

CITY OF FALCON HEIGHTS
Regular Meeting of the City Council
City Hall
2077 West Larpenteur Avenue

REVISED

AGENDA
February 8, 2006

- A. CALL TO ORDER: 7:00 PM

- B. ROLL CALL: GEHRZ ____ KUETTEL ____ HARRIS ____
 LINDSTROM ____ TALBOT ____
 WORTHINGTON ____ KREUSER ____

- C. PRESENTATION:
 - 1. Neighborhood Energy Consortium, HourCar Presentation
 - 2. Human Rights Commission Purpose Statement TAB 1

- D. APPROVAL OF MINUTES: Regular meeting, January 25, 2006 TAB 2

- E. PUBLIC HEARINGS:
 - 1. City Fee Schedule Ordinance TAB 3

- F. CONSENT AGENDA:
 - 1. General Disbursements through 2/03/06 \$110,126.37 TAB 4
 Payroll through 1/31/06 \$15,306.60
 - 2. License Renewals 2006 TAB 5
 - 3. Designated Signors for Orders Drawn on City Funds TAB 6
 - 4. Fire Relief Association Bylaws TAB 7

- G. POLICY AGENDA:
 - 1. Water System Interconnect Project TAB 8
 - 2. Approval of the Roselawn Reconstruction Project TAB 9
 - 3. AN INTERIM ORDINANCE TEMPORARILY PROHIBITING
 THE ISSUANCE OF BUILDING PERMITS AND ZONING
 APPROVALS FOR DRIVE THROUGH BUSINESSES TAB 10

- H. COMMUNITY FORUM

- I. INFORMATION/ANNOUNCEMENTS

**Minutes of the Regular Meeting of the City Council
City of Falcon Heights
January 25, 2006**

Mayor Gehrz called the meeting to order at 7:05 p.m.

The following members were present: Council members Kuettel and Harris, Mayor Gehrz, Administrator Worthington, Deputy Clerk Kreuser, Parks and Public Works Director Hoag. Members absent: Council members Talbot and Lindstrom.

Presentation: Community Event

Neighborhood Commissioner Laura Kwong presented her idea for a "Treasures of Falcon Heights" city tour and asked for council approval. The proposed day is set for May 13, 2006 from 1-4 p.m. Her ideas included a tour of homes and landmarks within the city, a bike tour, and city history tidbits at the various stops. She proposed sending a map to residents within the City, along with a passport-style booklet to get stamped at the various locations. Any interested in volunteering for this event are encouraged to contact City Hall.

Council member Kuettel asked about transportation between the stops. Kwong answered she had looked into a bus, but the expense would prevent those arrangements. She added that there is interest in carpooling.

Mayor Gehrz thanked Kwong for her dedication and enthusiasm, and said the City was grateful to have teens on commissions. She added that other city commissions could help out with the planning, like the parks/rec commission. She also thanked the police department for their help in planning the event and for the safety measures they will take on tour day.

The minutes from the January 11, 2006 regular City Council meeting were approved.

Public Hearing Continuation: Roselawn Avenue Reconstruction

Administrator Worthington began with an overview of the project, including the properties to be assessed, layout of the project, and projected cost. Mayor Gehrz opened the hearing for questions from the council first. She added the construction would begin in May 2006 and be completed before the State Fair.

The Mayor opened for questions from the council.

Council member Kuettel clarified the current street width is 32 feet, and will be reconstructed to 34 feet. Also the planting beds will be flush with the curb, not an elevated flower planter.

Administrator Worthington also stated the lilies to be planted are heartier than grass and will be able to survive the salt and sand from the roadway during the winter.

Council member Kuettel asked how many total planter beds there will be. Administrator Worthington replied there are 3-4 suggested for each block, for a total of 26.

Council member Harris asked about the increased cost for putting in the flower beds. Administrator Worthington replied there would be no increased cost, the City would simply relay to the contractor to leave those areas concrete-free. She added there will be

ongoing cost for maintenance, but the City would be able to handle the current layout without stretching resources too thin.

Mayor Gehrz put to rest any confusion about the reasoning behind a 6-foot sidewalk by explaining it has to deal with the City's ability to remove snow. Some of the equipment currently does damage to grass along 5-foot sidewalks because the plow is wider than the sidewalk. She added a 6-foot sidewalk would allow for two pieces of equipment to be used with little threat of damage to grass. Parks and Public Works Director Hoag replied that both pieces of equipment are currently used, and with the 5-foot wide sidewalks cleared by the 5-foot wide snow blower there is room for mistakes. Mayor Gehrz asked about the maintenance of the flower beds and what is involved in keeping them up. Hoag replied the lilies will re-populate on their own, however during the first few years, there will be weeding, watering, and gardening until they completely fill in the planter box.

Mayor Gehrz opened the public hearing for comments from the audience.

John Robertson-Smith, 1454 Roselawn, asked about the placement of the mailbox on Roselawn. Administrator Worthington replied the City was in contact with the post office, and is waiting to hear back from them regarding the best location. She added it will not be moved too far from its current location. Robertson-Smith added that on the north side, with the parking lane, the mailbox may be blocked by parked cars. Administrator Worthington replied the designs will be finalized in the next few days, and that will be taken into consideration. Lastly, Robertson-Smith stated how pleased he has been with the City's work in compromising with residents, and that the project has been a good lesson in community cooperation.

Laura Kwong, 1700 Fry, asked whether there would be a shoulder on the south side of Roselawn for biking. Administrator Worthington replied there would be a 2-foot shoulder.

Bill Simmons, 1913 Albert, stated he sent an e-mail asking for 3 or 4 cutouts along their property due to the long extension (130-135 ft). Simmons added he would maintain them, and asked for council approval. Mayor Gehrz replied that issue will be taken up when the council decides.

Pat Hanson, 1910 Snelling, wished to commend the council and staff for listening to the homeowners and being responsive to resident's ideas.

Mayor Gehrz closed the public hearing.

Consent Agenda:

Council member Kuettel moved to approve the following items on the consent agenda. The motion passed unanimously.

1. General Disbursements through 1/20/06: \$74, 182.75
Payroll through 1/15/06: \$14, 714.93
2. License Renewals for 2006

Policy Agenda:

1. Approval of the Roselawn Reconstruction Project

Mayor Gehrz began by stating the project approval required a 4/5 vote by law. Since two council members were absent, the vote was tabled until the Feb. 8 council meeting. Mayor Gehrz addressed Simmons' question of additional planter beds on properties. She stated there may be an option to have a contract drawn up that would provide for

residents handling their own flowers and would follow the property in the event of sale. She stated she had no objections to that option.

Council member Kuettel pointed out the balance and aesthetics of having more planters on some blocks than others would be beneficial. Kuettel said that while his lot is 130 feet, more planters would likely look more balanced due to the longer space compared to the other blocks. She stated she was all for making this work.

Council member Harris said she would approve as long as the obligation to take care of the boxes followed the property, which would be drawn up by the city attorney.

Mayor Gehrz stated the comments and concerns would be taken into due consideration, and further council discussion and a vote would occur on Feb. 8.

2. Certificate of Completion and Certificate Regarding Defaults for Multifamily Building

Administrator Worthington gave an overview of the documents, and the recommended changes by the city attorney. She pointed out the sidewalk installation agreement, which provides for a sidewalk along Snelling Avenue to be completed in spring 2006.

Council member Harris moved to approve the certification of completion for the multi-family building and certificate regarding defaults. The motion passed unanimously.

3. Renewal of Tree Trimming/Removal Contract with S&S Tree Service

Administrator Worthington began by giving an overview of the contract with S&S Tree. The company offered to extend the contract signed in 2004, without an increase in fees, for 2006. She stated they are able to do this by using their climbing class, who are heavily supervised, and do great work.

Council member Kuettel commented that during emergency situations, S&S has been extremely impressive and professional.

Council member Harris asked what was meant by “better and more competitive ways to solicit proposals.” Administrator Worthington replied that there are always ways to streamline the RFP process and by combining the trimming and removal requests together, it is more efficient and saves money.

Council member Kuettel moved to approve the renewal of tree trimming/removal contract with S&S Tree Service. The motion passed unanimously.

4. Order feasibility report for Hamline/Hoyt Reconstruction project

Administrator Worthington began the item by giving an overview of the project and the steps to completion. She said it will be same process as the Roselawn project, however St. Paul is unlike partnering with Roseville as they have a different set of laws to follow. Still, the first step is to order the feasibility report.

Council member Kuettel asked about the water main stops and who will pay to have them moved. Administrator Worthington replied St. Paul Water Utility will pay for moving them. She stated St. Paul will pay for the water replacements and Falcon Heights will handle the sewer.

Council member Harris asked if the process will be outlined again by a presentation by the city engineer. Administrator Worthington replied it would.

Mayor Gehrz then stated the city was unsure if a 4/5 vote was necessary for ordering the report, and since there was not time to do the legal research, the item would be voted on.

However, if 4/5 was necessary the item would go back on the agenda for the Feb. 8 meeting.

Council member Kuettel moved to order the feasibility report for Hamline/Hoyt Reconstruction project. The motion passed unanimously.

Community Forum:

Bryan Olson, 1592 Roselawn, asked the mayor and council to add a section in the council standing rules differentiating workshops from regular meetings. Staff will place the item on an upcoming council agenda.

Information/Announcements:

Council member Kuettel reported the planning commission met on 1/24/06. A chairperson was selected at the meeting. It was reported the code will be ready to review in April/May or 2006. Also, the city has received a grant from the Hubert H. Humphrey School to have interns in urban planning do a study on the walkability and livability of Falcon Heights this spring.

Council member Harris reported the joint meeting of the CERTs/Liaisons/Human Rights Commission/Neighborhood Commission was held on 1/23/06. The meeting was held to discuss the changing neighborhoods and future demographics of Falcon Heights.

Mayor Gehrz announced the Dead of Winter event will be held on 2/5/06 from 1-4 p.m. with sleigh rides or hay rides, food, games and fun. Also, she encouraged residents to call City Hall to volunteer for the Dead of Winter event or for the Treasures tour to be held in May.

Mayor Gehrz adjourned the meeting at 8:20p.m.

Respectfully submitted,

Stacey Kreuser
Deputy Clerk

ITEM: Human Rights Commission Purpose Statement

SUBMITTED BY: Dan Detzner, Chair, Human Rights Commission

REVIEWED BY: Human Rights Commission

EXPLANATION:

Summary: Each commission operates under a purpose statement, found in the city's administrative manual. Staff has been working to update the manual, and has asked the commissions to which they provide staff support, to review the purpose statements and make changes where necessary to better reflect the mission and purpose of the commission currently.

The Human Rights Commission, after being inactive for several years, has been meeting regularly since late summer 2005. They reviewed the Commission's purpose statement at their regular January meeting, and made revisions which better reflect their purpose and duties.

The Chair of the Commission, Dan Detzner, will present these changes and give an update on the Commission's activities.

ATTACHMENT:

Revised purpose statement (printed with "track changes")

ACTION REQUESTED:

Accept purpose statement revisions, and instruct staff to revise the administrative manual accordingly.

A. HUMAN RIGHTS COMMISSION

1. Purpose. The purpose of the commission is to secure for all citizens equal opportunity in employment, housing, public accommodations, public services and education and full participation in the affairs of this community by advising the council on long range programs to improve community relations in the city by:

- a. Advising the council on long range programs to improve community relations in the city;
- b. Actively participating in the human rights programs and services sponsored by the city; and
- c. Conducting programs and activities to promote an understanding of human rights issues, needs and requirements in the city.

2. Composition & Qualifications. The commission shall consist of not less than seven nor more than nine members to be appointed by the Mayor and approved by the Council as follows:

- a. Members of the commission shall be appointed according to their ability to contribute to and perform the functions, powers and duties imposed upon the commission.
- b. Members of the commission shall be residents of the city. One member of the commission may be chosen to represent the city's business community. If necessary, the city residence requirement will be waived for one commission position to encourage such representation.
- c. Consideration will also be given to reflecting in the commission's membership, diversity among the commission members in terms of race, sex, age, professional background, etc. from the city's population segments who can appropriately benefit from or contribute to the advancement of human rights within the city.

3. Terms, Vacancies, Oaths. The term of office of all commission members shall be three years. Except for appointments to fill a vacancy, an appointment in any year shall be deemed effective as of January 1 of such year for purposes of computing the term. No member shall serve more than two consecutive three year terms.

Members shall hold office until their successors are appointed. All members shall serve without compensation, but may be reimbursed for expenses as authorized and approved by the city council.

4. Removal. Commission members shall be subject to removal for cause, by a four-fifths vote of the city council. Failure to attend meetings regularly shall be one basis for removal.
5. Organization, Officers. Each commission shall elect a chairperson from among its appointed members for a term of one year. The commissions may create and fill such other offices as determined necessary.

Meetings, Records, Reports. The commissions shall hold scheduled meetings, not less than one per calendar quarter. They shall adopt rules for the transaction of business and shall keep written public records of resolutions, recommendations and findings. The commissions shall make an annual report to the City Council on activities of the preceding calendar year.

7. Commission's Duties. In fulfillment of its purpose the commission's duties and responsibilities shall be to:

- a. Enlist the cooperation of agencies, organizations and individuals in the community in programs directed to create equal opportunity and reduction of discrimination and inequalities.
- b. Formulate a human relations program for the city to give increased effectiveness and direction to the work of all individuals and agencies addressing themselves to planning, policy making and educational programming in the area of civil and human rights.
- c. Advise the mayor, the council and other agencies of the government on issues of civil and human rights and recommend the adoption of such specific policies or actions as are needed to provide for full equal opportunity in the community.

8. Enforcement: Procedures. The city administrator shall promptly investigate, upon complaint or upon his/her own motion, any violations of this section. The city administrator shall promptly notify the Human Rights Commission, in writing, of all investigations of alleged violations of this section. If, after investigation, he shall have reason to believe a violation has occurred, he/she may refer the matter to the commission for further investigation, refer the matter to the commission for settlement through no-fault grievance procedures provided at least two members of the commission are qualified in no-fault grievance procedures, or initiate civil enforcement procedures as provided herein.

9. Establishment of a Bias/Hate Response Plan: The Commission shall establish and follow a Bias/Hate Response Plan as adopted by the Falcon Heights City Council on September 14, 2005.

Falcon Heights Bias/Hate Response Plan

Falcon Heights Human Rights Commission
Originally drafted April 4, 1997
Current draft: August 25, 2005

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Deleted: d. To execute programs of compliance review to determine whether persons who contract with the city are observing the terms of the contract compliance regulations adopted by the commission as set forth in this section. (See Nos. 8 through 11 following).

e. To receive complaints of violation of the provisions of such contract compliance regulations and investigate the same.

Deleted: 8. Contract Compliance Regulations.

a. Findings. The council finds that discrimination in employment labor union membership, housing accommodations and public services based on race, color, creed, religion, ancestry, national origin, sex, disability, age, marital status, status with regard to public assistance, or

familial status adversely affects the health, welfare, peace and safety of the community.

Such discriminatory practices degrade individuals, foster intolerance and hate, and

create and intensify unemployment, sub-standard housing, under-education, ill health, lawlessness and poverty, thereby injuring the public welfare.

9. Provisions Required in Contracts with the City. All contracts with the City of Falcon Heights in excess of \$50,000 or made by contractors employing 20 or more persons shall include the fol ... [1]

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Context

During the past decade more than 50 cities and 2 counties have formed Human Rights Commissions throughout Minnesota in cooperation with the League of Minnesota Human Rights Commissions (LMHRC) and the State Department of Human Rights. Many commissions have developed community support response plans in the event that a bias or hate crime occurs in their communities

Bias/Hate crimes occur "...if the officer has reason to believe, or if the victim alleges, that the offender was motivated to commit the act by the victim's race, religion, national origin, sex, age, disability, or characteristics identified as sexual orientation." (MN Statute). Assaults, property damage, verbal abuse and other offenses that are motivated by hate or bias allow the court to impose a more severe sentence because the crime has the added offense of bigotry and hatred against a particular individual or group.

Some Falcon Heights' neighboring communities such as St. Paul, Roseville, and Plymouth have developed plans based on the LMHRC models. Although very few bias/hate crimes have been reported in Falcon Heights, it is prudent for the City of Falcon Heights to have a response plan in place in the event that such a crime does occur here. This proposal for a Falcon Heights Bias/Hate Response Plan is based on outlines of the LMHRC and neighbor city plans. It was prepared by the Falcon Heights Human Rights Commission in consultation with the police department serving Falcon Heights, the Saint Anthony Police Department.

Purpose

The Falcon Heights Human Rights Commission (FHHRC) is making this proposal to establish a community response plan in the event of a reported bias/hate crime in the City of Falcon Heights, and to join with the League of Minnesota Human Rights Commissions in a state-wide response to counter hate and bias crimes. The FHHRC will not be involved in the investigation of bias/hate crimes, but we will be the initiators and coordinators of community support for the victims of such crimes whether they are individuals or groups.

We seek endorsement of the Response Plan by the City Council, the cooperation of the police department serving Falcon Heights, and the good will of leaders and citizens of this community in responding to criminal activity motivated by bias or hate against individuals or groups.

The Response Plan in Brief

The plan is based on the assumption that the people who live in the City of Falcon Heights wish to respond collectively in the event that a bias or hate crime is committed here. The plan is based on the establishment of a network of individuals and groups (responders) who agree to participate in activities that address directly the concerns of the victims of such crimes. Several individuals will be designated as "first responders" who will contact victims immediately to express support and, when appropriate, to activate a network of organizational or community responders from business, school, religious, and human service organizations that support people who live in Falcon Heights. A community response will be organized to create awareness, to express the community's outrage, and to offer support. Responders will follow-up with victims and will organize educational programs to address the issues raised by the bias/hate crime.

The Plan: How we will respond

I. An Immediate Response

- a. In most cases, the police department serving Falcon Heights will be the first to have knowledge about a bias/hate crime that is reported in Falcon Heights. The police will contact the FHHRC chair or a designated alternate who will call the victim(s) immediately.

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i. Phone or in-person interview conducted to:

1. Express regret over the incident
2. Explain the FHHRC role as support, referral, educational
3. Offer support from community responder groups

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b. Exchange telephone numbers and develop a follow-up plan.

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c. Activate the response network when it is appropriate and respectful of the victim's wishes.

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II. Community Response Network Activated

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a. Reporting and informing others

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- i. FHHRC Chair or alternate will contact the Mayor and City Council
- ii. Notify the MN Department of Human Rights
- iii. Contact the League of Minnesota Human Rights Commissioners
- iv. Through the Police Department, contact Neighborhood Liaisons, if appropriate and in accordance with the victim's wishes.

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b. Connecting to community responders:

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- i. If appropriate, contact persons from the faith communities, human service agencies, businesses, and the school district, and link them with the person(s) who were victimized by the bias/hate crime
- ii. Follow up at one week, and one month of longer, if appropriate and in accordance with the victim's wishes.

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c. The public response and educational prevention

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- i. Community responders network local media (after approval by victim) via letters, radio call-in programs, and other means to express individual and collective outrage
- ii. Work with local school, religious, and community groups to develop educational programs about the issues raised by the bias/hate crime.

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III. The Long-Term Response

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- a. Develop and maintain an active list of community responders
- b. Participate in League of Human Rights programs and workshops
- c. Develop proactive educational programs promoting tolerance, respect for basic human rights, and appreciation for diversity.

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8. Contract Compliance Regulations.

- a. Findings. The council finds that discrimination in employment labor union membership, housing accommodations and public services based on race, color, creed, religion, ancestry, national origin, sex, disability, age, marital status, status with regard to public assistance, or familial status adversely affects the health, welfare, peace and safety of the

community.

Such discriminatory practices degrade individuals, foster intolerance and hate, and create and intensify unemployment, sub-standard housing, under-education, ill health, lawlessness and poverty, thereby injuring the public welfare.

9. Provisions Required in Contracts with the City. All contracts with the City of Falcon Heights in excess of \$50,000 or made by contractors employing 20 or more persons shall include the following provisions, which may be incorporated by reference:

During the performance of this contract, the contractor agrees as follows:

a. The contractor will not discriminate against any employee or applicant for employment because of race, color, creed, religion, ancestry, national origin, sex, disability, age, marital status, status with regard to public assistance, familial status, or any other classification protected by the Minnesota Human Rights Act, MN Stat., Ch. 363, as presently adopted or hereinafter amended. The contractor will take affirmative action to ensure that all employment practices are free of such discrimination. Such employment practices include but are not limited to the following: Hiring, upgrading, demotion, transfer, recruitment or recruitment advertising, layoff, termination, rates of pay or other forms of compensation, and selection for training, including apprenticeship.

b. The contractor will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that it is an equal opportunity employer.

c. The contractor will comply with all provisions of this subdivision and of the regulations and relevant orders of the commission issued pursuant to this section.

rules,

d. The contractor will furnish all information and reports required by this subdivision and by the rules, regulations and orders of the commission issued pursuant to this section, and will permit access to his books, records, and accounts by the commission for the purpose of investigation to ascertain compliance with such rules, regulations and orders.

e. In the event of non-compliance with the non-discrimination clauses of this contract, this contract may be canceled, terminated or suspended, in whole or in part, and the contractor may be declared ineligible by the Falcon Heights city council for further city contracts. In addition, the contractor shall be liable for any costs or expenses incurred by the City of Falcon heights in obtaining from other sources the work and services to be rendered or performed or the goods or the properties to be furnished or delivered to the city under this contract and for administrative costs incurred in seeking compliance. The city shall have the right

to specific performance of this contract. In addition, other sanctions may be imposed and remedies invoked as provided by this subdivision, or by rule, regulation or order of the commission, or as otherwise provided by law.

f. The contractor will include the provisions of this subdivision in every subcontract so that

such provisions will be binding upon each subcontractor.

g. The city administrator shall be responsible for the administration and enforcement of this subdivision pursuant to such rules, regulations and orders as the commission may deem necessary and appropriate to achieve the purpose of this subdivision. Failure to comply with such rules, regulations and orders shall be subject to the enforcement provisions of this subdivision.

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heather.worthington

12/9/2005 12:20:00 PM

11. Civil Enforcement Procedure. Except as otherwise provided by Subdivision 3, civil enforcement procedures shall be prosecuted by the city administrator before the Human Rights Commission in the following manner:

a. The city administrator shall serve upon the respondent by certified mail a complaint, signed by him, which shall set forth a clear and concise statement of the facts constituting the violation, set a time and place for hearing, and advise the respondent of his right to file an answer, to appear in person or by an attorney, and to examine and cross-examine witnesses.

b. The hearing shall not be less than 20 days after service of the complaint. At any time prior to the hearing the respondent may file an answer. Facts not denied by answer shall be deemed admitted. If the answer sets out new matter, it shall be deemed denied by the city administrator.

c. The complaint or answer may be amended at any time prior to the hearing with the consent of the opposing party.

d. Hearings shall be before a panel of three commissioners designated by the chairman of the Human Rights Commission, presided over by an attorney who is not a member of the commission as chairman and law officer. All members of a panel shall be paid \$10 per hour spent in performance of their duties; provided, however, that the payments hereunder shall not exceed for any person \$1,500 per year. The law officer shall rule all legal questions presented but shall not participate in the panel's deliberation. The parties shall not be bound by the Minnesota Rules of Evidence and the law officer may admit evidence which possesses probative value commonly accepted by reasonable prudent persons in the conduct of their affairs. The law officer shall give effect to the rules of privilege recognized by law and may exclude incompetent, irrelevant, immaterial and repetitive evidence.

e. The city administrator may obtain subpoenas from the district court to compel the attendance of witnesses and the production of documents at any hearing.

f. If, after hearing, the panel shall conclude that a violation has occurred, it shall

prepare an order which may contain any provision deemed desirable to do justice or to prevent further violation. The panel's findings of fact and order shall be served on the respondent and each member of the Human Rights Commission by mail and shall become the finding and order of the commission unless, within 30 days after mailing of the findings and order, the commission shall revoke or amend the order and/or findings. Whether or not the commission revokes or amends the findings and order of the panel, the respondent shall be served by mail with the final order of the commission after the expiration of the 30 days from the service of the panel's findings and order.

g. When the city administrator determines that violation of subdivision c has occurred, he/she shall serve on the respondent by certified mail, in addition to those notices required by subpart (a) of this subdivision, a copy of his proposed findings and application for an order enforcing such findings. The city administrator's proposed findings and his/her proposed order shall also be served upon each member of the Human Rights Commission. The commission, at a public hearing held for this purpose, shall review the city administrator's proposed order and make recommendations to the city council. The city council, at a public hearing held for this purpose, shall review the commission's recommendations and may adopt or modify those recommendations in any manner as may be just. For purpose of obtaining judicial review by any respondent aggrieved hereunder, administrative remedies shall be deemed exhausted and the order of the city council shall be deemed final upon issuance.

ITEM: **City Fee Schedule Ordinance**

SUBMITTED BY: **Heather Worthington, City Administrator**

Explanation:

Summary: In 2005, the State Legislature passed a law requiring cities to adopt their fee schedules by ordinance, and hold a public hearing on the matter.

Each year, the City Council reviews the fee schedule and makes necessary changes for the coming budget year. This fee schedule was reviewed in 2005, and some minor changes were made to bring the city more in line with surrounding cities, and with law changes.

ACTION REQUESTED:

- Staff Report
- Open Public Hearing
- Take Testimony
- Close Public Hearing
- Consider Ordinance 06-01

ATTACHMENTS:

- Ordinance 06-01
- Fee Schedule

CITY OF FALCON HEIGHTS
RAMSEY COUNTY, MINNESOTA

ORDINANCE NO. 06-01

**AN ORDINANCE ADOPTING
A FEE SCHEDULE**

THE CITY COUNCIL OF FALCON HEIGHTS ORDAINS:

SECTION 1. The City of Falcon Heights Fee Schedule attached hereto as Exhibit A and incorporated herein by reference is hereby adopted.

SECTION 2. This ordinance shall be effective upon passage.

ADOPTED this 8th day of February, 2006, by the City Council of Falcon Heights, Minnesota.

CITY OF FALCON HEIGHTS

BY: _____
Susan L. Gehrz, Mayor

ATTEST:

Heather M. Worthington, City Administrator/Clerk

EXHIBIT "A"

FEE SCHEDULE

A. LICENSES

Business Licenses

<u>Item</u>	<u>Fee</u>
Bus Benches (Courtesy)	\$ 25.00 per bench
Filling Stations	
Less than 15 hours	\$ 100.00
15-20 hours	\$ 400.00
20 hours or more	\$ 500.00
General Business	\$ 50.00
Pool Halls	\$ 800.00
Precious Metal Dealer	
Investigation fee/general	\$1500.00
Investigation fee/MN only	\$ 500.00
License fee	\$ 2000.00
Restaurants	
Lunchroom	\$ 50.00
Less than 15 hours	\$ 100.00
15-20 hours	\$ 400.00
20 hours or more	\$ 500.00
Therapeutic Massage License	
Investigation fee	\$ 350.00
License fee	\$ 100.00

Liquor Licenses

<u>Item</u>	<u>Fee</u>
Bottle Club	\$ 300.00
Liquor, Off-Sale	\$ 150.00
Liquor, On-Sale	\$ 4000.00
Liquor, Special Event	\$ 25.00
Liquor, Sunday	\$ 200.00
Malt Beverage, Off-Sale	\$ 150.00
Malt Beverage, On-Sale	\$ 500.00
Malt Beverage, On-Sale (with wine license)	\$ 1.00
Wine License	\$2000.00

Other Licenses

<u>Item</u>	<u>Fee</u>
Amusement machines (per machine)	\$ 30.00
Cigarette sales	\$ 250.00

Contractor licenses	\$ 30.00
Itinerant salespersons & solicitors (for profit only)	\$ 35.00
Pool tables (per table)	\$ 30.00
Refuse Haulers	\$ 70.00

B. PERMITS

1. Building permit fees:

TOTAL VALUATION	FEE
\$1.00 to \$500.00	\$23.50
\$501.00 to \$2,000.00	\$23.50 for the first \$500.00 plus \$3.05 for each additional \$100.00, or fraction thereof, to an including \$2,000.00
\$2,001.00 to \$25,000.00	\$69.25 for the first \$2,000.00 plus \$14.00 for each additional \$1,000.00, or fraction thereof, to and including \$25,000.00
\$25,001.00 to \$50,000.00	\$391.75 for the first \$25,000.00 plus \$10.10 for each additional \$1,000.00, or fraction thereof, to and including \$50,000.00
\$50,001.00 to \$100,000.00	\$643.75 for the first \$50,000.00 plus \$7.00 for each additional \$1,000.00, or fraction thereof, to and including \$100,000.00
\$100,001.00 to \$500,000.00	\$993.75 for the first \$100,000.00 plus \$5.60 for each additional \$1,000.00, or fraction thereof, to and including \$500,000.00
\$500,001.00 to \$1,000,000.00	\$3,233.75 for the first \$500,000.00 plus \$4.75 for each additional \$1,000.00, or fraction thereof, to and including \$1,000,000.00
\$1,000,001.00 and up	\$5,608.75 for the first \$1,000,000.00 plus \$3.65 for each additional \$1,000.00, or fraction thereof

Other Inspections and Fees:

1. Inspections outside of normal business hours (minimum charge – two hours) \$ 47.00 per hour¹
2. Reinspection fees assessed under provisions of Section 305.8 \$ 47.00 per hour¹
3. Inspections for which no fee is specifically indicated (minimum charge – one-half hour) \$ 47.00 per hour¹
4. Additional plan review required by changes, additions or revisions to plans (minimum charge – one-half hour) \$ 47.00 per hour¹
5. For use of outside consultants for plan checking and inspections, or both Actual costs²

¹Or the total hourly cost to the jurisdiction, whichever is the greatest.
This cost shall include supervision, overhead, equipment, hourly wages, and fringe benefits of the employees involved.

²Actual costs include administrative and overhead costs.

2. Relocation of structure or building: \$150.00
3. Demolition or removal of structure: \$1.25/1,000 cubic ft; minimum \$50.00
4. Mechanical permit fees

Residential Work

Base Fee \$25.00

Gas Piping

\$10.00 \$500 valuation or less (repair or installation)

\$ 4.00 Each additional \$500 cost of repair or installation

Gas or oil fired furnaces or boilers

\$20.00 First 100,00 BTU input or less.

\$ 3.00 Each additional 100,00 input or fraction thereof.

Warm air or hot water heating system

\$25.00 First 100,000 BTU input for construction, installation, alteration, or replacement of each warm air furnace duct work or hot water system per unit.

\$ 4.00 Each additional 100,000 BTU input or fraction thereof.

\$15.00 First 100,000 BTU input per unit on unit heaters

\$ 3.00 Each additional 100,000 BTU input or fraction thereof.

Air conditioning

\$25.00 First 5 tons (60,000 BTU) of air conditioning per unit or of cooling for duct work for air conditioning.

\$ 4.00 Each ton (12,000 BTU) or fraction thereof over first 5 tons for duct work or air conditioning.

Other Items

\$25.00 Wood burning furnace per unit

\$25.00 Swimming pool heater per unit

\$20.00 Air exchanger with duct work per unit

\$20.00 Gas or oil space heater per unit

\$20.00 Gas direct vent heater per unit

\$20.00 Gas fireplace log or heater per unit

Commercial Work

Gas piping, refrigeration, chilled water, pneumatic control, ventilation, exhaust, hot water, steam, and warm air heating systems.

This fee shall be \$50 plus 1-1/4 percent (1.25%) of the total valuation of the work. Value of the work must include the cost of installation, alteration, addition, and repairs, including fans, hoods, HVAC units and heat transfer units, and all labor and materials necessary for installation. In addition, it shall include all material and equipment supplied by other sources when those materials are normally supplied by the contractor.

5. Plumbing Permit Fees.
\$25.00 base fee plus \$7.00 per fixture installed
6. Sewer Connection or Repair \$25.00
7. Water Connection

<u>Meter Size</u>	<u>Fee</u>
3/4"	\$ 62.00
1"	\$ 115.00
1-1/2"	\$ 265.00
2"	\$ 470.00
3"	\$1,080.00
8. Street Opening Fee
\$25.00 (plus cost of permit)

C. PLANNING FEES

<u>Item</u>	<u>Fee</u>
Comprehensive Plan Amendment	\$ 500.00
Conditional Use Permit	\$ 165.00
Design Review	
(when required by code)	\$ 50.00
Lot Split (one lot into two)	\$ 250.00
Planned Unit Development	\$ 500.00
Rezoning/Zoning Amendment	\$ 500.00
Subdivision (>1 new lot)	\$ 300.00 + \$ 100.00/lot created
Variance	\$ 65.00

D. FACILITY RENTAL FEES

Private use of public facilities is permitted on a space available basis. Reservations and security deposits are required for private use of the following community facilities:

1. Park Facilities (see Guidelines Establishing Priority for use of Park Fields)
 - a. **Field Rental** (one day/week)

\$100.00	Community Park (includes access to bathrooms)
40.00	Curtiss Field
2. Park Buildings
 - a. **Community Park**

<u>Fee</u>	<u>Item</u>
\$100.00 + state tax	Per 6 hour shift or portion of a shift.
\$20.00 + State tax	Additional \$35.00/hour in excess of the 6 hour shift.
\$15.00 + State tax	Upper Picnic Area (connected to park building)
	Lower picnic area (southwest corner of park)

b. Curtiss Field Building

\$40.00 + state tax, \$5.00 per additional hour after 6 hours.

c. City Hall Facilities

\$100/first 3 hours

\$35 each additional hour

\$25.00 conference room

3. Damage and Key Deposit

\$200.00 Deposit required for any use when a key to a building is requested. This will be treated as a deposit for building and equipment repair when damage is caused by a rental party and/or for time spent cleaning when facilities are left in excessive disorder. If the building is left in good order and the key is returned, the full deposit shall be refunded.

E. FACILITY USE BY PUBLIC SERVICE ORGANIZATIONS

1. Public facilities are available for use on a reservation basis.

2. The following shall be allowed free use of public facilities:

a. Specifically listed local organizations:

- League of Women Voters
- Senior Citizen Groups (Falconeers, Roseville Area Seniors)
- Ramsey County League of Local Governments
- League of Minnesota Cities/Association of Metropolitan Municipalities
- Watershed management organizations
- Scouts, Brownie Troops, 4-H, Campfire
- Neighborhood Groups (e.g. Grove Association, Maple Knoll Courtyard Homeowner's Association)
- 55 Alive Mature Driving Class
- Cable Commission
- Developers when presenting to neighbors
- Legislators for informational (non-campaign) meetings, except after the filing date and before the November election of a legislative election year unless requested by a majority of the city council
- Northwest Youth and Family Service
- Ramsey County Anti-Violence Initiative
- Lauderdale and Falcon Heights Lions Club
- Roseville Rotary Club

- Party Precinct caucuses, legislated district conventions and county conventions under the requirements of MN State Statute 202A.192
 - AARP Tax Services
 - Hobby groups or clubs that meet the following criteria:
 - Falcon Heights based (A minimum of 25% of on-going members or participants are Falcon Heights residents.
 - Non-profit
 - Open membership
 - Founded on a hobby
 - Actively reaches out to include people of different ages, especially youth, to encourage intergenerational exchanges of information
 - Encourages a community service and/or benefit component
 - Falcon Heights neighborhood or community groups whose activities are open to all and for the sole purpose of developing, fostering and strengthening neighborhood and community well-being.
 - Any organization denied free use under this policy may appeal to the city council.
- b. The organization or group cannot be a private, business, political, or religious organization.
- c. Any organization denied free use under this policy as defined in this section may appeal to the city council.
3. The Roseville Area Schools will be charged their own prevailing rates for use of city facilities.

F. MISCELLANEOUS FEES.

<u>Item</u>	<u>Fee</u>
Agendas (Council or Planning)	\$15.00/year
City Council Minutes	\$35.00/year
Planning Commission Minutes	\$20.00/year
Single xerox copies	\$.10/page
City code, Chapters 1-8	\$20.00
Zoning code, Chapter 9	\$25.00
Assessment search	\$20.00
Maps	\$ 6.50
Open burning permit	\$25.00
(no charge for recreational fires)	

G. FALSE ALARM FEES

- a. Fire False Alarms
 \$175.00 for second false alarm and \$225.00 for the third and all subsequent false alarms at an address within one calendar year.
- b. Security False Alarms

\$35.00 for second call and \$60.00 for the third and each subsequent false alarm at an address within one calendar year.

c. Penalties and Assessment

Penalties for late payment and assessment of unpaid fees are the same as stipulated for unpaid utility fees in Section 5-4.01 of the city code.

H. PARKING FEES

<u>Item</u>	<u>Fee</u>
Application fee for residential area permit parking	\$150.00
Annual residential area parking permits	
First two vehicles	\$ 10.00/vehicle
Third and subsequent vehicles	\$ 20.00/vehicle
Lost permit replacement	\$ 5.00
Temporary parking permit (up to 3 weeks)	\$ 1.00/vehicle
Temporary parking permit for 5 or more vehicles for a one-time one-day event	\$ 5.00/event

I. FEES FOR UNSPECIFIED REQUESTS

A private party or public institution (hereinafter applicant) making a request to the city for approval of a project or for public assistance must cover the city's consultants' costs associated with reviewing the request. Prior to having the request considered by the city, the applicant must deposit an escrow fee in an amount that is estimated to cover the city's consultants' costs as determined by the city administrator. If the city's consultants' costs exceed the initial escrow deposited by the applicant, an additional escrow fee will be required to cover the additional costs. The city shall use the applicant's fees to cover the city's actual consultants' costs in reviewing the request regardless of the city's action on the applicant's request. If the applicant's escrow fees exceed the city's actual consultants' costs for reviewing the request, the remaining escrow fees shall be refunded to the applicant.

ITEM: **Disbursements and Payroll**

SUBMITTED BY: **Roland O. Olson, Finance Director**

REVIEWED BY: **Heather Worthington, City Administrator**

EXPLANATION:

Summary:

- | | |
|------------------------------------------|---------------|
| 1. General Disbursements through 2/03/06 | \$ 110,126.37 |
| 2. Payroll 1/16/06 – 1/31/06 | \$ 15,306.60 |

ATTACHMENTS:

- General Disbursements
- Payroll

ACTION REQUESTED:

Approval

APPROVAL OF BILLS
 PERIOD ENDING: _2-3-06_

CK#	VENDOR NAME	DESCRIPTION	DEPT.	AMOUNT
	CITY OF ST PAUL	WATER	-----	23.64
	CUSTOM FIRE APPARATUS	FINAL PYMT NEW FIRE TRK	-----	34,000.00
	HOME DEPOT CRC/GECF	SCREWS AND 2X4 STUDS	-----	99.19
	HOME DEPOT CRC/GECF	POLY TABLE COVERS	-----	30.46
	HOME DEPOT CRC/GECF	TOILET REPLACEMENT/REPR	-----	193.89
	KURHAJETZ, CLEM	CLARKIN:RETIREMENT RECOG	-----	42.99
	RAMSEY COUNTY	TNT NOTICE REIMBURSEMENT	-----	288.58
	CITY OF ROSEVILLE	ROSELAWN ENGINEERING	-----	16,780.92
	CITY OF ROSEVILLE	AUG-DEC ENGINEERING CITY	-----	6,378.59
61541	TARGET	LITTLE ARTISTS WORKSHOP	-----	11.42
	CITY OF ST ANTHONY	BALANCE 05 POLICE CONTRC	-----	1,999.45
	*** TOTAL FOR DEPT 00			59,849.13
	LEAGUE OF MINNESOTA HUMAN	2006 MEMBERSHIP:CITY	LEGISLAT	55.00
	*** TOTAL FOR DEPT 11			55.00
	AMERICAN OFFICE PRODUCTS	CALENDAR	ADMINIST	2.97
	AMERICAN OFFICE PRODUCTS	PAPER	ADMINIST	12.76
	AMERICAN OFFICE PRODUCTS	3YR CALENDAR REFILLS	ADMINIST	10.70
	AMERICAN OFFICE PRODUCTS	LETTERHEAD AND ENVELOPES	ADMINIST	376.90
61542	CASH	2 AND 5 CENT STAMPS	ADMINIST	7.60
	METROPOLITAN AREA MANAGE-	MEMBERSHIP & MEETNG EXPS	ADMINIST	58.00
	LEAGUE MN CITIES INS TRUS	VOLUNTEERS INS COVERAGE	ADMINIST	808.00
	S & R APPLIANCE REPAIR	OVERPYMT:MECHANICAL PRMT	ADMINIST	25.50
	*** TOTAL FOR DEPT 12			1,302.43
	HOAG, GREG	REIMB:DEAD WTR SUPPLIES	COMMUNIC	189.41
	ANDERSON, LISA	REIMB:DEAD WTR SUPPLIES	COMMUNIC	26.66
	CITY OF ROSEVILLE	IP TELEPHONY SVCS	COMMUNIC	432.28
	FASTSIGNS	DEAD OF WTR EVENT BANNER	COMMUNIC	26.63
	*** TOTAL FOR DEPT 16			674.98
	MN NCPERS LIFE INSURANCE	JONES FEB/06 INS	PLANNING	16.00
	*** TOTAL FOR DEPT 17			16.00
	XCEL ENERGY	FIRE/CIVIL DEFENSE SIREN	EMERGENC	7.48
	NEXTEL COMMUNICATIONS,INC	CELL PHONE EMERG PREP	EMERGENC	14.01
	NEXTEL COMMUNICATIONS,INC	CELLL PHONE EMERG PREP	EMERGENC	19.14
	NEXTEL COMMUNICATIONS,INC	CELL PHONE EMERG PREP	EMERGENC	38.28
	*** TOTAL FOR DEPT 21			78.91
	ASSOC FOR NONSMOKERS	2006 TOBACCO COMPLIANCE	POLICE	109.50
	CITY OF ST ANTHONY	FEB/06 POLICE SVCS	POLICE	41,035.08
	*** TOTAL FOR DEPT 22			41,144.58
	AMERIPRIDE LINEN&APPAREL	LINEN CLEANING	FIRE FIG	62.26
	BEARCOM	REPAIR 3 PAGERS	FIRE FIG	272.35
	BEARCOM	REPAIR RADIOS	FIRE FIG	352.51
	FIRE EQUIPMENT SPECIALTIE	REPAIR FACEPIECES	FIRE FIG	61.65
	KINGS TRUE VALUE	OUTLET STRIP AND WASHERS	FIRE FIG	20.28
	KINGS TRUE VALUE	VELCO STRIP	FIRE FIG	27.17
	JONES & BARTLETT PUBLISHR	FIRE FIGHTING LIBRARYSET	FIRE FIG	1,751.20
	RAMSEY CTY FIRE CHIEFS	2006 MEMBERSHIP	FIRE FIG	60.00

APPROVAL OF BILLS
 PERIOD ENDING: _2-3-06_

CK#	VENDOR NAME	DESCRIPTION	DEPT.	AMOUNT
	NEXTEL COMMUNICATIONS,INC	CELL PHONE FIRE	FIRE FIG	153.19
	*** TOTAL FOR DEPT 24			2,760.61
	BOARD OF WATER COMMISSNRS	H2O	CITY HAL	16.74
	BOARD OF WATER COMMISSNRS	S.S.	CITY HAL	14.42
	CINTAS CORPORATION #470	RUG SVC CITY HALL	CITY HAL	78.23
	TERMINIX	PEST CONTROL CITY HALL	CITY HAL	47.93
	NEXTEL COMMUNICATIONS,INC	CELL PHONE CITY HALL	CITY HAL	14.01
	*** TOTAL FOR DEPT 31			171.33
	HOAG, GREG	JAN/06 MILEAGE	STREETS	77.88
61542	CASH	LICENSE TABS FOR TRKS	STREETS	29.00
	TRETSVEN, DAVE	REIMB:WORK JEANS PUB WKS	STREETS	86.95
	NEXTEL COMMUNICATIONS,INC	CELL PHONE STREETS	STREETS	19.14
	*** TOTAL FOR DEPT 32			212.97
	HOAG, GREG	PARKING FOR MEETINGS	PARK & R	15.00
	BOARD OF WATER COMMISSNRS	H2O	PARK & R	64.05
	BOARD OF WATER COMMISSNRS	S.S.	PARK & R	29.45
	MOBILE MINI, INC.	WARMING HOUSE:ICE RINK	PARK & R	404.38
	XCEL ENERGY	PROTECTIVE LIGHTING	PARK & R	26.34
	NEXTEL COMMUNICATIONS,INC	CELL PHONE PARKS	PARK & R	16.15
	NEXTEL COMMUNICATIONS,INC	CELL PHONE PARKS	PARK & R	17.66
	*** TOTAL FOR DEPT 41			573.03
	NEDO KOJIC	CLAY PROJECT FIRING EXP	PARK PRO	25.00
	NEDO KOJIC	ACRYLIC PAINTS AND CLAY	PARK PRO	42.10
	*** TOTAL FOR DEPT 50			67.10
	WASTE MANAGEMENT- BLAINE	JAN/06 RECYCLING	SOLID WA	2,793.10
	*** TOTAL FOR DEPT 56			2,793.10
	FIRE EQUIPMENT SPECIALTIE	NEW FACEPIECES	FIRE & R	388.92
	*** TOTAL FOR DEPT 64			388.92
	NEXTEL COMMUNICATIONS,INC	CELL PHONE S.S.	SANITARY	38.28
	*** TOTAL FOR DEPT 75			38.28
	*** TOTAL FOR BANK 01			110,126.37
	*** GRAND TOTAL ***			110,126.37

C H E C K R E G I S T E R

CHECK TYPE	CHECK DATE	EMPLOYEE NAME NUMBER	CHECK NUMBER	CHECK AMOUNT
COM	1 30 06	6 SUSAN GEHRZ	62386	5.57
COM	1 30 06	12 LAURA A. KUETTEL	62387	277.05
COM	1 30 06	13 PETER C. LINDSTROM	62388	277.05
COM	1 30 06	14 RICHARD P TALBOT JR	62389	7.05
COM	1 30 06	16 PAMELA M. HARRIS	62390	277.05
COM	1 30 06	34 CLEMENT KURHAJETZ	62391	289.99
COM	1 30 06	40 KEVIN ANDERSON	62392	36.94
COM	1 30 06	74 MARK J ALLEN	62393	138.52
COM	1 30 06	91 RICHARD H HINRICHS	62394	38.64
COM	1 30 06	97 PATRICK GAFFNEY	62395	64.64
COM	1 30 06	98 BRADLEY J. REZNY	62396	64.64
COM	1 30 06	1003 HEATHER WORTHINGTON	62399	2126.19
COM	1 30 06	1007 PATRICIA PHILLIPS	62400	476.24
COM	1 30 06	1008 STACEY T. KREUSER	62401	1136.58
COM	1 30 06	1015 GREGORY R. HOAG	62402	1733.75
COM	1 30 06	1016 LISA A. ANDERSON	62403	1090.57
COM	1 30 06	1033 DAVE TRETSEVEN	62404	1245.77
COM	1 30 06	1035 JOSEPH J. AUGER SR	62405	362.33
COM	1 30 06	1038 DEBORAH K JONES	62406	1235.08
COM	1 30 06	1136 ROLAND O OLSON	62407	1570.09
COM	1 30 06	1139 NEDO KOJIC	62408	149.61
COM	1 30 06	1140 ROBERT M PILGRIM	62409	352.20
COM	1 30 06	1143 COLIN B CALLAHAN	62410	776.82
COM	1 30 06	1178 PETER M FISCHER	62411	315.21
COM	1 30 06	1188 NICOLE S GRAHAM	62412	91.77
COM	1 30 06	2006 DAMON J. WICKHEM	62413	24.24
COM	1 30 06	2012 KIMBERLY A. KUHENS	62414	130.66
COM	1 30 06	2015 KEVIN M. COYNE	62415	339.46
COM	1 30 06	2046 ANDREA L. ROTHMAN	62416	62.33
COM	1 30 06	2068 WILLIAM PIDANY	62417	250.50
COM	1 30 06	2070 ANDREW W. FRASER	62418	28.63
COM	1 30 06	2101 RACHEL E. PIKE	62419	117.68
COM	1 30 06	2120 PATRICK J. BARNUM	62420	213.75

COMPUTER CHECKS	15306.60
MANUAL CHECKS	.00
NOTICES OF DEPOSIT	.00

****TOTALS**** 15306.60

ITEM: License Renewals 2006

SUBMITTED BY: Stacey Kreuser, Deputy Clerk

Explanation:

The following businesses have applied for a renewal municipal business license. City staff has received the necessary documents for licensure:

- Sleep Concepts, Inc.
- Edward Jones & Co.
- Arthur Williams Optical

The following businesses have applied for a mechanical contractor's license. City staff has received the necessary documents for licensure:

- S&R Appliance Repairs, Inc.
- Kramer Mechanical, Inc.
- Grant LaForce

ITEM: Designated Signors for Orders Drawn on City Funds

SUBMITTED BY: Roland O. Olson, Finance Director

REVIEWED BY: Heather Worthington, City Administrator

EXPLANATION:

Summary: In accordance with Minnesota Statute 412.271, the Mayor and City Clerk are required to be the designated signors for any orders drawn on the city's funds. The signors currently are Mayor, Susan Gehrz, and the City Administrator designated as the City Clerk, Heather Worthington. Also, in response to increased needs for emergency response, the Council members are also included as authorized signors. The new Council member, Pamela Harris, needs to be added and past Council member Robert Lamb needs to be removed as authorized signors. A new Corporate Certificate of Authority for U.S. Bank will need to be completed.

Each order drawn on city funds currently requires two signatures. As previously authorized, we use facsimile signatures for Mayor Susan Gehrz and City Administrator Heather Worthington. With the addition of Pamela Harris as an additional signor, staff also requests authorization to utilize a facsimile signature for Pamela Harris.

There is previous authorization for the use of facsimile signatures for Council members Laura Kuettel, Peter Lindstrom, and Richard Talbot. These additional signors would only be used in an emergency situation. These facsimile signatures are secured in the vault.

Meets Goal # 4: To provide a responsive and effective city government.

Strategy# 6: To effectively manage the city's financial resources.

ACTION REQUESTED:

Add Council member Pamela Harris as an additional designated signor on orders drawn on the city's funds to be used only in emergency situations. Also, authorize use of a facsimile signature of Pamela Harris. Remove Robert Lamb as an authorized signor.

ITEM: **Fire Relief Association Bylaws**

SUBMITTED BY: **Patrick Gaffney**

REVIEWED BY: **Sue Gehrz, Mayor**

EXPLANATION:

Summary:

The Falcon Heights Fire Department has updated its Relief Association Bylaws to make the document more uniform and clear. The changes are as follows:

1. Changed ten-year to five-year referencing vesting period.
2. Section 8.5. Added the Secretary to list of officers that can sign checks.
3. Section 2.5.2. Changed time member can come back from five years to two years.
4. Added section 13.2.1.
5. Added table of contents
6. Added change management section.

The document has been approved by the Relief Association members, Relief Board of Trustees and now requires City Council approval.

ACTION REQUESTED:

Approval of Fire Relief Association Bylaws as amended.

ITEM: **Water System Interconnect Project**

SUBMITTED BY: **Heather Worthington, City Administrator**

Explanation:

Summary: The Saint Paul Regional Water Services (SPRWS) Board of Directors is working with the City of Minneapolis to explore the installation of an “interconnect” between the two cities water systems for purposes of emergency management and redundancy of those systems. Currently, those two systems provide water to 25% of the entire state’s population. The City of Falcon Heights has been a member of the SPRWS system, along with Maplewood, West St. Paul and Lauderdale, since the mid-1990’s. They also provide wholesale and retail services to multiple cities in the Ramsey County metropolitan area.

The SPRWS and City of Minneapolis requested \$10 Million in bonding for the upcoming Legislative session to do additional planning, and some limited implementation of this project; however, the Governor did not include this in his bonding recommendations. The Minnesota Department of Health (MDH) has listed this as a funding priority for 2006, and the SPRWS and City of Minneapolis are asking their member cities and wholesale customers to support the bonding request with a letter to Dianne Mandernach, Commissioner of Health.

Staff has followed these discussions closely, and strongly supports the interconnect plan. With a proposed alignment of Roselawn Avenue for the interconnect, it would be advantageous to see some limited implementation of the interconnect in that right of way in conjunction with the Roselawn Reconstruction project.

ATTACHMENT:

Draft letter

ACTION REQUESTED:

Send letter of support to Dianne Mandernach, Commissioner of Health.

DRAFT

Ms. Dianne Mandernach
Commissioner of Health
State of Minnesota
Freeman Building
625 Robert Street North
Minneapolis, MN 55164-0975

Dear Ms. Mandernach:

We are writing to you to indicate our support for the Water System Interconnect Project, which would provide an alternate supply of finished drinking water between the Minneapolis Water and the Saint Paul Regional Water Services systems.

Saint Paul Regional Water Services provides our municipality with safe, reliable drinking water and has done so for many years. They operate a well-designed, efficiently operated and internally redundant system. However, they are not totally protected from natural or manmade disasters. The likelihood of such an incident is extremely remote but the effects of a long-term interruption would be dramatic. We are one of 20 metropolitan cities that the Saint Paul and Minneapolis systems serve. Over 25% of the population in the State of Minnesota relies on these systems to provide an uninterrupted supply of water for their everyday needs.

We express our strong support for the State of Minnesota Department of Health's request for \$10 million in State bonding.

Sincerely,

Sue Gehrz, Mayor Laura Kuettel, Councilmember Rick Talbot, Councilmember

Peter Lindstrom, Councilmember Pamela Harris, Councilmember

ITEM: Approval of Roselawn Reconstruction Project

SUBMITTED BY: Heather Worthington, City Administrator

REVIEWED BY: Debra Bloom, City Engineer
Greg Hoag, Director of Parks and Public Works

EXPLANATION:

Summary: On December 14, 2005, the City Council received the feasibility report for the Roselawn Avenue Reconstruction Project and ordered the public hearing. Prior to opening the hearing, staff presented general information regarding construction, standards, and assessments that apply for this project.

We have held four informational meetings with property owners regarding this project since June 2005. We have worked through a number of different issues in regards to the proposed street project. In the development of the feasibility report, staff has tried to consistently apply City policy as it regards to assessments and street construction.

Since this is a joint project with Roseville, a separate public hearing will be held at their City Council meetings on January 9 and 30th. In order to move forward with the reconstruction as proposed, both councils need to approve the project.

Special Considerations: Every road project is unique. The feasibility report discusses many of the issues that staff has been working on with the neighborhood. Here is a summary of the recommendations.

Road Alignment: Currently the road is aligned straight east/west along the Roseville/Falcon Heights City Border. Technically the jurisdiction for this road runs down the center of the existing pavement. The proposed street and sidewalk will widen the paved area within the right- of- way. Currently this road is 32 feet wide. We are proposing to construct a 34 foot wide street with a sidewalk. This will widen the traveled way by 10 feet. We propose to widen the traveled way equally on both sides of the street in order to spread the impact of the widening to both Roseville and Falcon Heights residents.

Parking: We are proposing to have parking on the north side, and the sidewalk on the south side. This will provide a buffer for homes on both sides of the street from the cars traveling on the road.

Sidewalk: Roselawn Avenue between Fulham Street and Victoria Street has sidewalks with the exception of the mile long segment between Snelling Avenue and Lexington Avenue. Some of the neighbors are very concerned about pedestrian safety along this segment of road. As a result of these concerns and in the interest of completing the regional sidewalk system, we are proposing to construct a sidewalk along the entire length of this project.

In determining the location of the proposed sidewalk we considered the following information:

- Obstructions within the right- of- way (Power poles, Hydrants, cable boxes, trees, etc.): the majority of the power poles are on the south side of the street.
- Driveways: The north side of the road has 21 driveways. The south side of the road has 11 driveways. There are fewer driveway crossings on the south side of Roselawn.
- Location of existing sidewalks: The Roselawn sidewalk west of Snelling is located on the south side of the road. The sidewalk along Roselawn east of Lexington is on the south side of the road.
- Road alignment: If we were to put the sidewalk on the north side as well as the parking lane, the south side would still have the road 5 feet closer to the homes, but not have a buffer to the traffic. This would also shift the centerline of the road 8 feet south of the existing Roselawn centerline west of Snelling and East of Hamline creating an unsafe condition for vehicles through these intersections.

If we put the sidewalk on the north side and parking on the south side, the converse would happen. The centerline of the road would be shifted 8 feet to the north of the existing Roselawn centerline west of Snelling and East of Hamline creating an unsafe condition for vehicles traveling through these intersections.

As a result of this analysis we recommend that the sidewalk be constructed along the south side of the roadway.

Initially we proposed to construct the sidewalk separated from the roadway by a 5-foot boulevard. At our October walk thru meeting a number of property owners were concerned about the proximity of the sidewalk to the houses. They also were concerned about maintaining the narrow strip of grass between the sidewalk and street. In the interest of addressing these concerns, we propose to construct an 8- foot wide attached concrete sidewalk, instead of the 6- foot wide detached sidewalk.

In the interest of addressing the concerns brought up at the January 11 Public Hearing, we are proposing to construct three 20 foot by 2 foot planting beds on each block to provide an opportunity to plant daylilies along the boulevard.

Storm water: This road is located within Capitol Region Watershed District as well as Rice Creek Watershed District. We will be installing storm water quality treatment as required to meet the watershed districts permitting requirements. We have met with the watershed to discuss their requirements.

Financial implications: This project is proposed to be funded by a combination of Municipal State Aid funds, infrastructure funds, and utility funds. The total estimated project cost and financing of this project is as follows:

SUMMARY FOR ENTIRE PROJECT			
	Estimated cost	Falcon Heights Share	Roseville Share
Street & Sidewalk Construction	\$841,859.38	\$420,929.69	\$420,929.69
Storm Sewer Construction	\$68,875.00	\$34,437.50	\$34,437.50
Capitol Region Requirements	\$38,449.66	\$19,224.23	\$19,224.23
Watermain Reconstruction	\$182,812.50	\$0	\$182,812.50
Total	\$1,131,996.54	\$474,591.42	\$657,403.92

Because this is a complete street reconstruction project, a portion of it may be assessed. The proposed assessment discussion included in the Feasibility report is consistent with the following City of Falcon Heights assessment policies:

- All residentially zoned properties with frontage abutting a street which is reconstructed shall be assessed on a front-foot basis at the Residential equivalent assessment rate. The Residential equivalent assessment rate for this project shall be the same as the rate established for the 1999 Street Improvements. This rate is \$26.50/foot.
- Front footage shall be determined at the building setback line as described in the Falcon Heights Zoning Ordinance and shall be measured parallel to the property line abutting the improvement.
- In the case of corner lots, only the short side shall be assessed.
- The proposed pathway along Roselawn Avenue is a part of the City's pathway plan. As a result, no costs associated with pathway construction will be assessed to property owners.
- Any utility replacement/repair be funded by the appropriate utility fund and not become part of the assessable portion of the project.

PROPOSED ASSESSMENT ROLL			
ASSESSMENT RATE = \$26.50/FOOT			
PID	Address	Assessable frontage	Estimated assessment
0152923320047	1910 Snelling Avenue	78.17	\$2,071.51
0152923310045	1444 Roselawn Avenue	89.4	\$2,369.10
0152923310002	1912 Sheldon Avenue	76.5	\$2,027.25
0152923310010	1913 Sheldon Avenue	76.5	\$2,027.25
	Total	320.57	\$8,495.11

PROPOSED FUNDING:

CITY OF FALCON HEIGHTS ROSELAWN CONSTRUCTION FUNDING SUMMARY	
MSA street and pathway costs	\$324,934.58
MSA storm water costs	\$53,661.73
Assessments	\$8,495.11 (320.57ft @ \$26.50/ft)
Ramsey County	\$87,500
Total	\$420,929.69

Staff recommendation: Staff recommends that the City Council order these proposed public improvements consistent with the following general guidelines.

- Reconstruct Roselawn Avenue from Hamline Avenue to Snelling Avenue.
- Construct a 34-foot wide bituminous street with concrete B618 curb and gutter.
- Allow parking along the north side of the street.
- Construct a concrete pathway along the south boulevard. The pathway design shall be 8- foot wide attached to the curb, with three, 20 foot by 2 foot planting beds each block.
- Install EVP system for TH 51/ Roselawn Avenue signal system.
- Construct turn lanes at the TH 51/ Roselawn Avenue and the Hamline/ Roselawn Avenue intersections.
- Costs for the road reconstruction and pathway construction shall be shared 50/50 between Falcon Heights and Roseville.
- Fund the street reconstruction with Municipal State Aid funds, Ramsey County Turnback funds, and assessments as detailed in the feasibility report.
- The utility improvements shall be funded by the individual City with the appropriate City Infrastructure fund.
- Coordinate with St. Paul Water Utility on the replacement of their watermain within Roselawn Avenue as a part of the reconstruction project.
- Begin construction of this project in spring 2006, with completion by the 2006 State Fair.

ATTACHMENTS:

- Alternative Planting Bed/Sidewalk arrangement drawing

ACTION REQUESTED:

- Adoption of a resolution ordering the reconstruction of Roselawn Avenue
- Adoptions of a resolution approving plans and specifications and ordering advertisement for bids for Roselawn Avenue reconstruction

**EXTRACT OF MINUTES OF MEETING
OF CITY COUNCIL
OF CITY OF FALCON HEIGHTS
RAMSEY COUNTY, MINNESOTA**

Pursuant to due call and notice thereof, a regular meeting of the City Council of the City of Falcon Heights, Minnesota, was held in the City Hall in said City on Wednesday, February 8, 2006 at 7:00 o'clock p.m.

The following members were present: Mayor Gehrz, Council members Kuettel, Lindstrom, Talbot, and Harris.

Mayor Gehrz introduced the following resolution and moved its adoption:

RESOLUTION NO. 06-03

**RESOLUTION ORDERING THE RECONSTRUCTION OF
ROSELAWN AVENUE**

WHEREAS, the City Council of Falcon Heights received the Feasibility report on December 14, 2005 and ordered a public hearing for the reconstruction of Roselawn Avenue between Snelling Avenue and Hamline Avenue, and;

WHEREAS, ten days mailed notice and two weeks published notice was given;

NOW THEREFORE BE IT RESOLVED by the Council of the City of Falcon Heights, Minnesota, that in accordance with the provisions of Minnesota Statutes, Chapter 429, as amended, the Council held a public hearing on January 25, 2006, to consider the proposed reconstruction of Roselawn Avenue, consisting of the installation of bituminous paving, concrete curb and gutter, sanitary sewer service repair, drainage facilities, and necessary appurtenances on all that property abutting:

PID	Address
0152923320047	1910 Snelling Avenue
0152923310045	1444 Roselawn Avenue
0152923310002	1912 Sheldon Avenue
0152923310010	1913 Sheldon Avenue

as described in the Notice of Hearings at a cost presently estimated at \$1,131,996.54 and substantially in accordance with the preliminary report as to the feasibility thereof which is now on file in the office of the City Administrator; at which all persons desiring to be heard were given an opportunity to be heard thereon, and having considered the views of all interested persons, the Council does hereby determine and order that said

improvement shall be constructed and financed and that all streets be constructed substantially as recommended in the feasibility report. The City Engineer for the project is directed to prepare and submit to the Council the final plans and specifications for the improvement.

Moved by: Harris

Approved by: _____
Susan L. Gehrz, Mayor
February 8, 2006

GEHRZ
KUETTEL All In Favor
TALBOT None Against
LINDSTROM
HARRIS

Attested by: _____
Heather M. Worthington
City Administrator
February 8, 2006

STATE OF MINNESOTA)
) SS
COUNTY OF RAMSEY)

I, the undersigned, being the duly qualified City Administrator of the City of Falcon Heights, Minnesota, do hereby certify that I have carefully compared the attached and foregoing extract of minutes of a regular meeting of the City Council of said City held on the 8th day of February, 2006, with the original thereof on file in my office, and the same is a full, true and complete transcript.

Adopted by the Council this 8th day of February, 2006.

Heather M. Worthington
City Administrator
February 8, 2006

(SEAL)

**EXTRACT OF MINUTES OF MEETING
OF CITY COUNCIL
OF CITY OF FALCON HEIGHTS
RAMSEY COUNTY, MINNESOTA**

Pursuant to due call and notice thereof, a regular meeting of the City Council of the City of Falcon Heights, Minnesota, was held in the City Hall in said City on Wednesday, February 8, 2006 at 7:00 o'clock p.m.

The following members were present: Mayor Gehrz, Council members Kuettel, Lindstrom, Talbot, and Harris.

Mayor Gehrz introduced the following resolution and moved its adoption:

RESOLUTION 06-04

**RESOLUTION APPROVING PLANS AND SPECIFICATIONS
AND ORDERING ADVERTISEMENT FOR BIDS
FOR ROSELAWN AVENUE RECONSTRUCTION**

WHEREAS, pursuant to resolution passed by the City Council, the City Engineer has prepared plans and specifications for the reconstruction of Roselawn Avenue between Snelling Avenue and Hamline Avenue, and has presented such plans and specifications to the Council for approval:

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

1. Such plans and specifications, copies of which are attached hereto, and made a part hereof, are hereby approved.
2. The City Administrator shall prepare and cause to be inserted in the *Roseville Review*, the official newspaper, and in the *Construction Bulletin*, an advertisement for bids upon the making of such approved plans and specifications. The advertisement for bids for Roselawn Avenue Reconstruction shall be published as required by law, shall specify the work to be done, shall call the bids on the basis of cash payment for such work, shall state the date and time that the bids will be received by the City Administrator and City Engineer at which time they will be publicly opened in the City Hall by the City Engineer and subsequently be considered by the Council; and that no bids will be considered unless sealed and filed with the Administrator and accompanied by a cash deposit, certified check or bid bond payable to the City of Falcon Heights for ten percent of the amount of such bid.

Moved by: Harris

Approved by: _____

Susan L. Gehrz, Mayor
February 8, 2006

GEHRZ

KUETTEL

All In Favor

TALBOT

None Against

LINDSTROM

HARRIS

Attested by: _____

Heather M. Worthington
City Administrator
February 8, 2006

STATE OF MINNESOTA)

) ss

COUNTY OF RAMSEY)

I, the undersigned, being the duly qualified City Administrator of the City of Falcon Heights, Minnesota, do hereby certify that I have carefully compared the attached and foregoing extract of minutes of a regular meeting of the City Council of said City held on the 8th day of February, 2006, with the original thereof on file in my office, and the same is a full, true and complete transcript.

Adopted by the Council this 8th day of February, 2006.

(SEAL)

Heather M. Worthington,
City Administrator
February 8, 2006