

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

**AGENDA**  
**September 13, 2006**

- A. CALL TO ORDER: 7:00 PM
- B. ROLL CALL: GEHRZ \_\_\_\_ KUETTEL \_\_\_\_ HARRIS \_\_\_\_  
LINDSTROM \_\_\_\_ TALBOT \_\_\_\_  
MILLER \_\_\_\_ KREUSER \_\_\_\_
- C. PRESENTATION:
- D. APPROVAL OF MINUTES: August 23, 2006 **TAB 1**
- E. PUBLIC HEARINGS:
- F. CONSENT AGENDA:
  - 1. General disbursements through 9/6/06: \$39,461.57  
Payroll through 8/31/2006: \$16,836.49 **TAB 2**
  - 2. Appointment of Sam Bontrager to Environment Commission **TAB 3**
  - 3. Approval of license **TAB 4**
  - 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. **TAB 5**
  - 5. Resolution 2006-22 authorizing the City to eliminate the 2007 Debt  
Levy on General Obligation Debt **TAB 6**
- G. POLICY AGENDA:
  - 1. 2007 Preliminary Tax Levy and Setting Dates of Truth-in-Taxation  
Hearings **TAB 7**
  - 2. Proposed Ordinance Amending City Code on Drive-through  
Businesses **TAB 8**
  - 3. Review of Draft of Falcon Heights City Code Recodification (Part IV) **TAB 9**
- H. COMMUNITY FORUM:
- I. INFORMATION/ANNOUNCEMENTS:
- J. ADJOURN

**Regular Meeting of the City Council**  
**City Hall**  
**August 23, 2006**

**Members present:** Mayor Gehrz, Council members Kuettel, Harris, and Talbot, Administrator Miller, Assistant City Administrator/Deputy Clerk Kreuser, and Parks and Public Works Director Hoag. **Members absent:** Council member Lindstrom.

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

**Approval of Minutes:** The minutes of the August 9, 2006 regular City Council meeting were approved as submitted.

**Consent Agenda:**

Council member Harris asked about consent item 3, inquiring whether the transfer of funds would create a problem with arbitrage. Administrator Miller stated that factor would not come into play.

Council member Kuettel moved to approve the three following items on the consent agenda. The motion passed unanimously.

1. General disbursements through 8/16/06: \$130,335.68  
Payroll through 8/15/06: \$16,494.13
2. Approval of licenses
3. Amend the budgeted transfers from the Reserved for Debt Payment in the Infrastructure Fund to the 1999 NE Quadrant Street Improvement Bonds

**Policy Agenda:**

1. Resolution 06-20 approving setback variance for 1564 Burton Street

Administrator Miller began the item by giving a brief overview of the variance proposal, and stated the Planning Commission and staff unanimously approve the variance.

Council member Kuettel said that Coffman and Folwell to Hoyt encroach onto their property. She also stated the original design of the home did include the second-story door, which allowed the Planning Commission to assume the deck was part of the original design.

Mayor Gehrz added that University Grove construction limitations were likely the reason the deck was not built originally.

Council members Talbot and Harris stated their approval of the plan.

Council member Kuettel moved to approve resolution 06-20, approving setback variance for 1564 Burton Street. The motion passed unanimously.

**Information/Announcements:**

Council member Kuettel announced the City-wide garage sale is September 16, and the Neighborhood Clean-up is September 23. She also invited residents to the August 29 Back to School parade at Falcon Heights Elementary. The parade will be held at 6:30 p.m. Lastly, she mentioned the council would hear the final drive-through recommendation from the Planning Commission at the September 13 regular council meeting.

Council member Talbot reminded everyone of the State Fair, August 24 – September 4, and asked residents to slow down and be careful.

Mayor Gehrz asked residents and those who work in Falcon Heights and Lauderdale to register for the CERT classes, held for eight weeks beginning September 14. CERT graduates will learn emergency preparedness, emergency response, and what to do in a disaster before help arrives. Tuition for the class is \$25. She added that class graduates would receive their own emergency kit, valued at \$50. She also asked residents to apply for the Comprehensive Plan Steering Committee; applications are due August 25. Lastly, she invited residents to tune into Channel 16 to watch footage of the Ice Cream Social, held July 27.

Administrator Miller reminded residents of the State Fair parking restrictions and sale of merchandise within City limits.

The regular meeting was adjourned at 7:15 p.m. The council then retired to a workshop discussion on the general fund budget.

Respectfully submitted,

Stacey Kreuser  
Assistant City Administrator/Deputy Clerk

**ITEM:**                   **Disbursements and Payroll**

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

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

**EXPLANATION:**

1. General Disbursements through 9/6/06: \$39,461.57
2. Payroll through 08/31/06: \$16,836.49

**ACTION REQUESTED:**

- Approval

PACKET: 00029 Regular Payables  
 VENDOR SET: 01 City of Falcon Heights  
 SEQUENCE : NUMERIC  
 DUE TO/FROM ACCOUNTS SUPPRESSED

-----ID-----  
 POST DATE BANK CODE -----DESCRIPTION----- GROSS DISCOUNT P.O. # G/L ACCOUNT -----ACCOUNT NAME----- DISTRIBUTION

01-00255 AMERICAN OFFICE PRODUCTS

I-76503 - 76829	ADMIN SUPPLIES	117.14			
9/06/2006 APBNK	DUE: 9/06/2006 DISC: 9/06/2006				
	PEN HOLDER		101 4112-70100-000	SUPPLIES	32.15
	ENVELOPES		101 4112-70100-000	SUPPLIES	73.96
	REFILLABLE ERASERS/PENCILS		101 4112-70100-000	SUPPLIES	4.11
	NAME BADGE - JUSTIN		101 4112-70100-000	SUPPLIES	6.92
	=== VENDOR TOTALS ===	117.14			

01-00909 HOAG, GREG

I-200609060132	AUG/06 MILEAGE REIMB	120.60			
9/06/2006 APBNK	DUE: 9/06/2006 DISC: 9/06/2006				
	AUG/06 MILEAGE REIMB		101 4131-89000-000	MISCELLANEOUS	120.60
	=== VENDOR TOTALS ===	120.60			

01-03540 DEPTMENT OF LABOR AND INDUSTRY

I-200609060135	2ND QTR BLDG PERMIT SURCHARGE	226.74			
9/06/2006 APBNK	DUE: 9/06/2006 DISC: 9/06/2006				
	2ND QTR BLDG PERMIT SURCHARGE		101 20801-000	DUE TO OTHER GOVERNMENTS	226.74
	=== VENDOR TOTALS ===	226.74			

01-04084 FIRE EQUIPMENT SPECIALTIE

I-4671	FIRE HOSE & FLASHLIGHTS	268.77			
9/06/2006 APBNK	DUE: 9/06/2006 DISC: 9/06/2006				
	2 FIRE HOSES		402 4402-91000-000	MACHINERY & EQUIPMENT	134.39
	2 RECHARGABLE FLASHLIGHTS		402 4402-91000-000	MACHINERY & EQUIPMENT	134.38
	=== VENDOR TOTALS ===	268.77			

01-05082 GEHRZ, SUE

I-200609060136	REISSUE LOST PAYROLL CK 62596	5.57			
9/06/2006 APBNK	DUE: 9/06/2006 DISC: 9/06/2006				
	REISSUE LOST PAYROLL CK 62596		101 4111-60510-000	MAYOR & CITY COUNCIL	5.57
	=== VENDOR TOTALS ===	5.57			

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-----ID-----			GROSS	P.O. #		
POST DATE	BANK CODE	-----DESCRIPTION-----	DISCOUNT	G/L ACCOUNT	-----ACCOUNT NAME-----	DISTRIBUTION
=====						
01-05090	DEEP ROCK WATER COMPANY					
I-825409165		BOTTLED WATER	66.80			
9/06/2006	APBNK	DUE: 9/06/2006 DISC: 9/06/2006				
		BOTTLED WATER		101 4124-89000-000	MISCELLANEOUS	33.40
		BOTTLED WATER		101 4131-85040-000	WATER	33.40
		=== VENDOR TOTALS ===	66.80			
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01-05153	HOME DEPOT CRC/GECF					
I-200609060143		NOZZLE/ HOSE/CLAMPS	62.01			
9/06/2006	APBNK	MANUAL CK# 070401 9/05/2006				
		NOZZLE/ HOSE/CLAMPS		101 4131-70110-000	SUPPLIES	41.25
		1 X 2 X 8 FVRR		101 4132-70120-000	SUPPLIES	20.76
		=== VENDOR TOTALS ===	62.01			
=====						
01-05200	ICMA RETIREMENT TRUST 457					
I-200609060141		ICMA SEPT/06	1,010.00			
9/06/2006	APBNK	DUE: 9/06/2006 DISC: 9/06/2006				
		ICMA SEPT/06		101 21709-000	OTHER PR WH PAYABLE	923.90
		ICMA SEPT/06		204 21709-000	OTHER PR WH PAYABLE	10.00
		ICMA SEPT/06		601 21709-000	OTHER PR WH PAYABLE	35.00
		ICMA SEPT/06		602 21709-000	OTHER PR WH PAYABLE	41.10
		=== VENDOR TOTALS ===	1,010.00			
=====						
01-05510	LEAGUE OF MN CITIES					
I-200609060140		2006 LMC DUES	4,516.00			
9/06/2006	APBNK	DUE: 9/06/2006 DISC: 9/06/2006				
		2006 LMC DUES		101 4111-86140-000	COMMISSIONS/MEMBERSHIPS/	4,516.00
		=== VENDOR TOTALS ===	4,516.00			
=====						
01-05669	DIANE MEYER					
I-200609060133		REIMB: MESSY ART SUPPLIES	166.93			
9/06/2006	APBNK	DUE: 9/06/2006 DISC: 9/06/2006				
		REIMB: MESSY ART SUPPLIES		201 4201-70100-000	SUPPLIES	166.93
		=== VENDOR TOTALS ===	166.93			

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-----ID-----  
 POST DATE BANK CODE -----DESCRIPTION----- GROSS DISCOUNT P.O. # G/L ACCOUNT -----ACCOUNT NAME----- DISTRIBUTION

01-05770 MN MAYORS ASSOCIATION

I-200609060142 2006 MEMBERSHIP DUES 20.00  
 9/06/2006 APBNK DUE: 9/06/2006 DISC: 9/06/2006  
 2006 MEMBERSHIP DUES 101 4111-86140-000 COMMISSIONS/MEMBERSHIPS/ 20.00  
 === VENDOR TOTALS === 20.00

01-05870 XCEL ENERGY

I-200609060134 ELECTRIC & GAS BILL AUG/06 2,001.68  
 9/06/2006 APBNK DUE: 9/06/2006 DISC: 9/06/2006  
 ELECTRIC ICE RINK LIGHTS 101 4141-85020-000 ELECTRIC/GAS 24.10  
 ELECTRIC 101 4132-85020-000 STREET LIGHTING 38.17  
 ELECTRIC 101 4132-85020-000 STREET LIGHTING 34.04  
 ELECTRIC 101 4132-85020-000 STREET LIGHTING 13.54  
 ELECTRIC - SIGN 101 4132-85020-000 STREET LIGHTING 7.86  
 ELECTRIC 101 4132-85020-000 STREET LIGHTING 41.24  
 ELECTRIC 101 4132-85020-000 STREET LIGHTING 7.86  
 ELECTRIC 101 4132-85020-000 STREET LIGHTING 148.98  
 ELECTRIC - WARMING HOUSE 101 4141-85020-000 ELECTRIC/GAS 31.13  
 GAS - WARMING HOUSE 101 4141-85030-000 NATURAL GAS 21.30  
 ELECTRIC - COMM PARK BLDG 101 4141-85020-000 ELECTRIC/GAS 206.56  
 GAS - COMM PARK BLDG 101 4141-85030-000 NATURAL GAS 27.56  
 ELECTRIC 101 4131-85020-000 ELECTRIC 1,319.67  
 GAS 101 4131-85030-000 NATURAL GAS 53.48  
 ELECTRIC 601 4601-85020-000 ELECTRIC 26.19  
 === VENDOR TOTALS === 2,001.68

01-05890 MTI DISTRIBUTING

I-5743482 RUBBER DEFLECTOR FOR MOWER 100.64  
 9/06/2006 APBNK DUE: 9/06/2006 DISC: 9/06/2006  
 RUBBER DEFLECTOR FOR MOWER 101 4141-70100-000 SUPPLIES 100.64  
 === VENDOR TOTALS === 100.64

01-05906 NATIONAL FIRE & RESCUE

I-200609060138 3 YR SUBSCRIPTION 25.00  
 9/06/2006 APBNK DUE: 9/06/2006 DISC: 9/06/2006  
 3 YR SUBSCRIPTION 101 4124-86120-000 SUBSCRIPTIONS 25.00  
 === VENDOR TOTALS === 25.00



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-----ID-----			GROSS	P.O. #		
POST DATE	BANK CODE	-----DESCRIPTION-----	DISCOUNT	G/L ACCOUNT	-----ACCOUNT NAME-----	DISTRIBUTION
=====						
01-06024		ON SITE SANITATION				
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I-239794		PORTABLE TOILET - COMM PARK	77.90			
9/06/2006	APBNK	DUE: 9/06/2006 DISC: 9/06/2006				
		PORTABLE TOILET - COMM PARK		101 4141-82010-000	WASTE REMOVAL	77.90
		=== VENDOR TOTALS ===	77.90			
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01-06184		RAMSEY COUNTY				
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I-000191		911 DISPATCH AUG/06	873.71			
9/06/2006	APBNK	DUE: 9/06/2006 DISC: 9/06/2006				
		911 DISPATCH AUG/06		101 4121-86700-000	EMERGENCY DISPATCH SVCS-	163.82
		911 DISPATCH AUG/06		101 4124-86700-000	EMERGENCY DISPATCH SVCS-	709.89
		=== VENDOR TOTALS ===	873.71			
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01-06290		CITY OF ROSEVILLE				
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I-5563		JUN15-AUG15 TELEPHONY	863.75			
9/06/2006	APBNK	DUE: 9/06/2006 DISC: 9/06/2006				
		JUN15-AUG15 TELEPHONY		101 4116-85010-000	TELEPHONE	863.75
		=== VENDOR TOTALS ===	863.75			
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01-06386		S & S TREE SPECIALISTS IN				
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I-6241		STORM DAMAGE LIMB REMOVAL	399.38			
9/06/2006	APBNK	DUE: 9/06/2006 DISC: 9/06/2006				
		STORM DAMAGE LIMB REMOVAL		101 4134-84040-000	STORM DAMAGE	399.38
		=== VENDOR TOTALS ===	399.38			
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01-06525		SUBURBAN ACE HARDWARE				
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I-62580-62985		AUG/06 HARDWARE	1,206.39			
9/06/2006	APBNK	DUE: 9/06/2006 DISC: 9/06/2006				
		STREET PATCHING		101 4132-75000-000	BITUMINOUS PATCHING	22.33
		AA BATTERIES		101 4131-70110-000	SUPPLIES	3.19
		F-350 REPAIR		101 4132-87011-000	REPAIR PICKUP TRUCK	2.12
		SAW BLADES		101 4124-70100-000	SUPPLIES	44.68
		NUTS/BOLTS PARKING SIGNS		403 4403-91000-000	MACHINERY & EQUIPMENT	47.66
		MASKING TAPE		101 4115-70100-000	SUPPLIES	31.91
		NEW POWER SAW		402 4402-91000-000	MACHINERY & EQUIPMENT	1,035.39
		CLEANING SUPPLIES		101 4124-82010-000	CLEANING & WASTE REMOVAL	16.46
		BATTERY TOP POST		101 4141-70100-000	SUPPLIES	2.65
		=== VENDOR TOTALS ===	1,206.39			



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DUE TO/FROM ACCOUNTS SUPPRESSED

-----ID-----			GROSS	P.O. #		
POST DATE	BANK CODE	-----DESCRIPTION-----	DISCOUNT	G/L ACCOUNT	-----ACCOUNT NAME-----	DISTRIBUTION
=====						
01-07007	TURFWORKS INC					
I-SI07703		BREAKER & FREIGHT	34.81			
9/06/2006	APBNK	DUE: 9/06/2006 DISC: 9/06/2006				
		BREAKER & FREIGHT		101 4141-70100-000	SUPPLIES	34.81
		=== VENDOR TOTALS ===	34.81			
=====						
01-07263	NEXTEL COMMUNICATIONS, INC					
I-018		CELL PHONE AUG/06 FIRE	112.25			
9/06/2006	APBNK	DUE: 9/06/2006 DISC: 9/06/2006				
		CELL PHONE AUG/06 FIRE		101 4124-85015-000	CELL PHONE	112.25
		=== VENDOR TOTALS ===	112.25			
=====						
01-07272	LILLIE SUBURBAN NEWSPAPER					
I-200609060139		NOTICE OF TESTING - 8/29	5.58			
9/06/2006	APBNK	DUE: 9/06/2006 DISC: 9/06/2006				
		NOTICE OF TESTING - 8/29		101 4111-70410-000	LEGAL NOTICES	5.58
		=== VENDOR TOTALS ===	5.58			
=====						
07276	HUGHES & COSTELLO					
I-200609060137		SEPT/06 PROSECUTION	2,597.54			
9/06/2006	APBNK	DUE: 9/06/2006 DISC: 9/06/2006				
		SEPT/06 PROSECUTION		101 4123-80200-000	LEGAL FEES	2,597.54
		=== VENDOR TOTALS ===	2,597.54			
=====						
01-07901	WASTE MANAGEMENT-BLAINE					
I-3170481 - 3177201		SEPT/06 RECYCLING	2,592.80			
9/06/2006	APBNK	DUE: 9/06/2006 DISC: 9/06/2006				
		SEPT/06 RECYCLING		206 4206-82030-000	RECYCLING CONTRACTS	1,996.40
		RECYCLING CONTRACT SEPT/06		206 4206-82030-000	RECYCLING CONTRACTS	596.40
		=== VENDOR TOTALS ===	2,592.80			
		=== PACKET TOTALS ===	17,471.99			

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-----ID-----			GROSS	P.O. #		
POST DATE	BANK CODE	-----DESCRIPTION-----	DISCOUNT	G/L ACCOUNT	-----ACCOUNT NAME-----	DISTRIBUTION
=====						
01-00255		AMERICAN OFFICE PRODUCTS				
I-76399i		FLEXGRIP PENS	30.16			
8/30/2006	APBNK	DUE: 8/30/2006 DISC: 8/30/2006				
		FLEXGRIP PENS		101 4112-70100-000	SUPPLIES	30.16
		=== VENDOR TOTALS ===	30.16			
=====						
01-00283		ANDERSON, KEVIN				
I-200608300125		US FLAGS FOR FIRE TRKS	47.02			
8/30/2006	APBNK	DUE: 8/30/2006 DISC: 8/30/2006				
		US FLAGS FOR FIRE TRKS		101 4124-70100-000	SUPPLIES	47.02
		=== VENDOR TOTALS ===	47.02			
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01-00800		ALLIED WASTE SERVICES				
I-421440		SEPT/06 WASTE SVCS	507.81			
8/30/2006	APBNK	DUE: 8/30/2006 DISC: 8/30/2006				
		SEPT/06 WASTE SVCS		101 4131-82010-000	WASTE REMOVAL	507.81
		=== VENDOR TOTALS ===	507.81			
=====						
00867		ALBRECHT ENTERPRISES				
I-10840		COUPLING	1.60			
8/31/2006	APBNK	DUE: 8/31/2006 DISC: 8/31/2006				
		COUPLING		101 4132-70120-000	SUPPLIES	1.60
I-10873		COMBO ELBOWS/COUPLING	3.86			
8/31/2006	APBNK	DUE: 8/31/2006 DISC: 8/31/2006				
		COMBO ELBOWS/COUPLING		101 4132-70120-000	SUPPLIES	3.86
		=== VENDOR TOTALS ===	5.46			
=====						
01-00892		BEARCOM				
I-3564447		2 MINITOR VHF PAGERS	947.40			
8/30/2006	APBNK	DUE: 8/30/2006 DISC: 8/30/2006				
		2 MINITOR VHF PAGERS		402 4402-91000-000	MACHINERY & EQUIPMENT	947.40
		=== VENDOR TOTALS ===	947.40			

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-----ID-----		GROSS	P.O. #			
POST DATE	BANK CODE	DISCOUNT	G/L ACCOUNT	-----ACCOUNT NAME-----		DISTRIBUTION

01-00935 ST PAUL REGIONAL WATER SERVICE

I-200608300127				ST PAUL REGIONAL WATER SERVIC		513.96
8/30/2006	APBNK			DUE: 8/30/2006 DISC: 8/30/2006		
				H2O	101 4131-85040-000	444.60
				S.S.	101 4131-85070-000	13.02
				H2O	101 4141-85040-000	11.36
				H2O	101 4141-85070-000	13.02
				H2O	101 4141-85040-000	18.94
				S.S.	101 4141-85070-000	13.02
=== VENDOR TOTALS ===						513.96

01-03121 CITY OF ST PAUL

I-95629				JULY/06 FUEL		253.48
8/31/2006	APBNK			DUE: 8/31/2006 DISC: 8/31/2006		
				JULY/06 FUEL	101 4132-74000-000	253.48
=== VENDOR TOTALS ===						253.48

01-03123 CINTAS CORPORATION #470

I-470519699				RUG SVC-CITY HALL		79.30
8/31/2006	APBNK			DUE: 8/31/2006 DISC: 8/31/2006		
				RUG SVC-CITY HALL	101 4131-87010-000	79.30
=== VENDOR TOTALS ===						79.30

01-03540 DEPTMENT OF LABOR AND INDUSTRY

I-200608310129				ELECTRICAL INSPECTION FORMS		20.00
8/31/2006	APBNK			DUE: 8/31/2006 DISC: 8/31/2006		
				ELECTRICAL INSPECTION FORMS	101 4117-70100-000	20.00
=== VENDOR TOTALS ===						20.00

01-04000 EHLERS AND ASSOCIATES

I-331979				TIF RESEARCH MVHC #51		87.50
8/31/2006	APBNK			DUE: 8/31/2006 DISC: 8/31/2006		
				TIF RESEARCH MVHC #51	412 4412-81900-000	87.50
=== VENDOR TOTALS ===						87.50

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-----ID-----			GROSS	P.O. #			
OST DATE	BANK CODE	-----DESCRIPTION-----	DISCOUNT	G/L ACCOUNT	-----ACCOUNT NAME-----		DISTRIBUTION
=====							
01-05166		GRAINGER, W. W., INC.					
I-9165962599		RECIPROCATING SAW	156.06				
8/31/2006	APBNK	DUE: 8/31/2006 DISC: 8/31/2006					
		RECIPROCATING SAW		101 4124-70100-000	SUPPLIES		156.06
=====							
I-9173293409		HYDRAULIC HOSE/COUPLER	42.39				
8/30/2006	APBNK	DUE: 8/30/2006 DISC: 8/30/2006					
		HYDRAULIC HOSE & COUPLER		101 4141-70100-000	SUPPLIES		42.39
		=== VENDOR TOTALS ===	198.45				
=====							
01-05466		LANDS'END BUSINESS OUTFIT					
I-4961831		CLOTHING WITH CITY LOGO	416.54				
8/30/2006	APBNK	DUE: 8/30/2006 DISC: 8/30/2006					
		CLOTHING WITH CITY LOGO		101 4132-77000-000	CLOTHING		416.54
		=== VENDOR TOTALS ===	416.54				
=====							
01-05646		M-R SIGN COMPANY INC					
I-142394		M-R SIGN COMPANY INC	482.81				
8/30/2006	APBNK	DUE: 8/30/2006 DISC: 8/30/2006					
		STREET SIGNS/PEDESTRIAN/STOP A		403 4403-91000-000	MACHINERY & EQUIPMENT		482.81
		=== VENDOR TOTALS ===	482.81				
=====							
01-05760		MINNESOTA GFOA					
I-200608300121		2006 CONFERENCE MNGFOA	200.00				
8/30/2006	APBNK	MANUAL CK# 070352 8/20/2006					
		2006 CONFERENCE MNGFOA		101 4113-86100-000	CONFERENCES/EDUCATION/AS		200.00
		=== VENDOR TOTALS ===	200.00				
=====							
01-05843		MN NCPERS LIFE INSURANCE					
I-4588906		SEPT/06 INSURANCE JONES	16.00				
8/30/2006	APBNK	DUE: 8/30/2006 DISC: 8/30/2006					
		SEPT/06 INSURANCE JONES		101 21709-000	OTHER PR WH PAYABLE		15.20
		SEPT/06 INSURANCE JONES		206 21709-000	OTHER PR WH PAYABLE		0.80
		=== VENDOR TOTALS ===	16.00				



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-----ID-----			GROSS	P.O. #		
DST DATE	BANK CODE	-----DESCRIPTION-----	DISCOUNT	G/L ACCOUNT	-----ACCOUNT NAME-----	DISTRIBUTION
=====						
01-05870	XCEL ENERGY					
I-200608300126		ELECTRIC	33.33			
8/30/2006	APBNK	DUE: 8/30/2006 DISC: 8/30/2006				
		ELECTRIC		101 4121-85020-000	ELECTRIC	6.74
		ELECTRIC		101 4141-85020-000	ELECTRIC/GAS	26.59
		=== VENDOR TOTALS ===	33.33			
=====						
01-05890	MTI DISTRIBUTING					
I-537138		TORO GROUNDSMASTR 3280 D MOWE	15,779.30			
8/31/2006	APBNK	DUE: 8/31/2006 DISC: 8/31/2006				
		TORO GROUNDSMASTR 3280 D MOWER		403 4403-91000-000	MACHINERY & EQUIPMENT	15,779.30
		=== VENDOR TOTALS ===	15,779.30			
=====						
01-06053	OREILLY AUTO PARTS					
I-193947		OREILLY AUTO PARTS	6.97			
8/30/2006	APBNK	DUE: 8/30/2006 DISC: 8/30/2006				
		STOP LEAK/DEGREASER		101 4141-70100-000	SUPPLIES	6.97
		=== VENDOR TOTALS ===	6.97			
=====						
01-06054	ORCHARD TRUST COMPANY					
I-98995-01		AUG/06 KREUSER	180.00			
8/30/2006	APBNK	DUE: 8/30/2006 DISC: 8/30/2006				
		AUG/06 KREUSER		101 21709-000	OTHER PR WH PAYABLE	180.00
		=== VENDOR TOTALS ===	180.00			
=====						
01-06660	TARGET					
I-200608300124		COOKING CLASS SUPPLIES	44.89			
8/30/2006	APBNK	MANUAL CK# 070353 8/25/2006				
		COOKING CLASS SUPPLIES		201 4201-70100-000	SUPPLIES	13.17
		SODA/ICE CREAM SOCIAL SUPPLIES		101 4116-89010-000	SPECIAL EVENTS	31.72
		=== VENDOR TOTALS ===	44.89			
=====						
01-07263	NEXTEL COMMUNICATIONS, INC					
I-610189255-038		NEXTEL COMMUNICATIONS, INC	217.10			
8/30/2006	APBNK	DUE: 8/30/2006 DISC: 8/30/2006				
		CELL PHONE		101 4121-85015-000	CELL PHONE	62.96
		CELL PHONE		101 4131-85015-000	CELL PHONE	10.83
		CELL PHONE		101 4141-85015-000	CELL PHONE	28.23
		CELL PHONE		101 4132-85015-000	CELL PHONE	6.52
		CELL PHONE		601 4601-85015-000	CELL PHONE	54.28
		CELL PHONE		602 4602-85015-000	CELL PHONES	54.28

PACKET: 00023 Regular Payables  
VENDOR SET: 01 City of Falcon Heights  
SEQUENCE : NUMERIC  
DUE TO/FROM ACCOUNTS SUPPRESSED

-----ID-----		GROSS	P.O. #		
OST DATE	BANK CODE	DISCOUNT	G/L ACCOUNT	-----ACCOUNT NAME-----	DISTRIBUTION
=====					
01-07263	NEXTEL COMMUNICATIONS, INC		( ** CONTINUED ** )		
=== VENDOR TOTALS ===		217.10			

01-07272 LILLIE SUBURBAN NEWSPAPER

I-200608300128	LILLIE SUBURBAN NEWSPAPER	13.70			
8/30/2006	APBNK DUE: 8/30/2006 DISC: 8/30/2006				
	8/15 NOTICE-DRIVE THRU		101 4111-70410-000	LEGAL NOTICES	13.70
=== VENDOR TOTALS ===		13.70			
=== PACKET TOTALS ===		20,081.18			

PERA Manual Check 070379 \$1,908.40  
8/30/2006

Grand Total \$21,989.58

-----ID-----	ITM DATE	BANK CODE	-----DESCRIPTION-----	GROSS DISCOUNT	P.O. # G/L ACCOUNT	--ACCOUNT NAME--	DISTRIBUTION
--------------	----------	-----------	-----------------------	----------------	--------------------	------------------	--------------

01-05745 MN DEPT OF REVENUE

I-T2 200608300119	8/30/2006		STATE WITHHOLDING	1,027.86			
		PYBNK	MANUAL CK# 584655 8/31/2006				
			STATE WITHHOLDING		101 21702-000	STATE WITH PAYA	858.61
			STATE WITHHOLDING		201 21702-000	STATE WITH PAYA	41.38
			STATE WITHHOLDING		204 21702-000	STATE WITH PAYA	9.15
			STATE WITHHOLDING		206 21702-000	STATE WITH PAYA	4.55
			STATE WITHHOLDING		601 21702-000	STATE WITH PAYA	67.82
			STATE WITHHOLDING		602 21702-000	STATE WITH PAYA	46.35
			=== VENDOR TOTALS ===	1,027.86			

01-06074 PERA

I-91 200608300119	8/30/2006		PERA	1,908.40			
		PYBNK	MANUAL CK# 070379 8/30/2006				
			PERA		101 21704-000	PERA PAYABLE	752.27
			PERA		101 4112-64011-000	PERA CONTRIBUTI	259.00
			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	34.74
			PERA		101 4117-64011-000	PERA CONTRIBUTI	93.06
			PERA		101 4121-64011-000	PERA CONTRIBUTI	4.72
			PERA		101 4131-64011-000	PERA CONTRIBUTI	44.11
			PERA		101 4132-64011-000	PERA CONTRIBUTI	68.39
			PERA		101 4134-64011-000	PERA CONTRIBUTI	7.68
			PERA		101 4141-64011-000	PERA CONTRIBUTI	145.54
			PERA		201 21704-000	PERA PAYABLE	21.07
			PERA		201 4201-64011-000	PERA	22.98
			PERA		204 21704-000	PERA PAYABLE	11.10
			PERA		204 4204-64011-000	PERA CONTRIBUTI	12.10
			PERA		206 21704-000	PERA PAYABLE	5.38
			PERA		206 4206-64011-000	PERA CONTRIBUTI	5.86
			PERA		601 21704-000	PERA PAYABLE	72.44
			PERA		601 4601-64011-000	PERA CONTRIBUTI	79.02
			PERA		602 21704-000	PERA PAYABLE	50.44
			PERA		602 4602-64011-000	PERA CONTRIBUTI	55.05
			=== VENDOR TOTALS ===	1,908.40			

01-00898 US BANK TRUST NATL ASSOC

I-T1 200608300119	8/30/2006		FED INCOME TAX WITHHELD	2,367.79			
		PYBNK	MANUAL CK# 611656 8/31/2006				
			FED INCOME TAX WITHHELD		101 21701-000	FED WITH PAYABL	1,965.33
			FED INCOME TAX WITHHELD		201 21701-000	FED WITH PAYABL	86.10
			FED INCOME TAX WITHHELD		204 21701-000	FED WITH PAYABL	22.91
			FED INCOME TAX WITHHELD		206 21701-000	FED WITH PAYABL	9.81
			FED INCOME TAX WITHHELD		601 21701-000	FED WITH PAYABL	173.60
			FED INCOME TAX WITHHELD		602 21701-000	FED WITH PAYABL	110.04



CHECK DATE: 8/30/2006 THRU 8/31/2006

CLEAR DATE: 0/00/0000 THRU 99/99/9999

COMPANY: 999 - POOLED CASH

STATEMENT: 0/00/0000 THRU 99/99/9999

ACCOUNT: 10100-000 POOLED CASH

TYPE: ALL

STATUS: ALL

FOLIO: PAYROLL

ACCOUNT	--DATE--	--TYPE--	NUMBER	-----DESCRIPTION-----	----AMOUNT----	STATUS	FOLIO	CLEAR DATE
CHECK:	-----							
10100-000	8/30/2006	CHECK	070354	GEHRZ, SUSAN	5.57CR	OUTSTND	P	0/00/0000
10100-000	8/30/2006	CHECK	070355	KUETTEL, LAURA A	277.05CR	OUTSTND	P	0/00/0000
10100-000	8/30/2006	CHECK	070356	LINDSTROM, PETER C	277.05CR	OUTSTND	P	0/00/0000
10100-000	8/30/2006	CHECK	070357	TALBOT JR, RICHARD P	7.05CR	OUTSTND	P	0/00/0000
10100-000	8/30/2006	CHECK	070358	HARRIS, PAMELA M	277.05CR	OUTSTND	P	0/00/0000
10100-000	8/30/2006	CHECK	070359	MILLER, JUSTIN J	1,677.71CR	OUTSTND	P	0/00/0000
10100-000	8/30/2006	CHECK	070360	PHILLIPS, PATRICIA	655.07CR	OUTSTND	P	0/00/0000
10100-000	8/30/2006	CHECK	070361	KREUSER, STACEY T	1,185.12CR	OUTSTND	P	0/00/0000
10100-000	8/30/2006	CHECK	070362	ABERNATHY, LISA A	1,090.57CR	OUTSTND	P	0/00/0000
10100-000	8/30/2006	CHECK	070363	OLSON, ROLAND O	1,545.09CR	OUTSTND	P	0/00/0000
10100-000	8/30/2006	CHECK	070364	YARD, MICHAEL C	937.80CR	OUTSTND	P	0/00/0000
10100-000	8/30/2006	CHECK	070365	AUGER SR, JOSEPH J	403.11CR	OUTSTND	P	0/00/0000
10100-000	8/30/2006	CHECK	070366	JONES, DEBORAH K	1,373.15CR	OUTSTND	P	0/00/0000
10100-000	8/30/2006	CHECK	070367	KURHAJETZ, CLEMENT	340.04CR	OUTSTND	P	0/00/0000
10100-000	8/30/2006	CHECK	070368	ANDERSON, KEVIN	10.03CR	OUTSTND	P	0/00/0000
10100-000	8/30/2006	CHECK	070369	ALLEN, MARK J	184.70CR	OUTSTND	P	0/00/0000
10100-000	8/30/2006	CHECK	070370	POESCHL, MICHAEL J	92.35CR	OUTSTND	P	0/00/0000
10100-000	8/30/2006	CHECK	070371	GAFFNEY, PATRICK	92.35CR	OUTSTND	P	0/00/0000
10100-000	8/30/2006	CHECK	070372	REZNY, BRADLEY J	91.12CR	OUTSTND	P	0/00/0000
10100-000	8/30/2006	CHECK	070373	HOAG, GREGORY R	1,802.68CR	OUTSTND	P	0/00/0000
10100-000	8/30/2006	CHECK	070374	TRETSEVEN, DAVE	1,374.89CR	OUTSTND	P	0/00/0000
10100-000	8/30/2006	CHECK	070375	CALLAHAN, COLIN B	1,057.08CR	OUTSTND	P	0/00/0000
10100-000	8/30/2006	CHECK	070376	FISCHER, PETER M	544.04CR	OUTSTND	P	0/00/0000
10100-000	8/30/2006	CHECK	070377	RAJCIC, KAREN E	184.70CR	OUTSTND	P	0/00/0000
10100-000	8/30/2006	CHECK	070378	BEHM, KATHRYN J	404.64CR	OUTSTND	P	0/00/0000
*** 10100-000	8/31/2006	CHECK	070380	MILLER, JUSTIN J	946.48CR	OUTSTND	P	0/00/0000

TOTALS FOR ACCOUNT 10100-00	CHECK	TOTAL:	16,836.49CR
	DEPOSIT	TOTAL:	0.00
	INTEREST	TOTAL:	0.00
	MISCELLANEOUS	TOTAL:	0.00
	SERVICE CHARGE	TOTAL:	0.00
	EFT	TOTAL:	0.00
	BANK-DRAFT	TOTAL:	0.00

TOTALS FOR POOLED CASH	CHECK	TOTAL:	16,836.49CR
	DEPOSIT	TOTAL:	0.00
	INTEREST	TOTAL:	0.00
	MISCELLANEOUS	TOTAL:	0.00
	SERVICE CHARGE	TOTAL:	0.00
	EFT	TOTAL:	0.00
	BANK-DRAFT	TOTAL:	0.00

**ITEM:**                   **Appointment of Sam Bontrager to Environment Commission**

**SUBMITTED BY:** **Mayor Gehrz**

**EXPLANATION:**

I am recommending the appointment of Sam Bontrager to the Environment Commission for a three-year term.

**ACTION REQUESTED:**

- Approve appointment of Sam Bontrager to a three-year term on the Environment Commission.

**ITEM:**                    **Approval of License**

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

**Explanation:**

The following business has applied for a general contractor's license. City staff has received the necessary documents for licensure:

- Ray Anderson & Son

**ITEM:**                   **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.**

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

**BACKGROUND:**

When the Tax Increment Financing (TIF) district for 1666 Coffman was approved, the development district included much, but not all, of the city. During recent discussions with our financial advisors, Ehlers & Associates, it was determined that available tax increment from this district may be used for infrastructure projects throughout the city, if the project boundaries are amended.

In order to amend the project boundaries, the city council must hold a public hearing. This resolution is simply calling for the public hearing to be held at the October 11<sup>th</sup> city council meeting.

Below is a schedule of events relating to this item:

- September 13, 2006   City Council calls for public hearing on the proposed adoption of a Modification to the Development Program for Development District No. 1.
- September 14, 2006   Map(s) sent to Ehlers & Associates.
- September 25, 2006   Ehlers & Associates conducts internal review of Development Program Modification.
- September 26, 2006   Date of publication of hearing notice and map (at least 10 days but not more than 30 days prior to hearing). *[Roseville Review publication deadline, September 20, 2006. Ehlers & Associates will submit notice, map, and instructions to the newspaper via email by/on September 20, 2006.]*
- September 26, 2006   Planning Commission reviews Development Program Modification
- October 11, 2006     City Council holds public hearing at 7:00 P.M. on a Modification to the Development Program for Development District No. 1 and passes resolution approving the Development Program Modification. *[Ehlers & Associates will email City Council packet information to the City by October 3, 2006.]*

By December 29, 2006 Ehlers & Associates files Development Program Modification with the MN Department of Revenue, MN Office of the State Auditor, and Ramsey County.

More details, including an updated map and financial implications, will be provided at the time of the public hearing.

**ACTION REQUESTED:**

Staff recommends that the City Council approve the attached resolution No. 2006-21 calling for a public hearing to be held on October 11<sup>th</sup> on the proposed adoption of a modification to the Development Program for Development District No. 1.

**CITY OF FALCON HEIGHTS  
COUNTY OF RAMSEY  
STATE OF MINNESOTA**

**RESOLUTION NO: 2006-21**

**RESOLUTION 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.**

BE IT RESOLVED by the City Council (the "Council") for the City of Falcon Heights, Minnesota (the "City"), as follows:

Section 1. Public Hearing. This Council shall meet on October 11, 2006, at approximately 7:00 P.M., to hold a public hearing on the proposed adoption of a Modification to the Development Program for Development District No. 1 (the "Development Program Modification"), all pursuant to and in accordance with Minnesota Statutes, Sections 469.124 to 469.134, and Sections 469.174 to 469.1799, inclusive, in an effort to encourage the development and redevelopment of certain designated areas within the City; and

Section 2. Notice of Public Hearing, Filing of the Development Program Modification. City staff is authorized and directed to work with Ehlers & Associates, Inc., to prepare the Development Program Modification and to forward appropriate documents to Ramsey County, the Minnesota Department of Revenue, and the Minnesota Office of the State Auditor. The City Clerk/Administrator is authorized and directed to cause notice of the hearing, together with an appropriate map as required by law, to be published at least once in the official newspaper of the City not later than 10, nor more than 30, days prior to October 11, 2006, and to place a copy of the Development Program Modification on file in the City Clerk/Administrator's office at City Hall and to make such copy available for inspection by the public.

Dated: September 13, 2006

Adopted:

\_\_\_\_\_  
Susan Gehrz, Mayor

ATTEST:

\_\_\_\_\_  
Justin Miller, City Clerk/Administrator

**ITEM:** Resolution 2006-22 authorizing the City to eliminate the 2007 debt levy on general obligation debt

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

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

**EXPLANATION:**

Each year, the city is required to pass a resolution stating its intention to either levy for the general obligation debt service, or eliminate its ability to levy for the debt. Falcon Heights has never levied for the general obligation debt, and staff is once again recommending that the Council pass a resolution eliminating the 2007 debt levy on general obligation debt.

**ATTACHMENT:**

- Resolution 2006-22

**ACTION REQUESTED:**

- Approval of resolution 2006-22 authorizing the City to eliminate the 2007 debt levy on general obligation debt



**CITY OF FALCON HEIGHTS**

**COUNCIL RESOLUTION**

**No. 2006-22**

**September 13, 2006**

**ELIMINATION OF THE 2007 DEBT LEVY  
ON GENERAL OBLIGATION DEBT**

WHEREAS, the City Council of Falcon Heights has sufficient funds on hand in the Debt Service fund and other funds; and

WHEREAS, this amount is reserved for the debt payment on the General Obligation Improvement Bonds of 1999A;

NOW, THEREFORE, BE IT RESOLVED by the City Council of Falcon Heights that the following be removed from the 2007 tax levy:

G.O. Improvement Bonds 1999A                      \$ 123,540.00

---

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

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

Susan L. Gehrz, Mayor  
September 13, 2006

GEHRZ  
KUETTEL                      \_\_\_\_\_ In Favor  
HARRIS  
LINDSTROM                      \_\_\_\_\_ Against  
TALBOT

Attested by: \_\_\_\_\_  
Justin Miller  
City Administrator  
September 13, 2006

**ITEM:**                    **2007 Preliminary Tax Levy and Setting Dates of Truth-in-Taxation Hearings**

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

**SUMMARY:**

Each year, the City of Falcon Heights is required to set a preliminary property tax levy so that Ramsey County can prepare Truth-in-Taxation notices to send to all property owners in the city. The preliminary levy amount then become a maximum tax levy that the city can collect, meaning that the amount may go down when the budget is officially approved, but it cannot increase.

For the past few months, staff and the city council have been working on the 2007 City of Falcon Heights budgets. Many changes have been made, but staff is confident that the budget presented tonight will continue to provide high-quality city services while being cognizant of the impact to taxpayers.

The proposed 2007 budget includes a tax levy of \$895,700, which reflects a \$30,692 (3.5%) increase over the 2006 budget. Of this increase, \$29,079 is attributable to an increase in the police contract with St. Anthony Police Department. We have moved expenditures that are enterprise fund related to the appropriate funds, and have transferred forestry program expenditures that relate to capital assets to the capital improvements budget. By doing all this, the amount of transfer from the infrastructure fund to the general fund is reduced. This will allow the infrastructure fund to remain more viable for future projects.

The council also needs to set the dates for the required truth-in-taxation hearings. The dates reserved for cities are December 4<sup>th</sup> and December 11<sup>th</sup> (only if the first meeting needs to be continued). The hearings will be held at 7:00 p.m. in the City Council chambers and are open to the public for comment on the proposed budget.

**ACTION REQUESTED:**

Staff recommends that the City Council approve the attached resolution 2006-23 setting the 2007 preliminary tax levy at \$895,700 and the truth-in-taxation hearing dates as December 4<sup>th</sup> and December 11<sup>th</sup>, 2006.

**CITY OF FALCON HEIGHTS**

**COUNCIL RESOLUTION**

**NO. 2006-23**

**September 13, 2006**

**CERTIFICATION OF THE PRELIMINARY TAX LEVY  
FOR 2007**

BE IT RESOLVED, that the City Council of Falcon Heights authorizes the City to levy taxes in the amount of \$895,700 for the year 2007, and

BE IT FURTHER RESOLVED that the County Auditor should extend the preliminary tax levy in the amount of \$895,700 for the year 2007.



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

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

Susan L. Gehrz, Mayor  
September 13, 2006

GEHRZ

HARRIS

KUETTEL

\_\_\_\_\_ In Favor

LINDSTROM

\_\_\_\_\_ Against

TALBOT

Attested by: \_\_\_\_\_

Justin Miller  
City Administrator  
September 13, 2006

**ITEM:**                   **Proposed Ordinance Amending City Code on Drive-through Businesses**

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

**REVIEWED BY:**   **Roger Knutson, City Attorney**  
                          **Deb Jones, Zoning & Planning Coordinator**

**SUMMARY:**

On February 8, 2006, the City Council approved an interim ordinance prohibiting for a period of up to twelve months the granting of any permit to build a new drive-through business facility while the City undertook a study of the impact of drive-through uses on the community. On July 12, 2006, the City Council received a final report on the study and voted to support changes in the Falcon Heights City Code that would limit drive-through services to banks and financial institutions in B-2 zones as a conditional accessory use with additional zoning restrictions.

Based on the Council's recommendation, a draft ordinance was considered by the Planning Commission on August 22, following the required public hearing. The ordinance makes the following changes to the City Code:

- Addition of a definition of "drive-through" and deletion of the definition for "drive-in" (9-1.01 subd. 2)
- Special requirements for drive-through facilities where they are allowed (9-13.08)
- Change to wording of drive-through as a conditional use in B-2 (9-9.01 subd. 3a)
- Deletion of drive-through as a conditional use for financial institutions in B-3 (9-10.01 subd. 3b)

The Planning Commission voted unanimously to recommend approval of the ordinance, with the following requests and recommendations:

- Eliminate the restriction to banks and financial institutions (i.e. other permitted B2 businesses would be eligible)
- Require visual screening between drive-throughs and residential property, in addition to the distance requirement
- Increase the minimum lot size to 35,000 square feet
- Provide some clarification in part b. of Section 2. Is it the Council's intent that the drive-through entrance and exit be 75 feet from the intersection or the full length of the drive lane? If the requirement is for entry/exit only, the language should be more specific.

**ATTACHMENTS:**

1. An Ordinance Amending the Falcon Heights City Code Concerning Drive-through Facilities, with changes recommended by the Planning Commission
2. Excerpts of existing code affected by proposed ordinance (not showing additional changes recommended by the Planning Commission)

3. Letter sent September 6 to owners of business properties in Falcon Heights. Mailed notice is not required for code amendment; this was sent as a courtesy. A similar letter sent in August to inform property owners of the public hearing is included in the August Planning Commission packet, already distributed to the Council.

**ACTION REQUESTED:**

The Planning Commission recommends that the City Council adopt the attached ordinance amending the Falcon Heights City Code Concerning Drive-through Facilities.

CITY OF FALCON HEIGHTS  
RAMSEY COUNTY, MINNESOTA

ORDINANCE NO. 06-03

**AN ORDINANCE AMENDING THE  
FALCON HEIGHTS CITY CODE  
CONCERNING DRIVE –THROUGH FACILITIES**

THE CITY COUNCIL OF FALCON HEIGHTS ORDAINS:

**SECTION 1.** Chapter 9, Section 9-1.01 subd. 2 of the Falcon Heights City Code is amended by deleting the definition of “Drive-In” and inserting the following definition:

Drive-through Facility. The use of land, buildings, or structures, or parts thereof, to provide or dispense products or services, either wholly or in part, through an attendant or window or automated machine, to persons remaining in motorized vehicles that are in a designated stacking lane. A drive-through facility may be permitted only as an accessory use ~~in combination with a bank or financial institution.~~ A drive-through facility does not include a vehicle washing facility, a vacuum cleaning station accessory to a vehicle washing facility, or an automobile/gasoline service station.

**SECTION 2.** Chapter 9 of the Falcon Heights City Code is amended by adding section 9-13.08 to read:

**Drive Through Facilities.** Drive-through facilities are prohibited except when specifically allowed by conditional use permit in a zoning district. When allowed, all drive-through facilities must comply with the following requirements:

- a. The drive-through facility, service window and speakers, must be located at least 100 feet from a residential zoned or used property *and must be visually screened from adjoining residential property.*
- b. The drive lane to the drive-through facility must be at least 75 feet from an intersection.
- c. The lot on which the drive-through facility is located must be at least ~~30,000~~ 35,000 square feet in area.

- d. The minimum on-site stacking distance available for the drive-through must be 180 feet in length.
- e. Drive-through facilities may only be operated between the hours of 7:00 am and 8:00 pm.
- f. No speaker noise may be audible from adjacent residential property.
- g. A traffic study must be completed documenting that the drive-through facility will not create traffic problems.

**SECTION 3.** Section 9-9.01 subd. 3a of the Falcon Heights City Code is amended to read:

- a. Drive-through facility as an accessory use ~~to a financial institution.~~

**SECTION 4.** Section 9-10.01 subd. 3b of the Falcon Heights City Code is deleted.

**SECTION 5.** This ordinance shall be effective immediately upon its passage and publication.

**ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2006, by the City Council of Falcon Heights, Minnesota.

CITY OF FALCON HEIGHTS

BY: \_\_\_\_\_  
Susan L. Gehrz, Mayor

ATTEST:

\_\_\_\_\_  
Justin Miller, City Administrator/Clerk



CITY OF FALCON HEIGHTS  
RAMSEY COUNTY, MINNESOTA

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

**AN ORDINANCE AMENDING THE  
FALCON HEIGHTS CITY CODE  
CONCERNING DRIVE –THROUGH FACILITIES**

THE CITY COUNCIL OF FALCON HEIGHTS ORDAINS:

**SECTION 1.** Chapter 9, Section 9-1.01 subd. 2 of the Falcon Heights City Code is amended by deleting the definition of “Drive-In” and inserting the following definition:

Drive-through Facility. The use of land, buildings, or structures, or parts thereof, to provide or dispense products or services, either wholly or in part, through an attendant or window or automated machine, to persons remaining in motorized vehicles that are in a designated stacking lane. A drive-through facility may be permitted only as an accessory use in combination with a bank or financial institution. A drive-through facility does not include a vehicle washing facility, a vacuum cleaning station accessory to a vehicle washing facility, or an automobile/gasoline service station.

**SECTION 2.** Chapter 9 of the Falcon Heights City Code is amended by adding section 9-13.08 to read:

**Drive Through Facilities.** Drive-through facilities are prohibited except when specifically allowed by conditional use permit in a zoning district. When allowed, all drive-through facilities must comply with the following requirements:

- a. The drive-through facility, service window and speakers, must be located at least 100 feet from a residential zoned or used property.
- b. The drive lane to the drive-through facility must be at least 75 feet from an intersection.
- c. The lot on which the drive-through facility is located must be at least 30,000 square feet in area.

- d. The minimum on-site stacking distance available for the drive-through must be 180 feet in length.
- e. Drive-through facilities may only be operated between the hours of 7:00 am and 8:00 pm.
- f. No speaker noise may be audible from adjacent residential property.
- g. A traffic study must be completed documenting that the drive-through facility will not create traffic problems.

**SECTION 3.** Section 9-9.01 subd. 3a of the Falcon Heights City Code is amended to read:

- a. Drive-through facility as an accessory use to a financial institution.

**SECTION 4.** Section 9-10.01 subd. 3b of the Falcon Heights City Code is deleted.

**SECTION 5.** This ordinance shall be effective immediately upon its passage and publication.

**ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2006, by the City Council of Falcon Heights, Minnesota.

CITY OF FALCON HEIGHTS

BY: \_\_\_\_\_  
Susan L. Gehrz, Mayor

ATTEST:

\_\_\_\_\_  
Justin Miller, City Administrator/Clerk

September 5, 2006

Dear Property Owner:

We would like to keep you informed of the status of the City's proposed code amendment ordinance regarding drive-through businesses.

On August 22, the Planning Commission held the statutory public hearing on the ordinance proposed by the City Council July 12. Please see our website for the full text of the ordinance.

The Planning Commission recommended approval of the ordinance, with a few changes:

1. Remove the restriction to banks and financial institutions, making all B2 zone businesses eligible for a drive-through (with certain requirements).
2. Increase the minimum lot size needed from 30,000 square feet to 35,000 square feet.
3. Add a provision that drive-through facilities be visually screened from adjoining residential property.

The City Council will take final action on the drive-through ordinance at its regular meeting on Wednesday, September 13, 2006, at 7:00 p.m. The meeting is open to the public.

If you have any questions or comments on the issue, please call or write to me at City Hall or send an email to the address below.

Sincerely,

Justin Miller  
City Administrator  
651/792-7611  
[justin.miller@ci.falcon-heights.mn.us](mailto:justin.miller@ci.falcon-heights.mn.us)

**ITEM:                   Review of Draft of Falcon Heights City Code Recodification  
(Part IV)**

**SUBMITTED BY:   Justin Miller, City Administrator  
Deborah Jones, Planning and Zoning Coordinator**

**Summary:**

Attached to this report is the zoning chapter, Chapter 113 of the draft City Code recodification for the City Council's review. On August 22 the Planning Commission voted unanimously to recommend approval of the chapter, provided the questions and concerns of the Commission are addressed before the final version of the Code is approved. The required public hearing was held on July 25, 2006.

As you go through the chapter, please take time to review the list of items noted by the Planning Commission and Staff, listed in the second attachment. The non-policy items on that list are already included in the list of questions and changes that will be forwarded to Municipal Code and our City Attorney.

The procedure will be similar to the first three parts of the Council's review of the draft. This section is the longest, but we hope that the work already done by the Planning Commission will give the Council a significant head start on the review.

**ATTACHMENTS**

- Recodification Draft, Chapter 113
- Planning Commission and Staff notes on Chapter 113
- Expanded table of contents for Chapter 113

**ACTION REQUESTED**

No action is requested; this is for discussion purposes only.

## Planning Commission and Staff notes on Chapter 113

1. Definitions: Add “drive-through” at this stage?
2. Definitions, p. 167: It should be made clear whether or not animals normally considered farm animals, such as chickens or pigs, can be kept as pets in the City.
3. Definitions, p. 171: Any refinement needed in definition of Eating Establishments?
4. Definitions, p. 172: Def of “firearm” is out of alphabetical order. Also, please include “or electronic mechanism” in “by means of” clause.
5. Definitions, page 173, note 98: Are we required to allow large group homes as a conditional use? Do we need a general group home definition also?
6. Definitions, page 175 Lot, through or double frontage: This appears to be an error. Our original #132 should be restored or combined with this. FH has no waterfront lots.
7. Definitions, p. 179: “Schools, proprietary” has been omitted. Why?
8. Definitions, p. 180: Need clarification on multi-faced signs – Does each face count or not? (See #69 below.)
9. Page 184 – Additions and enlargments to a nonconforming building or structure for conforming use: If an addition follows the existing non-conforming building line, is that considered an increase of nonconformity? Or does the encroachment into setback have to increase for it to be in increase of nonconformity?
10. Page 184 – Escrow for relocation of building: Is this affected by HF 3477, May 11, 2006?
11. Page 187 – Zoning administrator: Many of these duties are in fact delegated to other staff. Is there a need to mention that in the code?
12. Pages 188-189 – Amendments: This section seems to have been narrowed from the original. It looks like the portions that have been removed are related to rezoning rather than amendments to the code? Is this the case? If so, is rezoning covered elsewhere?
13. Page 189 – 60 day provisions: (d) and (f) appear to contradict each other. Paragraph (d) seems to require greater than 60 days if the planning commission has not made a recommendation, but (f) states a maximum of 60 days.
14. Page 189 – 2/3 majority: What is two-thirds majority of 5? Since the Council is 5 people, can't we be specific?
15. Page 189 – Fees and costs: escrow again
16. Page 190 – Variances: The Planning Commission would like to adopt language more like the sample provided by Andrea Poehler, as well as “undue hardship” definition. What about variance definition? Is the language in the sample more in keeping with State law? (Roger has mentioned in the past that our variance ordinance was not consistent with present state law.) **See below.**
17. Page 190 – Variances, termination: Can we add language that terminates any unused variances that may be outstanding in the City that have been unused for at least a year? (In other words, make the time limit apply to past variances as well as future variance.)
18. Page 191 – Variances (b) and (c): There is no footnote explaining why these sections have been struck out. Were they eliminated as unnecessary? Please explain.
19. Page 193 – public hearing for CUP: Is it OK to delete this? What is the basis for deletion?

20. Page 194 – CUP findings, industrial uses: Look up. Was this deleted because we have no industrial zones, so it's irrelevant?
21. Page 195 – CUP action: Denial must be by resolution. Approval also?
22. Page 197 – Zoning map: Since we have changed the zoning of some parcels, is it necessary to get a new zoning map approved? Does this happen as part of the comp plan process? Part of the recodification? What is the procedure?
23. Page 198 – R-1 uses: Is there any reason not to remove the agriculture use from R-1? If kept, should it perhaps be conditional? Does the permitted use (a)(2) contradict the conditional use (c)(4)?
24. Page 199 – Off-street parking as conditional use: We need clarification on this. Is this aimed at situations like the Awad clinic, a business whose parking lot extends onto a parcel that is R-1 (but not used for a residence)? Or is it meant to apply also to all residences that are adjacent to business properties? Does this wording need to be made clearer?
25. Page 201 – Permitted encroachments on required yards in R-2 “As permitted in the R-1 district”: There is no provision for permitted encroachments in the R-1 section. Should this refer elsewhere? (e.g. 113-241 – page 218-219)
26. Page 203 – Conditional uses in R-4: No mention of townhouses and multi-family buildings. These uses seem to be misplaced to (d) and (e) respectively. Is this an error or intentional? If intentional, please explain.
27. Page 203 – Accessory uses in R-4: Why is conversion and enlargement listed as both a conditional use and accessory use?
28. Page 204 – minimum requirements in the chart: What exactly does this apply to? Townhomes? Less intense uses (one or two-family detached?) How does it apply to multi-family structures? Is there a way to make the intent clear without this chart, since the requirements are the same for both rows? This has been moved from the obsolete R-3 section and doesn't seem to make sense in this context.
29. Page 208 – Interim use in B-2: Shouldn't (2) be under Farmer's Market, say, as e? This isn't exactly a “use.”
30. Page 208 – B-3 purpose and intent: Specifies the 4 quadrants of Snelling and Larpenteur intersctions. Since SE corner is now PUD, do we need to change this?
31. Page 212 – P-1 Public Land: What do we need to add the Christmas Tree sales by the Lions which we now allow as a legal use? No uses are specified at all.
32. Page 217 – Utility structures: At this time we are not requiring permits for sheds under 120 square feet; should we begin to do so? Apparently this is inconsistent with the building code, which is our authority for requiring permits. The building code doesn't require them for sheds under 120 square feet.
33. Page 218 – height of detached buildings: Should be be more particular? Instead of “detached buildings” (which could include garages, provided for elsewhere) should we specify “detached utility structures? Or is that unnecessary because of the context.
34. Page 218 – Compost structure requirements: We have not issued any “permitted accessory use permits” in at least the last 5 years – possibly because we have had no compost structures over 25 square feet. Is this permit obsolete? Can we simplify and simply restrict compost structures to under 25 square feet?

35. Page 218 – Garage conversion: This year a resident with a non-conforming driveway (leading to an “ex-garage”) was very upset when the street was re-done and her curb cut was not restored. Do we need to put something into the code to make clear that curb cuts will not be maintained for these driveways? Or is this covered by the (n) Street access for alley property, immediately below?
36. Page 218 – Minimum setback (r): This applies to accessory buildings in this context, right?
37. Page 218 – Application of yard setbacks: This seems unclear. (s)
38. Page 218 – Detached garage condition (u): Add the words “when accessed off an alley.” (This is in the 2001 ordinance but omitted from the draft.)
39. Page 219 – Encroachments: In paragraph (a) the distance from driveway provision does not make sense because such features as steps, sidewalks, off-street parking etc. are often connected to driveways. What is the intention? Does it make sense to have this provision for some of these encroachments, such as flues, lintels, cornices, eaves, and not others? If paragraph (a) is really covering two different classes of encroachments, perhaps they should be treated separately.
40. Page 219 – Encroachments: We need to include basement egress window wells in a or f and specify that they must not extend to a distance less than three feet from any property line. The driveway clearance should also apply.
41. Page 219 – Type in (2)? Should this say “In side and rear yards...”?
42. Page 220 – Fences 6d: In practice we allow 6 foot fences from the front building line to the rear property line. Do we need to change this provision to reflect that?
43. Page 221 – Handheld telephones, etc: Why is this provision here, in the section on “Height limitations”? Does this make sense under current technology, especially with the wide use of cellular phones?
44. Page 227 – Ground-mounted antennas (e): shouldn’t this read “shall be limited to the minimum height necessary to obtain an acceptable signal”?
45. Page 231 – Parking in R-1 and R-2: Should there be provision to prohibit or limit the parking of storage containers (or PODs) on the public right of way? Do we need a similar provision for dumpsters? Or are these policy issues that should be deferred to a later time, with more study?
46. Page 234 – Underground parking credits: Is this consistent with current “best practices”?
47. Page 235 – Lot coverage for vehicle surface: Were the examples in the existing code removed as unnecessary?
48. Page 236 – Parking restrictions: There are exceptions to this in the R-1 zone (winter parking and storage of recreation vehicles). Should there be a reference to those exceptions here?
49. Page 236 – Design and maintenance of off-street parking areas: Some of these provisions duplicate earlier provisions specific to residential zones. Why? Is this section meant to apply to business zones or all zones? Can we state some of these restrictions generally for all parking instead of repeating them several times?  
For example: surfacing, lighting, etc.
50. Page 238 – Paragraph (11): Sentence regarding drive-through lanes for food pickup may be deleted as result of Council action on drive-throughs. Should it be taken out now or extended to any drive-through use?

51. Page 239 – Mobile food vendors (28): Since this use is not legal in any zone of the City, shouldn't we eliminate this provision?
52. Page 239 – Food delivery restaurants (29): We have run into some confusion in figuring out what standard to apply to restaurants that have both dine-in and delivery. Can we clean this up somehow?
53. Page 241 – Temporary Use permit (113-346): Is this the basis for the temporary parking permits issued to dumpsters? Are PODs covered somehow? Can we introduce restrictions on storage here instead of the parking section (see note 43 above)?
54. Page 242 – Principal building (b): Should this read “basement with unfinished **interior**” not “exterior”?
55. Page 242 – Principal building (e): Is this animal provision sufficient? Should there be a limit here on numbers, or is this covered sufficiently in Chapter 10?
56. Page 242 – Principal building: In previous sections, paragraphs at this level are titled. Why not this section and following sections?
57. Page 242 – Exterior storage (b) exceptions and (d) garbage: Should we add closed refuse containers provided they are not visible from the street (except on collection day)? This would be more in keeping with actual practice and would eliminate the ambiguity (enclosed building **or** closed container) in (d).
58. Page 243 – Environmental pollution: Can (a) be eliminated since 1/1/1989 is long past? Or do we need to have a new date in here? What is the purpose of (a) at this time? See also 113-372, 113-375, 113-377.
59. Page 245 – Hazardous materials: Because the compliance deadline and the enactment of the chapter from the original code are from times long past, what is the purpose of retaining this language here? Do we still need any date-dependent language in this section?
60. Page 245 – 113-380 Dwelling in commercial industrial districts: Is the term “commercial industrial” appropriate, since Falcon Heights has no industrial districts at this time. Would it be sufficient to say “business districts” or “non-residential districts”?
61. Page 245-246 – Dwelling in commercial industrial districts: There seem to be some contradictions/inconsistencies in this section, for instance between (b) and (g). Is this section appropriate for Falcon Heights?
62. Page 248 – Service stations (c): Effective date of chapter – is this necessary since the original reference is of a date long before the present and, presumable, all existing stations would be in in compliance by this time.
63. Page 251 – Tennis courts: This section implies that a building (zoning) permit is required, yes? (But CUP for non-private courts only)
64. Page 252 – Clearcutting (c) certificate of compliance: This seems vague. Who issues the certificate? What are the conditions the owner must comply with? Is this a policy issue the Planning Commission needs to examine in more depth? Is there any state statute or standard that should/could be referenced here?
65. Page 254 – Deleted Subdivision 26. General (environmental): Footnote says not needed and that standards would have to be adopted by ordinance. Are there appropriate standards we need to adopt by ordinance? Should this provision or something similar be in Chapter 22 Environment?



66. Page 255 – 113-416 (b)(5) Election signs: Has a word been left out of this paragraph or an extra word inserted? It doesn't quite make sense.
67. Page 225 – 113-416 (d) Expiration of permit: Here we impose a time limit for the erection of a sign under a permit. We do not have a similar time limit for other kinds of building permits in our code. Do we need such a limit on other kinds of permits? Or is this covered by the Minnesota building code? Or is it not an issue at all?
68. Page 256 – Removal of obsolete and nonconforming signs: This seems to be inconsistent with our ordinance on non-conformities. Should this section be eliminated, or are there still conditions under which the city may order the removal of a sign? Is it good for obsolete signs, whether or not they are conforming? Also, which ordinance is meant by the reference "ordinance from which this section is derived"? Is it the original ordinance that established this measure in our old code, or would it be the ordinance adopting the new code, or something else?
69. Page 260 – Temporary signs: Do we need to specify a time limit on temporary signs? When does a "temporary" sign become de facto permanent? Can we allow temporary signs without a permit provided a reasonable time limit is observed?
70. Page 261 – Ground signs: Are "monument signs" meant to fit into this category? We have several in the city, and they do not seem to fit (the bottom of the sign being at least 30 inches above ground). It is unclear whether they are even allowed in 113-450. It is also unclear what height limit should apply. Do we need to add a category in Division 3 to accommodate these signs?
71. Page 263 – Multifaced signs: The way we have been interpreting this provision is that we do not count both sides of a two-sided sign against the allowed square footage, but if the sign has more than two sides, this provision governs the maximum total area of all sides. Is that correct? And do we need to be more clear about it, here or elsewhere? (See #7 above)

**Sample variance language provided by City Attorney:**

**DEFINITIONS**

**UNDUE HARDSHIP:** The same as that term is defined in Minnesota statutes chapter 462.357, as may be amended, meaning that the property in question cannot be put to a reasonable use if used under the conditions allowed by this title, the plight of the landowner is due to circumstances unique to the property not caused by the landowner and a variance, if granted, shall not alter the character of the locality. Economic considerations alone shall not constitute an undue hardship if a reasonable use of the property exists under the terms of this title. Undue hardship may also include inadequate access to direct sunlight for solar energy systems.

**VARIANCE:** A modification of or variation from the provisions of this Title consistent with the State enabling statute for municipalities, as applied to a specific property and granted pursuant to the standards and procedures of this Title, except that a variance shall not be used for modification of the allowable uses within a district and shall not allow uses that are prohibited.

**PURPOSE:**

The purpose of this Chapter is to provide for deviations from the literal provisions of this Title in instances where their strict enforcement would cause undue hardship because of circumstances unique to the individual property under consideration, and to grant such variances only when it is demonstrated that such actions will be in keeping with the spirit and intent of this Title.

**REVIEW CRITERIA:**

The Board of Appeals shall not approve any variance request unless they find failure to grant the variance will result in undue hardship on the applicant, and, as may be applicable, all of the following criteria have been met:

- A. That because of the particular physical surroundings, shape, or topographical conditions of the specific parcel of land involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of the regulations were to be carried out.
- B. That the conditions upon which an application for a variance is based are unique to the parcel of land for which the variance is sought and are not applicable, generally, to other property within the same zoning classification.
- C. That the purpose of the variance is not based exclusively upon a financial hardship, or a desire to increase the value or income potential of the parcel of land.

- D. That the alleged difficulty or hardship is caused by this Title and has not been created by any persons having an interest in the parcel of land and is not a self-created hardship.
- E. That the granting of the variance will not be detrimental to the public welfare or injurious to other land or improvements in the neighborhood in which the parcel of land is located.
- F. That the proposed variance will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion of the public streets, or increase the danger of fire, or endanger the public safety.
- G. That the requested variance is the minimum action required to eliminate the hardship.
- H. Does not involve a use which is not allowed within the respective zoning district.

**EXPIRATION:**

Unless the Board specifically approves a different time when action is officially taken on the request, approvals which have been issued under the provisions of this Chapter shall expire without further action by the Planning Commission or the Board, unless the applicant commences the authorized use or improvement within one year of the date the variance is issued; or, unless before the expiration of the one year period; the applicant shall apply for an extension thereof by completing and submitting a request for extension, including the renewal fee as established by City Council resolution. The request for extension shall state facts showing a good faith attempt to complete or utilize the approval permitted in the variance. A request for an extension not exceeding one year shall be subject to the review and approval of the Zoning Administrator. Should a second extension of time or any extension of time longer than one year be requested by the applicant, it shall be presented to the Planning Commission for a recommendation and to the Board for a decision.

## Zoning Code Draft: Structure

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