

January 6, 1989

TO: CITY COUNCIL

FROM: SHIRLEY CHENOWETH

Dennis Hunt just called (3:30 P.M.) and asked that his request for a liquor license be deleted from the agenda. The attached letter from Henry Kristal of Embers, which was just delivered, may have some bearing on his decision.



**Embers**  
RESTAURANTS

January 6, 1989

The Honorable Mayor Baldwin,  
Members of the City Council  
and Planning Commission  
City of Falcon Heights  
2077 W. Larpenteur Avenue  
Falcon Heights, MN. 55113

Dear Mayor Baldwin, Members of the City Council and  
Planning Commission:

Embers opposes the addition of a food and or liquor establishment in the vacant space on the southwest corner in the Bullseye Shopping Center. It is our understanding that there will be seating for approximately 40 in addition to the hopes of doing a sandwich deli type take-out business. In addition, it is planned to add on-sale liquor in a sports type bar environment.

Embers bases its opposition on three (3) main reasons:

- 1) There will be inadequate parking to service the needs of the shopping center, its employees and Embers and its employees;
- 2) The addition of liquor to this center was never contemplated in our final pre-planning stages and was specifically rejected by the Citizens Advisory Committee (Embers was represented on that committee) in all phases of the planning for this corner;
- 3) The informal, non-contractual and non-binding shared parking agreement between Embers and Bullseye only contemplated a relatively small eating facility on the eastern end of the center, which would have required a substantially lesser number of parking stalls than this new potential use will require.

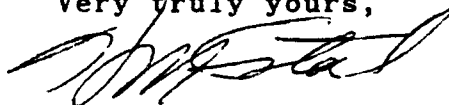
Continued, Page 2.

If the city should choose to grant the licensing of this new food-liquor or food only establishment, and parking becomes the problem we think it will become, then Embers would be forced to revert back to utilizing its own land for its own purposes and eliminating the informal, non-binding verbal shared parking agreement it now has with the Bullseye Center.

In addition, I feel a long term committment not to serve liquor on that corner was made to the local citizens several years ago and granting a liquor use now would violate the good faith and trust the citizens deserve to have in their city government.

*We have  
no documentation  
of this - Sgc*

Very truly yours,



Henry S. Kristal, President  
Mr. Ems System, Inc.  
D.B.A. Embers Restaurants

HSK:dt

CITY OF FALCON HEIGHTS  
AGENDA  
JANUARY 11, 1989

\*Get Copy of  
Pl. Comm.  
minutes

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

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

C. APPROVAL OF MINUTES OF DECEMBER 14, 1988:

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

D. PUBLIC HEARINGS: NONE

E. CONSENT AGENDA:

- m/c
1. Fire/Ambulance Runs
  2. Disbursements
    - a. General Disbursements - December 29, 1988 thru January 11, 1989, \$84,821.25 - Sinking Fund, \$38,060.00
    - b. Payroll - December 16, 1988 thru December 31, 1989, \$10,566.05
  3. Solid Waste Commission Minutes, December 7, 1988
  4. Resignation of John Brynildson, 1489 West Iowa, from the Solid Waste Commission
  5. Commission Appointments
    - a. Reappointment of John Duncan, Leonard Boche and Donna Daykin to the Planning Commission for three year terms to expire December 31, 1991
    - b. Appointment of Jeffrey L. Johnson, 1770 Arona, to the Parks and Recreation Commission for a three year term to expire December 31, 1991
  6. Designation of Contractual Inspectors
  7. Cancellation of Check #22551 in the amount of \$48.60
  8. Ramsey County Sheriff's Report for December, 1988
  9. Licenses

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

F. REPORTS, REQUESTS AND RECOMMENDATIONS:

1. Designation of Official City Depository, Leasing of Safety Box, and Designation of Authorized Signators

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

2. Designation of Official City Newspaper

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

3. 1989 Council Assignments

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

4. Consider Reappointment of Connie Lasser to the Park and Recreation Commission (Third Term)

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

5. Application of Liquor/Sunday Liquor License for Proposed Restaurant/Lounge, Dennis Hunt, 1557 West Larpenteur

ACTION: WITHDRAWN BY D. HUNT

6. Parking Variance Request, Dennis Hunt, 1557 West Larpenteur

ACTION: under advisement, Pl. Comm. will have special mtg. 3rd Mon.

7. Proposed Charitable Gambling Ordinance

ACTION: n/ ord. to prohibit gambling

8. Contract Agreement for Remote Metering System

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

9. Request for Refund of Building Permit Fee for Pizza Hut

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

10. Consider Amendment of Section 9-10.01, Subd. 2, of the Code Conditional Uses in B-2 Districts

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

11. 1989 Recycling Grant

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

12. Authorization for Disbursement Approval

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

- G. ANNOUNCEMENTS AND UPDATES:

- H. ADJOURNMENT:

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

January 10, 1989

\* Read

ADDENDUM  
City Council Agenda  
January 11, 1989

Item E (10)

Planning Commission Minutes of January 9, 1989

MINUTES  
REGULAR PLANNING COMMISSION MEETING  
JANUARY 9, 1989

Chairman Black called the meeting to order at 7:35 P.M.

Black, Nestingen, Duncan, Grittner, Barry, Daykin, Boche and Finegan. Also present was Council Liaison Wallin and Planner Malloy.

PRESENT

Carroll.

ABSENT

Nestingén moved, seconded by Finegan, approval of the December 5, 1988 Minutes as presented. Motion carried unanimously.

12/5/88  
MINUTES  
APPVD.

Black opened the public hearing at 7:45 P.M. and advised that notice had been published in the Falcon Heights Focus on Wednesday, December 21, 1988. Black explained that a request had been received to open a business in the Northome Shopping Center as a game arcade but before such request could be acted upon, the City Code would have to be amended to add such use. City Staff suggested amendment of Section 9-10.01, Subd. 2. There being no one present wishing to be heard, the hearing was closed at 7:55 P.M.

PUBLIC  
HEARING  
CODE  
AMEND-  
MENT  
SECTION  
9-10.01  
SUBD. 2  
APPROVE  
TO ADD  
GAME  
ARCADES

Discussion ensued on whether game arcades should be allowed in the City of Falcon Heights as there was neighborhood opposition to such an operation previously due to continual problems encountered by residents. Since game arcades are not covered by statute, to merely deny a property owner the right to use his property as he wishes by mere refusal to amend City Code is arbitrary. If the game arcade were included in the conditional use section of the City Code, certain conditions could be placed on such use to limit neighborhood concerns.

After further discussion, Boche moved to include game arcades as a category in the conditional use section of the City Code. The motion was seconded by Daykin and upon a voice vote, the following voted in favor thereof: Daykin, Boche, Black, Grittner, Nestingen and the following voted against the same: Barry, Finegan and Duncan. Motion carried.

Dennis Hunt requested a variance for parking to open a take-out deli in the Bullseye Plaza Shopping Center. The deli will be 1,020 square feet in size. Henry Kristal, representing Embers Restaurants, requested that the Planning Commission consider: (1) there is not enough on-site parking for another eating/take-out establishment, and (2) the shared parking agreement cannot continue if another eating establishment were to go into the west end of the Bullseye building as there is not enough parking. Shopping Center employees are using the east end of the Embers lot for parking instead of using the liquor store lot which has been no problem until this time, but this practice could not be continued if another restaurant were established on the west end of the Bullseye building. The larger picture needs to be examined for parking for the entire center and its tenants.

VARIANC  
FOR  
PARKING  
BULLSEY  
PLAZA

MINUTES  
REGULAR PLANNING COMMISSION MEETING  
JANUARY 9, 1989  
PAGE 2

Commission members questioned just exactly what Mr. Hunt was asking for--was a variance needed for the take-out deli at this time. Since the deli was phase one of two phases, Commission members wanted Mr. Hunt to understand that the overall picture needed to be examined. They don't want a lot of money spent in the remodeling of the shopping center and when a variance is needed for phase two (which could be approved or denied), a hardship issue could not be used as an excuse for approval. The overall picture and parking scheme needs to be examined by the City Staff, Planning Commission and Council.

Mr. Hunt stated that many rental spaces are vacant and taxes are very high on the shopping center property. In order for the shopping center to stay healthy financially, the vacant spaces need to be rented.

Boche moved, seconded by Daykin, to lay the issue over to the next Planning Commission meeting, which will be held on January 23, 1989 at which time Mr. Hunt should come back with requested further information. Motion Carried unanimously.

ITEM TO  
BE RE-  
EXAMINE  
1/23/89

The Planning Commission next considered amending Section 9-14.01, Subd. 4(b) of the City Code relating to setbacks for side yards abutting streets. Planner Malloy distributed a lengthy memorandum on residential setback variances. After a discussion, the Planning Commission laid over the setback issue to allow time for members to review Malloy's January 9th letter and recommendations.

SIDE  
YARD  
SETBACKS  
TO BE  
LAID  
OVER

Planner Malloy then reviewed the Administrative Procedures Manual and Subdivision Code Revision changes requested at the last meeting. Planning Commission members will review such documents and will formally approve them at the January 23rd meeting.

ADMIN.  
PROCED.  
MANUAL

Finegan moved, seconded by Daykin, to adjourn the meeting at 9:50 P.M.

ADJOURN-  
MENT

Submitted by:

Katherine J. Zimmerman

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

Edgar Finegan, Secretary



Consent X  
 Policy \_\_\_\_\_

Agenda Item: E-2

CITY OF FALCON HEIGHTS

Meeting Date: 1/11/89

REQUEST FOR COUNCIL CONSIDERATION

**ITEM DESCRIPTION:**

Disbursements

**SUBMITTED BY:**

Tom Kelly

**REVIEWED BY:**

Shirley Chenoweth

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

General Disbursements---12/29/88-1/11/89----\$84,821.25  
 Sinking Fund ---12/29/88-1/11/89-----\$38,060.00  
 Payroll --- 12/16/88-12/31/88-----\$10,566.05

**ACTION REQUESTED:**

Approval

\_\_\_\_\_  
*SJK*

GENERAL DISBURSEMENTS

MINUTES OF 1/11/89

CHECK NO.	ISSUED TO	REASON	AMOUNT
22650	Colonial Life & Accident Ins. Co.	Accident Insurance	\$48.00
22651	Minnesota Mutual Life Insurance	Insurance	1,685.55
22652	Commissioner of Revenue	State Withholding Tax	486.58
22653	ICMA Retirement Trust	Deferred Compensation	748.16
22654	PERA	Retirement Fund	1,332.34
22655	PERA	"	9.00
22656	MN Benefit Assoc.	Insurance	5.85
22657	North Star State Bank	Federal Withholding, FICA	3,233.99
22658	Fuller's Radio Sales & Service	Pager repair	20.34
22659	Champion Auto	Maintenance and small tools	130.24
22660	Craig F. Schaufert	Mn. Fire Conference	142.20
22661	Road Rescue, Inc.	Supplies, breakers, spot lights	1,005.82
22662	Fleet Tech Service Corp.	Change volt system	1,665.57
22663	SuperAmerica	Fuel	60.13
22664	R. L. Davis	Non-resident reimbursement	12.00
22665	MN. Conway Fire & Safety	Clothing	579.85
22666	Linda Treeful	1988 Services	475.00
22667	Gene Pakoy	Mechanical Inspector Fees, Nov. & Dec.	481.90
22668	Oxygen Service Company	Rechargers	34.40
22669	Ramsey Clinic	Physicals	58.00
22670	St. Paul Ramsey Medical Center	Physical	53.00
22671	Motorola Inc	Fire Dept. radio repairs	856.57
22672	D.C. Hey Company	Fax Machine	1,647.00
22673	League of Minn. Cities	Handbook	75.00
22674	Mine Safety Appliance Co.	Cylinder replacement	298.50
22675	Herman Miller, Inc.	Office remodeling	878.64
22676	American Linen Supply	Cleaning - Fire Dept.	29.37
22677	Oswald Fire Hose	Equip. - Coupling & Gaskets	51.20
22678	Healy-Ruff Co.	Repair of siren	70.00
22679	Facility Systems	Misc. charges & lateral file	453.38
22680	Super Cycle, Inc.	November recycling	797.20
22681	Kathleen Kauphusman	Non-resident reimbursement	12.00
22682	Greg Hutchins	Non-resident reimbursement	12.00
22683	Able Hose & Rubber, Inc.	Equipment	207.60
22684	Northeast Metro School District	Fall quarter tuition-5 people	310.00
22685	Road Rescue, Inc.	Masks	285.62
22686	Waterous Company	Drain Valve	175.51
22687	MN Conway Fire & Safety	Equipment	375.75
22688	St. Paul Book & Stationery	2 books	13.93
22689	One Hour Martinizing	Dry cleaning-Fire Dept.	39.00
22690	Janet Wiessner	Nov Dec. Travel	300.00

<u>CHECK NO.</u>	<u>ISSUED TO</u>	<u>REASON</u>	<u>AMOUNT</u>
22691	Terry Iverson	Dec. mileage	\$57.40
22692	U of M	Seminar (Terry Iverson)	90.00
22693	Ramsey County Conciliation Court	Filing fee	16.00
22694	Assoc. of Metropolitan Municipalities	'89 Membership	1,291.00
22695	Midwest Business Products	Office Supplies	87.27
22696	Custom Property Services	Custodial Services-Jan.	336.80
22697	John Burkard	Non-resident reimbursement	12.00
22698	Kyle McClintick	Non-resident "	8.00
22699	Daniel Schleichert	Non-resident "	7.00
22700	EBA	Workers Comp Insurance	10,685.00
22701	Capitol City Regional F.F. Assoc.	'89 Dues - Firefighters	25.00
22702	Ramsey County Fire Chiefs Assoc.	'89 Dues	25.00
22703	Fullers Radio	Radio maintenance	1,437.90
22704	Midwest Business Products	Office supplies	170.14
22705	Metro Waste Control Comm.	Jan. sewer charge	40,628.45
22706	Banyon Data Systems	Prof. Accounting Software Support	595.00
22707	Northwest Suburban Youth Services	Joint Powers Agreement	5,539.00
22708	Lutheran Social Services	Home Share Program	395.00
22710	Gov't Finance Officers Assoc.	'89 Membership	80.00
22711	Minnesota GFOA	'89 Membership	10.00
22712	Suburban Area Chamber of Commerce	'89 Membership	270.00
22713	Ramsey County League of Local Govts.	'89 Membership	370.60
22714	Browning-Ferris Ind.	Standard service-Community Park	136.13
22715	Gelco Space	Lease agreement	326.00
22716	NSP	Utilities	2,667.69
22717	AT&T	Maintenance	29.75
22718	AT&T Credit Corp.	Jan. charge	127.73
22719	Suburban Hardware	Misc. charges	153.89
22720	Glenwood Inglewood	Spring water	15.50
22721	Board of Water Comm.	Water bill	37.56
22722	Toll Company	Equipment	34.14

First Trust

TIF Principal & Interest

TOTAL GEN. DISBURSEMENTS

TOTAL SINKING FUND

84,125  
38,060.00

\$38,060.00

Emp- ID	Employee Name	Check DATE	Check AMOUNT	Check AMOUNT
000000001	Baldwin, Thomas W.		348.84	375.00
000000003	Baumann, Nicholas E.		48.98	54.00
000000005	Berndt, Ross		40.00	40.00
000000007	Bianchi, Joseph D.		66.00	66.00
000000008	Brown, Raymond F.		61.00	61.00
000000009	Bush, Patti J.		236.77	300.00
000000010	Chenoweth, Philip E.		291.12	300.00
000000011	Chenoweth, Shirley B.		673.69	946.33
000000012	Cienna, Paul C.		250.00	300.00
000000018	Holmgren, John M.		120.00	130.00
000000020	Iverson, Terry D.		771.37	996.67
000000004	Kriegler, Carol J.		283.51	325.00
000000050	Kubes, Jon E.		197.69	220.75
000000022	LeMay, Dennis B.		54.00	54.00
000000024	Lindig, Leo		294.29	325.00
000000048	Marshall, Timothy		143.66	173.25
000000039	Morley, Jr.		40.00	40.00
000000027	Morley, Jay M.		645.07	603.83
000000083	Phillips, Patricia A.		690.67	669.66
000000033	Schauffert, Craig F.		130.00	130.00
000000034	Spice, Earl		61.00	61.00
000000058	Thompson, Mike F.		269.61	240.00
000000051	Tretover, Dale A.		203.01	227.61
000000037	Walker, Gerald E.		300.00	300.00
000000002	Wiessner, Janet R.		1,123.06	1,561.13
000000038	Wright, Vincent D.		830.05	1,074.54
000000035	Zimmerman, Katherine		304.44	570.56
Grand Total			8,445.55	10,566.05

Consent X

Agenda Item: E-3

Policy \_\_\_\_\_

CITY OF FALCON HEIGHTS

Meeting Date: 1/11/89

REQUEST FOR COUNCIL CONSIDERATION

ITEM DESCRIPTION:

Commission Minutes

SUBMITTED BY:

Solid Waste Commission

REVIEWED BY:

Shirley Chenoweth

EXPLANATION/SUMMARY (attach additional sheets as necessary):

ACTION REQUESTED:

Approval

SAC

MINUTES

SOLID WASTE COMMISSION

DECEMBER 7, 1988

The meeting was called to order at 7:15 P.M. by Chairperson Misra.

Present were Haglund, Leo Klisch, Misra, Iverson, Thompson, Salewski and Staffperson Chenoweth.

The minutes of the November 16th meeting were approved with the following correction:

In the paragraph headed "Blockworker Meeting", in the next to the last line change the word "facts" to "thanks".

Chenoweth announced that John Luoma has resigned from Supercycle. Tom Glander, the Vice-President of Marketing has taken his place. There will be a meeting Friday with Supercycle and Chenoweth will attend. The commission suggested that items for discussion could be:

1. Whether Supercycle has or can get equipment for "readouts" such as is used in the St. Louis Park system.
2. The issue of limits and penalty charges, and
3. Clarification as to what they will or will not pick up.

Misra announced that she will return to work with the Minnesota Pollution Control Agency as Supervisor of the household hazardous waste and pesticide disposal unit. Therefore, Misra has tendered her resignation as Chair of the commission but wishes to remain on as a member of the commission.

John Thompson, Vice-Chairperson, assumed the Chair of the commission. The commission proceeded to elect a vice-chair. Haglund nominated Leo Klisch, seconded by Salewski. The election was unanimous.

NEWSLETTER - The revised layout presented by ITI was approved by the commission. It was agreed to have In Town Industries do the entire printing job for the first issue of the newsletter. After some discussion, Salewski agreed to edit the first number of the newsletter with assistance from Thompson.

Distribution of the newsletter was discussed. Chenoweth suggested that Scouts could be used for distribution of the newsletter to residences; public works would drop off bundles of the newsletter to apartments and copies could be mailed to businesses in the City.

Newsletter ideas were then discussed. Among the ideas suggested were: "What others are doing"; "What our businesses are doing"; "Recycler of the Month"; and an article on composting by Leo Klisch.

Chenoweth reported that a scavenger ordinance would go to the council at its December 14th meeting.

BLOCKWORKER PARTY - Since the magician retained by Ramsey County to do recycling shows is no longer available, it was decided to move the Blockworker Party into January or February of next year. Various ideas were discussed but no firm decision was made.

BUDGET - Chenoweth reported that some \$300 remains in our budget for this year. Since the bill for the initial set-up of the newsletter is close to \$300, it was decided that the commission would ask ITI to bill us for the initial set-up in this fiscal year.

HAZARDOUS WASTE COLLECTION - There was discussion of the November 30th letter from Terry Iverson regarding the household hazardous waste collection project. Discussion focused primarily on problems the commission saw with the proposal at this point. Among the issues discussed were: The question of funding since there is no budget item for such a collection; whether the City could meet all the requirements listed in the materials appended to the letter; our desire to have a Fall rather than a Spring collection; the fact that there's no site presently in the City for such a procedure. It was also felt that the County must assume a greater role than was indicated they were willing to play at this point. The commission finally decided to focus its comments to form:

1. Change the date of the pick-up to Fall
2. Since the City has no budget for household hazardous waste pickup, the concept of proportionate funding should be explored
3. The commission feels there should be a clearer statement of the community's role in the project, and
4. The commission feels that the money could be more wisely used for a permanent site

The next meeting of the commission will be January 4, 1989 at 7:00 P.M.

The meeting was adjourned at 9:17 P.M. by Chairperson Misra.

Respectfully submitted,

Benno W. Salewski, Secretary

Consent \_\_\_\_\_

Policy X

CITY OF FALCON HEIGHTS

REQUEST FOR COUNCIL CONSIDERATION

*\*Who?*

Agenda Item: F-1

Meeting Date: 1/11/89

<u>ITEM DESCRIPTION:</u> R-88-1 and R-89-2 Resolutions	<i>*What's in it (?)</i>
---	--------------------------

<u>SUBMITTED BY:</u> Shirley Chenoweth	
--	--

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

Attachments:

- (a) R-89-1 -- Designating official depository
- (b) R-82-2 -- Regarding leasing of a safety deposit box and designating persons having access to the same

ACTION REQUESTED:

Approval

*Safety Dep. Box  
Assume we don't need it (?)*

*2 Dep.*

*[Signature]*



CITY OF FALCON HEIGHTS  
COUNCIL RESOLUTION

Date January 11, 1989

A RESOLUTION DESIGNATING THE OFFICIAL DEPOSITORY FOR THE  
GENERAL AND SINKING FUNDS OF THE CITY OF FALCON HEIGHTS

*Admin. or designee*

RESOLVED, that the City of Falcon Heights does designate the  
North Star State Bank of Roseville as depository for the funds of the  
City of Falcon Heights, and the \_\_\_\_\_ is authorized to deposit  
general and other funds therein. Collateral shall be furnished by the  
North Star State Bank as required by law.

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

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

\_\_\_\_\_  
Date

YEAS                      Nays

BALDWIN  
CIERNIA                      \_\_\_\_\_ in Favor  
CHENOWETH  
WALLIN                      \_\_\_\_\_ Against  
BUSH

Attested by \_\_\_\_\_  
City Administrator

\_\_\_\_\_  
Date

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

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

Date January 11, 1989

A RESOLUTION RELATING TO THE SAFETY DEPOSIT BOX AT  
THE NORTH STAR STATE BANK

*NO*

RESOLVED, by the City Council of the City of Falcon Heights that the continued leasing of a safety box in the Safe Deposit vaults of the North Star State Bank, Roseville, Minnesota, be authorized and confirmed for the calendar year 1989, and that authority to have access to said safety deposit box until the first day of January, 1990, and to remove any part or all of the contents, is hereby given the following:

1. Tom Baldwin, Mayor, City of Falcon Heights
2. Paul Ciernia, Acting Mayor, City of Falcon Heights
3. Janet R. Wiessner, City Administrator, City of Falcon Heights

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

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

\_\_\_\_\_  
Date

YEAS	Nays
BALDWIN	
CIERNIA	_____ in Favor
CHENOWETH	
WALLIN	_____ Against
BUSH	

Attested by \_\_\_\_\_  
City Administrator

\_\_\_\_\_  
Date

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

Consent \_\_\_\_\_  
Policy X

*Mike  
Post Comparison?*

Agenda Item: F-2

**CITY OF FALCON HEIGHTS**

Meeting Date: 1/11/89

**REQUEST FOR COUNCIL CONSIDERATION**

<b><u>ITEM DESCRIPTION:</u></b>	Designation of Official City Newspaper
<b><u>SUBMITTED BY:</u></b>	Mike Thompson
<b><u>REVIEWED BY:</u></b>	Shirley Chenoweth
<b><u>EXPLANATION/SUMMARY</u> (attach additional sheets as necessary):</b>	
<p>The City has received proposals from Post Publications (The Focus) and the Lillie Suburban Newspapers (The Review). For the past several years, the City of Falcon Heights has designated the Focus Newspaper as its official newspaper. The rate structure for 1989 will be slightly higher than the rates for 1988. In prior years, the Focus newspaper has provided the City with prompt, efficient service.</p>	
<b><u>Attachments:</u></b>	
(a) Proposal from Post Publications (The Focus)	
(b) Proposal from Lillie Suburban Newspaper (Review)	
<b><u>ACTION REQUESTED:</u></b>	Designate Focus Newspaper as the official city newspaper.
<p>_____ <i>MT</i></p>	

December 28, 1988

City Council  
City of Falcon Heights  
2077 West Larpenter Avenue  
Falcon Heights, Minnesota 55113

Dear Council Members:

We hope that you will once again designate the Focus Newspapers as your official carrier of public notices, continuing our long association with the City of Falcon Heights.

Focus Newspaper has met all of the requirements to qualify as a legally designated publication as defined in Minnesota Statutes. Minnesota Statute 331A.0 specifies that we charge no more for public notices than the lowest classified rate paid by commercial users for comparable space in the newspapers. Your rate structure for public notices effective January 1, 1989, will be as follows:

1 column width  
\$ .85 \$ .45 per line - first insertion  
\$ .245 per line - subsequent insertions

2 column width  
\$ .97 per line - first insertion  
\$ .53 per line - subsequent insertions

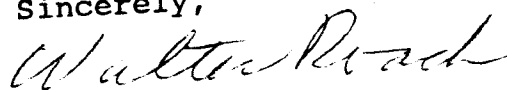
We will provide, at no charge, 2 notarized affidavits on each of your publications. Additional affidavits, on request, will be furnished at \$2.00 each.

All publications should reach this office by 12:00 noon on Thursday preceding our Thursday publication. However, we would appreciate receiving any large quantities of legals or any lengthy legals at an earlier time.

In order to expedite our services to you it is requested that you direct your publications to the attention of Audrey Broda, Legal Department, 8801 Bass Lake Road, New Hope, MN 55428.

We are pleased to serve you and we thank you on behalf of all of our readers.

Sincerely,



Walter D. Roach  
General Manager

# Lillie Suburban Newspapers

2515 E. Seventh Avenue  
North St. Paul, MN 55109  
(612) 777-8800

November 30, 1988

Honorable Mayor and City Council  
City of Falcon Heights  
2077 W. Larpenteur  
Falcon Heights, Minnesota 55113

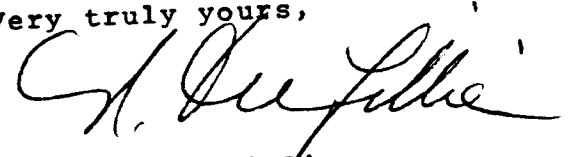
Dear Mayor and Council Members:

We ask that you designate the Roseville Review as the legal newspaper for the City of Falcon Heights for the year of 1989. We ask that the designation be made at your first council meeting of 1989.

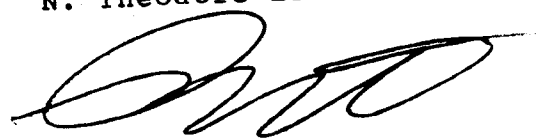
Legal publication rates for minutes of regular and special meetings, bids, etc., are \$5.69 per column inch, \$7.61 per column inch tabulated and \$3.79 per column inch for each additional publication.

Thank you for considering us as your legal newspaper for 1989.

Very truly yours,



N. Theodore Lillie



Raymond J. Enright

NTL/RJE:1kr



RAMSEY COUNTY REVIEW — MAPLEWOOD REVIEW — OAKDALE-LAKE ELMO REVIEW — NEW BRIGHTON BULLETIN — SHOREVIEW BULLETIN  
ST. ANTHONY BULLETIN — SHOPPING REVIEW — ROSEVILLE REVIEW — SHOPPING REVIEW EAST  
SOUTH - WEST REVIEW — WOODBURY-SOUTH MAPLEWOOD REVIEW — FRIDLEY SHOPPING BULLETIN — NORTH SHOPPING BULLETIN

Consent \_\_\_\_\_  
Policy x

Agenda Item: F-3

Meeting Date: 1/11/89

CITY OF FALCON HEIGHTS

REQUEST FOR COUNCIL CONSIDERATION

<u>ITEM DESCRIPTION:</u>	1989 Council Assignments
<u>SUBMITTED BY:</u>	Tom Baldwin
<u>REVIEWED BY:</u>	
<u>EXPLANATION/SUMMARY</u> (attach additional sheets as necessary):	
	1989 Assignments attached
<u>ACTION REQUESTED:</u>	

1989 COUNCIL ASSIGNMENTS

MAYOR BALDWIN

Administration  
Liaison to Sheriff's Department  
Public and University Relations  
Engineer and Legal Liaison  
Alternate Liaison to Business Community  
Representative to NW Suburban Youth Service Bureau  
Municipal Buildings and Grounds  
Liaison to Legislature\*  
Weed Inspector\*\*  
Minnesota State Fair  
\*By State Statute  
\*\*Appointment made by Ramsey County Board

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COUNCILMEMBER CIERNIA

Acting Mayor  
Data Processing  
Liaison to Falcon Heights Elementary Area  
Community Advisory Board  
Alternate Liaison to Legislature

---

COUNCILMEMBER CHENOWETH

Second Acting Mayor  
Liaison to Human Rights Commission  
Representative to and Legislative Contact Person  
for AMM  
Finance  
Representative to RCLLG  
Liaison to Business Community

---

COUNCILMEMBER WALLIN

Liaison to Planning Commission  
Alternate Representative to and Legislative  
Contact Person for AMM  
\*Representative to Cable Commission  
Alternate to LMC

---

COUNCILMEMBER BUSH

Liaison to Parks and Recreation Commission  
Representative to LMC  
Alternate to Metro Government  
Alternate to Youth Service Bureau  
Alternate to RCLLG  
\*Representative to Ramsey County Light Rail Transit  
*if possible*

---

WIESSNER

Departmental Administration and Supervision  
Administrative Assistance on all Assignments  
Deputy to Mayor on all Mayor Assignments  
Roseville-Falcon Heights Chamber Division Board

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OTHER APPOINTMENTS:

Ramsey County Emergency Comm. Bd.

Leo Lindig, Fire Chief  
2501 Long Lake Road  
New Brighton, MN 55112

784-7278 (h)  
633-0125 (w)

Consent \_\_\_\_\_  
Policy y

Agenda Item: F-4

Meeting Date: 1/11/89

**CITY OF FALCON HEIGHTS**

**REQUEST FOR COUNCIL CONSIDERATION**

**ITEM DESCRIPTION:**

Consider re-appointment of Connie Lasser to Park & Recreation Commission  
(Third Term)

**SUBMITTED BY:**

Pat Bush/Linda McLoon

**REVIEWED BY:**

Shirley Chenoweth

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

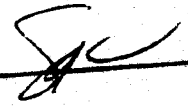
When the Commission was established in 1985 Connie was appointed to a one year term, and re-appointed to a three year term in 1986.

**Attachments:**

- (a) Copy of Section 2-8.03 of the Code
- (b) Request for re-appointment

**ACTION REQUESTED:**

Approval

  
\_\_\_\_\_



2-8.03 Terms, Vacancy, Oaths.

~~Each member shall be appointed for a term of up to three (3) years. No member may serve more than two (2) consecutive terms.~~ Each member shall hold office until his or her successor has been appointed to the Commission. Vacancies during the term shall be filled by the mayor, subject to Council approval for the unexpired portion of the term. Every appointed member shall, before commencing his or her duties, take an oath for the faithful discharge of duties of the office. All members shall serve without compensation, but may be reimbursed for expenses as authorized and approved by the City Council.

2-8.04 Removal.

Members shall be subject to removal only for cause, by a four-fifths (4/5) vote of the City Council. Failure to attend three (3) consecutive meetings shall be a basis for removal.

2-8.05 Organization, Officers.

The Commission shall elect a chairman, vice-chairman, and secretary from among its appointed members for a term of one (1) year. The City Councilmember, acting as a liaison to the City Council shall not have voting powers on the Commission.

2-8.06 Meetings, Records, Reports.

The Commission shall hold monthly meetings. It shall adopt rules for the transactions of business and shall keep a record of its resolutions, transactions, and findings which records shall be of public record. On or before February 15th of each year, the Commission shall submit to the Council a report of its work during the preceding calendar year.

2-8.07 Powers and Duties of the Commission.

a. The Commission shall develop plans for community recreation by assessing the needs of the people of the community and by considering their wishes.

b. The Commission shall explore ways of providing as many recreational opportunities as possible. This may include but shall not be limited to working with neighboring communities, applying for grants, and organizing fundraisers.

c. The Commission shall submit to the City Council an annual budget for recreation. Based on that budget, expenditures of city funds by the Commission for recreational purposes shall be permitted with approval of the Clerk Administrator of Falcon Heights.

1/3/89

RE-APPOINTMENT OF CONNIE LASSER TO THE  
PARK & RECREATION COMMISSION

Connie has been a member of the Park and Recreation Commission for the past four years serving two terms. Connie has indicated that she would like to be re-appointed to a third term.

Current policy states that a commission member can serve only two consecutive terms. However the Recreation commission does not have a full membership and would still not have a full membership with Connie's re-appointment.

Consent \_\_\_\_\_  
Policy \_\_\_\_\_

Agenda Item: F-5

CITY OF FALCON HEIGHTS

Meeting Date: 1/11/89

REQUEST FOR COUNCIL CONSIDERATION

ITEM DESCRIPTION:

Application of Liquor/Sunday Liquor License for proposed Restaurant/Lounge

SUBMITTED BY:

Dennis Hunt, 1557 W. Larpenteur

REVIEWED BY:

Shirley Chenoweth

EXPLANATION/SUMMARY (attach additional sheets as necessary):

Mr. Hunt has applied for the city's remaining on-sale liquor license for a proposed restaurant/lounge at 1559 W. Larpenteur (the former REMCO site).

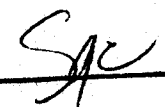
Please review Chapter 6 of the Code for full information on issuance of liquor licenses. You will note that Section 6-3.01, Subd. 1(b) stipulates that no license shall be granted on any premises on which taxes, assessments, etc. are unpaid. At this time, it appears Mr. Hunt's 1988 taxes are delinquent in the amount of approximately \$45,000. We are presently awaiting confirmation by Ramsey County.

Attachments:

- (a) Original request dated 12/1/88
- (b) Certification of On-sale and/or Sunday Liquor License
- (c) General information
- (d) Personal information, President and Vice-President
- (e) Copy of Bond
- (f) Certificate of Insurance

~~ADDITIONAL INFORMATION REQUESTED~~

The usual police investigation has been completed by the Sheriff's Department.

  
\_\_\_\_\_

# Bullseye Golf Centers, Inc.

Bullseye Plaza Shopping Center

1557 W. Larpenteur Ave.  
St. Paul, MN 55113

(612) 646-3323  
(612) 647-0233

December 1, 1988

To - City Council, City of Falcon Heights

Enclosed is the drawings for the Bullseye - Sportsman Bar.

As you might see, it will be very small with 11 booths and 6 bar stools.

The establishment will concentrate on deli and take-out orders as well as daily lunches and nightly dinner specials.

The place will be sports oriented and will be like the 19th hole to our many golf customers. We plan on installing the satellite dish on top of the shopping center (surrounded by the air conditioning units) to show on several television sets that we plan on having installed in the bar area.

Our planned hours will be 11am to 1pm with Noon to 11pm on Sunday.

I think the Sportsman Bar will be a good addition to the Bullseye Shopping Center as well as the City of Falcon Heights.

Respectfully Yours,

*Dennis E. Hunt, President*  
Dennis E. Hunt, President

(6)



**MINNESOTA DEPARTMENT OF PUBLIC SAFETY  
LIQUOR CONTROL DIVISION  
ROOM 440 333 SIBLEY ST.  
ST. PAUL, MN 55101  
PHONE 612-296-6159**

Municipality/Township
County:
Date:

**CERTIFICATION OF AN ON SALE AND/OR A SUNDAY LIQUOR LICENSE**

CITY CLERK MUST COMPLETE THIS FORM IF THE LICENSE IS ISSUED BY A CITY.

COUNTY AUDITOR MUST COMPLETE THIS FORM IF THE LICENSE IS ISSUED BY A COUNTY.

ISSUING AUTHORITY (Check only one)

CITY OF Falcon Heights COUNTY OF Ramsey

LICENSEE NAME (INDIVIDUAL, PARTNERSHIP, CORPORATION) <u>Bullseye - Sportsman Bar</u>		TRADE NAME OR DBA <u>Bullseye - Sportsman Bar</u>	
BUSINESS ADDRESS <u>1559 W. Larpenteur Ave.</u>		CITY <u>Falcon Heights, MN</u>	ZIP <u>55113</u>
LICENSE TYPE (CHECK ONE OR BOTH) <input checked="" type="checkbox"/> ON SALE <input checked="" type="checkbox"/> SUNDAY	LICENSE PERIOD FROM _____ TO _____	COUNTY <u>Ramsey</u>	
ON SALE LICENSE NUMBER	ON SALE FEE	SUNDAY LICENSE NUMBER	SUNDAY FEE
BUSINESS PHONE			

If a Partnership, State the Name and Address of Each Partner; If a Corporation, State the Name and Address of Each Officer.

PARTNER/OFFICER NAME <u>Dennis E. Hunt, President</u>	ADDRESS <u>829 W. Montana Ave., St. Paul</u>
PARTNER/OFFICER NAME <u>Anthony A. Hunt, V. President</u>	ADDRESS <u>1952 Eustis Ave., Lauderdale</u>
PARTNER/OFFICER NAME	ADDRESS

The Licensee must have one of the following: (The type and amount to be determined by the City Council or County Board)  
CHECK ONE

1. Corporate Surety Bond (\$3,000 to \$5,000) \_\_\_\_\_  
NAME OF BONDING COMPANY AND AMOUNT
- OR
2. Cash (\$3000 to \$5000) \_\_\_\_\_ AMOUNT    OR     3. U.S. Gov't Bond (\$3000 to \$5000) \_\_\_\_\_ AMOUNT

The Licensee must have one of the following:

- CHECK ONE
- A. Liquor Liability Insurance (Dram Shop) — \$50,000 per person; \$100,000 more than one person; \$10,000 property destruction; \$50,000 and \$100,000 for loss of means of support. ATTACH "CERTIFICATE OF INSURANCE" TO THIS FORM
- OR
- B. A Surety bond from a surety company with minimum coverages as specified above in A.
- OR
- C. A certificate from the State Treasurer that the Licensee has deposited with the State, Trust Funds having a market value of \$100,000 or \$100,000 in cash or securities.

I CERTIFY THAT THIS LICENSE WAS APPROVED IN AN OFFICIAL MEETING BY THE GOVERNING BODY OF THE CITY OR COUNTY.

Given Under My Hand and the Corporate

CITY/COUNTY

Seal this \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_

SEAL

Clerk or Auditor

During the past license year has a summons been issued under the Liquor Civil Liability Law (DRAM SHOP)?  YES  NO If yes, attach a copy of the summons.

COMPLETE THOSE ITEMS THAT APPLY

TRANSACTION TYPE <input type="checkbox"/> RENEWAL	<input type="checkbox"/> NEW <input type="checkbox"/> TRANSFER	<input type="checkbox"/> REVOKE/CANCEL <input type="checkbox"/> SUSPENSION	DATES SUSPENSION FROM _____ TO _____
DATE OF REVOCATION/CANCELLATION		ADDRESS CHANGE FROM	

TRANSFER OF OWNERSHIP FROM (NAME AND ADDRESS)

FOR OFFICE USE ONLY

CODE	FEES A _____ B _____ C _____	MAILING ADDRESS
------	---------------------------------	-----------------

(C)  
CITY OF FALCON HEIGHTS, MINNESOTA

IN SUPPORT OF AN  
APPLICATION FOR ON-SALE  
INTOXICATING LIQUOR LICENSE

Part I - General Information

Directions: This form must be filled out in duplicate with typewriter or by printing in ink. If the application is by a natural person, by such person; if by a corporation, by an officer, thereof; if by a partnership, by one of the partners; if by an unincorporated association, by the manager or managing officer thereof.

1. Name of application (Name of individual, partnership, corporation or association):

Dennis Hunt Bullseye Sportsman Bar Corporation

2. Name under which applicant will be doing business, business address and telephone number:

Full Name Bullseye Sportsman Bar

Business Address 1559 W. Larpenteur Telephone None Yet

Note: IF BUSINESS IS TO BE CONDUCTED UNDER A DESIGNATION, NAME OR STYLE OTHER THAN THE FULL INDIVIDUAL NAME OF THE APPLICANT, ATTACH A COPY OF THE CERTIFICATE AS REQUIRED BY CHAPTER 333, MINNESOTA STATUTES.

3. Type of applicant:

Individual \_\_\_ Corporation  Partnership \_\_\_ Association \_\_\_  
Or Other

4a. If applicant is an individual, state full name, residence, and business address and telephone numbers:

Full Name Dennis E. Hunt

Residence Address 829 W. Montana Ave. Telephone 488-9377

Business Address 1559 W. Larpenteur Ave Telephone None Yet

Note: A Part II - Personal Information Form must be filled out and attached for this individual

4b. If the premises are to be under the control of a manager or agent other than the applicant, state the full name, residence address and telephone number of such manager, proprietor or other agent.

Full Name Under the Supervision of Dennis Hunt

Residence Address Telephone

Note: A Part II - Personal Information Form must be filled out and attached for this individual.

5a. If applicant is a partnership, state full name, residence and business address, telephone numbers and interest of each member of the partnership.

- 1) Full Name NONE Interest \$  
 Residence Address \_\_\_\_\_ Telephone \_\_\_\_\_  
 Business Address \_\_\_\_\_ Telephone \_\_\_\_\_
- 2) Full Name \_\_\_\_\_ Interest \$  
 Residence Address \_\_\_\_\_ Telephone \_\_\_\_\_  
 Business Address \_\_\_\_\_ Telephone \_\_\_\_\_
- 3) Full Name \_\_\_\_\_ Interest \$  
 Residence Address \_\_\_\_\_ Telephone \_\_\_\_\_  
 Business Address \_\_\_\_\_ Telephone \_\_\_\_\_
- 4) Full Name \_\_\_\_\_ Interest \$  
 Residence Address \_\_\_\_\_ Telephone \_\_\_\_\_  
 Business Address \_\_\_\_\_ Telephone \_\_\_\_\_

b. The Managing Partner will be: \_\_\_\_\_

c. If the premises are to be under the control of some person other than the managing partner state the full name, residence address and telephone number of the manager, proprietor or other agent in charge of the partnership's premises to be licensed.

Full Name Under the supervision of Dennis Hunt  
 Residence Address 829 W. Montana Ave. Telephone 488-9377

Note: A Part II - Personal Information Form must be filled out and attached for this individual.

Note: IF THE APPLICATION IS FOR A PARTNERSHIP, ATTACH A TRUE COPY OF THE PARTNERSHIP AGREEMENT AND A COPY OF THE CERTIFICATE OF TRADE NAME UNDER THE PROVISIONS OF CHAPTER 333, MINNESOTA STATUTES

a. If the applicant is a corporation or association, give name of corporation or association, Falcon Heights address and phone number, and home office address and phone number.

Name Bullseye - Sportsman Bar State of Inc. or Assoc. \_\_\_\_\_  
 Falcon Heights Address 1559 W. Larpenteur Telephone None Yet  
 Home Office Address Same as above. Telephone \_\_\_\_\_

b. The full names, residence address and telephone numbers of all officers of said corporation or association.

President Dennis E. Hunt - President  
 Residence Address 829 W. Montana Telephone 488-9377  
 Vice President Anthony A. Hunt  
 Residence Address 1952 Eustis Telephone 633-7956

Secretary Marissa L. Hunt

*as per Mr. Hunt See  
high note  
attached  
SAC*

Residence Address 829 W. Montana

Telephone 488-9377

Treasurer Shirley K. Hunt

Residence Address 829 W. Montana

Telephone 488-9377

Note: A Part II - Personal Information Form must be filled out and attached for these individuals.

6c. The full names, residence address and telephone number for all persons who singly or together with their spouse and his or her parents, brothers, sisters or children, own or control an interest in said corporation or association. If there are more than ten (10) shareholders, only those owning more than 10% of the common stock shall be listed.

- (1) Full Name NONE Interest \$  
Residence Address \_\_\_\_\_ Telephone \_\_\_\_\_
- (2) Full Name \_\_\_\_\_ Interest \$  
Residence Address \_\_\_\_\_ Telephone \_\_\_\_\_
- (3) Full Name \_\_\_\_\_ Interest \$  
Residence Address \_\_\_\_\_ Telephone \_\_\_\_\_
- (4) Full Name \_\_\_\_\_ Interest \$  
Residence Address \_\_\_\_\_ Telephone \_\_\_\_\_

Note: A Part II - Personal Information Form must be filled out and attached for these individuals.

6d. The full name, residence address and telephone number of the manager, proprietor or other agent in charge of the corporation's or association's premises to be licensed.

Full Name NONE - To be Under the supervision of Dennis Hunt

Residence Address \_\_\_\_\_ Telephone \_\_\_\_\_

7. Where building is owned by other than the applicant state in summary terms the lease arrangement - term of years, monthly rental, etc. (A copy of the lease shall be attached.)

Building is owned by Dennis Hunt under the corporate name of Bullseye Golf Centers.



Bullseye - 19th Hole

Officers Went Free

Went out 1/10/68

only 2 Officers

DATE

TO

ED 438M 14780PM

8. If building is owned by individual applicant, partnership, corporation or association state:

a. Date Purchased: 1982

b. Name and Address of person purchased from: Land purchased from Flower City  
c/o Marvin Stillman

c. Purchase Price \$ 240,000.00 d. Amount of down payment \$ paid cash

e. Who currently holds mortgage? American Family Insurance

f. Amount of Contract for Deed? \_\_\_\_\_ g. Who currently holds the Contract for Deed? \_\_\_\_\_

h. Term of Mortgage: 20 Year Note

i. Term on Contract for Deed: \_\_\_\_\_

j. Rate of interest on Mortgage: 11.25%

k. Rate of interest on Contract for Deed: \_\_\_\_\_

l. State the rate at which Mortgage and/or Contract for Deed is being liquidated : \_\_\_\_\_

m. Are the payments on Mortgage and/or Contract for Deed up to date? Yes

9. State the market value of the premises in which the applicant shall be located, exclusive of land, regardless of whether the premises are owned or leased by the applicant.

\$2,200,000.00

10. Give the full name, address, telephone number and the nature of the interest, amount thereof, terms for payment or other reimbursements, of all persons, other than the applicant, who have any financial interest in the business, buildings, premises, fixtures, furniture, or stock in trade. This shall include, but not be limited to, any lessees, lessors, mortgages, lenders, lien holders, trustees, trustors and persons who have co-signed notes or otherwise loaned, pledged, or extended security for any indebtedness of the applicant.

(1) Full Name NONE Nature of Interest \_\_\_\_\_  
Address \_\_\_\_\_ Telephone \_\_\_\_\_

(2) Full Name \_\_\_\_\_ Nature of Interest \_\_\_\_\_  
Address \_\_\_\_\_ Telephone \_\_\_\_\_

(3) Full Name \_\_\_\_\_ Nature of Interest \_\_\_\_\_  
Address \_\_\_\_\_ Telephone \_\_\_\_\_

(4) Full Name \_\_\_\_\_ Nature of Interest \_\_\_\_\_  
Address \_\_\_\_\_ Telephone \_\_\_\_\_

Note:

IF THIS APPLICATION IS FOR PREMISES EITHER PLANNED OR UNDER CONSTRUCTION OR UNDERGOING SUBSTANTIAL ALTERATION, THE APPLICATION SHALL BE ACCOMPANIED BY A SET OF PRELIMINARY PLANS SHOWING THE DESIGN OF THE PROPOSED PREMISES TO BE LICENSED.

11. State the floor number, general area, and rooms where intoxicating liquor is to be sold and consumed. Applicant shall attach a floor plan showing dimensions and indicating the number of persons intended to be served in the dining rooms, and indicating and identifying all other rooms and other areas where intoxicating liquor is to be sold and consumed.

See Plan attached.

12. What permits required by the Federal Government pursuant to the Laws of the United States have been applied for or issued for the premises? In what name were these applied for or issued and what is the nature of the permit?

NONE

13. What permits or licenses required by the State Government pursuant to the State Statutes have been applied for or issued for the premises? In what name were these applied for or issued and what is the nature of the permit or license?

NONE

14. Are any real estate taxes, special assessments or any other financial assessments of the City delinquent and unpaid by the premises to be licensed? NO. If yes, give details.

15. Name, residence address, business address and telephone numbers of three persons, of good moral character, not related to the applicant or financially interested in the premises or business, who may be referred to as to the applicant's character.

(1) Name Harold Anderson

Residence Address 830 W. Montana Telephone 489-7029

Business Address Retired Telephone \_\_\_\_\_

(2) Name Paul Weibel

Residence Address 814 W. Montana Telephone 488-8418

Business Address Retired Telephone \_\_\_\_\_

(3) Name Benedict Seilis

Residence Address 835 W. Montana Telephone 489-5535

Business Address \_\_\_\_\_ Telephone \_\_\_\_\_

State whether entertainment of any sort will be provided on the premises. If so, state the nature of the entertainment, room or rooms where such entertainment will occur, hours and dates the applicant expects to provide such entertainment.

NONE

State the amount of liability insurance the applicant carries, including the insurance for liability imposed upon the insured by Minnesota Statute 394.95. In addition, state the name of insurance carrier, policy number and date of expiration of said policy.

\$2,000,000.00 Umbrella

STATE OF MINNESOTA )  
                                  ) SS  
COUNTY OF RAMSEY )

Dennis F. Hunt, being first duly sworn, upon his/her oath, deposes and says that he/she is the person who has executed the above application and that the statements made therein are true of his/her own knowledge and belief.

Signed: Dennis F. Hunt

Subscribed and sworn to before me this 2 day of December, 1988.

PAUL H. SEIFERTH  
NOTARY PUBLIC—MINNESOTA  
ANGKA COUNTY  
My Commission Expires Nov. 12, 1990

Paul H. Seiforth  
Notary Public \_\_\_\_\_ County Ramsey  
My Commission expires 11/12, 1990

IN SUPPORT OF AN  
APPLICATION FOR ON-SALE  
INTOXICATING LIQUOR LICENSE

**Part II - Personal Information**

**Directions:** This form must be filled out in duplicate with typewriter or by printing in ink by the sole owner, by each partner, by each officer, or director, by each manager, proprietor or other agent in charge of the premises, by each person who by combined ownership or control has an interest in a corporation or association. If there are more than ten (10) stockholders, those owning more than 10% of the common stock, shall fill out this form.

Date: December 1, 1988

Hunt, Dennis Eugene

1. Name: (Last, First, Middle) Hunt, Dennis Eugene Telephone No. 488-9377  
829 West Montana Ave. St. Paul, Minnesota 55117

2. Residence Address: (Number, Street, City, State) 1557 W. Larpenteur Ave. St. Paul, Minnesota 55113 Telephone No. 646-3323

3. Business Address: (Number, Street, City, State) St. Paul, Minnesota Telephone No. 3-29-34

4. Place of Birth: (City, County, State) \_\_\_\_\_ Date of Birth: (Mo., Day, Yr.) \_\_\_\_\_

5. U. S. Citizen? Yes x No \_\_\_\_\_ Naturalized? Yes \_\_\_\_\_ No \_\_\_\_\_ If yes, give date and place: \_\_\_\_\_

6. If you have ever used or been known by a name or names other than the name given in #1 above, list such name(s) and information concerning dates and places where used.  
Names \_\_\_\_\_ Dates, Places and circumstances \_\_\_\_\_  
NO

7. Marital Status: Single \_\_\_\_\_ Married XX Widowed \_\_\_\_\_ Divorced \_\_\_\_\_ Separated \_\_\_\_\_  
Shirley Eau Claire, Wisconsin 9-22-40 829 West Montana Ave St. Paul

8. If married, name, place and date of birth and residence address of spouse:  
Name: Shirley K. Hunt Eau Claire, Wisconsin 9-22-40

Place and date of birth: \_\_\_\_\_

Residence Address: \_\_\_\_\_

9. Are you a registered voter? Yes  No

If yes, where are you registered? \_\_\_\_\_

Is your spouse a registered voter? Yes  No

If yes, where is spouse registered? \_\_\_\_\_

10. Address(es) at which you have lived during preceding 10 years. (Begin with present or last address and work back.)

No. and Street 829 W. Montana City and State St. Paul, Minn. Dates since 1965

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

11. Address(es) at which your spouse has lived during preceding 10 years. (Begin with present or last address and work back.)

No. and Street same as above City and State Dates

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

12. Kind, name and location of every business or occupation you have been engaged in during the preceding 10 years. (Begin with present or last address and work back.)

Business or occupation Street Address Nature of Business  
Location: City and State or Occupation

Retail Golf Sales - Bullseye Golf 1557 W. Larpenteur St. Paul President

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

13. Kind, name and location of every business or occupation your spouse has been engaged in during the preceding 10 years. (Begin with present or last one first and work back.)

Business or occupation Street Address Nature of Business  
Location: City and State or Occupation

None - housewife

\_\_\_\_\_  
\_\_\_\_\_

4. Names and addresses of your employers and partners, if any, for the preceding 10 years.  
(Begin with present or last one first and work back.)

Names: Employers or Partners	Addresses: City and State	Dates
Bullseye Golf Centers	1557 W. Larpenteur St. Paul, Minn.	since 1973

15. Names and addresses of your spouse's employers and partners, if any, for the preceding 10 years. (Begin with present or last one first and work back.)

Names: Employers or Partners	Addresses: City and State	Dates
None		

16. Have you or your spouse ever been convicted of any felony, crime or violation of any ordinance, other than traffic? Yes  No   
If yes, give information as to the time, place and offense for which convictions were had.

17. Have you or your spouse's parents, brothers, sisters, or children ever been convicted of a felony or gross misdemeanor? Yes  No   
If yes, give information as to the time, place and offense for which convictions were had.

18. Have you, your spouse, or a parent, brother, sister or child of either of you, ever been engaged as an employee or in operating a saloon, hotel, restaurant, cafe, tavern or other business of a similar nature? Yes  No   
If yes, give information as to the time, place and length of time.

19. Have you been in military service? Yes  No   
If yes, was discharge(s) ever other than honorable? Yes  No

(If discharge was other than honorable, you will be required to exhibit all discharges.)

20. Names, residence address, business address, and telephone numbers of each person who is engaged in Minnesota in the business of selling, manufacturing or distributing intoxicating liquor and who is nearer of kin to you or your spouse than second cousin, whether of the whole or half blood, computed by the rules of civil law, or who is a brother-in-law or sister-in-law of you or your spouse.

1. Full Name None Relationship   
Residence Address  Telephone   
Business Address  Telephone

2. Full Name  Relationship   
Residence Address  Telephone   
Business Address  Telephone

3. Full Name  Relationship   
Residence Address  Telephone   
Business Address  Telephone

21. Are you a manufacturer or wholesaler of intoxicating liquor or interested directly or indirectly in the ownership or operation of any such business?

Yes     No   XX

22. Are you directly or indirectly interested in other establishments in the City of Falcon Heights to which a license of the same kind has been issued?

Yes     No   XX

23. Are you the spouse of a person who would be ineligible for a license?

Yes     No   XX

24. What is the amount of investment that you will have in the business, building, premises, fixtures, furniture, stock in trade, etc.

100% interest.



25. Have you had any interest in any previous intoxicating liquor license that was revoked suspended or not renewed? Yes \_\_\_ No XXX

If yes, explain in detail.

26. Have you ever individually, or with others, made application for an intoxicating liquor license in any other municipality and had such application denied? Yes \_\_\_ No XXX

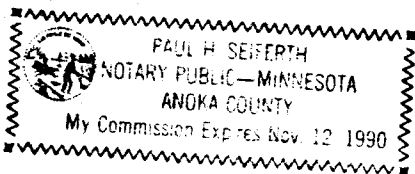
If yes, explain in detail.

STATE OF MINNESOTA )  
COUNTY OF RAMSEY ) SS

\_\_\_\_\_, being first duly sworn upon his/her oath, deposes and says that he/she is the person who has executed the above Personal Information Form and that the statements made therein are true of his/her own knowledge and belief.

Signed; Thomas E. [Signature]

Subscribed and sworn to before me this 2 day of Dec, 1988.



Paul H. Seifert  
Notary Public \_\_\_\_\_ County, Ramsey  
My Commission expires 11/12, 1990

(d)

IN SUPPORT OF AN  
APPLICATION FOR ON-SALE  
INTOXICATING LIQUOR LICENSE

Part II - Personal Information

Directions: This form must be filled out in duplicate with typewriter or by printing in ink by the sole owner, by each partner, by each officer, or director, by each manager, proprietor or other agent in charge of the premises, by each person who by combined ownership or control has an interest in a corporation or association. If there are more than ten (10) stockholders, those owning more than 10% of the common stock, shall fill out this form.

Date: December 13, 1988

Hunt Anthony Allan  
1. Name: (Last, First, Middle)

1952 Eustis Lauderdale, Minn. 55113

633-7947

2. Residence Address: (Number, Street, City, State)

Telephone No.

1557 W. Larpenteur Falcon Heights, Minn. 55113

647-0233

3. Business Address: (Number, Street, City, State)

Telephone No.

St. Paul, Minnesota

May 21, 1963

4. Place of Birth: (City, County, State)

Date of Birth: (Mo., Day, Yr.)

U. S. Citizen? Yes

Naturalized? Yes

If yes, give date and place:

No

No

6. If you have ever used or been known by a name or names other than the name given in #1 above, list such name(s) and information concerning dates and places where used.  
Names Dates, Places and circumstances

NO

7. Marital Status: Single  Married  Widowed  Divorced  Separated

8. If married, name, place and date of birth and residence address of spouse:

Name: \_\_\_\_\_

Place and date of birth: \_\_\_\_\_

Residence Address: \_\_\_\_\_

9. Are you a registered voter? Yes  No

If yes, where are you registered? Lauderdale

Is your spouse a registered voter? Yes  No

If yes, where is spouse registered? \_\_\_\_\_

10. Address(es) at which you have lived during preceding 10 years. (Begin with present or last address and work back.)

No. and Street	City and State	Dates
1952 Eustis -	Lauderdale	
829 W. Montana Ave. -	St. Paul	

11. Address(es) at which your spouse has lived during preceding 10 years. (Begin with present or last address and work back.)

No. and Street	City and State	Dates
<i>Not Married</i>		

12. Kind, name and location of every business or occupation you have been engaged in during the preceding 10 years. (Begin with present or last address and work back.)

Business or occupation	Street Address Location: City and State	Nature of Business or Occupation
Bullseye Golf Center	1557 W. Larpenteur	Retail Golf

13. Kind, name and location of every business or occupation your spouse has been engaged in during the preceding 10 years. (Begin with present or last one first and work back.)

Business or occupation	Street Address Location: City and State	Nature of Business or Occupation
<i>Not Married</i>		

14. Names and addresses of your employers and partners, if any, for the preceding 10 years.  
(Begin with present or last one first and work back.)

Names: Employers or Partners	Addresses: City and State	Dates
Bullseye Golf Center	1557 W. LaPointeur Falcon Heights	1980 to present

15. Names and addresses of your spouse's employers and partners, if any, for the preceding 10 years. (Begin with present or last one first and work back.)

Names: Employers or Partners	Addresses: City and State	Dates
------------------------------	---------------------------	-------

*Not Married*

16. Have you or your spouse ever been convicted of any felony, crime or violation of any ordinance, other than traffic? Yes \_\_\_ No X  
If yes, give information as to the time, place and offense for which convictions were had.

17. Have you or your spouse's parents, brothers, sisters, or children ever been convicted of a felony or gross misdemeanor? Yes \_\_\_ No X  
If yes, give information as to the time, place and offense for which convictions were had.

18. Have you, your spouse, or a parent, brother, sister or child of either of you, ever been engaged as an employee or in operating a saloon, hotel, restaurant, cafe, tavern or other business of a similar nature? Yes \_\_\_ No X  
If yes, give information as to the time, place and length of time.

19. Have you been in military service? Yes \_\_\_ No X

If yes, was discharge(s) ever other than honorable? Yes \_\_\_ No \_\_\_

(If discharge was other than honorable, you will be required to exhibit all discharges.)

20. Names, residence address, business address, and telephone numbers of each person who is engaged in Minnesota in the business of selling, manufacturing or distributing intoxicating liquor and who is nearer of kin to you or your spouse than second cousin, whether of the whole or half blood, computed by the rules of civil law, or who is a brother-in-law or sister-in-law of you or your spouse.

1. Full Name NONE Relationship   
 Residence Address  Telephone   
 Business Address  Telephone

2. Full Name  Relationship   
 Residence Address  Telephone   
 Business Address  Telephone

3. Full Name  Relationship   
 Residence Address  Telephone   
 Business Address  Telephone

21. Are you a manufacturer or wholesaler of intoxicating liquor or interested directly or indirectly in the ownership or operation of any such business?

Yes     No X

22. Are you directly or indirectly interested in other establishments in the City of Falcon Heights to which a license of the same kind has been issued?

Yes     No X

23. Are you the spouse of a person who would be ineligible for a license?

Yes     No Not Married

24. What is the amount of investment that you will have in the business, building, premises, fixtures, furniture, stock in trade, etc.

None

25. Have you had any interest in any previous intoxicating liquor license that was revoked suspended or not renewed? Yes  No

If yes, explain in detail.

26. Have you ever individually, or with others, made application for an intoxicating liquor license in any other municipality and had such application denied? Yes  No

If yes, explain in detail.

STATE OF MINNESOTA )  
COUNTY OF RAMSEY ) SS

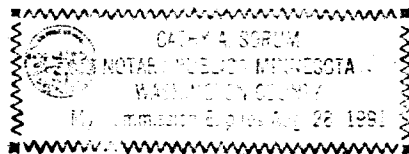
Anthony A. Nunt, being first duly sworn upon his/her oath, deposes and says that he/she is the person who has executed the above Personal Information Form and that the statements made therein are true of his/her own knowledge and belief.

Signed: Anthony A. Nunt

Subscribed and sworn to before me this 15<sup>th</sup> day of December 1988.

Cathy A. Sorum  
Notary Public \_\_\_\_\_ County, \_\_\_\_\_

My Commission expires \_\_\_\_\_, 19\_\_\_\_



(e)

KNOW ALL PERSONS BY THESE PRESENTS, That \_\_\_\_\_

Bullseye - 19th Hole \_\_\_\_\_ as principal and \_\_\_\_\_

Transamerica Insurance Company \_\_\_\_\_ as surety are held and firmly bound

unto the MUNICIPALITY OF Falcon Heights in the County of Ramsey

State of Minnesota, in the penal sum of Three Thousand Dollars, lawful money of the United States to be paid to said municipality for its benefit and for the benefit of all persons suffering damages by reason of the breach of the conditions hereof, for which payment well and truly to be made we bind ourselves, our heirs, successors, and legal representatives, jointly and severally, firmly by these presents:

THE CONDITIONS OF THIS OBLIGATION ARE SUCH, That whereas said principal has

been licensed, for the term of One Year from the 1st

day of January 19 89, by the Governing Body of said municipality to sell intoxicating

liquors as defined by law at retail only for consumption "ON THE PREMISES" described as follows, to-wit: \_\_\_\_\_

1559 West Larpenteur Avenue, Falcon Heights, MN

in said municipality, at which premises said principal control and operate a

Restaurant as defined by law:

NOW THEREFORE, If said principal shall (a) obey the laws relating to such licensed business; (b) shall pay to said municipality when due all taxes, license fees, penalties and other charges provided by law; (c) shall, in the event of any violation of the provisions of any law relating to the retail "ON SALE" of intoxicating liquors, forfeit this bond to said municipality; (d) shall pay to the extent of the principal amount hereof any damages for death or injury caused by or resulting from the violation of any provisions of law relating thereto, THIS OBLIGATION SHALL BECOME VOID; OTHERWISE IT SHALL BE AND REMAIN OF FULL FORCE AND EFFECT.

Witness our hands and seals this 20th day of December, 19 88  
Signed, Sealed, and Delivered in the Presence of

X John R Harris  
X Dean M Beon  
As to principal  
Madlyn Peterson  
As to surety

Bullseye - 19th Hole (Seal)  
X Dennis E Hunt (Seal)  
Dennis E. Hunt, President  
Transamerica Insurance Company (Seal)  
William P. Homeyer (Seal)  
William P. Homeyer, Attorney-In-Fact

ACKNOWLEDGMENT OF PRINCIPAL

For Individual

State of Minnesota, } ss.

County of \_\_\_\_\_

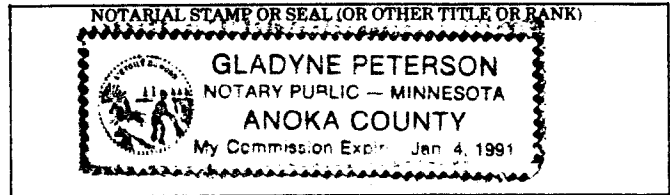
On this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, before me, a notary public within

FOR CORPORATION

State of Minnesota, } ss.  
County of Hennepin

On this 20th day of December, 19 88, before me appeared Dennis E. Hunt to me personally known, who, being duly sworn, did say that he is the President of the Bullseye - 19th Hole; that the seal affixed to the foregoing instrument is the corporate seal of said corporation; that said instrument was signed and sealed on behalf of said corporation by authority of its Board of Directors, and said Dennis E. Hunt acknowledged said instrument to be the free act and deed of said corporation.

*Gladyne Peterson*  
SIGNATURE OF NOTARY PUBLIC OR OTHER OFFICIAL



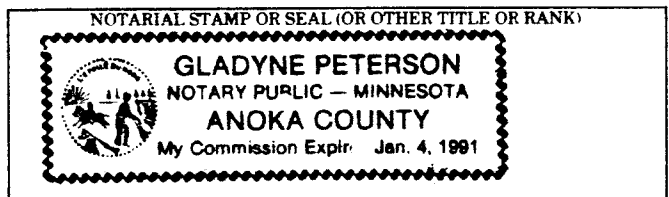
ACKNOWLEDGMENT OF SURETY

State of Minnesota, } ss.  
County of Hennepin

On this 20th day of December, 19 88, before me personally appeared William P. Homeyer to me personally known, who being by me duly sworn, did say that he is Attorney-in-Fact of the Transamerica Insurance Company

that the seal affixed to the foregoing instrument is the corporate seal of that corporation and that said instrument was executed in behalf of the corporation by authority of its board of directors, and said William P. Homeyer acknowledged said instrument to be the free act and deed of said corporation.

*Gladyne Peterson*  
SIGNATURE OF NOTARY PUBLIC OR OTHER OFFICIAL



The foregoing bond, together with the surety thereon, is hereby approved this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_

Attest: \_\_\_\_\_

\_\_\_\_\_  
Clerk.

The \_\_\_\_\_  
of the Municipality of \_\_\_\_\_

By \_\_\_\_\_



Power of Attorney

KNOW ALL MEN BY THESE PRESENTS:

That TRANSAMERICA INSURANCE COMPANY, a corporation of the State of California, does hereby make, create, ratify and appoint \* \* \* \* \* WILLIAM P. HOEYER and GLADYNE PETERSON \* \* \* \* \* OF GOLDEN VALLEY, MINNESOTA \* \* \* \* \* EACH \* \* \* \* \*

its true and lawful Attorney(s)-in-Fact, with full power and authority, for and on behalf of the Company as surety, to execute and deliver and affix the seal of the Company thereto, if a seal is required, bonds, undertakings, recognizances or other written obligations in the nature thereof, as follows: Any and all bonds and undertakings for or on behalf of this Company, in its business and in accordance with its charter. \* \* \* \* \* and to bind TRANSAMERICA INSURANCE COMPANY thereby, and all of the acts of said Attorney(s)-in-Fact, pursuant to these presents, are hereby ratified and confirmed.

This appointment is made under and by authority of the following by-laws of the Company which by laws are now in full force and effect.

ARTICLE VII

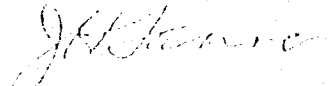
SECTION 30. All policies, bonds, undertakings, certificates of insurance, cover notes, recognizances, contracts of indemnity, endorsements, stipulations, waivers, consents of sureties, reinsurance acceptances or agreements, surety and co-surety obligations and agreements, underwriting undertakings, and all other instruments pertaining to the insurance business of the Corporation, shall be validly executed when signed on behalf of the Corporation by the President, any Vice President or by any other officer, employee, agent or Attorney-in-Fact authorized to so sign by (i) the Board of Directors, (ii) the President, (iii) and Vice President, or (iv) any other person empowered by the Board of Directors, the President or any Vice President to give such authorization; provided that all policies of insurance shall also bear the signature of a Secretary, which may be a facsimile, and unless manually signed by the President or a Vice President, a facsimile signature of the President. A facsimile signature of a former officer shall be of the same validity as that of an existing officer.

The affixing of the corporate seal shall not be necessary to the valid execution of any instrument, but any person authorized to execute or attest such instrument may affix the Corporation's seal thereto.


The Power of Attorney is signed and sealed by a facsimile under and by the authority of the following resolution adopted by the Board of Directors of the Company at a meeting duly called and held on the 14th day of October, 1954:

"Resolved, That the signature of any officer authorized by the By-laws and the Company seal may be affixed by facsimile to any power of attorney or special power of attorney or certification of either given for the execution of any bond, undertaking, recognizance or other written obligation in the nature thereof; such signature and seal, when so used being hereby adopted by the Company as the original signature of such officer and the original seal of the Company, to be valid and binding upon the Company with the same force and effect as though manually affixed."

BE WITNESS WHEREOF, TRANSAMERICA INSURANCE COMPANY has caused these presents to be signed by its duly authorized officer and its corporate seal to hereunto affixed this 1st day of April, 1954.

By  J.H. Tanner, Vice President

State of California )  
County of )  
On this 1st day of April, 1954, before me LaVerne Wolff, a Notary Public in and for the said County and State, residing therein, duly commissioned and sworn, personally appeared J.H. Tanner personally known to me or proved to me on the basis of satisfactory evidence) to be a Vice President of TRANSAMERICA INSURANCE COMPANY the corporation whose name is affixed to the foregoing instrument; and duly acknowledged to me that he knows the seal of said Corporation; that the seal affixed to the said instrument is such corporate seal; that it was so affixed pursuant to authority given by the Board of Directors of said corporation and that he signed his name thereto pursuant to like authority, and acknowledged the same to be the act and deed of said corporation.

 LaVerne Wolff, Notary Public in and for the State of California

W.G. Freeman, Assistant Vice President of Transamerica Insurance Company, do hereby certify that the Power of Attorney herein before set forth is a true and exact copy and is still in force, and further certify that Section 30 of Article VII of the by-Laws of the Company and the Resolution of the Board of Directors, set forth in said Power of Attorney are still in force. My testimony whereof I have hereunto subscribed my name and affixed the seal of the said Company this 20th day of December, 1988.

*W.G. Freeman*  
W.G. Freeman, Assistant Vice President





# CERTIFICATE OF INSURANCE

ISSUE DATE (MM/DD/YY)  
12-20-88**PRODUCER**Harris-Homeyer Co.  
P.O. Box 24030  
Edina, MN 55424

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

**COMPANIES AFFORDING COVERAGE**COMPANY LETTER **A** Park Glen National Insurance CompanyCOMPANY LETTER **B**COMPANY LETTER **C**COMPANY LETTER **D**COMPANY LETTER **E****INSURED**Bullseye - 19th Hole  
1559 W. Larpenteur Avenue  
Falcon Heights, MN 55113**COVERAGES**

THIS IS TO CERTIFY THAT POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED, NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS, AND CONDITIONS OF SUCH POLICIES.

CO LTR	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	ALL LIMITS IN THOUSANDS	
					GENERAL AGGREGATE	\$
	<b>GENERAL LIABILITY</b>				GENERAL AGGREGATE	\$
	<input type="checkbox"/> COMMERCIAL GENERAL LIABILITY				PRODUCTS-COMP/OPS AGGREGATE	\$
	<input type="checkbox"/> CLAIMS MADE <input type="checkbox"/> OCCURRENCE				PERSONAL & ADVERTISING INJURY	\$
	<input type="checkbox"/> OWNER'S & CONTRACTORS PROTECTIVE				EACH OCCURRENCE	\$
					FIRE DAMAGE (ANY ONE FIRE)	\$
					MEDICAL EXPENSE (ANY ONE PERSON)	\$
	<b>AUTOMOBILE LIABILITY</b>				CSL	\$
	<input type="checkbox"/> ANY AUTO				BODILY INJURY (PER PERSON)	\$
	<input type="checkbox"/> ALL OWNED AUTOS				BODILY INJURY (PER ACCIDENT)	\$
	<input type="checkbox"/> SCHEDULED AUTOS				PROPERTY DAMAGE	\$
	<input type="checkbox"/> HIRED AUTOS					
	<input type="checkbox"/> NON-OWNED AUTOS					
	<input type="checkbox"/> GARAGE LIABILITY					
	<b>EXCESS LIABILITY</b>				EACH OCCURRENCE	\$
	<input type="checkbox"/> OTHER THAN UMBRELLA FORM				AGGREGATE	\$
	<b>WORKERS' COMPENSATION AND EMPLOYERS' LIABILITY</b>				STATUTORY	
					\$ (EACH ACCIDENT)	
					\$ (DISEASE-POLICY LIMIT)	
					\$ (DISEASE-EACH EMPLOYEE)	
<b>A</b>	<b>LIQUOR LIABILITY</b>	TO BE DETERMINED	1-1-89	1-1-90	\$ 300,000 BI Each Person	
					\$ 300,000 BI Each Common Cause	
					\$ 300,000 PD Each Common Cause	
					\$ 300,000 Loss of Means of Support	

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES / RESTRICTIONS / SPECIAL ITEMS

Each Person  
\$ 300,000 Loss of Means of Support  
Each Common Cause  
\$ 300,000 Annual Aggregate**CERTIFICATE HOLDER**City of Falcon Heights  
77 West Larpenteur  
Falcon Heights, MN 55113**CANCELLATION**SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING COMPANY WILL ENDEAVOR TO MAIL 10 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO MAIL SUCH NOTICE SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE COMPANY, ITS AGENTS OR REPRESENTATIVES.  
AUTHORIZED REPRESENTATIVE*John R. Harris*

Consent \_\_\_\_\_

Agenda Item: F-6

Policy X

**CITY OF FALCON HEIGHTS**

Meeting Date: 1/11/89

**REQUEST FOR COUNCIL CONSIDERATION**

**ITEM DESCRIPTION:**

Parking Variance Request

**SUBMITTED BY:**

Dennis Hunt, 1557 W. Larpenteur

**REVIEWED BY:**

Planning Commission

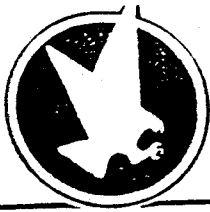
**EXPLANATION/SUMMARY (attach additional sheets as necessary):**

**Attachments:**

- (a) Variance request
- (b) Sketch of property
- (c) Site plan
- (d) Floor plan of proposed business
- (e) Copy of Section 9-15.03 of the Code and Ordinance R-88-13
- (F) Planner's recommendations

The Planning Commission is discussing the matter at their January 9th meeting and the minutes will be delivered to you January 10th.

**ACTION REQUESTED:**



# CITY OF FALCON HEIGHTS

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

## APPLICATION FOR CONSIDERATION OF PLANNING REQUEST

Commission Action/Date \_\_\_\_\_  
Council Action/Date \_\_\_\_\_

Date of Application 1-2-89  
Fee Paid \_\_\_\_\_

Applicant Name: Hunt Dennis  
Last First Intl. Phone

Address: 1557 W. Larpeleur  
Street City State Zip Code

Owner Name: Hunt Dennis E 646-3323  
Last First Intl. Phone

Address: 829 W. Marlana St Paul MN 55117  
Street City State Zip Code

Street Location of Property in Question:  
1559 W. Larpeleur, Falcon Heights, MN 55113

Legal Description of Property:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Type of Request: \_\_\_\_\_  
 Rezoning  
 Variance 200  
 Conditional Use Permit  
 Subdivision Approval  
 Plan Approval  
 Other (specify) \_\_\_\_\_

Applicable Zoning Code Number: Chapter 9-15.03 Subdivision 1-6  
9-13.04 Section Subdivision 6(r)

Present Zoning of Property: B-2

Present Use of Property: Retail

I hereby declare that all statements made on this request and on the additional material are true.

Dennis E Hunt  
Signature of Applicant

1-3-89  
Date

Shirley Chenoweth (Clerk)  
Received by (name, title)

# Bullseye Golf Centers, Inc.

Bullseye Plaza Shopping Center

This refers to instructions given to Mr. Hunt on attached sheet.

1557 W. Larpentour Ave.  
St. Paul, MN 55113

(612) 646-3323  
(612) 647-0233

Requesting a Variance - Bullseye - 19th Hole -  
Deli, Restaurant and Bar.



- A. Already submitted 2.
- B. Already submitted and walked thru with Uban and Jan Weisner.
- C. The Variance is requested to get permission to open the Deli, Restaurant & Sports Bar.
- D. The properties are surrounded by The Embers.

Bullseye - 19th Hole -  
Deli, Restaurant and Sportsbar  
needs a variance so as to open for  
business.

#4 - The Embers - They are  
aware.

(2)

## INSTRUCTION FOR APPLICANTS REQUESTING A VARIANCE

### PURPOSE

The purpose of granting a "Variance" is to provide relief from the strict application of the provisions of the Zoning Code in cases where such strict application would cause undue hardship. Variances are intended to allow some relaxation in the application of the performance standards controlling such items as lot area, building location, height, and setback. They are not intended to either establish or enlarge a use which is not already permitted within the zoning district.

### CRITERIA

In order to grant a variance, the City shall consider the evidence presented to it by the Applicant and must determine that the request does not violate the following criteria:

- a. The granting of the variance will not be detrimental to the public health, safety, or welfare;
- b. The conditions upon which the Variance is based are unique to the property for which it is sought and are not generally applicable;
- c. The conditions which create the need for the Variance are due to the particular shape, topography, or other natural characteristics of the land and are not due to actions taken by the Applicant;
- d. The Variance will not in any way adversely affect the purpose and the intent of the City's Comprehensive Guide Plan or Zoning Code.

Additional standards are listed in chapter 9-15.03 subdivision (4) of the City's Zoning Code.

### PROCEDURE

#### Applicant Responsibility

- 1. The Applicant should become familiar with the provisions set forth in chapter 9-15.03 subdivisions (1-6) in the Zoning Code.
- 2. The Applicant will meet with the City Staff to discuss his/her request and obtain the following information:
  - a.) An application form entitled "Application for Consideration of Planning Request".
  - b.) Instructions for Applicant's Request for a Variance.

3. The Applicant submits one signed copy of the application to the City at least ten (10) days prior to the date of the Planning Commission meeting at which time the Applicant wishes his/her request considered. The application shall be accompanied by the following supportive documents:

- a. A location Map of appropriate scale to show the site and surrounding vicinity and clearly indicate nearby street patterns, property lines, zoning boundaries, and other significant features that will have an impact on the Variance being requested.
- b. A sketch Plan showing all pertinent dimensions having an influence upon the Variance Request.
- c. A brief statement describing why the Variance is being requested.
- d. The names and addresses of the owners of all abutting properties and any other properties impacted by the Applicant's request. These property owners will be notified of the Applicants request for variance, and the date and time of the Planning Commission meeting at which the Applicants request will be considered.
- e. If topography or extreme grade is the basis on which the request is made, a topographic map showing all existing and proposed contours, at intervals of no greater than 2 feet, shall be submitted.
- f. If the application involves such alteration to the site as to require the review of a certified engineer, the review must be made prior to the submission and the engineer's comments or recommendations must be included with the application. An example of such an alteration would be the relocation of an access drive which may result in either traffic movement conflicts, or may require the City to move a utility line or catch basin.



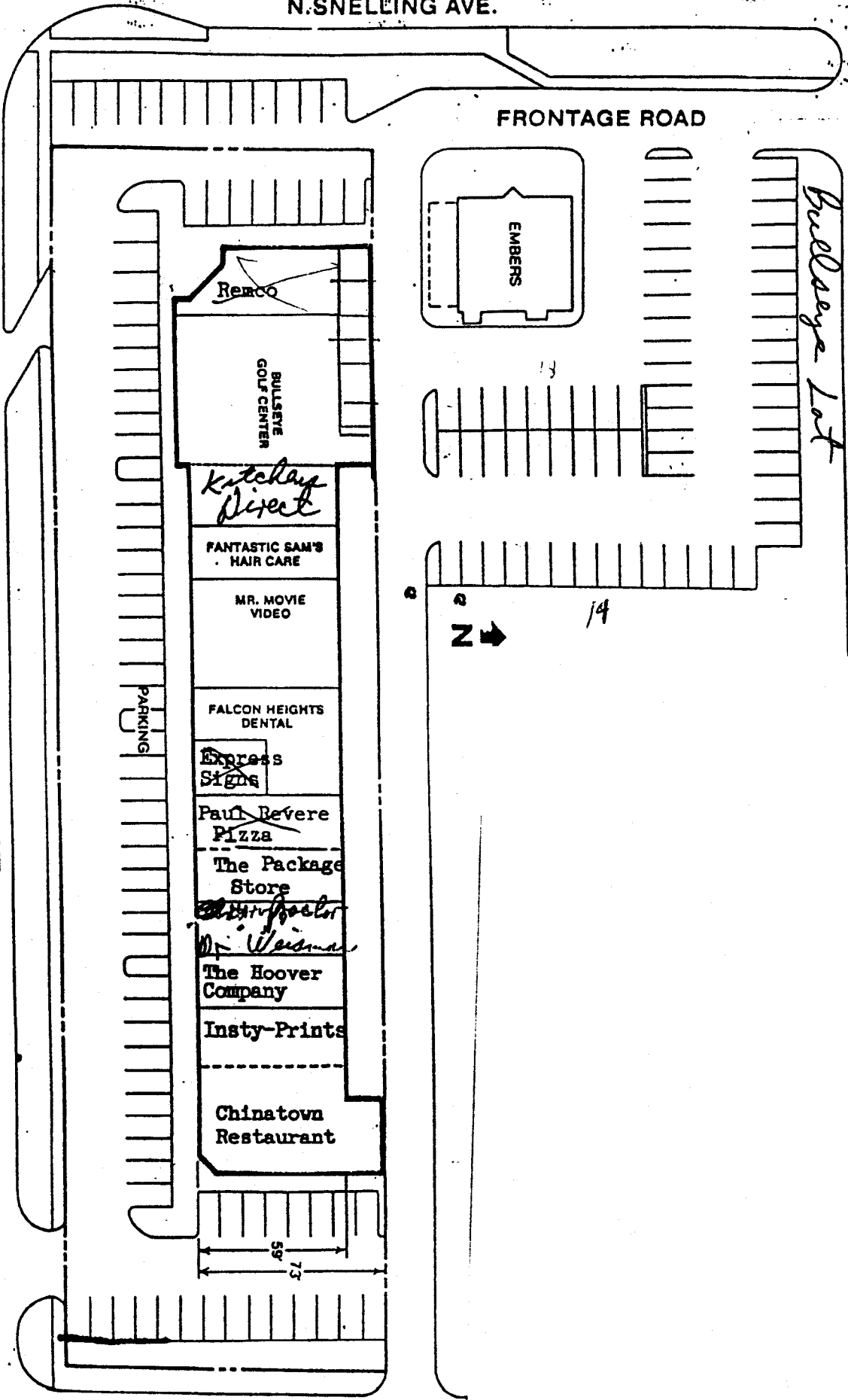
# Exhibit A

N. SNELLING AVE.

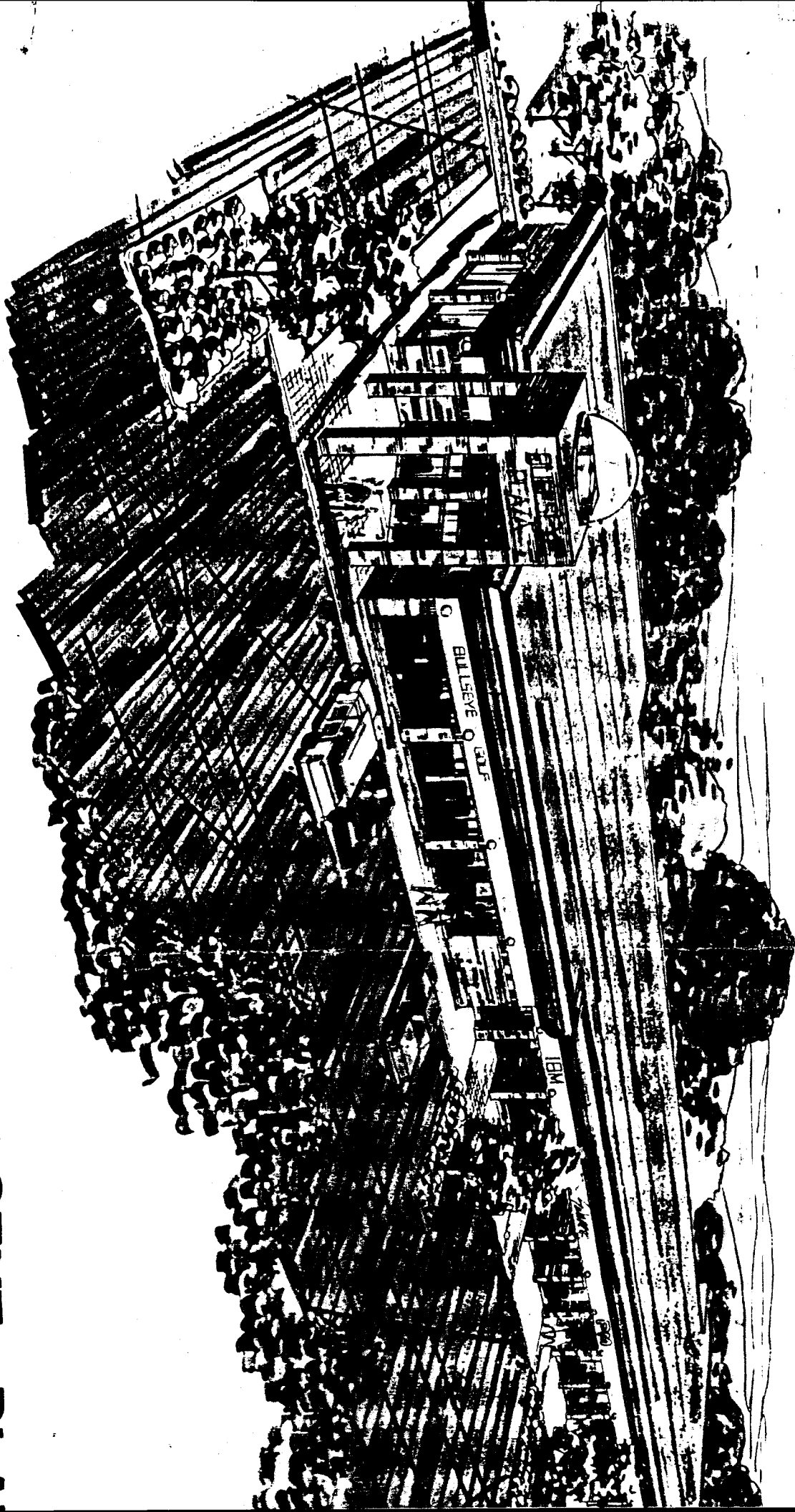
FRONTAGE ROAD

CRAWFORD ST.

W. LARPEN TEUR AVE.

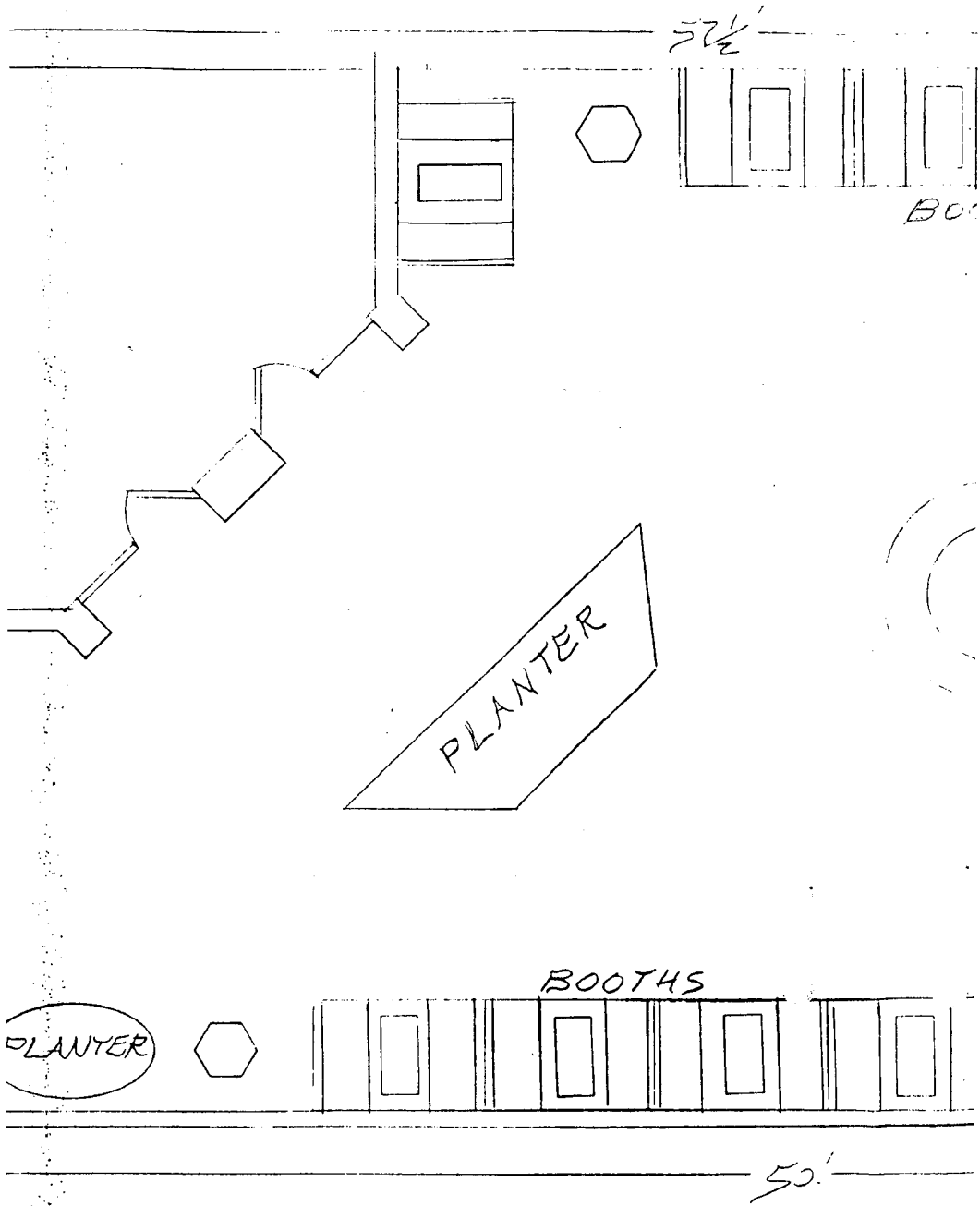


ARONA ST.

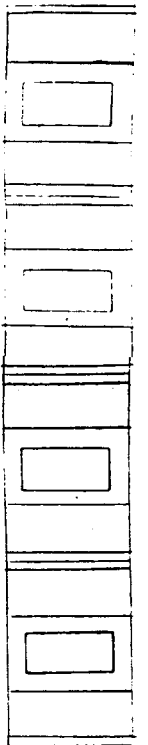
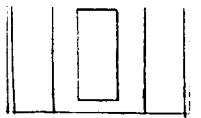


+

**BULLSEYE PLAT**  
**POPE ASSOCIATES, INC**



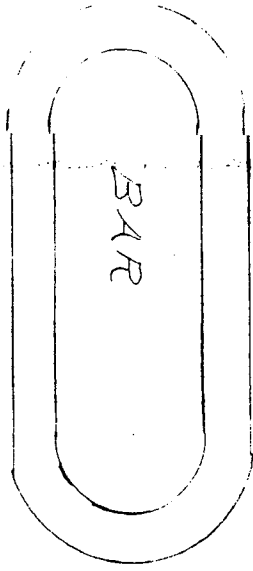
PLANTER



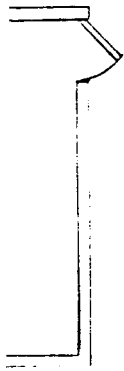
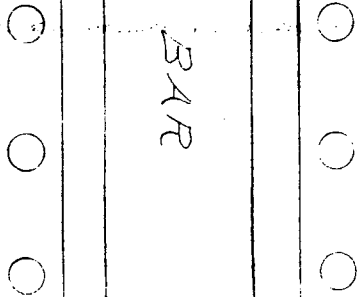
BOOTH



SALAD BAR



BAR



5 1/2

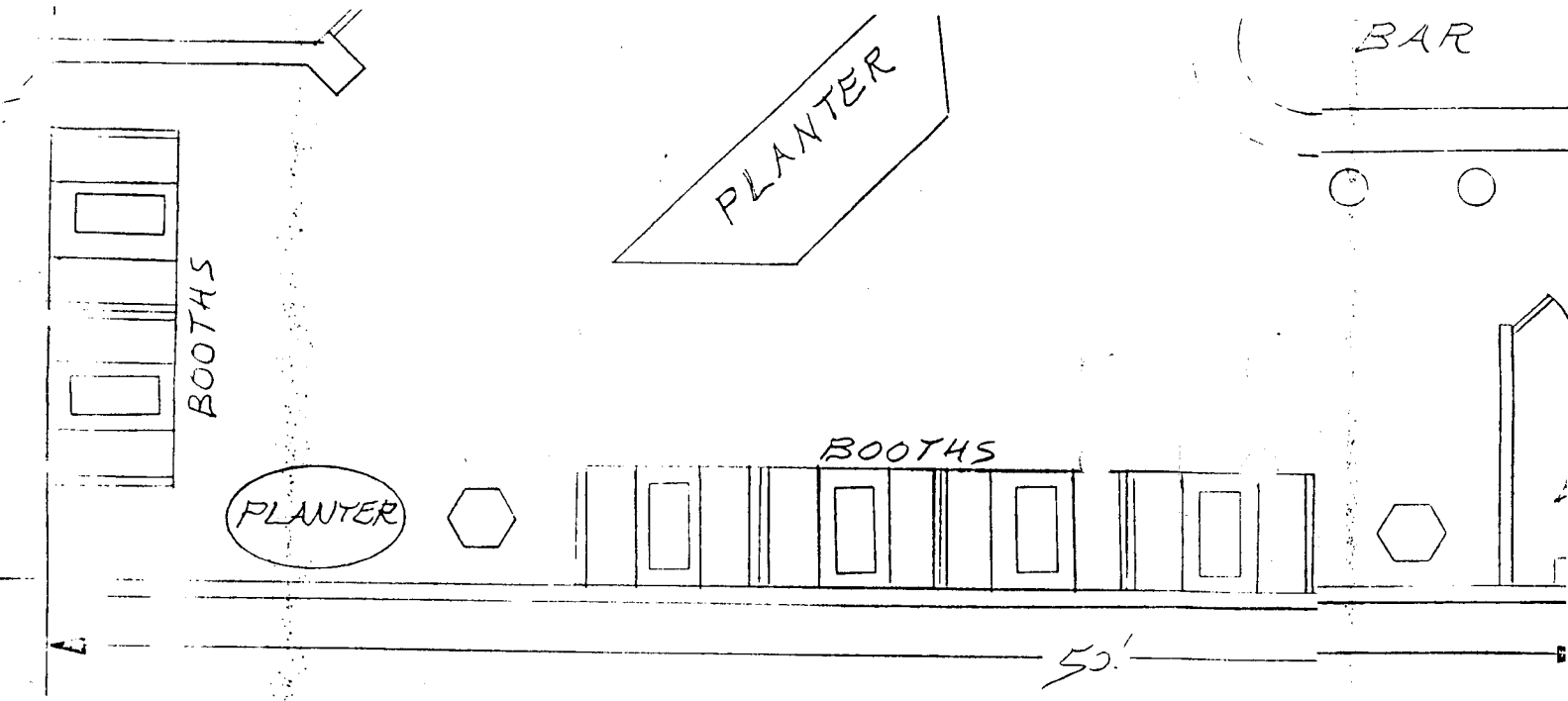
1 1/2

Slice Table DELI. CASE

COUNTER

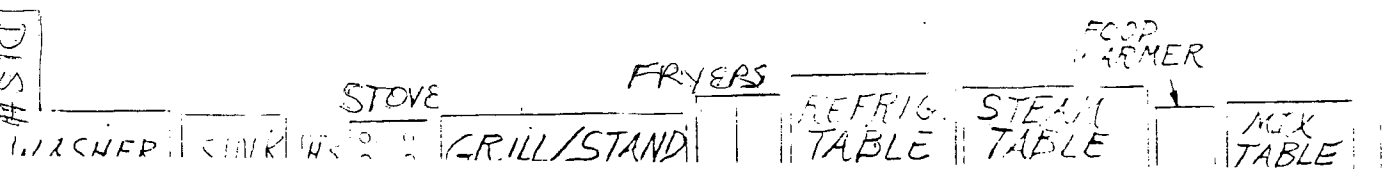
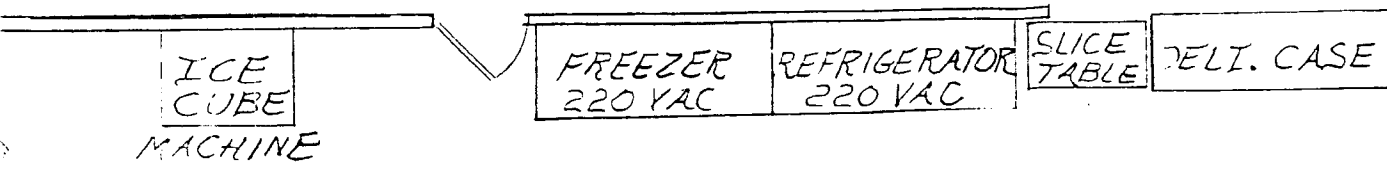
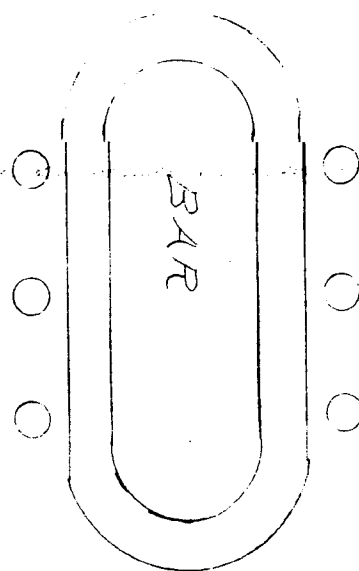
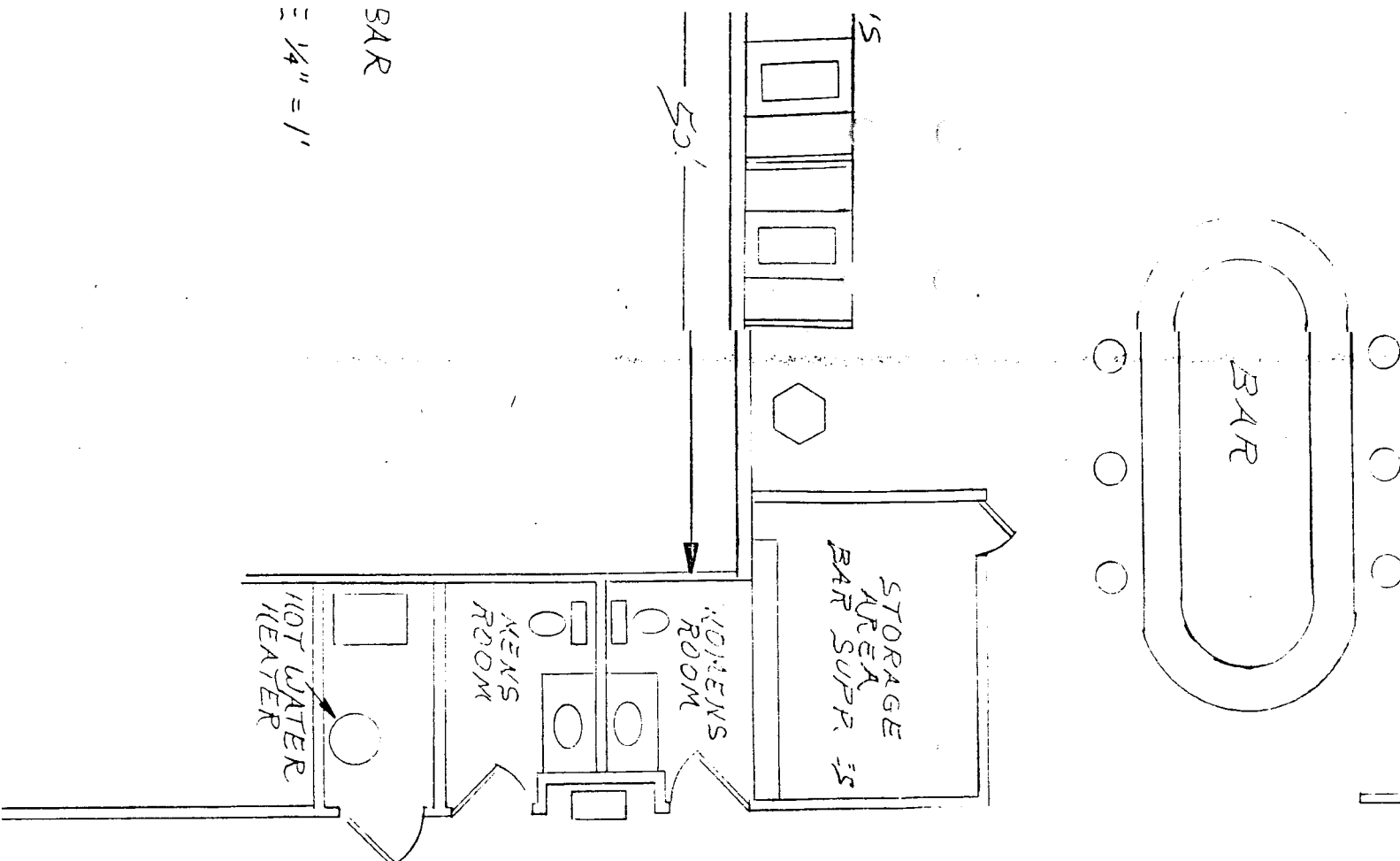
TAKE OUT DELICATESSEN

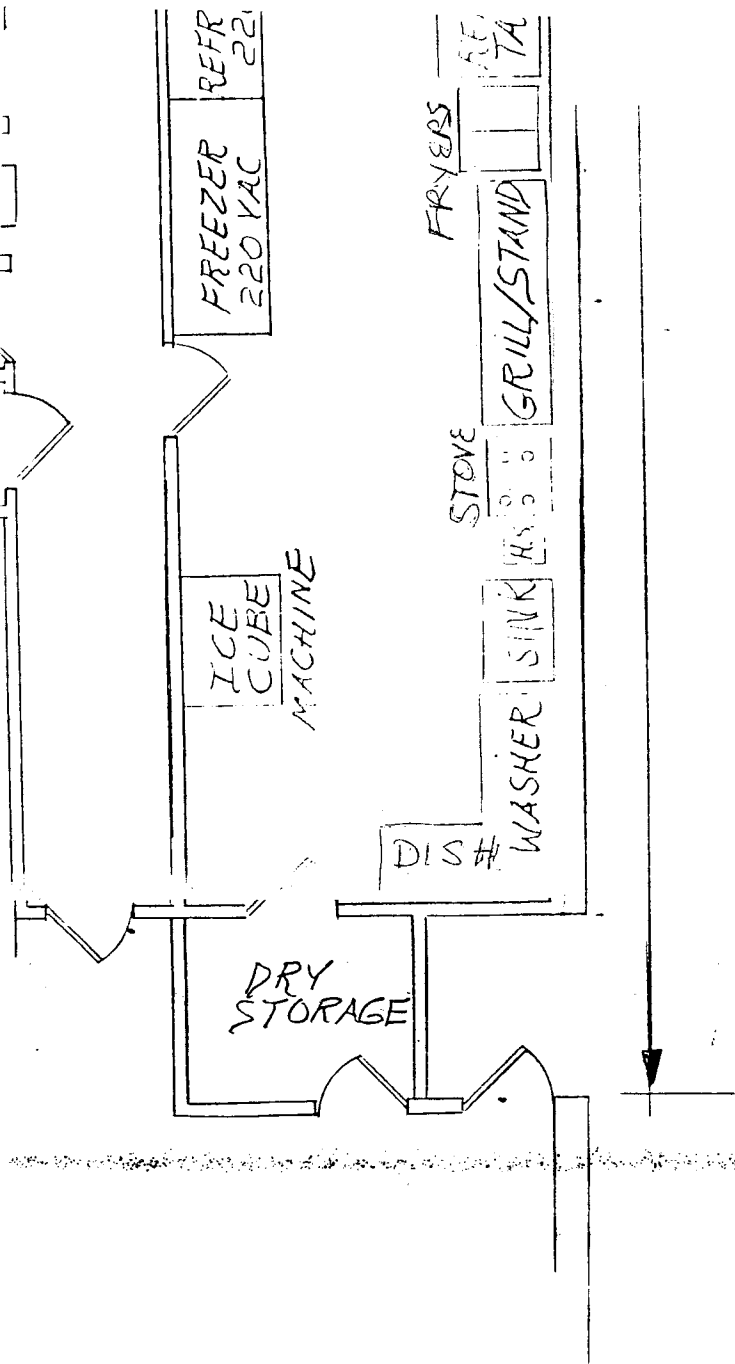
FOOD WARMER  
EQUIP. TABLE



BULLSEYE SPORTSMAN'S BAR  
 1559 LARPEN TEUR AVE.

SCALE 1/4" = 1'





Subdivision 1. Appeals. The City Council shall determine, in harmony with the general purpose and intent of this Chapter and the Comprehensive Municipal Plan, by resolution, all appeals from any order requirement, permit or decision made by the Zoning Administrator as to the location of the boundary of a Zoning District as shown on the Zoning Map.

Subdivision 2. Notice. At any time within ninety (90) days after the decision of the Zoning Administrator under the provisions of this Chapter, except in connection with prosecutions for violations thereof, the Applicant or other person or officers of the City affected thereby may appeal to the City Council by filing a written notice stating the action appealed from and stating the specific grounds upon which the appeal is made.

Subdivision 3. Referral. Before any determination of an appeal from action by the Zoning Administrator, the appeal shall be referred to the Planning Commission which shall function as the Board of Appeals for study and recommendation. The Planning Commission may conduct such hearings as it may deem advisable and shall prescribe what notice, if any, shall be given of such hearing.

Subdivision 4. Hearing. The City Council shall by motion after the filing of notice of appeal, set a date for hearing thereon, not earlier than seven (7) days after nor more than sixty (60) days after the next regular meeting date of the Planning Commission.

Subdivision 5. Notice of Hearing. Notice of the hearing before the City Council shall be mailed to all appellants. In all cases involving determination of district boundary lines, or interpretation of the text of the Chapter, ten (10) days published notice of hearing in the official newspaper shall be given.

Subdivision 6. Determination. If the recommendation of the Planning Commission is not transmitted to the City Council prior to the date of hearing, the City Council may take action without further awaiting such recommendation.

#### 9-15.03. Variances

Subdivision 1. Application. Any owner of property, or a person, firm, association or corporation holding a contract to purchase property, or an optionee holding an option conditioned solely on the grant of a variance, or the duly authorized agent of such Appellant, may make application for a variance. The application shall be made on forms prepared by the Zoning Administrator and filed with him.



CITY OF FALCON HEIGHTS

O R D I N A N C E

Date June 22, 1988

AN ORDINANCE AMENDING SECTION 9-13.04 OF THE MUNICIPAL CODE RELATING TO RETAIL PARKING

The City Council of the City of Falcon Heights does ordain as follows:

Section 9-13.04, Subdivision 6(r)

11. Drive-In Food Establishment. One (1) space for each fifteen (15) square feet of gross floor space in the building allocated to drive-in operation, plus additional space as may be determined by the zoning administrator based upon advice from the Planning Commission. Drive-thru lanes for food pick up must be able to stack eight (8) cars on site without interfering with the site parking.

16. Restaurant and/or Cafeteria. ~~One space per 2.50 seats,~~ plus one (1) space per 20 square feet of the combined area of bar, lounge, and public space, minus the first 250 square feet, plus one (1) space per fifty (50) square feet of banquet dining area, plus one (1) space per five (5) seats outdoor dining.

28. Mobile Food Vendors. The use of any public or private area for the purpose of operating a mobile food vendor must be reviewed by the city prior to issuing a vendor's permit. Parking requirements are one (1) stall per ten (10) square feet of gross vehicle size.

29. Food Delivery Restaurants. Parking requirements are one (1) stall per employee, one (1) stall per seat should be provided, one (1) stall per two (2) delivery vehicles when owned, operated, and stored by employees, One (1) stall per delivery vehicle when owned and operated by the restaurant. One loading bay per store is required.

30. Based on a professional analysis of parking for any specific use, the City Council may determine a reasonable parking ratio for such use.

Moved by Ciernia

Approved by Tom Baldwin  
Mayor

Attested by James I. Wilson  
City Administrator

Baldwin  
Ciernia 5 In Favor  
Chenoweth  
Wallin 0 Against  
Bush

Adopted by Council: June 22, 1988

(8)

PROPONENT

Dennis Hunt, Bullseye Plaza Shopping Center

ITEM

Parking Variance for Sportsman's Bar

BACKGROUND

The proposal before the City is to create a Sportsman's Bar in the old Remco Store occupying the western corner of the Bullseye Shopping Center. Although no written description of the operation has been submitted, it is our understanding that the restaurant/bar will consist of a kitchen, takeout food service area, lounge, booths, and an area for watching sports events on a large screened television.

Existing Conditions

Presently, the shopping center property provides parking for 83 vehicles with most of the parking located at the eastern and western ends. Chinatown Restaurant is at the eastern end and has approximately 28 of the 83 parking stalls surrounding the Bullseye Center. The proposed Sportsman's Bar is at the western end and has approximately 25 parking stalls surrounding it. The remaining retail center's operation is served by a the single loaded parking strip along Larpenteur Avenue.

There has not been a parking problem in the Bullseye Center to date due to faltering tenants and low demand for parking. The shopping center has an additional 20 parking stalls that were added to the parking area through the demolition of the City owned Liquor Store on Crawford. These 20 stalls are accessible through the alley and through the Embers parking lot. These 20 stalls are used primarily for employees of the shopping center.

The Sportsman's Bar is the best location in the Center due to the most available parking. Including the 20 remote stalls and the 25 stalls that are directly adjacent to the proposed bar, there would be a total of 45 stalls convenient to the

FALCON HEIGHTS PLANNING COMMISSION

December 28, 1988

Page 2

Sportsman's Bar. This is assuming that parking demands do not increase. The original shopping center was granted a variance for parking and in doing so, must get approval for each use with an overview of the total parking demand.

The submission does not include square footages for each use and assigned parking for each use. Therefore it is difficult to determine how the overall center is operating when it comes to parking.

Should the demand exceed the expectation for the Sportsman's Bar, it will affect primarily the adjacent Bullseye Golf Center and other tenants along Larpenteur Avenue. The other affected business might be Embers as bar patrons may tend to parking in the Embers parking lot. It is our understanding that that there is an arrangement between Dennis Hunt (Bullseye) and Henry Kristal (Embers) on shared parking in this area. This agreement should be considered as a condition for the granting of a liquor license. If parking problems arise between the proposed bar and Embers, this agreement should address the solutions which would be further stated as a condition of the City liquor license.

Furthermore, because there is a takeout entrance proposed adjacent to the alley, we would anticipate that there would be a problem with parking in the alley. Appropriate signs need to be posted and enforced because the alley is a fire lane for this area.

An interior plan sketch was submitted with a few dimensions indicating a general idea of the interior bar and seating layout. It shows a total of 3,325 square feet, which includes restrooms and a hallway with a door linking other portions of the shopping center. The hallway leads to the basement's computerized golf setup. The details of access into this area are not clear, but Mr. Hunt has told us that there will be no customer access from the restaurant to the golf area. However, new bathrooms have to be added to serve the separate Bullseye Store operation. The basement could not be used for banquets, private parties, and other such activity.

#### Parking Calculation

The interior layout shows a kitchen, a bar of approximately 22 linear feet, and a large common area surrounded by 11 booths that can seat four people each. Much of the bar is surrounded by common area and the parking ordinance addresses this by

requiring 1 parking stall for every 20 square feet of common area after the first 250 square feet of common area. This calculation is based on our measurement of 1,713 square feet of common area. This is an important calculation as it indicates the amount of room for people waiting, drinking, and socializing, which is consistent with general bar activities that pack people in at a fairly heavy rate.

There appears to be 45 parking stalls available to the Sportsman's Bar, assuming the bar uses 100 percent of the old liquor store parking. Therefore, a variance is required for 48 parking stalls ( $93 - 45 = 48$ ). Based on this general description, the required parking is calculated as follows:

The total facility measures 3,325 square feet. The ordinance calculates parking by counting seats and the amount of common area in the floor plan. The restaurant square footages break down as follows:

Kitchen Area:	548 square feet
Storage: (3 separate rooms)	161 square feet
Bathrooms:	90 square feet
Bar:	183 square feet
Planter:	48 square feet
Tables and Seating Area:	582 square feet
Common Area:	1,713 square feet

According to the plan, there is a fair amount of undedicated space that is considered common area. The parking is then calculated as follows:

Total of 50 seats divided by 2.5 (one parking stall per 2-1/2 seats) equals the required 20 parking stalls.

The common area requires 73 parking stalls, which by ordinance is calculated by subtracting 250 square feet from the total common area and then dividing by 20 square feet ( $1,463$  divided by  $20 = 73$ ).

The required 93 stalls of parking are not being provided on the site and would result in overflow parking on other tenant spaces, Embers' parking lot, or even neighborhood streets. This plan does not support the high food to liquor ratio as is reported by the owner Dennis Hunt. He has told us that his gross receipts will be 80 percent food and 20 percent liquor. It would appear to us that

more seating is needed to use up the common area which only encourages the sort of "standing around, pack 'em in" bar business.

Recommendations

As the plan stands, the variance request is too great and will cause a hardship on some other property. Should the proponent wish to revise the plans to reduce the required parking, some conditions should be included to mitigate anticipated problems.

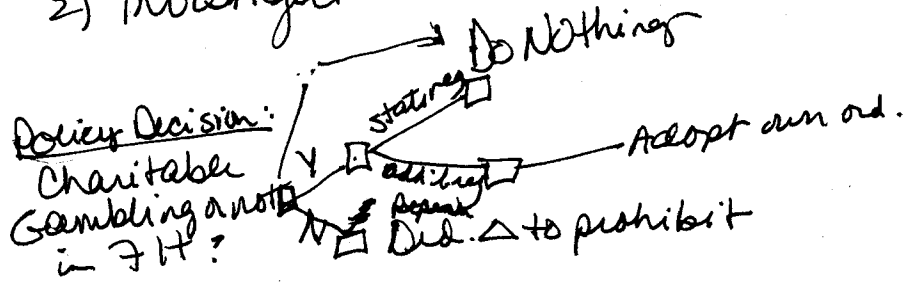
- No employee or customer parking on residential streets (Crawford);
- No parking in the alley;
- A clarified parking agreement with Embers;
- No product signs on the premises;
- A commitment by Dennis Hunt for very low intensity uses in the remainder of the shopping center while the Sportsman's Bar is in operation. This should be a parking management plan prepared by a professional traffic engineer and included in all tenant leases;
- Increase seating and decrease common space, or reorganize for better area definition;
- TV dish antennas to be totally screened from view from all public r.o.w. and residential areas;
- Eliminate excess hallway in plans; and
- Eliminate hallway door with approval of Fire Marshal.

Without further clarification as to the exact type of restaurant/bar that is being proposed and how the operation will actually be run, it is hard to determine conditions the City may want to give in granting a future liquor license. Since other restaurants in the area do not have liquor licenses or only have wine and beer licenses, the business intentions for the Sportsman's Bar should be better clarified. It should also be noted that normally a restaurant of this size would provide seating for over a hundred people.



Problems

- 1) No ordinance on the books to regulate  
\* current ord. is out of date
- 2) Investigation was not conducted



~~FF~~

Options:

- 1) Do Nothing → State Reg. Ch & w/ no City involvement
- 2) Adopt ord. → prohibiting gambling in City
- 3) Adopt ~~at this time~~ new ord. reg. gambling

- \* Add. Char.
- \* Char. Gambling Ops →
- \* Comp. Use to in B.2

Consent \_\_\_\_\_

Policy X

*TT  
Mick  
Det. O'Brien  
app.*

Agenda Item: F-7

Meeting Date: 1/11/89

**CITY OF FALCON HEIGHTS**

**REQUEST FOR COUNCIL CONSIDERATION**

<b><u>ITEM DESCRIPTION:</u></b>	
Proposed Charitable Gambling Ordinance	
<b><u>SUBMITTED BY:</u></b>	Mike Thompson
<b><u>REVIEWED BY:</u></b>	
<b><u>EXPLANATION/SUMMARY (attach additional sheets as necessary):</u></b>	
<p>Attached is the revised Charitable Gambling ordinance. As prepared by Assistant City Attorney Paul Mattke, the new ordinance conforms to all state charitable gambling requirements.</p> <p>Also attached is a letter dated December 14th from the Charitable Gambling Control Board.</p>	
<b><u>ACTION REQUESTED:</u></b>	Approve/Disapprove
	<u>MT</u>

MEMORANDUM

TO: Falcon Heights City Council and  
Ms. Janet R. Wiessner

FROM: Paul E. Mattke, Assistant Falcon Heights  
City Attorney

DATE: December 7, 1988

RE: Gambling Ordinance

Attached, you will find a proposed Gambling Ordinance which is a revision of Mike Thompson's preliminary draft. Provisions which would duplicate state statutes have been eliminated so that what remains are only those provisions necessary to implement the City's additional regulation of gambling.

State licenses or exemption permits are available only to fraternal, religious, veterans or other non-profit organizations which have been in existence for at least three years and have at least 15 active members. Lawful gambling is the operation, conduct or sale of bingo, raffles, paddlewheels, tipboards, and pulltabs. The state issues licenses for one year, which may be suspended by the state board for violation of law or board rules or may be revoked for willful violations. As part of the state licensing procedure, applications must be submitted to the municipality for approval. The City then has 60 days to adopt a resolution disapproving the license and to inform the Gambling Control Board of such disapproval. Under such circumstances, a license will not be issued nor renewed.

The City could entirely prohibit charitable gambling within its limits, but if it does not intend to do so and wishes to exercise some control, it must have an ordinance establishing criteria for approval or disapproval of license applications. Subdivisions 3 and 4 of the proposed Ordinance are intended to provide the Council with adequate information and criteria for that review process. If an application is to be disapproved, the City should have a factual basis and stated reasons for its disapproval. If the Council is aware of reasons for which it would want to



Memorandum to Falcon Heights City Council and  
Ms. Janet R. Wiessner

Page 2

December 7, 1988

disapprove an application other than those covered by  
Subdivision 4.a. of the proposed Ordinance, additional  
criteria could be added.

Subdivision 4.b. is intended to authorize conditions on  
gambling. Those conditions would be enforced by the City,  
not the Charitable Gambling Control Board. The principle  
method of enforcement would be disapproving any future  
application by the organization. In addition to an  
investigation fee (currently a maximum of \$100.00 according  
to the statute), Subdivision 4.b. mandates that the Council  
will direct how ten percent of the net proceeds of the  
gambling shall be spent. This is specifically permitted by  
the statute and the only specific constraint on that  
condition is that the City cannot require the organization  
to make the expenditure to the City.

\* We'd have to  
add fee to  
list

The statute authorizes a local gambling tax of up to three  
percent of the gross receipts of a licensed organization,  
less prizes paid out; however, this tax would be in lieu of  
all other local taxes and local investigation fees and may  
not be used for any purpose other than to cover the costs  
incurred by the City to regulate lawful gambling. The  
Ordinance contains no provision for such a tax, in  
anticipation that the actual costs of regulation will be low  
and that the \$100.00 investigation fee is more easily  
administered. If experience proves otherwise, such a tax  
could replace the investigation fee.

\* Mike?  
how much?  
(est)

Tax would allow  
more flexibility  
(Admin costs,  
etc.)

\* ?

State regulation of gambling consists primarily of required  
recordkeeping and taxation. The records required by  
Subdivision 5 of the proposed Ordinance are consistent with  
those required by the state and will be necessary for the  
City to enforce the spending required by Subdivision 4.b.1.  
If the City is not interested in requiring such  
expenditures, Subdivision 4.b.1. could be deleted along with  
the recordkeeping and reporting requirements of Subdivision  
5. Similarly, if the City would prefer not to get involved  
with directing the expenditures of state exempt  
organizations (whose annual receipts might be lower than  
those of a licensed organization) Subdivision 3.c. could be  
appropriately amended.

\*

?

?

PEM/abg

Attachment



CITY OF FALCON HEIGHTS

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING <sup>Ch. 5</sup> PART 15, SECTION 15.01  
OF THE CODE OF THE CITY OF FALCON HEIGHTS

THE COUNCIL OF THE CITY OF FALCON HEIGHTS ORDAINS:

*Add Chapter 5, (delete 2)*  
SECTION 1. <sup>1</sup> Part 15, (Section 15.01) of the Code of the City  
of Falcon Heights is amended to read as follows:

PART 15. REGULATION OF NON-PROFIT ORGANIZATION GAMBLING

15.01 Regulation of Non-Profit Organization Gambling

Subdivision 1. Statute Incorporated. The provisions of Minnesota Statutes, Chapter 349, as amended, are adopted and made a part of this Code. The provisions set forth herein are in addition to Minnesota Statutes to the extent that such provisions do not conflict with the statutes.

Subdivision 2. Licenses, Permits and Registration.

a. Required; eligibility. No person except an organization which is licensed by or has a valid exemption permit from the State of Minnesota and is registered with the City of Falcon Heights shall conduct lawful gambling within the City of Falcon Heights. Such registration shall be commenced each time a license or exemption permit is sought from the Charitable Gambling Control Board.

b. Computation of days. For purposes of this ordinance, raffle apparatus shall be considered to be used or the raffle occasion conducted on the day in which the drawing takes place and tipboards and paddlewheels shall be considered on any day in which numbers or chances are sold.

*Who would have an exemption permit? If they're exempt would we want to register them & go thru all this?*

Exemption Permit - orgs that conduct gambling 5 or less days \$50,000 prizes/year.

c. Display. All licenses or permits required by this ordinance shall be displayed during the license year at the premises licensed for the conduct of gambling devices.

d. Authority to inspect registered premises. The registration of an organization under this ordinance shall be deemed to be a consent by the organization to inspection of the licensed premises by any police officer or any inspector of the City.

Subdivision 3. Registration of Charitable Gambling.

a. Any organization desiring to register to conduct charitable gambling shall use forms obtained from the City Clerk and provide the following:

1. The name, address and telephone number of the organization.
2. The name, address and telephone number of the gambling manager.
3. A copy of the organization's charitable gambling license application or exemption permit.
4. A copy of any lease agreements, executed by the organization in regard to premises leased for the conduct of gambling.
5. A copy of the bond or certificate of insurance which meets the requirements of Minnesota Statutes.
6. The dates, hours and locations of intended gambling.

*Substitute  
3% tax?*

?  
The registration shall be accompanied by the appropriate investigation fee as established by the City Council.

b. The Council shall act upon the registration within sixty (60) days from the date materials are submitted, but shall not approve an application to the Charitable Gambling Control Board until at least thirty (30) days after the date of application.

c. No organization which is exempt from state licensure shall be registered to conduct lawful gambling in the City of Falcon Heights unless it meets the standards and conditions of Subdivision 4, for approval of gambling license applications and keeps the records and makes the reports required by Subdivision 6.

Should be  
\* Subdivision  
5

Subdivision 4. Investigation, Action, Conditions. The registration may be referred to any police authority for its investigation. Upon receiving the reports, if any, of the police authority, the Council may in its discretion approve or disapprove the registration and any accompanying application by resolution.

a. Disapproval of Applications. The City shall disapprove an application to the Charitable Gambling Control Board for a license if:

1. The City's investigation indicates that the organization or gambling manager failed to comply with the terms or conditions of any other gambling license or indicates a history of noncompliance with state or local law regulating the organization's gambling activities; or

2. The premises on which the gambling is to be conducted are unsuitable for that purpose or the times proposed for the activity reasonably can be expected to disrupt other activities in the neighborhood.

3. Timeliness of reports

4. Pmt. of taxes,

5. Accountability of funds  
2. distance from res. area

6. adequate parking

b. Approval of Applications. The City may approve an organization's application to the Charitable Gambling Control Board for a gambling license provided that subsection a. does not compel disapproval. Any such approval shall be conditioned upon the following:

1. The applicant shall be required to spend 10% of its net profits derived from lawful gambling upon a lawful purpose specifically designated by the City Council;

2. Any other condition imposed by the Council which is reasonably calculated to effectuate any legitimate city purpose.

Subdivision 5. Records of gross receipts, expenses and profits.

~~Handwritten scribbles~~

\* Council concern -> what alternatives are there if Prob. occurs deny? \* Conditional Use Permit?

IG

\* Limit # to in City cannot be to the City!

Others Check w/ other cities.

a. Each organization registered to conduct lawful gambling shall keep records of its gross receipts, quantity of free plays, if any, expenses and profits for each single gathering or occasion at which gambling is conducted. All deductions from gross receipts for each single gathering or occasion shall be documented with receipts or other records indicating the amount, a description of the purchased item or service or other reason for the deduction, and the recipient. The distribution of profits shall be itemized as to payee, purpose, amount and date of payment.

b. Gross receipts from the operation of lawful gambling shall be segregated from other revenues of the organization, and placed in a separate account. Each organization shall have separate records of its gambling operations.

c. Each organization registered to conduct lawful gambling shall report monthly to its membership, and to the city council, its gross receipts, expenses and profits from gambling, and the distribution of profits itemized as required in this Section.

d. The City Council shall require an annual financial audit of any organization that conducts lawful gambling in the City of Falcon Heights at the organization's expense. The audit shall include information on all gross receipts, profits, and expenses incurred by the organization in the conduct of lawful gambling as well as information on uses of profits. The audit report shall be submitted to the City Council at the time of the organization's registration but no later than ninety (90) days after the end of the gambling license year.

e. Any licensed organization that changes gambling managers during the license year shall report such change in writing within seven (7) days to the City Clerk.

SECTION 2. This ordinance, passed this \_\_\_\_\_ day of \_\_\_\_\_, 1988, shall become effective on the \_\_\_\_\_ day of \_\_\_\_\_, 1988.

\_\_\_\_\_  
Mayor

ATTEST:

*Clerk* \_\_\_\_\_  
Clerk-Administrator

Date of Publication: \_\_\_\_\_



**CHARITABLE GAMBLING CONTROL BOARD**

ROOM N-475 GRIGGS-MIDWAY BUILDING  
1821 UNIVERSITY AVENUE

ST. PAUL, MINNESOTA 55104-3383

(612) ~~642-0555~~

297-5300

December 14, 1988

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

Dear Ms. Wiessner:

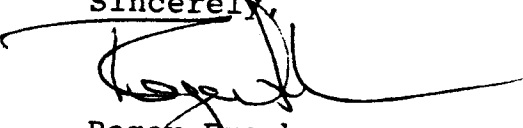
The purpose of this letter is to respond to your letter, which we received on November 29, 1988, in regard to an application received from James Madden, President of Falcon Lanes.

At the risk of sounding too much like a bureaucrat, I am assuming that the application was not from the President of Falcon Lanes, but from an organization that plans to conduct gambling at the Falcon Lanes.

The main reason for my responding to your correspondence has to do with the announced intention of your City Council to take action in the near future. I want you and the Council to be aware that if the Council does not take action to disapprove the application you have before you within 60 days of the date the City acknowledges receiving the application, the Board might very likely approve that application for a license. If that were to happen, the organization would have a license to conduct gambling for one year.

If you have questions on this issue, please call.

Sincerely,

  
Roger Franke  
Executive Secretary

rfcl13

*Options - Issue 3 day license under existing ord.  
Deny ~~base~~ - if we don't have all reg. info → new ord.  
get compl. appl. together, consider it based on  
new ord.*

Bowling App. <sup>Reid</sup> → Nov. 18

Consent \_\_\_\_\_

Policy X

Agenda Item: F-8

**CITY OF FALCON HEIGHTS**

Meeting Date: 1/11/89

**REQUEST FOR COUNCIL CONSIDERATION**

**ITEM DESCRIPTION:**

Contract Agreement for Remote Metering Systems

**SUBMITTED BY:**

Tom Mogren  
St. Paul Water Utility

**REVIEWED BY:**

Jan Wiessner  
Vince Wright  
Jay Morgan

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

The St. Paul Water Utility has been phasing in a remote metering system within the City of St. Paul. They would like to add Falcon Heights during 1989. Attached is a contract agreement they would like the City to approve. The City would be responsible for paying the water utility back in the event the city would decide to change the current contract. Our current contract stipulates that we pay retail rates which are 20% over St. Paul resident rates. Some cities (such as Roseville) pay wholesale rates and assume responsibility for all maintenance and system repair costs. If we should change to this system we would have to pay back the cost of the meters. (A breakdown of meters by size was not available to estimate total cost.)

**Attachments:**

- (a) Contract Agreement
- (b) Installation Schedule
- (c) Sample Customer Notice

**ACTION REQUESTED:**

*m / accept.*

*[Signature]*



CONTRACT AGREEMENT  
FOR REMOTE METERING SYSTEMS

This Contract Agreement made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 1988, by and between the Board of Water Commissioners of the City of Saint Paul, a municipal utility located in Ramsey County, Minnesota, hereinafter called the "Board" and the City of \_\_\_\_\_, a municipal corporation located in \_\_\_\_\_ County, Minnesota, hereinafter called "City".

WITNESSETH: That the said parties, in consideration of mutual covenants and agreements hereinafter set forth, have agreed to and with each other as follows:

1. Term of Contract:

This Contract Agreement shall be for a term of 31 years from the date of execution hereof, unless terminated earlier as hereinafter provided.

2. Remote Metering Systems:

- a. A remote metering system consists of a water meter, a remote meter reading receptacle and a connecting cable. The Board agrees to furnish and install remote metering systems for all water service accounts within the City which are two (2) inch and smaller in size.
- b. The Board shall furnish, install and retain title to all the remote metering systems with full responsibility to maintain the systems in accordance with rules and regulations adopted by the Board and in effect within the City of Saint Paul. Should the City convert to the purchase of water at wholesale from the Board or develop an alternate water supply system for the City, then and in that case all remote metering systems shall be purchased by City from the Board. Payment shall be made to the Board in accordance with the following provision and tendered to the Board within 90 days after the alternate water system is implemented by the City.
- c. The price to be paid shall be determined by the actual cost of furnishing and installing the remote metering system as of

the actual date of installation, and shall include labor, equipment, material and overhead. These costs shall be amortized at an annual rate of 3.33 percent based upon a service life of 30 years. For illustration purposes only, if the system had been installed in 1987, actual remote metering system costs would have been as follows:

5/8" - 3/4"	Remote Metering System	96.71
3/4"	Remote Metering System	109.06
1"	Remote Metering System	130.01
1 1/2"	Remote Metering System	280.36
2"	Remote Metering System	337.86

3. Supplement to Agreements:

This Contract Agreement is supplemental to any other existing agreement which may exist between the City and the Board, and is intended to apply only to the installation and maintenance of the remote metering systems being installed by the Board for convenience of the Board and the properties served by it.

4. Effective Date of Contract:

The date of making and entering into this Contract Agreement and the date of execution thereof shall be the date when the Director of the Department of Finance of the City of Saint Paul countersigns this document. This Contract Agreement shall not be binding upon either party until the same has been accepted by resolution of the Board of Water Commissioners of the City of Saint Paul, the Council of the City of Saint Paul, and the Council of the City of

---

IN WITNESS WHEREOF, The parties hereto have executed these presents in triplicate the day and year first above written.

CITY OF \_\_\_\_\_, MINNESOTA

By \_\_\_\_\_  
Mayor

By \_\_\_\_\_  
City Manager

APPROVED:

BOARD OF WATER COMMISSIONERS OF  
THE CITY OF SAINT PAUL, MINNESOTA

\_\_\_\_\_  
Thomas D. Mogren, General Manager

By \_\_\_\_\_  
Roger J. Goswitz, President

By \_\_\_\_\_  
Verne E. Jacobsen, Secretary

Approved as to form:

COUNTERSIGNED:

\_\_\_\_\_  
Assistant City Attorney

\_\_\_\_\_  
Eugene A. Schiller, Director of  
Finance and Management Services

B

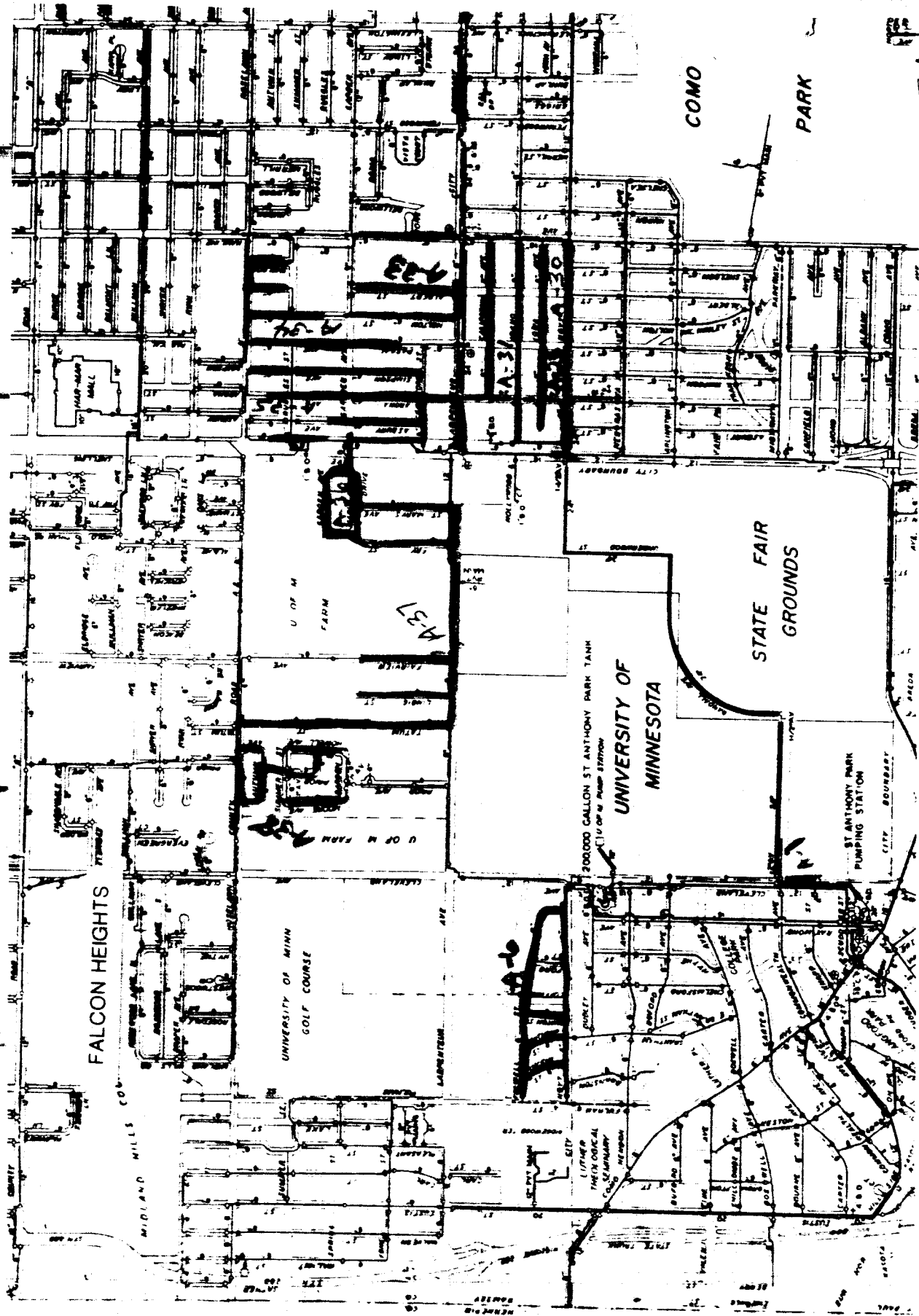
1989 WATER METER INSTALLATION PROGRAM

1. Installation Schedule:

To accommodate the Water Utility's meter reading and billing cycles, the following installation schedule shall be maintained:

<u>Meter Route Group</u>	<u>Routes for Meter Conversion</u>	<u>Approximate Quantity of Installations</u>	<u>Calendar Dates for Providing Meter Installations</u>
*I	<u>Saint Paul</u>		
	J1-J34	3,900	1/03/89 to 4/28/89
	<del>Maplewood Heights</del> * <u>Saint Paul, Lauderdale</u>		
	A1, A6-A8, A23-A42	2,240	
	Subtotal	6,140	
II	<u>Saint Paul</u>		
	V1, V2, V4, V6-V34, V36, V38, V41, V45, V48	4,540	5/01/89 to 8/05/89
	<u>Maplewood</u>		
	K27, K29-K32, L29, L31, L33-L38, S34-S36, S46, S47 S53, S54, S56, T25, T31-T36, V3, V5, V35, V37, V39, V40, V42-V44, V46, V47, V49-V62	5,390	
	Subtotal	9,930	
III	<u>West St. Paul</u>		
	Q6, Q15, Q17-Q33, R17, R20-R23, R24-R27, R33 R35-R52, R59, R60	4,385	8/07/89 to 10/28/89
	<u>Mendota Heights</u>		
	R28-R32, R34, R53-R58 R51-R70	2,345	
	Subtotal	6,730	
	TOTAL	22,800	

\* Approximately 1150 installations within the City of Falcon Heights



FALCON HEIGHTS

UNIVERSITY OF MINN  
GOLF COURSE

UNIVERSITY OF  
MINNESOTA

STATE FAIR  
GROUNDS

COMO

PARK

20000 GALLON ST ANTHONY PARK TANK  
ST ANTHONY PARK PUMP STATION

ST ANTHONY PARK  
PUMPING STATION

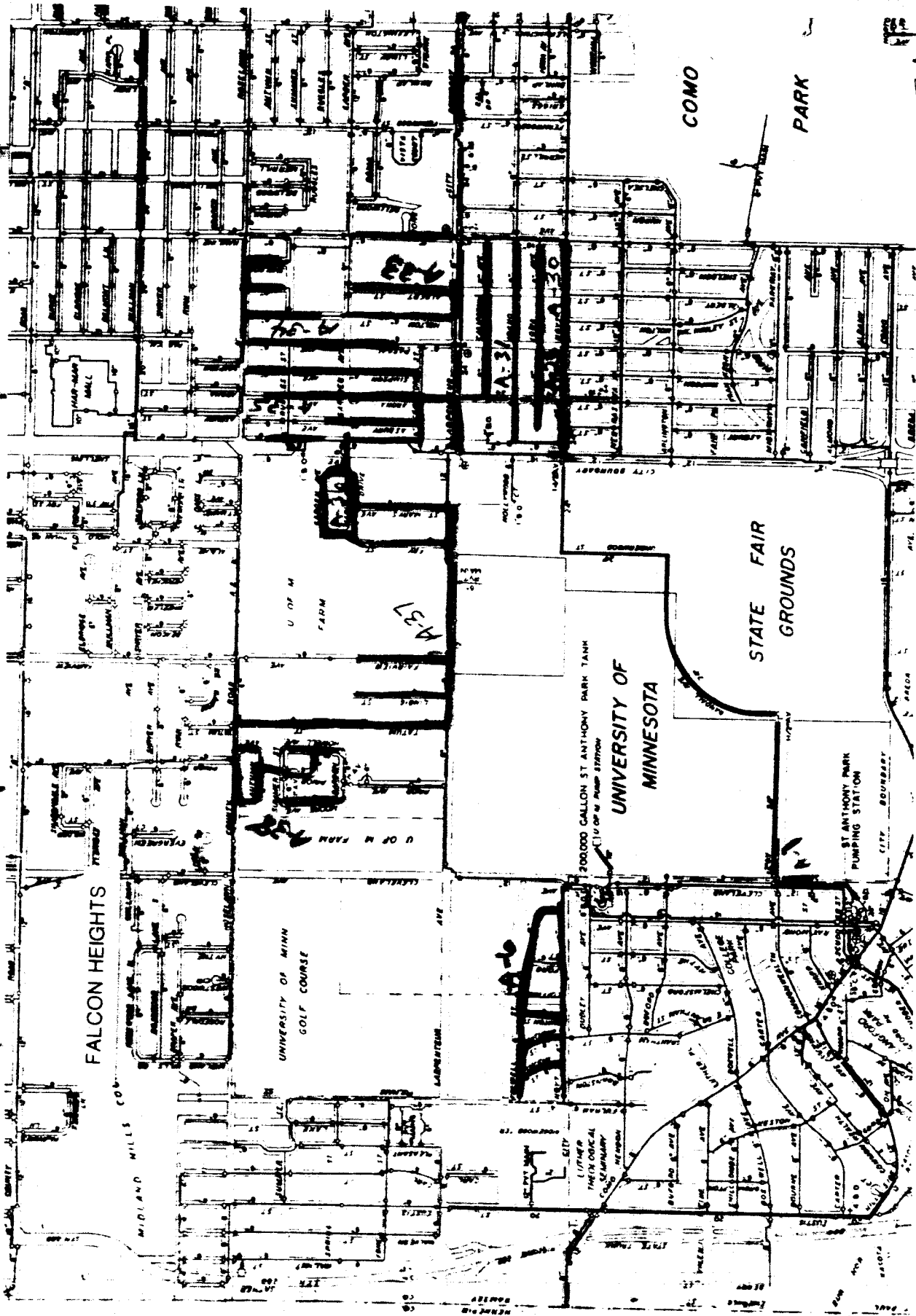
A-37

A-31

A-30

U OF M FARM

U OF M FARM



NOTICE

NOTICE

# NOTICE

# TO THE CUSTOMERS OF THE SAINT PAUL WATER UTILITY

The Saint Paul Water Utility is undertaking the replacement of existing water meters with remote metering systems in your neighborhood. Eventually every home in the city will receive this new metering system which will eliminate the need for a meter reader to enter your home to obtain a meter reading.

**We will be installing your new metering system in the next few days.  
PLEASE CLEAR THE AREA AROUND YOUR WATER METER!**

The following explains why and how meters are being replaced and provides additional information on the project.

**Q. WHY IS MY METER BEING REPLACED?**

**A.** The new metering system will provide benefits to both the homeowner and the Water Utility. Homeowners will no longer have the inconvenience of meter readers entering their homes and estimated water bills due to lockouts will be all but eliminated. The Water Utility will minimize future maintenance costs by installing a standardized metering system in every home. The new system will also provide for improved meter reading and billing accuracy.

**Q. HOW MUCH WILL THE NEW METERING SYSTEM COST ME?**

**A.** There will be **no additional** charge to you as a customer for the new metering system or its installation.

**Q. WHAT IS MY RESPONSIBILITY?**

**A.** Saint Paul's Legislative Code requires that the homeowner maintain water pipes and valves near the meter in good repair. You may be required to repair or replace defective plumbing before the new metering system is installed.

**Q. HOW LONG WILL IT TAKE TO INSTALL THE NEW METERING SYSTEM WHICH INCLUDES A METER, CABLE AND OUTSIDE READING DEVICE?**

**A.** Normal installation time is approximately one hour or less.

**Q. WHAT IS AN "OUTSIDE READING DEVICE"?**

**A.** It is a small box measuring approximately 4½x2½x1½ inches connected to the water meter inside the home by a set of wires which allow the meter to be read from the outside. It will be installed, in accordance with Water Utility Standards, on an easily accessible outside wall of your home. A small hole will be made for the wire to enter the building. The hole will be plugged with weatherproof caulk after the wire is installed. No connection will be made to your home electrical system. (See Drawing on Back.)

**Q. WHO WILL MAINTAIN THE OUTSIDE READING DEVICE IF IT IS DAMAGED OR VANDALIZED?**

**A.** If the outside reading device is broken or damaged and it is not through negligence on your part, the Utility will replace or repair it at no cost to you.

**Q. IF I ALREADY HAVE AN OUTSIDE METER READING DEVICE WILL I RECEIVE A NEW REMOTE METERING SYSTEM?**

**A.** Every home will receive a new remote metering system. The visually read remotes currently used will be replaced with the new electronically read remote metering system.

**Q. IS IT TRUE THAT METER READERS WILL NO LONGER HAVE NEED TO ENTER HOMES?**

**A.** One of the major advantages of the remote metering system is the ability to read meters without entering homes. Meter readings will be obtained from the outside of buildings. The only time someone from the Water Utility may need to enter your home will be for inspection or maintenance of the metering system.

**Q. HOW WILL I KNOW THE PEOPLE WHO INSTALL THE METERING SYSTEM ARE WORKING FOR THE WATER UTILITY?**

**A.** The Water Utility has a contract with **Central Installation Co.** to install metering systems. Each of their employees will wear a **Central Installation Co.** uniform with a photo identification tag easily seen by you. You may also call 738-7913 to confirm the individual is employed by the Company. Report any suspicious persons to the Police Department.

**Q. WHAT CAN I AS A HOMEOWNER DO TO ASSIST THE WATER UTILITY IN THIS PROJECT?**

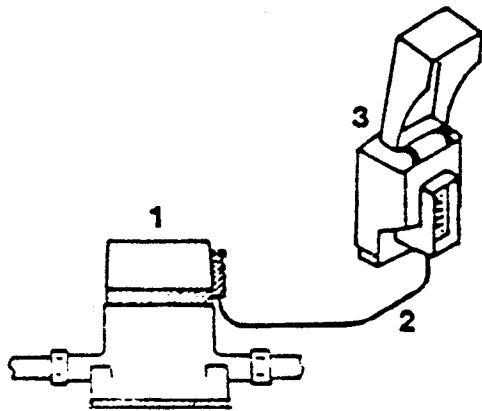
**A.** Call to schedule an installation appointment if you are not normally home during the day and clear the area around your present water meter.

**FOR APPOINTMENTS AND ADDITIONAL INFORMATION  
CALL 738-7913 CENTRAL INSTALLATION CO.**

NOTICE

NOTICE

## REMOTE WATER METERING SYSTEM

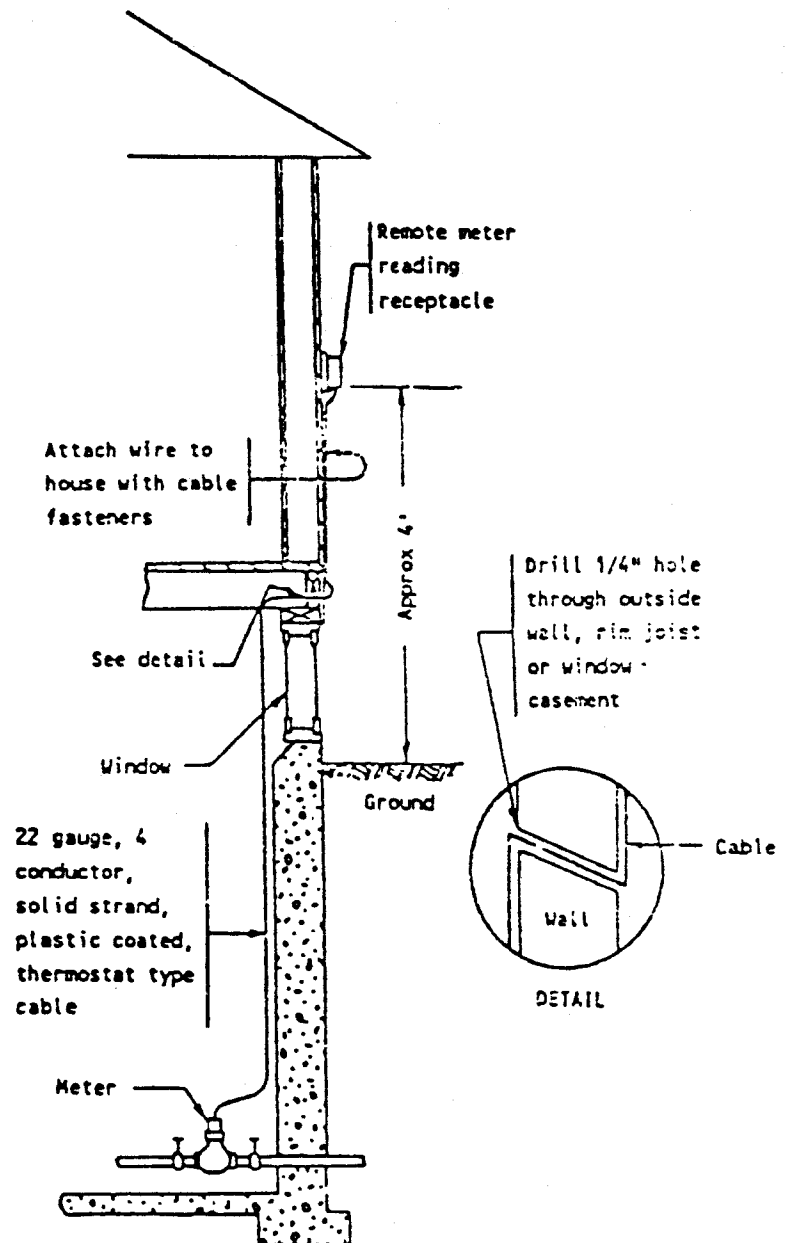


1. WATER METER & REGISTER

2. CABLE

3. REMOTE RECEPTACLE

## TYPICAL INSTALLATION



Consent \_\_\_\_\_

Meeting Date: 1/11/89

Policy   X  

CITY OF FALCON HEIGHTS

Agenda Item:   F-9  

**REQUEST FOR COUNCIL CONSIDERATION**

**ITEM DESCRIPTION:**

Request for Refund of Building Permit/<sup>Fee</sup>for Pizza Hut

**SUBMITTED BY:**

Tech Builders, Inc.

**REVIEWED BY:**

Shirley Chenoweth

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

In October, 1988, Tech Builders, Inc. submitted plans, a building permit application, and the appropriate fee for an addition to the Pizza Hut, 1650 Snelling Avenue. Due to the possibility that the structure might become part of the redevelopment of the Southeast Corner, the project was cancelled.

City Code provides that 25 percent of the plan check fee is paid to the Fire Department and 25 percent to the Building Inspector for the plan review. These plans were reviewed, approved and a permit issued on October 18, 1988. These plan review costs totalling \$126.26 (one-half of the \$252.53 plan check fee) could be returned to the contractor. I would also recommend retaining \$50.00 for administrative costs. The State Surcharge has not been submitted to the State and could be returned to the contractor. Since no further costs were incurred, it would be possible to refund \$487.77 (the (\$388.50 permit fee is intended to cover on-going inspections, and other costs during construction).

Total cost to Tech Builders	\$ 664.03
City Expenditures for Plan Review	
(\$126.26 plus a \$50.00 administrative cost)	\$ 176.26,
Possible Refund at no cost to city	\$ 487.77

- Attachments (a) written request from Tech Builders  
 (b) copy of Bldg. Permit No. B-55-88

**ACTION REQUESTED:**

Consider refunding \$487.77 to Tech Builders.

*Walton*  
*M/C*

*SPC*



PRIORITY (a)  
 URGENT!  
 SOON AS POSSIBLE  
 NO REPLY NEEDED

DATE: 12/27/89  
 FILE NO.:  
 ATTENTION:

**TECH BUILDERS, INC.**  
 Box 317  
 212 S. Home St.  
 FAIRMONT, MINNESOTA 56031  
 Phone 235-5561

SUBJECT: PERMIT BEHIND

CITY OF FAIRMONT REQUESTS

PLEASE BEHIND ANY MINUES NOT YET SPENT FOR  
 THE BUILDING PERMIT FOR THE PIZZA HUT BUILDING.  
 THIS PROJECT WAS CANCELLED

SIGNED: [Signature]  
 REPLY TO:

DATE OF REPLY:

SIGNED:

DETACH LAST COPY FOR FILE.

# CITY OF FALCON HEIGHTS

2077 Larpenteur Ave. West, Falcon Heights, Minnesota 55113

(6)

BUILDING PERMIT NO. B 55-88 644-5050

DO NOT WRITE IN THIS SPACE

OWNER	Name <u>PIZZA HUT</u>	Permit Fee .....	\$ <u>288.50</u>
	Address <u>10901 W. 84<sup>TH</sup> TERRACE SUITE 200</u>	State Surcharge .....	\$ <u>23.00</u>
	City <u>LEWISTON, KS</u> Tel. No. <u>913-541-8888</u>	Plan Check Fee .....	\$ <u>252.53</u>
CONTRACTOR	Name <u>JEFF GREENBERG - TECH BUILDERS INC</u>	SAC Charge (Units) .....	\$
	Address <u>Box 317</u>	Other .....	\$
	City <u>FARMINGTON, NJ</u> Tel No. <u>507-235-5361</u>		\$
ARCHITECT ENGINEER	Name <u>BY OWNER</u>	Penalty .....	\$
	Address		\$
	City Tel No.		\$
	Registration Number		\$
		TOTAL FEE PAID .....	\$ <u>664.03</u>
		Receipt No. <u>6393</u> Date <u>10/19/88</u>	

Structure Used As FAST FOOD Zone \_\_\_\_\_ DEMOLISH  BUILD  ADD  ALTER  REPAIR  MOVE

NUMBER	STREET	LOT	BLOCK	ADDITION OR TRACT

LEGAL DESCRIPTION

LOT SIZE	WIDTH	DEPTH	SIDE YARD SETBACK	SIDE YARD SETBACK	FRONT YARD SETBACK

STRUCTURE DETAILS	WIDTH	LENGTH	HEIGHT	TYPE OF CONSTRUCTION	ESTIMATED VALUE
					<u>46,000.00</u>

VAL FOR SURCHARGE

DETAILS OR REMARKS:

PER PLANS & SPECS SUBMITTED

**NOTICE**

SEPARATE PERMITS ARE REQUIRED FOR ELECTRICAL, PLUMBING, HEATING, VENTILATING OR AIR CONDITIONING. THIS PERMIT BECOMES NULL AND VOID IF WORK OR CONSTRUCTION AUTHORIZED IS NOT COMMENCED WITHIN 120 DAYS OR IF CONSTRUCTION OR WORK IS SUSPENDED OR ABANDONED FOR A PERIOD OF 120 DAYS AT ANY TIME AFTER WORK IS COMMENCED.

I HEREBY CERTIFY THAT I HAVE READ AND EXAMINED THIS APPLICATION AND KNOW THE SAME TO BE TRUE AND CORRECT. ALL PROVISIONS OF LAWS AND ORDINANCES GOVERNING THIS TYPE OF WORK WILL BE COMPLIED WITH WHETHER SPECIFIED HEREIN OR NOT. THE GRANTING OF A PERMIT DOES NOT PRESUME TO GIVE AUTHORITY TO VIOLATE OR CANCEL THE PROVISIONS OF ANY OTHER STATE OR LOCAL LAW REGULATING CONSTRUCTION OR THE PERFORMANCE OF CONSTRUCTION.

DO NOT WRITE IN THIS SPACE

Type of Const	Occupancy Group	Division	
Size of Bldg Total Sq. Ft.	No. of Stories	Max. Occ. Load	
Fire Zone	Use Zone	Fire Sprinklers Required <input type="checkbox"/> Yes <input type="checkbox"/> No	
No. of Dwelling Units	OFF STREET PARKING SPACES:		
	Covered	Uncovered	
Special Approvals	Required	Received	Not Required
BOARD OF APPEALS			
PLANNING COMM			
VILLAGE COUNCIL			
SPECIAL USE			
FIRE DEPT			
SOIL REPORT			
OTHER			

[Signature] 10/6/88  
 SIGNATURE OF CONTRACTOR OR AUTHORIZED AGENT (DATE)

\_\_\_\_\_  
 SIGNATURE OF OWNER (IF OWNER BUILDER) (DATE)

PERMIT ISSUED

[Signature] 10-18-88  
 BUILDING OFFICIAL (DATE)

Consent           

Agenda Item: F-10

Policy X

**CITY OF FALCON HEIGHTS**

Meeting Date: 1/11/89

**REQUEST FOR COUNCIL CONSIDERATION**

**ITEM DESCRIPTION:**

Consider amendment of Section 9-10.01, Subd. 2, of the Code, Conditional Uses in B-2 Districts

**SUBMITTED BY:**

Planning Commission

**REVIEWED BY:**

Shirley Chenoweth

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

The Planning Commission is holding a public hearing on the proposed amendment and the minutes of that hearing will be delivered to you on Tuesday, January 10th.

**Attachments:**

- (a) Letter from Joseph and James Sacco expressing interest in establishing a game arcade in Northome Shopping Center
- (b) Copy of proposed ordinance
- (c) Copy of Section 9-10.01 of the Code

*Planning Commission voted 5-3 in favor*

**ACTION REQUESTED:**

Approve/Disapprove

*m l c*

*Syc*

November 22, 1988

**APPLICANTS:** Joseph A. Sacco  
46 Gladstone Street  
Circle Pines, MN 55014

and

James G. Sacco  
8394 Spring Lake Road  
Moundsview, MN 55432

**TYPE OF BUSINESS:** Indoor Amusement Center

**DESCRIPTION OF REQUEST:** Zoned B-2  
Conditional Use Permit

**DESCRIPTION OF BUSINESS:**

- \* Two Family - Owner Operator
- \* Video Arcade Games (5 video games to 1 pool table ratio)
- \* Coin Operated Pool Tables
- \* Pinball Machines
- \* Snack & Beverage Vending Machines

**STAFF:** At least one responsible adult at all times. We will increase staff as head count increases. Number of people in building will comply with Fire Marshall ordinance.

**HOURS:** Hours to comply with city ordinance.

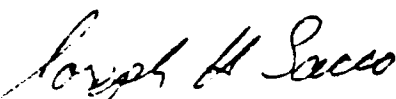
**REASON FOR REQUEST:**

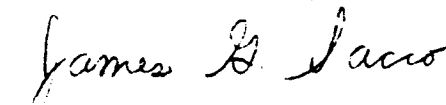
As parents, we feel it is important to provide a controlled environment for young adults to go to in their free time.

Our goal is to create a drug and alcohol free atmosphere for young people to have a good time without peer-pressure. We will cooperate with the parents and law enforcement agencies to deter all substance abuse (drugs/alcohol) in or near our establishment. Rules and regulations will be posted and strictly enforced.

We appreciate your time in considering our request.

Sincerely,

  
Joseph A. Sacco

  
James G. Sacco

No. \_\_\_\_\_

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

Date \_\_\_\_\_

AN ORDINANCE AMENDING SECTION 9-10.01, SUBDIVISION 2,  
OF THE MUNICIPAL CODE RELATING TO CONDITIONAL USES IN THE B-2  
RETAIL BUSINESS DISTRICT

The City Council of the City of Falcon Heights does ordain as follows:

That Section 9-10.01, Subd. 2. Conditional Uses, be amended to  
add the following:

q. Game Arcade

This Ordinance passed this \_\_\_\_\_ day of \_\_\_\_\_  
shall become effective following its publication.

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

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

YEAS                      Nays  
BALDWIN  
CIERNIA                      \_\_\_\_\_ in Favor  
CHENOWETH  
WALLIN                      \_\_\_\_\_ Against  
BUSH

\_\_\_\_\_  
Date

Attested by \_\_\_\_\_  
City Administrator

\_\_\_\_\_  
Date

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

- aa. Pipe and tobacco shop.
- bb. Record shop.
- cc. Restaurant, cafe, tea room, tavern.
- dd. Shoe sales and repair.
- ee. Sporting goods stores.
- ff. Variety store.
- gg. Wearing apparel shop.
- hh. Picture framing.
- ii. Radio, television and electronic equipment supply and repair.
- jj. Beauty Shop
- kk. Barber Shop
- ll. Tanning Studio
- mm. Video Rental Shop
- nn. Packaging and office supplies
- oo. Printing or duplicating services provided that no more than six (6) employees are employed on premises at any one time.
- pp. Multiple dwellings as permitted and regulated in an "R" District.
- qq. Business or trade school when conducted entirely within a building.
- rr. Diaper and hand laundry service, dry cleaning plant, provided not more than six (6) persons are employed on the premises at any one time.
- ss. Electrical service, heating, plumbing, appliance or air conditioning service shop, provided that no more than six (6) persons are employed in repair or processing.
- tt. Garden supply store provided it is conducted entirely within an enclosed structure.
- uu. Newspaper and publishing office
- vv. Pet shop provided the operation shall not include the boarding of pets on the site, the maintaining of pens or cages outside of the building or the operating so as to cause an offensive odor or noise.
- ww. Photographic supplies and processing of film and prints
- xx. Seat cover, upholstery or drapery shop
- yy. Television and radio stations
- zz. Wholesale distribution, wholesale office and show rooms

**Subdivision 2. Conditional Uses.** No structure or land shall be used for the following uses except by conditional use permit.

- a. Motor fuel stations subject to the performance standards as specified in Section 9-14 (14) of this Code.
- b. Drive-in establishments subject to the performance standards Section 9-14 (17) of this Code.

- c. Those uses permitted in Subdivision 1 of Section 9-9.01.
- d. Broadcast and telecommunications transmission tower facilities.
- e. Advertising signs.
- f. Commercial auto repair and used car sales.
- g. Boat and marine sales when conducted entirely within a building.
- h. Building material yard, provided it is conducted entirely within an enclosed structure.
- i. Car wash establishments.
- j. Commercial greenhouse provided all outside storage is fenced in such a manner so as to screen the stored material from view when observed from the public street and adjacent residential areas.
- k. Hotels, motor hotels and motels, provided the site shall contain not less than six hundred (600) square feet of lot area per unit.
- l. Optical and jewelry manufacturing.
- m. Armories, convention halls, sports arenas and stadiums, bowling gymnasiums, Y.M.C.A., Y.W.C.A., night clubs.
- n. Veterinarian offices and small animal hospitals provided there shall be no boarding of animals, except for hospitalization, on the site nor the placement of cages or pens outside of the building.
- o. Retail liquor store.
- p. Billard or pool hall.

Other retail uses of a similar nature may be added to the above list of conditional uses upon request and approval by the Planning Commission and the Council.

Subdivision 3. Permitted Accessory Uses. Any use permitted in Part 8 Subdivision 2 and as regulated therein. The following additional uses shall also be permitted accessory uses.

- a. Accessory structures other than private garages as regulated herein. The design and placement of the accessory buildings must be approved by the City Council as being in harmony with the surrounding business district after review and recommendation by the Planning Commission.







RAMSEY COUNTY  
Public Health Department  
Rob Fulton, Director

Environmental Health Division  
1910 W. County Rd. B. - Room 209  
Roseville, Mn. 55113

633-0316 — 298-5972

December 14, 1988

City of Falcon Heights  
Attn: Shirley Chenoweth  
2077 West Larpenteur Avenue  
Falcon Heights, MN 55113

RE: 1989 Recycling Grants

Dear Shirley:

Here are three copies of the recycling grant agreements for 1989. Please insert your Attachment A, execute these agreements and return all three of them to me for execution by the County. Note that we are not addressing containers at this time, and we will have to come back to these later when the results of the pilot program are available. In the meantime, you may want to further develop your plans (if necessary) on providing matching funds for the containers.

#### 1989 Grants and Budgets for Recycling

The County Board has approved the 1989 recycling grants and budgets for each city. This approval means that once you have signed the grant agreements, final approval (ie, our signatures) should be a fairly quick process. At this point in time, I realize that it may be difficult if not impossible for you to return the signed agreements until some time in January, but this should not present a problem in us covering your expenses. Do, however, try to avoid incurring major expenses in public education activities until you receive a copy of the fully-executed grant.

The approved budget for your city is \$18,766. To arrive at this figure, I assumed an average of 25 tons per month, or 7 tons per month over the base amount of 18 tons. ~~It turns out to be too low, we will have to execute an amendment to the grant agreement at a later date. You will need to produce an 'Attachment A' for the recycling grant agreement; this attachment should show up to the approved budget amount and give some detail on anticipated expenditures. This attachment should also show the information described in the attached example.~~

## Changes in the Grant Agreement

The changes in the recycling grant agreement for 1989 are primarily connected to the fact that no Metropolitan Council funds will be received for the recycling program next year (although there will be a small amount of funding carried over from 1988). Hence, the second paragraph of section 1.a has been revised to delete mention of Met Council funds, but the 25% idea has been retained, and these funds are now contingent upon receipt of the annual report. Since there is a small amount of carry-over, we must still give the Met Council credit as a funding source (par. 1.b.).

Another change is shown in par. 1.c., where the minimum acceptable level of effort for long-term funding has been defined as a resolution by the City Council. Note that we are not requiring that your Council adopt a method on how long-term funding will be carried out; depending on where you are at, you may only want to have them resolve to look into a particular method.

The last change made in the 1989 agreement is in par. 5.c., where the language "or exceptions to" has been added to clarify the meaning of this section.

## The Recycling Implementation Strategy

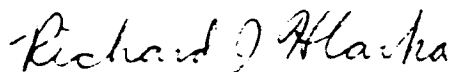
Also enclosed is a copy of the Recycling Implementation Strategy. This document was adopted by the Ramsey County Board of Commissioners on November 22, 1988. You should take a careful look at this document, since it provides additional direction and policies for the recycling program.

## 1988 Funding

On the Met Council funding for this year, we expect to receive their money in January or February. This should give you plenty of time to prepare your annual report and get it in with the claim form<sup>for</sup> the remaining 25% of expenses (hint, hint).

If you have any questions about any of this, please do not hesitate to call me at 633-0316. Otherwise, I'll expect to see the grant agreements returned in January.

Sincerely,



Richard J. Hlavka  
Ramsey County Recycling Coordinator

AGREEMENT BETWEEN  
RAMSEY COUNTY AND THE CITY OF \_\_\_\_\_  
FOR A RECYCLING GRANT

This Agreement is made this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, between Ramsey County through the Public Health Department (hereinafter County) and the City of \_\_\_\_\_ (hereinafter City).

WITNESSETH:

WHEREAS, the County has established policies and plans supporting curbside recycling as part of an overall waste abatement program, and

WHEREAS, the City supports curbside recycling and desires that it be available to residents of the City, and

WHEREAS, the County has collected funds specifically for curbside recycling, and

WHEREAS, the City has submitted to the County a proposal for implementing curbside recycling, and

WHEREAS, the County has acquired and equipped property located at 775 Rice Street (hereinafter called the Recycling Center) for use as a processing facility for materials collected within the County,

NOW THEREFORE, the County and City mutually agree as follows in consideration of the mutual promises and covenants contained herein:

1. OBLIGATIONS

- a. The County shall reimburse the City for up to 75% of the program's cost as shown in Attachment A. The remaining 25% of expenses will be reimbursed only if a satisfactory annual report, as described in 1.e, below, is received by the County. Reimbursement will be conducted on a quarterly basis upon submittal of the proper documentation of expenses to the County. Proper documentation of expenses shall include photocopies of the contractor's bill(s) and bills for public education expenses, a completed county claim form, monthly tonnages for the period, and a description of the activities and expenses for public education and administration.
- b. The City shall incur expenses for reimbursement by the County according to the budget shown in Attachment A. Reimbursement shall not be requested for expenses or that portion of expenses which have been or will be reimbursed by other agencies or programs. Any public education materials produced by the City or its subcontractor(s) shall credit the

County and the Metropolitan Council as funding sources for the recycling program.

- c. The City shall take steps to explore long-term financing for curbside recycling, whether through organized collection, sub-contracts, city billings, or other methods. At a minimum, a resolution by the City Council will be required as documentation of these efforts.
- d. Recycling collection contracts entered into between the City and a recycling contractor shall contain mandatory delivery provisions which require that all glass and metal containers, excluding batteries, be brought to the Recycling Center. The materials which must be delivered include glass (brown, green and clear), and metals (aluminum, bi-metal and tin-plated ferrous cans). The materials must be delivered according to the guidelines and specifications shown in Attachment B. The non-mandatory materials (including but not limited to newspaper, cardboard, batteries and oil), may be delivered to the Recycling Center upon mutual agreement by the City, their contractor, the Recycling Center operator and the County.
- e. The City shall submit a report to the County by March 1 for the preceding calendar year. This report shall accompany the request for reimbursement of fourth quarter expenses. The report shall describe the type of service provided, area served, public education efforts, tonnage of materials collected, participation rates and the method of determining participation rates, total expenses incurred, and the amount and source of reimbursement for expenses.

The report shall also address any changes which may have occurred in the program, such as expansions in the area served, change of collection contractors, use of containers, or changes in service levels (types of materials collected or frequency of service).

The report shall also describe the efforts or activities undertaken and/or accomplished in exploring a long-term funding mechanism for curbside recycling.

- f. The City shall submit an audited financial report to Ramsey County Budget and Accounting Department showing monies received from Ramsey County and how disbursed after each annual audit which included monies from Ramsey County for this recycling grant.

## 2. TERM

The term of this Agreement shall be from January 1, 1989 to December 31, 1989.

### 3. CANCELLATION

Either party may cancel this Agreement at any time upon thirty (30) days written notice to the other party. In the event of termination, the City shall be entitled to reimbursement for those expenses incurred up to the termination date provided the expenses have been incurred according to the budget shown in Attachment A.

### 4. DEFAULT

Any of the following shall constitute default on the part of the City:

- a. The failure of the City to use funds in a manner consistent with this contract and Attachment A.
- b. The failure of the City or their (sub)contractor(s) to use their best efforts to ensure the maximum collection and delivery of materials from the area served to the Recycling Center per the delivery specifications shown in Attachment B.
- c. The failure of the City to provide information satisfactory to the County as required in 1.a, 1.e. and 1.f., above.

### 5. GENERAL CONDITIONS

- a. All services and duties performed by the City pursuant to this Agreement shall be performed to the satisfaction of the County and in accordance with all applicable federal, state, and local laws, ordinances, rules and regulations as a condition of payment. The City agrees that it will comply with all federal, state, and local statutes and ordinances relating to nondiscrimination.
- b. The City shall at all times be an independent contractor and shall not be the employee of the County for any purpose. The County shall not be responsible for the payment of any taxes, either federal or state, on behalf of the City, nor shall the County be responsible for any fringe benefits. No Civil Service or other rights of employment will be acquired by virtue of City's services.
- c. The City and County mutually agree to defend, hold harmless, and indemnify the other party, its officials, agents, and employees, from any liability, loss or damage they may suffer as a result of demands, claims, judgments, or costs arising out of or caused by the indemnifying party's negligence in the performance of their respective obligations under the provisions of this Agreement. This provision shall not be construed nor operate as a waiver of any applicable limits of or exceptions to liability set by law.

- d. All data collected, created, received, maintained or disseminated for any purpose in the course of this Agreement is governed by the Minnesota Governmental Data Practices Act, Minn. Stat. Ch. 13 (1984), any other applicable state statute, or any state rules adopted to implement the act, as well as federal regulations on data privacy. The City agrees to abide by these statutes, rules and regulations.
- e. All books, records, documents and accounting procedures and practices of the City relative to this Agreement are subject to examination by the County and the State Auditor, as appropriate, in accordance with the provisions of Minn. Stat. 16B.06, Subd. 4 (1984).
- f. Any amendments to this Agreement shall be in writing and signed by both parties.

IN WITNESS THEREOF, the parties have subscribed their names as of the date first above written.

RAMSEY COUNTY

CITY OF \_\_\_\_\_

BY \_\_\_\_\_  
Chair, Ramsey County Board

BY \_\_\_\_\_  
Mayor

Approved to Form:

Approved to Form:

BY \_\_\_\_\_  
Assistant County Attorney

BY \_\_\_\_\_  
City Attorney

Insurance Approved:

BY \_\_\_\_\_  
Risk Manager

BY \_\_\_\_\_  
Director, Department of  
Finance and Management  
Services

Funds are available,  
code: \_\_\_\_\_

BY \_\_\_\_\_  
Director, Public Works

BY \_\_\_\_\_  
Budget and Accounting

BY \_\_\_\_\_  
Director, Public Health

ATTACHMENT A

1989 BUDGET

FOR THE CITY OF FALCON HEIGHTS

The service area for recycling is the entire City of Falcon Heights with twice monthly pick-up on the 1st and 3rd Friday of the month. Pick-up is provided for 1,152 single family residences and 544 apartment units. Materials being collected are: newspapers, glass, aluminum cans, tin cans, aluminum foil and trays, and corrugated cardboard. Plans are being made to implement a container pilot program. The City will provide on-going publicity through local newspapers, flyers, city newsletter, cable television and lawn signs.

It is anticipated the City will expend the following costs in implementing the program:

CITY OF FALCON HEIGHTS

<u>EXPENSE CATEGORY</u>	<u>ANNUAL COST</u>
A. Collection	
Once-monthly. . . . .	_____
Twice-monthly (average 25 tons per month). . . . .	<u>\$13,766.00</u>
B. Administrative and Public	
Education Costs . . . . .	<u>\$5,000.00</u>
C. Other Expenses?. . . . .	_____
TOTAL. . . . .	<u>\$18,766.00</u>

Attachment B  
- Delivery Specifications -

The specifications below describe the mandatory delivery requirements for curbside recycling collection funded wholly or in part by Ramsey County through the Public Health Department (the "County"). These specifications also outline the roles and responsibilities of the collection company (the "City Contractor") hired by the City or its subcontractors (the "City") and the operator ("Super Cycle") of the Ramsey County Recycling Center (the "Recycling Center").

Curbside collection activities funded by the County under contracts with a City are required to deliver to the Recycling Center all of the glass and metals which are collected under said contract. The glass and metal required to be delivered is defined to include glass containers (green, brown and clear) and the following metals: aluminum cans and foil, bi-metal beverage cans, and tin-plated food cans. The following materials cannot be delivered to the Recycling Center except by mutual agreement by the City, the City Contractor, Super Cycle, and the County; newspaper, cardboard, waste oil, car batteries, and other materials not otherwise specified. Note that where Super Cycle is also the City Contractor, no such agreement is necessary.

Materials shall be delivered to the Recycling Center between the hours of 7:00 a.m. and 6:00 p.m., Monday through Friday, except for the following holidays: New Year's Day, Memorial Day, July 4th, Labor Day, Thanksgiving, and Christmas.

Upon both arriving at and leaving from the Recycling Center for the purpose of delivering materials, the City Contractor's vehicle shall be weighed on the truck scale at the Recycling Center. The truck scale can be operated only by a Super Cycle employee. If no employee of Super Cycle is present in the area of the truck scale or scale room, the City Contractor must seek out and notify an employee of his/her need to be weighed. Super Cycle must complete the weighing within ten minutes of being notified. Super Cycle must provide the City Contractor with legible copies of both truck scale tickets and keep at least one copy of each ticket for their own records, marking it with the name of the City Contractor. Super Cycle shall not charge the City Contractor for weighings connected to mandatory deliveries.

Under no circumstances shall the City Contractor honk their vehicle's horn to notify Super Cycle of the need to be weighed or for any other reason except emergency actions to warn pedestrians or other drivers of their presence. The City Contractor shall not create disturbances of any kind, nor shall they block ingress or egress for any part of the Recycling Center including adjacent public roadways.



Materials must be delivered in a separated condition. All three colors of glass must be separated from each other and from the metals. The metals may be combined with each other. Cross-contamination of any one of the four materials by the other materials must be less than an aggregate amount of 10% by weight. For example, green glass may be contaminated by a maximum of 10% of brown glass, clear glass and metals taken together. Any one material must contain less than 5% by weight of foreign contaminants. Foreign contaminants include paper, garbage, and materials not normally processed by the Recycling Center (window glass, etc.). At Super Cycle's option, loads which exceed the cross-contamination or foreign contamination specifications may be cleaned up by the City Contractor or may be rejected altogether. Also at Super Cycle's option, this clean-up may take place at the Recycling Center, or the City Contractor may have to take the load elsewhere for cleaning and then bring the materials back. Super Cycle shall notify a County solid waste staff person as soon as possible of any incidents concerning deliveries of contaminated or off-specification loads.

The City Contractor shall deliver materials in such a manner that they may be unloaded using a forklift with standard attachments or by dumping into bins which are approximately 4 feet high by 4 feet wide by 4 feet long. The City Contractor shall unload only where directed to do so by Super Cycle. Where assistance from Super Cycle employees is necessary (such as for operating a forklift or arranging bins), Super Cycle shall give assistance in a timely fashion and complete the unloading the same day as long as the City Contractor arrives at the Recycling Center by 6:00 p.m. In giving assistance, Super Cycle shall take the City Contractor's vehicles on a first-come, first-serve basis and treat those vehicles on an equal basis as Super Cycle's own vehicles. Total time for unloading cannot be specified as it is dependent on the amount of materials and manner in which they are delivered, but unloading time shall be kept within reasonable bounds by Super Cycle unless there are circumstances beyond their control. Conversely, City Contractors shall not linger unnecessarily at the Recycling Center, nor shall they enter areas of the property without just cause.

The mandatory delivery requirement may be temporarily or permanently suspended upon mutual agreement by the City, the City Contractor, Super Cycle, and the County (through the Director of the Public Health Department).

Consent \_\_\_\_\_

Meeting Date: 1/11/89

Policy X

CITY OF FALCON HEIGHTS

Agenda Item: F-12

### REQUEST FOR COUNCIL CONSIDERATION

**ITEM DESCRIPTION:**

Authorization for disbursement approval

**SUBMITTED BY:** Jan Wiessner and Tom Kelly

**REVIEWED BY:**

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

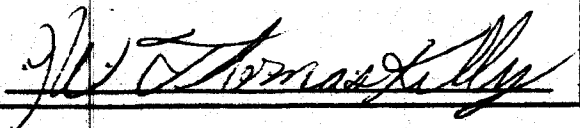
We would like to discuss the procedure used for authorization of check issuance. At this time the City Council must approve all disbursements. It presents a problem occasionally when bills are due prior to the Council meeting or when someone wants to be paid for services, etc. Many cities authorize the City Manager/Administrator to approve payment of bills up to a certain limit determined by the City Council.

**ACTION REQUESTED:**

*m l c*

Discuss procedure, authorize City Administrator to approve payment of bills up to \$1,000.

*authorized expenditures*



MINUTES  
REGULAR CITY COUNCIL MEETING  
DECEMBER 14, 1988

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

ALL MEMBERS PRESENT

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

ADDENDUM TO CONSENT AGENDA APPROVED

Council approved the addition of Items E(1) d. and e. to the Consent Agenda.

MINUTES OF NOVEMBER 9, 1988 APPROVED

Council approved the Minutes of November 9, 1988 as presented.

CONSENT AGENDA APPROVED

Council approved the following Consent Agenda:

1. Disbursements
  - a. General Disbursements through 12/14/88, \$57,528.76
  - b. Payroll 11/1/88 - 11/15/88, \$11,757.16
  - c. Payroll 11/16/88 - 11/30/88, \$7,795.10
  - d. Statement from Maier, Stewart & Associates through 11/16/88, \$65.23
  - e. Statement from Jensen, Hicken, Gedde and Soucie for October and November, 1988, \$3,597.01
2. Fire/Ambulance Runs
3. Commission Minutes
  - a. Planning Commission Minutes of 11/7/88
  - Planning Commission Minutes of 12/5/88
  - Solid Waste Commission Minutes of 11/16/88
  - Human Rights Commission Minutes of 11/17/88
4. Licenses
5. Ramsey County Sheriff's Report for October, 1988
6. Authorize Replacement of Petty Cash Funds out of Contingency Account
7. Accept Donation of Historical Photographs from Lowell Anderson

PLACEMENT OF UTILITY SHED AT 1910 ASBURY, JOHN BURNS RESIDENCE, DEFERRED TO 1/11/89

Wallin explained that Mr. Burns had constructed the shed unaware that the code requires Planning Commission/Council permission, and at the December 5th Planning Commission Meeting that body determined the shed is in violation of the section of the code requiring a 30 foot setback from side streets. The Commission had unanimously agreed the shed should be moved to a location no further north than the existing north side of the garage. Council agreed that there is a code violation, discussed whether or not a variance could legally be granted based on criteria for variances, and if changing the setback requirements for all corner lots should be considered. Mr. Burns explained

that he placed the structure adjacent to the garage and driveway which he felt was an acceptable location, and was unaware of the code requirement. Following the discussion Council referred the matter to the Planning Commission to review the code and determine whether the 30 foot requirement on side lots is reasonable or if the code should be amended. Staff was directed to look at other structures in the neighborhood, obtain information from neighboring communities relating to corner lots, and contact the City Planner who is presently researching the city's setback requirements for Planning Commission consideration.

ITEM RELATING TO REQUEST FROM MARCOR PROPERTIES TO WAIVE TIF FEE REMOVED FROM AGENDA AT REQUEST OF MARCOR

Baldwin explained that Marcor Properties has asked that their request be deleted from the agenda due to differences of opinion among their people regarding whether or not the request to waive the TIF application fee is appropriate. Baldwin and Wiessner will be meeting with Marcor representatives and will keep Council apprised of the situation.

CITY TO APPLY FOR "CELEBRATE MINNESOTA 1990" GRANT FUNDS FOR ASSISTANCE IN RECONSTRUCTING PARK BUILDING

Park and Recreation Director, Carol Kriegler, explained the grant program which could assist financing reconstruction of the arsoned park building, and that the Park and Recreation Commission felt strongly that the City would be a good candidate for receiving grant money. Following a brief discussion, Council authorized Kriegler to submit the grant application and agreed to commit to the required \$75,000 local match funds. Chenoweth moved, seconded by Wallin adoption of Resolution R-88-26. Motion carried unanimously.

RESOLUTION R-88-26

A RESOLUTION AUTHORIZING APPLICATION AND PRIMARY CONTACT PERSON FOR CELEBRATE 1990 GRANT APPLICATION

STREET LIGHT REPLACEMENT AND EXPANSION APPROVED FOR UNIVERSITY GROVE AREA

Council discussed the University Grove Association's request for street lighting improvements and Wiessner's memorandum dated December 14, 1988 explaining the need for the improvements and the cost of removal of four lights on Folwell, replacement with eight lights, and installation of three new lights on Burton, Northrup and Vincent (total initial costs \$22,910.22). Sue Gehrz, President of the Grove Association, and George Blake, Chair of the Grove Street Lighting Committee, were in attendance to support the improvements. Bush moved, seconded by Chenoweth, that the improvements be made as recommended and that funding for the project be authorized. Motion carried unanimously. Council also requested that staff draw up general guidelines for street lighting.

HAMLIN AVENUE RECONSTRUCTION (LARPENTEUR TO COUNTY ROAD B)  
UPDATE

Maurer briefly reviewed the proposed construction which is expected to begin in 1990.

1988 BUDGET ADJUSTMENTS APPROVED

Wiessner presented requested budget adjustments which would include the re-keying of the municipal building and stressed that revenues will exceed expenditures. Wallin moved the adjustments as recommended. Motion carried unanimously.

ACCEPTANCE OF 1988 AUDIT PROPOSAL FROM GEORGE M. HANSEN COMPANY

Wiessner suggested the Hansen proposal be approved for this year to maintain continuity during the change in personnel in the City's finance area, with the possibility of issuing Requests for Proposals in future years. Ciernia moved acceptance of the Hansen proposal for the 1988 audit.

SCAVENGING ORDINANCE APPROVED

Baldwin explained that there have been problems with scavengers sorting through the curbside recycling items, and that the Solid Waste Commission has drafted an ordinance prohibiting this type of activity. After a brief review of the proposed ordinance, Chenoweth moved adoption of Ordinance No. O-88-16. Motion carried unanimously.

ORDINANCE NO. O-88-16

AN ORDINANCE AMENDING THE CITY CODE OF THE CITY OF FALCON HEIGHTS BY ADDING A NEW SECTION 5-4.02 PROHIBITING SCAVENGING OF CURBSIDE RECYCLING MATERIALS

TOM KELLY DESIGNATED NEW CITY ACCOUNTANT

Wiessner informed Council that the interview committee interviewed six excellent candidates for the Accountant position (selected from 161 applicants) and is recommending the appointment of Tom Kelly at a starting salary of \$23,800. Following a brief discussion, Bush moved the hiring of Tom Kelly as the new City Accountant at a salary of \$23,800 commencing January 3, 1989. Motion carried unanimously.

PAT PHILLIPS APPOINTED FULL-TIME SECRETARY

Wiessner recommended that Pat Phillips be appointed full-time secretary effective December 15, 1988 at annual salary of \$18,000. Ciernia moved the appointment of Pat Phillips which carried unanimously.

STRATEGIC PLANNING SESSION SCHEDULED FOR 1/7/89, 8:00 - 10:00 A.M.

Ciernia moved scheduling of the first strategic planning session for January 7, 1989 from 8:00 to 10:00 A.M. Motion carried unanimously.

CANCELLATION OF 12/28/88 COUNCIL MEETING

Chenoweth moved cancellation of the December 28th meeting which carried unanimously.

KRIEGLER COMMENDED FOR THE SUCCESSFUL "BREAKFAST WITH SANTA" ACTIVITY

Council officially commended Carol Kriegler for organizing and producing the very successful "Breakfast with Santa" event on December 10, 1988.

ADJOURNMENT

The meeting was adjourned at 8:30 P.M.

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Tom Baldwin, Mayor

ATTEST:

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Shirley Chenoweth, City Clerk