

CITY OF FALCON HEIGHTS  
AGENDA  
JANUARY 25, 1989

Addendum -  
\*Pl. Comm. Minutes

*Semi-articulate what I think we are  
quasi-comfortable with*

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

B. ROLL CALL:	BUSH	✓	CIERNIA	✓	BALDWIN	✓
	P. CHENOWETH	✓	WALLIN	✓	WIESSNER	✓
	S. CHENOWETH	✓	ATTORNEY	✓	ENGINEER	✓

C. APPROVAL OF MINUTES OF JANUARY 11, 1989:

ACTION: \_\_\_\_\_

D. PUBLIC HEARINGS: NONE

E. CONSENT AGENDA:

1. Disbursements

- a. General Disbursements - January 12, 1989 through January 25, 1989 -- \$59,396.89
- b. Payroll - January 1, 1989 through January 15, 1989 \$11,145.36
- c. Dahlgren, Shardlow & Uban -12/1/88 - 12/31/88 -- \$833.33 (Tech. Assis.)
- d. Dahlgren, Shardlow & Uban - Planning Services, Dec., 1988, \$639.17
- e. Jensen, Hicken, Gedde & Soucie, Legal Services, 12/88 - \$3,495.85

- 2. Solid Waste Commission Minutes
- 3. Ramsey County Sheriff's Reports
- 4. Licenses
- 5. MSA 5 Year Construction Plan
- 6. Parental Leave Request

ACTION: \_\_\_\_\_

F. REPORTS, REQUESTS AND RECOMMENDATIONS:

1. Northwest Youth Services Presentation - *Scott Williams*

ACTION: \_\_\_\_\_

2. Conditional Use Request of Joseph and James Sacco

*No motion for moratorium →*  
ACTION: *\* Refer to Pl. Comm. Feb. 6, Back to Council Feb. 8*  
*\* Other of body / or rep. should be there*

3. Application of Liquor/Sunday Liquor License for proposed Restaurant/Lounge

ACTION: \_\_\_\_\_

4. Parking Variance Request

ACTION: \_\_\_\_\_

5. Household Hazardous Waste Collection Project

ACTION: \_\_\_\_\_

F. REPORTS, REQUESTS AND RECOMMENDATIONS:

6. Certification of signatures for checks, etc.

ACTION: \_\_\_\_\_

7. Use of Facsimile signature

ACTION: \_\_\_\_\_

8. Creation of an Investment Trust Fund

ACTION: \_\_\_\_\_

9. Workers Compensation/Accident Insurance for Elected Officials

ACTION: \_\_\_\_\_

10. Sale of City Snowblower

ACTION: \_\_\_\_\_

G. ANNOUNCEMENTS AND UPDATES:

H. ADJOURNMENT:

ACTION: \_\_\_\_\_

ADDENDUM TO CONSENT AGENDA  
JANUARY 25, 1989

E(7) Planning Commission Minutes of January 23, 1989

MINUTES  
SPECIAL PLANNING COMMISSION MEETING  
JANUARY 23, 1989

Chairman Black called the meeting to order at 7:35 P.M.

Black, Daykin, Boche, Barry, Grittner, Finegan, Duncan, Nestingen and Carroll. Also present was Council Liaison Wallin, Planners Uban and Malloy.

PRESENT

None.

ABSEMT

Duncan moved, seconded by Barry, to approve the January 9, 1989 Minutes as presented. Motion carried unanimously.

1/9/89  
MINUTES  
APPROVED

Black opened the public hearing at 7:45 P.M. and advised that notice had been published in the Falcon Heights Focus on Wednesday, January 11, 1989 and mailed notice had been sent to property owners living within 350 feet of the proposed business.

PUBLIC  
HEARING -  
CONDITIONAL  
USE REQUEST  
JOE & JOHN  
SACCO TO  
INSTALL AN  
INDOOR GAME  
ARCADE

Joe Sacco requested a conditional use to install an indoor amusement center which would be family owned and operated in approximately 2,000 square feet in the Northome Shopping Center. They are suggesting installation of 25 amusement devices and up to five pool tables in an upbeat atmosphere geared to clientele from ages 12 to 20. They will have posted rules and regulations, provide security if proved needed, will follow curfew regulations as set by code, will have only one entrance from the front with the entrance from the back to be emergency only, will have a well-lit establishment and allow no drinking or drug use.

James Sacco advised that he is the daytime manager of the Hoggsbreath Bar located on Rice Street in Little Canada. He has been in this position for five years.

JAMES  
SACCO

Barry questioned whether there will be enough parking in the front for their customers, how many people will be on duty, and how they will handle customers drinking and using drugs. Sacco replied that there is adequate parking in the front and along side the building as well as the fact that some of their clientele will not be driving so the shopping center owner may install bike racks, enough adults will be on duty to monitor the business and the authorities will be notified if drinking or use of drugs occurs.

BARRY/  
SACCO

The noise issue arose from how loud the juke boxes will be played. Sacco advised that sound boards were placed on the walls by previous owners to eliminate noise problems for other rental tenants.

SACCO

Mark Kosanke, 1471 West California, had the following concerns and requested they be considered in granting the conditional

MARK  
KOSANKE,  
1471 WEST  
CALIFORNIA

MINUTES  
SPECIAL PLANNING COMMISSION MEETING  
JANUARY 23, 1989  
PAGE 2

use request: (1) there be no backdoor entrance to rear parking lot other than a fire exit, (2) there be restricted hours no later than 10:00 P.M. Sunday thru Thursday, and 12:00 P.M. Friday and Saturday, (3) adequate lighting be provided within the establishment and outside in the parking lot, (4) there be a security guard or management must patrol rear and front parking lots, and (5) a limitation on the number of people allowed in the establishment at one time be provided for.

There being no others wishing to be heard, Chairman Black closed the public hearing at 8:35 P.M.

PUBLIC  
HEARING  
CLOSED

Hours of operation were discussed to which Sacco advised that he is requesting that the business be allowed to be open from 10:30 A.M. to 12:00 P.M. with the curfew enforced for those under age. A security guard (bouncer type) will be hired if so needed. Also, there will be one member of the family on the premises at all times and two members will be present at those high volume times when needed.

HOURS OF  
OPERATION

After further discussion, Barry moved, seconded by Duncan, to declare a moritorium on the operations of any new game room within the City and inquire the legal avenues as to whether or not the conditional use was properly included in the city ordinance and re-consider amending such ordinance. Upon a voice vote being taken, the following voted in favor thereof: Nestingen, Duncan, Finegan, Barry and Daykin, and the following voted against the same: Carroll, Black, Grittner and Boche. Motion carried.

MORITORIUM  
DECLARED  
ON OPERATIO  
OF ANY NEW  
GAME ROOM

A recess was taken at 9:00 P.M.

RECESS

Black reconvened the meeting at 9:10 P.M.

MEETING  
RECONVENED

Dennis Hunt, Bullseye Plaza, advised he is requesting a parking variance for a deli-take out/sportsman bar to be located in the Bullseye Plaza Shopping Center (west side). The proposal will seat 70 customers if filled to capacity. Mr. Hunt then reviewed the present parking situation and his proposal to add more parking spaces on the old liquor store lot and fencing in the lot area.

DENNIS  
HUNT,  
BULLSEYE  
PLAZA,  
PARKING  
VARIANCE  
REQUEST

Henry Kristal, Embers Restaurant, was in attendance. He strenuously opposed the proposal. He is concerned that there is not enough parking on site to accommodate a successful business of this type--the overflow parking would be forced into the residential neighborhood. By changing the parking whereby Bullseye Plaza customers would be limited to only their parking areas would cause disgruntled customers to both businesses as he would be forced to tow cars that are

HENRY  
KRISTAL,  
EMBERS  
RESTAURANT

not his customers. There is not enough parking in the shopping center; therefore, he is concerned about his business.

John Uban, Planner, reviewed the history of the parking issue and advised that it was determined that instead of a 5.5 per thousand square feet being used for retail businesses, 4 per thousand was used with the possibility of only one restaurant in the shopping center, which should be located on the east end. By granting the conditional use request for the addition of the golf-o-mat machines only increased the parking burden. He then reviewed the parking variance request, advised that the proposed deli/sportsman bar space is not being used efficiently, Embers would not allow the shared parking arrangement to continue if the proposal were allowed and the fact that the deli take-out/sportsman's bar does not fit into a center of this type. It was his recommendation that the parking variance be denied for the following reasons: (1) another parking generator cannot be added to the Bullseye Plaza shopping center as there is not adequate space, (2) there will be no continuation of the shared parking arrangement presently in place, (3) additional uses were granted in the shopping center without adjusting the parking complement, and (4) a significant parking variance already exists.

JOHN  
UBAN

After further discussion, Daykin moved, seconded by Barry, to deny the parking variance request for the following reasons: (1) there is not adequate parking on the site, (2) the shared parking arrangement with the Embers Restaurant will no longer be valid if the proposal were approved, (3) additional uses were granted in the shopping center without adjustment of the parking complement (golf-o-mat machines), and (4) a significant parking variance was previously granted. Motion carried unanimously.

PARKING  
VARIANCE  
REQUEST  
DENIED

Carroll moved, seconded by Boche, approval of the Procedures Manual which can be updated and changed at Planning Commission discretion when needs arise. Motion carried unanimously.

PROCEDURES  
MANUAL  
APPROVED

Carroll moved, seconded by Duncan, that recommendations as presented by the Planning Commission to the City Council to the subdivision portion of the ordinance be adopted. Motion carried unanimously.

SUBD.  
APPROVED

Finegan moved, seconded by Gritter, adjournment at 10:20 P.M.

ADJOURNMENT

Submitted by:

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Katherine J. Zimmerman

Approved: \_\_\_\_\_

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Edgar Finegan, Secretary

MINUTES  
REGULAR CITY COUNCIL MEETING  
JANUARY 11, 1989

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

PRESENT

Bush, Baldwin, P. Chenoweth and Wallin. Also present were Wiessner and S. Chenoweth.

ABSENT

Ciernia.

ADDENDUM TO CONSENT AGENDA

Council approved the addition of Item E(10), Planning Commission Minutes of January 9, 1989, to the Consent Agenda.

MINUTES OF DECEMBER 14, 1988 APPROVED

Council approved the Minutes of December 14, 1988 as presented.

CONSENT AGENDA APPROVED

Council approved the following Consent Agenda:

1. Fire/Ambulance Runs
2. Disbursements
  - a. General Disbursements, 12/29/88 - 1/11/89, \$84,821.25
  - b. Sinking Fund, \$38,060.00
  - c. Payroll, 12/16/88 - 12/31/88, \$10,566.05
3. Solid Waste Commission Minutes, December 7, 1988
4. Resignation of John Brynildson, 1489 W. Iowa, from Solid Waste Commission
5. Commission Appointments
  - a. Reappointment of John Duncan, Leonard Boche and Donna Daykin to the Planning Commission, 3 year terms to expire 12/31/91
  - b. Appointment of Jeffrey L. Johnson, 1770 Arona, to Parks and Recreation Commission, 3 year term to expire 12/31/91
6. Designation of Contractual Inspectors
7. Cancellation of Check #22551 in ther amount of \$48.60
8. Ramsey County Sheriff's Report for December, 1988
9. Licenses
10. Planning Commission Minutes of January 9, 1989

DESIGNATION OF OFFICIAL CITY DEPOSITORY FOR 1989

Wallin moved adoption of Resolution R-89-1 designating the North Star State Bank as the official depository. Motion carried unanimously.

RESOLUTION R-89-1

A RESOLUTION DESIGNATING THE OFFICIAL DEPOSITORY  
FOR THE GENERAL AND SINKING FUNDS OF THE CITY OF  
FALCON HEIGHTS

NEED FOR SAFETY DEPOSIT BOX QUESTIONED - NO ACTION TAKEN

P. Chenoweth questioned the need for a Safety Deposit Box since the City now has a fire proof vault and others indicated they had similar thoughts. Baldwin and Wiessner will check on the box presently rented at North Star Bank and determine whether or not it is needed.

DESIGNATION OF OFFICIAL CITY NEWSPAPER

Wallin moved the designation of Post Publications (Focus Newspaper) as the official city newspaper for 1989. Motion carried unanimously.

1989 COUNCIL ASSIGNMENTS APPROVED

Baldwin presented the proposed Council assignments after which Bush moved acceptance of the assignments. Motion carried unanimously.

CONNIE LASSER REAPPOINTED TO PARKS AND RECREATION COMMISSION FOR THIRD TERM

Bush explained that Lasser had served a one year term and one three year term, and is willing to serve another three year term to expire 12/31/91. Since City Code stipulates members may serve only two consecutive terms, the Parks and Recreation Commission has requested that an exception be made in this case. P. Chenoweth moved approval of the three year appointment which carried unanimously.

APPLICATION FROM DENNIS HUNT FOR LIQUOR/SUNDAY LIQUOR LICENSE WITHDRAWN AT APPLICANT'S REQUEST

Baldwin explained that Dennis Hunt, Bullseye Plaza, had submitted plans for a restaurant/bar and an application for a liquor license for the establishment, but has now requested the item be withdrawn from the agenda.

PARKING VARIANCE REQUEST FROM DENNIS HUNT DELAYED AWAITING ACTION BY PLANNING COMMISSION

Wallin informed Council that at the January 9th Planning Commission meeting Mr. Hunt had indicated he had changed the plans for his bar/restaurant/deli and now wants to establish a take-out deli with limited seating as phase one with the possible addition of the bar/restaurant as phase two. Wallin explained the Commission took no action as they felt the overall picture needed to be examined and will be discussed further at the January 23rd meeting providing adequate information is provided by Mr. Hunt. Council deferred the matter until the Commission has made a recommendation.

Council briefly discussed comments Mr. Hunt had made at the Planning Commission Meeting regarding the high taxes on his building which makes rental difficult. P. Chenoweth asked that the record show that Mr. Hunt should have been aware of the



taxes as they were based on a value established by an assessment agreement which was a part of the original development agreement and approved by Hunt and his advisors. Baldwin suggested it might be appropriate to deal with Mr. Hunt's attorney or realtor if the matter is misunderstood by Hunt.

#### PROPOSED CHARITABLE GAMBLING ORDINANCE DISCUSSION

Wiessner recommended that Council take immediate action on charitable gambling as the City's present code is in conflict with State Statute and, therefore, null and void. This could allow the State to grant a license to a group which has applied for a license to sell pull tabs in Falcon Heights (Charity Bowl) with no City input. The following options were presented: (1) do nothing and allow the State to regulate charitable gambling in the City, (2) adopt an ordinance stipulating the City's involvement, or (3) adopt an ordinance prohibiting all charitable gambling. Council agreed Option 1 was not acceptable, and proceeded to review and revise the proposed ordinance prepared by the City Attorney. After discussing possible methods by which the City might restrict charitable gambling, Council agreed more time was needed to make an informed decision. Wallin then moved adoption of Ordinance O-88-1 which would prohibit charitable gambling in the City. Motion carried unanimously. Wallin explained that he was not opposed to the idea of charitable gambling, but felt more time was needed study the issue.

#### ORDINANCE O-88-1

##### AN ORDINANCE AMENDING CHAPTER 5, PART 15 OF THE CODE OF THE CITY OF FALCON HEIGHTS

MORE INFORMATION TO BE OBTAINED ON CHARITABLE GAMBLING AND  
PROPOSED ORDINANCE TO BE RE-DRAFTED

Staff was directed to obtain further information from the City Attorney and neighboring communities regarding whether or not charitable gambling could be controlled as a conditional use, if the number of licenses could be restricted, if licenses could be restricted to local organizations only, and if the City has any mechanism by which the State could be required to act upon licensees which the City may determine to be dissatisfactory. The proposed ordinance will then be redrafted for future consideration.

#### WATER UTILITY TO INSTALL REMOTE METERING SYSTEM

Wiessner presented an contract agreement proposed by the St. Paul Water Utility which would allow the Water Utility to install remote metering systems in Falcon Heights. Following a brief discussion, P. Chenoweth moved approval of the contract which carried unanimously.

#### APPROVAL OF REQUEST FOR REFUND ON CANCELLED PIZZA HUT BUILDING PERMIT

Baldwin explained that a proposed Pizza Hut addition was cancelled due to the possibility that the structure might be

part of the southeast corner redevelopment and the contractor has requested reimbursement of the unused portion of the permit fee. Wallin moved approval of a refund in the amount of \$487.77 (the unused portion of the \$664.03 total fee) as recommended by staff. Motion carried unanimously.

ADOPTION OF ORDINANCE O-89-2 INCLUDING GAME ARCADES AS A  
CONDITONAL USE IN B-2 DISTRICTS

Wallin moved adoption of Ordinance O-89-2 adding game arcades as a conditional use in B-2 Districts. He explained the Planning Commission had recommended the amendment following their public hearing on January 9, 1989. Motion carried unanimously.

ORDINANCE O-89-2

AN ORDINANCE AMENDING SECTION 9-10.01, SUBDIVISON 2, OF  
THE MUNCICIPAL CODE RELATING TO CONDITIONAL USES IN THE  
B-2 RETAIL BUSINESS DISTRICT

1989 RECYCLING GRANT AGREEMENT WITH RAMSEY COUNTY APPROVED

P. Chenoweth moved approval of the 1989 Recycling Grant Agreement as recommended by the Solid Waste Commission. Motion carried unanimously.

CITY ADMINISTRATOR AUTHORIZED TO APPROVE PAYMENT OF BILLS UP TO  
\$1,000

Wiessner explained that a problem occasionally arises when bills are due prior to the Council meeting or when someone needs to be paid for services and, requested Council consider authorizing the Administrator to approve payment of such bills up to an amount of \$1,000. P. Chenoweth moved approval which carried unanimously.

ADJDOURNMENT

The meeting was adjourned at 8:46 P.M.

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Tom Baldwin, Mayor

ATTEST:

-----  
Shirley Chenoweth, Clerk

Consent X

Policy \_\_\_\_\_

Meeting Date: 1/25/89

Agenda Item: E-1

CITY OF FALCON HEIGHTS

**REQUEST FOR COUNCIL CONSIDERATION**

**ITEM DESCRIPTION:**

Disbursements

**SUBMITTED BY:** Tom Kelly

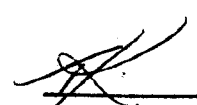
**REVIEWED BY:** Shirley Chenoweth

**EXPLANATION/SUMMARY (attach additional sheets as necessary):**

- (a) General Disbursements 1/12/89 - 1/25/89, \$59,396.89
- (b) Payroll 1/1/89 - 1/15/89, \$11,145.36
- (c) Dahlgren, Shardlow and Uban, Technical Assistance  
1/1/88 - 1/31/88, \$833.33
- (d) Dahlgren, Shardlow and Uban, Planning Services,  
December, 1988, \$639.17
- (e) Jensen, Hicken, Gedde & Soucie, Legal Services,  
December, 1988, \$3,495.85

**ACTION REQUESTED:**

Approval



CHECK NO.	ISSUED TO	REASON	AMOUNT
22724	U.S. Postmaster	Stamps	250.00
22725	Collins Electrical Construction Co.	Idaho-Snelling-replace lights, underground wires	\$2,200.00
22726	Deluxe Computer Forms & Supplies	Office Supplies	55.10
22727	PERA	January premium-Terry Iverson	9.00
22728	Brighton Veterinary Hospital	December, '88 Fees	25.00
22729	NSP	Dec. electricity-Community Park	226.80
22730	AT&T	January lease payment	18.53
22731	American Linen Supply Co.	Cleaning supplies	61.59
22732	Accountemps	Temp. help-December	191.40
22733	AT&T	Telephone charges	284.33
22734	In-town Industries	Newsletter-Solid Waste Commission	465.00
22735	Materials Distribution-Surplus Property	Office Supplies	9.75
22736	Jensen, Hicken, Gedde & Soucie	December Legal Fees	3,495.85
22737	Business Consultants	Seminar-Zimmerman and Phillips	120.00
22738	US West	January '89 service	208.13
22739	Metro Waste Control	February sewer charge	40,628.45
22740	United Laboratories	Supplies	279.79
22741	Maier Stewart & Assoc.	December engineering services	105.23
22742	John Flora, City of Fridley	'89 RMAA dues	10.00
22743	Sally Bonkrude	Entertainment-Brkfst with Santa	65.00
22744	Irene Gengler	Non-resident reimbursement	12.00
22745	Sue Johnson	" "	12.00
22746	Janet Wiessner	January mileage, coffee for Xmas open house	155.99
22747	Cy's Uniforms	Uniforms - Fire Dept.	502.65
22748	Champion Auto	Misc. small tools - Fire Dept.	73.80
22749	Oxygen Service Co.	Oxygen	8.40
22750	St. Paul Ramsey Medical Center	Physical-Greg Peterson	9.72
22751	Minnesota Ambulance Assoc.	Conference, Holmgren and Brown	300.00
22752	Connie Lasser	Non-resident reimbursement	24.00
22753	Barbara Smith	Non-resident "	7.00
22754	Fire Instructors Assoc.	FC-88	316.70
22755	Finance Dept. League of MN Cities	'89 Directory	39.00
22756	ICMA Retirement Trust	Retirement trust	432.26
22757	MN Suburban Publications	Various newspaper publications	128.55
22758	Gelco Space	Lease	56.00
22759	Ehlers and Assoc.	Prof. services from 10/1/88 to 12/31/88	314.32
22760	Target	Breakfast with Santa	38.43
22761	St. Paul Book & Stationery	Supplies	13.14
22762	Harvest States Cooperatives	Gas	48.65
22763	Insty-prints	Envelopes	208.24
22764	No. Suburban Gavel Assoc.	'89 Dues	15.00
22765	Kathy Fuller	Sew patches-Fire Dept.	20.00

CHECK NO.	ISSUED TO	REASON	AMOUNT
22766	ITL Patch and Monogram	City pins-SWC	110.82
22767	The Code Reporter	Subscription	16.00
22768	Software, Inc.	Word processing manual	19.95
22769	State Register & Document Div.	Updated code book	6.50
22770	Tech Builders	Refund of Bldg. Permit	487.77
22771	MAMA	'89 Dues	15.00
22772	Dahlgren, Shardlow & Uban	Dec. '88 Prof. Services	1,472.50
22773	Ramsey County	Nov. and Dec. Plowing	4,769.17
22774	Super Cycle	Dec. recycling	797.20
22775	Thompson Publishing Group	Fair labor handbook	175.00
22776	AT&T	Monthly charge	22.43
22777	State Treasurer	Supplies	9.75
22778	Tom Thumb	Overpayment of License Fee	50.00
TOTAL:			\$59,396.89

Check Number	Employee Number	Employee Name	Pay Period	Pay Group	Pay Group Description	Check Amount	Check Date	Status
017130			0			0.00	13-Jan-89	VOID
017131			0			0.00	13-Jan-89	VOID
017132			0			0.00	13-Jan-89	VOID
017133			0			0.00	13-Jan-89	VOID
017134			0			0.00	13-Jan-89	VOID
017135			0			0.00	13-Jan-89	VOID
017136			0			0.00	13-Jan-89	VOID
017137			0			0.00	13-Jan-89	VOID
017138			0			0.00	13-Jan-89	VOID
017139			0			0.00	13-Jan-89	VOID
017140			0			0.00	13-Jan-89	VOID
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017155			0			0.00	13-Jan-89	VOID
017156			0			0.00	13-Jan-89	VOID
017157	000000002	Klessner, Janet R.	1	01	semi-monthly	1,155.94	13-Jan-89	Outstanding
017158	000000004	Kriegler, Carol J.	1	01	semi-monthly	304.61	13-Jan-89	Outstanding
017159	000000011	Cheroweth, Shirley E.	1	01	semi-monthly	700.10	13-Jan-89	Outstanding
017160	000000020	Iverson, Terry D.	1	01	semi-monthly	857.99	13-Jan-89	Outstanding
017161	000000027	Morgan, Jay M.	1	01	semi-monthly	652.24	13-Jan-89	Outstanding
017162	000000035	Zimmerman, Katherine	1	01	semi-monthly	293.25	13-Jan-89	Outstanding
017163	000000038	Wright, Vincent D.	1	01	semi-monthly	855.75	13-Jan-89	Outstanding
017164	000000050	Kubes, Jon E.	1	01	semi-monthly	207.65	13-Jan-89	Outstanding
017165	000000051	Tretsven, Dave A.	1	01	semi-monthly	228.22	13-Jan-89	Outstanding
017166	000000062	Thompson, Mike F.	1	01	semi-monthly	212.13	13-Jan-89	Outstanding
017167	000000063	Phillips, Patricia A.	1	01	semi-monthly	610.47	13-Jan-89	Outstanding
017168	000000065	KELLY, THOMAS R.	1	01	semi-monthly	769.91	13-Jan-89	Outstanding
017169	000000063	Baumann, Nicholas B.	1	02	monthly 1	354.62	13-Jan-89	Outstanding
017170	000000005	Berndt, Ross	1	02	monthly 1	238.51	13-Jan-89	Outstanding
017171	000000005	Bianchi, David P.	1	02	monthly 1	28.13	13-Jan-89	Outstanding
017172	000000007	Bianchi, Joseph D.	1	02	monthly 1	84.75	13-Jan-89	Outstanding
017173	000000008	Brown, Raymond F.	1	02	monthly 1	354.63	13-Jan-89	Outstanding
017174	000000013	Clarkin, Michael D.	1	02	monthly 1	78.26	13-Jan-89	Outstanding
017175	000000014	Dow, Michael J.	1	02	monthly 1	147.50	13-Jan-89	Outstanding
017176	000000015	Dowdell, Ralph L.	1	02	monthly 1	64.38	13-Jan-89	Outstanding
017177	000000016	Fuller, James D.	1	02	monthly 1	114.38	13-Jan-89	Outstanding
017178	000000016	Holmgren, John R.	1	02	monthly 1	253.13	13-Jan-89	Outstanding
017179	000000021	Kumajetz, Clement M.	1	02	monthly 1	125.63	13-Jan-89	Outstanding

Check Number	Employee Number	Employee Name	Pay Period	Pay Group	Pay Group Description	Check Amount	Check Date	Status
017180	000000022	LeMay, Dennis G.	1	02	monthly 1	202.63	13-Jan-89	Outstanding
017181	000000023	LeMay, Douglas	1	02	monthly 1	63.38	13-Jan-89	Outstanding
017182	000000024	Lindig, Leo	1	02	monthly 1	391.18	13-Jan-89	Outstanding
017183	000000025	McDermond, Cindy K.	1	02	monthly 1	45.63	13-Jan-89	Outstanding
017184	000000026	McNabb, Serald	1	02	monthly 1	51.88	13-Jan-89	Outstanding
017185	000000029	Dison, Joseph E.	1	02	monthly 1	114.38	13-Jan-89	Outstanding
017186	000000032	Schaefer, Richard A.	1	02	monthly 1	18.75	13-Jan-89	Outstanding
017187	000000033	Schauffert, Craig F.	1	02	monthly 1	158.76	13-Jan-89	Outstanding
017188	000000034	Swida, Gail	1	02	monthly 1	229.63	13-Jan-89	Outstanding
017189	000000039	Morgan, Jay	1	02	monthly 1	191.88	13-Jan-89	Outstanding
017190	000000040	Kayser, Douglas	1	02	monthly 1	151.13	13-Jan-89	Outstanding
017191	000000042	Stolz, Steven P.	1	02	monthly 1	45.63	13-Jan-89	Outstanding
017192	000000044	Blanchard, Patricia M.	1	02	monthly 1	6.25	13-Jan-89	Outstanding
017193	000000045	Bilbert, Jerome J.	1	02	monthly 1	104.67	13-Jan-89	Outstanding
017194	000000046	Holmgren, John H.	1	02	monthly 1	254.51	13-Jan-89	Outstanding
017195	000000047	McNabb, Kevin	1	02	monthly 1	80.38	13-Jan-89	Outstanding
017196	000000049	Anderson, Kevin L.	1	02	monthly 1	219.38	13-Jan-89	Outstanding
017197	000000064	PETERSON, GREGORY S.	1	02	monthly 1	73.13	13-Jan-89	Outstanding

Grand Total

11,145.36

**DAHLGREN  
SHARDLOW  
AND UBAN**

CONSULTING PLANNERS  
LANDSCAPE ARCHITECTS  
500 FIRST AVENUE NORTH  
SUITE 210  
MINNEAPOLIS, MN 55401  
612-549-3300

**REC JAN 18 1988**

**STATEMENT**  
-----

12/31/88  
Page 1

01501 : Falcon Heights T.A.

City of Falcon Heights  
2077 Larpenteur Avenue, W.  
Falcon Heights, MN 55113  
Jan Weisner

PROJECT MANAGER : C. John Uban

Professional Services for the period: December 1, 1988 to December 31, 1988  
\*\*\*\*\*

Technical Assistance  
-----

Prepare/Meet	Planning Commission Meeting
Research/Analysis	APA Journals on Platting and Setbacks Review Manual and Statutes
Secretarial Service	
Writing	Revisions To Manual, Subd. Ord. Wording Setbacks Review

Reimbursable Expenses  
-----

Mileage  
Photocopies

**\*\* Invoice Total \*\***

=====  
\$ 833.33  
=====

This is the last statement for the Technical Assistance.



**DAHLGREN  
SHARDLOW  
AND UBAN**

REC'D JAN 18 1989

CONSULTING PLANNERS  
LANDSCAPE ARCHITECTS  
300 FIRST AVENUE NORTH  
SUITE 210  
MINNEAPOLIS, MN 55401  
612-338-3300

**STATEMENT**  
-----

12/31/88  
Page 1

01501.2 : Bullseye Shopping Center

City of Falcon Heights  
2077 Larpenteur Avenue, W.  
Falcon Heights, MN 55113  
Jan Weisner

PROJECT MANAGER : C. John Uban

Professional Services for the period: December 1, 1988 to December 31, 1988  
\*\*\*\*\*

**Consultation**  
-----

Phone Calls	D. Hunt, Kathy, Jan, Shirley
Review/Discuss	Planimeter Areas
Research/Analysis	Developers Agreement, Rest. Plans Parking Requirements
Secretarial Service	
Writing	Plan Review Addendum, Rest. Plans and Parking

Total Professional Services \$ 637.50  
-----

Reimbursable Expenses

Postage  
Photocopies

Total Reimbursable Expenses

\$ 1.67

\*\* Invoice Total \*\*

\$ 639.17

# JENSEN, HICKEN, GEDDE & SOUCIE, P. A.

ATTORNEYS AND COUNSELORS AT LAW

BOCK, EDWARD A., JR.  
BUCHMAN, JOHN T.  
GEDDE, THOMAS A.  
GROVER, BETH H.  
HICKEN, JEFFREY P.  
HOWARD, ROBERT A.  
JENSEN, DAVID L.  
MATTKE, PAUL E.  
SCOTT, MICHAEL J.  
SOUCIE, FRED M.

300 ANOKA OFFICE CENTER  
2150 THIRD AVENUE  
ANOKA, MINNESOTA 55303-2296

TELEPHONE (612) 421-4110  
TELECOPIER (612) 421-1040

OF COUNSEL  
HADLEY, CHARLES S.  
LUTHER, RICHARD L.

January 7, 1989

Ms. Jan Wiessner  
Clerk Administrator  
City of Falcon Heights  
2077 West Larpenteur Ave  
Falcon Heights, MN 55113

Dear Ms. Wiessner:

Enclosed are our itemized statements for the City of Falcon Heights for the month of December, 1988. The total charges on all files are as follows:

Professional Services	\$ 3,471.50
Expenses	<u>\$ 24.35</u>
Current Balance	\$ 3,495.85

Sincerely,



De Etta Vigstol  
Finance Director

enc.

**JENSEN, HICKEN, GEDDE & SOUCIE, P.A.**  
ATTORNEYS AND COUNSELORS AT LAW

STATEMENT DATE: 12/31/88

300 ANOKA OFFICE CENTER  
2150 THIRD AVENUE  
ANOKA, MINNESOTA 55303-2298  
TELEPHONE (612) 421-4110

800201 CITY OF FALCON HEIGHTS-CIVIL

CITY OF FALCON HEIGHTS  
2077 W. LARPEUTEUR AVE.  
FALCON HEIGHTS, MN 55113

INVOICE NO. 9795

PLEASE DETACH AND RETURN TOP PORTION WITH YOUR PAYMENT

AMOUNT PAID \$ \_\_\_\_\_

--DATE--	-ITEM-	ITEM DESCRIPTION	AMOUNT	BALANCE
		BEGINNING BALANCE		\$999.65
12/02/88	000000	PHOTOCOPIES	\$6.65	
12/20/88	000000	PAYMENT RECEIVED-SERVICES	\$996.50-	
12/20/88	000000	PAYMENT RECEIVED-EXPENSES	\$3.15-	
12/21/88	000000	FACSIMILE TRANSMISSION	\$2.50	
		PROFESSIONAL SERVICES (SEE ATTACHED SUMMARY OF TIME RECORDS)		\$2275.50
		EXPENSES		\$9.15
		TOTAL CHARGES THIS STATEMENT		\$2284.65
		PAYMENT		
		\$999.65-		
		CHARGES		
		\$2284.65		
		CURRENT BALANCE		\$2284.65

01/07/89

JENSEN, HICKEN, GEDDE & SOUCIE P.A.  
300 ANOKA OFFICE CENTER - 2150 THIRD AVE  
ANOKA, MINNESOTA 55303

.....  
.....  
BILLED & UNBILLED TIME RECORDS FOR FILE: 800201

FILE NAME: CITY OF FALCON HEIGHTS-CIVIL  
CLIENT NAME: CITY OF FALCON HEIGHTS

-DATE-	ATTY	SEQ	-----TRANSACTIONS-----	TIME	CHARGES
120188	PEM	02	REVIEW & ANALYZE BAEHR DEPOSITION & RECORDS RELATED TO LANE & ITS VACATION; CONSIDER LEGAL ISSUES	3.00	\$255.00
120188	EAB	06	ANALYSIS OF LEGAL ISSUES IN BAEHR CASE	.40	\$34.00
120288	PEM	02	RESEARCH JUDICIAL STANDARD OF REVIEW IN VARIANCE CASES; PHONE CONF W/JAN WIESSNER RE TRIAL DATE, WITNESS NEEDS, OUTLOOK; PHONE CONF W/JERRY FILLA RE PAVING ISSUE	2.20	\$187.00
120588	PEM	02	PHONE CONF W/JAN WIESSNER RE BAEHR LITIGATION & GAMBLING ORDINANCE; PROOFREAD & CORRECT DRAFT ORDINANCE; MEMORANDUM TO COUNCIL	2.50	\$212.50
120588	TAG	03	PHONE CONF W/ADMINISTRATOR RE PCA LEASE AGREEMENT, CHARITABLE GAMBLING ORDINANCE & OTHER ISSUES	.60	\$51.00
120688	PEM	06	PHONE CONF W/JERRY FILLA RE BAEHR CASE	.30	\$25.50
120788	TAG	02	REVIEW FACTS, ISSUES & SETTLEMENT OPTIONS RE BAEHR DRIVEWAY CASE	1.40	\$119.00
120788	PEM	03	CONSIDER APPROACHES TO BAEHR CASE; WORK ON EVIDENTIARY ISSUES & LEGAL THEORIES; REVIEW ADDITIONAL MATERIALS FROM CITY; PHONE CONF W/SHIRLEY CHENOWETH	4.20	\$357.00
120788	PEM	04	PROOF & CORRECT GAMBLING ORDINANCE & MEMORANDUM TO COUNCIL	.50	\$42.50
120888	TAG	02	REVIEW ORDINANCE ISSUES RE LOCAL IMPROVEMENTS; PHONE CONF W/ADMINISTRATOR	.30	\$25.50
120888	PEM	03	PHONE CONF W/DON CLAPP RE BAEHR CASE	.40	\$34.00
120888	PEM	04	PHONE CONF W/SHIRLEY CHENOWETH RE ADDITIONAL INFORMATION ON HISTORY OF ZONING CODE	.20	\$17.00
120988	PEM	05	PHONE CONF W/SHIRLEY CHENOWETH RE ADOPTION OF CHAPTER 9	.10	\$8.50
121288	PEM	03	PHONE CONF W/DON CLAPP	.30	\$25.50
121388	PEM	05	PHONE CONF W/SALMINEN; PHONE CONF W/SHIRLEY CHENOWETH RE BAEHR DRIVEWAY SITUATION	.70	\$59.50
121488	TAG	05	ATTEND CITY COUNCIL MEETING	2.00	\$125.00
121488	TAG	08	REVIEW SETTLEMENT OPTIONS RE BAEHR V FALCON HEIGHTS	1.50	\$127.50
121488	PEM	07	PHONE CONF W/JAN WIESSNER RE BAEHR CASE	.30	\$25.50
121488	PEM	08	PHONE CONF W/DON CLAPP; PHONE CONF W/DEWAIN BAINE; PREPARE FOR & ATTEND EXECUTIVE SESSION	3.50	\$297.50
121588	PEM	06	2 PHONE CONF'S W/DON CLAPP RE SETTLEMENT OF BAEHR SUIT; WORK OUT TERMS; PHONE CONF W/FALCON HEIGHTS CITY HALL	1.00	\$85.00

01/07/89

JENSEN, HICKEN, GEDDE & SOUCIE P.A.  
300 ANOKA OFFICE CENTER - 2150 THIRD AVE  
ANOKA, MINNESOTA 55303

.....  
.....  
BILLED & UNBILLED TIME RECORDS FOR FILE: 800201

FILE NAME: CITY OF FALCON HEIGHTS-CIVIL  
CLIENT NAME: CITY OF FALCON HEIGHTS

-DATE-	ATTY	SEQ	-----TRANSACTIONS-----	TIME	CHARGES
121588	PEM	07	PHONE CONF W/DON CLAPP	.30	\$25.50
121688	PEM	06	PHONE CONF W/JAN WIESSNER RE BAHR SETTLEMENT	.20	\$17.00
121988	TAG	03	PHONE CONF W/ADMINISTRATOR RE VARIOUS ISSUES	.70	\$59.50
121988	PEM	04	REVIEW SETTLEMENT LETTER RE BAEHR	.30	\$25.50
122188	TAG	02	PHONE CONF W/ADMINISTRATOR	.40	\$34.00

TAG	6.90HRS	=	\$541.50
PEM	20.00HRS	=	\$1700.00
EAB	.40HRS	=	\$34.00

TOTAL FOR FILE: 800201	BILLED	UNBILLED	TOTAL
TIME	.00hrs.	27.30hrs	27.30hrs.
CHARGES	\$ .00	\$2275.50	\$2275.50

---

**JENSEN, HICKEN, GEDDE & SOUCIE, P.A.**  
ATTORNEYS AND COUNSELORS AT LAW

STATEMENT DATE: 12/31/88

300 ANOKA OFFICE CENTER  
2150 THIRD AVENUE  
ANOKA, MINNESOTA 55303-2298  
TELEPHONE (612) 421-4110

800202 CITY OF FALCON HEIGHTS-CRIMINAL

CITY OF FALCON HEIGHTS  
2077 W. LARPENTEUR AVE.  
FALCON HEIGHTS, MN 55113

INVOICE NO. 9796

PLEASE DETACH AND RETURN TOP PORTION WITH YOUR PAYMENT

AMOUNT PAID \$ \_\_\_\_\_

DATE	ITEM	ITEM DESCRIPTION	AMOUNT	BALANCE
		BEGINNING BALANCE		\$2597.36
12/12/88	014940	MISCELLANEOUS COSTS	\$5.00	
		DMV RECORDS		
12/14/88	000000	PHOTOCOPIES	\$4.20	
12/20/88	000000	PAYMENT RECEIVED-SERVICES	\$2487.00-	
12/20/88	000000	PAYMENT RECEIVED-EXPENSES	\$110.36-	
12/30/88	015126	MISCELLANEOUS COSTS	\$6.00	
		MONTANA DEPT OF MOTOR VEHICLES		
		MOTOR VEHICLE RECORDS		
		PROFESSIONAL SERVICES		\$1196.00
		(SEE ATTACHED SUMMARY OF TIME RECORDS)		\$15.20
		EXPENSES		\$1211.20
		TOTAL CHARGES THIS STATEMENT		
		PAYMENT		
		\$2597.36-		
		CHARGES		
		\$1211.20		
		CURRENT BALANCE		
				\$1211.20

01/07/89

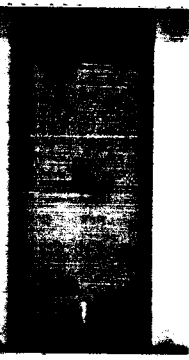
JENSEN, HICKEN, GEDDE & SOUCIE P.A.  
300 ANOKA OFFICE CENTER - 2150 THIRD AVE  
ANOKA, MINNESOTA 55303

.....  
.....  
BILLED & UNBILLED TIME RECORDS FOR FILE: 800202

FILE NAME: CITY OF FALCON HEIGHTS-CRIMINAL  
CLIENT NAME: CITY OF FALCON HEIGHTS

-DATE-	ATTY	SEQ	-----TRANSACTIONS-----	TIME	CHARGES
120188	MJS	03	REVIEW ST V SCHAAF GROSS MISDEMEANOR COMPLAINT	.30	\$18.00
120188	KLS	05	PHONE CONF W/CLERK OF COURT; PHONE CONF W/ASSIGNMENT CLERK	.40	\$10.00
120288	MJS	02	PHONE CONF W/DEFENDANT MICHAEL JONES	.20	\$12.00
120588	MJS	02	MEMORANDUM FROM RCSO; MEMORANDUM FROM CLERK OF COURT	.50	\$30.00
120688	KLS	03	PREPARE 12/21 FILES FOR TRIAL; PREPARE 3 LETTERS TO WITNESSES; RESEARCH; LETTER TO DEPT PUBLIC SAFETY; LETTER TO DEPT MOTOR VEHICLES; PREPARE 1/3/89 FILES FOR TRIAL	1.90	\$47.50
120788	KLS	04	PHONE CONF W/ASSIGNMENT CLERK; PREPARE 4 LETTERS TO WITNESSES FOR 1/3/89 JURY TRIALS	.90	\$22.50
120988	KLS	04	PHONE CONF W/MONTANA DEPT MOTOR VEHICLES LETTER TO DEPT MOTOR VEHICLES	.40	\$10.00
121288	KLS	05	PHONE CONF W/CLERK OF COURT; DOCKET COURT CALENDAR; LETTER TO DEPUTY JAHNKE ST V JORISSEN	.70	\$17.50
121388	KLS	03	PHONE CONF W/RAMSEY COUNTY SHERIFF'S OFFICE ST V LEISERING; PREPARE FILES FOR TRIAL 1/3/89	.80	\$20.00
121388	MJS	07	PHONE CONF W/DEPUTY JAHNKE RE ST V LIEBEL; PHONE CONF W/DEPUTY BURENBACH; PHONE CONF W/ATTY PAULETTE	.50	\$30.00
121488	KLS	02	PREPARE FILES FOR TRIAL; PHONE CONF W/CLERK OF COURT; PHONE CONF W/METRO LEGAL	.90	\$22.50
121488	MJS	10	COURT APPEARANCE; ARRAIGNMENTS IN MAPLEWOOD	4.50	\$270.00
121688	PEM	04	REVIEW COURT TRIALFILES FOR 12/21; DETERMINE EVIDENCE NEEDS	1.00	\$60.00
121688	MJS	02	PHONE CONF W/ATTY CLEARY; PHONE CONF W/WITNESS	.40	\$24.00
121688	KLS	06	PHONE CONF W/DEFENSE ATTY CLEARY'S OFFICE ST V WINTER; PHONE CONF W/CLERK OF COURT; PHONE CONF W/DEPT OF MOTOR VEHICLES; PREPARE FILES FOR TRIAL	1.30	\$32.50
121688	KLS	07	PHONE CONF W/WITNESS ST V GONGALO	.20	\$5.00
122088	PEM	02	REVIEW RECENT CASES ON SENTENCE & CHARGE ENHANCEMENT BASED UPON PRIORS	1.20	\$72.00
122088	KLS	08	2 PHONE CONF'S W/METRO LEGAL RE ST V GONZALO	.30	\$7.50
122188	PEM	03	COURT TRIALS	3.50	\$210.00
122188	KLS	06	2 PHONE CONF'S W/CLERK OF COURT RE ST V STIBAL; PHONE CONF W/JUDGE GEARIN'S CLERK	.40	\$10.00





Consent   X  

Meeting Date: 1/25/89

Policy           

CITY OF FALCON HEIGHTS

Agenda Item: E-2

**REQUEST FOR COUNCIL CONSIDERATION**

**ITEM DESCRIPTION:**

Solid Waste Commission Minutes

**SUBMITTED BY:** Solid Waste Commission

**REVIEWED BY:** Shirley Chenoweth

**EXPLANATION/SUMMARY** (attach additional sheets as necessary):

Minutes of January 4, 1989 attached.

**ACTION REQUESTED:**

Approval



MINUTES

SOLID WASTE COMMISSION

January 4, 1989

The meeting was called to order by Chairperson Thompson at 7:15 P.M.

Present were Haglund, Iverson, Leo Klisch, Misra, Salewski, Thompson and Wray.

The agenda for the meeting was approved by concensus with the addition of discussion of the contract with Supercycle.

The minutes of the last meeting were approved as distributed.

Thompson reported that the scavenging ordinance prepared and submitted by the Solid Waste Commission was adopted by the council as proposed by the Commission.

Heading his meeting of Neighborhood Recycling Coordinators, the Chair led a general discussion of planning for the meeting. The consensus reached by the committee included the following:

1. Date of the meeting is tentatively set for Thursday, February 2nd, if the meeting room is available. Thompson will check on the availability of the space.
2. Entertainment was discussed. The possibilities are the musicians mentioned by Thompson and the magician Jerry G. Martin. It was moved, seconded and passed that:

The Chair be authorized to spend up to \$100 for entertainment for the meeting of the Neighborhood Recycling Coordinators.

3. Refreshments will be handled by Haglund with the assistance of Shirley Chenoweth who has decided to offer coffee and hot cider with cookies. A limit of \$50 is to be spent on refreshments.
4. Invitations - Misra will draft a letter of invitation to be sent to the neighborhood coordinators.
5. Name Tags - Haglund will handle name tags and associated activities.
6. Programs - It was agreed that the program would be as follows:
  - (a) Greeting by John Thompson
  - (b) Congratulations and thanks from the Mayor; the Mayor will introduce the members of the Solid Waste Commission
  - (c) Discussion of the Commission Work Plan and the place of the coordinators in the plan by Thompson

- (d) Jan Wiessner will present Falcon Heights pins to the coordinators and talk briefly about community involvement and orientation
- (e) Entertainment

It was decided the program would last from 7:00 to about 8:30 P.M.

- 7. Parking - Parking at Hewlett Packard is to be checked by Nancy Misra in conjunction with Shirley Chenoweth.

Newsletter - The first issue of the Solid Waste Newsletter was available and distributed. The initial comments of the Commission were favorable. The next newsletter will appear in the period April through June. No editor was chosen for the second number of the newsletter although Wray agreed to collect materials for the second number.

Household Hazardous Waste Meeting - Iverson reported on the progress of the project committee and responded to the concerns expressed by the Commission at its last meeting. Fall, it seems, is a problem for Roseville which is providing the site and other services. He reported that Knutson will provide roll-offs for the effort at \$90 each. The cost will be \$350 per City for a total of about \$1,000 to be provided by the cities; the remainder, approximately \$29,000, will be provided by Ramsey County. Volunteers for the effort will come from the service clubs such as Lions, Knights of Columbus and League of Women Voters. After further discussion, it was moved, seconded and passed that:

the Commission support the Household Hazardous Waste collection project and request the City Council to provide \$350 for the project.

It remains the Commission view that this important effort is only an interim measure and that the only real solution to the problem of household hazardous waste is a permanent collection site.

Work Plan - Under the leadership of the Chairperson, the Commission focused on three major projects for 1989: (a) handling of yard waste; (b) recycling of multi-unit dwellings; and (c) the bin pilot project. The Commission resolved itself into three task forces to pursue these projects. They are:

Yard Waste - Leo Klisch, Haglund and Iverson  
Multi-unit Dwellings - Thompson and Salewski  
Bins - Misra and Wray

There was further discussion of the bin project since there is the possibility of a Ramsey County 50% grant to cover the cost of the bins; the City (and Solid Waste Commission) would have to raise the 50% matching funds.

Each of the task groups is to prepare a proposed work plan and to have it ready for discussion at the next meeting of the Commission. The Commission will hold a short meeting after the completion of the meeting of the Neighborhood Recycling Coordinators on February 2nd.

Meeting Date Change - The Chair requested that the Commission consider changing the meeting date because of conflicts. After some discussion, it was decided to change the meeting date to the first Thursday of the month.

Resignation of John Brynildson - The Chair reported that he had received a letter of resignation from John Brynildson. It was moved, seconded and passed that:

The Commission regretfully accept the resignation of John Brynildson.

Recycling Agreement with Ramsey County - Materials relating to the recycling agreement with Ramsey County, and a copy of the agreement, were distributed and discussed by the Commission. It was moved, seconded and passed that:

The Commission recommend approval of the Ramsey County Recycling Agreement.

Household Hazardous Waste Forum - Copies of the program of a proposed household hazardous waste forum to be held on January 12th were distributed. Salewski indicated that his schedule would allow him to attend the meeting. It was moved, seconded and passed that:

Salewski be authorized to attend the Household Hazardous Waste Forum, January 12, 1989, at the Sheraton-Midway Hotel at a cost not to exceed \$45.00.

The meeting adjourned at 9:12 P.M.

Respectfully submitted,

Benno W. Salewski, Secretary

BS:pp

Consent X

Policy \_\_\_\_\_

Meeting Date: 1/25/89

Agenda Item: E-5

CITY OF FALCON HEIGHTS

**REQUEST FOR COUNCIL CONSIDERATION**

ITEM DESCRIPTION:

MUNICIPAL STATE AID 5 YEAR CONSTRUCTION PLAN

SUBMITTED BY:

Terry Maurer

REVIEWED BY:

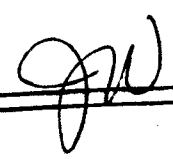
Jan Wiessner

EXPLANATION/SUMMARY (attach additional sheets as necessary):

MN DOT requires submittal of a Five Year Construction Plan for MSA projects. However, the City will not be held to this plan and can modify it as need be. Terry is reviewing our current MSA fund status and may recommend changes in designations.

ACTION REQUESTED:

Approve tentative MSA 5 Year Construction Plan



6/29/87

JAN 10 1989



CONSULTING ENGINEERS

Maier Stewart & Associates Inc.

January 9, 1989

File: 330000.00

Ms. Jan Wiessner, Administrator  
City of Falcon Heights  
2077 W. Larpenteur Ave.  
Falcon Heights, MN 55113

RE: Municipal State Aid  
5 Year Construction Plan

Dear Ms. Wiessner:

After our discussion regarding the Municipal State Aid requirement for a 5 year construction plan I have prepared the attached plan for your consideration. In preparing this I listed the MSA streets which were in the most need of upgrading according to the Street and Alley Evaluation, August, 1988. The cost estimate and project description are from the Municipal State Aid Needs Study and are not necessarily reflective of the type of improvement the City would undertake in these areas.

\* As I explained earlier, the plan must be approved by the City Council and then submitted to MnDOT. However, MnDOT will not hold the City to this plan either in the projects listed or the description of each project. They simply want cities to be planning to utilize their MSA allotment and not let it accumulate.

If you have any questions regarding this, please call.

Sincerely,

MAIER STEWART & ASSOCIATES, INC.

*Terry J. Maurer*

Terry J. Maurer, P.E.

Attachment

TJM/jt

MUNICIPAL STATE-AID STREET SYSTEM

5-Year Construction Program For Falcon Heights

(State Aid Expenditures Only)

REVENUE

Present State Aid Construction Balance September 1, 1988 = \$ 106,253  
 Estimated Annual Construction Allotment \$ 90,474 X 4 = \$ 361,896  
 Estimated Total State Aid Allotment for Programming Purposes \$ 468,149

ESTIMATED EXPENDITURES

<u>Year of Expenditure</u>	<u>Termini</u>	<u>Project Description</u>	<u>Estimated State Aid Expenditure</u>
1989	On <u>Albert Avenue</u> From <u>Larpenteur Avenue</u> To <u>Garden Avenue</u> Length <u>0.25 miles</u>	Reconstruct street to a 36' wide urban section with two travel lanes and one parking lane	\$ <u>175,000</u>
1990	On <u>Arona Avenue</u> From <u>Crawford Avenue</u> To <u>Garden Avenue</u> Length <u>0.17 miles</u>	Reconstruct street to a 36' wide urban section with two travel lanes and one parking lane	\$ <u>120,000</u>
1992	On <u>Arona Avenue</u> From <u>Garden Avenue</u> To <u>Roselawn Avenue</u> Length <u>0.25 miles</u>	Reconstruct street to a 36' wide urban section with two travel lanes and one parking lane	\$ <u>175,000</u>
	On _____ From _____ To _____ Length _____		\$ _____
	On _____ From _____ To _____ Length _____		\$ _____
	On _____ From _____ To _____ Length _____		\$ _____



Consent \_\_\_\_\_

Agenda Item: F-1

Policy X

**CITY OF FALCON HEIGHTS**

Meeting Date: 1/25/89

**REQUEST FOR COUNCIL CONSIDERATION**

**ITEM DESCRIPTION:**

Northwest Youth Services Presentation

**SUBMITTED BY:**

Scott Williams

**REVIEWED BY:**

S. Chenoweth

**EXPLANATION/SUMMARY (attach additional sheets as necessary):**

Scott has requested to make a brief presentation on the organization's services.

**ACTION REQUESTED:**

Information Only

*SW*

Consent \_\_\_\_\_

Agenda Item: F-2

Policy X

**CITY OF FALCON HEIGHTS**

Meeting Date: 1/25/89

**REQUEST FOR COUNCIL CONSIDERATION**

**ITEM DESCRIPTION:**

Conditional Use Request

**SUBMITTED BY:**

Joseph A. Sacco and James G. Sacco

**REVIEWED BY:**

Shirley Chenoweth

**EXPLANATION/SUMMARY (attach additional sheets as necessary):**

Attachments:

- (a) Conditional Use Request
- (b) Site Plan
- (c) Floor Plan of Proposed Business
- (d) Ordinance No. 88-10
- (e) Copy of Resolution R-88-15 -- Conditional Use on Neon Alley (Planning Commission felt this might be helpful at their Public Hearing)
- (f) The Public Hearing before the Planning Commission is being held at 7:45 P.M., January 23rd. The minutes will be delivered to you on January 24th.

**ACTION REQUESTED:**

Recommendation will be available after Planning Commission meeting.

*SAC*



# CITY OF FALCON HEIGHTS

2077 W. LARPEUR AVENUE

FALCON HEIGHTS, MN 55113-5594

PHONE 612-644-5050

## APPLICATION FOR CONSIDERATION OF PLANNING REQUEST

Commission Action/Date \_\_\_\_\_  
Council Action/Date \_\_\_\_\_

Date of Application 12/21/88  
Fee Paid 20.00

### Applicant

Name: Sacco Joseph A. 784-8157  
Last First Intl Phone

Address: 46 Gladstone St Lino Lakes MN 55014  
Street City State Zip Code

### Owner

Name: Kordiak Realty  
Last First Intl Phone

Address: 3948 Central Ave NE Columbia Hts  
Street City State Zip Code

Street Location of Property in Question:

Larpeur Ave & Snelling

Legal Description of Property:

to conform to above address

Type of Request:

- Rezoning
- Variance
- Conditional Use Permit
- Subdivision Approval
- Plan Approval
- Other (specify)

Applicable Zoning Code Number: Chapter 9-15.04 Section \_\_\_\_\_

Present Zoning of Property: B-2

Present Use of Property: Detail

I hereby declare that all statements made on this request and on the additional material are true.

Joseph A. Sacco / Dan Kordiak  
Signature of Applicant

12-21-88 / 1-10-89  
Date

Shirley Bennett  
Received by (name, title)

November 22, 1988

**APPLICANTS:** Joseph A. Sacco  
46 Gladstone Street  
Circle Pines, MN 55014

and

James G. Sacco  
8394 Spring Lake Road  
Moundsvew, MN 55432

**TYPE OF BUSINESS:** Indoor Amusement Center

**DESCRIPTION OF REQUEST:** Zoned B-2  
Conditional Use Permit

**DESCRIPTION OF BUSINESS:**

- \* Two Family - Owner Operator
- \* Video Arcade Games (5 video games to 1 pool table ratio)
- \* Coin Operated Pool Tables
- \* Pinball Machines
- \* Snack & Beverage Vending Machines

**STAFF:** At least one responsible adult at all times. We will increase staff as head count increases. Number of people in building will comply with Fire Marshall ordinance.

**HOURS:** Hours to comply with city ordinance.

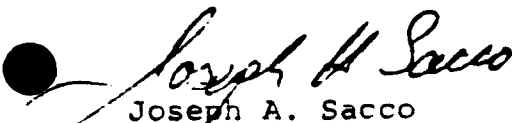
**REASON FOR REQUEST:**

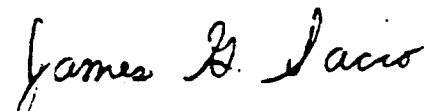
As parents, we feel it is important to provide a controlled environment for young adults to go to in their free time.

Our goal is to create a drug and alcohol free atmosphere for young people to have a good time without peer-pressure. We will cooperate with the parents and law enforcement agencies to deter all substance abuse (drugs/alcohol) in or near our establishment. Rules and regulations will be posted and strictly enforced.

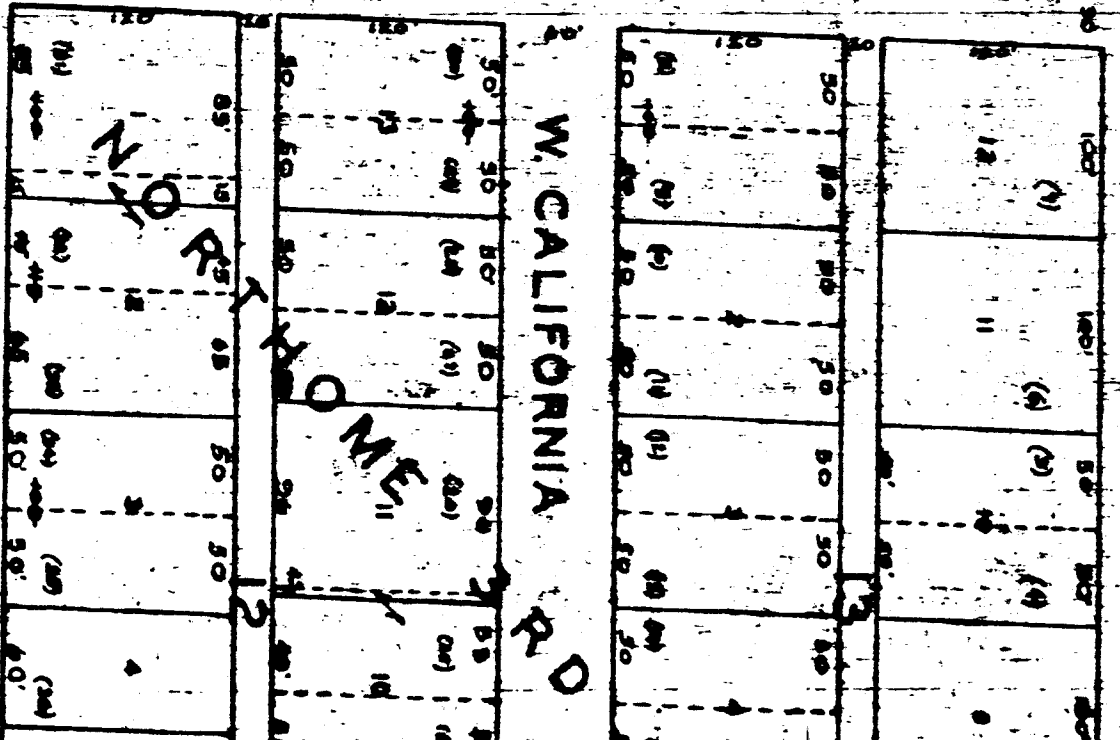
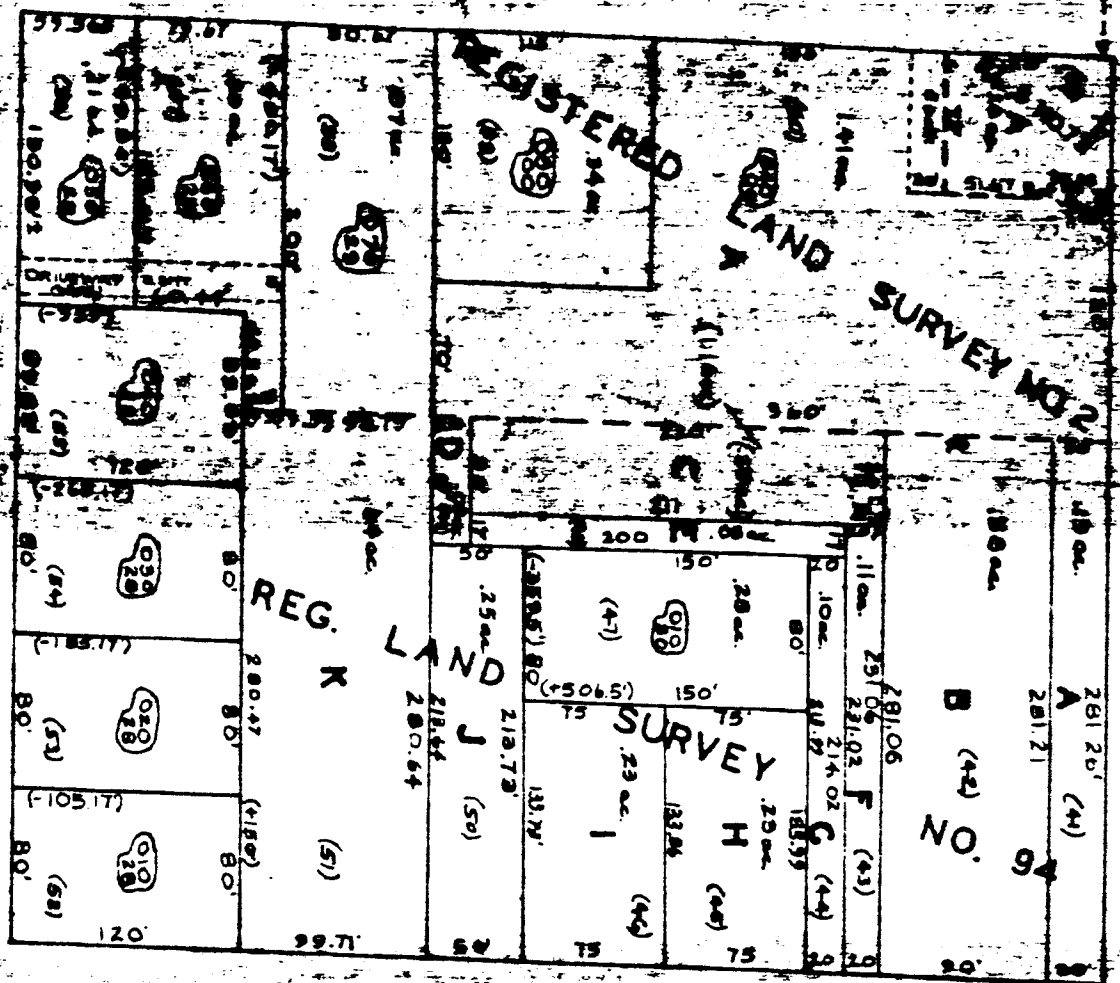
We appreciate your time in considering our request.

Sincerely,

  
Joseph A. Sacco

  
James G. Sacco

Property Address: Snelling and Larpenteur  
 State: Minnesota County: Ramsey City: Falcon Heights  
 Legal Description: P/O Tract A and all of Tracts B, C, D, E, F, G, H, I, J and K, RLS  
 No. 94; West 506.5' except West 426.5' of South 150' of North 359.5' of Northwest 1/4 of  
 Northwest 1/4 of North 22, Township 29, Range 23



H 51-125

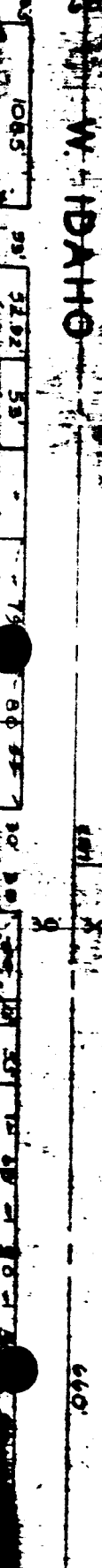
21 22

LARPENTEUR

FALCON HEIGHTS

W. DAHO

W. CALIFORNIA RD



REF

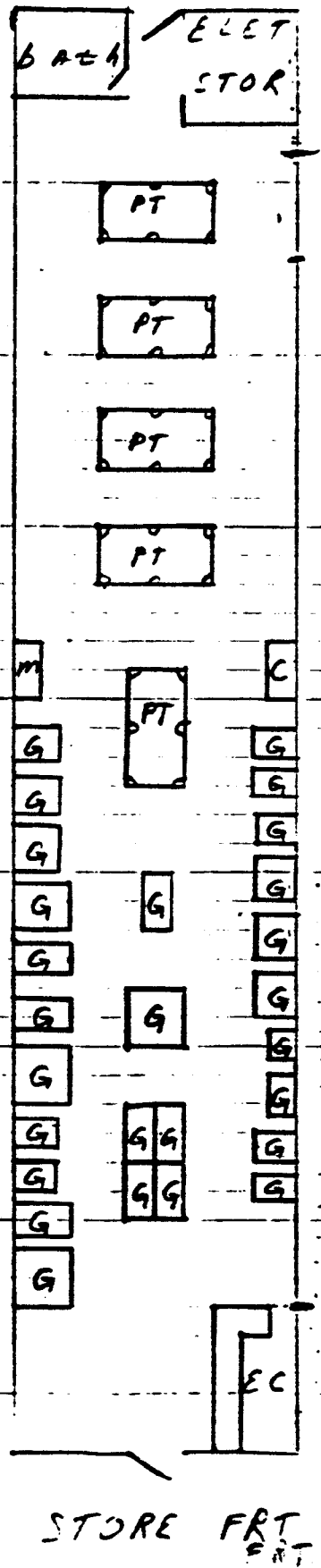


Burnet

JOSEPH A. SACCO  
REALTOR  
EXECUTIVE SALES ASSOCIATE  
MILLION DOLLAR CLUB

COUNTRY VILLAGE OFFICE  
4001 RICE STREET  
SHOREVIEW, MN 55126

483-1200  
RES 784-8157



PT = POOL TABLE  
 M = MUSIC  
 C = CHANGE MACHINE  
 EC = EMPLOYEER COUNTER  
 G = GAMES

(5) Type of business, proposed number of employees, and times of operations.

- g. All parking facilities.
- h. Water bodies and drainage ditches.
- i. Fences and retaining walls.
- j. Landscape plan, showing size and species of each planting.
- k. On and off site traffic flow.
- l. Parking plan.

(8) Site statistics including square footage, percentage of coverage, dwelling unit density, and percentage of park or open space.

(9) Names and addresses of the owners of all property abutting the subject property, as contained in the current real estate tax rolls, including property located across the street, avenue or alley from the subject property.

Subdivision 3. Hearing: The City Council or Planning Commission shall hold a public hearing within thirty (30) days of the date of filing the application, or at the next regularly scheduled meeting after said thirty (30) days, after publishing notice of such hearing in the official newspaper and sending mailed notice to those listed in the application as abutting property owners at least ten (10) days prior to the date of the hearing.

a. General and Special Requirements: The Planning Commission and/or Council shall consider to what extent the applicant's plan minimizes possible adverse effects of the proposed conditional use, what modifications to the plan and what conditions on approval could further minimize the adverse effects of the proposed use. The following development standards shall be considered general requirements for all conditional use permits except as hereinafter provided:

(1) The land area and setback requirements of the property containing such a use or activity

meet the minimums established for the district.

- (2) When abutting a residential use, the property shall be screened and landscaped.
- (3) Where applicable, all City, county, state and federal laws, regulations and ordinances shall be complied with and all necessary permits secured.
- (4) Signs shall not adversely impact adjoining or surrounding residential uses.
- (5) Adequate off-road parking and loading shall be provided. Such parking and loading shall be screened and landscaped from abutting residential uses.
- (6) The road serving the use or activity must be of sufficient design to accommodate the proposed use or activity, and such use or activity shall not generate such additional extra traffic as to create a nuisance or hazard to existing traffic or to surrounding land use.
- (7) All access roads, driveways, parking areas, and outside storage, service, or sales areas shall be surfaced or grassed to control dust and drainage.
- (8) All open and outdoor storage, sales and service areas shall be screened from view from public streets and from abutting residential uses or districts.
- (9) All lighting shall be designed to prevent any direct source of light being visible from adjacent residential areas or from the public streets.
- (10) The use or activity shall be properly drained to control surface water runoff.
- (11) The architectural appearance and functional plan of the building and site shall not be so dissimilar to the existing buildings or area as to cause impairment in property values or constitute a blighting influence.



(12) The proposed water, sewer and other utilities shall be capable of accommodating the proposed use.

(13) That the proposed use conforms to the comprehensive municipal plan. Such a finding should be based upon the following considerations:

(a) That certain uses may not be considered appropriate within the interior of residential neighborhoods because of noise, traffic, or other conditions that would tend to affect adversely the residential character of the neighborhood and possibly reduce property values. These uses are considered appropriate only on the periphery of residential neighborhoods, or under such conditions as the Planning Commission may deem proper. The uses may represent "buffer" uses for those areas lying between single family dwellings and non-residential uses.

(b) That certain uses are considered, as a rule, unsuitable in Business Districts because of inherent business characteristics (e.g. traffic, noise, glare), proximity to residential areas, the fact that they tend not to serve nearby residential areas, or may adversely affect nearby permitted business uses;

(c) That certain uses are considered generally unsuitable in Industrial Districts, because of conditions that would tend to discourage other industrial development in the vicinity. These conditions include noise, vibrations, dust, glare, unsightliness or similar nuisances. Certain other industrial land uses are considered generally inappropriate because they represent under-utilization of land. This, in turn, means a low tax return from land that under fuller development would be contributing needed revenue to the community's tax base. Such uses, however, may be considered as temporary uses;

- (d) That certain temporary uses that are generally not suitable within a particular zoning district are potentially suitable on a temporary basis. This may be due to the lack of development on existing property, to a short-term need (such as highway construction), or to a limited degree of adverse effects, upon adjacent land use.

These standards shall be strictly applied unless it is found in the particular case that the community safety, health and welfare can as well or better be served by modifying them. Any special requirements applicable to the particular case which are imposed elsewhere in this chapter shall be met in each case.

When applications are reviewed by the Planning Commission but acted upon by the City Council the Planning Commission shall recommend to the City Council whatever action it deems advisable, including all recommended conditions on the granting of the conditional use permit.

Subdivision 4. Action: In acting upon applications for conditional use permits, the Planning Commission or City Council shall consider the effect of the proposed use upon the health, safety, morals, comfort, convenience and welfare of the occupants of the surrounding lands, existing and anticipated traffic conditions, including parking facilities on adjacent sites. When applications are reviewed by the Planning Commission but acted upon by the City Council the City Council may hold whatever public hearings it deems advisable or may return the application to the Planning Commission for further consideration.

- (a) Approval: If it is determined that the general and special requirements of this chapter will be satisfied by applicant's plan, the City may grant such permit and may impose conditions relating to the general and special requirements in each case, including durational conditions.
- (b) Denial: Conditional use permits may be denied by resolution. Such resolution shall state the reasons for denial, but may incorporate by reference the minutes and recommendations of the Planning Commission,

staff reports, hearing testimony and any other material relevant to the decision.

Subdivision 5. Termination: If compliance with all of the conditions of the conditional use permit have not taken place within the time prescribed by the City, the permit is deemed terminated, unless the Council, in its sole discretion, extends the time for compliance for an additional period not to exceed one year. Any violation of a continuing condition shall be grounds for revocation of the conditional use permit, after notice of violation served upon the permit holder in the manner of a civil summons at least 10 days prior to hearing, and upon the Council finding at the revocation hearing that the condition violated remains necessary to carry out the purposes of this section and that the permit holder is unable or unwilling to satisfy the condition. Such finding shall be made by majority vote, upon the preponderance of the evidence presented by the Zoning Administrator and anyone appearing on behalf of the permit holder.

Subdivision 6. Performance Bond: The City may require a performance bond or other security, in form approved by the City Attorney, to guarantee performance of the conditions in any case where such performance is not otherwise guaranteed. Such security shall be provided prior to the issuance of building permits or initiation of work on the proposed improvements or development and shall be in an amount 1.25 times the approved estimated costs of labor and materials for the proposed improvements or development.

SECTION 2. This ordinance, passed this 11th day of May, 1988, shall become effective on the day following its publication.

Tom Ballune  
Mayor

ATTEST:

Janet R. Wissner  
Clerk-Administrator

Date of Publication: June 8, 1988

Moved by Councilmember Wallin

YEAS	NAYS
<input checked="" type="checkbox"/> BALDWIN	
<input checked="" type="checkbox"/> CIENIEA	
Absent <input type="checkbox"/> CHENOWETH	<u>4</u> in Favor
<input checked="" type="checkbox"/> WALLIN	<u>0</u> Against
<input checked="" type="checkbox"/> RUSH	

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

Date August 24, 1988

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A RESOLUTION GRANTING A CONDITIONAL USE PERMIT FOR OPERATION  
OF A POOL HALL AT 1550 WEST LARPENTEUR AVENUE (NORTHOME  
SHOPPING CENTER)

WHEREAS, the City of Falcon Heights received an application dated July 25, 1988 for the issuance of a conditional use permit to establish a pool hall in Northome Shopping Center, 1550 West Larpenteur Avenue and;

WHEREAS, the City Council did carefully consider the request as well as the recommendations made by the City's Planning Commission, and held the required public hearing;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Falcon Heights that a conditional use permit for the establishment of a pool hall at 1550 West Larpenteur Avenue be granted subject to the following conditions:

1. Maximum hours of operation will be 9:00 A.M. to 12 Midnight weekdays, and 9:00 A.M. to 1:00 A.M. Friday and Saturday.
2. Restrictions on use of back parking lot after 8:00 P.M. will be adequately posted by property owner.
  - a. pool hall parking will be restricted to front and side parking lots after 8:00 P.M.,
  - b. all Arona exits from parking lot shall be posted "left turn only after 8:00 P.M."
3. After 8:00 P.M., the back door will be an exit only, conforming to Fire Code.
4. No less than present level of illumination in the rear parking lot will be provided.
5. No alcoholic beverages (including 3.2 beer or wine) or controlled substances without a prescription shall be sold, possessed, or consumed on the premises of the pool hall, the common areas within the building, or the parking areas.
6. The property owner will post exterior of premises "No Loitering" and will prevent any loitering in common areas within the building or in the parking areas and sidewalks adjacent to the building.

7. Any person who has been convicted of a felony, controlled substance abuse, or gambling law violation within the last five years are prohibited from working as an attendant at the pool hall.
8. The interior of "Neon Alley" will be free of obstructions to visual supervision by attendants and will have adequate lighting.
9. Pool hall management will take all reasonable action to expel intoxicated persons and will allow no disorderly conduct on the premises, parking areas and adjacent sidewalks.
10. Adequate supervision shall be provided until one-half hour after closing to ensure that the health, safety and welfare and existing community standards of peace and quiet are maintained.
  - a. A minimum of two attendants will be on duty after 5:00 P.M.
  - b. At Council's discretion, additional supervisory and/or security personnel may be required.
11. First review period of this conditional use will be within six months after opening. Next review period at one year, and additional reviews as needed.

Moved by Wallin

Approved by Tom Baldwin  
Mayor

Attested by James L. Whison  
Administrator

Dated: September 28, 1988

absent	Baldwin	
absent	Ciernia	
absent	Chenoweth	<u>3</u>
	Wallin	In Favor
	Bush	<u>0</u>
		Against

Consent \_\_\_\_\_

Policy X

Agenda Item: F-3

Meeting Date: 1/25/89

**CITY OF FALCON HEIGHTS**

**REQUEST FOR COUNCIL CONSIDERATION**

**ITEM DESCRIPTION:**

Application of Liquor/Sunday Liquor License for proposed Restaurant/Lounge

**SUBMITTED BY:**

Dennis Hunt, 1557 W. Larpenteur

**REVIEWED BY:**

S. Chenoweth

**EXPLANATION/SUMMARY (attach additional sheets as necessary):**

This item was on the January 11th agenda and was withdrawn at Mr. Hunt's request. He is now asking that the liquor license be considered.

Please bring the documentation on this matter which was provided in your January 11th packet.

**ACTION REQUESTED:**

Staff will check on status of delinquent taxes prior to Council meeting.

*SAC*

Consent \_\_\_\_\_

Agenda Item: F-4

Policy X

**CITY OF FALCON HEIGHTS**

Meeting Date: 1/25/89

**REQUEST FOR COUNCIL CONSIDERATION**

<p><b><u>ITEM DESCRIPTION:</u></b></p> <p>Parking Variance Request</p>	
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<p><b><u>SUBMITTED BY:</u></b></p> <p>Dennis Hunt, 1557 W. Larpenteur</p>	
---	--

<p><b><u>REVIEWED BY:</u></b></p> <p>Planning Commission, Jan. 23 Shirley Chenoweth</p>	
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**EXPLANATION/SUMMARY (attach additional sheets as necessary):**

Attachments

- \*(a) Variance Request
- \*(b) Sketch of the Property
- \*(c) Site Plan
- (d) Revised Parking Plan, Letter of Explanation
- (e) Floor Plan of Proposed Business
- \*(f) Copy of Section 9-15.03 of the Code and Ordinance 0-88-13
- (g) Planner's recommendations
- (h) The Planning Commission at their Special Meeting of January 23, will discuss this request and the minutes will be delivered to you on January 24th.

**\*ITEMS MARKED HAVE BEEN PROVIDED PREVIOUSLY. PLEASE BRING YOUR COPIES TO THE MEETING.**

**ACTION REQUESTED:**

*SAC JW*

# Bullseye Golf Centers, Inc.

D-1

Bullseye Plaza Shopping Center

1557 W. Larpentour Ave.  
St. Paul, MN 55113

(612) 646-3323  
(612) 647-0233

January 12, 1989

City of Falcon Heights -

Enclosed copy of plans for the Bullseye 19th Hole, Deli take-out, restaurant and bar. The seating will include 72 total spots.

We also have decided to put a chain fence between the Embers property line and Bullseye property (the old liquor store property). We will extend the lot beyond the existing North curb line this will give that North parking lot a total of 33 parking spots. This will give the 19th Hole a total of 60 spots total.

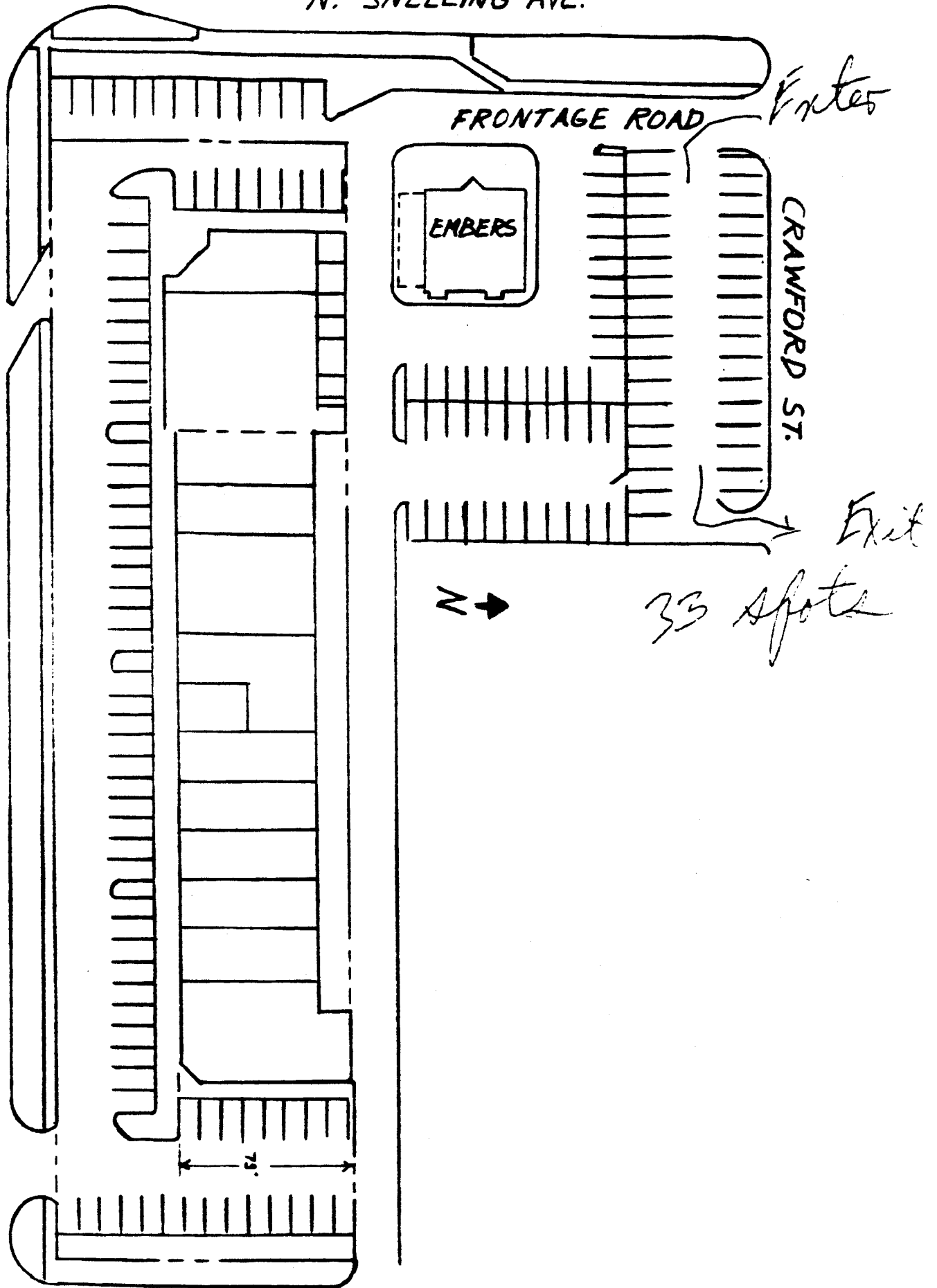
The installation of the chain fence and extending the parking lot will take place as soon as weather permits.

*Dennis E. Hunt*  
Dennis E. Hunt. President



N. SNELLING AVE.

W. LARRENTEUR AVE



ARONA ST.

N →

33 spots

Enter

Exit

FRONTAGE ROAD

CRAWFORD ST.

EMBERS

54

**PLANNING REPORT**

**DATE:** 19 January 1989  
**APPLICANT:** Dennis Hunt  
**LOCATION:** Bullseye Shopping Center  
**ACTION REQUESTED:** Parking Variance

**BACKGROUND**

This proposal is a revision of Mr. Hunts plans for a Sportsmans Bar/Deli Take-out as reviewed by John Uban in his December 28th memo. The main objective of this memo is to fulfill one of the conditions of the original parking variance for the Bullseye Plaza Shopping Center which required that plans for each new use be reviewed to determine the impact they would have on the parking budget for the entire center. The intent is to monitor the kind of uses being installed and thereby prevent the parking needs of the center from exceeding the available spaces, resulting in people parking in the lots of adjacent businesses or on surrounding residential streets. Although we still do not have complete information regarding this issue we will attempt to summarize the situation.

**EXISTING CONDITIONS**

Currently the shopping center provides 83 stalls on site. Additional parking is provided on a remote lot located north of the Embers property. As presently constructed there are 19 stalls located on the portion of this lot owned by the Bullseye Center (see figure 1). However since Mr. Hunt is proposing that this lot function independently from the Embers lot, an additional access drive would have to be constructed to accommodate smooth ingress and egress. Mr. Hunt proposes to alter this lot as shown in figure 2. This arrangement has two obvious problems:

1. The parking adjacent to Crawford street is not only outside the ten foot parking setback line it extends ten feet off the property onto City owned R.O.W.
2. Figure 2 indicates that Mr. Hunt intends to install a gate in the fence between his property and the Embers property to allow patrons of the proposed Sportsmans Bar to cross the Embers lot and enter the bar through the rear door. Unless Embers agrees to grant an easement across their parking lot for this purpose the gate could not be permitted, and patrons of the sportsmans bar would have to use the frontage road to get their.

The most efficient layout for the remote parking lot, that respects the setbacks, can be seen on figure 3. This arrangement provides parking for 18 vehicles. The total parking available to tenants of the Bullseye Center assuming this layout is 101 stalls (83 on site, 18 in remote lot).

**PARKING REQUIRED FOR EXISTING SHOPPING CENTER**

The submission does not include information regarding the current tenants, types of uses, square footage, or assigned parking for each use. Therefore we calculated the parking required by City code in the following manner:

1. The Chinatown Restaurant seats 90 people and therefore requires 36 stalls by City code (one stall per 2.5 seats).
2. The Bullseye Golf-O-Mat facility falls under the golf driving range, miniature golf, archery range section of the City's parking requirements. This calls for ten (10) stalls plus one (1) stall for each 100 square feet of floor area. It is estimated that this facility occupies approximately 50 percent of the buildings 6280 square feet of basement. The parking requirement therefore is 42 stalls (3190 divided by 100 = 31.9 + 10 = 41.9 or 42).
3. The remainder of the center, approximately 15,900 square feet is considered "Shopping Center Retail" in the code. The calculation for parking is based on 5.5 spaces per 1000 square feet of gross leasable area or 88 stalls.

Based on this methodology the parking requirement for the shopping center excluding the proposed bar/deli is 166 stalls (assuming full occupancy). This is 65 stalls greater than the center currently provides. Although the center is not fully occupied, it must be assumed that it would eventually be filled in order to plan for the appropriate parking budget for each use on the site.

**PARKING CALCULATION FOR PROPOSED SPORTSMANS BAR/DELI**

The interior layout provided for this review is not substantially different from the one Mr. Uban reviewed in his December 28th memo. The total area of the facility is still 3,325 square feet. The kitchen, storage areas, and bathrooms are the same. The changes in the layout are primarily related to the bar location, number and arrangement of booths and tables and the addition of a salad bar. Generally the layout is more efficient and the utilizes the space better than the previous layout. There is one tight area where only two us provided between the bar and the booth in the center of the room.

The plans show 16 booths and one table and the bar has 8 seats around it. Assuming four seats per booth the facility has will provide 76 seats. The City code requires one stall for each 2.5 seats making 30.4 or 31 stalls. Additional stalls are required for common area which was determined as follows:

Kitchen Area:	548 Sq. Ft.
Storage: (3 separate rooms)	161 Sq. Ft.
Bathrooms:	90 Sq. Ft.
Bar: (with circulation)	238 Sq. Ft.
Salad Bar:	21 Sq. Ft.
<u>Seating Areas &amp; Planters:</u>	<u>1070 Sq. Ft.</u>
Total: (less common area)	2128 Sq. Ft.
<u>Total Gross Floor Area:</u>	<u>3325 Sq. Ft.</u>
Common Area:	1197 Sq. Ft.

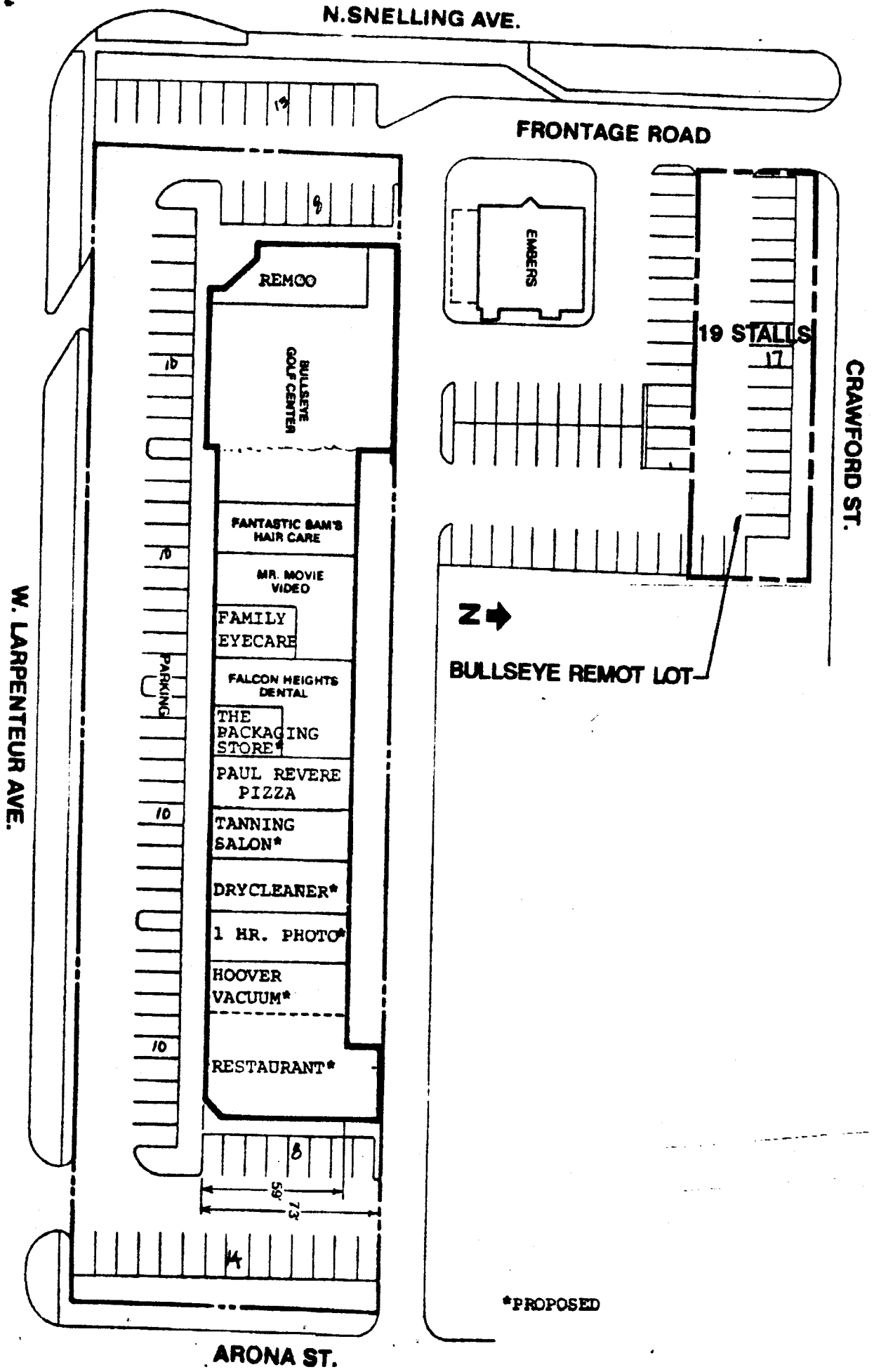
Parking for common area is determined by subtracting 250 feet from the total common area and then dividing the remainder by 20 square feet ( $1197 - 250 = 947/20 = 47.4$  or 48 stalls). The total parking required by City code for the proposed facility is 79 stalls.

The parking required for the proposed sportsmans bar combined with the parking required for the rest of the shopping center (assuming full occupancy) is 245 stalls. This exceeds the existing parking provided by 144 stalls.

### RECOMMENDATION

The original parking variance granted to the Bullseye Plaza Shopping Center was based on the existence of a shared parking agreement with Embers. When Embers entered into the shared parking agreement it was assumed that no restaurant or bar type facility, with a parking need peak time corresponding to Embers, would ever be installed on the west end of the building. The parking figures discussed in the previous paragraphs indicate why these conditions were required. The parking provided for this center is simply not adequate to support this type of use under current conditions. Granting this variance would result in parking and vehicular circulation problems for the shopping center as well as other businesses and property owners in the area.

As currently proposed the parking requirement for the Sportsmans Bar/Deli Take-out facility pushes the shopping center so far over it's already exceeded parking budget that we see no realistic options for mitigation.



Consent \_\_\_\_\_

Policy X

Meeting Date: 1/25/89

Agenda Item: F-5

CITY OF FALCON HEIGHTS

**REQUEST FOR COUNCIL CONSIDERATION**

ITEM DESCRIPTION:

Household Hazardous Waste Collection Project

SUBMITTED BY: Terry D. Iverson

REVIEWED BY: Solid Waste Commission  
Jan Wiessner

EXPLANATION/SUMMARY (attach additional sheets as necessary):

On Wednesday, January 19, I attended a meeting of the Falcon Heights/Lauderdale/Roseville Household Hazardous Materials Collection Committee regarding a one day collection program. It was the opinion of this Committee and the Falcon Heights Solid Waste Commission that a one day collection would be appropriate in 1989. The collection day will be May 20, 1989 at the City of Roseville Public Works Garage. All costs will be provided by Ramsey County except for a maximum charge of \$350.00 for each community for rubbish hauler for roll-offs and public information mailing costs. Therefore, I am requesting that the Council consider supporting this worthy program by financially defraying community costs of up to \$350.00. *tl*

This expense was not budgeted for 1989. If the City Council would like to participate, \$350.00 could be allocated out of the Contingency Account. *gw*

*Last yr \$1,400.*

ACTION REQUESTED: *m | c*

*Terry D. Iverson gw*

Consent \_\_\_\_\_

Agenda Item: F-6

Policy X

**CITY OF FALCON HEIGHTS**

Meeting Date: 1/25/89

**REQUEST FOR COUNCIL CONSIDERATION**

**ITEM DESCRIPTION:**

Certification of signatures for checks, vouchers, loans and/or debts

**SUBMITTED BY:**

Tom Kelly

**REVIEWED BY:**

S. Chenoweth  
Jan Wiessner

**EXPLANATION/SUMMARY (attach additional sheets as necessary):**

Due to the change in position titles along with the replacement of Al Rolek by Tom Kelly, the City must update our signatures for checks, loans and/or debts.

**ACTION REQUESTED:**

*Resolution*

That the following be considered for authorized signatures for the above mentioned.

Tom Baldwin  
Janet Wiessner  
Thomas Kelly

Mayor  
City Administrator  
Accountant

*m/jung / c*  
*[Signature]*  
*[Signature]*

CITY OF FALCON HEIGHTS  
COUNCIL RESOLUTION

Date January 25, 1989

A RESOLUTION CERTIFYING SIGNATURES FOR  
CHECKS, LOANS AND/OR DEBTS

RESOLVED, that the City Council of Falcon Heights certify  
that the following names are required signatures for checks, loans  
and/or debts:

Tom Baldwin  
Janet Wiessner  
Thomas Kelly

Mayor  
City Administrator  
Accountant

Moved by \_\_\_\_\_

Approved by \_\_\_\_\_  
Mayor

YEAS            Nays  
BALDWIN  
CIERNIA            \_\_\_\_\_ in Favor  
CHENOWETH  
WALLIN            \_\_\_\_\_ Against  
BUSH

\_\_\_\_\_  
Date  
Attested by \_\_\_\_\_  
City Administrator  
\_\_\_\_\_  
Date

Adopted by Council \_\_\_\_\_



*A copy of  
the Bank form*

RESOLUTION FOR FACSIMILE SIGNATURE

I, \_\_\_\_\_, Secretary of \_\_\_\_\_,  
a corporation organized and existing under the laws of the State of \_\_\_\_\_,  
do hereby certify that, at a meeting of the  
Board of Directors of said corporation duly held on the \_\_\_\_\_  
day of \_\_\_\_\_, 19\_\_\_\_\_, at which a quorum was present and  
acting throughout, the following resolution was adopted and is now  
in full force and effect:

RESOLVED that the North Star State Bank of Roseville as a designated  
depository of this corporation be and it is hereby requested,  
authorized and directed to honor checks, drafts or other orders for  
the payment of money drawn in this corporation's name, including those  
persons whose name or names appear thereon as signer or signers thereof,  
when bearing or purporting to bear the signature of this corporation, as  
imprinted by its check signing machine, consisting of the background  
and other identifying symbols and the facsimile signature (s) of any  
\_\_\_\_\_ of the following:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

and the North Star State Bank of Roseville shall be entitled to honor  
and to charge this corporation for such checks, drafts or other orders,  
regardless of by whom or by what means the actual or purported signature  
of this corporation, consisting of such background and other identifying  
symbols, and facsimile signature or signatures, may have been affixed  
thereto, if such signature, including the background and other identifying  
symbols shall resemble, with reasonable exactness including the colors thereof,  
the specimen of the signature of this corporation as imprinted by our check  
signing machine, duly certified to or filed with the NORTH STAR STATE BANK  
OF ROSEVILLE by the Secretary or other officer of this corporation.

IN WITNESS THERE OF, I have hereunto set my hand and seal of said corporation  
this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_\_.

By: \_\_\_\_\_

(Corporate Seal)

Consent \_\_\_\_\_

Agenda Item: F-7

Policy X

**CITY OF FALCON HEIGHTS**

Meeting Date: 1/25/89

**REQUEST FOR COUNCIL CONSIDERATION**

**ITEM DESCRIPTION:**

Use of Facsimile Signature

**SUBMITTED BY:**

Tom Kelly

**REVIEWED BY:**

S. Chenoweth  
Jan Wiessner

**EXPLANATION/SUMMARY (attach additional sheets as necessary):**

North Star State Bank requires a resolution from Council to authorize a facsimile signature which is used on the City check signing machine.

When a facsimile signature is used, LMC recommends at least one real signature or initials on each check.

**ACTION REQUESTED:**

Consider use of facsimile signature

*m/ Paul /*

*R gw*

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

Date January 25, 1989

A RESOLUTION RELATING TO THE USE OF A  
FACSIMILE SIGNATURE FOR SIGNING CITY CHECKS

RESOLVED, that the City Council of Falcon Heights does  
hereby authorize the use of a facsimile signature for signing of  
City checks.

Moved by \_\_\_\_\_

Approved by \_\_\_\_\_  
Mayor

YEAS                      Nays

BALDWIN  
CIERNIA                      \_\_\_\_\_ in Favor  
CHENOWETH  
WALLIN                      \_\_\_\_\_ Against  
BUSH

\_\_\_\_\_ Date

Attested by \_\_\_\_\_  
City Administrator

\_\_\_\_\_ Date

Adopted by Council \_\_\_\_\_

Consent \_\_\_\_\_

Agenda Item: F-8

Policy X

**CITY OF FALCON HEIGHTS**

Meeting Date: 1/25/89

**REQUEST FOR COUNCIL CONSIDERATION**

**ITEM DESCRIPTION:**

Creation of an Investment Trust Fund

**SUBMITTED BY:**

Tom Kelly

**REVIEWED BY:**

S. Chenoweth  
Jan Wiessner

**EXPLANATION/SUMMARY (attach additional sheets as necessary):**

An Investment Trust Fund allows the pooling of all City cash balances for investing, savings and checking. The accounting records must be kept separate but the funds can be pooled. All interest earned in this pool would be distributed to the respective accounts on a quarterly cash average basis.

*Pat KC*

**ACTION REQUESTED:**

Create an Investment Trust Fund which would eliminate multiple checking, savings accounts.

*[Handwritten signature]*

CITY OF FALCON HEIGHTS  
COUNCIL RESOLUTION

Date January 25, 1989

A RESOLUTION CREATING AN INVESTMENT TRUST FUND

RESOLVED, that the City Council of Falcon Heights does  
hereby authorize creation of an Investment Trust Fund.

Moved by \_\_\_\_\_

Approved by \_\_\_\_\_  
Mayor

YEAS	Nays	
BALDWIN		
CIERNIA		_____ in Favor
CHENOWETH		
WALLIN		_____ Against
BUSH		

\_\_\_\_\_  
Date

Attested by \_\_\_\_\_  
City Administrator

\_\_\_\_\_  
Date

Adopted by Council \_\_\_\_\_

Consent \_\_\_\_\_

Meeting Date: 1/25/89

Policy X

CITY OF FALCON HEIGHTS

Agenda Item: F-9

### REQUEST FOR COUNCIL CONSIDERATION

**ITEM DESCRIPTION:**

WORKERS COMPENSATION/ACCIDENT INSURANCE FOR ELECTED OFFICIALS

**SUBMITTED BY:**

Jan Wiessner

**REVIEWED BY:**

**EXPLANATION/SUMMARY (attach additional sheets as necessary):**

The attached correspondence was recently received from LMC regarding a special requirement for Workers Compensation coverage and a new Accident Insurance Policy available for elected officials.

An ordinance or resolution is necessary to include elected officials in the City's Workers Compensation coverage. (LMC recommends an ordinance be used.) We have been including elected officials in our list of employees for Workers Compensation so this would not be an additional cost.\* See attached draft ordinance.

The attached memorandum also describes a new Accident Insurance Policy available for elected officials. The Council may want to consider this in place of or in addition to Workers Compensation coverage for a total cost of \$63.75.

\*Our 1989 total Workers Compensation cost for all full and part-time City employees is \$10,685.00.

**ACTION REQUESTED:**

Approval of ordinance  
Consider accident policy

*m Wallin / C*  
*m Paul / C*

*gw*

CITY OF FALCON HEIGHTS  
O R D I N A N C E

Date January 25, 1989

AN ORDINANCE ADDING SUBDIVISION 3 TO CHAPTER 2, SECTION  
2-1.02 OF THE MUNICIPAL CODE

THE CITY COUNCIL OF THE CITY OF FALCON HEIGHTS DOES ORDAIN AS FOLLOWS:

Subdivision 3. WORKERS COMPENSATION. Pursuant to Minnesota Statutes  
Section 176.011,, subdivision 9, clause 5, the elected officials of the city  
and those municipal officers appointed for a regular term of office are hereby  
included in the coverage of the Minnesota Workers Compensation Act.

This ordinance passed the 25th day of January, 1989, shall become effective  
on the 25th day of January, 1989.

Moved by \_\_\_\_\_

Approved by \_\_\_\_\_

Mayor

January 25, 1989

Date

YEAS                      Nays

BALDWIN	_____	in Favor
CIERNIA	_____	
CHENOWETH	_____	Against
WALLIN	_____	
BUSH	_____	

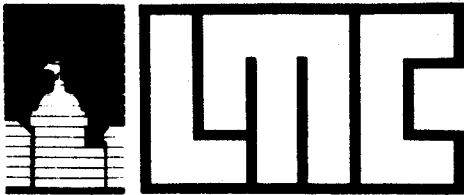
Attested by \_\_\_\_\_

City Administrator

January 25, 1989

Date

Adopted by Council January 25, 1989



JAN 06 1989

183 University Ave. East  
St. Paul, MN 55101-2526  
(612) 227-5600 (FAX: 221-0986)

League of Minnesota Cities

December 29, 1988

To: City officials and agents

From: LMCIT

Re: Coverage for injuries to elected officials

The workers compensation statutes provide benefits to an "employee" who is injured while working. M.S. 176.011, subd. 9, (5), provides that an elected official is considered to be an "employee" for workers compensation purposes only if the city has passed an ordinance or resolution to that effect. An elected official injured while performing his or her duties would not be eligible for workers compensation benefits unless the city had passed that ordinance or resolution.

If the city wishes to provide workers compensation coverage for elected officials, it is preferable to use an ordinance rather than a resolution. Resolutions are often recorded only in the council minutes; years later it can be very difficult and time-consuming to track down a resolution. We've seen a number of cases where a city has been paying premiums for workers compensation coverage for elected officials for years, but now can't find any ordinance or resolution specifying that elected officials are covered. An ordinance will generally be easier to keep track of permanently, since it is also recorded in the city's ordinance book as well as in the council minutes. The following wording can be used for this ordinance: "Pursuant to Minnesota Statutes Section 176.011, subdivision 9, clause 5, the elected officials of the city and those municipal officers appointed for a regular term of office are hereby included in the coverage of the Minnesota Workers Compensation Act."

If the city does not wish to cover its elected officials for workers compensation, it might be wise to pass on ordinance to that effect as well unless you are absolutely certain that the city has never passed a resolution to provide coverage. That resolution could have been passed as long ago as 1967, when the law was first amended to permit cities to opt for coverage.

In the past, the cost of workers compensation coverage has discouraged many cities from covering their elected officials. LMCIT has now taken a couple of steps to address this issue, as outlined on the following pages. The LMCIT Board would also like to hear from city officials as to whether they would favor amending the statutes to make workers compensation coverage automatic for all elected officials.



## 1. REDUCED COST OF WORKERS COMPENSATION COVERAGE

In the past, LMCIT has calculated workers compensation premiums for elected officials coverage using the formula prescribed by the rating association for private insurance companies. Under this formula, premiums were based on an imputed minimum salary of \$108 per week. The rate for the "Municipal employees" class of \$5.88 per \$100 of payroll was then applied. This resulted in premiums of over \$1650 to cover a five-member council.

For 1989, LMCIT will use a lower rate of \$2.91 per \$100 of payroll for elected officials. This rate will be applied to an imputed salary of \$70 per week, rather than \$108 as in the past. These two changes will reduce the cost of covering a five-member council to \$530 in 1989 - a reduction of over two-thirds. In the opinion of the LMCIT Board of Trustees, this revised rating approach will more accurately reflect the actual risk.

## 2. ACCIDENT POLICY OPTION

LMCIT has also arranged with CIGNA to offer a second even less expensive option through which cities can provide some protection for their council members against the risk of being injured or killed in the course of performing their duties. For a cost of \$12.75 per person per year, the city can purchase an accident policy which provides benefits for death or a disabling injury arising out of an accident which occurs while the council member is traveling to, participating in, or travelling from a regularly scheduled council meeting, or while conducting official council business on behalf and at the request of the council.

The policy provides a death benefit of \$100,000. It also provides a schedule of lump sum benefits for loss of a hand, foot, or eye.

The policy also provides a short-term disability benefit of \$400 per week. Disability benefits are payable for a maximum of 26 weeks, after a three-day waiting period. Disability benefits would be paid if as the result of a covered injury the individual cannot do at all the substantial and material duties of his type of work.

It is important to understand that this coverage differs significantly in many ways from the benefits that would be provided by workers compensation. Some of the more important differences are:

- The accident policy does not pay for medical costs. The individual would have to look to his own health coverage to pick up these costs.

- Disability benefits would continue for a maximum of 26 weeks. By contrast, workers compensation benefits would continue as long as the disability lasts.
- Benefits are payable only if the individual is totally disabled from performing the duties of his regular employment. Unlike workers compensation, the policy provides no benefits for partial disability.
- Death and disability benefits are paid according to a fixed schedule. Workers compensation benefits, by contrast, are based on the individual's actual earnings, from both his regular employment and his council pay.
- Workers compensation includes various other benefits, such as rehabilitation, retraining, etc.; the accident policy does not.
- Workers compensation benefits are tax-exempt; some or all of the benefits paid under the accident policy might be taxable.

Obviously, there are many "borderline" situations where it might be debatable whether a council member is "conducting official council business on behalf and at the request of the council." For example, a mayor or council member might be asked individually to attend a meeting of the Chamber of Commerce or a service club to discuss and explain city policies or proposals the council is considering. Cities might want to consider adopting a resolution specifying whether the city considers such activities to be within the scope of duties that the city expects its elected officials to perform.

For questions concerning the CIGNA accident coverage, or to put the accident coverage into effect, contact Jaime Frischmann, The Brehm Group, 1500 International Center, 920 Second Ave. So., Minneapolis, Mn. 55402; (612) 229-7385. Enrollment for the accident coverage will be open through March 1, 1989. In succeeding years, there will be an annual open enrollment period for cities during February of each year.

ENROLLMENT FORM

Please return this form along with your payment so that we may give credit to the proper city.

Mayor and All Council Members  
 Number of Council Members \_\_\_\_\_ x \$12.75 =

\$ \_\_\_\_\_ premium due.

CITY: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

Benefits are not payable for losses resulting from: suicide or attempted suicide, deliberately self-inflicted injuries, war or acts of war, full-time duty in the Armed Forces, bacterial infection not caused by an accident cut or wound, or food poisoning, sickness, travel or flight in an aircraft involved in tests or experiments. Benefits will be paid for accidental death or dismemberment or disability occurring while council members are travelling to, participating in, or travelling from a regular or special meeting of the council or other city board, commission, or committee of which the individual is a member, or while conducting official council business on behalf and at the request of the council.

This form is intended as a brief benefit description and the policy will determine the benefit payable.

Please fill out the reverse side of this form along with a check for the first annual premium calculated as shown. Premiums should be submitted using the return envelope or mailed to the plan administrator at:

The Breha Group  
 920 Second Avenue South  
 Suite 1500  
 Minneapolis, Minnesota 55402

All checks should be made payable to The Breha Group. Premiums need to be received by 2/15/89 in order for coverage to be effective 3/1/89.

Dear Member City,

The League of Minnesota Cities is pleased to offer through T.C. Field and Company and CIGNA, a short-term disability and accidental death & dismemberment benefit for your city council members. The schedule is as follows:

<u>EVENT</u>	<u>BENEFIT</u>
Total Disability	\$400 per week for duration of disability after a 7 day waiting period to a maximum of 26 weeks
Loss of Life	Full Benefit \$100,000
Loss of Two or More Members	Full Benefit \$100,000
Loss of One Member	One-Half Benefit \$50,000

"Member" means hand, foot, sight of eye. Loss of hand means severance at or above the wrist and loss of foot means severance at or above the ankle. Severance is defined as the complete separation and dismemberment of the limbs of the body. A covered person will be deemed "totally disabled" if during the waiting period and for the subsequent 26 weeks he cannot do all the substantial and material duties of his job.

The benefits will be paid for injuries caused by an accident which happens while a person is covered by the policy and which directly, and from no other cause, results in any of the losses listed above within a year after the accident occurs for the AD&D benefit and within 30 days for the disability benefit. If the accident results in the covered person's death, the benefit will be paid to the named beneficiary. Dismemberment and disability payments will be made to the covered person.

Consent   X  

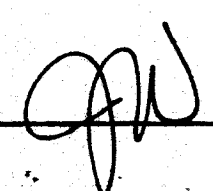
Agenda Item: F-10

Policy \_\_\_\_\_

**CITY OF FALCON HEIGHTS**

Meeting Date: 1/25/88

**REQUEST FOR COUNCIL CONSIDERATION**

<b><u>ITEM DESCRIPTION:</u></b>	Sale of City Snowblower
<b><u>SUBMITTED BY:</u></b>	Jay Morgan
<b><u>REVIEWED BY:</u></b>	Vince Wright Jan Wiessner
<b><u>EXPLANATION/SUMMARY (attach additional sheets as necessary):</u></b>  Jay would like to purchase the old Toro snowblower from the City. This snowblower is too small for the City's snow removal jobs and has not been used in recent years.	
<b><u>ACTION REQUESTED:</u></b>	Approval
	

January 11, 1989

TO: Jan Wiessner  
City Administrator

FROM: Jay Morgan  
Public Works

RE: TORO SNOWBLOWER

I am interested in purchasing a Toro S 140 snowblower from the City of Falcon Heights. The Public Works Department has no need for this piece of equipment. It was originally purchased for use at the liquor store.

I have acquired an estimate of its value from Suburban True Value Hardware. A copy of this estimate of value statement is attached. I am, therefore, offering to purchase this snowblower from the City of Falcon Heights for \$40.00.

Please advise if this offer is acceptable. Thank you.

**SUBURBAN  HARDWARE**

1930 Lexington Ave  
Roseville, Minnesota 55113  
Phone 488-3741

Customer's Order No. _____ Date <u>1-5</u> 19 <u>89</u>						
Name <u>City of Falcon Heights</u>						
Address _____						
SOLD BY	CASH	C.O.D	CHARGE	ON ACCT	MOSE RETD	PAID OUT
QUAN	DESCRIPTION		PRICE	AMOUNT		
	<u>Estimated value of used Toro S 140</u>					
	<u>Depending on condition</u>			<u>40.00</u>		
				<u>or 50.00</u>		
	TAX					
	TOTAL					
All claims and returned goods MUST be accompanied by this bill.						
<b>027749</b> Rec'd by <u>[Signature]</u>						

*[Handwritten signature]*



CITY OF  
**FALCON HEIGHTS**

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2077 W. LARPENTEUR AVENUE

FALCON HEIGHTS, MN 55113-5594

PHONE 612-644-5050

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January 20, 1989

TO WHOM IT MAY CONCERN:

A CITY COUNCIL WORKSHOP HAS BEEN SCHEDULED FOR JANUARY 25, 1989,  
6:00 to 7:00 P.M. AT CITY HALL TO DISCUSS PERSONNEL ISSUES.

NO OFFICIAL ACTION WILL BE TAKEN.