

**CITY OF FALCON HEIGHTS**  
**Regular Meeting of the City Council**  
**City Hall**  
**2077 W. Larpenteur Ave.**

**AGENDA**  
**June 12, 2002**

- A. CALL TO ORDER: 7 p.m.
- B. ROLL CALL:       GEHRZ \_\_\_ KUETTEL \_\_\_ LAMB \_\_\_  
                          LINDSTROM \_\_\_ TALBOT \_\_\_  
                          WORTHINGTON \_\_\_ PHILLIPS \_\_\_  
                          ATTORNEY \_\_\_ ENGINEER \_\_\_
- C. COMMUNITY FORUM:
- D. PRESENTATION:
1. Presentation by Susan Gaertner, Ramsey County Attorney **(Tab #1)**
  2. Presentation by Jennifer Thienes and Matt Mayer, Kern DeWenter, Viere, Ltd.  
City Auditors **(Tab #2)**
- E. APPROVAL OF MINUTES:   May 22, 2002 **(Tab #3)**
- F. CONSENT AGENDA:
1. General disbursements through June 5, 2002, \$27,920.65 **(Tab #4)**
  2. Licenses **(Tab #5)**
  3. Step increase and compensation increase for Deborah Jones, Zoning and  
Planning Coordinator **(Tab #6)**
  4. Adoption of chair schedule for the Board of Water Commissioners for the  
St. Paul Water Utility **(Tab #7)**
  5. Approval of slate of officers for the Falcon Heights Fire Department **(Tab #8)**
- G. POLICY AGENDA:
1. Appointment of Patrick Dolan to the Parks and Recreation Commission  
**(Tab #9)**
- H. REPORTS FROM COUNCILMEMBERS:
- I.. INFORMATION AND ANNOUNCEMENTS:
- J. ADJOURN

**Presentation 1**  
**6/12/02**

**ITEM: Presentation by Susan Gaertner, Ramsey County Attorney**

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

**EXPLANATION:**

Summary: The Council will be receiving a report on new programs and initiatives in the County Attorney's office.

**Presentation 2  
6/12/02**

**ITEM: Presentation by Jennifer Thienes and Matt Mayer, Kern DeWenter Viere, Ltd., City Auditors**

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

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

**EXPLANATION:**

Summary: The Council will be receiving the 2001 Comprehensive Audited Financial Report (CAFR), and information regarding GASB-34 and the changes to the CAFR related to the new regulations.

**DRAFT**

City of Falcon Heights  
Council Minutes  
May 22, 2002

Acting Mayor Laura Kuettel opened the meeting at 7:00 p.m.

PRESENT: Kuettel, Lamb, Lindstrom, Talbot. Also present was Heather Worthington, City Administrator and Pat Phillips, Deputy Clerk

ABSENT: Gehrz

COMMUNITY FORUM: There was no one present wishing to speak before council.

Kuettel introduced the first of three presenters on the agenda.

PRESENTATIONS:

Matt Anderson, President of the Ramsey County Library Board gave a brief report on the Ramsey County library system. He said approximately 2,861 Falcon Heights residents are current library cardholders and participate in the library's programs and activities. Without sufficient resources, the county library would have to reduce its services and accessibility to residents. Mr. Anderson asked council for their support in maintaining the current level of operation and councilmember Lindstrom made a motion to approve resolution 02-13 acknowledging this support. The motion passed unanimously.

Lt. Dominic Cotroneo of the St. Anthony Police Department presented the 2001 crime statistics for Falcon Heights and answered brief questions from council. Councilmember Lindstrom reminded everyone of the availability of gun locks at city hall and also at the police station.

Dave Engstrom of MnDOT spoke before the council to inform them of the proposed recommendation to change the speed limit on Snelling Avenue. The proposal is for a 10 mile per increase between Hoyt and Larpenteur (from 35 mph to 45 mph). Mr. Ed Brown provided councilmembers with a map of the area showing speed sample locations and summary; traffic volumes, current speed limits and preliminary proposal for future TH 51 speed limits. Councilmember Talbot expressed concern for the safety of pedestrian traffic particularly at the corners of Larpenteur and Snelling and Hoyt and Snelling. Councilmember Lindstrom said the crosswalks will have to be painted clearly and regularly. Councilmember Lamb would like to see a statistical followup analysis 6 months to 1 year after implementation to see if the change has had any impact on traffic flow, pedestrian safety, etc. These concerns/comments will be sent to MnDOT in the next two weeks.

MINUTES: The minutes of May 8, 2002 were approved as written.

CONSENT

Councilmember Lamb moved to approve the following consent agenda. The motion passed unanimously.

1. General disbursements and payroll
2. Licenses
3. Repairs to drain scupper on roof above Fire Department meeting room.

## POLICY

### Approval of Petition and Waiver Agreements for Fulham Street lighting project

Administrator Worthington said residents of Fulham Street on both the Falcon Heights and Lauderdale side, have petitioned both cities to install street lighting that would match the lantern-style lighting on the St. Paul side of Hoyt Avenue. The city has obtained the necessary petition and waiver forms from each property owner and is now ready to recommend that the improvement be ordered. Approximate cost of lighting is \$10,700 divided between twelve households total. Worthington said this project is a joint endeavor with Lauderdale and their city administrator is coordinating the reports and contract documents. After brief discussion, councilmember Talbot moved to approve the petition and waiver agreements. The motion passed unanimously.

### Adoption of Resolution 02-12, declaring the adequacy of the 100% petition and ordering a report for the proposed Fulham Street lighting improvement

Administrator Worthington said in order for the lighting project to proceed, the council is required to adopt a resolution stating that 100% of the residents who will be assessed for the work have petitioned for the work. Also, the resolution will order the improvement and direct staff to prepare reports and complete the necessary contract paperwork. Councilmember Lindstrom made a motion to adopt Resolution 02-12. The motion passed unanimously.

### Approval of not-to-exceed contract with Short Elliot Hendrickson for planning services

Administrator Worthington explained that the Planning Commission has been dealing with the issue of lot coverage in an R-1 zone in recent meetings. Staff has done a great deal of research on the issue and wishes to consult with a planning consultant. A proposal from Dan Cornejo of SEH included analysis of the zoning code provisions, recommendations on changes to the lot coverage provision, presentations to the Planning Commission and City Council, and drafting the amendments necessary to implement changes to the code. The not to exceed amount of this contract proposal is \$3,200. After brief discussion, councilmember Lindstrom made a motion to approve the contract with SEH. The motion passed unanimously.

### Discussion of possible cooperative service arrangement

Councilmember Lamb said there may be services or projects that Falcon Heights and Lauderdale can collaborate on and realize cost savings. Staff from both cities have discussed the possibility of collaborating on street sweeping or street maintenance. Lamb said sharing equipment such as bobcats might also be considered. Lamb would also like to see discussion of shared services in

areas such as forestry, inspectors, and recreation. Lamb also suggested looking into the possibility of sharing legal and engineering consultants. After considerable discussion, councilmember Lindstrom moved to authorize staff to start a line by line analysis of where the city can leverage its buying power and present it to the council at a future date. The motion passed unanimously,

#### Update on SE Corner Redevelopment

Administrator Worthington said the developer is moving forward with the redevelopment process. The Minnesota Housing Finance Agency and Met Council awarded \$3.7 million funding towards the project and \$500,000 was received from Ramsey County Housing Endowment Fund. The developer, George Sherman, and the city are drafting a final development agreement to be presented in early August. Worthington said a series of meetings with residents and business owners will be held in mid June and mid July. Worthington noted the projected timeline for demolition and groundbreaking is June of 2003 and will take approximately 18 months to complete. The project will be done in phases with the multi-family building to be done first, then the townhomes, and finally the senior units. Worthington said the MHFA will fund 25 units to people earning \$25,000/yr and 25 units to those earning between \$35,000/yr and \$55,000/yr. The rest of the units will rent at market rate including the senior units. The townhomes will be sold at market rate which is expected to be between \$225-\$250,000.

#### INFORMATION AND ANNOUNCEMENTS:

Councilmember Talbot said that scholarships in the amount of \$53,400 went to 17 young people who applied. The scholarships were offered through CTV 15 and are awarded to students whose major is applicable to the media. Talbot said eight \$5,000 scholarships, three \$2,500 scholarships and three \$1,000 scholarships were given.

Councilmember Lindstrom said that he and Councilmember Kuettel attended the meeting that Falcon Heights United Church of Christ held regarding the addition they are proposing along the Pascal side of the property. A notice of the meeting was sent to all nearby residents. It is the church's hope to have a groundbreaking in a month with completion around Easter of 2003.

#### ADJOURN

The meeting adjourned at 8:50 p.m.

Respectfully submitted,

Pat Phillips  
Deputy Clerk

CONSENT 1  
Meeting Date: 6/12/02

ITEM DESCRIPTION: Disbursements

SUBMITTED BY: Roland Olson, Finance Director

EXPLANATION/SUMMARY:

1. General disbursements through 6/5/02, \$27,920.65
2. Payroll, 5/16/02 to 5/31/02, \$12,680.95

ACTION REQUESTED: Approval

APPROVAL OF BILLS  
 PERIOD ENDING: 6-6-02

CHECK#	VENDOR NAME	DESCRIPTION	DEPT.	AMOUNT
	SPRINGSTED	REBATE CALCULATION99BOND	-----	1,300.00
	*** TOTAL FOR DEPT 00			1,300.00
	NORTH SUBURBAN	02 COOPERATIVE SVC	LEGISLAT	6,809.94
	*** TOTAL FOR DEPT 11			6,809.94
	AMERICAN OFFICE PRODUCTS	CASH BOX/WASTEBASKETS/BI	ADMINIST	55.66
	AMERICAN OFFICE PRODUCTS	COLORED PAPER/DISKETTEWS	ADMINIST	66.34
	AMERICAN OFFICE PRODUCTS	AWARD CERTIFICATE	ADMINIST	4.43
	ICMA RETIREMENT TRUST 457	JUNE/02 WORTHINGTON	ADMINIST	200.00
	INSTY-PRINTS PLUS	SMALL LETTERHEAD	ADMINIST	156.93
	MIDWAY CHAMBER COMMERCE	MAY MEETING EXP	ADMINIST	16.00
41185	MCFOA	MEMBERSHIP	ADMINIST	40.00
	NCPERS GROUP LIFE INS	JUNE/02 PHILLIPS	ADMINIST	12.00
41240	PERA	MAY 16-31 PERA	ADMINIST	1,366.79
	PHILLIPS, PATRICIA	MILEAGE REIMB	ADMINIST	4.83
41239	TWIN CITY ROOFING	REFUND(PD PERMIT TWICE)	ADMINIST	84.75
	*** TOTAL FOR DEPT 12			2,007.73
	KERN, DEWENTER, VIERE LTD	2ND INTERIM BILL/AUDIT	FINANCE	3,000.00
	*** TOTAL FOR DEPT 13			3,000.00
	FBN, INC	ADD'L SPAM ATTACK SUPPRT	COMMUNIC	127.50
	MCI WORLDCOM RES SVC	LONG DISTANCE CHRGS	COMMUNIC	18.23
	*** TOTAL FOR DEPT 16			145.73
	INSTY-PRINTS PLUS	4 STAMPS	EMERGENC	80.73
	MINNCOMM	PAGER CHARGES	EMERGENC	32.20
	XCEL ENERGY	ELECT 5/20	EMERGENC	6.28
	*** TOTAL FOR DEPT 21			119.21
	AMERIPRIDE LINEN&APPAREL	LINEN CLEANING	FIRE FIG	42.38
	AMERICAN TEST CENTER INC	TESTED LADDERS/SAFETY	FIRE FIG	383.40
	BUREAU CRIMINAL APPREHEN.	BACKGROUND CK NEW FF	FIRE FIG	15.00
	HENNEPIN TECH. COLLEGE	FIRE SCHOOL MCKAY	FIRE FIG	75.00
	HOLTZ,DAVID	VECRO	FIRE FIG	14.78
	MINNESOTA CONWAY	EXTINGUISHER RECHARGE	FIRE FIG	90.00
	NATIONAL FIRE PROTECTION	MEMBERSHIP	FIRE FIG	115.00
	SUBURBAN ACE HARDWARE	PAINT BRUSHES	FIRE FIG	23.07
	SUPERAMERICA	FUEL	FIRE FIG	51.66
	LILLIE SUBURBAN NEWSPAPER	FIRE FIGHTER ADV	FIRE FIG	158.40
	*** TOTAL FOR DEPT 24			968.69
	ALBRECHT	IRRIGATION PARTS	CITY HAL	57.35
41237	BOARD OF WATER COMMISSNRS	H2O	CITY HAL	18.30
41237	BOARD OF WATER COMMISSNRS	SS	CITY HAL	11.69
	CERTIFIED LABORATORIES	FLOOR WAX	CITY HAL	108.47
	CITY OF ST PAUL	H2O WATER, FIRE HYDRANTS	CITY HAL	135.31
41238	HOME DEPOT CRC/GEFCF	GRASS B GO	CITY HAL	27.69
	GRAINGER, W. W., INC.	3 U.S. FLAGS	CITY HAL	137.73
	M-75 BUILDING MAINTENANCE	MAY/02 CLEANING SVCS	CITY HAL	221.41
	XCEL ENERGY	ELECT TO 5/31	CITY HAL	784.30
	XCEL ENERGY	GAS TO 5/30	CITY HAL	165.41

APPROVAL OF BILLS  
 PERIOD ENDING: 6-6-02

CHECK#	VENDOR NAME	DESCRIPTION	DEPT.	AMOUNT
	PHILLIPS, PATRICIA	HANDSOAP FOR BATHROOM	CITY HAL	7.42
	SUBURBAN ACE HARDWARE	PAINT/VARNISH/WAS RING	CITY HAL	184.20
	VERIZON WIRELESS	CELL PHONE CHARGES	CITY HAL	8.33
	*** TOTAL FOR DEPT 31			1,867.61
	D-ROCK CENTER LANDSCAPE	MULCH FOR BLVD PLANTS	STREETS	197.29
	HERMES FLORAL COMPANY	FLOWERS/PLANTS BLVD	STREETS	63.98
41238	HOME DEPOT CRC/GECF	STAPLES/ STAPLE HAMMER	STREETS	92.87
41238	HOME DEPOT CRC/GECF	FLOWER PLANTINGS	STREETS	62.42
	LINDERS GARDEN CENTER	FLOWERS FOR PLANTERS	STREETS	149.73
	LINDERS GARDEN CENTER	FLOWERS FOR PLANTERS	STREETS	236.28
	XCEL ENERGY	ELECT TO 5/30	STREETS	70.77
	XCEL ENERGY	ELECT TO 5/30	STREETS	9.18
	XCEL ENERGY	ELECT TO 5/30	STREETS	80.50
	XCEL ENERGY	ELECT TO 5/30	STREETS	7.38
	SUBURBAN ACE HARDWARE	WEED PREVENTER	STREETS	46.82
	T.A. SCHIFSKY & SONS, INC	ASPHALT PATCH/TACK OIL	STREETS	90.64
	*** TOTAL FOR DEPT 32			1,107.86
41237	BOARD OF WATER COMMISSNRS	H2O	PARK & R	11.66
41237	BOARD OF WATER COMMISSNRS	SS	PARK & R	23.38
	CERTIFIED LABORATORIES	FLOOR WAX	PARK & R	108.46
41238	HOME DEPOT CRC/GECF	GRASS/RYE SEED & LUMBER	PARK & R	176.89
	ICMA RETIREMENT TRUST 457	JUNE/02 TRETSVEN	PARK & R	100.00
	ICMA RETIREMENT TRUST 457	JUNE/02 MAERTZ	PARK & R	100.00
	LINDERS GARDEN CENTER	PERRENIALS	PARK & R	83.40
	NCPERS GROUP LIFE INS	JUNE/02 MAERTZ	PARK & R	16.00
	XCEL ENERGY	ELECT TO 5/30	PARK & R	21.02
	XCEL ENERGY	ELECT TO 5/30	PARK & R	313.51
	NORTH HGHTS HARDWARE HANK	SHOP PARTS/SPRING	PARK & R	7.67
	SUBURBAN ACE HARDWARE	WEED B-GONE/CAULK/FASTNR	PARK & R	69.20
	SUPERAMERICA	FUEL	PARK & R	237.82
41187	TARGET	BASKETBALL NETS	PARK & R	53.14
	VERIZON WIRELESS	CELL PHONE CHRGES	PARK & R	17.71
	QWEST	6/02 PHONE	PARK & R	113.15
	*** TOTAL FOR DEPT 41			1,453.01
	SUSAN ENGEL	SUMMER REC PROG SUPPLIES	PARK PRO	46.77
	DIANE MEYER	PROGRAM SUPPLIES	PARK PRO	149.40
	CATHY WALTERS	REFUND:NEAR BALL CLASS	PARK PRO	14.00
	*** TOTAL FOR DEPT 50			210.17
	E-Z RECYCLING, INC.	MAY/02 RECYCLING	SOLID WA	2,559.40
	*** TOTAL FOR DEPT 56			2,559.40
	GRAINGER, W. W., INC.	48 X 24 X 78 CABINET	FIRE & R	252.35
	GRAINGER, W. W., INC.	36 C 18 X 72 CABINET	FIRE & R	140.89
	*** TOTAL FOR DEPT 64			393.24
	FASTSIGNS	SUMMER REC SIGN	PUBLIC W	243.13
	*** TOTAL FOR DEPT 65			243.13
	FLEXIBLE PIPE TOOL COMP.	JETTER NOZZLE/SKIDS ROOT SANITARY		240.24

APPROVAL OF BILLS  
 PERIOD ENDING: 6-6-02

CHECK#	VENDOR NAME	DESCRIPTION	DEPT.	AMOUNT
	XCEL ENERGY	ELECT TO 5/30	SANITARY	58.66
	***	TOTAL FOR DEPT 75		298.90
	RAMSEY CTY PUBLIC WORKS	LIFT STA MAINT/OPERATION	STORM DR	1,722.70
	***	TOTAL FOR DEPT 76		1,722.70
	CAROLE L. SMITH	JUNE 1-15 PROF SVCS	MCAD	1,213.33
	DR DAVID MATTHEWS	HONORARIUM/DIST 623 TNG	MCAD	300.00
	HAZELDEN FOUNDATION	DIST 623 DRUG CLASS	MCAD	200.00
	***	TOTAL FOR DEPT 84		1,713.33
	WILLIAM MAERTZ	TUITION REIMBURSEMENT	CONTINGE	1,000.00
41186	WORTHINGTON, HEATHER	TUITION REIMB	CONTINGE	1,000.00
	***	TOTAL FOR DEPT 92		2,000.00
	***	TOTAL FOR BANK 01		27,920.65
	***	GRAND TOTAL ***		27,920.65

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	5 30 02	6 SUSAN GEHRZ	31836	303.12
COM	5 30 02	12 LAURA A. KUETTEL	31837	277.05
COM	5 30 02	13 PETER C. LINDSTROM	31838	277.05
COM	5 30 02	14 RICHARD P TALBOT JR	31839	277.05
COM	5 30 02	15 ROBERT E LAMB	31840	277.05
COM	5 30 02	34 CLEMENT KURHAJETZ	31841	280.63
COM	5 30 02	35 LEO LINDIG	31842	64.64
COM	5 30 02	42 MICHAEL D CLARKIN	31843	108.52
COM	5 30 02	74 MARK J ALLEN	31844	64.64
COM	5 30 02	82 DUSTIN P THUNE	31845	64.64
COM	5 30 02	85 DANIEL S JOHNSON-POWERS	31846	54.64
COM	5 30 02	1003 HEATHER WORTHINGTON	31848	1395.72
COM	5 30 02	1007 PATRICIA PHILLIPS	31849	1072.85
COM	5 30 02	1013 WILLIAM MAERTZ	31850	1514.77
COM	5 30 02	1033 DAVE TRETSEVEN	31851	1090.52
COM	5 30 02	1038 DEBORAH K JONES	31852	789.76
COM	5 30 02	1039 CRAIG A STIER	31853	332.16
COM	5 30 02	1103 DIANE MEYER	31854	672.22
COM	5 30 02	1136 ROLAND O OLSON	31855	1464.32
COM	5 30 02	1143 COLIN B CALLAHAN	31856	895.57
COM	5 30 02	1144 ANITA TWAROSKI	31857	203.95
COM	5 30 02	1169 JAY PAUL KURTIS	31858	599.16
COM	5 30 02	1173 ELIZABETH M POSTIGO	31859	511.98
COM	5 30 02	1187 SUSAN ENGEL	31860	88.94

COMPUTER CHECKS	12680.95
MANUAL CHECKS	.00
NOTICES OF DEPOSIT	.00

\*\*\*\*\*TOTALS\*\*\*\*\* 12680.95

CONSENT 2  
Meeting Date: 6/12/02

ITEM DESCRIPTION: Licenses

SUBMITTED BY: Pat Phillips, Licensing Coordinator

REVIEWED BY: Heather Worthington, City Administrator

EXPLANATION/SUMMARY:

HOME OCCUPATION

Pet-Trackers Lic. #02-1206  
1740 Larpenteur Ave.

MECHANICAL CONTRACTORS

Augie's Heating, Cooling & Service Lic. #02-725  
Oakdale, MN

Superior Heating, A/C & Electric Lic. #02-726  
Anoka, MN

GENERAL CONTRACTOR (Commercial)

James Steele Construction Company Lic. #02-1006  
St. Paul, MN

ACTION REQUESTED: Approval

**Consent 3**  
**6/12/02**

**ITEM: Step increase and compensation increase for Deborah Jones, Zoning and Planning Coordinator**

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

**EXPLANATION:**

Summary: Deborah Jones completed her first year as a city employee. I have completed a performance review of Deborah, and her performance has been excellent. She has taken on a wide range of activities, projects, and code enforcement duties, and I have been impressed with her overall attention to detail, her customer service skills, her general initiative in her work, and her problem solving skills. In addition, Deb has become an integral part of our team here in Falcon Heights, and is working very effectively with other staff members in accomplishing tasks, completing projects and taking on new initiatives. Therefore, I am recommending a 7% increase to Step 3, effective as of May 15, 2002.

**ACTION REQUESTED:**

Approval of a 7% raise for Deborah Jones, and a step increase to Step 3.

**ITEM:** Adoption of chair schedule for the Board of Water Commissioners for the St. Paul Water Utility

**SUBMITTED BY:** Mayor Susan Gehrz

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

**EXPLANATION:**

**Summary:** The suburban municipalities that contract for water service from the St. Paul Regional Water Services have representation on the Board of Water Commissioners. The current seat will be augmented by an additional seat beginning in 2002. The following schedule for rotation of those seats has been proposed:

Seat A

- a) Lauderdale (2006-2007)
- b) West St. Paul (2008-2009)
- c) Falcon Heights (2010-2011)
- c) Maplewood (2012-2013)

Seat B

- a) West St. Paul (2002-2003)
- b) Falcon Heights (2004-2005)
- c) Maplewood (2006-2007)
- d) Lauderdale (2008-2009)

**ATTACHMENT:**

Joint Powers Agreement

**ACTION REQUESTED:**

Adoption of seat rotation for Board of Water Commissioners, St. Paul Regional Water Services.

**JOINT POWERS AGREEMENT FOR  
SUBURBAN REPRESENTATION  
SELECTION PROCESS TO THE  
BOARD OF WATER COMMISSIONERS**

This agreement, made and entered into as of this \_\_\_\_ day of \_\_\_\_\_, 1998, by and between the Cities of Falcon Heights, Lauderdale, Maplewood, and West St. Paul, municipal corporations under the laws of Minnesota (hereinafter referred to as "Suburban Cities").

**WITNESSETH:**

**WHEREAS**, the Board of Water Commissioners (hereinafter referred to as the "Board"), is a municipal corporation organized under the 1885 Laws of the State of Minnesota, Chapter 110, which laws originally provided for a five (5) member governing commission; and

**WHEREAS**, the Saint Paul Charter Commission and Saint Paul City Council have authorized that the composition and governance of the Board of Water Commissioners be enlarged and changed so as to allow for representation by suburban municipalities that have contacted with the Board for the provision of water services, as more fully explained in Saint Paul City Council Resolution No. 96-1369, which is attached hereto as Exhibit "A"; and

**WHEREAS**, prior to January 1, 1998, the Board of Water Commissioners consisted of five total members: three (3) Saint Paul City Council members appointed to two (2) year terms by the Mayor of Saint Paul, and two (2) at-large Saint Paul citizen members appointed to four (4) year terms by the Mayor of Saint Paul; and

**WHEREAS**, in a contract with the City of Maplewood for the provision of water services, Maplewood and the Board agreed to enlarge Board membership to six total members with the additional member representing the City of Maplewood, as more fully explained in the following (Article I, Section 3):

In accordance with the terms of the proposed amendment to the Saint Paul City Charter the Maplewood representative on the Board of Water Commissioners will be a resident of the City of Maplewood appointed by the Mayor and City Council of Maplewood and who shall serve for a term of four (4) years. The appointment by Maplewood will be made by January 1, 1998. In the event of a tie vote on any issue, the Mayor of Saint Paul shall be considered an ex officio member of the Board with the right to vote to break the tie vote; and

**WHEREAS**, in Article I, Section 4 of the same Maplewood Agreement, the Board agreed to seek to enlarge the Board membership to seven total members in the event that other suburban cities enter into similar agreements with the Board, as more fully explained in the following:

In the event that at least three (3) additional suburban cities enter into agreements with the Board that are similar to this Maplewood Agreement, Water Board membership will be expanded to seven (7) members. The two (2) non-Saint Paul resident members will thereafter represent all of the suburban cities, including Maplewood.

In the event that the total of residential accounts plus commercial and industrial accounts (excluding auto-fire accounts) of communities outside the City of Saint Paul and served by agreements similar to this Agreement exceed forty-three percent (43%) of the total Board's accounts, the number of Saint Paul appointees will be changed to four and suburban representation to three; and

**WHEREAS**, the Cities of Falcon Heights, Lauderdale and West St. Paul have executed agreements similar to the Maplewood Agreement, and therefore are entitled to seek and expand Board membership to a total of seven members in order to increase the suburban representation on the Board; and

**WHEREAS**, the parties to this Agreement are desirous of jointly and cooperatively developing a plan to select the present and future suburban representatives to the Board of Water Commissioners; and

**NOW, THEREFORE**, the parties hereto do hereby jointly agree to the following:

## **SECTION I.**

### **GENERAL PURPOSE**

It is the general purpose of the parties to this agreement to jointly and cooperatively develop a plan to appoint the original suburban representative(s) to the Board of Water Commissioners and to select replacement representative(s) for appointment following the term expiration(s) of the original representative(s) or in the event that a suburban representative is unable to complete a term.

## **SECTION II.**

### **SELECTION OF SUBURBAN REPRESENTATIVES TO THE BOARD OF WATER COMMISSIONERS**

The parties agree that the two suburban representatives shall be selected on the following basis and according to the following terms:

1. The two suburban seats shall be designated as Seat A and Seat B.
2. The City of Maplewood shall appoint a representative to the Board, designated as Seat A, and said appointee was designated as of January 1, 1998 through December 31, 2001, with a second four-year term from January 1, 2002 through December 31, 2005. After this term ends, the seat shall become a two-year term seat and shall be rotated among the suburban representatives in the following order:
  - a) Lauderdale (2006-2007)
  - b) West St. Paul (2008-2009)
  - c) Falcon Heights (2010-2011)
  - d) Maplewood (2012-2013)
3. The second suburban representative shall be designated as Seat B, and shall be a two-year term seat with the first term commencing January 1, 2003 and ending December 31, 2004. Representation on Seat B shall be rotated among the suburban representatives in the following order:

- a) West St. Paul (2002-2003)
- b) Falcon Heights (2004-2005)
- c) Maplewood (2006-2007)
- d) Lauderdale (2008-2009)

4. The parties agree that in the event an additional suburban community enters into a Water Service Agreement similar to those agreements executed by and between the Board and the cities of Falcon Heights, Lauderdale, Maplewood and West St. Paul, that this agreement shall be amended to include any such additional communities, which communities shall be subject to the same terms and conditions as the original communities.
5. Vacancies – the parties agree that a vacancy on the Board of Seat A and/or Seat B shall be filled by the City currently holding the appointment and shall be for the period remaining in the two (2) year term.
6. Duration – the parties agree that the term of this Agreement shall continue until December 31, 2013, unless otherwise amended as provided herein.
7. Amendment – the parties agree that this agreement may be amended upon such terms and conditions as may be mutually agreed to in writing by all of the suburban communities currently represented on the Board of Water Commissioners at the time of amendment.

**IN WITNESS WHEREOF**, the parties hereto have caused this Agreement to be executed in their behalf respectively as of the day and year first above written.

FORM APPROVED:

CITY OF FALCON HEIGHTS

BY: \_\_\_\_\_  
City Attorney

By: \_\_\_\_\_  
Mayor

By: \_\_\_\_\_  
City Administrator

CITY OF LAUDERDALE

BY: \_\_\_\_\_  
City Attorney

BY: \_\_\_\_\_  
Mayor

BY: \_\_\_\_\_  
City Administrator

CITY OF MAPLEWOOD

BY: \_\_\_\_\_  
City Attorney

BY: \_\_\_\_\_  
Mayor

BY: \_\_\_\_\_  
City Administrator

CITY OF WEST ST. PAUL

BY: \_\_\_\_\_  
City Attorney

BY: \_\_\_\_\_  
Mayor

BY: \_\_\_\_\_  
City Administrator

LC

ORIGINAL

Council File # 96-1368

Ordinance # \_\_\_\_\_

Green Sheet # 34726

ORDINANCE  
CITY OF SAINT PAUL, MINNESOTA

39

Presented By *Dino Luni*

Referred To \_\_\_\_\_ Committee: Date \_\_\_\_\_

An ordinance enacted pursuant to Minnesota Statutes, Section 410.12, Subdivision 7, amending Section 15.03 of the Saint Paul City Charter.

The Council of the City of Saint Paul Does Hereby Ordain:

Section 1

That in accordance with the authority granted to the City Council pursuant to Minnesota Statutes Section 410.12, Subdivision 7, and upon the recommendation of the Saint Paul Charter Commission, Section 15.03 of the Home Rule Charter for the City of Saint Paul be and is hereby amended to read as follows:

Sec. 15.03. Board of water commissioners.

There shall be a board of water commissioners composed of six (6) members appointed as follows: The mayor shall appoint with the approval of the council three (3) members who shall be members of the city council for terms to coincide with their elected terms of office and two (2) members who shall be resident citizens of Saint Paul who hold no other city office or city employment. The sixth (6th) member who shall be a resident citizen of a suburb served by the board's water system to be appointed in the manner provided for in the water extension agreement with the suburb(s). All citizen members shall serve for a term of four (4) years. A citizen member appointed to fill a vacancy shall serve for the unexpired term. In the event of a tie vote on any issue before the board the mayor of Saint Paul shall be considered an ex officio member with the right to vote to break the tie vote. The council may provide for an additional citizen board member to be appointed as provided for in the water extension agreements with the suburbs.

The board shall elect bi-annually from its membership a president, and vice-president. The board may make bylaws, rules and regulations for its government not inconsistent herewith, subject to the approval of the city council. The compensation of the board, if any, and the compensation of all officers and employees, shall be fixed by the city council.

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1 There shall be a board of water commissioners composed of five  
2 {5} members appointed by the mayor and approved by the council.  
3 Three {3} members shall be members of the city council and serve  
4 terms to coincide with their elected term of office. Two {2}  
5 members shall be resident citizens of Saint Paul who hold no  
6 other city office or city employment. Each shall serve for a term  
7 of four {4} years, except that one of the two {2} members first  
8 appointed shall serve for a term of two {2} years. A citizen  
9 member appointed to fill a vacancy shall serve for the unexpired  
10 term. The board shall elect annually one of its members to be  
11 president of the board and one of its members vice president, and  
12 it may make bylaws, rules and regulations for its government not  
13 inconsistent herewith, subject to the approval of the city  
14 council. The compensation of the board, if any, and the  
15 compensation of all officers and employees, shall be fixed by the  
16 city council.

17  
18 Employees of the board shall be considered employees of the  
19 City of Saint Paul. Except as modified by this Charter or state  
20 law, the board and its employees shall in all respects be subject  
21 to and subordinate to all provisions of this Charter and the  
22 ordinances and resolutions enacted in pursuance thereof.

23  
24 The board of water commissioners shall exercise all  
25 authority for the operation of the water utility as provided by  
26 Chapter 110, Special Laws of Minnesota for 1885, which is  
27 incorporated herein as fully and effectively as if set forth  
28 herein verbatim.

Section 2

29  
30  
31 This ordinance shall take effect and be in force ninety (90) days  
32 from and after its adoption, approval and publication unless  
33 within 60 days of its passage and publication a petition  
34 requesting a referendum on this ordinance is filed with the City  
35 Clerk.  
36  
37

	Yeas	Nays	Absent
Blakey	✓		
BOSTROM	✓		
HARRIS	✓		
Guerin	✓		
Medard	✓		
Reumann	✓		
Thune	7	0	0

Requested by Department of:

Water Utility

By: Bernie P. Bullert  
General Manager

Adopted by Council: Date Dec 11, 1996

Adoption Certified by Council Secretary

By: Nancy Anderson

Approved by Mayor: Date 12/13/96

By: MK Shields

Form Approved by City Attorney

By: Virginia D. Palmer

Approved by Mayor for Submission to Council

By: Joseph M. Reid

PRINTED

DEC 28 1996

ITEM: Approval of slate of officers for the Falcon Heights Fire Department

SUBMITTED BY: Heather Worthington, City Administrator

REVIEWED BY: Clem Kurhajetz, Fire Chief

**EXPLANATION:**

Summary: Each year, the Falcon Heights Fire Department holds elections to choose the Chief, 1<sup>st</sup> Assistant Chief, and 2<sup>nd</sup> Assistant Chief. These officers serve a three-year term, and the election of officers must be approved by the City Council according to the department bylaws.

The fire department recommends approval of the following slate of officers for 2002-2005:

Chief: Clem Kurhajetz

1<sup>st</sup> Assistant Chief: Mike Clarkin

2<sup>nd</sup> Assistant Chief: Mark Allen

**ACTION REQUESTED:**

Approval of the slate of officers as elected by the Falcon Heights Fire Department.

**ITEM:** Appointment of Patrick Dolan to the Parks and Recreation Commission

**SUBMITTED BY:** Susan Gehrz, Mayor

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

**EXPLANATION:**

Summary: Patrick Dolan has applied to fill an open seat on the Parks and Recreation Commission. He is currently serving on the Neighborhood Commission, and he feels that his interests and background would be more applicable to the Parks and Recreation Commission.

**ACTION REQUESTED:**

Approval of Patrick Dolan as Commissioner for the Parks and Recreation Commission.