

CITY OF FALCON HEIGHTS
Regular Meeting of the City Council
City Hall
2077 W. Larpenteur Ave.

December 15, 1999

AGENDA

- A. CALL TO ORDER: 7 p.m.
- B. ROLL CALL: GEHRZ ____ GIBSON TALBOT ____ HUSTAD ____
 KUETTEL ____ HOYT ____
 ATTORNEY ____ ENGINEER ____
- C. COMMUNITY FORUM
- D. APPROVAL OF MINUTES: December 6, 1999
- E. PUBLIC HEARING: None
- F. CONSENT AGENDA:
1. General disbursements through 12/9/99, \$76,183.01
Payroll, 11/16/99 to 11/30/99, \$9,296.40
 2. Fund transfer from the Infrastructure Fund to the 2000 Alley
Reconstruction Fund
 3. Adopt resolution 99-31 eliminating the 2000 debt levy on general
obligation debt
 4. Consider scheduling first council meeting for January 5, 2000 and
cancel January 12 meeting
 5. Consider resolution 99-32 approving a 3% standard compensation increase
for regular employees in 2000
 6. Authorization for the city administrator to negotiate a contract for fire
inspection services with the City of New Brighton
 7. Consideration of additional services from Barton Aschman for pavillion
work
 8. Consideration of welcome signs for State Fair goers
 9. *Liquor, Beer, Tobacco Licenses 2000*
- G. POLICY AGENDA:
1. Resolution 99-29 adopting the property tax levy of \$615,904
 2. Consider resolution 99-30 adopting the 2000 budget
 3. Consideration of ordinance 99-09 amending the zoning code with
definitions and uses related to schools, museums, galleries in the
commercial zones

4. Consideration of ordinance 99-10 amending the zoning code on garage setbacks
5. Recognize Fire Marshal Terry Iverson
6. Y2K Contingency Plan – Key Points
7. Request for action re the option to waive the statutory tort limits under the LMCIT insurance plan
8. Final landscaping plan for Larpenteur Avenue east of Arona Street

H. INFORMATION AND ANNOUNCEMENTS:

I. ADJOURN

City of Falcon Heights
City Council Minutes
6 December 1999

DRAFT

Mayor Gehrz called the meeting to order at 7:01 p.m.

PRESENT: Gehrz, Gibson Talbot, Hustad
Also present: Susan Hoyt, city administrator

ABSENT: Kuettel

COMMUNITY FORUM: No one was present to speak.

MINUTES OF NOVEMBER 24, 1999

The minutes of the November 24, 1999 meeting were approved.

CONSENT AGENDA:

Councilmember Gibson Talbot moved approval of the consent agenda. The motion passed unanimously.

1. Licenses
2. Authorization for administrator to hire for the position of assistant to the city administrator
3. Approve first responder training requirements for firefighters and eliminate emergency medical technical (EMT) training
4. Appointment of Mr. Gregory Youngs, Jr. as a firefighter

PUBLIC HEARING:

Mayor Gehrz introduced and opened the public hearing on the proposed 2000 budget and associated tax levy at 7:05 PM. Administrator Hoyt presented the proposed 2000 budget and explained the property tax impact from the proposed property tax levy of \$615,904. Roland Olson, the city accountant, assisted with the presentation. No one was present to ask questions or comment on the proposed budget so Mayor Gehrz closed the public hearing at 7:30 PM.

POLICY AGENDA:

Resolution approving two amendments to the Joint Powers Agreement (JPA) for the Middle Mississippi River Watershed Management Organization (MMRWMO)

Administrator Hoyt explained that the city participated in the Middle Mississippi Watershed Management Organization (MMRWMO) as one of several cities. Although Falcon Heights comprised .2% of the area, by participating other cities

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were able to take care of water management issues. Mr. Frame, staff representative to the MMRWMO from Minneapolis, explained that the council was being asked to approve the amendments to the joint powers agreement for the MMRWMO which would expand Minneapolis's area in the watershed and provide some administrative language if any of the subwatershed's chose to levy a property tax for water related projects. Councilmember Hustad moved to approve resolution 99-28. The motion passed unanimously.

Mayor Gehrz adjourned the meeting at 7:45 P.M.

Respectfully submitted,

Susan Hoyt
City Administrator/Clerk

CONSENT 1
Meeting Date: 12/15/99

ITEM DESCRIPTION: Disbursements

SUBMITTED BY: Roland Olson, City Accountant

EXPLANATION/SUMMARY:

1. General disbursements through December 9, 1999, \$76,183.01
2. Payroll, 11/16/99 to 11/30/99, 49,296.40

ACTION REQUESTED: Approval

APPROVAL OF BILLS
PERIOD ENDING: _12-9-99

CHECK#	VENDOR NAME	DESCRIPTION	DEPT.	AMOUNT
	NATIONAL AROR DAY FOUNDTN	MEMBERSHIP-MAYOR	LEGISLAT	15.00
	ORCHARD TRUST COMPANY AS	11/99 HUSTAD CONTRIBUTN	LEGISLAT	75.00
38274	RCLLG	ANNUAL MEETING	LEGISLAT	150.00
	*** TOTAL FOR DEPT 11			240.00
	AMERICAN OFFICE PRODUCTS	PAPER,MARKERS, FOLDERS,	ADMINIST	152.30
38279	US BANCORP	HP LASER JET PAPER	ADMINIST	17.55
	FBN, INC	WEB PAGE CHRGS/COMP SUPT	ADMINIST	127.50
	FBN, INC	ALTERATIONS TO WEB PAGE	ADMINIST	170.00
	LEAGUE OF MN CITIES	WI/MN BREAKFAST MEETING	ADMINIST	15.00
	MINNEAPOLIS PAPER COMPANY	LASER COPY PAPER	ADMINIST	287.44
38277	MN DEPARTMENT OF REVENUE	11/30 ST WITH	ADMINIST	625.64
	NCPERS GROUP LIFE INS	12/99 PHILLIPS	ADMINIST	12.00
	OFFICE MAX CREDIT PLAN	SURGE PROTECTOR	ADMINIST	14.89
38276	PERA	11/30 PERA WITH	ADMINIST	1,182.02
	RAMSEY COUNTY	12/99 HEALTH INS PREMIUM	ADMINIST	2,927.86
	TAFF, SUSAN HOYT	12/99 AUTO ALLOWANCE	ADMINIST	250.00
	KINKO'S INC.	COPY PAPER/CARD STOCK	ADMINIST	27.00
	*** TOTAL FOR DEPT 12			5,809.20
	KINKO'S INC.	COPY OF BUDGET CHRGS	FINANCE	466.04
	KINKO'S INC.	TAX HEARING COPIES/SUPPL	FINANCE	134.05
	*** TOTAL FOR DEPT 13			600.09
	CADY COMMUNICATIONS INC	TELE REPAIR(3 SVC CALLS)	COMMUNIC	297.00
	MCI WORLDCOM RES SVC	LONG DISTANCE CHARGES	COMMUNIC	19.91
	USWEST COMMUNICATIONS	TELE TO 12/1	COMMUNIC	538.79
	*** TOTAL FOR DEPT 16			855.70
	HUGHES & COSTELLO	12/99 PROSECUTIONS	PROSECUT	2,245.00
	*** TOTAL FOR DEPT 23			2,245.00
	AMERIPRIDE LINEN&APPAREL	LINEN CLEANING	FIRE FIG	38.34
	AMERIPRIDE LINEN&APPAREL	LINEN CLEANING	FIRE FIG	38.34
	EMERGENCY APPARATUS MAINT	NFPTA PUMP TEST # 757	FIRE FIG	250.00
	KINGS TRUE VALUE	PADLOCK/HASP	FIRE FIG	1.82
	ROSEVILLE RADIO	RADIO/PAGER REPAIR	FIRE FIG	94.07
	SUBURBAN HARDWARE	CLEANING SUPPLIES	FIRE FIG	66.40
	SUPERAMERICA	FUEL	FIRE FIG	89.99
	AIRTOUCH CELLULAR	CELL PHONE CHRGS	FIRE FIG	19.78
	USWEST COMMUNICATIONS	TELE TO 12/1	FIRE FIG	156.21
	MN FIRE SVC CERT. BOARD	3 FOR CERTIFICATION TEST	FIRE FIG	105.00
	*** TOTAL FOR DEPT 24			859.95
	BROWNING-FERRIS IND.	WASTE REMOVAL	CITY HAL	222.29
	BOARD OF WATER COMMISSNRS	WATER	CITY HAL	16.85
	BOARD OF WATER COMMISSNRS	SS	CITY HAL	11.67
	CARE AIR CONDITIONING &	CLEAN/CHECK ROOF HEATERS	CITY HAL	288.00
	GLENWOOD INGLEWOOD	COOLER RENTAL	CITY HAL	9.00
	HERMES FLORAL COMPANY	SPRUCE TOPS	CITY HAL	16.50
	KNOX LUMBER CO.	TIMER/EXT CORDS	CITY HAL	17.26
	KNOX LUMBER CO.	OUTDOOR LIGHTS/PAINT	CITY HAL	38.53
	M-75 BUILDING MAINTENANCE	11/99 CLEANING SVCS	CITY HAL	206.88

APPROVAL OF BILLS
 PERIOD ENDING: _12-9-99

CHECK#	VENDOR NAME	DESCRIPTION	DEPT.	AMOUNT
	NSP	GAS 12/2	CITY HAL	345.60
	NSP	ELECT 12/2	CITY HAL	746.90
	OXYGEN SERVICE COMPANY	TANK RENTAL	CITY HAL	9.00
	UNITED RENTALS	RENTAL SOIL IMPACTOR	CITY HAL	72.29
	AIRTOUCH CELLULAR	PULIC WORKS CELL PHONE	CITY HAL	7.85
	*** TOTAL	FOR DEPT 31		2,008.62
	KNOX LUMBER CO.	SNOW FENCE	STREETS	123.92
	KNOX LUMBER CO.	TIRE SUPPLIES	STREETS	53.16
	NSP	ELECT 12/2	STREETS	9.93
	NSP	ELECT 12/2	STREETS	64.27
	NSP	ELECT 12/2	STREETS	9.22
	NSP	ELECT 11/29	STREETS	132.47
	NSP	ELECT 12.1	STREETS	2,026.34
	NSP	ELECT 12/2	STREETS	79.02
	NSP	ELECT 12/1	STREETS	9.79
	NSP	ELECT 11/30	STREETS	18.25
	NSP	ELECT 12/2	STREETS	136.72
	SCHARBER & SONS	JD FILTER/EDGE CUTTER/SH	STREETS	191.87
	SUBURBAN HARDWARE	VEHICLE SUPPLIES	STREETS	31.03
	*** TOTAL	FOR DEPT 32		2,885.99
	BOARD OF WATER COMMISSNRS	PARKS H2O	PARK & R	41.18
	BOARD OF WATER COMMISSNRS	PARKS SS	PARK & R	32.32
	ICMA RETIREMENT TRUST 457	12/99 TRETSVAN	PARK & R	100.00
	ICMA RETIREMENT TRUST 457	12/99 MAERTZ	PARK & R	100.00
	NSP	ELECT 11/30	PARK & R	21.58
	NSP	ELECT/GAS 12/1	PARK & R	63.94
	NSP	ELECT 11/30	PARK & R	476.84
	ON SITE SANITATION	PORTABLE TOILET 11/99	PARK & R	68.65
	ON SITE SANITATION	PARTIAL MONTH PORTBL TOI	PARK & R	19.63
	SUBURBAN HARDWARE	HOCKEY BOARDS/FASTENERS	PARK & R	21.44
	SUPERAMERICA	FUEL	PARK & R	155.63
	USWEST COMMUNICATIONS	TELE TO 11/22	PARK & R	58.12
	*** TOTAL	FOR DEPT 41		1,159.33
	BLOMBERG PHARMACY	PLAYROOM SAFETY SUPPLIES	PARK PRO	72.09
	DIANE MEYER	REIMB FOR PLAYROOM SUPPL	PARK PRO	20.58
	FASTSIGNS	PLAYROOM SIGN	PARK PRO	15.98
	KINKO'S INC.	BASKET BALL FLYERS/OPEN	PARK PRO	77.75
	*** TOTAL	FOR DEPT 50		186.40
	E-Z RECYCLING, INC.	11/99 RECYCLING	SOLID WA	2,559.40
	ST ANTHONY PARK COMM CNCL	1999 NEIGHBORHOOD CLEANU	SOLID WA	1,866.07
	*** TOTAL	FOR DEPT 56		4,425.47
	FIRE EQUIPMENT SPECIALTIE	FIRE FIGHTER BOOTS	FIRE & R	93.95
	FIRE EQUIPMENT SPECIALTIE	HYDRANT WRENCH	FIRE & R	27.90
	*** TOTAL	FOR DEPT 64		121.85
	GRAINGER, W. W., INC.	4 CARPET FLOOR MATS	PUBLIC W	260.40
38278	MUSKA ELECTRIC CO.	CEILING FANS/COMM PARK	PUBLIC W	1,670.00
	*** TOTAL	FOR DEPT 65		1,930.40
	NSP	ELECT 12/2	SANITARY	16.85

APPROVAL OF BILLS
 PERIOD ENDING: _12-9-99

CHECK#	VENDOR NAME	DESCRIPTION	DEPT.	AMOUNT
*** TOTAL FOR DEPT 75				16.85
	INVER HILLS COMM COLLEGE	EMT-REIMBURSED BY ST EMS RESCUE S		1,400.00
*** TOTAL FOR DEPT 76				1,400.00
	KILLMER ELECTRIC CO, INC.	FINAL PYMT # 8	LARPENTE	20,268.50
38275	NORTH METRO LANDSCAPING	PYMT # 5	LARPENTE	17,766.40
	PARSONS TRANSPORATION GRP	PAVILIAN PROJ INITIATION	LARPENTE	2,307.38
*** TOTAL FOR DEPT 82				40,342.28
	BERNARDY, CONNIE LANNERS	DEC 1/15 PROF SVCS	MCAD	1,288.49
*** TOTAL FOR DEPT 84				1,288.49
	HOWARD GREEN COMPANYC.	NE QUAD ST REPAIR ENGINE NE QUAD		4,175.64
*** TOTAL FOR DEPT 86				4,175.64
	HOWARD GREEN COMPANYC.	2000 ALLEY RECONSTRUCTIN	2000 ALL	5,631.75
*** TOTAL FOR DEPT 87				5,631.75
*** TOTAL FOR BANK 01				76,183.01
*** GRAND TOTAL ***				76,183.01

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	11 29 99	6 SUSAN GEHRZ	29877	286.08
COM	11 29 99	8 SAM JACOBS	29878	277.05
COM	11 29 99	10 JAN GIBSON TALBOT	29879	200.00
COM	11 29 99	11 JOHN HUSTAD	29880	202.05
COM	11 29 99	12 LAURA A. KUETTEL	29881	277.05
COM	11 29 99	34 CLEMENT KURHAJETZ	29882	276.20
COM	11 29 99	42 MICHAEL D. CLARKIN	29883	94.67
COM	11 29 99	66 ALFRED HERNANDEZ	29884	64.64
COM	11 29 99	73 JEREMY HUTCHISON	29885	55.41
COM	11 29 99	74 MARK J. ALLEN	29886	55.41
COM	11 29 99	1002 SUSAN HOYT TAFF	29887	1443.82
COM	11 29 99	1003 TERRY IVERSON	29888	1102.78
COM	11 29 99	1007 PATRICIA PHILLIPS	29889	976.71
COM	11 29 99	1013 WILLIAM MAERTZ	29890	1213.41
COM	11 29 99	1026 JASON CIERNIA	29891	58.18
COM	11 29 99	1033 DAVE TRETSEVEN	29892	879.26
COM	11 29 99	1102 AUSTIN M. PETERSON	29893	535.60
COM	11 29 99	1103 DIANE MEYER	29894	288.14
COM	11 29 99	1136 ROLAND O. OLSON	29895	838.55
COM	11 29 99	1173 ELIZABETH M. POSTIGO	29896	171.39

COMPUTER CHECKS	9296.40
MANUAL CHECKS	.00
NOTICES OF DEPOSIT	.00

****TOTALS**** 9296.40

ITEM: Fund Transfer from the Infrastructure Fund to the 2000 Alley
Reconstruction Fund

SUBMITTED BY: Roland Olson , City Accountant

REVIEWED BY: Susan Hoyt, City Administrator and Matt Mayer CPA,
Kern, DeWenter, Viere, Ltd. Certified Public Accountants

EXPLANATION/DESCRIPTION:

Summary and action requested: The council is being asked to approve the fund transfer from the Infrastructure Fund to pay for the costs associated with the alley reconstruction costs in the year 2000. We currently have some engineering costs associated with this project and need to set up the fund.

Transfer from:	Infrastructure Fund	\$200,000
Transfer to:	2000 Alley Reconstruction Fund	\$200,000

Meets goal # 4: To provide a responsive and effective city government.
Strategy 6: To effectively manage the city's financial resources.

ACTION REQUESTED:

Approve the fund transfer as detailed.

CONSENT 3
Date: 12/15/99

ITEM: Adopt resolution 99-31 eliminating the 2000 debt levy on general obligation debt

SUBMITTED BY: Susan Hoyt, City Administrator

EXPLANATION/DESCRIPTION:

Summary and action requested. The council is being asked to approve resolution 99-31 agreeing not to levy for the general obligation bonds of 1990, 1991 and 1993 in the amount of \$147,200. The city pays for these funds through its infrastructure fund that it saves to pay for the non-assessed portion of projects.

Goal #4. To provide a responsive and effective city government.
Strategy 4: Effectively manage the city's financial resources.

ACTION REQUESTED:

Adopt resolution 99-31.

CITY OF FALCON HEIGHTS

COUNCIL RESOLUTION

Date: December 15, 1999

A RESOLUTION ELIMINATING THE 1999 DEBT LEVY ON
GENERAL OBLIGATION DEBT

WHEREAS, the city council of the city of Falcon Heights has sufficient funds on hand in the Debt Service Funds; and

WHEREAS, this amount is strictly reserved for the debt payment on the General Obligation Improvement Bonds of 1993, General Obligation Improvement Bonds of 1991, and General Obligation Improvement Bonds of 1990.

NOW THEREFORE, BE IT RESOLVED, by the city council of the City of Falcon Heights that the following be removed from the 2000 tax levy:

G.O. Improvement Bonds 1993	\$116,600
G.O. Improvement Bonds 1991	25,000
G.O. Improvement Bonds 1990	<u>5,600</u>

TOTAL REDUCTION: \$147,200.00

Moved by: _____

Approved by: _____

Mayor
December 15, 1999
Date

GEHRZ ___ In Favor
GIBSON TALBOT
HUSTAD ___ Against
KUETTEL

Attested by: _____

City Administrator
December 15, 1999
Date

CONSENT 4
Date: 12/15/99

ITEM: Consider Scheduling first council meeting for January 5, 2000 and cancel January 12 meeting

SUBMITTED BY: Susan Hoyt, City Administrator

EXPLANATION/DESCRIPTION:

Summary and action requested. The council is being asked to reschedule the first meeting of the year from January 12 to January 5, 2000. This coordinates better with schedules and gets an earlier start to the new year.

Goal 4: To provide a responsive and effective government.

ACTION REQUESTED:

Reschedule first meeting in 2000 to January 5 and cancel the January 12 council meeting.

CONSENT 5
Date: 12/15/99

ITEM: Consider resolution 99-32 approving a 3% standard compensation increase for regular employees in 2000

SUBMITTED BY: Susan Hoyt, City Administrator

EXPLANATION/DESCRIPTION:

Summary and action requested. The council is being asked to formally approve the 3% salary increase for regular employees with a satisfactory performance for 1999. This increase is budgeted in the 2000 budget.

ATTACHMENT:

1 Resolution 99-32

ACTION REQUESTED:

Adopt resolution 99-32.

CITY OF FALCON HEIGHTS
COUNCIL RESOLUTION

Date: December 15, 1999

RESOLUTION AUTHORIZING COMPENSATION INCREASE FOR
REGULAR EMPLOYEES

WHEREAS, the 2000 budget includes a 3% standard compensation increase for regular employees;

NOW THEREFORE, BE IT RESOLVED that the city administrator is hereby authorized to award a 3% compensation increase for regular employees for the year 2000.

Moved by: _____

GEHRZ ___ In Favor
GIBSON TALBOT
HUSTAD ___ Against
KUETTEL

Approved by: _____

Mayor
December 15, 1999
Date

Attested by: _____

City Administrator
December 15, 1999

Date

CONSENT 6
Date: 12/15/99

ITEM: Authorization for the city administrator to negotiate a contract for fire inspection services with the city of New Brighton

SUBMITTED BY: Susan Hoyt, City Administrator

EXPLANATION/DESCRIPTION:

Summary and action requested. The council is being asked to authorize the city administrator to proceed with discussions with New Brighton about contracting for fire inspection services beginning as of January 1, 2000 given the elimination of the fire marshal position at year end. Under a contract arrangement New Brighton is responsible for the personnel and education aspects of providing the service. The administrator anticipates that any arrangements with New Brighton will also serve Lauderdale. Until arrangements are made, the city is using its building official for most fire code inspections. He is experienced in the fire code.

ACTION REQUESTED:

Authorize administrator to negotiate for fire inspection services as a contract with New Brighton.

CONSENT 7
Date: 12/15/99

ITEM: Consideration of additional services from Barton Aschman for pavilion work

SUBMITTED BY: Susan Hoyt, City Administrator

REVIEWED BY: Scott Midness, Barton Aschman
Terry Maurer, City Engineer

EXPLANATION/DESCRIPTION:

Summary and action requested. The council is being asked to authorize an additional \$2,500 toward the structural engineering and on-site supervision for the pavilion from the landscape architects, if the additional funds are necessary. The current contract for work has a not to exceed fee of \$9,850. And this may still be adequate for the project. However, Scott Midness, the landscape architect, believes that a structural engineer will be needed to make sure the structure is constructed to endure weather conditions. Scott also believes that he will be more involved in the supervision of the site preparation than originally planned because the city is doing the work internally rather than through a landscape contractor. Staff recommends approving the additional fee to assure the structure is sound and appropriately landscaped.

ATTACHMENT:

1 Letter to administrator from Scott Midness, dated 1 December 1999

ACTION REQUESTED:

Approve potential additional cost up to \$2,500 for services with Barton Aschman.

PARSONS

PARSONS TRANSPORTATION GROUP INC.

Barton-Aschman • De Leuw, Cather • Steinman

111 Third Avenue South, Suite 350 • Minneapolis, Minnesota 55401 USA • (612) 332-0421 • Fax: (612) 332-6180

December 1, 1999

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

Re: Supplement #1 to Professional Services Proposal for the City Hall Pavilion & South Lawn Project

Dear Ms. Hoyt:

Per our Agreement dated September 29, 1999 (See "Assumptions: Fee Structure") for the above referenced project, and per your phone directive on November 30, 1999, we hereby submit Supplement #1 for additional services related to Task 6-Construction Administration.

Additional Services

Task 6 – Construction Administration

- Review structural engineering shop drawings related to the steel pavilion structure and associated concrete footings. (Work to be performed by our structural engineer subconsultant)
- Estimated Additional Hours: 8-10 Estimated Additional Fee: \$1,000 (Structural Engineer)
- Provide additional on-site construction observation during construction related to compliance with drawings and overall design intent. Work shall include staking the location of the pavilion and pathway; reviewing and approving colors, materials, and lighting effects related to the pavilion and site work.
- Estimated Additional Hours: 20-24 Estimated Additional Fee: \$1,500

We shall provide the additional services outlined above for an additional fee of \$2,500. This fee shall be in addition to the \$9,850 base fee already under contract.

Please sign and date a copy of this request and mail or fax it back to me so that we may process this supplemental agreement. We look forward to working with the City during the construction of the pavilion and the associated site improvements.

Sincerely,



Wm. Scott Midness, ASLA
Principal Associate

APPROVED BY:

Name

Title

Date



ITEM: Consideration of welcome signs for State Fair goers

SUBMITTED BY: Susan Hoyt, City Administrator

REVIEWED BY: Carol Kriegler, Vacker Inc.

EXPLANATION/DESCRIPTION:

Summary and action requested. The council is being asked to consider small welcome signs of the glass material for the city signs on Snelling Avenue and the two sided sign in front of city hall for \$2,200 out of the Larpenteur Avenue account. Last year the city used cardboard signs in these locations, but these were not durable, and, prior to that, used the commander board to welcome people to the community. Since the city hosts over 1,000,000 people each August, it seems appropriate to have a permanent way to welcome fairgoers during fair week. These signs would be removed at the end of the fair and put up again the following year. The proposed glass welcome would be the size of the 'city hall' on the city hall sign. The design would be approved by the city council prior to creating the sign.

ATTACHMENT:

1 Proposal for Welcome Fair goer signs

ACTION REQUESTED:

Approve four signs to Welcome Fair goers for \$2,200, if desired.



FINE ARCHITECTURAL SIGNS

PROPOSAL

"State Fair" Signs

Sign Specifications:

- 3/8" tempered glass
- 1" radius corners
- 1/2" drilled mounting holes
- polished edges
- Second surface, double application Scotchcal film
- First surface, Scotchcal film applications "Welcome Fair Goers" and misc. fair related graphics. Will submit lay-out for approval.

Mounting Hardware installation at two locations -- Snelling & Hoyt, Snelling & Roselawn
(existing mounting hardware at City Hall location)

TOTAL COST -- Four Signs (including installation): \$2,200.00

Add alternate:

5th sign and hardware installation at Fulham and Larpenteur. Add \$475.00

THANKS FOR YOUR CONSIDERATION!

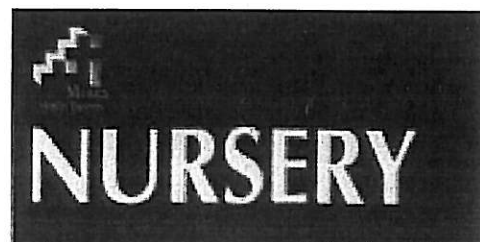
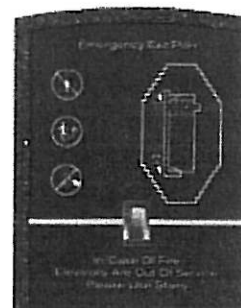
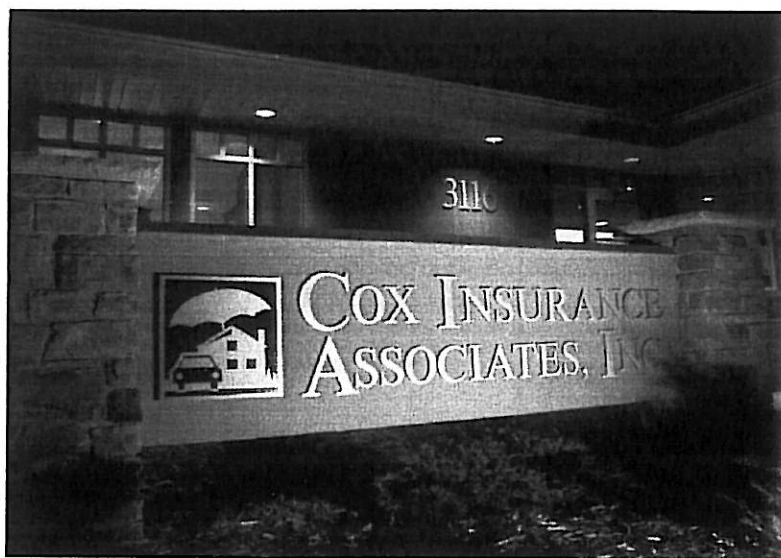
A handwritten signature in black ink, appearing to read "Carlson".



FINE ARCHITECTURAL SIGNS

Our Mission

To provide our customers with fine architectural signs through creative design, quality-craftsmanship, and exceptional service.



Our Capabilities

- Dimensional letters, numbers, and logos
- Custom Interior signs and sign systems
- Exterior Signs
- Pressure Sensitive Letters and Logos
- Sign Planning and "Way-Finding" Inventory Services

Contact: Carol Kriegler
 Phone: (651)-487-3100
 Fax: (651)-487-0304
 www.vackersign.com
 ckriegler@vackersign.com

ITEM DESCRIPTION: 2000 Licenses

SUBMITTED BY: Pat Phillips, Licensing Coordinator

REVIEWED BY: Susan Hoyt, City Administrator

EXPLANATION/SUMMARY:

RESTAURANT AND 3.2 BEER

Pizza Huts of the Northwest, Inc . Lic. #00-504

ON-SALE LIQUOR, SUNDAY LIQUOR, RESTAURANT, TOBACCO

Superior Concepts, Inc. d/b/a Ciatti's Restaurant Lic. #00-501

OFF-SALE LIQUOR, TOBACCO, BUSINESS

J's Liquor, Inc. Lic. #00-502

BOTTLE CLUB, 3.2 ON-SALE BEER, BUSINESS

J. L. & B., Inc., d/b/a Falcon Bowl Lic. #00-503

RESTAURANT, WINE, BEER

Tung Kwan, Inc. d/b/a Chinatown Lic. #00-500

ACTION REQUESTED: Approve contingent upon each business providing the city with proof of liquor liability insurance

POLICY 1
Date: 12/15/99

ITEM: Resolution 99-29 adopting the property tax levy of \$ 615,904

SUBMITTED BY: Susan Hoyt, City Administrator

REVIEWED BY: Mayor and Councilmembers
Roland Olson, City Accountant

EXPLANATION/DESCRIPTION:

Summary and action requested. The council is being asked to adopt a resolution approving the property tax levy of \$615,904 to support the \$1,269,116 operating budget for 2000. The council held a public hearing on the 2000 budget on December 6, 1999.

Meets overall goal: To promote a place that is a good place to work, live and visit.

ATTACHMENTS:

1 Resolution 99-29

ACTION REQUESTED:

Adopt resolution 99-29 approving the 2000 property tax levy.

CITY OF FALCON HEIGHTS
COUNCIL RESOLUTION

Date: December 15, 1999

A RESOLUTION CERTIFYING THE 2000 TAX LEVY

BE IT RESOLVED that the city council authorizes the city to levy taxes in the amount of \$615,904 for the year 2000; and

BE IT FURTHER RESOLVED that the county auditor should extend the tax levy in the amount of \$615,904 for the year 2000.

Moved by: _____

GEHRZ ___ In Favor
GIBSON TALBOT
HUSTAD ___ Against
KUETTEL

Approved by: _____

Mayor
December 15, 1999
Date

Attested by: _____

City Administrator
December 15, 1999
Date

POLICY 2
Date: 12/15/99

ITEM: Consider resolution 99-30 adopting the 2000 budget

SUBMITTED BY: Susan Hoyt, City Administrator

REVIEWED BY: Mayor and Councilmembers
Roland Olson, City Accountant

EXPLANATION/DESCRIPTION:

Summary and action requested. The council is being asked to adopt the operating budget of \$1,269,116 for 2000. The council held a hearing on the budget on December 6, 1999.

Goal: To promote a place that is a good place to live, work and visit.

ACTION REQUESTED:

Adopt resolution 99-30.

CITY OF FALCON HEIGHTS
COUNCIL RESOLUTION

Date: December 15, 1999

A RESOLUTION ADOPTING THE 2000 BUDGET

BE IT RESOLVED by the city council of the City of Falcon Heights that the General Operating Budget for the year 2000 in the amount of \$1,269,116 is adopted.

Moved by: _____

GEHRZ ___ In Favor
GIBSON TALBOT
HUSTAD ___ Against
KUETTEL

Approved by: _____

Mayor
December 15, 1999
Date

Attested by: _____

City Administrator
December 15, 1999
Date

ITEM: Consideration of ordinance 99-09 amending the zoning code with definitions and uses related to schools, museums, galleries in the commercial zones

SUBMITTED BY: Susan Hoyt, City Administrator
Diana Billings, planner, DSU (analysis, proposed definitions)

REVIEWED BY: Planning Commission
Roger Knutson, City Attorney

EXPLANATION/DESCRIPTION:

Summary and action requested. The council is being asked to consider ordinance 99-09 with proposed amendments to the zoning code definitions of schools and other related clarifications. These recommendations are the result of an analysis done by the city's planning consultant after the city council adopted a moratorium on school uses in the city's three commercial zones, B-1, B-2 and B-3 on June 9, 1999. The moratorium was adopted after receiving inquiries about a school use for the Harvest States office structure. Although schools are not a permitted or conditional use in the B-1, neighborhood commercial district, and the B-3, community business district, the council determined that it was timely to carefully define uses like dance schools in the B-3 zone and to evaluate the necessity of keeping schools as a conditional use in the B-2, limited business district, given the extensive area of the city already devoted to educational uses through Falcon Heights elementary school, the University of Minnesota and Gibbs Farm. Limiting education uses also reduces the number of tax exempt uses that may locate here in Falcon Heights. Forty – three per cent of the city's market value is tax exempt. Originally the moratorium was scheduled to expire on January 1, 2000. The moratorium was extended into the new year, if necessary. However, it is always in the city's best interest to end moratoriums as soon as reasonable for the benefit of property owners and/or potential buyers and tenants. The planning commission is holding a public hearing on these proposed amendments on December 14, 1999.

Goal 2: To maintain and promote the assets of the city's unique neighborhoods including commercial, residential and open space uses for present and future generations.

Summary of recommended changes to the zoning code (see attachments)

Essentially, the recommendations make only one change in what is now an allowed land use and that is the elimination of colleges, academies, schools in the B-2 zone. This proposed change would really only impact the Hewlett Packard and the Hermes property because these are the only properties that are likely able to truly accommodate a school type of use from a parking, access, open space and building size perspective in this zone. There have been no inquiries about schools at these locations. The proposal also removes galleries, museums and historic buildings from the B-2 zone because these uses are found elsewhere.

Schools remain a conditional use in the R-1 zone, which is the zone that covers the majority of land area that is not controlled by the U or the State Fair. The moratorium does not cover schools as a conditional use in an R-1 zone nor is it recommended to limit this in the R-1 zone.

Specifics:

- Definitions: add educational institutions, school and studio to the zoning code. (use studio for dance school, karate, etc.)
- Minor change in language in the R-1 single family residential zone to incorporate new definition of schools and thereby eliminate terms of parochial and public. (Schools remain a conditional use in an R-1 zone; the study is limited to commercial zones.)
- Adds the definition of studio to the B-1 neighborhood commercial zone because this use will fit with some of the locations in this district.
- Eliminate colleges and academies and schools as a conditional use in the B-2 zone, add studios for dance, etc.
- Eliminate historical buildings (there are none), museums, art institutes and galleries (educational in nature; have some at U and Gibbs)
- Change research laboratory to more exclusive definition in B-2 zone
- Refine definition for public owned buildings in B-2 zone to city owned community facilities (relates to city hall).
- Replace school for dance etc. with only studio for dance etc. in the B-3 zone.

Background to proposed zoning code amendments.

- The city's land use decisions made through zoning must be based upon some logic about the allocation of land uses.
- Falcon Heights has 19.5% of it's total area in educational uses (U of M, Gibbs Farm and Falcon Heights Elementary School), there is no need to add more educational in the commercial zone to the area already allowed in the city.
- The area allocated to educational uses in Falcon Heights is much higher than nearby suburban cities in Ramsey County including Arden Hills (4.7%) of which has Northwest College and Bethel College.
- The city has limited commercial area, 1.8% of total land area in city, for maintaining commercial services for residents and neighbors and the commercial area should not be further devoted to already prevalent educational uses.
- State statute identifies an underlying principle of zoning codes is to preserve a city's tax base. Statute 462.351 *Municipal planning will assist in developing lands more wisely to serve citizens more effectively , will make the provision of public services less costly and will achieve a more secure tax base. ..* Eliminating schools as a conditional use in the B-2 zone will indirectly help with this principle. This is not the primary reason that the city would use to adopt this change in the B-2 zone.
- The only commercial area in the city where a school is a conditional use is in the B-2 zone. (No schools of any type are permitted in B-1 and only dance schools (studios) are permitted in B-3). However, only two properties in this zone, Hermes and Hewlett Packard, are very well configured for school use. A request for a conditional use permit for a school with 9 students in the office building on Prior was feasible, but very challenging from a land use perspective. Several conditions were required. The school never obtained the lease for this site and, therefore, never opened.

ATTACHMENTS:

- 1 Proposed ordinance 99-09
- 2 Zoning map
- 3 Land allocation in educational institutions in Falcon Heights and nearby suburbs
- 4 Recommendations on zoning code amendments from planning consultant
- 5 Commercial B-1, B-2 and B-3 zoning codes

ACTION REQUESTED:

- 1 Report from city administrator
- 2 Discussion and questions
- 3 Adopt ordinance 99-09 as discussed (requires 4 votes)

Land Use Comparison
 Land Dedicated to Schools, Colleges and Museums
 City of Falcon Heights vs. Other Twin Cities Suburbs

	<u>Acres</u>	<u>Percent of Total Land Area in the City</u>
Shoreview	67	less than 1%
Roseville	214	2.5%
New Brighton		
Arden Hills	290	4.7%
Moundsview	43	1.7%
St. Anthony		
Little Canada	79	2.8%
Falcon Heights	284	19.5%

City of Falcon Heights
 Land Use Analysis
 Schools, Colleges and Museums

	<u>Acres</u>
Total land area of the City:	1,461
Land area of the State Fair:	288
Area of Falcon Heights School:	8.8
Area of Gibbs Farm:	7.5
Area of U of M (minus golf course):	268
Total land area devoted to education:	284

Total land area devoted to education as a percentage of the city's total land area: 19.5%
 Total land area devoted to education as a percentage of the city's total land area minus the State Fair: 24.2%

Total existing commercial land area as a percentage of total land area in the city: 1.8%

Land area in Falcon heights outside of the U of M and the State Fair:
 Total area: 517
 Percentage of total: 35.4%



INCORPORATED

CONSULTING PLANNERS
LANDSCAPE ARCHITECTS
300 FIRST AVENUE NORTH
SUITE 210
MINNEAPOLIS, MN 55401
612-339-3300 PHONE
612-337-3601 FAX

MEMORANDUM

DATE: November 16, 1999
TO: Susan Hoyt, City Administrator
City of Falcon Heights
FROM: Diana Billings, PLANNER, DAHLGREN, SHARDLOW AND UBAN
RE: Zoning Recommendations

Following is a summary of the zoning changes recommended to address schools in Falcon Heights.

RECOMMENDATION

- ◆ Clearly define and differentiate between different types of schools
- ◆ Prohibit all schools in the city's commercial districts

For the purpose of this recommendation, schools do not include dance, music, art, photography, interior design, etc. studios. These should be defined separately.

Following are the steps required to implement these recommendations:

Definitions

Based upon the City's unique and extensive mix of public land uses, it is important to clearly define and differentiate between all public uses, particularly schools. From a land use planning perspective, there are two main categories of schools. The first includes elementary, middle, and secondary schools. The other includes post-secondary schools. From a planning perspective, whether a school is public or private is not as relevant as the type itself (elementary, middle, secondary, post secondary). Therefore, it is not necessary to separately define public versus private schools.

Elementary, Middle and Secondary Schools

Elementary schools are typically less intensive uses than middle or high schools, generating less traffic, requiring less parking, occupying less space, etc. However, given the existing zoning districts in Falcon Heights, it is probably not necessary to separately define each of these types. Most likely, all three types would be allowed in each of the city's four residential districts and none of them would be allowed in the city's commercial districts. Following is a unified definition derived from the city of Plymouth's ordinance with some minor modifications made (in italics or strikeout) for clarity:

School: A building used for the purpose of elementary, middle (*junior high*) or secondary (*high school*) education, *public or private*, which meets all the requirements of compulsory education laws of the State of Minnesota, ~~and not providing residential accommodations.~~

Post-Secondary Schools

It is very important to separately define post-secondary schools from elementary, middle, and secondary schools. Clearly, post-secondary schools have significantly different planning implications. Traffic, parking and noise are important considerations as is the availability of housing and employment. The districts in which these types of uses are appropriate may be quite different from those for elementary, middle and secondary schools.

The definition for "educational institutions" in The New illustrated Book of Development Definitions provides a clear, concise definition as follows:

Educational Institution: A college or university authorized by the state to award degrees.

Again, it is probably not important to differentiate between *public or private post-secondary schools*.

Studios

Schools or studios for dance, music, art, photography, interior design, etc. are not included in either of the above definitions. Since these uses may be appropriate in districts where neither schools or educational institutions are permitted, a separate definition is needed. Following is the definition used by St. Louis Park with some minor modifications made (in italics or strikeout) for clarity and to conform with the types of uses currently permitted under "studios" in Falcon Heights:

Studio: A facility where the practice or study of the visual and audio arts occurs. *This may include dance, music, art, photography or interior design.* ~~printing, sculpturing, photography, recording, radio and television studios. This use also includes dance studios and studios for the martial arts. This use~~

does not include large industrial photography or printing processes. *These uses are separate from "schools" and "educational institutions" as defined in this ordinance.*

Proprietary Schools

Proprietary schools, by definition in State Statute, are not included in either the definition of "schools" or "educational institutions" offered above. Some proprietary schools could possibly fall under the definition of "studio" above.

Proprietary schools include trade, correspondence, business and social training schools operated for a profit or charging tuition which do not, among other criteria, meet the state's compulsory education requirements or offer degrees. Some examples would include beauty colleges, model schools, and travel schools. Should the city decide to allow for these types of schools within the city, particularly within any of its commercial districts, the following definition could be used:

Proprietary School:

Any private business, trade, correspondence or social training school operated for a profit or charging tuition that meets the state's definition of a proprietary school.

ZONING CHANGES NEEDED

The following zoning changes are needed to implement the above steps:

- ◆ Add the following definitions to Chapter 9-1.02 of the city's code.

193. Educational Institution: A college or university authorized by the state to award degrees.

194. School: A building used for the purpose of elementary, middle (junior high) or secondary (high school) education, public or private, which meets all the requirements of compulsory education laws of the State of Minnesota.

195. Studio: A facility where the practice or study of ~~the visual and audio arts occurs.~~ *fine* This may include ~~dance, music, art, photography or interior design.~~ *is actual arts* ~~This use does not include large industrial photography or printing processes. These uses are separate from "schools" and "educational institutions" as defined in this ordinance.~~ *performing arts*

Note: Proprietary schools could be added if desired. Also, as shown above, these definitions are simply added at the end of the of the definitions section of the ordinance. the definitions. They should be inserted in the correct alphabetical order relative to the other definitions when the ordinance is recodified.

- ◆ Change 9-4.01 (One Family R-1 District) Subdivision 2.b as follows:

b. ~~Public and parochial schools~~ Schools - provided no buildings shall be located within fifty (50) feet of any lot line of an abutting lot in an "R" use district. Any fence erected around a play area shall be not less than fifteen (15) feet from a street line when said fence would be across the street from an "R" use district.

- ◆ Change 9-9.01 (B-2 Limited Business District) Subdivision 3 (Conditional Uses) as follows:

~~c. Colleges and academics.~~

k. ~~Schools or studios~~ Studios for dance, music, art, photography or interior design *as defined in this Ordinance.*

- ◆ Change 9-10.01 (B-3 Snelling and Larpenteur Community Business District) Subdivision 2 (Permitted Uses) as follows:

y. ~~Schools and studios~~ Studios for art, photography (SIC 722), dance (SIC 791), music and interior design *as defined in this Ordinance.*

Note: Is it desirable to be specific about the SIC codes? If not, then eliminate them. If yes, these same SIC should apply to the B-2 district? They could either be added to the definition or inserted into the language for each district in which studios are allowed.

OTHER CONSIDERATIONS

Research Laboratories

There is the potential for research laboratories to be operated through a school entity, particularly a university. It is important to differentiate between laboratories that are part of a school from commercial research and/or development facilities. This can be accomplished through how the City defines research laboratories in its zoning ordinance. Following is the definition for "research laboratories" from The New illustrated Book of Development Definitions which has been modified (in italics or strikeout) for clarity that could be used by Falcon Heights:

Research Laboratory:
Note

An establishment or other facility for carrying on investigation in the natural, physical, or social sciences, which may include engineering and product development. *This definition shall not include research laboratories operated by a school or educational institution as defined in this Ordinance. Research laboratories that are integral components of either schools or educational institutions shall be defined as schools.*

21.01.01
Other Public Uses

In the B-2 District, publicly owned and operated buildings and uses are listed as a permitted use. If this is not clearly differentiated, this use could *potentially* be construed to include schools. For clarity, the following change is recommended.

- ◆ Change 9-9.01 (B-2 Limited Business District) Subdivision 2 (Permitted Uses) as follows:

- d. ~~City Publicly owned and operated buildings and uses~~ community facilities provided there shall be no unscreened outdoor storage of materials, supplies or equipment or trucks and trailers exceeding a capacity of one and one-half (1 ½) tons.

APPENDIX A DEFINITIONS

Before determining whether or not a particular use is appropriate for any given district, it is important to first have a clear definition of the use. Following are definitions from other cities' ordinances and the Revised Book of Development Definitions for school, studios and laboratories as well as related or similar uses.

A. Other Cities' Ordinances

Many cities' ordinances have clear definitions for schools, studios, laboratories and other uses that could be useful in refining the B-2 District language for Falcon Heights. Following are some of the definitions used by other cities.

Minnetonka

"Educational Institution or Facility - A public or private elementary middle, secondary, post-secondary or vocational school having a course of instruction meeting the compulsory education requirements of the Minnesota board of education." [Section 300.02, Page 7]

"Public Building - A structure sheltering or enclosing a government activity or use." [Section 300.02, Page 13]

Oakdale

"Public Land or Use: Land owned or operated by municipal, school district, county, state or other governmental units." [Section 25-8, Page 9]

"Research: Medical, chemical, electrical, metallurgical or other scientific research conducted in accordance with the provisions of this ordinance." [Section 25-8, Page 9]

Mankato

"School. A public or private facility that provides a curriculum of elementary and secondary academic instruction, including kindergartens, elementary, junior high schools, and high schools." [Page 13]

Plymouth

"Public Uses: Uses owned or operated by municipal, school districts, county, state or other governmental units." [Section 21005-20]

"School: A building used for the purpose of elementary or secondary education, which meets all the requirements of compulsory education laws of the State of Minnesota, and not providing residential accommodations." [Section 21005-22]

"School, Private: Any building or group of buildings, not operated by a public agency or unit of government, the use of which meets compulsory education laws of the State of Minnesota, for elementary school, middle school (junior high school), secondary (senior high school), or higher education and which use does not secure the major part of its funding directly from any governmental source." [Section 21005-23]

"School, Public: Any building or group of buildings, the use of which meets compulsory education laws of the State of Minnesota, for elementary school, middle school (junior high school), secondary (senior high school), or higher education which secures all or the major part of its funding from governmental sources and is operated by a public agency or government unit." [Section 21005-23]

"Semi-Public Use: Uses owned by private or private non-profit organizations which are open to some, but not all, of the public." [Section 21005-23]

St. Louis Park

"Education/Academic" [Section 14:5-3 © (3)]

"Public - Neighborhood or district based education service normally provided to persons through young adult age; the use may include evening or off hour service to adults in the community. This use generally includes an accessory food service and some retail facilities to serve students and faculty."

"Private - Community or regional based education service normally provided to persons through young adult age; facilities similar to public education facilities above."

"Business/Trade Schools - a facility serving adults and sometimes high school age persons which provides specialized education to develop a skill to prepare for a specific job. Equipment or processing which simulate an industrial or commercial work setting may be included." [Section 14:5-3 (d) (8)]

"Studio - a facility where the practice or study of the visual and audio arts occurs; may include printing, sculpturing, photography, recording, radio and television studios. This use also includes dance studios and studios for the martial arts. The use does not include large industrial photography or printing processes." [Section 14:5-3 (d) (30)]

B. The New Illustrated Book of Development Definitions by Harvey S. Moskowitz and Carl G. Lindbloom.

"College: An educational institution authorized by the state to award baccalaureate or higher degrees." [Page 61]

"Educational Institution: a college or university authorized by the state to award degrees. Note: The term as defined is applicable only to colleges and universities. Elementary, middle and high schools are defined under schools. The reason for purposely limiting the definition is to recognize the significant difference in impacts between the two types of facilities..." [Page 101, 102]

"Government Agency: Any department, commission, independent agency, or instrumentality of the United States, of a state, county, incorporated or unincorporated municipality, township, authority, district, or other governmental unit." [Page 127]

"Public Administration: Legislative, judicial, and regulatory activities of federal, state, local and international government agencies." [Page 210]

"Public Areas: Parks, playgrounds, trails, paths, and other recreational areas and open spaces; scenic and historic sites; schools and other buildings and structures; and other places where the public is directly or indirectly invited to visit or permitted to congregate." [Page 210]

"Public Building: Any building, structure, facility, or complex used by the general public, whether constructed by any state, county, or municipal government agency or instrumentality or any private individual, partnership, association, partnership, association, or corporation, including, but not limited to, assembly buildings, such as auditoriums, libraries, public eating places, schools, and theaters; business buildings, such as offices; and factories and industrial buildings." [Page 210]

"Research Laboratory. An establishment or other facility for carrying on investigation in the natural, physical, or social sciences, which may include engineering and product development. Note: Research laboratories may imply physical activities usually associated with "wet" labs or places with running water, gases, special ventilation devices, chemicals, special heating and electrical or electronic equipment, or use of animals or human subjects under controlled conditions. Research facilities usually include pilot plant operations, and development ordinances usually permit a certain percentage of the floor area (25 percent, for example) for pilot plant use." [Page 223]

"School: Any building or part thereof which is designed, constructed, or used for education or instruction in any branch of knowledge. Note: The above definition includes business schools, trade schools, schools of dance and the martial arts, as well as academic institutions. Local ordinances can further define the kinds of schools that might be allowed in specific areas, for example, only elementary and secondary schools in residential areas..." [Page 237]

"School, Elementary: any school licensed by the state and that meets the state requirements for elementary education." [Page 237]

"School, Parochial: A school supported and controlled by a church or religious organization." [Page 237]

"School, Private: Any building or group of buildings the use of which meets state requirements for elementary, secondary, or higher education and which use does not secure the major part of its funding from any governmental agency." [Page 238]

"School, Secondary: Any school licensed by the state that is authorized to award diplomas for secondary education." [Page 238]

"School District: A district that serves as a unit for state financing and administration of elementary and secondary schools." [Page 238]

"Studio: (1) The workshop of an artist, sculptor, photographer, or craftsman; (2) a place for radio or television production; and (3) a place where movies are produced. Note: The studio for radio or television broadcasting is only that part of the station from which the signal originates. It could be an office or home and is often separate and some distance from the transmitter and antennas. From a zoning perspective, the local ordinance should clearly identify the type of studio being permitted. Workshops of craftsmen, for instance, would be appropriate for residential areas, as would small studios for radio production. Large scale television or movie production studios clearly belong in nonresidential areas." [Page 269]

"Vocational School: A secondary or higher education facility primarily teaching usable skills that prepare students for jobs in a trade and meeting the state requirements as a vocational facility." [Page 295]

PART 8. "B-1" NEIGHBORHOOD CONVENIENCE DISTRICT

9-8.01 "B-1" Neighborhood Convenience District

Subdivision 1. Purpose and Intent. The purpose of the neighborhood convenience business district is to provide for small scale consumer goods stores and limited service establishments which deal directly with the customer by whom the goods and services are consumed. The maximum business size limit is 5,000 square feet. Some business areas may be further restricted by zoning regulations to avoid adverse impacts on residential neighborhoods. The district is primarily intended to serve the surrounding neighborhood rather than the entire community. It is designed to be accessible to retail customers from the nearby neighborhoods, to be compatible with the character of the neighborhoods, and to minimize the blighting influence on surrounding residential neighborhoods by limiting and controlling of the uses that are permitted.

Subdivision 2. Permitted Uses. No structure or land shall be used except for the following specific uses (SIC = Standard Industrial Classifications from the Office of Management and Budget, SIC Manual, 1987):

- a. Barber shops (SIC 724) except barber colleges.
- b. Beauty shops (SIC 723) but excluding cosmetology schools.
- c. Convenience grocery stores (SIC 5411) excluding motor fuel facilities.
- d. Coin and philatelic (stamp) stores.
- e. Drug stores/pharmacies (SIC 5912).
- f. Dry cleaning and laundry pickup stations including incidental pressing and repair (SIC 7211, 7212) with a maximum of six employees.
- g. Florists (SIC 5992).
- h. Laundromats - self serve (SIC 7215).
- i. Medical and dental offices and clinics (SIC 801-804).

j. Offices, business and professional.

Studios →

k. Other small miscellaneous retail shopping goods stores (excluding repair and service establishments and gun shops) having a maximum floor area of 1,000 square feet which sell food, apparel and small specialty shopping goods including antique, sporting goods, book, stationary, jewelry, camera, novelty and optical stores (SIC 594) and small cafes and restaurants.

Subdivision 3. Conditional Uses. The following uses are permitted subject to the issuance of a conditional use permit (CUP):

a. Automobile repair establishments (SIC 7533, 7537, 7538) subject to the following conditions:

1. The use is existing as of the date of adoption of this amendment.

2. The structure and use shall not be expanded without city council approval, based upon finding that the expansion is a furtherance of the public health and safety and will not negatively impact the surrounding neighborhood.

3. Any change in use shall be to the same or another B-1 permitted or conditional use.

4. No more than five (5) cars shall be parked outdoors overnight at any one time, and cars shall be parked in an orderly fashion in a designated area.

5. There shall be no outdoor storage of supplies, materials or trash.

6. Trash containers and parking areas shall be screened from view from residential areas to the maximum degree practicable in consultation with city officials and upon approval by the city council after review by the planning commission.

b. Child Care facilities and nursery schools subject to licensing by the State of Minnesota.

c. Motor fuel stations as an integral part of a convenience store located at the corner of a minor arterial and collector street as defined by the comprehensive plan.

d. Secondhand goods stores as defined in the zoning code.

B-2

9.01

PART 9. "B-2", LIMITED BUSINESS DISTRICT

9-9.01 "B-2", Limited Business District

Subdivision 1. Purpose and Intent. The primary purpose of the limited business district is to provide for office and limited service, employment and institutional uses which are freestanding in nature, require larger sites and are or can be made to be compatible with adjacent land uses. It is also intended to accommodate certain existing businesses for the purpose of maintaining them as conforming uses. Except where current retail or wholesale businesses are specifically listed, the limited business district is not intended to accommodate retail or wholesale businesses. The district is designed to minimize the blighting influence on the surrounding residential neighborhoods by limiting and controlling the uses that are permitted.

Subdivision 2. Permitted Uses. No structure or land shall be used except for the following uses:

- a. Financial institutions with hours open to the public from 8 a.m. to 6 p.m. Monday-Friday and 8 a.m. to noon on Saturdays. An automatic teller machine may operate for 24 hours a day.
- b. Medical offices and clinics.
- c. Offices, business and professional.
- d. Publicly owned and operated buildings and uses provided there shall be no unscreened outdoor storage of materials, supplies or equipment or trucks and trailers exceeding a capacity of one and one-half (1 1/2) tons.

Subdivision 3. Conditional Uses. The following uses are permitted subject to the issuance of a conditional use permit (C.U.P.):

- a. Bank drive-in facilities as an accessory use to a financial institution, with hours open to the public identified in the conditional use permit.
- b. Churches.
- c. Colleges and academies.

d. Child care facilities and nursery schools subject to licensing by the State of Minnesota.

e. Florist, garden supply and garden wholesale stores.

f. Funeral homes and mortuaries.

g. Limited fabricating and processing of a product in conjunction with any permitted use when such products are wholly processed within a building and such use is deemed appropriate and consistent with the character of the district and environs. Where such uses consist of more than one principal building, plans for such development shall be submitted as a planned unit development (P.U.D.).

Delete
h. Historical buildings, museums, art institutes and galleries.

i. Radio and television broadcasting and cable television studios (SIC 483 and 484) excluding external antenna systems.

Change
j. Research centers and laboratories excluding medical waste-processing facilities.

k. Schools or studios for dance, music, art, photography or interior design.

l. Veterinary clinics with no animal boarding.

Subdivision 4. Permitted Accessory Uses. Any accessory use permitted in Chapter 9, Section 8.01.

Subdivision 5. Other requirements. All uses shall in addition to all other requirements comply with the following standards:

a. No bars on doors or windows during business hours.

b. No automatic interior or exterior security lock doors or doors that require requesting entry or exit during business hours.

c. No exterior storage of merchandise except for nursery stock associated with a garden supply store or florist.

d. No exterior sales of merchandise except for nursery stock associated with a garden supply store or florist.

PART 10. "B-3" SNELLING AND LARPELLEUR COMMUNITY BUSINESS
DISTRICT

9-10.01 "B-3", Snelling and Larpeleaur COMMUNITY Business
District

Subdivision 1. Purpose and Intent.

The district applies only to the four quadrants of the Larpeleaur and Snelling intersection. The district is designed to provide retail sales and services that only serve the surrounding neighborhoods' and community's needs. Retail sales and services that serve a larger geographic area are available in larger, nearby business districts in adjacent cities. By limited and controlling the uses that are permitted, the district is designed to be accessible to retail customers from the nearby neighborhoods and the community, to be compatible with the character of the neighborhoods and overall community, and to minimize the blighting influence on the surrounding residential neighborhoods.

Furthermore, the district provides for and encourages compact centers for retail sales and services by grouping businesses into patterns of workable relationships that complement each other. The district is designed to be easily accessible to users. It excludes highway oriented and other high traffic volume businesses that would tend to disrupt the cohesiveness of the shopping center or its circulation patterns and shared parking arrangements.

Subdivision 2. Permitted Uses. No structure or land shall be used except for the following uses (SIC = Standard Industrial Classifications from the Office of Management and Budget, SIC Manual, 1987):

- a. Auto parts and accessory stores.
- b. Apparel and accessory stores (SIC 56).
- c. Beauty and barbershops (SIC 723 & 724).
- d. Bowling alley
- e. Coin and philatelic (stamp) store.
- f. Computer programming and data processing services (SIC 737).

- g. Eating establishments (SIC 5812).
- h. Financial institutions and insurance establishments with hours open to the public no earlier than 8 a.m. and no later than 6 p.m. An automatic teller machine may operate 24 hours a day.
- i. Food stores (SIC 54) excluding the outdoor sales of produce, meat and seafood.
- j. Hardware stores (SIC 5251).
- k. Home furnishing, appliance and equipment stores (SIC 57).
- l. Laundry, laundromat and dry cleaning establishments (SIC 7212, 7215 and 7219).
- m. Mailing, reproduction, commercial art, photography and stenographic services (SIC 733).
- n. Medical and dental offices and clinics (SIC 801-804).
- o. Miscellaneous retail establishments (SIC 59) including antique stores but excluding fuel dealers (SIC 598) and gun shops.
- p. Motion picture theaters (SIC 7832).
- q. Offices, business and professional.
- r. Office supply and art supply stores, retail.
- s. Paint and wallpaper stores, retail (SIC 523).
- t. Personal service establishments as follows: tax return preparation services, diet centers, costume and dress suit rental stores, photography services.
- u. Physical fitness facilities.
- v. Precious metal dealer with a precious metal dealer license.
- w. Printing and duplicating shops provided not more than six employees are employed on the premises at one time (SIC 7334).
- x. Public and essential service uses.
- y. Schools and studios for art, photography (SIC 722),

dance (SIC 791), music and interior design.

z. Therapeutic massage enterprise (see S-3.08 for license).

z1. Video rental stores (SIC 784).

Subdivision 3. Conditional Uses. The following uses are permitted subject to the issuance of a C.U.P.

a. Animal grooming and pet stores provided there shall be no boarding of animals on the site.

b. Bank drive-in facilities as an accessory use to a financial institution with hours open to the public as identified in the conditional use permit.

c. Basement storage of goods not sold on the premises provided that the space is completely finished and ready for use, is sprinklered, has elevator access, provides two pedestrian accesses, has an existing loading dock or area that does not conflict with adjacent residential areas or entry to businesses and is approved by the city fire marshal.

d. Car washes which are accessory to the principal use and meet the requirements for service stations, Section 9-14.01, Subdivision 17.

e. Child care and nursery school facilities subject to licensing by the State of Minnesota.

f. Charitable gambling establishments as a principal use in accordance with the city's licensing requirements, Chapter 5, Section 3 of the city code.

g. Custom manufacturing of handmade goods that are sold on the premises provided the manufacturing operation is incidental to a retail operation.

h. Drinking establishments, bars and taverns (SIC 5813) subject to the city's licensing requirements, Chapter 5, Section 3 of the city code.

i. Gun shops are a conditional use on the northwest corner of Snelling and Larpenteur as long as the following conditions exist:

- 1) A minimum of 1,000 feet from any residential zone except for a minimum of 150 feet from any residential zone when the residential zone is buffered by a separate commercial facility.

- 2) A minimum of 750 feet from any park.
 - 3) A minimum of 1,000 feet from any public or private preschool, elementary or secondary school or church.
 - 4) The firearms dealers security standards as mandated by Minnesota Statute 624.7161 and 624.7162 are met.
- j. Hotels and motels by P.U.D. (SIC 701).
 - k. Motor fuel or service stations subject to the design and performance standards as specified in Section 9-14.01, Subdivision 17 of this code.
 - l. Multi-family housing by Planned Unit Development.
 - m. Satellite communications dishes as an accessory use.
 - n. Second hand goods store, as defined in the zoning code.
 - o. Veterinary clinics with no boarding of animals on the site and no external runs.

Subdivision 4. Permitted Accessory Uses.

a. Any accessory use permitted in Chapter 9, Section 8.01.

b. Limited repair and service operations which are incidental to a principal use.

c. One pool table per 2,000 square feet of area excluding area devoted to bowling lanes and one video or electronic game per 300 square feet of area excluding area devoted to bowling lanes are permitted accessory uses to a bowling alley.

d. The limited sale of used merchandise is allowed as an accessory use, but only if the following conditions are met:

(i) The sale of used merchandise must be clearly incidental to the sale of new merchandise of the same general type.

(ii) The used merchandise which is sold on the premises must be acquired by the owner of the principal use only on a "trade-in" basis from customers trading in used merchandise at the time they purchase new merchandise of the same general

ITEM: Consideration of ordinance 99 – ~~10~~ amending the zoning code on garage setbacks

SUBMITTED BY: Susan Hoyt, City Administrator

REVIEWED BY: Planning Commission
Roger Knutson, City Attorney

EXPLANATION/DESCRIPTION:

Summary and action requested. The council is being asked to adopt ordinance 99-06 adding language to the zoning code which will clarify that a new garage on an alley with access off the alley (not perpendicular to the alley) may retain the same sideyard setback, if the setback is less than 5 feet, as the existing garage if it remains in the new garage remains in the rear 30 feet of the lot. Although this situation has not arisen, it is an oversight in the code, which allows people to build new garages at the same sideyard setback as the existing garage for garages with access not off of alleys. Garages with access perpendicular to an alley may have a 1 foot sideyard setback and a 1 foot rearyard setback. The planning commission will hold a public hearing on this proposed ordinance on December 14, 1999.

Goal 2: To maintain and promote the assets of the city's unique neighborhoods

Strategy 5: Protect and enhance the physical land use characteristics of the community.

Action item: Review the zoning code.

Proposed language.

9-2.04 subd. 1 c

- (3) *the garage meets all of the following:*
- (i) *is detached from the principal structure;*
 - (ii) *is accessed off an alley;*
 - (iii) *is replacing an existing garage that is located less than five feet from the side lot line*
 - (iv) *is located in the rear 30 feet of the lot*

If all of the conditions of section 9-2.04 subd. 1 c(3) are met, the replacement garage can be located at the same side yard setback as the existing garage except the garage shall not be located less than 2 feet from the side lot line.

ATTACHMENT:

- 1 Proposed ordinance 99-10
- 2 Section 9 – 2.04 1 c (1) and (2) of zoning code
- 3 Diagram with example

ACTION REQUESTED:

- 1 Explanation by city administrator
- 2 Discussion
- 3 Adopt ordinance 99-10 (four votes are necessary)

**CITY OF FALCON HEIGHTS
ORDINANCE**

Date: December 15, 1999

**AN ORDINANCE AMENDING CHAPTER 9 OF THE ZONING CODE
PERTAINING TO GARAGE SETBACKS**

THE CITY COUNCIL OF FALCON HEIGHTS ORDAINS:

Section 1. Section 9-2.04, Subd. 1, subparagraph c of the Falcon Heights city code is amended to read:

- c. Accessory buildings, other than garages, in a residential district may be located not less than five feet from an interior side or rear lot line unless the accessory structure is located in the rear twenty percent of the lot, in which case they can be located not less than one foot from the interior side or rear lot line (overhangs may not extend into the one foot side or rear yard setback).

Garages in a residential district must be set back at least five feet from an interior side or rear lot line *unless*:

- (1) The garage meets all of the following:
 - (i) is located on an alley, and is accessed from the alley or from a public street abutting an alley on a corner lot;
 - (ii) is located in the rear 28 feet of the lot; and
 - (iii) is oriented such that the vehicular access door is perpendicular to the alley; or
- (2) The garage meets all of the following:
 - (i) is detached from the principal structure,
 - (ii) is accessed from a driveway off of a public street, not an alley,
 - (iii) is replacing an existing garage that is located less than five feet from the side lot line; and
 - (iv) is located a minimum of five feet to the rear of the principal structure on the nearest adjoining property that is closed to the garage; or is located at least ten feet from any portion of the principal structure on the nearest adjoining property.

- (3) The garage meets all of the following:
- (i) is detached from the principal structure;
 - (ii) is accessed off an alley;
 - (iii) is replacing an existing garage that is located less than five feet from the side lot line; and
 - (iv) is located in the rear 30 feet of the lot

If all the conditions of Section 9-2.04, Subd. 1c(1) are met, the garage can be located not less than one foot from an interior side or rear lot line.

If all of the conditions of Section 9-2.04, Subd. 1c(2) are met, the garage can be located at the same side yard setback as the existing garage that is being replaced, except that the new garage shall not be located less than two feet from the side lot line. The replacement garage does not have to be in the same location as the existing garage.

If all of the conditions of Section 9-1.04, Subd. 1c(3) are met, the replacement garage can be located at the same side yard setback as the existing garage, except the garage shall not be located less than two feet from the side lot line.

The corner side yard setback for accessory buildings, including garages, shall adhere to the setback requirement for principal buildings as described in Section 9-4.01, Subd. 4(b) (20% of the lot width). The rear yard and interior side yard setbacks shall be those required for garages and accessory buildings on interior lots. Lots smaller than 75 feet wide shall have a minimum corner side yard setback requirement of not less than fifteen feet. Garages on these lots may be located closer than fifteen feet from the corner side lot line if the vehicular access door does not face the side street. In no case shall a garage or other accessory building be located within the corner side yard.

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

Moved by: _____	Approved by: _____
GEHRZ _____ In Favor	Mayor
GIBSON TALBOT _____	<u>December 15, 1999</u>
HUSTAD _____ Against	Date
KUETTEL _____	Attested by: _____
	City Clerk
	<u>December 15, 1999</u>
	Date

9-2.03 Lot Provisions

9-2.03, 2.04

Subdivision 1. Restrictions. A lot of record existing upon the effective date of this chapter which does not meet the requirements of this chapter as to area or width may be utilized for single family detached dwelling purposes provided it is zoned residential and the measurements of such area or width are within sixty six and two thirds (66 2/3%) percent of the requirements of this chapter, but said lot of record shall not be more intensively developed unless combined with one (1) or more abutting lots or portions thereof so as to create a lot meeting the requirements of this chapter.

Subdivision 2. P.U.D. Except in the case of Planned Unit Developments as provided for hereinafter, not more than one principal building shall be located on a lot.

9-2.04 Accessory Buildings and Structures

Subdivision 1. General

a. No accessory building shall be constructed on a lot prior to the time of construction of the principal building or land use to which it is accessory.

b. An accessory building shall be considered as an integral part of the principal building if it is located less than twelve (12) feet from the principal building with respect to firewall and other requirements of the building code. (Amended by Ordinance O-90-01, January 10, 1990.)

c. Accessory buildings, other than garages, in a residential district may be located not less than five feet from an interior side or rear lot line unless the accessory structure is located in the rear twenty percent of the lot, in which case they can be located not less than one foot from the interior side or rear lot line (overhangs may not extend into the one foot side or rear yard setback).

garages →
see next page

Garages in a residential district must be set back at least five feet from an interior side or rear lot line unless:

- (1) the garage meets all of the following:
 - (i) is located on an alley, and is accessed from the alley or from a public street abutting an alley on a corner lot;

- (ii) is located in the rear 28 feet of the lot, and
 - (iii) is oriented such that the vehicular access door is perpendicular to the alley; or
- (2) the garage meets all of the following:
- (i) is detached from the principal structure,
 - (ii) is accessed from a driveway off of a public street, not an alley,
 - (iii) is replacing an existing garage that is located less than five feet from the side lot line; and
 - (iv) is located a minimum of five feet to the rear of the principal structure on the nearest adjoining property that is closest to the garage; or is located at least 10 feet from any portion of the principal structure on the nearest adjoining property.

New

→ (3)

If all the conditions of section 9-2.04 subd. 1 c. (1) are met, the garage can be located not less than one foot from an interior side or rear lot line.

If all of the conditions of section 9-2.04 subd. 1 c. (2) are met, the garage can be located at the same side yard setback as the existing garage that is being replaced, except that the new garage shall not be located less than two feet from the side lot line. The replacement garage does not have to be in the same location as the existing garage.

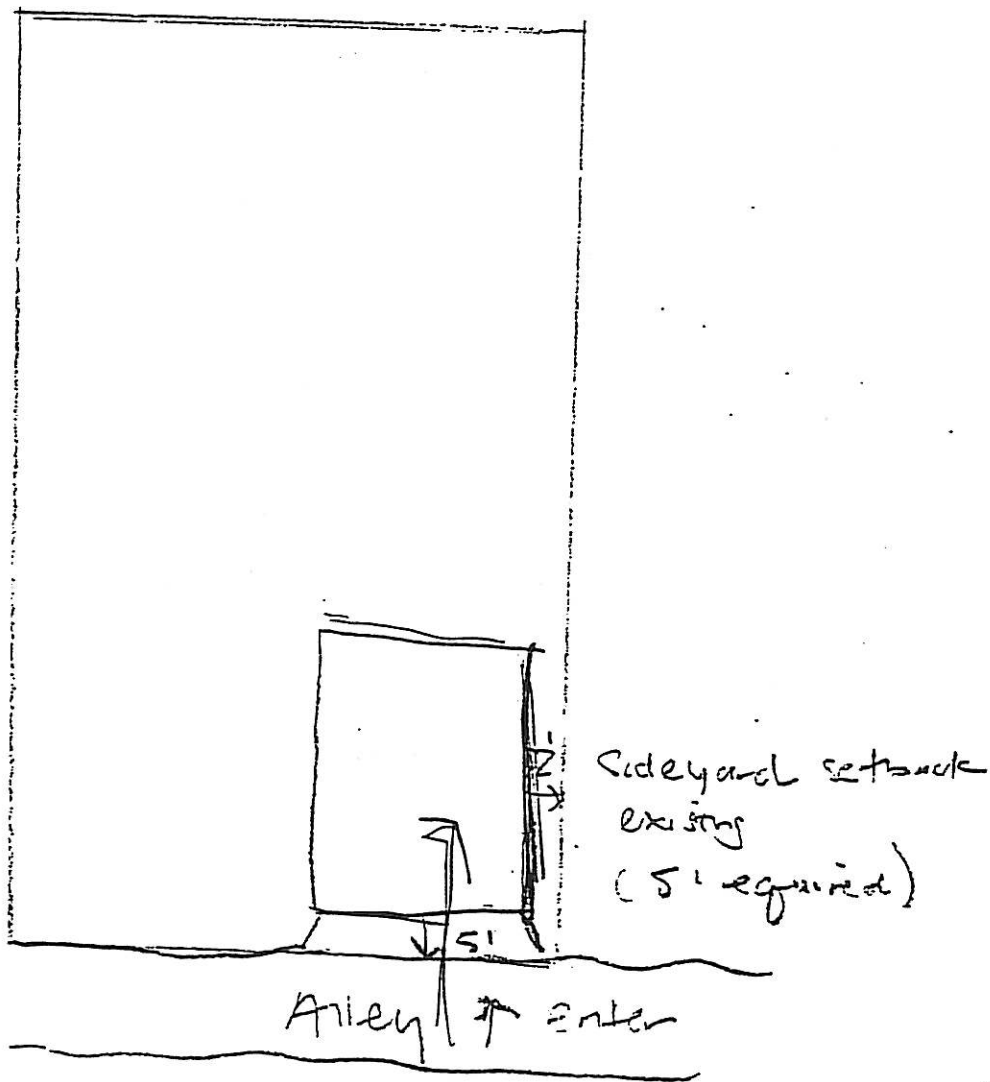
New

→

If a"
 The corner side yard setback for accessory buildings, including garages, shall adhere to the setback requirement for principal buildings as described in Section 9-4.01, Subd. 4(b) (20% of the lot width). The rear yard and interior side yard setbacks shall be those required for garages and accessory buildings on interior lots. Lots smaller than 75 feet wide shall have a minimum corner side yard setback requirement ~~not~~ less than 15 feet. Garages on these lots may be located closer than 15 feet from the corner side lot line if the vehicular access door does not face the side street. In no case shall a garage or other accessory building be located within the corner side yard. (Amended by Ordinance 0-89-12, 7/26/89) See Figure 1.

3.

Proposed setback - retain existing
if 2 feet or greater



Date: 12/15/99

ITEM: Recognize Fire Marshal Terry Iverson

SUBMITTED BY: Susan Hoyt, City Administrator

EXPLANATION/DESCRIPTION:

Summary and action requested. The council is being asked to officially recognize Terry Iverson's departure from the city's employment. Terry served the city as fire marshal for over ten years. He is noted for his enthusiasm for fire prevention education and work with juvenile arsonists as well as his work in a number of other fire prevention related areas. Terry is also a member of the city's fire department.

ACTION REQUESTED:

No action necessary.

ITEM: Y2K Contingency Plan – Key Points

SUBMITTED BY: Susan Hoyt, City Administrator

REVIEWED BY: LMCIT Insurance Trust

EXPLANATION/DESCRIPTION:

Summary and action requested. The council is being asked to review and approve the Y2K contingency plan in place for the city. Since most services are provided by other providers, the city's key responsibility is to be prepared with parks/public work help and fire personnel if needed. The city's insurer approved the city's contingency plan for insurance purposes.

Goal: To protect the public health and safety.

The plan essentially notes that:

- 2 parks/public works employees will staff city hall from 9 PM on December 31 until needed after midnight (2 AM); they will empty the lift station at Coffman
- the fire department will be staffed with a minimum of 4 firefighter from 9 PM December 31 until 9 AM January 1, 2000 or until needed
- Police will station an officer at city hall and in the streets
- City officials will be within easy access of city hall and have if needed to organize emergency efforts.
- City hall has a generator.

If telephone communication fails in the area, radios will be used to communicate. If telephone communication is out for a period (not just a few minutes), city personnel will be located at city hall, the school and Curtiss Field with radios.

Ramsey County sheriff deputies will be staged out of here December 31 and January 1 at a minimum to serve the larger area.

The staff and fire officials are reviewing their role in these plans at mid and end of month to prepare.

ATTACHMENTS:

- 1 Y2K Contingency
- 2 Memo on lift station to 1666

ACTION REQUESTED:

Report on key points.
Adopt plan.

Y2k Contingency Plan City of Falcon Heights

The following plan outlines contingencies that describe how the city intends to respond to Y2k disruption of normal city operations. The plan is a predetermined course of action responding to possible equipment or system failures or malfunctions primarily in case there is no power and no communication to city facilities. The plan integrates the contingency plan for each city operation and outlines staff responsibilities, communications and deployment of resources. The objectives of this Y2k emergency preparedness plan are to:

- Reduce decision-making during recovery operations;
- Resume critical services quickly; and
- Enable timely and cost-effective resumption of all city services to acceptable levels.

STAFFING

Tentatively, staffing for 12/31/99 and 1/1/2000, in the anticipation of possible systems failure with either the city's services (i.e. lift station), or external system (i.e. NSP) will be as follows:

1. St. Anthony Police will have a normal shift of 3 or 4 officers plus the Chief, Supervisors and an additional 4 or 5 officers. There will be officers stationed at the S.A.P.D. station as well as an officer stationed at both the City Hall and streets of Falcon Heights. Chief Engstrom has informed officers that vacation and compensation days will not be scheduled from 12/31/99 to 1/7/00.
2. The fire station will be staffed with a minimum of 4 firefighters from 9:00 p.m. 12/31/99 to 9:00 a.m. 1/1/00, or as needed.
3. The Parks and Public Works staff will be stationed at city hall from 9:00 p.m. 12/31/99 to 2:00 a.m., or as needed. Staff will be stationed at the public works garage, with checks of the lift station, park facilities, and city streets.
4. The Emergency Management Director and a police officer will be at City Hall until 6:00 a.m., or as needed. Other city staff members will report at 6:00 a.m and remain on duty until 3:00 p.m., or as needed.

All city facilities and the lift station will be monitored for operation on 12/31/99 from 11:00 a.m. to 2:00 a.m.. Susan Hoyt, the City's-Emergency Management Director, will serve to monitor and report any problems or conditions.

GENERAL PREPARATIONS

- All vehicles / equipment fuel levels will be maintained at a high level from Dec. 13 and beyond with full fuel capacities obtained on Dec. 30.
- Ensuring that all assigned staff members, city officials, and firefighters are equipped with cell phones, flashlights, and battery operated radios.
- Purchasing back-up batteries for the city's cell phones and having them fully charged.
- Ensuring an adequate number of traditional phones are available and that locations of phone jacks are identified.
- Making sure that all business / institutional key boxes and property owner information is up to date at year-end.
- Obtaining hard copies and computer disks of all city ordinances, codes, budget, payroll, etc. for storage.
- Conducting payroll on December 28.
- Making only essential purchases during the month of December.
- Having additional petty cash on hand by Dec. 1.
- Being ready, if necessary, to remove snow from major intersections, city hall, fire station, if there is a major snowstorm and snow removal equipment is significantly delayed, creating a serious public safety issue.

TRAINING

- Conducting a trial hook-up of the generator at city hall (9/10) and assessing power level and capabilities. Ensure that written instructions for hook-up of the generator are complete, accurate, and readily accessible.

- Conduct a trial manual opening / closing of garage overhead doors.
- Train staff for communicating through emergency pack sets (Y2K compliant) and our local radio channels for parks / public works, fire, and St. Paul rescue, rather than through 911 dispatch, in the event it is unavailable.
- Conduct a trial hook-up of the generator at the lift station and ensuring that written instructions for hook-up of the generator are complete, accurate, and readily accessible.

LIFT STATION

- Potential damages due to a lift station shut down resulting from a lack of power have been assessed to include sewage contamination of the floor and wall surfaces (concrete), the furnishings in the exercise room, automobile tires / wheels, and resident's personal property contained in storage lockers. Through building "corridor meetings" and newsletters, residents have been encouraged to avoid the storage of valuables in the lower portion of their of storage lockers and informed of the potential need to reduce / eliminate water use during any lift station failure.

EMERGENCY OPERATIONS CENTER

- Making sure that the city's emergency operations center is set-up in the first floor of city hall by Dec. 28. This includes ensuring that the center is stocked with a 7 day supply of water and food, blankets, sweatshirts, toiletries, paper, pens, operations manuals, Y2k contingency plans, flashlights, cell phones, radios etc.

COMMUNICATIONS

- Preparing a message for December 31 on the cable monitor and the city voice mail to inform people of where to call / and status reports.
- Assuring that the city administrator / emergency management director updates and informs the mayor and council of the status of the transition to the New Year.

Contingency Planning Template

System: In-house computers (RMS)

Risk Class: High

Dept.: Police

Date: 04-22-99

Created By: Capt. John Ohl

Related to Other Systems/Contingency Plans?
(If yes, list below.)

Dept. Head Approval Richard G. Johnson Date 05-03-99

1. Objective of the plan Maintain records management system that can be utilized by officers for a short period of time. Simplified service.

2. Criteria for invoking the plan System failure for more than one week.

3. Expected life of the plan One week.

4. Roles, responsibilities, and authority Secretaries to gather information and file so as to be accessible to officers.

5. Procedures for invoking contingency mode Officers to be advised of system failure, and be instructed on how and where to gather needed information.



Contingency Planning Template Continued

6. Procedures for operating in contingency mode Keep records room open. Create one location for ICR's. Type reports, warrants, etc. on typewriter.

7. Resource plan for operating in contingency mode (human resources) Possible use of CSO's for record keep ing.

8. Criteria for returning to normal operating mode RMS computers restored to operation.

9. Procedures for returning to normal operating mode Return to SOP upon system becoming operational.

10. Procedures for recovering lost or damaged data Contact computer service company for update/repairs.

11. Estimated cost of the plan Service bills/O.T. for secretaries and CSO's.

12. Post contingency plan Discuss aspects and how to do it better for future emergencies.

13. Testing of contingency plan - not necessary. *Computers are being replaced.

Contingency Planning Template

System: Card reader system

Risk Class: Medium

Dept.: Police

Date: 04-22-99

Created By: Capt. John Ohl

Related to Other Systems/Contingency Plans?
(If yes, list below.)

Dept. Head Approval Richard Engstrom Date 05-03-99

1. Objective of the plan Security of Police Department.

Degraded service.

2. Criteria for invoking the plan System failure.

3. Expected life of the plan Two weeks.

4. Roles, responsibilities, and authority On-duty officers to provide solution (temp)/
security.

5. Procedures for invoking contingency mode On-duty officers to check system and
secure doors.



Contingency Planning Template Continued

6. Procedures for operating in contingency mode Provide physical security. Management to contract with lock company for extended unoperational card system. All officers and public to enter and exit from single location.

7. Resource plan for operating in contingency mode (human resources) at least one officer per shift until doors are secure.

8. Criteria for returning to normal operating mode Card reader system restored.

9. Procedures for returning to normal operating mode Return to SOP upon system being restored. Possible issue new access cards if necessary.

10. Procedures for recovering lost or damaged data None.

11. Estimated cost of the plan Overtime officer at union pay scale.

12. Post contingency plan Discuss procedure for future emergencies/failures.

13. Testing of contingency plan N/A Computers are being replaced.

Contingency Planning Template

System: MNCIS/NCIC Computer System/3270 Emulation

Risk Class: High

Dept.: Police

Date: 04-22-99

Created By: Capt. John Ohl

Related to Other Systems/Contingency Plans?
(If yes, list below.)

Dept. Head Approval Richard Engstrom Date 05-03-99

1. Objective of the plan No service. No control over this system.

2. Criteria for invoking the plan System failure.

3. Expected life of the plan Until State/Feds restore service.

4. Roles, responsibilities, and authority Office manager to contact State and get/retain/
implement problem solving.

5. Procedures for invoking contingency mode Upon system failure, manager to be advised
and secure information from State.



Contingency Planning Template Continued

6. Procedures for operating in contingency mode Stack paperwork for entry in one central location. Use radio system to broadcast stolens, missings, etc., if available.

7. Resource plan for operating in contingency mode (human resources) N/A

8. Criteria for returning to normal operating mode System restored. Enter all reports and property.

9. Procedures for returning to normal operating mode Return to SOP.

10. Procedures for recovering lost or damaged data Contact State, and gauge items lost (in computer), if any.

11. Estimated cost of the plan N/A

12. Post contingency plan Meet with State and discuss future emergencies.

13. Testing of contingency plan State/Federally driven - no impact can be made by this user department.

Contingency Planning Template

System: DeFibrillators

Risk Class: Medium

Dept.: Police

Date: 04-22-99

Created By: Capt. Ohl

Related to Other Systems/Contingency Plans?
(If yes, list below.)

Dept. Head Approval Richard Emery Date 05-03-99

1. Objective of the plan Degraded service.

2. Criteria for invoking the plan System failure.

3. Expected life of the plan One week.

4. Roles, responsibilities, and authority Supervisors of shift to inspect and test
DeFibs.

5. Procedures for invoking contingency mode Year 2000 check.



Contingency Planning Template Continued

6. Procedures for operating in contingency mode Standard CPR protocol

7. Resource plan for operating in contingency mode (human resources) N/A

8. Criteria for returning to normal operating mode Return of DeFibs to operational status.

9. Procedures for returning to normal operating mode Return to SOP.

10. Procedures for recovering lost or damaged data N/A

11. Estimated cost of the plan N/A

12. Post contingency plan N/A

13. Testing of contingency plan N/A

*DeFibs are Y2K compliant.



Contingency Planning Template

System: Intoxilyzor 5000

Risk Class: Low

Dept.: Police

Date: 04-22-99

Created By: Capt. Ohl

Related to Other Systems/Contingency Plans?
(If yes, list below.)

Dept. Head Approval *Richard Empton* Date 05-03-99

1. Objective of the plan Normal service.

2. Criteria for invoking the plan System failure.

3. Expected life of the plan Two weeks.

4. Roles, responsibilities, and authority Supervisor on duty to check operational status.

5. Procedures for invoking contingency mode Year 2000 check.



Contingency Planning Template Continued

6. Procedures for operating in contingency mode All alcohol/drug offenders to be offered blood or urine tests.

7. Resource plan for operating in contingency mode (human resources) N/A

8. Criteria for returning to normal operating mode Return of Intox to operational mode.

9. Procedures for returning to normal operating mode Return to SOP.

10. Procedures for recovering lost or damaged data N/A

11. Estimated cost of the plan Cost for blood/urine tests.

12. Post contingency plan N/A

13. Testing of contingency plan N/A

*Intox. is Y2K compliant.

Contingency Planning Template

System: Hennepin/Ramsey Dispatch

Risk Class: Mission critical

Dept.: Police

Date: 04-22-99

Created By: Capt. John Ohl

Related to Other Systems/Contingency Plans?
(If yes, list below.)

Dept. Head Approval Richard Engstrom Date 05-03-99

1. Objective of the plan To operate calls for service without interruption. Normal level of service.

2. Criteria for invoking the plan System failure. Unable to communicate with dispatchers.

3. Expected life of the plan As long as system is in failure.

4. Roles, responsibilities, and authority Supervisors (4) to be on duty at the beginning of the new year.

5. Procedures for invoking contingency mode Multiple additional officers scheduled for December 31st, 1999. Personnel advised of multiple callbacks, cancellation of days off and vacation.



Contingency Planning Template Continued

6. Procedures for operating in contingency mode Officers to be staged at City Hall to accept walk-ins. Officers to dispatch via city radio systems. Additional officers to saturate neighborhoods.

7. Resource plan for operating in contingency mode (human resources) Seven to eight additional on-duty officers to include possible callbacks.

8. Criteria for returning to normal operating mode Hennepin/Ramsey system up and running, and directive of Chief.

9. Procedures for returning to normal operating mode Return to SOP, and by directive from Chief of Police.

10. Procedures for recovering lost or damaged data N/A

11. Estimated cost of the plan Overtime pay at union wage.

12. Post contingency plan Meet with Hennepin/Ramsey Radio reps and discuss any problems/solutions.

13. Testing of contingency plan In place.

Contingency Planning Template

System: Phone System/Voice Mail/911

Risk Class: High

Dept.: Police

Date: 04-22-99

Created By: Capt. Ohl

Related to Other Systems/Contingency Plans?
(If yes, list below.)

Dept. Head Approval Richard Grogston Date 05-03-99

1. Objective of the plan Simplified service.

2. Criteria for invoking the plan System failure.

3. Expected life of the plan One week.

4. Roles, responsibilities, and authority Four supervisors to be on-duty at New Year for direction.

5. Procedures for invoking contingency mode Direct officers to take their posts.



Contingency Planning Template Continued

6. Procedures for operating in contingency mode Officers to be staged at City Hall to accept walk-ins. Officers to dispatch via city radio systems. Additional officers to saturate neighborhoods.

7. Resource plan for operating in contingency mode (human resources) Seven to eight additional on-duty officers to include possible callbacks.

8. Criteria for returning to normal operating mode Phone systems to return to normal operation.

9. Procedures for returning to normal operating mode Return to SOP and by directive of Police Chief.

10. Procedures for recovering lost or damaged data N/A

11. Estimated cost of the plan Overtime pay at union wage.

12. Post contingency plan Meet with officers and US West to discuss future emergencies.

13. Testing of contingency plan No control over 911 system. Phone system reported to be Y2K compliant.

Contingency Planning Template

System: Wireless Communications

Risk Class: Low

Dept.: Police

Date: 04-22-99

Created By: Capt. Ohl

Related to Other Systems/Contingency Plans?
(If yes, list below.)

Dept. Head Approval Richard Empton Date 05-03-99

1. Objective of the plan Normal service. System out of our control.

2. Criteria for invoking the plan System failure.

3. Expected life of the plan One week.

4. Roles, responsibilities, and authority On-duty officers to invoke plan.

5. Procedures for invoking contingency mode Squads to use land lines.

Contingency Planning Template Continued

6. Procedures for operating in contingency mode Squads to use land lines instead of cellphones.

7. Resource plan for operating in contingency mode (human resources) N/A

8. Criteria for returning to normal operating mode System becomes operational

9. Procedures for returning to normal operating mode Return to SOP.

10. Procedures for recovering lost or damaged data N/A

11. Estimated cost of the plan N/A

12. Post contingency plan Discuss with officers future emergencies and wireless interruptions.

13. Testing of contingency plan N/A

Contingency Planning Template

System: Miscellaneous Electronic Equipment

Risk Class: Low

Dept.: Police

Date: 04-22-99

Created By: Capt. Ohl

Related to Other Systems/Contingency Plans?
(If yes, list below.)

Dept. Head Approval Richard Empton Date 05-03-99

1. Objective of the plan Normal to degraded service.

2. Criteria for invoking the plan System failure.

3. Expected life of the plan Very short.

4. Roles, responsibilities, and authority Supervisors to check equipment (video cameras, fax, VCR's, etc.)

5. Procedures for invoking contingency mode Re-set clocks



Contingency Planning Template Continued

6. Procedures for operating in contingency mode N/A

7. Resource plan for operating in contingency mode (human resources) N/A

8. Criteria for returning to normal operating mode N/A

9. Procedures for returning to normal operating mode N/A

10. Procedures for recovering lost or damaged data N/A

11. Estimated cost of the plan N/A

12. Post contingency plan N/A

13. Testing of contingency plan Systems manually driven. No Y2K issue.



Contingency Planning Template

System: Sanitary Sewer Lift Station

Risk Class: Severe

Dept.: Public Works

Date: 9/26/99

Created By: Carol Kriegler

Related to Other Systems/Contingency Plans?
(If yes, list below.)

Dept. Head Approval _____ Date _____

1. Objective of the plan To provide normal level of service. To avoid sewer back-up into 1666 Coffman.

2. Criteria for invoking the plan Power Outage

3. Expected life of the plan Until power is restored.

4. Roles, responsibilities, and authority Parks / Public Works staff will monitor lift station operations, report status to emergency operations Director. Report status to 1666 personnel.

5. Procedures for invoking contingency mode Communications have been made to 1666 personnel regarding potential need to reduce / minimize water use. Notification of Braun and City of Roseville for use of generator.



Contingency Planning Template Continued

6. Procedures for operating in contingency mode Hook-up generator. Communicate need to reduce / eliminate facility water use.

7. Resource plan for operating in contingency mode (human resources) Public Works staff, City of Roseville Public Works staff, Braun Pump.

8. Criteria for returning to normal operating mode Power restoration

9. Procedures for returning to normal operating mode Disconnect generator. Communicate the resumption of normal level of service to 1666 Coffman.

10. Procedures for recovering lost or damaged data N.A.

11. Estimated cost of the plan Overtime pay.

12. Post contingency plan Review of procedures.

13. Testing of contingency plan Trial generator hook-up. Method of communication established.



Contingency Planning Template

System: Phone system / voice mail

Risk Class: High

Dept.: Administration

Date: 9/26/99

Created By: Carol Kriegler

Related to Other Systems/Contingency Plans?
(If yes, list below.)

Dept. Head Approval _____ Date _____

1. Objective of the plan Simplified service.

2. Criteria for invoking the plan System failure-

3. Expected life of the plan One week

4. Roles, responsibilities, and authority Administrator will be staffing City Hall- monitoring switchboard 12/31/99.

5. Procedures for invoking contingency mode Convert to standard phones, implement radio and cellular communications. Notify Cady Communications.



Contingency Planning Template Continued

6. Procedures for operating in contingency mode City staff and police officers to be staged at City Hall to accept walk-in concerns to dispatch via city radio and cellular systems. Additional staff may be called in.

7. Resource plan for operating in contingency mode (human resources) Two or three additional personnel will be available for additional staffing.

8. Criteria for returning to normal operating mode Phone systems returning to normal operations.

9. Procedures for returning to normal operating mode Directive of City Administrator

10. Procedures for recovering lost or damaged data N.A.

11. Estimated cost of the plan Over-time pay.

12. Post contingency plan Meet with Ug-West and Cady Communications to discuss future potential emergencies.

13. Testing of contingency plan Locating of phone jacks, purchase of standard and cellular phones. Staff training on radio system use.

Contingency Planning Template

System: In-House Computer Network

Risk Class: High

Dept.: Administration / Finance.

Date: 9/26/99

Created By: Carol Kriegler

Related to Other Systems/Contingency Plans?
(If yes, list below.)

Dept. Head Approval _____ Date _____

1. Objective of the plan Maintain records management system that can be utilized by staff for a short time.

2. Criteria for invoking the plan System failure.

3. Expected life of the plan Two months.

4. Roles, responsibilities, and authority Finance and administrative personnel to manually prepare payroll, checks, and access accounting data. Manually prepare administrative data.

5. Procedures for invoking contingency mode _____



Contingency Planning Template Continued

6. Procedures for operating in contingency mode Keep detailed records and reports manually.

7. Resource plan for operating in contingency mode (human resources) Prepare staff for manual accounting and record keeping methods.

8. Criteria for returning to normal operating mode Computers restored to normal.

9. Procedures for returning to normal operating mode Return to normal operation when system becomes available. Enter manually recorded data into system

10. Procedures for recovering lost or damaged data Complete system back-up by 12/29/99. Hard copies and disks.

11. Estimated cost of the plan Over-time pay.

12. Post contingency plan Enter manual data into system and review procedures.

13. Testing of contingency plan Staff meetings to discuss preparations.

Contingency Planning Template

System: Miscellaneous electronic equipment.

Risk Class: low

Dept.: Administration / Finance

Date: 9/24/99

Created By: Carol Kriegler

Related to Other Systems/Contingency Plans?
(If yes, list below.)

Dept. Head Approval _____ Date _____

1. Objective of the plan Normal to degraded service.

2. Criteria for invoking the plan System or equipment failure.

3. Expected life of the plan Very short.

4. Roles, responsibilities, and authority Staff to monitor / check electronic equipment
(copy machine, fax, vcr, etc.)

5. Procedures for invoking contingency mode Re-set clocks, contact vendors, purchase replacements.



Contingency Planning Template Continued

6. Procedures for operating in contingency mode N.A.

7. Resource plan for operating in contingency mode (human resources) N.A.

8. Criteria for returning to normal operating mode N.A.

9. Procedures for returning to normal operating mode N.A.

10. Procedures for recovering lost or damaged data N.A.

11. Estimated cost of the plan N.A.

12. Post contingency plan NA.

13. Testing of contingency plan It is understood that all systems are manually driven -- no Y2k issues.



Contingency Planning Template

System: Investment Services

Risk Class: moderate

Dept.: Finance

Date: Sept. 26

Created By: Roland Olson

Related to Other Systems/Contingency Plans?
(If yes, list below.)

Dept. Head Approval _____ Date _____

1. Objective of the plan Secure investment accounts. Make sure funds are accurately recorded on spreadsheets.

2. Criteria for invoking the plan Failure of brokerage firms to provide accurate fund balances.

3. Expected life of the plan 3 months.

4. Roles, responsibilities, and authority Accountant / city staff to monitor investment balances and account documents.

5. Procedures for invoking contingency mode Check 12/31/99 fund balances and verify accuracy.



Contingency Planning Template Continued

6. Procedures for operating in contingency mode Use hard copy to track and document investment balances. Annual audit by independent auditors will also verify ending balances for 12/31/99.

7. Resource plan for operating in contingency mode (human resources) Accountant to monitor.

8. Criteria for returning to normal operating mode System becomes operational and all account balances verified as accurate.

9. Procedures for returning to normal operating mode Resume normal investment practices.

10. Procedures for recovering lost or damaged data Meet with providers regarding fund balances if differences occur.

11. Estimated cost of the plan N.A.

12. Post contingency plan Review any incidents and procedures.

13. Testing of contingency plan Y2k compliant letters on file - Smith Barney, U.S.Bancorp.



Contingency Planning Template

System: Banking Services

Risk Class: Moderate

Dept.: Finance

Date: _____

Created By: Roland Olson

Related to Other Systems/Contingency Plans?
(If yes, list below.)

Dept. Head Approval _____ Date _____

1. Objective of the plan Secure money in bank accounts. Make sure funds are accurately accounted for in the transition from 1999 to 2000.

2. Criteria for invoking the plan Bank system failure.

3. Expected life of the plan 3 months.

4. Roles, responsibilities, and authority Accountant to maintain accurate financial records.
Hard copies filed.

5. Procedures for invoking contingency mode Check fund balances for accuracy early in 2000.



Contingency Planning Template Continued

6. Procedures for operating in contingency mode Unable to access bank records or innaccurate account balances. Only essential purchases to be made in December.

Extra petty cash on hand by Dec. 1.

7. Resource plan for operating in contingency mode (human resources) N.A.

8. Criteria for returning to normal operating mode Banking system operations return to normal. Account balances verified.

9. Procedures for returning to normal operating mode Resume normal banking relationship.

10. Procedures for recovering lost or damaged data Keep detailed manual records.

11. Estimated cost of the plan N.A.

12. Post contingency plan Review any incidents / procedures.

13. Testing of contingency plan Y2k compliant letter.



Contingency Planning Template

System: FIRE FIGHTING EQUIPMENT AND TRUCKS

Risk Class: High

Dept.: FIRE DEPT

Date: 9/18/99

Created By: FIRE CHIEF KURHAJEZ

Related to Other Systems/Contingency Plans?
(If yes, list below.)

Dept. Head Approval _____ Date _____

1. Objective of the plan TO HAVE NORMAL S/C.

2. Criteria for invoking the plan EQUIPMENT FAILURE

3. Expected life of the plan 1 WEEK

4. Roles, responsibilities, and authority FIRE CHIEF

5. Procedures for invoking contingency mode YEAR 2000 Y2K



Contingency Planning Template Continued

6. Procedures for operating in contingency mode → SOG's for Fire Fighting

7. Resource plan for operating in contingency mode (human resources) MUTUAL AID AGREEMENTS

8. Criteria for returning to normal operating mode NA

9. Procedures for returning to normal operating mode SOG's

10. Procedures for recovering lost or damaged data NA

11. Estimated cost of the plan NA

12. Post contingency plan NA

13. Testing of contingency plan 42000 Y2K ASSESSMENT WORKSHEET

Contingency Planning Template

System: Ramsey Dispatch AND Radios

Risk Class: High

Dept.: FIRE DEPT

Date: 9/18/99

Created By: FIRE CHIEF KURHAJER

Related to Other Systems/Contingency Plans?
(If yes, list below.)

Dept. Head Approval _____ Date _____

1. Objective of the plan TO RECEIVE CALLS FOR HELP.

2. Criteria for invoking the plan SYSTEM FAILURE

3. Expected life of the plan AS LONG AS SYSTEM IS DOWN

4. Roles, responsibilities, and authority FIRE FIGHTERS ON DUTY

5. Procedures for invoking contingency mode A CREW OF FIRE FIGHTERS
AT STATION. STATION WILL BE OPEN



Contingency Planning Template Continued

6. Procedures for operating in contingency mode STATION WILL BE MAINTAINED FOR WALK INS

7. Resource plan for operating in contingency mode (human resources) A STAFF OF AT LEAST 4 FIRE FIGHTERS ON DUTY.

8. Criteria for returning to normal operating mode RADIOS ARE BACK ON THE AIR

9. Procedures for returning to normal operating mode WHEN IT RETURNS TO NORMAL

10. Procedures for recovering lost or damaged data NA

11. Estimated cost of the plan STAND BY PAY.

12. Post contingency plan RAID0 USERS MEETING

13. Testing of contingency plan IN PLACE



Contingency Planning Template

System: DEFIBRILLATORS

Risk Class: Low

Dept.: FIRE DEPT

Date: 9/18/98

Created By: FIRE CHIEF KURHAJEL

Related to Other Systems/Contingency Plans?
(If yes, list below.)

Dept. Head Approval _____ Date _____

1. Objective of the plan DEGRADE SVC

2. Criteria for invoking the plan SYSTEM FAILURE

3. Expected life of the plan 1 WEEK

4. Roles, responsibilities, and authority ON DUTY FIRE FIGHTERS TO CHECK

5. Procedures for invoking contingency mode YEAR 2000 CHECK



Contingency Planning Template Continued

6. Procedures for operating in contingency mode STANDARD CPR PROTOCOL

7. Resource plan for operating in contingency mode (human resources) N/A

8. Criteria for returning to normal operating mode RETURN OF DEFIBS TO NORMAL

9. Procedures for returning to normal operating mode RETURN TO SOP

10. Procedures for recovering lost or damaged data NA

11. Estimated cost of the plan NA

12. Past contingency plan NA

13. Testing of contingency plan NA

DEFIBS ARE Y2K COMPLIANT CHECK BY S. MARVIN





CITY OF
FALCON HEIGHTS

2077 W. LARPELLE AVENUE FALCON HEIGHTS, MN 55113-5594 PHONE (651) 644-5050 FAX (651) 644-8675

DATE: 2 November 1999

TO: Ted Kellogg
Merle Meyer
Paul O'Connor
Errol Flom

FROM: Susan Hoyt, City Administrator

RE: Y2K Preparations

Thank you for the memo summarizing the meeting that you held with Carol Kriegler regarding the lift station. Also, thank you, Paul for meeting with me and providing me with the information about how 1666 is preparing for a potential Y2K emergency.

I thought it might be useful for me to summarize the city's approach to dealing with any lift station issues resulting from a possible power outage. The following steps and options are available.

1. At 11:30 P.M. on December 31, 1999 the city crews will pump out the lift station to make sure that it has full capacity available if power fails.
2. If power fails to the lift station, the following options are available:
 - Reduce water usage; possibly turn off water if necessary
 - Arrange to have the station pumped via generator from Roseville as part of Roseville's traveling cycle
 - Ask the company that is contracted with to handle sewer emergencies to come and pump out the station as needed.
 - Take the generator from city hall to the lift station and pump it out. If city hall does not have power, this would be the last effort and Would keep power out of city hall for a short time to accommodate this.

Police and fire personnel will be available and touring neighborhoods. Police and fire radios work even when phone communication is down.

Any extended power outage that requires evacuation will be handled by the emergency personnel who will arrange for orderly evacuation and the location people should go to.

The phone numbers of use are:

DISPATCH FOR EMERGENCY	911
CITY FIRE DEPT.	651-644-5575
CITY HALL PHONE (if an emergency this will be available)	651-644-5050
CITY ADMINISTRATOR (home number; will be available at home)	651-645-3849

I have Paul O'Connor's number as a contact:

Unit 134 Phone: 651-646-3520

Please keep in touch with me as you proceed with your planning.

Thanks for all your work on this.

POLICY 7
Date: 12/15/99

ITEM: Request for action the option to waive the statutory tort limits under the LMCIT insurance plan

SUBMITTED BY: Susan Hoyt, City Administrator

REVIEWED BY: Joel Jamnik, Attorney

EXPLANATION/DESCRIPTION:

Summary and action requested. The League of Minnesota Cities Insurance Trust (LMCIT) is requesting that cities determine if they wish to waive the statutory tort limits of \$750,000. Under these limits an individual can settle for no more than \$300,000 for a single claim and a single claim for all parties cannot exceed \$750,000. Joel Jamnik reviewed this proposal in a letter dated January 23, 1998, and recommended not waiving the statutory limits. Under certain circumstances the LMCIT, which represents the city in these claims, may negotiate above the legal liability limit if necessary because some claims like employment are exempt from the cap. The general counsel from the LMCIT said that cities made different choices depending upon their circumstances. However, he perceived that maintaining the limit was prudent in many cases. The city has had no claims with settlements for several years.

On January 28, 1998 the Council voted not to waive the statutory tort limits.

Meets Goal 4. To provide a responsive and effective city government.
Strategy 6. To effectively manage the city's financial resources.

ATTACHMENTS:

1. Letter from Attorney Joel Jamnik dated January 23, 1998.

ACTION REQUESTED:

Discuss and determine whether or not to maintain the statutory limits for the city as part of the city's LMCIT insurance policy.

Attachment 2

CAMPBELL KNUTSON

Professional Association

Attorneys at Law

(612) 452-5000

Fax (612) 452-5550

Thomas J. Campbell
Roger N. Knutson
Thomas M. Scott
Elliore B. Knetsch
Susan Lea Pace

Joel J. Jamnik
Andrea McDowell Poehler
Matthew K. Brokl*
John F. Kelly
Matthew J. Foli
Marguerite M. McCarron
George T. Stephenson
*Also located in Wisconsin

Of Counsel:
Gary G. Fuchs

January 23, 1998

VIA FACSIMILE TRANSMISSION
AND U. S. MAIL

Ms. Susan Hoyt
City Administrator
City of Falcon Heights
2077 West Larpenteur
Falcon Heights, Minnesota 55113

Dear Susan:

You asked for our advice/opinion regarding the option provided to the City to waive the monetary limits on municipal tort liability as part of obtaining liability coverage from the League of Minnesota Cities Insurance Trust.

The question posed is primarily a policy matter having few practical legal ramifications. The reason for this is that contrary to popular perception, few damage claims approach \$300,000 per claimant. If the limits are waived there is the potential, however slight or remote, that LMCIT will pay more for a claim than it would have if the City did not waive the claim. Conversely, if the limits are not waived, there is the possibility that LMCIT will pay less on a particular claim.


One's perspective of the issue is a primary detriment (taxpayer, defendant, plaintiff), as is one's political philosophy. In my opinion, the City that waives the limits at the time of obtaining coverage unnecessarily sacrifices a settlement point or statutory protection too early in the process. I am enclosing a more detailed discussion of the pros and cons of waiving the limits which was prepared by Pete Tritz, the Director of LMCIT. Please note that the waiver endorsement issued by LMCIT would result in a higher premium for the City. It may be helpful to find out from LMCIT the cost of the waiver. Two additional points may be of interest. First, about half of all LMCIT members have chosen against waiving the limits. Second, because most of Falcon Heights' neighbors or large institutional citizens are self-insured, they do not have the option to waive their statutory limits except as cases are settled or decided. It may be easier to manage multiple party litigation involving these other entities and the City if all the parties share the same risk.

Ms. Susan Hoyt
January 23, 1998
Page 2

I hope this information assists the Council in making its decision.

Very truly yours,

CAMPBELL KNUTSON
Professional Association

By: 
Joel J. Camnik

JJJ:cjh
Enclosure

LMCIT LIABILITY COVERAGE - WAIVER FORM

Cities obtaining liability coverage from the League of Minnesota Cities Insurance Trust must decide whether or not to waive the statutory tort liability limits to the extent of the coverage purchased. The decision to waive or not to waive the statutory limits has the following effects:

- *If the city does not waive the statutory tort limits*, an individual claimant would be able to recover no more than \$300,000 on any claim to which the statutory tort limits apply. The total which all claimants would be able to recover for a single occurrence to which the statutory tort limits apply would be limited to \$750,000. These statutory tort limits would apply regardless of whether or not the city purchases the optional excess liability coverage.
- *If the city waives the statutory tort limits and does not purchase excess liability coverage*, a single claimant could potentially recover up to \$750,000 on a single occurrence. The total which all claimants would be able to recover for a single occurrence to which the statutory tort limits apply would also be limited to \$750,000, regardless of the number of claimants.
- *If the city waives the statutory tort limits and purchases excess liability coverage*, a single claimant could potentially recover an amount up to the limit of the coverage purchased. The total which all claimants would be able to recover for a single occurrence to which the statutory tort limits apply would also be limited to the amount of coverage purchased, regardless of the number of claimants.

Claims to which the statutory municipal tort limits do not apply are not affected by this decision.

This decision must be made by the city council. Cities purchasing coverage must complete and return this form to LMCIT before the effective date of the coverage. For further information, contact LMCIT. You may also wish to discuss these issues with your city attorney.

The City of _____ accepts liability coverage limits of \$ _____ from the League of Minnesota Cities Insurance Trust (LMCIT).

Check one:

_____ The city **DOES NOT WAIVE** the monetary limits on municipal tort liability established by Minnesota Statutes 466.04.

_____ The city **WAIVES** the monetary limits on tort liability established by Minnesota Statutes 466.04, to the extent of the limits of the liability coverage obtained from LMCIT.

Date of city council meeting _____

Signature _____ Position _____

Return this completed form to LMCIT, 145 University Ave. W., St. Paul, MN. 55103-2044

POLICY 8
12/15/99

ITEM: Final landscaping plan for Larpenteur Avenue east of Arona Street

SUBMITTED BY: Susan Hoyt, City Administrator

EXPLANATION/DESCRIPTION

Summary and action requested. The council is being asked to approve the landscaping plan and associated costs for a contract for the Larpenteur Avenue landscaping plan. The original landscape plan east of Arona was not fully specified in 1996 because the road construction was not designed by Ramsey County. Scott Midness of Barton Aschman has developed a final design and cost estimate which would ideally be adopted before the end of 1999. The plans and costs will be presented at the meeting. Preparing and following up on the plans will be done on an hourly basis not to exceed \$6,925. Work is already underway on this activity to be ready for 2000.

Goal 2. To maintain and promote the assets of the city's unique neighborhoods and tax base including commercial, residential and open space uses for present and future generations.

Strategy 4. Maintain the city's infrastructure.

Action items. Plan for and implement street improvements on Larpenteur Avenue east of Arona.

Attachment 1. Proposal for landscaping services

ACTION REQUESTED: Hear plans
Comment/discuss
Approve plan and expenditures as desired including up to
\$6,925 for final planning and oversight of the work.

PARSONS

PARSONS TRANSPORTATION GROUP INC.

Barton-Aschman • De Leuw, Cather • Steinman

111 Third Avenue South, Suite 350 • Minneapolis, Minnesota 55401 USA • (612) 332-0421 • Fax: (612) 332-6180

December 3, 1999 *REVISED 12/8/99 WSM*

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

Re: Professional Services Proposal for the Larpenteur Avenue Landscape Project

Dear Ms. Hoyt:

Per your request, Parsons Transportation Group Inc. (Barton-Aschman) hereby submits this proposal for landscape architectural design services related to the Larpenteur Avenue Landscape Project. We propose to provide the following scope of services and corresponding fee related to that effort based upon the assumptions identified below:

Assumptions

- **Project Location:** West Larpenteur Avenue from Arona Street to Hamline Avenue.
- **Project Description:** Landscape/planting design within right-of-way boulevard area in concert with the Larpenteur Avenue street reconstruction project (SAP 62-630-45).
- **Base Map/Background Information:** Existing base map information, proposed design(s) related to the street reconstruction project and any previous planting schemes to be supplied to the consultant by the City and/or its engineer.
- **Project Timeline:** Complete schematic design, design development, and construction documents; bid project; and award contract consistent with the street reconstruction project schedule.

Fee Structure: Hourly, time and expenses basis with a not-to-exceed maximum.

Scope of Services

Task 1- Project Initiation:

- Meet with City staff and engineer to discuss the project.
- Assemble basemapping, drawing CAD files and project background information as supplied by the City and/or its engineer.
- Visit project corridor, perform walk-through, verify basemap information and photograph site.
- Estimated Hours: 8 Estimated Fee: \$600



Revised 12/0/99

Task 2- Schematic Design:

- Develop alternative concept designs (~~cross-section sketches and~~ plan views) based upon knowledge of the project to date, illustrating proposed plantings *within the right-of-way*.
- Meet with City staff ~~and engineer~~ to discuss the pros and cons related to the concepts, and reach consensus for developing further, one or a combination of the designs for Design Development.
- Estimated Hours: 16 Estimated Fee: ~~\$1300~~ *\$1000*

Task 3- Design Development:

- Develop Design Development plan (~~cross-section sketches and~~ plan views) based upon direction given at Schematic Design meeting in Task 2.
- Identify plant material types/species associated with the above design.
- Establish preliminary cost estimates associated with the above design. *and gather preliminary bids from contractors.*
- Meet with City staff ~~and engineer~~ to discuss the Design Development plan, and ~~reach~~ *approval* **consensus** for developing Construction Documents. *city council*
- Estimated Hours: ~~20~~ *10* Estimated Fee: ~~\$1500~~ *1000*

Task 4- Construction Documents: *specification (on drawings)*

- Prepare Construction Drawings and ~~Special Provisions~~ *specification (on drawings)* for the landscape plantings based upon direction given at the Design Development meeting in Task 3.
- ~~Coordinate with engineer regarding format, sheet layout and special provisions.~~
- ~~Meet with City staff and engineer to~~ *Deliver the Construction Documents prior to bidding.* *award.*
- Estimated Hours: ~~60~~ *40* Estimated Fee: ~~\$4800~~ *3000*

Task 5- Bidding/Negotiation:

- Assist/coordinate with the City engineer (~~Howard R. Green Co.~~) related to bidding procedures. (Note: Proposal assumes City's engineer to perform tasks related to bidding procedures (i.e. reproduction of plans, bid documents/forms, ~~advertisement for bids~~, distribution of plans, contracts, etc.)
- Answer contractor questions via the telephone and/or fax related to the design plans and specifications, ~~during the bidding period.~~
- Coordinate with the City ~~and engineer~~ related to the bid results and award of bid.
- Estimated Hours: 5 Estimated Fee: ~~\$450~~ *375*

Task 6- Construction Administration:

- Provide on-site construction observation during plant installation, related to compliance with drawings and overall design intent. (Note: Proposal assumes City engineer to perform tasks related to construction administration (i.e. processing pay requests, primary inspection, etc.)
- Estimated Hours: 16 Estimated Fee: \$950

Ms. Susan Hoyt
December 3, 1999
Page 3

REvised 12/8/99

Parsons Transportation Group Inc. (Barton-Aschman) shall provide the scope of services identified above on an hourly, time and expenses basis, for a fee not-to-exceed \$9,600 **6,925.**

Based upon our discussions, we would anticipate beginning this work as soon as possible. Therefore, your timely response to this proposal is requested. If you have any questions regarding our proposal, please call me directly at (612) 370-2607. We appreciate the City asking us to assist on this project and we look forward to working with the City of Falcon Heights again.

Sincerely,



Wm. Scott Midness, ASLA
Principal Associate
16327.wsm.doc

WSM:mad

~~APPROVED BY:~~

~~_____
Name Title Date~~