

City of Falcon Heights

A G E N D A

Regular Meeting of the City Council
September 27, 1995

- I. CALL TO ORDER: 7 p.m.
- II. BALDWIN _____ GEHRZ _____ GIBSON TALBOT _____ HUSTAD _____
JACOBS _____ HOYT _____ ASLESON _____
ATTORNEY _____ ENGINEER _____
- III. COMMUNITY FORUM
- IV. APPROVAL OF MINUTES: September 6, 1995
- V. PUBLIC HEARING: None
- VI. CONSENT AGENDA:
 - C-1. Disbursements
 - a. General disbursements through 9/27/95, \$131,517.14
 - b. Payroll, 9/1/95 through 9/15/95, \$12,281.68
 - C-2. Request for a variance to Chapter 9-2.06 of the zoning code for additional fence height at 1710 St. Mary's Street
 - C-3. Approval of attorney's review of agreement for 1666 Coffman
 - C-4. Final payment on 1995 alley project and 1993 street project to Frattalone
 - C-5. Request to purchase EMS coats and a new stretcher
 - C-6. Request for variance to Chapter 9-13.04 subd. 6(a) of the zoning code to permit two access drives to the property at 1386 W. Idaho Avenue
 - C-7. Authorization for staff to apply for the 1995 Unitree Neighborhood Tree Planting Grant established by Foster-Wheeler Twin Cities, Inc. and the University of Minnesota
- VII. POLICY AGENDA:
 - P-1. Adoption of revised fee schedule

ACTION: _____
 - P-2. Discussion of the proposed acquisition of the Troutbrook Stormsewer Interceptor

ACTION: _____
- VIII. INFORMATION AND ANNOUNCEMENTS:
 - I-1. Minutes of the Human Rights Commission dated 9/12/95
- IX. ADJOURNMENT

Meeting Date: 9/27/95

Agenda Item: C - 1

CITY OF FALCON HEIGHTS

REQUEST FOR COUNCIL CONSIDERATION

ITEM DESCRIPTION: Disbursements

SUBMITTED BY: Joe Rigdon, City Accountant

EXPLANATION/SUMMARY:

- a. General disbursements through 9/19/95, \$131,517.14
- b. Payroll, 9/1/95 through 9/15/95, \$12,281.68

ACTION REQUESTED: Approval

(a)

APPROVAL OF BILLS
PERIOD ENDING: 09/27/95

CHECK#	VENDOR NAME	DESCRIPTION	DEPT.	AMOUNT
	AMERICAN LINEN SUPPLY CO.	LINEN CLEANING	FIRE FIG	51.29
	AMERICAN LINEN SUPPLY CO.	LINEN CLEANING	FIRE FIG	8.26
	AMERICAN LINEN SUPPLY CO.	LINEN CLEANING	FIRE FIG	3.08
	*** TOTAL FOR AMERICAN LINEN SUPPL			62.63
	BLOMBERG PHARMACY	FILM/DEVELOPING	FIRE PRE	16.75
	DANKO EMERGENCY EQUIPMENT-	HURST MANIFOLD TOOL	FIRE & R	452.63
	FALCON LANES	SUMMER BOWLING LANE COST	PARK PRO	72.00
	HAINSTON KOEGLER GROUP	8/95 PLANNING & DESIGN	LARPENIE	177.00
	IVERSON, TERRY	3RD QTR AUTO INSURANCE	FIRE PRE	75.00
	JANKE, KATHLEEN	9/95 CLEANING	FIRE FIG	80.00
	DAVID W. KRIESEL, INC.	9/95 BUILDING INSPECT	PLANNING	500.00
31198	LMHRC	LMHRC WORKSHOP	HUMAN RI	135.00
	LEONARD, STREET & DEINARD	LEGAL SVC THROUGH 8/31	LEGAL	1,361.08
	LEONARD, STREET & DEINARD	LEGAL SVC TO 8/31 - ROOF	GENERAL	95.00
	LEONARD, STREET & DEINARD	LEGAL SVC THROUGH 8/31	TIF #2	197.80
	*** TOTAL FOR LEONARD, STREET & DE			1,653.88
	MAIER STEWART & ASSOC.	7/30-8/26/95 ENGINEERING	95 ALLEY	3,351.07
	MAIER STEWART & ASSOC.	7/30-8/26/95 ENG. - ROOF	GENERAL	3,601.54
	MAIER STEWART & ASSOC.	7/30-8/26/95 ENGINEERING	ENGINEER	539.46
	MAIER STEWART & ASSOC.	7/30-8/26/95 ENGINEERING	PARKS DT	2,238.53
	*** TOTAL FOR MAIER STEWART & ASSO			9,730.60
	METROPOLITAN COUNCIL	10/95 SEWER SERVICE	SANITARY	36,310.00
	MIDWAY FORD COMPANY	OIL CHANGE #754	RESCUE S	30.04
31196	MN DEPARTMENT OF REVENUE	STATE WITHHELD 9/15/95	ADMINIST	711.49
	NSP	8/95 ELECTRIC	PARK MAI	22.67
	NSP	8/95 GAS & ELECTRIC	PARK MAI	62.46
	NSP	8/95 ELECTRIC	SANITARY	153.13
	NSP	8/95 ELECTRIC	SANITARY	8.67
	*** TOTAL FOR NSP			246.93
31194	NSP	GROVE STREET LIGHTS	STR. LIG	10,996.00
31197	NORTH STAR STATE BANK	FED WITHHELD 9/15/95	ADMINIST	3,817.00
	NORTHERN AIRGAS	AUTO. TRANSPORT VENTS	RESCUE S	2,994.75
	OFFICE MAX CREDIT PLAN	PAPER & PEN SUPPLIES	ADMINIST	55.90
	OFFICE MAX CREDIT PLAN	TAPE, PENS, ETC.	ADMINIST	47.02
	*** TOTAL FOR OFFICE MAX CREDIT PL			102.92
	ON SITE SANITATION, INC	8/11 - 9/7 SANITATION	PARK MAI	68.65

RECYCLED FIBER

APPROVAL OF BILLS
PERIOD ENDING: 09/27/95

CHECK#	VENDOR NAME	DESCRIPTION	DEPT.	AMOUNT
5	OXYGEN SERVICE COMPANY	OXYGEN	RESCUE S	26.50
6	OXYGEN SERVICE COMPANY	OXYGEN	RESCUE S	23.96
7	*** TOTAL FOR OXYGEN SERVICE COMPA			50.46
9	PERA	PERA WITHHELD 9/15/95	ADMINIST	1,300.58
11	PERA LIFE	PHILLIPS 9/95 PREMIUM	ADMINIST	12.00
12	PERA LIFE	IVERSON 9/95 PREMIUM	FIRE PRE	12.00
13	PERA LIFE	BAUMANN 9/95 PREMIUM	FIRE FIG	12.00
14	*** TOTAL FOR PERA LIFE			36.00
16	PETERSON, GREG	FILES, INDEXES	FIRE FIG	21.49
18	PETERSON, FRAM, & BERGMAN	8/95 PROSECUTIONS	PROSECUT	20.30
20	ST. PAUL RAMSEY	RESCUE SUPPLIES	RESCUE S	151.75
22	RAMSEY CLINIC	MEDICAL EXAMINATIONS	FIRE FIG	164.00
24	31195 RAMSEY COUNTY	9/95 INSURANCE PREMIUMS	ADMINIST	3,505.08
26	REFLECTO PRODUCTS CO.	M200 SCOTCHLITE EMBLEMS	FIRE FIG	199.63
28	TAFF, SUSAN HOYT	9/95 MILEAGE	ADMINIST	165.00
29	TAFF, SUSAN HOYT	NAMETAGS-POLICE EVENT	ADMINIST	3.19
30	*** TOTAL FOR TAFF, SUSAN HOYT			168.19
32	TARGET	CAMERA BATTERY	FIRE FIG	12.29
33	TARGET	KITCHEN SUPPLIES	ADMINIST	8.64
34	*** TOTAL FOR TARGET			20.93
36	UNIVERSITY OF MINNESOTA	PUBLIC LABOR LAW CONF.	ADMINIST	278.50
38	31200 USWEST CELLULAR	8/95 CELLULAR PHONE	RESCUE S	24.00
40	USWEST COMMUNICATIONS	9/95 PHONE	FIRE FIG	57.68
41	USWEST COMMUNICATIONS	9/95 PHONE	BUILDING	370.58
42	USWEST COMMUNICATIONS	9/95 COMM. PK. PHONE	PARK & R	57.74
43	*** TOTAL FOR USWEST COMMUNICATION			486.00
45	BERNARDY, CONNIE LANNERS	9/30/95 MCAD SERVICES	MCAD	1,470.86
47	ST. ANTHONY VILLAGE	9/95 POLICE SERVICES	POLICE	26,416.67
49	BRODERICK, BERNARD	DELIVERY MILEAGE	ADMINIST	8.19
51	HUGHES & COSTELLO	9/95 PROSECUTION	PROSECUT	1,662.60
52	BITUMINOUS ROADWAYS, INC.	1995 SEALCOATING	STREETS	26,869.80
55	31193 KLINGENBERG, LAWRENCE	TRAILER TIRES	STREETS	117.02
57	GEORGIU, TRYPHON	OVERPMT. AMBULANCE BILL	-----	254.40

RECYCLED FIBER

APPROVAL OF BILLS
PERIOD ENDING: 09/27/95

CHECK#	VENDOR NAME	DESCRIPTION	DEPT.	AMOUNT
	MCI TELECOMMUNICATIONS	LONG DISTANCE 8/95	BUILDING	0.42
	WILLEMS, GWEN	CONFERENCE FEE	HUMAN RI	35.00
	WICKEM, NANCY	FACE PAINTS	PARK PRO	22.00
		*** TOTAL FOR BANK 01		131,517.14
		*** GRAND TOTAL ***		131,517.14
		*** GRAND TOTAL ***		131,517.14

RECYCLED FIBER

C H E C K R E G I S T E R

CHECK TYPE	CHECK DATE	EMPLOYEE NAME NUMBER	CHECK NUMBER	CHECK AMOUNT
COM	9 14 95	30 NICHOLAS BAUMANN	23671	190.76
COM	9 14 95	31 ROSS BERNDT	23672	120.60
COM	9 14 95	32 RAYMOND BROWN	23673	63.84
COM	9 14 95	33 JOHN HOLMGREN SR.	23674	183.43
COM	9 14 95	34 CLEMENT KURHAJETZ	23675	192.68
COM	9 14 95	35 LEO LINDIG	23676	104.48
COM	9 14 95	40 KEVIN ANDERSON	23677	126.07
COM	9 14 95	41 DAVID P. BIANCHI	23678	33.14
COM	9 14 95	42 MICHAEL D. CLARKIN	23679	181.10
COM	9 14 95	45 JAMES D. FULLER	23680	237.92
COM	9 14 95	47 NATHANIEL HEROLD	23681	236.89
COM	9 14 95	48 JOHN H. HOLMGREN	23682	157.83
COM	9 14 95	49 DOUGLAS LEMAY	23683	34.10
COM	9 14 95	50 JOSEPH L. MARTINEZ	23684	101.24
COM	9 14 95	51 CINDY K. MCDERMOND	23685	106.67
COM	9 14 95	56 GREGORY S. PETERSON	23686	268.24
COM	9 14 95	59 GREGORY M. FULLER	23687	236.41
COM	9 14 95	60 TERRY D. IVERSON	23688	37.94
COM	9 14 95	61 DENNIS G. LEMAY	23689	57.57
COM	9 14 95	62 BRYON A. SCHULTZ	23690	223.49
COM	9 14 95	63 RACHELLE L. MARVIN	23691	123.70
COM	9 14 95	66 ALFRED HERNANDEZ	23692	227.30
COM	9 14 95	67 BRENT W. KOSKELA	23693	179.82
COM	9 14 95	69 JASON J. HYATT	23694	171.43
COM	9 14 95	1002 SUSAN HOYT TAFF	23696	1477.45
COM	9 14 95	1003 TERRY IVERSON	23697	937.16
COM	9 14 95	1005 CAROL KRIEGLER	23698	400.77
COM	9 14 95	1006 JAY MORGAN	23699	856.89
COM	9 14 95	1007 PATRICIA PHILLIPS	23700	765.51
COM	9 14 95	1008 DELORIS SWENSON	23701	753.75
COM	9 14 95	1010 CARLA ASLESON	23702	881.19
COM	9 14 95	1011 LAWRENCE A. KLINGENBERG	23703	979.45
COM	9 14 95	1012 JOSEPH M. RIGDON	23704	851.90
COM	9 14 95	1026 JASON CIERNIA	23705	21.01
COM	9 14 95	1031 LINDA TREEFUL	23706	131.49
COM	9 14 95	1033 DAVE TRETSVEN	23707	629.26
****TOTALS****				12281.68

Meeting Date: 9/27/95

Agenda Item: C - 2

CITY OF FALCON HEIGHTS

REQUEST FOR COUNCIL CONSIDERATION

ITEM DESCRIPTION: Request for a variance to Chapter 9-2.06 of the zoning code for additional fence height at 1710 St. Mary's Street

SUBMITTED BY: Dale Huff and Linda Fite, Property Owners

REVIEWED BY: Carla Asleson, Administrative Assistant/Planner
Planning Commission

EXPLANATION/SUMMARY:

Note: The Planning Commission is scheduled to review this item at their September 25, 1995 meeting.

Mr. Huff and Ms. Fite are requesting a variance to construct an eight foot fence along their rear property line. The zoning code permits fences up to six feet high in rear and side yards and three feet in the front yards. The request is being made to screen the rear of the property from the adjacent commercial parking lot at Warner's Stellian.

The zoning code limits the height of fences to keep front yards open and to maintain consistency in side and rear yards. A six foot high side and rear yard maximum is ordinarily a reasonable regulation to maintain throughout the city. However, this particular property abuts a commercial property that is used to for loading of appliances and for refuse disposal. Therefore, an adequate screen or buffer between the residential zone and the adjacent commercial use is desirable.

A fence height variance was granted in 1992 to the property to the south (1700 St. Mary's Street) for similar reasons. The proposed fence at 1710 would continue the line of the existing fence on the 1700 property. The eight foot fence would only run along the rear of their property which borders Warner's Stellian and not along the northern or southern side lot lines. While the approval of the previous variance does not require approval of a variance for this property, Mr. Huff and Ms. Fite cite similar hardship statements as the owners of the 1700 property, namely the noise and visual unattractiveness associated with their proximity to commercial property.

This property is unique in that it borders a commercial property and the property owner has shown a hardship associated with this location. An eight foot high fence can be considered the minimum height needed to alleviate this hardship, as such a height is needed to screen the property when people are using the rear yard.

LETTERS TO NEIGHBORS

Letters were sent to the three properties abutting 1710 St. Mary's Street. As of this writing, no comments have been received regarding the proposed fence.

RECOMMENDATION:

Staff recommends granting the variance of two feet from the maximum fence height requirements to build an eight foot high fence along the eastern property line (rear yard) at 1710 St. Mary's Street. This recommendation is made because the request meets the conditions for granting a variance, primarily condition 9-15.03 (c), the granting of the variance is necessary for the preservation and enjoyment of substantial property rights.

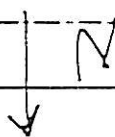
ATTACHMENTS:

- A. Site Plan
- B. Proposed Resolution 95-25
- C. Standards for granting a variance

ACTION REQUESTED:

Approve Resolution 95-25, granting the requested variance of two feet from Chapter 9-2.06 subd. to build an eight foot high fence in the rear yard by finding that this property meets the standards for granting a variance.

CONSENT CONSENT CONSENT CONSENT CONSENT CONSENT



Shopping Center

Shopping Center

Existing chainlink fence

Existing guard rail

Private Alley

Proposed wood fence

Existing wood fence

Existing guard rail

Existing chainlink fence

Ciatti's

1770 St. Marys
Lot 16
The Crossroads

1700 St. Marys
Lot 15
The Crossroads

1710

1700

St. Marys Ave.

St. Marys Ave.



CITY OF FALCON HEIGHTS

C O U N C I L R E S O L U T I O N

Date: September 27, 1995

RESOLUTION GRANTING A VARIANCE FOR 1710 ST. MARY'S STREET

On September 27, 1995, the Falcon Heights city council granted the following variance for 1710 St. Mary's Street:

Chapter 9-2.06 subd. 1 (f) (1) in the maximum fence height.

A variance of two feet of fence height to allow an eight foot high fence to be built along the property's rear lot line where a six foot fence is permitted by the zoning code.

The city council adopted the following findings for the granting of the variance at 1710 St. Mary's Street:

- a. That the granting of the variance will not be detrimental to the public welfare;
- b. That the granting of the variance will not substantially diminish or impair property values or improvements in the area;
- c. That the granting of the variance is necessary for the preservation and enjoyment of substantial property rights;
- d. That the variance will not impair an adequate supply of light and air to adjacent property.
- e. That the variance will not impair the orderly use of the public streets;
- f. That the amended variance will not increase the danger of fire or endanger the public safety;
- g. That a particular hardship, as distinguished from mere inconvenience to the owner, would result if the strict letter of the chapter were carried out;

h. That the variance is not sought principally to increase financial gain of the owner of the property and that a substantial hardship to the owner would result from a denial of the variance.

Moved by: _____

BALDWIN

GEHRZ ___ In Favor

GIBSON TALBOT

HUSTAD ___ Against

JACOBS

Approved by: _____

Mayor

September 27, 1995

Date

Attested by: _____

City Clerk

September 27, 1995

Date

Subdivision 4. Standards for Granting of Variance. No variance shall be granted unless the City Council shall make without qualification on the basis of evidence presented at the meeting the following findings:

- a. That the granting of the variance will not be detrimental to the public welfare;
- b. That the granting of the variance will not substantially diminish or impair property values or improvements in the area;
- c. That the granting of the variance is necessary for the preservation and enjoyment of substantial property rights;
- d. That the variance will not impair an adequate supply of light and air to adjacent property;
- e. That the variance will not impair the orderly use of the public streets;
- f. That the variance will not increase the danger of fire or endanger the public safety;
- g. Whether the shape, topographical condition or other similar characteristic of the tract is such as to distinguish it substantially from all of the other properties in the zoning district of which it is a part, or whether a particular hardship, as distinguished from mere inconvenience to the owner, would result if the strict letter of the Chapter were carried out;
- h. Whether the variance is sought principally to increase financial gain to the owner of the property, and to determine whether a substantial hardship to the owner would result from a denial of the variance;
- i. Whether the conditions which give rise to the application for the variance arose after the adoption of this Chapter of the Code of the City of Falcon Heights or any amendment thereto which placed the tract in a zoning district different from what it was under the Chapter. In the consideration of this item, the City shall make diligent inquiry as to all changes in the property and shall refuse to grant the variance if the problem is one that can be solved through a proper application of a conditional use permit or an amendment of the Zoning code. Financial hardship shall not be a basis for the granting of a variance when the owner purchased the property in reliance on a promise that a variance would be granted, and the City shall dismiss the appeal if it shall appear that the property was purchased on such reliance.

Subdivision 5. Conditions. The City may attach such conditions to the grant of the variance as it shall determine will be necessary or desirable to bring it within the purpose and intent of the Chapter. A public record shall be maintained of such conditions.

***CITY OF FALCON HEIGHTS
REQUEST FOR COUNCIL CONSIDERATION***

ITEM DESCRIPTION: Approval of attorney's review of agreement for 1666 Coffman

SUBMITTED BY: Charlie Bassford, Attorney acting on behalf of the 1666 Condominium Association

REVIEWED BY: Susan Hoyt, City Administrator
Shaun McElhatton, Leonard, Street and Deinard

EXPLANATION/SUMMARY:

This is a request for formal council action on an administrative request by the attorney working with the 1666 Condominium Association to approve an amended document for the 1666 housing development project that the city approved of in 1988. The Association is revising the document for its purposes. Only a small section of the document concerns the city so there is no need for the council to see the entire document.

The city's attorney, Shaun McElhatton, a real estate specialist with Leonard, Street and Deinard, who was familiar with the original agreement, reviewed the entire document with the proposed changes and had discussions with the attorney representing 1666 Condominium Association to make sure the city's interests on tax increment bonds are protected. Mr. McElhatton recommended that the city agree to the document as long as the sentence under Article XI Section 3 was retained in it. Mr. Bassford agreed to do so.

ATTACHMENTS:

- Letter from Attorney Shaun McElhatton, dated 18 September 1995
- Letter from Attorney Bassford, dated
- Article IX Section 3 of the document

ACTION REQUESTED:

Approve the proposed changes to the 1666 Condominium Association document as defined by the city's attorney.

LAW OFFICES
LEONARD, STREET AND DEINARD

PROFESSIONAL ASSOCIATION

SUITE 2300

150 SOUTH FIFTH STREET
MINNEAPOLIS, MINNESOTA 55402

TELEPHONE (612) 335-1500

FACSIMILE (612) 335-1657

September 18, 1995

SIDNEY BARROWS
HAROLD D. FIELD, JR.
ALLEN I. SAEKS
THOMAS D. FEINBERG
MORRIS M. SHERMAN
GEORGE REILLY
CHARLES K. DAYTON
STEPHEN R. PFLAUM
CHARLES A. MAYS
LOWELL J. NOTEBOOM
GEORGE F. MCGUNNIGLE
RICHARD G. PEPIN, JR.
BYRON E. STARNIS
STEVEN M. RUBIN
JOHN H. HERMAN
STEVEN D. DERUYTER
JAMES R. DORSEY
STEPHEN J. DAVIDSON
STEPHEN R. LITMAN
EDWARD M. MOERSFELDER
ROBERT LEWIS BARROWS
RICHARD J. WEGENER
DANIEL J. MCINERNEY, JR.
FREDERICK W. MORRIS
JOHN C. KUEHN
BRADLEY J. GILLAN
MICHAEL A. NEKICH
MARTHA C. BRAND
DAVID N. HAYNES
JAMES V. ROTH
RICHARD H. MARTIN
ROBYN HANSEN
ROBERT L. DEMAY

ANGELA M. BOHMANN
TIMOTHY J. PABST
ROBERT P. THAVIS
JAMES G. BULLARD
JOSEPH M. FINLEY
LAWRENCE J. FIELD
DAVID W. KELLEY
MARK S. WEITZ
ROBERT J. HUBER
DAVID KANTOR
JOHN M. SHERAN
ANGELA M. CHRISTY
LOWELL V. STORTZ
DOUGLAS B. GREENSWAG
ELLEN G. SAMPSON
JOAN ERICKSEN LANCASTER
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MICHAEL G. TAYLOR
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THOMAS P. SANDERS
ROBERT ZEGLOVITCH
TIMOTHY WELCH
GREGG J. CAVANAGH
SUSAN M. ROBINER
BRADLEY J. GUNN
BLAKE SHEPARD, JR.
NANCY A. WILTGEN
WILLIAM L. GREENE
STEVEN L. BELTON
MARC D. SIMPSON
SHAUN C. MCELHATTON
JAMES J. BERTRAND

DEBRA G. STREHLOW
PETER E. SCHIFSKY
CAROLYN V. WOLSKI
STEVEN R. LINDEMANN
WILLIAM H. KOCH
RONALD J. SCHULTZ
ELLEN G. LUGER
JERRY S. PODKOPACZ
STEVEN J. RINDSIG
JAMA H. KRIZ
WENDY C. SKJERVEN
LOREN A. UNTERSEHER
ROBERT H. TORGERSON
EDWARD A. MURPHY
THOMAS J. CONLEY
GREGORY L. POE
JAMES F. VOEGELI
JOSHUA J. KANASSATEGA
JANN H. EICHLERSMITH
RUTH B. O'NEILL
ANDREW P. LEE
I. DANIEL COLTON
NICOLE A. ENGISCH
TAMMIE S. PTACEK
MICHAEL J. WURZER
JEFFREY E. GRELL
BARBARA PODLUCKY BERENS
KEITH S. MOHEBAN
ALAN W. VAN DELLEN
JANE F. GODFREY
ERIC H. GALATZ
DWIGHT A. LARSON

ROSANNE JACUZZI
DANIEL L. PALMQUIST
CATHERINE A. MCENROE
KATHLEEN A. ROBERGE
SHERI KASPER HANK
JOHN E. KING
DANIEL OBERDORFER
JEFFREY A. EYRES
PATRICK M. O'BRIEN
STEVEN P. ZABEL
DAVID R. CROSBY
JAMES R. FREY
AMY L. BARTON
JEANNE M. COCHRAN
MICHAEL A.G. KORENGOLD
KATHRYN A. MCCAULEY
GREGORY R. FITZHARRIS
PAUL A. VANDER VORT
ROBERT L. STRIKER

GEORGE B. LEONARD (1872-1958)
ARTHUR L.H. STREET (1877-1961)
BENEDICT DEINARD (1899-1969)
AMOS S. DEINARD (1898-1985)

SIDNEY LORBER
IRENE SCOTT
MICHELLE A. MILLER
OF COUNSEL

WRITER'S DIRECT DIAL NUMBER

(612) 335-1699

Susan Hoyt, City Administrator
City of Falcon Heights
2077 West Larpenteur Avenue
Falcon Heights, MN 55113-5594

Dear Susan:

As we discussed, I have reviewed the 1666 Coffman condominium documents that you sent to Ellen Sampson under cover of your memorandum dated August 29, 1995. As we discussed, I had two concerns regarding the changes. The first, which you had identified, has to do with changes to Section 3 of Article XI of the Restated Declaration. As we discussed, I would advise that the second sentence of that section, reading as follows, be retained in its entirety: "However, the Original Declarant shall remain jointly and severally liable for any tax increment shortfall (to the maximum extent set forth in Section 7.4 of the Development Agreement) until the Debt Service Reserve Account is fully funded pursuant to Section 7 of this Article XI below."

My second concern had to do with proposed changes to Section 7 of Article XI, eliminating an obligation to repay certain funds to Coffman Housing Partnership. When I discussed that concern with Charlie Bassford, he indicated that all applicable rights of Coffman Housing Partnership have been assigned to 1666 Coffman Condominium Association. I have reviewed the assignment documents that Mr. Bassford sent to me, and his statements regarding the assignment are accurate. Therefore, 1666 Coffman Condominium Association now has the authority to approve a change to the

SEP 19 1995

Susan Hoyt, City Administrator
September 18, 1995
Page 2

Declaration that affects Coffman Housing Partnership, so that my concern no longer exists.

Provided the sentence contained in Article XI, Section 3 of the Declaration described above is retained, the documents are in acceptable form for execution by the City.

Please call me if you have any further questions or comments regarding this matter.

Sincerely,

LEONARD, STREET AND DEINARD

By 
Shaun C. McElhatton

SCM;jp

cc: Ellen Sampson

BASSFORD & HANVIK, P.A.

Attorneys at Law

440 FRANCE PLACE

3601 MINNESOTA DRIVE

BLOOMINGTON, MINNESOTA 55435

CHARLES A. BASSFORD, JR.

(612) 835-7700

FAX (612) 835-4712

July 31, 1995

Ms. Susan Hoyt
 City Administrator
 City of Falcon Heights
 2077 West Larpenteur Avenue
 Falcon Heights, MN 55113-5594

AUG 02 1995

Re: 1666 Coffman Condominium

Dear Ms. Hoyt:

Enclosed are copies of the proposed revisions to the Declaration and Bylaws of 1666 Coffman Condominium. Provisions which are being struck from the body of the original documents have lines drawn through them. Provisions which are being added to the documents are underlined.

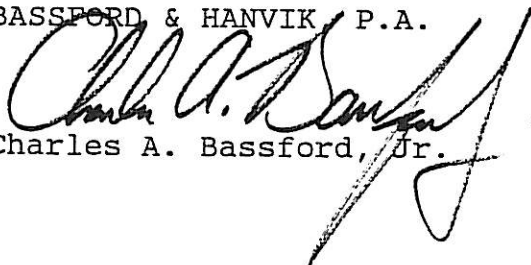
I recognize that your primary concern is with Article XI of the Declaration which addresses compliance with the Development Agreement and the Tax Increment Bonds.

I would like to discuss with you some changes to Article XI which I believe would be appropriate in view of the fact that the Original Declarant no longer exists.

Please review these documents and contact me at your earliest convenience.

Yours very truly,

BASSFORD & HANVIK, P.A.


 Charles A. Bassford, Jr.

CC: 1666 Coffman Condominium
 CAB:dmk
 C:\DATA\CAB\HOYT.ltr

if it does not make the payment. An Affidavit of Service of the Notice and Failure to Exercise shall be prima facie evidence of the Association's refusal to exercise this right. If the First Mortgagee fails to give notice hereunder offering to accept payment from the Association or refuses to accept payment properly tendered by the Association and deed the Unit to the Association, this paragraph shall be inapplicable and the assessment lien shall be enforceable as otherwise provided by law.

ARTICLE XI.

Compliance with the Development Agreement

1. Purpose. In addition to various other provisions of this Declaration and the Bylaws which comply with the requirements of the Development Agreement between the Declarant and the City of Falcon Heights (the "City"), the following additional provisions are added and apply to ~~the Declarant~~, the Association and all Unit Owners.

2. Incorporation. The Development Agreement, including any duties and obligations agreed to therein, is incorporated by reference herein, and it is specifically agreed the Condominium Association and all Unit Owners will in all respects comply with the Development Agreement.

3. Assumption of responsibilities and Obligations. ~~Upon the closing of the first Condominium unit,~~ The Association shall has assumed all responsibilities and obligations of the Original Declarant under the Development Agreement, as provided therein. However, ~~the~~ Original Declarant shall remain jointly and severally liable for any tax increment shortfall (to the maximum extent set forth in Section 7.4 of the Development Agreement) until the Debt Service Reserve Account is fully funded pursuant to Section 7 of this Article XI below.] The Association specifically, but without limiting any other

obligation, agrees it is bound by the Guaranty which is part of the Development Agreement, and has executed ~~shall execute~~ a guaranty in the form of Exhibit H attached to the Development Agreement.

4. Compliance with Laws. Etc. The Condominium shall be operated and maintained in accordance with the terms of the Development Agreement, the Development Program (as defined in the Development Agreement), and all local, state and federal laws and regulations (including, but not limited to, environmental, zoning, energy conservation, building code and public health laws and regulations), except for variances contemplated in any construction plans approved by the City.

5. Insurance.

a. The Association shall provide property insurance coverage equal in value to one hundred percent (100%) of the replacement cost of the Condominium and shall provide the City, on an annual basis, proof of payment of premiums for such insurance.

b. The Association shall provide Comprehensive General Liability insurance in the amount of \$600,000 combined single limits and \$200,000 per person naming the City, governing body members, officers, agents, servants and employees thereof as additional insureds.

6. Public Welfare. The Unit Owners shall cooperate fully with the City to resolve any traffic, trash removal, parking, or public safety problems which arise in connection with the operation of the Condominium.

7. Debt Service Reserve Account. The Association shall maintain a Debt Service Reserve Account, totalling five percent (5%) of the original principal amount of the Tax Increment Bonds issued pursuant to the Development Agreement. All funds in this reserve shall be placed in escrow, to be available to pay any shortfall in the amount due of principal and interest on the Tax Increment bonds, pursuant to the Escrow Agreement substantially

CONSENT

CONSENT

CONSENT

CONSENT

CONSENT

CONSENT

Meeting Date: 9/27/95

Agenda Item: C - 4

**CITY OF FALCON HEIGHTS
REQUEST FOR COUNCIL CONSIDERATION**

ITEM DESCRIPTION: Final payment on 1995 alley project and 1993 street project to Frattalone

SUBMITTED BY: Terry Maurer, City Engineer

REVIEWED BY: Susan Hoyt, City Administrator

EXPLANATION/SUMMARY:

1993 streets. The city withheld \$1,000 from the 1993 street project until Frattalone had reseeded the "dead lot" that was used for storing heavy machinery during the street project in the Grove neighborhood. Frattalone has completed the work on this property and payment of \$1,000 is recommended.

1995 alley final payment. The city engineer recommends making the final payment on the 1995 alley project to Frattalone with a \$5,000 retainer until the few remaining items are completed. The payment is \$14,180.88 after the \$5,000 is deducted.

ATTACHMENTS:

- 1 - Letter from city engineer on 1993 street project
- 2- Letter from city engineer on 1995 alley project

ACTION REQUESTED:

Approve payments of \$1,000 and \$14,180.88 to Frattalone Construction.

CONSENT

CONSENT

CONSENT

CONSENT

CONSENT

CONSENT



CONSULTING ENGINEERS

1326 Energy Park Drive
St. Paul, MN 55108
612-644-4389
1-800-888-2923
Fax: 612-644-9446

September 20, 1995
File: 330-028-30

Ms. Susan Hoyt
City Administrator
City of Falcon Heights
2077 West Larpenteur Avenue
Falcon Heights, MN 55113-5594

RE: 1993 STREET IMPROVEMENT PROJECT

Dear Ms. Hoyt:

As you recall, we have held \$1,000 from the final payment on the 1993 Street Improvement project pending completion of restoration of the storage area used in the University Grove area and patching of a driveway in the Falcon Woods area. This work has now been completed. We would therefore recommend releasing the final payment to F. M. Frattalone.

If you have any questions regarding this, please call.

Sincerely,

MSA, CONSULTING ENGINEERS

Terry J. Maurer, P.E.

TJM:tw

028-2017.sep

CIVIL ENGINEERING:
ENVIRONMENTAL
MUNICIPAL
PLANNING
SOLID WASTE
STRUCTURAL
SURVEYING
TRAFFIC
TRANSPORTATION

ELECTRICAL/MECHANICAL
ENGINEERING:
HVAC
POWER DISTRIBUTION
SCADA
SYSTEM CONTROLS

OFFICES IN:
MINNEAPOLIS
PRIOR LAKE
ST. PAUL
WASECA



September 20, 1995
File: 330-031-30

1326 Energy Park Drive
St. Paul, MN 55108
612-644-4389
1-800-888-2923
Fax: 612-644-9446

Ms. Susan Hoyt
City Administrator
City of Falcon Heights
2077 West Larpenteur Avenue
Falcon Heights, MN 55113-5594

Re: NORTHOME AREA ALLEY IMPROVEMENTS

Dear Ms. Hoyt:

Enclosed are three copies of the final pay estimate for F. M. Frattalone Excavating and Grading, Inc., for construction of the alley improvements. The final pay estimate shows a total construction of \$119,634.45. The original bid submitted by F. M. Frattalone was \$111,306.55. You will recall that there was an alternate bid for storm sewer in one of the alleys. This was added to the contract at a cost of approximately \$6,000. Therefore, the final construction cost is approximately 2% over the original bid.

We have inspected the work performed by F. M. Frattalone and found it to be in compliance with the plans, specifications, and contract documents. At this time, there are a few minor punch list items and final paperwork left to be completed by the Contractor. We would recommend approval of the final pay estimate but would suggest administratively holding \$5,000 until the final items are completed.

If you have any questions, please call.

Sincerely,

MSA, CONSULTING ENGINEERS

Terry J. Maurer, P.E.

TJM:tw
Enclosure

031-2016.sep

CIVIL ENGINEERING:
ENVIRONMENTAL
MUNICIPAL
PLANNING
SOLID WASTE
STRUCTURAL
SURVEYING
TRAFFIC
TRANSPORTATION

ELECTRICAL/MECHANICAL
ENGINEERING:
HVAC
POWER DISTRIBUTION
SCADA
SYSTEM CONTROLS

OFFICES IN:
MINNEAPOLIS
PRIOR LAKE
ST. PAUL
WASECA

**CITY OF FALCON HEIGHTS
REQUEST FOR COUNCIL CONSIDERATION**

ITEM DESCRIPTION: Request to purchase EMS coats and a new stretcher

SUBMITTED BY: John H. Holmgren, EMS Captain

REVIEWED BY: Susan Hoyt, City Administrator

EXPLANATION/SUMMARY:

Stretcher. The rescue service is requesting to purchase a new stretcher for the 1979 ambulance. The existing stretcher has been declared unsafe and is difficult to use safely and efficiently by the crew. The stretcher costs \$2,059 from Moore Medical, the lowest of the three price quotes.

EMS coats. The fire/rescue service is planning to replace the department's windbreakers and winter jackets with new OSHA, National Fire Protection Association (NFPA) standardized jackets that will serve an all-year round function. The jackets are designed to be high visibility and to have a fluid resistant surface that is designed to resist bloodborne pathogens. The current winter jackets and windbreakers are over 10 years old, are wearing out and do not provide the visibility or protection that the new jackets will handle. The current winter jackets are also sometimes confused with a police jacket, which is not always helpful when a rescue worker is on a call since the rescue workers do not have police powers or serve that role.

The fire/rescue clothing budget will cover the anticipated costs of \$162/jacket or \$4,391.00. This jacket will meet the fluid resistant requirements that are desirable whereas the lowest cost proposal could not provide the resistant shell. The jackets will last at least five to ten years depending upon use.

ATTACHMENTS:

- 1 - Letter from John H. Holmgren, rescue captain dated 9 - 19 -95
re: stretcher purchase
- 2 - Letter from John H. Holmgren, rescue captain dated 9-19-95
re: EMS coat purchase.

ACTION REQUESTED:

Approve the purchase of a new stretcher from Moore Medical for \$2,059 and the purchase of 27 EMS coats from American Carrier Apparel for \$4,391.50.

9-19-95

Susan Hoyt
City Administrator

Dear Susan,

The Falcon Heights Fire Dept. is requesting permission to purchase a new cot for our 1979 ambulance. The present one has been declared unsafe by an authorized inspector, and is rather difficult to use. We would like to purchase the same type of cot that is used in our newer ambulance due to the fact that it is much safer for the patient, crew, and would be able to be used in either vehicle. This has been budgeted for under 1979 ambulance repair.

Three companies were contacted for pricing on the cot, and the required hardware for installation. The prices were as follows:

Moore Medical: \$1699.00 cot
\$ 360.00 hardware
\$2059.00 total

Wheeled Coach: \$1838.00 cot
\$ 345.00 hardware
\$ 2283.00 total

Road Rescue: \$1764.00 cot
\$ 350.00 hardware
\$2114.00 total

I feel that Moore Medical is the best choice, based on their price, and knowledge, and organization. Thank you for your attention to this matter, and I look forward to hearing from you about proceeding with this purchase. Sincerely,

John H. Holmgren
EMS Capt.



9-19-95

Susan Hoyt
City Administrator

Dear Susan,

The Falcon Heights Fire Dept. would like to request permission to purchase twenty-seven (27) EMS coats for it's members to wear on EMS runs through the year. These will be replacing both the summer windbreakers, and winter coats that are currently being used, and are in need of replacement. The new coats will be much more appropriate for the job, as they are resistant to fluids, and NFPA (National Fire Protection Assoc.), and OSHA approved for being resistant to bloodbourne pathogens. They are also intended for all-season use with a zipout liner, and have day/night reflective striping for high visibility in most conditions.

look like p/ucci coats - (can sample)

*look like a
coats
dark -
Silver
bright yellow*

Three manufacturers/distributors were contacted, and their responses accompany this letter. The following are totals for each using the numbers provided to me, for 27 coats (23 reg. & 4 lg.), 17 small and 4 large reflective letters, and liners.

American Carrier Apparel : \$4391.50

- this company was very organized, and could provide the product that we wanted with the most options

Uniforms Unlimited: \$4064.85

-could not provide fluid/bloodbourne patho. resistant shell

Aspen Mills: \$6479.90

-could not guarantee lettering would adhere to coat
-unsure of availability of coats desired

I would recommend purchasing from ACA. They seem to be much more familiar with the product, and willing to work with us to provide us with what we want.

Thank you for your attention to this matter, and I look forward to hearing from you about proceeding with the order. Sincerely,



John H. Holmgren
EMS Capt.

Reflective 11 1/2 x 4 1/2 full back^{up} 12.50
Reflective 3 x 3 Crest 3.50

3

ACA

AMERICAN CAREER APPAREL
2730 177TH LN NW - ANDOVER, MN 55304
(612) 753-6775

FINALLY!!!! OUTERWEAR THAT PROVIDES PROTECTION, COMFORT AND FUNCTION

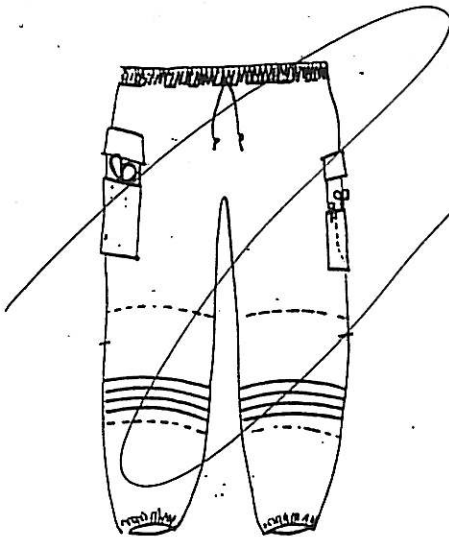
THE EMS COAT

- * FLUID RESISTANT SHELL
- * ALL SEAMS SEALED BY HEATED TAPE
- * OUTSTANDING VISIBILITY - DAY OR NIGHT
- * TWO 3-WAY POCKETS
- * PEN LIGHT / PENCIL POCKET LEFT SLEEVE
- * SHELL IS LINED WITH BRUSHED TRICO
- * LINER OF WARM THINSULATE
- * COLOR OPTIONS - RED, ROYAL OR NAVY



- * CUSTOM SIZING

* Hood Zipped in collar. * Trims included



EMS TROUSERS

- * FLUID RESISTANT FABRIC LIKE COAT
- * DOUBLE FABRIC LAYER ON KNEES
- * AMPLE, FUNCTIONAL SIDE POCKETS
- * TRIM TO MATCH JACKET
- * PANT CUFFS WITH ELASTIC AND ZIPPERS
- * COLRS - RED, ROYAL OR NAVY
- * CUSTOM SIZING

Meeting Date: 9/27/95

Agenda Item: C - 6

CITY OF FALCON HEIGHTS

REQUEST FOR COUNCIL CONSIDERATION

ITEM DESCRIPTION: Request for variance to Chapter 9-13.04 subd. 6 (a) of the zoning code to permit two access drives to the property at 1386 Idaho Avenue

SUBMITTED BY: Michael Zalk and Sissel Iltstad, Property Owners

REVIEWED BY: Planning Commission
Susan Hoyt, City Administrator
Carla Asleson, Administrative Assistant/Planner

EXPLANATION/SUMMARY:

Attached is the information related to this variance that will be presented to the Planning Commission at their September 25, 1995 meeting. After the planning commission decides whether to recommend approval or denial of this particular request, staff will prepare the appropriate resolution(s) and bring them to the council meeting for action on Wednesday evening.

ACTION REQUESTED:

Consider the recommendation of the Planning Commission and approve Resolution 95-27 (will be distributed to the council prior to the meeting).

City of Falcon Heights
Planning Commission
September 25, 1995

ITEM: Request for a variance to Chapter 9 §13.04 Subd. 6(a) of the zoning code to permit two access drives to the property at 1386 Idaho Avenue

SUBMITTED BY: Mr. Michael Zalk, property owner
Ms. Sissel Iltstad, property owner

REVIEWED BY: Susan Hoyt, City Administrator
Carla Aselson, Planner

STAFF REPORT:

Request. Mr. Zalk is requesting a variance to Chapter 9 §13.04 Subd. 6(a) of the zoning code to permit two access drives to the double, tandem garage that he proposes to build on his property to replace the existing single car garage. No other variances are required for the construction of the proposed garage, which will be three feet from the sidelot line, because the existing garage is currently located at the three foot setback.

Proposal. Mr. Zalk wants to replace an existing garage with a tandem, double garage (cars end to end - rather than side by side). He wishes to provide access to the garage from the existing front driveway as well as to create access from the rear alley with a six foot drive. This would create the most efficient ingress and egress of the two cars to the proposed garage because both would have immediate driveway access.

Proposal's conformity to the existing code. As Mr. Zalk points out in his letter, a tandem garage will maintain the open space and an existing tree in his rear yard whereas a standard double garage would not. The proposal for the tandem garage already conforms to the zoning code and can be constructed without a variance. However, Mr. Zalk wishes to have independent access for two cars to the garage. This requires two entrances to the garage and, therefore, he is requesting the variance to the zoning code.

In sum, the variance is being requested to maximize the access to the proposed garage for two vehicles.

Question before the commission. The commission must ask if there is a unique characteristic with this property that creates a hardship and justifies granting a variance so the property owner can enjoy his full property rights.

In Northhome most interior properties (corner lots are different) are accessed from the alley and the city encourages maintaining the design of alley access in this area. The zoning code has been revised to accommodate requests for double garages in the rear lots with alley access.

The property under consideration is one of six properties in the Northhome neighborhood that has a detached garage entirely in its rear yard with driveway access from the street rather than from the alley. There are fourteen attached garages with driveway access from the street. Staff estimates that there are a total of 237 interior lots off of alleys. Again, because of their configuration corner lots often have street rather than alley access.

Therefore, this property is uniquely situated because it does not have alley access for its detached garage. By far the majority of properties, especially those with detached garages, already use alley access. Corner lots are not considered here because they usually have access from the street.

Proposal's conformance to the intent of the zoning code.

The purpose of limiting access to one driveway in residential zones is 1) to protect public safety by having only one driveway entrance onto a street from each lot and, therefore, reduce the number of places traffic can enter and exit the street and 2) to minimize the amount of area that might be paved for driveways.

Mr. Zalk points out that the intent of his proposal is to maximize open space on his property and to minimize paving a large area for garage and parking space. Clearly, the design does maximize open space in the rear yard. The planned additional driveway alley is six feet of pavement. The alternative proposals for double garages that conform to the zoning code and provide easy accessibility to the garage from the front or the rear of the yard would require eliminating more green space and removing the tree in the rear yard. The second driveway access from this property would mean additional vehicle trips down the alley, but it is unlikely these would create an additional safety hazard.

Alternatives. There appear to be two alternatives to this request for a variance.

1. Deny the request because there is not a demonstrated hardship nor unique characteristic on this property that justifies approving a variance for more efficient access to the proposed garage.
2. Approve the request for a variance because:
 - a. The property is uniquely situated as one of six properties that has an

Michael D. Zalk and Sissel H. Istad
1386 Idaho Avenue West
Falcon Heights, Minnesota 55113

September 12, 1995

City of Falcon Heights
Planning Commission
City of Falcon Heights
2077 West Larpenteur Ave.
Falcon Heights, MN 55113-5594

Re: Request for Variance Permitting Dual Driveway Access; Proposed Garage at 1386
Idaho Avenue West

Dear Commissioners:

This letter is submitted in support of our application for a variance necessary to allow the construction of a double tandem garage with dual driveway access at 1386 Idaho Avenue West. We are informed that a tandem garage proposal with only one driveway access, either to the street or the alley, would not require a variance.

The dual driveway access request arises out of the proposal for a double tandem garage design, which enables a double garage on our property without removing or severely cutting back a mature birch tree. The tree is centered approximately 29 feet from the eastern boundary of the property, with branches at a height of 7 feet as near as 23.5 feet to the eastern boundary. We believe that this design is the only practical solution to preserving the tree in its present condition while building a double garage.

The tandem garage design, however, is extremely unpractical if access is not permitted from the existing driveway and the nearby alley. We believe that the code provision denying more than one access in this unique case imposes a particular hardship, and as noted below, a less safe situation for ingress and egress. This arrangement has worked well for one other house in our neighborhood, at 1375 Idaho, where access to the driveway for a double tandem garage from both street and alley was apparently allowed during original construction.

Permitting two access points to the driveway will permit safer exits from the garage itself, by permitting vehicles to exit forward to the alley, rather than by backing 100 feet to the street as is currently required. We understand that the purpose of the driveway access rule was principally to limit the amount of paving, and we believe that our proposal does not violate this intent. The driveway extension to the alley as proposed will travel only 6 feet, contributing only a small additional amount of paving to the property.

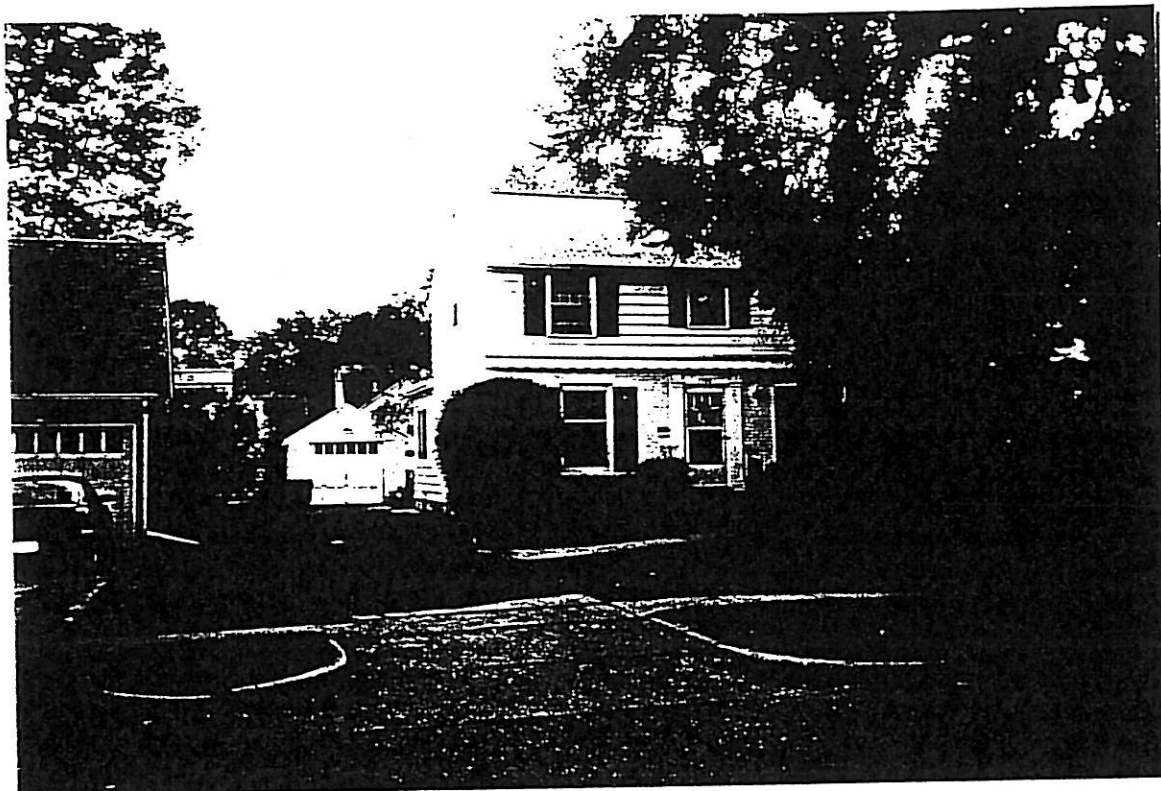
Thank you for your consideration of this application.

Very truly yours,

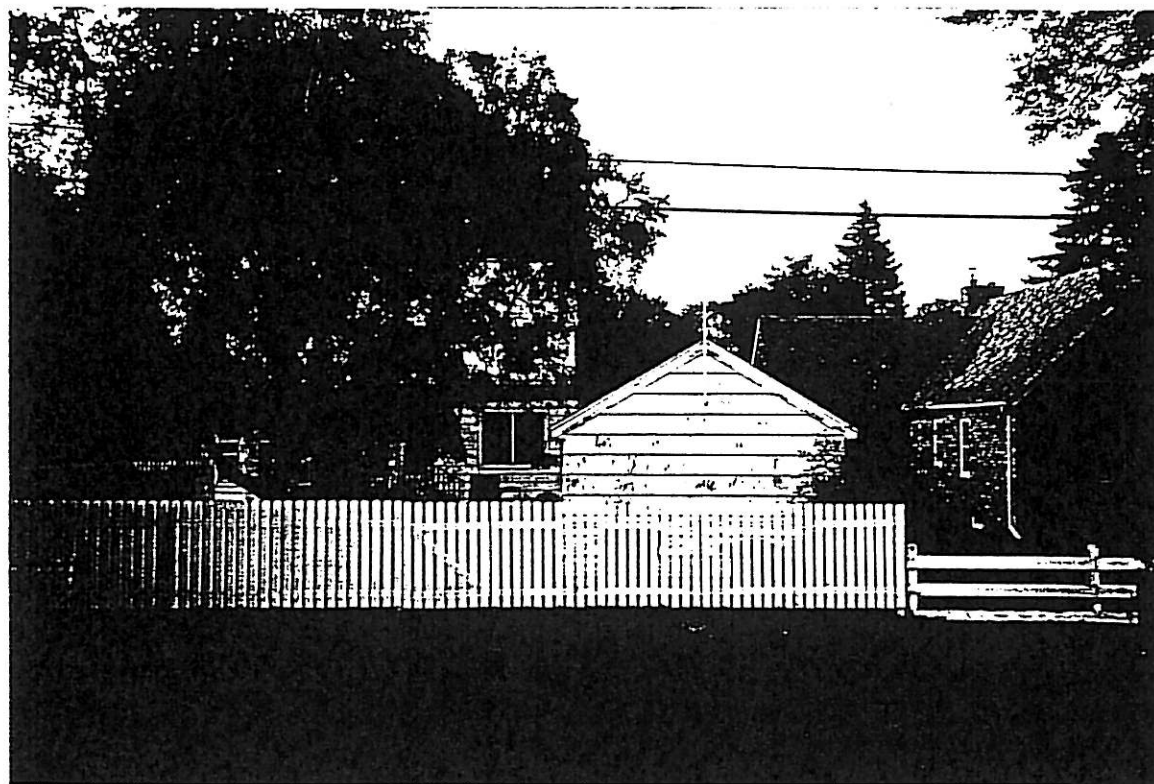


Michael D. Zalk

PHOTOS OF 1386 IDAHO AVENUE WEST

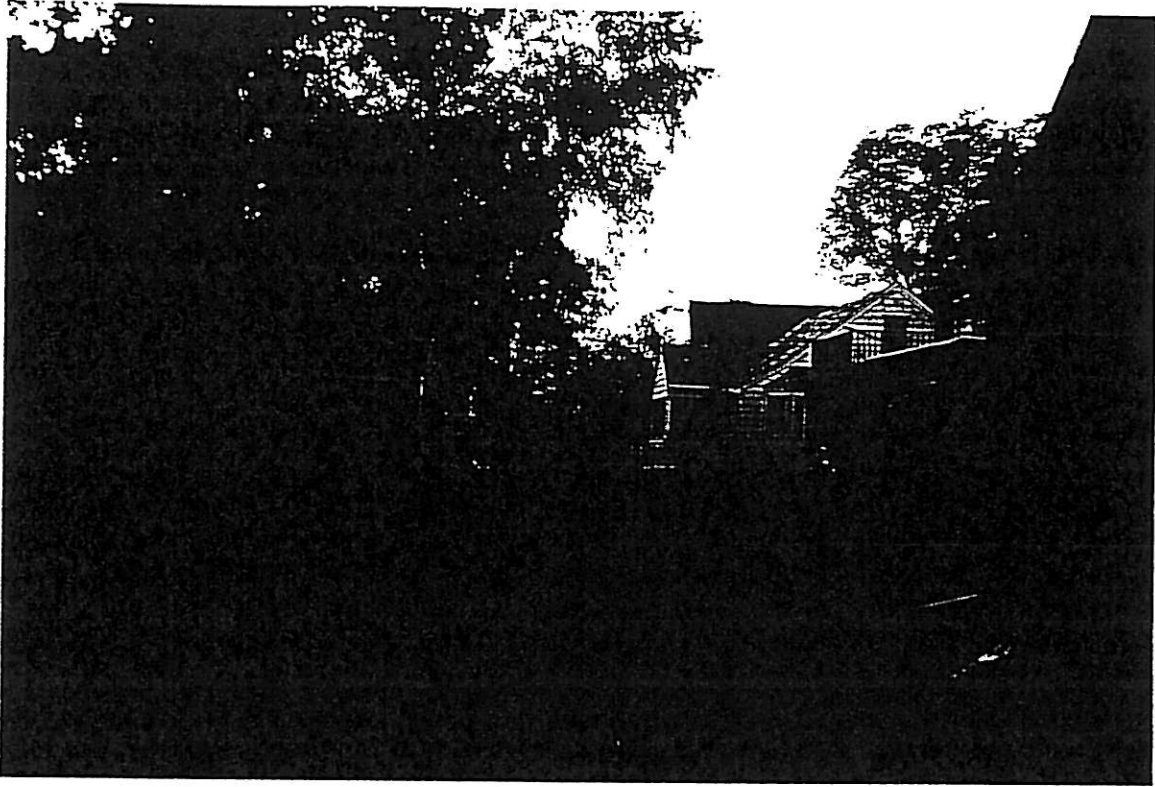


View from Idaho Avenue toward South

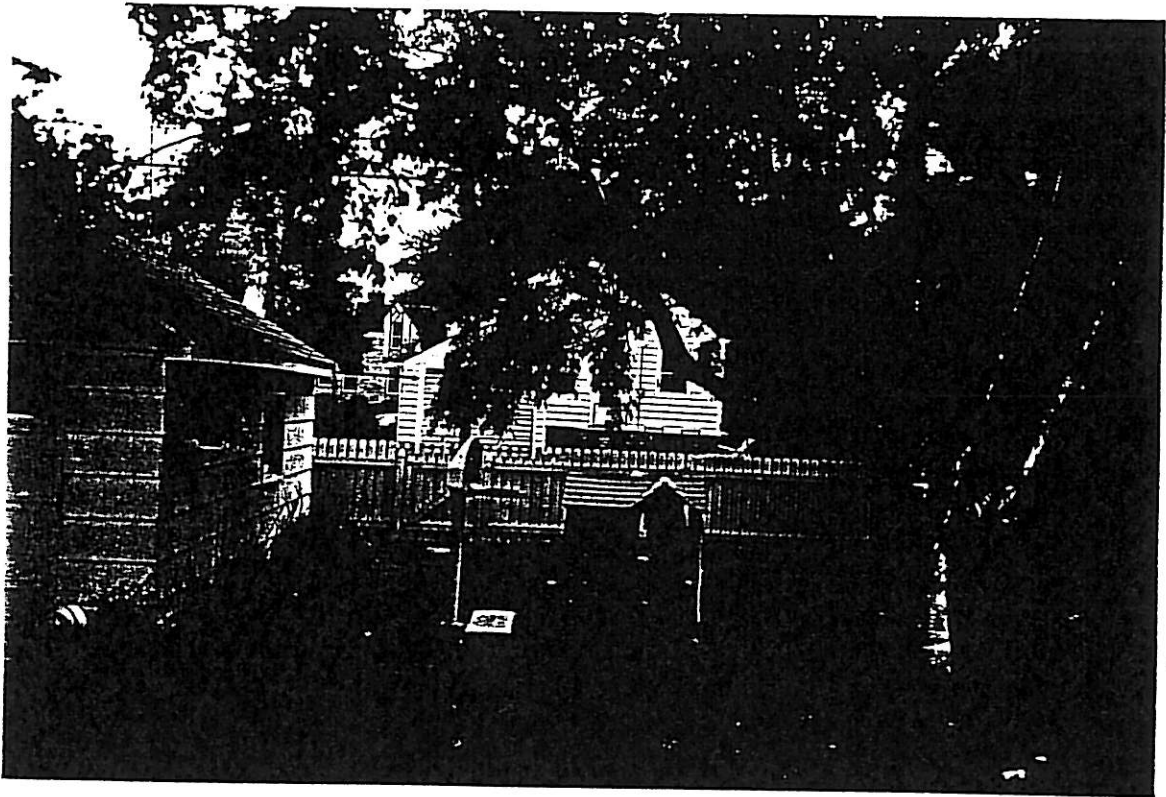


View from Alley toward North

(over)



View from Neighboring Property toward West



View from House at 1386 Idaho toward South

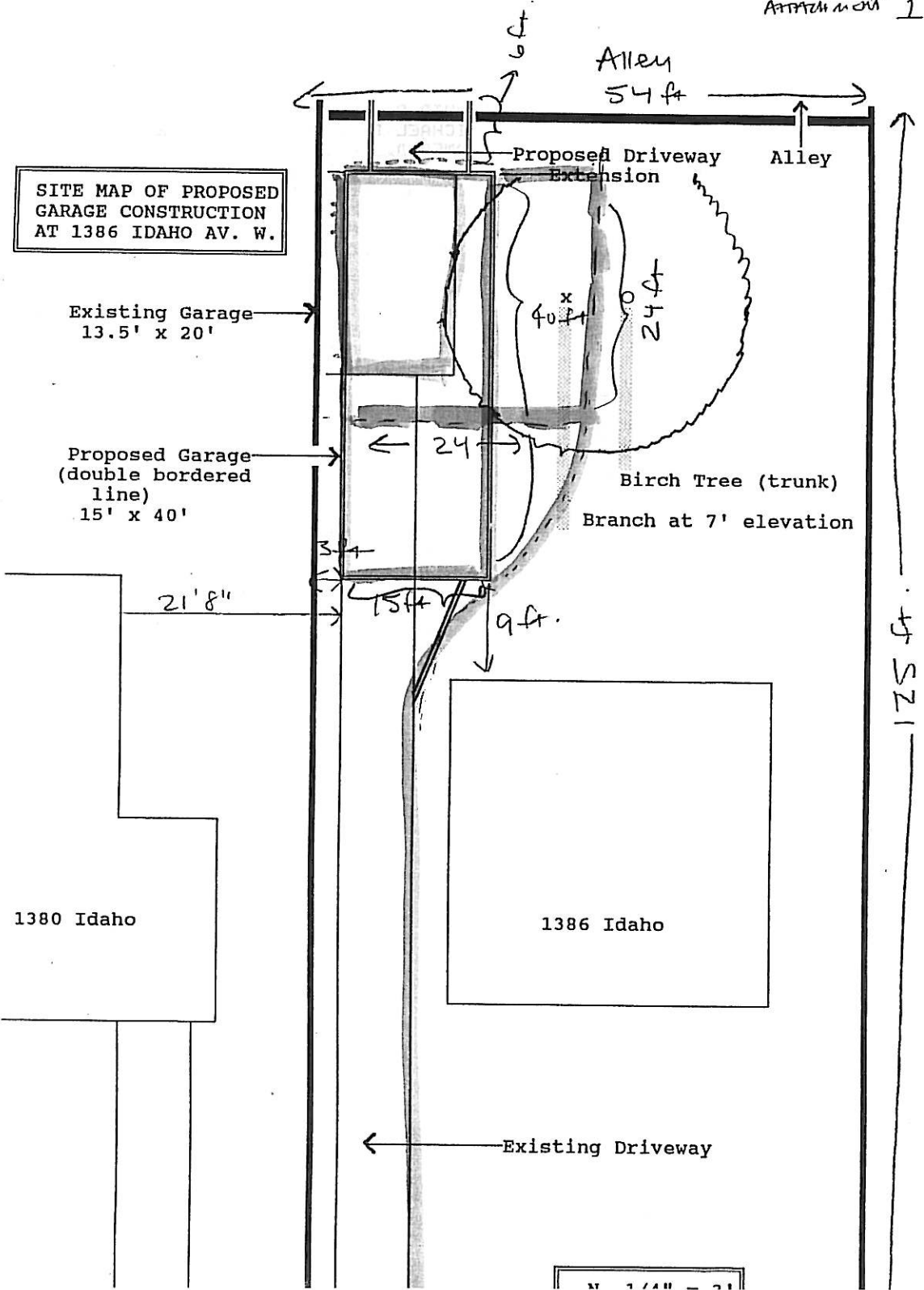
Subdivision 4. Standards for Granting of Variance. No variance shall be granted unless the City Council shall make without qualification on the basis of evidence presented at the meeting the following findings:

- a. That the granting of the variance will not be detrimental to the public welfare;
- b. That the granting of the variance will not substantially diminish or impair property values or improvements in the area;
- c. That the granting of the variance is necessary for the preservation and enjoyment of substantial property rights;
- d. That the variance will not impair an adequate supply of light and air to adjacent property;
- e. That the variance will not impair the orderly use of the public streets;
- f. That the variance will not increase the danger of fire or endanger the public safety;
- g. Whether the shape, topographical condition or other similar characteristic of the tract is such as to distinguish it substantially from all of the other properties in the zoning district of which it is a part, or whether a particular hardship, as distinguished from mere inconvenience to the owner, would result if the strict letter of the Chapter were carried out;
- h. Whether the variance is sought principally to increase financial gain to the owner of the property, and to determine whether a substantial hardship to the owner would result from a denial of the variance;
- i. Whether the conditions which give rise to the application for the variance arose after the adoption of this Chapter of the Code of the City of Falcon Heights or any amendment thereto which placed the tract in a zoning district different from what it was under the Chapter. In the consideration of this item, the City shall make diligent inquiry as to all changes in the property and shall refuse to grant the variance if the problem is one that can be solved through a proper application of a conditional use permit or an amendment of the Zoning code. Financial hardship shall not be a basis for the granting of a variance when the owner purchased the property in reliance on a promise that a variance would be granted, and the City shall dismiss the appeal if it shall appear that the property was purchased on such reliance.

Subdivision 5. Conditions. The City may attach such conditions to the grant of the variance as it shall determine will be necessary or desirable to bring it within the purpose and intent of the Chapter. A public record shall be maintained of such conditions.

ATTACHMENT 1

SITE MAP OF PROPOSED GARAGE CONSTRUCTION AT 1386 IDAHO AV. W.



Existing Garage
13.5' x 20'

Proposed Garage
(double bordered line)
15' x 40'

Alley
54 ft

Proposed Driveway
Extension

Alley

40' x 20'

24'

Birch Tree (trunk)
Branch at 7' elevation

21'8"

3'

15 ft

9 ft.

125 ft

1380 Idaho

1386 Idaho

Existing Driveway

Meeting Date: 9/27/95

Agenda Item: C - 7

CITY OF FALCON HEIGHTS

REQUEST FOR COUNCIL CONSIDERATION

ITEM DESCRIPTION: Authorization for staff to apply for the 1995 Unitree Neighborhood Tree Planting Grant established by Foster-Wheeler Twin Cities, Inc. and the University of Minnesota

SUBMITTED BY: Linda Treeful, City Forester

REVIEWED BY: Carla Asleson, Administrative Assistant/Planner

EXPLANATION/SUMMARY:

Foster-Wheeler Twin Cities, Inc., the contractor operating and renovating steam plants at the University of Minnesota, is contributing \$50,000 per year for each of the next 25 years for tree planting in neighborhoods adjacent to the University of Minnesota and on the campus itself. Falcon Heights is one of eight neighborhoods and cities that is eligible to receive funding. The primary purpose of this program's tree planting is for energy conservation through urban reforestation and for absorption of carbon dioxide vehicle emissions by trees and shrubs.

The city staff would like to submit a grant application for funds to plant additional trees at Community Park and Curtiss Field. A grant for these trees was submitted to the Small Business Administration last year, but that program's funding was cut and therefore most of the park trees included in that grant have not been planted. The Unitree grant requires that the city provide cash match of \$10 per tree and pay for 50% of project costs such as labor and administrative time. The city's share would be covered by the amount budgeted in the 1996 tree planting budget.

ACTION REQUESTED: Authorize application for the 1995 Unitree Neighborhood Tree Planting Grant

Meeting Date: 9/27/95

Agenda Item: P - 1

CITY OF FALCON HEIGHTS

REQUEST FOR COUNCIL CONSIDERATION

ITEM DESCRIPTION: Adoption of revised fee schedule

SUBMITTED BY: Carla Asleson, Administrative Assistant/Planner

EXPLANATION/SUMMARY:

As directed at a previous council meeting, staff has prepared the city's fee schedule to be deleted from the city code and placed instead in the administrative manual. This will allow the city council to amend the fee schedule without adopting and publishing a formal ordinance each time. A resolution (which does not require publication) can instead be passed when a fee is to be amended.

The procedure used to do this is as follows: 1) adopt Resolution 95-23 adding the fee schedule to the administrative manual; 2) adopt Ordinance 95-05, deleting the entire fee schedule from the code book; and 3) in order to fulfill legal requirements, adopt Ordinance 95-06 which places a section on utility fees back into the code book.

Resolution 95-23 makes some changes to the fee schedule as it currently exists. All proposed changes, additions, and corrections are indicated by redline and strikeout in the proposed resolution. Most of these changes have been discussed previously by the city council, including changes to the precious metal dealer's license fee, ambulance fees, fees for unspecified requests to the city, and the base fee for the rental of city hall. Rental fees for park buildings are proposed to remain the same at this time. Staff has added a fee for mailed subscriptions of city council and planning commission minutes. Several individuals and companies already receive mailed copies of the council agenda cover sheets and some have requested regular mailings of the minutes as well.

ACTION REQUESTED:

Adopt the following items separately:

1. Resolution 95-23
2. Ordinance 95-06
3. Ordinance 95-07

CITY OF FALCON HEIGHTS
COUNCIL RESOLUTION

Date: September 27, 1995

A RESOLUTION ADDING FEE SCHEDULE TO THE CITY'S ADMINISTRATIVE MANUAL

WHEREAS, the city's fee schedule has previously been included as a part of the city code; and

WHEREAS, it is unnecessarily complicated to makes changes to the city fee schedule when it is included as a part of the city code; and

WHEREAS, the fee schedule could be made a part of the city's administrative manual and be easier to amend as necessary.

NOW, THEREFORE, BE IT RESOLVED that the city council of the City of Falcon Heights adds the city fee schedule, attached to this resolution as Exhibit A, to the city's administrative manual.

Moved by: _____

BALDWIN
GEHRZ ___ In Favor
GIBSON TALBOT
HUSTAD ___ Against
JACOBS

Approved by: _____

Mayor
September 27, 1995
Date

Attested by: _____

City Clerk
September 27, 1995
Date

F. FEE SCHEDULE

EXHIBIT A

A. Business Licenses. Fees for business licenses are as follows:

<u>Fee</u>	<u>Item</u>
\$30.00	Amusement machines & pool tables
300.00	Bottle Club
180.00	Bowling Alley
250.00	Cigarette
30.00	Contractors
	Filling Stations
100.00	Basic
400.00	for 15-20 hours
500.00	for 20+ hours
800.00	Game Arcades/Pool Halls
50.00	General Business
35.00	Itinerant Salespersons & Solicitors
4,000.00	Liquor
200.00	Sunday Liquor
150.00	Liquor Store, Off-sale
25.00	Liquor Special Event, Consumption and Display Only
150.00	Malt Beverage, Off-Sale
500.00	Malt Beverage, On-Sale
1.00	Malt Beverage, On-Sale with wine license
	Precious Metal Dealer
1,500.00	Investigation fee - If the investigation and verification process is conducted solely within the State of Minnesota, the fee shall be \$500, and the remainder of the deposit shall be returned to the applicant. If the investigation and verification process is conducted outside the State of Minnesota, the issuing authority may recover the actual investigation costs not exceeding \$1,500.00. (O-94-07 dated 3/23/94)
2,600.00	License fee (based on 2 hours/week of police review of records)
2,000.00	
70.00	Refuse Haulers
	Restaurants
100.00	Basic
400.00	If over 15-20 hours
500.00	If over 20 hours

200.00	Therapeutic Massage License
100.00	Investigation fee
2,000.00	License fee
	Wine

B. Permit Fees.

1. Building Permit fees are as adopted under the Uniform Building Code.

2. Relocation of Structure or Building.

Fee
\$150.00

3. Demolition or Removal of Structure or Building.

Fee
\$1.25/1,000 cu. ft. - Minimum of \$50.00

4. Mechanical Permit Fees.

<u>Fee</u>	<u>Item</u>
\$25.00	1. Basic
5.00	2. Each appliance. (machine, device, heater, range, refrigerator, gas dryer, gas stove, gas hot water heater or other appliance) requiring the use of manufactured gas, natural gas or liquid petroleum gas
10.00	3. Gas Piping. \$500 valuation or less (repair or installation)
4.00	Each additional \$500 cost of repair or installation
	4. Gas Burners or Gas Burner Equipment or Oil Burning Furnace or Boilers
20.00	First 200,000 BTU input or less
3.00	Each additional 1,000 input or fraction thereof
175.00	Maximum fee for each unit

	5. Steam, Water, Air or Hot Water Heating System.
25.00	First 200,000 BTU input for construction of alteration or any warm air furnace duct work
4.00	Each additional 100,000 BTU input or fraction
25.00	First 200,000 BTU input per unit for construction or alteration of any warm air furnace duct work
4.00	Each additional 100,000 BTU input or fraction
25.00	First 200,000 BTU input per unit for installation or replacement of each steam or hot water system
4.00	Each additional 100,000 BTU's or fraction thereof (240 x EDR = BTU's/hr)
15.00	Per unit on unit heaters, based on first 100,000 BTU input
3.00	Each additional 100,000 BTU input or fraction thereof
	6. Incinerators
15.00	Installation or repair of each <u>domestic</u> incinerator
50.00	Installation or repair of each <u>commercial</u> incinerator.
	7. Air Conditioning and Refrigerator Work
20.00	First 5 tons of any air conditioning or refrigeration project (60,000 BTU's)
3.00	Each additional ton or fraction thereof (12,000 BTU's)
175.00	Maximum fee per unit
25.00	First 5 tons (60,000 BTU's) of cooling for duct work for air conditioning
3.00	Each ton (12,000 BTU's or fraction thereof over first 5 tons for duct work for air conditioning
	8. Ventilating Systems
25.00	First 2,000 CFM per unit
5.00	Each additional 1,000 CFM or fraction thereof per unit
5.00	Each bathroom exhaust fan in a multiple dwelling
	9. Solar Heating
25.00	Each installation

5. Plumbing Permit Fees

25.00	Basic
7.00	Per fixture

6. Sewer Connection or Repair

25.00

7. Water Connections

62.00	3/4"
115.00	1"
265.00	1-1/2"
470.00	2"
1,080.00	3"

C. Planning Fees

500.00	Comp Plan Amendment
165.00	Conditional Use Permit
250.00	Lot Split
500.00	P.U.D.
500.00	Re-zoning/Zoning Amendment
300.00	Subdivision (more than one new lot)
50.00	Variance

D. Facility Rental Fees. Private use of public facilities is permitted on a space available basis. Reservations are required and security deposits may be required for private use of the following community facilities:

1. Park Facilities

a. Seasonal Use, Field Rental (one day/week)

<u>Fee</u>	
\$100.00	Community Park (includes access to bathrooms)
50.00	Curtiss Field
50.00	University Grove

b. Occasional Use (field rental each time)

Fee

20.00 w/bathroom \$10.00 no. b.r. (Comm. Park)
15.00 w/bathroom 10.00 no b.r. (Curtiss Field)
15.00 for University Grove park

2. Park Buildings

a. **Community Park**

Fee

Item

\$50.00 per 6 hour shift or portion of a shift.

Additional fee of \$5.00 per hour in excess of the 6 hour shift plus any set-up cost if set up is requested.

30.00 for two hours or less when building use is limited to multi-purpose space (kitchen use is limited to coffee pot and/or refrigerator)

b. **Curtiss Field Building**

Fee

\$20.00

1. Deposit

Fee

\$100.00 Deposit required for any use when a key to the building is requested. This will be treated as a deposit for building and equipment repair when damage is caused by a rental party and/or for time spent cleaning when facilities are left in excessive disorder. If the building is left in good order and the key is returned, the full deposit shall be refunded.

c. **City Hall Facilities**

Fee

~~\$30~~ \$35/first 3 hours
~~\$20~~ \$15 each additional hour
\$35.00 set up
\$5.00 kitchen
\$25.00 conference room

E. Facility use by municipal and public service organizations, neighborhood, and community groups and local hobby clubs with specific criteria

1. Public facilities are available for use on a reservation basis.
2. The following shall be allowed free use of public facilities:
 - a. Specifically listed local service organizations:
 - League of Women Voters
 - Senior Citizens (Falconeers, Roseville Area Seniors)
 - Ramsey County League of Local Governments
 - League of MN Cities/Association of Metropolitan Municipalities
 - Watershed Management Organizations
 - Scouts, Brownie Troops, 4-H, Campfire
 - Neighborhood Groups (e.g. Grove Association; Maple Knoll Courtyard Homeowner's Assoc.
 - 55 Alive Mature Driving Class
 - Cable Commission
 - Developers when presenting to neighbors
 - Legislators for informational (non-campaign) meetings except after the filing date and before the November election of a legislative election year unless requested by a majority of the city council
 - Northwest Family Youth Service Bureau
 - Ramsey County Anti-Violence initiative
 - Area Youth Athletic Associations
 - Lauderdale and Falcon Heights Lions Club
 - Party precinct caucuses, legislated district conventions and county conventions under the requirements of MN. State Statute 202A.192
 - Groups which the City of Falcon Heights is a member of including the North Suburban Chamber of Commerce, the Mayor's Commission Against Drugs
 - b. Falcon Heights neighborhood or community based groups whose activities are open to all and for the sole purpose of developing, fostering and strengthening neighborhood and community well-being.
 - c. Hobby groups or clubs that meet all of the following criteria:

- 1) Falcon Heights based.
(A minimum of 25% of Falcon Heights residents are on-going members or participants.)
- 2) Non-profit
- 3) Open membership
- 4) Founded on a hobby
- 5) Actively reaches out to include people of different ages, especially youth, to encourage inter-generational exchanges of information
- 6) Encourages a community service and/or benefit component

d. The organization or group cannot be a private, business, political, or religious organization.

e. Any organization denied free use under this policy as defined in this section may appeal to the city council.

3. The Roseville Area Schools will be charged their own prevailing rates for use of city facilities.

F. Utility Fees

1. **Utility Charge Statements.** Statements for utility charges for the preceding quarterly period shall be mailed to each customer on the 20th day of December, March, June and September. Payments are due and payable on or before the last day of business of January, April, July and October.

2. **Penalty for Late Payment.** Each quarterly billing for utility fees not paid when due shall incur a penalty charge of ten percent (10%) on any unpaid balance. No penalty will be abated by the city council.

3. **Special Assessments.** All such fees which are not paid by due date shall be in default and the council may, in addition to other remedies, annually levy an assessment for any unpaid fees against each parcel of land serviced for which the fee is unpaid and in default. Any such assessment will include the penalties. Such assessment will be certified to the auditor of Ramsey County and collected and

remitted to the city in the same manner as the assessments for local improvements.

a. Sanitary Sewer.

<u>Fee</u>	<u>Item</u>
35.00	Single Family Residential
35.00	Apartments per unit
	Commercial and Industrial
35.00 minimum	
.010139	3,452 gallons and over

b. Storm Drainage

<u>Fee</u>	<u>Item</u>
\$3.25/lot	Single family and duplex
16.25/acre	Schools and institutions
32.50/acre	Multiple family residential, churches & government buildings
65.00/acre	Commercial
3.25/acre	Golf courses and open undeveloped areas

c. Recycling Fees

The owners of all residential property shall pay a fee for the collection and disposal of solid waste (including recyclable materials).

<u>Fee</u>	<u>Item</u>
\$4.60	Per housing unit including apartments

G. Miscellaneous Fees

<u>Fee</u>	<u>Item</u>
\$15.00/yr.	Agendas (Council or Planning)
\$35.00/yr.	City Council Minutes
\$20.00/yr.	Planning Comm. Minutes
20.00	Assessment search
35.00/unit/year	Multi-unit residence inspection
6.50	Maps (street, zoning, etc.)
25.00	Open burning permit (no charge for recreational fires)
.30/ea.	Xerox copies

H. False Alarm Fees

a. Fire False Alarms

\$175.00 for second false alarm and \$225.00 for the third and all subsequent false alarms at an address within one calendar year.

b. Security False Alarms

\$35.00 for second call and \$60.00 for the third and each subsequent false alarm at an address within a calendar year.

c. Penalties and Assessment

Penalties for late payment and assessment of unpaid fees are the same as stipulated for unpaid utility fees in Section 5-4.01, F(2)(3) of this code.

I. Parking Fees

<u>Fees</u>	<u>Item</u>
\$1.00/vehicle	Temporary parking permit (up to 3 weeks)
\$5.00/event	Temporary parking permit for 5 or more vehicles for a one-time, one-day event
100.00	Filing fee for residential permit parking application
	Annual residential parking permit
10.00 ea.	- First two vehicles
20.00	- Third and subsequent vehicles
5.00	Lost permit replacement

J. Ambulance Fees

The following fees will be charged for ambulance services. Supplies and mileage will also be billed at the current market rate.

1. Falcon Heights Resident

- a. Base fee - \$360.00
- b. Treatment/No transport - \$150.00

2. Lauderdale Resident

- a. Base fee - \$380.00
- b. Treatment/No transport - \$175.00

3. Other Resident

- a. Base fee - \$400.00
- b. Treatment/No transport - \$180.00

K. Fees for Unspecified Requests. A private party or public institution (hereinafter applicant) making a request to the city for approval of a project or for public assistance must cover the city's consultants' costs associated with reviewing the request. Prior to having the request considered by the city, the applicant must deposit an escrow fee in an amount that is estimated to cover the city's consultants' costs as determined by the city administrator. If the city's consultants' costs exceed the initial escrow deposited by the applicant, an additional escrow fee will be required to cover the additional costs. The city shall use the applicant's fees to cover the city's actual consultants' costs in reviewing the request regardless of the city's action on the applicant's request. If the applicant's escrow fees exceed the city's actual consultants' costs for reviewing the request, the remaining escrow fees shall be refunded to the applicant.

No. O-95-05

CITY OF FALCON HEIGHTS

ORDINANCE

Date September 27, 1995

AN ORDINANCE REPEALING SECTION 5-4.01 OF THE MUNICIPAL CODE

The City Council of the City of Falcon Heights does hereby ordain:

1. Chapter 5-4.01, entitled "License, Permit, and Other Fees" is hereby deleted in its entirety.
2. This ordinance, passed the 27th day of September, 1995, shall become effective upon publication.

Moved by: _____

BALDWIN
GEHRZ ___ In Favor
GIBSON TALBOT
HUSTAD ___ Against
JACOBS

Approved by: _____

Mayor
September 27, 1995
Date

Attested by: _____

City Clerk
September 27, 1995
Date

No. O-95-06

CITY OF FALCON HEIGHTS

ORDINANCE

Date September 27, 1995

AN ORDINANCE PERTAINING TO PAYMENT OF UTILITY FEES

The City Council of the City of Falcon Heights does hereby ordain:

1. Chapter 5 of the municipal code is hereby amended to add the following section:

5-4.01 Fees

1. Utility Charge Statements. Statements for utility charges for the preceding quarterly period shall be mailed to each customer on the 20th day of December, March, June, and September. Payments are due and payable on or before the last day of business of January, April, July, and October.
 2. Penalty for Late Payment. Each quarterly billing for utility fees not paid when due shall incur a penalty charge of ten percent (10%) on any unpaid balance. No penalty will be abated by the city council.
 3. Special Assessments. All such fees which are not paid by the due date shall be in default and the council may, in addition to other remedies, annually levy an assessment for any unpaid fees against each parcel of land serviced for which the fee is unpaid and in default. Any such assessment will include the penalties. Such assessment will be certified to the auditor of Ramsey County and collected and remitted to the city in the same manner as the assessments for local improvements.
2. This ordinance, passed on the 27th day of September, 1995, will become effective upon publication.

Moved by: _____

BALDWIN
GEHRZ ___ In Favor
GIBSON TALBOT
HUSTAD ___ Against
JACOBS

Approved by: _____

Mayor
September 27, 1995
Date

Attested by: _____

City Clerk
September 27, 1995
Date

**CITY OF FALCON HEIGHTS
REQUEST FOR COUNCIL CONSIDERATION**

ITEM DESCRIPTION: DISCUSSION of the proposed acquisition of the Troutbrook stormsewer interceptor

SUBMITTED BY: Susan Hoyt, City Administrator

REVIEWED BY: Terry Maurer, City Engineer

EXPLANATION/SUMMARY:

The Metropolitan Council is proposing to "turn back" the Troutbrook stormsewer to the contributing communities by proportion of total land area in the Central Ramsey Watershed

Maplewood	7.9%
Falcon Heights	3.0%
Roseville	24.3%
St. Paul	64.8%

This stormsewer was originally owned and managed by St. Paul. The proposal for turning back the ownership of the stormsewer includes two items:

1. Purchase of the stormsewer from Metro Council for \$1,350,559.
 - Falcon Heights's share is based upon the 3% land area or \$78,103.
 - Financed at 4% over thirty years
 - Annual fee of \$2,342 for 30 years

2. Maintenance and major repair costs.
 - St. Paul would maintain and contract for major repairs of the facility.
 - The initial repair and reconstruction was \$556,000 for all cities
 - Falcon Heights's share \$16,680

(All costs would come out of the city's stormwater fund, which is financed by a stormwater fee.)

Questions to go over:

1. Very brief history of how this came to be
2. Why are we being asked to purchase the existing stormsewer?
3. Why are we being asked to own and maintain for the future

ATTACHMENTS:

- 1 - Narrative of the Troutbrook conveyance project
- 2 - Brief history of the Troutbrook Interceptor
- 3 - Map of the Troutbrook Interceptor
- 4 - Map of the Central Ramsey Watershed District

ACTION REQUESTED:

Explanation by Terry Maurer
Discussion over the key points

CONVEYANCE OF THE TROUTBROOK INTERCEPTOR TO THE COMMUNITIES LOCATED WITHIN THE CENTRAL RAMSEY WATERSHED

ISSUE:

A Metropolitan Council Study Group was established in May of 1994, to review the issue of the reconveyance of the Beltline and Troutbrook Interceptors. In November of 1994, the study group completed its review of the Beltline Interceptor and made recommendations to the Metropolitan Council. In January of 1995, the study group began a series of meetings with the Central Ramsey Watershed communities to discuss the conveyance of the Troutbrook Interceptor.

BACKGROUND INFORMATION:

In 1981, the Mayor's Lake Overflow Task Force was formed to plan for the effective management of the lake overflow waters from Lake Phalen, McCarrons Lake, Como Lake and Beaver Lake located within Ramsey County. The overflow from the lakes was entering the Metropolitan Disposal System and the City of St. Paul was being billed for the overflow water as metered at the Metro Plant. As a result of early discussion by the task force, in 1981, the Metropolitan Waste Control Commission began billing the cost for the collection and treatment of the overflow water to the other tributary communities as well as St. Paul.

In November of 1984, the Metropolitan Council received the recommendations of the Task Force and adopted a resolution supporting the recommendations. The recommendation of the Task Force was for the former MWCC to construct the Middle Beltline and Troutbrook Interceptors, initiate an inspection of the interceptors and negotiate an agreement for reconveyance of the interceptors to the City of St Paul for use as storm sewer. The recommendations of the Task Force called for the active support of the appropriate watershed management entity eventually taking over the maintenance of the interceptors.

From 1987 through 1991, the Commission constructed both the Middle Beltline and Troutbrook Interceptors at a combined cost of approximately \$30 million. It was estimated that it would have cost approximately \$50 million to construct new storm sewers.

In 1989, an agreement for the reconveyance of the interceptors was negotiated with the staff of the City of St. Paul, but never received City Council acceptance. The MWCC then adopted the attached policy for the reconveyance of interceptors in 1989, based on the draft agreement. In 1993, the St. Paul City Council determined that it was not in the city's best interest to become the sole owner of the interceptors and requested that the Metropolitan Council convene all of the Beltline and Troutbrook communities again to determine a more equitable and satisfactory solution. In May of 1994, the Metropolitan Council initiated this effort.

Brief History of the Trout Brook Sewer System

Central Ramsey Watershed Management Organization: (Source: Central Ramsey WMO Plan.)

The Trout Brook Sewer System is located in the Central Ramsey WMO. The watershed totals 8025 acres which is located in the following communities:

St. Paul	5197 acres
Maplewood	634 acres
Roseville	1950 acres
Falcon Heights	244 acres

Overflows from two watersheds draining from Lake Como and Mc Carrons Lake enter the Trout Brook System. The bulk flows from the two lakes represent overflows from special structures set up to prevent flooding around the lakes. These lakes provide significant attenuation of peak flows by acting as detention areas. The drainage areas listed above include drainage to the two lakes and direct runoff.

Lake Como had no outlet before completion of the Trout Brook Sewer. In fact, the outlet structure wasn't built until the early 1960's. The Department of Public Works has retained a letter file circa 1960 to 1961 explaining the need for an overflow to prevent flooding in Como Park. (Source: letter file kept by the Sewer Engineer.)

The flows from Mc Carrons Lake and from Maplewood and Roseville to the Trout Brook are limited by 2 - 36 culverts, which provide a control over the peak rate of flow in the original Trout Brook ditch as it enters St. Paul. The overflow structure at Lake Como limits peak flow from that source.

General History:

A natural stream bed called the Trout Brook seems to have existed for many years dating back to prehistoric times, perhaps the time of the last glacier. Buried geologic formations indicate that before the Mississippi River found its current bed, that a large stream followed this course. Test holes taken for construction in the Trout Brook Valley and past construction history shows a great deal of peat or other organic soils. (Source: Ramsey County Geologic Atlas, Minnesota Geological Survey, 1992.)

Changes in surface geologic features have removed most of the source water. Therefore, in the history of Saint Paul as a city, the stream has been modest. The Maplewood Drainage Plan indicates a peak discharge in the Trout Brook at Larpenteur to be 58 cfs. Of this 40 cfs is overflow from Mc Carrons Lake. (Source: Maplewood Drainage Plan, Barr Engineering, 1974.) (Also cited in the Central Ramsey WMO Plan.) This is a peak flow when the Lake overflows to the ditch and not an average. This source of flow is not a persistent discharge.

The general route of the Trout Brook as a natural drainage way, followed a natural valley formed as a result of its geologic history. City maps indicate that this valley was the routes followed by the Northern Pacific Railroad (a route still occupied by the Burlington Northern) and the Soo Line Railroad. In more recent years, the city map shows that Interstate Highway 35E followed the same general corridor. These transportation links, important to the entire state and region, required a reliable drainage system, in order that severe storms should not cause damage to their facilities. (Source: City standard maps, and state Highway Right of way maps.)

Downstream sections of the Trout Brook sewer were built by the railroads, some before the 1900's. They were constructed of large limestone blocks. As the city developed, this drain was taken over by the City of St. Paul as a major trunk sewer. For years raw sewage had flowed through an open ditch evidence of a partly completed drainage system. The sewer as it was, passed between the embankments for several railroad tracks. Whatever, parts of the stream that were enclosed or followed a man made ditch were constructed by the Railroads to accommodate their tracks. (Source: "The Combined Sewer Problem, An Historical Perspective," By Jack DesLauriers, President of Continental Tunneling Corporation, formerly St. Paul Sewer Engineer 1954 - 1968. Report published August, 1984.)

All this occurred within a mile of the State Capitol Building. Sewage from many suburbs used the trunk line, including St. Paul, Roseville, Arden Hills, Falcon Heights, Maplewood, Little Canada, Vadnais Heights and Shoreview. Sewer Separation, and sanitary Interceptor construction have alleviated the situation.

Problems with the creek beds of the city became apparent at an early date. The Trout Brook and Phalen Creek joined about a mile from the river to form one outlet to the river. Both had been confined to sewers due to the railroads and both had been used to receive sewage. A long time frustration of City Engineers was the inability to fund enclosure of the creeks for their entire lengths. The flows in both streams were intermittent. That is, during certain periods of the year there was not sufficient water running to carry off the sewage. As early as 1890, the City Engineer proposed enclosure of the creeks for the purpose of public health. (Source: Annual Report of the City Engineer, 1890.)

The original creeks near the center of the city, Trout Brook and Phalen Creek did little to enhance the city. They were nearly dry during several months of the year, they caused flooding during peak rainfall events, they were enclosed in underground sewers for many lengths due to development, especially by the railroads, due to lack of funds they could not be completely enclosed and the choice was to drain sewage to them or not have sewers at all in some areas of the city. By the time of World War I, the problem of the old Trout Brook had become a detriment to the surrounding land. In 1918, a time when construction was extremely limited due to World War I, City Engineer, Oscar Claussen, wrote a report proposing a Bonding Program for Trunk Sewer Construction to alleviate the problems forced on the city by the situation.

(Source: for the preceding paragraph and those that follow, Annual Report of the Commissioner of Public Works, 1918.)

For Public Health and Welfare, all cities found the need to drain off sewage. After time it was found in the public interest to provide storm drainage as well. Cities had no sewers at all before the time St. Paul started to keep records in 1873. Due to public demand for storm drainage, Mr. Claussen reports that many relief sewers were needed and new systems planned, and that the "new sewers to be planned must be designed of much larger capacity than twenty five or fifty years ago."

The city Charter in effect at that time limited financing sewer construction to assessments against the tributary area. The front foot assessment for the proposed trunk sewers would have been extremely high. Speaking of the Trout Brook and Phalen Creek, Mr. Claussen states, "these combination creek and sewers do not only drain city property but property located outside the city limits. Draining property outside the city limits will be more and more the case, when property adjacent but within the city limits is sewerred and drained which means that this property which is low in value will have to carry an extra burden, as the sewer draining same will have to be made big enough to take care of the run off of property, outside as well as inside the city." Therefore, sewer construction planned would enhance the property values of land inside and outside the city, and assessments against benefited property was unfair, because in the future developing land would benefit. This argument was used to favor a large bond issue.

After the war, the city did pass such a bond issue which financed a number of trunk sewer projects, including the Belt Line and the Trout Brook. The previously constructed sewers done from the 1880's to 1910, reached from Fourth Street to Minnehaha. The Trout Brook / Maryland / Como Sewer System was completed from 1925 to 1927. (Annual Reports of the Commissioner of Public Works for 1926 and 1927.) The reported drainage area was four square miles in the north central part of the city. It might be assumed that this four square miles refer to that area upstream of Minnehaha.

The MSSD and treatment of sanitary sewage.

Diversion of dry weather flow to the Main Interceptor.

Sewer separation -- CSSP.

storm sewer construction.

new outfall sewer below Fourth Street.

relief of existing storm trunk from Fourth to Minnehaha.

relief of upper Trout Brook by use of storm water detention.

construction of new Trout Brook Interceptor and branches.

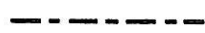
TROUTBROOK INTERCEPTOR



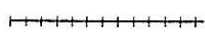
Troutbrook Interceptor



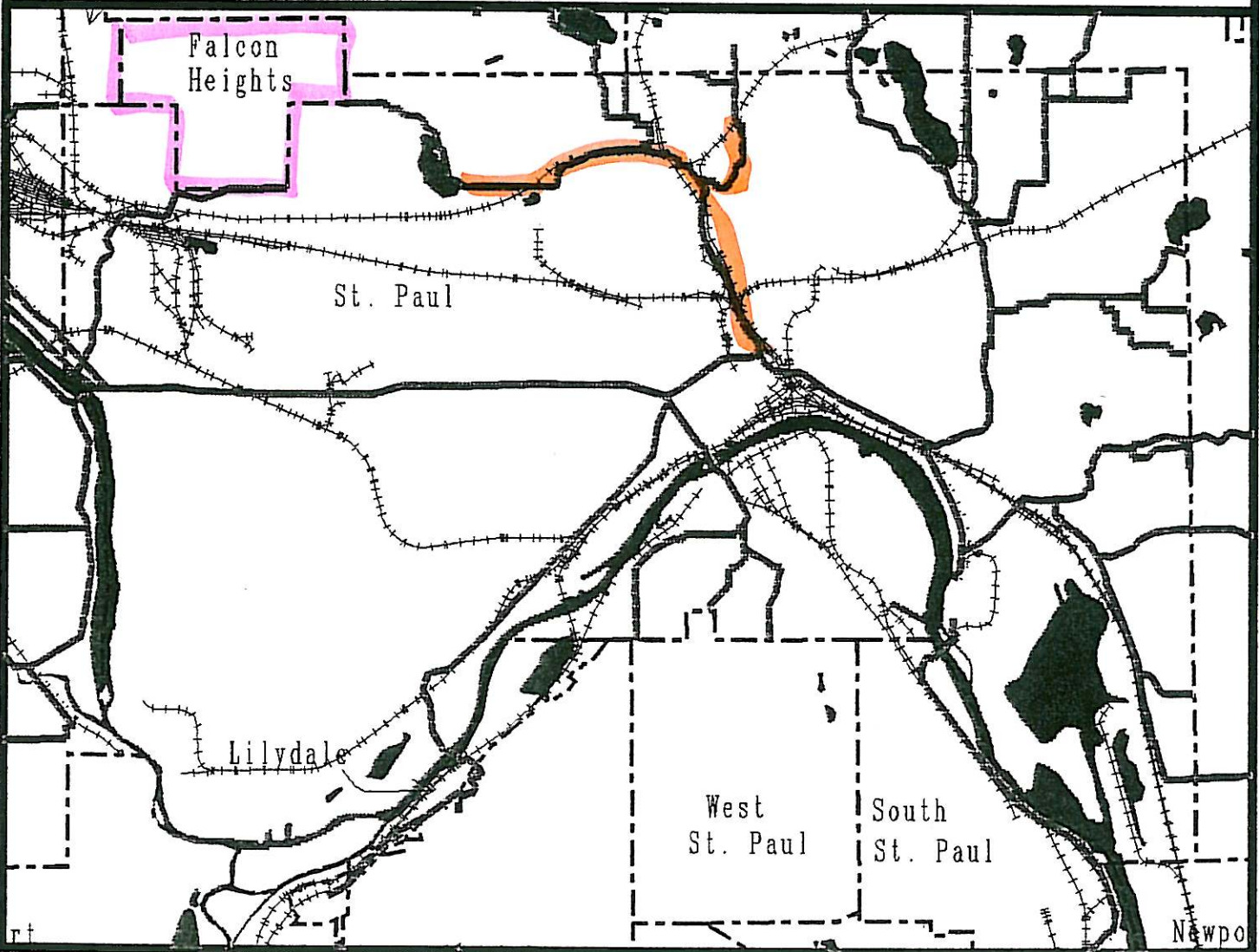
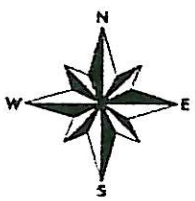
MCES Interceptors







Community Boundary

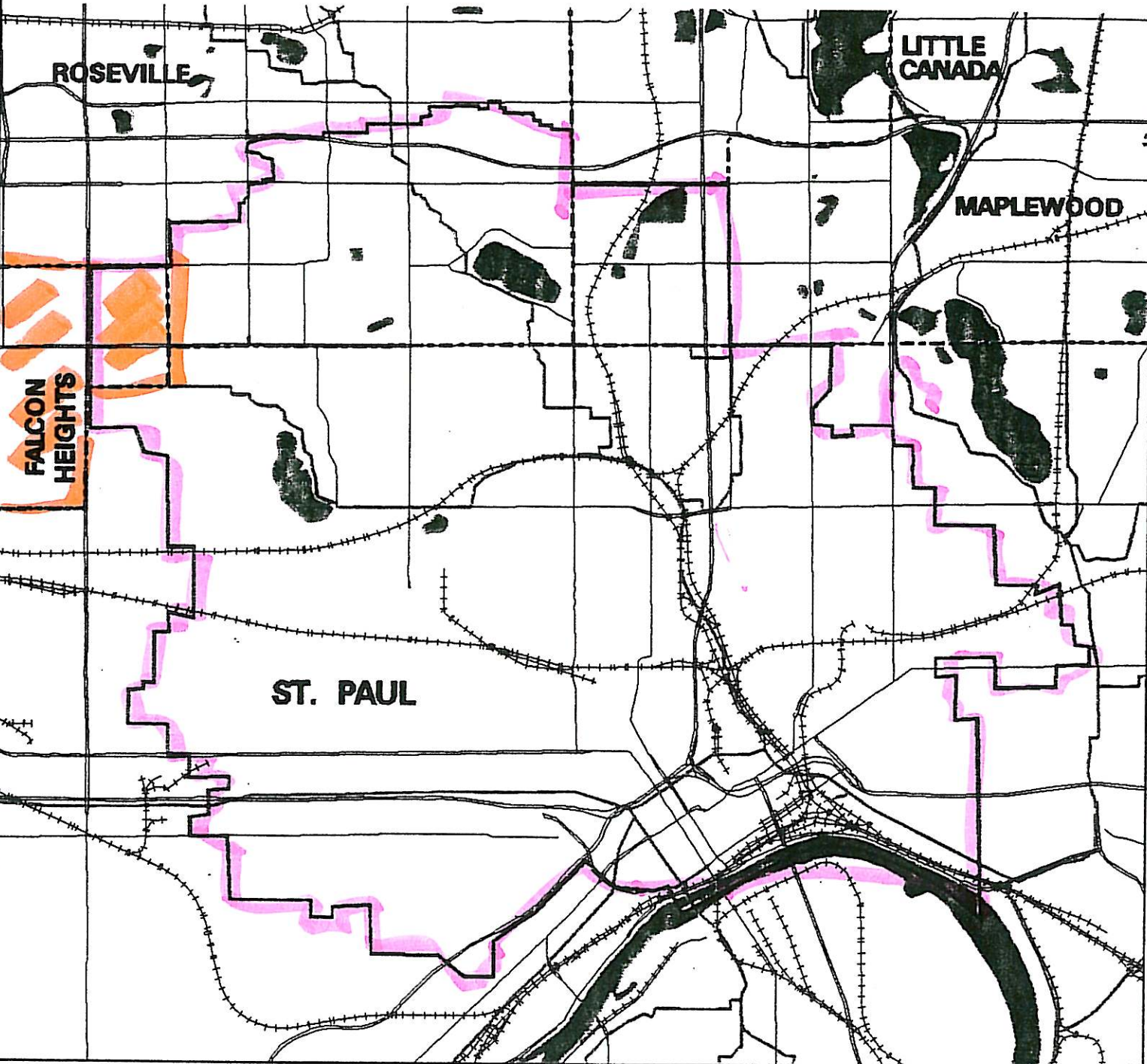


Railroads



CENTRAL RAMSEY WATERSHED DISTRICT

-  Watershed Boundry
-  MCES Interceptors
-  Community Boundry
-  Railroads



C. J. TALBOT

MINUTES
HUMAN RIGHTS COMMISSION
SEPTEMBER 12, 1995

Present: Paul Martinez
Frank Meah
Tai Shigaki
John Treadwell
Gwen Willems
Jan Gibson Talbot, Council Liaison

Commission members began the meeting with a discussion of the upcoming League of Minnesota Human Rights Commission annual conference to be held in St. Cloud on 9/23/95. Following discussion, it was moved, seconded and unanimously passed that the city expense funds for up to 4 (later amended to 5) individuals from the Human Rights Commission to participate in this conference. Commission members hoped to be able to gather ideas from other commissions participating in this event to assist Falcon Heights Human Rights commissioners in reformulating their mission and future directions.

Members then discussed the role of the commission, including a discussion of membership recruitment and a description of past role and functions. The questions posed by the group included:

1. What is the role of the Human Rights Commission, and what should it be?
2. Do we need to define ourselves and our role prior to seeking new members, or should we find new members before we can successfully define the role and functions?
3. Is there someone available to the commission to provide information regarding human rights and to help in defining our future role and focus?

Commission members came to the consensus that their participation in the upcoming conference would provide information, ideas, and an opportunity to learn from other commissions. This information will then be utilized for further discussion and planning for future direction and activities. It was suggested that an article or brochure be developed and used as a tool for recruitment of new members.

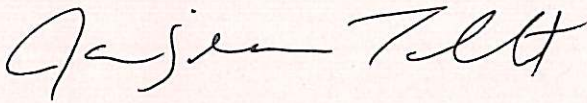
It was also suggested that the commission consider inviting a representative of the St. Anthony Police Department to discuss their involvement with human rights issues in the city, and whether there have been human rights violations with which the police department has been involved.

Page 2
September 12, 1995
Human Rights Commission Minutes

All commission members agreed on the need to define a mission and focus, from which future projects and activities will come. All agreed for the need for specific projects to keep the commission focused and members interested in participating.

Members will pursue further discussion at next month's meeting. They will also elect a new chair and secretary for the commission at the next meeting, to provide the leadership necessary to accomplish the task of redefining and formulating future direction and activities.

Minutes prepared by:

A handwritten signature in black ink, appearing to read "Jan Gibson Talbot". The signature is fluid and cursive, with the first name "Jan" being the most prominent.

Jan Gibson Talbot
Council Liaison