

CITY OF FALCON HEIGHTS
COUNCIL AGENDA
JULY 22, 1987

* Celebration
for Staff Meeting

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

B. ROLL CALL: CHENOWETH WALLIN HARD CIERNIA BALDWIN
WIESSNER ATTORNEY ENGINEER

C. APPROVAL OF MINUTES OF JULY 8, 1987:

ACTION: _____

D. PUBLIC HEARINGS:

W Ch
m/s/c 1. 7:05 P.M. - Proposed Vacation of Alley North of Larpenteur, Pascal to Holton
*Panel C. Plans called to Pat. Board -
Bldg. Path. Comm. has n't met*

ACTION: Mr. Burton
2 neighbors - end of block

Ch
m/w/c 2. 7:15 P.M. - Request for Platting - Stratford Office Park
Jack Klepp -> final coming back for sign.

ACTION: Common Areas not shown
all common areas except bldgs

(E) CONSENT AGENDA: m/s/c

1. Fire and Ambulance Reports
2. Payroll 7/1/87 - 7/15/87 - \$9,141.06
3. Cancel Check #20473 in the Amount of \$225.00 Issued to ICMA and Re-issue Check for \$90.00
4. Appointment of Patricia Blanchard to Rescue Department
5. Planning Commission Minutes of July 6, 1987
6. Prosecutor's Statement for May, 1987
7. Fiscal Consultant's Statement
8. Ramsey County Sheriff's Report for July, 1987
9. Park and Recreation Piano Purchase
10. Licenses
Addendum -> removed -> F-2

ACTION: _____

F. REPORTS, REQUESTS AND RECOMMENDATIONS:

1. Request from Carl Blomberg, Owner of Building at 1579 - 1583 Hamline, for Fire Code Variance
*Bldg Path. Comm. hasn't met
disc. on file*

ACTION: delayed -> Aug. 12 meeting - meet

2. Proposed Revision to Code re: Loitering (8-2.20) and Public Consumption or Use (8-3.08)
*Don Dehein, Larry Dunke, meet w/ Bldg Owner to
come up w/ res.*

ACTION: Larry Fella, diff to enforce loitering

3. Presentation by Winfield Development
** Ask Tom his intent re: notification
* Approval for 90 days -> unless notified 10 days before end of 90 days.
Continuation would be automatic
to see outcome of*

ACTION: _____

4. Proposed Amendment to Code Relating to Alcoholic Beverages (Chapter 6, P. 101)

ACTION: _____

Ch
m/s/c

AGENDA

JULY 22, 1987

PAGE 2

5. Request for Sewer Repair Reimbursement from Evelyn Peterson, 1552 Crawford

C/W/c

ACTION: _____

6. Public Works Truck

*Sources of
Sanitary Sewer &*

ACTION: _____

G. ANNOUNCEMENTS AND UPDATES:

H. ADJOURNMENT:

ACTION: _____

F.7. Bullseye Sprinkler

*HW finalize neg.
cont. upon written agreement.*

* *Jublin*
Concern about Garden Ave. (near Salling)

*rc.
Don O.*

C. T. Manner

*big water trucks,
pavement is in quite a state of break-up*

MEMORANDUM

July 23, 1987

TO: Tom Baldwin
FROM: Mark Schroeder *MS*
RE: Jay McNabb - Conflict of Interest

ISSUE

You have asked me to comment upon the potential conflict of interest involved in Jay McNabb's representation of Carl Blomberg in his request for a fire code variance for his building at 1579-1583 Hamline. It is my understanding that Mr. McNabb is a member of the Falcon Heights Volunteer Fire Department, and is paid by the City for his services. Mr. McNabb is also a lawyer admitted to practice in Minnesota and is representing Blomberg in this variance request.

CONCLUSION

If McNabb was employed by the City as a lawyer, or if the City had been a former client of McNabb's, his representation of Blomberg in this matter would possibly constitute a conflict of interest under the Minnesota Rules of Professional Conduct. Because McNabb is employed as volunteer fireman, the conflict of interest situation is far from clear. Nevertheless, because McNabb's representation of Blomberg relates to a request for a fire code variance, the tension between his employment with the City as a fireman and his representation of Blomberg is heightened. Whether this tension rises to a conflict of interest

depends upon the extent and nature of McNabb's involvement in this particular matter as a City employee.

ANALYSIS

A lawyer's ethical obligations relating to a conflict of interest are prescribed in the Minnesota Rules of Professional Conduct. As a Minnesota lawyer, Blomberg should conduct his affairs in a manner consistent with these rules. Two rules are arguably applicable here. Rule 1.7 contains the general rules on conflict of interest and provides in part:

(b) A lawyer shall not represent a client if the representation of that client may be materially limited by the lawyer's responsibilities to another client or to a third person, or by the lawyer's own interests, unless:

(1) the lawyer reasonably believes the representation will not be adversely affected; and

(2) the client consents after consultation....

Minn. R. Prof. Conduct 1.7 (1986).

Other parts of Rule 1.7 address the more common conflict situation where a lawyer attempts to represent a client where that representation would be directly adverse to another client. The primary purpose of Rule 1.7 is to promote a lawyer's duty of loyalty to his clients. The problem in the instant matter is that the City is not a client of Mr. McNabb's. Thus, the potential conflict here poses concerns over whether McNabb's position as a volunteer fireman would adversely affect his ability to represent Blomberg.

The comments to Rule 1.7 note that "[r]esolving questions of conflict of interest is primarily the responsibility of the lawyer undertaking the representation.... Where the conflict is such as clearly to call in question the fair or efficient administration of justice, opposing counsel may properly raise the question. Such an objection should be viewed with caution, however, where it can be misused as a technique of harassment." Thus, the propriety of the City's raising an objection to McNabb's representation of Blomberg is questionable.

The second Rule of Professional Conduct which may be applicable in this matter is Rule 1.11. This rule addresses successive government and private employment, providing in part:

(a) Except as law may otherwise expressly permit, a lawyer shall not represent a private client in connection with a matter in which the lawyer participated personally and substantially as a public officer or employee, unless the appropriate government agency consents after consultation.

Minn. R. Prof. Conduct 1.11 (1986). Once again, Rule 1.11 contemplates government employment in a legal capacity, rather than a nonlegal position as we have here. This is explained in part in the comments to Rule 1.11:

Where the successive clients are a public agency and a private client, the risk exists that power or discretion vested in public authority might be used with special benefit of a private client. A lawyer should not be in a position where benefit to a private client might affect the performance of the lawyer's professional functions on behalf of public authority. Also, unfair advantage could accrue to the private client by reason of access to confidential government information about the client's adversary obtainable only through the lawyer's government services.

The consideration raised by Rule 1.11 is whether McNabb's position as a volunteer fireman gives him access to the City's confidential information which would result in an unfair advantage to Blomberg. Additional concerns which will determine the applicability of Rule 1.11 is whether the City's inspection of the Blomberg property for compliance with the fire code was a matter in which McNabb participated personally and substantially as a City employee.

Various cases have analyzed application of the Rules of Professional Conduct, and its predecessor, the Code of Professional Responsibility. A brief review of these cases revealed none that were closely analogous to the present situation to warrant any comment herein.

One final source of law defining conflicts of interest are various statutory codes of ethics governing public employees. See, e.g., Minn. Stat. §§ 10A.07 (1986) (Ethics in Government Act) (conflicts of interest); 43A.38 subd. 5 (1986) (code of ethics for employees in the executive branch) ("actions as an agent or attorney in any action or matter pending before the employing agency except in the proper discharge of official duties or on the employee's behalf" deemed a conflict of interest subject to appropriate disciplinary action). A brief review of Minnesota Statutes and the Municipal Code of Falcon Heights, however, failed to uncover any conflict of law provisions governing conduct of Falcon Heights municipal employees.

MGS:jr

cc: ✓ Jan Wiessner
Jack Van de North

MEMORANDUM

TO: Tom Baldwin
FROM: Mark Schroeder *MS*
DATE: July 23, 1987
RE: Jay McNabb - Conflict of Interest
(Addendum to Prior Memorandum)

One additional thought comes to mind as to the potential conflict of interest in this matter arising from McNabb's position as a public employee. Under common law, Minnesota recognizes that an employee's duty of honesty and faithfulness to his employer is an implied condition of every contract for personal services. Marsh v. Minneapolis Herald, Inc., 270 Minn. 443, 447, 134 N.W.2d 18 (1965). If McNabb represents Blomberg in a manner contrary to the interests of his employer, the City, McNabb may breach this duty of honesty and faithfulness. An argument along these lines would be tenuous at best. McNabb's representation, requesting a fire code variance from the City, hardly seems to be at odds with his faithfulness in his duties as a fireman. He is seeking an exception to application of the fire code by way of a legal device, a variance, instead of seeking non-enforcement of the fire code.

MGS

cc: ✓ Jan Wiessner
Jack Van de North

Consent ✓

Policy _____

Meeting Date: 7-22-87

Agenda Item: Consent
E-4

CITY OF FALCON HEIGHTS

REQUEST FOR COUNCIL CONSIDERATION

ITEM DESCRIPTION:

Appointment of Patricia Marie Blanchard, Rescue Department

SUBMITTED BY:

Rescue Department Applicant Review Board

REVIEWED BY:

Phil Chenoweth

EXPLANATION/SUMMARY (attach additional sheets as necessary):

Additional volunteer personnel for the Rescue Department. This brings the number of Rescue Department Personnel up to 14. There are currently 12 fire fighters.

RECOMMENDATION:

JW

MINUTES
PLANNING COMMISSION MEETING
JULY 6, 1987

The Planning Commission meeting was called to order at 7:30 P.M. by Chairman Black.

Northrop, Grittner, Black, Finegan, Mead and Daykin. Also present was Council Liaison Wallin.

PRESENT

Boche, Duncan, and Nestingen.

ABSENT

Mead moved, seconded by Daykin, to approve the June 1, 1987 Minutes as presented. Motion carried unanimously.

JUNE 1, 1987
MINUTES
APPROVED

Kenneth Moser, 1853 North Hamline, in a June 29, 1987 letter to the Clerk Administrator (a copy of which is on file) requested that the Planning Commission review City Ordinance 9-2.06 allowing the construction of a fence 36 inches in height in front yards of homes. Mr. Moser is of the opinion that fences should not be allowed in front yards because they are unsightly and greatly diminish the aesthetics of a neighborhood. Currently, there are few fences presently located in Falcon Heights. A neighbor at 1877 North Hamline is suggesting he may construct such a fence and he as well as his neighbors object to such construction.

KENNETH
MOSER,
1853 NORTH
HAMLINE,
FRONT YARD
FENCE
CONSTRUCTION

Daykin stated that she would not be in favor of front yard fence construction in her neighborhood and suggested changing the ordinance that front yard fence construction need a variance. Northrop advised that there are several front yard fences in her neighborhood and found them to be attractive. Grittner and Black agreed that the city should have control over the construction of front yard fences and such fences should have some visibility quotient. Black suggested other communities be contacted to determine what control they have over front yard fence construction.

DAYKIN/
NORTHROP/
GRITTNER/
BLACK

After further discussion regarding degree of visibility, Grittner moved, seconded by Finegan, recommending review of existing code dealing with front yard fences with regarding to dictating degree of visibility through the fence, i.e. not less than 60 percent, in residential districts. Motion carried unanimously.

Lucille Marshall, 1391 West Iowa, requested a variance to construct a garage approximately three feet from the alley. Ms. Marshall indicated that they need extra garage space for a second car. The proposed garage will be 14 feet by 20 feet. She does not wish to remove the existing attached garage as she had her home resided and reroofed. A letter voicing no objections from neighbors was presented.

LUCILLE
MARSHALL,
1391 WEST
IOWA

After a discussion regarding the amount of green space that would be left on the lot, Finegan moved, seconded by Daykin, to approve the variance request. Motion carried unanimously.

VARIANCE
APPROVED

Jack Klepp, Vice-President of Stratford Investments requested approval of his platting request for Stratford Professional Office Park (located north of City Hall) and explained the platting request. The preliminary plat is consistent with the previously submitted site plan.

PRELIMINARY
PLAT APPROVE
FOR STRAT-
FORD
INVESTMENTS

MINUTES
PLANNING COMMISSION MEETING
JULY 6, 1987
PAGE 2

Mead moved, seconded by Northrop, recommending approval of the preliminary platting subject to approval by the engineer, legal counsel, city council and county. Motion carried unanimously.

The Planning Commission reviewed the job description and made the following additions: adding the length of office---three consecutive terms, and adding that the Planning Commission reviews and recommends necessary changes in the City Code. The job description will be given to candidates who apply for membership to the Planning Commission. Finegan moved, seconded by Daykin, to approve the Planning Commission job description as revised. Motion carried unanimously.

PLANNING
COMMISSION
JOB
DESCRIPTIONS
APPROVED

Black requested that Commission members put together ideas to develop standards and bring those ideas to the next meeting for discussion.

Mead moved, seconded by Finegan, adjournment at 8:56 P.M. Motion carried unanimously.

ADJOURNMENT

Edgar Finegan, Secretary

JEROME E. FRANKE
WARREN E. PETERSON
RONALD J. RIACH
JEROME P. FILLA
DANIEL WITT FRAM
GLENN A. BERGMAN
JOHN MICHAEL MILLER
CASS S. WEIL*
PETER L. ST. PETER, C.P.A.
TIMOTHY J. HASSETT
MICHAEL T. OBERLE
WILLIAM A. SCHMIDT, M.D.
BRIAN B. ELKINGTON
JAMES D. PHILLIPS
CLYDE C. AHLQUIST
MOLLY T. SHIELDS

PETERSON, FRANKE & RIACH

PROFESSIONAL ASSOCIATION
200 ROSEDALE TOWERS
1700 WEST HIGHWAY 36
ROSEVILLE, MINNESOTA 55113

(612) 636-6400

EVERETT L. PETERSON
(1903-1982)

*ALSO ADMITTED
IN WISCONSIN

ST. PAUL OFFICE
300 MIDWEST FEDERAL BUILDING
50 EAST FIFTH STREET
ST. PAUL, MINNESOTA 55101
(612) 291-8955

OF COUNSEL
C. WILLIAM FRANKE

July 7, 1987

Ms. Janet R. Wiessner
Clerk Administrator
City of Falcon Heights
2077 West Larpenteur Ave.
Falcon Heights, MN 55113

Re: Statement for Legal Sevices Rendered
May 1987

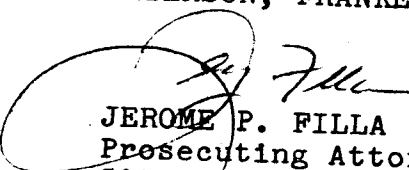
Dear Ms. Wiessner:

Enclosed is a statement for legal services rendered during the
month of May 1987.

If you have any questions, please contact me.

Very truly yours,

PETERSON, FRANKE & RIACH


JEROME P. FILLA
Prosecuting Attorney
City of Falcon Heights

JF/d

Enclosure

STATEMENT FOR LEGAL SERVICES RENDERED
TO THE CITY OF FALCON HEIGHTS

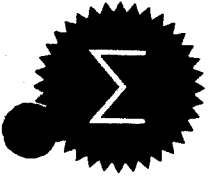
PROSECUTIONS

MAY 1987

Handboy: Rev rep, prep for and PT of def
Valleen: Rev rep, prep for and PT of def
R. Peterson: Rev rep, prep for and PT of def, prep for and T of def
Rod: Rev rep, prep for and T of def
Harrison: Prep for and T of def
Brown: Prep for T and disposition at time of T, corresp wit re disposition
Sadighi: T appear, disposition at time of T, corresp wit re disposition
Ray Jr: Send JT Not and Subp
Welk: Send JT Not and Subp
E. Smith: Rev rep, send T Not
Harley III: Rev rep
Morris: Tele conf def attry re facts, rev rep
Hillman: Send JT Not and Subp
Murrell: Rev rep, prep for and PT of def
Pemberton: Rev rep, send T Not, prep for T of def
River: Rev rep, send T Not, prep for and T of def
Hodgman: Rev rep, send T Not, prep for and T of def
Tarnowski: Rev rep, send T Not
Manning: Rev rep, send T Not
Total Legal Fee \$735.25

Prepared by:

Jerome P. Filla
JEROME P. FILLA
Attorney at Law
PETERSON, FRANKE & RIACH
200 Rosedale Tower
Roseville, Minnesota 55113



Ehlers and Associates, Inc.
LEADERS IN PUBLIC FINANCE

June 30, 1987

IN ACCOUNT WITH

Terms: Net 30 Days

City of Falcon Heights
Minnesota

For all services in connection with Tax Increment Districts No. 1-1, 1-2, 1-3, and 2-1 of the City, including the preparation of an update of the tax increment plan for each tax increment district, including all overhead expense.

5.50 account executive hours @ \$38.10/hr.	\$209.55
Times 2.75	<u>X 2.75</u>
Due for Services	\$576.26

We declare that the above claim is correct and that no part thereof has been paid.

EHLERS AND ASSOCIATES, INC.

By:

DATE OF ISSUE 07/06/87
TIME 0038

RAMSEY COUNTY
SHERIFFS INCIDENT REPORT SYSTEM

REPORT BY INCIDENT WITHIN CITY FOR PERIOD FROM 06-01-87 TO 06-30-

33 FALCON HEIGHTS

01 CRIMIAL HOMICIDE	0
02 FORCIBLE RAPE	1
03 ROBBERY	0
04 ASSAULT	1
05 BURGLARY-RESIDENCE	1
06 BURGLARY-NON RES	4
07 BURGLARY-ATTEMPTED	0
08 BURGLARY-POSSIBLE	0
09 THEFT-OVER \$50	10
10 THEFT-UNDER \$50	0
11 THEFT-ATTEMPTED	0
12 THEFT-POSSIBLE	0
13 AUTO THEFT-RECOVERED	0
14 AUTO THEFT-ATTEMPTED	2
15 AUTO THEFT-POSSIBLE	0
16 ARSON	0
17 FORGERY & C-FEITING	2
18 FRAUD	0
19 EMBEZZLEMENT	0
20 STOLEN PROPERTY-BUY	0
21 STOLEN PROPERTY-REC	0
22 ABDUCTION	0
23 VANDALISM	0
24 WEAPONS	0
25 PROSTITUTION & VICE	0
26 SEX OFFENCE	0
27 NARCOTIC DRUG LAWS	1
28 GAMBLING	0
29 OFFENSE-PAN & CLOTH	0
30 DRIVING UNDER INFLUE	2
31 LIQUOR LAWS	1
32 DISORDERLY CONDUCT	10
33 VAGRANCY	0
34 ALL OTHER OFFENSES	0
50 ACC-PROPERTY DAMAGE	13
51 ACC-PERSONAL INJURY	0
52 ACC-FATAL	1
53 STREET LIGHTS	0
54 ALARMS	16
55 ANIMALS (OTHERS)	0
56 ASSIST A CITIZEN	10

DATE OF ISSUE 07/06/87
TIME 0858

RAMSEY COUNTY
SHERIFFS INCIDENT REPORTING SYSTEM

REPORT BY INCIDENT WITHIN CITY PERIOD FROM 06-01-87 TO 06-30-

33 FALCON HEIGHTS	
57 BOATING & SWIMMING	0
58 BREATHALYZER	0
59 DOA'S	1
60 DOB'S	9
61 DOG COMPLAINTS	0
62 DOMESTIC	0
63 EMERGENCY	11
64 FIRE	3
65 LOUD	1
66 MISSING PERSONS	0
67 PROWLER	0
68 RECOVERED PROPERTY	3
69 SEARCH WARRANTS	0
70 SNOWMOBILES	0
71 SUSPICIOUS COMPLAINT	14
72 TRAFFIC	18
73 MISCELLANEOUS	31
TOTAL	171

Consent

Policy _____

Meeting Date: 7-22-87

Agenda Item: Consent

E-9

CITY OF FALCON HEIGHTS

REQUEST FOR COUNCIL CONSIDERATION

ITEM DESCRIPTION:

Request to purchase a piano for City Hall.

SUBMITTED BY:

Falconeers Senior Club

REVIEWED BY:

Parks and Recreation Commission
Pat Bush

EXPLANATION/SUMMARY (attach additional sheets as necessary):

See attached memo from Pat Bush.

RECOMMENDATION:

There are sufficient funds to cover this expenditure in the 1987, Parks and Recreation Budget (#54 Other Improvements). This piano is likely to be used by other groups in addition to the Falconeers.

JW



CITY OF
FALCON HEIGHTS

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

TO: City Manager, Mayor and Council Members
FROM: Pat Bush, Rec. Coord.
RE: Request to purchase piano for Falconeers

The Falconeers Senior Citizens have made a request to the Recreation Commission that a piano be purchased for their organization. Members of the Parks and Recreation voted in favor of the request.

A used piano is available thru Schmidt Music Co. for \$455.00 plus an additional \$100.00 for moving costs. The piano is a Chickering upright and has new hammers, bass strings and was recently tuned.

If this request is approved by the City Council, the piano could be delivered to City Hall on July 28th.

Consent Agenda
Licenses
July 22, 1987

CORPORATE

Champion Auto Store #1251
1532 W. Larpenteur
Falcon Heights, MN 55113

Theisen Vending Company #1252
(Hewlett Packard)
3804 Nicollet Ave
Minneapolis, MN 55409

Paul Revere's Pizza #1253
1545 Larpenteur Ave.
Falcon Heights, MN 55113

GENERAL CONTRACTOR

Keho construction Co. #1254
5801 Kemrich Drive
Edina, MN 55435

MECHANICAL CONTRACTOR

Egan & Sons Co. #534
7100 Medicine Lake Road
Minneapolis, MN 55427

SEWER CONNECTION

Roto-Rooter Service Co. #1255
14530 27th Ave. North
Plymouth, MN 55441

Metro Sewer #1256
1249 Rice Street
St. Paul, MN 55117

REFUSE HAULERS

Saver's Rubbish Removal #1257
1307 - 6th Ave. so.
South St. Paul, MN 55075

Van's rubbish Service #1258
125 Lealand Road
St. Paul, Minnesota 55109

Kowski Ribbish Service #1259
1560 Oakdale
West St. Paul, MN 55118

REFUSE HAULERS CON'T

Bellaire Sanitation, Inc. #1260
8678 75th St. North
Stillwater, MN 55082

TREE TRIMMERS

Ceres Tree Company #1261
2735 4th St. SE
Minneapolis, MN 55414

A-1 Walsh Inc. #1262
1080 Norton St.
St. Paul, MN 55117

Frans Tree Service #1263
8142 Red Oak Dr.
Mounds View, MN 55432

Addendum to Consent Agenda
July 22, 1987
Item E-10, Licenses of
the Agenda

COPORATE

D.V.M., Inc. d/b/a #1264
Dahlco Music & Vending Company
119 State Street
St. Paul, MN 55107
(lunchroom)

D.V.M., Inc. d/b/a #1265
Dahlco Music & Vending Company
119 State Street
St. Paul, MN 55107
(pooltables)

D.V.M., Inc. d/b/a #1266
Dahlco Music & Vending Company
119 State Street
St. Paul, MN 55107
(amusement machines)

CIGARETTE LICENSE

D.V.M., Inc. d/b/a #666
Dahlco Music & Vending Company
119 State Street
St. Paul, MN 55107

ON-SALE

D.V.M., d/b/a #301
Dahlco Music & Vending Company
119 State Street
St. Paul, MN 55107

*Non-Intox
Malt Liq.*

The above licenses are for Roc-A-Fe

Consent _____

Policy _____

Meeting Date: 7-22-88

Agenda Item: E-1

CITY OF FALCON HEIGHTS

REQUEST FOR COUNCIL CONSIDERATION

ITEM DESCRIPTION:

Request for Variance to Minnesota Uniform Fire Code, Appendix 1-A, regarding Basement Access or Sprinkler Protection.

SUBMITTED BY:

Jay McNabb, Attorney representing Mr. Carl Blomberg, 1579 - 1583 Hamline Avenue.

REVIEWED BY:

Terry Iverson, Fire Marshall, (See attachment C). Leo Lindig, Fire Chief (Leo's recommendation will be distributed at meeting). Dick Larson, Building Inspector, approved building plans with exception of compliance with Fire Code.

EXPLANATION/SUMMARY (attach additional sheets as necessary):

Mr. McNabb on behalf of Mr. Blomberg has requested a variance to the Minnesota Fire Code, Basement Access or Sprinkler Protection, for the building located at 1579 - 1583 North Hamline.

Attachments:

- a. Letter from J. McNabb, 7-16-87
- b. Copy of Insurance Coverage.
- c. Memo from T. Iverson, 7-16-87
- d. Excerpts from Uniform Fire Code.
- e. Drawing of Basement.

* Building plans will be available at the Council Meeting.

* also distributed -> memo from Dick Larson

*Reasonable Time to
comply 2-3 years for
89' x 46'
41' Spring bldg - in longer
Ch. 10 18 mo. notice
Bob Miller*

*Ch. 38 of Bldg
Code
38.02 B1*

RECOMMENDATION:

Approve/Disapprove Variance to Minnesota Fire Code.

** Check w/ state
Re: Interpretation*

** Other Cities*

gw

JAY MCNABB
ATTORNEY AT LAW

of counsel:
RALPH PALMER
JOHN ZWEBER

121 ROSEDALE TOWERS
ROSEVILLE, MINNESOTA 55113
(612) 633-9367

July 16, 1987

TO: Mayor Tom Baldwin and Members of
the City Council
2077 W. Larpenteur Avenue
Falcon Heights, Minnesota 55113

RE: Requested Variance for 1579 - 1583 Hamline Avenue

Ladies and Gentlemen:

Please be advised that I represent Mr. Carl Blomberg, the new owner of the building described above. Mr. Blomberg is also represented by Mr. Todd Young. Due to my familiarity with the variance being requested, I will be the person primarily responsible for filing all documents and attending all meetings with respect to this variance request.

The variance we are requesting is from Municipal Code 2.3020, which in essence is the adoption of the State Fire Code. Under the terms set forth in that Code, a commercial building of this size (approximately 10,000 square feet) is required to have a sprinkler system in the basement, unless there are a sufficient number of exits running directly up to the street. I have enclosed a copy of the particular Code provision in question. According to the interpretation of the State Fire Marshal's Office, this provision should be interpreted to read that every point in the basement must be within 75 feet of every exit. I believe that is a very harsh interpretation of the Code; however, Mr. Anderson was cited to me to be the leading authority in this area, and thus it is his interpretation I will use.

The basement in this building is 46 feet by 89 feet. A map of it is attached. There is one exit in the northwest corner of the building, and we have proposed putting a second exit in the southwest corner. However, that will leave us short of complete compliance with the Code, as obviously not every point in a basement that is 89 feet long can be within 75 feet of every exit. If the Code is interpreted to read that every point in the basement is within 75 feet of an exit, we would be in complete compliance with the Code by the addition of the new exit.

Mayor Tom Baldwin and Members
of the City Council
Page Two
July 16, 1987

The cost of the new exit would be approximately \$2,500.00. The cost of installing a sprinkler system would be at least \$20,000.00, which is the smallest of the estimates we received. Thus, the price difference is \$17,500.00, which will not be recouped on our insurance premiums (please see attached letter).

In short, the installation of the proposed new exit will put us within approximately 25 feet at the worst, and 13 feet at the best, of compliance with even the strictest interpretation of the Code. We are asking this Committee to grant this variance to us. Please call me with any questions or concerns that you might have.

Sincerely,

Jay McNabb
Jay McNabb

JM/emt
Enclosures

cc: Mr. Bob Blomberg
Mr. Carl Blomberg

JTB
446-8528



INTERREGIONAL INSURANCE AGENCY INC.

June 25, 1987

Jay McMabb
Attorney At Law
121 Rosedale Towers
Roseville, MN 55113

RE: Robert Blomberg
St. Paul Fire and Marine Insurance Company
Policy #B006624285 - covering property at
1579 - 1583 North Hamline Avenue
Falcon Heights, MN 55102

Dear Jay:

Please refer to your letter dated June 19, 1987 concerning the above named insured.

I am attaching a photocopy of the insurance company declaration and coverage summary pages. I am also attaching a copy of the company note pages pertaining to the above policy.

You will note that a rating factor of .80 is allowed for sprinkler systems, only if 100% of the building is sprinklered.

Our insureds current building premium is \$2,429. Insureds premium would be \$1,949 with 100% sprinklered. This would result in an annual saving to the insured of \$480.

You may also wish to contact: Mr. Jack Gallagher (920-6726)
Customer Service Representative
ISO Commercial Risk Services, Inc.
6550 York Avenue South, Suite #600
Minneapolis, MN 55435

Concerning sprinkler credits for commercial buildings.

Sincerely,

Karl V. Klein, Jr., CIC

KVK/tei

Attachment

cc: Mr. Robert Blomberg



INTRODUCTION

This policy protects against a variety of losses. There are also some restrictions. We've written this policy in plain, easy-to-understand English. We encourage you to read it carefully to determine what is and what is not covered, as well as the rights and duties of those protected.

Policy Number: B006624285

The words you, your and yours mean the insured named here:

ROBERT BLOMBERG
dba: ROBERT BLOMBERG
1481 HOYT AVENUE W.
ST. PAUL MN 55108

endorsements. Endorsements are documents that change your policy. The Policy Forms List shows all the forms included when this policy begins.

One of our authorized representatives must also countersign the policy before it is valid.

Which is a:
INDIVIDUAL

This policy will begin on 12-18-86
and will continue until 12-18-87
Your former policy number: RENEWAL
is automatically cancelled on the date this policy begins.

We, us, our and ours mean **St. Paul Fire and Marine Insurance Company**. We're a capital stock company located in St. Paul, Minnesota.

In return for your premium, we'll provide the protection stated in this policy.
Your premium is \$2,429.00

Your policy is composed of General Rules, an explanation of What To Do If You Have A Loss, one or more Coverage Summaries, and one or more Insuring Agreements explaining your coverage. It may also include one or more

Our authorized representative is:

2213724
INTERREGIONAL INS AGENCY INC
230
11995 SINGLETREE LANE
EDEN PRAIRIE MN 55344
Authorized Representative

Date

Robt. J. Hough
President.

Juanita B. Lucia
Secretary.

Processing Date 11-07-86 18:09 001

LESSOWNERS COVERAGE SUMMARY

COPY

b-3

StPaul

This summary shows the Limits of Coverage and any Optional Coverages you have for this location.

Property Protection

Location # 001

Address: 1579-1583 NO. HAMLINE AVENUE
FALCON HEIGHTS MN 55113

Limit

Premium

Building

\$ 275,400

\$ 2,429.00

Liability Protection

Commercial General Liability Protection

\$ 1,000,000

Each Event Limit

This limit is the total for all locations

Options For Coverages

- Accounts Receivable _____ Limit of Coverage
- Money & Securities increased limit applies
- Optional \$100 deductible applies to Building and Business Contents
- Optional \$500 deductible applies to Building and Business Contents
- Optional \$1000 deductible applies to Building and Business Contents
- Coastal Deductible
- Higher General Liability Limit _____

Optional Coverages indicates coverage applies

- Employee Dishonesty _____ No. of employees/\$10,000 limit
- Optional Glass _____ Linear feet
- Outdoor Sign _____ Limit of Coverage
- Temperature-Humidity _____ Limit of Coverage
- Computer Software \$25,000 limit
- Heating and Air Cond. Limit same as Property Protection
- Liquor Liability Limit same as Liability Protection
- Electrolysis \$25,000 limit
- Stop Gap Liability Limit same as Liability Protection
- Mine Subsidence Endorsement applies

Premium charged to meet our minimum requirement

Taxes and Surcharges

Your annual premium for above location

\$.00
\$.00
\$ 2,429.00

Statistical Information indicates applicable

- 05 Protection Class automatic sprinkler
- 001 Territory central station burglary alarm
- C Construction bldg less than 10 yrs old
- 4 Rate Group actual cash value-bldg
- \$100 deductible
- \$500 deductible
- \$1000 deductible
- sole occupant

Name of Insured

dba: ROBERT BLOMBERG

Policy Number 8006624285

Effective Date 12-18-86

Processing Date 11-07-86 18:09 001

**The St. Paul
Businessowners
Policy**

Territory: 001

**Counties of: Hennepin
and Ramsey**

Special Policy Rates

Classification Minimum Premium \$250	Protection 1-8			Protection 9-10		
	Building Construction			Building Construction		
Buildings	Class A, B Fire Resisive, Non- Combustible	Class C Masonry	Class D Frame	Class A, B Fire Resisive, Non- Combustible	Class C Masonry	Class D Frame
	Mercantile—Owner Occupied in whole or in part	4.17	7.58	11.37		
Mercantile—Lessors Risk only	5.23	8.72	12.51			

Business Personal Property

Rate Group	10.19	13.59	15.60
Rate Group 1	10.19	13.59	15.60
Rate Group 2	11.58	15.44	17.76
Rate Group 3	13.28	17.76	20.39
Rate Group 4	17.45	23.17	26.72

Table of Factors

Type	Factor
Considered — Automatic sprinklers 100% of risk	.80
\$100 Deductible	1.06
\$1,000 Deductible	.90
Insured sole occupant—free standing building	.90
Actual Cash Valuation—Buildings Only	1.10
Building under 10 years old	.90
Central station burglar alarm	.95

Increased Liability Limit Rates

Limit	Building	Business Personal Property
\$ 500,000	.05	.30
\$1,000,000	.10	.60
\$2,000,000	(See Higher General Liability Limits-Optional Coverage Rates)	



CITY OF
FALCON HEIGHTS

2077 W. LARPEUR AVENUE FALCON HEIGHTS, MN 55113-5594 PHONE 612-644-6050

c

July 16, 1987

TO: Mayor Tom Baldwin and Falcon Heights City Council
FROM: Terry D. Iverson, Falcon Heights, Fire Marshal
RE: Proposed Variance, regarding current Minnesota Fire Code Basement Access or Sprinkler Protection Appendix I-A at 1583 N. Hamline, Robert Blomberg property.

I would like to recommend the City of Falcon Heights uphold the current Minnesota Uniform Fire Code in this and all matters relating to the code for the following reasons:

1. The City of Falcon Heights adopted the Current Minnesota Fire Code and all future amendments on April 11th, 1983.
2. The reason for adopting the code was to have a clear, non-prejudiced, consistent guide to enforce and to protect the City of Falcon Heights public safety.
3. When code variances are granted, the credibility of the code and code enforcement are greatly hindered.
4. Variances also suggest to other concerned parties that the code is weak and not an asset to the city public safety.

In conclusion, upholding the current Minnesota Fire Code will enhance your continued interest in Falcon Heights safety. The purpose of the standards set forth in the Current Minnesota Uniform Fire Code were carefully chosen to insure safety of building occupants and should be carefully considered in reviewing any variance.

TDI/kn

d-1

1982 EDITION

1.101-1.103

PART I

ADMINISTRATIVE

ARTICLE 1

TITLE, INTENT AND SCOPE

Title

Sec. 1.101. This code shall be known as the UNIFORM FIRE CODE, may be cited as such, and will be referred to herein as "this code."

Intent

Sec. 1.102. (a) It is the intent of this code to prescribe regulations consistent with nationally recognized good practice for the safeguarding to a reasonable degree of life and property from the hazards of fire and explosion arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the use or occupancy of buildings or premises.

(b) Where no specific standards or requirements are specified in this code, or contained within other applicable laws (or adopted codes) or ordinances, compliance with the standards of the American Insurance Association, the National Fire Protection Association or other nationally recognized fire-safety standards as are approved by the chief shall be deemed as prima facie evidence of compliance with this intent.

(c) Whenever in this code reference is made to the appendix, the provisions in the appendix shall not apply unless specifically adopted.

Scope

Sec. 1.103. (a) The provisions of this code shall supplement any and all laws relating to fire safety and shall apply to all persons without restriction, unless specifically exempted.

(b) The provisions of this code shall apply to existing conditions as well as to conditions arising after the adoption thereof, except that conditions legally in existence at the adoption of this code and not in strict compliance therewith shall be permitted to continue only if, in the opinion of the chief, they do not constitute a distinct hazard to life or property. *April 11, 1983*

(c) Where there is a conflict between a general requirement and a specific requirement for an individual occupancy, the specific requirement shall be applicable.

violate any of the provisions of this Code or Standards
comply therewith, or who shall violate or fail to comply
under, or who shall build in violation of any detailed
s or plans submitted and approved thereunder, or any
thereunder, and from which no appeal has been taken,
y with such an order as affirmed or modified by the
mpetent jurisdiction, within the time fixed herein, shall
y such violation and noncompliance, respectively, be
unishable by a fine of not less than \$ _____
or by imprisonment for not less than _____ days
_____ days or by both such fine and imprisonment.
y for any violation shall not excuse the violation or
ll such persons shall be required to correct or remedy
within a reasonable time; and when not otherwise
t prohibited conditions are maintained shall constitute

the above penalty shall not be held to prevent the
ted conditions.

CONFLICTING ORDINANCES.

r part thereof conflicting or inconsistent with the
e or Code or Standards hereby adopted are

ions, reference to specific laws that are amended or
be required.

_____ hereby declares
graph, sentence or word of this ordinance or of the
opted be declared for any reason to be invalid, it is
that
er portions of this ordinance independent of the
uch portion as may be declared invalid.

CT.

ffect and be in force from and after its approval as

*

APPENDIX 1A

UNIFORM FIRE CODE

2. Stairways need not be enclosed in a continuous vertical shaft if each story is separated from other stories by one-hour fire-resistive construction or approved wind glass set in steel frames. In addition, all exit corridors shall be sprinklered and the openings between the corridor and occupant space have at least one sprinkler head above the openings on the egress side. The sprinkler system may be supplied from the domestic water supply if of adequate volume and pressure.

3. Vertical openings need not be protected if the building is protected by an approved automatic sprinkler system.

4. BASEMENT ACCESS OR SPRINKLER PROTECTION

An approved automatic sprinkler system shall be provided in basements or stories exceeding 1500 square feet in area and not having a minimum of 20 square feet of opening entirely above the adjoining ground level in each 50 lineal feet or fraction thereof of exterior wall on at least one side of the building. Openings shall have a minimum clear dimension of 30 inches.

If any portion of a basement is located more than 75 feet from required openings, the basement shall be provided with an approved automatic sprinkler system throughout.

5. STANDPIPES

Any buildings over four stories in height shall be provided with an approved Class I or Class III standpipe system.

6. SMOKE DETECTORS

Every dwelling unit and every guest room in a hotel or lodging house used for sleeping purposes shall be provided with smoke detectors installed in accordance with the Building Code.

7. SEPARATION OF OCCUPANCIES

Occupancy separations shall be provided as specified in Section 503 of the Building Code. When approved by the chief, existing wood lath and plaster in good condition or 1/2-inch gypsum wallboard may be acceptable where one-hour occupancy separations are required.

d-2

APPENDIX 1E
STAIRWAY IDENTIFICATION

1. PURPOSE

The purpose of this appendix is to provide information to department personnel to ensure that they do not become confused, by requiring that standardized signs be in the stairway which stair landing he is on and the upper stairway.

2. SCOPE

The provisions of this section shall apply to new buildings more than three stories in height.

3. SIGN

(a) The sign shall be a minimum 12 inches by 12 inches.

(b) The stairway location shall be placed at the top of the block lettering with 1/2-inch stroke ("stair No. 1")

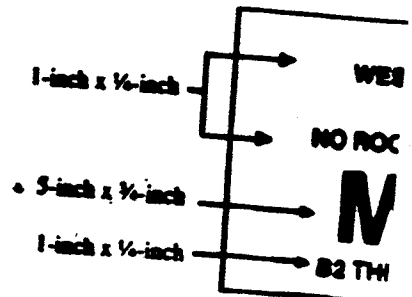
(c) The stairway's upper terminus shall be placed in 1-inch-high block lettering with 1/2-inch stroke ("access").

(d) The floor level number shall be placed in the block lettering with 1/2-inch stroke. The mezzanine preceding the floor number. Basement levels shall be placed below the floor number.

(e) The lower and upper terminus of the stairway shall be placed in 1-inch-high block lettering with 1/2-inch stroke.

(f) These signs shall be maintained in an approved manner.

Example:



APPENDIX I-A

UNIFORM FIRE CODE

2. Stairways need not be enclosed in a continuous vertical shaft if each story is separated from other stories by one-hour fire-resistive construction or approved wired glass set in steel frames. In addition, all exit corridors shall be sprinklered and the openings between the corridor and occupant space have at least one sprinkler head above the openings on the tenant side. The sprinkler system may be supplied from the domestic water supply if of adequate volume and pressure.

3. Vertical openings need not be protected if the building is protected by an approved automatic sprinkler system.

4. BASEMENT ACCESS OR SPRINKLER PROTECTION

An approved automatic sprinkler system shall be provided in basements or stories exceeding 1500 square feet in area and not having a minimum of 20 square feet of opening entirely above the adjoining ground level in each 50 lineal feet or fraction thereof of exterior wall on at least one side of the building. Openings shall have a minimum clear dimension of 30 inches.

If any portion of a basement is located more than 75 feet from required openings, the basement shall be provided with an approved automatic sprinkler system throughout.

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7. SEPARATION OF OCCUPANCIES

Occupancy separations shall be provided as specified in Section 503 of the Building Code. When approved by the chief, existing wood lath and plaster in good condition or 1/2-inch gypsum wallboard may be acceptable where one-hour occupancy separations are required.

d-2

NEW EDITION

APPENDIX I-E
STAIRWAY IDENTIFY

1. PURPOSE

The purpose of this appendix is to provide information to fire department personnel to ensure that they do not become confused, by requiring that standardized signs be placed on the stair landing he is on and the upper stairway.

2. SCOPE

The provisions of this section shall apply to new multiple stories in height.

3. SIGN

(a) The sign shall be a minimum 12 inches by 12 inches.

(b) The stairway location shall be placed at the top of the block lettering with 1/8-inch stroke ("stair No. 1")

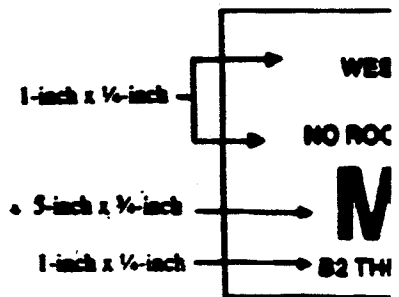
(c) The stairway's upper terminus shall be placed in 1-inch-high block lettering with 1/8-inch stroke ("stair No. 1")

(d) The floor level number shall be placed in 1-inch-high block lettering with 1/8-inch stroke. The mezzanine preceding the floor number. Basement levels shall be placed in 1-inch-high block lettering with 1/8-inch stroke.

(e) The lower and upper terminus of the stairway shall be placed in 1-inch-high block lettering with 1/8-inch stroke.

(f) These signs shall be maintained in an approved manner.

Example:



*

Stair

JAY MCNABB
ATTORNEY AT LAW

of counsel:
RALPH PALMER
JOHN ZWEBER

121 ROSEDALE TOWERS
ROSEVILLE, MINNESOTA 55113
(612) 633-9367

July 16, 1987

TO: Mayor Tom Baldwin and Members of
the City Council
2077 W. Larpenteur Avenue
Falcon Heights, Minnesota 55113

RE: Requested Variance for 1579 - 1583 Hamline Avenue

Ladies and Gentlemen:

Please be advised that I represent Mr. Carl Blomberg, the new owner of the building described above. Mr. Blomberg is also represented by Mr. Todd Young. Due to my familiarity with the variance being requested, I will be the person primarily responsible for filing all documents and attending all meetings with respect to this variance request.

The variance we are requesting is from Municipal Code 2.3020, which in essence is the adoption of the State Fire Code. Under the terms set forth in that Code, a commercial building of this size (approximately 10,000 square feet) is required to have a sprinkler system in the basement, unless there are a sufficient number of exits running directly up to the street. I have enclosed a copy of the particular Code provision in question. According to Mr. Steve Anderson of the State Fire Marshal's Office, this provision should be interpreted to read that every point in the basement must be within 75 feet of every exit. I believe that is a very harsh interpretation of the Code; however, Mr. Anderson was cited to me to be the leading authority in this area, and thus it is his interpretation I will use.

The basement in this building is 46 feet by 89 feet. A map of it is attached. There is one exit in the northwest corner of the building, and we have proposed putting a second exit in the southwest corner. However, that will leave us short of complete compliance with the Code, as obviously not every point in a basement that is 89 feet long can be within 75 feet of every exit. If the Code is interpreted to read that every point in the basement is within 75 feet of an exit, we would be in complete compliance with the Code by the addition of the new exit.

Mayor Tom Baldwin and Members
of the City Council
Page Two
July 16, 1987

The cost of the new exit would be approximately \$2,500.00. The cost of installing a sprinkler system would be at least \$20,000.00, which is the smallest of the estimates we received. Thus, the price difference is \$17,500.00, which will not be recouped on our insurance premiums (please see attached letter).

In short, the installation of the proposed new exit will put us within approximately 25 feet at the worst, and 13 feet at the best, of compliance with even the strictest interpretation of the Code. We are asking this Committee to grant this variance to us. Please call me with any questions or concerns that you might have.

Sincerely,



Jay McNabb

JM/emt

Enclosures

cc: Mr. Bob Blomberg
Mr. Carl Blomberg

INTERREGIONAL INSURANCE AGENCY INC.

June 25, 1987

Jay McMabb
Attorney At Law
121 Rosedale Towers
Roseville, MN 55113

RE: Robert Blomberg
St. Paul Fire and Marine Insurance Company
Policy #B006624285 - covering property at
1579 - 1583 North Hamline Avenue
Falcon Heights, MN 55102

Dear Jay:

Please refer to your letter dated June 19, 1987 concerning the above named insured.

I am attaching a photocopy of the insurance company declaration and coverage summary pages. I am also attaching a copy of the company note pages pertaining to the above policy.

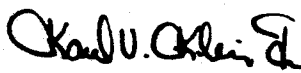
You will note that a rating factor of .80 is allowed for sprinkler systems, only if 100% of the building is sprinklered.

Our insureds current building premium is \$2,429. Insureds premium would be \$1,949 with 100% sprinklered. This would result in an annual saving to the insured of \$480.

You may also wish to contact: Mr. Jack Gallagher (920-6726)
Customer Service Representative
ISO Commercial Risk Services, Inc.
6550 York Avenue South, Suite #600
Minneapolis, MN 55435

Concerning sprinkler credits for commercial buildings.

Sincerely,


Karl V. Klein, Jr., CIC

KVK/tei

Attachment

cc: Mr. Robert Blomberg



INTRODUCTION

This policy protects against a variety of losses. There are also some restrictions. We've written this policy in plain, easy-to-understand English. We encourage you to read it carefully to determine what is and what is not covered, as well as the rights and duties of those protected.

Policy Number: B006624285

The words you, your and yours mean the insured named here:

ROBERT BLOMBERG
dba: ROBERT BLOMBERG
1481 HOYT AVENUE W.
ST. PAUL MN 55108

endorsements. Endorsements are documents that change your policy. The Policy Forms List shows all the forms included when this policy begins.

One of our authorized representatives must also countersign the policy before it is valid.

This policy will begin on 12-18-86
and will continue until 12-18-87

Your former policy number: RENEWAL
is automatically cancelled on the date this policy begins.

In return for your premium, we'll provide the protection stated in this policy.
Your premium is \$2,429.00

Which is a:
INDIVIDUAL

We, us, our and ours mean **St. Paul Fire and Marine Insurance Company**. We're a capital stock company located in St. Paul, Minnesota.

Your policy is composed of General Rules, an explanation of What To Do If You Have A Loss, one or more Coverage Summaries, and one or more Insuring Agreements explaining your coverage. It may also include one or more

Our authorized representative is:
2213724
INTERREGIONAL INS AGENCY INC
230
11995 SINGLETREE LANE
EDEN PRAIRIE MN 55344
Authorized Representative

Date

Robert Blomberg
President.

Juanita B. Lewis
Secretary.

Processing Date 11-07-86 18:09 001

BUSINESS OWNERS COVERAGE SUMMARY

COPY

St Paul

This summary shows the Limits of Coverage and any Optional Coverages you have for this location.

Property Protection

Location # 001
Address: 1579-1583 NO. HAMLINE AVENUE
FALCON HEIGHTS MN 55113

Limit Premium

Building \$ 275,400 \$ 2,429.00

Liability Protection

Commercial General Liability Protection \$ 1,000,000 Each Event Limit
This limit is the total for all locations

Options For Coverages

- Accounts Receivable _____ Limit of Coverage
- Money & Securities increased limit applies
- Optional \$100 deductible applies to Building and Business Contents
- Optional \$500 deductible applies to Building and Business Contents
- Optional \$1000 deductible applies to Building and Business Contents
- Coastal Deductible
- Higher General Liability Limit _____

Optional Coverages indicates coverage applies

- Employee Dishonesty _____ No. of employees/\$10,000 limit
- Optional Glass _____ Linear feet
- Outdoor Sign _____ Limit of Coverage
- Temperature-Humidity _____ Limit of Coverage
- Computer Software \$25,000 limit
- Heating and Air Cond. Limit same as Property Protection
- Liquor Liability Limit same as Liability Protection
- Electrolysis \$25,000 limit
- Stop Gap Liability Limit same as Liability Protection
- Mine Subsidence Endorsement applies

Premium charged to meet our minimum requirement \$.00
Taxes and Surcharges \$.00
Your annual premium for above location \$ 2,429.00

Statistical Information indicates applicable

- 05 Protection Class automatic sprinkler \$100 deductible
- 001 Territory central station burglary alarm \$500 deductible
- C Construction bldg less than 10 yrs old \$1000 deductible
- 4 Rate Group actual cash value-bldg sole occupant

Name of Insured
dba: ROBERT BLOMBERG

Policy Number B006624285 Effective Date 12-18-86
Processing Date 11-07-86 18:09 001

Special Policy Rates

**The St. Paul
Businessowners
Policy**

Territory: 001

**Counties of: Hennepin
and Ramsey**

Classification	Protection 1-8			Protection 9-10		
	Building Construction			Building Construction		
Minimum Premium \$250	Class A, B Fire Resisive, Non- Combustible	Class C Masonry	Class D Frame	Class A, B Fire Resisive, Non- Combustible	Class C Masonry	Class D Frame
Buildings						
Mercantile—Owner Occupied in whole or in part	4.17	7.58	11.37			
Mercantile—Lessors Risk only	5.23	8.72	12.51			

Business Personal Property

Rate Group 1	10.19	13.59	15.60
Rate Group 2	11.58	15.44	17.76
Rate Group 3	13.28	17.76	20.39
Rate Group 4	17.45	23.17	26.72

Table of Factors

Type	Factor
Sprinklered — Automatic sprinklers 100% of risk	.00
\$100 Deductible	1.06
\$1,000 Deductible	.90
Insured sole occupant—free standing building	.90
Actual Cash Valuation—Buildings Only	1.10
Building under 10 years old	.90
Central station burglar alarm	.95

Increased Liability Limit Rates

Limit	Building	Business Personal Property
\$ 500,000	.05	.30
\$1,000,000	.10	.60
\$2,000,000	(See Higher General Liability Limits-Optional Coverage Rates)	



CITY OF
FALCON HEIGHTS

2077 W. LARPEUR AVENUE

FALCON HEIGHTS, MN 55113-5584

PHONE 612-644-5050

F-1

July 22, 1987

TO: Terry Iverson, Falcon Heights Fire Marshal

FROM: Dick Larson, Falcon Heights Building Inspector

In regards to the property at 1583 N. Hamline; I interpret the Building Code as follows:

They must have more than one means of exiting to the exterior. They do on their remodeling plans, show the additions of an exterior stair from the basement. This alone is not enough to meet the Current Minnesota Building Code: Section 3802 (B) (1), which must be adhered to.

They must either sprinkle the basement or add exterior access openings, no smaller than 30" X 30" and approximately 6 feet deep on two sides of the building.

Sincerely,

Dick Larson
Building Inspector

cc: Jan Wiessner
Terry Iverson
DL/kn

Chapter 38

FIRE-EXTINGUISHING SYSTEMS

General. All fire-extinguishing systems required in this code shall comply with the requirements of this chapter.

Standpipes. Standpipes used in connection with fire-extinguishing systems shall have a minimum pipe size of 1½-inch nominal diameter or as approved by the fire department.

All fire-extinguishing systems including automatic sprinkler systems, II and III standpipe systems, combined systems, standpipes, fire extinguishing systems and basement pipe inlets shall be approved and subject to such periodic tests as may be required. The location of all fire department connections shall be approved by the fire department.

For the purpose of this chapter, certain terms are defined as follows:

FIRE-EXTINGUISHING SYSTEM is an approved system of piping and equipment which automatically detects a fire and discharges an extinguishing agent onto or in the area of a fire.

STANDPIPE SYSTEM is a system of water piping which serves 2½-inch nominal diameter pipe size by the fire department and also supplies water to fire department connections.

FIRE DEPARTMENT CONNECTION is a connection through which the fire department can pump water.

WET SYSTEM is a wet or dry system of piping, valves, outlets and equipment designed to provide water at specified pressures and installed for use in fighting of fires and classified as follows:

Class I Standpipe System is a standpipe system without a directly connected water supply and with 1½-inch outlets for use by the fire department or trained personnel.

Class II Standpipe System is a standpipe system directly connected to a water supply and with 1½-inch outlets intended for use by the building occupants.

Class III Standpipe System is a combination standpipe system directly connected to a water supply and with both 1½-inch outlets for use by the building occupants and 2½-inch outlets for use by the fire department or trained personnel.

Fire-extinguishing systems shall comply with U.B.C. Chapter 24 and 38-2.

NOTES: 1. Automatic fire-extinguishing systems not covered by this code shall conform to standard No. 38-1 or 38-2 shall be approved and installed in accordance with the Fire Code.

2. Automatic sprinkler systems may be connected to the domestic water supply system approved by the building official, provided the domestic water supply system has sufficient pressure, capacity and sizing for the combined domestic and fire department use. In such case, the sprinkler system connection shall be made to the domestic water main or meter and the building shutoff valve, and shall be approved by the fire department.

3. The fire department connection shall be approved by the fire department.

Automatic Fire-extinguishing Systems

Sec. 3002. (a) Where Required. An automatic fire-extinguishing system shall be installed in the occupancies and locations as set forth in this section.

For special provisions on hazardous chemicals and magnesium, and calcium carbide, see the Fire Code.

(b) All Occupancies Except Group R, Division 3 and Group M. Except for Group R, Division 3 and Group M Occupancies, an automatic sprinkler system shall be installed:

1. In every story or basement of all buildings when the floor area exceeds 1500 square feet and there is not provided at least 20 square feet of opening entirely above the adjoining ground level in each 50 lineal feet or fraction thereof of exterior wall in the story or basement on at least one side of the building. Openings shall have a minimum dimension of not less than 30 inches. Such openings shall be accessible to the fire department from the exterior and shall not be obstructed in a manner that fire fighting or rescue cannot be accomplished from the exterior.

When openings in a story are provided on only one side and the opposite wall of such story is more than 75 feet from such openings, the story shall be provided with an approved automatic sprinkler system, or openings as specified above shall be provided on at least two sides of an exterior wall of the story.

If any portion of a basement is located more than 75 feet from openings required in this section, the basement shall be provided with an approved automatic sprinkler system.

2. At the top of rubbish and linen chutes and in their terminal rooms. Chutes extending through three or more floors shall have additional sprinkler heads installed within such chutes at alternate floors. Sprinkler heads shall be accessible for servicing.
3. In rooms where nitrate film is stored or handled.
4. In protected combustible fiber storage vaults as defined in the Fire Code.

(c) Group A Occupancies. 1. **Nightclubs, discos.** An automatic sprinkler system shall be installed in rooms primarily used for entertaining occupants who are drinking or dining and unseparated accessory uses where the total area of such unseparated rooms and assembly uses exceeds 5000 square feet. For uses to be considered as separated, the separation shall be not less than as required for a one-hour occupancy separation. The area of other uses shall be included unless separated by at least a one-hour occupancy separation.

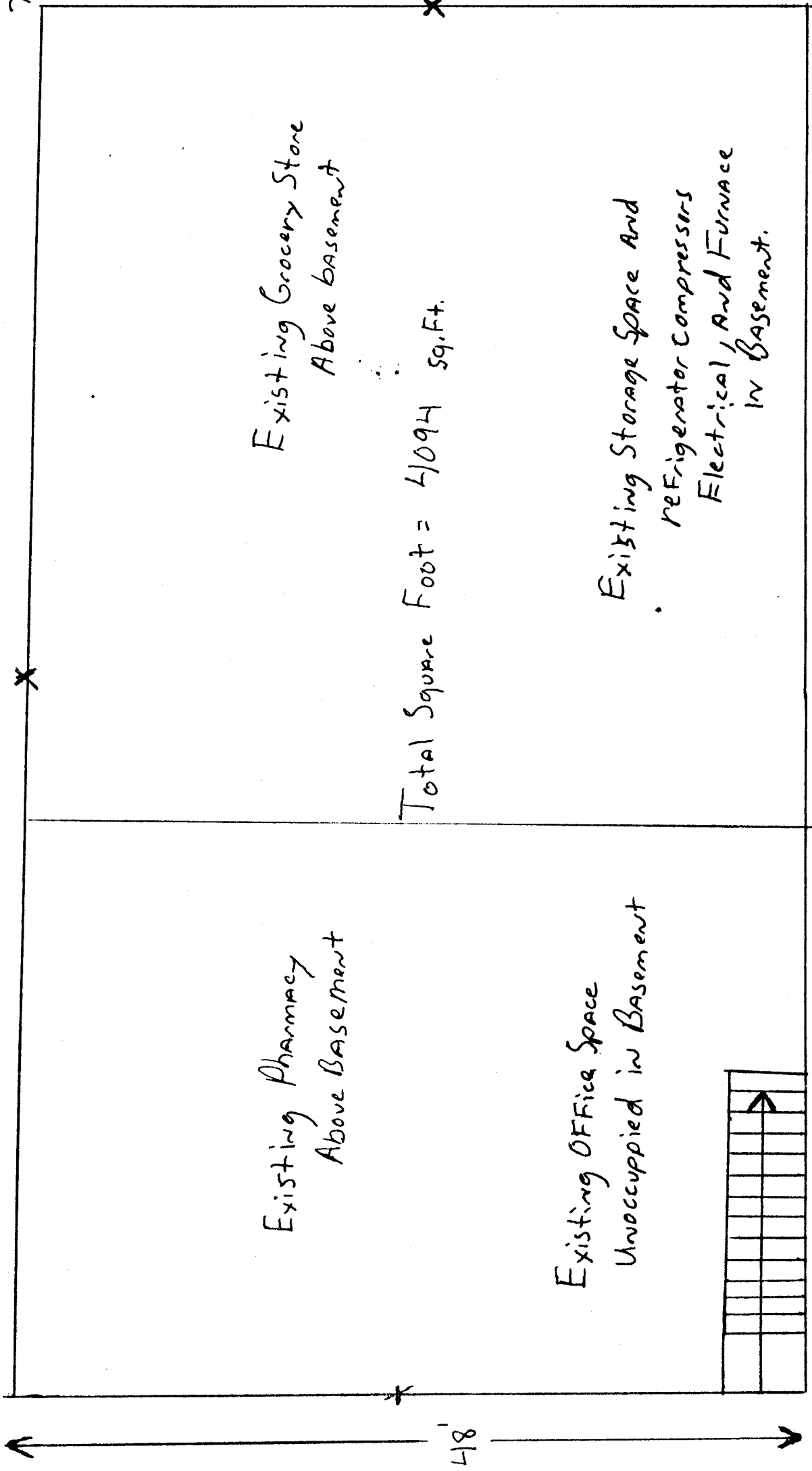
2. **Basements.** An automatic sprinkler system shall be installed in basements classified as a Group A Occupancy when the basement is larger than 1500 square feet in floor area.

3. **Exhibition and display rooms.** An automatic sprinkler system shall be installed in rooms classified as Group A Occupancies which have more than 12,000 square feet of floor area which can be used for exhibition or display purposes.

4. **Stairs.** An automatic sprinkler system shall be installed in enclosed usable

Blomberg Building
1583 N. Hamline

Scale 1/8" = 1 Foot
Drawn by Terry O Iverson
Fire Marshal City of
Falcon Heights
7-21-87



Existing Pharmacy
Above Basement

Total Square Foot = 4094 sq. Ft.

Existing Office Space
Unoccupied in Basement

Existing Storage Space And
Refrigerator Compressors
Electrical, And Furnace
In Basement.

410' North
Existing
Addition

418'

F-1



Falcon Heights Fire-Rescue



FIRE STATION
2077 W. Larpenteur Avenue
Falcon Heights, MN 55113

July 22, 1987

TO: Mayor Tom Baldwin and City Council
FROM: Leo Lindig, Fire Chief
RE: Fire Code Enforcement

As you are aware any orders are subject to appeal and you, the Council, are the appeal board. However, as Fire Chief of Falcon Heights I feel the code should be enforced as written.

PART I

ADMINISTRATIVE

ARTICLE 1

TITLE, INTENT AND SCOPE

Title

Sec. 1.101. This code shall be known as the UNIFORM FIRE CODE, may be cited as such, and will be referred to herein as "this code."

Intent

Sec. 1.102. (a) It is the intent of this code to prescribe regulations consistent with nationally recognized good practice for the safeguarding to a reasonable degree of life and property from the hazards of fire and explosion arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the use or occupancy of buildings or premises.

(b) Where no specific standards or requirements are specified in this code, or contained within other applicable laws (or adopted codes) or ordinances, compliance with the standards of the American Insurance Association, the National Fire Protection Association or other nationally recognized fire-safety standards as are approved by the chief shall be deemed as prima facie evidence of compliance with this intent.

(c) Whenever in this code reference is made to the appendix, the provisions in the appendix shall not apply unless specifically adopted.

Scope

Sec. 1.103. (a) The provisions of this code shall supplement any and all laws relating to fire safety and shall apply to all persons without restriction, unless specifically

provisions of this code shall apply to existing conditions and to conditions arising after the adoption thereof, except that conditions legally in existence at the adoption of this code and not in strict compliance therewith shall be permitted to continue only if, in the opinion of the chief, they do not constitute a distinct hazard to life or property.

(c) Where there is a conflict between a general requirement and a specific requirement for an individual occupancy, the specific requirement shall be applicable.

April 11, 1983 - Code Adopted

ll violate any of the provisions of this Code or Standards
omply therewith, or who shall violate or fail to comply
under, or who shall build in violation of any detailed
s or plans submitted and approved thereunder, or any
l thereunder, and from which no appeal has been taken,
ly with such an order as affirmed or modified by the
mpetent jurisdiction, within the time fixed herein, shall
ry such violation and noncompliance, respectively, be
unishable by a fine of not less than \$ _____
or by imprisonment for not less than _____ days
_____ days or by both such fine and imprisonment.
alty for any violation shall not excuse the violation or
all such persons shall be required to correct or remedy
s within a reasonable time; and when not otherwise
at prohibited conditions are maintained shall constitute

the above penalty shall not be held to prevent the
bited conditions.

CONFLICTING ORDINANCES.

or parts thereof conflicting or inconsistent with the
of the Code or Standards hereby adopted are

ctions, reference to specific laws that are amended or
y be required.

_____ hereby declares
agraph, sentence or word of this ordinance or of the
adopted be declared for any reason to be invalid, it is

that
other portions of this ordinance independent of the
y such portion as may be declared invalid.

EFFECT.

e effect and be in force from and after its approval as

Consent _____

Policy

Meeting Date: 7-22-87

Agenda Item: F-2

CITY OF FALCON HEIGHTS

REQUEST FOR COUNCIL CONSIDERATION

*Jerry Filla
Larry Janke
Dahlins
Roc-A-Fellas*

ITEM DESCRIPTION:

Proposed revision to Ordinances re: Loitering. (Chapter 8 - 2.20) and/or Public Consumption or Use. (Chapter 8 - 3.08).

SUBMITTED BY:

Deputy, Terry Johnson, #82

REVIEWED BY:

Jan Wiessner
(Jerry Filla has been on vacation all week, I'll try to get his recommendation on Monday).

EXPLANATION/SUMMARY (attach additional sheets as necessary):

The Falcon Heights deputies have requested that the City Council create an ordinance to help them deal with a recurring problem of young people loitering and drinking alcohol in the parking lot behind Roc-A-Fellas, between approximately 11:00 P.M. - 1:30 A.M.

Attachments:

- a. Memo from Deputy T. Johnson
- b. Memo from Deputy R. Auge
- c. Sherriff's incident Report dated 7-16-87, 2:30 A.M.
- d. Existing Loitering Ordinance, 8 - 2.20
- e. Existing Public Consumption Ordinance, 8 - 3.08
- f. Letter from Mark Vaught, Attorney for D.V.M.
- g. Employee and House Rules

According to a researcher at the League of Minnesota Cities, it is very difficult to enforce loitering ordinances as a result of an often cited Supreme Court decision. She is sending samples of other cities' - Public Consumption Ordinances. They should be available by the Council Meeting.

Dan Dahlin - haven't sold beer license there for 2-3 years

RECOMMENDATION:

An opinion is necessary from Jerry Filla re: How a change in the ordinance might affect the prosecution of offenses.

NOTE: 1987 - 1988 License Applications for Roc-A-Fellas are on the Consent Agenda for this meeting.

JW



CITY OF
FALCON HEIGHTS

2077 W. LARPEUR AVENUE

FALCON HEIGHTS, MN 55113-5594

PHONE 612-644-5050

July 16, 1987

TO: Janet R. Wiessner
FROM: Terry Johnson, Deputy #82
RE: Problem in rear Northome Parking Lot.

The Deputies who work the City of Falcon Heights, respectfully request consideration be given by the City to the following proposals:

1. That an ordinance be created that would allow us to deal effectively with the problem of loitering. See attached memo.
2. That due to all of the problems at Roc-A-Fellas, the City Council would require this business to provide nightly security to police the area of the parking lot, and disperse groups that congregate there. The attached Police Report is a sample of nightly activity there. I stopped at Roc-A-Fellas yesterday, July 15, 1987, 10:30 A.M. and talked to Jenny the Manager. She acknowledged that she was aware of the problem, but was having a difficult time finding good help for evening hours. I told her we would allow her to attempt to solve the problem first. If she does not, I told her we would take steps in that direction. I feel that if there is no improvement in policing the area by the August 12, 1987 Council Meeting then the City should take steps to assure that Roc-A-Fellas are forced to provide security. I would like to request that the matter of the ordinance be brought before the City Council, July 22, 1987.

Deputy Terry Johnson #82

TJ/kn

RAMSEY COUNTY SHERIFF OFFICE

MEMO

TO: Sgt Hermann

FROM: R Aug

SUBJECT: Rockafellas

TIME: 0600 DATE: 6-16-87 OF REPORT

TIME: 2300 0100 DATE: Continually OF OCCURANCE

NARRATIVE:

Could you discuss with someone from our department the possibility of approaching the City of Falcon Heights about creating an effective littering ordinance or something similar regarding hanging ground parking lots of business establishments.

The present ordinance for littering 8-2.20 requires that the littering take place with the intent to break the law.

The specific problem is drinking and littering in the lot behind Rockafellas from 2300 until 0130 some nights. The regular routine is to ask people to leave the lot several times a night only to have them return after leaving.

They often post lookouts so it is very difficult to catch them drinking or making "sales."

A more workable ordinance would give us better leverage in controlling this.

R Aug
Signature

GENERAL REPORT

1. C.N. 87 30973

RAMSEY COUNTY

2. DAY 07

MO. 15

YEAR 87

3. CITY

Fal Hrs

4. SQUAD

0462

5. OFFENSE

Open Bottle

SHERIFF'S OFFICE

2. HOW RECEIVED
RADIO ON VIEW
PHONE OR MAIL

3. LOCATION OF CALL

Law + Arens

10. LOCATION OF CRIME SCENE

SEME

11. DATE & TIME OCCURRED OR BETWEEN HOURS

7-16-87 0230

12. COMPLAINANT'S NAME

FIRST

MIDDLE

ADDRESS

RES

PHONE

BUS.

13. DESCRIBE ARTICLES RECOVERED

14. NARRATIVE:

DISPOSITION

OTHER EXPLAIN

ALCOHOL TEST TAKEN

TYPE OF TEST

RESULTS

IF ARREST:

LAST NAME

FIRST

MIDDLE

ADDRESS

D.O.B.

AGE

SEX

RACE

Falk Brandon Edward 155 Sherman 7-28-68 19 M C

Due to problems with underage parties drinking behind Rocks Falls on Lacquette Ave. Squad 2491 and myself found ourselves breaking up a group of 8 males in the rear parking lot. 2491 then left and I moved to the other side of the lot. The group performed with the same individuals and more from inside Rocks Falls until they spotted the squad and again moved inside.

I began checking visually from their exterior, the contents of approximately 20 vehicles parked behind Rocks Falls (while I did this a group gathered inside at the windows + door). In 4 of the vehicles I could see partially filled whiskey bottles. 1 vehicle had open beer cans, upright + partially full, and 2 vehicles (checkbooks) had coolers in the rear deck areas.

I then headed toward the rear of the parking lot to

15. REPORTING OFFICER

12

12

71

SUPV.

REVIEW OFFICER

watch a green Ford station wagon which a Perry had returned as I was checking the vehicles in this green Ford I had seen a quart size bottle of Southern Comfort whiskey spray 1/4 full. After sitting in the vehicle for several minutes the driver started the engine and exited the parking lot on Arona, I followed and activated the Red Light the driver then turned into the North Parkinglot at Rockefalls and stopped. Identified by a witness picture of the driver (Mr. Falk) was told I was stepping him for open bottle, this bottle was still visible from outside the drivers door as it sat on the floor of the front passenger side on some dark clothing. Mr. Falk stated that it was not his car, Mr. Falk was issued a citation number 2-488078 for open bottle.

Some time later I was asked to call Mr. Falk at his home. He stated that the owner Michael Downham asked him to check the vehicle around the building, and that when he told Downham about Downham stated he would go to court with him and pay the fine for him if it came to that. Mr. Falk states he did not know the bottle was in the vehicle and that he drove his own vehicle that end home. He also apologized for acting as he did when I issued the citation.

1 Board entered as evidence and placed in locker #

d)

the public conveyance for official business), or litter, or consume food or beverages, or take any action which disrupts or impedes the safe operation of the public conveyance. As used herein, "public conveyance" means any motor vehicle which transports members of the public at large from place to place in consideration of the payment of a fare.

8-2.14 Unnecessary Noise or Odors. No person, in any public or private place, shall make, or assist in making, by any manner or means, any loud, unpleasant or raucous noise or odor disturbing to others, unless the same be reasonably necessary to the preservation of life, health, safety or property.

8-2.15 Noisy Parties.

Subdivision 1. Participation. No person shall congregate because of or participate in any party or gathering of people from which noise emanates of a sufficient volume so as to disturb the peace, quiet or repose of any other person.

Subd. 2. Remaining to Abate Disturbance. No person shall visit or remain within any place wherein such party or gathering is taking place except persons who have gone there for the sole purpose of abating the disturbance.

8-2.16 Gambling. No person, in any public or private place, shall engage in or assist, or offer or attempt to assist another to engage in, the betting, wagering or risking of any money or other property in any game, pool, lottery, device or other equipment or upon the outcome of any event.

8-2.17 Gaming House. No person shall own, lease, sell, operate, maintain or permit the use of any building or place with the knowledge that it is, will be or may be used for the purpose set forth in 8-2.16.

8-2.18 Entering House. No person shall enter, attempt to enter or remain in a building or place knowing it is, or is about to be used for the purpose set forth in 8-2.16.

8-2.19 Possessing Equipment. No person shall own, lease, sell, operate, maintain, use or permit the use of any game, pool, lottery, device or other equipment which is primarily designed or used for the purpose set forth in 8-2.16.

* 8-2.20 Loitering. No person shall loiter on the streets or in a public place or in a place open to the public with intent to solicit for the purposes of prostitution or any other act prohibited by law.

8-2.21 Begging. No person, in any public or private place, shall beg from strangers for money or other property, other than solicitation for recognized charities.

e.)
leaves, straw, paper, grass or any combustible material upon any street, alley, gutter, or highway within the corporate limits of the City.

Subd. 3. Penalties. Any person, firm or corporation violating any provision of this section shall be guilty of a misdemeanor.

8-3.08 Consumption and Display of Intoxicating Liquor and Non-Intoxicating Malt Liquor.

* Subdivision 1. Public Consumption or Use. No person shall consume or use intoxicating liquor or nonintoxicating malt liquor in any parking area connected with or a part of the land area of the premises to which the general public has access and a right to resort for business, entertainment, parking, driving or walking including public sidewalks, streets, alleys and parking areas within the City.

This prohibition shall include parking areas connected with schools or any other institution of training or education.

Subd. 2. Carrying Receptacle from Licensed Premises. No person shall carry any open receptacle including a glass, bottle or other device used for the consumption of intoxicating liquor or nonintoxicating malt liquor from any licensed premises.

Subd. 3. Specific Approval. Nothing in this section shall prohibit the temporary display or consumption of intoxicating liquor or non-intoxicating malt liquor in locations or areas specifically approved by action of the council.

Subd. 4. Penalty. Any person violating any provision of this section shall be guilty of a misdemeanor.

8-3.09 Locking of Unattended Motor Vehicles.

Subdivision 1. Locking Required. No person shall leave a motor vehicle, except a commercial motor vehicle, unattended on any street, alley, used car lot, or unattended parking lot without first stopping the engine, locking the ignition, removing the key and taking it with them.

Subd. 2. Failure to Lock Immaterial in Certain Cases. Any violation of this section shall not mitigate the offense of stealing such motor vehicle, nor shall such violation be used to affect a recovery in any action for theft of such motor vehicle, or the insurance thereon, or have any other bearing in any civil action.

Subd. 3. Penalty. Any person violating any provisions of this section shall be guilty of a misdemeanor.

f.)

S. MARK VAUGHT
Attorney At Law

800 Amhoist Tower
345 Saint Peter Street
Saint Paul, Minnesota 55102
(612) 297-6400

March 5, 1987

Mayor and City Council
City of Falcon Heights
2077 West Larpenteur Avenue
Falcon Heights, Minnesota 55113

Re: Application of D.V.M., INC., for Licenses to Operate
Roc-A-Fellas, 1544 West Larpenteur Avenue

Dear Mayor and Council Members:

Enclosed please find the appropriate executed applications and the requisite application fees on behalf of my client, D.V.M., INC. d/b/a Dahlco Music and Vending which has a contract to purchase Roc-A-Fellas at the above address.

It is not anticipated that there will be any change in either the name of the establishment or the manner in which it has been operated.

* Specifically, my client agrees in advance to the identical conditions of operation placed on issuance of any of the licenses presently held by Roc-A-Fellas.

It is my intention to be present at your Council meeting along with an officer of the Applicant as well as the current holder of the licenses to explain the sale transaction and to answer any questions which the Council may have.

Very truly yours,



S. Mark Vaught
Attorney at Law

SMV/ras

Enclosures

g.)

ROC-A-FELLAS INC.

GAMES & AMUSEMENT DEVICES
366 WACOUTA • ST. PAUL • MINNESOTA 55101

EMPLOYEE RULES

- 1) ABSOLUTELY NO ONE BUT EMPLOYEES IN OFFICE.
- 2) NO LIQUOR OR BEER ON PREMISES - EMPLOYEE OR PATRONS.
- 3) VACUUM & SWEEP PRIOR TO OPENING DAILY.
- 4) CLEAN FRONT & BACK WINDOWS WEEKLY.
- 5) WAX ALL PINBALL PLAYFIELDS AT LEAST ONCE A WEEK.
- 6) CHECK ALL MACHINES FOR BURNED OUT LIGHT BULBS DAILY.
- 7) DO NOT ALLOW ANYONE ON PREMISES WHO IS INTOXICATED.
- 8) DO NOT ALLOW ANYONE TO BANG, DROP, OR MISUSE EQUIPMENT.
- 9) DO NOT ALLOW ANY LOITERING - EITHER IN FRONT OR IN BACK OF STORE. SEE TO IT THAT PATRONS ARE EITHER IN THE STORE OR OUT OF THE PARKING LOT.
- 10) DO NOT ALLOW ANYONE TO VISIT OR LOITER IN PARKING LOT.
- 11) POLICE UP PARKING LOT & STORE FRONT BEFORE OPENING AND AFTER CLOSING. PICK-UP ALL CIGARETTE BUTTS, CANS, BOTTLES AND TRASH.

ROC-A-FELLAS INC.

GAMES & AMUSEMENT DEVICES
366 WACOUTA • ST. PAUL • MINNESOTA 55101

HOUSE RULES

- 1) ~~ABSOLUTELY NO SMOKING, EATING, OR BEVERAGES IN SHOP.~~
- 2) NO INTOXICATED PERSON WILL BE ALLOWED ON PREMISES.
- 3) PERSONS CAUGHT, OR THOUGHT TO BE DEALING OR USING NARCOTICS WILL BE PERMANENTLY EXPELLED.
- 4) PERSONS WHO HABITUALLY LOITER OUTSIDE OF STORE WILL BE PERMANENTLY EXPELLED.
- 5) PERSONS WHO ABUSE THE EQUIPMENT WILL BE PERMANENTLY EXPELLED.
- 6) HOURS:

SUMMER:

MONDAY THRU SUNDAY - 12 to 12

SCHOOL TIME:

MONDAY THRU THURSDAY	- 3:00 P. M. to 11:00 P. M.
FRIDAY	3:00 P. M. to 12:00 P. M.
SATURDAY	12:00 P. M. to 12:00
SUNDAY	12:00 P. M. to 11:00 P. M.

CITY OF FALCON HEIGHTS

REQUEST FOR COUNCIL CONSIDERATION

ITEM DESCRIPTION:

Presentation by Winfield Developments, Inc.
Update on Redevelopment Plans for SE corner
of Snelling and Larpenteur.

SUBMITTED BY:

Jan Wiessner

REVIEWED BY:

CITY TO PURSUE POSSIBLE REDEVELOPMENT BY WINFIELD DEVELOPMENTS, INC. FOR SE CORNER OF LARPENTEUR AND SNELLING

Baldwin reviewed contacts with developers over the past year and explained the four interested firms had been asked to submit to the City a letter expressing interest and ideas on redevelopment of the corner. Two firms responded, (1) Stuart Corporation expressing an interest in constructing a three story retail building and a one hundred eighty unit 4 story apartment building, such project to encompass the entire block, and (2) Winfield Developments, Inc., interested primarily in redevelopment of the retail area. Council discussed at length whether or not to go forward in investigating possible development, and if so, with which firm. All concurred the Stuart plan would be in violation of the City Code (density and height), would not be in compliance with the intent of the Comprehensive Plan (maintaining the "village" concept), and the Neighborhood Advisory Committees' desire that the small retail shops be maintained.

Concerned tenants in the Northome Center (Round Bobbin and Champion Auto) were in attendance and inquired about the time frame for any redevelopment, and if the new facility would be available to the existing businesses. Baldwin explained it would be a slow process, Winfield has indicated they would like 40% of any proposed building leased before starting construction, January of 1988 at the earliest. He also stated the developers indicated they would like to retain successful businesses. Baldwin stressed that if the project is not economically feasible, redevelopment will not happen. After the discussion, Council concurred it would be advisable to encourage the Winfield firm to proceed with determining the feasibility of their concept. Baldwin and Barnes will schedule a meeting with Winfield to discuss the matter, and then will schedule a meeting with the business community to provide an update. A letter will be sent to the Stuart firm advising them of this decision.

MINUTES

REGULAR CITY COUNCIL MEETING

MARCH 11, 1987

PAGE 2

JW



**Winfield
Developments,
Inc.**

3300 Edinborough Way
Edina, Minnesota 55435

612-835-5932

February 10, 1987

Mr. Tom Baldwin, Mayor
Mr. Dewan Barnes, Clerk Administrator
City of Falcon Heights
2077 W. Larpenteur Avenue
Falcon Heights, Minnesota 55113

Re: SE Quadrant - Larpenteur Avenue and Snelling Avenue.

Gentlemen:

It was a pleasure meeting with you to discuss your proposed redevelopment project located at the Southeast corner of Larpenteur Avenue and Snelling Avenue. As requested, this letter is to reiterate our interest in working with the City of Falcon Heights in the redevelopment process.

We have reviewed the information you have forwarded and it seems pretty clear that this is a real redevelopment project, that will require a true public/private partnership. As indicated we would be primarily interested in the retail redevelopment of the quadrant. For the time being we would suggest that the residential areas be left undisturbed.

To successfully redevelop the retail property will require a great deal of time, money and experience and for that reason I would just like to briefly reacquaint you with our Company. Winfield is a full-service development company that has specialized in the development and ownership of multi-tenant business service centers, office space, commercial shopping centers and office/warehouse centers. Winfield has developed, constructed and owns over three million square feet of space in more than 100 buildings. In the Twin Cities, Winfield projects include Edinborough mixed-use complex and the 200,000 square foot Edinborough Corporate Center in Edina; Energy Park Plaza and Energy Park Place in St. Paul; New Brighton Business Center; Riverview Business Plaza in St. Paul; and the Londonderry, Valley View and Pakwa office and business service centers in Edina. Winfield also provides customized and highly flexible design and construction services for turnkey projects and leasebacks. As a fully-integrated real estate service company operating in several markets, Winfield has developed long term relationships with many of the country's major financial and industrial corporations. Of particular note in Winfield's history has been its experience with the public/private partnerships. Winfield and its staff have been involved in redevelopment projects totaling over \$75 million in value. The most notable of these projects being in the Cities of St. Paul, Edina and New Brighton.

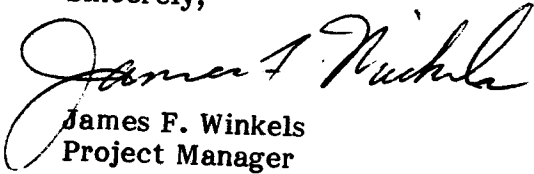
We hope that our experience and capabilities are what The City of Falcon Heights is looking for as a partner in this redevelopment venture. Any project such as this is dependent on successfully negotiating a Development Agreement, in addition to the market feasibility and availability of financing, and we feel our redevelopment experience should aid in this process.

Page 2
Mr. Tom Baldwin
Mr. Dewan Barnes
February 10, 1987

If we can provide any additional information regarding Winfield Developments, Inc. or if you would like to tour our existing projects please feel free to call me at 835-5932. Enclosed are some brochures for some of the projects we have completed in the Twin Cities.

Thank you for the time spent with me discussing the site and for your interest in Winfield Developments, Inc.

Sincerely,



James F. Winkels
Project Manager

JFW/nkf
Enclosures

Consent _____

Policy ✓

Meeting Date: 7-22-87

Agenda Item: F-4

CITY OF FALCON HEIGHTS

REQUEST FOR COUNCIL CONSIDERATION

ITEM DESCRIPTION:

Amendment to Alcoholic Beverage Ordinance.
(Chapter 6 of City Code, p. 101).

SUBMITTED BY: Jan Wiessner

REVIEWED BY: Mark Schroeder

EXPLANATION/SUMMARY (attach additional sheets as necessary):

Lance Boelter from the Minnesota Liquor Control Division brought this change in the state law to my attention. The change provides that the City Council may, by ordinance, authorize a holder of an on-sale wine license, who is also licensed to sell 3.2 beer (on August 1, 1987), and whose gross receipts are at least 60 percent attributable to the sale of food, to sell on-sale strong beer without an additional license.

This change would apply to the Chinatown and Shakey's Restaurants. Mary Lopez, of The Chinatown Restaurant, is very interested in this so she can sell Chinese beer with her meals. A representative of Shakey's indicated that they may be interested. Both indicated that the quantity they would expect to sell would warrant purchasing an additional license to sell strong beer at the current fee (\$4,000.00) for an intoxicating liquor license.

Attachments

- a. Proposed Amendment.
- b. Copy of existing liquor ordinance.
- c. Copy of new State Statute.

RECOMMENDATION:

Council to (approve/disapprove) an amendment in the existing Chapter 6 of the City Code, which would allow holders of both wine and non-intoxicating malt liquor to sell intoxicating malt liquor without obtaining an additional license. (See attached amendment).

JW

P. 101, Chapter 6 - 1.01, Alcoholic Beverages

SUBDIVISION 3. LICENSE REQUIRED

C. Wine and INTOXICATING Malt Liquor -

Persons who hold both an on-sale wine license and an on-sale non-intoxicating malt liquor license on August 1, 1987, and whose gross receipts are at least 60 percent attributable to the sale of food, are authorized to sell intoxicating malt liquors at on-sale without an additional license.

D.

m. "Bottle Club" means any club or unincorporated society with more than 50 members, in existence for more than a year, allowing members to bring a personal supply of intoxicating liquors.

Subdivision 3. License Required.

a. Non-intoxicating and Intoxicating Liquor. No person except wholesales and manufactures, to the extent authorized by law, shall deal in or dispose of by sale or keep or offer for sale, any intoxicating liquor or non-intoxicating malt liquor within the City without first having received a license as hereinafter provided.

b. Wine. The sale of wine not exceeding 14 percent alcohol by volume for consumption on the premises of a restaurant within the City as defined herein, in conjunction with the sale of food, shall require a license under the terms of this Ordinance; provided, however, that any establishment that is licensed for the "on-sale" of intoxicating liquor shall not be required to procure a separate license under the terms of this Ordinance. Wine licenses will be issued in accordance with the authority contained in Minnesota Statutes §340.11 (Subd. 20). The licenses shall not be effective until approved by the Minnesota Liquor Control Commissioner. Nothing herein shall prohibit the natural fermentation of fruit juices in the home for family use.

Subdivision 4. Kinds of Liquor Licenses.

a. Intoxicating Liquor. There shall be two kinds of licenses: "on-sale" licenses which shall be granted only to bona fide clubs and restaurants where food is prepared and served for consumption on the premises, the number of which shall be limited to two (2); and "off-sale" licenses which shall be granted only to liquor stores where retail or wholesale sales are made in the original package for consumption off the premises only, the number of which shall be limited to one (1).

b. Non-Intoxicating Malt Liquor. There shall be two kinds of licenses: "on-sale" licenses which shall be granted only to bona fide clubs and restaurants and which shall permit the sale of beer for consumption on the premises, the number of which shall be limited to four (4); and "off-sale" licenses which shall permit the sale of beer at retail or at wholesale in the original package for consumption off the premises only, the number of which shall be limited to four (4).

C.

S.F. No. 128
CHAPTER No.
027

AN ACT

Lance Boelter's copy

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relating to liquor; authorizing municipalities to permit holders of both on-sale wine and nonintoxicating malt liquor licenses to sell intoxicating malt liquors; amending Minnesota Statutes 1986, section 340A.404, subdivision 5; and Laws 1979, chapter 200, section 1.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 1986, section 340A.404, subdivision 5, is amended to read:

Subd. 5. [WINE LICENSES.] (a) A municipality may issue an on-sale wine license with the approval of the commissioner to a restaurant having facilities for seating at least 25 guests at one time. A wine license permits the sale of wine of up to 14 percent alcohol by volume for consumption with the sale of food. A wine license authorizes the sale of wine on all days of the week unless the issuing authority restricts the license's authorization to the sale of wine on all days except Sundays.

(b) The governing body of a municipality may by ordinance authorize a holder of an on-sale wine license issued pursuant to paragraph (a) who is also licensed to sell nonintoxicating malt liquors at on-sale pursuant to section 340A.411, and whose gross receipts are at least 60 percent attributable to the sale of food, to sell intoxicating malt liquors at on-sale without an additional license.

1 Sec. 2. Laws 1979, chapter 200, section 1, is amended to
2 read:

3 Section 1. (a) Notwithstanding any law to the contrary,
4 the governing body of the city of Duluth may by ordinance
5 provide that holders of on-sale wine licenses issued pursuant to
6 Minnesota Statutes, Section ~~340-11~~ 340A.404, Subdivision ~~20~~ 5,
7 who are also licensed to sell non-intoxicating malt liquor at
8 on-sale pursuant to Minnesota Statutes, Section ~~340-01~~ 340A.411,
9 may make on-sales of beer not exceeding seven percent alcohol by
10 weight brewed and bottled outside the United States, without an
11 additional license. Except as herein provided, all such sales
12 shall be subject to the applicable provisions of Minnesota
13 Statutes, Chapter ~~340~~ 340A.

14 (b) This section applies only to persons who hold both an
15 on-sale wine license and an on-sale non-intoxicating malt liquor
16 license on August 1, 1987.

EFF.
AUG 1, 87

Document Center - Law Book 117 University 277-3080

Sunday 12-12 Beer

- NO AD OF LIQUOR
70 age disc. ONLY
(no price or
no \$ amt. off)

on or before
Sept. 1, '67

Consent _____

Meeting Date: 7-22-87

Policy _____

Agenda Item: F-5

CITY OF FALCON HEIGHTS

REQUEST FOR COUNCIL CONSIDERATION

ITEM DESCRIPTION:

Request for Sewer Repair Reimbursement.

SUBMITTED BY:

Evelyn Peterson

REVIEWED BY:

Vince Wright
Richard Alquist, City Plumbing Inspector

EXPLANATION/SUMMARY (attach additional sheets as necessary):

Mrs. C. Peterson is requesting the Council to consider some reimbursement from the City to help pay a \$862.50 sewer repair bill. According to Vince Wright and the City's Plumbing Inspector, Richard Alquist, it was definitely Mrs. Peterson's sewer line that was damaged, not the city's main line.

Attachments:

- a. Peterson letter, 7-1-87.
- b. Wright's memo, 7-16-87.

RECOMMENDATION:

Past city practice has not been to help pay for repairs on the residents portion of the sewer line. This policy could be changed, however, it would be very costly. An exception could be made if the council believes there have been unusual circumstances in this case.

JW

July 1, 1987

Falcon Heights City Office
2077 Larpenteur Avenue
Falcon Heights, MN 55113

Attention: City Council

Dear Council Members:

Recently I had to have my sewer repaired. When I first started having problems, I contacted and was advised by Mr. Barnes, then Village Administrator, to have Roto Rooter Sewer Service out--which I did several times. I finally decided to have the problem taken care of.

In digging up the front yard, the contractor found a broken pipe and roots in the boulevard. As this was some of the problem but not all, they incurred additional work by ~~having to go to the main sewer line in the center of Crawford where they had to repair a damaged pipe.~~

Mr. DeBrizzi's, the contractor, initial reaction to this damage was that the ~~sewer line was deep enough and the heavy traffic on Crawford could have broken the pipe.~~ When Crawford was redone, they dug down quite aways.

Because of the circumstances of this repair, I would ~~not~~ ~~be~~ ~~able~~ ~~to~~ ~~pay~~ ~~for~~ ~~the~~ ~~work~~ ~~done~~ ~~on~~ ~~Crawford~~ ~~Street~~ ~~in~~ ~~the~~ ~~City~~ ~~of~~ ~~Falcon~~ ~~Heights~~ ~~under~~ ~~the~~ ~~0060-50~~ ~~charge~~, not including the permit fee, I incurred.

Thank you for your consideration on this issue.

Sincerely,

Mrs. C. Peterson

Mrs. C. Peterson
~~130 Crawford Street~~
Falcon Heights, MN 55113



CITY OF
FALCON HEIGHTS

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

July 16, 1987

TO: The City Council and Clerk-Administrator
FROM: Vincent Wright
RE: The letter received on July 1, 1987, from Mrs. C. Peterson, 1522
Crawford St., Falcon Heights, MN 55113

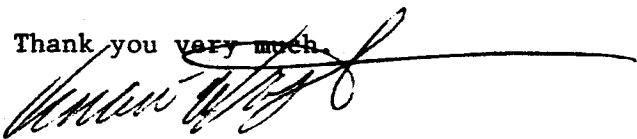
I was called out to check the sanitary sewer at, 1522 Crawford.

Mr. Debrizzi, had dug up this particular sewer line. He found broken pipe and roots in the sewer line. When I got there, there was some water in the hole that he had dug up and it acted like it was trying to come out of the sewer line. After checking the city manholes, in the main line to see if they were clean, which they were, I talked to Mr. Debrizzi and Mrs. Peterson. It was decided at that time that there may be a dip in Mrs. Peterson's line. In order to save her some money, we decided to put in about six feet of plastic pipe inside of her line going out toward the street; to avoid digging up in the street in case there was a problem further out. To dig up this street, the charge would have been enormous. Therefore, Mr. Debrizzi and Mrs. Peterson, decided to try the plastic piping inside of her sewer line. At that time there was no mention about heavy traffic or anything else that had broken her line.

Mrs. Peterson said that she had heard that the City would share in the costs of repair. I replied that I did not think so, but suggested that she could write to the City Council and ask anyway.

Two years ago, Mrs. Peterson had a big tree that was right on the boulevard, close to her sewer. There is still a hedge there and I am sure that is how the pipe got broken because they found so many roots in it. The pipe that was broken was on the boulevard. I am sure that it was done from the roots and not from traffic on the street. The sewer line in that area is approximately nine feet deep.

Thank you very much.



Vincent Wright

VW/kn

July 1, 1987

Falcon Heights City Office
2077 Larpenteur Avenue
Falcon Heights, MN 55113

Attention: City Council

Dear Council Members:

Recently I had to have my sewer repaired. When I first started having problems, I contacted and was advised by Mr. Barnes, then Village Administrator, to have Roto Rooter Sewer Service out--which I did several times. I finally decided to have the problem taken care of.

In digging up the front yard, the contractor found a broken pipe and roots in the boulevard. As this was some of the problem but not all, they incurred additional work by having to go to the main sewer line in the center of Crawford where they had to repair a damaged pipe. Mr. DeBrizzi's, the contractor, initial reaction to this damage was that the sewer is not deep enough and the heavy traffic on Crawford could have broken the pipe. When Crawford was redone, they dug down quite aways.

Because of the circumstances of this repair, I would ask the Council to consider some reimbursement from the City of Falcon Heights against the \$862.50 charge, not including the permit fee, I incurred.

Thank you for your consideration on this issue.

Sincerely,

Mrs. C. Peterson

Mrs. C. Peterson
1522 Crawford Street
Falcon Heights, MN 55113

*Auto 4" PVC pipe
in middle of tub -
from Blvd to main*

3
Vince

- went out to look
- prob. was in their sewer not city's
- Vince will dictate response

Dick Alquist also inspected.

- prob was on their sewer line.

E

4

Consent _____

Policy ✓

CITY OF FALCON HEIGHTS

Meeting Date: 7-22-8

Agenda Item: F-6

REQUEST FOR COUNCIL CONSIDERATION

ITEM DESCRIPTION:

Public Works Truck

SUBMITTED BY:

Vince Wright

REVIEWED BY:

Jan Wiessner

EXPLANATION/SUMMARY (attach additional sheets as necessary):

The city's 1-Ton Public Works truck died on July 7, 1987. Vince had to tow it into Harvest States. Their mechanics recommended that the truck is not worth repairing, see attachment (a). There are at least three problems involved:

- 1) long-term
- 2) short-term, and
- 3) scope of work to done by this vehicle.

For the long-term solution, there seems to be three alternatives:

- a) attempt to repair old truck by using a rebuilt engine at an initial cost of \$1800.00 and an unknown amount of future repair costs,
- b) find a temporary solution such as leasing a truck while we study the requirements of this vehicle, include purchase in 1988 budget,
- c) purchase a replacement one-ton vehicle immediately out of the Treasurer's cash balance.^(?) (Approximately \$20,000.00-~~new~~).

*m/s/c auth. SW to replace truck w/ all due dispatch
w/det. source of funds*

RECOMMENDATION:

According to the long range Equipment Replacement Plan prepared by Vincent Wright in 1985, the truck has out-lived its life expectancy and should be replaced. (Obviously, Vince favors alternative C!) See excerpt from Plan, Attachment C.

The administrative staff is looking for direction from the Council on this matter, Vince doesn't want to use his own truck in the interim, therefore, we are attempting to use the pick-up for everything-which is limiting the productivity of our five-man summer crew considerably.

[Signature]

ADMINISTRATION-COUNCIL MEMO

DATE: July 17, 1987
FROM: Vincent Wright
TO: Jan Wiessner
RE: New City Truck

DATA:

Prices on temporary use of a 3/4 ton truck:

Daily

\$30.00 per day
35 cents per mile, and your own gas and oil.

Weekly

\$150.00 per week
35 cents per mile, and your own gas and oil.

Monthly

\$600.00 per month
35 cents per mile, and your own gas and oil.



City of Falcon Heights

2077 W. Larpenter Avenue
Falcon Heights, Minnesota 55112
Phone: 644-8080

1986

Replacement Price for 1974 1 Ton Ford Truck

Estimate from Bob Carter Ford on 1986 1 Ton Ford Truck:
Current Price 11,450.00.

Estimate on 10ft Truck Box and Hoist from Crysteel Truck Equipment:
Current Price 5,700.00.

1987

Estimate from Bob Carter Ford on 1987 1 Ton Ford Truck:
Current Price \$13,210.00.

Estimate on 10 ft. Truck Box and Hoist from Crysteel Truck Equipment:
Current Price - \$6,000.00.

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City of Falcon Heights

2077 W. Larpentour Avenue
Falcon Heights, Minnesota 55113
Phone: 644-8080

1974 One Ton Truck F-350 Six Cylinder, 4 Speed Ford

The life expectancy of this truck is 6 to 7 years. The box is a 1966. It has been repaired twice and is not in good shape. The hoist is also a 1966 and is not in good shape and the winch is a 1966 and is in the same shape. The frame is rusted and broke. The top half of motor has been overhauled twice. It has break work done and a new front end also.

All of the above should be replaced.

HARVEST STATES GARAGE

David C. Hoel Garage Manager

QUAN.	ITEM NO.	DESCRIPTION	PRICE
		<p>HARVEST STATES COOPERATIVES David C. Hoel Manager, Garage Services 1667 No. Snelling, Box 64594 St. Paul, MN 55164 (612) 641-3721</p>	
		TOTAL PARTS	

NAME CITY OF FALCON HEIGHTS
ADDRESS
CITY & STATE
PHONE WHEN READY YES NO
HOME PHONE NO.
BUS. PHONE NO.
YEAR 74 **MAKE** FORD **TYPE OR MODEL SERIAL/NO.** 300 bcul
OPEN. No. INSTRUCTIONS
RECEIVED DATE
TERMS
ORDER WRITTEN BY
MILEAGE 50276
LEASER CHARGE

CK OUT ENGINE - ROD KNOCK
 MOTOR FROZE APPEARS TO HAVE
 BAD WRIST PIN (MOTOR JUNK)

RECOMMEND COST OF REPAIRS
 NOT WORTH VALUE OF TRUCK

ESTIMATE COST OF REPAIRS TO
 REPLACE ENGINE WITH REBUILT
 \$1700.00 TO \$1800.00 PARTS

TRUCK NEEDS BODY REPAIR - WINCH
 REPAIR - FRAME SHOWS HEAVY RUST -
 WE WOULD HESITATE TO COMPLETE REPAIRS

I hereby authorize the repair work to be done along with the necessary materials,
 and hereby grant you and/or your employees permission to operate the vehicle
 herein described on streets, highways or elsewhere for the purpose of testing
 and/or inspection. An express mechanic's lien is hereby acknowledged on above
 vehicle to secure the amount of repairs thereto. Dealer not responsible for un-
 availability of parts or delays in parts shipments beyond dealers control.

TOTAL LABOR	F. S.	CUSTOMER PAYS
SUBLET REPAIRS		
TOTAL PARTS		
GAS, OIL & GREASE		
TAX		
TOTAL AMOUNT		

NOT RESPONSIBLE FOR LOSS OR DAMAGE TO CARS OR ARTICLES LEFT IN CARS IN CASE OF FIRE, THEFT OR ANY OTHER CAUSE BEYOND OUR CONTROL

GAS, OIL & GREASE	PRICE
GAL. GAS	
QTS. OIL	
LBS. GREASE	
TOTAL GAS, OIL & GREASE	

July 22, 1987

Addendum to Agena for July 22, 1987.

F(7) Underground Sprinkler System/Landscaping at Bullseye Center.

ACTION: _____

Consent _____

Meeting Date: 7-22-87

Policy _____

Agenda Item: F-7

CITY OF FALCON HEIGHTS

REQUEST FOR COUNCIL CONSIDERATION

ITEM DESCRIPTION:

Underground Sprinkler System, Landscaping at Bullseye-Center.

SUBMITTED BY: Jan Wiessner

REVIEWED BY:

EXPLANATION/SUMMARY (attach additional sheets as necessary):

During the Larpenteur-Snelling Construction Project, the underground sprinkler system on the Larpenteur side of the Bullseye Shopping center was damaged and quite a bit of the landscaping was eliminated. Since this is all county road right of way, and permission had not been given to install the sprinkler system, the county and state do not have an obligation to repair or replace it. Mr. Hunt believes it is the city's responsibility since he was instructed by the city's representatives to install it. He stated that he believes the city should also reimburse him for the original cost of landscaping and installing the sprinkler (\$32,000.) and give him his \$3,000 back, which is escrowed for hooking up the sprinkler on the Snelling side.

Attachments:

- a. Letter from Mayor Eggert, 12-6-84.
- b. Recommended compromise.

RECOMMENDATION:

After considerable discussion about the merits and problems of repairing or replacing the system, Don Orgeman of MN/DOT, Bob Paine of Ramsey County Public Works, Dennis Hunt and I arrived at a compromise recommendation. If agreeable to the Council, I suggest that this agreement be formalized and signed by all parties involved.
(See Attachment b)

City of Falcon Heights

2077 W. Larpentour Avenue
Falcon Heights, Minnesota 55113
Phone 644-5080


CITY COUNCIL
MAYOR
RONALD C. EGGERT, M.D.
COUNCIL MEMBERS
PAUL CIERNIA
RICE CHESTOVICH
TOM BALDWIN
STEPHEN HARD
CLERK—ADMINISTRATOR
DEWAN B. BARNES

December 6, 1984

Mr. Dennis E. Hunt
Bullseye Golf Centers, Inc.
1708 North Snelling
Falcon Heights, MN 55113

Dear Mr. Hunt:

The Council reviewed the landscaping and parking plan along with Mr. John Uban at the November 26th meeting. The following points were raised and we would like them acted upon prior to giving approval to the plan:

- (1) We feel it would be to everyone's benefit to have shared parking with the Embers Restaurant and we request again that you review this issue with Mr. Henry Kristal. The Council will approve non-shared parking only if you can show there are substantial impediments to a shared parking arrangement.
- (2) If shared parking can be arranged with the Embers Restaurant, no walkway on the west side of the Embers will be required. If shared parking cannot be arranged, the walkway will be required as shown on the drawing.
- (3) With respect to lighting, the standards shown on the drawing are in a position acceptable to the City.

The City Engineer, Mr. Robert Schunicht, will recommend the specific standards and luminars to be used and we will forward the appropriate materials to you.
- (4) Bullseye must agree to maintain and repair the proposed screening walls. Because those walls are so close to the parking, we are concerned about damage from snow storage and car bumpers to the walls and, therefore, we will also require that the wall perpendicular supports be set in concrete.
- (5) It is acceptable to the City that those portions of the Snelling landscaping which will be impacted by

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Dennis E. Hunt
Page 2
December 6, 1984

the Snelling reconstruction be delayed until after the Snelling reconstruction is complete. The City requests that a bond be placed to cover the costs of the unfinished portion of the landscaping.

(6) The City is concerned about the [REDACTED]. We feel that the best and least expensive alternative would be an automatic irrigation system. We would find that a system that included irrigation with hoses from spigots on the building would be unacceptable.

(7) The following comments relate to [REDACTED] Japanese yews do not do well on south exposures. We will require that all areas now indicated to be planted with yews be planted instead with Mugho pines. Your present plans show one Juniper per crab tree. We felt this was a bit skimpy and will require three Junipers per crab tree. With respect to trees, we will require that columnar form of Norway maple be used and Summit ash be used instead of Marshall ash because the branching patterns of these trees are more compatible with the closeness of traffic and parked cars. We also request that ornamental shrubs be placed in the sodded areas on either side of the Crawford Street exit from the parking lot.

(8) We will require a written statement that Bullseye will maintain and replace all shrubbery for the duration of the tax increment district.

(9) We will require that all planting along streets be raised above grade to maximize surface drainage (especially winter salt) and that a three foot gravel drain core be placed below each planting adjacent to streets.

(10) Kindly indicate to us what subcontractor will be doing the landscaping and supply landscape construction drawings and specifications prepared by a registered landscape artist.

If you have questions about any of these points or the overall intent of the Council, kindly contact me or Mr. John Uban.

Sincerely,


Ronald C. Eggert, M.D., Mayor

RCE:kjz

cc: Robert Collins
Henry Kristal

Recommendation for Resolution of Bullseye Sprinkler

- The automatic sprinkler system should not be repaired or replaced. Anything installed on county or state right of way is done so at the owner's risk. The county and state representatives indicated that there is a very good chance that this could happen again. The nature of the damage would require that almost the entire system would have to be replaced (at the city's or Hunt's expense).
- MN/DOT has trees and wood chips available and their contractor, PCI, would level the mounds, replace trees and spread the wood chips at a cost of approximately \$4,000. The trees are guaranteed for one year. After that the county would be responsible for replacement on county right of way, MN/DOT on state right of way.
- Ramsey County will use CSAH funds to pay for PCI's work and materials.
- Dennis Hunt will be paid the \$3,000 held in escrow by the city which was earmarked for irrigating the Snelling Avenue right of way area.

ADMINISTRATION-COUNCIL MEMO

F-6

DATE: April 1, 1987
FROM: Al
TO: Mayor & Council
RE: Capital Improvement Balances
DATA:

The balances as of 1/1/87 in capital improvement accounts are as follows:

- Fire & Rescue - \$ 51,553.56
- Park & Rec. - \$ 46,509.51
- * Public Works - \$ 11,743.65

There was a balance in the contingency fund at the end of 1986 of \$ 60,474.

In addition, there is a balance in the Lauderdale Fire/Rescue fund of \$ 37,799.88 and in the General Capital Improvement fund of \$ 169,356.20.

In the near future I will give you a breakdown of City finances according to fund. If you have any questions in the meantime please give me a call.

Consent: _____

Policy: _____

Meeting Date: 7-22-87

Agenda Item: F-7

CITY OF FALCON HEIGHTS

REQUEST FOR COUNCIL CONSIDERATION

ITEM DESCRIPTION:

Underground Sprinkler System, Landscaping at Bullseye-Center.

SUBMITTED BY:

Jan Wiessner

REVIEWED BY:

** New Item*

EXPLANATION/SUMMARY (attach additional sheets as necessary):

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City of Falcon Heights

2077 W. Larpentour Avenue
Falcon Heights, Minnesota 55113
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2.

CITY COUNCIL
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December 6, 1984

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Falcon Heights, MN 55113

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- (3) With respect to lighting, the standards shown on the drawing are in a position acceptable to the City. **The lighting standards will belong to the City but Bullseye will be responsible for the electricity and maintenance of the lighting.** The City Engineer, Mr. Robert Schunicht, will recommend the specific standards and luminars to be used and we will forward the appropriate materials to you.
- (4) Bullseye must agree to maintain and repair the proposed screening walls. Because those walls are so close to the parking, we are concerned about damage from snow storage and car bumpers to the walls and, therefore, we will also require that the wall perpendicular supports be set in concrete.
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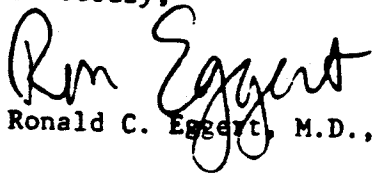
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the Snelling reconstruction be delayed until after the Snelling reconstruction is complete. The City requests that a bond be placed to cover the costs of the unfinished portion of the landscaping.

- (6) The City is concerned about the **irrigation of the plantings**. We feel that the best and least expensive alternative would be an automatic irrigation system. We would find that a system that included irrigation with hoses from spigots on the building would be unacceptable.
- (7) The following comments relate to **specific plantings**: Japanese yews do not do well on south exposures. We will require that all areas now indicated to be planted with yews be planted instead with Mugho pines. Your present plans shows one Juniper per crab tree. We felt this was a bit skimpy and will require three Junipers per crab tree. With respect to trees, we will require that columnar form of Norway maple be used and Summit ash be used instead of Marshall ash because the branching patterns of these trees are more compatible with the closeness of traffic and parked cars. We also request that ornamental shrubs be placed in the sodded areas on either side of the Crawford Street exit from the parking lot.
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Sincerely,



Ronald C. Eggert, M.D., Mayor

RCE:kjz
cc: Robert Collins
Henry Kristal

7-22-87

b.

Recommendation for Resolution of Bullseye Sprinkler

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