

ADDENDUM TO AGENDA OF NOV. 28, 1990

F-7. Consider Issuing a Special Temporary Permit to Allow
a Rooftop Display on the Bullseye Building

ACTION: _____

Consent _____

Agenda Item: F-7

Policy X

CITY OF FALCON HEIGHTS

Meeting Date: 11/28/90

REQUEST FOR COUNCIL CONSIDERATION

ITEM DESCRIPTION: CONSIDER ISSUING A SPECIAL TEMPORARY PERMIT TO ALLOW A ROOFTOP DISPLAY ON THE BULLSEYE BUILDING

SUBMITTED BY: Jim Kettner, Owner of J's Liquors, 1557 W. Larpenteur

REVIEWED BY: Jan Wiessner
Shirley Chenoweth
Susan Hoyt

EXPLANATION/SUMMARY (attach additional sheets as necessary):

Mr. Kettner realizes rooftop displays in a B-2 zone are prohibited by City Code; however, he feels the proposed display (inflated penguin) is critical to draw attention to his newly opened store. He would like to place the display on the Bullseye roof for his Grand Opening, December 6 through December 8. Mr. Kettner's letter is attached.

ACTION REQUESTED: Approval of a Special Temporary Permit at a fee of \$15.50

[Handwritten signature]

11/27/90

DEAR CITY COUNCIL MEMBERS:

THIS LETTER IS IN REGARDS TO THE CITY REGULATION PROHIBITING OUTDOOR ADVERTISING AND ADVERTISING WITH SIGNS, BALLOONS, BANNERS ETC. THAT DISPLAY BUSINESS LOGOS. I AM PLANNING A 3-DAY GRAND OPENING COMPLETE WITH WINE SAMPLINGS, GIVEAWAYS, LOCAL PRINT ADVERTISING, ETC. AND I HAVE AN OPPORTUNITY TO GET A 30 FOOT INFLATABLE PENGUIN PLACED ON THE ROOF OF BULLSEYE CENTER DIRECTLY ABOVE MY BUSINESS AS AN ATTENTION GETTER FOR THE PASSING TRAFFIC. AS A NEW BUSINESS, I AM UNABLE TO AFFORD A DOUBLE-SIDED SIGN FOR THE BULLSEYE CENTER MARQUEE AND I HOPE YOU CAN APPRECIATE THE URGENT NEED TO DRAW AWARENESS TO ~~MY~~ MY STORE AND ITS GRAND OPENING. THIS LETTER IS A REQUEST FOR A ONE TIME EXEMPTION TO THE REGULATION SO I CAN TAKE ADVANTAGE OF THIS ADVERTISING OPPORTUNITY. THE DATES ARE DECEMBER 6th - 8th (THURS. - SAT). THE PENGUIN IS INSTALLED AND MAINTAINED BY NORTHSTAR ICE PERSONNEL. THEY WOULD NOT ALLOW IT IN THE PARKING LOT DUE TO THE RISK OF DAMAGE OR VANDALISM. I HAVE THE SECURITY CODE ACCESS TO THE ROOF AND WOULD SEND SOMEONE UP TO CHECK ON IT AT REGULAR INTERVALS. I APPRECIATE THE FACT THAT THIS IS SHORT NOTICE BUT NORTHSTAR ICE NEEDS TO KNOW THE ANSWER BY THIS COMING THURSDAY (29th) SO THEY CAN SCHEDULE THEIR APPEARANCES

AROUND MINE. I TRULY BELIEVE THAT THIS GRAND
OPENING IS VITAL TO MY SUCCESS AND THE PENGUIN
WILL BE THE KEY ELEMENT. IF YOU HAVE ANY
QUESTIONS, PLEASE FEEL FREE TO CALL ME AT
644-6675. I LOOK FORWARD TO HEARING FROM
YOU.

THANK YOU FOR CONSIDERING MY REQUEST.

SINCERELY,

JIM KETTNER

OWNER

JIS LIQUORS.

REGULAR CITY COUNCIL MEETING

CITY OF FALCON HEIGHTS

AGENDA

NOVEMBER 28, 1990

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

B. ROLL CALL: CIERNIA _____ GEHRZ _____ WALLIN _____ BALDWIN _____
JACOBS _____ WIESSNER _____ S. CHENOWETH _____
ATTORNEY _____ ENGINEER _____

C. APPROVAL OF MINUTES OF NOVEMBER 14, 1990

D. PUBLIC HEARINGS:

1. 1991 Budget Hearing

E. CONSENT AGENDA

1. Disbursements

a. Disbursements through 11/28/90, \$83,765.57

b. Payroll 11/1/90 - 11/15/90, \$8,611.29

2. Commission Minutes

a. Solid Waste Commission Minutes of 11/1/90

b. Parks & Recreation Commission Minutes of 11/15/90

3. Check Cancellations

4. Northwest Youth and Family Services Amendment to
Joint Powers Agreement

5. Minnesota Pollution Control Agency Air Monitoring Site
Lease Extension

6. Consider Cancelling the Dec. 26th City Council Meeting

ACTION: _____

F. REPORTS, REQUESTS AND RECOMMENDATIONS:

1. Proposed Ordinance No. 0-90-9 Authorizing the Collection
of a Fee for Solid Waste Service

ACTION: _____

2. Resolution R-90-44 Establishing Fees for Collection of
Recyclable Solid Waste

ACTION: _____

3. 1991 Street Improvements: Sewer Inspection

ACTION: _____

4. Sewer Repair Discussion

ACTION: _____

5. Metro Relations, Inc.

ACTION: _____

6. Update on Roseville-Falcon Heights Cooperation Study

ACTION: _____

G. ANNOUNCEMENTS AND UPDATES

H. ADJOURNMENT

ACTION: _____

MINUTES
REGULAR CITY COUNCIL MEETING
NOVEMBER 14, 1990

DRAFT

Baldwin called the meeting to order at 7:05 P.M.

ALL MEMBERS PRESENT

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

MINUTES OF 10/24/90 APPROVED

The Minutes of October 24, 1990 were approved with one correction relating to the Administrator's compensation.

ADDENDA TO CONSENT AGENDA

Council approved the addition of the following to the Consent Agenda: E-4, Corporate Licenses for Focus One Hour Foto & Studio and Divine Lines, and E-5, a Resolution Relating to American Education Week.

CONSENT AGENDA ITEMS APPROVED

The following Consent Agenda items were approved by unanimous consent:

1. Disbursements:
 - a. General Disbursements through 11/14/90, \$28,754.22
 - b. Payroll, 10/16/90 - 10/31/90, \$10,768.84
2. Denial of payment for some Gopher State One-Call bills
3. Resolution R-90-42 Initiating MSA Variance for Albert and Arona Streets
4. Licenses (See Attached List)
5. Resolution R-90-43 Proclaiming November 11-17 American Education Week

DISCUSSION OF SEWER BACKUPS AND SEWER STUB REPAIRS

Council thoroughly discussed whether or not the City should participate in the cost of repairing breaks in sewer stubs connecting private lines to the main, and in the clean-up of any resulting sewer backups. The consensus of opinion was that the City should participate in some way, but that there should be a cap on the amount of participation (Ciernia suggested \$250.00). Some concern was expressed regarding possible additional City liability if such a policy is adopted and staff was directed to obtain an opinion from the City Attorney regarding the matter. Staff was also directed to contact the St. Paul Water Utility regarding their policy on responsibility for the cost of water line breaks on private property, and to check with some other communities (including Minneapolis) to determine if they participate in sewer repair costs. The matter will be discussed further after the additional information is obtained.

GIBBS SCHOOLHOUSE UPDATE

Wiessner gave some background regarding the recent fire damage

MINUTES
NOVEMBER 14, 1990
PAGE 2

to the school and subsequent discussions regarding the future of the structure should the University decide it is no longer wanted on their property. She explained that there is a strong effort by the Ramsey County Historical Society to preserve the school on its present site and that a public meeting will be held at 7:00 P.M., December 5th at City Hall to provide an update on negotiations with the University and to obtain grass roots support.

ADJOURNMENT

The meeting was adjourned at 8:52 P.M.

Tom Baldwin, Mayor

ATTEST:

Shirley Chenoweth, City Clerk

Consent X

Agenda Item: E-1

Policy _____

CITY OF FALCON HEIGHTS

Meeting Date: 11/28/90

REQUEST FOR COUNCIL CONSIDERATION

ITEM DESCRIPTION:

DISBURSEMENTS

SUBMITTED BY:

Tom Kelly

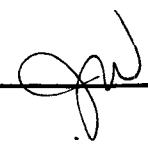
REVIEWED BY:

EXPLANATION/SUMMARY (attach additional sheets as necessary):

- (a) General Disbursements through 11/28/90, \$83,765.57
- (b) Payroll 11/1/90 - 11/15/90, \$8,611.29.

ACTION REQUESTED:

Approval

_____ 

GENERAL DISBURSEMENTS

CHECK NO.	ISSUED TO	REASON	AMOUNT
24657	Jay Morgan	Advance on payroll	\$100.00
24658	AT&T	Long distance calls	31.12
24659	Barton-Aschman Assoc.	Sept. services for park bldg.	126.40
24660	Buetow & Assoc.	October architectural services	423.44
24661	Brighton Excavating	5 yds. black dirt for parks	65.00
24662	Brighton Veterinary Hospital	October administrative fee	25.00
24663	Custom Fire Apparatus	15' veneer throttle	62.31
24664	Shirley Chenoweth	Film, workshop supplies, election, misc.	47.47
24665	Doyle Maintenance	Repair sprinkler system repair	65.90
24666	Hoisington Group Inc.	October planning services	2,300.00
24667	Herman Miller Inc.	Task light, wall connector, wall divider	70.23
24668	Terry Iverson	Mileage for inspections, Oct. Gavel Club Mtg.	60.34
24669	Jefferson Construction, Inc.	Construction of park bldg.- payment	5,220.26
24670	Frank Kaufert	Overpayment-ambulance bill	181.00
24671	Dick Larson	November inspection fees	350.00
24672	Metro Garage Door	Repair of Fire Dept. garage door	380.48
24673	Motorola Inc.	Radio repair	234.34
24674	Mike McPhillips, Inc.	Fall street sweeping	3,451.75
24675	Maier Stewart & Assoc.	Engineering services	5,218.70
24676	Metro Waste Control Comm.	December sewer charges	39,616.35
24677	N.E. Metro School District	EMT refresher course, Martinez, Baumann	177.50
24678	NSP	Electricity	30.30
24679	PERA	Pera deduction/benefit	935.80
24680	City of Roseville	December police service	19,326.83
24681	Ramsey County	November insurance benefits	2,681.94
24682	SuperCycle	October recycling services	1,722.68
24683	Suburban Hardware	Wires, fuses, batteries, nails, screws, misc.	235.24
24684	Target	Coffeemaker, phone for park bldg., etc.	88.84
24685	U.S.West	Park Bldg. installation, office phone service	371.35
24686	Jan Wiessner	Mileage	165.00

TOTAL:

\$83,765.57

Check Number	Employee Number	Employee Name	Pay Period	Pay Group	Pay Description	Check Amount	Check Date	Status
018860			0			0.00	15-Nov-90	VOID
018861			0			0.00	15-Nov-90	VOID
018862	000000002	Wiessner, Janet R.	21	01	semi-monthly	1,300.96	15-Nov-90	Outstanding
018863	000000004	Kriegler, Carol J.	21	01	semi-monthly	298.73	15-Nov-90	Outstanding
018864	000000011	Chenoweth, Shirley G.	21	01	semi-monthly	757.63	15-Nov-90	Outstanding
018865	000000020	Iverson, Terry D.	21	01	semi-monthly	781.69	15-Nov-90	Outstanding
018866	000000027	Morgan, Jay M.	21	01	semi-monthly	704.74	15-Nov-90	Outstanding
018867	000000038	Wright, Vincent D.	21	01	semi-monthly	772.23	15-Nov-90	Outstanding
018868	000000063	Phillips, Patricia A.	21	01	semi-monthly	671.65	15-Nov-90	Outstanding
018869	000000065	Kelly, Thomas R.	21	01	semi-monthly	863.90	15-Nov-90	Outstanding
018870	000000075	PICKA, GEORGE	21	01	semi-monthly	140.88	15-Nov-90	Outstanding
018871	000000079	Hoyt Taff, Susan L.	21	01	semi-monthly	518.63	15-Nov-90	Outstanding
018872	000000081	Staffa, Gregory	21	01	semi-monthly	43.16	15-Nov-90	Outstanding
018873	000000091	Swenson, DeLoris J.	21	01	semi-monthly	538.88	15-Nov-90	Outstanding
018874	000000099	Wallin, Janet	21	01	semi-monthly	37.45	15-Nov-90	Outstanding
018875	000000100	Staffa, Kathleen	21	01	semi-monthly	34.64	15-Nov-90	Outstanding
018876	000000101	Bianchi, Dorothy	21	01	semi-monthly	68.34	15-Nov-90	Outstanding
018877	000000102	Skweres, Marion	21	01	semi-monthly	69.28	15-Nov-90	Outstanding
018878	000000103	Rust, Laura	21	01	semi-monthly	68.56	15-Nov-90	Outstanding
018879	000000104	Kraemer, Carol	21	01	semi-monthly	70.22	15-Nov-90	Outstanding
018880	000000105	Sundheim, Elizabeth	21	01	semi-monthly	73.03	15-Nov-90	Outstanding
018881	000000106	Macknight, Gladys	21	01	semi-monthly	78.64	15-Nov-90	Outstanding
018882	000000107	Richards, Florence	21	01	semi-monthly	67.41	15-Nov-90	Outstanding
018883	000000108	Brown, Gladys	21	01	semi-monthly	71.15	15-Nov-90	Outstanding
018884	000000109	Robertson, Alice	21	01	semi-monthly	78.64	15-Nov-90	Outstanding
018885	000000111	Osterberg, Jean	21	01	semi-monthly	37.45	15-Nov-90	Outstanding
018886	000000112	Grittner, Dorothy	21	01	semi-monthly	78.64	15-Nov-90	Outstanding
018887	000000113	Kindschi, Carol	21	01	semi-monthly	67.41	15-Nov-90	Outstanding
018888	000000114	Hanson, Laura	21	01	semi-monthly	217.17	15-Nov-90	Outstanding
018889	000000115	Brown, Helen	21	01	semi-monthly	30.90	15-Nov-90	Outstanding
018890	000000116	Blake, Helen	21	01	semi-monthly	69.28	15-Nov-90	Outstanding

Grand Total

8,611.29

Consent X

Agenda Item: E-2


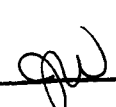
Policy _____

CITY OF FALCON HEIGHTS

Meeting Date: 11/28/90

REQUEST FOR COUNCIL CONSIDERATION

<u>ITEM DESCRIPTION:</u>	COMMISSION MINUTES
<u>SUBMITTED BY:</u>	Solid Waste Commission Park and Recreation Commission
<u>REVIEWED BY:</u>	Shirley Chenoweth Carol Kriegler
<u>EXPLANATION/SUMMARY</u> (attach additional sheets as necessary): <u>Attachments:</u> (a) Solid Waste Minutes of 11/1/90 (b) Parks & Recreation Commission Minutes of 11/15/90	
<u>ACTION REQUESTED:</u>	

MINUTES
Solid Waste Commission Meeting
1 November 1990

DRAFT

The meeting was called to order at 7:07pm

COMMISSION MEMBERS PRESENT: Michael Haglund, Terry Iverson, Laura Kuettel, Marty McCleery, and Shirley Chenoweth, Staff Representative.

COMMISSION MEMBERS NOT PRESENT: John Brynildson, John Hustad, Nancy Misra, John Thompson and Lyle Wray.

APPROVAL OF AGENDA: The topics of Multi-Housing Recycling and the Time Line will be discussed at the next meeting.

APPROVAL OF MINUTES: The minutes were not approved due to lack of a quorum.

Shirley Chenoweth reviewed the ECO (Environmental Cities Coalition) program that Mayor Tom Baldwin discussed at the October meeting.

Terry Iverson will contact John Brynildson to confirm his knowledge of scheduled dates and times of the commission meetings.

Laura Kuettel will contact commission members reminding them of the workshop scheduled for Wednesday, December 12.

Marty McCleery and Kuettel suggested that the commission's December meeting be used to set up goals and objectives to present at the workshop. If the commission comes to the workshop with several options, time may be used more efficiently. Other suggested areas for discussion: involvement in the ECO, a site for plastics pickup, mandatory recycling for residents and businesses, discussion of reduction in paper consumption at city hall.

1991 Funding: Chenoweth was contacted by the county regarding our participation in the recycling grants provided through county-collected taxes. The City Council decided at the October 24 meeting to cease participation in the county program and charge residents directly, through the sewer bill, for the service fee. The 1989 charge was approximately \$5.25/quarter the current charge is \$13.43/qtr. It is assumed that the 1991 charge will increase. It may be necessary for a public hearing on the matter. The council feels the city will provide recycling services at a lower rate and that residents may recycle more after viewing the recycling service charge every quarter.

Chenoweth showed the commission a letter sent by Congressman Bruce Vento in response to a letter from John Thompson. Congressman Vento wants to reduce the rate of postage for 2nd and 3rd class mailings using recycled paper; and "shares your concern" regarding the environment. The letter was typed on non-recycled paper.

That prompted some brain-storming on the various ways that City Hall might reduce the amount of paper it consumes: routing an original memo vs. making copies; canceling duplicate copies of newspaper/magazines; circulating articles and routing vs. making copies; and two-sided copying. Chenoweth stated that most of these ideas have already been implemented.

MINUTES
Solid Waste Commission
1 November 1990
page two

Chenoweth needs assistance in the preliminary work preparing a grant proposal for bins. She will write the cover letter. There may be some commission members able to lend their expertise.

There is money left in the 1990 budget for a Fall/Winter newsletter. With very little time left to produce such a newsletter; commission members should bring ideas/articles to the December meeting. Kuettel suggested thanking Leo and Diana Klisch in the newsletter for their work on the commission.

The commission members present suggested various options for those unable to attend meetings. Chenoweth read that the absence of a member for three consecutive meetings may be one basis for removal from the commission. Iverson suggested members inform the group of a leave of absence in writing. The expertise of the members is needed and flexible contributions to the group are welcome. The commission would like to be informed if members are unable to attend. Should the commission adopt by-laws? This is a volunteer-staffed operation; those unable to attend but wishing to participate in other ways need only inform the commission of conflicts. Should the commission be expanded? It was suggested that faces of absent members may soon begin to appear on milk cartons!

Iverson updated the commission on Household Hazardous Waste. The county has the funds and has approved the building of a permanent site for 1991. OSHA has mandated that fire departments create a hazardous materials response team. Kuettel contacted the Energy Consortium and was informed that the permanent site is set to operate in the Spring and this will include household battery disposal. In the meantime they suggested residents dispose of all non-car batteries through their refuse pickup instead of storing them for the next several months.

Chenoweth informed the group that three apartment complexes have implemented recycling programs and that Supercycle has been very helpful. She will be contacting other multi-housing managers in the future.

Iverson wants to pursue the letter writing campaign to Midwest Bottling Co. regarding the can crusher rebate offer.

McCleery made a motion, Michael Haglund seconded it and the meeting was adjourned at 9:29pm.

Respectfully submitted,

Laura Kuettel, Secretary

MINUTES

PARKS AND RECREATION COMMISSION MEETING
NOVEMBER 15, 1990, THURSDAY 7:00 P.M.

Members Present: Connie Lasser, Jeff Johnson, Steven Schugel, Linda McLoon, Carol Kriegler, Parks Director, Sam Jacobs, Council Liason, Paul Ciernia, Vince

Members Absent: Carol Huso, Deborah Weiland, Lloyd Jacobson, Jyneen Thatcher

1. Ice Rinks

Paul Ciernia came to present his case for allowing hockey to remain on the Falcon Hts. school rink. He felt that it would be impossible to enforce a "no hockey" rule, and that only younger kids (5-7) were playing hockey anyway, who used the rink the short way, not its length. There was some discussion as to the real age of the kids playing hockey there (probably more like 9 and 10 year olds) and about complaints from parents who weren't able to use the rink for pleasure skating because of safety concerns about the hockey playing. There are no hockey boards, nor any plan to purchase these for the school.

After a lengthy discussion, it was agreed unanimously by the commission to try to set guidelines for rink usage and use the school newspaper, Falcon Hts. newsletter and distribution of flyers to neighbors that it was, 1: important to be considerate on the ice, taking care if young children were there learning how to skate 2: using only 1/2 of the rink for hockey, particularly if others were pleasure skating. It is important to have an enforceable policy concerning rink usage and we agreed to give this a try. We agreed we would assess the actual age of the hockey players there this season and reassess the policy next year.

There will only be a hockey rink at the Community Park this year, due to the new sod. We unanimously agreed that it was important to serve everyone. We all agreed to have pleasure skating only from 4-5:30 Mon. thru Fri., and pleasure skating from 11-1 on Sat and 12-2 on Sun for this season. For Christmas vacation, Saturday hours will be maintained for free skating. These will all be clearly posted.

Ice maintenance and snow removal policies in Roseville are basically left to an individual, who decides, based on temperature and snow conditions, if the rinks are to be plowed on sat. so that people can skate on Sunday. They use seasonal help to clear the rinks of snow at \$5.50/hour. They set priority rinks, and only those have the snow removed on Sat. We decided that Carol should decide if snow removal should occur on Saturday based on her judgement. Vince was nervous about part-time help using the snow removal equipment. He agreed, at Sam's suggestion, that George and a second older part-time person would be trained to use the equipment for snow removal during weekdays.

2. Community Park Building

The security system is still not hooked up at the building. They are still correctly the landscaping problems. Vince painted the bad areas to identify where they need to correct problems. The contractor sodded the side of the building and the open triangle area. They are fixing holes, they fixed the locks and are working through the list.

3. Donation Requests and MDTED Grant

There was no further news on any of the requests or on the grant. Mary Jo McGuire sent the agency a letter in support of the project for Idaho and Snelling Park.

4. Fall Programs

Carol distributed the statistics on the fall programs. Most did very well and overall the programs covered all costs and made \$260 profit.

5. Programming Ideas

Carol asked if we wanted to go in with Roseville for a Breakfast with Santa. She felt if we did our own we should do a Pizza Party rather than breakfast. Kids like pizza and the food costs would be less. Then more money could be put into entertainment. We agreed there was a benefit in having less kids at an event like this. Carol will look into the Pizza Party with Santa arrangements, probably to be held between 11 and 1 p.m. She asked for suggestions of musical groups. Linda suggested the Sunshine Band. Carol said she would investigate costs. Carol asked for programming ideas. Linda suggested Gingerbread House building or cookie baking.

6. Lions Update

The Lions Club will use the area east and south of the hockey boards and use the boards as part of their containment. Sam and Carol looked at the lighting, and even if nothing else was done, the lighting for the hockey rink will illuminate their sales area nicely. Everyone was pleased that things had worked out so well. This way the Lions will not have to move out before X-mas.

7. As there was no further business, the meeting was adjourned at 8:40 p.m.

Consent X

Agenda Item: E-3

Policy _____

CITY OF FALCON HEIGHTS

Meeting Date: 11/28/90

REQUEST FOR COUNCIL CONSIDERATION

ITEM DESCRIPTION: CHECK CANCELLATIONS

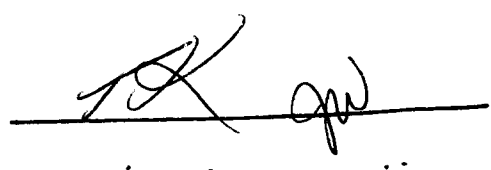
SUBMITTED BY: Tom Kelly

REVIEWED BY:

EXPLANATION/SUMMARY (attach additional sheets as necessary):

- (a) Check #24606 issued November 6, 1990 to Road Rescue in the amount of \$105.61, was a duplicate payment.
- (b) Check #24618 issued November 7, 1990 to Suburban Chamber of Commerce in the amount of \$8.00, participant could not attend.

ACTION REQUESTED: Approval



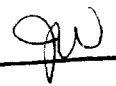
Consent X

Policy _____

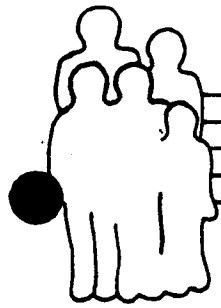
CITY OF FALCON HEIGHTS

Meeting Date: 11/28/90

REQUEST FOR COUNCIL CONSIDERATION

<u>ITEM DESCRIPTION:</u>	NORTHWEST YOUTH AND FAMILY SERVICES AMENDMENT TO JOINT POWERS AGREEMENT
<u>SUBMITTED BY:</u>	Kay Andrews, Executive Director
<u>REVIEWED BY:</u>	Jan Wiessner
<u>EXPLANATION/SUMMARY</u> (attach additional sheets as necessary):	
<u>Attachments:</u>	
A. 11/1/90 Andrews correspondence B. Addendum to Joint Powers Agreement	
<u>ACTION REQUESTED:</u>	Approval
<hr/> 	

Consent ATTACH. A.
→ NOV. 28 agenda
J



Northwest Youth & Family Services

Rush Lake Business Park • 1775 Old Highway 8 • New Brighton, MN 55112 • Telephone 636-5448

November 1, 1990

Janet Weissner
Clerk Administrator
City of Falcon Heights
2077 West Larpenteur Avenue
Falcon Heights, Minnesota 55113

Dear Jan,

Attached to this letter is a current copy of the Joint Powers Agreement. I would appreciate your presenting this to your City Council before the first of the year.

You may note that this agreement states more accurately the working relationship which Northwest Youth and Family Services has had with your city in the past.

Please sign and return an original of the enclosed to us for our records.

If there are any questions, please feel free to contact me at 636-5448. Thank you for your cooperation.

Sincerely,

Kay Andrews, LICSW
Executive Director

KA:crt
Att.

LAW OFFICES OF

PETERSON, BELL, CONVERSE & JENSEN

ERWIN A. PETERSON
ROBERT C. BELL
WILLARD L. CONVERSE
ROGER A. JENSEN
KURT F. WALTHER
W. TIMOTHY MALCHOW
MARTIN J. COSTELLO
JAMES C. ERICKSON
DAVID S. ANDERSON
WILLIAM M. DRINANE
PAMELA CONVERSE ZERIN
CAROL A. BALDWIN
SCOTT B. CROSSMAN
DAVID R. FENSKE
CAROLINE F. BELL

ST. PAUL OFFICE
2100 AMERICAN NATIONAL BANK BUILDING
101 EAST FIFTH STREET
ST. PAUL, MINNESOTA 55101
TELEPHONE (612) 224-4703
FAX (612) 223-8070

ROSEVILLE OFFICE
2780 NORTH SNELLING AVE., SUITE 327
ROSEVILLE, MINNESOTA 55113
TELEPHONE (612) 631-8489
FAX (612) 631-2475

REPLY TO:

St. Paul

March 2, 1990

Mr. Steve North
Assistant City Manager
City of Roseville
2660 Civic Center Drive
Roseville, Minnesota 55113

Re: Addendum to Joint Powers Agreement
Our File No. 1011-19

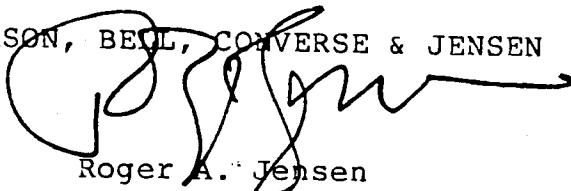
Dear Steve:

Enclosed is revised Addendum to Joint Powers Agreement adding an evergreen clause at a new paragraph 7. The evergreen clause allows for the agreement to continue from year to year unless a party gives written notice of its intent to cancel. If that notice is given, the agreement would then have to be renegotiated by the parties.

You also advised me that Roseville no longer provides the auditing service as is required by the original agreement. Accordingly, the Addendum removes that obligation from the agreement.

Yours very truly,

PETERSON, BELL, CONVERSE & JENSEN



Roger A. Jensen

RAJ/eld
Encl.

cc: Mr. Robert C. Bell, no encl.

ADDENDUM TO JOINT POWERS AGREEMENT

WHEREAS, the Cities of Arden Hills, New Brighton, Moundsvew, Shoreview, North Oaks, Roseville, Little Canada, Lauderdale and Falcon Heights entered into a Joint Powers Agreement regarding sponsorship of the Northwest Suburban Youth Service Bureau in 1977; and

WHEREAS, said Agreement expired by its terms on December 31, 1978;

WHEREAS, notwithstanding the expiration of said Agreement, the parties have abided by it and have treated it as if it has continued in effect since its execution;

WHEREAS, by this addendum to said Agreement, the parties desire to provide for a duration clause in said agreement allowing it to continue from year to year unless otherwise modified or terminated by the parties; and

WHEREAS, pursuant to paragraph 2A of the Agreement, the City of Roseville is designated to provide "accounting and auditing services" and it is the desire of the parties to amend that paragraph of the Agreement.

NOW, THEREFORE, it is hereby agreed by and between the parties as follows that the Joint Powers Agreement by and between the parties establishing the North Suburban Youth Service Bureau, executed at various dates by the parties in 1977, is amended as follows:

Dated: _____, 1990

CITY OF MOUNDSVIEW

By _____
Its: Mayor

By _____
Its: Manager

Dated: _____, 1990

CITY OF SHOREVIEW

By _____
Its: Mayor

By _____
Its: Manager

Dated: _____, 1990

CITY OF NORTH OAKS

By _____
Its: Mayor

By _____
Its: Manager

Dated: _____, 1990

CITY OF ROSEVILLE

By _____
Its: Mayor

By _____
Its: Manager

Dated: _____, 1990

CITY OF LITTLE CANADA

By _____
Its: Mayor

By _____
Its: Manager

Dated: _____, 1990

CITY OF LAUDERDALE

By _____
Its: Mayor

By _____
Its: Manager

Dated: _____, 1990

CITY OF FALCON HEIGHTS

By _____
Its: Mayor

By _____
Its: Manager

Consent X

Agenda Item: E-5

Policy _____

CITY OF FALCON HEIGHTS

Meeting Date: 11/28/90

REQUEST FOR COUNCIL CONSIDERATION

ITEM DESCRIPTION: MINNESOTA POLLUTION CONTROL AGENCY AIR MONITORING
SITE LEASE EXTENSION

SUBMITTED BY: Robert G. Eckart
MPCA

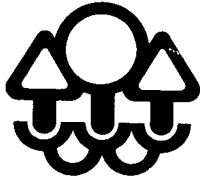
REVIEWED BY: Jan Wiessner

EXPLANATION/SUMMARY (attach additional sheets as necessary):

We currently have a lease agreement with MPCA to conduct air monitoring activities at City Hall for \$50/month. The proposed lease extends the lease for two years and increases the monthly rate to \$60/month. The arrangement has worked very well.

ACTION REQUESTED: Approval.

_____ *ju*



Minnesota Pollution Control Agency

520 Lafayette Road, Saint Paul, Minnesota 55155-3898

Telephone (612) 296-6300



October 19, 1990

Ms. Janet Wiessemer, City Administrator
City Hall
2077 W. Lapenteur
Falcon Heights, Minnesota 55113

Re: Lease Agreement

Dear Ms. Wiessner:

Enclosed is the lease agreement between the city of Falcon Heights and the Minnesota Pollution Control Agency (MPCA), for operating an ambient air monitoring site in the maintenance garage at Falcon Heights City Hall.

The terms of the agreement for the first two years is \$50.00 per month. I have also added an option to extend the agreement two (2) additional years at \$60.00 per month.

If the terms of the agreement are satisfactory, please sign and return the agreement to me. I will process the agreement through our Administration, so it can go into effort by December 1, 1990.

If you have any questions concerning this lease, please call me me (612) 296-7634. I will send you a fully executed copy of the lease agreement when it becomes available.

MPCA appreciates the use of the site and the cooperation of the employees of the city of Falcon Heights.

Sincerely,

Robert G. Eckart
Quality Assurance Team
Air Quality Division

RGE:rrj

Enclosure

Expenditure Authorization:

Original (NA40 & 44) Increase (NA41 & 44) Decrease (NA45)
Prior Year Encumbrance or Encumbrance Increase (NA46)

AID	Organization	FY	Req. Number	Vendor Number	Type
Terms/Source/Cost Codes			Amount	Suffix	Object
Transactions:					
NA40	NA41	-	/		
NA44	NA45	NA46	-	/	-
Prior FY Req. Numbers			Date	Number	Entered By
Cumulative Total \$					

**MINNESOTA POLLUTION CONTROL AGENCY
Equipment Monitoring Site Agreement**

This Agreement is made by and between City of Falcon Heights, 2077 West Larpenteur, Falcon Heights, Minnesota 55113 hereinafter referred to as "OWNER", and the State of Minnesota, Pollution Control Agency, hereinafter referred to as "USER".

- DESCRIPTION:** The OWNER grants and the USER accepts the use of the following described premises in the City of Falcon Heights of Ramsey County of Minnesota 55113, to-wit:
Located in the Falcon Heights Maintenance Garage; above the Foreman's office; at 2077 West Larpenteur, Falcon Heights, Minnesota. Approximately 100 square feet.
to be used as a pollution control monitoring site for the term of two (2) years beginning December 1, 1990 through November 30, 1992, with the option to extend this lease agreement, for the term of two (2) years, beginning December 1, 1992 through November 30, 1994 under the same terms and conditions of this agreement, but at the rental rate of Sixty (\$60.00) per month, payable monthly.
- PAYMENT:** As payment for said premises the USER agrees to pay the OWNER the sum of Fifty dollars (\$50.00) for each month payable monthly.
- TERMINATION:** This Agreement may be terminated by the OWNER or USER upon giving thirty (30) days written notice of such termination to the other party.
- SPECIAL PROVISIONS:** The OWNER shall furnish and provide for the use of the USER:

Consent _____

Agenda Item: F-1

Policy X

CITY OF FALCON HEIGHTS

Meeting Date: 11/28/90

REQUEST FOR COUNCIL CONSIDERATION

ITEM DESCRIPTION: PROPOSED ORDINANCE NO. 0-90-9 AUTHORIZING
THE COLLECTION OF A FEE FOR SOLID WASTE SERVICE

SUBMITTED BY: Shirley Chenoweth

REVIEWED BY: Jan Wiessner

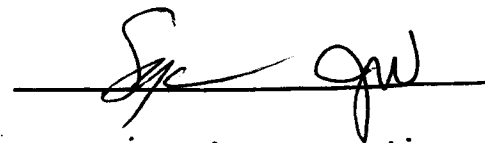
EXPLANATION/SUMMARY (attach additional sheets as necessary):

At the October 24th Council meeting, the City Council unanimously agreed to request exemption from the Ramsey County recycling service fee and to direct bill each residential property for recycling collection. The proposed ordinance amends the City Code to allow collection of such a fee and to levy an assessment in the event of delinquencies.

Attachments:

- A. Copy of Request for County Board action relating to requests for exemption from the recycling portion of the Waste Management service charge.
- B. Copy of proposed Ordinance 0-90-9.

ACTION REQUESTED: Adoption of Ordinance 0-90-9



Subject: Recycling Service Charge Exemptions Page 2

ATTACHMENTS

Memorandum to Terry Schutten of November 5, 1990.

PREVIOUS ACTION

The County Board has previously granted exemptions as follows:

- North Oaks: 1988, 1989, 1990
- Spring Lake Park: 1988, 1989, 1990
- White Bear Lake: 1989, 1990
- White Bear Township: 1989, 1990

CED COMMENTS

For 1990, the Waste Management Service Charge for residential properties totaled \$21.58, with the recycling portion being \$13.43. The total charge for apartments was \$14.00, with the recycling portion being \$8.71.

Of the nine cities seeking exemptions from the recycling portion of the 1991 Waste Management Service Charge:

- o Five -- Falcon Heights, North Oaks, St. Anthony, White Bear Lake and White Bear Township -- have met the necessary criteria to qualify for an exemption.
- o Two -- Little Canada and Vadnais Heights -- have established funding mechanisms but are slightly short of their 1991 recycling goals using data for the past 12 months. However, if the volume of material actually collected in the first half of 1990 is maintained, the cities will meet their 1991 goals.
- o One -- Mounds View -- has established a funding mechanism but fell short of its recycling goal.
- o One -- Spring Lake Park -- participates in Anoka County's recycling program.

Although some cities are short of their recycling goals, they have demonstrated a commitment to their recycling programs and have shown steady increases in the volume of recyclables collected.

The CED recommends approval of the exemptions.

Originating Department Request

Auth. Signature *[Signature]*

Date _____

Name of Checklist Attached

Agreement

Review Process

Budget & Accounting *Linda Nelson 11/5/90*

County Attorney *Kris Wenzeloff 11-6-90*

Data Processing _____

Policy Analysis *Susan Van Moch 11-13-90*

Property Management _____

Risk Management _____

Other _____

DRAFT RESOLUTION

WHEREAS, The Ramsey County Master Plan for Solid Waste Management states that cities that meet certain criteria may request an exemption from the recycling portion of the Waste Management Service Charge; and

WHEREAS, The Cities of Falcon Heights, Little Canada, Mounds View, North Oaks, St. Anthony, Vadnais Heights, White Bear Lake and White Bear Township have requested an exemption from the recycling portion of the Waste Management Service Charge; and

WHEREAS, The Cities that have applied for an exemption from the recycling portion of the Waste Management Service Charge have met the criteria for an exemption, or have substantially met the criteria, and have programs that are expanding the level of recycling service; and

WHEREAS, The City of Spring Lake Park has 63 households in Ramsey County which are served by a curbside recycling program provided by Anoka County and should be exempted from the recycling portion of the Waste Management Service Charge; Now, Therefore, Be It

RESOLVED, That the Ramsey County Board of Commissioners hereby approves the exemption of the recycling portion of the 1991 Waste Management Service Charge for residents in Falcon Heights, Little Canada, Mounds View, North Oaks, St. Anthony, Spring Lake Park, Vadnais Heights, White Bear Lake and White Bear Township.



**RAMSEY COUNTY
PUBLIC HEALTH DEPARTMENT
DIVISION OF SOLID WASTE**

1910 West County Rd. B #206
Roseville, MN 55113

633-0316 298-5972

Zack Hansen, *Manager*

BOARD OF HEALTH

Hal Norgard, Chairman
Diane Ahrens
John T. Finley
Ruby Hunt
Duane McCarty
Donald E. Salverda
Warren W. Schaber

MEMORANDUM

November 5, 1990

TO: Terry Schutten, Executive Director

FROM: Rob Fulton, Director of Public Health *RF*
Zack Hansen, Division Manager *ZH*

RE: Recycling Service Charge Exemptions

SUMMARY

There are eight cities that have requested that their residents be exempt from the recycling portion of the Ramsey County Waste Management Service Charge in 1991. These cities are: Falcon Heights, Little Canada, Mounds View, North Oaks, St. Anthony, Vadnais Heights, White Bear Lake, and White Bear Township. In order to receive an exemption each city must meet criteria listed in the Ramsey County Master Plan for Solid Waste Management (Master Plan). The Master Plan requires that cities must document that they have met the 1991 recycling goal in 1990, and that they have established a long term funding mechanism for recycling services.

Of the cities that have requested an exemption, five have met the necessary criteria. Two cities have established funding mechanisms but fell slightly short of their recycling goals. One city has established a long term funding mechanism and has integrated collection, but fell short of its recycling goals. After analyzing the information available from all these cities, staff recommend that the Board grant the exemptions to all eight cities. The following memorandum provides the analysis.

Staff also recommend that the City of Spring Lake Park be granted an exemption. Spring Lake Park has 63 households in Ramsey County; the remainder of the City, 2,284 households, is in Anoka County. Anoka County sponsors the City's recycling program, including the households in Ramsey County.

This memorandum provides background information on the exemption process and summarizes the recycling programs in the various cities.

Memo to Terry Schutten
November 5, 1990
Page 2

BACKGROUND

1. Waste Management Service Charge

A Waste Management Service Charge (WMSC) is assessed on all residential properties in Ramsey County. This charge provides funds for the operation of the recycling center on Rice Street, household hazardous waste management, yard waste management, general solid waste planning and regulation, and other administrative expenses. For 1990 the WMSC was \$8.16 on residential parcels, and \$5.29 per unit for apartments. The 1991 WMSC is expected to be \$11.41 for residential parcels, and \$7.38 for apartments.

In some communities the residential parcels are assessed a recycling portion with their WMSC. This charge provides funds for curbside recycling programs in the municipalities. For 1990 the charge was \$13.43 on residential parcels, and \$8.71 per unit for apartments. For 1991 the recycling portion of the WMSC may vary from city to city. This is because in 1991 the method used to calculate the charge may change, based on the Department's proposed 1991 budget, so that the recycling charges assessed in each city will match the funds required by the city.

2. Exemption Process

Cities within Ramsey County may request an exemption from the recycling portion of the WMSC so that their residents do not have to pay that portion of the WMSC. Cities cannot request exemption from the WMSC itself, as this charge is used to fund activities from which all cities benefit, such as household hazardous waste management, yard waste management, public education, planning and regulation. The purpose of the exemption is to provide an incentive for cities to implement long term funding mechanisms for curbside recycling.

The Master Plan states that cities qualify for an exemption if they meet the following criteria:

1. The city can document that it has met the recycling goal for the year in which it will receive the exemption; and
2. The city will not need funding from the County for its recycling program; and
3. The City can show how it will continue to meet the recycling goals.

Exemption from the recycling portion of the WMSC is currently granted one year at a time. This is necessary because the recycling goals for each city increase significantly through 1992. Cities have to continue to improve recycling performance to continue to be eligible for an exemption.

Memo to Terry Schutten
November 5, 1990
Page three

It should be noted that the issue of municipal recycling funding was reviewed by the County Board in 1990. The Board decided to continue to provide funding to cities until dates certain in 1991 by amending the Recycling Implementation Strategy. After that the County will no longer provide funding for curbside recycling. Further, the Master Plan will be revised in 1991, following adoption by the Metropolitan Council of its revised Solid Waste Policy Plan.

CITIES REQUESTING EXEMPTIONS

Eight cities have requested exemptions from the recycling portion of the WMSC. These cities are listed, along with data related to their request, in Table 1 at the end of this memorandum. Detailed summaries of each program are provided in Appendices A-H at the end of this document.

To determine whether cities have met their 1991 recycling goals in 1990 the Master Plan suggests that it is better to use actual data rather than projected data. For that reason the Department has presented recycling tonnages for the period of July 1, 1989 through June 30, 1990. These data are all actual tonnages reported to the County by the cities.

As shown in Table 1, five cities have met the criteria necessary to qualify for an exemption: Falcon Heights, North Oaks, St. Anthony, White Bear Lake, and White Bear Township. The specific descriptions of these programs are found in the Appendices at the end of this document.

Three cities have fallen short of their 1991 recycling goals:

Little Canada

Little Canada is 17.58 tons short of its 1991 recycling goal using data from 7/1/89 to 6/30/90. Appendix B shows that the City's recovery of recyclable materials has shown a steady increase during this period, implying that they would come very close to meeting the 1991 goal using data from calendar year 1990. Little Canada has established a long term funding mechanism by organizing collection, and is working to ensure service to multifamily unit dwellings by ordinance or contract. These strong efforts by the City indicate a commitment by the City to their curbside recycling program. Staff recommend that Little Canada receive the exemption.

Vadnais Heights

Vadnais Heights is short of its 1991 recycling goal by 5.44 tons. The City has organized collection, and has shown steady increases in recycling tonnages since July of 1989 (Appendix F). The City has also recently submitted a grant request to the Metropolitan Council to purchase recycling containers for residents. These efforts have led staff to conclude that the City is committed to its curbside recycling program and should receive an exemption.

Memo to Terry Schutten
November 5, 1990
Page four

Mounds View

The City of Mounds View has fallen short of its 1991 goal by 113.90 tons. The 1991 goal is 480 tons, while the volume recycled from 7/1/89 to 6/30/90 was 366.11 tons. The City has established a long term funding mechanism, in the form of an ordinance which requires haulers to provide recycling services and to charge homeowners for that service. The ordinance also requires haulers to provide recycling service to multifamily residences. The City has shown a steady increase in recycling participation since 7/1/89 (from 14.03% to 24.84% per month) and in tons collected per month (17.11 to 43.38).

A couple of reasons may help explain why Mounds View is short of its goal. Part of the reason lies with the goal: the Master Plan projected a population in Mounds View of 13,700. The latest population estimate for the City is 93% of that, or 12,738. The recycling goals are derived from waste generation estimates which are based on population; it could be argued that Mounds View's goal should be 93% of the current goal of 480 tons, or 446 tons. In that case the City is still short of its goal by 79.89 tons. One other reason could be the relatively high proportion of multifamily units in the City, which accounts for about 29% of the total households. Only about 10% of these units were provided with recycling service during the measurement period.

Although the City is short of its goal, staff recommends an exemption. The City's hauler based recycling system includes convenient service (weekly, same day), and volume-based fees. The City has been awarded a grant by the Metropolitan Council for the purchase of bins, which will be delivered before the end of 1990. There should be a substantial increase in multifamily recycling as service becomes available to all multifamily buildings. All of these should result in increased recycling levels in 1991.

There is one additional exemption staff recommend:

Spring Lake Park

The City of Spring Lake Park has 63 households in Ramsey County and 2,284 in Anoka County. Since most of the City is located in Anoka County, Spring Lake Park continues to work with Anoka County to sustain its recycling program. It is impractical for Ramsey County to provide funding to this city, as it would qualify for less than \$1,000 in recycling grants, and the time and expense of entering into an agreement would outweigh the benefit of the funds. For this reason, staff recommends that Spring Lake Park be exempt from the recycling portion of the WMSC. Spring Lake Park received exemptions in 1988, 1989, and 1990 for the same reasons.

Memo to Terry Schutten
November 5, 1990
Page five

FINANCIAL CONSIDERATIONS

These exemptions have been taken into account in the proposed 1991 Solid Waste Management budget. Therefore, action to approve the exemptions will have no financial impact on the recycling portion of the budget in 1991. These cities have been made aware that they will be ineligible to receive County funding for recycling programs if they are granted the exemption in 1991.

STAFF RECOMMENDATION

Staff recommends that the County Board grant exemptions from the recycling portion of the WMSC in 1991 for residents in the Cities of Falcon Heights, Little Canada, Mounds View, North Oaks, St. Anthony, Spring Lake Park, Vadnais Heights, White Bear Lake and White Bear Township.

NOV-20-1990 09:12 FROM R.C.R.R.A.

TO

96448675

P.10

TABLE 1: CITIES REQUESTING EXEMPTIONS

CITY	GOAL		TONS 7/89- 6/90	MET GOAL?		LONG TERM FUNDING?
	1990	1991		'90	'91	
Falcon Heights	134	178	249.96	Yes	Yes	Yes
Little Canada	213	284	266.42	Yes	No	Yes
Mounds View	360	480	366.11	Yes	No	Yes
North Oaks	84	112	207.55	Yes	Yes	Yes
St. Anthony	63	84	114.07	Yes	Yes	Yes
Vadnais Heights	252	336	330.56	Yes	No	Yes
Wh. Bear Lake	630	840	1,129.62	Yes	Yes	Yes
Wh. Bear Twp.	221	294	393.75	Yes	Yes	Yes

APPENDIX: A

CITY: Falcon Heights

I. PROGRAM DESCRIPTION [DATA PROVIDED BY CITIES]:

Single Family Dwellings: 1,176
 Multifamily Units: 1,290 units, 89 buildings
 Recycling Contractor: Supercycle
 Public Education: City newsletter, block workers, cable TV, yard signs, local newspaper ads, drawings for recycling bins.
 Bins: Available for sale to residents, some given as prize drawings
 Curbside Service: Twice/month

II. LONG TERM FUNDING MECHANISM:

City will charge for recycling collection on utility bills beginning 1/1/91, and City will pay for recycling administration and public education with City funds.

III. RECYCLING GOALS [TONS]

1990: 134
 1991: 178

IV. MONTHLY TONNAGES AND PARTICIPATION, 7/1/89 - 6/30/90

	<u>TONS</u>	<u>PARTICIPATION</u>
<u>1989</u>		
JULY	25.98	801 Stops
AUGUST	16.88	851
SEPTEMBER	17.46	703
OCTOBER	19.92	997
NOVEMBER	17.50	756
DECEMBER	18.91	887
<u>1990</u>		
JANUARY	23.17	949 Stops
FEBRUARY	13.84	733
MARCH	21.21	1,082
APRIL	28.97	1,323
MAY	23.42	1,215
JUNE	22.70	1,140
TOTAL	249.96	

V. USING DATA FROM 7/1/89 - 6/30/90:

MET 1990 GOAL? Yes (Exceeded by 115.96 tons)
 MET 1991 GOAL? Yes (Exceeded by 71.96 tons)

No. 0-90-9

CITY OF FALCON HEIGHTS
O R D I N A N C E

Date _____

AN ORDINANCE AMENDING CHAPTER 5, PART 14 OF THE CODE OF
THE CITY OF FALCON HEIGHTS AND AUTHORIZING THE COLLECTION
OF A FEE FOR SOLID WASTE

The City Council of the City of Falcon Height ordains as follows:

Section 1. Chapter 5, Part 14 of the Falcon Heights City Code is hereby amended by adding a section to read:

5-14.08 Solid Waste Fees

Subdivision 1. Fees. The owners of all residential properties shall pay such fee for the collection and disposal of solid waste (including recyclable materials) as the Council may from time to time establish by resolution.

Subdivision 2. Penalty for Late Payment. Each quarterly billing for such collection which is not paid when due shall incur a penalty charge of ten percent (10%) on any unpaid balance.

Subdivision 3. Special Assessments. All such fees which are not paid by due date shall be in default and the Council may, in addition to other remedies, annually levy an assessment for any unpaid fees against each parcel of land serviced for which the fee is unpaid and in default. Any such assessment may include the penalties. Such assessment will be certified to the auditor of Ramsey County and collected and remitted to the city in the same manner as assessments for local improvements.

Section 2. This ordinance, passed this _____ day of _____, 1990, shall become effective upon publication.

Moved by _____ Approved by _____
Mayor

Date

YEAS NAYS
BALDWIN
CERNIA ___ In Favor Attested by _____
GEHRZ ___ Against City Clerk
WALLIN
JACOBS

Date

Adopted by Council _____

Date of Publication _____

CITY OF FALCON HEIGHTS

Meeting Date: 11/28/90

REQUEST FOR COUNCIL CONSIDERATION

ITEM DESCRIPTION:RESOLUTION R-90-44 ESTABLISHING FEES FOR
COLLECTION OF RECYCLABLE SOLID WASTESUBMITTED BY:

Shirley Chenoweth

REVIEWED BY:

Jan Wiessner

EXPLANATION/SUMMARY (attach additional sheets as necessary):

Council previously requested that households be billed for the cost of recycling collection only and the proposed \$4.60 per quarter fee reflects the estimated cost of collection for 1991. No administrative, public education or other related costs are included in this fee.

Attachments:

- (a) Copy of proposed Resolution R-90-44
- (b) Copy of Section 5-14.07 of the code - underlining indicates new wording.

ACTION REQUESTED:

Adoption of Resolution R-90-44

No. R-90-44CITY OF FALCON HEIGHTS
C O U N C I L R E S O L U T I O NDate November 28, 1999-----
A RESOLUTION ESTABLISHING FEES FOR
COLLECTION OF RECYCLABLE SOLID WASTE

WHEREAS, the City of Falcon Heights is providing residential properties with regular collection and disposal of recyclable solid waste, and

WHEREAS, funding for the collection of these materials has been provided by a service charge on real property imposed by Ramsey County and a grant arrangement between Ramsey County and Falcon Heights, and

WHEREAS, effective January 1, 1991, Ramsey County will no longer be imposing a service charge on real property in Falcon Heights for the funding of the recycling program, and it is reasonable and necessary for the City of Falcon Heights to establish and impose a fee on properties in Falcon Heights provided with recycling services by the City, and

WHEREAS, the City Council has enacted Ordinance No. 0-90-9 which adds Section 5-14.08 to the Falcon Heights City Code which authorizes the Council to establish by resolution from time to time the fees for the collection and disposal of solid waste, including recyclable materials.

NOW, THEREFORE, the Council of the City of Falcon Heights hereby establishes the following fees which shall be paid by all

residential properties in the City of Falcon Heights commencing January 1, 1991: \$4.60 per quarter for each separate household.

BE IT THEREFORE RESOLVED that such fees be incorporated into the City code, Section 5-14.07 Utility Fees by adding the following:

- c. Collection of Solid Waste--Charged Quarterly
- \$ 4.60 Each Separate Household

IT IS FURTHER RESOLVED that City staff be requested to include this charge on the utility statements for each residential household in the City.

Approved by _____
Mayor

Moved by _____

November 28, 1990
Date

YEAS
BALDWIN
CERNIA
GEHRZ
WALLIN
JACOBS

NAYS
____ In Favor
____ Against

Attested by _____
City Clerk
November 28, 1990
Date

Adopted by Council November 28, 1990

5-14.07 Utility Fees

a. Sanitary Sewer--Charged Quarterly

	<u>Fee</u>	<u>Item</u>
\$	22.00	Single Family Residential
	22.00	Apartments Per Unit
	.85	Commercial and Industrial
	per 1000	
	gallons	

b. Storm Drainage--Charged Quarterly

\$	3.25/acre	Golf Courses and Open Undeveloped Areas
	3.25/lot	Single Family and Duplex
	16.25/acre	Schools and Institutions
	32.50/acre	Multiple Family Residential, Churches and Governmental Buildings
	65.00/acre	Commercial

c. Collection of Recyclable Solid Waste--Charged Quarterly

\$	<u>4.60</u>	<u>Each Separate Household</u>
----	-------------	--------------------------------

Consent _____

Agenda Item: F-3

Policy X

CITY OF FALCON HEIGHTS

Meeting Date: 11/28/90

REQUEST FOR COUNCIL CONSIDERATION

ITEM DESCRIPTION:

1991 STREET IMPROVEMENTS: SEWER INSPECTION

SUBMITTED BY:

Bill Westerberg
Maier Stewart and Associates

REVIEWED BY:

Jan Wiessner
Terry Maurer

EXPLANATION/SUMMARY (attach additional sheets as necessary):

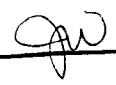
Quotations have been solicited for televising the City's sewer system on streets scheduled for reconstruction in 1991. Two alternative service levels were solicited, with and without cleaning.

Attachments:

- A. 11/6/90 Westerberg correspondence
- B. 4 quotations

ACTION REQUESTED:

Approve lowest quotation for cleaning and televising sewers (VISU-CLEAN).





CONSULTING ENGINEERS

Maier Stewart & Associates Inc.

November 6, 1990

File No: 330-019-20

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

RE: SANITARY SEWER TELEVISIONING QUOTES

Dear Ms. Wiessner:

The feasibility report for the 1991 Falcon Heights Street Improvements recommended the City to televise the sanitary sewer system on the streets to be reconstructed as part of the 1991 street improvements. Therefore, we have solicited quotes for the television inspection of the City's sanitary sewer system under the streets to be reconstructed.

Quotes were requested for two (2) alternatives: clean, televise and provide a report and televise and report only with the City crew cleaning the lines. Four quotes were received. They are tabulated in the following table and copies of each are attached.

<u>FIRM</u>	<u>TELEVISION & REPORT ONLY</u>	<u>CLEAN TELEVISION & REPORT</u>
Visu-Sewer Clean and Seal, Inc.	\$2,137.50	\$3,225.00
Solidification, Inc.	\$2,100.00	\$4,500.00
Pipe Services Corporation	\$1,687.50	\$5,212.50
Midwest Underground Inspections, Inc.	\$3,525.00	\$7,125.00

It should be noted all quotes are based on per linear foot prices and a estimated quantity of 7,500 feet. Therefore, the final price may vary slightly.

If the City chooses to clean the sewer lines the televising company will hold the City responsible for any delays caused by material in the lines. Also, the televising firm cannot be held accountable for the quality of the taped report due to unclean lines. Therefore we would recommend the City

CITY OF FALCON HEIGHTS
NOVEMBER 6, 1990
PAGE TWO

contract with a firm to clean, televise and prepare a report. Based on the lowest responsive bid submitted, we would recommend the City contract with Visu-Sewer Clean and Seal, Inc.

If you have any questions, please call.

Sincerely,

MAIER STEWART AND ASSOCIATES, INC.

William K. Westerberg

William K. Westerberg
Staff Engineer

WKW/db

Enclosure

Quotation for: Television Inspection Work
City of Falcon Heights

Description	Qty.	Units	Unit Cost	Total Cost
Base Bid				
1. Televise, Video Tape & Report	7500	LF	<u>\$0.285</u>	<u>\$2,137.50</u>
Total Base Bid *				<u>\$2,137.50</u> **
Alternate Bid				
1A. Clean, Televise, Video Tape & Report	7500	LF	<u>\$0.43</u>	<u>\$3,225.00</u>
Total Alternative Bid *				<u>\$3,225.00</u> **

Submitted by:

VISU-SEWER
Company Name

John F. Grove (JOHN F. GROVE)
Name

2849 HEDBERG DRIVE
Address

MINNETONKA, MN. 55343

612/593-1907
Phone

10/30/90
Date

* Note: Only one contract will be awarded.

** INCLUDED IN OUR QUOTATION IS A COMPUTER GENERATED REPORT LISTING REPAIR ALTERNATIVES AND COSTS.

Quotation for: Television Inspection Work
City of Falcon Heights

Description	Qty.	Units	Unit Cost	Total Cost
Base Bid				
1. Televise, Video Tape & Report	7500	LF	<u>.28¢</u>	<u>\$2,100.00</u>
Total Base Bid *				<u>\$ 2,100.00</u>
Alternate Bid				
1A. Clean, Televise, Video Tape & Report	7500	LF	<u>.60¢</u>	<u>\$4,500.00</u>
Total Alternative Bid *				<u>\$ 4,500.00</u>

Submitted by:

Solidification, Inc.
Company Name

Curtis Lindelof
Name Curtis Lindelof, V.P.

7233 Winnetka Avenue North
Address

Minneapolis, Minnesota 55428

(612) 535-0165
Phone

October 31, 1990
Date

* Note: Only one contract will be awarded.

Quotation for: Television Inspection Work
City of Falcon Heights

Description	Qty.	Units	Unit Cost	Total Cost
Base Bid				
1. Televise, Video Tape & Report	7500	LF	<u>0.225</u>	<u>1,687.50</u>
				=====
Total Base Bid *				<u>\$ 1,687.50</u>
Alternate Bid				
1A. Clean, Televise, Video Tape & Report	7500	LF	<u>0.695</u>	<u>5,212.50</u>
				=====
Total Alternative Bid *				<u>\$ 5,212.50</u>

Submitted by:

Pipe Services Corporation
Company Name

Andy Martin Andy Martin
Name

13708 Inverness Road
Address

Minnetonka, MN 55343

(612) 938-9614
Phone

October 29, 1990
Date

* Note: Only one contract will be awarded.

Quotation for: Television Inspection Work
City of Falcon Heights

Description	Qty.	Units	Unit Cost	Total Cost
Base Bid				
1. Televise, Video Tape & Report	7500	LF	<u>\$.047</u>	<u>\$3,525.00</u>
Total Base Bid *				<u>\$ 3,525.00</u>
Alternate Bid				
1A. Clean, Televise, Video Tape & Report	7500	LF	<u>\$0.95</u>	<u>\$7,125.00</u>
Total Alternative Bid *				<u>\$ 7,125.00</u>

Submitted by:

Midwest Underground Inspections, Inc.

Company Name

Robert R. Friedle

Name Robert R. Friedle

383 Woodland Drive

Address

Isanti, MN 55040

(612) 444-5501

Phone

October 29, 1990

Date

* Note: Only one contract will be awarded.

Consent _____

Agenda Item: F-4

Policy X

CITY OF FALCON HEIGHTS

Meeting Date: 11/28/90

REQUEST FOR COUNCIL CONSIDERATION

ITEM DESCRIPTION:

SEWER REPAIR DISCUSSION

SUBMITTED BY:

Continued from last meeting

REVIEWED BY:

EXPLANATION/SUMMARY (attach additional sheets as necessary):

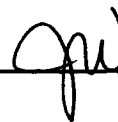
At the November 14th meeting, the City Council requested staff to obtain a legal opinion regarding potential liability exposure involved in changing current policy regarding sharing costs of sewer repair. Council members also asked for additional information regarding other policies.

Attachments:

- A. 11/16/90 Gedde correspondence
- B. 11/20/90 Kelly correspondence

ACTION REQUESTED:

Discuss



file - legal opinions
P. 2/3

COPY

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

ATTORNEYS AND COUNSELORS AT LAW

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

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

OF COUNSEL
MOWSE, G. CRAIG

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

November 16, 1990

Ms. Janet R. Wiessner
City Administrator
City of Falcon Heights
2077 West Larpenteur Avenue
Falcon Heights, MN 55113-5594

RE: Sanitary Sewer Stub Maintenance

Dear Ms. Wiessner:

Sanitary sewer stubs serving private parcels in Falcon Heights are usually constructed from the main to the vicinity of the right of way line by the City of Falcon Heights, and the cost of this is assessed to the property owner. The remainder of the line going into the private property is constructed by the property owner at the property owner's expense. Maintenance of the entire stub from the sewer main in the street to the building is the responsibility, under current Code Section 4-1.09 of the owner or occupant. That section provides:

It shall be the responsibility of the owner or occupant to maintain the sewer service from the main sewer into the house or building.

The Council is considering a modification of the ordinance which would have the City assume responsibility for maintenance of the stub from the main to the right of way line with, possibly a maximum limit of \$250.00. You have asked whether this change in policy could expose the City to additional liabilities.

The proposed change in policy would not expose the City to additional liability for repair work provided that the \$250.00 limit was well defined (e.g. per occurrence, per year, etc.). The type of problem for which the City would be responsible (structural failure, blockage, etc.) would also have to be well defined. Also, as a practical matter it may be difficult

Ms. Janet R. Wiessner

Page 2

November 16, 1990

to determine whether a problem existed within the City right of way or elsewhere on the stub line, and the nature of the problem (structural or blockage) may also be difficult to determine prior to excavation and examination.

Assuming these issues could be adequately addressed in the ordinance and that the practical problems could be overcome, the City would not have additional liability for maintenance beyond what was authorized in the ordinance, but additional liability claims for damage caused by back-ups would exist whenever it could be shown that a back-up was caused by a structural problem in the stub line on the City side of the right of way line and the structural failure itself or the failure to have corrected the structural failure promptly was a result of the City's negligence.

Because of these complications, and the fact that sewer stub lines, whether within the right of way or not, are for the sole purpose of serving a private parcel of property, most cities have code provisions similar to those that currently exist in Falcon Heights.

I hope this answers your question. Please let me know if you would like additional information.

Yours truly,

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

Thomas A. Gedde
Falcon Heights City Attorney

TAG/abg

Consent _____

Agenda Item: F-6

Policy X

CITY OF FALCON HEIGHTS

Meeting Date: 11/28/90

REQUEST FOR COUNCIL CONSIDERATION

ITEM DESCRIPTION:

UPDATE ON ROSEVILLE-FALCON HEIGHTS COOPERATION STUDY

SUBMITTED BY:

Jan Wiessner

REVIEWED BY:

EXPLANATION/SUMMARY (attach additional sheets as necessary):

ACTION REQUESTED:

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

COPY

ATTORNEYS AND COUNSELORS AT LAW

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

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

OF COUNSEL
HOWSE, G. CRAIG

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

November 16, 1990

Ms. Janet R. Wiessner
City Administrator
City of Falcon Heights
2077 West Larpenteur Avenue
Falcon Heights, MN 55113-5594

RE: Sanitary Sewer Stub Maintenance

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Ms. Janet R. Wiessner
Page 2
November 16, 1990

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I hope this answers your question. Please let me know if you would like additional information.

Yours truly,

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

Thomas A. Gedde
Falcon Heights City Attorney

TAG/abg



CITY OF
FALCON HEIGHTS

2077 W. LARPENTEUR AVENUE FALCON HEIGHTS, MN 55113-5594 PHONE (612) 644-5050 FAX (612) 644-8675

November 20, 1990

TO: Jan Wiessner
FROM: Tom Kelly
IN RE: Sewer Repairs

I checked into different City policies regarding sewer repairs and found:
City of Minneapolis repairs and pays for the mainline. The property owner is responsible from the mainline to the house.

City of St. Paul repairs sewer and pays for the mainline, the property owner is responsible from mainline to the house.

City of St. Paul Water Utility repairs everything in the street and the property owner is responsible from property line to the house.

City of Roseville is responsible for the mainline with the property owner responsible from the mainline to the house. If reconstruction of street and sewer is being done, the City will reconstruct sewer line and assess property owners if property owner requests the work.

City of MoundsView is responsible for mainline only and property owner from mainline to the house.

City of Maplewood is responsible for mainline and property owner from mainline to house. However, if a property owner has a problem with the clay pipe, the City will pay for that property owner to replace clay for cast iron from mainline to the right-of-way.

TK:p

HOME OF THE MINNESOTA STATE FAIR AND THE U OF M INSTITUTE OF AGRICULTURE



PRINTED ON RECYCLED PAPER

Consent _____

Agenda Item: F-5

Policy X

CITY OF FALCON HEIGHTS

Meeting Date: 11/28/90

REQUEST FOR COUNCIL CONSIDERATION

ITEM DESCRIPTION: METRO RELATIONS, INC.

SUBMITTED BY: Gene Franchette

REVIEWED BY: Jan Wiessner

EXPLANATION/SUMMARY (attach additional sheets as necessary):

Gene Franchette is actively trying to get a cooperative program started among Metro cities to monitor the MWCC. It has been suggested that more appropriate vehicles for this effort might be either AMM or the Suburban Rate Authority rather than each City contracting directly. At this time, Blaine is the only City which has entered into an agreement. Both the AMM and SRA Boards will be discussing this soon.

ACTION REQUESTED: at this time. Recommend not taking action



Copy TK
→ SC * for Council
Agenda
(Nov.)

METRO RELATIONS INC.

October 1, 1990

Jan Wiessner
Administrator
1644 Larpenteur Ave W
Falcon Hts, MN 55113

Dear Ms. Wiessner:

What is the most costly line item in many city budgets?

What public agency pays many of the highest wages and fringe benefits in the metropolitan area?

What public agency gets 95 percent of its \$120,000,000 operating revenues from cities?

What public agency that serves cities exclusively has no direct city voice in its affairs?

The answer to all of these questions is: the Metropolitan Waste Control Commission.

The Metropolitan Waste Control Commission (MWCC) ranks right behind the Metropolitan Transit Commission (MTC) with the second largest budget of all the metropolitan agencies. Contrary to the MTC, which receives its revenues from the fare box, the state government, the federal government, as well as a tax within each city, the MWCC gets 95 percent of its current \$120,000,000 budget from the cities. That means the cities must come up with \$114,000,000. And there is no opting out!

The MWCC charges continue to grow. At a time when many cities are forced to curtail some municipal services because of reduced revenues, the cost of wastewater treatment is going up at historically unprecedented rates.

The MWCC is not subject to any budgetary constraints such as the levy limit law imposed on cities. It can raise rates at will.

THE PROBLEM: No one speaks for the cities. There is no one consistently and intensively watching the Commission and advocating the interests of cities. There is no one consistently doing analyses to assure that MWCC activities and expenditures are necessary and in the interests of its users, the cities.

Such lack of oversight has contributed to some known, and probably many unknown, excessive expenditures in the past. For example, at the present time many MWCC personnel and fringe benefit costs far exceed comparable municipal personnel and fringe benefit costs. Yet, it is the cities which pay these costs. In addition, not only are these expenditures a direct added cost through rate charges to cities, but a secondary cost is that such practice complicates municipal labor negotiations.

THE SOLUTION: Metro Relations, Inc. has been established to provide an ongoing MWCC oversight, analysis and advocacy service for your city and other cities. It will assure the presence of the interests of cities at Commission discussions and deliberations. It will provide analyses of Commission issues from the municipal perspective, and will advocate, when appropriate, the interests of your city and others with the Commission.

No city can afford on its own to provide such service consistently and in depth. But by joint action, an on-going professional monitoring, analysis and advocacy service can be provided for a very low individual municipal investment.

What are the BENEFITS? A major focus will be on keeping MWCC budget increases to absolute necessary levels. Success in keeping an MWCC budget increase down just 1 percent would save the cities over a million dollars in one year, and would **multiply many times over** the small investment in Metro Relations, Inc. For the first time your city and the other cities will have an on-going professional presence with the Commission, someone who knows the system and knows the process.

The investment in Metro Relations, Inc. is not competitive with other general fund priorities, or such memberships as the Association of Metropolitan Municipalities or the League of Minnesota Cities. Because the focus of Metro Relations, Inc. is exclusively on the MWCC, the city's subscription fee can, and appropriately should, be a part of the municipal sewer service enterprise budget.

To assure effective coordination Metro Relations Inc. will meet regularly with the appropriate Board committee of the the Association of Metropolitan Municipalities.

I will be the program's principal staff person. I have the qualifications and capabilities to make the program work effectively. I was Executive Director and Department Director for the Metropolitan Council. I know well the operations of the MWCC from these several years of oversight responsibilities and other more recent studies.

I also understand the needs and concerns of cities. This stems from my term as Executive Director of the Association of Metropolitan Municipalities. I know the system. I am skilled at working in the process. I will represent the participating cities well.

Support for the service is on a subscription basis. Subscription fees vary depending on the city's use of the wastewater system, ranging from a low of \$1250 to a high of \$5850. Compare these modest amounts to the charges you now pay to the MWCC.

Enclosed are a list of questions and answers and an agreement to establish the city as a participating member. The agreement also sets forth the amount of the city's annual investment as a participating city.

I look forward to this opportunity of service to make your city and others more effective in the metropolitan area.

I will be pleased to meet with you at any time to discuss the proposal.

Sincerely,



Eugene E. Franchett

Enc.

EEF.tm

QUESTIONS AND ANSWERS

What is Metro Relations Inc.?

Metro Relations Inc. is a corporation established on behalf of cities to monitor closely the activities of the Metropolitan Waste Control Commission (MWCC), to analyze MWCC issues and to advocate the interests of participating cities with the MWCC.

Why is Metro Relations Inc. necessary?

The cities in this metropolitan area now pay well over \$100,000,000 each year to the Metropolitan Waste Control Commission, yet cities have no direct voice in how or at what cost service is to be provided. Metro Relations Inc. will conduct ongoing analyses of MWCC issues on behalf of participating cities, will be present at all Commission deliberations, will communicate regularly on MWCC issues with participating cities, and will advocate the interests of participating cities when appropriate.

Who decides what the Commission does?

It is the Commission which decides what the Commission does, within the context of the broad policies laid down by the Metropolitan Council. Commissioners are appointed by the Metropolitan Council, which in turn is appointed by the Governor. The Chair of the MWCC is also appointed by the Governor.

What will Metro Relations Inc. do for the participating cities?

Metro Relations Inc. will:

1. Represent the participating cities at Commission and Committee meetings.
2. Analyze key MWCC issues of importance to participating cities.
3. Analyze MWCC budgets and participate in the budget-making process on behalf of the participating cities.
4. Advocate the interests of participating cities with the MWCC.
5. Report regularly to the participating cities on key MWCC issues.

6. Alert participating cities when issues before the Commission warrant immediate attention and action.

Why is it necessary at this time to have cities represented with the MWCC?

The costs of wastewater treatment are going up at historically unprecedented rates. Among other things, the MWCC now compensates some of its employees at salaries, wages and fringe benefits which far exceed those of cities. Cities pay these costs through their rates and SAC charges. These costs have now reached a level which warrants that the cities have a strong, informed, regular and consistent professional presence with the Commission, and keep themselves informed with ongoing analyses of key MWCC issues so that appropriate action can be taken.

What will be the benefits?

Money! Among other things. Succeeding in keeping proposed MWCC increases down just 1 Percent will multiply many times over the cities' small investment in Metro Relations Inc.

Also, for the first time in the history of the Commission, there will be on-going analyses of MWCC issues and advocacy for the cities interests at all Commission deliberations. No city can afford to do this consistently on its own, yet it becomes extremely cost effective as a joint effort.

How do we know Metro Relations Inc. will get results?

Success depends on the capabilities, track record and commitment of the key person involved. The person committed to lead and staff this program is a top urban government professional with over twenty years experience. He is known to many city managers in the area with whom he has worked as a competent, capable and effective professional of high integrity.

His background and experience have prepared him exceedingly well to undertake the program. He previously served as Executive Director of the Association of Metropolitan Municipalities and Executive Director of the Metropolitan Council, and has conducted his own government relations and planning firm for the past three years.

Who is Gene Franchett?

Eugene E. Franchett is owner and president of Metro Relations, Inc. He has directed his own firm of Gene Franchett and Associates, doing planning and government relations, for the past three years. His background is rich in government affairs including:

Executive Director
Metropolitan Council

Department Director
Metropolitan Council

Executive Director
Association of Metropolitan Municipalities

Executive Director
Governor's Task Force on Metropolitan Problems (Wisc.)

Executive Director
Fox Valley Council of Governments (Wisc.)

He has written national award winning reports. He was named outstanding regional council executive director in the country in 1983 and outstanding public administrator in Minnesota.

AGREEMENT

AGREEMENT made this _____ day of _____, 1990 between the city of FALCON HTS., Minnesota, hereinafter referred to as the "City", and Metro Relations Inc., hereinafter referred to as "MRI".

WITNESSETH

WHEREAS, it is in the interest of the city to engage the services of MRI to monitor on behalf of the city the operations and activities of the Metropolitan Waste Control Commission, hereinafter referred to as "MWCC", to conduct research and analyses of MWCC matters, and to undertake related activities, and

WHEREAS, it is in the interest of the city to share the cost of such monitoring and analyses with other cities of like interests who shall also contract with MRI for this same purpose, and

WHEREAS, MRI and its principal agent, Eugene E. Franchett, is particularly knowledgeable and competent to conduct such monitoring and analyses

NOW, THEREFORE, it is agreed as follows

AGREEMENT

A. Character and Extent of Services

1. MRI agrees to provide services as follows:

a. To be present on behalf of the city and the other participating cities at MWCC commission meetings and committee meetings.

b. To analyze key MWCC issues of importance to the city and the other participating cities.

c. To analyze MWCC budgets and participate in the budget-making process on behalf of the city and the other participating cities and make recommendations on behalf of the participating cities.

d. To advocate the interests of the city in common with the other participating cities with the MWCC.

e. To notify within a reasonable time the chief administrative officer of the city and the other participating cities when MRI determines that issues before the commission warrant immediate attention and action.

f. To report in writing regularly to the city and the other participating cities on key MWCC issues.

B. Compensation

1. The services performed by MRI shall be paid by annual subscriptions by each participating municipality. The amount of each city's subscription shall vary from \$1250 to \$5850 per year depending on the extent of the city's use of the regional waste water treatment system. The minimum and maximum shall be adjusted annually for inflation at a rate determined by the Consumer Price Index. The subscription fee for the city in 1991 is \$1250. Such subscription fee shall be paid by the city as follows: One-half on or before February 1 of each year and one-half on or before August 1 of each year.

C. Duration and Termination

1. This agreement is made contingent upon the execution of like contracts by not less than seven cities, and upon meeting that contingency MRI shall give written notice of the effectiveness of the contract to each city.

2. This agreement shall be in effect for one year commencing January 1, 1991 and ending December 31, 1991, HOWEVER it shall renew automatically each subsequent year unless Notice of Termination shall be given pursuant to Paragraph (a) following.

a. Either the city or MRI may terminate this agreement by giving the other party written notice on or before October 1 of any year giving notice of termination at the end of that calendar year; and the agreement shall continue until the effective date of such termination. A notice of termination may be rescinded by either party at any time.

c. This agreement shall be terminated at the end of the calendar year when the number of participating municipalities is reduced to less than the number of participating municipalities required to put the agreement into effect.

D. Miscellaneous

1. Execution of this Agreement does not create a contract of employment. MRI and Eugene E. Franchett are and shall remain independent contractors, therefore the city shall not be responsible for payment of social security or withholding taxes, nor for unemployment or worker's compensation insurance or other benefits.

2. If the city resolves to retain MRI to pursue a matter of special interest with the MWCC it may do so provided the matter is not in conflict with the interests of the other participating cities, and MRI shall receive an additional fee for such services which shall be based on its standard per diem fees.

IN WITNESS WHEREOF, the parties have executed this agreement the day and year first above written.

Metro Relations Inc.

By: Eugene E. Franchett
Its President

Date OCTOBER 15, 1990

City

By: _____
Its _____

Date _____