

ADDENDUM TO CITY COUNCIL AGENDA  
February 28, 1990

F. 5. Payroll Vouchers

ACTION: \_\_\_\_\_

Consent       Policy   x  

## CITY OF FALCON HEIGHTS

Meeting Date: 2/28/90

## REQUEST FOR COUNCIL CONSIDERATION

ITEM DESCRIPTION:

PAYROLL VOUCHERS

SUBMITTED BY:

Tom Kelly

REVIEWED BY:EXPLANATION/SUMMARY (attach additional sheets as necessary):

A) Approval of the February 28, 1990 payroll check (see attached) and the following payroll related checks:

Check #	Issued To	Reason	Amount
23336	ICMA Retirement	Retirement Benefits	\$1,044.53
23337	Commissioner of Rev.	State Withholding	772.56
23338	PERA	Retirement Benefits	853.55
23339	North Star State Bank	Federal Withholding, FICA	4,513.44
23340	United Way	Employee Donations	67.00
23341	Ramsey County	Health, Dental and other Ins.	2,516.47
		TOTAL	9,767.55

B) On January 11, 1989, City Council approved that the City Administrator could authorize payments of bills up to \$1,000 prior to Council approval. We would like to amend this to include all payroll and payroll related checks since the payroll cycles do not always coincide with Council meetings. Delays in payment could result in substantial penalties.

ACTION REQUESTED:

- A) Approval of February 28th payroll and payroll checks.
- B) Authorize City Administrator to approve payroll and payroll related vouchers.



ck	Employee Number	Employee Name	Pay Period	Pay Group	Pay Group Description	Check Amount	Check Date	Status
	018187		0			0.00	28-Feb-90	VOID
	018188		0			0.00	28-Feb-90	VOID
	018189	000000002 Wiessner, Janet R.	4	01	semi-monthly	1,158.73	28-Feb-90	Outstanding
	018190	000000004 Kniegler, Carol J.	4	01	semi-monthly	283.15	28-Feb-90	Outstanding
	018191	000000011 Chenoweth, Shirley B.	4	01	semi-monthly	754.70	28-Feb-90	Outstanding
	018192	000000020 Iverson, Terry D.	4	01	semi-monthly	803.76	28-Feb-90	Outstanding
	018193	000000027 Morgan, Jay M.	4	01	semi-monthly	685.44	28-Feb-90	Outstanding
	018194	000000035 Zimmerman, Katherine	4	01	semi-monthly	317.50	28-Feb-90	Outstanding
	018195	000000038 Wright, Vincent D.	4	01	semi-monthly	768.16	28-Feb-90	Outstanding
	018196	000000051 Tretsven, Dave A.	4	01	semi-monthly	98.60	28-Feb-90	Outstanding
	018197	000000055 Fitzgerald, Scott T.	4	01	semi-monthly	136.04	28-Feb-90	Outstanding
	018198	000000063 Phillips, Patricia A.	4	01	semi-monthly	617.18	28-Feb-90	Outstanding
	018199	000000065 Kelly, Thomas R.	4	01	semi-monthly	822.54	28-Feb-90	Outstanding
	018200	000000072 Carlson, Carol	4	01	semi-monthly	236.50	28-Feb-90	Outstanding
	018201	000000079 Hoyt Taff, Susan L.	4	01	semi-monthly	294.62	28-Feb-90	Outstanding
	018202	000000001 Baldwin, Thomas W.	2	03	monthly 2	346.31	28-Feb-90	Outstanding
	018203	000000003 Baumann, Nicholas B.	2	03	monthly 2	50.71	28-Feb-90	Outstanding
	018204	000000005 Berndt, Ross	2	03	monthly 2	41.50	28-Feb-90	Outstanding
	018205	000000008 Brown, Raymond F.	2	03	monthly 2	63.00	28-Feb-90	Outstanding
	018206	000000012 Diernia, Paul C.	2	03	monthly 2	250.00	28-Feb-90	Outstanding
	018207	000000018 Holmgren, John M. Sr.	2	03	monthly 2	135.00	28-Feb-90	Outstanding
	018208	000000021 Kurhajetz, Dlement M.	2	03	monthly 2	135.00	28-Feb-90	Outstanding
	018209	000000024 Lindig, Leo	2	03	monthly 2	303.34	28-Feb-90	Outstanding
	018210	000000033 Schauffert, Craig F.	2	03	monthly 2	135.00	28-Feb-90	Outstanding
	018211	000000034 Smida, Gail	2	03	monthly 2	63.00	28-Feb-90	Outstanding
	018212	000000037 Wallin, Gerald E.	2	03	monthly 2	200.00	28-Feb-90	Outstanding
	018213	000000039 Morgan, Jay	2	03	monthly 2	41.50	28-Feb-90	Outstanding
	018214	000000082 Gehrz, Susan L.	2	03	monthly 2	213.65	28-Feb-90	Outstanding
Grand Total						8,955.94		

REGULAR CITY COUNCIL MEETING

CITY OF FALCON HEIGHTS

AGENDA

FEBRUARY 28, 1990

6:00 P.M. WORKSHOP - Council Candidates Presentation

A. CALL TO ORDER: 7:00 P.M.

B. ROLL CALL: WALLIN \_\_\_\_\_ CIERNIA \_\_\_\_\_ BALDWIN \_\_\_\_\_  
GEHRZ \_\_\_\_\_ WIESSNER \_\_\_\_\_ S. CHENOWETH \_\_\_\_\_  
ATTORNEY \_\_\_\_\_ ENGINEER \_\_\_\_\_

C. APPROVAL OF MINUTES OF FEBRUARY 14, 1990

D. PUBLIC HEARINGS: NONE

E. CONSENT AGENDA

1. Disbursements
  - a. Disbursements through 2/28/90 - \$512,405.12
  - b. Payroll 2/1/90-2/15/90, \$10,982.66
2. Authorize Advertising for Bids for a Sewer Jetter
3. Licenses

ACTION: \_\_\_\_\_

F. REPORTS, REQUESTS AND RECOMMENDATIONS:

1. Hamline Avenue Easement Acquisition

ACTION: \_\_\_\_\_

2. Consider Requesting Ramsey County to Remove the No U-Turn Signs on Larpenteur Avenue at Arona Street

ACTION: \_\_\_\_\_

3. Schedule Council Workshop to Discuss Proposed City Code Revisions, Ch. 1-3

ACTION: \_\_\_\_\_

Page 2  
February 28, 1990  
Agenda

F. REPORTS, REQUESTS AND RECOMMENDATIONS:

\*4. City Council Applicant Screening

ACTION: \_\_\_\_\_

WORKSHOP RESUMES - Council Candidates Presentation

G. ANNOUNCEMENTS AND UPDATES

H. ADJOURNMENT

ACTION: \_\_\_\_\_

\*City Council meeting will be re-convened following Workshop

MINUTES  
REGULR CITYCOUNCIL MEETING  
FEBRUARY 14, 1990

**DRAFT**

Baldwin convened the meeting at 7:00 P.M.

ALL MEMBERS PRESENT

Baldwin, Ciernia, Gehrz and Wallin. Also present were Gedde, Wiessner and Chenoweth.

MINUTES OF 1/24/90 APPROVED

Council approved the Minutes of January 24, 1990 by unanimous consent.

CONSENT AGENDA APPROVED

Council approved the following Consent Agenda by unanimous consent:

1. Disbursements:
  - a. General Disbursements through 2/14/90, \$64,319.96
  - b. Payroll, 1/16/90-1/31/90, \$10,336.69
2. Check Cancellation:
  - a. Check #23174, issued to Communication Skills, Inc. in amount of \$185.35
  - b. Check #22901, issued to AARP in the amount of \$7.00
3. Resignation of Anne Carroll from Planning Commission
4. Fire Department Appointments: Richard Allen Hassel and Nathaniel Herold
5. Commission Minutes:
  - a. Parks and Recreation Minutes of 1/8/90
  - b. Planning Commission Minutes of 2/5/90
  - c. Solid Waste Minutes of 2/1/90
6. Resolution R-90-6 Proclaiming the Week of March 4-11, 1990 Volunteers of America Week in Falcon Heights
7. Approval of Existing Levels of City's Insurance Coverage, Leaving the Liability Coverage at \$600,000
8. Licenses

ADOPTION OF RESOLUTION ORDERING IMPROVEMNT OF HAMLINE AVENUE, LARPENTEUR TO ROSELAWN

Wallin moved the adoption of Resolution R-90-7 which carried unanimously.

RESOLUTION R-90-7

A RESOLUTION ORDERING THE IMPROVEMENT OF HAMLINE AVENUE, LARPENTEUR TO ROSELAWN AVENUES

AWARDING OF BID FOR \$335,000 G. O. CAPITAL IMPROVEMENT NOTES TO FINANCE THE PURCHASE OF PUBLIC SAFETY EQUIPMENT, ROAD CONSTRUCTION OR MAINTENANCE EQUIPMENT AND OTHER CAPITAL EQUIPMENT

Fiscal Consultant Apfelbacher presented the bids on the sale of \$335,000 G. O. Capital Improvement Notes as follows:

Norwest Investment Services, 6.0982%, Dain Bosworth, 6.1008%, Marquette Bank Minneapolis 6.1664%, American National Bank, 6.2012%, Piper, Jaffray & Hopwood, 6.2108%, Allison-Williams, 6.2264%, Park Investment, 6.2354%, Cronin & Company, 6.2434%, Miller & Schroeder, 6.2583%, Moore, Juran & Co., 6.2751%, FBS Investment Services, 6.3055%, and Miller, Johnson & Kuehn, 6.3354%. Apfelbacher recommended awarding the bid to the low bidder, Norwest Securities, after which Ciernia moved adoption of Resolution R-90-8. Motion carried unanimously.

RESOLUTION R-90-8

A RESOLUTION RELATING TO \$335,000 GENERAL OBLIGATION CAPITAL NOTES OF 1990; AWARDING THE SALE, FIXING THE FORM AND DETAILS, AND PROVIDING FOR THE EXECUTION AND DELIVERY THEREOF AND LEVYING AD VALOREM TAXES FOR THE PAYMENT THEREOF

AWARDING THE BID FOR \$115,000 G. O. IMPROVEMENT BONDS FOR COSTS RELATED TO HAMLINE AVENUE IMPROVEMENT PROJECT

Apfelbacher presented the bids on the sale of \$115,000 G. O. Improvement Bonds as follows:

Dain Bosworth, 6.3695%, Allison-Williams, 6.5863%, American National Bank, 6.5997%, Moore, Juran & Co., 6.6109%, and Piper, Jaffray & Hopwood, 6.7381%. Apfelbacher recommended awarding the bid to the low bidder, Dain Bosworth, Inc., after which Ciernia moved adoption of Resolution R-90-9. Motion carried unanimously.

RESOLUTION R-90-9

A RESOLUTION RELATING TO \$115,000 GENERAL OBLIGATION IMPROVEMENTS BONDS OF 1990; AWARDING THE SALE, FIXING THE FORM AND DETAILS AND PROVIDING FOR THE EXECUTION AND DELIVERY THEREOF AND SECURITY THEREFOR AND LEVYING AD VALOREM TAXES FOR THE PAYMENT THEREOF

CITY FORESTER'S REPORT FOR 1989

Dr. Linda Treeful, City Forester, presented the annual report for 1989 and responded to inquiries from Council.

ASSESSMENT HEARING ON ASSESSMENT OF UNPAID FALSE ALARM FEES SCHEDULED FOR 3/14/90 (BULLSEYE VIDEO/TAN LINE)

Dennis Hunt, the owner of Bullseye Video/Tan Line, 1553 W. Larpenteur, presently owes a total of \$475.00 in unpaid false alarm fees and has indicated he cannot pay the fees. Since City Code does provide for assessment of these unpaid fees, Council unanimously agreed to set the Assessment Hearing for 8:00 P.M. on March 14, 1990.

APPROVAL OF CONDITIONAL USE PERMIT TO OPERATE AN OFF-SALE LIQUOR STORE AT 1559 W. LARPEN TEUR

Ciernia explained that the Public Hearing on the conditional use

request from James Kettner, Proprietor, and Dennis Hunt, Property Owner, for operation of an Off-Sale Liquor Store, was held by the Planning Commission on February 5, 1990 and that the Commission unanimously recommended approval with three conditions. Following a brief discussion, Gehrz moved adoption of Resolution R-90-10 with conditions as recommended by the Planning Commission. Motion carried unanimously.

RESOLUTION R-90-10

A RESOLUTION GRANTING A CONDITIONAL USE PERMIT FOR OPERATION OF AN OFF-SALE LIQUOR STORE AT 1559 WEST LARPENTEUR IN A B-2 DISTRICT

APPROVAL OF CITY INVESTMENT POLICY

City Accountant, Tom Kelly, presented for Council's consideration a proposed Investment Policy which had been discussed at a Council Workshop held June 14, 1989. Following a brief discussion, Wallin moved that the Investment Policy be adopted as presented. Motion carried unanimously.

APPROVAL OF CITY TRAVEL POLICY

Council discussed and amended the proposed travel policy after which Gehrz moved adoption of the policy with the stipulation that supervisors be responsible for explaining the policy to employees prior to approval of a trip. Motion carried unanimously.

ETHICS POLICY FOR PUBLIC OFFICIALS TO BE REDRAFTED

Council thoroughly discussed the proposed Ethics Policy, made a number of changes, and requested the document be redrafted for consideration at a later meeting.

REVISIONS TO PERSONNEL COMPENSATION PROGRAM APPROVED

Wiessner presented and explained the proposed revisions, after which Ciernia moved adoption of the revised Personnel Compensation Program. Motion carried unanimously.

UPDATE ON MAYORS COMMISSION AGAINST DRUGS AND CELEBRATE DRUG-FREE COMMUNITIES COMMITTEE

Gehrz explained that an alliance of communities (Falcon Heights, Roseville, Little Canada and School District 623) has been formed to increase community awareness of what is needed and what can be done to help in the area of drug/alcohol abuse. She also presented a schedule of upcoming events and requested volunteers to assist in this area. Baldwin addressed the fact that staff involvement will be required, and felt that since our City's staff is small with limited time, involvement in this area could be a problem. At the next meeting of the Commission, Baldwin will approach possible hiring of temporary part time clerical help to be funded by the participating communities.



Ciernia stressed that any shared resource commitment, be it staff or funds, should be based on population. Wiessner explained that there will be grant funds available, however the group must prepare a budget before applying.

ADDENDUM TO POLICY AGENDA, SCHEDULING INTERVIEWS WITH CITY COUNCIL APPLICANTS

Council discussed a procedure for screening and interviewing applicants for the vacant Council position. Baldwin recommended that all applicants who have served on Council Commissions be granted an interview, plus up to three of the other applicants if Councilmembers so desire. The list of names are to be submitted at the February 28th Council Meeting, with interviews to be held the week of March 14th, and appointment to be made at the March 28th Council Meeting.

ADJOURNMENT

The meeting was adjourned at 9:25 P.M.

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Tom Baldwin, Mayor

ATTEST:

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Shirley Chenoweth, City Clerk

FALCON HEIGHTS CITY COUNCIL  
CANDIDATE PRESENTATION SCHEDULE  
FEBRUARY 28, 1990

COUNCIL WORKSHOP

6:00 Meet and Get Settled  
6:05 Tamara Hancock (H)  
6:10 Dr. Harry Foreman (E)  
6:15 Carol Ryan Huso (J)  
6:20 Lee Barry (A)  
6:25 Don Mead (N)  
6:30 Marie Furton (F)  
6:40-7:00 Break Before Council Meeting  
7:00-7:40 City Council Meeting  
7:45 Dave Black (B)  
7:50 James Purdy (Q)  
7:55 George Stephenson (T)  
8:00 William Soukup (S)  
8:05 John Hustad (K)  
8:10 John Holmgren (I)  
8:15 Sam Jacobs (L)  
8:20-8:40 Break  
8:40 Jan Gibson Talbot (U)  
8:45 Steven Schugel (R)  
8:50 Leonard Boche (C)  
8:55 Reconvene Council Meeting, Schedule further interviews?  
select finalists?

NOTE: As of 3:30 P.M., 2/28/90, applicants (P) Olsen and (O) Morris,  
(D) John Duncan and (M) Gary Langer have requested to be  
withdrawn from consideration.

Consent   X  

Agenda Item:   E-1  

Policy \_\_\_\_\_

**CITY OF FALCON HEIGHTS**

Meeting Date:   2/28/90  

**REQUEST FOR COUNCIL CONSIDERATION**

**ITEM DESCRIPTION:**

DISBURSEMENTS

**SUBMITTED BY:**

TOM KELLY

**REVIEWED BY:**

**EXPLANATION/SUMMARY (attach additional sheets as necessary):**

- (a) General Disbursements through 2/28/90, \$512,405.12.
- (b) Payroll from 2/1/90-2/15/90, \$10,982.66

**ACTION REQUESTED:**

  
\_\_\_\_\_

GENERAL DISBURSEMENTS

CHECK NO.	ISSUED TO	REASON	AMOUNT
23284	Hennepin Technical College	Computer Class	\$39.00
23285	AARP	55 Alive for Bernie Broderick, Sr. Volunteer	7.00
23286	Minnesota GFOA	'90 Membership Dues	15.00
23287	Gopher Welding Supply	Welding job on air tanks	10.67
23288	M.A.B. Enterprises	Rescue Supplies	203.03
23289	Ramsey EMS	Shots received in 1987	469.00
23290	SACC	Meeting on Property Tax	30.00
23291	PERA	Pera deduction/benefit	912.07
23292	AT&T Credit Corporation	Base equipment repair	22.43
23293	AT&T	Phone	22.23
23294	AT&T	Long distance calls	5.38
23295	American LaFrance/Kersey	Door handle switch	23.65
23296	American Linen Supply	Linen cleaning	35.22
23297	American National Bank	Bond principal and interest	258,471.25
23298	Kevin Anderson	Mileage to Duluth	96.00
23299	Brighton Veterinary Hospital	January Administrative fees	25.00
23300	Bernard Broderick	Mileage for deliveries	11.52
23301	C&G Office Products	Office supplies, floppy disk drawers	201.96
23302	Champion Auto Store	Repairs for fire truck, streets	23.08
23303	First Trust	Bond principal and interest	99,159.73
23304	Scott Fitzgerald	Delivery of Newsletter	100.00
23305	Fuller's Radio	6 mo. service contract on city radio	185.40
23306	Flexible Pipe Tool Co.	Repair Seweroder	76.45
23307	General Communications	Battery for Radios	63.00
23308	Harvest States	Fuel for parks	9.14
23309	Int'l Assoc. of Arson Investigators	1990 Membership Dues	52.00
23310	Kathleen Janke	February cleaning	80.00
23311	Jensen, Hicken, Gedde & Scott	Legal Fees for January	5,148.85
23312	Konica	Maintenance contract on new copier	974.00
23313	LMCIT	1990 Insurance and Bonds	21,926.00
23314	League of MN Cities	1990 Directory of City Officials	32.00
23315	Laden's Business Machines	Signature plate for check signer	135.00
23316	Dick Larson	Feb. Bldg. Inspector fees per contract	350.00
23317	Maier Stewart & Associates	January Engineering services	3,216.75
23318	Metro Area Management Assoc.	1990 Membership Dues	15.00
23319	Metro Waste Control Commission	March sewer service	39,616.35

CHECK NO	ISSUED TO	REASON	AMOUNT
23320	Treasurer, State of Minnesota	License for new ambulance	\$40.00
23321	MN Conway Fire and Safety	Bunker pants	1,882.70
23322	Northern States Power	Gas and electricity	1,424.50
23323	No. Central Business Forms	Payroll checks '1	360.30
23324	Oxygen Service Co.	Oxygen service	29.40
23325	PERA	Additional Life insurance	9.00
23326	St. Paul Pioneer Press Dispatch	Extend subscription to 5/30/90	16.20
23327	Suburban Hardware	Supplies, equipment repair, broom	29.04
23328	Susan Hoyt Taff	Mileage	5.76
23329	Target	Tapes for council meetings	57.81
23330	U.S. West	Phone service	367.31
23331	Uniforms Unlimited	Book holder & cruiser mate	46.45
23332	Janet Wiessner	Expenses for January and Mileage	207.84
23333	City of Roseville	March Police Contract	19,326.83
23334	Norwest Bank	Bond principal and interest	56,788.82
23335	Phone Centers	Phone extension line (200')	50.00
		TOTAL:	\$512,405.12

Paid Register  
City of Falcon Heights

Employee Number	Employee Name	Social Security Number	Pay Period	Pay Group	Pay Group Description	Check Amount	Check Date	Status
018144		477-56-9585	0			0.00	15-Feb-90	VOID
018145		477-56-9585	0			0.00	15-Feb-90	VOID
018146	000000002 Wiessner, Janet R.	476-52-7457	3	01	semi-monthly	1,158.73	15-Feb-90	Outstanding
018147	000000004 Kriegler, Carol J.	476-78-8158	3	01	semi-monthly	316.52	15-Feb-90	Outstanding
018148	000000011 Chenoweth, Shirley G.	485-26-5571	3	01	semi-monthly	791.06	15-Feb-90	Outstanding
018149	000000020 Iverson, Terry D.	473-56-6088	3	01	semi-monthly	827.73	15-Feb-90	Outstanding
018150	000000027 Morgan, Jay M.	477-62-9036	3	01	semi-monthly	669.44	15-Feb-90	Outstanding
018151	000000035 Zimmerman, Katherine	475-50-3131	3	01	semi-monthly	405.92	15-Feb-90	Outstanding
018152	000000038 Wright, Vincent D.	477-32-4214	3	01	semi-monthly	762.31	15-Feb-90	Outstanding
018153	000000050 Kubes, Jon E.	473-76-6364	3	01	semi-monthly	64.06	15-Feb-90	Outstanding
018154	000000053 Kubes, Bill R.	470-98-5139	3	01	semi-monthly	134.65	15-Feb-90	Outstanding
018155	000000063 Phillips, Patricia A.	471-40-2104	3	01	semi-monthly	617.18	15-Feb-90	Outstanding
018156	000000065 Kelly, Thomas R.	474-80-4884	3	01	semi-monthly	787.54	15-Feb-90	Outstanding
018157	000000072 Carlson, Carol	470-44-8956	3	01	semi-monthly	290.01	15-Feb-90	Outstanding
018158	000000079 Hoyt Taff, Susan L.	469-58-4891	3	01	semi-monthly	352.28	15-Feb-90	Outstanding
018159	000000003 Baumann, Nicholas B.	472-78-2553	2	02	monthly 1	244.04	15-Feb-90	Outstanding
018160	000000005 Berndt, Ross	468-60-1864	2	02	monthly 1	149.38	15-Feb-90	Outstanding
018161	000000006 Bianchi, David P.	473-66-1181	2	02	monthly 1	53.75	15-Feb-90	Outstanding
018162	000000008 Brown, Raymond F.	470-44-3020	2	02	monthly 1	190.76	15-Feb-90	Outstanding
018163	000000013 Clarkin, Michael D.	473-56-3991	2	02	monthly 1	143.25	15-Feb-90	Outstanding
018164	000000014 Dow, Michael J.	469-72-1595	2	02	monthly 1	256.38	15-Feb-90	Outstanding
018165	000000015 Dowdell, Ralph L.	469-58-7304	2	02	monthly 1	71.25	15-Feb-90	Outstanding
018166	000000016 Fuller, James D.	475-58-7232	2	02	monthly 1	188.50	15-Feb-90	Outstanding
018167	000000018 Holmgren, John M. Sr.	470-42-6344	2	02	monthly 1	145.00	15-Feb-90	Outstanding
018168	000000021 Kurhajetz, Clement M.	475-54-8627	2	02	monthly 1	201.26	15-Feb-90	Outstanding
018169	000000022 LeMay, Dennis G.	471-70-6167	2	02	monthly 1	123.88	15-Feb-90	Outstanding
018170	000000023 LeMay, Douglas	471-70-6408	2	02	monthly 1	152.36	15-Feb-90	Outstanding
018171	000000024 Lindig, Leo	468-34-4314	2	02	monthly 1	113.87	15-Feb-90	Outstanding
018172	000000025 McDermond, Cindy K.	474-66-2130	2	02	monthly 1	8.75	15-Feb-90	Outstanding
018173	000000026 McNabb, Gerald	470-80-1944	2	02	monthly 1	18.75	15-Feb-90	Outstanding
018174	000000029 Olson, Joseph E.	506-58-1753	2	02	monthly 1	130.01	15-Feb-90	Outstanding
018175	000000032 Schaefer, Richard A.	475-62-4334	2	02	monthly 1	48.75	15-Feb-90	Outstanding
018176	000000033 Schauffert, Craig F.	472-56-2729	2	02	monthly 1	33.75	15-Feb-90	Outstanding
018177	000000034 Smida, Gail	470-58-8789	2	02	monthly 1	107.63	15-Feb-90	Outstanding
018178	000000039 Morgan, Jay	477-62-9036	2	02	monthly 1	115.13	15-Feb-90	Outstanding
018179	000000040 Kayser, Douglas	503-94-0994	2	02	monthly 1	183.51	15-Feb-90	Outstanding
018180	000000042 Stoitz, Steven P.	391-50-0917	2	02	monthly 1	89.38	15-Feb-90	Outstanding
018181	000000045 Gilbert, Jerome J.	476-90-1679	2	02	monthly 1	132.81	15-Feb-90	Outstanding
018182	000000046 Holmgren, John H. Jr.	470-98-0816	2	02	monthly 1	202.88	15-Feb-90	Outstanding
018183	000000047 McNabb, Kevin	470-80-0274	2	02	monthly 1	105.63	15-Feb-90	Outstanding
018184	000000049 Anderson, Kevin L.	473-98-4715	2	02	monthly 1	306.38	15-Feb-90	Outstanding
018185	000000064 PETERSON, GREGORY S.	473-04-1117	2	02	monthly 1	216.94	15-Feb-90	Outstanding
018186	000000069 Martinez, Joseph L.	583-51-1681	2	02	monthly 1	71.25	15-Feb-90	Outstanding

Grand Total

10,982.66

Consent   X  

Agenda Item:   E-2  

Policy \_\_\_\_\_

**CITY OF FALCON HEIGHTS**

Meeting Date:   2/28/90  

**REQUEST FOR COUNCIL CONSIDERATION**

**ITEM DESCRIPTION:**

AUTHORIZE ADVERTISING FOR BIDS FOR A SEWER JETTER

**SUBMITTED BY:**

VINCE WRIGHT

**REVIEWED BY:**

JAN WIESSNER  
SHIRLEY CHENOWETH


**EXPLANATION/SUMMARY (attach additional sheets as necessary):**

Purchase of a Sewer Jetter for the Public Works Department in 1990 was included in the Capital Improvement Plan. The specifications are available at the City office if you are interested.

A proposed timeline is attached.

**ACTION REQUESTED:**

Authorize staff to proceed with the purchase procedure.

  
\_\_\_\_\_

BID PROCEDURE WORKSHEET

Bidding Procedure: Required for all contracts for local improvements when the estimated cost is expected to exceed \$15,000.

<u>Day</u>	<u>Action Steps</u>
1. <u>Wednesday, February 28, 1990</u> <u>Council Meeting</u>	City Council authorized bid process, sets bid opening date
2. Thursday, noon before publica- tion <u>Feb. 29, 1990</u>	Submit advertisement for publication, deadline for Focus
3. <u>Wednesday, March 7, 1990</u>	Bid advertisement published in official city newspaper (Focus)
4. <u>Wednesday, April 4, 1990</u> <u>10:30 A.M.</u>	Bid Opening - by 3 public officials, officials tally bids and determine whether bids are acceptable (meet specs)
5. <u>Wednesday, April 11, 1990</u>	City Council accepts or rejects bids
6. <u>Thursday, April 12, 1990</u>	Notify bidders



Consent   X  

Agenda Item:   E-3  

Policy \_\_\_\_\_

CITY OF FALCON HEIGHTS

Meeting Date:   2/28/90  

REQUEST FOR COUNCIL CONSIDERATION

ITEM DESCRIPTION:

LICENSES

SUBMITTED BY:

Katherine J. Zimmerman

REVIEWED BY:

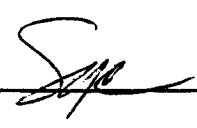
Shirley Chenoweth

EXPLANATION/SUMMARY (attach additional sheets as necessary):

See attached licenses list.

ACTION REQUESTED:

Approval.

  
\_\_\_\_\_

CONSENT AGENDA  
February 28, 1990

LICENSES

Business

Round Bobbin Sewing Center	#507
Bullseye - Silver Screen/Tax	#506
Fantastic Sams	#501
*Custom Chocolate (Sig Inc.)	#502
Energy Development	#508

General Contractor

Valley Window Service	#459
Wallmaster Company	#504
* Befort Roofing, Inc.	#505

Mechanical Contractor

Hindig Heating, Air and Electric	#500
----------------------------------	------

Refuse Haulers

Waste Management - Blaine	#503
---------------------------	------

\*NEW

Consent \_\_\_\_\_

Agenda Item: F-1

Policy X

CITY OF FALCON HEIGHTS

Meeting Date: 2/28/90

REQUEST FOR COUNCIL CONSIDERATION

**ITEM DESCRIPTION:**

HAMLIN AVENUE EASEMENT ACQUISITION

**SUBMITTED BY:**

JAN WIESSNER

**REVIEWED BY:**

TOM GEDDE  
TERRY MAURER

**EXPLANATION/SUMMARY (attach additional sheets as necessary):**

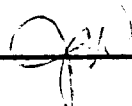
There are eight easements which need to be acquired along Hamline Avenue for the County's construction project. Ramsey County policy is that the City must acquire the easements from the property owners, the cost of which is not reimbursable by the County or the State. In the attached correspondence, Tom Gedde and Terry Maurer discuss various strategies for acquisition of the property, including:

1. Attempt to get property owners to give the easement without compensation.
2. Make an offer/square foot without appraisals.
3. Hire appraiser and make offer based on appraisal.
4. Use condemnation procedure in which both parties would hire independent appraisers.

**ATTACHMENTS:**

- A. 1/31/90 Maurer correspondence
- B. 2/9/90 Gedde correspondence.
- C. 2/16/90 Maurer correspondence

**ACTION REQUESTED:** Discuss and provide policy direction to staff.

  
\_\_\_\_\_



CONSULTING ENGINEERS

Maier Stewart & Associates Inc.

January 31, 1990

File No: 460-001-20

Ms. Jan Wiessner  
Administrator  
City of Falcon Heights  
2077 W. Larpenteur Avenue  
Falcon Heights, MN 55113

RE: PERMANENT EASEMENT ACQUISITION - HAMLINE AVENUE (SAP 62-650-04)

Dear Ms. Wiessner:

Please find attached to this letter, 8 separate easement descriptions with exhibits for the Hamline Avenue project. As you recall, there are 7 properties where the road right-of-way is only 33 feet in width from centerline. In order to install sidewalk as part of this project, an additional 5' of easement is required.

The last easement description is for the installation of storm sewer pipe between two properties to drain a low spot at the rear yards. This was included in the design, at the request of at least one of the properties during one of the public informational meetings on this project.

It is the County's policy that the easements be obtained by the municipality. Right-of-way is not reimbursable from the County or the State.

The attached documents should be sufficient in detail so that the City Attorney can prepare the easement documents for negotiation with the various property owners.

We would be glad to assist you further or respond to any questions you might have as this process moves forward.

Sincerely,

MAIER STEWART AND ASSOCIATES, INC.

*Terry J. Maurer*  
Terry J. Maurer, P.E.

TJM/km  
enc.

*(Attachments  
Available in  
City Hall)*

COPY

## JENSEN, HICKEN, GEDDE &amp; SCOTT, P. A.

ATTORNEYS AND COUNSELORS AT LAW

BOCK, EDWARD A., JR.  
GEDDE, THOMAS A.  
HICKEN, JEFFREY P.  
HOWARD, ROBERT A.  
JENSEN, DAVID L.  
MATTKE, PAUL E.  
SCOTT, MICHAEL J.

300 ANOKA OFFICE CENTER  
2150 THIRD AVENUE  
ANOKA, MINNESOTA 55303-2296

TELEPHONE (612) 421-4110  
TELECOPIER (612) 421-1040

OF COUNSEL  
HADLEY, CHARLES S.  
LUTHER, RICHARD L.

February 9, 1990

Mr. Terry J. Maurer  
Maier Stewart and Associates, Inc.  
1959 Sloan Place  
St. Paul, MN 55117

RE: Easement Acquisition - Hamline Avenue

Dear Terry:

Jan Wiessner has forwarded to me your letter of January 31, 1990 regarding the above. Thank you for doing a nice job of assembling the information that we will need.

I have discussed these acquisitions with Jan and indicated that the property owners may be willing to convey the necessary easements without receiving compensation. I would appreciate your thoughts on that issue. Jan will be discussing this issue with the Councilmembers. One risk of asking for voluntary conveyances is if some owners comply and one or more others insist on compensation, as a practical matter it would be more economical to pay \$1,000.00 or even \$2,000.00 to the property owner than to go through the entire condemnation process with an owner who simply refused to voluntarily convey. However any such payment could lead to criticism from those who voluntarily conveyed the easements. On the other hand, an initial offer of compensation to all property owners would presumably be for a smaller amount than the City might be willing to pay to avoid condemnation procedures, if cost is the primary consideration. My own thought is that we should initially contact the owners and ask for a voluntary conveyance of the easements; that for those owners who might refuse, we obtain informal appraisals and offer to pay the appraised value, or slightly more; and that if some owners seek payment of substantially more than the appraised value, we consider acquisition by condemnation even though the costs of doing so may exceed the demand of the property owner. I will be awaiting direction from Jan on these issues.

Mr. Terry J. Maurer

Page 2

February 9, 1990

With regard to the technical aspects of the acquisition, I have asked Ed Bock in our office to prepare appropriate deeds of conveyance from each of the parties and in doing so he will be reviewing the legal descriptions and confirming ownership and determining whether the property is abstract or torrens, etc. He will also communicate with the property owners once we have received direction from you as discussed above.

I assume that whatever amount has been or is going to be assessed is not affected by whatever the actual costs incurred for acquisition are. Do we have a specific budget for acquisition that we must stay within? We will be billing our fees for this project on a separate account number so that the City may easily identify our fees.

Yours truly,

JENSEN, HICKEN, GEDDE & SCOTT, P.A.



Thomas A. Gedde  
Falcon Heights City Attorney

TAG/abg

✓cc: Janet R. Wiessner



CONSULTING ENGINEERS

Maier Stewart &amp; Associates Inc.

February 16, 1990

File No: 330-016-10

Mr. Thomas A. Gedde  
Jensen, Hicken, Gedde & Scott P.A.  
300 Anoka Office Center  
2150 Third Avenue  
Anoka, MN 55303

RE: HAMLINE AVENUE EASEMENT ACQUISITION

Dear Mr. Gedde:

With regard to the Hamline Avenue easement acquisition, I have had very similar experiences. Often times property owners are willing to give these small easements, but one or two wanting compensation, can effect the whole process. One difference in this process, however, is the County Feasibility Study has had an estimated dollar amount for land acquisition included from the beginning. Anyone who attended any of the information hearing may have left with an expectation of receiving compensation.

The fact of the matter is, of the 33 parcels in Falcon Heights, 26 have a 43 foot right-of-way which was not compensated for by the City. The remaining seven parcels with 33 foot rights-of-way are being asked for an additional 5 feet of width. Perhaps all seven would agree just to give it to the City. The other easement request is for the installation of a storm sewer to eliminate a rear yard drainage problem. These property may also be willing to give it.

Perhaps the way to deal with this issue is to hold a meeting with the eight property owners and lay out various alternatives, such as:

1. Attempt to get all to agree to give the easements without compensation.
2. City make an offer per square foot without any appraisals for all the easements.
3. Appraisals and a City offer at some level above this amount, say 10%.

JENSEN, HICKEN, GEDDE & SCOTT, P.A.  
FEBRUARY 16, 1990  
PAGE TWO

In answer to your other questions, the cost associated with easement acquisition will not affect the assessment rate. It will only affect the overall project cash flow. There is no specified budget for easement acquisition, however, the feasibility estimate was \$7,350.

If you have any questions or we can be of further assistance, please call.

Sincerely,

MAIER STEWART AND ASSOCIATES, INC.

  
Terry J. Maurer, P.E.

TJM/km

cc: Ms. Jan Wiessner



Consent \_\_\_\_\_

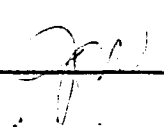
Agenda Item: F-2

Policy X

CITY OF FALCON HEIGHTS

Meeting Date: 2/28/90

REQUEST FOR COUNCIL CONSIDERATION

<b><u>ITEM DESCRIPTION:</u></b>	CONSIDER REQUESTING RAMSEY COUNTY TO REMOVE THE NO U-TURN SIGNS ON LARPENTEUR AVENUE AT ARONA STREET
<b><u>SUBMITTED BY:</u></b>	JAN WIESSNER
<b><u>REVIEWED BY:</u></b>	ROSEVILLE POLICE TERRY MAURER
<b><u>EXPLANATION/SUMMARY (attach additional sheets as necessary):</u></b>	
<b><u>Attachments:</u></b>	
A. Memo from J. Johnson to T. Maurer, Maier Stewart, dated 2/21/90.	
B. 2/5/90 complaint form from Roseville police officer.	
Terry Maurer recommends removal of the No U-Turn sign unless there are over-riding reasons why U-Turns should be prohibited. Since this is a County Road, the City would have to request Ramsey County to remove the signs.	
<b><u>ACTION REQUESTED:</u></b>	Discuss, request Ramsey County to make changes
	

MEMO TO: TERRY MAURER, CITY ENGINEER

FROM: JIM JOHNSON, TRAFFIC ENGINEER 

RE: NO U-TURN SIGNS ON LARPEN TEUR AVENUE AT ARONA STREET  
INTERSECTION

DATE: FEBRUARY 21, 1990

FILE: 330-000-00

In response and follow-up to the complaint form you received from the City of Falcon Heights dated February 5, 1990, regarding the lack of conformance with the posted "U-TURN PROHIBITION" signs on the Larpenteur Avenue medians at the Arona Street intersection, I made a field investigation of the intersection this morning and made the following observations:

- 1.) "U-TURN PROHIBITION" signs (R3-4), measuring the proper 24" X 24" size, are mounted below 24" X 30" "KEEP RIGHT" symbol signs (R4-7) on the medians for both eastbound and westbound Larpenteur Avenue traffic at the Arona Street intersection. Both sets of signs are mounted too low and are extremely dirty as a result; probably resulting in no visibility of the signs after dusk. The bottom of the "U-TURN PROHIBITION" signs, being the lowest and therefore the supplemental signs of the assemblies, should be mounted a minimum of 6' above the top of curb to be in conformance with Minnesota Manual on Uniform Traffic Control Devices (MMUTCD). This mounting height would keep the signs cleaner and improve their visibility and reflectivity. The signs are otherwise in conformance with MMUTCD with regard to number of signs, location, size, etc.
- 2.) The Larpenteur Avenue-Arona Street intersection is controlled by traffic control signals, which provide protected left turn movements for the eastbound and westbound Larpenteur Avenue traffic turning onto Arona Street from protected left turn lanes. As such, the left turning Larpenteur Avenue onto Arona Street traffic is not in conflict with other intersection movements (with the exception of right turns on red after stop, which must yield anyway), and therefore, the "U-TURN PROHIBITION" signs do not appear to be warranted or necessary. In fact, no other intersection along Larpenteur Avenue, between Snelling Avenue and Rice Street, has a U-turn prohibition. Therefore, the signs are not anticipated or expected at the Arona Street intersection.

X Based on the above observations, I would recommend the removal of the "U-Turn Prohibition" signs for eastbound and westbound Larpenteur Avenue traffic at the Arona Street intersection. If there exists an overriding reasons why the "U-Turn Prohibition" signs must remain in place, the sign posts need to be extended upward and the signs raised to provide proper minimum vertical clearance.

Please contact me if you have further questions or need additional information on this matter.

JEJ/km  
attch.



# CITY OF FALCON HEIGHTS

FAX: Feb. 5, 1990  
DONE 2-6

2077 W. LARPEUR AVENUE FALCON HEIGHTS, MN 55113-5594 PHONE 612-644-5050

## LETTER OF TRANSMITTAL

TO: Terry Maurer  
\_\_\_\_\_  
\_\_\_\_\_

Date: 2/5/90

### WE ARE SENDING YOU THE FOLLOWING:

- |   |  |  |
|---|--|--|
| <input type="checkbox"/> License Applications | <input type="checkbox"/> Contract        | <input type="checkbox"/> Minutes                           |
| <input type="checkbox"/> Copy of Letter       | <input type="checkbox"/> Section of Code | <input type="checkbox"/> Other <u>Signage</u>              |
| <input type="checkbox"/> Copy of Report       | <input type="checkbox"/> Building Permit | <input checked="" type="checkbox"/> Other <u>Complaint</u> |

### THESE ARE TRANSMITTED as checked below:

- |  |  |
|--|--|
| <input type="checkbox"/> For your approval                 | <input type="checkbox"/> Approved as submitted           |
| <input type="checkbox"/> As requested                      | <input type="checkbox"/> Approved as noted               |
| <input checked="" type="checkbox"/> For review and comment | <input type="checkbox"/> Returned for corrections        |
| <input type="checkbox"/> For your information              | <input type="checkbox"/> Incomplete information provided |
- Application not signed
  - License fee of \$ \_\_\_\_\_ not paid
  - Certificate of insurance not received
  - \$1,000 Bond not received
  - \$3,000 Bond not received
  - \$5,000 Bond not received
  - State of MN Worker's Compensation Form not received
  - State of MN Department of Revenue ID Form not received

REMARKS Terry - I've heard of other complaints about  
this intersection - Will you please check  
into this + make recommendation?

Also - Give me a call this aft. if you can -  
I've got a couple other things to discuss -  
Thanks, Terry!

Copy to \_\_\_\_\_

Signed [Signature]

Initials: Pat  
Date: 2-5-90  
Time: 12:00 Noon

City of Falcon Heights

COMPLAINT FORM

<b>Complaint:</b> Need another "No U Turn" sign on corner of Arona + Larp. Way too many people doing U-turns and saying they didn't see the 1 sign posted - See diagram on reverse.	
<b>Received From:</b>	Name <u>Don Currier</u> Phone (H) _____ Address <u># Roseville Police</u> Phone (W) _____ City _____ Zip Code _____
<b>Complaint Address/Area:</b> <u>Larp + Arona</u>	
<b>Reported/Referred To:</b> <u>Jan</u>	Date: _____ Time: _____
<b>Action Taken:</b>	
<b>Follow-up By:</b>	Date: _____ Time: _____
<b>Action Taken:</b>	



Consent \_\_\_\_\_

Agenda Item: F-4

Policy X

CITY OF FALCON HEIGHTS

Meeting Date: 2/28/90

REQUEST FOR COUNCIL CONSIDERATION

**ITEM DESCRIPTION:**

CITY COUNCIL APPLICANT SCREENING

**SUBMITTED BY:**

21 APPLICANTS

**REVIEWED BY:**

JAN WIESSNER

**EXPLANATION/SUMMARY (attach additional sheets as necessary):**

Attached are the 21 applications received for the vacant Falcon Heights City Council seat. Council members are requested to bring a list of suggested questions to be used for the interviews. The preliminary interviews will entail each applicant making a brief (5 minute) presentation to the Council summarizing their background and reasons for wanting to serve as a council member. These brief interviews have been scheduled for Wednesday, Feb. 28, 6:00-6:45, and 7:45-9:15 P.M. If all candidates cannot be scheduled Feb. 28; the Workshop will be continued until 6:00 P.M. Wednesday, March 7.

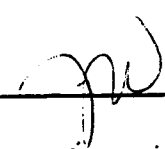
If the Council wants to take action after the initial brief interviews to select finalists, the council meeting must be recessed and then re-convened after the Workshop.

**ATTACHMENTS:**

- A. Council Applicant List
- B. Excerpt from LMC Handbook Re: Adjourned Meetings
- C. Interview Schedule
- D. Applications

NOTE: Candidates are in the process of being contacted. A schedule of interviews will be available ASAP. The interviews will be taped for delayed broadcast.

ACTION REQUESTED: Schedule Council Candidate Interviews (2 dates in March) and Select Finalists.

  
\_\_\_\_\_

CITY COUNCIL APPLICANTS

Feb., 1990

<u>Name</u>	<u>Address</u>
*A. Lee Barry	1391 Idaho Avenue West
*B. David Black	1887 Arona Street
*C. Len Boche	1776 Fry Street
*D. John Duncan	1753 Albert Street
E. Dr. Harry Foreman	1564 Burton Ave.
*F. Marie Furton	1456 W. Idaho Avenue
G. Don Goedken	1881 No. Pascal
H. Tamara Hancock	1818 Larpenteur Ave. W., Apt. #14
I. John Holmgren	1744 Pascal St.
J. Carol Ryan Huso	1837 Moore St.
* K. John Hustad	1825 Arona St.
L. Sam Jacobs	1489 W. Hoyt Ave.
M. Gary Langer	1740 Simpson St.
*N. Don Mead	1863 Sheldon St.

Page 2  
City Council Applicants  
Feb., 1990

<u>Name</u>	<u>Address</u>
O. Joseph O. Morris	1911 N. Snelling Ave.
*P. G. James Olsen	1816 Asbury St.
Q. James K. Purdy	1269 Fifield Place
R. Steven John Schugel	1795 Simpson St.
S. Bill Soukup	1763 No. Hamline Ave.
T. George M. Stephenson	1666 Coffman St., Apt. #128
*U. Jan Gibson Talbot	1531 W. Idaho Avenue



**Elected Officials, City Councils, and Advisory Bodies****1988 Supplement**

3. Select an official depository for city funds;
4. Review the council's bylaws or rules of procedure and make any necessary changes. An amending ordinance is necessary if the bylaws are in ordinance form, otherwise a resolution or motion is sufficient for this purpose.);
5. Renew all annual appointments to administrative positions, although the practice of annual appointments for administrative personnel is no longer considered advisable;
6. Assign committee duties to members;
7. Approve official bonds which have been filed with the clerk; and
8. Appoint, if the council wishes, one or more city police officers or council members as process servers for the coming year.

These actions may occur by resolution or motion, except that the designation of official depositories for city funds must be by resolution stating all terms and conditions of deposit and filed with the clerk. <sup>102a</sup> Ordinances are only necessary for bylaws changes in some cities.

**Regular Meetings**

No statutes govern the time, place, or frequency of city council meetings, but each council should set the times and place for its meeting in the rules or bylaws. The council must post or have its regular meeting schedule available for inspection at the city offices. <sup>103</sup> It should set an alternate time for meetings when the regular time falls on a legal holiday. Councils generally meet once or twice a month.

City councils cannot hold meetings between 6 p.m. and 8 p.m. on any election day within their boundaries. <sup>104</sup> Nor can they meet after 6 p.m. on the day of a political party precinct caucus. <sup>105</sup>

Councils usually hold meetings in the city hall or at another place within the city. <sup>106</sup> The council should hold regular meetings in the same place. If the council holds a meeting at a time or place dif-

ferent from that in its schedule of regular meetings, it must give public notice of the meeting as if it were a special meeting. <sup>107</sup>

**Adjourned Meetings**

City officials use the terms adjourned, continued, and recessed interchangeably. The terms refer to meetings the council postpones to a future time for lack of a quorum or for purposes of convenience, <sup>108</sup> and those continued to a second day or evening to complete business left pending at the regular meeting.

Fewer than three statutory city council members can meet to adjourn or postpone a regularly organized meeting to a fixed future time. <sup>109</sup> When the council calls adjourned meetings to complete pending business, the council should treat the adjournment as a recess.

If the council announces the date, time, and place of the adjourned meeting at an open meeting and makes the announcement a part of the official proceedings or minutes, no additional public notice is necessary. If not, the law requires a public notice similar to that for special meetings. <sup>110</sup>

**Special Meetings**

"Special meeting" of the council refers to any meeting other than a regular or an adjourned regular meeting. The council may transact any business within its powers at such meetings. It is bound by its rules and by the statutory provisions governing regular meetings, including the open meeting law. <sup>111</sup>

Calling special meetings is more complicated because of the 1987 addition of public notice requirements. These supplement, but do not replace, the existing law that requires only notice to the council. The council must comply with both provisions of law.

**Notice to the council**

The mayor or any other two members of the council may call a special meeting. Such a call occurs by filing a written statement with the clerk containing, as a minimum, the following: the names and positions of the individual or individuals calling the meeting; the time and place of the special meeting; and a request asking the

FALCON HEIGHTS CITY COUNCIL  
CANDIDATE INTERVIEW SCHEDULE

Feb. 28, 1990

Council Workshop

6:00 Meet and Get Settled  
6:05 John Duncan  
6:10  
6:15  
6:20  
6:25  
6:30  
6:35  
6:40 - 7:00 Break Before Council Meeting  
7:00 - 7:40 City Council Meeting  
7:40 Council Meeting Recessed  
7:45 Dave Black  
7:50  
7:55  
8:00  
8:05  
8:10  
8:15  
8:20 - 8:40 - Break

8:40

8:45

8:50

8:55

9:00

9:05

9:10

9:15 - Reconvene Council Meeting  
Schedule further interviews  
Select finalists

ADDENDUM TO POLICY AGENDA  
February 14, 1990

F. REPORTS, REQUESTS AND RECOMMENDATIONS:

F-12. Schedule interviews with council candidates.

ACTION: \_\_\_\_\_

REGULAR CITY COUNCIL MEETING

CITY OF FALCON HEIGHTS

AGENDA

FEBRUARY 14, 1990

A. CALL TO ORDER: 7:00 P.M.

B. ROLL CALL: BALDWIN \_\_\_\_\_ WALLIN \_\_\_\_\_ GEHRZ \_\_\_\_\_ CIERNIA \_\_\_\_\_  
WIESSNER \_\_\_\_\_ S. CHENOWETH \_\_\_\_\_  
ATTORNEY \_\_\_\_\_ ENGINEER \_\_\_\_\_

C. APPROVAL OF MINUTES OF JANUARY 24, 1990.

D. PUBLIC HEARINGS: NONE

E. CONSENT AGENDA

1. Disbursements:
  - a. Disbursements through 2/14/90, \$64,319.96
  - b. Payroll, 1/16/90-1/31/90, \$10,336.69
2. Cancellation of Check Nos. 23174 and 22901.
3. Resignation of Anne Carroll from Planning Commission
4. Fire/Rescue Department Appointments
5. Minutes:
  - a. Parks and Recreation Commission
  - b. Planning Commission
  - c. Solid Waste Commission
6. Proposed Resolution R-90-6 Proclaiming the Week of March 4-11, 1990 as Volunteers of America Week in Falcon Heights
7. Insurance Coverage
8. Licenses

ACTION: \_\_\_\_\_

F. REPORTS, REQUESTS AND RECOMMENDATIONS:

1. Order Improvement of Hamline Avenue from Larpenteur to Roselawn

ACTION: \_\_\_\_\_

2. Authorize the Issuance of \$335,000 General Obligation Capital Notes to Finance the Purchase of Public Safety Equipment, Road Construction or Maintenance Equipment and other Capital Equipment.

ACTION: \_\_\_\_\_

F. REPORTS, REQUESTS AND RECOMMENDATIONS:

3. Authorize the Issuance of \$115,000 General Obligation Improvement Bonds for Costs Related to Hamline Avenue Improvement Project

ACTION: \_\_\_\_\_

4. Forester's Report for Year 1989

ACTION: \_\_\_\_\_

5. Schedule Public Hearing on Assessment of Unpaid False Alarm Fees

ACTION: \_\_\_\_\_

6. Request for a Conditional Use Permit to Operate an Off-Sale Liquor Store at 1559 W. Larpenteur Ave.

ACTION: \_\_\_\_\_

7. Investment Policy

ACTION: \_\_\_\_\_

8. Travel Policy

ACTION: \_\_\_\_\_

9. Ethics Policy for Falcon Heights Public Officials

ACTION: \_\_\_\_\_

10. Personnel Compensation Program

ACTION: \_\_\_\_\_

11. Mayors Commission Against Drugs: Celebrate Drug-Free Communities Committee

ACTION: \_\_\_\_\_

G. ANNOUNCEMENTS AND UPDATES

H. ADJOURNMENT

ACTION: \_\_\_\_\_

MINUTES  
REGULAR CITY COUNCIL MEETING  
JANUARY 24, 1990

Baldwin convened the meeting at 7:00 P.M.

PRESENT

Baldwin, Ciernia and Gehrz. Also present were Maurer, Wiessner and Chenoweth.

ABSENT

Wallin.

MINUTES OF 1/10/90 APPROVED

Council approved the Minutes of January 10, 1990 by unanimous consent.

ADDENDUM TO POLICY AGENDA

Council added the following item to the Policy Agenda: Item F (6), Consider Scheduling a Workshop to Discuss a Proposal from ARK Development regarding Stratford Office Park property.

Council approved the following Consent Agenda by unanimous consent:

1. Disbursements
  - a. General Disbursements through 1/24/90, \$204,155.94
  - b. Payroll, 1/1/90-1/15/90, \$10,145.23
2. Commission Minutes
  - a. Human Rights Commission Minutes of November 30, 1989
  - b. Solid Waste Commission Minutes of January 4, 1990
3. Proposed Ordinance No. O-90-5 Amending the City's Personnel Policy
4. Licenses

CITY TO ADVERTISE FOR BIDS FOR PARK BUILDING

Baldwin explained that the Board of Regents of the University will be meeting in February and it is anticipated that a lease agreement for the Community Park land will be approved. Concern was expressed that the proposed lease/amortization agreement is for a 15 year period only. Wiessner stated that the agreement would begin in 1994 after the present lease expires which would make a total of 19 years. Based on this information, Ciernia moved that Staff be authorized to advertise for bids for the proposed new Park Building, contingent upon finalization of a lease agreement between the City and the University. Motion carried unanimously.

PROPOSED RECONSTRUCTION OF CLEVELAND AVENUE, LARPENTEUR TO COUNTY RD. B

Maurer reviewed his memo dated December 26, 1989 (a copy of which is on file in the clerk's office) addressing items such as

roadway design, a possible bike pathway, parking, storm drainage and cost to the City.

FINAL PLANS FOR HAMLINE AVENUE, LARPENTEUR TO COUNTY RD. B,  
APPROVED

Maurer explained that Ramsey County will honor the City's request that the boulevard on Hamline Ave. (Larpenteur to Roselawn) be reduced from 6 feet to 4 feet, and that the shared funding of the Gottfried Pit will be addressed at a later date. He recommended that Council approve the plans and authorize his signing the same. Gehrz then moved adoption of Resolution R-90-5 which carried unanimously.

RESOLUTION R-90-5

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS  
FOR THE HAMLINE AVENUE IMPROVEMENTS (LARPENTEUR  
AVENUE TO COUNTY RD. B-2)

DISCUSSION OF PROPOSED AGREEMENT WITH MN/DOT REGARDING 1987  
SNELLING AVE. CONSTRUCTION PROJECT

Maurer presented Supplement #1 to the Minnesota Department of Transportation agreement for street, watermain and storm sewer construction on Snelling Avenue in 1987, and explained the related costs. A lengthy discussion ensued regarding costs to the City as the Council understood that the City would not be charged for any street construction and objected to the charges now being proposed. Since the new watermain was entirely a City project and the City's expense, Council agreed that the first installment should be paid. Ciernia moved approval of the first good faith installment in the amount of \$45,426.67 which will not constitute agreement with the proposed payment plan. Motion carried unanimously.

The proposed agreement with MN/DOT was not approved due to the street charges.

5 YEAR STREET PROGRAM APPROVED

Council discussed the proposed 5 Year Street Program recommended by Maurer after which Gehrz moved adoption of the 5 Year Street Program as presented with one change, moving of the Albert Street Construction to the year 1991. Motion carried unanimously.

WORKSHOP SCHEDULED FOR 1/31/90 ON POSSIBLE DEVELOPMENT OF  
REMAINDER OF STRATFORD OFFICE PARK PROPERTY

Wiessner explained that ARK Development has expressed interest in constructing elderly housing (apartments) on the remainder of the Stratford Office Park land, and recommended that a workshop with the developer be scheduled for January 31st. She informed Council that ARK would like to pursue a Community Development Block Grant which has a deadline of February 15th. Council agreed to schedule the workshop for 7:00 P.M. on January 31, 1990.



MINUTES  
JANUARY 24, 1990  
PAGE 3

ADJOURNMENT

Council adjourned the meeting at 8:11 P.M.

---

Tom Baldwin, Mayor

ATTEST:

---

Shirley Chenoweth, City Clerk

Agenda Item: E-1

Consent X

Policy \_\_\_\_\_

CITY OF FALCON HEIGHTS

Meeting Date: 2/14/90

REQUEST FOR COUNCIL CONSIDERATION

ITEM DESCRIPTION:

DISBURSEMENTS

SUBMITTED BY:

Tom Kelly

REVIEWED BY:

EXPLANATION/SUMMARY (attach additional sheets as necessary):

- (a) General Disbursements through 2/14/90, \$64,319.96
- (b) Payroll, 1/16/90 - 1/31/90, \$10,336.69

ACTION REQUESTED:

*Tom Kelly* JK

GENERAL DISBURSEMENTS

CHECK NO.	ISSUED TO	REASON	AMOUNT
23224	Government Finance Officers Assoc.	Budget Award Program	90.00
23225	Alliance	1990 Membership Dues	95.00
23226	American Linen Supply	Cleaning of linens	31.99
23227	Ann's Tailoring	Patch Work	2.12
23228	Blomberg Pharmacy	Film and Camera supplies	26.56
23229	BRC Elections-Midwest Region	Legal Forms	70.87
23230	National League of Cities	Conference, Wash. D.C.	750.00
23231	C&G Office	Office supplies	252.69
23232	Colonial Insurance	Additional insurance	48.00
23233	Sharon Hardy	Non-resident reimbursement	4.00
23234	ICMA Retirement Trust	Retirement	1,110.42
23235	ICMA	Risk Management Book	25.90
23236	Insty-Print	Recreation program flyers	129.19
23237	In-Town Industries	1st Quarter Newsletter	343.00
23238	Terry Iverson	January mileage	75.60
23239	Kathleen Janke	January cleaning-fire station	80.00
23240	Doug Kayser	Mileage to conference (150 mi.)	36.00
23241	Konica Business Machines	8 1/2 x 14" cassette for copier	63.00
23242	MN. Benefit Assoc.	Cancer Ins.	5.85
23243	Debra Moncrief	Refund-overpayment for Basketball skills	4.00
23244	NSP	Street lights, electric	1,989.84
23245	No. Suburban Gavel Assoc.	1990 Dues	15.00
23246	Post Publications	Publication of ordinance and truck bid	44.75
23247	Ramsey Co. Treasurer	8 half section maps	42.00
23248	Ramsey County	Health insurance, dental	2,516.47
23249	Roto Rooter Service	Refund-Overpayment of License	10.00
23250	RSVP	Meal allowances	10.51
23251	Mrs. Chris Sauro, Jr.	Non-resident reimbursement	8.00
23252	SuperAmerica	Gas	49.20
23253	Toll Company	Breathing Air	71.58

CHECK NO.	ISSUED TO	REASON	AMOUNT
23254	U.S. West	Phone at Park	48.86
23255	Katherine Zimmerman	Mileage to Census Meeting	7.36
23256	Gopher Sign Co.	2 Stop signs and posts	116.25
23257	Board of Water Comm.	January water bill	17.10
23258	United Way	Donations	67.00
23259	Comm. of Revenue	State withholdings	840.16
23260	North Star State Bank	Federal withholdings	4,824.83
23261	Paul Ciernia	Replacement of lost payroll check	250.00
23262	MNDOT	1st payment of Snelling Ave.	45,426.67
23263	AT&T Credit Corp.	Merlin phone system, base payment	127.73
23264	AT&T	Phone maintenance	49.00
23265	Browning-Ferris Ind.	Feb. garbage pickup, Warming shelter	159.13
23266	Communication Skills	Training tapes, firefighters	87.85
23267	Shirley Chenoweth	Rolls for meeting	9.00
23268	C & G Office Products	Recycled copy paper	150.01
23269	Chemsearch	Cleaner	241.19
23270	Gopher State One-Call	Location calls	25.00
23271	I.T.E.	Airline tickets for National League Conference (3)	692.55
23272	Bldg. Maintenance Service	January cleaning of City Hall	145.00
23273	MAMA	January meeting	10.00
23274	Norm's Tire Sales	Disposal of tires behind Northome	104.00
23275	Post Publications	Publication	7.50
23276	Gene Pakoy	Repair of rooftop heating system	76.00
23277	Roseville Rotary Club	Dues and meetings	117.00
23278	Super Cycle, Inc.	January recycling	1,711.57
23279	SACC	Jan. mtg. and Legislative breakfast	19.00
23280	Scharber & Sons, Inc.	Paint and decals for John Deere	47.62
23281	Gerald Wallin	Parking - RTB meeting	3.00
23282	Toll Company	10 gaseous cylinders	4.91
23283	PERA	PERA for Jan. 31 payroll	933.13

TOTAL:

\$64,319.96

Check Number	Employee Number	Employee Name	Social Security Number	Pay Period	Pay Group	Pay Group Description	Check Amount	Check Date	Status
018111			583-51-1681	0			0.00	31-Jan-90	VOID
018112			583-51-1681	0			0.00	31-Jan-90	VOID
018113	000000002	Wiessner, Janet R.	476-52-7457	2	01	semi-monthly	1,158.73	31-Jan-90	Outstanding
018114	000000004	Kriegler, Carol J.	476-78-8158	2	01	semi-monthly	340.98	31-Jan-90	Outstanding
018115	000000011	Chenoweth, Shirley G.	485-26-5571	2	01	semi-monthly	791.06	31-Jan-90	Outstanding
018116	000000020	Iverson, Terry D.	473-56-6088	2	01	semi-monthly	803.76	31-Jan-90	Outstanding
018117	000000027	Morgan, Jay M.	477-62-9036	2	01	semi-monthly	685.44	31-Jan-90	Outstanding
018118	000000035	Zimmerman, Katherine	475-50-3131	2	01	semi-monthly	537.95	31-Jan-90	Outstanding
018119	000000038	Wright, Vincent D.	477-32-4214	2	01	semi-monthly	768.16	31-Jan-90	Outstanding
018120	000000050	Kubes, Jon E.	473-76-6364	2	01	semi-monthly	86.33	31-Jan-90	Outstanding
018121	000000053	Kubes, Bill R.	470-98-1339	2	01	semi-monthly	220.65	31-Jan-90	Outstanding
018122	000000055	Fitzgerald, Scott T.	470-82-2533	2	01	semi-monthly	424.07	31-Jan-90	Outstanding
018123	000000063	Phillips, Patricia A.	471-40-2104	2	01	semi-monthly	617.18	31-Jan-90	Outstanding
018124	000000065	Kelly, Thomas R.	474-80-4884	2	01	semi-monthly	787.54	31-Jan-90	Outstanding
018125	000000070	Sell, Matthew W.	471-84-1017	2	01	semi-monthly	34.49	31-Jan-90	Outstanding
018126	000000071	Bosshardt, Brian	- -	2	01	semi-monthly	34.49	31-Jan-90	Outstanding
018127	000000072	Carlson, Carol	470-44-8956	2	01	semi-monthly	476.14	31-Jan-90	Outstanding
018128	000000075	PICKA, GEORGE	471-28-9972	2	01	semi-monthly	140.88	31-Jan-90	Outstanding
018129	000000079	Hoyt Taff, Susan L.	469-58-4891	2	01	semi-monthly	529.83	31-Jan-90	Outstanding
018130			469-58-4891	0			0.00	31-Jan-90	VOID
018131	000000001	Baldwin, Thomas W.	472-48-4620	1	03	monthly 2	346.31	31-Jan-90	Outstanding
018132	000000003	Baumann, Nicholas B.	472-78-2553	1	03	monthly 2	50.71	31-Jan-90	Outstanding
018133	000000005	Berndt, Ross	468-60-1864	1	03	monthly 2	41.50	31-Jan-90	Outstanding
018134	000000008	Brown, Raymond F.	470-44-3020	1	03	monthly 2	63.00	31-Jan-90	Outstanding
018135	000000012	Cierria, Paul C. <i>void</i>	<del>471-52-9205</del>	<del>1</del>	<del>03</del>	<del>monthly 2</del>	<del>250.00</del>	<del>31-Jan-90</del>	<del>Outstanding</del>
018136	000000018	Holmgren, John M. Sr.	470-42-6344	1	03	monthly 2	135.00	31-Jan-90	Outstanding
018137	000000022	LeMay, Dennis G.	471-70-6167	1	03	monthly 2	56.00	31-Jan-90	Outstanding
018138	000000024	Lindig, Leo	468-34-4314	1	03	monthly 2	303.34	31-Jan-90	Outstanding
018139	000000033	Schauffert, Craig F.	472-56-2729	1	03	monthly 2	135.00	31-Jan-90	Outstanding
018140	000000034	Smida, Gail	470-58-8789	1	03	monthly 2	63.00	31-Jan-90	Outstanding
018141	000000037	Wallin, Gerald E.	477-48-1406	1	03	monthly 2	200.00	31-Jan-90	Outstanding
018142	000000039	Morgan, Jay	477-62-9036	1	03	monthly 2	41.50	31-Jan-90	Outstanding
018143	000000082	Gehr, Susan L.	477-56-9585	1	03	monthly 2	213.65	31-Jan-90	Outstanding

Grand Total

10,336.69

Payroll

User Initials      TRK  
Monday 29 January 1990 10:09 AM Start  
10:09 AM Finish

Buffer Name      CheckHistory

Records Read          104  
Records Selected        33  
Number of Pages        2

Selected by      Pay Group Number    Not Equal To      2  
                  And Check Date            Equal To        31-Jan-90

Sorted by      Check Number      No Totals    No Page Breaks

Consent X

Policy \_\_\_\_\_

CITY OF FALCON HEIGHTS

Meeting Date: 2/14/90

REQUEST FOR COUNCIL CONSIDERATION

ITEM DESCRIPTION:

CHECK CANCELLATION

SUBMITTED BY:

Tom Kelly

REVIEWED BY:

EXPLANATION/SUMMARY (attach additional sheets as necessary):

- (a) Check #23174 issued 1/20/90 to Communication Skills, Inc. in the amount of \$185.35 for two training tapes for the Fire Department. The department determined one tape was not needed.
- (b) Check #22901, issued 10/25/89 to AARP in the amount of \$7.00 for Senior Volunteer, Bernie Broderick's driver refresher course. Circumstances have prohibited Bernie from attending.

ACTION REQUESTED:

Tom Kelly *Tom Kelly*

Consent  X

Agenda Item:  E-3

Policy \_\_\_\_\_

CITY OF FALCON HEIGHTS

Meeting Date:  2/14/90

REQUEST FOR COUNCIL CONSIDERATION

ITEM DESCRIPTION:

RESIGNATION OF ANNE CARROLL FROM THE PLANNING COMMISSION

SUBMITTED BY:

Tom Baldwin

REVIEWED BY:

· Planning Commission

EXPLANATION/SUMMARY (attach additional sheets as necessary):

Ms. Carroll will be absent from the City for an extended period of time and will be unable to serve on the Commission.

This leaves the Commission with only six members and since the City Code stipulates the Commission shall consist of not less than seven nor more than nine members, it will be necessary to appoint a replacement in the near future. At present, we have no pending applications on file.

ACTION REQUESTED:  Approval

SAU                      JW



Consent  X

Agenda Item:  E-4

Policy \_\_\_\_\_

CITY OF FALCON HEIGHTS

Meeting Date:  2/14/90

REQUEST FOR COUNCIL CONSIDERATION

ITEM DESCRIPTION:

FIRE/RESCUE DEPARTMENT APPOINTMENTS

SUBMITTED BY:

Leo Lindig, Chief

REVIEWED BY:

Fire/Rescue Review Board

EXPLANATION/SUMMARY (attach additional sheets as necessary):

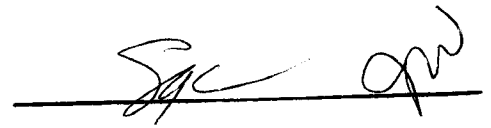
- (a) Richard Allen Hassel - Firefighter
- (b) Nathaniel Herold - Firefighter

Both are subject to the required physical and 1 year probation period.

These replace two firefighters: Joe Bianchi retired effective January 1, 1990 and Dennis LeMay resigned Feb. 6, 1990 to take a full-time firefighter position in West St. Paul.

ACTION REQUESTED:

Appointment of both persons to Fire/Rescue Department

Handwritten signatures, possibly "SAC" and "GW", over a horizontal line.

Johns 2/6/90

Date Received 8-9-89

CITY OF FALCON HEIGHTS  
FIRE DEPARTMENT AND RESCUE SQUAD  
Application for Membership

PERSONAL INFORMATION

Name HASSEL Richard ALLEN Date of Birth 1-9-71  
Last First Middle

Address 816 W California ST. PAUL MN 55117  
Street City State Zip

Telephone 489-5747 631-1630 Soc. Sec. # 469-08-6677  
home work

Own Home \_\_\_\_\_ Buying Home \_\_\_\_\_ Renting \_\_\_\_\_  
How long have you lived in Falcon Heights? \_\_\_\_\_

EDUCATION

	<u>Name and Location</u>	<u>Years Attended</u>	<u>Graduated</u>
Elementary School	<u>Washington Jr</u>	<u>2 Yrs.</u>	<u>1985</u>
High School	<u>COMO PK Sr.</u>	<u>4 Yrs.</u>	<u>1989</u>
College	_____	_____	_____
Other*	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

\* Include any first aid, EMT, and firefighter training.

EMPLOYMENT

Present Employer McDonalds No. of Years 2  
Business Address 2075 N Snelling Working Hours 5 p.m. to close

Former employers (list your last two employers starting with the most recent employer).

<u>Name &amp; Address of Employer</u>	<u>Dates Employed</u>	<u>Position</u>	<u>Reason for Leaving</u>
	From: To:		
	From: To:		

Have you ever been discharged from any position? NO (If yes, explain) \_\_\_\_\_

**GENERAL INFORMATION**

Please state briefly what prompted you to seek membership with the Falcon Heights Fire Department and Rescue Squad An interest in firefighting and  
Rescue related work.

What hours are you available for calls? 7 a.m. to 4 p.m.

Are you a U.S. citizen? YES Do you have relatives in our employ? NO

Have you ever been convicted of a misdemeanor, felony, or convicted in a military court martial? (Omit minor traffic violations).

Yes \_\_\_\_\_ No X If yes, explain \_\_\_\_\_

Do you have a valid driver's license? Yes X No \_\_\_\_\_ License # H-240-738-051-027

How many traffic tickets for moving violations have you received in the past five years? None  
Nature of offense(s) \_\_\_\_\_

Outside interests, hobbies, etc. Photography, Biking

**PHYSICAL RECORD**

Height 6'1" Weight 175 Color of Hair Brown Color of Eyes Blue

How would you describe your general health? Excellent

List any physical defects None

Have you ever been injured? NO Give details \_\_\_\_\_

Do you wear glasses? YES Are you subject to claustrophobia? NO

Are you afraid of heights? NO

In case of emergency notify Richard HASSEL 484-5747  
Name Phone

816 W. California  
Address

**REFERENCES (list three)**

Name Earl Johnson Phone 484-6098 Address 815 W. California  
Name Marcy Busse Phone 488-1547 Address 762 W. California  
Name Rose Mae Phone 631-1630 Address 2075 N. Snelling

How many days, weeks, or months of the year are you out of town for reasons other than regular employment? 1 week

I hereby apply for membership in the Falcon Heights Fire Department and Rescue Squad. Prior to my acceptance I will have to pass a complete physical examination and a physical agility test. In addition, my acceptance is conditional upon my performance while on the Department. If my performance falls below Department standards, my position may be terminated at any time. Otherwise, I will serve a one-year probationary period. At the end of that period I will be accepted as a regular member of the department or my probationary period will be extended. I agree to abide by all by-laws and policies of the Falcon Heights Fire Department and Rescue Squad during my tenure with the Department.

Richard Hessel  
Signature

8-9-89  
Date

JOINED 2/6/90

Date Received 9-19-89

DAL

CITY OF FALCON HEIGHTS  
FIRE DEPARTMENT AND RESCUE SQUAD  
Application for Membership

Hold 4 US

PERSONAL INFORMATION

Name HEROLD NATHANIEL  Date of Birth 12-9-68  
Last First Middle

Address 1066 N. VICTORIA ST. PAUL MINN 55103  
Street City State Zip

Telephone 488-5068  Soc. Sec. # 476-92-4093  
home work

Own Home  Buying Home  Renting

How long have you lived in Falcon Heights? 3 MOS.

EDUCATION

Name and Location Years Attended Graduated

<u>Name and Location</u>	<u>Years Attended</u>	<u>Graduated</u>
Grammar School		
High School <u>BLAINE SH BLAINE, MN</u>		<u>'87</u>
College <u>NORTH HENNING CC. ROCKW. PK., MINN</u>	<u>9/87. 6/89</u>	
Other* <u>ADVANCED LIFESAVING</u>		
<u>AMERICAN HEART CPR</u>		

\* Include any first aid, EMT, and firefighter training.

EMPLOYMENT

Present Employer CURRENTLY UNEMPLOYED No. of Years

Business Address  Working Hours

Former employers (list your last two employers starting with the most recent employer).

<u>Name &amp; Address of Employer</u>	<u>Dates Employed</u>	<u>Position</u>	<u>Reason for Leaving</u>
<u>FAMILY CC PARKS &amp; REC</u> <u>ROSSINI 777-1707</u>	<u>From: 6/89</u> <u>To: 8/89</u>	<u>LIFEGUARD</u>	<u>END OF SEASON</u>
<u>GALLERY FRAMES</u> <u>DIANE STODARD 424-6696</u>	<u>From: 6/88</u> <u>To: 6/89</u>	<u>CUSTOM FRAMER</u>	<u>MOVED FROM AREA</u>

Reviewed 9.19.89 DCL  
C.K.  
TL

Have you ever been discharged from any position? NO (If yes, explain) \_\_\_\_\_

GENERAL INFORMATION

Please state briefly what prompted you to seek membership with the Falcon Heights Fire Department and Rescue Squad \_\_\_\_\_

INTERESTED IN POSSIBLY PURSUING A CAREER IN  
A RESCUE RELATED FIELD

What hours are you available for calls? ALL

Are you a U.S. citizen? YES Do you have relatives in our employ? NO

Have you ever been convicted of a misdemeanor, felony, or convicted in a military court martial? (Omit minor traffic violations).

Yes \_\_\_\_\_ No X If yes, explain \_\_\_\_\_

Do you have a valid driver's license? Yes X No \_\_\_\_\_ License # H-643-622-020-937

How many traffic tickets for moving violations have you received in the past five years? 1  
Nature of offense(s) SPEEDING

Outside interests, hobbies, etc. FINE ARTS, PHOTOGRAPHY, SOCCER AND OTHER  
ATHLETICS

PHYSICAL RECORD

Height 5'8" Weight 170 Color of Hair BRN Color of Eyes BRN

How would you describe your general health? GOOD

List any physical defects \_\_\_\_\_

Have you ever been injured? NO Give details \_\_\_\_\_

Do you wear glasses? NO Are you subject to claustrophobia? NO

Are you afraid of heights? NO

In case of emergency notify DAVID HEROLD 488-5068  
Name Phone

1066 N. VICTORIA ST., ST. PAUL, MN. 55103  
Address

REFERENCES (list three)

Name ~~MICHELLE LARSON~~ Phone \_\_\_\_\_ Address \_\_\_\_\_

Name ANDREY SHALLBETTER Phone 488-5068 Address \_\_\_\_\_

Name DIANE STODDARD Phone 424-6696 Address \_\_\_\_\_

How many days, weeks, or months of the year are you out of town for reasons other than regular employment? 2 WEEKS

I hereby apply for membership in the Falcon Heights Fire Department and Rescue Squad. Prior to my acceptance I will have to pass a complete physical examination and a physical agility test. In addition, my acceptance is conditional upon my performance while on the Department. If my performance falls below Department standards, my position may be terminated at any time. Otherwise, I will serve a one-year probationary period. At the end of that period I will be accepted as a regular member of the department or my probationary period will be extended. I agree to abide by all by-laws and policies of the Falcon Heights Fire Department and Rescue Squad during my tenure with the Department.



Signature

9-19-89

Date

Consent   X  

Agenda Item: E-5

Policy \_\_\_\_\_

CITY OF FALCON HEIGHTS

Meeting Date: 2/14/90

REQUEST FOR COUNCIL CONSIDERATION

ITEM DESCRIPTION:

MINUTES

SUBMITTED BY:

- (a) Park & Recreation Commission      (c) Solid Waste Commission  
(b) Planning Commission

REVIEWED BY:

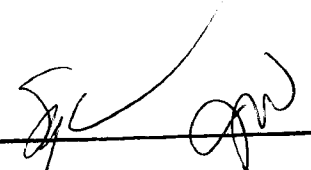
EXPLANATION/SUMMARY (attach additional sheets as necessary):

Attachments:

- (a) Parks and Recreation Commission Minutes of January 8, 1990  
(b) Planning Commission Minutes of February 5, 1990  
(c) Solid Waste Commission Minutes of February 1, 1990

ACTION REQUESTED:

Information Only

  
\_\_\_\_\_



*Draft*

## PARK AND RECREATION COMMISSION MEETING

JAN. 8, 1990

## MINUTES

PRESENT: Lloyd Jacobson, Jeff Johnson, Jyneen Thatcher, Connie Lasser,  
Carol Kriegler.

The resignation of Councilmember Pat Bush was announced. The Commission briefly discussed Pat's contribution and support of Parks and Recreation during the years she served as both the Park and Recreation Director and city council member. The Commission expressed their appreciation for her support during a time of great progress in improving park facilities and recreation programming.

Carol Kriegler reported that the rinks were in operation and in good condition. Carol explained the process by which staff routinely inspects the quality of ice at each location and maintains records of such.

Connie Lasser reported that she had taken a complaint regarding kids playing hockey on the pleasure rink. It seems that a problem exists in that hockey playing tends to dominate the entire rink so that pleasure skating is impossible or hazardous. Two possible solutions were then discussed:

1. Take measures to eliminate hockey playing from the rink entirely.
2. Split the rink in half with a "snow pile" thereby creating two separate spaces - one for hockey and one for free skating.

After some discussion, the Commission opted for splitting the rink in two. Public Works would then be asked to create two spaces the next time it snows.

Joan Schilling, Conservation chairperson of the St. Paul Audubon Society, gave a brief proposal about including the City's park(s) in a blue bird chain. The chain would consist of a number of blue bird nesting houses located in the U of M St. Paul Campus and Falcon Heights area. The Commission expressed an interest in participating in such a project and encouraged Ms. Schilling to get back to the Commission with a more specific proposal.

Carol Kriegler reported that the City has received a formal written extension for the Celebrate Minnesota 1990 Grant. The following timeline was discussed for completing the park building construction project.

Wednesday, Jan. 24 -- City Council approval to advertise for bid  
(contingent on finalization of UofM/City Park Lease Agreement)  
February 8 -- U of M Regents meeting, action of park lease extension  
Mid-February -- Advertise for bids  
Mid-April -- Begin construction

Page 2

Minutes of Parks and Rec Commission Meeting on Jan. 8, 1990

A route through the City for the Olympic Festival Torch Run was tentatively planned. The route is as follows:

- Receive torch at Roselawn and Snelling
- West Roselawn to Community Park
- Backtrack East on Roselawn to Fairview
- South on Fairview to Larpenteur
- East on Larpenteur to Snelling
- South on Snelling to Hoyt
- Pass on torch to City of St. Paul

Meeting was adjourned.

Respectfully submitted,



Carol Kriegler

CK:pp

*Draft*

MINUTES  
REGULAR PLANNING COMMISSION MEETING  
FEBRUARY 5, 1990

Chairman Boche called the meeting to order at 7:30 P.M.

PRESENT

Barry, Boche, Carroll, Daykin, Finegan and Nestingen. Also present was Council Liaison Ciernia and Planner Susan Hoyt Taff.

ABSENT

Duncan

Nestingén moved, seconded by Finegan, to approve the January 8, 1990 Planning Commission Minutes as presented. Motion carried unanimously.

STANDING RULES

Planning Commission members reviewed the standing rules used by the City Council. Members agreed that meeting procedures could be streamlined by adopting the standing rules. Finegan suggested that staff adapt the standing rules for the Commission use for review at to the next meeting for approval.

PUBLIC HEARING ON A REQUEST FOR A CONDITIONAL USE PERMIT FOR AN OFF-SALE LIQUOR STORE AT 1559 WEST LARPENTEUR AVENUE IN A B-2 ZONE

Planner Susan Hoyt Taff reviewed background information regarding the use of the property and site considerations. She explained that Mr. James Kettner was requesting the conditional use permit for a vacant space in the Bullseye Shopping Center on behalf of its owner, Mr. Dennis Hunt. She reported that the off-sale liquor store parking fell within the parking variance for the center adopted in May, 1989, and that traffic flow associated with the store would not create problems.

Mr. James Kettner, the proposed tenant and proprietor, described his experience in retail businesses including an off-sale liquor store. He said that he and family members will assist him in managing and financing the business. He expressed enthusiasm for the location and associated uses in the shopping center.

He will be making minor alterations to the leased space by installing office space/storage space and will be installing a walk-in cooler. He anticipates employees will be parking on the west end of the building. He plans to work closely with the police with regard to checking ID's and enforcing the legal age requirements. Mr. Kettner proposes to open April 1, 1990.

Don Grittner, 1718 Arona, asked Mr. Kettner if he had any affiliation with a major liquor store. Mr. Kettner replied that he did not. Mr. Grittner expressed concern regarding the crime element that a liquor store could attract the neighborhood and asked if there were ways to prevent robberies. Mr. Kettner said that he will

MINUTES  
REGULAR PLANNING COMMISSION MEETING  
FEBRUARY 5, 1990  
PAGE 2

have two employees on the premises, the liquor store has a lot of glass facing busy streets, and the parking lot will be well lit. He will also work closely with the police to prevent crime. A double barred/bolted security door, motion sensor system and one way mirror in the office area will be installed.

Boche closed the Public Hearing at 8:18 P.M.

Finegan moved approval of the conditional use request with the following conditions:

- (1) Hours of operation will be Monday through Thursday  
8:00 A.M. to 8:00 P.M.  
Friday and Saturday  
8:00 A.M. to 10:00 P.M.
- (2) Meet all applicable city and state Codes.
- (3) Review the conditional use conditions in six months following the opening of the business and yearly thereafter.

The motion carried unanimously.

PROPOSED CHANGE OF MEETING DATE

The Planning Commission unanimously agreed to meet on the 4th Monday of the month with the first meeting being February 26, 1990.

REQUEST FOR PROPOSALS FROM PLANNING CONSULTANTS TO ASSIST THE CITY PLANNER AND THE PLANNING COMMISSION WITH REVISING THE COMPREHENSIVE MUNICIPAL PLAN

Susan Hoyt Taff reported that she mailed out eight requests for proposals to planning consultants for updating/revising the Comprehensive Municipal Plan. These are due by 4:30 P.M. February 23, 1990. She also advised that the Metropolitan Council approved the City's request for an extension to submit amendments to its comprehensive plan.

PROPOSAL BY ARK DEVELOPMENT FOR THE SITE NORTH OF CITY HALL

Planner Susan Hoyt Taff reviewed the Proposal by Ark Development for the site north of City Hall for a 100 unit elderly moderate rent housing for seniors. She also reviewed the location, zoning, project cost and financing. The developers would need Community Development Block Grant funds and additional city loans to carry out the project. She will keep the Commission updated on future developments.

MINUTES  
REGULAR PLANNING COMMISSION MEETING  
FEBRUARY 5, 1990  
PAGE 3

REPORT ON THE PLANS FOR THE PARK BUILDING FOR THE COMMUNITY PARK  
Carol Kriegler reviewed plans for the construction of the park building in the Community Park. She anticipates the Council letting bids in February with construction to begin in April, weather permitting.

Submitted by:

Katherine J. Zimmerman

Approved: \_\_\_\_\_

Donna Daykin, Secretary

MINUTES  
Solid Waste Commission Meeting  
February 1, 1990

*Draft*

The meeting was called to order by Chairperson Thompson at 7:05 pm.

COMMISSION MEMBERS PRESENT: Michael Haglund, John Hustad, Leo Klisch, Laura Kuettel, John Thompson, Lyle Wray and Shirley Chenoweth, Staff Representative.

COMMISSION MEMBERS NOT PRESENT: Terry Iverson, Nancy Misra, and Marty McCleery.

APPROVAL OF MINUTES: The minutes of the last meeting were approved with a motion by Michael Haglund seconded by John Hustad.

APPROVAL OF AGENDA: The agenda for the meeting was approved by consensus.

SIZE OF SOLID WASTE COMMISSION: The size of the Solid Waste Commission is presently at nine members. The commission voted unanimously to maintain the present size.

TIMELINE FOR COMMISSION: The timeline submitted by Shirley Chenoweth will be used as a guide for completing commission goals.

ORGANIZE RECYCLING COORDINATOR PARTY: The commission will schedule a recognition party for blockworkers at the March meeting.

MULTI-HOUSING RECYCLING: The St. Paul Neighborhood Consortium is sponsoring a seminar to promote recycling in multi-housing units. Michael Haglund will draft a letter to owners of multi-housing units informing them of the tentative plans the county has to mandate a recycling program if one is not voluntarily implemented. He will also provide information regarding the seminar. Shirley Chenoweth has a complete list of owners.

DRAFT SURVEY: The commission decided the focus of the survey is to inform residents of organized collection and obtain their comments. Defining organized collection will include the following information: the 1993 abatement goal and our present totals; collection of refuse and recyclables on the same day; negotiation of lower costs for pickup; reduction of street usage and air pollution; selection of hauler no longer a choice for residents; and asking residents the name of their hauler.

NEWSLETTER: The newsletter will begin with recycling information and end with the survey. Comments may be submitted to the blockworker or mailed to the city.

A recycling newspaper: "The New 3 R's: Reduce, Reuse, Recycle" will be sent to the principal of Falcon Heights School by Shirley Chenoweth.

Shirley Chenoweth reported that City Council member, Paul Ciernia, requested the Solid Waste Commission draft a letter to the headquarters of the Democratic and Republican parties urging the use of recycled paper and printing on both sides. Marty McCleery will be asked to draft the letters.

The meeting was adjourned at 9:35pm.

Respectfully submitted,

Laura Kuettel, Secretary

Consent   X  

Agenda Item:   E-6  

Policy           

**CITY OF FALCON HEIGHTS**

Meeting Date:   2/14/90  

**REQUEST FOR COUNCIL CONSIDERATION**

**ITEM DESCRIPTION:**

PROPOSED RESOLUTION R-90-6 PROCLAIMING THE WEEK OF  
MARCH 4-11, 1990 AS VOLUNTEERS OF AMERICA WEEK IN FALCON  
HEIGHTS

**SUBMITTED BY:**

Tom Baldwin

**REVIEWED BY:**

**EXPLANATION/SUMMARY (attach additional sheets as necessary):**

- (a) Request from Volunteers of America
- (b) Proposed Resolution

**ACTION REQUESTED:** Adoption of Resolution R-90-6

  
\_\_\_\_\_



**VOLUNTEERS OF AMERICA**

MINNESOTA

5905 Golden Valley Road • Minneapolis, MN 55422 • (612)546-3242

January 25, 1990

The Honorable Tom Baldwin  
Mayor of Falcon Heights  
2077 West Larpenteur Avenue  
Falcon Heights, MN 55113-5594

Dear Mayor Baldwin:

Volunteers of America, one of this nation's and Minnesota's largest human service organizations, has been helping others for nearly 94 years.

Volunteers of America Week is scheduled for March 4-11, which commemorates its founding on March 8, 1896. I am asking you to proclaim the week in our behalf.

Your personal proclamation will be encouraging to those in the Falcon Heights community who receive care through our services. Our dedicated staff and volunteers and the many people who help support our work through their financial contributions will be equally appreciative.

Your interest and support makes a significant difference in the success of our organization. And, as you know, our success is measured through the lives of those we touch.

I sincerely hope you will proclaim March 4-11, 1990 as Volunteers of America Week in Falcon Heights and ask that you join us in celebrating our 94th year of service.

Respectfully yours,

*James E. Hogie, Jr.*  
James E. Hogie, Jr.  
President

JEH/jl

Enclosures

P. S. Your proclamation will be duplicated along with other proclamations and/or congratulatory letters to be put in booklet form. A booklet commemorating our 94th birthday will be placed in the reception area of each program.



CITY OF FALCON HEIGHTS  
C O U N C I L   R E S O L U T I O N

Date \_\_\_\_\_

A RESOLUTION PROCLAIMING THE WEEK OF MARCH 4-11, 1990  
AS VOLUNTEERS OF AMERICA WEEK IN THE CITY OF FALCON HEIGHTS

WHEREAS, Volunteers of America has been serving the needs of America for nearly a century, providing over 400 programs in 240 communities across the country, and

WHEREAS, the Volunteers of America has demonstrated an ability to change and grow as our country, its needs, and the needs of the people change, and

WHEREAS, now, as in the past, the Volunteers of America's programs are designed to respond to the concerns of individual communities, and take a holistic approach to human care, and

WHEREAS, Volunteers of America's continuing mission is to provide material and spiritual assistance to people in need, regardless of race, creed or color, and

WHEREAS, in Minnesota, the Volunteers of America provides services for children and youth, adults and the elderly, offenders and ex-offenders, and the community at large;

BE IT THEREFORE RESOLVED, by the City Council of the City of Falcon Heights, that the week of March 4-11, 1990 be proclaimed Volunteers of America Week in Falcon Heights.

Moved by \_\_\_\_\_

Approved by \_\_\_\_\_  
Mayor

YEAS                      Nays  
BALDWIN  
CIERNIA                      \_\_\_\_\_ in Favor  
GEHRZ  
WALLIN                      \_\_\_\_\_ Against

Attested by \_\_\_\_\_  
City Clerk

\_\_\_\_\_ Date

\_\_\_\_\_ Date

Adopted by Council \_\_\_\_\_

Consent  X

Agenda Item:  E-7

Policy \_\_\_\_\_

CITY OF FALCON HEIGHTS

Meeting Date:  2/14/90

REQUEST FOR COUNCIL CONSIDERATION

ITEM DESCRIPTION:

INSURANCE COVERAGE

SUBMITTED BY:

Tom Kelly

REVIEWED BY:

Jan Wiessner  
Tom Gedde

EXPLANATION/SUMMARY (attach additional sheets as necessary):

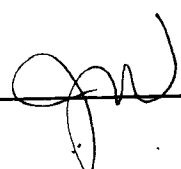
The City currently has the statutory \$600,000. The City can now purchase excess liability in the amounts of \$1, \$3, or \$5 million. (See attached sheets). The 1989 cost was \$20,124.00. The 1990 coverage without increased coverage will be \$21,926.00. The 1990 budget includes a \$22,000.00 allocation for insurance. (An increase in coverage will require a budget adjustment).

ATTACHMENTS:

- A. Coverage Summary - Memo from Rothschild, Bell & Walseth, Inc.
- B. Premium Summary
- C. Quotation for additional coverage
- D. LMCIT correspondence explaining excess coverage.

ACTION REQUESTED:

Approve existing levels of coverage (leave the liability coverage at \$600,000). If Council wishes to discuss this, the item can be moved to the Policy Agenda.

  
\_\_\_\_\_



# North Star Risk Services, Inc.

Rachelle Fawcett  
Rothschild Bell & Walseth, Inc.  
P.O. Box 7128  
St. Paul, MN 55107

Date: January 18, 1990  
RE: City of Falcon Heights  
Eff. Date: 1-1-90

### RENEWAL PREMIUM SUMMARY AND BINDER

PROPERTY	<u>\$1,797.</u>
INLAND MARINE	<u>\$257.</u>
GENERAL LIABILITY	<u>\$12,722.</u>
ERRORS AND OMISSIONS	<u>\$2,277.</u>
AUTOMOBILE LIABILITY	<u>\$2,250.</u>
UN/UIM	<u>\$72.</u>
AUTOMOBILE PHYSICAL DAMAGE	<u>\$561.</u>
CRIME	<u>\$113.</u>
BONDS	<u>\$289.</u>
INVERSE CONDEMNATION	<u>\$321.</u>
MISC. EQUIP. ON AUTOS	<u>\$1,267.</u>
TOTAL	<u>\$21,926.</u>

REMARKS: DO NOT PAY UNTIL YOU RECEIVE INVOICES!  
CITY RECEIVED A DIVIDEND OF \$9,144. IN 1988 AND A DIVIDEND OF \$10,095.  
IN 1989 FROM LMCIT.

Renewal coverage is bound up to 60 days pending issuance of renewal  
based on L.M.C.I.T. forms and practices in effect on renewal date.

Sincerely,

Rothschild Bell & Walseth, Inc.

FROM:



North Star Risk Services, Inc.  
1401 West 76th Street, Suite 550  
Minneapolis, Minnesota 55423

(612) 861-8600

FAX (612) 861-8643

SUBJECT

EXCESS LIABILITY QUOTATION FOR THE CITY OF: *Falcon Heights*

DATE

*11/18/90*

- FOLD -

Dear *Rachelle*:

Liability Limit: \$1,000,000 or \$5,000,000

Annual Premium With Waiver of Immunity: *\$9,161.*

Annual Premium Without Waiver of Immunity: *\$7,448.*

Quotation Expires: *3/18/90*

Follow Form Underlying Coverage as Scheduled

Special Exclusions: Child Molestation

Other Endorsements:

Remarks: An election form must be completed, signed and returned to us before the effective date if coverage is desired.

*Thank you!*

DATE

SIGNED

*Lisa Boman*



**ROTHSCHILD, BELL & WALSETH, INC.**

INSURANCE BROKERS AND CONSULTANTS  
251 WEST LAFAYETTE FRONTAGE ROAD  
POST OFFICE BOX 7128  
ST. PAUL, MINNESOTA 55107-0128  
(612) 221-0205 FAX (612) 221-0921

CITYF50

RF 01/24/90

A.

POLICY: CMC 9817 90

CPKG

\*\*\*\*\*  
\* M E M O \*  
\*\*\*\*\*

City of Falcon Heights  
2077 West Larpenteur Avenue  
Falcon Heights, MN 55113

Tom Kelly

Re: 1/1/90 Renewal Quotes

Attached you will find your renewal Quotation for the 1/1/90 to 1/1/91 policy term. Please review the quote and let me know if the policy should be ordered.

Also, enclosed is a quotation for an Umbrella Policy. Please look it over and decide if you wish to have the policy issued. If coverage is desired, the election form attached to the quote must be completed and returned.

The following are the policy deductibles that will apply on the

renewal: Property Coverage- - - -	\$10,000 deductible
Contractors Equipment- - - - -	\$500 deductible
Voting Machines- - - - -	\$250 deductible
General Liability- - - - -	\$10,000 deductible
E & O Liability- - - - -	\$1,000 deductible
Automobile-- \$250 Deductible Comprehensive/	\$1,000 deductible collisio
Crime- - - - -	\$250 deductible
Miscellaneous Auto Equipment - -	\$250 deductible

Rachelle Fawcett

2/9



**ROTHSCHILD, BELL & WALSETH, INC.**

INSURANCE BROKERS AND CONSULTANTS  
251 WEST LAFAYETTE FRONTAGE ROAD  
POST OFFICE BOX 7128  
ST. PAUL, MINNESOTA 55107-0128  
(612) 221-0205 FAX (612) 221-0921

CITYF50

RF 01/24/90

POLICY: CMC 9817 90

CPKG

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\* M E M O \*  
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2077 West Larpenteur Avenue  
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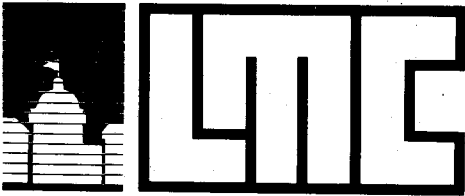
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Automobile--	\$250 Deductible Comprehensive/	\$1,000 deductible collisio
Crime-	- - - - -	\$250 deductible
Miscellaneous Auto Equipment	- -	\$250 deductible

Rachelle Fawcett

2/9



183 University Ave. East  
St. Paul, MN 55101-2526  
(612) 227-5600 (FAX: 221-0986)

League of Minnesota Cities

December 1, 1989

To: LMCIT member cities

From: Peter Tritz

Re: New excess liability coverage options

The League of Minnesota Cities Insurance Trust now offers cities two options in purchasing excess liability coverage:

- LMCIT now makes it possible for cities to obtain excess coverage without waiving the statutory liability limit of \$600,000 per occurrence. Under this option, the higher excess coverage limits would be available only for those claims which are not covered by the statutory limits.

- Alternately, cities may choose to waive the statutory liability limits to the extent of the excess liability coverage purchased. Under this option, the higher coverage limits would be available for all claims, including claims covered by the statutory liability limits.

Cost

The city's premium for excess coverage will be 15% lower if the city chooses not to waive the statutory monetary liability limits. In addition overall rate levels for excess coverage will be substantially below last year's levels.

Background

LMCIT's basic liability coverage provides limits of \$600,000 per occurrence. LMCIT also offers cities the option of an additional \$1 million, \$3 million, or \$5 million of liability coverage limits. Since the statutes provide that cities and city officials and employees can't be held liable for amounts over \$600,000 per occurrence, city officials often ask why it would ever make sense to buy coverage limits higher than \$600,000. There are four basic kinds of reasons why a city might choose to buy limits of coverage greater than the statutory liability limits.

First, the city is exposed to some kinds of liability to which the statutory limits either don't or might not apply. Some possible examples are

- liability under the federal civil rights acts
- certain types of liability that the city has assumed contractually, in an indemnification agreement for example
- liability for actions in another state; e.g. by a city official attending a conference, or under a mutual aid agreement with a political subdivision across the border
- liability for a zoning action under an "inverse condemnation" theory of law

Second, the city may buy higher limits because the underlying coverage might not cover the full extent of the city's exposure within the statutory liability limits in all cases. LMCIT applies a \$600,000 aggregate limit to the "products liability", the "limited pollution", and the optional "inverse condemnation" coverages. This is an additional limit, besides the \$600,000 per occurrence limit that applies to all liability coverage. The annual limit is the maximum amount the policy will pay for this kind of liability, regardless of the number of occurrences. Thus, if part of the annual limit is used up in one occurrence, there may not be adequate coverage limits available if there is a second loss of that type. Excess coverage can help protect against this risk.

(Annual aggregate limits are very common in conventional commercial liability policies. Often the aggregate limit applies to all liability, rather than being restricted to only certain coverages as LMCIT's is. A similar problem can occur in policies where defense costs are subject to the policy limit; with that type of policy and a \$600,000 per occurrence limit, if you spend \$50,000 on defense you wouldn't have enough limits to cover the city's full exposure under the statute. LMCIT does not apply a limit to defense costs.)

Third, the city may feel that the statutory limits aren't high enough to provide adequate compensation for very serious injuries, or for multiple parties. That is, the city might in effect say "We want to have at least a million dollars (or three million or five million, etc.) of coverage available, so that if we injure someone he won't go uncompensated if his injuries really do exceed the statutory limits."

Finally, the city might be concerned whether the statutory liability limits will stand up in court. The statutory liability limits have been upheld in two recent Minnesota Supreme Court cases, so this is now less of a concern. However, it is always difficult to predict the future course of court decisions.



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Finally, the city might be concerned whether the statutory liability limits will stand up in court. The statutory liability limits have been upheld in two recent Minnesota Supreme Court cases, so this is now less of a concern. However, it is always difficult to predict the future course of court decisions.

Thus, cities faced a dilemma: The city either had to buy coverage limits equal to the statutory limits and bear the risk of a larger claim that the statutory limits don't cover; or the city could buy additional protection against those claims, but by doing so expose itself to greater liability in the areas where the statutory limits do apply, thereby losing the benefit of those limits.

LMCIT's new approach to excess coverage eliminates that dilemma. It is now possible for the city, if it wishes, to buy higher limits of coverage where that protection may be needed, without automatically waiving the statutory liability limits and losing their protection where those limits apply.

What must the city do?

All LMCIT quotes for excess coverage will show the premiums for both options. The decision to waive or not to waive the statutory limits must be made by motion or resolution of the city council. A form to show the council's choice is enclosed with each quote. That form must be completed and returned to LMCIT.

If the city indicates that it wishes to waive the liability limits, LMCIT will issue a special endorsement as part of the coverage document showing that the statutory liability limits are waived to the extent of the coverage purchased.

LMCIT EXCESS LIABILITY COVERAGE

Cities obtaining excess coverage from the League of Minnesota Cities Insurance Trust must decide whether or not to waive the statutory liability limits to the extent of the excess coverage purchased. This decision must be made by the city council. CITIES PURCHASING EXCESS COVERAGE MUST COMPLETE AND RETURN THIS FORM TO LMCIT BEFORE THE EFFECTIVE DATE OF THE COVERAGE.

\*

For further information, refer to the accompanying memo. City officials may also want to discuss these issues with the city attorney.

The City of \_\_\_\_\_ accepts excess liability coverage limits of \$ \_\_\_\_\_ from the League of Minnesota Cities Insurance Trust.

Check one:

\_\_\_\_\_ The city DOES NOT WAIVE the monetary limits on tort liability established by Minnesota Statutes 466.04.

- OR -

\_\_\_\_\_ The city WAIVES the monetary limits on tort liability established by Minnesota Statutes 466.04, to the extent of the limits of the excess liability coverage obtained from the League of Minnesota Cities Insurance Trust.

Date of city council meeting: \_\_\_\_\_

Signature: \_\_\_\_\_

Position: \_\_\_\_\_

Return this completed form to North Star Risk Services, 1401 \_\_\_\_\_, Minneapolis, Mn. 55421.

REQUEST FOR COUNCIL CONSIDERATION

ITEM DESCRIPTION:

LICENSES

SUBMITTED BY:

Katherine J. Zimmerman

REVIEWED BY:

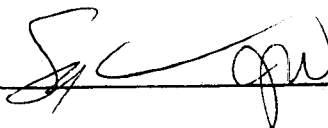
Shirley Chenoweth

EXPLANATION/SUMMARY (attach additional sheets as necessary):

See attached License list.

ACTION REQUESTED:

Approval.

  
\_\_\_\_\_

Consent Agenda  
February 14, 1990

LICENSES

Trash Haulers

Wiley's Removal #498  
Keith Kruppenny & Son Disposal Service #499

General Contractors

\*Kyle Homes, Inc. #492  
T.A. Schifsky & Sons, Inc. #490  
Eden Construction #496

Vending

Theisen Vending Co. (sell cigarettes at Hewlett Packard) #402

Business

Carroll, Franck & Associates #491  
Crown Healthcare Services #497  
Tom Thumb #494 (grocery store, off sale malt liquor & cigarette)  
Image Premastering Services, Ltd. #495

Mechanical

\*J and J Heating and Sheet Metal, Inc. #493

\*NEW

Consent \_\_\_\_\_

Agenda Item: F-1

Policy X

CITY OF FALCON HEIGHTS

Meeting Date: 2/14/90

REQUEST FOR COUNCIL CONSIDERATION

ITEM DESCRIPTION:

ORDER IMPROVEMENT OF HAMLIN AVENUE FROM LARPEN TEUR  
TO ROSELAWN

SUBMITTED BY:

Terry Maurer

REVIEWED BY:

Jan Wiessner

EXPLANATION/SUMMARY (attach additional sheets as necessary):

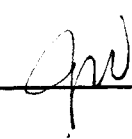
Attachments:

- 1. 1/29/90 Maurer correspondence
- 2. Proposed Resolution

NOTE: This formal action is necessary prior to the sale of bonds for the project.

ACTION REQUESTED:

Adopt Resolution

  
 \_\_\_\_\_



Maier Stewart & Associates Inc.

January 29, 1990

File No: 330-016-10

Ms. Jan Wiessner  
Administrator  
City of Falcon Heights  
2077 Larpenteur Avenue West  
Falcon Heights, MN 55113

RE: HAMLINE AVENUE PROJECT

Dear Ms. Wiessner:

On Friday, I had a conversation with Mr. Steve Apfelbacker of Ehlers and Associates, regarding the Hamline Avenue project. Our conversation concerned whether or not the City had ordered the improvement which is a necessary step to sell bonds. Ordering the improvement usually occurs at the time the preparation of plans occurs. Since this is a County project and the City did not authorize preparation of plans, the project has not yet been ordered by the City Council.

It would be appropriate for the City Council to order the improvement at this time. Therefore, I have prepared the attached resolution for the City Council's consideration.

If you have any questions regarding this, please call.

Sincerely,

MAIER STEWART AND ASSOCIATES, INC.

A handwritten signature in cursive script that reads "Terry J. Maurer". The signature is written in black ink and is positioned above the typed name.

Terry J. Maurer, P.E.

TJM/km

enc.

RESOLUTION R-90-7

A RESOLUTION OF THE CITY OF FALCON HEIGHTS

RESOLUTION ORDERING IMPROVEMENT

WHEREAS, a resolution of the City Council adopted 26th, day of July, 1989, fixed a date for the Council hearing on the proposed improvement of Hamline Avenue from the north line of Larpenteur Avenue to the south line of Roselawn Avenue by reconstruction of the existing street;

AND WHEREAS, ten days' mailed notice and two weeks' published notice of the hearing was given, and the hearing was held thereon on the thirteenth day of September, 1989, at which all persons desiring to be heard were given an opportunity to be heard thereon,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF FALCON HEIGHTS, MINNESOTA:

1. Such improvement is hereby ordered as proposed in the Council resolution adopted 26th day of July, 1989, which approved the Ramsey County feasibility study for the Hamline Avenue project.

Adopted by the Council this 14th day of February, 1990.

Thomas Baldwin, Mayor

Shirley G. Chenoweth, City Clerk



Consent \_\_\_\_\_

Policy X

CITY OF FALCON HEIGHTS

REQUEST FOR COUNCIL CONSIDERATION

**ITEM DESCRIPTION:**

AUTHORIZE THE ISSUANCE OF \$335,000 GENERAL OBLIGATION CAPITAL NOTES TO FINANCE THE PURCHASE OF PUBLIC SAFETY EQUIPMENT, ROAD CONSTRUCTION OR MAINTENANCE EQUIPMENT AND OTHER CAPITAL EQUIPMENT.

**SUBMITTED BY:**

Jerry Gilligan, Bond Approving Attorney  
Dorsey, Whitney, Mpls.

**REVIEWED BY:**

Steve Apfelbacher, Ehlers and Associates  
Jan Wiessner

**EXPLANATION/SUMMARY (attach additional sheets as necessary):**

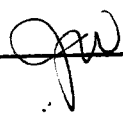
Attachments:

1. Resolution authorizing issuance of notes.
2. Official statement prepared by Steve Apfelbacher, Ehlers and Associates.

The bid opening is scheduled to occur at 12:30 P.M. on the day of the Council Meeting.

**ACTION REQUESTED:**

Adopt Resolution.

  
\_\_\_\_\_

CERTIFICATION OF MINUTES RELATING TO  
\$335,000 GENERAL OBLIGATION CAPITAL NOTES OF 1990

Issuer: City of Falcon Heights, Minnesota

Governing body: City Council

Kind, date, time and place of meeting: A regular meeting  
held on February 14, 1990, at 7:00 o'clock P.M.,  
at the City Hall.

Members present:

Members absent:

Documents attached:

Minutes of said meeting including (pages) 1 through 15:

RESOLUTION NO. \_\_\_\_\_

RESOLUTION RELATING TO \$335,000 GENERAL OBLIGATION  
CAPITAL NOTES OF 1990; AWARDED THE SALE, FIXING  
THE FORM AND DETAILS, AND PROVIDING FOR THE  
EXECUTION AND DELIVERY THEREOF AND LEVYING AD  
VALOREM TAXES FOR THE PAYMENT THEREOF

I, the undersigned, being the duly qualified and acting recording officer of the public corporation issuing the obligations referred to in the title of this certificate, certify that the documents attached hereto, as described above, have been carefully compared with the original records of the corporation in my legal custody, from which they have been transcribed; that the documents are a correct and complete transcript of the minutes of a meeting of the governing body of the corporation, and correct and complete copies of all resolutions and other actions taken and of all documents approved by the governing body at the meeting, insofar as they relate to the obligations; and that the meeting was duly held by the governing body at the time and place and was attended throughout by the members indicated above, pursuant to call and notice given as required by law.

WITNESS my hand officially as such recording officer  
this \_\_\_\_ day of February, 1990.

\_\_\_\_\_  
Signature

Shirley G. Chenoweth, City Clerk  
Name and Title

The City Clerk presented affidavits showing publication in a legal newspaper having a general circulation in the City and in a daily or weekly periodical published in a Minnesota city of the first class, which circulates throughout the state and furnishes financial news as a part of its service, of notice of sale of \$335,000 General Obligation Capital Notes of 1990, of the City, for which bids were to be considered at this meeting in accordance with a resolution adopted by the City Council on January 10, 1990. The affidavits were examined, found to comply with the provisions of Minnesota Statutes, Chapter 475, and were approved and ordered placed on file in the office of the City Clerk.

It was reported that \_\_\_\_\_ sealed bids for the purchase of said Bonds had been received from the following institutions at or before the time stated in the notice, and the bids were then publicly read and considered, and were all found to conform to the notice of sale and the terms and conditions of sale and to be accompanied by the required security, and the purchase price, interest rates and net interest cost under the terms of each bid were found to be as follows:

<u>Bidder</u>	<u>Purchase Price</u>	<u>Interest Rates</u>	<u>Net Interest Cost</u>
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Councilmember \_\_\_\_\_ then introduced the following resolution and moved its adoption:

RESOLUTION NO. \_\_\_\_\_

RESOLUTION RELATING TO \$335,000 GENERAL OBLIGATION CAPITAL NOTES OF 1990; AWARDING THE SALE, FIXING THE FORM AND DETAILS, AND PROVIDING FOR THE EXECUTION AND DELIVERY THEREOF AND LEVYING AD VALOREM TAXES FOR THE PAYMENT THEREOF

BE IT RESOLVED by the City Council (the Council) of the City of Falcon Heights, Minnesota (the City), as follows:

Section 1. Authorization and Sale.

1.01. Authorization. This Council has heretofore determined that it is necessary and expedient for the City to issue and sell its General Obligation Capital Notes of 1990 in the principal amount of \$335,000, \$4,185 of such amount representing interest as provided in Minnesota Statutes, Section 475.56, to finance the purchase of public safety equipment, road construction or maintenance equipment and other capital equipment having at least a 4-year useful life pursuant to Minnesota Statutes, Section 412.301. The obligations shall be general obligation negotiable securities denominated General Obligation Capital Notes of 1990, issued in the aggregate principal amount of \$335,000 (the Notes). The principal amount of the Notes does not exceed 0.25 percent of the market value of taxable property in the City.

1.02. Sale. Notice of sale of the Notes has been duly published and the Council has publicly received, opened and considered all sealed bids presented in conformity with the notice. The most favorable of such bids is ascertained to be that of \_\_\_\_\_ of \_\_\_\_\_, and associates (the Purchaser), to purchase the Notes at a price of \$\_\_\_\_\_ plus accrued interest on all Notes to the day of delivery and payment, and upon the further terms and conditions set forth in this resolution. It is hereby found and determined that said bid is reasonable and advantageous to the City, and the sale of the Notes is hereby awarded to said bidder.

1.03. Contract for Sale. The Mayor and City Clerk are authorized and directed to endorse an acceptance of both copies of the bid and to send one copy to the bidder. The City Clerk is directed to retain the good faith check of said bidder pending delivery of the Notes and payment therefor, and the

good faith checks of the other bidders shall be returned to them forthwith.

1.04. Issuance of Notes. All acts, conditions and things which are required by the Constitution and laws of the State of Minnesota to be done, to exist, to happen and to be performed precedent to and in the valid issuance of the Notes having been done, existing, having happened and having been performed, it is now necessary for this Council to establish the form and terms of the Notes, to provide security therefor and to issue the Notes forthwith.

Section 2. Form of Notes. The Notes shall be prepared in substantially the following form:

[Face of the Notes]

UNITED STATES OF AMERICA  
STATE OF MINNESOTA  
COUNTY OF RAMSEY

CITY OF FALCON HEIGHTS

GENERAL OBLIGATION CAPITAL NOTE OF 1990

<u>Rate</u>	<u>Maturity</u>	<u>Date of Original Issue</u>	<u>CUSIP</u>
		February 1, 1990	

REGISTERED OWNER:

SEE REVERSE FOR  
CERTAIN DEFINITIONS

PRINCIPAL AMOUNT:

DOLLARS

THE CITY OF FALCON HEIGHTS, Ramsey County, Minnesota (the City), acknowledges itself to be indebted and, for value received, hereby promises to pay to the registered owner named above, the principal amount specified above, on the maturity date specified above, with interest thereon from the date of original issue specified above, or the most recent interest payment date to which interest has been paid or duly provided for, at the annual rate specified above. Interest hereon is payable on February 1 and August 1 in each year, commencing August 1, 1990, to the person in whose name this Note is registered at the close of business on the 15th day (whether or not a business day) of the immediately preceding month. The interest hereon and, upon presentation and surrender hereof, the principal hereof are payable in lawful money of the United States of America by check or draft of American National Bank and Trust Company, in St. Paul, Minnesota, as Note Registrar, Transfer Agent and Paying Agent (the Note Registrar), or its successor designated under the Resolution described herein.

Additional provisions of this Note are contained on the reverse hereof and such provisions shall for all purposes have the same effect as though fully set forth hereon.

This Note shall not be valid or become obligatory for any purpose or be entitled to any security or benefit under the Resolution until the Certificate of Authentication hereon shall have been executed by the Note Registrar by manual signature of a person authorized to sign on its behalf.

IN WITNESS WHEREOF, the City of Falcon Heights, Ramsey County, State of Minnesota, by its City Council, has caused this Note to be executed by the facsimile signatures of the Mayor and the City Clerk and by a printed facsimile of the official seal of the City and has caused this Note to be dated as of the date set forth below.

Date of Authentication:

(Facsimile Signature)  
City Clerk

(Facsimile Signature)  
Mayor

(Facsimile Seal)

#### CERTIFICATE OF AUTHENTICATION

This is one of the Notes delivered pursuant to the Resolution mentioned within.

AMERICAN NATIONAL BANK AND TRUST  
COMPANY, as Note Registrar

By \_\_\_\_\_  
Authorized Representative

[Reverse of the Notes]

This Note is one of an issue in the aggregate principal amount of \$335,000 (the Notes), issued pursuant to a resolution adopted by the City Council on February 14, 1990 (the Resolution) to finance the purchase of public safety equipment, road construction or maintenance equipment and other capital equipment by the City, and is issued pursuant to and in full conformity with the provisions of the Constitution and laws of the State of Minnesota thereunto enabling, including Minnesota Statutes, Section 412.301 and Chapter 475. For the

full and prompt payment of the principal and interest on the Notes as the same become due, the full faith, credit and taxing power of the City have been and are irrevocably pledged. The Notes are issuable only as fully registered certificates, in denominations of \$5,000 or any multiple thereof, of single maturities. The Notes are payable on their respective stated maturity dates without option of prior payment.

The Notes have been designated by the City as "qualified tax-exempt obligations" pursuant to Section 265(b) of the Internal Revenue Code of 1986, as amended.

As provided in the Resolution and subject to certain limitations set forth therein, this Note is transferable upon the books of the City at the principal office of the Note Registrar, by the registered owner hereof in person or by his attorney duly authorized in writing upon surrender hereof together with a written instrument of transfer satisfactory to the Note Registrar, duly executed by the registered owner or his attorney; and may also be surrendered in exchange for Notes of other authorized denominations. Upon such transfer or exchange, the City will cause a new Note or Notes to be issued in the name of the transferee or registered owner, of the same aggregate principal amount, bearing interest at the same rate and maturing on the same date, subject to reimbursement for any tax, fee or governmental charge required to be paid with respect to such transfer or exchange.

The City and the Note Registrar may deem and treat the person in whose name this Note is registered as the absolute owner hereof, whether this Note is overdue or not, for the purpose of receiving payment and for all other purposes, and neither the City nor the Note Registrar shall be affected by any notice to the contrary.

IT IS HEREBY CERTIFIED, RECITED, COVENANTED AND AGREED that all acts, conditions and things required by the Constitution and laws of the State of Minnesota to be done, to exist, to happen and to be performed precedent to and in the issuance of this Note in order to make it a valid and binding general obligation of the City according to its terms have been done, do exist, have happened and have been performed in regular and due form as so required; that prior to the issuance hereof, the City has levied ad valorem taxes upon all taxable property within the City collectible in the years and amounts required to produce sums not less than five percent in excess of the principal of and interest on the Notes as such principal and interest respectively become due, and has appropriated the same to the sinking fund in the manner specified in Minnesota Statutes, Section 475.61; that, in the event of any accumulated



Notes. The Registrar shall transfer the remaining Note proceeds to or at the direction of the City.

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk

The motion for the adoption of the foregoing resolution was duly seconded by Councilmember \_\_\_\_\_, and upon vote being taken thereon, the following voted in favor thereof:

and the following voted against the same:

whereupon said resolution was declared duly passed and adopted, and was signed by the Mayor, whose signature was attested by the City Clerk.

1.103-14 and 1.103-15 of the Regulations, stating the facts, estimates and circumstances in existence on the date of issue and delivery of the Notes which make it reasonable to expect that the proceeds of the Notes will not be used in a manner that would cause the Notes to be arbitrage bonds within the meaning of the Code and Regulations.

Section 6. Official Statement. The Official Statement relating to the Notes, dated February 6, 1990, prepared and distributed on behalf of the City by Ehlers and Associates, Inc. is hereby approved. The officers of the City are hereby authorized and directed to execute such certificates as may be appropriate concerning the accuracy, completeness and sufficiency of the Official Statement.

Section 7. Authorization of Receipt of Note Proceeds and Payment of Certain Costs of Issuance of the Note. The Registrar is hereby authorized and directed, on the date of issuance and delivery of the Notes, to receive the Note proceeds and to pay from such proceeds the fees and expenses of the following persons in the following amounts incurred in connection with the issuance of the Notes upon receipt by the Registrar of a statement therefor:

<u>Payee</u>	<u>Service Performed</u>	<u>Amount</u>
Ehlers and Associates, Inc. Minneapolis, Minnesota	Financial Consultant	
Moody's Investors Service, Inc. New York, New York	Rating of Bonds	
American National Bank and Trust Company Saint Paul, Minnesota	Registrar and Paying Agent	

The claims of the above persons in the amounts set forth opposite the names of such persons are hereby approved and no further action of this Council shall be necessary in connection with the payment of such fees and expenses of issuance of the

5.03. Tax Covenant. The City covenants and agrees with the holders from time to time of the Notes that it will not take or permit to be taken by any of its officers, employees or agents any action which would cause the interest on the Notes to become subject to taxation under the Internal Revenue Code of 1986, as amended (the Code), and the Treasury Regulations promulgated thereunder (the Regulations), and covenants to take any and all actions within its powers to ensure that the interest on the Notes will not become subject to taxation under the Code and the Regulations.

5.04 Exemption from Rebate Requirement. For purposes of complying with the requirements of Section 148(f)(4)(C) of the Code relating to the exemption of certain small governmental units from the rebate requirements of the Code, the City represents that:

- (i) the City is a governmental unit with general taxing powers;
- (ii) the Notes are not "private activity bonds" as defined in Section 141 of the Code (Private Activity Bonds);
- (iii) ninety-five percent of the net proceeds of the Notes are to be used for the local governmental purposes of the City; and
- (iv) the aggregate face amount of all tax-exempt bonds (other than Private Activity Bonds) issued by the City in 1990 is not reasonably expected to exceed \$5,000,000.

Section 5.05. Interest Disallowance. The City hereby designates the Bonds as "qualified tax-exempt obligations" for purpose of Section 265(b) of the Code relating to the disallowance of interest expenses for financial institutions. The City represents that in calendar year 1990 it does not reasonably expect to issue tax-exempt obligations which are not private activity bonds (not treating qualified 501(c)(3) bonds under Section 145 of the Code as private activity bonds for purposes of this representation) in an amount in excess of \$10,000,000.

5.06. Arbitrage Certification. The Mayor and City Clerk, being the officers of the City charged with the responsibility for issuing the Notes pursuant to this resolution, are authorized and directed to execute and deliver to the Purchaser a certificate in accordance with the provisions of Section 148 of the Code, and Sections 1.103-13,

<u>Levy Year</u>	<u>Collection Year</u>	<u>Amount</u>
1990	1991	\$
1991	1992	
1992	1993	

The foregoing tax levies are such that if collected in full they will produce amounts at least 5% in excess of the sums needed to pay when due the principal of and interest on the Notes. Said tax shall be irrevocable as long as any of the Notes are outstanding and unpaid; provided, that the City reserves the right and power to reduce the levies in the manner and to the extent permitted by Minnesota Statutes, Section 475.61. If the money on hand in the Sinking Fund should at any time be insufficient to pay principal and interest due on the Notes, such amounts shall be paid from any other fund of the City and such other fund shall be reimbursed from the proceeds of all taxes levied pursuant to this resolution and all other moneys received for or appropriated to the payment of the Notes and interest thereon.

Section 5. County Auditor, Certification of Proceedings, Investment of Moneys and Arbitrage.

5.01. County Auditor Registration. The City Clerk is hereby authorized and directed to file a certified copy of this resolution with the County Auditor of Ramsey County, together with such other information as the County Auditor shall require, and to obtain from said County Auditor a certificate that the Notes have been entered on his bond register and the taxes described in Section 4.02 hereof have been levied as required by law.

5.02. Certification of Proceedings. The officers of the City and the County Auditor of Ramsey County are hereby authorized and directed to prepare and furnish to the purchaser of the Notes and to Dorsey & Whitney, Bond Counsel, certified copies of all proceedings and records of the City, and such other affidavits, certificates and information as may be required to show the facts relating to the legality and marketability of the Notes as the same appear from the books and records under their custody and control or as otherwise known to them, and all such certified copies, certificates and affidavits, including any heretofore furnished, shall be deemed representations of the City as to the facts recited therein.

representative of the Registrar. Notes of authentication on different Notes need not be signed by the same representative. The executed certificate of authentication on each Note shall be conclusive evidence that it has been authenticated and delivered under this resolution. When the Notes have been so executed and authenticated, they shall be delivered by the City Clerk to the Purchaser upon payment of the purchase price in accordance with the contract of sale heretofore made and executed, and the Purchaser shall not be obligated to see to the application of the purchase price.

#### Section 4. Security Provisions.

4.01. Sinking Fund. So long as any of the Notes are outstanding and any principal thereof or interest thereon unpaid, the City Clerk shall maintain a separate and special bookkeeping account designated as the "1990 Capital Notes Sinking Fund" (the Sinking Fund) to be used for no purpose other than the payment of the principal of and interest on the Notes and on such other capital notes of the City as have been or may be directed to be paid therefrom. The City irrevocably appropriates to the Sinking Fund (a) any taxes levied in accordance with this resolution, and (b) such other moneys as shall be received and appropriated to the Sinking Fund from time to time. If the balance in the Sinking Fund is at any time insufficient to pay all interest and principal then due on all bonds payable therefrom, the payment shall be made from any fund of the City which is available for that purpose, subject to reimbursement from the Sinking Fund when the balance therein is sufficient.

4.02. Full Faith and Credit. For the prompt and full payment of the principal of and interest on the Notes as the same respectively become due, the full faith, credit and taxing powers of the City shall be and are hereby irrevocably pledged. To provide money to pay the interest coming due on the Notes on August 1, 1990 and February 1, 1991, and the principal coming due on the Notes on February 1, 1991, the City in 1989 levied upon all taxable property in the City, a direct, general, ad valorem tax in the amount of \$\_\_\_\_\_ collectible in 1990. To provide moneys for the payment of principal and interest on the Notes coming due after February 1, 1991, there is hereby levied upon all of the taxable property in the City, a direct, general, ad valorem tax which shall be spread upon the tax rolls collectible in the years and in the amounts as follows, together with and as a part of other general taxes of the City:

destroyed Note has already matured or been called for redemption in accordance with its terms, it shall not be necessary to issue a new Note prior to payment.

(i) Authenticating Agent. The Registrar is hereby designated the authenticating agent for the Notes, within the meaning of Minnesota Statutes, Section 475.55, subdivision 1.

3.04. Appointment of Initial Registrar. The City hereby appoints American National Bank and Trust Company, as the initial Registrar. The Mayor and the City Clerk are authorized to execute and deliver, on behalf of the City, a contract with American National Bank and Trust Company, as Registrar. Upon merger or consolidation of the Registrar with another corporation, if the resulting corporation is a bank or trust company authorized by law to conduct such business, such corporation shall be authorized to act as successor Registrar. The City agrees to pay the reasonable and customary charges of the Registrar for the services performed. The City reserves the right to remove any Registrar upon thirty (30) days' notice and upon the appointment of a successor Registrar, in which event the predecessor Registrar shall deliver all cash and Notes in its possession to the successor Registrar and shall deliver the bond register to the successor Registrar. On or before each principal or interest due date, without further order of this Council, the City Clerk shall transmit to the Registrar, from the Sinking Fund described in Section 4.01 hereof, moneys sufficient for the payment of all principal and interest then due.

3.05. Redemption. The Notes are not subject to redemption prior to maturity.

3.06. Preparation and Delivery. The Notes shall be prepared under the direction of the City Clerk and shall be executed on behalf of the City by the signatures of the Mayor and the City Clerk, and shall be sealed with the official corporate seal of the City; provided that said signatures and the corporate seal may be printed, engraved, or lithographed facsimiles thereof. In case any officer whose signature, or a facsimile of whose signature, shall appear on the Notes shall cease to be such officer before the delivery of any Note, such signature or facsimile shall nevertheless be valid and sufficient for all purposes, the same as if such officer had remained in office until delivery. Notwithstanding such execution, no Note shall be valid or obligatory for any purpose or entitled to any security or benefit under this resolution unless and until a certificate of authentication on such Note has been duly executed by the manual signature of an authorized

(d) Cancellation. All Notes surrendered upon any transfer or exchange shall be promptly cancelled by the Registrar and thereafter disposed of as directed by the City.

(e) Improper or Unauthorized Transfer. When any Note is presented to the Registrar for transfer, the Registrar may refuse to transfer the same until it is satisfied that the endorsement on such Note or separate instrument of transfer is legally authorized. The Registrar shall incur no liability for its refusal, in good faith, to make transfers which it, in its judgment, deems improper or unauthorized.

(f) Persons Deemed Owners. The City and the Registrar may treat the person in whose name any Note is at any time registered in the bond register as the absolute owner of such Note, whether such Note shall be overdue or not, for the purpose of receiving payment of, or on account of, the principal of and interest on such Note and for all other purposes, and all such payments so made to any such registered owner or upon the owner's order shall be valid and effectual to satisfy and discharge the liability of the City upon such Note to the extent of the sum or sums so paid.

(g) Taxes, Fees and Charges. For every transfer or exchange of Notes, the Registrar may impose a charge upon the owner thereof sufficient to reimburse the Registrar for any tax, fee or other governmental charge required to be paid with respect to such transfer or exchange.

(h) Mutilated, Lost, Stolen or Destroyed Notes. In case any Note shall become mutilated or be lost, stolen or destroyed, the Registrar shall deliver a new Note of like amount, number, maturity date and tenor in exchange and substitution for and upon cancellation of any such mutilated Note or in lieu of and in substitution for any such Note lost, stolen or destroyed, upon the payment of the reasonable expenses and charges of the Registrar in connection therewith; and, in the case of a Note lost, stolen or destroyed, upon filing with the Registrar of evidence satisfactory to it that such Note was lost, stolen or destroyed, and of the ownership thereof, and upon furnishing to the Registrar of an appropriate bond or indemnity in form, substance and amount satisfactory to it, in which both the City and the Registrar shall be named as obligees. All Notes so surrendered to the Registrar shall be cancelled by it and evidence of such cancellation shall be given to the City. If the mutilated, lost, stolen or

The Notes shall be issuable only in fully registered form of single maturities. The interest thereon and, upon surrender of each Note at the principal office of the Registrar described herein, the principal amount thereof, shall be payable by check or draft issued by the Registrar. Each Note shall be dated by the Registrar as of the date of authentication

3.02. Interest Payment Dates. Interest on the Notes shall be payable on February 1 and August 1 in each year, commencing August 1, 1990 to the owners thereof as such appear of record as of the close of business on the fifteenth day of the immediately preceding month, whether or not such day is a business day.

3.03. Registration. The City shall appoint, and shall maintain, a bond registrar, transfer agent and paying agent (the Registrar). The effect of registration and the rights and duties of the City and the Registrar with respect thereto shall be as follows:

(a) Register. The Registrar shall keep at its principal corporate trust office a bond register in which the Registrar shall provide for the registration of ownership of Notes and the registration of transfers and exchanges of Notes entitled to be registered, transferred or exchanged.

(b) Transfer of Notes. Upon surrender to the Registrar for transfer of any Note duly endorsed by the registered owner thereof or accompanied by a written instrument of transfer, in form satisfactory to the Registrar, duly executed by the registered owner thereof or by an attorney duly authorized by the registered owner in writing, the Registrar shall authenticate and deliver, in the name of the designated transferee or transferees, one or more new Notes of a like aggregate principal amount and maturity, as requested by the transferor. The Registrar may, however, close the books for registration of any transfer after the fifteenth day of the month preceding each interest payment date and until such interest payment date.

(c) Exchange of Notes. Whenever any Note is surrendered by the registered owner for exchange, the Registrar shall authenticate and deliver one or more new Notes of a like aggregate principal amount and maturity, as requested by the registered owner or the owner's attorney duly authorized in writing.



ASSIGNMENT

FOR VALUE RECEIVED the undersigned hereby sells, assigns and transfers unto \_\_\_\_\_ the within Note and all rights thereunder, and hereby irrevocably constitutes and appoints \_\_\_\_\_ attorney to transfer the within Note on the books kept for registration thereof, with full power of substitution in the premises.

Dated: \_\_\_\_\_

PLEASE INSERT SOCIAL SECURITY OR OTHER IDENTIFYING NUMBER OF ASSIGNEE:

\_\_\_\_\_

NOTICE: The signature to this assignment must correspond with the name as it appears upon the face of the within Note in every particular, without alteration or enlargement or any change whatsoever.

Signature(s) must be guaranteed by a commercial bank or trust company or by a brokerage firm having a membership in one of the major stock exchanges.

Section 3. Terms, Execution and Delivery.

3.01. Maturities, Interest Rates, Denominations, Payment, Dating of Notes. The City shall forthwith issue and deliver the Notes, which shall be denominated "General Obligation Capital Notes of 1990" and shall be payable primarily from the Sinking Fund created in Section 4.01 hereof. The Notes shall be dated initially as of February 1, 1990, shall be issuable in the denomination of \$5,000 each or any integral multiple thereof, shall mature on February 1 in the years and amounts set forth below, and Notes maturing in such years and amounts shall bear interest from date of issue until paid at the rates per annum shown opposite such years and amounts as follows:

<u>Year</u>	<u>Amount</u>	<u>Rate</u>
1991	\$75,000	%
1992	85,000	
1993	85,000	
1994	90,000	



COUNTY AUDITOR'S CERTIFICATE AS TO  
REGISTRATION OF BONDS AND TAX LEVY  
CITY OF FALCON HEIGHTS, MINNESOTA

I, the undersigned, being the duly qualified and acting County Auditor of Ramsey County, Minnesota, hereby certify that there has been filed in my office a certified copy of a resolution of the City Council of the City of Falcon Heights, in said County, adopted February 14, 1990, awarding the sale, fixing the form and details and providing for the execution, delivery and security of \$335,000 General Obligation Capital Notes of 1990, of the City, to be dated, as originally issued, as of February 1, 1990, and levying taxes for the payment of principal of and interest on said Notes.

I further certify that said Notes have been entered on my bond register and that the tax required by law for payment of said Notes has been levied and filed as required by Minnesota Statutes, Section 475.61 to 475.63.

WITNESS my hand and official seal this \_\_\_\_ day of \_\_\_\_\_, 1990.

---

County Auditor

(SEAL)

Consent \_\_\_\_\_

Agenda Item: F-3

Policy X

CITY OF FALCON HEIGHTS

Meeting Date: 2/14/90

REQUEST FOR COUNCIL CONSIDERATION

ITEM DESCRIPTION:

AUTHORIZE THE ISSUANCE OF \$115,000 GENERAL OBLIGATION IMPROVEMENT BONDS FOR COSTS RELATED TO HAMLINE AVENUE IMPROVEMENT PROJECT.

SUBMITTED BY:

Jerry Gilligan, Bond Approving Attorney  
Steve Apfelbacher, Ehlers and Associates

REVIEWED BY:

Jan Wiessner

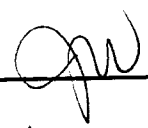
EXPLANATION/SUMMARY (attach additional sheets as necessary):

Attachments:

- 1. Resolution authorizing issuance of bonds.
- 2. Official statement - See F-2.

ACTION REQUESTED:

Adopt Resolution

  
\_\_\_\_\_

CERTIFICATION OF MINUTES RELATING TO  
\$115,000 GENERAL OBLIGATION IMPROVEMENT BONDS OF 1990

Issuer: City of Falcon Heights, Minnesota

Governing body: City Council

Kind, date, time and place of meeting: A regular meeting  
held on February 14, 1990, at 7:00 o'clock P.M., at the  
City Hall.

Members present:

Members absent:

Documents attached:

Minutes of said meeting (including):

RESOLUTION NO. \_\_\_\_\_

RESOLUTION RELATING TO \$115,000 GENERAL OBLIGATION  
IMPROVEMENT BONDS OF 1990; AWARDING THE SALE,  
FIXING THE FORM AND DETAILS AND PROVIDING FOR THE  
EXECUTION AND DELIVERY THEREOF AND SECURITY  
THEREFOR AND LEVYING AD VALOREM TAXES FOR THE  
PAYMENT THEREOF

I, the undersigned, being the duly qualified and acting recording officer of the public corporation issuing the obligations referred to in the title of this certificate, certify that the documents attached hereto, as described above, have been carefully compared with the original records of the corporation in my legal custody, from which they have been transcribed; that the documents are a correct and complete transcript of the minutes of a meeting of the governing body of the corporation, and correct and complete copies of all resolutions and other actions taken and of all documents approved by the governing body at the meeting, insofar as they relate to the obligations; and that the meeting was duly held by the governing body at the time and place and was attended throughout by the members indicated above, pursuant to call and notice given as required by law.

WITNESS my hand officially as such recording officer  
this \_\_\_\_ day of February, 1990.

\_\_\_\_\_  
Shirley G. Chenoweth, City Clerk

The City Clerk presented affidavits showing publication in a legal newspaper having general circulation in the City, and in a daily or weekly periodical published in a Minnesota city of the first class, which circulates throughout the state and furnishes financial news as a part of its service, of the notice of sale of \$115,000 General Obligation Improvement Bonds of 1990 of the City, bids for which are to be considered at this meeting in accordance with a resolution adopted by the City Council on January 10, 1990. The affidavits were examined and approved and ordered placed on file in the office of the City Clerk.

It was reported that \_\_\_\_\_ sealed bids for the purchase of said Bonds had been received from the following institutions at or before the time stated in the notice, and the bids were then publicly read and considered, and were all found to conform to the notice of sale and the terms and conditions of sale and to be accompanied by the required security, and the purchase price, interest rates and net interest cost under the terms of each bid were found to be as follows:

<u>Bidder</u>	<u>Purchase Price</u>	<u>Interest Rates</u>	<u>Net Interest Cost</u>
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Councilmember \_\_\_\_\_ then introduced the following resolution and moved its adoption:

RESOLUTION NO. \_\_\_\_\_

RESOLUTION RELATING TO \$115,000 GENERAL OBLIGATION IMPROVEMENT BONDS OF 1990; AWARDING THE SALE, FIXING THE FORM AND DETAILS AND PROVIDING FOR THE EXECUTION AND DELIVERY THEREOF AND SECURITY THEREFOR AND LEVYING AD VALOREM TAXES FOR THE PAYMENT THEREOF

BE IT RESOLVED by the City Council of the City of Falcon Heights, Minnesota (the City), as follows:

Section 1. Recitals, Authorization and Sale of Bonds.

1.01. Authorization. This Council has heretofore ordered a local improvement project (the Improvement), to be constructed within the City under and pursuant to Minnesota Statutes, Chapter 429. The present estimated total cost of the Improvement is as follows:

Project Costs.....	\$103,042
Costs of Issuance.....	5,800
Discount Allowance.....	1,725
Capitalized Interest.....	7,300
Subtotal.....	<u>\$117,867</u>
Less Interest Earnings.....	-2,867
Total.....	<u>\$115,000</u>

This Council hereby determines to issue and sell \$115,000 principal amount of General Obligation Improvement Bonds of 1990, of the City (the Bonds) to defray the expense incurred and estimated to be incurred by the City in making the Improvement, including every item of cost of the kinds authorized in Minnesota Statutes, Section 475.65, and \$1,725 representing interest as provided in Minnesota Statutes, Section 475.56.

1.02. Sale of Bonds. Notice of the sale of the Bonds was duly published as required by Minnesota Statutes, Section 475.60. Pursuant to the Notice of Bond Sale and the Terms and Conditions of Sale, \_\_\_\_\_ sealed bids for the purchase of the Bonds were received at or before the time specified for receipt of bids. The bids have been opened and publicly read and considered, and the purchase price, interest rates and net interest cost under the terms of each bid have been determined. The most favorable proposal received is that of \_\_\_\_\_, of \_\_\_\_\_, \_\_\_\_\_ (the Purchaser), to purchase the Bonds at a price of \$ \_\_\_\_\_, the Bonds to bear interest at the rates set

forth in Section 3.01 hereof. The proposal is hereby accepted, and the Mayor and the City Clerk are hereby authorized and directed to execute a contract on the part of the City for the sale of the Bonds with the Purchaser. The good faith checks of the unsuccessful bidders shall be returned forthwith.

1.03. Performance of Requirements. All acts, conditions and things which are required by the Constitution and laws of the State of Minnesota to be done, to exist, to happen and to be performed precedent to and in the valid issuance of the Bonds having been done, existing, having happened and having been performed, it is now necessary for this Council to establish the form and terms of the Bonds, to provide security therefor and to issue the Bonds forthwith.

1.04. Maturities of Bonds. The Council hereby finds that the maturities of the Bonds as set forth in Section 3.01 hereof are warranted by the anticipated collections of special assessments and ad valorem taxes levied and to be levied for the Bonds as provided in Section 4 hereof.

Section 2. Form of Bonds. The Bonds shall be prepared in substantially the following form:



[Face of the Bonds]

UNITED STATES OF AMERICA  
STATE OF MINNESOTA  
COUNTY OF RAMSEY

CITY OF FALCON HEIGHTS

GENERAL OBLIGATION IMPROVEMENT BONDS OF 1990

<u>Interest Rate</u>	<u>Maturity</u>	<u>Date of Original Issue</u>	<u>CUSIP</u>
		February 1, 1990	

SEE REVERSE  
FOR CERTAIN  
DEFINITIONS

REGISTERED OWNER:

PRINCIPAL AMOUNT:

DOLLARS

THE CITY OF FALCON HEIGHTS, Ramsey County, Minnesota (the City), acknowledges itself to be indebted and, for value received, hereby promises to pay to the registered owner named above, or registered assigns, the principal amount specified above, on the maturity date specified above, with interest thereon from the date of original issue specified above, or from the most recent interest payment date to which interest has been paid or duly provided for, at the annual rate specified above. Interest hereon is payable on February 1 and August 1 in each year, commencing August 1, 1990, to the person in whose name this Bond is registered at the close of business on the 15th day (whether or not a business day) of the immediately preceding month, all subject to the provisions referred to herein with respect to the redemption of the principal of this Bond before maturity. The interest hereon and, upon presentation and surrender hereof at the principal office of the Bond Registrar hereinafter designated, the principal hereof, are payable in lawful money of the United States of America by check or draft of American National Bank and Trust Company, in St. Paul, Minnesota, as Bond Registrar, Transfer Agent and Paying Agent (the Bond Registrar), or its successor designated under the Resolution described herein.

Additional provisions of this Bond are contained on the reverse hereof and such provisions shall for all purposes have the same effect as though fully set forth hereon.

This Bond shall not be valid or become obligatory for any purpose or be entitled to any security or benefit under the Resolution until the Certificate of Authentication hereon shall have been executed by the Bond Registrar by the manual signature of a person authorized to sign on its behalf.

IN WITNESS WHEREOF, the City of Falcon Heights, Ramsey County, Minnesota, by its City Council, has caused this Bond to be executed by the facsimile signatures of the Mayor and the City Clerk and by a printed facsimile of the official seal of the City and has caused this Bond to be dated as of the date set forth below.

Date of Authentication:

(Facsimile Signature)  
City Clerk

(Facsimile Signature)  
Mayor

(Facsimile Seal)

CERTIFICATE OF AUTHENTICATION

This is one of the Bonds delivered pursuant to the Resolution mentioned within.

AMERICAN NATIONAL BANK AND TRUST  
COMPANY, as Bond Registrar

By \_\_\_\_\_  
Authorized Representative

[Reverse of the Bonds]

This Bond is one of an issue in the aggregate principal amount of \$115,000 (the Bonds), issued pursuant to a resolution adopted by the City Council on January 10, 1990 (the Resolution), for the purpose of financing the costs of an improvement in the City (the Improvement), and is issued pursuant to and in full conformity with the provisions of the the Constitution and laws of the State of Minnesota thereunto enabling, including Minnesota Statutes, Chapters 429 and 475. The Bonds are payable primarily from the 1990 Improvement Bond Fund (the Fund) of the City. In addition, for the full and prompt payment of the principal and interest on the Bonds as the same become due, the full faith, credit and taxing power of the City have been and are hereby irrevocably pledged. The Bonds are issuable only as fully registered bonds in denominations of \$5,000 or any multiple thereof, of single maturities.

Bonds maturing in the years 1992 through 1996 are payable on their respective stated maturity dates without option of prior payment, but Bonds having stated maturity dates in 1997 and later years are each subject to redemption and prepayment, at the option of the City and in whole or in part, and if in part, in inverse order of maturities and in \$5,000 principal amounts selected by lot within a maturity, on February 1, 1996 and on any interest payment date thereafter, at a price equal to the principal amount thereof to be redeemed plus accrued interest to the date of redemption. At least thirty days prior to the date set for redemption of any Bond, notice of the call for redemption will be mailed to the Bond Registrar and to the registered owner of each Bond to be redeemed at his address appearing in the Bond Register, but no defect in or failure to give such mailed notice of redemption shall affect the validity of proceedings for the redemption of any Bond. Upon the partial redemption of any Bond, a new Bond or Bonds will be delivered to the registered owner without charge, representing the remaining principal amount outstanding.

The Bonds have been designated by the City as "qualified tax-exempt obligations" pursuant to Section 265(b) of the Internal Revenue Code of 1986, as amended.

As provided in the Resolution and subject to certain limitations set forth therein, this Bond is transferable upon the books of the City at the principal office of the Bond Registrar, by the registered owner hereof in person or by his attorney duly authorized in writing upon surrender hereof together with a written instrument of transfer satisfactory to the Bond Registrar, duly executed by the registered owner or his attorney; and may also be surrendered in exchange for Bonds of other authorized denominations. Upon such transfer or exchange, the City will cause a new Bond or Bonds to be issued in the name of the transferee or registered owner, of the same aggregate principal amount, bearing interest at the same rate and maturing on the same date, subject to reimbursement for any tax, fee or governmental charge required to be paid with respect to such transfer or exchange.

The City and the Bond Registrar may deem and treat the person in whose name this Bond is registered as the absolute owner hereof, whether this Bond is overdue or not, for the purpose of receiving payment and for all other purposes, and neither the City nor the Bond Registrar shall be affected by any notice to the contrary.

IT IS HEREBY CERTIFIED, RECITED, COVENANTED AND AGREED that all acts, conditions and things required by the Constitution and laws of the State of Minnesota to be done, to exist, to happen and to be performed precedent to and in the issuance of this Bond in order to make this Bond a valid and binding general obligation of the City according to its terms, have been done, do exist, have happened and have been performed in regular and due form as so required; that prior to the issuance hereof the City has levied or agreed to levy special assessments on property specially benefited by the Improvement and ad valorem taxes on all taxable property in the City, collectible in the years and amounts required to produce sums not less than 5% in excess of the principal of and interest on the Bonds as such principal and interest respectively become due, and has appropriated the same to the Fund in the manner specified in Minnesota Statutes, Section 429.091, Subdivision 4; that, to take care of any accumulated or anticipated deficiency in the Fund, additional ad valorem taxes are required by law to be levied upon all taxable property in the City without limitation as to rate or amount; and that the issuance of this Bond does not cause the indebtedness of the City to exceed any constitutional or statutory limitation.

[A copy of the opinion of Bond Counsel shall be printed on the Bonds, below which the following certificate shall appear.]

We certify that the above is a full, true and correct copy of the legal opinion rendered by Bond Counsel on the issue of Bonds of the City of Falcon Heights, Minnesota, which includes the within Bond, dated as of the date of delivery of and payment for the Bonds.

(Facsimile Signature)  
City Clerk

(Facsimile Signature)  
Mayor

The following abbreviations, when used in the inscription on the face of this Bond, shall be construed as though they were written out in full according to applicable laws or regulations:

TEN COM -- as tenants UNIF TRANS MIN ACT.....Custodian.....  
in common (Cust) (Minor)

TEN ENT -- as tenants  
by the entireties

JT TEN -- as joint tenants under Uniform Transfers to  
with right of Minors  
survivorship and Act.....  
not as tenants in  
(State) common

Additional abbreviations may also be used.

#### ASSIGNMENT

FOR VALUE RECEIVED the undersigned hereby sells, assigns and transfers unto \_\_\_\_\_ the within Bond and all rights thereunder, and hereby irrevocably constitutes and appoints \_\_\_\_\_ attorney to transfer the within Bond on the books kept for registration thereof, with full power of substitution in the premises.

Dated: \_\_\_\_\_

PLEASE INSERT SOCIAL SECURITY  
OR OTHER IDENTIFYING NUMBER  
OF ASSIGNEE:

\_\_\_\_\_

NOTICE: The signature(s) to this assignment must correspond with the name as it appears upon the face of the within Bond in every particular, without alteration, enlargement or any change whatsoever. Signature(s) must be guaranteed by a commercial bank or trust company or by a brokerage firm having a membership in one of the major stock exchanges.

Section 3. Bond Terms, Execution and Delivery.

3.01. Maturities, Interest Rates, Denominations, Payment, Dating of Bonds. The City shall forthwith issue and deliver the Bonds, which shall be denominated "General Obligation Improvement Bonds of 1990" and shall be payable primarily from the 1990 General Obligation Improvement Bond Fund of the City created in Section 4.02. The Bonds shall be dated initially as of February 1, 1990, shall be issuable in the denominations of \$5,000 or any integral multiple thereof, shall mature on February 1 in the years and amounts set forth below, and Bonds maturing in such years and amounts shall bear interest from February 1, 1990 until paid or duly called for redemption at the rates per annum set forth opposite such years and amounts, respectively:

<u>Year</u>	<u>Amount</u>	<u>Rate</u>	<u>Year</u>	<u>Amount</u>	<u>Rate</u>
1992	\$10,000		1997	\$10,000	
1993	10,000		1998	10,000	
1994	10,000		1999	15,000	
1995	10,000		2000	15,000	
1996	10,000		2001	15,000	

The Bonds shall be issuable only in fully registered form, of single maturities. The interest thereon and, upon surrender of each Bond at the principal office of the Registrar described herein, the principal amount thereof, shall be payable by check or draft issued by the Registrar. Each Bond shall be dated by the Registrar as of the date of its authentication.

3.02. Interest Payment Dates. Interest on the Bonds shall be payable on February 1 and August 1 in each year, commencing August 1, 1990, to the owners thereof as such appear of record in the bond register as of the close of business on the fifteenth day of the immediately preceding month, whether or not such day is a business day.

3.03. Registration. The City shall appoint, and shall maintain, a bond registrar, transfer agent and paying agent (the Registrar). The effect of registration and the rights and duties of the City and the Registrar with respect thereto shall be as follows:

(a) Register. The Registrar shall keep at its principal office a bond register in which the Registrar shall provide for the registration of ownership of Bonds and the registration of transfers and exchanges of Bonds entitled to be registered, transferred or exchanged.

(b) Transfer of Bonds. Upon surrender to the Registrar for transfer of any Bond duly endorsed by the registered owner thereof or accompanied by a written instrument of transfer, in form satisfactory to the Registrar, duly executed by the registered owner thereof or by an attorney duly authorized by the registered owner in writing, the Registrar shall authenticate and deliver, in the name of the designated transferee or transferees, one or more new Bonds of a like aggregate principal amount and maturity, as requested by the transferor. The Registrar may, however, close the books for registration of any transfer after the fifteenth day of the month preceding each interest payment date and until such interest payment date.

(c) Exchange of Bonds. Whenever any Bond is surrendered by the registered owner for exchange, the Registrar shall authenticate and deliver one or more new Bonds of a like aggregate principal amount, interest rate and maturity, as requested by the registered owner or the owner's attorney duly authorized in writing.

(d) Cancellation. All Bonds surrendered upon any transfer or exchange shall be promptly cancelled by the Registrar and thereafter disposed of as directed by the City.

(e) Improper or Unauthorized Transfer. When any Bond is presented to the Registrar for transfer, the Registrar may refuse to transfer the same until it is satisfied that the endorsement on such Bond or separate instrument of

transfer is valid and genuine and that the requested transfer is legally authorized. The Registrar shall incur no liability for its refusal, in good faith, to make transfers which it, in its judgment, deems improper or unauthorized.

(f) Persons Deemed Owners. The City and the Registrar may treat the person in whose name any Bond is at any time registered in the bond register as the absolute owner of such Bond, whether such Bond shall be overdue or not, for the purpose of receiving payment of, or on account of, the principal of and interest on such Bond and for all other purposes, and all such payments so made to any such registered owner or upon the owner's order shall be valid and effectual to satisfy and discharge the liability of the City upon such Bond to the extent of the sum or sums so paid.

(g) Taxes, Fees and Charges. For every transfer or exchange of Bonds (except for an exchange upon a partial redemption of a Bond), the Registrar may impose a charge upon the owner thereof sufficient to reimburse the Registrar for any tax, fee or other governmental charge required to be paid with respect to such transfer or exchange.

(h) Mutilated, Lost, Stolen or Destroyed Bonds. In case any Bond shall become mutilated or be lost, stolen or destroyed, the Registrar shall deliver a new Bond of like amount, number, interest rate, maturity date and tenor in exchange and substitution for and upon cancellation of any such mutilated Bond or in lieu of and in substitution for any such Bond lost, stolen or destroyed, upon the payment of the reasonable expenses and charges of the Registrar in connection therewith; and, in the case of a Bond lost, stolen or destroyed, upon receipt by the Registrar of evidence satisfactory to it that such Bond was lost, stolen or destroyed, and of the ownership thereof, and upon receipt by the Registrar of an appropriate bond or indemnity in form, substance and amount satisfactory to it, in which both the City and the Registrar shall be named as obligees. All Bonds so surrendered to the Registrar shall be cancelled by it and evidence of such cancellation shall be given to the City. If the mutilated, lost, stolen or destroyed Bond has already matured or been called for redemption in accordance with its terms, it shall not be necessary to issue a new Bond prior to payment.



(i) Authenticating Agent. The Registrar is hereby designated authenticating agent for the Bonds, within the meaning of Minnesota Statutes, Section 475.55, Subdivision 1.

3.04. Appointment of Initial Registrar. The City hereby appoints American National Bank and Trust Company, of St. Paul, Minnesota, as the initial Registrar. The Mayor and the City Clerk are authorized to execute and deliver, on behalf of the City, a contract with the Registrar. Upon merger or consolidation of the Registrar with another corporation, if the resulting corporation is a bank or trust company authorized by law to conduct such business, such corporation shall be authorized to act as successor Registrar. The City agrees to pay the reasonable and customary charges of the Registrar for the services performed. The City reserves the right to remove any Registrar upon thirty (30) days' notice and upon the appointment of a successor Registrar, in which event the predecessor Registrar shall deliver all cash and Bonds in its possession to the successor Registrar and shall deliver the bond register to the successor Registrar. On or before each principal or interest due date, without further order of this Council, the City Clerk shall transmit to the Registrar, from the 1990 Improvement Bond Fund described in Section 4.02, money sufficient for the payment of all principal and interest then due on the Bonds.

3.05. Redemption. Bonds maturing in the years 1992 through 1996 are payable on their respective stated maturity dates without option of prior payment, but Bonds maturing in 1997 and later years are each subject to redemption, at the option of the City and in whole or in part, and if in part, in inverse order of maturities and, within any maturity, in \$5,000 principal amounts selected by the Registrar by lot, on February 1, 1996 and on any interest payment date thereafter, at a redemption price equal to the principal amount thereof to be redeemed plus accrued interest to the date of redemption. At least thirty days prior to the date set for redemption of any Bond, the City shall cause notice of the call for redemption to be mailed to the Registrar and to the registered owner of each Bond to be redeemed, but no defect in or failure to give such mailed notice of redemption shall affect the validity of proceedings for the redemption of any Bond not affected by such defect or failure. The notice of redemption shall specify the redemption date, redemption price, the numbers, interest rates and CUSIP numbers of the Bonds to be redeemed and the place at which the Bonds are to be surrendered for payment, which is the principal office of the Registrar. Official notice of redemption having been given as aforesaid, the Bonds or portions thereof so to be redeemed shall, on the

redemption date, become due and payable at the redemption price therein specified and from and after such date (unless the City shall default in the payment of the redemption price) such Bonds or portions thereof shall cease to bear interest.

In addition to the notice prescribed by the preceding paragraph, the City shall also give, or cause to be given, notice of the redemption of any Bond or Bonds or portions thereof at least 35 days before the redemption date by certified mail or telecopy to the Purchaser and all registered securities depositories then in the business of holding substantial amounts of obligations of the character of the Bonds (such depositories now being The Depository Trust Company, of Garden City, New York; Midwest Securities Trust Company, of Chicago, Illinois; Pacific Securities Depository Trust Company, of San Francisco, California; and Philadelphia Depository Trust Company, of Philadelphia, Pennsylvania) and one or more national information services that disseminate information regarding municipal bond redemptions; provided that any defect in or any failure to give any notice of redemption prescribed by this paragraph shall not affect the validity of the proceedings for the redemption of any Bond or portion thereof.

Bonds in a denomination larger than \$5,000 may be redeemed in part in any integral multiple of \$5,000. The owner of any Bond redeemed in part shall receive without charge, upon surrender of such Bond to the Registrar, one or more new Bonds in authorized denominations equal in principal amount to be unredeemed portion of the Bond so surrendered.

3.06. Preparation and Delivery. The Bonds shall be prepared under the direction of the City Clerk and shall be executed on behalf of the City by the signatures of the Mayor and the City Clerk and shall be sealed with the official corporate seal of the City; provided that said signatures and the corporate seal may be printed, engraved, or lithographed facsimiles thereof. In case any officer whose signature, or a facsimile of whose signature, shall appear on the Bonds shall cease to be such officer before the delivery of any Bond, such signature or facsimile shall nevertheless be valid and sufficient for all purposes, the same as if such officer had remained in office until delivery. Notwithstanding such execution, no Bond shall be valid or obligatory for any purpose or entitled to any security or benefit under this Resolution unless and until a certificate of authentication on such Bond has been duly executed by the manual signature of an authorized representative of the Registrar. Certificates of authentication on different Bonds need not be signed by the same representative. The executed certificate of authentication on

each Bond shall be conclusive evidence that it has been authenticated and delivered under this Resolution. When the Bonds have been so executed and authenticated, they shall be delivered by the City Clerk to the Purchaser upon payment of the purchase price in accordance with the contract of sale heretofore made and executed, and the Purchaser shall not be obligated to see to the application of the purchase price.

#### Section 4. Security Provisions.

4.01. 1990 Improvement Construction Fund. There is hereby created a special bookkeeping fund to be designated as the "1990 Improvement Construction Fund" (hereinafter referred to as the Construction Fund), to be held and administered by the City Clerk separate and apart from all other funds of the City. The City appropriates to the Construction Fund (a) the proceeds of the sale of the Bonds, and (b) all collections of special assessments levied for the Improvement until completion and payment of all costs of the Improvement. The Construction Fund shall be used solely to defray expenses of the Improvements, including but not limited to the transfer to the Bond Fund, created in Section 4.02 hereof, of amounts sufficient for the payment of interest and principal, if any, due upon the Bonds prior to the completion and payment of all costs of the Improvement and the payment of the expenses incurred by the City in connection with the issuance of the Bonds. Upon completion and payment of all costs of the Improvement, any balance of the proceeds of Bonds remaining in the Construction Fund may be used to pay the cost, in whole or in part, of any other improvements instituted pursuant to the Act, as directed by the City Council, but any balance of such proceeds not so used shall be credited and paid to the Bond Fund.

4.02. 1990 Improvement Bond Fund. So long as any of the Bonds are outstanding and any principal of or interest thereon unpaid, the City Clerk shall maintain a separate and special bookkeeping fund designated "1990 Improvement Bond Fund" (hereinafter referred to as the Bond Fund) to be used for no purpose other than the payment of the principal of and interest on the Bonds and on such other improvement bonds of the City as have been or may be directed to be paid therefrom. The City irrevocably appropriates to the Bond Fund (a) the collections of special assessments and other funds to be credited and paid thereto in accordance with the provisions of Section 4.01, (b) any taxes levied in accordance with this resolution, and (c) all such other moneys as shall be received and appropriated to the Bond Fund from time to time. If the balance in the Bond Fund is at any time insufficient to pay all interest and principal then due on all bonds payable therefrom,

the payment shall be made from any fund of the City which is available for that purpose, subject to reimbursement from the Bond Fund when the balance therein is sufficient, and the Council covenants and agrees that it will each year levy a sufficient amount to take care of any accumulated or anticipated deficiency, which levy is not subject to any constitutional or statutory tax limitation.

4.03. Additional Bonds. The City reserves the right to issue additional bonds payable from the Bond Fund as may be required to finance costs of the Improvements not financed hereby; provided that the City Council shall, prior to the delivery of such additional bonds, levy or agree to levy by resolution sufficient additional special assessments and ad valorem taxes, if any, which, together with other moneys or revenues pledged for the payment of said additional obligations, will produce revenues at least five percent (5%) in excess of the amount needed to pay when due the principal and interest on all bonds payable from the Bond Fund. The additional special assessments, ad valorem taxes and moneys or revenues so pledged, levied or agreed to be levied shall be irrevocably appropriated to the Bond Fund in the manner provided by Minnesota Statutes, Section 475.61.

4.04. Levy of Special Assessments. The City hereby covenants and agrees that for payment of the cost of the Improvement it will do and perform all acts and things necessary for the full and valid levy of special assessments against all assessable lots, tracts and parcels of land benefited thereby and located within the area proposed to be assessed therefor, based upon the benefits received by each such lot, tract or parcel, in an aggregate principal amount not less than twenty percent (20%) of the cost of the Improvement. In the event that any such assessment shall be at any time held invalid with respect to any lot, piece or parcel of land, due to any error, defect or irregularity in any action or proceeding taken or to be taken by the City or this Council or any of the City's officers or employees, either in the making of such assessment or in the performance of any condition precedent thereto, the City and this Council hereby covenant and agree that they will forthwith do all such further acts and take all such further proceedings as may be required by law to make such assessments a valid and binding lien upon such property. The Council presently estimates that the special assessments shall be in the principal amount of \$\_\_\_\_\_ payable in not more than \_\_\_ installments, the first installment to be collectible with taxes during the year 19\_\_\_, and that deferred installments shall bear interest at the rate of not less than \_\_\_\_\_ percent (\_\_\_%) per annum from the date of the resolution levying said assessment until December 31 of the year in which the installment is payable.

4.05. Ad Valorem Taxes. The full faith and credit and taxing powers of the City are irrevocably pledged for the prompt and full payment of the principal of and interest in the Bonds as the same become respectively due. For the purpose there is hereby levied upon all of the taxable property of the City a direct, annual ad valorem tax, which shall be spread upon the tax rolls prepared in each of the following years and collected with other taxes in the following years and amounts as follows:

<u>Levy</u> <u>Year</u>	<u>Collection</u> <u>Year</u>	<u>Amount</u>
1990	1991	\$
1991	1992	
1992	1993	
1993	1994	
1994	1995	
1995	1996	
1996	1997	
1997	1998	
1998	1999	
1999	2000	

The foregoing tax levies are such that if collected in full they will produce at least five percent (5%) in excess of the amount needed to pay when due the principal of and interest on the Bonds. This tax shall be irrevocably appropriated to the Bond Fund as long as any of the Bonds are outstanding and unpaid; provided that the City reserves the right and power to reduce the levies in the manner and to the extent permitted by Minnesota Statutes, Section 475.61.

4.06. Full Faith and Credit Pledged. The full faith and credit of the City are irrevocably pledged for the prompt and full payment of the principal of and the interest on the Bonds, and the Bonds shall be payable from the Bond Fund in accordance with the provisions and covenants contained in this resolution. It is estimated that the special assessments and ad valorem taxes levied and to be levied for the payment of the Improvement will be collected in amounts not less than five percent (5%) in excess of the annual principal and interest requirements of the Bonds. If the money on hand in the Bond Fund should at any time be insufficient for the payment of principal and interest then due, this City shall pay the

principal and interest out of any fund of the City, and such other fund or funds shall be reimbursed therefor when sufficient money is available to the Bond Fund. If on October 1 in any year the sum of the balance in the Bond Fund plus the amount of taxes and special assessments theretofore levied for the Improvements and collectible through the end of the following calendar year is not sufficient to pay when due all principal and interest become due on all Bonds payable therefrom in said following calendar year, or the Bond Fund has incurred a deficiency in the manner provided in this Section 4.06, a direct, irrevocable, ad valorem tax shall be levied on all taxable property within the corporate limits of the City for the purpose of restoring such accumulated or anticipated deficiency in accordance with the provisions of this resolution.

Section 5. Defeasance. When any Bond has been discharged as provided in this Section 5, all pledges, covenants and other rights granted by this resolution to the holders of such Bonds shall cease, and such Bonds shall no longer be deemed outstanding under this Resolution. The City may discharge its obligations with respect to any Bond which is due on any date by irrevocably depositing with the Registrar on or before that date a sum sufficient for the payment thereof in full; or, if any Bond should not be paid when due, the City may nevertheless discharge its obligations with respect thereto by depositing with the Registrar a sum sufficient for the payment thereof in full with interest accrued to the date of such deposit. The City may also discharge its obligations with respect to any prepayable Bond called for redemption on any date when it is prepayable according to their terms, by depositing with the Registrar on or before that date a sum sufficient for the payment thereof in full; provided that notice of the redemption thereof has been duly given as provided in Section 3.05. The City may also at any time discharge its obligations with respect to any Bonds, subject to the provisions of law now or hereafter authorizing and regulating such action, by depositing irrevocably in escrow, with a bank qualified by law as an escrow agent for this purpose, cash or securities which are authorized by law to be so deposited, bearing interest payable at such times and at such rates and maturing on such dates as shall be required, without reinvestment, to pay all principal and interest to become due thereon to maturity or, if notice of redemption as herein required has been duly provided for, to such earlier redemption date.

Section 6. County Auditor Registration, Certification of Proceedings, Investment of Money, Arbitrage, Official Statement and Fees.

6.01. County Auditor Registration. The City Clerk is hereby authorized and directed to file a certified copy of this Resolution with the County Auditor of Ramsey County, together with such other information as the County Auditor shall require, and to obtain from said County Auditor a certificate that the Bonds have been entered on his bond register and the taxes described in Section 4.05 hereof have been levied as required by law.

6.02. Certification of Proceedings. The officers of the City and the County Auditor of Ramsey County are hereby authorized and directed to prepare and furnish to the Purchaser and to Dorsey & Whitney, Bond Counsel to the City, certified copies of all proceedings and records of the City, and such other affidavits, certificates and information as may be required to show the facts relating to the legality and marketability of the Bonds as the same appear from the books and records under their custody and control or as otherwise known to them, and all such certified copies, certificates and affidavits, including any heretofore furnished, shall be deemed representations of the City as to the facts recited therein.

6.03. Tax Covenant. The City covenants and agrees with the owners from time to time of the Bonds that it will not take or permit to be taken by any of its officers, employees or agents any action which would cause the interest on the Bonds to become subject to taxation under the Internal Revenue Code of 1986, as amended (the Code), and the Treasury Regulations promulgated thereunder (the Regulations), as such are enacted or promulgated and in effect on the date of issue of the Bonds, and covenants to take any and all actions within its powers to ensure that the interest on the Bonds will not become subject to taxation under such Code and Regulations.

6.04. Exemption From Rebate Requirement. For purposes of complying with the requirements of Section 148(f)(4)(C) of the Code relating to the exemption of certain small governmental units from the rebate requirements of the Code, the City represents that:

- (i) the City is a governmental unit with general taxing powers;
- (ii) the Bonds are not "private activity bonds" as defined in Section 141 of the Code (Private Activity Bonds);
- (iii) ninety-five percent of the net proceeds of the Bonds are to be used for the local governmental purposes of the City; and

- (iv) the aggregate face amount of all tax-exempt bonds (other than Private Activity Bonds) issued by the City in 1990 is not reasonably expected to exceed \$5,000,000.

6.05. Investment of Money on Deposit in the Bond Fund. After February 1, 1996 the City Clerk shall ascertain monthly the amount on deposit in the Bond Fund. If after February 1, 1996 the amount on deposit therein ever exceeds by more than \$5,750 the aggregate amount of principal and interest due and payable from the Bond Fund within the next succeeding 12 months, such excess shall be used to prepay and redeem Bonds or be invested at a yield less than or equal to the yield on the Bonds and the General Obligation Certificates of Indebtedness of 1990 of the City, based upon their amounts, maturities and interest rates on their date of issue, computed by the actuarial method. If any additional bonds are ever issued and made payable from the Bond Fund, the dollar amount in the preceding sentence shall be changed to equal 5 percent of the aggregate original principal amount of the bonds of all series, including the Bonds, of which any bonds are then outstanding and payable therefrom. The City reserves the right to amend the provisions of this Section at any time, whether prior to or after the delivery of the Bonds, if and to the extent that this Council determines that the provisions of this Section are not necessary in order to ensure that the Bonds are not "arbitrage bonds" within the meaning of Section 148 of the Code and Regulations.

6.06. Arbitrage Certification. The Mayor and the City Clerk, being the officers of the City charged with the responsibility for issuing the Bonds pursuant to this resolution, are authorized and directed to execute and deliver to the Purchaser a certification in accordance with the provisions of Section 148 of the Code, and Sections 1.103-13, 1.103-14 and 1.103-15 of the Regulations, stating the facts, estimates and circumstances in existence on the date of issue and delivery of the Bonds which make it reasonable to expect that the proceeds of the Bonds will not be used in a manner that would cause the Bonds to be arbitrage bonds within the meaning of the Code and Regulations.

6.07. Interest Disallowance. The City hereby designates the Bonds as "qualified tax-exempt obligations" for purpose of Section 265(b) of the Code relating to the disallowance of interest expenses for financial institutions. The City represents that in calendar year 1990 it does not reasonably expect to issue tax-exempt obligations which are not private activity bonds (not treating qualified 501(c)(3) bonds under Section 145 of the Code as private activity bonds for purposes of this representation) in an amount in excess of \$10,000,000.



6.08. Official Statement. The Official Statement relating to the Bonds, dated February 6, 1990, prepared and distributed on behalf of the City by Ehlers and Associates, Inc., is hereby approved. The officers of the City are hereby authorized and directed to execute such certificates as may be appropriate concerning the accuracy, completeness and sufficiency of the Official Statement.

6.09 Authorization of Receipt of Bond Proceeds and Payment of Certain Costs of Issuance of the Bonds. The Registrar is hereby authorized and directed, on the date of issuance and delivery of the bonds, to receive the Bond proceeds and to pay from such proceeds the fees and expenses of the following persons in the following amounts incurred in connection with the issuance of the Bonds upon receipt by the Registrar of a statement therefor:

<u>Payee</u>	<u>Service Performed</u>	<u>Amount</u>
Ehlers and Associates, Inc. Minneapolis, Minnesota	Financial Consultant	
Moody's Investors Service, Inc. New York, New York	Rating of Bonds	
American National Bank and Trust Company Saint Paul, Minnesota	Registrar and Paying Agent	

The claims of the above persons in the amounts set forth opposite the names of such persons are hereby approved and no further action of this Council shall be necessary in connection with the payment of such fees and expenses of issuance of the Bonds. The Registrar shall transfer the remaining Bond proceeds to or at the direction of the City.

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk

The motion for the adoption of the foregoing resolution was duly seconded by Councilmember \_\_\_\_\_, and upon vote being taken thereon, the following voted in favor thereof:

and the following voted against the same:

whereupon said resolution was declared duly passed and adopted, and was signed by the Mayor which signature was attested by the City Clerk.

Consent \_\_\_\_\_

Agenda Item: F-4

Policy X

CITY OF FALCON HEIGHTS

Meeting Date: 2/14/90

REQUEST FOR COUNCIL CONSIDERATION

ITEM DESCRIPTION:

FORESTER'S REPORT FOR YEAR 1989

SUBMITTED BY:

Linda Treeful, City Forester

REVIEWED BY:

Shirley Chenoweth

EXPLANATION/SUMMARY (attach additional sheets as necessary):


Attachment:

Copy of the Forester's Report

Dr. Treeful will be in attendance for the presentation and to answer any questions.

ACTION REQUESTED:

Information Only.

  
\_\_\_\_\_

January 31, 1990

To: Falcon Heights City Council members  
From: Linda Treeful, City Forester

RE: 1989 Report on the City of Falcon Heights Tree Program

In terms of trees, the year was an interesting one. The dramatic increase of Dutch elm disease in some cities like Minneapolis was not reflected in Falcon Heights. Twenty boulevard elms and 28 elms on private property were removed (Table 1), up slightly from 1988 (Table 2). Twelve trees, other than elms, were also marked and removed (Table 3).

I saw a number of unusual things including:

- (1) Leaf scorch on elms near the University tennis courts for the second year in a row and on a few other elms in the city. Scorch is caused by high temperatures and high winds and can be confused with Dutch elm disease.
- (2) An elm on Folwell with small, blackened leaves, caused by a fungus called sooty mold. Some might confuse the symptoms with Dutch elm disease.
- (3) Phytotoxicity or leaf death in a boulevard elm injected with Arbotect fungicide to protect the tree from Dutch elm disease. The symptoms on the tree could easily have been mistaken for Dutch elm disease.
- (4) A tree service injecting an elm at Harvest States with fungicide in April, 1989, before any leaves were present on the tree--a total waste of the company's money.
- (5) A boulevard tree tied up with plastic clothesline in an attempt to "shape" it.

Goals set for 1989 were achieved as follows:

- (1) Designation of Falcon Heights as a Tree City: the application is presently being reviewed;
- (2) Use of therapeutic pruning to save more Dutch elm diseased elms: six elms that were therapeutically pruned after July 1 appeared symptom free at the end of 1989. Their locations are 1834 Arona, 1349 Iowa, 1843 & 1747 Holton, 1526 & 1532 Crawford. Whether the pruning was totally successful in saving the trees won't be known until 1990. A University of Minnesota Plant Disease Clinic test indicated the fungus is still in one of the trees that was pruned;
- (3) Increase competition among tree services for the city contract: more letters (a total of 35) were sent out to tree services in St. Paul and Minneapolis than in 1988, however, only five tree services submitted bids;
- (4) Include more specific guidelines in the contract particularly with respect to emergency work and therapeutic pruning: this was done and the results were an improvement over 1988;
- (5) Establish better cooperation with the contracted tree service: although cooperation was better than in 1988, there is still room for improvement.

Other activities in 1989 included a major pruning effort to shape up the city's boulevard trees. About 194 boulevard trees were pruned with the aid

of seven U of MN forestry students who worked a total of 82.25 hours during April and May. The boulevard trees in the section of Falcon Heights bounded by Snelling, Hoyt, Larpenteur and Hamline were all pruned. A survey of the remainder of the city indicated about 185 more boulevard trees need pruning. These will be pruned during the spring of 1990 with the assistance of the same forestry students. The pruning effort is the main reason why my total hours worked rose from 47.5 in 1988 to 139 in 1989.

I attended a Tree Inspector Re-certification program sponsored by the Minnesota Department of Agriculture on April 1, 1989 held on the University of Minnesota St. Paul campus.

The routine aspects of the 1989 Tree Program are described on the enclosed Work Summary.

During 1990, I plan to complete boulevard tree pruning and establish a long range plan for pruning the boulevard trees. More emphasis will be placed on the Arbor Day celebrations.

Table 1. Summary of American Elm Tree (Ulmus americana) Removal in the City of Falcon Heights, 1989

DBH*	Number of Trees			Total
	Boulevard	Private	University+	
0.0 - 9.9"	5	6	2	13
10.0 - 19.9"	5	8	0	13
20.0 - 29.9"	7	13	0	20
≥ 30.0"	3	1	2	6
Total	20	28	4	52

\* Diameter Breast Height

+ Marked by City Forester and removed by University of Minnesota Grounds Maintenance personnel (Univ. personnel are responsible for marking & removing trees on University property)

Table 2. Summary of American Elm Tree Removal in the City of Falcon Heights from 1984 to 1989

Year	Number of Trees			Total
	Boulevard	Private	University+	
1984	49	64	-	113
1985	44	41	-	85
1986	37	28	-	64
1987	31	10	-	41
1988	19	26	3	48
1989	20	28	4	52

- + Only includes University trees marked by City Forester
- No figures are available for these years

Table 3. Other trees marked and removed in 1989

Tree	No. of Trees	Location	DBH*
Honey locust	3	Blvd.	5.75, 7 & 8.5
Lombardy poplar	4	1 Blvd./3 Private	15.5, 16, 24 & 29
Red maple	1	Blvd.	7
Mt. Ash	1	Private	16
Basswood	1	City park	2
Green Ash	1	Blvd.	2
Unidentified, dead	1	City park	3
Total	12		

\* Diameter Breast Height in inches

City of Falcon Heights  
1989 Tree Program -- Work Summary

- February \*Presented 1988 Tree Report at City Council meeting  
\*Mailed out bid letters to 35 tree services
- March \*Prepared tree replacement list (Vince/JAY)  
\*Chose a tree service from bids submitted
- April \*Ordered new trees (Vince/JAY)  
\*Attended Tree Inspector Re-Certification Workshop  
sponsored by the Minnesota Department of Agriculture  
\*Hired 8 forestry students to prune boulevard trees  
\*Pruning training for forestry students with Mike Zins,  
from the Minnesota Landscape Arboretum  
\*Supervised forestry student pruning of boulevard trees  
\*Pruned boulevard trees  
\*Firewood Inspection
- May \*Planted new and replacement trees (Vince/JAY)  
\*Supervised forestry student pruning of boulevard trees  
\*Pruned boulevard trees  
\*On site inspection and/or phone conversations regarding  
homeowner tree problems/questions
- June \*Tree Inspection for diseased elms  
\*On site inspection and/or phone conversations regarding  
homeowner tree problems/questions
- July \*Tree Inspection for diseased elms  
\*On site inspection and/or phone conversations regarding  
homeowner tree problems/questions
- August \*Tree Inspection for diseased elms  
\*On site inspection and/or phone conversations regarding  
homeowner tree problems/questions
- September \*Tree Inspection for diseased elms  
\*On site inspection and/or phone conversations regarding  
homeowner tree problems/questions
- October \*Compiled a list of boulevard trees needing pruning
- November \*Completed list of boulevard trees needing pruning
- December \*Compiled year end Tree Report

Consent \_\_\_\_\_

Agenda Item: F-5

Policy X

CITY OF FALCON HEIGHTS

Meeting Date: 2/14/90

REQUEST FOR COUNCIL CONSIDERATION

ITEM DESCRIPTION:

SCHEDULE PUBLIC HEARING ON ASSESSMENT OF UNPAID  
FALSE ALARM FEES

SUBMITTED BY:

Shirley Chenoweth

REVIEWED BY:

Jan Wiessner  
Tom Gedde

EXPLANATION/SUMMARY (attach additional sheets as necessary):

Dennis Hunt, owner of Bullseye Video/Tan Line, 1553 W. Larpenteur, presently owes a total of \$475.00 for unpaid false alarm fees. This spans a period of time from November, 1988 to the present. Mr. Hunt has received many statements plus letters urging him to take care of the matter in order that it would not be necessary to implement the assessment procedure. He has indicated that he cannot pay the fees.

The City Code does provide for assessment of these unpaid fees and we are recommending that the assessment procedure be started as soon as possible, especially in view of the possible sale of the property.

ACTION REQUESTED:

Schedule Public Hearing for March 14, 1990 at 8:00 P.M.

  
\_\_\_\_\_



Consent \_\_\_\_\_

Policy X

CITY OF FALCON HEIGHTS

Meeting Date: 2/14/90

REQUEST FOR COUNCIL CONSIDERATION

ITEM DESCRIPTION:

REQUEST FOR A CONDITIONAL USE PERMIT TO OPERATE AN OFF-SALE LIQUOR STORE AT 1559 W. LARPEN TEUR AVENUE

SUBMITTED BY:

Mr. James Kettner, Proprietor  
Mr. Dennis Hunt, Property Owner

REVIEWED BY:

Susan Hoyt Taff, City Planner  
Planning Commission  
Jan Wiessner

EXPLANATION/SUMMARY (attach additional sheets as necessary):

Mr. James Kettner, on behalf of the property owner Mr. Dennis Hunt, is requesting the Planning Commission to grant a conditional use permit for an off-sale liquor store at 1559 West Larpenteur Avenue (see Attachment A). Section 9-10.01, Sub-division 2(o) of the Zoning Code requires a conditional use permit for an off-sale liquor store in a B-2 zone.

Mr. Kettner plans to lease the vacant 1,977 square foot retail space in the west end of the Bullseye Shopping Center from the leasing agent, the Calhoun Company. He will be the proprietor of the store. A diagram of the interior store layout is attached (Attachment B). Mr. Kettner will operate the store with four to six part-time employees. The proposed hours of operation are: Monday through Friday, 8:00 A.M. to 8:00 P.M., Friday and Saturday, 8:00 A.M. to 10:00 P.M., Sunday, Closed.

BACKGROUND

You may recall that in May, 1989 Mr. Dennis Hunt requested a conditional use permit for a portion of this building for an off-sale liquor store with the possible addition of a deli/restaurant in the remaining space. Mr. Dennis Hunt withdrew his application for a conditional use permit because he had not paid his property taxes on the property, and, therefore, was not eligible for a municipal liquor license. These taxes are still outstanding. However, a recent City Council action allows a tenant in a building where the property taxes are delinquent to qualify for a municipal liquor license. (For example, the proprietor of the Chinatown Restaurant in the Bullseye Shopping Center renewed her wine license this year despite the delinquent taxes on the property.) Therefore, to the best of the City's knowledge to date, Mr. Kettner is eligible for a municipal liquor license. However, he cannot lease the vacant space for an off-sale liquor store operation without the City's approval of it as a conditional use. And, as you are well aware, a conditional use permit rests permanently with the property--not the proprietor of the store. Therefore, Mr. Kettner's request is made with the consent of the property owner, Mr. Hunt.

Page 2  
Request for Council Consideration  
Meeting Date: 2/14/90

**RELATED INFORMATION:**

The Bullseye Shopping Center property is currently for sale. According to Mr. Heimbuch of the Calhoun Companies, someone is close to purchasing the property.

The proposed liquor store is in a Tax Increment Financing District (TIF). Therefore, a return on the TIF investment through property taxes is important to the City. Filling a vacant space in the Bullseye Center with an appropriate use may improve the current owner's ability to pay the back taxes on the property and/or expedite the sale of the property.

As you may recall, an off-sale liquor store is tentatively included as a possible tenant in the preliminary PVI proposal for the southeast corner of Larpenteur/Snelling. This project is at a very preliminary stage in the development/TIF process. No final plans have been submitted to date.

**SITE CONSIDERATIONS:**

This proposal presents no obvious problems on this site. After several drive-bys at various hours, the parking area appears adequate to accommodate the additional, short-term customer parking generated by the proposed business. The required parking is included in the 99 spaces allocated to the 21,948 square feet of retail space in the Bullseye parking variance dated May, 1989.

Several years ago, an off-sale municipal liquor store was located adjacent to this site, where the Embers currently is. City staff is not aware of any conflicts between the municipal liquor store and the surrounding neighborhood during its operation. A checklist of general and special requirements for granting a conditional use permit for a liquor store in a B-2 zone - 9-15.04, Subdivisions 3(a) is attached. (See Attachment C). Because the proposed conditional use is already in an established shopping center, a number of the criteria are already met or not applicable. The proposed use should not be a major traffic generator nor create a parking problem.

When an applicant meets all of the conditions of the Zoning Code for a conditional use permit, the application must be granted.

**PUBLIC HEARING:**

One property owner, Mr. Don Grittner of 1718 Arona St. spoke at the public hearing. He expressed concern over the possibility of increased crime with the addition of a liquor store to the area.

Page 3  
Request for Council Consideration  
Meeting Date: 2/14/90

**RECOMMENDATIONS:**

The Planning Commission approved the conditional use permit for 1559 W. Larpenteur Avenue with the following conditions:

1. Hours of operation will be: Monday through Thursday, 8:00 A.M. - 8:00 P.M.  
Friday and Saturday, 8:00 A.M. - 10:00 P.M.
2. Meet all applicable city and state statutes and review the conditional use six months following the opening of the business and yearly thereafter.

**ACTION REQUESTED:**

1. Review and discuss
2. Approval of Conditional Use Permit

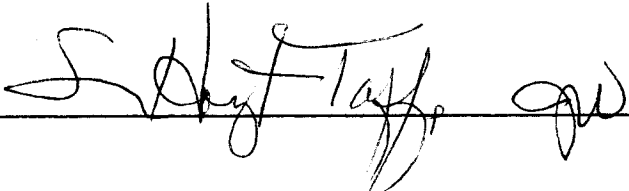
  
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FIGURE A: LOCATION MAP

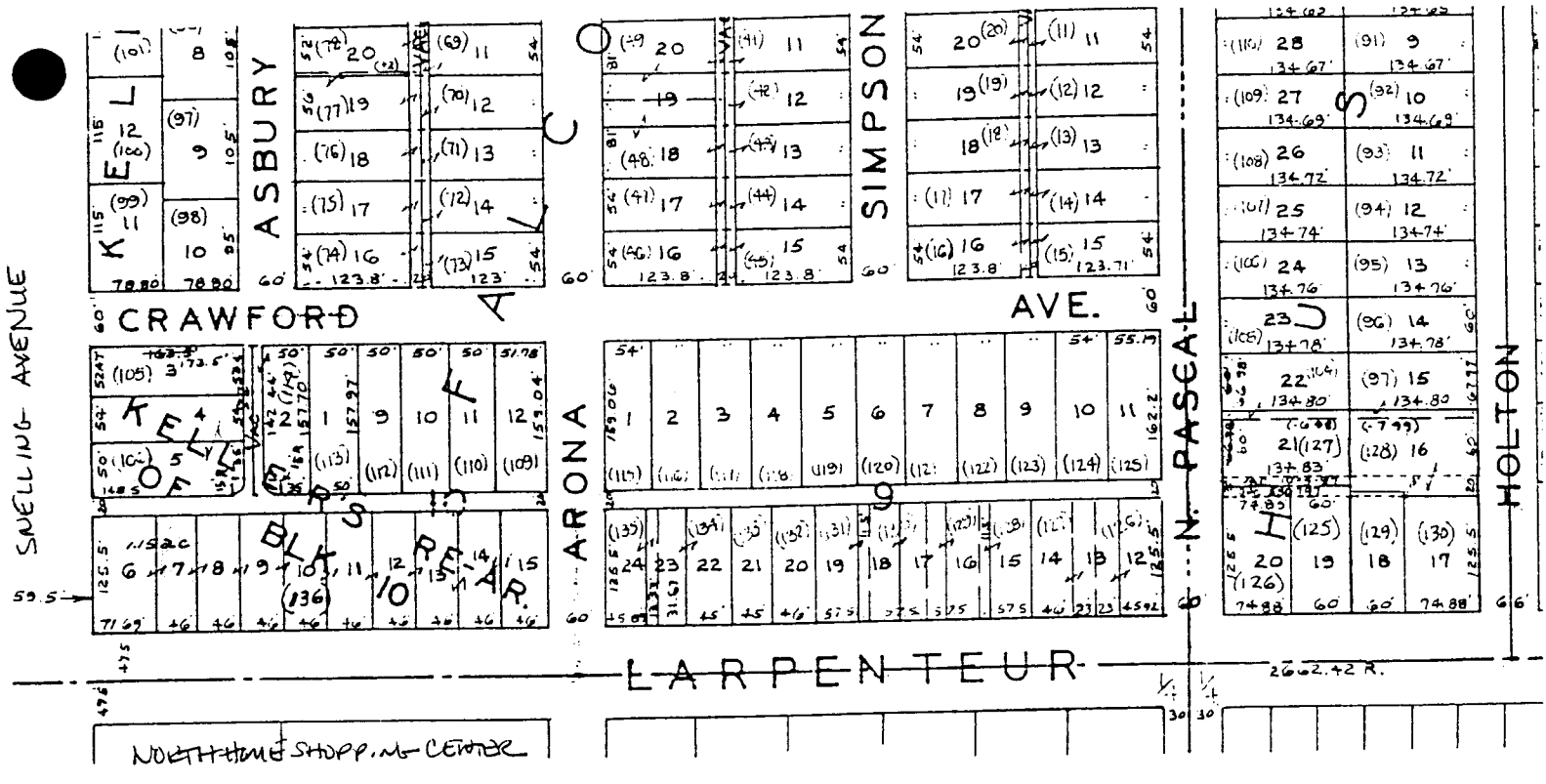
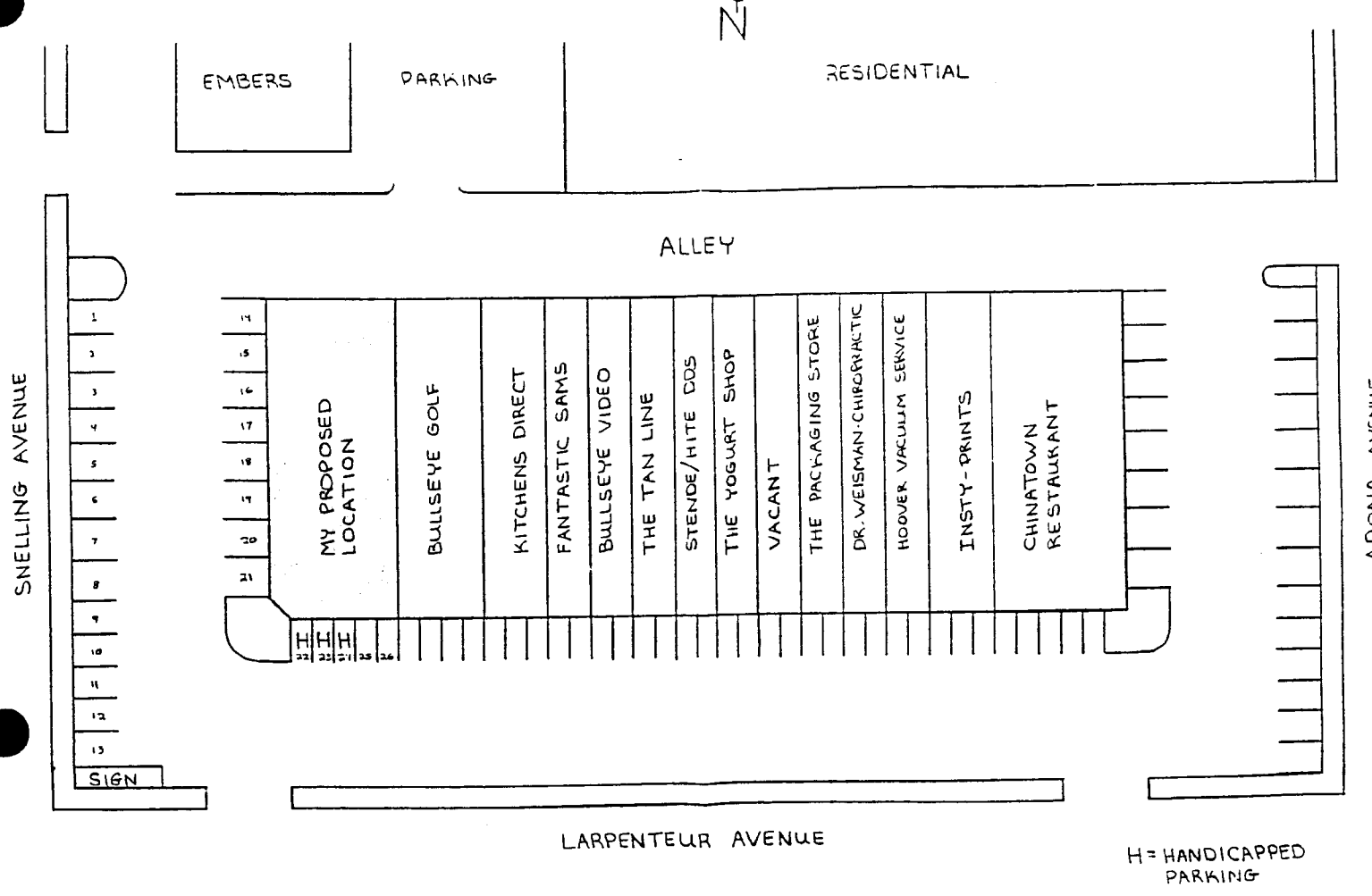


FIGURE B: LOCATION IN SHOPPING CENTER



GENERAL INFORMATION

Legal Name: J's Liquor  
 Legal Address: 1559 Larpenteur Ave. West  
 Falcon Heights, Mn. 55115

Business Owner: James Kettner  
 Home Address: 3255 Coachman Rd. #342  
 Eagan, Mn. 55121  
 Home Phone: 688-8509

Hours: Mon.-Fri. 8:00a.m. - 8:00p.m.  
 Sat. ~~8:00a.m.~~ <sup>10:00a.m.</sup> 8:00a.m. - 10:00p.m.

Square Footage: 1977 square feet

# of Employees: 4-6 part time

# of parking spaces: 27 (3 handicapped)

EXPECTED PEAK HOURS

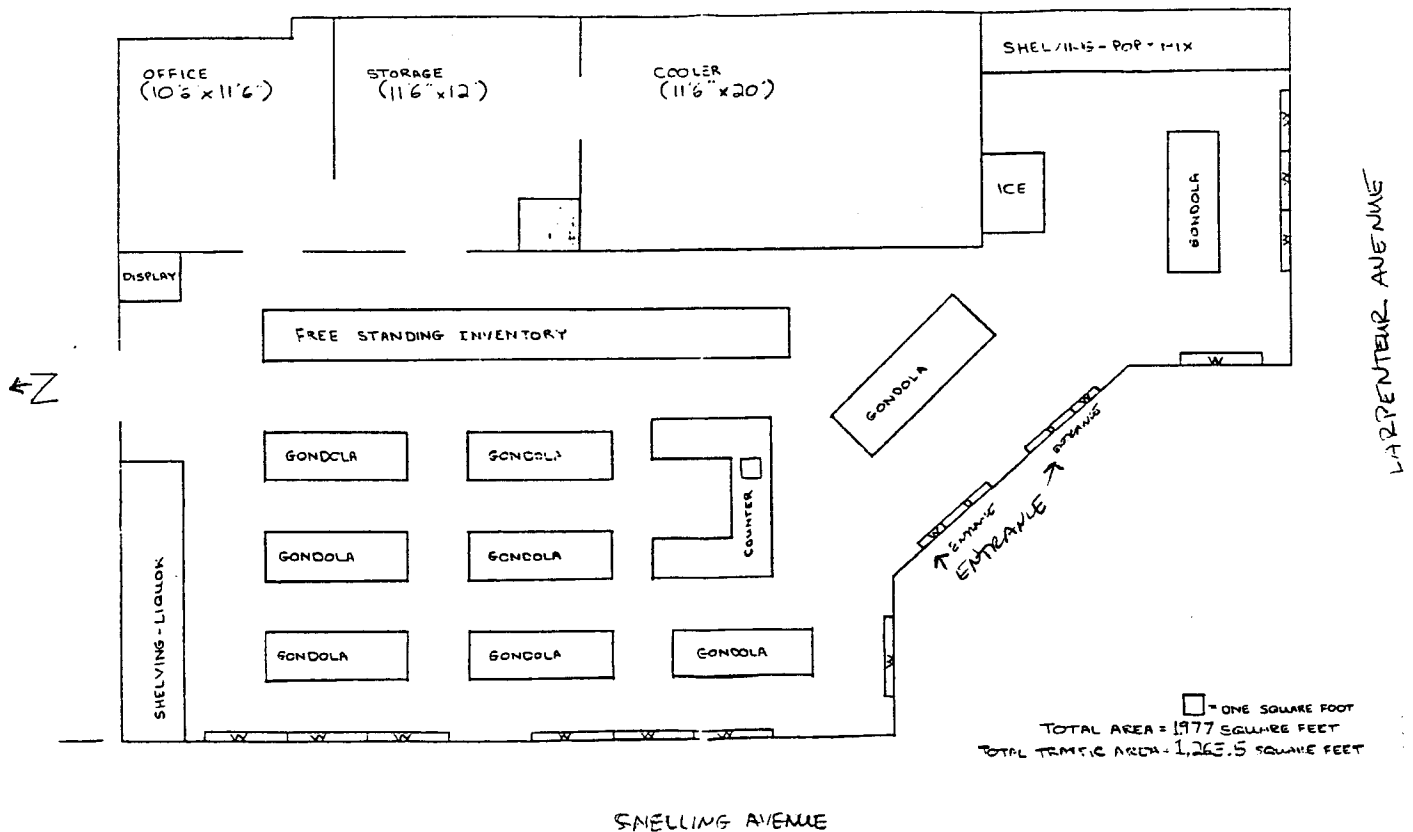
Monday - Friday: A slight increase may occur between the hours of 11:00 and 1:00 during lunch. For the most part, any peak hours will occur between the hours of 5:00p.m. and 8:00p.m. after work.

Friday - Saturday: The slight increase during lunch would still be possible. On Saturday, the peak hours would be more spread out during the day and at night, the peak hours may be extended to around 9:30.

Sunday: Closed

Keep in mind that these are estimates. Also, understand that over 60% of liquor purchases are impulse purchases that take 3 minutes or less so any traffic in the center will have a quick turnaround time.

FIGURE C: RETAIL LIQUOR STORE FLOOR PLAN.



a. General and Special Requirements: The Planning Commission and/or Council shall consider to what extent the applicant's plan minimizes possible adverse effects of the proposed conditional use, what modifications to the plan and what conditions on approval could further minimize the adverse effects of the proposed use. The following development standards shall be considered general requirements for all conditional use permits except as hereinafter provided:

- ✓ (1) The land area and setback requirements of the property containing such a use or activity meet the minimums established for the district.
- ✓ (2) When abutting a residential use, the property shall be screened and landscaped.
- ✓ (3) Where applicable, all City, county, state and federal laws, regulations and ordinances shall be complied with and all necessary permits secured.
- include in conditions  
+ (4) Signs shall not adversely impact adjoining or surrounding residential uses. (Need to review to meet the sign code.)
- ✓ (5) Adequate off-road parking and loading shall be provided. Such parking and loading shall be screened and landscaped from abutting residential uses.
- ✓ (6) The road serving the use or activity must be of sufficient design to accommodate the proposed use or activity, and such use or activity shall not generate such additional extra traffic as to create a nuisance or hazard to existing traffic or to surrounding land use.
- ✓ (7) All access roads, driveways, parking areas, and outside storage, service, or sales areas shall be surfaced or grassed to control dust and drainage.
- N/A (8) All open and outdoor storage, sales and service areas shall be screened from view from public streets and from abutting residential uses or districts.
- ✓ (9) All lighting shall be designed to prevent any direct source of light being visible from adjacent residential areas or from the public streets.
- ✓ (10) The use or activity shall be properly drained to control surface water runoff.
- ✓ (11) The architectural appearance and functional plan of the building and site shall not be so dissimilar to the existing buildings or area as to cause impairment in property values or constitute a blighting influence.
- ✓ (12) The proposed water, sewer and other utilities shall be capable of accommodating the proposed use.
- ✓ (13) That the proposed use conforms to the comprehensive municipal plan. Such a finding shall be based upon the following considerations:
  - (a) That certain uses may not be considered appropriate within the interior of residential neighborhoods because of noise, traffic, or other conditions that would tend to affect adversely the residential character of the neighborhood and possible reduce property values. These uses are considered appropriate only on the periphery of residential neighborhoods, or under such conditions as the Planning Commission may deem proper. The uses may represent "buffer" uses for those areas lying between single family dwellings and non-residential uses.
  - (b) That certain uses are considered, as a rule, unsuitable in Business Districts because of inherent business characteristics (e.g. traffic, noise, glare), proximity to residential areas, the fact that they tend not to serve residential areas, or may adversely affect nearby permitted business uses.

Consent \_\_\_\_\_

Agenda Item: F-7

Policy X

CITY OF FALCON HEIGHTS

Meeting Date: 2/14/90

REQUEST FOR COUNCIL CONSIDERATION

ITEM DESCRIPTION:

INVESTMENT POLICY

SUBMITTED BY:

Tom Kelly

REVIEWED BY:

Jan Wiessner

EXPLANATION/SUMMARY (attach additional sheets as necessary):

See the attached proposed investment policy and data. The purpose of an investment policy is to give guidelines to staff for investing the City's cash, assuring that the City earns the best possible return on investment while meeting bond and other obligations.

I have also included for your information an article from the December, 1989 Government Finance Review on the City of Tallahassee's policy.

This policy was discussed at a Council Workshop on June 14. Formal action has not been taken by the Council.

ATTACHMENTS:

- A. Proposed Investment Policy
- B. 1989 Investment Schedule
- C. Chart: Current Investments by Maturity
- D. Article re: Tallahassee Policy

ACTION REQUESTED:

Discuss and adopt Investment Policy

FALCON HEIGHTS INVESTMENT POLICIES

(PROPOSED)

A. Daily Cash Balance, Cash Forecasting, and Pooling of Investments

The City policy requires the pooling of all available cash and investing the total cash at the highest available rate. Efficient investment of funds starts with knowing what your cash is on a daily basis, and what your future cash needs will be, particularly for major bill paying times such as bond payment dates. This includes making weekly deposits of cash receipts and maintaining small balances in checking and savings accounts.

B. SAFETY OF PRINCIPAL

Safety of principal is the first priority in investing City funds. The City invests only in those investment instruments authorized by Statute. Minnesota Statutes Chapters 471.56 and 475.66 set forth the authorized investments for a municipality.

C. Authorized Investments

Examples of authorized investments are as follows:

1. Direct U.S. Government obligations
  - a. Treasury Bills
  - b. U.S. Treasury Certificates
  - c. Treasury Notes
  - d. Treasury Bonds
  - e. Treasury Strip Coupon
  - f. Treasury Receipt
2. Shares in investment companies whose only investments are U.S. Government and agency issues.
3. Obligations of the State of Minnesota.
4. Bankers acceptances of United States banks eligible for purchase by the Federal Reserve System.
5. Commercial Paper - rated A-1, P-1 and F-1 for maturities of 270 days or less.
6. Irrevocable Letter of Credit (LOC).
7. Interest bearing deposits - (Checking Accounts, CD's money market savings, ordinary savings) must be collateralized at a minimum of 110% of face value.



D. COLLATERALIZATION

All deposits in any bank, trust company, or thrift institution over \$100,000 must be collateralized.

Collateralization may be in the form of securities, or notes on first mortgages as outlined below.

Any collateral pledged to the City's account shall be accompanied by an assignment thereof to the municipality from the depository.

Collateral shall be deposited with the treasurer, and shall not be deposited in the bank, trust company, or thrift institution holding it.

Securities pledged as Collateral

The total amount of collateral computed at market value must be in an amount of at least 110% of all deposits over \$100,000.

Securities pledged may be obligations which are legally authorized investments for debt service funds under Minnesota Statutes Annotated 475.66, Subdivision 3, and qualified state and local government obligations acceptable to the City Accountant or City Administrator.

E. Scheduled Maturity

The City schedules a payroll twice a month and pays other claims every other week in conjunction with Council meetings. The City makes large bond principal and/or interest payments on February 1, March 1, June 1, August 1, and September 1 of each year. The other large claim is the Metropolitan Waste Control Commission bill which is due the first of each month. The City schedules its investments to mature with these dates when possible.

F. Liquidity

The City invests approximately 10-25 percent of its available funds in liquid instruments. These may be instruments such as Commercial Paper or collateralized Insured Savings Accounts (Money Market Accounts). The City will maintain small balances in checking and savings accounts. These balances will be to meet normal monthly payments, and payroll.

Therefore, the purpose of having part of the City's investment portfolio in liquid funds is to insure that funds could be available should unexpected large bills be presented for payments.

G. Local Investments

One hundred (100) percent of the total investment portfolio shall be invested in certificates of deposit or other instruments through banks or other financial institutions. These investments may be scheduled maturities, or they may be part of the investment strategy of securing maximum interest rates for part of the investment portfolio.

H. Maximum Interest Earnings

After the liquidity needs, and scheduled maturity needs are satisfied, the balance of these funds available for investment are placed with institutions that offer the highest rate of return consistent with the maturities as determined by the City. Quotations are taken by telephone for all investments, whether they are short or long term. These investments must be in authorized investments.

1. Specific Types of Investments

Instruments issued by the United States Government may be direct Treasury Obligations, or they may be obligations of a federal agency or federal instrumentality. All government issues are now in book entry form and are not registered to the owner. Principal and interest is credited directly to the bank and the owner of record. Some Examples are as follows:

United States Government Investments

## Direct United States Treasury Obligations:

- Treasury Bills
- Treasury Bonds
- Treasury Notes
- Certificates of Indebtedness
- Zero Coupon Treasuries

## Federal Agencies &amp; Instrumentalities:

- Federal Home Loan Banks
- Federal National Mortgage Association
- Federal Farm Credit System
- Federal Land Banks
  - (No New Issues)
- Federal Intermediate Credit Bank
  - (No New Issues)
- Banks for Cooperatives
  - (No New Issues)

Investments purchased at a discount & maturing at par

- FNMA Discount Notes
- Federal Farm Credit Bank, Discount Notes
- Federal Home Loan Bank, Discount Notes
- Commercial Paper
- Banker's Acceptance
- Treasury Bills
- Treasury Strip Coupon (\$1,000 denomination)
- Treasury Receipt (Larger Denomination)

Investments issued at par with interest coupons

- Treasury Bonds
- Treasury Notes
- Commercial Notes (GMAC)
- FNMA Debenture or Bond
- Federal Home Loan Bank Bond
- Federal Farm Credit System Wide Bonds

Further information on various types of United States Government Investments are as follows:

## TREASURY ISSUES

United States Treasury Certificates - These are coupon issues. They are issued at par and usually carry two coupons. They mature no more than one year after issue.

Treasury Bills - Offered each week by the Treasury Department with 90 to 182 day maturities.

Monthly Treasury Bills are offered with a maturing of one year. Widely traded and offered at a discount and maturing at par. May be purchased through dealer banks and bond brokers and sold to them.

Bills may be purchased directly from the Federal Reserve Bank of Minneapolis, in which case there is no service charge.

Treasury Notes - Issued with maturities of from two to ten years, minimum denomination is \$5,000. They carry coupons redeemable every six months.

Treasury Bonds - All new issues issued for periods of ten years or longer in denomination of \$1,000 to \$1,000,000. They carry semi-annual interest coupons. Some treasury bonds are callable by the government before maturity, and others have fixed maturities.

## FEDERAL AGENCY ISSUES

Federal Agency Issues are not guaranteed by the United States Government and therefore produce somewhat higher yields than Treasuries. The previous experience of the agency is important when investing in agencies.

Federal Home Loan Bank Notes - Issued by the Federal Home Loan Bank system, which are instrumentalities of the United States and are under the supervision of the Home Loan Bank Board.

Federal National Mortgage Association Debentures - (FNMA) - Payment of certificates are guaranteed by FNMA. Three types of securities are available, debentures, short-term notes, and participation certificates.

There may be additional funds which meet the State Auditor's criteria, which I do not have information on. If in doubt, contact the State Auditor's Office.

Obligations of the State of Minnesota or Minnesota Municipalities - Obligations of the State of other Municipalities are rarely used, as the yield is usually less than on United States Government obligations, because of tax considerations.

A City may invest idle funds in its own obligations, particularly in temporary improvement bonds authorized under the local improvement code Minnesota Statutes 429.091. These obligations must mature within three years.

Bankers Acceptances - Cities can invest in bankers acceptances of United States Banks eligible for purchase by the Federal Reserve System. These instruments typically are created from a letter of credit issued in a foreign trade transaction. Maturities on Bankers Acceptances run from 30 to 180 days, which the 90-day acceptance the standard. Historically, Bankers Acceptances have been a very safe investment vehicle.

Commercial Paper - Cities are authorized to invest in Commercial Paper issued by United States Corporations or their Canadian Subsidiary, if it is of the highest qualify (A1.P1 or better), and matures in 270 days or less. Commercial Paper is a short term unsecured promissory note. Commercial Paper is issued at a discount, and matures at par. One of the most important factors in determining whether an issuer's commercial paper is worthy, is the nature of the underlying bank line of credit. These credit lines are of four kinds:

1. Standard Line Agreements (when activated, converts to a standard bank note at a specific date.)
2. Swing Line (issuer may borrow one day and repay the next.)
3. Revolving Line (long term flexible line of credit virtually guaranteeing a bank loan at any time upon request by the issuer.)
4. Irrevocable Letter of Credit (a Financial institution guarantees unequivocally that funds will be available to redeem the commercial paper upon maturity. This is the most secure of the four.)

Federal Land Bank Notes and Bonds - Twelve Federal Land Banks were organized under the Federal Farm Loan Act to provide long term farm mortgages at reasonable cost. The banks operated under the general supervision of the Farm Credit Administration and the Secretary of Agriculture. (No new issues being issued.)

Federal Intermediate Credit Bank Debentures - The Federal Intermediate Credit Bank debentures ranged in maturity from 1-9 months, and were issued every month. They usually were not as marketable as Treasury Bills, but usually carried a little higher interest rate. Twelve Federal Intermediate Credit Banks were created under the Federal Farm Loan Act of 1923 and provide funds for seasonal production processing, etc. The banks are under the supervision of the Farm Credit Association, which is under the direction of the Secretary of Agriculture (No new issues being issued.)

Banks for Cooperatives - Debentures are issued for a maximum six month period. There are fewer of these types of issues than the other agency issues mentioned above. (No new issues being issued.)

Federal Farm Credit System Wide Bonds - These new investments replace Federal Land Bank Notes and Bonds, Federal Intermediate Credit Bank debentures, and Banks for Cooperatives. Because of market conditions, the majority are issued for short term periods, but may go up to three years.

#### OTHER INVESTMENTS

Shares in Investment Companies Whose Only Investments are United States Government and Agency Issues - Company must be registered under the Securities Act of 1933, whose shares are registered under the securities Act of 1940 (Mutual Funds) if the only investments of the Company are in obligations of the United States, or fully guaranteed by the United States or in obligations of Instrumentalities of the United States, such as those listed in Minnesota Statutes 475.66.

#### Funds Which the State Auditors Office has Indicated Meet State Investment Criteria -

Franklin Custodian Funds, Inc., United States Government Security Series Lord Abbett, United States Government Securities Fund (Lord Abbett), State Bond United States Government Securities, Inc., Capital Alliance Bond Fund United States Government Portfolio, Fidelity Institutional Cash United States Government Portfolio

Interest Bearing Deposits (CDs,) etc. - May be interest bearing checking accounts, money market savings account, CDs, and ordinary savings account. Bank or Savings & Loan must be named as a depository by the City, and all deposits over the \$100,000 Federal insurance must be collateralized.

(See separate section on collateralization.)

League of Cities - Money Market Fund - An alternative is to use the League of Cities program for the investment of your city's idle funds. An advantage is that you have the benefit of professional management. The League program offers a money market fund as well as the availability of Certificates of Deposit. For more information call 1-800-333-6000, ext. 6423, or (612) 342-64223.

Repurchase Agreements - Short term transactions involving the simultaneous sale of securities by the seller to the investor and the agreement by the seller to repurchase at a later date.

Overnight Repo - refers to those transactions whereby the repurchase occurs the next day. If properly handled, Repos offer an investment alternative.

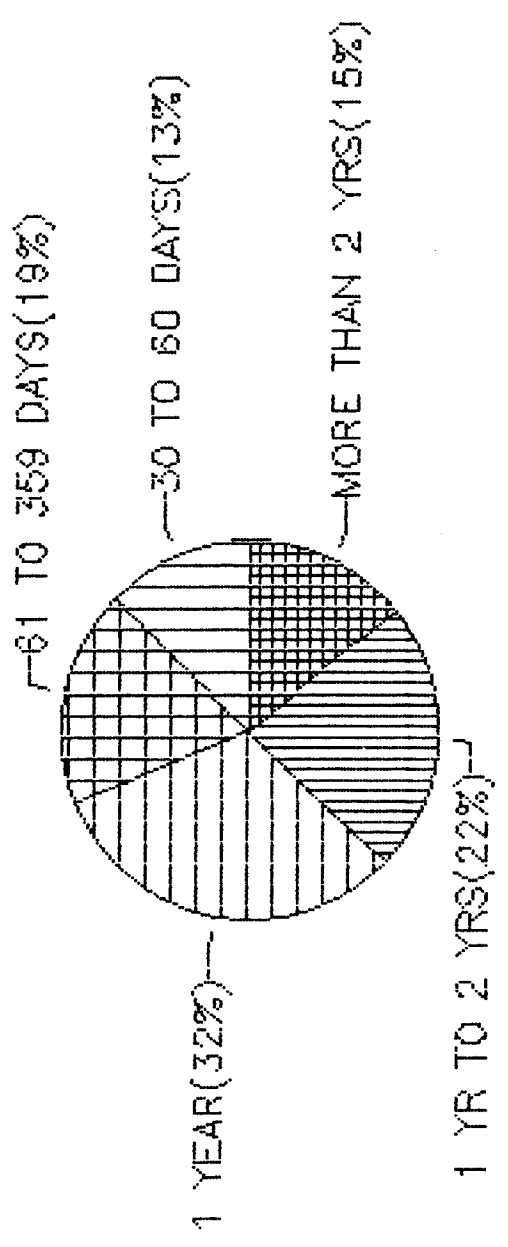
Government National Mortgage Association G.N.M.A. - a government guaranteed security. A Certificate represents a share in a pool of FHA or VA mortgages. A problem associated with GNMA's is that they are a long-term investment, and therefore subject to market fluctuations.

## 2. Support for Persons Doing the Investing

Financial institutions can exert tremendous pressure on the persons in smaller communities to place all of the City's funds with them. However, even a small fraction of one percent difference in interest earnings can make a substantial difference in the amount of interest earnings the City realizes.

It is, therefore, important that the person doing the investing be given the support from City Attorney, City Administrator, and Council, so that they can do the investment job in the most professional way. This means placing investment funds with the institution that gives the city the best return on its investment.

# INVESTMENT BY MATURITY (AS OF JANUARY 19, 1990)

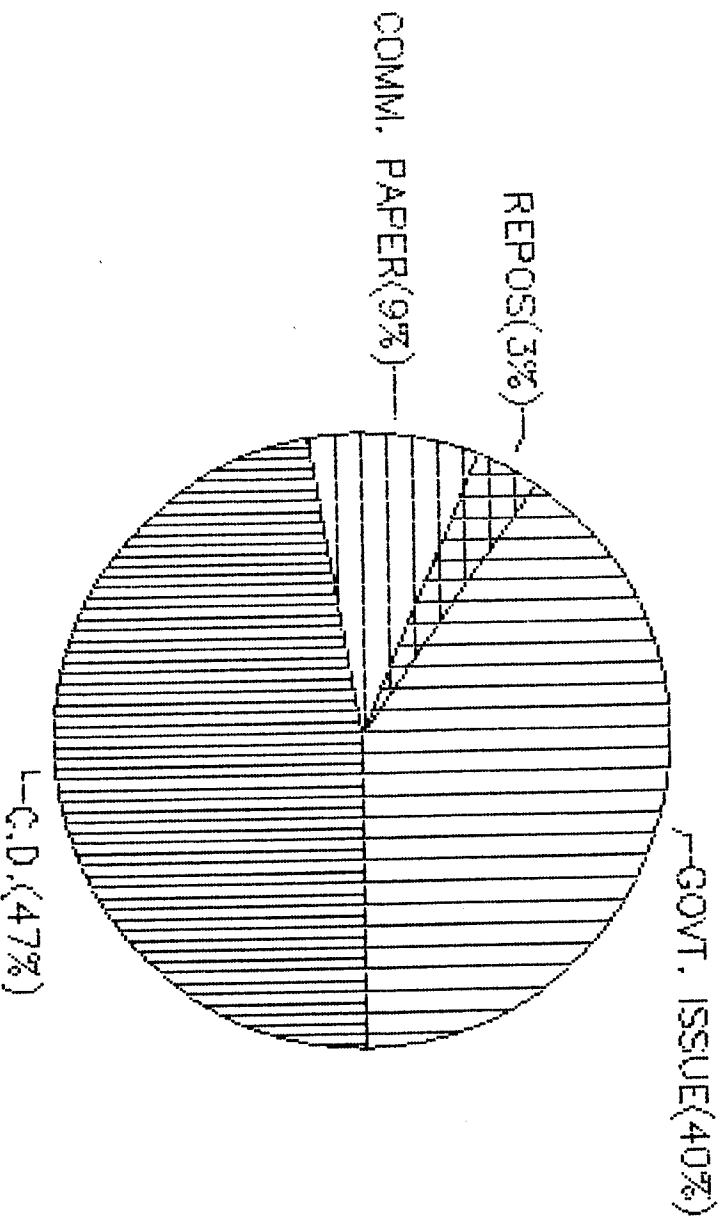




CURRENT 1989 INVESTMENT SCHEDULES

MATURITY DATE	PURCHASE DATE	INVESTED AT	INVESTMENT TYPE	INTEREST RATE	DAYS HELD	AMOUNT INVESTED	INTEREST ACCRUED
							.00
02,06,90	08,17,89	MARQUETTE	F.N.M.A	8.60	173	149784.87	6190.28
02,20,90	01,19,90	MARQUETTE	REPO	7.95	32	140000.00	989.33
02,26,90	01,09,90	AMERICAN NAT	C.P.	8.08	48	400000.00	4309.33
03,06,90	03,06,89	WITT FINANCE	C.D.	10.20	365	99000.00	10238.25
03,06,90	03,06,89	WITT FINANCE	C.D.	10.13	365	99000.00	10167.99
03,22,90	03,20,89	MERRILL LYNCH	C.D.	10.50	367	300000.00	32112.50
03,28,90	03,21,89	MERRILL LYNCH	C.D.	10.10	372	50000.00	5218.33
04,25,90	04,20,89	MERRILL LYNCH	C.D.	9.90	370	66000.00	6715.50
06,19,90	12,21,89	WITT FINANCE	C.D.	8.70	180	99000.00	4306.50
06,19,90	12,21,89	WITT FINANCE	C.D.	8.65	180	99000.00	4281.75
07,03,90	07,20,89	MARQUETTE	F.N.M.A.	8.38	348	460000.00	37240.83
09,24,90	09,29,89	1ST NATL ST PL	C.D.	8.73	360	643513.43	56178.72
09,24,90	09,29,89	1ST NATL ST PL	C.D.	8.35	360	65000.00	5427.50
10,01,90	09,29,89	WITT FINANCE	C.D.	8.75	367	50000.00	4460.07
10,10,90	10,10,89	MARQUETTE	C.D.	8.60	365	368324.00	32115.81
12,05,90	12,05,89	MARQUETTE	C.D.	8.40	365	92251.00	7856.71
02,15,91	01,09,90	AMERICAN NAT	TRS. NOTE	7.91	433	500000.00	47569.86
08,26,91	08,25,89	MARQUETTE	F.H.L.	8.60	730	200000.00	34877.78
11,10,92	12,05,89	MARQUETTE	F.N.M.A.	8.20	1071	425000.00	103678.75
				8.88	360.58	4305873.30	413935.79
			AVERAGE RATE		AVERAGE DAYS		TOTAL

# INVESTMENT PORTFOLIO (AS OF JANUARY 19, 1990)



# Three Pillars of Tallahassee's Winning Investment Policy

*Independent review of the city's investment practices, a comprehensive data collection and reporting effort, and well-defined benchmarks for evaluating investment performance support Tallahassee's integrated investment policy.*

By Robert B. Inzer and Linda B. Smith

*Editor's note: The Government Finance Officers Association's prestigious Awards for Excellence recognize contributions to the practice of government finance exemplifying outstanding financial management. This article describes the 1989 winning entry in the cash management category. The award was presented to officials from the City of Tallahassee, Fla., at GFOA's 1989 annual conference in Seattle, Washington.*

The times, they are a'changin! The 1980s has been a period of growth and maturity in municipal portfolio management. Previously, most local government's investment activity, exclusive of pension funds, was a sleepy back-office operation. Operating portfolios were, by and large, small; the investment instruments were limited to local certificates of deposit and U.S. government Treasury bills and notes; risk was minimal and return as percentage of total revenues was, for the most part, not significant.

With the advent of the high interest rate environment of the 70s, municipal portfolio managers became more aware of managing their cash flow to ensure every dollar was fully invested. At the same time, many municipal portfolios grew as local governments' activities expanded to meet state and federal mandates and citizen demands for new services. Later, in the 80s local governments had to search for ways to fill the breach created by the withdrawal of the federal government from many urban programs.

During this period, most governments bought their securities from either local banks or through a money center bank. It was not very long before these larger port-

folios caught the eye of the security brokers eager to expand their market. As interest rates rose and fell in concert with the U.S. economy moving through business cycles, municipal portfolio managers enjoyed earning higher returns, and when interest rates fell, looked for ways to maintain these higher returns.

A marriage occurred between securities dealers seeking to expand their market and portfolio managers willing to consider new investment alternatives with the promise of higher returns. Unfortunately, many of the municipal officials lacked the education and training to fully understand the risks they were assuming and, in some cases, the expertise to even perfect their security interest in these instruments. Compounding this situation was the fact that the local government investment manager was participating in an unregulated market.

The results for some of the less fortunate government officials became front page news, while many others, suffering millions of dollars in losses, have been able to recover from their mistakes without becoming a public issue. Although the 1985 collapse of E.S.M. Government Securities Inc. caught several local governments without collateral supporting their repurchase agreements and became a major media event, more money has been

lost by municipalities from speculating in the "when issued" market or purchasing securities with maturities beyond acceptable horizons than from the E.S.M.-type situations. These losses have not come as a result of corruption, kickbacks or even manager complacency, but more often than not, as a result of an over-zealous portfolio manager seeking greater returns in a market he or she did not fully understand and because of the failure to establish appropriate controls and to monitor the investment process.

## Investment Program: Background

During the past 15 years, the City of Tallahassee's investment program has been in a state of evolution. It began with no structured guidelines, no restrictions as to maturity or credit considerations and no identification of the level of risk the city was willing to assume. No formal efforts were made to evaluate the market, there were no criteria for measuring or evaluating the city's investment performance and no investment results were published. Investment instruments were limited to certificates of deposit and U.S. Treasury bills. An investment maturity schedule was selected without a market analysis by simply rolling over maturing investments into like instruments of comparable maturity. The accounting for interest was recorded on a cash flow basis only. Securities were carried at cost with no amortization/accretion of premiums or discounts, and the market value of the securities was deemed to be unimportant.

During those 15 years, many changes were taking place in the investment



### APPLICABILITY TO OTHER ENTITIES

The concepts embodied in the City of Tallahassee program are concepts that can be applicable to any jurisdiction. Certain components of the program would need to be modified to meet an entity's particular liquidity needs, level of risk tolerance and degree of staff expertise, but the concepts and the process are easily transferable. The complexity of the evaluation will be determined somewhat by the composition of a portfolio and the resources available with which to collect and analyze the data. The portfolio management system supporting the program must have the capability of calculating returns on a market-to-market basis, taking into consideration the amortization/accretion of premiums and discounts and also gains and losses on sale. The complexity of the performance evaluation process is governed by the number of classes in the portfolio profile and the corresponding number of indexes needed. This aspect of the process can be made as simple or as detailed as desired.

environment with the introduction of many new investment vehicles and increasing volatility of interest rates. Tallahassee began to respond to the changing environment by analyzing cash flow requirements and adjusting maturities to reflect these needs and the current investment environment. The city moved from investing only in U.S. Treasury bills and local certificates of deposit to building a portfolio that included commercial paper, banker's acceptances, repurchase agreements, U.S. direct and agency notes and bonds, and even corporate notes and bonds. Not only did the variety of instruments held by the city increase; the average maturity of the portfolio also grew. During this time, the size of the city's nonpension portfolio grew to its current level of \$285 million.

### Three Support Pillars

As both the investment environment and Tallahassee's own investment program evolved, staff recognized that controls needed to be put into place to protect the city's assets. An investment policy was adopted by the City Commission, as provided by state law, that defined the authorized investment vehicles to be utilized and established maturity and credit constraints. That policy alone did not provide a prudent level of protection, and

staff indicated that additional controls were needed to support the investment policy. Three additional controls or pillars were identified as necessary:

- an independent review process that utilized knowledgeable individuals not employed by the city;
- a reporting process capable of providing the data needed to support a comprehensive analysis; and
- benchmarks or tests to evaluate the effectiveness of the investment program.

**Review Process.** The first pillar was the creation of the Investment Advisory Committee. Consisting of three members of the local financial community appointed by and answerable directly to the City Commission, this committee meets with city staff on a regular basis to review the city's portfolio, provide input on market conditions, and recommend changes in the city's investment policy and program.

**Reporting.** The second pillar is multifaceted. In order to compile a report that provides information necessary for a comprehensive review of a portfolio's performance, an entity's portfolio management system must be able to capture data that enable it to compute a return based upon current market prices, amortization/accretion of premiums and discounts, and gains or losses on sales. This was accomplished through the purchase of a sophisticated portfolio management system operating on a personal computer. This system provides the accounting support needed, reporting and analysis opportunities, and market pricing and performance evaluation capabilities.

The format of the report, sufficient to effectively review and analyze the city's investment performance, evolved over time from input from the Investment Advisory Committee. Currently staff generates a quarterly report to the City Commission and the Investment Advisory Committee that summarizes the activity, structure and performance of all city portfolios. Exhibits 1 and 2 illustrate graphic presentations that are part of Tallahassee's regular reports.

**Performance Measurement Standards.** Performance measurement standards to gauge the effectiveness of the city's investment management program is the third pillar. The problem in creating this pillar was that there were no universally accepted benchmarks for measuring the performance of a public sector's operating portfolio. This was due, for the most part, to the diversity in portfolio maturities and instruments.

City staff recognized that measuring the performance of its portfolio against some randomly selected benchmark such as an index for Treasury bills, money market funds or state operated investment pools, did not provide an accurate picture of the effectiveness or efficiency of Tallahassee's investment program. Therefore, benchmarks and performance tests needed to be established that: 1) most closely tracked the maturity and structure of each portfolio; and 2) measured the effectiveness of shifts in the city's investment portfolio structure to reflect anticipated changes in interest rates. This process will be described in detail in the following sections.

### Creating Appropriate Benchmarks

The first step in creating performance measurement standards—the third pillar of Tallahassee's program—was a review of the city's investment policy and a historical analysis of actual portfolio positions. This review revealed that, due to the design of the investment policy and the stability in the size of the city's portfolio, there was continuity in the overall structure of the portfolio relative to maturity and credit characteristics. Therefore, staff was able to develop a profile of each portfolio by creating investment classes based on average maturity and credit characteristics. The following classes were determined to be representative of the city's operating portfolio.

- A. The liquidity portion of the portfolio consisting of securities with maturities of less than 90 days. The major portion of these securities will be commercial paper, banker's acceptances, repurchase agreements and a state-operated pooled fund.
- B. Securities with maturities of more than 90 days but not more than one year. This portion consisted predominantly of U.S. Treasury direct and agency bills, and notes (both discount and coupon).
- C. Corporate securities. This portion included commercial paper with maturities longer than 90 days, medium-term notes, bonds and other similar securities. The city's investment policy sets a maximum maturity of five years for corporate securities; the overall average maturity of these securities is two and one-half years. The lowest rating that can be held is A1/A+.
- D. The final portion is the balance of the

portfolio, consisting primarily of U.S. Treasury notes and bonds and agency notes and bonds. The city's investment policy sets a maximum maturity at purchase for U.S. Treasury securities at seven years and an overall average of three and one-half years. For agency securities, the maximum maturity is five years and the overall average two and one-half years.

These classes are used in the performance test, as described below, to evaluate Tallahassee's portfolio's performance for the current reporting period against market indexes selected to approximate the performance of a similarly constructed passive portfolio.

### A "Normal" Portfolio

Using these classes and analyzing the historical portfolio structure over a multi-year period, staff developed a "normal portfolio." This normal portfolio represents the structure of the portfolio in a market/economic environment of stable interest rates, a normal yield curve and a forecast of relatively stable interest rates. As identified through this method, the representative classes and percentages of the portfolio in each class are:

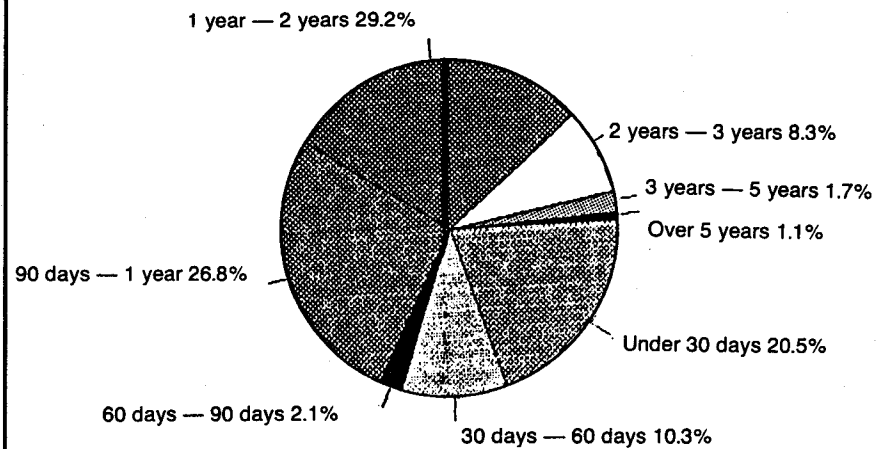
- E. 20 percent, assumed to be the percent of the portfolio in securities with maturities of less than 90 days.
- F. 25 percent, assumed to be the percent of the portfolio in securities with maturities of greater than 90 days but not more than one year.
- G. 15 percent, assumed to be the percent of the portfolio in corporate securities with maturities greater than one year and a total average maturity of not longer than two and one-half years.
- H. 40 percent, assumed to be the percent of the portfolio in U.S. government securities with maturities of greater than one year and a total average maturity of not longer than three and one-half years.

This normal portfolio is a static portfolio, based upon the city's liquidity needs and risk tolerance. It is used in the structure test to evaluate the decisions of staff in altering the portfolio structure in anticipation of or in response to changes in the direction of interest rates or other market forces.

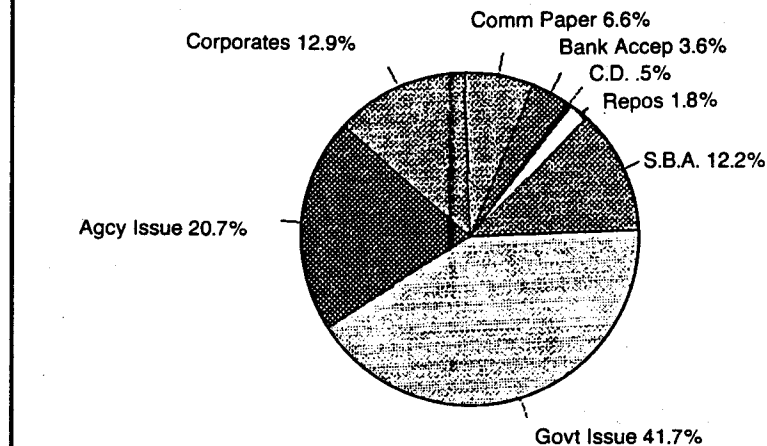
### Identification of Indexes

Once the investment classes were established, the next step was to identify the

**Exhibit 1  
DISTRIBUTION BY MATURITY  
MERGED GENERAL OPERATING PORTFOLIO AT 6/30/89**



**Exhibit 2  
DISTRIBUTION BY MARKET SECTOR  
MERGED GENERAL OPERATING PORTFOLIO AT 6/30/89**



market indexes that most closely approximated the structure of these categories. The identified indexes would be utilized in both the performance and the structure test, as described below. They needed to be indexes whose integrity the market recognized; they also needed to be readily available to city staff. The indexes identified by Tallahassee as providing a return most representative of the investment classes defined in Step 1 (A through D above) of this process are:

- I. Three-Month High Grade Commercial Paper Average Quarterly Return Index, Annualized, as provided by the Bloomberg Financial Markets Information Delivery System.
- J. 182-Day U.S. Treasury Bill Quarterly

Index, Annualized, as provided by Merrill Lynch Capital Markets Fixed Income Research Department.

- K. Short-Term (1-2.99 years) High and Medium Quality Corporate Index, Annualized, as provided by Merrill Lynch Capital Markets Fixed Income Research Department.
- L. Short-Term (1-2.99 years) Treasury Index, Annualized, as provided by Merrill Lynch Capital Markets Fixed Income Research Department.

### Development of Tests

Using these pieces of information, the investment classes and the market indexes identified, two measurement tests were

## COST

The ongoing costs of this program are related to the compilation, generation and review of the quarterly investment reports. Approximately 20 staff hours per quarter are utilized by the City of Tallahassee in the production, presentation and analysis of this report. Other significant expenses are the costs of the software used in the investment program and the information delivery system used for pricing the portfolio. Additional incidental costs are materials and supplies for the publication of the report, which depend on the size of the report and number published. Total labor, software, materials and information delivery system costs for the City of Tallahassee per quarter are estimated to be \$7,200.

If an entity were to use outside sources (brokers, banks, etc.) for pricing, the required staff hours would increase proportionately with the size of the portfolio.

developed. The tests were adopted as an attachment to the investment policy, with provisions for a review and updating by the Investment Advisory Committee as needed.

**Test I—Performance Test.** This test was constructed to analyze the performance of the city's portfolios as measured against the performance of passive portfolios with a similar structure of maturities and types of instruments. The purpose of this test is to determine the added value from active portfolio management *vs.* passive; it disregards value added or losses incurred in association with changes in portfolio structure. The calculation for the performance test is:

$$(A \times I) + (B \times J) + (C \times K) + (D \times L) = \text{Performance Index, where:}$$

A = Percent of portfolio in securities of less than 90 days maturity at end of quarter being evaluated.

B = Percent of portfolio in securities with maturities at the end of the quarter of more than 90 days but not more than 1 year.

C = Percent of portfolio in corporate securities at end of quarter being evaluated.

D = 100 percent less percentages from A, B and C above.

I, J, K and L = Market indexes identified above.

**Test II—Structure Test.** This test was constructed to test the value added through city staff's repositioning of a portfolio in anticipation of or in response to

movements in interest rates. The normal portfolio created earlier in this process, along with the market indexes identified, are used to perform this test. The calculation for the structure test is as follows:  $(E \times I) + (F \times J) + (G \times K) + (H \times L) = \text{Test II Index, where:}$

E, F, G and H = Classes identified above for normal portfolio.

I, J, K and L = Market indexes identified above.

Given the size and stability of the portfolio, Tallahassee has a much longer time horizon than generally found in most other government entities. Therefore, the city can take positions in the market based on the anticipated direction of interest rates. The structure test is designed to measure the effectiveness of staff in this area of tactical asset management and is particularly necessary for the city due to its longer investment horizon and the need for accountability for these investment decisions.

After computation of the performance and the structure tests, the results are then compared to the actual return of the portfolio for the period under review to determine the effectiveness of the city's investment management program.

## Conclusion

Tallahassee's investment policy has evolved during a decade and a half, spurred by a changing investment environment with its new investment vehicles and volatile interest rates. City officials recognized the need for controls and a sophisticated monitoring system if they were to realize a prudent level of protection for their growing portfolio. The resultant investment policy rests on three pillars which provide its support and strength: an independent review process, detailed reporting capabilities and standards for evaluating effectiveness.

The city's investment policy includes requirements and provisions for each of the three pillars to enhance the effectiveness of the policy. The policy creates the Investment Advisory Committee as a vehicle for independent review and sets up responsibilities for the committee in their relationship with city staff and appointed officials. Regular and comprehensive reporting is required, and the policy mandates the establishment of indexes to be utilized in the ongoing performance measurement of the city's portfolios.

City staff believes that, even though there are some minor flaws in the measurement tests related to the inability to capture and accurately reflect intraperiod changes in the portfolio, the investment policy together with the performance test helps Tallahassee achieve several very important goals.

- It transfers the responsibility for evaluating the performance from a lay board to an independent committee of qualified professionals.
- It provides an appropriate vehicle for evaluation—the quarterly report.
- It provides measurement standards with which to judge performance and insure accountability.

Public fund managers' primary responsibility always must be to preserve capital and, beyond that, to maximize return within an acceptable and defined level of risk. The City of Tallahassee's program, with its foundation of a strong investment policy enhanced and supported by comprehensive reporting, an intensive review process and applicable performance evaluation, allows sufficient latitude for the prudent maximization of return on the city's assets within a well-defined, acceptable exposure to risk. □

ROBERT B. INZER, *city treasurer-clerk of Tallahassee, has been with the city 17 years. He is a member of the GFOA Executive Board, has been a member of GFOA's cash management and debt committees, and is a past-president of the Florida GFOA.* LINDA B. SMITH, *investment officer in the Cash Management Division of the city treasurer's office, has been with the Tallahassee government 10 years and is an active member of both GFOA and the Florida association.*

Consent \_\_\_\_\_

Agenda Item: F-8

Policy X

CITY OF FALCON HEIGHTS

Meeting Date: 2/14/90

REQUEST FOR COUNCIL CONSIDERATION

ITEM DESCRIPTION:

TRAVEL POLICY

SUBMITTED BY:

Carol Carlson

REVIEWED BY:

Jan Wiessner

EXPLANATION/SUMMARY (attach additional sheets as necessary):

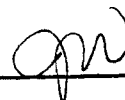
The proposed Travel Policy would establish uniform guidelines for all city related travel for city employees, commissioners, and paid and non-paid volunteers. This will eliminate potential inconsistencies in current policies and practices.

ATTACHMENT:

A. Proposed Travel Policy

ACTION REQUESTED:

Adopt Travel Policy



## TRAVEL POLICY

### Purpose

To provide for City officials, employees and volunteers to participate in local, metropolitan, regional and national meetings, conferences, programs and seminars that directly benefit the City of Falcon Heights; and to allow City personnel to perform job duties and responsibilities which require travel.

The following policies and procedures shall govern payment by the City of Falcon Heights City Officials (with the exception of elected officials), employees and volunteers for travel.

### Policy

All reimbursement is subject to approval. The City may authorize reimbursement of travel expense incurred by City Officials, volunteers and employees which serves a public purpose. The travel expense must be necessary, convenient and incurred solely and directly by the City Officials, employee or volunteer.

Employees shall be paid for meetings they attend as representatives of the City and for training required to carry out their City responsibilities with prior approval. Volunteer firefighters shall be paid at their training rate. Hourly employees shall be paid at their regular hourly rate. Salaried employees shall not receive additional compensation.

### Procedure

#### 1. Approval

- a. Employees. Employee and paid volunteer travel for specific events or functions requires prior approval by the employee's supervisor and the City Administrator.
- b. City Officials. Travel by Commission members, or other non-paid volunteers requires approval by the City Council.
- c. Routine Travel. In situations where routine travel is required as part of the job responsibilities, employees shall generally submit monthly claim requests and the City Administrator shall document approval in writing.



2. Travel Time. The City Administrator shall be responsible for determining the number of days allowed for travel by employees.
  - a. If a reduced air fare requires an employee to spend an additional non-workday in the destination city, and if the reduction in air fare totals more than the extra day's lodging and per diem, plus \$25, then the employee will be reimbursed for the extra day's lodging and per diem.
  - b. Any excess travel time, falling within the normally scheduled work week, shall be at the employee's own expense; i.e. vacation, holiday or leave without pay.
  - c. Travelers taking advantage of reduced air fare by staying longer than required by the conference or meeting should attach an explanation to their Travel Expense Report showing the savings to the City.
3. Travel Requests.
  - a. Over 50 miles or Requiring Overnight Travel. A travel request for a specific event or function over 50 miles from City Hall or requiring overnight travel shall be submitted to the supervisor on a Travel Expense Report (Attachment A). The supervisor shall submit the Travel Expense Report to the City Administrator for approval. Travel information must include destination, duration of stay, method of travel, estimated expenditures, amount of any requested advance payment and reason for travel. A copy of the registration and/or brochure must be attached to the Travel Expense Report.
  - b. One-Day Local Travel. Travel requests for one-day events or functions not requiring overnight travel, must be submitted to the supervisor on Personnel Action Forms. Expenses must be documented with receipts and turned in on Payment Expense Report for reimbursement.
4. Allowable Expenses.
  - a. Local Travel. Less than 50 miles from Falcon Heights and not requiring an overnight stay.
    1. Registration
    2. Actual Meal Cost, if not included in registration fee.
    3. Mileage Reimbursement.

b. Long Distance.

1. Registration
2. Lodging
3. Inter-City Transportation
4. Per Diem. (Includes meals, Intra-City Transportation, and miscellaneous expenses) adjusted for actual expenses upon return.

5. Reimbursement.

- a. Travel Advance. Travel advance checks in the amount identified on the Travel Expense Report will generally be processed in the City's payment cycle. Unused portions of a travel advance must be returned to the City with the Payment Request Form completed within three weeks of return.
- b. Payment Request Report. Upon return from travel to a specific event or function, the City official, employee or volunteer must complete a Payment Request Form within three (3) weeks to receive reimbursement.
- c. Documentation. Every reasonable effort must be made to obtain receipts for all reimbursable expenses. Documentation shall be in the form of cancelled checks, receipts, or other written confirmation.
- d. Personal Vehicle Use. Expenses incurred for use of personal vehicle for City business.
  - (1) Reimbursement requests for routine recurring expenses such as mileage to and from inspections, meetings and appointments using a private vehicle must be submitted to the supervisor on the City's Payment Request Form by the end of the calendar year.
  - (2) Employees must submit proof of insurance on automobile liability on an annual basis and update whenever insurance policy is changed or amended.
  - (3) Payment for mileage shall be based on a per mile basis at a rate established by the City Council unless otherwise agreed to by the City Council.
  - (4) In the event of ride-sharing, the appropriate percentage will be allowed. Mileage will be reimbursed at the current rate approved by

the City Council.

- e. Actual Expenses. Travel reimbursements shall be made to officials, employees and volunteers for actual expenses. No reimbursement shall be made to the employee or official unless the City receives documentation of expenses. Documentation shall include invoices, bills, and letters confirming registration or reservations for the meeting, conference, transportation or lodging accommodations.
- f. Travel Arrangements. Whenever possible, employees should utilize the services of the City or "event" designated travel agent or agency to ensure the most economical transportation and lodging arrangements.
- g. Per Diem.
  - 1. Per diem expenses shall be authorized only for travel to a destination in excess of 50 miles or requiring overnight travel.
  - 2. Actual costs, up to a maximum of \$35 for each day or fraction thereof, will be allowed for meals, and miscellaneous expenses such as phone calls, meal and hotel gratuities. Receipts are not required; however, only actual expenses are to be reimbursed and must be itemized on the Payment Request Form.

When meals are included in registration fees, or not otherwise allowed, the per diem allowance shall be reduced as follows:

Breakfast	\$4.00
Lunch	\$6.00
Dinner	\$10.00

The City Administrator shall develop a list of high cost cities on an annual basis and may authorize per diem expenses of up to \$50 for each day or fraction, for employees travel to those cities.

When meals are included in registration fees, or otherwise not allowed, the per diem allowance shall be reduced as follows:

Breakfast	\$6.00
Lunch	\$9.00
Dinner	\$15.00

- h. Lodging. Accommodations shall be selected based on

reasonable costs, available space, and convenience to the location of the event. City officials, employees and volunteers may claim only the actual and necessary cost of a single occupancy or one-half the cost of a double occupancy, whichever is used. Sharing of accommodations is encouraged, if appropriate.

Lodging expenses will be reimbursed for events as follows:

- (1) For the night prior to the event if it starts in the morning and there is no flight in at a reasonable time and/or if it is an unreasonable distance to drive.
- (2) For the night on the last day of an event if there is no flight out at a reasonable time and/or if it is an unreasonable distance to drive.

- i. Meals. Reimbursement for meals shall be at a reasonable cost. If the City official, employee or volunteer attends a meeting as a representative of the City and a meal is part of the meeting or event, the cost of the meal will be reimbursed to the employee, volunteer or official. In the event that meals are included with the registration or tuition fee, other charges for meals shall not be allowed.

Allowable meal costs include:

- (1) Breakfast if departure from Falcon Heights is prior to 8:00 A.M.
- (2) Dinner if arrival in Falcon Heights is after 7:00 P.M.
- (3) Three (3) meals per full day at an event over 50 miles from Falcon Heights or requiring overnight travel.

- j. Miscellaneous Costs.

- (1) Alcohol. No reimbursement shall be allowed for alcoholic beverages.
- (2) Telephone Use. Telephone calls of a business nature shall be allowed. A list of calls made, to whom, and reason must be submitted.
- (3) Other Expenses. Tips, registration, and supplies shall be reimbursed if required for the event. Cost of taxi fares, secretarial

services, copying and similar items necessary to performing City business shall be allowed.

Any violation or abuse of the provisions of this policy shall subject an employee to disciplinary action up to and including dismissal.



TRAVEL EXPENSE REPORT

DO NOT WRITE IN SHADED AREAS

FUND	Department:	ACCOUNT

Date Submitted: \_\_\_\_\_

Traveler:	Department:	Telephone Number:
Destination(s):		
Purpose of Trip:		
Start Trip: Date _____ Time _____		End Trip: Date _____ Time _____
		TOTAL WORK DAYS _____

ATTACH COPY OF CONFERENCE OR MEETING AGENDA OR LETTER FROM SUPERVISOR LISTING REGISTRATION FEE, MEALS INCLUDED, AND OFFICIAL STARTING AND ENDING DATES.

*ORIGINAL RECEIPTS (EXCEPT FOR PER DIEM) MUST BE ATTACHED TO RECEIVE CREDIT FOR EXPENDITURES.*

ITEM NUMBER	CATEGORIES	TRAVEL ADVANCE			REIMBURSEMENT	
		DATE	VOUCHER NO.	AMOUNT	REQUESTED	APPROVED
1.	Number of Days Authorized					
2.	Meals and Miscellaneous (actual expenses)				\$	\$
3.	Lodging - Single Room Rate			\$		
4.	Registration					
5.	Intercity Transportation					
6.	Intracity Transportation					
7.	TOTAL .....			\$	\$	\$

TOTAL PREPAYMENT AMOUNT	TOTAL REIMBURSEMENT AMOUNT	TOTAL TRAVEL EXPENSES
\$ _____	+ \$ _____	= \$ _____

NOTE: The above reimbursement amounts represent actual expenses which have not been paid or will not be submitted for payment by the city through any other billing process. All persons signing this form declare under penalties of law that the entries made or attested to herein are in accordance with the travel regulations of the CITY OF FALCON HEIGHTS

Traveler (print name):	Traveler Signature:	Date:
Departmental Approver (print name):	Departmental Approver Signature:	Date:
Final Claim Approver CITY ADMINISTRATOR (SIGNATURE)	DATE:	City Finance Officer/Designee Signature:
		Date:



1990 LIST OF HIGH COST AREAS

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The City's travel regulations effective \_\_\_\_\_ requires the City Administrator annually to develop a list of high cost cities for which department heads may authorize per diem expenses of up to \$50.00 per day. If no city is shown for a state, all cities within that state will qualify for increased per diem. All other areas will be considered at the \$35.00 per diem rate. Reimbursement for per diem is for authorized actual expenses up to the maximum amount allowed.

Arizona - Phoenix/Scottsdale  
California  
Colorado  
District of Columbia  
Florida - Ft. Lauderdale, Orlando,  
Tampa, St. Petersburg, Miami  
Georgia - Atlanta  
Illinois - Chicago  
Indiana - Indianapolis  
Kansas - Kansas City, Wichita  
Louisiana - New Orleans  
Maryland - Baltimore  
Massachusetts - Boston  
Michigan - Detroit  
Missouri - Kansas City, St. Louis  
Nevada - Las Vegas  
New Jersey - Atlantic City, Newark  
New York  
Ohio  
Oregon  
Pennsylvania - Philadelphia  
Rhode Island  
Texas - Austin, Dallas, Galveston, Houston,  
and San Antonio  
Utah - Salt Lake City  
Virginia  
Washington - Seattle  
Wisconsin - Madison, Milwaukee

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Consent \_\_\_\_\_

Agenda Item: F-9

Policy X

CITY OF FALCON HEIGHTS

Meeting Date: 2/14/90

REQUEST FOR COUNCIL CONSIDERATION

ITEM DESCRIPTION:

ETHICS POLICY FOR FALCON HEIGHTS PUBLIC OFFICIALS

SUBMITTED BY:

Carol Carlson

REVIEWED BY:

Jan Wiessner

EXPLANATION/SUMMARY (attach additional sheets as necessary):

Attached is Draft #2 of the proposed Ethics Policy for public officials. The first draft of the policy was presented to Council on August 9, 1989 in ordinance format.

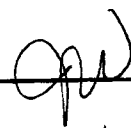
The policy addresses conflicts of interest, acceptance of gifts, disclosure of financial interests prior to discussion and voting, disclosure of confidential information, and solicitation of campaign funds. The proposed policy affects Council, Commissions, the City Administrator, Accountant, City Planner and City Clerk.

ATTACHMENT:

Draft #2 of Ethics Policy

ACTION REQUESTED:

Discussion

 \_\_\_\_\_

ETHICS POLICY FOR FALCON HEIGHTS PUBLIC OFFICIALS

Purpose. The purpose of this policy is to establish ethical standards of conduct for City Officials.

Policy. General Declaration of Policy. It is imperative that all persons acting in the public service not only maintain the highest possible standards of ethical conduct in their transaction of public business but that such standards be clearly defined and known to the public as well as to the persons acting in public service. The proper operation of democratic government requires that public officials be independent, impartial and responsible to the people; that governmental decisions and policies be made in the proper channels of the governmental structure; that public office not be used for personal gain; and that the public have confidence in the integrity of its government.

Section 1. Definition Of Terms.

"Direct financial interest" is defined as an interest as would involve a reasonable likelihood of gain having a monetary value of substance.

"Blood relationships" and "Marriage relations" are defined as immediate family relationships including: spouse, children, grandchildren, mother, father, father-in-law, mother-in-law, stepfather, stepmother, brother, sister, sister-in-law, and brother-in-law.

"Public Officials are defined as all public officials either elected, appointed, or employed by the City, who serve in a supervisory, decision-making or advisory capacity in the City of Falcon Heights.

This shall include the Mayor, members of the council, advisory commissions, committees, boards, consultants designated by the City Council from time to time to handle city matters (including the City Attorney and all members of his or her firm, the City Engineer and all members of his or her firm, City Administrator, City Clerk, City Accountant, as well as candidates for the offices of Mayor and City Council.

Section 2. Responsibilities of Public Office. Public officials are agents of public purpose and hold office for the benefit of the public. They are bound to uphold the

Constitution of the United States, the Constitution of the State; to impartially to carry out the laws of the nation, state and municipality; and to foster respect for government in general. They are bound to observe the highest standards of morality in their official acts and to discharge faithfully the duties of their office.

Section 3. Dedicated Service. All officials of the City shall be dedicated to fulfilling their responsibilities of office. They shall be dedicated to the public purpose and all programs developed by them shall be in the community interest.

Public officials shall not exceed their authority, breach the law or ask others to do so, and they shall work in full cooperation with other public officials and employees unless prohibited from doing so by law or by officially recognized confidentiality of their work.

Section 4. Fair and Equal Treatment.

A. Voting. If a council member, commission member or committee member has a financial interest in a business, investment, or transaction, which has a matter pending before the Council, commission or committee of which he or she is a member, he or she shall not participate in the discussion as such public official or vote on the matter. Whenever two or more members shall declare an interest in the matter as set forth, then every member of the City Council shall be required to vote on a zoning ordinance or other form of amendment to the City Zoning Code which requires a four-fifths favorable vote for approval and/or enactment (as prescribed by pertinent provisions of the state statutes for the State of Minnesota); provided that all of such required votes by members of the City Council shall only be cast and tallied following a full public discussion of the item being voted upon. During the course of the discussion every council member having either a direct financial interest or personal interest shall make a full disclosure of the same. All such disclosures shall also be made a matter of the public record along with the recording of the votes relating to the subject matter.

B. Disclosure Prior to Discussion. No person covered by this Code of Ethics shall take any official action with respect to a matter in which he or she has a direct financial interest or personal interest which arises from blood or marriage relationships; provided that participation in the

decision-making process on his or her own behalf as a private citizen shall not be prescribed by this Ethics Policy. He or she may participate in matters leading up to or preliminary to official action to the extent that he or she disclosed any such direct financial or personal interest he or she may have in the same and to the extent that he or she has no discretion to make a final controlling judgment or vote on the same. Disclosure of any such financial or personal interest shall be made to the council, board, commission or committee of which the person is a member when the item appears on the agenda. Such disclosure shall be recorded in the minutes and become a matter of public record

C. Disclosure of Confidential Information. No person covered by this Ethics Policy shall, without proper legal authorization, disclose confidential information concerning the property, government, or affairs of the City, nor shall he or she use such information to advance the financial or other private interest of any person

D. Acceptance of Gifts, etc.

(1) No person covered by this Ethics Policy shall directly or indirectly solicit any gift and/or service.

(2) Gifts of any size are unacceptable under circumstances in which it could be reasonably expected to influence him or her in the performance of his or her official duties, or is intended as a reward for any official action on his or her part.

(3) The following are examples of gifts and gratuities which may be acceptable:

- (a) Awards for meritorious civic service contributions;
- (b) Unsolicited items that are donated to and shared by the group;
- (c) Unsolicited advertising or promotional materials such as pens or calendars with a value under \$50.00;
- (d) Unsolicited gifts when the gift is in connection with widely attended gatherings such as receptions and grand openings where other dignitaries have been invited, and where the official or employee is invited in his or her

official capacity and where if he or she did not attend it would reflect negatively on the City.

E. Soliciting Election Campaign Funds. Public officials and staff covered by this policy shall not solicit funds from City employees for his or her campaign or any other campaign for public office.

F. Representing Other's Interests. No public official may represent a person or association before council, any committee, commission or agency of the City, nor shall he or she represent another's private interests in any action or proceeding against the interests of the City in which the City is a party.

G. Financial Gain from Sale, Lease or Contract. Except as specifically authorized by Section 471.88 of the Minnesota Statutes, no person covered by this Ethics Policy who is authorized to take part in any manner in making any sale, lease or contract in his or her official capacity shall have a direct financial interest in that sale, lease or contract or personally benefit financially from the sale.

Section 5. Handling Conflict of Interest Allegations. When the City receives a complaint of a conflict of interest involving officials other than the city council or the city administrator, then the city administrator shall conduct or coordinate the investigation and report the findings to the city council. In the event the allegations involve the city administrator, city attorney or city council, then the investigation shall be conducted by an investigator not directly involved in city matters.

Section 6. Public Disclosure by City Council. Within 30 days after the effective date of this Ethics Policy each person covered under this policy shall file, as a public record in the office of the City Clerk, a signed statement disclosing the following:

A. A list of the names of all business corporations, government agencies, companies, firms or partnerships or other business enterprises doing business with the City of Falcon Heights or at some location within the City of Falcon Heights

(1) with which he or she is connected as an employee, officer, owner, director, trustee, partner, advisor, consultant, fiduciary (other than as a nominee) or

(2) in which he or she has any continuing financial interest, through a pension or retirement plan, shared income, or otherwise, as a result of any, current or prior employment or business or professional association, or

(3) in which he or she has any financial interest through the ownership of stocks, bonds, or other securities.

B. A list of his or her interests in real property (except homestead) or rights in the same located within the City of Falcon Heights.

(1) Each person who files as a candidate to become a member of the City Council, at the time of filing as a candidate, shall also file the disclosure statement required by this section.

(2) Within 30 days after each anniversary date of an initial filing, each person required to file under this section shall file a new disclosure statement.

(3) Material changes in financial interest or in positions held shall be disclosed by filing an amended disclosure statement within 30 days after such interest is obtained or such change in position occurs.

C. This Ethics Policy shall not be construed to require the filing of any information relating to any person's affiliation with, or interest in, any professional society, charitable, religious, social, fraternal, educational, recreational, public service, civic or political organization, or similar organization not conducted as a business enterprise or governmental agency and which is not engaged in the ownership or conduct of such a business enterprise or governmental agency. Nor shall disclosure be required where prohibited by professional or business association ethics promulgated by any state agency.

Section 7. Effective Date. The effective date of this Policy shall be \_\_\_\_\_, 1990.

EXHIBIT "A" TO ETHICS POLICY  
OF THE CITY OF FALCON HEIGHTS, MN.

STATE OF MINNESOTA )

COUNTY OF RAMSEY )

The undersigned, as a public official of the City of Falcon Heights, Minnesota, being first duly sworn upon oath, deposes and states:

1. That the following constitutes the address and/or legal description of each parcel of real estate, situated in the City of Falcon Heights, Ramsey County, Minnesota (other than real estate occupied by the undersigned as a personal residence), in which the undersigned, directly or indirectly, holds any interest including the right to occupy said property:

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2. That the following constitutes the names of all businesses, corporations, companies firms, partnerships, or other business enterprises, doing business with or in the City of Falcon Heights, in which the undersigned is connected, as an employee, owner, director, officer, adviser or consultant, or in which the undersigned has a continuing financial interest through ownership of stock or as a beneficiary of any pension or retirement plan:

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3. That the interests set forth in 1 and 2 above, include any interest therein of the undersigned's spouse, mother, father, father-in-law, mother-in-law, step-father, step-mother, brother, sister, sister-in-law, brother-in-law, children, grandchildren or other member of the undersigned's household.

Page 2  
Exhibit "A" to Ethics Policy

4. That the undersigned has read and is familiar with the provisions of the Ethics Policy approved by the Council of the City of Falcon Heights on \_\_\_\_\_.

\_\_\_\_\_

Subscribed and sworn to  
before me this \_\_\_\_\_ day of  
\_\_\_\_\_, 19\_\_\_\_.

\_\_\_\_\_  
Notary Public



Consent \_\_\_\_\_

Agenda Item: F-10

Policy X

CITY OF FALCON HEIGHTS

Meeting Date: 2/14/90

REQUEST FOR COUNCIL CONSIDERATION

ITEM DESCRIPTION:

PERSONNEL COMPENSATION PROGRAM

SUBMITTED BY:

Jan Wiessner

REVIEWED BY:

Staff

EXPLANATION/SUMMARY (attach additional sheets as necessary):

The following Personnel Compensation Program revisions are proposed:

1. Page 1, Step 3: 18 months (this is a clarification as the original plan indicated 12 months and the intent was 12 months after the 6 month probationary period.
2. Page 1: Employees will be eligible for review at the first of each year rather than on their anniversary date.
3. Pages 1 and 3: Increasing the number of steps from 3 to 5 with an exceptional performance step.
4. Page 6: Decrease in the number of training levels and increase in the number of years of experience categories (this reflects the concept that in the Public Works Maintenance Aid position, specific training and years of experience are more relevant to job performance than years of college.

ACTION REQUESTED:

Discussion

