

CITY OF FALCON HEIGHTS
Regular Meeting of the City Council
City Hall
2077 West Larpenteur Avenue

MINUTES
Wednesday, September 27, 2023
7:00 p.m.

- A. CALL TO ORDER: 7:04 PM
- B. ROLL CALL: GUSTAFSON_X_ LEEHY_X_(arrived at 7: 37PM)MEYER_X_

WASSENBERG_X_ WEHYEE_X_

STAFF PRESENT: LINEHAN_X_

- C. APPROVAL OF AGENDA

Councilmember Meyer motions to approve the agenda;
approved 4-0 (Leehy was not yet present)

- D. PRESENTATION

- E. APPROVAL OF MINUTES:

1. August 14, 2023 City Council Special Workshop Meeting Minutes
2. August 23, 2023 City Council Regular Meeting Minutes
3. August 23, 2023 City Council Special Budget Workshop Meeting Minutes
4. September 6, 2023 City Council Workshop Meeting Minutes
5. September 13, 2023 City Council Regular Meeting Minutes
6. September 13, 2023 City Council Special Budget Workshop Meeting Minutes

Councilmember Wassenberg motions to approve the minutes;
approved 4-0

- F. PUBLIC HEARINGS:

1. Interim Cannabis Business Moratorium Extension

Administrator Linehan provides an overview of the interim ordinance. With the legalization of Adult-use cannabis via Chapter 63, legal sales are expected to begin January 2025. It is recommended by the City Attorney to continue the existing moratorium. The current moratorium in place expires September 28, 2023. At the time of its expiration, the new moratorium would be the primary in place until January 1, 2025. This allows staff and the Planning Commission time to take a deeper dive in to the City's ordinances revolving around Cannabis sales.

Ricé Davis - 1407 California Ave
In favor of continuing the business moratorium extension.

Councilmember Meyer motions to close the Public Hearing

Councilmember Meyer states it is logical to continue the moratorium to allow staff more time to lay out regulations.

Councilmember Wassenberg agrees. This also allows staff to compare regulations and licensing with surrounding cities.

Councilmember Wehyee motions to approve the amendment to City Code and approve the Interim Cannabis Business Moratorium Extension;
approved 4-0

G. CONSENT AGENDA:

1. General Disbursements through 9/20/2023: \$122,269.04
Payroll through 9/15/2023: \$19,482.42
Wire Payments through 9/15/2023: \$12,657.23
2. 2023 Pavement Management Project (PMP) Change Order #2, Change Order #3, and Pay Estimate #4

Councilmember Wassenberg motions to approve the Consent Agenda;
approved 4-0

Administrator Linehan comments on Consent Agenda item 2. Change Order #2 includes remeasuring work of the various storm sewers. Change Order #3 is a pass through cost. St Paul Regional Water Services (SPRWS) added a repair and has agreed to fully reimburse the City for the cost. Neither change orders will affect assessments. Pay Estimate #4 includes some turf establishments, but the City is retaining money until there is full establishment of grass instead of weeds.

H: POLICY ITEMS:

1. Ordinance Modifying Use of Tobacco, Cannabis and Hemp in City Parks.

Administrator Linehan states this item was tabled at the last City Council meeting on September, 13 in order for staff to clarify enforcement of the ordinance. This ordinance amends Article III of Chapter 34 to include cannabis and hemp products and expands the definitions of prohibited products in city parks. New no-smoking signs will be posted within City parks to include updated language. Enforcement is a petty misdemeanor, which is a fine-only violation that is not to exceed \$300.

Councilmember Meyer motions to approve Ordinance 23-07
to Amend Chapter 34, Article II;
approved 4-0

2. 2023 Pavement Management Project (PMP) Declare Costs to Be Assessed and Call for Assessment Hearing

Administrator Linehan states this call for the public hearing is procedural. The public hearing will take place on October 11, 2023. This year's assessment proceeding is for the 2023 Pavement Management Project, which included improvements to the following areas:

- Holton Street, Larpenteur Avenue to Roselawn Avenue
- Albert Street, Ruggles Street to Roselawn Avenue
- Sheldon Street, Ruggles Street to Roselawn Avenue
- Ruggles Street, Holton Street to Hamline Avenue
- Garden Avenue, East Snelling Service Drive to Hamline Avenue
- Idaho-Iowa Alleyway, Arona Street to Pascal Street

The approval of the attached ordinance is only to set the public hearing date. Notices for the assessments and public hearing were mailed out on September 27, 2023. Administrator Linehan adds, the assessments are significantly less from the estimated amount based on low bids received and savings realized during construction. The City was aware of concerns regarding assessment amounts, therefore they hired an independent appraiser, Nagell Appraisers, to complete a benefit - evaluation assessment, which uses a different approach to calculate assessments than the City's approach. Nagell has extensive experience doing neutral third-party appraisals on road construction projects to determine the valuation of property. The final report found that assessments calculated by the City are within range, and most are on the low end. For our residential mill & overlay projects, the assessments should be \$1,500 to \$2,500 per home/lot. Our assessments range from \$720 to \$1801. For residential reclamation on Garden Avenue, the assessments should total \$7,500 to \$9,500 per home or lot. Our residential assessments on Garden Range from \$5,600 to \$7,900 per residential lot. It is the same for the religious institutions and schools. Many are below even the minimum recommended assessment. The one exception is one parcel that we will be recommending the City Council reduce at the assessment hearing.

Councilmember Leehy arrived at 7:37 PM.

Council discussed if the City should change their assessment policy and method of calculating assessments, to the benefit - evaluation method and concluded that there are pros and cons to both methods.

Councilmember Wehyee motions to approve Resolution 23-63 Declaring Costs to be Assessed and Calling for Assessment Hearing on the 2023 Pavement Management Project on October 11, 2023; approved 5-0

3. Amendment of Debt Levy Schedule

Administrator Linehan explains the original debt levy schedule for the \$520,000 2023 GO Improvement Bond was presented to Ramsey County and this was recorded incorrectly by Ramsey County. A correction needed to be made to list the first year's debt levy amount of \$67,086.50 for payable 2024. The other correction is of the amendment of the debt levy schedule for the \$845,000 2017 GO Improvement Bond. This bond was for the road reconstruction project in University Grove. Similar as with the 2023 PMP project, the assessments came in lower than anticipated and a large number of residents prepaid their assessments. As a result, there are sufficient funds to reduce the payable 2024 levy amount for this bond by \$73,762.14 leaving only \$40,578.97 to be levied for debt service for payable 2024 on this bond. With these amendments, the certified debt levy for the City's debt payable 2024 will remain at \$189,686, the same as what it was for 2023. This way debt payments are kept at a consistent level.

Councilmember Leehy motions to approve Resolution 23-63 Amending the Debt Levy Schedule for the \$520,000 Go Improvement Series 2023A Bond and Reducing the Levy Amount for the \$845,000 Go Improvement Series 2017A Bond; approved 5-0

4. Adoption and Certification of the 2024 Preliminary Levy

Administrator Linehan states that the Preliminary 2024 Tax Levy is \$2,700,072, which is an increase of 9.12% from last year. Staff recommends Council to approve the Resolution to adopt the preliminary levy and for Council to set the Truth in Taxation hearing for December 13th, 2023, at 7:00 pm. Administrator Linehan continues to explain how the City set the levy for 2024:

- There are no levy limits imposed by the Legislature for the 2024 Budget.

- The amount of Local Government Aid (LGA) was increased by an amount of \$117,486 by the Legislature for budget year 2024. LGA will **increase** from \$733,240 in 2023 to \$861,564 in 2024.
- Fiscal Disparity distribution dollars for 2024 increased by \$15,786 from the 2023 level.
- Increase of \$287,130 expense for police services to account for potential capital costs or start-up costs of our new contract. We anticipate this number to decrease prior to the final levy adoption in December, because the City is currently still negotiating police contracts and does not have final numbers yet.

Administrator Linehan adds that municipalities in the Falcon Heights area are also increasing their levy. The 2024 proposed increase on a median value home is estimated to be \$110 per year or \$9.17 per month.

Council expresses gratitude to City staff for working diligently through the budget process. The preliminary budget and levy are kept as low as possible, while also meeting the City's needs and without having final numbers for policing services. Councilmember Leehy adds, that once the preliminary budget and levy are set they can only be decreased and not increased.

Councilmember Meyer motions to approve Resolution 23-64 adopting the 2024 Tax Levy for the City of Falcon Heights, County of Ramsey, State of Minnesota; approved 5-0

5. Approval of Setting Truth in Taxation (TNT) Hearing Date of Wednesday, December 13th, 2023 at 7:00p.m.

Councilmember Wehyee motions to set the Truth in Taxation (TNT) Hearing date on Wednesday, December 13th, 2023 at 7:00 PM; approved 5-0

I. INFORMATION/ANNOUNCEMENTS:

Councilmember Wassenberg has no announcements.

Councilmember Leehy expressed gratitude for staff and Council from the Talbot family for acknowledging former Councilmember Talbot and proclaiming August 23rd, 2023 as Jan Talbot Day. She adds, that the City of Falcon Heights has a culture of welcoming all people.

Councilmember Wehyee has no announcements, but echoes Councilmember Leehy's comments. The Community Engagement Commission met on Monday, September 18. He adds that he will be submitting his resignation soon as he is moving outside of the City.

Councilmember Meyer informs Council that the Citywide Garage Sale was great, he attended various sales in the neighborhood to connect with neighbors. He believes it is a great tradition of the City.

Mayor Gustafson informs Council that the Planning Commission met on Tuesday, September 26. Gibbs Farm presented as they are planning to expand their operations from seasonal to year-round. They also had an informal review of Buhl Investors proposal. Lastly, they had the kick-off of the Larpenteur – Snelling Corridor Study. They will have their first community meeting on October 18, 2023 at 7:00 PM at City Hall. The Planning Commission is still structuring the meeting.

Administrator Linehan adds that apart from the community meeting on October 18, there will also be three focus groups with key stakeholders along the corridor as well as the creation of an interactive GIS map.

Regarding the PMP restoration, the contractor mowed down the weeds and is continuing to reseed and water. They will herbicide where needed. Administrator Linehan stresses that the City is actively working with the contractor to restore the area.

There is a candidate forum for the Roseville Schools on Thursday, September 28th from 7:00 PM to 8:00 PM at Anpetu Teca education center, organized by the League of Women Voters. In-person absentee voting is open at the Ramsey County Elections Office. Early voting at Roseville Library and other Ramsey County sites begins on Friday, October 20th. More information can be found on the City's website.

The Community Engagement Commission met on Monday, September 18, during which they continued planning the Human Rights Day event and discussed updating the Neighborhood Liaison handbook and list.

The State Fair Task Force had their meeting on September 21st. They discussed the results of the post-fair survey, as well as what next steps to take. Their next meeting is on October 5th. State Fair leadership is invited to attend, they will also discuss items such as pedicabs and codifying ordinances.

Councilmember Weyhee asks for an update on the benches.

Administrator Linehan answers, that the benches will be delivered this year and most likely installed next year in spring, weather permitting.

J. COMMUNITY FORUM:

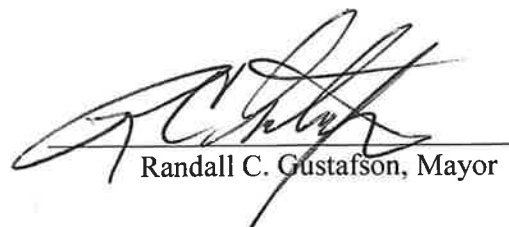
Please limit comments to 3 minutes per person. Items brought before the Council will be referred for consideration. Council may ask questions for clarification, but no council action or discussion will be held on these items.

Sam Wells – 1802 Asbury St.

He resides on the corner of Garden Ave and Asbury St. and attended tonight's meeting to get more information on the assessment hearing, which he will most likely be unable to attend. He is glad to hear that cost came in lower than anticipated.

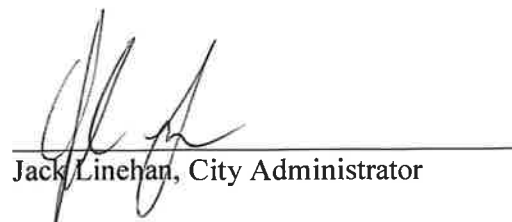
K. ADJOURNMENT: 8:27 PM

Councilmember Leehy motions to adjourn the meeting; approved 5-0



Randall C. Gustafson, Mayor

Dated this 27th day of September, 2023



Jack Linehan, City Administrator

