

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

AGENDA
October 28, 2009

- A. CALL TO ORDER: 7:00 PM
- B. ROLL CALL: LINDSTROM ____ HARRIS ____ KUETTEL ____
LONG ____ MERCER-TAYLOR ____
MILLER ____
- C. PRESENTATIONS:
- D. APPROVAL OF MINUTES: October 14, 2009 **TAB 1**
- E. PUBLIC HEARINGS:
- F. CONSENT AGENDA:
1. General Disbursements through 10/21/09: \$20,160.87 **TAB 2**
Payroll through 10/15/09: \$14,647.57
 2. City License Renewal **TAB 3**
 3. Appointment of Fire Fighters Michael Barkman and Bryan Sullivan **TAB 4**
 4. Lawful Gambling Permit for Falcon Heights Elementary PTA **TAB 5**
 5. Setting Date of Canvassing Board Meeting **TAB 6**
- G: POLICY ITEMS
1. Changes in Ordinance Regarding Dogs in Public Parks **TAB 7**
 2. Election Services Contract with Ramsey County **TAB 8**
- H. INFORMATION/ ANNOUNCEMENTS:
- I. COMMUNITY FORUM:
- J. ADJOURNMENT:

If you have a disability and need accommodation in order to attend this meeting, please notify City Hall 48 hours in advance between the hours of 8:00 a.m. and 4:30 p.m. at 651-792-7600. We will be happy to help

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

MINUTES
October 14, 2009

- A. CALL TO ORDER: 7:00 PM
- B. ROLL CALL: LINDSTROM X HARRIS X KUETTEL AB
LONG X MERCER-TAYLOR X
MILLER X
- C. PRESENTATIONS:
- D. APPROVAL OF MINUTES: September 23, 2009 APPROVED
- E. PUBLIC HEARINGS:
- F. CONSENT AGENDA: LONG MOVED APPROVAL 4-0
 - 1. General Disbursements through 10/8/09: \$169,174.65
Payroll through 9/30/09: \$15,571.13
 - 2. City License Renewal
 - 3. Northwest Youth and Family Services Agreement MOVED TO POLICY
 - 4. Change of date for November 11th City Council Meeting MOVED TO POLICY
 - 5. Resolution of Intent to Participate in National Flood Insurance
Program
- G: POLICY ITEMS
 - 1. Planned Unit Development at 1871 Larpenteur , with zoning
change and amendment to the City's Comprehensive Plan HARRIS MOVED
APPROVAL
 - 2. Award Bid for Roof Top Unit Replacement ADDENDUM LONG MOVED
APPROVAL 4-0
 - 3. Northwest Youth and Family Services Agreement MERCER-TAYLOR
MOVED APPROVAL
 - 4. Change date for November 11th City Council Meeting DATE CHANGED TO
NOVEMBER 18- HARRIS MOVED APPROVAL 4-0
- H. INFORMATION/ ANNOUNCEMENTS:
- I. COMMUNITY FORUM:
- J. ADJOURNMENT: 7:40PM

CONSENT F1
10/28/09

ITEM: **General Disbursements and Payroll**

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

REVIEWED BY: **Justin Miller, City Administrator**

EXPLANATION:

General Disbursements through 10/21/09: \$20,160.87

Payroll through 10/15/09: \$14,647.57

ATTACHMENTS:

General disbursements and payroll

ACTION REQUESTED:

Approval

PACKET: 00356 PAYABLES OCT 9TH-OCT 16TH

VENDOR SET: 01 City of Falcon Heights

SEQUENCE : ALPHABETIC

DUE TO/FROM ACCOUNTS SUPPRESSED

-----ID-----			GROSS	P.O. #		
POST DATE	BANK CODE	-----DESCRIPTION-----	DISCOUNT	G/L ACCOUNT	-----ACCOUNT NAME-----	DISTRIBUTION
=====						
01-00250	AMERIPRIDE LINEN&APPAREL					
I-1000299766		LINEN CLEANING	35.48			
10/12/2009	APBNK	DUE: 10/12/2009 DISC: 10/12/2009		1099: N		
		LINEN CLEANING		101 4124-82011-000	LINEN CLEANING	35.48

I-1000312258		LINEN CLEANING	35.48			
10/12/2009	APBNK	DUE: 10/12/2009 DISC: 10/12/2009		1099: N		
		LINEN CLEANING		101 4124-82011-000	LINEN CLEANING	35.48
=== VENDOR TOTALS ===			70.96			
=====						
01-05220	ANDERSON, HELGEN, DAVIS&NISSEN					
I-200910162047		OCT/09 PROSECUTION	2,504.20			
10/16/2009	APBNK	DUE: 10/16/2009 DISC: 10/16/2009		1099: N		
		OCT/09 PROSECUTION		101 4123-80200-000	LEGAL FEES	2,504.20
=== VENDOR TOTALS ===			2,504.20			
=====						
01-03123	CINTAS CORPORATION #470					
I-470343872		RUG SERVICE	31.56			
10/09/2009	APBNK	DUE: 10/09/2009 DISC: 10/09/2009		1099: N		
		RUG SERVICE		101 4131-87010-000	CITY HALL MAINTENANCE	31.56

I-470350133		RUG SERVICE	31.56			
10/09/2009	APBNK	DUE: 10/09/2009 DISC: 10/09/2009		1099: N		
		RUG SERVICE		101 4131-87010-000	CITY HALL MAINTENANCE	31.56
=== VENDOR TOTALS ===			63.12			
=====						
01-06290	CITY OF ROSEVILLE					
I-0010219		OCT/09 TELEPHONE	354.09			
10/12/2009	APBNK	DUE: 10/12/2009 DISC: 10/12/2009		1099: N		
		OCT/09 TELEPHONE		101 4116-85010-000	TELEPHONE	354.09

I-9634		JUNE/09 TELEPHONE	354.09			
10/12/2009	APBNK	DUE: 10/12/2009 DISC: 10/12/2009		1099: N		
		JUNE/09 TELEPHONE		101 4116-85010-000	TELEPHONE	354.09
=== VENDOR TOTALS ===			708.18			

PACKET: 00356 PAYABLES OCT 9TH-OCT 16TH

VENDOR SET: 01 City of Falcon Heights

SEQUENCE : ALPHABETIC

DUE TO/FROM ACCOUNTS SUPPRESSED

-----ID-----			GROSS	P.O. #		
POST DATE	BANK CODE	-----DESCRIPTION-----	DISCOUNT	G/L ACCOUNT	-----ACCOUNT NAME-----	DISTRIBUTION
=====						
01-03122		CITY OF ST PAUL				
I-111925		USE OF FIRE TRAINING FACILITY	300.00			
10/12/2009	APBNK	DUE: 10/12/2009 DISC: 10/12/2009		1099: N		
		USE OF FIRE TRAINING FACILITY		101 4124-86020-000	TRAINING	300.00
		=== VENDOR TOTALS ===	300.00			
=====						
01-05259		COLLEEN CALLAHAN				
I-200910162046		DANGEROUS DOG HEARING	125.00			
10/16/2009	APBNK	DUE: 10/16/2009 DISC: 10/16/2009		1099: N		
		DANGEROUS DOG HEARING		101 4112-89000-000	MISCELLANEOUS	125.00
		=== VENDOR TOTALS ===	125.00			
=====						
01-03300		DISCOUNT STEEL, INC				
I-01558214		STEEL AR ANGLE	56.90			
10/15/2009	APBNK	DUE: 10/15/2009 DISC: 10/15/2009		1099: N		
		STEEL AR ANGLE		101 4132-70120-000	SUPPLIES	56.90
		=== VENDOR TOTALS ===	56.90			
=====						
01-04084		FIRE EQUIPMENT SPECIALTIES				
I-6346		CLOTHES	307.60			
10/15/2009	APBNK	DUE: 10/15/2009 DISC: 10/15/2009		1099: N		
		SUSPENDERS		101 4124-77000-000	CLOTHING	146.57
		CLOTHING		101 4124-77000-000	CLOTHING	161.03
		=== VENDOR TOTALS ===	307.60			
=====						
01-07229		FIREHOUSE MAGAZINE				
I-200910122033		MAGAZINE SUBSCRIPTION	49.95			
10/12/2009	APBNK	DUE: 10/12/2009 DISC: 10/12/2009		1099: N		
		MAGAZINE SUBSCRIPTION		101 4124-86120-000	SUBSCRIPTIONS	49.95
		=== VENDOR TOTALS ===	49.95			
=====						
01-05166		GRAINGER, W. W., INC.				
I-9088007613		WARNING TRIANGLE- AID KIT	76.97			
10/09/2009	APBNK	DUE: 10/09/2009 DISC: 10/09/2009		1099: N		
		WARNING TRIANGLE- AID KIT		101 4132-70120-000	SUPPLIES	76.97
I-9094129815		LAMPS & HAND SANITIZER	65.99			
10/13/2009	APBNK	DUE: 10/13/2009 DISC: 10/13/2009		1099: N		
		LAMPS & HAND SANITIZER		101 4131-70110-000	SUPPLIES	65.99
		=== VENDOR TOTALS ===	142.96			

PACKET: 00356 PAYABLES OCT 9TH-OCT 16TH

VENDOR SET: 01 City of Falcon Heights

SEQUENCE : ALPHABETIC

DUE TO/FROM ACCOUNTS SUPPRESSED

-----ID-----			GROSS	P.O. #		
POST DATE	BANK CODE	-----DESCRIPTION-----	DISCOUNT	G/L ACCOUNT	-----ACCOUNT NAME-----	DISTRIBUTION

01-05137 HEALTHPARTNERS MEDICAL GP

I-200910122037		HEP B IMMUN- FIRE FIGHTER	78.00			
10/12/2009	APBNK	DUE: 10/12/2009 DISC: 10/12/2009		1099: N		
		HEP B IMMUN-FIRE FIGHTER		101 4124-86200-000	MEDICAL EXAMINATIONS	78.00
=== VENDOR TOTALS ===			78.00			

01-03255 KEEPRS, INC.

I-126111		NAME TAGS	28.82			
10/12/2009	APBNK	DUE: 10/12/2009 DISC: 10/12/2009		1099: N		
		NAME TAGS		101 4124-77000-000	CLOTHING	28.82
=== VENDOR TOTALS ===			28.82			

01-05260 KRINKIE'S ONE HOUR HEATING & A

I-J212385		DIAGNOSE C.H. HEAT PROBLEM	447.50			
10/12/2009	APBNK	DUE: 10/12/2009 DISC: 10/12/2009		1099: N		
		DIAGNOSE C.H. HEAT PROBLEM		101 4131-87010-000	CITY HALL MAINTENANCE	447.50
I-J212403		REPLACE MODUAL & SENSOR	442.60			
10/12/2009	APBNK	DUE: 10/12/2009 DISC: 10/12/2009		1099: N		
		REPLACE MODUAL & SENSOR		101 4131-87010-000	CITY HALL MAINTENANCE	442.60
=== VENDOR TOTALS ===			890.10			

01-05404 KURHAJETZ, CLEM

I-200910152045		FIRE DEPT OPEN HOUSE FOOD	56.04			
10/15/2009	APBNK	DUE: 10/15/2009 DISC: 10/15/2009		1099: N		
		FIRE DEPT OPEN HOUSE FOOD		101 4124-89000-000	MISCELLANEOUS	56.04
=== VENDOR TOTALS ===			56.04			

01-05510 LEAGUE OF MN CITIES

I-135437		2009 METRO MEETING	40.00			
10/12/2009	APBNK	DUE: 10/12/2009 DISC: 10/12/2009		1099: N		
		2009 METRO MEETING		101 4112-86100-000	CONFERENCES/EDUCATION/AS	40.00
=== VENDOR TOTALS ===			40.00			

PACKET: 00356 PAYABLES OCT 9TH-OCT 16TH

VENDOR SET: 01 City of Falcon Heights

SEQUENCE : ALPHABETIC

DUE TO/FROM ACCOUNTS SUPPRESSED

-----ID-----			GROSS	P.O. #		
POST DATE	BANK CODE	-----DESCRIPTION-----	DISCOUNT	G/L ACCOUNT	-----ACCOUNT NAME-----	DISTRIBUTION
=====						
01-05670	METRO PRODUCTS INC					
I-67840		BAND SAW BLADE	55.06			
10/09/2009	APBNK	DUE: 10/09/2009 DISC: 10/09/2009		1099: N		
		BAND SAW BLADE		101 4131-70110-000	SUPPLIES	55.06
		=== VENDOR TOTALS ===	55.06			
=====						
01-05585	METROPOLITAN AREA MANAGEMENT A					
I-200910132041		MAMA MEETING EXPENSE	25.00			
10/12/2009	APBNK	DUE: 10/12/2009 DISC: 10/12/2009		1099: N		
		MAMA MEETING EXPENSE		101 4112-86100-000	CONFERENCES/EDUCATION/AS	25.00
		=== VENDOR TOTALS ===	25.00			
=====						
01-05693	MIDWEST ASPHALT CORPORATION					
I-102265MB		ASPHALT PATCH	25.00			
10/09/2009	APBNK	DUE: 10/09/2009 DISC: 10/09/2009		1099: N		
		ASPHALT PATCH		101 4132-75000-000	BITUMINOUS PATCHING	25.00
		=== VENDOR TOTALS ===	25.00			
=====						
01-05739	MN DEPT EMPLOYMENT AND ECONOMI					
I-200910152044		UNEMPLOYMENT BENEFITS	273.14			
10/15/2009	APBNK	DUE: 10/15/2009 DISC: 10/15/2009		1099: N		
		UNEMPLOYMENT BENEFITS		201 4201-89000-000	MISCELLANEOUS	273.14
		=== VENDOR TOTALS ===	273.14			
=====						
01-05796	MN DEPT OF LABOR & INDUSTRY					
I-200910132042		3RD QTR SURCHARGES	369.73			
10/12/2009	APBNK	DUE: 10/12/2009 DISC: 10/12/2009		1099: N		
		3RD QTR SURCHARGES		101 20801-000	DUE TO OTHER GOVERNMENTS	369.73
		=== VENDOR TOTALS ===	369.73			
=====						
01-06115	TIMOTHY PITTMAN					
I-200910132043		MILEAGE REIMB	73.15			
10/12/2009	APBNK	DUE: 10/12/2009 DISC: 10/12/2009		1099: N		
		MILEAGE REIMB		101 4141-86101-000	MILEAGE	35.20
		MILEAGE REIMB		101 4132-86101-000	MILEAGE	37.95
		=== VENDOR TOTALS ===	73.15			

PACKET: 00356 PAYABLES OCT 9TH-OCT 16TH

VENDOR SET: 01 City of Falcon Heights

SEQUENCE : ALPHABETIC

DUE TO/FROM ACCOUNTS SUPPRESSED

-----ID-----		GROSS	P.O. #			
POST DATE	BANK CODE	DISCOUNT	G/L ACCOUNT	-----ACCOUNT NAME-----		DISTRIBUTION
=====						
01-06945	QWEST					
I-200910132040		58.27				
10/12/2009	APBNK		1099: N			
				101 4141-85011-000	TELEPHONE - LANDLINE	58.27
	=== VENDOR TOTALS ===	58.27				
=====						
01-06184	RAMSEY COUNTY - 911 DISPATCH					
I-EMCOM-000624		958.67				
10/12/2009	APBNK		1099: N			
				101 4124-86700-000	EMERGENCY DISPATCH SVCS-	958.67
	=== VENDOR TOTALS ===	958.67				
=====						
01-06300	ROSEVILLE AREA SCHOOLS					
I-200910212050		350.00				
10/21/2009	APBNK		1099: N			
				201 4201-70440-000	PRINT & PUBLISHING	350.00
	=== VENDOR TOTALS ===	350.00				
=====						
01-05107	ROTARY CLUB OF ROSEVILLE					
I-200910122036		280.00				
10/12/2009	APBNK		1099: N			
				101 4112-86100-000	CONFERENCES/EDUCATION/AS	280.00
	=== VENDOR TOTALS ===	280.00				
=====						
01-06301	SAMS CLUB DISCOVER CARD					
I-200910132039		257.37				
10/13/2009	APBNK		1099: N			
				101 4131-70110-000	SUPPLIES	257.37
	=== VENDOR TOTALS ===	257.37				
=====						
01-05258	SCHWARTES HEATING & AIR					
I-200910122035		35.00				
10/12/2009	APBNK		1099: N			
				101 32220-000	MECHANICAL PERMITS	35.00
	=== VENDOR TOTALS ===	35.00				

PACKET: 00356 PAYABLES OCT 9TH-OCT 16TH
VENDOR SET: 01 City of Falcon Heights
SEQUENCE : ALPHABETIC
DUE TO/FROM ACCOUNTS SUPPRESSED

-----ID-----			GROSS	P.O. #		
POST DATE	BANK CODE	-----DESCRIPTION-----	DISCOUNT	G/L ACCOUNT	-----ACCOUNT NAME-----	DISTRIBUTION

01-05110 SRF CONSULTING GROUP INC

I-6809-5		STREETSCAPE PLANNING	1,069.56			
10/15/2009	APBNK	DUE: 10/15/2009 DISC: 10/15/2009		1099: N		
		STREETSCAPE PLANNING		412 4412-81910-000	CONSULTING-STREETSCAPE	1,069.56
=== VENDOR TOTALS ===			1,069.56			

01-07109 W.S. DARLEY & CO.

I-200910202048		SUPPLIES	3.66			
10/20/2009	APBNK	DUE: 10/20/2009 DISC: 10/20/2009		1099: N		
		SUPPLIES		101 4124-70100-000	SUPPLIES	3.66
=== VENDOR TOTALS ===			3.66			

01-05870 XCEL ENERGY

I-200910122034		ELECT	2,329.49			
10/12/2009	APBNK	DUE: 10/12/2009 DISC: 10/12/2009		1099: N		
		ELECT		101 4132-85020-000	STREET LIGHTING	9.16
		ELECT		101 4141-85020-000	ELECTRIC/GAS	41.99
		ELECT		101 4132-85020-000	STREET LIGHTING	2,087.63
		ELECT		101 4132-85020-000	STREET LIGHTING	165.77
		ELECT-GAZEBO		101 4141-85020-000	ELECTRIC/GAS	15.91
		ELECT		101 4132-85020-000	STREET LIGHTING	9.03
=== VENDOR TOTALS ===			2,329.49			
=== PACKET TOTALS ===			11,584.93			

state withholding	4,950.36
federal withholding	845.97
icma wire transfer	427.00
pera wire transfer	2,302.61
mndc	50.00
Total	20,160.87

EMP #	NAME	AMOUNT
01-1002	JUSTIN J MILLER	2,480.15
01-1136	ROLAND O OLSON	800.00
01-1038	DEBORAH K JONES	1,672.03
01-0040	KEVIN ANDERSON	128.66
01-0085	DANIEL S JOHNSON-POWERS	20.47
01-0087	MICHAEL A MCKAY	77.74
01-0101	DALE E HUFF	77.74
01-0106	SCOTT A TESCH	35.83
01-0121	JESSICA L ADAMS	97.21
01-1030	TIMOTHY J PITTMAN	300.00
01-1033	DAVE TRETSVEN	1,465.21
01-1143	COLIN B CALLAHAN	601.49

TOTAL PRINTED: 12 7,756.53

10-13-2009 11:08 AM

PAYROLL CHECK REGISTER

PAGE: 1

PAYROLL NO: 01 City of Falcon Heights

PAYROLL DATE: 10/13/2009

EMP NO	EMPLOYEE NAME	TYPE	CHECK DATE	CHECK AMOUNT	CHECK NO.
1016	ABERNATHY, LISA A	R	10/13/2009	1,598.37	075491
1136	OLSON, ROLAND O	R	10/13/2009	899.54	075492
1142	HERZOG, PATRICK J	R	10/13/2009	728.26	075493
0034	KURHAJETZ, CLEMENT	R	10/13/2009	134.40	075494
0066	HERNANDEZ, ALFRED	R	10/13/2009	52.74	075495
0086	HINRICHS, RICHARD H	R	10/13/2009	67.44	075496
0095	POESCHL, MICHAEL J	R	10/13/2009	151.26	075497
0097	GAFFNEY, PATRICK	R	10/13/2009	118.51	075498
0104	VANN, VINCENT A	R	10/13/2009	67.44	075499
0105	FEHRENBACH, ANTON M	R	10/13/2009	121.26	075500
0112	LESKE, CHRIS M	R	10/13/2009	61.37	075501
0117	EISCHEN, RONALD B	R	10/13/2009	71.25	075502
0119	WICK, JEFFREY M	R	10/13/2009	77.74	075503
0120	HAWTHORNE, ROCHELLE L	R	10/13/2009	59.56	075504
0122	RADIC, CHRISTOPHER M	R	10/13/2009	118.05	075505
2172	ARCAND, MICHAEL W	R	10/13/2009	96.78	075506
1146	ULRICH, JOSEPH M	R	10/13/2009	157.69	075507
1030	PITTMAN, TIMOTHY J	R	10/13/2009	1,725.97	075508
1179	PITTMAN, JUSTIN J	R	10/13/2009	55.87	075509
2121	RAJCIC, KAREN E	R	10/13/2009	424.81	075510
2164	MILLER, ALLISON	R	10/13/2009	29.09	075511
2165	PUGA, LISA M	R	10/13/2009	47.79	075512
2179	GRIFFIN, BRANDON M	R	10/13/2009	25.85	075513

*** REGISTER TOTALS ***

REGULAR CHECKS:	23	6,891.04
DIRECT DEPOSIT REGULAR CHECKS:	12	7,756.53
MANUAL CHECKS:		
PRINTED MANUAL CHECKS:		
DIRECT DEPOSIT MANUAL CHECKS:		
VOIDED CHECKS:		
NON CHECKS:		

TOTAL CHECKS:	35	14,647.57

*** NO ERRORS FOUND ***

** END OF REPORT **

CONSENT F2
10/28/09

ITEM: City License Renewals

SUBMITTED BY: Lisa Abernathy -Deputy Clerk

The following individuals have applied for a Mechanical Contractors License for 2009.
Staff has received the necessary documents for licensure.

- Schwantes Heating & Air Inc.
- Joel Smith Heating & A/C, Inc.

CONSENT F3
10/28/09

ITEM: **Firefighter Appointment**

SUBMITTED BY: **Clem Kurhajetz, Fire Chief**

EXPLANATION:

Michael Barkman and Bryan Sullivan are recommended for approval as a firefighter with the Falcon Heights Fire Department.

ACTION REQUESTED:

Approval

ITEM: **Lawful Gambling Permit for Falcon Heights Elementary PTA**

SUBMITTED BY: **Justin Miller, City Administrator**

EXPLANATION:

The Falcon Heights Elementary PTA desires to hold raffles at their annual carnival to be held at the Falcon Heights Elementary School. Since the dollar value of the prizes are expected to be over \$1,500, an exempt permit to hold lawful gambling activity is required. The Falcon Heights Elementary PTA is asking the City to approve their application to conduct this lawful gambling activity. They are requesting the approval be with no waiting period so the raffle tickets can be printed and the students can start selling them as soon as possible.

Because the gambling premises is within the city limits, the city must sign on the LG220 Application Form. There are three choices for the city: (1) The City approves the application with no waiting period. (2) The City approves the application with a 30 day waiting period, and allows the Board to issue a permit after 30 days. (3) The City denies the application. Once the City signs their approval of the application, the organization would then submit it to MN Lawful Gambling Board. The Board usually completes their process within a couple of days and mails out the permit or arranges with the organization to pick it up at the Board's office. The organization must also complete a Financial Report that must be returned to MN Lawful Gambling within 30 days of the gambling activity.

ACTION REQUESTED:

Approve this temporary permit request with no waiting period by the Falcon Heights Elementary PTA to conduct lawful gambling activity at their annual carnival.

ITEM: **Setting Date of Canvassing Board Meeting**

SUBMITTED BY: **Justin Miller, City Administrator**

EXPLANATION:

Minnesota Statutes require that the city council meet as the canvassing board following a municipal election to certify and declare the results by November 10th. Since the city council will not be holding a regular council meeting until November 18th (due to moving the November 11th meeting because of Veteran's Day), an alternative meeting date needs to be set.

Since the council will be meeting on November 4th in a workshop, staff is recommending that the city council meet at 6:30 that evening beforehand to quickly canvass the votes and declare the results.

ACTION REQUESTED:

Staff recommends that the Falcon Heights City Council hold a special meeting on November 4th, 2009 at 6:30 pm in order to canvass the results of the municipal election and to declare the results.

ITEM: Changes to Ordinance Regarding Dogs in Public Parks

SUBMITTED BY: Lisa Abernathy, Recreation Supervisor

REVIEWED BY: Justin Miller, City Administrator
Tim Pittman, Public Works and Parks Director

Summary: This past summer the Parks Commission conducted a dogs in the parks trial period in which leashed dogs would be allowed in designated areas of Falcon Heights parks between the dates of Monday, May 25th and Monday, September 7, 2009. City employees recorded feedback from the public on this trial and presented it to the Parks Commission at their September meeting. The City received little feedback from the public however, the feedback that was received was all positive regarding the trial period. Therefore, the Parks Commission would like to permanently change the City ordinance allowing leashed dogs in public parks. Below is the current City ordinance and the Parks Commission's recommended changes.

City Code section 34-21(b) currently states: No animals are allowed in public parks, except for dogs accompanying a person engaged in search or rescue activities and as otherwise provided in Minn. Stats 256C.02

Parks Commission's Recommended changes: Leashed animals are allowed in public parks, expect for designated areas such as playground areas, tennis and basketball court, park shelters and ice rinks with the exception of dogs accompanying a person engaged in search or rescue activities and as otherwise provided in Minn. Stats 256C.02.

Action Requested:

The Parks Commission is recommending approval of the changes to City Code section 34-21 (b).

CITY OF FALCON HEIGHTS
RAMSEY COUNTY, MINNESOTA

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 34
OF THE FALCON HEIGHTS CITY CODE
CONCERNING PARKS AND RECREATION

THE CITY COUNCIL OF FALCON HEIGHTS ORDAINS:

SECTION 1. Section 34-21(b) of the Falcon Heights City Code is amended to provide:

Animals are prohibited in public parks, except:

- (1) dogs accompanying a person engaged in search or rescue activities
- (2) service dogs as provided in Minnesota Statutes § 256C.02
- (3) animals on a leash six feet or less in length except leashed animals are prohibited in playgrounds, tennis and basketball courts, park shelters, ice rinks and areas with a sign prohibiting dogs.

SECTION 2. This ordinance shall be effective immediately upon its passage and publication.

ADOPTED this _____ day of _____, 2009, by the City Council of Falcon Heights, Minnesota.

CITY OF FALCON HEIGHTS

BY: _____
Peter Lindstrom, Mayor

ATTEST:

Justin Miller, City Administrator/Clerk

ITEM: Election Services Contract with Ramsey County

SUBMITTED BY: Justin Miller, City Administrator

EXPLANATION:

Earlier this year staff approached Ramsey County about providing a proposal for conducting election services in the City of Falcon Heights. After several discussions, as well as a city council workshop where the topic was discussed, a proposed agreement is attached to this report for the council's consideration. Key points of the proposal include:

- The term of the contract will be from January 1, 2010 through December 31, 2012. During this time, there will be two state and federal elections (2010 and 2012) and one municipal election (2011). Either party may terminate the contract by June 1st of any year, cancelling the contract in the years following the written notice to terminate.
- The county will provide all services and equipment needed to perform all election related duties. Some examples include training and hiring of election judges, operation, maintenance and storage of equipment, providing legal notices, retaining records, and administering absentee voting.
- The City will still be responsible for approving polling locations and designating a principal contact person.
- If any special elections are required by the city that are not on the date of a regularly scheduled election, the city will pay all costs associated with the special election.

For 2010, the cost to the City of Falcon Heights will be \$19,500. The costs for the 2011 and 2012 elections will be provided to the city no later than April 1, 2010. This will allow the city time to opt-out of the agreement if the city does not agree with the proposed fees.

The preliminary 2010 budget currently has \$12,432 allocated for election duties. While the Ramsey County proposal is more expensive, we will be able to replace the full-time deputy clerk position with a part-time position, and these savings will result in an overall net savings of roughly \$14,000 in the 2010 general fund budget.

ACTION REQUESTED:

Staff recommends that the Falcon Heights City Council adopt the attached contract between Ramsey County and the City of Falcon Heights for election services.

CONTRACT BETWEEN
RAMSEY COUNTY AND THE CITY OF FALCON HEIGHTS
FOR ELECTION SERVICES

This is a contract between the County of Ramsey ("County") and the City of Falcon Heights ("City") for the provision of election services by Ramsey County.

1. Duration of Contract

This contract will be in effect for the period beginning on January 1, 2010 and ending on December 31, 2012.

2. Contract Renewal and Termination

This contract may be renewed for an additional four years by written consent of the County and City. An amendment to this contract for renewal must be executed by all parties no later than June 1, 2012.

This contract may be terminated by either of the parties by written notice to the other party no later than June 1 of any year, effective on January 1 of the following year. Upon termination of this contract, the city-owned voting equipment, election supplies and related materials will be returned to the City.

3. County Responsibilities

Except as otherwise provided in this contract, the County will provide all services, equipment, and supplies as required to perform, on behalf of the City, all election-related duties of the City under the Minnesota election law and other relevant state and federal laws. These duties will include but are not limited to:

- Recruitment, training, and supervision of staff to carry out the duties specified in this contract;
- Annual inspection of polling places to verify compliance with all state and federal accessibility requirements;
- Recruitment, training, and assignment of election judges;

- Payment of election judges' salaries in an amount determined by the Ramsey County Board of Commissioners;
- Operation, maintenance, testing, demonstration, storage, and technical support for voting systems;
- Maintenance, storage, and replacement of voting stations for each polling place and for absentee voting purposes;
- Preparation and transportation of voting systems, voting stations, and other election materials to and from each polling place;
- Providing election forms, supplies, and other related materials for each polling place;
- Conducting preliminary tests and public accuracy tests of voting systems;
- Programming, layout and printing of ballots for City elections;
- Compilation and reporting of election results and election statistics for dissemination to the appropriate canvassing boards and the public;
- Providing election-related information on the County web site;
- Conducting recounts for City offices and ballot questions;
- Preparing, posting, and publishing election notices;
- Providing information and assistance on election laws and procedures to City officials, candidates, the news media, and the general public;
- Administering absentee voting;
- Administering campaign financial reporting and economic disclosure activities;
- Performing duties of candidate filing officer, including acceptance of affidavits of candidacy and petitions;

- Analyzing proposed state and federal laws on election-related matters to determine impact on the City;
- Maintaining a database and preparing maps of election district and precinct boundaries;
- Providing technical assistance to the City Council in redrawing precinct boundaries as required;
- Retaining election records for at least 22 months following each election; and
- Retaining permanent archive of election results.

4. City Responsibilities

The City will perform the following election-related responsibilities:

- Conduct official canvass of election results following each City election;
- Provide the title and text of City questions to be placed on the ballot;
- Provide final approval for polling place locations; and
- Designate a person who will be the principal contact for the City.

5. Office Space and Equipment Storage

The County will provide suitable office and warehouse space to conduct all election-related activities and for storage of election equipment and supplies or will make the appropriate arrangements with the City for storage of election equipment and supplies.

6. Upgrading or Replacing Voting Systems

The County will assess the need to upgrade or replace the voting systems used for state, County, and City elections held on and after January 1, 2011. The County will provide the City with an estimate of the cost of upgrading or replacing the voting systems no later than March 1, 2011 if adoption of a replacement voting system is either required by law or otherwise deemed

necessary by the County. The cost of upgrading or replacing voting systems is not included in this contract and will be the subject of a separate agreement.

7. Special Elections

The City will pay all costs for any municipal primary that is authorized by the City subsequent to the adoption of this contract.

The County will conduct all special elections required by law during the term of this contract. The costs of all special elections that are not held concurrently with a regularly scheduled state, County or City election will be paid separately from payments for regularly scheduled elections under this contract.

The City will pay all costs of any City special election that is not conducted on the date of a regularly scheduled City, County, or state election. The City will also pay all costs applicable to the City of any state special election that is not conducted on the date of a regularly scheduled City or state election.

8. School District Elections

The County will make available the City voting equipment, polling places, election supplies and election judges to Independent School District 623 as needed to conduct any primary, general or special election of the school district.

9. Insurance

During the term of this contract, the County and City will maintain, through commercially available insurance or on a self-insured basis, property insurance coverage on the voting equipment each owns, for the repair or replacement of the voting equipment if damaged or stolen. Each party shall be responsible for any deductible under its respective policy. Each party hereby waives and releases the other party, its employees, agents, officials, and officers from all claims, liability, and causes of action for loss, damage to or destruction of the other party's property resulting from fire or other perils covered in the standard property insurance coverage maintained by the party. Furthermore, each party agrees that it will look to its own property insurance for reimbursement for any loss and shall have no rights of subrogation against the other party.

10. Indemnification

Each party to this contract will defend, hold harmless, and indemnify the other party, its officials, agents, and employees from any liability, loss, and damage it may suffer as a result of demands, claims, judgments, or costs including, but not limited to, attorneys' fees and disbursements, arising out of or related to the indemnifying party's performance or failure of performance under this contract. This provision shall not be construed nor operate as a waiver of any applicable limits of or exceptions to liability set by law. This provision will survive the termination of this contract.

11. Legal Representation

The Ramsey County Attorney's Office will advise and represent the County in all election-related matters, except that the Falcon Heights City Attorney will advise the County on any election-related matter applying to the Falcon Heights municipal code.

12. Election Costs and Payments

Except for 2010, payments to cover the costs incurred by the County in the performance of the provisions of this contract for regularly scheduled elections will be made by the City in eight equal quarterly amounts for each two-year budget period, for a total of 12 quarterly payments during the initial term of the contract, based on invoices submitted by the County. Payments will be due on March 31, June 30, September 30 and December 31 of each year.

Payments in 2010 shall be made quarterly as outlined above.

The cost of election services for the 2010 budget period will be \$19,500.

The County will provide the cost for the 2011-2012 budget period to the City no later than April 1, 2010. The County will base the cost for the 2011-2012 budget period on the actual cost for the previous similar election years, adjusted as necessary by the County to account for the following factors: 1) estimated voter turnout; 2) labor contracts and agreements for non-represented employees approved by the Ramsey County Board of Commissioners; 3) changes in the Consumer Price Index for the Minneapolis-Saint Paul metropolitan area, as determined by the U.S. Bureau of Labor Statistics for the previous two-year period; 4) changes in state, federal, County or City legal requirements; and 5) other factors having a significant impact on election costs.

The County will submit an invoice payable within 30 days of receipt to the City for all costs incurred by the County to conduct a special election.

13. Data Practices

All data created, collected, received, maintained, or disseminated for any purpose in the course of this contract is governed by the Minnesota Government Data Practices Act, any other applicable statute, or any rules adopted to implement the Act or statute, as well as federal statutes and regulations on data privacy.

14. Alteration

The provisions of this contract may be altered only by mutual written consent of the County and City. Any alteration, variation, modification, or waiver of the provisions of this contract shall be valid only after it has been reduced to writing and duly signed by all parties. Any alterations must be approved no later than June 1 of any year for implementation on January 1 of the following year.

15. Entire Agreement

This contract shall constitute the entire agreement between the parties and shall supersede all prior oral and written negotiations.

[This space intentionally left blank.]

IN WITNESS THEREOF, the parties have subscribed their names as of the last date written below.

RAMSEY COUNTY

CITY OF FALCON HEIGHTS

By: _____

Julie Kleinschmidt
Ramsey County Manager

By: _____

Peter Lindstrom
Mayor

Date: _____

Date: _____

Approval recommended:

Approval recommended:

By: _____

Mark Oswald, Director
Property Records and Revenue Department City Administrator

By: _____

Justin Miller

Approved as to form and insurance:

By: _____

Assistant County Attorney

By: _____

City Attorney

Funds are available:

By: _____

Budgeting and Accounting

By: _____

Finance Director