

CITY OF FALCON HEIGHTS
City Council Workshop
City Hall
2077 West Larpenteur Avenue

AGENDA
Wednesday, March 6, 2024
6:30 P.M.

A. CALL TO ORDER:

B. ROLL CALL: GUSTAFSON___ LEEHY___
MEYER ___ MIELKE___ WASSENBERG___

STAFF PRESENT: LINEHAN___

C. POLICY ITEMS:

1. Potential Police Partnership - Engagement Plan
2. Community Park Updates
3. Legislative Updates / Priorities
4. 75th Anniversary Planning
5. Future Agenda Items

D. ADJOURNMENT:

DISCLAIMER: City Council Workshops are held monthly as an opportunity for Council Members to discuss policy topics in greater detail prior to a formal meeting where a public hearing may be held and/or action may be taken. Members of the public that would like to make a comment or ask questions about an item on the agenda for an upcoming workshop should send them to mail@falconheights.org prior to the meeting. Alternatively, time is regularly allotted for public comment during Regular City Council Meetings (typically 2nd and 4th Wednesdays) during the Community Forum.

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Meeting Date	March 6, 2024
Agenda Item	Policy C1
Attachment(s)	Proposal
Submitted By	Jack Linehan, City Administrator

Item	Discuss community outreach strategies regarding a potential partnership for police services with the City of St. Anthony Village
Description	<p>The City of Falcon Heights and the City of St. Anthony Village had a joint workshop on February 8, 2024 to discuss the potential of a partnership for police services.</p> <p>At the meeting, it was recommended that both City Councils discuss strategies for community outreach at a workshop the following week.</p> <p>At our February 14th special workshop meeting, the City Council discussed additional outreach methods. A survey was identified as one potential source of feedback. Additionally, in-person opportunities have been discussed as well.</p>
Budget Impact	N/A
Attachment(s)	
Action(s) Requested	The City Council is requested to discuss community outreach strategies.

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Meeting Date	March 6, 2024
Agenda Item	Policy C2
Attachment	
Submitted By	Jack Linehan, City Administrator

Item	Community Park Updates
Description	<p>On February 14th, 2024, the City Council approved final site designs for the Community Park Renovation Project.</p> <p>Staff will give a brief update on the project status and proposed next steps, which includes hiring a Construction Manager as Advisor (CMa) to assist in pre-construction cost estimating and construction management.</p>
Budget Impact	N/A
Attachment(s)	N/A
Action(s) Requested	Staff recommends the City Council discuss the next steps in the renovation project.

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Meeting Date	March 6, 2024
Agenda Item	Policy C3
Attachment(s)	LMC Sheet, Draft Legislative Priorities, Current Bills
Submitted By	Jack Linehan, City Administrator

Item	Legislative Priorities / Updates
Description	<p>The Minnesota State Legislature is in session and has numerous bills for consideration. Working with the League of Minnesota Cities (LMC) and Metro Cities, as well as our legislators, staff has identified areas the Council may want to consider taking official positions on.</p> <p>The LMC has an upcoming “City Day on the Hill” on Thursday, March 7th. We are working to set up meeting with our D66 legislators this day to share our legislative priorities.</p> <p>Included for discussion are:</p> <ul style="list-style-type: none"> • Request for state bonding for Community Park • Local Government Aid / Funding to Cities • Restoration / Unity Days Statewide • “Local Control”, which includes preemption of decisions that are traditionally at the local level including: <ul style="list-style-type: none"> ○ Housing – Bills that would require lot size minimum reductions, requirement of allowance of accessory dwelling units, limiting parking restrictions for housing, and increasing height restrictions. ○ Even-year elections – A bill that would require municipalities and school districts with odd-year elections to move to even-year elections. For us, that would include Falcon Heights and Roseville ISD 623. The bill would require municipalities to adopt a plan to shift towards even-year elections and allow cities to either extend or reduce all terms by a year to facilitate (i.e., a term that was 2021-2025 could become 2021-2024 (3 years) or 2021-2026 (5 years). Terms that are 2023-2027 would similarly need to be extended or reduced on year. <ul style="list-style-type: none"> ▪ There are pros and cons to this move – even-year elections likely increases turnout and reduces costs of requiring annual elections, but also could increase partisanship of local elections.

	Staff is asking the council to review the LMC priorities one-sheet, and also consider the Metro Cities 2024 Priorities . We have put together our own proposed one-sheet priority list, but if there are additional to consider it would be good to further discuss and refine. The City Council can direct staff to consider whether they would like us to advocate for the approval, denial or neutral/no stance on various issues.
Budget Impact	N/A
Attachment(s)	<ul style="list-style-type: none"> • LMC Priorities • Draft Falcon Heights Legislative Priorities • LMC: “Missing Middle Housing Bill Includes Myriad of Statewide Zoning and Land Use Preemption Provisions” • H.F Bill 3381
Action(s) Requested	The City Council is requested to discuss legislative priorities for 2024.

2024 Legislative Priorities - DRAFT



Item	Description	Impact to Falcon Heights	Position
<ul style="list-style-type: none"> • State Bonding Funding - Community Park 	<ul style="list-style-type: none"> • The City requested \$1M in state bonding to help with the 2024/2025 renovation of Community Park. • The Community Park Renovation Project is scheduled to be a \$3.5M repair of our shuttered park building. 	<ul style="list-style-type: none"> • As with all local bonding requests, our reasonable request was not in the Governor’s recommendation • If state bonding is not received for the project, we will have to cut amenities or increase our debt burden to fund the project. 	<ul style="list-style-type: none"> • TBD
<ul style="list-style-type: none"> • LGA / Aid to Cities 	<ul style="list-style-type: none"> • In 2024, Falcon Heights received \$861,564. 	<ul style="list-style-type: none"> • As a city that is 2/3rds exempt, state-owned properties, it is critical that we advocate to maintain LGA and that it keeps pace with inflationary growth. 	<ul style="list-style-type: none"> • TBD
<ul style="list-style-type: none"> • Restoration / Unity Days 	<ul style="list-style-type: none"> • Sen. Oumou Verbeten has a proposed bill to make Restoration and Unity Days statewide dates of recognition in perpetuity. 	<ul style="list-style-type: none"> • Statewide recognition of the goal of encouraging residents of Minnesota to celebrate Restoration and Unity Days 	<ul style="list-style-type: none"> • TBD
<ul style="list-style-type: none"> • Local Control 	<ul style="list-style-type: none"> • HF Bill 4009/SF 3964 - “Missing Middle Housing Bill” • HF Bill 3381 - Even-year elections 	<ul style="list-style-type: none"> • “Missing Middle Housing” has significant changes in zoning authority that would impact the city. • Even-year elections would require Falcon Heights to adopt a plan in 2024 to switch future elections to even years. All terms would need to either be extended or reduced by one-year to meet new election cycles (2024, 2026, 2028, etc.) 	<ul style="list-style-type: none"> • TBD

2024 LEGISLATIVE PRIORITIES

The League of Minnesota Cities promotes excellence in local government through effective advocacy, expert analysis, and trusted guidance for all 855 Minnesota cities.



Adult-Use Cannabis

Legislation should be responsive to the needs of cities as they arise from the implementation of the adult-use cannabis industry, including providing adequate funding through the Local Government Cannabis Aid fund. The League supports efforts that would increase discretion and local authority.

Bonding

The League supports a substantial bonding bill that includes appropriations for municipal water and wastewater infrastructure, local roads and bridges, housing, the local road wetland replacement fund, flood hazard mitigation, and dam repair and removal projects.

Emergency Medical Services (EMS)

The League supports the work of the EMS Delivery and Sustainability Task Force and will engage in the work of the Minnesota Legislature's Joint Task Force on EMS. The League will advocate for funding and policy solutions that recognize different EMS models and support EMS statewide.

Employment Issues

The League supports clarifying the Earned Sick and Safe Time law regarding applicability to paid on-call firefighters, public sector part-time EMS personnel, and other unique positions. The League also supports preserving inherent managerial rights for public employers to make decisions regarding budget, personnel, and appropriate levels of public service.

Housing

The League seeks to build on the historic level of housing funding passed in 2023 and ensure successful implementation of new programs. The League also seeks to advance policy that builds on the state-local partnership and allows broader authority for cities to address their locally-identified housing needs while ensuring that local decision-making authority on zoning and land use remains.

Local Government Aid (LGA)

The League is thankful for the significant LGA changes passed into law in 2023 and supports allowing annual increases to LGA to keep pace with rising costs due to inflationary pressures on city budgets.

Local Control

The League will oppose legislation that erodes local control in cities across Minnesota.

Local Sales Taxes

The League supports a change in law to generally allow cities to enact a local sales tax for public improvements and capital replacement costs without requiring a special law authorization.

Public Safety Duty Disability

The League will seek ongoing state funding for measures related to injury prevention, treatment, and employer reimbursements. The League will oppose efforts to expand conditions presumed to be work-related for workers' compensation purposes.

Sales Tax Exemption on Construction Materials

The League supports legislation to streamline the process required for cities to secure the sales tax exemption on construction materials.

School Resource Officers (SROs)

The League calls on the legislature and governor to work with stakeholders including law enforcement, local government, and education organizations to clarify laws pertaining to the authority SROs have in schools.

Water and Wastewater Infrastructure and Policies

The League supports the state providing the technical and financial resources needed for municipal drinking water, stormwater, and wastewater systems.

LEAGUE OF MINNESOTA CITIES INTERGOVERNMENTAL RELATIONS STAFF

The League's Intergovernmental Relations (IGR) staff work on legislative issues that matter to cities. Feel free to contact our IGR staff members with any questions, concerns, or suggestions regarding legislative issues.



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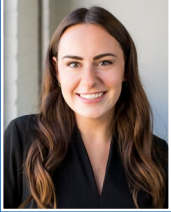
- Emergency Management
- Pensions and Retirement
- Public Safety
- State Bonding
- Transportation
- Workers' Compensation

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- Building Codes
- Civil Liability
- Data Practices and Open Meeting Law
- Land Use and Zoning
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- Cannabis Regulation
- Elections
- Employment and Human Resources
- Regulated Industries

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- Aid to Cities
- Local Government Aid (LGA)
- Local Sales Taxes
- Public Finances
- Taxes
- Tax Increment Financing (TIF)

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- Energy
- Environment
- Land Use and Annexation
- Local/Tribal Relations
- State Bonding
- Sustainable Development
- Wastewater, Drinking Water, and Stormwater

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- Broadband
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- Economic Development
- Federal Relations and Advocacy
- Housing
- State Bonding
- Telecommunications, Information Technology, & Wireless Infrastructure

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- General
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JAN2024





Missing Middle Housing Bill Includes Myriad of Statewide Zoning and Land Use Preemption Provisions

February 20, 2024

Legislation to be heard Feb. 20 in the House Housing Finance and Policy Committee seeks to broadly preempt city zoning and land use authority and require residential density in many cities.

HF 4009/SF 3964, the “Missing Middle Housing” bill authored by Rep. Larry Kraft (DFL-St. Louis Park)/Sen. Nicole Mitchell (DFL-Woodbury) and HF 4010/SF 3980 authored by Rep. Alicia Kozlowski (DFL-Duluth)/ Sen. Susan Pha (DFL-Brooklyn Park) will be considered by the House Housing Finance and Policy Committee.

The bills, which are likely to be combined via an amendment, contain myriad of provisions that broadly preempt city zoning and land use authority and mandate various levels of density on residential and commercial lots regardless of infrastructure capacity while also creating required administrative review processes that eliminate public input.

Details of the proposed legislation

While there are cities in all regions of the state that have adjusted their zoning ordinances over time to accommodate varying degrees of density, these decisions were made at the local level and ensured adequate infrastructure capacity while including public input from community members impacted by these changes. While the amendment clarifies several issues the League has raised and exempts Great Minnesota cities with populations of 5,000 or less from certain requirements, the Missing Middle Housing bill combined with HF 4010/SF 3980 still eliminates the ability for cities across the state to do either by including the following provisions in the bill language that was introduced:

- Sets a base level for density allowed on any residential lot by right (or without needing to go through a discretionary review processes) regardless of size at 2 units statewide and 4 units in cities of the first class. If certain conditions are met, 8 units are allowed in second-, third-, and fourth-class cities and 10 units may be allowed per lot in cities of the first class.
- Forces administrative approvals of projects that meet the standards in the bill language and prohibits public input in the approval process.
- Limits minimum lot size requirements to no greater than 2,500 square feet for first class cities and 4,000 square feet for all other cities except for Greater Minnesota cities with populations of less than 5,000.

- Requires all cities to accept Accessory Dwelling Units on all residential lots regardless of size and allows property owners to subdivide their lots by right.
- Prohibits off-street parking from being required close to major transit stops and limits off-street parking minimum requirements to 1 spot per unit in other areas.
- Allows multifamily buildings to be built up to 150 feet tall on any lot in a commercial zoning district.
- Broadly prohibits design standards for residential development and eliminates minimum square footage and floor area ratio requirements.

Next steps

The League has been in conversations with the bill authors and will continue to advocate for local control when it comes to local decision-making authority on residential development. Cities are encouraged to reach out to their legislators with concerns regarding this bill.

[Read more news articles.](#)

Your LMC Resource

Daniel Lightfoot

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This Document can be made available in alternative formats upon request

State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 3381

02/12/2024 Authored by Stephenson
The bill was read for the first time and referred to the Committee on Elections Finance and Policy

1.1 A bill for an act
1.2 relating to elections; requiring city, town, and school district general elections to
1.3 be conducted on the first Tuesday after the first Monday in November of an
1.4 even-numbered year; permitting cities of the first class to choose to conduct a
1.5 general election on the first Tuesday after the first Monday in November of either
1.6 an odd-numbered or even-numbered year; requiring affected cities, towns, and
1.7 school districts to adopt an orderly transition plan; amending Minnesota Statutes
1.8 2022, sections 205.07, subdivisions 1, 3; 205.075, subdivision 2; 205A.03,
1.9 subdivisions 1, 2; 205A.04, subdivision 1; 205A.055, subdivision 1; repealing
1.10 Minnesota Statutes 2022, section 205A.04, subdivision 3.

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

1.12 Section 1. Minnesota Statutes 2022, section 205.07, subdivision 1, is amended to read:

1.13 Subdivision 1. **Date of election.** The municipal general election in each city shall be
1.14 held on the first Tuesday after the first Monday in November in every even-numbered year.
1.15 Notwithstanding any provision of law to the contrary and subject to the provisions of this
1.16 section, the governing body of a city of the first class may, by ordinance passed at a regular
1.17 meeting held at least 180 calendar days before the first day to file for candidacy in the next
1.18 municipal election, decide to hold the election on the first Tuesday after the first Monday
1.19 in November in either an even- or odd-numbered year. A city of the first class may hold
1.20 elections in either the even-numbered year or the odd-numbered year, but not both. When
1.21 a city of the first class changes its elections from one year to another, and does not provide
1.22 for the expiration of terms by ordinance, the term of an incumbent expiring at a time when
1.23 no municipal election is held in the months immediately prior to expiration is extended until
1.24 the date for taking office following the next scheduled municipal election. If the change
1.25 results in having three council members to be elected at a succeeding election, the two
1.26 individuals receiving the highest vote shall serve for terms of four years and the individual

2.1 receiving the third highest number of votes shall serve for a term of two years. To provide
 2.2 an orderly transition to the odd or even year election plan, the governing body of the city
 2.3 may adopt supplementary ordinances regulating initial elections and officers to be chosen
 2.4 at the elections and shortening or lengthening the terms of incumbents and those elected at
 2.5 the initial election. The term of office for the mayor may be either two or four years. The
 2.6 term of office of council members is four years. Whenever the time of the municipal election
 2.7 in a city of the first class is changed, the city clerk immediately shall notify in writing the
 2.8 county auditor and secretary of state of the change of date. Thereafter the municipal general
 2.9 election shall be held on the first Tuesday after the first Monday in November in each
 2.10 odd-numbered or even-numbered year until the ordinance is revoked and notification of the
 2.11 change is made. A municipal general election scheduled to be held in an odd-numbered
 2.12 year may be postponed for inclement weather as provided in section 205.105.

2.13 Sec. 2. Minnesota Statutes 2022, section 205.07, subdivision 3, is amended to read:

2.14 Subd. 3. **Effect of ordinance; referendum.** An ordinance changing the year of the
 2.15 municipal election in a city of the first class is effective 240 days after passage and
 2.16 publication or at a later date fixed in the ordinance. Within 180 days after passage and
 2.17 publication of the ordinance, a petition requesting a referendum on the ordinance may be
 2.18 filed with the city clerk. The petition shall be signed by eligible voters equal in number to
 2.19 ten percent of the total number of votes cast in the city at the last municipal general election.
 2.20 If the requisite petition is filed within the prescribed period, the ordinance shall not become
 2.21 effective until it is approved by a majority of the voters voting on the question at a general
 2.22 or special election held on a date authorized by section 205.10, subdivision 3a. If the petition
 2.23 is filed, the governing body may reconsider its action in adopting the ordinance.

2.24 Sec. 3. Minnesota Statutes 2022, section 205.075, subdivision 2, is amended to read:

2.25 Subd. 2. **Alternate date.** A town may, by resolution or ordinance, designate the first
 2.26 Tuesday after the first Monday in November of ~~either the an~~ an even-numbered ~~or the~~
 2.27 ~~odd-numbered~~ year as the date of the town general election. Town supervisors elected at a
 2.28 November town general election shall serve four-year terms.

2.29 The ordinance or resolution changing the date of the town general election must include
 2.30 a plan to shorten or lengthen the terms of office to provide an orderly transition to the
 2.31 November election schedule.

2.32 The ordinance or resolution changing the date of the town general election may be
 2.33 proposed by the town board or by a resolution of the electors adopted at the annual town

3.1 meeting and is effective upon an affirmative vote of the electors at the next town general
3.2 election.

3.3 Sec. 4. Minnesota Statutes 2022, section 205A.03, subdivision 1, is amended to read:

3.4 Subdivision 1. **Resolution requiring primary in certain circumstances.** The school
3.5 board of a school district may, by resolution adopted by April 15 of ~~any~~ an even-numbered
3.6 year, decide to choose nominees for school board by a primary as provided in this section.
3.7 The resolution, when adopted, is effective for all ensuing elections of board members in
3.8 that school district until it is revoked. If the board decides to choose nominees by primary
3.9 and if there are more than two candidates for a specified school board position or more than
3.10 twice as many school board candidates as there are at-large school board positions available,
3.11 the school district must hold a primary.

3.12 Sec. 5. Minnesota Statutes 2022, section 205A.03, subdivision 2, is amended to read:

3.13 Subd. 2. **Date.** The school district primary must be held on the second Tuesday in August
3.14 in the year when the school district general election is held. The clerk shall give notice of
3.15 the primary in the manner provided in section 205A.07. ~~The date of a school district primary~~
3.16 ~~held in an odd-numbered year may be postponed for inclement weather as provided in~~
3.17 ~~section 205A.055.~~

3.18 Sec. 6. Minnesota Statutes 2022, section 205A.04, subdivision 1, is amended to read:

3.19 Subdivision 1. **School district general election.** The general election in each school
3.20 district must be held on the first Tuesday after the first Monday in November of ~~either the~~
3.21 ~~odd-numbered or the~~ an even-numbered year. ~~A general election held in an odd-numbered~~
3.22 ~~year may be postponed for inclement weather as provided in section 205A.055.~~

3.23 Sec. 7. Minnesota Statutes 2022, section 205A.055, subdivision 1, is amended to read:

3.24 Subdivision 1. **Applicability.** This section applies to a ~~primary, special, or general~~
3.25 election held in a school district that is not held in conjunction with a state or federal election.

3.26 Sec. 8. **REPEALER.**

3.27 Minnesota Statutes 2022, section 205A.04, subdivision 3, is repealed.

4.1 **Sec. 9. EFFECTIVE DATE; TRANSITION.**

4.2 This act is effective July 1, 2024, and applies to elections conducted on or after January
4.3 1, 2025. No later than January 1, 2025, the governing body of an affected city, town, or
4.4 school district must adopt a plan for an orderly transition to an even-numbered year election
4.5 as required by this act. The plan must be adopted by ordinance in the case of a city, or by
4.6 ordinance or resolution in the case of a town or school district. The terms of office for elected
4.7 officers of the city, town, or school district may be lengthened or shortened by one year as
4.8 part of the transition plan.

205A.04 GENERAL ELECTION.

Subd. 3. **Change in year of general election.** The school board may, by resolution, change the year in which the school district general election will be held. The resolution must be approved no later than four weeks before the first day to file affidavits of candidacy for the general election. A plan for the orderly transition to the new election year must be included in the resolution. The terms of school board members may be lengthened or shortened by one year as a part of the transition process.

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Meeting Date	March 6, 2024
Agenda Item	Policy C4
Attachment(s)	
Submitted By	Jack Linehan, City Administrator

Item	Discuss 75 th Anniversary of Falcon Heights
Description	<p>At the City Council meeting on January 24, 2024, Council asked that the 75th Anniversary of Falcon Heights be added as an upcoming agenda item.</p> <p>This is an opportunity to now discuss what the Council envisions for recognizing and celebrating this occasion.</p>
Budget Impact	TBD
Attachment(s)	
Action(s) Requested	Staff recommends City Council discuss the 75 th Anniversary of the City of Falcon Heights.

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Meeting Date	March 6, 2024
Agenda Item	Policy C4
Attachment	
Submitted By	Jack Linehan, City Administrator

Item	Future Agenda Items
Description	<p>This is an opportunity to discuss future agenda items the City Council would like to discuss at either a regular meeting or workshop format.</p> <p>Additionally, this will be an opportunity to schedule the upcoming 2024 Council Retreat, tentatively planned for a Saturday in April.</p>
Budget Impact	N/A
Attachment(s)	
Action(s) Requested	Staff recommends the City Council recommend items they would like to see as future and help staff set a date for the retreat in April.