

CITY OF FALCON HEIGHTS
City Council Workshop
City Hall
2077 West Larpenteur Avenue

AGENDA
July 1, 2020
6:30 P.M.

NOTE: THIS MEETING WILL BE HELD BY WEB CONFERENCE

- A. CALL TO ORDER:
- B. ROLL CALL: ANDREWS ___ GUSTAFSON___ LEEHY___
 MIAZGA ___ WEHYEE___

 STAFF PRESENT: THONGVANH___ NANKUMAR___
- C. PRESENTATIONS:
- D. POLICY ITEMS:
 - 1. Guidelines to Request Agenda Items
 - 2. Fire Services to the City of Lauderdale
 - 3. Public Safety Contract
 - 4. Community Conversations
 - 5. Sanctuary Ordinance
 - 6. Noise Control Ordinance
 - 7. Community Park Building Assessment
- E. INFORMATION/ ANNOUNCEMENTS
- F. ADJOURNMENT:

*You can view the meeting by clicking the following Zoom link:
<https://us02web.zoom.us/j/86258938311>.

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The City That Soars!

REQUEST FOR COUNCIL ACTION

Meeting Date	July 1, 2020
Agenda Item	Policy D1
Attachment	N/A
Submitted By	Sack Thongvanh, City Administrator

Item	Guidelines to Request Agenda Items
Description	<p>City of Lake Elmo Example:</p> <p>§ 31.04 ORDER OF BUSINESS AT REGULAR MEETINGS.</p> <p>(A) <i>Order established.</i> Each meeting of the Council shall convene at the time and place appointed for the meeting. Council business shall be conducted in the order determined by the Council at its first annual meeting or as thereafter amended by the majority vote of the Council.</p> <p>(1) <i>Order of business.</i> The standard order of business for Council meetings shall be the following:</p> <ul style="list-style-type: none"> (a) Call to Order/Pledge of Allegiance; (b) Approval of agenda; (c) Approval of minutes from past meeting(s); (d) Public comment; (e) Presentations; (f) Consent agenda; (g) Regular agenda; (h) <i>Report of the Council.</i> Council reports will not be part of the order of business for meetings falling 3 months before a local election; (i) Reports from city staff; and (j) Adjourn. <p>(B) <i>Agenda.</i> An agenda will be prepared for all regular Council meetings by the staff or recommendation of the Council at a work session. Members of the public wishing to place an item on the agenda must do so by contacting city staff or Council Members, or by speaking during the public comment period. No member of the general public may add any items to the agenda.</p> <p>(1) <i>Special meetings.</i> When a special meeting is called pursuant to applicable law, the agenda for the special meeting must be included in the request for the meeting and in the publication of the notice of the meeting pursuant to M.S. § 13D.04, Subd. 2.</p> <p>(2) <i>Agenda procedures.</i> Any staff member, the Mayor or 2 Council Members wishing to add an item to any agenda pursuant to this section shall do so by complying with the following:</p> <ul style="list-style-type: none"> (a) All requests from Council to place an item on the posted agenda must be received by the City Clerk/Administrator by 10:00 a.m. 11 days prior to the next Council work session meeting. For a regularly scheduled Tuesday work session, the deadline for agenda items would be 10:00 a.m. on the Friday preceding packet completion. All requests from the Mayor or Council must first be reviewed at a Council work session before being placed on the agenda of a regular meeting.

(b) All requests to place an item on the posted agenda must be on the form prescribed by the City Clerk/Administrator. The form shall be completed with the goal of clearly describing the subject matter to be considered by the Council and any action requested or required. Supporting information may be attached to the form as necessary.

(c) All requests to place an item on the posted agenda by city staff or Council Members must be reviewed by the City Clerk/Administrator or their designee prior to being included in the agenda.

(d) The agenda, along with all related information materials, will be provided to all City Council Members and the City Attorney at least 4 days prior to the Council meeting for which it applies. For a regularly scheduled Tuesday meeting, the packet will be provided by 5:00 p.m. the Thursday preceding.

(C) *Consent agenda.* A consent agenda may be used to improve the efficiency of meetings. The consent agenda allows the Council to consider several items at 1 time. Only 1 motion is necessary to approve all items on the consent agenda.

(1) Items that require findings of fact or an explanation of Council actions, such as land use matters and the consideration of licensing requests, should not be placed on the consent agenda.

(2) An item on the consent agenda may be removed from such agenda for full consideration by the Council upon request made by any Member of the Council. Items removed from the consent agenda will be placed on the regular agenda for discussion and consideration.

(D) *Presentation, discussion and agenda item decisions.* The following is the order of business for presenting and discussing items on Council agendas:

(1) Introduction of item;

(2) Report by staff or other presenter;

(3) Questions from Council Members to the presenter in a round robin manner. The presiding officer will facilitate the round robin process by asking each individual Council Member for 1 question and allowing for a response to the individual question. Then the presiding officer will ask the next Council Member, in sequence, until all Council Members have asked and received responses to a question. No Council Member shall take more than 3 minutes to ask a question or comment on an item which is being presented before another Council Member has a turn to question and comment on the same item;

(4) Receive questions/comments from the applicant/requesting party to the Council, and allow each Council Member to respond in the round robin process;

(5) Allow questions from Council Members to the applicant/requesting party, if applicable, using the round robin process;

(6) Allow questions/comments from the public to Council Members. Each member of the public shall state his or her comments in 6 minutes. Council shall not interrupt or interact until all public comments are completed;

(7) At the conclusion of the round robin process, the presiding officer calls for a motion or discussion among the Council. Discussion on any presentation shall be kept to a minimum, and each Council Member shall only speak twice on the issue. This action is not an indication that the motion on the table is the motion that will be approved in its current form. It is purely for discussion purposes;

(8) Discussion among Council Members using the round robin process with each Member speaking no more than twice on a motion;

(9) Action by the Council on the motion.

(E) *Meeting schedule.*

(1) Each meeting of the Council shall convene at the time and place appointed. All

public hearings shall commence at the advertised time.

(2) Council business shall be conducted in the order of the prepared agenda, unless an alteration is approved by a majority of the Council.

(3) The last item on the agenda will be commenced no later than 12:00 a.m.

(4) If all business has not been completed by 12:00 a.m., the meeting shall be continued to another date and time following the notice provisions contained herein.

(F) *Public participation and comment at Council meetings.* Council meetings are the forum for the Council to conduct the city's business. While Council meetings are open to the public pursuant to the Minnesota Open Meeting Law, they are not a forum for public expression. As such, members of the public are not allowed to participate in Council discussion and debate without a specific invitation and/or formal recognition by the presiding officer. Members of the public shall not applaud, engage in conversation, or engage in other behavior through words or actions that may disrupt the proceedings of the Council.

(G) Members of the public shall follow the direction of the presiding officer. Members of the public who do not follow the direction of the presiding officer will be warned that further disruptive conduct will result in removal from the meeting. After such warning, if the conduct continues, the presiding officer may ask the member of the public to leave the meeting room. If the member of the public refuses to follow the direction of the presiding officer, the presiding officer may direct the sergeant-at-arms to remove the person through any lawful means. In emergency situations, or where the conduct is an egregious threat to the safety of the public or the Council, a warning is not necessary before the sergeant-at-arms is directed to remove the person.

(H) *Public comment period.* A limited forum for members of the public to speak with the Council is provided on each agenda. Public comments during the public comment period are subject to the following limitations:

(1) Speakers must be recognized by the presiding officer before speaking and are limited to 6 minutes for comment;

(2) When multiple speakers appear to speak on the same topic, comments should not be repetitive. The presiding officer may request speakers to appoint a spokesperson;

(3) The presiding officer may place a time limit on the public comment period if necessary to allow for the conduct of city business. If there is not sufficient time at the meeting to hear all public comments, the comment period may be deferred to the next regular Council meeting or at a continued meeting;

(4) Speakers must sign up prior to speaking and provide their name, address, and a brief summary of the subject matter which they wish to address. The sign-up sheet will be available at the start of the City Council meeting;

(5) Speakers must direct their remarks toward the presiding officer;

(6) Speakers shall not use obscene, profane, insulting, or threatening language, nor conduct themselves in a threatening, loud, or boisterous manner that disrupts the conduct of the meeting or the security of the public;

(7) Speakers are required to follow the direction of the presiding officer; and

(8) The Council will generally not respond at the same meeting where an issue is initially raised by a member of the public. Generally, the matter will be referred to staff for further research and possible report or action at a future Council meeting. If Council responds, Council shall not interrupt or interact until all public comments are completed.

(I) *Public hearings.* Public hearings are sometimes required by law to allow the public to offer input on Council decisions. Unlike public comment periods, public hearings allow the public to speak on a matter currently before the Council. When public hearings are required

	<p>by law, notice shall be provided as required by state statute. Public hearings shall be commenced at the time advertised in any notice required by law.</p> <p>(1) <i>General procedure/or public hearings.</i> The order of business for all public hearings conducted by the Council shall be:</p> <p>(a) Opening comments by the presiding officer announcing the purpose of the public hearing;</p> <p>(b) The presiding officer opens the public hearing portion of the meeting;</p> <p>(c) Staff presentation, if any (i.e., Administrator/Clerk, Attorney, Engineer, etc.);</p> <p>(d) Developer/other presentation, if any;</p> <p>(e) Public comment (all individual comments limited to 6-minute maximum);</p> <p>(f) The Clerk/Administrator shall make note of any submitted written testimony; and</p> <p>(g) The presiding officer formally closes the public hearing portion of the meeting.</p> <p>(2) Speakers who wish to address the Council at a public hearing must follow the same rules as contained herein for public comment periods. The presiding officer may allow more time, where appropriate.</p> <p>(3) Speakers may also provide written comments to the Council before or at the meeting. Written comments shall be noted and provided to the Council and to anyone else as required by law.</p> <p>(4) The presiding officer may continue the hearing, if necessary, following the procedures for continuing a meeting contained in this section.</p> <p>(5) Council shall not interrupt or interact until all public comments are completed.</p> <p>(1997 Code, § 200.01) (Am. Ord. 97-201, passed 11-20-2007; Am. Ord. 08-133, passed 4-5-2016; Am. Ord. 08-143, passed 7-5-2016; Am. Ord. 08-150, passed 8-16-2016; Am. Ord. 08-164, passed 1-3-2017)</p>
Budget Impact	N/A
Attachment(s)	<ul style="list-style-type: none"> • City of Lake Elmo Example
Action(s) Requested	Staff looking for direction on how to proceed.



The City That Soars!

REQUEST FOR COUNCIL ACTION

Meeting Date	July 1, 2020
Agenda Item	Policy D2
Attachment	Lauderdale Action Form
Submitted By	Sack Thongvanh, City Administrator

Item	Fire Services to the City of Lauderdale
Description	<p>The City Administrator will provide an update on actions taken by the City of Lauderdale City Council to terminate the Fire Service Contract with the City of Falcon Heights. We have not received any formal communication from the City of Lauderdale regarding the termination, but discovered their Council discussed fire services at their meeting early June.</p> <p>An action form regarding our fire services to the City of Lauderdale was included in their June 23 City Council action form with a draft letter to send the Mayor. The City of Falcon Heights will determine the next course of action and conduct a financial analysis of the termination of the contract.</p>
Budget Impact	N/A
Attachment(s)	<ul style="list-style-type: none"> • Lauderdale Council's Action Form (similar to our RCA)
Action(s) Requested	Staff looking for direction on how to proceed.

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**LAUDERDALE COUNCIL
ACTION FORM**

Action Requested	
Consent	_____
Public Hearing	_____
Discussion	_____X_____
Action	_____X_____
Resolution	_____
Work Session	_____

Meeting Date	June 23, 2020
ITEM NUMBER	<u>Fire Services Agreements</u>
STAFF INITIAL	_____
APPROVED BY ADMINISTRATOR	

DESCRIPTION OF ISSUE AND PAST COUNCIL ACTION:

The City Council has been considering contracting with the city of St. Paul for fire services. The change was prompted by conversations between Lauderdale and Falcon Heights staff and council around risks inherent to a volunteer fire department after the absence of response to two fire calls in late 2019.

Through the conversations with the St. Paul Fire Chief around the extra services they were providing to fill the gap for neighboring communities came the opportunity to consider fire services through the St. Paul Fire Department (SPFD). This would provide the city with a fire response from one of the most trained and equipped full-time fire departments in the state and align provisions of services as SPFD already provides the city of Lauderdale’s emergency medical (ambulance) services.

Following are the City’s current contract with the city of Falcon Heights and a draft contract with the city of St. Paul. The draft contract with the city of St. Paul is nearing completion. The City must notify the city of Falcon Heights by July 15 if it intends to withdraw from the current contract. A draft letter addressed to Falcon Heights’ mayor is included in the packet for consideration. Staff requests a vote on whether to send the notice of intent to withdraw from the agreement after the discussion. It is the Mayor’s intent to take community feedback before taking a vote on the matter. The city attorney will be present for the discussion should questions arise.

STAFF RECOMMENDATION:



CITY OF LAUDERDALE
LAUDERDALE CITY HALL
1891 WALNUT STREET
LAUDERDALE, MN 55113
651-792-7650
651-631-2066 FAX

June 24, 2020

Mayor Randy Gustafson
City of Falcon Heights
2077 West Larpentour Avenue
Falcon Heights, MN 55113

Dear Mayor Gustafson,

The Lauderdale City Council has been reflecting on your honest assessment that different levels of service and risk exist between paid on-call fire departments and full-time departments. We appreciate your candor as it assisted us through our decision-making process.

We understood the obvious, that staffed fire departments waiting at fire stations for calls will have quicker responses than paid on-call departments where crewmembers have to get to fire stations from homes and places of employment before they can deploy. What we did not understand prior to our conversations was that there was a risk that no one would be available to respond to calls as happened on August 22, 2019 when two busses collided on Highway 280.

Appreciatively, other police and fire departments increased their support that day to ensure a successful outcome. The accident, however, sparked a council conversation around acceptable levels of risk and how to avoid a similar incident in the future. We applaud you for collaborating with the City of Roseville to restructure the department and appreciate that in the interim they are providing back-up services to ensure that no call from Lauderdale goes unanswered.

As you and I discussed a few weeks ago, the Lauderdale City Council is considering contracting for fire services from the City of St. Paul. The change addresses the issues the Council has discussed around ensuring an adequate fire response for our residents. The change also aligns fire services with our existing emergency medical services provided by the St. Paul Fire Department.

Therefore, it is our intent to withdraw from our fire services contract effective December 31, 2020. We are providing you this notice per the terms of the contract we entered into in 2013. We thank the City of Falcon Heights and the members of its Fire Department for the many years of service.

Sincerely,

Mary Gaasch
Mayor

cc: Sack Thongvanh, Falcon Heights City Administrator

JOINT POWERS AGREEMENT BETWEEN THE CITY OF SAINT PAUL AND THE CITY
OF LAUDERDALE

THIS JOINT POWERS AGREEMENT (the "Agreement"), is made and entered into effective as of this _____ day of _____, 2020 by and between the City of Lauderdale (hereinafter called "**Lauderdale**"), a Minnesota municipal corporation, whose principal office is located at 1891 Walnut Street, Lauderdale, Minnesota 55113, and the City of Saint Paul, through its Saint Paul Fire Department (hereinafter called "**Saint Paul**"), a Minnesota municipal corporation, whose principal office is located at 15 West Kellogg Boulevard, Saint Paul, Minnesota 55102, Lauderdale and Saint Paul are hereinafter collectively called the "**Cities**".

WHEREAS, Lauderdale intends to engage Saint Paul's Fire Department (the "**Fire Department**") to provide Fire and the Hazardous Materials Response Team Services to all of Lauderdale; and

WHEREAS, the Cities are authorized under Minnesota Statutes, section 471.59 to cooperatively exercise their commonly held powers and an aid agreement is critical to providing and supporting emergency services; and

WHEREAS, Saint Paul through the Fire Department is willing and able to provide the year-round services and equipment desired by Lauderdale when requested.

NOW, THEREFORE, subject to the terms and conditions set forth below, Lauderdale and Saint Paul agree as follows:

SECTION 1. Definitions.

1. **Emergency** means fires, medical, drowning(s), building damages, cave-ins, accidents, explosions, or other types of incidents which a fire department would respond to for the protection of life, health, and property. This term shall be interpreted broadly to effect the purpose of this Agreement.
2. **Fire Chief** means the Chief of the Saint Paul Fire Department.
3. **Fire Fighting Services** means those services directed at rescue, fire suppression, property conservation or special operations involving individuals, buildings on property involved in a fire or other emergency.
4. **Fire Preventative Services** means those services directed at fire cause investigation and determination, pre-fire planning and inspection, hazard identification and elimination, public education and other activities intended to proactively improvement the safety of life and property.

5. *Hazardous Materials Response Services* means those services directed at the identification, isolation, mitigation or removal of hazardous materials.

SECTION 2. Scope of Services from Saint Paul.

A. Services.

The Fire Department will provide the following services to Lauderdale pursuant to the terms and conditions set forth herein:

1. Fire Fighting Services and Fire Prevention Services from Saint Paul Fire Stations as needed in the performance of the services described herein, including mutual aid services as deemed necessary by situation.
2. Hazardous Materials Response Services of the Saint Paul Hazardous Materials Response Team.

B. Equipment.

The Fire Department will provide all personnel and equipment that they have available in Saint Paul that may be required to perform the above services.

The Fire Chief, or, in case of his absence or disability, the person in active charge of the Fire Department, may in his discretion retain in Saint Paul such equipment and personnel as may in his opinion be necessary for the proper and adequate protection of Saint Paul, and will dispatch for the protection of Lauderdale only such personnel and equipment in response to the request for services by authorized persons as in his opinion can for the time being be safely spared from Saint Paul.

In case an emergency arises within Saint Paul while the equipment and personnel of the Fire Department are engaged in fighting a fire for Lauderdale, the Fire Chief or other person in active charge of the department may in his discretion recall to Saint Paul from the service of Lauderdale such equipment and personnel as he may in his opinion consider necessary to meet said emergency. The determination of the Chief or the active head of the department as to what equipment shall be furnished or withdrawn, as provided herein, will be final and conclusive.

Notwithstanding the above, in the exercise of discretion regarding the personnel and equipment available for services in Lauderdale, the Fire Chief or designee will use best efforts to ensure that the level of service provided in Lauderdale is comparable to that provided by the Fire Department in Saint Paul.

C. Reports.

The Fire Department will provide Lauderdale a quarterly report of 911 Responses to Lauderdale. The report will include numbers and purpose of calls, building/property involved, and result of call/response.

If Lauderdale desires specific patient care reports for risk management or insurance purposes, Lauderdale may request that the patient obtain the report from Saint Paul. Lauderdale will not receive patient care reports directly from the Fire Department.

D. Chain of Command.

The chain of command for purposes of making emergency decisions in incidents relating to fire and hazardous materials services provided by Saint Paul pursuant to this Agreement will be as follows when Saint Paul staff are in Lauderdale providing such services:

1. The Fire Department will implement the Incidental Command System (ICS) as per department procedures.
2. The Fire Department will respond with an Incident Commander who holds the title of either District Chief, Deputy Chief or Assistant Chief of Operations.
3. Lauderdale will provide a city representative for large scale events to communicate with the Fire Department.

SECTION 3. Obligations of Lauderdale.

1. Lauderdale will provide any additional City services necessary for response to an Emergency outside of the fire services provided by Saint Paul, including but not limited to:
 - a. Any required Public Works services;
 - b. Any required Police services;
 - c. Any required Code Enforcement/Safety and Inspections services; and
 - d. General emergency management needs.

Lauderdale will coordinate any required water services with St. Paul Regional Water Services.

A. Information.

Lauderdale will provide the following information upon written request by Saint Paul or, in the case of an Emergency, as promptly as reasonably possible after any request:

B. Request For Services.

A call for an Emergency in Lauderdale shall be received by the Ramsey Count Public Safety Answering Point (PSAP) at the Ramsey County Emergency Communication Center (RCECC) and will be routed to the Fire Department. The Fire Department shall coordinate with RCECC to provide the Fire Department the following information, as available, at the time of the request to Saint Paul for services.

1. A description of the incident, including what happened, the time, the type of materials involved, if any, the geographic area, and any other detail which may be helpful; and
2. A description of the most favorable response route to minimize the response time.

C. Incident Risk Management

At the request of the Incident Commander, Lauderdale may provide, at its option and at its own expense, one or more of the following:

1. Crowd Control;
2. Evacuation of the site and surrounding area, as necessary;
3. Site Security (during and post-incident);
4. Heavy equipment;
5. Diking material (as required by scope of incident); and
6. Hazardous Materials recovery by private contractor, if necessary.

SECTION 4. Term.

A. Term.

This Agreement shall commence on _____, 2020 and shall remain in full force for a period of one year from that date, expiring on _____, 2021, unless terminated earlier pursuant to the terms of this Agreement.

B. Renewal.

After expiration of the initial one year term, this Agreement shall automatically renew for successive periods of one year unless either party provides written notice to the other as provided in Section 11 of this Agreement

SECTION 5. Contacts/Authorized Agents for Services Provided.

Lauderdale's contact person/liaison officer and authorized agent for Emergency services to be provided pursuant to this Agreement is its City Administrator.

Saint Paul's contact person/liaison officer and authorized agent for Emergency services to be provided pursuant to this Agreement is:

SECTION 6. Compensation and Billing.

A. Compensation.

1. Lauderdale agrees to compensate Saint Paul at a rate of \$75,000.00 for fire and hazardous materials response team services performed under this Agreement for the first year. The amount of compensation paid by Lauderdale each subsequent year will increase by 2.25%.
2. Saint Paul may request additional administrative cost compensation based on an itemized invoice for actual costs incurred when extraordinary circumstances result from a specific Lauderdale authorized hazardous emergency response and such costs are authorized by Lauderdale in writing in advance.
3. Saint Paul will be responsible for and pay, when due, all taxes and other withholdings due on compensation paid to employees of Saint Paul.
4. Saint Paul will accept no income, payment, or compensation of any kind from any third party in connection with or related in any way to the provision of the services to Lauderdale under this Agreement.

B. Billing.

Saint Paul agrees to invoice Lauderdale for regular services provided under this Agreement within 30 days of the end of each calendar quarter beginning with the quarter ending _____, 2020. Saint Paul also agrees to invoice Lauderdale by January 31 of each year for all labor and/or other miscellaneous expenses incurred during the previous calendar year due to extraordinary circumstances as previously approved by Lauderdale. Upon review and verification, Lauderdale will pay Saint Paul the required amount within 35 days of receipt of each invoice.

SECTION 7. Independent Contractor.

In providing services to Lauderdale under this Agreement, Saint Paul will be acting as an independent contractor, and nothing will be deemed to create a relationship of employer-employee,

common law employee, principal-agent, partner, or joint venture between Saint Paul and Lauderdale. Neither party has any authority to bind the other to any contract or agreement without the other's written permission. Saint Paul will be responsible for all of its own federal, state, and local taxes, withholding, social security, insurance, and other employee benefits.

SECTION 8. Liability.

Lauderdale agrees to release Saint Paul, its officers, agents and employees, from all claims for damages or loss resulting from failure to furnish or delay in furnishing personnel or equipment, or from failure to prevent, control or extinguish any conflagration resulting from the reasonable exercise of discretion by Saint Paul. Each party agrees to indemnify and hold harmless the other party, its officers, agents and employees, from all claims for injury, loss or damage to persons or property occurring in connection with performance of the services hereunder and arising out of and caused by the negligent act or omissions of that party's officers, agents or employees.

Lauderdale will reimburse Saint Paul for all loss and damage to equipment while being used in Lauderdale in connection with the furnishing of services under this Agreement, ordinary wear and tear excepted.

SECTION 9. Insurance.

Both Lauderdale and Saint Paul are municipal subdivisions under the statutes of the State of Minnesota and represent and warrant that they are authorized as self-insured or have in place insurance policies for purposes of all property damage and general liability claims. Both Lauderdale and Saint Paul also represent that they have in full force and effect applicable health insurance, including worker's compensation or disability insurance for themselves and their employees performing work under this Agreement. Liability limitations and exceptions apply to both cities pursuant to Minn. Stat., Chapter 466 and laws related thereto and no party shall recover damages against Lauderdale and Saint Paul any amounts greater than the limits on liability for any one party as provided in Minn. Stat., Chapter 466. The cities shall both provide a copy of their certificate or letter evidencing self-insurance as described herein.

SECTION 10. Saint Paul's Warranties and Covenants.

Saint Paul hereby represents, warrants, and covenants as follows:

1. Saint Paul is financially solvent; able to pay its debts and is possessed of sufficient working capital to provide the services/equipment in accordance with the Agreement.
2. Saint Paul warrants that it has complied with all applicable registration and licensing requirements to enable Saint Paul to act as an independent contractor under the terms of this Agreement.

3. Saint Paul has the experience and skills necessary to perform and provide the services and equipment required pursuant to this Agreement. All services provided by Saint Paul will be performed:
 - a. In a professional manner, with a high grade, nature, and quality commensurate with that which is customary in the industry;
 - b. In compliance with all applicable federal, state, and local laws, rules, regulations and ordinances, including, without limitation, the laws, rules and regulations of the federal Occupational Safety and Health Act (OSHA).

SECTION 11. Termination of Agreement.

This Agreement may be terminated by mutual consent of the parties at any time. This Agreement may be terminated by either party for material breach upon 30 days' written notice to the other party and that party's failure to cure the default within said period of time. This Agreement is subject to termination without cause by either party upon ninety (90) days' written notice. Upon termination, Saint Paul will invoice Lauderdale for the pro-rated portion of the total work already completed of the total up to the time of termination.

SECTION 12. Data Practices.

Saint Paul and Lauderdale agree to abide strictly by Minn. Stat., Chapter 13, the Minnesota Government Data Practices Act. All of the data created, collected, received, stored, used, maintained, or disseminated by Saint Paul in performing functions under this Agreement is subject to the requirements of the Minnesota Government Data Practices Act and any service provider must comply with those requirements as if it were a governmental entity. The remedies in the Minnesota Government Data Practices Act apply to Saint Paul and Lauderdale. If any provision of this Agreement is in conflict with the Minnesota Government Data Practices Act or other Minnesota state laws, state law shall control.

SECTION 13. Legal Responsibilities to the Public.

Saint Paul will, while in Lauderdale or performing any of the services hereunder, comply with all applicable local, state and federal safety laws and regulations including, without limitation, laws and regulations under the federal Occupational Safety and Health Act.

SECTION 14. Access to Financial Records.

Lauderdale may request statements of account regarding income or expenses generated pursuant to this Agreement. Saint Paul agrees to provide such statements of account within a reasonable period of time, not to exceed 45 days, after receipt of the request from Lauderdale.

SECTION 15. Assignment or Transfer of Duties.

Saint Paul and Lauderdale acknowledge that the services to be rendered under this Agreement are unique and personal. Neither party may assign, transfer or delegate its rights, duties or obligations under this Agreement without the prior written consent of the other party.

SECTION 16. Amendments.

All alterations, amendments, deletions or waivers of the terms of this Agreement shall be valid and enforceable only when they have been agreed upon by both parties and executed by both parties in writing.

SECTION 17. Entire Agreement.

It is understood and agreed that this Agreement constitute the entire agreement by the parties concerning the subject matter hereof and supersedes all oral agreements and negotiations between the parties relating to the subject matters herein.

SECTION 18. Interpretation of Agreement, Venue.

This Agreement shall be interpreted and construed according to the laws of the State of Minnesota. All litigation regarding this agreement shall be venued in the District Court of the County of Ramsey, Second Judicial District, State of Minnesota.

SECTION 19. Waiver.

The waiver by either of the Cities of any breach under the terms of this Agreement or the failure by a City to enforce the rights or remedies arising under the terms of this Agreement shall not constitute a waiver of a City's rights and/or remedies with respect to any subsequent breach or default of the terms of this Agreement. The rights and remedies of the Cities provided or referred under the terms of this Agreement are cumulative and not mutually exclusive.

SECTION 20. Notices.

Unless otherwise specified in this Agreement, all notices or other written communications required under this Agreement shall be delivered in person, recognized private delivery service or deposited in United States Certified Mail, Return Receipt Requested. Any notices or other communications shall be addressed as follows:

To Saint Paul:

Saint Paul Fire Department
645 Randolph Avenue
Saint Paul, MN 55102
Attn:

To Lauderdale:

1891 Walnut Street
Lauderdale, Minnesota 55113
Attn: City Administrator

SECTION 21. Severability.

The provisions of this Agreement are severable. If any part of this Agreement is rendered void, invalid or otherwise unenforceable by a court of competent jurisdiction, such rendering shall not affect the validity and enforceability of the remainder of this Agreement.

IN WITNESS WHEREOF, the respective parties have executed this Agreement, intending to be bound hereby effective the date and year indicated above.

Lauderdale

Mary Gaasch, Mayor

Heather Butkowski, City Administrator-Clerk

Saint Paul

Mayor or Designee

Director of Financial Services

Fire Chief

Approved as to Form

Assistant City Attorney

**AGREEMENT FOR FIRE SERVICE BETWEEN
THE CITY OF FALCON HEIGHTS AND
THE CITY OF LAUDERDALE**

AGREEMENT MADE this 11th day of December, 2013 by and between the **City of Falcon Heights**, a Minnesota municipal corporation (“Falcon Heights”), and the **City of Lauderdale**, a Minnesota municipal corporation (“Lauderdale”).

WHEREAS, the parties hereto are parties to a previous agreement dated December 14, 2005 relating to the furnishing of fire service by Falcon Heights to Lauderdale; and

WHEREAS, the parties wish to make this Agreement for the continued provision of fire service by Falcon Heights to Lauderdale in accordance with the terms and provisions hereinafter set forth; and

WHEREAS, Falcon Heights is authorized by prior action of the City Council pursuant to Minnesota Statutes § 438.08 to provide fire service outside the limits of Falcon Heights; and

WHEREAS, Minnesota Statutes § 438.09 authorizes municipalities to contract with other municipalities providing fire services as authorized under Minnesota Statutes § 438.08 to contract for compensation for services rendered; and

WHEREAS, Falcon Heights and Lauderdale are adjacent communities and Falcon Heights has the means and ability to provide fire protection services for Lauderdale, while at the same time providing adequate fire services within the City of Falcon Heights.

NOW, THEREFORE, the parties hereto agree as follows:

1. **SERVICES.** Falcon Heights shall provide the following services to Lauderdale:
 - a. **Fire Services.** Falcon Heights shall furnish fire protection services to all property located within Lauderdale. Falcon Heights shall respond to all fires in Lauderdale with the same level of service and effort as it does in Falcon Heights whenever Falcon Heights is notified of such fire.
 - b. **Routine Fire Inspection Services.** Falcon Heights shall provide routine fire inspection services. The services shall include routine annual inspections of all day care facilities, multi-family residential structures with three or more units, and commercial and industrial structures, and one follow-up inspection per structure.
 - c. **Non-routine Fire Inspection Services.** Falcon Heights shall provide additional fire inspection services necessitated by particular fire code concerns, complaints, or the need for more than one follow-up inspection.
2. **COMPENSATION.** For the services provided herein by Falcon Heights, Lauderdale shall pay Falcon Heights the sum of the following:

- a. A readiness-to-serve factor equal to a base rate sum computed by multiplying the previous year's fair market value of all property in Lauderdale, times a standard multiplier of .00009723.
 - b. Charges for service will be based upon a charge for each truck according to the call time as outlined in Appendix A. The fee shall be based on the budgeted costs for operating the Fire Department. Falcon Heights shall provide Lauderdale with a preliminary estimated cost by September 1st and a final estimated cost which is no more than three percent (3%) greater than the preliminary cost, by September 30th of each year.
 - c. A fee for fire prevention services based upon the fire inspector's hourly rate and mileage and an estimated number of hours of fire prevention inspection activities and associated work will be calculated for the coming year. Any fire prevention services provided that exceed the number of estimated hours will be charged on an "as needed" basis and be pro-rated using the fire inspector's hourly rate and mileage.
 - d. It shall be the responsibility of Lauderdale to recover or pay for any HAZMAT costs incurred in Lauderdale.
 - e. Lauderdale shall make payment to Falcon Heights based on the rates and charges established by Falcon Heights for each calendar year. Falcon Heights shall bill Lauderdale monthly for services received. The bill shall be submitted within thirty (30) days after the end of the month. Lauderdale shall pay on a monthly basis on or before the 1st day of each month.
 - f. The City of Lauderdale shall pay a capital share for fire truck replacement of Truck 757 commencing in 2014 and continuing through 2023, of \$2,250 per year, as outlined in Appendix B.
3. **EFFECTIVE DATE AND TERM.** This Agreement shall apply to services rendered and shall continue in force until modified or terminated by agreement of the parties or until termination by either party. This Agreement may be severed by either party by notifying the other party's City Administrator with a written notice of termination on or before July 15th of the calendar year of the party's intent to terminate the contract no earlier than midnight, December 31st of that same calendar year or after December 31st of that calendar year as identified in the notification of termination.
4. **LIABILITY.** Falcon Heights shall not be liable to Lauderdale or any other person or party for loss or damage of any kind whatever resulting from any failure to prevent, control or extinguish any fire, or prevent any personal injury, unless such loss or damage or injury is caused by the gross negligence of Falcon Heights. Lauderdale shall indemnify and hold harmless, and defend Falcon Heights, its officials and employees against any and all liability, loss, costs, damages, expenses, claims or actions arising out of or by reason of the failure of the Falcon Heights's Fire Department to attend a fire, or to put out a fire or for

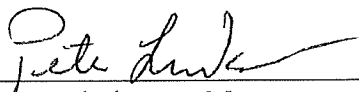
damage to property caused by a fire in Lauderdale, except for claims arising as a result of gross negligence by the Falcon Heights's Fire Department in the execution, performance, or failure to adequately perform the Falcon Heights's obligations pursuant to this Agreement.

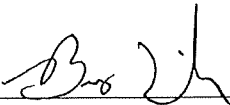
5. **INDEMNIFICATION.** Except as provided in Paragraph 4 above, each City shall be liable for its own acts and the results thereof to the extent provided by law and agrees to defend, indemnify and hold harmless each other (including their officials, employees, volunteers and agents), from any liability, claims, causes of action, judgments, damages, losses, costs or expenses, including reasonable attorney's fees, resulting directly or indirectly from any act or omission of the party, anyone directly or indirectly employed by it, and/or anyone for whose acts and/or omissions it may be liable, in the performance or failure to perform its obligations under this Agreement. Each city's liability shall be governed by the provisions of Minnesota Statutes, Chapter 466 and other applicable law. The parties agree that liability under this Agreement is controlled by Minnesota Statutes § 471.59, subd. 1.a. and that the total liability for the parties shall not exceed the limits on governmental liability for a single unit of government as specified in Minnesota Statutes § 466.04, subd. 1(a).
 - a. **Insurance.** Each City warrants that it has a purchased insurance or has a self-insurance program.
 - b. **Duty to Notify.** Each City shall promptly notify the other of any claim, action, cause of action or litigation brought against the party, its employees, officers, agents or subcontractors, which arises out of the services contained in this Agreement and should also notify the other cities whenever any city has a reasonable basis for believing that the city, and/or its employees, officers, agents or subcontractors, and/or the other cities might become the subject of a claim, action, cause of action or litigation arising out of the services contained in the Agreement.
6. **STATE AID.** Pursuant to the authority granted in Minnesota Statutes § 69.011, et. seq. and in particular Minnesota Statutes § 69.021, Subd. 7, Falcon Heights shall, for the purposes of calculating fire state aid, be entitled to include the population and net tax capacity of Lauderdale in the area for which it furnishes fire protection service and two duly executed copies of this contract shall be filed by Falcon Heights with the Minnesota Commissioner of Revenue, who will in turn, forward one copy of the contract to the Ramsey County Auditor.
7. **FIRE INCIDENT INSPECTIONS.** Fire inspections carried out by the Fire Chief or his or her authorized personnel, including the fire inspector, as part of a fire incident shall be considered as part of over-all fire department services covered by this contract and no separate charge shall be made for these inspections.
8. **MONTHLY REPORTS.** Falcon Heights shall provide monthly fire report summaries within thirty (30) days after the end of the month. Falcon Heights shall provide special fire reports upon Lauderdale's request.

9. **COMMUNICATION.** Falcon Heights shall make every reasonable effort to notify Lauderdale of a major fire or related incident in a timely way on the first business day following the incident.
10. **MUTUAL AID.** Falcon Heights shall, in providing the services under this Agreement, utilize the mutual aid assistance available to it pursuant to various mutual aid agreements with other governmental units while serving Lauderdale including the authority to request assistance from a HAZMAT unit when the situation warrants it.
11. **MINNESOTA GOVERNMENT DATA PRACTICES ACT.** All data collected, created, received, maintained, or disseminated, in any form, for any purposes because of this Agreement is governed by the Minnesota Government Data Practices Act (Minnesota Statutes, Chapter 13 and related statutes), as amended, the Minnesota Rules implementing such Act, as amended, as well as Federal Regulations on data privacy. The person responsible for release of all data under this Agreement shall be identified by each party.

IN WITNESS WHEREOF, the parties have executed this Agreement on the date set forth below.

CITY OF FALCON HEIGHTS


By: 
Peter Lindstrom, Mayor

By: 
Bart Fischer, City Administrator

Date: 12/11, 2013

CITY OF LAUDERDALE

By: 
Jeffrey E. Dains, Mayor

By: 
Heather Butkowsky, City Administrator

Date: December 10, 2013

APPENDIX A

Response to fire calls and false alarms

	0-45 Minutes	46-120 Minutes	121-360 Minutes	Over 360 Minutes (Extreme)
Fire Call (per truck)	\$457.68	\$457.68	\$893.83	\$1,420.03
Identified False Alarm (per call)	\$228.85	\$457.68	<i>Not Applicable</i>	<i>Not Applicable</i>

Appendix B
Lauderdale Capital Payment for Truck 757

Year	Payment Amount
2014	\$2,250
2015	\$2,250
2016	\$2,250
2017	\$2,250
2018	\$2,250
2019	\$2,250
2020	\$2,250
2021	\$2,250
2022	\$2,250
2023	\$2,250



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REQUEST FOR COUNCIL ACTION

Meeting Date	July 1, 2020
Agenda Item	Policy D3
Attachment	Contract
Submitted By	Sack Thongvanh, City Administrator

Item	Public Safety Contract
Description	Request discussion on the formation of a study group to review the public safety contract with the Ramsey County Sheriff's Office.
Budget Impact	N/A
Attachment(s)	<ul style="list-style-type: none"> Public Safety Contract with the Ramsey County Sheriff's Office
Action(s) Requested	Staff looking for direction on how to proceed.

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BOARD OF COMMISSIONERS

RESOLUTION

Presented By: Commissioner McDonough Date: November 21, 2017 No. B2017-303
Attention: Sheriff's Office

WHEREAS, As a leader in public safety through professionalism and partnerships, the Ramsey County Sheriff's Office has historically entered into agreements with municipalities within Ramsey County for the provision of patrol and police protection services; and

WHEREAS, The Sheriff's Office has previously contracted with the Cities of Arden Hills, Gem Lake, Little Canada, North Oaks, Shoreview, Vadnais Heights, and White Bear Township (Contract Communities); and

WHEREAS, The City of Falcon Heights has agreed to the terms and conditions of the Agreement for the purchase of patrol and police protection services in its respective jurisdiction by the Sheriff's Office for a four-year period beginning January 1, 2018 through December 31, 2021; and

WHEREAS, The addition of Falcon Heights into the Contract Communities will require an increase in the personnel complement for Public Safety Services of 6.0 full-time equivalent Sheriff Deputies; and

WHEREAS, The Agreement for patrol and police protection services between the Sheriff's Office and the City of Falcon Heights is a cooperative model that demonstrates how sharing services among municipalities can control overall costs; and

WHEREAS, The Contract Communities thrive on the ability to work closely together to achieve the shared goal of community safety in Ramsey County; Now, Therefore Be It

RESOLVED, The Ramsey County Board of Commissioners approves the Law Enforcement Service Agreement with the City of Falcon Heights, 2077 West Larpentour Avenue, Falcon Heights, Minnesota 55113, for patrol and police protection services within the political limits of the municipality, to the extent and in the manner set forth in the Agreement, for the period beginning January 1, 2018 through December 31, 2021; and Be It Further

RESOLVED, The Ramsey County Board of Commissioners approves an increase in the personnel complement of the Sheriff's Office Public Safety Services Division by 6.0 full-time equivalent Sheriff Deputies; and Be It Further

RESOLVED, The Ramsey County Board of Commissioners authorizes the Chair and Chief Clerk to execute the Agreement; and Be It Further

RESOLVED, The Ramsey County Board of Commissioners authorizes the County Manager to make all necessary budget adjustments including increasing estimated revenues and appropriations.

Ramsey County Board of Commissioners

Table with 4 columns: Name, YEA, NAY, OTHER. Rows include Toni Carter, Blake Huffman, Jim McDonough, Mary Jo McGuire, Rafael Ortega, Janice Rettman, and Victoria Reinhardt.

Victoria Reinhardt, Chair

Signature of Janet M. Guthrie, Chief Clerk - County Board

**AGREEMENT FOR
LAW ENFORCEMENT SERVICES**

FINANCE DEPT
17 NOV 22 AM 8:29

This is an Agreement between the County of Ramsey (hereinafter referred to as the "COUNTY"), and the City of Falcon Heights (hereinafter referred to as the "MUNICIPALITY"), to provide law enforcement services to the MUNICIPALITY for the period commencing January 1, 2018.

WHEREAS, the COUNTY has a statutory obligation to provide police protection within Ramsey County; and

WHEREAS, the COUNTY has previously contracted to provide law enforcement services to the cities of Arden Hills, Gem Lake, Little Canada, North Oaks, Shoreview, Vadnais Heights, and to White Bear Township (hereinafter collectively referred to as the "MUNICIPALITIES"), and

WHEREAS, the MUNICIPALITY has determined that it is in the best interests of the MUNICIPALITY to contract with the COUNTY for law enforcement services, thereby allowing for the allocation of overhead and other administrative costs over a larger population; and

WHEREAS, the parties to this Agreement intend to contract for law enforcement functions within the political boundaries of the MUNICIPALITY through the Ramsey County Sheriff; and

WHEREAS, the COUNTY is agreeable to rendering such services on the terms and conditions hereinafter set forth; and

WHEREAS, such contracts are authorized and provided for by the provisions of Minnesota Statutes Sections 471.59 and 436.05, and Laws 1959, Chapter 372.

NOW, THEREFORE, IN CONSIDERATION OF the mutual undertakings set forth herein, the COUNTY and the MUNICIPALITY agree as follows:

A. SCOPE OF SERVICES

1. The COUNTY agrees, through the Ramsey County Sheriff's Office, to provide law enforcement services to the MUNICIPALITY which will include, but not be limited to, the following:
 - a. Patrol services with random patrolling of residential areas, businesses, parks, and other public property areas;
 - b. Enforcement of Minnesota State Statutes and the ordinances of the MUNICIPALITY;
 - c. Traffic enforcement including the regular use of radar or laser as a speed deterrent;
 - d. Crime prevention programs such as Neighborhood Watch, as well as other business and residential crime prevention programs;
 - e. Criminal investigative and crime scene processing services;
 - f. Follow up on reported crimes with persons who reported the crime including notification by telephone or mail as to the status of the investigation;
 - g. Responses to medical, fire, and other emergencies;
 - h. Coordination of volunteer programs such as the Community Affairs Officer and Reserve Programs;

- i. Driver's license inspections, background checks and license enforcement services as called for under applicable state law and ordinances of the MUNICIPALITY;
 - j. Special event traffic patrol and patrol services for community festivals or other special events; and
 - k. Attendance at Public Safety or City Council meetings as requested by the MUNICIPALITY; and
 - l. Animal control services.
2. The manner and standards of performance, the discipline of officers, and other matters incident to the provision of services under this Agreement, and the control of personnel so employed, shall be subject solely to the control of the COUNTY. In the event of a dispute between the parties as to the extent of the duties and functions to be rendered hereunder, or the level or manner of performance of such service, the determination thereof made by the Sheriff of the COUNTY shall be final and conclusive as between the parties hereto, subject however, to the provisions of Section A.3. herein.
3. In the event the MUNICIPALITY, through its elected body or authorized agent, notifies the COUNTY that the MUNICIPALITY is dissatisfied with the assignment of personnel for the performance of services under this Agreement and requests a change in personnel, the COUNTY shall make every effort to effect a change in the assignment of personnel, provided that such a change does not jeopardize the ability of the COUNTY to provide services to other areas of Ramsey County in a timely and efficient manner.
4. Services shall be provided 24 hours per day and shall be performed by the number of deputies and other personnel budgeted for in the COUNTY'S Approved Budget for these services to the MUNICIPALITIES.
5. To facilitate the COUNTY'S performance pursuant to this Agreement, the MUNICIPALITY agrees that the COUNTY shall have full cooperation and assistance from the MUNICIPALITY, its officers, agents and employees. The MUNICIPALITY shall designate a liaison to the Ramsey County Sheriff's Office. The liaison shall attend meetings of the Sheriff's Contract Communities Committee and shall represent its respective MUNICIPALITY at the meetings. The purpose of these meetings is to develop short-term and long range plans and to coordinate and analyze police service, to develop budget parameters for distributing costs among the MUNICIPALITIES, and other related public service issues. The Sheriff's Contract Communities Committee shall also review any disputes which arise between the MUNICIPALITIES and/or Sheriff's Office and recommend a resolution.
6. The COUNTY shall furnish and supply all necessary labor, supervision, equipment, communication facilities and dispatching, and supplies necessary to provide services pursuant to this Agreement.
7. All deputy sheriffs, clerks, and all other COUNTY personnel performing duties pursuant to this Agreement shall at all times be considered employees of the COUNTY for all purposes.
8. The name of each of the MUNICIPALITIES that contract with the Sheriff's Office for law enforcement services shall be affixed to all squad cars and other major pieces of equipment used primarily within these MUNICIPALITIES.

B. ASSUMPTION OF LIABILITIES/INSURANCE

1. Except as otherwise provided, the MUNICIPALITY shall not be called upon to assume any liability for the direct payment of any salaries, wages, or other compensation to any COUNTY personnel performing services pursuant to this Agreement for said MUNICIPALITY, and the COUNTY hereby assumes said liabilities.
2. Except as herein otherwise specified, the MUNICIPALITY shall not be liable for compensation or indemnity to any COUNTY employee for injury or sickness arising out of the performance of services pursuant to this Agreement, and the COUNTY hereby agrees to hold harmless the MUNICIPALITY against any such claim.
3. The MUNICIPALITY, its officers, and employees, shall not be deemed to assume any liability for the intentional or negligent acts of the COUNTY or the COUNTY'S employees performing services pursuant to this Agreement, and the COUNTY shall hold the MUNICIPALITY, its officers, and employees harmless from and shall defend and indemnify the MUNICIPALITY, its officers, and employees against any claim for damages arising out of the COUNTY'S performance of services pursuant to this Agreement.
4. The COUNTY, its officers, and employees shall not be deemed to assume any liability for intentional or negligent acts of the MUNICIPALITY or of any other officers, agent or employee thereof, and the MUNICIPALITY shall hold the COUNTY and its officers and employees harmless from, and shall defend and indemnify the COUNTY and its officers and employees against any claim for damages arising out of the MUNICIPALITY'S performance of its obligations pursuant to this Agreement.
5. The COUNTY agrees to maintain, during the term of this Agreement, automobile, general liability, workers' compensation, and professional liability insurance in amounts deemed appropriate by the COUNTY. The COUNTY shall name the MUNICIPALITY as an additional insured on these policies except for the workers' compensation policy. The MUNICIPALITY agrees to pay, as a part of the actual cost as provided in Section 6 below, a pro rata share of the COUNTY'S insurance costs. These costs shall include the costs for any assessments and credits for any dividends by participating in any insurance pools or trusts. The COUNTY may elect to self-insure all or any portion of these risks. If the COUNTY cannot obtain insurance and/or elects to self-insure, the MUNICIPALITY shall pay a pro rata share of the costs of self-insurance, based on each MUNICIPALITY'S share of the approved annual budget. Insurance costs as they relate to insurance coverage shall include premiums and deductibles. Costs of self-insurance shall include reserves, claims and damage payments, and administration costs required to maintain self-insurance.
6. The MUNICIPALITY acknowledges that the COUNTY may, in an effort to provide the best insurance coverage at the most economical cost, become a member of the Minnesota Counties Insurance Trust or some similar organization; and the MUNICIPALITY further acknowledges that membership in such an organization may be for a fixed minimum term and may expose the COUNTY to some type of contingent cost liability, such as debts, obligations and liabilities, in the event that the COUNTY withdraws its membership. The MUNICIPALITY agrees to reimburse the COUNTY for the MUNICIPALITY'S pro rata share of any such contingent cost liability arising during

the term of this Agreement for Law Enforcement Services and assessed against the COUNTY. Upon notification to the COUNTY of any such contingent cost liability, the COUNTY will notify the MUNICIPALITY in a timely manner.

C. TERM OF AGREEMENT/TERMINATION

1. The term of this Agreement shall commence on January 1, 2018, and shall continue through December 31, 2021 ("Term").
2. If either party intends not to renew this Agreement at the end of its Term, the party must notify the other party and other MUNICIPALITIES in writing at least nine (9) calendar months prior to the end of the contract Term. If either party has not approved a successor agreement at the end of the Term, the COUNTY will continue to provide law enforcement services in accordance with this Agreement.
3. Either party may terminate this Agreement at the end of a calendar year and prior to the end of the Term of the Agreement by notifying the other party to this Agreement and the other MUNICIPALITIES in writing of their intent to terminate the Agreement at least nine (9) calendar months prior to the end of the calendar year.
4. Notice to the COUNTY shall be given to the County Manager and Ramsey County Sheriff, and Notice to the MUNICIPALITY shall be given to the MUNICIPALITY'S City Manager. Notice to the other MUNICIPALITIES will be given in accordance with the notice provisions of the contracts between the COUNTY and the other MUNICIPALITIES.

D. COST AND PAYMENT

1. The MUNICIPALITY agrees to pay the COUNTY the actual cost of providing all services covered by this Agreement. Actual cost shall mean the MUNICIPALITY'S pro rata share of the COUNTY'S total cost of providing patrol and police protection services as described in this Agreement to the MUNICIPALITIES with which the COUNTY has agreements for the current contract year, including, but not limited to the following: salaries of employees engaged in performing said services, including vacation and sick leave; mileage; uniforms; public employees retirement contributions; workers' compensation, automobile, general liability and police professional liability insurance costs or the cost of self-insurance; general overhead, including indirect expenses and supplies, radio unit expense, and health and welfare expense. The term "costs" as used herein shall not include items of expense attributable to services or facilities normally provided or available to all cities within the COUNTY as part of the COUNTY'S obligation to enforce state law. Computation of actual costs hereunder shall be made by the Ramsey County Finance Department based on information provided by the Sheriff.
2. During the term of this Agreement, the COUNTY shall annually submit a Budget Estimate for the following year of services to the MUNICIPALITY no later than August 1 of the current year. Said Budget Estimate will be for the limited purpose of better enabling the MUNICIPALITY to estimate its annual budget and tax levy. It is understood by the parties to this Agreement that said Budget Estimate shall in no way prevent the COUNTY from charging its actual costs.
3. If the MUNICIPALITY does not allocate the necessary funding for its proportionate share of the COUNTY'S Approved Budget to the MUNICIPALITIES for a given year, the MUNICIPALITY and the COUNTY must meet by January 31 of the

budget year in question to review and reach agreement on modifications to service levels provided by the COUNTY that are consistent with the MUNICIPALITY'S budget and that recognize the impact of these service level changes to other MUNICIPALITIES that contract with the COUNTY for these services.

4. Unless the COUNTY and MUNICIPALITY have reached agreement pursuant to the prior paragraph for a change in the MUNICIPALITY'S contribution, the COUNTY shall bill the MUNICIPALITY on a monthly basis in advance in an amount equal to one-twelfth (1/12) of the Budget Estimate for services to the MUNICIPALITY. The MUNICIPALITY shall pay the COUNTY within 45 days of receipt of the monthly statement. At the close of the contract year, the COUNTY will reconcile the current year Budget Estimate and current year actual costs, shall provide a copy of the current year actual cost to the MUNICIPALITY, and shall either give a credit to the MUNICIPALITY or bill the MUNICIPALITY for additional costs in excess of the Budget Estimate.

E. GENERAL PROVISIONS

1. Notice to the COUNTY shall be given to the County Manager and Ramsey County Sheriff, and Notice to the MUNICIPALITY shall be given to the MUNICIPALITY'S City Administrator. Notice to the other MUNICIPALITIES will be given in accordance with the notice provisions of the contracts between the COUNTY and the other MUNICIPALITIES.
2. It is understood that prosecutions for violations of ordinances or state statutes, together with disposition of all fines collected pursuant thereto, shall be in accordance with state statutes, state rules, and judicial orders.
3. The Ramsey County Sheriff's Office shall submit to the MUNICIPALITY quarterly activity reports detailing the activities of the Sheriff's Office under this agreement within the MUNICIPALITY. Said reports shall contain, at a minimum, the number of calls answered and the number of citations issued. However, no information will be provided which would violate the State Data Practices Act.
4. The MUNICIPALITY may contract with the COUNTY for additional law enforcement services above and beyond those provided in this Agreement.
5. Any alterations, variations, modifications, or waivers of provisions of this Agreement shall only be valid when they have been reduced to writing, signed by authorized representatives of the COUNTY and the MUNICIPALITY and attached to the original of this Agreement.

IN WITNESS WHEREOF, the MUNICIPALITY, by resolution duly adopted by its Council has caused this Agreement to be signed by Mayor Peter Lindstrom and City Administrator Sack Thongsvanh, and the seal of the MUNICIPALITY to be affixed hereto on the 1st of November, 2017 and the COUNTY, by resolution of its Board of County Commissioners, has caused this Agreement to be signed by the Chair and Chief Clerk of said Board on the 21st day of November.

COUNTY OF RAMSEY

By: Victoria A. Rasmussen
Chair
Board of Ramsey County Commissioners

By: Janet Guthrie
Janet Guthrie, Chief Clerk
Board of Ramsey County Commissioners

CITY OF FALCON HEIGHTS

By: Peter Lindstrom
Peter Lindstrom
Mayor

By: Sack Thongsvanh
Sack Thongsvanh
City Administrator

APPROVAL RECOMMENDED:

By: Jack Srier
Jack Srier
Sheriff of Ramsey County

APPROVED AS TO FORM:

By: Jeff Stephenson
Jeffrey Stephenson
Assistant Ramsey County Attorney

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REQUEST FOR COUNCIL ACTION

Meeting Date	July 1, 2020
Agenda Item	Policy D4
Attachment	See Below
Submitted By	Sack Thongvanh, City Administrator

Item	Community Conversations - Part II
Description	<p>There was been a request to review and consider hold community conversations around race.</p> <p>Community Conversations - please review the attached documents thoroughly: "Inclusion and Policing Task Force Overview of Recommendations" that included a summary of each "Community Conversation" and "Community Conversations Process Report".</p> <p>Mariah Levison, Director for the Office of Collaboration and Dispute Resolution - MN Department of Administration has offered her services to revisit what has and has not been accomplished for the Task Force's recommendations.</p>
Budget Impact	N/A
Attachment(s)	<ul style="list-style-type: none"> • The City of Falcon Heights Inclusion and Policing Task Force - Overview of Recommendations • Evaluation of the Falcon Heights Community Conversations Process Report
Action(s) Requested	Staff is looking for direction on how to proceed.

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Evaluation of the Falcon Heights Community Conversations Process

Prepared for:

Mariah Levison, Office of Collaboration and Dispute Resolution,
Minnesota Bureau of Mediation Services

and

Sharon Press, Dispute Resolution Institute Director, Mitchell Hamline School of Law

Authored by: Elizabeth Dressel, Master of Urban and Regional Planning student
University of Minnesota, Humphrey School of Public Affairs

November 30, 2017

Summary of Evaluation Findings

This report shares the results of an evaluation of the five community conversations that took place in Falcon Heights from February through June 2017. The evaluation was commissioned by the Minnesota Bureau of Mediation Services' Office of Collaboration and Dispute Resolution, the Dispute Resolution Institute at Mitchell Hamline School of Law, and the Center for Integrative Leadership at the University of Minnesota with funding from the American Arbitration Association Foundation – International Centre for Dispute Resolution Foundation. Elizabeth Dressel, a master's student at the Humphrey School of Public Affairs, led the evaluation with support from Kathryn S. Quick, PhD, Associate Professor, Humphrey School of Public Affairs and Co-Academic Director of the Center for Integrative Leadership, and Chen Zhang, PhD candidate, Humphrey School of Public Affairs.

Six main topics arose from the analysis of focus group transcripts and survey responses.

1. **Divergent and Changing Concerns:** Participants arrived and left with divergent concerns and many changed their priorities over the course of the process.
2. **Interface with City Council and Task Force:** Participants wanted more action, accountability, and interaction with these bodies.
3. **Impacts of a Resource-Constrained Process:** Participants observed and bemoaned that limited resources had negative impacts on communication, childcare, and food.
4. **Lack of Diversity:** Participants explored multiple concerns with turnout and diversity of perspectives.
5. **Circle Format and General Process:** Participants articulated feedback on the benefits and limitations of the circle format and its implementation in this setting.
6. **Facilitation Role:** Facilitators reflected on the distinctions between a circle process and other types of facilitation, and the ambiguity and tension they felt in this setting.

These topic areas are groups of frequently expressed ideas and comments. Within each were areas of convergence and divergence. The report details the findings for each in greater detail.

Outcomes Highlights

One of the most interesting findings is a **positive change in the emotional state of the participants**. Participants felt more optimistic and trusting and less cynical, sad and angry after participating in the conversations. In addition, participants expressed feeling both more energized and more fatigued after the community conversations.

Another noteworthy finding is **changes to what participants hoped to accomplish through the community conversations**. Following the conversations, participants prioritized higher:

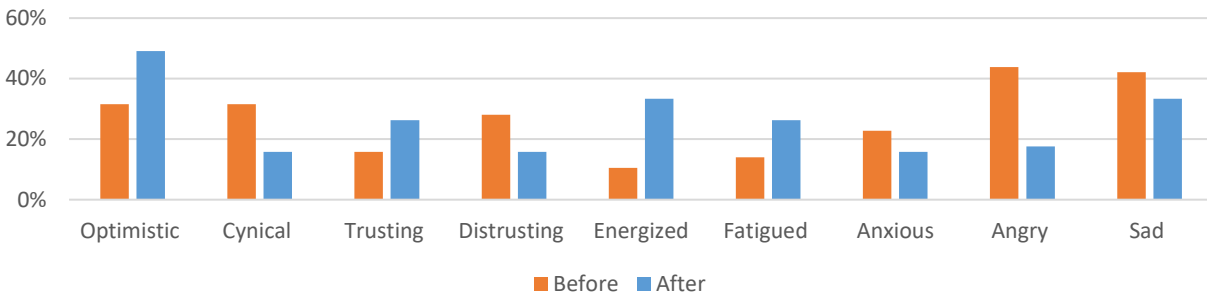
- understanding the role I play in injustices within my community; and
- making new connections with people in my community

These changes are reflective of the planning team's goals that the conversations provide the opportunity for impact at various levels including policy, community, inter-personal, and intra-personal.

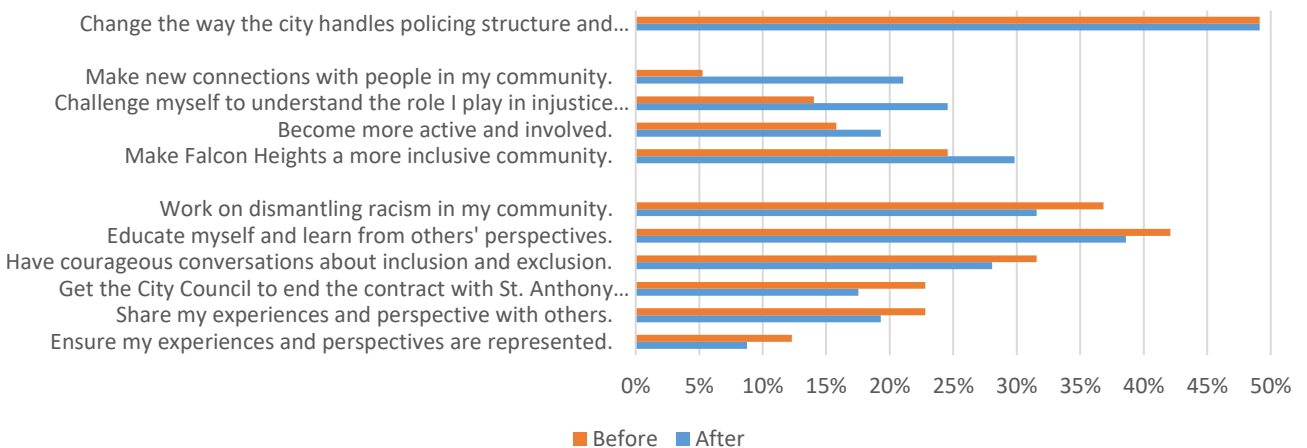
The conversations did not make any difference in one prominent area of concern: both before and after, the number one priority was changing the way the city handles policing practices. Notably, however,

framing that change in terms of St. Anthony Police Department (SAPD) became less important: fewer people prioritized ending the contract with SAPD after the conversations than before them.

Most dominant emotions (aggregated for all survey respondents)



Top Priorities To Accomplish



Process Highlights

91% of survey respondents said that they strongly or slightly agreed that participating in the community conversations was a valuable way to spend their time. With a few key caveats, participants liked the circle method. However, there was a clear message that there was **too much material to cover at each conversation**. Both participants and facilitators often felt too rushed while trying to get through all of the questions in each conversation. This did not allow participants to fully share, and some mentioned they quickly passed or chose not to share so that others in the circle could have more time. It is recommended that future processes allow more time to cover the materials either through extending the time period or reducing the agenda.

Another key finding is that, **participants would have liked to have had more time to directly discuss the draft recommendations and provide direct feedback to the Task Force and City Council members**. This lack of direct interaction left many participants feeling frustrated and uncertain about the next steps, and whether the recommendations and input will be implemented. Future processes should include more time on the development of recommendations and allow for more interaction between participants, Task Force, and City Council.

Overview of the Task Force and Community Conversations

The Falcon Heights Task Force on Inclusion and Policing was created by the City Council of Falcon Heights, Minnesota, following the killing of Philando Castile by a police officer in Falcon Heights. The Task Force was charged with articulating community values, identifying community needs, and recommending programming and policies that would make Falcon Heights a more inclusive and welcoming place for residents and guests.

The Task Force was comprised of 11 committed individuals with diverse experiences and perspectives. Beginning in December 2016, they met for 13 regular task force meetings. To develop a set of recommendations on policing and second set of recommendations on inclusion, the Task Force deliberated with the interested public through five Community Conversations (the focus of this report), and consulted with subject matter experts in four priority areas (policing, police-community relationships, citizen oversight boards, and joint powers authorities). The Task Force members also stayed connected with the broader community through individual dialogues with other residents and guests of Falcon Heights, by attending City Council meetings, and by being involved in other community events.

The **policing recommendations** lay out a set of goals for policy implementation and change relating to restoring mutual safety and trust for community members and police. The final version of the policing recommendations was adopted by the City Council on May 24, 2017, and may be found here: www.falconheights.org (right-hand tab of the homepage).

The **inclusion recommendations** include a Statement of Community Values, and a series of recommendations for building a more inclusive Falcon Heights. The foundation of all of the recommendations is that many people feel that they do not fully belong in the Falcon Heights community. The final version of the inclusion recommendations was adopted by the City Council on June 14, 2017, and may be found here: www.falconheights.org (right-hand tab of the homepage). At that time, the Council also unanimously agreed to seek grants and allocate funds in upcoming city budgets in order to be able to dedicate skilled staff attention to sustaining this work.

In conjunction with the Task Force meetings, **more than 180 people** participated in a series of **Community Conversations**. The dialogue and feedback was used to develop and shape the recommendations.

- Conversation 1 - February 16, 2017: Conversations focused on personal and community values.
- Conversation 2 - March 2, 2017: Participants helped develop options for how the City can live out the Community's values in its activities, policies, and policing policies and practices.
- Conversation 3 - April 3, 2017: Participants reviewed and provided feedback on draft policing recommendations.
- Conversation 4 - May 1, 2017: Participants shared their thoughts on what is needed for transformational change to begin and each made a personal commitment.
- Conversation 5 - June 19, 2017: Commemoration of the work accomplished and development of next steps for the community.

Data and Methods

Evaluation data was gathered in two ways. First, the evaluation team emailed a survey to all participants who attended at least one of the community conversations and provided an email. In total, the survey was emailed to 158 participants for whom we had email contact information, of whom 57 completed and submitted survey responses. Removing the 13 emails that bounced back due to incorrect addresses, there was a 39 percent completion rate.

In addition to the survey, the evaluation team conducted four focus groups, two specifically for community conversation participants and two for conversation facilitators. One focus group of each type was held in June and a second pair was conducted in August. We intentionally invited individuals to the first set of focus groups in June to represent diversity in terms of the number of community conversations they attended/facilitated, where they were from, gender, and race or ethnicity. A second invitation was emailed to all participants or facilitators and they were asked to RSVP if they were interested in participating and providing feedback. Due to this methodology, the first participant focus group was quite a bit more diverse including both residents, non-residents, varied ethnic and racial background, and gender balance. Across all of the focus groups, 23 people attended - 13 community conversation participants and 10 conversation facilitators.

A complete list of the survey questions and results can be found in Appendix A, and a complete list of the focus group questions are located in Appendix B.

I want to acknowledge and thank Kathryn S. Quick, PhD, Associate Professor at Humphrey School of Public Affairs and Co-Academic Director of the Center for Integrative Leadership, and Chen Zhang, PhD candidate, Humphrey School of Public Affairs, for their assistance in designing the approach to the survey and focus groups, for partnering with me to facilitate the focus groups, and for helping to analyze the data from both the survey and focus groups. I am also thankful for Giulietta Perrotta for transcribing all of the focus group recordings.

Key Findings

Six main topics arose from the analysis of focus group transcripts and survey responses.

1. **Divergent and Changing Concerns:** Participants arrived and left with divergent concerns and many changed their priorities over the course of the process.
2. **Interface with City Council and Task Force:** Participants wanted more action, accountability, and interaction with these bodies.
3. **Impacts of a Resource-Constrained Process:** Participants observed and bemoaned that limited resources had negative impacts on communication, childcare, and food.
4. **Lack of Diversity:** Participants explored multiple concerns with turnout and diversity of perspectives.
5. **Circle Format and General Process:** Participants articulated feedback on the benefits and limitations of the circle format and its implementation in this setting.
6. **Facilitation Role:** Facilitators reflected on the distinctions between a circle process and other types of facilitation, and the ambiguity and tension they felt in this setting.

These topic areas are groups of frequently expressed ideas and comments. Within each were areas of convergence and divergence. Below, for each topic area, I provide a description and analysis of the

variety of reasoning and comments that were shared within each group, broken out by survey results, as applicable, followed by findings from focus group comments. I conclude the report with a few short recommendations for carrying this work forward in other communities.

Divergent and Changing Concerns

Participants arrived and left with divergent concerns and many changed their priorities over the course of the process.

Survey Results

The priorities of participants before and after the community conversations are highlighted in Figure 1. The conversations did not make any difference in one prominent area of concern: both before and after, the number one priority was changing the way the city handles policing practices. Notably, however, framing that change in terms of St. Anthony Police Department (SAPD) became less important: fewer people prioritized ending the contract with SAPD after the conversations than before them. In contrast, there were a few areas that became a higher priority for the survey respondents after the conversations:

- understanding the role I play in injustices within my community; and
- making new connections with people in my community.

These changes are reflective of the design team’s goals that the conversations provide the opportunity for impact at various levels including policy, community, inter-personal, and intra-personal.

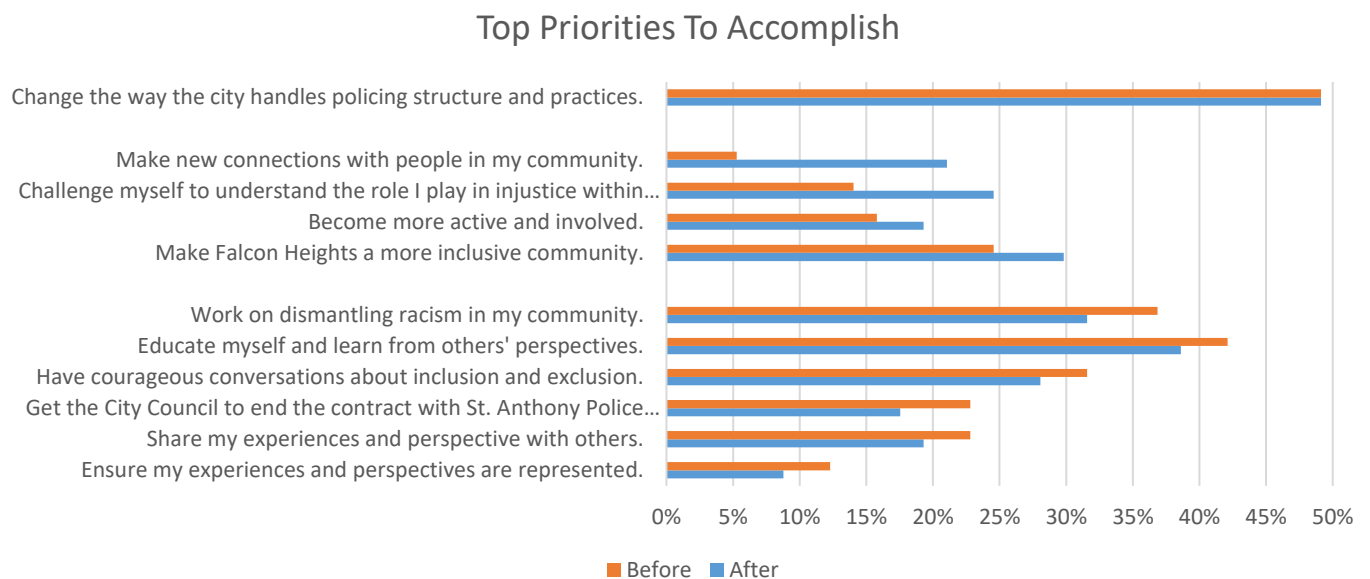


Figure 1. Top three priorities before and after the community conversations.

Focus Group Comments

Many of the focus group participants shared their commitment and connection to Falcon Heights and dedication to working to create a more inclusive community. Facilitators expressed a desire to help and

be involved in a topic they feel personally connected to even though they live outside of Falcon Heights. Many expressed that they hoped to use their professional skills and passions to help the community.

As the organizers and facilitators anticipated and recognized during the conversations, there was no single theme or concern that brought people to the table. We asked people in the focus group what had compelled them to participate in the conversations, and found no consistent patterns. We heard a variety of reasons for why people attended the community conversations and how they defined the issues at hand. There was divergence on what participants perceived as the problem and how to move forward. There were some who expressed that canceling the contract was the most important outcome and the need to solidify a new contract was important. Others felt that the city would have been better off continuing to work with SAPD. A number of ideas and differences arose over the need to gather funding and make changes to the budget. The second participant focus group discussed the reality of the upcoming election and whether new councilmembers would have power and control to change the budget priorities. The take-away for evaluating this community conversation and planning comparable kinds of processes in the future is that it's important for the design team to expect and anticipate that participants will present very diverse experiences, concerns, and priorities in the conversations.

Interface with the City Council and Task Force

Participants wanted more action, accountability, and interaction with these bodies.

Survey Results

The top priority that participants listed as wanting to accomplish before *and* after the community conversation was to change the way the city handles policing structures and practices. Forty-nine percent of participants listed this as one of their *top three* priorities before and after the conversations. This indicates a high level of commitment to action and change within the city. Additionally, more people expressed a priority to “make new connections with people in my community” and “become more active and involved”. This highlights that many participants are interested in taking action and making connections.

The comments in the open-ended response questions on whether this was a valuable use of their time and whether or not they changed their mind indicated some survey respondents' disappointment with the actions of the city council. Some respondents stated they are unsure what the next steps are and feel discouraged by that. Others feel that the conversations were a way to start informing recommendations and feel that their voices were acknowledged and matter. In next steps, respondents stated commitments to staying involved, connected, and on top of the implementation of the recommendations. The desire for action and to see accountability from the city council and city officials was a strong theme.

Focus Group Comments

Action and accountability themes arose throughout the focus groups. Community conversation participants converged on the desire to take action personally, and the desire to see the city council take action on the recommendations. There was frustration and feelings of uncertainty about the next steps, and whether the recommendations and input will be implemented. Participants felt disappointed by the lack of action and concrete next steps from the city council.

Specifically, they mentioned the final community conversation as particularly frustrating. Participants felt that the conversation goals did not meet their personal goals of hearing the final recommendations, having time to discuss them, and then moving into personal next steps. The circle questions during the final conversation felt disjointed from the participants' desire to focus on the final recommendations and get to action steps. The questions at that particular conversation were noted as not allowing them to connect to their actions. Additionally, they left without next steps and did not feel the follow-up communication from the small groups met their desire for actionable next steps.

The design of the conversations did not align with the desire for action. The circle process constrained the ability to have cross dialogue and move quickly towards actions, which is discussed further in the Circle Forman and General Process section of this report. Based on the comments from the participants, I would recommend more of an interface with the Task Force process and more structured ability to have dialogue with the task force, and react to both the draft recommendations and the final recommendations. In future processes that interface with a city council or task force, I recommend a design that includes direct feedback and interaction with the task force/city council.

Impacts of a Resource-Constrained Process

Participants observed and bemoaned that limited resources had negative impacts on communication, childcare, and food.

Focus Group Comments

There are constraints of an all-volunteer facilitation and recruitment team and the impacts of this were seen by participants and facilitators alike. Across the focus groups, participants and facilitators named a variety of visible resource constraints and the impacts these had.

- *Childcare:* The childcare was not well utilized because it was last minute and its availability was not well advertised.
- *Food:* There was a lack of food at the conversations. People suggested offering healthier and more robust dinner options. It was also noted to pay attention to culturally specific foods, such as not offering pork and the timing of food being offered during Ramadan.
- *Advertisement:* Feedback on the location of advertisement was shared. Many suggested that there could have been more outreach to local community leaders within the African American community and publication through social media.
- *Unclear Commitment from the City:* Participants shared that it was unclear what the city had committed to at the outset of the community conversations. There was not a clear timeline for when and or how the city council would take up the policy recommendations.
- *Plan for Action Oriented Follow-Up:* There were concerns about steps community members can take after the final community conversation. They wanted more information on follow-up within action groups. It would have been helpful to have commitment at the outset from the city and others involved in the design process on a plan for communicating next steps and potential resources to support the work and places to hold meetings within City Hall.
- *Facilitator Roles:* Facilitators did not always feel clarity in their roles and where they could have flexibility in the questions or structure of the conversation. Facilitators were able to use the ambiguity to be creative and resourceful in a positive and productive way. At times when there were extra facilitators for the evening, they felt a bit underappreciated. While they understand the nature of a volunteer process, they encourage a different choice of wording when letting

people know they are not needed. They felt that being told they “have their night free now” was dismissive of their commitment and preparation. They suggest language that thanks them for their commitment and acknowledges that they may be disappointed.

Putting in more resources – both financial and personnel – would provide a better experience on a number of the resource based constraints raised above. While there are a number of changes that could be made in future engagement processes by utilizing more resources, respondents expressed that this process was positive and worth their time.

Lack of Diversity

Participants explored multiple concerns with turnout and diversity of perspectives.

Survey Results

The survey respondents shared concern about turnout and the diversity of participants who attended. A third felt somewhat or very dissatisfied with the diversity of attendees. Nearly 60 percent felt somewhat or very satisfied with the participation. This is the section regarding the satisfaction with the process that had the highest level of dissatisfaction.

Focus Group Comments

Across all of the focus groups, people had mixed feelings about the turnout at the conversations. Diversity of participants was used to refer to a variety of types of diversity including: where people came from, Falcon Heights resident versus outside of Falcon Heights, ideological diversity, and racial diversity. The feelings ranged about whether there was enough participation and engagement from residents of Falcon Heights. Some felt there was a lot of engagement for a sustained period of time while others felt that there was not a high enough proportion of residents in attendance. We noticed convergence around feelings of a lack of ideological diversity in participants. They noted that many of those in the circle had similar thoughts and there could have been more people with divergent ideas in attendance.

There was a convergence of opinions around a lack of racial diversity among participants and facilitators. They noticed that the majority of participants were white and that most circles had just one or two people of color. Some participants noted that they felt that it was on them as person of color to explain to the white participants the experience of being a person of color and that felt burdensome. People expressed that they did not always feel heard or that their diverse perspective was listened to.

Additionally, there were discussions about police participation in the conversations. There was a divergence on whether police should have been included in the community conversations in a formal manner to provide a diversity of perspective or whether that would have caused some participants to feel unsafe, not attend, or not have the ability to share freely. Safety can mean different things to different people, but some participants expressed that police presence, whether in uniform or not, in uniform could cause participants of color to feel unsafe; while others expressed the need to formally include police into the conversation and that it would be important for them to attend in uniform in official capacity. It was noted that to include police in a formal manner, a more professional level of facilitation would have been needed to ensure all felt safe.

The take-away for planning future comparable kinds of processes is that extensive planning, outreach, reflection, and design is needed to ensure diverse participation and productive dialogue among diverse participants.

Circle Format and General Process

Participants articulated feedback on the benefits and limitations of the circle format and its implementation in this setting.

Survey Results

Figure 2. depicts the survey responses on satisfaction with the process (see appendix A for individual graphs of each question on process). It indicates a high level of satisfaction with the quality of dialogue, facilitators, and the circle process. Overwhelmingly, survey respondents felt satisfied with the circle format used in the conversations. Eighty-four percent of respondents were somewhat or very satisfied with the circle format. Eleven percent felt neutral and five percent felt somewhat dissatisfied. No one indicated being completely dissatisfied. The most dissatisfaction arose regarding the diversity of participants. The concerns with turnout are discussed above in the Lacking Diversity: Exploration into Multiple Concerns with Turnout and Diversity of Perspectives section of this report.

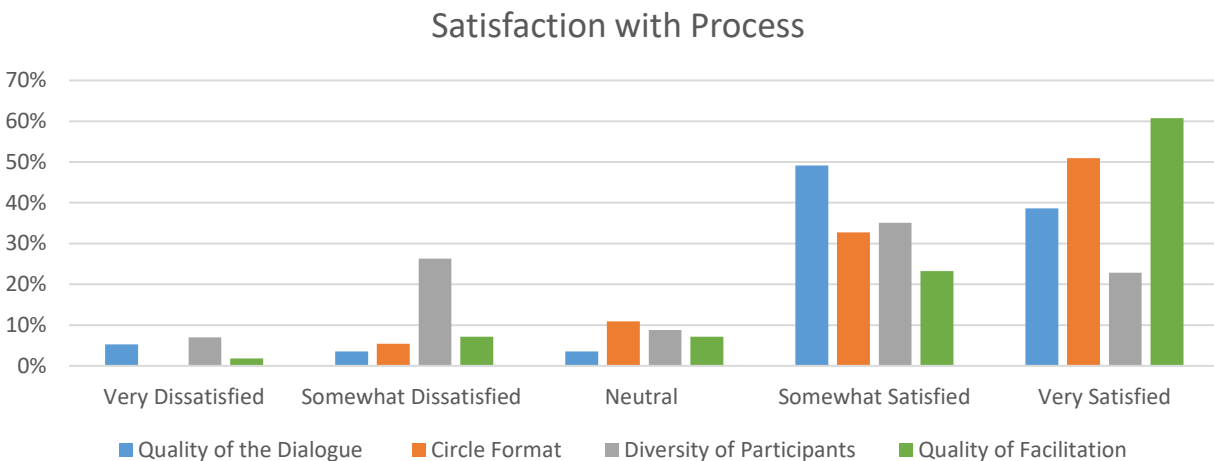


Figure 2. Survey responses based on number of responses to the satisfaction with the process.

Focus Group Comments

Circle Format

The topic of the process and circle format came up in each focus group. There was a consistent theme that people liked the circle format. However, we saw divergence in the reasons for liking the circle format. Some of the differing reasons for connecting with the circle process were:

- Allows people to have a voice.
- Talking piece can empower people to share and allow time to speak.
- Appreciate that the talking piece allowed the speaker to talk without interruption and did not allow for cross talk.
- Each person has to look at one another.
- A circle with no barriers allows for vulnerability and for participants to become closer.
- Provides a safe space for people to share and be heard. Safety does not mean people may not feel shame or be uncomfortable in the process.
- It is a focused process where people have to be engaged and respectful.

While all focus groups in general appreciated many aspects of the circle format, there are two notable ways in which there was not full agreement on this:

- Some participants had strong negative reactions to some aspects of the circle format. In the first focus group of community conversation participants, many described the circle format as overly constraining, too polite, and a structure that did not allow people to really get to know one another, transform their own and each other's thinking through genuine dialogue with one another. Participants did not feel that the structure allowed for getting to action. They would have liked to be allowed to have cross dialogue, to question one other, and dig deeper. In fact, this focus group was challenging to keep on track in part because the participants were so activated to engage in cross-talk and dialogue, and seemed to be using the focus group format to express their resentment of what they experienced as an overly confining format in the community conversations. The convergent and divergent comments on the circle process should indicate future community dialogue process should allow time for cross dialogue and response and developing actions and next steps.
- Some of the facilitators found the circle worked poorly because there was not enough clarity about whether the role of the facilitators was to hold or host a circle and/or to take a more traditional facilitation role to guide dialogue. This is discussed in more depth below in the Facilitation vs. Circle Process: Implications for the Facilitator Role section.

Space and Audibility

Space and audibility issues were named as concern. Many participants and facilitators mentioned that it was hard to hear one another in the circle when they were sitting close to another group. The gym location for the first community conversation was noted as particularly loud.

Flow of Time

Regardless of feelings toward the circle format, participants raised concerns about the process feeling rushed and constrained. At times there were too many questions to move through. This did not allow participants to fully share, and some mentioned they quickly passed or chose not to share so that others in the circle could have more time. Both participants and facilitators shared that filling out the notecards prior to the report out often happened quickly and in a rushed fashion. Feedback was consistent regarding the desire for more time for each question. Alternatively, participants and facilitators suggested that fewer questions and tasks be included to allow more conversation to take place within the small groups.

Not all focus groups brought up the topic of how the organizers launched each community conversation, but the second participant focus group felt strongly that too much time was taken in the beginning of each evening by people at the front of the room – be it the task force co-chairs, mayor, facilitation team, or hosts from the meeting site – giving a welcome, explaining the process, or making their own statements. They especially noted the fifth conversation as an example of too much time being taken at the beginning of the evening by the front of the room. They would have preferred to have more time in their circles to alleviate the rushed nature.

Facilitation Role

Facilitators reflected on the distinctions between a circle process and other types of facilitation, and the ambiguity and tension they felt in this setting.

Survey Results

The survey respondents felt very satisfied with the quality of the facilitation. Eighty-four percent of respondents felt somewhat or very satisfied with the quality of facilitation and 9 percent felt somewhat or very dissatisfied. These responses can be seen above in Figure 2. The tensions that facilitators felt does not appear to have affected participants' experiences.

Focus Group Comments

The facilitators named the tensions they felt between the roles they were asked to play as a circle keepers sharing a piece of their own stories versus a more traditional neutral facilitation role. They mentioned tensions they observed at the initial facilitator training about the role of a circle keeper vs. the more neutral facilitation role and felt this did not resolve into clear direction for the role they should play in the community conversations.

Facilitators individually sorted out this dual role tension, and shared the variety of ways they dealt with it. A few facilitators were keenly aware of what they observed to be an overabundance of white female facilitators. They were thinking a lot about racial and gender aspects of their identity, as white, female facilitators, when facilitating conversations. Several mentioned their resentment, rolling forward into these community conversations from previous experiences, of people of color all too often being "facilitated" by white facilitators, which fed into their negative reactions against facilitators who took a more traditional, intervening stance rather than keeping circle during these conversations. Some explained that they fully embraced either end of the spectrum, from circle keeper to traditional facilitator, and shared a personal story during the circle, while others stated that they chose to pass the stone without sharing during the circle. Those who shared within the circle felt that it showed humility and vulnerability. Additionally, if facilitators felt that the conversation was moving away from the questions or personal sharing or that the lead facilitator was not keeping the circle, they could model an answer to a question and reorient the conversation. While there was this tension between roles, facilitators were able to make personal decisions to use the tools that the community conversation organizing team provided in the preparatory training session, held on February 7, 2017 at Mitchell Hamline School of Law, and the briefings that took place right before each the conversation. In future processes, clearer identification of roles could eliminate this tension and confusion.

The facilitators felt that the format required them to do a lot at one time, which obliged them to switch modes from holding the circle to filling out cards and notetaking. At times there was a lot that needed to get done in the circle, and not always enough time to accomplish those goals. They had to rush through questions to give enough time to each of them and transition into completing the notecard activities. In the future, facilitators would like more time to complete the tasks or guidance on what could be cut or shifted.

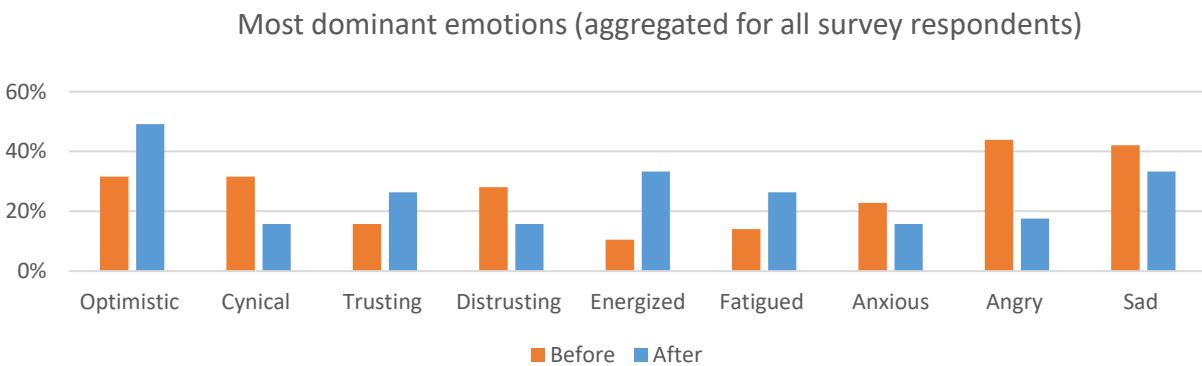
Other Observations

Attachment to Place

In analyzing the focus group data, we noticed a strong attachment to place among residents of Falcon Heights. In identifying their purpose for attending community conversations, participants highlighted that they felt connected to the community and to being involved. There was a sense that the length of time living in the community was an important factor motivating participation. This theme is something I make note of to pay attention to in future community based conversations. Community residents carry this sense of commitment to the place they live and express a high level of expectation and commitment from those organizing conversations.

Changes in Emotions

In analyzing the survey data, we noticed that participants' emotions changed in noteworthy ways, when comparing how respondents felt before and after the community conversations. Generally, the shift was to the positive. The chart in Figure 3 outlines the percentage of participants who became more, less, or still felt particular emotions. Thirty-four percent of individuals became more optimistic while 21 percent became less cynical. Smaller percentage of participants became less optimistic or more cynical. Nineteen percent became more trusting and 17 percent were less distrusting. The graph lists the changes seen across all of the emotions measured. Feeling energized and fatigued were both named as more prominent feelings after the community conversations. Fewer people named feeling angry or sad afterwards. These results indicate the community conversations potentially had an impact on the prominent emotions of participants. These preliminary results indicate this process changed emotions in a positive way.



Change	Optimistic	Cynical	Trusting	Distrusting
More dominant	34% (18)	8% (4)	19% (10)	8% (4)
Less dominant	17% (9)	21% (11)	9% (5)	17% (9)
Still dominant	17% (9)	9% (5)	8% (4)	11% (6)
Never dominant	32% (17)	62% (33)	64% (34)	64% (34)

More – Chose as dominant feeling after, but not before
 Less – Chose as dominant feeling before, but not after

Still – Chose as dominant feeling both before and after
 Never Dominant – Never chose the feeling

Figure 3. Most dominant emotions before and after the community conversations.

Recommendations

Recommendation –Process

With a few key caveats, participants liked the circle method. People became tired with the repetition and wanted to move towards action and felt hindered in that goal. However, there was a clear message that there was **too much material to cover at each conversation**. Both participants and facilitators often felt too rushed while trying to get through all of the questions in each conversation. This did not allow participants to fully share, and some mentioned they quickly passed or chose not to share so that others in the circle could have more time. It is recommended that future processes allow more time to cover the materials either through extending the time period or reducing the agenda, and a design that includes a variety of circle format and cross dialogue.

Another key finding is that, **participants would have liked to have had more time to directly discuss the draft recommendations and provide direct feedback to the Task Force and City Council members**. This lack of direct interaction left many participants feeling frustrated and uncertain about the next steps, and whether the recommendations and input will be implemented. Future processes should **include more time on the development of recommendations and allow for more interaction** between participants, Task Force, and City Council members.

Recommendation – Facilitator Preparation

In future processes, **clarify the role you are asking the facilitators to play and work out any potential disagreement prior to training**. This will provide more clarity and less tension. In addition, providing guidance or suggestions for managing time and how to switch between a circle based conversation to more task oriented activities would be useful.

Recommendation – General Resources

Provide adequate resources for future processes to ensure well-advertised and sustained child care, substantial and culturally appropriate food, improved advertisement and outreach to ensure participation of racially and ideologically diverse participants, and more complete facilitator training and preparation.

Appendix A. Full Survey Questions and Responses (Total Survey Responses Received: 57)

Question 1. Which session (s) did you participate in?

Session 1: February 16, 2017: Conversations focused on personal and community values.	29
Session 2: March 2, 2017: Participants helped develop options for how the City can live out the Community's values in its activities, policies, and policing policies and practices.	31
Session 3 April 3, 2017: Participants reviewed and provided feedback on draft policing recommendations.	31
Session 4: May 1, 2017: Participants shared their thoughts on what is needed for transformational change to begin and each made a personal commitment.	26
Session 5: June 19, 2017: Focused commemoration of the work accomplished and move towards next steps for the community.	34

Total Conversations Attended by Respondents

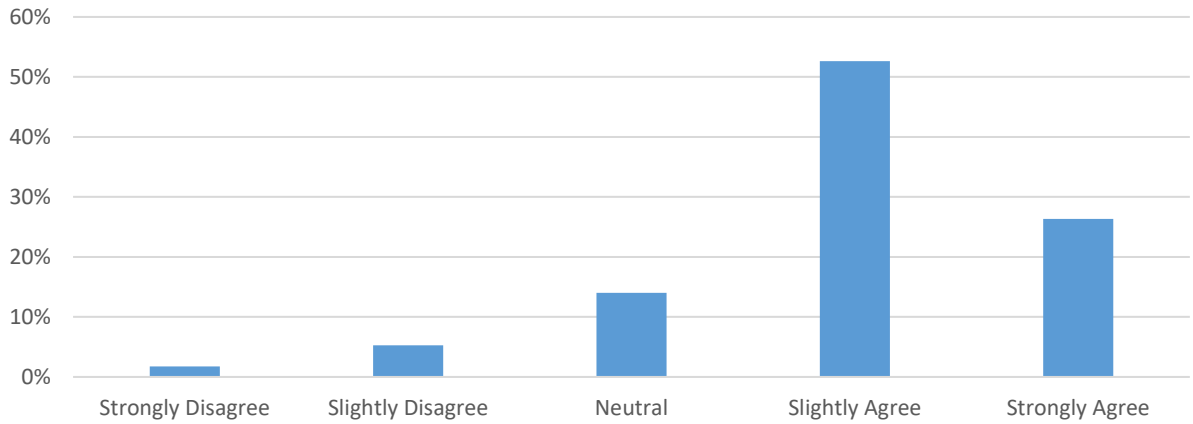
1	39% (22)
2	12% (7)
3	16% (9)
4	12% (7)
All 5	21% (12)

Question 2: Before Participating in the Community Conversations what were the top three things you wanted to accomplish?

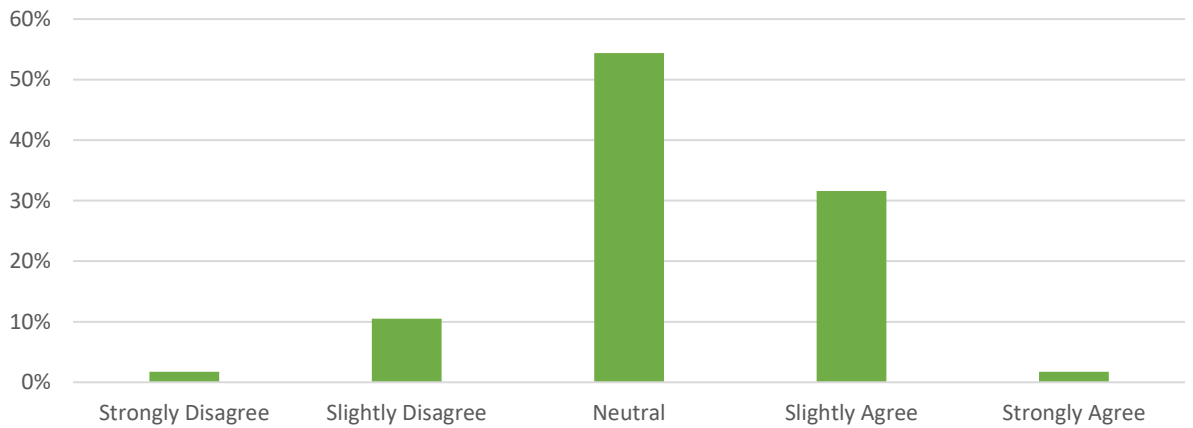
Change the way the city handles policing structure and practices.	50% (28)
Educate myself and learn from others' perspectives.	43% (24)
Work on dismantling racism in my community.	38% (21)
Have courageous conversations about inclusion and exclusion.	32% (18)
Make Falcon Heights a more inclusive community.	25% (14)
Share my experiences and perspective with others.	23% (13)
Get the City Council to end the contract with St. Anthony Police Department.	23% (13)
Become more active and involved.	16% (9)
Challenge myself to understand the role I play in injustice within my community.	14% (8)
Ensure my experiences and perspectives are represented.	13% (7)
Make new connections with people in my community.	5% (3)

Question 3: Rate your feelings on the statements below:

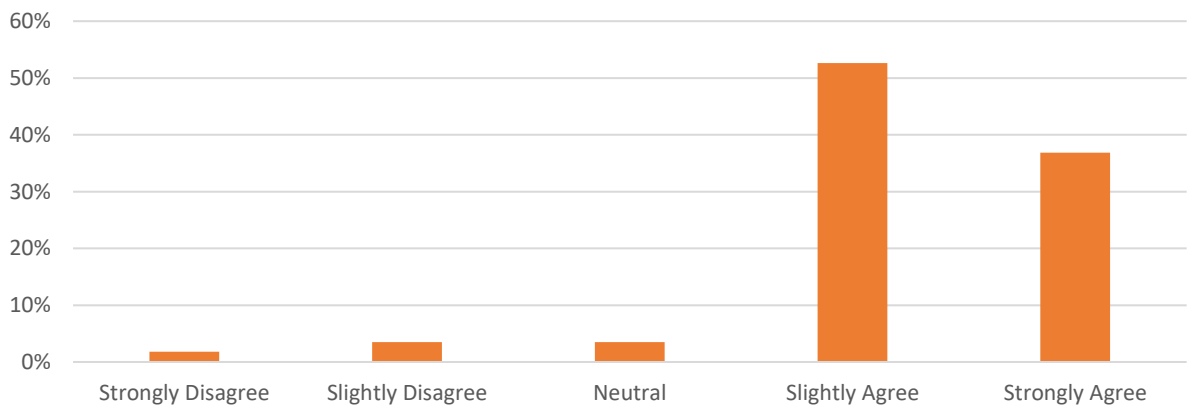
- I believe this process had an impact on the community of Falcon Heights.**



- I believe I changed other participants' perspectives.**

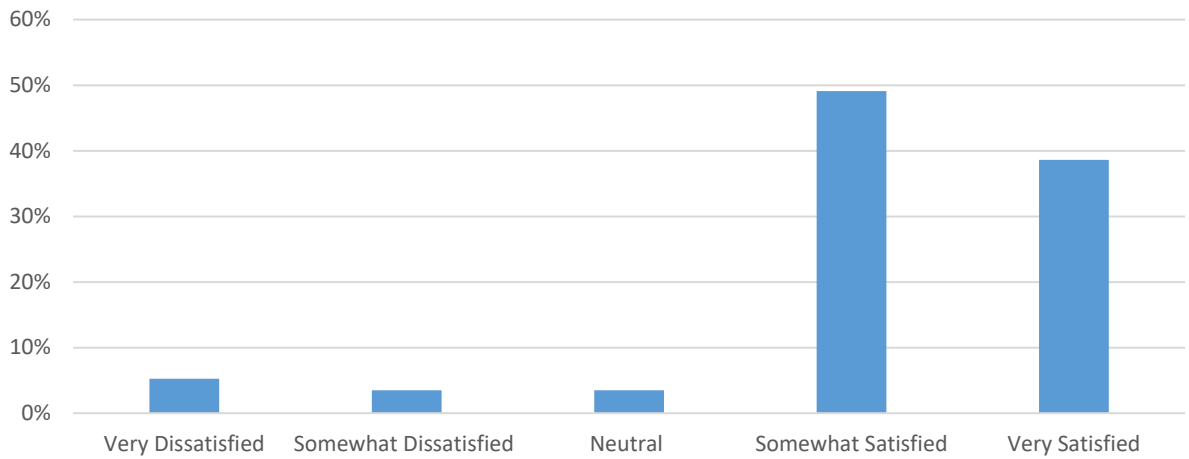


- I learned something new from participating.**

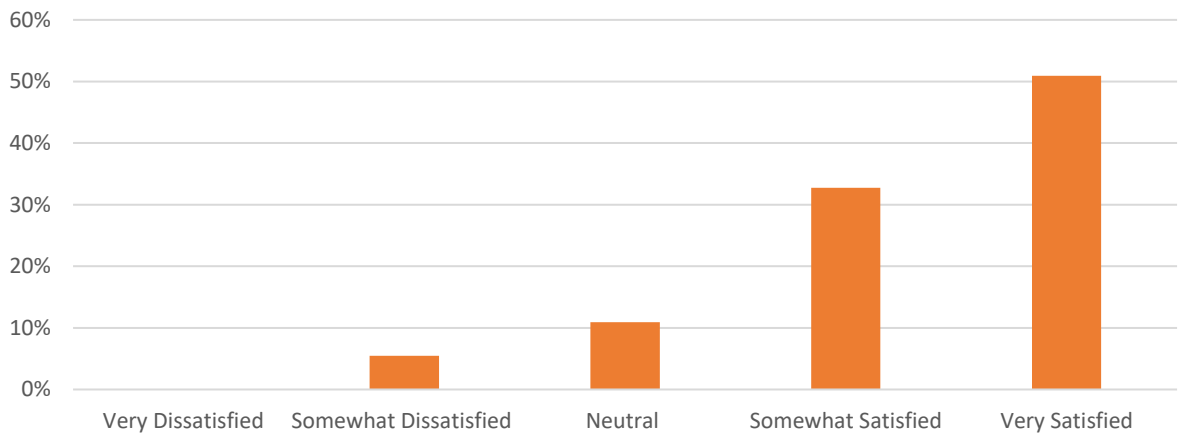


Question 4: Rate your level of satisfaction on the process and format of the Community Conversations:

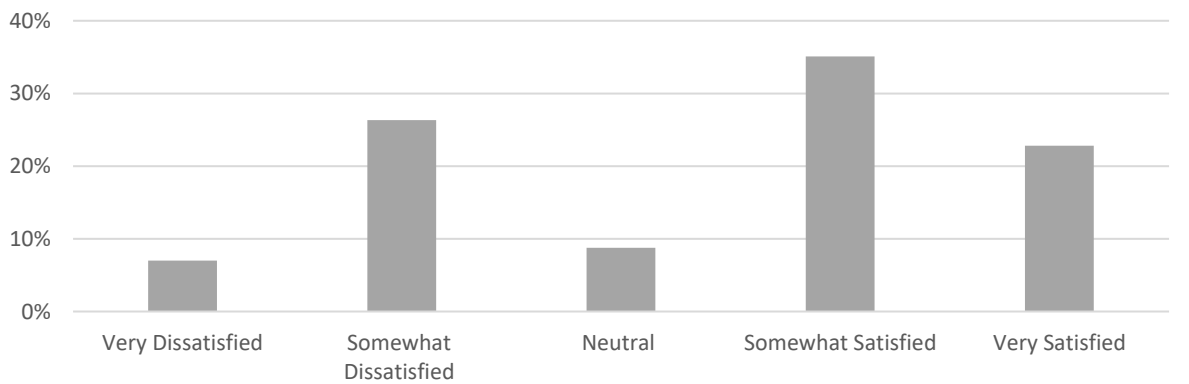
○ **Quality of the Dialogue**



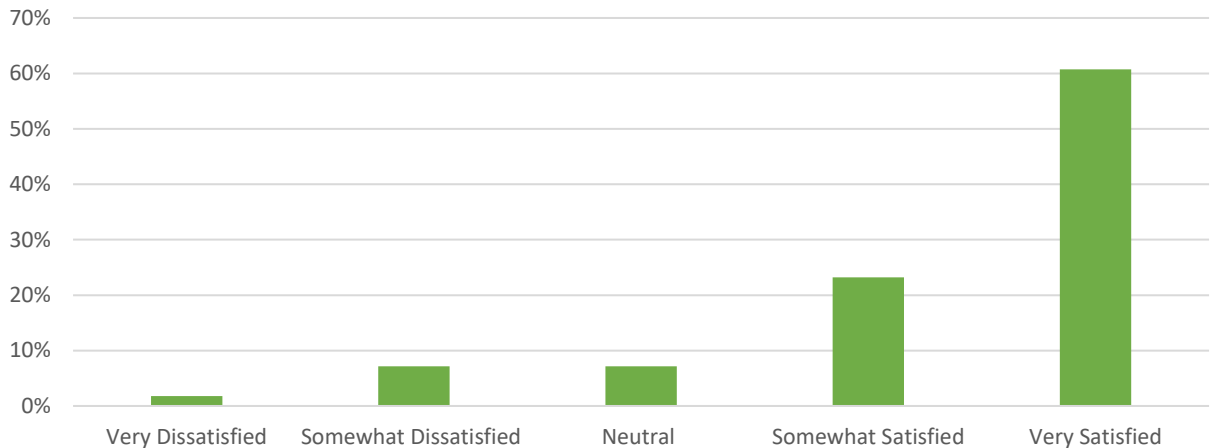
○ **Circle Format**



○ **Diversity of Participants**



○ **Quality of Facilitation**



Question 5: Rate your feeling on the statement below:

- I feel that participating in the Community Conversation(s) was a valuable way to spend my time.

Strongly Agree	64% (36)
Slightly Agree	27% (15)
Neutral	0%
Slightly Disagree	2% (1)
Strongly Disagree	7% (4)

Question 6: Please share why this was or was not a valuable way to spend your time.

The five major types of explanations given by those who agree are:

- The conversations brought people together to share and heal.
- It was good to listen to others and hear perspectives that were different from my own. There was a sense that there was a diversity of opinions shared.
- It is important to show up and be engaged and the conversations were a way to do that.
- It was a good way to start to seek change and make connections within the community.
- The conversations were a way to start to inform the policing recommendations. This thread acknowledged that some are not sure their voices and opinions mattered to the elected officials.

Only five comments were made by those who felt it was not a valuable way to spend their time.

Direct quotes are below.

- “Invited to attend the final event as a resource person the turnout ended up being so huge, and the groups so large, that no individual was able to meaningfully contribute to the conversation, let alone determine which resources they would need going forward.”
- “Attendance was low, needed to stop and evaluate how to get more diversity in age and race among attendees.”
- “The city council has no interest in actually implementing any real reforms. Nothing happened because of the events.”

- “Participants were more interested in talking about parties and inclusion activities rather than discussing the blatant racism of our police department which is obvious to anyone who notices that it is almost always people of color who are stopped.”
- “I did not feel understood at all except by the facilitator.”

Question 7: People often change their minds through community dialogues. For example, they gain new perspectives that lead them to change their understanding of a problem. They might learn about options they had not thought about. They might become more optimistic or more pessimistic about an issue. We are guessing you may have changed your mind in some way. Please tell us how.

Themes from those who shared how their mind changed:

- Gained a new awareness of issues facing people of color including racism from white people and pervasive targeting by the police.
- Gained a new perspective and understanding of the difficulty of being a police officer and city councilmember.
- Felt more pessimistic and discouraged. Some of these feelings were directed at the police and/or expressed in terms of a lack of action by city councilmembers.
- Felt more connected to their neighbors and heartened by the participation of others in the community.
- See the possibility for change. (A few people mentioned this, and also that they are in strong support of the Task Force recommendations.)

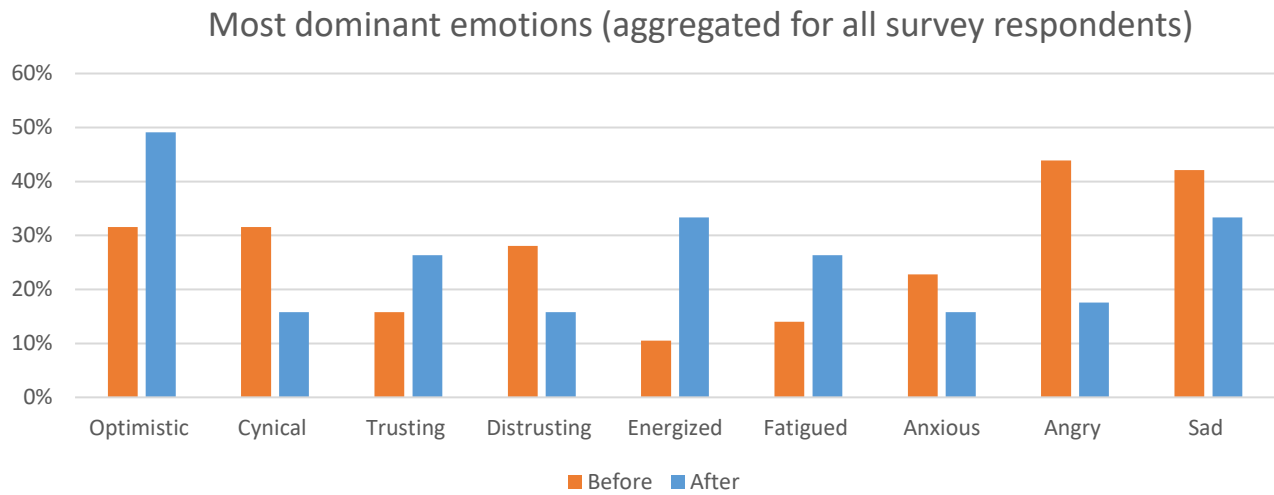
Question 8: What are your next steps?

Themes based on those who shared their next steps.

Themes are similar to those that arose in community conversation #4: Transformational Change and Personal Commitments.

- Personal actions and continued conversations: People list that they plan to continue to have personal conversations and commit to specific actions.
- Ensure recommendations are implemented.
- Continue to make connections and stay involved.
- Educate themselves and to share the work the community is doing with others.
- Some respondents expressed that they are unsure about what their next steps will be and that they are disappointed and discouraged.

Question 9: Below, please select up to three of your dominant feelings before and after the Community Conversation(s).



Changes in dominant feelings (shifts within individual survey respondents)

Change	<i>Optimistic</i>	<i>Cynical</i>	<i>Trusting</i>	<i>Distrusting</i>
More dominant	34% (18)	8% (4)	19% (10)	8% (4)
Less dominant	17% (9)	21% (11)	9% (5)	17% (9)
Still dominant	17% (9)	9% (5)	8% (4)	11% (6)
Never dominant	32% (17)	62% (33)	64% (34)	64% (34)

More – Chose as dominant feeling after, but not before
 Less – Chose as dominant feeling before, but not after

Still – Chose as dominant feeling both before and after
 Never Dominant – never chose as dominant feeling

Question 10: Now, what the top three things you want to accomplish.

Change the way the city handles policing structure and practices.	51% (28)
Educate myself and learn from others' perspectives.	40% (22)
Work on dismantling racism in my community.	33% (18)
Make Falcon Heights a more inclusive community.	31% (17)
Have courageous conversations about inclusion and exclusion.	29% (16)
Challenge myself to understand the role I play in injustice within my community.	25% (14)
Make new connections with people in my community.	22% (12)
Become more active and involved.	20% (11)
Share my experiences and perspective with others.	20% (11)
Get the City Council to end the contract with St. Anthony Police Department.	18% (10)
Other	11% (6)
Ensure my experiences and perspectives are represented.	9% (5)

Demographics

What is your gender?

Male	49%
Female	51%
Other	0%

What is your ethnicity?

White/Caucasian	81%
Black or African American	9%
Hispanic or Latino	0%
Asian or Pacific Islander	0%
American Indian or Alaskan Native	2%
Other	9%

What is your age?

Under 18	0%
18-24	2%
25-34	2%
35-44	16%
45-54	12%
55-64	20%
Over 65	49%

Appendix B. Focus Group Questions

Focus Groups comprised of Community Conversation Facilitators

1. Why did you participate in the community conversation(s)? What was the key interest or concern that initially brought you to participate?
2. Please share the moment during the community conversations that most impacted you. What happened, and how did it impact you?
3. When things were working really well, what was going on? What specifically was happening, what was positive about it, and do you have an explanation for what / how it was working?
4. Conversely, when things were not working well, what was happening?
5. Did you notice any variation in how accessible... or meaningful... or burdensome this process was to people?
6. What suggestions do you have about improving accessibility for everyone?
7. If you were to rethink this process, what is one suggestion you would make?
8. How can you imagine using a process like this in another setting? I'll give you a few minutes to think, silently, about this, and then I'll ask you to share. Please imagine a particular place or topic where you would like to try some part of this. What is the setting? What would you carry forward from this process? What would you change?
9. Did you have the support and preparation you needed? Are there any additional things you wished you would have had or known?
10. Please share your 1 or 2 key "take aways."

Focus Groups comprised of Community Conversation Participants

1. Why did you participate in the community conversation(s)? What was the key interest or concern that initially brought you to participate?
2. Please share the moment during the community conversations that most impacted you. What happened, and how did it impact you?
3. Do you feel the community conversations were a valuable way to spend your time? Why or why not?
4. Did anything change for you, as you went through this process? What do you attribute that to?
5. Do you feel that the community conversations made a difference for the community as a whole? Why or why not? What kind of change did you observe? Or, if you did not see a change, what kind of change do you feel was missing?
6. Would you say that you started and ended with more (or less!) confidence or hope about your community?
7. If we you were to participate in this again, what is 1) one thing that you would keep the same; and 2) one thing that you would do differently?
8. Please share your 1 or 2 key "take aways."

The City of Falcon Heights Inclusion and Policing Task Force

Overview of Recommendations

Background and Overview of the Process

The Falcon Heights Task Force on Inclusion and Policing was charged by the City Council to articulate community values, identify community needs, and recommend programming and policies to be an inclusive and welcoming place for residents and guests of Falcon Heights.

The Task Force is comprised of 11 committed individuals with diverse experiences and perspectives. Since December, they have met for 13 regular task force meetings. To develop a set of recommendations on policing and second set of recommendations on inclusion, the task force deliberated thoughtfully, engaged extensively with the interested public through four community conversations (involving 142 individuals), consulted with subject matter experts in four priority areas (policing, police-community relationships, citizen oversight boards, and joint powers authorities), and had individual dialogues with other residents and guests of Falcon Heights.

The policing recommendations lay out a set of goals for policy implementation and change relating to restoring mutual safety and trust for community members and police. The final version of the policing recommendations was adopted by the City Council on May 24, 2017.

The inclusion recommendations provide a Statement of Community Values, and a series of recommendations on building a more inclusive Falcon Heights. The foundation of all of the recommendations is that fundamental issues of inclusion and exclusion have left many people feeling that they do not fully belong in our community. As we, as a community, pursue specific implementation actions, we need to sustain an all-encompassing commitment to fight racism and other kinds of discrimination and exclusion. We need to do relational, financial, legal, and occupational development work to address inequity and build trust so that everyone is included in our community. The final version of the inclusion recommendations was adopted by the City Council on June 14, 2017. At this time, the Council also unanimously agreed to seek grants and allocate funds in upcoming city budgets to dedicate skilled staff attention to sustaining this work.

In conjunction with the Task Force meetings, more than 140 people have participated in a series of Community Conversations. The dialogue and feedback has been used to develop and shape the recommendations. Full summaries of each community conversation can be found on City's website, www.falconheights.org.

- Conversation 1 - February 16, 2017: Conversations focused on personal and community values.
- Conversation 2 - March 2, 2017: Participants helped develop options for how the City can live out the Community's values in its activities, policies, and policing policies and practices.
- Conversation 3 - April 3, 2017: Participants reviewed and provided feedback on draft policing recommendations.
- Conversation 4 - May 1, 2017: Participants shared their thoughts on what is needed for transformational change to begin and each made a personal commitment.
- Conversation 5 - June 19, 2017: This conversation will focus on commemoration of the work accomplished and move towards next steps for the community.

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Statement of Community Values

We assert and uphold these values for our community, including residents and guests, in our relationships with one another and in city government services, leadership, and policies.

Leadership. We aspire to become known for our leadership in creating community relationships of mutual respect and welcome, for equity in service to the community, and for working to recognize and heal historic patterns of disparity and exclusion.

Trust, transparency, and accountability. We believe that mutual well-being is created through mutual trust. We value relationships of mutual respect, learning, and honesty in communication among community members and city government. We value transparency, communication, and respecting diverse perspectives in governance.

Equity, justice, and anti-discrimination. We value protecting and treating all residents and visitors equally and fairly under the law. We value equity in the provision of public services and in the city's response to concerns. We recognize the persistent work we must do, individually and collectively, to reject and remedy prejudice, bias, and discrimination within individuals, the community, and in our government and policing.

Welcome and inclusion. We value diversity, welcoming all people with respect and dignity, and creating authentic relationships that honor our shared humanity despite our differences. We aspire to harmonize the needs of all while understanding varied individual needs, across generations, across racial or ethnic or religious groups, and across other aspects of our rich identities. We recognize the need to work together to heal and overcome divisions in our community. We commit to work continuously to forge strong relationships and to be a place where everyone is recognized and welcomed as part of our community.

Awareness. We value seeking diverse perspectives, listening with an open mind, and taking time to learn from others. We commit to recognizing and working to address our individual and collective biases.

Courageous Action. We value taking individual and collective responsibility to uphold these values, including having the courage to name and confront problems and to pursue solutions and healing when these values are not upheld. We recognize that everyone has the responsibility for being engaged and challenge others when we see or hear hurtful actions or comments.

Safety. We value safety, including protecting residents and guests from personal harm and protecting groups from prejudice, discrimination, and hostility. Respect for life and minimizing harm to all are our highest priorities in public safety and policing. We believe that mutual safety is built through mutual trust.

Inclusion Recommendations

Created by the Task Force with Community Input

Adopted unanimously by City Council on June 14, 2017

Summary of Inclusion Recommendations

Below is the high level summary of the recommendations. Full details are provided in the following pages.

Recommendation: Sustain City commitment through: creating a Truth, Racial Reconciliation, and Healing Committee of some kind; dedicating substantial City staff time to this work; and re-framing existing City resources to bring attention to equity.

Recommendation: Invest significantly to address persistent sources of disparities and exclusion.

Recommendation: Promote reconciliation, healing, and inclusion through connecting Falcon Heights with community partners doing excellent work in these areas.

Recommendation: Support and sponsor events within the community to foster inclusion.

Overarching Value for All Inclusion Recommendations

Address the sources of exclusion. The context and premise of these recommendations is that fundamental issues of inclusion and exclusion have left many people feeling that they do not fully belong in our community. As we pursue specific implementation actions, we need to sustain an all-encompassing commitment to fight racism and other kinds of discrimination and exclusion. The following implementation suggestions are starting points for comprehensive work that needs to be done to build relationships across difference, to build trust in the community among those who have felt left out, and to work on building the financial, legal, and occupational resources of excluded groups.

Process for Implementation of these Recommendations

Across all of the full inclusions recommendations, these principles should be applied:

Create two special resources to mobilize implementation and accountability of these recommendations. Specifically, the Task Force strongly recommends that the City Council make a commitment to create and sustain these two structures, for at least 3-5 years. It is critical that the city make this commitment now to sustain the work over this period, to make sure that this work lifts off and is sustained.

- 1) Create a dedicated Truth, Racial Reconciliation, and Healing Committee of some kind to have responsibility for sustaining attention and accountability for these recommendations.
- 2) Dedicate city staff time (through reassigning existing staff time or expanding capacity through consulting or new staffing) to forge partnerships, find grants, and recruit and support volunteers to accomplish all of these efforts.

Make continuous efforts. Inclusion is never done. We need to be continually attentive to how accessible and inclusive we, as a city, are being, and keep recommitting ourselves to improvement.

Use what we have. Whenever possible, we recommend integrating these ideas into structures that are already in place. For example, we recommend enhancing the welcome packet for new residents to include resources for building connections across differences.

Inclusion is community-based work. City government and leaders have a key role to play, but the City is not the only source of leadership and action for community healing and reconciliation. We recognize and value the work of other community organizations and volunteers, and ask that the City Council commit city staff effort (through a reassignment or an expansion of staffing capacity) to build its own capacity to participate and to support these efforts.

Invest resources. In some cases, we are simply recommending that successful, existing programs and systems be sustained or re-framed. In other cases, we recommend new investments to leverage new opportunities. For example, the city could amplify the work of community organizations and volunteers by enhancing the city website, providing training or other support for community volunteers, or writing grants to expand partnerships with community institutions that have skill and passion for this work.

Provide a variety of options and avenues for people to get involved. Inclusion means providing variety in the types of activities to appeal to different people's styles, skills, and availability. Varying the times and locations, providing childcare, and minimizing cost will make opportunities more accessible.

Complete Inclusion Recommendations

Recommendation: Invest significantly to address persistent sources of disparities and exclusion.


- Provide workshops to support people to build their knowledge and resources for legal, financial, and occupational opportunities and rights. This is an important step to address inequity.
- Build up career pathways program for low-income or minority youth. Other communities have had success with a variety of models for summer employment, internships, apprenticeship, and small enterprise development programs through partnerships among local high schools, businesses, business associations, and city government.
- Invest in continuously sustaining and expanding affordable housing options.

Recommendation: Promote reconciliation, healing, and inclusion through connecting Falcon Heights with community partners doing excellent work in these areas.

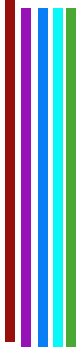
For example:

- Partner with the Science Museum of Minnesota, to expand Falcon Heights participation in their programming on race and our shared humanity.
- Work with the Minnesota Historical Society, Ramsey County Recorder’s Office and Registrar of Titles Office, or The Historyapolis Project at Augsburg College to support documentation and research to make visible historic policies and patterns, such as redlining and racially restrictive property covenants, that continue to shape our community.
- Partner with Ramsey County Libraries to launch a “book of the year” or ongoing book clubs for people interested in expanding their knowledge of diverse cultures and history.
- Recognize and promote the potential of local businesses to support this work. For example, encourage residents to hold community gatherings in their spaces, advertise that guests driving through the city can provide feedback on the community by stopping in local businesses, or involve local employers in youth development programs.
- Expand partnerships with the University of Minnesota to bring more attention specifically to these areas of work. The Center for Urban and Regional Affairs, the Art of Hosting community of practice, and The Center for integrative Leadership have already supported this work, but there are many other options for partnership.
- Work with foundations that are committed to improving diversity and inclusion, restorative justice, police-community relationships, or related issues, to secure funding or direct technical assistance for the programming, training, or events listed here. The Task Force’s research suggests that the Wilder Foundation, Bush Foundation, Kellogg Foundation, JAMS Foundation and the St. Paul or Minneapolis Foundations may be interested. The National Initiative for Building Community Trust and Justice has resources and toolkits.
- Work with existing organizations to provide support and training on how to build relationships across differences. Living Room Conversations provides tools and resources to allow people to connect and hear different perspectives in small group conversations. There are a number of training programs operating nationwide that have resources, including: Hope in the Cities; Sustained Dialogue; Alaska Native Dialogues on Racial Equity Toolkit; Training for Change; and Race Forward –Racial Equity Impact Assessment. Arts can be a way for people to connect; Intermedia Arts in the Twin Cities or Laundromat Art Project out of New York City do this kind of work.

Recommendation: Build commitment and capacity through re-framing existing City resources.

- 
- Use the city website and newsletter to emphasize the importance of this work and make it accessible. On the city website, ensure that information about our values, resources for community work on inclusion, and opportunities to participate are accessible, timely, and easy to find. Expand the newsletter to consistently include highlights on diversity and inclusion and push people to new opportunities and resources on the website.
 - Expand the city’s information packets for block parties to include resources on how to build relationships across differences, from having courageous conversations to knowing where to turn for help with neighbor disputes.
 - Use the newsletter and website to support the related work that other community groups are doing, for example to promote events in the schools.
 - Use the neighborhood welcome packet to emphasize that all are welcome, and provide resources to new community members. Find a way to partner with landlords so they have the most up to date packets to share with new tenants.
 - Sustain and expand city trainings on implicit bias and de-escalation. We suggest that these be open not only to city staff, but sometimes also to residents and others who are interested. Other communities have very successfully strengthened their commitments and capacities by having diverse groups of people go through the training together. This could be an exciting programming opportunity to explore with foundations.
 - Embed diversity and inclusion awareness and skill development into the summer camps offered through the city.
 - Use the park and recreation event structure that is already in place to advertise opportunities to participate and to hire temporary employees support learning circles, book or movie clubs, or trainings on how to have courageous conversations.

Recommendation Support and sponsor events within the community to foster inclusion.

- 
- Continue to host the events currently in place (ice cream socials, block parties), but enhance them by having special activities, resource people, or information to engage people in building relationships across difference.
 - Keep the community conversations going, to intentionally bring people together but also allowing for organic relationship building. Foundation support may be available to support this.
 - Host book and/or movie clubs and discussions relevant to racial inequity and inclusion topics.
 - Connect events with the work the Community Engagement Commission is already doing.

Policing Recommendations

**Adopted by the City Council on
May 24, 2017**

Summary of Policing Recommendations

Below is the high level summary of the recommendations. Full details are provided in the following pages.

Recommendation: Police-Community Relationships

- **Mutual Safety is built through Mutual Trust.**
- **Ownership.** Falcon Heights needs to have appropriate authority with the police department serving our community, beyond annual reporting.
- **Community engagement.**
- **Creation of a Community-Police Work Group for trend monitoring, relationship building, and problem solving.**

Recommendation: Training and Capacity

- **Mental health care for people in crisis and officers, for mutual safety and well-being.**
- **Training, with a focus on de-escalation, cultural competency, and explicit and implicit bias.**
- **Hiring and workforce development to emphasize community relationship-building.**

Recommendation: Data and Transparency

- **Data collection, sharing, and monitoring to detect and respond to trends.**
- **Public Feedback: surveys, multiple feedback channels, and information/feedback cards.**
- **Prompt, thorough, and open communication in case of serious incidents.**

Recommendation: Priorities for Policing Activity

Respect for all is the foundation for policing in our community. The highest priorities for policing activity are:

- **Emergency response.**
- **Cultural competence and community engagement.**
- **Informative policing.**
- **In traffic policing, prioritization of serious moving violations.**

Adopted Guiding Principles for Implementing Policing Recommendations

Culture and Values

Anti-discrimination culture. Everyone – residents, city government leaders, police officers, and others - need to actively acknowledge the long history and current reality of racism and other forms of discrimination in our country. In City Council meetings, community conversations, and our Task Force meetings, many people have spoken to their lived experience of stereotyping and bias, yet privilege allows some people to even deny that stereotyping and bias exist and are problems. The Task Force was charged to look at policing. We recognize that policing reform is needed in our country. However, we emphasize also the need for work throughout the community to recognize and address inequity, injustice, and discrimination.

Respect for Life. Respect for life and minimizing harm to all are our highest priorities in public safety and policing. The mutual safety and well-being of the public and police officers are essential.

Community Values. Our community, including our public safety officers, should uphold and advance all of our community values. A statement of these values should be included in any contract for police services.


Anti-profiling. Policing patterns that are in effect profiling are contrary to our community values and damage community-police trust and the protection of everyone’s well-being. We strongly affirm the obligation to treat all people fairly and equally under the law, without discrimination on the basis of race, color, creed, religion, national origin, gender, marital status, familial status, disability, public assistance status, age, or sexual orientation.

The following policing recommendations set forth goals and frameworks for strengthening the realization of community values for public safety and policing. We preface them with a few caveats about what they do not include:

- We recognize that some of the following practices are already common practice in some police departments, while others are quite new. Collectively, we believe these practices are good foundations for ongoing, continual improvement in policing.
- Our charge includes making recommendations on inclusion more broadly, as well as on policing specifically. In about a month, the Task Force will convey its recommendations for additional work on transforming our community to continually combat stereotyping and prejudice and advance mutually respectful relationships and inclusion of all.
- We recognize that there is much work to be done to spell out the operational details for implementing these policing recommendations. In some cases, we are able to convey some more detailed implementation suggestions based upon the input of our expert panels and our review of the literature, although generally such work probably exceeds our domain of expertise and our compressed timeframe as a Task Force comprised of community volunteers. Furthermore, the police department serving Falcon Heights should be involved in sorting out the finer aspects of implementation. Clearly, however, the Task Force is invested in the accomplishment of these goals, and we ask the City Council to commit to implementation. Specifically, we suggest the City promptly enter into an agreement with subject matter experts in equity, policing, and public policy to work with the City Council and police department to develop a 2-year work plan and a 5-year strategy to implement these recommendations.

Adopted Complete Policing Recommendations

Recommendation: Police-Community Relationships



Mutual Safety through Mutual Trust. We care about mutual safety of community members and officers, and feel this is enhanced through mutual trust. We want to know our officers, to have them know and be attached to our community, and for community members to feel protected by police and officers to feel that our community is a desirable and safe duty location. Falcon Heights should continue to have law enforcement officers who work routinely in Falcon Heights and get to know our community. The city’s website could include a link to photos and short introductions to officers working in Falcon Heights, to help residents and visitors become familiar with the officers serving our community.

Ownership. Falcon Heights needs to have appropriate authority with the police department serving our community, beyond annual reporting. This is a foundation for realizing all of the implementation recommendations we are making, particularly when it comes to building strong community-police relationships and trust, living our community values, and training. It is also an essential foundation to ensure that city leaders may respond in a timely and effective fashion if there is a serious (acute or persistent) concern about a public safety issue or policing performance.

Community engagement. We recommend several actions to build mutual trust and appreciation and to reduce separation between “the community” and “the police” and to break down “us vs. them” boundaries. Police supervisors’ and officers’ duties should include participating regularly in community conversations involving the interested public and police and other community events. We recommend that the city and police department regularly participate in workshops (with the public or with culturally competent liaisons who will work directly with diverse communities) to explain what people’s civil rights are, in the event that they should have an interaction with police. This is a relationship-building opportunity to build trust through positive interactions and very visibly demonstrating the police department’s commitment to civil rights. Similarly, we recommend that there be community-led and community-oriented trainings, for police officers and any interested member of the public, to familiarize officers with the challenges that residents and visitors face when it comes to public safety or policing. (Please refer to the full set of training recommendations, below.)

Community-Police Work Group. The City will promptly enter into an agreement with subject matter experts in equity, policing, and public policy to guide us on how best to bring these functions into effect. This is a structure, independent of the police department, to enable ongoing communication and relationship-building, timely response to emerging problems in public safety and policing, and advocacy for changes in policies and resources to advance continual improvements in public safety and policing. It is not a structure for performing investigations of complaints about police misconduct. While a majority of members should be from the community, we strongly encourage the involvement of a senior member of the police department and preferably at least one other police officer in every meeting, to facilitate mutual learning from one another’s knowledge and experiences about the contexts of crime and policing, to build relationships and trust, and to have shared ground for working together on culture change to improve mutual safety and trust.

The three purposes of the Community-Police Work Group are:

- To serve as a channel for community members to give positive or negative feedback or register complaints on police conduct. As an entity independent of the police department, this committee provides an alternative option for anyone who would prefer not to present their feedback directly to the police department. In addition, this provides a forum for conveying concerns that may not reach the threshold for a full investigation by the internal affairs unit of the police department, yet nonetheless deserve attention. This function of the Commission allows those issues to become visible and get attention. If the Commission detects a pattern in these reports, it should offer recommendations to respond to the problem.
- To support public safety by monitoring trends in public safety and policing. At least quarterly, the committee should receive and review the department's aggregate data on crime, enforcement activities, complaints, and critical incident reports. This provides a mechanism for timely detection of emerging trends regarding public safety, biases or other problems in enforcement, and other issues. If issues are found, the Community-Police Commission might respond by continuing to monitor or by recommending to the City Council that they negotiate with the police department to make changes – for example, in programs, training, staffing, equipment, or budgets – to improve public safety and policing.
- To safeguard the procedural integrity of the police department's internal affairs process for investigating and resolving complaints. We believe that it is in everyone's interest to have an investigation system that is trusted for investigating complaints in a timely and procedurally fair way; this is essential to trust in the police department and to the safety of the community and officers. At least quarterly, the committee should receive a report on all police conduct investigations, at a level of detail to protect confidential information and yet permit monitoring of the completeness and timeliness of police conduct investigations and yet with sufficient transparency to reveal any persistent pattern of complaints about particular types or locations of policing activity or officers. At least annually, the Community-Police Commission should make a written report to the City Council and police department about whether programs and resources for training and the complaint handling procedure should be sustained or changed.

The Commission needs to have teeth to accomplish any of these goals. The reviews it makes of complaints, trends, and the procedural integrity of the police department must be consequential for the Commission to have legitimacy and trust. That means that any recommendations that come of these reviews should need to be acted on with fidelity to the purposes they are meant to accomplish. It is hoped that direct communication between the civilian members and police department representatives would proactively and easily resolve any issues. However, the Commission might sometimes also report concerns or make recommendations – for example, for changes in community programs, training, staffing, equipment, or budgets – to City Council, in its capacity as a steward for the wellbeing of community members and employees (or contracted employees), authorizer of the policing contract, and decision-maker about policies and budgets. We request that the City Council support well substantiated recommendations made by the Commission. If the City Council subsequently acts on the Commission recommendations by making a request to the police department, and the police department does not respond by implementing the request or by explaining its inability to do so, the police department should be considered to be out of compliance with its contract with the City of Falcon Heights.

Recommendation: Training and Capacity

Mental health for mutual safety and well-being. The city could arrange to have, on call at all times, professionals with extensive training in social work or mental health to provide timely support for de-escalation of policing situations, support for the mental health of police officers, and mental health assistance to community members interacting with the police.

Training. Officers should have regular, high-quality training to build their capacity for de-escalation of themselves and others and for recognizing and preventing all bias (including implicit and explicit bias). As mentioned above, community-led and community-oriented training about the challenges that community members face in public safety and policing is a key component of strengthening community-police relationships generally, as well as for building police officers' skills for community engagement. The content of these workshops might include, for example, training on bias, matters relating to race, community-led guidance about cultural norms for interacting respectfully with diverse groups in Falcon Heights, or the historic origins of some persistent prejudices or disparities. We strongly suggest that these forms of capacity building should receive attention on a par with the more conventional forms of required training for law enforcement officers (e.g., on use of force or procedures for emergency vehicle operations). Training for what is sometimes called a "warrior" mindset does not serve our community values and the mutual safety and trust of the public and officers.

Hiring and workforce. The police department should continually strive to have a diverse workforce, preferably one that reflects the diversity of residents and visitors in Falcon Heights.

Recommendation: Data and Transparency

Data collection. The police department should collect comprehensive data on all police interactions and crime. Emerging research on best practices for building police-community trust suggest it is especially beneficial to collect these types of data: basic demographic information; the public safety concern, location, and context; the incident outcome (e.g., information given, warning issued, citation); and whether the suspect(s) had weapons. Summary reports should be made monthly to the City Council and published on the City’s website in as much detail as possible without violating privacy.

Public Feedback. The City of Falcon Heights should gather public feedback on policing through at least three mechanisms:

- In every interaction, police officers should give the person with whom they are interacting a card that identifies the officer by name and provides a phone number and website to submit feedback (positive or negative), questions, suggestions, or complaints. Assuming the Community-Police Commission is instituted, it should be listed as an option, independent of the police department, to provide feedback.
- On an annual basis, the city should conduct a survey of households to solicit feedback on policing.
- At least semi-annually, the City Council, police department, and public should hold community conversations to enable continued communication about community values, public safety issues, and positive or negative feedback on policing.

Serious incidents. To build community trust, if serious incidents occur (e.g., public safety emergency, officer-involved shooting, or a serious allegation of police misconduct), the police department and City of Falcon Heights should communicate as promptly, thoroughly, and openly as possible.

Recommendation: Priorities for Policing Activity

Respect for all is the foundation for policing in our community. The highest priorities for policing activity are:

- **Emergency response** to 911 calls and violent crimes are the highest priorities.
- **Community policing.** Officers need to get to know people. Some steps to engage with people in non-enforcement activities include getting out of their cars, participating in community events, etc.
- **Cultural competence and community engagement.** In an effort to build relationships, training for cultural competency must be linked with positive cultural and community engagement to build relationships.
- **Informative policing.** In enforcement-related interactions, officers should promptly inform the individuals(s) involved about why they are being stopped (e.g., to explain that they were observed running a stop sign). This should improve compliance with laws, the safety of the public and officers, and community-police trust.
- **Traffic policing.** Dangerous moving violations are high priority. Policing for other motor vehicle violations is a lower priority, and the policy for these could be to issue a warning. We recommend the City explore opportunities to proactively intervene in downward cycles associated with fines for minor violations. For example, the City might consider investing in a program -- like the Lights on! program found in several Twin Cities communities -- which provides drivers with financial assistance to take care of minor problems with vehicle equipment compliance.

Property crimes, although they are one of the most commonplace crimes in Falcon Heights, were not mentioned as a priority during community conversations. We do not assume that it is a low priority; possibly people did not mention it because they take this kind of policing for granted. This reinforces the value of our recommendations about data reporting and public safety trend monitoring to communicate and respond to public safety concerns and policing activities.

Recommendation: Ownership

Ultimately the City Council has authority and responsibility for keeping a contract with SAPD or moving to some other arrangement. In early April 2017, the City Council instructed the city administrator to begin a Request for Interest from other potential providers. As of June 14, 2017 the City Council is actively exploring options for a partnership with the Ramsey County Sheriff's Office.

Many comments had been shared at the community conversations preceding the council decisions. Those comments were to the effect that increasing and ensuring ownership that the police department respects community values are more important than the specific structure of the arrangement.

When participants in the community conversations were asked to express and explain their preferences for different organizational arrangements for policing, the option of issuing a new Request for Proposals to contract a police department received much greater support than any other option. Two other options - renegotiating with SAPD (which received some support, while some people completely opposed it) or constituting a shared police department through a joint powers agreement – were less well supported. There was very little support for creating a police department just for Falcon Heights.

On the basis of our consultations with subject matter experts and the literature on organizational options for policing, we recommend constructing the contract to:

- Articulate community values as the foundation for public safety and policing.
- Emphasize mutual safety through mutual trust. Build structure and routines for regular communication, mutually responsive consultation and problem-solving, and ongoing relationship-building between the community, city leadership, and police department.
- Affirm the importance of ongoing, high-quality training – specifically including the forms of training on implicit bias, de-escalation, and community-oriented training on community experiences and to build cultural competence – and provide resources for this.
- Ensure mechanisms for data collection and sharing, accountability, and compliance.
- Provide clear and compelling consequences for non-compliance with the contract, which should be designed to incentivize a prompt remedy to problems, but if necessarily also provide an option to exit.

Falcon Heights Community Conversation 1: February 16, 2017

Analysis of Key Themes

Collated by: Elizabeth Dressel

Master of Art in Urban and Regional Planning student at University of Minnesota, Humphrey School of Public Affairs

Background

On February 16, 2017 nearly 100 people attended the first of a series of five community conversations on inclusion and policing. Information gathered at the community conversations will inform recommendations that the Falcon Heights Task Force on Inclusion and Policing will make to the Falcon Heights City Council in the spring of this year.

These are frequently expressed statements, grouped by theme. They are not consensus statements.

First Circle: Participants shared why they came and their most important personal value.

Why did people come?

- Resident of Falcon Heights
- Out of love for the community.
- Participation is a way to be active and involved.
- Feel dismay, shock, outrage, anger, upset over Philando Castile's death
- Want to solve problems and see change

Personal Values

- **Compassion, Caring, Empathy, Love:** Treating others as you want to be treated. Caring for others. Being open to others perspectives. Some referred to their religious faith in this context.
- **Equality and Equity:** Ensuring all have equal opportunities and that laws apply equally regardless of race.
- **Honesty and Openness:** Being open, thoughtful, truthful, having difficult conversations.
- **Integrity**
- **Relationships, Community, Connection:** Building understanding through relationships. Being connected with others and sharing experiences.
- **Respect, Dignity, Tolerance, Inclusion:** Creating mutual respect. Honoring others. Treating people with dignity.
- Other personal values, not easily grouped with larger themes: Learning. Courage. Forgiveness. Professionalism. Hope.

Second Circle: Participants shared the value they would most like their neighbors and public officials to demonstrate, and why.

- **Educate Selves and Seek Diverse Perspectives:** Seeking out others perspectives and being genuinely open-minded. Listening to others, especially those we might not want to listen to. Recognizing our own individual implicit biases.

- **Embrace the Greater Good:** Creating a community beyond oneself and thinking beyond individual values. Working to harmonize the needs of all while understanding different individuals need different things.
- **Empathy and Compassion:** Upholding that we all want the same things as human beings. Insisting that officers need to engage and care.
- **Equity and Equality:** Fairness, inclusivity and equal justice.
- **Forge Strong Relationships and Have Meaningful Communication:** Creating a community by welcoming more diversity and welcoming new people into neighborhoods. Making all feel welcome and important regardless of race or age. Having honesty, creativity, and transparency in communication.
- **Honesty and Accountability:** Expecting honesty from elected officials. Holding everyone accountable for actions. Upholding honesty and transparent communication in all directions.
- **Honor Shared Humanity:** Having mutual respect. Recognizing the value of everyone and treating everyone as human beings. Finding a shared dignity and positive regard for neighbors and officials.
- **Take Courageous Actions:** Speaking up when we see something happening. Challenging others when we see or hear hurtful actions and comments. Being engaged and take action. Sensing that it is our responsibility to fix this.

Third Circle: Participants shared how they feel the community fails to live up to these values.

- **Complacency:** People not speaking up, asking questions, and taking action.
- **Lack of knowledge, understanding, and awareness in the community:** Privilege playing into not knowing that things were different for people of color and into feeling like things were great in Falcon Heights. Not seeing the disparities in traffic stops and acknowledging bias.
- **Lack of integrity and accountability; Eroded trust:** Breakdown in communication, transparency, and honesty from elected officials. Police who don't represent values.
- **Frustration, anger, and disappointment:** Feeling that police and officials have failed them, linked by some to disappointment in themselves for not looking and noticing.
- **Fear and lack of safety:** People of color fear for personal safety and security.
- **Police values:** Need to find ways to support police officers in living up to community values. Need to examine the goals of the police, the revenue streams of the police, and pay attention to abusive practices by police and damaging incentives from revenue structure.

Fourth Circle: Participants shared how they would like to see the City of Falcon Heights heal and how they would like to see themselves, their neighbors, and their public officials demonstrate the values.

- **Community Engagement, Conversations, Communication:** Conversations are important; these should be shared with the wider community. Let's get to know others and make time to connect. There should be diverse participation and events.
- **Measurements, Accountability, Transparency:** Make concrete decisions and have accountability and transparency. Leadership should be held accountable. Use statistics and feedback to create measurements.

- **Possible actions:** Something should be done with the police contract. There needs to be better police training. Let's explore restorative justice models. Police should be out of the cars and in the community.
- **Take Action and Build Trust:** There needs to be action and communication by Mayor/City Council/Police. The community also needs to take action. Police should be part of the conversation.

Falcon Heights Community Conversation 2: March 2, 2017

PRELIMINARY Analysis of Key Themes

Collated by: Elizabeth Dressel

Master of Urban and Regional Planning student at University of Minnesota, Humphrey School of Public Affairs

Background

Nearly 100 people attended the second in a series of five community conversations on inclusion and policing. The theme of this conversation was developing options for how the city can live out the community's values in its activities, policies, policing, and other practices. Information gathered at the community conversations will inform recommendations that the Falcon Heights Task Force on Inclusion and Policing will make to the Falcon Heights City Council in the spring of this year.

Values identified at first community conversation (February 16, 2017)

These are frequently expressed statements, grouped by theme. They are not consensus statements.

- **Educate Selves and Seek Diverse Perspectives:** Seeking out others perspectives and being genuinely open-minded. Listening to others, especially those we might not want to listen to. Recognizing our own individual implicit biases.
- **Embrace the Greater Good:** Creating a community beyond oneself and thinking beyond individual values. Working to harmonize the needs of all while understanding different individuals need different things.
- **Empathy and Compassion:** Upholding that we all want the same things as human beings. Insisting that officers need to engage and care.
- **Equity and Equality:** Fairness, inclusivity and equal justice.
- **Forge Strong Relationships and Have Meaningful Communication:** Creating a community by welcoming more diversity and welcoming new people into neighborhoods. Making all feel welcome and important regardless of race or age. Having honesty, creativity, and transparency in communication.
- **Honesty and Accountability:** Expecting honesty from elected officials. Holding everyone accountable for actions. Upholding honesty and transparent communication in all directions.
- **Honor Shared Humanity:** Having mutual respect. Recognizing the value of everyone and treating everyone as human beings. Finding a shared dignity and positive regard for neighbors and officials.
- **Take Courageous Actions:** Speaking up when we see something happening. Challenging others when we see or hear hurtful actions and comments. Being engaged and take action. Sensing that it is our responsibility to fix this.

Circle: Participants shared barriers to honoring the values (above) in city and community activities and polices, and policing policies and practices.

These are frequently expressed statements, grouped by theme. They are not consensus statements.

- **Challenge of Sustained Change and Action:** New solutions and actions are needed to create change.
- **City Government Structures:** Policies within the city and a lack of mechanisms understand and monitor what is taking place within the community creates a barrier.
- **Complacency and Apathy and Inertia:** It can be easy to become tired, feel a lack of control, and not expend the energy to be involved. Change needs sustained energy and momentum and can be lost when people become consumed with daily lives. There is a long history of no change and status quo.
- **Fear and Discomfort:** Change can be scary and uncomfortable which can create resistance to moving forward.
- **Need for Accountability:** More accountability is needed for policy and city to realize values. There is blame being pointed at multiple people and groups.
- **Personal Responsibility to Get Out of Circles:** There is a need for personal action and desire to get to know other people when living out community values. Individuals need to interact and get to know others perspectives. Making the time and commitment to get out of personal circles often does not happen.
- **Policing Structures:** Current structure and values of policing stand in the way of living out the community values.
- **Privilege, Bias, and Racism:** Oppression, racism, white privilege, and biases must be recognized and addressed in order for the community values to be honored.

Circle: Participants shared ideas on what it would look like for the City of Falcon Heights to live out these values in city and community activities and polices, and policing policies and practices.

Strongest Themes

- **Community Based Policing:** Policies put in place to end stops for minor traffic offenses such as speeding and equipment malfunctioning and remove the monetary incentives for this type of enforcement. Move to a model of community policing where officers are out of their cars and engaging with community members. Police officers lead and organize neighborhood events where they can interact with community members and have a commitment to community involvement. Increase the communication between police officers and community members including ongoing listening session between the community and police.
- **Community Events and Activities that Foster Broadening Perspectives:** Numerous ideas shared for events to build community and foster learning about each other. Ideas included: community reading groups, workshops to explore cultural similarities and differences, inter-active culture sharing events that celebrate diversity, programs and

opportunities for mutually beneficial exchanges between community members of different ethnicities and on-going community conversations.

- **Training for Police, City Staff, and Community Members:** Increase the amount and types of training offered to police. Training topics included implicit bias, diversity, de-escalation skills, healing and restorative justice, trauma-informed services, and individual coaching. Comments also reflected the need to offer training to city staff and community members.

Very Strong Themes

- **City Accountability:** Accountability and honesty by decision makers. Encourage the City Council to clarify their expectations of police officers and resource allocation. Action encouraged by the City Council to establish a community board or task force that has ability review and monitor police and the power to affect change and create accountability for law enforcement officials. Create continued space for citizen voice and participation.
- **Collect, Share, and Utilize Data on Policing Practices:** Report on policing to community members to ensure the values are being met and action is being taken when necessary. The city should monitor police data and increase the timeliness and visibility of data on the city website.
- **Neighborhood Level Community Building:** Encourage community members to get know your neighbors' stories, say hello to one another, and care about the welfare of fellow neighbors. Ideas to create a neighborhood engagement toolkit to encourage citizen participation and a neighborhood welcome letter to new community members inviting them to be involved.
- **Policing Policies and Practices that Align with Falcon Heights Values:** Use of de-escalation tactics. Increased level of transparency. Recognize difficulties and dangers police face. Create a culture of reflection and compassion.

Strong Themes

- **Consider Alternatives to Contracting with St. Anthony Police Department:** End the contract with St. Anthony Police and consider contracting with the Ramsey County Sheriff's Office or creating a small Falcon Heights only police force.
- **Forums for Truth and Reconciliation:** Council should publicly apologize and take responsibility for death of Philando Castile. A specific idea is to have the city council commission a writer to create a case study, story, or play about the killing of Philando Castile that becomes a part of school curriculum, and could be part of wider community events. Forums for police to hear about the experiences of people of color.
- **Hire Diverse and Reflective Police Officers**
- **Housing:** Create more affordable housing in the community and create opportunities for disparate groups to purchase homes in Falcon Heights.
- **Personal and Collective Commitment to Education, Reflection, Reflection and Dialogue:** Create opportunities for youth to learn about diversity and inclusiveness at a

young age. Individual and collective commitment to learn about each other and explore our own assumptions.

- **Utilize Terms of the Contract to Ensure that the City's Contracted Police Force Demonstrates the City's Values:** When considering future contracts, incorporate community values and create policies for steps to be taken when policing practices fail to meet these values.

Falcon Heights Community Conversation 3: April 3, 2017

Analysis of Key Themes

Collated by: Elizabeth Dressel, Master of Urban and Regional Planning student at University of Minnesota, Humphrey School of Public Affairs

Background

On April 3, 2017 approximately 70 people attended the third in a series of five community conversations on inclusion and policing. This meeting centered on reviewing and providing input on a set of draft recommendations created by the Falcon Heights Task Force on Inclusion and Policing. Information gathered will inform the final recommendations that the Task Force will make to the City Council in the spring of this year.

These draft recommendations are oriented towards the procedures, policies, and programs of law enforcement departments and officers. Residents, visitors, city leadership, and other community institutions also have responsibilities for public safety. Recommendations about those contexts and other measures to improve inclusion will be shared at the May 2017 community conversation.

The feedback below is drawn from frequently expressed statements, grouped by theme under the associated recommendation header. They are not consensus statements.

Community Input: Themes Cutting Across All Recommendations

Communicate Goals and Values: There was a strong desire that the City's goals and values be clearly articulated in any type of contract or arrangement for police services. The City must achieve clarity on those goals and values. Previous Task Force and community meetings have led to the draft statements of community values circulated at the meeting.

Community Responsibility: There is support for the community to continue to be involved and a sense that solutions are the responsibility of the entire community. There should also be structured review and space for continued public feedback on the values and next steps. Numerous comments addressed the ideas that "the police" and "the community" is a false dichotomy and that police should be a part of our community and vice versa.

Measurable and Actionable: Across all of the recommendations there was strong support for ensuring recommendations and expectations are measurable and actionable. There were some concerns raised that some recommendations are not measureable and specific enough.

Ownership: Support for stronger ownership of the police force was expressed relating to all of the recommendations - stronger ownership will be needed in order to set priorities for training hiring, policing activities, etc. The idea of having designated Falcon Heights officers was expressed frequently.

Positive Reactions: Many community members felt positively about the recommendations as a whole and felt that this was a good start. People were thankful of the work that had been put in and said it was nice to see the alignment of values and the recommendations.

Resources and Funding: Comments and concerns were raised about financial resources and revenue streams for policing and the resources needed to support the policing.

Falcon Heights Community Conversation 3: April 3, 2017

Analysis of Key Themes

Priorities for Policing Activity

TASK FORCE'S ORIGINAL DRAFT RECOMMENDATIONS¹

The highest priorities for policing activity are:

- **Response.** Responding to violent crimes and 911 calls.
- **Community policing.** Officers need to get out of their cars to engage regularly with people.
- **Cultural competence and community engagement:** Training for cultural competency must be linked with positive cultural and community engagement to build relationships.
- In traffic policing, **dangerous moving violations.** Conversely, policing for minor traffic violations are very low priority, and the policy for these should be to issue a warning.



Are there other areas or priorities to consider?

COMMUNITY FEEDBACK ON THESE DRAFT RECOMMENDATIONS

Focus of Police Actions: There was support among groups that police should focus on critically important responses including 911 calls and emergency calls with less focus on or changes to traffic stops and equipment failure issues. Comments included seeing a stop to racial profiling stops and no more stops for “driving while black,” no more shootings, and ensuring safety and respect for all.

Support of Community Policing: There was support among groups that seeing police get out of their cars and interacting with residents and having officers designated to Falcon Heights so people can know and build relationships with officers is important. Clarification was requested for what officers getting out of their cars would look like and mean in practice.

Police Participation and Acknowledgement: Including police in the dialogue on establishing priorities for policing activities was raised to ensure the final recommendations are realistic and include the ideas of the police. There was a desire to have the police acknowledge that inequity exists in policing and that the police could improve. There was a desire for mutual learning.

Culture and Values

TASK FORCE'S ORIGINAL DRAFT RECOMMENDATIONS

Community values. Officers will uphold and advance our community values.

¹ The Task Force members supported with a high degree of unity all of the draft recommendations circulated at the community conversation except where a yellow star indicates that we were not in agreement and/or are seeking more information. Stars indicate areas where we especially invited additional input.

Falcon Heights Community Conversation 3: April 3, 2017

Analysis of Key Themes

Equity. All residents and guests of the city are to be treated fairly and equally under the law, across racial and ethnic groups, generations, places of origin, socioeconomic status, religion, gender identity, sexual orientation, etc.

Motivations. Revenue generation should never be a factor in law enforcement.

COMMUNITY FEEDBACK ON THESE DRAFT RECOMMENDATIONS

Comments on Values: There was support for ensuring the values can be measured and implemented. Concern raised by groups about the treatment of people of color and women and that life needs to be valued above all.

Equity: Equity was expressed as important but a group would like to see justice added to the statement. Desire was expressed for a stronger equity statement.

Healing: A need for a healing process was expressed.

Data and Transparency

TASK FORCE'S ORIGINAL DRAFT RECOMMENDATIONS

Policing data collection: The police department will collect comprehensive data on all police interactions and crime, to include: the impetus for the interactions (e.g., response to call for service), the nature of the interaction (e.g., vehicle and pedestrian stops, searches, citations, arrests); location; and any demographic information that the subjects offer.

Public Feedback: The City of Falcon Heights will gather public feedback on policing through at least two mechanisms. Annually, the city will conduct a survey of households to solicit feedback on policing. In addition, in every interaction, police officers will give the person with whom they are interacting a card that identifies the officer by name and provides a phone number and website to submit complaints, concerns, or questions about the policing interaction.

Reports and review: Reports on the data collected by the police department will be made monthly to the City Council and published on the City's website in as much detail as possible without violating privacy. These reports and synthesis of any public feedback collected will be reviewed by the Council, Police Chief, and Community Engagement Commission at least quarterly to identify and respond to concerning patterns regarding crime and public safety and/or biases and disparities in enforcement.

Serious incidents: When serious incidents occur, including use of deadly force, or incidence of possible police misconduct, the police department and City of Falcon Heights will communicate promptly, openly, and decisively, in a manner appropriate to the incident.

COMMUNITY FEEDBACK ON THESE DRAFT RECOMMENDATIONS

Data Collection: Overwhelming support around the importance of data collection and support for the recommendations on data collection. Data collection should include race and demographic information on officers and civilians. Strong request that there be clarity

Falcon Heights Community Conversation 3: April 3, 2017

Analysis of Key Themes

around who collects, analyzes, and reports on the data so that the community can trust that information is unbiased.

Transparency and Accountability: There is consensus that transparency and accountability is important. Comments included the need for space and process for community input and grievances to be easily heard and concern about whether there is a way for residents' concerns to be heard.

Community Relationships

TASK FORCE'S ORIGINAL DRAFT RECOMMENDATIONS

Presence. We want to know our officers and have them know and be attached to our community. Falcon Heights should have law enforcement officers who work specifically and routinely in Falcon Heights and who get to know our community.

Community engagement. From initial training through their ongoing work, their duties will include participating in community-led trainings on interactions (before officers begin service in Falcon Heights), community-police mutual listening sessions, and other community events. The purpose is to build relationships and to be aware of and appreciate the diversity of our community.

Hiring and workforce. The police department will continually strive to constitute a workforce that represents the broad diversity of the community that interacts with the police. For example, the department could have a hiring priority for candidates who speak one of the top 5 non-English languages spoken in the Roseville school district, or for candidates with demonstrated experience with community service organizations or community engagement skills, as well as their formal prior training and policing experience.

COMMUNITY FEEDBACK ON THESE DRAFT RECOMMENDATIONS

Presence and Community Connection: There was very strong support of the recommendations of having Falcon Heights officers and having a relationship between the community and officers. Concern was raised that the recommendation does not do enough to address relationships with people who drive through Falcon Heights. There was a suggestion to make the profiles of officers' available online/social media so people can know their backgrounds and be more comfortable with those protecting them.

Hiring and Workforce: There was support for the focus on hiring and ensuring that officers are diverse and/or culturally competent. Comments also centered on the need education and training of the officers.

Falcon Heights Community Conversation 3: April 3, 2017

Analysis of Key Themes

Training and Capacity

TASK FORCE'S ORIGINAL DRAFT RECOMMENDATIONS

Training: Officers will have regular training to build their capacity for de-escalation of themselves and others, for interacting effectively and respectfully with diverse persons in our community, for recognizing and preventing bias (including implicit bias), and for minimizing the use of lethal weapons. Conversely, training emphasizing a “warrior” or similar mindset should not be permitted.

Mental health. A social worker or trained mental health professional will be on call at all times to provide on-site support for de-escalation and assistance to or with persons with mental illness.

COMMUNITY FEEDBACK ON THESE DRAFT RECOMMENDATIONS

Training: Overwhelming support training specifically de-escalation and a need to have experts in the field determining and leading training.

Mental Health: Groups expressed support for the focus on mental health training and social worker component. One group was split on roles of police and social workers where some wanted police officers who did not act as social workers and others in the group wanting officers to have social work-like training.

Oversight

TASK FORCE'S ORIGINAL DRAFT RECOMMENDATIONS

Oversight. Falcon Heights needs to have significant authority over our law enforcement officers and police department. The current situation of a brief annual report and review of an externally contracted agency does not provide sufficient oversight of a police department and its officers. The City needs to be able to respond in a timely and effective fashion if there is a serious (acute or persistent) concern, for example about police misconduct or a pattern of bias. If policing will be provided by an externally contracted agency, the city should have provisions for regular review and an out clause and/or penalty for non-compliance.



Civilian oversight: An entity independent of the police department will serve as a channel for community members to give feedback on police conduct. The existing Community Engagement Commission or an ombudsperson could accept and investigate complaints. This would require resources to conduct investigations and the buy-in of the police department. The Task invites community input about the *idea* and/or the *structure* of civilian oversight.

Falcon Heights Community Conversation 3: April 3, 2017

Analysis of Key Themes

COMMUNITY FEEDBACK ON THESE DRAFT RECOMMENDATIONS²

Support for Civilian Oversight: There was general support for civilian oversight but lack of consensus on the form it should take.

Related Suggestions: Some ideas that were expressed include: A stand-alone review committee; a panel that meets on an on-going basis; in addition to residents include visitors to the community and membership should be diverse; ombudsperson role would need clear definition.

Ownership

TASK FORCE'S ORIGINAL DRAFT RECOMMENDATIONS

Ultimately the City Council has authority and responsibility for keeping a contract with SAPD or moving to some other arrangement. Here are some of the major options being discussed in the community. They offer varying levels of direct control by Falcon Heights over the police department. All of these options would take time to implement, some probably more than others.

- **Renegotiate with SAPD** to implement changes that reflect community values and improve service and control.
- **Issue a new Request for Proposals to contract a police department.** The RFP would reflect community values and be a transparent foundation for negotiating the policing contract. One negotiable item would be having a Falcon Heights representative on the hiring panel for hiring officers serving our city.
- **Create a new Joint Powers Authority:** Falcon Heights *could* join with other small cities to create a police force over which Falcon Heights and others would have joint ownership and oversight. Saint Anthony and/or other cities might be a partner in a JPA.

The Task Force does not have a strong, unified opinion on this topic, and invites community input to inform our next steps:



1. How important is it to enhance the City's ownership of the police department?
2. Which options you prefer? **Why?**
3. If there are tradeoffs between acting quickly and accomplishing more systemic change, do you have an opinion about how to balance those tensions?

COMMUNITY FEEDBACK ON THESE DRAFT RECOMMENDATIONS

Importance of Ownership and Contract Language: There was consensus among groups that there is a need for greater ownership and control. Many comments signaled that the desire for

² Note from Task Force co-facilitators: Please keep in mind that additional input is being gathered beyond the community input from this conversation. The Task Force heard many comments about civilian oversight from the participants in the March 30 police specialists panel, and will have an additional resource person attend the April 11 Task Force meeting.

Falcon Heights Community Conversation 3: April 3, 2017

Analysis of Key Themes

ownership and ensuring our values were met was more important than the structure. Additionally, many community members stressed the importance of the contract language and detailed goals and values that should be included.

- **Issue a new Request for Proposals to contract a police department. *This option had the most and substantially more support from community members than any other ownership option presented in the draft recommendations.*** Comments expressed that this option allowed for our values and priorities to best met. Questions were raised about the number of responses the city would receive and what would happen if SAPD was the only bidder.

Renegotiating a contract with SAPD or creating a joint powers authority were roughly equally supported by participants. There was not strong support for a Falcon Heights PD.

- **Renegotiate Contract with SAPD:** Support was expressed from numerous community members that the focus should be to renegotiate the current contract. Some community members would like to see the community values expressed in the contract and if the renegotiation does not work then open up a RFP. A very small number of participants were completely opposed to renegotiating with SADP.
- **Create a new Joint Powers Authority:** There is split support for this option of ownership. There was some support among community members for exploring this option, but others felt that this was an unrealistic option as it is expensive, challenging, and takes time.

Tradeoffs between acting quickly vs. systematic change: Community members are split on this tradeoff. Some community members expressed a need for action to be taken now. There were also frustration and anger over the question because the city has already not taken quick action in the past nine months. Other community members expressed support for taking time to make systematic changes and that the task force should take its time and not make hasty or knee jerk reactions.

The most support was expressed for a combination of both short and long term actions and that there cannot be one over the other.

- Actions that were expressed as options for the short term include: change in traffic stop procedures; warnings vs. tickets; data collection; hear and valuing people.
- Actions that were expressed as options for the long term include: cultural change in police force; long term continuous improvement.

Other Community Input (not directly tied to recommendations)

Keep the Conversations Going: Some community members expressed support for continuing these conversations and ensuring conversation doesn't end with this process. There is a sentiment that there is still a long way to go and that hard conversations need to be continued.

Falcon Heights Community Conversation 3: April 3, 2017

Analysis of Key Themes

Anger and Frustration: Community members shared their stories of harassment and mistreatment, and expressed anger and frustration. There is anger and frustration around the lack of change and action.

Other Models/Ideas Proposed: Community members shared ideas for other recommendations or models to look to. Ideas include: bold action and real innovations including using the restorative justice process on all cases including police conduct review; Columbia Heights, MN – inviting everyone to be a part of the community and having officers visiting mosques and other things in the community; Camden, NJ – looking at their de-escalation techniques; considering the Department of Justice report and best practices; thinking about kids and arrest rates for kids; adding a statement to the values that includes “do no harm” policing.

Falcon Heights Community Conversation 4: May 1, 2017

PRELIMINARY Analysis of Key Themes

Collated by: Elizabeth Dressel

Master of Urban and Regional Planning student at University of Minnesota, Humphrey School of Public Affairs

Background

On May 1, 2017, 56 people attended the fourth in a series of five community conversations on inclusion and policing. This meeting centered on discussions of transformational change. Information gathered will inform the final inclusion recommendations that the Falcon Heights Task Force on Inclusion and Policing will make to the Falcon Heights City Council at the end of May.

These are frequently expressed statements, grouped by theme. They are not consensus statements.

First Circle: Participants shared what they think it would take, beyond policing, for truly transformational change to take place in Falcon Heights and to genuinely fulfill community values.

- **Acknowledge Racism:** People expressed the need to acknowledge racism and understand white privilege. Comments ranged from addressing racism within systems to a personal level understanding of bias and privilege. Important for white people to understand their implicit bias and be aware of the experiences of others. People who have experienced pain and trauma need to be heard and supported.
- **Be Inclusive and Intentional:** This work needs to be inclusive and respectful of all. It is important to be intentional to make change, to be aware, and talk with people who are different from you. The values may change when you have conversations with people outside of your circle.
- **Events to Bring People Together:** A variety of events were suggested for building community and to better understand diversity.
 - **Some ideas included:** block parties; Night to Unite; events with food such as picnic in the park or a day of celebration highlighting ethnic foods; movie nights; book clubs; using the schools to engage youth and parents; documentaries of local citizens for cable TV; storytelling sessions.
- **Personal Commitment:** Many expressed a personal commitment to stay engaged, show up to events, and continue to have conversations at neighborhood or one to one level. Personal experiences telling personal stories can bring people together. A change in the community starts at the individual level.
- **Sustain the Work in the Future:** A desire to see this work continue beyond the Task Force and see it sustained and connections within the community strengthened. Many would like to continue having courageous community based conversations. There is a sense that this needs continue to feel urgent and community members need to stay engaged. It was also acknowledged that this work cannot be solved easily or immediately and must be in it for the long-haul.
- **Transparency and Accountability from the City:** There should be transparency from the city so people can hold institutions accountable. Comments shared to put pressure on the city council and mayor to make changes and address what has been discussed at the community meetings. People expressed a desire to see diverse perspectives in positions of power.

Second Circle: Participants shared ideas for what they think it will take to get more residents involved in the process of engaging in dialogue to explore values and how to improve the city.

- **Engage with Youth:** Start engaging youth and focusing on events and conversations at schools. Starting with youth can provide a path to engage parents.
- **Personalize Invitations:** The method of how people are invited to events has an impact on whether or not they attend. People suggested personal invitations, knocking on people's doors, and having a phone tree to alert people of meetings and events as a way to increase the number of people who attend.
- **Opportunities to Learn and Hear Others' Perspectives:** In order to understand the need for participating, people need more opportunities to realize that there are a variety of experiences and perspectives in our community. Provide opportunities to hear different perspectives and to learn different cultures from community members. Continue to have conversations with neighbors about race and inequity. Ensure there is a range of housing options in the community to strengthen the diversity within neighborhoods.
- **Ownership of the Problem:** People raised questions about how to make everyone feel like they have a stake in this problem. It is important to get everyone to understand their stake in the situation. White people need to speak up and take action when they see injustices occurring and stand up for people of color.
- **Results Orientated:** To keep people engaged, there needs to be tangible and measurable results to show community members that progress is being made. This includes putting energy into actions that can happen in the short term to show visible progress. Changing the dynamic of interaction and engagement between the police and community is important to getting residents involved.
- **Variety and Accessibility of Events:** Different types of events (intimate conversations, social gatherings, speakers, etc.), with different focuses (dialogue, decision making, education), with different hosts (city, commission, community) will appeal to different people. Look at making the conversations and events easier to access by providing childcare and food, holding them at different times of day, going to people versus having them come to you.

Third Circle: Participants shared specific steps or actions they plan to take to be a champion of the community values.

- **Personal Actions and Conversations with Neighbors:** People expressed a personal commitment to talk with neighbors and strangers and seek out diverse perspectives.
- **Plan and Participate in Events:** People made commitments to host events including block parties, reconciliation and healing events, and to attend community sponsored events.
- **Uncover Racial Covenants in Falcon Heights:** People are looking into the racial covenant deeds and redlining practices that relate to properties in Falcon Heights.
- **Write:** People committed to write op-eds for local papers, letters to officials, and blog about events and activities.
- **Speak Up Against Racism:** People are committed to speaking up against hateful and racist comments and actions they witness.

- **Advocate and Engage with City Council and Commissions:** People committed to being involved in local politics through showing up to council meetings and commission meetings and events. People also plan to support and encourage people to run for local office.
- **Engage with Youth and Schools:** People committed to engaging with schools and youth to be a part of the change process and build community.

Specific Commitments

Personal Actions and Conversations with Neighbors

- Have honest conversations even when they're hard. (Probably especially when they're hard.)
- Try to treat anyone I meet as if they might be family
- Always treat others as I want them to treat me
- Talk with a stranger
- Be intentional - seek diverse perspectives
- Seek out people with different perspectives from mine and listen
- Continue to inform myself and become more involved
- To share a value - step forward at opportunities to interact/participate with others who represent diverse characteristics - risk breaking the silence or differences, thereby expanding appreciation/acceptance on both sides.
- Continue to connect with others learn, engage, push for change
- Build my network with local activism groups focusing on equity and racial justice
- Invite people to my home to begin conversations
- Talk 1:1 with neighbors/friends about issues, instead of waiting for a "meeting" where people hold back their opinions.
- Continue to commit to equity and inclusion in daily life.
- Involve a friend
- Encourage others to learn about their neighbors' experience.
- Smile, sit by someone new, more out of comfort zone.
- Learn to confront more.
- Personal accountability
- Have more brave conversations when interacting with others that don't see their privilege or bias.
- Learn more about these issues so I can further these discussions in St. Cloud.
- Continue to take part in community conversations and forums that provide a venue for truth
- Continuing research on models for successful community change. I am more engaged and grateful for that. More information is needed.
- Listen carefully to people whose views make me uncomfortable and be willing to be transformed
- co-mingling with "others"
- Invite my neighbors to dinner
- I will discuss these values with 20 neighbors and ask how they will help promote them
- I plan new conversations with neighbors about these values - white and people of color
- To listen and actively participate in the conversation
- I will continue to work with "We Can Do Better" on a variety of activities
- Remain Engaged in the Community
- I value/believe in the usefulness of one to one conversations especially when difficult. I lie in wait for these opportunities.
- Tell my neighbors what is going on in this discussion group - spread the word

- Try to list some feedback information that would help people move to more equity and justice - on of the community values
- Engage with individuals/groups about our own biases or experiences as object of bias
- Talk to my neighbors
- Connect with neighbors
- Talk in depth with ten neighbors
- Talk to my neighbors at least two people in the building where I live
- Talk to my employer and coworkers re: living wage/eliminating tipping. Theme: eliminating wage discrimination that is largely racialized with increasing?
- Invite Randy (neighbor) to neighborhood gathering
- I will host a neighborhood discussion on this topic
- Continuing research on models for successful community change. I am more engaged and grateful for that. More information is needed.
- I can't think of anything I could do that I'm not already doing! I need more time.
- I'm stumped. I've been working at these issues for decades.
- Unbusy myself so I can participate more in these activities
- Share a positive example of a good experience that is happening in Falcon Heights.
- Falcon Heights is an island community. People drive through.
- commit to social justice and equity work
- Engage with individuals and groups on our own bias
- "I'm already doing what I can to call people out. We need to try to get more people engaged."
- Hit a wall... Not sure how to show up in community. Listen to others whose views make me uncomfortable and be transformed by views.
- Talk to everyone that I see... Things won't change until people come to things and share.
- Society of storytellers and story listeners
- We need to learn to love one another, no matter the color, creed, etc.
- Long term... Not an instant switch, solution
- Invite neighbors into home for hard conversations, help end complacency
- Ask neighbors to help promote Community Values
- Invite City Council Members to dinner
- Talk 1:1 with neighbors/friends about issues, instead of waiting for a "meeting" where people hold back their opinions
- Talk to a stranger

Plan and Participate in Events

- To collaborate (work together) with others to plan the California Block Party (national night out) with the people at it so happen time (room relationships developed beforehand) -food- engaging with others
- Invite families at Larpenteur and Snelling to CA Avenue block party in August
- Front Yard Patio Party
- Since my neighborhood is pretty close - everyone knows each other- I think it would be important to encourage my neighbors to participate in activities that already exist in Falcon Heights
- Look for gathering places and plan events where people can come together. Events around food would be good.
- Find the movie "Do not resist" and share it
- Participate in city activities (volunteering)
- Participate in community engagement activities and community engagement commission

- Promote involvement of libraries
- Organize training or conversations at my church to encourage cultural competence and awareness of systematic racism
- Implement events for reconciliation and healing
- Continue to advocate for restorative justice
- Show up to local government events. Vulnerability... Not forget that I am white, have biases, be open, can help invite people into conversation, might be less afraid to engage.
- Offer by member in the group who is professionally trained to help in de-escalation training for police. Questions arose on cost, making these mandatory, and other barriers to training.
- Invite people from other backgrounds and cultures to local block parties

Uncover Racial Covenants in Falcon Heights

- Participate in the history of racial covenants and redlining project
- Working to gather info on early history of Falcon Heights housing patterns, racial covenants, redlining
- Encourage city to make a map of the areas of diversity in the city - so we can be more welcoming and inclusive
- Learn more about the racial covenants and redlining

Write

- Write about events, activities etc. blog, letters to officials, notices of meetings etc. re: value of justice
- Write op-eds for local papers to raise awareness and direct action
- Write and communicate about things done, things going on. Government task force law-enforcement and community engagement. Intend to keep writing.

Speak Up Against Racism

- Speaking out against hateful speech
- Call out hateful speak when I hear it
- Continue to speak out against any form of racism
- Be more observant of interactions that suggest that people of color are treated less respectfully or safely than white folks
- Show up - with my body, mind, voice, heart, spirit. Stand on side of oppressed.
- Speak up when/if I observe someone not being treated fairly
- Communicate with others the progress I have seen in this area
- Use my voice and share my own personal expertise and opinion
- Actively praise people who have become more inclusive in their lives
- "I didn't create it or was a part of it. You step up. I've always been there. Allowing selves to be vulnerable.
- Continue conversations in organic settings and where people already are - churches and schools. Taking ownership and responsibilities as allies and leaders"
- Need for bias awareness
- Seek training on active bystander intervention/protection
- To never give up
- To never give up. We all have great resiliency, we forget that we have grit, need to be reminded. I will never give up.
- Stick up when someone is treated unfairly
- Call out my fellow white residents on their bias

- Those who are deeply racist are cowards and bullies and will back-pedal quickly if they are challenged
- Continue to be observant, when you see a person of color being mistreated, step in and call it out
- Challenge self and neighbors on racism
- support and praise other people doing this work

Advocate and Engage with City Council and Commissions

- Go to Falcon Heights community meetings.
- Follow-up on task force recommendations
- I will check out the final taskforce recommendations and do what I can to see that the council adopts those recommendations
- Advocate for measurable actions/outcomes within the task force recommendations
- Continue to participate in Falcon Heights political structure
- Continued involvement with city-policing
- Continued involvement
- Continue participating with Falcon Heights We Can Do Better and following city council as it moves forward with new policing. Community interaction yields actions.
- Form and content exhibition immigrant status
- Bring idea of intra-city meal gatherings to council committee
- Understand Minneapolis Police Structure
- I will do the same with every city council candidate at election time
- Act at a Minneapolis (my city) level and state level to support policing reform, economic justice, focus on racial inequality. Tell the story of my experience in Falcon Heights as a positive example of community engagement
- Push City Council and Mayor to ensure that all police/public encounters and their outcomes (e.g. traffic ticket vs. warning) are recorded in a permanent public data base (computerized)
- Talk to a council member
- Visit SAPD
- Lobby city council for more transparent and inclusive process in recruiting/appointment commission members
- Elect some new leaders
- To city council meetings. Serve on Community Engagement Commission.
- Talk up at council meetings
- Invite progressive candidates to apply or run for political office, or serve on local government commissions
- Actively participate in city government
- Solicit minority input to the facts
- Go to meetings of my local governing bodies to voice concerns and demand changes
- Lobby for more inclusive, welcoming, fun council meetings
- Keep the pressure on political leadership
- Participate in civic activities more often
- Ask council about affordable housing.
- Advocate for housing equity
- Trust, transparency, accountability. Provide data. Look for improvement.
- Follow city council evolution—there has been some movement
- Support individuals to run for office

- Keep pressure on our politically elected leadership. Racism wins if we lose attention on these issues and don't reform.
- Take a more active role in letting leaders know about problems we see and experience
- Maybe we should form another community Task Force to stay engaged with a new set of people who were not previously engaged.
- Continued involvement behind the scenes of police-community relations.
- Have been involved in many city commissions through the years and will continue to be involved
- Participate in community engagement events. Use the community engagement events for more than they are used for now...use it as a vehicle for community to address community concerns.
- Read Task Force recommendations and ensure that those changes are adopted. Especially civilian review board. Follow-up on Task Force recommendations, hold self and city accountable.
- Stay involved in City Council campaigns
- Task Force and residents should follow-up with Michelle Gross of Communities Untied Against Police Brutality. Ms. Gross has data on police brutality and information on insuring police.
- Elect some new leaders
- Push the city council to record not only police encounters but outcomes

Engage with Youth and Schools

- Call my son's school and ask them what efforts have they taken or plan to take to become change agents in keeping the community inclusively safe.
- Raise my daughter to be aware of systematic racism and of her privilege. Teach her to stand up for others
- Ask for more opportunities for parents from diverse backgrounds who attend the same school to develop more "community"
- Safety: Work with schools and young people to educate them on how to interact with law enforcement to stay alive.
- I would like to take St. Anthony High Schools "Dare to be real" conversation content and model to my community (i.e. State Fair)

Falcon Heights Community Conversation 5: June 19, 2017

Analysis of Key Themes

Collated by: Elizabeth Dressel, Master of Urban and Regional Planning student at University of Minnesota, Humphrey School of Public Affairs

Background

On June 19, 2017, nearly 100 people attended the community conversations on inclusion and policing. A total of 184 unduplicated individuals, plus dozens of volunteer facilitators, attended at least one of the five conversations. This final meeting centered on processing the events of the past year and work that has been accomplished thus far. Time was also spent discussing next steps for action and commitment for members of the community. The final inclusion recommendations and policing recommendations as adopted by the Falcon Heights City Council on May 24 and June 14, posted on the City's webpage, were shared with participants.

These are frequently expressed statements, grouped by theme. They are not consensus statements.

Reflections (first circle): Participants reflected on their feelings and personal journey given the events of the last year: the death of Philando Castile; the response including the Task Force and community conversations, and the acquittal of Officer Yanez.

- **Commitment to moving forward and making changes.** Participants expressed their commitment to moving forward, connecting with others in the community, and becoming a part of the solution. There is a desire to not lose the urgency of this work.
- **Feelings of pain, sadness, anger, frustration, and loss of trust.** Participants shared a range of personal emotions. Some people expressed shock over the verdict, while others were not surprised. Many people are struggling and processing the emotions of the past year. Others did express feelings of hope and gratitude from the community conversation process.
- **Reflections on racism and white privilege.** Participants shared personal experiences as a person of color and the need for white people to address privilege and the racial disparities that exist. Many shared that racism is being shoved under the rug or denied and that there is a need to bring it to the forefront of discussion and the need for white people to take this on.
- **Reactions to officer Yanez's actions and police accountability.** Participants are concerned with the language that the officer had no choice and feel that prejudice feeds unwarranted fears. There is a desire for accountability for his actions and future accountability for police officers.
- **Systematic concerns within the justice system.** Participants shared a range of feelings and conflicts about the legal process. People expressed that there are a national and systematic inequities that need to be addressed across the country.

Personal Next Steps (second circle): Participants shared their next steps, given the events of the past year.

- **Address racism, bias, and discrimination.** People asserted their commitment to work on speaking up against racism, bias, and discrimination within the community. Some made a personal commitment to address internal bias and continue to talk about race.
- **Advocate for changes in laws and policies.** Some participants plan to become more politically active and working to change laws related to policing and officer training.
- **Continue to connect with others through conversations.** Some participants expressed an interest in continuing conversations across various ideologies to build relationships and a stronger community.

Falcon Heights Community Conversation 5: June 19, 2017

Analysis of Key Themes

- **Engage with the community in personal and professional roles.** Some participants shared commitments to get involved within the community and their personal networks to be a part of the solution. Some specific commitments shared were: hosting a block party; being involved in the church; connecting with community outreach groups.
- **Engage youth.** There is concern for children; people want to work more with youth.
- **Focus on accountability from the city and implementation of the Task Force recommendations.** Participants plan to pay attention and work to ensure these recommendations are implemented and enforced by the City Council.
- **Mourn, heal, and process emotions.** People want to take time to mourn, process emotions, and heal as individuals. Some expressed a desire to not forget and to create a monument to facilitate remembering, mourning, and healing.

Thematic Resource / Action Circles: Based on the commitments shared in the fourth community conversation, this meeting concluded with five circles focused on specific topics for follow-up action. Invited resource people assisted the discussion. Participants joined the topic area they were most interested in to discuss actions to move forward on.

- **City Involvement and Implementation Committee.** This group discussed the need for resources and staff time to be invested to ensure implementation of the recommendations. Ideas were shared to get feedback from people on costs for implementation and to lay out the financing options visually to allow people to understand the costs and tradeoffs of different actions.
- **Courageous Conversations: Talking about race and privilege.** This group shared ideas on having conversations on race and learning how to listen and learn with openness, vulnerability, and non-judgement.
- **Educational Programming.** The following specific ideas were shared:
 - Host a public showings of documentary films on bias and racism at a library or other suitable location, with a community discussion following.
 - Engage youth through positive interactions and trips with police officers to humanize each other and remove fear. Match young and old, interactive multi-generational activities.
 - Record community member stories and reactions and post videos on city website.
- **Engaging Youth.** This group talked about ways to listen and engage young people. Some of the ideas they discussed include:
 - Have circle conversations for kids to discuss racism.
 - Promote ethnic studies and diversity curriculum within the schools.
 - Promote learning about racial equity across ages and with parents. St. Paul and Roseville schools have a model.
 - Coordinate with other programs and initiatives in the Twin Cities.
- **History Project.** This group reflected that history is not only in the past and that actions, such as redlining, effect the current reality. The group shared ideas for the next steps that include:
 - Encourage history in art, such as a competition that involves schools and youth or a play.
 - Do projects mixing policy and history, for example with a theme, “Why are we so white?”
 - Document the popup peace gardens and other things that have been put together since Philando Castile’s death.
 - Make an educational presentation or website.
 - Use Ramsey County Historical Society as a resource and venue.



The City That Soars!

REQUEST FOR COUNCIL ACTION

Meeting Date	July 1, 2020
Agenda Item	Policy D5
Attachment	See Below
Submitted By	Sack Thongvanh, City Administrator

Item	Sanctuary Ordinance
Description	The City has received a request from Council Member Wehyee for the Council to consider drafting and adopting a “Sanctuary” Ordinance for the City of Falcon Heights.
Budget Impact	N/A
Attachment(s)	<ul style="list-style-type: none"> • Minneapolis “Sanctuary” Ordinance
Action(s) Requested	Staff is looking for direction on how to proceed.

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Minneapolis “Sanctuary” Ordinance:

- **CHAPTER 19. - EMPLOYEE AUTHORITY IN IMMIGRATION MATTERS**
- **19.10. - Purpose and policy statement.**

This chapter clarifies the communication and enforcement relationship between the city and the United States Department of Homeland Security and other federal agencies with respect to the enforcement of civil immigration laws. The city works cooperatively with the Homeland Security, as it does with all state and federal agencies, but the city does not operate its programs for the purpose of enforcing federal immigration laws. The Homeland Security has the legal authority to enforce immigration laws in the United States, in Minnesota and in the city. This chapter ordinance shall be the only regulation within the city on this subject matter, and it shall supersede all conflicting policies, ordinances, rules, procedures and practices. (2003-Or-092, § 1, 7-11-03)

- **19.20. - General city services.**

(a) To the extent permitted by law, in determining eligibility for, and providing general city services, city employees shall be governed by the following requirements:

(1)

City employees are to carry out their regular duties for the purpose of administering general city services and programs. Employees may complete I-9 forms, may question a person regarding the I-9 form and documents supporting the I-9 form, and may allow Homeland Security to audit the I-9 forms as allowed by law. Employees shall comply with any properly issued subpoena for the production of documents or witnesses, even if related to immigration issues or issues of the Homeland Security.

(2)

City employees shall follow general city, state and federal guidelines to assess eligibility for services. City employees shall only solicit immigration information or inquire about immigration status when specifically required to do so by law or program guidelines as a condition of eligibility for the service sought. City employees may require evidence of a person's identity and may ask to see a person's personal identifying documents only when specifically authorized and required to do so by the employee's work duties. City employees shall not discriminate against any current or potential service users on the basis of any of the protected categories listed in the city's civil rights ordinance (139.40), or on the basis of immigration status.

(3)

Other than complying with lawful subpoenas, city employees and representatives shall not use city resources or personnel solely for the purpose of detecting or apprehending persons whose only violation of law is or may be being undocumented, being out of status, or illegally residing in the United States (collectively "undocumented").

(4)

Where presentation of a Minnesota driver's license is customarily accepted as adequate evidence of identity, presentation of a photo identity document issued by the person's nation of origin, such as a driver's license, passport, or matricula consular (consulate-issued document) shall be accepted and shall not subject the person to a higher level of scrutiny or different treatment than if the person had provided a Minnesota driver's license. This paragraph does not apply to I-9 forms.

(b)

General city services defined. General city services shall mean all city services excepting those services specifically listed as public safety services in [section 19.30](#).

(c)

City attorney's office - civil division employees may investigate and inquire about immigration status when relevant to potential or actual litigation or an administrative proceeding. (2003-Or-092, § 1, 7-11-03)

- **19.30. - Public safety services.**

(a) To the extent permitted by law, in providing public safety services, employees of the police and fire departments, and the city attorney's office - criminal division, (collectively, public safety officials), shall be governed by the following requirements:

(1)

Public safety officials shall not undertake any law enforcement action for the purpose of detecting the presence of undocumented persons, or to verify immigration status, including but not limited to questioning any person or persons about their immigration status.

(2)

City attorney's office - criminal division employees shall be permitted to:

a.

Inform persons of the possible immigration consequences of a guilty plea.

b.

Question and conduct cross-examination of a witness or defendant regarding immigration status.

c.

Inquire about immigration status for purposes of bail or conditional release.

d.

Investigate and inquire about immigration status when relevant to the potential or actual prosecution of the case or when immigration status is an element of the crime.

e.

Take immigration status and collateral effects of possible deportation into consideration during discussions held for the purpose of case resolution.

(3)

Public safety officials shall not question, arrest or detain any person for violations of federal civil immigration laws except when immigration status is an element of the crime or when enforcing 8 U.S.C. 1324(c).

(4)

Nothing in this chapter shall prohibit public safety personnel from assisting federal law enforcement officers in the investigation of criminal activity involving individuals present in the United States who may also be in violation of federal civil immigration laws.

(b)

All such use of city public safety personnel under [19.30\(a\)\(3\)](#) and (a)(4) shall be documented, including any applicable Department of Homeland Security mission statement and operational guidelines, the reason for the dispatch of personnel, the name of the homeland security agent in charge, and the name of the officer authorizing the use of city personnel. (2003-Or-092, § 1, 7-11-03)

• **19.40 - Complaints and discipline.**

Complaints of a violation of this chapter shall be subject to disciplinary action under the appropriate union contract, civil service commission rules, or department work rules. It shall not be a violation of this chapter to require the completion of I-9 forms or to inquire into or disclose the immigration status of the complainant or witnesses if necessary as part of the investigation of a complaint of a violation of this chapter, or if deemed necessary by the appointing authority in order to administer discipline for such violations. (2003-Or-092, § 1, 7-11-03)

• **19.50. - Subpoena.**

Nothing in this chapter prohibits city employees from responding to a properly issued subpoena. (2003-Or-092, § 1, 7-11-03)



The City That Soars!

REQUEST FOR COUNCIL ACTION

Meeting Date	July 1, 2020
Agenda Item	Policy D6
Attachment	See Below
Submitted By	Justin Markon, Community Development Coordinator

Item	Noise Control Ordinance
Description	<p>Many communities have stipulations around noise control, including Falcon Heights. However, our noise ordinance details are somewhat thin compared to other cities and do not cover items that staff receive complaints about. The most noted section of City Code dealing with noise pertains to refuse haulers and their approved hours in residential areas. Other existing regulations on noise are in the first attachment (dogs, drive-thru, and home occupations to note a few).</p> <p>Staff receive three or four complaints about noise each year, usually surrounding construction projects. When complaints are received, staff will reach out to the owner or contractor and request that they do their work during the refuse hauler hours (7:00 a.m. to 10:00 p.m. on weekdays and 9:00 a.m. to 9:00 p.m. on weekends). While this request is usually honored, there is little enforcement if projects continue outside this window. In addition to construction hours, other communities regulate noise as it pertains to power tools, vehicles, loudspeakers and horns, and schools.</p> <p>There is a section in the public nuisance area of City Code that specifies noise. Upon consultation with the City Attorney, it was felt that this section is too vague and nearly unenforceable and should be changed or deleted.</p> <p><i>Section 22-47 – Public place defined; nuisances</i></p> <p>(e) <i>Unnecessary noise.</i> No person, in any public or private place, shall make, or assist in making, by any manner or means, any loud, unpleasant or raucous noise disturbing to others, unless the same is reasonably necessary to the preservation of life, health, safety or property.</p>
Budget Impact	N/A
Attachment(s)	<ul style="list-style-type: none"> • Current Falcon Heights Code language pertaining to noise • Sample Noise Ordinances from surrounding communities
Action(s) Requested	Staff request discussion and direction on possible additions or changes to the City Code as it relates to noise.

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City Code of Falcon Heights, Minnesota

Selection of sections pertaining to noise

Sec. 10-21 - Dogs that are public nuisances

Any dog that exhibits any of the following behaviors are hereby declared to be a public nuisance:

- (1) Causes noise, disturbance or annoyance to persons residing in the vicinity by loud and frequent barking, howling or yelping.

Sec. 22-47 - Public place defined; nuisances

(e) *Unnecessary noise.* No person, in any public or private place, shall make, or assist in making, by any manner or means, any loud, unpleasant or raucous noise disturbing to others, unless the same is reasonably necessary to the preservation of life, health, safety or property.

(f) *Disruptive parties.*

- (1) *Participation.* No person shall congregate because of participation in any party or gathering of people from which noise emanates of a sufficient volume so as to disturb the peace, quiet or repose of any other person.

Sec. 14-277 - Requirements for haulers (Refuse Haulers)

- (6) Not collect or remove garbage or refuse within 500 feet of any residential district, except between the hours of 7:00 a.m. and 10:00 p.m. on any weekday or between the hours of 9:00 a.m. and 9:00 p.m. on any weekend or legal holiday.

Sec. 113-252 - Drive-through facilities

Drive-through facilities are prohibited except when specifically allowed by a conditional use permit in a zoning district. When allowed, all drive-through facilities must comply with the following requirements:

- (6) No speaker noise may be audible from adjacent residential property.

Sec. 113-391 - Home occupations

(d) *Requirements.* The following requirements shall apply to home occupations within the city:

- (14) No home occupation shall produce light, glare, noise, odor or vibration that has an objectionable effect on a nearby property.

Noise Ordinance prepared by Campbell Knutson

(A) Prohibited noises.

The following are declared to be nuisances affecting public health, safety, peace, or welfare:

- (1) Any distinctly and loudly audible noise that unreasonably annoys, disturbs, injures, or endangers the comfort, repose, health, peace, safety, or welfare of any person, or precludes their enjoyment of property, or affects their property's value in such a manner as to be plainly audible at the boundary of the real property, building, structure, or residence from which the noise originates, or at a distance of 50 feet from the source of the noise. (this general prohibition is not limited by any specific restrictions provided in this ordinance). "Plainly audible" is defined as sound that can be detected by a person using their unaided hearing faculties.
- (2) All obnoxious noises, motor vehicle or otherwise, in violation of Minn. R. ch. 7030, as they may be amended from time to time, are hereby incorporated into this ordinance by reference.
- (3) The use of any vehicle so out of repair or so loaded as to create loud and unnecessary grating, grinding, rattling, or other noise.
- (4) Any loud or excessive noise in the loading, unloading, or unpacking of any vehicle.
- (5) The use or operation, or permitting the use or operation, of any radio receiving set, television set, musical instrument, music device, paging system, machine, or other device for producing or reproduction of sound in a distinctly and loudly audible manner so as to disturb the peace, quiet, and comfort of any person nearby.

(B) Hourly restriction of certain operations.

- (1) **Domestic power equipment.** No person shall operate a power lawn mower, power hedge clipper, chain saw, mulcher, garden tiller, edger, drill, or other similar domestic power equipment, except between the hours of 7:00 a.m. and 10:00 p.m. on any weekday or between the hours of 9:00 a.m. and 9:00 p.m. on any weekend or holiday. Snow removal equipment is exempt from this provision.
- (2) **Refuse hauling.** No person shall collect or remove garbage or refuse in any residential district, except between the hours of 6:00 a.m. and 10:00 p.m. on any weekday or between the hours of 9:00 a.m. and 9:00 p.m. on any weekend or holiday.
- (3) **Construction activities.** No person shall engage in or permit construction activities involving the use of any kind of electric, diesel, or gas-powered machine or other power equipment, except between the hours of 7:00 a.m. and 10:00 p.m. on any weekday or between the hours of 9:00 a.m. and 9:00 p.m. on any weekend or holiday.
- (4) **Radios, music devices, paging systems, and the like.** The operation of any device referred to in subdivision (A) (6) between the hours of 10:00 p.m. and 7:00 a.m. in a manner so as to be plainly audible at the property line of the structure or building in which it is located, or at a distance of 50 feet if the source is located outside a structure or building shall be prima facie evidence of a violation of this section.

(C) **Noise impact statements.** The Council may require any person applying for a change in zoning classification or a permit or license for any structure, operation, process, installation, alteration, or project that may be considered a potential noise source to submit a noise impact statement on a form prescribed by the Council. The Council shall evaluate each such statement and take its evaluation into account in approving or disapproving the license or permit applied for or the zoning changes requested.

CHAPTER 405 NOISE CONTROL

SECTION:

- 405.01: General Prohibition
- 405.02: Specific Restrictions
- 405.03: Hourly Restrictions of Certain Operations
- 405.04: Noise Variances
- 405.05: Enforcement and Impact Statements

405.01: GENERAL PROHIBITION:

No person shall make or cause to be made any distinctly and loudly audible noise that unreasonably annoys, disturbs, injures or endangers the comfort, repose, health, peace, safety or welfare of any person, or precludes their enjoyment of property or affects their property's value. This general prohibition is not limited by the specific restrictions contained in Section 405.02 below. (Ord. 927, 6-30-1983)

405.02: SPECIFIC RESTRICTIONS:

- A. Horns, Audible Signaling Devices, Etc.: No person shall sound any audible signaling device on any vehicle except as a warning of danger.
- B. Exhaust: No person shall discharge the exhaust or permit the discharge of exhaust of any steam engine, stationary internal combustion engine, motor boat, motor vehicle or snowmobile except through a muffler or other device that effectively prevents loud or explosive noises, and complies with all applicable State laws and regulations.
- C. Defective Vehicles or Loads: No person shall use any vehicle so out of repair or so loaded as to create loud and unnecessary grating, grinding, rattling or other noise.
- D. Loading, Unloading, Unpacking: No person shall create loud and excessive noise in loading, unloading or unpacking any vehicle.
- E. Radios, Phonographs, Paging Systems, Etc.: No person shall use, operate or permit the use or operation of any radio receiving set, musical instrument, phonograph, paging system, machine or other device for the production or reproduction of sound in a distinct and loudly audible manner as to disturb the peace, quiet and comfort of any person nearby. Operation of any such set, instrument, phonograph, machine or other device between the hours of 10:00 P.M. and 7:00A.M., in such a manner as to be plainly audible at the property line of the structure or building in which it is located, in the hallway or apartment adjacent or at a distance of 50 feet if the source is located in a structure or building, shall be prima facie evidence of a violation of this Chapter.
- F. Participation In Noisy Parties Or Gatherings: No person shall participate in any party or other gathering of people giving rise to noise disturbing the peace, quiet or repose of another person. When a police officer determines that a gathering is creating such a noise disturbance, the officer may order all persons present, other than the owner or tenant of the premises where the disturbance is occurring, to disperse immediately. No person shall refuse to leave after being ordered by a police officer to do so. Every owner or tenant of such premises who has knowledge of the disturbance shall make every reasonable effort to see that the disturbance is stopped.
- G. Loudspeakers, Amplifiers for Advertising, Etc.: No person shall operate or permit the use or operation of any loudspeaker, sound amplifier or other device for the production

or reproduction of sound on a street or other public place for the purpose of commercial advertising or attracting the attention of the public to any commercial establishment.

- H. Amplified sound from motor vehicles: It shall be a violation of this Chapter to play, operate or permit the playing, use of operation of any radio, tape player, disc player, loud speaker or other electronic device used for the amplification of music or other entertainment, which is located within a motor vehicle on a public street or alley, which is audible by any person from a distance of 50 feet or more from the motor vehicle. When sound violating this section is produced or reproduced by any such device that is located in a motor vehicle, the motor vehicle's owner, if present when the violation occurs, is guilty of the violation. If the motor vehicle's owner is not present at the time of the violation, the person who has dominion, care or control of the motor vehicle at the time of the violation is guilty of the violation. In addition to an owner or a driver, any person who controls or assists with the production, reproduction, or amplification of sound in violation of this section is guilty of the violation. (Ord. 1315, 02-14-2005)
- I. Animals: The provisions of Chapter 501 of this Code shall govern unreasonable noises created by animals.
- J. Schools, Churches, Etc.: No person shall create any excessive noise on a street, alley or public grounds adjacent to any school, institution of learning or church when the noise unreasonably interferes with the working of the institution or disturbs or unduly annoys its occupants or residents.
- K. Air Conditioning Units: No person shall place, maintain or operate an air conditioning unit in such a manner so as to unreasonably disturb the peace, quiet and comfort of persons using adjacent properties. (Ord. 927, 6-30-1983)

405.03: HOURLY RESTRICTIONS OF CERTAIN OPERATIONS:

- A. Recreational Vehicles: No persons shall, between the hours of 9:00 P.M. and 7:00 A.M., drive or operate any minibike or other recreational vehicle not licensed for travel on public highways. (Ord. 1553, 6-4-2018)
- B. Domestic Power Equipment: No person shall operate a power lawn mower, power hedge clipper, chain saw, mulcher, garden tiller, edger, drill or other similar domestic power maintenance equipment, except between the hours of 7:00 A.M. and 9:00 P.M. on any weekday, or between the hours of 9:00A.M. and 9:00 P.M. on any weekend or legal holiday. Snow removal equipment is exempt from this provision. (Ord. 1553, 6-4-2018)
- C. Refuse Handling: No person shall collect or remove garbage or refuse in any residential district except between the hours of 7:00 A.M. and 9:00P.M. on any weekday or between the hours of 9:00 A.M. and 9:00 P.M. on any weekend or legal holiday. (Ord. 1553, 6-4-2018)
- D. Construction Activities: No person shall engage in or permit construction activities involving the use of any kind of electric, diesel or gas powered machine or other power equipment except between the hours of 7:00 A.M. and 9:00) P.M. on any weekday, or between the hours of 9:00A.M. and 9:00 P.M. on any weekend or legal holiday. (Ord. 1553, 6-4-2018)
- E. Snowmobiles: Snowmobiles shall be operated only at times allowed by Section 604.03 of this Code. (Ord. 927, 6-30-1983)

405.035: EXEMPTIONS:

- A. Any construction or maintenance activity in which the City of Roseville is considered the owner and/or the project engineer on the project, is exempt from Chapter 405 of the

City Code regarding Noise Control subject to the following:

1. All work shall be done during normal working hours as described in 405.03 of the Roseville City Code unless circumstances or conditions require work be done outside of these hours or if it is determined that there is significant benefit to surrounding properties and/or the general public by performing work outside of these hours. Only projects listed below are exempt;
 - a. Sewer Lining projects which take more than 12 hours per segment
 - b. Water main or valve replacement work which would impact significant amount of residents or business during normal working hours.
 - c. High traffic areas where a lane closure or full road closure is required, but doing so during normal working hours would create a significant impact on the general public, residents and businesses surrounding the work area.
 2. Work outside of normal working hours as described in 405.03 is limited to a maximum of two days per project segment as notified in subpart B.
- B. If work will be performed outside of normal working hours as described in 405.03 the City shall notify the residents/businesses within 500 feet of the project as far in advance as practical. At minimum residents shall be notified seven days in advance of the work via a mailed letter. The City Manager, Mayor and Council shall also be notified. The letter, at minimum, shall indicate the necessity of the work, schedule of the work, the scope of the work, the impacts and the mitigation techniques that will be used to minimize impacts.
(Ord. 1548, 4-9-2018)

405.04: NOISE VARIANCES:

Any person may apply to the City Council for a variance from the requirements of this Chapter prior to doing those acts. The applicant shall provide a certified list of property owners within 350 feet of the site(s) where the activity is to occur. The Council procedure for public hearings shall be as set forth in Chapter 108 of this Code. For good cause shown, the City Council may, in its sole discretion, either grant or deny the variance. If the variance is granted, the Council may impose reasonable conditions to it. (Ord. 1175A, 11-25-1996)

405.05: ENFORCEMENT AND IMPACT STATEMENTS:

- A. Civil Remedies: In addition to criminal penalties, this Chapter may be enforced by injunction, action for abatement or other appropriate civil remedies.
- B. Noise Impact Statements: The City Council may require any person applying for a change in zoning classification, permit or license for any structure, operation, process, installation, alteration or project that may be considered a potential noise source to submit a noise impact statement. The City Council shall evaluate each such statement and take its evaluation into account in approving or disapproving the license or permit applied for or the zoning change requested. (Ord. 927, 6-30-1983; 1995 Code)

Footnotes:

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Administrative Code reference—Procedure for public hearing regarding public nuisances, Ch. 91.

Sec. 293.01. - Definitions.

As used in this chapter, the following terms shall have the meanings ascribed to them in this section.

- (1) *PCA definitions adopted.* Pursuant to Minnesota Statutes, Section 471.62, the definitions contained in the Minnesota Pollution Control Agency Air Quality Division Noise Pollution Control Rules, Section 7030.0020, are hereby adopted by reference.
- (2) *Construction.* Any site preparation, assembly, erection, substantial repair, alteration or similar action, but excluding demolition.
- (3) *Demolition.* Dismantling or intentional removal of structures, utilities, public or private right-of-way surfaces or similar property.
- (4) *Department.* The city department of safety and inspections.
- (5) *Domestic power tools.* Any mechanically powered saw, drill, sander, grinder, lawn or garden tool, lawn mower, or powered snow removal equipment, or other similar device commonly used outdoors, except for the manufacture, commercial repair or prolonged testing of such tools.
- (6) *Sound level (or noise level).* The A-weighted sound pressure level, expressed in dBA, obtained by the use of a sound level meter having characteristics as specified in the ANSI Standard S1.4-1983.

(Ord. No. 16915, 5-20-82; Ord. No. 17448, § 1, 4-28-87; Ord. No. 17586, § 1, 9-1-88; C.F. No. 02-653, § 1, 8-14-02; C.F. No. 07-149, § 68, 3-28-07)

Sec. 293.02. - Noise as a public nuisance.

(a) *Generally.*

- (1) It shall be unlawful for any person to make, continue, permit or cause to be made, continued or permitted within the city, any loud, disturbing or excessive noise which would be likely to cause significant discomfort or annoyance to a reasonable person of ordinary sensitivities in the area.
- (2) The characteristics and conditions which shall be considered in determining whether a noise is loud, disturbing or excessive for the purposes of paragraph (a) of this section, shall include, without limitation, the following:
 - a. The time of day or night when the noise occurs.
 - b. The duration of the noise.
 - c. The proximity of the noise to a sleeping facility and/or a residential area.
 - d. The land use, nature and zoning of the area from which the noise emanates and the area where it is perceived.

- e. The number of people and their activities that are affected or are likely to be affected by the noise.
 - f. The sound peak pressure level of the noise, in comparison to the level of ambient noise.
- (b) *Noisy assembly.*
- (1) *Defined.* The term "noisy assembly" shall mean a gathering of more than one person in a residentially zoned or used area or building that would be likely to cause significant discomfort or annoyance to a reasonable person of ordinary sensitivities present in the area, considering the time of day and the residential character of the area, due to loud, disturbing or excessive noise.
 - (2) *Permitting noisy assembly.* It shall be a violation of this section for any person having dominion, care or control of a residentially zoned or used area or building knowingly to permit a noisy assembly.
 - (3) *Remaining at a noisy assembly.* It shall be a violation of this section to participate in, visit or remain at a gathering knowing or having reason to know that the gathering is a noisy assembly, except any person(s) who has/have come to the gathering for the sole purpose of abating the noisy assembly.
- (c) *Animals.* It shall be a violation of this section to own, keep, have in possession or harbor any animal or animals which make any noise to the reasonable annoyance of another person or persons. The phrase "to the reasonable annoyance of another person or persons" shall include, but is not limited to, the creation of any noise by any animal or animals which can be heard by any person, including the animal control officer or a law enforcement officer, from a location outside of the building or premises where the animal or animals are located and which animal noise occurs repeatedly over at least a five-minute period of time with no more than a one-minute lapse of time between each animal noise during the five-minute period.
- (d) *Amplified sound.* It shall be a violation of this section to play, operate or permit the playing, use or operation of a radio, loud speaker, or other device used for the amplification of sound, unless otherwise permitted by law, located inside or outside, the sound of which carries to points of habitation or adjacent properties, and is audible above the level of conversational speech at a distance of fifty (50) feet or more from the point of origin of the amplified sound.
- (e) *Motor vehicles.*
- (1) *Generally.* It shall be a violation of this section to use any automobile, truck, motorcycle or other vehicle which causes or would be likely to cause significant discomfort or annoyance to a reasonable person of ordinary sensitivities present in the area due to loud, disturbing or excessive noise.
 - (2) *Amplified sound from motor vehicles.* It shall be a violation of this section to play, operate or permit the playing, use or operation of any radio, tape player, disc player, loud speaker or other electronic device used for the amplification of music or other entertainment, which is located within a motor vehicle on a public street or alley, or in a commercial or residential parking facility, which is audible by any person from a distance of fifty (50) feet or more from the motor vehicle. When sound violating this section is produced or reproduced by any such device that is located in a motor vehicle, the motor vehicle's owner, if present when the violation occurs, is guilty of the violation. If the motor vehicle's owner is not present at the time of the violation, the person who has dominion, care or control of the motor vehicle at the time of the violation is guilty of the violation. In addition to an owner or a driver, any person who controls or assists with the production, reproduction, or amplification of sound in violation of this section is guilty of the violation.

- (3) *Horns and other signals.* It shall be a violation of this section to sound any horn or signal device on an automobile, motorcycle, bus or other vehicle, except as a danger signal or traffic warning, which would be likely to cause significant discomfort or annoyance to a reasonable person of ordinary sensitivities in the area.
- (4) *Application of the MPCA rules.* No person shall operate a motor vehicle in the city in violation of the motor vehicle noise limits of the Minnesota Pollution Control Agency Rules, Sections 7030.1000 through 7030.1600.

(f) *Penalties.*

- (1) A violation of any section of this chapter is a misdemeanor, and a sentence of not more than ninety (90) days in jail, or a fine of not more than one thousand dollars (\$1,000.00), or both, may be imposed.
 - a. Each day a violation of this ordinance is committed or permitted to continue shall constitute a separate offense and may be punished separately.

(C.F. No. 02-653, § 1, 8-14-02; C.F. No. 05-264, § 2, 4-27-05; Ord 15-67, 12-2-15; Ord 15-70, 12-9-15)

Editor's note— C.F. No. 02-653, § 1, adopted August 14, 2002, amended the Code by repealing former §§ 293.02—293.04, and adding a new § 293.02. Former §§ 293.02—293.04 pertained to noisy assembly; motor vehicles; and horns and audible signaling, respectively; and derived from Ord. No. 16915, adopted May 20, 1982; and Ord. No. 17448, adopted April 28, 1987.

Sec. 293.03. - Reserved.

Note— See editor's note, § 293.02.

Sec. 293.04. - Railroad locomotives, sounding whistles.

- (a) *Statement of legislative finding intent and purpose.* The council finds that the sounding of railroad locomotive whistles at grade crossings is on the increase. The increased use of railroad locomotive whistles at grade crossings throughout the city and especially in residential neighborhoods near railroad grade crossings has created an atmosphere that is conducive neither to the quiet enjoyment of property nor to the peace and dignity of the city. For the purposes of protecting and promoting the safety, welfare and convenience of the public, and the safety, welfare and convenience of the railroad employees operating locomotives in the city, and in conformance with Minn. Stat. §§ 219.567, the council finds it necessary to establish the following noise regulation pertaining to railroad locomotive whistles.
- (b) *Unnecessarily sounding whistles.* No person shall sound or blow any whistle of any locomotive within the city limits, except as a warning of imminent and immediate danger to life or property. The sounding of any locomotive whistle shall be prima facie evidence that it was sounded by the engineer operating the locomotive.

(C.F. No. 98-522, § 1, 7-8-98; C.F. No. 02-653, § 1, 8-14-02)

Editor's note— C.F. No. 02-653, § 1, adopted August 14, 2002, amended the Code by renumbering former § 293.04.1 as a new § 293.04.

Sec. 293.05. - Exhaust.

No person shall discharge or permit the discharge of any steam engine, stationary internal combustion engine, motor boat, motor vehicle or snowmobile except through a muffler or other device that effectively prevents loud or explosive noises therefrom and complies with any applicable state laws and regulations.

(Ord. No. 16915, 5-20-82; Ord. No. 17448, § 1, 4-28-87)

Sec. 293.06. - Domestic power tools.

No person shall operate any domestic power tool between the hours of 10:00 p.m. and 7:00 a.m. in a distinctly and loudly audible manner as to unreasonably disturb the peace, quiet and comfort of any person nearby. Operation of a domestic power tool during those hours in such a manner as to be plainly audible at the property line of a structure or building in which it is located, in the hallway or apartment adjacent, or at a distance of fifty (50) feet if the source is located outside a structure or building, shall be prima facie evidence of a violation of this section.

(Ord. No. 16915, 5-20-82; Ord. No. 17448, § 1, 4-28-87; C.F. No. 02-653, § 1, 8-14-02)

Editor's note— C.F. No. 02-653, § 1, adopted August 14, 2002, amended the Code by repealing former §§ 293.06 and 293.07, and renumbering former §§ 293.08—293.11 as new §§ 293.06—293.09. Former §§ 293.06 and 293.07 pertained to defective vehicles, loads; and radios, paging systems, etc.; and derived from Ord. No. 16915, adopted May 20, 1982; Ord. No. 17448, adopted April 28, 1987; and C.F. No. 96-642, adopted July 3, 1996.

Sec. 293.07. - Noise source limitations.

- (a) No person shall operate or cause to be operated on any property or properties any source of noise or sound in such manner as to create a sound level outdoors which exceeds the limits set forth for the receiving land use classification in Table 1 below when measured at the point of human activity which is nearest the noise source.

Table 1. Sound Level Restrictions for Receiving Land Use Classifications As Determined by the Location of the Receiver

Noise Receptor	Land Use Classification	Time	Sound Level Limit (One hour L10 dBA)
Class I	I-1, I-2 and I-3	At all times	80 dBA
Class II	R-1 through R-4, RT-1, RT-2	7:00 a.m. to 10:00 p.m.	65 dBA

	RM-1 through RM-3, P-1 and PD	10:00 p.m. to 7:00 a.m.	55 dBA
Class III	B-1 through B-5, B-2C and OS-1	At all times	70 DBA

- (b) Reserved.
- (c) Construction and demolition noise limitations shall be as follows:
 - (1) No person shall operate or cause to be operated construction or demolition equipment at any construction site in such a manner that the operation exceeds a L10 noise level of eighty-five (85) dBA at a distance of fifty (50) feet measured from the source.
 - (2) If the construction site is within or abuts residentially zoned property within Class II, the construction or demolition equipment shall observe the noise limits specified in paragraph (b) of this section.
- (d) The following noise sources are exempted from the provisions of this section:
 - (1) Fire, civil defense or other emergency signaling devices.
 - (2) Authorized emergency vehicles, including police vehicles, fire vehicles and ambulances, and city snowplowing vehicles.
 - (3) Noise created exclusively in the performance of emergency work to preserve the public health, safety or welfare, or in the performance of emergency work necessary to restore a public service or eliminate a public hazard shall be exempt for a period of twenty-four (24) hours after the work has begun.
 - (4) Domestic power tools, when used between the hours of 7:00 a.m. and 10:00 p.m.
 - (5) Parades and one-day festivals.
 - (6) Any festival or exhibition of no more than three (3) days in duration and sponsored or conducted by a neighborhood-based nonprofit organization from the hours of 7:00 a.m. and 10:00 p.m., providing that sound from any stationary electronically powered equipment used in conjunction with the festival or exhibition does not exceed ninety (90) decibels as measured from a distance of fifty (50) feet from the source.
 - (7)
 - a. The playing and exhibition of any home game or league event within a municipal stadium operated pursuant to a playing and use agreement in effect between the city and a team.
 - b. Other events, activities, and operations conducted in connection with home games, league events, or other sporting events sponsored by a team or the city are also exempt within the municipal stadium or stadium site excluding, however, the following:
 - 1. Musical performances and fireworks displays of any type; and
 - 2. Any other commercial and entertainment events not related to home games, league events or not sponsored by the city.
 - c. For the purposes of this subdivision, the following terms shall have the following meanings:

1. "Team" means the major league soccer team that is a party to a playing and use agreement with the city for the municipal stadium then in effect, a copy of which shall be available for review upon reasonable request in the office of the city clerk.
2. "Home games" means the team's MLS's professional soccer league games scheduled to be played at the stadium, including all pre-season, regular season, playoff, championship home games and any international soccer games in which the team participates or controls.
3. "League events," means any home games and any other league soccer related events scheduled by the team or the MLS professional soccer league to be held in the municipal stadium, including all-star games.
4. "Municipal stadium" shall have the meaning as defined under Minn. Stat. § 272.01, Subd.2(b)(1).
5. "Stadium site" means the area adjacent to the municipal stadium that the team has possessory rights to use as conveyed by the city.

(Ord. No. 16915, 5-20-82; Ord. No. 17448, § 1, 4-28-87; Ord. No. 17572, § 1, 7-5-88; Ord. No. 17766, §§ 1, 2, 9-4-90; C.F. No. 02-653, § 1, 8-14-02; Ord. No. 17-64, § 1, 2-14-18)

Note— Former § 293.09. See editor's note, § 293.06.

Sec. 293.08. - Administration.

- (a) *Responsibility of enforcement.* The primary responsibility of enforcing the provisions of sections 293.02 through 293.08 shall be with the police department. The primary responsibility of enforcing the provisions of section 293.09 shall be with the department.
- (b) *Noise impact statements.* Any city department or agency may require a noise impact statement in association with any change in zoning classification, in planning of a structure, or in any operation, process, installation or alteration which may be considered as a potential noise source, or in reviewing a request for a variance under this chapter.
- (c) *Performances of deparatment.* The department shall also perform the following:
 - (1) Prepare for city council approval and keep on file guidelines establishing the test procedures and instrumentation to be utilized.
 - (2) Conduct inspections as required to determine whether violations exist.
 - (3) Review all variance requests and make recommendations to the city council. There is hereby established within the department a dedicated activity to which all receipts and disbursements for noise level variance requests will be recorded.
 - (4) Issue orders for abatement of noises which constitute a violation.
 - (5) Conduct such research, monitoring and other studies related to sound as are necessary or useful in enforcing this chapter.

(Ord. No. 16915, 5-20-82; Ord. No. 17448, § 1, 4-28-87; C.F. No. 02-653, § 1, 8-14-02; C.F. No. 07-149, § 69, 3-28-07)

Note— Former § 293.10. See editor's note, § 293.06.

Sec. 293.09. - Variances.

- (a) *Authority.* The city council shall have authority, consistent with this section, to grant variances from the sound level restrictions contained in section 293.07 and section 293.02(d).
- (b) *Application.* Any person seeking a permit shall file an application with the department on a form prescribed by it. The application shall include the following information:
 - (1) Name of responsible person.
 - (2) Dates during which the variance is requested.
 - (3) Location of all particular noise sources and times of operation.
 - (4) Nature of noise sources and equipment involved.
 - (5) Reasons why a variance is sought.
 - (6) Steps taken to minimize the noise level.
 - (7) A noise impact statement, if required by the department.
- (c) *Fee.* The application shall be accompanied by the payment of a fee, which fee shall be listed in chapter 310 of the Saint Paul Legislative Code.
- (d) *Notice:*
 - (1) The department shall notify by mail all property owners within three hundred (300) feet of the sources of noise for which a variance is requested, measured from the property lines of particular noise sources. If the department finds, however, that more than one hundred fifty (150) property owners are within three hundred (300) feet of noise sources included in a variance application, it may, in its discretion, notify the management company or president of a common interest community for any multifamily dwelling units. The department may notify a management company or president of a common interest community by electronic mail if notice is actually received and the department obtains confirmation of delivery.
 - (2) The notice shall include a statement describing the variance request, the date of the public hearing before the city council on the variance request, and a statement that written comments or objections may be filed with the department within fifteen (15) days of the notice.
 - (3) No sound level variance may be granted that would locate the source of any amplified music, announcements, or cheer stations on Spring Street or Chestnut Plaza.
 - (4) Additional notice will be provided following the provisions for early notification in Administrative Code Appendix A-11 within two (2) business days of receipt of a completed application.
- (e) *Action on application:*
 - (1) Within thirty (30) days of receipt of the application, the city council shall hold a public hearing on the application.
 - (2) After a public hearing, the council may by resolution grant, deny, modify or revoke the variance request.
 - (3) The variance may be granted or modified only if the council finds that full compliance with the requirements of this chapter would constitute an unreasonable hardship on the applicant, on other persons, or on the community. The council shall balance the hardship to the applicant against the adverse impact on the health, safety and welfare of the persons affected, the adverse impact on property affected, and any other adverse effects of granting the variance.

- (4) The variance may be granted subject to conditions, including restricting the hours of operation of the noise source, a time limit for duration of the variance, or attempts the applicant shall make to bring the noise source into compliance with this chapter.
- (5) If a variance is granted, the applicant may be required to pay the city's cost of monitoring sound levels and compliance with other conditions.
- (6) Emergency variances, in which immediate work is necessary to restore property to a safe condition or when immediate work is required to protect persons or property from imminent exposure to danger, may not be restricted in hours of operation, and may supply the information stated in the application in paragraph (b) after the work has begun.

(Ord. No. 16915, 5-20-82; Ord. No. 17448, § 1, 4-28-87; Ord. No. 17614, § 1, 11-22-88; C.F. No. 02-653, § 1, 8-14-02; C.F. No. 07-149, § 70, 3-28-07; C.F. No. 08-213, § 1, 3-26-08; Ord 12-61, § 1, 11-7-12; Ord 15-67, 12-2-15; Ord 15-70, 12-9-15)

Note— Former § 293.11. See editor's note, § 293.06.

- (B) Air Quality. Solid or liquid particulates shall not be emitted at any point in concentrations or amounts exceeding limitations established and adopted by the Minnesota Pollution Control Agency.
- (C) Vibration. No development activity or operation shall at any time cause earth vibrations perceptible beyond the limits of the site on which the operation is located.
- (D) Wastes.
- (1) PCA Regulations. All regulations developed for the control of hazardous wastes by the Minnesota Pollution Control Agency shall apply to activities taking place within the City.
 - (2) Sewer. Any premises used for human occupancy shall be provided with a method of sewage disposal acceptable to and maintained in accordance with City requirements.
 - (3) Solid Waste. All solid waste material, debris, refuse or garbage shall be kept within a completely enclosed building or properly stored in a closed container designed for such purpose and properly screened.

209.020 Noise.

- (A) Definitions. Except as provided in Section 202, words or phrases used in this section and defined in the Minnesota Pollution Control Agency Noise Pollution Control regulations shall have the meaning given in those regulations.
- (B) Prohibited Noise. No person shall make or cause to be made any distinctly and loudly audible noise that unreasonably annoys, disturbs, injures or endangers the comfort, repose, health, peace, safety or welfare of any person or precludes his/her enjoyment of property or affects his/her property's value. This general prohibition is not limited by the specific restrictions of the following subdivisions.
- (1) Motor Vehicles. No person shall operate a motor vehicle in the City in violation of the motor vehicle noise limits of the Minnesota Pollution Control Agency.

- (2) Horns and Audible Signaling Devices. No person shall sound any signaling device on any vehicle except as a warning of danger.
- (3) Engine Exhausts. No person shall discharge the exhaust or permit the discharge of exhaust of any steam engine, stationary internal combustion engine, motor boat, motor vehicle or snowmobile except through a muffler or other device that effectively prevents loud or explosive noises therefrom and complies with all applicable State laws and regulations.
- (4) Defective Vehicles or Loads. No person shall use any vehicle so out of repair or so loaded as to create loud and unnecessary grating, grinding, rattling or other noise.
- (5) Sound Amplification Devices. No person shall use or operate or permit the use or operation of any radio receiving set, musical instrument, phonograph, paging system, machine or other device for the production or reproduction of sound in a distinctly and loudly audible manner as to disturb the peace, quiet and comfort of any person nearby. Operation of any such set, instrument, phonograph, machine or other device between the hours of 10:00 p.m. and 7:00 a.m. in such a manner as to be plainly audible at the property line of the structure or building in which it is located, in the hallway or apartment adjacent, or at a distance of 50 feet if the source is located outside a structure or building shall be prima facie evidence of a violation of this section.
- (6) Social Gatherings. No person shall participate in any party or other gathering of people giving rise to noise which disturbs the peace, quiet or repose of the occupants of adjoining or other property. When a police officer determines that a gathering is creating such a noise disturbance, the officer shall order all persons present, other than the owner or tenant of the premises where the disturbance is occurring, to disperse immediately. No person shall refuse to leave after being ordered by a police officer to do so. Every owner or tenants of such premises who has knowledge of the disturbance shall cooperate with police officers and shall make every reasonable effort to see that the disturbance is abated.

- (7) Loudspeakers. No person shall operate or permit the use or operation of any loudspeaker, sound amplifier or other device for the production or reproduction of sound on a street or other public place for the purpose of commercial advertising or attracting the attention of the public to any commercial establishment.
- (8) Animals. No person shall keep any animal that disturbs the comfort or repose of persons in the vicinity by its frequent or continued noise.
- (9) Schools, Churches and Hospitals. No person shall create any excessive noise on a street, alley or public grounds adjacent to any school, institution of learning, church or hospital when the noise unreasonably interferes with the working of the institution or disturbs or unduly annoys its occupants or residents and when conspicuous signs indicate the presence of such institution.

(C) Hourly Restriction of Certain Operations.

- (1) Recreational Vehicles. Except for emergency purposes, no person shall drive or operate any minibike, snowmobile or other recreational vehicle not licensed for travel on public highways between the hours of 10:00 p.m. and 8:00 a.m.
- (2) Domestic Power Equipment. No person shall operate a power lawnmower, power hedge clipper, chain saw, mulcher, garden tiller, edger, power device for bug eradication, drill or other similar domestic power maintenance equipment except between the hours of 8:00 a.m. and 10:00 p.m. Snow removal equipment is exempt from this provision.
- (3) Refuse Hauling. No person shall collect or remove garbage or refuse in any residential district except between the hours of 6:00 a.m. and 6:00 p.m. on Monday through Saturday.
- (4) Construction Activities. No person shall engage in or permit construction activities involving the use of any kind of electric, diesel or gas-powered machine or other power equipment except between the hours of 7:00 a.m. and 9:00

p.m. on any weekday or between the hours of 8:00 a.m. and 9:00 p.m. on any weekend or holiday.

- (5) Consumer Fireworks. No person shall discharge any consumer firework except between the hours of 8:00 a.m. and 10:00 p.m.

(D) Receiving Land Use Standards.

- (1) Maximum Noise Levels by Receiving Land Use Districts. No person shall operate or cause or permit to be operated any source of noise in such a manner as to create a noise level exceeding the limit set in Table 1 for the receiving land use category specified when measured at or within the property line of the receiving land use. The limits of the most restrictive district shall apply at the boundaries between different land use categories. The determination of land use shall be by its zoned designation.

TABLE 1 - Sound Levels by Receiving Land Use Districts

<u>Land Use Districts</u>	<u>Day</u>		<u>Night</u>	
	<u>(7:00 a.m.-10:00 p.m.)</u>		<u>(10:00 p.m.-7:00 a.m.)</u>	
	<u>L10</u>	<u>L50</u>	<u>L10</u>	<u>L50</u>
Residential	65	60	55	50
Commercial	70	65	70	65
Industrial	80	85	80	75

- (2) Exemptions. The levels prescribed in Section 209.020(D)(1) do not apply to noise originating on public streets and alleys but such noise shall be subject to other applicable sections of this ordinance.

(E) Air Circulation Devices.

- (1) No person shall permanently install or place any air circulation device, except a window air conditioning unit, in any outdoor location until the City Manager or his/her designee determines that the device in that location will comply with the noise level standards prescribed in this section and issues a permit for the installation. Air circulation devices, except a window air conditioning unit, shall comply with the following setback and sound buffering requirements:

- (a) Air circulation devices shall be located at least 10 feet from all property lines.
 - (b) Air circulation devices shall be located at least 30 feet from an adjoining residence, except a separation of as little as 20 feet may be permitted if a sound buffer is provided as approved by the City Manager or his/her designee.
 - (c) Sound buffers shall consist of evergreen plantings, a retaining wall, fence, and/or on-site structure such as a garage or a portion of the dwelling.
- (2) The noise produced by any window unit and by any existing air circulation device shall be attenuated by means deemed appropriate by the City Manager or his/her designee, including but not limited to, relocation of such device if the noise results in or contributes to a violation of this section.
- (F) Exception for Emergency Work. Noise created exclusively in the performance of emergency work to preserve the public health, safety or welfare, or in the performance of emergency work necessary to restore a public service or eliminate a public hazard shall be exempt from the provisions of this ordinance for a period not to exceed 24 hours after the work is commenced. Persons responsible for such work shall inform the City Manager or his/her designee of the need to initiate such work or, if the work is commenced during non-business hours of the City, at the beginning of business hours of the first business day thereafter. Any person responsible for such emergency work shall take all reasonable actions to minimize the amount of noise.
- (G) Enforcement.
- (1) Testing Procedures. The City Manager or his/her designee shall adopt guidelines establishing the test procedures and instrumentation to be used in enforcing the provisions of this section imposing noise standards. A copy of such guidelines shall be kept on file in the office of the City Manager or his/her designee and shall be available to the public for reference during office hours. Noise shall be

measured on any property line of the tract on which the operation is located.

- (2) Studies. The City Manager or his/her designee shall conduct such research, monitoring and other studies related to sound as are necessary or useful in enforcing this ordinance and reducing noise in the City. He/she shall make such investigations and inspections in accordance with law as required in applying the provisions of this chapter.
- (3) Noise Impact Statements. The City Manager or his/her designee may require any person applying to the City for a change in zoning classification or a permit or license for any structure, operation, process, installation, or alteration or project that may be considered a potential noise source to submit a noise impact statement in a form acceptable to the Officer. He/she shall evaluate each such statement and make appropriate recommendations to the City Council or other agency or officer authorized to take the action or approve the license or permit applied for.
- (4) Notice of Certain Violations. When the City Manager or his/her designee or the City's law enforcement agency determines that a noise exceeds the maximum sound level permitted under this section, he shall give written notice of the violation to the owner or occupant of the premises where the noise originates and shall order such person to correct or remove each specified violation.

209.030 Energy Use

- (A) Energy Efficiency. Builders and developers have the responsibility of designing and constructing new buildings which are energy efficient. They should demonstrate their programs for incorporating active and passive solar energy systems in new buildings, installing energy-efficient appliances and lighting systems, and using exterior landscaping to reduce the energy demands of new construction.

2801. NOISE ORDINANCE

2801.010. DEFINITIONS. The following words and terms when used in this Ordinance shall have the following meanings unless the context clearly indicates otherwise:

City Official - Any duly authorized representative of the City as designated by the City Council.

Highway - Any street, road or public way in the City.

L10 Level - The noise level, expressed in dBA, which is exceeded ten percent (10%) of the time for a one (1) hour survey, as measured by test procedures approved by the City Official.

Motor Vehicle - Any self-propelled vehicle not operated exclusively upon railroad tracks and any vehicle propelled or drawn by a self-propelled vehicle except snowmobiles.

Noise - Any sound which annoys or disturbs humans or which causes or tends to cause an adverse psychological or physiological effect on humans.

Noise Level - See sound level.

Person - An individual, firm, partnership, corporation, trustee, association, the state and its agencies and subdivisions, or any body of persons whether incorporated or not. And with respect to act prohibited or required herein, person shall include employees and licensees.

Sound Level (Noise Level) - The A-weighted sound pressure level, expressed in dBA, obtained by use of a sound-level meter having characteristics as specified in the American National Standards Institutes (ANSI) Standard SI-4-1961.

Sound Pressure Level (SPL) - Expressed in decibels (dB), is twenty (20) times the logarithm to the base ten of the ratio of the observed sound pressure to a reference pressure of twenty (20) micropascals.

2801.020. FEDERAL OCCUPATIONAL SAFETY AND HEALTH ACT. The following regulation is hereby adopted by reference and incorporated herein: Federal Occupational Safety and Health Act, Title 29 - Labor, Code of Federal Regulations, Chapter XVII (Occupational Safety and Health Administration, Department of Labor). Part 1910 (Occupational Safety and Health Standards). Subpart G (Occupational Health and Environmental Control). Section 1910.95 (Occupational Noise Exposure) June 27, 1974.

2801.030. MOTOR VEHICLE NOISE LIMITS. The Minnesota Pollution Control Agency, Noise Pollution Control Section, NPC-4, Motor Vehicle Noise Limits, are hereby adopted by reference and incorporated herein.

2801.040. NOISE SOURCE REQUIREMENTS.

(A) A noise source (excluding motor vehicles operating on public highways, locomotives and railroad cars, snowmobiles, construction equipment at construction sites, maintenance of utility easements, and snow plowing) within the following zoning districts (as defined in this Code), shall not exceed the L10 noise levels set forth below.

1. Industrial Zoning Districts (which may include but are not necessarily limited to foundries, plastics extrusion, heavy-equipment repair, metal treating, cement handling, concrete products, excavation processes, junk-car disposal, or any other manufacturing concern) -- 70 dBA as measured on the property line of the source.
2. Business, Commercial Zoning Districts (which may include but are not necessarily limited to service stations, motels, restaurants, blue printers, lumber yards, dry cleaners, experimental laboratories, schools, car washes, and open sales lots) -- 65 dBA as measured on the property line of the source.
3. Residential Zoning District (which may include but is not limited to single-family dwellings, private schools, day-care centers, private garages, permitted home occupations, churches, public stables, multiple dwellings, and retail shops) -- 60 dBA in the daytime (7 a.m. to 10 p.m.) and 50 dBA in the nighttime (10 p.m. to 7 a.m.) as measured on the property line of the source.

(B) In the event that the property on which an industrial, business or commercial noise source is located abuts residential property, the noise source in question shall not exceed an L10 noise level of 60 dBA in the daytime (7 a.m. to 10 p.m.) and an L10 noise level of 50 dBA in the nighttime (10 p.m. to 7 a.m.) as measured on the property line abutting the source.

(C) Construction equipment, which may include but is not necessarily limited to front loaders, graders, cranes, pumps, saws, and generators, being operated at a construction site shall not exceed an L10 noise level of 85 dBA at a distance of 50 feet. See Section 2801.090 of this Chapter for hours of operation.

2801.050. GENERAL TESTING AND MEASUREMENT PROCEDURES. The City Official shall adopt guidelines establishing the test procedures and instrumentation to be utilized, and a copy of such guidelines shall be kept on file in the office of the City Administrator.

2801.060. NOISE IMPACT STATEMENTS. The City Official may require noise impact statements in association with, but not limited to, changes in zoning classifications; and planning of a structure or any operation, process, installation or alteration which may be considered as a potential noise source.

2801.070. CENTRAL AIR CONDITIONING EQUIPMENT. The City Official must approve the location of new installations of central air conditioning plants or equipment which are exterior to a building. If the City Official determines that it is impossible to position a central air conditioning unit an acceptable distance from adjacent properties, then an alternate method of

compliance shall be approved screening or buffering which will meet the requirements of Section 2801.040 of this Chapter.

2801.080. SNOWMOBILE REQUIREMENTS.

(A) Every snowmobile shall be equipped with a muffler in good working order, good repair, and in constant operation to prevent excessive or unnecessary noise.

(B) No snowmobile manufactured on or after June 30, 1970, and before February 1, 1972, shall be sold or offered for sale unless it is equipped with a muffler which limits engine noise to not more than 86 decibels on the A-scale (dBA) at 50 feet.

(C) No snowmobile manufactured on or after February 1, 1972, shall be sold or offered for sale unless it is equipped with a muffler which limits engine noise to not more than 82 decibels on the A-scale (dBA) at 50 feet.

(D) No snowmobile manufactured on or after April 1, 1975, for sale in Minnesota, except a snowmobile designed for competition purposes only, shall be sold or offered for sale unless it is so equipped that overall noise emission does not exceed 78 decibels on the A-scale at 50 feet.

(E) No snowmobile manufactured on or after July 1, 1976, for sale in Minnesota, except a snowmobile designed for competition purpose only, shall be sold or offered for sale unless it is so equipped that overall noise emission does not exceed 73 decibels on the A-scale at 50 feet.

(F) At a time when the state of the art of noise control technology permits and after promulgation of a regulation in the manner prescribed by law, the standard for snowmobile noise shall not exceed 60 decibels on the A-scale at 50 feet.

(G) No person shall modify, alter, or repair a snowmobile or its exhaust system in any manner that shall amplify or otherwise increase total engine noise above that emitted by the snowmobile as originally equipped regardless of date of manufacture.

2801.090. OPERATIONAL LIMITS.

(A) **Recreational Motor Vehicles.** No person shall operate any recreational motor vehicles at any time other than between the hours of 9 a.m. and 10 p.m. Sundays through Thursdays and between the hours of 9 a.m. and 1 a.m. Fridays and Saturdays and evenings before holidays.

(B) **Outdoor Power Implements.** No person shall operate any outdoor power implement, including but not limited to power lawn mowers, snowblowers, power hedge clippers, or such other implements designed primarily for outdoor use, at any time other than between the hours of 7 a.m. and 10 p.m. on weekdays and 9 a.m. on weekends and holidays.

(C) Construction Activities. No person shall engage in, permit, or allow construction activities involving the use of power equipment, including but not limited to any kind of electric, diesel, or gas powered machine, on Sundays or at any time other than between the hours of 7 a.m. and 10 p.m. on weekdays and 9 a.m. and 9 p.m. on Saturdays. Construction activities which can meet the requirements outlined in Section 2801.040 are exempt from the operating limits of this paragraph.

(D) Refuse Hauling. All vehicles licensed in the City for hauling refuse shall limit their hours of operation as follows:

1. In residential zones, or any property in any zoning district that immediately abuts a residential zone, from 7 a.m. to 10 p.m. on weekdays and from 9 a.m. to 9 p.m. on weekends.
2. In all other zones, the hours of operation for the hauling of refuse shall be unrestricted unless a public nuisance is declared as defined in Section 2801.100 of this Code.
3. In the event that a nuisance is declared, the hours of pick-up in all zones other than residential shall be limited to those allowed in residential zones.

(E) Emergency Exceptions. Situations wherein immediate work is necessary to restore property to a safe condition or when immediate work is required to protect persons or property from eminent exposure to danger are exempt from operational limits.

2801.100. PUBLIC NUISANCE NOISES PROHIBITED. It shall be unlawful for any person to make, continue, or cause to be made or continued any loud, unnecessary, or unusual noise or any noise which either annoys, disturbs, injures, or endangers the comfort, repose, health, peace, or safety of others within the limits of the City. The following acts, among others, are declared to be nuisance noises in violation of this Article but said enumeration shall not be deemed to be exclusive.

- (1) Horns, Signaling Devices, Etc.
 - a. The intentional sounding of any horn or signaling device on any automobile, motorcycle, or other vehicle on any street, public place or private property within the City except as a danger warning;
 - b. The creation by means of any such signaling device of any unreasonably loud or harsh sound;
 - c. The intentional sounding of any such device for an unnecessary and unreasonable period of time;

- d. The use of any signaling device except one operated by hand or electricity;
- e. The use of any horn, whistle, or other device operated by engine exhaust.

(2) Radios, Phonographs, Etc. The use, operation or permitting the playing, use or operation of any radio receiving set, musical instrument, sound in such manner as to disturb the peace, quiet and comfort of the neighboring inhabitants or at any time at a louder volume than is necessary for convenient hearing for the person or persons who are in the room, vehicle or chamber in which such machine or device is operated and who are voluntary listeners thereto.

(3) Loud Speakers, Amplifiers for Advertising, Etc. The use, operation or permitting the playing, use or operation of any radio receiving set, musical instrument, phonograph, loud speaker, sound amplifier, or other machine or device for the production or reproduction of sound which is cast upon the public streets for the purpose of commercial advertising or attracting the attention of the public to any building or structure, except as may be licensed by the City.

(4) Yelling, Shouting, Etc. Shouting, hooting, whistling or singing on the public streets particularly between the hours of 10 p.m. and 7 a.m. or at any time or place so as to annoy or disturb the quiet, comfort, or repose of persons in any office, dwelling, hotel, or other type of residence, or of any persons in the vicinity.

(5) Animals, Birds, Etc. The keeping of any animal or bird which by emitting frequent or long continued noise shall disturb the comfort or repose of any persons in the vicinity.

(6) Whistles. The blowing of any locomotive whistle or whistle attached to any stationary boiler except:

- a. To give notice of the time to begin or stop work;
- b. To give warning of fire or danger; or
- c. Upon request of proper City Authorities.

(7) Exhaust.

- a. The discharge into the open air of the exhaust of any steam engine, stationary internal combustion engine, motor boat, or motor vehicle except through a muffler or other device which will effectively prevent loud or explosive noises therefrom.
- b. Mufflers of the type commonly known as "Hollywood Mufflers" shall not be permitted.

(8) Defective Vehicles or Loads. The use of any automobile, motorcycle, or vehicle

so out of repair or so loaded in such manner as to create loud and unnecessary grating, grinding, rattling or other noise.

(9) Loading, Unloading, Unpacking, Etc. The creation of a loud and excessive noise in connection with loading, unloading, or unpacking of any vehicle.

(10) Noises Near Schools, Courts, Churches or Hospitals. The creation of any excessive noise on any streets adjacent to any school, institution of learning, church, court or hospital while the same is in use which unreasonably interferes with the workings of such institution, or which disturbs or unduly annoys patients in the hospital, provided that conspicuous signs are displayed in such streets indicating that the same is a school, hospital, church or court street.

2801.110. EXCEPTIONS. It is recognized that under certain circumstances it would be impossible for a noise source to comply with the provisions of Section 2801.040 of this Chapter due to economic or technological reasons. In cases such as this, application for an exception may be made in writing to the City Official. The application shall contain the following pertinent information:

- a. Dates for exception requested;
- b. Location of particular noise source and times of operation;
- c. Equipment involved;
- d. Necessity for request of exception;
- e. Steps taken to minimize noise level from source; and
- f. Names of responsible persons.

The City shall notify by mail all property owners within five hundred (500) feet of the source in question of the requested exception. Applications will be reviewed by the City Official, and a decision to approve or deny the exception will be made in writing to the responsible persons within twenty (20) days of receipt.

2801.120. APPEAL OF EXCEPTION PROCESS. The decision made by the City Official concerning the exception request may be appealed to the City Council within ten (10) days after receiving the City Official's written decision. The appeal shall be filed in writing with the City Administrator who shall schedule a hearing before the City Council as soon as possible. A written report shall accompany the request for appeal. The report shall contain pertinent information which would adequately justify the request for an exception.

(Source: Ord. 171, 732)

ARTICLE II. - NOISE CONTROL

City of Vadnais Heights

Sec. 22-33. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Air circulation device means a mechanism designed and used for the controlled flow of air used in ventilation, cooling or conditioning, including, but not limited to, central and window air conditioning.

L+10 means the sound level expressed in decibels (DBA) which is exceeded ten percent of the time for a one-hour period, as measured by a sound level meter having characteristics as specified in the latest standards, S1.4, of the American National Standards Institute and using test procedures approved by the noise control officer.

L+50 means the sound level expressed in decibels (DBA) which is exceeded 50 percent of the time for a one-hour period, as measured by a sound level meter having characteristics as specified in the latest standards, S1.4, of the American National Standards Institute and using test procedures approved by the noise control officer.

Noise control officer means the law enforcement agency or person designated by the city council.

(Code 1999, § 186.010; Ord. No. 300, 7-19-1983)

Sec. 22-34. - Noises prohibited.

No person shall make, or cause to be made, any distinctly and loudly audible noise that unreasonably annoys, disturbs, injures or endangers the comfort, repose, health, peace, safety or welfare of any person or precludes their enjoyment of property or affects their property value. This general prohibition is not limited by the specific restrictions of the following subdivisions:

- (1) *Motor vehicles.* No person shall operate a motor vehicle in the city in violation of the motor vehicle noise limits of the state pollution control agency.
- (2) *Horns, signaling devices, etc.* No person shall sound any signaling device on any vehicle except as a warning of danger.
- (3) *Exhaust discharge.* No person shall discharge the exhaust or permit the discharge of the exhaust of any steam engine, stationery internal combustion engine, motor boat, motor vehicle or snowmobile except through a muffler or other device that effectively prevents loud or explosive noises therefrom and complies with all applicable state laws and regulations.
- (4) *Social gatherings.* No person shall participate in any party or other gatherings of people giving rise to noise which disturbs the peace, quiet or repose of the occupants of adjoining or other property. When a police officer determines that a gathering is creating such a noise disturbance, the officer shall order all persons present, other than the owner or tenant of the premises where the disturbance is occurring, to disperse immediately. Every owner or tenant of such premises shall cooperate with the police officer and shall make every reasonable effort to abate the disturbance.
- (5) *Loudspeakers, amplifiers for advertising, etc.* No person shall operate or permit the use or operation of any loudspeaker, sound amplifier or other device for the production or reproduction of sound which is cast upon the public streets for the purpose of commercial advertising or attracting the attention of the public to any building or structure, except as may be licensed by the city.

- (6) *Animals.* No person shall keep any animal that disturbs the comfort or repose of persons in the vicinity by its frequent or continual noise.
- (7) *Schools, churches, hospitals, etc.* No person shall create any excessive noise on a street, alley or public grounds adjacent to any school, institution of learning or church or hospital when it unreasonably interferes with the working of the institution or disturbs or unduly annoys its occupants or residents and when conspicuous signs indicate the presence of such institution.

(Code 1999, § 186.020; Ord. No. 300, 7-19-1983)

Sec. 22-35. - Hourly restrictions on certain operations.

- (a) *Refuse hauling.* No person shall collect or remove garbage or refuse in any residential district except between the hours of 7:00 a.m. and 7:00 p.m. on Wednesday of each week. The date may vary during a week with a holiday.
- (b) *Domestic power equipment.* No person shall operate a power mower, edger, power device for bug eradication, drill or other similar domestic power equipment except between the weekday hours of 7:00 a.m. and 10:00 p.m. and 8:00 a.m. to 10:00 p.m. on weekends and holidays unless the noise level of equipment is within the sound level set forth in section 22-36(a).
- (c) *Construction activities.* No person shall engage, permit or allow construction activities involving the use of electric, gas or diesel powered machines or other power equipment except between the hours of 7:00 a.m. and 7:00 p.m. on any weekday or between the hours of 9:00 a.m. and 9:00 p.m. on weekends or holidays unless the noise level of equipment is within the sound level set forth in section 22-36(a).
- (d) *Recreational vehicles.* No person shall, between the hours of 10:00 p.m. and 8:00 a.m., drive or operate any mini bike or other recreational vehicle not licensed for travel on public highways.
- (e) *Snow removal equipment.* Snow removal equipment is exempt from the above hourly restrictions.

(Code 1999, § 186.030; Ord. No. 300, 7-19-1983)

Sec. 22-36. - Land use standards.

- (a) *Maximum noise levels by land use districts.* No person shall operate or cause or permit to be operated any source of noise in such manner as to create a noise level exceeding the limit set in Table I for the land use category specified when measured at or within the property line of the land use.

Table I Sound Levels by Land Use District

	Day (7:00 a.m. to 7:00 p.m.)	Night (7:00 p.m. to 7:00 a.m.)
Zoning districts	L10—L50	L10—L50
Residential/wetlands	65—60	55—50
Commercial/office	70—65	70—65

Industrial	80—75	80—75
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The limits of the most restrictive district shall apply at the boundaries between different land use categories.

- (b) *Exemptions.* The levels prescribed in Table I do not apply to noise originating on public streets and alleys, but such noise shall be subject to other applicable sections of this chapter.

(Code 1999, § 186.040; Ord. No. 300, 7-19-1983)

Sec. 22-37. - Air circulation devices.

No person shall permanently install or place any air circulation device, except a window air conditioning unit, in any outdoor location until the noise control officer determines that the device in that location will comply with the noise level standards prescribed in Table I and issues a permit for the installation.

(Code 1999, § 186.050; Ord. No. 300, 7-19-1983)

Sec. 22-38. - Exception for emergency work.

Noise created exclusively in the performance of emergency work to preserve the public health, safety or welfare, or in the performance of emergency work necessary to restore public service or eliminate a public hazard shall be exempt from the provisions of this chapter for a period not to exceed 24 hours after the work has commenced. Persons responsible for such work shall inform the noise control officer of the need to initiate such work. All persons responsible for such emergency work shall take all caution to minimize the amount of noise.

(Code 1999, § 186.060; Ord. No. 300, 7-19-1983)

Sec. 22-39. - Testing procedures.

- (a) *Guidelines.* The noise control officer shall adopt guidelines establishing the test procedures and instrumentation to be used in enforcing the provisions of Table I of the land use districts imposing noise standards. A copy of such guidelines shall be kept on file in the office of the noise control officer and shall be available to the public for reference during office hours.
- (b) *Research.* The noise control officer shall conduct such research, monitoring and other studies related to sound as necessary to properly enforce this chapter and to reduce noise in the city.

(Code 1999, § 186.070; Ord. No. 300, 7-19-1983)

Sec. 22-40. - Variance procedures.

- (a) *Application.* Any person seeking a variance shall file an application with the city clerk on a form prescribed by him.

- (b) *Noise control officer.* The noise control officer shall have the authority consistent with this chapter to grant variances from the requirements of any section of this chapter.
- (c) *Appeals.* Either the applicant or any party aggrieved may, within 20 days of the decisions of the noise control officer, appeal to the city council for a review and public hearing of the decision. The city clerk shall give a seven-day notice to all affected property owners within 150 feet of the proposed variance. Within 30 days of the receipt of the proposed variance application, the city council shall approve or deny the application.

(Code 1999, § 186.080; Ord. No. 300, 7-19-1983)

Sec. 22-41. - Enforcement.

When the noise control officer determines that a violation of this chapter has occurred, he shall give written notice of the violation, ordering the owner or occupant or persons of the premises where the noise originates to correct or remove each specified violation within a reasonable time as prescribed in the notice.

(Code 1999, § 186.090; Ord. No. 300, 7-19-1983)

Sec. 22-42. - Criminal penalties.

Any violation of this chapter involving a motor vehicle is a petty misdemeanor punishable by a fine not to exceed \$200.00. All other violations are subject to section 1-14.

(Code 1999, § 186.100; Ord. No. 300, 7-19-1983)

Secs. 22-43—22-72. - Reserved.

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The City That Soars!

REQUEST FOR COUNCIL ACTION

Meeting Date	July 1, 2020
Agenda Item	Policy D7
Attachment	See Below
Submitted By	Sack Thongvanh, City Administrator

Item	Community Park Building Inspection Report
Description	The City Administrator will provide an update on the use of the Community Park Building and results of the inspection report conducted by Bolton and Menk.
Budget Impact	N/A
Attachment(s)	<ul style="list-style-type: none"> Bolton Menk Inspection Report
Action(s) Requested	Staff is looking for direction on how to proceed.

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**BOLTON
& MENK**

Real People. Real Solutions.

City of Falcon Heights

2020 Inspection Report

Community Park Building



Submitted by:

Bolton & Menk, Inc.
12224 Nicollet Ave
Burnsville, MN 55337
P: (952) 890-0509

Certification

Structural Inspection Report

For

Community Park Building

City of Falcon Heights
2050 Roselawn Ave, Falcon Heights, MN 55113
T46.121430

6-10-2020

I hereby certify that this plan, specification or report was prepared by me or under my direct supervision, and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota.

By:



David J. Stark, P.E.
License No. 52632

Date: June 10, 2020

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Appendix

Appendix A: Photographs

Appendix B: Budgetary Cost Estimate

I. EXECUTIVE SUMMARY

A. General Information

Owner: City of Falcon Heights
Name: Community Park Building
Description: CMU and Wood Framed Park Shelter
Status: In Service

B. Inspection Information

Inspection Date: 05-13-2020
Previous Inspection Date: N/A
Inspected by: Gideon Bode, EIT, and David Stark, PE
BMI Project No.: T46.121430

C. Recommended Course(s) of Action

- No Action Required
- Implement Maintenance Repairs
- Perform Additional Inspections
- Perform Engineering Analysis
- Develop Remedial Design & Details
- Further Investigation Required

D. Contact Information

Bolton & Menk, Inc.
David Stark
Structural Project Engineer
(952) 890-0509
david.stark@bolton-menk.com

II. BACKGROUND

Bolton & Menk, Inc. (BMI) was retained by the City of Falcon Heights to perform a structural inspection of the existing community park building.

The site location is 2050 Roselawn Ave, Falcon Heights, MN 55113. Access to the property was granted by Tim Pittman, Public Works & Parks Director. The inspection was documented on May 13, 2020 by Gideon Bode, EIT and David Stark, PE of BMI.

III. PURPOSE

At the request of the City of Falcon Heights, a detailed inspection was conducted to assess the structure to identify structural deficiencies and maintenance requirements as needed.

IV. SCOPE OF INSPECTION

The inspection of the structure consisted of visual observations during a single site visit. The foundation below grade was not visible and therefore not included in the scope of investigation. No material testing was conducted to determine the mechanical properties of the materials used in construction of the structure.

V. DISCUSSION OF FINDINGS

The following provides commentary on the general observations throughout the structure and structural findings and recommendations. An overall visual of the site can be found on the Cover Page and Appendix A. Each picture in Appendix A has an assigned number that reflects the *Structural Findings* and *Non-Structural Observations*. S1 indicates *Structural Finding 1* and N1 indicates *Non-Structural Observation 1*.

General Observations

The wood siding all had paint flaking on the exterior of the building. The base of the wood siding at the interface of the masonry had water damage throughout the building exterior. The exterior masonry was discolored throughout the building. Weep holes at the base of the masonry exterior were plugged throughout the building. Step cracking was observed at the corners of the building. In addition, several exterior doors would not close without force indicating the building has shifted. Also, the exterior slabs near the South and West corners of the building were cracked and uplifted.

Structural Findings and Recommendations

Exterior – Northwest Side

- 1) The caulking above the entry door was deteriorating.
 - Recommendation: Remove all hard, loose, cracked, and deteriorating caulk and fill with caulk.
- 2) The left corner wood siding appeared to be bowing from water damage.
 - Recommendation: Replace the wood siding.
- 3) Masonry mortar was broken up in various locations.
 - Recommendation: Repair mortar via tuckpointing. Refer to Conclusions and Recommendations section.
- 4) The wood siding at the masonry interface appeared to have water damage.

- Recommendation: Replace damaged wood siding.
- 5) The weep holes at the base of the masonry were plugged at various locations along the wall.
 - Recommendation: Unplug the weep holes. Replace damaged or missing weep wicks.
 - 6) The upper half of the wood siding with windows had ceiling panels deflecting.
 - Recommendation: Replace the ceiling panels.
 - 7) The upper half of the wood siding appeared to have cracked and broken up caulking along the windows.
 - Recommendation: Remove all hard, loose, and cracked caulk and fill with caulk.
 - 8) The wood trim boards above the right of the entrance had cracked and broken up caulking creating a gap between the trim and masonry.
 - Recommendation: Remove all hard, loose, and cracked caulk and fill with caulk.
 - 9) Paint flaking was visible on the entire wood siding.
 - Recommendation: Clean and paint the wood siding.
 - 10) Deflection of the soffit was visible standing underneath the overhang.
 - Recommendation: Replace the soffit panels.
 - 11) The West corner had masonry broken out at the base.
 - Recommendation: Remove loose and broken masonry. Refer to Conclusions and Recommendation section for masonry repair/replacement.
 - 12) The West corner had an 1/8-inch wide, 5-ft long crack along the foundation.
 - Recommendation: Fill cracks with Sikadur Crack Fix. Follow manufacturer instructions for application.
 - 13) The West corner had an 1/8-inch wide, 14-inch long crack at the top of the masonry wall.
 - Recommendation: Repair crack via tuckpointing.
 - 14) The caulking was cracked under the window frames at the west corner.
 - Recommendation: Remove all hard, loose, and cracked caulk and fill with caulk.

Exterior – Southwest Side

- 15) The windows had cracked caulking.
 - Recommendation: Remove all hard, loose, and cracked caulk and fill with caulk.
- 16) Masonry mortar was broken up and had step cracking in various locations.
 - Recommendation: Repair mortar and step cracking via tuckpointing. Refer to Conclusions and Recommendations section.

- 17) The expansion joints had cracking underneath the windows.
 - Recommendation: Remove all hard, loose, and cracked caulk and fill with caulk.
- 18) A gap was visible between the corner wood trim boards.
 - Recommendation: Fasten trim boards and remove all hard, loose, and cracked caulk and fill with caulk.
- 19) The dormer appeared to have water damage and siding deflection.
 - Recommendation: Clean and replace damaged and/or deflected siding.
- 20) Paint flaking was visible on the entire wood siding.
 - Recommendation: Paint the wood siding.
- 21) The West corner top of masonry had a breakout with an exposed anchor. The anchor had moderate corrosion.
 - Recommendation: Refer to Conclusions and Recommendations section below.
- 22) The West corner had a 1/8-inch wide step crack at the location of the breakout with exposed anchor.
 - Recommendation: Repair step cracking via tuckpointing. Refer to Conclusions and Recommendations section.
- 23) The West corner masonry foundation had multiple mortar breakouts.
 - Recommendation: Repair mortar via tuckpointing.
- 24) The West corner masonry at the base had spalling.
 - Recommendation: Remove loose and broken masonry and fill with grout.
- 25) The West corner had a 1/8-inch wide, 8-inch long crack at the base and top of the masonry.
 - Recommendation: Repair crack via tuckpointing.
- 26) The expansion joint under the window was cracked.
 - Recommendation: Remove all hard, loose, and cracked caulk and fill with caulk.
- 27) There was cracked caulking along the masonry.
 - Recommendation: Remove all hard, loose, and cracked caulk and fill with caulk.
- 28) There was cracked caulking of the wood paneling under the overhang.
 - Recommendation: Remove all hard, loose, and cracked caulk and fill with caulk.
- 29) The masonry foundation had cracks along the length of the wall.
 - Recommendation: Fill cracks with Sikadur Crack Fix. Follow manufacturer instructions for application.
- 30) There appeared to be water damage on the soffit wood panels.
 - Recommendation: Replace the soffit.

- 31) The South corner foundation had masonry breakout.
- Recommendation: Remove loose and broken masonry and fill with grout.
- 32) The South corner had damage to the concrete slab at the foundation.
- Recommendation: Remove loose, broken concrete slab and replace.
- 33) The South corner had step cracking throughout the wall. Multiple cracks went through the masonry unit while others followed the mortar joint. The cracks ranged from 1/8-inch – 1/4-inch wide. The lengths of the cracks varied from 5-inch – 15-inch.
- Recommendation: Repair step cracking via tuckpointing. For cracks through the masonry unit refer to Conclusions and Recommendations section below.

Exterior – Southeast Side

- 34) The wood siding and wood trim boards had a 1/4-inch gap.
- Recommendation: Fill with caulk.
- 35) The wood siding and masonry interface had caulking cracked throughout the wall.
- Recommendation: Remove all hard, loose, and cracked caulk and fill with caulk.
- 36) The wood trim boards had holes throughout the wall.
- Recommendation: Replace the trim boards.
- 37) The wood trim board over the entryway was cracked.
- Recommendation: Replace the cracked trim board.
- 38) The roof area appeared to have ceiling panel deflection.
- Recommendation: Replace the ceiling panel.
- 39) The concrete slab at the bottom left of the door was spalling.
- Recommendation: Patch the slab with QUIKRETE Vinyl Concrete Patcher. Follow manufacturer instructions for application.
- 40) The wall to the right of the door had an 1/8-inch wide, 8-inch long crack. The foundation at this location also had spalling.
- Recommendation: Repair crack via tuckpointing.
- 41) The wood trim board over the entry had a missing board and the trim boards appeared to be rotten.
- Recommendation: Replace the trim boards.
- 42) The foundation had mortar breakout.
- Recommendation: Repair mortar via tuckpointing.
- 43) Weep holes were plugged at various locations along the wall.
- Recommendation: Unplug the weep holes. Replace damaged or missing weep wicks.
- 44) The right side of the wall had step cracking of 1/8-inch – 1/4-inch wide, and varying lengths of 8-inches – 24-inches.

- Recommendation: Repair step cracking via tuckpointing. Refer to Conclusions and Recommendations section.

45) The East corner masonry at the foundation was cracked.

- Recommendation: Fill crack with Sikadur Crack Fix. Follow manufacturer instructions for application.

Exterior – Northeast Side

46) The bottom left corner had step cracking from the sliding window to the foundation corner. The cracks ranged from 1/8-inch – 1/4-inch wide and varied in lengths of 8-inches – 30-inches.

- Recommendation: Repair step cracking via tuckpointing. Refer to Conclusions and Recommendations section.

47) The soffit of the overhang was missing.

- Recommendation: Install missing soffit boards.

48) The truss ends resting on the top of the masonry all had bearing splits.

- Recommendation: Apply wood glue in the bearing split and install a board on each side of the bearing split with nails 4-inches on-center.

49) A wood joist was missing in the overhang.

- Recommendation: Install new wood joist.

50) Above the women's restroom was a 1/16-inch wide, 8-inch long crack.

- Recommendation: Repair crack via tuckpointing.

51) The wood trim boards had holes throughout the wall.

- Recommendation: Replace the trim boards.

52) A wood joist above the water foundation was cracked.

- Recommendation: Replace the wood joist.

53) Above the men's restroom entrance were multiple cracks with a 1/8-inch – 1/4-inch width, 8-inch length.

- Recommendation: Repair cracks via tuckpointing. Refer to Conclusions and Recommendations section.

54) The garage door opening had step cracking 1/16-inch wide on the left side of the opening.

- Recommendation: Repair step cracking via tuckpointing. Refer to Conclusions and Recommendations section.

55) The garage door opening had caulking cracks throughout.

- Recommendation: Remove all hard, loose, and cracked caulk and fill with caulk.

56) The underside of the lintel over the garage door opening has mortar missing.

- Recommendation: Repair/install mortar via tuckpointing. Refer to Conclusions and Recommendations section.

57) A wood joist above the garage door had a saw cut.

- Recommendation: Replace the wood joist.

58) The North corner had masonry breakout.

- Recommendation: Remove loose and broken masonry and fill with grout.

59) The north corner had a loose wood joist in the overhang.

- Recommendation: Fasten the wood joist to its supporting member.

60) The north corner had a cracked board connecting to the loose wood joist.

- Recommendation: Replace the cracked board.

61) Roof window flashing deflections throughout.

- Recommendation: Replace roof window flashing.

62) Step cracking at top of masonry.

- Recommendation: Repair step cracking via tuckpointing.

Interior – Storage Room

63) A ceiling panel had a slight deflection.

- Recommendation: Add additional fasteners to fasten panel tight to supporting member.

64) The wall between the storage room and men's restroom had an 1/8-inch gap in the masonry wall joint.

- Recommendation: Fill with caulk.

Interior – Main Room

65) The North vestibule had masonry cracks 1/16-inch – 1/8-inch wide, 8-inches long.

- Recommendation: Repair cracks via tuckpointing. Refer to Conclusions and Recommendations section.

66) The north and south vestibule door had gaps around the frame and the side panels were deflected.

- Recommendation: Seal gap with weather stripping and/or sealant.

67) The caulking was cracked throughout the vestibule corners.

- Recommendation: Remove all hard, loose, and cracked caulk and fill with caulk.

68) The south vestibule had a masonry crack 1/8-inch wide, 8-inch long.

- Recommendation: Repair crack via tuckpointing. Refer to Conclusions and Recommendations section.

69) The lintel on the east wall had a masonry crack 1/16-inch wide.

- Recommendation: Fill crack with Sikadur Crack Fix. Follow manufacturer instructions for application.

70) A ceiling panel was deflected in the middle of the room.

- Recommendation: Add additional fasteners to fasten panel tight to supporting member.

Interior – Restrooms

71) Women's restroom had an 1/8-inch wide crack throughout height of the wall in the corner.

- Recommendation: Repair crack via tuckpointing. Refer to Conclusions and Recommendations section.

Interior – Kitchen

72) The ceiling panel had a slight deflection.

- Recommendation: Add additional fasteners to fasten panel tight to supporting member.

Non-Structural Observations – Northwest Side

- 1) The light cover was missing above the door entry.
- 2) The concrete slab left of the door was spalled.
- 3) A window frame under the West corner was broken.
- 4) The storage shed had water damage on the sides.
- 5) The masonry was discolored at various locations along the wall.

Non-Structural Observations – Southwest Side

- 6) Door would not shut without force.
- 7) The windows had light corrosion on the inside tracks.
- 8) A window had a missing seal around the glass.
- 9) A window was broken and boarded up.
- 10) Pipe protruding from masonry had moderate corrosion.
- 11) The door hinge was broken off.
- 12) The bottom of the door was bent.
- 13) The roof area had two windows shattered.
- 14) The masonry was discolored at various locations along the wall.

Non-Structural Observations – Northeast Side

- 15) The men's restroom door does not close and has moderate to heavy corrosion on the frame.
- 16) The door to the storage room had moderate corrosion on the framing and a 1/4-inch gap on the bottom.

Non-Structural Observations – Interior Storage Room

- 17) The concrete slab had 1/16-inch – 1/8-inch wide cracks throughout the slab

Non-Structural Observations – Interior Attic

- 18) Mouse droppings were seen in various locations.

Non-Structural Observations – Interior Main Room

- 19) Windows were shattered on north side.
- 20) The bench on the northwest wall had two loose bolts.

- 21) The west corner had a lump in the flooring.
- 22) All air vents had deflections.
- 23) The southwest wall bench had a loose bolt on the 4th bracket from the left.
- 24) All windows near the ceiling had moisture in the windowpanes.
- 25) A trim board on the center column was deflected.

Non-Structural Observations - Kitchen

- 26) The sliding exterior window had a broken lock.
- 27) The cabinet in the east corner was pulled from the wall.

VI. CONCLUSIONS AND RECOMMENDATIONS

Based on our field observations the community park building appeared to have varying degrees of damage from foundation and slab movement. The damage corresponding to foundation and slab movement includes but is not limited to step cracking, masonry breakout, concrete slab uplift, and shattered windows.

Recommendations

It is recommended to tuckpoint all missing, cracked, and broken mortar. To repair the cracks along the masonry joint and through the masonry; clean with a wire brush, fill with a stained vinyl concrete patcher to match the color of the masonry, and follow the manufacturer's instructions for application.

There are three options to consider for repairing the masonry unit breakouts.

- 1) If the masonry unit appears to have minor breakouts, then remove any loose material and clean the masonry. After cleaning the masonry, patch with mortar or grout.
- 2) If the masonry unit has major breakout or is deteriorated, replace the masonry unit and any masonry units affected from the breakout. Clean the masonry and patch with mortar or grout.
- 3) If the masonry contains vertical reinforcement or is grouted, only the face shell of the unit may be able to be replaced. It is recommended to fill mortar on the back of the face shell to bond with the grout and surrounding masonry units.

It is recommended to replace the cracked and rotten wood trim boards on the exterior of the building to prevent further water damage. In addition, the base of the wood siding should be replaced due to water damage. The wood siding should be repainted throughout the building exterior to help protect and seal the wood against moisture.

Note that structural finding 41, the southeast siding trim board observed to be eaten/rotten away was only one board. The remaining trim boards were not removed. Based on the observed discoloration and distress on the remaining trim boards along the exterior perimeter of the building are assumed to be in a similar condition. Additional removal and investigation are recommended to verify the extent required to replace.

Remove all hard, loose, and cracked caulk and fill with caulk. If the areas requiring caulk are not repaired, air and water may cause structural issues. In addition, pests may deteriorate parts of the structure.

VII. DISCLAIMER AND QUALIFICATIONS

The opinions stated in this report are based on limited visual observations and no physical testing or investigations. No warranty is made, expressed or implied, that deficiencies, though not addressed in this report, may not exist.

Appendix A: Photographs

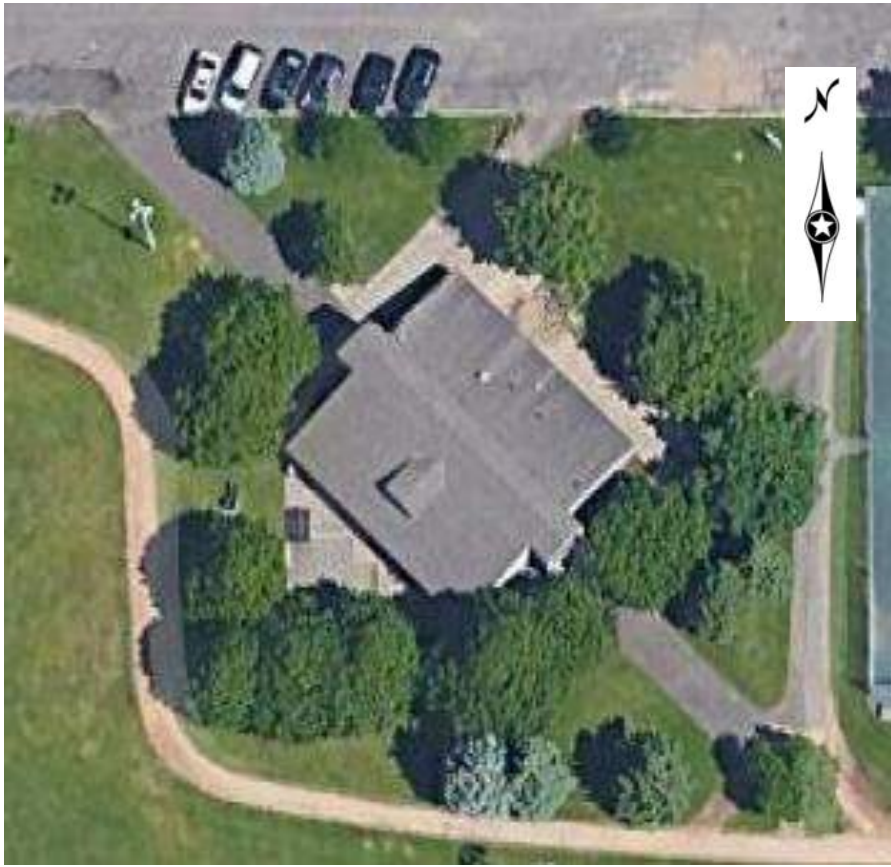


Figure 1 – Overview: Site



Figure 2 – Overview: North Corner



Figure 3 – Overview: Northeast Side



Figure 4 – Overview: Southeast Side



Figure 5 – Overview: Southwest Side



Figure 6 – Overview: Northwest Side



Figure 7 – Overview: Northwest Side



Figure 8 – S1: NW Side (Caulking)



Figure 9 – S2: NW Side (Siding Bowing)



Figure 10 – S3: NW Side (Broken Mortar)



Figure 11 – S3: NW Side (Broken Mortar)



Figure 12 – S4: NW Side (Damaged Siding)



Figure 13 - S5: NW Side (Weep Hole Plugged)



Figure 14 – S6 & S7: NW Side (Panel Deflection & Caulking)



Figure 15 – S8 & S9: NW Side (Caulking & Paint)



Figure 16 – S10: NW Side (Soffit Deflection)



Figure 17 – S11: NW Side (Broken Masonry)



Figure 18 – S12: NW Side (Foundation Crack)



Figure 19 - S13: NW Side (Masonry Crack)



Figure 20 - S14 & S15: NW Side (Caulking)



Figure 21 – S16: SW Side (Broken Mortar & Step Crack)



Figure 22 – S17: SW Side (Expansion Joint Caulking)



Figure 23 - S18: SW Side (Trim Board Gap)



Figure 24 - S19 & S20: SW Side (Water Damage & Paint Flaking)



Figure 25 – S21: SW Side (Exposed Anchor)



Figure 26 – S21 & S22: SW Side (Exposed Anchor & Masonry Breakout)



Figure 27 - S23: SW Side (Masonry Breakout)



Figure 28 - S24: SW Side (Masonry Spalling)



Figure 29 - S25: SW Side (Cracks)



Figure 30 - S26: SW Side (Caulking)



Figure 31 – S27: SW Side (Caulking)



Figure 32 – S28: SW Side (Caulking)



Figure 33 - S29: SW Side (Foundation Cracks)



Figure 34 - S30: SW Side (Soffit Water Damage)



Figure 35 – S31: SW Side (Masonry Breakout)



Figure 36 – S32: SW Side (Corner Damage)



Figure 37 – S33: SW Side (Step Cracking)



Figure 38 – S33: SW Side (Step Cracking)



Figure 39 – S33: SW Side (Step Cracking)



Figure 40 – S34, S35, & S36: SE Side (Gap, Caulking, & Holes)



Figure 41 - S37: SE Side (Cracked Trim Board)



Figure 42 - S38: SE Side (Ceiling Panel Deflection)



Figure 43 - S39: SE Side (Spalling Left of Door)



Figure 44 - S40: SE Side (Crack at Foundation)



Figure 45 – S41: SE Side (Missing Board & Rotten)



Figure 46 – S41: SE Side (Missing Board & Rotten)



Figure 47 - S42: SE Side (Mortar Breakout)



Figure 48 - S43: SE Side (Weep Holes Plugged)

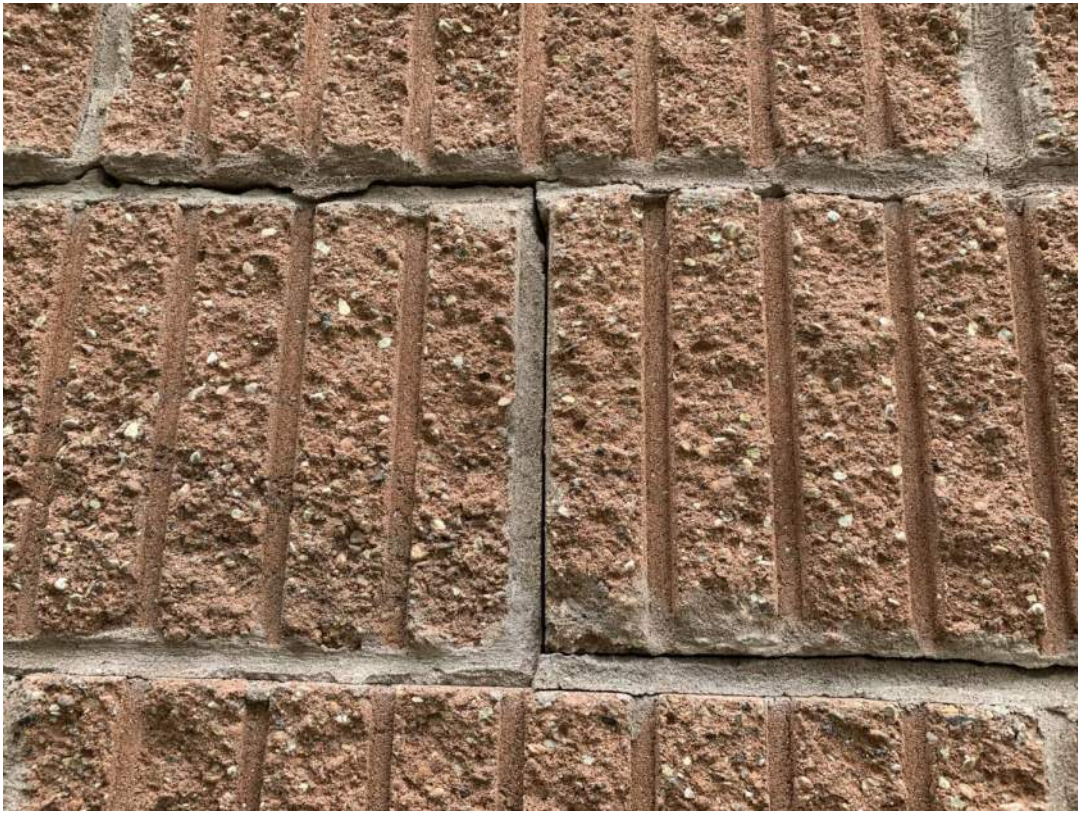


Figure 49 – S44: SE Side (Step Cracking)



Figure 50 – S44: SE Side (Step Cracking)



Figure 51 – S45: SE Side (Foundation Crack)



Figure 52 – S46: NE Side (Step Cracking)



Figure 53 – S47: NE Side (Soffit Missing)



Figure 54 - S48: NE Side (Bearing Splits)



Figure 55 - S49: NE Side (Missing Joist)



Figure 56 - S50: NE Side (Crack Above Women's Restroom)



Figure 57 - S51: NE Side (Holes in Trim Boards)



Figure 58 - S52: NE Side (Cracked Joist)



Figure 59 - S53: NE Side (Crack)



Figure 60 - S54 & S55: NE Side (Garage Door Step Cracking & Caulking)



Figure 61 - S56: NE Side (Mortar Breakout)



Figure 62 - S57: NE Side (Saw Cut)



Figure 63 – S58: NE Side (Corner Breakout)



Figure 64 - S59 & S60: NE Side (Loose Joist & Cracked Board)



Figure 65 - S61: NE Side (Flashing Deflections)



Figure 66 - S62: NE Side (Step Cracking)



Figure 67 – S63: Storage Room (Ceiling Panel Deflection)



Figure 68 - S64: Storage Room (Wall Gap)



Figure 69 – S65: Main Room (Vestibule Cracks)



Figure 70 – S66: Main Room (Door Frame Gaps)



Figure 71 - S66: Main Room (Door Frame Gaps)



Figure 72 - S67 & S68: Main Room (Caulking & Crack)



Figure 73 - S69: Main Room (Lintel Crack)



Figure 74 - S70: Main Room (Ceiling Panel Deflection)



Figure 75 – S71: Restrooms (Women's Restroom Crack)



Figure 76 – S72: Kitchen (Ceiling Panel Deflection)



Figure 77 – N1: NW Side (Light Cover Missing)



Figure 78 – N2: NW Side (Concrete Spalling)



Figure 79 - N3: NW Side (Window Frame Broken)



Figure 80 - N4: NW Side (Shed Water Damage)

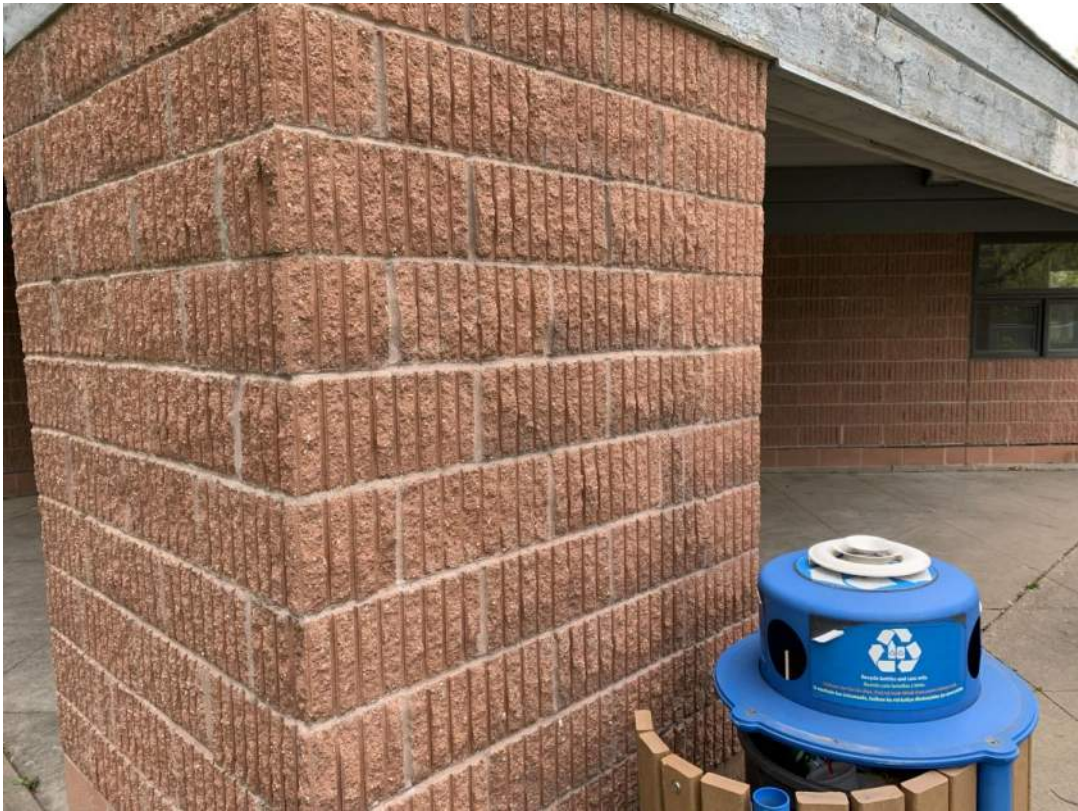


Figure 81 - N5: NW Side (Discolored Masonry)



Figure 82 - N6: SW Side (Door Does Not Shut)



Figure 83 - N7: SW Side (Corrosion on Tracks)



Figure 84 - N8: SW Side (Missing Seal)

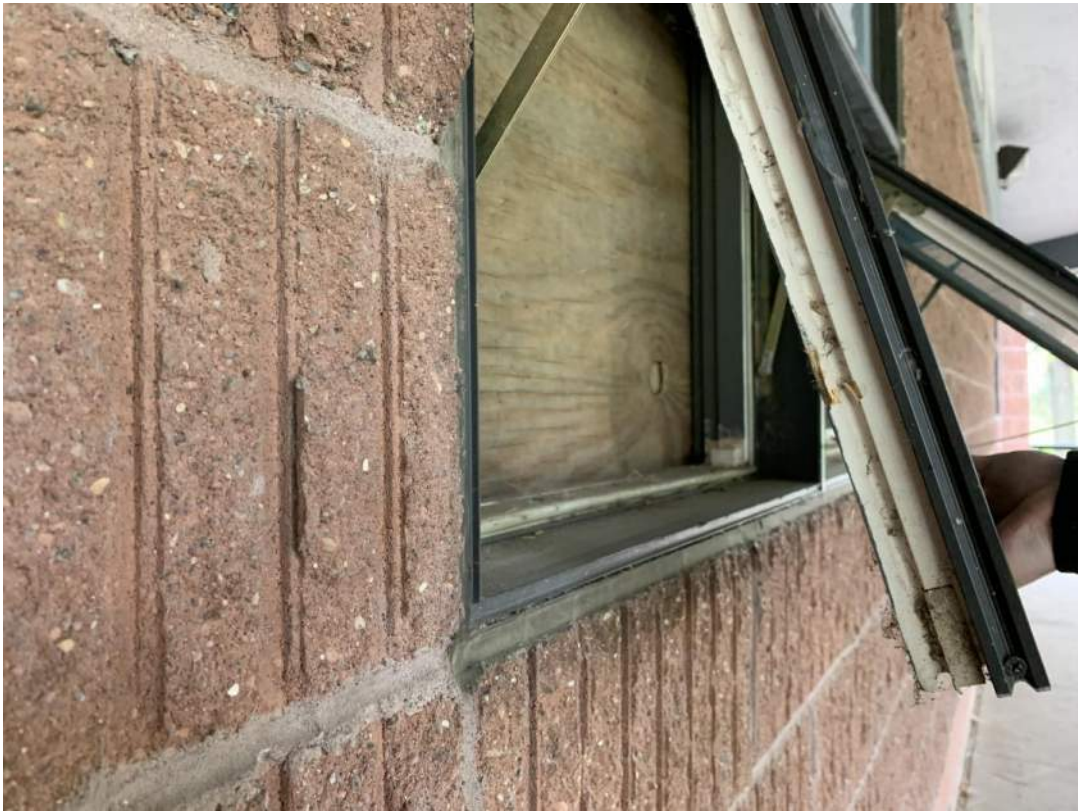


Figure 85 - N9: SW Side (Boarded Up Window)



Figure 86 - N10: SW Side (Pipe Corrosion)



Figure 87 – N11: SW Side (Door Hinge Broken)



Figure 88 - N12: SW Side (Door Bent)



Figure 89 - N13: SW Side (Shattered Windows)



Figure 90 - N14: SW Side (Discolored Masonry)



Figure 91 – N15: NE Side (Door Frame Corrosion)



Figure 92 – N16: NE Side (Storage Room Door Corrosion)



Figure 93 - N17: Storage Room (Concrete Slab Crack)



Figure 94 - N18: Interior Attic (Mouse Droppings)



Figure 95 – N19: Interior Main Room (Shattered Windows)



Figure 96 – N20: Interior Main Room (Bench Loose Bolts)



Figure 97 - N21: Interior Main Room (Floor Lump)



Figure 98 - N22: Interior Main Room (Air Vent Deflections)

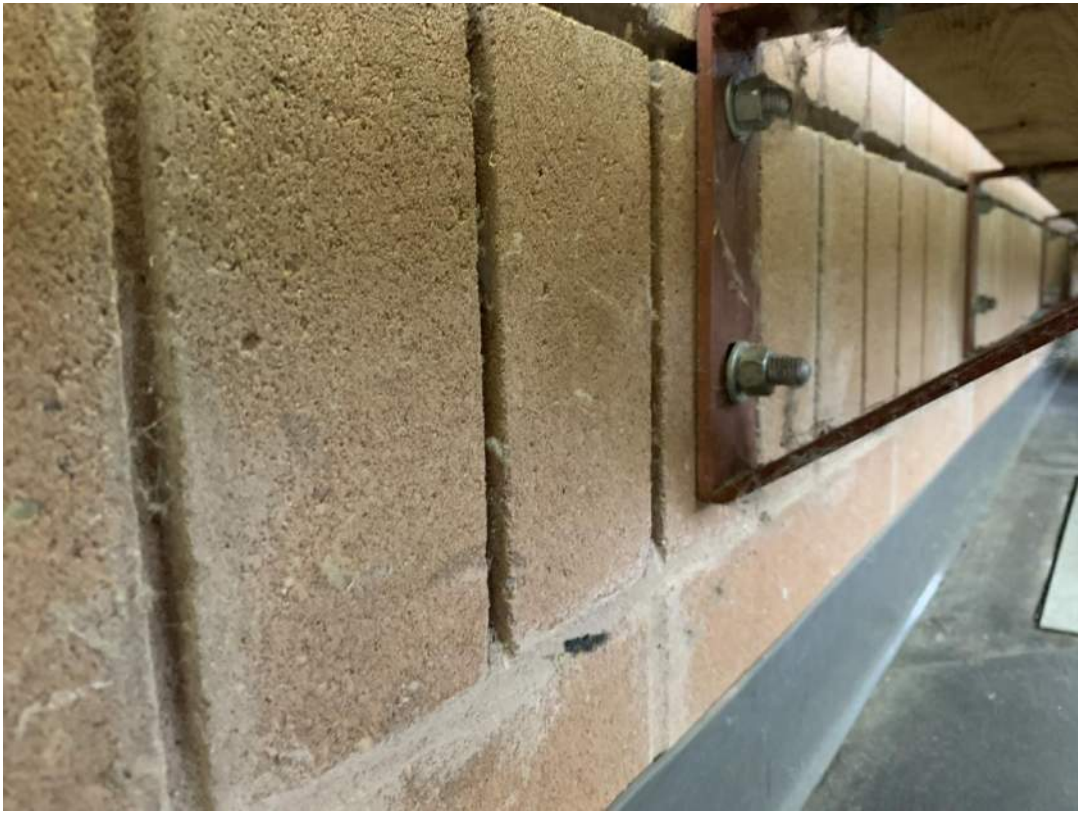


Figure 99 - N23: Interior Main Room (Loose Bolts)



Figure 100 – N24: Interior Main Room (Windowpane Moisture)

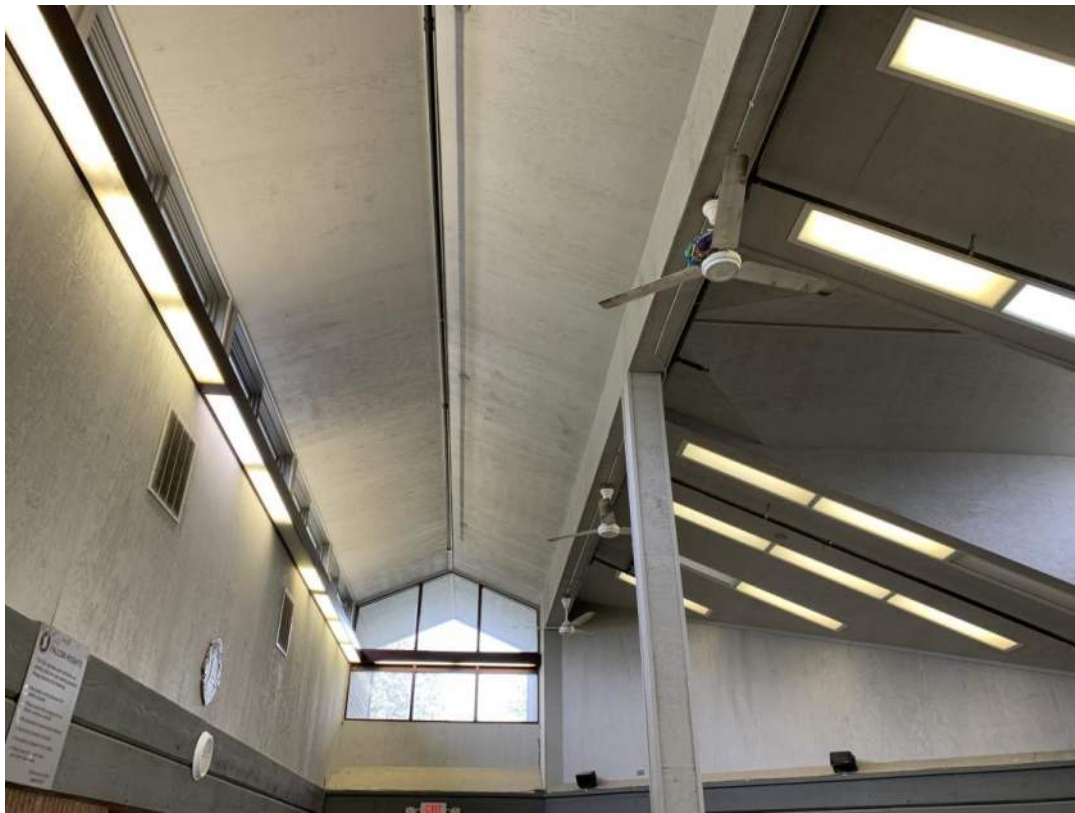


Figure 101 - N25: Interior Main Room (Column Trim Board Deflection)



Figure 102 - N26: Kitchen (Window Lock Broken)



Figure 103 - N27: Kitchen (Cabinet Pulled From Wall)

Appendix B: Budgetary Cost Estimate

The estimate below is an opinion of probably costs to undertake the recommendations discussed in the report and is intended to give the general order of magnitude of the work.

Budgetary Cost Estimate					
Item Category	QTY	Unit	Cost per Unit	Subtotal	
Paint Structure	1	ea	\$ 9,800	\$	9,800
Caulking Structure	1	ea	\$ 900	\$	900
Unplug Weep Holes	25	ea	\$ 15	\$	375
Structural Crack Repair	5	ea	\$ 250	\$	1,250
Tuckpoint/Repoint Masonry Cracks & Mortar Breakout	150	sq ft	\$ 40	\$	6,000
Masonry Replacement	45	sq ft	\$ 100	\$	4,500
Trim (Facia) Board Replacement	16	ea	\$ 125	\$	2,000
Wood Siding Replacement	150	sq ft	\$ 35	\$	5,250
Ceiling Panel Replacement	10	ea	\$ 65	\$	650
Soffit Panel Replacement/Install	12	ea	\$ 75	\$	900
Soffit Wood Joist Replacement/Repair	4	ea	\$ 105	\$	420
Truss Bearing Split Repair	25	ea	\$ 100	\$	2,500
Budgetary Cost Estimate Subtotal				\$	34,545.00
					Assumed Costs
				\$	Mobilization (5%) 1,727.25
				\$	General Conditions (7%) 2,418.15
				\$	Contingency (15%) 3,454.50
Budgetary Cost Total				\$	42,144.90

Estimate Notes:

- Each Tuckpoint = approximately 10 sq ft
- Estimate does not include non-structural items