

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

AGENDA
September 27, 2006

- A. CALL TO ORDER: 7:00 PM
- B. ROLL CALL: GEHRZ ___ KUETTEL ___ HARRIS ___
 LINDSTROM ___ TALBOT ___
 MILLER ___ KREUSER ___
- C. PRESENTATION:
- D. APPROVAL OF MINUTES: September 13, 2006 **TAB 1**
- E. PUBLIC HEARINGS:
- F. CONSENT AGENDA:
1. General disbursements through 9/22/06: \$95,856.55
 Payroll through 9/15/06: \$15,075.20 **TAB 2**
 2. Step increase for Lisa Abernathy, Parks and Recreation Supervisor/
 Administrative Assistant **TAB 3**
 3. Appointments to Comprehensive Plan Steering Committee **TAB 4**
 4. Approval of Licenses **TAB 5**
 5. Approval for Mayor Gehrz to Accept Complimentary Tickets to
 University of Minnesota vs. Michigan Football Game as the City's
 Representative on the Stadium Area Advisory Group. **TAB 6**
- G. POLICY AGENDA:
1. Discussion of Draft Solicitor Ordinance **TAB 7**
 2. Discussion of Alcohol Violation Fine Schedule **TAB 8**
- H. COMMUNITY FORUM:
- I. INFORMATION/ANNOUNCEMENTS:
- J. ADJOURN

**Regular Meeting of the City Council
City Hall
September 13, 2006**

Members Present: Mayor Gehrz, Council members Harris, Kuettel, Lindstrom, and Talbot, Administrator Miller, Assistant City Administrator/Deputy Clerk Kreuser, City Attorney Knutson, and Zoning and Planning Director Jones.

Mayor Gehrz called the meeting to order at 7:00 p.m.

The minutes of the August 23, 2006 regular council meeting were approved as submitted.

Consent Agenda:

After a brief explanation of resolution 06-21 by Administrator Miller, the TIF district at 1666 Coffman has available TIF funds for the City, however the development district boundaries need to be modified, Council member Talbot moved the following five items for approval. The motion passed unanimously.

1. General disbursements through 9/6/06: \$39,461.57
Payroll through 8/31/2006: \$16,836.49
2. Appointment of Sam Bontrager to Environment Commission
3. Approval of license
4. Resolution 2006-21 Calling for a Public Hearing by the City Council on the Proposed Adoption of a Modification to the Development Program for Development District No. 1.
5. Resolution 2006-22 authorizing the City to eliminate the 2007 Debt Levy on General Obligation Debt

Policy Agenda:

1. 2007 Preliminary Tax Levy and Setting Dates of Truth-in-Taxation Hearings

Administrator Miller presented the council the 2007 preliminary levy findings and budget, and explained the maximum levy amount was required to be set by September 15. He said the increases in the levy were attributable to the increases in public safety costs, utilities, and health insurance premiums. He added that no services were planned to be added or cut. He explained the City's enterprise funds would begin to be used for their specific types of expenditures, thus eliminating the burden on the general fund. After explaining the history of transfers to the general fund and tax levy, he said the increase since 2003 would be 2.4%. The recommended increase for 2007 is 3.5%. Council member Kuettel asked Miller to explain where the property value increase of 7.7% originated. Miller stated it came from Ramsey County's estimates. Council member Harris asked Miller to talk about the history of the tax levy. Miller explained 2.4% was the change from 2003, which was the last year the levy was increased. The 3.5% increase was the change from 2006-2007. Council member Talbot reminded residents that months were spent working out the amounts for the budget and levy.

Council member Harris stated after seeing the budget process, she was convinced 3.5% was the best the City could do in terms of the levy, and best the City could do in terms of budget.

Council member Kuettel reminded residents that \$29,000 of the increase was due to the police contract.

Council member Lindstrom said he agreed with everything that had been said, and thought the increase was a very balanced answer to the budget for 2007. He said the 3.5% was taxpayer dollars wisely spent.

Mayor Gehrz stated the 800 mhz communication system would be new for 2007, and there was an increase in dispatch costs associated with that, however she also thought that residents would likely support spending on improved public safety.

Council member Harris said she learned there were several funds where monies are in reserves. Over previous years, reserves were spent to cover expenses rather than raising the levy.

Mayor Gehrz asked residents to come to the December 4 Truth-in-Taxation hearing, or call with questions or suggestions.

Council member Kuettel moved to approve the 2007 Preliminary Tax Levy and Setting Dates of Truth-in-Taxation Hearings. The motion passed unanimously.

2. Proposed Ordinance Amending City Code on Drive-through Businesses

Administrator Miller began the item by giving an overview of the process to date. He stated the Council's recommendation to the Planning Commission was to allow for drive-throughs in B-2 zones for banks only. He stated the Planning Commission reviewed and made their own recommendation to allow drive-throughs for all uses, the addition of a visual screen, and to increase the lot size minimum to 35,000 square feet.

Council member Kuettel asked the council to reconsider the Planning Commission's recommendation, and to continue to hold financial institutions and banks as the only allowable uses for drive-throughs in B-2. She added the visual screen was a good idea, along with the 35,000 square foot lot size requirement. She said the reason for the increase was one party could purchase adjacent properties and combine them, then they would meet the 30,000 square foot lot size requirement but still be less than 35,000. She also said the Commission asked for clarification on the exit and entryways.

Mayor Gehrz gave a explanation of the business zones in Falcon Heights. She explained the only allowable properties would be located in the B-2 zones.

Council member Harris said no restaurants would be allowed in B-2, but questioned if the council's motivation for drafting the ordinance as it was, was to protect due to the idea the properties could be re-zoned by council's in the future. Zoning and Planning Coordinator Jones replied that was true. In response to Mayor Gehrz's question, Jones also replied that pharmacies are not listed as either a permitted or conditional use.

Council member Kuettel stated she was concerned about the B-1 zones, as they could be re-zoned to a B-2 or B-3 zone. She stated the council should try and include language that would protect residents.

Council member Talbot asked if a request for rezoning was not processed within 60 days if it would automatically be deemed as approved. City Attorney Knutson replied that was true.

Council member Harris stated her preference had not changed, and she still was of the persuasion to not allow any drive-throughs in the City. She stated the reason she was suggesting it was because she didn't think there were any parcels of land that were big enough to allow a drive-through, even if it were for a bank. She said she recognized that if there weren't going to be any drive-ups for banks, then there weren't going to be any banks in Falcon Heights. She added that she realized she was taking the position that the potential for an increased tax base would be eliminated.

Council member Talbot said he was on the same page as Harris.

Council member Lindstrom said he would like to stick with the original plan. He argued leaning more towards the homeowner's protection, but if one looked at the Code, allowing restaurants tips the scales, and there were eight items that balanced it back out. He said the Planning Commission's recommendations were good, except for allowing all drive-throughs in B-2 zones.

Mayor Gehrz stated she agreed with Council member Lindstrom. She said Commissioner Tom Lageson encouraged the Planning Commission to open the option of a drive-through to any business in B-2, and she was not comfortable with that. She said that logically limiting the zone to B-2 eliminated the worry about traffic on Snelling and Larpenteur, the square footage would control for setbacks, and the distance from residential properties would not be a factor. She added she could not make an argument that with all the conditions that a bank or financial institution would have a big impact on the houses or surrounding apartments.

Council member Talbot stated in doing deference to the homeowners, Falcon Heights was not being hostile to businesses, but only was trying to limit the impact on homeowners. He stated that since the rest of the council wanted to agree with no drive-throughs, it was perfectly acceptable to go along with drive-throughs in B-2 zones.

Ray Wirth, 1795 Pascal, came to the podium, and thanked the council for hiring Planning Consultant Dan Cornejo, who in Wirth's opinion, did an excellent job. He urged the council to follow Cornejo's recommendation to not allow any drive-throughs in the City. Council member Harris stated it would be a good thing for the City if the council was unanimous. She added that it was not her viewpoint for the City to have drive-ups, at all, but would vote with everyone else.

Mayor Gehrz asked for a motion.

Council member Kuettel moved adoption of ordinance 06-03, including the Planning Commission's recommendations, with the amendments in section one, section two, and section three. Administrator Miller read the ordinance as it would be adopted. The motion passed unanimously.

3. Review of Draft of Falcon Heights City Code Recodification (Part IV)

Administrator Miller stated the council had the zoning chapters to proofread for the recodification project. He asked the council for their changes to the draft code. The council went through the code, page-by-page, and made their changes.

Information/Announcements:

Council member Harris reported the Human Rights Commission set their agenda for the remainder of 2006, while the Parks and Rec Commission discussed the play equipment at

Curtiss Field. She also stated she had used the AutoMark for voting in the primary and found the machine easy to use.

Council member Lindstrom said he went to the Environment Commission meeting and looked forward to the new member, Sam Bontrager, joining. He added the Commission would likely come before council during November with their recommendation on the community garden project.

Council member Kuettel thanked the election judges and voters.

Council member Talbot reported the Cable Commission was staying informed of the legislation regarding city rights-of-way.

Administrator Miller announced the City Garage Sale was scheduled for September 16. Maps at City Hall and on the website.

The meeting was adjourned at 9:00 p.m.

Respectfully submitted,

Stacey Kreuser

Assistant City Administrator/Deputy Clerk

9/27/06

ITEM: **Disbursements and Payroll**

SUBMITTED BY: **Roland O. Olson, Finance Director**

REVIEWED BY: **Justin Miller, City Administrator**

EXPLANATION:

- . General Disbursements through 9/22/06: \$95,856.55
- . Payroll through 9/15/06: \$15,075.20

ACTION REQUESTED:

Approval

EMP NO	EMPLOYEE NAME	TYPE	CHECK DATE	CHECK AMOUNT	CHECK NO.
0034	KURHAJETZ, CLEMENT	R	9/18/2006	80.12	070449
0040	ANDERSON, KEVIN	R	9/18/2006	29.82	070450
0066	HERNANDEZ, ALFRED	R	9/18/2006	69.04	070451
0085	JOHNSON-POWERS, DANIEL S	R	9/18/2006	66.77	070452
0087	MCKAY, MICHAEL A	R	9/18/2006	64.18	070453
0090	SCHIPPEL, ANDREW P	R	9/18/2006	65.33	070454
0095	POESCHL, MICHAEL J	R	9/18/2006	84.04	070455
0097	GAFFNEY, PATRICK	R	9/18/2006	60.49	070456
0098	REZNY, BRADLEY J	R	9/18/2006	59.34	070457
0104	VANN, VINCENT A	R	9/18/2006	78.96	070458
0105	FEHRENBACH, ANTON M	R	9/18/2006	106.79	070459
0106	TESCH, SCOTT A	R	9/18/2006	93.74	070460
0109	DOUVIER, JASON D	R	9/18/2006	24.70	070461
0112	LESKE, CHRIS M	R	9/18/2006	59.34	070462
0114	GANSCHINIETZ, ANNE T	R	9/18/2006	87.85	070463
0116	GOPLIN, ADAM R	R	9/18/2006	64.18	070464

*** REGISTER TOTALS ***

REGULAR CHECKS:	16	1,094.69
DIRECT DEPOSIT REGULAR CHECKS:		
MANUAL CHECKS:		
PRINTED MANUAL CHECKS:		
DIRECT DEPOSIT MANUAL CHECKS:		
VOIDED CHECKS:		
NON CHECKS:		
TOTAL CHECKS:	16	1,094.69

*** NO ERRORS FOUND ***

** END OF REPORT **

EMP NO	EMPLOYEE NAME	TYPE	CHECK DATE	CHECK AMOUNT	CHECK NO.
1002	MILLER, JUSTIN J	R	9/15/2006	1,873.26	070425
1007	PHILLIPS, PATRICIA	R	9/15/2006	479.10	070426
1008	KREUSER, STACEY T	R	9/15/2006	1,185.12	070427
1016	ABERNATHY, LISA A	R	9/15/2006	1,194.88	070428
1136	OLSON, ROLAND O	R	9/15/2006	1,545.09	070429
1141	YARD, MICHAEL C	R	9/15/2006	241.48	070430
1096	DEHLIN, JANE ADAMS	R	9/15/2006	62.44	070431
1097	SHIGAKI, TAI	R	9/15/2006	108.00	070432
1104	PETERSON, MARY P	R	9/15/2006	67.50	070433
1158	GRAHAM, STEVEN R	R	9/15/2006	111.38	070434
1198	EVEREST, MARTHA V	R	9/15/2006	111.38	070435
2005	TAPIO, MARYHELEN J	R	9/15/2006	114.75	070436
2024	SEIDEL, JOAN T	R	9/15/2006	54.00	070437
2027	HOWELL, ANDREA K	R	9/15/2006	60.75	070438
2028	ADDICKS JR, MENTOR C	R	9/15/2006	109.69	070439
2029	BURT, ANNE M	R	9/15/2006	55.69	070440
2033	ZAHARIADES, LILY J	R	9/15/2006	48.94	070441
1035	AUGER SR, JOSEPH J	R	9/15/2006	288.90	070442
1038	JONES, DEBORAH K	R	9/15/2006	1,373.15	070443
1015	HOAG, GREGORY R	R	9/15/2006	1,802.68	070444
1033	TRETSEVEN, DAVE	R	9/15/2006	1,374.89	070445
1143	CALLAHAN, COLIN B	R	9/15/2006	1,038.55	070446
1103	MEYER, DIANE	R	9/15/2006	678.89	070447

9-15-2006 11:10 AM

PAYROLL CHECK REGISTER

PAYROLL NO: 01 City of Falcon Heights

PAGE: 2

PAYROLL DATE: 9/15/2006

*** REGISTER TOTALS ***

REGULAR CHECKS:	23	13,980.51
DIRECT DEPOSIT REGULAR CHECKS:		
MANUAL CHECKS:		
PRINTED MANUAL CHECKS:		
DIRECT DEPOSIT MANUAL CHECKS:		
VOIDED CHECKS:		
NON CHECKS:		
TOTAL CHECKS:	23	13,980.51

*** NO ERRORS FOUND ***

** END OF REPORT **



SEP 12 2006



September Statement for activity from Aug. 04, 2006 through Sep. 06, 2006
 CITY OF FALCON HEIGHT, JUSTIN J MILLER (CPN 000107109)

Inquiries: 1-866-485-4545
 BUS: 3458 02 Page 1 of 1

Your U.S. Bank Visa® Business Card account at a glance ...

Account: [REDACTED]

Activity Summary

Credit and Payment Information

Previous Balance.....	\$321.71
Payments and Credits.....	\$321.71
Purchases, Advances & Other Debits	\$678.50
FINANCE CHARGES	\$0.00
New Balance	\$678.50

Credit Line	\$15,000.00
Available Credit.....	\$14,321.50
Minimum Payment Due (Current Month)...	\$14.00
Minimum Payment Due (Past Due)	\$0.00
Total New Minimum Payment Due	\$14.00
Payment Due Date	Sep. 26, 2006

To reduce or avoid paying additional finance charges on your purchase balance, pay the total new balance of \$678.50 by 09/26/06.
 Any cash balance or balance transfer balance will continue to accrue daily interest until the date your payment is received.

Transactions

Post Date	Trans Date	Ref. Nbr	Description of Transaction	Amount	Notation
Payments and Credits					
08/14	08/14	0166	PAYMENT THANK YOU.....	\$321.71 CR	-----
Purchases, Advances, Debits					
08/28	08/25	8691	THE STAR TRIBUNE-ADVER 612-6737520 MN.....	\$35.00	-AD Garage Sale
08/30	08/29	5713	PARENT'S HELPER INC. 800-413-7446 NH.....	\$643.50	-SIDEWALK SAMMYS

Company Approval

(This area for use by your company)

Signature/Approval: _____

Accounting Code: _____

Rate Summary

Balance Type	Balance By Type	Avg. Daily Balance	Daily Periodic Rate	Rate Type	Interest	Corresp APR	**APR** This Period	Grace Period
BALANCE TRANSFER	\$0.00	\$0.00	0.043123%	VARIABLE	\$0.00	15.74%	0.00%	N
PURCHASES	\$678.50	\$0.00	0.043123%	VARIABLE	\$0.00	15.74%	0.00%	Y
ADVANCES	\$0.00	\$0.00	0.058191%	VARIABLE	\$0.00	21.24%	0.00%	N

End of Statement

PACKET: 00031 Regular Payables
VENDOR SET: 01 City of Falcon Heights
SEQUENCE : NUMERIC
DUE TO/FROM ACCOUNTS SUPPRESSED

Council Report

-----ID-----			GROSS	P.O. #		
POST DATE	BANK CODE	-----DESCRIPTION-----	DISCOUNT	G/L ACCOUNT	-----ACCOUNT NAME-----	DISTRIBUTION
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01-00222	ALLEGRA PRINT & IMAGING					
I-95464		BOND LETTERHEAD	123.22			
9/22/2006	APBNK	DUE: 9/22/2006 DISC: 9/22/2006				
		BOND LETTERHEAD		101 4112-70100-000	SUPPLIES	123.22
		=== VENDOR TOTALS ===	123.22			
=====						
01-00250	AMERIPRIDE LINEN&APPAREL					
I-M778382		LINEN CLEANING	26.75			
9/22/2006	APBNK	DUE: 9/22/2006 DISC: 9/22/2006				
		LINEN CLEANING		101 4124-82011-000	LINEN CLEANING	26.75
I-M791454		LINEN CLEANING	26.75			
9/22/2006	APBNK	DUE: 9/22/2006 DISC: 9/22/2006				
		LINEN CLEANING		101 4124-82011-000	LINEN CLEANING	26.75
		=== VENDOR TOTALS ===	53.50			
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01-00255	AMERICAN OFFICE PRODUCTS					
I-76983		LEGAL FOLDERS	119.68			
9/22/2006	APBNK	DUE: 9/22/2006 DISC: 9/22/2006				
		LEGAL FOLDERS		101 4112-70100-000	SUPPLIES	119.68
		=== VENDOR TOTALS ===	119.68			
=====						
01-00878	US BANCORP					
I-200609220154		SIDEWALK SAMMY / GARAGE SALE	678.50			
9/22/2006	APBNK	MANUAL CK# 070465 9/19/2006				
		SIDEWALK SAMMYS		403 4403-91000-000	MACHINERY & EQUIPMENT	643.50
		GARAGE SALE ADVERTISEMENT		101 4116-89010-000	SPECIAL EVENTS	35.00
		=== VENDOR TOTALS ===	678.50			
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01-01002	JUSTIN MILLER					
I-200609220152		ICMA CONF MEAL REIMB	63.49			
9/22/2006	APBNK	DUE: 9/22/2006 DISC: 9/22/2006				
		ICMA CONF MEAL REIMB		101 4112-86100-000	CONFERENCES/EDUCATION/AS	63.49
		=== VENDOR TOTALS ===	63.49			

PACKET: 00031 Regular Payables

VENDOR SET: 01 City of Falcon Heights

SEQUENCE : NUMERIC

DUE TO/FROM ACCOUNTS SUPPRESSED

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01-03001	CAMPBELL KNUTSON					
I-200609220150		AUG/06 LEGALS	1,344.50			
9/22/2006	APBNK	DUE: 9/22/2006 DISC: 9/22/2006				
		AUG/06 LEGALS		101 4114-80200-000	LEGAL FEES	1,344.50
		=== VENDOR TOTALS ===	1,344.50			
=====						
01-03088	CASCADE SUBSCRIPTION SERVICE,					
I-966085		FIRE ENGINEERING SUBSCRIPTION	67.95			
9/22/2006	APBNK	DUE: 9/22/2006 DISC: 9/22/2006				
		FIRE ENGINEERING SUBSCRIPTION		101 4124-86120-000	SUBSCRIPTIONS	67.95
		=== VENDOR TOTALS ===	67.95			
=====						
01-03121	CITY OF ST PAUL					
I-96030		AUG/06 FUEL	620.23			
9/22/2006	APBNK	DUE: 9/22/2006 DISC: 9/22/2006				
		AUG/06 FUEL		101 4141-74000-000	MOTOR FUEL & LUBRICANTS	620.23
I-96116		AUG/06 FUEL	411.48			
9/22/2006	APBNK	DUE: 9/22/2006 DISC: 9/22/2006				
		AUG/06 FUEL		101 4124-74000-000	MOTOR FUEL & LUBRICANTS	411.48
		=== VENDOR TOTALS ===	1,031.71			
=====						
01-03123	CINTAS CORPORATION #470					
I-470533686		RUG SERVICE	38.49			
9/22/2006	APBNK	DUE: 9/22/2006 DISC: 9/22/2006				
		RUG SERVICE		101 4131-87010-000	CITY HALL MAINTENANCE	38.49
		=== VENDOR TOTALS ===	38.49			
=====						
01-03212	NORTH SUBURBAN ACCESS CO.					
I-06-261		REIMB: MAUREEN CABLE WORK	132.00			
9/22/2006	APBNK	DUE: 9/22/2006 DISC: 9/22/2006				
		REIMB: MAUREEN CABLE WORK		101 4116-85050-000	CABLE TV	132.00
		=== VENDOR TOTALS ===	132.00			

PACKET: 00031 Regular Payables
 VENDOR SET: 01 City of Falcon Heights
 SEQUENCE : NUMERIC
 DUE TO/FROM ACCOUNTS SUPPRESSED

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01-04000	EHLERS AND ASSOCIATES					
I-333427		TIF REPORTS	175.00			
9/22/2006	APBNK	DUE: 9/22/2006 DISC: 9/22/2006				
		TIF REPORTS		412 4412-81900-000	OTHER PROFESSIONAL SERVI	87.50
		TIF REPORTS		413 4413-81900-000	OTHER PROFESSIONAL SERVI	87.50
		=== VENDOR TOTALS ===	175.00			
=====						
01-05115	ONE CALL CONCEPTS, INC					
I-6080356		AUG/06 LOCATES	242.10			
9/22/2006	APBNK	DUE: 9/22/2006 DISC: 9/22/2006				
		AUG/06 LOCATES		601 4601-88030-000	ONE CALL CONCEPTS-LOCATE	242.10
		=== VENDOR TOTALS ===	242.10			
=====						
01-05122	HARMON AUTOGLASS, EB112					
I-3005622		WINDOW REPAIR	414.02			
9/22/2006	APBNK	DUE: 9/22/2006 DISC: 9/22/2006				
		WINDOW REPAIR		101 4141-87120-000	REPAIRS & MAINTENANCE	414.02
		=== VENDOR TOTALS ===	414.02			
=====						
01-05166	GRAINGER, W. W., INC.					
I-9184361724		FLUORESCENT LAMPS	119.11			
9/22/2006	APBNK	DUE: 9/22/2006 DISC: 9/22/2006				
		FLUORESCENT LAMPS		101 4131-70110-000	SUPPLIES	119.11
I-9189423313		LINERS	122.04			
9/22/2006	APBNK	DUE: 9/22/2006 DISC: 9/22/2006				
		LINERS		101 4131-70110-000	SUPPLIES	122.04
		=== VENDOR TOTALS ===	241.15			
=====						
01-05409	STACEY KREUSER					
I-200609220151		REIMBURSEMENT	77.63			
9/22/2006	APBNK	DUE: 9/22/2006 DISC: 9/22/2006				
		REIMB GROCERIES - ELECTIONS		101 4115-70100-000	SUPPLIES	53.85
		REIMB GROCERIES - ELECTIONS		101 4115-70100-000	SUPPLIES	12.21
		REIMB MILEAGE - ELECTIONS		101 4115-70100-000	SUPPLIES	11.57
		=== VENDOR TOTALS ===	77.63			

PACKET: 00031 Regular Payables
 VENDOR SET: 01 City of Falcon Heights
 SEQUENCE : NUMERIC
 DUE TO/FROM ACCOUNTS SUPPRESSED

-----ID-----			GROSS	P.O. #		
POST DATE	BANK CODE	-----DESCRIPTION-----	DISCOUNT	G/L ACCOUNT	-----ACCOUNT NAME-----	DISTRIBUTION
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01-05665	METROPOLITAN COUNCIL					
I-831395		OCT/06 S.S.	32,890.64			
9/22/2006	APBNK	DUE: 9/22/2006 DISC: 9/22/2006				
		OCT/06 S.S.		601 4601-85060-000	METRO SEWER CHARGES	32,890.64
=== VENDOR TOTALS ===			32,890.64			
=====						
01-05705	NRG PROCESSING SOLUTONS					
I-76142		AUG TREE REMOVAL	192.38			
9/22/2006	APBNK	DUE: 9/22/2006 DISC: 9/22/2006				
		TREE/LIMB DISPOSAL - CLEANOUT		101 4132-87010-000	BOULEVARD MAINTENANCE	154.38
		STORM DAMAGE - LIMBS		101 4134-84040-000	STORM DAMAGE	38.00
=== VENDOR TOTALS ===			192.38			
=====						
01-05870	XCEL ENERGY					
I-200609220147		ELECTRIC	2,080.31			
9/22/2006	APBNK	DUE: 9/22/2006 DISC: 9/22/2006				
		ELECTRIC - GAZZEBO		101 4141-85020-000	ELECTRIC/GAS	25.04
		ELECTRIC		101 4132-85020-000	STREET LIGHTING	7.86
		ELECTRIC		101 4132-85020-000	STREET LIGHTING	2,047.41
=== VENDOR TOTALS ===			2,080.31			
=====						
01-06024	ON SITE SANITATION					
I-0239794		PORTABLE TOILET	77.90			
9/22/2006	APBNK	DUE: 9/22/2006 DISC: 9/22/2006				
		PORTABLE TOILET		101 4141-85070-000	SEWER	77.90
=== VENDOR TOTALS ===			77.90			
=====						
01-06030	OLSON,ROLAND					
I-200609220146		MILEAGE REIMB 3RD QTR	112.14			
9/22/2006	APBNK	DUE: 9/22/2006 DISC: 9/22/2006				
		MILEAGE REIMB 3RD QTR		101 4113-86010-000	MILEAGE	112.14
=== VENDOR TOTALS ===			112.14			

PACKET: 00031 Regular Payables

VENDOR SET: 01 City of Falcon Heights

SEQUENCE : NUMERIC

DUE TO/FROM ACCOUNTS SUPPRESSED

-----ID-----			GROSS	P.O. #		
POST DATE	BANK CODE	-----DESCRIPTION-----	DISCOUNT	G/L ACCOUNT	-----ACCOUNT NAME-----	DISTRIBUTION
=====						
01-06065	OXYGEN SERVICE COMPANY					
I-3036084		AIR AND 02	51.77			
9/22/2006	APBNK	DUE: 9/22/2006 DISC: 9/22/2006				
		AIR AND 02		101 4124-70100-000	SUPPLIES	51.77
		=== VENDOR TOTALS ===	51.77			
=====						
01-06185	RAMSEY COUNTY					
I-977		SEPT/06 INSURANCE	5,034.80			
9/22/2006	APBNK	DUE: 9/22/2006 DISC: 9/22/2006				
		SEPT/06 INSURANCE		101 4112-89000-000	MISCELLANEOUS	5,034.80
		=== VENDOR TOTALS ===	5,034.80			
=====						
01-06189	RAMSEY CTY PUBLIC WORKS					
I-PUBW-6977		ROADWAY PAINTING	467.61			
9/22/2006	APBNK	DUE: 9/22/2006 DISC: 9/22/2006				
		ROADWAY PAINTING		101 4132-87010-000	BOULEVARD MAINTENANCE	467.61
		=== VENDOR TOTALS ===	467.61			
=====						
01-06290	CITY OF ROSEVILLE					
I-5593		SEPT/06 TECH SUPPORT & TELEPH	933.33			
9/22/2006	APBNK	DUE: 9/22/2006 DISC: 9/22/2006				
		SEPT/06 TECH SUPPORT		101 4116-85070-000	TECHNICAL SUPPORT	725.00
		SEPT/06 TELEPHONY SVCS		101 4116-85010-000	TELEPHONE	208.33
		=== VENDOR TOTALS ===	933.33			
=====						
01-06930	U.S. POSTMASTER					
I-200609220153		\$0.39 STAMPS - 20 ROLLS	780.00			
9/22/2006	APBNK	DUE: 9/22/2006 DISC: 9/22/2006				
		\$0.39 STAMPS - 20 ROLLS		101 4112-70500-000	POSTAGE	780.00
		=== VENDOR TOTALS ===	780.00			
=====						
01-06945	QWEST					
I-200609220148		TELEPHONE	222.14			
9/22/2006	APBNK	DUE: 9/22/2006 DISC: 9/22/2006				
		TELEPHONE		101 4141-85011-000	TELEPHONE - LANDLINE	111.11
		TELEPHONE		101 4141-85011-000	TELEPHONE - LANDLINE	53.43
		AUTO DIALER S.S.		601 4601-85011-000	TELEPHONE - LANDLINE	57.60
		=== VENDOR TOTALS ===	222.14			

PACKET: 00031 Regular Payables

VENDOR SET: 01 City of Falcon Heights

SEQUENCE : NUMERIC

DUE TO/FROM ACCOUNTS SUPPRESSED

-----ID-----				GROSS	P.O. #		
POST DATE	BANK CODE	-----DESCRIPTION-----		DISCOUNT	G/L ACCOUNT	-----ACCOUNT NAME-----	DISTRIBUTION
=====							
01-07228	CITY OF ST ANTHONY						

I-1555		OCT/06 POLICE SVCS		41,035.09			
9/22/2006	APBNK	DUE: 9/22/2006 DISC: 9/22/2006					
		OCT/06 POLICE SVCS			101 4122-81000-000	POLICE SERVICES	41,035.09
=== VENDOR TOTALS ===				41,035.09			
=====							
01-07266	FEDEX KINKO'S						

I-61800001845		FALL REC SPORTS BROCHURE		691.19			
9/22/2006	APBNK	DUE: 9/22/2006 DISC: 9/22/2006					
		FALL REC SPORTS BROCHURE			201 4201-70440-000	PRINT & PUBLISHING	691.19
=== VENDOR TOTALS ===				691.19			
=====							
01-07272	LILLIE SUBURBAN NEWSPAPER						

I-200609220149		NOTICE OF ELECTION		9.77			
9/22/2006	APBNK	DUE: 9/22/2006 DISC: 9/22/2006					
		NOTICE OF ELECTION			101 4111-70410-000	LEGAL NOTICES	9.77
=== VENDOR TOTALS ===				9.77			
=====							
01-07275	BACHMAN'S, INC.						

I-276809		37 TREES		4,288.61			
9/22/2006	APBNK	MANUAL CK# 070466 9/19/2006					
		37 TREES			101 4134-84030-000	TREE PLANTING	4,288.61
=== VENDOR TOTALS ===				4,288.61			
=== PACKET TOTALS ===				93,670.62			

PACKET: 00032 Payroll Entries - 9

VENDOR SET: 01 City of Falcon Heights

SEQUENCE : ALPHABETIC

DUE TO/FROM ACCOUNTS SUPPRESSED

-----ID-----	ITM DATE	BANK CODE	DESCRIPTION	DISCOUNT	GROSS	P.O. #	G/L ACCOUNT	--ACCOUNT NAME--	DISTRIBUTION
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01-05745 MN DEPT OF REVENUE

I-T2	200609150144	9/15/2006	STATE WITHHOLDING		901.38				
			PYBNK MANUAL CK# 676684 9/18/2006						
			STATE WITHHOLDING			101	21702-000	STATE WITH PAYA	764.86
			STATE WITHHOLDING			201	21702-000	STATE WITH PAYA	10.89
			STATE WITHHOLDING			204	21702-000	STATE WITH PAYA	9.15
			STATE WITHHOLDING			206	21702-000	STATE WITH PAYA	5.46
			STATE WITHHOLDING			601	21702-000	STATE WITH PAYA	67.47
			STATE WITHHOLDING			602	21702-000	STATE WITH PAYA	43.55

=== VENDOR TOTALS === 901.38

01-06074 PERA

I-91	200609150144	9/15/2006	PERA		2,049.66				
			PYBNK MANUAL CK# 70448 9/15/2006						
			PERA			101	21704-000	PERA PAYABLE	785.62
			PERA			101	4112-64011-000	PERA CONTRIBUTI	278.83
			PERA			101	4113-64011-000	PERA CONTRIBUTI	152.63
			PERA			101	4115-64011-000	PERA CONTRIBUTI	10.82
			PERA			101	4116-64011-000	PERA CONTRIBUTI	40.60
			PERA			101	4117-64011-000	PERA CONTRIBUTI	107.46
			PERA			101	4121-64011-000	PERA CONTRIBUTI	5.25
			PERA			101	4131-64011-000	PERA CONTRIBUTI	25.10
			PERA			101	4132-64011-000	PERA CONTRIBUTI	72.72
			PERA			101	4134-64011-000	PERA CONTRIBUTI	8.83
			PERA			101	4141-64011-000	PERA CONTRIBUTI	154.81
			PERA			201	21704-000	PERA PAYABLE	50.96
			PERA			201	4201-64011-000	PERA	55.60
			PERA			204	21704-000	PERA PAYABLE	11.10
			PERA			204	4204-64011-000	PERA CONTRIBUTI	12.10
			PERA			206	21704-000	PERA PAYABLE	6.45
			PERA			206	4206-64011-000	PERA CONTRIBUTI	7.04
			PERA			601	21704-000	PERA PAYABLE	75.06
			PERA			601	4601-64011-000	PERA CONTRIBUTI	81.90
			PERA			602	21704-000	PERA PAYABLE	51.07
			PERA			602	4602-64011-000	PERA CONTRIBUTI	55.71

=== VENDOR TOTALS === 2,049.66

01-00898 US BANK TRUST NATL ASSOC

I-T1	200609150144	9/15/2006	FED INCOME TAX WITHHELD		2,140.94				
			PYBNK MANUAL CK# 759889 9/19/2006						
			FED INCOME TAX WITHHELD			101	21701-000	FED WITH PAYABL	1,811.32
			FED INCOME TAX WITHHELD			201	21701-000	FED WITH PAYABL	16.71
			FED INCOME TAX WITHHELD			204	21701-000	FED WITH PAYABL	22.91
			FED INCOME TAX WITHHELD			206	21701-000	FED WITH PAYABL	11.77
			FED INCOME TAX WITHHELD			601	21701-000	FED WITH PAYABL	174.08
			FED INCOME TAX WITHHELD			602	21701-000	FED WITH PAYABL	104.15

PACKET: 00027 Payroll Entries 9
 A/P Direct Item Register
 PAGE: 1
 VENDOR SET: 01 City of Falcon Heights
 SEQUENCE : ALPHABETIC
 DUE TO/FROM ACCOUNTS SUPPRESSED

-----ID-----	ITM DATE	BANK CODE	-----DESCRIPTION-----	GROSS DISCOUNT	P.O. # G/L ACCOUNT	--ACCOUNT NAME--	DISTRIBUTION
01-05745			MN DEPT OF REVENUE				
I-T2	200608310131	9/01/2006	STATE WITHHOLDING	31.48			
		PYBNK	MANUAL CK# 588470 9/01/2006				
			STATE WITHHOLDING		101 21702-000	STATE WITH PAYA	29.28
			STATE WITHHOLDING		602 21702-000	STATE WITH PAYA	2.20
			=== VENDOR TOTALS ===	31.48			
01-06074			PERA				
I-91	200608310131	9/01/2006	PERA	136.27			
		PYBNK	MANUAL CK# 704483 9/15/2006				
			PERA		101 21704-000	PERA PAYABLE	60.61
			PERA		101 4112-64011-000	PERA CONTRIBUTI	53.33
			PERA		101 4117-64011-000	PERA CONTRIBUTI	10.67
			PERA		101 4121-64011-000	PERA CONTRIBUTI	2.13
			PERA		602 21704-000	PERA PAYABLE	4.56
			PERA		602 4602-64011-000	PERA CONTRIBUTI	4.97
			=== VENDOR TOTALS ===	136.27			
01-00898			US BANK TRUST NATL ASSOC				
I-T1	200608310131	9/01/2006	FED INCOME TAX WITHHELD	51.14			
		PYBNK	MANUAL CK# 454902 9/01/2006				
			FED INCOME TAX WITHHELD		101 21701-000	FED WITH PAYABL	47.56
			FED INCOME TAX WITHHELD		602 21701-000	FED WITH PAYABL	3.58
I-T3	200608310131	9/01/2006	FICA WITHHOLDING	146.94			
		PYBNK	MANUAL CK# 454902 9/01/2006				
			FICA WITHHOLDING		101 21703-000	FICA/MED PAYABL	68.33
			FICA WITHHOLDING		101 4112-64012-000	FICA CONTRIBUTI	55.10
			FICA WITHHOLDING		101 4117-64012-000	FICA CONTRIBUTI	11.02
			FICA WITHHOLDING		101 4121-64012-000	FICA CONTRIBUTI	2.20
			FICA WITHHOLDING		602 21703-000	FICA/MED PAYABL	5.14
			FICA WITHHOLDING		602 4602-64012-000	FICA CONTRIBUTI	5.15
I-T4	200608310131	9/01/2006	MEDICARE WITHHOLDING	34.36			
		PYBNK	MANUAL CK# 454902 9/01/2006				
			MEDICARE WITHHOLDING		101 21703-000	FICA/MED PAYABL	15.98
			MEDICARE WITHHOLDING		101 4112-64012-000	FICA CONTRIBUTI	12.89
			MEDICARE WITHHOLDING		101 4117-64012-000	FICA CONTRIBUTI	2.58
			MEDICARE WITHHOLDING		101 4121-64012-000	FICA CONTRIBUTI	0.52
			MEDICARE WITHHOLDING		602 21703-000	FICA/MED PAYABL	1.20
			MEDICARE WITHHOLDING		602 4602-64012-000	FICA CONTRIBUTI	1.19
			=== VENDOR TOTALS ===	232.44			
			=== PACKET TOTALS ===	400.19			

ITEM: Step increase for Lisa Abernathy, Parks and Recreation Supervisor/ Administrative Assistant

SUBMITTED BY: Greg Hoag, Parks and Public Works Director

REVIEWED BY: Justin Miller, City Administrator

EXPLANATION:

Summary: Lisa Abernathy has completed eighteen months of employment with the city, and has had excellent performance during this period.

Lisa has become an integral member of our staff here at the city, and her exemplary performance has been invaluable to the city's residents, as well as non-resident participants in our recreation programs.

Lisa has shown excellent judgment, a strong work ethic, and a willingness to take on new duties and responsibilities as needed.

At this time, I am recommending a 5% step increase for Lisa, which is in accordance with the city's compensation policy.

ACTION REQUESTED:

Approval of step increase for Lisa Abernathy effective September 29, 2006

ITEM: Appointments to Comprehensive Plan Steering Committee

SUBMITTED BY: Justin Miller, City Administrator

EXPLANATION:

As part of the 2008 Comprehensive Plan review process, the council has directed that a steering committee be formed to guide the process. Applications were accepted through the middle of September, and we have heard from fourteen individuals who wish to serve. There is a good geographic distribution, as well as varied representation from our city commissions. The following residents indicated interest in serving on this steering committee:

Sheila Richter	
Martin Dworkin	
Diane Cushman	
David Fischer	
Donald Horton	
Thue Rasmussen	
Wayne Groff	Human Rights Commission
Sam Bontrager	Environment Commission
Linda Fite	Neighborhood Commission
Chuck Long	Parks and Recreation Commission
Roy Garza	Human Rights Commission
Jim Kielsmeier	Environment Commission
Kristin Grangaard	Neighborhood Commission
Robert Thompson	Neighborhood Commission

ATTACHMENTS:

Steering Committee applications

ACTION REQUESTED:

Staff recommends that the City Council appoint the above individuals to serve on the Comprehensive Plan Steering Committee.

CITY OF FALCON HEIGHTS
2008 Comprehensive Plan Update
Steering Committee Job Description and Expectations

What is the City of Falcon Heights Comprehensive Plan?

The purpose of the Comprehensive Plan is to guide the City in all of its decisions regarding land use, transportation, community facilities, public improvements, and intergovernmental relations.

Why does it need updating?

Every ten years, the Metropolitan Council requires cities to update their comprehensive plans. The process can be as simple as updating previous editions to more accurately reflect today's city, or it can be used as an opportunity to gather community input about how residents, business owners, and other interested parties wish to see the city progress in the future.

Why is a Steering Committee needed?

To reach out to as many residents as possible, the City of Falcon Heights has adopted a public participation plan that aims to gather input from every neighborhood. The Steering Committee members will be trained to facilitate and record small group discussions using a common set of questions. They will also review and prioritize suggestions from studies that have been done on how to improve pedestrian and bicycle access and open space usage.

How will the Steering Committee be structured?

Each city commission (Planning Commission, Park and Recreation Commission, Human Rights Commission, Neighborhood Commission, and Environment Commission) will appoint one to two members to serve on the committee. Then, four to nine members from the city at-large will be appointed (for a total of 14 people), with the goal being to represent each area of the city, as well as having a variety of age groups and professional backgrounds represented. The mayor will serve as the chair of the committee, and the city administrator will serve as the city staff representative.

How much time will I be committing to?

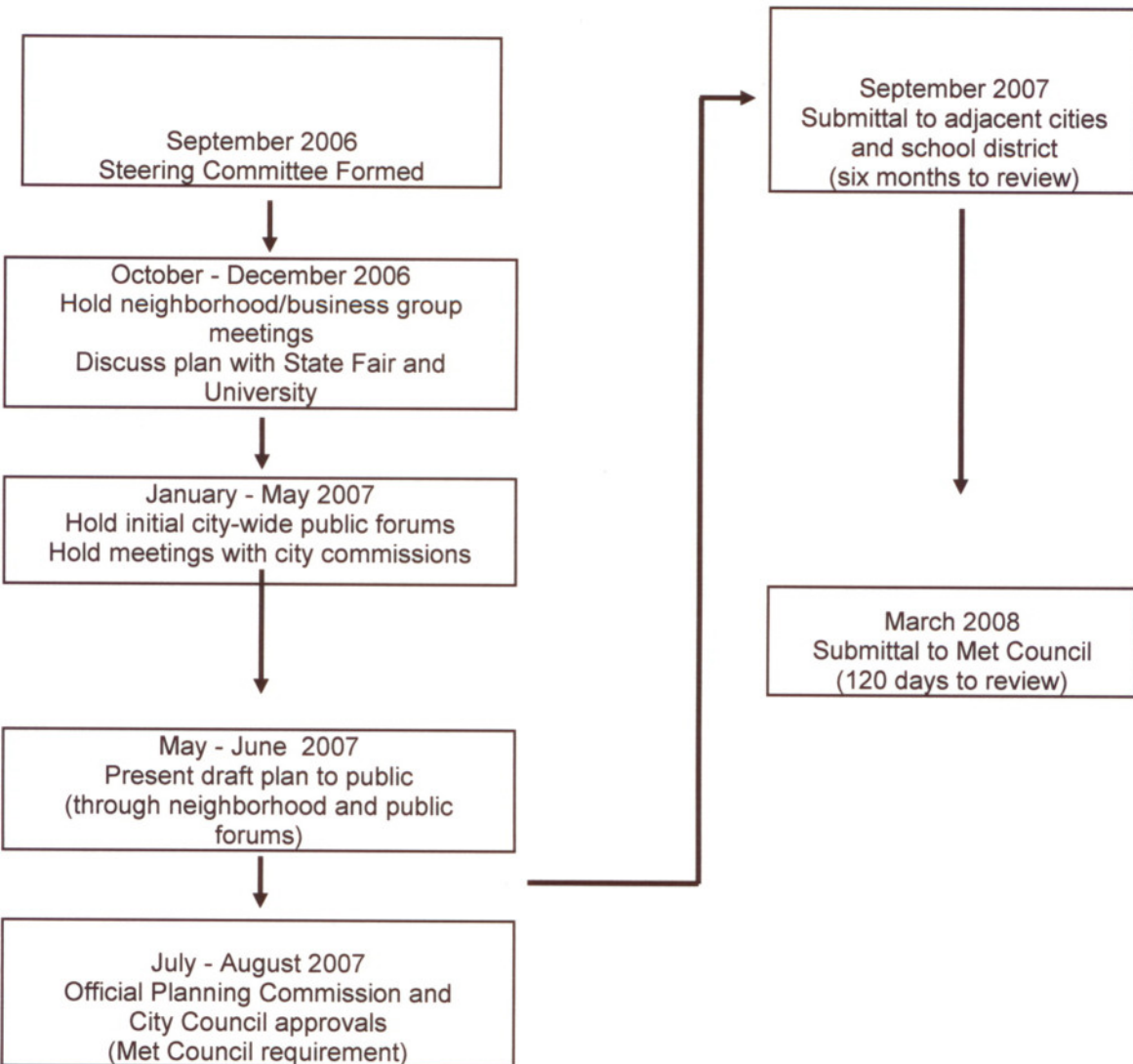
We hope to have the Steering Committee in place by September 2006. After the committee is formed, you can expect the committee to be active for roughly one year. Several neighborhood meetings will be held, where one to two representatives from the Steering Committee will need to be present to help facilitate the meetings. There will also be several public meetings where the entire city is invited, as well as meetings for the Steering Committee as a whole to meet and discuss the comprehensive plan. Meetings will be mostly scheduled for evenings so that as many residents as possible can be present. A total of six meetings will be required for Steering Committee members.

What if I have more questions?

Please feel free to contact Justin Miller, City Administrator, at (651) 792-7611 or by email at justin.miller@ci.falcon-heights.mn.us.

Public Participation Process

Comment and Review Period



CITY OF FALCON HEIGHTS
2008 Comprehensive Plan Update
Steering Committee Application

NAME: THUE RASMUSSEN

ADDRESS: _____

PHONE: (H) _____ (W) _____

EMAIL ADDRESS: _____

HOW LONG HAVE YOU LIVED IN FALCON HEIGHTS? 5 years

OCCUPATION: RETIRED PART-TIME PSYCHOLOGIST

REASON YOU WISH TO SERVE ON STEERING COMMITTEE:

I am very interested in this community, have an active and reasonable striving to maintain and improve it. Am a good listener, have skills in synthesizing differences of viewpoint.

PRIOR PUBLIC (OR RELATED) SERVICE:

President of 1666 Coffman Condominium Assoc., member of Board of Directors of Senior Tennis Players Club, past member of Board of Trustees of First Unitarian Society of Mpls.

DO YOU HAVE EXPERIENCE IN ANY OF THE FOLLOWING? (If yes, please elaborate below)

- | | | |
|--|---|---|
| <input checked="" type="checkbox"/> Strategic Planning | <input checked="" type="checkbox"/> Group Facilitator | <input type="checkbox"/> Steering Committees |
| <input type="checkbox"/> Urban/City Planning | <input type="checkbox"/> Historic Preservation | <input type="checkbox"/> Public Relations |
| <input type="checkbox"/> Art | <input type="checkbox"/> Architecture | <input type="checkbox"/> Landscape Architecture |

Strategic planning for First Unitarian Society Board, and in selection committee for ministerial search; and for Senior Tennis Players Club. Gr. facilitator in team meeting of parents, students, teachers and school administrators.

OTHER RELEVANT BACKGROUND (OR COMMENTS):

I am concerned about promoting communal interests, resisting persistent efforts toward economic-social privatization.

Please return application by August 25, 2006 to:

Justin Miller
City Administrator
2077 W. Larpenteur Avenue
Falcon Heights, MN 55113

Or fax to (651) 792-7610

CITY OF FALCON HEIGHTS
2008 Comprehensive Plan Update
Steering Committee Application

NAME: Robert Thompson

ADDRESS:

PHONE: (H) (W)

EMAIL ADDRESS:

HOW LONG HAVE YOU LIVED IN FALCON HEIGHTS? 7 years

OCCUPATION: Neighborhood Specialist, Minneapolis NRP

REASON YOU WISH TO SERVE ON STEERING COMMITTEE:

I have a lot of interest in the comp plan process, having been involved in the process for the City of Minneapolis. I would also like to help represent the Neighborhood Commission.

PRIOR PUBLIC (OR RELATED) SERVICE:

I am currently chair of the Falcon Heights Neighborhood Commission, currently work for a public agency, and have served on several nonprofit boards in the past.

DO YOU HAVE EXPERIENCE IN ANY OF THE FOLLOWING? (If yes, please elaborate below)

<input checked="" type="checkbox"/>	Strategic Planning	<input checked="" type="checkbox"/>	Group Facilitator	<input checked="" type="checkbox"/>	Steering Committees
<input checked="" type="checkbox"/>	Urban/City Planning	<input checked="" type="checkbox"/>	Historic Preservation	<input checked="" type="checkbox"/>	Public Relations
<input type="checkbox"/>	Art	<input type="checkbox"/>	Architecture	<input type="checkbox"/>	Landscape Architecture

OTHER RELEVANT BACKGROUND (OR COMMENTS):

I am currently enrolled in the Accelerated Masters of Public Administration Program at Hamline University, and participating in the Steering Committee would integrate nicely with my studies at this time.

Please return application by August 25, 2006 to:

Justin Miller
City Administrator
2077 W. Larpenteur Avenue
Falcon Heights, MN 55113

Or fax to (651) 792-7610

CITY OF FALCON HEIGHTS
2008 Comprehensive Plan Update
Steering Committee Application

NAME: KRISTIN GRANGAARD

ADDRESS: _____

PHONE: (H) _____ (W) _____

EMAIL ADDRESS: _____

HOW LONG HAVE YOU LIVED IN FALCON HEIGHTS? 8/94 12 yrs.

OCCUPATION: FULLTIME PARENT; VOLUNTEER

REASON YOU WISH TO SERVE ON STEERING COMMITTEE:

TO PARTICIPATE IN THE PROCESS; SEE & HELP DECIDE PRIORITIES FOR "FUTURE OF FALCON HEIGHTS". WORK TO INSURE THAT NITTY-GRITTY NEIGHBORHOOD ISSUES ARE INCLUDED & CONSIDERED.
PRIOR PUBLIC (OR RELATED) SERVICE:

NEIGHBORHOOD COMMISSION; CERT MEMBER + TRAINER; STRATEGIC PLANNING FOR NFP ADULT DAY CARE;

DO YOU HAVE EXPERIENCE IN ANY OF THE FOLLOWING? (If yes, please elaborate below)

Strategic Planning Group Facilitator Steering Committees
 Urban/City Planning Historic Preservation Public Relations
 Art Architecture Landscape Architecture

ALL THREE SUPPORTIVELY, BUT OFTEN INDEPENDENTLY... WORKED ON

MISSION, GOALS, ACTIONS FOR VA & ADULT DAY CARE (SUPPORT TO ADMINISTRATOR AT VA AND AS DIRECTOR & BOARD AT ADC.) LEAD/TEACH COMM. ED.
OTHER RELEVANT BACKGROUND (OR COMMENTS): CERT, ETC.

Please return application by August 25, 2006 to:

Justin Miller
City Administrator
2077 W. Larpenteur Avenue
Falcon Heights, MN 55113

CITY OF FALCON HEIGHTS
2008 Comprehensive Plan Update
Steering Committee Application

NAME: Shaila Richter

ADDRESS: _____

PHONE: (H) _____ (W) _____

EMAIL ADDRESS _____

HOW LONG HAVE YOU LIVED IN FALCON HEIGHTS? 39 years

OCCUPATION: retired teacher

REASON YOU WISH TO SERVE ON STEERING COMMITTEE:

I care a lot about my community and look forward to learning about issues and management of our city.

PRIOR PUBLIC (OR RELATED) SERVICE:

I have served multiple times as an officer of our homeowner's association and have been deeply involved in several neighborhood "crises" regarding the neighborhood vis-a-vis the University.
DO YOU HAVE EXPERIENCE IN ANY OF THE FOLLOWING? (If yes, please elaborate below)

Strategic Planning Group Facilitator Steering Committees

Urban/City Planning Historic Preservation Public Relations

Art Architecture Landscape Architecture

I have served on several community boards

(Park Busk, Block, Neve) but have no experience at all in city government issues.

OTHER RELEVANT BACKGROUND (OR COMMENTS):

Please return application by ~~August 25, 2006~~ to:

Justin Miller
City Administrator
2077 W. Larpenteur Avenue
Falcon Heights, MN 55113

Or fax to (651) 792-7610

CITY OF FALCON HEIGHTS
2008 Comprehensive Plan Update
Steering Committee Application

NAME: MARTIN DWORKIN

ADDRESS: _____

PHONE: (H) _____ (W) _____

EMAIL ADDRESS: _____

HOW LONG HAVE YOU LIVED IN FALCON HEIGHTS? 41 YRS

OCCUPATION: RETIRED

REASON YOU WISH TO SERVE ON STEERING COMMITTEE:

TO HELP PLAN FOR THE FUTURE OF FALCON HTS

PRIOR PUBLIC (OR RELATED) SERVICE:

PRESIDENT BOARD OF MUSICAL OFFERING

PRESIDENT OF UNIVERSITY GROVE NEIGHBORHOOD ASSOC

DO YOU HAVE EXPERIENCE IN ANY OF THE FOLLOWING? (If yes, please elaborate below)

Strategic Planning Group Facilitator Steering Committees

Urban/City Planning Historic Preservation Public Relations

Art Architecture Landscape Architecture

MANY YEARS IN CHAMBER MUSIC ADMIN

MANY YEARS ON UNIVERSITY COMMITTEES

OTHER RELEVANT BACKGROUND (OR COMMENTS):

Please return application by August 25, 2006 to:

Justin Miller

City Administrator

2077 W. Larpenteur Avenue

Falcon Heights, MN 55113

Or fax to (651) 792-7610

CITY OF FALCON HEIGHTS
2008 Comprehensive Plan Update
Steering Committee Application

NAME: Diane Cushman

ADDRESS: _____

PHONE: (H) _____ (W) _____

EMAIL ADDRESS: _____

HOW LONG HAVE YOU LIVED IN FALCON HEIGHTS? 15 years

OCCUPATION: Director, Office on the Economic Status of women, Minnesota State Legislature

REASON YOU WISH TO SERVE ON STEERING COMMITTEE:
I'd like to have an impact on the future of Falcon Heights.

PRIOR PUBLIC (OR RELATED) SERVICE:

DO YOU HAVE EXPERIENCE IN ANY OF THE FOLLOWING? (If yes, please elaborate below)

- | | | |
|--|---|--|
| <input checked="" type="checkbox"/> Strategic Planning | <input checked="" type="checkbox"/> Group Facilitator | <input checked="" type="checkbox"/> Steering Committees |
| <input type="checkbox"/> Urban/City Planning | <input type="checkbox"/> Historic Preservation | <input checked="" type="checkbox"/> Public Relations |
| <input type="checkbox"/> Art | <input type="checkbox"/> Architecture | <input checked="" type="checkbox"/> Landscape Architecture |

OTHER RELEVANT BACKGROUND (OR COMMENTS):
See attached resumé.

Please return application by August 25, 2006 to:
Justin Miller
City Administrator
2077 W. Larpenteur Avenue
Falcon Heights, MN 55113

Or fax to (651) 792-7610

Diane L. Cushman

Summary

A dynamic public policy and diversity professional with six years of successful state policy experience and twenty years experience creating leading edge, results-driven people practices in Fortune 500 corporate and healthcare environments. Awarded many distinctions for shaping corporate image and new culture paradigms that optimize employee effectiveness. Persuasive, inspirational and succeeds by perseverance.

Areas of Expertise

- Creating public policy and utilizing for-profit and non-profit community resources to achieve intended business and social outcomes
- Conceptualizing, developing and implementing leading edge diversity practices that integrate with overall business strategy
- Adapting and creating work environments that attract, retain and maximize productivity of people
- Influencing corporate leadership to embrace innovative solutions to today's workforce challenges
- Shaping corporate image and reputation as employer of choice through media and other public exposure
- Partnering with business leaders to identify and remove barriers to optimal employee performance and create new and diverse cultural paradigms so people can achieve their fullest potential at work

Accomplishments

Public policy

As director of the Minnesota State Legislative Office on the Economic Status of Women, framed women's issues as issues of economic importance to the state and worked with legislators to develop and pass legislation to further enhance the contributions of women to the state's social and economic infrastructure. Successfully lead efforts to criminalize human trafficking and provide funding for trafficking victim programs.

High-performance inclusive culture

Redefined the employment relationship and aligned human resources policies, programs and practices to provide consistent messages of: mutual commitment to success; individual development; flexibility and adaptability; open and candid communication; and rewards aligned with results.

Worked with business units to identify turnover and productivity losses related to diversity issues and developed strategic plans for attraction and retention of a diverse workforce. Assisted with the creation and development of diversity networks including: Gay & Lesbian; Asian; Black; Hispanic; Women; People with Disabilities; Hard of Hearing; Arthritis; and Native American. Positioned the networks to positively impact the internal corporate environment of inclusion and leverage their knowledge of the community to grow the business.

Enhanced employee productivity through creative time-saving and flexible work arrangement strategies resulting in 100 percent employee retention in information systems units.

Best places to work

As The St. Paul Companies' spokesperson for diversity and work/life, achieved over 100 local and national media exposures annually--including the Wall Street Journal and CNN--resulting in the creation of the image as a family-friendly workplace that values diversity and a reputation as an employer of choice. Achieved rank of #66 on *Fortune's* survey of 100 Best Companies to Work for in America and one of *Working Mother's* Top 100 Companies for 10 years.

Employee relations and leading-edge diversity policies and programs

Diagnosed employee diversity and work/life issues through interviews, focus groups and surveys and developed wide array of innovative targeted interventions to improve retention and increase productivity. Implemented and oversaw: multiple diversity initiatives; domestic partner benefits; Americans with

Disabilities Act; Family and Medical Leave Act; employee assistance program; childcare resource and referral program; eldercare consultation and referral program; onsite childcare center (118 child-capacity); onsite employee fitness center; employee health services; flexible time off plan; corporate diversity council; paid parental leave; adoption assistance; management training; and other leading edge policies, benefits and programs related to the needs of a diverse workforce.

Awards and Distinctions

- 100 Best Companies, *Working Mother* magazine, 1991-1995, 1997-2001
- #1 in Hewitt's Annual Index of Employee Benefit Plans (25 national property/casualty insurers and large Twin Cities employers), 2000
- *Fortune* magazine's 100 Best Companies to Work for in America, 1998
- **Quality of Life Award**, Greater Minneapolis Chamber of Commerce, 1992
For innovative, employee-initiated efforts to improve the lives of Minnesotans (*work environment* category winner for onsite childcare center)
- Ranked in the top 10 in the **William M. Mercer, Inc.** Survey of Work/Life Initiatives 2000
- **Crystal Clarion Vanguard Award**, Women In Communications, 1995 and 1999
For taking actions and instituting programs to advance women to positions of equity
- **Working Women Count Honor Roll**, **United States Department of Labor**, Women's Bureau, 1996
For creating The St. Paul's diversity programs including the women's network and implementing flexible work arrangements
- **First Lady Hillary Rodham Clinton** visit to recognize the family-friendly programs and state-of-the-art onsite childcare center of The St. Paul Companies, 1996
- **Working Parent Support Award**, Working Parent Resource Center, 1990-2001

Work History

<p>Minnesota State Legislature Director of the Legislative Office on the Economic Status of Women December 2001-present</p> <p>The St. Paul Companies Global Diversity & Work/Life Manager 1989-November 2001</p> <p>Abbott Northwestern Hospital Manager of Health Promotion Consulting Division 1980-1989</p>	<p>Saint Paul, Minnesota</p> <p>Saint Paul, Minnesota</p> <p>Minneapolis, Minnesota</p>
--	---

Professional Affiliations

- The Minnesota Women's Consortium
- The Working Family Resource Center Advisory Board, Saint Paul Public Schools
- Twin Cities Work-Life Professionals' Network
- Twin Cities Women's Council
- 50 Women for Healthcare public policy think tank

Education

MA University of Minnesota, Minneapolis
BAS University of Minnesota, Duluth

CITY OF FALCON HEIGHTS
2008 Comprehensive Plan Update
Steering Committee Application

NAME: David Fowler

ADDRESS: _____

PHONE: (H) _____ (W) _____ 7

EMAIL ADDRESS: _____

HOW LONG HAVE YOU LIVED IN FALCON HEIGHTS? 18 MONTHS

OCCUPATION: ATTORNEY w/ LEADER OF MN. CITIES

REASON YOU WISH TO SERVE ON STEERING COMMITTEE:

I'M INTERESTED IN LOCAL POLITICS AND WOULD
LIKE TO CONTRIBUTE TO MY LOCAL COMMUNITY

PRIOR PUBLIC (OR RELATED) SERVICE:

I'VE WORKED WITH SEVERAL LEGISLATORS AND
CITY OFFICIALS CONSULTING VARIOUS POLITICAL TOPICS IN MN.

DO YOU HAVE EXPERIENCE IN ANY OF THE FOLLOWING? (If yes, please elaborate below)

- | | | | |
|--|-------------------------------------|-----------------------|--|
| <input type="checkbox"/> Strategic Planning | <input checked="" type="checkbox"/> | Group Facilitator | <input type="checkbox"/> Steering Committees |
| <input type="checkbox"/> Urban/City Planning | <input type="checkbox"/> | Historic Preservation | <input checked="" type="checkbox"/> Public Relations |
| <input checked="" type="checkbox"/> Art | <input type="checkbox"/> | Architecture | <input checked="" type="checkbox"/> Landscape Architecture |

OTHER RELEVANT BACKGROUND (OR COMMENTS):

I HAVE WORKED IN A LEGISLATIVE CAPACITY SINCE 2000
FOR THE PAST THREE YEARS.

Please return application by August 25, 2006 to:
Justin Miller
City Administrator
2077 W. Larpenteur Avenue
Falcon Heights, MN 55113

Or fax to (651) 792-7610

CITY OF FALCON HEIGHTS
2008 Comprehensive Plan Update
Steering Committee Application

NAME: DONALD E. HORTON

ADDRESS: _____

PHONE: (H) _____ (W) _____

EMAIL ADDRESS: HORTON@ELECTRA.COM

HOW LONG HAVE YOU LIVED IN FALCON HEIGHTS? 3+ YEARS

OCCUPATION: MEDIATOR

REASON YOU WISH TO SERVE ON STEERING COMMITTEE:

LOOKING TO GIVE BACK TO COMMUNITY

PRIOR PUBLIC (OR RELATED) SERVICE:

GOVERNOR'S COMMISSION ON PROTECTION OF
VULNERABLE ADULTS.

DO YOU HAVE EXPERIENCE IN ANY OF THE FOLLOWING? (If yes, please elaborate below)

- | | | |
|--|---|---|
| <input checked="" type="checkbox"/> Strategic Planning | <input checked="" type="checkbox"/> Group Facilitator | <input checked="" type="checkbox"/> Steering Committees |
| <input type="checkbox"/> Urban/City Planning | <input type="checkbox"/> Historic Preservation | <input checked="" type="checkbox"/> Public Relations |
| <input type="checkbox"/> Art | <input type="checkbox"/> Architecture | <input type="checkbox"/> Landscape Architecture |

SEE CV ATTACHED.

OTHER RELEVANT BACKGROUND (OR COMMENTS):

Please return application by August 25, 2006 to:
Justin Miller
City Administrator
2077 W. Larpenteur Avenue
Falcon Heights, MN 55113

Or fax to (651) 792-7610

CURRICULUM VITAE

EXPERIENCE

- ◆ Court appointed Special Master.
- ◆ Director, DONALD HORTON CENTER for NEGOTIATED CONFLICT RESOLUTION, *Facilitation, Education and Research*.
- ◆ Mediated over 250 cases--employment, commercial & family law
- ◆ 1974 to 1999: practicing attorney (consultation, negotiation and trial), representing individuals and organizations in 19 states, Europe and Japan.

GRADUATE EDUCATION

- University of St. Thomas,
M.A., Counseling Psychology
- William Mitchell College of Law,
Juris Doctor
- University of Minnesota
Center for Spirituality and Healing [Current]

PROFESSIONAL ORGANIZATIONS

American and State Bar Associations
American Psychological Association
American Counseling Association

TEACHING AND PUBLICATIONS

- ◆ Adjunct Professor of Law,
University of St. Thomas School of Law.
- ◆ Faculty, Minnesota Judicial College,
Minnesota Supreme Court
- ◆ Guest on National Public Radio's, *All Things Considered*.
- ◆ Faculty at law and mediator training
for the Minnesota State Bar Association.
- ◆ Co-authored *Equal Employment Laws and How They Affect Your Business*, Butterworth.
- ◆ Authored numerous legal treatises.
- ◆ Developed educational curriculum used throughout the United States.

CITY OF FALCON HEIGHTS
2008 Comprehensive Plan Update
Steering Committee Application

NAME: Chuck Long

ADDRESS: 1717 Alameda Street, NE

PHONE: (H) 612-231-1111 (W) 612-231-1100

EMAIL ADDRESS: chuck@chucklong.com

HOW LONG HAVE YOU LIVED IN FALCON HEIGHTS? 9 years

OCCUPATION: Attorney

REASON YOU WISH TO SERVE ON STEERING COMMITTEE:

I want to be part of the process that will ~~set~~^{set} the City's direction for the next 10 years and believe I can be an effective link between the committee and the Parks and PRIOR PUBLIC (OR RELATED) SERVICE: Recreation Commission.

I have chaired the Parks and Recreation commission for the past six years (2000 - present)

DO YOU HAVE EXPERIENCE IN ANY OF THE FOLLOWING? (If yes, please elaborate below)

Strategic Planning Group Facilitator Steering Committees

Urban/City Planning Historic Preservation Public Relations

Art Architecture Landscape Architecture

I facilitated a number of meetings for the Parks Commission regarding the Curkiss Field and Trolley Path projects.

OTHER RELEVANT BACKGROUND (OR COMMENTS):

I have a lot of experience doing public speaking and writing from my law practice.

Please return application by August 25, 2006 to:

Justin Miller
City Administrator
2077 W. Larpenteur Avenue
Falcon Heights, MN 55113

Or fax to (651) 792-7610

CITY OF FALCON HEIGHTS
2008 Comprehensive Plan Update
Steering Committee Application

NAME: Sam Bouthager

ADDRESS: _____

PHONE: (H) _____ (W) 651-792-2552

EMAIL ADDRESS: Sam.Bouthager@falconheights.com

HOW LONG HAVE YOU LIVED IN FALCON HEIGHTS? one year

OCCUPATION: licensed Architect

REASON YOU WISH TO SERVE ON STEERING COMMITTEE:

As an Architect, I need to become more involved in the community as a volunteer. I am also concerned with the future of Falcon Heights.

PRIOR PUBLIC (OR RELATED) SERVICE:

DO YOU HAVE EXPERIENCE IN ANY OF THE FOLLOWING? (If yes, please elaborate below)

- | | | |
|--|--|---|
| <input type="checkbox"/> Strategic Planning | <input type="checkbox"/> Group Facilitator | <input type="checkbox"/> Steering Committees |
| <input type="checkbox"/> Urban/City Planning | <input type="checkbox"/> Historic Preservation | <input type="checkbox"/> Public Relations |
| <input checked="" type="checkbox"/> Art | <input checked="" type="checkbox"/> Architecture | <input type="checkbox"/> Landscape Architecture |

Worked with many municipalities in designing public facilities with my job. I prepare manual design boards for public review and comment.

OTHER RELEVANT BACKGROUND (OR COMMENTS):

Volunteer my time at Falcon Heights Elementary and for other public organizations such as Habitat for Humanity, House of Charity, United Way

Please return application by August 25, 2006 to:

Justin Miller
City Administrator
2077 W. Larpenteur Avenue
Falcon Heights, MN 55113

Or fax to (651) 792-7610

CITY OF FALCON HEIGHTS
2008 Comprehensive Plan Update
Steering Committee Application

NAME: Jim Miller

ADDRESS: 1000 1st Street, Falcon Heights

PHONE: (H) (612) 636-2000 (W) (612) 636-2000

EMAIL ADDRESS: jim@nylc.org

HOW LONG HAVE YOU LIVED IN FALCON HEIGHTS? 21 years

OCCUPATION: CEO/ non profit corporation located in Falcon Heights, National Youth Leadership Council: WWW.NYLC.ORG

REASON YOU WISH TO SERVE ON STEERING COMMITTEE:

I value greatly the quality of life in Falcon Heights and want to work to sustain and improve it. Also, I would like to see our community operate more responsibly as a participant in the larger metro, state, national and global communities.

PRIOR PUBLIC (OR RELATED) SERVICE:

US Army veteran, service in Korea as infantry officer

US Forest Service fire fighter

Chair and member MN Commission on National and Community Service (AmeriCorps)

Member and current chair, Falcon Heights Environment Commission

DO YOU HAVE EXPERIENCE IN ANY OF THE FOLLOWING? (If yes, please elaborate below)

Strategic Planning Group Facilitator Steering Committees

Urban/City Planning Historic Preservation Public Relations

Art Architecture Landscape Architecture

Have set in motion and headed several public and private strategic initiatives

Have worked professionally as a presenter, facilitator and trainer

OTHER RELEVANT BACKGROUND (OR COMMENTS):

I convene a annual global conference and numerous smaller leadership groups each year.

I see the next few years as key for Falcon Heights' future in light of population, transportation, and a number of other pressures looming.

Please return application by August 25, 2006 to:

Justin Miller

City Administrator

2077 W. Larpenteur Avenue

Falcon Heights, MN 55113

Or fax to (651) 792-7610

CITY OF FALCON HEIGHTS
2008 Comprehensive Plan Update
Steering Committee Application

NAME: WAYNE GROFF

ADDRESS: 1757 [unclear]

PHONE: (H) 257-544-2670 (W) [unclear]

EMAIL ADDRESS: [unclear]

HOW LONG HAVE YOU LIVED IN FALCON HEIGHTS? 19 years

OCCUPATION: REAL ESTATE AGENT

REASON YOU WISH TO SERVE ON STEERING COMMITTEE:

DESIRE TO KEEP FALCON HEIGHTS
A WONDERFUL COMMUNITY TO LIVE IN.

PRIOR PUBLIC (OR RELATED) SERVICE:

PLANNING COMMISSION - FALCON HEIGHTS
HUMAN RIGHTS COMMISSION - FALCON HEIGHTS

DO YOU HAVE EXPERIENCE IN ANY OF THE FOLLOWING? (If yes, please elaborate below)

Strategic Planning Group Facilitator Steering Committees
 Urban/City Planning Historic Preservation Public Relations
 Art Architecture Landscape Architecture

CHAIRED HUMAN RIGHTS COMMISSION (F.H.)
B.A. IN LANDSCAPE ARCHITECTURE

OTHER RELEVANT BACKGROUND (OR COMMENTS):

Please return application by August 25, 2006 to:

Justin Miller
City Administrator
2077 W. Larpenteur Avenue
Falcon Heights, MN 55113

Or fax to (651) 792-7610

CITY OF FALCON HEIGHTS
2008 Comprehensive Plan Update
Steering Committee Application

NAME: LINDA FITE

ADDRESS: 11111 1st St

PHONE: (H) 612-792-7777 (W) 612-792-7777

EMAIL ADDRESS: lfite@falconheights.org

HOW LONG HAVE YOU LIVED IN FALCON HEIGHTS? 12 yr.

OCCUPATION: Security Director, Hospital

REASON YOU WISH TO SERVE ON STEERING COMMITTEE:

I'm interested in this process and want to
volunteer in my community -

PRIOR PUBLIC (OR RELATED) SERVICE:

Current member ^{HATS} Falcon Neighborhood Commission

Currently member Board of Directors - Crime Stoppers, Inc.

DO YOU HAVE EXPERIENCE IN ANY OF THE FOLLOWING? (If yes, please elaborate below)

- | | | |
|--|---|---|
| <input checked="" type="checkbox"/> Strategic Planning | <input checked="" type="checkbox"/> Group Facilitator | <input checked="" type="checkbox"/> Steering Committees |
| <input type="checkbox"/> Urban/City Planning | <input type="checkbox"/> Historic Preservation | <input type="checkbox"/> Public Relations |
| <input type="checkbox"/> Art | <input type="checkbox"/> Architecture | <input type="checkbox"/> Landscape Architecture |

OTHER RELEVANT BACKGROUND (OR COMMENTS):

Will Receive Master's Degree in Organizational
Leadership, College of St. Catherine's, June 07.

Please return application by August 25, 2006 to:

Justin Miller
City Administrator
2077 W. Larpenteur Avenue
Falcon Heights, MN 55113

Or fax to (651) 792-7610

CITY OF FALCON HEIGHTS
2008 Comprehensive Plan Update
Steering Committee Application

NAME: Roy GARZA

ADDRESS: _____

PHONE: (H) _____ (W) _____

EMAIL ADDRESS: rgarza12@gmail.com

HOW LONG HAVE YOU LIVED IN FALCON HEIGHTS? 9 yrs.

OCCUPATION: CLINICIAN, AMPTC

REASON YOU WISH TO SERVE ON STEERING COMMITTEE:

ensure diversity, participate in making
city a stronger place to live in.

PRIOR PUBLIC (OR RELATED) SERVICE:

Member Human Rights Commission

DO YOU HAVE EXPERIENCE IN ANY OF THE FOLLOWING? (If yes, please elaborate below)

- Strategic Planning Group Facilitator Steering Committees
- Urban/City Planning Historic Preservation Public Relations
- Art Architecture Landscape Architecture

OTHER RELEVANT BACKGROUND (OR COMMENTS):

Have a MBA and MSW

Please return application by August 25, 2006 to:
Justin Miller
City Administrator
2077 W. Larpenteur Avenue
Falcon Heights, MN 55113

Or fax to (651) 792-7610

ITEM: **Approval of Licenses**

SUBMITTED BY: **Stacey Kreuser, Assistant City Administrator/Deputy Clerk**

EXPLANATION:

The following resident has applied for a home occupation license for 2006. Staff has received all documents necessary for licensure.

- David Wasson Graphic Design

ITEM: **Approval for Mayor Gehrz to Accept Complimentary Tickets to University of Minnesota vs. Michigan Football Game as the City's Representative on the Stadium Area Advisory Group**

SUBMITTED BY: **Justin Miller, City Administrator**

EXPLANATION:

As part of the University of Minnesota's new football stadium construction process, the City of Falcon Heights was invited to serve on the Stadium Area Advisory Group (SAAG). This group was formed to address concerns of cities and neighborhoods that will be impacted by the construction of the new football stadium. Parking for the new stadium will be held at the State Fairgrounds, so we have a vested interest in maintaining a presence on the SAAG.

The University will be holding a groundbreaking ceremony on Saturday, September 30th, and they have offered two complimentary tickets to the Minnesota vs. Michigan football game to each member of the SAAG. Mayor Gehrz would like to accept these tickets and represent the City of Falcon Heights, but needs council approval in order to do so.

ACTION REQUESTED:

Staff recommends that the city council approve the acceptance of two tickets to the Minnesota vs. Michigan football game for Mayor Gehrz.

ITEM: **Discussion of Draft Solicitor Ordinance**

SUBMITTED BY: **Justin Miller, City Administrator**

EXPLANATION:

During the recent recodification discussions, staff was directed to bring back to the city council a revised ordinance dealing with solicitors. Attached to this report is our current language as well as language prepared by the city attorney for another city which recently dealt with this issue. New language which deserves attention includes:

- 1) Under the current code, solicitors are not allowed to work after 7:00 pm and before 9:00 am. The proposed language changes this to 8:00 pm and 9:00 am, but this is something that the council can change at your discretion.
- 2) All solicitors would be required to apply for a license, which would include a background check to be performed by the police department. The application would ask for the following:
 - a. Name and physical description
 - b. Complete home and local address
 - c. Description of business
 - d. Name and address of employer
 - e. Dates and hours of operation
 - f. Source of goods being sold
 - g. Statement regarding past criminal activity
 - h. Previous municipalities worked in
- 3) The proposed language would not apply to those selling newspapers, non-profit, religious, political or educational organizations.
- 4) The solicitors would be required to wear identification showing their name and organization/business and must carry their license.
- 5) Any resident can place a sign on their door stating "Peddlers and Solicitors Prohibited" and it must be obeyed by those performing this type of work.

ATTACHMENTS:

City of Plymouth's peddler/solicitor ordinance
Current Falcon Heights peddler/solicitor ordinance

ACTION REQUESTED:

No formal action is needed at this time, but if the council wishes to proceed, staff will bring back an ordinance for the council's approval at a future meeting.

CITY OF PLYMOUTH
HENNEPIN COUNTY, MINNESOTA

ORDINANCE NO. 2003-32

**AN ORDINANCE AMENDING SECTION 105 OF THE PLYMOUTH CITY
CODE CONCERNING DEFINITIONS AND SECTION 1140 OF THE
PLYMOUTH CITY CODE CONCERNING PEDDLERS AND SOLICITORS**

THE CITY OF PLYMOUTH ORDAINS:

SECTION 1. Section 105, Subd. 71 of the Plymouth City Code is amended to read:

Subd. 71. "Solicitor" means a person who goes from house to house, from place to place or from street to street soliciting, or taking or attempting to take orders for sale of goods, wares, merchandise, or personal property or services of any nature whatsoever for future delivery or future performance whether or not such individual has, carries or exposes for sale, a sample of the subject to such order or whether or not he is collecting advance payments for such orders. Any such activity shall be deemed soliciting if it has as its ultimate purpose the obtaining of orders of such nature, even though it may not purport, initially, to be an effort to obtain such an order.

SECTION 2. Section 1140 of the Plymouth City Code is amended to read:

1140.01. Registration License Required. No Peddler or Solicitor shall sell or offer for sale any goods, wares, or merchandise within the City unless a license therefor shall first be secured as provided in this Section. The non-refundable registration license fee is set by Chapter X. Any Peddler or Solicitor dealing with merchandise of any kind to be delivered to customers in Minnesota directly from points outside of Minnesota shall be exempt from the payment of the registration license fee. ~~Any person soliciting money, donations or financial assistance of any kind for any religious or charitable organization or selling merchandise for a fee on behalf of such an organization shall not be required to obtain a license or pay a license fee under this Section, but shall be required to register with the City.~~

1140.03. Conditions Governing Registration License. Registration Application shall be made with the City Clerk of the City at least five days prior to the date when the activity to be carried on it to commence. Persons registering applying must file with the City Clerk an accurate sworn registration statement in writing, on a form furnished by the City Clerk, giving the following information:

- (a) Name and physical description of the applicant;

- (b) complete home and local address of the applicant and, in the case of transient merchants, the local address from which proposed sales will be made;
- (c) a brief description of the nature of the business and the product or services involved;
- (d) if employed, the name and address of the employer, together with credentials therefrom, establishing the exact relationship;
- (e) the dates and hours of the day during which the activity will be carried on;
- (f) the source of supply of any goods or property proposed to be sold or orders taken for the sale thereof, where such goods or products are located at the time said registration is filed and the proposed method of delivery;
- (g) a statement as to whether or not the ~~registrant~~ applicant has been convicted of any crime, ~~misdemeanor or violation of any crime~~, misdemeanor or violation of any municipal ordinance of any municipality other than traffic violations, the nature of the offense and the punishment or penalty assessed therefor;
- (h) the last municipalities, not to exceed five, where the applicant carried on business immediately preceding the date of the application and the address from which such business was conducted in those municipalities;
- ~~(i) written statement of permission from fee owner of property where transient sales are to be held.~~

1140.05. Exemptions. This Section does not apply to persons engaged in the following activities:

- (a) selling personal property at wholesale to dealers in such articles;
- (b) ~~selling solely literature of any kind;~~ selling newspaper subscriptions;
- (c) ~~selling products of the farm or garden on the property on which the products are grown and cultivated. A person claiming this exemption must submit a written affidavit indicating that the products to be sold were grown on property where the sales are occurring;~~ soliciting money, donations, or financial assistance of any kind for nonprofit, religious, political, or education organizations; or taking orders for goods sold by a political, religious, educational, or nonprofit organization, or selling or distributing literature or merchandise for which a fee is charged or solicited on behalf of such an organization;

- (d) calling upon householders in connection with a regular route service for the sale and delivery of perishable daily necessities of life such as bakery products and dairy products; this exception does not relieve such person of the duty of compliance with any other applicable provision of this Code;
- (e) calling upon householders at the request of said householders;

1140.07. Proof of Registration License. Upon receipt of a complete ~~registration application~~, the City Clerk shall transmit the same to the Chief of Police for approval. Every ~~registration license~~ shall bear the written approval of the Chief of Police. Within five days after such ~~registration approval~~, the City Clerk shall provide the ~~registrant applicant~~ with a written certificate showing proof of ~~registration licensing with him~~. Such proof of ~~registration licensing~~ shall have one copy of the registrant's photograph attached to the same, and shall be exhibited by the ~~registrant licensee~~ upon request of any police officer or of any person in the City who is being contacted by the ~~registrant licensee~~ in pursuance of the ~~registrant's registered licensee's~~ activity.

1140.09. Registration License Non-transferable. No ~~registration license~~ is transferable from one individual to another. Each individual shall be separately ~~registered licensed~~ where more than one individual is involved in the same type of activity even though associated with the same organization.

1140.10 Persons working for or assisting licensee. The licensee shall also supply the information required in Section 1140.03 of this article for all persons working for or assisting the licensee and pay the fee for each person.

1140.11. Identification. All solicitors and peddlers must wear some type of identification conspicuously showing their name and the organization for which they are soliciting or peddling, must carry their city issued license certificate when conducting the business or activity required to be licensed under this chapter, and must wear or display on their outermost clothing the certificate of licensure provided by the City.

1140.12 Licensure Control. The certificate of licensure issued by the city is the property of the City of Plymouth, and must be returned to the City within seven (7) days after the expiration date of the license. Failure to do so may result in prosecution and will result in the denial of any future license application for twelve (12) months.

1140.13 Practices Prohibited. No Peddler, Solicitor or Transient Merchant shall conduct business in any of the following manners:

- A. obstructing the free flow of either vehicular or pedestrian traffic on any street, alley, sidewalk, or other public right of way;
- B. conducting business in such a way as to create a threat to the health, safety, or welfare of any individual or the general public.
- C. entering upon any residential premises for the purpose of carrying on the licensee's or registrant's trade or business between the hours of eight

o'clock (8:00) p.m. and nine o'clock (9:00) a.m. of the following day, unless such person has been expressly invited to do so by the owner or occupant thereof.

D. call attention to his business or to his merchandise, by crying out, by blowing a horn, by ringing a bell, or by any loud or unusual noise in areas zoned for residential use.

E. No Peddler, Solicitor, or Transient Merchant shall harass, intimidate, abuse, or threaten a person or continue to offer merchandise for sale to any person after being told not to do so by that person.

1140.14. Duration of Registration License. Each registration license shall be valid only for the period specified therein, and no registration license may extend beyond the 31st day of December of the year in which it is granted.

1140.15. Exclusion of Peddlers and Solicitors. Any person who wishes to exclude Peddlers or Solicitors ~~or Transient Merchants~~ from premises occupied by him may place upon or near the usual entrance to such premises a printed placard or sign bearing the following notice:

"Peddlers and Solicitors Prohibited"

Such placard shall be at least 3 3/4 inches long and 3 3/4 inches wide and the printing thereon shall not be smaller than 48 point type. No Peddler or Solicitor ~~or Transient Merchant~~ shall enter in or upon any premises or attempt to enter in or upon any premises where such placard or sign is placed and maintained notwithstanding the fact that he may have obtained a solicitation certificate or solicitation credentials, as the case may be, under the provisions of this Section. No person other than the person occupying such premises shall remove, injure or deface such placard or sign.

1140.17. Suspension and Revocation.

A. Any license may be temporarily suspended by the City Manager or revoked by the Council for a violation of any provision of this section of the following:

1. Fraud, misrepresentation, or incorrect statements on the application form;
2. Fraud, misrepresentation, or false statements made during the course of the license activity;
3. Conviction of any offense for which granting of a license could have been denied under this chapter;
4. Violation of any provision of this chapter; or
5. Conducting the business in an unlawful manner or in such a manner as to constitute a breach of the peace or to constitute a menace to the health, safety, or general welfare of the public.

B. Notice. Prior to revoking or suspending any license issued under this chapter, the City shall provide the license holder with written notice of the alleged violation(s) and

inform the licensee of the licensee's right to a hearing on the alleged violation. Notice shall be delivered in person or by mail to the permanent residential address listed on the license application, or if no residential address is listed, the business address provided on the license application.

C. Hearing. Upon receiving the notice provided in subsection B of this section, the licensee shall have the right to request a hearing. If no request for a hearing is received by the city within ten (10) days following the service of the notice, the city may proceed with the suspension or revocation. For the purpose of mailed notices, service shall be considered complete as of the date the notice is placed in the mail. If a hearing is requested within the required time, a hearing shall be scheduled within twenty (20) days from the date of the request. The police chief or the chief's designee shall be the hearing officer and shall render a decision. The decision of the chief is final unless the licensee within five (5) days appeals the decision to the city council.

D. Emergency. If, in the discretion of the chief of police or the chief's designee, imminent harm to the health or safety of the public may occur because of the actions of a peddler or solicitor licensed under this chapter, the chief of police may immediately suspend the person's license and provide notice of the right to hold a subsequent public hearing as prescribed in subsection B of this section.

E. Appeals. Any person whose license is suspended or revoked under this section shall have the right to appeal that decision in court.

~~Before any temporary suspension or revocation occurs, the licensee shall be notified of the violation and have the opportunity to respond to it.~~

1140.19. Compliance with Zoning. Transient Merchants and Transient Produce Merchants shall comply with provisions of the Plymouth Zoning Code. Compliance with the zoning ordinance location, information, and plan requirements shall be verified in writing by the Director of Community Development.

SECTION 3. Effective Date. This ordinance shall be effective upon passage and publication in accordance with law.

Adopted this 10th day of November, 2003 by the City Council of the City of Plymouth, Minnesota.

CITY OF PLYMOUTH

Judy A. Johnson, Mayor

C. Itinerant Salespersons and Solicitors.

1. Definition. The term "itinerant" salesperson means any person who sells or attempts to sell any goods where the solicitation or sale does not occur within a building, store or structure owned or leased by a business and properly zoned for commercial use. The term shall not include persons delivering goods sold upon commercial premises prior to the delivery, or persons distributing their products to regular customers on established routes, such as vendors of milk, groceries or newspapers.
2. License Required. Every itinerant salesperson must apply to the city clerk for license. Upon approval by council and issuance of the license, the license must be carried by the salesperson or be in his/her vehicle at all times. If a business employs more than one itinerant salesperson, a separate license is required for each salesperson. The license fee is as stipulated in Section 5-5.01 of this code and will not be prorated.
3. Hours of Operation. It shall be unlawful for itinerant salespersons and solicitors to engage in the business of peddling within the city between the hours of 7:00 P.M. and 9:00 A.M. the following morning, or at any time on Sundays, except by specific appointment with or invitation from the prospective customer.
4. Entrance to Premises Restricted. It shall be unlawful for itinerant salespersons and solicitors to enter upon any private premises when such premises are posted with a sign stating "No Peddlers Allowed" or "No Solicitation Allowed" or other words to such effect.
5. Exemptions. Itinerant salespersons acting on behalf of any religious association or any non-profit corporation registered with the state of Minnesota shall not be subject to this section provided the proceeds of any sales are being used for such charitable, religious or philanthropic purposes. However, upon providing proper proof of exemption, the city clerk shall issue a certificate to the organization listing the names and addresses of all salespersons acting on behalf of the organization. A copy of this certificate shall be carried by the salesperson or be in his/her vehicle at all times.

ITEM: **Discussion of Alcohol Violation Fine Schedule**

SUBMITTED BY: **Justin Miller, City Administrator**

EXPLANATION:

During the recodification process, council directed staff to review our fine structure for alcohol violations. Staff has reviewed the fine structure of neighboring cities as well as metro cities that have the same fine structure as Falcon Heights. The findings are presented in the following table. The comparison cities that have similar fine structures to Falcon Heights include St. Anthony, Waconia, and Roseville. Other area cities have more general wording relating to the council's ability to suspend or revoke the license, as well as setting fines. In these cities (Little Canada, Arden Hills, St. Paul Park, New Brighton, and Maplewood), their language has been included.

ACTION REQUESTED:

No formal action is required at this time. In reviewing the fine structures of other cities, staff believes that our fines are in line and would recommend leaving them as they currently are. If council wishes to amend any of the fine schedule, staff will bring back the revisions at a future council meeting.

Type of Violation	City	1 st Violation	2 nd Violation	3 rd Violation	4 th Violation
Commission of a felony related to the licensed activity	Falcon Heights	Revocation	N/A	N/A	N/A
	St. Anthony	Revocation	N/A	N/A	N/A
	Waconia	Revocation	N/A	N/A	N/A
	Roseville	Revocation	N/A	N/A	N/A
	Staff	Revocation	N/A	N/A	N/A
	Recommendation				
Sale of alcoholic beverage while license is under suspension	Falcon Heights	Revocation	N/A	N/A	N/A
	St. Anthony	Revocation	N/A	N/A	N/A
	Waconia	Revocation	N/A	N/A	N/A
	Roseville	Revocation	N/A	N/A	N/A
	Staff	Revocation	N/A	N/A	N/A
	Recommendation				
Sale of alcoholic beverages to underage person	Falcon Heights	\$500	6 days	18 days	Revocation
	St. Anthony	\$500	6 days	Revocation	N/A
	Waconia	\$200	\$500	3 days	Revocation
	Roseville	\$500+1 day	\$500+3 days	\$1000+5 days	Revocation
	Staff	\$500	6 days	18 days	Revocation
	Recommendation				
Sale of alcoholic beverages to obviously intoxicated person	Falcon Heights	\$500	6 days	18 days	Revocation
	St. Anthony	\$500	6 days	18 days	Revocation
	Waconia	\$200	\$500	3 day	Revocation
	Roseville	\$500+1 day	\$500+3 days	\$1000+5 days	Revocation
	Staff	\$500	6 days	18 days	Revocation
	Recommendation				
After hours sale of alcoholic beverages	Falcon Heights	\$500	6 days	18 days	Revocation
	St. Anthony	\$500	6 days	18 days	Revocation
	Waconia	\$200	\$500	3 days	Revocation
	Roseville	\$500+1 day	\$500+3 days	\$1000+5 days	Revocation
	Staff	\$500	6 days	6 days	Revocation
	Recommendation				
After hours display or consumption of alcoholic beverages	Falcon Heights	\$500	6 days	18 days	Revocation
	St. Anthony	\$500	6 days	18 days	Revocation
	Waconia	\$200	\$500	3 days	Revocation
	Roseville	\$500+1 day	\$500+3 days	\$1000+5 days	Revocation
	Staff	\$500	6 days	18 days	Revocation
	Recommendation				
Refusal to allow city inspectors or police admission to inspect premises	Falcon Heights	\$500	15 days	Revocation	N/A
	St. Anthony	\$500	15 days	Revocation	N/A
	Waconia	5 days	15 days	Revocation	N/A
	Roseville	N/A	N/A	N/A	N/A
	Staff	\$500	15 days	Revocation	N/A
	Recommendation				
Illegal gambling on premises	Falcon Heights	\$500	6 days	18 days	Revocation
	St. Anthony	\$500	6 days	18 days	Revocation
	Waconia	\$200	\$500	3 days	Revocation
	Roseville	\$500+1 day	\$500+3 days	\$1000+5 days	Revocation
	Staff	\$500	6 days	18 days	Revocation
	Recommendation				

Failure to take reasonable steps to stop person from leaving premises with alcoholic beverages	Falcon Heights	\$500	6 days	18 days	Revocation
	St. Anthony	\$500	6 days	18 days	Revocation
	Waconia	\$200	\$500	3 days	Revocation
	Roseville	\$500+1 day	\$500+3 days	\$1000+5 days	Revocation
	Staff Recommendation	\$500	6 days	18 days	Revocation
Sale of intoxicating liquor where only license is for 3.2 percent malt liquor	Falcon Heights	Revocation	N/A	N/A	N/A
	St. Anthony	Revocation	N/A	N/A	N/A
	Waconia	Revocation	N/A	N/A	N/A
	Roseville	Revocation	N/A	N/A	N/A
	Staff Recommendation	Revocation	N/A	N/A	N/A

Note – Falcon Heights city code also has the following provision:

“Other Penalties – Nothing in this section shall restrict or limit the authority of the council to suspend up to sixty (60) days, revoke the license, or impose a civil fine not to exceed two thousand dollars (\$2,000.00) for each violation, to impose conditions, or impose any combination of the foregoing sanctions, or take any other action in accordance with law; provided, that the license holder has been afforded an opportunity for a hearing in the manner provided in this chapter.”

Little Canada – “The council shall either suspend for up to 60 days or revoke any intoxicating liquor license, or impose a civil fine not to exceed \$2,000.00, for each violation upon a finding that the license has failed to comply with any applicable statute, regulation, or ordinance relating to alcoholic beverages.”

Arden Hills – “The Council may either suspend for up to sixty (60) days, or revoke any liquor license upon a finding that the licensee has failed to comply with any applicable statute, regulation, or ordinance relating to intoxicating liquor.”

St. Paul Park – “Upon finding that a licensee has ... failed to comply with any applicable statute, rule, or ordinance relating to alcoholic beverages, the council may revoke the license, suspend the license for up to 60 days, impose a civil penalty of up to \$2,000.00 for each violation, or impose any combination of these sanctions.”

New Brighton – “The city council may suspend or revoke an intoxicating liquor license for violation of any provision of this chapter or of any State or Federal law regulating the sale of intoxicating liquor.”

Maplewood – “The authority issuing or approving a license... may suspend for up to 60 days or revoke the license or permit or impose a fine of up to \$2000 for each violation...”