

11-14-90

ADDENDA TO CONSENT AGENDA

E-5 LICENSES

Corporate

Focus One Hour Foto & Studio - #0629
Divine Lines - #0616

E-6 RESOLUTION

American Education Week, November 11-17, 1990

CITY OF FALCON HEIGHTS
C O U N C I L R E S O L U T I O N

Date November 13, 1990

AMERICAN EDUCATION WEEK

November 11-17, 1990

WHEREAS, America's public schools serve all of the children of all of the people; and

WHEREAS, the strength of a community is measured by the schools it keeps; and

WHEREAS, the schools of the 1990's need broad citizen support to meet the diverse needs of today's families and to help each student achieve his or her potential; and

WHEREAS, educational excellence is built on the involvement of the entire community, including parents, business leaders, elected officials, public service personnel, and senior citizens.

NOW, THEREFORE, the Falcon Heights City Council does hereby proclaim American Education Week, November 11-17, 1990. All citizens are urged to observe this week with appropriate activities and to renew their commitment to the education of every child.

Moved by _____

Approved by _____
Mayor

YEAS	Nays	
BALDWIN		
CIERNIA		_____ in Favor
GEHRZ		
WALLIN		_____ Against
JACOBS		

Date

Attested by _____
City Clerk

Date

Adopted by Council _____

CITY OF FALCON HEIGHTS

CITY COUNCIL MEETING

NOVEMBER 14, 1990

7:00 P.M.

A. CALL TO ORDER: 7:00 P.M.

B. ROLL CALL: CIERNIA _____ GEHRZ _____ WALLIN _____ BALDWIN _____
JACOBS _____ WIESSNER _____ S. CHENOWETH _____
ATTORNEY _____ ENGINEER _____

C. APPROVAL OF MINUTES OF OCTOBER 24, 1990

D. PUBLIC HEARINGS: NONE

E. CONSENT AGENDA

1. Disbursements
 - a. Disbursements through 11/14/90, \$28,754.22
 - b. Payroll, 10/16/90-10/31/90, \$10,768.84
2. Gopher State One-Call Bills
3. Resolution to Initiate MSA variance for Albert and Arona Streets
4. Licenses

ACTION: _____

F. REPORTS, REQUESTS AND RECOMMENDATIONS:

1. Sewer Backups and Sewer Stub Repairs

ACTION: _____

2. U of M Schoolhouse - Update

ACTION: _____

G. ANNOUNCEMENTS AND UPDATES

H. ADJOURNMENT

ACTION: _____

MINUTES
REGULAR CITY COUNCIL MEETING
OCTOBER 24, 1990

DRAFT

Baldwin convened the meeting at 7:00 P.M.

ALL MEMBERS PRESENT

Baldwin, Ciernia, Gehrz, Jacobs and Wallin. Also present were Gedde, Maurer, Wiessner and Chenoweth.

ADDENDA TO AGENDA

Council agreed to add the following items to the Agenda:
Consent Agenda: Designation of Additional Election Judges and Planning Commission Minutes of 10/22/90, Policy Agenda: Funding of 1991 Recycling Program, and Administrator's Compensation.

MINUTES OF 10/10/90 APPROVED

The Minutes of October 10, 1990 were approved by unanimous consent.

ITEMS REMOVED FROM CONSENT AGENDA AND PLACED ON POLICY AGENDA

The following items were removed from the Consent Agenda and placed on the Policy Agenda for discussion: E(2) Variance Request from David Gorringer, E(7) Cable TV Monitor for City Hall Lobby, and E(5b) Parks and Recreation Minutes of 10/8/90.

CONSENT AGENDA ITEMS APPROVED

The following Consent Agenda items were approved by unanimous consent:

1. Disbursements:
 - a. General Disbursements through 10/24/90, \$140,075.20
 - b. Payroll, 10/1/90-10/15/90, \$10,692.96
2. Donations for Community Park Amenities
3. Lions Club Christmas Tree Sales
4. Solid Waste Commission Minutes of 10/4/90
5. Appointment of After School Sports Instructor, Laura Hanson
6. Licenses
7. Appointment of Additional Election Judges
8. Planning Commission Minutes of 10/22/90

ACKNOWLEDGEMENT OF DONATIONS TO NEW COMMUNITY PARK BUILDING

Baldwin acknowledged and thanked the following donors: North Suburban Youth Association, Falcon Heights/Lauderdale Lions Club, and Roseville Jaycees.

VARIANCE GRANTED FOR CONSTRUCTION OF A DOUBLE GARAGE, DAVID GORRINGE, 1457 W. IDAHO

Ciernia briefed Council on the request for a 14 ft. 6 inch variance from the 15 ft. minimum corner side yard setback to

allow Mr. Gorringer to construct a double garage with the garage entrance in the same location as the existing garage. He explained that the Planning Commission at their October 11, 1990 meeting had recommended approval of the variance with the stipulation that no parking will be allowed on the northern half of the apron to increase visibility from the adjacent alley. Following a brief discussion, Ciernia moved approval of the variance with the driveway parking restriction as recommended by the Planning Commission. Motion carried unanimously.

DISCUSSION OF CODE REQUIREMENT REGARDING SCREENING BETWEEN
RESIDENTIAL AND COMMERCIAL AND RELATED COMPLAINT AGAINST
AUTO REPAIR SHOP AT 1565 HAMLIN

Baldwin presented a brief review of past complaints relating to the appearance of the repair shop at 1565 Hamline and a staff report addressing a section of the present City Code which relates to screening between businesses and residential areas. The complainant, Warren Peterson, 1373 W. Hoyt, explained that he has lived four houses west of the business for 28 years and had no problem until the business changed from a service station/garage to a heavy mechanical garage business. He noted problems such as unlicensed vehicles, junk, old tires, unmowed grass, unshoveled snow, and the fact that some of the vehicles had been on the lot for months. Mr. Peterson questioned why such problems are prohibited in residential areas but allowed in a business zone. He also felt that screening would not be a proper solution as the problem would still remain behind the screening.

City Planner Susan Hoyt reviewed the present screening requirements and presented slides of various businesses within the City which abut residential zones. She explained the complexity of retroactive screening where the building, parking and access drives are already on the site limiting space for creative screening. Council held a lengthy discussion regarding inconsistencies in the City Code, the possibility of addressing some of the problems by code revision, and whether or not requiring screening of every business is feasible or practical. Wallin inquired if elimination of the junked cars would meet Mr. Peterson's immediate concerns to which he replied he would like the mess cleaned up, including the junked cars and tires and general maintenance of the business with some concern for neighbors. Gedde felt that there are enforceable sections of the present code which would address some of the problems and recommended that a letter be written to the owner of the business requesting him to clean up the area (junked cars, tires, etc)., with a time limit for conformance. Council concurred. Future possible code changes will also be studied.

Following further discussion, Council agreed they were not in favor of enforcing the screening requirement in all existing businesses and directed staff to draft new language to allow more flexibility, such as requiring screening with change of use or intensification of the business, and refer the matter back to the Planning Commission.

CITY TREE PLANTING GUIDELINES DISCUSSED

Council reviewed the present guidelines for planting boulevard trees and some additions proposed by the City Forester. Gerhz expressed concern over the section requiring avoidance of underground wires and requested more information be obtained on this subject to determine if it is totally impractical or if there is some manner in which planting over wiring is possible.

CREATION OF A CITY FLAG PROPOSED

Wiessner explained that the City has been requested to provide a City Flag for the opening ceremony of the 1991 LMC Conference in Rochester and asked Council if there was an interest in creation of such a flag at an estimated cost of \$600.00 for design and production of the first flag. A brief discussion ensued after which Jacobs moved that a city flag be created and that staff be directed to come back with the cost of reproduction of additional flags and the cost of flag standards.

SANITARY SEWER BILLING POLICY FOR APARTMENT BUILDINGS TO REMAIN AS IS

Council considered a request from Bruce and Maureen Misgen, owners of the apartment building at 1701 Tatum, that the City change the sanitary sewer billing for apartments to some method other than the flat rate per unit now being used. Council concurred that the billing should remain as is based on information provided by staff regarding the complexity and cost of reading water meters in each apartment building and the possibility that the rate might even increase if based on water consumption.

1991 FIRE PROTECTION CONTRACT WITH CITY OF LAUDERDALE APPROVED

Wallin moved approval of the 1991 fire protection services contract with the City of Lauderdale which carried unanimously.

CERTIFICATE OF COMPETENCY REQUIREMENT FOR MECHANICAL CONTRACTOR LICENSE TO REMAIN IN PLACE

Council reviewed a request from Mel Collova, Collova HVAC, that he be issued a Mechanical Contractor's license even though he does not have a Certificate of Competency as required by City Code. After a brief discussion Council unanimously agreed that the code requirement remain as is making Mr. Collova inelligible for a license.

HAMLIN AVENUE PROJECT UPDATE

Maurer reported on Ramsey County's proposed time line for the project, the right-of-way acquisition progress, and the City of Roseville's request that if MN/DOT reduces the street width requirement, Hamline be restriped to allow parking on one side. The concensus of opinion was that the restriping would also be desired on the Falcon Heights portion of Hamline providing the designated parking lane is on the west side of the street.

INFORMATIONAL MEETING ON PROPOSED 1991 STREET IMPROVEMENTS
SCHEDULED FOR 12/12/90

Council scheduled an informational meeting for 6:30 P.M. on December 12, 1990 to provide an opportunity for property owners to view the proposed plans and be given an update on the project.

ENGINEER TO REQUEST VARIANCE TO MSA GUIDELINES FOR PARKING ON
ALBERT AND ARONA STREETS

Ciernia commented on the fact that residents have expressed concern regarding the fact that the residents on Albert and Arona will be limited to parking on one side only due to the MSA guidelines. Council discussed the matter, after which Maurer was directed to begin the procedure to apply for a variance to allow parking on both sides of those streets.

ADOPTION OF RESOLUTION AUTHORIZING PARTICIPATION IN THE
ENVIRONMENTAL CITIES GROUP

Following a brief discussion and making an amendment to the second paragraph of the proposed resolution, Jacobs moved adoption of Resolution R-90-41 which carried unanimously.

RESOLUTION R-90-41

A RESOLUTION AUTHORIZING FALCON HEIGHTS TO JOIN
AN ENVIRONMENTAL CITIES GROUP

CITY TO DIRECT BILL FOR RECYCLING COLLECTION IN 1991

Wiessner explained that Ramsey County had given a deadline of October 26, 1990 for the City to notify them whether or not Falcon Heights will be requesting exemption from the recycling portion of the solid waste service fee which presently appears on the tax statement. If the City wishes exemption certain criteria must be met including provision for long term funding of the program. Council discussed the following options: (a) direct billing for recycling on a quarterly basis, (b) organized and integrated collection with the hauler billing the customer, (c) amending the present code to require all haulers to provide recycling collection as a condition for licensing, or (d) continue with the present system leaving the recycling fee on the tax statement with the County handling the funding through a possible grant. Following a discussion regarding the uncertainty of the County program for 1991 and the advantages of becoming independent from Ramsey County, Council unanimously opted for Option (a), direct billing with the utility charges. Staff will notify the County that the City wishes exemption from the County fee for recycling as of January 1, 1990, and will not apply for a recycling grant in 1991..

APPROVAL OF ADMINISTRATOR'S COMPENSATION

Baldwin presented the proposed compensation for the City Administrator which would be retroactive to June 1, 1990, after which Ciernia moved approval. Motion carried unanimously.

PURCHASE OF CABLE TV MONITOR FOR CITY HALL LOBBY APPROVED

Gehrz explained she had requested this item moved from the Consent Agenda to the Policy Agenda to obtain additional information rationale for purchasing the monitor. Wiessner stated it would be helpful for staff to regularly monitor items and determine when updating is necessary, and would tend to remind residents that Cable TV with a city channel is available. Baldwin commented that it would be very useful during public hearings when persons wish to move to the lobby to discuss issues, and still have the ability to view the Council meeting in progress. Ciernia then moved approval of the purchase, which carried unanimously.

FURTHER DISCUSSION TO BE HELD ON HOCKEY PLAYING ON CITY PLEASURE RINKS

Ciernia stated he had requested the Parks and Recreation Minutes be moved to the Policy Agenda as he had some concern regarding the Commission's decision to prohibit hockey on the Falcon Heights School rink. The matter will be referred back to the Commission for further discussion. They will also be asked to address the Community Park rink as there will only be one rink at that site this winter and a similar problem may occur.

ITEM F(10), SEWER BACKUPS AND SEWER STUB REPAIRS, DEFERRED TO 11/14/90

This item was deferred due to lack of time.

ADJOURNMENT

The meeeting was adjourned at 10:30 P.M.

Tom Baldwin, Mayor

ATTEST:

Shirley Chenoweth, City Clerk

Consent X

Agenda Item: E-1

Policy _____

CITY OF FALCON HEIGHTS

Meeting Date: 11/14/90

REQUEST FOR COUNCIL CONSIDERATION

<u>ITEM DESCRIPTION:</u>	DISBURSEMENTS
<u>SUBMITTED BY:</u>	Tom Kelly
<u>REVIEWED BY:</u>	Jan Wiessner
<u>EXPLANATION/SUMMARY (attach additional sheets as necessary):</u>	
<p>(a) General Disbursements through 11/14/90, \$ 28,754.22</p> <p>(b) Payroll, 10/16/90 - 10/31/90, \$10,768.84</p>	
<u>ACTION REQUESTED:</u>	Approve Disbursements.
<p style="text-align: right;"><u> Jan Wiessner </u></p>	

GENERAL DISBURSEMENTS

CHECK NO.	ISSUED TO	REASON	AMOUNT
24570	U.S. Postmaster	Stamps	\$300.00
24571	Void		
24572	No. Star State Bank	Fed. withholding, FICA & Medicate	5,572.78
24573	Comm. of Revenue	State withholding	1,000.65
24574	PERA	PERA deduction and benefits	935.44
24575	ICMA Retirement Trust	Retirement	730.59
24576	United Way	'90 Pledges	67.00
24577	Ramsey Emergency Medical Services	EMT Training	100.00
24578	Old Dutch Foods	Snacks for Middle High drug free party	115.44
24579	AT&T Credit Corporation	Phone equipment lease	32.43
24580	AT&T	Long distance calls	17.86
24581	American Linen Supply	Linen cleaning	62.79
24582	Bro-Tex, Inc.	Supplies for Fire. Dept.	78.88
24583	BRC Elections-Midwest Region	Election supplies	48.23
24584	Barton-Aschman Associates	August-landscape, architectural services	296.90
24585	Collins Electrical	Check and repair hockey tennis lights	1,491.67
24586	Colonial Life	Additional insurance	48.00
24587	Gopher Sign	No parking signs in Grove area	40.00
24588	Terry Iverson	Mileage	52.32
24589	I.T.L. Patch Company	City pins	86.00
24590	J.O. Thompson, Inc.	Paint	16.75
24591	Kathleen Janke	Fire Dept. cleaning	80.00
24592	Midwest Business Products	Office supplies	112.27
24593	State Treasurer, Surplus Prop. Fund	Tent stakes for hockey board construction	10.00
24594	MN City Mgmt. Assoc.	Annual Dues	40.00
24595	MN Conway Fire & Safety	Hoses, fire equip., tools	2,587.20
24596	M.A.B. Enterprises	Medical supplies	84.73
24597	Maier Stewart & Assoc.	Engineering services	3,610.49
24598	Hamline University	Memberships, meetings	47.00
24599	Northern States Power	Street Lightings	1,996.56
24600	Northern States Power	Electricity	26.22
24601	Oxygen Service Co.	Oxygen service	70.93
24602	Pioneer Press	Subscription renewal	16.20
24603	Pioneer Rim & Wheel	Elec. brake system for trucks	73.72
24604	Ramsey County	Insurance payment	2,681.94

CHECK NO.	ISSUED TO	REASON	AMOUNT
24605	Roseville Rotary Club	Dues, meetings	\$367.00
24606	Road Rescue, Inc.	Misc. medical supplies	105.61
24607	St. Paul Ramsey Medical Center	Medical supplies	91.82
24608	RSVP	Volunteer expenses	10.85
24609	Greg Staffa	Delivery of City Newsletter	100.00
24610	Board of Water Commissioners	Water	335.61
24611	SuperAmerica	Motor Fuel	150.04
24612	Susan Hoyt	Mileage, film and developing	52.62
24613	Team Laboratory Chemical	Lift Station Degreaser	1,512.00
24614	U.S. West	Phone Services, Community Park	191.28
24615	U.S. West Cellular	Cellular phone - ambulance	35.77
24616	Warner Industrial Supplies	Paint	28.76
24617	Janet Wiessner	Retroactive mileage payment	75.00
24618	Sub. Area Chamber of Commerce	Meetings	8.00
24619	Way, Truth & Life Ministries	Refund of Hall Rental deposit	50.00
24620	ULI	Book - Planning	26.00
24621	League of MN Cities	Meetings	50.00
24622	Karen Archer	Refund for recreation class	6.00
24623	Judy Azar	Refund for recreation class	16.00
24624	AT&T Credit Corp.	Merlin lease	127.73
24625	AT&T	Monthly maintenance	49.00
24626	AT&T	Phone lease	22.23
24627	Assoc. of Metropolitan Municipalities	November meeting-2 reservations	40.00
24628	Joline Borland	Delivery of Planning flyer, refund for rec classes	136.00
24629	Pat Bohman	Refund for rec class	2.00
24630	Anne Berigan	Refund for rec class	6.00
24631	BRC Elections-Midwest Region	Election supplies	35.72
24632	Bernard Broderick	Mileage	19.47
24633	BFI	Port-a-Potty	71.50
24634	BFI	Garbage pick-up	205.15
24635	Beth Easter	Refund for recreation class	3.00
24636	Computerland	WordPerfect	575.13
24637	Irene Gengler	Non-resident reimbursement	8.00
24638	Glenwood Inglewood	4 5 gal. spring water	19.20
24639	Gopher State One Call	Location requests	15.00
24640	Insty-Prints	Budget covers & dividers, rec flyers	374.97
24641	Marcia Kath	Refund for recreation class	4.00
24642	Konica	12 bottles of toner for copy machine	141.52

CHECK NO.	ISSUED TO	REASON	AMOUNT
24643	Kern, DeWenter, Viere Ltd.	Workshop	\$50.00
24644	Sharyn Long	Refund - recreation class	3.00
24645	Debra Moncriff	Refund - recreation class	9.00
24646	M-75 Bldg. Maintenance Services	October cleaning of City Hall	145.00
24647	M.A.U.M.A.	Membership Dues	25.00
24648	Carolyn Nestingen	Refund - recreation class	5.00
24649	Northern States Power	Gas and electricity	867.35
24650	Paula Purdy	Non resident reimbursement	4.00
24651	Post Publications	Election notice	14.50
24652	PERA	Life insurance	18.00
24653	Wendy Treadwell	Refund - recreation class	2.00
24654	Susan Hoyt	Mileage	2.40
24655	Prachin Virakvl	Refund - recreation class	4.00
24656	Diana Whelpley	Refund - recreation class	6.00

TOTAL DISBURSEMENTS:

\$28,754.22

Check Number	Employee Number	Employee Name	Pay Period	Pay Group Number	Pay Group Description	Check Amount	Check Date	Status
018831			0			0.00	31-Oct-90	VOID
018832			0			0.00	31-Oct-90	VOID
018833	000000002	Wiessner, Janet R.	20	01	semi-monthly	1,912.17	31-Oct-90	Outstanding
018834	000000004	Kriegler, Carol J.	20	01	semi-monthly	407.71	31-Oct-90	Outstanding
018835	000000011	Chenoweth, Shirley G.	20	01	semi-monthly	757.63	31-Oct-90	Outstanding
018836	000000020	Iverson, Terry D.	20	01	semi-monthly	806.69	31-Oct-90	Outstanding
018837	000000027	Morgan, Jay M.	20	01	semi-monthly	709.51	31-Oct-90	Outstanding
018838	000000038	Wright, Vincent D.	20	01	semi-monthly	772.23	31-Oct-90	Outstanding
018839	000000054	Ammann, Martin T.	20	01	semi-monthly	100.52	31-Oct-90	Outstanding
018840	000000063	Phillips, Patricia A.	20	01	semi-monthly	649.69	31-Oct-90	Outstanding
018841	000000065	Kelly, Thomas R.	20	01	semi-monthly	863.90	31-Oct-90	Outstanding
018842	000000075	PICKA, GEORGE	20	01	semi-monthly	380.25	31-Oct-90	Outstanding
018843	000000079	Hoyt Taff, Susan L.	20	01	semi-monthly	570.44	31-Oct-90	Outstanding
018844	000000091	Swenson, DeLoris J.	20	01	semi-monthly	538.88	31-Oct-90	Outstanding
018845	000000110	Scattum, Kevin	20	01	semi-monthly	149.21	31-Oct-90	Outstanding
018846	000000001	Baldwin, Thomas W.	10	03	monthly 2	300.31	31-Oct-90	Outstanding
018847	000000003	Baumann, Nicholas B.	10	03	monthly 2	50.71	31-Oct-90	Outstanding
018848	000000005	Berndt, Ross	10	03	monthly 2	41.50	31-Oct-90	Outstanding
018849	000000008	Brown, Raymond F.	10	03	monthly 2	63.00	31-Oct-90	Outstanding
018850	000000012	Ciernia, Paul C.	10	03	monthly 2	250.00	31-Oct-90	Outstanding
018851	000000018	Holmgren, John M. Sr.	10	03	monthly 2	135.00	31-Oct-90	Outstanding
018852	000000021	Kurhajetz, Clement M.	10	03	monthly 2	53.00	31-Oct-90	Outstanding
018853	000000024	Lindig, Leo	10	03	monthly 2	303.34	31-Oct-90	Outstanding
018854	000000033	Schauffert, Craig F.	10	03	monthly 2	135.00	31-Oct-90	Outstanding
018855	000000034	Smida, Gail	10	03	monthly 2	63.00	31-Oct-90	Outstanding
018856	000000037	Wallin, Gerald E.	10	03	monthly 2	200.00	31-Oct-90	Outstanding
018857	000000039	Morgan, Jay	10	03	monthly 2	41.50	31-Oct-90	Outstanding
018858	000000082	Gehrz, Susan L.	10	03	monthly 2	213.65	31-Oct-90	Outstanding
018859	000000089	Jacobs, Sam L.	10	03	monthly 2	300.00	31-Oct-90	Outstanding

Grand Total

10,768.84

Consent X

Agenda Item: E-2

Policy _____

CITY OF FALCON HEIGHTS

Meeting Date: 11/14/90

REQUEST FOR COUNCIL CONSIDERATION

<u>ITEM DESCRIPTION:</u>	GOPHER STATE ONE-CALL BILLS
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<u>SUBMITTED BY:</u>	Tom Kelly
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<u>REVIEWED BY:</u>	Jan Wiessner
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EXPLANATION/SUMMARY (attach additional sheets as necessary):

For the past few months we've been involved in a dispute with Gopher State One-Call over our bills.

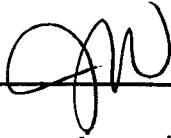
The City is mandated by the State to participate in Gopher State One-Call. Whenever anyone wants to dig in the City, the contractor or property owner calls Gopher State. Gopher State then calls all utility service providers (including the City) so they can mark their lines. We are billed for all calls to the City. However, if the location is in a different City or we feel there is no danger to our lines, we can tell them that a "no locate is required (NLR). We should not be billed for these.

Over half our bills are for NLR's. Gopher State has billed us for these and we have deducted them from the bill stating this as the problem. Gopher State refuses to remove these from our account (see Attachment E). We can continue to fight these charges. However, Gopher State will take us to Conciliation Court if they wish to try to collect.

ATTACHMENTS:

- A. 7/17/90 Wiessner memo to Don Pauley
- B. 7/17/90 Kelly memo to Ron Galezewski, Gopher State
- C. 7/20/90 Pauley letter to Ron Galezewski
- D. 7/24/90 Galezewski letter to Pauley
- E. 10/25/90 Galezewski letter to Kelly
- F. 11/7/90 Kelly letter to Galezewski

ACTION REQUESTED: For your information and support. (Note: This is an example of another State mandate which requires staff time in addition to fees).





A.

CITY OF FALCON HEIGHTS

2077 W. LARPEUTEUR AVENUE FALCON HEIGHTS, MN 55113-5594 PHONE (612) 644-5050 FAX (612) 644-8675

July 17, 1990

TO: Don Pauley, City of Moundsview

FROM: Jan Wiessner *Jan*

RE: Gopher State One Call

*(City Rep. to
Gopher State One Call Board)*

As I mentioned the other day at the AMM breakfast meeting, the City of Falcon Heights has experienced problems with Gopher State One Call. The City receives approximately 50 calls each month. Of those calls, five are actually located in Falcon Heights. Gopher State One Call uses Section maps for locations and Falcon Heights shares Sections with Lauderdale, Roseville and St. Paul. Gopher State One Call often telephones us and says "we have a location request for you in Roseville". They are aware it is not within Falcon Heights before they call but they call anyway.

Finally, even though we tell Gopher State One Call that the address is not in Falcon Heights and to "NLR" it (No Locate Request), we are billed for most of these. Every month we have to substantially adjust their bill.

I don't know if other cities have experienced similar problems, but it seems to be poorly organized and results in a lot of wasted time. I don't know who we should talk to about these problems. My staff has talked to Gopher State employees to no avail.

Let me know if you have any questions.

JW:pp

CC: Don Slater, LMC
Vern Peterson, AMM

HOME OF THE MINNESOTA STATE FAIR AND THE U OF M INSTITUTE OF AGRICULTURE



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CITY OF
FALCON HEIGHTS

B.

2077 W. LARPEUR AVENUE FALCON HEIGHTS, MN 55113-5594 PHONE (612) 644-5050 FAX (612) 644-8675

July 17, 1990

TO: Rob Galezewski
FROM: Tom Kelly, City Accountant
RE: Account #2077

The City of Falcon Heights feels that we are not responsible for the charges listed in your July 12 letter. We adjust our bill each month to the number of locates in our City. Because Gopher State uses Section maps for locations and Falcon Heights shares sections with Roseville, Lauderdale and St. Paul, the system has some real "glitches" for us.

Gopher State often calls and states "we have a location request for you in Roseville" to which we reply "NLR it". Yet when the bill comes, these are in our call totals.

Of the locations that are in Falcon Heights, we are only interested in work that requires deep digging by heavy equipment. So 95% of the calls that are in Falcon Heights are also an "NLR" which is so stated at the time of the call.

If you have any questions, please call me.

Tom Kelly

TK:pp

HOME OF THE MINNESOTA STATE FAIR AND THE U OF M INSTITUTE OF AGRICULTURE



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GATEWAY TO THE NORTH

City of Mounds View

RAMSEY COUNTY, MINNESOTA
2401 HIGHWAY 10
MOUNDS VIEW, MINN. 55112
784-3055
FAX: 784-3462

July 20, 1990

Mr. Rob Galezewski
General Manager
Gopher State One-Call
2025 Centre Pointe Blvd.
Suite 310
Mendota Heights, MN 55120

Dear Rob:

Enclosed please find a letter I recently received from Jan Wiessner, City Administrator of Falcon Heights, regarding problems they have experienced with the Gopher State One-Call system as it relates to No Locate requests and billing statements.

I would agree with Ms. Wiessner's evaluation that the problems they are experiencing in Falcon Heights with Gopher State One-Call are symbolic of a larger problem. First of all, if your staff is indeed aware of the fact that a location request is in a city other than the one they are calling or transmitting a request to, they are wasting both their time and that of the City they are speaking with. Also, to then charge a City for a No Locate Request under these circumstances simply adds insult to injury.

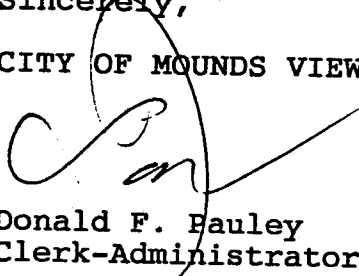
I would ask that you review your current practices, particularly as they relate to the conditions outlined in Ms. Wiessner's letter and respond to both her and myself as to how you plan to address the situation and minimize the problems they are experiencing. We cannot continue to conduct business in this way if we plan to remain in business. These types of difficulties simply add to the momentum of those who wish to have the legislature retract on their mandate for a one-call system.

Mr. Galezewski
July 20, 1990
Page Two

Your earliest written response would be greatly appreciated.

Sincerely,

CITY OF MOUNDS VIEW



Donald F. Bauley
Clerk-Administrator

DFP/BAB

Enclosure

cc: Ms. Jan Wiessner, City Administrator
City of Falcon Heights

Pat - Please give me copy of letter I sent to Don Pauley - Mrs J.

D



**GOPHER STATE
ONE CALL**

2025 Centre Pointe Blvd. • Suite 310

Mendota Heights, MN 55120

Minnesota Toll Free: 1-800-252-1166

Metro Area: 1-612-454-0002

Administrative: 1-612-454-8388

July 24, 1990

Mr. Don Pauley
City of Mounds View
2401 Highway 10
Mounds View, Minnesota 55112

Dear Don:

After reviewing your letter dated July 20, 1990, and Ms. Jan Wiessner's letter to you dated July 17, 1990, I felt it was appropriate to address these concerns as the separate issues they are.

First of all, as I believe you're aware, Gopher State One-Call (G.S.O.C.) determines which operators need to be notified of a proposed excavation based solely upon the township, range, section, and quarter-section that a work site is located in. Hence, for the purpose of identifying which operators must be notified of a pending excavation, municipal and/or county boundaries are meaningless.

This may or may not seem "flawed," but please keep in mind that:

1. The "grid base" used in the call center (township, range, section, and quarter-section) was chosen by the Board of Directors as the selectivity basis under which all operators submitted a "database" to G.S.O.C.
2. If an operator is scheduled to receive a locate request because the proposed excavation site has been identified as being within their database area, G.S.O.C. must notify them. We simply cannot choose whether or not to notify an operator based on municipal and/or county boundaries.

Mr. Don Pauley
Page 2
July 24, 1990

With this in mind, I would suggest that the City of Falcon Heights, if they have not already done so, check their database to ascertain whether or not they may have included a larger area of notification than is necessary.

Secondly, with regard to the billing, I concur that if an operator issues a "no location required" response (NLR), they should receive a NLR credit. However, discrepancies between the records of an operator and their bill from G.S.O.C. do occur.


Each time the City of Falcon Heights has contacted me regarding a billing discrepancy for a particular month, I have supplied them information and worked with them to reconcile their account. Provided they continue to contact me when a discrepancy arises, I see no reason why we should not be able to work together to reconcile their account with G.S.O.C. As I believe the billing discrepancies may be a result of a misunderstanding of the current G.S.O.C. billing structure, I have enclosed a copy for your reference.

On a related topic, the City of Falcon Heights has oftentimes received more than 30 messages per month. They are required to install automated equipment to receive information from G.S.O.C., i.e., teleprinter, personal computer with communications software, etc.

In addition to saving time and "voice only" fees, operators with automated equipment receive a daily audit. This daily report details, by ticket number, how many messages were sent to and NLR'ed by an operator. Obviously, this is an extremely valuable tool for justifying one's monthly G.S.O.C. bills.

I sincerely hope that this writing and the enclosed document provide an adequate response to the City of Falcon Heights' concerns regarding G.S.O.C. If I need to provide further clarification or additional information, please feel free to contact me.

Sincerely,


Rob Galezewski
General Manager

cc: Roger Kiffmeyer, Chairman of the Board, G.S.O.C.
Jan Wiessner, City Administrator, City of Falcon Heights

*What
Albert
are they
using?*

*How many
actually in 70?
5!*

E

**GOPHER STATE
ONE CALL**



2025 Centre Pointe Blvd. • Suite 310

Mendota Heights, MN 55120

Minnesota Toll Free: 1-800-252-1166

Metro Area: 1-612-454-0002

Administrative: 1-612-454-8388

October 25, 1990

Mr. Tom Kelly
City of Falcon Heights
2077 West Larpenteur Avenue
Falcon Heights, Minnesota 55113

Dear Mr. Kelly:

As you may recall, we have exchanged some correspondence in the past regarding amounts that were withheld from your payment to Gopher State One-Call (G.S.O.C.) for various months. My most recent communication with you indicated that I would be forwarding the documentation regarding this matter to the Board of Directors for their review.

The Board, in turn, formed a sub-committee to perform an evaluation and make a recommendation as to whether or not these past due amounts should be "written off." After a detailed review of all facts pertaining to this issue was conducted, the sub-committee formulated and later presented its recommendation to the full Board. Therefore, I am now able to inform you of the decision that was reached by G.S.O.C. regarding this matter.

In short, the consensus reached was that the explanation that you had provided regarding the discrepancy between these invoices and your partial payment of them is not an acceptable justification for G.S.O.C. to "write off" the remaining balances. Therefore, it is requested that you submit payment for the following balances as soon as possible:

<u>INVOICE</u>	<u>BALANCE</u>
889167	30.00
989172	50.00
1089176	55.00
1189180	30.75
190183	5.00
290186	10.00

TOTAL \$180.75

Mr. Tom Kelly
Page 2
October 25, 1990

If, after submitting payment, you would like this matter to be re-evaluated, you may supply additional information or further clarification in writing for that purpose. Please direct such correspondence to:

Gopher State One-Call
Attn: Past Due Account Sub-Committee
2025 Centre Pointe Boulevard #310
Mendota Heights, MN 55120

Sincerely,

A handwritten signature in cursive script that reads "Rob Galezewski" with a small mark below the name.

Rob Galezewski
General Manager

jaw



CITY OF
FALCON HEIGHTS

F

2077 W. LARPEUR AVENUE FALCON HEIGHTS, MN 55113-5594 PHONE (612) 644-5050 FAX (612) 644-8675

November 7, 1990

Gopher State One Call
ATTN: Rob Galezewski
2025 Centre Pointe Blvd. #310
Mendota Heights, MN 55120

RE: Account #2077

Dear Mr. Galezewski:

This letter is in response to your letter dated October 25, 1990 in which your Gopher State One Call Executive Board refuses to write off the \$180.75 balance.

The City's position is still that we do not owe this amount because they were NLR's, as stated in our letter dated July 17, 1990 (see attached). Therefore, we will not be paying the \$180.75.

Sincerely,

Tom Kelly
City Accountant

TK:p
enclosure

HOME OF THE MINNESOTA STATE FAIR AND THE U OF M INSTITUTE OF AGRICULTURE



TREE CITY USA



PRINTED ON RECYCLED PAPER

Consent X

Agenda Item: E-3

Policy _____

CITY OF FALCON HEIGHTS

Meeting Date: 11/14/90

REQUEST FOR COUNCIL CONSIDERATION

ITEM DESCRIPTION:

RESOLUTION TO INITIATE MSA VARIANCE FOR
ALBERT AND ARONA STREETS

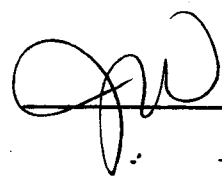
SUBMITTED BY: Terry Maurer

REVIEWED BY: Jan Wiessner

EXPLANATION/SUMMARY (attach additional sheets as necessary):

The Minnesota Department of Transportation requires a resolution to initiate the variance process. Two resolutions are attached for Council consideration for Arona and Albert Streets.

ACTION REQUESTED: Approve resolutions initiating variances to MSA standards for Albert and Arona Streets.

 _____

RESOLUTION 90-___

A RESOLUTION FOR THE CITY OF FALCON HEIGHTS

A RESOLUTION REQUESTING A VARIANCE TO THE
MUNICIPAL STATE AID REQUIREMENTS

WHEREAS, the City of Falcon Heights is considering a Municipal State Aid improvement project on Albert Street (M.S.A.S. 124-102-03) between Larpenteur Avenue and Garden Avenue; and

WHEREAS, part of the consideration in the design of the improvement will be on-street parking along Albert Street;

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Falcon Heights, Minnesota:

1. The City of Falcon Heights hereby requests a variance to the Minnesota Department of Transportation State-Aid Operations requirement 8820.9912 Urban State-Aid Streets, 30 MPH Design Speed.
2. Specifically, the City of Falcon Heights requests a variance to allow parking on both sides of a low density collector constructed 34 feet wide.

PASSED and adopted this 14th day of November, 1990.

ATTEST:

Thomas Baldwin, Mayor

Shirley G. Chenoweth, City Clerk

RESOLUTION 90-__

A RESOLUTION FOR THE CITY OF FALCON HEIGHTS

A RESOLUTION REQUESTING A VARIANCE TO THE
MUNICIPAL STATE AID REQUIREMENTS

WHEREAS, the City of Falcon Heights is considering a Municipal State Aid improvement project on Arona Street (M.S.A.S. 124-101-02) between Garden Avenue and Roselawn Avenue; and

WHEREAS, part of the consideration in the design of the improvement will be on-street parking along Arona Street;

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Falcon Heights, Minnesota:

1. The City of Falcon Heights hereby requests a variance to the Minnesota Department of Transportation State-Aid Operations requirement 8820.9912 Urban State-Aid Streets, 30 MPH Design Speed.
2. Specifically, the City of Falcon Heights requests a variance to allow parking on both sides of a low density collector constructed 34 feet wide.

PASSED and adopted this 14th day of November, 1990.

ATTEST:

Thomas Baldwin, Mayor

Shirley G. Chenoweth, City Clerk

Consent X

Agenda Item: E-4

Policy _____

CITY OF FALCON HEIGHTS

Meeting Date: 11/14/90

REQUEST FOR COUNCIL CONSIDERATION

ITEM DESCRIPTION:

LICENSES

SUBMITTED BY:

S. Chenoweth

REVIEWED BY:

EXPLANATION/SUMMARY (attach additional sheets as necessary):

Mechanical

Acclaim Services, Inc. #0612
Ron's Mechanical, Inc. #0611

General Construction

L.W.B.R., Inc. d/b/a Paul Davis Systems of SW Mpls. #0606
Richard Hastings Company #0609
Niles Construction #0613

ACTION REQUESTED:

Approval

S. Chenoweth

Consent _____

Agenda Item: F-1

Policy X

CITY OF FALCON HEIGHTS

Meeting Date: 11/14/90

REQUEST FOR COUNCIL CONSIDERATION

ITEM DESCRIPTION:

SEWER BACKUPS AND SEWER STUB REPAIRS

SUBMITTED BY:

Tom Kelly and Vince Wright

REVIEWED BY:

Jan Wiessner

EXPLANATION/SUMMARY (attach additional sheets as necessary):

NOTE: This item was tabled on 10/24/90 due to lack of time.

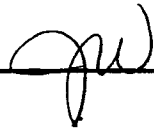
The current city code requires property owners to maintain the sewer service from the main to the structure (see Attachment A). Following Mr. DeMartino's request for reimbursement of sewer stub repair, some questions arose regarding possible changes in the code. Staff was asked to research typical sewer repair costs. Attachment D reports on costs and recommends that present policy be continued.

ATTACHMENTS:

- (a) Copy of the present code
- (b) Copy of Minutes of August 23, 1972 explaining the rationale for adoption of original Ordinance No. 121
- (c) LMC Loss Control quarterly information
- (d) Staff recommendation

ACTION REQUESTED:

Discuss City's sewer repair policy.



SEWER, GAS & ELECTRIC 4-1.08 to 4.10/2.01

discharges into the sewer system of the City, and such estimate shall be used in lieu of the metered volume of water from private sources to determine the sewer rental charges thereon and therefor, provided further that no appeal may be made from such estimates by the user other than by installation of a meter as provided above.

c. The council shall have the power to increase, decrease change the amount and basis of the sewer rental charges herein established as the same may be reasonably required; and, with respect to any waste unusual in either character or amount, in addition to all applicable charges hereunder, the council shall have the power to impose such supplemental sewage rate charge as said council shall determine as reasonable and warranted on the basis of all relevant factors.

Subdivision 2. Sewer Rental Charge Statements. Statements for sewer rental charges for the preceding quarterly period shall be mailed to each customer on the 20th day of December, March, June and September. Said statements shall be due and payable to the city treasurer on or before the last day of business of January, April, July and October. There shall be added to all statements not paid by that time a penalty charge of 10 percent of any unpaid balance.

Subdivision 3. Collection of Charges. Any amounts due hereunder for sewage charges may be collected in an action brought for that purpose in the name of the City; or the clerk may certify to the county auditor the amounts due for sewer charges, including penalty, together with the legal description of the premises served and the county auditor shall thereupon enter such amount with the tax levy on said premises collectible with the taxes for the next ensuing year.

* 4-1.09 Maintenance of Individual Connections

It shall be the responsibility of the owner or occupant to maintain the sewer service from the main sewer into the house or building.

4-1.10 Penalties

Any person guilty of violating any provision of Part 1 of Chapter 4 shall be guilty of a misdemeanor.

PART 2. HOUSE SEWER CONNECTIONS

4-2.01 General

The plumbing inspector shall supervise all house sewer connections made

Sanitary Sewer
Maintenance Costs:

Clerk-Administrator Barnes reported that he made a study of surrounding communities as to policy of sanitary sewer maintenance costs. ~~It was revealed that Falcon Heights is the only community sharing cost of maintenance of sewer service stubs and concluded that an Ordinance be adopted on the order of Roseville's to eliminate Falcon Heights Village responsibility.~~

Sewer Service
Cost Maintenance -
Ordinance No. 121:

Motion by Councilman Stone, seconded by Councilman Ecklund, for adoption of Ordinance No. 121 to amend Ordinance No. 46 to read as follows:

ORDINANCE NO. 121

IT SHALL BE THE RESPONSIBILITY OF THE OWNER
OR OCCUPANT TO MAINTAIN THE SEWER FROM THE
MAIN SEWER TO THE HOUSE OR BUILDING

AYES: Mayor Warkentien, Councilmen Black, Stone, Ecklund,
Councilwoman Stocker. NAY: None. Motion carried.

(Official Publication)

ORDINANCE NO. 121

AN ORDINANCE AMENDING ORDINANCE NO. 46, ENTITLED "AN ORDINANCE REGULATING THE OPERATION OF THE MUNICIPAL SANITARY SEWER SYSTEM REQUIRING CONNECTIONS TO BE MADE TO THE MUNICIPAL SANITARY SEWER SYSTEM ESTABLISHING REGULATIONS AS TO TYPES AND KINDS OF WASTES THAT MAY BE DISPOSED OF BY THE USE OF THE MUNICIPAL SANITARY SEWER SYSTEM PROHIBITING THE DISCHARGE OF ANY TYPE OR KIND OF SURFACE WATERS INTO THE MUNICIPAL SANITARY SEWER SYSTEM AND PRESCRIBING RATES AND CHARGES FOR DISPOSAL SERVICES," AS AMENDED BY ORDINANCE NO. 48, ORDINANCE NO. 58, ORDINANCE NO. 63, ORDINANCE NO. 82, ORDINANCE NO. 110 AND ORDINANCE NO. 113.

The Village Council of the Village of Falcon Heights does ordain as follows:

SECTION 1

The Ordinance No. 46 entitled "An Ordinance Regulating the Operation of the Municipal Sanitary Sewer System Requiring Connections to be Made to the Municipal Sanitary Sewer System Establishing Regulations as to Types and Kinds of Wastes That May be Disposed of by the Use of the Municipal Sanitary Sewer System Prohibiting the Discharge of any Type of Kind of Surface Waters into the Municipal Sanitary Sewer System and Prescribing Rates and Charges for Disposal Services," as Amended by Ordinance No. 48, Ordinance No. 58, Ordinance No. 63, Ordinance No. 82, Ordinance No. 110 and Ordinance No. 113 is hereby amended by adding a new Section 9 as follows:

Section 9. Maintenance of Individual Connections. It shall be the responsibility of the owner or occupant to maintain the sewer service from the main sewer into the house or building.

and by renumbering Sections 9 and 10 to Sections 10 and 11, respectively.

SECTION 2

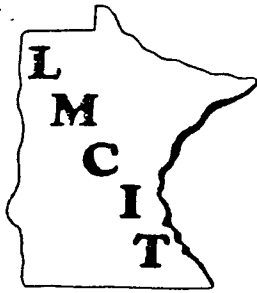
This ordinance shall be in full force and effect from and after its adoption and publication.

Passed by the Village Council this 10th day of August, 1972.

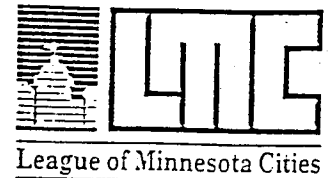
WILLIS WARKENTIEN
Mayor

Attest:
DEWAN B. BARNES
Clerk-Administrator

(Aug. 23, 1972)—RLEL-20C



LOSS CONTROL QUARTERLY



Spring 1990

A publication of the League of Minnesota Cities Insurance Trust

No. 8

More on sewer back-ups

by Peter Tritz, LMCIT Administrator

The January, 1990 Loss Control Quarterly contained an article discussing the factors that determine whether or not a city is liable for damages caused by a sewer back-up. The city is liable only if the city's negligence caused the sewer back-up. But many homeowners' insurance policies don't cover damages caused by sewer back-ups. When the back-up wasn't a result of city negligence, the homeowner might have to cover the damage from his own pocket. By shopping around with different companies and/or agents, the homeowner may be able to find a policy that will protect against this risk.

Some cities have considered adopting a policy of paying for all damages caused by sewer back-ups, whether caused by the city's negligence or not. The city probably has the legal power to adopt this kind of policy. You'd do it by making it part of the contract between the city and the sewer user. That is, you'd specify in the sewer ordinance that in return for paying the specified fee, the property owner would receive two things: sewer service and reimbursement for damages resulting from sewer back-ups. The city couldn't legally make the payments unless the city had contractually assumed a duty to do so; to make payments that are not owed either contractually or in tort is to make a gift of public funds.

While the city probably has the legal authority to adopt a policy of reimbursing property owners for all sewer back-up damages, city officials should carefully consider the financial implications. There are several points to keep in mind before committing the city contractually to pay for sewer back-up damages.

1. The city would have to pay these

reimbursements from its own funds. The LMCIT liability coverage covers only the damages for which the city is liable in tort. It does not cover payments that the city commits itself by contract to make to another party. (LMCIT does cover contractually assumed tort liability, but that's a different issue. That coverage protects the city when the city assumes another party's tort liability to a third party—in an indemnification clause in a contract, for example.)

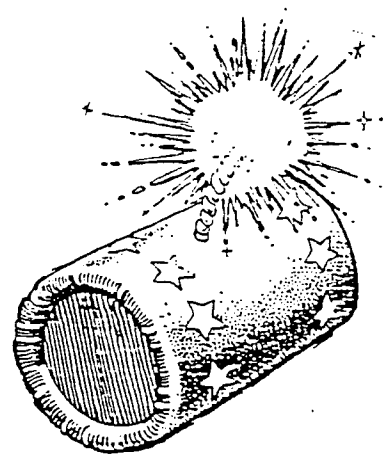
2. It is a potentially unlimited financial risk to the city. While the city could limit the amount it will reimburse each homeowner, there's no way to limit the number of homeowners that could be entitled to reimbursement. Imagine an exceptionally heavy storm that not only floods the sewers with infiltrated stormwater but also knocks out power to sewer lift stations. It's not hard to imagine a couple of hundred homes with \$5,000 or \$10,000 of damages apiece.

3. The city would have to develop a system for evaluating how much is owed each property owner. The city would face the potential for disputes about the actual value of the homeowner's damaged property. While a reimbursement policy might avoid some conflicts with citizens, it might create some others.

4. Some homeowners' insurance policies cover sewer back-up damage. In those cases, the city would have to reimburse the homeowner's insurer if the insurer paid the claim.

5. A reimbursement policy would create a conflict between the city and LMCIT. LMCIT would pay sewer back-up damage if the city was neg-

ligent, but the city would pay if something other than city negligence had caused the back-up. Thus, it would be to the city's advantage to have been negligent. LMCIT might find it difficult to get the information needed to defend a
See "Sewer back-ups," page 27



Special city events

by Patricia Deshler, LMCIT

With summer just around the corner, cities will no doubt have many activities or special events taking place. When considering liability coverage for these occasions, you can refer to Peter Tritz' article in the June 1989 edition of *Minnesota Cities* entitled, "Special Events: Does your city have liability coverage?" This article includes what events are covered, who is covered, and suggestions on what the city can do about these issues. If you have further questions, please contact LMCIT for information. If you would like copies of this article, call Patricia Deshler at 612-227-5600.

Have a safe and enjoyable summer.

Sewer backups: What's a city to do?

Ellen A. Longfellow, LMCIT Staff Attorney

Someone calls the city and says that he has sewage in his basement. He wants the mess cleaned up and thinks that the city is responsible. He also wants the city to do something to guarantee that it won't happen again. What should the city do?

This is a common problem that occurs in Minnesota cities. The League of Minnesota Cities Insurance Trust has received numerous claims against cities for damages from sewer backups. Cities can do several things to avoid the legal liability for such occurrences and to reduce the chances of sewer backups happening.

After the city receives notice of a sewer backup, it should make a record of the incident noting the time and problem. The city should then investigate to see if there is an immediate problem in its sewer lines or system that can be corrected to stop the backup. It is important to respond as quickly as possible in order to avoid later finding that the city was negligent in not responding within a reasonable time.

The city must also report the claims to its insurance company or self-insurance pool as soon as possible. The claims investigators need to investigate claims as close as possible to the date of the incident in order to find witnesses and facts. City officials and employees should be careful as to what they say to the person making the complaint. Anything that an employee or official of the city says may be used later against the city. They can express sympathy but should avoid admitting liability of the city or promising that the city will pay for the damages. An adjuster will investigate and make a determination as to whether the city should be responsible for the claim.

There are various causes of the sewer backups. The problem may involve a blockage in the city's line or in the property owner's line. If it is in the property owner's line generally, the city would not be responsible. However, this depends on what the city's ordinance states in regard to

defining the city and property owner's responsibilities for maintenance and repair. If the city's policy is to only maintain the city's sewer main, the city's sewer ordinance should define what constitutes the city's sewer main. We have recently had a case where the focus was whether the connection of the private line to the main was part of the main.

For blockages or problems in the city's lines, the city would generally be responsible for removing the block. Removing the block does not mean that the city was necessarily legally negligent in the cause of the blockage. In some situations, the blockage may be the result of something that was put into the line by other users of the system. Common occurrences, for example, are grease from restaurants or household substances such as diapers. Generally, cities have ordinances prohibiting the discharge of many such substances into its sewer systems. If the city knows who discharged the substance, there may be a basis to have that person to pay for the damages.

The general legal analysis in Minnesota to determine who is responsible for the sewer backup damages uses a

negligence standard. The claimant must prove:

1. That there was a defect in the city's sewer line;
2. That the city had notice, actual or constructive, of that defect;
3. That the city failed to correct the defect within a reasonable time after receiving notice of it; and
4. That such failure was the cause of the damages.

To avoid being held liable for damages, the city should develop a regular inspection and maintenance program for its sewer system. This could involve regular inspection of manholes, cleaning lines with a jetter or rodder, or televising the lines. What methods the city uses may depend on the available financial and personnel resources. The city should document any such limitations.

There also is no definite requirement as to how often a city should inspect and maintain its system. The city should be able to argue that its maintenance shows "reasonable care." The city should keep records of all of its inspection and maintenance activities, which would include dates, names of the employees involved, location, and what the employees did. If employees



A St. Paul City Sewer Maintenance worker makes repairs on an old portion of storm sewer in downtown St. Paul.



CITY OF
FALCON HEIGHTS

2077 W. LARPENTEUR AVENUE FALCON HEIGHTS, MN 55113-5594 PHONE (612) 644-5050 FAX (612) 644-8675

MEMORANDUM

DATE: October 9, 1990
TO: Jan Wiessner
FROM: Tom Kelly
Vince Wright
RE: Sewer Backups and Sewer Stub Problems

Vince called some contractors to come up with some costs of sewer stub repairs. The cost can vary between \$800 to \$3,000. If just digging up dirt, it would cost \$800; if digging up tar, it would cost between \$1,000 to \$1,500; and for digging up cement, the cost would be \$2,700 to \$3,000. If the ground is frozen, there is a \$55.00/hour rate, and it would take about 7 to 8 hours to dig it up. All the costs are on lines buried 8 to 10 feet deep.

To clean out a sewer line, the average cost is \$94.00 (\$47.00/hr. for 2 hours) for a line 100 ft. long.

Vince recalls four lines breaking so far this year. Three were by the stub, the other one was by the house. Vince feels that in an average year, the city has three to four line breaks and that most breaks occur at or near the stub. To build this into the residential sewer rate, the cost would be approximately \$1.96 per house (1,148 homes, 3 breaks/year at \$3,000). This does not include commercial or multi-unit housing. It also does not leave any funds for basement cleanup for sewer backup.

Staff recommends no change in our ordinances for sewer repairs. The reasons for not changing are many, but some are:

1. When a break happens, it is hard to determine where it takes place.
2. The city would need to have someone on the job site when work is being done to try to determine where it broke.

Consent _____

Agenda Item: F-2

Policy X

CITY OF FALCON HEIGHTS

Meeting Date: 11/14/90

REQUEST FOR COUNCIL CONSIDERATION

ITEM DESCRIPTION:

U OF M SCHOOLHOUSE - UPDATE

SUBMITTED BY:

Jan Wiessner

REVIEWED BY:

EXPLANATION/SUMMARY (attach additional sheets as necessary):

After a fire at the old schoolhouse on the corner of Cleveland and Larpenteur in October, the City was contacted to see if the Fire Department was interested in burning down the building for a fire-fighting drill. We questioned whether the building had been designated as a historic building. The Ramsey County Historical Society expressed interest in trying to save the building. The University has indicated a willingness to give the building to anyone interested in moving it. Carol Kriegler was going to check into the feasibility of moving it to Grove Park for use as a shelter if the Historical Society decides not to acquire it.

We'll try to have further information available by the Council Meeting.

ACTION REQUESTED: Information and discussion.



CITY OF FALCON HEIGHTS

WORKSHOP AGENDA

NOVEMBER 14, 1990

1. Continue City Administrator's Performance Review Discussion.
2. Discuss City's Complaint Procedures.




CITY OF
FALCON HEIGHTS

2077 W. LARPEN TEUR AVENUE FALCON HEIGHTS, MN 55113-5594 PHONE (612) 644-5050 FAX (612) 644-8675

November 9, 1990

TO: Mayor Baldwin and Council Members

FROM: Jan Wiessner 

RE: Workshop Discussion of City's Handling of Complaints:
Nov. 14, 1990

To facilitate our discussion about how complaints should be handled, or if problems exist, I thought it might be helpful if each of you would take a few minutes to reflect on your own expectations. I prepared a questionnaire which is enclosed to direct your thinking. I'd like you to focus on how you think things should be handled, then we can talk about changes required. I also put together a brief summary of the number and types of complaints we get and tried to categorize them.

Don't hesitate to call if there's more information you need to help discussion at workshop.

JW:p
attachments

HOME OF THE MINNESOTA STATE FAIR AND THE U OF M INSTITUTE OF AGRICULTURE



PRINTED ON RECYCLED PAPER

(Please check appropriate category)

_____ Staff

_____ City Council

FALCON HEIGHTS CUSTOMER SERVICE EXPECTATION QUESTIONNAIRE

Anytime someone in Falcon Heights calls or writes to someone at the City (staff or elected officials), they have expectations about how they would like their communications to be handled. The purpose of this questionnaire is to stimulate discussion about the City's customer service procedures.

What are your expectations about the following situations?

1. Code Violation - Someone calls City Hall and reports a code violation (such as a neighbor's dog is barking, a neighbor has weeds or grass growing longer than allowable, a dumpster is overflowing, a boat is parked illegally, cars are parked somewhere illegally, etc.)
 - a. How quickly do you expect action to be taken?
 - b. What action should be taken by whom?
 - c. Should the caller receive a report of action taken?
 - d. If so, by phone or in writing?
 - e. By whom?
2. Service Requests - Someone calls City Hall and complains about a pot hole, crack in sidewalk, sign knocked over, etc.
 - a. What action should be taken?
 - b. How quickly?
 - c. Should caller be contacted after action is taken?
 - d. If so, how and by whom?

3. If the above calls were made to a City Council Member, what action should the City Council Member take?
4. Should the staff report to the Council Member and/or the complainer after action has been taken?
5. When a letter is received at City Hall addressed to a Council Member, how should it be handled?
 - a. Who should get copies of it?
 - b. Who should decide what action is taken?
 - c. Should the letter writer receive a response?
 - d. If so, by phone, by letter, by whom?
 - e. How soon should they expect a response?
6. When a letter is received by City staff, under what circumstances should City Council receive a copy of it?
 - a. Of response?
 - b. How soon should letter writer expect a response?
7. When a complaint involves a code violation and staff realizes there are other similar situations in the City, how should it be handled? (ie. lack of screening between business and residential area, a hedge which doesn't conform to set back requirements, etc.)

8. To what extent should City staff be enforcing City ordinances through formal inspection programs vs. citizen complaints? (Please be specific about which ordinances you feel should have routine inspections conducted).

9. Other thoughts, comments?

SUMMARY OF COMPLAINTS

Aug., Sept., Oct. 1990

of Com-
plaints

I. Code Violations

- 4 A. Nuisance (garbage, dogs, noise, grass/weeds)
- 3 B. Public Safety (parking, speeding, safety problems
like hedge, sign obstruction)
- 3 C. Zoning (land use issues such as boat storage,
conditional use violations, parking problems,
screening)

II. Requests for Services

- 4 A. Public Works
- 0 B. Parks and Recreation (park maintenance, recreation
programs)
- 1 C. Miscellaneous (newsletter not received)

III. Policy Issues

- 8 Requests for changes in current policies or express
opinions to Council such as parking signs, organized
collection, sewer repair, street projects, auto repair
use .

IV. Referrals to Other Jurisdictions

- 3 County, State, Dispute Resolution Center
- 26 Total

Current Response to Typical Complaints:

I. Code Violations (Nuisance, Zoning, Public Safety)

Violations verified by staff if questionable,
letter sent and/or phone call, or police called depending
upon situation.

II. Requests for Service (Public Works, Park and Rec)

Problems checked out, appropriate action taken
(ie., if catch basins are plugged, they are cleaned,
if boulevard needs seed, it's taken care of, pot hole's
need patching, they're patched, etc.)

III. Policy Issues

Letters or phone calls expressing opinions are passed
on to Council with no further action by staff, calls or
letters which seem to raise concerns about existing policy

are researched by staff and recommendations for change made through City Council Agenda process (ex. request to change sewer billing system for apartments, requests for parking restrictions, speed limit changes, etc.

IV. Referrals

Phone numbers of appropriate agency are given out. When it's a complaint re: Ramsey County Public Works or MNDot, we usually call them directly for the individual because we know who to contact and people tend to get frustrated dealing with these bureaucracies. (They often require more than one call).

Disputes between neighbors which do not violate city ordinances are referred to the Dispute Resolution Center.

1990 GOALS AND ACTION PLAN

TOM KELLY

1. To improve use of computers by the City.
 - (A) Purchase improved and advanced hardware and software by the end of March.
 - (B) Train staff on software uses.
 - (C) By mid-year, have City's accounting records on a software package.
 - (D) By year-end, finish using manual records. (Run parallel systems for 4th Quarter).

2. Review the City's system for fees and charges and recommend appropriate changes.
 - (A) Identify which fees and charges are improper by June.
 - (B) Create better cash flows where possible such as direct deposits on sewer bills by end of September.
 - (C) Attain better knowledge and administer City's invoicing and permits by August.
 - (D) Develop better special assessment collection system by year end.
 - (a) determine what is still owed
 - (b) improve pre-payment cash flow

3. Improve accounting recordkeeping and documentation.
 - (A) By March, have new vouchers for alpha and numeric filing.
 - (B) Throughout the year, evaluate current recordkeeping system and make changes as necessary to assure that finances are handled accurately and timely.
 - (C) If time is available, document all computer programs; i.e., step-by-step instructions on how City's programs are set up and work.

4. Improve City's purchasing system.
 - (A) By end of April, have better inventory control.
 - (B) By end of February, be in charge of purchasing of supplies and equipment.
 - (C) Look into purchasing co-operatives with State, Hennepin and Ramsey Counties during February.

5. Improve Audit Function.

- A. Determine what services the City expects from auditor by June.
- B. Identify tasks currently done by auditor that could be done in-house for more cost efficiency.
- C. Send out RFP's for 1990 audit.
- D. Create recordkeeping system for audit information throughout the year.

6. Review City's insurance coverage and recommend appropriate changes.

- A. Work with insurance agent (Company) to assure sufficient coverage and attain the best insurance for the money; i.e., self-insurance versus deductibles by year-end.

7. Improve skills in areas of computers and risk management.

- A. Improve self-knowledge of computers by taking a class or classes.
- B. Attend at least six GFOA meetings.
- C. Attend future PRIMA meetings (risk managers).
- D. Attend other financial related meetings.

CITY OF FALCON HEIGHTS
EMPLOYEE'S PERFORMANCE REVIEW

Name Tom Kelly Supervisor Jan Wiessner
Position Title City Accountant Conference Date Jan. 16, 1990

Summary of Overall Performance

		X
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*

KEY:

Areas for Growth	Meets Requirements	Exceeds Expectations

A. MAJOR AREAS OF RESPONSIBILITY (REFERS TO THOSE SPECIFIED ON POSITION DESCRIPTIONS):

1.

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 Maintains general ledger, recordkeeping, new Chart of Accounts System
2.

		X
--	--	---

 Maintains City's insurance policies. Tom has recommended some changes in this area and has identified room for improvement.
3.

		X
--	--	---

 Maintains payroll and personnel records. Tom is checking into new software.
4.

	X	
--	---	--

 Purchasing. This is a goal area for 1990.
5.

		X
--	--	---

 Utility Billing - Tom is working on improvements to system for fees and charges.
6.

		X
--	--	---

 Financial Reports
7.

	X	
--	---	--

 Office Automation - This will be a goal area for 1990

- 8.

		X
--	--	---

 Special Reports -

- 9.

		X
--	--	---

 Misc.

- 10.

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Note: Those items above not specifically mentioned are assumed to be satisfactory.

B. PROGRESS ON SPECIFIC INDIVIDUAL GOALS

- 1.

	X	
--	---	--

 Computerize City's Accounting Records - changed account codes.
Waiting to get new software implemented in 1990.

- 2.

		X
--	--	---

 Improve Investment System

- 3.

		X
--	--	---

 Improve recordkeeping and documentation

- 4.

		X
--	--	---

 Improve skills

- 5.

X		
---	--	--

 Computerize City Special Assessments. Delayed this, will
be picked up in 1990.

C. OTHER FACTORS TO BE CONSIDERED which affect the performance of this position:

Tom carries out his job responsibilities well and is supportive to the other staff members.

D. SIGNIFICANT CHANGES IN PERFORMANCE which have been noted since the last review.

E. WHAT EFFORTS HAVE BEEN MADE TO IMPROVE PERFORMANCE?

F. KEY AREAS WHERE PERFORMANCE CAN BE IMPROVED: A major goal area for 1990 is to improve the use of office automation. This will have an impact on many of Tom's responsibilities.

Were these areas discussed during the review? Yes No

Was a planned approach agreed upon to improve performance? Yes No

G. COMMENTS ON DIFFERENCES OF OPINION CONCERNING PERFORMANCE REVIEW:

H. Position description is adequate needs revision.

This review covers performance for the previous 6 months.

I. REVIEW ACKNOWLEDGED BY:

Tom Kelly *
(Employee)

2/27/90
(Date)

Jan Whessone
(Supervisor)

2/27/90
(Date)

Conference Date: January 16, 1990

* Initials or signature does not necessarily indicate incumbent's agreement or disagreement.