

City of Falcon Heights
Regular City Council Meeting Agenda
7 p.m. on 13 March 1996
City Hall - 2077 W. Larpenteur Ave.

CALL TO ORDER

ATTENDANCE: GEHRZ ___ GIBSON TALBOT ___ HUSTAD ___ JACOBS ___
HOYT ___ ASLESON ___ ATTORNEY ___ ENGINEER ___

APPROVAL OF MINUTES: February 28, 1996 (Tab #1)

COMMUNITY FORUM

CONSENT AGENDA:

1. Disbursements (Tab #2)
 - a. General disbursements through 3/7/96, \$31,891.56
 - b. Payroll, 2/15/96 to 2/29/96, \$11,074.52
2. Licenses (Tab #3)
3. Bookkeeping transaction to close the Risk Management Fund (Tab #4)
4. Request for authorization to hire a streetsweeper for the city's spring and fall streetsweeping (Tab #5)
5. Awarding contracts for tree removal and tree trimming for 1996 (Tab #6)

POLICY AGENDA:

1. Appointment to the city council (Tab #7)

ACTION: _____

2. Proposed amendment to Chapter 2(A) of the Administrative Code related to the Human Rights Commission (Tab #8)

ACTION: _____

INFORMATION AND ANNOUNCEMENTS

ADJOURN

City of Falcon Heights
Regular City Council Meeting Agenda
7 p.m. on 13 March 1996
City Hall - 2077 W. Larpenteur Ave.

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HOYT ___ ASLESON ___ ATTORNEY ___ ENGINEER ___

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4. Request for authorization to hire a streetsweeper for the city's spring and fall streetsweeping
5. Awarding contracts for tree removal and tree trimming for 1996

POLICY AGENDA:

1. Appointment to the city council

ACTION: _____

2. Proposed amendment to Chapter 2(A) of the Administrative Code related to the Human Rights Commission

ACTION: _____

INFORMATION AND ANNOUNCEMENTS

ADJOURN

**CITY OF FALCON HEIGHTS
REGULAR CITY COUNCIL MEETING
MINUTES OF FEBRUARY 28, 1996**

Mayor Gehrz convened the meeting at 7:05 p.m.

PRESENT

Gehrz, Gibson Talbot, Hustad, and Jacobs. Also present were Hoyt, Asleson, and Maurer.

COMMUNITY FORUM

There was no one wishing to take advantage of the community forum.

MINUTES OF FEBRUARY 14, 1996

Minutes were approved by unanimous consent.

CONSENT AGENDA APPROVED

Motion was made by Councilmember Hustad to approve the consent agenda. Motion passed unanimously.

1. Disbursements
2. Licenses
3. Authorization to enter into an agreement for building inspection services with David Kriesel, Inc.

POLICY AGENDA

**CONSIDERATION OF ORDINANCE 96-01 REGARDING AMENDMENTS TO THE
ZONING CODE AND RESOLUTION 96-04, AUTHORIZATION FOR SUMMARY
PUBLICATION**

Administrative Assistant/Planner Asleson reported that the Planning Commission had recommended approval of a number of minor revisions to the zoning code. These changes are primarily intended to clarify confusing sections and to strike sections that conflict with other parts of the code. The only two new requirements are a provision requiring the replacement garage when an existing garage is converted to living space and a prohibition on new street curb cuts to properties that have garage access from their alley.

The Planning Commission held a public hearing on the amendments on February 26, 1996. There were no members of the public in attendance to comment on the changes.

Motion was made by Councilmember Jacobs to approve Ordinance 96-01 and Resolution 96-04. Motion passed unanimously.

**AUTHORIZATION TO AMEND RECYCLING CONTRACT WITH E-Z RECYCLING TO
INCLUDE COLLECTION OF CEREAL BOXES**

Administrative Assistant/Planner Asleson reported that the Solid Waste Commission had recommended the addition of cereal boxes to the city's recycling program at an additional cost of three cents per household per month. This will require that the city's contract with E-Z Recycling be amended. Asleson noted that the price increase can be handled within the current recycling fee structure, since the recycling fee is set slightly above the current costs of collection.

Motion was made by Councilmember Gibson Talbot to amend the city's recycling contract with E-Z Recycling to include the collection of cereal boxes, at an additional cost of three cents per household per month. Motion passed unanimously.

PRESENTATION TO THE FIRE DEPARTMENT

Mayor Gehrz presented a plaque to members of the Fire Department in recognition of the department's on-going support and presence in the city. The plaque listed the names of all department personnel who had served one year or more. Receiving the plaque were Fire Chief Clem Kurhajetz and Assistant Chiefs Dennis LeMay and Nick Baumann.

**CONSIDERATION OF PRELIMINARY STREETScape DESIGN FOR LARPENTEUR
AVENUE**

Administrator Hoyt updated the council on the status of the Larpenteur Avenue reconstruction. Ramsey County is managing the project and will undertake the street reconstruction and pedestrian pathway construction and reconstruction with an estimated cost to the city of \$250,000 to \$450,000. The plans currently include an underpass at Coffman Street and Larpenteur Avenue for golf course users and pedestrians at an estimated cost of \$1,300,000. Hoyt explained that the current timetable is for construction between Highway 280 on the west and Cleveland Avenue on the east to occur in 1997, between Cleveland and St. Mary's in 1998, and Arona to Hamline in late 1998 or early 1999. The city's landscaping work would be planned for 1997 between Fulham and Cleveland as well as the business district amenities and the city identification signs. Hoyt stated that after the council's approval to move forward tonight, the city staff planned to hold community meetings and a community walk for May 1996.

Landscape Architect Michael Schroeder presented the detailed design, discussed the meetings with property owners along Larpenteur Avenue, and answered questions.

Mayor Gehrz said that the meeting presented the council with an opportunity to remove or change things in the preliminary streetscape design before bringing it back to the community and specific property owners. The council expressed support for the streetscape design. A motion was made by Councilmember Hustad to authorize an additional 410,000 to be spent on additional meetings and design work on the streetscape plan. The motion passed unanimously.

INFORMATION AND ANNOUNCEMENTS

Councilmember Gibson Talbot reported that she would be meeting with the two active Human Rights Commissioners regarding the restructuring of that group.

Mayor Gehrz reported on a meeting she'd had with officials from the City of New Brighton regarding Tax Increment Financing projects. She also reported good turnout at the city's Personal Safety Seminar the previous evening.

Administrator Hoyt reported that the ice rinks were closed for the season.

ADJOURNMENT

The meeting adjourned at 8:47 p.m.

Susan L. Gehrz, Mayor

Carla Asleson
Recording Secretary

CONSENT
Meeting Date: 3/13/96
Item: 1

ITEM DESCRIPTION: Disbursements

SUBMITTED BY: Joe Rigdon, City Accountant

EXPLANATION/SUMMARY:

- a. General disbursements through 3/7/96, \$31,891.56
- b. Payroll, 2/15/96 to 2/29/96, \$11,074.52

ACTION REQUESTED: Approval

APPROVAL OF BILLS
 PERIOD ENDING: 03/13/96

CHECK#	VENDOR NAME	DESCRIPTION	DEPT.	AMOUNT
4	AT&T	MAINTENANCE 2/26-3/25/96	BUILDING	73.44
6	AT&T WIRELESS SERVICES	PUBLIC WORKS PAGER 3/96	BUILDING	13.30
8	ABLE HOSE & RUBBER, INC.	JETTER HOSE	SANITARY	66.58
10	ASLESON, CARLA	MILEAGE	ADMINIST	11.79
11	ASLESON, CARLA	MILEAGE	SOLID WA	5.70
12	*** TOTAL FOR ASLESON, CARLA			17.49
14	AMERICAN LINEN SUPPLY CO.	LINEN CLEANING	FIRE FIG	45.38
16	AMERICAN BANK	1ST 1/2 BOND FEES	90 HAML	155.10
18	BROWNING-FERRIS IND.	3/96 REFUSE SERVICE	BUILDING	141.24
20	CHAMPION AUTO STORES	ANTIFREEZE	STREETS	8.50
21	CHAMPION AUTO STORES	JUMPER CABLES	STREETS	29.88
22	*** TOTAL FOR CHAMPION AUTO STORES			38.38
24	COLONIAL INSURANCE	BAUMANN 2/96 PREMIUM	FIRE FIG	29.65
25	COLONIAL INSURANCE	IVERSON 2/96 PREMIUM	FIRE PRE	36.45
26	*** TOTAL FOR COLONIAL INSURANCE			66.10
28	CRAGUN'S CONFERENCE CENT.	MCMA/MACA CONF. ROOM DEP	ADMINIST	100.00
30	E-7 RECYCLING, INC.	2/96 RECYCLING	SOLID WA	2,389.50
32	EMERGENCY APPARATUS MAINT #753	OIL/LUBE	FIRE FIG	156.36
33	EMERGENCY APPARATUS MAINT #752	REPAIRS	FIRE FIG	461.64
34	EMERGENCY APPARATUS MAINT #752	OIL/LUBE	FIRE FIG	192.25
35	EMERGENCY APPARATUS MAINT #752	REPAIRS	FIRE FIG	274.41
36	EMERGENCY APPARATUS MAINT #757	OIL/LUBE	FIRE FIG	239.83
37	EMERGENCY APPARATUS MAINT #757	REPAIRS	FIRE FIG	195.00
38	EMERGENCY APPARATUS MAINT #756	INTRSCT STROBE RPR	RESCUE S	133.00
39	*** TOTAL FOR EMERGENCY APPARATUS			1,652.49
41	FIRST TRUST NATL. ASSOC.	1984B BOND FEES	84B TIF	646.25
43	GLENWOOD INGLEWOOD	10 GAL. WATER	BUILDING	11.50
45	GOVERNMENT TRAINING SERV.	96 MCMA/MACA CONFERENCE	ADMINIST	160.00
47	GOVERNMENT TRAINING SERV.	PLANNING CMMSNR TRAINING	COMMUNIC	340.00
49	HAR MAR LOCK & KEY	COMM PK KEYS (INSIDE)	PARK MAI	14.48
50	HAR MAR LOCK & KEY	COMM PK KEYS (OUTSIDE)	PARK MAI	16.83
51	*** TOTAL FOR HAR MAR LOCK & KEY			31.31
53	GRAINGER, W. W., INC.	TOWELS & TISSUES	BUILDING	36.67
54	GRAINGER, W. W., INC.	TOWELS & TISSUES	PARK MAI	36.66
55	*** TOTAL FOR GRAINGER, W. W., INC			73.33
57	IVERSON, TERRY	2/96 MILEAGE	ADMINIST	4.50

APPROVAL OF BILLS
PERIOD ENDING: 03/13/96

CHECK#	VENDOR NAME	DESCRIPTION	DEPT.	AMOUNT
	IVERSON, TERRY	2/96 MILEAGE	FIRE PRE	66.25
	IVERSON, TERRY	NORTH SUB GAVEL MEETING	FIRE PRE	8.34
	*** TOTAL FOR IVERSON, TERRY			79.09
	KERN, DEWENTER, VIERE LTD	INTERIM AUDIT BILLING	FINANCE	4,500.00
	LEAGUE OF MINNESOTA HUMAN	1996 LMHRC DUES	COMMUNIC	55.00
	M-75 BUILDING MAINTENANCE	2/96 CLEANING	BUILDING	154.43
	MAIER STEWART & ASSOC.	12/31-1/27 ENGINEERING	ENGINEER	200.69
	MAIER STEWART & ASSOC.	12/31-1/27 ENGINEERING	LARPENTE	460.79
	*** TOTAL FOR MAIER STEWART & ASSO			661.48
	METRO GARAGE DOOR	BUILDING DOOR REPAIR	GENERAL	412.47
31817	MN DEPARTMENT OF REVENUE	STATE WITHHELD 2/29/96	ADMINIST	639.86
	NSP	2/96 ELECTRIC	EMERGENC	6.28
	NSP	2/96 ELECTRIC	PARK MAI	21.68
	*** TOTAL FOR NSP			27.96
	NSP	2/96 STREET LIGHTING	STR. LIG	2,017.94
	NATIONAL LEAGUE OF CITIES	CURBING SUBSTANCE ABUSE	LEGISLAT	15.00
31818	NORTH STAR STATE BANK	FED WITHHELD 2/29/96	ADMINIST	3,593.04
	PERA	PERA WITHHELD 2/29/96	ADMINIST	1,252.33
	PERA LIFE	PHILLIPS 3/96 PREMIUM	ADMINIST	12.00
	PERA LIFE	BAUMANN 3/96 PREMIUM	FIRE FIG	12.00
	PERA LIFE	IVERSON 3/96 PREMIUM	FIRE PRE	12.00
	*** TOTAL FOR PERA LIFE			36.00
31821	PHILLIPS, PATRICIA	MILEAGE & PARKING	ADMINIST	3.99
		COUNCIL INTERVIEW SUPPL.	ADMINIST	12.83
	*** TOTAL FOR PHILLIPS, PATRICIA			16.82
	RAMSEY COUNTY	1/96 SNOWPLOW & SAND	STREETS	6,344.34
	SUBURBAN HARDWARE	HOOKS	FIRE FIG	1.90
	SUBURBAN HARDWARE	BULB	EMERGENC	0.95
	SUBURBAN HARDWARE	PAINTING SUPPLIES, ETC.	BUILDING	44.64
	SUBURBAN HARDWARE	TRACTOR TERMINALS	STREETS	3.62
	SUBURBAN HARDWARE	HOLE SAW	PARK MAI	13.03
	*** TOTAL FOR SUBURBAN HARDWARE			64.14
	SUPER AMERICA	FUEL 1/23-2/21/96	FIRE FIG	30.04
	SUPER AMERICA	FUEL 1/23-2/21/96	RESCUE S	12.25
	SUPER AMERICA	FUEL 1/23-2/21/96	PARK MAI	52.32
	SUPER AMERICA	FUEL 1/23-2/21/96	STREETS	99.17
	*** TOTAL FOR SUPER AMERICA			193.78
	T.R.F. SUPPLY COMPANY	CLEANING SUPPLIES	FIRE FIG	150.58

APPROVAL OF BILLS
 PERIOD ENDING: 03/13/96

CHECK#	VENDOR NAME	DESCRIPTION	DEPT.	AMOUNT
	TREEFUL, LINDA	WINTER EVENT CLOWN	PARK PRO	50.00
	TAFF, SUSAN HOYT	PERS. SAFETY WRSHP ITEMS	ADMINIST	21.61
	J.O. THOMPSON INC.	BLDG PAINT & SUNDRIES	BUILDING	74.28
	J.O. THOMPSON INC.	BLDG PAINT & SUNDRIES	BUILDING	44.78
	*** TOTAL FOR J.O. THOMPSON INC.			119.06
	TOLL GAS & WELDING SUPPLY	COMPRESSED AIR	FIRE FIG	39.78
	U.S. POSTMASTER	5000 32 CENT STAMPS	ADMINIST	1,600.00
	U.S. POSTMASTER	1000 23 CENT STAMPS	ADMINIST	230.00
	*** TOTAL FOR U.S. POSTMASTER			1,830.00
31819	U.S. POSTMASTER	POSTAGE PERMIT	SANITARY	250.00
	UNIVERSITY OF MINNESOTA	PUBLIC COMP. COURSE	ADMINIST	130.00
	USWEST COMMUNICATIONS	2/96 PHONE	PARK & R	56.50
	USWEST COMMUNICATIONS	3/96 PHONE	FIRE FIG	60.91
	*** TOTAL FOR USWEST COMMUNICATION			117.41
	ST. PAUL WATER UTILITY	2/96 WATER	BUILDING	15.50
	ST. PAUL WATER UTILITY	2/96 WATER	PARK MAI	26.34
	*** TOTAL FOR ST. PAUL WATER UTILI			41.84
	BERNARDY, CONNIE LANNERS	3/15/96 MCAD SERVICES	MCAD	1,543.85
	BERNARDY, CONNIE LANNERS	PHONE-US WEST	MCAD	54.76
	BERNARDY, CONNIE LANNERS	COPIES	MCAD	15.54
	BERNARDY, CONNIE LANNERS	VIDEOS, BOOKS	MCAD	43.63
	BERNARDY, CONNIE LANNERS	POSTAGE	MCAD	107.00
	BERNARDY, CONNIE LANNERS	VARIOUS MCAD MEETINGS	MCAD	91.84
	*** TOTAL FOR BERNARDY, CONNIE LAN			1,856.62
	BRODERICK, BERNARD	DELIVERY MILEAGE	ADMINIST	11.84
	COLTER-MUNYER, SUSIE	2/96 AFTER SCHOOL	MCAD	560.00
31820	UNIVERSITY OF MINNESOTA	SHADE TREE COURSE	TREE PRO	75.00
	ANOKA-HRN TECH COLLEGE	HAZARDOUS MATERIAL CLASS	FIRE FIG	90.00
	RIGDON, JOE	2/96 BANK MILEAGE	FINANCE	7.75
	ISOMURA, ERI	AMBULANCE OVERPAYMENT	-----	455.00
	*** TOTAL FOR BANK 01			31,891.56
	*** GRAND TOTAL ***			31,891.56
	*** GRAND TOTAL ***			31,891.56

PERIOD END DATE 02/29/96
SYSTEM DATE 02/29/96

FILE NOT UPDATED

PAGE 1

CHECK REGISTER

CHECK TYPE	CHECK DATE	EMPLOYEE NAME	CHECK NUMBER	CHECK AMOUNT
COM	2 29 96	6 SUSAN GEHRZ	24123	284.56
COM	2 29 96	8 SAM JACOBS	24124	277.05
COM	2 29 96	10 JAN GIBSON TALBOT	24125	200.00
COM	2 29 96	11 JOHN HUSTAD	24126	247.05
COM	2 29 96	30 NICHOLAS BAUMANN	24127	122.78
COM	2 29 96	34 CLEMENT KURHAJETZ	24128	274.55
COM	2 29 96	40 KEVIN ANDERSON	24129	46.17
COM	2 29 96	42 MICHAEL D. CLARKIN	24130	27.70
COM	2 29 96	50 JOSEPH L. MARTINEZ	24131	64.64
COM	2 29 96	56 GREGORY S. PETERSON	24132	44.06
COM	2 29 96	59 GREGORY M. FULLER	24133	45.41
COM	2 29 96	61 DENNIS G. LEMAY	24134	104.67
COM	2 29 96	1002 SUSAN HOYT TAFF	24135	1451.39
COM	2 29 96	1003 TERRY IVERSON	24136	979.23
COM	2 29 96	1005 CAROL KRIEGLER	24137	576.49
COM	2 29 96	1006 JAY MORGAN	24138	920.22
COM	2 29 96	1007 PATRICIA PHILLIPS	24139	801.51
COM	2 29 96	1008 DELORIS SWENSON	24140	775.97
COM	2 29 96	1010 CARLA ASLESON	24141	944.09
COM	2 29 96	1011 LAWRENCE A. KLINGENBERG	24142	983.93
COM	2 29 96	1012 JOSEPH M. RIGDON	24143	861.51
COM	2 29 96	1026 JASON CIERNIA	24144	25.85
COM	2 29 96	1031 LINDA TREEFUL	24145	135.90
COM	2 29 96	1033 DAVE TRETSEVEN	24146	280.01
COM	2 29 96	1070 MICHAEL R. SHIER	24147	64.42
COM	2 29 96	1102 AUSTIN M. PETERSON	24148	102.54
COM	2 29 96	1110 JULIE OBERMILLER	24149	84.04
COM	2 29 96	1115 MICHAEL D. LASSER	24150	80.80
COM	2 29 96	1116 CHRISTOPHER C. PETROSKAS	24151	70.94
COM	2 29 96	1117 DAVID A. SMITH-CUNNIEN	24152	116.02
COM	2 29 96	1118 SHAWN M. STRONG	24153	31.46
COM	2 29 96	1119 RICHARD E. KEMP	24154	41.56
****TOTALS****				11074.52

RECYCLED FIBER

CONSENT
Meeting Date: 3/13/96
Item: C-2

ITEM DESCRIPTION: Licenses

SUBMITTED BY: Dee Swenson

DESCRIPTION: Licenses

GENERAL CONTRACTOR

Doyle Maintenance #3374

TREE TRIMMING

Balsam Tree & Shrub Care, Inc. #3372

REFUSE HAULING

United Waste Systems d/b/a Bellaire Sanitation #3375

Red Arrow #3376

CONSENT

Meeting Date: 3/13/96

Item: 3

ITEM DESCRIPTION: Bookkeeping transaction to close the Risk Management Fund

SUBMITTED BY: Joe Rigdon, City Accountant

REVIEWED BY: Susan Hoyt, City Administrator
Jennifer Thienes, Auditor

EXPLANATION/SUMMARY: According to GASB Statement No. 10, governments accounting for risk financing activities where risk is retained by the governmental entity should use either the general fund or an internal service fund. Currently, the city's risk management fund is incorrectly classified as a special revenue fund. Since the city is not self-insuring or retaining risk other than the cost of deductibles, it is advised the city charge insurance premiums to funds/departments on an actual cost basis without the use of a risk management fund. To adhere to GAAP when issuing the 1995 and 1996 financial statements, both the 1995 and 1996 budgets should be amended to reflect no transactions in the risk management fund. (See Attachment 2B). The exception would be a 1995 budgeted operating transfer of the risk management fund's remaining fund balance. This amount of \$28,292.52 would be allocated to the general (\$26,361.05), sanitary sewer (\$21.14), and rescue service (\$1,910.33) funds based on portions of premiums charged. This would also increase the 1995 revenue (operating transfer) budgets for the general, sanitary sewer, and rescue service funds by the same amounts (see attachments 3A, 4A and 4B). The only budget to be amended for 1996 is for the risk management fund, with all amounts changed to zero. The general and all other fund budgets remain unchanged for 1996. All changes to the 1995 and 1996 budgets are highlighted in the attachments, along with amended overall budgets.

ATTACHMENTS:

1. Resolution R-96-05
2. Risk management budget-current and amended; special revenue budget summaries
3. General fund revenue budget and summary
4. Enterprise fund budgets and summaries
5. Overall budget and fund balance summaries

ACTION REQUESTED: Adopt resolution to amend the city's risk management fund budgets for 1995 and 1996, effectively closing the fund in fiscal year 1995.

CITY OF FALCON HEIGHTS

C O U N C I L R E S O L U T I O N

Date: 3/13/96

A RESOLUTION AMENDING THE CITY'S RISK MANAGEMENT FUND
BUDGETS FOR 1995 AND 1996

WHEREAS, the city's risk management fund is currently classified as a special revenue fund; and

WHEREAS, according to GASB Statement No. 10, governments accounting for risk financing activities where risk is retained by the government entity, should use either the general fund or an internal service fund;

NOW THEREFORE, BE IT RESOLVED, that the fund budgets be eliminated for 1995 and 1996, allowing for a transfer of the fund's remaining fund balance in fiscal year 1995, and thereby closing the fund and enabling the city to adhere to GAAP when issuing the 1995 and 1996 financial statements.

Moved by: _____

GEHRZ In Favor
GIBSON TALBOT
HUSTAD Against
JACOBS

Approved by: _____

Mayor

3/13/96

Date

Attested by: _____

City Clerk

3/13/96

Date

RISK MANAGEMENT (207)

ACCOUNT NUMBER	ACCOUNT TITLE	ACTUAL 1993	ACTUAL 1994	BUDGET 1995	ESTIMATED 1995	BUDGET 1996
REVENUES:						
<i>MISCELLANEOUS</i>						
36211	INTEREST ON INVESTMENTS	341	1,579	301	1,707	1,014
36400	INSURANCE DIVIDENDS	12,549	10,276	5,000	5,000	5,000
36401	INSURANCE CHARGES	48,833	48,356	53,555	53,405	50,131
	<i>TOTAL MISCELLANEOUS</i>	61,723	60,211	58,856	60,112	56,145
	<i>TOTAL REVENUES</i>	61,723	60,211	58,856	60,112	56,145
EXPENDITURES:						
<i>OTHER SERVICES & CHARGES</i>						
80310	AUDIT	146	155	160	160	190
86100	CONFERENCES/EDUCATION/ASSOC.	1,889	15	300	15	230
88000	INSURANCE & BONDS	42,905	48,532	53,000	45,575	50,131
	<i>TOTAL OTHER SERVICES & CHARGES</i>	44,940	48,702	53,460	45,750	50,551
	<i>TOTAL EXPENDITURES</i>	44,940	48,702	53,460	45,750	50,551
	FUND BALANCE - JANUARY 1	0	16,783	28,292	28,292	42,654
	CHANGE IN FUND BALANCE	16,783	11,509	5,396	14,362	5,594
	FUND BALANCE - DECEMBER 31	16,783	28,292	33,688	42,654	48,248

CURRENT

RISK MANAGEMENT (207)

ACCOUNT NUMBER	ACCOUNT TITLE	ACTUAL 1993	ACTUAL 1994	BUDGET 1995	ESTIMATED 1995	BUDGET 1996
REVENUES:						
<i>MISCELLANEOUS</i>						
36211	INTEREST ON INVESTMENTS	341	1,579	0	0	0
36400	INSURANCE DIVIDENDS	12,549	10,276	0	0	0
36401	INSURANCE CHARGES	48,833	48,356	0	0	0
	<i>TOTAL MISCELLANEOUS</i>	61,723	60,211	0	0	0
	<i>TOTAL REVENUES</i>	61,723	60,211	0	0	0
EXPENDITURES:						
<i>OTHER SERVICES & CHARGES</i>						
80310	AUDIT	146	155	0	0	0
86100	CONFERENCES/EDUCATION/ASSOC.	1,889	15	0	0	0
88000	INSURANCE & BONDS	42,905	48,532	0	0	0
	<i>TOTAL OTHER SERVICES & CHARGES</i>	44,940	48,702	0	0	0
<i>CAPITAL OUTLAY</i>						
97000	OPERATING TRANSFERS	0	0	28,293	28,293	0
	<i>TOTAL CAPITAL OUTLAY</i>	0	0	28,293	28,293	0
	<i>TOTAL EXPENDITURES</i>	44,940	48,702	28,293	28,293	0
	FUND BALANCE - JANUARY 1	0	16,783	28,292	28,292	0
	CHANGE IN FUND BALANCE	16,783	11,509	-28,293	-28,293	0
	FUND BALANCE - DECEMBER 31	16,783	28,292	0	0	0

AMENDED

TOTAL SPECIAL REVENUE FUNDS

FUND NUMBER	FUND TITLE	ACTUAL 1993	ACTUAL 1994	BUDGET 1995	ESTIMATED 1995	BUDGET 1996
REVENUES:						
201	PARK PROGRAMS	17,504	24,676	21,476	21,412	17,176
202	STORM SEWER	32,845	35,249	29,716	33,927	32,174
203	EMPLOYEE	643	712	500	119	110
204	WATER	9,848	12,292	9,241	10,881	10,262
205	STREET LIGHTING	28,663	27,314	21,020	21,856	21,367
206	SOLID WASTE	45,120	42,433	42,750	42,950	42,909
207	RISK MANAGEMENT	61,723	60,211	0	0	0
208	COMMUNITY DEVELOPMENT	2,886	1,403	1,349	1,357	1,345
209	LAWFUL GAMBLING	138	21	100	0	0
210	CDBG PROPERTY	0	145,553	0	0	0
<i>TOTAL REVENUES</i>		<u>199,370</u>	<u>349,864</u>	<u>126,152</u>	<u>132,502</u>	<u>125,343</u>
EXPENDITURES:						
201	PARK PROGRAMS	20,085	19,494	21,476	20,528	21,176
202	STORM SEWER	45,624	3,698	10,735	14,060	7,583
203	EMPLOYEE	729	247	450	26	50
204	WATER	20,776	2,934	5,160	3,460	5,190
205	STREET LIGHTING	24,744	22,967	26,080	34,160	24,190
206	SOLID WASTE	40,463	39,095	42,454	44,883	42,848
207	RISK MANAGEMENT	44,940	48,702	28,293	28,293	0
208	COMMUNITY DEVELOPMENT	1,689	155	160	2,470	190
209	LAWFUL GAMBLING	0	155	100	0	0
210	CDBG PROPERTY	0	145,553	0	0	0
<i>TOTAL EXPENDITURES</i>		<u>199,050</u>	<u>283,000</u>	<u>134,908</u>	<u>147,880</u>	<u>101,227</u>
FUND BALANCE - JANUARY 1		224,983	225,303	292,168	292,168	276,790
CHANGE IN FUND BALANCE		320	66,864	-8,756	-15,378	24,116
FUND BALANCE - DECEMBER 31		<u>225,303</u>	<u>292,168</u>	<u>283,412</u>	<u>276,790</u>	<u>300,906</u>

TOTAL SPECIAL REVENUE FUND REVENUES BY LINE ITEM

ACCOUNT NUMBER	ACCOUNT TITLE	ACTUAL 1993	ACTUAL 1994	BUDGET 1995	ESTIMATED 1995	BUDGET 1996
REVENUES:						
<i>INTERGOVERNMENTAL</i>						
33110	CDBG GRANT	0	110,000	0	0	0
33610	COUNTY GRANT - RECYCLING	11,011	10,358	11,000	11,000	11,000
	<i>TOTAL INTERGOVERNMENTAL</i>	<u>11,011</u>	<u>120,358</u>	<u>11,000</u>	<u>11,000</u>	<u>11,000</u>
<i>CHARGES FOR SERVICES</i>						
34180	SOLID WASTE FEE	31,332	31,448	31,500	31,500	31,500
34181	SOLID WASTE PENALTY	295	295	250	206	250
34182	SALE OF RECYCLING	2,111	175	0	0	0
34310	RECREATION FEES	8,942	7,786	7,000	6,500	6,500
34340	NON-RESIDENT FEES	328	278	300	300	300
36510	STORM SEWER CHARGES	25,889	25,690	25,500	25,850	25,850
36520	STORM SEWER PENALTIES	278	247	200	152	200
38010	WATER CHARGES	8,998	10,470	8,500	9,200	9,000
	<i>TOTAL CHARGES FOR SERVICES</i>	<u>78,173</u>	<u>76,389</u>	<u>73,250</u>	<u>73,708</u>	<u>73,600</u>
<i>MISCELLANEOUS</i>						
36211	INTEREST ON INVESTMENTS	10,597	14,958	6,147	12,539	9,488
36220	RENTS & ROYALTIES	2,310	1,155	1,155	1,155	1,155
36233	CONTRIBUTIONS	138	22	100	0	0
36250	MISCELLANEOUS POP	643	706	500	100	100
36400	INSURANCE DIVIDENDS	12,549	10,276	0	0	0
36401	INSURANCE CHARGES	48,833	48,356	0	0	0
39200	OPERATING TRANSFERS	35,116	77,644	34,000	34,000	30,000
	<i>TOTAL MISCELLANEOUS</i>	<u>110,186</u>	<u>153,117</u>	<u>41,902</u>	<u>47,794</u>	<u>40,743</u>
	<i>TOTAL REVENUES</i>	<u>199,370</u>	<u>349,864</u>	<u>126,152</u>	<u>132,502</u>	<u>125,343</u>

TOTAL SPECIAL REVENUE FUND EXPENDITURES BY LINE ITEM

ACCOUNT NUMBER	ACCOUNT TITLE	ACTUAL 1993	ACTUAL 1994	BUDGET 1995	ESTIMATED 1995	BUDGET 1996
EXPENDITURES:						
<i>COMPENSATION</i>						
60100	REGULAR SALARIES	8,594	7,349	7,375	11,630	8,212
60530	SEASONAL EMPLOYEES	15,039	13,851	15,742	15,000	15,249
64011	PERA CONTRIBUTIONS	392	329	330	522	368
64012	FICA CONTRIBUTIONS	1,793	1,644	1,768	2,040	1,795
64031	HOSPITALIZATION	1,006	537	614	931	638
64032	DENTAL	114	76	82	147	103
64033	LONG-TERM DISABILITY	42	15	18	38	23
64034	LIFE INSURANCE	16	16	16	34	26
	<i>TOTAL COMPENSATION</i>	<u>26,996</u>	<u>23,817</u>	<u>25,945</u>	<u>30,342</u>	<u>26,414</u>
<i>MATERIALS & SUPPLIES</i>						
70100	SUPPLIES	3,230	2,617	3,140	2,390	2,430
70400	NEWSLETTERS/PRINT & PUBLISHING	1,271	1,935	1,950	1,900	1,750
70500	POSTAGE	225	150	200	60	200
73000	RECREATION EQUIPMENT	281	281	500	575	600
74000	MOTOR FUEL & LUBRICANTS	191	26	75	0	50
	<i>TOTAL MATERIALS & SUPPLIES</i>	<u>5,198</u>	<u>5,009</u>	<u>5,865</u>	<u>4,925</u>	<u>5,030</u>
<i>OTHER SERVICES & CHARGES</i>						
80310	AUDIT	1,022	1,240	960	960	1,140
81900	OTHER PROFESSIONAL SERVICES	1,689	3,747	100	0	0
82030	RECYCLING CONTRACT	27,605	28,431	30,500	28,674	30,500
85020	STREET LIGHTING	24,598	22,812	25,920	23,000	24,000
86100	CONFERENCES/EDUCATION/ASSOC.	1,931	65	175	25	150
87000	REPAIR/RENTAL OF EQUIPMENT	3,659	6,152	9,500	8,850	9,500
88000	INSURANCE & BONDS	42,905	48,532	0	0	0
89000	MISCELLANEOUS	1,925	1,387	2,150	3,811	2,150
	<i>TOTAL OTHER SERVICES & CHARGES</i>	<u>105,334</u>	<u>112,367</u>	<u>69,305</u>	<u>65,320</u>	<u>67,440</u>
<i>CAPITAL OUTLAY</i>						
92000	OTHER IMPROVEMENTS	0	141,806	0	11,000	2,343
97000	OPERATING TRANSFERS	61,522	0	33,793	36,293	0
	<i>TOTAL CAPITAL OUTLAY</i>	<u>61,522</u>	<u>141,806</u>	<u>33,793</u>	<u>47,293</u>	<u>2,343</u>
	<i>TOTAL EXPENDITURES</i>	<u>199,050</u>	<u>283,000</u>	<u>134,908</u>	<u>147,880</u>	<u>101,227</u>

GENERAL FUND REVENUE BUDGET

ACCOUNT NUMBER	ACCOUNT TITLE	ACTUAL 1993	ACTUAL 1994	BUDGET 1995	ESTIMATED 1995	BUDGET 1996
<i>PROPERTY TAXES</i>						
30111	CURRENT AD VALOREM TAXES	384,613	391,878	432,131	430,000	445,959
30111	FISCAL DISPARITY TAX	116,343	100,594	88,736	88,736	103,122
30112	DELINQUENT AD VALOREM	9,375	-25,988	0	0	0
	<i>TOTAL PROPERTY TAXES</i>	<u>510,331</u>	<u>466,484</u>	<u>520,867</u>	<u>518,736</u>	<u>549,081</u>
<i>LICENSES & PERMITS</i>						
32110	CONTRACTOR LICENSES	3,246	2,810	2,500	1,960	2,000
32120	LIQUOR LICENSES	8,006	7,651	8,000	8,000	8,000
32130	CIGARETTE & AMUSEMENT LICENCES	730	540	1,500	1,000	1,000
32140	MISCELLANEOUS BUSINESS LICENSES	5,735	8,060	3,600	3,180	3,600
32210	BUILDING PERMITS	14,736	6,846	8,000	10,000	8,000
32220	MECHANICAL PERMITS	4,657	3,757	3,000	5,252	3,000
32230	PLUMBING PERMITS	1,471	972	1,200	940	1,000
32240	OTHER PERMITS	3,010	3,591	2,600	5,231	3,000
	<i>TOTAL LICENSES & PERMITS</i>	<u>41,591</u>	<u>34,227</u>	<u>30,400</u>	<u>35,563</u>	<u>29,600</u>
<i>INTERGOVERNMENTAL</i>						
33400	STATE GRANTS & AIDS (LGA)	176,267	182,902	185,927	185,927	195,374
33400	STATE GRANTS & AIDS (HACA)	162,957	165,793	168,054	168,054	162,093
33410	OTHER GRANTS	0	4,000	0	7,800	0
33411	STATE AID - POLICE PENSION	0	0	0	16,621	0
33430	MINNESOTA STATE AID	5,000	5,000	20,852	20,852	21,000
33440	INSURANCE PREMIUM - FIRE	123	40,802	19,500	19,500	19,500
33700	CABLE TV FRANCHISE FEES	13,954	13,760	13,500	14,720	13,500
	<i>TOTAL INTERGOVERNMENTAL</i>	<u>358,301</u>	<u>412,257</u>	<u>407,833</u>	<u>433,474</u>	<u>411,467</u>
<i>CHARGES FOR SERVICES</i>						
34120	PLAN CHECK FEES	8,549	3,256	2,500	8,190	5,000
34140	SPECIAL ASSESSMENT SEARCHES	436	180	250	100	150
34150	PLANNING FEES	3,915	315	400	430	400
34160	ADMINISTRATIVE FEES	411	379	225	340	300
34170	SALE OF MAPS & COPIES	171	186	125	203	125
34210	LAUDERDALE - FIRE CONTRACT	24,955	29,344	28,892	29,000	27,000
34221	FALSE ALARMS - FIRE	625	775	750	750	750
34222	FALSE ALARMS - SECURITY	3,070	1,589	1,000	1,020	1,000
34400	LAUDERDALE - FINANCIAL	1,231	80	0	0	0
	<i>TOTAL CHARGES FOR SERVICES</i>	<u>43,363</u>	<u>36,104</u>	<u>34,142</u>	<u>40,033</u>	<u>34,725</u>
<i>FINES & FORFEITS</i>						
35110	COURT FINES	70,582	63,564	75,000	80,000	75,000
	<i>TOTAL FINES & FORFEITS</i>	<u>70,582</u>	<u>63,564</u>	<u>75,000</u>	<u>80,000</u>	<u>75,000</u>
<i>MISCELLANEOUS</i>						
36211	INTEREST ON INVESTMENTS	34,321	42,674	20,066	32,826	28,152
36220	FACILITY RENTAL	3,830	4,575	3,200	3,607	3,200
36400	MISCELLANEOUS	307	4,003	500	2,000	1,000
39200	OPERATING TRANSFERS	2,803	2,355	28,826	28,826	2,465
	<i>TOTAL MISCELLANEOUS</i>	<u>41,261</u>	<u>53,607</u>	<u>52,592</u>	<u>67,259</u>	<u>34,817</u>
	<i>TOTAL REVENUE</i>	<u>1,065,429</u>	<u>1,066,243</u>	<u>1,120,834</u>	<u>1,175,065</u>	<u>1,134,690</u>

Add
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GENERAL FUND BUDGET SUMMARY

REVENUES BY CLASSIFICATION

	ACTUAL 1993	ACTUAL 1994	BUDGET 1995	ESTIMATED 1995	BUDGET 1996
PROPERTY TAXES	510,331	466,484	520,867	518,736	549,081
LICENSES & PERMITS	41,591	34,227	30,400	35,563	29,600
INTERGOVERNMENTAL	358,301	412,257	407,833	433,474	411,467
CHARGES FOR SERVICES	43,363	36,104	34,142	40,033	34,725
FINES & FORFEITS	70,582	63,564	75,000	80,000	75,000
MISCELLANEOUS	41,261	53,607	52,592	67,259	34,817
TOTAL REVENUES	1,065,429	1,066,243	1,120,834	1,175,065	1,134,690

EXPENDITURES BY DEPARTMENT

	ACTUAL 1993	ACTUAL 1994	BUDGET 1995	ESTIMATED 1995	BUDGET 1996
GENERAL GOVERNMENT	302,174	272,161	282,924	266,900	299,761
PUBLIC SAFETY	377,190	410,076	475,122	473,481	490,404
PUBLIC WORKS	142,211	188,027	186,570	179,665	188,621
RECREATION	81,609	99,851	99,729	102,511	105,405
MISCELLANEOUS	241,004	45,376	50,128	281,678	50,499
TOTAL EXPENDITURES	1,144,188	1,015,491	1,094,473	1,304,235	1,134,690

GENERAL FUND BALANCE

	ACTUAL 1993	ACTUAL 1994	BUDGET 1995	ESTIMATED 1995	BUDGET 1996
GENERAL FUND BALANCE 01/01	797,015	718,256	769,008	769,008	639,838
CHANGE IN FUND BALANCE	-78,759	50,752	26,361	-129,170	0
GENERAL FUND BALANCE 12/31	718,256	769,008	795,369	639,838	639,838

SANITARY SEWER (601)

ACCOUNT NUMBER	ACCOUNT TITLE	ACTUAL 1993	ACTUAL 1994	BUDGET 1995	ESTIMATED 1995	BUDGET 1996
REVENUES:						
<i>CHARGES FOR SERVICES</i>						
32240	SAC CHARGES	8	0	0	850	0
36100	SPECIAL ASSESSMENTS	4,491	7,100	0	2,500	2,000
37110	SANITARY SEWER CHARGES	615,302	659,608	600,000	555,000	555,000
37120	SANITARY SEWER PENALTIES	2,939	2,442	2,000	1,500	1,500
37130	OTHER CHARGES	627	676	0	0	0
	<i>TOTAL CHARGES FOR SERVICES</i>	<u>623,367</u>	<u>669,826</u>	<u>602,000</u>	<u>559,850</u>	<u>558,500</u>
<i>MISCELLANEOUS</i>						
36211	INTEREST ON INVESTMENTS	10,006	23,021	8,680	14,928	12,906
36400	MISCELLANEOUS	0	27,555	0	0	0
39200	OPERATING TRANSFERS	0	0	21	21	0
	<i>TOTAL MISCELLANEOUS</i>	<u>10,006</u>	<u>50,576</u>	<u>8,701</u>	<u>14,949</u>	<u>12,906</u>
	<i>TOTAL REVENUES</i>	<u>633,373</u>	<u>720,402</u>	<u>610,701</u>	<u>574,799</u>	<u>571,406</u>
EXPENSES:						
<i>COMPENSATION</i>						
60100	REGULAR SALARIES	35,383	36,442	30,995	32,511	33,207
60520	PART-TIME EMPLOYEES	1,313	6,777	3,710	7,602	7,126
61000	OVERTIME WAGES	30	143	150	150	150
64011	PERA CONTRIBUTIONS	1,631	1,800	1,539	1,750	1,807
64012	FICA CONTRIBUTIONS	2,770	2,805	2,655	2,988	3,085
64031	HOSPITALIZATION	4,094	2,973	3,246	3,383	3,681
64032	DENTAL	531	436	430	622	677
64033	LONG-TERM DISABILITY	98	49	61	96	100
64034	LIFE INSURANCE	58	55	55	116	123
	<i>TOTAL COMPENSATION</i>	<u>45,908</u>	<u>51,479</u>	<u>42,841</u>	<u>49,218</u>	<u>49,956</u>
<i>MATERIALS & SUPPLIES</i>						
70100	SUPPLIES	693	1,631	1,450	1,150	1,400
70500	POSTAGE	930	900	1,000	1,000	1,000
74000	MOTOR FUEL & LUBRICANTS	242	146	750	300	400
	<i>TOTAL MATERIALS & SUPPLIES</i>	<u>1,865</u>	<u>2,677</u>	<u>3,200</u>	<u>2,450</u>	<u>2,800</u>
<i>OTHER SERVICES & CHARGES</i>						
80310	AUDIT	146	155	160	160	190
85020	ELECTRIC	1,796	1,829	2,400	2,100	2,300
85060	METRO SEWER CHARGES	582,480	463,104	452,000	435,720	483,000
86030	CONFERENCES & SCHOOLS	0	0	100	345	300
87000	REPAIR EQUIPMENT	496	0	5,000	1,000	5,000
87098	SEWER STUB REPAIR	250	250	0	0	250
87600	DEPRECIATION	22,655	22,720	23,000	23,000	23,000
88000	INSURANCE & BONDS	102	75	120	120	63
89000	MISCELLANEOUS	4,605	211	500	100	300
	<i>TOTAL OTHER SERVICES & CHARGES</i>	<u>612,530</u>	<u>488,344</u>	<u>483,280</u>	<u>462,545</u>	<u>514,403</u>
<i>CAPITAL OUTLAY</i>						
92000	OTHER IMPROVEMENTS	0	0	0	0	0
97000	OPERATING TRANSFERS	63,540	0	7,500	0	0
	<i>TOTAL CAPITAL OUTLAY</i>	<u>63,540</u>	<u>0</u>	<u>7,500</u>	<u>0</u>	<u>0</u>
	<i>TOTAL EXPENSES</i>	<u>723,843</u>	<u>542,500</u>	<u>536,821</u>	<u>514,213</u>	<u>567,159</u>
	RETAINED EARNINGS - JANUARY 1	791,578	701,108	879,010	879,010	939,596
	CHANGE IN RETAINED EARNINGS	-90,470	177,902	73,880	60,586	4,247
	RETAINED EARNINGS - DECEMBER 31	<u>701,108</u>	<u>879,010</u>	<u>952,890</u>	<u>939,596</u>	<u>943,843</u>

RESCUE SERVICES (603)

ACCOUNT NUMBER	ACCOUNT TITLE	ACTUAL 1993	ACTUAL 1994	BUDGET 1995	ESTIMATED 1995	BUDGET 1996
REVENUES:						
<i>CHARGES FOR SERVICES</i>						
37500	RESCUE CHARGES	54,960	65,909	52,000	56,680	73,000
37540	RESCUE SUPPLY CHARGES	11,784	13,965	10,000	10,423	13,400
37120	RESCUE PENALTIES	34	30	25	0	0
	TOTAL CHARGES FOR SERVICES	66,778	79,904	62,025	67,103	86,400
<i>MISCELLANEOUS</i>						
36211	INTEREST ON INVESTMENTS	1,233	2,371	878	1,295	1,225
36230	CONTRIBUTIONS	0	900	0	0	0
36400	MISCELLANEOUS	0	0	0	106	0
39200	OPERATING TRANSFERS	0	0	1,910	1,910	0
	TOTAL MISCELLANEOUS	1,233	3,271	2,788	3,311	1,225
	TOTAL REVENUES	68,011	83,175	64,813	70,414	87,625
EXPENSES:						
<i>COMPENSATION</i>						
60100	REGULAR SALARIES	9,100	12,257	12,228	11,185	14,250
61510	DRILL COMPENSATION	1,741	1,638	2,000	1,800	2,000
61530	RESCUE COMPENSATION	16,303	18,436	18,000	18,000	19,000
61550	OFFICER COMPENSATION	1,265	1,499	1,800	1,740	1,800
64011	PERA CONTRIBUTIONS	532	889	548	929	1,088
64012	FICA CONTRIBUTIONS	603	1,304	2,603	2,575	2,633
64031	HOSPITALIZATION	687	795	994	789	1,054
64032	DENTAL	114	141	159	166	208
64033	LONG-TERM DISABILITY	29	25	27	43	57
64034	LIFE INSURANCE	21	23	26	29	37
	TOTAL COMPENSATION	30,395	37,007	38,385	37,256	42,127
<i>MATERIALS & SUPPLIES</i>						
70200	RESCUE SUPPLIES	3,696	5,231	3,500	3,500	5,390
70500	POSTAGE	0	9	150	7	10
74000	MOTOR FUEL & LUBRICANTS	457	603	500	500	515
77000	CLOTHING	46	45	1,450	0	1,000
	TOTAL MATERIALS & SUPPLIES	4,199	5,888	5,600	4,007	6,915
<i>OTHER SERVICES & CHARGES</i>						
80210	COURT FEES	0	0	50	0	50
80310	AUDIT	146	155	160	160	190
81900	OTHER PROFESSIONAL SERVICES	408	635	700	596	2,300
85011	CELLULAR PHONE	226	160	180	189	185
86020	TRAINING	2,258	2,248	4,000	3,330	4,100
86110	MEMBERSHIPS	0	0	300	0	150
87000	REPAIR EQUIPMENT	2,915	1,818	2,400	654	3,320
87600	DEPRECIATION	7,210	8,463	7,500	8,500	8,500
88000	INSURANCE & BONDS	3,302	2,665	3,600	3,600	2,975
89000	MISCELLANEOUS	2,495	18,793	8,500	16,100	8,755
	TOTAL OTHER SERVICES & CHARGES	18,960	34,937	27,390	33,129	30,525
<i>CAPITAL OUTLAY</i>						
92000	OTHER IMPROVEMENTS	525	43	6,550	1,500	1,500
97000	OPERATING TRANSFERS	2,803	2,355	2,465	2,465	2,465
	TOTAL CAPITAL OUTLAY	3,328	2,398	9,015	3,965	3,965
	TOTAL EXPENSES	56,882	80,230	80,390	78,357	83,532
	RETAINED EARNINGS - JANUARY 1	36,148	54,248	64,215	64,215	63,336
	CHANGE IN RETAINED EARNINGS	11,129	2,945	-15,577	-7,943	4,093
	ADD: DEPR ON CONTRIBUTED CAPITA	6,971	7,022	7,064	7,064	7,064
	RETAINED EARNINGS - DECEMBER 31	54,248	64,215	55,702	63,336	74,493

4B

TOTAL ENTERPRISE FUNDS

FUND NUMBER	FUND TITLE	ACTUAL 1993	ACTUAL 1994	BUDGET 1995	ESTIMATED 1995	BUDGET 1996
REVENUES:						
601	SANITARY SEWER	633,373	720,402	610,701	574,799	571,406
603	RESCUE SERVICES	68,011	83,175	64,813	70,414	87,625
<i>TOTAL REVENUES</i>		<u>701,384</u>	<u>803,577</u>	<u>675,514</u>	<u>645,213</u>	<u>659,031</u>
EXPENSES:						
601	SANITARY SEWER	723,843	542,500	536,821	514,213	567,159
603	RESCUE SERVICES	56,882	80,230	80,390	78,357	83,532
<i>TOTAL EXPENSES</i>		<u>780,725</u>	<u>622,730</u>	<u>617,211</u>	<u>592,570</u>	<u>650,691</u>
RETAINED EARNINGS - JANUARY 1		827,726	755,356	943,225	943,225	1,002,932
CHANGE IN RETAINED EARNINGS		-79,341	180,847	58,303	52,643	8,340
ADD:DEPR ON CONTRIBUTED CAPITA		6,971	7,022	7,064	7,064	7,064
RETAINED EARNINGS - DECEMBER 31		<u>755,356</u>	<u>943,225</u>	<u>1,008,592</u>	<u>1,002,932</u>	<u>1,018,336</u>

TOTAL ENTERPRISE FUND REVENUES BY LINE ITEM

ACCOUNT NUMBER	ACCOUNT TITLE	ACTUAL 1993	ACTUAL 1994	BUDGET 1995	ESTIMATED 1995	BUDGET 1996
REVENUES:						
<i>CHARGES FOR SERVICES</i>						
32240	SAC CHARGES	8	0	0	850	0
36100	SPECIAL ASSESSMENTS	4,491	7,100	0	2,500	2,000
37110	SANITARY SEWER CHARGES	615,302	659,608	600,000	555,000	555,000
37120	SANITARY SEWER PENALTIES	2,939	2,442	2,000	1,500	1,500
37120	RESCUE PENALTIES	34	30	25	0	0
37130	OTHER CHARGES	627	676	0	0	0
37500	RESCUE CHARGES	54,960	65,909	52,000	56,680	73,000
37540	RESCUE SUPPLY CHARGES	11,784	13,965	10,000	10,423	13,400
	<i>TOTAL CHARGES FOR SERVICES</i>	<u>690,145</u>	<u>749,730</u>	<u>664,025</u>	<u>626,953</u>	<u>644,900</u>
<i>MISCELLANEOUS</i>						
36211	INTEREST ON INVESTMENTS	11,239	25,392	9,558	16,223	14,131
36230	CONTRIBUTIONS	0	900	0	0	0
36400	MISCELLANEOUS	0	27,555	0	106	0
39200	OPERATING TRANSFERS	0	0	1,931	1,931	0
	<i>TOTAL MISCELLANEOUS</i>	<u>11,239</u>	<u>53,847</u>	<u>11,489</u>	<u>18,260</u>	<u>14,131</u>
	<i>TOTAL REVENUES</i>	<u>701,384</u>	<u>803,577</u>	<u>675,514</u>	<u>645,213</u>	<u>659,031</u>

4D

BUDGET SUMMARY--ALL FUNDS

REVENUES

	ACTUAL 1993	ACTUAL 1994	BUDGET 1995	ESTIMATED 1995	BUDGET 1996
GENERAL FUND	1,062,626	1,063,888	1,092,008	1,146,239	1,132,225
OPERATING TRANSFERS IN	2,803	2,355	28,826	28,826	2,465
TOTAL REVENUES	1,065,429	1,066,243	1,120,834	1,175,065	1,134,690
SPECIAL REVENUE FUNDS	164,254	272,220	92,152	98,502	95,343
OPERATING TRANSFERS IN	35,116	77,644	34,000	34,000	30,000
TOTAL REVENUES	199,370	349,864	126,152	132,502	125,343
DEBT SERVICE FUNDS	1,598,674	153,018	101,223	121,998	102,120
OPERATING TRANSFERS IN	1,208,068	189,898	269,200	391,966	234,000
TOTAL REVENUES	2,806,742	342,916	370,423	513,964	336,120
CAPITAL PROJECTS FUNDS	485,586	378,892	374,024	435,792	360,828
OPERATING TRANSFERS IN	1,959,105	44,333	13,000	484,821	0
TOTAL REVENUES	2,444,691	423,225	387,024	920,613	360,828
ENTERPRISE FUNDS	701,384	803,577	673,583	643,282	659,031
OPERATING TRANSFERS IN	0	0	1,931	1,931	0
TOTAL REVENUES	701,384	803,577	675,514	645,213	659,031
ALL FUNDS	4,012,524	2,671,595	2,332,990	2,445,813	2,349,547
OPERATING TRANSFERS IN	3,205,092	314,230	346,957	941,544	266,465
TOTAL REVENUES	7,217,616	2,985,825	2,679,947	3,387,357	2,616,012

EXPENDITURES/EXPENSES

	ACTUAL 1993	ACTUAL 1994	BUDGET 1995	ESTIMATED 1995	BUDGET 1996
GENERAL FUND	877,075	952,099	1,060,473	990,235	1,104,690
OPERATING TRANSFERS OUT	267,113	63,392	34,000	314,000	30,000
TOTAL EXPENDITURES	1,144,188	1,015,491	1,094,473	1,304,235	1,134,690
SPECIAL REVENUE FUNDS	137,528	283,000	101,115	111,587	101,227
OPERATING TRANSFERS OUT	61,522	0	33,793	36,293	0
TOTAL EXPENDITURES	199,050	283,000	134,908	147,880	101,227
DEBT SERVICE FUNDS	1,265,801	680,849	497,996	497,986	493,175
OPERATING TRANSFERS OUT	1,484,308	41,058	0	0	0
TOTAL EXPENDITURES	2,750,109	721,907	497,996	497,986	493,175
CAPITAL PROJECTS FUNDS	1,006,993	63,932	320,800	370,267	127,720
OPERATING TRANSFERS OUT	1,326,006	207,424	269,200	588,787	234,000
TOTAL EXPENDITURES	2,332,999	271,356	590,000	959,054	361,720
ENTERPRISE FUNDS	714,382	620,375	607,246	590,105	648,226
OPERATING TRANSFERS OUT	66,343	2,355	9,965	2,465	2,465
TOTAL EXPENSES	780,725	622,730	617,211	592,570	650,691
ALL FUNDS	4,001,779	2,600,255	2,587,630	2,560,180	2,475,038
OPERATING TRANSFERS OUT	3,205,292	314,229	346,958	941,545	266,465
TOTAL EXPENDITURES/EXPENSES	7,207,071	2,914,484	2,934,588	3,501,725	2,741,503

FUND BALANCE/RETAINED EARNINGS ALL FUNDS

	ACTUAL 1993	ACTUAL 1994	BUDGET 1995	ESTIMATED 1995	BUDGET 1996
GENERAL FUND BALANCE 01/01	797,015	718,256	769,008	769,008	639,838
REVENUES	1,065,429	1,066,243	1,120,834	1,175,065	1,134,690
EXPENDITURES	1,144,188	1,015,491	1,094,473	1,304,235	1,134,690
FUND BALANCE 12/31	718,256	769,008	795,369	639,838	639,838
SPECIAL REVENUE FUND BALANCE 01/01	224,983	225,303	292,167	292,167	276,789
REVENUES	199,370	349,864	126,152	132,502	125,343
EXPENDITURES	199,050	283,000	134,908	147,880	101,227
FUND BALANCE 12/31	225,303	292,167	283,411	276,789	300,905
DEBT SERVICE FUND BALANCE 01/01	1,753,602	1,810,235	1,431,244	1,431,244	1,447,222
REVENUES	2,806,742	342,916	370,423	513,964	336,120
EXPENDITURES	2,750,109	721,907	497,996	497,986	493,175
FUND BALANCE 12/31	1,810,235	1,431,244	1,303,671	1,447,222	1,290,167
CAPITAL PROJECTS FUND BALANCE 01/01	2,045,748	2,157,440	2,309,309	2,309,309	2,270,868
REVENUES	2,444,691	423,225	387,024	920,613	360,828
EXPENDITURES	2,332,999	271,356	590,000	959,054	361,720
FUND BALANCE 12/31	2,157,440	2,309,309	2,106,333	2,270,868	2,269,976
ENTERPRISE RETAINED EARNINGS 01/01	827,726	755,356	943,225	943,225	1,002,932
REVENUES	701,384	803,577	675,514	645,213	659,031
DEPRECIATION ON CONTRIBUTED CAPITAL	6,971	7,022	7,064	7,064	7,064
EXPENSES	780,725	622,730	617,211	592,570	650,691
RETAINED EARNINGS 12/31	755,356	943,225	1,008,592	1,002,932	1,018,336
TOTAL FUND BALANCE/ RETAINED EARNINGS 01/01	5,649,074	5,666,590	5,744,953	5,744,953	5,637,649
REVENUES	7,217,616	2,985,825	2,679,947	3,387,357	2,616,012
DEPRECIATION ON CONTRIBUTED CAPITAL	6,971	7,022	7,064	7,064	7,064
EXPENDITURES/EXPENSES	7,207,071	2,914,484	2,934,588	3,501,725	2,741,503
TOTAL FUND BALANCE/ RETAINED EARNINGS 12/31	5,666,590	5,744,953	5,497,376	5,637,649	5,519,222

CONSENT

Meeting Date: 3/13/96

Item: 4

ITEM DESCRIPTION: Request for authorization to hire a streetsweeper for the city's spring and fall streetsweeping

SUBMITTED BY: Carol Kriegler, Director of Parks, Recreation, Grounds and Facilities

Pete Klingenberg, Public Works and Parks Superintendent

REVIEWED BY: Susan Hoyt, City Administrator

EXPLANATION / SUMMARY:

The city has traditionally conducted bi-annual sweeping in an effort to reduce the sand and grit that accumulates on the streets and to keep it outside of people's homes and away from the stormsewers.

Staff requested proposals from seven contractors for the '96 spring and fall sweeping of the city's residential streets, alleys, and parking lots; and the hauling of materials to the appropriate disposal site. Six proposals were received. All firms were asked to provide municipal/public references as well as identify the number and model year of sweepers to be used on the project.

The city budgeted \$13,000 for its 1996 streetsweeping costs. Following are the proposals received.

- Mike McPhillips Inc. \$10,900.00
- Quality Outdoors \$10,950.00
- Astech Corp. \$12,498.99
- Loomis \$21,660.00
- Rustad and Assoc. \$19,350.00
- Allied Blacktop \$60.50/hr. sweeping
\$44.50/hr. dump truck

Based on cost and a positive performance history with the city, staff recommends acceptance of the Mike McPhillips Inc. proposal. In previous years, McPhillips has conducted the sweeping efficiently and expediently with little supervision or inconvenience to residents.

ACTION REQUESTED: Authorization to contract with Mike McPhillips Inc. for the city's 1996 streetsweeping.

CONSENT
Meeting Date: 3/13/96
Item: 5

ITEM: Awarding Contracts for Tree Removal and Tree Trimming for 1996

SUBMITTED BY: Linda Treeful, City Forester

REVIEWED BY: Susan Hoyt, Administrator

EXPLANATION/DESCRIPTION:

A portion of the annual budget is devoted to tree planting, removal and trimming. Tree removal costs vary year to year depending on the number of diseased and storm damaged trees. Tree trimming costs are based on the area to be trimmed as indicated by the five year trimming schedule. In 1995, the city spent \$11,293.28 on tree trimming and removal. There is \$11,700 budgeted for these items in the 1996 budget. The total cost for all services is estimated at \$9,655.

The city requested cost proposals from S & S Tree Specialists for the following projects in 1996:

University Grove Trimming Cycle	\$1,055.00
Hoyt Ave. Trimming (between Hamline & Snelling)	1,100.00
Tree Removal contract estimate	3,500.00
Tree Trimming contract estimate for first-time trimming of city hall and park trees and for non-scheduled trimming of other boulevard trees when necessary	4,000.00

The staff recommends that in 1996 the city contract with S & S Tree Specialists for the above services for the following reasons:

1. The city has had very good service from S & S Tree Specialists over the past four years with few complaints and a ready response to emergencies with good interaction with staff and residents.
2. S & S Tree Specialists follow-through with the work they commit to in a timely fashion, cleaning up thoroughly after the work is performed.

ACTION REQUESTED: Approval of S & S Tree Specialists for tree services for the 1996 season.

POLICY
Meeting Date: 3/13/96
Item: 1

ITEM: Appointment to the city council

SUBMITTED BY: Mayor Sue Gehrz
Councilmember Sam Jacobs
Councilmember Jan Gibson Talbot
Councilmember John Hustad

EXPLANATION/DESCRIPTION:

Due to the election of Mayor Sue Gehrz, a council vacancy has occurred. After hearing presentations and interviewing six candidates for the position, the city council will appoint a candidate to fill the open council seat.

The new councilmember will be sworn in at the March 27, 1996 city council meeting.

ACTION REQUESTED: Make appointment to the open city council seat.

QADA

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POLICY
Meeting date: 3/13/96
Item: 1

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ITEM: The appointment of to the city council

SUBMITTED BY: Mayor Sue Gehrz
Councilmember Sam Jacobs
Councilmember Jan Gibson Talbot
Councilmember John Hustad

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EXPLANATION/DESCRIPTION:

Due to the election of Mayor Sue Gehrz, a council vacancy occurred. After hearing presentations and interviewing six candidates for the position, the city council ~~selected to fill the position until January, 1998.~~ will present a candidate to the ~~city council~~. ~~The new~~ councilmember will be sworn in at the March 27, 1996 city council meeting.

fill the open council seat

~~ATTACHMENTS:~~

~~1 Application for city council~~

ACTION REQUESTED:

Make opportunity open seats
~~Move to appoint~~ to the city council to fill the vacancy created in January, ~~1996.~~

POLICY

Meeting date: 3/13/96

Item: 2

ITEM: Proposed Amendment to Chapter 2 (A) of the Administrative Code related to the Human Rights Commission

SUBMITTED BY: Susan Hoyt, City Administrator

EXPLANATION/DESCRIPTION:

The city council created the human rights commission in May, 1968. Twenty-eight years later the city continues to rely upon the human rights commission as its vehicle to advise the council and administration on issues dealing with human rights and discrimination. Over the years, the role of the commission has changed. Currently, formal civil claims of unfair discriminatory practice under state statute chapter 363 are typically handled by the State Department of Human Rights with its expertise and experience in these issues. However, the community needs an appointed body that is aware of and ready to provide education and advice on human rights issues.

Therefore, in an effort to update the structure of the human rights commission to make it more responsive to the city's current needs, the council discussed some revisions to the commission at its January 10 and January 24 meetings. The council liaison to the commission, Jan Gibson Talbot, contacted the two currently active commissioners whose terms have not yet expired, to get their input on the concepts being discussed. Commissioner Shigaki had no problem with the proposed changes. She is interested in serving on the commission on a special project basis only and, therefore, is not interested in being one of the three on-going commissioners. The draft amendment to the administrative manual replaces the 1968 language for the commission. The powers and duties are nearly identical to the ordinances adopted by St. Louis Park and Duluth.

ATTACHMENTS:

- 1 - Proposed revisions to Chapter 2 (A) of the Administrative Manual
- 2 - Chapter 2(A) of the administrative manual

ACTION REQUESTED:

- 1 - Review proposed changes
- 2 - Discuss and revise as necessary
- 3 - By motion, adopt revised regulations
- 4 - By motion, repeal current commission membership (Shigaki, Johnson, Martinez)
- 5 - Recruit three base members for appointment

DRAFT

7 March 1996

City of Falcon Heights
Human Rights Commission

1. Purpose

The purpose of the human rights commission is to act as the city council's appointed body to address human rights issues in the community.

2. Composition

a. Three continuing commissioners. The city council shall appoint three commissioners to meet semi-annually and at the city council's request on an as-needed basis.

b. Three commissioners for specific assignments. When the city council has a specific human rights issue to address, the city council shall appoint three additional commissioners, including one non-voting youth commissioner, for the time necessary to study and address the specific issue. The city council may request that representatives from the local school or church or a resource group or additional youth representatives join the commission to study a specific issue. Representation from these organizations shall not be mandatory nor shall the participants from these organizations be counted as the three additional members of the commission.

3. Qualifications

The city council shall appoint commissioners based upon an individual's ability to contribute to the commission. The city council shall consider diversity in making appointments to the commission. All commissioners shall be residents of the city. Participants from the local school, church or other resource groups shall not be required to be residents of the city.

4. Terms

The three continuing commissioners shall serve for a three year period beginning in January 1 of the calendar year. The two additional commissioners appointed for special issues shall serve until the issue or activity is completed or for a maximum of three years. No commissioner shall serve more than two, three year consecutive terms nor more than six consecutive years.

5. Removal

Commissioners shall be subject to removal for cause by a four-fifths vote of the city council. Failure to attend regular meetings shall be one basis for removal for cause.

6. Organization

The commission shall select a chair to conduct the meetings if it deems it necessary to do so. The commission shall record minutes of commission meetings.

7. Powers and duties

- a. To advise the city council and administration on human rights issues and policies.
- b. To educate the community about cultural diversity and human rights through local programs and activities.
- c. To cooperate with other groups and governmental agencies concerned with human rights.
- d. To provide support and information services to persons on matters of human rights, discrimination and cultural diversity.
- e. To explore developing a community readiness plan to address problems arising from discrimination and intolerance.
- f. To refer all claims for unfair discriminatory practice made to the local commission to the State Commissioner of Human Rights (State Statute 363.116) for the State Commissioner's review and findings as defined by state statute.

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 or more than eight consecutive years.

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.
6. 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. On or before February 15 of each year, the commissions shall submit to the council work reports for 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 eliminate 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.
 - 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.

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 policy and of the rules, regulations and relevant orders of the commission issued pursuant to this section.
- d. The contractor will furnish all information and reports required by this policy 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 policy, or by rule, regulation or order of the commission, or as otherwise provided by law.
- f. The contractor will include the provisions of this policy 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 policy pursuant to such rules, regulations and orders as the commission may deem necessary and appropriate to achieve the purpose of this policy. Failure to comply with such rules,

regulations and orders shall be subject to the enforcement provisions of this policy.

10. 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/she 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.

11. Civil Enforcement Procedure. Except as otherwise provided by Section 9, 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/her, 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/her 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

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 Section 9 has occurred, he/she shall serve on the respondent by certified mail, in addition to those notices required by Section 11(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.

ADDENDUM

POLICY

Meeting Date: 3/13/96

Item: 3 (ADDENDUM)

ITEM: Consideration of Ordinance 96-02 regarding tobacco related products

SUBMITTED BY: Martin Costello, City Attorney

REVIEWED BY: Susan Hoyt, City Administrator
Carla Asleson, Administrative Assistant/Planner

EXPLANATION/DESCRIPTION:

The city's ordinance governing tobacco sales to minors was last reviewed in August of 1994. It has since been reviewed by Martin Costello, the city's prosecuting attorney, for consistency with current statutes. To bring the ordinance into conformance with state statutes, the following amendments are proposed:

Remove Inconsistencies with State Statutes. Falcon Heights' code provides for administrative penalties when a sales clerk is caught selling a tobacco product to a minor. The idea behind the penalties was to hold the clerk responsible for his or her actions through the use of a modest fine, with the amount increasing when a clerk was caught more than once.

State law now defines sales tobacco to minors as a gross misdemeanor and it specifically states that localities cannot be less stringent than the state statute. The state law supersedes city regulation; therefore, the city must prosecute clerks under the gross misdemeanor charges instead of its own ordinances. Mr. Costello recommends repealing the section regarding clerk penalties in order to preserve uniformity. The intent of the ordinance can be applied through the prosecution process.

Language Clarification. Chapter 5-1.03 subd. D (7) clarifies that youth that purchase tobacco products under the supervision of an adult engaged in education or research purposes are exempt from state criminal penalties (it is a petty misdemeanor to purchase tobacco products when the purchaser is younger than 18 years old.) This section allows youth working with our police department to legally purchase tobacco during compliance checks.

ATTACHMENTS:

1. Proposed Ordinance 96-02
2. MN Statute 609.685 "Sale of Tobacco to Children"

ACTION REQUESTED: Approval of Ordinance 96-02.

CITY OF FALCON HEIGHTS

ORDINANCE

Date March 13, 1996

AN ORDINANCE AMENDING CHAPTER 5 OF THE CITY CODE RELATED TO
TOBACCO RELATED PRODUCTS

The City Council of the City of Falcon Heights does hereby ordain:

Section 1. Chapter 5-1.03, Subd. D of the Falcon Heights City Code is hereby amended as follows:

- ~~5. Tobacco Related Products - Sales to Minors. No person shall sell a tobacco related product to any person under eighteen years of age. Any person convicted of violating this section shall pay a fine of \$25 for the first violation payable to the court. Any person convicted of violating this section twice within a 12 month period shall pay a fine not to exceed \$100 payable to the court. Any person convicted of violating this section more than twice within a 12 month period shall be guilty of a misdemeanor.~~
6. **5. Administrative Fine, Suspension, or Revocation.** Any violation of the restrictions attached to a tobacco product license shall be cause for a suspension or revocation of such license pursuant to the provisions of Section 5-1.02B of the Falcon Heights Municipal Code. The first violation shall result in a fine of \$200 to the license holder payable to the city. Failure to pay within thirty days from the date of the invoice shall result in a two day license suspension. A second violation within 12 months shall result in a fine of \$500 payable to the city and result in a 5 day license suspension. Failure to pay the fine within 30 days from the date of the invoice shall result in a 10 day license suspension. A third violation within 12 months or for sales during a license suspension or revocation shall result in a license revocation. Licensees whose licenses have been revoked may not be eligible for another tobacco product license for up to one year from the date of license revocation. The city council may attach reasonable conditions to the reinstatement of a suspended or revoked license including the condition that the licensee and/or the licensee's employees complete, at licensee's expense, a training program, approved by the city administrator, which includes instruction on appropriate procedures for determining the age of customers and the effects of tobacco usage.

7. ~~6.~~ Exception. A person under eighteen (18) years of age who purchases or attempts to purchase tobacco-related products while under the direct supervision of a responsible adult for training, education, research or enforcement purposes shall not be subject to the ~~criminal~~ penalties imposed by ~~Subdivision 1.03(D) of this code.~~

Section 2. This ordinance, passed the 13th day of March, 1996, shall become effective upon publication.

Moved by: _____

GEHRZ ___ In Favor
GIBSON TALBOT
HUSTAD ___ Against
JACOBS

Approved by: _____

Mayor

March 13, 1996

Date

Attested by: _____

City Clerk

March 13, 1996

Date

age of 18. This sign shall fulfill the requirements under this subdivision.

609.685 SALE OF TOBACCO TO CHILDREN.

SUBDIVISION 1. Definitions. For the purposes of this section, the following terms shall have the meanings respectively ascribed to them in this section.

(a) "Tobacco" means cigarettes; cigars; cheroots; stogies; perique; granulated, plug cut, crimp cut, ready rubbed, and other smoking tobacco; snuff; snuff flour; cavendish; plug and twist tobacco; fine cut and other chewing tobaccos; shorts; refuse scraps, clippings, cuttings and sweepings of tobacco; and other kinds and forms of tobacco, prepared in such manner as to be suitable for chewing or smoking in a pipe or other tobacco-related devices.

(b) "Tobacco related devices" means cigarette papers or pipes for smoking.

SUBD. 1a. Gross misdemeanor. (a) Whoever sells tobacco to a person under the age of 18 years is guilty of a gross misdemeanor.

(b) It is an affirmative defense to a charge under this subdivision if the defendant proves by a preponderance of the evidence that the defendant reasonably and in good faith relied on proof of age as described in section 340A.503, subdivision 6.

SUBD. 2. Misdemeanor. Whoever furnishes tobacco or tobacco-related devices to a person under the age of 18 years is guilty of a misdemeanor.

SUBD. 3. Petty misdemeanor. Whoever possesses, smokes, chews, or otherwise ingests, purchases, or attempts to purchase tobacco or tobacco related devices and is under the age of 18 years is guilty of a petty misdemeanor. This subdivision does not apply to a person under the age of 18 years who purchases or attempts to purchase tobacco or tobacco related devices while under the direct supervision of a responsible adult for training, education, research, or enforcement purposes.

SUBD. 4. Effect on local ordinances. Nothing in subdivisions 1 to 3 shall supersede or preclude the continuation or adoption of any local ordinance which provides for more stringent regulation of the subject matter in subdivisions 1 to 3.

SUBD. 5. Exception. Notwithstanding subdivision 2, an Indian may furnish tobacco to an Indian under the age of 18 years if the tobacco is furnished as part of a traditional Indian spiritual or cultural ceremony. For purposes of this subdivision, an Indian is a person who is a member of an Indian tribe as defined in section 257.351, subdivision 9.

609.686 FALSE FIRE ALARMS; TAMPERING WITH OR INJURING A FIRE ALARM SYSTEM.

SUBDIVISION 1. Misdemeanor. Whoever intentionally gives a false alarm of fire, or unlawfully tampers or interferes with any fire alarm system,