

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

AGENDA
January 27, 2010

- A. CALL TO ORDER: 7:00 PM
- B. ROLL CALL: LINDSTROM ____ HARRIS ____ GOSLINE ____
 LONG ____ MERCER-TAYLOR ____
 MILLER ____
- C. PRESENTATIONS:
- D. APPROVAL OF MINUTES: January 13, 2010
- E. PUBLIC HEARINGS:
- F. CONSENT AGENDA:
 - 1. General Disbursements through 1/19/10: \$89,783.02
 Payroll through 1/15/10: \$16,568.68
 - 2. City License Applications
 - 3. Accepting Donations for 2010 Special Events
 - 4. Sanitary Sewer Cleaning Program
 - 5. City Administrator's Performance Review and Salary Adjustment
- G: POLICY ITEMS
 - 1. Establishment of a Streetlight Utility
 - 2. Tobacco Violation Penalty Schedule
 - 3. Resolution Expressing Support for a Statewide Complete Streets Policy
- H. INFORMATION/ ANNOUNCEMENTS:
- I. COMMUNITY FORUM:
- J. ADJOURNMENT:

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- A. CALL TO ORDER: 7:00 PM
- B. ROLL CALL: LINDSTROM __X_ HARRIS __X__ GOSLINE __X__
LONG __X__ MERCER-TAYLOR __X__
MILLER __X__
- C. PRESENTATIONS: Swearing in of Council Members Keith Gosline and Pam Harris
- D. APPROVAL OF MINUTES: December 9, 2009 APPROVED
- F. PUBLIC HEARINGS:
- F. CONSENT AGENDA: PAMELA HARRIS MOVED APPROVAL 5-0
 - 1. General Disbursements through 1/07/10: \$224,958.49
Payroll through 12/29/09: \$30,503.66
 - 2. City License Renewal
 - 3. New Mileage Reimbursement Rate
 - 4. Appointment of Michelle Tesser as Deputy City Clerk
 - 5. Review of Elected Officials Out-Of-State Travel Policy
 - 6. Resolution designating official depositories
 - 7. 2010 Fee Schedule, Correction of Residential Sanitary Sewer Rate
 - 8. Designation of Official Newspaper
 - 9. Review and Adopt Council Standing Rules
 - 10. Appointment of City Engineer
 - 11. Appointment of City Attorneys
 - 12. Appointment of City Auditor
 - 13. Commission Appointments
 - 14. Designation of 2010 Acting Mayor
 - 15. Council Liaison Assignments
- G: POLICY ITEMS
 - 1. Purchase of Utility Vehicle from Little Canada CHUCK LONG MOVED APPROVAL 5-0
 - 2. 2010 Tree Trimmer Contract PAMELA HARRIS MOVED APPROVAL 5-0
- K. INFORMATION/ ANNOUNCEMENTS:
- L. COMMUNITY FORUM:
- M. ADJOURNMENT: 7:40PM



The City That Soars!

REQUEST FOR COUNCIL ACTION

Meeting Date	January 27, 2010
Agenda Item	Consent F1
Attachment	General Disbursements and Payroll
Submitted By	Roland Olson, Finance Director

Item	General Disbursements and Payroll
Description	General Disbursements through 1/19/10: \$89,783.02 Payroll through 1/15/10: \$16,568.68
Budget Impact	
Attachment(s)	General Disbursements and Payroll
Action(s) Requested	Staff recommends that the Falcon Heights City Council approve general disbursements and payroll.

PACKET: 003R4 Regular Payables

VENDOR SET: 01 City of Falcon Heights

SEQUENCE : ALPHABETIC

DUE TO/FROM ACCOUNTS SUPPRESSED

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

01-00255 AMERICAN OFFICE PRODUCTS

I-106162I		3-RING BINDERS	109.14			
1/12/2010	APBNK	DUE: 1/12/2010 DISC: 1/12/2010		1099: N		
		3-RING BINDERS		101 4112-70100-000	SUPPLIES	109.14
=== VENDOR TOTALS ===			109.14			

01-05220 ANDERSON, HELGEN, DAVIS&NISSIN

I-1629		JAN/10 PROSECUTION	2,633.76			
1/12/2010	APBNK	DUE: 1/12/2010 DISC: 1/12/2010		1099: N		
		JAN/10 PROSECUTION		101 4123-80200-000	LEGAL FEES	2,633.76
=== VENDOR TOTALS ===			2,633.76			

01-03001 CAMPBELL KNUTSON

I-201001122178		DEC/09 LEGALS	867.00			
1/12/2010	APBNK	DUE: 1/12/2010 DISC: 1/12/2010		1099: N		
		DEC/09 LEGALS		101 20200-000	ACCOUNTS PAYABLE	867.00
=== VENDOR TOTALS ===			867.00			

01-06290 CITY OF ROSEVILLE

I-10497		ENGINEERING	3,236.29			
1/12/2010	APBNK	DUE: 1/12/2010 DISC: 1/12/2010		1099: N		
		GENERAL ENGINEERING		101 20200-000	ACCOUNTS PAYABLE	710.67
		COMP PLAN ENGINEERING		208 20200-000	ACCOUNTS PAYABLE	129.93
		MILL & OVERLAY ENGINEERING		419 20200-000	ACCOUNTS PAYABLE	1,641.43
		SEAL COAT ENGINEERING		419 20200-000	ACCOUNTS PAYABLE	43.31
		CITY HALL PARKING LOT ENG.		426 20200-000	ACCOUNTS PAYABLE	563.03
		SEWER LINING PROJECT ENG.		601 20200-000	ACCOUNTS PAYABLE	147.92
=== VENDOR TOTALS ===			3,236.29			

01-03122 CITY OF ST PAUL

I-113004		ELECTRICITY FOR JUL-DEC/09	317.88			
1/12/2010	APBNK	DUE: 1/12/2010 DISC: 1/12/2010		1099: N		
		ELECTRICITY FOR JUL-DEC/09		101 20200-000	ACCOUNTS PAYABLE	317.88
=== VENDOR TOTALS ===			317.88			

PACKET: 00384 Regular Payables

VENDOR SET: 01 City of Falcon Heights

SEQUENCE : ALPHABETIC

DUE TO/FROM ACCOUNTS SUPPRESSED

-----ID-----			GROSS	P.O. #		
POST DATE	BANK CODE	-----DESCRIPTION-----	DISCOUNT	G/L ACCOUNT	-----ACCOUNT NAME-----	DISTRIBUTION
=====						
01-03580	DEPARTMENT OF EMPLOYMENT & ECO					
I-5944626		4TH QTR UNEMPLOYMENT BENEFITS	188.99			
1/12/2010	APBNK	DUE: 1/12/2010 DISC: 1/12/2010		1099: N		
		4TH QTR UNEMPLOYMENT BENEFITS		101 20200-000	ACCOUNTS PAYABLE	188.99
		=== VENDOR TOTALS ===	188.99			
=====						
01-05514	METRO CITIES					
I-23		2010 ANNUAL DUES	2,404.00			
1/12/2010	APBNK	DUE: 1/12/2010 DISC: 1/12/2010		1099: N		
		2010 ANNUAL DUES		101 4111-86140-000	COMMISSIONS/MEMBERSHIPS/	2,404.00
		=== VENDOR TOTALS ===	2,404.00			
=====						
01-05664	METRO FIRE					
I-36765		HURST TOOL SPREADER - USED	750.00			
1/12/2010	APBNK	DUE: 1/12/2010 DISC: 1/12/2010		1099: N		
		HURST TOOL SPREADER - USED		402 20200-000	ACCOUNTS PAYABLE	750.00
		=== VENDOR TOTALS ===	750.00			
=====						
01-05665	METROPOLITAN COUNCIL					
I-0000917R20		FEB/10 S.S.	42,810.33			
1/12/2010	APBNK	DUE: 1/12/2010 DISC: 1/12/2010		1099: N		
		FEB/10 S.S.		601 4601-85060-000	METRO SEWER CHARGES	42,810.33
		=== VENDOR TOTALS ===	42,810.33			
=====						
01-05585	METROPOLITAN AREA MANAGEMENT A					
I-24		2010 MEMBERSHIP DUES	45.00			
1/12/2010	APBNK	DUE: 1/12/2010 DISC: 1/12/2010		1099: N		
		2010 MEMBERSHIP DUES		101 4112-86100-000	CONFERENCES/EDUCATION/AS	45.00
		=== VENDOR TOTALS ===	45.00			
=====						
01-07270	DANIEL NEWTON					
I-201001122175		WINTERFEST MUSIC	200.00			
1/12/2010	APBNK	DUE: 1/12/2010 DISC: 1/12/2010		1099: N		
		WINTERFEST MUSIC		101 4116-89010-000	SPECIAL EVENTS	200.00
		=== VENDOR TOTALS ===	200.00			

PACKET: 00384 Regular Payables

VENDOR SET: 01 City of Falcon Heights

SEQUENCE : ALPHABETIC

DUE TO/FROM ACCOUNTS SUPPRESSED

-----ID-----			GROSS	P.O. #		
POST DATE	BANK CODE	-----DESCRIPTION-----	DISCOUNT	G/L ACCOUNT	-----ACCOUNT NAME-----	DISTRIBUTION
=====						
01-05273	MN	PUBLIC EMPLOYEES INSURANCE				
I-201001122172		JAN/10&FEB/10 HEALTH INSURANC	10,328.80			
1/12/2010	APBNK	DUE: 1/12/2010 DISC: 1/12/2010		1099: N		
		JAN/10&FEB/10 HEALTH INSURANCE		101 4112-89000-000	MISCELLANEOUS	10,328.80
		=== VENDOR TOTALS ===	10,328.80			
=====						
01-06945	QWEST					
I-201001122176		LANDLINE TELEPHONE	58.49			
1/12/2010	APBNK	DUE: 1/12/2010 DISC: 1/12/2010		1099: N		
		LANDLINE TELEPHONE		101 20200-000	ACCOUNTS PAYABLE	58.49
		=== VENDOR TOTALS ===	58.49			
=====						
01-06185	RAMSEY COUNTY					
I-RISK-001301		JAN/10 INSURANCE	818.26			
1/12/2010	APBNK	DUE: 1/12/2010 DISC: 1/12/2010		1099: N		
		JAN/10 INSURANCE		101 4112-89000-000	MISCELLANEOUS	818.26
		=== VENDOR TOTALS ===	818.26			
=====						
01-06183	RAMSEY COUNTY PROP/RECORD					
I-PUBW-009923		DEC/09 SNOWPLOWING	7,227.01			
1/12/2010	APBNK	DUE: 1/12/2010 DISC: 1/12/2010		1099: N		
		DEC/09 SNOWPLOWING		101 20200-000	ACCOUNTS PAYABLE	7,227.01
		=== VENDOR TOTALS ===	7,227.01			
=====						
01-06415	SCHARBER & SONS					
I-201001122180		PARTS FOR JD 4310 SNOW BLOWER	230.34			
1/12/2010	APBNK	DUE: 1/12/2010 DISC: 1/12/2010		1099: N		
		PARTS FOR JD 4310 SNOW BLOWER		101 20200-000	ACCOUNTS PAYABLE	230.34
		=== VENDOR TOTALS ===	230.34			
=====						
01-06514	SECRETARY OF STATE					
I-201001122173		NOTARY FEE - MICHELLE	40.00			
1/12/2010	APBNK	DUE: 1/12/2010 DISC: 1/12/2010		1099: N		
		NOTARY FEE - MICHELLE		101 4112-86100-000	CONFERENCES/EDUCATION/AS	40.00
		=== VENDOR TOTALS ===	40.00			

PACKET: 00384 Regular Payables

VENDOR SET: 01 City of Falcon Heights

SEQUENCE : ALPHABETIC

DUE TO/FROM ACCOUNTS SUPPRESSED

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-----ID-----
POST DATE  BANK CODE  -----DESCRIPTION-----  GROSS  P.O. #
DISCOUNT  G/L ACCOUNT  -----ACCOUNT NAME-----  DISTRIBUTION
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01-00935  ST PAUL REGIONAL WATER SERVICE

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I-201001122174  ANNUAL AUTOMATIC FIRE SUPPLY  213.76
1/12/2010  APBKN  DUE: 1/12/2010 DISC: 1/12/2010  1099: N
ANNUAL AUTOMATIC FIRE SUPPLY  101 4131-R5040-000  WATER  106.88
ANNUAL AUTOMATIC FIRE SUPPLY  101 4141-R5040-000  WATER  106.88

=== VENDOR TOTALS ===  213.76

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01-00878 US BANCORP

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I-201001122179  COUNCIL PLAQUE  69.41
1/12/2010  APBKN  DUE: 1/12/2010 DISC: 1/12/2010  1099: N
COUNCIL PLAQUE  101 20200-000  ACCOUNTS PAYABLE  69.41

=== VENDOR TOTALS ===  69.41

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01-07901 WASTE MANAGEMENT- BLAINE

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I-5262721-0500-B  JAN/10 RESIDENTIAL RECYCLING  1,868.45
1/12/2010  APBKN  DUE: 1/12/2010 DISC: 1/12/2010  1099: N
JAN/10 RESIDENTIAL RECYCLING  206 4206-R2030-000  RECYCLING CONTRACTS  1,868.45

=== VENDOR TOTALS ===  1,868.45

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01-05870 XCEL ENERGY

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I-201001122177  ELECTRICITY & GAS  6,209.46
1/12/2010  APBKN  DUE: 1/12/2010 DISC: 1/12/2010  1099: N
ELECTRICITY & GAS  101 20200-000  ACCOUNTS PAYABLE  6,175.56
ELECTRICITY  601 20200-000  ACCOUNTS PAYABLE  33.90

=== VENDOR TOTALS ===  6,209.46

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=== PACKET TOTALS ===  80,626.37
fed with  5254.37
St With  859.08
Pera  2516.09
ICMA  477.00
MNDC  50.00

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89,783.02

EMP #	NAME	AMOUNT
01-1002	JUSTIN J MILLER	2,457.88
01-1136	ROLAND O OLSON	1,200.00
01-1147	CHARLOTTE E JOHNSON	293.12
01-1038	DEBORAH K JONES	1,662.02
01-0040	KEVIN ANDERSON	137.95
01-0085	DANIEL S JOHNSON-POWERS	179.11
01-0087	MICHAEL A MCKAY	90.72
01-0101	DALE E HUFF	148.64
01-0106	SCOTT A TESCH	146.52
01-0121	JESSICA L ADAMS	143.00
01-1030	TIMOTHY J PITTMAN	325.00
01-1033	DAVE TRETSTVEN	1,466.61
01-1143	COLIN B CALLAHAN	1,021.36

1-13-2010 10:35 AM PAYROLL CHECK REGISTER
 PAYROLL NO: 01 City of Falcon Heights

PAGE: 1
 PAYROLL DATE: 1/15/2010

EMP NO	EMPLOYEE NAME	TYPE	CHECK DATE	CHECK AMOUNT	CHECK NO.
1010	TESSER, MICHELLE C	R	1/13/2010	773.64	075861
1016	ABERNATHY, LISA A	R	1/13/2010	1,427.74	075862
1136	OLSON, ROLAND O	R	1/13/2010	609.92	075863
0034	KURHAJETZ, CLEMENT	R	1/13/2010	152.53	075864
0066	HERNANDEZ, ALFRED	R	1/13/2010	70.66	075865
0086	HINRICHS, RICHARD H	R	1/13/2010	158.78	075866
0095	POESCHL, MICHAEL J	R	1/13/2010	76.81	075867
0097	GAFFNEY, PATRICK	R	1/13/2010	152.30	075868
0104	VANN, VINCENT A	R	1/13/2010	96.78	075869
0105	FEHRENBACH, ANTON M	R	1/13/2010	94.88	075870
0112	LESKE, CHRIS M	R	1/13/2010	101.01	075871
0117	EISCHEN, RONALD B	R	1/13/2010	92.05	075872
0119	WICK, JEFFREY M	R	1/13/2010	112.65	075873
0120	HAWTHORNE, ROCHELLE L	R	1/13/2010	158.96	075874
0123	SULLIVAN, BRYAN R	R	1/13/2010	158.75	075875
0124	KRUSE, MICHAEL D	R	1/13/2010	133.29	075876
2172	ARCAND, MICHAEL W	R	1/13/2010	142.00	075877
1030	PITTMAN, TIMOTHY J	R	1/13/2010	1,702.47	075878
2015	COYNE, KEVIN M	R	1/13/2010	147.76	075879
2175	RITCHIE, BRIAN D	R	1/13/2010	118.20	075880
2176	HARTMAN, JARED C	R	1/13/2010	88.86	075881
2161	SAVAGE, JACK A	R	1/13/2010	280.66	075882
2178	JORDAN, JOSHUA L	R	1/13/2010	446.05	075883

1-13-2010 10:35 AM PAYROLL CHECK REGISTER
 PAYROLL NO: 01 City of Falcon Heights

PAGE: 2
 PAYROLL DATE: 1/15/2010

*** REGISTER TOTALS ***

REGULAR CHECKS:	23	7,296.75
DIRECT DEPOSIT REGULAR CHECKS:	13	9,271.93
MANUAL CHECKS:		
PRINTED MANUAL CHECKS:		
DIRECT DEPOSIT MANUAL CHECKS:		
VOIDED CHECKS:		
NON CHECKS:		
TOTAL CHECKS:	36	16,568.68



The City That Soars!

REQUEST FOR COUNCIL ACTION

Meeting Date	January 27, 2010
Agenda Item	Consent F2
Attachment	N/A
Submitted By	Michelle Tesser, Deputy City Clerk

Item	City License Applications
Description	<p>The following individuals have applied for a <u>Mechanical Contractors License</u> for 2010. Staff has received the necessary documents for licensure.</p> <ol style="list-style-type: none"> 1. Team Vail Inc. 2. Royalton Heating & Cooling 3. Sunburst Heating and Air Conditioning, Inc. 4. C. Hansen Plumbing 5. North Star Plumbing and Htg. <p>The following individuals have applied for a <u>Municipal Business License</u> for 2010. Staff has received the necessary documents for licensure.</p> <ol style="list-style-type: none"> 1. Parents United for Public Schools 2. Tiffany Nail & Skin 3. Butler Vacuum <p>The following individuals have applied for a <u>Tree Trimmers/Removal Contractors License</u> for 2010. Staff has received the necessary documents for licensure.</p> <ol style="list-style-type: none"> 1. Branch and Bough Tree Service and Landscape Care 2. Hugo Tree Care, Inc. 3. Carr's Tree Service, Inc. <p>The following individuals have applied for a <u>Home Occupation License</u> for 2010. Staff has received the necessary documents for licensure.</p> <ol style="list-style-type: none"> 1. Twin Cities Tutoring Academy 2. David L. Wasson Graphic Design
Budget Impact	N/A

Attachment(s)	N/A
Action(s) Requested	Staff recommends that the Falcon Heights City Council approve the 2010 City License Applications.



The City That Soars!

REQUEST FOR COUNCIL ACTION

Meeting Date	January 27, 2010
Agenda Item	Consent F3
Attachment	Accepting Donations for 2010 Special Events
Submitted By	Lisa Abernathy, Recreation Supervisor

Item	Accepting Donations for 2010 Special Events.
Description	At the conclusion of each year Falcon Heights and surrounding businesses are sent a letter inviting them to support the upcoming year's special events- January's Winterfest and July's Ice Cream Social and October's Touch-A-Truck event. There are three levels at which the business can donate- Gold (\$100+) Silver (\$50-\$99) and Bronze (\$25-\$49). The Parks and Recreation department uses the money from the local businesses to assist in purchasing the events entertainment, supplies and any other event related costs. Each business that donates money to the City is recognized on the City's website, newsletter and at the event.
Budget Impact	A total of \$575.00 has been donated so far for 2010 events. These donations will help offset the cost of the events.
Attachment(s)	NA
Action(s) Requested	Accept the following donations for 2010 special events from the following businesses: Gold Level (\$100 +): Central/Priority Pediatrics, James Kernik DDS, Warners' Stellan, Source Comics and Games Silver Level (\$50-\$99): Dunn Bros Coffee, John A. Knutson, Hair Design Unlimited Bronze Level (\$25-\$49): Pretzel People Yoga-Karen Rajcic Favazza



The City That Soars!

REQUEST FOR COUNCIL ACTION

Meeting Date	January 27, 2010
Agenda Item	Consent F4
Attachment	None
Submitted By	Tim Pittman, Director of Public Works and Parks

Item	Sanitary Sewer Cleaning Program								
Description	<p>The City of Falcon Heights started a sanitary sewer cleaning / televising program in 2007. This is a rotating program that occurs every three years. Half of the sanitary sewer system was cleaned in 2008, the other half in 2009, and the entire system will be televised in 2010. This program has minimized if not eliminated sewer backups that can be costly to the City of Falcon Heights. This program is also recommended by our insurance company, the League of Minnesota Cities Insurance Trust. Quotes were received for the 2010 cleaning program by the following companies.</p> <table> <tr> <td>American Environmental LLC</td> <td>\$46,775.84</td> </tr> <tr> <td>Visu-Sewer Inc.</td> <td>\$47,463.72</td> </tr> <tr> <td>Midwest Trenchless Technologies Inc.</td> <td>\$53,655.00</td> </tr> <tr> <td>Infratech Inc.</td> <td>\$58,469.80</td> </tr> </table>	American Environmental LLC	\$46,775.84	Visu-Sewer Inc.	\$47,463.72	Midwest Trenchless Technologies Inc.	\$53,655.00	Infratech Inc.	\$58,469.80
American Environmental LLC	\$46,775.84								
Visu-Sewer Inc.	\$47,463.72								
Midwest Trenchless Technologies Inc.	\$53,655.00								
Infratech Inc.	\$58,469.80								
Budget Impact	Money has been allocated in the Sanitary Sewer Fund (601) for the 2010 in the amount of \$60,000.00.								
Attachment(s)	None								
Action(s) Requested	Staff recommends that the City of Falcon Heights City Council approve an agreement with American Environmental, LLC for the amount of \$46,775.84 to perform the 2010 sanitary sewer cleaning program.								



The City That Soars!

REQUEST FOR COUNCIL ACTION

Meeting Date	January 27, 2010
Agenda Item	Consent F5
Attachment	None
Submitted By	Mayor Peter Lindstrom

Item	City Administrator Performance Review and Salary Adjustment
Description	<p>Each year the city council reviews the performance of the city administrator and recommends changes to his employment contract. This year I discussed his performance with the city council and staff and have shared the results of these conversations with him.</p> <p>As a result of these discussions, I am recommending that the city administrator's base salary be increased by 3.5% effective July 1, 2010.</p>
Budget Impact	The administrator's new salary will be \$92,322, which will be allocated to various budget accounts in accordance with the approved 2010 budget.
Attachment(s)	N/A
Action(s) Requested	I recommend adjusting the city administrator's base salary by 3.5% effective July 1, 2010.



The City That Soars!

REQUEST FOR COUNCIL ACTION

Meeting Date	January 27, 2010
Agenda Item	Policy G1
Attachment	Ordinance 10 – 01 Amendment #2 to Water Agreement
Submitted By	Justin Miller, City Administrator

Item	Establishment of Streetlight Utility
Description	<p>The proposed 2010 budget factors in the establishment of a streetlight utility to be charged to all properties within the City of Falcon Heights. This fee will be used to pay for all electricity and maintenance expenses that are associated with the streetlight system throughout the community.</p> <p>For the most part, there are two types of streetlights in the City of Falcon Heights. The first type is the standard gray cobra-head style that line most of our streets. These lights are maintained by Xcel Energy, but the electricity cost is paid by the city. The second type is the decorative green lamps along Larpenteur Avenue near the intersection of Snelling Avenue. The maintenance of these lamps (replacement bulbs, painting, etc.), as well as the electricity, is the responsibility of the city.</p> <p>The past practice of the city has been to pay for these expenses through the general fund, which is paid for by taxpaying properties within the city. However, roughly 2/3 of the city is tax-exempt, which means that these properties do not pay taxes into the city's general fund. Many of the lights about these tax-exempt parcels, so they are receiving a benefit without paying for the expense. As a result, our taxpaying residents and businesses have been subsidizing the non-taxpaying properties for quite some time.</p> <p>By establishing a fee, tax-exempt properties can be charged, similar to our current sanitary and stormwater sewer fees. The fee would appear on monthly or quarterly water bills. The current proposal calls for all single-family residential properties to pay \$2/month and all other properties to pay \$.02/lineal foot of street frontage. It is estimated that this rate structure will collect between \$35,000 and \$40,000 per year. Estimated electricity and maintenance expenses for 2010 are approximately \$35,000.</p> <p>A public hearing was held on November 18, 2009 to allow residents an opportunity to comment on this proposal. Due to software configuration challenges at St. Paul Regional Water Systems (SPRWS), the fee could not be put onto water bills until February 2010 at the earliest. Finance Director Roland Olson has been working with SPRWS staff and they are now comfortable including this on water bills beginning</p>

	<p>in February if the council decides to proceed.</p> <p>In addition to the ordinance that needs to be approved, an amendment to the agreement with St. Paul Regional Water Services must also be approved in order for this fee to be implemented.</p>
Budget Impact	It is estimated that this fee will generate between \$35,000 and \$40,000 per year and will be placed into a special revenue fund dedicated to streetlight electricity and maintenance activities.
Attachment(s)	Ordinance 10-01 Amendment #2 to Agreement Between the City of Falcon Heights and the Board of Water Commissioners
Action(s) Requested	Staff recommends that the Falcon Heights City Council adopt the attached ordinance establishing a streetlight utility and amendment #2 to the agreement with St. Paul Regional Water Services. Further, staff recommends that the 2010 fee schedule be amended to reflect a fee of \$2.00 per month for single family residential accounts and \$.02/lineal foot of street frontage for all other properties.

CITY OF FALCON HEIGHTS
RAMSEY COUNTY, MINNESOTA

ORDINANCE NO. 10-01

**AN ORDINANCE AMENDING CHAPTER 50 OF THE
CITY OF FALCON HEIGHTS CITY CODE
ESTABLISHING A CITY STREET LIGHT UTILITY SYSTEM**

THE CITY COUNCIL OF THE CITY OF FALCON HEIGHTS ORDAINS:

SECTION 1. Chapter 50 of the Falcon Heights City Code is amended by adding Article IV to provide as follows:

50-60. STREET LIGHT UTILITY. A City street lighting utility system is hereby established and continued. The utility system consists of all street lighting whether owned by the City or otherwise, for which the City purchases and supplies electrical energy from a public utility and any additional facilities acquired or operated by the City in the future.

50-61. COST OF SYSTEM.

- A. The cost of the street lighting utility system are the administrative costs, capital costs, maintenance and energy costs associated with the operation of the street lighting utility system.
- B. The City Council shall by resolution establish a fee schedule to pay for the cost of the street lighting utility system. The City Council shall apportion the cost of the system against all developed property in the City. Single family residential property shall be charged based upon a per unit charge and all other property shall be charged based upon a front foot charge.
- C. Street lighting costs shall be billed with water bills.

50-62. CERTIFICATION OF UNPAID BILLS. On or before October 1st of each year, the clerk must list the total unpaid charges for street lighting against each separate lot or parcel to which they are attributable. The Council will then spread the charges against property benefited as a special assessment under Minnesota Statutes, Section 429.101 and other pertinent statutes for certification to the County and collection the following year with real estate taxes.

50-63. STREET LIGHTING UTILITY FUND. All fees and assessments received pursuant to this Article shall be placed in a dedicated fund for the purpose of paying the costs of the street lighting system.

SECTION 2. EFFECTIVE DATE. This Ordinance shall be effective immediately upon its passage and publication according to law.

ADOPTED this ____ day of _____, 20__, by the City Council of the City of Falcon Heights, Minnesota.

CITY OF FALCON HEIGHTS

BY: _____
Peter Lindstrom, Mayor

ATTEST:

Justin Miller, City Clerk/Administrator

Agreement # _____

AMENDMENT NO. 2
to
AGREEMENT BETWEEN

BOARD OF WATER COMMISSIONERS
and
CITY OF FALCON HEIGHTS

This **AMENDMENT NO. 2 TO AGREEMENT** entered into this 9th day of February, 2010, by and between the **BOARD OF WATER COMMISSIONERS**, a municipal corporation of the State of Minnesota (the “Board”), and the **CITY OF FALCON HEIGHTS**, a municipal corporation of the State of Minnesota (“Falcon Heights”).

WITNESSETH:

WHEREAS, Falcon Heights and the Board entered into an agreement dated July 9, 1997 for the provision of water service by the Board to properties within Falcon Heights (the “Agreement”); and

WHEREAS, Article XV of the Agreement allows for amendments to the original agreement, and

WHEREAS, Falcon Heights at this time desires that the Board provide street lighting fee (“Street Lighting Fee”) billing and collection services to properties within Falcon Heights on its behalf, and the Board desires to provide such services in accordance with said Article XV.

NOW, THEREFORE, in consideration of the mutual covenants contained herein, the parties mutually agree to amend the Agreement in the manner described below.

1. The following Street Lighting Fee billing terms and conditions are hereby added to the Agreement:
 - A. Board Responsibilities
 - 1) The Board will provide current electronic account data to Falcon Heights to assist Falcon Heights in allocating Street Lighting Fees to water/sewer accounts.
 - 2) The Board will provide the work necessary to include Falcon Heights Street Lighting Fees in the Board’s billing system. The Street Lighting Fee shall be appropriately displayed on the Board’s water/sewer bill form.
 - 3) The Board will provide descriptive information on the water/sewer bill form regarding the Street Lighting Fee, as permitted by and within limitations of the Board’s water/sewer bill form.

- 4) The Board will provide month-end reports to Falcon Heights, which will list the number of bills charged a Street Lighting Fee and the amount charged.
 - 5) The Board will provide to Falcon Heights the Street Lighting Fee payments it collects, less compensation for providing billing services. Payments not received by the Board for the Street Lighting Fee may be withheld from monies due Falcon Heights until collection is made. The necessity of such withholdings will be determined by Board staff on a case-by-case basis, and such withholdings and collections will be included as a line item in the month-end reports to Falcon Heights.
- B. Falcon Heights Responsibilities
- 1) Falcon Heights will provide the Board with the text it wishes the Board to include on the front and back of the water/sewer bill form.
 - 2) For each property to be billed a Street Lighting Fee, Falcon Heights will provide in an electronic format approved by Board: (1) water service account number, (2) the property address of the account, and (3) the amount of the Street Lighting Fee to be billed.
 - 3) Falcon Heights will inform its residents of the new Street Lighting Fee, how it is computed and that Saint Paul Regional Water Services will be performing the billing and collection.
 - 4) Board will refer all customer questions and inquiries regarding the Street Lighting Fee to Falcon Heights, which is responsible for addressing same.
- C. Schedule
- 1) Falcon Heights and the Board agree to implement the Street Lighting Fee billing according to a schedule acceptable to both parties.
- D. Compensation
- 1) Falcon Heights agrees to pay a billing fee of \$.12 for each water/sewer bill that includes a Street Lighting Fee charge. This fee shall increase over time at the same percentage rate as Board water rates.
2. Except as modified herein, the terms of the Agreement shall remain in full force and effect.

[Remainder of page is left intentionally blank]

IN WITNESS WHEREOF, the parties hereto have caused this Amendment No. 2 to Agreement to be executed as of the day and year first above written.

Approved:

BOARD OF WATER COMMISSIONERS

Stephen P. Schneider, General Manager

By _____
Patrick Harris, President

By _____
Mollie Gagnelius, Secretary

Approved as to Form:

Assistant City Attorney

By _____
Margaret Kelly, Director
Office of Financial Services

STATE OF MINNESOTA)
) ss.
COUNTY OF RAMSEY)

The foregoing instrument was acknowledged before me this ____ day of _____, 2010, by Patrick Harris, President, Board of Water Commissioners of the City of Saint Paul, a Minnesota municipal corporation, on behalf of the corporation.

Signature of person taking acknowledgment

STATE OF MINNESOTA)
) ss.
COUNTY OF RAMSEY)

The foregoing instrument was acknowledged before me this ___ day of _____, 2010, by Mollie Gagnelius, Secretary, Board of Water Commissioners of the City of Saint Paul, a Minnesota municipal corporation, on behalf of the corporation.

Signature of person taking acknowledgment

STATE OF MINNESOTA)
) ss.
COUNTY OF RAMSEY)

The foregoing instrument was acknowledged before me this ___ day of _____, 2010, by Margaret Kelly, Director, Office of Financial Services, Board of Water Commissioners of the City of Saint Paul, a Minnesota municipal corporation, on behalf of the corporation.

Signature of person taking acknowledgment

CITY OF FALCON HEIGHTS

By _____
Peter Lindstrom, Mayor

By _____
Justin Miller, City Clerk/Administrator

STATE OF MINNESOTA)
) ss.
COUNTY OF RAMSEY)

The foregoing instrument was acknowledged before me this ____ day of _____, 2010,
by Peter Lindstrom, Mayor of the City of Falcon Heights, a Minnesota Municipal Corporation, on
behalf of the corporation.

Signature of person taking acknowledgment

STATE OF MINNESOTA)
) ss.
COUNTY OF RAMSEY)

The foregoing instrument was acknowledged before me this ____ day of _____, 2010,
by Justin Miller, City Clerk/Administrator of the City of Falcon Heights, a Minnesota Municipal
Corporation, on behalf of the corporation.

Signature of person taking acknowledgment



The City That Soars!

REQUEST FOR COUNCIL ACTION

Meeting Date	January 27, 2010
Agenda Item	Policy G2
Attachment	Ordinance 10--02
Submitted By	Justin Miller, City Administrator

Item	Tobacco Violation Penalty Schedule
Description	<p>In late 2009, for the first time in several years, one of the city's licensed tobacco vendors received a penalty for selling tobacco to an underage person. When staff and legal counsel were discussing how to proceed with issuing a penalty for this infraction, it was discovered that specific terms were not outlined in the city code. Instead, the city relied on authority under state statutes and imposed a fine of \$500. In discussing this with other cities and the Ramsey Tobacco Coalition, it was found that most cities have a graduated penalty scale built into their city code for vendors that sell tobacco to underage persons.</p> <p>Attached to this report is an ordinance amendment that reflects comments received at the January 6th city council workshop. It calls for graduated penalties of \$500 for a first violation, \$750 for a second violation, and license revocation for a third violation. The clerk or individual who commits the violation is also subject to a \$50 fine, per state statute. Once notified, license holders may request a hearing, but if no hearing is requested, the presumptive penalty will be imposed.</p>
Budget Impact	Since the occurrence of these penalties is so rare, fines will not be projected in future operating budgets.
Attachment(s)	Ordinance 10-02
Action(s) Requested	Staff recommends that the Falcon Heights City Council adopt the attached ordinance establishing a penalty structure for violations of the city's tobacco code.

CITY OF FALCON HEIGHTS
RAMSEY COUNTY, MINNESOTA

ORDINANCE NO. _____

**AN ORDINANCE AMENDING CHAPTER 14
OF THE FALCON HEIGHTS CITY CODE
CONCERNING TOBACCO**

THE CITY COUNCIL OF FALCON HEIGHTS ORDAINS:

SECTION 1. Section 14-297 of the Falcon Heights City Code is amended by adding the following provisions:

- (c) Administrative Civil Penalties; Licensee: Each license issued hereunder shall be subject to suspension or revocation for violation of any provisions of this chapter or the laws of the State of Minnesota as follows:
 - (1) First Violation: The first violation of this chapter shall be punishable by a civil penalty of five hundred dollars (\$500.00).
 - (2) Second Violation: A second violation of this chapter within any twenty four (24) month period shall be punishable by a civil penalty of seven hundred fifty dollars (\$750.00).
 - (3) Subsequent Violation: A third or subsequent violation of this chapter within any twenty four (24) month period shall be punishable by revocation of the license. Any licensee whose license is revoked under this section shall not be eligible for renewal for a period of two (2) years after the revocation.
- (d) Administrative Civil Penalties; Individuals: An individual who sells tobacco to a person under the age of 18 years shall pay an administrative penalty of fifty dollars (\$50.00).
- (e) Hearing: Following receipt of a notice of a violation and penalty issued under this section, the license holder or individual may agree to the presumptive penalty or request a hearing before the City Council. A request for a hearing shall be made by the individual or license holder in writing and filed with the City Administrator or designee within ten (10) days of the mailing of the notice of the alleged violation. Following receipt of a written request for hearing, the individual or license holder shall be afforded an opportunity for a hearing before the Council.
- (f) Findings: If after the hearing the license holder or individual is found in violation of this chapter, the Council shall impose the presumptive penalty.

- (g) Default: If the individual or license holder has been provided written notice of the violation and if no request for a hearing is filed within the ten (10) day period, then the presumptive civil penalty, suspension or revocation imposed in this chapter shall take immediate effect by default. The City Administrator or designee shall mail notice of the fine, suspension or revocation to the individual or license holder.

SECTION 2. This ordinance shall be effective immediately upon its passage and publication.

ADOPTED this _____ day of _____, 2_____, by the City Council of Falcon Heights, Minnesota.

CITY OF FALCON HEIGHTS

BY: _____
Peter Lindstrom, Mayor

ATTEST:

Justin Miller, City Administrator/Clerk



The City That Soars!

REQUEST FOR COUNCIL ACTION

Meeting Date	January 27, 2010
Agenda Item	Policy G3
Attachment	Resolution 10-02
Submitted By	Mayor Peter Lindstrom

Item	Resolution Expressing Support for a Statewide Complete Streets Policy
Description	The Regional Council of Mayors is asking area cities to adopt the attached resolution in support of a statewide complete streets policy. Complete streets is a concept that encourages all modes of transportation - motorized, pedestrian, and bicycle, to be incorporated into street design processes.
Budget Impact	N/A
Attachment(s)	Resolution 10-02; Complete streets background prepared by the Minnesota Complete Streets Coalition
Action(s) Requested	I recommend approval of Resolution 10-02 expressing the City of Falcon Heights' support for a statewide complete streets policy.

CITY OF FALCON HEIGHTS
COUNCIL RESOLUTION

January 27, 2010

No. 10-02

A RESOLUTION EXPRESSING SUPPORT FOR A STATEWIDE COMPLETE
STREETS POLICY

WHEREAS, the "Complete Streets" concept promotes streets that are safe and convenient for all users, including pedestrians, bicyclists, transit riders, and motor vehicle drivers of all ages and abilities; and

WHEREAS, the October 2009 public draft of the Minnesota Department of Transportation *Complete Streets Report* includes the recommendation: "Mn/DOT should build on existing Context Sensitive Solution practices and develop and implement a statewide Complete Streets policy..."; and

WHEREAS, the Falcon Heights City Council recognizes the importance of complete streets, as shown in its 2008 Comprehensive Plan update;

NOW, THEREFORE BE IT RESOLVED, that the City of Falcon Heights encourages the Minnesota legislature, with input and guidance from the Minnesota Department of Transportation, to authorize the development of a statewide Complete Streets program, which would provide for the development of a balanced transportation system, through appropriate planning, that integrates multiple transportation modes, where appropriate, for transportation users of all types, ages and abilities.

Moved by:

Approved by: _____

Peter Lindstrom, Mayor
January 27, 2010

LINDSTROM ___ In Favor
GOSLINE
HARRIS ___ Against
LONG
MERCER-TAYLOR

Attested by: _____

Justin Miller
City Administrator
January 27, 2010

Background Related to Complete Streets

- Complete Streets is a flexible transportation planning and design process that considers the safety and accessibility needs of all users. Complete Streets is not a prescriptive roadway design. Individual “complete” street designs vary based on context, including topography, road function, the speed of traffic, pedestrian and bicycle demand, local land use, and other factors.
- State Senator Tony Lourey (Kerrick) and State Representative Mike Obermueller (Eagan) will introduce Complete Streets legislation during the 2010 legislative session.
- The Minnesota Department of Transportation (Mn/DOT) is working to create a partnership of state agencies, local governments, and other stakeholders to develop and implement a Mn/DOT policy on Complete Streets.
- In December 2009, Mn/DOT released a legislatively mandated [Complete Streets Report](#), which includes a recommendation for Mn/DOT to work in partnership with representatives of relevant stakeholders to develop a Complete Streets policy. The report also articulates the important connection between Complete Streets and Context-Sensitive Solutions, which together support building roads that better fit local needs and contexts and help save money.
- Mn/DOT Commissioner Thomas Sorel has spoken publicly about the benefits of Complete Streets and his commitment to taking a leadership role on implementation of a Complete Streets policy.
- Between 1999 and 2008, 417 pedestrians and 84 bicyclists were killed and more than 10,000 pedestrians and more than 9,000 bicyclists were injured on Minnesota’s roads.
- Complete Streets is a national movement with policies adopted by 12 states and more than 100 cities and counties, including Rochester, Hennepin County, St. Paul, and Albert Lea.
- The Centers for Disease Control and Prevention, Minnesota Department of Health, Blue Cross and Blue Shield of Minnesota, American Heart Association, HealthPartners, and other public health officials in Minnesota and across the country have called for Complete Streets as an important public health tool in fighting the obesity epidemic by supporting exercise as a part of daily life.
- The Complete Streets concept is also supported by AARP, Urban Land Institute of Minnesota, Minnesota Consortium for Citizens with Disabilities, Minnesota Environmental Partnership, and many other transportation, planning, and public

health professionals. The [Minnesota Complete Streets Coalition](#) has more than 45 member organizations that support the concept of Complete Streets and a state Complete Streets policy.

Benefits of Complete Streets

- Complete Streets improves safety by reducing crashes and injuries and their costs.
- Complete Streets removes barriers to transportation facilities and services for seniors, children, and people with disabilities, allowing them to lead more active and independent lives.
- A state Complete Streets policy will give local governments more flexibility to build roads that meet the needs in their community.
- Complete Streets promotes public health by supporting exercise as a part of daily life.
- Complete Streets helps avoid costly future retrofits by making sure that we build roads right the first time.
- Complete Streets supports affordable transportation options for families.
- Complete Streets reduces congestion by providing safe travel choices that encourage non-motorized transportation options, increasing the overall capacity of the transportation network.
- Complete Streets supports more pedestrian, bicycle, and transit travel, which helps protect clean air and clean water and reduces our dependence on costly energy sources.
- Complete Streets promotes economic growth and community stability by providing accessible and efficient connections between home, school, work, recreation, and retail destinations by improving the pedestrian and vehicular environments throughout communities.
- Complete Streets supports vibrant and walkable neighborhoods that improve quality of life and help build community.

For more information:

www.mncompletestreets.org

Ethan Fawley, Fresh Energy and the Minnesota Complete Streets Coalition

ethan.fawley@fresh-energy.org

651-294-7141