

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

**AGENDA**  
April 5, 2023  
6:30 P.M.

- A. CALL TO ORDER:
- B. ROLL CALL:           GUSTAFSON\_\_\_ LEEHY\_\_\_  
                                  MEYER \_\_\_ WASSENBERG \_\_\_ WEHYEE\_\_\_
- STAFF PRESENT:    LINEHAN\_\_\_
- C. POLICY ITEMS:
1. Law Enforcement Contract Discussion
  2. Inclusion Efforts
  3. ARPA Update
  4. No Mow May
  5. Public Works Staffing Update
- D. ADJOURNMENT:

*DISCLAIMER: City Council Workshops are held monthly as an opportunity for Council Members to discuss policy topics in greater detail prior to a formal meeting where a public hearing may be held and/or action may be taken. Members of the public that would like to make a comment or ask questions about an item on the agenda for an upcoming workshop should send them to [mail@falconheights.org](mailto:mail@falconheights.org) prior to the meeting. Alternatively, time is regularly allotted for public comment during Regular City Council Meetings (typically 2nd and 4th Wednesdays) during the Community Forum.*

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## REQUEST FOR COUNCIL ACTION

<b>Meeting Date</b>	April 5, 2023
<b>Agenda Item</b>	Policy C1
<b>Attachment</b>	N/A
<b>Submitted By</b>	Jack Linehan, City Administrator

<b>Item</b>	Law Enforcement Contract Discussion
<b>Description</b>	Following the recent action of sending a notice of intent not to renew to the Ramsey County Sheriff's Office, the City Council will discuss whether or not to engage with a consultant to assist the City in the process of exploring alternatives.
<b>Budget Impact</b>	N/A
<b>Attachment(s)</b>	N/A
<b>Action(s) Requested</b>	Staff recommends the City Council discuss whether or not to engage with a consultant for the next steps in the process of finding a law enforcement partner.

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## REQUEST FOR COUNCIL ACTION

<b>Meeting Date</b>	April 5, 2023
<b>Agenda Item</b>	Policy C1
<b>Attachment</b>	Reports
<b>Submitted By</b>	Jack Linehan, City Administrator

<b>Item</b>	Review Inclusion Effort Updates and Next Steps
<b>Description</b>	<p>As part of the CVBI Contract study, the City’s consultant provided recommendations on how to incorporate measurable goals in to the Task Force on Policing and Inclusion.</p> <p>The City Council will be asked to discuss how to best approach continuing inclusion efforts in Falcon Heights.</p>
<b>Budget Impact</b>	The City has allocated of creating a fund balance of \$30,000 to fund inclusion efforts per year.
<b>Attachment(s)</b>	
<b>Action(s) Requested</b>	Discuss past inclusion efforts and provide direction for the remainder of 2023.

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## REQUEST FOR COUNCIL ACTION (RCA)

<b>Meeting Date</b>	April 5, 2023
<b>Agenda Item</b>	Policy C3
<b>Attachment</b>	Resolution 22-08
<b>Submitted By</b>	Jack Linehan, City Administrator

<b>Item</b>	ARPA Funds Discussion
<b>Description</b>	<p>Under the American Rescue Plan Act (ARPA), federal funds were allocated to municipalities and counties to help aid the recovery of the nation at the local level. The City of Falcon Heights received \$302,056.11 in the fall of 2021 as the first allocation of funds, and received the same sum in 2022 for a total of \$604,112.20.</p> <p>Funds are intended to cover eligible costs incurred in the time period that begins on March 3, 2021 and ends on December 31, 2024, as long as the obligations for funds are incurred by the end date are expended by December 31, 2026.</p> <p>In Resolution 22-08, the City Council authorized staff to report that the City would be taking the Standard Allowance Election of Revenue Loss as defined in the Compliance and Reporting Guidance – State and Local Fiscal Recovery Funds (SLRF) version 3.0. This allows municipalities to estimate revenue losses up to \$10 million rather than calculate their losses. This was intended to help communities under 50,000 population, such as Falcon Heights.</p> <p>Under the final rule, municipalities can spend their ARPA allocations on a broad range of uses under the “general government provisions” category. For example, a City could allocate their funds towards a specific project or towards personnel salaries. The only expenses that cannot be qualified are items such as pension obligations, debt payments, legal settlements or any action that undermines the Federal government’s response to COVID-19.</p> <p>In considering the uses of ARPA, it will be important to consider the small staff the City of Falcon Heights has to administer programs. If the City were to provide the funds to a third-party non-profit or individuals in need, there are significant reporting requirements under the Act for subawards, grants and transfers that would be extremely difficult for the City to manage internally.</p> <p>Staff will highlight the potential uses of the ARPA funds the City received, how other similar-sized communities are using ARPA / SLRF and solicit</p>

	direction from the City Council on when to proceed in allocation of ARPA / SLRF funds.
<b>Budget Impact</b>	The City has \$604,112.20 of unrecognized revenue from SLRF.
<b>Attachment(s)</b>	<ul style="list-style-type: none"><li>• Resolution 22-08</li></ul>
<b>Action(s) Requested</b>	Staff recommends a discussion to further consider how the City Council would like staff to propose using the funds.



**CITY OF FALCON HEIGHTS  
COUNCIL RESOLUTION**

March 9, 2022

No. 22-08

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**A RESOLUTION TO ACCEPT THE CORONAVIRUS LOCAL FISCAL RECOVERY  
FUND ESTABLISHED UNDER THE AMERICAN RESCUE PLAN ACT**

**WHEREAS**, since the first case of coronavirus disease 2019 (COVID-19) was discovered in the United States in January 2020, the disease has infected over 32 million and killed over 575,000 Americans (“Pandemic”). The disease has impacted every part of life: as social distancing became a necessity, businesses closed, schools transitioned to remote education, travel was sharply reduced, and millions of Americans lost their jobs;

**WHEREAS**, as a result of the Pandemic, cities have been called on to respond to the needs of their communities through the prevention, treatment, and vaccination of COVID-19; and

**WHEREAS**, city revenues, businesses and nonprofits in the city have faced economic impacts due to the Pandemic; and

**WHEREAS**, Congress adopted the American Rescue Plan Act in March 2021 (“ARPA”) which included \$65 billion in recovery funds for cities across the country; and

**WHEREAS**, ARPA funds are intended to provide support to state, local, and tribal governments in responding to the impact of COVID-19 and in their efforts to contain COVID-19 in their communities, residents, and businesses; and

**WHEREAS**, \$604,112.20 has been allocated to the City of Falcon Heights of which the initial distribution of \$302,056.11 has already been received pursuant to the ARPA (“Allocation”); and

**WHEREAS**, the United States Department of Treasury has adopted guidance regarding the use of ARPA funds; and

**WHEREAS**, the City, in response to the Pandemic, has had expenditures and anticipates future expenditures consistent with the Department of Treasury’s ARPA guidance; and

**WHEREAS**, the State of Minnesota will distribute ARPA funds to the City because its population is less than 50,000; and

**WHEREAS**, In May Of 2021, the US department of Treasury (“Treasury”) published the Interim Final Rule describing eligible and ineligible uses of funds as well as other program provisions, sought feedback from the public on these program rules, and began to distribute funds; and

**WHEREAS**, On January 6, 2022, Treasury issued the final rule. The final rule delivers broader flexibility and greater simplicity in the program, responsive to feedback in the comment process; and

**WHEREAS**, the final rule offers a standard allowance for revenue loss of up to \$10 million, allowing recipients to select between a standard amount of revenue loss or complete a full revenue loss calculation; and

**WHEREAS**, recipients that select the standard allowance may use that amount, in many cases their full award, for governmental services, with streamlined reporting requirements.

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

1. The City elects the standard allowance available under the revenue loss provision of the American Rescue Plan Act in the amount of \$604,112.20 to be used for the general provision of government services.
2. The City intends to collect its share of ARPA funds from the State of Minnesota to use in a manner consistent with the Department of Treasury's guidance.
3. City staff, together with the Mayor and the City Attorney are hereby authorized to take any actions necessary to receive the City's share of ARPA funds from the State of Minnesota for expenses incurred because of the Pandemic.
4. City staff, together with the Mayor and the City Attorney are hereby authorized to make recommendations to the City Council for future expenditures allowed with ARPA funds.

Adopted by the City Council of City of Falcon Heights, Minnesota this ninth day of March 2022.

Moved by:

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

Kay Andrews  
Mayor Pro Tem

GUSTAFSON \_\_\_\_\_ In Favor  
LEEHY  
MEYER \_\_\_\_\_ Against  
WEHYEE  
ANDREWS

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

Tim Pittman  
Interim City Administrator

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## REQUEST FOR COUNCIL ACTION

<b>Meeting Date</b>	April 5, 2023
<b>Agenda Item</b>	Policy C4
<b>Attachment</b>	N/A
<b>Submitted By</b>	Hannah Lynch, Community Development Coordinator

<b>Item</b>	No Mow May
<b>Description</b>	<p>No Mow May is an initiative to encourage residents who wish to participate to not mow their lawns during the month of May to allow pollinators, particularly bees, additional time to safely come out of hibernation in tall grasses and weeds.</p> <p>This was done via resolution in 2022 and it is now the intent of the Environment Commission to make this a permanent addition to City Code. To accomplish this goal, the City will need to include a start date for enforcement of Sec. 22-19 of the City Code, which requires weeds and grass to be kept under 6” at all times. With this change, this section would not become enforceable until June 1 of each year. Beginning June 1, 2023, the City will begin once again enforcing ordinances related to mowing.</p> <p>The proposed ordinance would not preempt the Minnesota State Stat. 18.77, which requires properties to manage noxious weeds/vegetation. Noxious weeds/vegetation will need to continue to be maintained on all properties per statute.</p> <p>In 2023, a number of Minnesota cities are again participating in No Mow May including Edina, Brooklyn Park, Golden Valley, Elk River, Mankato, and others.</p>
<b>Budget Impact</b>	
<b>Attachment(s)</b>	<ul style="list-style-type: none"> <li>• Ordinance 23-__ Amending Chapter 22 of the Falcon Heights City Code Concerning Noxious Weeds, Vegetation and Substances</li> </ul>
<b>Action(s) Requested</b>	Staff recommends City Council hold a public hearing to consider the approval of the attached ordinance to support No Mow May.

ORDINANCE NO. 23-\_\_

CITY OF FALCON HEIGHTS  
RAMSEY COUNTY, MINNESOTA

AN ORDINANCE AMENDING CHAPTER 22 OF THE FALCON HEIGHTS CITY  
CODE CONCERNING NOXIOUS WEEDS, VEGETATION AND SUBSTANCES.  
THE CITY COUNCIL OF FALCON HEIGHTS ORDAINS:

**SECTION 1.** Section 22-19 of the City Code of Falcon Heights, Minnesota, is hereby amended to read as follows (Deletions are shown with a strikethrough. Additions are underlined):

**Sec. 22-19 (4) - Causes of blight or blighting factors**

(4) *Noxious weeds, vegetation and substances.* No owner agent or occupant of any premises shall permit upon his or her premises any noxious weeds as defined in Minn. Stats. § 18.77, weeds or grass ~~growing to a height greater than six inches~~ or which have gone or are about to go to seed, fallen trees, dead trees, tree limbs or items which are a fire hazard or otherwise detrimental to the health or appearance of the neighborhood. Between June 1 and December 31 of each calendar year, no owner agent or occupant of any premises shall permit upon his or her premises any weeds or grass growing to a height greater than six inches.

**SECTION 2. EFFECTIVE DATE.** This ordinance shall be effective upon its passage and a summary published in the official newspaper.

**ADOPTED** this \_\_\_ day of \_\_\_\_\_, 2023, by the City Council of the City of Falcon Heights, Minnesota.

Moved By:

Approved by:

\_\_\_\_\_  
Randall C. Gustafson  
Mayor

GUSTAFSON \_\_\_\_\_ In Favor  
LEEHY  
MEYER \_\_\_\_\_ Against  
WEHYEE  
WASSENBERG

Attested by:

\_\_\_\_\_  
Jack Linehan  
City Administrator

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## REQUEST FOR COUNCIL ACTION

<b>Meeting Date</b>	April 5, 2023
<b>Agenda Item</b>	Policy C5
<b>Attachment</b>	N/A
<b>Submitted By</b>	Jack Linehan, City Administrator

<b>Item</b>	Public Works Staffing Update
<b>Description</b>	With the upcoming retirement of Public Works Director Tim Pittman, City Administrator Linehan will present the proposed staffing update to the department.
<b>Budget Impact</b>	N/A
<b>Attachment(s)</b>	N/A
<b>Action(s) Requested</b>	Discuss Public Works staffing and provide City Administrator Linehan with feedback.