

City of Falcon Heights
Regular Meeting of the City Council
City Hall
2077 W. Larpenteur Avenue

August 14, 1996
A G E N D A

- A. CALL TO ORDER: 7 p.m.
- B. ATTENDANCE: GEHRZ ___ GIBSON TALBOT ___ HUSTAD ___
JACOBS ___ KUETTEL ___ HOYT ___ ASLESON ___ ATTORNEY ___ ENGINEER ___
- C. COMMUNITY FORUM
- D. APPROVAL OF MINUTES: July 27, 1996
- E. PUBLIC HEARING: None
- F. CONSENT AGENDA:
 - 1. Disbursements
 - a. General disbursements through 8/8/96, \$51,642.95
 - b. Payroll, 7/16/96 to 7/31/96, \$13,873.53
 - 2. Licenses
 - 3. Annual salary adjustment for the city administrator
 - 4. Appointment of election judges for September 10, 1996 primary election
 - 5. Authorization to submit grant proposals for the Mayor's Commission Against Drugs and Teen Court
 - 6. Acceptance of "High-Five" and "Time-In" donation from the Northome Neighborhood Association
- G. POLICY AGENDA:
 - 1. Consideration of changes to the city zoning code regarding outdoor ramps and driveway setbacks.
 - 2. Consideration of Ordinance 96-07 extending the moratorium on radio, TV and communications towers/antennas to December 31, 1996.
 - 3. Review of the rescue services fee.
 - 4. Request to contribute to the League of Minnesota Cities public Rights of Way Fund
- H. INFORMATION AND ANNOUNCEMENTS:
 - I-1. Solid Waste Commission Minutes of May 9, 1996.
- I. ADJOURN

BUDGET WORKSHOP FOLLOWS

City of Falcon Heights
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2077 W. Larpenteur Avenue

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- C. COMMUNITY FORUM
- D. APPROVAL OF MINUTES: July 27, 1996
- E. PUBLIC HEARING: None
- F. CONSENT AGENDA:
 - 1. Disbursements (Tab #1)
 - a. General disbursements through 8/8/96, \$51,642.95
 - b. Payroll, 7/16/96 to 7/31/96, \$13,873.53
 - 2. Licenses (Tab #2)
 - 3. Annual salary adjustment for the city administrator (Tab #3)
 - 4. Appointment of election judges for September 10, 1996 primary election (Tab #4)
 - 5. Authorization to submit grant proposals for the Mayor's Commission Against Drugs and Teen Court (Tab #5)
 - 6. Acceptance of "High-Five" and "Time-In" donation from the Northome Neighborhood Association (Tab #6)
- G. POLICY AGENDA:
 - 1. Consideration of changes to the city zoning code regarding outdoor ramps and driveway setbacks. (Tab #7)
 - 2. Consideration of Ordinance 96-07 extending the moratorium on radio, TV and communications towers/antennas to December 31, 1996. (Tab #8)
 - 3. Review of the rescue services fee. (Tab #9)
 - 4. Request to contribute to the League of Minnesota Cities public Rights of Way Fund (Tab #10)
- H. INFORMATION AND ANNOUNCEMENTS:
 - I-1. Solid Waste Commission Minutes of May 9, 1996. (Tab #11)
- I. ADJOURN

BUDGET WORKSHOP FOLLOWS

**CITY OF FALCON HEIGHTS
SPECIAL CITY COUNCIL MEETING
MINUTES OF JULY 27, 1996**

DRAFT

Mayor Gehrz convened the meeting at 8:41 a.m.

PRESENT

Gehrz, Gibson Talbot, Hustad, Jacobs, and Kuettel. Also present were Hoyt and Asleson.

COMMUNITY FORUM

There was no one wishing to take advantage of the community forum.

MINUTES OF JULY 10, 1996

Minutes were approved by unanimous consent.

CONSENT AGENDA APPROVED

Motion was made by Councilmember Hustad to approve the following consent agenda:

1. Disbursements
2. Approval of step increase for the Fire Marshal

POLICY AGENDA

APPROVAL OF DRAFT MEMORANDUM OF UNDERSTANDING WITH ST. PAUL FIRE

The council reviewed the draft memorandum of understanding with St. Paul Fire to provide the city with Advanced Life Support services. Mayor Gehrz asked that the memorandum also include a statement noting that there would be no cost to the city for this service and also an advance termination notice for the city in the event that St. Paul Fire would wish to discontinue providing service.

Motion was made by Councilmember Jacobs to approve the intent of the draft Memorandum of Understanding, with the additions noted above, and to authorize the Mayor and Administrator to proceed with the final document. Motion passed unanimously.

ADJOURNMENT

The meeting adjourned at 8:50 a.m. The council then recessed into a workshop to discuss 1997 goals for the city.

Susan L. Gehrz, Mayor

Carla Asleson
Recording Secretary

CONSENT
Meeting Date: 8/14/96
Item: 1

ITEM DESCRIPTION: Disbursements

SUBMITTED BY: Joe Rigdon, City Accountant

EXPLANATION/SUMMARY:

- a. General disbursements through 8/8/96, \$51,642.95
- b. Payroll, 7/16/96 to 7/31/96, \$13,873.53

ACTION REQUESTED: Approval

a.

APPROVAL OF BILLS
PERIOD ENDING: 08/14/96

CHECK#	VENDOR NAME	DESCRIPTION	DEPT.	AMOUNT
	LUCENT TECHNOLOGIES	MAINTENANCE 7/26-8/25/96	BUILDING	73.44
	AT&T WIRELESS SERVICES	PUBLIC WORKS PAGER A/96	BUILDING	38.30
	ALLIED BLACKTOP CO.	1996 SEALCOATING	STREETS	21,567.17
32373	ASLESON, CARLA	MILEAGE	ADMINIST	8.37
		CONFERENCE PARKING	ADMINIST	15.00
		SUMMER NEWSLTR POSTAGE	COMMUNIC	441.21
		19" GE TV/VCR	GENERAL	394.04
	*** TOTAL FOR ASLESON, CARLA			858.62
	AMERICAN LINEN SUPPLY CO.	LINEN CLEANING	FIRE FIG	44.54
	BLI AMERI-STAR LIGHTING	LIGHTS & BALLAST	BUILDING	38.16
32375	B & R WHOLESALE	ICE CREAM FOR SOCIAL	PARK PRO	136.00
	CHAMPION AUTO STORES	AIR PUMP; FILTERS; OIL	STREETS	40.93
	CHAMPION AUTO STORES	STARTER F-350 LESS CORE	STREETS	31.93
	CHAMPION AUTO STORES	ELECTRICAL WIRING	FIRE FIG	12.72
	CHAMPION AUTO STORES	BULBS	FIRE FIG	4.54
	*** TOTAL FOR CHAMPION AUTO STORES			90.12
	COLONIAL INSURANCE	BAUMANN 7/96 PREMIUM	FIRE FIG	29.65
	COLONIAL INSURANCE	IVERSON 7/96 PREMIUM	FIRE PRE	36.45
	*** TOTAL FOR COLONIAL INSURANCE			66.10
	CY'S UNIFORMS	BADGES/INSIGNIAS	FIRE FIG	48.30
	CY'S UNIFORMS	BADGES	FIRE FIG	116.46
	CY'S UNIFORMS	PUBLIC WORKS SHIRTS	STREETS	98.75
	CY'S UNIFORMS	BADGE	FIRE PRE	38.82
	*** TOTAL FOR CY'S UNIFORMS			302.33
	D.J.'S MUNICIPAL SUPPLY	TAPE; SAFETY SPECS	BUILDING	29.79
32376	DEICHERT, LYNN	BAND-ICE CREAM SOCIAL	PARK PRO	300.00
	E-Z RECYCLING, INC.	7/96 RECYCLING	SOLID WA	2,500.44
	EMERGENCY APPARATUS MAINT	REPAIR HEADLIGHTS #752	FIRE FIG	155.55
	EMERGENCY APPARATUS MAINT	REPAIR BRAKE SYSTEM #754	RESCUE S	495.56
	EMERGENCY APPARATUS MAINT	REPAIR OIL PRESSURE #753	FIRE FIG	150.10
	*** TOTAL FOR EMERGENCY APPARATUS			801.21
	FRICKE & SONS SUD, INC.	SOD-COMMUNITY PARK	PARK MAI	206.98
	GLENWOOD INGLEWOOD	10 GAL. WATER	BUILDING	11.90
	GLENWOOD INGLEWOOD	8/96 COOLER RENTAL	BUILDING	12.60
	*** TOTAL FOR GLENWOOD INGLEWOOD			24.50
	GRAINGER, W. W., INC.	EAR PLUGS; GLOVES; BAGS	BUILDING	46.90
	IVERSON, TERRY	7/96 MILEAGE	ADMINIST	6.82

APPROVAL OF BILLS
PERIOD ENDING: 08/14/96

CHECK#	VENDOR NAME	DESCRIPTION	DEPT.	AMOUNT
	IVERSON, TERRY	7/96 MILEAGE	FIRE PRE	55.80
	*** TOTAL FOR IVERSON, TERRY			62.62
	KING'S TRUE VALUE	MISC.	BUILDING	0.43
32384	KRIEGLER, CAROL	PARK & REC POP	PARK PRO	12.76
	MCI	LONG DISTANCE TO 7/11/96	BUILDING	13.10
	M-75 BUILDING MAINTENANCE	7/96 CLEANING	BUILDING	154.43
	MIDWEST DELIVERY SERVICE	DELIVERY	ADMINIST	8.60
	MN CITY/COUNTY MANAGEMENT	1996 MEMBERSHIP	ADMINIST	60.00
32379	MN DEPARTMENT OF REVENUE	STATE WITHHELD 7/31/96	ADMINIST	843.69
	MN STATE FIRE CHIEF ASSOC	ASST CHIEF MEMBERSHIPS	FIRE FIG	50.00
	NSP	7/96 ELECTRIC	EMERGENC	6.28
	NSP	7/96 ELECTRIC	PARK MAI	21.93
	NSP	7/96 ELECTRIC	BUILDING	900.84
	NSP	7/96 GAS	BUILDING	32.29
	NSP	7/96 ELECTRIC	SANITARY	16.09
	NSP	7/96 STREET LIGHTING	STR. LIG	2,031.54
	*** TOTAL FOR NSP			3,008.97
32380	NORTH STAR STATE BANK	FED WITHHELD 7/31/96	ADMINIST	4,537.74
	OFFICE MAX CREDIT PLAN	PAPER; INDEX	ADMINIST	86.45
	OXYGEN SERVICE COMPANY	OXYGEN-RESCUE	RESCUE S	28.77
	PERA	PERA WITHHELD 7/31/96	ADMINIST	1,309.90
32377	PHILLIPS, PATRICIA	MILEAGE	ADMINIST	2.48
		MEETING REFRESHMENTS	ADMINIST	37.19
	*** TOTAL FOR PHILLIPS, PATRICIA			39.67
	PHYSIO-CONTROL CORP.	DEFIB. BATTERIES/LABOR	RESCUE S	757.50
32374	RAINBOW	CAKES, ETC-ICE CREAM SUCL	PARK PRO	210.00
	ROAD RESCUE, INC.	SUCTION CHARGER #756	RESCUE S	52.65
	S & S TREE SPECIALISTS	TREE REMOVAL	TREE PRO	2,315.45
	S & S TREE SPECIALISTS	TREE TRIMMING/BRUSH CHIP	TREE PRO	266.25
	*** TOTAL FOR S & S TREE SPECIALIS			2,581.70
	SUBURBAN HARDWARE	REPAIR RECOIL-SAW	FIRE FIG	21.75
	SUBURBAN HARDWARE	KEROSENE, PROPANE-TRAIN	FIRE FIG	12.55
	SUBURBAN HARDWARE	MISC. PARTS	BUILDING	3.98
	SUBURBAN HARDWARE	PARKS PAINT SUPPLIES	PARK MAI	5.78

APPROVAL OF BILLS
PERIOD ENDING: 08/14/96

CHECK#	VENDOR NAME	DESCRIPTION	DEPT.	AMOUNT
	SUBURBAN HARDWARE	PLEXIGLASS SCHOOL SIGN	PARK MAI	56.26
	*** TOTAL FOR SUBURBAN HARDWARE			100.32
	SUPER AMERICA	FUEL 6/27-7/12/96	RESCUE S	35.53
	SUPER AMERICA	FUEL 6/27-7/12/96	FIRE FIG	62.18
	SUPER AMERICA	FUEL 6/27-7/12/96	SANITARY	59.39
	SUPER AMERICA	FUEL 6/27-7/12/96	STREETS	65.73
	SUPER AMERICA	FUEL 6/27-7/12/96	PARK MAI	44.77
	*** TOTAL FOR SUPER AMERICA			267.60
	TIRES PLUS	F-350 FRONT TIRES	STREETS	194.18
	T.A. SCHIFSKY & SONS, INC	3.96 TON FINE ASPHALT	STREETS	92.78
	TOLL GAS & WELDING SUPPLY	COMPRESSED AIR	FIRE FIG	58.96
	TOLL GAS & WELDING SUPPLY	COMPRESSED AIR	FIRE FIG	42.16
	*** TOTAL FOR TOLL GAS & WELDING S			101.12
	UNIFORMS UNLIMITED	NAME BADGE	FIRE FIG	5.27
	UNITED LABORATORIES	MARK REMOVER-PARK	PARK MAI	160.28
32383	U.S. POSTMASTER	STATE FAIR MAILING	COMMUNIC	95.00
32381	AIRTOUCH CELLULAR	6/96 CELLULAR PHONE	RESCUE S	18.25
	USWEST COMMUNICATIONS	7/96 PHONE	PARK & R	54.97
	USWEST COMMUNICATIONS	8/96 PHONE	BUILDING	289.91
	USWEST COMMUNICATIONS	8/96 PHONE	FIRE FIG	117.67
	*** TOTAL FOR USWEST COMMUNICATION			462.55
	ST. PAUL WATER UTILITY	7/96 WATER	BUILDING	33.49
	ST. PAUL WATER UTILITY	7/96 WATER	PARK MAI	24.90
	*** TOTAL FOR ST. PAUL WATER UTILI			58.39
	BERNARDY, CONNIE LANNERS	8/15/96 MCAD SERVICES	MCAD	1,543.85
	BERNARDY, CONNIE LANNERS	MCAD COPIES	MCAD	25.24
	BERNARDY, CONNIE LANNERS	MCAD POSTAGE	MCAD	270.00
	BERNARDY, CONNIE LANNERS	MCAD PHONE & FAX	MCAD	66.18
	BERNARDY, CONNIE LANNERS	VARIOUS MCAD MEETINGS	MCAD	533.34
	*** TOTAL FOR BERNARDY, CONNIE LAN			2,438.61
	BRODERICK, BERNARD	DELIVERY MILEAGE	ADMINIST	5.39
	RIGDON, JOE	7/96 BANK MILEAGE	FINANCE	15.50
	HEROLD, NATHANIEL	STATE FIRE CONF EXP	FIRE FIG	321.60
	BITUMINOUS ROADWAYS, INC.	TOPSOIL-SIDEWALKS	BUILDING	34.13
32378	AMMANN, CHRISTINE	ICE CREAM SOCL SUPPLIES	PARK PRO	39.11
32382	AMMANN, CHRISTINE	COOKBOOK FOR CLASS	PARK PRO	13.79
	*** TOTAL FOR AMMANN, CHRISTINE			52.90
	IRON MOUNTAIN FORGE	SCHDOL PLAY EQUIP.-FINAL	-----	6,000.00

8.

PERIOD END DATE 07/31/96
SYSTEM DATE 07/31/96

FILE NOT UPDATED

PAGE 1

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	7 31 96	6 SUSAN GENRZ	24494	284.56
COM	7 31 96	8 SAM JACOBS	24495	277.05
COM	7 31 96	10 JAN GIBSON TALBOT	24496	200.00
COM	7 31 96	11 JOHN HUSTAD	24497	277.05
COM	7 31 96	12 LAURA A. KUETTEL	24498	277.05
COM	7 31 96	30 NICHOLAS BAUMANN	24499	302.86
COM	7 31 96	34 CLEMENT KURHAJETZ	24500	12.70
COM	7 31 96	40 KEVIN ANDERSON	24501	64.06
COM	7 31 96	48 JOHN H. HOLMGREN	24502	64.06
COM	7 31 96	56 GREGORY S. PETERSON	24503	96.35
COM	7 31 96	59 GREGORY M. FULLER	24504	106.35
COM	7 31 96	62 BRYON A. SCHULTZ	24505	26.17
COM	7 31 96	1002 SUSAN HOYT TAFF	24506	1451.39
COM	7 31 96	1003 TERRY IVERSON	24507	986.48
COM	7 31 96	1005 CAROL KRIEGLER	24508	801.45
COM	7 31 96	1007 PATRICIA PHILLIPS	24509	801.51
COM	7 31 96	1008 DELORIS SWENSON	24510	775.97
COM	7 31 96	1010 CARLA ASLESON	24511	944.09
COM	7 31 96	1011 LAWRENCE A. KLINGENBERG	24512	963.93
COM	7 31 96	1012 JOSEPH M. RIGDON	24513	896.44
COM	7 31 96	1031 LINDA TREEFUL	24514	359.53
COM	7 31 96	1033 DAVE TRETSVEN	24515	754.68
COM	7 31 96	1035 LISA LOVDAHL	24516	390.33
COM	7 31 96	1057 KRISTIN L. WOLVERTON	24517	355.35
COM	7 31 96	1003 JAMES W. SNOWDEN	24518	453.92
COM	7 31 96	1084 CHRISTINE AMMANN	24519	504.61
COM	7 31 96	1107 RICHARD P. TALBOT	24520	218.93
COM	7 31 96	1121 JOSHUA L. SWANSON	24521	354.53
COM	7 31 96	1123 ABRAHAM T. CYR	24522	436.92
COM	7 31 96	1124 GEORGE S. WENZEL	24523	415.41
****TOTALS****				13873.53

CONSENT
Meeting Date:8/14/96
Item: 2

ITEM DESCRIPTION: Licenses

SUBMITTED BY: Dee Swenson

GENERAL CONTRACTOR

Floyd E. Anderson #3395

ACTION REQUESTED:

CONSENT
Date: 8/14/96
Item: 3

ITEM: Annual salary adjustment for the city administrator

SUBMITTED BY: Mayor Gehrz

EXPLANATION/DESCRIPTION:

August 15 is the anniversary date for the city administrator. Her contract requires that her salary be annually adjusted on this date. The recommendation is to increase her salary by 3%, which brings it from \$52,015 per year to \$53,575.45.

ACTION REQUESTED:

Approve annual salary adjustment for the city administrator.

CONSENT
Meeting Date: 8/14/96
Item: 4

ITEM: Appointment of election judges for September 10, 1996 primary election

SUBMITTED BY: Carla Asleson, Administrative Assistant/Planner

EXPLANATION/DESCRIPTION:

State law requires that the city council formally approve the appointment of election judges. The following individuals have agreed to serve for the September 10 primary election (many are half-day shifts):

Precinct One:

Tai Shigaki
Donna Reynolds
Susan K. Smith
Avelyn Hooker
Jane Dehlin
Lila Storaasli
Olaf Storaasli
Christine Ammann

Precinct Two:

Margaret Barrett
Sally Jernberg
Gladys A. Brown
Elizabeth Sundheim
Florence Richards
Kathleen Ciernia
Kathleen Baldwin

ACTION REQUESTED: Appointment of election judges

CONSENT

Meeting Date: 8/14/96

Item: 5

ITEM: Authorization to submit grant proposals for the Mayor's Commission Against Drugs and Teen Court

SUBMITTED BY: Connie Lanners Bernardy, Mayor's Commission Against Drugs (MCAD)

EXPLANATION/DESCRIPTION:

MCAD is requesting council authorization to apply for two grants from the State of Minnesota's Prevention and Intervention Initiative. One grant would fund the MCAD program for another two years and the another would fund a pilot project called Teen Court. The Teen Court program would handle minor legal offenses such as underage smoking and curfew violations by a jury of the teen's peers rather than by the juvenile court system. If funded, the City would serve as the fiscal agent for the grant programs through 1998 (it has been the fiscal agent for MCAD since the beginning of this year.)

ACTION REQUESTED: Authorize submission of the two grant proposals as outlined above.

CONSENT

Meeting Date: 8/14/96

Item: 6

ITEM DESCRIPTION: Acceptance of "High-Five" and "Time-In" donation from the North-home neighborhood association

SUBMITTED BY: Carol Kriegler, Director of Parks, Recreation, Grounds and Facilities

REVIEWED BY: Susan Hoyt, City Administrator

EXPLANATION / SUMMARY:

The city's "High-Five" open gym program and "Time-In" playground program are designed to provide a variety of recreational activities for kids on a "drop-in" basis throughout the summer. There is no required fee payment to attend either of these programs, but rather donations in support of the program are encouraged to the extent that participating families desire and are financially able. This format encourages participation without the usual registration and fee payment requirement.

A small group of neighbors from the North-home neighborhood have participated in some fund-raising efforts and offered a financial donation of approximately \$400 towards these programs. They request that \$300 be designated for the purchase of additional equipment and supplies. The remaining money has been designated for costs associated with pizza parties conducted at both sites.

To date, over \$1000.00 has been contributed towards these programs and the city's recreation scholarship fund.

ACTION REQUESTED: Acceptance of the "High-Five" and "Time-In" donation in the amount of approximately \$400 from the North-home neighborhood association.

ITEM: Consideration of changes to the city zoning code regarding outdoor ramps and driveway setbacks

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

EXPLANATION/DESCRIPTION:

The Planning Commission has unanimously recommended approval of the following amendments to the zoning code:

OUTDOOR RAMPS

It is recommended that the variance requirement for ramps in the front yard be repealed. The Planning Commission felt that it would be appropriate to allow ramps in the required front yard in cases where the ramp was medically necessary, without having to prove a property related hardship and to go through the somewhat lengthy variance process. In place of the front yard variance requirement, ramps would go through a design review by the Zoning Administrator (Planner). This review would take into consideration the design and materials of the ramp to assure harmony with the surrounding neighborhood and the needs of the user. This process is already used by the Planner when reviewing applications for utility sheds. It was the intent of the Planning Commission that ramps in the front yard be permitted only to accommodate medical conditions and not the needs of a home-occupied business.

DRIVEWAY SETBACKS

In 1994, the council revised a part of the zoning code that allows detached garages to be built at side setbacks of less than five feet under certain conditions. This was meant to allow property owners to rebuild garages along the same side yard setback without having to re-configure their existing driveway. However, the section of the code pertaining to driveways was inadvertently not amended at that time. As the code currently reads, a driveway could not be extended along the same side yard setback when moving a garage deeper into a property. This was not the intent when the 1994 changes were made. Ordinance 96-06 amends the section on driveway setbacks to allow for a lesser setback in these instances.

ATTACHMENTS: Ordinances 96-05 and 96-06.

ACTION REQUESTED: Approval of Ordinances 96-05 and 96-06.

CITY OF FALCON HEIGHTS

ORDINANCE

Date August 14, 1996

AN ORDINANCE AMENDING CHAPTER 9 OF THE CITY CODE RELATED TO
OUTDOOR RAMPS

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

Section 1. Chapter 9-2.05 subd. 2 a of the Falcon Heights City Code is hereby amended as follows:

Subd. 2 Permitted Encroachments on Required Yards: The following shall be permitted encroachments into setback and height requirements except as restricted by other sections of this code.

a. In any yards: posts, off street parking, flues, sills, pilasters, lintels, cornices, eaves (up to three (3) feet), gutters, awnings, open terraces, steps, sidewalks, essential services, stoops, or similar features provided that they do not extend five (5) feet above the height of the principal structure or to a distance less than three (3) feet from any lot line nor less than one (1) foot from any existing or proposed driveway; yard lights and nameplate signs, trees, shrubs, plants; floodlights or other sources of light illuminating authorized illuminated signs, or light standards for illuminating parking areas, loading areas, or yard for safety and security reasons, provided the direct source of light is not visible from the public right of way or adjacent residential property. Further, no deck, ~~exposed ramps (wheelchair)~~, uncovered porch, or air conditioner shall be less than five (5) feet from a side or rear yard line and if in the required front yard area, a variance shall be required. An exposed ramp is a permitted encroachment, provided that a setback of at least five feet in the side and rear yard is met and the design and materials are approved by the Zoning Administrator as being in harmony with the surrounding residential neighborhood and the documented medical needs of the user. Chimneys, flag poles and open fire escapes may not extend more than five (5) feet above the principal structure or three (3) feet from any lot line.

Section 2. This ordinance, passed the 14th day of August, 1996, shall become effective upon publication.

Moved by: _____

GEHRZ ___ In Favor
GIBSON TALBOT
HUSTAD ___ Against
JACOBS

Approved by: _____

Mayor

August 14, 1996

Date

Attested by: _____

City Clerk

August 14, 1996

Date

CITY OF FALCON HEIGHTS
O R D I N A N C E

Date August 14, 1996

AN ORDINANCE AMENDING CHAPTER 9 OF THE CITY CODE RELATED TO
DRIVEWAY SETBACKS

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

Section 1. Chapter 9-14.01 subd. 18 c.2.(c)(1) of the Falcon Heights City Code is hereby amended as follows:

9-14.01 subd. 18 Access Drives and Access

c. Driveway/Accessway Design and Construction Standards

2. For new, reconfigured, and relocated driveways:

(c) Setbacks

(1) Driveways must be at least five feet from any rear or side lot line, except when a garage is being replaced at a side yard setback of less than five feet under the conditions of Section 9-2.04 subd. 1 (c) (2). Under this circumstance, the driveway may be extended at an interior side yard setback of less than five feet, provided that the new driveway does not encroach further into the side setback than the existing driveway. In no case may the new driveway be set back less than two feet from the interior side lot line.

Section 2. This ordinance, passed the 14th day of August, 1996, shall become effective upon publication.

Moved by: _____

Approved by: _____

Mayor

August 14, 1996

Date

GEHRZ ___ In Favor

GIBSON TALBOT

HUSTAD ___ Against

JACOBS

KUETTEL

Attested by: _____

City Clerk

August 14, 1996

Date

ITEM: Consideration of Ordinance 96-07, extending the moratorium on on radio, TV and communications towers/antennas to December 31, 1996

SUBMITTED BY: Carla Asleson, Administrative Assistant/Planner

EXPLANATION/DESCRIPTION:

In late June, the city council passed a moratorium on the approval of any radio, TV, or communications tower/antenna that would require a conditional use permit. The expiration of that moratorium was September 30, 1996 or upon the enactment of a zoning ordinance, whichever came first. At the time, staff felt comfortable with this deadline; however, it is now apparent that this matter will require more time than initially anticipated due to the complexity of the topic and a shifting of staff responsibilities within the office.

It is recommended that the moratorium deadline be extended to December 31, 1996 to allow for additional time for research and to gather more information from other municipalities currently working on this matter. Adoption of a new ordinance on the matter will require a public hearing by the planning commission. The new deadline will give the city council and staff additional time in the event that more research or a re-drafting of an ordinance is necessary. State statute does permit extensions of land use moratoriums, provided that the extensions do not total more than 18 months.

ATTACHMENT: Ordinance 96-07

ACTION REQUESTED: Approval of Ordinance 96-07, extending the moratorium to December 31, 1996 or upon the enactment of a zoning amendment concerning the matter, whichever comes first.

CITY OF FALCON HEIGHTS

ORDINANCE

Date August 14, 1996

AN ORDINANCE EXTENDING THE MORATORIUM ON RADIO, TV AND
COMMUNICATIONS TOWERS/ANTENNAS

WHEREAS, on June 26, 1996, the City of Falcon Heights enacted a moratorium on the approval of all radio, TV, and communications towers/antennas that require a conditional use permit, order that the city have time to study an amendment to the zoning code; and

WHEREAS, the expiration of said moratorium was scheduled for September 30, 1996 or upon the enactment of a zoning ordinance, whichever occurred first; and

WHEREAS, it has been since determined that this deadline does not allow sufficient time for the city to study its alternatives and process a zoning amendment through the planning commission and city council review; and

WHEREAS, Minnesota State Statute 462.355 subd. 4 allows a city to adopt an interim ordinance when undertaking a study to revise the zoning ordinance by amendment and this extension is within the time limit imposed by statute.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Falcon Heights that effective upon adoption of this ordinance, a moratorium shall be imposed upon the approval of all radio, TV, and communications towers/antennas that require a conditional use permit as provided in Chapter 9-2.07 subd. 1.

BE IT FURTHER RESOLVED that this moratorium shall be for the purpose of allowing the City of Falcon Heights to study and consider an amendment to the zoning ordinance regarding radio, TV, and communications towers/antennas and shall expire on December 31, 1996 or upon the enactment of a zoning amendment concerning the matter, whichever comes first.

BE IT FINALLY RESOLVED that this ordinance, passed the 14th day of August, 1996, shall become effective upon publication.

Moved by: _____

GEHRZ In Favor
GIBSON TALBOT
HUSTAD Against
JACOBS
KUETTEL

Approved by: _____

Mayor
August 14, 1996
Date

Attested by: _____

City Clerk
August 14, 1996
Date

POLICY
Date: 8/14/96
Item: 3

ITEM: Review of the rescue services fee

SUBMITTED BY: Susan Hoyt, City Administrator
Joe Rigdon, City Accountant

EXPLANATION/DESCRIPTION:

Request for information. The city annually adjusts its fees, particularly for the city's enterprise funds, which are established to be self-supporting services. Recently, the council asked to review the rescue services fee for possible adjustments prior to the addition of medical dispatching and advanced life support (ALS) to the city's emergency medical services.

Fee. The rescue service fee is charged to ambulance users. The fee is designed to cover the city's costs of this service including supplies, rescue personnel, administrative personnel, equipment, mileage and space. The calculation also includes capital purchases (but does not include the cost of the new ambulance in 1989). There is a base fee plus supplies and mileage added to each bill. Typically, insurance companies pay some or all of the bills. (Insurers do set maximum payments for services, but these vary significantly.)

It is a three-tiered base fee. The lowest base fee is paid by Falcon Heights residents because they have the lowest delinquency rate (46%, 70 transports/yr). The middle base fee is paid by Lauderdale residents for the same rationale (31%, 47 transports/yr). The highest fee is paid by non-Falcon Heights and non-Lauderdale residents because they have the highest delinquency rate (22%, 33 transports yr). The current base fee for Falcon Heights's residents is \$360. In the best estimation, and it is difficult to predict, to pay for the service as it currently operates at a break-even point would require a base fee of \$510. (The earlier fee was based upon an estimated 210 transports rather than the more recently documented number of 150 transports.)

Other services' charges. Information on ambulance charges in the metropolitan area is not readily available. Most appear to use the "base fee" plus expenses approach. St. Paul Fire's base fee for its service is \$500 per transport. Services like Healthspan may be around \$700 for a basic fee per transport.

ATTACHMENTS:

- 1 - rate comparisons
- 2 - average expenditures

ACTION REQUESTED:

Review and discuss the rescue services fee.

RESCUE BASE RATE

Address Billed	Current rate	Rate recovering 100% of est. Cost	Estimated Revenue at 150 transports
FALCON HEIGHTS	360	510 (>41%)	35,700
LAUDERDALE	380	535 (>41%)	25,145
NON-RESIDENTS	400	560 (>40%)	18,480
TOTAL		(plus mileage and supplies)	79,325

BASED ON HISTORICAL TRENDS OF 150 TRANSPORTS/YEAR
 (Revenue is generated from transports. Treatment - No - Transport represented \$3,000 of revenue in 1995).

APPROXIMATE RATIO OF TRANSPORTS BY BILLED ADDRESS IN A YEAR:

FALCON HEIGHTS	46% OR 70 TRANSPORTS
LAUDERDALE	31% OR 47 TRANSPORTS
NON-RESIDENTS OF EITHER CITY	22% OR 33 TRANSPORTS

RESCUE FUND EXPENSES 1994-1996



↓
Cost/year

	1994	1995	1996 EST.	TOTAL	AVERAGE
<hr/>					
OPERATING EXPENSES					
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COMPENSATION					
<hr/>					
RESCUE	18,436	19,610	21,653	59,699	19,900
DRILL	1,638	1,798	2,011	5,447	1,816
OFFICER	1,499	1,740	560	3,799	1,266
OFFICE SALARIES	12,257	11,819	14,309	38,385	12,795
BENEFITS	3,177	4,153	5,011	12,341	4,114
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TOTAL	37,007	39,120	43,544	119,671	39,890
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SUPPLIES, SERVICES, & CHARGES					
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SUPPLIES	5,888	4,941	5,207	16,036	5,345
PROFESSIONAL SERVICES	635	678	1,900	3,213	1,071
TRAINING	2,248	5,434	2,103	9,785	3,262
REPAIRS & MAINTENANCE	1,818	2,684	2,700	7,202	2,401
INSURANCE	2,665	2,119	2,361	7,145	2,382
WRITE-OFFS	18,793	14,608	14,000	47,401	15,800
MISCELLANEOUS	358	381	443	1,182	394
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TOTAL	32,405	30,845	28,714	91,964	30,655
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TOTAL OPERATING EXPENSES	69,412	69,965	72,258	211,635	70,545
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OTHER FINANCING USES					
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CAPITAL PURCHASES	12,056	5,792	1,495	19,343	6,448
OPERATING TRANSFER	2,355	2,465	2,465	7,285	2,428
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TOTAL	14,411	8,257	3,960	26,628	8,876
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TOTAL OPERATING EXPENSES & OTHER FINANCING USES	83,823	78,222	76,218	238,263	79,421
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POLICY
Date: 8/14/96
Item: 4

ITEM: Request to contribute to the League of Minnesota Cities
public Rights of Way Fund

SUBMITTED BY: League of Minnesota Cities (LMC)

REVIEWED BY: Susan Hoyt, City Administrator

EXPLANATION/DESCRIPTION:

The League of Minnesota Cities is requesting its 843 member cities to contribute to a "right of way" fund. Falcon Heights's is being asked to contribute \$429 based upon a percentage of the city's annual LMC dues. The LMC is hoping to collect \$200,000 toward this fund, which is part of a potential \$325,000 effort by the LMC.

The fund will be used to defend the local control of public rights of way at the Public Utilities Commission and legislature. This control has been challenged by U.S. West and will continue to be challenged with the deregulation of the telecommunications industry. Cities are interested in maintaining control in order to guarantee an orderly and efficient use of the rights of way, not to prohibit private communications companies from entering the rights of way with their facilities nor to extract enormous fees from these companies. If cities lose control of the rights of way, companies could install facilities in the boulevard and street without notifying cities. Cities would have no recourse to direct the installation of these facilities to complement other street reconstruction projects and, therefore, not damage streets and to protect boulevard trees or other amenities. Cities would also have no recourse to charge for repairing the streets after the installation.

Loss of control of the rights of way would directly affect Falcon Heights. As a city with established boulevard trees, sidewalks, reconstructed streets and more such amenities planned in the future, the city might lose some of this investment if it doesn't have the authority to review and approve the use of its rights-of-way.

ATTACHMENT:

- 1 - Letter from the LMC, dated July 2, 1996
- 2 - Information sheet on public Rights of Way

ACTION REQUESTED:

Discuss and decide on the additional funding of \$429 for the LMC public Rights of Way fund.



JUL 05 1996

145 University Avenue West, St. Paul, MN 55103-2044
Phone: (612) 281-1200 • (800) 925-1122
Fax: (612) 281-1299 • TDD (612) 281-1290

July 2, 1996

Dear Mayor Gehrz and Members of the Falcon Heights City Council;

By now, you are probably aware of the rights of way issue facing cities in Minnesota. US West's challenge to local management of the public rights of way is one of the most critical issues cities have faced in years. It was a topic of considerable discussion at the Annual Conference, where member cities supported the League Board of Directors decision to move forward with an aggressive work program and financing plan to counter this challenge. We need your city to make a special payment to this fund and help put the work plan into action.

The work plan developed by the Rights of Way Task Force and approved by the Board could cost \$325,000 or more. This assumes that a large portion of the work plan will be coordinated by and implemented through League staff. The Board has agreed to allocate \$125,000 from the current League budget for the work plan and is asking member cities to voluntarily pay \$200,000.

Based on your city's 1995-96 League dues, your suggested minimum payment is \$429.

Please consider this request in July and submit your payment by August 15, 1996 if at all possible. If each city meets their minimum payment, the \$200,000 target is reachable. However, because it is unlikely that all cities will join this voluntary effort, we encourage members to allocate more if this initiative is of particular importance to them.

Two important points should be made: First, this is a voluntary payment. As a member of the League of Minnesota Cities, you are not required to take part in this effort. However, if total city payments fall significantly short of the \$200,000 goal, the League will not be able to fully undertake the work plan. Second, your voluntary payment should not be confused with your League membership dues which will be billed at the beginning of September.

The Board of Directors and I understand that this issue must be weighed against the priorities in your city. However, we believe that the prospect of losing local control of public property warrants this extraordinary effort. This is a complicated issue, please consider it carefully. Enclosed is a brief information sheet to help you in your deliberations. If you have any questions, contact me at (218) 643-1431, League Executive Director Jim Miller at (612) 280-1205 or (800) 925-1122, or any member of the Board of Directors.

Sincerely,

Blaine C. Hill
President, League of Minnesota Cities

cc: City Manager, Administrator or Clerk
AN EQUAL OPPORTUNITY/AFFIRMATIVE ACTION EMPLOYER



Common questions about public rights of way

Q *Why did local management of public rights of way become such an issue?*

A In February, US West challenged a Redwood Falls ordinance that set standards for installing fiber optic cable in the public right of way. The ordinance charges a small per foot fee, requires the cable to be encased in concrete conduit, or, if that isn't done, limits the city's liability in case the cable is damaged. US West asked the Minnesota Public Utilities Commission (PUC) to take over jurisdiction of city rights of way, and set aside any local regulations. Then, US West sued the city of Redwood Falls in District Court. US West asked the court to prevent the city from enforcing the ordinance, and allow them to lay their fiber optic cable pending resolution of the matter before the PUC.

Q *Didn't the District Court rule in favor of Redwood Falls?*

A Yes. The League intervened on behalf of Redwood Falls early in the proceedings and hired outside legal counsel with expertise in utility law. Those efforts paid off when a Fifth District Court Judge dismissed the lawsuit brought by US West. In the order dismissing the suit, the judge stated essentially that the state law creating the PUC authorized it to regulate telephone service providers but did not take away cities' right to impose reasonable regulations and to charge a reasonable franchise fee for the use of their streets and services. The judge wrote "...The public utility commission regulates telephone companies, not cities."

Q *Doesn't that settle things?*

A Not necessarily. The District Court ruling probably will have little bearing on the PUC ruling, which is expected later this summer. US West may also appeal the District Court ruling. Regardless of what happens in these two arenas, the Legislature will be looking at this issue when the 1997 session begins in January.

Q *Why is this such an important issue?*

A The implications of this case are enormous. As deregulation and competition among telecommunication and utility providers continues, there will be more and more demand for access to the ground under city streets. All kinds of businesses and utilities make use of that scarce space - telephone companies, cable television companies, gas companies, power companies - and so on. If cities are not allowed to manage the use of the right of way, streets could be torn up regularly and underground facilities could become a tangled maze. Imagine your city completing a major repaving project, only to have the street torn up by a utility looking to install lines. Imagine the phone calls to city hall from irate residents if streets are blocked off two or three times a year. Imagine your frustration when it becomes obvious that local taxpayers are being forced to subsidize private industry and pay higher taxes to build and maintain city streets.

Q *So what is the League of Minnesota Cities doing?*

A As the magnitude of this issue became clear, the League Board of Directors appointed a Rights of Way Task Force to look at what should be done. Through the course of several meetings, the Task Force developed a work program that involves legal, legislative, and public information strategies to protect cities' role in managing the public right of way. The Task Force estimates that full implementation of the work program could cost as much as \$325,000. The Board has agreed to finance this work program by allocating \$125,000 from the current League budget and asking member cities to voluntarily allocate \$200,000.

Q *\$200,000 is a lot of money. What is the League going to do with all of that?*

A The work plan includes legal representation, work with legislative leaders, and an extensive statewide public information campaign. While League staff will take on the bulk of this work, it's likely that outside assistance will be needed.

Q *How did you decide how much you want our city to pay?*

A Your suggested payment is based on a percentage of your city's 1995-96 League dues.

Q *Do we have to pay? How will the payment affect our dues?*

A No city is required to pay. This is strictly a voluntary payment. Also, it's entirely separate from the League dues statement your city will receive in September.

Q *What if our city decides not to pay?*

A That's your choice. As a member of the League of Minnesota Cities, you are not required to take part in this effort. However, if total city payments fall significantly short of the \$200,000 goal, the League will not be able to fully undertake the work plan.

Q *Can our city pay more?*

A Certainly. In fact, we encourage members to allocate more to this fund if this initiative is of particular importance to them. If all member cities meet their minimum payment, the \$200,000 target is reachable - but it's unlikely that every city will join this voluntary effort.

Q *After we pay, how can we stay up to date on the issue?*

A We will keep you informed of any developments through articles in *Cities Bulletin*, direct mailings, and broadcast faxes.

Q *Clearly, our payment is only part of the solution. What else can we do?*

A The best thing city officials can do is stay informed, and pass that information along to as many others as possible. Discuss rights of way with your local editors and reporters; make local control a campaign issue for your House and Senate candidates; talk to your local Chamber of Commerce about the business impact of torn-up streets; let taxpayers know you're working to protect their investment in streets.

Q *I'm still confused. Who should I call?*

A If you have more questions, please contact League Executive Director Jim Miller at (612) 280-1205 or (800) 925-1122, or any member of the Board of Directors.

I-1

Falcon Heights Solid Waste Commission
Minutes
May 9, 1996

Call to Order: Chair Marty McCleery called the meeting to order at 7:00 p.m.

Attendance:

<u>P</u> Jeff Alexander	<u>P</u> Marty McCleery	<u>P</u> Susan Smith
<u>A</u> John Brynildson	<u>P</u> Mary Pat McGinnis	<u>A</u> Sam Jacobs
<u>P</u> Barbara Leary	<u>P</u> Frank Meah	<u>A</u> Carla Asleson
<u>A</u> Catherine Mackiewicz	<u>P</u> Barbara O'Leary	

Approval of Minutes: Jeff Alexander moved and Barbara Leary seconded approval of the minutes for the meeting of April 11, 1996.

City-Wide Garage Sale: Maps of the City will be distributed to those Commissioners who will be counting the households participating in the garage sale. Counts will be reported to Carla Asleson.

Videos: The Commission reviewed "Recycling at Falcon Heights School," the video produced by Falcon Heights Elementary sixth graders, and approved it for showing on the City cable channel. The video of last year's city-wide garage sale was also approved for showing on cable.

Comparative Tonnage Report: The Commission discussed the tonnage comparisons for first quarter 1995 versus first quarter 1996, as well as comparative information for various cities based on changes in population and number of households.

Eco-Team Concept: The Commission watched a videotape, reviewed printed materials and discussed the "Eco-Team" concept. This is a program published by Global Action Plan of Minnesota which involves the formation of small groups within a neighborhood or community to meet and develop ways to create environmentally sensitive lifestyles. There was some concern that it will be difficult to recruit participants in Falcon Heights, especially since residents were recently solicited to form neighborhood committees. If the neighborhood committees are established, one or more of those committees may be interested in pursuing the Eco-Team program. If residents are unwilling to commit the time and effort necessary for the team approach, the information could be adapted and made available for use by individual households. Susan Smith will call cities that have participated in the Eco-Team program to find out what their experience has been. The Commission will discuss the idea further in the fall.

Summer Hiatus: Following discussion of summer schedules, Barbara Leary moved and Barbara O'Leary seconded the suspension of Solid Waste Commission meetings for the months of June and July. The Commission will meet again in August.

Reports on Individual Projects: Frank Meah has been investigating the recycling of batteries. EZ will not accept batteries without a guaranteed market. The MPCA referred the question to Ramsey County, which has not yet responded. Jeff Alexander is looking into coordinated

woodchipping efforts and reported that St. Anthony will send a wood chipper to residents' curbside for a \$15 fee. Marty McCleery is pursuing the possibility of hazardous waste collection at curbside and is waiting for information from the County.

Neighborhood Coordinated Hauling: Some Falcon Heights neighborhoods are attempting to organize their garbage hauling on a voluntary basis to reduce wear on streets and obtain better hauling rates. The Commission will continue to follow these efforts.

Adjournment: Jeff Alexander moved and Mary Pat McGinnis seconded adjournment of the meeting at 8:40 p.m.

Respectfully Submitted,

Susan K. Smith
Secretary

DEC 14 96