flat</u> | <u>Hydrant Spacing</u> | <u>Location</u> |
|-------------|------------------------|---|
| N-3 | 800' | Larpenteur Avenue (To be done by Falcon Heights) |
| N-5 | 850' | Asbury - Garden to Crawford |
| | 1,100' | Holton - Garden to Larpenteur |
| | 875' | Pascal - Garden to Crawford |
| | 875' | Simpson - Garden to Crawford |

EXHIBIT "B"

EXHIBIT "C"

Example

Storm sewer charge (year 1997)
per bill, per account = \$0.08

Assume percent increase in
residential rate = 3.5

Typical Calculation

Actual Charge

| | | | | |
|------|-------------------------|---|----------|--------|
| 1997 | Charge | = | \$0.08 | \$0.08 |
| 1998 | $\$0.08 \times 1.035$ | = | \$0.0828 | \$0.08 |
| 1999 | $\$0.0828 \times 1.035$ | = | 0.0857 | \$0.09 |
| 2000 | 0.09×1.035 | = | 0.0932 | \$0.09 |
| 2001 | 0.0932×1.035 | = | 0.0965 | \$0.10 |

CITY OF ST. PAUL
OFFICE OF THE BOARD OF WATER COMMISSIONERS
RESOLUTION — GENERAL FORM

No. 4507

PRESENTED BY
COMMISSIONER Morton

DATE June 9, 1997

WHEREAS, The Board and City of Falcon Heights did originally enter into an Agreement on August 30, 1963, subsequently amended March 16, 1979, and as amended January 22, 1986, which provided retail water service to residents of Falcon Heights; and

WHEREAS, The Board and City of Falcon Heights entered into a Memorandum of Understanding on October 23, 1996, whereby the staffs of both the Board and Falcon Heights pursued possible agreement language where the water rates charged in Falcon Heights would equal those charged in Saint Paul; where Falcon Heights would have representation on the Board and where the Board would own and operate Falcon Heights' water system; and

WHEREAS, Falcon Heights and Board staffs have met and reached agreement on appropriate language that will equalize water rates charged in Falcon Heights and Saint Paul; will result in Falcon Heights representation on the Board; will result in the conveyance of title to the Board of Falcon Heights' water system and will establish mutually acceptable language regarding other pertinent subjects pertaining to the ownership and operation of Falcon Heights' water system by the Board and thereby, staff does recommend the Board approve said attached Agreement; now, therefore, be it

RESOLVED, That the Board does concur with the staff recommendation and does hereby authorize and direct the proper officers of the Board to execute said Agreement on behalf of the Board; and, be it

FURTHER RESOLVED, That the Board does hereby request that the Saint Paul City Council concur in said Board Agreement approval.

Water Commissioners

Yeas

Nays

Arcand
Collins
Haselmann
Morton

President Harris

In favor 5

Opposed 0

Adopted by the Board of Water Commissioners

June 9, 1997

Janet Lindgren

SECY.

9-1997-E-02

No. 97-16

CITY OF FALCON HEIGHTS
COUNCIL RESOLUTION

Date: May 14, 1997

A RESOLUTION APPROVING AN AGREEMENT TRANSFERRING OWNERSHIP OF
THE FALCON HEIGHTS WATER SYSTEM TO THE
ST. PAUL WATER UTILITY

WHEREAS, the city council has investigated turning ownership and maintenance of the Falcon Heights water system to the St. Paul Water Utility; and

WHEREAS, Falcon Heights will benefit from such an arrangement by turning over future costs and management of the system while reducing the rate at which Falcon Heights users pay for water; and

WHEREAS, Falcon Heights will also benefit by being represented by a suburban representative on the board of the St. Paul Water Utility; and

WHEREAS, the St. Paul Water Utility will benefit by having a guarantee that Falcon Heights will be a part of its water system over the coming years.

NOW, THEREFORE, BE IT RESOLVED that the Falcon Heights City Council approves the agreement transferring the Falcon Heights water system to the ownership of the St. Paul Water Utility.

Moved by: Kuettel

GEHRZ 4 In Favor
GIBSON TALBOT (absent)
HUSTAD 0 Against
JACOBS
KUETTEL

Approved by: Austin J. Hehr
Mayor
May 14, 1997
Date

Attested by: Carla Asleson
City Clerk
May 14, 1997
Date

9-1997-E-03

ORIGINAL RESOLUTION
 CITY OF SAINT PAUL, MINNESOTA

Presented By _____
 Referred To _____ Committee: Date _____

1 WHEREAS, The Board and City of Falcon Heights did originally enter into an Agreement on
 2 August 30, 1963, subsequently amended March 16, 1979, and as amended January 22, 1986,
 3 which provided retail water service to residents of Falcon Heights; and
 4

5 WHEREAS, The Board and City of Falcon Heights entered into a Memorandum of
 6 Understanding on October 23, 1996, whereby the staffs of both the Board and Falcon Heights
 7 pursued possible agreement language where the water rates charged in Falcon Heights would
 8 equal those charged in Saint Paul in the year 2003; where Falcon Heights would have
 9 representation on the Board through the Maplewood representative and where the Board would
 10 own and operate Falcon Heights' water system; and
 11

12 WHEREAS, Falcon Heights and Board staffs have met and reached agreement on appropriate
 13 language that will equalize water rates charged in Falcon Heights and Saint Paul; will result in
 14 Falcon Heights representation on the Board; will result in the conveyance of title to the Board of
 15 Falcon Heights' water system and will establish mutually acceptable language regarding other
 16 pertinent subjects pertaining to the ownership and operation of Falcon Heights' water system by
 17 the Board and thereby, and the Board did approve said attached Board Resolution; now,
 18 therefore; be it
 19

20 RESOLVED, That the City Council does concur with the actions of the Board of Water
 21 Commissioners for approval of a new Agreement between the Board and the City of Falcon
 22 Heights.

| | Yea | Nay | Absent |
|---------|-----|-----|--------|
| Blakey | ✓ | | |
| Bostrom | ✓ | | |
| Morton | ✓ | | |
| Harris | ✓ | | |
| Mogard | ✓ | | |
| Collins | ✓ | | |
| Thorne | ✓ | | |
| | 7 | 0 | 0 |

Adopted by Council: Date July 9, 1997
 Adoption Certified by Council Secretary _____
 Approved by Mayor: Astley Date 7/13/97
 By: James

Requested by Department of:
Water Utility
 By: Bennis R. Gullett
 General Manager

Form Approved by City Attorney
 By: Philip B. Byrne 6-25-97

Approved by Mayor for Submission to Council
 By: _____ 9-1997-E-04

Agreement # 02-10355-I

AMENDMENT NO. 1
to
AGREEMENT BETWEEN

BOARD OF WATER COMMISSIONERS
and
CITY OF FALCON HEIGHTS

This **AMENDMENT NO. 1 TO AGREEMENT** entered into this 10th day of March, 2009, by and between the **BOARD OF WATER COMMISSIONERS**, a municipal corporation of the State of Minnesota (the "Board"), and the **CITY OF FALCON HEIGHTS**, a municipal corporation of the State of Minnesota ("Falcon Heights").

WITNESSETH:

WHEREAS, Falcon Heights and the Board entered into an agreement dated July 9, 1997 for the provision of water service by the Board to properties within Falcon Heights (the "Agreement"); and

WHEREAS, Article XV of the Agreement allows for amendments to the original agreement, and

WHEREAS, in order to provide the greatest efficiency and to minimize traffic disruptions and replacement costs, the parties desire that the Board whenever possible perform water main replacement and/or other water system repair work in conjunction with Falcon Heights street paving projects.

NOW, THEREFORE, in consideration of the mutual covenants contained herein, the parties mutually agree to amend the Agreement in the manner described below.

1. The following is hereby added to the Agreement:
 - A. When it is possible to coordinate Board water facility work with a Falcon Heights street paving project, it is mutually agreed:
 - 1) Falcon Heights and Board shall negotiate a Cooperative Cost Share Understanding (the "Understanding") which shall define the work responsibilities and cost obligations of both parties.
 - 2) The Understanding shall be approved by Saint Paul Regional Water Services General Manager on behalf of the Board.

- 3) The Understanding shall be approved by Falcon Heights city council on behalf of Falcon Heights.
 - B. Upon completion of work, or periodically during construction, an itemized invoice of charges for the work defined in the Understanding shall be transmitted to the other party. Payment shall be issued within 30 days following review and approval of the charges.
2. Except as modified herein, the terms of the Agreement shall remain in full force and effect.

[Remainder of page is left intentionally blank]

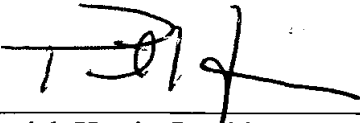
IN WITNESS WHEREOF, the parties hereto have caused this Amendment No. 1 to Agreement to be executed as of the day and year first above written.

Approved:


BOARD OF WATER COMMISSIONERS



 Stephen P. Schneider, General Manager

By 

 Patrick Harris, President

By 

 Mollie Gagnelius, Secretary

Approved as to Form:



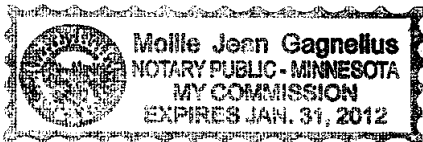
 Assistant City Attorney

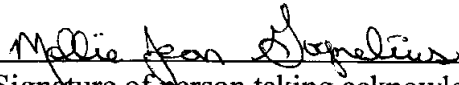
By 

 Margaret Kelly, Director
 Office of Financial Services

STATE OF MINNESOTA)
) ss.
 COUNTY OF RAMSEY)

The foregoing instrument was acknowledged before me this 1st day of April, 2009, by Patrick Harris, President, Board of Water Commissioners of the City of Saint Paul, a Minnesota municipal corporation, on behalf of the corporation.

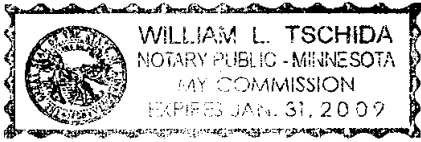




 Signature of person taking acknowledgment

STATE OF MINNESOTA)
) ss.
COUNTY OF RAMSEY)

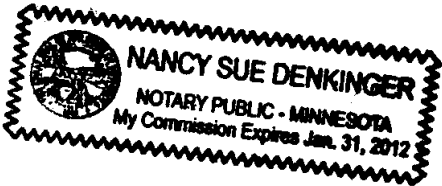
The foregoing instrument was acknowledged before me this 3 day of April, 2009, by Mollie Gagnelius, Secretary, Board of Water Commissioners of the City of Saint Paul, a Minnesota municipal corporation, on behalf of the corporation.



Mollie Gagnelius
Signature of person taking acknowledgment

STATE OF MINNESOTA)
) ss.
COUNTY OF RAMSEY)

The foregoing instrument was acknowledged before me this 30 day of March, 2009, by Margaret Kelly, Director, Office of Financial Services, Board of Water Commissioners of the City of Saint Paul, a Minnesota municipal corporation, on behalf of the corporation.



Nancy Sue Denking
Signature of person taking acknowledgment

CITY OF FALCON HEIGHTS

By *Peter Lindstrom*
Peter Lindstrom, Mayor

By *JM*
Justin Miller, City Clerk/Administrator

STATE OF MINNESOTA)
) ss.
COUNTY OF RAMSEY)

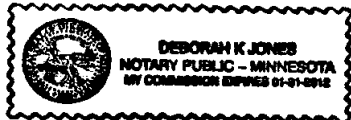
The foregoing instrument was acknowledged before me this 17th day of March, 2009, by Peter Lindstrom, Mayor of the City of Falcon Heights, a Minnesota Municipal Corporation, on behalf of the corporation.



Deborah K Jones
Signature of person taking acknowledgment

STATE OF MINNESOTA)
) ss.
COUNTY OF RAMSEY)

The foregoing instrument was acknowledged before me this 17th day of March, 2009, by Justin Miller, City Clerk/Administrator of the City of Falcon Heights, a Minnesota Municipal Corporation, on behalf of the corporation.



Deborah K Jones
Signature of person taking acknowledgment

BOARD OF WATER COMMISSIONERS
RESOLUTION — GENERAL FORM

No. 7019

PRESENTED BY
COMMISSIONER

Rossbach

DATE

March 10, 2009

WHEREAS, the City of Falcon Heights and the Board of Water Commissioners entered into a agreement dated July 9, 1997 whereby the Board would provide water service to the City of Falcon Heights at water rates that would become equal to the rates charged within the City of Saint Paul (the "Agreement") and, in return, the City of Falcon Heights would convey title to its water facilities to the Board; and

WHEREAS, the parties desire that whenever possible, the Board shall perform water main replacement or other water system repair work in conjunction with Falcon Heights street paving projects in order to provide the greatest efficiency and to minimize traffic disruptions and replacement costs; and

WHEREAS, when such coordination is possible, the Board desires to utilize Falcon Heights street project contractor to provide work necessary to support the Board's water main work within such project areas, and Falcon heights is willing to provide such support work with its street project contractor; and

WHEREAS, staff has prepared an Amendment No. 1 to Agreement which sets forth the terms and conditions for the provision and payment of such support work, and recommends approval of said Amendment; now, therefore, be it

RESOLVED, that the Board of Water Commissioners does hereby approve Amendment No. 1 to Agreement between the Board of Water Commissioners and the City of Falcon Heights for the provision of water facility support work by the City of Falcon Heights for Board construction projects within Falcon Heights street projects, and that the proper officers are hereby authorized and directed to execute said Amendment No. 1 on behalf of the Board, following approval by the assistant city attorney.

Water Commissioners

Yeas **Anfang** **Nays**

Kleindl

Rossbach

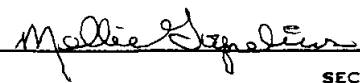
Vice President Zanmiller

Adopted by the Board of Water Commissioners

March 10, 20 09

In favor 4

Opposed 0



SECY.

9-1997-E-06

CITY OF FALCON HEIGHTS
Regular Meeting of the City Council
City Hall
2077 West Larpenteur Avenue

AGENDA

February 25, 2009

- A. CALL TO ORDER: 7:00 PM
- B. ROLL CALL: LINDSTROM __AB__ HARRIS __X__ KUETTEL __X__
LONG __X__ MERCER-TAYLOR __X__
MILLER __X__
- C. PRESENTATIONS: 2008 Police Report, Chief John Ohl
- D. APPROVAL OF MINUTES: January 28, 2008 APPROVED
- E. PUBLIC HEARINGS:
- F. CONSENT AGENDA: ALL ITEMS APPROVED; KUETTEL MOVED 4-0
1. General Disbursements through 2/20/09 : \$265,262.60
Payroll through 1/30/09: \$17, 902.33
Payroll through 2/13/09: \$13,295.34
 2. City License Renewals
 3. Appointment of new firefighter, Chris Radic
 4. Appointment of Anton Fehrenbach to 4th Captain
 - * 5. Amendment #1 to Agreement with St. Paul Regional Water Services
 6. 2009 Sanitary Sewer Chemical Root Control Contract
 7. 2009 Sanitary Sewer Cleaning Program
 8. Appoint to Environment Commission
- G: POLICY ITEMS:
1. Falcon Heights/Lauderdale Fun Run event - APPROVED; MERCER-TAYLOR MOVED 4-0
 2. Receive 2009 Pavement Management Plan Feasibility Study and Setting of Public Hearing - APPROVED; LONG MOVED 4-0
- H. INFORMATION/ANNOUNCEMENTS: NONE
- I. COMMUNITY FORUM:
- J. ADJOURNMENT: MEETIN ADJOURNED AT 8:00PM

Agreement # 02-10355-I

**AMENDMENT NO. 2
to
AGREEMENT BETWEEN**

**BOARD OF WATER COMMISSIONERS
and
CITY OF FALCON HEIGHTS**

This **AMENDMENT NO. 2 TO AGREEMENT** entered into this 9th day of February, 2010, by and between the **BOARD OF WATER COMMISSIONERS**, a municipal corporation of the State of Minnesota (the "Board"), and the **CITY OF FALCON HEIGHTS**, a municipal corporation of the State of Minnesota ("Falcon Heights").

WITNESSETH:

WHEREAS, Falcon Heights and the Board entered into an agreement dated July 9, 1997 for the provision of water service by the Board to properties within Falcon Heights (the "Agreement"); and

WHEREAS, Article XV of the Agreement allows for amendments to the original agreement; and

WHEREAS, Falcon Heights at this time desires that the Board provide street lighting fee ("Street Lighting Fee") billing and collection services to properties within Falcon Heights on its behalf, and the Board desires to provide such services in accordance with said Article XV.

NOW, THEREFORE, in consideration of the mutual covenants contained herein, the parties mutually agree to amend the Agreement in the manner described below.

1. The following Street Lighting Fee billing terms and conditions are hereby added to the Agreement:
 - A. Board Responsibilities
 - 1) The Board will provide current electronic account data to Falcon Heights to assist Falcon Heights in allocating Street Lighting Fees to water/sewer accounts.
 - 2) The Board will provide the work necessary to include Falcon Heights Street Lighting Fees in the Board's billing system. The Street Lighting Fee shall be appropriately displayed on the Board's water/sewer bill form.
 - 3) The Board will provide descriptive information on the water/sewer bill form regarding the Street Lighting Fee, as permitted by and within limitations of the Board's water/sewer bill form.

- 4) The Board will provide month-end reports to Falcon Heights, which will list the number of bills charged a Street Lighting Fee and the amount charged.
- 5) The Board will provide to Falcon Heights the Street Lighting Fee payments it collects, less compensation for providing billing services. Payments not received by the Board for the Street Lighting Fee may be withheld from monies due Falcon Heights until collection is made. The necessity of such withholdings will be determined by Board staff on a case-by-case basis, and such withholdings and collections will be included as a line item in the month-end reports to Falcon Heights.

B. Falcon Heights Responsibilities

- 1) Falcon Heights will provide the Board with the text it wishes the Board to include on the front and back of the water/sewer bill form.
- 2) For each property to be billed a Street Lighting Fee, Falcon Heights will provide in an electronic format approved by Board: (1) water service account number, (2) the property address of the account, and (3) the amount of the Street Lighting Fee to be billed.
- 3) Falcon Heights will inform its residents of the new Street Lighting Fee, how it is computed and that Saint Paul Regional Water Services will be performing the billing and collection.
- 4) Board will refer all customer questions and inquiries regarding the Street Lighting Fee to Falcon Heights, which is responsible for addressing same.

C. Schedule

- 1) Falcon Heights and the Board agree to implement the Street Lighting Fee billing according to a schedule acceptable to both parties.

D. Compensation

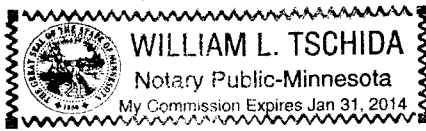
- 1) Falcon Heights agrees to pay a billing fee of \$.12 for each water/sewer bill that includes a Street Lighting Fee charge. This fee shall increase over time at the same percentage rate as Board water rates.

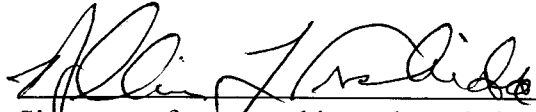
2. Except as modified herein, the terms of the Agreement shall remain in full force and effect.

[Remainder of page is left intentionally blank]

STATE OF MINNESOTA)
) ss.
COUNTY OF RAMSEY)

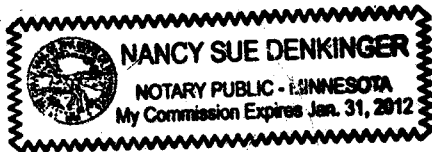
The foregoing instrument was acknowledged before me this 9 day of March, 2010, by Mollie Gagnelius, Secretary, Board of Water Commissioners of the City of Saint Paul, a Minnesota municipal corporation, on behalf of the corporation.

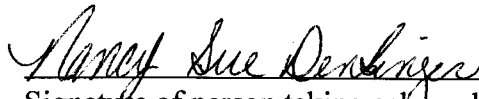



Signature of person taking acknowledgment

STATE OF MINNESOTA)
) ss.
COUNTY OF RAMSEY)

The foregoing instrument was acknowledged before me this 1st day of March, 2010, by Margaret Kelly, Director, Office of Financial Services, Board of Water Commissioners of the City of Saint Paul, a Minnesota municipal corporation, on behalf of the corporation.




Signature of person taking acknowledgment

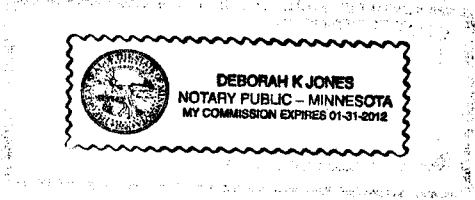
CITY OF FALCON HEIGHTS

By *Peter Lindstrom*
Peter Lindstrom, Mayor

By *Justin Miller*
Justin Miller, City Clerk/Administrator

STATE OF MINNESOTA)
) ss.
COUNTY OF RAMSEY)

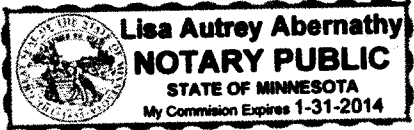
The foregoing instrument was acknowledged before me this 19 day of February, 2010, by Peter Lindstrom, Mayor of the City of Falcon Heights, a Minnesota Municipal Corporation, on behalf of the corporation.



Deborah K. Jones
Signature of person taking acknowledgment

STATE OF MINNESOTA)
) ss.
COUNTY OF RAMSEY)

The foregoing instrument was acknowledged before me this 18 day of February, 2010, by Justin Miller, City Clerk/Administrator of the City of Falcon Heights, a Minnesota Municipal Corporation, on behalf of the corporation.



Lisa Abernathy
Signature of person taking acknowledgment

BOARD OF WATER COMMISSIONERS
RESOLUTION — GENERAL FORM

No. 7063

PRESENTED BY Zanmiller
COMMISSIONER

DATE February 9, 2010

WHEREAS, the City of Falcon Heights and the Board of Water Commissioners entered into a agreement dated July 9, 1997 whereby the Board would provide water service to properties within the City of Falcon Heights (the "Agreement"); and

WHEREAS, Article XV of said Agreement allows that the Board may provide billing and collection services for services in addition to water service, if desired by Falcon Heights; and

WHEREAS, Falcon Heights at this time desires that the Board provide street lighting fee billing and collection services to properties within the City of Falcon Heights on its behalf, and the Board desires to provide such services in accordance with said Article XV; and

WHEREAS, staff has prepared an Amendment No. 2 to Agreement which sets forth the terms and conditions for the provision of street lighting fee billing and collection services for Falcon Heights; now, therefore, be it

RESOLVED, that the Board of Water Commissioners does hereby approve Amendment No. 2 to Agreement between the Board of Water Commissioners and the City of Falcon Heights in substantially the form submitted, and that the proper officers are hereby authorized and directed to execute said Amendment on behalf of the Board following approval of the assistant city attorney.

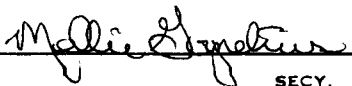
Water Commissioners

| Yeas | | Nays |
|----------------|-----------|-------------|
| | Anfang | |
| | Bykowski | |
| | Kleindl | |
| Vice President | Zanmiller | |
| President | Harris | |

In favor 5 Opposed 0

Adopted by the Board of Water Commissioners

February 9, 2010



SECY.

9-1997-E-09

COOPERATIVE COST SHARE UNDERSTANDING
Between
BOARD OF WATER COMMISSIONERS OF THE CITY OF SAINT PAUL
and
CITY OF FALCON HEIGHTS

THIS UNDERSTANDING, made and entered into this 23rd day of June 2010, by and between the **BOARD OF WATER COMMISSIONERS OF THE CITY OF SAINT PAUL**, (the "Board"), acting through its Saint Paul Regional Water Services General Manager ("SPRWS General Manager"), and the **CITY OF FALCON HEIGHTS** ("Falcon Heights").

WITNESSETH:

WHEREAS, Falcon Heights and the Board entered into an agreement dated July 9, 1997 for the provision of water service by the Board to properties within Falcon Heights (the "Agreement"); and

WHEREAS, Falcon Heights and the Board entered into an Amendment No. 1 to Agreement dated March 10, 2009, which provided for water facility support work ("Support Work") within Falcon Heights street projects; and

WHEREAS, said Amendment No. 1 to Agreement further provided that Falcon Heights and the Board shall negotiate a Cooperative Cost Share Understanding for each street project that is to include Support Work in order to define the work responsibilities and cost obligations of the parties with respect to Support Work.

NOW, THEREFORE, in consideration of the mutual covenants contained herein, and in accordance with said Amendment No. 1 to Agreement, the parties mutually agree as follows:

1. Falcon Heights shall obtain bids for water facility support work as part of its 2009-2010 Mill and Overlay Projects. The Support Work shall consist of excavation, pipe handling, backfilling, restoration, and all other work necessary to support water facility work to be performed by Board forces within the boundaries of the 2009-2010 Mill and Overlay Projects. Streets in which Board forces will perform water facility work are Garden Avenue, Maple Knoll Drive and Fry Street, as shown on Attachment A, attached hereto and incorporated herein; and
2. Based upon bid prices contained in a contract duly awarded by Falcon Heights for construction of the 2009-2010 Mill and Overlay Projects, and upon quantities agreed to by the parties, Falcon Heights shall provide the Board with itemized invoices showing the costs for completed Support Work; and
3. The Board shall pay such itemized costs.

IN WITNESS WHEREOF, the parties hereto have caused this Cooperative cost Share Understanding to be executed as of the day and year first above written.

Approved as to Form:

BOARD OF WATER COMMISSIONERS

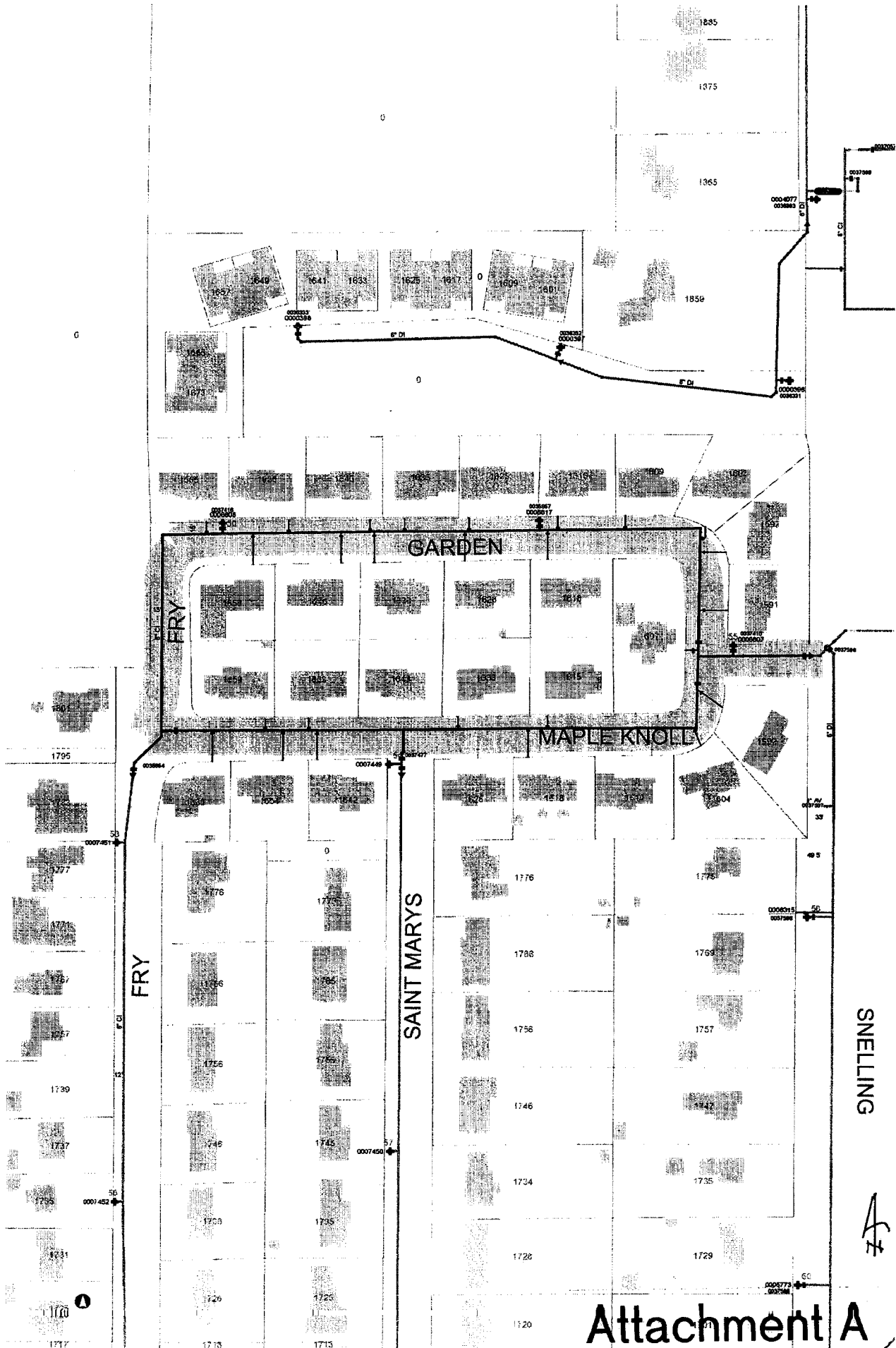
Aisa J. Veith
Assistant City Attorney

By Stephen P. Schneider
Stephen P. Schneider, General Manager

CITY OF FALCON HEIGHTS

By Peter Lindstrom
Peter Lindstrom, Mayor

By Justin Miller
Justin Miller, City Clerk/Administrator



Attachment A

Agreement # 02-10355-I

**AMENDMENT NO. 3
to
AGREEMENT BETWEEN**

**BOARD OF WATER COMMISSIONERS
and
CITY OF FALCON HEIGHTS**

This **AMENDMENT NO. 3 TO AGREEMENT** entered into this 15th day of November 2011, by and between the **BOARD OF WATER COMMISSIONERS**, a municipal corporation of the State of Minnesota (the "Board"), and the **CITY OF FALCON HEIGHTS**, a municipal corporation of the State of Minnesota ("Falcon Heights").

WITNESSETH:

WHEREAS, Falcon Heights and the Board entered into an agreement dated July 9, 1997 for the provision of water service by the Board to properties within Falcon Heights (the "Agreement"); and

WHEREAS, Article XV of the Agreement allows for amendments to the Agreement; and

WHEREAS, the parties desire at this time to amend the Agreement to provide for a Storz connection on fire hydrants installed and maintained within the city of Falcon Heights.

NOW, THEREFORE, in consideration of the mutual covenants contained herein, the parties mutually agree to amend the Agreement as follows:

1. Article XIV. Section 4. **HYDRANT NOZZLE THREADS** is deleted in its entirety and replaced with the following:

Section 4. HYDRANT NOZZLE THREADS

The Board recognizes the Saint Paul Standard for hydrant nozzle threads as selected by Falcon Heights for hydrants within the city of Falcon Heights. All new and replacement hydrants shall include one Storz connection.

2. The provisions of this amendment shall take effect January 1, 2012.
3. Except as modified herein, the terms of the Agreement shall remain in full force and effect.

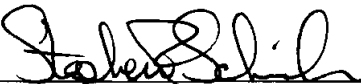
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9-1997-E-11

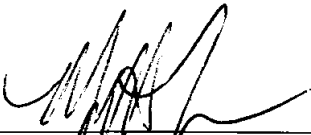
IN WITNESS WHEREOF, the parties hereto have caused this Amendment No. 3 to Agreement to be executed as of the day and year first above written.

Approved:

BOARD OF WATER COMMISSIONERS




Stephen P. Schneider, General Manager
Saint Paul Regional Water Services

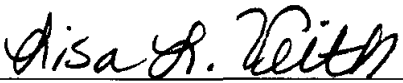
By 

~~Patrick Harris, President~~
Matt Anthony

Approved as to Form:

By 

Mollie Gagnelius, Secretary



Lisa Veith,
Assistant City Attorney

By 

Todd Hurley, Director
Office of Financial Services

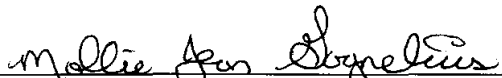
STATE OF MINNESOTA)

) ss.

COUNTY OF RAMSEY)

The foregoing instrument was acknowledged before me this 30 day of March, 2012, by ~~Patrick Harris~~, President of the Board of Water Commissioners, a Minnesota municipal corporation, on behalf of the corporation.





Signature of person taking acknowledgment

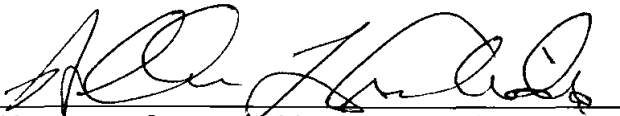
STATE OF MINNESOTA)

) ss.

COUNTY OF RAMSEY)

The foregoing instrument was acknowledged before me this 4 day of April, 2012, by Mollie Gagnelius, Secretary of the Board of Water Commissioners, a Minnesota municipal corporation, on behalf of the corporation.



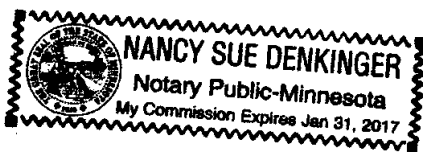

Signature of person taking acknowledgment

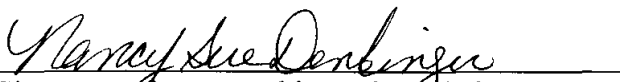
STATE OF MINNESOTA)

) ss.

COUNTY OF RAMSEY)

The foregoing instrument was acknowledged before me this 13 day of April, 2012, by Todd Hurley, Director, Office of Financial Services of the Board of Water Commissioners, a Minnesota municipal corporation, on behalf of the corporation.




Signature of person taking acknowledgment

BOARD OF WATER COMMISSIONERS
RESOLUTION — GENERAL FORM

No. 7139

PRESENTED BY COMMISSIONER Helgen

DATE November 15, 2011

WHEREAS, the City of Falcon Heights and the Board of Water Commissioners entered into an agreement dated July 9, 1997 for the provision of water service by the Board to properties within Falcon Heights (the "Agreement"); and

WHEREAS, Article XV of the Agreement allows for amendments to the Agreement; and

WHEREAS, the parties desire at this time to amend the Agreement to provide for a Storz connection on fire hydrants installed within the city of Falcon Heights; and

WHEREAS, Board staff has prepared Amendment No. 3 to Agreement which specifies said desired change, with all other terms and conditions remaining in effect and unchanged; and

WHEREAS, the assistant city attorney has approved said Amendment No. 3 as to form; now, therefore, be it

RESOLVED, that Amendment No. 3 to Agreement between the Board of Water Commissioners and the City of Falcon Heights is hereby approved and that the proper officers are hereby authorized and directed to execute said Amendment No. 3 on behalf of the Board.

Water Commissioners

| Yeas | | Nays |
|-------------|----------|-------------|
| | Anfang | |
| | Bykowski | |
| | Helgen | |
| President | Harris | |

In favor 4

Opposed 0

Adopted by the Board of Water Commissioners

November 15, 2011

Mollie Bykowski
SECY.

9-1997-E-12

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REQUEST FOR COUNCIL ACTION

| | |
|---------------------|----------------------------------|
| Meeting Date | December 14, 2022 |
| Agenda Item | Consent G13 |
| Attachment | Resolution |
| Submitted By | Jack Linehan, City Administrator |

| | |
|----------------------|---|
| Item | Appointment of John Larkin to the Board of Water Commissioners for Saint Paul Regional Water Services |
| Description | <p>On July 9th, 1997 the City of Falcon entered into an Agreement between the Board of Water Commissioners to provide water services to properties within the City of Falcon Heights at water rates that will become equal to the rates charged with in the City of St. Paul.</p> <p>The agreement also stated that suburban communities will have representation on the Board of Water Commissioners, that Falcon Heights will convey title to its water facilities to the Board, and Falcon Heights will permit the Board to maintain it mains with the City. The agreement became effective January 1, 1998.</p> <p>The City has a rotational seat on the Board of Water Commissioners. The City's rotation was scheduled for January 1, 2020 through December 31, 2023. In Resolution 19-45, the City appointed Jim Bykowski to serve as our representative. In August, Mr. Bykowski indicated that he was resigning from his seat.</p> <p>The City initially sought applications in October to serve on this seat, but did not receive any applications. After reaching out to current and recent past commissioners, we did receive multiple interested applicants. Mayor Gustafson is recommending John Larkin for the appointment, based on his past service on the Planning Commission.</p> |
| Budget Impact | N/A |
| Attachment(s) | <ul style="list-style-type: none"> • St. Paul Regional Water Agreement • Larkin Application • Resolution 22-61 Appointing John Larkin to the Board of Water Commissioners for Saint Paul Regional Water Services |

| | |
|--------------------------------|--|
| Action(s) Requested | Staff would recommend approval of resolution and appoint John Larkin to the Board of Water Commissioners for Saint Paul Regional Water Services. |
|--------------------------------|--|

**CITY OF FALCON HEIGHTS
ST. PAUL BOARD OF WATER COMMISSIONERS
VACANCY APPLICATION**

Name: John Larkin

Address: 1725 Saint Marys St

Phone: (H) 331-250-1926 (W) _____

Email address: John.Larkin.ist@gmail.com

How long have you been a resident of Falcon Heights? 8 years

Educational background: Ph.D. in Food Engineering

Occupation: Retired Food Safety Consultant

Why do you wish to serve? Interested in giving back to the community through helping local government committees / commissions.

List any community service (inside and outside of Falcon Heights): 6 yrs on

Falcon Heights Planning Commission. Currently on Ramsey County Community Health Service Advisory Comm. tree.

Memberships, accomplishments, distinctions: Ohio State Distinction in Food Science Department, Food Safety Magazine Distinguished Service award. Member of Institute for Thermal Processing Specialists

Any other relevant experience: No

In addition to the information above a resume may be submitted, but is not required.

Requirements for City Council Members:

1. Be at least 18 years of age at the time the term of office begins
2. Have resided in Falcon Heights for 30 days prior to the appointment
3. Be an eligible voter, including the requirement that the individual be a United States citizen

Signature: John Larkin Date: 11-25-2022

Please note: this application and any accompanying materials are public information.
Return completed application by Friday, October 14, 2022 12:00 pm to: City of Falcon Heights, 2077
W Larpenteur Ave, Falcon Heights, MN 55113

**CITY OF FALCON HEIGHTS
COUNCIL RESOLUTION**

December 14, 2022

No. 22-61

**RESOLUTION APPOINTING JOHN LARKIN TO THE BOARD OF WATER
COMMISSIONERS FOR SAINT PAUL REGIONAL WATER SERVICES**

WHEREAS, the City of Falcon Heights has received water services from the Board continuously since 1963 pursuant to the terms of retail Water Service agreements between the Board and Falcon Heights; and

WHEREAS, on October 23, 1996, the City of Falcon Heights and the Board executed a Memorandum of Understanding, by which the Board will provide water services and take over ownership of water infrastructure to properties within Falcon Heights ; and

WHEREAS, the Memorandum of Understanding went into effective January 1, 1998; and

WHEREAS, Falcon Heights' representative on the Board of Water Commissioners, Jim Bykowski, submitted his resignation to the Board of Water Commissioners in August; and

WHEREAS, the City of Falcon Heights is required to provide a representative for the Board during the City of Falcon Heights rotation.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Falcon Heights, Minnesota appoints John Larkin as the City of Falcon Heights representative to the Board of Water Commissioners for Saint Paul Regional Water Services

Moved by:

Approved by: _____
Randall Gustafson
Mayor

GUSTAFSON _____ In Favor
MEYER
LEEHY _____ Against
WASSENBERG
WEHYEE

Attested by: _____
Jack Linehan
City Administrator

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ITEM FOR DISCUSSION

| | |
|---------------------|----------------------------------|
| Meeting Date | December 14, 2022 |
| Agenda Item | Consent G14 |
| Attachment | Resolution |
| Submitted By | Jack Linehan, City Administrator |

| | |
|----------------------------|--|
| Item | Resignation of Esha Seth from the Environment Commission |
| Description | Esha Seth joined the Environment Commission in 2019, and has been an asset to the Commission throughout the completion of her term. Ms. Seth’s experience in grant writing and desire to make the City more environmentally friendly, along with her work experience with the Association for Nonsmokers-MN (ANSR), provided Ms. Seth with knowledge to share with the Commission on policy-making, and making environmental changes within a community. On November 10, 2022, Ms. Seth notified staff of her desire to resign from the Commission, effective immediately. Staff are grateful for Ms. Seth for the generosity she showed with her time throughout her years on the Commission. |
| Budget Impact | N/A |
| Attachment(s) | <ul style="list-style-type: none"> • Resolution 22-62 Resignation of Esha Seth from the Environment Commission |
| Action(s) Requested | Staff recommends approval of attached resolution accepting the resignation of Esha Seth from the Environment Commission. |

**CITY OF FALCON HEIGHTS
COUNCIL RESOLUTION**

December 14, 2022

No. 22-62

**RESOLUTION ACCEPTING THE RESIGNATION OF ESHA SETH FROM THE FALCON
HEIGHTS ENVIRONMENT COMMISSION**

WHEREAS, the City appointed Esha Seth in August 2019 as a member of the City of Falcon Heights Environment Commission; and

WHEREAS, Ms. Seth completed a three-year term on the Environment Commission;

WHEREAS, on November 10, 2022 Ms. Seth communicated her intent to resign her duties from the Commission effective immediately;

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Falcon Heights, Minnesota:

1. That the "Letter of Resignation" is accepted by the City Council of the City of Falcon Heights.

Moved by:

Approved by: _____
Randall C. Gustafson
Mayor

GUSTAFSON _____ In Favor
MEYER
WASSENBERG _____ Against
LEEHY
WEHYEE

Attested by: _____
Jack Linehan
City Administrator

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REQUEST FOR COUNCIL ACTION

| | |
|---------------------|----------------------------------|
| Meeting Date | December 14, 2022 |
| Agenda Item | Consent G15 |
| Attachment | Impound Services Contract |
| Submitted By | Jack Linehan, City Administrator |

| | |
|----------------------------|--|
| Item | Approve Impound Services Contract |
| Description | <p>The City of Falcon Heights will renew its contract from last year with the Animal Humane Society. The following fees will apply:</p> <ul style="list-style-type: none"> • Animals returned to their owners through Animal Humane Society facilities will incur a \$24.00 admin fee charged to the municipality • Dogs and cats that remain in the facilities through their stray hold will incur a fee of \$208.00 • Services needed for critters and other small companion animals will incur a fee of \$48.00. <p>These fees will cover the costs of housing, feeding, vaccination, and other veterinary care.</p> |
| Budget Impact | |
| Attachment(s) | <ul style="list-style-type: none"> • Impound Services Contract |
| Action(s) Requested | Staff recommends approval of the impound services contract for 2023. |

October 21, 2022

City of Falcon Heights
2077 W Larpenteur Ave
Falcon Heights, MN 55113

Dear Municipal Administrator,

Animal Humane Society continues to partner with local municipalities to improve the lives and welfare of animals as well as the impact they have on people in our community. We look forward to continuing our partnership with you in 2023.

I am happy to share that there are no significant changes to the language of the contract. Many of you have had constructive feedback over prior years, and we think the language is in a good place. We did add a lot of municipalities over the past year, so there were some things we wanted to clarify.

- Deceased animals still need intake paperwork filled out for them.
- If you do have a larger case or need forensics, please refer to our [Humane Investigations](#) team instead. These services are provided at no cost to municipalities.
- ACO's should not be using this process to circumvent the owner surrender process. An owned animal needing to be surrendered needs to be coordinated through our [Pet Helpline](#).
- A line has been added to the end of the contract where you can put your best email contact for Account Payable - where we would send invoices.
- We have also sent a more thorough FAQ for questions that have arisen during the year.

To align our fees with our costs, there is a small 3% increase to our fees. We have also found that the admin fee does not cover our staff and cremation costs, so we have added a specific fee for this service. This means that charges in 2023 would be:

- Admin Fee - animal is returned to owner - \$25
- Hold Fee - animal is not returned and is held at AHS for 5 days - \$214 for dog/cat; \$49 for other
- Quarantine Fee - animal is held at AHS for 10 days for rabies quarantine - \$428
- DOA Fee - animal is brought in deceased, held and cremated by AHS - \$40
- Humane Investigations - must be coordinated with our HI department and does not come with any fees

If you have any questions about the program in general, please feel free to contact me at the email or phone number below. If you have any questions about specific billing issues or animals, please contact Astrid Roed, our site manager in Woodbury.

You will receive a contract digitally that has already been signed by Janelle Dixon, our CEO. Please digitally sign the contract in PDF format and return to us via the same email address as we sent the contract to you.

We appreciate your partnership as we seek to serve both the people and animals of our communities.

Sincerely,

Graham Brayshaw, DVM
Director of Animal Services, Animal Humane Society
gbrayshaw@animalhumanesociety.org
(763) 489-2224

Animal Humane Society, Woodbury
c/o Astrid Roed, Site Manager
9785 Hudson Rd
Woodbury, MN 55125
aroed@animalhumanesociety.org
(651) 788-4675

**Animal Humane Society
and
City of Falcon Heights**

**Letter of Understanding for Impound Housing Services
2023**

1. Animal Humane Society (AHS) agrees to provide the following services:
 - a. Housing for stray or abandoned animals that are retrieved or legally seized by your municipality's community service officer (CSO) or animal control officer (ACO), or for stray animals that are brought into the shelter by a citizen and verbal permission is given by your agency via phone for intake. Housing includes kennel space, daily cleaning, food and water.
 - b. AHS is unable to house wildlife or farm animals.
 - i. Exceptions can be made for chickens with prior approval of the site manager at AHS.
 - c. Herd management vaccination following our standard vaccination protocols, as well as medically necessary and/or emergency care for sick or injured animals impounded during regular business hours.
 - d. Euthanasia services as deemed necessary by an AHS veterinarian. These services may be provided at the end of the legally required holding period or in the case of a medical situation that requires immediate euthanasia.
 - e. Adoption services as deemed appropriate by AHS veterinary staff. The animals will be evaluated for these services at the end of the legally required holding period.
 - f. Euthanasia services and body disposal as deemed appropriate by AHS veterinary staff. The animals will be evaluated for these services at the end of the legally required holding period.
 - g. Provide animal rabies quarantine or diagnostic service for stray felines or canines that have bitten a person.
 - h. Hold animal for the legally required stray holding period: 5 days in MN, 4 Days in WI if a live release, 7 days in WI if euthanized or until reclaimed by owner within this holding period.
 - i. AHS will follow internal policy and best practice for unclaimed animals. **City of Falcon Heights** may request and view AHS policies at any time.

2. AHS expectations:
 - a. AHS is not responsible for sick or injured animals that are left after hours. Outside treatment must be sought for these animals by the animal control officer or community service officer prior to leaving the animals at the AHS facility when veterinary staff members are not on duty.

- b. AHS has the sole authority to disposition all animals that have not been reclaimed upon the expiration of the legally designated holding period.
- c. AHS will not accept feral cats seized under municipal authority by your municipality's CSO or ACO.
- d. AHS is not responsible for collecting any fees from an owner for a municipality.

3. **City of Falcon Heights** agrees to:

- a. Adhere to the drop off procedure set forth by AHS including animal housing at the shelter and paperwork. Drop off procedures and paperwork training for community service or animal control officers will be provided.
- b. Adhere to state laws and local ordinances that apply to the handling of stray or abandoned animals and the seizure and return of animals to their owners.
- c. Direct citizens where to take stray animals when not receiving permission for impoundment at AHS.
- d. Seek care for injured or sick animals prior to drop off in the event that it is after hours and/or AHS veterinary staff is not on duty.
- e. Pay the designated fees for each animal cared for from your municipality.
 - i. AHS will charge a standard hold fee of \$214 per canine or feline and a \$49 fee per "other" domestic animals (rabbits, guinea pigs, birds etc.) not reclaimed by its owner.
 - ii. AHS will charge a municipality mandated quarantine fee of \$428 per canine or feline that is held for a quarantine or other holding period lasting more than 5 days independent of who claims the animal after that hold.
 - iii. AHS will charge a \$25 administrative/processing fee to the municipality for each animal reclaimed by its owner in place of the standard fee. In these instances, AHS will charge the owner the additional reclaim fees.
 - iv. AHS will charge a \$40 DOA (administrative/processing/cremation) fee for disposal of any cadavers brought to and AHS facility by a representative of the municipality.
 - v. **City of Falcon Heights** is responsible for fees if the owner does not reclaim by the last day of the stray hold.
- f. Adhere to AHS policy and best practice for unclaimed animals. **City of Falcon Heights** may request and view AHS policies at any time.
- g. Adhere to building access rules and ensure that the service access door is closed and locked after use in an after-hours drop off.
- h. Ensure that the municipality's CSO/ACO uses his/her discretion in the field as to whether or not to impound an animal. AHS is not responsible for those decisions.
- i. Be available to members of your community to resolve their concerns related to the actions of your ACO/CSO officers and your municipality's procedures, policies and requirements.

4. Administration

- a. AHS will bill the municipality at the end of each quarter on a fiscal calendar year. Billing will be mailed in the first month following the end of the quarter. Payment is expected within 30 days of receipt of billing.
- b. AHS will assign a contact person who should be contacted in the event of any problems, concerns or to receive feedback regarding the program.
- c. Any billing disputes must be raised within 10 days of receipt of billing.
- d. The AHS agrees to maintain all data received from **City of Falcon Heights** in the same manner as **City of Falcon Heights** as required under the Minnesota Government Data Practices Act, Minnesota Statutes, Chapter 13.
- e. Insurance Requirements.
 - i. Liability. AHS agrees to maintain commercial general liability insurance in a minimum amount of \$1,000,000 per occurrence; \$2,000,000 annual aggregate. The policy shall cover liability arising from premises, operations, products-completed operations, personal injury, advertising injury, and contractually assumed liability. Upon request **City of Falcon Heights** shall be named as an additional insured.
 - ii. Automobile Liability. If AHS operates a motor vehicle in performing the services under this agreement, AHS shall maintain commercial automobile liability insurance, including owned, hired, and non-owned automobiles, with a minimum liability limit of \$1,000,000, combined single limit.
 - iii. Workers' Compensation. AHS agrees to comply with all applicable workers' compensation laws in Minnesota.
 - iv. Certificate of Insurance. The AHS shall deliver to **City of Falcon Heights** a Certificate of Insurance as evidence that the above coverages are in full force and effect.
- f. Indemnification:
 - i. AHS. To the fullest extent permitted by law, AHS agrees to defend and indemnify **City of Falcon Heights**, and its officers, employees, and volunteers, from and against all claims, damages, losses, and expenses, including attorney fees, arising out of or resulting from the performance of work under this agreement; but only to the extent caused in whole or in part by the negligent acts, errors or omissions of AHS, AHS's subcontractor(s), or anyone directly or indirectly employed or hired by AHS, or anyone for whose acts AHS may be liable. AHS agrees this indemnity obligation shall survive the completion or termination of this agreement.
 - ii. **City of Falcon Heights**. To the fullest extent permitted by law, **City of Falcon Heights** agrees to defend and indemnify AHS, and its officers, employees, and volunteers, from and against all claims, damages, losses, and expenses, including attorney fees, arising out of or resulting from the performance of work under this agreement; but only to the extent caused in whole or in part by the negligent acts, errors or omissions of **City of Falcon Heights**, or anyone directly or indirectly employed or hired by **City of Falcon Heights**, or anyone for whose acts **City of Falcon Heights** may be liable. **City of Falcon Heights** agrees this

indemnity obligation shall survive the completion or termination of this agreement.

This agreement is based on a one year commitment, which is renewed annually from the date your administrator signs the agreement below. If the municipality brings animals to AHS without a signed contract, it will be assumed that the agreement is extended for term of the next contract. The agreement can be ended at any time by either party with a 30 day written notice.

This agreement is entered into on the ____ day of _____, 202__ by

Janelle Dixon, President & CEO
Animal Humane Society

Signed on behalf of Municipal Authority

Printed Name and Title

Signed on behalf of Municipal Authority

Printed Name and Title

Email Address to send invoices



Helpful Tips for Impound Animals

- **Building Access**

- AHS provides 24/7 access to the incoming lobby for the drop-off of animals.
 - If issues arise accessing the building after-hours, the Shelter Operations Manager – Astrid Roed, can be contacted at 952-454-7710 (cell).
 - Keys have been provided as requested, for use on the exterior Incoming door.
 - During the following hours, staff are typically available to assist with the intake of an animal. Officers can check in with the staff in the lobby instead of using the cages.
 - Wednesday, Thursday, Friday, Saturday & Sunday: 8:00am to 4:00pm
 - Tuesday: 12:00pm to 8:00pm

- **AHS Shelter Operations Manager Information**

- General inquiries, Case follow-up, and any questions regarding disposition or status of an animal can be directed to the Woodbury Shelter Operations Manager:

Astrid Roed

Email: aroed@animalhumanesociety.org

Office: 651-788-4675

Cell: 952-454-7710

- **Kennel Tips**

- Ensure kennels latch completely when shutting.
- For some dogs, a secondary clip is needed to best secure the dog. This clip is hanging on the kennel door for use.

- **Intake forms**

- Please complete the Intake form with all the information available. Some key areas often missed, or left incomplete, are:
 - **Owner**
 - If owner is known, please include name and all contact information known. We need that for our records. We do reach out to all known owners.
 - Specifically needed are:
 - Full name of owner(s)
 - Phone number for owner
 - Key details we need to know before making calls like Owner arrested, admitted to hospital or deceased.
 - If for any reason you would like us NOT to reach out to an owner, please include that in the notes with as much detail as possible for the case, but still do provide the owner info.

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- OWNER SURRENDERS:
 - See note under “Other Services Offered” section, for Owner Surrenders. Generally, these people should be referred to our Pet Helpline to make a surrender appointment, unless emergency dictates that officers accept the owner surrender.
- Animal:
 - Cats should arrive in a kennel, not a live trap, unless known to be friendly when checked.
 - Exact location of animal pick-up
 - This includes DOA animals.
 - If animal has bitten, is it known if vaccinations are up-to-date? Vaccine Records?
- Detailed, concise information for intake reason
 - Officer (last) Name and Badge #
 - In order to minimize calls to the submitting officer, please ensure as much detail as possible is recorded on the Impound form.
 - Humane Investigation (H.I.) cases:
 - What are officer expectations?
 - Who is our best contact?
 - If you want anything beyond impounding for a standard timeline **you must contact our Humane Investigations department. New inquiries at:**
 - <https://ahs.i-sight.com/external/case/new>
 - tel: 612-772-9999
- Length of Hold
 - We assume a 5-day stray hold for animals and 10-day holds for rabies quarantines. Please be clear with any other timelines.
- **Owner Fees:**
 - AHS will charge applicable fees to any owner reclaiming an animal brought in through impound, including room and board and vaccinations administered.



Additional AHS Services available to the community

As a shelter, AHS offers services available to community. Community members can contact the AHS Pet Helpline (952-435-7738) to inquire about scheduling and availability of services.

- Owner Surrender, End-of-Life and cremation services are available to owned animals by appointment. Appointments are scheduled in advance. Wait time for appointments will vary, and emergency availability cannot be guaranteed. We will accept strays from the public from any community.
- AHS offers Trap-Neuter-Release services to the public for feral cats at no cost. Community members working with a unowned cats are eligible.
 - If caretakers claim ownership for the cats, they should be referred to our Vet Center
- Pet Food Assistance – AHS often has donated food available to help community members experiencing hardship who would benefit from short-term support with food or litter.
- Low-Cost Veterinary care - we offer low-cost, full-service, outpatient veterinary care for a means tested clientele
- We offer many other services like training and humane education. These can all be found at our website: <https://animalhumanesociety.org>

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ITEM FOR DISCUSSION

| | |
|---------------------|--|
| Meeting Date | December 14, 2022 |
| Agenda Item | Consent G16 |
| Attachment | 2023 NYFS Cooperative Service Agreement and Contribution History |
| Submitted By | Jack Linehan, City Administrator |

| Item | 2023 NYFS Cooperative Service Agreement | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|----------------------------|---|----------|----------|----------|-------------|----------|------|------|------|------|------|------|------|----|----|----------|----------|----------|----------|----------|----------|----------|---------|---------|---------|----------|----------|-------------|----------|
| Description | <p>For many years now, the City of Falcon Heights has been a partner with Northeast Youth and Family Services (NYFS). Some of the services they provide include senior chore services and diversion programs for youth in various law enforcement cases. Each year the City allocates money in the general fund to help pay for these services.</p> <p>Attached is the 2023 Agreement that NYFS is asking all of their partner cities to approve.</p> | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Budget Impact | <p>The requested 2023 contribution of \$12,246 which is accounted for in the 2023 Budget. This is an 8% percent increase from 2022.</p> <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <thead> <tr> <th>2017</th> <th>2018</th> <th>2019</th> <th>2020</th> <th>2021</th> <th>2022</th> <th>2023</th> </tr> </thead> <tbody> <tr> <td>1.0%</td> <td>1.4%</td> <td>2.8%</td> <td>6.8%</td> <td>9.2%</td> <td>3%</td> <td>8%</td> </tr> <tr> <td>Increase</td> <td>Increase</td> <td>Increase</td> <td>Increase</td> <td>Increase</td> <td>Increase</td> <td>Increase</td> </tr> <tr> <td>\$9,017</td> <td>\$9,143</td> <td>\$9,399</td> <td>\$10,038</td> <td>\$10,958</td> <td>\$11,286.74</td> <td>\$12,246</td> </tr> </tbody> </table> | 2017 | 2018 | 2019 | 2020 | 2021 | 2022 | 2023 | 1.0% | 1.4% | 2.8% | 6.8% | 9.2% | 3% | 8% | Increase | Increase | Increase | Increase | Increase | Increase | Increase | \$9,017 | \$9,143 | \$9,399 | \$10,038 | \$10,958 | \$11,286.74 | \$12,246 |
| 2017 | 2018 | 2019 | 2020 | 2021 | 2022 | 2023 | | | | | | | | | | | | | | | | | | | | | | | |
| 1.0% | 1.4% | 2.8% | 6.8% | 9.2% | 3% | 8% | | | | | | | | | | | | | | | | | | | | | | | |
| Increase | Increase | Increase | Increase | Increase | Increase | Increase | | | | | | | | | | | | | | | | | | | | | | | |
| \$9,017 | \$9,143 | \$9,399 | \$10,038 | \$10,958 | \$11,286.74 | \$12,246 | | | | | | | | | | | | | | | | | | | | | | | |
| Attachment(s) | <ul style="list-style-type: none"> • 2023 NYFS Cooperative Service Agreement | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Action(s) Requested | Staff recommends Council approval of the 2023 NYFS Agreement and authorization of the Mayor and City Administrator to sign all necessary documents. | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

AGREEMENT

1. PARTIES

This agreement is made and entered into by and between the City of Falcon Heights, Minnesota (“Municipality”) and Northeast Youth and Family Services (“NYFS”).

2. RECITALS

- a. NYFS is a non-profit social service agency whose mission is to meet the unmet developmental needs of at-risk youth and families within their community environment with emphasis on providing services through collaboration and coordination with existing community resources. These services are available to youth and families residing in the northern suburbs of Ramsey County, including, but not limited to, the municipalities which are signatory to agreements which are identical to this Agreement (“participating municipalities”) and students and families from Independent School Districts 621, 622, 623, 624, 282, and 832.
- b. Through this Agreement the Municipality intends to contract with NYFS to provide such services to its residents and to act as a sponsor of NYFS by providing financial support, a method to establish appropriate services to be provided and policy guidance for its activities.
- c. This Agreement shall be used as the formal agreement between NYFS and each of the participating municipalities. This Agreement is intended to continue the spirit of cooperation and collaboration in the provision of social services between the Municipality and NYFS.

3. TERMS AND CONDITIONS

In consideration of the mutual understandings of this Agreement, the parties hereby agree as follows:

- a. Prior Agreements Cancelled. By execution of this Agreement any prior agreements and amendments thereto between the parties are hereby cancelled.
- b. Services Provided. NYFS shall provide the Municipality and its residents with youth and family programs set forth in the Addendum attached hereto.
- c. Principles of Service and Program Establishment and Operations. On a yearly basis and prior to submission of its annual budget, as provided for hereafter, NYFS shall:

- i. Report regarding proposed changes in services and programs to the Municipality; and
- ii. Establish a fair and open bidding/request for proposal (RFP) process to contract, manage or provide such services and programs, which are not directly provided by NYFS staff.

d. Funding

- i. In addition to the participating municipalities' share of the annual budget, funds for the operation of NYFS will be raised by NYFS endeavoring to secure user fees, grants and appropriations from private organizations, the State of Minnesota, Federal and County agencies, and other legal and appropriate sources.
- ii. The Municipality shall pay annually to NYFS the base amount listed in Exhibit A. This base amount will be adjusted annually for inflation/deflation based on the Standard Metropolitan Statistical Area Consumer Price Index for All Urban Consumers (CPI-U) and municipal population estimates based on MN State Demographic Center. Any adjustment in the payment beyond those indicated by reference to the CPI-U shall require approval of each of the participating municipalities.
- iii. Any new municipality joining into this agreement will pay a base amount annually to NYFS that is on par with the amount paid by current participating municipalities.
- iv. Amounts payable by the Municipality shall be paid to NYFS on or before January 30th of each year, or at a date mutually agreed upon by both parties, to cover the Municipality's share for that year.

e. Board Representation. The Municipality shall have the right to NYFS Board Representation of City Council, staff or community members (as designated by the Municipality and approved by NYFS Board) on the Board of Directors as either a Board Member or Board Advisor.

f. Further Obligations of NYFS. In addition to the obligations set forth elsewhere in this Agreement, this Agreement is further contingent upon NYFS doing the follows:

- i. The Bylaws of NYFS shall be amended to add provisions requiring an open process for contracting services as provided for in paragraph C.2., above, and prohibiting NYFS from supporting or opposing individual candidates for election to public office in any of

the participating municipalities; and adding the requirement that IRS 501.C3 status be maintained.

- ii. On or before June 30, of any year NYFS shall submit the proposed city budgeted amount for the subsequent year.
 - iii. On or before November 30, of any year NYFS shall submit a written report to the Municipality including an Annual Report, the audited financial statement, and a program specific summary of services provided to the municipality; in addition, 30 days from the end of each calendar quarter, NYFS shall submit a written report to the participating municipality.
 - iv. Periodically advising the Municipality of services available through NYFS to the Municipality's residents;
 - v. Establishing a sliding scale for services available through NYFS to the Municipality's residents and periodically advising the Municipality of such fees;
 - vi. Providing other reasonable information requested by the Municipality;
 - vii. Purchasing a policy of liability insurance in the amount of at least \$1,500,000.00, naming the Municipality as an additional insured and providing a copy of the insurance certificate evidencing such policy to the Municipality;
 - viii. Provide the Municipality with a copy of its Articles of Incorporation, Bylaws, Amendments thereto, and the IRS tax exempt status letter;
 - ix. NYFS shall defend and indemnify the Municipality from any and all claims or causes of actions brought against the Municipality of any matter arising out of this Agreement or the services provided pursuant to this Agreement; and,
 - x. Without the written approval of the Municipality, NYFS will not enter into any agreement with any other municipality which differs from the terms and conditions of this Agreement.
- g. Term. The term of this agreement will be through December 31, 2023. Unless either party gives at least 6 months written notice of its intent to cancel this Agreement effective December 31 of the year in which the notice is made, NYFS will continue to provide services to the Municipality if a successor agreement has not been executed prior to the end of the term.

h. (A) Distribution of Assets Upon Dissolution.

If NYFS ceases to operate, the Board of Directors will do one of the following:

- i. Give the assets to one or more non-profit agencies providing similar social services in the northern suburbs of Ramsey County; or,
- ii. Form a new Foundation to fund appropriate social service programming in the northern suburbs of Ramsey County.

The final Distribution of Assets Plan must be approved by the Ramsey County District Court.

(B) Deviation from the Mission.

If the City Council determines that NYFS has materially deviated from its mission (See II. Recitals, A.), the City Council may ask the NYFS Board of Directors to consider dissolving the agency and liquidating the assets. The Board will do one of the following:

- iii. Consider the request and by a majority vote deny it.
- iv. Consider the request and by a majority vote agree to modify the programs to be consistent with the mission.
- v. Consider the request and by a majority vote agree with the request and move to dissolve the agency and liquidate the assets.

IN WITNESS WHEREOF, the parties have executed this Agreement on this date set forth below.

MUNICIPALITY

City of Falcon Heights

By: _____

Elected Official

Its: _____

Clerk/Manager/Administrator

Dated: _____

NYFS

Northeast Youth & Family Services

By: _____

President/CEO

Its: _____

Chair of the Board of Directors

Dated: _____

12/2022

**Northeast Youth & Family Services
Municipal Participation Figures**

| | Municipal Contract 2022 | Community Advocate 2022 | Municipal Contract 2023 Board Approved Increase of 8.5 % based on CPI-U | Dollar increase over 2022 | Community Advocate 2023 Board Approved Increase of 8.5 % based on CPI-U | Dollar increase over 2022 |
|-----------------|------------------------------------|------------------------------------|--|--------------------------------------|--|--------------------------------------|
| Falcon Heights | \$ 11,286.74 | | \$ 12,246.11 | \$ 959.37 | | |
| Little Canada | \$ 21,395.16 | | \$ 23,213.75 | \$ 1,818.59 | | |
| Mounds View | \$ 27,455.68 | \$ 25,750.00 | \$ 29,789.41 | \$ 2,333.73 | \$ 27,938.750 | \$ 2,188.750 |
| New Brighton | \$ 47,625.14 | \$ 10,300.00 | \$ 51,673.28 | \$ 4,048.14 | \$ 11,175.50 | \$ 875.50 |
| North Oaks | \$ 10,926.24 | | \$ 11,854.97 | \$ 928.73 | | |
| Roseville | \$ 74,720.32 | \$ 20,600.00 | \$ 81,071.55 | \$ 6,351.23 | \$ 22,351.00 | \$ 1,751.00 |
| St. Anthony | \$ 18,678.02 | \$ 12,875.00 | \$ 20,265.65 | \$ 1,587.63 | \$ 13,969.38 | \$ 1,094.38 |
| Shoreview | \$ 54,548.80 | | \$ 59,185.45 | \$ 4,636.65 | | |
| Birchwood | \$ 1,804.56 | | \$ 1,957.95 | \$ 153.39 | | |
| Hugo * | \$ 15,000.00 | | \$ 16,275.00 | \$ 1,275.00 | | |
| Mahtomedi | \$ 16,562.40 | | \$ 17,970.20 | \$ 1,407.80 | | |
| Vadnais Heights | \$ 27,187.88 | | \$ 29,498.85 | \$ 2,310.97 | | |
| City of WBL | \$ 52,443.48 | \$ 25,750.00 | \$ 56,901.18 | \$ 4,457.70 | \$ 27,938.75 | \$ 2,188.75 |
| WB Tnship | \$ 22,855.70 | | \$ 24,798.43 | \$ 1,942.73 | | |
| Lauderdale | \$ 4,678.26 | | \$ 5,075.91 | \$ 397.65 | | |
| Total | \$ 407,168.38 | \$ 95,275.00 | \$ 441,777.69 | \$ 34,609.31 | \$ 103,373.38 | \$ 8,098.38 |

* Hugo splits its support of NYFS with another Community-Based Mental Health agency

Contracted Services

Mental Health Services:

- *Shoreview and White Bear Lake Mental Health Clinics* – licensed mental health staff provide therapy for the emotional health of children, teens, and adults.
- *School-Based Mental Health* – licensed mental health staff provide onsite therapy in the schools for the emotional health of students within Roseville, Mounds View, and White Bear Lake school districts.

Community Service Programs:

- *Youth Diversion* – a coordinated range of services for youth who have committed minor offenses (e.g. shoplifting, chemical/alcohol use, vandalism) to help them focus on positive behavior and prevent recidivism.
- *Community Connections* – This seven-week program helps youth develop social and emotional skills while expanding their horizons and helping them deepen their commitment to their own futures through service, post-secondary education exposure, career exploration, and mentorship.

Non-Contracted Services

Mental Health Services:

- *Northeast Educational & Therapeutic Services (NETS)* – provides therapy and academic support for youth in grades 6-12 with severe mental illnesses who cannot function in traditional school environments.

Community Service Programs:

- *Community Advocate* – This program serves people who have been involved with local law enforcement but have needs that cannot be sufficiently addressed by law enforcement alone. This can include: mental health issues, family instability, medical care and other needs. Addressing these underlying issues reduces the need for law enforcement intervention in the future.

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REQUEST FOR COUNCIL ACTION

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| Meeting Date | December 14, 2022 |
| Agenda Item | Consent G15 |
| Attachment | N/A |
| Submitted By | Randy Gustafson, Mayor |

| | |
|----------------------------|---|
| Item | City Administrator (Jack Linehan) - Six Month Employee Step Adjustment |
| Description | Jack Linehan, City Administrator began his employment with the City on May 2, 2022. Jack has completed his first six (6) months with the City. It is the practice of the City to reward after the six month probationary period with up to a 5% step increase in their base salary. |
| Budget Impact | There are available funds for this step adjustment. |
| Attachment(s) | N/A |
| Action(s) Requested | I recommend that the Falcon Heights City Council approve a 5% step adjustment for Jack Linehan effective November 2, 2022. |

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REQUEST FOR COUNCIL ACTION

| | |
|---------------------|---|
| Meeting Date | December 14, 2022 |
| Agenda Item | Consent G18 |
| Attachment | Grant Application |
| Submitted By | Kelly Nelson Assistant to the City Administrator |

| | |
|----------------------------|--|
| Item | Grant Application for grant funds through Saint Paul Garden Club (SPGC) |
| Description | The City of Falcon Heights was recently approached by representatives from the Saint Paul Garden Club (SPGC) and Monarch Joint Venture (MJV) to apply for a grant through the SPGC. The funds would help restore pollinator habitat near the pond at Community Park by adding milkweed and other native blooming plants. Funds would also be used to replace educational signage within the park. Community Park has served as a formal Monarch Larva Monitoring site for the past 25 years. |
| Budget Impact | The total grant request was \$4,000 with no match required. |
| Attachment(s) | <ul style="list-style-type: none"> • SPGC / MJV Grant Application |
| Action(s) Requested | Staff recommend approval of attached application of the 2023 SPGC/MJV grant. The grant is in the amount of \$4,000. |

SAINT PAUL GARDEN CLUB
Application for 2023 Funding

To Be Submitted by Wednesday, November 30, 2022
By either Hard Copy or Email

Organization Information

Name of Organization: Monarch Joint Venture _____

Address: 2233 University Ave W, Suite 426 _____

City, State, Zip: St. Paul, MN 55114 _____

Tax ID; Employer ID# (EIN) 83-1343107 _____ **[Attach IRS Determination Letter]**

Phone: 320-226-6507 _____ MN Sales and Use Tax # _____

Contact Individual for Application: Wendy Caldwell _____

Phone (w) _____ (c) 320-226-6507 _____ Email: wcaldwell@monarchjointventure.org

Is your organization an IRS 501(c)(3) not-for-profit? Yes No
(If NO, please specify how applicant qualifies as a non-profit entity.) _____

Does your organization use a fiscal agent? Yes No
(If YES, please provide contact information)

Grant Proposal Information

1. **Summary:** In addition to attached Proposal Narrative (see item 6 below), please state below a 2-3 sentence summary of your request.

This grant would help restore pollinator habitat and replace heavily degraded educational signage in an area of the Falcon Heights Community Park, where we engage volunteers in formal Monarch Larva Monitoring Project surveys each summer on a weekly basis. The plantings would include native milkweed, which monarch larva exclusively feed on, as well as other native blooming plants that provide nectar to adult monarch butterflies.

2. SPGC Sponsor:
Name of St Paul Garden Club Sponsor: Dana Boyle _____

Relationship of Sponsor to proposing organization, if any: Chair of MJV Board of Directors
3. Project Dates: April – November 2023
4. Dollar Amount Requested from SPGC: \$4000
5. Check Information:
If your request is granted, a check will be sent by US Postal Service to the organization. Please provide the following:

Name of entity to which check should be made payable:

____ Monarch Joint Venture _____

Name of individual for mailing: _Wendy Caldwell _____

Mailing address for check by USPS: _2233 University Ave W, Suite 426, St. Paul, MN 55114 _____
6. PROPOSAL NARRATIVE: Attach a complete Proposal Narrative (to include the information requested in **Part I and II** on page 3), **with specific focus on Part II**, detailing (a) the funds requested and (b) to what specific expenditures the requested funds will be applied. **If your Project includes the use of native plants, you may want to make special note of that fact, and discuss any specifics.**
7. OTHER ATTACHMENTS: Attach the documents requested in **Part III** of the Proposal Narrative on page 3.
8. Final Report:
If you received SPGC funds last funding cycle, the Allocations Chair must receive, on or before **November 30, 2022**, your Final Report, with pictures, detailing how you used the funds. **SPGC cannot consider a 2023 request without receipt of a timely 2022 Final Report.**

If your 2023 request is granted, a Final Report, with pictures, detailing how you used those funds must be received by SPGC on or prior to November 30, 2023.

Proposal Narrative

Brief Organization Overview

Since 2009, the Monarch Joint Venture (MJV) has convened partners from across the United States in a unified effort to conserve the monarch butterfly and its amazing migration. As a leader in monarch conservation and network building, the MJV supports conservation planning and implementation efforts on a broad scale by facilitating information sharing, partnership building, and carrying out identified conservation priorities. The MJV partnership comprises over 120 diverse partners, ranging from government agencies and NGOs to businesses and academic institutions working together to implement science-based conservation actions. The MJV partnership's main priorities are: habitat conservation, education and community engagement, science, and partnership. This mission extends beyond our flagship species, to actively engage stakeholders across environmental issues where the work we conduct can have many benefits. The MJV maintains its headquarters office in St. Paul, Minnesota, and has remote staff in six other states. In 2023, we expect to have 16 full-time staff, one part-time office support staff, two 11-month Conservation Corps interns, and four seasonal field technicians. Our board of directors spans six states and totals 13 directors currently.

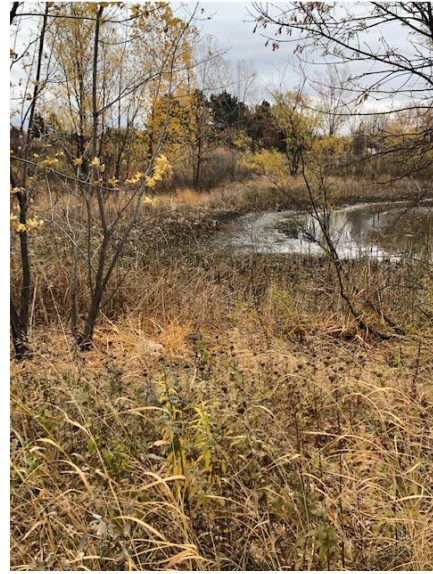
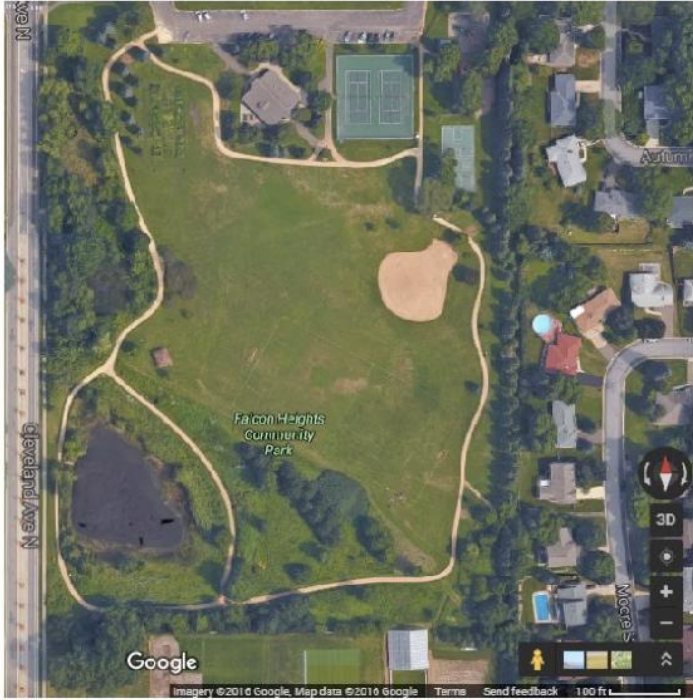
Purpose of Specific Grant Requested

Project Description and Location: This grant would help restore pollinator habitat in an area of the Falcon Heights Community Park, where our formal Monarch Larva Monitoring Project is conducted every summer. The plantings would include native milkweed, which monarch larva exclusively feed on, as well as other native blooming plants that provide nectar to adult monarch butterflies.

This civic improvement project would restore habitat for monarchs and other important native pollinator species in a community park that has been used as a formal Monarch Larva Monitoring Project site by the [Monarch Joint Venture](#) (MJV) and former University of Minnesota Monarch Lab for around 25 years. The Falcon Heights Community Park is close to the University of Minnesota's St. Paul Campus, Gibbs Family Farm and the Bell Museum, and is located at 2050 Roselawn Avenue. It is 14.5 acres in size and attracts community members of all ages from the surrounding neighborhoods. The land is currently owned by the University of Minnesota and managed by the City of Falcon Heights, and includes athletic fields, a shelter and a community garden, as well as a pond that is surrounded by a walking path.

On the inside ring of the path, the habitat contains a wetland and wetland plants as well as prairie vegetation along the gradient of the slope. Natural prairie and forest vegetation surround the path around the outside. The prairie areas have degraded over time, which is why we are asking for this grant to restore them. The goal is to create newly restored patches with a focus on the kinds of plants that host monarchs and other important native bee species and other butterflies. Because of our expertise in this area of pollinator habitat restoration, the MJV will provide the project design and assist in managing the installation and further monitoring. Included in the project is signage to replace the one missing and one weather-beaten sign that originally provided education about the natural habitat and the life cycle of the monarch butterfly. The MJV will coordinate closely with the responsible staff member at the City of Falcon Heights on every aspect of the project. The City is interested in this work, sees it as very beneficial, and plans to be an engaged partner in the restoration activities.

Community Park—2050 Roselawn Ave, Falcon Heights, MN 55113



This project would create sizeable patches of milkweed – primarily, swamp milkweed (*Asclepias incarnata*) closest to the pond, and common milkweed (*Asclepias syriaca*) and butterfly weed (*Asclepias tuberosa*) on the drier banks that ring the path. Also favored are a few other critical native flowering species of nectar-producing plants that help adult monarchs especially as they fuel up for their migration to Mexico. We plan to observe bloom diversity throughout the 2023 growing season, and will target species for our fall planting that fill bloom period gaps. A specific late summer blooming species that we intend to augment is meadow blazing star (*Liatris ligulistylis*), which offers a vibrant purple bloom that is extremely attractive to migrating monarch butterflies.

The design of the plantings will take several factors into account, such as the appropriate soil, sun and moisture conditions, and will replace overgrown weedy sections. The new pollinator patches – which are expected to self-seed and expand over the years – will be in areas that are visible to park visitors, so that education and enjoyment will be factored into the newly restored habitat. The Monarch Joint Venture maintains relationships with a wide network of nurseries, ensuring the highest quality supply of healthy, pesticide-free native plants.

Specific expenditures: Funds will be used to help prepare the site for planting (i.e. chemical or mechanical removal of weeds, mowing or cutting brush to remove woody vegetation, etc.), to purchase native plants

(milkweed and other native forbs), and for signage for the site to replace extremely worn down interpretive signage and educate park visitors about monarchs and community science.

Community Impact: To build on education and community engagement, this grant request includes the cost of two interpretive signs that would replace the old signs – one of which is cracked and unreadable and the other of which is missing. These two habitat signs, both 34” W x 22” H, were installed in 2007 around the pond area, and it is believed that the metal pipe stands can be re-used. Only the sign inserts would need to be replaced. Those interpretive signs will focus on the importance of milkweed for monarchs and share the monarch life cycle and opportunities to engage in community science volunteering. They will credit the Saint Paul Garden Club for providing the signs.

We know that visitors to the park are curious about monarchs, as they often stop to chat when we are out conducting our community science data collection, which our volunteers do weekly from May to October. These opportunities to share information and provide education is something that the public seems to value a great deal.

Community Park is Falcon Heights’ largest and most widely used park, where the majority of the City’s park and recreational outdoor activities are held, as well as city-wide celebrations throughout the year. In addition, Community Park features 38 garden plots, which participants can apply to garden each year, following organic gardening principles. Even after nine additional plots were added in 2021, a waiting list still exists for these sought-after gardening plots.



Type of impact: This project covers all of the areas of educational, ecological, beautification, conservation, and food security impacts through direct habitat restoration, volunteer and community engagement in the project and ongoing monitoring activities, and direct support to pollinators who are critical in securing our food systems.

Maintenance: The City of Falcon Heights will provide ongoing maintenance of this site, including watering as the restored patches of plantings establish. Support from MJV staff, board, and volunteers, as well as Falcon

Heights Park community gardeners will be provided for seasonal watering, weeding, and surveying. Because we are specifying only native plants that are suited to this location, we anticipate that they will be able to survive (and spread appropriately) on their own after the first year. In addition, the Monarch Joint Venture will provide as needed updates to the City if there are site issues or management recommendations encountered during our monitoring activities for the Monarch Larva Monitoring Project from May – October each year.

Total Cost of Project:

A budget spreadsheet is also attached. Additional details:

Plant and/or kit costs are based on prices from Minnesota Native Landscapes “Monarch Kit”. We expect to purchase from Minnesota Native Landscapes or another native plant nursery providing services in the Twin Cities. The budget plans for about 720 plant plugs (come in 36 plug trays), that will be a combination of milkweed species (*Asclepias syriaca*, *A. incarnata*, and *A. tuberosa*), *Liatris ligulistylis*, and other native wildflowers.

We’ve priced replacement signage from a local company, Vacker Sign, who estimated the cost of replacing the 24x36 tuff panel and frames for each of the two signs at the park would cost approximately 1840.

All additional project costs will be incurred by the City of Falcon Heights or Monarch Joint Venture through existing resources. These include labor and materials for sign design, site preparation, planting, volunteer coordination, etc.

Total SPGC request: \$4000; Total Project Cost: \$6,640

Total annual budget for Monarch Joint Venture: \$1,500,000

SPGC recognition proposed: The SPGC would be acknowledged for project funding on the permanent site signage, and the Monarch Joint Venture will do a project write-up with acknowledgement to share with its follower network via email and social media.

The City of Falcon Heights would share news and updates related to the project in its weekly newsletters, which are both emailed to the database of subscribed residents and available on the City’s website, as well as through social media posts and within our quarterly newsletter, which is mailed to households within Falcon Heights.

We hope that you will consider this request and we would be more than willing to invite Saint Paul Garden Club members and their families to help with the planting of these patches.

III Attachments

- A. 2021 audited financial statement
- B. Total Project Budget
- C. Copy of IRS determination letter indicating tax-exempt 501(c)(3) status