

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

MINUTES
December 14, 2016 at 7:00 P.M.

- A. CALL TO ORDER: 7:00pm
- B. ROLL CALL: LINDSTROM ___ HARRIS BROWN THUNDER
FISCHER GUSTAFSON
- STAFF PRESENT: THONGVANH
FREIHAMMER
- C. PRESENTATIONS:
- D. APPROVAL OF MINUTES:
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| 1. November 2, 2016 City Council Workshop Minutes | Approved |
| 2. November 9, 2016 City Council Meeting Minutes | Approved |
- E. PUBLIC HEARINGS:
1. 2016 Truth in Taxation and Budget Presentation
- City Administrator Thongvanh presented the factors that goes into the taxes: city, county, school, and special taxing authority. Taxable market value is what is used to calculate taxes. The City of Falcon Heights had a 2% increase in home valuation. The county accounts for 51% of taxes, the city accounts for 24%, school districts account for 17.2%, and special districts account for 7.8%. Falcon Heights has the third lowest tax rate in the county. Since 2014, the average city portion tax increase on a median value home is \$22 per year. This increase is lower than the increase in 2016. 70% of parcels within Falcon Heights either had a decrease or a 0% increase in their property taxes. The total levy is 8.9% which is comprised of 10.2% Ad Valorem levy and -1.3% debt levy. General fund expenditures are 5.16% higher than the 2016 operating budget.
- Helen Foster- 2190 Folwell Ave.:
Her taxes went up 32.2% and a neighbor went up 68%. The value of the home went up \$100,000 without improvements.
- City Administrator Thongvanh stated that there is a process with Ramsey County to appeal home valuation. Typically, they take the value of what homes in the surrounding area have sold for. Ramsey County doesn't always adjust valuation of the homes every year. Increase may be from a three-year period.

Council Member Gustafson stated there is a certain percentage of increases that are covered by income, and that can be brought up with a tax preparer. There is an interactive page on the Ramsey County website about when a home gets evaluated.

Chuck Laszewski- 1713 St. Mary's St.:

When the preliminary levy was set in September, some residents suggested that the city should reduce the amount of fines collected through police actions. The We Can Do Better group created a spreadsheet from research on fines. Their suggestion was to cut the amount of fines that filter into the general fund by a maximum of \$15,000. They want traffic stops only for speeding, suspected drunk driving, and running red lights. If St. Anthony undergoes a study by the DOJ, they will more than likely enforce less minor citations, so the city should prepare its budget for fewer funds.

Council Member Fischer stated that this is something that the Task Force can discuss if they want to move forward.

Council Member Gustafson stated that after September in order to decrease revenue they would have to increase the levy, but they are only able to either approve the levy or decrease it after that point. In order to not enforce these fines, that would require changes in state legislature. In the meantime, when revenues begin to decrease the Council can work to adjust funds.

City Administrator Thongvanh stated that Chief Mangseth's statement was that he would look to the Council for priorities. Police officers take an oath, therefore, they adhere to state statutes.

John Thompson-

He spoke to Chief Mangseth and was told to wait on the evidence. He waited and wants the city to end the contract now that Choi has spoken.

Council Member Fischer Moved, Approved 4-0

2. 2017 PMP Public Hearing and Calling for Improvements

City Engineer Freihammer presented that the pavement project will include Folwell, Vincent, Northrop, Burton, and Coffman. They will also be doing the pathway on Roselawn between Fairview and Cleveland. There will be a reclaim, panels will be replaced, but not all curb and gutter will be replaced. The estimated cost of the street portion is \$750,000. The roads right now range from a 6-43 rating. The trail improvement is estimated to be \$81,000. There will be some drainage improvements included in the project, this means adding some additional storm sewer components with an estimated cost of \$65,000. Additional storm sewer repairs are estimated at \$57,000. The City will be working on this project with St. Paul Water Utility. They will be replacing cast iron water mains, and also replacing fire hydrants. The total cost of the project is estimated at 1,496,000, about \$900,000 is Falcon Heights' cost. This will be paid for by street infrastructure funds, municipal state aid, storm sewer funds, and assessments. The assessment policy states that corner lots are assessed 100% of the long side and 0% of the short side of their property. Assessment rate is 40% for residential 60% for

commercial and multi-family. The estimated rate for residential property is \$28 per linear foot and \$42 per linear foot for multi-family/commercial. The final assessment hearing will be held in October. In February 2017 they would approve bids and aim for a June construction date.

Neil Waller- 1596 Vincent St.:

The assessment amounts area skewed among properties in the Grove. A large percentage are paying in the range of \$2,000. A few homeowners are paying well over \$4,000. The people that live on corners are being asked to pay the most. Being charged based on the long side of one's property does not make sense in the Grove because most of their edges are round. Residents that live on corner lots do not use the streets and water systems more than other residents. He is asking the Council to reassess the Grove residents based on a fairer policy. Currently in Minneapolis and St. Paul residents are suing the city because they also do not like this standard policy that is in place. City Engineer Freihammer stated that the assessment portion is only for the street repair, not water or sewer.

Erric Schiffman-1596 Northrop St.:

He wanted to add that the other options to assessing are averaging the width and length or to average the costs for all residents. He considers his plot to be a unique situation since he does not have a double lot or backyard.

City Engineer Freihammer stated for clarification that the front footage of Coffman was calculated and divided by the number of units.

City Administrator Thongvanh stated that once the Council has the assessment public hearing, there is a time to appeal for unique situations. He has seen other communities take a look at the total of the project, and base their calculation on the average frontage of the properties.

City Engineer Freihammer can speak more to residents on the calculations of the circular plot sides. Assessments can be appealed at one of two times: when the Council approves the assessment role and at the assessment hearing.

Clyde:

He just got back from Canonball River in North Dakota. Police are shooting people in the backs with rubber bullets, turning dogs on them, and using concussion grenades. It should be seriously considered to end the contract. Thousands are grieving and pleading for justice. The Council should come to a conclusion on this. Do you want a police force or peace officers?

Council Member Gustafson Moved, Approved 4-0

3. Outstanding Invoices for City Services

City Administrator Thongvanh presented the annual process for assessing properties that the city has done work on abating from receiving code violation. There are two properties being assessed: 1354 California and 1771 Arona. The California assessment is \$275 and the Arona assessment is \$2,000. This is based on contracted work to abate the property.

Council Member Harris Moves, Approved 4-0

F. CONSENT AGENDA:

1. General Disbursements through: 12/08/16 \$180,199.71
Payroll through: 11/30/16 \$37,080.94
2. Approval of City License(s)
3. 2017 Proposed City Fee Schedule
4. Appointment of Prosecuting Attorney
5. Appointment of City Attorney
6. Appointment of City Engineer
7. Appointment of City Auditor
8. Designation of Official Newspaper
9. 2017 Cost of Living Adjustments (COLA)
10. Transfer of Funds & Year End Budget Amendments
11. Bureau of Criminal Apprehension (BCA) Joint Powers Agreement
12. Appointment of Grant Heitman to the Falcon Heights Volunteer Fire Department
13. Purchase Sweeper from the City of Little Canada
14. Charitable Gambling - Falcon Heights Elementary PTA
15. State Aid Project (TH 51) No. 062-630-065 & State Project No. 6216-127

City Administrator Thongvanh presented that in the 2017 Fee Schedule there are updates to the sewer and storm sewer charges per property as discussed in budget workshops. The street sweeper purchase is a piece of equipment that we jointly own with Little Canada. The city is fulfilling the agreement and purchasing it from them. Lastly, the State Aid Project item is to approve the Mayor and City Administrator to sign corresponding documents and to have the ability to negotiate with the state in terms of cost for that project.

Council Member Harris Moved, Approved 4-0

G: POLICY ITEMS:

H. INFORMATION/ ANNOUNCEMENTS:

Council Member Fischer:

No updates

Council Member Harris:

No updates

Council Member Gustafson:

The Parks and Recreation Commission's next meeting will be on January 9th at 6:30pm at City Hall. Staff is currently doing research for proposed interpretive signage for the Curtiss Field history of the northwest airport. This will be submitted as part of a grant application to the Minnesota Historical Society and the Minnesota Legacy Act. The January Parks and Recreation Commission meeting will discuss 2017 goals. There are Commission openings.

The Task Force met for the first meeting last night. They discussed aspirations, why they got involved, and what success might look like. They also discussed open meeting laws and practices. They will meet 2-3 times a month. All information will be on the Falcon Heights

website. He also wants to extend condolences to the family of Virginia Frenzel, a Falcon Heights resident that passed away.

Mayor Pro Tem Brown Thunder:

NYFS has a senior chore program that includes shoveling sidewalks and driveways.

City Administrator Thongvanh:

He sent out a press release that the Department of Justice (DOJ)-COPS is to announce a comprehensive review of the St. Anthony Police Department. They will announce this alongside COPS, Community Oriented Policing Services. This will take place on December 15 at 2:00pm. Attendance is open to the public.

I. COMMUNITY FORUM:

Tyrone Tarrell- 270 Kent St. St. Paul:

Choi has made his decision, so when will this Council make their decision about St. Anthony PD? He is here with other board members to ask that the contract be ended.

David Glass-

He is a warrior for social justice and economic development. He wants to ask his friend, Council Member Brown Thunder, to spend some time thinking about what they are doing. It's not his perception that people are being heard. What happens in Falcon Heights affects other communities. St. Paul Police do an excellent job in community policing. What is happening in Cannonball isn't the police, it's private security. Is this the right contract for the community?

Henry Boucha-

He recently moved back to Minnesota and joined the board of National Coalition against Racism in Sports and Media. He stands with David and Tyrone about looking into a new Police Department.

Dierdra Darivick- 211 East 7th St. St. Paul:

A Black man named Frank Baker was attacked by a canine in St. Paul. To hear that you have not severed your contract with SAPD is abominable. 47% of the people pulled over when driving through the city were Black, and 7% of Falcon Heights' population is Black. The world is watching. The city should sever the contract and sue.

Akil Foluke:

The Council's demeanor is the same. He tells his friends updates on what's been happening. There's only one way to move forward. It's going to happen again. Are you paid officials and you don't listen to your citizens? Are you going to make a motion to sever the contract?

Council Member Gustafson:

The Council is taking the steps that they can take, and the Council is reviewing Police Department procedures. The Task Force will be accountable action.

Council Member Fischer:

The criminal justice system is going to respond to the event, and we as a city are going to respond to the system. We're responding to the policies of the police department. The

Department of Justice (DOJ) was invited by St. Anthony Police Department to review them, and he sees that as a bold move. Who does policing better?

Mayor Pro Tem Brown Thunder:

Just because the Council is not giving you the decision you want to hear, doesn't mean that isn't the direction it's headed in.

John Thompson- St. Paul resident:

He waited for Choi's decision, and spoke with Chief Mangseth when he said not to judge the whole department by one officer. The Chief knew that Yanez lied in his police report, and Falcon Heights needs a fresh start. Get someone else to be the police department. What else do we have to wait on?

Greg Jackson-

The Council made mention that you created a task force for the purpose of operation and to see how the police department operates. He happened to be one of the recipients of misconduct. A St. Anthony officer slammed his head against the hood of a car and was told he could find an alternative route. The Council has the power to make decisions. The just thing to do is to dispose of the contract. There is tension building in lieu of this decision being on hold.

Nathaniel Kaleit:

There has been some movement in St. Paul with the police department in the last month. There was a riot in 1959 in the Rondo neighborhood. At that time people tried to work on a relationship with the police department to work on trust. The anger built and festered in the community. St. Paul had task forces and the DOJ review. Did you ever find out if first aid was offered and if officers are trained in first aid?

Council Member Gustafson:

They are trained in first aid. As far as the details of the incident, that is all tied up in the investigation right now.

Nathaniel Kaleit:

Is there anything Choi said that touched your emotions? You can demand that the St. Anthony Police Department fire that officer. He's on paid leave. Show the community that you value their humanity and help them to heal.

Council Member Fischer:

He already knew that this was a horribly tragic event when he first heard about it, but he wants to focus on the Council's responsibility which is to look at the system of policing. We disagree with the steps. We as a Council can look at policy of the police department as a whole, but the Council does not hire individual officers.

Tom Baldwin- 1716 Albert St.:

Since this happened he has been asking the Council to have the police department here to have an open and honest discussion. Why didn't the meeting that took place on Sunday, the 11th fall within the parameters of the lawyer's legal advice for the Chief to not attend the Council

meeting? The only difference he could see was that there wouldn't be quorum. He was told that it was a private meeting yet the public could attend. This was to keep media away.

Chuck Leszewski- 1713 St. Mary's St.:

The Council said to wait until the investigation is over, but is now changing the rules. The details that were told by Choi are worse than imagined. First aid was only applied by Roseville after 3 minutes. Stops made were overwhelmingly skewed to people that are Black. The Chief claimed that analysis is flawed but does not provide other statistics. You should announce that you're ending the contract tonight or the first meeting in January.

Rich Hinrichs- 1483 Larpenteur Ave:

He received a letter about the snow on Larpenteur sidewalks. He sent two emails, but has not heard any further discussion. Nothing more has been addressed other than more letters. The amount of snow that gets pushed up from the sidewalk is immense, and the County comes by multiple times to push it onto the sidewalks. He does professional snow removal and the amount on the sidewalk is overwhelming to him. He formally asks that the City Council consider a change in responsibility as Larpenteur is a transit area for buses and needs to be walkable for people in the community.

J. ADJOURNMENT: 9:39pm

Dated this 14th day of December, 2016

Joe Brown Thunder, Mayor Pro Tem

Sack Thongvanh, City Administrator