

REGULAR CITY COUNCIL MEETING

CITY OF FALCON HEIGHTS

AGENDA

DECEMBER 13, 1989

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

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

C. APPROVAL OF MINUTES OF NOVEMBER 29, 1989

D. PUBLIC HEARING: 7:30 P.M.

1. Vacation of Extension of Folwell Ave.

E. CONSENT AGENDA

1. Disbursements

a. Disbursements through 12/13/89, \$33,387.18

b. Payroll, 11/16/89-11/30/89, \$9,476.87

2. Cancellation of Check #22900

3. Commission Minutes

a. Park & Recreation Minutes of Nov. 13, 1989

b. Planning Commission Minutes of Dec. 4, 1989

4. Review of a Conditional Use Permit for JJ's Pool
and Game Arcade at 1544 W. Larpenteur Ave. in a B-2 Zone

ACTION: _____

F. REPORTS, REQUESTS AND RECOMMENDATIONS:

1. Preliminary Development Agreement - Professional Ventures,
Incorporated (PVI)

ACTION: _____

2. Authorization to Advertise for Public Works 3/4 Ton
Truck Bids

ACTION: _____

F. REPORTS, REQUEST AND RECOMMENDATIONS:

3. Agreement with MNDOT for City's Share of Snelling Avenue Project

ACTION: _____

4. Select Bond Approving Attorney

ACTION: _____

5. Request to the Metropolitan Council for an Extension to Update our Comprehensive Municipal Plan to Conform to Metropolitan Council Policies

ACTION: _____

6. Discussion of Section 5-1.01 of the Code - Regulation of Cats

ACTION: _____

7. Consider Cancelling the December 27th City Council Meeting

ACTION: _____

G. ANNOUNCEMENTS AND UPDATES

H. ADJOURNMENT

ACTION: _____

MINUTES
SPECIAL CITY COUNCIL MEETING
NOVEMBER 29, 1989

Acting Mayor Ciernia convened the meeting at 7:10 P.M.

PRESENT

Bush, P. Chenoweth, Ciernia and Wallin. Also present were Wiessner and S. Chenoweth

ABSENT

Baldwin

11/8/89 CANVASSING BOARD MINUTES APPROVED

The Canvassing Board Minutes dated November 8, 1989 were approved by unanimous consent.

11/8/89 CITY COUNCIL MINUTES APPROVED

The Minutes of the November 8, 1989 regular Council Meeting were approved by unanimous consent.

CONSENT AGENDA APPROVED

Council unanimously approved the following Consent Agenda:

1. Disbursements
 - a. General Disbursements through 11/29/89, \$65,671.43
 - b. Payroll from 11/1/89-11/15/89, \$10,040.12
2. Commission Minutes
 - a. Parks and Recreation Minutes of October 9, 1989
 - b. Solid Waste Minutes of November 1, 1989
3. Resignations from Parks and Recreation Commission
 - a. Kirsten Eckberg, 1549 W. Hoyt
 - b. Robert D. Gehrz, 2285 Folwell
4. U. S. Olympic Festival '90 Torch Run
5. Agreement with Roseville Area Schools re: Falcon Heights School Playground
6. Licenses: #384, As You Like It Construction, and #388, AAA Plumbing by Newstrom

POLICE CONTRACT WITH CITY OF ROSEVILLE APPROVED

Wiessner explained that the final draft of the contract has only one significant change, i.e., to guarantee a five year minimum contract term. Following a brief discussion, Wallin moved approval of the contract for police service to begin January 1, 1990, and authorizing Ciernia and Wiessner to sign the same. Motion carried unanimously.

APPROVAL OF INCREASED VOTING HOURS FOR MUNICIPAL ELECTIONS

Staff explained that there have been some complaints regarding the inconvenience of the present 12:00 Noon to 8:00 P.M. voting hours for municipal elections, and recommended that the hours be

changed to 7:00 A.M. to 8:00 P.M. Wallin then moved adoption of Resolution R-89-25 which carried unanimously.

RESOLUTION R-89-25

A RESOLUTION DESIGNATING VOTING HOURS FROM
7:00 A.M. to 8:00 P.M. FOR ALL MUNICIPAL
ELECTIONS

PROPOSED ORDINANCE RELATING TO REFUSE COLLECTION AND DISPOSAL

Council and Staff reviewed and discussed the proposed document. Wallin indicated that he felt that adopting an ordinance requiring haulers to collect and dispose of yard waste would encourage residents to dispose of waste rather than leaving it on the lawn. This discussion was interrupted to open the public hearing scheduled for 7:30 P.M.

7:30 P.M. - PUBLIC HEARING ON PROPOSED 1990 BUDGET

Ciernia opened the hearing at 7:30 P. M. and explained that the Hearing Notice had been published in the St. Paul Pioneer Press Dispatch on November 15, 1989. Wiessner and Accountant Kelly explained the new tax law and its implications and reviewed the proposed budget for 1990.

MARK ASCERNO, 1871 TATUM, asked if the Local Government Aid distribution is at the whim of the Legislature or if the City has any control in the matter. Ciernia replied that the City has no control over the funds. Mr. Ascerno also asked how Lauderdale is charged for fire protection to which Wiessner replied that Lauderdale is charged under a formula based on assessed value, plus charges for preventative inspections and a per call charge for each fire call.

STATE REPRESENTATIVE MARY JO MCGUIRE explained that the Legislature changed the tax law to shift aid from the cities to the school districts in an attempt to make local governments more accountable, and to provide funding for state mandates handed down to school districts.

DAVE HALVORSON, 1840 PASCAL, commented on the fact that the Parks and Recreation budget had gone up 500% and asked what had been done to reduce taxes rather than increase them. Ciernia replied that a few years ago Council had looked at the park and recreation programs, felt they were not adequate, and chose to hire a part time Parks and Recreation Director to organize programs. They also implemented a more aggressive park maintenance program to reduce possible liability. Wiessner explained that changes in the budgeting system created an increase due to the fact that staff time is now allocated to each department, i.e., Public Works time spent in the parks now shows up in the Park Budget.

1990 BUDGET ADOPTED

There being no others wishing to be heard, Ciernia closed the Public Hearing at 8:07 P.M. Wallin then moved adoption of the 1990 Budget as presented., Motion carried unanimously.

DISCUSSION OF PROPOSED REFUSE ORDINANCE RESUMED

Wallin felt it might be prudent to prohibit the disposal of yard waste rather than providing for collection, and that everyone should be encouraged to leave lawn clippings on the lawn as it is beneficial. Mark Ascerno, 1871 Tatum, agreed that lawn clippings are a good source of nutrients for the lawn, but that leaves and prunings can create problems in that they are slow to compost and prunings can harbor rodents. S. Chenoweth explained that the Solid Waste Commission is also concerned, however, has recommended providing for collection of yard waste as a short term solution. Following the discussion, Wallin moved adoption of the proposed ordinance on the contingency that use/disposal of yard wastes sbe addressed in the near future. Motion carried unanimously.

ORDINANCE O-89-17

AN ORDINANCE AMENDING SECTION 5-4.01 OF THE
MUNICIPAL CODE RELATING TO COLLECTION AND
DISPOSAL OF REFUSE AND YARD WASTE

PRESENTATION BY STATE REPRESENTATIVE MARY JO MCGUIRE

Representative McGuire reviewed items addressed at the special legislative session, and presented an update on upcoming issues to be discussed by the Legislature.

APPROVAL OF PROPOSED ORDINANCE INCREASING INSURANCE
REQUIREMENTS FOR LICENSING CONTRACTORS

S. Chenoweth explained that Doug Holm, Loss Control Consultant with North Star Risk Service, Inc., has recommended that liaibility limit requirements for licensing all contractors be increased to be more in line with the City's liability coverage. Bush moved adoption of Ordinance O-89-18 increasing the limits as recommended. Motion carried unanimously.

ORDINANCE O-89-18

AN ORDINANCE INCREASING INSURANCE REQUIREMENTS
FOR LICENSING OF ALL CONTRACTORS, AMENDING SECTIONS
5-14.02, 5-12.01, 5-12.02, 8-4.03, SUBD. 2(b), AND
4-6.01, SUBD. 5 OF THE MUNICIPAL CODE

CITY TO PARTICIPATE IN ICE RINGETTE SPORTS PROGRAM

Bush explained that the sport is a winter activity similar to hockey but designed for girls, and that the Minnesota Amateur Sports Commission is offering free start-up equipment kits.

Following a brief discussion, Bush moved that Falcon Heights participate in the effort to organize the Ice Ringette sport in our area. Motion carried unanimously.

DISCUSSION - LEAGUE OF MINNESOTA CITIES' IMPOSITION OF INSTITUTIONAL FEE ON LMCIT

Ciernia explained that the League of Minnesota Cities Insurance Trust is an insurance pool which provides insurance for Minnesota cities and is an arm of the League of Minnesota Cities. Since the League provides services on behalf of the LMCIT a 1.5% institutional fee is being charged to cover the cost of these services and several cities have expressed opposition to the charge. Carol Carlson, a member of the League Board, explained that she had voted for the charge to help defray costs of special projects, however, she was of the opinion that some board members might be willing to reconsider the matter. Wallin felt that there should be more direct accountability of cost rather than the generic percentage. Council agreed that there should be direct user cost relationships and objected to the present system. Carol Carlson will present the Council's views to the League Board.

PURCHASE OF NEW COPY MACHINE AUTHORIZED

Kelly explained that purchase of the Konica 3290 is being recommended due to the fact that it is user friendly, the price is competitive, and it will be serviced by our present service department with whom we are satisfied. Wallin moved authorization to purchase the Konica 3290 at a cost of \$7,433 to be funded from proceeds of the Capital Notes which are to be issued in the near future. Motion carried unanimously.

ESTABLISHMENT OF A SPECIAL REVENUE FUND FOR POP MACHINE REVENUE

Wiessner explained that a committee of city employees has recommended that either (1) the price of the pop be lowered to actual cost, or (2) keep the price high enough to generate a small profit and set up an employee fund with the proceeds. Following discussion at a staff meeting, the City staff agreed to request that the pop machine revenue be placed in a special revenue fund for the purpose of employee recognition. Council unanimously agreed to the establishment of a Special Revenue Fund and authorization of expenditures from the fund for purposes such as: employee picnics, holiday parties, flowers for special occasions, kitchen items, etc.

ADJOURNMENT

The meeting was adjourned at 9:17 P.M.

ATTEST:

Paul Ciernia, Acting Mayor

Shirley Chenoweth, City Clerk

CITY OF FALCON HEIGHTS
PUBLIC HEARING

Meeting Date: 12/13/89

7:30 P.M.

ITEM DESCRIPTION:

PUBLIC HEARING ON VACATION OF EXTENSION OF FOLWELL AVE.

SUBMITTED BY:

University of Minnesota

REVIEWED BY:

City Council
Planning Commission
Staff

EXPLANATION/SUMMARY (attach additional sheets as necessary):

At the November 8th Council meeting, Council agreed to the vacation of the Westerly 25 feet of the easement providing there is no cost to the City and scheduled the necessary Public Hearing.

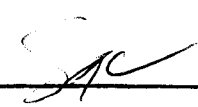
ATTACHMENTS:

Copy of Minutes of November 8, 1989

- (a) Minutes of November 8, 1989
- (b) Proposed Resolution

ACTION REQUESTED:

Adoption of a Resolution vacating the Westerly 25 feet of the Folwell Ave. extension in Auditor's Subdivision #90.



MINUTES
NOVEMBER 8, 1989
PAGE 2

LIONS CLUB REQUEST TO USE CITY PARK FOR SALE OF CHRISTMAS TREES,
CHRISTMAS TREE LICENSE #387 AND TEMPORARY SIGN PERMITS TO BE
ISSUED UPON RECEIPT OF APPLICATIONS AND FEES

Sam Jacobs, representing the Falcon Heights/Lauderdale Lions Club, requested that Council consider allowing the Club to install 50 steel posts and 500 feet of snow fence at the City Park as an enclosure for their annual Christmas Tree sales lot. He also requested permission to place a temporary warming shelter and satellite at the site. Following a brief discussion Wallin moved approval of the requests contingent upon receipt of the necessary license and signage documents. Motion carried unanimously.

DISCUSSION OF UNIVERSITY'S INTENT TO SELL LEASE RIGHTS IN
IN UNIVERSITY GROVE

Baldwin explained that the University of Minnesota is considering the sale of the lease rights of the University Grove property to the homeowners in the neighborhood, and has inquired as to whether or not the City would be interested in purchasing the common areas. Wallin explained that the Planning Commission at their November 6th meeting, recommended the City not purchase the common areas. Council concurred and will not pursue purchase.

CITY TO VACATE A PORTION OF EASEMENT ON EXTENSION OF FOLWELL
AVE. PUBLIC HEARING SCHEDULED FOR 11/13/89, 7:30 P.M.

Wiessner explained that the University has requested the City to vacate its easement on the extension of Folwell so the University may sell the additional land as a part of Lot C for a dwelling unit. Wallin explained that the Planning Commission felt the City should not give up more than 25 feet of the easement as it may be used for pedestrian access to the proposed walkway included in the City's Park Plan. Following the discussion, Council agreed to vacate the west 25 feet of the easement as long as there is no cost to the City. Council then scheduled a public hearing on the proposed vacation for 7:30 P.M., December 13, 1989.

REQUEST FROM GARY AFFOLETER, 1892 HOLTON, FOR A PERMITTED
ACCESSORY USE PERMIT TO CONSTRUCT A STORAGE BUILDING DEEMED
UNNECESSARY

Wallin explained that Mr. Affoleter had begun to construct a temporary lean-to on the side of his garage for boat storage, but has now decided to make it a permanent structure. The Planning Commission had a lengthy discussion as to whether or not an Permitted Accessory Use Permit was necessary and by a 6 to 1 vote did recommend approval of the permit. Council also questioned whether an Accessory Use Permit was appropriate or if the structure was an addition to the garage which would only require a building permit. Mr. Affoleter informed Council he

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

Date December 13, 1989

A RESOLUTION VACATING THE WESTERLY 25 FEET OF LOT D
NORTH OF FOLWELL AVENUE AS CONSTRUCTED (AUDITOR'S
SUBDIVISION #90, UNIVERSITY GROVE)

WHEREAS, the City Council of Falcon Heights has been considering vacating
a portion of the City easement on the extension of Folwell Avenue, and

WHEREAS, a public hearing was held on December 13, 1989, before the City
Council in the City Hall after due published and posted notice has been given
by the Clerk and all persons interested were given an opportunity to be heard;
and

WHEREAS, it appears that it will be for the best interest to the City to
vacate such land, and

WHEREAS, four-fifths of all of the members of the Council concur in this
resolution,

NOW, THEREFORE, BE IT RESOLVED, that the property described as follows is
hereby vacated:

Westerly 25 feet of Lot D, North of Folwell
Avenue As Constructed (Auditor's Subdivision
#90, University Grove)

Moved by _____

Approved by _____
Mayor

December 13, 1989

Date

YEAS Nays

BALDWIN
CIERNIA _____ in Favor
CHENOWETH
WALLIN _____ Against
BUSH

Attested by _____
City Clerk

December 13, 1989

Date

Adopted by Council December 13, 1989

Consent x

Agenda Item: E-1

Policy _____

CITY OF FALCON HEIGHTS

Meeting Date: 12/13/89

REQUEST FOR COUNCIL CONSIDERATION

ITEM DESCRIPTION:

DISBURSEMENTS

SUBMITTED BY:

Tom Kelly

REVIEWED BY:

EXPLANATION/SUMMARY (attach additional sheets as necessary):

- (a) General Disbursements through 12/13/89, \$33,387.18
- (b) Payroll, 11/16/89-11/30/89, \$9,476.87.

ACTION REQUESTED:



A handwritten signature in black ink, appearing to be 'AK', is written over a horizontal line at the bottom right of the page.

GENERAL DISBURSEMENTS

CHECK NO	ISSUED TO	REASON	AMOUNT
23007	Wholesale Club	Bldg. cleaning supplies	\$16.44
23008	The Burn Center	Bath thermometers	77.50
23009	U.S. Postmaster	Stamps	250.00
23010	United Way	Pledges	14.00
23011	Comm. of Revenue	State withholding	714.17
23012	North Star State Bank	Federal withholding	4,380.68
23013	The Flyers	Band for "Breakfast with Santa"	250.00
23014	Attitude Development Consultants	Personal Profile-Retreat	76.30
23015	AT&T Credit Corp.	Phone lease	22.43
23016	Barton Aschman Associates	October professional services	814.01
23017	Brotex	Towels	46.42
23018	Banyon Data Systems	Payroll support	1,190.00
23019	BRC Elections Midwest Region	Maintenance of equip., forms	199.50
23020	Cy's	Uniforms	315.00
23021	City of Falcon Heights	Postage, supplies, misc. expenses	27.47
23022	Carolyn Gay	Non-resident reimbursement	4.00
23023	ICMA Retirement Trust	Retirement	1,166.29
23024	Terry Iverson	Mileage	60.20
23025	Kathleen Janke	November cleaning	80.00
23026	Liz Kortz	Non-resident reimbursement	8.00
23027	Minn. Benefit Assoc.	Cancer Insurance	5.85
23028	Linda McLoon	Non-resident reimbursement	8.00
23029	23030	Midwest Concrete Driveway	3,140.00
23030	M-75 Bldg. Maintenance	Nov. cleaning of City Hall	145.00
23031	MN Conway Fire & Safety	Ladders, bunker panels and coats	4,488.70
23032	Motorola, Inc.	Radio for new ambulance	1,681.00
23033	NSP	Street lights	1,685.34
23034	PC World	Subscription-1 year	19.97
23035	PERA	Retirement fund	870.02
23036	Ramsey Co. Conciliation Court	Filing fee	16.00
23037	Rothschild, Bell & Walseth	Bond	400.00
23038	RC Beverage	Pop	69.30
23039	Ramsey County	Insurance	2,094.19
23040	Patricia Schleichert	Non-resident reimbursement	4.00

Page 2
General Disbursements

CHECK NO.	ISSUED TO	REASON	AMOUNT
23041	Smith Office Equipment	Repair Computer	65.00
23042	Board of Water Commissioners	Water	20.47
23043	Susan Hoyt Taff	Film for Planning Commission	9.00
23044	United Laboratories	Cleaner	127.09
23045	Lily Zahariades	Non-resident reimbursement	4.00
23046	American Linen Supply Co.	Cleaning	63.98
23047	Super America	Fuel	140.05
23048	Colonial Life & Accident	Insurance	48.00
23049	Tom Kelly	Seminar - GTS Computer in Alexandria	125.29
23050	Burger King	Breakfast with Santa	322.90
23051	AT&T Credit Corp.	Dec. phone lease	127.73
23052	AT&T	Monthly phone	67.53
23053	Gary Affolter	Refund of Bldg. permit fee	25.25
23054	UofM, Prof. Dev. & Conf. Services	3 day seminar-T. Iverson	90.00
23055	Barton Aschman Associates	Services rendered July 29 thru Aug. 25, 1989	1,269.26
23056	Browning Ferris Ind.	December service	75.80
23057	BRC Elections-Midwest Region	Printer Tapes	40.60
23058	Champion Auto	Repair of equipment	27.29
23059	Suzanne Gibbons	Non-resident reimbursement	4.00
23060	Glenwood Inglewood	Spring water	9.30
23061	Konica	Old copier-maintenance (balance)	80.88
23062	Jeanne Leier	Non-resident reimbursement	8.00
23063	Margolis Brothers	Repair Sod	13.75
23064	NSP	Electricity and Gas	934.47
23065	Pat Phillips	Mileage	7.40
23066	Pioneer Press & Dispatch	Budget Ad, paper subscription	337.50
23067	SuperCycle, Inc.	November Recycling	1,328.85
23068	Toll Company	Air	11.29
23069	Matina Vavoulis	Human Rights Meeting - St. Cloud	79.95
23070	White Bear Country Inn	Council Retreat	446.05
23071	Ace Chemical Products	Ice Melt	77.50
23072	Ameri-Star Lighting	Lights	43.18

Page 3
 General Disbursements

CHECK NO.	ISSUED TO	REASON	AMOUNT
23073	Team Laboratory Chemical Corp.	Degreaser	\$1,540.88
23074	Maier Stewart & Assoc.	November engineering services	1,307.07
23075	Suburban Hardware	Cleaning supplies, tools, paint	152.59
23076	MAMA	Dec. meeting	<u>15.50</u>
TOTAL:			\$33,387.18

Check Number	Employee Number	Employee Name	Pay Period	Pay Group	Pay Group Description	Check Amount	Check Date	Status
017963			0			0.00	30-Nov-89	VOID
017964			0			0.00	30-Nov-89	VOID
017965			0			0.00	30-Nov-89	VOID
017966			0			0.00	30-Nov-89	VOID
017967	000000002	Wiessner, Janet R.	22	01	semi-monthly	1,165.24	30-Nov-89	Outstanding
017968	000000004	Kriegler, Carol J.	22	01	semi-monthly	309.56	30-Nov-89	Outstanding
017969	000000011	Chenoweth, Shirley G.	22	01	semi-monthly	739.21	30-Nov-89	Outstanding
017970	000000020	Iverson, Terry D.	22	01	semi-monthly	812.71	30-Nov-89	Outstanding
017971	000000027	Morgan, Jay M.	22	01	semi-monthly	703.33	30-Nov-89	Outstanding
017972	000000035	Zimmerman, Katherine	22	01	semi-monthly	436.96	30-Nov-89	Outstanding
017973	000000038	Wright, Vincent D.	22	01	semi-monthly	812.39	30-Nov-89	Outstanding
017974	000000063	Phillips, Patricia A.	22	01	semi-monthly	637.17	30-Nov-89	Outstanding
017975	000000065	Kelly, Thomas R.	22	01	semi-monthly	802.69	30-Nov-89	Outstanding
017976	000000068	Suppes, Jean	22	01	semi-monthly	58.48	30-Nov-89	Outstanding
017977	000000072	Carlson, Carol	22	01	semi-monthly	243.48	30-Nov-89	Outstanding
017978	000000079	Hoyt Taff, Susan L.	22	01	semi-monthly	391.53	30-Nov-89	Outstanding
017979	000000081	Staffa, Gregory	22	01	semi-monthly	21.58	30-Nov-89	Outstanding
017980	000000001	Baldwin, Thomas W.	11	03	monthly 2	346.84	30-Nov-89	Outstanding
017981	000000003	Baumann, Nicholas B.	11	03	monthly 2	50.71	30-Nov-89	Outstanding
017982	000000005	Berndt, Ross	11	03	monthly 2	41.50	30-Nov-89	Outstanding
017983	000000007	Bianchi, Joseph D.	11	03	monthly 2	68.00	30-Nov-89	Outstanding
017984	000000008	Brown, Raymond F.	11	03	monthly 2	63.00	30-Nov-89	Outstanding
017985	000000009	Bush, Patti J.	11	03	monthly 2	295.65	30-Nov-89	Outstanding
017986	000000010	Chenoweth, Philip E.	11	03	monthly 2	293.00	30-Nov-89	Outstanding
017987	000000012	Ciernia, Paul C.	11	03	monthly 2	250.00	30-Nov-89	Outstanding
017988	000000018	Holmgren, John M. Sr.	11	03	monthly 2	135.00	30-Nov-89	Outstanding
017989	000000022	LeMay, Dennis G.	11	03	monthly 2	56.00	30-Nov-89	Outstanding
017990	000000024	Lindig, Leo	11	03	monthly 2	303.34	30-Nov-89	Outstanding
017991	000000033	Schauffert, Craig F.	11	03	monthly 2	135.00	30-Nov-89	Outstanding
017992	000000034	Smida, Gail	11	03	monthly 2	63.00	30-Nov-89	Outstanding
017993	000000037	Wallin, Gerald E.	11	03	monthly 2	200.00	30-Nov-89	Outstanding
017994	000000039	Morgan, Jay	11	03	monthly 2	41.50	30-Nov-89	Outstanding

Grand Total

9,476.87

Consent X

Agenda Item: E-2

Policy _____

CITY OF FALCON HEIGHTS

Meeting Date: 12/13/89

REQUEST FOR COUNCIL CONSIDERATION

ITEM DESCRIPTION:

CANCELLATION OF CHECK #22900

SUBMITTED BY:


Tom Kelly

REVIEWED BY:

EXPLANATION/SUMMARY (attach additional sheets as necessary):

Check #22990 issued October 25, 1989 to Ramsey County Conciliation Court in the amount of \$32.00 must be cancelled. The check was issued for two Conciliation Court fees. One defendant is now deceased and it is necessary to issue a check in the amount of \$16.00 for one defendant only.

ACTION REQUESTED:



Consent X

Agenda Item: E-3

Policy

CITY OF FALCON HEIGHTS

Meeting Date: 12/13/89

REQUEST FOR COUNCIL CONSIDERATION

ITEM DESCRIPTION:

COMMISSION MINUTES

SUBMITTED BY:

Park & Recreation Commission
Planning Commission

REVIEWED BY:

EXPLANATION/SUMMARY (attach additional sheets as necessary):

See Attached Minutes:

- (a) Park & Recreation Minutes of November 13, 1989
- (b) Planning Commission Minutes of December 4, 1989

ACTION REQUESTED:



November 14, 1989

Minutes of the Parks and Recreation Commission Meeting
7:00 P.M., Monday, November 13, 1989

Present: Linda McLoon, Connie Lasser, Jeff Johnson, Bob Gehrz, Lloyd Jacobson, Sr. Representative, Pat Bush, City Council Representative, Carol Kreigler, Park Director.

Absent: Michael Smallpage, Jyneen Thatcher, Jean Suppes

1. Bob Gehrz

Bob announced that he felt it was a source of potential conflict of interest for Sue, his wife, to be on the city council, and for him to be a representative on the body that makes recommendations to the city council. He therefore was resigning from the Parks and Rec. Commission. We all thanked him for his diligence and help during his years as a commission member. He will be missed.

2. Update on Parkland

Pat gave an update on the status of the university-owned parkland in Falcon Heights. Tom and Jan went to the last Board of Regents meeting. They were able to change the listing of the land from "sale" to "sale or lease". Subsequent to this, Tom Baldwin, Jan Wiesner and Pat Bush went to see Gus Donhowe at the University. The final word is that the city can continue to lease the parklands for 20 years at the current lease arrangement of \$1/year. In addition, if the University should decide to sell the land at some future date the University will amortize any improvements in the parks. Thus we could option to buy it and have the full value of any improvements made by the city taken from the purchase price. The Board of Regents must approve this at their next meeting, either late Jan. or early Feb. It was agreed that the bids for construction (and demolition) of the park building would go out when approval was made by the Regents.

3. Minnesota Beautiful Grant

Carol talked to the granting agency representative, who told Carol that a formal extension needs to be made. She felt there would be no problem, since they understood the cause for the delay was beyond our control. The one requirement is that the building be completed in time to have a "celebration" in accordance with the grant requirements.

4. Ice Ringette

Carol has been contacted by a state agency that is trying to promote Ice ringette, a form of ice hockey for girls and women played with straight sticks and a ring, instead of a puck. The state is willing to give us Ice Ringette equipment in exchange for promoting the sport. This can be in conjunction with the efforts of surrounding communities. We have organized with Roseville to offer lessons. Both cities will share promotion of the activity. The city needs to also support the efforts, but this includes ice preparation and maintenance, hockey board erection and maintenance, etc. The current plan is to offer two classes, one for 3,4 and 5th graders and a second for 6, 7 and 8th graders. An advertisement will go to the Roseville area schools. There is a contract, so it will need to go to the City Council for approval. The general consensus of the commission members was to go for it.

Minutes, 11/13/89 continued.

5. Breakfast with Santa

The date on the calendars is December 9. Carol has arranged to have "The Flyers" perform, at a cost of \$225. Santa is at no cost (a fireman!). Carol said that the Professors wanted to charge \$3.90 per breakfast. She felt we should keep the cost at \$5, and we couldn't do it at that price. Another option is McDonalds, who will furnish either hotcakes or an egg McMuffin, juice and milk for about \$2.00 each. One concern raised by Pat was the problem of styrofoam packaging. We discussed the solid waste issue, and the general consensus was that it was better to have the kids eat the breakfast and at the same time keep the cost down. Every other option, e.g. cooking ourselves, just getting eggs delivered etc., all would entail plastic plates and plastic cups, etc. No one wanted to get into the breakfast catering business either. Carol said she would talk to McDonald's further. McDonald's will also provide toys for Santa to distribute.

6. Winter Programs

Due to popular demand, Carol is going to offer some type of skating instruction, as well as the Ringette classes in conjunction with Roseville Park and Rec. Pat said that she knew a school in St. Paul offered ice skating classes and suggested Carol talk to them. Carol said that she would offer the same selection of classes as last winter. The flyer will go out early January to the elementary schools.

7. Other Business

Pat said that the city would approve the 5 year Capitol Improvement Plan at the next city council meeting. In the 1990-1994 plan park improvements are 76% of the total Capitol Improvement plan, at a total of \$454,000, 7.4% is Public Works, 13% is Fire, 3% General (mostly things needed at city hall). Included in the plan was the need to raise money from donations and grants totaling \$178,000 over 5 years.

Pat also indicated that the time spent by the maintenance staff on park maintenance was estimated. Vince and his co-worker each felt they spend about 30% of their time in park maintenance, and a part-time employee spends about 40% of his time doing park maintenance.

8. As there was no other business the meeting was adjourned at 8:30p.m.

MINUTES
REGULAR PLANNING COMMISSION MEETING
DECEMBER 4, 1989

Vice Chair Finegan called the meeting to order at 7:30 P.M.

PRESENT

Barry, Boche, Carroll, Daykin, Duncan, Finegan, Grittner and Nestingen. Also present was City Planner, Susan Hoyt Taff.

ABSENT

Black

NOVEMBER 6, 1989 MINUTES APPROVED

Boche moved, seconded by Nestingen, approval of the November 6, 1989 Planning Commission Minutes as presented. Motion carried unanimously.

REVIEW OF A CONDITIONAL USE PERMIT FOR JJ'S POOL AND GAME ARCADE AT 1544 WEST LARPENTEUR IN A B-2 ZONE

The Planning Commission reviewed the amended Conditional Use Permit and noted that no complaints were reported from the neighbors or to the Ramsey County Sheriff's Deputy to date. Mr. Jim Sacco representing JJ's reported that the business is running smoothly, and said that he might request a later closing time during times when there is a school holiday at some future date. There being no problems regarding the operation of the Pool and Game Arcade, the Planning Commission recommended no further changes to the Conditional Use Permit

REVIEW PROPOSED CHANGES TO CHAPTER 9 - CODE SECTIONS RELATED TO ACCESSORY STRUCTURES, 9-2.04, SUBDIVISION 1(b) AND 9-2.04, SUBDIVISION 1(f)

Carroll moved, seconded by Barry, to make the following Code changes:

(1) 9-2.04 Accessory Buildings and Structures. Subdivision 1. General.
(b) An accessory building shall be considered as an integral part of the principal building if it is located less than twelve (12) feet from the principal building with respect to firewall and other requirements of the Building Code and this Code.

(2) 9-2.04 Accessory Buildings and Structures. Subdivision 1. General. (f) No detached garages or other accessory buildings shall be located nearer to the front lot line than the principal building on that lot with the exception of an attached garage in an R-1 Zone. Motion carried unanimously. A public hearing will be scheduled for January 8, 1990.

REPORT ON THE UPDATE OF THE CITY OF FALCON HEIGHTS' COMPREHENSIVE MUNICIPAL PLAN, REVISED 1980

Planner Susan Hoyt Taff advised that our Comprehensive Plan was last revised in 1980 and it would be useful to update the data, include the City's park plan, incorporate changes in the Metropolitan Systems (water, sewer, transportation) recommended by the Metropolitan Council and review the current land use policies. The update will be done throughout 1990. The Planning Commission will be involved in reviewing various stages of the Plan. The City Planner will research ways to staff the project.

REQUEST TO THE METROPOLITAN COUNCIL FOR AN EXTENSION TO UPDATE OUR
COMPREHENSIVE MUNICIPAL PLAN TO CONFORM TO METROPOLITAN COUNCIL'S
POLICIES.

City Planner Susan Hoyt Taff advised that the Metropolitan Council requires that the City's Comprehensive Plan be updated to include changes in the Metropolitan Council's Development Systems Policies by January, 1990. She suggested that the City Council request an extension of the deadline since the City will be updating its Comprehensive Plan during the next year. Carroll moved, seconded by Barry, to recommend the City Council request the Metropolitan Council for an extension to update the City's Comprehensive Plan by December 31, 1990.

Motion carried unanimously.

COMMENDATION

Barry moved, seconded by Daykin, to commend and thank Chairman Dave Black and Member Don Gritter for their valuable years of service to the Planning Commission. Motion carried unanimously.

PROFESSIONAL VENTURES

City Planner, Susan Hoyt Taff, reported that Professional Ventures requested to be on the agenda for the December 13, 1989 Council meeting to present their proposal for a retail center at the corner of Larpenteur and Snelling; and to request a Preliminary Development Agreement with the City. The proposal may be on the January Planning Commission agenda for a variance.

Chairman Finegan declared the meeting adjourned at 8:00 P.M.

Submitted by:

Katherine J. Zimmerman

Approved: _____

Edgar Finegan, Secretary

Consent x

Agenda Item: E-4

Policy _____

CITY OF FALCON HEIGHTS

Meeting Date: 12/13/89

REQUEST FOR COUNCIL CONSIDERATION

ITEM DESCRIPTION:

REVIEW OF A CONDITIONAL USE PERMIT FOR JJ'S POOL AND GAME ARCADE AT 1544 W. LARPENTEUR AVENUE IN A B-2 ZONE

SUBMITTED BY:

Staff

REVIEWED BY:

· Planning Commission
Susan Hoyt-Taff

EXPLANATION/SUMMARY (attach additional sheets as necessary):

The amended Conditional Use Permit granted to JJ's Pool and Game Arcade at 1544 West Larpenteur Avenue by the City Council on August 10, 1989 is scheduled for review by the Planning Commission and City Council this month.

The Pool and Game Arcade is operating under the conditions detailed in Attachment A. To date, there have been no complaints reported from the neighbors or to the Ramsey County Sheriff's Deputy.

The Planning Commission found no existing problems with the current operation.

Any amendment to the current Conditional Use Permit requires a Public Hearing.

ACTION REQUESTED:

Review and discuss

- (4) No less than present level of illumination in the rear parking lot will be provided.
- (5) No alcoholic beverages (including 3.2 beer or wine) or controlled substances without a prescription shall be sold, possessed, or consumed on the premises of the game room, the common areas within the building, or the parking areas.
- (6) The property owner will post on the exterior of the premises "No Loitering" and will prevent any loitering in common areas within the building or in the parking areas and sidewalks adjacent to the building.
- (7) Any person who has been convicted of a felony, controlled substance abuse, or gambling law violation within the past five years is prohibited from working as an attendant at the game room.
- (8) The interior of the game room will be free of obstructions to visual supervision by attendants and will be adequately lighted.
- (9) Game room management will take all reasonable action to expel intoxicated persons and will allow no disorderly conduct on the premises, parking areas and adjacent sidewalks.
- (10) Adequate adult supervision will be provided until one-half hour after closing to ensure that the health, safety and welfare and existing community standards of peace and quiet are maintained. At Council's discretion, additional supervisory and/or security personnel may be required.
- (11) First review period of this conditional use will be within three months after opening with annual reviews to follow on anniversary date of opening. Review will also be required upon a change in proprietorship or focus of the business. The purpose of reviews will be for addition of conditions to address any concerns created by the business.
- (12) All advertising, signage or promotion of the business will focus on attracting family oriented business.
- (13) At least fifty (50) percent of the interior space will be designated as a "No Smoking" area.

R-89-18

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

Date August 9, 1989

A RESOLUTION AMENDING RESOLUTION R-89-5 GRANTING A
USE PERMIT FOR OPERATION OF A GAME ARCADE AT 1544 WEST
LARPENTEUR (NORTHOME SHOPPING CENTER)

WHEREAS, the City of Falcon Heights received an application dated December 21, 1988 for the issuance of a conditional use permit to establish a game arcade in Northome Shopping Center, 1544 West Larpenteur; and

WHEREAS, the City Council did carefully consider the request as well as the recommendations made by the City's Planning Commission after holding the required Public Hearing;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Falcon Heights that a conditional use permit for the establishment of a game arcade at 1544 West Larpenteur Avenue be granted subject to the following conditions:

- (1) Maximum hours of operation will be 10:00 A.M. to 12:00 Midnight Sunday through Thursday and 10:00 A.M. to 1:00 A.M. Friday and Saturday. All existing applicable curfews will be enforced on the premises.
- (2) Restriction on use of back parking lot after 9:00 P.M. will be adequately posted by property owner:
 - (a) Game Room parking will be restricted to front and side parking lots after 9:00 P.M. Property owner will install appropriate signage.
 - (b) All Arona exits from parking lot shall be posted "left turn only after 9:00 P.M."
- (3) The back door will be an exit only, conforming to Fire Code.

Moved by Wallin

Approved by Tom Baldwin
Mayor

August 9, 1989

YEAS	Nays	
BALDWIN		
CIERNIA	<u>5</u>	in Favor
CHENOWETH		
WALLIN	<u>0</u>	Against
BUSH		

Attested by Shelley Stewart
City Clerk

August 9, 1989

Date

Adopted by Council August 9, 1989

Consent _____

Agenda Item: F-1

Policy x

CITY OF FALCON HEIGHTS

Meeting Date: 12/13/89

REQUEST FOR COUNCIL CONSIDERATION

ITEM DESCRIPTION:

PRELIMINARY DEVELOPMENT AGREEMENT -
PROFESSIONAL VENTURES, INCORPORATED (PVI)

SUBMITTED BY:

John Grossman, President

REVIEWED BY:

Tom Gedde
Jan Wiessner

EXPLANATION/SUMMARY (attach additional sheets as necessary):

PVI has submitted a Preliminary Development Agreement Application and fee to the City for a project to redevelop the SE corner of Snelling and Larpenteur. If the Council approves this Agreement, the next steps for the project will be simultaneous project review by:

- a. Planning Commission with community and professional planner input.
- b. Technical review by the City's financial, engineering and legal consultants.

Representatives of PVI will be present to describe project.

ATTACHMENTS:

- A. Preliminary Development Agreement
- B. Application for TIF Financing
- C. Goals and Policies re: TIF Applications
- D. Site Plan (attached)

*NOTE: These attachments were distributed with the Nov. 8, 1989 Agenda. If you need another set, please call Shirley or Pat Phillips.

ACTION REQUESTED:

Consider entering into Preliminary Development Agreement with PVI.

FW

Consent _____

Agenda Item: F-2

Policy X

CITY OF FALCON HEIGHTS

Meeting Date: 12/13/89

REQUEST FOR COUNCIL CONSIDERATION

ITEM DESCRIPTION:

AUTHORIZATION TO ADVERTISE FOR PUBLIC WORKS
3/4 TON TRUCK BIDS

SUBMITTED BY:

Vince Wright

REVIEWED BY:

Jan Wiessner

EXPLANATION/SUMMARY (attach additional sheets as necessary):

Included in the Capital Improvement Plan is the purchase of a 3/4 Ton Pick-Up Truck for the Public Works Department in 1990. Attached is the proposed timeline and bid specifications. We propose to have the bid opening scheduled for 10 A.M. on January 10th so the Council can approve purchase at the Council meeting that evening.

ACTION REQUESTED:

Authorize staff to proceed with Pick-Up Truck purchase.



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. 1 week before Council meeting (deadline), Wednesday, <u>December 6</u>	Prepare bid specifications and bid timeline
2. Wednesday, <u>Dec. 13</u> <u>Council Meeting</u>	City Council authorized bid process, sets bid opening date
3. Thursday, noon before publication, <u>Dec. 14</u>	Submit advertisement for publication, deadline for Focus
4. Wednesday, <u>Dec. 20</u>	Bid advertisement published in official city newspaper (Focus)
5. Wednesday, <u>Jan. 10, 10:00 A.M.</u> <u>Day of Council meeting at least 10 days after bid is published.</u>	Bid Opening - by 3 public officials, officials tally bids and determine whether bids are acceptable (meet specs)
6. Wednesday, <u>Jan. 10, 7:30 P.M.</u> <u>Council Meeting (same day as bid opening)</u>	City Council accepts or rejects bids
7. Thursday, <u>Jan. 11</u>	Notify bidders

MODEL 1990 3/4 TON, 4x4 PICK-UP TRUCK

B. SPECIFIC SPECIFICATIONS:

PRICE

Engine EFI - 350 to 360
Engine Oil Cooler
HD Trans Oil Cooler
HD Springs (Front and Back)
Rear Axle - 3.55 to 3.73
5 Tires, 16" Snow and Mud
HD Rear-step bumper
2 mirrors below eye level
GVW 8300 Minimum
3-speed automatic transmission
2 gas tanks
Lock in hubs
2 batteries, 850 & up, cold CP
HD Generator
Power Steering and brakes
Positraction Rear-end only
Load Leveler Hitch - 18", 1 3/8" - 2"
Snow plow, 7½', all accessories and lights
3-speed wipers
HD Heater
Wheelbase 131"
Box - 8 feet
Gauges - amp, oil, temp, etc.
Color

TOTAL: _____

NOTE: Return this form with
Bid to:

TRUCK BID
CITY OF FALCON HEIGHTS
2077 West Larpenteur
Falcon Heights, Minnesota 55113

City of Falcon Heights
Specifications for 1990 3/4 Ton, 4x4 Pick-Up Truck

This 3/4 Ton truck shall be the latest production model (1990) as currently advertised meeting the terms of this specification, new and complete in all details, furnished with all standard equipment advertised, whether or not specifically called for here, except where optional over standard or conflicting equipment is specified.

A. General Specifications

Parts Facilities

The continuous operation of this equipment is essential, and the successful bidder must be able to furnish replacement of parts promptly. An adequate supply of parts must be available on short notice within the immediate metropolitan area, and the bidder must be an authorized equipment dealer with adequate service facilities. The location of the parts and service facilities shall be specified.

Manuals (Operating, Servicing and Repair)

The successful bidder must furnish service and repair manuals. Manuals must be delivered to Falcon Heights City Hall, 2077 W. Larpenteur Ave., Falcon Heights, MN 55113.

Manufacturer's Specifications

No bid will be considered unless complete manufacturer's illustrated description and detailed specifications are submitted in duplicate, together with manufacturer's warranty and service policy. Complete attached questionnaire in detail and return with proposal.

Delivery

Bidder shall state earliest possible delivery date.

Warranty

Successful bidder shall warrant for a minimum period of one year any parts which fail due to defective material, improper workmanship or inadequate design and shall replace same for no cost to the City of Falcon Heights.

Consent _____

Agenda Item: F-3

Policy x

CITY OF FALCON HEIGHTS

Meeting Date: 12/13/89

REQUEST FOR COUNCIL CONSIDERATION

<u>ITEM DESCRIPTION:</u>	AGREEMENT WITH MNDOT FOR CITY'S SHARE OF SNELLING AVENUE PROJECT
<u>SUBMITTED BY:</u>	MNDOT
<u>REVIEWED BY:</u>	Terry Maurer
<u>EXPLANATION/SUMMARY (attach additional sheets as necessary):</u> Terry will review the Agreement prior to the meeting to determine whether it is consistent with the City's previous understanding of the costs to be shared. ATTACHMENTS: 1. Falcon Heights Resolution, Feb. 11, 1987 2. New Resolution submitted by MNDOT, Nov., 1989 3. New Agreement-Supplement No. 1-(Construction cost estimates are available at City Hall if you'd like to review them). <u>ACTION REQUESTED:</u> Discuss and take appropriate action.	

CITY OF FALCON HEIGHTS

COUNCIL RESOLUTION

Date February 11, 1987

A RESOLUTION RELATING TO AGREEMENT NUMBER 63866 WITH THE STATE OF MINNESOTA, DEPARTMENT OF TRANSPORTATION REGARDING SNELLING AVENUE IMPROVEMENTS, COMO AVENUE TO HIGHWAY 36

BE IT RESOLVED that the City of Falcon Heights enter into Agreement No. 63866 with the State of Minnesota, Department of Transportation, for the following purposes, to-wit: to provide for payment by the City to the State of the City's share of the costs of the street, driveway, walk, storm sewer facilities and utility facilities construction and other associated construction work to be performed upon, along and adjacent to Trunk Highway No. 51 (Snelling Avenue) from Engineer Station N.B. 239+51.696 (Hoyt Avenue) to Engineer Station N.B. 279+06.16 (Roselawn Avenue) within the corporate city limits under State Projects No. 6216-91 (T.H. 51=125) and No. 6216-100 (T.H. 51=125), subject to the following contingencies:

1. Willingness clause be changed to reflect that the City sees no benefit from upgrading the storm sewer north of Larpenteur on Minnesota State Highway 51, but as a sign of good faith will cooperate up to 50 percent of the present ascribed cost (\$41,464).
2. State will retain ownership and maintain the storm sewer on Minnesota State Highway 51.
3. State is responsible for all landscaping or restoration costs.
4. City considers a minimum of effort will be made in enacting changes detailed in the letter dated February 1, 1987, to Terry Maurer, Maier, Stewart and Associates, from Robert H. Cartford, Assistant District Engineer, Minnesota Department of Transportation, and letter dated January 28, 1987 from Bob Cihlar of St. Paul Water Department, and city retains the right to contest any costs for adjustment of existing water utilities.
5. State will agree to payment schedule outlined as follows: (1) The City agrees to advance to the Commissioner of Transportation

Moved by Councilmember Chenoweth
Seconded by Councilmember Wallin

Approved by Tom Baldwin
Mayor

February 11, 1987
Date

Yays Nays

~~BALDWIN~~ 5 In Favor
~~CIERNIA~~
~~HARD~~ 0 Against
~~CHENOWETH~~
~~WALLIN~~

Attested by Deborah Berak
Consulting Clerk Admin.

February 11, 1987
Date

Adopted by Council February 11, 1987

an amount equal to the total cost of the new water main system upon execution of this agreement and upon receipt of a request from the State for such advancement of funds; and (2) The City agrees to submit to the Commissioner of Transportation the remaining amount in two equal installments on July 1st of each of the two following years.

BE IT FURTHER RESOLVED that the proper City Officers are hereby authorized and directed to execute such agreement.

CITY OF FALCON HEIGHTSRESOLUTION

BE IT RESOLVED that the City of Falcon Heights enter into Agreement No. 63866-1 with the State of Minnesota, Department of Transportation for the following purposes, to-wit:

to amend and modify Agreement No. 63866 dated March 10, 1987 to provide for:

1. the City to pay only 50 percent of the cost of their determined contributing flow for the storm sewer construction located north of Larpenteur Avenue;
2. elimination of the provision which makes the City responsible for storm sewer facilities maintenance;
3. deletion of all City cost tree and shrub construction;
4. a City cost share advancement schedule;
5. deletion of all City cost Hoyt Avenue (County State Aid Highway No. 56) and Roselawn Avenue (County Road 114) construction; and
6. addition of significant City cost supplemental sanitary sewer and water main construction under State Projects : No. 6216-91 (T.H. 51=125) and No. 6216-100 (T.H. 51=125).

BE IT FURTHER RESOLVED that the proper City Officers are hereby authorized and directed to execute such agreement.

CERTIFICATION

State of Minnesota

County of Ramsey

City of Falcon Heights

I hereby certify that the foregoing Resolution is a true and correct copy of the resolution presented to and adopted by the Council of the City of Falcon Heights at a duly authorized meeting thereof held on the _____ day of _____ 1989, as shown by the minutes of said meeting in my possession.

City Clerk

AGREEMENT
SERVICES
SECTION

STATE OF MINNESOTA
DEPARTMENT OF TRANSPORTATION
COOPERATIVE CONSTRUCTION
AGREEMENT

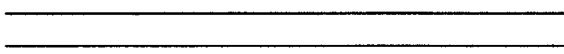
AMENDMENT TO
AGREEMENT NO.
63866

SUPPLEMENT NO. 1

S.P. 6216-91 (T.H. 51=125)
State Funds
S.P. 6216-100 (T.H. 51=125)
Fed. Proj. M 5421(6)

Supplement No. 1 to
Agreement No. 63866 between
The State of Minnesota
Department of Transportation, and
The City of Falcon Heights
Re: City cost street and storm sewer
construction by the State on T.H.
51 (Snelling Ave.) from Hoyt Ave.
to Roselawn Ave. in Falcon Heights

AMOUNT ENCUMBERED
(None)
ESTIMATED AMOUNT
RECEIVABLE
\$106,962.01



THIS SUPPLEMENTAL AGREEMENT made and entered into by and between
the State of Minnesota, Department of Transportation, hereinafter
referred to as the "State" and the City of Falcon Heights,
Minnesota, acting by and through its City Council, hereinafter
referred to as the "City".

WITNESSETH:

WHEREAS the State and the City did enter into an agreement dated
March 10, 1987 and designated as Agreement No. 63866 providing
for participation by the City in the costs of the grading,
surfacing, drainage, traffic signals and lighting construction
and other associated construction to be performed upon, along and
adjacent to Trunk Highway No. 51 (Snelling Avenue) from Engineer

RKR

Station N.B. 200+86.02 (the north end of Bridge No. 62015 over Como Avenue) in the City of St. Paul to Engineer Station N.B. 317+05 (a point 175 feet south of the south end of Bridge No. 9013 over Trunk Highway No. 36) in the City of Roseville under State Projects No. 6215-58 (T.H. 51=125), No. 6215-61 (T.H. 51=125), No. 6216-91 (T.H. 51=125), No. 6216-100 (T.H. 51=125), No. 6216-101 (T.H. 51=125) and No. 6216=105 (T.H. 51=125) and State Aid Project No. 62-630-25 and in the records of the Federal Highway Administration as Minnesota Project M 5421(6); and

WHEREAS the City signed Agreement No. 63866 subject to certain changes listed in the agreement attached City Resolution No. R-87-8; and

WHEREAS the State is willing to supplement Agreement No. 63866 by incorporating these changes listed in the City's resolution: (1) the City pay only 50 percent of the cost of their determined contributing flow for the storm sewer construction located north of Larpenteur Avenue, (2) elimination of the provision which makes the City responsible for storm sewer facilities maintenance, (3) deletion of all City cost tree and shrub construction, and (4) a City cost share advancement schedule; and

WHEREAS City costs for construction on Hoyt Avenue (County State Aid Highway No. 56) and Roselawn Avenue (County Road No. 114)

JPKR

were included in Agreement No. 63866 and should now be deleted since they are County Roads; and

WHEREAS significant City cost supplemental sanitary sewer and water main construction has been performed in connection with the construction of Trunk Highway No. 51 (Snelling Avenue) and should now be added to the City's cost share so that the amount advanced by the City more accurately represents their total cost share.

IT IS THEREFORE, MUTUALLY AGREED AS FOLLOWS:

ARTICLE I - AMENDMENT OF ARTICLE II OF AGREEMENT NO. 63866

The City Cost Participation Construction description under Article II, Section A. of Agreement No. 63866 dated March 10, 1987 is hereby amended and modified to read as follows:

CITY COST PARTICIPATION CONSTRUCTION

All of the following construction to be performed upon, along and adjacent to Trunk Highway No. 51 (Snelling Avenue) from Engineer Station N.B. 239+51.696 (Hoyt Avenue) to Engineer Station N.B. 279+06.16 (Roselawn Avenue) within the corporate city limits under State Projects No. 6216-91 (T.H. 51=125) and No. 6216-100 (T.H. 51=125).

100 PERCENT shall be the City's rate of cost participation in all of the City owned sanitary sewer and water main facilities

construction, except for the adjustment of valve boxes and frame and ring castings covered below under "40 Percent" and "9.3 Percent".

100 PERCENT minus all anticipated Federal-aid funding shall be the City's rate of cost participation in all of the following construction to be performed along and adjacent to the Trunk Highway No. 51 (Snelling Avenue) roadway from Engineer Station N.B. 239+51.696 (Hoyt Avenue) on the east side of the roadway and from Engineer Station N.B. 246+00 (a point approximately 175 feet south of Hollywood Court) on the west side of the roadway to Engineer Station N.B. 260+00 (a point approximately 350 feet north of Crawford Street) under State Project No. 6216-100 (T.H. 51=125):

1. Except for the driveway located on the west side of the Trunk Highway No. 51 (Snelling Avenue) West Frontage Road roadway at Engineer Station 249+75, all of the construction of concrete driveways including their aggregate base to be performed along the west side of the Trunk Highway No. 51 (Snelling Avenue) West Frontage Road roadway and along the east side of the Trunk Highway No. 51 (Snelling Avenue) East Frontage Road roadway.

2. All of the construction of concrete walk including its aggregate base to be performed along the east side of the Trunk Highway No. 51 (Snelling Avenue) East Frontage Road roadway.

3. Except for excavation, all of the construction to be performed upon and within the Hollywood Court approach to Trunk Highway No. 51 (Snelling Avenue) West Frontage Road. Said construction includes, but is not limited to, removal of curb and gutter, sawing bituminous pavement, granular borrow, bituminous surfacing and concrete curb and gutter.

40 PERCENT minus all anticipated Federal-aid funding shall be the City's rate of cost participation in all of the following construction to be performed along and adjacent to the Trunk Highway No. 51 (Snelling Avenue) roadway from Engineer Station N.B. 239+51.696 (Hoyt Avenue) on the east side of the roadway and from Engineer Station N.B. 246+00 (a point approximately 175 feet south of Hollywood Court) on the west side of the roadway to Engineer Station N.B. 260+00 (a point approximately 350 feet north of Crawford Street) under State Project No. 6216-100 (T.H. 51=125):

1. Except for excavation and removal of pavement, all of the construction to be performed upon and within the Crawford Street and Falcon Center Crossover approaches to Trunk Highway No. 51

(Snelling Avenue). Said construction includes, but is not limited to, removal of concrete curb, sawing bituminous pavement, granular borrow, bituminous surfacing, concrete curb and gutter and curb ramps.

2. All of the sodding including its topsoil borrow to be performed along the west side of the Trunk Highway No. 51 (Snelling Avenue) West Frontage Road roadway and along the east side of the Trunk Highway No. 51 (Snelling Avenue) East Frontage Road roadway.

3. All of the grubbing to be performed along the west side of the Trunk Highway No. 51 (Snelling Avenue) West Frontage Road roadway.

4. All of the adjustment of City owned sanitary sewer and water main facilities.

5. All of the construction of concrete walk including its aggregate base to be performed in the following locations:

a. The northeast quadrant of the Trunk Highway No. 51 (Snelling Avenue) - Hoyt Avenue intersection.

b. The southwest, southeast and northeast quadrants of the Trunk Highway No. 51 (Snelling Avenue) - Larpenteur Avenue (County State Aid Highway No. 30) intersection.

c. The bus stops located in the southwest and northeast quadrants of the Trunk Highway No. 51 (Snelling Avenue) - Larpenteur Avenue (County State Aid Highway No. 30) intersection.

23.26 PERCENT shall be the City's rate of cost participation in all of the following construction to be performed under State Project No. 6216-91 (T.H. 51=125):

1. All of the construction of concrete walk including its aggregate base and all of the construction of concrete and bituminous driveways including their aggregate base and the removal of pipe culvert therefor to be performed along the west side of the Trunk Highway No. 51 (Snelling Avenue) West Frontage Road roadway and along the east side of the Trunk Highway No. 51 (Snelling Avenue) East Frontage Road roadway.

2. Except for excavation, all of the construction to be performed upon and within the Ruggles Avenue approach to Trunk Highway No. 51 (Snelling Avenue) East Frontage Road. Said construction includes, but is not limited to, sawing bituminous

pavement, granular borrow, bituminous surfacing, concrete curb and gutter and curb ramps.

19.8 PERCENT of 50 PERCENT minus all anticipated Federal-aid funding shall be the City's rate of cost participation in all of the cooperative joint-use storm sewer facilities construction as shown and/or described in "Red" color on the attached EXHIBIT "A".

9.3 PERCENT shall be the City's rate of cost participation in all of the following construction to be performed under State Project No. 6216-91 (T.H. 51=125):

1. Except for excavation and removal of pavement, all of the construction to be performed upon and within the Falcon Center Crossover and Garden Avenue approaches to Trunk Highway No. 51 (Snelling Avenue). Said construction includes, but is not limited to, miscellaneous removals, sawing bituminous pavement, granular borrow, bituminous surfacing, concrete curb and gutter and curb ramps.

2. All of the sodding including its topsoil borrow to be performed along the west side of the Trunk Highway No. 51 (Snelling Avenue) West Frontage Road roadway and along the east

side of the Trunk Highway No. 51 (Snelling Avenue) East Frontage Road roadway.

3. All of the adjustments of City owned sanitary sewer and water main facilities.

7.6 PERCENT minus all anticipated Federal-aid funding shall be the City's rate of cost participation in all of the cooperative joint-use storm sewer facilities construction as shown and/or described in "Brown" color on the attached EXHIBIT "A".

4.7 PERCENT of 50 PERCENT shall be the City's rate of cost participation in all of the cooperative joint-use storm sewer facilities construction as shown and/or described in "Blue" color on the attached EXHIBIT "A".

4.1 PERCENT of 50 PERCENT shall be the City's rate of cost participation in all of the cooperative joint-use storm sewer facilities construction as shown and/or described in "Pink" color on the attached EXHIBIT "A".

ARTICLE II - AMENDMENT OF ARTICLE III OF AGREEMENT NO. 63866

Article III, Section A. of Agreement No. 63866 dated March 10, 1987 is hereby amended and modified to read as follows:

LKR

It is estimated that the City's share of the costs of the contract construction plus the construction engineering cost share is the sum of \$133,826.61 as shown in the attached SCHEDULE "I". Upon award of the construction contract the State shall prepare a revised SCHEDULE "I" based on construction contract unit prices and shall submit a copy of the revised SCHEDULE "I" to the City. The City shall advance to the Commissioner of Transportation the City's total estimated cost share as shown in the revised SCHEDULE "I" be it more or less than the sum of \$133,826.61 in accordance with the following advancement schedule.

CITY COST SHARE ADVANCEMENT SCHEDULE

First Payment: Upon execution of this agreement and upon receipt of a request from the State for such advancement of funds, the City shall advance to the Commissioner of Transportation an amount equal to the City's total cost share of the new water main facilities construction as set forth in the revised SCHEDULE "I".

Second Payment: On or before July 15, 1990, the City shall advance to the Commissioner of Transportation an amount equal to 50 percent of that amount of the City's total cost share as set forth in the revised SCHEDULE "I" which has not been advanced by the City.

Third Payment: On or before July 15, 1991, the City shall advance to the Commissioner of Transportation an amount equal to the City's total cost share as set forth in the revised SCHEDULE "I", or the final SCHEDULE "I" if available, less the total of all funds previously advanced by the City.

ARTICLE III - AMENDMENT OF ARTICLE IV OF AGREEMENT NO. 63866

The first paragraph of Article IV, Section D. of Agreement No. 63866 dated March 10, 1987 is hereby amended and modified to read as follows:

It is hereby understood and agreed that, upon the satisfactory completion of State Projects No. 6216-91 (T.H. 51=125) and No. 6216-100 (T.H. 51=125) construction, the City shall thereafter provide for the proper maintenance, without cost or expense to the State, of all of the City owned utility facilities constructed within the corporate City limits under said state projects and that neither party to this agreement shall drain any additional drainage into the storm sewer facilities constructed within the corporate City limits under said state projects that is not included in the drainage for which said storm sewer facilities were designed without first obtaining permission to do so from the other party.

ARTICLE IV - AGREEMENT NO. 63866

Except as amended and modified herein, all of the terms and conditions set forth in Agreement No. 63866 dated March 10, 1987 shall remain in full force and effect.

ARTICLE V - APPROVAL

Before this supplemental agreement shall become binding and effective, it shall be approved by resolution of the City Council of the City and shall also receive the approval of such state officers as the law may provide in addition to the Commissioner of Transportation or his authorized representative.

IN TESTIMONY WHEREOF the parties have duly executed this agreement by their duly authorized officers and caused their respective seals to be hereunto affixed.

(City Seal)

CITY OF FALCON HEIGHTS

By _____
Mayor

Date _____

By _____
City Administrator

Date _____

DEPARTMENT OF TRANSPORTATION

Recommended for approval:

By Harold R. Demec 11-7-89
Director - Agreement
Services Section

By [Signature] 11/28/89
District Engineer

By _____
Deputy Division Director
Technical Services Division

Approved as to form and execution:

By _____
Special Assistant Attorney General

STATE OF MINNESOTA

By _____
Deputy Commissioner
of Transportation

Date _____
(Date of Agreement)

Approved:

Department of Administration

By _____
(Authorized Signature)

Date _____

ZKR



SCHEDULE "I"
 Supplement No. 1 to
 Agreement No. 63866

REVISED CONSTRUCTION COST ESTIMATE

S.P. 6216-91 (T.H. 51-125)
 State Funds
 S.P. 6216-100 (T.H. 51-125)
 Fed. Proj. M 5421(6)
 City of Falcon Heights
 Revised: November 3, 1989
 Date: January 23, 1987

Grading, Surfacing and Drainage construction performed under
 State Contract No. 20047 with Progressive Contractors, Inc.
 located on T.H. 51 (Snelling Ave.) from Como Ave. in St. Paul to T.H. 36 in Roseville

Type and location of City cost participation construction covered under this agreement is described
 in Article II of the agreement, and the construction work items are listed on the following sheets.

SUMMARY:

DIVISION OF COST PARTICIPATION

	FEDERAL	STATE	CITY
S.P. 6216-91 (From Sheet No. 2)		\$523,872.58	\$ 82,745.50
S.P. 6216-100 (From Sheet No. 2)	\$62,960.27	\$ 14,553.93	\$ 10,894.44
Subtotals	\$62,960.27	\$538,426.51	\$ 93,639.94
*Construction Engineering (From Sheet No. 14)			\$ 13,322.07
Grand Totals - Federal, State and City	\$62,960.27	\$538,426.51	\$106,962.01
City Water Main Costs (From Sheet No. 7)			\$ 45,426.67
Prorata Percentage (4.502414%)			2,045.30
Subtotal			\$ 47,471.97
Construction Engineering (8%)			3,797.76
The City's First Advance Payment			\$ 51,269.73

* No Federal-aid will be applied to construction engineering costs

HR

SUMMARY

S.P. 6216-91

	STATE	CITY
From Sheet No. 3	\$153,222.61	\$ 3,687.39
From Sheet No. 4	312,704.05	6,744.27
From Sheet No. 5	18,573.18	1,904.42
From Sheet No. 6	16,802.05	5,092.72
From Sheet No. 7		61,751.67
Subtotals	\$501,301.89	\$79,180.47
Prorata Percentage (4.502414%)	22,570.69	3,565.03
Totals - State and City	\$523,872.58	\$82,745.50

S.P. 6216-100

	FEDERAL PORTION		FEDERAL MATCHING PORTION		NON FEDERAL-AID	
	FEDERAL	STATE	FEDERAL	CITY	FEDERAL	CITY
From Sheet No. 8	\$20,509.46	\$ 5,134.78	\$ 472.45			
From Sheet No. 9	23,243.78	6,347.74	697.48			
From Sheet No. 10	13,440.83	2,444.36	1,629.58			
From Sheet No. 11	3,053.60		925.55			
From Sheet No. 12					\$6,700.00	
Subtotals	\$60,247.67	\$13,926.88	\$3,725.06		\$6,700.00	
Prorata Percentage (4.502414%)	2,712.60	627.05	167.72		301.66	
Subtotals	\$62,960.27	\$14,553.93	\$3,892.78		\$7,001.66	
Totals - Federal, State and City	\$62,960.27	\$14,553.93	\$10,894.44			

(P) = Plan Quantity

SPEC. ITEM NO.	S.P. 6216-91 WORK ITEM	UNIT	UNIT PRICE	QUANTITY	COST ESTIMATE (1)
2105.522	Select Granular Borrow (CV)	(P) Cu. Yd.	6.00	1,425	8,550.00
2503.511	36" RC Pipe Sewer CL III	Lin. Ft.	42.50	20	850.00
2503.511	42" RC Pipe Sewer CL III	Lin. Ft.	59.00	605	35,695.00
2503.511	42" RC Pipe Sewer CL IV	Lin. Ft.	69.95	680	47,566.00
2503.511	48" RC Pipe Sewer	Lin. Ft.	63.50	329	20,891.50
2503.511	54" RC Pipe Sewer CL III	Lin. Ft.	86.70	325	28,177.50
2506.507	Construct Catch Basins DES A or F	Lin. Ft.	130.00	6	780.00
2506.507	Construct Catch Basins DES C or G	Lin. Ft.	160.00	4	640.00
2506.507	Construct Catch Basins DES J	Lin. Ft.	155.00	31	4,805.00
2506.507	Construct Catch Basins DES 60-4019	Lin. Ft.	210.00	6	1,260.00
2506.507	Construct Catch Basins DES 78-4019	Lin. Ft.	315.00	7	2,205.00
2506.507	Construct Catch Basins DES 90-4020	Lin. Ft.	365.00	11	4,015.00
2506.516	Casting Assemblies	Each	295.00	5	1,475.00
Total					\$156,910.00

(1) (50% x 4.7%) + 95.3% STATE - \$153,222.61 50% x 4.7% CITY - \$3,687.39

PKR

(P) = Plan Quantity

SPEC. ITEM NO.	S.P. 6216-91 WORK ITEM	UNIT	UNIT PRICE	QUANTITY	COST ESTIMATE (2)
2105.522	Select Granular Borrow (CV)	(P) Cu. Yd.	6.00	3,162	18,972.00
2501.515	60" RC Pipe Aprons	Each	820.00	1	820.00
2503.511	48" RC Pipe Sewer	Lin. Ft.	63.50	1,045	66,357.50
2503.511	54" RC Pipe Sewer	Lin. Ft.	80.20	769	61,673.80
2503.511	54" RC Pipe Sewer CL III	Lin. Ft.	86.70	565	48,985.50
2503.511	60" RC Pipe Sewer CL II	Lin. Ft.	93.60	882	82,555.20
2506.506	Construct Manholes DES 120-4019	Lin. Ft.	740.00	15	11,100.00
2506.506	Construct Manholes DES 120-4020	Lin. Ft.	765.00	8	6,120.00
2506.507	Construct Catch Basins DES C or G	Lin. Ft.	160.00	8	1,280.00
2506.507	Construct Catch Basins DES J	Lin. Ft.	155.00	131	20,305.00
2506.507	Construct Catch Basins DES 72-4019	Lin. Ft.	250.00	7	1,750.00
2506.507	Construct Catch Basins DES 84-4019	Lin. Ft.	340.00	8	2,720.00
2506.516	Casting Assemblies	Each	295.00	17	5,015.00
2511.501	Random Riprap CL III	Cu. Yd.	45.00	23	1,035.00
2511.511	Granular Filter	Cu. Yd.	25.00	12	300.00
Total					\$328,989.00

(2) (50% x 4.1%) +93.0% STATE - \$312,704.05 50% x 4.1% CITY - \$6,744.27 2.9% OTHER - \$ 9,540.68

AKR

(P) = Plan Quantity

SPEC. ITEM NO.	S.P. 6216-91 WORK ITEM	UNIT	UNIT PRICE	QUANTITY	COST ESTIMATE (3)
2104.501	Remove Concrete Curb	Lin. Ft.	0.50	50	25.00
2104.513	Sawing Bituminous Pavement	Lin. Ft.	1.25	65	81.25
2105.521	Granular Borrow (CV)	(P) Cu. Yd.	6.00	700	4,200.00
2105.525	Topsoil Borrow (CV)	(P) Cu. Yd.	7.95	295	2,345.25
2331.504	Bit. Material for Mixture	Ton	130.00	20	2,600.00
2331.510	Binder Course Mixture (MOD)	Ton	10.45	72	752.40
2331.514	Base Course Mixture (MOD)	Ton	9.95	306	3,044.70
2341.504	Bituminous Materials For Mixture	Ton	130.00	5	650.00
2341.508	Wearing Course Mixture (MOD)	Ton	14.50	72	1,044.00
2357.502	Bit. Material for Tack Coat	Gallon	1.10	70	77.00
0504.602	Adjust Gate Valve	Each	105.00	6	630.00
2506.522	Adjust Frame & Ring Castings	Each	155.00	3	465.00
2531.501	Concrete C & G DES B624	Lin. Ft.	5.80	235	1,363.00
0531.602	Pedestrian Curb Ramp	Each	55.00	8	440.00
2575.505	Sodding	Sq. Yd.	1.15	2,400	2,760.00
				Total	\$20,477.60

(3) 90.7% STATE - \$18,573.18

9.3% CITY - \$1,904.42

(P) = Plan Quantity

SPEC. ITEM NO.	S.P. 6216-91 WORK ITEM	UNIT	UNIT PRICE	QUANTITY	COST ESTIMATE (4)
2104.501	Remove Pipe Culverts	Lin. Ft.	6.30	439	2,765.70
2104.513	Sawing Bituminous Pavement	Lin. Ft.	1.25	32	40.00
2105.521	Granular Borrow (CV)	(P) Cu. Yd.	6.00	80	480.00
2221.503	Aggregate Shouldering Placed CL 5	(P) Cu. Yd.	13.50	27	364.50
2331.504	Bit. Material for Mixture	Ton	130.00	5	650.00
2331.508	Wearing Course Mixture (MOD)	Ton	14.50	24	348.00
2331.510	Binder Course Mixture (MOD)	Ton	10.45	13	135.85
2331.514	Base Course Mixture (MOD)	Ton	9.95	60	597.00
2341.504	Bituminous Materials For Mixture	Ton	130.00	1	130.00
2341.508	Wearing Course Mixture (MOD)	Ton	14.50	13	188.50
2357.502	Bit. Material for Tack Coat	Gallon	1.10	14	15.40
2521.501	4" Concrete Walk	Sq. Ft.	1.62	161	260.82
2531.501	Concrete C & G DES B624	Lin. Ft.	5.80	105	609.00
2531.507	6" Concrete Driveway Pavement	Sq. Yd.	24.00	577	13,848.00
2531.507	8" Concrete Driveway Pavement	Sq. Yd.	26.00	52	1,352.00
0531.602	Pedestrian Curb Ramp	Each	55.00	2	110.00
Total					\$21,894.77

(4) 76.74% STATE - \$16,802.05

23.26% CITY - \$5,092.72

*The City's first advance payment per the terms of the agreement shall consist of these water main facilities construction costs.

SPEC. ITEM NO.	S.P. 6216-91 WORK ITEM	UNIT	UNIT PRICE	QUANTITY	COST ESTIMATE (5)
2104.523	Salvage Castings	Each	75.00	6	450.00
0504.601	Water Main System	Lump Sum	12,325.00	100%	12,325.00*
0504.602	Hydrant	Each	1,300.00	2	2,600.00*
0504.602	Air Release Valve	Each	525.00	1	525.00*
0504.602	1" Corporation Stop	Each	60.00	6	360.00*
0504.602	6" Gate Valve and Box	Each	500.00	2	1,000.00*
0504.602	8" x 6" Wet Tap	Each	1,460.00	2	2,920.00*
0504.602	1" Curb Stop and Box	Each	125.00	6	750.00*
0504.603	1" Type K Copper Pipe	Lin. Ft.	12.60	270	3,402.00*
0504.603	6" Water Main-Ductile Iron CL 53	Lin. Ft.	15.50	1,027	15,918.50*
0504.620	Cast Iron Fittings	Pound	2.00	500	1,000.00*
2506.511	Reconstruct Manholes	Lin. Ft.	140.00	31	4,340.00
2506.521	Install Castings	Each	155.00	6	930.00
Supplemental Agreement No. 2					
	Force Account - Equipment	Lump Sum	790.90	100%	790.90*
	Force Account - Labor	Lump Sum	652.66	100%	652.66*
	Force Account - Specialty Contractor	Lump Sum	3,031.06	100%	3,031.06*
	Prime Contractor Allowance (5%)	Lump Sum	151.55	100%	151.55*
Supplemental Agreement No. 6					
0503.603	Sewer Pipe 8" PVC	Lin. Ft.	16.50	456	7,524.00
2506.506	Construct Manholes DES A or F	Lin. Ft.	160.00	14.4	2,304.00
2506.516	Castings Assemblies	Each	295.00	1	295.00
	Force Account (Estimated)	Lump Sum	482.00	100%	482.00
					Total \$61,751.67
					(5) 100% CITY - \$61,751.67

(P) = Plan Quantity

SPEC. ITEM NO.	S.P. 6216-100 WORK ITEM	UNIT	UNIT PRICE	QUANTITY (6)	COST ESTIMATE (6)
2501.569	Lt. Duty Safety Grate 24" RC Apron	Each	340.00	1	340.00
2503.511	15" RC Pipe Sewer	Lin. Ft.	20.30	848	17,214.40
2503.511	18" RC Pipe Sewer	Lin. Ft.	22.80	10	228.00
2503.541	18" RC Pipe Sewer DES 3006	Lin. Ft.	23.00	83	1,909.00
2503.541	24" RC Pipe Sewer DES 3006 CL III	Lin. Ft.	26.35	70	1,844.50
2506.507	Construct Catch Basins DES A or F	Lin. Ft.	130.00	13	1,690.00
2506.507	Construct Catch Basins DES 54-4019	Lin. Ft.	215.00	5	1,075.00
2506.507	Construct Catch Basins DES 54-4020	Lin. Ft.	180.00	5	900.00
2506.516	Casting Assemblies	Each	295.00	4	1,180.00
2511.501	Random Riprap CL III	Cu. Yd.	45.00	6	270.00
2511.511	Granular Filter	Cu. Yd.	25.00	3	75.00

Total \$26,725.90

(6) 76.74% FEDERAL - \$20,509.46

23.26% (82.6% STATE - \$5,134.78

7.6% CITY - \$472.45

9.8% OTHER - \$609.21)

90 KR

(P) = Plan Quantity

SPEC. ITEM NO.	S.P. 6216-100 WORK ITEM	UNIT	(P) Cu. Yd.	UNIT PRICE	QUANTITY (7)	COST ESTIMATE (7)
2105.522	Select Granular Borrow (CV)			6.00	343	2,058.00
2503.511	30" RC Pipe Sewer	Lin. Ft.		32.40	340	11,016.00
2503.511	36" RC Pipe Sewer	Lin. Ft.		41.40	100	4,140.00
2503.511	36" RC Pipe Sewer CL III	Lin. Ft.		42.50	200	8,500.00
2506.507	Construct Catch Basins DES I	Lin. Ft.		110.00	9	990.00
2506.507	Construct Catch Basins DES 54-4020	Lin. Ft.		180.00	15	2,700.00
2506.516	Castings Assemblies	Each		295.00	3	885.00
Total						\$30,289.00

(7) 76.74% FEDERAL - \$23,243.78

23.26% [(50% x 19.8%) + 80.2% STATE - \$ 6,347.74 50% x 19.8% CITY - \$ 697.48]

JKR

(P) = Plan Quantity

SPEC. ITEM NO.	S.P. 6216-100 WORK ITEM	UNIT	UNIT PRICE	QUANTITY (8)	COST ESTIMATE (8)
2101.507	Grubbing	Tree	75.00	2	150.00
2104.501	Remove Concrete Curb	Lin. Ft.	0.50	45	22.50
2104.513	Sawing Bituminous Pavement	Lin. Ft.	1.25	90	112.50
2105.521	Granular Borrow (CV)	(P) Cu. Yd.	6.00	300	1,800.00
2105.522	Select Granular Borrow (CV)	(P) Cu. Yd.	6.00	130	780.00
2105.525	Topsoil Borrow (CV)	(P) Cu. Yd.	7.95	50	397.50
2221.503	Aggregate Shouldering Placed CL 5	(P) Cu. Yd.	13.50	58	783.00
2331.504	Bit. Material for Mixture	Ton	130.00	11	1,430.00
2331.508	Wearing Course Mixture (MOD)	Ton	14.50	23	333.50
2331.510	Binder Course Mixture (MOD)	Ton	10.45	23	240.35
2331.514	Base Course Mixture (MOD)	Ton	9.95	146	1,452.70
2357.502	Bit. Material for Tack Coat	Gallon	1.10	40	44.00
0504.602	Adjust Gate Valve	Each	105.00	11	1,155.00
2506.522	Adjust Frame & Ring Castings	Each	155.00	4	620.00
2521.501	4" Concrete Walk	Sq. Ft.	1.62	4,376	7,089.12
2531.501	Concrete C & G DES B624	Lin. Ft.	5.80	62	359.60
0531.602	Pedestrian Curb Ramp	Each	55.00	1	55.00
2575.505	Sodding	Sq. Yd.	1.15	600	690.00
				Total	\$17,514.77

(8) 76.74% FEDERAL - \$13,440.83 23.26% (60% STATE - \$ 2,444.36 40% CITY - \$ 1,629.58)

(P) = Plan Quantity

SPEC. ITEM NO.	S.P. 6216-100 WORK ITEM	UNIT	UNIT PRICE	QUANTITY (9)	COST ESTIMATE (9)
2104.501	Remove Concrete Curb	Lin. Ft.	0.50	60	30.00
2104.513	Sawing Bituminous Pavement	Lin. Ft.	1.25	26	32.50
2105.521	Granular Borrow (CV)	(P) Cu. Yd.	6.00	60	360.00
2221.503	Aggregate Shouldering Placed CL 5	(P) Cu. Yd.	13.50	24	324.00
2331.504	Bit. Material for Mixture	Ton	130.00	3	390.00
2331.508	Wearing Course Mixture (MOD)	Ton	14.50	6	87.00
2331.510	Binder Course Mixture (MOD)	Ton	10.45	6	62.70
2331.514	Base Course Mixture (MOD)	Ton	9.95	35	348.25
2357.502	Bit. Material for Tack Coat	Gallon	1.10	11	12.10
2521.501	4" Concrete Walk	Sq. Ft.	1.62	30	48.60
2531.501	Concrete C & G DES B624	Lin. Ft.	5.80	80	464.00
2531.507	6" Concrete Driveway Pavement	Sq. Yd.	24.00	26	624.00
2531.507	8" Concrete Driveway Pavement	Sq. Yd.	26.00	46	1,196.00
Total \$					3,979.15

(9) 76.74% FEDERAL - \$ 3,053.60 23.26% (100% CITY - \$ 925.55)

PKR

PRORATA ITEMS

2021.501	Mobilization	Lump Sum	\$269,000.00
2031.501	Field Office, Type D	Each	\$ 3,500.00
2031.503	Field Laboratory, Type D	Each	\$ 3,000.00
2051.501	Maintenance and Restoration of Haul Roads	Lump Sum	\$ 1,000.00
563.601	Traffic Control	Lump Sum	\$ 95,000.00
TOTAL PRORATA ITEMS AMOUNT			\$371,500.00

Formula for determining the prorata percentages of prorata items is listed below and shall be applied as shown on the front sheet of this form.

$A = \text{Total Contract Amount} = \$8,622,628.68$

$T = \text{Total Prorata Items Amount} = \$371,500.00$

$P = \text{Prorata Percentage}$

$T \div (A - T) \times 100 = P$

$\$371,500.00 \div (\$8,622,628.68 - \$371,500.00) \times 100 = 4.502414\%$

After the contract has been completed, final costs will be used to compute a final prorata percentage.

LKR

SUMMARY

City Construction Engineering

- A = Total Construction Cost From Sheet No. 3 = \$156,910.00
- B = Total Construction Cost From Sheet No. 4 = \$328,989.00
- C = Total Construction Cost From Sheet No. 5 = \$ 20,477.60
- D = Total Construction Cost From Sheet No. 6 = \$ 21,894.77
- F = Total Construction Cost From Sheet No. 7 = \$ 61,751.67
- G = Total Construction Cost From Sheet No. 8 = \$ 26,725.90
- H = Total Construction Cost From Sheet No. 9 = \$ 30,289.00
- I = Total Construction Cost From Sheet No. 10 = \$ 17,514.77
- J = Total Construction Cost From Sheet No. 11 = \$ 3,979.15
- K = Total Construction Cost From Sheet No. 12 = \$ 6,700.00

T = Total Construction City Costs

P = Prorata Percentage (4.502414%)

E = City Construction Engineering Costs

$$(A \times 20.2\% \times 50\%) + (B \times 17.6\% \times 50\%) + [(C + I) \times 40\%] + D + F + (G \times 7.6\%) + (H \times 19.8\% \times 50\%) + J + K = T$$

$$\$15,847.91 + \$28,951.03 + \$15,196.95 + \$21,894.77 + \$61,751.67 + \$2,031.17 + \$2,998.61 + \$3,979.15 + \$6,700.00 =$$

$$[T + (T \times P)] \times 8\% = E$$

\$159,351.26

$$[\$159,351.26 + (\$159,351.26 \times 4.502414\%)] \times 8\% = \$13,322.07$$

JKR

Consent _____

Agenda Item: F-4

Policy x

CITY OF FALCON HEIGHTS

Meeting Date: 12/13/89

REQUEST FOR COUNCIL CONSIDERATION

ITEM DESCRIPTION:

SELECT BOND APPROVING ATTORNEY

SUBMITTED BY:

Steve Apfelbacher, Ehlers & Associates

REVIEWED BY:

Jan Wiessner

EXPLANATION/SUMMARY (attach additional sheets as necessary):

We are preparing to finance the costs of two projects requiring bond approving attorneys early in 1990: (1) the 5 Year Capital Improvements and (2) the City's costs related to Hamline Avenue.

Estimated costs of improvements:

1. \$335,000 - Equipment (4 years)
2. \$115,000 - Hamline Ave. (10 years)

Steve Apfelbacher has received quotations from two firms: Holmes and Graven, and Dorsey, Whitney.

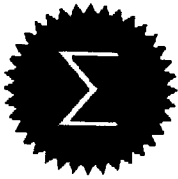
We expect to proceed with bond sale in January, 1990. The law firm will prepare documents for council approval at the January 8th Council meeting.

ATTACHMENT:

Letter from Steve Apfelbacher

ACTION REQUESTED:

Recommend retention of Dorsey, Whitney firm for legal work in connection with sale of bonds to be sold in 1990.



Ehlers and Associates, Inc.
LEADERS IN PUBLIC FINANCE

December 6, 1989

Mr. Jan Weissner
City Administrator
2077 West Larpenteur Avenue
Falcon Heights, MN 55113

Re: City of Falcon Heights; Selection of Bond Approving Attorney for Issuance of Possible City Debt

Dear Jan:

As we discussed, the City of Falcon Heights is considering the possible issuance of up to \$335,000 G.O. Capital Notes and \$115,000 G.O. 429 Improvement Bonds. When debt is issued by a municipality, it requires the opinion of a bond approving attorney. The opinion states that the bonds are properly issued and are exempt from state and federal taxes. This opinion is generally provided by firms which specialize in this area and who are well known to underwriters and bankers.

The City has not issued debt since 1986. Since then on an informal basis we have asked two law firms for informal opinions on the bonds issued for TID Nos. 1-1, 1-3 and 1-4. The two firms that provided the informal advice were Holmes & Graven and Dorsey & Whitney. As a result, I was asked to discuss these possible projects and solicit proposals for their opinion in the possible issuance of these debt issues from these firms. Fees for those services for both issues were quoted as follows:

Holmes & Graven	\$3,000
Dorsey & Whitney	\$2,000

In addition each firm would likely have out of pocket expenses in the range of \$50. At this point the City needs to decide which firm should prepare various bond documents should the City decide to proceed to issue debt.

Very truly yours,

EHLERS AND ASSOCIATES, INC.

Steve

Steven F. Apfelbacher
President

SFA:nad

1757a

Consent _____

Agenda Item: F-5

Policy x

CITY OF FALCON HEIGHTS

Meeting Date: 12/13/89

REQUEST FOR COUNCIL CONSIDERATION

ITEM DESCRIPTION:

REQUEST TO THE METROPOLITAN COUNCIL FOR AN EXTENSION TO UPDATE OUR COMPREHENSIVE MUNICIPAL PLAN TO CONFORM TO METROPOLITAN COUNCIL POLICIES

SUBMITTED BY:

Staff

REVIEWED BY:

Planning Commission
Susan Hoyt Taff, City Planner

EXPLANATION/SUMMARY (attach additional sheets as necessary):

By January, 1990, the City of Falcon Heights is required to update its Comprehensive Municipal Plan to conform to the Metropolitan Systems Plans for waste water treatment and handling (sewers) and for transportation. Since the City will be updating its Comprehensive Municipal Plan over the next year, it is reasonable to request an extension to this deadline. A resolution from the City Council is required to be granted an extension from the Metropolitan Council.

The Planning Commission recommended that the City Council request an extension until Dec. 31, 1990.

ATTACHMENT:

Proposed Resolution

ACTION REQUESTED:

Resolve to ask the Metropolitan Council for an extension to Dec. 31, 1990, to bring the City's Comprehensive Municipal Plan into conformance with the Metropolitan Council's Systems Policies.



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

Date December 13, 1989

A RESOLUTION REQUESTING THE METROPOLITAN COUNCIL TO
GRANT AN EXTENSION TO DECEMBER 31, 1990 FOR UPDATING
THE COMPREHENSIVE MUNICIPAL PLAN

WHEREAS, the City of Falcon Heights is required to update its
Comprehensive Municipal Plan to conform to the Metropolitan Systems
Plans for waste water treatment and handling (sewers) and for
transportation by January 1, 1990, and

WHEREAS, the City will be updating its Comprehensive Municipal
Plan over the next year, and

WHEREAS, the City Council feels it would be reasonable and economical
to address all aspects of the plan at one time,

NOW, THEREFORE, the City Council of the City of Falcon Heights
is requesting the Metropolitan Council to grant an extension
to December 31, 1990 for updating the Comprehensive Municipal
Plan.

Moved by _____

Approved by _____
Mayor

December 13, 1989

Date

YEAS Nays

BALDWIN
CIERNIA _____ in Favor
CHENOWETH
WALLIN _____ Against
BUSH

Attested by _____
City Clerk

December 13, 1989

Date

Adopted by Council December 13, 1989

Consent _____

Agenda Item: F-6

Policy x

CITY OF FALCON HEIGHTS

Meeting Date: 12/13/89

REQUEST FOR COUNCIL CONSIDERATION

ITEM DESCRIPTION:

DISCUSSION OF SECTION 5-1.01 OF THE CODE - REGULATION OF CATS

SUBMITTED BY:

Shirley Chenoweth

REVIEWED BY:

EXPLANATION/SUMMARY (attach additional sheets as necessary):

The subject of the present City Code requiring the bellling of cats has been discussed briefly several times. We have surveyed several neighboring communities regarding regulation of cats and a summary of that survey is attached. Also attached is a copy of the Falcon Heights regulations.

ACTION REQUESTED:

For Discussion Only



ARDEN HILLS

No separate Ordinance, rely on Public Nuisance Ordinance (health, morals, comfort, etc.).

ROSEVILLE

Prohibits all animals from disturbing the peace and quiet by habitually crying/howling, causing damage to plantings or structures, or depositing fecal matter on property of others.

NEW BRIGHTON

Cats must be restrained, cannot run at large - cats damaging property, biting, depositing fecal matter on the property of others, or habitually crying or mewing is considered a public nuisance.

SHOREVIEW

Cats six months old and over must be licensed and restrained and owner/keeper must clean up after animal when off owner's property.

ST. PAUL

Required to wear rabies tag, no leash law, no bell. Special permit required for more than three cats.

LITTLE CANADA

Cats over three months old must be licensed (\$10.00 for two years). Requires owner/keeper to clean up after animal.

CHAPTER 5. MUNICIPAL REGULATION AND LICENSING

PART 1. CATS

5-1.01 Regulation of Cats

* **Subdivision 1. Running at Large Without Bell Prohibited.** It shall be unlawful for the owner or keeper of any cat to permit such cat to run at large in the City without being belled, and such cat shall be deemed to be running at large if its found off the premises of such person and not under the control of the person or a member of his immediate family either by leash, cord, chain or otherwise. Any person is deemed to be the owner or keeper if he harbors such cat or allows the same to be about his or her premises, residence or place of business. Such cat shall be deemed to be belled if a bell is secured around the neck of the cat and is audible within a distance of at least 50 feet.

Subdivision 2. Enforcement. The council may appoint such person, persons or firm as the council may deem necessary and advisable to enforce the terms of this section. It shall be the duty of such person to apprehend any cat found running at large contrary to these provisions and to impound such cat in a place designated by the council. The poundkeeper upon receiving any cat shall make a complete registry, entering the breed, color and sex of such cat. Not later than three (3) days after the impounding of any cat, the poundkeeper shall notify the owner if known or if the owner of the cat is unknown shall see that a written notice is posted for three (3) days at a conspicuous place within City Hall describing the cat and the place and time of taking. The owner of the cat so impounded may claim such cat upon payment of a \$10.00 impounding fee plus \$2.00 for each day the cat is confined in the pound as the cost of feeding or such greater sum as the council may determine to be necessary for purposes of fully compensating the City for all costs and charges incurred. It shall be the duty of the poundkeeper to keep all cats so impounded for a period of five (5) days from the day of notice as herein provided. If at the expiration of such five day period, the cat has not been redeemed, it may be sold or painlessly put to death.

Subdivision 3. Misdemeanor. Any person violating the provisions of this section shall be guilty of a misdemeanor.

Consent _____

Agenda Item: F-7

Policy X

CITY OF FALCON HEIGHTS

Meeting Date: 12/13/89

REQUEST FOR COUNCIL CONSIDERATION

ITEM DESCRIPTION: CONSIDER CANCELLING THE DEC. 27th CITY COUNCIL MEETING

SUBMITTED BY: Jan Wiessner

REVIEWED BY:

EXPLANATION/SUMMARY (attach additional sheets as necessary):

In previous years the City Council has cancelled the second December Council meeting due to the holidays. At this time we are not aware of any agenda items which would require a meeting at that time.

ACTION REQUESTED: Cancel Dec. 27th City Council meeting.

