

CITY OF FALCON HEIGHTS
Regular Meeting of the City Council
City Hall
2077 West Larpenteur Avenue
AGENDA
April 22, 2020 at 7:00 P.M.

NOTE: THIS MEETING WAS HELD BY WEB CONFERENCE

A. CALL TO ORDER:

B. ROLL CALL: ANDREWS_X_ GUSTAFSON_X_ LEEHY_X_
MIAZGA_X_ WEHYEE_X_

STAFF PRESENT: THONGVANH_X_

C. PRESENTATION

D. APPROVAL OF MINUTES:

1. March 11, 2020 Regular City Council Meeting
2. April 8, 2020 Emergency/Special City Council Meeting (held by web conference)

Approved 5-0

E. PUBLIC HEARINGS:

F. CONSENT AGENDA:

1. General Disbursements through: 4/14/20 \$190,462.16
Payroll through: 4/15/20 \$21,441.72
2. Appointment of Karen Cooley Kistler to Community Engagement Commission
3. Community Development Coordinator Justin Markon's 18-Month Employee Step Adjustment

Council Member Wehyee

Consent Agenda #2-Council Member Wehyee is looking forward to having Karen join the Community Engagement Commission.

City Administrator Thongvanh

Consent Agenda #3-Administrator Thongvanh has spoken on the behalf of Justin's performance. Justin is dedicated, motivated and a great communicator with residents/staff. This has shown through his work with the Comprehensive Plan for the Metropolitan Council and Planning Commission. He is very efficient with his time (referencing Laserfiche project). Justin was able to push the project of the Organic Dumpster forward and this has benefited

many residents in the community. His work with grant writing, Amber Union and the Hendrickson project have also been some highlights of his work.

Council Member Leehy, Approved 5-0

G: POLICY ITEMS:

1. Wetland Conservation Act (WCA) Delegation to Capitol Region Watershed District

City Administrator Thongvanh

Ryan Johnson, Environmental Specialist from the City of Roseville, will be assisting with answering questions. In 1991, the State passed the Wetland Conservation Act (WCA). The intent of this act is no net loss of wetlands within the State of Minnesota. This law is implemented by a local governmental unit (LGU). The LGU can be the City, the watershed district, the County, or even the Soil and Water Conservation districts. Currently, Rice Creek Watershed District serves as the LGU for the portions of Falcon Heights within their boundaries. The City still serves as the LGU for the portion of Falcon Heights that falls within the Capitol Region Watershed District (CRWD). One of the goals of the City's Comprehensive Surface Water Management Plan (CSWMP) is to transfer responsibility of WCA administration to CRWD.

A City Council Resolution is needed to transfer LGU authority and delegate the WCA responsibilities to the CRWD. After adoption, a copy of the Resolution will be sent to the CRWD for their Board approval. Once adopted, the City will no longer serve as the LGU authority, and local watershed districts will serve as the LGU to implement the WCA within the City limits. CRWD will record the transfer of authority with the Minnesota Board of Water and Soil Resources.

As part of the Wetland Conservation Act, the LGU will follow a series of steps to assure the "no net loss" criteria is met for development proposals impacting wetland areas. The watershed responsibility as the LGU is to assure that proper steps are taken and for whichever alternative is selected, that the process is carried through in accordance with the WCA with the intent of preserving the wetland acreage within the City of Falcon Heights.

Council Member Leehy

On the map provided, just to clarify, does everything belong to Capitol Region except for those two areas signified with the blue outline?

Ryan Johnson

Most of the City is in Capitol Region, that's everything to the south and east. There are two small portions that are Rice Creek. Capitol Region doesn't have authority over the U of M or State Fair grounds. A lot of it does go through Capitol Region anyways as the local government unit for St. Paul.

Council Member Leehy

Council Member Leehy thinks that to answer questions in the future, the map should have a statement about the rest of Falcon Heights belonging to Capitol Region.

Is there a certain thing that triggered this coming about in this council meeting, or have there been happenings leading up to this?

Ryan Johnson

Every year there are false reports based on wetland calls/infractions (normal reporting to the Board of Water and Soil Resources). During one of the audits it has been noticed that this area of Falcon Heights has not been audited (nothing reported). Therefore, the Wetland Specialist for the area reached out. There have been no wetland regulation issues for the City of Falcon Heights. Falcon Heights has 7 wetland areas including U of M and State Fair. Capitol Region has more staff members that are available for these things and they already oversee a big chunk of the area. This keeps the Wetland Conservation Act within their entire district, which promotes efficiency.

Council Member Andrews

Council Member Andrews thinks moving forward with this will lessen complications amongst those involved.

Mayor Gustafson

For the areas that are part of the Rice Creek Watershed District, will the Rice Creek Watershed District remain the Local Government Unit for those areas of the City? This won't affect that relationship?

City Administrator Thongvanh

Correct, they already have the authority.

Ryan Johnson

Current areas that are currently part of Rice Creek will not affect Capitol Region.

Council Member Wehyee

Will the jurisdiction that Rice Creek oversees be transferred to Capitol Region?

Ryan Johnson

Current areas that are currently part of Rice Creek will not affect Capitol Region. Capitol Region will oversee any areas that are within their jurisdiction.

Mayor Gustafson

The fairgrounds and U of M will have to make their own deals with Capitol Region.

Council Member Miazga, Approved 5-0

2. Accept DEED Grant for Amber Union Project

City Administrator Thongvanh

In October 2019, the City Council approved a grant application with the Minnesota Department of Employment and Economic Development for mediation work at the Amber Union site (1667

Snelling Ave). In January 2020, the City was awarded \$151,774 for contamination cleanup efforts.

The grant work will be completed by Buhl GTA, the property owner, and because of this, the City requires a sub-grant agreement between the City and Buhl GTA. The DEED grant requires a 25% local match, which must be satisfied before grant funds are disbursed. In the sub-grant agreement, the City requires documentation that the local match has been paid by Buhl GTA prior to any request being sent to DEED. The City is the required grant administrator but the project is being overseen by Buhl GTA. Therefore, the City is acting as a pass-through for grant funds, with proper oversight provided that the project is adhering to the grant and sub-grant agreements.

In the packet is the grant award letter, the grant agreement and the sub-grant agreement.

Council Member Miazga

Is the City going to match \$50,594?

City Administrator Thongvanh

That amount would be paid by BUHL Investors.

Council Member Leehy

BUHL Investors has been diligent in every step and hurdle that has come up. They are taking every step they can to turn this building around.

Mayor Gustafson

Has the state received notification that the matching fund will be received from BUHL Investors?

City Administrator Thongvanh

Not yet, once the process for the request has started, that information will be received from BUHL. Then the information will be sent forward. We have the sub-agreement for BUHL to pay first.

Mayor Gustafson

By the Council approving this tonight, we would then be able to execute the agreement with BUHL, have them sign it and then the work can start and we can submit the bills to DEED to get the funding involved that will pay for the work as the invoices come in?

City Administrator Thongvanh

Yes.

Council Member Miazga, Approved 5-0

H. INFORMATION/ ANNOUNCEMENTS:

Council Member Andrews

- Nothing to report.

Council Member Miazga

- Northeast Youth and Family has a new President and Director.
- Ron Robinovitz, author of Letters from Jackie, had a feature written about him and his letters on MLB.com

Council Member Leehy

- Parks Commission will be holding their next meeting May 4th at 6:30PM via web conference. There are vacancies on the Parks Commission.
- Together Tuesday is an opportunity every Tuesday at 7PM for residents to step out into their yards for 5 minutes and make creative noise.

Council Member Wehyee

- Together Tuesday is going well. Thanks to the Community Engagement Commission. Great feedback and involvement from the community.
- Karen will be joining the Community Engagement Commission. This will be a great opportunity and the Commission is excited.

Mayor Gustafson

- Nation Night Out (Night to Unite) is moving to October 6th.
- License Center at Roseville is open for certain services (drop-off).
- Sheriff's Office COVID-team is starting to see an increase in callers who need assistance. Team can be contacted at 651-448-3874 or by email at helpteam@co.ramsey.mn.us. Monday- Friday 8AM-8PM and Saturday-Sunday 10AM-4PM. They coordinate food donations or with tasks that need to be completed. Open to everyone in Ramsey County.

City Administrator Thongvanh

- Workshop in May.
- Council Meeting in May will go over the Financial Audit.


I. COMMUNITY FORUM:

Please limit comments to 3 minutes per person. Items brought before the Council will be referred for consideration. Council may ask questions for clarification, but no council action or discussion will be held on these items. A PROCESS TO RECEIVE PUBLIC FEEDBACK IS BEING CONSIDERED.

J. ADJOURNMENT: The meeting adjourned at 8:05 p.m.


Randy Gustafson, Mayor

Dated this 22nd day of April, 2020


Sack Thongvanh, City Administrator