

City of Falcon Heights
Regular Meeting of the City Council
City Hall
2077 W. Larpenteur Avenue

October 28, 1998

A G E N D A

- A. CALL TO ORDER: 7 p.m.
- B. ROLL CALL: GEHRZ ___ GIBSON TALBOT ___ HUSTAD ___
 JACOBS ___ KUETTEL ___ HOYT ___ ASLESON ___
 ATTORNEY ___ ENGINEER ___
- C. COMMUNITY FORUM
- D. APPROVAL OF MINUTES: October 14, 1998 (Tab #1)
- E. PUBLIC HEARING: None
- F. CONSENT AGENDA:
 - 1. Disbursements (Tab #2)
 - a. General disbursements through 10/23/98, \$109,686.62
 - b. Payroll, 10/1/98 to 10/15/98, \$9,920.14
 - 2. Licenses (Tab #3)
 - 3. Cancellation of November 11, 1998 council meeting and scheduling a city workshop on November 4, 1998 at 6:00 p.m. (Tab #4)
 - 4. Location of a temporary school bus stop sign at 1411 W. California Ave. (Tab #5)
 - 5. Accept the donation of a tree in honor of Fred Brown on behalf of the friends and neighbors of the Ray and Concha Brown family (Tab #6)
- G. POLICY AGENDA:
 - 1. Minor modifications to the streetscape plan (Tab #7)
 - 2. Discussion on the proposed revisions to the ordinance related to the revocation or suspension of liquor licenses Chapter 6 Section 3.06 (Tab #8)
 - 3. Update on the city's 50th birthday party planning (Tab #9)
 - 4. Information on emergency management planning (Tab #10)
- H. INFORMATION AND ANNOUNCEMENTS:
- I. ADJOURN

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G. POLICY AGENDA:

1. Minor modifications to the streetscape plan **(Tab #7)**
2. Discussion on the proposed revisions to the ordinance related to the revocation or suspension of liquor licenses Chapter 6 Section 3.06 **(Tab #8)**
3. Update on the city's 50th birthday party planning **(Tab #9)**
4. Information on emergency management planning **(Tab 10)**

H. INFORMATION AND ANNOUNCEMENTS:

I. ADJOURN

**CITY OF FALCON HEIGHTS
REGULAR CITY COUNCIL MEETING
MINUTES OF OCTOBER 14, 1998**

DRAFT

Mayor Gehrz convened the meeting at 7:01 p.m.

PRESENT

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

COMMUNITY FORUM

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

MINUTES OF SEPTEMBER 23, 1998

Minutes were approved by unanimous consent, with the addition of the words "After much discussion" to the beginning of the first sentence of paragraph three on page three.

CONSENT AGENDA

Councilmember Hustad moved approval of the following consent agenda. The motion passed unanimously.

1. Disbursements
2. Licenses
3. Approval of election judges for the November 3, 1998 election
4. Approval of Resolution 98-27, authorizing City Clerk to apply for SCORE recycling grant funds
5. Awarding contract for the 1998 sidewalk replacement and repairs
6. Approval of Resolution 98-30, continuing participation in the Metropolitan Livable Communities Act
7. Authorization to proceed with the repair of the brick retaining walls and modification of the roof scupper at City Hall

POLICY AGENDA

REQUEST TO RECONSIDER REMOVAL OF THE STOP SIGNS AT ARONA STREET AND IDAHO AVENUE

Mayor Gehrz moved to reconsider the city council's previous action regarding the removal of the stop signs on Arona Street at Idaho Avenue. The motion to reconsider passed unanimously.

Councilmember Gibson Talbot expressed regret at being unable to attend the previous meeting where this subject was discussed. She noted that she lives very near this corner and sees many pedestrians crossing Arona at Idaho to use the park. Therefore, she would support maintaining the four way stop at Idaho and Arona because it meets the same reasons that the engineer used in recommending a four way stop on Iowa Avenue.

Engineer Maurer provided background information on four way stops: He reviewed the standard traffic warrants for locating four way stop signs and commented that, although he had not studied the traffic on the intersection carefully, he would not expect that the Idaho intersection met the standard traffic warrants for a four way stop. Maurer explained that he didn't believe any of the stop signs in that neighborhood probably met the standard traffic warrants for a four way stop. Maintaining the Idaho stop sign would not be out of context with the rest of the neighborhood. Maurer said that typically stop signs are not the best way to provide for pedestrian safety because cars roll through stop signs, especially when there are several stop signs close together.

Councilmember Gibson Talbot stated a number of vehicles run the red light through the Larpenteur/Arona intersection each week. She asked if having a controlled intersection at Idaho/Arona would decrease the speed with which drivers approach Larpenteur/Arona. Maurer speculated that people might roll through the Idaho/Arona intersection a bit faster without the stop sign, but there's no way to know for certain without studying the actual traffic patterns.

Councilmember Kuettel asked if crosswalks would have any effect upon traffic at these intersections. Maurer replied that crosswalks are probably not warranted at the Idaho/Arona intersection, because they are typically used on higher volume streets to inform pedestrians where to cross and to alert drivers that pedestrians will be crossing at that location.

Councilmember Hustad stated that the studies he's read have indicated that stop signs are not meant for pedestrian safety and that they sometimes provide a false sense of security as Engineer Maurer had noted before. Hustad commented that if the purpose of having an additional stop sign at Idaho is to reduce accidents at Larpenteur and Arona, it might be worth considering placing stop signs at the California/Arona intersection, which is one block south of Larpenteur.

Mayor Gehrz recalled that Engineer Maurer's recommendation for a stop sign at Iowa were based upon 1) the amount of traffic using Arona as a bypass for Snelling Avenue, and 2) the Iowa Avenue entrance to Curtiss Field. The same conditions exist at the Idaho/Arona intersection. Gehrz also commented that the studies cited indicate that at least 75% of vehicles either stop or nearly stop at controlled intersections, which make for a better degree of safety for pedestrians.

Mr. Mitchell Rothman, 1485 W. Idaho Avenue, presented a petition signed by 33 residents in 25 homes, asking that the four way stop at Idaho and Arona be maintained. He stated that the stop signs provide additional pedestrian safety at this intersection since a number of children use Idaho to access Curtiss Field. In addition, it makes sense to have stop signs at Idaho since it is halfway between Hoyt and Larpenteur. Rothman also noted that a fair amount of traffic accessing Arona from the parking lot at Arona and California. Having a stop sign at Idaho may help slow down traffic travelling south from the shopping center.

Ms. Ginny Allen, 1490 W. Idaho Avenue, noted that the California/Arona intersection could not have a four way stop since California does not extend west of Arona.

Ms. Mary Kruse, 1525 W. Idaho Avenue, noted that there is no access to Curtiss Field from California Avenue so a stop sign would not be warranted there.

Ms. Joan Paulson, 1511 W. Idaho Avenue, stated that her concern is the speed with which the Pizza Hut drivers leave the shopping center parking lot. It would be helpful to make those drivers stop twice at Idaho and at Iowa to slow down their vehicle speed as they drive south.

Councilmember Hustad stated that he will support leaving the four way stop at the Idaho/Arona intersection, despite his concerns about the proliferation of stop signs. The Idaho entrance to Curtiss Field makes this request unique. In addition, Hustad stated that it is important for residents to feel that this intersection is safe, even if they're statistically not any safer with a four way stop.

Councilmember Jacobs commented that he isn't completely convinced that a four way stop is going to make the intersection any safer for pedestrians.

Mayor Gehrz noted that her motion was to reconsider the council's decision to remove the stop sign on Arona at Idaho, which would leave four way stop signs at both the Idaho/Arona and the Iowa/Arona intersections. The motion passed unanimously.

UPDATE ON CITY'S Y2K EFFORTS

Mayor Gehrz introduced Kris Grangaard, a Falcon Heights resident who is investigating the Y2K issue. She is looking for volunteers to get information out to residents about potential Y2K compliance for the city and homes.

APPROVAL OF RESOLUTION 98-29, FINDING THAT THE SITE FOR THE UNIVERSITY OF MINNESOTA WOMEN'S INTERCOLLEGIATE SOCCER STADIUM DOES NOT REQUIRE FURTHER ACTION ON THE CITIZEN'S PETITION TO THE MINNESOTA ENVIRONMENTAL QUALITY BOARD (EQB)

Administrator Hoyt introduced a resolution finding that the new site for the University of Minnesota's Women's Intercollegiate Soccer Stadium does not require further action on the citizen's petition submitted to the Minnesota Environmental Quality Board (EQB). As the responsible governmental unit for the project, the city had previously requested that an Environmental Assessment Worksheet (EAW) be prepared for the original stadium site south of Larpenteur Avenue. The new stadium site on the north side of Larpenteur Avenue is significantly different than the previously proposed site.

Councilmember Hustad moved approval of Resolution 98-29, finding that the site for the University of Minnesota Women's Intercollegiate Soccer Stadium does not require further action on the citizen's petition to the Minnesota Environmental Quality Board. The motion passed unanimously.

APPROVAL OF RESOLUTION 98-28, ACCEPTING A FEASIBILITY REPORT AND ORDERING AN IMPROVEMENT HEARING ON THE NORTHEAST STREET IMPROVEMENT PROJECT

Administrator Hoyt reported that two informational hearings on the proposed 1999 street reconstruction project were recently held for property owners. The project's estimated cost is \$1,408,000 with a proposed residential taxpaying assessment rate, to be finalized at a later date, of \$26.50 per front foot to benefitting property owners.

Engineer Maurer explained that the streets would be reconstructed to existing widths with curb, gutter, and additional storm sewer where needed. The utilities, water, gas, electric, telephone, and cable, will be contacted. The current plans do not call for a public pathway on Garden Avenue. The city staff will look into the feasibility of this.

Councilmember Jacobs moved approval of Resolution 98-28, accepting a feasibility report and ordering an improvement hearing for December 16th at 7:00 p.m. on the 1999 Northeast Street Improvement project. The motion passed unanimously.

AUTHORIZATION TO PURCHASE COMPUTER EQUIPMENT

Mr. Jeff Bergman, representing GE Capital IT Solutions, explained that the proposed \$2,700 expenditure for computer equipment will provide remote access to the city's network server and for the capability to produce a web page.

Councilmember Gibson Talbot moved approval of the expenditure of up to \$2,700 for upgrades to the city's computer system. The motion passed unanimously.

OFF-SITE VISIT TO VIEW COMMUNITY MARKER LOCATIONS

The council left the council chambers at 8:05 p.m. to visit the community marker locations. They returned to the council chambers at 9:05 p.m.

APPROVAL OF MEETING DATE WITH FALCON HEIGHTS BUSINESSES

A breakfast with Falcon Heights business owners/proprietors was scheduled for 8:00 a.m. on Thursday, November 5, 1998.

APPROVAL OF EASEMENT AGREEMENT AND OF CHANGE ORDER #2 OF SIGN PACKAGE C-1 WITH JAY BROTHERS FOR CONSTRUCTION OF THE SIGN TO BE LOCATED AT HAMLIN AND LARPENTEUR AVENUES AND RELOCATION OF THE THATCHER CLINIC SIGN

Administrator Hoyt reported that locating a community marker at the Hamline and Larpenteur entrance to the city requires an easement agreement with the owners of the Thatcher Clinic, located at 1347 W. Larpenteur Avenue, as well as relocating the existing Thatcher Clinic sign. The total cost of the easement, Thatcher sign relocation,

community marker construction, lighting, and landscaping is \$33,580.00. This arrangement allows the city to locate a community marker sign at City Hall.

The council discussed the possibility of having the Hamline sign be 10 feet high instead of 8 feet high.

Councilmember Hustad moved approval of the agreement, easement agreement, and change order #2, pending final sign-off by the city administrator and the city attorney. Hustad stipulated that the size of the city sign be ten feet high by four feet wide. The motion passed unanimously.

APPROVAL OF MODIFICATIONS IN LIGHTING AND LETTER BACKGROUND ON COMMUNITY SIGNS

Administrator Hoyt reported that a community resident and graphic artist, Glen Osterberg, had designed an alternative lettering format to make the community marker signs more visible in the evening. The proposed design uses a deeper green and gold logo on a piece of tempered glass that will be attached to the front of the sign. The letters will be centered rather than left-justified and about the same size as the present logo. Improvements in the lighting using micro-spots will also improve visibility. The city council was able to see a sample of the lettering and lighting earlier in the evening.

Councilmember Gibson Talbot moved approval of the expenditure of \$8,000 for redesigned lighting and letter logo for the community signs. The motion passed unanimously.

ADJOURNMENT

The meeting adjourned at 9:34 p.m.

Susan L. Gehrz, Mayor

Carla Asleson
Recording Secretary

CONSENT 1
Meeting Date: 10/28/98

ITEM DESCRIPTION: Disbursements

SUBMITTED BY: Roland Olson, City Accountant

EXPLANATION/SUMMARY:

- a. General disbursements through October 23, 1998, \$109,686.62
- b. Payroll, 10/1/98 to 10/15/98, \$9,920.14

ACTION REQUESTED: Approval

a.

APPROVAL OF BILLS
PERIOD ENDING: 10-23-98

CHECK#	VENDOR NAME	DESCRIPTION	DEPT.	AMOUNT
	NORTHWEST YOUTH & FAMILY	10/98 PROF SVCS	-----	4,682.10
	PIPE SERVICES CORP.	SANITARY SEWER TV INSP	-----	2,605.46
	SENSIBLE LAND USE COALIT.	99 MEMBERSHIP	-----	75.00
	*** TOTAL FOR DEPT 00			7,362.56
	MN MAYORS ASSOCIATION	98 ANNUAL CONFERENCE	LEGISLAT	120.00
	*** TOTAL FOR DEPT 11			120.00
	CARLA ASLESON	DISH SOAP FOR KITCHEN	ADMINIST	5.33
	AMERICAN OFFICE PRODUCTS	TONER,PENS,LABELS,CALEDR	ADMINIST	182.92
	AMERICAN OFFICE PRODUCTS	PAPER	ADMINIST	12.51
	AMERICAN OFFICE PRODUCTS	POST IT NOTES, PADS	ADMINIST	45.90
	AMERICAN OFFICE PRODUCTS	STAPLES,PRINT CARTRIDGES	ADMINIST	94.59
	ASPHALT DRIVEWAY	REFUND PERMIT FEE	ADMINIST	29.75
36773	US BANCORP	DAY PLANNER	ADMINIST	31.95
36773	US BANCORP	STAMPS	ADMINIST	322.77
36773	US BANCORP	COMPUTER BOOKS	ADMINIST	69.74
36774	US BANKCORP	NEC VERSA 27XX	ADMINIST	210.95
	ICMA RETIREMENT TRUST 457	10/98 ASLESON	ADMINIST	200.00
	INSTY-PRINTS PLUS	ENVELOPES	ADMINIST	277.43
	LEAGUE OF MN CITIES	Y2K CONFERENCE	ADMINIST	10.00
36767	MN DEPARTMENT OF REVENUE	10/15 ST WITHHOLDINGS	ADMINIST	677.23
36768	PERA	10/15 PERA WITHHOLDINGS	ADMINIST	1,324.61
	PHILLIPS, PATRICIA	COFFE FILTERS/KITCHEN	ADMINIST	1.25
	PHILLIPS, PATRICIA	MILEAGE REIMBURSEMENT	ADMINIST	2.60
	RSVP	REIM VOLUNTER EXP	ADMINIST	2.08
	RAMSEY COUNTY	10/98 INS	ADMINIST	3,100.65
	ROSEVILLE ROTARY CLUB	OCT-DEC DUES & MEALS	ADMINIST	202.75
36771	TARGET	CARAFE REPLACEMENT	ADMINIST	8.51
	UNITED WAY	PHILLIPS 3RD QTR	ADMINIST	36.00
	COORDINATED BUS. SYSTEMS,	4TH QTR COPIER MAINTENCE	ADMINIST	564.33
	*** TOTAL FOR DEPT 12			7,413.85
	ROLAND OLSON	APR-SEPT MILEAGE REIMB	FINANCE	66.30
	KINKO'S	COPY CHRGS FOR BUDGET	FINANCE	271.58
	*** TOTAL FOR DEPT 13			337.88
	CAMPBELL KNUTSON	9/98 GENERAL MATTERS	LEGAL	1,699.45
	*** TOTAL FOR DEPT 14			1,699.45
	CARLA ASLESON	MILEAGE	ELECTION	26.33
	CARLA ASLESON	ORG JUICE/ELECTION JUDGS	ELECTION	4.98
	*** TOTAL FOR DEPT 15			31.31
	PHILLIPS, PATRICIA	50TH BIRTHDAY PARTY EXPS	COMMUNIC	12.27
	*** TOTAL FOR DEPT 16			12.27
	CASTLE INSPECTION. SVC	BLDG INSPEC 3RD QTR	PLANNING	5,732.27
	CASTLE INSPECTION SVC	INSPECTN 3RD QTR	PLANNING	144.60
	DAHLGREN SHARDLOW & UBAN	PROJ 4156.1 SITE SOCCER	PLANNING	811.50
	DAHLGREN SHARDLOW & UBAN	PROJ 4156 WMS SOCCER STD	PLANNING	606.93
	DAHLGREN SHARDLOW & UBAN	PROJ 1501 ALT SITE SOCCR	PLANNING	272.99
	*** TOTAL FOR DEPT 17			7,568.29
	NSP	ELECT CIVIL DEFENSE SIRM EMERGENC		6.28

APPROVAL OF BILLS
 PERIOD ENDING: 10-23-98

CHECK#	VENDOR NAME	DESCRIPTION	DEPT.	AMOUNT
*** TOTAL FOR DEPT 21				6.28
	ST. ANTHONY VILLAGE	11/98 POLICE SVCS	POLICE	28,028.33
*** TOTAL FOR DEPT 22				28,028.33
	AMERIPRIDE LINEN&APPAREL	LINEN CLEANING	FIRE FIG	38.99
	EMERGENCY APPARATUS MAINT	753 LEAK REPAIR	FIRE FIG	464.07
	MINNESOTA CONWAY	RECHARGE FIRE EXTINGHERS	FIRE FIG	18.20
	MINNESOTA CONWAY	RECHARGE FIRE EXTINGHERS	FIRE FIG	56.22
	USWEST COMMUNICATIONS	TELE CHRGS TO 10/10	FIRE FIG	65.05
	PEG CLARKIN	REIMB FOR PRINT CARTRDGS	FIRE FIG	59.62
*** TOTAL FOR DEPT 24				702.15
	UNITED WAY	IVERSON 3RD QTR	FIRE PRE	30.00
*** TOTAL FOR DEPT 25				30.00
	GRAINGER, W. W., INC.	US FLAG FOR CITY HALL	CITY HAL	39.35
*** TOTAL FOR DEPT 31				39.35
	ALLIED BLACKTOP CO.	SEAL COATING PYMT # 1	STREETS	18,567.66
	FRICKE & SONS SOD, INC.	SOD GROVE BLVD	STREETS	70.29
	LOCATORS & SUPPLIES INC	ORANGE FLAGS	STREETS	13.70
	ST PAUL BANNER & SIGN CO	NO PARKING SIGNS	STREETS	32.10
	T.A. SCHIFSKY & SONS, INC	ASPHALT PATCHING	STREETS	48.99
*** TOTAL FOR DEPT 32				18,732.74
	MARGOLIS BROTHERS	SUGAR MAPLE/SKYLNELOCUST	TREE PRO	394.05
	PRECISION TREE COMPANY	TRIMMING	TREE PRO	165.07
	PRECISION TREE COMPANY	REMOVAL 3 TREES	TREE PRO	862.65
	PRECISION TREE COMPANY	STUMP REMOVAL	TREE PRO	47.92
	D-ROCK CENTER & SMALL ENG	MULCH FOR NEW TREES	TREE PRO	39.40
	ANITA TWAROSKI	MILEAGE (APR-OCT)	TREE PRO	35.92
*** TOTAL FOR DEPT 34				1,545.01
	CARLSON EQUIPMENT COMP.	PAINT FOR STRIPING	PARK & R	17.51
	HONEYWELL INC.	4TH QTR 98 SECURITY MONI	PARK & R	108.00
	ICMA RETIREMENT TRUST 457	10/98 TRETSVAN	PARK & R	100.00
	ICMA RETIREMENT TRUST 457	10/98 MAERTZ	PARK & R	100.00
	LANDSCAPE ALTERNATIVES	BUTTEFLY GARDEN FLOWERS	PARK & R	124.64
	MN RECREATION/PARK ASSOC.	KRIEGLER TO ATTEND CONF	PARK & R	250.00
	NSP	ELECT/GAS TO 9/30	PARK & R	347.74
	NSP	AUTO PROTETIVE LIGHTING	PARK & R	22.76
	SCHARBER & SONS	JD 955 REAR ENGINE SEAL	PARK & R	272.77
	UNITED WAY	KRIEGLER 3RD QTR	PARK & R	30.00
*** TOTAL FOR DEPT 41				1,373.42
	UNITED WAY	UNITED WAY FUND T-SHIRT	EMPLOYEE	8.51
*** TOTAL FOR DEPT 52				8.51
	NSP	ELECT TO 10/15	STREET L	86.40
*** TOTAL FOR DEPT 54				86.40
	E-Z RECYCLING, INC.	10/98 RECYCLING	SOLID WA	2,559.40

APPROVAL OF BILLS
 PERIOD ENDING: 10-23-98

CHECK#	VENDOR NAME	DESCRIPTION	DEPT.	AMOUNT
36769	ST PAUL NEIGHBORHOOD ENER	RECYCLING CONTNR LABELS	SOLID WA	98.82
		*** TOTAL FOR DEPT 56		2,658.22
	GE CAPITAL INFORMATION TE	2 NEW PCS WITH CD ROMS	GENERAL	2,332.35
	GE CAPITAL INFORMATION TE	UPS POWER SYSTEM	GENERAL	691.19
	GE CAPITAL INFORMATION TE	INITIAL INSTALL(PIERCE)	GENERAL	2,102.40
		*** TOTAL FOR DEPT 63		5,125.94
	CUSTOM FIRE APPARATUS	FIRE TRK REFURBISHING	FIRE & R	2,937.45
		*** TOTAL FOR DEPT 64		2,937.45
	FASTSIGNS	GARAGE DOOR SAFETY SIGNS	PUBLIC W	133.13
		*** TOTAL FOR DEPT 65		133.13
	METROPOLITAN COUNCIL,	11/98 SS CHARGES	SANITARY	21,108.00
		*** TOTAL FOR DEPT 75		21,108.00
	CY'S UNIFORMS	BADGES/NAME TAGS	RESCUE S	133.55
	DANKO EMERGENCY EQUIPMENT	REPAIR HURST EQUIP	RESCUE S	196.69
	DANKO EMERGENCY EQUIPMENT	HYDRAULIC FLUD FOR HURST	RESCUE S	54.00
	DANKO EMERGENCY EQUIPMENT	HURST HOSE ASSEMBLY	RESCUE S	162.94
	LIFE LINK III	TNG FOR NOVAK	RESCUE S	100.00
	MOORE MEDICAL CORP	AMB RESCUE BREATHERS	RESCUE S	211.60
36770	MNSCU-FIRE/EMS/SAFETY CTR	MARVIN:CPR ON DISABLED	RESCUE S	50.00
	OXYGEN SERVICE COMPANY	OXYGEN AND AIR	RESCUE S	31.89
	SYNDISTAR INC	EMS SUPPLIES	RESCUE S	80.00
	AIRTOUCH CELLULAR	RESCUE CELLULAR TELE CHR	RESCUE S	22.61
		*** TOTAL FOR DEPT 76		1,043.28
36773	US BANCORP	PAINT	LARPENTE	63.19
	JAY BROTHERS INC	PAINT FOR ST FAIR SIGNS	LARPENTE	86.79
	ONE HOUR ROSEVILLE PHOTO	PICTURES LARP STREETSCAP	LARPENTE	9.73
	FASTSIGNS	F.H. SIGNS FOR STREETSCP	LARPENTE	195.96
		*** TOTAL FOR DEPT 82		355.67
	BERNARDY, CONNIE LANNERS	OCT 16-30 PROF SVCS	MCAD	1,227.13
		*** TOTAL FOR DEPT 84		1,227.13
		*** TOTAL FOR BANK 01		109,686.62
		*** GRAND TOTAL ***		109,686.62

PERIOD END DATE 10/15/98
SYSTEM DATE 10/14/98

****FILE UPDATED****

PAGE 1

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

CHECK TYPE	CHECK DATE	EMPLOYEE NAME NUMBER	CHECK NUMBER	CHECK AMOUNT
COM	10 14 98	30 NICHOLAS BAUMANN	28936	22.15
COM	10 14 98	32 RAYMOND BROWN	28937	25.06
COM	10 14 98	34 CLEMENT KURHAJETZ	28938	18.14
COM	10 14 98	35 LEO LINDIG	28939	35.02
COM	10 14 98	40 KEVIN ANDERSON	28940	108.11
COM	10 14 98	42 MICHAEL D. CLARKIN	28941	155.44
COM	10 14 98	47 NATHANIEL HEROLD	28942	33.94
COM	10 14 98	63 RACHELLE L. MARVIN	28943	81.61
COM	10 14 98	66 ALFRED HERNANDEZ	28944	125.78
COM	10 14 98	70 JUSTIN T. NOVAK	28945	100.72
COM	10 14 98	72 JOHN R. WOLFSBERGER	28946	89.93
COM	10 14 98	74 MARK J. ALLEN	28947	104.77
COM	10 14 98	75 JOSEPH P. KRAJEWSKI	28948	142.67
COM	10 14 98	76 STEVEN M. HOY	28949	80.63
COM	10 14 98	77 BARBARA J. LEMAY	28950	125.36
COM	10 14 98	1002 SUSAN HOYT TAFF	28951	1386.23
COM	10 14 98	1003 TERRY IVERSON	28952	1028.74
COM	10 14 98	1005 CAROL KRIEGLER	28953	647.10
COM	10 14 98	1007 PATRICIA PHILLIPS	28954	859.59
COM	10 14 98	1010 CARLA ASLESON	28955	1025.65
COM	10 14 98	1013 WILLIAM MAERTZ	28956	1049.97
COM	10 14 98	1032 TWAROSKI, ANITA	28957	110.82
COM	10 14 98	1033 DAVE TRETSVEN	28958	790.42
COM	10 14 98	1074 PATRICIA A. LOOS	28959	42.00
COM	10 14 98	1083 JAMES W. SNOWDEN	28960	191.95
COM	10 14 98	1136 ROLAND O. OLSON	28961	896.01
COM	10 14 98	1147 GEORGE BURNS	28962	152.07
COM	10 14 98	1152 KARNA M BLOOMQUIST	28963	38.79
COM	10 14 98	1160 KENT J HAMRE	28964	451.47
		COMPUTER CHECKS		9920.14
		MANUAL CHECKS		.00
		NOTICES OF DEPOSIT		.00
		****TOTALS****		9920.14

CONSENT 2
Meeting Date: 10/28/98

ITEM DESCRIPTION: Licenses

SUBMITTED BY: Pat Phillips, Licensing Coordinator

REVIEWED BY: Carla Asleson, AA/Planner

EXPLANATION/SUMMARY:

GENERAL CONTRACTOR

Attracta Sign #3718

Holmlund Masonry, Inc. #3719

ACTION REQUESTED: Approval

CONSENT 3
Date: 10/28/98

ITEM: Cancellation of November 11, 1998 council meeting and scheduling a city workshop on November 4, 1998 at 6:00 p.m.

SUBMITTED BY: Susan Hoyt, City Administrator

EXPLANATION/DESCRIPTION:

November 11 is Veteran's Day which is a legal holiday. The regularly scheduled November 11 city council meeting must be canceled since state statute prohibits the transaction of public business on this date.

In lieu of the November 11 meeting, a city council workshop is proposed to be scheduled. The workshop would begin at 6:00 p.m.

ACTION REQUESTED: Cancel November 11 council meeting and schedule a workshop for November 4 at 6:00 p.m.

CONSENT 4
Date: 10/28/98

ITEM: Location of a temporary school bus stop sign at 1413 California Avenue

SUBMITTED BY: Susan Hoyt, City Administrator

EXPLANATION/DESCRIPTION

Summary and action requested. The council is being asked to approve the staff's location of a *temporary* bus stop sign on the boulevard in front of a private home to serve a child with special needs during the school year, especially during the winter months. This situation was viewed as a unique public safety situation that required immediate action because the school bus is quite long and needs access to this boulevard. A particular concern was access to the bus when it has been snowing and walks aren't shoveled. The sign will be removed if or when it is no longer needed for school transport purposes or if the family believes that it isn't necessary. This parking request was determined to be very time sensitive and personally unique enough that action was taken without a formal process being followed. School buses typically pick up children on boulevards at the end of blocks rather than mid-way on a block.

Meets goal #1. To protect the public health and safety.

ACTION REQUESTED:

Approve the temporary school bus stop sign at 1411 California due to very unique transportation needs and recognize that it will be removed when it is not needed.

CONSENT 5
Date: 10/28/98

ITEM: Accept the donation of a tree in honor of Fred Brown on behalf of the friends and neighbors of the Ray and Concha Brown Family

SUBMITTED BY: Mr. Kielsmeier and friends and neighbors of the Brown Family of Tatum Street

REVIEWED BY: Susan Hoyt, City Administrator
Carol Kriegler, Parks, Recreation, Public Facilities
Bill Maertz, Public Works Superintendent
Fire Department

EXPLANATION/DESCRIPTION:

Summary and action requested. Friends and neighbors of the Ray and Concha Brown have donated a tree in honor of the brown's son, Fred, who recently died. The sugar maple tree is being planted in front of city hall on Saturday, October 26, 1998. The fire department is joining neighbors in the planting ceremony. Ray Brown has served Falcon Heights Fire Department for over 20 years. The tree is in a location that is easily seen from the city hall fire department and from Larpenteur Avenue.

Meets overall goal. To make this a good place to live, work and visit.

ACTION REQUESTED:

Accept the donation of a sugar maple tree in honor of Fred Brown, who grew up on Tatum Street.

ITEM: Minor modifications to the streetscape plan

SUBMITTED BY: Susan Hoyt, City Administrator

REVIEWED BY: Carol Kriegler, Director of Parks, Recreation and Public Facilities

EXPLANATION/DESCRIPTION:

Summary and action requested. The council is being asked to discuss two possible modifications to the streetscape plan including an 8'6" sign at Hamline and Snelling and decorative forest green paint applied to the lights as well as to approve an additional cost for the signs and lighting at the Hamline and Larpenteur sign and the city hall sign. These improvements are being scheduled for early to mid-November.

Meets goal #2. To enhance the unique characteristics of the city's residential and commercial neighborhoods.

Items to consider.

- Size of sign. Given the council discussion at the last council meeting regarding the sign at the east entrance to the city, the city administrator did some more careful calculations on how the size of the sign at the Hamline and Larpenteur entrance to the city will compare to other features near this site. The proposed 10' 8" sign would be about 2 ½ feet taller than the nearby 8'6" bus stop as well as about 2 ½ feet taller than the white eave on the Thatcher clinic. The smaller sign, 8'8" will be only slightly taller than the bus shelter. Unlike the other sign locations, which are adjacent to very tall trees (over 30 feet) and set off on their own, this sign is set back into the site and has the building and bus stop as nearby references. Given this, the staff believes that the smaller sign is a closer scale to other features in this setting and is requesting the council to approve locating the smaller sign here.
- Streetlight decoration. Our volunteer graphic artist, Mr. Glen Osterberg, recommended using a darker green paint on key points of the streetlights to provide more richness to the yellow and green tones. (Mr. Osterberg likes the green and yellow lights.) A demonstration light is in front of city hall for review. The cost of this is about \$100 for supplies. There will be an additional cost for renting the correct equipment to do the high painting or for contracting for the painting of the tops of the lights. Staff is researching these costs now.. Mr. Osterberg is volunteering his labor. The city's director of parks and public facilities will also work as a graphic artist on this streetlight application.

- Lighting for city hall and signs at Hamline and Larpenteur. At the last council meeting the council authorized \$8,000 for new logos and lights for the signs. However, this figure did not take into account the additional two fixtures needed for the Snelling and Larpenteur signs nor for the lighting improvements for the city hall sign. An additional sum may be needed. The city's fund balance is more than adequate to cover this expenditure.

ATTACHMENTS:

- 1 Proposed color scheme for streetlights

ACTION REQUESTED:

Consider a motion to include some or all of the following:

- Locate the 8'8" sign at Hamline and Larpenteur.
- Add a third color to the streetlights.
- Approve spending additional expenditures for sign improvements

ITEM: Discussion on the proposed revisions to the ordinance related to the revocation or suspension of liquor licenses Chapter 6 Section 3.06.

SUBMITTED BY: Susan Hoyt, City Administrator

PREPARED BY/REVIEWED BY: Roger Knutson, City Attorney

EXPLANATION/DESCRIPTION:

Summary and action requested. The city council is being asked to discuss an amendment to the liquor ordinance to assure that penalties for violating state law, especially sales to minors, are penalized appropriately. The draft ordinance, which requires some modifications before being adopted, proposes a gradual scale of penalties similar to those in Plymouth. All suspensions and revocations require a hearing before the city council according to state statute. Once the council decides on the penalties of the ordinance, the staff can schedule a meeting with the five liquor licensees and the Liquor Compliance Project people from the university to discuss the ordinance prior to final adoption. The U of M Liquor Compliance project wants to start compliance checks in 1999 and do two for each establishment. The city will be reimbursed at \$16.50 for each check to cover some of the costs which are estimated at about a \$20 per check for police time.

Meets goal #1. To protect the public health and safety.

Proposed violations of sales to minors: (Number 3 on page 3 of document)

1 st violation	3 day suspension Option here of using fine for first violation or letting the council fine \$500/day or \$2,000 maximum for the first violation and the business owner has the option to forego the hearing at the council.
2 nd violation	6 day suspension (occurs within 3 years of first appearance)
3 rd violation	18 day suspension (occurs within 5 years of first appearance)
4 th violation	revocation (occurs within 7 years of first appearance)

These penalties do not limit the council from imposing other penalties such as a 60 day suspension, etc.

Hearings before council required. This ordinance requires that a hearing be held before the council for a violation requiring suspension or revocation. Staff understands that this is required by statute before a suspension or revocation can occur. However, the council and business owner can agree to a fine which would supersede the hearing for a suspension.

Comparison to tobacco penalties (summary of key penalties).

1 st violation	\$200 fine
2 nd violation	\$500 fine and 5 day suspension
3 rd violation	Revocation

License fees.

- The state regulates the fees for off sale to a maximum of \$150 per license.
\$150 (1) J's
- The city regulates on sale fees.
 - \$4,000 for full liquor (1) (J's);
 - \$2,000 for wine (1) (Chinatown);
 - \$500 for beer (2) (Pizza Hut and Falcon Bowl)
 - \$300 for bottle club license (1) (Falcon Bowl)

These fees currently cover the costs of service to these establishments, which is what the state law says that the fee must be based upon. If a hearing was held for a violation for a beer establishment, the fee would probably not cover the cost of the attorney's work and appearance at the council hearing.

ATTACHMENTS:

- 1 Draft ordinance
- 2 Comparison with Roseville and Burnsville ordinance

ACTION REQUESTED:

- Discuss draft ordinance
- Revise as desired
- Direct staff to schedule meeting of liquor licensees and the Liquor Compliance project people to discuss the ordinance and compliance process

CITY OF FALCON HEIGHTS
RAMSEY COUNTY, MINNESOTA

ORDINANCE NO. _____

Draft 10/23/98

**AN ORDINANCE OF THE CITY OF FALCON HEIGHTS, MINNESOTA
AMENDING CHAPTER 6 OF THE CITY CODE, CONCERNING THE
REVOCATION OR SUSPENSION OF LIQUOR LICENSES**

THE CITY COUNCIL OF THE CITY OF FALCON HEIGHTS ORDAINS:

SECTION 1. Section 6-3.06 of the Falcon Heights City Code is amended to read:

6-3.06 City Council Discretion

- A. Granting or Refusing of License. All facts set out in the applications shall be investigated. ~~Opportunity shall be given to any person to be heard for or against the granting of the license.~~ After such investigation and hearing, the council shall grant or refuse the application in its discretion. Each license granted shall be issued to the applicant only and shall not be transferable to another holder unless in accordance with Section 6-7.01. Each license shall be issued only for the compact and contiguous premises described in the application. No license may be transferred to another place without the approval of the City Council.
- B. Revocation or Suspension of License.
1. Hearing Notice. Revocation or suspension of a license by the City Council shall be preceded by public hearing conducted in accordance with Minnesota Statutes Section 14.57 to 14.70. The City Council may appoint a hearing examiner or may conduct a hearing itself. The hearing notice shall be given at least 10 days prior to the hearing, include notice of the time and place of the hearing, and state the nature of the charges against the licensee.
 2. Grounds for Revocation or Suspension of License. The Council may suspend or revoke any license for the sale of intoxicating or 3.2 percent malt liquor for any of the following reasons:
 - a. False or misleading statements made on a license application or renewal, or failure to abide by the

commitments, promises or representations made to the City Council.

- b. Violation of any special conditions under which the license was granted, including, but not limited to, the timely payment of real estate taxes, and all other charges.
- c. Violation of any Federal, State, or local law regulating the sale of intoxicating liquor, 3.2 percent malt liquor, or controlled substance.
- d. Creation of a nuisance on the premises or in the surrounding area.
- e. That the licensee suffered or permitted illegal acts upon the licensed premises or on property owned or controlled by the licensee adjacent to the licensed premises, unrelated to the sale of intoxicating liquor or 3.2 percent malt liquor.
- f. That the licensee had knowledge of illegal acts upon or attributable to the licensed premises, but failed to report the same to the police.
- g. Expiration or cancellation of any required insurance, or failure to notify the City within a reasonable time of changes in the term of the insurance or the carriers.
- h. Failure of an establishment granted a license to exhibit satisfactory progress toward completion of construction within 6 months from its issuance, or failure of an establishment to operate for a period of 6 months. A hearing shall be held to determine what progress has been made toward opening or reopening the establishment and, if satisfactory progress is not demonstrated, the Council may revoke the license.

3. Presumptive Civil Penalties.

- a. Purpose. The purpose of this Section is to establish a standard by which the City Council determines the length of license suspensions and the propriety of revocations, and shall apply to all premises licensed under this Chapter.

These penalties are presumed to be appropriate for every case; however, the Council may deviate in an individual case where the Council finds that there exist substantial reasons making it more appropriate to deviate, such as, but not limited to, a licensee's efforts in combination with the State or City to prevent the sale of alcohol to minors. When deviating from these standards, the Council will provide written findings that support the penalty selected.

- b. Presumptive Penalties for Violations. The minimum penalties for convictions or violations must be presumed as follows (unless specified, numbers below indicate consecutive days' suspension):

	<i>Type of Violation</i>	<i>Appearance</i>			
		<i>1st</i>	<i>2nd</i>	<i>3rd</i>	<i>4th</i>
1.	Commission of a felony related to the licensed activity	Revocation	NA	NA	NA
2.	Sale of alcoholic beverages while license is under suspension	Revocation	NA	NA	NA
3.	Sale of alcoholic beverages to under-age person	3	6	18	Revocation
4.	Sale of alcoholic beverages to obviously intoxicated person	3	6	18	Revocation
5.	After hours sale of alcoholic beverages	3	6	18	Revocation
6.	After hours display or consumption of alcoholic beverages	3	6	18	Revocation

Appearance

<i>Type of Violation</i>	<i>1st</i>	<i>2nd</i>	<i>3rd</i>	<i>4th</i>
7. Refusal to allow City inspectors or police admissions to inspect premises	5	15	Revocation	NA
8. Illegal gambling on premises	3	6	18	Revocation
9. Failure to take reasonable steps to stop person from leaving premises with alcoholic beverages	3	6	18	Revocation
10. Sale of intoxicating liquor where only license is for 3.2 percent malt liquor	Revocation	NA	NA	NA

The council may in its discretion impose a civil fine of \$500.00 per day of suspension, up to a maximum amount of \$2,000.00, in lieu of a suspension on the first appearance.

- c. Multiple Violations. At a licensee's first appearance before the Council, the Court must act upon all of the violations that have been alleged in the notice sent to the licensee. The Council in that case must consider the presumptive penalty for each violation under the first appearance column in subsection b. above. The occurrence of multiple violations is grounds for deviation from the presumed penalties in the Council's discretion.
- d. Subsequent Violations. Violations occurring after the notice of hearing has been mailed, but prior to the hearing, must be treated as a separate violation and dealt with as a second appearance before the Council, unless the City Administrator and licensee agree in writing to add the violation to the first appearance. The same procedure applies to a second, third or fourth appearance before the

Council.

- e. Subsequent Appearances. Upon a second, third or fourth appearance before the Council by the same licensee, the Council must impose the presumptive penalty for the violation or violations giving rise to the subsequent appearance without regard to the particular violation or violations that were the subject of the first or prior appearance. However, the Council may consider the amount of time elapsed between appearances as a basis for deviating from the presumptive penalty imposed by this Section.

- f. Computation of Appearances. After the first appearance, a subsequent appearance by the same licensee will be determined as follows:
 - i. If the first appearance was within three (3) years of the current violation, the current violation will be treated as a second appearance.

 - ii. If a licensee has appeared before the Council on two (2) previous occasions, and the current violation occurred within five (5) years of the first appearance, the current violation will be treated as a third appearance.

 - iii. If a licensee has appeared before the Council on three (3) previous occasions, and the current violation occurred within seven (7) years of the first appearance, the current violation will be treated as a fourth appearance.

 - iv. Any appearance not covered by subsections i, ii, or iii above will be treated as a first appearance.

- g. Other Penalties. Nothing in this Section shall restrict or limit the authority of the Council to suspend up to sixty (60) days, revoke the license, or impose a civil fine not to exceed two thousand dollars (\$2,000.00), to impose conditions, or take any other action in accordance with law; provided, that the license holder has been afforded an

opportunity for a hearing in the manner provided for in this Chapter.

SECTION 2. Effective Date. This Ordinance shall be effective immediately upon its passage and publication.

ADOPTED this _____ day of _____, 1998, by the City Council of the City of Falcon Heights.

CITY OF FALCON HEIGHTS

BY: _____

_____, Mayor

ATTEST:

Susan Hoyt, City Administrator

This Ordinance is effective as provided by statute or charter and upon acceptance by the Company as provided in Section 10.

Passed and approved: _____, 19____.

Mayor

Attest:

City Clerk

Comparison of Liquor Ordinances Penalties for Selling Liquor to a Minor

Administrative Penalties

All three cities reserve the right to pursue criminal prosecution, civil fines, and suspension/revocation of the license at any time.
All three cities require license holder to appear before the city council (or in some cases, a council-appointed hearing examiner) before the penalty is given.

	First Appearance	Second Appearance	Third Appearance	Fourth Appearance
Roseville	\$150 fine	2 day suspension	3 day suspension	N/A
Plymouth	3 day suspension	6 day suspension	18 day suspension	Revocation
Burnsville	\$500 fine or 3 day suspension (council chooses)	6 day suspension	18 day suspension	Revocation

Computation of Appearances (when does the "clock" start again)
All violations are "first appearances", unless the

	First Appearance	Second Appearance	Third Appearance	Fourth Appearance
Roseville	N/A	occurs within 12 months of 1st appearance	occurs within 12 months of 1st appearance	N/A
Plymouth	N/A	occurs within 3 years of 1st appearance	occurs within 5 years of 1st appearance	occurs within 7 years of 1st appearance
Burnsville	N/A	occurs within 18 months of 1st appearance	occurs within 30 months of 1st appearance	occurs within 48 months of 1st appearance

POLICY 3
Date: 10/28/98

ITEM: Update on the city's 50th birthday party planning

SUBMITTED BY: Sue Gehrz, Mayor

EXPLANATION/DESCRIPTION:

Summary and action requested. Mayor Gehrz and the birthday party planning committee are moving forward with a variety of birthday party activities. It is timely to get an update on what is to come in 1999.

Meets overall goal. To make this a *fun* place to live, work and visit.

ACTION REQUESTED:

No action; update from Mayor with discussion.

ITEM: Information on emergency management planning

SUBMITTED BY: Susan Hoyt, City Administrator

EXPLANATION/DESCRIPTION:

Summary and action requested. At the League of Minnesota Cities regional meetings, the evening meeting focussed on emergency preparedness. The council will have a workshop on this topic in early 1999 with all involved personnel including the Ramsey County emergency manager, the fire department, the police department and staff. However, prior to that taking place, it is important to know the following:

Emergency management plan.

The city has an emergency preparedness plan. It is almost up to date, but needs to be further updated with available cell phone and pager numbers that may not be listed.

Public information officer and oversight of government and resources in response to a disaster. The Mayor fulfills this position. is the person in charge of

Emergency management director. The city administrator is the emergency management director.

Emergency operations center (EOC) is city hall. Come here in an emergency. Back-up EOC is the Falcon Heights Elementary School.

Local emergency declaration. The mayor may declare a local emergency. After three days the city council must consent that it is a continued emergency situation.

Mutual aid. The city has several mutual aid agreements and will have the help of the Ramsey County emergency manager.

National Guard. The county sheriff is authorized to ask for assistance from the National Guard.

The ability to make quick decisions and to keep everyone informed in an organized and timely fashion is critical.

It is important to have someone keep notes in a log so decisions can be documented.

ENCLOSURES:

- 1 Handbook from the state emergency managers for local government officials..
- 2 Emergency mangement plan of city will be distributed at the meeting.

ACTION REQUESTED:

None. A workshop will follow this distribution of information.